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SENATE

MONDAY, APRIL 13, 1959

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father God, we thank Thee for the world in which Thou hast housed us as royal children, and for all that makes it beautiful and fair.

We are grateful to Thee for the life with which Thou hast endowed us, and for all that makes it a channel of uplift to others, and for all that brings its durable satisfactions to ourselves.

Grant, we beseech Thee, O Lord, even in the desecrated earth plowed by fear and hatred, that with high courage we may sow the seed of truth and love and freedom, believing in its ultimate fruition and fulfillment according to Thine eternal purposes.

In Thine own good time bring the harvest foreseen in radiant dreams of a redeemed earth, and while we toil in tribulation may we fight the good fight against the powers of darkness, in sweet contentment and with a quiet mind, knowing that though weeping may endure for a night, joy cometh in the morning.

We ask it in the name of Him who came to reveal the dignity and worth of our common human nature and its oneness with the Divine. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Friday, April 10, 1959, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the amendments of the Senate to the bill (H.R. 3648) to regulate the handling of student funds in Indian schools operated by the Bureau of Indian Affairs, and for other purposes.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H.R. 2493) declaring certain property in the State of New Mexico to be held in trust for the Pueblo of Santo Domingo, and it was signed by the Vice President.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Committee on Finance was authorized to meet during the session of the Senate today.

LEAVES OF ABSENCE

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the Senator from Iowa [Mr. MARTIN] be excused from attendance at the Senate sessions on Tuesday and Wednesday of this week. The Senator will be visiting Redstone Arsenal on a study trip, to complete studies of Army installations having to do with matters associated with the Committee on Aeronautical and Space Sciences.

The VICE PRESIDENT. Without objection, leave is granted.

Mr. JOHNSON of Texas. Mr. President, the Senator from Florida [Mr. HOLLAND] and the Senator from California [Mr. ENGLE] will be absent from the Senate today, in Annapolis, attending the meeting of the Board of Visitors to the Naval Academy.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule, there will be the usual morning hour for the transaction of routine business. I ask unanimous consent that statements be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to consider executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The VICE PRESIDENT. If there be no reports of committees, the nominations on the calendar will be stated.

DEPARTMENT OF THE AIR FORCE

The legislative clerk read the nomination of Philip B. Taylor, of New Jersey, to be Assistant Secretary of the Air Force.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

DEPARTMENT OF THE NAVY

The legislative clerk read the nomination of Cecil P. Milne, of Wisconsin, to be Assistant Secretary of the Navy.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Rear Adm. Ralph K. James, U.S. Navy, to be Chief of the Bureau of Ships in the Department of the Navy for a term of 4 years.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

COLLECTORS OF CUSTOMS

The legislative clerk read the nomination of Orley McGlothlin, of Colorado, to be collector of customs, with headquarters at Denver, Colo.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Harry D. Youse, of North Webster, Ind., to be collector of customs for customs collection district No. 40, with headquarters at Indianapolis, Ind.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

U.S. AIR FORCE

The legislative clerk proceeded to read sundry nominations for appointment as Reserve commissioned officers in the U.S. Air Force under the provisions of section 8351, title 10, United States Code, and section 8351 of Public Law 861, 85th Congress.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

NOMINATIONS IN THE ARMY, THE REGULAR AIR FORCE, THE NAVY, AND MARINE CORPS HERETOFORE PLACED ON THE VICE PRESIDENT'S DESK

The legislative clerk proceeded to read sundry nominations in the Army, the Regular Air Force, and the Navy and Marine Corps, which had been placed on the Vice President's desk.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of all these nominations.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I should like to inform the Senate that we anticipate having the Senate resume the consideration of House bill 2575, Calendar No. 140, authorizing an appropriation for the Pan American Games, which is the unfinished business, as soon as the morning hour is concluded.

Thereafter, if the distinguished chairman of the Committee on Interstate and Foreign Commerce is available, we may take up today certain proposed legislation reported from that committee. I shall confer later with the minority leader, after the schedule is more complete.

I am informed that the minority views on the labor bill are due tomorrow. I expect to speak to the chairman of the subcommittee handling that proposed legislation. There will be a Democratic policy committee meeting tomorrow. I anticipate that the labor bill will be discussed at the policy committee meeting, and plans will be made to schedule it for consideration by the Senate at an early date. I would not expect any votes to be taken on that bill this week.

I make this announcement so that Senators may know what our tentative plans are; and I shall discuss them in detail with the minority leader as soon as I can be more definite.

SELECTION OF SENATOR MORTON, OF KENTUCKY, TO BE CHAIRMAN OF THE REPUBLICAN NATIONAL COMMITTEE

Mr. DIRKSEN. Mr. President, last week the Republican National Committee assembled in Washington and selected a new national chairman in the person of our very distinguished and esteemed colleague, the Honorable THRUSTON MORTON, of Kentucky. Quite a number of comments have been made in regard to his appointment which I shall ask unanimous consent to have printed in the RECORD.

I should like to amplify my own comments, Mr. President, by saying that it was my pleasure to serve in the House of Representatives with THRUSTON MORTON. I followed his career when he served as an Assistant Secretary of State, and I watched with interest his advent to this body and his legislative career here. He is in deed and in fact a very distinguished citizen, a solid legislator, and a most competent organizer; and I think the Republican National Committee has well and wisely chosen in making him the chairman of the national committee.

Mr. President, I ask unanimous consent that the comments which I send to the desk be printed at this point in the RECORD.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

STATEMENTS BY REPUBLICAN SENATORS ON THE ELECTION OF SENATOR THRUSTON B. MORTON AS REPUBLICAN NATIONAL CHAIRMAN

Senator JOHN SHERMAN COOPER, MORTON'S Kentucky colleague, has worked closely with the new chairman for many years—both in political campaigns and in the executive and legislative work of the Government. Senator COOPER said today:

"I am very happy about the selection of my colleague and friend, Senator THRUSTON B. MORTON, of Kentucky, as National Chairman of the Republican Party. He will bring to his work a distinguished record of experience as a businessman, veteran, Assistant Secretary of State, and as a Member of the House and Senate.

"Senator MORTON has great ability, and I am confident that his leadership will give purpose and vigor to the Republican Party."

In publicly urging the new chairman's selection, COOPER had been quick to point out that in Kentucky support for MORTON was enthusiastic and unanimous, saying: "He is vigorous and able, and will make a great chairman."

Senator LEVERETT SALTONSTALL, of Massachusetts, chairman of the Republican conference of Senators, stated: "This is a fine choice. Senator THRUSTON MORTON is particularly well-suited for the exacting and important tasks of the national chairman. His energy, judgment, and wide practical experience in the legislative and executive branches as well as in grassroots politics will enable him to serve well—with strength and imagination—both the Republican Party and the Nation."

Senator EVERETT MCKINLEY DIRKSEN, Senate minority leader, stated: "THRUSTON MORTON will make a good chairman."

Senator STYLES BRIDGES, chairman of the Republican policy committee, commented:

I extend my heartiest congratulations to the members of the Republican National Committee who today have chosen Senator THRUSTON B. MORTON to be their chairman. They have made an excellent choice.

"Having served in both Houses of Congress and in the executive branch, Senator MORTON is well-informed on all matters of concern to the American people. He is young, vigorous, able, personable, experienced—and a seasoned political warrior as well. I anticipate he will give the Republican Party the sound, hard-hitting leadership needed to rally all thoughtful Americans around the GOP banner.

"Senator MORTON comes from traditional Republican stock and is well-grounded in the principles which have made our party a party of freedom and responsibility.

"I wish Senator MORTON success in his new post and pledge my cooperation in the team effort to elect a Republican President and a Republican Congress in 1960."

Senator THOMAS H. KUCHEL, of California, minority whip, had the following to say concerning the election of Senator MORTON:

"The selection of THRUSTON MORTON is both good news and good sense.

"A vigorous suporter of the Eisenhower administration, in which he served with distinction before coming to the Senate, he has been in the vanguard of Eisenhower stalwarts in the Congress.

"Under his direction, a fair and square Republican Convention is assured.

"Senator MORTON can be expected to provide dynamic leadership and to carry forward with dedicated zeal the program undertaken by his predecessor, Meade Alcorn, to put our party in readiness for a no-punches-pulled campaign in 1960."

Senator ALEXANDER WILEY, of Wisconsin: "I am delighted that my distinguished colleague, Senator MORTON, has been selected to serve as chairman of the Republican Party. In this important post, I believe he will provide the kind of vigorous, astute, and constructive leadership that will be good for the Republican Party and for the country. Naturally, I am expecting 'great results'."

Senator MILTON R. YOUNG, of North Dakota: "In my opinion the selection of Senator THRUSTON MORTON as chairman of the Republican National Committee is a good choice. Senator MORTON will make one of the better national chairmen we have had in recent years. He has much to commend him."

Senator JOHN J. WILLIAMS, of Delaware: "THRUSTON MORTON is admirably qualified to take over the reins of the Republican National Committee, and I am delighted at his election."

Senator KARL E. MUNDT, of South Dakota: "My congratulations and best wishes to Senator MORTON in his selection as the national chairman of the Republican National Committee. I am confident that THRUSTON MORTON will bring to the committee a working relationship between the national committee and the legislative and administrative personnel of the Republican administration which will culminate in victory in 1960. He will inspire the Republican workers in the field with his projection of the Republican philosophy that the Federal Government should not invade the areas of local government and that government should live within its income and not overburden the citizenry with confiscatory taxes and the evils of runaway inflation."

Senator ANDREW F. SCHOEPPEL, of Kansas: "The job of Republican national chairman is one which ideally requires a man of action, versatility, creative ideas, political wisdom, and wide experience relating both to the governing of the people and to the closest needs and desires of all the people.

"The members of the Republican National Committee are to be complimented for their selection of a man who so thoroughly fills these qualifications.

"Senator MORTON will command strong support for the cause of the Republican Party. Being a member of the Senate and a former Member of the House he will bring to the national committee experience and background which will be most helpful."

Senator FRANK CARLSON of Kansas:

"I am delighted that the Republican National Committee has selected THRUSTON B. MORTON as the national chairman. He will give young, vigorous leadership to the party.

"His experience, particularly in the executive and legislative branches of the Government, qualify him for this service at a time when we have pressing domestic and international problems."

Senator PRESCOTT BUSH, of Connecticut:

"The Republican National Committee has made an excellent choice. THRUSTON MORTON has had a wealth of political and governmental experience which has given him unusual qualifications to serve as national chairman.

"He will be in an excellent position to advise the White House of the views of Republican Members of Congress, and to inform the latter of the President's opinion on issues as they arise. I believe his election will result in increasing unity in the party."

Senator J. GLENN BEALL, of Maryland:

"I have been closely associated with THRUSTON MORTON both in the House of Representatives and in the Senate, and I believe I am in a position to judge him as a Republican and as a leader.

"As national chairman he will be forceful and capable in every respect. The national committee has chosen wisely."

Senator BARRY GOLDWATER, of Arizona: "I offer my wholehearted cooperation and that of the senatorial campaign committee to Senator MORTON. I hope that he will insist that the national committee be restored to

its rightful position in the party, and that he himself will be admitted to Cabinet meetings so that he can keep abreast of party policy."

Senator NORRIS COTTON, of New Hampshire: "It is rare that you find a man who combines dynamic leadership with restraint and good judgment. Senator THRUSTON MORTON is such a man and the ideal choice for chairman of the Republican National Committee."

Senator CARL T. CURTIS, of Nebraska: "I regard THRUSTON MORTON as a strong and able Senator and believe he has the capability of being a fine national chairman."

Senator CLIFFORD P. CASE, of New Jersey: "The selection of THRUSTON B. MORTON for national chairman is a first-class choice. He is able, energetic, and effective. I think the President and the national committee have made an excellent decision."

Senator THOMAS E. MARTIN, of Iowa: "Senator MORTON is an excellent choice to be our party's national chairman. He is capable, young, and vigorous, and he is in the fortunate position of combining those qualities with a wealth of experience in the field of practical politics. He will do a good job."

Senator KENNETH B. KEATING, of New York: "Senator MORTON will provide the Republican Party with the dynamic, forward-looking leadership that will carry the GOP to victory in 1960. His selection as Republican national chairman will be of tremendous benefit to the party. His invaluable experience in both the legislative and executive branches of the Government, his wide circle of friends in all walks of life, his political acumen and his ability to communicate the true magnitude of the Republican record in the Eisenhower era now become important assets for all Republicans and for the Republican cause."

Senator CASE, of South Dakota: "THRUSTON MORTON is an excellent man for the job. He understands the factors that make for shadings of opinion and has the ability to unite people for basic goals. He will be a worthy successor to Meade Alcorn and Leonard Hall."

Mr. JOHNSON of Texas. Mr. President, I do not wish to discuss Republican National Committee politics. However, since we have to have a Republican National Committee and a Democratic National Committee, and since those committees must have chairmen, I wish to say that I do not know how the Republican National Committee could possibly select a better equipped, better qualified, or more able or more highly respected citizen than the distinguished Senator from Kentucky [Mr. MORTON]. I have known him as a Member of the House of Representatives, as an Assistant Secretary of State, and as a U.S. Senator. I may say that he has lived up to the obligations we associate with the title of each office he has held. I have the greatest respect for him; and I commend the Republican National Committee on its selection—even though I cannot commend the Senator from Kentucky on his selection of his party. [Laughter.]

Mr. WILEY. Mr. President, in connection with the subject the minority leader and the majority leader have been discussing, let me say that I am glad to see there is so much harmony.

I agree with the harmonious conclusion they have reached because it refers to a man of character, a man of ability, a man who has had considerable experience in the service of his country and in its ranks. He has served in the executive branch and in both Houses of Congress. No one has ever said anything of a derogatory nature about him. In fact, in every position he has held, he has rendered the maximum of service.

So I am very happy that the National Republican Committee has exercised what I regard as superb judgment in selecting its new chairman.

GREETINGS OF CONGRESS TO FORMER PRESIDENT TRUMAN

Mr. SYMINGTON. Mr. President, it is a privilege and an honor to send to the desk a Senate concurrent resolution presenting the greetings and warm regards of the Congress to a distinguished former Member of this body, the Honorable Harry S. Truman; and I am glad that the leadership of the Senate—the minority leader, as well as the majority leader—have approved the resolution.

On May 8 of this year, Mr. Truman will celebrate his 75th birthday. By this resolution we, his old friends, along with his new friends in the Congress, may wish him a very happy birthday and many happy returns.

Few men can look back on a life of greater service to the people of his country and the world. Mr. Truman has served America in many roles—as a soldier of war, as a fighter for peace, as a county judge, as a Member of this body, as President of the United States.

And now he continues in the role of elder statesman and adviser.

His life is in the best American tradition. His patriotism and devotion to duty are an inspiration to all.

Perhaps the finest tribute which can be paid to this distinguished American is that, as his life progresses, he continues to grow in stature and in the esteem of his colleagues.

That is the mark of a truly great man.

Many of the present membership of the Senate served with Mr. Truman during his 10 years on Capitol Hill. As they will remember, he spent the first years learning his way; then he became one of the Senate's most influential Members, and performed a great service as chairman of the War Investigation Subcommittee.

This was his way in every position of responsibility. He spent the early years learning, and the later years performing.

We are indeed fortunate that since he left the White House he has been able to impart to the American people some of his great knowledge and experience.

Those of us who know Mr. Truman have always been impressed by his deep knowledge of, and respect for, the history of the United States.

He has always believed that if a man is to make history he must first understand history; and from that principle developed much of his great strength. Few of our Presidents have had greater knowledge and understanding of the role of Congress, the executive branch, and the judiciary in our political system.

Mr. Truman's years of service to his country bespeak his faith in the people, and his devotion to the ideals of democracy.

It is fitting that we here in the Senate, from which he drew so much, and to which he gave so much, should pay tribute to our distinguished former colleague on his 75th birthday, and by this resolution express our deep respect and gratitude for his service to his country.

Mr. President, on behalf of myself and my senior colleague [Mr. HENNINGS], I submit the concurrent resolution, and ask that it be read.

The VICE PRESIDENT. The concurrent resolution will be read.

The legislative clerk read the concurrent resolution (S. Con. Res. 20) as follows:

Resolved by the Senate (the House of Representatives concurring), That the Congress of the United State hereby extends to the Honorable Harry S. Truman its greetings, felicitations, and warm regards on the 75th anniversary of his birth, May 8, 1959.

SEC. 2. The Congress expresses its admiration and gratitude to President Truman for his many years of distinguished service to the United States and to the world. As a public servant and man of the people in the highest sense, he has gained the respect of all as the "Man of Independence."

SEC. 3. The Congress expresses particular appreciation for his dedication as Senator, Vice President, President, and author and elder statesman, in the battle against the enemies of freedom. His great efforts in the years following World War II helped unite the free world in its resistance to the common aggressor.

SEC. 4. The Congress expresses the hope that Divine Providence may permit Mr. Truman many more productive years of life and service to his country and to the world.

SEC. 5. A copy of this resolution shall be transmitted to that distinguished citizen of Missouri, the Honorable Harry S. Truman.

Mr. SYMINGTON. Mr. President, I ask unanimous consent for the immediate consideration of the concurrent resolution.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. JOHNSON of Texas. Mr. President, I appreciate the thoughtful and kindly act of the distinguished junior Senator from Missouri [Mr. SYMINGTON]. I am delighted to associate myself with what he has said about this able, good, and kind man.

President Truman served with distinction in many public offices, from the Congress to the White House. We all knew of him first as a Member of the U.S. Senate, where his fearlessness and vision distinguished his record here. Later he became Vice President, and he served in that post well.

When he assumed the office of President, on the death of President Roosevelt, he served with distinction and courage. I believe that history will record that this country has never had a more honest President, a more courageous and a more fearless President, or one who was more vitally concerned with the problems of all the people of the world.

I am delighted that the Senator from Missouri, with the cooperation of the minority leader, has made it possible for

the Senate to express itself, as it will shortly do, through the adoption of the concurrent resolution now under consideration.

Mr. SYMINGTON. I thank the Senator from Texas. I am very sure the subject Mr. Truman will be grateful to the majority leader for his kind and gracious remarks.

Mr. DIRKSEN. Mr. President, in the rather mellow aura of an anniversary occasion, we have an opportunity to look back, look around, and look forward. Such occasions of course are marked by timely remarks tinged with mellowness and sympathy, which are indeed written in the resolution of my colleague from the great neighboring State of Missouri.

I think often of the visit with President Truman after I departed from public service in the House of Representatives. My bags were packed, and I was prepared to go home. I called up one of his assistants. I said, "I would like to see the President and say goodby to him and his family." The President was very busy. I said, "I will wait. If I have to, I will wait a week." So the following day I had an appointment with the President. We spent at least 30 minutes visiting. I recall with what vigor he said to me, "You should not have quit." I said I had an eye malady. I felt I should quit in the interest of my recovery. Mr. Truman said, "We need fellows like you." I said, "I could not leave Washington until I said goodby." In the hurly-burly of political activities, we usually "make tracks" when the session is over, and our bags are packed 2 days beforehand, in our eager desire to get home. It was a beautiful visit.

Later, when I was a candidate for the Senate, Mr. Truman came to visit me in a neighboring city. As an illustration of the kind of man he is, he wanted me to win. That is indicative of politics in this country. Underneath his front, he has a robust and sterling character.

I notice the language of the resolution is "the 'Man of Independence'." Being a stickler in etymology, I thought it should read, "the 'Man from Independence'." But I would not find fault with a preposition, because no one will say that our distinguished former President is not a man of independence in every sense of the word.

He has served the Nation well. I salute him for his service. I salute him also as a friend, for when he is one's friend, he is a friend in truth and in fact.

To mark this anniversary is one of the delightful and one of the worthwhile things we can do, because it adds to the reservoir of good will. So we salute him on his 75th birth anniversary.

Mr. SYMINGTON. I thank the distinguished minority leader for his kind and courteous remarks with respect to the No. 1 citizen of my State. I am sure Mr. Truman will appreciate also the comments the Senator from Illinois has been good enough to make on this occasion. Mr. Truman is a man of independence from Independence. Again my appreciation to the distinguished minority leader.

Mr. ROBERTSON. Mr. President, as an indication of one of the reasons why the junior Senator from Virginia wishes to support the resolution extending congratulations to a distinguished American, he would like to call attention to the fact that the desk occupied by the junior Senator from Virginia is the one formerly occupied by a Senator who later became President, Mr. Harry Truman.

It is a pleasure for me to sit at this desk. It is a source of great gratification to me that a distinguished former Member of the Senate and former President is an outstanding supporter of the distinguished Senator from Missouri [Mr. SYMINGTON].

Mr. SYMINGTON. Mr. President, I thank my able friend from Virginia for his kind remarks. I am sure there is no Senator Mr. Truman would prefer having use his old desk than the distinguished junior Senator from Virginia.

Mr. GORE. Mr. President, will the Senator yield?

Mr. SYMINGTON. I am glad to yield to the able Senator from Tennessee.

Mr. GORE. It is with pleasure that I support the resolution offered by the distinguished junior Senator from Missouri. The former President, former U.S. Senator, former county judge—the great citizen of Missouri, of the United States, and of the world—Harry S. Truman, is entitled to honor, to love, and to respect. His patriotism has never been questioned. It cannot be questioned. His devotion to the public welfare is not subject to question. A man eminent in the life of our country and eminent in the hearts of his fellow countrymen is now honored by the adoption of this resolution, and I am happy to support it.

Mr. SYMINGTON. Mr. President, I thank the distinguished Senator from Tennessee for his superb remarks with respect to the life and public service of Mr. Truman. I am sure Mr. Truman also will be grateful for the comments of the distinguished Senator.

The VICE PRESIDENT. If there be no amendment to be proposed, the question is on agreeing to the resolution.

The concurrent resolution was unanimously agreed to.

Mr. HENNINGS subsequently said: Mr. President, I wish to take a few moments to speak briefly in honor of Missouri's most famous citizen on the approach of his 75th birthday anniversary. I have the honor to be a member of the national committee which has been designated to plan the celebration of the event.

All of us know that many things have been said and are still being said about Harry S. Truman by persons of varied political persuasion. It is only natural that he has been both praised and criticized, for he, himself, has never been sparing in his praise or criticism.

However, I believe that there is one thing about Mr. Truman upon which all can agree, one thing which both his friends and those who criticize him will grant him, and that is a personal courage second to no man. It is a personal courage which absolutely refuses to allow him to back away from a fight regardless of the forces alined against him.

All of us should remember this man's courage when he was a U.S. Senator. Let us all remember his courage as President of the United States. We recall that Harry Truman became President at a time when the Nation stood in need of courage. Let all of us remember that Harry Truman's courage was, throughout his years as President, repeatedly weighed and not found wanting.

When it comes to courage, and when it comes to assaying and weighing courage in the balance, I suggest that Harry Truman was and is the epitome of the highest ideals of courage which have characterized men throughout the formation and the life of the American Republic.

Only history and future generations can be the judge, but it is my belief that Harry Truman, acting almost alone, saved the free world in 1950. We recall that year as the year in which he told the Communist world that it could no longer pursue a course of world domination by act of armed aggression. On June 25, 1950, we went into Korea. Unhappily we are still not free from the threat of Russian militarism and all that communism represents. However, Harry Truman showed us the way. I am sure that future historians will rank him as one of this Nation's really great Presidents, and I am sure also that future historians will also rank his as one of this Nation's really great men.

Along with the other Senators who join me in sponsoring the resolution which was submitted this morning by the distinguished Senator from Missouri [Mr. SYMINGTON] and agreed to, I wish Harry Truman a happy 75th birthday anniversary and hope that he will have many, many more happy birthday anniversaries. I believe that the Nation also wishes Harry Truman many, many more birthday anniversaries, and I believe that that wish is entertained irrespective of party or political affiliation.

The VICE PRESIDENT. The morning business is in order.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT OF GENERAL SALES MANAGER ON COMMODITY CREDIT CORPORATION SALES POLICIES, ACTIVITIES, AND DISPOSITIONS

A letter from the Assistant Secretary of Agriculture, transmitting, pursuant to law, a report of the General Sales Manager on Commodity Credit Corporation sales policies, activities, and dispositions, for February 1959 (with an accompanying report); to the Committee on Agriculture and Forestry.

REGULATION OF CREDIT LIFE INSURANCE AND CREDIT ACCIDENT AND HEALTH INSURANCE IN THE DISTRICT OF COLUMBIA

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to provide for the regulation of credit life insurance and credit accident and health insurance in the District of Columbia (with an accompanying paper); to the Committee on the District of Columbia.

EXTENSION OF MOTORBOAT ACT OF 1940 TO CERTAIN POSSESSIONS OF THE UNITED STATES

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to extend the application of the Motorboat Act of 1940 to certain possessions of the United States (with accompanying papers); to the Committee on Interstate and Foreign Commerce.

REVISION OF SECTION 3054, TITLE 18, UNITED STATES CODE

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to revise section 3054, title 18, of the United States Code, concerning the enforcement of certain provisions of such code, and for other purposes (with an accompanying paper); to the Committee on the Judiciary.

TEMPORARY ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

AMENDMENT OF TITLE 35, UNITED STATES CODE, RELATING TO PATENTS

A letter from the Under Secretary of Commerce, transmitting a draft of proposed legislation to amend title 35 of the United States Code relating to patents (with accompanying papers); to the Committee on Post Office and Civil Service.

AMENDMENT OF SECTION 170 OF ATOMIC ENERGY ACT OF 1954

A letter from the Acting Chairman, Atomic Energy Commission, Washington, D.C., transmitting a draft of proposed legislation to amend section 170 of the Atomic Energy Act of 1954, as amended (with an accompanying paper); to the Joint Committee on Atomic Energy.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a report of the Archivist of the United States on records proposed for disposal under the law (with accompanying papers); to the Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. JOHNSTON of South Carolina and Mr. CARLSON members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A joint resolution of the Legislature of the State of Wisconsin; to the Committee on Interior and Insular Affairs:

"SENATE JOINT RESOLUTION 13

"Joint resolution memorializing the Congress of the United States to take steps to acquire, establish, and develop a Kettle Moraine National Park in Wisconsin to properly commemorate the Glacial Age

"Whereas one of the most important chapters in the geographical and geological history of our country, much more important than the features which most of our present national parks are dedicated to preserve or commemorate, is the Glacial Age—a period when glaciers repeatedly invaded the North Central and Northeastern parts of the United States and gorgeously carved and remodeled the entire surface of this area into a huge panorama of one of nature's rarest wonderworks; and

"Whereas because the Kettle Moraine State Park in Wisconsin is the only memorial established in recognition of these historical facts of national moment that indelibly molded the geographical character of this great expanse; because categorically the Kettle Moraine area is by far the most attractive and representative in which to establish a national park to commemorate the Glacial Age and its impact on this territory and the lives and habits of its people; because at present costs and rate of progress it will take the State of Wisconsin another 50 years to complete acquisition and development of the Kettle Moraine State Park as proposed in a 1936 State survey; because this land must be purchased and developed soon—before the inevitable population explosion, which is destined to follow the opening of the St. Lawrence Waterways, strikes Wisconsin and sends costs skyrocketing to prohibitive heights; because it is important that not only Wisconsin but this entire North Central and Northeastern area be provided with a Kettle Moraine National Park to give outdoor recreational opportunities for its rapidly increasing population; the State of Wisconsin seeks the aid of the Federal Government in developing a Kettle Moraine National Park and promises active cooperation toward bringing to reality in the Kettle Moraine area a national park concept to properly commemorate the Glacial Age; and

"Whereas the Republican Party in Wisconsin expressed the desire of thousands of people in Wisconsin and in its entire glacial area, when at its Platform Convention in 1958, it adopted the following resolution:

" 'We recognize the desirability of preserving the Kettle Moraine area of Wisconsin as a national park and pledge immediate cooperation with the Federal authorities in preserving the maximum area of this desirable region'; and

"Whereas the Democratic Party State platform adopted in 1958 said in part '* * * the Democratic Party favors:

" '4. Adoption of the basic plan of the proposed Moraine National Park for Wisconsin': Now, therefore, be it

"Resolved by the senate, the assembly concurring, That the Legislature of the State of Wisconsin memorializes the Congress of the United States to take necessary steps to acquire, establish and develop a Kettle Moraine National Park in Wisconsin to properly commemorate the Glacial Age, and pledges cooperation toward bringing to reality, in the Kettle Moraine area in Wisconsin, such national park concept; and, be it further

"Resolved, That properly attested copies of this resolution be sent to Dwight D. Eisenhower, President of the United States, to each House of the Congress of the United States and to each Wisconsin Member thereof.

"PHILLIP NASH,
"President of the Senate.
"LAWRENCE R. LARSEN,
"Chief Clerk of the Senate.
"GEORGE MOLENARO,
"Speaker of the Assembly.
"NORMAN C. ANDERSON,
"Chief Clerk of the Assembly."

The VICE PRESIDENT laid before the Senate resolutions of the General Court of the Commonwealth of Massachusetts, protesting against restricting the further importation of residual oil, which was referred to the Committee on Finance.

(See the above resolutions printed in full when presented by Mr. SALTONSTALL (for himself and Mr. KENNEDY) on April 10, 1959, p. 5585, CONGRESSIONAL RECORD.)

A resolution adopted by an assembly of Federal employees in San Juan, P.R., protesting against the enactment of House bill 5926, to repeal the Federal Relations Act; to the Committee on Interior and Insular Affairs.

JOINT RESOLUTIONS OF CONNECTICUT LEGISLATURE

Mr. BUSH. Mr. President, on behalf of myself and my colleague, the junior Senator from Connecticut [Mr. DODD], I present resolutions of the General Assembly of the State of Connecticut memorializing Congress to support a proposed amendment to the Federal Constitution relative to the imposition and collections of taxes on income by the States, and to amend Public Law 85–316. I ask unanimous consent that the resolutions may be printed in the RECORD and be appropriately referred.

There being no objection, the joint resolutions were received, appropriately referred, and, under the rule, ordered to be printed in the RECORD, as follows:

To the Committee on Finance:

"HOUSE JOINT RESOLUTION 69

"Joint resolution memorializing Congress to support a proposed amendment to the Federal Constitution relative to the imposition and collections of taxes on income by the States

"Resolved by this assembly:

"Whereas citizens of Connecticut residing within this State, but employed in the State of New York and Massachusetts, are imposed upon by being forced to pay income taxes to those States; and

"Whereas citizens of Connecticut residing within this State, but employed outside of Connecticut are bearing a considerable share of the tax burden imposed upon all the residents of this State by the various Connecticut State tax laws, especially the sales tax; and

"Whereas the citizens of Connecticut residing within this State, but employed outside of Connecticut find the income taxes imposed upon them by New York and Massachusetts to be a most difficult burden in these times of inflationary costs, especially since these taxes are in addition to the various Connecticut State taxes already being borne by them; and

"Whereas U.S. Senators STYLES BRIDGES and NORRIS COTTON, of New Hampshire, have proposed an amendment to the Federal Constitution to bring to an end the imposition of income taxes by one State upon the residents of other States: Now, therefore, be it

"Resolved by this assembly, That the General Assembly of the State of Connecticut hereby memorializes the Congress of the United States to support a proposed amendment to the Federal Constitution by adopting Senate Joint Resolution 29 introduced by said STYLES BRIDGES and NORRIS COTTON, providing that the several States would have no power to impose and collect taxes on income from whatever source derived except in respect to residents of the State imposing the tax; and be it further

"Resolved, That the secretary of state transmit copies of this resolution to the President of the United States, the Secretary of the Treasury, and the Senators and Representatives in Congress from this State and from New Hampshire and from New Jersey.

"Adopted in house of representatives March 9, 1959.

"Adopted in senate March 24, 1959."

To the Committee on the Judiciary:

"SENATE JOINT RESOLUTION 26

"Joint resolution memorializing Congress to amend Public Law 85–316

"Resolved by this assembly:

"Whereas there are many Americans who have filed petitions with the immigration authorities of the United States for the entry of their sons, daughters, brothers, and sisters, which petitions are classified in the fourth preference quota of the Immigration and Nationality Act; and

"Whereas of the four preference quotas established by the Federal Immigration and Nationality Act, the first, second, and third quotas are allotted 100 percent of the total annual entry quota; and

"Whereas, as a result, those persons who fall within the fourth preference section must depend for entry into this country upon deficiencies in the first three quotas; and

"Whereas there is frustration and despair resulting from the law that gives hope to Americans by permitting them to file petitions, getting them approved, and then compelling them to wait for their kin who may never come; and

"Whereas thousands of discontented people abroad, whose hopes are first raised and then dashed, certainly cannot believe in the good will we try to engender through our foreign policy, and thus become easy prey to the propaganda of unfriendly nations; and

"Whereas Congress has recognized and alleviated a similar problem through Public Law 85–316, which includes a provision for reuniting spouses and minor children of aliens legally residing in this country whose petitions were approved prior to July 1, 1957: Now, therefore, be it

"Resolved, That the General Assembly of the State of Connecticut memorialize Congress to amend the provisions of Public Law 85–316 to include cases which fall within the fourth preference quota, in order to provide for entry of the many thousands, petitions for whom have piled up in a backlog in prior years; that, in order not to create another problem of separated families, those applicants who are married and have families be permitted to bring them; and that a suitable copy of this resolution be sent by the secretary of state to each Congressman and Senator from the State of Connecticut.

"Adopted in senate March 19, 1959.

"Adopted in house of representatives March 26, 1959."

JOINT RESOLUTIONS OF NEW MEXICO LEGISLATURE

Mr. ANDERSON. Mr. President, I ask unanimous consent that there be printed in the RECORD, and appropriately referred, the following House joint memorials adopted by the 24th Legislature of the State of New Mexico:

House Joint Memorial 6, memorializing the U.S. Senators and Representatives in Congress from the State of New Mexico to take proper measures to amend the Federal Communications Commission's ruling prohibiting the use of television booster antennas.

House Joint Memorial 17, petitioning the Honorable Fred A. Seaton, Secretary of the Department of the Interior of the United States, to undertake all administrative and legal steps necessary to commence immediate construction of the Hammond project of the Colorado River project.

There being no objection, the joint resolutions were received, appropriately referred, and, under the rule, ordered to be printed in the RECORD, as follows:

To the Committee on Interstate and Foreign Commerce:

"HOUSE JOINT MEMORIAL 6

"Joint memorial memorializing the U.S. Senators and Representatives in Congress from the State of New Mexico to take proper measures to amend the Federal Communications Commission's ruling prohibiting the use of television booster antennas

"Whereas the rules and regulations of the Federal Communications Commission do not permit the operation of television booster antennas; and

"Whereas the use of television booster antennas serve the most practical and efficient means of receiving television in communities located in rugged mountainous country; and

"Whereas in the State of New Mexico there are many communities located in mountainous country, far removed from stations which transmit television signals; and

"Whereas the effect of the regulation of the Federal Communications Commission is to deprive many communities in New Mexico of the means of receiving television: Now, therefore, be it

"Resolved by the Legislature of the State of New Mexico, That the members of the congressional delegation from the State of New Mexico be respectfully petitioned and memorialized that they take all the proper measures necessary to have this regulation amended to permit the operation of television booster antennas; and be it further

"Resolved, That copies of this memorial be sent to the U.S. Senators and Representatives in Congress from the State of New Mexico.

"ED V. MEAD,
"President, Senate.
"HAL THORNBERRY,
"Chief Clerk, Senate.
"MACK EASLEY,
"Speaker, House of Representatives.
"ALBERT ROMERO,
"Chief Clerk, House of Representatives.

"Approved by me this 6th day of March 1959.

"JOHN BURROUGHS,
"Governor, State of New Mexico."

To the Committee on Appropriations:

"HOUSE JOINT MEMORIAL 17

"Joint memorial petitioning the Honorable Fred A. Seaton, Secretary of the Department of the Interior of the United States, to undertake all administrative and legal steps necessary to commence immediate construction of the Hammond project of the Colorado River project

"Whereas the proposed Hammond project is the only non-Indian project authorized for the State of New Mexico by the Colorado River storage project; and

"Whereas the Hammond project has been given a feasibility rating of 2.1 to 1 by the Bureau of Reclamation and is of vital necessity to the growth of the State of New Mexico and to the farming and livestock industry of the arid northwestern area of the State: Now, therefore, be it

"Resolved by the Legislature of the State of New Mexico, That the Honorable Fred A. Seaton, Secretary of the U.S. Department of the Interior, urge upon the Bureau of the Budget and the U.S. Congress the inclusion in the Bureau of Reclamation Colorado River budget of $500,000 for the fiscal year 1960, which sum and appropriation be dedicated to the start of the Hammond project; and be it further

"Resolved, That copies of this joint memorial be transmitted to the New Mexico delegation of the Congress of the United States: the Honorable DENNIS CHAVEZ, U.S. Senator; the Honorable CLINTON P. ANDERSON, U.S. Senator; the Honorable JOSEPH M. MONTOYA, Member of Congress; and the Honorable THOMAS G. MORRIS, Member of Congress; and be it further

"Resolved, That a copy of this joint memorial be transmitted to the Honorable Fred A. Seaton, Secretary of the Department of the Interior.

"ED V. MEAD,
"President, Senate.
"HAL THORNBERRY,
"Chief Clerk, Senate.
"MACK EASLEY,
"Speaker, House of Representatives.
"ALBERT ROMERO,
"Chief Clerk, House of Representatives.

"Approved by me this 27th day of March 1959.

"JOHN BURROUGHS,
"Governor, State of New Mexico."

RESOLUTION OF HOUSE OF REPRESENTATIVES OF NEW MEXICO

Mr. ANDERSON. Mr. President, I also ask unanimous consent that there be printed in the RECORD and appropriately referred, the following House Memorial passed by the New Mexico House of Representatives:

House Memorial 18, memorializing the U.S. Department of Health, Education, and Welfare, and the New Mexico congressional delegation to initiate and support legislation to qualify New Mexico Boy's Ranch to become eligible for surplus property to be used in the furtherance of the educational and welfare programs of the New Mexico Boy's Ranch.

There being no objection, the resolution was referred to the Committee on Labor and Public Welfare, and, under the rule, ordered to be printed in the RECORD, as follows:

HOUSE MEMORIAL 18

Memorial memorializing the U.S. Department of Health, Education, and Welfare, and the New Mexico congressional delegation to initiate and support legislation to qualify New Mexico Boy's Ranch to become eligible for surplus property to be used in the furtherance of the educational and welfare programs of the New Mexico Boy's Ranch

Whereas the New Mexico Boy's Ranch has been established to provide an opportunity for the youth of this State to become better citizens; and

Whereas the ranch has grown to accommodate approximately 40 boys, representing every county in New Mexico, and the ranch is now extending educational and occupational training opportunities to such youth: Now, therefore, be it

Resolved, That the Secretary of the U.S. Department of Health, Education, and Welfare and the New Mexico congressional delegation be respectfully urged to initiate and support congressional legislation to make available Federal surplus property for use by the New Mexico Boy's Ranch in the furtherance of the charitable principles to which it is dedicated, and be it further

Resolved, That copies of this memorial be transmitted to the Secretary of the U.S. Department of Health, Education, and Welfare, and to Senators DENNIS CHAVEZ and CLINTON P. ANDERSON; and to Representatives JOSEPH M. MONTOYA and THOMAS G. MORRIS.

MACK EASLEY,
Speaker, House of Representatives.
ALBERT ROMERO,
Chief Clerk, House of Representatives.

LOW PRICE OF EGGS—LETTER

Mr. LANGER. Mr. President, once more I desire to call attention to the fact that I have in my hand another letter dealing with the low price of eggs in North Dakota—18 cents a dozen. With a 50-cent dollar, it means the farmers are getting 9 cents a dozen for eggs. Time and time again I have called attention to this situation.

I ask unanimous consent that the letter be printed in the RECORD, and referred to the appropriate committee. The committee can take up the matter to the Department of Agriculture. I earnestly hope that something will be done in order that farmers of the Midwest may receive a fair price for eggs.

There being no objection, the letter was referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

CAVALIER, N. DAK., *April 7, 1959.*

Senator WILLIAM LANGER,
Washington, D.C.

DEAR MR. LANGER: I am sending you the markets from our Pembina County paper so you can see what us farmers up here are getting for our produce. Do you think a farmer can feed hens for eggs at 18 cents for grade A? And look at the price we get if we sell them, 7 cents. I wish you would show this to Ezra T. Benson and President Eisenhower also if they think the farmers are getting rich. We only have a 160-acre farm and how can we make a living? Don't we deserve better treatment?

We hope you are feeling good also your wife. Thanks for what you have done for us in the past.

Sincerely yours,

CHESTER CROSBY.

MARKETS—APRIL 1, 1959

Grain:	
60-lb. wheat, 13 protein	$1.78
Choice milling Durum	2.04
Heavy white oats	.45
No. 1 flax	2.56
No. 1 rye	.93
Poultry:	
Heavy hens	.07
Springers	.08
Old cocks	.06
Eggs:	
Eggs, grade A	.18
Eggs, M	.17
Eggs, B	.17
Eggs, C	.13
Current receipts	.17
Butterfat:	
No. 1 sour cream	.58
No. 2 sour cream	.42
Sweet cream	.60

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BYRD of Virginia, from the Committee on Finance, without amendment:

H.R. 5508. An act to provide for the free importation of articles for exhibition at fairs, exhibitions, or expositions, and for other purposes (Rept. No. 162).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 29. A bill for the relief of Magda Kusen Canjuga (Rept. No. 163);

S. 33. A bill for the relief of Bertha Glickmann (Rept. No. 164);

S. 181. A bill for the relief of Mary (Marija) Grom (Rept. No. 165);

S. 334. A bill for the relief of Hilda M. Humpole Goldschmidt (Rept. No. 166);

S. 625. A bill for the relief of Sophie Stankus, also known as Sister St. Ignace (Rept. No. 167);

S. 626. A bill for the relief of Maria Wolfram (Rept. No.1 68);

S. 1034. A bill for the relief of Asae Nishimoto (Rept. No. 169);

H.R. 1453. An act for the relief of Mrs. Mathilde Ringol (Rept. No. 177);

H.R. 1462. An act for the relief of Logan Duff (Rept. No. 178);

H.R. 2237. An act to amend chapter 13—Wage Earners' Plans—of the Bankruptcy Act (Rept. No. 179); and

H.R. 4314. An act for the relief of Samuel Abraham, John A. Carroll, Forrest E. Robinson, Thomas J. Sawyers, Jack Silmon, and David N. Wilson (Rept. No. 180).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 182. A bill for the relief of Yong Chul Jurgens (Rept. No. 170);

S. 245. A bill for the relief of Umeko Parker (Rept. No. 171);

S. 524. A bill for the relief of Giovanni Malara (Rept. No. 172);

S. 843. A bill for the relief of Ursula Gewinner (Rept. No. 173);

S. 940. A bill for the relief of Hlias Anthony Lousedes (Rept. No. 174); and

S. 1239. A bill for the relief of Herbert Westermann (Rept. No. 175).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

S. 848. A bill for the relief of Peter Trbojevic, and his wife, Milica Trbojevic (Rept. No. 176).

By Mr. CHAVEZ, from the Committee on Public Works, without amendment:

S. 114. A bill to provide for equal treatment of all State-owned hydroelectric power projects with respect to the taking over of such projects by the United States (Rept. No. 186);

S. 601. A bill to authorize and provide for the construction of the Bardwell Reservoir (Rept. No. 184); and

S.J. Res. 16. Joint resolution to designate the lake to be formed by the waters impounded by the Dickinson Dam in the State of North Dakota as "Edward Arthur Patterson Lake" (Rept. No. 183).

By Mr. CHAVEZ, from the Committee on Public Works, with amendments:

S. 219. A bill to provide for the construction of a fireproof annex building for use of the Government Printing Office, and for other purposes (Rept. No. 185); and

S. 441. A bill to extend the duration of the Federal air pollution control law, and for other purposes (Rept. No. 182).

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS—REPORT OF A COMMITTEE

Mr. EASTLAND, from the Committee on the Judiciary, reported an original concurrent resolution (S. Con. Res. 21) favoring the suspension of deportation in the cases of certain aliens, and submitted a report (No. 181) thereon; which concurrent resolution was placed on the calendar, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Congress favors the suspension of deportation in the case of each alien hereinafter named, in which case the Attorney General has suspended deportation for more than six months:

A-4727055, Blaek, Ewald.
A-6623087, Chen, Won.
A-7073910, Chen, Rose Marcial.
A-7841721, Doxas, Ioannis Georges.
A-7469427, Duran-Gomez, Lucio.
A-5653974, Goldberg, Jennie.
A-5923851, Gonie, Abdul.
A-8227824, Hintopoulos, Anastasios.
A-8227810, Hintopoulos, Elizabeth.
A-10237829, Howell, James.
A-9509847, Kim, Tan Cheng.
A-7910271, Laskaratos, Antonis.
A-3734088, Laush, John.
A-7606569, Lorsy, Pierre Auguste.
A-5680354, Mitsis, Vasilios George.
A-3191505, Miyagi, Shintaro.
A-9702526, Nam, Wong.
T-330304, Nunez, Estrella Quesda-Padron de.
A-10828947, Okano, Toshio.
A-9783404, Pioa, Ching Tsung.
A3313814, Poon, Gee King.
A-7123769, Prano, Francesco.
A-3026388, Sikinger, Maximilian.
A-5983271, Teh-Chee, Wong.
A-6218916, Tijerina, Elidia Gomez.
A-8082837, Yee, Chan Tim.
A-9634992, Choy, Wong.
A-5309224, Engelbert, Walter.
A-6888873, Huppert, George.
A-6798911, Huppert, Marta (nee Simon).
A-9563617, Karapanagiotis, Aristotelis Anastassios.
A-9197864, Sing, Lai.
A-10504603, De Belmares, Josefina Coronel.
A-4789022, Evans, Zena Ann.
A-4786269, Hamasaki, Hiroichi.
A-5364167, Hamasaki, Tsugino.
A-9684330, Kam, Lo.
A-9799123, Kwai, Yung Ah.
A-3351370, Lum, Chong.
A-7186533, Rubin, Riva.
A-4276892, Dos Santos, Alfredo Lopes.
A-7450107, Wong, Kam.
A-6657670, Cheliotis, Athanasios Elias.
A-7898703, Costa-Coloret, Candido.
A-10292017, Costa, Candida Jalda-Diaz De.
A-7137721, Galaviz, Juana.
A-7886181, Lam, Cheong King.
A-5056856, Trentin, Giuseppe.
A-2794618, Carlson, Peter.
A-6984286, Garcia-Mendez, Celia.
A-6984283, Garcia-Mendez, Maria.
A-6984285, Garcia-Mendez, Victor.
A-3974383, May, Chang Ah.
A-9625807, Mustasaar, Jaan.
A-8952421, Wing, Lew.
A-8952422, Chung, Lee Sun.
A-5830879, Arden, Robert H.
A-7264249, Kildea, Gay Yvonne.
A-8217364, Silaikis, Felix.
A-9635445, Wong, Chong.
A-10255991, Chow, Sow Tan.
A-9727518, Giraud, Boniface Victorius Leon.
A-7241518, Lynch, Timoth James.
A-9069727, Yin, Ho York.
A-7266325, Fong, Han Soon.
A-9571969, Lim, Chew Tak.
A-10255551, Toon, Tan Siang.
A-7469694, Wah, Tan Jow.
A-9537742, Tan, Yap Eng.
A-9561879, Paun, Tin Joke.
A-7978933, Nunez y Plasencia, Juan Jose.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MANSFIELD:

S. 1656. A bill for the relief of Patrick J. McMenomey; to the Committee on the Judiciary.

By Mr. JACKSON:

S. 1657. A bill for the relief of Leonard T. Bilson; to the Committee on the Judiciary.

By Mr. BEALL:

S. 1658. A bill to amend the District of Columbia Income and Franchise Tax Act of 1947 to provide more liberal deductions for medical expenses of individuals who have

attained the age of 65; to the Committee on the District of Columbia.

By. Mr. DODD:

S. 1659. A bill for the relief of Jesus Miguez Miguez and Camilo Sotelino Migues; to the Committee on the Judiciary.

By Mr. HART (for himself and Mr. McNAMARA):

S. 1660. A bill to authorize the Honorable Thomas F. McAllister, judge of the United States court of appeals, to accept and wear the decoration tendered him by the Government of France; to the Committee on Foreign Relations.

By Mr. KEATING:

S. 1661. A bill to include United States commissioners and certain officers and employees of the Department of Labor, the Department of Commerce, the Department of Health, Education, and Welfare, the Post Office Department, the General Services Administration, and Federal probation officers within the provisions of sections 111 and 1114 of title 18 of the United States Code relating to assaults and homicides; to the Committee on the Judiciary.

(See the remarks of Mr. KEATING when he introduced the above bill, which appear under a separate heading.)

By Mr. FULBRIGHT:

S. 1662. A bill to provide for the establishment of the Arkansas Post National Park, in the State of Arkansas; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. FULBRIGHT when he introduced the above bill, which appear under a separate heading.)

By Mr. LANGER:

S. 1663. A bill directing the Secretary of the Interior to convey certain property in the State of North Dakota to the city of Bismarck, N. Dak.; to the Committee on Interior and Insular Affairs.

S. 1664. A bill to provide for the construction of a dam and reservoir on the Little Missouri River in the State of North Dakota; and

S. 1665. A bill to provide for the construction of a dam and reservoir on the Green River in the State of North Dakota; to the Committee on Public Works.

By Mr. LANGER (for himself and Mr. YOUNG of North Dakota):

S. 1666. A bill to amend the Small Business Act of 1953 to include within the definition of a small business concern certain agricultural enterprises; to the Committee on Banking and Currency.

By Mr. JOHNSTON of South Carolina:

S. 1667. A bill for the relief of the widow of Col. Claud C. Smith; to the Committee on the Judiciary.

By Mr. CHAVEZ:

S. 1668. A bill for the relief of Esther Hernando Perez de Castilla; to the Committee on the Judiciary.

By Mr. KUCHEL:

S. 1669. A bill for the relief of Evagelia Elliopulos; to the Committee on the Judiciary.

By Mr. GRUENING:

S. 1670. A bill to provide for the granting of mineral rights in certain homestead lands in the State of Alaska; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. GRUENING when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (by request):

S. 1671. A bill to provide a flexible rate of interest for Government financing under the Merchant Marine Act, 1936, and for other purposes; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appear under a separate heading.)

By Mr. JOHNSTON of South Carolina:

S.J. Res. 90. Joint resolution to provide for the construction of an additional museum of atomic energy by the Atomic Energy Commission for the housing of exhibits and the dissemination of information concerning atomic energy and its peacetime uses; to the Joint Committee on Atomic Energy.

(See the remarks of Mr. JOHNSTON of South Carolina when he introduced the above joint resolution, which appear under a separate heading.)

CONCURRENT RESOLUTIONS

Mr. SYMINGTON submitted a concurrent resolution (S. Con. Res. 20) extending greetings to Hon. Harry S. Truman on the 75th anniversary of his birth May 8, 1959, which was considered and agreed to.

(See the above concurrent resolution printed in full when submitted by Mr. SYMINGTON, which appears under a separate heading.)

Mr. EASTLAND, from the Committee on the Judiciary, reported an original concurrent resolution (S. Con. Res. 21) favoring the suspension of deportation in the cases of certain aliens, which was placed on the calendar.

(See the above concurrent resolution printed in full which appears under the heading "Reports of Committees.")

AMENDMENT OF TITLE 18, UNITED STATES CODE, RELATING TO ASSAULTS AND HOMICIDES IN REGARD TO CERTAIN FEDERAL EMPLOYEES

Mr. KEATING. Mr. President, I introduce, for appropriate reference, a bill to make it a Federal offense to kill, assault, resist, oppose, impede, intimidate, or interfere with any U.S. commissioner, or certain officers and employees of the Departments of Labor, Commerce, Health, Education, and Welfare, and of the Post Office and the General Services Administration, as well as Federal probation officers while in performance of his official duties. Except in the case of U.S. commissioners, the only employees covered would be those concerned with investigatory or enforcement functions.

This bill has been enthusiastically endorsed by the administration as to the executive departments concerned; and I may add that since U.S. commissioners sit as trial magistrates, it is patently clear that they should be afforded the same protection as other Federal judicial officers.

Under the present laws, such protection applies only to Federal judges, U.S. attorneys, officers and employees of the Federal Bureau of Investigation, and a few other Federal workers.

Experience has shown that the knowledge that Federal laws apply to, and Federal enforcement agents investigate, attacks on certain Federal employees goes a long way toward deterring such actions. Even though the crimes are crimes under State laws, the deterring power of Federal protection is immeasurable.

We owe this protection to all Government employees who face the probability of assault or intimidation in carrying out their duties.

The bill I introduce would close a loophole in the present laws, by providing the shield of Federal laws for employees in these departments who constantly face danger.

Certainly those who risk life and limb for the good of the Nation deserve all the protection we can afford them. There should be no controversy about this measure, and I trust it will be given early and favorable consideration by Congress.

Mr. President, I ask unanimous consent that the text of the bill be made a part of the RECORD; and I also ask that the bill be allowed to remain on the table until Thursday, April 16, 1959, so that other Senators may have an opportunity to join in sponsoring it.

The PRESIDING OFFICER (Mr. DODD in the chair). The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, and lie on the desk as requested by the Senator from New York.

The bill (S. 1661) to include U.S. commissioners and certain officers and employees of the Department of Labor, the Department of Commerce, the Department of Health, Education, and Welfare, the Post Office Department, the General Services Administration, and Federal probation officers within the provisions of sections 1111 and 1114 of title 18 of the United States Code relating to assaults and homicides, introduced by Mr. KEATING, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1114 of title 18, United States Code, is amended to read as follows:

"§ 1114. Protection of officers and employees of the United States.

"Whoever kills any judge of the United States, any United States commissioner, any United States attorney, any assistant United States attorney, or any United States marshal or deputy marshal or person employed to assist such marshal or deputy marshal, any officer or employee of the Federal Bureau of Investigation of the Department of Justice, any post office inspector, any postmaster, officer, or employee in the field service of the Post Office Department, any officer or employee of the Secret Service or of the Bureau of Narcotics, any officer or enlisted man of the Coast Guard, any officer or employee of any United States penal or correctional institution, any probation officer of a United States district court, any officer, employee or agent of the Customs or of the Internal Revenue or any person assisting him in the execution of his duties, any immigration officer, any officer or employee of the Department of Agriculture or of the Department of the Interior designated by the Secretary of Agriculture or the Secretary of the Interior to enforce any Act of Congress for the protection, preservation, or restoration of game and other wild birds and animals, any officer or employee of the National Park Service, any officer or employee of, or assigned to duty in, the field service of the Bureau of Land Management, any employee of the Bureau of Animal Industry of the Department of Agriculture, any officer or employee of the Indian field service of the United States, any officer or employee of the Department of Labor authorized to perform duties in connection with investigatory or enforcement functions under provisions relating to labor in any law of the United States, any officer, guard, or special policeman who is desig-

nated either by the Secretary of Commerce or by any person authorized by him to make such designation, or who is designated by the Administrator of the General Services Administration or by any person authorized by him to make such designation, to guard and protect property of the United States under the administration and control of the Department of Commerce or the General Services Administration, or any officer or employee of the Department of Health, Education, and Welfare in a position designated by the Secretary of Health, Education, and Welfare as involving functions in connection with the enforcement (including any investigatory or inspection activities in connection with the enforcement) of the food and drug or public health laws administered by such Department, while engaged in the performance of his official duties, or on account of the performance of his official duties, shall be punished as provided under sections 1111 and 1112 of this title."

ARKANSAS POST NATIONAL PARK, ARK.

Mr. FULBRIGHT. Mr. President, I introduce, for appropriate reference, a bill to provide for the establishment of the Arkansas Post National Park in the State of Arkansas.

The National Park Service has completed an extensive series of historical and archeological investigations in the Arkansas Post area. These investigations reaffirm the significance of Arkansas Post. I ask unanimous consent that a summary of the investigations be printed in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit I.)

Mr. FULBRIGHT. Mr. President, the Interior Department's Advisory Board on National Parks and Historical Sites, after studying the results of the investigations, approved Arkansas Post for consideration as a national park. I am gratified that the Board has taken this favorable action, and I hope that the Senate will take action on the bill in the near future.

I also ask unanimous consent to have printed in the RECORD an editorial on this subject from the Arkansas Gazette dated March 30.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the editorial will be printed in the RECORD.

The bill (S. 1662) to provide for the establishment of the Arkansas Post National Park in the State of Arkansas, introduced by Mr. FULBRIGHT, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The editorial presented by Mr. FULBRIGHT is as follows:

[From the Arkansas Gazette, Mar. 30, 1959]

ARKANSAS POST

The Interior Department's Advisory Board on National Parks and Historic Sites has approved Arkansas Post for consideration as a national park with the encouraging observation that the area is "of exceptional value for commemorating the important historical events associated with exploration and settlement of the lower Mississippi Valley."

Arkansas Post is entitled to the description. As one of the earliest white settlements on the west bank of the Mississippi, it served as a staging point for the exploration of the frontier, and many of the historic adventurers of that day are thought or are known to have visited its vicinity.

Among these explorers were Hernando de Soto, who is believed to have stopped near there in 1541. Others included Father Jacques Marquette and Louis Joliet in 1673; the Sieur de la Salle, who in 1682 took formal possession of the entire Louisiana territory in the name of Louis XIV; and Henri di Tonty, who established the first settlement at the post a few years later.

Arkansas Post is historically important, not merely to a single section of the South, but to the whole Nation. It deserves the status of a national monument.

EXHIBIT I

ARKANSAS POST PROJECT, ARKANSAS

I. SUMMARY HISTORY OF THE AREA

The chief significance of Arkansas Post is that it was the first white settlement of a semipermanent character in the lower Mississippi Valley and the later Louisiana Purchase. It was established by Henri di Tonty, a lieutenant of the famed explorer, Robert Cavalier de la Salle, in 1686 as a fur trading post.

Tonty himself wrote in 1693 that his post on the Arkansas was merely "a house surrounded by stakes." A visitor to the place in 1687, a year after it was built, described it as a "house * * * built of pieces of cedar laid one upon another and rounded away at the corners; its roof is of bark." This first Arkansas Post served as a trading house for the Indians, strengthened the French alliance with the friendly Quapaw Indians, and was designed as an intermediate post between the Illinois and the French settlements at the mouth of the Mississippi. Lack of references to Tonty's Arkansas establishments by contemporary travelers leads us to believe that it was abandoned about 1700 and another post was not erected on the Arkansas until two decades later.

It was not until 1721 that the French, under the Scotch promoter, John Law, established another post on the Arkansas, presumably at another location some distance away. The exact location is not known. With the exception of only a few years thereafter, both the French and Spanish maintained a garrison on the Arkansas until Louisiana was transferred to the United States in 1804. Although moved several times to different locations, Arkansas Post had a continuous existence from the 1720's until recent times.

Arkansas Post was overshadowed in importance by such places as New Orleans, Natchitoches, and St. Louis. During its heyday under the French and Spanish, not more than a company of troops was there at any time, and the population under the two regimes never exceeded 200 people. However, it was considered by the colonial administrations of both France and Spain to be of such importance that from the early 1730's a garrison was always maintained on the Arkansas. The role of Arkansas Post under the French and Spanish may be summarized as follows:

(1) It was one of the leading centers for Indian trade on the Mississippi River and of the Arkansas which drained a large area to the west.

(2) The post served as an intermediate point and as a stopping place for convoys traveling between New Orleans and the Illinois country.

(3) The garrison served to strengthen the alliance between France and later Spain, and their strongest Indian ally in Louisiana, the Quapaw.

(4) The post served as a base for French expansion into New Mexico.

(5) The garrison served as an important frontier outpost against the hostile Osage and other unfriendly Indian tribes on the western border of Louisiana.

After a time following the transfer of Arkansas Post to the United States in 1804, the area continued to be an important center for Indian trade. It reached its greatest importance from 1819 to 1821 when it was the capital of Arkansas Territory. The site of this last Arkansas Post is preserved as Arkansas Post State Park. During the Civil War the Confederacy recognized its strategic location on the Arkansas River by fortifying it and placing 3,000 troops there. In 1863, 30,000 Federal troops under Gen. John C. McClelland captured the post and kept control of the area during the remainder of the war.

II. NATIONAL PARK SERVICE STUDIES OF THE ARKANSAS POST AREA

Arkansas Post has been the subject of intermittent study by the National Park Service since February 1935.

The Advisory Board of the National Park Service in 1940 voted that "as one of the earliest sites in the lower Mississippi Valley and as an area of transition between the regimes of the Indians, the Frenchman, the Spaniards, and the American, Arkansas Post should be classified as an eligible site within the scope of the Historic Sites Act." However, this conclusion was based on the assump that archeological excavations would yield data regarding the successive sites of Arkansas Post and that consequently, these aspects of the lower Mississippi Valley history might be successfully interpreted.

During the years 1956 through 1958 the National Park Service conducted and sponsored research aimed at locating the site of the original Arkansas Post of 1686. This research included a comprehensive documentary study and two separate archeological projects. The results of these studies, which were made possible by special congressional appropriations, are given below.

Historical research

The historical investigations were undertaken by Ray H. Mattison, National Park Service historian, in 1956 and 1957. Utilizing all available sources, he compiled a history of Arkansas Post, with particular emphasis on any information on location which could be found. He was able to establish that Arkansas Post had been moved a number of times. Concerning the available information, Mattison says:

"The available documentary data have been carefully searched for every clue as to the possible locations of Arkansas Post. Unfortunately the references found were generally fragmentary and extremely obscure. The map sections of a number of the leading libraries of the Nation were carefully combed for maps of the lower Arkansas * * * these proved to be very contradictory in many instances."

Archeological research

Two separate archeological projects investigated pertinent areas in an attempt to locate physical remains of Tonty's Arkansas Post of 1686. The first of these in the fall of 1956 and the spring of 1957 was under the direction of Dr. Preston Holder, then of Washington University, St. Louis. The second, in 1958, was under the direction of Dr. James A. Ford, of the American Museum of National History.

Holder concentrated his work at and adjacent to Arkansas Post State Park. He found the occupation area extended considerably beyond the bounds of the present park lands. He found no evidence which could be attributed to the post of 1686. He did find evidence of a French and Spanish population living on the site for a considerable time during the 18th century, probably beginning as early as 1750. He found a complex of trenches indicating several relatively large structures, although erosion had

claimed whole sections of the buildings. He concluded, "There is every likelihood that there are some remains of a fort built in this vicinity in the early 1750's by the French Commander de la Houssaye. There is an equal or greater likelihood that there are remains of the Spanish fort of San Carlos III of the early 1780's."

Ford's work was at the site of the Menard Mounds, about 15 miles away as the crow flies. He found no physical evidence of the 1686 post, but he did find a small amount of trade goods with some burials, and believes on the basis of this and physiographic evidence that the Menard site was the Quapaw village of Osotouay where Tonty's post was erected in 1686. He succeeded in defining the cultural complex of the Quapaw Indians at the time of European contact, but found no evidence of actual European structural remains.

The archeological projects, therefore, failed to locate the exact site of the French post of 1686, but did locate French and Spanish settlements of the last half of the 18th century at and near the Arkansas Post State Park.

FLEXIBLE RATE OF INTEREST FOR GOVERNMENT FINANCING UNDER MERCHANT MARINE ACT

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to provide a flexible rate of interest for Government financing under the Merchant Marine Act, 1936, and for other purposes. I ask unanimous consent to have printed in the RECORD a letter from the Under Secretary of Commerce, requesting the proposed legislation.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 1671) to provide a flexible rate of interest for Government financing under the Merchant Marine Act, 1936, and for other purposes, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The letter presented by Mr. MAGNUSON is as follows:

THE SECRETARY OF COMMERCE,
Washington, D.C., April 9, 1959.

Hon. RICHARD M. NIXON,
President of the Senate,
U.S. Senate, Washington, D.C.

DEAR MR. PRESIDENT: There are attached four copies of draft legislation "To provide a flexible rate of interest for Government financing under the Merchant Marine Act, 1936, and for other purposes," together with a statement of purpose and provisions of the proposed legislation.

The Department believes that this draft bill would provide an adequate basis for meeting all costs of the Federal Ship Mortgage Loan program including interest, administrative expenses and a reserve for possible loss.

We are advised by the Bureau of the Budget that there is no objection to the presentation of this draft legislation to the Congress for its consideration and that its enactment would be in accord with the program of the President.

Sincerely yours,

FREDERICK H. MUELLER,
Under Secretary of Commerce.

STATEMENT OF PURPOSE AND PROVISIONS OF DRAFT BILL TO PROVIDE A FLEXIBLE RATE OF INTEREST FOR GOVERNMENT FINANCING UNDER THE MERCHANT MARINE ACT, 1936, AND FOR OTHER PURPOSES

The purpose of the draft bill is to amend the Merchant Marine Act, 1936, to provide a flexible rate of interest, to be charged by the United States upon the unpaid balance of the purchase price of vessels it sells under that act, which will be sufficient to cover its cost of borrowing money, its administrative expenses connected with the credit transaction, and a reserve for probable losses.

Under existing law, the rate required to be charged upon such unpaid balances is 3½ percent per annum which is not at present sufficient to cover the foregoing costs.

The draft bill would add a new section 512 to the Merchant Marine Act, 1936, which would provide that when vessels are sold under that act, on credit, the interest that shall be charged on the unpaid balance of the purchase price shall be a composite rate consisting of two components.

The first component would be a rate equal to the current average market yield, during the month preceding the execution of the contract to sell the vessel, as determined by the Secretary of the Treasury, on outstanding marketable obligations of the United States of maturities comparable to the vessel mortgage maturity. This would cover the cost to the United States of borrowing money. During the month of November 1958, this rate, as determined by the Secretary of the Treasury in connection with other lending transactions of the United States, was 3¾ percent per annum.

The second component would be a rate, determined by the Secretary of Commerce to be sufficient to cover administrative expenses and probable losses, which shall be not less than one-half of 1 percent per annum and not more than 1 percent per annum, except that during the period during which the vessel to be sold is under construction the charge to cover administrative expenses and probable losses shall be not less than one-quarter of 1 percent and not more than one-half of 1 percent.

The foregoing minimum and maximum rates to cover administrative expenses connected with the credit transaction, and a reserve for probable losses, are the same as the minimum and maximum premium rates which are authorized under title XI of the Merchant Marine Act, 1936, for mortgage insurance under that title. These rates provide sufficient flexibility, in the opinion of the Department of Commerce, so that, for the foreseeable future, the draft bill will authorize a rate which will cover administrative costs and a reserve for probable losses.

The composite interest rate which the draft bill would require be charged on the unpaid balance of the purchase price of vessels sold under the Merchant Marine Act, 1936, during December 1958 (if the draft bill had then been law), would be (except for the period during which the vessel is under construction) a minimum of 4¼ percent per annum and a maximum of 4¾ percent per annum. These minimum and maximum rates consist of (A) 3¾ percent per annum which during November 1958 (the month preceding the month during which the hypothetical contract of sale was entered into), was the current average yield of marketable obligations of the United States with maturities comparable to 20 years, plus (B) a minimum of one-half of 1 percent and a maximum of 1 percent to cover administrative expenses and a reserve for probable losses.

In addition to changing the interest rate on the unpaid balances of vessels sold under the Merchant Marine Act, 1936, the draft bill would change the minimum charter rate on vessels chartered under the Merchant Marine Act, 1936. Section 714 of that act now provides that the minimum charter rate on such vessels shall be 5 percent per annum of the foreign cost of the vessel plus 3½ percent of the depreciated foreign cost of the vessel computed annually upon the basis of a 20-year life of the vessel. This minimum charter rate is intended to recover a 5 percent per annum depreciation charge plus 3½ percent per annum interest. Since 3½ percent per annum does not cover the Government's cost, the draft bill would substitute for the 3½ percent rate the flexible rate which it provides upon the sale of a vessel.

The draft bill would amend all of the sales provisions of the Merchant Marine Act, 1936, to incorporate the interest provisions provided by the new section 512.

If vessels are built under title VII of the Merchant Marine Act, 1936, by the United States because the purposes of that act could not be carried out under title V, the draft bill would require that if such vessels are sold on credit, the interest charged upon the unpaid balance of the purchase price be at the rate provided in the draft bill, rather than at the rate of 3½ percent which is required by existing law.

The flexible interest rate would also apply to the sale of vessels acquired under title XI of the 1936 act through an assignment to the Secretary of Commerce of a vessel mortgage which he has insured under which there has been a default giving rise to a right to foreclose.

The draft bill would also amend Public Law 85–521 which authorizes the construction of two superliners, one to be operated in the Atlantic and one in the Pacific, and the sale of the vessels at prices fixed in that act with the terms of payment provided in section 502(c) of the Merchant Marine Act, 1936. These terms of payment under existing law include interest at the rate of 3½ percent per annum. The draft bill would change this interest rate to the flexible rate it provides for the sale of other vessels. This rate, if the contract to sell the vessels had been executed in December 1958, would be a minimum of 4¼ percent and a maximum of 4¾ percent.

CONSTRUCTION OF ADDITIONAL MUSEUM BY ATOMIC ENERGY COMMISSION

Mr. JOHNSTON of South Carolina. Mr. President, I introduce, for appropriate reference, a joint resolution which would provide for the construction of a museum at the Savannah River plant in South Carolina. This would be similar to the museum which was very successfully established at Oak Ridge, Tenn., some years ago. It would house nuclear exhibits for the general public to see. I feel this would be valuable in bringing to the attention of the American people the great potential of nuclear energy for peacetime use.

The U.S. Government is spending millions and millions of dollars in the development of nuclear energy, and it is certainly the intention of the United States to use this energy in a peaceful manner. Since the taxpayers are bearing the costs, I think it only proper that we keep them informed of the great progress which we are making.

I feel that the expenditures necessary for such an exhibition would be very small, indeed, compared to the great service it would render to the people. All Americans are naturally much inter-

ested in the uses of atomic energy, and I hope the Congress will see fit to pass this joint resolution.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 90) to provide for the construction of an additional museum of atomic energy by the Atomic Energy Commission for the housing of exhibits and the dissemination of information concerning atomic energy and its peacetime uses, introduced by Mr. JOHNSTON of South Carolina, was received, read twice by its title, and referred to the Joint Committee on Atomic Energy.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959—ADDITIONAL COSPONSOR OF BILL

On request of Mr. KENNEDY, and by unanimous consent, the name of Mr. CARROLL was added as an additional cosponsor of the bill (S. 1555) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes, introduced by Mr. KENNEDY (for himself and other Senators) on March 25, 1959.

PROPOSED AMENDMENT TO CONSTITUTION, RELATING TO EQUAL RIGHTS FOR MEN AND WOMEN—ADDITIONAL COSPONSOR OF JOINT RESOLUTION

Mr. LANGER. Mr. President, I ask unanimous consent that the name of the distinguished Senator from Iowa [Mr. MARTIN], be added as an additional cosponsor of the joint resolution (S.J. Res. 69) proposing an amendment to the Constitution of the United States relative to the equal rights for men and women, introduced by me on March 9, 1959.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROPOSED AMENDMENT TO CONSTITUTION RELATING TO ELECTION OF PRESIDENT AND VICE PRESIDENT—ADDITIONAL COSPONSORS OF JOINT RESOLUTION

Under authority of the order of the Senate of March 26, 1959, the names of Senators MURRAY, RANDOLPH, MCCLELLAN, FULBRIGHT, ERVIN, STENNIS, and HENNINGS were added as additional cosponsors of the joint resolution (S.J. Res. 86) proposing an amendment to the Constitution of the United States providing for the election of President and Vice President, introduced by Mr. SPARKMAN (for himself and Mr. HILL) on March 26, 1959.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD as follows:

By Mr. MAGNUSON:

Address entitled "Moscow's Cold War Air Force," delivered by Senator BARTLETT at the American Legion Queens County meeting, New York City, on March 20, 1959.

REALISTIC PLANNING NEEDED TO BENEFIT FROM ST. LAWRENCE SEAWAY

Mr. WILEY. Mr. President, I ask unanimous consent to have printed in the RECORD a statement I have prepared under the title "Realistic Planning Needed to Benefit from St. Lawrence Seaway."

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WILEY

As we know, the St. Lawrence Seaway, scheduled to open this month, will bring new economic life not only to the Great Lakes and upper Midwestern region, but to the Nation.

According to current estimates, the first ships of the 1959 shipping season will begin probably the week of the 20th to come through the improved and deepened waterway.

The event will mark a milestone of progress in the tremendous construction and engineering feat, providing trade and commerce on the Great Lakes—America's fourth seacoast—with a deep sea route to the ports of the world. In effect, the completion of the Seaway will transform a dream into a reality.

Around the Great Lakes, communities in Wisconsin and other States are making tremendous efforts to improve port and harbor facilities to get maximum benefit from the Seaway.

We recognize, of course, that constructive, realistic planning is essential for the future. Among other things, the challenges include: Further expansion and development of port and harbor facilities; development of waterfront sites; dovetailing of rail and road transportation facilities for "local" and "through" traffic with water terminals; and other actions to take advantage of new opportunities.

A recent publication by the Great Lakes Commission on Great Lakes Port Organization and Administration, carried a thought-provoking article entitled "The Seaway: A New Dimension for the Great Lakes Region and Mid-Continent Area." The ideas contained in this article reflect upon the problems and challenges involved in full utilization of this artery into the heartland of America, as well as some of the policy decisions that remain at the national and international level. The article is as follows:

"THE SEAWAY: A NEW DIMENSION FOR THE GREAT LAKES REGION AND MID-CONTINENT AREA

"(By John L. Hazard, professor of business and transportation, Michigan State University)

"The role of the lake ports

"The Seaway comes to the midcontinent as the agent of change—far-reaching, long-term, deep-seated, and fundamental change. It has been over 7 years since Canada made a final commitment to proceed, alone if necessary, with the construction of the Seaway at the St. Lawrence. During this interval of seaway assurance and presumed midcontinent preparations, the Seaway has constituted at the same time an opportunity, a challenge, a threat, and an enigma to the different elements of the midcontinent. It has been the role of the lake ports, during this period of varying expectations, to penetrate the fog that shrouds the seaway, to analyze its implications and to set the midcontinent on the road to constructive and realistic preparations.

"This is, indeed, a large order of responsibility and a formidable task that has lent itself to varying interpretations. As an opportunity, the Seaway is probably the most significant industrial location and economic development influence in the history of the lake ports since the Erie Canal and the westward extension of the railroads. Beyond the industrial implications, the Seaway provides the ports with an opportunity to become the focal point from which the midcontinent might emerge to conduct much of its merchandise foreign trade in its own right. As a challenge, the Seaway has posed the fundamental problem of instantaneous transformation from primarily localized industrial ports to cosmopolitan port complexes responsible to approximately one-half of the North American population and industry.

"The Seaway has been conceived by many enterprises and cities, some of them now its foremost potential beneficiaries, as a threat, a change in the status quo, a specter of competition and poverty. Primarily, however, the Seaway has been an enigma to the lake port communities and as such has provoked a spectrum of very different community responses.

"I shall direct my remarks in this session to providing a setting for the more pointed talks to follow. In the limited time available I will attempt to cover, very quickly, the elements of the Seaway, the opportunities it holds latent, the issues and problems before the lake ports and some of the policy decisions that remain at the Federal and international level. In the process I shall try to obstain from either prejudging or evaluating the issues until they have been thoroughly discussed by the highly competent panel of experts who have been assembled for that purpose. In the final evaluation sessions I shall be willing to carry the argument that involved in the Seaway is the basic and larger question of the international emergence of an economically and politically unified midcontinent. Secondly, unless evidence to the contrary emerges from these sessions, I will pose the case that the U.S. midcontinent is almost totally unprepared for the advent of the Seaway—neither the larger opportunities that it holds nor to answer the magnitude of issues that it raises.

"Elements of the Seaway

"The Seaway is a waterway effecting a union between the North American midcontinent and most assuredly over a third of the world's population. Its agents are ocean and lake vessels. In the limited time available, we can probably get the best view of the spectrum of opportunity inherent in the Seaway by discussing these elements in rather barebone simplicity. The Seaway itself is a waterway with limitations. It is not a St. Lawrence Seaway but rather a Great Lakes-St. Lawrence Seaway. It will be a single-lock canal at the St. Lawrence within 5 months, must reach up through each of the connecting channels (estimated to be at various stages from late 1960 to early 1963) and must then probe deep into the recesses of each of the deserving lake ports (to be accorded a schedule of dredging priorities). Even then, the Seaway will not be a completed fact.

"The Seaway must set in motion changes that produce its traffic and, in poetic justice, must respond to the magnitude of those changes. It must, then, become a continuum—progressively setting off change and responding to its magnitude—or be consigned to functional obsolescence by virtue of rapidly changing vessel technology or innovations in competitive paralleling transportation. The Seaway strikes into a dynamic and competitive universe whose test of success and survival is change and growth.

"The Seaway is by no means an ideal waterway, though its limitations have been vastly exaggerated by those who either magnify the transitional adjustments necessary for its utilization or take an entirely static view of the ingenuity of the shipping world or the North American capacity for industrial innovation. The only fundamental limitations of the trade route are to be found in its seasonality, limitations of dimensions, and directional orientation. The Seaway seasonality is a function of its icing over for about 4 months out of the year, and even this would be difficult to hold as a constant in view of the high nonproductive overhead costs and the increasing availability of chemical, heat and energy, air bubbling, and mechanical techniques for dissolving and breaking ice.

"The dimensional limitations of the Seaway are well known; the locks, for instance, have 200 feet less length, 20 feet less width, and 10 feet less depth than those that are already proving to be obsolete at the Panama Canal. Even though locks are considered to be permanent fixtures, they do not fix the project with permanent limitations. At the time of project duplication—which in my own opinion will have to be much sooner than ever anticipated—the locks must be gaged to the future dimensional and technological requirements of shipping. The directional limitation of the Seaway is to be found in the fact that it constitutes a long, narrow funnel throwing high out into the North Atlantic, a point from which omnidirectional sailing, particularly to southern and eastern hemispheres, involves circuitous distances. This will not become a very serious problem unless the whole direction of our trade shifts dramatically.

"One cannot foresee such a trend even with the advent of Euromart and the European free-trade community. The dominant direction of our trade is with countries economically accessible by the Seaway; for instance, nations conducting over 74 percent of the U.S. foreign trade by volume have already been reached by the miniature, short-range vessels plying the old St. Lawrence Canal.

"The ocean vessel is the Seaway's agent of change. We have long heard that the Seaway will introduce ocean vessels of 9,000 deadweight tons into the Great Lakes and draw lakers of up to 25,000 deadweight tons out to the ocean. This has given little credit to the ingenuity and adaptability of the maritime industries. It now appears more probable that hybrids combining the seaworthiness of ocean vessels and some of the capacity features of lakers will be the prototypes designed specifically for Seaway carriage. These already have been constructed up to 15,500 tons and are under design up to 19,000 tons. Basically, the multiple bulk hybrids are not severely circumscribed by Seaway dimensions, for they can carry in a single hold the total freight accommodated in 13 to 15 average freight trains. These hybrids—many constructed, operated, and manned under foreign flags—experience line-haul costs of about 1 mill per ton-mile, which is approximately one-sixth or one-seventh the railroad ton-mile costs in the specialized bulk movements (60- to 85-ton gondola and hopper cars). It is within their capabilities to haul from Chicago to Liverpool at less cost than railroads experience between Chicago and New York City. These bulk vessels are reinforced by the more dexterous general cargo vessels of from 8,000 to 9,500 tons capacity. These experience line-haul costs as low as 2 mills per ton-mile, which is about 5.5 to 10 percent of truck line-haul costs and only 20 to 25 percent of railroad line-haul costs.

"Fundamentally, these vessels have cost capabilities of reaching from Chicago to Western Europe as economically as trucks reach from Chicago to Detroit. Further, we find the cycle of innovation in transportation, which started with ships and shifted from trains, to trucks, to air, is now returning to vessel technology in the form of atomic power, new hull structures, different ways of compartmentalizing vessels, containers, roll-on, roll-off, and other means of mechanized cargo handling. In the face of this revolution in ship technology, the introduction of ocean vessels on the Great Lakes perhaps opens a wider spectrum for interlake commercial opportunities than does the Seaway in overseas general cargo trades. One carrier cost study affords evidence that the sea-train-type carrier could compete with railroads on a cost basis—a basis that frequently has little to do with rates—even between such short distance points as Chicago and Milwaukee.

"Furthermore, a cost advantage to the vessel of over 1 cent per ton-mile would apply for each unit of distance beyond those points. Since the Great Lakes are water surrounded by land—rather than land surrounded by water as is the case of continents—the distances between many of the lake ports is shorter by water than it is by overland carriage. The lakes, then, with their large and economically interrelated cities afford an ideal waterway for the integration of carriers through the utilization of common containers and units of carriage.

"The Seaway strikes into the North American midcontinent. Here is a region grown from an elementary agrarian economy to the largest, heavy industry agglomeration in the world in basically the 65 years of Seaway controversy. Its industrial ascension has been at the cost of virtual extinction of most of the resources upon which its industry is founded. This is true of the Pennsylvania and Illinois petroleum, the immense softwood forestry resources which once blanketed the Upper Lakes States, the copper of Upper Peninsula Michigan, the galena deposits of lead and zinc on the Wisconsin-Illinois border and is now becoming abundantly evident in the seemingly inexhaustible supply of iron ore at the head of the lakes. The industrial midcontinent has rapidly pursued a course which makes it the center of the materials void in the United States. Yet, remarkably enough, we have found this region to be politically disunified during the 65 years of Seaway battle; apathetic during its construction; and, in many instances, unprepared for its advent and ex post facto on many of the international policy issues it raises.

"The Seaway unites this region with at least one-third of the world's population and a larger proportion of its economy. Though Seaway romantics have focused most attention on the remote overseas areas, it is probably nearby and undeveloped eastern Canada that holds the major potential for Seaway movement. The Seaway, in this perspective, imposes an additional 2,000 miles of coastline to the Great Lakes-St. Lawrence system. Eastern Canada is the repository of what may prove to be the world's largest iron ore deposits. The one large company (Iron Ore Co. of Canada) which was working a central deposit at Schefferville in 1954, has been virtually surrounded by 17 companies which have outlined an almost continuous 2,000-mile arc of iron ore stretching from Lake Mistassini up around the Ungava Trough.

"The Seaway has lent a new urgency to resource developments in Canada, and the discoveries have almost perfectly balanced the acute deficiencies of the midcontinent. Large deposits of base metals—copper, zinc, and some lead—have been discovered in New Brunswick and central Quebec, and a large deposit of manganese in New Brunswick. Thorium, rare earths, and titanium oxides are found in abundance along the north shore of the St. Lawrence. The pyrites of New Brunswick offer a large potential for sulphuric acid and a chemical industry in eastern Canada. Asbestos along the south shore of the St. Lawrence and in Newfoundland and Nova Scotia has responded rapidly to the prospect of the Seaway. Nova Scotia gypsum, the largest supply in the world, has seen a number of new entries with prospect of midcontinent support. Moreover, the Seaway opens the midcontinent to prospective materials support from virtually all countries abutting on the Atlantic, the Mediterranean, and the Caribbean. These are the primary repositories of our industrial resources.

"We have long acknowledged that the Seaway opens the midcontinent's primary surpluses—grain and coal—to a more direct and economical export option. Of prospectively greater importance, it accords the midcontinent with the opportunity to conduct its merchandise trade in its own right. With respect to the merchandise or general cargo trades, the Seaway holds much more complex and enigmatic potential and the midcontinent is much less ably prepared and postured for their development than it is for the bulk movements where single companies, few decisions and a limited number of persons are concerned. The general cargo movement is the one in which the ports carry the primary mandates and responsibility and the one to which most of the remarks will doubtlessly be addressed today.

"I should like to point out, however, that although the bulk commodities tend to be largely autonomous, private, and self-initiating and have so far, except for grain, been considered outside most of the ports' focus of attention, they may be of a far larger order of importance in reshaping the economic structure of the midcontinent than the commercial general cargoes. It might further be considered whether these should be outside the authority of the lake port agencies which must, in the final analysis, make recommendations to the civic authorities for the control of further waterfront blighting; call the attention of industry and developmental agencies to the new spectrum of materials options and interpret their meaning to new industrial locations; and pursue a plan of integrated port development that has coherence, makes sense, and must ultimately reach far beyond the bounds of their present plants.

"I have merely touched in skeletal form on the essential elements of the Seaway-instituted change—a change of such magnitude as to defy exacting measurement. Though I have spent a number of years analyzing in considerable detail the new patterns of commodity and resource movements by the Seaway, I have by no means emerged with the feeling that my studies have embraced a significant part of the project's potential. I think it should be made abundantly clear that I do not count myself among the Seaway optimists; in fact, I hold the Seaway as essentially neutral. It does nothing for anyone; it merely holds out latent opportunities whose realization depends upon decisions and responses.

"The time is far past for raising the question I have been asked many times in the Lake States, 'What will the Seaway do for Podunk, Ohio?' The answer is, of course, 'Nothing.' The only question of relevance is 'What is Podunk, Ohio, going to do about the Seaway?' One witnesses throughout the

midcontinent the misconception—the St. Nicholas myth of the St. Lawrence—which assumes that traffic has some magic capacity to suddenly volunteer itself from out of the hinterlands. One still finds numerous boards of trade, chambers of commerce, and metropolitan planning agencies 'waiting to see the traffic before acting.' They will doubtlessly be proved the prophets of the Seaway, for without acting there will be no traffic to be seen. The sooner the St. Nicholas myth of the St. Lawrence is abandoned, the sooner the vision of spontaneous bonanzas will give way to the reality of the larger tasks and issues the Seaway presents.

"Before addressing the port-related issues raised by the Seaway, we might examine the higher goals and purposes that the Seaway could serve—to see if they provide some guidance to the higher aspirations and larger responsibilities of the ports. Looking not to the legislative mandate but rather to the reality and potential of the Seaway, I would list and rank the higher goals of the Seaway in the following order:

"1. The primary purpose that the Seaway may serve is the fostering of better relations, closer cooperation, and the growing economic interdependence between Canada and the United States. This is the concept implicit in the spirit in which the Seaway was conceived and strengthened during the project's construction and will be reinforced by what will be primarily Canadian-United States trade through the Seaway. That we can no longer afford to take Canada for granted is all too clear from the coming of age of Canada, the rise of nationalism and the dangers of division in this crucial time in our history. We must recall that it was a small and aggressive Canada that dragged the United States into the Seaway late and embarrassed. Canada is not only our most reliable neighbor but our foremost trading partner and potentially our strongest political and military ally. The Seaway may well be the first step toward wider joint activities in the conservation and redevelopment of the Great Lakes-St. Lawrence system. The system is not only the world's foremost fresh water supply but the greatest mutual asset shared by any two nations of the world, a system so divided that all actions relating to it must inevitably be joint, a resource suffering of serious pollution and despoilation.

"Further, the Seaway should lead toward parallelism in commercial laws with Canada and could be a first step leading toward regional economic union. Although we are living in a time that should make for an almost inevitable jointness, there is a disconcerting undercurrent of division between the United States and Canada. Certainly if we are to preserve this cherished relationship, the United States will have to show a much higher order of initiative than it has in its entry into the Seaway project. A study of the history of the Seaway battle makes it abundantly clear that our failure of entry on the Seaway was a regional, as opposed to a national or governmental, failure and, in this respect, the apathy, political disunity and open hostility of many in the midcontinent was probably as responsible as the vociferous opposition of the so-called longtime enemies of the Seaway. Certainly a large share of the task of enlightenment and of leading the midcontinent to an early and correct assessment of the larger issues of Canadian-American relations resides with the lake ports.

"2. The United States and Canada, in striving to foster their growing political and economic relationships, should also be mindful of the need to preserve the international dimensions of the Seaway—the right of transit and freedom of commerce by way of the Seaway to oversea countries. Certainly our oversea allies have pioneered and developed the lakes-overseas trade. Equally certain is the fact that the trade route is a vulnerable one. It is vulnerable to time losses stemming from duplicating governmental commercial laws—the many and disparate navigation, customs, immigration and other commercial rules that apply to the vessels and commerce passing over it. It is also vulnerable to the impositions of almost two dozen pilotage, maritime, shore, and transport unions which, in moving toward unity, can visit upon the commerce an almost unlimited number of grievances and restraints. It is further vulnerable to the defensive tactics of the inland carriers to whom the ocean vessels are, in different instances, both complementary and competitive. We might well consider then the role of the ports in bringing an international view to the problems of the Seaway, making it an integral part of our foreign policy and in considering its implications to our national and domestic transport maritime policy. Certainly, we are in a strategic position to throttle ocean vessels, of either foreign or domestic registry, in their attempts to develop commerce over this formerly closed navigation system.

"3. These matters will be an essential condition to what we might call the emergency of a midcontinent in fact. Not only does the Seaway afford the promise of access to new resource foundations to the industrial structure of the midcontinent and a new spectrum of market opportunities for its abundant primary and manufactured surpluses, but it also provides some reason to hope for the formation of an economically, politically and socially united region. The midcontinent heretofore has existed either as a figment of the imagination or as statistical fiction—the east north central district, the west north central district or the Great Lakes States. It is not a unified and coherent region like the Pacific coast, the Southwest, the South, New England, or even eastern Canada or central Canada. The Seaway will send out trade arteries that may constitute a unifying thread which could knit this section of the country into a coherent and articulate region. If it does, one might hope for an abandonment of the residual elements of isolationism and insularity that have remained, even after World War II, and the emergence of a region with a larger and more responsible voice in all international economic and political affairs. Needless to say, the ports must choose a leading role if such a transition is to obtain.

"4. The fourth purpose to be served by the Seaway may well be to establish the capacity of a navigation project for self-liquidation and this concept is probably well worth preserving. Self-liquidation is a part of the legislative mandate, will afford the grounds for more equitable transport competition and, in the final analysis, may become a condition for the extension and duplication of the project. This by no means supports the idea that we should expect the Seaway to rise full-blown and self-liquidating in its first few years nor that we should become so attached to its profit and loss aspects as to permit them to defeat the other higher international and regional policy objectives. I fully realize that supporting tolls is akin to a politician favoring sin or taxes, in some of the lake cities, so I will merely acknowledge that this is an issue on which the ports will have to take an informed and responsible position. If they do not, it is entirely conceivable that their failure to do so will not only be injurious to fostering amity between Canada and the United States but may be inimicable to a consistent U.S. voice in Seaway matters. Fortunately, harassment and irresponsibility over tolls may have passed beyond the fevered pitch reached about 2 years ago.

"These may seem to be lofty and utopian purposes to ports struggling with the daily myriad details and decisions—and, in many instances, fighting for political survival. Yet if the ports, as agents and interpreters of an emergent midcontinent, lose sight of the higher goals, we are certain to realize less than the full potential of the Seaway for positive change. The Seaway is no longer just a matter of new commodity flows and commerce but becomes a distinct means of positively redirecting our international policy during a period of intensification of economic warfare.

"Port-related issues

"We view the lake ports in a moment of fundamental, grassroot, and yet revolutionary, transformation. Theirs is the task of changing from industrial to cosmopolitan ports; from primary local to international ports; from independent, private, and bulk commodity industrial backyards to commercial entrepôts responsible to and conducting much of the foreign trade of the heartland of the world's richest continent. Time is of essence, for the lake ports must accomplish in 5 to 10 years what has evolved at seaboard ports over the past 150 years. Yet the lake port agencies have, with few exceptions, been underpaid, undermanned, and under attack. They have, by and large, done an excellent job under trying circumstances. Where failures have occurred they have been more often community, State, and national failures rather than port agency failures.

"If my assessment of accomplishments seems unduly harsh or the weight of issues I place on their shoulders unduly burdensome, it arises from a sense of urgency and not from unsympathetic miscomprehension of the magnitude of the task.

"The Seaway raises a number of fundamental port-related issues. I shall merely state some of the observations I have drawn from a number of contacts with the lake ports, state the related issues and leave the harder job of answering them to this stalwart panel of experts.

"1. One finds in the study of lake ports a number of traffic projections and forecasts for the ports. In many instances, these studies were predicted on the static and standard assumptions of city size, distances, natural endowment, and make-up of "captive" (a dubious term) hinterlands. Further, they proceeded to forecast tonnage as though it were the inevitable and inalienable right of the port community, without acknowledging the task involved in its gathering. We might question whether we do, in fact, have a proper conception of ports, any model for port growth, any idea of how they evolve. Further, whether static assumptions and unimaginative research might not have robbed cities of much of their audacity and blinded them to the formidable realities involved in the task of becoming ports. If ports have no inalienable rights of economics or geography, we might ask, 'What is the spectrum of opportunities open to communities, even relatively small ones, for self-determination in becoming ports?'

"2. In the absence of a larger showing of initiative elsewhere—at the National, State, or even importer, exporter and industrial level—the lake ports will have to play the key role in initiating general cargo movements, orienting the midcontinent to the conduct of trade in its own right and, in the larger context, fostering the international emergence of political unity in the midcontinent. The questions are multiple. Does their enabling legislation equip or disable them for such an undertaking and, if defective, in what ways should it be reconstructed? Are they adequately organized, financed and manned for the assumption of such responsibilities? Have they been given adequate community, State and regional aid and support in their undertaking? Why have some succeeded in spite of adversity and others failed in spite of wide-scale public support? Is it a problem

of leadership, organization and community motivation, or the carping attacks of local politicians and, uniquely enough, chambers of commerce?

"3. It appears clear that, as measured by their ocean counterparts or the Canadian lake ports, the pre-Seaway efforts of most U.S. lake ports have been limited and, more seriously, their long-term development plans are modest. Is the failure a local, State, or National failure? Since the United States is about the only Western nation which leaves port development entirely to local initiative, do we need a revision of national commercial policy to gain a wider voice participating in port development? Should the States, or even the regional hinterland, take a larger role in port development and participation in its financing?

"4. It appears clear that the scale of immediate port efforts or long-term plans has had little to do with the size of the metropolitan community, the immediacy with which the city will be contacted by 27-foot navigation, or even the potentialities of the community's supposedly captive hinterland. The questions again are hard to answer. To what guidelines should community port planning be tied? Certainly studies have had a limited effect on the magnitude or character of port responses. Detroit is perhaps the most studied and least responsive of the ports—and not because of any negative study findings. What new assumptions, approaches, insights, and methods should port studies be using? What informational voids, national and local, should be filled so that we cannot only study a community or region—say, as intelligently as Canada does—but also give it a realistic view of its stake in foreign trade? Further, who should be responsible for intelligent analysis, interpretation, and public information?

"5. The chief obstacles to port preparations appear to have risen variously: from policy mistakes of the distant past that have resulted in a vast blighting of the waterfront for navigation purposes; from lack of knowledge about the Seaway, ports, and economic potentials; from the exaggeration of the toll phantom; from the worst manifestations of local politics; and from the misunderstanding of the respective roles of the public voice and private enterprise in port development. These raise many questions and pose lessons too numerous to list here.

"6. The most ambitious and generally successful Seaway preparations have been undertaken in those cities that have preserved their waterfronts, exercised a voice in waterfront development and control, maintained a proper port image in the public mind, gained a sense of widespread private and public participation in the port activities and have been lucky or astute enough to man their port agencies with men of vision, immense energy, capacity for community leadership, and immunity to political assassination. There are no complete remedies for the historical mistakes of the lake ports nor is there any substitute for wisdom, vision, and leadership which still remain remarkably individual.

"A number of national policy issues respecting lake ports should be brought into sharp focus by the Seaway:

"1. Whether the national commerce policy, which is generous on navigable waterways but ill defined and vague with respect to ports—certainly of an equal importance—should be expanded to involve a voice and participation in port matters. It appears clearly evident that many of the lake port communities have permitted reckless blighting of their waterfronts and have assumed virtually no local initiative in responsibility for seaway preparations. The cost of such failure will not only be local but will involve loss to a good portion of the midcontinent.

"2. Whether great national or intergovernmental projects, such as the Seaway, hydroelectric, irrigation or other public projects, should be built, with the matter of utilization and discovery of their extent and limitations of usefulness left to chance. Public projects run the gamut from the TVA—in which farmers were taught crop rotation and use of the proper types of fertilizers, and mountain housewives were taught the nature and usefulness of electrical appliances—to the Seaway. The question is how far should the Seaway entities and other governmental agencies pursue traffic developmental, informational, and route protective activities?

"3. Whether the Federal Government should accord the lake ports recognition and treatment immediately or wait until they have demonstrated themselves, in fact, to be ocean ports. This might be asked in connection with the schedule and timing of priorities for lake port dredging, regulatory agency efforts, consideration given to placing the lake ports on inland carrier rate or service parity with the ocean ports and the according of gateway status to the lake ports by the Government agencies controlling the routing of much of the United States foreign aid, military shipments, agricultural exports and on other matters.

"4. Whether the Federal and Dominion Governments, the Seaway agencies, or an international Seaway Authority should assume the functions of fostering the trade routes' traffic development or of protecting the exposed route from arbitrary State, carrier, labor, or industrial infringements. Should trade development be left largely to local and private incentives but protection of the route from infringements by the eight or nine Government agencies, the eight States and two Provinces, the more than two dozen labor unions, and the numerous inland carrier and ocean conferences under whose auspices the commerce must move, be the task of an international authority or intergovernmental agency?

"The role of the ports

"In the absence of a clear expression of Government policy in these matters, it becomes particularly urgent that the role of the port agencies be expanded beyond the conventional ocean port tasks of informing the region, providing physical facilities for the dispatch of traffic and enlisting its flow through traffic developmental activities. The ports may have to assume the important function of voicing the whole region's interest in the Seaway. To do so, it is obvious that they will gain more strength through a collective front than through individual and dispersed efforts. We may someday see an effective association of all Great Lakes ports—Canadian and American—but, judging from the immediate, that day may be long in coming. There is today a Council of Lake Erie Ports, a Great Lakes Harbors Association, and informal monthly meetings of all major U.S. lake port officials, but so far there is no unified organization expressing articulately the interest of the midcontinent in the Seaway. The Great Lakes Commission, formed in 1955, may become the most effective agency. So far the commission has exercised an articulate voice, but it will lack authority on the larger issues until it has more direct and affirmative gubernatorial participation and more direct representation from midcontinent Canada.

"Whatever the form, effective collaboration of the lake ports will demand proper delineation of the areas in which their interests are competitive or common. One can, for instance, foresee them fighting jealously for traffic at borderline communities and collaborating effectively on the issues of port channel dredging, inland carrier rates and service rulings, priorities on lockages to be accorded foreign vessels, duplicating and binding commercial regulations, imminently dangerous shipping and trade restrictions, and a great range of other seaway questions that will soon come into clear focus. So far, the ports have been quicker to recognize and fight for their competitive interests, but the day may be not too distant when they will rise to recognize common interests.

"The promise that this program holds is in the early definition of common issues, challenges, and problems that the Seaway poses to a region. We are concerned with the international emergence of a midcontinent in which the lake ports bear an inordinate share of the responsibility for leadership."

INEQUITABLE CHANGES IN WILDLIFE PROGRAMS

Mr. WILEY. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement by me on the inequitable changes in wildlife programs, in connection with the distribution of funds for wildlife projects under the Pittman-Robertson Act; and I also ask unanimous consent to have printed at this point in the RECORD a letter I have written to the Secretary of the Interior, the Honorable Fred Seaton.

There being no objection, the statement and the letter were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WILEY

Recently the Department of Interior revised the formula for distributing funds for wildlife projects under the Pittman-Robertson Act.

By a new interpretation of the statutes, the Department decided to allocate funds to States on the basis of "numbers of license holders" rather than on the formula utilized since the enactment of the law in 1937 (that is, the record of "licenses issued"). This will create real problems.

The change will: (1) result in an inequitable distribution of funds; and (2) necessitate costly surveys—estimated at $15,000–$30,000 for Wisconsin and proportionately high costs for other States—to determine the number of license holders.

The proposed revision of the formula does not take into account the fact that there are separate costs of management and maintenance of game programs—for which single hunters may purchase licenses.

We recall that, under the Pittman-Robertson Act, the States match Federal funds on a 25 percent basis to carry on acquisition, maintenance, and restoration of wildlife projects. The funds are obtained by collection of an excise tax on firearms and ammunition. After deducting administrative costs and certain statutory aids to territories, the money is reapportioned to the States—according to a formula allocating 50 percent of the money according to land area, and (until now) 50 percent on the basis of licenses issued to hunters.

Recently, I introduced legislation, S. 1021, to redefine the statutes along the lines by which the Department has administered the program since its enactment in 1937. Fortunately, initial hearings have been held on the bill by the Interstate and Foreign Commerce Committee. I sincerely hope that the committee will find it possible to complete action on this legislation in the near future.

In view of the facts that (1) the Department's action represented a far-reaching change in the program; and (2) legislation is being considered in the Senate, I have urged the Secretary of Interior to hold up action on the decision until Congress can take a new look at this program.

APRIL 13, 1959.

DEAR MR. SECRETARY: I am writing to express my opposition to action by the Department of Interior to change the formula for distributing Federal funds for wildlife projects under the Pittman-Robertson Act.

The Department's recent decision to allocate funds on the basis of numbers of "paid license holders" rather than on the record of "licenses issued" will result in: (1) an inequitable distribution of funds to States; (2) additional costs—estimated at $15 to $30,000 in Wisconsin—and proportionately high costs in other States—for surveys to determine the number of license holders.

The new interpretation of the provisions of the Pittman-Robertson Act would, as you know, actually represent a drastic change in administration of the law. Funds for the program, until now, have been distributed on the basis of the record of licenses. Now, without a change in the statute, the Department proposes to radically change the formula for distribution of money to the States.

As you may be aware, I have introduced legislation (S. 1021) to more clearly define the statutes—along the lines by which the Department has administered the program since 1937. Hearings have been initiated on this legislation.

Any administrative action to revise the fund-distribution formula, I believe, should be held in abeyance until Congress can consider this legislation and take a new look at the overall program.

Consequently, I again respectfully urge the Department to hold up action on the decision until Congress can act on this legislation.

Looking forward to hearing from you and with kindest personal regards, I am

Sincerely yours,

ALEXANDER WILEY.

CITY-FEDERAL COOPERATION

Mr. SYMINGTON. Mr. President, one of the highlights of last week's meeting of the American Society for Public Administration in Washington was an address delivered by the Honorable Raymond R. Tucker, mayor of St. Louis, Mo.

In his remarks, "A Mayor Looks At Washington," Mayor Tucker pointed up some of the steps which he believes the Federal Government should take to assure progressive and orderly development of our urban areas.

Raymond Tucker is one of the distinguished mayors of our country. During his administration St. Louis has moved ahead on a dynamic program of urban redevelopment. The Mill Creek Valley project alone will replace 465 acres of decay in the center of the city with a beautiful, well-planned series of housing projects and commercial buildings.

Mayor Tucker has an outstanding record and breadth of experience on urban problems. All those interested in the vital question of city-Federal relations will find his views of real value. In the years ahead, the Congress will be devoting considerable attention to this field.

For this reason, Mr. President, I ask unanimous consent that the speech delivered by Mayor Tucker at the 20th annual conference of the American Society for Public Administration be printed at this point in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

A MAYOR LOOKS AT WASHINGTON

(By Mayor Raymond R. Tucker)

President Macy, distinguished guests, members and friends of the American Society for Public Administration, it is quite an honor to be here this afternoon. First, I have the opportunity to address your distinguished organization of teachers and practitioners of the art of administration.

Second, I have this opportunity on the occasion of the 20th anniversary of your society. May I add my appreciation to that of so many other administrators for the outstanding contributions made to the theory and practice of public administration through your efforts. Your journal, other publications, and services have maintained the highest professional reputation.

I certainly hope and expect that your success will be equally great over the coming decades.

As you know, the topic of my talk today is "A Mayor Looks at Washington." Some days ago, a friend of mine, hearing that I would address you on that subject, added, "and sees the green stuff."

His remark was, of course, intended to be facetious. Yet I wonder if he was not expressing a view that some people hold. Such a view would encompass the attitude that mayors and local government officials come to Washington cynically pursuing self-interest, looking for financial handouts for projects for which their local communities have neither the will nor the means.

In some circles it is quite fashionable to describe the Washington-oriented efforts of local governments as evasions of their responsibilities. The charge has been made that local governments are becoming weak and flabby as a result of dependence upon Federal financial largess.

It should come as no surprise to you that I emphatically reject these contentions.

Indeed, it is with a real sense of pride that I participate with so many of my fellow mayors in underscoring the need for continued Federal action in many policy fields which affect local governments.

I think that local officials would be derelict in their duties if they were not to fight for the adoption of such national policies.

I believe any reasonable person, studying the national municipal policy of the American Municipal Association, would recognize that some of the crucial domestic problems of our age are considered in that comprehensive series of recommendations.

Urban renewal and public housing, airports, water pollution, are typical of the topics included which require Federal action.

However, this broad-gaged approach to the policy questions of our urban areas is by no means to be considered limited to topics requiring Federal action.

It is here that I believe the role of our cities and their governments has been misunderstood. Cities have by no means been falling down on their job.

In reality, the little recorded and little understood story is the dramatic degree with which cities have accepted the massive challenges of the 20th century.

Local governments maintain a total monthly employee payroll of over $300 million more than the total monthly Federal payroll.

The borrowing and repaying of money by city government is second only to the Federal Government. Local government spends more tax dollars than the States, hires more employees than the States.

Since 1902, local government expenditures from their own revenue sources have increased from $828 million per anum to close to $18 billion per annum in 1956.

A more significant trend in the relative position of governmental expenditures is emphasized in last year's report of the House Committee on Governmental Operations on Federal-State-Local Relations. The report, speaking of the growth of government, declares:

"The components of the Federal budget not directly related to war and defense * * * increased from an estimated $9.2 billion to $14.5 billion during the years 1946–56, a period in which the general expenditures of State and local governments more than tripled."

Recently, in making for another purpose some comparisons in our St. Louis city budget, I noted that the budget of the health division had increased 10 times since 1914. There was no money allocated in 1914 for traffic control. Our hospital budget was less than 6 percent of its current level. You know by how much I could extend this list.

Such statistics about the tremendous growth of city government reflect, of course, basic substantive policies. This growth is the response of the cities to specific, vital problems.

I mentioned the tenfold increase in the St. Louis Health Division budget since 1914. This increase really means in substantive terms the current presence of specific sections of the Division dealing with meat control, food control, rat control, mosquito control, mental hygiene and industrial hygiene.

You will all recognize these services—and I'm only citing one kind of example—to be the result of demands upon Government brought about by our highly urbanized, industrialized society. This kind of example deals with service functions accepted in this century—functions which, of course, have become regularly accepted and taken for granted.

Our cities have accepted these functions. A safe and healthful city life in the industrial age made them inescapable.

Our cities accepted cultural and recreational functions, recognizing that concentrated populations needed more than the merest physical amenities. How often do we recognize the national contribution made at the local level of government by our great public libraries and art museums?

Before a mayor even begins to look at Washington, he is aware of a magnificent heritage of accomplishment by city government.

However, no society can remain static, resting upon past accomplishments. We are all aware of the fundamental changes of the era of "the exploding metropolis."

Sweeping population changes have changed the face of our urban areas. Similarly, technology is revising the structure and organization of our industry.

Following these changes, came the metropolitan "explosion." The impact of this explosion was primarily recognized after the Second World War, and we are still behind in our efforts to cope with it.

There are certain outstanding phases of this most recent metropolitan development: (1) The rapid dispersal of former city residents over large surburban areas; (2) the dense concentration of new residents from rural areas in older sections of the city; (3) the absence of adequate land in the old city for new type industrial facilities; (4) the obsolescence of existing central city industrial and commercial facilities.

From these phases develop particular city problems: (1) The erosion of the tax base; (2) increasing inadequacy of mass transit; (3) parallel exacerbation of the traffic and parking problems; (4) the almost amoeba-like spread of slums and blight; (5) deterioration of existing patterns of zoning and

land usage; (6) increased needs of public services in crowded lower income residential areas.

With all these new demands, our cities must nevertheless attempt to maintain existing traditional services and keep up their existing capital investment in structures and equipment.

The success of our cities in meeting these problems is an issue of paramount national concern. Close to 80 percent of our population now live in metropolitan areas, and the large central cities are finally responsible for the economic and social health of those areas.

The phases of the metropolitan "explosion" which I have described and their resultant city problems are the result of trends national in character. The effective meeting of these problems is, in so highly urbanized a society, crucial to national security and economic well-being. And if we are to develop in our national character the principles of the good life, of a better civilization, we had best see to it that our cities provide the necessary environment for such development.

Thus, our cities, having met the first wave of 20th century problems, are now coping with a new wave of problems national in character and importance.

It is to these newer problems that mayors are addressing themselves when they look at Washington and seek adoption of new public policies. It is indeed true that some of the Federal policies sought are costly, but I suspect that in terms of the long-range urban needs of the Nation we may have asked for too little.

I need not review too closely for this audience the kinds of programs cities advocate at the Federal level. Slum clearance, urban renewal, public housing, hospitals and health, highways, airports, water pollution, area redevelopment—these are the typical basic fields in which Federal funds are sought.

Remember, of course, that even here Federal funds are sought on a shared basis, with local initiative, participation, and money involved. But cities cannot, on an individual basis successfully attack problems which are the result of underlying broad national trends. It must further be emphasized that for the most part the functions for which joint Federal-city action is sought are above and beyond the traditional burdens of local government.

We have engaged in tremendous programs of Federal support to agriculture. Mayors must look to Washington for substantive support for the new problems of a Nation 80 percent urban in character.

I know, too, that you all understand that the cities are severely limited in their available tax sources by State constitutions and statutes. Federal, State, and local taxes compose more than 27 percent of the total national income. Almost 75 percent of this tax total is Federal in character.

Cities, frankly, have strained their fiscal resources to the breaking point. In St. Louis, we have turned to the earnings tax as a partial alleviation of the problem. Yet in face of the overwhelming Federal seclusion of tax sources, local fiscal flexibility is severely limited.

Since we have adopted major programs of Federal participation and since we shall see such programs continued and expanded, I expect to find new institutional arrangements evolving in intergovernmental relations.

Such new relationships are developing among the various levels of government. This follows logically since no dynamic society can express itself through inflexible structural arrangements.

Because of the developing intergovernmental involvements, the mayor of a large city will find much of his time devoted to coordinating relationships, or participating in efforts to coordinate relationships between different agencies of different governments.

Typical efforts come to mind. A new city expressway will terminate at the city line. Conferences are held by city officials, county officials, and officers of county municipalities to work out solutions to the impact of the new road.

As the great new Jefferson National Expansion Memorial in St. Louis comes nearer to realization, continual conferences—and I must say these relationships have been excellent—between the city and National Park Service are necessary to work out our mutual living arrangements.

Direct relationships exist between the city's land clearance authority and the Urban Renewal Administration in the Housing and Home Finance Agency. Sometimes we think in this area there is too much Federal oversight of operational details, and we feel that greater delegations of authority could be made to regional offices of such a Federal agency.

You can readily see the intergovernmental involvements in flood control and highways. Here the problems are continuing, and regularized relationships develop between the officials and technicians involved.

Sometimes a particular problem of governments working at cross purposes will drop out of a clear blue sky. Recently one large Federal governmental installation was scheduled for downtown St. Louis without any notification to the city planning commission, or any agency of city government. Only after stumbling upon these plans while seeking to develop the site for municipal purposes have we been able to begin the effort to come to a mutually satisfactory agreement about the proper land use of the area.

For the most part, respectable cooperative relationships develop for each specific program between the Federal, State, and local officials involved.

I think the more difficult program of cooperation lies in those areas where different programs have an effect on each other. Here the institutional developments for coordination have been slower in emerging. Yet progress is being made in exploring the interdependent implications of expressway building and urban renewal, for example, in our cities.

In creating specific policies for particular problems, there was a natural tendency to overlook the probable effects of one policy upon another. Consider the difficulties, for example, if one agency of government announces plans for an expressway running through an area in which another agency is successfully expanding a neighborhood rehabilitation project.

There remains then a vast need for coordination between programs as well as the more obvious need for coordination within one program of the activities of different levels of government.

Possibly more fundamental than the need for coordination is the gap in our understanding of the long-range impact of particular ad hoc policies. What, for example, are the desirable limits to the creation of urban expressways? What are the effects of expressways on the way of life in the central city and its outlying areas? What is the relationship between expressway building and the future of mass transit?

I feel that these underlying problems of coordination and of the need for fundamental and continuing urban research suggest the advisability of an administrative focal point within the Federal Government for urban matters.

I have long supported recommendations for the creation of a Cabinet-level Department of Urban Affairs. Such Cabinet recognition would fit the facts of our metropolitan society. It would provide the institutional basis for coordinating and assessing our public policies in the urban field.

More importantly, in the political sense, such a Cabinet department would bring dramatic recognition to the major domestic policy issues. It would create a responsible focal point at which the concern and understanding of any national administration for city problems could be evaluated.

A Cabinet Department of Urban Affairs would bring to the executive branch of the Federal Government a spokesmanship for our urban communities. Sometimes we city officials feel at a loss to to precisely where our friends are in the the executive branch.

Do not mistake me. I certainly do not mean that there are not many Federal administrators trained and understanding in the areas which concern cities. I have known and worked well with many of them.

What I am concerned about is the absense in the executive branch of any institutionalized location of a responsible overall view of urban affairs and Federal-urban relations.

Recognizing the tremendous problem of reorganization necessary in establishing a full Department of Urban Affairs, the American Municipal Association has recommended a Council of Urban Advisors. This Council could begin the basic research necessary to determine the nature of a new Department and the role it could best play.

These steps are long overdue. The role of our cities in the national economy must be fully recognized.

I have noticed, I must add, a generally sympathetic recognition of urban problems within the Congress. We all know that cities do not receive all that they request from the Congress, but we would hardly expect that. It is very clear, however, that within the Senate and the House, there are some dedicated and effective leaders of the urban point of view.

I have talked of institutional arrangements for bettering our city-Federal programs and relationships. I am sure that this audience, far better than most, knows that the really effective working of such relationships, no matter what the structural arrangements, depends on the individuals in administrative capacities.

The ability, understanding, and human character of these people is crucial to the development and execution of successful programs. I might add that these attributes are essential at all levels of the administrative structure.

I sometimes think that the contribution and significance of regional and local offices of Federal departments depends most on the variable of the kind of administrator in the office. One administrator in such a post may simply pass on his strictly interpreted version of central directives.

Another administrator in the same spot may have the wisdom—and the courage—to present his superiors with the local point of view. He may even—within his broad directives—attempt to show the merit of such a point of view.

I am sure you know the kind of administrator I prefer. Fortunately, such men exist in all levels of Government service.

My topic today "A Mayor Looks at Washington" relieves me of examining our deficiencies at the local level. We struggle under antiquated charters and in suburban areas almost hopeless jurisdictional hodgepodges. We face difficult fiscal problems and have difficulties attracting adequate personnel to city service. But today I could take a vacation from these things by looking at Washington.

I think that those of us who deal in the area of urban problems face the most inspiring and stimulating challenge of our times.

We know that we live in metropolitan aggregations of people. Our job is to attempt to assure that these aggregations are communities for civilized living.

I have the confidence that we can build a great urban future if we have the vision and perseverance to meet today's challenges.

Thank you.

TUESDAY EVENING INFORMAL ROUND TABLE DISCUSSIONS

Mr. GORE. Mr. President, in an age in which the Congress is confronted with many complex issues, there is an ever-increasing need for greater understanding of the intricate and perplexing problems which exist. Some time ago several of my colleagues and I were discussing the desirability of some informal roundtable discussions of a few of the most pressing issues of our time.

Partly as a result of this conversation, but mostly because of my own feeling of need for such background information, I invited Prof. Henry A. Kissinger of Harvard University to lead a discussion last Tuesday evening on the general subject of "Central European Security." I invited my Democratic colleagues to come, have dinner together, and join in a brief discussion. I found the observations of Dr. Kissinger and of my fellow Senators on international affairs enlightening and provocative. Several of my colleagues have voiced similar sentiments.

Because of the excellent response to the first discussion meeting, a second has been scheduled for tomorrow evening, and it is contemplated that the series will continue each Tuesday throughout April and May. Each week a guest who is especially equipped by learning and experience will be invited to present briefly his views on a timely topic and to conduct a discussion period.

Although invitations have been confined to Democratic Senators, the discussions are not intended to be of a partisan nature. Some of my colleagues on the other side of the aisle have spoken to me about the meetings, and I have received a number of inquiries from members of congressional office and committee staffs, the press, and private citizens who would like to attend these meetings. However, because of the nature of the discussion program and the available facilities, the discussion group must necessarily be limited in number.

Dr. Raymond L. Garthoff, author of the book entitled "Soviet Strategy in the Nuclear Age," which I have found most interesting and informative, has kindly consented to lead the discussion tomorrow evening based upon the general subject area of his book. Dr. Garthoff is regarded as an expert on Soviet military organization and strategy.

Dr. Gardiner C. Means will be the invited guest April 21 for the third roundtable discussion meeting. His subject will be "Inflation, Employment and Growth."

Mr. President, I take this opportunity to invite my Democratic colleagues to the Old Supreme Court Chamber of the Capitol tomorrow evening at 6 p.m. and each succeeding Tuesday evening through May to participate in an informal discussion of some of the pressing problems which confront each of us as U.S. Senators. I am sure they will find these brief meetings worthwhile.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. SYMINGTON. May I congratulate the distinguished Senator from Tennessee for having conceived and in effect being, the father of these meetings.

It was my privilege to be present at the first meeting. I say to my able friend, that since I have been a Member of the Senate I have never been more impressed than I was not only by the remarks made by Dr. Kissinger, but also by the planning for the meeting and the dispatch with which it was carried on. It could have only been the result of careful preparation and thought on the part of the Senator from Tennessee.

These meetings are as constructive as anything in which it has been my privilege to participate since becoming a Member of the Senate. Again I congratulate the very able Senator from Tennessee.

Mr. GORE. Mr. President, I thank my distinguished friend, the junior Senator from Missouri, for his generous remarks.

The duties of Members of the Senate are so numerous and pressing that we find it difficult to become expert in the many fields with respect to which we have specific responsibilities. I find it very helpful to spend an evening with an authority, with an intellectual, who has had the time to specialize in a particular field.

It is not surprising that scholars such as Dr. Garthoff, Dr. Means, Dr. Kissinger, and others who will be invited can bring to us a wealth of knowledge and a fresh point of view which will prove provocative and helpful.

Mr. President——

The PRESIDING OFFICER. The Senator from Tennessee.

INSPECTION AND CONTROL OF NUCLEAR WEAPONS TESTS

Mr. GORE. Mr. President, today Ambassador Wadsworth has suggested to the Soviets in Geneva that if they persist in their intransigence and in their unwillingness to accept a means of inspection and control adequate to assure compliance with a treaty to stop all nuclear weapons tests, they should agree now to stop tests in the atmosphere, from which radioactive fallout comes.

I hope the Soviets will accept this suggestion on the part of the United States and Great Britain as an act of good faith. It had been my hope that President Eisenhower would take the initiative in a more dramatic way and announce to the world that the United States would stop, for a period of, say, 3 years, all atmospheric nuclear weapons tests, and then invite the Soviets and the British to join in the consummation of a treaty which would make such stoppage permanent.

If the Soviets refuse to accept the suggestion which the Ambassador has made in the name of the United States, I hope the President will still consider stopping such tests unilaterally and unconditionally for a definite period and still seek to persuade other nuclear powers to join in such stoppage and to make it permanent.

I believe that the suggestion which our Government has now made, with the concurrence of the British, is constructive, wise, and humane. It is in the interest of humanity throughout the world. If accepted, it would bring to an end the contamination of the air, which all mankind must breathe, by nuclear tests in the atmosphere of the earth. This would be an important step. It would also be a major first step toward disarmament, which is a problem separate and apart from the antisocial act of contaminating the earth's atmosphere. It would also be an important first step in the establishment of a world organization for inspection and control. If this first step could be realized, it might well lead to a broader understanding and agreement in this important field.

I hope that the Soviets will accept the suggestion in the good faith in which it is offered, and that a treaty, at least in this limited field, can be consummated.

Mr. HUMPHREY. Mr. President, the negotiations at Geneva between representatives of the United States, the United Kingdom, and the Soviet Union on the discontinuance of nuclear weapons tests, are being resumed this month. The importance to mankind of these negotiations cannot be overemphasized. I have pointed out on other occasions the importance I attach to the continuance of these negotiations, so that there can never be any doubt in anyone's mind as to the sincerity of our purpose and the determination of the Government of the United States to bring about an effective agreement. I hope that our Government will at least embrace the proposals of an agreement with respect to atmospheric tests. This should be the irreducible minimum. I am hopeful that in the days to come, as these negotiations are resumed, the Government will propose in detailed form the discontinuance of nuclear tests in the atmosphere under international inspection, which will provide us, first, with an inspection apparatus which is internationalized and, secondly, reduce one of the real dangers to mankind, namely, nuclear fallout.

Mr. President, one of our fellow Senators, the Senator from Idaho [Mr. CHURCH], has made a proposal relating to the discontinuance of atmospheric nuclear tests. It is my considered judgment that his proposal merits the support of our Government and the support of Congress. I am happy to join with him in that proposal but I express the opinion that negotiations for a broader agreement should be continued at the same time.

So that my proposal may be clearly understood, I recommend that our Government proceed at once to try to obtain an agreement on discontinuance of nuclear bomb tests in the atmosphere, under international inspection; secondly, that we continue to pursue our efforts toward a broader agreement under international inspection.

I doubt very much that results will be obtained on the broader agreement until the summit conference. I am sure that the Soviets would like to build up as many issues for the summit conference as possible. Nevertheless, we should press relentlessly, effectively, and consistently for the elimination, on a joint basis, of atmospheric and nuclear bomb tests.

Of real concern is the danger of fallout resulting from nuclear tests. Never before in history has the human race been subject to such a danger against which there is so little defense. Radioactive fallout is the unseen enemy which threatens us all regardless of geography or national origin. Radioactive fallout is today a matter of most serious concern not only to our Government but to all other governments throughout the world.

In the April 16 issue of the Reporter magazine Senator FRANK CHURCH has written an excellent article on this very subject entitled "We Must Stop Poisoning the Air" in which he not only tells of the danger mankind faces, but also comes forth with a thoughtful proposal to end fallout from nuclear weapons.

I wish to take this occasion to commend Senator CHURCH not only for his fine article, but also for the hard and constructive work he has been doing as a member of the Subcommittee on Disarmament. Senator CHURCH has demonstrated those qualities of intelligence, thoughtfulness, and imagination which are so sorely needed in today's troubled world. It has been a genuine pleasure to work with him in this field of disarmament, as in other fields.

I ask unanimous consent, Mr. President, that the article by Senator CHURCH to which I have referred be inserted at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WE MUST STOP POISONING THE AIR

(By Senator FRANK CHURCH, of Idaho)

The negotiations in Geneva to end all further tests of nuclear weapons, launched with such high expectations last October, froze with the Alpine winter. Now, after an Easter recess, the negotiators of the United States, the United Kingdom, and the Soviet Union are resuming the talks. Soon the spring will turn Switzerland green again, but in Geneva there seems to be little promise for a thaw at the conference table.

We went to Geneva in good faith and with stout hope. We sought an agreement among the three nuclear powers by which the signatories should agree to suspend all further nuclear tests within the framework of a trustworthy international system of detection and control to safeguard against covert violations. At an earlier conference in Geneva last summer, the scientists of all three countries had agreed upon the structure of the technical detection system required. Thus a blueprint had been furnished in advance.

But from the beginning the Russian negotiators have stubbornly put forward impossible demands. They insist upon a veto over the operation of the proposed international control commission; they demand that the requisite control posts on Russian soil be operated by Russian nationals; they call for endless redtape that would frustrate timely action by the commission in dispatching mobile teams for on-site investigations of subterranean disturbances suspected of being nuclear in origin.

It is well to remember that the Russians were a suspicious people long before the Communists came to power. The Czars maintained their own Iron Curtain. Khrushchev may be exhibiting this age-old habit of suspicion when he charges that we really want military reconnaissance of his country in the guise of roving inspection teams probing into the remote corners of Russia to check on every earthquake. But whether deceitful or sincere, this Russian obstinacy has proved an effective barrier to the agreement sought at Geneva. Present methods of detection seem to require that one-site inspections be carried out if the ban is to cover all underground tests including those within the one- to twenty-kiloton range.

Although Russians are clearly to blame for the deadlock that now grips the Geneva negotiations, there are nevertheless those in high station at the Pentagon and in the AEC who are quietly applauding. The Soviets' mulishness, they feel, serves them right, while it serves us well. Given our country's increasing dependence upon nuclear weapons, both for deterrence and defense, they argue that more tests are needed to refine our atomic warheads and to chart new discoveries in antimissilery. From the outset, these men have not approved of our journey to Geneva. They hail the Russian stubbornness as providential, offering us an honorable exit to walk the road back.

Now it is true that the results of the latest tests, conducted underground and in outer space, tend to support the argument that an all-inclusive test ban might impede the progress of our weaponry. It follows, of course, that the military interests of the Soviet Union are affected in a like manner, and I have little doubt that the Soviet generals are saying so. Thus the pressures mount, on either side, to let the conference die.

GENERATIONS YET UNBORN

Yet men of good conscience everywhere are deeply troubled at the prospect of failure at Geneva. Our most fundamental instincts tell us that we must stop poisoning the air. It is life's element. If nuclear tests continue unabated, we shall seed the air with ever-mounting quantities of strontium 90, carbon 14, and cesium 137, to sift silently and relentlessly down upon us. This invisible rain, latest disclosures show, is falling faster and more lethally than we have heretofore been led to believe. Some samples of Minnesota wheat have carried radioactive levels approaching the "permissible maximum," while certain Dakota milk has shown contamination as high as 40 percent of the "tolerable limit." Actually, these so-called maximums are hardly safe. The best scientific estimates hold that if strontium 90 alone reaches the designated "permissible" limit in the human body, it could increase the incidence of leukemia by more than 20 percent. And the effect of this level of radioactivity on the incidence of other diseases would have to be added to this toll. Indeed, we cannot even calculate the extent of its grotesque effect upon generations yet unborn. It is therefore imperative that the Geneva conference not be forsaken while any hope remains for a meaningful agreement.

Is there a way to break the stalemate? Certainly we must try; and there is considerable feeling in the Senate that we have not been trying hard enough. Senator HUBERT HUMPHREY, chairman of the Disarmament Subcommittee of the Senate, has done much to alert the country to the significance of the Geneva negotiations as a key to the larger problem of disarmament itself. Senator ALBERT GORE has spoken up from the depth of his conviction that the United States bears a special responsibility, as the Nation that first unleashed the atom and let fall the only two atomic bombs ever detonated in war. He has proposed that the United States unilaterally declare a 3-year moratorium on nuclear tests in the earth's atmosphere, while reserving to ourselves the right to continue testing underground and in outer space. The eloquence of these two men, together with the smoldering indignation of Senator CLINTON ANDERSON, chairman of the Joint Committee on Atomic Energy, has deeply affected the Senate.

For my own part, I have been moved to study closely the dilemma at Geneva, and I have concluded that there is still hope of salvaging something of value, for humanity's sake, at the conference table. In this 11th hour, I have proposed that the United States and the United Kingdom seek agreement with the Soviet Union to suspend all nuclear weapons tests in the earth's atmosphere, conditioned upon a workable international control system adequate to detect and report any violation. Such a proposal would exclude, for the present, any agreement involving suspension of nuclear tests occurring underground or in outer space, neither of which contributes to the pollution of the air.

IT COULD BE A BEGINNING

Such a ban on atmospheric tests would abruptly end the further poisoning of the air. This grave anxiety would be erased from among the apprehensions of our distraught world. Moreover, a first international apparatus would be established in the field of nuclear test controls. It would be a functioning harness within which to bind not only the present members of the nuclear club but also the oncoming nations that are fast developing atomic technologies of their own. In the accomplishment of this objective, the negotiating parties at Geneva share a common interest.

We must not lose sight of what such a breakthrough in creating an international control system might portend for our atomic age. It is the sine qua non for any meaningful progress toward future goals of prevention of surprise attack and of disarmament. Moreover, successful operations of such a control system might easily pave the way for its expansion to embrace a broader test ban, of the kind we have been seeking at Geneva, encompassing all types of nuclear tests in space and underground.

Is there any real chance the Soviets will accept a properly policed ban on atmospheric tests? We cannot know, of course, unless we put the proposal to them. But there is at least ground for hope.

The fact that atmospheric explosions can be monitored largely from fixed control stations, eliminating the need for on-site investigations, should allay any genuine fears the Russians may have about roving foreign reconnaissance within their country. On the other hand, if their fears are simulated, what better way could we find to expose them than by offering an international detection and control system that can safely end the slow pollution of the atmosphere without possibly doing them any internal mischief?

In addition, an atmospheric test ban could not jeopardize the military interests of either side. Outer space and the depths of the earth offer ample laboratories for further experimentation, should more be needed or wanted.

Of course it may be the Russians will rebuff this proposal, and all others that might be acceptable to the United Kingdom and the United States. If so, Russia will have forced us to take the grim road back from Geneva. But then, at least, we could walk that road without shame, knowing we had done our utmost to avoid it.

It will be an eternal burden upon our conscience if we do less.

Mr. HUMPHREY. Mr. President, I should add that the proposals I have

made today, which are in part the proposals of the Senator from Idaho [Mr. CHURCH] and the proposal on the continuation of negotiations on the broad program of inspection and agreement on the prohibition of nuclear tests, should be taken seriously by our Government and should be presented in the most comprehensive, frank, and sincere manner to the representatives of the United Kingdom and the Soviet Union on the resumption of negotiations at Geneva.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. MANSFIELD. I wish to commend the distinguished senior Senator from Minnesota [Mr. HUMPHREY], and also the distinguished junior Senator from Idaho [Mr. CHURCH]. Together they make a great team. Their work in the field of disarmament is of the greatest interest to our country.

I hope the Senator from Minnesota will continue to speak on disarmament and nuclear testing, because they are subjects which must be kept constantly before us. Someone must keep pounding away in these areas. They are perhaps the most important subjects confronting the world today. I wish the Senator from Minnesota to know that I am grateful for his continued interest in this field.

Mr. HUMPHREY. I thank the Senator. I am very grateful to him for his kind remarks.

NATIONAL FUELS POLICY

Mr. MORTON. Mr. President, I have at hand an invitation from the national coal policy conference to a dinner on the subject of a national fuels policy for this country. The dinner is to take place at the Statler Hotel here on the evening of April 27, and is to feature speakers from the utility industry, the railroad industry, and the coal industry—including John L. Lewis for the United Mine Workers.

I am told that all members of the Congress have been invited and I hope that my colleagues will attend, if possible. I realize the tremendous demands upon their time, including many invitations to dinner. I know that nothing would please most of us more than the opportunity to spend a quiet evening at home. Nevertheless, the bituminous coal industry, one of the country's major industries, is not in too good shape. Today, in almost every coal area there is unemployment. Production last year was close to 400 million tons, one of the worst years from that standpoint in coal's history.

The theme of the dinner, which is sponsored by the national coal policy conference, is "Why a National Fuels Policy?" The conference, as Senators may know, is a unique organization in itself, being composed of the leading coal producing concerns, the United Mine Workers of America, coal carrying railroads, coal equipment manufacturers, and electric utilities.

As I understand, the dinner on April 27 is the beginning of a campaign for a national fuels policy by the conference, representing the coal industry and related groups. The claim is being made that we have an oil policy, a gas policy, an atom policy, but not a policy which takes all fuels and their proper relationship to energy demands into account.

In addition to Mr. Lewis, speakers at the coal dinner will include: Philip Sporn, president of the American Electric Power Service Corp., of New York, and Howard E. Simpson, president of the Baltimore and Ohio Railroad. George H. Love, chairman of the board of the Consolidation Coal Co., of Pittsburgh, and chairman of the national coal policy conference, will preside.

At the dinner, some of the reasons for a national fuels policy will be stated, as well as some reasons for the situation of the coal industry. I know that the attendance of Senators at the dinner would be heartening to the coal industry. I feel also that the viewpoint of the spokesmen for the coal and related industries would be helpful to us all in considering and perhaps formulating an overall fuels policy.

PROTECTION OF MIGRATORY FISH RUNS IN RIVERS OF THE UNITED STATES—ARTICLE BY SENATOR NEUBERGER

Mr. NEUBERGER. Mr. President, on March 16, 1959, I introduced S. 1420, a bill to provide some restraints on issuance of waterpower project licenses by the Federal Power Commission in areas involving fish and wildlife values. Controls such as I have proposed are necessary to prevent construction of dams which would create insurmountable barriers to valuable runs of migratory fish. Unless authority exists outside the Federal Power Commission to rule on the advisability of dam construction in fish-spawning areas, I fear that a large portion of runs of anadromous salmon and steelhead in the Columbia River Basin will be doomed to extinction.

My views on S. 1420 and reasons for introducing it are detailed in an article which I have written for the April 1959, issue of Outdoor America, the official publication of the Izaak Walton League of America. Accompanying my article, the magazine also has published a brief statement by Mr. Joseph W. Penfold, the able and informed conservation director of the Izaak Walton League, explaining the intent and purpose of S. 1420. Mr. Penfold emphasizes that "existing law simply provides no reliable means for protecting fish and wildlife values in FPC licensing procedures—power is the Commission's specialty." I ask consent to include in the body of the RECORD with my remarks, my article from the April 1959, issue of Outdoor America, entitled "A New Fisheries-Power Partnership," and Mr. Penfold's statement entitled "What FPC-Wildlife Bill Could Accomplish."

There being no objection, the article and statement were ordered to be printed in the RECORD, as follows:

[From Outdoor America, April 1959]

A NEW FISHERIES-POWER PARTNERSHIP

(By Hon. RICHARD L. NEUBERGER, of Oregon)

I

"The number of salmon in the river is incredible, to say the least." So wrote the explorers, Meriwether Lewis and William Clark, at the end of that first of all pilgrimages by Americans across this mighty continent. They were paddling down the Columbia River, where the salmon were so thick that the soldiers of the expedition could spear them with bayonets. "Never have so many fish been collected together in one place before," reported Lewis and Clark to their patron, President Thomas Jefferson.

That was slightly more than a century and a half ago. In the interval, white men have logged off forests, clogged rivers with sewage and offal, built dams and irrigation ditches. The Columbia is still one of the world's great fishery resources, but the abundance which amazed Lewis and Clark is gone. Tributary after tributary has been blockaded off as a spawning ground for migratory salmon.

Today, I am proposing a law which seeks to help protect such of our salmon runs as still survive. My proposal is simple. It would give the U.S. Fish and Wildlife Service authority to pass upon fish-passage facilities before the Federal Power Commission could license a dam across any river or stream inhabited by anadromous fish. I am convinced that, unless some protective step such as this is taken, our remaining salmon and steelhead fisheries could be virtually wiped out—to become as one in extinction with the passenger pigeon and wild bison.

My bill would add this brief sentence to the Federal Power Act: "That no license affecting fish and wildlife resources shall be issued until the plans of the dam or other structures affecting such fish and wildlife resources have been approved by the Secretary of the Interior."

In 1958 this proposal was sharply attacked on the Senate floor as bad legislative practice because it presumably would give to the Fish and Wildlife Service veto power over the FPC.

Yet, for 38 years, the following sentence has been part and parcel of the Federal Power Act: "That no license affecting the navigable capacity of any navigable waters of the United States shall be issued until the plans of the dam or other structures affecting navigation have been approved by the Chief of Engineers and the Secretary of the Army."

In other words, my bill merely seeks to afford migratory fisheries exactly the same protection against indiscriminate FPC licensing that navigation has enjoyed for over a third of a century.

And, so far as any veto power is concerned, I think the best answer to that has been offered in a succinct paragraph written by J. W. Penfold, conservation director of the Izaak Walton League. Last August, Joe declared in a letter to me: "There has been objection to the enactment of this legislation on the grounds that it would give fish and wildlife considerations veto power over power considerations. Essentially this would be true, in the same sense that navigation considerations now have such veto power. We could point out that FPC now has life-and-death veto power over fish and wildlife."

Joe Penfold's statement is founded on demonstrable facts. The FPC had veto power over the survival of one of the Northwest's major steelhead migrations when it licensed Pelton Dam of the Portland General Electric Co. on the Deschutes River—despite protests by the Fish and Wildlife Service and the Oregon State Game and Fish Commissions. Identical veto power over the salmon migrations of the Cowlitz River was wielded by FPC when it disregarded the opposition of the Fish and Wildlife Service and Washington State conservation agencies, and licensed the Mayfield Dam of Tacoma's municipal light system.

And now a crisis impends for fisheries which makes mild, indeed, what has happened on the Deschutes and Cowlitz.

The Salmon River of Idaho, slashing with white-capped fangs through a mile-deep canyon, is appropriately named. In its

mountain headquarters spawn some 65 percent of the valuable spring Chinook salmon of the whole Columbia Basin. It is a wilderness river—fenced off from pollution, chemical wastes and filth by countless miles of timbered solitudes. Lewis and Clark would not be disappointed if they saw the Salmon again. But below the confluence of the Salmon and Snake Rivers is a prodigious waterpower site, Nez Perce. In the present stage of knowledge regarding fish passage over high dams, any bill in Congress proposing Federal construction of a towering 730-foot dam at Nez Perce would provoke a nationwide struggle of the proportions of that fought over Echo Park in the Dinosaur National Monument.

But what if the FPC licensed Nez Perce for construction either by private utilities or publicly owned systems? Unlike Congress, the FPC is rarely responsive to public opinion.

And is this possibility so farfetched? In 1956 the FPC held extended hearings on certain license requests in the Snake River region. At these hearings, this testimony was given by Sam Hutchinson, regional director of the Bureau of Commercial Fisheries of the Fish and Wildlife Service:

"Nez Perce Dam would present an obstacle to fish passage of the major part of the Snake River run of anadromous fish. These fish are of such value that their very existence should not be jeopardized by placing reliance upon undesigned and untried fish facilities."

Yet, Sam Hutchinson might have been trying to speak above the roar of Snake River Rapids for all that he was listened to by the FPC. Concluded the Commission, "There is nothing in this record which convinces us that the Nez Perce project could not be constructed under a license issued pursuant to the provisions of the Federal Power Act."

II

The FPC has shown by its whole performance that it is not interested in fish and game. It is interested in licensing the pouring of concrete, whether by private utilities or public bodies. Through the efforts of the Izaak Walton League and other conservation groups, the Coordination Act has been beneficially amended to assure greater safeguarding of wildlife at Federal river projects. But of what value is this assurance at Federal dams if dams sanctioned by the FPC can be built, willy-nilly, regardless of what happens to fisheries? It is like bolting the front door but taking even the hinges off the back door.

The claim has been voiced that the Secretary of the Interior might abuse his prerogative, if he were authorized by law to voice the objection of the Fish and Wildlife Service to FPC projects which imperiled fish. I refuse to believe this of men of the caliber of Oscar L. Chapman and Fred Seaton, who have occupied this position during recent years. Furthermore, is the Secretary of the Interior any less to be trusted than the Secretary of the Army, who has long been allowed to block FPC dams threatening navigation? Are salmon runs of so little national importance compared with tug-and-barge schedules? Navigation is essential. So are fisheries.

III

Protection of salmon and trout at FPC projects today is a "no man's land," with responsibility vested in nobody—not even the licensee building the dam. We have just witnessed a tragic example of this at the Brownlee and Oxbow projects of the Idaho Power Co., in the Hells Canyon reach of the Snake River, as reported in recent issues of Outdoor America.

Salmon-trapping facilities at Oxbow were erected on unsound foundations, which collapsed at the crucial moment for the fish run. No professional fishery biologist was in charge despite the important values at stake. The company received several warnings from conservation agencies that fish migrations of substantial size were en route upstream to the construction sites.

What happened? According to a factual report prepared by experts of the Fish and Wildlife Service, at least 4,000 adult Chinook salmon and steelhead trout perished because of the "failure of the trapping facilities at Oxbow Dam." In addition, some 50 percent of the 14,000 salmon which were collected at Brownlee Dam and transported around the project "did not survive to spawn." And the Fish and Wildlife Service has stated cryptically, "The success of the 3,700 steelhead trout which were passed remains to be determined."

I should like to repeat here the grim summary contained in the Fish and Wildlife Service report:

"Reasons for the fish loss are many, but predominant among them are—lack of experienced salmon men at the project, failure to anticipate the action of the fish when the flows were reduced, and the large number of fish migrating upstream to spawn at the time of the shutdown.

"The fishery agencies believe these losses could have been avoided, and that there is little justification for sacrificing this valuable living fish resource to a desire to expedite, without compelling reason, the hydroelectric power development of the project."

Despite this havoc and destruction of an irreplaceable fisheries supply, the Federal bureau charged with safeguarding this resource could only stand by and wring its hands in anguish. It had no jurisdiction over FPC licensees. It could remonstrate but it could not order, it could suggest but it could not command. And the result was the heavy loss of migrating species which the Fish and Wildlife Service has listed.

These salmon and steelhead had struggled all the way to Oxbow and Brownlee from the sea—650 distant miles away. They had surmounted the concrete fish ladders at the low-level Bonneville, The Dalles, McNary and Ice Harbor Dams—built at a cost of many millions of dollars by American taxpayers and power-users. These fish carried with them upstream a heavy cargo of eggs and milt, to propagate the next generation. But they could not survive the indifference to their fate which was manifested jointly by the FPC and the utility company building Brownlee and Oxbow.

IV

It is natural to blame the FPC and each power interest, public or private, which destroys multiple use values under an FPC license. Until a better framework of law can be provided, such adverse public opinion is a legitimate weapon. But far more important is the correction of the basic cause. That would be more helpful than criticism.

Had my proposed amendment to the Federal Power Commission Act been in effect, the fiasco in the Hells Canyon stretch of the Snake could have been avoided. To begin with, the Federal Power Commission never would have had the authority to license the Brownlee and Oxbow Dams until facilities and equipment for the safe passage of migratory fish had been provided to the satisfaction of the Fish and Wildlife Service. Under such circumstances, Idaho Power Co. would have been obligated to heed warnings issued by the fisheries experts of the Service.

Left to its own inclinations and existing law, FPC undoubtedly will license the Nez Perce Dam, despite its ruinous impact on the salmon runs of the Salmon River watershed. This could even have disastrous international complications. Canada has made a $250,000 study of the possibility of diverting 15 million acre-feet of water out of the upper Columbia and into the Fraser River system. This water then might be impounded with a series of large dams on the Fraser, which flows all the way to the Pacific Ocean in Canada. But we of the United States have been opposing such a scheme on the grounds that it could cause the destruction of the great Sockeye salmon runs of the Fraser, which have been built back into a $50 million annual industry with fish ladders constructed around landslide areas at Hell's Gate.

But if the FPC permits Americans to construct Nez Perce, in spite of its adverse impact on the Chinook runs of the Salmon River, how can we in good conscience urge our Canadian friends never to block off the Sockeye runs of the Fraser River? Would the Canadians place any trust in us if we advocate a course of conduct for them which we do not subscribe to ourselves?

V

Actually, one of the ideal locations for further production of waterpower in the Northwest is along the swift surges of the upper Columbia. Dr. Ira N. Gabrielson, president of the Wildlife Management Institute, has described this as a "fishless river" because it was barricaded from the sea two decades ago by the lofty parapet of Grand Coulee. Canada and our own country, jointly, could produce millions of low-cost kilowatts in this area without doing damage to anadromous salmon and trout. I watched the upper Columbia salmon runs being relocated, with tank trucks and hatcheries, to tributaries such as the Wenatchee. Entiat, and Methow Rivers—all of which join the main stem of the Columbia downstream from Grand Coulee.

This is one reason why I have been holding Interior subcommittee hearings, in an effort to break the stalemate between Canada and the United States. Then, projects might be constructed like Libby and Mica Creek, which would generate vast quantities of power without retarding any fish on their upstream journey to the spawning grounds.

I have served in the Senate since January of 1955. This experience has convinced me that Congress would be extremely reluctant to authorize for Federal construction any projects doing severe damage to migratory salmon and trout pilgrimages. Public opinion always receives a hearing in Congress. But the FPC is antiseptically screened off from pressure by the American public, which explains why it so often disregards the pleas and protests of conservationists. This makes imperative some collateral jurisdiction for the Fish and Wildlife Services over FPC licenses on rivers where significant aquatic life exists.

I do not seek to leave the impression that my bill is the entire answer to the problems facing our migratory fisheries—far from it. Extensive research must be carried on with respect to the untested skimmer device. Is it the answer to safe detour for tiny fingerlings downstream past the roaring spillways and grinding turbines of high dams? Al Day, able director of the Oregon State Fish Commission and former director of the Fish and Wildlife Service, has told me that infinitely more investigation must be undertaken with respect to our smaller coastal streams and the opportunity they might offer for the transplanting of salmon runs which now thrash all the way to remote alpine headwaters. Unfortunately the administration budget for fiscal 1960 is not especially encouraging so far as further fisheries research is concerned. As in so many other situations, human health and defense weapons, for example, basic research is a main hope for enabling us to fathom the riddle of migratory fish and how they can survive civilization's crushing impact.

When I was a boy a whole capillary system of rivers offered hospitality to spawning fish that were home from the ocean. Now, only a few isolated threads remain on the

map where salmon and steelhead can find the last, lingering creekbeds far back in the remote mountains. I want to help save these sanctuaries. When they are blocked off or desecrated, they will be difficult to replace. They must be preserved for the descendants of those salmon that the first westbound white men saw. That is the purpose of my bill. Such a cause presents a major challenge to an organization with the ideals and policies of the Izaak Walton League of America.

(NOTE.—Senator NEUBERGER is a member of the Portland chapter of the Izaak Walton League and has been an effective champion of conservation in the U.S. Senate. The Senator, a member of the Outdoor Recreation Resources Review Commission, was recently presented the 1958 distinguished service award of the League's Oregon Division for his successful sponsorship of the bill to save the pine forests and waterfowl marshes of the Klamath Indian Reservation.)

[From Outdoor America, April 1959]

WHAT FPC-WILDLIFE BILL COULD ACCOMPLISH

(By J. W. Penfold)

Senator NEUBERGER illustrates the need for full consideration of fish and wildlife resources in Federal licensing of water-development projects through the dramatic example of the great salmon and steelhead resources of the Columbia Basin. His proposal to assure genuine partnership for fish and wildlife has immediate application throughout the United States where the Federal Power Commission must consider license applications. For example, proposed dams on the Connecticut River could have serious implications for migrating shad. A dam proposed above the existing Roanoke Rapids Dam (North Carolina and Virginia), by changing riverflow below, might create a serious problem for striped bass.

Hydropower projects inevitably affect fish, wildlife, and recreation values. The effects are not necessarily extensive nor detrimental. Frequently they can be beneficial, particularly if project features are designed and operations planned with such objectives in mind.

It is not likely that the review by the Secretary of the Interior of FPC licenses (as provided in the bill) would lead to many Interior objections. Careful scrutiny of all, however, would usually result in agreement with FPC on conditions of the FPC license issued, giving fish and wildlife reasonable consideration within the prime objectives of the project.

Existing law simply provides no reliable means for protecting fish and wildlife values in FPC licensing procedures—power is the Commission's specialty. The problem might be approached by requiring the FPC to add fish and wildlife to its prime responsibilities, but the more logical way is to place that responsibility—with reasonable authority—in the hands of the Interior Department, which is already charged by law with migratory-fish protection. Thus, the Neuberger proposal satisfies the multiple-use ideal of Izaak Walton League conservation policy by correcting the original error of allowing a single-use power dominance over other legitimate uses of our rivers.

THE BERLIN CRISIS AND THE PATH TO PEACE—ADDRESS BY SENATOR HUMPHREY

Mr. HUMPHREY. Mr. President, over the weekend, at New Rochelle, N.Y., I was privileged to address the Westchester County Democratic Committee dinner on the subject "The Berlin Crisis and the Path to Peace." The speech was not rendered in a partisan vein. It was what I hope my colleagues will find it to be, upon their reading and reflection a constructive and formal analysis of the foreign policy difficulties which we face and of the challenge of the crisis at Berlin to our national security and to the North Atlantic Treaty Alliance. I ask unanimous consent that the address be printed in the body of the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE BERLIN CRISIS AND THE PATH TO PEACE

(Address by Senator HUBERT H. HUMPHREY, of Minnesota, Westchester County Democratic Committee dinner, Glen Island Casino, New Rochelle, N.Y., Saturday, April 11, 1959)

We now look back on 10 years of cooperation within the NATO alliance, and we look forward to the rapidly advancing climax of the Berlin crisis.

These two—NATO and Berlin—are closely linked together.

The first Berlin crisis of 1948–49 brought the NATO community into being.

The present Berlin crisis tests whether that unique community of nations, conceived in common danger and dedicated to common security, can long endure.

FIRMNESS BEFORE THE SOVIET THREAT

We have learned from hard experience to be firm before the Soviet threat.

We learned much in Greece and Turkey in 1947. And what we learned we put into action when Congress endorsed President Truman's now famous doctrine.

"It must be the policy of the United States," said President Truman 12 years ago, "to support free peoples who are resisting attempted subjugation."

We learned the hard way in Czechoslovakia in 1948 when the Communists overthrew a free government. Then came the blockade of West Berlin. We were threatened. But by now we had learned well that those who do not stand firm will not remain free. We did not withdraw from the beleagured city. For 9 months free Berlin was sustained by an allied air bridge built of ingenuity and daring.

The lessons learned in Czechoslovakia and Berlin made their impact. Joining hands with the free nations of Europe, we created an unprecedented international community. NATO was established in 1949, just 10 years ago. Twelve nations—augmented by three more which joined later, pledged that an armed attack against one shall be considered an attack against them all.

The community of nations comprising NATO is the core of the Western World. If this community stands firm and united in the cause of freedom and justice, we shall prevail. If it collapses, we shall be in mortal danger.

The Soviets once more are threatening freedom in Berlin. They are probing to see whether that unique and indispensable community which is NATO can indeed endure.

Last November I stood in West Berlin with its able and courageous mayor, Willy Brandt. I vowed then, and I vow today, to support a policy of firmness, to uphold the right of France, Britain, and the United States to maintain garrisons in West Berlin until a legitimate peace treaty is signed.

This is the position and policy of our Government. It is also the position and policy of NATO. We will not surrender. We will not be pushed out.

But firmness before the Soviet threat, though indispensable, is not enough. Firmness alone will not preserve NATO, nor assure the survival of free Berlin.

Our firmness must be matched by our imagination and our willingness to negotiate.

Standing firm and a willingness to negotiate are not, as some suggest, contradictory policies. They are the two elements in any viable policy in the Berlin crisis. We can negotiate successfully only if we are prepared to stand firm. And we can command the political support necessary to a posture of firmness only if our negotiating position is clear, consistent, and realistic.

We may be grateful that this also is the position and the policy of our Government and of NATO. We will stand firm. And we will negotiate.

THE REQUIREMENTS OF NEGOTIATION

It is about negotiation that I want to talk with you for a few minutes tonight. I have frequently said that we must be willing to talk to the Rusians wherever and whenever there seems even the faintest hope of advancing the interests of peace and security.

Remember that we negotiated with the Russians on Austria for 10 years. Finally we got a treaty.

Remember that we negotiated with the Communists on Korea for 2 years. In the end we got a cease-fire.

For months we have been negotiating in Geneva on the cessation of nuclear tests. So far, there is no agreement. But we must go on negotiating.

This is what I had in mind when, on March 26, I introduced on the floor of the Senate a resolution which reads in part as follows:

"Resolved that the Senate support the efforts of the United States to continue to negotiate for an international agreement for the suspension of nuclear weapons tests and that it emphatically endorse the principle that an adequate inspection and control system must be a part of any such international agreement."

There is no alternative. We must negotiate on Berlin, on Germany, and on the general question of Eureopan security. We must go to the summit, and more than once if that is necessary.

I do not propose to talk tonight about the specific elements of our negotiating position in the forthcoming meetings of the Foreign Ministers of East and West. It would be both presumptuous and indelicate for a member of the legislative branch to speak of such affairs at the very moment that that position is being hammered out by the statesmen of the Western Powers.

But if I do not talk about the specifics, it is appropriate—in fact it is an obligation on all of us—to speak about the broad requirements of a viable negotiating position.

There has been much loose talk about Munich—about the dangers of being taken in by the Russians at the negotiating table.

I do not need to tell this audience that Berlin is not Munich.

To negotiate is not to appease. But we must understand very clearly what makes the difference between legitimate negotiation and inexcusable appeasement. Three requirements must be fulfilled if we are to come to the negotiating table prepared to seek reasonable adjustments without fear of succumbing to unreasonable demands. First, there must be unity of policy within the Western community. Second, we must be militarily prepared. Third, our people must understand the full gravity of the situation we confront. I want to ask you to think with me tonight about each of these requirements.

1. THE UNITY OF THE WESTERN COMMUNITY

First, the critical importance of unity. At Munich the democracies were not united. They were divided. The United States lived in the never-never land of isolationism. The low countries of Europe were neutrals. Britain and France were united, it is true—united in somnambulant apathy, anxious to believe the false promises of the dictators.

Happily, the situation is very different today. Yet there remains much to be done. We have achieved agreement on what we will not do.

We will not get out of Berlin, just because the Russians threaten us.

But negative agreement on what we will not do must now be transmuted into positive agreement on what we will do—what we will propose, what we will be prepared to give in return for what benefits.

This is our problem and our challenge.

The Western community is composed of free partners. The unity we seek must now be forged from the free give and take among partners in a common enterprise.

We must meet the demand for firmness on the part of nations most exposed to the Soviets—principally the Germans.

We must reconcile this demand for firmness with the opposing demand for flexibility on the part of other nations less exposed—principally the British.

We must understand the French desire for national prestige.

We must remain sensitive to German resistance to policies that appear to demand greater sacrifice of German interests than they do of the interests of the other partners.

We must never forget that all these points of view are legitimate.

The British, through their capable Prime Minister, Mr. Macmillan, demonstrate what we mean when we say that one can explore imaginatively and negotiate constructively while yet remaining firm.

The French, through their dedicated leader General DeGaulle, remind us that the unity we seek must be open enough to honor a genuine sense of national destiny.

The Germans, through the firm leadership of Chancellor Adenauer—who after so many years of invaluable service soon will leave the world of active politics—embody the vital quality of resoluteness.

Some people are distressed about the differences of view among the allies of the Western community. But the free discussion of our differences is a measure of our strength, and not our weakness.

The weak cannot expose their differences without exposing their weakness. So they conceal their differences—and remain weak. I am confident that in the process of reviewing and reconciling our differences we will emerge even stronger.

To achieve a united position among free and diverse people demands the utmost in good faith and consultative skill. But I am confident that we will achieve it.

It is quite possible that some of our present differences are the price we must pay for past negligence. We have tended to be fitful, not constant, in our consultations within the Western community. If we had worked a bit closer with our allies and strengthened the consultative process within NATO during the past 5 years, the task of achieving unity would be less difficult today.

Be that as it may, let us now accept the present crisis as an invaluable opportunity to foritify the unity of the Western community of nations. Without that unity, peace, and justice surely will not for long endure.

If unity is essential for NATO, it is also essential within the United States. It has never been more important than it is today for the administration to consult with the opposition party and to establish the closest possible working relationship with Congress. Our delegation to the coming Foreign Ministers Conference ought surely to include Senator WILLIAM FULBRIGHT, the respected chairman of the Foreign Relations Committee of the Senate, and Senator ALEXANDER WILEY, ranking Republican member of that committee.

Finally, we should not ignore the importance of achieving unity and support beyond the confines of the NATO community. The United Nations may play a significant role at this point. Let's not hesitate, at the appropriate time, to place our case before this unique international body. The United Nations cannot solve our problems for us. It was never meant to be a substitute for the difficult foreign policy decisions all governments must make. But it does present many opportunities for the execution of a responsible foreign policy. And no objective is more important than that of mobilizing the support of the many nations that share our concern for security and justice.

2. MILITARY PREPAREDNESS

The first general requirement for a responsible negotiating position is, then, unity. The second requirement is military preparedness. At Munich, the democracies were unprepared. They had to buy time to rearm. They bought time—with the only currency acceptable to the dictators, appeasement.

Military preparedness is vital. As Carl Sandburg once observed, "the cockroach is always wrong when it argues with the chicken." The militarily weak always invite appeasement when they negotiate with the militarily strong.

Once again, our present situation is happily very different from that of the democratic leaders who confronted the Fascists at Munich 21 years ago. Yet there is little cause for complacency. We must put to work immediately the lessons of the Berlin crisis. For this crisis throws a bright light on our military position and shows us that there is much yet to be done.

Last weekend, before the 10th anniversary celebration of the NATO Council, President Eisenhower reviewed the military posture of the Western community. He fortified his optimism with Scripture. "When a strong man armed keepeth his palace," quoted the President, "his goods are in peace." But Mr. Eisenhower neglected to complete the quotation which continues, "But when a stronger than he shall come to him, and overcome him, he taketh from him all his armor wherein he trusted and divideth his spoils."

I would suggest that we indulge less in self-congratulation and more in self-examination—and if necessary in self-sacrifice.

Many thoughtful men have been engaged in this critical self-examination. Many of them have concluded that our Defense Establishment is rapidly becoming inadequate in terms of the threat we face. If we allow our armor to become weak we may well suffer the fate of the improvident man of the Scriptural story. It is time we faced resolutely some searching questions.

Are we militarily prepared in relative terms, relative, that is, to present and foreseeable Soviet capabilities? And are we militarily prepared in relevant terms, relevant, that is, to the various military contingencies we may have to face?

Is our strategic force adequate—relative to the Soviets? General Power, head of the Strategic Air Command, said the other day: "I think our deterrent posture is deteriorating." The fact is that unless action is taken now we are going to find ourselves facing the Soviets with an old weapons system, we with our manned bombers, and they with long range missiles.

Is our Military Establishment relevant to the kind of threats we may have to deal with? The fact is that unless action is taken now we will run the risk of shortchanging our forces in weapons appropriate to their job. Gen. Lauris Norstad, commander of the North Atlantic Treaty forces, has asked for a new weapons system for NATO. His request has been given vigorous support by the President's distinguished Committee, headed by Mr. William Draper, and commissioned to evaluate our military aid program.

The increase in military assistance is to be primarily for new weapons in the NATO area.

The military balance of terror between East and West is a horrible thing. But this horror is exceeded only by the prospect of an imbalance of terror, an imbalance favoring the Communists. For them the cockroach would indeed find himself arguing with the chicken. To negotiate from military weakness is to invite appeasement.

If the Western community of nations is to endure, we must do what is necessary to maintain military parity with the Soviets—and do it now.

3. PUBLIC UNDERSTANDING

The third general requirement for a responsible negotiating position is public understanding. The appeasement of Munich was partly the product of popular misunderstanding. Most people thought that Czechoslovakia was a small, remote country, hardly worth bothering about—certainly not worth fighting over.

In a democracy, responsible policy cannot long maintain itself in times of crisis when the public is misinformed—or even when it is uninformed.

Again our situation today is happily very different from that of Munich. A recent New York Times survey of American opinion reveals serious concern about Berlin. The American people surely are not basically opposed to a responsible policy in the Berlin crisis.

But the Times survey also flashed some danger signals. Thirty-nine percent of the people interviewed did not understand the basic strategic problem we confront in defending free Berlin—the fact that it is located over 100 miles inside of Communist Europe. Right here in the New York area the percentage of uninformed people ran as high as 75 percent. Just as serious, most people were certain that the crisis would pass—that the danger was not great.

I do not believe we are at the brink of war. I too am confident we can contain this crisis. But we shall successfully avoid war and discharge our responsibilities to the people of West Berlin only if we understand the full complexity and precariousness of our situation.

It is not enough that our diplomats understand the problem. Our capacity to cope with the danger we now confront will not depend alone on the wisdom of statesmen meeting in Washington, London, Rome, Paris, and Bonn. It will rest finally on the understanding of the people from whom the statesmen draw their power.

Why do I say this? It is because people who have not been given the facts may tend to expect too much, or may mistake legitimate negotiation for appeasement. People who do not know the facts—who do not know, for example, the complexity of the problems we face—may demand what is impossible. They may demand or expect a permanent European settlement with the Russians.

People who have not been fully informed—who do not know, how precarious our situation is—may shout "Munich" if our diplomats begin talking about limited agreements with the Soviets aimed at easing tensions.

It is my firm belief that the administration has not done a good enough job of informing the public in the interests of greater understanding. Now, what specifically are the ingredients of this understanding?

First, we must be openminded and imaginative. We must understand that negotiated agreements designed to reduce the hazards of war are not appeasement unless they alter the status quo to our disadvantage.

Second, we must be patient. We must understand that nothing will be solved overnight; that settlements will, in fact, take years; and that we face a long road of uncertainty and insecurity.

Third, we must be resolute and willing to sacrifice. We must be willing to spend money—hard-earned money—to do what is necessary to maintain the strength of the Western community of nations.

The requirements of the present crisis are high. I came here tonight to speak about Berlin and the prerequisites of effective negotiation. I cannot leave without reminding you that the imagination, patience, and resoluteness which, as a people, we must now demonstrate is necessary at every level in our contest with the Soviets, in aid, in trade, and in appeals to the minds and souls of men, and at every point in our contest with the Communist bloc, in Asia, in the Middle East, in Africa, at the U.N.

WE ARE CALLED TO GREATNESS

I think I understand well the Communist threat. I have talked to Khrushchev. I have seen at firsthand his vigor, his determination, his ruthlessness. I know the power of totalitarian might. We must never underestimate this massive threat.

More to be feared than Soviet hardness is our own softness.

More to be feared than ruthless Soviet purpose is our aimlessness.

More to be feared than the pernicious appeal of Communist slogans to the disinherited of this earth is our own inability to develop a clear sense of purpose and to give mankind a vision of a noble destiny.

I do not believe the pessimists who say that as a people we Americans cannot or will not meet the demands of the present trial of Western civilization.

I do not propose that we chastise the American people.

I propose that we challenge them.

The measure of our responsibility is such that we must act with greatness. No people have ever risen to greatness without being called to greatness.

The tragedy of these years is that the voice that should summon us is silent.

PORT FACILITIES OF DULUTH, MINN.

Mr. HUMPHREY. Mr. President, as a result of the great St. Lawrence Seaway, Duluth is destined to become one of the busiest and most important ports in the world.

Duluth will, by May 1, be ready to accommodate ocean vessels, and with the opening of the Seaway this summer it will serve as a vital link in bringing American and foreign shipping lines into the very heartland of America.

The fine facilities of the port of Duluth were recently presented by the Governor of Minnesota, Orville L. Freeman, to shipping lines in New York City. The Governor's excellent presentation was reported in the Christian Science Monitor of March 24, 1959. I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DULUTH PORT BOOMED AS GATEWAY TO WEST

(By Harry C. Kenney)

NEW YORK.—Orville L. Freeman, Governor of Minnesota, came into New York recently to impress upon American and foreign shipping lines that the St. Lawrence Seaway will open a vast new highway to the great West through Duluth.

He said that in addition to its celebrated natural advantages, the Duluth port will offer facilities that are equal or superior to any others in the world. These will include a $10 million public terminal, plus a projected private terminal estimated at $80 million.

The Governor said that suddenly the seacoast is 1,500 miles closer. "That's how it seems to the manufacturers and processors in the hitherto landlocked region lying within the trade area of the seaport of Duluth."

SUPERPORT FACILITIES

On May 1, the Duluth port, serving a trade area of 540,000 square miles and more than 8 million persons, will be ready to accommodate ocean vessels (4 at one time) at a modern terminal equal or superior to other Great Lakes ports.

Governor Freeman, at the beginning of his remarks at a press conference at the Park Lane Hotel, emphasized that the Seaway is a new broad highway to world peace—from Duluth in the heartland of this continent to the major ports of the world.

There was little question but that the Governor and his 14-man delegation were here to convince as many shippers as possible that it might be less costly and more favorable to use their facilities than those of New York, New Orleans, Baltimore, Philadelphia, or even Chicago, and Milwaukee.

The people of Minnesota are putting great importance on the Seaway, and their Governor's presence here emphasizes the Duluth facilities.

FULL PROMOTION

The Governor's assistants were the first team of promoters. They were loaded with facts, figures, and statistics. They had charts and photographs. They were loaded with strategy on the potential volume of trade in the port's area and that "it stands in the very center of the food-producing area of the country."

The Governor stressed that opening of the Seaway will place Duluth at the head of the important waterway which will reach into the very heart of the North American Continent.

There were remarks at the press conference that Duluth would not eat into the port of New York activities; that the bulk of the area's foreign trade now moves by way of the gulf coast and very little is shipped by way of New York.

Robert T. Smith, director of the Duluth Port, said the port's future was not based upon diversion from other ports but rather in the hopes of an entirely new market developed from the enormous world trade potential in the Midwest.

COMPETITION SPURRED

There seems to be in the offing sharp competition among individual ports of the Great Lakes. Probably the king-sized prize will be the huge traffic potential of Minneapolis and St. Paul.

On this point, Prof. Ed Nightingale, of the University of Minnesota, said: "Nobody would think of moving Twin Cities foreign trade through Chicago or Milwaukee, if shippers could be assured of equal sailing at Duluth."

The Governor declared that he was impressed and pleased by expressions of sincere interest by the people in the maritime industry. He also was impressed by the pointed and specific questions asked dealing with pier availability, harbor drafts, labor supply, and rentals.

He said the Duluth authority has conducted surveys of general export-import cargo potential, not only for the 11-State area that the port will serve in the United States, but ranging as far as Canada and the west coast.

These surveys indicate a 350,000-ton annual average—92-plus percent export, 7-plus import. Minnesota alone has 352 shippers moving nearly 240,000 tons annually in foreign trade. It is expected that the export-import balance will improve with the advent of oceangoing ship traffic to Duluth.

Imports which should and will move through Duluth include coffee, cane sugar, glass and granite, automobiles, machinery, jute, burlap, and liquors.

MORIBUND WORLD COURT

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed at this point in the RECORD an editorial entitled "Moribund World Court," which appeared in the April 1 edition of the Washington Post and Times Herald.

The editorial points out the need for the Senate to take the lead in revitalizing the International Court of Justice by removing the reserve clause from its resolution of 1946 which accepted the Court's jurisdiction. I have recently introduced Senate Resolution 94 implementing this suggestion, so I should like to call this sound editorial statement to the attention of the Senate.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MORIBUND WORLD COURT

Many of the American judges struggling to keep up with their congested calendars must look wistfully at the leisurely pace of the International Court of Justice while the World Court justices surely wish they had more to do. The Court has been neglected by most nations since it was set up in 1945. So it is encouraging to know that both Secretary of State Dulles and Attorney General Rogers have urged countries to make more use of the international tribunal.

The United States should take the lead in reviving the International Court because the Senate is largely responsible for the failure of countries to make use of the Court in settling international disputes. When the Senate passed a resolution in 1946 accepting the authority of the Court, an amendment was attached giving the United States the right to decide whether a case involving this country came within the Court's jurisdiction. This bad American example has been followed by many other countries with the result that few international disputes have been referred to the Court.

President Eisenhower ought to urge the Senate to repeal this restriction on the Court's power. If the International Court is ever to realize its potential as a constructive force for peace it ought to have considerable power to decide whether a case comes within its jurisdiction. During its first decade the Court has exhibited no power-grabbing tendencies and there is no reason to believe that the distinguished jurists who have been appointed to the Court by the U.N. Security Council and General Assembly would usurp the authority of domestic courts.

LABOR UNION REFORM

Mr. GOLDWATER. Mr. President, from time to time as the articles have come to my office, I have placed in the RECORD the comments, editorially and in story form, concerning the efforts being made by the Senate to pass a so-called labor reform bill.

On this subject, I ask unanimous consent to have printed at this point in the RECORD an article entitled "Is Congress Bypassing Effective Labor Laws?" published in the Small Business Bulletin, of the National Small Business Men's Association, for March 1959; and an article entitled "Our Labor Legislation Muddle: What Action Should Investors Take

Now?" published in the Investors League Bulletin of March 1959.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From Small Business Bulletin, March 1959]

IS CONGRESS BYPASSING EFFECTIVE LABOR LAWS?

Outcome of momentous behind-the-scenes maneuvering now going on in Washington may spell doom to any labor legislation this year which would effectively help small business.

While public attention remains rooted on Senator JOHN KENNEDY's—Democrat of Massachusetts—unusually hurried attempts to ram through Congress a mild anticorruption bill, insiders privately tell us hope is dim for laws to outlaw secondary boycotts and coercive picketing—two of the most potent weapons of corrupt or unethical union leaders—and the hoodlum element now infesting labor leadership.

This despite obvious public demand that union corruption be cleaned up through stronger labor legislation.

Essentially, KENNEDY's bill would hit at union corruption and racketeering by compelling both unions and management to make public certain financial records and labor-management dealings—particularly relating to bargaining for union representation.

But several labor sweeteners also are included—proposed changes in the Taft-Hartley law which would be highly favorable to labor. Among other things, they would legalize existing—but outlawed—representation practices of the building trade unions, allow strikers replaced because of economic reasons to vote in representation elections.

Yet needed curbs on organizational picketing and secondary boycotts—which many, including the administration, know are just as important in stopping union corruption—are missing from the bill. And attempts to add them in committee have met overwhelming defeat.

Now, a trend toward compromise is developing, your staff finds, in certain congressional quarters. Both the labor sweeteners and picketing-boycott proposals would be deferred until later. Then a new attempt would be made to overhaul Taft-Hartley.

Through this move, a simple anticorruption reporting and disclosures bill should be passable. But the AFL–CIO says "No."

Give us the changes we demand in the Taft-Hartley law and give them to us now or we'll use our tremendous influence to kill the whole bill. This, in effect, is the ultimatum George Meany has hurled at Congress. Its connotation?

Complete disregard for public opinion. For this very union in 1958 pronounced these reforms good, and needed, to help unions put their house in order.

To put added teeth in this ultimatum and just before KENNEDY's bill hits the Senate floor 3,500 building and construction trades delegates have been brought to Washington. At Bulletin press time, these men representing all States were up on Capitol Hill relating labor's story to their Congressmen and Senators.

FLOOR FIGHT COMING?

With little or no chance of amending the Kennedy bill in Senate committee, your legislative staff foresees a real floor fight in the offing and the first real chance to determine unions' extent of influence in the Senate after November's elections.

Here, attempts will be made to either: (1) Add provisions covering secondary boycotts and picketing; or (2) remove the labor sweeteners.

The probability? KENNEDY'S bill, from what we can learn, will be passed with some modifications and with the sweeteners removed. The fight for these changes will be led by Senators BARRY GOLDWATER, Republican, of Arizona, and JOHN MCCLELLAN, Democrat, of Arkansas, whose Senate select committee has exposed the startling corruption and misuse of office now prevalent in many unions.

But while attention has focused on Senate action, two additional important labor reform measures have quietly been dropped in the House hopper by House Labor Committee Chairman GRAHAM BARDEN, Democrat, of North Carolina. One is similar to MCCLELLAN'S Senate proposal.

Wisely separating union reporting and disclosure measures from major Taft-Hartley changes, BARDEN'S bills should be the basis for House action on labor reform.

A labor bill of rights—that's what BARDEN calls his reporting measure, saying, "it would restore to the workers the right to control the affairs of their unions * * * and wrest control of these unions from the gangsters, hoodlums, and racketeers."

In essence, here's what this bill would do: Prohibit use of union funds for political purposes, require secret union membership vote before any strike, regulate union disciplinary procedures against members, provide members with the legal right to sue their union, require democratic safeguards in union constitutions, impose fiduciary responsibility upon union officials.

His other bill would outlaw recognition and organizations picketing, give States jurisdiction over labor disputes not handled by government, eliminate existing secondary boycott loopholes in Taft-Hartley.

BARDEN'S proposals loom important since—regardless of Senate action—the House seems sure of writing its own labor bill. And instead of considering only testimony already heard by MCCLELLAN'S committee, the House unit, we're told, will hold its own hearings on labor management reform needs.

While the eventual result of congressional action may be a modified Kennedy bill it's no longer a cinch to be rammed thru before anyone can catch his breath.

And the chance for small business to realize effective labor reform legislation as needed protection from today's big unions, from what we can see, lies in the House.

PLAN HOUSE ACTION

That's where your association is concentrating its efforts making sure that the House committee hears first-hand testimony on the need for reform laws.

Many Congressmen already have told us they realize the plight of small-business men. But they emphasize an immediate, urgent need for examples from small firms of unions' power abuse.

If you want just labor laws, help your cause best by acting now. Write your Congressman a letter relating any personal experiences you or your friends may have encountered. Send a carbon to us.

Only an immediate real response from small business can win this fight.

[From the Investors League Bulletin, March 1959]

OUR LABOR LEGISLATION MUDDLE: WHAT ACTION SHOULD INVESTORS TAKE NOW?

We have repeatedly stated "Most people don't write their U.S. Senators and Representatives because they don't know just what to say and when to say it." Never has this remark been more appropriate than it is at this moment when important labor reform legislation is in the making. Our citizens who recognize the grave need of such legislation are confused and bewildered by the complexities of the various important labor measures which have been introduced in this session of Congress and on which public hearings before important congressional committees are now being held. All of them seem to taste good on the outside. But what really lies behind their sugar-coated surface?

The important work of the McClellan committee has brought into sharp focus the racketeering and arrogant dishonesty indulged in by certain bosses of some of our largest labor unions. This has aroused the public who demand a remedy to the intolerable conditions which now exist.

The political power of the labor czars was proven in the last congressional election and has instilled political fear in the minds of influential policymakers of both major political parties. They apparently feel that efforts to deal forthrightly with the evils that have been exposed may mark them for political extinction come 1960.

Investors well realize that the economic policies advanced by the AFL–CIO are definitely socialistic in character, are aimed at the destruction of saving and investment incentives through vicious taxation in behalf of promoting an all-powerful Government in Washington dedicated to wild-eyed Federal spending schemes to be paid for, if at all, in an inflated and debased currency. The crude, bare-faced philosophy of existence of many labor leaders may be capsuled in a few words: "Let's get ours today, and to hell with what happens tomorrow."

To fight this menance of the labor dictators the Investors League has consistently advocated legislation that would destroy this corrupt and ahorrently un-American and fascist dictatorship at its very roots rather than to temporize with ineffective and wishy-washy pretenses of mere regulation. We surely would never advocate regulated robbery, or regulated arson and violence.

Our basic legislative recommendations for ridding the Nation of the causes of labor union abuses have been to put unions under the antitrust laws, guarantee the right of every individual to join or not to join a union as a condition of employment, and ban unions from engaging in political activities with their members' dues. The several major labor bills pending before this Congress duck these issues with one exception. (The Barden and McClellan bills do contain provisions outlawing misuse of union funds in political activities.)

THREE MAJOR BILLS BEFORE CONGRESS

S. 505. The Kennedy-Ervin bill: This is by far the weakest and most ineffective pretence of remedial legislation as witnessed by its endorsement by the AFL–CIO. It has been roundly denounced before the Senate Subcommittee on Labor. Godfrey P. Schmidt, for instance, one of the three court-appointed monitors named to clean up the Teamsters Union, made the following comment on S. 505, "One of the most rampant abuses of power in the labor movement * * * is the practice of visiting reprisals upon union members and officers who dare to exercise free speech in opposition to the wishes or programs of powerful labor leaders. * * * Your bill (S. 505) would, I think, be unacceptable and inefficient precisely because it fails to take care of this most important abuse." Schmidt also stated his talks with workers convinced him that "no labor reform can be effectuated unless recognition and organizational picketing is banned. Your (Senator KENNEDY'S) prohibition of blackmail picketing is completely inadequate." Schmidt also said "Since the irresponsible power of labor leaders needs curbing, secondary boycotts, which is a source of this power, must be limited. I think provisions in this respect should be incorporated in your bill." Other serious defects in S. 505 include a provision to permit nonemployees to vote in NLRB elections and one to change the term "supervisor" as presently defined in Taft-Hartley in such manner that the door would be open to union domination of thousands of supervisors who are now considered a part of management.

No labor bill at all would be preferable to S. 505. It would simply strengthen the hand of the labor dictators by lulling the public into the false belief that constructive labor legislation had been enacted and pave the way for later demands for more dangerous amendments to Taft-Hartley such as elimination of the right-to-work provisions.

S. 748, the administration bill: This bill was introduced with the approval of Labor Secretary Mitchell by Senator GOLDWATER and 14 of his cosponsoring colleagues. This bill deals largely with requiring disclosure of certain financial transactions and administrative practices of unions and their officers and agents, election and removal of officers and other such matters. In these respects the provisions are more thoroughly defined than in the Kennedy-Ervin bill.

Unlike the Kennedy-Ervin bill, S. 748 contains provisions for materially strengthening laws against secondary boycotts and picketing. This administration bill contains no provisions against union political activities. While it is by far preferable to S. 505, it still leaves much to be desired. From a practical political standpoint, however, in view of the fact that it has the endorsement of the administration and the Secretary of Labor, and in view of the general attitudes of the Members of this Congress toward labor legislation, it is probably the best that can be hoped for at this time.

H.R. 4474, the Barden bill: This bill resembles the administration bill in many respects but contains some tougher provisions such as one to prohibit use of union dues for political activities, which the unions will fight tooth and nail. Senator MCCLELLAN has introduced S. 1134 which more or less parallels the provisions of H.R. 4474 except that as of the date of this Bulletin he had not yet introduced a bill dealing with amendments of the NLRA and LMRA. Desirable as these bills are, it is quite doubtful that they could gain the endorsement of the Secretary of Labor, to say nothing of the labor-liberal majority Members of the present Congress.

WHAT SHOULD INVESTORS DO?

This is no time merely to do nothing. This would only help get the wrong labor bill enacted. We would normally, as a matter of principle, urge support of the Barden and McClellan bills. From a practical political standpoint, however, it might be more effective if we were to write Senator MCCLELLAN and urge him to help defeat the Kennedy-Ervin bill and support the administration bill, leaving for a later date consideration of legislation banning the use of union dues for political purposes and other needed amendments to Taft-Hartley. Your president has written Senator MCCLELLAN such a letter which is reproduced on the back page.

WILLIAM JACKMAN,
President, Investors League, Inc.

THE NEED FOR SALK VACCINE SHOTS

Mr. HART. Mr. President, yesterday was the 4th anniversary of the dramatic announcement made at the University of Michigan that at last the Nation had in its possession a highly effective method with which to fight paralytic poliomyelitis. Yet 4 years later less than half of our population has received one shot. That leaves about 77 million men, women, and children who have not taken advantage of this most essential means of self-help.

The New York Times on yesterday, April 12, published an article which I can only hope those who have not taken advantage of the Salk vaccine will read.

As the parent of a child who was stricken with paralytic polio the summer before the Salk vaccine came on the market, I only wish I could find the word formula which would induce all parents, and the rest of the population, as well, to insure themselves against attack by taking advantage of this wonderful vaccine.

We approach the summer vacation time with happy contemplation. Nonetheless, we realize there are some things which are dangerous and cannot be avoided—the other fellow's driving on the highways and the unpredictable weather on the water. But polio is a disease which is traditionally associated with summer weather and about which we can now do something. We owe it to our families and ourselves to do what we should.

In Michigan, it has been found that the group which is the hardest to reach are the preschool children, the group at home. Only 43 percent of such children, too young to do anything about this themselves, have been given the opportunity to receive one shot.

I know we are all reading about the wonderful one-mixture vaccine which it is hoped will immunize against many diseases. But let us not wait for that to come on the market in great quantities, because the Department of Health, Education, and Welfare has informed State agencies that a mass supply may not be on the market for some time. That agency also has stressed that it is better to have everyone receive the three shots of the Salk vaccine before worrying about those who have not had the fourth shot. The department urges, finally, that the three shots be received in the period before the end of June, even though this means receiving the shots closer together than is normally recommended.

Again, I wish I could find the formula in words which would induce everyone in the Nation to insure himself against the hideous aftermath of an infection which now can be avoided, thanks to Dr. Salk, whom Congress honored so deservedly a year or so ago.

Mr. President, I ask unanimous consent that the article entitled "Need for Salk Shots," written by Howard A. Rusk, M.D., published in the New York Times of April 12, 1959, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Apr. 12, 1959]

NEED FOR SALK SHOTS—STUDY OF HOW MOST IN U.S. LACK THEM AND A PLEA FOR IMMEDIATE VACCINATION

(By Howard A. Rusk, M.D.)

Four years ago today the world rejoiced at the dramatic announcement made at the University of Michigan that at last a safe and effective vaccine against paralytic poliomyelitis was available. The vaccine, of course, was that developed by Dr. Jonas E. Salk of the University of Pittsburgh.

But now, 4 years later, less than half (77 million) of the Nation's population has had even one dose of Salk vaccine. Almost 98 million men, women, and children have not taken advantage of one of the most important medical developments of our time.

During the first half of the century there was a steady increase in the incidence of polio in the United States, with a peak of almost 58,000 cases in 1952. With the introduction of Salk vaccine, the incidence dropped sharply. In 1957, there were but 5,500 cases and less than half of these (2,500) were paralytic.

SHOWED INCREASE IN 1958

But in 1958 the number started to rise again. Provisional figures indicate that polio struck 6,000 persons, including 3,100 paralytic cases. More than half of these paralytic cases occurred in children under 5 years old. Needless epidemics killed and crippled victims in Michigan, New Jersey, Montana, Texas, Virginia, West Virginia and Hawaii.

In the Detroit epidemic, 95 percent of the paralytic cases occurred among persons who were unvaccinated or incompletely vaccinated and 61 percent of these cases were among infants and children under 5.

Why did polio increase in 1958? The answer is simple. In 1958 only half as much vaccine was distributed for domestic use as in 1957.

What will happen this year? Preliminary figures indicate that 1959 will be worse than 1958 unless those who have not had the full three doses of Salk vaccine start their immunization program immediately.

The U.S. Public Health Service reports that during the first 12 weeks of this year there were 187 reported cases of paralytic polio, compared with 103 during the same period of 1958.

Since the vaccine program has been administered through the schools in many areas, the percentage of school-age children who have been vaccinated is higher than in any other group.

Two age groups highly susceptible to polio and in which only a low percentage have been vaccinated are preschool children and young adults between 20 and 30 years old.

The U.S. Public Health Service has recently approved a 4-in-1 vaccine to protect preschool children against polio, diphtheria pertussis, and tetanus. This new multiple antigen vaccine will reduce the immunization course for the four diseases from six to four injections.

Older persons however, should not overlook the importance of vaccination. Two years ago this month, James Wood, of Charlotte, Mich., a 36-year-old father of 7 children, was struck by paralytic polio and had to be placed in a respirator. Mr. Wood had taken care to see that his 7 children ranging from 2 to 13 years old had received the full 3 doses of vaccine. But, he himself had been "too busy to bother."

Dr. Herman E. Hilleboe, State Commissioner of Health and Dr. Leo Gibson, president of the Medical Society of the State of New York, urged all physicians in the State to emphasize the importance of polio vaccination. They suggested that physicians should ask all persons under 40 coming to their offices for any reason if they had been vaccinated.

In the opinion of this writer, all persons under 60 should take the full set of Salk vaccine shots. Last year he saw 3 persons who had been struck with paralytic polio past the age of 60.

In their bulletin, Dr. Hilleboe and Dr. Gibson also recommended a fourth dose of Salk vaccine. Dr. Salk in January reported that a fourth dose of a selected lot of commercial vaccine resulted in the appearance of antibodies in the blood of a group of children who had failed to develop detectable circulating antibodies against one or more types of polio virus after three doses of vaccine.

Most important, however, is to get all persons vaccinated.

Intensive research is under way toward the development of new and more potent

vaccines. Field tests of an attenuated live-virus vaccine are being made. It is to be hoped these efforts will be successful. But the presently available Salk vaccine, when 3 doses are taken, is at least 80 percent effective.

Last week the professional advisory committees of the National Foundation met to lay plans for the new March of Dimes attack on the other 62 known viruses and on juvenile arthritis and congenital malformations.

All of these authorities agreed that despite the importance of these new programs, the highest priority must be given to inducing all who have not had the full three doses of Salk vaccine to begin their series of innoculations at once. The time for action is now.

SENATOR MANSFIELD OF MONTANA

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from a very fine newspaper, the Washington Evening Star, for whose editorials I think all Members of Congress have high regard. The editorial to which I refer relates to the distinguished majority whip, MIKE MANSFIELD. The editorial appeared in the Washington Star of yesterday. I think all of us agree there is no finer and abler servant in public life today than MIKE MANSFIELD. I should like to have all my colleagues and all those who read the RECORD see the fine comments expressed by the Evening Star concerning MIKE MANSFIELD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THINKING MAN'S APPEAL

It is a good thing to have a man like MIKE MANSFIELD around at a time when too many people are enthralled or intimidated by catchwords and cliches. It is good because this Montana Senator thinks for himself and says what he thinks.

There is a cult in our country which is preaching the doctrine that it is futile to negotiate with Mr. Khrushchev because the Russians have never lived up to an agreement. And by implication this cult charges that anyone who disagrees is either an appeaser or a halfwit.

Senator MANSFIELD has not hesitated to disagree—his most recent effort being a speech last week to the Alumni Association of New York University Law School. What he says makes sense to us.

The Montana Democrat appealed for an affirmative approach by the West to the forthcoming session of Foreign Ministers and the prospective summit meeting. There should be less concern, he said, with saving face and more with saving civilization. Senator MANSFIELD was not born yesterday, and he definitely is not a peace-at-any-price advocate. He insists that any agreement must be based on a quid pro quo, on concessions to match concessions. And, of course, he realizes that there will be no peace, and no settlement, unless the Russians want a peaceful settlement.

He argues, however, that there have been great changes in the world in 15 years—great changes especially in Europe and in Germany. These changes bear down upon the Russians no less than upon the West, and they call for rethinking in order to be sure that our tactics have not become frozen in obsolete concepts. In short, Senator MANSFIELD is saying essentially what Mr. Macmillan has been saying, as we understand it. And this is that policies devised years ago, in another setting, cannot serve in the new situation which is evolving.

In short, we must raise our sights and try again. Let's ignore the namecallers and the defeatists. It is at least possible that the Russians, for reasons of their own, want a settlement which the West can accept. If this is the case, the opportunity should not be muffed because of shackled thinking. For the alternative is war—a nuclear war which will dump mankind into a black and bottomless pit. This, in essence, is Senator MANSFIELD's message. We hope he will continue to speak his piece.

PRESENTATION OF MEDAL TO ADMIRAL RICKOVER

Mr. ANDERSON. Mr. President, announcement was made a day or two ago that a medal would be presented to Admiral Rickover on Wednesday, April 15, the ceremony of presentation to be held in the auditorium of the New Senate Office Building.

I ask unanimous consent that the text of the announcement by the Joint Committee on Atomic Energy, together with the text of the joint resolution authorizing the medal be printed at this point in the RECORD.

There being no objection, the announcement and resolution were ordered to be printed in the RECORD, as follows:

ANNOUNCEMENT OF RICKOVER MEDAL PRESENTATION

A special gold medal, authorized by the Congress last year, will be presented to Vice Adm. Hyman G. Rickover at a public ceremony on Wednesday, April 15, Senator CLINTON P. ANDERSON, chairman, and Representative CARL T. DURHAM, vice chairman, of the Joint Committee on Atomic Energy, announced today.

The ceremony, to be part of a public session of the Joint Committee, will be held in the auditorium of the New Senate Office Building and is scheduled to start at 2:30 p.m. Senator ANDERSON, as chairman, will make the presentation on behalf of Congress as provided by the law.

Congress authorized the medal last year in a joint resolution introduced by Senator ANDERSON, Congressman DURHAM, and a number of their colleagues. The resolution was approved unanimously in both Houses of Congress and was signed into law by President Eisenhower on August 28, 1958.

Congress stated in the resolution that the medal was to be awarded in recognition of Admiral Rickover's work in directing the development and construction of the world's first nuclear-powered ships and the first large-scale nuclear power reactor devoted exclusively to the production of electricity. Admiral Rickover is known as the "Father" of the nuclear submarine fleet including the *Nautilus*, the *Skate*, and the *Skipjack*.

Invited to participate in the ceremony are Vice President RICHARD M. NIXON, House Speaker SAM RAYBURN, Senate Majority Leader LYNDON JOHNSON, Senate Minority Leader EVERETT M. DIRKSEN, House Majority Leader JOHN MCCORMACK, House Minority Leader CHARLES HALLECK, Chairmen CLARENCE CANNON and CARL HAYDEN of the House and Senate Appropriations Committees, and Chairmen CARL VINSON and RICHARD B. RUSSELL of the House and Senate Armed Services Committees.

At the presentation ceremony next week, Admiral Rickover will give his annual report on the status of the naval reactor program and the Shippingport, Pa., civilian power reactor project, the Nation's first nuclear power station to go into operation. Committee members and other Members of Congress participating in the ceremony will be given an opportunity to comment on the accomplishments of the program.

The award of the medal by Chairman ANDERSON will follow. Senator ANDERSON also will present Admiral Rickover with a special copy of the joint resolution of the Congress, and a resolution signed by all members of the Joint Committee expressing their appreciation to him for his contribution to America's technological progress.

All Members of Congress and a number of officials of the executive branch of government have been invited to attend the ceremony. These officials include Secretary of Defense Neil McElroy, Under Secretary of Defense Donald Quarles, AEC Chairman John McCone and members of the Atomic Energy Commission, Navy Secretary Thomas S. Gates, Jr., Presidential Assistant James C. Hagerty, and Capt. E. P. Aurand, USN, President Eisenhower's naval aide.

The public is cordially invited to attend the ceremony, Senator ANDERSON and Congressman DURHAM stated.

SENATE JOINT RESOLUTION 201

Joint resolution to authorize the chairman of the Joint Committee on Atomic Energy to confer a medal on Rear Adm. Hyman George Rickover, United States Navy

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in recognition of the achievements of Rear Admiral Hyman George Rickover, United States Navy, in successfully directing the development and construction of the world's first nuclear-powered ships and the first large-scale nuclear power reactor devoted exclusively to production of electricity, the Chairman of the Joint Committee on Atomic Energy, on behalf of the Congress, is authorized to present to Admiral Hyman George Rickover, United States Navy, an appropriate gold medal for such purpose, the Secretary of the Treasury is authorized and directed to cause to be struck a gold medal with suitable emblems, devices, and inscriptions to be determined by the Secretary and Chairman of the Joint Committee on Atomic Energy. There is hereby authorized to be appropriated the sum of $2,500 for this purpose.

SEC. 2. The Secretary of the Treasury shall cause duplicates in bronze of such medal to be coined and sold, under such regulations as he may prescribe, at a price sufficient to cover the cost thereof (including labor), and the appropriations used for carrying out the provisions of this section shall be reimbursed out of the proceeds of such sale.

PERFORMANCE RECORDS OF SUBMARINE "SKIPJACK"

Mr. ANDERSON. Mr. President, several members of the Joint Committee on Atomic Energy have enjoyed a memorable trip on the submarine *Skipjack*. On the trip, the submarine went to a greater depth than any other submarine has ever descended before and moved at a greater speed than any other submarine has previously traveled. I ask unanimous consent to have printed at this point in the RDCORD a press release issued by the Joint Committee on Atomic Energy upon the return of the congressional party to the mainland.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

Two new performance records of the USS submarine *Skipjack* were announced today by Senator CLINTON P. ANDERSON, chairman of the Joint Committee on Atomic Energy, upon his return from an overnight trip on the submarine with six other committee members and Vice Adm. H. G. Rickover, USN.

Senator ANDERSON stated: "While underway and submerged, the Joint Committee held an official committee meeting, during

which time the *Skipjack* was going faster and deeper than any known submarine in history. For security reasons, I can only say that we were deeper than 400 feet and moving faster than 20 knots. In 1955 some of us also traveled on the *Nautilus* and we were impressed today by the many technical advances and substantial increases in performance that have been achieved in *Skipjack*, including speed, maneuverability, and endurance."

In addition to Chairman ANDERSON, the following committee members were abroad: Senators JOHN O. PASTORE, Rhode Island; HENRY M. JACKSON, Washington; GEORGE D. AIKEN, Vermont; Congressman CHET HOLIFIELD, California; JAMES E. VAN ZANDT, Pennsylvania; and JACK WESTLAND, Washington.

During the record breaking trip, the committee members and staff were given a thorough tour of the new submarine, and participated in high speed maneuvers.

At the underwater hearing held in *Skipjack's* wardroom, Admiral Rickover gave a presentation on the accomplishments of the *Skipjack* and new developments in the naval reactors program. In response to questions, the Admiral explained the safety features of the reactor design and operation of the *Skipjack*.

The committee members stated that the Electric Boat Co. and other participating industrial companies deserved congratulations for a job well done.

Senator ANDERSON, on behalf of the congressional committee, thanked Cmdr. William W. Behrens, Jr., USN, the commanding officer of the *Skipjack*, for the hospitality extended by him, his officers and crew, and for the expert way they put *Skipjack* through its paces.

In closing, Senator ANDERSON said: "We are impressed with the tremendous advancements that have been made in the 4 short years that have transpired since the first atomic submarine went to sea.

"The country and all our citizens can be proud of Admiral Rickover and his fine team for achieving for the United States technological leadership in the field of nuclear ship propulsion. The committee, on behalf of the Congress, will recognize these accomplishments at its forthcoming public ceremony, Wednesday, April 15, 1959, when we will present to Admiral Rickover the special congressional medal authorized by Congress last year."

The committee and Admiral Rickover were accompanied by Capt. E. P. Wilkinson, USN, Commander Submarine Division 102; Carleton Shugg, vice president, General Dynamics Corp., Electric Boat Division; and James T. Ramey, executive director of the Joint Committee staff.

HYDROPOWER AND THE BUREAU OF RECLAMATION—ADDRESS BY COMMISSIONER W. A. DEXHEIMER

Mr. KUCHEL. Mr. President, the basic problem of far-western America is a sufficient supply of water in order to make it possible to cope with the fast increasing population and the rapidly burgeoning economy of the States located there. I doubt that any Federal policy adopted during the last half century has been more beneficent to the development of western America than the Federal policy of reclamation.

During most of the era of the Eisenhower administration the Commissioner of Reclamation has been Mr. W. A. Dexheimer, who retired only a few days ago. On the 1st of this month, Commissioner Dexheimer spoke on "Hydropower and the Bureau of Reclamation," at the American Power Conference, at the Sherman Hotel, in Chicago, Ill. He indicated how the Department of the Interior has, during the last half century, followed the guidelines laid down by the Congress of the United States in constructing reclamation projects in the West, many of them multipurpose in character.

The hydroelectric energy generated as an incident to multipurpose Federal construction has been necessary on most occasions to demonstrate the economic feasibility of the Federal undertakings. Costs of commercial power and of water for municipal and industrial purposes under Federal law are repaid with interest. Costs allocated to the supplying of water for irrigation purposes are repaid without interest.

Mr. President, as I have stated, the Federal reclamation policy, established under the administration of Theodore Roosevelt, and continued by the legislation enacted by the Congress down to date, has been of great benefit to the country, and most particularly to the semiarid Western States.

I ask unanimous consent to have printed in the body of the RECORD the complete text of Commissioner Dexheimer's excellent and timely speech.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

HYDROPOWER AND THE BUREAU OF RECLAMATION

(Paper presented by Commissioner of Reclamation W. A. Dexheimer, at the American Power Conference, Sherman Hotel, Chicago, Ill., April 1, 1959)

I am pleased to discuss the hydroelectric program of the Bureau of Reclamation with you today, particularly because it gives me an opportunity to put power generation in its proper perspective as it relates to our statutory responsibilities.

Our primary job is the conservation and utilization of water for consumptive purposes, principally irrigation, in the semiarid West, generally defined as the 17 Western States. Secretary of the Interior Seaton, who sends his greetings to this conference, recognizes the importance of water conservation in our future and has supported our efforts to further this work.

In the semiarid West, water is and has always been the key to survival. Storage facilities are necessary to conserve the erratic spring runoff of melting snow water for use later in the hot, summer season when the western river flows drop sharply or, in some instances dry up completely.

In recent decades, seasonal regulation has been expanded to become cyclical storage because of wide variations in annual flows. We have borrowed from Joseph's dream of Biblical days to store water in days and years of plenty to carry through periods of drought and want.

Hydroelectric-power generation has been a natural byproduct of storage dams and reservoirs necessary for this water conservation. I am sure no one would dispute the wisdom of also harnessing and using this tremendous source of energy. It would be a criminal waste of one of our most valued resources to do otherwise.

The Department of the Interior is responsible for the marketing of all energy generated by federally constructed plants except the Tennessee Valley Authority.

In these two Federal Government functions—installation of power facilities and marketing—competition exists, and hence they are subjects of debate and conflict. However, it is important to remember that the Secretary of the Interior, as well as we in the agencies under his direction, are carrying out responsibilities placed upon us by the Congress. We are governed by a broad framework of laws and policies laid down by the Congress in all phases of water resource work, including development and marketing of hydropower. These include the preference of municipalities and REA in purchase of power.

It is against this background that I have prepared this discussion on Bureau of Reclamation hydro operations and their relation to our total program.

Federal reclamation was first authorized in the Reclamation Act signed into law by President Theodore Roosevelt in 1902. One of the first irrigation projects to be undertaken was the Salt River project in Arizona, and it was on this project that the first Federal reclamation hydropower was generated. A small plant, of 15,400 kilowatts, was built as an initial part of Roosevelt Dam to supply energy for the manufacture of cement.

From this beginning, hydropower facilities have grown concurrently with other phases of our water conservation until we are currently operating 40 plants scattered through the Western States and Alaska. The installed nameplate capacity is 5,110,175 kilowatts. This represents roughly 18 percent of the installed hydro capacity in the United States and 4 percent of the world capacity.

Bureau of Reclamation power generation is entirely hydroelectric, with no steam generation whatever. It should be noted also that we specifically do not attempt or profess to supply the entire power needs of any area. We are primarily a water resource development agency and not a utility for power supply.

Within the statutory authority under which we operate, we seek the closest cooperation with the utilities in the area—be they municipal, cooperative, or investor owned—in order that the power supply we have available can be utilized to the greatest degree possible.

Bear in mind, however, that hydropower generation is low man on the totem pole so far as priority of use of water is concerned on reclamation projects. We are bound by 57 years of consistent policy and multiple Federal and State laws which establish priorities for the use of water in the semiarid West.

Generally, these statutes provide that domestic requirements have first call on the available supply of water. Beneficial consumptive uses, such as municipal and industrial consumption and irrigation, rank high followed by pollution abatement, salinity control, flood control, and navigation. Usually all are ahead of requirements for hydropower generation.

Water conservation for consumptive use has been and is today the most important problem facing the Western United States. As you are probably well aware, it is also a subject that is gaining in importance elsewhere in the United States as our population grows and our water needs soar.

It is this intense competition for water that has brought to the fore the multiple-use concept of development. In many instances, water may be made to serve more than one master and a reclamation project can provide multiple benefits, including the generation of hydropower.

In most such instances, overriding primary benefits are much more important than power generation. Also, in many cases, a single-purpose power facility, such as a utility would be licensed to construct, would not be feasible. Thus, by combining these multiple water uses, the Federal project is providing benefits which could not be realized from any single-purpose endeavor.

Hydroelectric power has another very important function in the development of the

water resources of the West, particularly irrigation. This is the part it plays in the financing of the overall project.

The Reclamation program is unique among federally financed activities in that the invested capital is repaid into the Treasury. Ninety-three percent of the money the Bureau of Reclamation spends is repaid to the United States by the project beneficiaries.

Costs of commercial power and of water for municipal and industrial purposes are repaid with interest. Costs allocated to the supplying of water for irrigation purposes are repaid without interest.

This interest-free concept goes back to the reclamation fund which was established by Congress at the time the Reclamation Act of 1902 was passed. Accretions to the fund come not from the taxpayer's pocket but from the sale of public lands, royalties from land leasing for some minerals, and from revenue from reclamation projects. This fund comprises approximately 44 percent of our annual appropriation at the present time. Most of this fund is from the public lands of the Western States, and Congress obviously did not feel that the West should be charged interest for using its own money.

Many Western States today have more than 50 percent of their land area under Federal control. The reclamation investment is in the nature of a replacement for the depletion of western resources which provide revenue for the reclamation fund.

However, in this day of high competition for water and of high-cost construction to bring it to the user, most irrigators cannot carry the entire burden of repayment of irrigation costs. In many instances power revenues are used to pick up the balance of these costs, as well as repaying all power costs with interest.

Thus power becomes not only an important byproduct of multipurpose reclamation project construction; it also becomes a paying partner and makes possible many projects which would not otherwise be feasible.

As people who are interested primarily in power production you will ask: "Is this fair? Without carrying these added costs, could not power from Federal projects be marketed at a lower rate?"

Quite possibly, but consider two balancing factors. First, investor-owned utilities contribute to the upbuilding and general economic welfare of the areas they serve by substantial tax payments. Federal hydroplants built as a part of reclamation projects are tax free, but they contribute to repayment of and thereby make possible the total project, thus vastly improving the total economy of the area and of the Nation.

Secondly, as I have pointed out, in many instances a single-purpose hydropower plant may not be economically justified where a multipurpose project is entirely feasible. Certainly, in many instances, a substantial repayment by power to the cost of the total project is fair and reasonable—the local power consumer benefits both from water conservation and power.

Thus it is clearly demonstrable that hydropower is an integral and very essential part of multipurpose water resource development. Without it, the water users would be faced with an impossible repayment burden and the orderly process of development would be slowed to the danger point. By the same reasoning, without water conservation and use as primary functions of multipurpose reclamation development, projects would be cut back to single-purpose hydropower dams or not built at all.

In the West most of the feasible single-purpose hydropower sites have been used—large storage is essential to further feasible hydropower. Development of this vast segment of our Nation depends on water supply, for water is truly the lifeblood of the West. Its availability determines the ceiling of progress and expansion.

Many of you here today are from outside of the 17 Western States—the semiarid belt served by the Bureau of Reclamation. You can reasonably ask: "Is this so bad, to halt development and expansion at Government expense of a segment of the United States which may be increasingly in competition with me?"

I have already pointed out one answer—Federal reclamation is on a reimbursable basis. Only those expenditures which, as a matter of national policy, are not repayable are written off from our capital costs. They are 7 percent of the total and largely for flood control. The more important answer is the contribution the expanding western economy can make to the national welfare.

In the early days of American pioneering when the settlers pushed first past the Appalachians, then across the Mississippi and Missouri, fought their way across the high Rockies and on to the Pacific coast, the American economy was fed and prospered because of the wealth-creating productivity of new homes, new farms, new communities, new industries, as the frontier was pushed ever westward.

We have long since reached the Pacific and only this year have welcomed two new States into our Nation from the Pacific. There still remains a vast storehouse of natural resources in the semiarid reaches of the West not touched nor exploited in 100 years of the rush to the Pacific.

Water has been and is the key to the unlocking of this storehouse. There must be an assured supply of water for people in the cities and for industrial use. There must be water to keep the crops growing during the long, dry summers when rainfall is a rarity in most parts of the West.

There must be energy, too, to turn the wheels of industry and to supply the mounting per capita needs as well as the increases resulting from an increased population. Per capita uses of both water and power are shooting skyward. With the West experiencing the highest rate of population growth of any area of the Nation, a double problem is posed in keeping supply ahead of demand.

The Federal Government has an orderly program underway to assist the States and their local entities in development of the water resources. To the extent possible, hydropower development is incorporated in these plans. But, as I have stated, the Federal Government is not a utility, and we look to the utilities to accept the responsibility of keeping an adequate supply of kilowatts on the line.

Continued development of this vast semiarid segment of the United States is a natural sequel and, in a sense, a continuance of the pioneering that has been a stimulus to national trade and economy for almost two centuries. And it can continue to be a stimulus to the national welfare and prosperity.

As recently as 1955, the Second Hoover Commission had this to say about the Federal reclamation program:

"The justification for Federal interest in irrigation is not solely to provide land for farmers or to increase food supply. These new farm areas inevitably create villages and towns whose populations thrive from furnishing supplies to the farmer, marketing his crops and from the industries which grow around these areas.

"The economy of seven important cities of the West had its base in irrigation—Denver, Salt Lake City, Phoenix, Spokane, Boise, El Paso, Fresno, and Yakima. Indeed, these new centers of productivity send waves of economic improvement to the far borders, like a pebble thrown into a pond. Through irrigation, man has been able to build a stable civilization in an area that might otherwise have been open only to intermittent exploitation."

The Library of Congress, in a report on reclamation published only last January, takes further note of the importance of developing this interior area. I quote:

"Another newer value (of reclamation), apparently not truly envisioned a half century ago, appears highly important today. The settlement and development of our western area has provided us a key to power—not only uranium and other significant raw materials, but even more important—integrated and firmly held space.

"We are not an 'east of the mountains' country; we span the continent and have our feet firmly implanted on the shores of two great oceans. We are not a loose linking of marginal settlements—we have no dead never-never continental interior as does Australia."

I have just returned from a visit to Australia and a visit to the Snowy Mountains water conservation and hydroelectric project. That project represents Australia's great national effort to better utilize its very limited water resources. It is a long-range effort stretching over several decades and will, I am sure, bring that nation to a new high level of economic stability and opportunity for growth just as will our own continuing efforts in this country. Australia, with a land area nearly equal to that of the United States, has just reached 10 million in population. Their greatest problems are conservation of water and providing power for economic growth.

It is not generally realized but for every family on a reclamation farm, two families gain a living in the local area in produce handling, merchandising, shipping, other service functions, and in the professions.

But bear in mind that the wealth productivity of a reclamation project is not restricted to the immediate local area. Crops produced on reclamation projects last year had a gross value of a billion dollars. A large part of this money went into the purchase of tractors, other farm machinery and hard goods and shoes, clothes and staple groceries that came from the four corners of the Nation. It is on such trade and purchasing power that the Nation's industrial payrolls are built and fed.

What of the future? It is anticipated that there will be an additional 60 million people in the United States by 1975, bringing our national population up to more than 225 million. Of this increase, 11 Western States will have the largest total numerical gain and also by far the greatest percentage of growth of any major sectional area.

Couple this fact with anticipated increased water needs skyrocketing from 185 billion gallons a day in 1950 to 450 billion gallons by 1975 and you will understand the concern of all agencies dealing with water supply to meet this challenge of the future.

The Bureau of Reclamation has currently underway construction on dams which will provide about 38,170,000 acre-feet of storage space and projects which, upon completion, will provide water for 1,971,300 acres of land. Several projects have hydroelectric facilities as a part of multipurpose dam construction and we expect to add 2,367,950 kilowatts of capacity to Bureau constructed facilities by the time presently authorized projects are completed.

Many of these projects, such as the Colorado River storage project and its participating units, and the Missouri River Basin project, are long-range undertakings and will require several decades to complete.

In addition, we have on the planning boards many more projects. These will be submitted to Congress for possible authorization as the planning reports are completed and the need for them develops as it surely will in the face of a rising population and increased per capita water needs.

These projects of the future have several things in common. They will be costly in

comparison to projects built in low-cost construction times of previous decades. Most of them will clearly need some repayment assistance beyond the ability of the irrigation water users. Many of them will require tremendous quantities of low-cost energy for irrigation pumping. Much of this energy will come from hydroelectric plants built as a part of basinwide development plans.

The important thing to remember is that power is of major importance in the future development of our water resources. We anticipate incorporating power facilities in any multipurpose project where they are economically feasible.

It may be well to consider for a moment the future of hydropower in competition with other forms of generation. There have been some rather ill-considered statements in recent years that hydropower is pricing itself out of the market in competition with modern, efficient high-pressure steamplants and the promise of nuclear development.

In the January issue of Power Engineering, Calvin B. Davis, president of the Harza Engineering Co., makes this observation:

"For the future I see a continuing development of hydropower for the United States and for most foreign countries. A few countries will approach full development and the remaining less economically attractive hydrosites will feel increased competition from thermo and nuclear sources.

"However, the complementary relationship between nuclear capacity and hydroelectric pumped storage capacity appears to bode well for the hydro industry for many years to come in the United States."

A few years ago, we asked the Atomic Energy Commission whether continued hydroelectric power development would be feasible and, if so, for how long in the light of potential nuclear power development. The answer was that any hydroelectric development which can be justified and is feasible today will be feasible throughout its useful life.

It seems to me that this conclusion has been reached generally in the industry because hydropower development today is increasing. The Federal Power Commission has before it a great number of applications for licensing of power projects at sites that, a few years ago, would have been far beyond the need or possibility of development by private investment capital.

The Federal Power Commission is faced with a critical decision on a number of these applications as to whether the best interests of total development are served by a single-purpose project or one in which multiple benefits may be incorporated. The Department of the Interior also has a responsibility in this regard because the Secretary is expected to comment to the Federal Power Commission on utility license applications and their relationship to maximum basinwide utilization of the water resources.

Essentially, I would like to sum up my remarks in this way:

1. The Bureau of Reclamation's primary responsibility is conservation and development of the water resources of the West by construction of projects which are largely self-liquidating.

2. Hydropower is a byproduct of multipurpose reclamation development, albeit a very important one from the standpoint of economic feasibility and for maximum utilization of the available water.

3. Congress has the ultimate determination as to the authorization of specific reclamation projects and how potential hydropower facilities shall be incorporated.

4. Long existing laws and congressional policies determine how energy from Federal facilities is marketed.

5. The need for conservation and maximum utilization of water and for added generation of energy from all sources becomes more critical every day.

6. The Federal Government has a vital and continuing interest and responsibility in water conservation as do the public utilities in meeting the Nation's power needs.

7. There is far more to de done in both fields than can be undertaken by any one agency or organization. It will require united and cooperative efforts to keep ahead of water and power needs.

Finally, this Nation's investment in conservation and use of our water supplies has proven its worth. Today's continuing effort in this field constitutes one of the most important programs currently underway for our economic growth and prosperity. It must be maintained at an orderly pace.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

ORDER FOR ADJOURNMENT TO WEDNESDAY NEXT

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate adjourns today it stand in adjournment until Wednesday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, the policy committee will meet tomorrow, and if the labor bill is ready to be taken up, and the reports and hearings are available, and the policy committee schedules it, I think we should start discussing it Wednesday. For that reason, the Senate, when it adjourns, will do so until Wednesday. I do not expect to have any votes on the amendments this week. There will be discussion of the bill. The leadership is prepared to have a Saturday session if Senators wish to discuss the bill.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield to the distinguished minority leader.

Mr. DIRKSEN. With reference to having any votes this week, I am sure Senators will wish to know how to make plans. I wonder if the majority leader can assure us there will be no votes this week.

Mr. JOHNSON of Texas. So far as the majority leader is concerned, he will do everything he can to protect Senators from having to vote this week. We do expect the policy committee to schedule bills, such as the cotton-acreage bill. If the policy committee does schedule bills, we expect to bring them up before the week is over. But we do want general discussion on the labor bill if the policy committee schedules it. We will have sessions as long as there are Senators who wish to discuss it, including Saturday. We cannot make them discuss it, but we can provide an opportunity for them to discuss it. The Senate will be held in session so long as any Member asks for an opportunity to speak on the labor bill, but so far as the leadership is concerned, there will be no votes on the bill this week.

ORDER DISPENSING WITH CALL OF CALENDAR

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the call of the calendar under the rule be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Miller, one of his secretaries.

REPORT ON OPERATIONS UNDER INTERNATIONAL CULTURAL EXCHANGE AND TRADE FAIR PARTICIPATION ACT OF 1956--MESSAGE FROM THE PRESIDENT

The PRESIDING OFFICER (Mr. DODD in the chair) laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Foreign Relations:

To the Congress of the United States:

In accordance with the provisions of Section 9 of Public Law 860 of the 84th Congress, I transmit herewith for the information of the Congress the Fifth Semiannual Report of Operations under the International Cultural Exchange and Trade Fair Participation Act of 1956.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, April 13, 1959.

AUTHORIZATION OF APPROPRIATION FOR III PAN AMERICAN GAMES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 140, H.R. 2575.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 2575) to authorize the appropriation of $500,000 to be spent for the purpose of the III Pan American Games to be held in Chicago, Ill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill.

Mr. DOUGLAS obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator from Illinois yield so that I may suggest the absence of a quorum?

Mr. DOUGLAS. I yield, provided I do not lose the floor.

Mr. MANSFIELD. With that understanding, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HART in the chair). Without objection, it is so ordered.

Mr. DOUGLAS. Mr. President, when H.R. 2575 was called up on the Consent Calendar last Friday, I made a brief statement about its nature; but since an objection had been filed by a Member of the Senate, the subject, of course, was not pursued further.

I am very grateful to the leadership of the majority for calling this measure up today. I should like to take this opportunity to make a somewhat expanded, but I hope not too lengthy, statement on the measure.

The Pan American Games are scheduled to be held in Chicago from August 27, to September 7. It is hoped to attract some 2,000 athletes from all countries of the Americas, but primarily from Latin America south of the border and in the Caribbean area.

The House some time ago passed, by an overwhelming vote, the authorization for an appropriation of $500,000 for these games; and the Senate Committee on Foreign Relations, with only one dissenting vote, ordered a companion measure reported on the 25th of March. This is the measure now before the Senate.

A great deal of planning and work has gone into the preparations for these international games, and substantial sums have been authorized and spent locally. Private subscriptions of some $500,000 are now being made. The city of Chicago has itself committed itself to appropriations and expenditures amounting to approximately $2 million. Both the citizens, therefore, and the government of Chicago, are cooperating fully in expending large sums of money for the conduct of these games.

The prospects are therefore bright that we may be able to promote friendship between the countries of this hemisphere, provided this appropriation is made. The games will be participated in by some 2,000 contestants, who will represent Canada, the United States, South and Central America, and the islands of the Caribbean. Similar games were held in Buenos Aires in 1951, and in Mexico City in 1955. At the conclusion of the 1955 games in Mexico City, the holding of the 1959 games was awarded to the city of Cleveland. Two years afterward, the city of Cleveland withdrew as the host city, and it became necessary for the Pan American Games Association to seek another locale.

When we in Chicago witnessed the disappointment over the withdrawal of the host city from participation in the games, the Chicago City Council directed that an invitation be extended to the Pan American games officials to award the holding of the games to Chicago, to be held August 27 to September 7, 1959.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. JOHNSON of Texas. First, let me say I am heartily in favor of the bill. I am glad it is before the Senate. I concur in what the distinguished Senator from Illinois has said about the merits of the bill. I shall support it, if I am present in the Chamber when the vote is taken.

Mr. DOUGLAS. I thank the majority leader for the assurance of his support, and I wish to say he is an extremely good man to have on one's side.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. MANSFIELD. During the course of his comments on the bill, which I support fully, by the way, the Senator from Illinois mentioned that the bill was ordered reported to the Senate by the Foreign Relations Committee with one dissenting vote. I think, for the RECORD, it should be made very plain that, in comparison with the arrangements previously made when the games were scheduled to be held in another city, the financial arrangements with Chicago are superior, and will not cost the Government anywhere near the amount previously anticipated if the games were to be held in the other city. Is that correct?

Mr. DOUGLAS. That is correct. I thank the Senator for emphasizing that fact. Congress appropriated $5 million to the city of Cleveland. The major portion of the funds was to be used for the construction of a stadium in the city of Cleveland, in which the games would be held. We are asking for an appropriation of only $500,000. None of this money is to go for the construction of any facilities. They will all be furnished by the city of Chicago. The funds are instead to be used solely for reimbursement for the expense of flying the contestants to Chicago, and for the partial maintenance of the athletes from outside the United States while they are in Chicago.

The participating countries will make an expenditure of $3 a day per individual for maintenance, but the actual cost will be between $8 and $10 a day. The residue of the $500,000 not needed for transportation is to go for the difference between this $3 and the actual cost. Any money not spent will be returned to the Treasury. The Comptroller General will be able to inspect all expenditures, to audit the accounts in full; and, if there are any questionable expenditures, they will be thrown out.

Mr. MANSFIELD. Mr. President, will the Senator yield further?

Mr. DOUGLAS. Yes.

Mr. MANSFIELD. The statement just made is one of the points I wanted to bring to the Senate's attention, because it is quite possible that, even though $500,000 is being requested of the Congress, the refunds which will be made in the final summing up will result in the actual expenditures of a lesser amount.

Mr. DOUGLAS. I hope that will be true.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. MANSFIELD. I think in all fairness it ought to be said that, had such an arrangement as was proposed by the city of Chicago been proposed by the city of Cleveland and been presented to the Congress for consideration, the result might well have been quite different. I think the RECORD should show this is quite different from the original proposal as it affected Cleveland, and that the individual interested in this matter at that time acted in good faith and with good reason.

Mr. DOUGLAS. I thank the Senator from Montana. I agree with the statement which he has just made.

It should be worthwhile to point out a supplementary safeguard which we have inserted in the pending bill; namely, that the Comptroller General is not only to make an audit of the expenditures, but that the expenditures themselves are to be subject to such control as he deems to be proper. So if the Comptroller General requires that the money be spent on vouchers only, it will be done in that manner. In other words, the items of expenditure for air transportation and for maintenance will be strictly under the control of the Comptroller General and not under the control of the local committees. This also is very different from the Cleveland proposal.

It is also worthy of note that in recent days the plans for transportation have been changed. It was originally contemplated that the military forces would be reimbursed for transportation furnished, and I so stated to the Senate Friday. The plans have now been changed, and it is now planned that the transportation will be provided by civilian planes, so that the rather humorous objection which the Senator from Colorado [Mr. ALLOTT] made last Friday is now removed, and the Senator from Illinois cannot be accused of any inconsistency in opposing junkets conducted by the Air Force for which no reimbursement is made, and flights authorized by Congress for which full reimbursement is made. Now we will take the military completely out of the picture and the civilian airlines will be used on a commercial basis.

I think the example which Chicago has set can be copied and should be followed by the defense forces in respect to other matters.

Mr. LAUSCHE rose.

Mr. DOUGLAS. I am glad to yield to my dear friend, the senior Senator from Ohio.

Mr. LAUSCHE. Am I correct in my understanding that the original bill made a general grant of $500,000 to be used in whatever manner the developers of the program saw fit, and that the bill was subsequently changed so as to earmark the fund for two specific purposes; one being transportation, and the second being the maintenance of the athletes, in part, while they are in Chicago?

Mr. DOUGLAS. The Senator from Ohio is correct. The bill specifically provides that the funds are for lodging, food, and transportation.

This is the result of both the financial punctiliousness of the city of Chicago and the very effective needling of the Senator from Ohio.

Mr. LAUSCHE. I thank the Senator very much. Secondly, the original bill contained no provision about the auditing of the accounts.

Mr. DOUGLAS. The Senator is correct.

Mr. LAUSCHE. And that has been changed.

Mr. DOUGLAS. That is true.

Mr. LAUSCHE. I have one final question.

Mr. DOUGLAS. We began with the Cleveland bill.

Mr. LAUSCHE. Yes.

Mr. DOUGLAS. But as we discovered more and more errors in the Cleveland bill we changed our bill accordingly.

Mr. LAUSCHE. Does the Senator from Illinois think he is going to persuade me to vote for the bill by these concessions and by the bit of approbation he has given to the conduct of the Senator from Ohio?

Mr. DOUGLAS. I hope that I may, but I know the Senator from Ohio is very unpredictable and I am not certain I shall be successful in persuading him. I will quote some lines from Oliver Goldsmith, about hope:

The wretch condemn'd with life to part,
Still, still on hope relies,
And every pang that rends the heart,
Bids expectation rise.

Mr. LAUSCHE. The Senator from Ohio hopes always to be definitely predictable when the issues before the Senate are decided on the basis of merit, but when the issues are not decided on the basis of merit but on the necessities of politics, and the Senator from Ohio becomes convinced that is the fact; in that event one can rest assured the Senator from Ohio will pass upon the issue in the manner which he thinks is proper.

Mr. DOUGLAS. I think that is correct.

Mr. LAUSCHE. I have one final question. Is it possible that the city of Chicago will come back to the Congress for more money?

Mr. DOUGLAS. The answer is "no." We will not ask for 1 additional cent. And if we do not need the money authorized—we want to be thrifty in its expenditure—we will return it, and the bill so provides.

Mr. LAUSCHE. The $500,000 will be the limit to be asked?

Mr. DOUGLAS. It is the absolute ceiling.

Mr. LAUSCHE. I thank the Senator very much. I commend the Senator from Illinois for the ardor he has exhibited in supporting the bill.

Mr. DOUGLAS. I hope the Senator from Ohio will exhibit a true sense of proportion in this matter and will vote for the bill.

I say to my good friend that whereas Cleveland wanted the U.S. Government to build a stadium for them, which they would then inherit, the city of Chicago is not only furnishing Soldier Field, but it is building additional facilities at its own expense and at the expense of the Park District, which will run very much over a million dollars.

I should like to indicate some of the facilities which will be furnished. There is to be a swimming pool suitable for swimming, diving, and water polo, to cost $1 million, and to be covered by appropriations from the Park District. There is to be a new running track in Soldier Field, which will cost more than $100,000. There is to be a new cycling track at a cost of $40,000. There will be provided an adequate rowing course in the Cal-Sag Canal, requiring an expenditure of $20,000. Equipment, horses, and facilities will be furnished for the equestrian events and for the modern pentathlon at a cost of $35,000. A rifle and pistol range will be built at a cost of $100,000. A further expenditure will be made for special equipment, fencing, and gymnastics, $12,000.

Never has a city done so much for the Pan American games as the city of Chicago is going to do for these games. If Cleveland had only had the public spirit to do likewise and had not tried to take the Government for a buggy ride, Cleveland undoubtedly would have received the appropriation.

Mr. LAUSCHE. I am obliged to state that Cleveland went through an experience which frequently happens in ininstances of this type. When the program was submitted it was presented as one which would require no expenditures. Later it developed that $200,000 would be required. That $200,000 ultimately lifted itself, with the prospect of the State having to put up $2 million, the Federal Government having to put up $5 million, and the city of Cleveland having to put up $3 million, with private enterprises having to put up other amounts.

It was for that reason that I opposed the project; and it is for that reason that I asked the Senator from Illinois whether he contemplates coming back and asking for more money if the $500,000 is not adequate.

Mr. DOUGLAS. May my tongue cleave to the roof of my mouth, and may my right arm be withered if I do any such thing as that. I am sure that my colleague from Illinois [Mr. DIRKSEN] will take a similar vow of abstinence.

Mr. LAUSCHE. I thank the Senator.

Mr. DOUGLAS. As I have said, I am somewhat dubious as to whether the Olympic games breed international friendship, because frequently the competition between the big powers is so intense at those games that they stir up animosity rather than friendship. However, the Pan American games are of a different kind. They are between small powers and the United States and Canada. There is no basic ill will between any of the nations. They compete on the basis of merit and with fairplay and the best men winning. They should therefore breed friendship.

I think it is important that we realize that the interchange of persons and the building of friendship takes place not merely on the intellectual level, but also in the field of sports, and in the field of art.

The distinguished Senator from Arkansas [Mr. FULBRIGHT] has inaugurated a great program of Fulbright scholarships and exchange of persons. This program is very valuable. But we want to build friendship on other levels as well. If sports are properly conducted, and not excessively competitive, they, too, can develop friendship.

I also point out that by private subscription we are also providing a festival of the arts and the music of the Americas. We wish to bring orchestras, writers, painters, and sculptors from Latin America, so that on the artistic side of life we may become better acquainted with one another's achievements and create a deeper understanding and friendship.

This is important, because the intellectuals of the Latin American countries are frequently inclined to deprecate American achievement in the arts and culture. This program will help to offset and overcome that unfortunate tendency.

Furthermore, we should remember that while these games are in progress in Chicago, a world youth congress will be in progress in Vienna, under Communist auspices. That World Youth Congress will have a great deal of support from the Communist countries. They are reaching out to attract visitors from other portions of the world including Latin America.

I believe that the Pan American games, and the Festival of the Americas, which will accompany it, can be used to help offset the drive of the Communists for intellectual relationships with Latin America. The Communists are already beginning to make a great drive in Latin America. It is very important that we should offset it. I think we are slowly coming to realize that friendships are built not so much by arms, not even solely by economic aid, but also in the world of sports, the world of artistic achievement, and the world of thought and philosophy.

So it is with a clear conscience that we submit this proposal, which we have tried to make economical, and yet sound.

The President of the United States has indicated his belief in the importance of the games by accepting the chairmanship of the Honorary Sponsoring Committee.

Because time is of the essence, if this appropriation is not authorized, it cannot be made; and if it is not made, then for the lack of $500,000 the Pan American games may fall through. This would be a great reflection upon this country, if, after the games had been awarded and scheduled, we were to say, "We do not have enough money to go through with it."

Mr. President, that completes all I have to say, unless the Senator from Ohio has further questions, which I shall be glad to try to answer.

Mr. LAUSCHE. Mr. President, I subscribe to the general statement made by the Senator from Illinois, that for the good of our country it is absolutely essential that there be carried on exchanges in cultural, athletic, business, and other fields. I am thoroughly in concurrence with him in that expression.

However, I have voiced my objection to this proposal, principally on the basis of the mode which has been established by various communities, of promoting the establishment of an international event in a particular area, and then coming to the Federal Government, after the deed has been agreed upon, asking for financial help.

I have in mind three instances in which that has been done. The first is the Cleveland instance, in which the representation was made to the city that

the project would be self-sustaining. Before the program was ready to be submitted, it ran to a cost of between $11 million and $12 million of the taxpayers' money.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. DOUGLAS. Let me say that we in Chicago pitch our programs on a more modest scale than that on which the good people of Cleveland operate. They are more expansive, and we are more restrained.

Mr. LAUSCHE. The basic wrong, however, existed also in the case of Chicago. It proceeded to drive the pegs for the establishment of the games, and then came to the Federal Government for financial aid.

The second instance I have in mind is that of the Squaw Valley International Olympics. In 1954, Reno, Nev., conceived the idea that it would be a great thing to have the winter olympics held in Squaw Valley. It emphasized the point that Reno wanted the International Olympics. They were to be held in the mountains of California, but Reno is about 40 miles away, and undoubtedly it felt that benefit would come to Reno in the event the Olympics were held there.

Two men by the name of Cushing and Poulsen had bought some land in Squaw Valley. They got together a group of men in 1948 and bought 574 acres of land in an area which was not at all developed. They put up a total of $400,000.

In 1954, when Cushing saw that Reno wanted the Olympics, he decided that he would interest himself, and he went to a legislator in California and said that it would cost about $2 million to provide the facilities for the winter Olympics. The State of California was persuaded to put up $1 million. I assume that the other $1 million was to be gathered in various ways, through private contributions, and possibly from the city of Reno. But $1 million was available, and the promoters then went to the international committee and persuaded the international committee to decide upon Squaw Valley as the place to hold the winter Olympics. I now quote what Cushing said to the committee. He did not expect to get it, but, he said: "We would plead poverty, poor mouth it all over the place. We would not try to compete with the rich European resorts, which would stage the games with Roman grandeur. Ours would be a healthy, unadorned game in a clean, simple atmosphere, free from commercial pressure and public interference."

That is the plea with which he went to the Committee on International Olympics. He said, "Come to the mountains of California, into Squaw Valley. We do not have the grandeur of the Romans, but here will be simple surroundings, with fresh air and simple facilities to accommodate you. We have no money to provide grandeur and richness of facilities."

The International Committee accepted that argument and decided to go to Squaw Valley.

Then they began to look around. They found that $1 million was not enough, and they went to the Legislature of California, and got the legislature to give them $4 million. Four million dollars was not enough. They then came to Congress and got $4 million from us. It is not now known whether the $8 million will be adequate to properly finance the project.

Cushing and the other promoters have $10 million in facilities which are being built in the Squaw Valley project. All types of facilities have been constructed. It now appears that the promoters are going to be in the midst of $14 million worth of public improvements from which they will enjoy the bonanza that will come in the future.

Squaw Valley went forward with the program. They did not come to Congress or the State Department to learn whether they would receive the money. They cast the die and then, when they were in distress, came to Congress for the financial aid which was needed. I might say that the Legislature of California finally threw up its hands and said, "We have given $4 million. We cannot give any more." The result was that last summer, I believe, Congress voted a $4 million appropriation for the promotion of these games.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. KUCHEL. Am I to understand that the Senator objects to the action of Congress in appropriating funds by which it will be possible for the winter Olympic games to be held at Squaw Valley?

Mr. LAUSCHE. The Senator from California has not heard what I have said.

Mr. KUCHEL. That is one of my difficulties.

Mr. LAUSCHE. I said at the very beginning that in my opinion these international cultural, athletic, and scientific events inure to the benefit of our country. What I have in mind is that whenever the United States puts up the money to build arenas and stadiums, swimming facilities, ski lifts, dormitories, and sewer systems, and all the other facilities which are necessary, the opportunity to hold such games should be afforded available to every State that has facilities which could be used for that purpose. I have in mind the States of Washington, Oregon, California, Idaho, Maine, Vermont, Colorado, all States which have mountains and such facilities.

Mr. KUCHEL. Does the able Senator know under what circumstances an area of the State which I have the honor in part to represent was chosen for these Olympic games?

Mr. LAUSCHE. I have on my desk an article which appeared in the Saturday Evening Post of February 1958, and one which appeared in Time magazine of February 9, 1959. They show that the initial invitation came from Reno, Nev. Then a Mr. Cushing and a Mr. Poulsen saw the newspaper item in the San Francisco Chronicle, stating that Reno was inviting the Olympic games. Poulsen and Cushing, who own nearly 600 acres of land and a lodge in the area, felt that that would be grand for them. They undertook to develop the proposal that the games be held at Squaw Valley. The point I am trying to make is that if the United States is to put up money, every State which has facilities ought to be given an opportunity to bid on the project.

Mr. KUCHEL. If the news stories to which my friend refers are correct, I must say that in some ways they constitute a tribute to the forehandedness of some of my constituents in California. However I should like to ask my friend from Ohio, Who makes the decision to hold the Olympic games wherever they are going to be held?

Mr. LAUSCHE. The Committee on the International Olympics.

Mr. KUCHEL. Is the Senator from Ohio objecting to the manner in which that committee discharged its responsibilities in making its choice?

Mr. LAUSCHE. The Senator from Ohio is not objecting on that basis. The Time magazine report tells the story of the argument made to the committee and the quotation which I have given to the Senator from California.

Mr. KUCHEL. Does the Senator object to the moneys appropriated by Congress to underwrite the winter Olympics?

Mr. LAUSCHE. No, I do not object to that, but I object to the method which is adopted. Interested persons go to the taxpayers and say it will cost nothing. The cost then rises to $13 million. In the California project it was said it would not cost more than $2 million. That finally rose to a figure of $4 million for California and $4 million for the Federal Government. I am vigorously opposed to such techniques, which I see exhibited day after day.

Mr. KUCHEL. Let me ask my able friend this question: When he talks about the technique which was used and to which he is opposed, am I to understand he means that in the urging by the people of my State that the winter Olympics be held in their State anything wrong or unethical was done?

Mr. LAUSCHE. I have nothing but the greatest respect for the people of California. They were not in unanimous agreement on the subject. They believed that it would cost only $2 million when they started out.

Mr. KUCHEL. Who are "they"? The people who wanted it?

Mr. LAUSCHE. I believe the California Legislature felt it would cost only $2 million. When they were asked for $4 million, I believe they honestly felt that amount would be enough.

Mr. KUCHEL. I apologize for coming into the Chamber late. I had a meeting to attend. I am always distressed to hear any of my colleagues take potshots at the State which I have the honor in part to represent.

Mr. LAUSCHE. It is not a reflection on California. My discussion relates to the technique which is involved in these projects.

Mr. KUCHEL. How would the Senator explain that technique?

Mr. LAUSCHE. The technique is that the promoters—and this was not the

State of California—submit a proposal which, they say, will involve no cost. Then by the time they get through it runs into millions of dollars.

Mr. KUCHEL. Does the Senator from Ohio suggest that any bad faith was attached to any of the estimates of cost in this instance?

Mr. LAUSCHE. The initial figures were made without an honest calculation. So far as the California proposition is concerned, in the case of transportation inexcusable mistakes were made until experts were called in to figure really what the cost would be. I am now talking of the promoters of the proposal, not the ones who ultimately undertook to finish it.

Mr. KUCHEL. When the International Olympics Committee decided to hold the Winter Olympics in Squaw Valley, Calif., would the Senator say they were misled in arriving at that decision?

Mr. LAUSCHE. No; they were glad to come to the United States; there is no question about that. I am glad the Olympics are to be held in California. What I desire is that in the approach to these matters there be some advance, careful calculation made, with a view to getting reliable figures of what the ultimate cost will be.

Mr. KUCHEL. I respect the able Senator from Ohio and the constructive purpose he seeks to serve in demonstrating that what is needed, on all levels of government spending is to consider most carefully the basis upon which appropriations are asked for. However, I think he and I, together with other Members of the Senate, unanimously agree that it is good for amicable relations between the people of the United States and the people of the rest of the world that the next Olympic contests will be held in this country. The fact that they will be held in one State rather than in another is simply an irrelevant fact.

It is on the same basis that I supported appropriate legislation for Squaw Valley, when it was before Congress that I look with favor on the bill now before the Senate.

Mr. LAUSCHE. Mr. President, I ask to have printed at this point in the RECORD the text of articles relating to this subject published in the Saturday Evening Post of February 22, 1958, and Time magazine of February 9, 1959.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Saturday Evening Post, Feb. 22, 1958]

THE GREAT WINTER OLYMPICS FIGHT

(By Melvin Durslag)

The committee arranging the solemn closing ceremony of the 1956 winter Olympic games at Cortina d'Ampezza, Italy, was beset suddenly with panic. Olympic tradition calls for the mayor of the host city for the next games to sit among the dignitaries on the rostrum. But no such official was on hand from Squaw Valley, Calif., the site of the 1960 winter Olympics.

An excited Italian raced into the stands and tugged at the arm of John J. Garland, American member of the International Olympic Committee. "Come quickly," the Italian cried. Garland hurried to the rostrum and was pushed into the vacant chair. The ceremony proceeded and the 1956 winter games concluded, with no explanation being offered of why a stand-in was needed for the mayor of Squaw Valley.

Actually, it happens that Squaw Valley doesn't have a mayor. For that matter, it has no policemen, no post office, no gasoline station. It doesn't have much of anything except some strikingly scenic mountains, oceans of snow, and gobs of troubles.

Through a dazzling display of salesmanship by one of Squaw Valley's 30 registered voters the 1960 winter Olympics had been given to an area which doesn't appear on most maps. Indeed, except for a sprinkling of ardent ski enthusiasts who have discovered the pristine charm of Squaw Valley and tested its wondrous alpine slopes, there were few people even in California who had heard of it, let alone seen it.

Squaw Valley stretches only 3 miles long by a half mile wide. It is located in an obscure spot on the eastern side of the Sierras, adjacent to Lake Tahoe and 45 miles southwest of Reno, Nev. Squaw Valley is a place of quiet, simple beauty, but since the moment 3 years ago when it was picked by the International Olympic Committee as the scene of the 1960 winter games, it has been a whirlpool of strife and controversy.

The balloting had hardly concluded before a spokesman for Innsbruck, Austria, which finished second in the voting, hurled a charge of political connivance. A delegate from Saint-Moritz, Switzerland, which was also in the running, described the Squaw Valley bid as a cunning land-and-hotel scheme. Even Avery Brundage, of Chicago, the president of the International Olympic Committee, warned Squaw Valley that the wherewithal for staging the Olympics had better be forthcoming immediately, or he would recommend that its right to hold the games be forfeited.

Skiing and sledding groups joined the detractors. And to add to the complications, the principal landowner in the valley, some of whose property is needed for the games, refused to sell. A hot court battle is pending.

The bringing of the winter Olympics—and all attendant troubles—to Squaw Valley was accomplished by a nimble-witted promoter named Alexander Cushing, who has been called "a Mike Todd in snowshoes." On December 23, 1954, Cushing, then 41, sat reading the morning paper in his mountain home in Squaw Valley. A dispatch from the East put his memory machinery into motion. The U.S. Olympic Committee, he read, was hearing bids in New York City from various winter sports centers which were eager to become the American nominee as host for the 1960 winter Olympics. The more Cushing thought about it, the more he was convinced that the games belonged in Squaw Valley.

His enthusiasm wasn't dampened by the fact that Squaw Valley's facilities consisted of (a) 1 ski lift, (b) 2 rope tows and (c) 1 small lodge. Nor did he worry that the nearest place for groceries, aspirin, and mail was 7 miles away, at the village of Tahoe City. These were drawbacks, he felt, that could be easily surmounted.

More important in his view were the natural attributes of Squaw Valley, which he considered the finest in the world for winter sports. The flawless wind-free skiing and the clean, fresh air of the valley had enchanted Cushing at first sight, back in 1947. A socially prominent New Yorker, a Harvard graduate—by way of Groton—and a prominent attorney, he chucked his career in law and brought his wife and three children to Squaw Valley in order to enter, of all things, the ski-resort business.

He obtained 574 acres of land from Wayne Poulsen, a Pan American World Airways pilot, and Martin Arrouge, ski-instructor husband of former Actress Norma Shearer. Then Cushing built a lodge and ski lift with $400,000 he raised among his eastern friends. Laurance Rockefeller and John (Jock) McLean were among those who became major stockholders in 1948 in the newly formed Squaw Valley Development Co.

Now, in December of 1954, the problem at hand for Cushing, president of the development company, was how to realize his brainstorm of landing the 1960 winter Olympics. "I didn't know the first thing about procedure on this sort of matter," he says, "so I phoned the U.S. Olympic Committee in New York. The man I talked to finally told me to prepare a presentation, not exceeding 45 minutes, which the committee would hear at 8 a.m. on January 10. You can see I had to work fast."

Cushing began by getting the backing of Gov. Goodwin Knight and the U.S. Senators from California, THOMAS KUCHEL and William Knowland. "None of them thought I had a chance," says Cushing, "but they naturally couldn't go on record saying they were against the winter Olympics coming to California. All gave me an endorsement."

FIRST MILLION STATE

The next step was to get a promise of financial backing from the California Legislature. For this project, he enlisted the help of State Senator Harold T. Johnson, of Placer County, in which Squaw Valley is located. Cushing extolled the endless benefits that Placer County would reap from a winter Olympics. He assured the senator that the cost would be nominal. Johnson introduced a bill in the State legislature that would appropriate $1 million for the winter games—if Cushing should be able to bring them to California.

Thus armed, the one-man delegation from Squaw Valley was off for New York to make his pitch against such widely publicized contenders as Sun Valley, Idaho; Lake Placid, N.Y.; and Aspen, Colo. Other candidates included Reno, Nev., and Anchorage, Alaska.

Cushing is a tall, distinguished-looking man who appears completely at home in the sports jacket and slacks in which he is usually attired. He is a cool, imposing speaker. His words flow evenly, and they hit with the clear ring of fine crystal. In his presentation before the U.S. Olympics Committee, he talked eloquently of Squaw Valley's beauty and its magnificent slopes, which offer skiing with all exposures to the sun. Squaw Valley's unique layout, he continued, was such that spectators, all of whom would be quartered in surrounding areas, could commute for each day's events and empty out at night, leaving the valley free of constant congestion. Finally, he assured the committee that all resources needed for staging the games had been pledged by the State of California, whose hospitality had no peer.

Much to the shock of winter-sports authorities around the Nation, not to mention Cushing's rivals, Squaw Valley was chosen as the U.S. candidate. Snorted a delegate from Lake Placid, "If you ask me, the whole place"—Squaw Valley—"is a figment of Cushing's imagination."

The selection came as a surprise even to Cushing. "Up to then, I was going mostly on palaver," he says today. "I had won the first round, but the big problem was still ahead—how to sell Squaw Valley to the foreigners."

The final choice was to be made by the International Olympics Committee at a meeting in Paris in June. The Winter Olympics are traditionally a European proposition. Of the seven winter games staged in the past, six have been awarded to Europe and one to Lake Placid. Since 1936 European athletes have dominated the Winter Olympics. The honors at Cortina were divided largely among Russians, Austrians, Swiss, and Scandinavians. The United States won in only two divisions, the men's and women's figure skating.

Cushing felt that, although he could do nothing to improve the skill of our winter-sports athletes, he at least could arrange for

them to lose on their own soil. He went back to Placer County. Victory, he assured officials there, was now within sight. They came up with $12,000. From the Southern California Committee for the Olympic Games he got $2,000 more, even though southern Californians aren't ordinarily in the habit of encouraging promotions in the northern part of the State. The remainder of a $50,000 war chest was donated by the Squaw Valley Development Co., whose stockholders were convinced by Cushing that opportunity at last was knocking to put Squaw Valley on the map.

Money matters now out of the way, Cushing departed for Europe to make his reconnaissance of the opposition. Other cities bidding for the 1960 winter games were Austria's Innsbruck, Switzerland's Saint-Moritz, and Garmisch-Partenkirchen in West Germany. Since previous Olympics had been awarded to Saint-Moritz and Garmisch, the overwhelming favorite this time was Innsbruck.

In Europe, Cushing met a veteran foreign correspondent for the Chicago Daily News, George Weller. The picture that Cushing painted of Squaw Valley was so intriguing and his arguments for bringing the games there so convincing that Weller was moved to volunteer his services—if his editor in Chicago was agreeable.

Returning to America, Cushing went directly to the offices of the Chicago Daily News. In no time at all, he persuaded executive editor Basil Walters to keep Weller on the Daily News payroll while letting him work gratis for Squaw Valley. Cushing and Weller began to plan their strategy. To offset the strong support that would go to Innsbruck from Austria's neighbors and from anti-American strongholds behind the Iron Curtain, they figured they needed votes from nations that generally don't concern themselves with the Winter Olympics. Cushing and Weller decided they could best secure votes by personal contact with Olympic committeemen. They divided up the world. Weller would go to South America and the Caribbean, heading from there to the Scandinavian countries. Cushing would salvage what he could in Western Europe.

Their strongest talking point, they figured, was Squaw Valley's physical layout, which for the first time would make it possible for all the Winter Olympics events to be seen in the same place. At Cortina in 1956, for instance, the skating was held in a village 18 miles away, and the ski jump in another village 3 miles distant. In Squaw Valley, every event either would finish or be staged in its entirety in the one area.

OLYMPICS VILLAGE

A second selling point was the idea of having a Winter Olympics village for the athletes. This was another first. Participants in the summer games are always quartered in the privacy of their own village, but the winter competitors usually live in public hotels, where, as Cushing puts it, "other guests drink beer and raise hell until all hours."

A third argument for Squaw Valley was the need for holding the Winter Olympics in a new locale—namely, among the Pacific family of nations. Satisfied that their case was sound, Weller departed for South America and Cushing left for Europe, enlisting the help en route of a Harvard classmate named Marshall Hazeltine, a polished expert in the field of public relations.

"Hazeltine is what you'd call a top-level man," says Cushing proudly. "He attended Eton, has worked on diplomatic missions abroad for our State Department and has excellent contacts all over Europe. He also speaks French, Italian, and German fluently."

By the time the Squaw Valley triumvirate reached Paris for the meeting of the International Olympic Committee, they had a dossier on each of the 62 delegates attending. They had also obtained an endorsement from President Eisenhower, who had signed a joint resolution, passed by Congress, inviting the world to Squaw Valley.

Each group bidding for the Olympics was granted 30 minutes in which to state its case before the committee. In preparing the all-important speech, Cushing, Weller, and Hazeltine realized that Squaw Valley's chief weakness was the scarcity of facilities there. Considering the $1 million budget, there was no prospect of startling improvements. However, they conceived a way of converting this liability into a sales asset.

"It came to us like a vibration from heaven," says Cushing. "Psychologically, this was our knockout punch. We would plead poverty—poor-mouth it all over the place. When had Americans ever admitted abroad that they had nothing? We wouldn't try to compete with the rich European resorts, which would stage the games with Roman grandeur. Ours would be a healthy, unadorned games in a clean, simple atmosphere, free from commercial pressure and public interference."

And so the Squaw Valley bid officially was dedicated to "Restoring the Olympic ideal to the winter games." Cushing and Weller decided that the speech might have added impact if delivered by Hazeltine in French, the language of the revered founder of the modern Olympics, the late Pierre de Coubertin.

Hazeltine, a man of quiet charm, spoke impressively to the delegation for 22 minutes. In the remaining 8 minutes Cushing delivered a crisp summary in which he emphasized that the cost of sending athletes to Squaw Valley would not be high. He guaranteed that transportation on a charter arrangement and 3 weeks of room and board with decent accommodations would not exceed $500 for any athlete.

On the first ballot cast by the committee, Squaw Valley, aided by strong South American support, polled a surprising 30 votes, as opposed to 24 for Innsbruck, 6 for Saint Moritz, and 2 for Garmisch. Squaw Valley and Innsbruck moved to the finals. To most observers, it seemed a foregone conclusion that the Europeans who had backed Saint Moritz and Garmisch would now swing their votes to Innsbruck. On the second ballot, however, Squaw Valley won by a count of 32 votes to 30, the closest finish in I.O.C. history.

Innsbruck took the defeat hard. Not impressed by the Squaw Valley platform of friendly but humble games, the Innsbruck newspaper editorialized tartly. "The rich Americans may have won, but the Olympic ideal has been defeated."

In California there were jubilant headlines. Champagne toasts were drunk to Cushing, the supersalesman. Then the roof fell in. The State quickly discovered that it had a sputtering bobcat by the tail.

COST PER ATHLETE

To begin with, Cushing's guarantee to the IOC of a $500 maximum cost per athlete for travel and living expenses turned out to be a slight miscalculation. State experts figured the bill at $725 per athlete. This meant a total cost to California of $270,000, because, as an official of the California Olympic Commission explains, "Rather than renege on a guarantee, we will make up the difference."

BUDGET UP TO $4 MILLION

Secondly, the $1 million originally allocated for the games proved a noticeably short figure. Cushing's revised estimate came to $2,400,000. When State architects and engineers got busy and started totaling up such sums as $2 million for an ice arena, $440,000 for a sewer system and $300,000 for flood control, the cost quickly expanded to $4 million.

When it was found that the ice arena would cost a million more than originally expected, and the next total estimate came to $5 million, the California Legislature rebelled. Some members suggested it would be sinful to take the Winter Olympics away from such a garden spot as Innsbruck. Many taxpayers agreed.

There was, however, the matter of California pride, not to mention the endorsements of the President, Congress and Governor Knight. The feeling soon grew in the California Olympic Commission and the Olympic Organizing Committee, both appointed by Governor Knight, that if anything was worth sponsoring in California, it was worth sponsoring in a manner befitting the State's reputation. They eventually won out in a hard fight over the economy-minded faction.

UP TO $8 MILLION

Right now the cost of the games has risen to $8 million, and with heavy expenditures still in sight. Squaw Valley has asked Congress for a $3,800,000 appropriation. (Note: not due for action until April.)

H. D. Thoreau, executive secretary of the commission, explains, "To justify all the spending for the Winter Olympics, it has been decided to make a State park in Squaw Valley of all the land on which the State is doling out money for improvements. To do this, the original $5 million investment must be protected by expenditure of an additional $3 million to convert the area into a permanent installation."

The idea of a State park for winter and summer recreation is acceptable to most taxpayers in California, but not to the biggest landowner in Squaw Valley, Wayne Poulsen, who has opposed the plan from the outset. Of the 1,200 acres that Poulsen holds in the area—valley and hillside—the State wants to buy 63½ and lease 129 for 2 years. This land is an indispensable part of the proposed 480-acre winter Olympics tract.

For 2 years, Poulsen refused to sell. When he finally agreed last fall, he demanded a price so high that the State balked. At the time, the State had wanted to buy 73½ acres for which it offered $103,000. Unblinkingly, Poulsen made a counter offer of $440,000, whereupon the State invoked the law of eminent domain and carried the case to Placer County court. Since the State has amended its complaint, asking for only 63½ acres, plus other land for lease, the court must now determine an equitable price. The court is due to take up the case sometime this month or next.

Of the California Olympic Commission's many headaches, Poulsen currently rates as No. 1. A quiet, sturdy man of 41 with a penchant for the outdoors, Poulsen flies the polar route for Pan American from San Francisco to London. As a ski fan and hunter, he first came to Squaw Valley in 1938, shortly after his graduation from the University of Nevada. He began to buy acreage on credit, acquiring tiny parcels at a time. After World War II, he and his wife, Sandy, and their five children moved permanently to the valley, occupying a tent until they could build a home.

To the best of Poulsen's knowledge, he and his family were the first full-time residents there since the gold prospectors cleared out in the 1840's. Remains of the mining villages of Claraville and Knoxville can still be seen at the east end of the valley, through which the old Emigrant Trail passed, leading across the Sierras. It was only a few miles away that members of the Donner party perished in 1846.

The Poulsens have dreamed for years of developing Squaw Valley into a charming alpine-type community—a sort of small-scale Saint-Moritz. Poulsen cringes at the thought of a State park. Envisioning campers, hamburger stands, souvenir hawkers, and the like on land where he had planned

his dream village, he has fought the State doggedly.

POULSEN NAMES $3 MILLION KILLING

California officials, however, are resolute in their feeling that one man's real estate ambitions shouldn't take precedence over the public welfare. P. K. Macker, assistant to the president of the organizing committee, adds: "Despite himself, Poulsen will become rich off the Olympics. They will considerably increase the value of his land"—the bulk of which is not directly involved. "He should make a $3 million killing."

Poulsen's opposition isn't all that the State has had to cope with lately. It has a major rhubarb on its hands, with the International Federation of Bobsledders and Tobagganers, which is protesting the elimination of bobsledding from the Squaw Valley program. Olympic rules specify that no single event need be staged unless entries have been received from at least 12 nations. Since fewer than that number answered in a poll that they would compete in the bobsledding, Squaw Valley seized the opportunity to drop the event, thereby saving the $750,000 cost of building a bobsled run.

Says Alan Bartholemy, technical director of the Squaw Valley games, "The federation has demanded we build the bob run, under threat of exposing us to the world as American cheapskates." The Amateur Athletic Union of this country has joined in asking that bobsledding be offered.

The Russians, too, have been unhappy. They have roared their indignation over fingerprinting requirements made of all foreigners entering this country. The California Olympic Commission has asked Congress to waive the McCarran-Walter Immigration Act for all Olympic athletes.

Further concessions are needed for Russian satellite countries not recognized by our State Department. Caught in a crossfire between the International Olympic Committee, which does not acknowledge political differences, and Senator JOHN BUTLER, of Maryland, who has demanded that the satellites be barred, Squaw Valley has appealed to John Foster Dulles to admit all nations which wish to compete in the games. Barring any world upheaval, Dulles has promised to comply.

Meanwhile, trying to balance a budget that is shaking precariously, Squaw Valley is still moving ahead with preparations for an elaborate Olympics. "We have spent $200,000 for expert advice alone," says Bartholemy. "We will probably have the finest and most novel winter games of all time."

At this stage, four ski courses have been completed in Squaw Valley, and foundations laid for new buildings. Land has been graded for the ice arena and a hillside cleared for the ski jumps. Work has been finished, too, on a $155,000 ski chair. As a flood-control measure, engineers have also begun the rerouting of Squaw Creek, which runs through the heart of the valley's meadowland, where much of the proceedings will take place.

When snow melts this spring, the bulk of the construction, delayed a year by Poulsen's land fight, will start at an accelerated pace. This is the first winter Olympics ever planned from the ground up. In the past, Olympic construction has been mostly superimposed by the host cities upon existing facilities. But almost everything at Squaw Valley will be new, including a sprawling Olympic village, which will quarter some 1,200 athletes, trainers, and coaches from 35 nations.

The village will overlook a scenic 10-acre artificial lake, for which ground will soon be removed. About 500 yards away will be built the ice arena, center of Olympic activities. From there, a walk of no more than 200 yards will bring one to any event. It won't be necessary to go even that far to see what's taking place because, from a comfortable seat in the heated arena, spectators will be able to watch the show flashed on a giant screen by closed-circuit television. Camera towers to be built along the Alpine and Nordic ski courses will bring viewers a picture of the races in progress.

For not-so-hardy members of the press, who don't relish an invigorating trudge in the snow, there also will be closed-circuit television in the lavish press center, adjacent to the ice arena. This structure, complete with restaurant, cocktail lounge, snackbars, and locker rooms, will accommodate 600 working writers.

Other new facilities will include a speed-skating rink, 3 hockey rinks, 3 ski jumps, a ski chair, several restaurants, cafeterias, warming huts, and a network of spectator centers, all equipped with closed-circuit TV.

Squaw Valley has made arrangements with the Navy to conduct snow-compaction tests this year to determine whether automobiles could be parked in the meadowland. If this doesn't prove feasible, a unique traffic plan has been worked out whereby private cars will be barred from the valley entirely. The expected 30,000 people per day will be shuttled instead by 250 busses, leaving every few minutes from the nearby communities of Tahoe City and Truckee. Bus service will be free to those purchasing tickets to the Olympic events.

Alexander Cushing's original theme of restoring the Olympic ideal in a natural setting devoid of embellishments has long since been forgotten. With deep-felt pride, Governor Knight recently told the International Olympic Committee, "In the State of California, there are many monuments to the creative and engineering genius of our citizens * * * We are confident that this same technical skill will lead to construction of winter-sports facilities in Squaw Valley which will greatly exceed the expectations of our visitors who will come to this great event from all parts of the world."

Cushing isn't in the least crushed that most of his poverty-inspired ideas have been discarded in favor of more grandiose plans. "I truthfully don't see the need for such extravagance," he says. "But, as far as I'm concerned, my feelings won't be hurt if they spend $20 million—just as long as all the stories on the games are datelined, 'Squaw Valley.'"

[From Time magazine, Feb. 9, 1959]

BONANZA IN THE WILDERNESS

On the twisting trails that lace the flanks of Vermont's Mount Mansfield, traffic was so heavy that skiers had trouble keeping out of one another's way. On Michigan's Boyne Mountain, colorfully garbed schussboomers cheerfully endured long waits to ride lifts up the glistening white mountainside. Restaurants on Colorado's Aspen Mountain were overrun with crowds. Thousands left their sitzmarks on the deep powder slopes of California's Sierras and Washington's Cascade Range. Whenever there was snow, busloads of weekend skiers left New York and Chicago at first light, and in Nevada deserts sweaty cowboys watched mountain-bound cars go by, skis lashed to the roofs.

FROM FANATICS TO FAMILIES

In less than 25 years, skiing has been transformed from an eccentric practice pursued by a handful of fanatic, chilblained young men to the U.S.'s fastest-growing outdoor winter sport. Today, anybody skis—corporation president and office boy, college student and secretary, parents and children. It is no longer a pastime for the well-heeled who could afford to go to Europe to learn. The skiing establishment at Aspen, Colo., is a typical example of what the sport has added to the face of the United States. A broken-down mining settlement as late as 1946, Aspen now boasts some 50 ski lodges, offers a wide range of overnight accommodations, from Ed's Beds ($2.75 and down) to the luxurious new Villa Lamarr ($8 and up), financed by Hedy Lamarr's estranged husband, Howard Lee, and promptly dubbed Hedy's Beddies.

Keys to the U.S.'s ski boom were the rope tow and its more advanced counterpart, the chair lift. The first rope tow, a jury rig powered by a truck engine, was installed at Woodstock, Vt., in 1934, the first chair lift at Sun Valley, Idaho, in 1937. Until then a skier had to be young and determined enough to rise at dawn, spend most of the day trudging up the side of a mountain for the sake of one or two swift descents. The tow made skiing a downhill run all the way.

This winter an estimated 3 million skiers will be out on slopes from Maine's Sugarloaf Mountain to Oregon's Mount Hood. There is skiing in Taos, N. Mex., and on North Carolina's Mount Mitchell, and ski clubs have appeared in Amarillo, Tex., and Louisville, Ky.

SNOW FEVER

Resort owners are convinced that the boom is still young, and are pushing ahead with expansion plans, undismayed by the uncertainties inherent in snow itself—not enough of it in the East, where slopes must be closely tended to preserve what falls, often too much of it in the West, where gun crews must shoot down avalanches to ensure safety and jumbo storms can seal off an area for days. Vermont's Mountain Snow opened the first outdoor swimming pool at an eastern ski resort. California's plush new $1,750,000 inn at Mammoth Mountain was doing a land-office business. Michigan's Boyne Mountain resort was plowing back $250,000 a year into improvements. All in all, there were no fewer than 90 new overhead lifts operating in U.S. areas this winter, and more were on the way.

For the past year, the most feverish of all ski area preparations have been centered in and around a narrow, steep-sided valley high in the California Sierras, 200 miles northeast of San Francisco, 40 miles southwest of Reno, and 6 miles from Lake Tahoe. Despite the snow and cold last week, work crews poured into Squaw Valley to put the finishing touches on four handsome, pastel-shaded dormitories, transform a shell of bright orange girders into a skating rink, built lift towers. Navy snow-compaction teams experimented with tamping down a large meadow to serve as a parking lot. A year from now, some 1,000 athletes and 35,000 spectators from all over the world will jam Squaw Valley daily during the 1960 winter Olympic games; to make sure that all will go right, the State of California and the U.S. Government are pouring millions into a place that only a decade or so ago was wilderness.

TACT AND TACTICS

Squaw Valley's position as a ski resort and Olympics site is the work of a tall (6-foot 5-inch), slat-lean man of eastern socialite background (New York, Newport) and upbringing (Groton, Harvard) named Alexander Cochrane Cushing. With no experience at developing or running such a place, Alec Cushing proceeded purposefully through trial and error at Squaw Valley, made some horrendous mistakes in judgment and tact en route. But he pulled a master coup in wangling the Olympics for his own backyard, a tactic that will leave him, after the Olympics are over, in the center of a $14 million establishment which will put Squaw Valley squarely in the top rank of U.S. ski areas.

Such figures no longer startle ski men, for skiing has become big business. This year skiers will spend an estimated $120 million on accommodations, transportation, lift tickets and equipment. They will pay $5 million for skis, a like amount for pants

and parkas, $4 million for boots. East and West, ski shops reported business at new highs, up as much as 40 percent from last season.

FLOATING AND DEFYING

Ski equipment comes in a wide price range—most of it expensive. Most beginners find themselves impelled to spend at least $150 if they are to feel properly equipped. As for clothes, an old pair of jodhpurs and an old sweater will no longer do. Even the raw novice feels a compulsive need for skintight Bogner stretch pants ($50), quilted parka ($30) and Alpine sweater ($30).

But the dedicated scorn details of money. Sometimes they seem to consider skiing less a sport than a mystical experience. They get rhapsodic when they try to explain the feeling that makes a few hours on a slope worth the long tortuous trip to get there and the possibility of a broken bone. "When I ski," explains one buff, "I feel like a fellow in a dream, floating through the air, defying gravity, conscious only of the hissing of the skis through the snow. The only thing that vaguely resembles the sensation is flying. Unlike any other sport, the skier is completely on his own. Once he begins his descent, no one can help him."

THE CULT

By common consent, skiing is the greatest device for social mixing since the decline of the office party. Among its rituals are the hot buttered rum around the fireplace in the evening, the songs, the exchange of stories on the day's moment of triumph or disaster. "Where else can two young people get to know each other better than at a ski resort hundreds of miles from home?" asks one resort owner. "A girl can look real cute in a ski outfit, especially in those stretch pants," a ski tour director points out.

Skiers develop a language of their own, happily swap such German terms as geländesprung (a jump), schussboomer (one who dashes headlong straight down a slope) and sitzmark (the imprint left in the snow by a fallen skier's hindquarters), refer familiarly to moguls (bumps in the slopes) and snowplows (a novice's slow stop maneuver). Even skiing's hazards provide a bond of sorts. Ski magazine estimates that in an average year one in every ten skiers will injure himself more or less seriously. Every ski lodge boasts its quota of walking wounded. Most innkeepers consider them poor advertising. Grumbles one healthy skier: "They wear their plaster casts like badges of honor. As a comeon, they usually ask you to autograph the cast."

Stalking through his Squaw Valley lodge last week, Alec Cushing signed no plaster casts. He is not the type. He sees no reason for making small talk with people he does not know, feels little of the easy camaraderie that skiers cherish. Most skiers concede a grudging admiration for his salesmanship, immediately follow with the charge that he sold Squaw Valley to the Olympic nations, not on the basis of what was there, but on what he hoped the State would provide. In fact, Cushing at the time owned only one chair lift and just 6 acres of level land on the valley floor. But by the imperatives of terrain, every one of the ski runs ends at his front door step. In effect, he owned home plate, and the authorities could not do without him even if they wanted to.

"I'M TERRIBLE"

Western skiers dislike Cushing because he is Eastern, because he barged into Squaw Valley, ultimately (and legally) took the ski operations there away from a California native who planned the area and owned most of the valley land, and because he has the annoying habit of walking precipitously away from a guest, leaving a conversation dangling in midsentence. Says the wife of a neighboring resort owner: "I'd like to like Cushing, but he's so rude. We've been introduced 26 times, and he never remembers me." Admits Cushing: "I'm terrible with the public. I don't like that professional oily quality, but I guess I'm wrong. People at resorts like to say the owner talked to them. Here they say, 'That sonofabitch Cushing didn't speak to me for the 13th consecutive day.'"

To his friends, and to strangers when he wants something from them, Cushing can display a formidable charm, and a determination that is awesome. But Alec Cushing had a certain rudeness about him from the beginning. "He was a beautiful baby," recalls his older sister, Mrs. Lily Cushing Boyd. "He was also the most determined boy you ever saw. Whenever people came up and went 'itchykoo' at him, Alexander would lie back and bark like a sea lion." He was born to wealth. His grandfather, Robert M. Cushing, was an old Boston tea merchant. His father was a talented painter, died when Alec was 4. Young Cushing grew up in New York and Newport luxury. A gangling, tree-tall adolescent with a huge head topped by unruly red hair, Alec inevitably got the nickname "Pin," learned to play tennis well enough to reach the quarter-finals of the Newport Invitational when he was 16. He prepared for the match (against Wilmer Allison) by drinking till dawn, then amazed himself by taking a 4 to 1 lead in the second set. At this point his hangover caught up with him. Says Cushing: "I had a total blackout. When I tried to throw the ball up for service, I almost went flat on my face. At least that's my story. My friends say Allison looked at his watch, noticed that it was nearly lunchtime, and quickly ran off five straight games."

At Groton, the gangling Cushing was a good-hit, no-field first baseman. ("I couldn't bend over far enough to get to ground balls"), did the crudest kind of skiing (classmates recall he was forever stepping out of his bindings, losing skis on the slightest of hills). At Harvard he played squash, flopped at crew ("I learned a wrist trick—a way of making a big puddle without actually pulling hard. The coach caught me one afternoon, stopped the boat and took me off").

As a matter of course, he made the Porcellian Club. Summers he traveled abroad, became expert at living like a first-class passenger on a third-class ticket. On one voyage, he ingratiated himself with Boxing Manager Joe (I should have stood in bed) Jacobs before the ship left the dock, spent most of the trip playing poker on A-deck with Jacobs, Max Schmeling, and Morton Downey. In his sophomore year Alec decided summer trips were too short, set out to get his degree in 3 years, didn't quite make it (he lacked one-half unit), but managed a 9-month tour of the Far East (on which he visited with Fred Astaire) while his classmates labored back in Cambridge.

Graduating in 1936, Cushing cast around for something to do, decided to go to Harvard Law School. "I had no particular love for the law," he admits, "but the alternative was going to work."

MATTER OF CONTACTS

Before he left Harvard Law, Cushing married blonde, blue-eyed Justine Cutting, socialite daughter of Dr. Fulton Cutting, of New York, professor of physics at New Jersey's Stevens Institute. His closest friend (and fellow Porcellian), Alexander McFadden, had married Justine's older sister. All through his life Alex Cushing has known important people, and casually made the most of his contacts. Desultorily looking for a job, Cushing ran into his old Groton classmate, Stewart Alsop, through him got an interview with Justice Department Trustbuster Thurman Arnold, who promptly hired him.

With the outbreak of war, Cushing was commissioned in the Navy ("I figured I'd get drafted anyway"). Assigned as a troubleshooter for Naval Air Transport Service, he traveled to all war theaters, worked as he never had before.

On one occasion he flew to Brazil, found a Naval transport station sorely in need of dockage equipment. Ironically, the very equipment needed was stored only four miles away but assigned to the Rubber Development Corporation. Federal law forbade transfer to the Navy, so Cushing decided the law needed changing. He flew back to Washington, went to Secretary of the Navy James Forrestal, got his backing, helped prepare the legislation, all in one stretch of 60 hours without sleep. The bill passed, but the strain proved too much. He collapsed, wound up in Bethesda Naval Hospital.

THE NUT WARD

"When I came to," he recalls, "I was in the nut ward. My face was totally paralyzed. My eyes were frozen open. The nurses had to tape them shut at night so I could get to sleep." From his bout with hard work, Lieut. Commander Cushing was left with a partial paralysis of the left side of his face that still pulls down the corner of his mouth, gives him a quizzical look. He was philosophical ("There was not a damn thing I could do about it, so what was the use of worrying?") At war's end he went back to the law (in Wall Street), stuck it out for two years, quit in boredom ("The war taught me life could be exciting".)

TRAGEDY

Cushing first saw Squaw Valley in 1946, hiked into it (there was no road then) with a likable skier and Pan American World Airways pilot named Wayne Poulsen, who had bought up much of the valley's land. Over the bridge table that night, Alex cautiously asked his wife: "How would you like to live in these mountains?" Justine did not look up from her cards. "Are you out of your mind, Cushing?" she inquired icily. But 2 years later the Cushings and the McFaddens headed west once more to check on Squaw as a possible ski resort. They never got there. Skiing down a dangerous slope at Aspen with two experienced skiers one morning, the two brothers-in-law were trapped when a huge avalanche cut loose above them. Cushing was buried to his neck. Alexander McFadden died under tons of snow. The death of his closest friend was a profound shock to Cushing, still reduces him to sobs whenever he tells the story.

Despite the tragedy, Cushing was obsessed with opening a ski area, went into partnership with Airman Poulsen to develop Squaw in June 1948. Poulsen supplied the land—640 acres—and Cushing the money—$400,000. Alec and Justine invested $145,000 of their own, got $50,000 from Laurance Rockefeller, the rest from other friends.

Poulsen and Cushing had differences almost from the start. Cushing allowed Poulsen to reserve 42 acres of land for homesites, found belatedly that Squaw Valley Development Corp. was left with only 6 acres of level ground. Cushing wanted to operate restaurant, bar, and lodging facilities at Squaw. Poulsen wanted to lease them out. Cushing went ahead anyway, bought a set of old Air Force barracks, had them trucked into the valley, put the corporation in the hotel business.

TROUBLE

In Squaw's first 5 years of operation, avalanches ripped out lift towers three times. The lodge was cut off four times by bridge washouts, flooded out twice, later (in 1956) burned to the ground. Poulsen and Cushing had increasingly sharp differences. The showdown came in October 1949, when, in

Poulsen's absence on an international flight for Pan Am, his wife, Sandy, fired off letters to Squaw stockholders accusing Cushing of mismanagement. A stockholders' meeting was called, and the result was inevitable, since Cushing owned 52 percent of the stock, his friends another 46 percent. After an audit showed nothing legally wrong, Cushing replaced Poulsen as president of Squaw Valley Development. Today, a bitter Poulsen still controls choice homesites in the valley (and stands to become a millionaire with the land boom caused by Cushing's getting the Olympics), but Cushing and the corporation have exclusive ski rights, since they possess the only lift permit allotted to the area by the U.S. Forest Service.

The opening of Squaw Valley Lodge on Thanksgiving Day, 1949, was a memorable fiasco. Cushing had to hire strikebreakers when his union workmen struck the week of the opening, hooked up plumbing himself. Justine hurriedly summoned the domestic couple from their New York home, pressed a friend into service as a chambermaid. One woman guest arrived early, found Cushing still at work on the plumbing. Snarled Alec: "Madam, come back in 3 hours, and we'll be ready. Meanwhile, don't bother me." That night everything went wrong. There was no dinner until 10. Only one toilet was working, and the waiting line for it snaked out into the lobby. One of Cushing's daughters tripped, broke her leg. A guest ran over one of his dogs. The whole thing was, to use Cushing's word, ghastly.

TO GET SPACE

One day in 1954, a two-paragraph item in the San Francisco Chronicle caught Alec Cushing's eye. Reno had bid for the Olympic games. Cushing had only one chair lift at Squaw then, but he decided to apply, too. "I had no more interest in getting the games than the man in the moon," he admits. "It was just a way of getting some newspaper space." The space he got in west coast papers brought a flood of encouraging letters, made up Cushing's mind: "When I got letters from all those people saying what a nice thing I was doing, it made me feel bad."

There were only 6 weeks in which to ready Squaw Valley's bid for consideration as the U.S. nominee to stage the games. Cushing moved quickly, enlisted the support of California State Senator Harold ("Biz") Johnson and Governor Goodie Knight, got the legislators to revive an old bill that had promised Los Angeles money to back its successful 1932 summer Olympics bid, pass a new version to guarantee $1 million for Squaw. Old friend and Squaw stockholder (5 percent) Laurance Rockefeller gave his support. With evidence of financial backing, a hastily prepared brochure and a charming dissertation on Squaw ("I'm a very strong speaker when I'm convinced"), Cushing sold the U.S. committee. His next target was the delegates to the Paris meeting of the International Olympic Committee, who would decide the site of the games.

THE TRIUMVIRATE

For the selling job, Cushing called on two fellow Harvardmen for help: George Weller, globetrotting reporter for the Chicago Daily News, and Marshall Haseltine, urbane expatriate who lived in Europe. Weller got a leave of absence to work with Cushing. He drove into Squaw Valley over the rutted dirt road from State Highway 89, took one horrified look and decided on the spot that the pitch had to be a return to Olympic ideals of togetherness and simplicity, in contrast to Europe's ornate resorts.

Applicants' brochures were customarily printed in English, French, and German. Weller noted that "only two countries spoke German, and they both wanted the Olympics in their own area," ordered Spanish substituted for German to please Latin American delegates. Weller embarked on a 4-month tour of South America to emphasize the advantages of an Olympics in the Western Hemisphere. His next trip was to Scandinavia, where he plugged the idea of a simple Olympics to thrifty Swedes and Norwegians. Cushing and Haseltine took on other European International Olympic Committee representatives.

THE SOFT SELL

By the time the crucial meeting convened in Paris, Cushing and Company had made personal contact with 42 of the 62 delegates. The three Americans hung out unobtrusively in cocktail bars frequented by delegates, never pushed themselves, but were always available. Cushing had ordered a huge (7-foot by 12-foot) relief model of Squaw Valley at a cost of $2,800, had it shipped to Paris for $3,000. The monster proved so big it would not fit through the door of the International Olympic Committee exhibit room, but after lodging was found for it down the street delegates went out of their way to go see it, thereby giving the Americans a chance to practice the soft sell away from competing exhibits.

Despite all the groundwork, the outlook was not bright for Squaw when the meeting opened. Huffed a German delegate to Cushing: "Don't think you are going to parlay one ski lift into an Olympic Game." Even a U.S. delegate sneered: "Who's going to vote for you? I'm not." Austria's Innsbruck was Squaw's chief competitor, and seemed a sure winner when one of the delegates charged that Squaw was totally unprepared to stage an Olympics, furthermore should be disqualified because it was not a town (it still is not). Summoned to the meeting room for an explanation, Cushing turned on the charm. There should be no fears about readying an Olympic plant at Squaw, he argued. After all, there were 4 years in which to build it, said he, and had not the governments of both California and the U.S. endorsed Squaw's bid? As for the town technicality, "We're all sportsmen here, not politicians." Squaw Valley won the bid, 32–30 over Innsbruck, on the second ballot.

CONFLICT OF INTERESTS

Triumphantly Cushing returned to the United States, ran head-long into a stern warning from the International Olympic Committee's crusty chairman, Avery Brundage: Cushing, you are going to set back the Olympic movement 25 years. For a time, it appeared that Brundage had something. Cushing could count on the piddling $1 million voted by the State, but even in his most poor-mouth moment, he never envisioned that the games could be staged for less than $2 million.

Somehow he managed to inveigle a group of prominent Californians to serve as a watchdog commission over the steadily expanding State expenditures at Squaw. He became president of the Olympic Organizing Committee that had been set up to stage the games. The conflict of interests was obvious at once to everyone but Cushing. He stubbornly insisted that Cushing the Olympics promoter and Cushing the resort owner could lead separate lives, finally stepped down in December 1955 as cries mounted for his scalp.

THE PRICE GOES UP

The new committee chairman, tough-talking Prentis Cobb Hale, head of a West Coast department-store chain, promptly told Cushing to go back to Squaw and keep his nose out of Olympic business. "He treated me like a criminal," complains Cushing. "He gave orders that none of his employees were to talk to me when they came up here." Saddled with making good on Cushing's extravagant promises to the Olympic nations, purposeful Prentis Hale brooked no nonsense, made few friends, but ultimately got results.

An architect's survey determined that there would have to be sewage and flood-control facilities, access roads, an ice-skating stadium and practice rinks, a ski jump area, at least three new lifts. On top of that, dormitories would have to be built. Total estimated cost: at least $8 million. Hale got $4 million from the legislature, had to go back for $2,990,000 more. When the State finally balked, he got $4 million from the Federal Government.

The Olympic program for Squaw Valley is rolling along on schedule. The 3,300-foot lift for slalom runs is finished; another up Squaw Peak is under construction. The dormitories are virtually complete, the jump is ready, administration buildings are up, the skating arena is well along. At the State's insistence, Cushing has built a spectacular new 5,000-foot lift up the side of Squaw Peak's neighbor, KT–22.

HOME FROM HOT DOGS

Cushing's own property stands at the focus of the Olympic activity area. He has survived criticism and natural catastrophe with great aplomb. The burned-out lodge has been replaced, is now an adequate blue-pastel structure featuring a radiant-heated outdoor dining terrace and candlelit cocktail lounge in which jazz pianist Ralph Sutton displays his talents. Critics still complain that Cushing begrudges many comforts, that his sleeping quarters are still far from first class, overpriced ($18 a day) and resound to every footfall. Cushing admits that his accommodations could be better, will decide after the Olympics just how to improve them.

The Cushings live just 100 yards from the lodge, in what once was a hot dog stand in the resort's early days. It has been converted and expanded into a comfortable, split-level home, featuring bright crimson walls and ceilings in the main living area. Here Alec and Justine can relax with their three daughters—Justine, 18 (at Radcliffe College); Lily, 15 (at swank Foxcroft in Virginia); and Alexandra, 10, who attends school in nearby Truckee.

Though he will have no direct stake in the Olympics (the State will run his lodge and lifts during the games), Alec Cushing is in sight of the big payoff. He has contracts for a 10-year lease on the new lifts the State is building. A new superhighway to the valley entrance from Reno and San Francisco will make it easier than ever to get there. Later this month, as a testament to the revitalized valley, the North American skiing championships will be held there for the first time.

Cushing stands at his front doorstep, gazes fondly at his lodge, at the Olympic work progressing all around him, listens contentedly to the soft whirring of the lifts. His blue eyes roam up and down the white, pine-pocked slopes. He smiles faintly, "We should do pretty well here from now on," he says, "unless we hack things up—and we probably will."

Mr. LAUSCHE. Mr. President, the principal purpose of having these articles printed in the RECORD is to show how an inconsequential project, from the standpoint of money, grew into a multimillion-dollar expenditure. I shall not ask for a yea-and-nay vote on the bill, I may say to the Senator from Illinois [Mr. DOUGLAS], but I want the RECORD to show that on the basis of the method chosen for developing the program, I shall not vote for the bill.

Mr. DOUGLAS. I appreciate the statement, characteristically honest in nature, of the Senator from Ohio. While

it is true that the consent of the State Department was not obtained by Chicago prior to the initiation of the invitations, the approval of that Department has since been obtained, and the President of the United States has agreed to act as honorary chairman. We are observing all the safeguards which the Senator from Ohio desires, and which were not followed in the case of the Ohio project.

I have no further comment to make. I hope the Senate may proceed to vote on this measure.

Mr. DIRKSEN. Mr. President, I am advised that tomorrow will be the 69th anniversary of the Organization of American States. This organization, which has endured for 69 years, has been instrumental in developing in this hemisphere a great family of 21 nations.

A responsibility rests on every one of these nations to bring into orbit such cultural relations and exchanges of confidence and of good will which will solidify this organization and our relationships with our great and good neighbors to the south.

I think the bill before the Senate, if and when it is passed, as I trust it will be without difficulty very shortly, will bring together a great host of athletes who will come to this country and that their visit will result in an accretion to the reservoir of good will which is so necessary to the cohesive force of an organization of this kind.

Two thousand young athletes would, indeed, be a great missionary force from the republics to the south. I think of this event in terms of the fact that the world and the future belong to youth.

The Apostle Paul once wrote a magnificent sentence in a letter to his young friend whom he had sent forth as a missionary: "Let no man despise thy youth."

Never was I so much impressed with what youth can do in the field of developing good relationships as I was in 1940, when I sat in a bleacher seat on the Avenida Juarez, in Mexico City, and saw a parade which lasted for 14 hours, in which young athletes from all over Mexico participated. It was one of the most impressive sights I ever witnessed.

I could readily understand the great missionary surge which went not only through that great metropolitan center, but also through the people of the country as they sent their players of games of all kinds—football, baseball, track, soccer, and the other games—to compete, in the hope, of course, that their capacities and capabilities would dominate, and that they would come home with the prizes. It was one of those great events which I think helped Mexico over and above anything else to develop a certain stability, a stability which is manifested today.

So I say that the future and the destiny of the world belong to youth. In proportion as we cultivate it, energize it, and encourage it, so we shall serve a great and useful purpose in a world which is still too troubled with too many fevers.

Mr. President, what would be better than to have a great outlet for youthful energies? Competitive games are the natural outlet for the energies of youth. I remember the days when I was on a track team in high school. I once won a bronze medal—it was the lowest award given—in the mile race. I hung that medal on the wall in my home, behind glass, so it would not tarnish; and year after year I used to see it there. I prized it highly. I never was much of an athlete; but when I won third place in the mile run in that county contest, I took the greatest pride in that award; in fact, I think I prized it more than membership in the Senate. Of course things are relative, depending on how old one is.

So I think of the great resurgence of spirit of the part of the athletes who will come to the United States. I also think of the envious young Americans, all over our country, who will be saving their money, in the hope of going to Soldiers Field and seeing what the young men of other countries can do in athletic competition, in the various events—whether in the footraces, the shotput, the pole vault, or whatever other events may be scheduled. So these games will bring a great lift to the young people of our own country, as well. Of course, the the games will also add immeasurably to the great reservoir of good will.

Furthermore, I hope that many of the athletes who come to our country will win. Winning will be of great importance to them and to their countries; and the names of the winners will be emblazoned in the headlines of the newspapers in Rio de Janeiro, Buenos Aires, and the other great cities to the South of us. Mr. President, what a homecoming the winners will receive.

I can think of nothing better for young people and the development of their energies than to participate in these games.

Mr. President, Chicago is the natural place to hold the games. Chicago is a center of transportation, and is a great sports center. Chicago is the home of two great professional football teams, the Bears and the Cardinals. Chicago is also the home of two great professional baseball teams—the Cubs and the White Sox. They have been playing a long, long time. I remember that when I was a youngster in knee pants I used to watch baseball scores coming from Chicago. The fine athletes who attend Northwestern University are there. All in all, Chicago is a great, natural sports center.

Of course, Soldiers Field is located in Chicago. That field is large enough to accommodate the very great convocation of people will will be interested in the games. Soldiers Field will be festooned, decorated, and lighted. The celebration will be one of the great celebrations to be held, and, in my judgment, it will never be forgotten.

The $500,000 the bill authorizes to be appropriated will be nothing more than Federal participation. My colleague, the Senator from Illinois [Mr. DOUGLAS], has already pointed out the cost of the facilities which will be a charge upon the local authorities of Chicago. But there will be other charges which are not so apparent. For instance, consider the large number of extra policemen who will have to be used for traffic-control purposes, because the city will be filled with visitors when the games are held. There will also be a ceremonial dinner. Someone has to pay for all these things—either the city or the county or the State of Illinois. There are many hidden charges, which we are glad to undertake. In short, the $500,000 will be only a modest appropriation to help defray the cost of lodging, food, and transportation. I do not believe it is too much.

When we went before the Foreign Relations Committee one of our very dear and distinguished colleagues said, "Well, here come those two economists. They have been trying to balance the budget, and now they want $500,000."

Incidentally, Mr. President, before I forget it, let me say that the Senator from North Dakota [Mr. LANGER] has charged me with stating—in case he could not be present at this time—that he would be against the bill. So, in all good grace, I must say to the Senate that he is against it. I hope he is the only one who is against it—although certainly it is his privilege to be against it. So, Mr. President, if he is unable to be present today, the RECORD will very dutifully and circumspectly note for my esteemed colleague, the Senator from North Dakota [Mr. LANGER], and for his beloved constituents, that he does not want the $500,000 appropriation to be authorized.

Mr. President, this request is only for Federal participation. I believe that if my colleagues ever have a chance to see a summation of all the expenditures which will be made by the citizens of the city, and by the city itself, and by the county and by the State, they will find that the total will be very great, indeed, and that in proportion to the total the amount we now request will be very small.

So I hope very much the bill will be passed.

Certainly I shall not ask for a record vote; I do not think one is necessary. I trust that in the interest of conserving time a record vote will not be taken.

Let me state that I have cleared this matter with the Bureau of the Budget. I like to be very circumspect in my conduct in the field of economy; so I talked to the Director of the Bureau of the Budget, to ascertain whether this item was cleared; and it was.

I also talked to the State Department, to see whether this proposal has their approval; and it does.

So I think we find ourselves on good ground with respect to the normal budget procedures of government, in making our request in connection with this matter.

Mr. LONG. Mr. President, will the Senator from Illinois yield to me?

The PRESIDING OFFICER (Mr. BARTLETT in the chair). Does the Senator from Illinois yield to the Senator from Louisiana?

Mr. DIRKSEN. I yield.

Mr. LONG. Can the Senator from Illinois advise us for how many young men or young men and young women the appropriation envisages their board will be paid?

Mr. DIRKSEN. The number has been figured out, and probably it is only an estimate. I believe it will run into the thousands. So something must be done. I believe they are allowed $3 a day; but we know what prices are today. So something must be done to ease their lot.

I am reminded of the days when I was on a high school football team, and when we journeyed with the team, and had to count our nickels and our pennies. Of course we always used a bus for transportation, and we always took care of our own meals. In those early days that seemed to be a burden, even in the case of a youngster in high school, to whom a penny or a nickel was almost as big as the moon coming up over Rockaway Beach. There was no inflation in those days and for a nickel one could buy in a butcher shop a bone for soup for a fairly large family.

Mr. LONG. I hope the reception the young people from Latin America will receive in our country will be as favorable as the reception accorded our young people when they visited the countries to the south. I have noticed that often the hosts have paid perhaps more than they could afford, in order to make a good impression. So I hope that when the visiting athletes return to their own countries, they will not take with them the conclusion that we did far less for them than they had a right to expect.

Mr. DIRKSEN. Precisely so. I am sure our young people were well received in Buenos Aires, and certainly we should do a good job in this case. Youngsters are at the impressionable age, and we want them to be favorably impressed.

Incidently, Mr. President, not the least important in connection with such an affair are the decorations. It will cost a considerable amount to decorate a place the size of Soldiers Field. For instance, I noticed that when the President of Ireland was in Washington, soon after the parade, almost all the Irish flags disappeared; people took them. So the District of Columbia was that much out of pocket. In short, the decorations for these games will not be the least of the items of cost.

So I trust that this measure will be passed expeditiously, and that we shall take prompt steps in connection with the necessary appropriations, so that these games will be made one of the greatest successes ever held in this hemisphere.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading, and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 2575) was passed.

Mr. DOUGLAS subsequently said: Mr. President, if it is in order, I should like to move that the Senate reconsider the vote by which H.R. 2575 was passed.

The PRESIDING OFFICER. The Senator is informed that that may be done by unanimous consent.

Mr. DOUGLAS. I ask unanimous consent that I may make a motion to reconsider the vote by which H.R. 2575 was passed.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. DOUGLAS. I now move that the vote by which the bill was passed be reconsidered.

Mr. DIRKSEN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

TELEVISION TRANSMISSION FACILITIES IN PUBLIC SCHOOLS AND COLLEGES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 52, Senate bill 12.

The PRESIDING OFFICER. The bill will be read by title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 12) to expedite the utilization of television transmission facilities in our public schools and colleges, and in adult training programs.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to the consideration of the bill (S. 12) to expediate the utilization of television transmission facilities in our public schools and colleges, and in adult training programs, which had been reported from the Committee on Interstate and Foreign Commerce with an amendment, at the top of page 4, to insert a new section, as follows:

SEC. 7. No application for any grant under this Act may be accepted by the Commissioner of Education after the day which is five years after the date of enactment of this Act.

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated such amounts as may be necessary to assist the States and certain organizations therein to establish or improve television broadcasting for educational purposes, in accordance with the provisions of this Act, by providing for the establishment and improvement of television broadcasting facilities.

SEC. 2. Any agency or officer, or organization in a State, described in clause (b) (2) of this section, which is establishing or improving television broadcasting facilities, may receive a grant as authorized in this Act to cover the cost of such establishment or improvement by—

(a) making application therefor in such form as is prescribed by the United States Commissioner of Education; and

(b) providing assurance satisfactory to the Commissioner of Education—

(1) that the necessary funds to operate and maintain such facilities will be available;

(2) that the operation of such facilities will be under the control of (a) the agency or officer primarily responsible for the State supervision of public elementary and secondary schools, (b) a nonprofit foundation, corporation, or association organized primarily to engage in or encourage educational television broadcasting, (c) a duly constituted State educational television commission, or (d) a State controlled college or university; and

(3) that such facilities will be used only for educational purposes.

SEC. 3. Upon determining that an agency or officer or an organization has satisfied the requirements of section 2 of this Act, the Commissioner of Education is authorized to make a grant to such agency, officer, or organization in such amount as is determined by the Commissioner to be reasonable and necessary to cover the cost of such establishment or improvement of facilities. An agency or officer or an organization may receive one or more grants under the provisions of this Act, but the total amount of such grants for television broadcasting facilities in any State shall not exceed $1,000,000. Such grants shall be made out of funds appropriated for the purposes of this Act, and may be made in such installments as the Commissioner deems appropriate.

SEC. 4. As used in this Act the term "establishing or improving television broadcasting facilities" means the acquisition and installation of transmission apparatus necessary for television (including closed-circuit television) broadcasting, and does not include the construction or repair of structures to house such apparatus, and the term "State" means the several States, the District of Columbia, and the Territory of Hawaii.

SEC. 5. The Federal Communications Commission is authorized to provide such assistance in carrying out the provisions of this Act as may be requested by the Commissioner of Education.

SEC. 6. Nothing in this Act shall be deemed (a) to give the Commissioner of Education any control over television broadcasting, or (b) to amend any provision of, or requirement under, the Federal Communications Act.

SEC. 7. No application for any grant under this Act may be accepted by the Commissioner of Education after the day which is five years after the date of enactment of this Act.

MINERAL RIGHTS IN CERTAIN HOMESTEAD LANDS IN ALASKA

Mr. GRUENING. Mr. President, during recent weeks Americans have followed with great interest the trek of a group, calling themselves the Fifty-niners, to settle in the new State of Alaska. These venturesome people represent the first spontaneous, unsponsored American homesteading group—and I emphasize the word "group"—in over half a century. They are, of course, only the most recent of many families who have gone individually to Alaska to help make it become the fastest growing and fastest developing area under the American flag.

Nearly 2 years ago national attention was focused on the particular area to which the Fifty-niners have now gone. The attention was caused by the Richfield oil strike on July 23, 1957, when in the very first well drilled on the Kenai Peninsula a substantial flow of petroleum was developed. Since that time, only 20 months ago, this area of great agricultural promise has become simultaneously Alaska's No. 1 oil-producing area.

Before 1957 the lands in this area were not classified as prospectively valuable for oil and gas. Homesteaders who had completed all the requirements under the homesteading laws were granted full

patents; that it, title to both surface and subsurface rights. The U.S. Geological Survey, prior to the 1957 oil strike, carried these lands in their records as nonmineral in character.

The homesteaders who had valid and subsisting entries on July 23, 1957—the date of the oil strike—had come to the Kenai to develop their homesteads in the expectation that they would gain title to subsurface as well as surface rights.

Many of these homesteaders had spent as much as five, ten, and fifteen thousands dollars in developing their 160-acre tracts of land. Even more important, they had spent long hours of hard work, hard in a degree which would be understood only by those settling raw land, and had made many personal sacrifices in an effort to carve farms and homes out of a wilderness.

According to the Department of the Interior, approximately one-third of these homesteaders whose entries were pending at the time of the oil discovery have now "proved up" on their lands and have submitted final proof to secure patents. Several of these have been waiting for more than 20 months. Now they have been told by the Secretary of the Interior that they must sign waivers to the oil and gas rights within a certain number of days or get off the land, forfeiting all their rights there as required by the 1922 Alaska homesteading statute.

I recently asked the Secretary of the Interior to extend the deadline for the signing of waivers. This request was granted so that the Alaska delegation in Congress might investigate the possibility of proposing legislation to remedy this unusual situation. With my colleagues in Senate and House, I have spent several months looking into the matter, and I have had several meetings with officials of the Interior Department in seeking a solution. These officials have agreed with me that the Alaska case is a special one, special primarily because of the long administrative delays which have ensued in the issuing of patents to the homesteaders. One such official has characterized this special situation as "a hearts and flowers case," a situation which properly evokes great sympathy and calls for justice.

The 1922 Alaska Homesteading Act is essentially the same as the original homestead act signed by Abraham Lincoln to promote prairie settlement in 1862. As Benjamin Hibbard wrote in 1924 in his "History of the Public Land Policies," immediately apparent is the act's "utter inadaptability to the parts of the country for which it was not designed."

The 1922 act, in many respects, is unsuited to the land conditions of Alaska. Its various requirements are admittedly somewhat arbitrary—representing more or less an obstacle course or endurance test ritual, a cross between trial by ordeal and schoolboy hazing. Be that as it may—and I hope that our homesteading laws soon will be revised with a view to their modernization and liberalization—something should be done to solve this present knotty problem, as the Acting Governor has described the situation on the Kenai Peninsula.

The homesteaders who entered these nonmineral lands prior to 1957 had no way of knowing that the Geological Survey would change the classification of these lands, an action which under existing law would prevent their securing subsurface rights to what they have long since come to look upon as their land.

These homesteaders entered the land in good faith. They entered the land to develop it for farms and homes, and I believe the Congress will want to see that justice is done in their behalf.

I have prepared a bill which would provide the granting of subsurface as well as surface rights to the Kenai homesteaders who had begun to prove up on their tracts prior to the date in 1957 when oil was first discovered in Alaska. The bill applies only to these Kenai homesteaders, numbering about 200 in all, and the few others in a similar position elsewhere in Alaska as a result of the general reclassification in 1957 of all sedimentary lands in the Territory—now a State—as prospectively valuable for oil and gas.

This bill does not apply to homesteaders who made entries after that date in 1957, for indeed, they were put on notice by the oil strike that their titles would be granted subject to the oil and gas reservations required by the 1922 law.

The few homesteaders who have already waived their subsurface rights would be restored those rights by quitclaim from the Federal Government.

Those who have submitted acceptable final proof, but have not yet waived, would be given full patents—that is, patents without reservations.

The remaining homesteaders who were on the land prior to July 27, 1957, and who have yet to submit final proof, would be excused from the necessity of waiving their oil and gas rights.

I introduce a bill on this subject and I ask unanimous consent that the bill be printed at this point in the RECORD, together with a few letters, representative of scores of such letters I have received from homesteaders in Alaska in regard to the problem encompassed by the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and letters will be printed in the RECORD.

The bill (S. 1670) to provide for the granting of mineral rights in certain homestead lands in the State of Alaska, introduced by Mr. GRUENING, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States hereby quitclaims as of the date of this Act or as of the date of issuance of patent, whichever is later, to the patentee or to his lawful heirs if title to the lands prior to the date of this Act had by devise or succession passed out of the patentee, all right, title, and interest of the United States in and to oil and gas deposits in lands in the State of Alaska patented to homestead entrymen pursuant to homestead entries which were valid and subsisting on July 23, 1957.

SEC. 2. Nothing in this Act shall affect the validity of any lease issued under the Mineral Leasing Act of February 25, 1920 (41 Stat. 437; 30 U.S.C. 181 and following), as amended, or any rights arising thereunder, or any of its terms and conditions except that quitclaim under that terms of this Act of any oil and gas deposit covered by such a lease shall vest in the grantee all right, title, and interest of the United States in and to such lease, including the right to all rentals, royalties, and other payments accruing after the date of quitclaim and including any authority that may have been retained by the United States to modify its terms and conditions.

The letters presented by Mr. GRUENING are as follows:

Senator ERNEST GRUENING,
Senate Office Building, Washington, D.C.

DEAR SENATOR GRUENING: I am hesitant about writing you at this time, knowing full well how busy you are with the opening of Congress. However, as the Interior Department—namely our friend, Mr. Seaton—is pressuring us homesteaders with a 90-day time limit to surrender our rights to the oil trusts or get out of Alaska, it is urgent that any action which can remedy the situation be taken at once. I am but one of 200 to 500 homestead cases in the Anchorage Land Office in a similar category.

I first came to Alaska in 1936 and have resided here ever since except for time served in the Armed Forces overseas. In the spring of 1955, I received my first opportunity to homestead in the Matanuska Valley, which I did. Using my veterans rights I submitted my final proof papers 7 months later in the spring of 1956—before the Kenai oil strike. With full faith in the justice of our homestead laws I had at this time invested $7,000 in improvements and cultivated 20 acres of land on my entry. According to land office circulars a veteran is supposed to receive his patent immediately following submission of such a showing. The original geological report showed my entry as not prospectively valuable for oil or gas and there was no reason to believe that I would not receive full rights as all previous homesteaders in Alaska had done.

In July 1956 the land office suspended issuance of all homestead patents. (This was evidently a deliberate stall for time until the Interior Department could find some legal means of taking away our oil rights. No mention was ever made in the Anchorage Land Office of the 1922 law which Mr. Seaton's men finally came up with when we originally settled on our land.) And as I still had faith in due process of law I was content to wait for my patent to be processed through the red tape of the land office, meanwhile trying to develop a farm out of a wilderness entry.

Senator, today, 3 years after submitting final proof on my entry and with approximately $15,000 improvements and 80 acres of cleared land, I received a letter from the Anchorage Land Office stating that I must sign a waiver to my oil and gas rights within 90 days or be kicked off the land that I have spent my life's savings and 4 years of hard work developing. If I sign the waiver, the oil companies will be able to drill wells, build roads, pipelines, pumps, etc., in my fields or elsewhere on my property with no recompense for property damage.

I can only hope that you can visualize my feelings and the feelings of other homesteaders whose patents were held up deliberately by Mr. Seaton's Department until they could sell us down the river. I do not believe that any Alaskan is against development of the oil industry but with 365 million acres of land in this great State, I, for one, do not believe that they are justified in grabbing the 2,000 or so acres involved in these homestead patents.

We can only ask as pioneers who entered upon the land in good faith for help. If possible, get some legislation passed in this

session of Congress giving full rights to any settlers who entered upon land in Alaska at least before the Kenai oil strike.

We farmers know full well the terrific workload placed upon the shoulders of our representatives in Washington, D.C. However, you men, Senator, stand alone, our last hope against the great oil trusts in the opposite party. Any action which you could possibly take will be appreciated back home. I am enclosing a copy of the land office ultimatum.

Sincerely,

DONALD CHURCH,
Homestead Entry,
Anchorage 029582.

Hon. ERNEST GRUENING,
U.S. Senate, Washington, D.C.

DEAR SIR: A few days ago I received a notice from the Bureau of Land Management stating I have to sign a mineral waiver before I can get patent to my homestead, No. 031504, original S½ NE¼, NW¼ SE¼, section 28, and No. 032296, additional SW¼ NW¼ section 27, Township 5 North, Range 10 West, Seward Meridian.

I filed on these lands November 1955. I received my notice of allowance December 1955. At this time it was classified as agriculture lands. We completed our required residence in 1956. We cleared and cultivated over 20 acres, built a nice house. The Bureau of Land Management had made a field check and given a favorable report, and I filed final proof in September 1957. At this time the latest Geological Survey report classified this land as agricultural. The land office here still gave us to understand that we would get our mineral rights. On February 1958 I received my notice for publication (copy enclosed), in which the manager of the land office states that if no protest is filed during the period of publication or 30 days thereafter, final certificate would be issued. We have been waiting for this certificate for over 1 year. In July 1958 the land office requested a Geological Survey report, 10 months after we filed final proof. Now we receive this notice that if we don't sign a waiver on mineral rights or petition for reclassification (which must be supported by geological or other data) within 90 days our homestead will revert back to the Government.

We have acted in good faith and have met all the requirements up to this point. We have invested over $5,000, plus time and labor of myself and family, valued at over $10,000. If I sign a waiver of mineral rights, an oil company can lease these rights from the Government for about $40 and at any time they can come on any part of my homestead as they choose, without my permission, and not be liable for any surface damages whatsoever. It's like buying a house and paying for it, then the seller telling you he has kept a set of keys and is reserving part of the house in case his mother-in-law or some of his friends want to move in with you.

The homesteaders have petitioned the Government through the Alaska Governor's office to be able to lease the mineral rights on their own homesteads so that they will have jurisdiction of their own land. In this way the Government won't be out any lease money.

I would like to further develop my homestead so I can make a living on it, and this I cannot do, as I can't get financial assistance until I can get title to the land. This has been held up for more than a year now. I am intending to file an appeal. A good many homesteaders who filed prior to the oil discovery are in this same predicament.

Your assistance and advice in this matter will be greatly appreciated.

Sincerely yours,

LOREN M. HEATH.

SPENARD, ALASKA.

COHOE, ALASKA.

DEAR MR. GRUENING: The oil rights of the Kenai homesteaders have been challenged on the basis of the amount of revenue the State will lose if legislation is passed allowing the homesteader to retain his oil rights. This sum is represented to be in the millions of dollars.

Let us examine the contributions of the homesteaders that are affected by the department of Geological Survey's ruling. What is the value of their homesteads to the State:

There are over 100 homesteaders on the Kenai Peninsula who filed on homesteads before the Swanson Creek oil well was drilled. However, as an example, let us determine the contribution of only 100 homesteaders. The cost of proving up on a homestead in the Kenai area has consistently averaged $15,000 per 160 acres. On this basis, 100 homestead families have pumped $1½ million into the economy of the State on proving up alone.

The Department of Agriculture from studies made in Alaska has advised us that the average expenditure to bring a farm in Alaska into production is $50,000. A farmer, in order to pay off his capital investment, must gross one-third of his investment to pay off the principal and realize a living wage each year. On this basis, the contribution 100 homesteads will make to the economy of Alaska figures out at $1,660,000 per year on a $5 million investment.

The round robin effect of this much money pumped into the economy of an area is hard to evaluate in the amount collectible in tax dollars. If we were to follow the path of a stay-in-Alaska dollar that remains in circulation, its tax potential becomes astronomical.

Let us say that the farmer buys a pound of seed from the feed store; the storekeeper, in turn, uses the dollar to purchase gasoline; the station-owner uses the dollar to buy medicine from the druggist and so on through a hundred transactions over the period of a year. Each transaction adds to the gross sales of the merchant on the taxable wage dollar of the worker. Each transaction is a possible avenue of tax revenue. It is not inconceivable that this dollar will return 100 percent of its value in tax revenue to the State over the period of the year.

Let us take a brief look at oil as an avenue of revenue on homestead lands. The department of Geological Survey in the geological report of this area shows tertiary deposits starting at Homer and extending northward; another tertiary deposit originates in the Swanson Creek area and goes southward. In this report, they state that the occurrence of oil is not probable in these formations.

Standard Oil, in their advertisement in the Juneau Independent, states that the average number of oil wells drilled in a proven field is 1 to 320 acres.

The Kenai oilfield, on the basis of the known formations, is broken up by the upheaval of the land to the extent that most of the oil is probably concentrated in pockets. The average depth of wells driven so far in this area, is more than 12,000 feet. Wells this deep, by the law of economics, require more land than the 320 acres. In this type of formation, and at the depth the oil formation lies, the wells drilled on the Kenai will, in all probability, be concentrated over known pockets of oil and be spaced at wide intervals.

The wells driven on the homesteader land affected by the department of Geological Surveys classification, will be very small. It is to the oil companies advantage to drill first upon Government land. We very much doubt that any wells will be drilled upon private land for years to come.

If we balance farm revenue against an uncertain income to the State from the relatively few oil wells that may be drilled on homestead lands we must realize that oil revenue is a one-shot affair. The State receives a small percentage from each gallon delivered on an uncertain flow of oil that has an unforeseeable life expectancy. Oil does not flow indefinitely; the farmer will be with us forever.

We homesteaders are not opportunists. We came here before oil was discovered. We have developed our homesteads because we have faith in the future of Alaska. We have had no Government help. We hardly need point out to you the huge expenditures used to stabilize the economy of the farmer in the other 48 States. Our Congress, in its wisdom, understands that the economy of our Nation lies within its productive farmlands. We, the citizens of the United States, learned a hard lesson by the great depression of the late twenties and the early thirties when the economy of the farmer fell far behind the productive capacity of industry. Our national economy did not recover until millions of dollars had been pumped into agriculture. Most of this aid to agriculture has not as yet become available to the Alaskan farmer. Any outside income a homesteader might derive from an oil industry in his area is that much less help he would require from the Federal Government.

When we balance all these factors and many more yet not apparent against an uncertain oil revenue, we have a bird in the hand that balances very favorably with the bird in the bush the State may never catch.

ALASKA ENTRYMAN'S RIGHTS ASSOCIATION.

Hon. ERNEST GRUENING,
U.S. Senate, Washington, D.C.

DEAR SENATOR GRUENING: Please don't let anyone tell you that the State will lose large amounts of revenue if your bill goes through. The number of homsteaders who actually would obtain rights under a July 1957 deadline is small, not much over 150 by my reckoning. Loss to the State of royalty money is therefore infinitesimal since the land involved amounts to only about one-twentieth of 1 percent of the State's 103 million possible acres or one one-hundredth of 1 percent of total Alaska acres.

Any royalties received by these people would be plowed right back in development and provide additional tax base anyhow. I firmly believe that these homesteaders will put more back into Alaska than the dozen or so leaseholders who would receive the oil rights if the homesteaders do not.

In justice, the homesteaders who filed before the discovery deserve their rights.

Sincerely,

FRANCIS E. MULLEN.

SOLDOTNA, ALASKA.

DEAR SENATOR GRUENING: We do not consider ourselves a select group; we are a group of so-called little men who believe in our land and country and are fighting for what is rightfully ours.

The homestead laws definitely need adjusting as they are not stable enough for present times. * * *

The truth of the matter is that no waivers were sent out until after July 23, 1957, when Richfield struck oil. We believe that everyone that had an entry before this date is entitled to their rights.

We are sure that you will give this bill you are planning to introduce special and full consideration.

We on the Kenai are hopeful that this matter will be cleared up so that we can obtain our patents and plan our future and our children's on our land that we have worked so hard for and continue to help build Alaska to the great place it is intended to be.

Sincerely,

CHARLES G. MARTIN.

KASILOF, ALASKA.

FEBRUARY 2, 1959.

Hon. ERNEST GRUENING,
U.S. Senate, Washington, D.C.

DEAR SENATOR GRUENING: My husband and I are homesteading and have been since 1956. We really appreciate your recent stand on oil and gas rights for the homesteader. Since we are about to apply for a patent we are very interested in this matter. As far as we know not only are we not granted oil and gas rights, but an oil company may come onto our land and drill any place they please without compensation to us. We have put a great deal of time, effort, and money into our homestead and don't wish to throw it to the winds; however, signing our name to a slip of paper that says an oil company more or less can do what they please with our land is too much for us to bear. We sincerely hope that you will be able to rectify this matter. I believe most any homesteader will agree that this would be very desirable.

We are proud of your work in Washington, both past and present.

Respectfully yours,

MRS. GLENN VLATER.

ANCHOR POINT, ALASKA.

Hon. ERNEST GRUENING,
U.S. Senator, Washington, D.C.

DEAR SIR: I was advised by my good friend, Heinie Snider, to write to you concerning my homesite problem.

We applied for this homesite under the act of May 26, 1934. It was officially filed April 17, 1953. We still do not have a title. When we applied for, advertised and paid for this homesite, there was no question about us not getting a clear title.

We never have understood the delay at the land office in sending us the title. As a result of the delay, we are asked to sign a release to gas and oil on the homesite before we can get a title.

Having lived on this site since 1918 and applying in good faith for ownership, it is disturbing to have recent developments that were not mentioned at the time we applied, cause us to sign the release or lose the site.

Homesite No. 012377, lots 16, 17 and 23. sec. 25, T. 21 S., R. 17 E., C.R.M.

Sincerely yours,

MRS. BEN WATSON.

CAPE YAKATAGA, ALASKA.

KENAI, ALASKA, *March 25, 1959.*

Mr. PHIL HOLDSWORTH,
Commissioner of Mines,
Juneau, Alaska.

DEAR SIR: * * * One block of ground in this area is held by an individual who now lives outside in another State. The State will receive 50 cents an acre on the ground he is able to tie up with all rights, making this ground barren and valueless.

If the homesteaders on that same ground get their oil rights, they will spend every nickel here, plus they will improve their property, giving this area and all of Alaska a more stable economy.

I have clear title with oil rights on my homestead, so this may or may not concern me. But I leased my ground to Standard Oil. My lease money went to a local lumberyard, for material to improve my new home. I want to see more and better homes in my own neighborhood. If these homesteaders around me do not get their oil rights, incidentally, those same homesteaders have been here since 1953 and 1954, then they cannot make improvements, they can do nothing, because under existing lease rules, the oil companies can drill in their backyard, front yard, or even living room. Can you say that this is progress? * * *

If these homesteaders, who have waited so long for patents get their oil rights, this will be monetary gain for them individually, and for the State in the increased value of improved ground and living conditions.

Sincerely yours,

JAMES ARNESS.

KENAI, ALASKA, *March 14, 1959.*

Hon. ERNEST GRUENING,
U.S. Senate, Washington, D.C.

DEAR SIR: * * * In view of your action favoring oil rights for Kenai entrymen, we the undersigned, wish to add our support to your efforts:

Kenneth and Margaret McGahan, Bernard McCarthy, Arthur C. Lee, Ethel D. Randall, James Bergsand, Claire Gagnin, William Destry, Mrs. James Linderman, Frank Hudson, the Powells, Leonard D. Holt, L. E. Brown, John J. Yurman, Paul E. Puckett, Stanley and Caroline Huhndorf, Norman McGahan, Harry L. Riding, Elise J. Riding, Bernard W. Toliff, Bertha Porter, Joseph M. Wolding, Robert J. Latzka, A. E. Olson, E. A. Dossow, Donald Kelly, Alfred Wik, William Steib, Leonard Dennis, Georgine Sleib, Daniel Johnson, Goldie Johnson, Dean F. Rounds, Mary I. Rounds, Charles Gagnan, Andrew Huthenen, Lois McGahan, Leo T. Albert, Thomas V. Suthard, Charles W. Stiles, Luther R. Rogers, James Arness, O. L. Nicholas, M. J. Hergatt, Raymond D. Gee, E. C. Winz, Audrey R. Anderson, Galen E. Gray, Robert A. Smith, Walter F. Myrick, E. E. Mueller, J. J. Weaver, Donald L. MacNevin, Dennis D. Green, A. C. Naisber, Henry R. Trusty, Jean Rogers, Odgen J. Gelle, Audrey S. Gelle, Kathleen Tum Suden, Faith Archer, John B. Smith, Tony Bordinelli, W. L. Hansen, Anne L. Hansen, David G. Bell, E. McGahan, Hubert M. Johnson, W. E. Gibbs, L. J. Whittington, Herman R. Hermansen, Eugene D. Smith, Alexander P. Shadura, B. E. Mulvaney, Alexander M. Ross, Herrick A. Poore, George R. Pollard, Blaine E. Saunders.

Hon. Senator GRUENING,
Senate Office Building,
Washington, D. C.

DEAR SENATOR GRUENING: What can you do to help the homesteaders who are certainly in need of your help and support, plus the support of everyone who is interested in seeing the right thing done?

We are all supposedly endowed with the rights of life, liberty, and the pursuit of happiness in this new State of ours—the same as any other U.S. citizen.

Well, we are not living—we are existing. Can you live under the conditions that many of us homesteaders must put up with, when we feel we can't go ahead and make things more comfortable, because tomorrow we might have our homes ordered from under us? Those who already have these orders (people who have proved up but refused to sign a waiver and have never received the title that they have earned) are given 90 days to remove their improvements. Could you move 20 cleared acres, a cement foundation, a well, a cesspool, the fertilizer, and conditioners that it takes to prepare the ground for planting, not to mention the hardship and living conditions which we and our families went through because we were building a future?

A great many of us have earned our titles a year, 2 years, and even 3 or 4 years ago, and put in our final proof which was approved, but we have not been permitted to advertise. The land office tells us they are too busy to sign the papers, but if we sign a waiver they will take care of it immediately. Does our signing a paper make them less busy?

If we don't own the oil rights, why do we have to sign them away; and, if we do have the right to them, is it right and lawful to procure our signatures under duress with the threat of taking away our homes plus everything we have worked toward and setting our children out in the streets? Is this the American way?

To proceed to No. 2—liberty. Is this liberty?

Then comes the pursuit of happiness. True, it only gives us the right to pursue happiness. But we were doing this to the best of our ability by trying to build a comfortable home, when someone from the land office decides they will take it upon themselves to push us back down just to show they can—for they have the backing of our Government. Is this government of the people, by the people, for the people?

Supposedly the waivers turn the oil rights over to the Federal Government—but do they? There are applications for lease on all these lands, and when we sign a waiver the oil rights go to the speculators. True, they pay the Federal Government 25 cents an acre; but, if this is the issue, why can't we have the first opportunity to pay this 25 cents an acre on our own ground?

Sincerely,

BERTHA PORTER.

KENAI, ALASKA.

KENAI, ALASKA, *March 31, 1959.*

Senator ERNEST GRUENING,
Washington, D.C.

DEAR SIR: We, the homesteaders of the Kenai Peninsula, Alaska, would like to solicit your help in the solution of a problem we find we have, in conjunction with our homestead filings. Listed below are some of the factors involved.

When we filed and settled on the lands in question, we had one main concern, farming. We were given land allowances with all our rights, or releases from the Geological Survey office, and now have filled our part of the bargain with our Government. Now we cannot get our patents, because we will not sign oil waivers. We contend that all dates taken, concerning oil rights, would be the date we were given our land allowances, providing we completed our requirements. This is necessary as some, who had land-clearing problems, didn't file their final papers, for patent, until after oil was discovered, even though they had been in residence since 1953. It seems logical that the date of allowance be used, as that is the time in which the Government released the lands concerned, for the action to be taken and henceforth completed by the homesteaders. If the homestead claimant completes his part, the patent then becomes the last stage of his action, and mainly the legal document for his land.

An item of intense interest and discussion is the date in which the Geological Survey office claimed this land to be valuable for oil; which is the basis of all the actions taken against us, by the Bureau of Land Management. As of this date, the Geological Survey has done no field work in connection with oil discovery in this vicinity. The conclusion of, prospectively valuable, came after the discovery of oil on Swanson Creek, by an oil company, not by the Geological Survey, who had already issued reports that the area had no oil. If the Geological office is going to classify this area as feasible for oil prospecting, would it not be more fair and proper to give those with prior land allowances the first chance for oil rights? As it is, in many cases, the oil leases are given to second parties, who in turn will lease them to the various oil prospectors, who can then enter upon our lands and do as they please. Would it not be more in the American way of doing, if the people who have had the lands in question, who have fought through the past few years to build homes and improve their lands, who are all an exciting part of this new State of Alaska, were to be given their full rights?

Much concern has been raised by the possibility of the Federal and State Governments losing too much money on leasing and royalties. Several factors exist in this respect. First, there are only a few homesteads involved, and this makes up a very minute portion of the actual lease lands. The amount of money paid to the Federal and State Governments, for leases, will be far less than the amount that will be paid through income tax and property tax by those few homesteaders involved in the issue. Does it not seem logical that in the years to come, our State will lose millions in property tax alone?

It must be understandable that our lands, without oil rights, will in no way be as valuable and consequently as taxable, as the lands with the oil rights. Is there any assurance that the oil companies will lease these lands for any number of years? Nevertheless, it is a fact that we the people will pay property tax for generations to come. Will not this offset the amount the State may expect to lose? Then comes the moneys paid for the leases, to resident landowners with oil rights. Undoubtedly a large portion of their revenue will be spent here in Alaska. This will give a greater spending power to those who are a part of our State and consequently be of a great help in making our statehood a success. Those of us who are attempting to carry out a farming policy, can be expected to invest further in bettering our homes and lands. Let us be every mindful that this will also greatly add to our national defense and help strengthen our country as a whole. As we improve our lands, we improve our State, also have more taxable property, thus adding to our State treasury. It must be remembered, too, that an individual can borrow money on the valuation of his property. Lands without oil rights will be of much less value, thus restricting the loan valuation, and impairing the progress of the landowner.

We are all hopeful that there has been a misinterpretation of the law of 1922. That this law, if necessary, be amended to give the oil rights to those who had land allowances, before the date used by the Geological Survey office, as the date of oil discovery. This amendment would need only apply to Alaska or the Kenai Peninsula.

We, the homesteaders on the Kenai Peninsula, Alaska, feel certain that our Government of the people, by the people, and for the people will not let us down. That our Congress and our President will come forth, in this issue, giving us the rights which we have earned—our patents, including all our rights.

Sincerely,

ALEXANDER MCFARLAND ROSS.

Senator ERNEST GRUENING,
Committee on Interior and Insular Affairs, Washington, D.C.

DEAR ERNEST: * * * In the circulation of the enclosed letters, 99.5 percent of the people voiced their indignation and expressed their desire that your legislation to benefit the homesteader should be passed.

Since we are working against time, the area of Kenai-Soldotna-Cohoe, and Kasilof were only covered. It is my belief that had we the time to cover the whole Kenai Peninsula of Alaska that the voters would overwhelmingly express the same attitude.

Copies of this enclosed letter from the people are going to Senator Bartlett, Acting Gov. Hugh G. Wade, Representative Ralph J. Rivers, and to Representative Allan Pettersen in Juneau.

Sincerely yours,

ALEXANDER P. SHADURA.

KENAI, ALASKA.

KENAI, ALASKA, *March 24, 1959.*

Many responsible officials including Interior Department officials have admitted the need for a change in the law (act of March 8, 1922) in order to give fair and just consideration to the settlers of the land. The land area involved in this controversy is very small compared to the Federal-owned lands. Should the mineral ownership dispute be adjudicated in favor of the homestead entryman resultant loss of revenue to the State from the royalties on these homesteaded lands would be inconsequential. However, if the mineral rights are given the State or Federal Government, a tremendous betrayal and loss will be perpetuated upon the homesteader, who worked diligently and expended great sums of money in performing his requirements to earn equitable title to the entered lands. There are many homesteaders involved in this situation because of BLM bottlenecks not attributable to the homesteader but which delayed BLM actions in processing final proof submittal which should have resulted in issuance of patents without oil and gas reservations.

When Senator ANDERSON, of New Mexico, attempted to introduce an amendment to H.R. 8054, bill passed by the 85th Congress, which amendment proposed to raise the rentals on Federal oil and gas leases in Alaska from 25 to 50 cents per acre and to make that rental increase retroactive and apply to all pending Federal oil and gas leases, a tremendous protest was made by the oil institutions, and Federal oil and gas lease applicants who rightfully argued that they applied for leases on hundreds of thousands of acres of Federal land and planned development on those lands because of a Government-sponsored incentive that such lease could be acquired for a first 3-year rental of 25 cents per acre. The Insular Affairs Committee with the approval of the Secretary of the Interior recommended that the increase should not be made retroactive because to do so would be a betrayal to the terms and conditions under which the U.S. Federal Government offered to lease its lands to U.S. citizens and companies. We agree that that decision was wise and morally just and saved oil companies many thousands of dollars which would have been required of them to pay had the rental increase been made retroactive. Therefore the oil company wasn't victimized in the processing stage of an agreement with the Government.

Now the homesteader who has made entry upon his lands, builds homes, clears land, and performs his required duties to earn patent to his land has a very similar situation in that he performed his required duties with the governmental suggestions that he will gain ownership of the land and whatever mineral value is contained under his land excepting for coal and radioctive minerals. Using the above-mentioned rental increase proposal as an example: Why then, is it not just as unfair to change the land classification on an entryman performing his required duties, and through an outdated law deprive him of the rights and entitlement to his land under the conditions which the Government offered at the time he entered into his effort to earn patent.

As your constituents, we plead that you voice an immediate and vigorous protest to Mr. Holdsworth's recommendations and to encourage legislation to give the mineral rights to those homesteaders who had made entry and were expending money and energy in settling their lands before oil was found to exist on the Kenai Peninsula. If given the mineral rights, those homesteaders will lease their land to the oil companies and a more orderly and harmonious development of the oil and gas resources of the peninsula would result. Such development would benefit the homesteader, the State, and the oil companies alike. If the mineral ownership is reserved to the State resulting in the homesteader suffering surface damages from exploration without the benefit of the fruits from such exploration, a critical situation of confusion and trouble most certainly could jeopardize the success of oil and gas development on the Kenai Peninsula and all parties concerned would fail to benefit.

Voters on the Kenai Peninsula: Alexander P. Shadura; Jack Lewis; George W. Johnson; Robert A. Eaton; Louis Nosen; Florence Lancashire; Ruby S. Cagle; Beatrice I. Suthord; Paul P. Shadura; Ward Showalhik; Richard L. Wilson; Howard Wilson; Abe Wilson; Chestor H. Cone; Albert C. Lee; William H. Wells; M. L. Grange; Helen C. Jones; Arthur Fass; Leda E. Shadura; W. L. Seely; Raymond J. Foldager; Waldo E. Coyle; Orville B. Thomas; Nickitha Mishakoff; Arlon Ball; Paul Wilson; George Sherman; C. F. Cline; George M. Frazier; Melba Frazier; Leah Estes; Rev. Carl S. Glick; F. Howard Hudson; Morris L. Porter; Marguerite Bidwell; James B. Marshall; Norman McGahan; Leonard D. Holt; George A. Navarre; Arthur P. Outlaw; Stanley F. Thompson; Autry L. Holt; Allen S. McGrady; Dennis Thompson; Rosemary Navarre; Dale Tutwell; Philip Wilson; E. Showalth; B. E. Mulvaney; J. S. Miller; Ken McGahan; Bertha Porter; Grace Cole; Margaret McGahan; James Bergsrud; C. W. Rice; Helen Haworth; Leo T. Oberts; Wayne D. Sterling; Sharon Sterling; Billy McCann; V. L. Chamberlain; Rayle Parker; Beula M. Grange; Ralph James Pate; Jaeger Haagnsen; Margaret T. Mullen; Howard J. Brinkley; Leslie B. Naff; Chell O. Bear; Verona T. Wilson; Lewis H. Johnson; Vera Franklin; Donald E. Wilson; Leo F. Reeves; Mrs. Leo Reeves; Ted V. Grange; L. H. Lancashire; Carl H. Swanson; Catherine Swanson; C. J. Hansen; Bert Hansen; William Ness; James E. Hollingsworth; J. W. Showalter; Mrs. David G. Bell; Bernard D. McCarthy; Ethel D. Randall; August Ness; Joe Consiel; Walter A. Lahandt, Jr.; Irving Molander; J. W. Thompson; Dean L. Rounds; Duke Dering; Don F. Cole; Frost Jones; H. C. Jones; E. McGahan; Wayne F. Morgen; James Goff; Rita Goff; Elizabeth Norman; O. Wanda McGahan; Daniel Johnson; Goldie Johnson; Joseph M. Wolding; Percy Johnson; Vera Johnson; Josephine Davidson, B. S. V.; Jimmie L. Davidson; H. A. Poore; Virginia Poore; Kathryn Nichols; Daphne McLane; Stanley S. McLane; Leota E. Patterson; Fayrene McIntosh; Bill Patterson; Clarence Cases; Carl Hancock; Kenney Javelt; Jerome Agre; Grant Rember; D. M. Imges; Richard J. Hlebechule; Wilbur Schroeder; R. H. Gaines; Mrs. R. H. Gaines; Floyd D. Boatman; Thomas Walsh; Walter Whitley; William S. Olsen; Thelma Olsen; Peggy Filkel; Wayne Filkel; Josie Seward; James M. Seward; Ray F. Murphy; Luther R. Rogers; Jean Rogers; Henry R. Trusty; Ella M. Trusty; Henry H. Knockutedt; James V. Arness; Fred E. Burgess; Jessie C. Ainsworth; Mary Ness; Mrs. A. F. Johansen; Waino Hakkinen; Francis E. Mullen; Wm. E. Thompson; Lavey W. Hodgson; Marjorie Madden; Dan W. Madden; Ethel M. Browning; Homer R. Browning; George Bonin; Dolores Bonin; Joan Lahndt; Fred R. Huebsch; Mrs. Fred R. Huebsch; Isaac P. Shadura; C. L. Heckel; Ray Mainwaring; Irene Mainwaring; Issabella Harris; E. William Harris; George Jackinsky; Jeanne Jacocinisocy; Laura Savage; D. C. Walker; V. J. Savage; Norman O. Williams; Winona G. Williams; Alice Scarantino; Joseph Scarantino; C. W. Smith; Raffield Smith; Frank P. Clar; Chas. G. Martin; Judy Martin; Florence Burton; Raymond E.

Burton; Chet Rull; L. R. Masek; F. R. Blake; A. F. Fauerbach; Archie Ramsell; Ann Ramsell; N. W. Webb; Trudy S. Webb; Harry Gerberg; Dolly Gerberg; Chas. O. Lewis; Elfreda Lewis; Carl E. Johnson; Karin Johnson; Dorothy E. Hermansen; Dorothy J. Tri; Wilbur A. Tri; Herman R. Hermansen; Martin E. Hermansen; Martin E. Hermansen; Martin Hermansen, Sr.; Mrs. M. Hermansen, Sr.; Jess H. Nicholas, Jr.; Cynthia A. Miller; Carolyn L. Nicholas; Ira L. Miller; Charles B. Mead, Jr.; Myra S. Mead; Mrs. Michael Shepard; Harvey Fields; Helen Tri; Velma Shelley; Ernest E. Neuman; Rex C. Poe.

GARNISHMENT LAW OF THE DISTRICT OF COLUMBIA

Mr. LANGER. Mr. President, just before the Easter recess, Senator JOHNSTON of South Carolina introduced and I cosponsored a bill to repeal the garnishment law for the District of Columbia. I made a lengthy speech on the subject, which may be found on page 5221 of the March 25 CONGRESSIONAL RECORD.

Mr. President, I firmly believe that the garnishment law of the District of Columbia is nothing more than a haven for the easy-credit stores which hoodwink customers into paying much more for the products on the basis that they can get easy credit. As a result, the customers are subjected to all types of hardships through garnishment proceedings.

I have in my hand an article from the Washington Star of April 10, 1959, which urges repeal of the garnishment law. Mr. President, I ask unanimous consent that this article be placed in the RECORD at the conclusion of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GARNISHMENT LAW REPEAL URGED

The Congress Heights Citizens Association last night strongly opposed District garnishment laws.

It recommended that all laws holding employers responsible for collection of employees' debts should be annulled.

Charles W. Harris, president of Boilermaker Local 655, cited cases of four and five garnishments against one man. Current laws, he said allow a worker to jeopardize his job and to become unable to support properly his family.

The group protested the rezoning of a triangle of land at Nichols Avenue, Upson and First Streets S.E. for a filling station. A representative was chosen to oppose the petition at the zoning board meeting, 9:30 a.m. Wednesday.

Mark Hotrick, president, conducted the meeting in Congress Heights School, Nichols and Alabama Avenues S.E.

FARM LEGISLATION

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the RECORD a GTA Daily Radio Roundup, dated April 7, 1959. It deals with the farm situation in North Dakota and the Middle West. The situation is rapidly deteriorating because of the inaction of the majority, which means two-thirds of the Senate now democratically controlled. Since the election—November, December, January, February, March, and now April—not even a subcommittee of the Committee on Agriculture and Forestry has reported a farm bill.

The planting season is over in the Midwest. Yet thousands of people who voted for candidates who were supporting a good farm bill have not had the satisfaction of knowing even what is proposed. My colleague from North Dakota [Mr. YOUNG] and I have announced time and again that we would support any good farm bill reported by the committee, and that we would vote to override a presidential veto in the event the President vetoed such a bill.

I want to say again that we relied upon the majority on the other side of the aisle. They have completely ignored the wishes of the voters in the Middle West.

The PRESIDING OFFICER. Is there objection to the request of the Senator from North Dakota?

There being no objection, the broadcast was ordered to be printed in the RECORD, as follows:

A man who aspired to be President of the United States and didn't make it—but who continues to be a respected U.S. Senator—says this country needs a Federal Department of Consumers, just like we've got Departments of Labor and Commerce and Interior and Agriculture. He says he gets hundreds of letters that read: "I am in the red. Please help the forgotten consumer." One letterwriter says he bought a few groceries—and the bill came to $17.83.

This Senator, whom you will recognize as ESTES KEFAUVER, says that in popular parlance around Washington grocery stores' cash register tapes are known as consumer stationery. Consumers there think food prices are too high.

Well, most people will agree that a Federal Department of Consumers might be a good idea. Consumers as a group are not adequately represented. Such a department might be in a position to explain to consumers better than it is being done now that food prices are only remotely related to farm prices. It could point out that consumers really owe a vote of thanks to farmers for doing more than anybody else to hold down the cost of living.

A few spokesmen are telling that story now. It's in the most recent issue of the Farmers Union Herald, which is in the mails now on its way to 250,000 upper Midwest rural mailboxes. Washington columnist, Porter Hedge, says that farmers are giving consumers a sensational bargain in foods, including meats. But a lot of city people don't know about it. It is being screened, Porter Hedge writes, "by a curtain of larger and wider price margins." As a result, bargain basement farm prices don't show up over the supermarket checkout counters.

"But that's been going on for years," he says. It's nothing new. But right now these bargain basement farm prices are in the spotlight again because eggs at the farm in the Midwest have dropped to as low as 19 and 20 cents a dozen, and that's 10 to 15 cents lower than a year ago.

Porter Hedge also tells about the bargains that farmers are turning out in poultry and pork and beef. It's all explained in the April 6 Farmers Union Herald. If you don't get the Herald just drop us a postcard here at GTA in St. Paul and we'll see that you get a copy.

The Washington farm writer sums up the situation by revealing that the farm value of the food—a typical consuming family buys in a year—went down $55 between 1952 and 1958. But the retail price went up $86. Add up those two figures and you'll see that marketing charges have increased $141, with both farmers and consumers paying the bill.

Well, is there an answer? Perhaps the department of consumers suggested by Senator KEFAUVER would be able to explain the situation better to consumers. But would it be able to lower the high cost of marketing and thus give consumers lower prices?

As far as farmers are concerned, their contribution is already very large. Raising farm prices to fair levels, which is all that farmers ask in return for their contribution of abundance, would have very little effect on food prices. But for the long pull, remember that your bushels of grain and dollars of business work for you when you put them to work GTA the co-op way.

Mr. MAGNUSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. DODD in the chair). The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TELEVISION TRANSMISSION FACILITIES IN PUBLIC SCHOOLS AND COLLEGES

The Senate resumed the consideration of the bill (S. 12) to expedite the utilization of television transmission facilities in our public schools and colleges, and in adult training programs.

Mr. MAGNUSON. Mr. President, Senate bill 12 deals solely with educational television. A similar bill, with the exception of one amendment, passed the Senate unanimously last year. The House held hearings on the bill near the end of the session; but the bill was caught in the legislative jam, although, so far as I know, with the exception of some minor amendments on the House side, which, after conferences with the chairman of the committee, Mr. HARRIS, we would have accepted, it would have passed the House. There was very little objection to it.

In order that that may not happen again in connection with this important measure, I proceeded to introduce the bill as one of the first bills of the session, as is indicated by its number, 12, in the hope that we could expedite passage of the bill and send it over to the House, in order that this very important program might proceed.

Last year the bill was sponsored, both actually and impliedly, by practically every member of the Committee on Interstate and Foreign Commerce, including former Senator Bricker, of Ohio. This year the sponsorship is under the direction of myself and the distinguished ranking minority member, the Senator from Kansas [Mr. SCHOEPPEL].

S. 12 is a modest and somewhat simple proposal with a tremendous and far-reaching impact on the general public. This legislation is intended to expedite and accelerate the use of television in our schools, colleges, and training programs in each of the several States, the District of Columbia, and what will be the new State of Hawaii. The bill proposes to make grants not in excess of $1 million to each State agreeing to

provide the land, buildings, and the costs of operating and maintaining the television facilities placed into operation. In other words, there must be a great deal of local participation before any applicant will be considered for a Federal grant. The grants authorized by the bill are simple and direct. The money is to be used exclusively for the purchase of actual equipment, and facilities required in educational television projects. The Federal Government intervention ends at that point. It is shut off at that point. There is no intention whatsoever to determine the kind of programs, the type of circuits, or anything pertaining to the program of education by the new medium.

Seven years have passed since the Federal Communications Commission wisely reserved 242 TV channels or approximately 12 percent of all television channels in the United States for noncommercial educational use. In that period 37 educational stations located from Massachusetts to California and from Minnesota to Texas have been constructed and 22 are in various phases of construction. In the case of many of them great difficulties are being experienced in obtaining financing. Thus a total of only 59 stations have been constructed or begun, out of the 242 channels set aside.

Despite the strides which educators have been making in establishing educational stations in the United States, only a small part of the total potential has been achieved. Vast numbers of problems and obstacles have beset educators and laymen throughout the United States in their efforts to activate the unused channels reserved for education. The failure of the educators to use these channels is not the result of lack of interest, desire, planning, or zeal on their part. The largest problem which faces them and others desirous of using television for educational purposes is the lack of adequate funds to pay for the basic installation of television facilities.

But something else happened. In the spectrum there are available so many very high frequency channels. Beyond that, in the ultra high field, which requires a different kind of set, there are many channels. But these channels are at a premium. There was quite a fight 7 years ago to have them set aside for educational purposes. No one knows better than does the Senator from Connecticut [Mr. DODD] how much trouble it is possible to have with very high frequency channels and ultra high frequency channels, and the scarcity of channels. So when a channel is idle for 7 years it is only natural that those who want to go into commercial television work and to serve the public in commercial television, which has done a good job throughout the United States in most places, should attempt to pry loose the unused channels. The argument is always used, "For 7 long years this channel has been idle." That feature enters into the problem. One of the real purposes of the bill is to deal with that aspect.

Experience has demonstrated that once a television station has been built State legislatures, local educational systems, and local communities at large, have raised funds to produce the programs over these stations. In other words, when channels are not being used, the argument is to the effect that, "This is a new fangled idea." There has been quite an educational campaign to convince the people, and to obtain public support for the program, to the end that legislatures will provide appropriations and State universities will participate, in the effort to convince the public, which supports these institutions, that this is meant to be a supplement to education, and not a substitute therefor. So there has been a great deal of difficulty; but we have found that in every case in which such stations have been started, the value of the program becomes so apparent, once they get off the ground, as it were, that none of the communities, State universities, or States themselves want to see educational television die out. We feel—and there is ample testimony in the RECORD to support that feeling—that unless the Federal Government takes the initiative by contributing to construction costs, thereby forcing a breakthrough in this field, I am afraid a great educational potential will be lost.

We have heard many times about the existing and growing problems of education. We know that there is a serious shortage of teachers and buildings and that each of these shortages grow with each passing day. The use of television facilities in our schools and colleges and adult training programs will strike directly at these existing shortages. We all know television is a powerful means of communications. Its message can be transmitted live or by use of training films. Current research and experimentation, as well as local and regional planning, reveal unlimited potentialities for the future in educational television.

This bill is intended to launch our country generally upon the path of bringing into our educational system the tremendous advantage and opportunity afforded by the television medium. Its costs in actual dollars is modest. Its rewards are virtually unlimited when compared to the problems existing in the educational field today. Once these facilities are constructed, I am sure the States can carry the load.

It is to be recalled that in the last Congress, as I have said before, I introduced S. 2119, which was generally the same as the pending bill. However, whereas the bill, passed last year contained no time limitation, the pending bill does limit the time to 5 years.

I do not intend to make a further lengthy statement on the bill, because the hearings last year and this year adequately cover the need for the proposed legislation. However, I merely wish to quote the statement of a leading educational leader, Dean Gordon Sabine, of Michigan State University, who said:

> The educational needs of the United States have so far outstripped the educational capabilities of the Nation that we must have educational television to help us win the fight to educate a whole people. Without it, we surely are defeated.

The committee reported the pending bill unanimously and added one short amendment which would terminate the effect of the legislation after 5 years, because we feel that this is an important subject which Congress should have an opportunity to evaluate from time to time. I cannot too strongly emphasize the importance of the proposed legislation.

Since last year many things have happened in this field. I recommend to all Members of the Senate a reading of the full report of the committee, because of the many exciting new things which have happened in this new area. We know that we are short of teachers of science in our high schools. Under an educational TV system some of the great scientists of the United States and of the world will devote their time and energy to make a training film from which every youngster will get the benefit of a lecture given by those whom we regard as among our great men in this new field.

In the field of music that is likewise true. The same thing can be said of the field of art and the field of finance.

I note that the Senator from Kansas [Mr. SCHOEPPEL] is on the floor. He has taken a deep interest in this subject. I made it a point to inquire last week while I was in my home State about educational TV at our university. It comes to only one town. Only one program was televised, and that was a class in Russian. It was advertised, but it was necessary for a participant to go to the university and get an enrollment slip, with the hope that he would come back and take an examination, to find out how he was getting along. The university had so many requests that it could not accommodate the number of people who came to the registrar's office to register for the class in Russian.

Three weeks ago in New York City, on an educational TV program, I believe one conducted either by the college of the city of New York or Columbia University, it was stated that the program would consist of a series of training films on shorthand and typewriting. I believe that some 6,000 applicants showed up to get their enrollment slips. We are certainly faced with a great potential.

Hagerstown, Md., was selected as an experimental place for an educational TV program to supplement courses in the elementary schools. Everyone contributed to it, even the commercial networks. They published a TV guide for the benefit of the children, so they would know what was coming up next. All this supplemented the regular elementary courses. At the end of the year it was found that the students had advanced almost a whole grade in their studies.

At the University of Alabama and at Ohio State University it is possible now to take first year credits. That is particularly true at the University of Alabama. First year credits can be earned on a TV educational program, which has been instituted all over the State. In that way a farm boy or anyone else can go to the University of Alabama on first-year credits received on the TV program.

The Senator from Kansas [Mr. SCHOEPPEL] and I asked how TV students

compared with the regular college students when they entered the sophomore class. We were told that both groups stood on about the same level. The TV students stood with the college students, so far as scholastic achievement was concerned.

Of course, I do not believe a TV educational program will be a substitute for solid education. However, it will supplement our regular educational programs in the schools and colleges. It is well worth while.

I know the question will be asked why we should give $1 million to each State. Obviously the State of Nevada would not need as much as the State of Washington or the State of New York. The State of Kansas would not have programs similar to those in the State of California.

The figure was chosen so as to get the program started. The construction program must be approved by the Department of Health, Education, and Welfare, and the Office of Education, and also by the FCC on the engineering aspects.

Obviously the programs which will be produced will be small in the smaller States and greater in the larger States. The purpose of the bill is merely to get the program off the ground. I hope we can make a start on this long-delayed and long-overdue program in this great new educational field.

Mr. SCHOEPPEL. Mr. President, I have listened with interest to the statement made by the distinguished Senator from Washington [Mr. MAGNUSON], whom I have been glad to join in the introduction of the pending bill. As was pointed out by the Senator from Washington, the bill is almost identical in form to the bill which was passed during the last session of Congress.

At that time the distinguished Senator from Ohio, Senator Bricker, and the distinguished Senator from Washington had much to do with presenting the bill to the members of the Committee on Interstate and Foreign Commerce, in the hearings, and supporting the bill on the floor.

Now we are discussing it after it has been reported by the committee.

I am glad to be associated in sponsoring this measure because of the many things which the Senator from Washington has brought out and the interest which has been manifested all over the country. Many of the points the Senator has mentioned with reference to the State of Washington and some of the other States are true also in my State of Kansas.

We are now well started in the fourth month of the 86th Congress, and already the cleavage has become sharp between those whose greatest fear is uncontrolled inflation and those who see the greatest hazard in an economy that does not expand at a fixed and regular rate each year.

I prefer to be classed with those who see danger in deficit spending and inflation. Nevertheless, there will be times when some spending will seem to me to be the prudent course and the best way of conserving values that are important to our way of life and our survival as a nation. The bill now before us (S. 12), the so-called educational TV bill, would authorize the kind of spending I approve—even at a time when money is relatively short.

During my service on the Interstate and Foreign Commerce Committee, I have had the opportunity to follow the hearings on the allocation and use of educational television channels. This is a matter to which the Senator from Washington referred a moment ago. It has been most gratifying to note, year after year, the tremendous strides taken by those communities whose educational TV stations have actually gone on the air.

At the same time, it has been disappointing to observe that two-thirds of the people in the United States still have no access to educational television. At present, only a score of our great universities use television to meet their educational responsibilities. Of the many thousands of school systems in the United States, only about 150 have educational television even in their near future. For the rest, educational TV is probably many years away.

The failure to make more abundant use of educational television stems from no lack of confidence in its worth either on the part of educators or of others who have had the opportunity and occasion to evaluate it. The trouble is that not enough people know what educational television can do, and their voices are too small when budgets are put together. The inevitable consequence is postponement added to postponement. Meanwhile, children march through school, never to return to grades in which instruction has been thin and poor because of the lack of access to educational television.

To me, the great tragedy in lost educational opportunity lies in the impossibility of retrievement. The hours and years doled out to each of us can be spent but once. If by inaction or inadequate plan, we give too thin a fare to those for whose learning we hold responsibility, we fail in a way that we cannot make up, for what is lost is learning time.

Educational television is not primarily a way of making learning palatable. Neither is it primarily a way of lowering the cost per student. It is simply the best way open to us to improve the quality of education and make it universal. Television broadens the reach of the best teachers—even to remote rural schools and areas. It adds to the effectiveness of all teachers. It enriches curricula and introduces subject matter not otherwise available outside of great metropolitan centers.

As I see it, the bill before us is a kind of domestic point 4 program. It is a way of getting educational television operating, at least on a pilot plant basis, in all of the States at the earliest possible moment. The bill would not force-feed educational television to school systems which do not want it. It would not put the Federal Government into the business of prescribing course content, methods of teaching, qualifications of teachers, or structure of school systems. If enacted, it would simply give a helping hand, at a time when it is most needed, to schools, colleges, and other educational entities which are ready and willing to spend even more of their own money to get educational television going or expanded to meet their needs.

The substance of S. 12 was approved by the Senate in the second session of the 85th Congress. The bill at that time was S. 2119, which, as indicated by the distinguished Senator from Washington, was reported unanimously by the Commerce Committee despite adverse comment from the Department of Health, Education, and Welfare.

I mention that comment in particular because a similar comment has been received from the same Department on the current bill, S. 12. As a matter of fact, the comment on the bill before us gives every evidence of having been quilted from pieces of the previous one. The substance of the comment, in both instances, is that the Department of Health, Education, and Welfare has no information to indicate that S. 12 is necessary to assure continuing development of educational television or that there is inability, without Federal help, to finance transmitting equipment.

I cannot quarrel with the HEW comment other than to say that it misses the point, as I understand the matter. I agree that educational television can grow and expand without Federal help. I even think it likely that most communities can, if put to the task, finance the purchase of transmitting equipment. Ultimately they will, but in the meantime, how many children will we have neglected? How many potential scientists will we have lost through failure to make televised courses in chemistry and physics available to students in thinly populated areas? They are entitled to those privileges.

Turning now to the budgetary approach, how much will S. 12 cost? If all the grants authorized are taken up within the 5 years stipulated in the bill, the total cost will be $51 million. I hope that all of the grants will be taken up, but there are obstacles that could result in the lapse of some of the authorized funds. A lot of thinking, planning, and local decisions must take place before an applicant can even be ready to file for a grant. Such decisions embrace commitments to provide sites, buildings, personnel, and operating and maintenance funds for educational TV.

As provided in the bill, an applicant may fall into any of the following categories: First, the applicant may be, in his State, the officer or agency primarily responsible for the State supervision of public elementary and secondary schools. In this class would fall State superintendents of public instruction, State boards of education, and the like. The second class is a relatively new type entity, a nonprofit foundation, corporation, or association organized primarily to engage in or encourage educational television broadcasting. Fitting this definition is such a group as the Greater Washington Educational Television Association, Inc.

The third class is a duly constituted State educational television commission. An example of such a body is the Alabama Educational Television Commis-

sion, whose general manager, by the way, testified during the hearings on S. 12.

The fourth and final class of applicant is a State controlled college or university.

The rate of spending under S. 12 would be determined not only by the time required by the various types of applicants to arrive at local plans and decisions but also by certain requirements that the Commission of Education is empowered to impose. Before he may make a grant, the Commissioner must determine that it is reasonable and necessary to cover the cost of acquiring and installing transmission apparatus and that it falls within the overall allocation of $1 million for the State from which the application comes. The Commissioner may make any grant in installments, if he deems it appropriate.

Aside from the delays which may be occasioned by the need for local decisions and by the processing in the Office of the Commissioner of Education, there will be additional delays in many instances because of the need to obtain a construction permit from the Federal Communications Commission for a reserved educational TV channel. It is most difficult, therefore, to predict the impact of this legislation upon the budget of a particular fiscal year other than to say that it is most unlikely that any great part of the authorized funds would be expended within the first year or two of operation under the grant authority.

No doubt those States which have already done most in the field of educational TV would be first to come forward with plans and applications for extension and improvement of the work already under way. I see no harm, however, in early grants to those areas which already have some educational television, because everything learned in this field immediately becomes part of a body of common knowledge readily available to others who want to follow the pioneers. Furthermore, work done in the pioneering areas trains people who can then fan out to assist in development of educational TV in new areas. That such diffusion of trained people has already taken place was indicated in the biographies of expert witnesses who testified during the hearings on S. 12. More of such diffusion will occur, and it will come faster, when funds authorized by S. 12 become available to the several States, the District of Columbia, and Hawaii.

In essence, Mr. President, the judgment each of us is called upon to make in connection with the pending bill is whether the expenditures it would authorize are ones it would be wise to postpone or to forego altogether. In my view, they have been postponed overlong already. If we are to make educational opportunity truly universal, if we are to give to our youth in their learning years and their creative years the breadth of education which it is within our power to give, we should, in my humble opinion, vote our approval of S. 12. When that has been done, we shall have taken a great step forward in the field of education.

Mr. President, my colleague on the Committee on Interstate and Foreign Commerce, the distinguished junior Senator from New Hampshire [Mr. COTTON], who is much interested in the bill and who did much work in this field, is unavoidably detained from attendance in the Senate this afternoon. I ask unanimous consent that a statement which he would have made as a part of this discussion had he himself been present today be printed at this point in the RECORD, and also that the exhibits which he would have submitted also be printed following his statement.

There being no objection, the statement and exhibits were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR COTTON

Television has the ability to provide more education for more people in less time than any instrument ever devised. But much of this potential is going to waste today, despite our urgent needs in education.

In the 10 years since television became an every day reality, it has proved to have two great powers beyond any other means of communication.

First, unlike any other means of communication, it has immediacy. Now a man can sit in his own living room and see the curve of the earth. He can see his own destiny being shaped, at the moment, on stage. All the stored-up treasures of the ages—science, music, literature, art, culture, can be brought before his eyes.

Television is the one instrument through which sleeping interest in science, chemistry, and the arts can best be aroused. It reaches homes where books are seldom read. It reaches homes where beauty is absent. The maze of tubes and wires behind the screen have the capacity to lift the intellectual level of a whole nation to new heights.

This is the potential at our disposal, if we are willing to make use of it.

Second, it has an exposure power, an attractive force greater than ever before known. The average American sits before that little square screen more than 3 hours a day, over 22 hours a week. He spends more time before it than on anything else except sleep and his work. Forty-two million families have spent more on TV sets than on anything else they own except their homes and cars.

This tremendous investment in time and money does bring them a good deal of education, but only occasionally or incidentally. Americans are studying such things as atomic physics, religion, and Russian on commercial TV, but usually at some time like 6:30 in the morning. The economics of commercial TV effectively prevent even the most education-minded station executive from providing broader fare at better hours. To stay in business, he must present the big-paying, big-drawing horse operas and the variety shows during the prime viewing hours. Despite its own real efforts, commercial TV simply cannot bring educational telecasting to its full bloom.

The contrast between the lusty, billion-dollar commercial TV industry and the puny educational TV establishment emphasizes the need for swift, effective, and even drastic measures to get ETV off the ground.

Twelve percent of the Nation's television channels have been reserved for noncommercial, educational use for the past 7 years. Only 36 of these 257 channels are now on the air. Twenty-four more stations have gotten construction permits from the FCC but are not yet broadcasting, and six applications are pending.

Furthermore, 191 of these reserved channels are going begging. They have no takers. Two-thirds of the people of the Nation have no chance to see an educational TV station. Only 20 of our great universities have a TV station to help them carry out their regular and adult education responsibilities.

Not only is the potential of ETV going to waste, it is in danger of being lost entirely because of the steady and increasing pressure to free these channels for commercial use. This is especially true of the 45 which are in the VHF band covering the keenly-sought channels from 2 through 13. The Federal Communications Commission has steadfastly refused to throw open these channels for commercial TV, but they can't hold off indefinitely, allowing scarce channels to remain dark and vacant.

This bill offers a means of lighting up these 191 channels and putting them to the best possible use. By making up to $1 million available to each State for the equipment and facilities needed for their ETV stations, it will be a galvanizing shock that can make the promise of ETV a down-to-earth reality.

It is one low-cost, high-yield, single-shot Federal spending program I can go for with enthusiasm.

Frankly, I haven't always felt this way about ETV. While I believed the channels should be used for the enlightenment of our people, young and old, and to relieve the monotony of the endless westerns on commercial TV, I had the mistaken idea that ETV was the frosting of education. I had the impression it provided the appetizer but not the main course—teaching current events, improving cultural backgrounds, and whetting the appetite of students and adults for the arts and sciences.

Hearings before our committee last year and again this year have left no doubts. The record is filled with specific examples of the benefits of educational TV. In Memphis 700 adults have learned to read and write; in Schenectady 4,000 are learning a foreign language at 6:30 in the morning; in Chicago 29,000 have enrolled and paid fees for a junior college course; in rural sections of Oklahoma science and mathematics are being brought to children in small schools who have never been taught them before; 1,200 classes in the Washington area receive a daily science lesson. The list is a long one.

One of the most striking things is that the achievements of ETV stations have been accomplished with an investment of $60 million, and almost half of this sum, $27 million, has come from a single private charitable foundation, the Ford Foundation. There is no question that ETV can do for our schools what the power loom did for the weaver. It offers new opportunities for better teaching at a saving in teachers and buildings.

In my own State, the New Hampshire Educational Broadcasting Council, composed of representatives of 19 schools and colleges, the State Department of Education of the Catholic Diocese, and the Association of School Superintendents, has been striving to put an ETV station on the air. In 1958, a citizens committee was successful in raising sufficient funds to match a grant from the Ford Foundation's Fund for Adult Education, and securing a construction permit for a station at Durham, N.H. WENH plans to be on the air within a few months, presenting its educational programs over channel 11. New Hampshire's other educational TV channel, 27 at Hanover, is still unused and unsought.

New Hampshire's share of the funds provided by S. 12 will be available for such things as improving the facilities of WENH, increasing its power and range, and installing other devices to bring its benefits to a wider number of viewers, as well as for lighting the darkness of channel 27. The full value of ETV will be a long time coming to New Hampshire, and most of the rest of the Nation, unless we seize the opportunity before us.

The time has come to put ETV on a firm basis. Passage of this bill will be a powerful and overdue move in the right direction.

EXHIBIT 1

UNIVERSITY OF NEW HAMPSHIRE,
Durham, N. H., March 30, 1959.

Hon. NORRIS COTTON,
U.S. Senate, Washington, D.C.

MY DEAR SENATOR COTTON: The University of New Hampshire educational television station, WENH–TV, sent out its test pattern from its tower site last week and will initiate its first program services June 1, with 3 or 4 hours of adult educational programing. The enclosure explains our plans for this project, carried on in cooperation with the other college and educational agencies of the State.

As you know, there is now pending Senate bill 12 (the Magnuson bill), which will provide up to $1 million to each State for educational television transmitting facilities. This could mean, of course, expanding our planned coverage, going to full power, and providing a genuinely statewide educational television service. In these ways, New Hampshire would benefit, even though we are about to get WENH–TV on the air from other minimal sources of support. For these reasons, we and all concerned with the station's future are much interested in the passage of the Magnuson bill again.

We are grateful for your assistance last year, and feel confident of its continuation. We invite you to tour our studio and transmitter facilities when you are in Durham.

Sincerely yours,

ELDON L. JOHNSON,
President.

EXHIBIT 2

JANUARY 28, 1959.

Citizens of New Hampshire will be served in their homes and schools by late spring through the facilities of WENH–TV, the State educational television station, located at the University of New Hampshire, Durham. Station manager Keith J. Nighbert is already making plans for early conferences with the New Hampshire Broadcasting Council, the Citizens Advisory Committee, and superintendents, teachers, and principals of the State. A statewide program survey will be conducted to determine what the people of this State would like to see in terms of program services on WENH–TV.

The educational television transmitter building, located on Saddleback Mountain, Deerfield, is now completed, with the tower antenna to be erected within the next 2 weeks. Studio and office located in the Memorial Union Building at the university are now being constructed and will be completed in about 3 months.

WENH–TV Chief Engineer Charles F. Halle has completed the hiring of his engineering staff. Program and production staff will be selected within the next few months.

Tentative plans for the station's program schedule indicate that about 2 hours of programs in the morning will be provided for in-school television lessons for the New Hampshire schools. Demonstrations of the in-school television service for teachers will be scheduled by the station in the late spring. This will be an opportunity to give teacher training and will allow schools to obtain, install, and adjust equipment for channel 11.

The engineering staff will welcome questions about the type of television equipment for schools and will be glad to supply the necessary information.

Adult programing will be telecast 3 or 4 hours each evening, Monday through Friday, when the station takes the air. A concerted effort will be made, Nighbert said, to attract and procure outstanding New Hampshire talent for the live programs to be produced by the station.

Services to the schools can be a major service with either supplementary experiences offered through the station or direct teaching of subject matter.

New Hampshire children may soon have the opportunity of having the State's outstanding art or music or science teacher coming into their classrooms daily. The school curriculum can be both broadened and strengthened through this new educational service. In-service training through our State colleges can provide valuable assistance to teachers in their homes or classrooms by providing them with college courses for credit or with demonstration lessons in the elementary and secondary curriculum.

Mr. Nighbert stressed the point that teachers and school administrators will make the decisions as to content of the in-school program services.

The staff of WENH–TV will strive to provide quality program services of significance to the people of New Hampshire. Our aim will be to make this station the "best station" in the Nation, Mr. Nighbert said.

Mr. SCHOEPPEL. Mr. President, I ask unanimous consent to have printed at this point in the RECORD three articles, as follows: One entitled "There Is No Substitute for the Truth on the Air," written by John Crosby; one entitled "A 'Revolution' Is on the Way," also written by John Crosby; and one entitled "Global TV Is Coming," written by James L. Kilgallen.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

WITNESS ETV—THERE IS NO SUBSTITUTE FOR THE TRUTH ON THE AIR

(By John Crosby)

ANN ARBOR, MICH.—"Gandhi demonstrated the power of the spirit over material things," declared the narrator in a film on the University of Michigan television's "Genius" series. "You could put his possesions into a shopping bag but he lived and died for the truth and therein lay his genius."

You might say that educational television has the same material weakness and spiritual strength Gandhi had. But educational television people don't always know where their strength and weakness lie. The most powerful educational TV shows I have seen here have been fairly simple declarations of truth—and all you need for that is a human being who knows what he's talking about and a camera.

For instance, one film on the university's "Understanding Our World" series is on the unpalatable subject of the behavior of our prisoners of war in Korea. The record is bad—very bad—but no attempt is made to pretty it up. After all, the university doesn't have sponsors or ad agencies or Nielsen ratings to worry about or to placate. It can present the truth unvarnished. Frequently, the lack of varnish is enforced by the absence of money to buy varnish or production and this, too, is an asset—even though it's hard to convince a producer that it is.

Every so often the bare bones of truth begin to pall on the producers and directors of educational TV. Then trouble looms. They begin to pretty up the truth with production, with music, with singing, and lighting and acting—and pretty soon it doesn't resemble truth or entertainment or anything else. The most horrible example of this I know was the Bell Telephone Hour prettying up cosmic rays with cute dialogue and cartoons and sound effects to the point where anyone seeing it could never understand cosmic rays at all.

Michigan television has not done anything that bad but now and then production does rear its head. One of the "Genius" series was on Magellan—"My Name—Magellan," cried the hero just like in "Dragnet"—which resembled an Abe Burrows parody on all documentaries.

Sometimes this ingenuity was striking. The Gandhi program opened with a shot of Gandhi's few possessions—his spectacles and sandals and books. Over his picture was a simple moving account of Gandhi's assassination. In the long run, words are educational TV's greatest assets—and they are inexpensive though precious.

While the rest of television is drowning in triviality, educational TV has another great asset which those in charge of it sometimes forget—and that is the sheer importance of its subject matter. Here they have done massive 10-part studies of Russia and China. When the viewer has finished with these, he is left with a very real sense of achievement, far more lasting and rewarding than any amount of entertainment.

There's no limit to what persevering young men can do with little but their own ingenuity. Besides television, Michigan has an educational radio station, WUOM, which is now preparing a series on journalism. Here again the power of words is striking.

I listened to one of these on foreign correspondence and heard Eric Sevareid complain: "There isn't much point in having very able men scattered all over the world if the networks only use a minute or so a day on news programs. It's not enough to get the facts; space is needed to present them on the air and now the men don't have the opportunity."

It was quite a hard-bitten honest roundup of expression from some of the most capable newsmen in the business.

A "REVOLUTION" IS ON THE WAY

(By John Crosby)

NEW YORK.—On my lecture tour I am impressed and just a little abashed to discover that the first question on everyone's lips is a sort of half-belligerent, half-prayerful: "How about educational television?" I'm tempted to reply: "Yeah, how about that"—and let it go at that. Because, I'm afraid I come from a very backward city in that regard. In some 34 cities, none of them in New York, educational television stations are now busily disgorging education on the daytime and nighttime air, hitherto considered sacred to the sale of deodorants. However, while we don't have a station, we do have the Metropolitan Educational Television Association trying to catch up, mostly with daytime programs on channel 11. The other day I had a talk with Richard Heffner, director of programing at META, on just what they're up to at META these days.

"We have quite diverse programing now. For instance we have a French course each day, a course on the Far East is given on Wednesdays by Dr. John Stoessinger of Hunter College, playwrights in the contemporary theater given by Norris Houghton, and a Russian course by Miss Katherine Alexieff of St. John's."

Not long ago META invited some of its Russian students to its headquarters at the Carnegie Endowment International Center and conducted its TV class from there. This was partly to find out how many people were taking its Russian course, partly to dramatize an appeal for funds. The results were gratifying. Students of Russian of all ages, including some Boy Scouts from New Jersey, overflowed the room, happily phrasing Miss Alexieff's sentences and answering questions in Russian on camera. Russian is not an easy language to teach but it can be taught on TV and is being taught in about 32 cities. If Russian can be taught, anything can be taught on television.

While ETV (educational television) is supposed to have a small audience, Heffner says with great earnestness that ETV alone can really reach all of the people: "Everyone

wants to learn, to know, to grow—in some area or other, ETV doesn't have to capture the largest possible audience—all at the same time—as the commercial stations do. But cumulatively it can get your interest with one kind of program, mine with another. ETV can truly foster alternative programing. This makes it possible to reach all of the people—and it doesn't have to worry about getting them all at once."

The educational and cultural challenges that confront this country are manyfold and Heffner thinks the greatest weapon—and one of the most neglected—is educational TV.

A glance at channel 11 during the day will show META's strong points and weaknesses. I have watched warm, relaxed, vital teachers imparting science so skillfully that it was a pleasure to watch. I have seen math courses in singsong English by bored teachers who almost put me to sleep. We have all had teachers like that in school. There's no excuse for having them on television.

But even with its small budget and sometimes shaky foundation, META has always caused a run on course books in local stores, brought forth innumerable letters to me, and tremendous interest from all levels and all ages. Right now, it's preparing courses for distribution on languages and linguistics, astronomy, poets, and poetry. This is just the beginning of what the Rockefeller report calls "a long overdue revolution in teaching techniques."

GLOBAL TV IS COMING

(By James L. Kilgallen)

NEW YORK.—Worldwide television—how soon? Perhaps within 10 years, according to Edmond H. Leavey, president of International Telephone and Telegraph Corp., a former major general in the U.S. Army, and one of the Nation's foremost experts in communications.

"By one electronics development or another, worldwide television can be a reality within a generation—perhaps within 10 years," he told me in an interview. "The major problems have been solved, so this method of global communications could come as quickly as capital is made available and the relay stations are built."

A second question was: What will this mean to the world?

"Obviously, worldwide TV would bring a better understanding among all free nations of the world," said Leavey.

"Conceivably it could mean the development of a universal language and, eventually, it should lead to an unprecedented era of peace which I am sure all men, in their hearts, desire."

Already, the electronics industry has made international television possible, marking a big stride toward worldwide television. This was accomplished through "over-the-horizon" transmission, a technique pioneered by I.T. & T.

The first commercial television of "O/H," as it is termed, came on September 13, 1957, when a program originating in the United States was seen in Cuba for the first time through this technique.

Explaining how this technique works, Leavey said:

"Envision the world surrounded by a gaseous blanket, 5 to 10 miles above the surface of the earth. This is the troposphere. Television signals, shot from a powerful transmitter, strike the gaseous layer. Some of the signals move out into space.

"Some signals are scattered forward and drop to the earth, where they are captured by highly sensitive receivers, given new strength, and transmitted on to a television station which broadcasts the program to its viewers."

In other words, O/H signals can be bounced from one land mass to another.

With O/H transmission now working smoothly between Florida and Cuba—over a 187-mile link from Florida City, Fla., to Guanabo, Cuba, just south of Havana—its future possibilities excite the imagination. Electronics experts believe it is only a question of time when this service will be worldwide.

Every Friday night boxing matches in the United States, under the sponsorship of the National Broadcasting Co., are seen in Cuba at the same time they are viewed in the United States. Other programs have also been carried.

The 1958 World Series games were transmitted from New York and Milwaukee to Cuba by O/H. On-the-spot coverage of the recent overthrow of Batista in Cuba was fed from Havana to U.S. TV screens by this technique.

The next step in the direction of worldwide TV, according to scientists, might be the establishment of a series of transmitters and receivers which would take the shortest route across the top of the world via land masses, with O/H transmitters shooting signals from one country to another.

In Europe at present there is a TV network called Eurovision. It's a system whereby one European country transmits to another by TV—not on a regular basis but only on big events such as the coronation of the Pope.

Eventually, Eurovision could serve as a terminal for transatlantic communication from America in the establishment of worldwide television.

Now that international television is in operation between the United States and Cuba, the next step could be to set up an all-Spanish language network which would embrace Cuba, Mexico, Haiti, the Dominican Republic, and Puerto Rico.

The PRESIDING OFFICER (Mr. DOUGLAS in the chair). The committee amendment will be stated.

The LEGISLATIVE CLERK. At the end of the bill, it is proposed to insert a new section, as follows:

SEC. 7. No application for any grant under this Act may be accepted by the Commissioner of Education after the day which is five years after the date of enactment of this Act.

The amendment was agreed to.

Mr. MAGNUSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HART in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill is open to further amendment.

Mr. DIRKSEN. Mr. President, I find it necessary to oppose the bill which is presently before the Senate. In a general way, it provides for a million dollars in grants to the respective States for establishing and improving educational TV.

While, of course, "improve" is a word that has a wide latitude and is subject to a great deal of interpretation, I presume improvement will go on year after year unto infinity. So, in the launching of a program of this kind, I can see it is the beginning, and certainly not the end. I presume that at some time in the future much more money will be involved in this program than is authorized by the pending bill.

Once again I find it necessary to invite attention to the fact that this bill is not consonant with the budget of the President of the United States for the fiscal year 1960. It may well be said, since we have 49 States, there will be involved only $49 million, and what is $49 million in an era and an age when we so carelessly throw billions of dollars around?

I have just finished making a TV film for the viewers and listeners back home, and also some radio tapes. I do that every week for some 50 or 60 stations in Illinois. I spent a part of the weekend developing a little information on the so-called missile program, because nothing bewilders me more than the intriguing subject of missiles. I learned that in the fiscal year 1959 we have earmarked, as I recall, some $7 billion for missiles, and in fiscal 1960 there will be an equivalent amount.

I entered Congress 25 years ago, when the whole Government was operated for about half that sum. So it is understandable when people say, "Well, it is only $50 million." But, frankly, $50 million is not hay to the taxpayers anywhere in the country.

What is the present situation with respect to channels? There are 257 television channels set aside for educational television. Of that number 50 are very high frequency channels, which are the more desirable channels. There are 171 ultra high frequency channels. Those are mainly available for educational TV purposes.

In principle, the program is good. But the question is, Is there a need for the Federal Government being requested to put up money for this program, and for its development and improvement? We ought to look at the progress of educational TV in the past 6 years. 32 States have taken action for its development. It cannot be said they have been laggard or are guilty of laches. Seven States have appropriated funds for statewide TV educational programs. 37 stations have come on the air in the past 6 years. That is a rather creditable record, I think. 12 stations are in the process of building or preparations are being made to build them. There are 41 locations in the planning stage.

Under such circumstances, with those channels available for educational purposes, it can scarcely be said progress has not been made or that the States have not been aware of or alerted to their responsibility.

In addition thereto, we are getting some closed circuit TV. It has been reported that has been increasing at a rather fast rate.

If this program were absolutely necessary, quite aside from whether it is desirable or not, surely the Secretary of the department of Government which is concerned with education and in which the Office of Education is located would be coming before the appropriate committee and making rather vigorous and robust advocacy of the program and urging Congress to adopt it. That is not the case, if I read correctly the letter addressed to the Chairman of the Committee on Interstate and Foreign Commerce, date February 2 of this year, a

letter over the signature of Arthur S. Flemming, the Secretary of the Department of Health, Education, and Welfare.

Mr. Flemming is no novice in this field or in the governmental field. He came before us once as Chairman of the Civil Service Commission. He has held other responsible positions in Government. He is Secretary of the Department of Health, Education, and Welfare today. He gained distinction for himself in the educational field as president of an outstanding college in Ohio. I refer to Dr. Arthur S. Flemming.

In his letter to the committee he states, among other things:

> The Radio-Television Services Section of the Office of Education has played an active role in both the promotion and evaluation of educational television.

Further along in the letter he states:

> The National Defense Education Act of 1958, authorizes the Commissioner of Education, through grants or contracts, to conduct, assist, and foster research and experimentation in the use of television, radio, motion pictures, and related media for educational purposes.

I submit that statement only to point out that he is identified with this field; and that the Office of Education and the Secretary of the Department of Health, Education, and Welfare are alert to their responsibilties and to the needs in this field.

So, on the basis of that qualification, here is a recital in the Secretary's letter which I think is quite persuasive:

> We have no information indicating that a Federal program, such as this bill would provide, is necessary to assure continuing development of educational television, or that there is an inability to finance the acquisition and installation of transmitting equipment.

There is the Cabinet officer who, in the structure of Government responsible for the Nation's activities in the education field—and that includes educational television—stating very simply, in language all can understand, that the States are able to finance the program; that they are able to procure the necessary equipment, and that there is no information indicating that this proposed Federal program is necessary.

So it seems to me a statement of that kind merits the attention of the legislative branch, charged, as it is, with the responsibility for the public purse, and undertaking, if it can, to cojoin with the President in attaining a balanced budget, or a reasonably balanced budget.

The Secretary made another statement in that letter which merits attention:

> It is our view that for the present, at least, Federal assistance in the development of educational television is most effectively rendered through the assignment of transmitting channels for educational use, the general encouragement of ultrahigh frequency transmission, and study and research in the utilization for educational purposes.

Then he says, among other things, that a weakness in the bill lies in the fact that it does not "provide any guide for establishing a reasonable and equitable method for allocating the total funds available among the States."

The Secretary of the Department of Health, Education, and Welfare says that the necessity has not been established, and that there are no effective guidelines for allocating this money among the States. So it occurs to me it would be unwise, notwithstanding the action taken by the Senate last year, to enact the bill into law at this time. If my understanding is correct, the House rejected the bill. The bill is before the Senate for a second time.

I wish to summarize the arguments of the chief administrative officer in Government under whose direction the bill would be administered. He says, first, there is no information that a Federal program such as this bill provides is necessary; second, there is no information that there is an inability on the part of the States to finance such a program; third, that there is no guide for allocating the funds; and, fourth, he recommends that the bill not be enacted into law.

When we talk about development and improvement and acquisition of facilities for educational TV, Mr. President, let us look down the road a little further. We will soon have to start talking about maintenance of those facilities, also. TV facilities are sensitive, and involve highly expensive appliances. States may acquire facilities under terms of this bill and then say, "We need additional money for maintenance," or, "we need expansion of these facilities." So a measure of this kind may become an entering wedge rather than the final conclusion of a venture in this field.

I submitted this matter to the Bureau of the Budget, and I learned it was not consonant with the budget estimates or the budget program of the President of the United States.

Since the Secretary of the Department of Health, Education, and Welfare is opposed to passage of the bill, and since the Bureau of the Budget is opposed, considering the spending mood which is presently upon us I think we have a responsibility to conserve even $50 million, although in a budget of seventy thousand million dollars it seems to be only a little bit of money. So, Mr. President, recognizing, as I do, the possibilities of television as an instrumentality in the educational field, I still feel it necessary to lift my voice in opposition to the bill, because it is not necessary at this time. The States can take the load, and we should not put this burden upon the 1960 budget.

When the 1960 budget was submitted to us the figures were so closely calibrated that we could see only roughly a $70 million surplus. This bill, if passed, would almost demolish the small surplus which was contemplated by those who, in connection with the activities and the functions of Government, gave so much time and attention to assembling figures which would keep the budget in balance and generate good will and confidence on the part of the people not only at home but abroad.

I am therefore not willing to authorize the additional $50 million, because it will be too easy to say, on another occasion when a bill which is founded on desirable principles and is designed to provide a desirable function is under consideration, "It involves only $50 million." It takes only 10 bills each involving $50 million to make a half billion dollars. Pretty soon we would have a real impact upon our fiscal structure, the delicate fabric upon which this country rests.

The testimony and the letter of the Secretary of the Department of Health, Education, and Welfare speak for themselves. I am quite content, since the Secretary is expert in the field and is charged with the responsibility for the educational activities of the country, to stand upon his recommendation when he says that this bill should not be enacted into law.

Mr. MAGNUSON. Mr. President, I ask unanimous consent to have printed in the RECORD at this point the letter of the Secretary of Health, Education, and Welfare; and, following that, the testimony and statement of Mr. William G. Harley, president of the National Association of Educational Broadcasters, which represents 142 colleges and universities.

There being no objection, the letter, testimony, and statement were ordered to be printed in the RECORD, as follows:

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
February 2, 1959.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Interstate and Foreign Commerce, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This letter is in response to your request of January 12, 1959, for a report on S. 12, a bill to expedite the ultilization of television transmission facilities in our public schools and colleges, and in adult training programs.

S. 12 would authorize the appropriation of such amounts as may be necessary to assist the States and certain organizations therein to establish or improve television broadcasting for educational purposes. It would authorize the Commissioner of Education, upon the application of an eligible State agency, officer, or organization, to make a grant—such grants not to exceed an aggregate of $1 million in any State for the establishment or improvement of television broadcasting facilities to be used only for educational purposes. The "establishment or improvement of television broadcasting facilities" is defined as "the acquisition and installation of transmission apparatus necessary for television (including closed-circuit television) broadcasting." Eligible agencies would be limited to (a) the agency primarily responsible for the State supervision of public elementary and secondary schools; (b) a nonprofit foundation, corporation, or association organized primarily to engage in or encourage educational television broadcasting; (c) a duly constituted State educational television commission; and (d) a State controlled college or university. The applicant would be required to provide satisfactory assurance to the Commissioner of Education that the necessary funds to operate and maintain such facilities would be available.

In its sixth report and order, dated April 14, 1952, the Federal Communications Commission set aside 242 channels (now 257) for the exclusive use of noncommercial educational television (representing approximately 12 percent of all channels available for television use in the United States). Each State and Territory, as well as the District of Columbia, was assigned the maximum number of channels then available to provide an opportunity for a minimum service deemed

necessary for the use of the noncommercial educational use of a portion of the publicly owned television channels of our country.

Under the provisions of the sixth report and order and further, under the rules for operation adopted by the Commission, 32 States have called statewide conferences, set up State advisory commissions, and otherwise have taken action toward the development of educational television on a statewide basis. One group of States, the Southern Conference of 16 States, has investigated the possibilities of an interchange of program output within their area, in order to reduce costs of operation and avoid duplication of effort in subject-matter fields of educational interest.

Seven States have appropriated funds directly to support statewide educational television operations—Alabama, Florida, Georgia, New York, North Carolina, Oklahoma, and Oregon. Many other States contribute indirectly to educational television stations and closed circuit operations through appropriations to their State universities or in partial support of individual school systems. Among such university stations are those located at Michigan State University, the University of Wisconsin, the University of Nebraska, the University of Washington, the University of Illinois, Oregon State College, and Ohio State University. The University of Minnesota, the University of Utah, the University of Georgia, and the University of Arizona are all now building or operating stations. Expenditures for educational television via closed circuit within campus are made for those programs carried on by at least 50 more institutions.

During the 6-year period of the development of educational television, 37 noncommercial educational stations have come on the air and some 12 are in process of building or preparatory to building. Another group of approximately 41 locations are in the planning stage.

Research to date indicates that television is a practical means of transmitting a wide variety of knowledge and skills and possesses the potential of serving educational needs existing both within and beyond the classroom. Educational television, however, is still largely in the state of experiment and planning, as indicated by this report.

Closed-circuit construction for educational television, from present reports, is increasing at a fast rate in all parts of the country. There is evidence of a steady growth of interest in every phase of educational television from preschool to university extension, and further evidence at hand shows that it will continue to elicit and deserve public support and approval.

The Radio-Television Services Section of the Office of Education has played an active role in both the promotion and evaluation of educational television. It will continue to be of such assistance. Title VII of Public Law 85-864, the National Defense Education Act of 1958, authorizes the Commissioner of Education, through grants or contracts, to conduct, assist, and foster research and experimentation in the use of television, radio, motion pictures, and related media for educational purposes. It also authorizes him to make studies and surveys to determine the need for increased utilization of these media by State or local educational agencies and institutions of higher learning and to make available to them the results of research in this field. The program thus authorized is being rapidly and vigorously developed by the Office of Education.

We have no information indicating that a Federal program, such as this bill would provide, is necessary to assure continuing development of educational television, or that there is an inability to finance the acquisition and installation of transmitting equipment. Some States have as yet taken no steps to initiate the necessary planning for utilizing television in their educational programs and some States have moved more slowly than others in carrying their planning to the point of actual operation of facilities. It is our view that for the present, at least, Federal assistance in the development of educational television is most effectively rendered through the assignment of transmitting channels for educational use, the general encouragement of ultrahigh frequency transmission, and study and research in the utilization for educational purposes.

Finally, it should be noted that the bill, while limiting to $1 million the amount of grants for television facilities in any one State, does not establish, or provide any guide for establishing a reasonable and equitable method for allocating the total funds available among the States.

For the reasons discussed above, and in the light of the healthy and continued growth of educational television, though the purpose of the bill is most laudable in intent, we recommend that S. 12 not be enacted.

The Bureau of the Budget advises that it perceives no objection to the submission of this report to your committee.

Sincerely yours,

ARTHUR S. FLEMMING,
Secretary.

STATEMENT OF WILLIAM G. HARLEY, PRESIDENT, NATIONAL ASSOCIATION OF EDUCATIONAL BROADCASTERS, MADISON, WIS.

Mr. HARLEY. Thank you, Mr. Chairman.

I am William Harley. I am here on behalf of the National Association of Educational Broadcasters. This is a 34-year-old association made up of 142 universities, colleges, public schools, and nonprofit community corporations which operate or hold construction permits for 148 nonprofit educational radio and 35 nonprofit educational television stations.

The preamble to our constitution states that we associate ourselves to promote the dissemination of knowledge, education and information to the end that the educational, cultural, and technical benefits of broadcasting may be extended to all.

Our appearance here this morning is entirely consistent with that stated purpose.

Though I have a prepared statement to offer for the record, in the interest of conserving time I will confine my remarks to a summary of points relating to this central idea; namely, the need for extending the educational benefits of broadcasting to all, and the relation of this proposed legislation in helping to realize that objective.

In testimony presented yesterday and before this committee last April there has been ample documentation of the crisis in education, and convincing evidence presented as to the use of television as a tested tool for helping to meet both the qualitative as well as the quantitative problems confronting education. It has the potential for providing more information to more people in less time than any instrument yet devised.

This tool for education stands ready, awaiting the support which can project it into the full usefulness of which it is capable.

There are now 36 educational television stations in the United States. Most of these are not adequately financed; few have sufficient power or enough physical facilities. Where they do exist, their usefulness and economy are each year being demonstrated.

We believe the record of educational television's contribution to education at all of the levels is an impressing one wherever it exists, either on a broadcast or closed-circuit basis, but it exists in all too few spots to provide the national assistance our educational efforts require now.

As I stand here, two-thirds of the population of the United States has no access to educational television. All but some 20 of the great universities of the United States have no television station to help them meet their regular and adult educational responsibilities. All but some 150 of the many thousands of school systems of the Nation are probably years away from access to this electronic miracle unless Federal assistance is provided.

Unless such support is available we believe that for many years there will be some 50 to 60 television stations in the Nation, while more than 150 other frequencies allocated for education lie fallow.

With only two or three exceptions, State, regional, and national networks will remain unrealized greens unless and until Federal funds are made available to construct stations to fill in the gaps, the hundreds of miles which separate these pioneer islands of television from each other.

We regard these funds proposed in this legislation as pump-priming funds, and, to mix a metaphor, are a tremendous shot in the arm for television, and a one shot in the arm. There should be no need to come back for a booster. With the added impetus and encouragement these Federal funds could provide we believe the States and individual communities can then push forward with the job to its fulfillment.

There is a need for this pump priming. It is absolutely essential that very few of the present 36 stations would now be on the air or at least as far along in their development if it were not for the pump priming provided for the first 20 or 21 stations by the fund for adult education.

The $100,000 to $150,000 made available for these emerging stations made all the difference between whether these stations just incubated or finally hatched.

Last year, in testimony before this committee, the Department of Health, Education, and Welfare indicated that they had no evidence to indicate a need for Federal assistance to educational television in this country. I certainly trust that in the nearly a year which has elapsed since that time, the Department has taken the trouble to find out the facts about this situation, because there are plenty of situations in this country to provide ample evidence that State and local agencies are not in a position to get an educational television station established.

So, gentlemen, there is a need, and whether or not such aid is forthcoming can mean the difference between leadership for the United States and second-rate status for our Nation in education. Absence of such help can mean delay of a generation, and that may be too long.

Therefore, on the basis of solid evidence presented in testimony before this committee on April 24 and 25 of 1958 and January 27, 1959, regarding both the educational needs of our Nation and of the needs of our educational system for more modern instruments of instruction, and of the potential of television as an instrument available to help solve our national educational needs now, I would most earnestly urge passage of this legislation.

Thank you.

Senator MONRONEY. Thank you very much, Mr. Harley.

Would you say that the distribution of the funds provided in this bill, $1 million per State, is an equitable distribution, from your standpoint?

Mr. HARLEY. I think it is a very practical and reasonable approach to the situation. I think that other solutions might be provided but I think that this is the most workable one.

Some stations have different population densities, but in other cases the places, where there are not as many people and in other places there is more need.

Senator MONRONEY. The more populous States have a greater audience so they get a

major benefit out of it even though the expenditure might be the same.

It is not like so many classrooms that are necessary to house students. This does reach out into the other areas.

Mr. HARLEY. That is correct.

Senator MONRONEY. Would you say also that while it will act as the seedcorn in some States that do not now have any educational television, it will also be a very great shot in the arm to those who desire to further expand the service area of their programs that are now local in character by establishing statewide networks?

Mr. HARLEY. I agree absolutely. Not only do we need to expand existing facilities, but it is absolutely true that this might provide the impetus for establishing stations where none now exist.

It is frequently the case that in a State where tax funds would be made available to support educational television, the feeling is that unless the service can be provided for every citizen of the State, these funds should not be provided to establish service to a local area. And they don't have funds for a whole television network in the State immediately available, so nothing is done at all.

I think that funds of this order, if made available, might trigger the establishment of State networks in many areas.

Senator MONRONEY. Do you also think that in this program that the Federal Communications Commission owes a duty, since many areas of the United States such as New York, New Jersey, Virginia, District of Columbia, and many others I could mention, where you have large blocks of population and an extremely high adult population, that would like to receive nonclassroom educational television, that the FCC owes a duty to this vast group of people to try, through whatever engineering facilities they might require, to see if additional V stations could be squeezed into some of these areas?

Mr. HARLEY. I certainly hope and feel that it is an obligation of the FCC to do something about making benefits of television more generally available to every citizen of the country.

This is the greatest opportunity this Nation has ever had to make equality of educational opportunity available to everyone. It would be a crying shame if we didn't take advantage of this opportunity to realize this objective.

Senator MONRONEY. In other words, the equipment for a V or U station is almost the same, isn't it? I mean, as to cost. You don't pay a great deal more for the machinery to broadcast over a U than you do over a V?

Mr. HARLEY. The equipment is substantially the same. From the standpoint of the number of individuals reached by VHF compared to UHF, VHF is much more satisfactory.

Senator MONRONEY. You would have a hundred times greater yield on the same investment?

Mr. HARLEY. Absolutely.

Senator MONRONEY. So if as a part of this move we could move the Federal Communications Commission to resurvey areas which now do not have V channels for V dropins, we could reach millions where only thousands are reached by putting in U stations.

Mr. HARLEY. We would certainly be pleased with such an outcome.

Senator MONRONEY. Are the U transmitters easily and cheaply convertible to V if the channel is maintained?

Mr. HARLEY. I don't have the technical knowledge to answer that.

Senator MONRONEY. The cost of converting from U to V transmission should be studied. So while they are studying for the V locations in the areas which do not have educational V's today, specifically the Middle Atlantic States, including New York and New England, it may be possible to go on the air, perhaps with a U and if conversion is found to be inexpensive, the U transmitter can be converted to V as soon as one is available. Thus the public will have the advantage of having available an educational channel.

Mr. HARLEY. I think so.

Senator MONRONEY. Senator CASE?

Senator CASE. I have no questions at this time.

Senator MONRONEY. We appreciate very much your help and information given this committee, Mr. Harley, and wish you Godspeed in the work you are doing for educational broadcasting.

Mr. HARLEY. Thank you, sir. It has been a great privilege.

STATEMENT OF WILLIAM G. HARLEY ON S. 12

I am William G. Harley. I speak on behalf of the National Association of Educational Broadcasters, of which I am president. This is the 34-year-old association which is made up of the 142 universities, colleges, public schools, and nonprofit community corporations which operate or hold construction permits for 148 nonprofit educational radio and 35 nonprofit educational television stations. These stations are operated in the direct service of American education, as their primary function. In that respect I speak on behalf of American education rather than on behalf of broadcasting as such.

The NAEB, as I shall hereafter refer to our association, is the senior organization in the field of educational television and radio. In this capacity we have at various times in our history also seen specialized needs that we could not ourselves meet. NAEB leadership was instrumental in the creation of the Joint Council on Educational Television, which was set up to help safeguard the frequencies allocated to educational television and to expedite, as much as possible, their activation. The NAEB also recommended the creation of the Educational Television and Radio Center, which is the network for educational television. We are represented on the boards of the joint council and the center, and work closely and cooperatively with both. We have also had the privilege of being represented in testimony before other congressional committees in the past.

I would like, first of all, to thank the committee for the opportunity to appear here today on behalf of a service on the full development of which American education counts heavily to meet many of the needs and challenges of the years immediately ahead.

I would also like to thank you for the understanding and sympathy which our representatives were accorded, some 9 months ago, in appearances before this same committee.

At that time Mr. Richard B. Hull presented in some detail the history of educational broadcasting in the United States, and of the NAEB. We believe this is an honorable story of dedicated educators who all along have seen the possibilities of the electronic broadcast mediums as tools of education, and have sought to secure their benefits for American education. It is also a story of impoverishment amidst plenty, of the decimation of educational radio stations in the 1920's and 1930's because of the lack of funds, and the lack of other kinds of understanding and support of the sort which this bill, if approved, could begin to develop for television.

I should like to say a few words on behalf of educational radio, before I proceed to the principal portion of my statement. For we of the NAEB see television and radio both as educational resources, and much of what I shall say about television could also be said of educational radio. Moreover, school broadcasting by radio gives us some understanding and perspectives on what to expect from television, when it is adequately established.

Back in Wisconsin, which is my home State, we have pioneered in the use of radio to supplement instruction. We operate the only State radio network in the Nation; 10 transmitters programed from studios on the university campus.

For 28 years the Wisconsin Radio School of the Air has enriched classroom instruction in grade schools of the State. Approximately 284,000 individual Wisconsin children listen to these programs, with total enrollments in the various courses, on the basis of 2½ programs per child each week, of 710,000. In many counties 100 percent of the schools are now equipped with receivers, as a tribute to the usefulness of this broadcast service. This may give you some indication of what can be expected of educational television, which by adding the visual dimension, brings even more meaningful concepts into the experience of students and adults alike.

Our Nation was rudely awakened a little over a year ago by a flying object which Russia called a sputnik but which, so far as implications for America were concerned, was a flying alarm clock. Let us hope that Russia does not have to launch the equivalent of a sputnik in the use of television for educational purposes in order to bring the breakthrough which American education so desperately needs if it is again to seize a position of world leadership in education not only in science, mathematics, and the modern foreign languages but also in those humanities, social sciences, and cultural areas for which the world and especially the underdeveloped nations look to us for leadership. The testimony presented before this committee last April 24 and 25 made one fact clear: That television, with its potential capacity to impart more information to more people in less time than any medium yet devised, is an effective means of realizing the dream of our Founding Fathers for universal education. And this effectiveness has been demonstrated at all levels of education, from the primary grades through adult education, and in virtually all subjects in which it has been responsibly tried.

As a nation, we are committed to equal educational opportunity for all. Yet today in hundreds of rural areas there are no teachers qualified to teach physics, modern languages, art, music, and many other urgently needed disciplines. Many paraplegics and many who are aged or infirm, or even simply ashamed to go back to school, perhaps with their children or grandchildren, are left unserved. The millions of illiterates we have, and refugees who need to learn our language and our traditions, are unrealized resources of our Nation. The need is here. A tool is here, a powerful tool, to help solve these problems.

The crisis confronting education in this country regarding the appalling lack of facilities and teachers to cope with ever-mounting enrollments has been too well documented to need repeating here. Let me cite but one such statistic: At the present rate of training teachers it appears that there will be a shortage, at least of well-trained teachers, of some quarter of a million by 1965. By increasing the productivity of good teachers, and making adjustments possible in teacher loads and functions, educational television can greatly assist with this problem as well.

However, I would like to make clear that the NAEB does not promote television or radio, which we also deem important in education, as a replacement for teachers or for space or other facilities. We need better education—not cheaper education. We don't offer television merely as a temporary expedient regardless of how useful and efficient it is, for helping to solve the logistics problems of too many students, too little space, or too few teachers. We offer television principally to improve the quality and amount of good instruction which our Nation needs in so many subject areas.

Television can extend the influence of good teachers. But more importantly it can contribute to the effectiveness of the teaching of all teachers and the learning of all students. As a teacher training instrument as well as for informing the citizens of America of what their schools are doing, by opening a window on the classroom through which all who will can see, television offers an additional and promising new dimension for education.

Educational television also stands for a type of general public service which commercial television so far has not been able to offer in anything like adequate quantity or quality. Educational television makes the best minds of America's great educational institutions available to the whole community. It expands the public service potential of State and Federal agencies, helping to bring the Government and its elected officials closer to the people, and the people closer to their Government. We believe the hundreds of hours of this sort of programing on the educational stations of the Nation in this regard, as reported on in the hearings last April, are eloquent testimony to the social, educational, and general public service responsibility of educational television as it is emerging in these United States. It is attracting to positions of management some of the finest educators and community leaders and adult educators of our Nation—men who see here a facility with great promise for arousing our people to intellectual and community activity—arousing the honest curiosity and eagerness to learn which has too often been forgotten in recent years, in our belief that people want only whipped cream and meringue. We find that people, common everyday people, hungry for solid "nutritional" fare of an intellectual nature, respond and are grateful, and tell their friends about this new kind of television. Thus, the value systems implicit in commercial television in the United States find a counterbalance in the thoughtful and thought-provoking programing which characterize educational television's growing adult services.

The effectiveness of television as an instrument of education has been proved over and over again. Its economy, in comparison with outdated approaches, is increasingly recognized. It stands ready as a tool, or genii, awaiting the support which can project it into the full usefulness of which it is capable.

There are now 36 educational television stations in the United States. Most of these are not adequately financed. But where they exist, their usefulness and economy and courage are each year building more stable support for them.

We believe then that the record of educational television's contributions to education at all levels is an impressive one wherever it exists, either on a broadcast or closed circuit basis. But it exists in all too few spots to provide the national assistance our educational effort requires now.

As I stand here, two-thirds of the population of the United States has no access to educational television. All but some 20 of the great universities of the United States have no television station to help them meet their regular and adult education responsibilities. All but some 150 out of the many thousands of school systems of the Nation are years away from access to this electronic miracle unless Federal assistance is provided. Unless Federal support is provided, we believe that, for many years, there will be no more than some 40 to 50 educational television stations in the Nation, while over 200 other frequencies, allocated for education, lie fallow. With three or four exceptions, potential State, regional, and national networks will only remain unrealized dreams unless and until Federal funds are made available to construct stations to fill the gaps—the hundreds of miles which separate these pioneer islands of educational television—these lighthouse stations—from each other. Whether or not such aid is forthcoming can mean the difference between leadership for the United States and second rate status for our Nation in education. Absence of such help can mean delay of a generation; and that may be too long. I need not remind you, gentlemen, I know, how precarious is the position of the channels allocated for educational television. Commercial broadcasters, various industries, the armed services, and a multitude of other perfectly deserving organizations remind the Federal Communications Commission periodically of the unused resource contained in these channels for which funds have not been available to erect stations. They are under pressure. This pressure is daily increasing as the competition for more room in the spectrum intensifies.

We believe this bill, if approved, would give great impetus to station activation, and virtually at once, would announce this Nation's resolve not only to preserve but to use them for America's most critical need—for education. In many States, the use of State or public funds to develop educational television stations has been delayed or prevented, by the belief that, if State funds are to be used to support educational television, the service must be available to the entire State—not merely to those fortunate few who are within the service area of the university, or school system, or proposed organization seeking to launch it. Funds of the order proposed by this bill, though not sufficient to solve this problem fully, would break this deadlock, by making State systems, capable of serving, in most cases, the majority of the population and the schools of the State, a more realizable objective.

Once such vistas are opened, with pump-priming funds made available to make a start possible, we believe that live regional networks will not be long in forming—and a live national educational network can begin to be developed. Then, at last, this Nation will have a real alternative service to the entertainment-centered and commercial-based services which are the only ones we now have in most of the country. To summarize: Events of the first half of the 20th century, marked by two world wars, discovery of "the bomb," and culminating in space conquest, have shocked traditional education into an awareness that its problems do not and cannot end with halls of ivy and yesterday's print-based curriculums. The classroom has become the community, the Nation, the world. Schools, colleges, and universities, in an effort to preserve tomorrow's world, and make it better for our children, are trying to use every facility available to extend their area of service and their potential for usefulness.

The little band of individuals in my association who, years ago, had dreams about the great usefulness of these electronic instruments of education, and fought for frequencies for education first in standard AM radio (unsuccessfully), and later in FM radio and television (the latter two successfully) offer you this tool. Not as a replacement of teachers—or of space—or of higher salaries for teachers—but in support of, and as assistance to, all the other tools and resources we can muster. And with it we offer a growing body of dedicated members of our association also, who have learned and are daily learning to use this tool in new ways—for the good of American education.

If I may quote Dean Gordon Sabine, of Michigan State University: "The educational needs of the United States have so far outstripped the educational capabilities of the Nation that we must have educational television to help us win the fight to educate a whole people. Without it, we surely are defeated."

We of the NAEB feel that approval of the bill will also be a step toward something which for many years has been close to our hearts: The development of a sound national communications policy to the end that all the broadcast media, no matter in whose hands they rest, are employed for the greatest good of the Nation and the world.

Therefore, on the basis of the solid evidence presented in testimony before this committee on April 24 and 25 of 1958, regarding both the educational needs of our Nation and of our educational system for more modern instruments of instruction; and of the potential of television as an instrument available to help solve our national educational needs now, I would most earnestly urge passage of this legislation.

Mr. MAGNUSON. Mr. President, I also ask unanimous consent to have printed in the RECORD the part of the report containing the allocations now made to each State in the Union, appendix III, beginning on page 63 of the report.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

APPENDIX III

Educational television channel reservations, January 1959

[86 VHF, 171 UHF; total 257]

Educational areas:	*Channel No.*
Alabama (7):	
Andalusia [1]	2
Auburn	56
Birmingham [1]	10
Mobile	42
Montgomery	26
Munford [1]	7
University	74
Arizona (2):	
Phoenix	8
Tucson	6
Arkansas (3):	
Fayetteville	13
Fort Smith	16
Little Rock	2
California (8):	
Fresno	18
Los Angeles	28
Sacramento	6
San Bernardino	24
San Diego	15
San Francisco-Oakland [1]	9
San Jose	54
Stockton	42
Colorado (4):	
Boulder	12
Colorado Springs	17
Denver [1]	6
Pueblo	8
Connecticut (3):	
Bridgeport	71
Hartford	24
Norwich	63
Delaware (1): Wilmington	59
District of Columbia (1): Washington	26
Florida (9):	
Gainsville [1]	5
Jacksonville [1]	7
Miami [1]	2
Orlando	24
Panama City	30
Pensacola	21
Tallahassee	11
Tampa-St. Petersburg [1]	3
West Palm Beach	15
Georgia (5):	
Athens	8
Atlanta [1]	30
Columbus	34
Macon	41
Savannah	9

[1] Educational stations on the air.

Educational television channel reservations, January 1959—Continued

Educational areas:	Channel No.
Idaho (2):	
Boise	4
Moscow	15
Illinois (7):	
Carbondale	8
Champaign-Urbana [1]	12
Chicago [1]	11
DeKalb	67
Moline. (See Davenport, Iowa.)	
Peoria	37
Rockford	45
Rock Island. (See Davenport, Iowa.)	
Springfield	66
Indiana (9):	
Bloomington	30
Evansville	9
Fort Wayne	27
Gary	66
Indianapolis	20
Lafayette	47
Muncie	71
South Bend-Elkhart	52
Terre Haute	57
Iowa (6):	
Cedar Rapids	26
Davenport-Rock Island, and Moline, Ill	30
Des Moines	11
Iowa City	12
Sioux City	30
Waterloo	22
Kansas (4):	
Lawrence	11
Manhattan	8
Topeka	48
Wichita	22
Kentucky (1): Louisville [1]	15
Louisiana (4):	
Baton Rouge	34
Lake Charles	14
New Orleans [1]	8
Monroe [1]	13
Maine (3):	
Bangor	16
Orono	12
Portland	47
Maryland (1): Baltimore	24
Massachusetts (3):	
Amherst	82
Boston [1]	2
North Adams	80
Michigan (12):	
Alpena	11
Ann Arbor	26
Bay City	73
Detroit [1]	56
Escanaba	49
Flint	22
Grand Rapids	17
Houghton	25
Kalamazoo	74
Marquette	35
Sault Ste. Marie	34
Traverse City	26
Minnesota (2):	
Duluth-Superior, Wis	8
Minneapolis-St. Paul [1]	2
Mississippi (5):	
Biloxi	44
Jackson	19
Meridian	36
State College	2
University	20
Missouri (4):	
Kansas City	19
St. Joseph	36
St. Louis [1]	9
Springfield	26
Montana (6):	
Billings	11
Bozeman	9
Butte	7
Great Falls	23
Miles City	6
Missoula	11

[1] Educational stations on the air.

Educational television channel reservations, January 1959—Continued

Educational areas:	Channel No.
Nebraska (2):	
Lincoln [1]	12
Omaha	16
Nevada (2):	
Las Vegas	10
Reno	21
New Hampshire (2):	
Durham	11
Hanover	27
New Jersey (6):	
Andover	69
Camden	80
Freehold	74
Hammonton	70
Montclair	77
New Brunswick	19
New Mexico (6):	
Albuquerque [1]	5
Gallup	8
Raton	52
Roswell	3
Santa Fe	9
Silver City	10
New York (10):	
Albany-Schenectady-Troy	17
Binghamton	46
Buffalo-Niagara Falls	23
Ithaca	14
Malone	66
New York	25
Poughkeepsie	83
Rochester	21
Syracuse	43
Utica-Rome	25
North Carolina (8):	
Asheville	56
Chapel Hill [1]	4
Charlotte	42
Durham	40
Greensboro	51
Raleigh	22
Wilmington	35
Winston-Salem	32
North Dakota (6):	
Bismarck	24
Dickinson	17
Fargo	34
Grand Forks	2
Minot	6
Williston	34
Ohio (8):	
Akron	55
Cincinnati [1]	48
Cleveland	25
Columbus [1]	34
Dayton	16
Oxford	14
Steubenville. (See Wheeling, W. Va.)	
Toledo	30
Bowling Green	70
Oklahoma (7):	
Enid	27
Lawton	28
Muskogee	45
Norman	37
Oklahoma City [1]	13
Stillwater	69
Tulsa [1]	11
Oregon (3):	
Corvallis [1]	7
Portland	10
Salem	18
Pennsylvania (5):	
Erie	41
Philadelphia [1]	13
Pittsburgh [1]	35
Pittsburgh	16
State College	48
Rhode Island (1): Providence	36
South Carolina (4):	
Charleston	7
Clemson	68
Columbia	19
Greenville	29
South Dakota (4):	
Brookings	8
Pierre	22

[1] Educational stations on the air.

Educational television channel reservations, January 1959—Continued

Educational areas:	Channel No.
South Dakota—Continued	
Sioux Falls	44
Vermillion	2
Tennessee (8):	
Chattanooga	55
Cookeville	69
Crossville	77
Knoxville	20
Lexington	11
Memphis [1]	10
Nashville	2
Sneedville	2
Texas (18):	
Amarillo	2
Austin	70
Beaumont-Port Arthur	37
College Station	48
Corpus Christi	16
Dallas	13
Denton	2
El Paso	7
Fort Worth	26
Galveston	47
Houston [1]	8
Laredo	15
Lubbock	20
San Angelo	23
San Antonio	9
Texarkana	18
Waco	28
Wichita Falls	16
Utah (4):	
Logan	46
Ogden	18
Provo	28
Salt Lake City [1]	7
Vermont (1): Burlington	16
Virginia (5):	
Blacksburg	60
Charlottesville	45
Norfolk-Portsmouth-Newport News	21
Richmond	23
Roanoke	33
Washington (10):	
Ellensburg	65
Kennewick-Richland-Pasco	41
Omak-Okanogan	35
Pullman	10
Seattle [1]	9
Spokane	7
Tacoma	56
Walla Walla	50
Wenatchee	45
Yakima	47
West Virginia (4):	
Charleston	43
Huntington	53
Morgantown	24
Wheeling-Steubenville, Ohio	57
Wisconsin (11):	
Adams	58
Chilton	31
Eau Claire	19
La Crosse	32
Madison [1]	21
Marinette	38
Milwaukee [1]	10
Park Falls	18
Richland Center	66
Shell Lake	30
Superior. (See Duluth, Minn.)	
Wausau	46
Wyoming (1): Laramie	8
Alaska:	
Anchorage	7
Fairbanks	9
Juneau	3
Ketchikan	9
U.S. TERRITORIES AND POSSESSIONS	
Hawaiian Islands (4):	
Lihue, Kauai	8
Honolulu, Oahu	7
Wailuku, Maui	10
Hilo, Hawaii	4
Puerto Rico (1): San Juan [1]	6

[1] Educational stations on the air.

Mr. YARBOROUGH. Mr. President, not only as a member of the Committee on Interstate and Foreign Commerce, which reported this bill favorably, but also as a member of the Education Subcommittee and as chairman of the Veterans' Affairs Subcommittee, I have had an opportunity this year, serving on those three committees and subcommittees, to hear a great deal of testimony about our increasing educational needs and the growing educational lag because of the rapidly increasing number of scholastics, with our expanding population, and the inability to obtain qualified teachers in sufficient number to keep up with the demand. I understand there is at this time a shortage of about 140,000 classrooms in the schools of the United States and a shortage of from 135,000 to 140,000 qualified teachers. In fact, in many States, as was testified before the Education Subcommittee this morning, we are having difficulty obtaining qualified teachers. It is necessary to search for a long time to find teachers to fill vacancies.

Judging from the testimony we heard, I believe that this new medium of instruction, television, will do for education about what the automobile has done for transportation. The automobile has speeded transportation and brought it within reach of all the people. Some initial experiments have shown that may be true with regard to television.

I think the testimony last year and this year showed that Ohio and Alabama have made greater progress than any other States of the Union in the statewide educational television programs. I think that is the reason why former Senator Bricker, who was a Member of the Senate last year and a member of the Committee on Interstate and Foreign Commerce, was so active and so interested in working on behalf of the educational television bill last year.

The bill provides a modest amount. As has been pointed out, the money would be used only for the acquisition of land and the installation of facilities. There is nothing to be provided for operations, as has been pointed out by the distinguished minority leader.

It is expensive to operate these TV stations, but once people have an opportunity to see them in operation, I believe they will be willing to meet the cost of operation and that there will be no difficulty on that score.

In my State we have had a great deal of difficulty in getting a good program under way. The Federal Communications Commission reserved 18 channels for use in my State, but unfortunately 12 of them were the ultrahigh frequency channels, and only 6 were the VHF stations. We did get into operation in our State the first noncommercial educational TV station in the country, at the University of Houston, which was opened in 1953 and is still in use.

Mr. President, private industry wants these channels. The legislatures of some of the States have fought the actual operation of the channels. There has been some success in my State in inserting in our appropriation laws, hamstringing restrictions, to prevent the State colleges from building stations under the allocations made by the Federal Communications Commission.

However, once the stations are built and are in operation and the people have an opportunity to see the beneficial results, once the stations have demonstrated their use for educational purpose, considering the growing cost of education and the efficiency of educational TV, I think the program will grow like a snowball, and the Federal Government will then have exercised in educational matters a function which it has exercised so many times in the Nation's history, namely that of furnishing the first stimulus.

I have not had an opportunity to read all the arguments surrounding the passage of the Morrill Land Grant College Act in 1862. That was the first great national education act. I rather suspect that many of the arguments used at that time would reveal that it was urged that the cost of operating the Land Grant College Act would bankrupt the Federal Government. But the act has operated successsfully, and the States bear the cost of maintaining those institutions. More than 90 great institutions of higher learning were founded under the impetus of that act. The States took them over and operated them at their own expense. That has happened in the case of many other programs.

This bill is not designed to put the Federal Government into the business of operating educational television stations. It represents the initial stimulus or impetus, to give the States and local subdivisions an opportunity to obtain the equipment to establish their stations. They will operate them at their own cost.

The amount of money we are spending on education is about 4 percent of our gross national product. We spend more on alcohol, tobacco, and cosmetics than we spend on education of all kinds. Education in this country is lagging because of that fact.

This proposal represents one way to stimulate teacher aid and training aid in connection with one facet of our overall educational program.

The need for educational improvement is so great that I do not believe we, as a body, can afford further to delay in helping our educational institutions to gain this additional training aid, and put into operation in the many States which now have no educational television of any kind.

Mr. WILLIAMS of Delaware. Mr. President, I should like to direct a few questions to the chairman of the committee.

Referring to page 34 of the committee report, it is stated, in connection with my own State:

> On September 12, 1958, the Joint Council on Educational Television in Washington, D.C., representing 10 national educational organizations, petitioned the FCC to reserve VHF channel 12 in Wilmington for educational use, inasmuch as it appeared that the authorization for commercial station WVUE would be (and subsequently has been) surrendered.

My question is this: Under the rules, just what has the Joint Council on Educational Television in Washington, D.C., to do with telling the Federal Communications Commission whether or not the only channel in the State of Delaware should be an educational facility, or whether it should or not?

I understand that the bill is being presented on the basis that no Federal control is involved. If no Federal control is involved, does the recommendation of this organization or any other out-of-State organization have any weight?

Mr. MAGNUSON. Let me say to the Senator from Delaware that surely the people of Delaware have a right to insist on keeping channel 12 in Wilmington. Whether they use it for educational television or whether some commercial group wishes to take it over, is a matter for the Federal Communications Commission to decide.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator further yield?

Mr. MAGNUSON. Let me finish.

The Joint Council on Educational Television has the right, along with anyone else, to petition the Federal Communications Commission. But what weight the Federal Communications Commission will give to its petition I do not know. But surely the people of Delaware themselves have the right to make the decision, and to petition the Federal Communications Commission.

Mr. WILLIAMS of Delaware. That was the point I wished clearly to establish. I talked with the chairman of the committee previously, and I think we understand each other; but I wish to make the record clear. I do not think that this is a decision to be made by the FCC but rather a decision to be made based upon applications from Delaware.

There are those in our State who earnestly believe that this channel should be reserved for educational facilities. They have a right to that belief and to petition accordingly. Many other interests feel that it should be reserved for commercial television. They, too, have a right.

The position I have taken in connection with educational television, supported by my colleague, the junior Senator from Delaware [Mr. FREAR], has been that this is a decision which should be made solely by the people of the State of Delaware inasmuch as this is the only channel in the State. It is our position that recommendations from interests outside the State of Delaware should not be taken into consideration.

Mr. MAGNUSON. I cannot speak for the Federal Communications Commission, but if I were a member of it, I would give more weight to the views of the people of Delaware than to the views of outsiders. I understand that there has been some suggestion that this channel be moved to a location farther north. If I lived in Delaware I would protest such a suggestion.

Mr. WILLIAMS of Delaware. It has been protested.

I merely wished to make sure that those advocating the allocation of the channel for educational television could

not come back to this report later and use it as a background in support of their position.

Reading further from the report of the committee:

Since that time, nearly 200 organizations—public schools, colleges, PTA's, private schools, professional societies, health and youth associations, and others in the area which could be served by channel 12—have officially supported the JCET petition.

The report does not indicate that there is any opposition whatever. That is not the situation. I think the RECORD should show that the Governor of the State of Delaware, in a letter addressed to the Governor of Pennsylvania and also in a report which has been submitted to the Department downtown, has taken the position that this channel should not be allocated for use as an educational facility.

I notice from the report that among other agencies cited as being in favor of the pending proposal is the Wilmington Board of Public Education.

I ask unanimous consent to have included at this point in the RECORD an article which appeared in the Wilmington Journal-Every Evening of February 18, 1959, incorporating a statement by Dr. Ward I. Miller, Superintendent of Wilmington Public Schools, in which he states that it would be unwise to make this allocation strictly on an educational basis, which shows that the report is definitely in error when it lists that agency as being in support of the proposal.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

TRI-STATE TV PACT RAPPED AS UNWISE—SUPERINTENDENT OF CITY SCHOOLS WANTS CHANNEL 12 KEPT IN DELAWARE, COMMERCIAL OPERATION

Dr. Ward I. Miller, superintendent of Wilmington public schools, said today he felt it is unwise at the present time to enter into any educational television agreement with Pennsylvania and New Jersey.

It was the first time any educator has voiced opposition to a proposal of the Delaware Educational Television Association to have Delaware's channel 12 assigned as an educational channel and turned over to a tri-State group of educators.

The group has petitioned the Federal Communications Commission to designate the channel for education, but has come up with no plan for operation or financing.

Meanwhile, two applications for licenses to operate the channel commercially are before the FCC, one from Rollins Broadcasting Co., the other from an out-of-State combine.

Dr. Miller, in a letter to Senator J. ALLEN FREAR, Jr., (Democrat, of Delaware) made public today, expressed the opinion that retention of channel 12 for Delaware is of extreme importance.

In his letter, copies of which were also sent to Gerrish Gassaway, executive vice president of the Delaware State Chamber of Commerce, and Gail C. Belden, city board of education president, Dr. Miller declared that until there is more information on the use of television for instructional purposes and until money for the purpose is available it is better for educational authorities to work cooperatively with a commercial operator in the use of TV.

"Television is still in its infancy," Dr. Miller wrote. "While much has been done to improve the quality of programs and the technical aspects of telecasting, it is my conviction that the future will see major improvements along many lines.

"Particularly in the adaptation of television to educational purposes the experimentation to date suggests great potential," Dr. Miller continued. "Nevertheless, much must be learned both by the schools and by the stations before television can be utilized as an effective supplement to classroom teaching.

"In no sense can it replace the teacher," Dr. Miller continued. "I believe that the experimentation should continue so that there may be developed the best ways to use this marvelous medium of communication.

"In my judgment, it is unwise at this time to enter into any arrangements with the States of Pennsylvania and New Jersey in the establishment of a tri-State authority to take over channel 12 for educational programs," the superintendent declared. "I feel that we are not ready to embark upon a project of such magnitude, first, for the reasons given above and second, because of the financial implications of such a proposal.

"The fiscal condition of the State of Delaware is such that no funds should be utilized for the purchase of the station nor for the annual cost of operation. We should hold fast to the educational gains that have been made up to this point and not sacrifice any of them for a project which is certain to require considerable additional money."

WOULD LOSE CONFLICTS

"It is extremely doubtful," Dr. Miller said, "that it is in the best interests of Delaware to become part of a tri-State authority. Conflicts of interest will occur from time to time. These can hardly be resolved in favor of Delaware unless we are ready at the particular time to participate in the actual purchase. This, I feel, we shall not be ready to do for some time.

"It is of extreme importance that channel 12 be reserved for Delaware," Dr. Miller emphasized. "I believe that both the educational and commercial interests of our people can be served if this is done. Every step should be taken to avoid losing the channel to outside interests."

Dr. Miller concluded by stating, "Until we are better informed concerning the use of television in instructional procedure and until money is available that can properly be used to support the cost of its operation, in my judgment it is better to work cooperatively with a commercial operator. If it should happen later on that a different situation exists, it will be possible to reconsider the matter and develop a program which will further enrich and supplement the instruction which our students are now receiving."

Mr. WILLIAMS of Delaware. The report also lists the University of Delaware as being in favor of the pending proposal. I venture to say that at no point can it be shown that the University of Delaware has gone on record as indicating that the channel should be allocated to educational facilities. On the contrary, I have been advised of the opposite. I wonder if the chairman of the committee has any further information in that connection.

Mr. MAGNUSON. If the Senator from Delaware will read the entire section of the report, it may throw some light on the question. I agree with the Senator from Delaware that there should not be any such implication as that to which he refers. The report indicates that for several years the Delaware Educational Television Association has planned and produced educational programs, and has made the plans for the activation of an educational television station. The report merely says:

The membership of this organization includes the State Department of Public Instruction, the University of Delaware, the Wilmington Board of Public Education, the Delaware State Educational Association, and the Delaware Congress of Parents and Teachers—plus 17 participating organizations and an advisory council of representatives of business and industry.

We do not say that they approve of the allocation of this channel for educational television. We merely point out that there has been activity in Delaware by this association looking to the planning of educational programs, and that its membership includes certain organizations and agencies.

Mr. WILLIAMS of Delaware. I understand what the committee is trying to do, but I wish to make the record clear.

Mr. MAGNUSON. If the implication to which the Senator refers is present, the Senator does well to correct it. We were merely pointing out the wide interest of the membership of the association, which had planned some of the educational programs; but there was no reference to channel 12.

Mr. WILLIAMS of Delaware. The point I wish to make clear in the RECORD is that whether responsible State authorities in Delaware petition to have this channel allocated for educational facilities or whether the people of the State of Delaware decide that they want it for commercial purposes, theirs is the decision, no outside recommendation should be considered. That is a question which we should decide in our own State without any outside interference.

Mr. MAGNUSON. The Federal Communications Commission would certainly give the greatest weight to the desire of the people of Delaware in this connection.

Mr. WILLIAMS of Delaware. I appreciate that.

Mr. MAGNUSON. Let me say to the Senator from Delaware that I am aware of the so-called discussion or controversy in Delaware. Beginning on page 110 of the printed hearings, we have printed in full a long letter addressed to the editor of the Journal-Every Evening, of Wilmington, Del., by Richard M. Saul, executive director of the educational group, which I think makes the situation pretty clear.

Mr. WILLIAMS of Delaware. I have not seen that letter. On what page is it?

Mr. MAGNUSON. It begins on page 111 of the hearings.

Mr. WILLIAMS of Delaware. All I wished to make clear was that the RECORD should show that it is our understanding that in making these allocations and in deciding how this channel should be awarded the Federal Communications Commission should take primarily into consideration the wishes of the people of the State of Delaware.

If there are pending before the Commission petitions from interests in the State that it be allocated for use as educational facilities, such petitions should be considered, along with any others which may be pending urging that the channel be used for commercial purposes. I respect the right of the Commission to consider all such petitions; however, I believe that petitions urging the use of the channel for certain purposes should originate in the State of Delaware, and not somewhere else.

Since there is only one channel assigned to the State of Delaware, I wish it to be clearly understood that we should not be told what we must do with it.

As I said before, the Governor of the State is opposed to this proposal, and many of our State educational associations are opposed to it. I have a letter from the Delaware Chamber of Commerce opposing its allocation for educational purposes. I shall not labor the point further in the Senate, but I wish it to be clear in the RECORD that we have received many petitions from people throughout the State of Delaware stating that the channel should be kept for commercial use and there are some who support the educational allocation, all of these petitions coming from the State should be considered by the Federal Communications Commission, but we do not want any outside interests interfering. We do not want anyone coming into our State and telling us what we should or should not do with the one channel we have. I wish it clearly understood that it is not a function of the Federal Communications Commission to go into a State and tell it what it is to do with its one allocated channel.

Mr. MAGNUSON. I agree entirely with what the Senator from Delaware has said.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. WILLIAMS of Delaware. Mr. President, I appreciate the cooperation of the chairman of the committee in clearing up the point. I join the Senator from Illinois in opposing the passage of the bill. This was not included in the budgetary estimates. This may well prove to be the first wedge in a much more extensive program and one in which there may be greater Federal control than is visualized. I agree that the Senator from Washington has tried—and I know he is sincere in his intention—to keep it strictly outside Federal control, but I doubt if it can be done if we once launch the program. I shall therefore vote against the bill.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 12) was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MAGNUSON. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. MANSFIELD. I move that the motion to reconsider be laid on the table.

The motion to table was agreed to.

CONSTRUCTION OF MODERN NAVAL VESSELS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 145, H.R. 3293.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 3293) to authorize the construction of modern naval vessels.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

AUTHORIZATION FOR THE COMMITTEE ON LABOR AND PUBLIC WELFARE TO REPORT LABOR BILL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Labor and Public Welfare be permitted to file its report on S. 1555, to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes, during the adjournment of the Senate, together with minority and supplemental views.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT TO WEDNESDAY

Mr. MANSFIELD. Mr. President, in accordance with the order previously entered, I move that the Senate stand in adjournment until 12 o'clock noon on Wednesday next.

The motion was agreed to; and (at 3:45 o'clock p.m.), in accordance with the previous order, the Senate adjourned until Wednesday, April 15, 1959, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 13, 1959:

DEPARTMENT OF THE AIR FORCE

Philip B. Taylor, of New Jersey, to be Assistant Secretary of the Air Force.

DEPARTMENT OF THE NAVY

Cecil P. Milne, of Wisconsin, to be Assistant Secretary of the Navy.

Rear Adm. Ralph K. James, U.S. Navy, to be Chief of the Bureau of Ships in the Department of the Navy for a term of 4 years.

COLLECTORS OF CUSTOMS

Orley McGlothlin, of Colorado, to be collector of customs, with headquarters at Denver, Colo. (Reappointment.)

Harry D. Youse, of North Webster, Ind., to be collector of customs for customs collection district No. 40, with headquarters at Indianapolis, Ind. (Reappointment.)

IN THE ARMY

The nominations of Loring B. Bean, and 136 other officers for promotion or appointment in the Regular Army, which were confirmed today, were received by the Senate on February 26, 1959, and may be found in the Senate proceedings of the CONGRESSIONAL RECORD, for that date, under the caption "Nominations," beginning with the name of Loring B. Bean, which appears on page 3042, and ending with the name of Leon A. Young which is also shown on page 3042.

IN THE REGULAR AIR FORCE

The following-named officers for appointment as Reserve commissioned officers in the U.S. Air Force under the provisions of section 8351, title 10, United States Code, and section 8381, of Public Law 861, 85th Congress:

To be major generals

Brig. Gen. Lewis A. Curtis, AO729140, New York Air National Guard.

Brig. Gen. Howard F. Butler, AO403692, Tennessee Air National Guard.

To be brigadier generals

Col. Barnie B. McEntire, Jr., AO396288, South Carolina Air National Guard.

Col. William R. Sefton, AO668649, Indiana Air National Guard.

Col. Howard T. Markey, AO442531, Illinois Air National Guard.

Col. Willard W. Millikan, AO885404, District of Columbia Air National Guard.

Col. Raymond L. George, AO426384, New York Air National Guard.

Col. Jack W. Stone, AO1646956, California Air National Guard.

Col. Ross C. Garlich, AO397879, Missouri Air National Guard.

Col. Jack Parsons, AO396885, Alabama Air National Guard.

PROMOTIONS IN THE REGULAR AIR FORCE

The nominations of William E. Fletcher, and 407 other officers for promotion in the Regular Air Force, which were confirmed today, were received by the Senate on March 19, 1959, and appear in full in Senate proceedings of the CONGRESSIONAL RECORD for that date under the caption "Nominations," beginning with the name of William E. Fletcher, which is shown on page 4640, and ending with the name of Lois M. Heath, which occurs on page 4641.

IN THE NAVY AND THE MARINE CORPS

The nominations of Peter D. Abbott, and 1,460 other officers for appointment in the Navy and Marine Corps, which were received by the Senate on March 29, 1959, were confirmed today, and appear in the Senate proceedings of the CONGRESSIONAL RECORD for that date, under the caption "Nominations," beginning with the name of Peter D. Abbott, which is shown on page 3593, and ending with the name of Otis P. Tibbetts, which is shown on page 3597.

HOUSE OF REPRESENTATIVES

MONDAY, APRIL 13, 1959

The House met at 12 o'clock noon.

Rev. Charles W. Holland, Jr., pastor, Fountain Memorial Baptist Church, Washington, D.C., offered the following prayer:

In I Timothy 3: 2 and 6, the writer says: *A bishop then must be blameless * * *. Not a novice, lest being lifted up with pride he fall into the condemnation of the Devil.*

Omniscient and eternally righteous God, when we stop to realize that one of the besetting sins of Satan was pride, as we meditate about the fact that as pride enters our heart wisdom is depleted; we entreat Thee to help us to overcome the temptation to be proud.

Dear God, we know that humility is the foe of pride; therefore help us to be cognizant continually of the need of humility. Help us that we will not be led into a false humility through trickery; but give us a humility that is genuine.

Father, help us to be humble, even as we make this petition in Thy name. Amen.

The Journal of the proceedings of Friday, April 10, 1959, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment a bill and concurrent resolutions of the House of the following titles:

H.R. 2493. An act declaring certain property in the State of New Mexico to be held in trust for the pueblo of Santo Domingo;

H. Con. Res. 64. Concurrent resolution authorizing the printing of additional copies of House Document No. 234, 84th Congress, entitled "The Prayer Room in the U.S. Capitol"; and

H. Con. Res. 75. Concurrent resolution authorizing the printing of additional copies of committee print entitled "Title 38, United States Code, Veterans' Benefits."

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 2589. An act for the relief of Elizabeth Lucie Leon (also known as Lucie Noel); and

H.R. 3648. An act to regulate the handling of student funds in Indian schools operated by the Bureau of Indian Affairs, and for other purposes.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 96. An act to govern the salaries and personnel practices applicable to teachers, certain school officers, and other employees of the dependents schools of the Department of Defense in overseas areas, and for other purposes;

S. 201. An act for the relief of Chiyoko Korematsu and Aiko Korematsu;

S. 211. An act for the relief of Aurelia Marija Medvesek-Pozar;

S. 264. An act for the relief of Athena Nicholas Euteriadou;

S. 313. An act for the relief of Collingwood Bruce Brown, Jr.;

S. 449. An act for the relief of Clarita Martinez;

S. 451. An act for the relief of Mohammed Ali Halim;

S. 461. An act for the relief of Androula Neofitos Stephanon (Androula Kyriacou Stephanou);

S. 634. An act for the relief of Grace C. Ream;

S. 643. An act to amend the act entitled "An act relating to the levying and collecting of taxes and assessments, and for other purposes," approved June 25, 1938;

S. 644. An act to amend the act entitled "An act to provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes," approved February 4, 1925;

S. 645. An act to amend the act entitled "An act to authorize the Commissioners of the District of Columbia to remove dangerous or unsafe buildings and parts thereof, and for other purposes," approved March 1, 1899, as amended;

S. 701. An act for the relief of Arie Abramovich;

S. 745. An act to amend the act entitled "An act to create a Board for the Condemnation of Insanitary Buildings in the District of Columbia, and for other purposes," approved May 1, 1906, as amended;

S. 899. An act to provide for the discontinuance of certain reports now required by law;

S. 900. An act to amend section 204(b) of the Federal Property and Administrative Services Act of 1949 to extend the authority of the Administrator of General Services to pay direct expenses in connection with the utilization of excess real property and related personalty, and for other purposes;

S. 901. An act to amend the Federal Property and Administrative Services Act of 1949 to authorize the Administrator of General Services to make contracts for cleaning and custodial services for periods not exceeding 5 years;

S. 902. An act to provide for the receipt and disbursement of funds, and for continuation of accounts when there is a vacancy in the office of the Disbursing Officer for the Government Printing Office, and for other purposes;

S. 949. An act for the incorporation of the Ladies of the Grand Army of the Republic;

S. 1143. An act for the relief of Harvey Hiroaki Horiuchi;

S. 1217. An act to add certain public domain lands in Nevada to the Summit Lake Indian Reservation;

S. 1242. An act to authorize the use of the revolving loan fund for Indians to assist Klamath Indians during the period for terminating Federal supervision;

S. 1271. An act to donate to the pueblo of Isleta certain Federal property in the State of New Mexico;

S. 1456. An act to provide for the appointment of two additional judges for the juvenile court of the District of Columbia;

S. 1631. An act to provide for the establishment of a Commission on Unemployment Problems; and

S.J. Res. 61. Joint resolution to amend Public Law 305 of the 85th Congress relative to the establishment of a commission to commemorate the 100th anniversary of the Civil War, to authorize the manufacture and sale of a Civil War centennial medal.

DEDICATION CEREMONY, TAFT MEMORIAL TOWER

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, I have requested this time to announce that tomorrow morning the dedicatory exercises for the Taft Memorial Bell Tower on the Capitol Grounds, just across Constitution Avenue, will begin at 10 o'clock. All Members of Congress, of course, are invited, along with their wives. Tickets have been sent to each Member of the House and each Member of the Senate, two tickets to each. Special reserved seats have been arranged and are being held for the use of Members of Congress.

If I may take just a second or two, I should like to tell you something of the program:

The Indian Hill High School Band, which comes from the little community where Senator Taft lived, will give a part of the musical program, which will start about 10 minutes of 10. Then the U.S. Marine Band will follow.

The presiding officer to open the meeting will be Representative B. CARROLL REECE of Tennessee, who is the president of the Robert A. Taft Memorial Foundation, Inc.

The invocation will be given by Rev. Frederick Brown Harris, Chaplain of the Senate.

The meaning of the tower will be explained in a short address by Representative REECE, who will present, in a body, the 100 trustees of the memorial foundation.

The meeting will then be turned over to me as the chairman of the Physical Memorial Subcommittee, and I in turn will introduce, first, Senator STYLES BRIDGES, who will speak for 4 or 5 minutes for the Senate, then Senator HARRY FLOOD BYRD, who will speak also for the Senate for about the same length of time, to be followed by William Howard Taft III, the eldest son of Senator Taft, former Ambassador to Ireland, as you recall. He will respond for a minute or so in behalf of the family.

Following I will present the former President of the United States, the chairman of the board of trustees of the foundation, the Honorable Herbert Hoover, who will deliver a eulogy on Senator Taft.

Next, the President of the United States, Dwight D. Eisenhower, honorary chairman of the foundation, will be presented, and in turn he will dedicate the memorial by turning over symbolic keys to the Vice President of the United States and to Speaker RAYBURN, of the House, both of whom will respond in behalf of the Congress.

Following the address of Mr. Speaker RAYBURN, the benediction will be given by the Acting Chaplain of the House.

This memorial, as you know, which cost approximately $1 million, is being presented to the Congress of the United States by the Taft Memorial Foundation, and the Congress will serve as its custodian for the benefit of the American people.

Following the speaking program, there will be a 20-minute carillon concert so that those assembled may have the opportunity to hear these famous bells for the first time.

COMMITTEE ON RULES

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged resolutions.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

COMMITTEE ON THE JUDICIARY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may sit during general debate today and for the balance of the week.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

HON. MRS. CECIL HARDEN

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, last Friday afternoon, April 10, 1959, I had the great pleasure of attending a ceremony at which our former colleague from the Sixth District of Indiana, Mrs. Cecil Harden, was sworn in by the Postmaster General as his special assistant.

In his remarks, Mr. Summerfield paid tribute to Mrs. Harden and spoke of the responsibilities she has already assumed as his principal adviser with regard to women employees in the postal service.

We who knew her so well since she first came to the Congress in 1948, know that her long experience and dedicated work as a member of the House Post Office and Civil Service Committee will be of inestimable service to Mrs. Harden in carrying out her important postal responsibilities.

In her new assignment, Mrs. Harden will work closely with the Postmaster General and with Assistant Postmaster General Eugene J. Lyons, head of the Bureau of Personnel, on matters dealing with more than 55,000 women currently employed by the Post Office Department.

I know, Mr. Speaker, that every Member of the House of Representatives joins me in wishing Cecil Harden the greatest possible success as she continues her work in the service of her Government.

A SPECIAL STAMP FOR "DIXIE" AND "UNCLE DAN" EMMETT

Mr. LEVERING. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. LEVERING. Mr. Speaker, I have today introduced a bill authorizing and directing the Postmaster General of the United States to issue a special postage stamp of such denomination and design as he may determine to honor Daniel Decatur Emmett, who composed the song "Dixie," just 100 years ago this spring.

The stamp, if issued, would honor both the song, which is known wherever freemen live and sing, and its composer, Daniel Decatur Emmett, who was born and died near Mount Vernon, Ohio, in my 17th Congressional District. He was known as "Uncle Dan" to his many thousands of friends and devotees while he was alive, and he still is known affectionately as "Uncle Dan" among the people whose fathers and grandfathers knew him personally in the area around Mount Vernon.

As my colleagues will recall, I spoke on Daniel Decatur Emmett, and his most noted song, "Dixie," in the early part of February, in the House of Representatives in connection with the Lincoln sesquicentennial ceremonies. Since then, I have had letters from every section of the Nation from people who agree with me that his memory, and his song, are worth commemorating. It will be remembered "Dixie" and other compositions, such as "The Blue Tail Fly," were favorites of President Lincoln.

The bureaucracy at the U.S. Post Office Department does not seem to agree with me that a stamp should be issued to commemorate the 100th anniversary of this great song, and to honor this composer. I nevertheless am asking my colleagues on the Committee on Post Office and Civil Service to cut through the bureaucratic redtape and to approve this legislation, notwithstanding the fact that a board, or a group, in the Post Office Department shows little interest in the idea. I think that there is so much bureaucracy connected with every little action a Congressman has to take in Washington that it is high time we in Congress reassert our prerogative to get things done, in spite of the opposition of this or that bureaucrat who may be appointed to his job for varying periods.

Despite the views of the principal bureaucrats charged with approving stamps, and stamp designs, in the U.S. Post Office Department, I, and hundreds of my constituents in Ohio, can see no valid reason at all why a stamp cannot be issued this year to commemorate the 100th anniversary of this beautiful song, and, of course, its composer, whose gentility and kindness and genius was recognized in his own day, and might well be remembered in this day and age.

It would be a shame, in my humble opinion, to let this year go by without commemorating Daniel Decatur Emmett, and "Dixie," on a national basis.

I am happy that the Kiwanis Club at Mount Vernon, Ohio, of which I am a proud member, is planning a 2-day celebration on June 26 and 27 this year to commemorate the composition of "Dixie" on a cold, wet Sunday by Uncle Dan Emmett 100 years ago. I would be most happy, Mr. Speaker, if between now and then we could report out this new bill to cause a stamp to be printed in his honor so that I might report it to my people. This is a little thing in a certain sense and yet, in another sense, it is a big thing. In any case, I think it is the right thing to do and I urge my colleagues to support my resolution.

LIBERALIZING PROVISIONS OF TARIFF ACT OF 1930

Mr. LINDSAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LINDSAY. Mr. Speaker, I have today introduced a bill to liberalize various provisions of the Tariff Act of 1930 respecting the importation of works of art. The bill is identical to one introduced in the other body by Senator JACOB K. JAVITS, S. 948, and in this body by the gentleman from New Jersey [Mr. THOMPSON]. It stands high in the interest of many of my constituents, including New York City's most magnificent art museums.

The bill would amend various paragraphs in the Tariff Act to include on the duty-free list modern-art forms presently of questionable status under the act, or which have actually been determined to be presently dutiable. The bill would also provide for duty-free entry of primitive and aboriginal art and scaled reproductions of original works, and would facilitate the entry of art for use in exhibitions on a duty-free basis.

The bill was prepared in close conjunction with, and with the full cooperation of, the American Association of Museums' committee on customs, and after consultation with a great many authorities in both the fields of art and of customs. Its effect on the revenues received from customs would be negligible. Some experts have estimated the loss of revenue at not more than $10,000 a year. Whatever the exact figure, surely it would be outweighed by the value—not monetary, but esthetic—of such a desirable stimulus to the growth of American culture.

Mr. Speaker, this is legislation which certainly ought to be given high priority. Not only would its passage greatly aid the progress of many of our great museums and educational institutions, but it would effectively accelerate the free exchange of art ideas and cultural thought, from which our Nation as a whole stands greatly to benefit.

Mr. Speaker, I hope that this legislation will receive the wide support of a great many of my colleagues on both sides of the aisle.

DISTRICT OF COLUMBIA LEGISLATION

The SPEAKER. This is District of Columbia Day. The gentleman from South Carolina [Mr. MCMILLAN] is recognized.

GEORGE MASON MEMORIAL BRIDGE

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 5534) to designate the bridge to be constructed over the Potomac River near

14th Street in the District of Columbia, under the act of July 16, 1946, as the George Mason Memorial Bridge, and for other purposes, and I ask unanimous consent that the same be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

Mr. GROSS. Mr. Speaker, reserving the right to object, does this cost any money?

Mr. McMILLAN. It does not. It only names the bridge.

Mr. GROSS. It does not provide for the construction of another bridge across the Potomac River at the expense of all the taxpayers?

Mr. McMILLAN. No, sir. That was provided for in 1956. This just names the bridge.

Mr. GROSS. Does this bill provide for some kind of a celebration once the bridge is completed.

Mr. McMILLAN. I do not know anything about a celebration. It will be 2 or 3 years before the bridge is built.

Mr. GROSS. It is contemplated, according to the last paragraph of the bill, to hold suitable ceremonies in connection with naming of the bridge and I want to make sure that will not cost the taxpayers any money.

Mr. McMILLAN. Not to my knowledge.

Mr. GROSS. The gentleman will state definitely that it will not cost any money when they get around to celebrate completion of the bridge?

Mr. McMILLAN. Perhaps the gentleman from Virginia can answer the gentleman.

Mr. BROYHILL. It is provided for following the completion of the bridge. It is rather confusing what we mean by "the 14th Street Bridge," because there are two of them. Last year we named the incoming northbound 14th Street Bridge as the Rochambeau Bridge and they had appropriate unveiling ceremonies designating it as such. This bill provides for the naming of the old 14th Street Bridge as the George Mason Bridge, and it is provided for an unveiling celebration. I will not say it will not cost any money, but I do not think the cost of such a ceremony is an undesirable cost.

Mr. GROSS. With that response I would like to put the House on notice now that it may expect a bill later on. The bridge ought to have a name, but I see no reason why all the taxpayers of the country should provide the money to hold a celebration to open this bridge.

Congress does not provide money for the opening of a toll bridge across the Mississippi River that is built by private enterprise and paid for by those who use it; the Federal Government does not spend money, nor should it, for any such ceremonies in the Midwest, and I know of no reason why the taxpayers of Iowa should be called upon to pay for any ceremony in connection with this bridge or any other bridge across the Potomac.

Mr. Speaker, I withdraw my reservation of objection, but I want to serve notice here and now that if I am a Member of Congress when this bridge is completed I will oppose the appropriation of a single dime of taxpayer money for the bridge-naming celebration.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina that the bill be considered in the House as in the Committee of the Whole?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the bridge to be constructed over the Potomac River from a point near Fourteenth Street in the District of Columbia to a point in Virginia, under authority of the Act entitled "An Act authorizing and directing the Commissioners of the District of Columbia to construct two four-lane bridges to replace the existing Fourteenth Street or Highway Bridge across the Potomac River, and for other purposes", approved July 16, 1946 (60 Stat. 566), shall be known and designated as the "George Mason Memorial Bridge". Any law, regulation, map, document, record, or other paper of the United States in which such bridge is referred to shall be held to refer to such bridge as the "George Mason Memorial Bridge".

SEC. 2. The Commissioners of the District of Columbia shall—

(1) place on the George Mason Memorial Bridge a name plaque of suitable and appropriate design; and

(2) in connection with the opening of such bridge to the public, provide for suitable ceremonies honoring George Mason, the American statesman of the Revolutionary War period from the State of Virginia, who drafted the renowned Virginia Declaration of Rights which became the basis for the first ten amendments to the Constitution of the United States.

Mr. McMILLAN. Mr. Speaker, section 1 of the bill provides that the bridge which will replace the existing 14th Street or Highway Bridge across the Potomac River shall be known and designated as the "George Mason Memorial Bridge."

Section 2 provides that the Commissioners of the District of Columbia shall, first, place on such bridge a name plaque of suitable and appropriate design; and second, in connection with the opening of such bridge to the public, to provide suitable ceremonies honoring George Mason, the American statesman of the Revolutionary War period from the State of Virginia, who drafted the Virginia Declaration of Rights which became the basis for the first 10 amendments to the Constitution of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING THE LIFE INSURANCE ACT OF THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia I call up the bill (H.R. 1844) to amend the Life Insurance Act of the District of Columbia approved June 19, 1934, as amended by the acts of July 2, 1940, and July 12, 1950, and ask unanimous consent that it be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 10(1) of chapter V of the Life Insurance Act, as amended (sec. 35–710(1), D.C. Code, 1951 edition), is amended (1) by striking out "twenty-five employees" in subsection (c) thereof, and inserting in lieu thereof "ten employees", and (2) by striking out the period at the end of subsection (d) thereof and adding the following: "unless 150 per centum of the annual compensation of a covered employee exceeds $20,000, in which event all such insurance shall not exceed $40,000, or 150 per centum of such annual compensation, whichever is less."

SEC. 2. Section 10(3) of chapter V of the Life Insurance Act, as amended (sec. 35–710(3), D.C. Code, 1951 edition), is amended (1) by striking out the words "twenty-five members" in subsection (c) thereof and inserting in lieu thereof "ten members", and (2) by deleting "issued to the union" in the second sentence of subsection (d), and (3) by striking out the period at the end of subsection (d) thereof and adding the following: "unless 150 per centum of the annual compensation of a covered union member exceeds $20,000, in which event all such insurance shall not exceed $40,000, or 150 per centum of such annual compensation, whichever is less."

SEC. 3. Section 10(4) of chapter V of the Life Insurance Act, as amended (sec. 35–710(4), D.C. Code, 1951 edition), is amended by striking out the period at the end of subsection (d) thereof and adding the following: "unless 150 per centum of the annual compensation of a covered person exceeds $20,000, in which event all such insurance shall not exceed $40,000, or 150 per centum of such annual compensation, whichever is less."

SEC. 4. Section 10(5) of chapter V of the Life Insurance Act, as amended (sec. 35–710(5), D.C. Code, 1951 edition), is amended by striking out "fifty employees" and inserting in lieu thereof, "ten employees."

SEC. 5. Section 10 (generally) of chapter V of the Life Insurance Act, as amended (sec. 35–710, D.C. Code, 1951 edition), is amended by adding the following two new subsections, subsections 6 and 7:

"(6) A policy issued to an association which has been organized and is maintained for purposes other than that of obtaining insurance, which shall be deemed the policyholder, to insure members, or employees of members, of such association for the benefit of persons other than the association, or any of its officials, representatives, or agents, subject to the following requirements:

"(a) The members or employees eligible for insurance under the policy shall be all the members, and all the employees of the members, of the associations, or all of any class or classes thereof determined by conditions pertaining to their employment, or to membership in the association, or both.

"(b) The premium for the policy shall be paid by the policyholder either wholly from the association's funds, or partly from such funds and partly from funds contributed by the insured members or employees specifically for their insurance, or from funds wholly contributed by the insured members or employees specifically for their insurance. A policy on which any part or all of the premium is to be derived from funds contributed by the insured members or employees specifically for their insurance may be placed in force only if at least 60 per centum of the then eligible members or employees or a minimum of four hundred members, whichever is less, excluding any as to whom evi-

dence of individual insurability is not satisfactory to the insured, elect to make the required contributions. A policy on which no part of the premium is to be derived from funds contributed by the insured members specifically for their insurance must insure all eligible members or employees, or all except any as to whom evidence of individual insurability is not satisfactory to the insurer.

"(c) The policy must cover at least twenty-five members or employees at date of issuance.

"(d) The amounts of insurance under the policy must be based on some plan precluding individual selection either by the members or employees, or by the association. No policy may be issued which provides term insurance on any association member or employee which, together with any other term insurance under any group life insurance policy or policies, exceeds $20,000, unless 150 per centum of the annual compensation of such person exceeds $20,000, in which event all such term insurance shall not exceed $40,000, or 150 per centum of such annual compensation, whichever is less.

"(7) Any policy issued pursuant to this section, except a policy issued to a creditor pursuant to subsection (2) hereof, may be extended to insure the spouses and minor children of insured persons, or any class or classes thereof, subject to the following requirements:

"(a) The premiums for the insurance shall be paid by the policyholder either from the policyholder's funds or from funds contributed by the insured person, or from both. If any part of the premium is to be derived from funds contributed by the insured persons, the insurance with respect to spouses and children may be placed in force only if at least 75 per centum of the then eligible employees or association members, excluding any as to whose family members evidence of insurability is not satisfactory to the insurer, elect to make the required contribution. If no part of the premium is to be derived from funds contributed by the insured persons, all such eligible employees or association members, excluding any as to whose family members evidence of insurability is not satisfactory to the insurer, must be insured with respect to their spouses and children.

"(b) The amounts of insurance under the policy must be based upon some plan precluding individual selection either by the insured persons or by the policyholder, and shall not exceed with respect to any spouse or child, 50 per centum of the insurance on the life of such insured person.

"(c) Upon termination of the insurance with respect to the spouse of any insured person by reason of such person's termination of employment or membership or death, the spouse insured pursuant to this section shall have the same conversion rights as to the insurance on his or her life as is provided for the insured person under section 35–711.

"(d) Notwithstanding the provisions of section 35–711, only one certificate need be issued for delivery to an insured person if a statement concerning any dependent's coverage is included in such certificate."

With the following committee amendments:

On page 4, line 6, after the word "members" insert the phrase "or employees".

On page 4, line 9, strike the word "insured" and insert the word "insurer".

On page 4, line 11, after the word "members" insert the phrase "or employees".

On page 6, lines 9 and 10, strike "35–711" and insert in lieu thereof "11".

Mr. McMILLAN. Mr. Speaker, the District of Columbia Life Insurance Act presently authorizes, first, the issuance to an employer or to the trustee of a fund established by an employer of a group life insurance policy covering a group of at least 25 employees; second, the issuance to a labor union of a group life insurance policy covering at least 25 union members; third, the issuance to the trustees of a fund established by two or more employers in the same industry or by one or more labor unions, or by one or more employers and one or more labor unions of a group life insurance policy covering at least 100 persons and not less than an average of five persons per employer unit; and fourth, the issuance to certain designated Government officials of group life insurance policies covering at least 50 Government employees. In the cases of the first three classes of persons described above, the amount of insurance coverage per person may not exceed $20,000. Existing law does not now authorize an association which has been organized and is maintained for purposes other than that of obtaining insurance to be issued a group life insurance policy nor does existing law provide for the inclusion in any such policy of spouses and minor children of insured persons.

H.R. 1844 amends the act to authorize the issuance to an employer or trustee of a fund established by an employer, to labor unions, to trustees for one or more labor unions, two or more employers, or one or more employers and one or more labor unions, and to certain designated Government officials, group life insurance policies covering a minimum of ten persons. The bill also increases the limitation of insurance coverage from $20,000 to $40,000. Further, associations which have been organized and are maintained for purposes other than obtaining insurance are made eligible to be issued policies of group life insurance. The coverage of such policies may, under the bill, be extended to include the spouses and minor children of the insured persons.

Mr. HOFFMAN of Michigan. Mr. Speaker, I move to strike out the last word, and ask unanimous consent to proceed out of order and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Speaker, this time would not be taken, but a letter was received this morning, enclosing a newspaper clipping that reads:

CONGRESSIONAL PAY ISN'T CHICKEN FEED

(By Inez Robb)

In the current congressional Easter recess, Members of the Senate and House are back home, so I read, trying to get a whiff of the political climate and taking the pulse of the electorate.

So far, my Congressman, much less my Senator, has not been around to lay ary finger on my pulse. But if either shows up, he'll find my pulse jumping like a yo-yo. And I'll be real happy to tell him why.

It isn't so much the present widespread revelations of nepotism (or me-and-my family firstism) that has my pulse leaping like a trout stream—there are chiselers in every profession—as what it all adds up to.

And what it adds up to is that American Congressmen are among the most highly paid and most lightly taxed executives in the country.

Frankly, I feel like a nitwit that for years I have swallowed the surface fact that Senators and Members of the House receive a flat salary of $22,500 annually.

The truth is that Congressmen receive from three to eight times that sum, for they belong to that most-privileged and lordly of all modern financial categories, the expense-account aristocracy.

Including all their extraordinary perquisites, which they have voted themselves over the years, the congressional take-home pay, the great majority of it tax exempt, ranges anywhere from $70,000 to more than $180,000 annually.

The Congress has been shrewd enough to vote itself a flat salary of $22,500 and to take the rest of its big, fat cut in the form of expenses, which are tax exempt.

The Congress has made it as difficult as possible for the public to assay the swag connected with membership in the club.

By law, the Members of the House are limited to $37,000 annually for secretarial help. The House recently put on the pressure to up that sum by another $14,500 for another administrative assistant.

And remember, fellow voter, all this lovely expense account money is tax exempt. And you really ain't heard nothing yet. Of course, you have read about the $1,200 annual allowance received by each Congressman for an office in his home town. Ah, those glassed-in front porches.

In Washington, each Congressman occupies a luxurious suite, in either the Senate or House Office Buildings, suites sometimes as large as seven rooms. Of course, the furniture and equipment of these offices are on Uncle Sam, too. (Remember the story recently about the number of congressional typewriters that have disappeared?)

The commercial rent on such splendid offices (and how vulgar of me to turn commercial) in a city as crowded as Washington, D.C., would be very costly, indeed, if a Congressman were forced to pay his way.

Then $3,000 of the $22,500 of acknowledged salary is tax exempt because of the "hardship" being forced to maintain a residence in Washington, D.C.

Note this paragraph:

And what it adds up to is that American Congressmen are among the most highly paid and most lightly taxed executives in the country.

Now, it seems to me that statement would be of interest to all of us. I am sure it will be of interest to people who are thinking of running for office.

Here is another quote:

Frankly, I feel like a nitwit. That for years I have swallowed the surface fact that Senators and Members of the House receive a flat salary of $22,500 annually.

Now, what this young lady—and I think she is young and beautiful—put in the press is amazing—if she has been around here for some time and is a young lady of discernment. That she did not know until recently what Congressmen are getting is most amazing, to me, especially from the Detroit Free Press. I know of the Detroit Free Press. The father of the editor, John Knight—and he has, I understand, three great papers—was once a Congressman from the Akron, Ohio, district, and, presumably, John S. himself is at least slightly interested in Congressmen, their qualifications—incidentally, their compensation. I know the Detroit Free Press has good people—a most excellent

reporter in Jim Haswell. He is on the ball all the time. He gets the news when it is news, and very accurately. I have never noticed any venom in his reports. But this girl—I assume she is a girl—just does not know what we are getting for the duties we are presumed to do.

Listen to this. She wrote:

The truth is that Congressmen receive from three to eight times that sum, for they belong to that most-privileged and lordly of all modern financial categories, the expense-account aristocracy.

Including all their extraordinary perquisites, which they have voted themselves over the years, the congressional take-home pay, the great majority of it tax exempt, ranges anywhere from $70,000 to $180,000 annually.

Now, if any of you have been in any doubt about what your take-home pay is, check up on this statement of Inez.

Where in the world does the dear lady get that kind of misinformation? If in doubt, she should have checked. Can anyone estimate the misunderstanding, the envy, that statements of that kind cause among the people of our districts? Perhaps some have known exactly what a Congressman receives. When they read this statement in the Detroit Free Press that some of us get $70,000, some $180,000, they see it "black on white" and, with the other misleading statements they read, straightaway conclude that the Congressmen who tell them, when asked, the true amount of their compensation, are liars.

While Inez may be young, she may also be old enough to remember that there was a day when the people, reading a newspaper, were of the opinion that the statements therein were true.

Now, I had a lame back for quite some time. My colleague, the gentleman from Michigan [Mr. RABAUT] has been here so long and he was limping around a little while ago. Maybe he and I had bad backs, that is, from carrying that money home, all of that $180,000. If they paid us in Lincoln pennies, it sure was some load. I do not know where Inez has been—upstairs, or down, eating. She sure did not get the facts right. I hope that the Detroit Free Press management will call her attention to the necessity of being approximately accurate because some folks read that paper and certainly Mr. Knight does not want his readers deceived. If his news stories are untrue no one will believe his editorials.

She states further:

The Congress has been shrewd enough to vote itself a flat salary of $22,500 and to take the rest of its big, fat cut in the form of expenses, which are tax exempt.

She should know better. Why mislead on that item? But just why does she charge us with getting tax-exempt sums when the record shows otherwise? If I said she weighed 50 pounds more than she does, would she be mad?

She states:

The Congress has made it as difficult as possible for the public to assay the swag connected with membership of the club.

May I ask my friend from Iowa [Mr. GROSS], What is the meaning of "swag"? What does that mean as Inez uses it?

Swag means "booty, boodle, plunder, also spoils," and, of course, Inez knows the meaning of the term. Sure, the Congressmen have their failings, as do a few other people. But after all, this is the people's Congress and one of the good things about the people is that even the sassiest, dirty-faced little brat is, by his mother, thought to be quite a child.

May I plead with Inez, in my behalf if in behalf of no one else. We are bad enough. Do not make us any worse than we are.

She also wrote:

By law, the Members of the House are limited to $37,000 annually for secretarial help. The House recently put on the pressure to up that sum by another $14,500 for another administrative assistant.

If I ever get one, I am going to lend him to Inez so that she may get the facts, write a true report. She needs information not imagination. A paper that continues to print fancy rather than facts soon loses the confidence of its readers.

She goes on to say:

And remember, fellow voter, all this lovely expense account money is tax exempt.

Of course, you have read about the $1,200 annual allowance received by each Congressman for an office in his home town.

Ah, those glassed-in front porches.

Bless your heart, dear Inez, you would be one of the first to kick if the Congressman did not ask you to be seated when you called in his home town—just what and the sum total of expense items would you allow, Inez?

Neither you nor the Detroit Free Press nor the other papers pays any gallery rent, but Inez, you have been sitting up there in the comfortable press gallery and on those nice, soft cushions while waiting for a timid Congressman to leave the floor at your finger-crooking to answer your call in the hope you would send on a good word to your paper. So why do you let out an unladylike squawk?

Instead of worrying and complaining about the furniture used in the Capitol which the Congressmen are permitted to use, Inez might give a little thought to the fact that she is treated in the same way when in the Capitol. If she does not watch her step, she will get sore just sitting around waiting for something to happen. The services she gets are all tax free.

Surely she wants to leave us enough so that, when we come on the floor or down in the well, we will not be arrested for not being properly dressed.

She states further on:

In Washington, each Congressman occupies a luxurious suite, in either the Senate or House Office Buildings, suites sometimes as large as seven rooms.

You boys with seven rooms, let us know where they are. She says "seven rooms." Go over to my office and find out. I have tried to wriggle the Speaker out of a nice place up in front, but he keeps me in a back corner. I am glad he does because there are three windows on one side of my office. Of course, there are a couple of girls in there, but I do not mind that, although it is a little embarrassing sometimes when folks from back home come in, like the six or seven who came in this morning. But, we all get along and some way the work gets done. I wish, however, you distinguished Members of the House who have seven rooms would let us know where they are and how any of us can get them.

Of course, the furniture and equipment of these offices are on Uncle Sam, too.

She sits up there and pounds a Government typewriter, she and the rest of the reporters; lolls back in a comfortable chair, has a cigarette tray handy if she wants one, a glass of cool, clear water waiting in the hand of a Congressman if she wants it. I wish some of these boys and girls who are so critical of Congressmen would get a looking-glass—I will help pay for it—and take a look at themselves every morning before coming to work and see how much better they are than the rest of us—then be just a little charitable.

Ah, yes, furniture. Inez even complains about the furniture. I bought two surplus desks for the office one day and I would bet, if I was a betting man, when I go home pretty quick and take them along, someone will accuse me of stealing them.

Typewriters. Inez wrote:

Remember the story recently about the number of congressional typewriters that have disappeared?

Is a Congressman to blame if any are gone or once in a while a reporter lets one stick to his fingers? I do not think so. I have not the slightest idea that it happened. Inez writes:

The commercial rent on such splendid offices (and how vulgar of me to turn commercial) in a city as crowded as Washington, D.C., would be very costly, indeed, if a Congressman were forced to pay his way.

Do they want us to rent space here? And, Inez, I have a home in Allegan, Mich. Wife and I built it 59 years ago—house and lot, $1,200—rent one here for $110 a month. Inez, if I was getting $180,000 a year, tax free, I might think of paying $120 a month.

Writes Inez:

Then $3,000 of the $22,500 of acknowledged salary is tax exempt.

Poor dear. She does not know all she is writing about.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ATTACHMENT AND GARNISHMENT OF WAGES IN THE DISTRICT OF COLUMBIA

Mr. DAVIS of Georgia. Mr. Speaker, I call up the bill (H.R. 836) to amend the code of law for the District of Columbia by modifying the provisions relating to the attachment and garnishment of wages, salaries, and commissions of judgment debtors, and for other purposes, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901, as amended, is amended by inserting after section 1104 thereof a new section as follows:

"SEC. 1104A. ATTACHMENT OF WAGES.—(a) Notwithstanding any other provision of this chapter, where an attachment is levied upon wages due a judgment debtor from an employer-garnishee, such attachment shall become a lien and a continuing levy upon the gross wages due or to become due to the judgment debtor for the amount specified in the attachment to the extent of (1) 10 per centum of so much of the gross wages as does not exceed $200 due or to become due to the judgment debtor from the employer-garnishee for the pay period or periods ending in any calendar month, plus (2) 20 per centum of so much of the gross wages as exceeds $200 but does not exceed $500 due or to become due to the judgment debtor from the employer-garnishee for the pay period or periods ending in any calendar month, plus (3) 50 per centum of so much of the gross wages as exceeds $500 due or to become due to the judgment debtor from the employer-garnishee for the pay period or periods ending in any calendar month. Such levy shall be a continuing levy until the judgment, interest, and costs thereof are fully satisfied and paid, and in no event shall moneys be withheld, by the employer-garnishee from the judgment debtor, in amounts greater than those prescribed by this section. Only one attachment upon the wages of a judgment debtor shall be satisfied at one time. Where more than one attachment is issued upon the wages of the same judgment debtor and served upon the same employer-garnishee, the attachment first delivered to the marshall shall have priority, and all subsequent attachments shall be satisfied in the order of priority set forth in section 452 of this Act.

"(b) It shall be the duty and responsibility of any employer upon whom an attachment is served, and who at such time is indebted for wages to an employee who is the judgment debtor named in such attachment, or who becomes so indebted to such judgment debtor in the future and while such attachment remains a lien upon such indebtedness, to withhold and pay to the judgment creditor, or his legal representative, within fifteen days after the close of the last pay period of the judgment debtor ending in each calendar month, that percentage of the gross wages payable to the judgment debtor for the pay period or periods ending in such calendar month to which the judgment creditor is entitled under the terms of this section until such attachment is wholly satisfied: *Provided,* That upon written notice of any court proceeding attacking such attachment or the judgment on which it is based, the employer shall make no further payments to the judgment creditor or his legal representative until receipt of an order of court terminating such proceedings. Any payments made by an employer-garnishee in conformity with this subsection shall be a discharge of the liability of the employer to the judgment debtor to the extent of such payment. Under this subsection the employer-garnishee shall not withhold or pay over more than 10 per centum of the gross wages payable to the judgment debtor for any pay period ending in any calendar month until the total amount of gross wages paid or payable to the judgment debtor for all pay periods ending in such calendar month equals $200, nor more than 20 per centum of the gross wages in excess of $200 payable to the judgment debtor for any pay period ending in any calendar month until the total amount of gross wages paid or payable to the judgment debtor for all pay periods ending in such calendar month equals $500.

"(c) It shall be the duty and responsibility of the judgment creditor (1) to file with the clerk of the court, every three months after the serving of an attachment, a receipt showing the amount received and the balance due under the attachment as of the date of filing, and (2) to file a final receipt with the court, furnish a copy thereof to the employer-garnishee, and to obtain a vacation of the attachment within twenty days after the attachment has been satisfied. If the judgment creditor fails to file any of the receipts prescribed in this subsection, any interested party may move the court to compel the defaulting judgment creditor to appear in court and make an accounting forthwith. The court may, in its discretion, enter judgment for any damages, including a reasonable attorney's fee, suffered by, and tax costs in favor of, the party filing the motion to compel the accounting.

"(d) If the employer-garnishee willfully fails to pay to the judgment creditor the percentages prescribed in this section of the wages which become payable to the judgment debtor for any pay period, judgment shall be entered against him for the whole amount of the judgment creditor's judgment, interest, and costs and execution shall be had thereon except that in no event shall judgment be entered against the employer-garnishee in an amount greater than the gross wages which became payable to the judgment debtor for the pay period or periods with respect to which the employer-garnishee willfully failed to pay to the judgment creditor the percentages prescribed in this section. If the employer-garnishee fails—but not willfully, to pay to the judgment creditor the percentages prescribed in this section of the wages which become payable to the judgment debtor for any pay period, judgment shall be entered against him for an amount equal to the percentages with respect to which such failure occurs.

"(e) If a judgment debtor resigns or is dismissed from his employment while an attachment upon his wages is wholly or partly unsatisfied, such attachment shall lapse and no further deduction shall be made thereon unless the judgment debtor is reinstated or reemployed within ninety days after such resignation or dismissal.

"(f) For purposes of this section, the term 'wages' means—

"(1) wages, salary, commissions, or other remuneration for services performed by an employee for his employer, including any such remuneration measured partly or wholly by percentages or share of profits, or by other sums based upon work done or results produced, whether or not the employee is given a drawing account, and

"(2) any drawing account made available to an employee by his employer.

The term wages shall not include any amount paid or payable to an employee who is not a resident of the District of Columbia as remuneration for services performed within the District of Columbia, if the period for which the employee is engaged by the employer to perform such services within the District of Columbia is less than fifteen consecutive days' duration; and any such amount shall be subject to attachment without regard to this section.

"(g) The per centum limitations prescribed by subsection (a) of this section shall not apply in the case of execution upon a judgment, order, or decree of any court of the District of Columbia for the payment of any sum for the support of maintenance of a person's wife, or former wife, or children, and any such execution, judgment, order, or decree shall, in the discretion of the court, have priority over any other execution which is subject to the provisions of this section.

"(h) No attachment issued by the municipal court for the District of Columbia upon a judgment of such court duly docketed in the United States District Court for the District of Columbia, and levied within 6 years from the date of such judgment upon the wages due or to become due to the judgment debtor from the employer-garnishee, shall lapse or become invalid prior to complete satisfaction solely by reason of the expiration of the period of limitation set forth in section 4(c) of the Act of April 1, 1942 (56 Stat. 193; D.C. Code 11–755).

"(i) Where the judgment debtor claims or is proved to be rendering services to or employed by a relative or other person or by a corporation owned or controlled by a relative or other person, without salary or compensation, or at a salary or compensation so inadequate as to satisfy the court that such salary or compensation is merely colorable and designed to defraud or impede the creditors of such debtor, the court may direct such debtor to make payments on account of the judgment, in installments, based upon a reasonable value of the service rendered by such judgment debtor under his said employment or upon said debtor's then earning ability.

"(j) Where an attachment levied under section 1104A is based upon a judgment obtained by default or consent without a trial upon the merits, the court, upon motion of any interested person, may quash such attachment upon satisfactory proof that such judgment was obtained without just cause and solely for the purpose of preventing or delaying the satisfaction of just claims."

SEC. 2. Subsection (b) of section 1089 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901, as amended (D.C. Code 15–304), is amended by adding at the end thereof the following: "This subsection shall not apply with respect to an attachment upon wages to which section 1104A of this Act applies."

SEC. 3. Section 1098 of such Act, as amended (D.C. Code 15–312), is amended by striking out "If" and inserting in lieu thereof "Subject to the provisions of section 1104A of this Act, If".

SEC. 4. Section 1107 of such Act, as amended (D.C. Code 15–403), is amended—

(a) by striking out "earnings, salary" each place it appears in subsections (a) and (b) and inserting in lieu thereof "earnings (other than wages, as defined in section 1104A);" and

(b) by striking out "salaries" in the proviso in subsection (a).

SEC. 5. (a) Section 456 of such Act, as amended (D.C. Code 16–312), is amended by adding at the end thereof as follows:

"(c) Any attachment issued under section 445 of this Act solely on the ground that the defendant is not a resident of the District of Columbia and levied upon wages as defined in section 1104A(f) shall be subject to the provisions of section 1104A of this Act, except that the employer-garnishee shall pay over the wages withheld pursuant to such section only pursuant to the order of the court which has jurisdiction of the case. In applying the provisions of such section to any such attachment, the term 'judgment debtor' as used in such section shall be considered to refer to the defendant in the case in which such attachment is issued; and the term 'judgment creditor' shall be considered to refer to the plaintiff in such case."

(b) Subsection (b) of such section 456 is amended by striking out "Wages" and inserting in lieu thereof "earnings".

SEC. 6. The amendments made by this Act shall apply only with respect to attachments

upon wages (as defined in section 1104A(f) of this Act) which are issued on or after sixty days from the date of the enactment of this Act.

SEC. 7. If any section, subdivision, or clause of section 1104A shall be held to be invalid, the remainder of the Act shall not be affected thereby.

SEC. 8. The judges of the municipal court for the District of Columbia and of the United States District Court for the District of Columbia shall establish such rules of procedure for their respective courts as may be necessary to effectuate the purposes of this Act.

With the following committee amendments:

On page 5, line 3 following "(d)", strike the following: "If the employer-garnishee willfully fails to pay to the judgment creditor the percentages prescribed in this section of the wages which become payable to the judgment debtor for any pay period, judgment shall be entered against him for the whole amount of the judgment creditor's judgment, interest, and costs, and execution shall be had thereon except that in no event shall judgment be entered against the employer-garnishee in an amount greater than the gross wages which became payable to the judgment debtor for the pay period or periods with respect to which the employer-garnishee willfully failed to pay to the judgment creditor the percentages prescribed in this section."

On page 5, line 15, strike the comma and the following: "but not willfully".

On page 7, line 5, after the period, add the following: "In the case of execution upon such a judgment, order, or decree for the payment of such sum for support or maintenance, the limitation shall be 50 per centum of the gross wages due or to become due to any such person for the pay period or periods ending in any calendar month."

Mr. DAVIS of Georgia. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, under existing law in the District of Columbia a judgment creditor may issue an attachment of a debtor's wages called a garnishment, which garnishment requires that the employer withhold all of the debtor's wages until it can be judicially determined how much of the attached wages should be turned over to the creditor.

Under existing law if an exemption is claimed the debtor is required to file a written claim of exemption which claim is set down for a hearing in open court at which the debtor must be present. During the time this hearing is pending the entire wages are still held up.

The exemption provided for under present law is unworkable and economically unsound in that the majority of defendants never take advantage of it, and it promotes a coercive influence on defendants due to the holdup of the defendant's salary until the litigation is determined.

There are approximately 3,500 cases of garnishment heard before the municipal court of the District of Columbia every month.

The purpose of H.R. 836 is to provide an attachment on wages of a judgment debtor's earnings to the extent of 10 percent of gross wages not exceeding $200 per month, 20 percent of gross wages over $200 but not exceeding $500 per month, and 50 percent of gross wages exceeding $500 per month, until the judgment is fully paid.

The provisions of this bill shall be effective as to wages, salary, and commissions of an employee-judgment debtor on or after the date of the enactment of this act.

A subcommittee of the House District Committee held hearings on H.R. 836 on March 4, 9, and 16, 1959. At the time the hearings were held the chief judge of the municipal court of the District of Columbia appeared, and other judges of the municipal court, the corporation counsel for the District of Columbia, representatives of the District of Columbia Bar Association, and many other interested public citizens who testified in favor of this bill. There were a number of individuals who appeared and testified in opposition to H.R. 836 or any other bill which would amend the law relating to attachment or garnishment on wages, salaries, and commissions in the District of Columbia. It might be well to point out that these persons who testified against amending the present law were representatives of various businesses who have extended credit in what could be called a reckless manner to the very individuals who were always brought into court with these proceedings.

The purpose in the amendment on page 5, line 3, following subsection (d) and on page 5, line 15, striking out the words "but not willfully" would reduce punishment for employers who failed to deduct attachments from debtor employees' checks. The Bar Association of the District of Columbia wanted such employers liable for payment of the total debt under attachment. The committee limited the employers' liability to an amount equal to the payment he failed to make.

The purpose of the amendment on page 7, line 15, adds a new sentence and is explained as follows:

Subsection (a) of the new section 1104A provides there shall be certain percentage limitations on the amount which shall become a lien and levy on gross wages due a judgment debtor. Such percentage limitations vary depending upon the amount of the gross wages of the debtor.

Subsection (g) provides that these percentage limitations shall not apply in the case of a judgment order or decree for payment of sums for the support or maintenance of a person's wife, a former wife or children. Thus it would seem to be possible for all of the debtor's wages to be attached on this type of case.

The purpose of the amendment is to provide that not more than 50 percent of the gross wages due the judgment debtor can be attached in the case of execution upon this type of judgment order or decree. This 50 percent limitation is without regard to the amount of the gross wages due the debtor.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BUREAU OF INDIAN AFFAIRS

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 3648) to regulate the handling of student funds in Indian schools operated by the Bureau of Indian Affairs, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Line 7, after "Affairs" insert "in accordance with the purposes of such deposits."

Line 7, after "deposits" insert "and disbursements."

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

DEFENSE FACILITIES PROTECTION ACT OF 1959

Mr. WILSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. WILSON. Mr. Speaker, the Department of Defense has for many years urged the Congress to enact legislation which will allow the removal of persons within the defense organization who are a threat to the security of our country.

At the present time there are individuals employed with organizations performing services for the Department of Defense who are known to be or to have been members of the Communist Party.

The legal authority of the Department of Defense presently is limited to the protection of classified information or material in the possession of the Department of Defense. Based on this authority, access to such classified information or materials is denied to persons who are determined under appropriate rules and regulations to be security risks. This authority does not extend, however, to the removal of potentially dangerous individuals from facilities where unclassified, though highly important defense work, is being performed; or to removal of such individuals from support facilities such as powerplants, basic material plants, and transportation facilities.

One of the most significant areas where this problem exists is in the communications field. At the present time, vital communication facilities of the Defense Department are under the control of a union known as the American Communications Association.

In testimony developed by the House Committee on Un-American Activities, in hearings held in 1957, it has been conclusively established that this union was expelled from the AFL-CIO due to its being dominated by the Communist

Party. Members of this union, many of whom took the fifth amendment when asked about their affiliation with the Communist Party, are in a position to intercept vital defense messages which may issue or be received by the Department of Defense.

The legislation I have introduced will give the Department of Defense authority to remove these security threats from sensitive positions.

There is no room in our defense structure for anyone who is a member of or sympathetic to the Communist Party. It is shocking to know that this type of individual can today legally penetrate our defense organization.

I feel very proud and honored as an American to be able to join with some of my colleagues, in introducing this legislation in an effort to further shore up our defenses.

THE HOUSING BILL AND OUR RESPONSIBILITY TO POSTERITY

The SPEAKER. Under previous order of the House, the gentleman from California [Mr. HIESTAND] is recognized for 60 minutes.

Mr. HIESTAND. Mr. Speaker, unpaid bills and crushing national debts, if passed on to our children, will surely boomerang. Those children will bitterly condemn their reckless forebears. Even today, constituents are becoming concerned about the future of the American economy. With alarm they are catching on to the Democrat trick of backdoor spending.

No generation should live for itself alone. Our sole objective should be saving this Nation for the generations to come.

In other words it should be "what's best for our country" rather than the lust for immediate power by spending, spending, and spending the Republic into disaster.

There is a clear difference between the Republican and Democrat Parties, despite all this talk about a new image. Nearly a century ago, Abraham Lincoln summed up the Republican perspective:

> Fellow citizens, we cannot escape history. * * * The fiery trial through which we pass will light us down in honor or dishonor to the latest generation. * * * We shall nobly save or meanly lose the last best hope of earth.

The Republicans have heeded and the Democrats have ignored this exhortation to be responsible to posterity. The Republicans preach fiscal discipline and austerity today in order that our children shall inherit economic freedom, prosperity, and progress tomorrow.

The Democrats, on the other hand, continue their extravagance with the public money and apparently think that the public can be bought. They forget the cruel and crushing burden that the debts for their excesses will place upon all our children years hence.

The Republicans want every American family to have good housing. But this does not mean an extravagant, ill-conceived housing program that is going to create such national debts that those same families would one day curse the authors of the seemingly good program.

Those politicians who subscribe to the Democrat spending philosophy deny that there is any parallel between a family-balanced budget and a Federal-balanced budget. Although admitting that every tenet of common sense demands that a family live within its means, they claim that such common sense does not apply to the Nation.

I would like to live in a bigger and better house myself. To have this luxury, however, if I have to assume a crushing mortgage which after my death would bankrupt my wife and children, I want no part of the new house.

The Democrats have completely misunderstood grass-roots sentiments across the Nation when they claim that the public favors massive housing programs charged off to future years. The many polls clearly demonstrate that the Nation is on the side of the balanced budget. The citizens of this country do see a parallel between public fiscal responsibility and private fiscal responsibility, whether the Democrat politicians do or not.

It is responsible, however, to spend for housing money that we do have. This is exactly what President Eisenhower has advocated in the administration's housing bill. Economy in Government does not mean no spending, but it means spending within the framework of the balanced budget. It means paying as you go, and not as your children go.

Plainly, the difference between an extravagant and a progressive economy is the difference between the committee housing bill and the administration housing bill. The committee bill would ultimately spend $6 billion and unbalance our budgets. The administration's bill would ultimately spend $1.65 billion and keep the budgets balanced.

If the Democrats will truly decide to face history rather than escape history, they would become more concerned about adding a burdening indebtedness to the lot of those who come after us. Was it not this type of flabby, indolent, unconcerned attitude that led to the decline and fall of the once great Roman and Spanish empires? As the Teutonic tribes challenged the supremacy of Rome, and as the French and English challenged the supremacy of Spain, so today the Soviet Union challenges America for world leadership.

Stalin declared:

> Thus in the course of further development of international revolution two centers will form on a world scale: a socialistic center, binding to itself the countries that gravitate to socialism, and a capitalist center, binding to itself the countries that gravitate to capitalism. The struggle between these two centers for the possession of the world economy will decide the fate of capitalism and communism in the whole world.

In this hour of challenge, will Americans respond by spending and squandering borrowed money and by making still other loans? Is this flight from reality and escape from hardships the way that the early American settlers met the problems of their day and cradled a great and free civilization for us?

Clearly, no missile and no submarine can protect a nation against burrowing communism when that nation lets its economic muscle turn into such excess fat.

What alarms me is that many Democrats have rationalized their way out of what is called, in plain language, extravagance. Leon Keyserling seems to be the fountainhead of the spending theories. The bigger the national debt, he seems to feel, the better off is the Nation's economy. That a country can spend its way into a greater gross national product is a pure speculation totally without historical foundation or current justification.

Since 1913 Government spending has risen about 50 times, according to the Tax Foundation. If Keyserling's theories were right, the gross national product should have multiplied dozens of times during that time. But the hard fact that the gross national product rose only 11 times during those years indicates how wrong Keyserling's ideas are.

Mr. Speaker, this may shock a few Members, but Henri de La Chapelle, an able economic consultant, has calculated that because of inflation and taxes a single person:

To match a 1939 income of—	One had to have in 1957—	But the way things are going, 1975 income must be—
$2,000	$4,810	$10,540
4,000	10,100	24,420
7,500	21,180	58,000
15,000	54,210	128,000
25,000	85,000	255,000
50,000	333,380	835,390

To my way of thinking, the majority leader of the other body has issued a wise warning about slipshod ideas that have never worked:

> We cannot afford to go broke in tinkering with our economic system merely because an idea is appealing or attractive. The ideas must be tested in the market place of ideas.

Overseas the need for financial discipline within nations is becoming more and more discussed. In Europe and South America, creditors have been telling France, Argentina, Chile, Turkey, and other countries that they are living beyond their means and that runaway deficit spending is heading them toward disaster. The principal creditors are agencies like the International Monetary Fund.

France, Argentina, and Turkey have responded with austerity programs that may mean less luxury benefits for their people today but will mean greater financial stability and prosperity decades hence. Dire necessity has made these hard pressed countries abhor such theories as those of Keyserling and the Democrat Advisory Council. How critical does the financial condition of this country have to be before the Democrats will cast off these irresponsible philosophies and respond as have the people of France, Argentina, and Turkey?

The creditors in the United States are not agencies like the International Monetary Fund. The creditors are you and I, as well as the widowed and the retired—all those who have purchased Government bonds. And people like us are not buying as many bonds as they once did. This wild deficit spending does not have the confidence of the people. American workers and housewives have become educated to the robbery which is known as inflation; they are worried that interest payments on the debt are the second-largest budgetary expenditure. As has been often pointed out, at the rate we are going, by about 1987 we shall have spent in interest the total amount of the debt, and we shall still owe the debt.

I shall now treat some major objections to the Senate-passed housing bill and the House subcommittee housing bill.

First of all, both bills are exorbitant and excessive. The Senate housing bill would authorize commitments and ultimate expenditures of $3½ billion. The House bill would amount to $5.8 billion. Of these authorized budget expenditures, only $575 million could ever be recovered. Thus, $5.2 billion in the committee bill is in the form of outright grants.

Compare this extravagance with the administration's bills which would total only $1.65 billion and of this amount, $200 million would be in the form of loans.

Secondly, both the Senate and the House bills will be a strong wind which will excite raging fires of inflation. Of course, some Democrats assert that the House committee bill will have little immediate impact on the budget. They boast that considerable time would elapse before these vast expenditures. This type of logic is just another illustration of my original premise. The Democrats do not care how great is the national indebtedness, so long as they can foist it off on the next generation.

A major part of our this year's $12 billion deficit is the mushrooming growth of the Federal aid projects voted in 1955, 1956, and 1957, and prior thereto. Little inflation from those measures was felt in years they were voted.

But not only will the next generation pay—this one will, too.

In the excellent minority report on S. 57, there is a discussion of 11 provisions of this bill which will accelerate expenditures within available authorizations. Not one of these provisions is found within the sound and responsible administration bill.

While the committee is proposing a measure far more inflationary than even their bill last year, which failed to pass, the entire Nation is becoming more conscious than ever of the danger of fiscal extravagance. I want to enter into the RECORD at this point tabulations comparing last year's and this year's Democratic bill. This table makes it readily apparent that the Democrats are ignoring the Soviet strategy to bankrupt America. The table is documentary evidence that the Democrats are glossing over the dangers in inflation which cripple the income of the aged and the retired.

[In millions]

Program	Authorized budget expenditures	
	Bill last year upon which House voted	Present committee bill
Public housing	[1] $195.0	[2] $3,700.0
Urban renewal	[3] 400.0	[4] 1,500.0
College housing	300.0	400.0
College classrooms	125.0	0
Elderly housing	50.0	100.0
Federal National Mortgage Association	[5] 0	75.0
Hospital construction	15.0	15.0
Urban planning	0	10.0
Farm housing research	.3	.1
VA direct loans	100.0	[6] 0
Total	1,185.3	5,800.1

[1] Estimated contract amounts under 40-year annual contribution contracts with credit given for reducing contract amounts by excess receipts at fiscal 1958 rate. Gross contract amounts $236,000,000.

[2] Estimated contract amounts under 40-year annual contribution contracts with credit given for reducing contract amounts by excess receipts at fiscal 1958 rate. Gross contract amounts $4,480,000,000.

[3] 1-year program.

[4] 3-year program.

[5] $250,000,000 authorization contingent upon direction of the President not included in this tabulation.

[6] Separate bill has already passed the House, this Congress, providing $300,000,000 for these loans.

Thirdly, by the decrease in FHA downpayments and by requiring FNMA to purchase mortgages at par, and thus pay more than the market price, the Democrat Senate and House bills would further promote inflation. This special-assistance fund of FNMA is a direct backdoor drain on the Treasury.

Both the Senate and House bills are a further step toward subversion of the traditional American system by substituting statism for private activities. By the FNMA par purchase requirement, it would generally be impossible for private investors to purchase these mortgages, since par would be in excess of the market price. By maintaining artificially low interest rates on Government housing loans, private investment would be further driven from the field. By the Senate bill eliminating existing provisions of law designed to prevent competition between public and private housing, and subject income limits for public housing to almost unrestricted local political pressures, private housing will almost be excluded from the middle-income brackets.

Fourthly, the Senate and House proposals represent a further attempt toward centralization. This comes at a time when the administration is seeking to share financial responsibility with the States and localities.

There is an alarming contrast between the approach of the House bill and that of the administration bill.

In the past urban renewal projects have been predominantly residential. The House bill would increase capital grants for nonresidential projects. The administration proposes a sound loan program, instead of a Federal giveaway program, so that private enterprise on a local level will be advanced rather than be retarded.

The Senate bill, of course, would sabotage local responsibility even more than the House bill. The provision for 5-year retroactive credit for local improvements would greatly reduce or eliminate cash contributions by many communities. Lack of responsibility in the Senate bill is also characterized by the attempt to put the Federal Government into speculative land purchases for urban renewal. Federal loans for acquisition of urban renewal project land would be authorized even before a project has been firmly approved or a sound plan agreed upon. The Federal Government, then, would become like the wild speculators in Florida during the roaring twenties. They got rich quickly or else went broke.

Both the Senate and House committee bills obviously were written in a rushed manner with no real concern for the future. The individual homeowner would suffer. For example, the Senate bill would sell public housing units to over-income tenants. The unsafe sales formula is such that the equity accumulated by purchaser of the housing unit would be comparatively worthless. In a typical case, the purchaser would have equity of only $750 after making payments for 10 years. This would hardly cover depreciation.

The Democrat housing bills typify an approach that ignores the Soviet challenge which must be met by a sound economy, and that lacks consideration for generations of Americans who will come after us. The Democrat-controlled 85th Congress created a record of irresponsibly spending the taxpayers money that shocked America. The Democrat proposals in the 85th Congress, if all passed, would have amounted to over $200 billion over the next 5 years.

By 1959 the spending tag had been firmly pinned on the Democrat donkey. Suddenly the pressure of irate constituents became so great that panicky Democrats began to shout that the Republicans were the spenders. They chattered about what amounts to Republican "front-door" spending through the Appropriations Committee, and ignored their own deceptive "back-door" spending. Through the rear entrance to the Treasury vast obligations were built up for the Government that never went through the Appropriations Committee. The Democrats thought they were fooling the Nation.

Plainly, the Democrat housing bill is another attempt not only to bust the President's budget, but to bust the budgets of our children.

We need good housing legislation. The funds which authorized FHA home mortgage insurance program, slum clearance, and college housing are almost exhausted. Administration Representatives, on the first day of this session of Congress, proposed in House Joint Resolution 89—MCDONOUGH, WIDNALL, and BETTS—remedial action, but the Democrats denied the real needs of the country in their attempts to put through Congress an extravagant omnibus housing bill. They needed these three urgency arguments to force this great omnibus

housing bill through Congress. Their present bills of the Senate and the House committees represent dangerous proposals and display a gross lack of responsibility toward the long range welfare of our Nation. These bills approach the problems of housing in ways harmful to private enterprise and local government. They apply a philosophy which is alien to the greatest traditions of the American way of life.

We do not have to vote this housing hodgepodge monstrosity. The administration bill is a sound practical approach, and it provides all the legislation needed by the Nation at this time. It is a positive program.

If the Members of this body vote for the Democrat housing bills, they are voting for a luxurious extravaganza their children will some day condemn. When the Members of this body vote for the administration bill, they are voting for a continuance of the principles that have made America the greatest Nation in the history of the world.

Mr. CEDERBERG. Mr. Speaker, will the gentleman yield?

Mr. HIESTAND. Glad to yield to the gentleman from Michigan [Mr. CEDERBERG.]

Mr. CEDERBERG. I agree with all the sentiments expressed in the gentleman's fine explanation of the fiscal problems which will arise if the Democratic proposed housing bill is enacted. It seems to me if there ever was a time when we should get our fiscal house in order, it is now. I say to the gentleman he has made a very valuable contribution in pointing out the differences that exist between the administration's proposal and the Democratic proposal which will probably be up for consideration by the membership of this body in the very near future.

I intend to support the administration proposal because I believe it is a proposal that will be in the long-term best interests of the citizens of this country. It strikes me very forcibly when I find that our Democratic friends have no consideration whatsoever about the future generations of this country. Here we are faced with a deficit of something over $280 billion, yet spending proposals come into this body year after year.

Of course, I believe there is a little politics in some of these spending proposals because the most shocked people in the entire country would be some of those who vote for all these proposals, when they wake up to the realization of what they will be faced with in reality. I think it is slightly dishonest to propose these grandiose spending bills whether they be for housing or other public works unless they have the intestinal fortitude to provide the revenue to foot the bill.

We have mortgaged the earnings of the future generations of this country by far too much already.

I intend to stick with the position of the Republican members of the Banking and Currency Committee on this housing legislation because I think they are absolutely right and that that they will not be inflationary.

Mr. HIESTAND. I thank the gentleman for his contribution. It's excellent.

Mr. TEAGUE of California. Mr. Speaker, will the gentleman yield?

Mr. HIESTAND. I yield to my distinguished colleague from California.

Mr. TEAGUE of California. I, too, wish to compliment the gentleman from California on his splendid and clear statement in which he so well points out some of the things inherent in one of the pending housing bills. I hope all Members of Congress will take the trouble to read and study these remarks, because they are very much worth while.

Mr. RHODES of Arizona. Mr. Speaker, will the gentleman yield?

Mr. HIESTAND. I yield to my able colleague from Arizona.

Mr. RHODES of Arizona. I want to compliment the gentleman on his very fine statement concerning this housing bill which is pending and which will probably be on the floor before too many days have elapsed.

Does the gentleman recall that last week, I think it was, the Democratic Advisory Council in a statement suggested that the economy should be propped, that there should be some sort of props put under the economy. Such a statement coming from the floor as it did struck me as rather strange, since it seems to be pretty well understood that this year coming up will be the second most prosperous year in the history of the Republic, if not the most prosperous. I wonder if the gentleman from California has any ideas as to what the Advisory Council means when it says that we should prop up the economy in a year such as this?

Mr. HIESTAND. I thank the gentleman from Arizona for his question. I am at a loss to account for such an expression. It would be more like knocking the props out in a prosperous year if we continue along the lines of the committee bill. Certainly there is nothing that I can see on the horizon justifying such a statement.

Mr. RHODES of Arizona. Mr. Speaker, will the gentleman yield further?

Mr. HIESTAND. I yield.

Mr. RHODES of Arizona. I wonder if the gentleman might agree with me that this particular proposal, the housing bill is another example of what I have called the worm's-eye view of the economy, as proposed by gentlemen from the other side of the aisle? In other words, they are so intent on looking at the little hills and valleys immediately ahead that they loom large and out of proportion and they lose the true perspective of the whole countryside and what really lies in the future.

It is like a worm going over the terrain. If you are a worm, those hills look pretty big; however, if you get up and above them and are able to look at the whole thing, you probably are able to chart a better course because you are not worried about a few little things which in the long run are not going to turn out to mean much.

I cannot help but remark also concerning the so-called unemployed march on Washington last week. Certainly nobody wants to belittle anyone who is unemployed or to do anything but feel a great sense of loss at the plight in which some of these people find themselves.

The official statistics released last week by the Department of Commerce and the Department of Labor, showing the greatest increase in employment in 8 years, apparently caught the prophets of economic gloom in this country by surprise.

Unfortunately, one person caught off base was George Meany, President of AFL–CIO. Mr. Meany had not previously been a member of the gloom and doom team. However he was forced into a most embarrassing role by an action of the AFL–CIO which he personally opposed. This action was dictated by Walter Reuther against the better judgment of Mr. Meany and many more responsible leaders of the AFL–CIO.

This action was the so-called unemployment march on Washington. It was designed by Mr. Reuther to create an impression at home and abroad that our American economy was in precarious position and that unemployment was continuing to rise. It is my feeling also, Mr. Speaker, that it was a cheap attempt to exploit the misery of those Americans who are unemployed, for the political gain of Walter Reuther and the furtherance of his schemes to spend our economy into another ruinous cycle of inflation.

Mr. Meany after it was too late, apparently saw that the unemployed would reach Washington at about the time that the most spectacular rise of employment since 1951 had been announced. Therefore being a good soldier, Mr. Meany tried to save the situation by issuing the following statement:

> During the period from February to March, there is a normal seasonal improvement in the unemployment figures of approximately 5 percent. That would mean that, if the normal seasonal improvement is reflected in the March figures, unemployment would be down approximately 250,000 to 300,000.
>
> Even a substantial drop, far in excess of that figure, would still leave us with a serious unemployment problem. If the figure were in the 250,000 to 300,000 range, it would mean merely seasonal improvement and no change in the overall unemployment situation. On the other hand, if the improvement figure were less than 250,000, it would mean the unemployment situation had worsened.

Actually, the increase in jobs during March was 1,106,000 and the decrease in unemployment was 387,000. This was the greatest jump in employment since 1951, and the greatest decline in unemployment since 1950.

The unemployment march, of course, had fallen flat. Its preparation had been accompanied by numerous difficulties local unions had in finding unemployed members to attend. I am not minimizing, Mr. Speaker, the actual plight of those Americans who remain unemployed, but I think we all deplore such attempts to exploit their situation for purposes of political or personal ambition.

I am sorry that Mr. Meany found himself in this position, through no fault of his own. I am even more sorry that he

went so far to justify an ill advised position of his organization as to make the following statement:

The drop in unemployment was mostly seasonal. There is no appreciable improvement in the overall picture. Certainly well-staged propaganda announcements will not solve the problem.

Mr. Meany knows the regular monthly releases of unemployment figures are not propaganda announcements, but are based on the best information available by the Department of Labor.

I prefer to believe that Mr. Meany's true feelings about our economy were expressed in the AFL–CIO News in January of this year in his forthright answers to an article in Trud, the official Soviet organ for trade unionists:

Trud refuses to admit that economic recovery has been quite rapid and that the recession in the United States is almost over. Personal income has reached a new high of $360 billion per year in November 1958. This is an increase of $14 billion over the previous high in August 1957. Industrial production has recovered about two-thirds of the drop experienced during the recession. Productivity is now increasing at a rapid rate—perhaps as much as 6 percent a year.

Our trade unions have continued to obtain substantial wage advances, while prices have remained relatively stable. For the first half of 1958, almost 55 percent of the wage adjustments provided an increase of 10 cents or more. More than one-fourth of the hourly wage increases were 13 cents or more. Real wages are showing very significant increases. This means a continuously rising American standard of living.

It is most unfortunate that Mr. Meany's association with the politically ambitious Mr. Reuther has put him in the position of talking out of both sides of his mouth. This is not characteristic of the always forthright George Meany. It is my hope that this apparent change in image will not be a permanent one.

I wish to thank the gentleman from California again for his very fine statement.

Mr. HIESTAND. I rather imagine that the gentleman from Arizona will agree with me, in view of Mr. Meany's mistake, that the most untenable position of all is trying to defend a mistake, will he not?

Mr. RHODES of Arizona. I think that is the point I tried to make. We here see a man who, I think, got himself in a position he did not want to get into. It was against his better judgment. But, like the good soldier that he is, he tried to do the best he could, but he got himself into an untenable position. And I have a great amount of respect for Mr. Meany.

Mr. HIESTAND. I thank the gentleman from Arizona.

Mr. SMITH of Iowa. Mr. Speaker, will the gentleman yield?

Mr. HIESTAND. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. I wonder, if in putting the facts together or the statement together that the gentleman just made, in what I think is rather a partisan manner, he had considered a few points of interest. One is this: I happen to be of a generation that was permitted, and was proud to do so, to serve some time in the service in the early forties. During that period of time our generation, which is the succeeding generation now—and you are talking about another one—is the generation that made no profit out of the war, but the generation that made the profit out of the war is largely represented by you gentlemen who are now complaining because we cannot have investments in public buildings, and those are the gentlemen who profiteered at the expense of the bondholders or the people who invested in bonds $200 billion in extent. We went into debt $200 billion, and now we are paying the interest on that $200 billion that your generation profited from, and as the result of this and as the result of the increase in the interest rate, due to the fact that the administration has failed to support the bond market, we have this tremendous debt. Now, the result is because your generation profited to the extent of $200 billion in bonds, and you are now increasing the interest rate down here to an extent of several billion dollars a year, we have less money with which to invest in school buildings, for example, so that this generation that fought the war can have no place to send their children to school.

Mr. HIESTAND. I wish the gentleman could suggest some method to sell bonds at a price less than is being paid.

Mr. SMITH of Iowa. I am surprised there is a question along that line, after the last 3 or 4 years. When the Government supported the bond market there was no trouble getting rid of the bonds and the people were willing to invest at a lower interest rate, but just as soon as you failed to support the bond market they refused to buy them at that interest rate, because they are pretty largely going down.

Mr. HIESTAND. The support of the bond market was the most inflationary measure that this country ever adopted and is in large measure responsible for the falling value of the dollar and the increased cost of living.

Mr. CEDERBERG. Mr. Speaker, will the gentleman yield?

Mr. HIESTAND. I yield to the gentleman from Michigan.

Mr. CEDERBERG. I am always interested in these experts on bonds and the management of the national debt. The same people who are such experts on bonds and the same people who are such experts in the management of the national debt and so forth are the very same people that put us into this mess of two hundred and eighty-some billion dollars as far as deficit is concerned. Now, if your party had as much concern in previous years, as far as spending is concerned, as you are in giving advice as to how to manage the debt, we would not be in this predicament.

Mr. SMITH of Iowa. All you have to know is to know how to read to be able to see the statistics which are very much available on these bonds. When the Government bond market was supported we had lower interest rates than we have now. The interest rate has almost doubled as a result of the Government's failure to support them.

Mr. CEDERBERG. All the gentleman has to do is to remember that the national debt is something like $280 billion, and if his side of the aisle will do as much as this side of the aisle is doing in an effort to keep the budget balanced and spending down, we will not be faced with these problems in future years.

Mr. SMITH of Iowa. It was $280 billion when the interest rate was lower, too.

Mr. McDONOUGH. Mr. Speaker, will the gentleman yield?

Mr. HIESTAND. I yield to the senior ranking member on the Housing Subcommittee, my very able colleague from California [Mr. McDONOUGH].

Mr. McDONOUGH. Mr. Speaker, I appreciate the statement that my colleague from California has been making on this very crucial problem of debt management, debt obligation, the fiscal policy of the country, and the omnibus housing bill that will soon be coming up for action.

While we are talking about the public debt and its monumental size of $288 billion, we seem to forget that in 1937 we passed the original Housing Act which provided that all of the bonds subscribed for the building of public housing units in this country—and there have been some 444,000 of them built at a cost of $3,331 million—all the bonds for those public housing units are tax-exempt; that is, the interest on them is tax-exempt. The little taxpayer who buys a savings bond has to pay a tax on the interest that he receives from that bond. But the big bond houses and the wealthy people who in many instances bought these public housing bonds get them tax-exempt.

An attempt was made in the original act to make it appear as if public housing bonds were a municipal responsibility, and an obligation against the credit of the city or the county or the State in which they were sold. This is not true. Public housing bonds that are sold in any city or county in the United States are not part of the debt obligation of that city or county, and therefore they are not in the same category as a municipal bond issued for the building of a sewage-disposal plant or a highway or public building. But this was an attempt to sugar up, to entice the public to buy public housing bonds. So, the interest on them was made tax-exempt. So, the small taxpayer is paying that additional tax, while the large bondholders are exempt. And, in addition, there is a $222 million subsidy to maintain these bonds, to make them tax-exempt.

Mr. HIESTAND. That is, per year?

Mr. McDONOUGH. Yes.

Mr. HIESTAND. I thank the gentleman for his statement. His contribution is very pertinent and valuable.

Mr. ALGER. Mr. Speaker, will the gentleman yield?

Mr. HIESTAND. I'm happy to yield to the very able gentleman from Texas.

Mr. ALGER. Mr. Speaker, I merely wanted to tell my colleague that he has been of great help to me in the past on the matter of housing and other matters that come before his committee. I

want him to know that those of us who are sitting in committee now, while this House is in session, would be here if it were not for the other responsibilities which they have to take care of in the committee.

Mr. Speaker, I want to say to the gentleman that I have admired his work in the past as he has striven to maintain fiscal responsibility in the Housing bill. I am particularly concerned, in addition to what the gentleman from California [Mr. McDONOUGH], has said about tax-exempt public housing bonds, about the public housing provisions contained in the two bills, and I should like to ask the gentleman a question for the purpose of clarification about the Republican and the Democrat bills. I understand they are now before the Committee on Rules and will be coming up in the House very soon. Is it not true that there are many thousands of units included in the Democrat bill, but in the Republican bill there are no new public housing units? Is that correct?

Mr. HIESTAND. That is correct.

Mr. ALGER. Can the gentleman give me the figures contained in the Democrat bill for this year?

Mr. HIESTAND. The Democrat bill does not mention dollars, but it includes making available 190,000 new public housing units in addition to those that are now in. If we extend the amount of subsidy per unit per month for the 40 years the bonds will have to be subsidized, the cost to the taxpayers would amount to some $3,800 million.

Mr. ALGER. This is not to say, then, that we do not believe in housing, as far as taking care of the basic wants of those who need housing, but there is a difference, a conflict in viewpoint, between the two groups as to the best way of getting housing for the people that need housing. Is that not correct?

Mr. HIESTAND. That is correct.

Mr. ALGER. Public housing is not necessarily the way to do it. There are other means for getting good low-cost housing for people without burdening the Federal taxpayer more at the present time.

Mr. HIESTAND. As a matter of fact, the present laws are working pretty well. They are spreading housing very rapidly and at low cost.

Mr. ALGER. Would the gentleman agree that whatever merit there might be to public housing—and this is giving the proponents of public housing the benefit of the doubt, I think the gentleman and I would agree, before we contest the merit of public housing in the first instance—whatever merit there might be is absolutely beyond consideration at this time because of the unbalanced nature of the budget, the $13 billion deficit this year. Many times we have to tighten the belt even on worthy programs if we are going to be fiscally responsible and keep the budget in balance and preserve the integrity of the dollar bill. Does the gentleman agree with that?

Mr. HIESTAND. I do. I might remark to the gentleman that it is certainly a fact, as I have mentioned, that a large part of the deficit of this year is from votes of this House and this Congress in previous years. These laws became effective and the totals are now piling up. That is a major share of the deficit of this year. If we adopt this Democratic bill, the effect on this year's budget will not be heavy, but on future budgets will be very heavy. It will have to be covered by appropriations each year. The present maximum liability per year is $138 million.

Mr. ALGER. That was the point I was making. I want to thank the gentleman for that answer.

Is it not a fact that if we try to be responsible by balancing the budget and protecting the value of the dollar bill, what we are doing is actually preserving the buying power of every dollar bill in the pockets of the workingmen throughout the country?

Mr. HIESTAND. The gentleman is absolutely correct. I agree with him. I thank him for his statement.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. HIESTAND. To one of the soundest thinkers in the Congress. I yield.

Mr. CURTIS of Missouri. I want to compliment the gentleman on his fine statement of the housing picture and the way he proposes to meet this problem. However, I have been intrigued by again hearing people from the other side of the aisle pay tribute to this will-o'-the-wisp, this idea of getting low interest rates for Federal bonds, as if that can be accomplished without creating economic damage in another way.

What I should like to ask anyone from the other side of the aisle, and I have asked it before on the floor of the House and I have asked it in the Joint Economic Committee, and I might say there are more responsible people—that is my definition of course—on your side who recognize that that is a will-o'-the-wisp—is that those of you who still think you can get low interest rate bonds without economic damage and want to undertake this difficult chore, go back and find out why in 1951. That was a year when the Democratic Party was in control of the Congress and of the executive branch of the Government, we abandoned the program of bolstering the Government bond market and went to the Federal Reserve accord. I think if you will review a little bit of history you will find that it became so apparent to the leaders of your own party that that was an erroneous economic theory that they went to the 1951 Federal Reserve accord, which was to try to have the Federal bonds marketed on the open market so that to some degree, at any rate, the actual cost of money was reflected in the interest rate.

I personally think it is a much healthier situation, although I will say this: I think it is a very proper area for us to undertake to review, to see whether or not we went too far, possibly not far enough, but whether or not the 1951 accord was the best that we could have done. But this fiction of the cost of interest rates on Federal bonds and trying to make a political issue out of it is just nonsense. I think it is about time the people on the Democratic side of the aisle who want to make an issue of it start talking in terms of sense. The best way to start is to review why you abandoned that program in 1951.

I thank the gentleman for yielding.

Mr. HIESTAND. I thank the gentleman.

Mr. McDONOUGH. Mr. Speaker, will the gentleman yield?

Mr. HIESTAND. I yield to my colleague, the gentleman from California [Mr. McDONOUGH].

Mr. McDONOUGH. This is with reference to the public housing bonds that we were speaking about a moment ago, and the responsibility that the present act places upon the Federal Government to keep them at par, and maintain them at 100-percent value and at the same time give tax exemption on the interest. It seems to me that the responsibility for public housing originating as it does in the community in which the public housing units are built, should be the responsibility of the States, cities, and counties and that they should maintain the parity of the bonds that are sold to build these units. If that were the case there would be local responsibility and the debt of those bonds would be on that city or county and not on the national debt, as it is, on the Federal Government.

Mr. HIESTAND. I thank the gentleman for his contribution.

THE WOBURN TIMES, WOPURN, MASS.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, many times since I have been a Member of the House of Representatives, I have spoken here on this floor and elsewhere in public of the very great honor I consider it to have the opportunity to represent the Fifth Congressional District of Massachusetts.

My district in a very large sense is where American freedom was born and where our independence as a nation began.

One of the historic communities in my district is the city of Woburn located 10 miles west by northwest of Boston. Only a few days from now, the people of the city of Woburn will celebrate the 19th of April when the Minute Men of Woburn joined with those of every Middlesex village and farm in the first battle for American liberty. The city of Woburn was first settled around 1638 to 1640, and in 1642 was the first incorporated township set off from Charlestown. The city was named after Woburn in Bedfordshire, England, a town about 50 miles northwest of London.

The city of Woburn received its charter in 1888. It was long noted as the most important leather manufacturing center in New England, and now it has many

diversified industries. Among its distinguished citizens have been the ancestors of the four Presidents—Grover Cleveland, Benjamin Harrison, Franklin Pierce, and James Garfield.

Over the last 50 years, one of the institutions for which the people of Woburn are grateful and proud is the city's daily newspaper, the Woburn Daily Times. Without question, the Woburn Daily Times is one of the very finest newspapers in all the world. It certainly ranks among the best in the United States of America. Always constructive, it never has been destructive. The publishers of the Woburn Times through its history always have considered news as information beneficial to mankind. If information had no beneficial qualities it failed to measure up to news.

In these days of rivalry, bitterness, selfishness, and lack of respect for the individual and lack of consideration for the right of privacy, the publishing principles of the Woburn Times are unique and outstanding. This distinguished newspaper seems like a breath of fresh, clean, wholesome air.

Because of the tremendous respect I have had for its publishers over many years, I consider it worthwhile and appropriate to bring to the attention of the American people the outstanding principles which make the Woburn Daily Times an outstanding newspaper. Just as wealth alone does not make any man great, neither does size alone make a newspaper great. Compared with our large metropolitan daily newspapers, the Woburn Times would be considered small. Compared with any newspaper in America on the basis of quality, however, none will rank any higher than the Woburn Times.

The Woburn Daily Times has been the recognized news publication for the city of Woburn, Mass., almost since its inception on the 9th of October of 1901.

It was instituted by the late James D. Haggerty, Sr., on a very modest basis and it has reached its present pinnacle of success through the practice of golden rule journalism. This daily newspaper has placed a ban on news in which scandalous developments flare, and down through its 58 years of existence, it has never scandalized a person or a family, nor has it glorified the developments of the courtroom.

The principle of keeping the news columns of the Times clean of scandal was of primary importance to Mr. James D. Haggerty, the publisher and founder. To his reporters he gave this advice and counsel:

> Never publish a name of a defendant in a court case or names and identities in cases that even border on scandal. Remember, I want the Woburn Daily Times to be a family newspaper and I want it kept so clean that every member of the family can read it without any compunctions. Regardless how criminal a Woburn boy or man or girl, for that matter, develops, just remember that the person came from a family who have earned the right to be free from disgrace. They are entitled to live with their neighbors and their families are entitled to grow up without suffering the burden brought about by the sins of the guilty member of the family.

When a court case of importance becomes a matter of news compulsion, the Woburn Daily Times still refrains from the use of names and calls the criminal or the defendants "a Woburn man" or a "local resident." The person's identity is not made public through the columns of the Times.

The passing of James D. Haggerty, Sr., the founder of the Golden Rule policy, brought his two sons in charge of publishing. They are Paul L. Haggerty, publisher, and James D. Haggerty, Jr., editor in chief.

Under the management of the Haggerty brothers, changes and expansion have been made and perfected. The newspaper has been enlarged and the machinery of operation increased and modernized. They have kept abreast of the times, and, as a matter of fact, from an operational viewpoint have kept ahead of the demands. The circulation has grown until now the newspaper serves the people in many neighboring towns, suburban to Woburn. There is one old-fashioned precept of the Times which has not been abandoned, however, and that is the prohibition against the use of names and the scandalizing of families in court and police news.

The two Haggerty sons of the founder, James D. Haggerty, Sr., have found this doctrine to be a cornerstone on which the reputation of the Times was built and became the family newspaper, and not only that, they too personally believe that the family of the unfortunate should be spared from the spotlight of pitiless publicity.

When the metropolitan dailies give attention to Woburn news events and developments which stigmatize the families of those to be unfortunately involved, the Times continues to adhere rigidly to the founder's original principle: "No names in cases involving scandal."

The Woburn Daily Times is nonpartisan, and in political conflict, opens its columns to both sides of any controversy. Both political parties are invited to submit news items, and both Democratic and Republican leaders on many occasions have acclaimed the eminent fairness of the Woburn Daily Times.

The Times is very proud of its record for Golden Rule journalism. Also, it is proud of the record of never having missed getting an issue published, delivered, and on the street regardless of power failures, storms, and other handicaps. Every patriotic and civic crusade of benefit to the city of Woburn and the Woburn people has had the unlimited support of the Woburn Daily Times.

The people of Woburn and the surrounding communities are proud of their daily newspaper. To them it is a friend that gives them not only the news but valuable information about their community and their day-to-day living. It is a medium upon which the people depend. It is like an old friend to them for it is respected and dependable.

The founder of the Woburn Times, Mr. James D. Haggerty, Sr., and Mrs. Haggerty, the former Mary Lovell, distinguished among the citizenry of Massachusetts, have contributed greatly to their community and their Commonwealth. A lovely and charming lady, today Mrs. Haggerty possesses countless friends, among which I am so proud to say I believe I am included.

Mr. and Mrs. Haggerty were blessed with 11 children, and the Haggerty family circle always has been an active and a happy one. There are two boys and nine daughters, all of whom are married. James is the oldest. The two Haggerty brothers, James and Paul, together with three brothers-in-law, presently operate the Woburn Times organization. The daughters of Mr. and Mrs. Haggerty are Mrs. John E. Gaffney—Mae; Mrs. Dennis Dooley—Madeline; Mrs. John Bundy—Dorothea; Mrs. Nelson Blinn—Arlene; Mrs. Joseph L. McCarthy—Lorraine; Mrs. Elmer Franson—Janice; Mrs. Robert W. Varey—Norma; Mrs. John B. McGowan—Joan; and Mrs. William F. Sullivan—Bernice. There are 37 grandchildren in this wonderful family.

In conclusion, I should like to say that the Woburn Times is a very friendly newspaper, possessed and operated by a very friendly organization. If at any time any Member of the Congress should happen to be passing through Woburn or visiting friends in this friendly city, they are not only welcome, but would find it interesting and pleasant to call in at the Woburn Times. They would be graciously received.

LEST WE FORGET—SOVIET DIPLOMACY

The SPEAKER pro tempore (Mr. WRIGHT). Under previous order of the House, the gentleman from Indiana [Mr. MADDEN] is recognized for 30 minutes.

Mr. MADDEN. Mr. Speaker, the 1959 meeting of Foreign Ministers and the proposed summit conference may decide the destiny of world freedom and self-government for generations to come. The cold war conducted by the Kremlin since World War II will meet success or failure at the coming summit meeting. Appeasement and the granting of concessions to the demands of the Communists will shatter hope for millions behind the Iron Curtain and greatly weaken the confidence of neutral nations in free world leadership.

Our State Department and allied representation attending the conference must not forget the history of Soviet international diplomacy over the last 30 years.

The record of Communist leaders as it pertains to violation of international agreements, treaties, and pacts with other nations should be No. 1 on the summit meeting agenda. Our leaders at the proposed summit meeting would commit a gross injustice to millions of enslaved people behind the Iron Curtain if they did not demand a complete review of the treaty and international agreement violations which the Soviets have committed in the last 30 years. The sanctity of international agreements and the wholesale violations of the same must be placed on the coming summit conference agenda.

Representatives to the summit conference from the free world will, by their silence, be accused of endorsing and rati-

fying the Soviet international treaty violations and aggression crimes by millions of people now under Communist enslavement.

The Congress of the United States in the 82d and 83d Congresses authorized and created two special congressional committees for the purpose of investigating methods and facts pertaining to violations of international agreements and crimes committed by the Soviets in their unlawful aggressions.

The special congressional committee which investigated the Katyn Forest massacre in the 82d session and the Select Committee on Communist Aggression in the 83d Congress collectively heard sworn testimony from over 400 witnesses and recorded hundreds of exhibits revealing the true facts regarding the international record of the Soviet leaders. Dozens of witnesses testified concerning violations of treaties, agreements, pacts, and other Soviet criminal methods to enslave people and nations in their long range program for global conquest. For over 5 years these incriminating hearings, records, and reports on Soviet diplomacy of these two congressional committees totaling nine volumes, have been available to our State Department.

Communist leaders have won the support of millions throughout Asia, Africa, South America, and other areas by spreading false propaganda and lies about capitalism and the free world. Why has our Government neglected or refused to set up an effective international information department and give the true facts about Communist diplomacy to millions throughout the world who have been misled by false Soviet peace propaganda?

Millions throughout the globe believe the Soviet propaganda that the people in satellite countries voluntarily submitted to Kremlin control. Our State Department has been negligent in not utilizing the true facts of Communist aggression as recorded in testimony and reports of two congressional committees in 1952 and in 1954.

These two congressional committees held hearings in America, England, and Europe. Sworn testimony was received from Poles, Hungarians, Bulgarians, Rumanians, Estonians, Latvians, Lithuanians, Ukrainians, Byelorussians, Germans, Czechs, Slovaks, and Russians. The cross section of witnesses included members of former leaders of now captive nations as well as ordinary workers and peasants; internationally known generals, political leaders and soldiers; members of the formerly free parliaments and governments, clergymen of all denominations, heads of great institutions of learning, teachers and students, businessmen, labor leaders, seamen and housewives; intellectuals and even children. They were people who escaped from the Communist-controlled homelands just a few months before our hearings as well as those who escaped during and after World War II. All who testified had one thing in common; they were eyewitnesses. They saw. They experienced. They were there. Most of them suffered the tortures of communism.

A great number of former leaders and officials of captive nations testified that the Soviets succeed in enslaving their countries by violating agreements, promises, and treaties, then through infiltration, intrigue, and subversion which was supported by the Red army and supervised by the Kremlin, took control of their governments.

The Committee on Communist Aggression, after its exhaustive hearings, unanimously adopted 12 separate findings from the evidence. I will read only 3 of the 12 committee findings.

First. Page 24, interim report:

(5) As far as the Communists are concerned, treaties, mutual-assistance pacts, nonaggression pacts, or solemn covenants are mere scraps of paper. Agreements or pledges made at the conference table are broken any time such action serves the Communist table for world conquest.

Second. Page 23, interim report:

(1) Communism never has come to power by legal or by democratic processes in any of the areas now under its ruthless domination. It uses the tactics of penetration, subversion, threat of military invasion, and finally, occupation by military and political elements under the direction and control of the Kremlin.

Third. Page 23, interim report:

(2) Once communism seizes control it immediately seeks to clothe itself with respectability and legality by conducting so-called elections which are in no sense of the word free elections guaranteed by the secret ballot. Moreover, the results are predetermined long in advance of the first vote cast.

I again repeat that the testimony and reports, in full, of these two above-mentioned select congressional committees are available to our State Department and are of immense value to our representatives at the coming Ministers and summit conference. The disgraceful record of the Communist leaders in the past for maliciously violating international treaties, agreements, and pacts must be placed on the coming summit meeting agenda.

I am hereby submitting excerpts from the testimony of but a few of the witnesses who testified before our two select committees in the 82d and 83d Congress concerning the stability and value of Soviet international agreements, pacts, and treaties.

I am submitting to the House Foreign Affairs Committee and also our State Department these recommendations with the hope that the coming Foreign Ministers' meeting take necessary action in an effort to remind and inform millions in the free world and neutral nations the true facts involving Moscow and its false propaganda concerning treaties and agreements for world peace.

The following are excerpts from the testimony before the Select Committee on Communist Aggression.

Herbert Hoover, ex-President of the United States, volume 2, pages 221–222:

Hon. HERBERT HOOVER. I had to deal with the Communist movement beginning in 1918. I was delegated by the allied governments to look after 12 Communist revolutions in Western Europe. I naturally was interested in the Communist movement per se. From that time on I became quite an earnest student of the whole of Communist literature and Communist processes as applied to international life. No one can read the speeches of Lenin and Stalin and Molotov and ever believe that agreement with Russia has more than temporary value. There are occasions when I think agreements could be made which would be to their interest or to the mutual interest, but those are pretty rare occasions. Such agreements would last only just so long as it suited the Russians. You have to bear in mind that during the interval between the First World War and the Second World War it suited the Russians to have a peaceful front. During that time, they made 36 different nonaggression pacts or treaties guaranteeing nonaggression activities. Every one of those went by the board the day they made the agreement with Hitler in 1939. That ought to indicate the sacredness of an agreement in the mind of a Russian when it doesn't suit him.

Hon. Juozas Kajeckas, counselor of the Lithuanian Legation, volume 2, page 8:

Honorable KAJECKAS. In a speech delivered at the 18th Congress of the Communist Party, Stalin stated that under the existing political circumstances the time was ripe "for reappraisal of existing international pledges and agreements." That same year a map appeared, published by the Russian general staff, showing Lithuanian territory as a component part of the territory of the Soviet Union. In addition to its military significance, this map shows that the attack on Lithuania by the Soviet Union was premediated.

Dr. Anatol Dinbergs, Charge D'Affaires, Latvian Legation, volume 2, pages 35–36:

Doctor DINBERGS. The carrying into effect of the present pact must in no way affect the sovereign rights of the contracting parties, in particular their structure, their economic and social system, and their military measures.

By signing the above agreement in good faith, even though under duress, Latvia had underwritten the door of her liberty, unaware of the fact at that time that the fate of the Baltic Republics had already been sealed in the Stalin-Hitler agreement of friendship and nonaggression of August 23, 1939.

Hon. Johannes Kaiv, Acting Consul General in Charge of the Legation at Estonia, volume 2, pages 35–36:

Congressman MACHROWICZ. Do you feel there is any freedom or chance for freedom of your people through negotiations with Soviet Russia?

Mr. KAIV. It is difficult to reply, but it depends upon what is in the negotiations. When you negotiate a treaty with them, according to Estonia, there is no reason—I myself don't know of any international agreement to which Soviet Russia is a party, which they have not violated.

Gen. T. Bor-Komorowski, of Poland, page 1126, volume 3:

Congressman MADDEN. Now, General, one final question: With all your experience as a soldier and statesman, and dealings with the Communist do you think that these meetings and conferences that are being held at Geneva, Panmunjom and Korea, do you think that the free nations are ever going to make any progress or gain anything by conferences with the Communists?

General BOR-KOMOROWSKI. I do not think the free nations will come to any real conclusion with the Communists through conferences. The Soviet aim is to conquer the

world. They need conferences only in order to have time for their underground and fifth column preparation to undermine the world.

Congressman MADDEN. In other words, their conferences are part of the strategy to get more time in order to carry out their program to conquer the world.

General BOR-KOMOROWSKI. Yes.

Gen. Wladyslaw Anders, of Poland, pages 1180, 1186, 1189, volume 3:

General ANDERS. I understand, but I must explain that I am not a politician. I am a soldier. From my long experience as a soldier I know that when an army attacks everything depends on the leaders. If the leaders advance well in front of a company, all the men will follow them, but if the leaders stop and waver the whole company is sunk. The situation today is similar. If the United States leads with determination and strength, all other people will go with them. But if the United States were to stop at words without facts and action to confirm them, such weakness would spread to other people. But I think the U.S. military leaders do not realize that today the leadership is theirs. It is necessary to understand that today it is the United States that leads the free world against its greatest enemy—Soviet Russia.

General ANDERS. Yes; that is right. Molotov said that it was very fortunate. You must remember that Poland had a nonaggression pact with Russia at the time, which Russia broke on the 17th of September 1939 by invading Poland. But I ask you what agreement has not been broken by Russia? Only one, that was with Hitler from 1939 to 1941, because Hitler was strong.

* * * * *

General ANDERS. I think you are absolutely right. Conferences are regarded necessary by the Bolsheviks only for two reasons: One is to spread their propaganda across the world, the other to gain time. Ever since Lenin and Stalin, the Bolsheviks have said the same thing: Their aim is to dominate the world. If necessary, they will use blackmail. If necessary, they will momentarily retreat—if such is the decision of the Communist heirarchy, they will go ahead again with double force.

Mr. Charles Rozmarek, president, Polish National Alliance and Polish American Congress, page 703, volume 3:

Mr. ROZMAREK. I think history has demonstrated since 1939 that you cannot do business with Soviet Russia, and in view of the fact that you cannot do business with them as a civilized nation, I think it certainly is time to put them outside the pale of the families of civilized nations.

Joseph Lipski, former Polish Ambassador to Germany, page 802, volume 3:

Congressman HILLINGS. Then would you say this is correct that every effort that has been made in the past to work out some sort of peaceful coexistence with the Soviet has not been successful?

Mr. LIPSKI. Yes; I am quite definite on that because I firmly believe that guiding principles of a moral nature are decisive principles in the international life of nations. If these principles are lacking, my experience has shown me that there are no good results with all these agreements if they are not based on international ethics and morals. The same happened with Hitler. I had quite a good insight for 6 years, being Ambassador in Berlin and I followed up the whole thing. I am speaking here as somebody who worked on these matters very thoroughly.

Ambassador Waclaw Grzybowski, Polish diplomat, scientist, and farmer, Ambassador to Moscow, page 960, volume 3:

Congressman FEIGHAN. Mr. Ambassador, when were you first aware of the contents of the Molotov-Ribbentrop Pact?

Ambassador GRZYBOWSKI. There was two, there was one official, and they signed on August 23, which was normal pact of nonaggression and of consultation. It was a normal pact of nonaggression and of consultation. It was only one more example of the duplicity of the Soviet Government which negotiated with Great Britain and France a pact of mutual assistance and at the same time negotiated a quite opposed pact of not mutual assistance but nonaggression and consultation with Germany.

Ambassador Edward Raczynski, of Poland, page 973, volume 3:

Ambassador RACZYNSKI. I think that negotiations with the Kremlin are only possible if your strength and your position are such that you can impose conditions which they will be forced to execute or to fulfill. But if you put trust in their word and expect them to fulfill it for fulfillment's sake, you are certain to be disappointed.

Ex-King Michael of Rumania, page 1009, volume 3:

Committee Counsel MCTIGUE. Is it not true, Your Majesty, that during the course of your discussions with Vishinsky you referred to the Yalta agreement which had just been consummated.

King MICHAEL. That was in his violent audience. In my reply, I said, "I am doing things in our manner and according to the interests of my country, and besides, the conference at Yalta says that every country is free to choose its own form of government." Whereupon he said, "In this case I am Yalta and I tell you what to do."

Alfreds Berzins, Latvian Minister of Public Affairs, 1934 to 1940, and Congressman Bonin, page 178, volume 2:

Congressman BONIN. It is apparent from your official capacity, and from the facts that you experienced, the Russian Government violated every agreement that they had with your country; is that right?

Mr. BERZINS. That is correct. Well remember that once in the League of Nations Litvinoff said that each agreement is only a piece of paper. And for the Soviet Union, each agreement is only a piece of paper.

Voldemar G. Ludig, U.S. member of the board of the Estonian National Committee of New York, page 145, volume 2:

Congressman KERSTEN. Mr. Ludig, would you place any reliance on the word of a Communist from your experiences with them?

Mr. LUDIG. No, sir; I wouldn't believe a Communist. You read in the papers about some conference that is going to take place again. May I ask you, what kind of a conference or what kind of agreements have the Russians kept in the past? To the best of my knowledge, they didn't keep a single one.

Mihail Farcasanu, president, League of Free Rumanians, former editor and publisher of the Rumanian paper Viitorul, pages 77, 78, volume 4:

Mr. FARCASANU. I consider that in view of the situation, after 10 years of experience with the Red government of Rumania, their infringements of every international agreement, infringements coming also from all the satellite puppet governments, which were installed by Moscow in the countries behind the Iron Curtain, to make trade with those governments means to help consolidate their tyranny, to condone their crime, one of the greatest crimes ever perpetrated upon formerly free people.

In the records of the committee hearings in Washington, D.C., on December 2, 1954, can be found interesting statements and ideas concerning coexistence in Rumania.

Peaceful coexistence meant for Rumania the destruction of the country as a free and independent nation. Peaceful coexistence meant the murder of the innocent, the criminal persecution of the church and of the clergy, the destruction of free thought, the destruction of free economy, the destruction of family, and the national destruction through deportations. These things are still going on today.

Coexistence with the Communists means without question and in every case, the destruction of those who want to peacefully coexist. Coexistence, peaceful coexistence, means at the same time helping in the preparation of a major war at the most favorable moment for the Communists. Coexistence means a spell of tranquillity for the Communist world, during which they will endeavor to destroy your free economy, through economic treacherous means, to destroy the morale of the free countries and to prepare militarily for a showdown with you; for your destruction is their ultimate objective.

Interim report on Communist aggression, page 22:

If the free world were to accept such a policy, it could only be based on the vain hope that, given time, the leaders of the Communist regime and the Communist tenets of government would gradually lose their aggressive and inimical attitude toward the West—that the U.S.S.R. would eventually become a peaceful member of the society of nations. But all the evidence heard before our committee conclusively proves that the Communists want time—not to become civilized—but to digest their gains and to mold their millions of captive peoples into willing slaves of greater aggressions.

The testimony of Dr. Jaroslav Stransky, Minister of Justice in Czechoslovakia has particular significance on the proposition of coexistence. He was a Socialist, and like most Socialists, sought to cooperate with the Communists:

Congressman KERSTEN. Just one final point. Do you think that the history of Czechoslovakia proves beyond any shadow of a doubt that there is no such thing as a peaceful coexistence between the free world and communism?

Dr. STRANSKY. That is right, and we only fear that the other world will not realize it. This was the fruit of our example.

Congressman KERSTEN. It meant the downfall of Czechoslovakia to try in every way to get along with the Communists; did it not?

Dr. STRANSKY. Yes.

The history of Czechoslovakia is the history of every government that tried to coexist, or cooperate, with the Communists.

Msgr. Bela Varga, president, Hungarian National Council, pages 12–13, volume 4:

Msgr. BELA VARGA. I had my first personal encounter with communism in 1919. At Csorna, Hungary, the village next to ours, the best citizens were being hanged on the trees around the church. The memory of these events accompanied me throughout my life, a life dedicated to the fight against communism. In later years, 1945, 1946, 1947, I again came into contact with communism and found it the greatest threat to human liberty, dignity, and love. Now that I have had to

leave my own country and live in exile, I can only urge every free nation and every free man to unite against this greatest, most brutal foe of mankind: godless communism that has set out to conquer the entire free world. On this solemn occasion let me quote the words of Abraham Lincoln, your great American President, who said, "You cannot escape the responsibility of tomorrow by evading it today." Gentlemen of the committee, through you I am relaying to the American Congress and to the whole free world the anguished cries of a nation sentenced to slow death by the crushing power of Soviet imperialism to which I add my humble but urgent plea for help for final liberation."

Ference Nagy, former member of the Hungarian Parliament, page 121, volume 4:

Mr. NAGY. Yes, Congressman; I am speaking of the mistake, first of all, of the Asiatic peoples. They are mistaken when they believe communism will liberate those who are still under colonialism, will bring social justice among them, will raise and increase their living standards. I am speaking about them. I think it is our duty to fight communism, not only in the field of diplomacy and not only in the field of armaments but in the field of people, the working people. We have to convince those underdeveloped nations that all their desires, national and personal desires, may be fulfilled only by democracy, and first of all, by the American sort of democracy.

THE COMMUNIST SEIZURE OF HUNGARY

Soviet Russia could have imposed a Communist dictatorship on powerless Hungary shortly after the occupation of the country by the Red army. This was probably not deemed opportune because of the various interallied agreements and the internal situation in Hungary, where the Communist Party had no popular support. Instead of attempting to introduce the Soviet system in one sweeping move, the Kremlin decided to follow a more cautious policy. There moved with the Soviet Army into devastated Hungary, a group of Hungarian emigrees, members of the 1919 Communist regime of Bela Kun—the so-called Muscovites—the number of whom was estimated at 160. At the hearings of the Subcommittee on Hungary held in New York on August 23, 1954, special reference was made to the persons and activities of the Muscovites by Monsignor Varga, former President of the Hungarian Parliament:

Congressman BENTLEY. You said when the Russians came into Hungary they brought about 160 Communists with them. Were they Russians or Hungarians?

Msgr. VARGA. They were of Hungarian origin, but they had become Russian citizens. All of them had Russian citizenship.

Congressman BENTLEY. They came in and they organized the Hungarian Communist Party and, as you say, they actually began the Hungarian Communist Party out of what had been the Hungarian Nazi Party.

Msgr. VARGA. Yes; that is correct.

These Muscovites were entrusted to apply the Communist recipe for conquest. Some of them had played an important role in the international Communist movement and had fulfilled missions as Communist organizers in various foreign countries. Their only loyalty had been absolute obedience to the Kremlin.

Mr. MADDEN. Mr. Speaker, I ask unanimous consent to include certain excerpts from the testimony of witnesses who appeared before the committees mentioned.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MACHROWICZ. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I yield.

Mr. MACHROWICZ. I want to thank the gentleman very warmly for his valuable contribution to a situation which is so very important to us at this time; and I want to say, having been a member of both these committees and knowing General Komoroski, that his assistance contributed greatly to the successful operation of those two committees. I remember also that at one time our chief delegate to the United Nations told me that the findings of this committee had been extremely valuable and helpful to him in presenting the situations at various times at the United Nations.

I think it would be extremely valuable for those contemplating attending or participating in the forthcoming conferences dealing with Berlin to study seriously the findings of these committees, for from them they will find how the Communists have violated all their agreements. I think it is a cardinal precept of diplomacy that they should go to the meeting armed with all the facts available to them.

Again I want to compliment the gentleman and thank him for taking the time to bring this to our attention today.

Mr. MADDEN. I thank the gentleman. I might say that the gentleman from Michigan [Mr. MACHROWICZ], was a member of the committee that investigated the Katyn Forest massacres and also a member of the committee in the 84th Congress that investigated Communist aggression at hearings in this country and Europe. The gentleman's services were very valuable especially during the Katyn hearings concerning the massacre of over 14,000 Polish leaders. Poland, a country of which he has great knowledge, is his former homeland. His ability to speak several languages was a great help to both committees.

The gentleman from Pennsylvania [Mr. FLOOD], now on the floor, was also a member of the Katyn investigating committee and contributed greatly to the work of the committee in recording the evidence which was submitted. The gentleman from Illinois [Mr. ROMAN PUCINSKI], a new Member, served as special investigator on the Katyn Forest massacres investigation and also contributed greatly to the work of that committee.

The other member of the Katyn committee now serving in Congress was ALVIN O'KONSKI who contributed greatly to the success of the hearings.

In the 83d Congress, MICHAEL FEIGHAN, of Ohio, and ALVIN BENTLEY, of Michigan, also THOMAS DODD, of Connecticut, now serving in the other body contributed greatly of their services on the select committee which investigated Communist aggression.

RUSSIA AND THE AMERICAN NEGRO

The SPEAKER. Under the previous order of the House, the gentleman from Georgia [Mr. FORRESTER] is recognized for 5 minutes.

Mr. FORRESTER. Mr. Speaker, a U.P. story by Louis Cassels bylined from Washington and appearing in the Albany Herald of April 7, 1959, tells of the reaction of the Communist press to an article appearing in the latest issue of America Illustrated.

America Illustrated is a Russian language magazine, distributed in the Soviet Union by the U.S. Information Service at taxpayers' expense.

The article in America Illustrated told of the "dramatic progress" Negroes in the United States have made in recent years in income, education, and housing. For instance:

The average dollar income of Negro workers has gone up 415 percent since 1940, while the average income of white workers has risen 277 percent.

Also, America Illustrated showed pictures of "mixed Negro and white groups at work in offices and scientific laboratories, worshipping in church, playing basketball, attending school, and participating as equals in civic meetings."

Mr. Cassels says that the Soviet newspapers charge that America Illustrated has juggled figures and hidden facts and, charged that there were "Negro ghettos" in New York, Washington, and Chicago, and that discrimination is being practiced in those cities.

It is completely disgusting to know that the U.S. Government is spending taxpayers' money in any such manner. Anyone spending taxpayers' money for such things does not have enough sense to get out of a shower of rain. The people that I represent are sick, tired, and disgusted over their tax money being spent in any such way, and they think it is high time that the United States quit kow-towing to Russia.

Russia well knows that America has gone crazy over the Negro issue just as Russia wanted the United States to do. Russia well knows that the income of Negro workers has gone up 415 percent since 1940, while the average income of white workers has risen only 277 percent. I am satisfied, however, that Russia does not understand how the income of the Negro has increased so much more than the income of the white people. As a matter of fact, I feel certain that Russia does not understand just how it is that 25 percent of the workers in Government are Negroes, although the Negro population is about 15 percent.

I am certain that Russia does know that she has already sold many in this country her foolish and false theory of the brotherhood of man, a theory completely at variance with the Protestant, Catholic, and Jewish religions. Russia knows that she has made us look ridiculous, and that if she will continue to agitate some people in this country will turn somersaults in an effort to do things far more foolish and more ridiculous.

The story by Louis Cassels is proof positive that our United States propaganda analysts are doing us far more

harm than good. America Illustrated is a magazine that the United States Government should close out. It is one that never should have been brought into being.

TENTH ANNIVERSARY OF THE TONEMASTER MANUFACTURING CO., OF PEORIA, ILL.

The SPEAKER. Under the previous order of the House, the gentleman from Illinois [Mr. MICHEL] is recognized for 5 minutes.

Mr. MICHEL. Mr. Speaker, Members of this House are becoming accustomed, I believe, to my singing the praises of my home town, for we have so many institutions which make us proud that we hail from Peoria, Ill. Peoria's products, ranging from tractors and heavy earth-moving machinery to the finest distilled spirits, are known the world over, and in between these two extremes we have many smaller industries, many of which are dominant in their field. One of these, Tonemaster Manufacturing Co., is one of our fastest growing industries, celebrating its 10th anniversary in Peoria.

The history and growth of this company, now celebrating its 13th year in business, represents, and indelibly reiterates, the basic principles upon which our country has been founded that an economy built upon private enterprise provides the greatest opportunity for the enterprising individual to rise just as high as his talents, inventiveness, and willingness to work will take him.

Paul B. H. Smith, of Peoria, president of Tonemaster, long ago realized that people with hearing deficiencies belong usually to one of two classes: Either they are totally unaware of being hard-of-hearing or, knowing this, they are supersensitive in this respect, believing that they will be considered apart from others and thus limit their social and professional opportunities.

Some 15 million Americans suffer from one or another kind of hearing impairment, but only 1 million are courageous enough to wear a hearing aid. Thus enabled to physically conceal their deafness, they have created a greater problem.

In the case of students, teachers believe such pupils are indifferent to their studies or backward. In the case of employees, bosses often believe that the man or woman who has concealed the fact that they are hard-of-hearing are uncooperative and poor workers, which is the element that actually retards their progress.

In all instances, the hard-of-hearing who are sensitive about letting the world know of their problem, present very often a hazard to others in the factory or on the highway and public streets.

Paul Smith came to the conclusion that the automobile driver who is hard of hearing or the operator of a factory machine is as much of a menace to his neighbors as a man or woman assuming similar responsibilities who suffer from poor vision. Smith has campaigned among State legislatures and motor vehicle departments to make it mandatory that persons applying for an automobile operator's license submit to a hearing test, just as they must submit to a vision test. This was initiated not so much to sell hearing aids as to inaugurate greater safety on the highways.

The New York State Legislature has recently passed a bill making employers responsible for total compensation for employees' loss of hearing, unless adequate tests have been conducted prior to actual hiring—New York Laws, chapter 974, 1959.

Until a short time ago hearing tests were really catch-as-catch-can undertakings, or else they turned out to be long, embarrassing and detailed processes. The tuning fork methods are outmoded and undependable. The clinical audiometer requires the setting of dials for each ear separately at every stage of testing from 125 cycles per second through 4,000—the full range of normal speech. It is also inaccurate.

Smith prevailed upon William R. Hutchins to create an audiometer which was positively accurate and could be depended upon to give a complete test in a matter of minutes, instead of hours as the ordinary audiometer requires. Hutchins helped Edwin H. Armstrong invent frequency modulation and the superheterodyne. He is currently head of our Government's ballistic missile defense branch of the Institute of Defense Analyses in Washington and the inventor of the guided missile fuse, a polyphase generator and microwave ferrite devices.

In collaboration with James A. Depew, Jr., noted audiologist of New York's famed Eye, Ear, Nose, and Throat Hospital, Hutchins invented the Tonemaster speech frequency audiometer. After exhaustive tests at the New York Eye, Ear, Nose, and Throat Hospital over a period of 4 years in the clinic, the speech frequency audiometer, requiring only a single dial setting and completing tests in seconds, was declared to be 100 percent accurate. It is now in use in schools, hospitals, industrial plants, motor vehicles bureaus, and in private practice.

This instrument, manufactured in Peoria, Ill., has gained world renown and universal acceptance. It is responsible for increased public safety, the improvement of psychological behavior, school marks and employment averages where otherwise believed to be dissident persons were revealed as being guilty of no worse than being hard of hearing.

Smith's second contribution to humanity was the encouragement of his engineers and audiologists to invent and design hearing aids—often no larger than peanuts—which can be worn as earrings, eyeglass frames, or lapel buttons, free of any exposed wires or telltale sound boxes, thus completely concealing the wearer's affliction. This innovation in hearing has bolstered human morale, given assurance and confidence to millions and contributed to public safety and industrial safety. Like the speech frequency audiometer, Tonemaster hearing aids are made and shipped from Peoria to all parts of the world.

Thus a human and benevolent undertaking has brought employment to hundreds of Peoria men and women, enriched the entire community because of the firm's weekly payroll, but more important, enriched the lives of confused thousands and added to the safety of all of us. This is the American way of private enterprise; the story of success won through sheer inventiveness, intensive application of ideas and muscle and the ability to dream and see beyond distant horizons.

The 10th anniversary of Tonemaster Manufacturing Company is therefore not only celebrated now in Peoria by all its people, but it should likewise be at least officially recognized by our democracy as proof that no ideology or state controlled system of government can ever improve upon the doctrine of free men and women in a free economy.

INTERNATIONAL CULTURAL EXCHANGE AND TRADE FAIR—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Foreign Affairs:

To the Congress of the United States:

In accordance with the provisions of section 9 of Public Law 860 of the 84th Congress, I transmit herewith for the information of the Congress the Fifth Semiannual Report of operations under the International Cultural Exchange and Trade Fair Participation Act of 1956.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *April 13, 1959.*

PLENTIFUL SUPPLY OF PURE WATER IS PRINCIPAL NEED OF AMERICA

Mr. CASEY. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. DINGELL] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DINGELL. Mr. Speaker, one of the essential requirements of America is plenty of pure water for homes and domestic use, for industry, and for agriculture. Civilizations have risen and fallen because of the existence of an adequate supply or lack of an adequate supply of pure water for use by mankind.

The President's budget cuts funds for water pollution construction grants to $20 million from $45 million authorized and appropriated since passage of Public Law 660. This is complete disregard of one of the principal needs of America. For example, grants to Michigan cities will be cut from $1,394,500 to $561,000, hardly enough to make the program worthwhile in Michigan.

One of the shameful things about this country has been the manner in which we have destroyed, wasted, and squandered our water resources. The worst waste of water is pollution, both municipal sewage dumped into our rivers and streams and dumping industrial wastes into waters which are used by individuals for drinking, bathing, and recreation.

For years the construction rate of sewage disposal and waste treatment plants on the municipal level did not even keep pace with the growth of new population. During World War II and the Korean incident there was virtually no municipal sewage construction work done. In 1956 Public Law 660 of the 84th Congress became law and grants to municipalities on a matching fund basis to clean up municipal sewage began to be felt. In 1957, the first full year of grants under this, witnessed $351 million spent for municipal water pollution abatement plants and facilities. The rate of construction from 1952 to 1956 was only $222 million. In 1958 tentative figures show us that municipalities spent $390 million on sewage abatement facilities. This is the highest year on record. Construction of facilities without Federal assistance still averages about $222 million. The stimulus in construction because of the Federal grants is for 1957 some $130 million and for 1958 some $170 million, or an expenditure of only $45 million in Federal funds.

Clearly, Public Law 660, both insofar as the construction grants feature and insofar as the enforcement feature has been a wonderful thing. It is my hope and the hope of all who are interested in pure water for Americans living and yet unborn that it will be possible to continue the wonderful work being done under this law to clean up our rivers and streams and provide clear, pure water for home use, for industry and for recreation.

I insert here a breakdown showing what the dollar loss to the States will be if the full amount of this program is not appropriated. The loss of higher values is incalculable.

State allotments—Water pollution control construction grant program

	Fiscal year 1957	Fiscal year 1958	Fiscal year 1959	Fiscal year 1960		Fiscal year 1957	Fiscal year 1958	Fiscal year 1959	Fiscal year 1960
Total	$50,000,000	[1] $50,000,000	[1] $50,000,000	[2] $20,000,000	Nevada	$325,775	$330,200	$335,325	$142,210
					New Hampshire	543,150	529,825	521,925	210,310
Alabama	1,150,125	1,157,175	1,144,725	448,840	New Jersey	1,113,600	1,110,125	1,109,775	445,520
Arizona	566,725	578,400	576,450	236,700	New Mexico	631,850	627,850	631,350	245,710
Arkansas	1,047,925	1,030,100	1,024,975	404,500	New York	2,749,675	2,746,550	2,744,325	1,094,240
California	2,053,325	2,052,475	2,048,825	818,290	North Carolina	1,270,675	1,272,425	1,260,950	504,450
Colorado	624,300	636,675	635,700	253,210	North Dakota	702,575	676,250	671,725	264,550
Connecticut	628,275	626,575	624,100	248,080	Ohio	1,653,325	1,655,100	1,658,600	662,330
Delaware	350,350	346,450	336,325	135,260	Oklahoma	865,825	858,725	862,175	345,380
District of Columbia	445,650	453,675	454,575	181,800	Oregon	647,125	651,575	657,300	264,500
Florida	910,775	907,550	899,575	359,880	Pennsylvania	2,097,650	2,098,725	2,102,975	839,700
Georgia	1,137,700	1,136,150	1,128,600	449,310	Rhode Island	520,500	509,600	514,475	210,170
Idaho	576,475	593,325	592,125	236,770	South Carolina	995,100	1,007,525	1,022,525	409,540
Illinois	1,752,825	1,749,050	1,749,450	700,450	South Dakota	660,775	664,050	676,700	272,280
Indiana	1,027,400	1,029,725	1,039,850	416,330	Tennessee	1,136,050	1,130,075	1,129,400	449,630
Iowa	873,075	882,450	883,875	358,570	Texas	1,716,475	1,716,350	1,714,800	685,430
Kansas	733,550	749,150	758,325	305,980	Utah	591,175	588,525	591,875	238,640
Kentucky	1,067,225	1,075,525	1,073,825	428,990	Vermont	575,325	556,650	545,600	219,460
Louisiana	993,975	993,350	986,350	390,040	Virginia	1,027,450	1,025,525	1,019,100	409,890
Maine	627,125	634,650	625,725	252,690	Washington	755,850	756,050	762,825	307,880
Maryland	750,350	750,000	754,525	304,050	West Virginia	891,525	904,200	900,000	348,580
Massachusetts	1,137,125	1,126,450	1,123,575	447,090	Wisconsin	971,725	974,625	981,025	392,740
Michigan	1,389,675	1,386,275	1,394,550	561,270	Wyoming	440,375	450,750	458,050	181,530
Minnesota	929,450	923,250	929,175	371,200	Alaska	426,525	425,100	425,275	169,490
Mississippi	1,180,375	1,172,550	1,162,925	466,600	Hawaii	496,100	504,325	513,475	209,140
Missouri	1,059,775	1,060,950	1,063,350	424,450	Puerto Rico	1,185,550	1,177,725	1,168,100	468,670
Montana	503,650	503,325	512,475	206,570	Virgin Islands	830,000	822,175	812,550	326,450
Nebraska	661,075	674,150	683,850	274,660					

[1] Appropriation is for $45,000,000 but appropriation act provides that allotments to States be based on $50,000,000.

[2] Tentative allotments based on President's budget.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BARING (at the request of Mr. LIBONATI), for the balance of the week, on account of official business—World Congress of Flight.

Mr. MULTER (at the request of Mr. LIBONATI), for the balance of the week, on account of illness.

Mr. WHITENER, from April 15 through April 17, on account of official business, attending the World Congress of Flight at Las Vegas, Nev.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. FORRESTER, for 5 minutes, today.

Mr. BOWLES (at the request of Mr. MCCORMACK), for 90 minutes on Monday, April 20.

Mr. MICHEL, today, for 5 minutes.

Mr. DENT (at the request of Mr. CASEY), for 90 minutes, on Tuesday, April 21, 1959.

Mr. RHODES of Arizona, for 1 hour, on Monday next, April 20, 1959.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. PRICE in two instances and in each to include extraneous matter.

Mr. HERLONG.

Mr. BOLAND and to include extraneous matter.

Mr. PORTER.

Mr. PELLY in three instances and include extraneous matter.

Mr. REECE of Tennessee and include extraneous matter.

Mrs. BOLTON and include extraneous matter.

Mr. LINDSAY in two instances and to include extraneous matter.

Mr. ALGER (at the request of Mr. RHODES of Arizona) in three instances and to include extraneous matter.

Mr. AVERY (at the request of Mr. RHODES of Arizona) and to include extraneous matter.

The following Members (at the request of Mr. CASEY) and to include extraneous matter:

Mr. BUCKLEY and to include a table relating to the subject.

Mr. MACDONALD.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2493. An act declaring certain property in the State of New Mexico to be held in trust for the pueblo of Santo Domingo.

SENATE BILLS AND A JOINT RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 96. An act to govern the salaries and personnel practices applicable to teachers, certain school officers, and other employees of the dependents schools of the Department of Defense in oversea areas, and for other purposes; to the Committee on Post Office and Civil Service.

S. 201. An act for the relief of Chiyoko Korematsu and Aiko Korematsu; to the Committee on the Judiciary.

S. 211. An act for the relief of Aurelia Marija Medvesek-Pozar; to the Committee on the Judiciary.

S. 264. An act for the relief of Athena Nicholas Euteriadou; to the Committee on the Judiciary.

S. 313. An act for the relief of Collingwood Bruce Brown, Jr.; to the Committee on the Judiciary.

S. 449. An act for the relief of Clarita Martinez; to the Committee on the Judiciary.

S. 451. An act for the relief of Mohammed Ali Halim; to the Committee on the Judiciary.

S. 461. An act for the relief of Androula Neofitos Stephanon (Androula Kyriacou Stephanou); to the Committee on the Judiciary.

S. 634. An act for the relief of Grace C. Ream; to the Committee on the Judiciary.

S. 643. An act to amend the act entitled "An act relating to the levying and collecting of taxes and assessments, and for other purposes," approved June 25, 1938; to the Committee on the District of Columbia.

S. 644. An act to amend the act entitled "An act to provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes," approved February 4, 1925; to the Committee on the District of Columbia.

S. 645. An act to amend the act entitled "An act to authorize the Commissioners of the District of Columbia to remove dangerous or unsafe buildings and parts thereof, and for other purposes," approved March 1, 1899, as amended; to the Committee on the District of Columbia.

S. 701. An act for the relief of Arie Abramovich; to the Committee on the Judiciary.

S. 745. An act to amend the act entitled "An act to create a Board for the Condemnation of Insanitary Buildings in the District of Columbia, and for other purposes," approved May 1, 1906, as amended; to the Committee on the District of Columbia.

S. 899. An act to provide for the discontinuance of certain reports now required by law; to the Committee on Government Operations.

S. 900. An act to amend section 204(b) of the Federal Property and Administrative Services Act of 1949 to extend the authority of the Administrator of General Services to pay direct expenses in connection with the utilization of excess real property and related personalty, and for other purposes; to the Committee on Government Operations.

S. 901. An act to amend the Federal Property and Administrative Services Act of 1949 to authorize the Administrator of General Services to make contracts for cleaning and custodial services for periods not exceeding 5 years; to the Committee on Government Operations.

S. 902. An act to provide for the receipt and disbursement of funds, and for continuation of accounts when there is a vacancy in the office of the Disbursing Officer for the Government Printing Office, and for other purposes; to the Committee on Government Operations.

S. 949. An act for the incorporation of the Ladies of the Grand Army of the Republic; to the Committee on the District of Columbia.

S. 1143. An act for the relief of Harvey Hiroaki Horiuchi; to the Committee on the Judiciary.

S. 1217. An act to add certain public domain lands in Nevada to the Summit Lake Indian Reservation; to the Committee on Interior and Insular Affairs.

S. 1242. An act to authorize the use of the revolving loan fund for Indians to assist Klamath Indians during the period for terminating Federal supervision; to the Committee on Interior and Insular Affairs.

S. 1271. An act to donate to the pueblo of Isleta certain Federal property in the State of New Mexico; to the committee on Interior and Insular Affairs.

S. 1456. An act to provide for the appointment of two additional judges for the juvenile court of the District of Columbia; to the Committee on the District of Columbia.

S.J. Res. 61. Joint resolution to amend Public Law 305 of the 85th Congress relative to the establishment of a commission to commemorate the 100th anniversary of the Civil War, to authorize the manufacture and sale of a Civil War Centennial Medal; to the Committee on the Judiciary.

ADJOURNMENT

Mr. CASEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 32 minutes p. m.) the House adjourned until tomorrow, Tuesday, April 14, 1959 at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

839. A letter from the Director, Administrative Office, U.S. Courts, transmitting a report on tables of bankruptcy statistics for the year ending June 30, 1958, pursuant to section 53 of the Bankruptcy Act (11 U.S.C. 81); to the Committee on the Judiciary.

840. A letter from the Under Secretary of Commerce, transmitting a draft of proposed legislation entitled "A bill to provide a flexible rate of interest for Government financing under the Merchant Marine Act, 1936, and for other purposes"; to the Committee on Merchant Marine and Fisheries.

841. A letter from the Chairman, U.S. Civil Service Commission, transmitting a draft of proposed legislation entitled "A bill to provide certain survivor annuities payable from the civil service retirement and disability fund"; to the Committee on Post Office and Civil Service.

842. A letter from the Clerk, U.S. Court of Claims, transmitting a certified copy of the opinion rendered by the U.S. Court of Claims on April 8, 1959, re *Government of Norway and Government of the United States of America* (Congressional No. 6-57); to the Committee on the Judiciary.

843. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation entitled "A bill to strengthen the Commissioned Corps of the Public Health Service through revision and extension of some of the provisions relating to retirement, appointment of personnel, and other related personnel matters, and for other purposes"; to the Committee on Interstate and Foreign Commerce.

844. A letter from the Under Secretary of Commerce, transmitting a draft of proposed legislation entitled "A bill to amend title 35 of the United States Code relating to patents"; to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BOLLING: Committee on Rules. House Resolution 236. Resolution for consideration of H.R. 1321, a bill to amend Reorganization Plan No. 2 of 1953; without amendment (Rept. No. 266). Referred to the House Calendar.

Mr. DELANEY: Committee on Rules. House Resolution 237. Resolution for consideration of H.R. 2228, a bill to provide for the acquisition of additional land along the Mount Vernon Memorial Highway in exchange for certain dredging privileges, and for other purposes; without amendment (Rept. No. 267). Referred to the House Calendar.

Mr. O'NEILL: Committee on Rules. House Resolution 238. Resolution for consideration of H.R. 4601, a bill to amend the act of September 1, 1954, in order to limit to cases involving the national security the prohibition on payment of annuities and retired pay to officers and employees of the United States, to clarify the application and operation of such act, and for other purposes; without amendment (Rept. No. 268). Referred to the House Calendar.

Mr. COLMER: Committee on Rules. House Resolution 239. Resolution for consideration of House Joint Resolution 254, joint resolution to authorize participation by the United States in parliamentary conferences with Canada; without amendment (Rept. 269). Referred to the House Calendar.

Mr. MADDEN: Committee on Rules. House Resolution 240. Resolution for consideration of S. 1096, an act to authorize appropriations to the National Aeronautics and Space Administration for salaries and expenses, research and development, construction and equipment, and for other purposes; without amendment (Rept. No. 270). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANFUSO:

H.R. 6288. A bill to establish a National Order of Science to provide recognition for individuals who make outstanding contributions in science and engineering; to the Committee on Science and Astronautics.

By Mr. ASHLEY:

H.R. 6289. A bill to require public financial reports from Members of Congress, certain civil and military officers, and select employees of the executive and legislative branches of the Government and related departments and agencies; to the Committee on Rules.

By Mr. ASPINALL:

H.R. 6290. A bill to consolidate, revise, and reenact the public land townsite laws; to the Committee on Interior and Insular Affairs.

By Mr. BARING:

H.R. 6291. A bill for clarification and classification of certain tungsten basic materials; to the Committee on Ways and Means.

By Mr. BENNETT of Florida:

H.R. 6292. A bill to authorize the acceptance by the Government of gifts to be used to reduce the public debt; to the Committee on Ways and Means.

H.R. 6293. A bill to establish an immediate program to aid in reducing the public debt by providing that certain receipts from the sale of capital assets of the Government shall be used for such purpose; to the Committee on Ways and Means.

By Mr. BENNETT of Michigan:

H.R. 6294. A bill to amend section 31 of the Securities Exchange Act of 1934; to the Committee on Interstate and Foreign Commerce.

H.R. 6295. A bill relating to certain inspections and investigations in metallic and nonmetallic mines and quarries (excluding coal and lignite mines) for the purpose of obtaining information relating to health and safety conditions, accidents, and occupational diseases therein, and for other

purposes; to the Committee on Education and Labor.

H.R. 6296. A bill to amend title II of the Social Security Act to permit social security coverage under State agreement for policemen and firemen in cities and other communities having a population of 25,000 or less; to the Committee on Ways and Means.

By Mr. BOYLE:

H.R. 6297. A bill to authorize the establishment of the Indiana Dunes National Monument; to the Committee on Interior and Insular Affairs.

By Mr. BROOKS of Louisiana:

H.R. 6298. A bill to amend the National Science Foundation Act of 1950 to provide financial assistance to educational institutions for the development of teaching facilities in the field of oceanography, and to provide fellowships for graduate study in such field; to the Committee on Science and Astronautics.

H.R. 6299. A bill to authorize appropriations to the National Aeronautics and Space Administration for salaries and expenses, research and development, construction and equipment, and for other purposes; to the Committee on Science and Astronautics.

By Mr. BROYHILL:

H.R. 6300. A bill to preserve the rates of basic compensation of wage board employees in certain cases involving reductions in rates of basic compensation, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 6301. A bill to amend the act of April 10, 1924, to provide a refund to retail dealers for taxes paid the District of Columbia on motor-vehicle fuels lost due to evaporation and shrinkage; to the Committee on the District of Columbia.

H.R. 6302. A bill to amend section 66 of the act entitled "An act to provide for the organization of the militia of the District of Columbia, and for other purposes," approved March 1, 1889 (District of Columbia Code, sec. 39–805), with respect to the compensation of certain civilian employees of the District of Columbia National Guard, and for other purposes; to the Committee on the District of Columbia.

By Mr. BUCKLEY:

H.R. 6303 A bill to authorize appropriations for the Federal-aid primary system of highways for the purpose of equitably reimbursing the States for certain free and toll roads on the National System of Interstate and Defense Highways, and for other purposes; to the Committee on Public Works.

By Mr. CHAMBERLAIN:

H.R. 6304. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit donations of surplus property to volunteer firefighting organizations, and for other purposes; to the Committee on Government Operations.

By Mr. CRAMER:

H.R. 6305. A bill to make the Civil Service Retirement Act Amendments of 1956 applicable to certain persons who retired under the automatic separation provisions of the Civil Service Retirement Act prior to the enactment of such amendments; to the Committee on Post Office and Civil Service.

H.R. 6306. A bill to amend title II of the Social Security Act to reduce from 72 to 70 the age at which beneficiaries are no longer subject to restrictions on outside earnings; to the Committee on Ways and Means.

H.R. 6307. A bill to amend the Civil Service Retirement Act to eliminate the reduction in annuity elected for a spouse when such spouse predeceases the person making the election; to the Committee on Post Office and Civil Service.

H.R. 6308. A bill to make permanent certain increases in annuities payable from the civil service retirement and disability fund; to the Committee on Post Office and Civil Service.

By Mr. FOLEY:

H.R. 6309. A bill to amend section 46, title 18, United States Code, with respect to transportation of water hyacinths and seeds; to the Committee on the Judiciary.

H.R. 6310. A bill to provide for investment of the civil service retirement and disability fund, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. LANKFORD:

H.R. 6311. A bill to amend title 13 of the United States Code, relating to census, to grant preference in the employment of additional personnel for the conduct of the respective censuses to those employees separated from Government service in reductions in force; to the Committee on Post Office and Civil Service.

By Mr. LESINSKI:

H.R. 6312. A bill to preserve the rates of basic compensation of certain officers and employees transferred from the General Schedule of the Classification Act of 1949 to a prevailing rate schedule; to the Committee on Post Office and Civil Service.

H.R. 6313. A bill to preserve the rates of basic compensation of wage board employees in certain cases involving reductions in rates of basic compensation, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. LEVERING:

H.R. 6314. A bill to provide for the issuance of a special postage stamp in commemoration of the song "Dixie," composed by Daniel Decatur Emmett; to the Committee on Post Office and Civil Service.

By Mr. LINDSAY:

H.R. 6315. A bill to liberalize the tariff laws for works of art and other exhibition material, and for other purposes; to the Committee on Ways and Means.

By Mr. LOSER:

H.R. 6316. A bill to clarify paragraph 4 of section 15 of the Pay Readjustment Act of 1942 (56 Stat. 368); to the Committee on Armed Services.

By Mr. McFALL:

H.R. 6317. A bill to amend section 4242 of the Internal Revenue Code of 1954 to exempt from the club dues tax certain charges made by nonprofit clubs for the use of facilities; to the Committee on Ways and Means.

By Mr. MAGNUSON:

H.R. 6318. A bill to provide Federal support for State defense forces, and for other purposes; to the Committee on Armed Services.

By Mr. MITCHELL:

H.R. 6319. A bill to amend chapter 55 of title 38, United States Code, to establish safeguards relative to the accumulation and final disposition of certain benefits in the case of incompetent veterans; to the Committee on Veterans' Affairs.

By Mr. POAGE:

H.R. 6320. A bill defining the interest of local public agencies in water reservoirs constructed by the Government which have been financed partially by such agencies; to the Committee on Public Works.

By Mr. PRICE:

H.R. 6321. A bill to provide additional dental care for dependents of members of the uniformed services; to the Committee on Armed Services.

By Mr. RAY:

H.R. 6322. A bill to amend title 9 of the United States Code to provide for correction of defects and omissions in it relating to the regulations of arbitration, to provide for judicial review of questions of law arising in arbitration proceedings, and for other purposes; to the Committee on the Judiciary.

By Mr. RHODES of Pennsylvania:

H.R. 6323. A bill to amend the Federal Reserve Act with respect to the number, term of office, and qualifications of members of the Board, to abolish the Open Market Committee and transfer its functions to the Board, and with respect to the qualifications of directors of Federal Reserve banks; to the Committee on Banking and Currency.

By Mr. ROBERTS:

H.R. 6324. A bill to strengthen the Commissioned Corps of the Public Health Service through revision and extension of some of the provisions relating to retirement, appointment of personnel, and other related personnel matters, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 6325. A bill to extend certain traineeship provisions of the Health Amendments Act of 1956; to the Committee on Interstate and Foreign Commerce.

By Mr. ROGERS of Florida:

H.R. 6326. A bill to amend the Communications Act of 1934 to provide that equal-time provisions shall not apply to news programs; to the Committee on Interstate and Foreign Commerce.

H.R. 6327. A bill to amend chapter 1 of the Internal Revenue Code of 1954 in regard to certain investments by dealers in real estate; to the Committee on Ways and Means.

By Mr. SCHWENGEL:

H.R. 6328. A bill providing for construction of a highway, and appurtenances thereto, traversing the Mississippi Valley; to the Committee on Public Works.

By Mr. UDALL:

H.R. 6329. A bill to set aside permanently certain land in McKinley County, N. Mex., for use of the Navajo Tribe of Indians; to the Committee on Interior and Insular Affairs.

H.R. 6330. A bill providing that no memorial shall be placed on Federal property (other than within U.S. Capitol buildings) in the National Capital region until 50 years shall have elapsed from the event or the date of death of the person which the memorial is intended to commemorate; to the Committee on House Administration.

By Mr. WILSON:

H.R. 6331. A bill to authorize the Federal Government to guard strategic defense facilities against individuals believed to be disposed to commit acts of sabotage, espionage, or other subversion; to the Committee on the Judiciary.

By Mr. WOLF:

H.R. 6332. A bill to increase the annual income limitations governing the payment of pension to certain veterans and their dependents; to the Committee on Veterans' Affairs.

By Mr. CANNON:

H.J. Res. 336. Joint resolution making a supplemental appropriation for the Department of Labor for the fiscal year 1959, and for other purposes.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By Mr. DADDARIO: Resolution of the General Assembly of the State of Connecticut, memorializing Congress to amend Public Law 316 of the 85th Congress; to the Committee on the Judiciary.

By Mr. FORAND: Memorial of the Rhode Island General Assembly memorializing Congress and particularly the Senators and Representatives from Rhode Island in Congress, asking each to work for legislation increasing the minimum wage from $1 to $1.25 an hour; to the Committee on Education and Labor.

By Mr. IRWIN: Senate joint resolution No. 26 of the General Assembly of the State of Connecticut memorializing Congress to amend Public Law 85–316; to the Committee on the Judiciary.

By Mr. KOWALSKI: Resolution of the General Assembly of the State of Connecticut

proposing an amendment to Public Law 85–316; to the Committee on the Judiciary.

Also, memorial of the State of Connecticut urging support of an amendment to the Constitution relative to the imposition and collection of taxes on income by the States; to the Committee on the Judiciary.

By the SPEAKER: Memorial of the Legislature of the State of Alaska, memorializing the President and the Congress of the United States urging that Senate bill 910 of the 86th Congress be passed by both Houses of Congress; to the Committee on Interior and Insular Affairs.

Also, memorial of the Legislature of the State of Alaska memorializing the President and the Congress of the United States relative to urging that all necessary action be taken to encourage, pass, and approve Federal legislation to extend the limits of Public Law 85–739 for 4 years beyond March 15, 1960; to the Committee on Merchant Marine and Fisheries.

Also, memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States to establish and maintain a Pacific area veterans' home; to the Committee on Veterans' Affairs.

Also, memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States to provide for the replacement of vehicles supplied to amputee veterans; to the Committee on Veterans' Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CLARK:

H.R. 6333. A bill for the relief of Milka Lackovic; to the Committee on the Judiciary.

By Mr. CRAMER:

H.R. 6334. A bill for the relief of Mercedes Castro; to the Committee on the Judiciary.

By Mr. DAVIS of Georgia:

H.R. 6335. A bill for the relief of Mrs. Lourene O. Estes; to the Committee on the Judiciary.

By Mr. DEROUNIAN:

H.R. 6336. A bill for the relief of Hanson-Gorrill-Brian, Inc.; to the Committee on the Judiciary.

By Mr. GRANT:

H.R. 6337. A bill for the relief of Carl C. Golson; to the Committee on the Judiciary.

By Mr. IRWIN:

H.R. 6338. A bill for the relief of Miss Hedwig Dora; to the Committee on the Judiciary.

H.R. 6339. A bill for the relief of Angelina Rainone; to the Committee on the Judiciary.

By Mr. JOHNSON of Maryland:

H.R. 6340. A bill for the relief of Mrs. Marie Jervis Chapin; to the Committee on the Judiciary.

By Mr. LANKFORD:

H.R. 6341. A bill for the relief of Donald O. Olin; to the Committee on the Judiciary.

By Mr. McCORMACK:

H.R. 6342. A bill for the relief of Joseph E. Murphy; to the Committee on the Judiciary.

By Mr. ROGERS of Colorado:

H.R. 6343. A bill for the relief of Peter Hrom; to the Committee on the Judiciary.

By Mr. WILSON:

H.R. 6344. A bill for the relief of Jose Bernarado Delgadillo; to the Committee on the Judiciary.

By Mr. WRIGHT:

H.R. 6345. A bill for the relief of Mrs. Josefina Moreno-Trujillo; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Interstate Highway Repayment Act

EXTENSION OF REMARKS
OF

HON. CHARLES A. BUCKLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1959

Mr. BUCKLEY. Mr. Speaker, I have today introduced H.R. 6303, designated as the "Interstate Highway Repayment Act," authorizing appropriations to reimburse States which have built toll and free highways which have been made a part of the National System of Interstate and Defense Highways.

The proposed bill authorizes the appropriation over a 15-year period of the total net reimbursable amount shown on the annexed exhibit A. This amount is based upon the report—House Document No. 301, 85th Congress—of the Secretary of Commerce concerning the depreciated cost of the free or toll roads, or portions thereof, included in the Interstate System.

All funds proposed to be appropriated under this bill are required to be used by the States solely for highway construction on the Federal Aid Primary System. These funds are to be expended under the present Federal aid legislation with certain exceptions. No matching by the States is required. The bill provides for the apportionment of the funds on the basis of the relative contribution made by each State so that the result is that at the end of the 15-year period each State shall have received the matching ratio of its depreciated cost, less any Federal aid payments already made.

This statement supports the proposed bill for the following reasons, each of which is discussed below:

First. There is an obligation to the contributing States.

Second. This obligation should be met at once.

Third. It is feasible to meet it now as done in the proposed bill.

Fourth. Toll roads are entitled to the same credit as free roads.

Fifth. The national interest is well served because the proposed bill provides for the construction of roads where the need is great.

I. THERE IS AN OBLIGATION TO THE CONTRIBUTING STATES

The construction of the Interstate System is a project national in scope. This is recognized by the Federal Aid Highway Act of 1956 when it states in section 108(a):

> It is hereby declared to be essential to the national interest to provide for the early completion of the National System of Interstate Highways.

That section further states that:

> It is the intent of the Congress * * * that the entire system in all the States be brought to simultaneous completion. Because of its primary importance to the national defense the name of such system is hereby change to the "National System of Interstate and Defense Highways."

This declaration by Congress made only a few years ago would seem to make it clear beyond any doubt that we are dealing with a national project.

Other factors also indicate that this conclusion is inescapable. The Federal share payable for this construction varies between 90 and 95 percent of the cost. The standards are uniform throughout the country and are so developed that the highways and bridges will carry military equipment, which was not the case formerly, since in some States the bridges were not designed to support heavy loads and the grades were too steep or the roads were too narrow. It was planned and designed as a National System of Interstate Highways as indicated by the requirements of section 7 of the Federal Aid Highway Act of 1944.

Since in law and in fact it is a national project, it is distinguishable from the usual Federal aid concept. Federal aid is given to the States for a multitude of purposes including the construction of roads. In the usual Federal aid case, funds are required to be matched by the States on a 50 percent basis. Generally Federal aid highway projects are dispersed into a number of different places within a particular State so that all of its counties within a few years may receive the benefit of some new Federal aid road construction. The aid is given to assist and foster highway construction within that particular State. This is a vastly different concept than the concept of the Interstate System which is a National System of connected roads, which is to be brought to simultaneous completion, and constructed because of a national interest in its construction.

The difference is emphasized by the difference in mode of payment. The amount of Federal aid authorized to be appropriated in any given year has been based in a general way on the realization that the States needed assistance in road building and the amount has been gradually increased over the years. But there has been no criterion other than the general need. In the case of the Interstate System the amount of the authorization was based upon the original estimated cost. For ordinary Federal aid, the amount authorized has been apportioned to the individual States on old and established formulas of area, population, and road mileage. The apportionment in the case of the Interstate System is based upon the cost of construction to the individual State of its specified mileage in that State, and when such construction has been completed the apportionment ceases.

Once the difference between usual Federal aid and the construction of the Interstate System is clearly understood, few will dispute that a State which contributes highways or a portion thereof to the Interstate System is entitled to a credit for that construction. The point can be illustrated in numerous ways. For example, if the Federal Government in connection with its establishment of post offices should find certain public buildings in some States adequate and adaptable for use as post offices, certainly no one could contend that because these had already been constructed and were ready for use, the Federal Government would not be required to pay for them; but that it would be required to pay some other State to construct a post office which was not at the time in existence. The position that payment should not be made in either case is clearly untenable. The reason that it seems so clear in the post office case is that the establishment and operation of post offices is a Federal function carried out entirely by the Federal Government.

There is no distinction between the post office case and the highway case, once it is conceded that the construction of the Interstate System is a national project, 90 to 95 percent of the cost of which is paid for by the Federal Government. If a State has supplied a road, or a portion thereof, already constructed, it is just as entitled to a credit for this as it would be if it had contributed an established public building that could be used as a post office.

This point of view has important backing. The Clay Committee report which was submitted to the President in January 1955 after stating that some States had already constructed sections of the Interstate System made this comment at page 21:

> Such construction should not be discouraged by this report since our goal is maximum highway improvement.

It continued at page 22 with the definite recommendation that:

> Those States in which sections of the Interstate System have been provided to meet the presently established standards for the completed system should receive appropriate credit.

The suggestions in this report were incorporated in H.R. 4260 and similar bills introduced in 1955. These bills were generally believed to be the administration bills, so that as late as 1955 it may be said that the administration was in favor of giving States a credit for their road construction to the Interstate System.

While it is a fact that in the following year the Secretary of Commerce reversed this position and opposed the inclusion of a provision authorizing a credit in H.R. 8836, it was opposed, not so much on the ground that the States were not entitled to a credit, as on the ground of expediency. In his statement to the committee the Secretary said that he did not favor a credit at the present time—see hearings before Subcommittee on Roads, 1956, page 11. He also stated:

> Obviously more roads can be completed, if those already built are not bought. Furthermore, the States would not appear to be hurt by failure to extend credit for such roads. In general, toll roads have been set up on a sound fiscal basis, and have not cost the States a penny. No amount has been included in the authorizations for the Interstate System for toll and free road credits, and it would, therefore, be necessary to increase the authorizations or cancel a part of the needed program if such credits are to be extended.

The last sentence probably expresses the fundamental reason for the change in position of the Secretary of Commerce. It is usually the principal reason relied on by other persons who oppose recognizing this obligation. The argument is that there is not enough money; that it is not feasible. These persons do not take the position that it is unfair to give the States credit, but rather that it is not feasible so to do. Few persons say that it would be unfair. It is difficult to see how they could.

In conclusion, fair play and equity demand that this obligation be recognized and that a credit be allowed those States which have constructed highways or portions thereof on the Insterstate System, and thus relieve the Federal Government of a tremendous expenditure for a project of national scope which was planned in the national interest.

II. THIS OBLIGATION SHOULD BE MET AT ONCE

Four years have elapsed since the Clay report and the introduction of the first bills with respect to authorizing funds for the Interstate System. Three years have elapsed since the passage of the Federal Aid Highway Act of 1956 which did authorize the necessary funds. Section 114 of the Federal Aid Highway Act of 1956 represented a temporary solution of the controversy between those persons favoring a credit for free and toll roads and those opposed. It was a solution that seemed sound at the time. No one could state with any accuracy at that time which roads would be incorporated into the Interstate System and what they cost. A definite basis for action prior to a final decision by Congress seemed advisable. This was accomplished by section 114.

The report called for by section 114 was transmitted to the House on January 7, 1958, and has been designated as House Document No. 301. A hearing was held on this report before the Committee on Public Works on March 25–26, 1958. No action was taken following that hearing.

The necessary facts are set forth in that report and there is no reason for further delay. Fair play requires the immediate recognition of this obligation to the contributing States. It is no answer to say that the Federal Government cannot afford at this time to meet this obligation. These are the most prosperous times according to all business statistics that this Nation has yet encountered. If this obligation cannot be met today, it never can be met. Postponement is not an answer.

Most persons who urge postponement, and yet do not argue that it would be inequitable or unfair to allow this credit, are in effect stating that the Federal Government is not in a position to meet its just obligations. It is, indeed, a sad commentary on our moral conscientiousness that expediency should rule, rather than equity. There is an obligation or there isn't an obligation. If there is one, it should be repaid at once. Part I of this statement clearly demonstrates that there is such an obligation.

III. IT IS FEASIBLE TO MEET THIS OBLIGATION TODAY

The proposed bill authorizes appropriations over a 15-year period commencing with the fiscal year ending June 30, 1962. While these authorizations total the net reimbursable amount shown by exhibit A of $4,295,600,000, the amounts involved for any one fiscal year range between $225,000,000 and $360,000,000. These annual authorizations are clearly within a feasible area.

Apportionments for the fiscal year ending June 30, 1962, must be made prior to January 1, 1961, and therefore will be made probably in the fall of 1960. Thus, the States will be entitled to contract for the work on the basis of the apportionments next year. They will also have the knowledge of the definite amounts that will be apportioned to them over the ensuing 15 years.

The proposed authorization for a 15-year period departs from the usual authorization of Federal aid for roads in that the regular Federal aid authorizations are generally for a 2-year period. However, this would not be the first departure from the usual practice, since the Federal Aid Highway Act of 1956 authorized the entire original estimated cost of the Interstate System to be spread over a 13-year period. The reason in that case was the need for constructing the Interstate System as an entirety, and for the States to have knowledge of their apportionments so that they could engage in long-range planning. The reason was adequate, and Congress approved the long-term authorizations spreading over 13 years. There is also an adequate reason for a similar long-term authorization in the proposed bill. There is an obligation to be repaid, and the only way to repay it is to authorize payment of the entire obligation. Spreading it over a 15-year period does this in a feasible way.

It is provided in the bill that appropriations can be made from general treasury funds, not otherwise appropriated, rather than from the highway trust fund created by section 209 of the Highway Revenue Act of 1956. The reason for this is clear. The Federal Government is repaying an obligation. The repayment of an obligation should not be contingent. It should be certain and fixed. The highway trust fund is contingent, depending upon the amount of revenues collected. The proposed bill is a clear authorization for appropriations and apportionments which will permit contracts to be entered into by the States after the apportionments have been made. The only way the Federal Government can repay its obligation is to make it fixed and certain.

Certainly it is clearly feasible in this day of $70 billion budgets to authorize the appropriation of from $225 million to $360 million per annum over a 15-year period. The contention that the Federal Government cannot afford to meet its

just obligation to the contributing States has no basis whatsoever under the proposed bill.

IV. TOLL ROADS ARE ENTITLED TO BE PLACED IN THE SAME CATEGORY AS FREE ROADS

At the outset, it is important to understand the distinction between Federal aid for the construction of a toll road and the inclusion of a toll road on a Federal aid system. In 1921 Congress enacted a provision—section 9—in the Highway Act of that year to the effect "that all highways constructed or reconstructed under the provisions of this act shall be free from tolls of all kinds." At the time of the enactment of this provision there were many toll bridges throughout the country, toll ferries, and also some toll roads. Many of these facilities were entirely private; that is, had been constructed by privately owned corporations for profit. Congress undoubtedly felt that it was undesirable to have Federal money go into private enterprise. It is important to bear in mind that there was no opposition to toll facilities as such, but rather to the use of Federal funds in their construction. The proposed bill contemplates the construction of free roads, like any other Federal aid funds.

That the Federal Government was not opposed to toll roads as such is indicated by the fact that in many instances toll bridges and toll ferries were included in the Federal aid primary system. There has not been any opposition to this inclusion down to the present time. In fact, in the Federal Aid Highway Act of 1956 Congress included section 113 which specifically provides for the inclusion of toll roads, bridges, and tunnels within the Interstate System. The entire history of Federal road legislation therefore indicates clearly that the Federal Government has never opposed toll facilities. It not only has made use of them to complete its earlier Federal aid systems, but now is making use of them on the Interstate System.

Not only is the foregoing true, but since 1927 the Federal Government has participated in the cost of toll bridges and tunnels. The 1927 act and subsequent acts have been incorporated into section 129 of title 23, United States Code. While Federal participation is subject to certain restrictions principally directed towards making the facility free as quickly as possible, it is clearly another indication of the fact that the Federal Government, far from opposing toll roads, even goes to the extent of participating in the cost of the construction of toll roads and bridges.

In view of the foregoing, it is difficult to understand the objection to giving a credit for toll roads. One of the most frequent arguments used is the statement that the traveler has to pay a toll, as well as a tax on gasoline, motor fuel, and any other so-called highway user taxes, the proceeds of which are used for highway construction. An analysis of this argument indicates that it is based upon a false premise. The false premise is that the highway user taxes in all States are the same. In fact they are not. The rates of these taxes vary from State to State.

If these taxes were uniform in all of the States it might be claimed that the toll road user was being subjected to an extra burden for the use of the highway. Whether such an extra burden should, by itself, warrant a refusal to allow a credit for a toll road is highly questionable. The road is there and available for use. Its use must be economical or travelers would not pay the tolls. The construction of a free parallel road would be an economic waste. All of these considerations indicate that the contention is invalid even if the premise were sound.

However, these taxes are not uniform. A person traveling across the country pays one tax in one State and another in another. When a traveler goes from State A where he has paid a 4-cent tax into State B where he has paid a 7-cent tax he is paying more for the use of the highway just as he is when he uses a toll road and pays the toll. Can it be claimed that State B, because it charges a higher tax, should not receive credit for its free roads since it places an extra burden on the traveler from State A? To put the question is to answer it. Obviously our whole form of government contemplates that the different States may have different laws and different taxes. When the user of a toll road pays a toll, he does no more than pay a higher tax, just as he does in a State which charges him a higher tax for his gasoline. Certainly the payment of the toll cannot be a fair ground for differentiation between giving a State a credit or not giving a State a credit.

This is clearly true when it is borne in mind that roads usually are paid for by the people who use them. It is indeed difficult to understand why the form of the tax should require a distinction. In some States roads are paid for out of the general treasury and it is not possible to trace just which taxes were used, although the so-called highway user taxes contribute to the general funds. In other States containing constitutional provisions against diversion of certain highway user taxes it is easy to point to the particular tax which pays for the roads. In the case of toll roads the construction is paid for by the person who actually uses that particular road. Whether the taxes are paid from the general funds, from specific so-called highway user taxes, or by the person using the road is immaterial insofar as the ultimate fact is concerned that the road is there, that it is being used, and that it is part of the Interstate System.

Another argument advanced against the recognition of toll roads is that those States contributing toll roads would not be hurt, because the toll roads do not cost the States a penny. In the first place, the question is not whether the States would be hurt or would not be hurt, but whether they are entitled to a credit. It has been pointed out above that, since these States have supplied the roads and the toll is merely another form of tax, they clearly are entitled to a credit. Accordingly, this negative approach or argument loses its force at the outset.

However, it can be said with equal force that the free roads have not cost the States a penny where there is a constitutional provision against diversion of highway user taxes, or where there has been no increase in such taxes since the passage of the Hayden Cartright Act by Congress. In these States the highway user taxes are paid, but they are not received by the State as general funds. They are required to be used only for road construction purposes, and for no other purpose. What is the difference between one of these States and a State that has created an authority for the construction of a toll road which is being paid for by those persons actually using the toll road. In neither case has the State paid a penny out of its general funds. In both cases the tax or the toll has gone directly into the roads. Whether it cost the State a penny is immaterial to this discussion. The effect on the State treasury is the same in both cases. When these considerations are taken into account it is indeed difficult from this point of view to distinguish between free and toll roads in many of the States of this country.

Before closing on this point the actual economic benefit of the toll road should not be forgotten. The toll road would not have been constructed at the outset unless it was believed that the need was there. In most cases the estimates were accurate enough so that the toll roads have succeeded. They must be considered beneficial by the traveling public or persons using them would not continue to do so. It is also true that no one is compelled to use toll roads and that there is always a road paralleling the toll road which may be used by a person not desiring to pay the toll. Toll roads are not monopolies, but the traveler always has his choice and can take either a toll road or a free road.

Toll roads are entitled to consideration and should be placed in the same category as free roads. The Federal Government has not been opposed to toll roads and in fact has included them in the Interstate System. It is therefore getting the use out of them. The toll in fact is analogous to a user tax. Taxes vary in the different States so there is no uniform base upon which a person from one State can claim to be penalized by traveling through another. There is variety in every State. It is a question of degree rather than kind. The contention that a toll road does not cost a State a penny is a negative argument rather than a positive argument, and is equally applicable to many States with antidiversion provisions. Finally, the proposed bill does not contemplate the use of Federal funds in the construction of toll roads. It will not be contrary to the longstanding provision of the 1921 act that highways constructed with Federal funds shall be free from tolls.

V. THE NATIONAL INTEREST IS WELL SERVED BECAUSE THE PROPOSED BILL PROVIDES FOR THE CONSTRUCTION OF ROADS WHERE THE NEED IS GREAT

The proposed bill requires the States to use the funds authorized for construction of highways under the Federal aid primary system. It limits the use of these funds to this system because it is felt that the primary system is the most important system and construction of roads on it will contribute most to the present highway needs. It does not pro-

vide for use of these funds on the Interstate System because it is felt that the mileage of the Interstate System should be limited to the 41,000 miles now authorized, at least until those 41,000 miles have been entirely completed.

Use of the funds for more roads on the primary system will be helpful in contributing to the highway needs of this country where the need is clearly apparent. The States which built the free roads and toll roads in the decade following the war did so to meet the pressing needs of that decade. No toll road could succeed unless the demand of the traffic was sufficient to insure its use. No freeway would be necessary except for heavy traffic. It must be borne in mind that all these roads eligible for the Interstate System were built to standards which accommodate a heavy traffic load. Those States which were the largest contributors to the Interstate System had the heaviest traffic demands. It seems likely that this demand will continue just as heavy in the ensuing decade. The proposed bill will contribute to this need and will place the funds in those States where the need is clearly urgent.

VI. CONCLUSION

The proposed bill will accomplish two important objectives.

In the first place, it repays a valid obligation of the Federal Government to the States. The Federal Government has used facilities of the States to support a project clearly national in its scope and purpose, and their contribution to this national project is an obligation which in all fairness and equity should be repaid.

In the second place, it requires the funds to be used exclusively for highway construction, and they will be so used to the greatest extent in those States where the need is clearly urgent. Both objectives make serious consideration of the proposed bill imperative.

EXHIBIT A.—INTERSTATE HIGHWAY REPAYMENT ACT

Net reimbursement amounts based on 90 percent of depreciated original cost less Federal aid already paid toll and free roads

[Dollar amounts in millions]

State	Miles	Total cost less depreciation	Less State's share of cost	Less Federal-aid payments already made	Net reimbursable amount	Percent of national total	State	Miles	Total cost less depreciation	Less State's share of cost	Less Federal-aid payments already made	Net reimbursable amount	Percent of national total
Alabama	93.3	$18.2	$16.4	$9.7	$6.7	0.16	New Hampshire	$24.0	$10.1	$9.1	$2.3	$6.8	.16
Alaska							New Jersey	84.2	356.4	320.8	22.0	298.8	6.96
Arizona	457.9	41.9	39.5	25.0	14.5	.34	New Mexico	321.5	20.0	18.5	13.7	4.8	.11
Arkansas	52.6	14.0	12.6	8.9	3.7	.09	New York	568.6	1,036.2	932.6	133.5	799.1	18.60
California	850.2	379.9	348.1	87.5	260.6	6.07	North Carolina	270.4	58.5	52.7	24.2	28.5	.66
Colorado	272.7	45.8	41.8	24.8	17.0	.40	North Dakota	145.4	6.9	6.2	4.5	1.7	.04
Connecticut	143.6	326.6	293.9	15.5	278.4	6.48	Ohio	328.4	300.1	270.1	50.7	219.4	5.11
Delaware	4.1	34.9	31.4		31.4	.73	Oklahoma	251.5	101.8	91.6	13.7	77.9	1.81
Florida	97.4	35.5	32.0	5.4	26.6	.62	Oregon	378.9	106.0	97.9	31.9	66.0	1.54
Georgia	137.6	68.7	61.8	24.2	37.6	.88	Pennsylvania	388.2	432.6	389.4	102.4	287.0	6.68
Idaho	117.7	11.8	10.9	7.5	3.4	.08	Rhode Island	10.4	19.2	17.3	6.9	10.4	.24
Illinois	549.7	550.1	495.1	84.4	410.7	9.56	South Carolina	63.1	9.5	8.6	5.4	3.2	.07
Indiana	306.9	180.6	162.5	16.2	146.3	3.40	South Dakota	137.3	9.8	8.9	5.2	3.7	.09
Iowa	52.1	12.1	10.9	7.0	3.9	.09	Tennessee	16.7	14.8	13.3	9.2	4.1	.10
Kansas	307.9	109.3	98.4	10.3	88.1	2.05	Texas	1,440.6	285.1	256.6	97.7	159.5	3.71
Kentucky	56.4	37.6	33.8	10.2	23.6	.55	Utah	208.3	18.3	17.4	13.5	3.9	.09
Louisiana	37.8	33.3	30.0	12.6	17.4	.41	Vermont	7.8	3.2	2.9	1.9	1.0	.02
Maine	72.9	38.7	34.8	3.7	31.1	.72	Virginia	161.8	123.0	110.7	14.5	96.2	2.24
Maryland	178.1	165.3	148.8	13.4	135.4	3.15	Washington	378.6	90.3	81.9	20.8	61.1	1.42
Massachusetts	152.7	292.0	262.8	13.2	249.6	5.81	West Virginia	92.2	105.9	96.1	4.5	91.6	2.13
Michigan	291.3	283.1	254.8	59.8	195.0	4.53	Wisconsin	62.3	12.7	11.4	5.5	5.9	.14
Minnesota	159.4	25.9	23.3	10.8	12.5	.29	Wyoming	304.0	23.1	21.5	15.6	5.9	.14
Mississippi	92.5	12.5	11.3	6.6	4.7	.11	Hawaii						
Missouri	373.1	113.8	102.4	50.8	51.6	1.20	District of Columbia	4.8	16.2	14.6	9.2	5.4	.12
Montana	206.9	15.0	13.7	11.1	2.6	.06	Puerto Rico						
Nebraska	13.2	1.4	1.2	.5	.7	.02							
Nevada	226.9	10.9	10.4	9.7	.7	.02	Total	10,953.9	6,018.6	5,432.7	1,137.1	4,295.6	100.00

Where Federal Aid to Schools Would Have No Strings

EXTENSION OF REMARKS
OF
HON. THOMAS M. PELLY
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Monday, April 13, 1959

Mr. PELLY. Mr. Speaker, I am joining certain other Members of the House of Representatives and have introduced legislation to provide that expenditures in connection with the submission to an electorate of issues affecting the business of a taxpayer shall be allowed as a deduction under the Internal Revenue Code of 1954.

This bill would read in part as follows:

No expenditure which otherwise qualifies as an ordinary and necessary business expense * * * shall be disallowed as a deduction because incurred in opposing or advocating measures duly submitted to an electorate upon any issue affecting the business of the taxpayer.

My thought is, Mr. Speaker, that in many local matters, such as school bond issues, the cost of informing the public is a business and civic, not a political, expense and has an important effect on the taxpayer and his business.

I have in mind that other desirable or necessary elections for local improvements not alone for schools but for municipal and State facilities of all kinds would be affected. Public support could be enlisted, with the incentive in my bill, for parks, playgrounds, civic centers, urban renewal projects, and all manner of worthy and meritorious issues requiring a vote of the people. However, I am thinking in particular of educational bond authorizations or school levies where under election laws many times the referendum fails for want of information or adequate public interest. The outcome of these elections is certainly one of community welfare and affects the customers and employees of business firms themselves in the area. In my congressional district often bond issues voted on to provide funds received majority approval, but the measures fail due to an insufficient number of voters going to the polls and a required legal percentage of total votes not being cast. Defeat is due to lack of publicity and promotion.

I would hope, Mr. Speaker, that with passage of this legislation contributions to groups such as parent-teacher organizations and chambers of commerce, by public spirited citizens or organizations would become tax deductible as a normal and proper business expense. I want to make it clear my purpose is not to allow deductions of gifts to personal political campaigns, although frankly I would not be against limited deductions of that nature, but this legislation would cover public issues only and not personalities or people.

Also, let me explain, as one who fears Federal controls, that the purpose of my bill is to make it easier for local communities to do things for themselves rather than to be forced to come to the Federal Government for help.

Take education as the case in point. If State and local financing is insufficient, the pressure increases on the national level. The only answer, I can see, is to assist communities and encourage them to accept their responsibility. In the case of schools, classroom shortages must be filled and teachers must be paid decent salaries. To turn to the Federal Treasury in order to provide these needs may be the easier way but it is the wrong way in my opinion.

For example, the National Defense Act was passed last year. I voted against it because I just could not, in all conscience, support a program putting the Federal Government further in the education business. Most educators in my district did not seem to worry on this score, but I am sure they have recognized that my opposition to Federal aid is genuine and they respected my objections. Educators do not favor Federal controls, but they favor adequate funds, and I do too. So we agree to a great extent. Our State Superintendent of Public Instruction, Lloyd J. Andrews, has agreed with me about the danger of Federal school aid and on the basis of actual experience he has found that Federal programs always include Federal requirements and standards, which a State must accept or else it forfeits the funds. I support his stand as to the threat of Federal aid.

However, I agree if local communities shirk their responsibilities then there is no alternative—the school boards must look to other sources of income.

Out in my State recently in order to increase voter activity and obtain needed percentage of votes in a school election, voter registration campaigns have been conducted. Teams of members of eight parent-teacher association units covered shopping districts of Bothel, Woodinville and Kenmore, which is mostly in my congressional district. With registration books scheduled to close shortly, prospective voters in Northshore School District 417 were canvassed. Through the courtesy of the Aero Mechanics Union a mobile registration bus was stationed in the population centers, and PTA workers in various stores enlisted new registration. A special deputy registrar was appointed so it was not necessary for eligible voters who were not registered to go to the county official's office.

If business contributions toward advertising this drive had been deductible, the drive could have been much more effective, and of course this is only one example of where donations in behalf of community or State campaigns submitted to the electorate could increase voter response and make democracy more effective.

Here is a means of assisting local groups to inform the voters on issues. It deserves consideration.

Bataan Day

EXTENSION OF REMARKS
OF
HON. EDWARD P. BOLAND
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Monday, April 13, 1959

Mr. BOLAND. Mr. Speaker, the evil days of World War II bequeathed us many unhappy memories and untold miseries. For more than 3 years our fate and future seemed to be in jeopardy, and at times the whole issue was kept in precarious suspense. The day of infamy, which began with Pearl Harbor, cast a pall over the Nation that grew darker with the fall of Bataan 4 months later. During those months and long thereafter the whole free world, and we in the United States as its leader, were on trial—physically, spiritually, ideally, and morally. And in that supreme trial, that life-consuming and soul-scorching trial, many had their finest hour. We survived; we overcame the enemy; and finally were victorious through the sterling qualities of our fighting forces on all fronts. And those qualities: resourcefulness and resiliency, tenacity and ingenuity, proved their worth better at Bataan than anywhere else during the early phase of the war.

OUR FORCES OUTNUMBERED AND EXHAUSTED

Our forces, numbering about 20,000, plus about 100,000 Philippine citizen army, were no match for Japan's more than 200,000 seasoned troops. The enemy had succeeded in eliminating our Air Force there; the island was cut off from the outside world; and the best of the combined American-Filipino forces were cornered at the strategic Bataan Peninsula. At Bataan our isolated and far outnumbered forces withstood the unrelenting and intensive enemy attack for more than 3 months. Finally, when sheer physical exhaustion doomed our forces, they surrendered to the enemy on April 9, 1942, 17 years ago. In that great battle, waged far from our shores, our men proved their bravery and courage, and they willingly sacrificed their lives for the good and glory of their beloved country. On this anniversary we bow our heads and pray for their blessed memory.

CURRENT AMERICAN-PHILIPPINES RELATIONS

Mr. Speaker, the New York Times of last Thursday printed a timely editorial on the Bataan Day anniversary and it pointed up recent events in American-Philippines relations which should be of concern to every Member of this House.

I had originally asked permission last Friday to include this editorial with my remarks above, but later I learned that the New York Times editorial had been inserted in the RECORD by Senator KEATING of New York. I want to take this opportunity to express my complete agreement with the editorial relative to Filipino loyalty and the matter of outstanding Philippine claims.

Letters to the Editor

EXTENSION OF REMARKS
OF
HON. A. S. HERLONG, JR.
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Monday, April 13, 1959

Mr. HERLONG. Mr. Speaker, you will remember that some time ago Elmo Roper made a study of the earmarks of the active citizen. One of these behavior patterns was the habit of writing letters to the editor. It is for that reason that I call your attention to two major articles in the Editor and Publisher, the fourth estate's trade journal, dated January 31 and February 14. These articles were based on two reports issued by the Center for Practical Politics located at Rollins College in my Fifth Florida District. These reports, in which there has been national interest, are entitled "Policy of Florida Newspapers on Letters to the Editor" and "Letters to the Editor," a content analysis case history of letters written by a citizen with a socialist background to a conservative southern newspaper.

Now, Mr. Speaker, my reason for mentioning these studies is that the Orlando Sentinel, one of the great newspapers of America, is located in my district, and prints more letters to the editor than any other newspaper in Florida. The study makes that fact clear. Martin Andersen, the Sentinel's publisher, says he thinks he publishes more letters than any other newspaper in the world. Anyway, I want to emphasize the importance of these letters in our great democracy. The Sentinel says it has found it good business, that it gets more reaction per printed word from its 100,000 circulation than most newspapers twice the size. It provides readers with a voice of their own. The Sentinel uses that voice to back up its editorial policy or to make the editor back down. In either case, it circulates ideas for the improvement of the Sentinel's service to the community.

Mr. Andersen says he gets letters written in stubby pencil on penny tablets and old wrapping paper; on rag paper with electric typewriters; on special stationery from elderly people; on childish sheets from youngsters just beginning to form words. About half the daily volume of letters are handwritten.

I wish to say "on the record," Mr. Speaker, that the Orlando Sentinel is operating as an engine of democracy in providing this important channel for the interaction of opinions. I congratulate Martin Andersen and the Center for Practical Politics on their teamwork in encouraging active citizenship.

Washington Report

EXTENSION OF REMARKS
OF
HON. BRUCE ALGER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Monday, April 13, 1959

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following newsletter of April 11, 1959, to constituents:

WASHINGTON REPORT
(By Congressman BRUCE ALGER)
APRIL 11, 1959.

The clash of traditional constitutional government of Federal-State prerogatives against ever-increasing Federal centralization was never better demonstrated than in the Unemployment Compensation Act of 1959, during public hearings which are now before the Ways and Means Committee. The proponents of the bill are attempting to prove the bill's stated findings that: (1)

States are failing to carry out the purposes and objectives of employment stabilization and security against unemployment; (2) the benefit amounts paid aren't enough; (3) State programs vary, are not uniform in eligibility, amount, and duration of benefits. Therefore, to strengthen the economy and provide for the general welfare of the Nation, it is necessary to impose Federal standards on the States. Witnesses testifying included economists, employment experts, business representatives (mostly opposed), and AFL–CIO spokesmen, culminating this week with Mr. George Meany, AFL–CIO president.

Present law continues the original intent of leaving jurisdiction in the States. State legislatures, therefore, have each developed their programs to solve their own unemployment. Employers of four or more pay a tax generally of 3 percent on each employee's first $3,000 of income. Federal Government requires States to pay in three-tenths of 1 percent of this for Federal administrative costs. States are permitted to charge whatever tax they choose to meet their needs, although all States must extend each employer a reduced tax rate commensurate with the stability of employment in his company. This is called experience rating. In 1958, the estimated average State tax was 1.4 percent; 5 States were paying 2.7 percent, while 12 States were paying less than 1 percent. Each State maintains its own reserve fund and can borrow without interest from the Federal Government. The States have $7 billion on hand for unemployment contingencies. The legislatures are representative of the people's wishes and the present law is the result of agreement of labor and management at the State level. The very flexibility of State law matches the varying economic patterns and needs of the Nation.

So it is a matter of grave concern to me that labor leaders now attempt to brand the States as failures in this field. Should they succeed in changing the law without proving their allegations with facts, this Nation will have sustained another body blow threatening the very freedom and solvency of every citizen. Consider these facts, in relation to imposing Federal standards: (1) The employer pays all the tax, the employee nothing; (2) we are told we must force the States to broaden eligibility, to increase benefits and duration, regardless of State experience; (3) increased taxes to business means higher costs, thus higher prices to consumers. Labor leaders, therefore, would be cutting everyone's buying power in imposing arbitrary increases; (4) increased taxes and costs to business could force more labor layoff and so more unemployment; (5) the unemployed drawing benefits are over 50 percent without dependents, including seasonal workers, and family members where others in the family work, too—so it isn't the family head primarily being helped; (6) actually, we have gone beyond the area of temporary unemployment compensation and are treating welfare and relief on the one hand or the need for more jobs on the other; (7) the increased benefit wages are getting close to the worker's take-home pay; we are placing a premium on idleness and evasion of working, drawing benefits instead; (8) we are asked to forget the judgment of 7,613 State legislators; (9) the most heavily unionized areas, represented by the Detroit mayor and AFL–CIO leaders, are the ones most desiring Federal control. Having the greatest failure in providing jobs, these men plead most for unemployment compensation.

It seems it's time we tried to create new job opportunities locally—not beg for Federal control and aid. Whether new jobs or relief are needed, it's certainly not a "guaranteed annual wage" for not working. Oddly enough, that seems to be the aim, intended or not. Labor leaders want Federal control—why? So they can straitjacket the Nation? To do what they've done to Michigan—a bankruptcy of economy and ideas? No matter how sincere their intentions, leaders of the 13.5 million AFL–CIO workers cannot be allowed to run roughshod over the 67 million labor force—nor should labor leaders get by unquestioned as representatives of 13.5 million workers.

I suggested to Mr. Meany that the U.C. Federal standards would defeat his stated purposes to relieve unemployment and increase purchasing power; rather it would do the opposite. The real trouble (beyond the political power of labor leaders over Congressmen) is the Full Employment Act of 1946 which Mr. Meany admittedly likes. This act, through broad language, makes the Federal Government responsible for everyone working—this exceeds the constitutional prerogatives of Federal Government. It should be repealed.

The U.C. debate proves again the failure of some to understand, even recognize, the blessings of the constitutional balance of power between State and Federal Government, and the dangers in destroying this balance.

Address by the Honorable Fred A. Seaton, Secretary of the Interior, at Gettysburg College Convocation

EXTENSION OF REMARKS
OF
HON. WILLIAM H. AVERY
OF KANSAS
IN THE HOUSE OF REPRESENTATIVES
Monday, April 13, 1959

Mr. AVERY. Mr. Speaker, the following is a very outstanding address given by the Honorable Fred A. Seaton, Secretary of the Interior, Gettysburg College convocation, Gettysburg, Pa., Friday, April 3, 1959.

I highly recommend that each Member of Congress read Mr. Seaton's remarks:

ADDRESS BY THE HONORABLE FRED A. SEATON, SECRETARY OF THE INTERIOR, GETTYSBURG COLLEGE CONVOCATION, GETTYSBURG, PA., APRIL 3, 1959

It is a rare honor for me to speak tonight of the liberal arts, of education, and of history here at Gettysburg—the scene of a historic battle between the North and the South, the site of an immortal address, and the home of a great President of the United States.

What more fitting place can there be to do this, than here in the chapel of a college, founded 127 years ago—Gettysburg College—whose very name encompasses that battle, the presidential speech of dedication and the home address of President Eisenhower?

More than a century ago Daniel Webster said of his beloved Dartmouth College, up in the New Hampshire wilderness, "It is little, yet there are those who love it."

How fortunate we are that, by and large, liberal arts colleges all over the United States still enjoy such loyalty from their trustees, alumni, other supporters, and from their undergraduates.

That is not to say the future of independent colleges and universities is assured. There are many people, and they include some prominent names in education, who fear that the days of many small, independent colleges are numbered.

They see ahead an ascending curve of costs and of enrollments which give them doubt that tuition fees and private gifts can be increased enough to insure financial solvency. In short, they believe altogether too many of the Nation's independent educational institutions either will be eventually forced to close their doors, thus losing their very existence, or necessarily turn to State or Federal Governments for money, thus losing their independence.

I do not concur in such a prophecy. On the contrary, I believe there are valid reasons why these sincere and well-meant doubters will prove to be wrong.

For an example, in February the Council for Financial Aid to Education reported that nongovernmental contributions to educational and general income of American colleges and universities had risen from a World War II level of 41 percent to a current level of 51 percent of the total. In other words, despite massive increases in Federal grants for research, nongovernmental sources of financial aid had produced so much more as to take the lead.

It is important to note there is no apparent reason to question in the foreseeable future a continuance of this rising curve of support.

This is welcome encouragement to all believers, as I am emphatically am, in the national necessity of keeping one sector of American higher education, and a large and most influential sector, vigorously independent of any form of governmental direction.

Admittedly, an encouragement in itself is not an automatic guarantee, and we must confess much remains to be done to make it so.

For one thing, the council estimates that in just a decade, American colleges of whatever description will need for all purposes, for current operations, plant, and equipment, and endowment, about $9 billion a year, or twice the amount they now have.

Right there, some will say: "How can you expect gifts, tuition, and fees to go up enough to do the job while governmental support of all kinds goes up as well?"

That is a good question, but in answer, I think you can properly remind them that, in the past decade, tuition and fees have already gone up almost 130 percent and private gifts and grants 247 percent, while Government help has increased by 63 percent.

On the evidence, I believe this: We can accomplish the task before us if we do three things—positively inform the American people of the importance of the educational job to be done, plainly tell them the cost of that job, and emphasize the necessity of refusing to permit any source, including the Federal Government, to acquire a monopoly over American education.

I sincerely believe one of the greatest services each of us can render to our colleges, our country, and our fellow citizens is to rouse up more active support for privately financed education.

There's a second job which is inextricably entwined with this first one, and that is to help make certain that the American dollar retains its power to buy.

All our educational institutions, of whatever description, have a life and death interest in that.

To illustrate, here are some sad but true fiscal facts.

In 1929–30, the total current income of American colleges and universities was $555 million; by 1953–54 it was nearly $3 billion, almost 5½ times as much. Now, on the face of it, that seems wonderful, but a particularly vicious and stealthy thief, inflation, was at work. That thief stole away so much of the value of the dollar that by 1954 it was worth only 62 cents. Simply put, that meant for every dollar the universities and colleges gained in income, they lost 38 cents to price increases.

You cannot get away from the fact that inflation hurt these institutions. And specifically it hurt their faculty members.

While it is true that in the past 20 years the dollar tag on teachers' salaries has indeed been going up, it is just as true that all the while the purchasing power of those salaries has been going down.

Universities and colleges can hardly be expected to put escalator clauses into their administrative and teaching contracts. That's because nobody can guarantee them escalator clauses in their incomes. Professors can't dodge inflation simply because universities and colleges can't either.

What they can do, and I hope they will, is to join with those of us who are working with all our might for fiscal integrity in government, whether it is local, State or Federal.

In that connection, we have only to recall to mind one widely publicized situation as proof that such an endeavor should be our common cause.

In Michigan, a political force under a professedly liberal banner has for a decade avoided the hard realities of the management of the State's finances and relied heavily on deficit financing. As a result, the Governor of Michigan is presently known far and wide as a dealer in deficits.

Today, after 10 years, the people of Michigan have finally found out that there is no such thing as a free lunch: Sooner or later somebody has to pick up the check, with interest charges added.

As of today, Michigan has a $7 million lag in old age and children's aid funds. It is $27 million short on payments to its public schools. It is $15 million behind in payments to its three leading State universities.

As a result, Michigan State University and the University of Michigan have had to go to banks to get money to meet their payrolls.

No wonder some of the best faculty members are looking elsewhere for jobs.

What has really happened in Michigan is that for too long the present was allowed to cannibalize the future.

Now, I ask you, is a governmental policy which leads to such a deplorable state of affairs a truly liberal one? Or is it only openhanded to the extent that everybody's pockets finally get emptied?

Certainly, as citizens, without regard to politics, we have every reason to abhor the preemption, the narrowing, and the twisting of the word liberal by men who, on their own record, have traded away any legitimate title to it.

Once trained to define and divide, a process which Aristole considered central to the pursuit of knowledge, you should be able, I believe to distinguish liberalism from prodigality.

You should be equipped to see through the self-styled liberal whose liberalism largely consists of advocating more and more public spending and who thus simultaneously undermines, in the end, even governments' power to borrow money to carry on the very programs he espouses.

And you should be able to penetrate the disguise of those who oppose all progress by resisting every demand the Government enter into new fields or accentuate its share of responsibility in old fields by crying "Socialism." Those people, left to their own devices, would have us mentally replant our feet in the 19th century and resist every attempt to move us forward to the present.

What I am saying is that there is a sensible and sane middle ground between the two schools of political and economic thought and it is our solemn obligation to search it out.

Finally, you should be capable of detecting the inconsistency of the self-styled intellectual who cries out that politicians are never the leaders of thought in a society and simultaneously calls for an administration in Washington to produce new ideas.

Here in Gettysburg, as a result of living, working, and studying in the midst of historical surroundings, all of you—young and old—should surely be able and ready to help make our country's future in every way worthy of its glorious past.

Here, despite Lincoln's modest disclaimer, the Gettysburg Address and the deeds of brave men, living and dead, northern and southern all together, have consecrated Cemetery Ridge and Little Round Top and the Wheatfield. This is indeed hallowed ground, and here, to rich and poor, and young and old; patriotism, virtue, honor, and freedom all have, in Shakespeare's phrase, a "local habitation and a name."

Ever since Biblical times, when the author of "Ecclesiasticus" said, "Let us now praise famous men," peoples have found in their honored heritage from the past a guide and an inspiration for the performance of their duty in the present and in the future.

Gettysburg is indeed a place of such praise. You and I will agree that it must always be so, and further you and I agree that together we can keep it so.

When the question is asked, "What is the importance of all such shrines and monuments and parks?" to answer "Manifold" is not to be in error. Surely, many of us have had the same experience as the young soldier in the U.S. Army who wrote to John D. Rockefeller, Jr., that he had never seen "the greatness of this country with more force and clearness" than when he had walked the red brick sidewalks of the Duke of Gloucester Street in Williamsburg.

The monuments which visitors come to see are in themselves clues to a pattern of events which Sir Winston Churchill has woven into the "History of All English-Speaking Peoples." Moreover, our history is also becoming a part of that of many other peoples and races—some speaking such strange tongues as Hindi and Bahasa-Indonesia and Urdu, living in faraway lands, worshiping in vastly different ways.

On the other side of the world, the President of Indonesia, Sukarno, professes almost a veneration for Abraham Lincoln and Thomas Jefferson. The American town of Concord, Mass., and nearby Walden Pond are, through Mahatma Ghandi's admiration for Henry David Thoreau, part—and an almost central part—of the history of modern India. Our monuments—and the human feelings they have awakened in distant, different peoples beyond the seas—indeed, remind us again and again that no man is an island, any more than a nation is an isolated citadel.

Do you recall the words of Carl Sandburg on February 12 of this year, when he addressed a joint session of Congress in honor of the 150th anniversary of the birth of Abraham Lincoln? "The people of many other countries take Lincoln now for their own," Mr Sandburg said. "He belongs to them. He stands for decency, honest dealing, plain talk, and funny stories. Look where he came from—don't he know all us strugglers and wasn't he a kind of tough struggler all his life up to the finish?"

Surely, in a time when the United States is trying to advance the cause of understanding and mutual aid with people all over the free world—all kinds of people, a good many of them strugglers—isn't it only practical for us to praise the famous men of our history, to share their example of deeds and devotion to the cause of liberty?

Abraham Lincoln, George Washington, Thomas Jefferson—few countries have anybody like them. Surely, we should be lacking in humility and be unwise in the extreme to forget them or our other great men and places, and the examples and lessons they have taught us.

Theodore Roosevelt once said, "There is nothing more practical in the end than the preservation of beauty." Agreeing, we can add: "There is also nothing more practical than the preservation of those places which cause us to remember the great days and great men in our history and which help show people all over the world what we as a nation really are."

It is to those ends that historians and scholars study the past. And it is to those ends that, in Lincoln's own words, we preserve the honored battlefield and the marble monument along with the well assured and more enduring one in the heart.

To study the past, to act in the present, to consider carefully the future—and to do all three with wisdom and magnanimity—those are the continuing obligations of every educated man and woman.

In our time, not only the searching for but the finding of the correct answers to these problems is more important than it has ever been before. That is so, you see, because the atomic and hyrdogen age neither brooks delay nor allows mistake, lest man perish by his own hand and his own works.

As we are gathered here, we can be sure all mankind cries out in its heart for peace, no matter what some mad men may say or do.

How else, I ask you, can we sustain such a state of world affairs, if we do not, in the Apostle Paul's own words, "follow after the things which make for peace"?

You students here at Gettysburg College, a Christian educational institution, are being trained to meet this great challenge as are your fellows everywhere. Your college is doing its best for you. It now remains for you to do your best for it, for yourselves, and for your country in the years ahead.

The Greater Cleveland Council No. 440 of the Boy Scouts of America

EXTENSION OF REMARKS

OF

HON. FRANCES P. BOLTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1959

Mrs. BOLTON. Mr. Speaker, in January of this year, Greater Cleveland Council No. 440 of the Boy Scouts of America adopted an ambitious 10-year program known as the Greater Cleveland plan. It is designed to make possible a tremendous growth in Boy Scout membership each year until 1968, when it is hoped that the Greater Cleveland area can serve some 82,000 boys. This would be 50 percent of all available boys at that time. The plan not only envisions reaching all boys who desire to be scouts, but provides for a continual up-grading of the program offered.

It was gratifying for me to learn last week, Mr. Speaker, that the plan now having been in effect for 3 months, can point to more than 110 new scout units registered during that short period. One hundred ten units in 3 months is more than the number registered in any previous 1-year period.

I wish to congratulate the leaders in the Greater Cleveland council. They are men of vision and high purpose. They seek to make the opportunities of Scouting possible for thousands of new boys each year, and they are ever alert to see that the quality of the program offered shall be increasingly good. Dur-

ing these past 3 months, the leaders have seen that the master plan of operation was carefully drawn and is both practical and workable. The one element yet to be proven is their faith that the people of Greater Cleveland will back their council with the necessary support, in both time and money.

Service hours totaling hundreds of thousands are given each year by dedicated volunteers in order to make effective the splendid character-citizenship training program of the Boy Scouts of America. If these hours were to be translated into dollars and cents, the price of the Boy Scout program would be staggering. Since this is not the case, however, Scout budget needs are very very modest indeed. Particularly is this seen by comparing the Scout budget with a recent request from two correctional institutions in the Cleveland area, which have asked for $185 million for rehabilitation purposes. How much better to put only a fraction of this cost into the ounce of prevention the Scouting movement represents.

The Boy Scout program all over America is doing a truly magnificent job in fostering the ideals of true Americanism in our growing boys. In fact, I am inclined to agree with the statement once made by the beloved Will Rogers, "The only trouble with the Boy Scouts is there just ain't enough of them."

The Greater Cleveland council is to be commended on making a sincere effort to remedy that situation.

Moscow's Cold War Air Force

EXTENSION OF REMARKS
OF
HON. WARREN G. MAGNUSON
OF WASHINGTON
IN THE SENATE OF THE UNITED STATES
Monday, April 13, 1959

Mr. MAGNUSON. Mr. President, in recent weeks the Russian-provoked crisis over Berlin has again focused the attention of the West on that island of democracy behind the Iron Curtain. Though 10 years have already passed since the blockade of Berlin, we are reminded of the hastily organized but highly successful Berlin airlift. From the end of June 1948, to the 12th of May 1949, when the blockade was lifted, more than 2 million tons of foodstuff, coal, and other goods were airlifted into West Berlin in approximately 200,000 flights.

It was a magnificent achievement by the men and the planes of the immediate postwar era—before the advent of the jet age, when there was no question of America's air supremacy over Soviet Russia.

Today, however, we are faced with a new cold-war threat from Russia. Quite apart from their military aspirations, we see the Soviets using the jet plane as an economic and propaganda weapon in the growing commercial battle for jet age supremacy.

My distinguished colleague, Senator BARTLETT, of Alaska, and a member of the Senate Interstate and Foreign Commerce Committee, recently spoke of this threat in a speech before the Queens County Committee of the American Legion, in Jamaica, N.Y. I ask unanimous consent that his well-documented talk on "Moscow's Cold War Air Force" be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

MOSCOW'S COLD WAR AIR FORCE

For the past several years, our newspapers and our radio and television broadcasts have carried in great detail the latest developments in the international arms race between our Nation and the U.S.S.R.

In recent months, this struggle for world supremacy has even been carried beyond the limits of our atmosphere into the void of space.

Aside from the military significance of these fantastic developments, the news about them is in itself important. The word of progress on the part of either great competitor reaches every enlightened corner of the world. Each success or failure affects the prestige of the nation concerned, and prestige is an extremely important factor in influencing the peoples of the world who waver between espousal of the democratic or the communistic way of life.

To you opinion leaders, who I am sure have followed closely each of these new developments in defense, I can offer nothing new on the subject of our defense posture vis-a-vis the Soviet Union. Instead I would like to talk tonight about another area of competition between the United States and the Soviets. It is one which has not been so widely publicized, but one which rivals defense progress in the international prestige battle. It is also highly important to the relative economic status of the two nations.

This is the field of civil air transportation, an area in which I have a dual interest both as member of the Senate Interstate and Foreign Commerce Committee, which studies closely our national air commerce, and as a representative of the people of the State of Alaska.

We are figuratively fighting a cold war with our Russian competitors in this field of commercial air transportation, and I regret to report that it is one more area where, at the moment, we are behind them.

Our American jets started actual airline flying just 5 months ago, but the Soviets have been carrying passengers in jet airliners for almost 3 years. Only one American airline is flying our jets beyond our own borders. Its Boeing planes have made limited appearances in four European capitals, and only since last October.

The Russian jets, on the other hand have been flying to a great many European cities for more than 2 years and they are also flying regularly to the Middle East and to Asia. The Soviets are planning further extension of their jet routes to Africa and the Far East, in particular to Japan.

In addition, they are building new and even more modern airliners and will in a very short time have in service a giant prop-jet passenger plane which can carry 170 passengers 5,000 miles nonstop at a speed about equal to that of our jets, although we can match neither that range nor passenger capacity. This massive airplane has an elevator, a sky-restaurant which can seat 48 and even a motion picture theater.

The Soviets have stated publicly that they are planning a large-scale expansion of their civil air operations, in terms of added aircraft and a great extension of their already tremendous air route system. They are, of course, less interested in developing air commerce beyond their boundaries, but they are equally interested in parading their aircraft showpieces before the peoples of other nations for prestige purposes.

They are, for instance, currently negotiating for landing rights in Ghana, the newly independent republic in Africa. Whether the traffic potential justifies such a route is a moot point, but unquestionably the Soviet Union can chalk up some prestige points by showing off their jets to this nation which has not yet seen an American jet transport. The Soviets are shrewdly aware of the propaganda value of such a handsome piece of modern machinery as a jet airplane, and they are masters at exploiting it.

Let me tell you something about the Soviet civil air organization which is conducting this facet of the cold war. It is called Aeroflot, or Air Fleet. It is considerably more than an airline as we know airlines. It is in effect a cold war civil aviation force and its operating heads are two marshals of the Red air force.

Aeroflot embraces all aviation in the Soviet Union that is not military. It operates a large scale air ambulance service, which flies doctors to isolated areas and evacuates emergency cases to hospitals.

It operates an agricultural service for aerial crop dusting and seeding, pest control in swamplands, geologic surveys, and fire control.

It has its own very modern weather service.

It provides other miscellaneous services, which show that the Soviets are fully aware of the potential of aviation in their national economy. For instance, Aeroflot operates helicopters and aircraft in conjunction with the Russian fishing fleets. These planes fly out ahead of the fishing boats in search of schools of fish and radio back the best locations.

Aeroflot also has airborne cowboys, who herd cattle in the central plains by light aircraft or helicopter. From their aerial lookout posts, the "cowboys" spot the best grazing grounds for the herds, then push the cattle in those directions by "buzzing" them with the airplanes.

These are, of course, internal services which are not of particular relevance in the cold war. I mention them because I feel they illustrate how energetically the Soviets exploit all their resources to better their economy, and their overall economic status is very important to us, since their leaders have frequently challenged us to do battle in this area, rather than with weapons.

The transport operations of Aeroflot are of more importance, both from the economic and diplomatic standpoints.

A few months ago, the Soviets issued a massive document with the title "Targets for the Soviet Economy." It was a résumé of economic and production goals of the 7-year plan for 1959 through 1965.

Newsweek magazine called this report "the most comprehensive blueprint ever compiled for the destruction of capitalism and the overthrow of the United States in a global economic war."

Premier Khrushchev stated that the 7-year plan called for a sixfold increase in air transportation. Air Chief Marshal Pavel Zhigarev, who heads Aeroflot, added some of the details of the proposed economic penetration in the field of aviation. They included:

An increase of almost one-third annually in the number of passengers carried and the number of ton-miles flown;

A tremendous construction and expansion program for air facilities on the ground, with 90 major airports scheduled for construction or rebuilding and annual expenditures for improvement of service of three times what they are today;

Addition of thousands of miles of new routes, a great portion of this expansion to come outside the Soviet Union.

The marshal predicted that by 1964 the annual traffic increase would be as great as the total traffic in 1958. This means an

expansion of truly staggering proportions in Soviet civil air operations—and we have learned in the last year or so that they are not given to idle boasting.

To handle this traffic growth, the Soviet aircraft industry is turning out numbers of modern turbine aircraft. This reequipment program started long before the formation of the new 7-year economic campaign. Although the Soviets do not provide too many details, it appears that their first jet transport was flying in 1955.

Named the Tupolev 104 after its designer, this plane was first shown to the Western World when it made a surprise visit to London in March 1956. It is a 70-passenger plane with speed only slightly less than that of our new jets.

The Russians used a short-cut approach to developing this jet, by using the basic design of a tested bomber. In so doing, they skipped the intermediate step of development—the four-engine propeller-driven transport.

The Tupolev 104 was placed in scheduled service in September of 1956, when our first jet was still in an early test stage. For the following 2 years, the Soviets had the only airline jet service.

During that period, the Soviets developed and started flying three other turbine planes of the propjet variety.

Today, they are readying for service two much more impressive aircraft.

One is the Tupolcv 110, a big brother to the Tupolev 104. It has four jet engines instead of the earlier version's two and can carry 100 passengers.

The giant showpiece I mentioned earlier is the Tupolev 114, also called the Roossia. It is a propjet, with four of the largest turboprop engines ever built anywhere. In addition to the extras such as the elevators and the restaurant, it has its own telephone system and private cabins for deluxe service.

This fleet of modern planes will make ideal propaganda equipment for the Reds, for each plane is a symbol of the technological capacity of the building nation.

Now, although we can do nothing about the time we have lost in this area of the prestigial battlefront, our own situation is looking up. We already have in airline service three turbine types of aircraft, the Boeings I spoke of and two propjets built by Lockheed and Fairchild.

Two more jet transports, built by Douglas and Convair, are now being test flown. They will be in airline service this year and in 1960.

Our American turbine planes are being built by the hundreds and they are scheduled for service all over the world. Under the banners of our own American-flag carriers, they will be flying into a great many foreign cities in a year or two. In addition, these American-built planes have been ordered by almost 40 foreign airlines.

Although we know that the Soviets have made some effort to interest airlines outside their boundaries in their aircraft, they have as yet made no penetration.

There is another plus on our side of the ledger. In general, our turbine planes are much bigger and faster than their Russian counterparts, with the single exception of the king-size Roossia. As symbols of American industrial capacity, they will stand up well in comparison with Soviet airline equipment.

From the economic standpoint, our airplanes are attractive to foreign buyers because they are designed and built with an eye toward making a profit for the operator. The Soviets, in their haste to develop new transports, were not able to achieve economy of operation. Their Tupolev 104, for instance, is a fuel gobbler and carries only slightly more than half as many passengers as our Boeing 707.

In their later planes, however, it appears that they have concentrated on this factor, and we cannot overlook the fact that they may become competitors for aircraft sales.

Our manufacturers of airliners employ hundreds of thousands of people and have more than 5,000 small companies supplying parts and equipment. This represents a substantial portion of our national economy and we must watch closely any Soviet attempt to influence it.

So, after a late start, we are catching up and may surpass the Soviets in this area of economic and aero-diplomatic competition. What is of concern is the next step.

Remember, the economic health of our airlines dictates the speed at which we can put new aircraft in service. These planes are not developed and bought by the Government, as is the case in the Soviet Union.

It took our airlines a long period of gradual transition from two-engine to four-engine propeller planes before they were ready for jets. They had to build up passenger volume over many years before they could afford these planes, which cost more than $5 million each.

The Soviets were able to leapfrog the intermediate steps because development and operating costs of the planes were not a factor under communistic economy.

The next step is the passenger-carrying transport which flies faster than sound, probably two or three times as fast, or between 1,300 and 2,000 miles per hour.

Fantastic as that might seem, our engineers say that we have the technological capacity to start work on such planes right now. We do not, however, have the economic capacity.

Our airlines are investing close to $3 billion in these new jets. Obviously, it will take a long period of time to pay for these aircraft, and another period before the airlines can accrue the necessary backlog to think of even faster equipment. There are so many problems connected with the introduction of our current jets, airline officials don't even want to think of tomorrow.

The Soviets are hampered by no such economic restrictions. When the designers say that such planes can be built, more than likely they will get the government go-ahead.

I need not dwell on the economic and propaganda effect of such a development. The effect on the impressionable layman, to whom our current jets are fantastic machines, would be almost as devastating to our national prestige as was the first sputnik.

In the interim, our American airlines with their jets will be carrying abroad demonstrations of the type of product a free economy can produce. They cannot fail to impress. As American civil cold war ambassadors, these free enterprise airlines with their free-enterprise planes deserve all the support we can give them.

Westinghouse Air Brake Co. Suffered in Every Segment of Business During 1958 Except in Sales to Government—Boss Complains of U.S. Spending

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EXTENSION OF REMARKS

OF

HON. MELVIN PRICE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1959

Mr. PRICE. Mr. Speaker, we have heard a good deal of late from businessmen who seem to think that the Government of the United States is in the hands of enemies of the people, wild-eyed so-called spenders whose desire is to compel price inflation and throw the economy into ruin. From these sources, we also hear a great deal about how businessmen must get into politics to save the Nation.

An example of this attitude recently came to my attention in the form of a communication from the president of the Westinghouse Air Brake Co., of Pittsburgh, addressed to employees of that firm. This gentleman, one A. King McCord, explained why the company did less business, hired fewer people, and made less money in 1958 than in 1957.

You must not believe that Mr. McCord had the slightest feeling that anything might have been wrong with his direction of his company's affairs. Indeed not. He seemed convinced, from his letter, that everything was somebody else's fault. It was the fault of the Government—the "spenders," both Federal and State. It was the fault of wage and salaried employees who, he suggested, had somehow gained "arbitrary" increases that were "not compensated for by increased productivity." And it was the fault of the geniuses at the Department of the Treasury. Even in the present administration Mr. McCord of Westinghouse Air Brake Co. is not satisfied; he thinks that our Government's debt management policies are "improper" and that the Humphrey-Anderson long-time "tight money" policy has really been a loose policy designed to provide "cheap money."

There is a bitter irony embedded in the heart of this McCord letter, Mr. Speaker, and I shall call attention to that irony in a moment. But first let me talk about Mr. McCord's general approach.

I do not see the slightest objection to Mr. McCord's suggestion that the citizens employed by his company should interest themselves in public affairs. Indeed, that is their right, and I hope they will feel it is their duty.

We who are in political life could benefit from the participation of more and more Americans in the business of governing the country. I have been under the impression, from history books and the reports of campaign contributions, that businessmen of the status of Mr. McCord have been active in politics for many generations, but if the base can be broadened by getting other Westinghouse Air Brake employees active in public affairs, I think the country will be very much better off. All of us here are responsible to the people, and despite the theories of some, there is not a Member of this House who does not recognize his obligation to the people.

I think it no more than fair, however, to point out that Mr. McCord's idea of practical politics is to issue a set of shrill complaints about what he calls "spending" in general.

He does not say what programs he thinks the Government should abandon. He doesn't say whether he thinks we should cut off our Defense Establishment, or knock out our investment in defense highways, impacted school areas, hospitals, public health, cancer and cardiac research, services for veterans or interest on the public debt. He does not

say we should destroy federally financed research that improves the chances of industry for service.

He echoes the gentlemen now in charge of the executive branch of the Government by being against "spending" in general. He adopts the political viewpoint of those whose attitude was repudiated by the people last November and calls for an attack on inflation.

Never once does he suggest, in his communication, that maybe the 6 million people left jobless or only partially employed by the recession are any responsibility of his or of the country's. He does not raise a question about the policies that have discouraged the full economic growth of this Nation in the past 6 years. He simply rails at spending.

Now let us get to the irony, Mr. Speaker. It is the cream of the jest. Mr. McCord acknowledges in his letter to his employees that the only way their company gained last year was in sales to the Government.

Westinghouse Air Brake Co. lost business from the railroads. It lost in every other section of its business, also, except in the one classification of sales to the Government.

I am not going to suggest that if Mr. McCord thinks all Government spending is terrible, it would be patriotic for him to stop bidding on Government contracts. I do suggest that it is peculiar for him to assail the policies decided upon by the elected representatives of the people, to suggest that all his troubles are due to these policies, and brag in the same letter that these policies saved his own company from larger losses in business.

To let the House read the communication to which I refer, I insert the full text of Mr. McCord's letter in the RECORD:

WESTINGHOUSE AIR BRAKE CO.,
Pittsburgh, Pa., March 6, 1959.

To All WABCO People:

The general business recession, experienced in the United States during 1958, adversely affected, in serious degree, employment by the company and profit from operations. We were hit hardest in sales to the railroad industry. Other segments of our business, except Government sales, also suffered, but not to the same degree. Government sales, and employment and earnings resulting therefrom, exceeded our 1957 experience.

Net profit per dollar of sales fell from 5.1 percent in 1957 to 4.3 percent in 1958, and total profit decreased 27.2 percent. Were it not for the diversity of WABCO products and markets and the increase in Government sales, our employment and profit experience in 1958 would have been much worse.

Nothing causes so many economic hardships to employees and business managers, or is more threatening to national security, than boom-and-bust gyrations of the national economy. Why is it not possible for overall general business to operate on a gradually ascending scale, with short leveling-out periods rather than abrupt and severe declines? The answers being given today are many and diverse and, in too many cases, are slanted because of special or selfish interest. We at WABCO have an answer—it's considered old fashioned—but we believe it has the support of most impartial economists.

Our answer is that inflation is the major contributing cause. An inflationary boom has always been followed by a bust—the bigger the boom the bigger the bust. In the process everyone is hurt—not only workers and stockholders, but all who have savings accounts and those who are living on past savings or depending on insurance or pension payments.

What causes inflation? We think we know; we believe inflation is caused by:

1. Spending by Governments—Federal and State—resulting in unbalanced budgets or taxes so high that they become a contributing inflationary force.

2. Arbitrary increases in wage rates and salaries not compensated for by increased productivity, and,

3. Improper Government debt management and interest rate policies designed to provide so-called cheap money.

If this is so—and we believe it is—what can we do, as individuals associated in a mutual enterprise, to help ourselves, our neighbors, and our country?

We can, by our own conduct, in personal budgeting and work standards, improve our lot and set an example for others to follow. We can support people in public life who are not advocates of high spending and high taxes and who do not support a cheap money policy. We can make our influence felt in our social, civic, and fraternal organizations; in our work and business associations, and in our governments. If we, if the people of America, do not do these things—then inflation is the forecast for the future bringing higher prices, higher taxes, and bigger booms and busts.

Those of us charged with managing WABCO's business are going to exert our best efforts to resist inflation. Your help in this approach—your understanding of the economic problems of today—is solicited because we know that by giving this help you will be helping yourself.

Sincerely,

A. KING MCCORD,
President.

Unemployment Compensation—Clash of Viewpoints

EXTENSION OF REMARKS
OF
HON. BRUCE ALGER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Monday, April 13, 1959

Mr. ALGER. Mr. Speaker, in the Washington Post and Times Herald of April 13, 1959, a portion of the transcript of the unemployment compensation hearings before the House Ways and Means Committee quoted Mr. George Meany, president of the AFL–CIO, and me.

Since this exchange between us represents a sharp conflict in basic ideology of the role of Federal Government in our lives, I feel that my colleagues and others would be interested in the entire transcript which follows; and I believe speaks for itself:

Mr. ALGER will inquire, Mr. Meany.

Mr. ALGER. Mr. Meany, I had the privilege and pleasure of reading and studying your statement last evening. I want to stick close to this statement and limit my questions to the subjects I am particularly troubled about.

On page 1 and at the top of page 5 you discuss the people who are unemployed, and the figures keep coming up of labor force compared to unemployment. Here it is 5.8 million or 7.6 percent of the labor force.

Has the AFL–CIO made a comprehensive study at any time of the constituency of this labor force that is unemployed? Specifically, how many of them are heads of families with dependents, as compared with single people or wives or seasonal workers by choice that do not have to work? Have you ever broken it down in that way? I tried with the figures I have here, and I must tell you I have some, but I am not satisfied with the figures I have.

In fairness to this entire subject, I believe this committee should have such a breakdown, and we ought to benefit from whatever you have to give us.

Mr. MEANY. Our own unions have done it; we have not done it ourselves on a national scale. However, we have a report of findings made up by a special group, by the University of Michigan. We have that report which gives some information on it.

Mr. ALGER. I am particularly interested because I see in the report that I have here—and this is available for you to study later, to give us more information on if you can—that this particular publication shows that Michigan has 37 percent of the workers that are drawing unemployment compensation at this time—and this is a typical week—did not have dependents.

That is the exception almost to the rule of the other States. In almost all of these other States 50 percent or in some cases more than 50 percent of the unemployed had no dependents. Then before this committee, the gentlemen from Arkansas, Kentucky, Indiana, Utah, and elsewhere have pointed out and additional information has been submitted to us in the record that a number of workers are of the seasonal type where there is another breadwinner in the family.

I am not saying that single workers who are only supporting themselves do not need protection. Of course, they do. But if we are trying to eliminate the greatest suffering and need, we ought to work more with the family breadwinners.

That is what is troubling me in these things.

Mr. MUNSEY. Could we have the page reference there, please?

Mr. ALGER. Yes. It is table B–12.

I am mentioning these things, Mr. Chairman, so that if the record could be left open we could benefit from the help of the legislative staffs of the AFL–CIO to add to these figures.

I certainly will study them myself as you present them to us.

The CHAIRMAN. Mr. Meany, if it is the thought that any additional information can be added to this record in answer to any questions, we would like to have it.

Without objection, that information will be inserted in the record.

Mr. MEANY. Yes; we will be glad to supply, to whatever extent possible, any of the statistical data that either we have available or that we can secure for you on any of these questions.

(Material not furnished reporter.)

Mr. ALGER. What percentage of unemployment would you consider to be minimum if you defined minimum unemployment as the number of people who really do not have to work or are working by choice, or possibly too lazy to work unless they get exactly what they want? I think this is important.

Mr. MEANY. You are not talking about what we call technological unemployment. You are not talking about people who are between jobs. You are talking about people who just should not figure in the working force at all. In other words, they do not need to work or they are too lazy.

During the war there was a figure came up which was one-half of 1 percent of the working force.

Mr. ALGER. I appreciate your point on that. I have a feeling from some of the material I am getting that the figure is larger than that. But again I think here is an area that needs to be explored so that we do not feel mistakenly that a certain percentage means there is heavy unemployment when actually a lot of these people are the secondary breadwinners.

Mr. MEANY. Could I say this, that, by rule of thumb or some more or less accepted theory, with the potential work force of 65 million, something under 2½ million would be considered, let us say, a normal unemployment. In other words, people between jobs and people not seeking work because they want to lay off for a while and do not need work and so on.

Mr. ALGER. That sounds fair, and certainly I want to keep that in mind.

Mr. MEANY. In other words, we never got excited when the unemployment was at that figure or below, but when it starts to go up, then we get concerned.

Mr. ALGER. To continue on in the middle of the next page, page 2, and it refers again to it on page 3, you state, "When the fundamentals are so generally accepted, when the sights of so many are fixed on the same target, why is it that year after year we continue to fall short of the mark?"

I am impressed that the States are trying to do a job and that they seem to be doing it.

We of this committee report back to the people, and so do the State legislators. As a matter of fact, the State legislators have less latitude than we do, I think. They are right there at home with their people.

Has it ever occurred to you that, good or bad, the present unemployment compensation system is what the legislators and the people themselves actually think is proper?

Mr. MEANY. I cannot buy that.

When you say the people themselves, I do not know who you mean. You are surely not speaking for the potential beneficiaries of the system.

Mr. ALGER. These legislators keep going back home and are buttonholed by their constituents, and then they are reelected or rejected, and you mention Texas on the next page of your statement, and you find fault with our system.

But you know we have to go back to our people, and justify our positions up here. Even more with the State legislators. If they have not been pleasing the people in this matter of providing unemployment compensation, I am sure the people back home would have gotten after them. Or, to put it another way, maybe the people feel the unemployment compensation system is coming along satisfactorily enough. And they do not want us to cram something down their throats.

Mr. MEANY. You realize that the State legislature is made up of people with diverse backgrounds and obligations and from various areas, and the legislators who are in a nonindustrial area do not hear from the people on this because there is no problem. The problem lies in the large urban areas where you have an industrial situation.

Mr. ALGER. We all have unemployment whether industrialized or urban, and I think all of us are troubled by it.

Mr. MEANY. I might say in my State the dice are loaded against the industrial areas by a system of representation that has existed for many, many, many years. The people in two small counties, for instance, over in the southern tier of the State of New York, from the point of view of representing people, outweigh the cities 30, 40 to 1.

Mr. ALGER. I can appreciate that, and a lot of us have been very puzzled frankly by the pattern or the path that Michigan has taken and the city of Detroit. It seems very odd to me that this heavily industrialized and heavily unionized area should be the one most in trouble.

Mr. MEANY. Your theory would be correct, I would say, if the legislators voted on the basis of numbers of people they represent affected by this law and the numbers of people they represent also who are unaffected by the law. In other words, if it was a weighted vote, if everybody had a numerical vote the same as we vote at AFL–CIO conventions, I would accept your theory that the law is what the people want it to be.

Mr. ALGER. That is a very interesting thought. In fact, I would like to paraphrase that this way:

If there are 67 million people in the work force, or whatever that total is, and 13½ million of them are unionized and use that union properly to direct their own legislative thinking and then try to effect changes in legislation, here we legislators are torn between what the entire work force of 67 million want from government in protecting labor as against what 13½ million want.

Mr. MEANY. May I submit to you that you do not know what the rest of the work force wants, and there is no one in America that can say that they speak for the rest of that work force.

The only work force that has a voice is the work force that is organized, and I challenge you to show me anything, any single little item that gives anyone the right to say that he speaks for the other 50-odd million of the work force who are not organized.

Mr. ALGER. I respect your opinion, but you are hearing my opinion, that I, as a Congressman, and my colleagues are hearing from our constituents all the time.

Mr. MEANY. But you say it is the weight of the 13½ million or the 17 million that are organized as opposed to the nonorganized work force. I say that nobody can speak for the unorganized work force because they do not speak for themselves, by the mere fact that they are not organized.

Mr. ALGER. I agree with that, but let me get back to my point.

The legislators and the Texas legislature, representing the entire constituency, which includes that percentage of the total work force that resides within the boundaries of Texas, have seen fit to set up the kind of unemployment system we have.

You can say we are wrong, and you are entitled to your opinion. But the people in Texas think that we are right.

Now, are we to completely negate what they say, at a Federal level, from 1,500 miles away, laying down the law and saying, "No. You legislators who are elected every 2 years, and you people whom they represent are wrong. We in Washington know better and feel that these Federal standards would be better for you than what you think yourselves."

That presents a dilemma, in a sense, which I think all the legislators face.

The Texas legislature sent me a resolution saying they feel that unemployment compensation should be left to the State.

Mr. MEANY. Is it not a historic fact that most of the legislators did not act until the Federal Government acted in this field?

Mr. ALGER. I think that is partly true, but I do not believe that that means the States do not have initiative. They have, but it is being taken from them.

I might say to you that when labor succeeds, if you are to succeed, in completely imposing Federal control on the States, labor itself could easily be the greatest loser. I do not think that is what you intend.

Mr. MEANY. I do not think this is so. But actually what we have here is Federal standards that are now imposed upon the States in this field, and we are pointing out from years of experience where we think these standards should be improved.

Mr. ALGER. I certainly appreciate your interest.

Mr. MEANY. We are arguing for a complete law, and certainly we do not agree there should not be any Federal standards, because the States have accepted some Federal standards, and Congress has enacted them.

We are saying, in fact, that the time has come to evaluate our experience in this field, and that the effect of Federal standards should be amended in certain respects.

Mr. ALGER. You mentioned original intent several times in your statement. While I was not so active in the original intent as certainly you were, I did listen with some interest to the gentleman from Texas, Mr. Farmer, plus men from four other States of the Interstate Conference of Employment Security Agencies who testified about how the States they represented and the organizations in which they participated, the employment security commission, I think it was, say as to how the States felt with regard to original intent.

The original intent, according to their understanding, was that are areas of decision on such things as eligibility, duration, benefit amount, and the other provisions to be made in the compensation field were to be left to the States for the reason that they were closest to the people. They know the local and State needs better than the Federal Government. So, by intent, the States were to follow that. Is that not correct?

Mr. MEANY. Yes; I think so, but now we are saying it has not worked so well, and there is a precedent for Federal standards in this field. The Labor Department can verify that, and we are saying that the law has not worked so well. We are pointing out where, and we feel that the correction can be made by improving the Federal standards.

Mr. ALGER. In the final paragraph, on page 4, Mr. Meany, you mentioned something that I think is at the heart of this, and sometimes we miss the obvious. You point out that the question of where Federal responsibility starts and where it ends is what we should be studying.

This is something that has troubled me and possibly some of the other Members of Congress. I went back to find out and I got the Employment Act of 1946. If I am not mistaken, that came about at the end of the war when people thought there was going to be large-scale unemployment. We passed the bill, and yet the unemployment did not materialize as many people thought might be the case. But there is still the law today, and if you read the language in the preamble of that particular act, every conceivable Federal regimentation or control of the work force can be justified by this language; or the labor unions as a work force, and the working people, or of all of us throughout the entire economy. It is all covered by that particular bill.

I do not know whether you recall that language, but it is all-inclusive.

Mr. MEANY. You are referring to the Full Employment Act of 1946?

Mr. ALGER. Yes.

Mr. MEANY. That is another story, and I would like to discuss that some other time.

We like the act, and we wish someone would give real effect to it.

Mr. ALGER. I just wish that this committee and the rest of Congress would study the language of that act, and think about communism, socialism and free enterprise at the time they read the act.

I submit to you that every single facet of socialism is found in that one preamble of the Full Employment Act of 1946, and I think that is some of our trouble now. Once we admit that that is the law, then there is no reason why Federal standards cannot be imposed on everything, including everything the working force does.

Mr. MEANY. The Employment Act of 1946 has contributed nothing to our problem. In

fact, it has not done anything one way or the other. It has just not been implemented.

Mr. ALGER. I guess it has just contributed to my problem. It is difficult to justify. Providing jobs is not the role of government.

On page 5 you mention the Temporary Unemployment Compensation Act, and the fact that it is being continued partially for another 3 months shows a recognition on the part of the Congress of a degree of Federal responsibility in this area.

I can only speak for myself on the committee, but the termination of the TUC, as far as I was concerned, showed that we did not feel that it was the responsibility of this Congress but, rather, that it should be handled another way, if even we should have had it in the first place. After all, only 17 States took advantage of it.

Mr. MEANY. But you will concede that the Congress felt that there was some responsibility when they enacted the law last year and said it would be in operation until April 1 of this year.

Mr. ALGER. Most certainly. But you are pointing out that our continuing it at this time shows our recognizing our responsibility. You are interpreting it for us quite the opposite of my own interpretations. I simply do not want that to stand.

I say I am among those who terminated it because we felt it was no longer our responsibility.

Mr. MEANY. You did not terminate it. You extended it to a degree, which we say indicates the acceptance of a degree of Federal responsibility.

Mr. ALGER. No, Mr. Meany; we did not intend to continue it, we "feathered it off" so as not to hurt those already qualified. We did not want to be unfair with the people who could qualify.

Maybe this Federal standard for unemployment compensation coming so soon after, was the reason that there was such quick agreement. I do not know, but I want you to know that that was not the entire concensus of this committee.

To move on quickly, the experience rating has been treated. I shall not dwell on that although I must tell you in fairness, after reading your statement and listening to the gentleman from Michigan who has been a fine spokesman for his viewpoint, Mr. MACHROWICZ, I am still slightly bewildered by the fact we are told you are giving a choice in this bill.

When I read the language on page 6 I think either it will result, intended or not, in destroying experience rating. I just leave it there. I realize it would be quite a debate in itself. I think we are going to have to resolve that before we are through.

Mr. MEANY. I am not going to argue that point except to say that, according to our experts—and I consider these people experts—they tell me that it does not wipe out the experience rating.

Mr. ALGER. I appreciate your statement. You did say in your statement that you did not think it was relevant. I maintain this is the one of the most relevant things in the act.

You say on the bottom of page 6 "it is not relevant to the proposals now before this committee."

I believe that experience rating is one of the most relevant things we are talking about because the whole idea of it is to preserve the incentive in the employer for stable employment, and this will make less unemployment, which is certainly desirable.

Mr. MEANY. We said it was not relevant because the bill does not wipe it out, and you disagree with that.

Mr. ALGER. On page 8 you quote the Manufacturers Association of Connecticut. This is what they say, as you quoted them:

"Our State is competing today for more markets and new industries. Hiking the cost of doing business in Connecticut is not the road to more jobs, but to less jobs."

As I read it, I do not find fault with competition because we all agree that competition is the heart of the free enterprise system, of course.

This matter of hiking costs and doing business. I wonder if study has been given this matter of purchasing power and the fact that if you hike the cost to a businessman he has got to pass it on. If he does not pass it on and collapses, then all the people he hires are unemployed and you have more unemployed. If, however, he passes on this cost to the consumer it makes higher prices of things that the entire working force of 67 million must buy, therefore limiting the purchasing power of all of them.

So on the one hand, if you unduly help provide money for those who are unemployed—it does have this effect of raising prices throughout the country—are you not hurting the very thing you would protect, and that is your purchasing power?

Mr. MEANY. You evidently have not studied the economic history of the last 50 or 60 years in this country, because actually purchasing power accompanied by increased production per man leads not to a greater cost but, in the final analysis, to a lesser cost and a wider market.

If you accept your theory, then there should never be any wage increase that is passed on to the consumer.

Mr. ALGER. Mr. Meany, I have not been a student as long as you because I haven't been here as long, but I think in the time I have studied and I have tried hard to understand, that the increased productivity you mention has not accompanied the increase of prices and wages in this country, and I think that is one of our problems.

Mr. MEANY. I think statistically you can be proven wrong on that.

Mr. ALGER. If we increased the prices of these items without increasing productivity through putting additional cost on business which they pass on in higher prices, do you not then, by the very definition, cut down the purchasing power of the entire work force of this Nation?

Mr. MEANY. But the history of it shows it does not work that way.

Mr. ALGER. This is what history exactly shows, Mr. Meany.

I think you and I can agree that neither one of us has to yield to the other as to sincerity and interest in these workers.

I simply feel that is exactly what it shows, and if you can understand my concern and provide more information to me, you will help me in straightening out my thinking on this matter if that's what I need.

Mr. MEANY. We certainly can supply more information on that subject.

Frankly, we have a high price-high wage economy here in this country, and under it we have more prosperity compared to any other part of the world. I can remember when eggs were 25 cents a dozen and butter was 25 cents a pound. Of course, now they are almost three times that, but there are more people now who have the 60 and 70 cents than there were people who had the 25 cents during those days.

Mr. ALGER. That is exactly right. But that does not prove that increasing inflation necessarily solves the buying problem. We have got to have increased production to match the increased wages, else we are not accomplishing what we both want, that is, real increased purchasing power.

That study is actually in the field of the joint economic committee. I realize that, and I should not take more time on it now. But I want you to know, Mr. Meany, that unless I can have a little help solving this, you will have to recognize I might be opposed to Federal standards in all sincerity, not because I am opposed to solving the problem. As a matter of fact, I can go further and say that, based on what this committee has been told, this bill imposing Federal standards, if enacted, will actually limit purchasing power; it will create more unemployment, and therefore will accomplish what you, least of all, want to see accomplished—more unemployment and reduced purchasing power.

Mr. MEANY. I think you will concede that we do not want to cause more unemployment, we do not want to limit purchasing power.

Mr. ALGER. That is what I said. I know you do not.

Mr. MEANY. And I presume you do not want to either.

I do not question the sincerity of anyone who disagrees with me on this problem. But we certainly are prepared to try to convince you by whatever statistical data we have that we are right in our position on Federal standards.

Mr. ALGER. I know you feel that, and that is one reason I am taking the time to question it, because I am benefiting by what you are telling me.

Do you believe at this time that employees should match the employer in unemployment tax or not, to make it actually more an insurance program, since you have spoken so strongly and well for the need of preserving insurance feature as a basic principle?

Mr. MEANY. You have got me in an embarrassing position because from the very earliest days—and I took a large part in the writing of the New York State law; was a member of the commission that was set up by the Governor to study the problem before the bills were presented to the legislature—and I have always believed in employee contribution. However, some of our people do not so believe.

But you run into the problem of merit rating immediately as part of this problem.

Personally I have always felt and still feel that employees should contribute, if for no other reason than that it gives them a greater sense of responsibility for better administration of the law, and also a greater voice in improving the law on the basis of experience. But that, of course, is a case where there is a difference of opinion among labor people themselves.

Mr. ALGER. Mr. Meany, I believe that there should be retained in this bill the right for the States to disqualify a worker in cases of fraud, dishonesty, or other matters. As I read the bill, unless I am wrong, it says that the State cannot disqualify.

Mr. MEANY. I don't think it says that.

Mr. ALGER. It is on page 3. Let me read it:

"Compensation shall not be denied to any eligible individual for any week of total unemployment during his benefit year by reason of exhaustion or reduction of benefit rights or cancellation of wage credit until he has been paid unemployment compensation for not less than 39 weeks during such year."

Am I misinterpreting that?

Then the next paragraph 9 restates that.

Would you be agreeable, in other words, to amending it?

Mr. MEANY. If it meant what you said I would be agreeable to that. I am not so sure it does.

Mr. ALGER. I read the exact language and am just talking about the idea now. But I am disturbed that from the States is entirely taken the right to disqualify who gets the unemployment compensation.

Mr. MEANY. I think this is subject to legal interpretation. I do not interpret it just the way you do.

Mr. ALGER. Mr. Chairman, I appreciate the indulgence of this committee and yourself. This is the first time I have had the privilege of even meeting Mr. Meany much less questioning him on something with which I am so vitally concerned.

If I may, Mr. Meany, I want to compliment you further for what you had to say to Mr. Mikoyan and others of his type when they were here. The only thing that troubles me deeply is this—when I analyze the legislative program of the AFL–CIO that Mr. Biemiller and others send us every year and the criticism that you and the other members of the union send to us—but the criticism of legislative stands and legislative programs you ask.

I cannot determine in my thinking the difference between your program and what is honest-to-goodness socialism. If there is a difference—I am not talking just about wages, which is your field in economics, but the entire program you ask of us as Congressmen. I cannot see the difference between this total program and socialism, by basic definition. If there is a difference I would like an answer now or at any time you can give it to me.

Mr. MEANY. Let me say this. I do not know what socialism is. I have read Marx and I have read all the people who interpret him, and I still do not know what socialism is. If socialism is public ownership of the means of production, we are a little bit socialistic in this country, and we were before I was born and we have continued in that direction. In my lifetime, I have seen the means of transportation in the large cities of the country converted from private ownership to public ownership. Of course, that was always one of the things that the so-called socialists advocated.

Back in the early days of this Republic, water for instance was a medium for private profit. There were private water companies all over America. They sold water to the people. The people decided that they did not want water to be a medium of private profit. By process of legal condemnation and other processes, they put these people out of business and took that particular public service over themselves.

We hear about the socializing of the Bank of England. Our British friends claim that in 1916 America went much further in socializing banking and finance than the Britains have gone to date, when we established our Federal Reserve System. I am not an expert on that, but I am saying that is one of the charges.

If it is socialization to use public money to supply milk for school children—and of course, that charge is always made that it is socialization—then is it socialization to supply the airline companies, through the means of Federal subsidy, with an incentive to develop an airline industry, which we badly need in times of war? Was it socialization to appropriate $2 million to rehabilitate an abandoned lead mine in Colorado because the country happened to need some lead? Was it socialization when we subsidized a railroad company some years ago, when they pushed on to the Pacific coast?

I do not know, but I do know this: that during the Roosevelt administration, many things were done by the Federal Government, and very few of them that were advocated by the President under the so-called New Deal were not characterized as socialism. However, one of the officers of one of our national business organizations, according to the record, pleaded with President Roosevelt in the early days of March 1933 to take over all business at the time the banks were closed.

A few years ago I picked up, in about 1953, a brochure issued by the Central Hanover Bank of the city of New York. This is a bank which has the cream of the crop. This is a bank that is a private bank for the private fortunes of practically all of the big millionaire set in the city of New York, with a branch at 62d Street and Fifth Avenue, or somewhere close to that so-called "Gold Coast" up there. This brochure was written by some economist working for the bank, and it was distributed to the depositors of the bank. It said that there was going to be a slight recession, there was a slight recession on the way, which did come, of course, in 1954. This economist in this brochure distributed by the bank to its upper-crust customers said that they did not have to worry too much because, unlike in the thirties, we now had built-in safeguards in our economy that would prevent this thing from going too far. He pointed out what they were: unemployment insurance; that we had a reservoir of money waiting to give something to the unemployed so that they would not be totally out of the market as customers of business the day after they got unemployed. That was one of the things. The Federal deposit insurance business was another thing, under which you did not have the problem of long runs on savings banks when people got unemployed, because the Federal Government, through this deposit insurance system, insured the savings accounts of the small people. I guess it is safe to say that there is hardly a savings bank in this country that is not under that system.

He pointed out that the Securities and Exchange Commission, with its restrictions on gambling in the stock market, keeps that down.

These were the safeguards that were going to prevent us from being in real trouble in 1954 because of a slight recession. May I point out to you, Congressman, that every one of these safeguards was characterized as being socialistic at the time they were before the Congress, every single one of them.

I still do not know what socialism is, despite the things that I have read. But if socialism means that under a democratic system this republican form of government that we have, there are people who desire to secure for the great mass of the people, the workers, the wage earners, the farmers, and others, a better share of whatever wealth the economy produces, and that by providing that better share we provide a broad base of purchasing power to keep the economy moving forward—if that is socialism, then I guess I am a socialist and have been a socialist all my life. I do not figure that, but if that is what socialism means, that is the sort of thing I am interested in.

Despite my belief in the American system, despite detesting almost everything I see done in other parts of the world under the banner of socialism, I am not too concerned when I am charged with being socialistic because I advocate something that brings a little more sunlight into the lives of the great mass of the people in this country.

I submit again that the record will show that almost everything that meant a better life for the little people was attacked as socialistic. I can recall when the National Association of Manufacturers, through its State branches, was opposing the installation, the mandatory installation of dust-eliminating devices in factories where abrasive materials were being used, materials injurious to the health of the workers were permeating the air. It was demanded that there be devices in the way of small fans, and as a matter of law employers were compelled to put in these devices to protect the health of their employees. There were safeguards on the cutting tools so that there would be less chance of an employee losing a hand through some kind of a cutting device. Many of the States have these laws, but I can recall, in every one of the States where these things were advanced, the National Association of Manufacturers and its State branches opposed these things, and they opposed them on the ground that they were socialistic in nature.

So the mere characterization of some proposal as socialistic does not bother me at all. I know that I believe in this American system, and there is no other system on earth I know of or that I can read about that ever compares with it. I believe it is the best system because under this system, a little better share of the wealth that is produced by management, labor, finance, and industry gets down to the little people; and that is the thing in which I am interested.

Mr. ALGER. Mr. Meany, you have done a magnificent job of telling us here how you feel, and I think you practice in your daily life what you have told us here. But I want to close by saying this in rebuttal, since I asked you the question in the first place:

Some of us with children and others with grandchildren, possibly yours, are very concerned that in this concern for little people——

Mr. MEANY. That is one thing you and I can agree upon, is grandchildren.

Mr. ALGER. There are several other things we can agree on, Mr. Meany, including providing safeguards for workers and purifying the air. In fact, I suspect you and I, in our views as opposed to foreign isms witness Mr. Mikoyan, are like two fingers on a hand. Maybe it is just that we do not get together enough to talk about it.

But I do feel this, Mr. Meany: generations yet unborn cannot vote, yet we are loading on their backs now not only taxes, if you please, but a staggering debt which they must inherit because we perpetuate what we are doing; we are not facing up to eliminating programs or paying as we go. We are passing on to future generations a staggering load.

Without discussing with you any one of these things you have mentioned, although I would love to discuss some of them with you, to try to find out where we could have drawn the line, I simply say you and your generation and now I in mine ought to do something instead of coming to Uncle Sam demanding more Federal control, more Federal expenditure. We ought to do something now to try to cut down this staggering cost.

All we are doing is coming up here and demanding more Federal programs and demanding more spending. Some of us have got to say, "No. We can't vote for that."

Why? Why not just vote for all these things?

It would be a lot easier when we got back home maybe. But it is because we are trying to cut the cost to be fiscally responsible.

If I can paraphrase everything you said, although that may not be a fair way to do it—I am oversimplifying it.

But what I think we are talking about are two ideas like this: On the one hand some believe in this country that we can all have more by sharing more equally what there is now here. On the other hand some of us believe that the only way for more of us to have more is to produce more.

I say we are not making the effort to produce more, but spending too much of our time trying to divvy up what already is here, and in the course of all this we are creating Federal centralization of power and the abridgement of personal liberty and freedom.

This is how I would like to take every one of these issues and talk about—What are we doing to a man's freedom?

Obviously when you protect him in his factory you are helping his freedom, but there are times when you are saddling generations coming on with bills and bills of debt that we are not paying for because of our nice cars and clothes and the way we think we should live today. I do not think it is right.

I have only made this little speech to you because I do not want you to think that whenever I criticize your viewpoint I am criticizing your sincerity, as some folks on

your side have done to me and others. They have left the impression, when they have taken sides in this and come down to my district, since I am a zero according to labor's box score, to give me heck, saying that I am not interested in the little fellow.

I do not know who the "little people" are. Down in my country everybody thinks he is as big as he wants to be.

But whoever they are I am just as interested in feeding and clothing the poor as anyone. But I do not want to subsidize goldbricks or those who want to sit on their rockers and draw as much money as they can through almost a guaranteed annual wage proposition.

Some of the people coming in here representing the AFL–CIO seem to feel that we ought to give a man a guaranteed annual wage under unemployment compensation for doing nothing.

To close, I simply say to you that it looks to me in this bill like we are trying to do two things that this bill is not intended to do: On the one hand we are treating it as relief or welfare, and on the other hand we are faced with the stark realization there must be more jobs. That is what you want, and more jobs are not provided by the unemployment compensation bill. What we are doing is treating the result of the sickness in this bill and not the cause of one sickness itself.

Thank you, Mr. Chairman. I surely appreciate your forbearance.

Contrasting Political Philosophies

EXTENSION OF REMARKS
OF

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1959

Mr. PELLY. Mr. Speaker, families living in the United States who were on moderate and fixed incomes suffered great hardship due to rising prices and the cost of food, shelter and clothing from 1939 to 1952 when, except for the 80th Congress, control of both the legislative and the executive branches of the Federal Government was in the hands of the Democrats.

On March 9, 1959, the House-Senate Joint Economic Committee issued its 12th annual review of the President's Economic Report and the budget. The 10 Democrats on this committee must have forgotten about what happened during those previous years because in their views on the review they charge the present Republican administration policies reflect too much concern with price rises. Committee Republicans reject that criticism, as do, I am sure, all lower income persons who have experienced the effects of a shrinking buying power of the dollar.

Very rightly, it seems to me, an administration must concern itself from day to day and month to month with the threat of the possible diminishing value of the dollar and a resultant rise in the cost of living. The time to give attention to such a situation is before any such drop in the value of the consumer dollar occurs—not afterward when counteraction is too late.

Let us remember that prior to 1952 under Democratic administrations, the cost of living rocketed some 90 percent, shrinking the value of wages and true income to about 52 cents. A $1,000 laid away in a savings account in 1939 for a rainy day as a result shrank to about $520 by 1952.

Let us not forget either another thing which added to the economic plight of the wage earner during this same period. In addition to the cut in income dollars of nearly one-half, due to lower value of the dollar, his burden of taxes was increased. Between 1939 and 1952. lower income groups were drastically hurt by the Democratic Congress through a reduced personal income tax exemption from $2,500 to $1,000 for a married couple, and from $1,000 to $500 for a single worker.

On top of this, adding to a worker's woes, the Democrats increased the minimum rate of taxation from 4 percent on the first $4,000 of income to 23 percent on the first $2,000 of income.

This is the record as to the treatment of lower income workers and retired persons.

Furthermore, only once during those years was there a tax reduction—that occurred in 1948 when the Republican 80th Congress, over the veto of a Democratic President, increased exemptions and reduced the minimum income tax rate.

Of course, the New Deal-Fair Deal philosophy of economics embraces bigger taxes and more spending. The Democrat Party in its basic principle has been consistent in this respect over the past 27 years. It is still the party of high taxes and a shrinking dollar. The Democratic Advisory Council goes further and advocates keeping Federal spending of borrowed, deficit dollars as a vital factor to a growing national economy.

Not all Democrat legislators believe in Federal Government controls and big spending. Many Democrats oppose the welfare state idea, but these are out of step with the program of the majority party of the Congress. The outstanding Democratic savers, economizers, and those who consistently represent a basic ideology contrary to their own party leadership, of course, are entitled to full credit as individuals. However, under our political system it is the party that offers a program and, Mr. Speaker, in my opinion the record is clear that between the two political philosophies it is the Republicans who favor low taxes and seek to protect the economy of the consumer.

American Diplomacy in Sports

EXTENSION OF REMARKS
OF

HON. JOHN V. LINDSAY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1959

Mr. LINDSAY. Mr. Speaker, about 2 weeks ago a plane touched down at La Guardia Airport bringing back from Paris an important American diplomatic mission. The leading member of the mission did not wear striped pants or carry a briefcase. In fact, the leader of this good-will group was a lovely young lady. She had spent 10 days in the important European capitals involved in the present tense situation, but she had not appeared at a conference table or in front of a lecture during her tour. In Berlin, in Paris, in Geneva, she had gone directly to the people with a simple message of human understanding and light and hope from the United States. Her name is Carol E. Heiss. She is the world ladies' figure skating champion.

I do not mean to treat the present difficult world situation lightly when I speak of Carol as an instrument of American diplomacy. This young lady, who represents the best of the spirit and skill of amateur sport, speaks to the people of the world in a common language of art and athletic skill that can help to bridge the gap built by misunderstanding between the citizens of different countries. Along with other amateur athletes who take part in trips and exhibition tours to other countries, she helps to prove that the interests that unite people throughout the world will prove, in the end, stronger than the interests that divide them. And at the same time, by developing habits of mind for peaceful competition and fair play, great athletes like Carol Heiss bring to life the famous words: "On the playing fields of our land are sown the seeds that, on other fields, on other days, will bear the fruits of victory."

There are a number of reasons that ice skating and Carol Heiss should be specially chosen as a model diplomatic courier for our Nation. One of them is that skating is a universal sport, not only because its techniques and rules spread uniformly to all countries, including those behind the Iron Curtain, but because it is a sport which can be participated in and enjoyed by persons of all ages and all classes. It is a sport where the premium is on the difficult virtues of patience, control, consistency, and sportsmanship. I speak from experience, because my own tentative attempts to figure skate have taught me both the perils and pleasures of the sport. I also have had the pleasure of knowing Carol Heiss and have admired her not only for her achievement but for her unassuming charm and warmth of character.

Ice skating offers the attraction of speaking in the same language in any country, and Carol Heiss holds unchallenged sway as its leading interpreter. Those who have seen her skate never forget the soaring mastery, the perfect precision of her performances. All this has come from patience and dogged determination, the two great requirements of any athlete. She has fought her way to this pinnacle of art and skill against great odds. Born the daughter of a baker in New York City, she and her family have known the sacrifices which are necessary to train the raw skill of a little girl into the grace of a champion. For 12 years, 5:30 in the morning has meant rising time for Carol; and even as champion, she spends 4 or more hours a day on the ice, both to maintain her rank and to help improve the technique

and art of the sport for future champions. After years of this regimen of work, when only 16, she captured the coveted world figure-skating title in 1956, at Garmisch-Partenkirchen in Germany, and she has successfully defended it three times since. In Colorado Springs, Colo., in February of this year, she outskated all the competition again to secure her fourth world crown.

Only one new laurel still remains open to Carol, and it is the symbol of world brotherhood through sport that she embodies so well. The five linked rings of the Olympic games will fly from a flag at Squaw Valley, Calif., just a year from now. At the Olympic Village, athletes of all nations, from East and West, from the farthest reaches of Scandinavia to the villages of Africa, white, black, brown, and yellow, will meet together to speak through strength, skill, and beauty universal language that always unites man. Among those athletes will be skaters from many lands, who will give Carol battle for the prize that every champion hopes for. This will be the great test of her diplomatic skill, and of her ability to carry this country's message, through herself, and her skates, from a humble home in America to all the world. We wish Carol good luck on this most difficult mission.

The Appeal of U.N. "Presence" in Berlin

EXTENSION OF REMARKS
OF

HON. CHARLES O. PORTER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1959

Mr. PORTER. Mr. Speaker, under leave to extend my remarks in the RECORD, I am inserting a copy of a press release from my office, dated April 10, 1959, and a feature story by William R. Frye in the Washington, D.C., Sunday Star, April 12, 1959.

PRESS RELEASE, APRIL 10, 1959, FROM THE OFFICE OF REPRESENTATIVE CHARLES O. PORTER, WASHINGTON, D.C.

The U.S. Department of State has commented officially on the proposal by Members of the U.S. House of Representatives and the British Parliament that the whole of Berlin should come under United Nations responsibility.

In a letter dated April 9, 1959, addressed to Representative CHARLES O. PORTER, Democrat of Oregon, the Department of State termed the proposal "among the most carefully thought out of the various proposals on this subject which have been brought to the Department's attention" and said that it "has a very definite appeal."

The resolution was sent to the Department for comment by Representative PORTER on March 31. He conferred with members of the Parliament when he was in London about 2 weeks ago.

Answering for the Department of State, Assistant Secretary William B. Macomber, Jr., said the joint British-American proposal would be given serious study. In his letter to PORTER, he said:

"While the idea of United Nations action has a very definite appeal, the specific proposals generally overlook two important factors of the Berlin situation. The first of these is the special responsibility which the United States, the United Kingdom, France, and the Soviet Union bear for Germany as a whole and for Berlin. This responsibility is based on the Four Powers' occupation of Germany and upon the agreements which they concluded among one another during and after World War II. The problem which has arisen with regard to Berlin has its origin in an attempt on the part of the Soviet Union to evade its obligations under those agreements, notably the obligation to restore German unity in peace and freedom. The second factor usually overlooked in proposals for United Nations action is the danger of attempting to deal with the Berlin question in isolation. A real and lasting solution to the problem of Berlin can be found only in German reunification, and it is the Department's view that primary emphasis should be put on making progress toward a resolution of the larger underlying problem rather than on interim or palliative measures to deal with the lesser problem."

PORTER said he had hoped the Berlin proposal would be considered at the Foreign Ministers' meeting "along with other proposals." He said he was not ruling out such action.

Among the six British Members of Parliament signing the proposal was Clement Attlee, former Labor Prime Minister.

Signing the original proposal in this country were 10 House Democrats: STEVEN V. CARTER (Iowa), FRANK M. CLARK (Pennsylvania). BYRON L. JOHNSON (Colorado), WILLIAM H. MEYER (Vermont), CLEM MILLER (California), CHARLES O. PORTER (Oregon), HENRY S. REUSS (Wisconsin), GEORGE M. RHODES (Pennsylvania), RALPH J. RIVERS, (Alaska), and LEONARD G. WOLF (Iowa).

Other House Members indicated interest in the resolution. One of them, Representative CHESTER BOWLES, Democrat, Connecticut, wrote PORTER Thursday, "I agree that the suggestion for a United Nations force in Berlin is a constructive and meritorious one. I have felt all along that if there was some way to involve the U.N. more directly with the Berlin controversy, it would be helpful."

[From the Washington Sunday Star, Apr. 12, 1959]

USE OF U.N. PRESENCE ADVANCED AS A SOLUTION TO BERLIN PROBLEM

(By William R. Frye)

UNITED NATIONS, N.Y.—To one who has just returned from 6 weeks in the Middle East, talk of a United Nations presence in and about Berlin has a familiar ring.

The U.N. has established its presence in the Middle East in a variety of forms, ranging from one man (Pier P. Spinelli) with a small staff in Amman, Jordan, to a 5,000-man army in the Gaza Strip.

The U.N. is present on Israel's borders in the form of a small corps of observers (the Truce Supervision Organization). The U.N. came and went in Lebanon as a very different kind of observer team.

Exactly how the idea could be borrowed for Berlin, and in what form, is by no means easy to foresee. It depends in large part, of course, on Soviet Premier Khrushchev.

A good deal of preliminary thinking and planning has been done, however, on the Western side—notably by the Canadians, who are credited with the original proposal, and by Secretary-General Dag Hammarskjold, who has just come back from Moscow. Some of the thinking is still secret; some can be reported.

HOW IT MIGHT BE DONE

The starting point is that no conceivable U.N. army could be mustered to hold open the approaches to Berlin by force. Even if it did not have to clash directly with the 350,000-man Soviet occupation force in East Germany, it would still have an East German Army of some 200,000 men to deal with.

A military operation on this scale, against organized opposition, is well beyond the U.N.'s capacity. It would require, in practice, the deputizing of NATO forces to act on behalf of the U.N.—something the Security Council could not do, because of the Soviet veto, and the General Assembly would not do, out of fear of world war.

The U.N.'s role, therefore, would be that of executing, or supervising the execution, of a plan agreed upon by the great powers.

If the Big Four were to agree to make West Berlin a free city under international auspices, the U.N. could provide the government, and Western occupation troops could be called U.N. troops. The U.N. has never done this kind of job—governing a city—but was prepared to do so both in Trieste and in Gaza until events removed the necessity.

If a summit conference were to agree upon a new formula for Western access to Berlin, giving East Germans some or all of the functions now exercised by Russians, U.N. observers of the TSO type could be stationed along the route to see that there was no interference.

ANALOGY IN MIDDLE EAST

The analogy perhaps is not auspicious, but the TSO does this kind of thing now in relation to Mount Scopus, the Israeli enclave inside Jordanian territory in Old Jerusalem, next to the Mount of Olives. TSO observers check cargo manifests and try to make certain Jordan does not interfere with legitimate Israeli convoys.

There has been intermittent trouble despite the TSO's efforts, but no one doubts that it would have been much worse without the U.N. on hand.

If the East Germans must check Western convoys to Berlin—and Khrushchev seems inflexible on this point—the West obviously would rather have the U.N. there than leave the job wholly to the Germans.

There should be no illusions about the extent of the U.N.'s potential authority. It would not have power to compel the East Germans to do or not to do anything. It does not have that power today in the Middle East. The U.N. is not a super government.

If Khrushchev (and the East Germans) would let the U.N. actually man the checkposts, it would be a different matter. But preliminary soundings in Moscow appear to rule out that idea. Possibly—just possibly—the point can be negotiated.

In practice, however, the best attainable solution probably will be one in which the U.N. role would be that of a troubleshooter who would observe the checkposts, investigate complaints, iron out genuine misunderstandings, and publicize willful violations, depending on the pressure of world opinion in the latter case to provide the necessary sanction.

From the point of view of real politik, this would mean that if the West were forced to ram its convoys through to Berlin by force, the moral justification for such action would have been established in advance by an authority few would challenge.

All this, of course, is in the realm of preliminary thinking and planning. There are those within NATO who resist the whole idea.

Why, they ask, should the West purchase from Khrushchev at the price of a considerable contribution to the stability of Communist East Germany—including its de facto recognition by the U.N.—a set of rights and privileges which should belong to the West in any event? There should not, of course, be any challenge to the West's position in Berlin. A U.N. role should not be necessary.

Those who argue in favor of the purchase contend that, like it or not, the West's position in Berlin has been challenged. That

position, they say, cannot be maintained by force without unacceptable risk of world war. A segment of NATO is unwilling to face up to that risk.

This preliminary question—whether to accept any change in the status of Berlin—will obviously have to be settled before the West dickers with Khrushchev over the nature and functions of a U.N. presence there.

A FACE-SAVING DEVICE

If, however, the ultimate decision is to buy off the threat to Berlin at the lowest price available—and Chancellor Adenauer's sudden decision to give up the reins of power in Bonn suggests that it probably will be—then use of the U.N. should be an excellent face-saving device.

A U.N. regime in and about Berlin need not look like a diplomatic defeat; it might not even be one. It would not be a defeat if the West, as part of the same package, got from Russia compensatory advantages, say in the field of inspection and arms control.

For maximum face saving, U.N. people believe the negotiations at one stage or another should become, in fact or in appearance, U.N. deliberations. They should take place, it is argued, under a U.N. roof.

This is why there is private urging that the summit conference be held at U.N. headquarters—or if this is not considered feasible, then elsewhere, but still as a meeting of the U.N. with heads of state acting as U.N. delegates. The agreement then would partake the moral aura of a U.N. decision.

A U.N. presence is not an automatic cure-all. UNEF is generally credited with being a success; the TSO is helpful, but by no means wholly effective. Spinelli has practically nothing to do, which perhaps means he is a success. UNOGIL was very nearly a flop, because it was put into an impossible position without adequate tools to do the job.

In Berlin, given a reasonable chance, U.N. people believe a presence could be the smoothest way out of a very deep hole.

The Extreme Urgency of a Realistic Urban Renewal Program

EXTENSION OF REMARKS
OF

HON. TORBERT H. MACDONALD

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1959

Mr. MACDONALD. Mr. Speaker, we will soon be considering on the House floor the housing and urban renewal bill, which is designed to assist local governments to eliminate slums, eradicate blight, and to renew our Nation's cities.

No thinking person can deny that the United States has progressed from a rural to an urban Nation at a phenominal rate of speed. Even with our suburbias we are still essentially a nation of city dwellers. I do not intend to review all of the facets of urban expansion today, but I do want to emphasize the need for a vast and realistic program of urban renewal.

The two substantial factors in this expansion process have been, first, population growth; and second, the migration of population and industry. The problems created by this growth and resettlement are of a scope which could not be predicted by even the most expert of population analysts. New industries, urban sprawl, and highways have diminished available space. Substandard residential areas are becoming more and more prevalent in our suburbs, our larger cities, and our smaller townships. In this, the space age, we cannot afford to develop an age of less space, nor can we condone less than the highest attainable economic use of all available space.

A recent editorial appearing in a Washington newspaper warned against the apparent indifference to the gobbling up of our great open spaces in the face of a growing population which bids fair to reach 200 million in less than 10 years hence. The editorial noted:

> The simple fact is that the country cannot absorb 25 million additional inhabitants every 8 years without careful planning on the one hand or chaotic consequences on the other.

Recent history should make it clear to all concerned that efficient planning, rural and urban, is a must if we are to save our blighted cities, and preserve our rich farmlands and other natural resources and create desirable future cities. Time and again we have read and heard the warnings against the creation of rural slums and against haphazard growth of large cities. We must furnish our communities with every possible tool for orderly development and necessary redevelopment.

The Housing Act of 1959 which will soon be before us contains many of these needed tools. This act consists of provisions for several programs which are aimed at stimulating home construction—public and private—and the improvement of housing standards, chief among these are proposals for expanded and continued urban renewal aids. It is for these vital urban renewal tools that I am urging your support today. Through this program we have helped cities to help themselves, by clearing slums, by removing blight, and preventing further deterioration. Only through an adequate, continuing program of Federal aid can we help meet the needs of the cities and townships of the Nation in their efforts to halt blight; and only through planning can we hope to prevent a recurrence of the run-down conditions which currently necessitate such a program.

The House bill also provides for an effective housing program to meet the special housing needs of our senior citizens. Mr. Speaker, I would like to point out that the first housing project—Highland Gardens Apartments—for elderly persons in the United States under the Federal program was constructed last year in Somerville, Mass., which is a part of my Eighth Congressional District. The success of this project proves that we need more of this type of housing. I am, therefore, very pleased that the House bill provides for a new program designed to provide rental housing for elderly persons at rentals which they can afford.

There are those who argue that urban renewal is not a problem of the Federal Government, that it is a local problem, to be solved by local government and local private enterprise. I am in complete agreement with this. The Federal program under title I of the 1949 Housing Act is based upon this very premise. Urban renewal programs are initiated, planned and executed locally. The Federal Government shares the cost of the project—that is, the difference between the cost of the cleared land and the price offered by the developers. This sharing with the local government is on a two-thirds Federal, one-third local basis. Each step taken by the local government is subject to Federal approval based upon the proper and efficient operation of the basic law. I am sure we are all agreed that in any instance in which Federal aid is granted, an accounting of the use of funds is not only necessary, but desirable. I do not agree, however, that the Federal Government should not render assistance.

It is obvious that the local units do, and should, bear the brunt of the responsibility for planning and execution of urban renewal projects. But, this does not mean that it is solely a local problem. Urban renewal and redevelopment, the clearance of slums, are undeniably and clearly a part of a national problem to provide a decent home and suitable living environment for each and every American family. Urban renewal will play a large part in stemming the rise of juvenile delinquency. Federal urban renewal aids are investments in better families, better citizens and better communities. These are investments which will return dividends in higher national income, and increased sources of revenue for local, State and Federal Governments. These are investments which, if neglected, can result in economic and social retrogression in place of progress.

Currently, the urban renewal program is moving along at a reasonably rapid pace. Testimony at hearings of the Committees on Banking and Currency, and other published data have revealed that one of the reasons for some of the lack of interest in this field was that many communities were reluctant to launch into the projects because they were afraid that Federal aid would not remain available. Cities were acutely aware of the need for renewal and the prevention of further deterioration, but they did not feel that such a financial venture was within their means. Since the program has taken on an air of permanency, more and more communities, large and small, have availed themselves of the various aids which are a part of the Federal urban renewal program. Should the Congress fail in providing a well-rounded, fully adequate program for the next several years to come we will be sorely remiss in our duty to maintain economic stability.

Albert M. Cole, former Housing Administrator, predicted in 1958 that "any city that does not set in motion by 1960 a comprehensive program to halt blight will be flirting with municipal ruin by 1965." Now is the time to guard against municipal ruin by 1965, 1975, or 25 years hence. Now is the time for the Federal Government, through the Congress, to provide our municipalities with the necessary financial and planning guidance which will assist them in their fight against decay and deterioration and help them in the provision of healthy, sound communities. We cannot

afford a lapse in our support of this worthwhile program such as occurred in the failure to pass a Housing Act of 1958. The 85th Congress was the first Congress in several years not to rally to the support of our communities in their war against stagnation and retrogression. We cannot let this happen in the 86th Congress. I for one, shall do everything in my power to see that a meaningful urban renewal program is forthcoming.

What would constitute such a program? First, and foremost, the urban renewal authorization must be adequate to assure the continuation of the urban renewal program at a sufficiently high level to avoid any curtailment or postponement of urban renewal projects contemplated. In addition, it must not bar the applications of cities which for one reason or another, have not completely set in motion their urban renewal plans. It would seem to me that an adequate measure could be no less than the program provided by the house bill. This bill provides for a total authorization of approximately $2.1 billion. Under this bill $500 million would be available for urban renewal grants in each of the next 3 years. It would also increase relocation payments to relieve the hardship suffered by families and businesses displaced from urban renewal areas by government activity. An additional $10 million would also be provided for urban planning grants. Under this bill all communities would be provided with incentive to move forward with needed projects. Under this bill the Federal Government, the local government, and local private enterprise could work together, cooperatively, to assure all citizens a livable home in desirable surroundings. Under this bill, some of our unemployment problems will be erased through an increase in construction volume. Under this bill, we could assure healthy national, State, and local economies. Realistic Federal urban renewal will preserve tax values, stimulate private industry and thereby increase our tax returns.

Mr. Speaker, if a program of this magnitude is enacted into law it will provide hundreds of communities across the Nation, including my Eighth Congressional District of Massachusetts, with reasonable assurance of the availability of adequate funds so that the urban renewal program will continue to be carried out. This program, it seems to me, is one that we all should promote as having the highest priority of a forward looking program for the benefit of all the United States.

Secretary Benson's Speech in Dallas

EXTENSION OF REMARKS
OF
HON. BRUCE ALGER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Monday, April 13, 1959

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include Secretary Benson's speech in Dallas before the 50th annual convention of Texas Cotton Ginners' Association, April 7, 1959:

ADDRESS BY SECRETARY OF AGRICULTURE EZRA TAFT BENSON AT 50TH ANNUAL CONVENTION OF TEXAS COTTON GINNERS' ASSOCIATION, DALLAS, TEX., APRIL 7, 1959

I am delighted to join you in this 50th annual convention of the Texas Cotton Ginners' Association. This, I understand, is the largest meeting of its kind anywhere in the United States. It is both a signal honor and a challenging responsibility to have the opportunity to meet with so many representatives of the entire cotton industry.

And, may I add, your Texas welcome leaves nothing to be desired. There is an old saying, "The glory of the house is hospitality." Hospitality is also one of the glories of the people of this great State.

But I did not come here simply to sing the praises of Texas. My mission is to talk frankly with you about agriculture in general and cotton in particular.

The facts indicate that 1958 was a year of substantial improvement for most U.S. farmers.

The per capita income of our farm people, from all sources, rose 10½ percent to $1,068. This was a new high. It was 9 percent above the previous record of $983 in 1951—a war year.

The fact is that the per capita income of our farm people had a more favorable relationship to the income of nonfarm people last year than it did in 1952—the year before this administration took office.

Farm operators' realized net income rose to $13.1 billion in 1958. This was the highest in 5 years. The gain over 1957 was $2.2 billion, or 20 percent.

Prices received for farm products averaged 6 percent above 1957 and were the highest since 1953.

The value of farm assets, the proportion of farms owned by their operators, and the standard of living of farm families were all higher in 1958 than ever before.

The total assets of U.S. agriculture at the beginning of this year reached $200 billion. Farmers' net equities, after all debts, were $177.4 billion. This was a gain in equities of about $11 billion over a year earlier, and a gain of $134 billion since 1940.

This is not to say, however, that agriculture's major difficulties have all been solved. Far from it. We still have surpluses of some crops. The cost-price squeeze is still pinching our farm people. We still have many underemployed, low-income farm families. A few crops are still under programs which are outmoded, too costly, discriminatory and harmful to agriculture as a whole. The President's message of January 29 clearly showed the need for prompt action in this regard.

Now, what about cotton? Here, too, the situation is not all that we would like—but assuredly it is better by far than it was a couple of years ago. You will recall that the cotton carryover in mid-1956 was at a tremendous record high of 14.5 million bales.

Since then, largely through the vast subsidized export program, supplemented by acreage reductions, the carryover has been reduced by 40 percent. It stood at about 8.7 million bales as of August 1958. It will be at about that same level next August. Although still burdensome, this is the smallest carryover since 1953–54.

Domestic consumption of cotton is picking up beyond previous estimates. Business conditions are generally good, and that favorable fact is being reflected in increased mill use of cotton. If the current rate of consumption is maintained, we will use about 8.5 million bales here at home this marketing year. That would be a substantial gain over last year and the year before.

I wish I could say the same for exports. At present, it looks as though about 3 million bales will be exported this year. Thus, total disappearance will be about the same as the 1958 production.

Now, I don't want to get into a second guessing contest with anyone. But I do object strongly to the mistaken notion that the Department of Agriculture has been, or is, dragging its feet on the cotton export program.

Let's look at the facts. Since the beginning of the 1956–57 marketing year, and through this marketing year, our cotton exports will total about 16.5 million bales. This is an average of over 5 million bales a year. I recall quite clearly that in testimony and debate at the time the export legislation was discussed, 4.5 to 5 million bales was then regarded as a "fair historical share of the world market" for U.S. cotton. Of course, this estimated share is not a static figure. It may vary up or down from one time to another.

I want to say with all the earnestness at my command that I will continue to seek a fair share for American cotton, whatever that share may be.

During the 1956–57 marketing year we exported 7.6 million bales of cotton, the highest since 1933.

In 1957–58 we exported 5.7 million bales.

The total of more than 13 million bales in the 2 years was an outstanding record of successful, competitive exports—far above the expectations of many cotton men.

Cotton exports could not be expected to continue at these high levels. Foreign stocks, which had been low, were built up to high levels. This is one reason why our exports during the current marketing year have fallen off. But the record shows that our export programs have been effective. They have moved a lot of cotton in the interests of the American cotton grower and in line with the expressed wish of the Congress.

I do not believe, however, that the cotton export program is a permanent solution. We must seek markets on a sound competitive basis through normal market channels.

We must not lose sight of the fact that we have moved this cotton under the subsidy program at a substantial cost to U.S. taxpayers. It will continue to be expensive to do this.

The export subsidy rate which we have announced for the beginning of the next marketing year will be about $40 per bale exported. To this cost must be added that of the difference between the purchase price for choice A cotton and the resale price for unrestricted use. After taking into consideration the administrative expenses, this phase of our subsidy operations will result in a cost of about $20 per bale. This means that on the choice A cotton which is exported the subsidy will cost taxpayers $60 a bale.

No matter how you figure it, this adjustment to meet competitive world prices will be costly. Why? Because of the long continued use of unsound programs.

Textile activity both at home and abroad is picking up. This upsurge should reach substantial proportions in the coming marketing year.

The new cotton law, with which you are all familiar, should help producers and the entire cotton industry. It is designed to provide more freedom to plant, to market, to compete, and to make decisions.

A total of about 69,000 farm operators have elected the choice B upland cotton program for their farms for 1959. Allotments for these farms are thereby increased from a total of 2.5 million acres to 3.6 million acres.

I imagine one of the questions uppermost in your minds is how the Department is going to operate its purchase and sale of choice A cotton. Although we have not yet announced all of the details, we are cur-

rently planning to operate somewhat along the same lines as the loan program. Purchases and sales will be made through local people.

This would mean that qualified persons or firms—ginners, banks, cotton buyers, cotton merchants, cotton cooperatives, or warehousemen—would be permitted to enter into agreements with the Government and act as agencies for the purchase of choice A cotton from local producers. An approved purchasing agency could be approved as a sales agency to sell choice A cotton locally.

I must stress that this is not final. Many details still have to be settled. But I assure you that we adhere firmly to the principle of making maximum use of private trade channels. That has been our philosophy from the beginning. We hold to it strongly.

Another question you want answered is, When are we going to start? We expect to have the purchase program out in time to take care of your early crop areas. The sales program details may take a little longer, but they will be ready before the August 1 beginning of the new crop year. Sales of cotton under the provisions of the new program cannot begin until then.

It is my belief that the Agricultural Act of 1958 as it applies to cotton can help this great industry move toward expanded markets at home and abroad.

On the other hand, it is by no means a complete solution to our cotton problems. Over the past 20 or 25 years the cotton industry has become involved in a complex—almost bewildering—situation which is by no means easy to unscramble.

My complaint about the old cotton program is simply this: Over the years it was loaded down with so many conflicting gadgets that it became wholly unworkable.

The price-support mechanism was frozen at a production-incentive but market-destroying level. Markets were handed to synthetics on a silver platter. We have spent 6 years trying to thaw out the system, and the job isn't finished yet.

In addition, over the years special fringe benefits, such as the ⅞ Middling provision, were provided, which had the effect through 1954 of making the actual support level even higher than the unrealistic 90 percent of parity.

On the other hand, a number of special provisions, plus the technological revolution, made acreage controls almost ridiculously ineffective.

All this added up to a classic example of trying to have your cake and eat it too. It just can't be done—not for cotton or any other commodity.

The effects of such contradictory policies are even more evident in the case of wheat. Despite the control programs, we now have by far the greatest wheat surplus in all history.

By July 1960 the carryover of wheat will be about 1½ billion bushels—enough to supply our normal domestic requirements 2½ years. We will have $3½ billion tied up in wheat alone.

We have spread the Wheat Belt all over America. Wheat acreage has increased in areas of high cost, while acres have been cut back in areas where production is most efficient. This doesn't make sense.

Not only have surpluses of a few crops piled up, the cost of the price-support program is staggering—indefensible.

Our total investment in price-supported commodities is now $9 billion. It will probably exceed $10 billion by the end of the next fiscal year.

It is estimated that during the next fiscal year we will spend more than $1 billion—$1 billion—just for storage, transportation, and interest on these Government-held surpluses.

It is apparently impossible for a Secretary of Agriculture to deal effectively with the present critical problems of agriculture always on the basis of just necessity or just economics—he must sometimes face up to the politics.

There is nothing disgraceful in the word politics or in the word "politician." Politics is the art of government and good politics makes for good government. The very foundation of this Government was a document divinely inspired that was drafted and adroitly handled by politically educated men to become an instrument for freedom. What we must strive for in the political factor of the formula is to have political action governed by the economic facts. And this is where the failures have occurred.

I think it must be admitted that in the past there has been an overemphasis on political approaches to farm problems which are basically economic.

Agriculture must not be sacrificed on the political auction block. Agriculture is neither Republican nor Democrat. It is American.

Let us be candid. Both major parties share responsibility for the situation in which we now find ourselves. But more important is the responsibility for getting to the solution. Congress has our recommendations. It is my sincere hope that the action so urgently needed will be taken without further delay.

No one has more concern than I about the cost of these farm programs. This Secretary of Agriculture has been administering, and is still required to administer, within the straitjacket of outmoded laws, the most costly, irrational, hodgepodge program ever patched together. It is the result of 25 years of political attempts to solve economic problems, seemingly with an assiduous determination to pretend that economics does not exist.

Do you think that as a farmer, the son of a farmer, yes, the grandson of a farmer, and as a former county agent, and now as a spokesman for farmers, I enjoy for one minute the distinction of administering the third largest item in the Federal budget? Of course not.

But be assured, I would not hesitate to defend this program if it were serving the best interests of our farm families and the people of the Nation. The truth of the matter is that these stupendous surpluses and heavy costs are not only sapping the vitals of free agriculture, they are also a threat to the solvency of this Nation.

The Secretary of Agriculture is subject to many pressures and crossfires. Opposition to change—to sound economic solutions to economic problems—has been almost unbelievable. My opponents can't agree on a constructive solution of the farm dilemma. Really, the only general agreement among my opponents is this:

"Let's saddle Benson with all of the ills of agriculture, and especially with the cost of the mess we helped cook up for him."

With smoke screens of distortions and half-truths, those who would dodge responsibility for obvious failures seek to obliterate the facts. But a rising crest of informed and aroused public opinion is beginning to penetrate the fog of confusion.

One of the largest national farm magazines recently invited farmers to tell Congress what to do about price-support programs.

In replying to that poll, 55 percent voted for "no supports, no controls, no floors, free market prices; get the Government clear out."

This is a significant increase over the 50 percent who in a similar poll a year ago favored getting the Government out of farming.

Another 15 percent favored emergency supports only "to prevent disaster from a huge crop or sudden loss of markets; floors set at, say 50 percent of parity, or 75 percent of the average 3-year market price and no production controls."

Another 8 percent wanted adjustment supports "such as 90 percent of the average 3-year market price, permitting gradual adjustment to normal markets and moderate production control when necessary to ease adjustments."

Only 22 percent wanted more Government price help. This breaks down into 14 percent who favor a return to supports at 90 percent of parity or more and 8 percent who asked for production payments.

This nationwide poll showed that 8 out of 10 of the farmers want greater freedom and less Government in farming. In the South the figures are 81 percent for more freedom in farming as against 19 percent for more Government in farming.

Yes; the voice of the American farmer calls in louder and louder tones for more freedom to act, and less Government interference.

If this is what farmers want what are we waiting for—what is Congress waiting for? I repeat, we've made our recommendations. Why don't they act?

In January, the President again asked the Congress to make forthright changes in our farm price supports. He urged that price supports no longer be related to a standard 45 years old, but to a percentage of the average market price during the immediately preceding years.

If the Congress still prefers to keep existing parity standards, the President urged that the Secretary be given discretion to establish the support level for all commodities in accordance with guidelines fixed by law. This is now permitted for all of the 250 commercially produced commodities except the 16 for which supports are mandatory.

Either of these changes would be constructive. Under either course, the surplus could be reduced, the cost cut, production controls relaxed, and markets developed. Our farm people could make more of their own decisions. The Government could resume its proper function of promoting farm research, expanding and developing markets, protecting soil and water resources, improving farm credit, and so on. We would help stabilize markets, not price ourselves out of them.

Congress recognized the need for farm program revision last year by passing the Agricultural Act of 1958. This act made some limited changes in the program for corn, cotton, and rice. Now we need prompt and effective action in behalf of producers of the other three basic crops, wheat, tobacco, and peanuts.

The American people want and deserve a program that makes sense. The poll I referred to is one further evidence that most of our farmers want it, too.

Our old costly farm programs are not only harmful to agriculture, they also contribute to unbalancing the budget—and this adds to the threat of inflation. That is of utmost concern to every citizen. No nation can go on indefinitely living beyond its income and cheapening the value of its currency.

I am intensely concerned about this. The course of inflation is subtle. Its ends are destructive. It mounts quietly, almost unseen in the short-term view, but it is utterly devastating over time.

The President has called for tight reins on Government spending, and for a balanced budget. He has called upon all of us, as citizens for self-discipline in our economic actions, both as individuals and as groups. Government alone cannot win the battle against inflation. To win it—and we must win it—will require the united efforts of the American people—business, labor, banking, agriculture, and all economic groups.

Our expanding Federal Government has boosted the average family's tax bill from $120 to $1,600 a year. How much further can we go in this direction?

Many pressures are now being exerted to add more billions to Federal spending in the

coming fiscal year, and beyond—billions that can bring on further deficits and inflation.

Contrary to what some people would have us believe, the Federal Treasury is not a bottomless grab bag which never needs to be conserved or replenished. To act as though there is no limit to what the Treasury can spend is an open road to the destruction of private enterprise, and its replacement by a socialistic economy.

We must have a tax policy which is not confiscatory and a budget policy which prevents inflation. The Nation must have sound farm programs—just as it must have sound banking and finance—and sound wage and price policies.

In the interests of the whole Nation, we need less government in farming. Quit trying to fix prices unrealistically from which flow the twin evils of production for Government warehouses and Government control of farmers. Emphasize markets, increased efficiency, and competitive selling. Eliminate Government's stranglehold on agriculture.

This is the solution to the farm dilemma.

We have made limited progress. We are on the right track. If we can push ahead soundly and keep the train from being derailed by those who put their faith in panaceas and quack remedies, agriculture in general and cotton in particular will regain lost markets, expand old markets, develop new markets.

Cotton is gaining in domestic use for clothing, about holding its own in household uses, falling far behind in outlets for industrial purposes. From 1947 to 1957 the domestic use of cotton for clothing increased 44 percent. But industrial use of cotton dropped 40 percent.

Always we come back to the essential point—markets depend on quality, price, and promotion.

Cotton ginners are a vital link in the chain of progress. I know that you have long had an important part in promoting quality improvement and in helping cotton on its way to the mills at minimum costs. Many of you have accepted the responsibility for taking cotton samples and shipping them to classing offices. Some of you are spokesmen for farmers, unhappy because grades are below expectations.

I urge you also to take an active interest in accurate price quotations. We must all strive to make further improvements in quality and market efficiency.

I hope ginners will be well represented at the universal standards conference to be held in Washington next month.

Some of you have seen the experimental "flight-bar" roller gin developed at our Mesilla Park Laboratory. In tests, it has turned out nearly 20 pounds of extra-long staple lint cotton per inch of roller per hour, an eightfold increase over the average commercial roller gin. Its capacity for relatively shorter staple upland cotton is 13 pounds, a sixfold increase over the average commercial roller gin.

Many mills are now using the machinery designed by our engineers to open, blend, and clean cotton. This year some 4 billion yards of new fabric will be given finishes that make cotton garments and household goods soil and crease resistant, with the wash-and-wear qualities demanded by today's homemaker. These finishes were developed with the aid of our chemists.

A year ago an industry-USDA study group recommended a pilot spinning facility be set up as part of the marketing research program for cotton. This plant is now being established at Clemson, S.C.

These many efforts are the starting point for knowledge on which a whole new technology can be based, a technology that will mean more efficient machinery in the gin as well as new cultural practices and processing techniques of benefit to the entire cotton industry.

All this is heartening, encouraging, stimulating.

I am not impressed with gloomy prophecies and defeatist talk about the future of cotton and agriculture as a whole. The future can be exciting, profitable, satisfying, progressive, a good time to live and work and raise a family.

What is called for is a joint undertaking to which our wholehearted cooperation is dedicated. I challenge you of the entire cotton industry to give us your cooperation and I pledge that you shall have ours.

I am dedicated to doing what is economically sound, fair, and right to help improve the position of farmers in our economy. I shall continue to pursue that goal of a more prosperous, expanding, and free agriculture.

With God's help, and the understanding and cooperation of groups such as this, whose futures are so closely allied with farmers', we shall reach that goal.

Is the Alaska Statehood Act Unconstitutional?

EXTENSION OF REMARKS
OF
HON. THOMAS M. PELLY
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Monday, April 13, 1959

Mr. PELLY. Mr. Speaker, in view of a recent statement by Alaska's Governor Egan to the effect that Alaska would not agree to let any fish traps operate and that he feels Alaska can challenge the constitutionality of provisions of the act of Congress upon which the Alaska statehood depends, I wish to point out that such a challenge places Governor Egan and the State of Alaska in a most peculiar position. The act authorized statehood only on the basis that the people of Alaska voted to approve the conditions set out in the act. Among these was one that there should be a period of transition as to control of fish and game, and that during such period, the Federal laws should continue in effect and fish and game remain under Federal management.

The important law, and the one in question to which Congress referred, is the White Act, under which fishing with traps is permissible, subject to general conservation limitations, the same as any other fishing gear.

It is well known that the opposition against the use of fish traps has nothing to do with conservation; in fact, traps can be more effectively regulated for conservation purposes than mobile gear. Representative WESTLAND and myself, in whose districts so many fishermen live who are dependent on fish traps for their jobs, were responsible for this provision. It was added for the express purpose of giving those fishermen, as well as the operators, a period of time to adjust themselves and their operations, instead of having an immediate shutdown of fish traps.

If Governor Egan is correct that these provisions are unconstitutional, there can be a serious question as to whether or not Alaska is a State. In such case, Alaska may still be a Territory, or at least I have understood it to be a rule in interpreting laws that if a provision of the law is unconstitutional, then if the court finds that the law apparently would not have been passed without that provision, the whole act must be thrown out.

My good friend, the gentleman from Alaska [Mr. RIVERS] himself has admitted that the Alaskans voted to accept statehood subject to the conditions imposed by Congress, but he contends that they did not wish to do so—they did it only because they wanted statehood—and therefore should not be bound by their votes.

I do not believe the people of Alaska can accept conditions imposed by Congress and later, after having attained statehood, reject those provisions as not binding upon them.

Meanwhile let me suggest that any threats of lawless violence with respect to fish traps, if such are allowed to operate under Federal law, do not lend credit to the new State. In a frontier community, as with the Old West, one expected occasional brawls, but self-government and statehood are supposed to mean the end of disorder and asurance of the principle of a government of law and not of men.

Statement of Hon. Melvin Price, of Illinois, in Support of Federal Unemployment Compensation Standards Legislation

EXTENSION OF REMARKS
OF
HON. MELVIN PRICE
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Monday, April 13, 1959

Mr. PRICE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include herewith my statement to the House Committee on Ways and Means in support of legislation to estabilsh Federal unemployment compensation standards:

STATEMENT OF HON. MELVIN PRICE, OF ILLINOIS, HOUSE OF REPRESENTATIVES, TO THE HOUSE COMMITTEE ON WAYS AND MEANS IN SUPPORT OF FEDERAL UNEMPLOYMENT COMPENSATION STANDARDS LEGISLATION

Mr. Chairman, I congratulate this committee for scheduling hearings on the critical issue of improved Federal standards for unemployment compensation and I am deeply grateful for the courtesy of the committee and of the chairman for allowing me to state the reasons I believe the committee should report a bill establishing such improved standards.

The bill I have introduced, H.R. 3580, like others before you, would strengthen the already existing Federal Standards Act under which the unemployment compensation laws of every State now operate. It would increase the number of workers eligible for unemployment insurance benefits, and in addition it would provide improved benefits for a maximum of 39 weeks in all of our States. These higher benefits would be payable so that a worker thrown out of a job by no fault of his own could draw weekly payments of at least

two-thirds of his ordinary salary or wages, or one-half of the average of salaries and wages in his State, whichever is smaller.

Mr. Chairman, this expert committee is intimately familiar with the details of such legislative proposals and with the taxing programs that would be required to finance them. I believe that in the technical and tax fields my bill is sound, but I would like to discuss the general principles involved.

What is the origin of our unemployment compensation systems in our various States? Why, they came into existence by Federal action. A bill was passed by Congress, in the depths of the great depression nearly a quarter of a century ago, establishing a Federal tax upon employers to finance unemployment benefits. But the bill also contained a provision that if the States would set up their own systems, meeting certain standards laid down in the Federal law, most of the tax receipts would be remitted to the States for operating their systems.

And what has been the history of the systems? An enormous variety has come into existence, over and above the standards required by law, by which some States pay much more and some States much less than each other and than the average. There are differences in the eligibility rules, in the length of time for benefits, of the size of benefits, in the tax rates that employers now must pay to finance the systems that have been recognized as socially desirable.

This has had two very bad results. In the first place, there is a quite natural tendency in the State legislatures not to make swift and major improvements in their local systems that may lay a burden on business that does not exist in neighboring States. The members of this committee are practical, knowledgeable, well informed. You know the force of a witness' argument, before a State legislative committee, urging that taxes and social welfare programs be kept at a level that enables the State to remain competitive.

In the second place, this system has prevented the Federal law from working as it was supposed to work. What are the reasons for unemployment compensation? They are both humanitarian and economic. The theory is that benefits for a worker thrown out of his job will ease the shock and loss until he is able to find a new job; this is for the benefit of the worker and his family. But the further theory is that payment of benefits will maintain the worker's purchasing power, at a reduced minimum, so that the economy does not suffer a total loss in periods of severe recession. The economic reasons for jobless compensation benefits are as imperative as the humanitarian reasons.

I think it can be considered as proved that under the existing law, neither the humanitarian nor the economic objectives are being wholly met.

The statisticians report that during the recent recession, the loss in wages and salaries resulting from the unemployment of nearly 6 million was not compensated for in any adequate way. Perhaps 40 percent of the jobless never became eligible for any unemployment benefits at all, either because they were not covered under the general terms of the State laws or under the specific exemptions. And out of the total, not more than 30 percent of the wage loss was recovered through benefits.

I urge this committee to consider very seriously whether the time is not past for the breaking of new ground, for a giant stride forward that would cure the deficiencies which all of us can see have developed across the past quarter of a century.

Unemployment compensation, Mr. Chairman, seems to me one of the wisest programs of our modern age. Our economy is a marvelously efficient enterprise, but it is subject to the shifts and changes that are a part of the price of freedom. Jobless benefits, financed through an orderly system set forth by law, offer the most effective protection against individual suffering and the most effective cushion against shocks to our national health.

When we deal with the subject of improved Federal standards, let us recognize that we are doing nothing unprecedented. We got our system in the first place by the setting up of Federal standards, and I think it fair to say that without these standards we would not today have unemployment benefit programs in all of our States. What we are confronted with is the question of whether it is not necessary now to modernize the standards, to remove as between the States competition in low tax rates and low benefits, to cure weaknesses that the passage of time has revealed in the law as it was first written.

I am well aware that the President has thrown his weight, at least negatively, against the bill and the program for which I speak today. I can merely say that I consider this attitude extremely shortsighted—an example of a deplorable tendency in the White House to confuse the letter of States rights with the spirit that infuses our entire system of government. There is no genuine issue of States rights involved here, but merely a broader question of how we can wisely use information now available to us to strengthen a program that is very much in the interest of the country, a bulwark of our free enterprise system and a proper protection of our people.

This committee is well aware that common report has it that the Secretary of Labor was prepared to support a new Federal standards program until he was overruled by others in the White House. It is well aware that the first chairman of the President's Council of Economic Advisers, Dr. Arthur Burns, believes that a swift improvement and expansion of our jobless compensation law is the greatest contribution we could make to maintaining a sound economy.

I respectfully suggest that this session of the Congress should take account of the passage of time since the unemployment compensation laws were written, should face the realities of the need for an improved system, should recognize its own opportunity to initiate a tremendous forward step. On this subject, I believe that bold thinking and bold action would meet with an overwhelming favorable public response.

Address by Representative William B. Widnall, of New Jersey, to National Committee of Section 608 Owners, Sherman Hotel, Chicago, March 18, 1959

EXTENSION OF REMARKS

OF

HON. B. CARROLL REECE

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1959

Mr. REECE of Tennessee. Mr. Speaker, Members of Congress and the public generally have an important interest in the continuing success of the various housing programs carried on under the National Housing Act. One of the most important of these was the veterans emergency housing program carried out under section 608 of the act. By the time the program was completed in 1953, 7,045 apartment houses containing 465,683 rental units were built, with mortgages insured by the FHA in the sum of $3,439,678,928. The program was a great success and now that nearly a decade has passed, it is increasingly important that we continue to review its progress.

Recently, Congressman WILLIAM B. WIDNALL, a member of the House Banking and Currency Committee, Subcommittee on Housing, made a speech to the national committee of section 608 owners at Chicago. His report and recommendations on this particular program should be of interest to all of us, and I am including it in the RECORD for that purpose. Carl L. Shipley, of Shipley, Akerman & Pickett, who is counsel for the section 608 owners, is well known to me and I am sure that with his help the national committee of section 608 owners can perform a real public service by cooperating with the FHA in promoting the economic stability of these apartment house projects.

The address follows:

As I left Washington, the omnibus housing bill was going through the same procedure that always seems to delay and confuse housing legislation. There is substantial agreement in the Congress on many programs. Typical is FHA, where an open-end authorization is fully warranted and would be supported wholeheartedly by members of both political parties. However, administration efforts in this direction and toward meeting the critical needs of the college dormitory and urban renewal program have been sidetracked because of the early effort to force public housing through the Congress.

Last session there was no housing bill because of these tactics and because of the unwillingness of the majority leadership to sever the noncontroversial items from those that were highly controversial. Senator LYNDON JOHNSON issued a forceful statement at the beginning of this session, saying that the Democratic leadership would have a housing bill on the President's desk by the first part of February. There is almost a 2 to 1 Democratic majority in both the House and the Senate and yet the first day of hearing before the House Rules Committee has just been scheduled for April 8. This situation occurs purely and simply because of the attempt to stuff down congressional throats new vast spending programs and 190,000 units of public housing.

A sound, progressive, well-rounded housing program can be enacted tomorrow with just a few changes well known to the Democratic leadership that would bring the presently proposed House bill within the borders of the budget.

Why does one undertake a quick round trip from Washington to Chicago in the middle of a congressional session? My answer would be because I feel the subject matter to be discussed before the national committee of section 608 owners, under the National Housing Act, is one demanding full recognition and far more attention than it has been given until very recently. When I say "attention," I am sure you understand what I mean, and not the type of attention accorded the 608 program by Congress several years ago. Although I was not in Congress at the time that your program came into being, I am fully aware of the intent of Congress through reading the RECORD and discussions with Congressmen who were present at the time. There was urgent need for housing and it appears to me the bill as originally conceived was loosely drawn with the intent of encouraging the prompt building of critically needed units. Out of that

looseness came the windfalls and the practices that caused so much public clamor and placed the whole program in public disfavor. It seems to me this is the time to take a second look at the history and present status of the 608 program.

One of the very considerable accomplishments achieved under the National Housing Act was the FHA rental housing program in the period during and after World War II. At that time rental housing was badly needed, and private builders and investors like yourselves cooperated with the FHA in filling that need. Section 608 was added to the National Housing Act on May 26, 1942. It authorized the FHA Administrator to insure mortgages on property: "Designed for rent, for residential use by war workers." The principal amount of any such mortgage was limited to $5 million; and there was a further limitation of $1,350 per room. The act also provided that mortgages could not exceed 90 percent of the Administrator's estimate of the "reasonable replacement cost" of the completed project "including the land; the proposed physical improvements; utilities within the boundaries of the property or project; architects' fees; taxes and interest accruing during construction; and other miscellaneous expenses incidental to construction and approved by the Administrator." A further limitation was that the mortgage could not exceed the "amount which the Administrator estimates will be the cost of the completed physical improvements on the property or project exclusive of off-site public utilities and stores, and organization and legal expenses."

In addition, the FHA Administrator was authorized to require the mortgagor to be regulated or restricted as to "rents, or sales, charges, capital structure, rate of return, and method of operation." In order to enforce these restrictions effectively, the Administrator was authorized to acquire $100 of stock in any such mortgage corporation. In 1946 Congress amended section 608 of the National Housing Act to give priority of occupancy to veterans of World War II and their immediate families. The basis for the Administrator's estimate of cost was changed from "reasonable current cost" to "necessary current cost." In 1948 a maximum limitation of $8,100 per family unit was substituted for the previous maximum limitation of $1,800 per room which had been in effect since 1946. This turned out to be a very significant change in the law, and thereafter many projects were authorized in which 70 to 90 percent of the apartments were 1-room efficiencies. The 1948 amendment also provided that the principal obligation of the mortgage could not exceed 90 percent of the Administrator's estimate of the replacement cost of the property or project on the basis of costs prevailing on December 31, 1947, for properties of comparable quality in the locality. Also, a new requirement was added that the mortgagor must certify that in selecting tenants for the property covered by the mortgage, he would not discriminate against any family by reason of the fact that there were children in the family. During the years 1942–53, a total of 7,045 projects containing 465,683 rental units were built under section 608, with mortgages insured in the sum of $3,439,678,928. The great bulk of these projects were located in the East. For example, 18 percent of all the dwelling units were located in New York, 11 percent in New Jersey, 7 percent in Maryland, 6¼ percent in Virginia, approximately 4 percent in California, Pennsylvania, Texas, the District of Columbia, Georgia, Illinois, and Ohio. Florida, Alabama, Missouri, North Carolina and Michigan each had about 2 percent and the balance of the States had less than 2 percent, with 28 States having less than 1 percent. All in all, the 608 program was a remarkable feat, and while arguments have been made in some quarters as to the economic soundness of these projects, experience has shown that they are basically sound, and if well managed, will continue to be. This presupposes that the FHA will manage this program intelligently.

A Senate investigation in 1954 indicated that 6 or 7 percent of these projects had mortgages in excess of costs. There was some feeling at the time that mortgaging out, plus the fact that rent schedules generally were based on the FHA estimates of cost rather than on actual cost, resulted in higher rentals in some projects than might otherwise be the case. However, the impact of the approximate 500,000 rental units built under the section 608 program must have had considerable competitive effect upon rent levels generally. In all likelihood the mass effect of the units developed under the 608 program reduced rents far more than rents were increased as a result of mortgaging out.

I know that some of you have been much concerned about rent ceilings which continue to be imposed by the FHA Commissioner on these projects. The charter of each section 608 corporation permits the FHA to establish maximum rentals. These rentals were determined in advance of construction by the FHA project analysis which was the basis of the FHA commitment to insure the mortgage. Rentals were based upon the lower of market rental being paid for comparable accommodations or rentals which would provide a return of all operating expenses (excluding interest and amortization) and a 6½ percent net return on the estimated cost of construction, after an allowance of 7 percent for vacancies and for other loss of rental income. I believe it is fair to say that in actual practice the yardstick for measuring such rents was the 6½ percent net return on the estimated cost of the project. It is my understanding that the present FHA policy is to permit an increase in rents if operating expenses, taxes, or other recurring items of expense increased to a level beyond those used in the original FHA estimate. I heartily concur in this policy, because I believe it was the firm intention of Congress when section 608 was written into the National Housing Act, that investors in such rental housing should make a fair return on their investment. Indeed, I cannot imagine how such a program could have succeeded then or can succeed now unless these properties continue to be an attractive investment. I am aware that some mortgagor-owners of these projects feel that rent ceilings should be removed or should be revised to bring the rents into line with true market conditions.

In this connection, we must bear in mind that the apartment houses built under section 608 were originally intended for warworkers and later intended for the occupancy of veterans and their immediate families. As a Member of Congress, I firmly believe we must hew to this statutory purpose. However, as a member of the Banking and Currency Committee, Subcommittee on Housing, I have come to realize that veterans and warworkers are no longer in desperate need of housing. Quite the contrary, many in these groups of persons have found accommodations in single family dwellings, many of them built under FHA programs. I believe the FHA must conform its present policies to the facts of economic life. Section 608 projects must be kept sound and healthy in order to protect the Government's contingent liability in the $3 billion of mortgages it has insured. The rental housing market in the areas where 608 projects predominate has changed from a sellers' market to a buyers' market. Competition has increased, newer projects which do not operate under FHA restrictions have swimming pools, tennis courts, offstreet parking, garage facilities, air conditioning, drugstores, and restaurants, and other facilities which make them competitively far more desirable. The FHA must help 608 projects meet this competition.

Most 608 projects have very substantial accumulations in their replacement reserves. I believe that the FHA, consistent with keeping enough money on hand to replace refrigerators, stoves, and similar items, should discontinue adding to this reserve after the 10th year of the life of a project. By that time, the 608 corporation has reduced the mortgage, and has a substantial equity in the property and an increased interest in replacing capital equipment as it wears out.

There may be occasions when it is necessary for the FHA to permit use of funds in the replacement reserve for capital improvements, such as swimming pools, air conditioning, awnings, landscaping, and other features, in order for a 608 project to maintain its occupancy and meet competition from newer rental housing. The rule of reason ought to be the test in every case, and not some outdated or inflexible regulation which was perfectly valid in 1944, but has no application today.

As I read the FHA annual reports, I am much concerned at the rate of defaults in 608 projects. If my memory serves me, nearly 700 of these apartment houses have been acquired by the FHA through assignment of the mortgage without foreclosure, or foreclosure and transfer of title to the FHA. This is a very serious matter both from the standpoint of the 608 program and the standpoint of the mortgagor-owner of the 608 corporation. I believe the FHA Commissioner has enough authority under section 223 and other provisions of the act, more particularly section 608 itself, to provide for indefinite deferral of amortization, or perhaps an administrative set-aside of a portion of the mortgage, to keep a project from going into default and ultimate foreclosure because of loss of occupancy, where this condition is due to causes beyond the control of the owner. Sometimes an important factory moves out of a community, or there is a localized recession and a 608 project loses more occupancy than can be absorbed and still meet monthly payments. In other cases, loss of occupancy may be due to the FHA single family dwelling program where, in some cases, the total downpayment and closing costs amount to less than the initial month rental and additional month security deposit required to get a new tenant into a 608. In these circumstances, it seems to me both the National Housing Act and the public interest require the FHA Commissioner to exercise all the authority he has to cooperate with the mortgagor-owner in saving the project from foreclosure.

Of course, I want to emphasize, I would not favor any help for 608 owners who give poor management or drain off all the earnings of a project so that it is in poor financial condition, or fail to cooperate fully with the FHA in maintaining the project.

In closing, let me say that section 608 of the National Housing Act places great authority in the hands of the FHA Commissioner. However, we Members of Congress on the Banking and Currency Committee have a responsibility to see that the law is administered fairly and intelligently and in keeping with its basic purpose. To that end we try to keep the various FHA programs under continuing review. There is at the present time pending in Congress a bill (S. 57) which gives former mortgagor-owners of 608 projects a priority of opportunity to reacquire a project in the event of foreclosure and ultimate resale by the FHA. Our committee reported out the Housing Act of 1959 with this amendment, and I hope it will stay in the bill when it becomes law.

In my opinion, 608 properties are basically sound, and given good management and a sympathetic and cooperative application of the law by the FHA Commissioner, will prove

to be excellent real estate investments for their owners, and will continue to furnish excellent housing for the rental housing market.

It has been a pleasure for me to be here with you today and I congratulate you and the other members of the national committee of section 608 owners on the good job you are doing in cooperation with the Government.

Individual Liberties, National Security, and the Courts

EXTENSION OF REMARKS
OF
HON. JOHN V. LINDSAY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Monday, April 13, 1959

Mr. LINDSAY. Mr. Speaker, I should like to include in the RECORD remarks that I made on the subject of the Supreme Court, individual liberties, and national security in a panel discussion conducted by the National Civil Liberties Clearing House in Washington a few days ago. I include these remarks in the RECORD because this subject currently is of such great importance and may come before the House shortly in the form of one or more bills designed to overcome certain decisions of the Court:

Today our attention is properly focused on the Supreme Court, which necessarily has been required to find a fulcrum between the forces seeking to broaden and tighten the circumference of our national security and those seeking perfection in the safeguarding of our individual liberties. It is the judicial branch, rather than the executive or legislative branches, that has been required for one reason or another, to assume the risks of decision in this field, and consequently has drawn the fire. If the lightning rod thus proffered by the judiciary has drawn the heat, the legislature and executive correspondingly have been spared. As a legislator I should be grateful for small favors. But I would be foolish if I didn't recognize that we are all part of this show, and will continue to be, and that responsibility for its proper performance must necessarily be shared by all of us.

I rather suspect it is a dangerous state of mind to become overly persuaded as to the cyclical nature of controversy over the Supreme Court. Like diseases of the body or intellect it will not do to adopt an "it will pass" attitude. If I am persuaded about anything it is that basic liberties do not maintain themselves and must continually be fought for. The mere fact that the Bill of Rights is pedestaled and permanently enshrined in the Archives Building insures us absolutely nothing. I fear that when one or more of our basic rights are destroyed they will not be felled like a giant tree under the woodman's ax, but will be whittled away, chip by chip, with no instrument more ominous looking than a pen knife.

It doesn't seem to do much good, however, to point out to those who view with despair and alarm certain decisions of the Supreme Court that the Court does not go about blithely creating constitutional dilemmas for itself; that the Court did not give the Negro darker skin than Caucasians; and that it did not plant in the minds of the Soviet dictatorship a thirst for world domination. And to those who seem to be guided by passion rather than reason it seems only to feed the flames of impassioned overstatement to point out that the Court must cut new paths in the course of resolving deep social and political clashes. These are clashes which are themselves made inevitable by the inexorable passage of time and the movement of history. And just as inevitably those paths lead across political soil. But if this be trespass, then time has stopped and the human situation remains frozen and unchanged.

Today the search for individual and collective security reaches such monstrous proportions that the preservation of the status quo has become a national craving. Material well-being, the sheltered life, and conformity blank out everything else. We assume that we will live forever and that what was good for us is necessarily good for our children and our grandchildren.

I do not mean to say here that in seeking new adjustments, in keeping with a changing world, the courts, or this Supreme Court, are infallible. Far from it. Their decisions and their methods of arriving at decisions are often quite properly subject to strong criticism, as often are the decisions and methods of the legislature and the executive. But there is need here for restraint. Being a legislator I of course reserve the right to be foolish. Being also human, I reserve the right to be nettled when the Court points out the error of my ways. But I can express my disagreement publicly—a prerogative that is not directly available to the courts. This is a distinction which legislators will do well to remember, along with the realization that the function of a judge is quite different from that of a legislator or administrator.

To the legislator, I suppose that Justice Holmes ought to be the ideal Justice. Alpheus Mason puts it this way, bringing in a rather well-known remark of Holmes: "Having himself no infallible measure of right or wrong, he (Holmes) upheld the programs and policies of legislators even though he considered them in error or foolish. As he himself said, 'I am so skeptical as to our knowledge about the goodness and badness of laws that I have no practical criterion except what the crowd wants. Personally I bet that the crowd if it knew more wouldn't want what it does—but that is immaterial.' Holmes was asked by a friend one day if he had ever worked out any general philosophy to guide him in the exercise of the judicial function, 'Yes,' the aged jurist replied. 'Long ago I decided that I was not God. When a State came in here and wanted to build a slaughterhouse, I looked at the Constitution and if I couldn't find anything in there that said a State couldn't build a slaughterhouse I said to myself, if they want to build a slaughterhouse dammit, let them build it.'" This would indicate a degree of judicial restraint that legislators would find admirable. But, I submit, it is a restraint which exists today in the Court far more than is generally recognized. And Holmes, like the present Court, was progressive in his interpretation of the Constitution and laws when the individual and personal liberties of human beings were at stake.

The briefest examination of previous uproars over the Supreme Court lends proof to the thesis "that time has upset many fighting faiths"; that much more is at stake in the present-day consternation about the Court than the reconsideration of a few decisions.

It is worth remembering, for example, that the political temperature surrounding the Supreme Court at the time of *Marbury* v. *Madison* was such that the new President, Jefferson, had refused to permit the Secretary of State to appear in the proceedings, and that the new Congress had not only repealed the Judiciary Act of 1801, defying Marshall and the Court, but even went so far as to legislate out of existence all terms for the Supreme Court scheduled for 1802. This step alone constituted one of the severest setbacks the Court has ever suffered. And then after Marshall had the audacity to hand down his opinion, now universally hailed, public statements condemning the Court came crowding in from every direction. The following excerpt from a contemporary letter to an editor is a mild example:

"Is it right, sir, that an extrajudicial opinion should be given * * * in any case? Is your tribunal organized to exhaust its time in dissertation on ordinary subjects of political speculation? To decide upon the merits of any cause without jurisdiction to entertain it (is) contrary to all law, precedent, and principle."

Some time later, after *McCulloch* v. *Maryland*, the South and the West lashed out at the Court for failing to strike down an act of Congress, much in the same tone that these sections had assailed the Court after *Marbury* v. *Madison* for having claimed the power to do so. As a matter of fact, Ohio refused to accept the McCulloch decision and forcibly seized money from the Ohio branch of the U.S. bank to cover the State taxes which the Supreme Court had flatly declared unconstitutional. Federal marshals had to unscramble that one.

No one here has to be educated about the attacks against the Court from the North after Taney's opinion in the Dred Scott case. The North's own Atlantic Monthly in protest wrote "* * * The most sacred and binding compacts of former years were annulled to make way for it; and the judicial department of the Government was violently hauled from its sacred retreat, into the political arena, to give a gratuitous coup-de-grace to the old opinions and the apparent sanction of law to the new dogma." And in a later issue: "Whatever the * * * Judges of the Supreme Court may seek to maintain, they cannot upset the universal logic of the law, nor extinguish the fundamental principles of our political system." Denunciations of this sort were immediately followed by plans and proposals to clip the Court's wings. There were few who foresaw that it would take a civil war to reverse Dred Scott. An error, no matter how basic, is not cured by abolishing or crippling the constitutional institution from whence it came.

The current consternation over some of the recent decisions of the Supreme Court in the area of national security is possibly small stuff compared to some of these more ancient battles that the Court has survived. But danger signs are nevertheless clearly present, particularly in the form of proposed legislation once again designed to curtail the jurisdiction of the Court.

History, common sense, instinct, and a small knowledge of the fallibility of systems, programs, and organizations all tell me that Watkins, Nelson, Cole, Kent, and Dayton are sound decisions and that the Court has properly exercised its legitimate powers in deciding them as it did. It misses the point to argue that these decisions and opinions give aid and comfort to those who would undo us. The function of the Court is not to oppose those who would overthrow us; it is to apply constitutional and legal principles to specific cases. It is even more absurd to attack the Court because of these decisions on the ground that the Court has overreached its powers. Even if one were tempted to call these decisions political moralizing they can hardly be said to break new frontiers—they only bring us back to a level of sanity below which this country had descended for a period of time, caught up as it was in a frenzy of fear out of all proportion to the facts. "Such fears as these," Learned Hand tells us, "are a solvent which can eat out the cement that binds the stones together."

May I comment briefly on one specific area, which is again before the Supreme Court in

another context, and therefore I approach it with restraint. This is the question of the use of confidential information in the administrative process. A few weeks ago, in discussing the problem of passport legislation I summed up what I conceive to be the danger here as follows:

"The authority to use confidential information in the administrative process, under imprecise standards, coupled with the power to delegate the authority to subordinates, can result in a breeding ground of arbitrariness in the course of which innocent people may suffer."

Most people might generally agree with this statement as a matter of principle. But then the "for"—"buts"—and "ands" commence and we are back where we started. The high-wire balancing act performed by those who press for the preservation of the device is interesting. The most current argument is that it is universally used in other democratic countries in dealing with the question of passports and other aspects of national security. On reflection. I find this relevant but hardly material. Not long ago this country was regarded as the cradle of a new liberty and we thought it important to set up a structure which would safeguard our liberties from the arbitrariness of the sovereign. That structure imposed standards which I like to think are just a bit higher, go a bit farther, in protecting the individual from the possibility of arbitrary or capricious acts.

On a more practical note, it is interesting to look back on the action taken by the Commissioner of Immigration and Naturalization following the decision of the Supreme Court in *Jay* v. *Boyd*. That happened to be a case argued by me for the Government and by our friend Will Maslow as amicus curiae for the petitioner. In a 5 to 4 decision the Court sustained the use of confidential information in connection with the Attorney General's discretionary power to suspend deportation, under certain circumstances, of aliens otherwise deportable. The funny thing was that after the hullabaloo was all over the Commissioner of Immigration, a man of courage and fair instincts, met the still lingering problem head on and took steps to abolish, for all practical purposes, the use of the device in this area. A recent check with the Commissioner's office reveals that no case presently exists in which resort to the use of such information was found necessary to a decision. My point is that not only may the damage that can be done to individual liberties under such procedures be all out of proportion to the needs of the security that we seek to safeguard, but the corollary is also true, namely, that the advances we make in the safeguarding of individual liberties, however small, do much to strengthen the foundation of our liberties and, often to our surprise, do not result in any shocking impairment of our safety and security.

There will always be disagreement with the work of the Supreme Court. The Court does not labor in a vacuum. We may support the Court's conclusions, or we may oppose them. We are of course secure in our right to approve decisions of the Court only insofar as others are secure in their right to criticize them. But there is a difference between criticism and ignoble attack. The Supreme Court is a naked institution. The Constitution has provided it with no means of enforcing its decisions; its effectiveness as an institution and as a constituent element of our system of government rests entirely upon the voluntary acceptance of its decrees by other elements of government and by the people. Disagreement with the Court's decrees will not enfeeble its institutional strength. But disagreement coupled with broadside attacks upon the institution itself or upon the character or purpose of the justices will surely erode the institution at its base.

We, who by reason of training or office are in positions of public responsibility, have a duty to expose the destructiveness of any attempt to weaken the judiciary as an institution. Particularly in times of stress we cannot risk the loosening of our strongest bulwark against any enemy, namely our Constitution and the fundamental liberties embodied in it. Without a strong and independent judiciary the weakening of both our individual liberties and our national security will surely result.

HOUSE OF REPRESENTATIVES

TUESDAY, APRIL 14, 1959

The House met at 12 o'clock noon.

The Reverend Father Joseph E. Thorning, Ph. D., D.D., pastor of St. Joseph's Church, Carrollton Manor, Md., and associate editor of World Affairs, offered the following prayer:

Heavenly Father, author of life and of love, let the light of Thy countenance shine brightly upon the Speaker of this House and all the Members of the U.S. Congress.

Impart, we beseech Thee, Thy best blessings to the Presidents of all the American Republics, to public servants everywhere, and to the peoples themselves, granting them the divine graces they need to uphold human freedom, genuine social progress, and the important values of our Judaeo-Christian heritage.

In this moment of history, when the forces of aggression are mobilizing to flaunt the noble principles of the Organization of American States and to overthrow American governments that have proven their devotion to the cause of inter-American friendship and security, strengthen our God-loving leaders throughout the Western Hemisphere to maintain the peace and to win victories against the international masters of deceit who continue to foment hatred and destruction.

In our rededication to the ideals of the good neighbor policy on this 15th congressional celebration of Pan-American Day, we implore new gifts of wisdom, courage, resourcefulness, and imagination characteristic of men and women of prayer, that we may grow in Thy friendship and in our love for one another.

We humbly seek Thy daily blessings in the name of our Most Holy Redeemer, the Christ of the Andes. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 2575. An act to authorize the appropriation of $500,000 to be spent for the purpose of the III Pan American Games to be held in Chicago, Ill.

The message also announced that the Senate had passed a bill and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 12. An act to expedite the utilization of television transmission facilities in our public schools and colleges, and in adult training programs; and

S. Con. Res. 20. Concurrent resolution extending greetings to the Honorable Harry S. Truman on the 75th anniversary of his birth, May 8, 1959.

HON. HARRY S. TRUMAN

Mr. McCORMACK. Mr. Speaker, I call up Senate Concurrent Resolution 20, extending greetings to the Honorable Harry S. Truman on the 75th anniversary of his birth, May 8, 1959, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Congress of the United States hereby extends to the Honorable Harry S. Truman its greetings, felicitations, and warm regards on the seventy-fifth anniversary of his birth, May 8, 1959.

SEC. 2. The Congress expresses its admiration and gratitude to President Truman for his many years of distinguished service to the United States and to the world. As a public servant and man of the people in the highest sense, he has gained the respect of all as the "Man of Independence".

SEC. 3. The Congress expresses particular appreciation for his dedication as Senator, Vice President, President, and author and elder statesman, in the battle against the enemies of freedom. His great efforts in the years following World War II helped unite the free world in its resistance to the common aggressor.

SEC. 4. The Congress expresses the hope that divine providence may permit Mr. Truman many more productive years of life and service to his country and to the world.

SEC. 5. A copy of this resolution shall be transmitted to that distinguished citizen of Missouri, the Honorable Harry S. Truman.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SUPPLEMENTAL APPROPRIATIONS FOR THE DEPARTMENT OF LABOR

Mr. CANNON. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Joint Resolution 336, making a supplemental appropriation for the Department of Labor for the fiscal year 1959, and for other purposes.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. TABER. Mr. Speaker, reserving the right to object, I shall not object to this item because it was already in the appropriation bill which has been passed and is now over at the Senate. It takes the money that is appropriated out of that bill. But, I do want to call attention to the fact that this continued payment

of unemployment compensation is prolonging the depression and that we will not get over the depression until we get rid of the unemployment compensation.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the joint resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sum is appropriated, out of any money in the Treasury not otherwise appropriated for the Department of Labor for the fiscal year ending June 30, 1959, namely:

DEPARTMENT OF LABOR

Bureau of Employment Security

Unemployment Compensation for Veterans and Federal Employees

For an additional amount for "Unemployment compensation for veterans and Federal employees", $40,000,000: *Provided,* That obligations incurred and expenditures made pursuant to this joint resolution shall be charged to the appropriation under this heading in the Second Supplemental Appropriation Act, 1959 (H.R. 5916), whenever such Act containing such appropriation is enacted into law.

Mr. CANNON. Mr. Speaker, this is a resolution designed to meet an emergency budgetary situation. We have been advised by the executive branch that funds to continue making unemployment-compensation payments under formulas prescribed by law to eligible ex-veterans and former Federal employees are about exhausted. The payments are processed by the States from funds allocated by the Federal Government.

This resolution does not provide any additional funds beyond what the House has already approved. The second supplemental bill, H.R. 5916, passed on March 24, just before the Easter recess, carried $40 million as a supplement to the regular appropriation of $120,800,000 for fiscal 1959. That was occasioned by Public Law 85–848, enacted late in the last session, and providing a new permanent unemployment-compensation program for ex-servicemen.

The second supplemental bill is now in committee in the other body and will not be finally processed in time to meet the situation in the unemployment-compensation program. The pending resolution, in effect, lifts the $40 million from the supplemental bill and makes it available immediately. All expenditures made under this resolution will be charged to the appropriation in the supplemental bill when it becomes law.

I include letter of April 10 from the Director of the Budget:

MY DEAR MR. CHAIRMAN: The second supplemental appropriation bill now before the Senate contains a 1959 supplemental appropriation of $40 million for the Department of Labor to pay unemployment compensation to veterans and Federal employees. This supplemental is occasioned by the enactment of Public Law 85–848, August 28, 1958, which granted unemployment compensation for ex-servicemen similar to that for former Federal employees. When the supplemental request for this purpose was transmitted, the brief experience with actual payments under the new law indicated that presently available funds would meet requirements until additional funds could be provided in the regular course of congressional action on a supplemental bill. However, the level of payments continued to increase and just before the Easter recess of Congress, when the House was prepared to act on the second supplemental bill, it became apparent that available funds might be exhausted before Congress could complete action on the supplemental in its regular schedule. Staff of your committee was advised of this situation informally and I advised the Under Secretary of Labor that we would make a check on the situation as soon as actual March figures were available and take whatever action seemed to be appropriate.

On the basis of payments reported as of March 31, it is estimated that presently available funds will be exhausted on April 15 in most States. March benefit payments amounted to $16,886,367, leaving a balance available for April payments of $11,382,076. April requirements are estimated at $17 million, about the same as those for March. While on a straight mathematical basis funds would run somewhat past April 15, the need for dispersal of available funds to the payment points in all the States means that restriction on payment of funds will probably be necessary in most States around April 15.

Since I understand that the Senate will not complete action on the supplemental bill until after April 15, and that that body is not in a position to originate the necessary action to make funds available on an urgent basis, I am writing you to recommend that your committee take action so that payments of these benefits will not be interrupted. A copy of this letter is being sent to the Chairman of the Senate Committee on Appropriations.

Sincerely yours,

MAURICE H. STANS,
Director.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THE REVEREND FATHER JOSEPH F. THORNING AND INTER-AMERICAN UNITY

Mr. ROONEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROONEY. Mr. Speaker, it was indeed a joy to hear the beautiful prayer offered this noon on Pan-American Day by my friend and the friend of many distinguished Members of the U.S. Congress, the Reverend Father Joseph F. Thorning, Ph. D., D.D., pastor of historic St. Joseph's Church, Carrollton Manor, Md., and honorary professor of international relations in the Catholic University of Chile, a pontifical institution.

Father Thorning, often at great sacrifice, has served the cause of inter-American friendship with intelligence, tact, courtesy, and good will. One of the notable factors in his success in promoting inter-American security and amity has been the respect he invariably shows toward all Members of the Congress, U.S. officials abroad and at home, intellectual leaders in the other American Republics, and toward the people themselves in every country he visits. The highest officials in the executive branch of the Government, including the State Department, have given repeated proof of the high opinion entertained in Washington about Father Thorning's personality, character, and talents. We are happy about his presence here today on the 69th anniversary of the Organization of American States, which was first designated as the Pan American Union.

The Pan American Union, started in the year 1890, always had as its objective the task of bringing the peoples of the Americas closer by advocating constant cooperation, mutually advantageous to all concerned.

In the course of their combined long history, the Pan American Union and present Organization of American States have done much to advance mutual aid, better understanding, and pacific settlement of all disputes in this part of the world. They have stood and now stand as a massive common front to combat the forces of insidious Communist totalitarianism in this hemisphere.

It is most gratifying that so great a group of nations as these 21 American Republics, covering such a vast area and including so many millions of human beings, always have a friendly way of working together in order to sustain a just and lasting peace. May we always and forever celebrate Pan American Day in peace, harmony, respect, and understanding of one another.

A WELCOME TO FIDEL CASTRO

Mr. PORTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. PORTER. Mr. Speaker, Fidel Castro arrives in Washington tomorrow evening from Havana. He will be here through Monday afternoon. He will speak and answer questions before both the American Society of Newspaper Editors and before the National Press Club.

This is the man who overthrew Batista in the face of apparently hopeless odds. He has restored civil liberties, and promised free elections. He has given Cuba honesty in government. He has appointed many distinguished and able men to high positions—Agramonte, Lopez, Fresquet, Dihigo, and many others.

That is part of the plus side. There is an alarming minus side having to do in part with judicial processes, Communist infiltrations and anti-American statements. I believe in Castro's good faith. I believe he is a man who sincerely desires democracy and a better life for Cubans and for other citizens of Latin America. However inexperienced and unprepared he is as a chief executive, he is a brave man and an honest man whose trip to the United States can well be the occasion for essential education of both him and us.

Can you imagine, Mr. Speaker, Ibn Saud, Trujillo, Khrushchev, Mao Tse-tung, or Franco consenting to be the aiming point publicly for the questions of our top editors and top reporters? We

have questions for Castro. He has questions for us. From the answers may come a better understanding all around.

So, on this Pan-American Day, 1959, I say, "Welcome, Fidel—and remember: There are no indiscreet questions, just indiscreet answers."

ELECTIONS SUBCOMMITTEE OF THE COMMITTEE ON HOUSE ADMINISTRATION

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the Elections Subcommittee of the Committee on House Administration may sit today during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

COMMITTEE ON PUBLIC WORKS

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that the Committee on Public Works may have until midnight tonight to file its report on the bill H.R. 3460.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

LEGISLATIVE PROGRAM FOR THIS WEEK

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, I have asked for this time for the purpose of inquiring of the majority leader concerning the program for today and for the rest of the week in view of the action of the Committee on Rules of yesterday.

Mr. McCORMACK. The first bill that will be brought up today is H.R. 4601, amending the Federal Employees Retirement Act.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. Of course, I yield.

Mr. HALLECK. What about the time allotted for remarks in connection with Pan-American Day?

Mr. McCORMACK. That will come up first. I was referring to the legislation that will follow that.

No. 2 is S. 1096, an authorization in relation to the National Aeronautics and Space Administration.

No. 3 is H.R. 1321, the reorganization plan of 1953. That concerns the Rural Electrification Administration.

No. 4 is House Joint Resolution 254, authorizing a parliamentary conference with Canada.

No. 5 is H.R. 2228, in connection with the acquisition of certain land on the Mount Vernon Memorial Highway.

Rules have been reported on those five matters. A rule has not yet been reported on the next bill, but I understand the Committee on Rules is meeting tomorrow, and if they report a rule on it, I have the intention of bringing it up on Thursday, if possible. That is H.R. 5674, authorizing the construction of certain military installations.

If a rule is reported out tomorrow or this week on the housing bill, that bill will not come up this week, but I shall program it for next week.

Mr. HALLECK. Can the gentleman give us any information as to the probability of that rule's being reported so the bill will be on next week?

Mr. McCORMACK. I wish I could. I am very optimistic, particularly with a very able assist by my friend from Indiana.

I know of no further legislation to come up this week, but I make the usual reservation that if there is any addition to the program I shall announce it later.

Mr. HALLECK. As I understand, these bills will be called in this order and continued until they are disposed of?

Mr. McCORMACK. That is correct, except that if a rule is reported out on the military installations bill and the other bills are not through by Wednesday, I have made a promise to the gentleman from Georgia [Mr. VINSON]—and I like to keep my promises and hope the House will enable me to do so—to bring that bill up on Thursday.

GENEVA AGREEMENTS

Mr. MADDEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MADDEN. Mr. Speaker, the Washington Post and Times Herald this morning reports Vice President NIXON in his speech made last night in New York City as stating:

> Vice President NIXON insisted that the 1955 summit conference in Geneva, called a failure by its critics, was a success in terms of agreements reached. The difficulty has come, he said, because Soviet Premier Nikita S. Khrushchev's understanding of the agreement "was ostensibly different from ours."

That is diplomatic language of the Vice President for saying that the Soviets violated the agreements reached at Geneva, the same as they have violated or nullified every agreement for the last 30 years when it helped with their program of world aggression.

> The Vice President further cited as an example the unfulfilled Geneva agreement to settle German reunification "by means of free elections," as an example of the Soviets not carrying through with their agreements.

I ask that the Members read in this morning's CONGRESSIONAL RECORD, of Monday, April 13, on page 5788, a review made by me on the floor of the House yesterday setting out excerpts of testimony by ex-President Hoover and about 15 other witnesses who testified before the Committee on Communist Aggression in the 83d Congress. The facts set out in my speech of yesterday will verify the thoughts set out by the Vice President in his speech last night. I have today written Acting Secretary of State Herter to recommend to our representatives at the coming foreign ministers meeting to consider the sanctity of international agreements and past violations by the Soviet leaders as the No. one item on the agenda for the proposed summit conference. The problem of flagrant disregard for treaty and pact agreements must be considered at the summit conference or the gathering of world leaders will again serve as a platform for the Soviet leaders to publish and circularize their false and malicious propaganda to enhance Soviet prestige throughout the world.

PRESIDENT EISENHOWER'S MANDATORY OIL IMPORT CONTROL PROGRAM WILL PREVENT FURTHER DESTRUCTION OF THE NATION'S COAL INDUSTRY AND STOP THE DECLINE IN EMPLOYMENT IN THE MINING AND RAILROAD INDUSTRIES

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. VAN ZANDT. Mr. Speaker, the White House decision to restrict residual oil imports through mandatory controls has been received with grateful enthusiasm in areas whose economic distress is directly attributable to the unfair competition that emanates in alien refineries. The news is particularly appreciated in coal-producing communities and railroad centers, where the erosion of job opportunities has been more and more noticeable since international shippers began their insidious invasion of east coast fuel markets more than a decade ago.

Although Congress included in its extension of the Reciprocal Trade Agreements Act a provision honoring the import-regulation recommendations of the Presidential Advisory Committee on Energy Supplies and Resources, the fuel profiteers who peddle their wares over the sealanes chose to make their own rules in a campaign to monopolize coastwise markets. The voluntary program, which the U.S. Government very generously adopted on the assumption that importers would comply with findings of the executive department and the intent of Congress, was no more effective than a wire fence would be in stemming the tide of residual oil imports.

Let me give you just one example of the arrogance exhibited by those oil runners operating between Venezuela and the Dutch West Indies and our own Atlantic seaboard. From January 1 to March 27 of this year an average of 807,500 barrels per day of foreign residual oil was poured into this country. These shipments, which are in sharp contrast to the 603,400 barrels averaged during the corresponding period of the preceding year, set a new alltime record of abuse and disrespect for the national

economy and security by international oil.

You are aware of what unreasonable import policies are doing to the working people of this country. You need only to look at the Department of Labor's statistical tables on surplus labor to recognize the hardship which excessive residual oil imports have brought to central and western Pennsylvania. Many of our miners and railroaders have been unemployed for several years, the number mounting as torrents of imported residual oil swamped industrial fuel markets in continued intensity. It is unlikely that we are going to get many miners back to work as a consequence of the White House order imposing mandatory controls, but you may be sure that the decision will have an important psychological effect. The miners whose working time has been cut down to 2 or 3 days a week have understandably looked with fear to a continuance of policies permitting oil from abroad to threaten their very economic existence. With the new cutback, these workers are greatly relieved and have come to hope that the fuel they produce will once again be accepted in its traditional and legitimate industrial markets.

And what about the thousands of other members of our labor force who long ago were deprived of their means of livelihood because the market for coal had been usurped by traders in a foreign product? They are not so optimistic as to assume that the Presidential action will stimulate a sudden upward spiral in demand for bituminous coal. They are, however, highly encouraged at the recognition which has finally been accorded the coal industry. They are optimistic enough to feel that the decline in coal production will now be reversed and before too long output will reach a point where greater manpower will be required.

Yes, Mr. Speaker, we hail President Eisenhower's action. It was based upon coal's importance to the national security, but without question it will also have a favorable economic effect.

The Nation as a whole should join us in welcoming the action of the executive department. No one can be blind to the fact that an explosive situation centers around Berlin. The ruthless aggression by Communist China in Tibet is further evidence that America's military structure must be sustained at full strength until the Soviet propensity for world domination is neutralized.

President Eisenhower recognizes that excessive residual imports are destructive of important components of the mobilization base. He is aware that a vigorous domestic fuel industry is essential to the national safety. The decision to enforce mandatory controls on residual oil imports was based on the fact that our coal industry could not be expected to meet the accelerated demand of an emergency period unless reasonable output and development are possible in the interim period.

Collaterally, the Nation's railroads must not be neglected if we are to maintain the defense capability essential in this crucial period. The cutoff of railroad coal traffic because of inequitable residual oil import competition has posed a serious logistics problem. Unless sufficient gondolas and hoppers are activated now, coal could not be moved with expediency to points of consumption when the chips are down.

Mr. Speaker, it is my intention to continue to seek legislation restrictions that will further reduce the amount of residual oil permitted to enter this country. Meanwhile, the President is to be congratulated for his forthright stand on this all-important issue.

PAN-AMERICAN DAY

Mr. SELDEN. Mr. Speaker, I offer a resolution (H. Res. 241) extending cordial greetings of the House of Representatives to the representative bodies of each of the other American Republics on the occasion of Pan-American Day, and ask unanimous consent for its present consideration.

The Clerk read the resolution, as follows:

Whereas April 14, 1959, sixty-ninth anniversary of the Pan American Union marks another milestone in the continuous and mutually gratifying relationship of the twenty-one American Republics; and

Whereas the House of Representatives during the sixty-nine years has encouraged the growth of inter-American cooperation for the common security and welfare, and has frequently commended the contributions to that end made through the Pan American Union, which is now seat and secretariat of the Organization of the American States; and

Whereas the Organization of American States is dedicated to the achievement of peace and justice, the promotion of hemispheric solidarity, and the mutual defense of the sovereignty, territorial integrity and independence of the American Republics; and

Whereas the twenty-one respective legislatures traditionally honor the observance of April 14 as Pan-American Day, symbolizing inter-American friendship; and

Whereas the House of Representatives is cognizant that the friendship is one of the greatest safeguards of our mutual security, cemented by fraternal bonds which contribute to peace and progress in this hemisphere and consequently throughout the world; Therefore be it

Resolved, That the House of Representatives extend to the representative bodies of each of the other American States on the occasion of Pan-American Day its cordial greetings and profound desire for the maintenance of mutually beneficial relationships, in recognition of the progress already achieved toward our common objectives of inter-American cooperation and solidarity to the peace and security of the hemisphere and of the free world.

Copies of this resolution shall be distributed to the legislatures of the American Republics and to the Secretary General of the Organization of American States.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

GENERAL LEAVE TO EXTEND REMARKS

Mr. SELDEN. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks immediately following the remarks I am about to make and also that all Members may have 5 legislative days within which to extend their remarks on the subject of Pan-American Day.

The SPEAKER pro tempore (Mr. THORNBERRY). Without objection, it is so ordered.

There was no objection.

Mr. SELDEN. Mr. Speaker, this day, April 14, is commemorated in our American Republics as Pan-American Day. The significance for American peoples is demonstrated in this annual festival of freedom, friendship, and good will.

Pan-Americanism is a concept that goes back to the time of the great liberator, Simon Bolivar, who was the first to call a convention of American states, the Congress of Panama, in 1826. Bolivar's aim was to form a confederation to protect the hemisphere from outside attacks and to settle inter-American disputes. This year we received with great pleasure a magnificent statue of that noble South American visionary as a gift of the Venezuelan people.

Today we celebrate the 69th anniversary of the realization of Bolivar's idea. The first International Conference of American States, called by Secretary of State James G. Blaine, was held in Washington in 1889–90. One United States newspaper, reflecting the prevailing opinion, announced darkly:

The Pan-American Conference is pronounced a failure by those most concerned.

But from that failure came the seed of the oldest, most effective, international organization in the world. The first Inter-American Conference established a Commercial Bureau, designed to distribute commercial information to merchants and shippers. It had neither constitution nor charter, and was considered so unimportant by its member nations that no ratification was required.

Nevertheless, the Commercial Bureau provided a nucleus for inter-American cooperation. By the third conference in 1906, topics other than those of a commercial nature were considered suitable for the agenda. In 1910, the beautiful Pan American Union Building that we all know was built here in Washington, giving an aura of permanence to the idea of inter-American cooperation.

Over the years, as the American States began gradually to realize the need for closer political relations, machinery was established to settle inter-American disputes and to guarantee the security of the hemisphere. Questions of international law, agriculture, transportation, communications, health, sanitation, education, and economic development became objects of inter-American cooperation.

In the post-World War II period, the 21 American Republics formularized in two principal documents their unique relationship which had grown over almost half a century. The inter-American Treaty of Reciprocal Assistance, commonly known as the Rio Pact, was signed in 1947. The Rio Pact provides for collective action to maintain peace and security within the hemisphere and to defend the Americas against any aggression from without.

The second basic document, the Charter of the Organization of American States, was drawn up at Bogota, Colombia, in 1948. In essence the charter defined and codified inter-American practices which had developed gradually through trial and error over the years. The purposes of the OAS are:

First, To strengthen the peace and security of the continents.

Second. To prevent possible causes of difficulties and to insure the pacific settlement of disputes that may arise among the member states.

Third. To provide for common action on the part of those states in the event of aggression.

Fourth. To seek the solution of political, juridical, and economic problems that may arise among them.

Fifth. To promote, by cooperative action, their economic, social, and cultural development.

The ability of the Rio Pact to preserve hemisphere peace has been demonstrated in several occasions. In 1948–49 a peaceful settlement in a dispute between Costa Rica and Nicaragua was brought about. In 1950, the Council of the OAS, by quick action, averted possible armed conflict involving a number of Carribbean countries. Renewed conflict between Costa Rica and Necaragua in 1955 ended when the Council of the OAS again took action to preserve peace.

The effectiveness of the Rio Pact in keeping the peace does not rest in its mechanisms. The real strength of the treaty lies in the determination of the member states to keep the peace because all know their own well-being and prosperity can be achieved only by living in harmony and concord.

We have come a long way since the first timid excursion into inter-American cooperation 69 years ago. The road was not always easy. Debates at inter-American conferences, especially before the good neighbor policy was instituted, were often bitter and acrimonious. Recently, economic problems have led to misunderstanding and to denunciations.

Dr. Alberto Lleras Camargo, the former Secretary General of the Organization of the American States, and currently President of Colombia, had some wise words of caution to those of us who might become impatient with developments in the OAS. He said:

> The economic problems of inter-American life are surely not more difficult than were those of a political nature in the past. The latter were in fact so thorny that when attempts were made to put off debate on them or to ease the attendant strain, it was customary to turn to economic topics, as something pleasanter, more congenial to everyone, of mutual interest, and of slight import.
>
> Today that is no longer true, obviously. There are serious conflicts of interest, and economic views that appear to clash just as much as, early in this century, the corollaries of the Monroe Doctrine might have jarred with the principle of nonintervention. Millions of words, some of them harsh, some pleasant, some wrathful and others persuasive, had to be exchanged via the channels of the Organization before essential agreements were reached that made it impossible to differ any longer on the first principles of pan-Americanism. The same thing is bound to happen in this other field, in which solidarity is no less important, distinctive, and indispensable than it is in purely political fields.

No matter how insurmountable our problems of the moment might appear, we have demonstrated, as Dr. Lleras pointed out, over more than two-thirds of a century that we can devise solutions. The Organization of American States, whose anniversary we pay tribute to today, is the living monument to the achievements of patient, wise, dedicated men from both north and south of the Rio Grande. Today, we renew our pledge to fortify this most successfully sustained adventure in international community living that the world has ever seen.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the distinguished majority leader.

Mr. McCORMACK. Mr. Speaker, I am happy to take part in the celebration of Pan-American Day. Not only is it an occasion of deep and far-reaching significance, but it is an occasion celebrated throughout almost the whole of the Western Hemisphere. Nor is this celebration just by individuals or groups here and there; it is by schoolchildren, clubs, churches, communities, governments, and by international bodies in all 21 countries of Pan America. Pan-American Day is honored by means of public ceremonies, by means of forums, fiestas, parades, press, radio, official proclamations, legislation, and international exchanges. The significance of this widespread recognition is manifold.

My good friend, Rev. Father Joseph F. Thorning, has for years taken an active and effective interest in Pan-American Day, and the strengthening of friendship between the countries of the Western Hemisphere.

People are accustomed to honoring a man or an event, to observing a national occasion or a religious festival. But this day is set aside to honor an idea and an ideal. The idea has taken concrete form in international political arrangement. We commemorate a day in 1890 when on April 14, the First International Conference of the American States met in Washington and adopted a resolution which resulted in the voluntary association in one intercontinental community of 21 sovereign republics. We proclaim the perpetuation of this union and the continuity of the common bonds and common hopes of the peoples on two continents. And we herald abroad the very real and concrete benefits that have derived from many faceted international cooperation among these 21 American nations.

In Havana, Cuba, there stands today the tree of peace planted in soil sent from each of the nations of the Organization of American States. It is watered by symbolic contributions from each one of these countries. The Organization of American States has taken just pride in the furtherance of international peace throughout the Americas. It takes pride in the practical application of the solidarity symbolized in this tree planting and nurturing.

Were the international cooperation and fundamental unity of the Americas to be emulated by the nations of the world, there need be no questions of sacrifice of sovereignty, of seigniority, or of national pride. There would be, quite the reverse, an enhancement of the national dignity of the individual nations in lending themselves and their efforts to a world of brotherly interest and understanding.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the gentleman from Indiana.

Mr. HALLECK. Mr. Speaker, I, too, am happy to participate in this observance of Pan-American Day.

Mr. Speaker, in the crowded and somber calendar of current international events this day, April 14, is a date which brings with it hope and optimism and good cheer. For this day celebrates that solidarity which has grown during many years between the republics which comprise our hemisphere and which provides one of the principal bulwarks of law and order in the modern world.

It may be interesting to recall briefly two or three outstanding events in the history of Pan Americanism by which we may measure the road we have journeyed. These events are planted like milestones along the way and gather unto themselves a certain special significance.

Such was the Congress of Panama summoned by Simon Bolivar in 1826. Bolivar had a vision far ahead of his times. In his invitation to the former Spanish colonies to send representatives to the Congress—and he could have been speaking yesterday—he suggested that the Congress "should act as a council in great conflicts, to be appealed to in case of common danger, and be a faithful interpreter of public treaties when difficulties arise, and conciliate, in short, all our difficulties." Bolivar died in bitterness thinking he had "plowed the sea" but our generation has seen his wish translated into reality.

Another date we like to recall marked the sessions of the first Intercontinental Conference of American States in Washington in 1889–90. The U.S. Congress played a substantial role in the convening of that Conference. For several years before it was held, resolutions were introduced in the House and Senate advocating such a meeting. In 1888 an act of Congress authorized the President to invite delegates from all the independent countries of Latin America to meet in Washington the following year. The then Secretary of State, James G. Blaine, expressed in his opening address to the Conference that spirit of cooperation and awareness of the interests of each nation represented which has characterized pan-American relations down to our day. He said that the assembled delegates could "show to the world an honorable and peaceful conference of independent American powers, which will seek nothing, propose nothing, endure nothing that is not in the general sense of all the delegates timely, wise, and peaceful."

We in this Chamber have ourselves witnessed the most heartening advances in inter-American unity. During the postwar years the inter-American system has grown both in stature and in strength. One event has been particularly outstanding during this period: the signing of the Inter-American Treaty of Reciprocal Assistance, or the Rio Pact, in September 1947. This pact was the culmination of many years of evolution of inter-American principles and inter-American cooperation. When World War II flared in all its multiple horror in Europe and Asia and reached over into the Western Hemisphere, the paramount need for security caused the American Republics to draw closer together in order to repel the enemy. It became unmistakably clear, during those perilous years, that an attack against one American state endangered all and should be resisted by all together. The Rio Pact has taken solid root in the inter-American system because it is based on the principles and collective needs of the American states. It represents no arbitrary imposition of any state but is the result of a will to agree among them all. It is designed for the protection of all and imposes upon all certain duties and obligations. The Rio Pact has in the past decade become a cornerstone of the inter-American system.

But the successes of the past should not blind us to the needs of the future. We live in an age of constant change. The inter-American system must be kept abreast of change, must be kept flexible and responsive to the needs of its members. Certainly, the need for economic cooperation is a principal need today. Freedom from want is basic to political stability. The evolution of democratic institutions is predicated on the elimination of poverty and ignorance and disease. The task of economic advancement is one that calls for the best efforts of the leaders of our Western Hemisphere. We look to these leaders, in both public and private life, to write the new bright chapter in the history of inter-American relations.

The inter-American unity which has been won at so much cost is but the prelude, we can hope, to even greater understanding, progress, and cooperation in the future.

Mr. JACKSON. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the gentleman from California.

Mr. JACKSON. Mr. Speaker, I, too, want to pay my personal word of tribute to Father Joseph Thorning, whose trail has crossed mine in a number of out-of-the-way places in South America. He is just as apt to be found riding a burro down the Andes in Bolivia as anywhere else. You will find him almost anywhere in the hemisphere. In my opinion, Mr. Speaker, he has done as much as any living American toward furthering an understanding between the Republics.

Mr. Speaker, Pan-American Day has become the occasion in the Congress and in other parliamentary bodies throughout the hemisphere, for the reaffirmation of certain fundamental principles to which the sister Republics adhere. It is a time of inventory—an hour—or perhaps less, when the bonds which hold this unique community of nations and peoples together, are examined and tested to the end that they may be strengthened where they have become weak and rewoven where some fibers have worn thin or broken. This day gives us as North Americans an opportunity to express our national regard and that of our people to those who inhabit with us this fruitful and gracious hemisphere.

That there are problems to be solved in the hemisphere none will deny. That there is frank discussion of controversial matters none can decry. In political, economic, and military spheres there are honest differences of opinion between equally honest men as to the proper courses of action to be pursued. In recognition of this fact the Organization of American States was brought into being and exists today as the principal instrument for the orderly adjudication of disputes between its own members. That heated debate accompanies many of the actions of OAS is in itself testimony to the effective application of the rule of law and of reason. We, who are privileged to live in the hemisphere, have abundant reason to be grateful to the Organization of American States and to the leading statesmen from the member Republics who have consistently demonstrated wisdom in their deliberations, and an understanding of individual and national frailties. Today we pay tribute to those from all of the Republics who have built a greater measure of multilateral and international understanding upon a firm foundation of faith and confidence in the future of the Americas.

As one is not born into the world with complete understanding of the mysteries of life, neither is a land emerging from feudalism created in the image that all might prefer. Industrialization and integration into the complexities of a new political and economic era has posed serious problems for many of the governments in the lands to the south of us, but it is to the credit of all that so few mistakes have been made. We, who come to the Congress from California, share a long and close relationship with Mexico. It has been said that Los Angeles is the second largest Mexican city in the world in point of population. We have watched with satisfaction the tremendous strides that our neighbor to the south has taken in achieving a high degree of political and economic maturity. The achievements of Mexico have been repeated in varying degrees from Tierra del Fuego to the northern borders of Guatemala.

It has been so truly said that to know a man is to like him. During my more than 12 years on the House Committee on Foreign Affairs and on the Inter-American Subcommittee of that great committee, I have been privileged to visit all of our sister Republics on one or more occasions. I have come to know and respect the peoples of Latin America and to realize that we share with them the same high goals and purposes. I have also learned that we cannot adopt an arbitrary standard of political perfection and ask our neighbors and friends to stretch themselves out on it in order that we may determine whether or not they measure up, individually and collectively, to our concept of what we believe they should be. One of the great lessons of life, and one that some people never seem to learn, is to mind one's own business, to be a good neighbor, to teach by precept and example rather than by the dogmatic posture that indicates an unmistakable and condescending superiority.

Latin America is rich in natural and human resources, but we seek nothing in that area but understanding and friendship. For many years we have assisted our neighbor Republics in their own efforts to improve the economic lot of their peoples. Through technical cooperation, by the programs of student and leader exchanges, and in a score of other ways, we have endeavored to make a contribution toward the ultimate realization of the hopes and the aspirations of 170 million neighbors. Thousands of Latins in all of the countries of the hemisphere have received education and training here in the United States. They know us and they know our ways, and as translators of the North American scene in their own lands, they constitute a bridge of understanding in a world in which many bridges have been washed away by torrents of hatred and ill will.

The Angles and the Saxons left us a common heritage, based in common usage and tested through centuries. We North Americans have pursued ideals instead of idols, and principles instead of personages. This has not always been the case in Latin America, and the predilection for strong leaders and for forceful and sometimes arbitrary governments has, at one time or another, led each of our neighbors away from the path which we in this country consider leads to government by law and not by man. However, I stress again, Mr. Speaker, that the mores, the traditions, the customs, and the culture of Spanish America were quite unlike those which have governed the course of our own national history. The remarkable point is that so many of the Republics have modeled their own constitutions on our own, and that such great strides have been accomplished toward the realization of the ideal set forth in the several constitutions. It would be well for all of us to pay less attention to the hole in the political doughnut of Latin America and a little more heed to what surrounds it.

I am happy, Mr. Speaker, to add my words of greeting and felicitation to our friends in all parts of our hemisphere today. We shall continue to lend every assistance and encouragement to the sister Republics as they exert their individual and collective efforts to achieve their national goals of self-reliance and economic and political stability. Our position is that of a co-equal partner in a common effort, anxious and willing to be helpful where our assistance is needed and requested.

Mr. SELDEN. Mr. Speaker, I yield to the gentleman from Florida [Mr. FASCELL].

Mr. FASCELL. Mr. Speaker, those of us in the House of Representatives who have had opportunity to meet with our hemispheric neighbors to the south through governmental, professional, and industrial conferences, social meetings, and in our work in Congress are constantly appreciative to greater degree each year the striving and high goals which the Republics of the Americas have set for themselves. It is today—Pan-American Day—the anniversary of the founding of the Pan American Union—that we traditionally and formally reaffirm the expressions of friendship among the 21 member nations of the Organization of American States.

Historically, we are linked. All Americans recognize the necessity of fostering the personal and political ties which have brought together the members of the organization—the first regional arrangement under the United Nations. The example of mutual respect and friendly cooperation set forth by this international body has, since its inception, been an inspiration to the world. By inter-American examples of democracy in action and the resultant achievements in cultural and economic progress, the free world position in international tides is increasingly strengthened.

Progress and healthy growth are the combined ambitions of all Americans. Through international forums on mutual problems, cooperative efforts have been established by way of which we are able to help one another. Exciting strides are being made in the Americas, jointly and independently. Pride and determination have been the keynotes. U.S. assistance through government and private endeavors has been extended. And emerging is a world area full of unlimited potentiality.

The abounding human and physical resources of our sister Republics are a potentiality which, combined with incentive, capital, and proper political climate, can bring about tremendous development. Key strategic materials are supplied by Latin America which the United States heavily imports, such as vanadium, crude petroleum and fuel oil, copper, antimony, cadmium, tungsten, and manganese. In 1958, the United States sold to the South American Continent $2.2 billion in factory-made products. The United States bought from the continent $2.3 billion in vital materials.

United States private investment is being encouraged in Latin America, consistent with a firm policy of mutual governmental long-range cooperation. Under our mutual security and related programs, much is being done toward helping our friends achieve what they desire in the fields of education, health, housing, and agriculture. Long-term loans for important projects have been willingly made where funds are available and based upon a country's capacity to absorb capital. The Export-Import Bank, the International Bank for Reconstruction and Development, the International Finance Corporation, the International Monetary Fund, the Development Loan Fund, and private investment are doing a wonderful job of putting capital to work for economic betterment. The proposed new inter-American financial institution will be of great benefit. The possibility of economic integration and establishment of the common market concept is being explored.

However, Latin America's problems are manifold. Projected population growth figures are a source of concern in many ways to leaders in the Americas. Economic difficulties are apparent. One-product economies provide little flexibility—the need for greater industrialization and diversification is recognized and desired, but is frustratingly slow and not brought about overnight. Further development of transportation is urgently needed. Illiteracy and disease must be conquered. It is to these needs that we direct our attention and understanding.

Particularly in my State of Florida, because of heritage and proximity to Latin America, have we taken great pride in our relationships with our neighbors. The tremendous amount of business and travel with and from the Americas to the south has been both enjoyable and profitable. Coral Gables, Florida, has been the first city in the United States to form a sister-city relationship with a Latin American city under the people-to-people program. The residents of Coral Gables and Cartagena, Colombia, have made many worthwhile and lasting friendships through their personal association brought about by the program. This body recently had opportunity to overwhelmingly endorse a resolution extending a cordial welcome to the Inter-American Bar Association, presently meeting in Miami. We in Miami are honored to be able to receive this organization.

And so it is my belief that mutual understanding is essential to overcoming the conflicts and economic and political problems which we face. We must not lose sight of our common objectives of security in world affairs and a better life for all Americans. Our collective defense agreement—the Rio Treaty—is of vital importance. For only in an attitude of security and peace can common prosperity and individual freedom be achieved. The American Republics have provided freedom and human liberty for most of their people. However, freedom is constantly threatened by greed and tyranny; and freedom must be protected. This was recognized by Simon Bolivar, who envisioned the mutual defense pact in which we are today engaged with our neighbors.

Continual emphasis must be shown on our part of our concern for the welfare of our friends. Their aspirations are our aspirations and we shall continue to share in the benefits reaped from freedom and prosperity.

The affirmation of our friendship and high regard for one another is a pleasurable and memorable event which takes place on this day each year; and I am glad to be able to join in paying tribute to the original concept of American hemispheric solidarity now known as the Organization of American States.

CALL OF THE HOUSE

Mr. HOFFMAN of Michigan. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. THORNBERRY). Obviously a quorum is not present.

Mr. SMITH of Mississippi. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 25]

Andersen, Minn.	Gubser	Nix
Barden	Hargis	Norblad
Baring	Harris	Ostertag
Barry	Holland	Perkins
Bass, N.H.	Holt	Philbin
Blatnik	Huddleston	Polk
Boykin	Jarman	Powell
Brewster	Johnson, Colo.	Rhodes, Ariz.
Buckley	Jones, Ala.	Rivers, Alaska
Carnahan	Kilburn	Rostenkowski
Celler	King, Utah	St. George
Cooley	Lesinski	Santangelo
Davis, Tenn.	McMillan	Shelley
Dent	Macdonald	Stubblefield
Dorn, N.Y.	Machrowicz	Teague, Tex.
Fallon	Merrow	Teller
Flynn	Metcalf	Tollefson
Frelinghuysen	Miller, George P.	Wainwright
Friedel	Moulder	Walter
Garmatz	Multer	Williams
		Willis

The SPEAKER. On this rollcall, 367 Members have answered to their names, a quorum.

By unanimous consent further proceedings under the call were dispensed with.

PAN-AMERICAN DAY

The SPEAKER. The gentleman from Florida [Mr. FASCELL] is recognized.

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I have just called by telephone the Foreign Relations Committee of the other body and I find that that committee is about to act on the Presidential appointment of Hon. Clare Booth Luce, a former able colleague of ours, who has been appointed by President Eisenhower as Ambassador to Brazil. I congratulate the President upon his selection. I know, Mr. Speaker, that she will add a great deal to the understanding and good will of Brazil and the United States just as she did when she was an Ambassador, and a brilliant one, to Italy. She instilled in the people of that country a desire to develop a good many of their resources and she improved friendly intercourse with the United States. I am delighted to report this to my colleagues.

Mr. SELDEN. Mr. Speaker, I yield to the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Speaker, I would like to commend the gentleman from Alabama for his very fine statement regarding our relationship with the Pan American Union, and to say how sorry I am not to serve with

him on the Foreign Affairs Committee. I had to leave that committee to take the chairmanship of another committee.

I have always had the pleasantest relations with the people of the Latin American Republics. I was tremendously pleased to be one of the observer-delegates at the conference in Mexico City some years ago when we voted the act of Chapultepec Military Alliance of many of the countries of America and made it a fact that if one of the countries of the Southern Hemisphere should be attacked we would go to their assistance. The conference was held under the leadership of the late Edward Stettinius, Secretary of State, and it was considered one of the most successful of the pan-American conferences. The country of Mexico and the courtesy of the Mexicans made an indelible impression upon me.

I have always enjoyed the friendship of the Latin American people. When my husband first came to Congress years ago, he was a member of the Foreign Affairs Committee, and we saw the people of the pan-American countries very often. Some of the pleasantest and finest friends I have ever had have been people from Latin American countries.

Mexico, our next-door neighbor, is helping us with some of our problems, and I hope that we can always help that country with its problems.

This is true of other countries of the Southern Hemisphere. We do not always agree, but I believe that by friendly interchanges and by mutual trade development we can accomplish great things.

In these dangerous and confused days in world affairs, the understanding and unity of the pan-American groups gives great strength to our great part of the world.

Mrs. BOLTON. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the gentlewoman from Ohio.

Mrs. BOLTON. Mr. Speaker, today is Pan-American Day, a day which marks the 69th anniversary of the Organization of American States. It is fitting and appropriate that we commemorate the birth of this organization which, since it was founded in 1890, has worked toward a closer unification of the 21 American Republics. On this annual occasion we are provided opportunity to take a fresh look at the common principles and policies which bind the countries of the Western Hemisphere so firmly together.

While already universally recognized as the most successful regional organization in the world, notable progress has been made toward strengthening the Organization of American States even further during the past year. New levels have been reached in political and economic cooperation among the member states. The Committee of Presidential Representatives, formed at President Eisenhower's suggestion in 1956, has been active in its consideration of economic and social problems. Recommendations of this Committee have been translated into such tangible programs as malaria eradication, agricultural improvement, public housing, and a variety of technical studies.

Continuing efforts are being made to broaden the cultural ties between the United States and Latin America. Our educational exchange programs have been expanded and augmented. In the academic year 1957–58, approximately 8,000 Latin American students studied in U.S. institutions, in addition to large numbers of specialists and technicians exchanged under bilateral technical cooperation programs. Growing interest in Latin America is evidenced by the scores of pan-American societies throughout the United States, which are actively engaged in promoting a broadened understanding of our neighbors to the south.

One of the most significant developments of the past year was the announcement that the United States would participate in the establishment of an Inter-American Development Bank. Creation of such a multilateral development institution serving the needs of the region as a whole will represent an important milestone in inter-American relations. At the same time we have acted to stimulate the flow of assistance by public and private financial institutions. Efforts are being made to encourage foreign trade through studies of individual commodity problems aimed at reaching cooperative solutions wherever possible. All these measures are designed to raise the levels of inter-American cooperation to new highs.

As we join in this 69th anniversary of Pan-American Day, Mr. Speaker, let us remember that North and South America are bound together strategically, as well as economically and culturally. With international communism becoming ever more menacing, it is heartening to know that we are participants in the most solid international organization of free people anywhere in the world. I count it as a very great blessing to this country that we have so many friends in South and Central America, and I thank the gentlemen for yielding to me at this time.

Mr. CHIPERFIELD. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the gentleman from Illinois.

Mr. CHIPERFIELD. Mr. Speaker, I want to commend the gentleman from Alabama for the splendid remarks he has made on Pan-American Day.

It was my good fortune to represent the House of Representatives of the United States at an international conference of representatives of legislative bodies of the Americas at Santiago, Chile on April 14, 1944, together with the late Honorable Pete Jarman, who then represented the Sixth District of Alabama. I am impressed with the coincidence that now, some 15 years later, the chairman of the Subcommittee on Inter-American Affairs is also the Representative of the Sixth Alabama District, Hon. ARMISTEAD I. SELDEN, JR.

Today, April 14, marks the date on which the resolution creating Pan-American Day was adopted in 1890 at the first International Conference of American States. For us in the New World it is a day peculiarly our own—the day of the Americas—when Americans both to the north and south can join hands to bring about a better understanding of one another, and cement hemispheric solidarity.

Painfully, with measured steps and in spite of many weaknesses and misunderstandings, the nations of the Americas have progressed along a weary road until now they clearly understand that while they are equal independent and sovereign nations, at the same time they are interdependent neighbors with similar problems.

As far back as 1810 the eminent Chilean Don Juan Egana made the first proposal for pan-American unity, forseeing with statesmanlike outlook the importance of unity of purpose and policy of the American Republics.

Many important steps have been taken to increase the effectiveness of the inter-American system and of course one of the greatest of these was the founding of the Pan American Union 68 years ago today.

Another was when President Hoover, 28 years ago, proclaimed April 14, 1931, as Pan-American day.

From a series of inter-American conferences a better understanding was brought about and the keystone for closer ties of friendship was the machinery set up for prompt consultation on matters of common concern.

In 1940 at Havana it was recognized an aggression of the territory or sovereignty of any nation in the Americas should be considered as an aggression against all.

These policies led ultimately to the Act of Chapultepec at Mexico City where it was agreed not only acts of aggression from without should be the concern of all, but also acts of aggression from within the hemisphere against another American State.

The United Nations at San Francisco recognized the importance of such regional arrangements by approving of such agreements in its charter just as the signers of the Act of Chapultepec recognized the United Nations by agreeing its activities should be "consistent with the purposes and principles of the general international organization."

So today the Americas have adopted a charter of their own to keep the peace. The 3,000-mile unfortified border between Canada and the United States, the towering figure of the Christ of the Andes high on the border between Chile and Argentina take on a new and added significance.

As I have indicated there have been many factors which have tended to bring about hemispheric security and to consolidate the ties of understanding and confraternity.

Among these is the fact that the Americas of all the areas of the world are best suited for geographical unity. Without the racial and historical prejudices of the Old World, they comprise an area equal to 25 percent of the globe—consisting of 12 million square miles of the richest and the most diversified resources of the world. Their climates and crops supplement each other which in and of itself draws the peoples of the hemisphere closer together and creates bonds of solidarity.

Just as we, in the years past, fought and died for our independence in the New World, so did the patriots of our neighbors to the south fight for the independence of their respective countries. This, too, provides a common bond of understanding as all these countries have heritages dedicated to the same ideals of independence of nations.

I need not add that in the fields of culture, music, art, and sciences there are great opportunities for progress, because contacts of this character ignore national borders and local differences.

It is significant that in the Americas alone of all the world there is no quota restrictions on immigration to this country.

While I have recited many instances of progress which we in the Americas have made in the past it does little good to blink the fact that there are still many problems to be solved.

The so-called good-neighbor policy is not dependent on any one administration for its execution. The good-neighbor policy is a continuing one. It is the universal desire of the vast majority of our people to have hemispheric unity for the betterment of us all—not just for the present, but as a permanent policy.

As has so well been said, let us improve the inter-American system and remember its interdependence is its foundation, cooperation is its keystone.

Mr. FULTON. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the gentleman from Pennsylvania.

Mr. FULTON. Mr. Speaker, I join with the gentleman from Alabama in his fine remarks on pan-America. We people in the Western Hemisphere should stand firmly together in equal partnership. While we people have different cultures, and in many cases different economies, nevertheless it is the kind of area that makes for good friendly trading relationships. We in the United States should always recognize that the people in Latin and South America are our best customers. Good customers make good friends and good progress.

I want to welcome especially today my good friend, Rev. Joseph Thorning, who gave the prayer at the opening of today's session in the U.S. House of Representatives. We in the United States and the whole of North America, the Caribbean area, and South America know of his long interest and excellent efforts in developing the friendship of the countries and peoples of the Western Hemisphere.

Mr. DADDARIO. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the gentleman from Connecticut.

Mr. DADDARIO. Mr. Speaker, I wish to join with the gentleman from Alabama in his remarks on Pan-American Day.

The peoples of North and South America unite today in observing Pan-American Day, marking the establishment of the Pan American Union in 1890. The Pan American Union serves as the General Secretariat of the Organization of the American States and aids the 21 Republics of the Western Hemisphere by acting as an instrument of cooperative action.

Its scope of activity has expanded gradually in every field of international cooperation. The technical and information offices of the Union render even greater services to the governments and peoples of the Americas. The Union is responsible for furthering economic, social, and cultural relations among all the American states.

Even more than being the instrument of action, the Pan American Union is the symbol of the harmony and amity that exists among the American Republics. The Western Hemisphere is showing the world that all countries do not have to be separated from their neighbors by barbed wire or by guarded frontiers. It is proving that cooperation results in mutual benefit, for while the degree of collaboration and solidarity of the Union have been increased, the sovereignty and the territorial integrity of the Republics have also been strengthened.

The pan-American nations have manifested their desire and ability to settle problems peacefully and permanently. We must always be ready to give their problems sympathetic understanding of equal, if not paramount, importance among those problems which beset us. In the Pan American Union we have a magnificent meeting ground to discuss our mutual hopes and aspirations.

Mr. O'HARA of Illinois. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the gentleman from Illinois.

Mr. O'HARA of Illinois. Mr. Speaker, I am happy to join the able and dedicated chairman of the Subcommittee on Inter-American Affairs, the distinguished gentleman from Alabama, and my colleagues both on the full committee and on the Inter-American Subcommittee in taking advantage of this opportunity to express our sentiment of friendship for our sister Republics to the south.

It is well that annually on Pan-American Day we pause in our deliberation on legislative matters to give recognition to the hemispheric ties that bind us and expression of our faith in and our affection for our sister American Republics.

The best interest of the United States and of our sister Republics is in a hemispheric solidarity in which we work together in the realization that what is bad for us or any of our neighbors is bad for all.

Anything that adversely affects the economy of any of the Latin Republics will have repercussions on our own economy.

It is in our own self-interest as well as in the advancement of the true spirit of hemispheric solidarity for our country, to understand the economic problems of our sister Republics and to give such assistance in the solution of those problems as we would give to the economic problems of one of our own States.

Today we are just that close together that we cannot afford to become caloused and hardened to the needs of a hemispheric neighbor.

Every year the distance in time that separates us is being narrowed. Soon with the completion of the Inter-American Highway thousands of American families will be touring through Latin lands. They will be meeting the peoples of those lands and making personal friendships that more and more will bring us into understanding.

GOLDEN CENTURIES FOR AMERICA

Mr. Speaker, years before World War II even, speaking over the radio nightly, I sought to project myself into the future, and I saw the Americas lying between the death throes of Europe and the birth pains of the Orient. Then I saw ahead maybe 5, maybe 10 golden centuries, the centuries that will be known in history as the golden centuries of the American influence. That, I think, is coming to pass. The Orient, with its great natural resources, with its great multitude of people, as the centuries roll on may well take on the responsibility of world leadership. The influence of Europe, which was once a world influence, little by little is being diminished and will grow less as the years roll on. In between this gap of a dying Europe and an Orient aborning will be the golden centuries of history in which the American influence will be predominant. American influence means not the influence alone of the United States but the combined influence of all the American Republics. Not many years from now in Argentina and in Brazil may be an industry and a population surpassing our own.

If ever there was the call of destiny to unite the peoples of a hemisphere in a common mission together to serve mankind and lift it to higher plateaus, that call today is to us in the Americas, wherever by the will of providence we have been placed, in North, Central, or South America.

In the eternal revolving of the cycle of history has come to our hemisphere this mission. I repeat what I said at the commencement of these remarks, what is bad for any people on the American hemisphere is bad for all the other peoples of our hemisphere. What is good for 1 of the 21 Republics is good for all.

HEMISPHERIC UNDERSTANDING NEEDED

Unfortunately, there have been misunderstandings. Some of those misunderstandings we are responsible for, and some of those misunderstandings we are not responsible for.

But any time an American tourist goes into a Latin country and laughs at a local custom or makes fun at what local people are doing, the gulf of misunderstanding is being widened.

Every time we, conscious of our world responsibilities, give more attention to other parts of the world than we give to our sister Republics, we are contributing to the widening of that gulf.

I think it was fortunate that the Vice President went to South America. I think it was fortunate that those hostile demonstrations occurred, because nothing could have opened our eyes as those regrettable incidents have opened our eyes to the gulf of misunderstanding that

was widening between our people and the peoples of Latin America.

If you take your neighbor for granted while you flirt with the stranger afar you may lose both the neighbor and the flirtation.

I wish to commend the distinguished gentleman from Alabama [Mr. SELDEN], the chairman of the Subcommittee on Inter-American Affairs of the Committee on Foreign Affairs, for the energetic manner and the spirit in which he has taken hold of the responsibility that has come to him through the activities, the studies, and the counsel of his subcommittee, to narrow this gulf of misunderstanding and, indeed, to bring the United States and all the other republics on this continent into the fold of a real and an enduring brotherhood.

Mr. Speaker, this day I think will be the day on which the President will sign the bill introduced by my distinguished colleague the gentleman from Illinois [Mr. YATES], which passed this House before the Easter vacation and which passed the other body on yesterday and has gone to the White House. I refer to the bill authorizing money to pay the traveling expenses of 2,000 athletes coming from Latin America to Chicago for the pan-American games. This being Pan-American Day I am hopeful that the President today will affix his signature to the bill that reflects the very spirit of this day.

HISTORY OF PAN AMERICANISM

Simon Bolivar, at the Congress of Panama in 1826, provided the impetus for the idea of pan-Americanism. It was largely through his efforts that the blueprint for the inter-American system was drawn. Various conferences since then have provided the foundation for the growth and expansion of the house of America. As the structure grew, the American Republics sought to promote peace, prosperity, and a better life for all Americans.

The Rio Pact providing for collective action to maintain security within the hemisphere has been an important factor in the maintenance of peace. Technical cooperation programs aimed at improving living standards, providing social welfare and contributing to economic development, have helped to advance prosperity throughout the Americas.

Examples of the benefits achieved under the technical cooperation program are noticed in the educational, health, and economic fields. Our sister Republics now have free, universal, and compulsory education. Progress on the control of disease and epidemics along with improved health services has raised health standards. The development of their natural resources and technical know-how has resulted in increased economic activity.

Along with all these benefits there is a constant effort, through information and cultural exchange programs, to strengthen the ties of understanding and respect amongst the American Republics. The exchange of students, scholars, and leaders; the translation and exchange of books; and tourist travel have served to strengthen the pan-American structure.

Nevertheless, despite these brief examples of hard work and good intentions that have gone into the development of the inter-American system, many problems still create discord in pan-American relations. The riots during Vice President NIXON'S visit to South America and more recently in Bolivia are indicative of the tensions that still exist.

It is mutually beneficial to Latin America and the United States that the differences that do exist between them be erased. Only through the understanding of each other's problems can the house of America remain sturdy.

OUR TRADE WITH LATIN AMERICA

No reasonable American will question the need for prosperous nations to the south. Furthermore, trade with our neighbors is essential for our own welfare. In 1957 our exports to Latin America amounted to $4.7 billion, second only to Western Europe, and our imports in 1958 were as high as $3.8 billion. In addition, Latin-American trade is essential for our military security as a source of strategic materials. This need for their markets and their strategic goods makes it essential that our trade with Latin America continue to flourish and expand.

No American will question the need for secure nations to the south. It was to assure this security that the Rio Pact, guaranteeing that any attack on any American state will be considered an attack upon all, and the Caracas resolution stating that the domination by international communism of the governments or political institutions of any American state is a threat to peace, were adopted.

The Communist threat requires constant vigilance for its techniques are subtle. Through various fronts, the Communists try to lull the people into complacency. Through these fronts and with Soviet financial aid, meetings at every governmental level are organized; travel to Communist countries is arranged; certain candidates are selected, trained, and indoctrinated and publications in all languages are distributed. It is estimated that 135 newspapers are Communist owned or stick to the party line; that approximately 100 hours a week of shortwave broadcasts come into Latin America; and that much TV time is bought to sell Red propaganda.

Accompanying the Communists' propaganda offensive has been a step-up in the economic offensive. The Soviet bloc is dangling the lure of vast markets at stable prices. Although Communist trade with Latin America presently represents only a little more than 1 percent of all our neighbors' trade, for the future it could constitute a potential threat to our security.

INTER-AMERICAN BANK

Conscious of all these problems that are disturbing to the inter-American system, the sister Republics are showing a determination to solve them. Recently the committee of 21 representing all the 21 Republics announced the agreement on the formation of a regional bank to make resources available for various economic projects. The United States also announced it was ready to expand technical cooperation in Latin America and hopes to extend reciprocal trade agreements with the Republics. In addition, the idea of some sort of a regional Latin American market, similar to the European Common Market and Free Trade Area—with the hope of reducing fluctuations in price of primary commodities—has been discussed.

Another constructive idea, aimed at increasing the standard of living in the Latin American countries, was recently advanced by former Costa Rican Ambassador Gonzales Facio to the Organization of American States. Facio stated that since the region is largely protected from aggression by the United States, the Latin American States should consider the possibility of disarmament. His plan aimed at trimming the arms budgets of these countries and diverting the money saved to beneficial public projects, thereby aiding the development of one of the richest underdeveloped areas in the world.

All these attempts to solve some of the problems that are confronting the pan-American nations is indicative of their desire to solidify the foundation of the house of America.

It is especially appropriate on Pan-American Day that the United States and Latin America resolve that they will attempt to solve their difficulties in a spirit of mutual trust. As Dr. Eisenhower concluded in his report after his survey of the situation, Americans should make an effort to understand the problems, hopes, and desires of their southern neighbors. On the other hand, the peoples and governments of Latin America should try to become aware of the reasons for United States programs, policies and attitudes.

It is only through mutual understanding that fruitful cooperation can be attained. Once this is accomplished, there is no limit to the future progress and strength of the pan-American system.

On this Pan-American Day may the call of destiny to this hemisphere to its mission for mankind be heard in this land and in all the lands of our American hemisphere.

Mr. SELDEN. Mr. Speaker, I yield to the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Mr. Speaker, when a person goes to a foreign land, either for a visit or to live, the first impression is of the things that are different. Customs are different, languages are different, traditions are different, sometimes the color of the skin is different. These are the things that stand out.

During the 10 years I lived in a foreign country, the biggest lesson I learned was that "different" is not the same as "worse." I looked the two words up one time in the dictionary and they are not synonymous. A thing can be different without necessarily being worse. Sometimes I think the English word that causes more trouble in the world than any other is the four-letter word "only." "This is our way—ergo, it is the only way." Now, it is a good way, we like

it, we are proud of it, but it is not necessarily the only good way. Sometimes we create animosity around the world or alienate others largely because, with all good intentions, we are so sure of our way being the best or the only way that we give the impression of failing to appreciate that other folks are just as justifiably and properly proud of their way as we are of ours.

But as one continues to live in the other country, what one becomes more and more conscious of are not the things that are different, but the things that are alike; the deep things, the love of home and of family and of country, pride of culture, and the desire that things will be better for their children tomorrow than they are today. These are the same all around the world.

There is no better demonstration of this than here in the Western Hemisphere. The things on which we agree and the interests that unite us far outweigh the differences and the things that divide. There is no better example of the capacity of peoples with different backgrounds and cultures and traditions to live together in good will and mutual respect and cooperaton for the benefit of all. The unities are deeper and broader based than the difficulties that arise from time to time. There is more to be happy about in the relations between our countries than there is to be embarrassed or upset about.

Actually, we can be proud of the behavior of both sides. First, we can be proud of the overall record of our country in the Western Hemisphere.

We could have seized control or imposed our will on the hemisphere at almost any time in the last 150 years, but we never did. We declared a policy that guaranteed the independence of the American States from external domination, including our own domination, and we stuck to it. It was not a Democratic or a Republican policy; it was a U.S. policy. No matter what party was in power, Latin America knew, and the whole world knew, that the United States would not permit any European systems or sovereignties to establish themselves in the Western Hemisphere.

With all the mistakes that we freely admit have been made, mistakes due more to oversight or neglect than to action or to intent, the basic record of the United States is one in which we can take satisfaction.

Equally we can pay tribute to and be proud of the record of the Latin American countries. It is much harder to be the smaller brother than to be the bigger one. On the whole, these countries have exhibited great maturity and understanding, sometimes under difficult circumstances and despite irritating provocations. This demonstration of giving first importance to the fundamental likenesses and common concerns is the best assurance of steadily improving relations in the future—deeper understanding and greater cooperation in working for the things that are in the best interests of all of us.

I commend my colleague on the Committee on Foreign Affairs for the fine leadership which, as has already been said here, he has been giving to his Subcommittee on the Western Hemisphere. When it has sometimes been neglected by us a bit, it was not deliberate, but in a sense constituted a compliment to the Latin American nations. It evidenced that we had every confidence in their friendship and understanding and steadfastness, just as we expected them to have confidence also in ours. But even in your own family things go better if you do not take your loved ones too much for granted. They know that you are loyal and devoted to them, but they like it better if you take pains to reaffirm your attitude every once in a while.

Mr. Speaker, it is important to take advantage of Pan American Day and every occasion that comes along to speak out in behalf of the good things that stand out in our hemisphere—the unbreakable ties of common interest, of loyalty, and of common dedication to the basic values of freedom and democracy. Those are the things that we can rightly emphasize. They are even stronger today than in the past. The very fact that more of the smaller countries will speak up right to our face about matters where they believe we are in the wrong, is a sign of better relations, not of deteriorating relations.

I look forward to the next decade as the best in the history of our hemisphere. We are going to try our best to achieve that, and I know the wonderful group of fine people most of us have been privileged to meet from Latin America are going to try their best. Together we will continue to make headway toward this goal of a really solid, united hemisphere.

Mr. SELDEN. I thank the gentleman.

Mr. Speaker, I yield to the gentleman from Florida [Mr. ROGERS].

Mr. ROGERS of Florida. Mr. Speaker, I join in the remarks which have been said today in supporting further friendship between our country and the other Americas. I want to commend the gentleman from Alabama, the chairman of the Subcommittee on Inter-American Affairs of the House Foreign Affairs Committee, for introducing this resolution and bringing it to the attention of the House.

Also I think it is interesting to note that our session today was begun with a prayer delivered by Father Joseph Thorning, who has an international reputation as a man who has done much to bring about a greater relationship between our countries, North, Central, and South America. His great work has been recognized. I think, too, it is interesting to note this is the 15th year in which he has participated so magnificently in bringing this to the attention of our people.

Mr. SELDEN. I thank the gentleman from Florida, and I join with him in commending the very fine work that has been done by Father Joseph Thorning in promoting inter-American solidarity.

Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. FLOOD].

Mr. FLOOD. Mr. Speaker, I have been participating in these Pan-American ceremonies ever since I have been in the House. I may add that I am glad to see Father Thorning, the Padre of the Americas, appear for the ceremonies for his 15th year. The overtones of the program today are what impress me.

This is not merely a flow of platitudes and flowery phases, vis-a-vis Latin America today. We generally have the impression that this whole thing is a sort of musical comedy or operetta on a stage with the hot cha cha and mambos with strange characters in straw hats—and that has been unfortunate. Today, obviously, we are alarmed—we are concerned—we are aware that in the Caribbean and in Central and South America there is a dangerous and a serious and a vital and an important problem economically, diplomatically, spiritually, and in every other way. This program today under the leadership of our distinguished friend, the gentleman from Alabama is focusing the attention of the people of the hemisphere and all the world on the fact that the United States of America is adult and with maturity is now embracing an awareness of the real problems between our two peoples and the peoples of North and South America.

Mr. Speaker, today, as the storm clouds gather over the Caribbean areas, Pan-American Day assumes a greater significance in the history of all three Americas. It emphasizes anew the necessity for viewing the present ominous events, then, not as isolated incidents, but in the perspective of historical knowledge.

In that light, we should recall that of the various important leaders of this hemisphere, one of the first to recognize the importance of that area and to take an active interest in the idea of an interoceanic canal was Simon Bolivar, the great liberator.

In a famous "Letter to a Jamaican" in 1815 he expressed his desire for a canal at the Isthmus of Panama, predicting that—

> That magnificent portion [of America] situated between the two oceans will in time become the emporium of the universe. Its canals will shorten the distances of the world and will strengthen the commercial ties of Europe, America, and Asia.

It was only natural, Mr. Speaker, that when Bolivar became President of his country that he should bring about, on June 22, 1826, at the Isthmus of Panama the first Inter-American Conference of Nations, at which the canal idea was a point of discussion.

Now, more than 130 years later, we have seen some of his major dreams come true—a mark of the vision of this great pan-American leader. He and his ideas stand out more clearly than ever.

Mr. SELDEN. I thank the gentleman from Pennsylvania.

Mr. WOLF. Mr. Speaker, will the gentleman yield?

Mr. SELDEN. I yield to the gentleman from Iowa.

Mr. WOLF. Mr. Speaker, I would like to congratulate our good and distinguished friend from Alabama and associate myself with the gentleman from Alabama and others who have thought well to say something today in behalf of the remembrance of Pan-American Day.

There is no question that we have a responsibility to our neighbors to the south. I think it is significant to report, and I do not think it has been said today, that the per capita income of the people of Latin America per year is only $126. It has been said that communism feeds on the bellies of the hungry. We have an abundance that we might share with the undernourished of Latin America. We might think seriously of ways to do this. Our pan-American friends have tremendous resources both natural resources and the resources of the people of South America that are untapped today. I think we, today, can pause and think well how we might in America help these people tap their own resources for the betterment of their own society which, in turn, would serve to make better the society of all of us in the Western Hemisphere.

Mr. SELDEN. I thank the gentleman from Iowa.

Mr. BECKER. Mr. Speaker, I was delighted today to be on the floor to hear the opening prayer by my good friend, Father Joseph F. Thorning, and to hear his words of prayer for Latin American and pan-American friendship. While I have listened with great interest to the remarks of the gentleman from Alabama [Mr. SELDEN] and those of the gentleman from California [Mr. JACKSON], both of them have so well covered the many reasons for better understanding of the American countries, thereby further solidifying the spirit of friendship that is so vital in these times.

However, I would like to divert for a few moments to say a few words about Father Thorning, who has spent almost a lifetime studying and promoting friendly relations in the Pan American Union. Father Thorning studied in the universities of Latin America and has written books and articles on Latin America. He has been awarded the highest national decorations of other American Republics. He also holds the two highest decorations of Portugal and Spain and has always pointed out the value and importance of the mother countries in promoting the cause of friendship in the new world.

Due to the fact that Father Thorning has traveled through all the countries of Latin and South America and is well known for his great work among the people, he has been recognized by many countries and has been one of the greatest ambassadors of goodwill. On several occasions, particularly in the years of 1951 and 1956, he was officially appointed as a U.S. representative to inaugurations of South American Presidents.

I sincerely hope that he will live for many long years and be able to continue his great efforts in bringing about closer friendship and understanding with our neighbors to the south.

Mr. IRWIN. Mr. Speaker, as one who was born in Argentina and who lived there for more than half my life, I think it is important that we recognize the commemoration of Pan-American Day today by recalling the purposes for which the Organization of American States was created.

This great organization, oldest and most successful international union in the world, was established by the member states to achieve an order of peace and justice, to promote their solidarity, to strengthen their collaboration, and to defend their sovereignty, their territorial integrity, and their independence.

Those were the reasons for the birth of the organization when it came into being on April 14, 1890.

They are the same reasons why it is more urgent than ever before that the nations of the Organization of American States stand together.

It is more necessary than ever before that there is cooperation between these great states of the Western Hemisphere, that there is a strengthening of their relations in support of democracy.

All of the American nations are sovereign nations, born in an historical mold similar to that of the United States. And they have many historical, economic, and cultural interests in common.

We must not permit a wedge to be driven between our respective countries by those seeking the destruction of democracy.

We must, in commemorating the creation of this union so many years ago, rededicate ourselves to the ideals on which our basic foundations of freedom long have rested.

This union between the pan-American States is not a perfect one and there are few who would claim it to be so.

As one personally familiar with the history, the customs, the traditions and the language of our Latin neighbors, I urge the United States to regard them and their problems with the recognition they deserve.

We Americans must, I feel, give greater attention to the betterment of the social and economic status of our friends to our south.

In these perilous days, we must remember the underlying principles of the Organization of American States as stated in the charter of the OAS:

1. To strengthen the peace and security of the continent;

2. To prevent possible causes of difficulties and to insure the pacific settlement of disputes that may arise among the member states;

3. To provide for common action on the part of those states in the event of aggression;

4. To seek the solution of political, juridical, and economic problems that may arise among them; and

5. To promote, by cooperative action, their economic, social and cultural development.

Mr. BOLAND. Mr. Speaker, as April 14 commemorates a day in 1890 when the Organization of the American States was born, we celebrate it as a birthday. It is far more than a commemoration. Like other birthdays, it is also a beginning, the opening of another year of promise and expectation. The now many years of promise and expectation have been amply fulfilled. The effect has, moreover, been cumulative. As each year of harmony and cooperative achievement is added to the others of this remarkable Organization, its service to itself, to the 21 American Republics of which it is constituted, and to the world is increased, and multiplied.

BEGAN AS PAN AMERICAN UNION 69 YEARS AGO

This Organization began as the International Bureau of the Republics. For many years it grew and thrived as the Pan American Union. Under its appellation since 1948, as the Organization of American States, it has indeed reached maturity. Now in the 69th year of its admirable existence, it is the outward manifestation and practical realization of an ideal of international cooperation. The 21 American Republics have joined in voluntary union for the purpose of achieving an order of peace and justice; of maintaining friendship and security; of promoting close relations and constructive cooperation; while defending, withal, the sovereignty, the territorial integrity, and the independence of the 21 individual nations.

MUTUAL BENEFITS FOR 21 REPUBLICS AND THE WORLD

They joined for these purposes; they have faithfully pursued them; and there is continuing, gratifying achievement. The practical evidence of the accomplishment of these ideals appears in a multitude of forms. A series of conferences—usually known as the pan-American conferences—has, over the years, been the source of resolutions for expanding the activities of the Organization and creating means of effectuating them. Other special and technical conferences have been sponsored by the Organization to carry out its purposes. Technical and information offices have been set up at the headquarters of the Organization in Washington and serve as a fountain for similar offices throughout the Republics organized to promote cooperation in agriculture, foreign trade, travel, in statistical, cultural, labor, judicial, social, and various sorts of technical information; and to stimulate knowledge of and interest in the numerous American neighbors. The maintenance of these methods and devices of coordinating service are not only of mutual benefit to themselves. These cooperative activities are of significant value both in effect and as an exemplar to worldwide relationships.

Our dedication of this day to pan-American solidarity is an expression of gratification in achievement and faith in the future constructive cooperation of the 21 American Republics.

Mr. GALLAGHER. Mr. Speaker, it is an event unique in human history when 21 sovereign nations set aside 1 day each year, and proclaim that day as the symbol of their desire to live in peace with one another. We are privileged to celebrate that event today, the 69th anniversary of the Pan American Union.

But as we all know, this day has a meaning which goes beyond mere intentions for goodwill—for the 21 American Republics have achieved this close union only after generations of attempt and repeated failure. And as we all know, that which is accomplished after long hard work is much more treasured than something gained too easily, and without sacrifice. The first dreams of the day we celebrate today are more than

a century and a quarter old. They were the visions of the great South American liberator, Bolivar, who as far back as 1826 conceived of the idea of a union of the democracies of the Western Hemisphere. He hoped for an organization in which "the strength of all would come to the aid of anyone which might suffer from the aggression of a foreign enemy."

That idea failed then, and it failed several times again. But finally, despite years of internal strife, the vision of an American family of nations achieved fruition. As a result of a conference held in Washington in 1890, the foundations for the Pan American Union were laid. In the years since that time, there has been steady progress in building the mighty union we have today. Especially in the last 25 years, since our own country inaugurated the good neighbor policy, Bolivar's vision of a Pan American Union has flourished. We are honored to celebrate the event today, and we salute the body which implements the vision—the Organization of American States.

Mr. SELDEN. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore [Mr. THORNBERRY]. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROHIBITING PAYMENT OF ANNUITIES AND RETIRED PAY TO OFFICERS AND EMPLOYEES OF THE UNITED STATES IN CASES INVOLVING NATIONAL SECURITY

Mr. O'NEILL. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution (H. Res. 238) providing for the consideration of H.R. 4601, a bill to amend the act of September 1, 1954, in order to limit to cases involving the national security the prohibition on payment of annuities and retired pay to officers and employees of the United States, to clarify the application and operation of such act, and for other purposes, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4601) to amend the Act of September 1, 1954, in order to limit to cases involving the national security the prohibition on payment of annuities and retired pay to officers and employees of the United States, to clarify the application and operation of such Act, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Post Office and Civil Service, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. O'NEILL. Mr. Speaker, at the conclusion of my remarks I yield 30 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. Speaker, House Resolution 238 makes in order the consideration of H.R. 4601, to amend the act of September 1, 1954, in order to limit to cases involving the national security the prohibition on payment of annuities and retired pay to officers and employees of the United States, to clarify the application and operation of such act, and for other purposes. This resolution provides for an open rule and 1 hour of debate.

The general purpose of this legislation is twofold:

First. This legislation continues in full force and effect the prohibitions now contained in the act of September 1, 1954, as amended, against payment of any Federal annuity or retired pay on the basis of the service of any individual who has committed an offense involving the national security of the United States.

Second. This legislation restores certain Federal retirement benefits, including survivor benefits, which under the existing provisions of the act of September 1, 1954, have been denied to a number of individuals not because of the commission by such individuals of offenses involving the national security but because of the commission by them of comparatively minor offenses which are in no way related to the national security.

The primary purpose of the act of September 1, 1954, as originally enacted, was to prohibit the payment of any Federal annuity or retired pay to any individual because of the commission by such individual of an offense involving the national security of the United States. However, such act, in its entirety and as now in effect, contains provisions which exceed this purpose and have resulted in the denial of Federal retirement benefits to certain individuals and their survivors for reasons which are not related to the primary purpose of such act. This bill will remedy that situation. This legislation was submitted by the U.S. Civil Service Commission as an official legislative proposal of the administration.

I urge the adoption of House Resolution 238.

Mr. BROWN of Ohio. Mr. Speaker, I have no requests for time, and I yield back my time.

Mr. O'NEILL. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. MURRAY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4601) to amend the act of September 1, 1954, in order to limit to cases involving the national security the prohibition on payment of annuities and retired pay to officers and employees of the United States, to clarify the application and operation of such act, and for other purposes.

The SPEAKER. The question is on the motion.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 4601, with Mr. EVINS in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Tennessee [Mr. MURRAY] will be recognized for 30 minutes, and the gentleman from Kansas [Mr. REES] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Tennessee [Mr. MURRAY].

Mr. MURRAY. Mr. Chairman, I yield myself such time as I may desire.

Mr. Chairman, this legislation was introduced at the official request of the U.S. Civil Service Commission to accomplish two major purposes.

First. The bill clarifies and strengthens existing provisions of law which are designed to bar payment of Federal annuities or retirement pay to persons who have committed certain offenses relating to questions of loyalty to the United States or the national security.

Second. The bill corrects certain inequities arising under provisions of existing law which have had the effect of denying Federal annuities or retirement pay to many persons because of relatively minor offenses in no way related to loyalty or the national security. This latter class of persons already had paid full and adequate penalties prescribed by law for their offenses, only to be faced thereafter with the additional burden of losing valuable retirement benefits.

The dual purpose of H.R. 4601 is carried out by language in the bill amending Public Law 769, 83d Congress, in its entirety. This law bars payment of any Federal annuity or retired pay to individuals who are convicted of certain criminal offenses or who fail or refuse to testify or produce records, or make false statements, relating to their official duties in proceedings before judicial or legislative tribunals. The bar against payment applies indiscriminately to both security and nonsecurity cases. It extends to surviving widows and children as well as the individuals concerned.

In submitting the request for this legislation, the Civil Service Commission pointed out that on July 16, 1958, the U.S. Court of Claims held section 2 of Public Law 769 unconstitutional as it relates to the case of one Max Steinberg, whose annuity had been terminated because of his invoking protection of the fifth amendment in refusing to testify before a grand jury on a nonsecurity matter. The Department of Justice advises that the Supreme Court of the United States will not be asked to review this decision.

Of special concern to our committee is the fact that without this legislation it could be that Public Law 769, in its present form, would not be effective to deny Federal annuities and retired pay

to individuals whose offenses do involve the national security. This legislation, therefore, continues and clarifies the bar to Federal annuities and retirement pay in cases of wrongful acts or improper failure to act in matters involving the national security or questions of loyalty to the United States. It is believed that these cases are in such a special category that payment of annuities to offenders in this area would be repugnant to public policy and offensive to the ordinary individual's sense of justice. By their offenses against the national security they have forfeited all right to any Federal retirement benefits.

The bill which the Committee recommends amends Public Law 769, 83d, Congress, in its entirety so as to limit its application to matters involving the national security. It extends the annuity bar to a limited number of additional loyalty offenses which were omitted from that law.

The bill would retroactively remove the bar against annuity awards in postal depredation and similar cases. This would have the effect of automatically reopening and allowing the annuity claims already denied for other than security reasons. Any contributions refunded to individuals in these cases would have to be redeposited.

During the operation of Public Law 769, a number of very inequitable situations have developed whereby individuals have been severely punished by loss of valuable civil service annuities for relatively small infractions of the law having nothing to do with security. Most of these infractions occurred prior to the enactment of Public Law 769. The existing criminal laws already provide for suitable punishment, consisting of fines, imprisonment, or both, in these cases.

The Civil Service Commission reports that 166 persons have had their civil service annuities revoked as a result of Public Law 769, but that only 11 of these cases have any relation to security matters. The 11 individuals would continue to be barred from receiving annuities under H.R. 4601.

This bill was recommended unanimously by our committee. Its enactment will carry out the primary purpose of the original legislation, that is, to prohibit the payment of any Federal annuity or retired pay to any individual who commits an offense involving the national security of the United States.

The legislation, in its present form, should stand any court test since it is limited to offenses against the national security. In our opinion, payment of Federal retirement benefits to offenders in such cases would be shocking to the public conscience and morals and contrary to the high principles on which our Government is founded.

Mr. Chairman, I strongly urge favorable action on this legislation in the interest of the Government, from the standpoint of our national security policy, and in the interest of doing equity for individuals who, although guilty of no act or omission affecting the national security, have lost or will lose their retirement benefits under existing law.

This law, which was enacted in 1954 and which the present legislation modifies, was passed as a result of the conviction of one Alger Hiss. At the time the legislation was considered by our committee, Alger Hiss who had been convicted of perjury in connection with national defense matters, was in a Federal prison but was soon to be released from prison.

Our committee felt very strongly that Alger Hiss who had betrayed our national security when he occupied a high position in our Government should be denied the opportunity of receiving benefits in the form of annuities from our Government. For that reason the legislation was passed in 1954, but, frankly, the legislation went too far. It covered offenses not only involving our national security, but covered all kinds of offense crimes which violate the criminal laws of our Government, so far as theft and mishandling of the mails and embezzlement and many other offenses which in no way involved the national security of our Government.

As I have already stated, 166 persons have been deprived of their annuity as a result of the operation of this act which was passed in 1954. Of those 166 cases only 11 involved the national security of our country. I have here a list of all the annuitants who have been denied their annuities since the passage of Public Law 769 in 1954—125 of the 166 were postal employees. This list prepared by the Civil Service Commission indicates the different crimes for which these employees were convicted and on account of which they were denied their annuity. Most of these consisted of offenses like theft of the mails, using the mail to defraud, and embezzlement, and they were in no way related to national security or loyalty to our Government.

Your committee feels there has been an injustice to these persons who are being deprived of their annuity and who have not violated any laws respecting loyalty or the national security of our country. We do not think these people should be so penalized in this manner. This bill would restore to all of them their annuities retroactively to the time they were entitled to same, less any amount they have withdrawn.

There was no opposition to this legislation in our committee. It is meritorious. I trust it will be passed unanimously.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. MURRAY. I yield to the gentleman from Pennsylvania.

Mr. FULTON. I think everybody on this floor has no respect for anyone who pleads the fifth amendment.

The fifth amendment is pleaded in order not to disclose what the defense is or what the crime might be on the theory that nobody has to testify against himself. My question is, Does this act permit people who pleaded the fifth amendment to get their full pension rights, or are they excluded, as they should be? I favor the passage of the bill, but I certainly do not want to put into business these fifth-amendment guys again.

Mr. MURRAY. If it concerns the national security or loyalty laws of our country, then they would be barred.

Mr. FULTON. How can you tell if it will affect the national security when these particular individuals plead the fifth amendment in order not to disclose and not testify? Why not have an amendment that bars anybody from getting these benefits under this legislation if he has pleaded the fifth amendment to prevent disclosure of what the crime might be?

Mr. MURRAY. I do not agree with the gentleman. If he refuses to testify about any matter involving national security or loyalty to the United States, then he would be covered by this legislation.

Mr. FULTON. How do you know that he is not involved in something that is against the security of the United States of America, because he clams up and refuses to testify and pleads the fifth amendment as a bar?

Mr. MURRAY. Because the very questions propounded to him which he refuses to answer would show they involve the national security laws of our country.

Mr. JOHANSEN. Mr. Chairman, will the gentleman yield?

Mr. MURRAY. I yield to the gentleman from Michigan.

Mr. JOHANSEN. With respect to the question raised by the gentleman from Pennsylvania, is it not obvious that the line of questions relating to which the witness invoked the fifth amendment would clearly indicate whether the matter related to national security or matters of loyalty?

Mr. MURRAY. Certainly so. And, I refer to the Steinberg case which was before the United States Court of Claims. In that case Max Steinberg was asked a question which did not involve national security or the laws of our country, and later on he was deprived of his annuity, and the Court of Claims held he should not have been. He refused to answer questions which did not involve jeopardizing our national security.

Mr. FULTON. Suppose that you have a witness on the stand before a court and the question comes up, "What is your name?" "Where do you live?" "Where were you born?" and the man says "I refuse to answer on the ground it might incriminate me," and pleads the fifth amendment. Now, what happens?

Mr. MURRAY. That question does not relate to national security. He would have to be asked a question specifically relating to the national security laws of our country and then refuse to answer.

Mr. FULTON. Has the court held it was unconstitutional simply on the point of the fifth amendment rather than on the point of national security?

Mr. MURRAY. I yield to the gentleman from Michigan.

Mr. JOHANSEN. Mr. Chairman, it is my understanding in the case before the courts that the chairman of the committee referred to it was so specifically ruled that this legislation was unconstitutional with respect to the invoking

of the fifth amendment in a matter relating to an internal revenue investigation. Is that not the statement which the chairman made?

Mr. MURRAY. That is correct, sir.

Mr. JOHANSEN. Now, may I ask a further question of the chairman. Is it not correct, Mr. Chairman, that the purpose of our committee in voting this bill out and the purpose and intent of the bill as specifically framed is in no way to repeal, to weaken, to modify, but on the contrary the purpose and intent is to strengthen the provisions of present legislation which relates to national security and to matters of loyalty?

Mr. MURRAY. The gentleman is entirely correct. Of course, after the conviction of Alger Hiss for perjuring himself, in connection with "clamming up" about certain secrets he had given to foreign agents who were trying to destroy our country, we felt that this legislation should be passed.

But at that time there was great hysteria in the country, and there was great wrath upon the part of the public against Alger Hiss' receiving an annuity when he was discharged from the penitentiary. But I must say now that the legislation went too far and covered not only the case of Alger Hiss and all those who had done violence to our national security and in matters of loyalty, but included as well offenses like theft from the mails, and so forth, which in no way related to our national security. So that is the purpose of this legislation, to confine the matter solely to questions of loyalty and national security.

Mr. JOHANSEN. Mr. Chairman, will the gentleman yield for a further question?

Mr. MURRAY. I yield to the gentleman from Michigan.

Mr. JOHANSEN. Is not the intent of this legislation, and of the legislative committee and of the Congress further attested to by the fact that there have been introduced into this House bills to repeal this legislation outright, and by the action of the committee in refusing to act favorably upon those bills we have further clarified our intent to strengthen the legislation on the books relative to questions of national security and matters of loyalty?

Mr. MURRAY. The gentleman is correct.

Mr. FOLEY. Mr. Chairman, will the gentleman yield?

Mr. MURRAY. I yield to the gentleman from Maryland.

Mr. FOLEY. Mr. Chairman, I have a couple of questions to ask in connection with the observation of the distinguished gentleman from Pennsylvania. As a member of the committee I am in favor of H.R. 4601, but a couple of questions arise in my mind. I have in my hand a copy of the original act, which is now up for amendment, and in section 2 I invite the Chairman's attention and the attention of the other members of the committee, to this language in section 2283 of title 5 of the United States Code:

> There shall not be paid to any person who has failed or refused, or fails or refuses, prior to, on, or after September 1, 1954, upon the ground of self-incrimination—

And then the provision continues—

> to appear, testify, or produce any book.

Turning now to page 8 of the proposed amendment, section 2(a), beginning on line 13, we find reads as follows:

> There shall not be paid to any person who, prior to, on, or after September 1, 1954, has refused or refuses,

The language "upon the ground of self-incrimination" has been eliminated from the proposed amendment. But my question now pertains to page 7 of the report in support of this bill where it says in the first paragraph:

> Section 2 of the amendment is in two parts, as in the case of the first section, because of the necessity to include in this legislation certain security and loyalty offenses not covered by existing law.

It is the next paragraph which is significant:

> Section 2(a) of the amendment prohibits annuities or retired pay to persons refusing, on grounds of self-incrimination, to testify or produce documents, in proceedings relating to loyalty, or with respect to their relations with foreign governments. This continues present law, except as to offenses not involving loyalty.

The question I have is this. In view of the fact that this amendment proposes, as I understand it does, to delete the self-incrimination language as it does, I am at a loss to understand why in the report it states that there will be forfeiture of annuities or retired pay when an annuitant exercises his privilege under the fifth amendment. It is my understanding, under the Steinberg case—and I am now reading from the Steinberg decision in the U.S. Court of Claims, decided July 16, 1958, where on the constitutional question the court held:

> The offense in the case at bar was the action of plaintiff in invoking the fifth amendment. This, rather than an offense, is a constitutional guarantee. Thus does the taking of the fifth amendment constitute a breach of faith for which Congress can enact legislation providing for a sanction against improper practices of its officers and employees? We think not.

My question is this: Are we not, in adopting this amendment, eliminating any sanction or any penalty for the invocation of the constitutional guarantee under the fifth amendment? Or are we continuing the sanction or penalty which the Court of Claims has struck down as unconstitutional?

Mr. MURRAY. I do not think so, because in the Steinberg case no question of national security or loyalty was concerned. He was not asked a question about national security or about loyalty or about his conduct in connection therewith.

Mr. FOLEY. Is it our intention then to eliminate by means of this proposed amendment, H.R. 4601, any sanction that would be applied upon the exercise of the fifth amendment?

Mr. MURRAY. No, except as it relates to national security or to loyalty.

Mr. FOLEY. In other words, if a Government employee is called before a grand jury or a court or a committee of Congress and invokes the fifth amendment, that particular Government employee would not lose his annuity rights? Is that correct?

Mr. MURRAY. No. If it involves national security or loyalty, if it is a question like that, and he refuses to answer, then he would be subject to this act.

Mr. FOLEY. If he does invoke the fifth amendment under that circumstance he would suffer the loss of his annuity?

Mr. MURRAY. That is correct, as long as he refuses to answer any question concerning the national security or loyalty on his part.

Mr. FOLEY. Or if he is called before a committee or a grand jury in an inquiry into a national security or loyalty matter, and if this Government employee then invokes the protection of the fifth amendment, the mere fact that he invokes the protection of the fifth amendment would be a ground for forfeiting, canceling, and terminating his annuity rights. Is that correct?

Mr. MURRAY. As I understand, if it concerns the national security or loyalty as far as he is personally concerned.

Mr. FOLEY. Is not that position then in conflict with the position of the Court of Claims?

Mr. MURRAY. Not at all, because the Steinberg case was not based upon national security or loyalty. It did not pertain to national security or loyalty. Also, the Steinberg case was not appealed—one reason being this pending legislation which would have made the question moot.

Mr. FOLEY. The Steinberg case involved the invocation of the fifth amendment, a constitutional guarantee.

Mr. MURRAY. That is correct, but he was not asked about any matters involving him in connection with our national security and our loyalty.

Mr. FULTON. Will the gentleman yield?

Mr. MURRAY. I yield to the gentleman from Pennsylvania.

Mr. FULTON. I should like to comment on what the gentleman from Maryland has been bringing up here because it is a real point. If there is one method different from another in the exercise of the fifth amendment by a defendant, I should like to know it.

On the rule that if you plead the fifth amendment you plead the fifth amendment, that is pleaded for a loyalty purpose or a purpose that is criminal under a statute, I see no difference in the pleading of the fifth amendment, so I cannot see why in one case it is unconstitutional according to the Court of Claims when it is done for a personal, private reason and would then be constitutional when it is done for a loyalty reason or a security reason.

The next point is this: Obviously there has been no decision of the U.S. Supreme Court on this subject at all. We are simply guessing what the final appeal would be, because the decision has only been in the lower court, in the Steinberg case in the Court of Claims.

Mr. MURRAY. The gentleman from Pennsylvania [Mr. FULTON] can speak against the bill on his own time, but not on my time.

Mr. REES of Kansas. Mr. Chairman, I yield myself such time as I may require.

Mr. REES of Kansas. Mr. Chairman, I think the distinguished chairman of our committee has clearly explained the purposes of this legislation. This bill comes before this Committee with the unanimous approval of the House Committee on Post Office and Civil Service. Let me say, too, that it comes to you after long consideration and deliberation.

Our chairman has well said that about all there is to this legislation is that we went a little further than we intended to in the original legislation. It deals primarily with the question of national security and loyalty, and not so much with other subject matters that have been brought into this discussion today.

Briefly stated, this legislation is desirable to eliminate injustices resulting from denial of retirement benefits, under present law, to many individuals—and widows of some—for relatively minor offenses which do not involve questions of loyalty or the national security. At the same time, enactment of this legislation will clarify and strengthen the very desirable bar, intended to be provided by existing law, against payment of Federal retirement benefits to individuals who have committed offenses—or who have failed or refused to act when in duty bound—in loyalty or security matters.

To accomplish this twofold purpose, the bill completely rewrites Public Law 769, 83d Congress. That law was enacted for the primary purpose of prohibiting Federal retirement benefits for individuals guilty of wrongful acts or omissions in matters affecting the national security. The law was enacted in response to strong and widespread public demand. This demand arose because of the then pending payment of a civil service retirement annuity to an individual about to be released from a Federal penitentiary after serving a penal term for perjury before a Federal grand jury in a proceeding directly involving the national security. The entire country was deeply disturbed and indignant at the prospect that a Federal annuity could be paid in any such case.

I should say that the individual in question has not yet applied for the retirement benefits; but if he should apply, there will surely be a question as to whether he can collect. He has left the country, and I do not believe that any Member of this body would want to pay retirement benefits to an individual who decides to reside in a foreign country.

Although this was the primary purpose of the law, during the consideration of the legislation a number of additional offenses were written into the provision barring annuities. Many of these additional offenses in no manner relate to the national security. It appears clear at this time that the denial of annuities in these additional cases was above and beyond the primary purpose of Public Law 769 and should be stricken from the law in equity and good conscience.

It cannot be too strongly emphasized that H.R. 4601 continues, clarifies, and strengthens the original purpose of Public Law 769, that is, to bar Federal annuities and retired pay in cases of offenses against the national security. The decision of the Court of Claims in Steinberg against the United States declared section 2 of Public Law 769 unconstitutional in a matter relating to the invoking of the fifth amendment before a grand jury investigating a nonsecurity matter. Unless the security provisions of the law are strengthened, similar judicial decisions well might be handed down in the future declaring the entire present law unconstitutional.

H.R. 4601 removes the inequitable provisions of Public Law 769 by restoring all annuity rights in nonsecurity cases. The restoration is retroactive and will take effect as though Public Law 769 never had been enacted. Anyone who has received a refund of contributions to an annuity or retirement system will have to redeposit the refund to obtain restoration of benefits. In this connection, it is to be noted that many of the annuities which will be restored were denied for comparatively minor offenses. In many cases, no penalty was applied due to mitigating circumstances such as restitution, good records, and so forth. In a number of instances, the offenders were reemployed and rendered long and faithful public service, only to be denied annuities when they reached retirement age.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield.

Mr. FULTON. Why, if pleading the fifth amendment is not an offense in itself, is one kind of pleading of the fifth amendment invoked to have your retirement benefits canceled? On the record I would like to say if one is unconstitutional or one method of pleading the fifth amendment provides an unconstitutional result as to retirement benefits under this act, I think the second, although we like it less, will likewise result in an unconstitutional decision if it is sustained.

Mr. FOLEY. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield.

Mr. FOLEY. I would like to associate myself with the conclusion reached by the gentleman from Pennsylvania and say that if it is unconstitutional for one purpose, it is unconstitutional for all purposes and that there cannot be a line drawn, and whatever may be our personal feelings in the matter if the matter is a constitutional right, it is a constitutional right, in my humble judgment, for all purposes.

Mr. JOHANSEN. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield.

Mr. JOHANSEN. I would like to observe first of all that the question of what is or what is not constitutional seems in these latter days to be whatever the decision of a majority of the nine men across the street happens to be. Now, Mr. Chairman, does not the question amount to this—not whether there is a right to invoke the fifth amendment, but whether there is a right, a constitutional right to hold a job under an oath of loyalty to the Constitution and in the Federal Government and then refuse to give an accounting of one's performance of that job with respect to matters that involve national security and that involve loyalty to this Government and to the very oath that was taken. Is not the real issue whether or not we are going to make a constitutional right out of a Federal job without reference to willingness to testify as to the most basic responsibility of all, namely, that of loyalty to the Government and to the very oath that is taken?

Mr. REES of Kansas. I think the gentleman has stated the proposition correctly.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield.

Mr. FULTON. Would you explain to me—because that does bring up a question—if a citizen of the United States exercises his constitutional right, by what right or authority then does this Congress put a penalty on it?

Mr. JOHANSEN. I would point out, Mr. Chairman, if the gentleman will yield further, that the loss of the job would certainly be a penalty and the loss of the perquisites and privileges of the job, of which this pension is one, is, let us concede for all practical purposes, a penalty; but the question is whether the right to that job and to these perquisites is a constitutional right that is completely inviolate whether or not a person violates national security or refuses to answer questions related to his own performance in that office.

Mr. DOYLE. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield to the gentleman from California.

Mr. DOYLE. I had not prepared to make any remarks in connection with this bill, for which I will gladly vote. But I think perhaps the subject of pleading the fifth amendment by a witness comes before the House Committee on Un-American Activities more than any other committee of this House. Therefore, in view of the discussion about it, now in process, I might contribute a thought or so which might be helpful, and for the problem. In the first place, may I say, that the Supreme Court of the United States time and again has held that the pleading of the fifth amendment, by a witness before a congressional committee, does not even infer guilt or wrongdoing. It does not even infer guilt and is definitely not an admission of guilt; not of any kind or sort of guilt of criminal activity.

Mr. REES of Kansas. This legislation does not affect that.

Mr. DOYLE. But I wish to associate myself with the distinguished gentleman from Pennsylvania [Mr. FULTON] and the distinguished gentleman from Maryland [Mr. FOLEY] on the question they have raised, as to the constitutionality of the bill provisions in the fifth amendment. Of course, I am strongly in support of the bill. I hope this method of trying to strengthen our national security proves practical and legal. I compliment the committee upon its work on the problem. But, I think we ought to be dead sure that this bill, as it passes this House, is fully considered by the

other body and possibly in conferences, as to this particular point being discussed. I doubt very much if by this congressional legislation we can overcome many, many decisions of our Supreme Court which has so many times defined that the plea of self incrimination, known as the fifth amendment, is a basic constitutional right.

May I say this, and I say it with all due respect to the members of the committee: that I am one Member of this Congress who recognizes, that even though I may not like some of the decisions of the Supreme Court of the United States, the Supreme Court of the United States is the Supreme Court of the United States, under the U.S. Constitution. It interprets the law as we pass the laws of the land. We may not like it. Some of their decisions may prove inconvenient, and personally inconsistent with our individual opinion, but, nevertheless, under our constitutional form of government, the judicial department of our Government is represented by the Supreme Court of the United States. As a member of the California bar for over 30 years, and of the bar of the Supreme Court for many years, I wish to affirm my position again. It is, that the Supreme Court, as our highest Court, deserves the dignified expression of faith and confidence of this Congress and of every citizen of the United States. If it does not have this, the Commies and their fellow travelers will proclaim with loud glee and hilarity and their unpatriotic propaganda and their subversive activity, that our form of representative constitutional government has not worked well. We can honestly criticize a decision, but I do not conceive of it being strengthening to the endurableness of our constitutional government to condemn the Court itself. To do so, makes for weakness of our fortress against Soviet communism.

Mr. JOHANSEN. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield to the gentleman from Michigan.

Mr. JOHANSEN. I would like to associate myself with a view expressed relative to the U.S. Supreme Court—and as long as it remains the Supreme Court and a truly judicial body, I have the utmost respect for it—some 90 years ago by Abraham Lincoln in his first inaugural address, when he said that if the decision of the Supreme Court in a specific case must thereafter become the irrevocable law of the land, then we will have ceased to be our own rulers in this country.

Mr. CORBETT. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield to the gentleman from Pennsylvania.

Mr. CORBETT. I am not an attorney and certainly not a constitutional attorney, but I believe that those who feel this law may be unconstitutional because of the provisions which relate to the invoking of the fifth amendment are losing sight of the basic fact.

This is not a penalty provision in the true sense of the word. No one is, or will be, deprived of any of his own money. Under the terms of this bill he gets his money back, but because he has refused to testify when he has a duty to do so, by reason of his official position with the Government, the U.S. Government has a right to withhold from him any special benefits which accrue to him in this event. I submit, therefore, that what we are trying to do is to prevent an employee getting special benefits from the taxpayers when he has failed to keep his contract with the U.S. Government.

In this connection, I believe that these statements of public policy, set forth by the Post Office and Civil Service Committee, are significant:

> Adverse and hostile policies, attitudes, and other actions of certain foreign nations in the world today imperil the existence of the United States of America as a sovereign Nation. Proof exists at every hand that one of the primary objectives of the Communist enemy is the infiltration of the Government of the United States with hostile influences in order to undermine and overthrow the Government. It is beyond the bounds of right and reason that an individual, whose acts or omissions are calculated to impede the national defense, safety, and security or to give aid and comfort or secure any advantage to foreign hostile forces and influences, should derive any Federal benefit in the form of annuity or retired pay based on his service as a Government officer or employee. This committee cannot emphasize too strongly that inaction and disregard on the part of the Congress of the United States or of any other organ of the Government with respect to any such situation constitutes dereliction of duty of the most serious nature.
>
> It is apparent to this committee that a significant principle with respect to the nature of the benefits at issue has not been given the proper weight in the consideration of existing law. This principle is to the effect that an individual who assumes public office or employment accepts all of the obligations (explicit and implicit) of such office or employment as well as the emoluments thereof. When an individual enters the service of the United States, he imposes upon himself an extraordinary—even a unique—commitment of complete and unswerving loyalty to government and to country. This obligation of loyalty is preemptive of any and all rights and benefits accruing from public office or employment. Fulfillment of such obligation of loyalty at all times is an absolute condition precedent to the granting, vesting, and receipt of any right, benefit, or remedy arising out of the office or employment in the past, present, or future.
>
> Breach of this obligation or high trust by an individual guilty of an act or omission which impairs the national security abrogates from the beginning any obligation of the United States to pay benefits based on the service of such individual. All claims for such benefits must stand or fall along with those of the individual whose conduct is at issue. In the case of such breach of trust, it is entirely fitting and proper to deny such benefits and at the same time make appropriate return of contributions made by the individual concerned. These benefits are, in part, in the nature of gratuities because of Government contributions toward such benefits. In effect, the payment of any such benefits to any such individual would be shocking to the public conscience and morals and repugnant to the high principles on which our Government is founded. This was made abundantly evident, during the consideration of the bill that became Public Law 769, 83d Congress.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield.

Mr. FULTON. That brings up a remarkable question. Does Alger Hiss have a right to get his money back, with interest, from the Government, and has he asked for it?

Mr. CORBETT. The answer is that he has not received his money and he has not asked for it, but he is entitled to it.

Mr. FULTON. And is he entitled to interest on his money?

Mr. CORBETT. Certainly, as provided by the Retirement Act.

Mr. FULTON. Why did not the Solicitor General of the United States in the Steinberg case develop this on all aspects of the constitutional question? Why did he not appeal from the Court of Claims decision to the U.S. Supreme Court to clarify this question before recommending this legislation? Why did he not do it? Will somebody answer me on that?

Mr. CORBETT. Mr. Speaker, will the gentleman yield?

Mr. REES of Kansas. I yield.

Mr. CORBETT. The answer is that everybody agreed that there should be a change in the law to clarify and strengthen it and that further appeal would be undesirable, particularly since he was going to recommend this particular change in the law.

Mr. FULTON. I believe it was an error on the part of the Solicitor General not to have settled this question in advance before recommending legislation. This question of constitutionality should be settled; and all the gentleman from Maryland, the gentleman from California, and I are doing is simply trying to check out on all phases of this matter of constitutionality. Under the rules of the Supreme Court if a matter is unconstitutional in one phase the entire act falls. If they hold it is unconstitutional to put a penalty on a person for exercising his rights under a section of the Constitution of the United States we should not try to do what amounts to just that. I for one cannot see how a constitutional exercise of the right to plead the fifth amendment which the Supreme Court says is not even an inference of guilt gives Congress the right to assess a penalty against anyone exercising his constitutional rights.

Mr. CORBETT. It is not assessed on that ground, but because he has violated his obligation as an employee of the United States of America in refusing to give information which it is his duty to give because of accepting that employment.

Mr. FOLEY. In connection with the position taken by my distinguished colleague from Pennsylvania [Mr. FULTON] I would like to quote this language from the Supreme Court cited in the Steinberg case. The Supreme Court has held in the case of Slochower against the Board of Education:

> The privilege against self-incrimination would be reduced to a hollow mockery if its exercise could be taken as equivalent to a confession of guilt. The privilege serves to protect the innocent who otherwise might be ensnared by ambiguous circumstances.

My question, I may say to the gentleman from Kansas [Mr. REES], is this: As a member of the Post Office and Civil

Service Committee and one who is in favor of the adoption of H.R. 4601, it is my understanding that the purpose is to eliminate this unfair provision referring to crimes not involving national security and not involving loyalty. It is also my understanding that it is the purpose of the amendment, H.R. 4601, to eliminate that provision pertaining to the exercise of the constitutional right, in other words, exercising the guarantee provided by the fifth amendment. My opinion is based upon the fact that the original act, section 2, specifically authorized the forfeiture of benefits where the refusal to answer was on the ground of self-incrimination. H.R. 4601 eliminates that provision.

It seems to me that it was the intent of the committee when they reported out H.R. 4601 to eliminate all reference to the exercise of constitutional rights as forming the basis for the imposition of any penalty or sanction.

My question arises because of the fact that in the report of the committee on page 7 the statement is made:

> Section 2(a) of the amendment prohibits annuities or retired pay to persons refusing on ground of self-incrimination.

I concur in the opinion stated by the gentleman from Pennsylvania [Mr. FULTON] that the Court of Claims is correct in holding that for the exercise of a constitutional right, regardless of what that right may be, the Congress cannot impose any loss of any benefit, cannot impose any penalty or sanction. This is true not only in the case of crimes or misdemeanors, but in all other cases, and Congress cannot except from this fixed principle cases involving the serious charges of loyalty and security. Therefore I join with the gentleman from Pennsylvania in the conclusion that if this bill in any respect in loyalty or security matters seeks to impose sanctions or penalties upon the exercise of the constitutional guarantee under the fifth amendment that it will be struck down by the Supreme Court as unconstitutional.

Mr. REES of Kansas. As a member of the Committee on the Post Office and Civil Service, and one of the most diligent members of that committee, I believe the gentleman supports this legislation?

Mr. FOLEY. Yes; I am in favor of the bill; but my questions are prompted by the language in the report. The purpose of the amendment, as I understand it, is to eliminate the original provision which called for the forfeiture of benefits upon the exercise of the constitutional right. I have been somewhat at a loss to understand why that has not been categorically and positively set forth in the report, to prevent any conclusion from being drawn that the purpose of the bill is not to do away with the original provisions providing for a sanction or penalty upon the invocation of the fifth amendment protection.

Mr. REES of Kansas. The bill sets out the policy as carefully and clearly as can be done.

Mr. FOLEY. That is my understanding. It is the report that has misled me.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. Briefly. I think the gentleman supports this legislation?

Mr. FULTON. I am supporting it but it brings these questions up. We do not want to have the legislation declared unconstitutional merely because of the lack of congressional intent in the language we are setting out here. I believe our purpose is to make sure that we are not going beyond constitutional limits. This brings up a precedent, and I think the veterans' organizations of the country should take cognizance of this fact.

This brings up a precedent, as I say. Every action we take here is going to be cited as a precedent later. I am a former veteran and that brings to mind this: When somebody is convicted by a court-martial and discharged from the service, he loses his rank, his pay, his retirement, and his GI education rights, whether it is on the security of the country, loyalty or on a small little thing that sometimes would not even be a misdemeanor in a State. So, we are here in the U.S. Congress in one instance depriving a serviceman and his widow dependent, also his children, of support when it involves only a misdemeanor.

I hope that the veterans' organizations will look into this because there has been a lot of injustice done to many of our veterans in this country when they have been deprived of their retirement right, their disability right, their citizenship rights, yes, and their widow's and their children's support rights, and also they have lost their GI education rights that would simply make them better U.S. citizens. How can we say we are not doing that?

I strongly favor and recommend that the Congress and the Committee on Armed Services particularly take up the situation because there has been a tremendous injustice in many cases.

Mr. CORBETT. I do want to say to both the gentleman from Maryland and the gentleman from Pennsylvania that we appreciate the fact that their concern for the welfare of this legislation has prompted their remarks. But I do think this needs to be added: The full intent of the committee and those counseling on this bill was to bring here a measure that would provide, first, that no one who is guilty of subversion or disloyalty may secure additional gratuities or benefits from the people of the United States and, second, that employees, former employees, and their families not be deprived of their benefits because of comparatively minor offenses. That has been the intent, and I submit, as both the gentlemen pointed out, that this bill represents the best possible means to obtain these objectives. If a constitutional question exists, the ultimate decision will have to be with the courts of the United States. Further discussion on this matter here would seem to serve no purpose.

Mr. FOLEY. You have reference to a conviction for these offenses by a court of law rather than the exercise of a constitutional right, being the basis or the ground for forfeiture of the benefits, is that correct?

I repeat my question. Your views were premised on this basis, that the person involved has been convicted by a court of law of the charges against him and that the forfeiture of his benefit depends upon that act rather than upon the exercise of a constitutional right; is that correct, sir?

Mr. CORBETT. It is the failure to act on the part of the employee who is in duty bound to act in keeping with his contract made when he took office. It does not result in a penalty or punishment in the form of forfeiture of the benefit. It results in a justified refusal by the Government to give him a benefit because he has failed to act in accordance with the rules laid down which he accepted when he took office.

Mr. FOLEY. On the ground other than the protection of the fifth amendment invocation; is that correct, sir?

Mr. CORBETT. Any refusal or failure to act when it is his duty to act, whatever it might be, in violation of the contract between him and the Government of the United States seems to be due and adequate cause.

Mr. FOLEY. Which failure would include the invocation of the fifth amendment protection.

Mr. CORBETT. If the fifth amendment is being utilized as a shield for him to refuse to do his duty—and even possibly to aid and abet the weakening or destruction of the Constitution—certainly, then, the invocation of it itself is a violation of his contract of employment.

Mr. FOLEY. If it is on that basis, I disagree with you on the ground it would be unconstitutional.

Mr. FULTON. How can the invocation of a constitutional right guaranteed under the Constitution be a breach of his oath under the statutes that this Congress has passed for his protection? I do not understand that.

Mr. REES of Kansas. I gather from this discussion that we have had that no one who has spoken is opposing this legislation as it is written. We are glad to have this discussion and to have these matters pointed out. But let us remember that this matter of denial of retirement benefits deals only with the question of national security. I do not believe that the questions raised should delay approval of this legislation.

Again, it should be noted that this legislation was reported unanimously by the Post Office and Civil Service Committee and will carry out what is believed to be the recognized public policy.

In my judgment, this legislation should be passed by the House and enacted into law.

Mr. MURRAY. Mr. Chairman, we have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to prohibit payment of annuities to officers and employees of the United States convicted of certain offenses, and for other purposes", approved September 1, 1954,

as amended (68 Stat. 1142, 70 Stat. 761; 5 U.S.C. 740b-740i), is amended to read as follows:

"That (a) there shall not be paid to any person convicted, prior to, on, or after September 1, 1954, under any article or provision of law specified or described in this subsection, of any offense within the purview of such article or provision to the extent provided in this subsection, or to any survivor or beneficiary of such person so convicted, for any period subsequent to the date of such conviction or subsequent to September 1, 1954, whichever date is later, any annuity or retired pay on the basis of the service of such person (subject to the exceptions contained in section 10(2) and (3) of this Act) which is creditable toward such annuity or retired pay—

"(1) any offense within the purview of—

"(A) section 792 (harboring or concealing persons), 793 (gathering, transmitting, or losing defense information), 794 (gathering or delivering defense information to aid foreign government), or 798 (disclosure of classified information), of chapter 37 (relating to espionage and censorship) of title 18 of the United States Code.

"(B) chapter 105 (relating to sabotage) of title 18 of the United States Code,

"(C) section 2381 (treason), 2382 (misprision of treason), 2383 (rebellion or insurrection), 2384 (seditious conspiracy), 2385 (advocating overthrow of government), 2387 (activities affecting armed forces generally), 2388 (activities affecting armed forces during war), 2389 (recruiting for service against United States), or 2390 (enlistment to serve against United States), of chapter 115 (relating to treason, sedition, and subversive activities) of title 18 of the United States Code,

"(D) section 10(b)(2), 10(b)(3), or 10 (b)(4) of the Atomic Energy Act of 1946 (60 Stat. 766, 767; 42 U.S.C., 1952 edition, sec. 1810(b)(2), (3), and (4)), as in effect prior to the enactment of the Atomic Energy Act of 1954 by the Act of August 30, 1954 (68 Stat. 919); Public Law 703, Eighty-third Congress; 42 U.S.C. 2011-2281),

"(E) section 16(a) or 16(b) of the Atomic Energy Act of 1946 (60 Stat. 773; 42 U.S.C., 1952 edition, sec. 1816(a) and (b)) as in effect prior to the enactment of the Atomic Energy Act of 1954 by the Act of August 30, 1954, insofar as such offense under such section 16(a) or 16(b) is committed with intent to injure the United States or with intent to secure an advantage to any foreign nation, or

"(F) any prior provision of law on which any provision of law specified in subparagraph (A), (B), or (C) of this paragraph is based;

"(2) any offense within the purview of—

"(A) article 104 (aiding the enemy) or article 106 (spies) of the Uniform Code of Military Justice (chapter 47 of title 10 of the United States Code) or any prior article on which such article 104 or article 106, as the case may be, is based, or

"(B) any current article of the Uniform Code of Military Justice (or any prior article on which such current article is based) not specified or described in subparagraph (A) of this paragraph on the basis of charges and specifications describing a violation of any provision of law specified or described in paragraph (1), (3), or (4) of this subsection if the executed sentence includes death, dishonorable discharge, or dismissal from the service, or if the defendant dies before execution of such sentence as finally approved;

"(3) perjury committed under the laws of the United States or of the District of Columbia—

"(A) in falsely denying the commission of an act which constitutes any of the offenses—

"(i) within the purview of any provision of law specified or described in paragraph (1) of this subsection, or

"(ii) within the purview of any article or provision of law specified or described in paragraph (2) of this subsection insofar as such offense is within the purview of any article or provision of law specified or described in paragraph (1) or paragraph (2)(A) of this subsection,

"(B) in falsely testifying before any Federal grand jury, court of the United States, or court-martial with respect to his service as an officer or employee of the Government in connection with any matter involving or relating to any interference with or endangerment of, or involving or relating to any plan or attempt to interfere with or endanger, the national security or defense of the United States, or

"(C) in falsely testifying before any congressional committee in connection with any matter under inquiry before such congressional committee involving or relating to any interference with or endangerment of, or involving or relating to any plan or attempt to interfere with or endanger, the national security or defense of the United States; and

"(4) subornation of perjury committed in connection with the false denial or false testimony of another person as specified in paragraph (3) of this subsection.

"(b) There shall not be paid to any person convicted, prior to, on, or after the date of enactment of this amendment, under any article or provision of law specified or described in this subsection, of any offense within the purview of such article or provision to the extent provided in this subsection, or to any survivor or beneficiary of such person so convicted, for any period subsequent to the date of such conviction or subsequent to the date of enactment of this amendment, whichever date is later, any annuity or retired pay on the basis of the service of such person (subject to the exceptions contained in section 10 (2) and (3) of this Act) which is creditable toward such annuity or retired pay—

"(1) any offense within the purview of—

"(A) section 222 (violation of specific sections) or section 223 (violation of sections generally) of the Atomic Energy Act of 1954 (68 Stat. 958; 42 U.S.C. 2272 and 2273), insofar as such offense under such section 222 or 223 is committed with intent to injure the United States or with intent to secure an advantage to any foreign nation,

"(B) section 224 (communication of restricted data), section 225 (receipt of restricted data), or section 226 (tampering with restricted data) of the Atomic Energy Act of 1954 (68 Stat. 958 and 959; 42 U.S.C. 2274, 2275, and 2276), or

"(C) section 4 (conspiracy and communication or receipt of classified informagency), or section 113 (aiding evasion of apprehension during internal security emergency), or section 113 (aiding evasion of apprehension during internal security emergency) of the Internal Security Act of 1950 (64 Stat. 991, 1029, and 1030; 50 U.S.C. 783, 822, and 823);

"(2) any offense within the purview of any current article of the Uniform Code of Military Justice (chapter 47 of title 10 of the United States Code), or any prior article on which such current article is based, on the basis of charges and specifications describing a violation of any provision of law specified or described in paragraph (1), (3), or (4) of this subsection, if the executed sentence includes death, dishonorable discharge, or dismissal from the service, or if the defendant dies before execution of such sentence as finally approved;

"(3) perjury committed under the laws of the United States or of the District of Columbia in falsely denying the commission of an act which constitutes any of the offenses within the purview of any provision of law specified or described in paragraph (1) of this subsection; and

"(4) subornation of perjury committed in connection with the false denial of another person as specified in paragraph (3) of this subsection.

"SEC. 2. (a) There shall not be paid to any person who, prior to, on, or after September 1, 1954, has refused or refuses, or knowingly and willfully has failed or fails, to appear, testify, or produce any book, paper, record, or other document, relating to his service as an officer or employee of the Government, before a Federal grand jury, court of the United States, court-martial, or congressional committee, in any proceeding with respect to—

"(1) any relationship which he has had or has with a foreign government, or

"(2) any matter involving or relating to any interference with or endangerment of, or involving or relating to any plan or attempt to interfere with or endanger, the national security or defense of the United States, or to the survivor or beneficiary of such person, for any period subsequent to September 1, 1954, or subsequent to the date of such failure or refusal of such person, whichever date is later, any annuity or retired pay on the basis of the service of such person (subject to the exceptions contained in section 10(2) and (3) of this Act) which is creditable toward such annuity or retired pay.

"(b) There shall not be paid to any person who, prior to, on, or after September 1, 1954, knowingly and willfully, has made or makes any false, fictitious, or fraudulent statement or representation, or who, prior to, on, or after such date, knowingly and willfully, has concealed or conceals any material fact, with respect to his—

"(1) past or present membership in, affiliation or association with, or support of the Communist Party, or any chapter, branch, or subdivision thereof, in or outside the United States, or any other organization, party, or group advocating (A) the overthrow, by force, violence, or other unconstitutional means, of the Government of the United States, (B) the establishment, by force, violence, or other unconstitutional means, of a Communist totalitarian dictatorship in the United States, or (C) the right to strike against the Government of the United States,

"(2) conviction, under any article or provision of law specified or described in subsection (a) of the first section of this Act, of any offense within the purview of such subsection (a) to the extent provided in such subsection, or

"(3) failure or refusal to appear, and testify, or produce any book, paper, record, or other document, as specified in subsection (a) of this section,

for any period subsequent to September 1, 1954, or subsequent to the date on which any such statement, representation, or concealment of fact is made or occurs, whichever date is later, in any document executed by such person in connection with his employment in, or application for, a civilian or military office or position in or under the legislative, executive, or judicial branch of the Government of the United States or the government of the District of Columbia, or to the survivor or beneficiary of such person, any annuity or retired pay on the basis of the service of such person (subject to the exceptions contained in section 10(2) and (3) of this Act) which is creditable toward such annuity or retired pay.

"(c) There shall not be paid to any person who, prior to, on, or after the date of enactment of this amendment, knowingly and willfully, has made or makes any false, fictitious, or fraudulent statement or representation, or who, prior to, on, or after such date, knowingly and willfully, has concealed or

conceals any material fact, with respect to his conviction, under any article or provision of law specified or described in subsection (b) of the first section of this Act, of any offense within the purview of such subsection (b) to the extent provided in such subsection, for any period subsequent to the date of enactment of this amendment or subsequent to the date on which any such statement, representation, or concealment of fact is made or occurs, whichever date is later, in any document executed by such person in connection with his employment in, or application for, a civilian or military office or position in or under the legislative, executive, or judicial branch of the Government of the United States or the government of the District of Columbia, or to the survivor or beneficiary of such person, any annuity or retired pay on the basis of the service of such person (subject to the exceptions contained in section 10(2) and (3) of this Act) which is creditable toward such annuity or retired pay.

"SEC. 3. There shall not be paid to any person—

"(1) who (A) after July 31, 1956, is under indictment, or has outstanding against him charges preferred under the Uniform Code of Military Justice, for any offense within the purview of subsection (a) of the first section of this Act, or (B) after the date of enactment of this amendment, is under indictment, or has outstanding against him charges preferred under the Uniform Code of Military Justice, for any offense within the purview of subsection (b) of such first section, and

"(2) who willfully remains outside the United States, its Territories and possessions, and the Commonwealth of Puerto Rico for a period in excess of one year with knowledge of such indictment or charges, as the case may be,

for any period subsequent to the end of such one-year period, or to the survivor or beneficiary of such person, any annuity or retired pay on the basis of the service of such person (subject to the exceptions contained in section 10(2) and (3) of this Act) which is creditable toward such annuity or retired pay, unless and until—

"(i) a nolle prosequi to the entire indictment is entered upon the record, or such charges have been dismissed by competent authority, as the case may be,

"(ii) such person returns and thereafter the indictment, or charges, is or are dismissed, or

"(iii) after trial by court or court-martial, as applicable, the accused is found not guilty of the offense or offenses referred to in paragraph (1) of this section.

"SEC. 4. (a) In the case of—

"(1) the conviction of any person, under any article or provision of law specified or described in subsection (a) of the first section of this Act, of any offense within the purview of such subsection (a) to the extent provided in such subsection, or the commission by any person of any violation of subsection (a) or (b) of section 2 of this Act, or

"(2) the conviction of any person, under any article or provision of law specified or described in subsection (b) of the first section of this Act, of any offense within the purview of such subsection (b) to the extent provided in such subsection, or the commission by any person of any violation of subsection (c) of section 2 of this Act,

any amounts (not including employment taxes) contributed by such person toward an annuity the benefits of which are denied under this Act (less any amounts previously refunded or previously paid as annuity benefits) shall be refunded, upon appropriate application therefor—

"(A) to such person,

"(B) if such person is deceased, to such other person or persons as may be designated to receive refunds by or under the law, regulation, or agreement under which the annuity (the benefits of which are denied under this Act) would have been payable, or

"(C) if there is no such designation, in the order of precedence prescribed in section 11(c) of the Civil Service Retirement Act (70 Stat. 755; 5 U.S.C. 2261(c)).

"(b) Each refund under subsection (a) of this section shall be made with interest at such rates and for such periods as may be provided under the law, regulation, or agreement under which the annuity would have been payable. Such interest shall not be computed—

"(1) if paragraph (1) of subsection (a) of this section is applicable, for any period after the date of conviction or commission of violation, as the case may be, or after September 1, 1954, whichever date is later, or

"(2) if paragraph (2) of subsection (a) of this section is applicable, for any period after the date of conviction or commission of violation, as the case may be, or after the date of enactment of this amendment, whichever date is later.

"(c) No person whose annuity is denied under this Act shall be required to repay that part of any annuity otherwise properly paid to such person which is in excess of the aggregate amount of his own contributions toward such annuity, with applicable interest.

"(d) No survivor or beneficiary of any such person shall be required to repay that part of any annuity otherwise properly paid to such person or to such survivor or beneficiary on the basis of the service of such person which is in excess of the aggregate amount of the contributions of such person toward annuity, with applicable interest.

"SEC. 5. (a) No person (including an eligible beneficiary under chapter 73 of title 10 of the United States Code or under section 5 of the Uniformed Services Contingency Option Act of 1953 (67 Stat. 504; 37 U.S.C., 1952 edition, Supp. III, sec. 374)) to whom payment of retired pay is denied under this Act shall be required to refund to the United States any retired pay otherwise properly paid to such person or beneficiary which is paid in violation of this Act.

"(b) In the case of the conviction of, or the commission of any violation by, any person to the extent provided in paragraph (1) or paragraph (2), as the case may be, of section 4(a) of this Act, any deposits made under section 1438 of chapter 73 of title 10 of the United States Code, or under section 5 of the Uniformed Services Contingency Option Act of 1953 (67 Stat. 504; 37 U.S.C., 1952 edition, Supp. III, sec. 374), to provide the eligible beneficiary with annuity for any period (less amounts previously paid as retired pay benefits) shall be refunded, upon appropriate application therefor, in accordance with such section 4(a), with interest as provided in section 4(b) of this Act.

"SEC. 6. (a) The right to receive an annuity or retired pay shall be deemed restored to any person convicted, prior to, on, or after September 1, 1954, of an offense which is within the purview of the first section of this Act or which constitutes a violation of section 2 of this Act, for which he is denied under this Act an annuity or retired pay, to whom a pardon for such offense is granted by the President of the United States, prior to, on, or after September 1, 1954, and to the survivor or beneficiary of such person. Such restoration of the right to receive an annuity or retired pay shall be effective as of the date on which such pardon is granted. Any amounts refunded to such person under section 4 or section 5(b) of this Act shall be redeposited before credit is allowed for the period or periods of service covered by the refund. No payment of annuity or retired pay shall be made, by virtue of such pardon, for any period prior to the date on which such pardon is granted.

"(b) The President is authorized to restore, effective as of such date as he may prescribe, the right to receive an annuity or retired pay to any person who is denied, prior to, on, or after September 1, 1954, an annuity or retired pay under section 2 of this Act, and to the survivor or beneficiary of such person. Any amounts refunded to such person under section 4 or section 5(b) of this Act shall be redeposited before credit is allowed for the period or periods of service covered by the refund. No payment of annuity or retired pay shall be made, by virtue of such restoration of annuity or retired pay by the President under this subsection, for any period prior to the effective date of such restoration of annuity or retired pay.

"(c) The right to receive an annuity or retired pay shall not be denied because of any conviction of an offense which is within the purview of the first section of this Act or which constitutes a violation of section 2 of this Act, in any case in which it is established by satisfactory evidence that such conviction or violation resulted from proper compliance with orders issued, in a confidential relationship, by a department, agency, establishment, or other authority of any branch of the Government of the United States or of the government of the District of Columbia.

"SEC. 7. No accountable officer or employee of the Government shall be held responsible for any payment made in violation of any provision of this Act if such payment is made in due course and without fraud, collusion, or gross negligence.

"SEC. 8. (a) The President may—

"(1) drop from the rolls any member of the armed forces, and any member of the Coast and Geodetic Survey or of the Public Health Service, who is deprived of retired pay under the provisions of this Act, and

"(2) (A) restore to any person so dropped from the rolls to whom retired pay is restored by reason of any provision of or change in this Act (including the provisions of section 2 of the Act which enacts this clause), his military status, and (B) restore to him and his beneficiaries all rights and privileges of which he or they were deprived by reason of his name having been dropped from the rolls.

"(b) If the person so restored was a commissioned officer he may be reappointed by the President alone to the grade and position on the retired list which he held at the time his name was dropped from the rolls.

"SEC. 9. This Act shall not be construed to restrict any authority under any other provision of law to deny or withhold benefits authorized by law.

"SEC. 10. As used in this Act—

"(1) the term 'officer or employee of the Government' includes—

"(A) an officer or employee in or under the legislative, executive, or judicial branch of the Government of the United States;

"(B) a Member of, Delegate to, or Resident Commissioner in, the Congress of the United States;

"(C) an officer or employee of the government of the District of Columbia; and

"(D) a member or former member of the armed forces, the Coast and Geodetic Survey, or the Public Health Service.

"(2) the term 'annuity' means any retirement benefit (including any disability insurance benefit and any dependent's or survivors' benefit under title II of the Social Security Act and any monthly annuity under section 2 or section 5 of the Railroad Retirement Act of 1937) payable by any department or agency of the Government of the United States or the government of the District of Columbia upon the basis of service as a civilian officer or employee of the Government and any other service which is creditable to an officer or employee of the Government toward such benefit under the law, regulation, or agreement providing such benefit, except that—

"(A) the term 'annuity' does not include any benefit provided under laws administered by the Veterans' Administration;

"(B) the term 'annuity' does not include salary or compensation which may not be diminished under section 1 of Article III of the Constitution of the United States;

"(C) the term 'annuity' does not include, in the case of a benefit payable under title II of the Social Security Act, so much of such benefit as would be payable without taking into account (for any of the purposes of such title II, including determinations of periods of disability under section 216 (i)) any remuneration for service as an officer or employee of the Government;

"(D) the term 'annuity' does not include any monthly annuity awarded under section 2 or section 5 of the Railroad Retirement Act of 1937 prior to the date of enactment of this amendment (whether or not computed under section 3(e) of such Act) and, in the case of any annuity awarded under such section 2 or 5 on or subsequent to the date of enactment of this amendment, does not include so much of such annuity as would be payable without taking into account any military service creditable under section 4 of such Act;

"(E) the term 'annuity' does not include any retirement benefit (including any disability insurance benefit and any dependent's or survivor's benefit under title II of the Social Security Act) of any person to whom such benefit has been awarded or granted prior to September 1, 1954, or of the survivor or beneficiary of such person, insofar as concerns the conviction of such person, prior to such date, under any article or provision of law specified or described in subsection (a) of the first section of this Act, of any offense within the purview of such subsection (a) to the extent provided in such subsection, or the commission by such person, prior to such date, of any violation of subsection (a) or (b) of section 2 of this Act; and

"(F) the term 'annuity' does not include any retirement benefit (including any disability insurance benefit and any dependent's or survivor's benefit under title II of the Social Security Act) of any person to whom such benefit has been awarded or granted prior to the date of enactment of this amendment, or of the survivor or beneficiary of such person, insofar as concerns the conviction of such person, prior to such date, under any article or provision of law specified or described in subsection (b) of the first section of this Act, of any offense within the purview of such subsection (b) to the extent provided in such subsection, or the commission by such person, prior to such date, of any violation of subsection (c) of section 2 of this Act.

"(3) the term 'retired pay' means retired pay, retirement pay, retainer pay, or equivalent pay, payable under any law of the United States to members or former members of the armed forces, the Coast and Geodetic Survey, and the Public Health Service, and any annuity payable to an eligible beneficiary of any such member or former member under chapter 73 (annuities based on retired or retainer pay) of title 10 of the United States Code, or under section 5 of the Uniformed Services Contingency Option Act of 1953 (67 Stat. 504; 37 U.S.C., 1952 edition, Supp. III, sec. 374), except that—

"(A) the term 'retired pay' does not include any benefit provided under laws administered by the Veterans' Administration;

"(B) the term 'retired pay', as applicable to retired pay, retirement pay, retainer pay, and equivalent pay, does not include any such pay of any person to whom such pay has been awarded or granted prior to September 1, 1954, insofar as concerns the conviction of such person, prior to such date, under any article or provision of law specified or described in subsection (a) of the first section of this Act, of any offense within the purview of such subsection (a) to the extent provided in such subsection, or the commission by such person, prior to such date, of any violation of subsection (a) or (b) of section 2 of this Act;

"(C) the term 'retired pay', as applicable to retired pay, retirement pay, retainer pay, or equivalent pay, does not include any such pay of any person to whom such pay has been awarded or granted prior to the date of enactment of this amendment insofar as concerns the conviction of such person, prior to such date, under any article or provision of law specified or described in subsection (b) of the first section of this Act, of any offense within the purview of such subsection (b) to the extent provided in such subsection, or the commission by such person, prior to such date, of any violation of subsection (c) of section 2 of this Act; and

"(D) the term 'retired pay', as applicable to an annuity payable to the eligible beneficiary of any person under chapter 73 of title 10 of the United States Code, or under section 5 of the Uniformed Services Contingency Option Act of 1953 (67 Stat. 504; 37 U.S.C., 1952 edition, Supp. III, sec. 374), does not include any such annuity of any such beneficiary if such annuity has been awarded or granted to such beneficiary, or if retired pay has been awarded or granted to such person, prior to the date of enactment of this amendment insofar as concerns—

"(i) the conviction, prior to such date, of the person on the basis of whose service such annuity is awarded or granted, under any article or provision of law specified or described in the first section of this Act, of any offense within the purview of such first section to the extent specified in such section, or

"(ii) the commission by such person, prior to such date, of any violation of section 2 of this Act.

"(4) the term 'armed forces' shall have the meaning provided for such term by title 10 of the United States Code.

"SEC. 11. If any provision of this Act, or the application of such provision to any person or circumstance, shall be held invalid, the remainder of this Act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby."

SEC. 2. (a) Subject to subsection (b) of this section, any person, including his survivor or beneficiary, to whom annuity or retired pay is not payable under the Act of September 1, 1954, as in effect at any time prior to the date of enactment of this Act, by reason of any conviction of an offense, any commission of a violation, any refusal to answer, or any absence under indictment, or under charges, for any offense, shall be restored the right to receive such annuity or retired pay, for any and all periods for which he would have had the right to receive such annuity or retired pay if the Act of September 1, 1954, had not been enacted, unless, under the amendment made by the first section of this Act, such annuity or retired pay remains nonpayable to such person, including his survivor or beneficiary.

(b) No annuity accrued or accruing, prior to, on, or after the date of enactment of this Act, on account of the restoration, by reason of the amendment made by the first section of this Act and by reason of subsection (a) of this section, of the right to receive such annuity, shall be paid until any sum refunded under section 3 of the Act of September 1, 1954, as in effect prior to the date of enactment of such amendment, is deposited or is collected by offset against the annuity.

SEC. 3. The elimination, by reason of the amendment made by the first section of this Act, of section 10 of the Act of September 1, 1954 (68 Stat. 1145; Public Law 769, Eighty-third Congress), as in effect immediately prior to the date of enactment of this Act, shall not be held or considered to modify, change, or otherwise affect the amendment made by subsection (a) of such section 10 or the application of such amendment as provided in subsection (b) of such section 10.

Mr. MURRAY (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

Page 1, line 7, strike out "740b-740l" and insert in lieu thereof "2281–2288".

Page 24, line 24, strike out the word "thereby" and the period and the quotation marks immediately following such word and insert in lieu thereof "thereby.".

Page 24, immediately following line 24, insert the following:

"SEC. 12. (a) Section 3282 of title 18 of the United States Code is amended by striking out 'three' and inserting in lieu thereof 'five'.

"(b) The amendment made by subsection (a) shall be effective with respect to offenses (1) committed on or after September 1, 1954, or (2) committed prior to such date, if on such date prosecution therefor is not barred by provisions of law in effect prior to such date."

Page 26, strike out line 23 and all that follows down through the period in line 6 on page 26.

The committee amendments were agreed to.

Mr. FULTON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, may I ask the chairman and the ranking member of the Committee on the Post Office and Civil Service, whether this legislation is based in any respect on the legal premise that there are different ways of exercising rights under the fifth amendment of the Constitution? For example, are there any different ways of exercising the right of a citizen to plead the fifth amendment in a criminal proceeding?

Mr. REES of Kansas. The answer is "No."

Mr. FULTON. What does the chairman of the committee say about that?

Mr. MURRAY. The answer is "No."

Mr. FULTON. Mr. Chairman, then I believe that if the law is applied equally in the matter of exercise or invocation of the fifth amendment, if this act were unconstitutional in one situation of such invocation or plea, it would have to be of necessity unconstitutional as to this particular provision in the next instance when the fifth amendment is pleaded, regardless of what the reason is, or the degree of the offense whether security or loyalty charge, felony or misdemeanor. I believe that that particular section of the legislation will be unconstitutional and therefore we should give it further study by the proper committee on the conference. We in Congress have the obligation of making the intent of the Congress clear, and must neither transgress constitutional limitations nor make laws that require different exercise of the same rights under any section or amendment of the U.S. Constitution.

Mr. CURTIS of Massachusetts. Mr. Chairman, I strongly favor this bill and hope that it will receive broad support.

This bill corrects an unfair situation which first came to my attention as the result of the hardship caused to a constituent who appealed to me.

Her difficulty resulted from the forfeiture of annuities required under the act of September 1, 1954, Public Law 769, 83d Congress, which the bill now before us amends.

My constituent was the widow of a civil-service employee. As a result of over 30 years of Government work, and payments into the retirement fund, he built up rights which would have entitled his widow to substantial retirement benefits. These, however, were denied to her because her husband had, in 1940, prior to the passage of the above 1954 law, been guilty of a minor mail theft, for which he had been duly punished.

He was for a time separated from the service, but was later reinstated and continued in good faith making payments into the retirement fund.

I felt that this forfeiture of benefits, the burden of which fell on the innocent widow, was unnecessarily harsh and went beyond what was properly needed for the protection of the public. It appeared to me that if the forfeiture provisions were confined to offenses against the national security, that would both bring about a fairer result and would bring the act of September 1, 1954, in line with the main purposes of that act.

I therefore filed a bill to limit in this manner the act of September 1, 1954. This was H.R. 9164 in the 85th Congress, 1st session. The Civil Service Commission reported favorably on this bill. It concurred in its objective and proposed substitute language which, in fact, formed the basis of the bill now before the House. The Committee on Post Office and Civil Service, in its report on the bill now before us, gave its firm support to the above objective where it said on page 3:

> The primary purpose of the act of September 1, 1954, as originally enacted, was to prohibit the payment of any Federal annuity or retired pay to any individual because of the commission by such individual of an offense involving the national security of the United States. However, such act, in its entirety and as now in effect, contains provisions which exceed this purpose and have resulted in the denial of Federal retirement benefits to certain individuals and their survivors for reasons which are not related to the primary purpose of such act.

This is a just bill which preserves and strengthens the main purpose of existing law and at the same time tempers justice with mercy. It should receive the support of this House.

Mr. FOLEY. Mr. Chairman, I am gravely concerned that the legislative history of this bill, H.R. 4601, will not clearly reflect the intent of the Members of the House of Representatives in passing it today. In voting for H.R. 4601, I wish to make clear that my vote is based upon the fact that section 2 of the bill deletes from original title 5, United States Code, section 2283, the words, "upon the ground of self-incrimination." By this deletion, it is my understanding that the Committee on Post Office and Civil Service, of which I am a member, intended to remove any and all bases for holding the act unconstitutional insofar as the exercise of the constitutional guarantee against self-incrimination is involved.

By way of recapitulation, I wish to point out that the present act reads as follows:

> Title 5, United States Code, section 2283: "There would not be paid to any person who has failed or refused, or fails or refuses, prior to, on, or after September 1, 1954, upon the ground of self-incrimination, to appear, to testify, or produce, any book, papers, record, or other document, with respect to his service as an officer or employee of the Government or with respect to any relationship which he has had or has with a foreign government, in any proceeding before a Federal grand jury, court of the United States, or congressional committee."

The pertinent provision of H.R. 4601 is as follows:

> SEC. 2(a). There shall not be paid to any person who, prior to, on, or after September 1, 1954, has refused or refuses, or knowingly or willfully has failed or fails, to appear, testify, or produce any books, paper, record, or other document, relating to his service as an officer or employee of the Government, before a Federal grand jury, court of the United States, court-martial, or congressional committee, in any proceeding with respect to—.

Special attention is called to the fact that H.R. 4601 deletes the language "upon the ground of self-incrimination." The overall change brought about by H.R. 4601 is to limit section 2's application to matters involving the national security or defense of the United States. Title 5, section 2283 now applies to all aspects of a Federal officer or employee's service whether or not national security or the defense of the United States is involved. Limiting section 2 to loyalty and security matters, in my judgment, is an important improvement over the present law. Likewise eliminating references to the fifth amendment, in my judgment, now makes certain the provision is constitutional. This conclusion is based upon the decision of the U.S. Court of Claims in Steinberg against the United States rendered in July of 1958. With this understanding, I have voted for H.R. 4601.

I wish to direct attention, however, to what appears to me to be a mistaken and unfortunate statement in the committee report to accompany H.R. 4601. On page 7 appears the following language:

> Section 2 of the amendment is in two parts, as in the case of the first section, because of the necessity to include in this legislation certain security and loyalty offenses not covered by existing law.
>
> Section 2(a) of the amendment prohibits annuities or retired pay to persons refusing, on grounds of self-incrimination, to testify or produce documents, in proceedings relating to loyalty, or with respect to their relations with foreign governments. This continues present law, except as to offenses not involving loyalty.

The implication from this language is that invocation of the protection of the fifth amendment still may be the basis for the forfeiture of annuity benefits in cases involving Federal loyalty and security issues. I strongly condemn every person found guilty of disloyalty to the United States and equally condemn one who jeopardizes the security of the United States. Treason is a heinous crime. However, the Federal Constitution insures an accused person of a fair trial and one of the aspects of a fair trial is the guarantee against self-incrimination. Therefore, in my judgment, it is not the intent of the House of Representatives in passing H.R. 4601 to provide that the invocation of the protection against self-incrimination will provide the occasion for the forfeiture of annuities or retired pay benefits. With this understanding, I have voted for H.R. 4601.

The CHAIRMAN. Are there any further amendments?

If not, under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. EVINS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4601) to amend the act of September 1, 1954, in order to limit to cases involving the national security the prohibition on payment of annuities and retired pay to officers and employees of the United States, to clarify the application and operation of such act, and for other purposes, pursuant to House Resolution 238, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may insert their remarks in the RECORD prior to the vote on the bill H.R. 4601.

The SPEAKER. Without objection it is so ordered.

There was no objection.

AUTHORIZING APPROPRIATIONS TO THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 240 and ask for its immediate consideration.

The Clerk read as follows:

> *Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union

for the consideration of the bill (S. 1096) to authorize appropriations to the National Aeronautics and Space Administration for salaries and expenses, research and development, construction and equipment, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Science and Astronautics, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. MADDEN. Mr. Speaker, House Resolution 240 makes in order the consideration of S. 1096, which provides for the authorization of supplemental appropriations for fiscal 1959 to the National Aeronautics and Space Administration. The appropriation would cover salaries and expenses, research and development, construction and equipment, and for other purposes. This resolution provides for an open rule and 1 hour of debate.

The total sum to be authorized is $48,354,000 for the following purposes:

First, salaries, $3,354,000.

Second, research and development, $20,750,000.

Third, jet propulsion laboratory, Pasadena, Calif., $9 million.

Fourth, global range tracking and communication facilities, $15,250,000.

The major items to be procured under research and development are the satellite capsules, 12 to be delivered during fiscal 1960. Booster systems, including solid-rocket clusters and liquid systems, are likewise being procured to provide for a progressive series of unmanned flights at increasing velocities up to orbital speeds to refine both vehicular systems and operational techniques to insure the safety of later manned operations.

The jet propulsion laboratory item of $9 million provides for expansion and modernization of the facilities at Pasadena, Calif.

The item of $12 million plus for tracking facilities is needed to improve present sites and build new ones as this phase of the satellite program is ever changing due to increases in the speeds of the satellites.

This is a Department bill approved by the Bureau of the Budget.

I urge the adoption of this resolution.

Mr. Speaker, there is 1 hour of debate on this legislation. I know of no opposition to the rule.

Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN].

Mr. ALLEN. Mr. Speaker, I have no requests for time.

Mr. MADDEN. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

Mr. BROOKS of Louisiana. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1096) to authorize appropriations to the National Aeronautics and Space Administration for salaries and expenses, research and development, construction and equipment, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 1096, with Mr. COFFIN in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. BROOKS of Louisiana. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, the purpose of S. 1096 is to authorize supplemental appropriations for the National Aeronautics and Space Administration for the fiscal year 1959.

This authorization bill is divided into three parts:

First. Salaries and expenses, $3,354,000.

Second. Research and development, $20,750,000.

Third. Construction and equipment, $24,250,000.

I would like to briefly explain these portions of the bill. First, the $3,354,000 supplemental estimate for salaries and expenses is to cover the cost of salary increases provided for by the Federal Employees' Salary Increase Act of 1958. Funds for these salary increases were not provided to NASA last year. I want to emphasize that these funds do not provide for any additional positions. We may have to come before Congress and ask for some additional positions in the 1960 authorization bill, but, insofar as this fiscal year 1959 supplement is concerned, NASA is only asking for funds to pay for the salary increases voted by the Congress last year.

Next, let me turn to the $20,750,000 request for research and development. These funds are earmarked entirely for the manned space flight program—Project Mercury. I believe all the Members of the House recognize that it is becoming increasingly evident that full exploitation of the potentialities of space flight for benefiting mankind will be dependent on the development of practical capabilities for operating manned space vehicles. Now, in order to provide this capability, a progressive program of research and development has been undertaken. I believe all of you recognize that the American people would not look with favor on any program to put a man in space unless we were sure we could bring him back safely. In order to obtain this assurance, it will be necessary to make exhaustive tests and trials. This will be done by launching satellites and later we will put primates into space in order to test their reactions. If everything goes as we have planned, we can look forward to putting a man into space at a later date. Just how soon this will be is dependent on the tests, but I am most hopeful that it can be done in less than 2 years.

The major items to be procured for this project are the satellite capsules. Twelve capsules will be delivered during fiscal year 1960. In this bill NASA is requesting a total of $4 million for the designing, engineering, and early construction phases of these satellites. Sixteen million dollars is being requested for eight boosters—four Redstone and four Atlas. These will be used for short-range tests and qualification flights. Another item of $200,000 is for data acquisition and handling equipment; $500,000 for simulators and personnel equipment for human factor research and personnel training; and $50,000 for other research and development costs. As I mentioned previously, this brings the total in the bill to $20,750,000.

I would next like to turn to the provision in the bill for construction and equipment. The amount of this authorization is $24,250,000.

This authorization is needed to provide new facilities, improvements to existing facilities and the acquisition of approximately 70 acres of land for the jet propulsion laboratory at Pasadena, Calif. The authorization for this facility would be $9 million. The jet propulsion laboratory was under Army control, but was transferred to NASA in December of 1958. This laboratory has done outstanding research and development work in missile, satellite, and space probe fields, and NASA expects to rely highly on the laboratory in the future for advanced research and development in support of the national space program. However, the laboratory needs extensive modernization and expansion. It is necessary to acquire 67.56 acres of land, construct roads and utilities, relocate test facilities, modernize existing support facilities, and construct a few new support facilities. The estimated completion time for the facility is 14 months.

The next item in the bill is for global-range tracking and communication facilities and equipment. It is necessary to provide basic tracking, data acquisition, and communications capability that is essential for instrumentation coverage of satellites and space vehicles to be flown during the next 12 to 18 months. It is necessary that we extend and improve the earth satellite electronic tracking network. I believe you will all agree that it does little good to put satellites into orbit if we cannot track the satellites and have sufficient communication equipment to receive the information which the satellite can give out. For instance, to receive the tracking and reception of telemetry data from space probes will require the provision of special high-gain, low-noise receiving systems at several points on the earth's surface. One of these stations has already been built at Goldstone, Calif., and it is necessary to provide funds for the establishment of two additional stations, one in Australia and the other in South Africa. It is also necessary to provide for a tracking station at a location in southern Texas. This station will be used for the Project Mercury program and will provide the critical tracking capability during the final stages of reentry. The tracking facilities authorization is for $12,050,000.

Added to this sum for tracking facilities is $3,200,000 for propulsion development facilities. Very briefly, I can say that

these funds are to be used to further develop the single-chamber rocket engine, having a nominal thrust of 1 million pounds. I do not believe that I have to elaborate on the need for a big rocket engine. If there is any one place in our research and development where America is behind Russia, it is in the development of large thrust engines. It is obvious that Russia leads America in this respect. This is why the Soviets have been able to put into orbit larger payloads than we have been able to launch. In this respect, we are working on two programs. One is to cluster existing engines of approximately 250,000 pounds of thrust capability each, and the other, development for which supplemental funds are requested in this bill, is to develop the single-chambered engine with 1 million pounds of thrust.

Now, that concludes my explanation of the total amount requested in the bill.

I might also add that a provision of the bill permits a variation of 5 percent in the construction and equipment items, but the total authorization cannot be exceeded. This has become more or less standard procedure in this type of legislation. The departments make the best estimates they can when coming before Congress to ask for these funds, but when bids are received they may be lower, and more often higher, than anticipated. Consequently, the Congress has permitted the departments of Government to vary upward a reasonable percent in order to meet usual cost variations, but I remind you, again, that this does not permit NASA to exceed the total authorization.

Section 2 of the bill authorizes an emergency authorization of $500,000 which, with the approval of the Bureau of the Budget, may be used for the construction of new research facilities or for the modification of existing research facilities, providing the new construction or modification has not been previously denied by Congress. This authority is necessary to meet emergencies which may arise or to take care of breakthroughs which may occur when the Congress is not in session. If this authority is not provided, NASA may not be able to meet the emergency or exploit the breakthrough until Congress has reconvened and a new request for funds could be approved. Again, I point out that there is ample precedence for this type of provision. For example, the military construction bill carries such an authorization. It should also be noted that this emergency fund of $500,000 cannot exceed the total authorization by the bill for the construction facilities.

The committee amended the bill by requiring NASA to notify the House Committee on Science and Astronautics and the Senate Committee on Aeronautical and Space Science if a decision is made to use the authority in section 2. The committee feels that the Congress would be better satisfied if the committees of Congress monitored the use of the authority in section 2.

Mr. Chairman, I would like to say that the Committee on Science and Astronautics voted this bill out unanimously and it passed the Senate without a dissenting vote.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BROOKS of Louisiana. I yield.

Mr. GROSS. Am I correct that none of the money is to be used for the rental of space in various buildings for the Science and Space Administration?

Mr. BROOKS of Louisiana. There is not a cent in this bill for rental payments. These three items that I have already mentioned cover the contents of the bill.

I might say that the total amount authorized in the bill is $40,354,000. I think I have covered all the features of the bill unless it be one item which is a breakdown of one of the features of the bill.

Mr. ANFUSO. Mr. Chairman, will the gentleman yield?

Mr. BROOKS of Louisiana. I yield.

Mr. ANFUSO. I want to congratulate the distinguished chairman of the Committee on Science and Astronautics for his very clear explanation of this bill and for his leadership in the House in getting this space program well under way. I know that his committee has met almost every day and accomplished in 3 months what ordinarily would take years to accomplish. I congratulate the House in having such a leader of the Committee on Science and Astronautics.

Mr. BROOKS of Louisiana. The gentleman is kind. His compliments are not entirely deserved. The committee itself has worked in unison. We have had no trouble in the committee, but it is difficult to start from scratch with a new committee covering problems such as those which the committee has had before it. We have worked as a team, without any friction and without any trouble. I want to express my appreciation to all members of the committee, on both sides of the aisle, who have worked so hard.

Mr. KING of Utah. Mr. Chairman, will the gentleman yield?

Mr. BROOKS of Louisiana. I yield.

Mr. KING of Utah. As one of the junior members of the new Committee on Science and Astronautics, I should like to offer my congratulations for the work done by the committee under the leadership of the distinguished gentleman from Louisiana. Most Americans realize that the space program is important in connection with our defense effort, but beyond that many of them feel that our space effort is only an expensive toy. I should like to leave the thought that this program is not an expensive toy; that we are standing on the threshold of a new industry that the wildest imagination cannot fully encompass. I am told by scientists that in the field of meteorology alone, weather forecasting, the entire cost of the space program will be paid back in dollars and cents. When we move into the field of radio and television broadcasting and in the field of astronomic observation and in the field of reconnaissance and many, many other fields that have nonmilitary application, we realize that we are indeed standing on the threshold of great and wonderful events that have nothing to do with our military forces.

I hope that the Members of this distinguished body and all citizens of our country can grasp the vision of this tremendous program that lies ahead of us.

Mr. BROOKS of Louisiana. I think the observations of the gentleman are well taken. When we see businessmen making up the fiber of American industrial life come before us and tell us about the need for this program and the fact that they are spending millions of dollars themselves in the development of the program we all know it is a realistic one which we must face and have to develop.

Mr. FULTON. Mr. Chairman, I yield myself 8 minutes.

The CHAIRMAN. The gentleman from Pennsylvania is recognized.

Mr. FULTON. Mr. Chairman, I believe the Congress should know that the field of space and science is one place where partisanship so far has not had a very great effect. As a member of the previous House Select Committee on Space and Astronautics that worked last year—I see some of the members of that committee sitting here today—it was a pleasure to work under the leadership of my good friend the gentleman from Massachusetts, Mr. JOHN MCCORMACK, majority leader, and likewise under the leadership of my good friend the gentleman from Massachusetts, Mr. JOSEPH MARTIN, who at that time was minority leader.

We at all times had unanimous decisions and unanimous committee reports. We at all times, every Member of us, put the country and the interests of science and progress above everything else, and put partisan pride so far down the line that it played no part in our decisions. As a matter of fact, when the bills on space have passed this House, they have passed unanimously. The same has happened in the other body. Then when points of disagreement had been ironed out in the conference committee the reports again were unanimous, and the acceptance of those conference reports by both the House and the Senate was unanimous.

We on the new Science and Astronautics Committee of the House are coming to you today to ask for a further authorization of appropriations in the amount of $48,354,000. If you will look at it closely you will find that it is not new money we are asking, because it was all asked for last year. Last year it was felt that the agency personnel were not quite ready with the program and at that time could not use it efficiently. The only amount of really new money is that caused by the Federal Salary Increase Act of 1958. To meet the requirements of that act this National Astronautics and Space Agency requires $3,354,000 of this total sum requested.

As has been pointed out to you in the excellent statement of the chairman, Mr. BROOKS of Louisiana, in addition, for research and development, we are asking $20,750,000; for construction and equipment, $24,250,000, a total of $48,354,000.

This legislation was reported out of our committee unanimously; that is, both sides of the committee, consisting of 25

members—15 Democrats and 10 Republicans—have agreed that this is in the interest of the United States and is necessary for efficient and economical administration and progress. This particular amount has been included in the President's budget and has also been approved by the Director of the Budget, so that it has been carefully screened on the budgetary level as well.

I would like to speak about the gains there are to be from this space program. Those gains are not all theoretical ones; they are gains that are practical and within our own view at this time. For example, Dr. Reichelderfer, Director of the U.S. Weather Bureau, has stated that with an adequate system of weather prediction we would be able to predict far in advance storms, hurricanes, tornadoes, rainfall, floods, droughts, and so forth. This would be good for our cities, agriculture, and good at sea as well, also good for our communications that are now interfered with because of magnetic storms. Dr. Reichelderfer estimates the total savings there could be under such an adequate program of weather forecasting for the United States yearly in the sum of $4 billion. I emphasize that he estimates there would be that amount of savings to the United States alone. As a member of the Committee on Foreign Affairs it would likewise help us in our foreign aid programs because we would not always be having these disasters coming up abroad with emergency needs.

It has been pointed out, and I would like to emphasize, that we in America are ahead with our ICBM program. This is my considered judgment as a serious hardworking student of this subject, and is no casual opinion. We in the United States are going ahead on a broad basis, not only in the size of the vehicle but in the size of the engine, also in the guidance and control developments. Our programs in these fields are much more intricate and developed than the Russians, or any of our U.S. allies. Of course, the Russians had big artillery, they have always had mass forces. So it was very logical for them to end up with a tremendous kind of an instrument or space vehicles that would go off with a tremendous bang and a lot of push but not be very well controlled. That is just about what has happened.

The United States has developed a more sophisticated control. We are trying to get the right combination of weight, size, acceleration, and velocity, and combine them with good control. Our overall programs that have been worked out by the Department of Defense, under the supervision and direction of our competent Secretary of Defense, Neil McElroy, and particularly with the help of Roy Johnson of the Advanced Research Projects Agency, Dr. York and Admiral Hayward, have been well done. We people of the country should not throw up our hands when we find the Russians with bigger vehicles and a bigger bang than we have at this time. The question is, Do they have control? The answer is, they cannot control them as well as we in the United States do. As a matter of fact, on the Atlantic missile range between Canaveral and Ascension Island, we have been able to have shots that have a target capability circle of probable error that is surprisingly efficient. This means in a circle laid out of 2, 5, or 6 miles in diameter, 50 percent of the shots will land as a probability within that target area. Russia to this date on her long-range ICBM land missile range has had no such shot of the length and CEP, we in the United States have had from Cape Canaveral to Ascension Island. I say that without fear of contradiction.

Also, their missile range is not long enough to give them a landfall at the ranges we now have and are operating on efficiently between Cape Canaveral and Ascension Island. At that equivalent range they would have missile reentry off the Kamchatka Peninsula in the Pacific Ocean. We should not be too disturbed about what Russia currently is doing on her ICBM range, because we are quickly in the United States making our present generation of big vehicles obsolete. They are fast becoming as obsolete as our early airplanes. Our U.S. advances are developing at such a tremendous rate in many fields. We should, therefore, not project the current rate of production of the present generation of U.S. missiles, ICBM or IRBM, into the future of 1962, but we should emphasize research and development and construction of facilities for this research and development, which this bill now does.

So I urge every Member in the House to vote not only for the space program generally, on scientific research but, second, for our security, and third for weather benefits and the gain of $4 billion that might be possible through advanced weather predictions, and last, for this reason, that we in the United States are advancing tremendously on communications satellites. We already have been the only country in the world that has had a communications satellite where we have received voice from a satellite operation. It is a tremendous breakthrough to have done that. We can look ahead and see where they have already recommended that we go into a program of two space satellites that will carry further all the telegraph communications for our Western Hemisphere. The cost of these satellites will be from $100 million to $200 million, and they could be built within 18 months to 2 years. They would have 4 channels of radio and each one of those channels could send 500 digits or items a second. On these communication satellites it would mean the reception or sending of 2,000 digits, words, or signals per second from each of these two satellites. Now the remarkable thing about it is that those satellites would have the power to jam all sorts of radio and radiotelephone or TV communications and possibly radar communications in the area where they are operating. I would not be able to give you the specific area they would cover at the time, but with this jamming capacity, it really puts into further 1,000 percent operation our strategic air force that might be stopped by an enemy radar system. We would have the power to jam opposing radar, television, radio, not only on land where they might be operating tanks or communications, but in the upper atmosphere. In addition the United States would have the power by narrow bands or channeling communications, which would be by line of sight, to give its own message from the satellites wherever we want around the world, and that could not be jammed except within the little circumference or line of sight on the narrow band that was sending it out. You can see what a tremendous possibility that is for the defense of this country.

The General Electric Co., of Philadelphia, has already made a recommendation that we proceed immediately with the development of these two space satellites, and I recommend we should, too.

In conclusion, might I encourage the American people about space. Space is a new place, but it is not a strange place. The scientists and the astronomers have been working on space for generations. The field of space is the one place in the world where all the nations have been cooperating. Russia, the countries behind the Iron Curtain, except Communist China, all the free world countries, practically unanimously, have been working on the International Geophysical Year that ended on December 31, 1958. Likewise, on the scientific level, there is still cooperation, and many of our current U.S. programs in some respects are part of the International Geophysical Year.

Many of the scientists before our committee have stated that they could not say that Russia and her satellites had not cooperated with the United States and the free world scientists on exchanging information during the International Geophysical Year, and they could not say that there was complaint about Russian cooperation on the work that we had done together. Now, that could be a new light in the world, a new era, if such cooperation could be expanded and continued. It may be that the solvent of science and education will help settle many of the ideological differences that we have in the world today.

If we can find areas such as science and space where we can work together I believe there is hope for the future of the world and possibly the freedom we all hope for and progress will come not too long after.

I recommend the passage of the legislation.

Mr. BROOKS of Louisiana. Mr. Chairman, I yield 5 minutes to the gentlewoman from Georgia [Mrs. BLITCH].

Mrs. BLITCH. Mr. Chairman, Mr. Vance Trimble and the Scripps-Howard papers for which he writes, have inflicted an insult upon the intelligence and the integrity of the Honorable Wellie K. Peagler, the mayor of my hometown, and that of all my friends and neighbors, the genteel people who make up its population. By so doing he has personally insulted me. For the purpose of making a cheap headline this fraudulent exponent of the fine institution of journalism and this tear sheet whose publishers suck the blood of the unsuspecting public to make its tainted dollars, printed a slanted story that was

deviously arrived at by artful misrepresentation.

Had this been done to people of less refined instincts than those I am proud to have lived among in daily association for the better part of my life, irreparable damage might have been done to friendships of lifelong standing. The people I know and love, who have done everything on earth they could to help me be of some value to my fellow man through service in State and National Government, recognized the shallow story for exactly what it was—an exercise in yellow journalism.

Mr. Chairman, because of my deep respect for the dignity of Congress, the press, and the American public, I would have preferred to let the distasteful exhibitionism of Mr. Trimble die a natural death as it deserves to do. Unfortunately, his appetite for vulgar sensationalism has not yet abated and for that reason I am compelled to make this statement.

I was at home in Georgia when he wrote the story. Since then, Mr. Trimble has had the unmitigated gall to attempt to interview me again. I refuse outright to speak with this so-called member of the press until he has publicly apologized in print to my hometown and to me. Since I doubt seriously that he has the manhood to make such an apology I do not expect to see him again. He is not welcome in my office and should he insist upon coming there, I shall not hesitate to take proper action to have him removed.

Mr. Chairman, I have no quarrel with the publication of the fact that I rent office space to the Government of the United States for $100 per month, although I pity the poverty of ideas of the writer who originally wrote the story which was carried on page 1 of the Washington Post. However, the American people should take note of the fact that they are indebted to the House of Representatives, itself, for the information. Years ago this body made it possible not only for the members of the press, but for any citizen of the United States, to inspect the records of expenditures of each individual Member.

As a Member of the Congress, I am far more careful with the expenditure of public funds than I am with my own. When I arrived in Congress in January 1955, the Members were allowed only one official office in their districts. They were entitled to $900 per year for office rent or space in a Federal building if such was available.

My congressional district in Georgia is composed of 20 counties and is the largest in geographical area in the State. Waycross, Ga., is the most centrally located town in my district and is 27 miles from my hometown of Homerville. To give the approximately 300,000 people I represent the service they are entitled to, I decided to establish an office there. There was no available space in the Post Office Building in Waycross. I tried for several months to find suitable office space for $75 per month—the sum I was allowed. I could not find it. One small room I might have had, but no more.

My constituents rarely call one at a time. Often several delegations visit me at the same time. Each person considers his or her business private, and I respect that privacy. For that reason alone, a Member of Congress should always have at least two rooms for a business office.

In desperation I asked the judge of the Federal district court if I might have the use of his chambers in the Post Office Building. He graciously granted my request and so this space became my principal district office. The judge's chambers are lovely and the Government was saved $900 per year. However, when a session of court is held, my files are moved into other quarters temporarily and my staff and I are in the halls or other places in the building. None of us has ever particularly minded this for any reason other than the inconvenience it causes my constituents, and court sessions seldom last more than a week at the time.

For many years before coming to Congress, I was a member of the State legislature and Democratic National Committeewoman. For this reason it became imperative that I have office space at home. At considerable expense, my husband and I remodeled our house to provide for this.

One office was never enough for my district, and I continued to maintain this second office after I was elected to Congress. During the 7 months that Congress is in session activity is light in both district offices. It is necessarily concentrated in the Washington office. But, when we adjourn, and I go home, most of my staff go with me. There are one, two, or three people in each district office at all times, and the Washington office is also left open. I spend my time in all three of them during these months and in traveling back and forth over the district making speeches and learning as much as possible the continuing needs of the people.

On August 1, 1957, the Congress took official recognition of the need of two congressional district offices and made $100 per month available for this purpose. Whether or not this action had been taken I would have continued to use the facilities of my home for the benefit of the grand people I represent. Nevertheless, I do not hesitate to express my gratitude for the compensation. When I came to Congress I had a few thousand dollars of my own and I owed not a cent in the world. Now I am in debt by several thousands of dollars. Fortunately, my husband and I own some property and my creditors are safe, although I have spent many sleepless nights worrying about the accumulation of debts, and I would state this unequivocally. Regardless of the expense and many other personal sacrifices, I am proud and grateful of the opportunity of representing the people of the Eighth Congressional District of Georgia in the Congress of the United States, and I shall continue to represent them here so long as they and the gentle hand of providence provide the opportunity.

Mr. Chairman, the discreditable story of Mr. Trimble did me no harm among the people of the Eighth Congressional District of Georgia. I received only one letter from one constituent, and that letter was to praise me for saving the Government $900 a year. Although the national press and television carried the story, not a single daily or weekly paper published in Georgia's Eighth District carried his version of the story. Only one paper carried the straight story of the rental.

The type story Mr. Trimble wrote inspires the pathologically sick to take their pens or pencils in hand. I received approximately 40 letters and postcards from the Northeastern States lambasting me in various types of language, but most of these lacked the courage to sign their names. There were a few who, of course, were honestly indignant. Since they do not know me personally, I can understand.

These letters are living proof of the disservice Mr. Trimble has performed for his profession and for the American people.

In conclusion, Mr. Chairman, I would say, "Long live the freedom of the American press." And I want to assure the Members of this body that my strong belief in this freedom is not one whit deterred by the disgrace that one member of the fourth estate has brought upon that basic institution of our American way of life.

Mr. BROOKS of Louisiana. Mr. Chairman, I have no further requests for time.

Mr. FULTON. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby authorized to be appropriated to the National Aeronautics and Space Administration for the fiscal year 1959 the sum of $48,354,000 as follows:

(1) For an additional amount for "Salaries and expenses", $3,354,000.

(2) For an additional amount for "Research and development", $20,750,000.

(3) For an additional amount for "Construction and equipment", $24,250,000 as follows:

(A) Jet Propulsion Laboratory, Pasadena, California: New facilities, improvements to existing facilities, and approximately seventy acres of land, $9,000,000; and

(B) Various locations: Global range tracking and communication facilities and equipment, and propulsion development facilities, $15,250,000.

(b) Authorization is hereby granted whereby either the amount prescribed in subparagraph (A) or the amount prescribed in subparagraph (B) of subsection (a) (3) may, in the discretion of the Administrator of the National Aeronautics and Space Administrator, be varied upward 5 per centum to meet unusual cost variations, but the total cost of all work authorized under such subparagraphs shall not exceed a total of $24,250,000.

SEC. 2. Any amount, not to exceed $500,000, of the funds appropriated pursuant to authorization of subsection (a) (3) of the first section for the construction of facilities described under such subsection may, with the approval of the Bureau of the Budget, be used for the construction of new research facilities or for the modification of existing

research facilities not specifically authorized in this Act, if such construction or modification is deemed by the Administrator of the National Aeronautics and Space Administration to be of greater urgency than the construction of any facility authorized by this Act; but no such funds shall be used for the construction or modification of any facility if funds for such construction or modification have been previously denied by the Congress.

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

On page 3, line 2, following the word "act" change the semicolon to a colon, strike the balance of line 2 and all of lines 3, 4, and 5 and add the following: "*Provided*, That upon reaching a final decision to implement, the Administrator or his designee shall notify the Committee on Science and Astronautics of the House of Representatives and the Committee on Aeronautical and Space Sciences of the Senate, of the cost of such construction of new research facilities or the modification of existing research facilities: *Provided further*, That no such funds shall be used for the construction or modification of any facility if funds for such construction or modification have been previously denied by the Congress."

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose, and the Speaker having resumed the chair, Mr. COFFIN, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 1096) to authorize appropriations to the National Aeronautics and Space Administration for salaries and expenses, research and development, construction and equipment, and for other purposes, pursuant to House Resolution 240, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The previous question was ordered.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. ALLEN. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently, no quorum is present.

Mr. BOLLING. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 26]

Andersen, Minn.	Boykin	Davis, Tenn.
Ashley	Brewster	Dent
Barden	Buckley	Dorn, N.Y.
Blatnik	Carnahan	Fallon
Bowles	Celler	Flynn
	Cooley	Frelinghuysen
Friedel	Metcalf	Shelley
Garmatz	Miller, George P.	Smith, Miss.
Hargis	Moulder	Spence
Harris	Nix	Springer
Holifield	Norblad	Steed
Holland	Perkins	Stratton
Huddleston	Philbin	Stubblefield
Jackson	Polk	Teller
Johnson, Colo.	Powell	Tollefson
McMillan	Rostenkowski	Walter
Macdonald	St. George	Whitten
Magnuson	Santangelo	Williams
Merrow		Willis

The SPEAKER. On this rollcall 371 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

MODIFYING REORGANIZATION PLAN NO. 2 of 1939 AND REORGANIZATION PLAN NO. 2 OF 1953

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 236 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1321) to amend Reorganization Plan Numbered 2 of 1953. After general debate, which shall be confined to the bill, and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Government Operations, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN], and pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 236 makes in order the consideration of H.R. 1321, to amend the Reorganization Plan No. 2 of 1953. This resolution provides for an open rule and 2 hours of debate.

The purposes of H.R. 1321 are, first, to restore to the Administrator of the Rural Electrification Administration the authority to approve or disapprove loans, without the supervision or direction of, or any other control by, the Secretary of Agriculture, under the Rural Electrification Act of 1936, as amended; and second, to reestablish in the Rural Electrification Administration, as a matter of law, the functions vested in that agency by the 1936 act. Except for the approval or disapproval of loans, the Rural Electrification Administration will remain under the general supervision and direction of the Secretary of Agriculture. His power to redistribute its functions among other agencies of the Department will, however, be eliminated.

The Rural Electrification Administration was created by Executive Order 7037 of May 11, 1935. Statutory provision for the agency was made in the Rural Electrification Act of May 20, 1936, which authorized loans for facilities to bring central station electric service to rural people who did not have it.

REA became a part of the Department of Agriculture under Reorganization Plan No. 2, effective July 1, 1939. Under Reorganization Plan No. 2 of 1953 there were transferred to the Secretary of Agriculture the functions of the Administrator of REA and the power was given the Secretary to delegate these functions as he deemed appropriate. The 1939 plan transferred the REA along with its functions to the Department of Agriculture but provided it should retain its identity as a separate unit within the Department under the general direction and supervision of the Secretary. The plan of 1953, on the other hand, clearly transferred the functions of the REA to the Secretary and gave him the power to exercise these functions, himself, or to delegate them to any officer in the Department.

In 1954 the Secretary did, in fact, assign these functions to the Administrator of Rural Electrification Administration but with the reservation that such delegation of authority is subject to withdrawal or amendment at any time.

Subsequently, the Secretary issued an unwritten order to the Administrator of the REA to submit for review by the Director of Agricultural Credit Services all loans over $500,000 prior to their approval by the Administrator. Later this figure was changed to $1 million.

Under H.R. 1321, any functions transferred to the Department or the Secretary by the 1939 or 1953 plan will be put back in the Administrator of REA, and the Administrator shall carry out these functions within the Department of Agriculture under the general direction and supervision of the Secretary. Thus the REA will remain intact within the Department and its functions may not be distributed to other officers or units elsewhere in the Department. The functions relating to the approval or disapproval of loans, however, will not be subject to the supervision or direction or to any other control by the Secretary of Agriculture.

I urge the adoption of this resolution.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. BOLLING. I yield to the gentleman from Indiana.

Mr. HALLECK. Did I understand the gentleman to make some reference to the effect of the Reorganization Order of 1939 insofar as the power of the Secretary was concerned over the making of loans?

Mr. BOLLING. My understanding is that in the 1939 reorganization, there was a covering-in of the agency; but that it was the 1953 reorganization that gave the Secretary of Agriculture the power of supervision and in fact final decision over the loans.

Mr. HALLECK. I am afraid the gentleman is in error if the report is correct because on page 2 of the Senate report we find this paragraph:

In addition, Reorganization Plan No. 2 of 1939, which originally transferred the Rural Electrification Administration to the Department of Agriculture, provided that it should be administered by the Administrator under the general direction and supervision of the Secretary of Agriculture.

The courts have held that this authority includes the power of approving or rejecting REA loans. So certainly it is clear to me from the report that with the reorganization order of 1939—that was a long time before this present administration took office—the power was then vested in the Secretary of Agriculture either to approve or reject the proposed loan, and we have operated under that sort of provision ever since 1939.

Mr. BOLLING. Unless I am in error, and I doubt that I am, although I am not familiar with the court decision, the fact remains that not until some considerably later date, after the order I mentioned by the Secretary bringing the review up to the person designated by him, were the loans passed on by any other person than the Administrator of the REA.

My understanding of the Reorganization Act of 1939 was that it was intended to give REA a home. Regardless of what the courts have had to say, the fact remains, as I understand it, that there has never been any supervision by the Secretary of Agriculture over the granting of loans until a date some time after 1954.

Mr. HALLECK. That well may be, but I am not going to challenge the validity or the correctness of the report of this committee. I assume it was gotten up with care by experts who knew what they were talking about. If I can read the English language, it says very clearly that after the reorganization order of 1939 "general direction and supervision" was vested in the Secretary of Agriculture and that gave him the authority of approving or rejecting REA loans. So I insist that on the words of the report itself in this order that they name, that power was vested in the Secretary of Agriculture and it has remained there ever since.

Mr. BOLLING. I will say to the gentleman, finally, that this may be the way one construes the language of the report if one so desires, but in the testimony before the Rules Committee I did not gather that anybody construed the report that way.

Mr. ALLEN. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, I do not have any misgivings about this bill. I am certain that I need not mention that I think all of us are very much aware of the real objective and the real purpose of this bill. But I regret that this bill has been brought here with such haste. It came before the Rules Committee yesterday about 4 o'clock. There were no printed hearings, but my good friend from Illinois, the chairman of the Committee on Government Operations, was kind enough to give me a proof copy of it. Then this controversial bill comes in here today without any printed hearings for the benefit of the member.

What is the present situation of the bill now before us? Back in 1939 the Reorganization Act gave the Secretary of Agriculture full authority in regard to REA. It gave him the right, the authority, to deny or approve loans. That was the situation then and that is the situation now.

Today we have before us a bill that still will give the Secretary of Agriculture the authority over every phase in the REA except the right to approve or deny loans, which is the most important function of the REA. Now REA means rural electrification. I think it rightfully belongs in the agency of the Secretary of Agriculture. I know that you, Mr. Speaker, would not want to be charged with the full responsibility of administering an agency and then having some subordinate have the authority when it comes to the main function of that agency. I do not think you or I could administer anything under those conditions. It would be parallel to the situation of having our people send us to the Congress and saying, "Now, we think you are a good man. You go down and do this leg work in the departments, but when it comes to the real thing—when it comes to the real thing that counts, and that is voting—you will give that right to your administrative assistant. Let him, your subordinate, perform the important function."

So I say that we cannot and should not saddle the Department, the Secretary of Agriculture, with full authority and responsibility and then take the most important function away from him.

I would like to read the statement of Mr. David Hamil who is the Administrator of the REA. He appeared before the Committee on Government Operations on March 9. Listen to this. This is the subordinate, the one in whom this Congress by this bill now proposes to put in authority in regard to the approval or denial of loans. This is what he said before the committee of the gentleman from Illinois [Mr. DAWSON], on March 9, 1959, when this bill was being considered:

Mr. HAMIL. I have a few brief observations on these matters which are before you.

Secretary Benson has made no change in the organization, authorities, functions, or policies of REA.

The informal procedure whereby proposed supplemental loans in excess of one-half million dollars—now $1 million—and proposed loans to new borrowers are discussed with Mr. Kenneth L. Scott, Director of Agricultural Credit Services, has not resulted in the rejection of a single loan or in any appreciable delay.

In not a single instance has Secretary Benson or Director Scott interfered in the discharge of my responsibilities as Administrator of REA. I make the loans.

For your information, Mr. Chairman, in my absence from the office my very able Deputy, Ralph J. Foreman, who is in the room here, is in charge of REA. On those occasions, he makes the loans. If he and I are both absent, we have three Assistant Administrators who act in that capacity, Roy G. Zook, Robert T. Beall, and Norman McFarlin.

I also have in the room Mr. Charles Samenow, whose title in REA is legislative consultant, and who on many occasions has acted as Administrator and made loans.

While I have been Administrator, not one loan application which met the requirements of the Rural Electrification Act has been rejected. Not one of my loan decisions has been motivated or colored by political considerations.

It is my own considered opinion that REA has prospered in its 20 years in the Department of Agriculture. It is doing well now. The counsel and experience of Secretary Benson and Director Scott have helped me in discharging my duties. I see no need or reason for change. I support fully the position of the Department.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. ALLEN. I yield.

Mr. HALLECK. I do not want to belabor the proposition, but I think it ought to be thoroughly understood that this legislation which is presently before us seeks to undo in part the effect of the reorganization order of 1939 and not the effect of the reorganization order of 1953. I well recall the great struggle we had here to write the first Reorganization Act, and believe me, it was a bitter struggle. But, the very thing that was sought to be accomplished here by that Reorganization Act has been accomplished in this particular instance. Here was an operation involving the farmer, necessarily a part of the overall operation of the Department of Agriculture. The President in 1939 sent this order, vesting in the Secretary of Agriculture, the authority over the Administration, including the power to approve or reject loans. That is the very thing that has been in effect for 20 years, which this legislation now seeks to change.

Mr. ALLEN. I thank the gentleman from Indiana.

Now, Mr. Speaker, the gentleman from Missouri [Mr. BOLLING] said the issue was interference in the Department by the Secretary of Agriculture. He did not say what interference. I have just read the statement of the Administrator, Mr. Hamil, to whom this bill would turn over the denial or approval of the loan. He does not say there is any interference.

I yield now to anyone who will say that the Secretary of Agriculture, Mr. Benson, when the Administrator, Mr. Hamil, approved a loan, ever overrode him by disapproving it.

Mr. DENTON. Mr. Speaker, will the gentleman yield?

Mr. ALLEN. I yield to the gentleman from Indiana.

Mr. DENTON. The order of 1957 provided no loans over a half million dollars could be approved by the Administrator of REA unless also approved by the Secretary of Agriculture. The REA had been very successful in Indiana. The REA's in Indiana buy their electricity from private utilities. About 3 years ago one utility obtained a very unreasonable rate. The more electricity you used the more you had to pay. I think 250 kilowatts was the breaking point. Below that the rate was less; above, it was more. That order has since been changed, but the rate increase is still high. The REA came out and tried to talk to the utilities company and get a reasonable rate. They would not do so. The only thing they could do was to build a powerplant. They undertook to build a powerplant at Petersburg, Ind. They made application for a $42 million loan. The Public Service Commission of Indiana is supposed to pass on the loans, construction of plants, and transportation facilities of the REA's in a judicial capacity. Nevertheless the Governor of Indiana sent the public service commission down to Washington to work against the passage

of this enactment. That was the issue in the last campaign, and the people spoke very emphatically about it. They talked to Mr. Benson, and I know Mr. Hamil was there. He was very put out to have them interfere politically with his decision on this loan. But in any event a White House meeting was called thereafter. Sherman Adams presided. I do not know what took place, but after that this informal order of 1957 providing for approval of REA loans over $500,000 by the Secretary of Agriculture was issued. During all the time prior to that the Administrator thought he passed on the loans. That order was issued, and of course this loan has laid dormant ever since.

Mr. ALLEN. I believe the original author of this bill of the other body has said that to his knowledge he does not know of one instance where the Secretary of Agriculture had disapproved a loan that the Administrator had approved.

Mr. DENTON. Yet this order was issued after the White House meeting and I know that loan has lain dormant ever since. It would have put people to work in the coalfields and other industries.

Mr. ALLEN. Mr. Speaker, I cannot yield further to the gentleman.

Mr. Speaker, I think the REA has done a splendid job; and I believe it has been clearly demonstrated that Mr. Hamil wants the situation to remain the way it is, that he is satisfied, that he does not want that authority to make loans—I think the passage of this bill would be an insult to the American people and to the splendid way the program has advanced thus far and so rapidly in the past few years; so, Mr. Speaker, I hope this bill is defeated.

Mr. Speaker, I yield such time as he may require to the gentleman from Ohio [Mr. McCULLOCH].

Mr. McCULLOCH. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to speak out of order.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. McCULLOCH. Mr. Speaker, minority members of the Select Committee on Small Business are this afternoon introducing legislation to amend the Renegotiation Act.

Mr. Speaker, it will be recalled that one of the final actions of the 85th Congress was to extend the Renegotiation Act of 1951, as amended, for an additional 6 months—from its prior expiration date of December 31, 1958, to June 30, 1959—Public Law 85-930, 85th Congress, 2d session.

This action followed a 1-day hearing near the close of the session. The report of the Committee on Ways and Means states that the 6-month extension was decided upon in order to give the Congress a greater opportunity to study proposals either for further amendments to the act or to allow it to terminate. The Ways and Means Committee has announced that it will hold hearings beginning on Monday, April 27, 1959, at which time a more thorough exploration of the subject of contract renegotiation will be undertaken.

SMALL BUSINESS PROPOSALS

The day prior to the 1958 hearing members of the Select Committee on Small Business introduced legislation designed to correct "small business handicaps under the Renegotiation Act of 1951, as amended." This was a bipartisan and nonpartisan effort to secure consideration for some of the most troublesome small business problems now imbedded in the Renegotiation Act. The introductory remarks which we made last July summarized the purposes of our bill and were made a part of the record of the Ways and Means Committee during the hearings on extension of the act—hearings July 29, 1958, page 14, and those that follow.

It is my hope and understanding that we shall have similar support for small-business renegotiation amendments in the 86th Congress.

The Republican members of the Select Committee on Small Business are today introducing identical bills to amend the Renegotiation Act of 1951, in the interest of small business. These members are Mr. MOORE, of West Virginia; Mr. AVERY, of Kansas; Mr. SMITH, of California; Mr. ROBISON, of New York; Mr. QUIE, of Minnesota; and myself.

We are taking this action today in view of the announcement of the Committee on Ways and Means of the House of Representatives that public hearings on the Renegotiation Act of 1951, as amended, will begin on April 27, 1959, in Washington, D.C.

SMALL BUSINESS SKILLS VITAL TO NATIONAL DEFENSE

World War II and the growth of the aircraft industry punctuates the fact that small concerns which are possessed of technical skills and inventiveness are a strong arm of our national defense. We need to keep this large group of small defense contractors in business, and with due consideration for managerial skills, to keep them in a position where the opportunity for profit is present. We are not in favor of subsidies and we know from long experience that small business concerns do not want subsidies either for themselves or their competitors. They want a fair and equal opportunity under the law to do business in a businesslike way and to reap the benefits of their own ingenuity and skill. We believe the present operation of the Renegotiation Act of 1951, as amended, is a deterrent in many respects to capable small and independent concerns which would participate in our national defense programs.

The Congress of the United States has had a longstanding policy of assuring small and independent concerns a fair share of contract awards for goods and services which are made by the various departments and agencies of the Federal Government, and including national defense contracts.

We are entering a new era in preparing and augmenting our national defense which we refer to generally as the space age. The demands of the space age for increased skills and technical knowledge is recognized by all. We do not believe that a few large concerns can do the complete job. We are convinced that the small concerns who contributed so much to the building of the aircraft industry must be provided with the opportunity and the incentive to keep pace with the tremendous responsibility we all have in keeping America out in front in science and technology.

We feel that our bill is a contribution to that end.

DEPARTMENT OF DEFENSE OPPOSITION TESTIMONY, 1958

The purposes of the bills and the needs of small business as recited by the members of the Small Business Committee last year are as valid today as when the bills were introduced. Opposition was voiced, however, both by Mr. Robert Dechert, general counsel of the Department of Defense, representing that Department, and by the Renegotiation Board, represented by its Chairman, Mr. Thomas Coggeshall. The criticisms made by Messrs. Dechert and Coggeshall deserve consideration and they are in part responsible for the changes in the proposed small business amendments now offered. The purposes remain the same. We believe improved legislative language has been developed to overcome that portion of past criticism which appears to have merit.

In amending the Renegotiation Act of 1951 our bill proposes to provide certain definite assistance to a large number of small but strategic concerns engaged in work pertaining to the national defense. We propose through the enactment of our amendments, first, to encourage subcontracting in Government procurement to provide incentives for small and independent business concerns; second, to encourage prime contractors and subcontractors to subcontract the maximum proportion of their contracts and subcontracts to provide the proper profit motives for small and independent business concerns as the cornerstone of our free enterprise system; and third, to expand the Government procurement base by providing incentives and encouragement to small and independent business concerns.

In adopting the amendments we propose that the Congress reaffirm its longstanding policy of assuring to small and independent business concerns a more substantial proportion of the contract awards by the Federal Government.

ENCOURAGEMENT OF SUBCONTRACTING

Section 2 of our bill is designed to encourage large prime contractors to attain the maximum in subcontracting to smaller concerns. It reads:

SEC. 2. Section 103(e) of the Renegotiation Act of 1951, as amended (setting forth factors to be taken into account in determining whether profits are excessive), is amended by adding at the end thereof the following:

"In determining excessive profits, favorable recognition must be given to economies achieved through contracting with small business concerns (as defined pursuant to section 3 of the Small Business Act); and a contratcor or subcontractor who achieves economies through the programs of the Department of Defense, the Small Business Administration, or any other agency of the Government, to increase the share of such small business concerns in procurement,

shall, subject to other considerations set forth in this subsection, be provided incentive awards through proportionately higher profit alowances."

This proposal is identical to the proposal of last year except that it is also made applicable to agencies other than the Department of Defense—such as the National Aeronautics and Space Agency—whose procurement programs are also subject to the act.

A NECESSARY AMENDMENT

Last year Mr. Coggeshall objected to the foregoing proposed amendment claiming it to be unnecessary because the Renegotiation Board has now revised its own regulations to include section 1460.14(b)(3), which reads as follows:

(i) Defense production needs and the policy of Congress require that subcontracting, particularly to small business concerns, be used to the maximum extent practicable. Although a contractor who subcontracts work may not reasonably expect to be allowed as large a profit thereon as if it had done the work itself, subcontracting of the kind described in this subparagraph, especially the extent to which subcontracts are placed with small business concerns, will be given favorable consideration in the renegotiation of the contractor.

(ii) A contractor will be given favorable treatment when, by subcontracting, it utilizes in the defense effort facilities and services, particularly of small business concerns, which might otherwise have been overlooked or passed by; when it has demonstrated efficiency and ingenuity in finding appropriate opportunities for subcontracting; when the amount of subcontracting so accomplished is substantial; when the amount or complexity of technical, engineering, and other assistance rendered by the contractor to the subcontractor is substantial; and when the price negotiated with the subcontractor is reasonable in view of the components produced.

The Board is to be complimented on having added this provision to its regulations, a substantial improvement, and if it were not for the phrase in the above regulation reading "may not reasonably expect to be allowed as large a profit thereon," we might agree that our proposed amendment to the Renegotiation Act is not needed. We feel, however, that the amendment we propose contains a very important shift of emphasis which is required for guidance of the Board and for incentive to industry. Our amendment indicates that a proportionately higher profit allowance should be given as a reward to a contractor who achieves economies through a small business subcontracting program. We believe it is the desire of the Congress to make clear that a contractor who saves on total cost to the Government by effecting economical subcontracts with small business should not suffer even a little penalty, as the wording of the Board's regulation implies, but rather should be rewarded by sharing in the savings effected. This can only be accomplished by recognition that a proportionately higher profit allowance such as we propose is a more likely inducement than the prospect of a reduced penalty which is all that may be now inferred in reading the Board's present policy as quoted above.

MINIMUM AMOUNTS SUBJECT TO RENEGOTIATION AND EXEMPTION OF CERTAIN TYPE CONTRACTS

In respect to our proposal to increase the minimum dollar amount subject to renegotiation and certain contract exemptions, our bill proposes that:

SEC. 3. (a) Section 105(f)(1) of the Renegotiation Act of 1951, as amended (setting forth minimum amounts subject to renegotiation), is amended (1) by inserting ", or $5,000,000, in the case of a fiscal year ending after June 30, 1959" immediately after "1956" each place it appears; and (2) by adding at the end thereof the following: "For the purpose of determining, pursuant to the first sentence of this paragraph, whether or not the receipts or accruals from such contracts and subcontracts shall be renegotiated for any fiscal year, there shall be excluded amounts received or accrued from—

"(A) any fixed price of incentive-type contract or subcontract if such contract or subcontract, by its terms, is subject to price redetermination or price revision; and

"(B) any contract or subcontract awarded at a fixed price to the lowest acceptable bidder as a result of competitive bidding in which three or more responsive and competitive bidders have taken part."

(b) Section 105(f)(3) of the Renegotiation Act of 1951, as amended (relating to determination of amounts subject to renegotiation), is amended (1) by inserting ", the $5,000,000 amount" immediately after "the $1,000,000 amount" in the second sentence; and (2) by striking out "$1,000,000" each place it appears in the last sentence and inserting in lieu thereof "$5,000,000".

MINIMUM AMOUNT SUBJECT TO RENEGOTIATION

In our statement of July 1958 we said that "the 1956 amendments to the Renegotiation Act, in part, were of some benefit to smaller manufacturers, since the act was amended by increasing the minimum amount subject to renegotiation from $500,000 to $1 million", and this "probably should now be increased to $5 million, since rising labor and material costs have somewhat nullified the beneficial effects of the million-dollar exemption"—hearings, page 14, Ways and Means Committee, July 29, 1958.

We further stated that:

We are of the opinion that the only value of renegotiation will be found in its application to the hundred or so largest military contractors who traditionally serve as sole source—noncompetitive—suppliers on complex items of defense material. For all other companies where competition is present, renegotiation serves little purpose other than to increase the burdens of accounting and administration. An examination of the records of the Renegotiation Board would reflect that the bulk of the dollars recaptured come from the top 100 defense contracting firms and that only meager sums are recovered from the smaller defense contractors. For this reason we think the country would be better off if the minimum amount were raised as high as $5 million. At the same time, we would not press for such an amendment because there is not sufficient time to gather the detailed evidence necessary to prove the point. Therefore, it has not been included in our bill.

Data from the Board's records can assuredly be secured for consideration during this session of the Congress and the breakdown of total recoveries from firms doing less than $5 million of defense work annually can be secured to back up the contention that these account for a minor portion of recoveries. It will be obvious that the extent of paperwork and special recordkeeping bears most heavily on firms in the under $5 million category.

UNDER $5 MILLION MEANS SMALL BUSINESS

Businessmen have stated that it is a "fact of life" in manufacturing that a company must have total sales at a minimum level of $10,000 to $12,000 per employee in order to survive. Hence, it is possible that a company with 100 employees must make total sales of about $1,200,000 or find itself in the red. Conversely, a company with more than 500 employees must have sales of around $6 million, or more. Thus, the exemption of $5 million for companies engaged in defense work will apply almost exclusively to small businesses. A few large companies, of course, would be among those who are primarily manufacturers of commercial products, firms whose defense sales are a secondary and minor part of their total activity. It will be observed, however, that sales at such levels will be outside the realm of the "sole source—noncompetitive—suppliers of complex items" mentioned in our statement last year. Whenever a large firm's participation in defense work is at a level below $5 million it will almost always be in the area of supply and support items—blankets, clothing, detergents, typewriters, and so forth—where contracts are awarded by competitive bid and competitive restraints provide ample protection against excessive profit.

EXEMPTION OF CERTAIN TYPES OF CONTRACTS

Referring back to section 3 of our bill covering "minimum amounts" and "contract exemptions," we recognize that the chief criticism directed against our bill—H.R. 13561 and those that follow, 85th Congress, 2d session—arose from the proposal to fully exempt certain types of contracts in the manner then proposed. Specifically, the language of the 1958 proposal read:

(10) Any fixed price or incentive type contract or subcontract, except at the option of the contractor or subcontractor, if such contract or subcontract, by its terms, is subject to price redetermination or price revision; or

(11) Any contract or subcontract which has been the subject of competitive bidding, except at the option of the contractor or subcontractor, if such contract has been awarded to the low bidder among three or more responsive and competitive bidders.

In stating opposition to this proposal to the Members of the Committee on Ways and Means, Mr. Dechert of the Defense Department made two observations. He said:

If a contractor or subcontractor takes a small profit or a loss on a contract or subcontract, he may elect, for purposes of setoff, to submit the contract or subcontract to the renegotiation process along with his other renegotiable business. * * * On the other hand, if the profits of a particular contract or subcontract are large, he may elect to exempt that contract or subcontract from renegotiation. Such a provision does not appear desirable.

Since this option to include or exclude would have applied to all contracts of the types noted for the largest as well as the smallest defense contractors, we have concluded that it might have placed

some of the larger firms in a heads-I-win-tails-you-lose position—particularly, in one of those rare occasions where an attractive profit did arise from one of the types of contracts listed. That an excessive profit could arise in such a contract held by a small company seems next to impossible—first, because the total amount of the contract would necessarily be small; second, because the restraint of competitive bidding would preclude it in contracts awarded by such means; and finally, because the procedures of price redetermination would effectively trim any prospective excess profit out of the remaining contracts covered by this proposal.

It would be equally unfair, however, to attempt to correct this potential deficiency in the amendment proposal merely by eliminating the contractor option, that is, by making the exclusions of such contracts mandatory. To do so would be to remove from the weighing process of renegotiation any consideration of those contracts which are most likely to result in skimpy profits or perhaps losses. It would violate the principles of the act which permit, as we have noted, "a contractor's total business to be weighed in the balance, rather than merely to recover excess profits on successful contracts and ignore others."

Both Mr. Dechert and Mr. Coggeshall took note of this need. As Mr. Dechert indicated:

> The renegotiation process applies, and properly so, to all contracts across the board.

And during his part in the hearing, Mr. Coggeshall stated:

> I believe very strongly that if you are to have renegotiation, it is only fair to the contractor that you look at the results of the defense dollar, rather than just a particular contract. If we go back to the history, the very first act in 1942 just provided for renegotiation contract by contract, and it ended up that there was a great holler, because in the contracts in which they found excessive profits there was no offset of those which had low profits or losses.

AN EQUITABLE SOLUTION BY THE REVISION OF SECTION 3 OF OUR PRESENT PROPOSALS

In place of an optional exclusion of price redeterminable or competitively awarded fixed-price contracts—or a substitute mandatory exclusion—both circumstances which appear to have some defects, our study over the past year has led us to a substitute proposal the benefits of which will be confined almost exclusively to small business.

The essence of the proposal is this: Since price redeterminable contracts and other fixed-price contracts awarded as the result of competitive bidding are automatically subject to restraints which assure against excessive profits to small business, we propose that the receipts from such contracts be excluded only in determining whether a contractor shall be subject to renegotiation. However, if the combined receipts from other types of contracts—sole-source fixed price, cost-reimbursable, and so forth—on which excessive profits are more likely to arise exceed the proposed new minimum amount, then the contractor will be subject to renegotiation and the process will, as heretofore, be applied "across the board."

This proposal would in no way affect any of the larger defense contractors. They would have to do all but $5 million of their total defense business in the specific low-profit forms of contract delineated in order to gain exemption from the act—a near impossibility, but a blessing to the public purse if it should come about. In fact, for the middle-size companies, those firms doing perhaps $15 to $20 million per year in defense contracts, this proposal would create a very strong incentive to seek the low-profit forms of contract in an effort to gain possible exemption. We can only conclude that the result would produce a true economy in the defense effort while, at the time, removing an excessive burden from thousands of small firms who seldom engage in contracting except in these low-profit forms.

See exact language of our new proposal above as part of section 3.

For example, for a company to determine whether it will be subject to renegotiation after this proposed amendment, it will add its recipients and accruals from all other types of contracts—negotiated-firm-fixed-price, cost-reimbursable, fixed-fee or target-fee, and so forth—and if such receipts and accruals exceed the minimum amount, then the company will be subject to renegotiation on its entire business, including the types of contracts in (A) and (B), above.

BENEFITS OF OUR AMENDMENTS TO SMALL BUSINESS

First. Nearly all small businesses will be excluded from the direct effects of renegotiation.

Second. Small- and medium-size businesses will have strong incentive to seek the types of contracts which have built-in restraints against excessive profits.

Third. Excessive and burdensome recordkeeping will be eliminated for thousands of small companies.

Fourth. The uncertainties of waiting 2, 3, or more years for final action on renegotiation will be eliminated for the small firms least able to cope with this problem.

Fifth. Since the total caseload of the Renegotiation Board will automatically be reduced, fairer and faster action may be anticipated by the remaining large companies who will continue to be subject to the act.

COMMERCIAL ARTICLE EXEMPTION—SECTION 4

It is felt that the proposal contained in our bills in the 85th Congress—H.R. 13561 and its companion bills of 1958—was a fair and necessary proposal and that the same amendment should be offered at this time. The requirements of the present act are grossly unfair to small firms whose products compete directly with commercial type items of other firms but whose markets—because of location or sales pattern—are directed primarily to defense users.

A typical example is that of a fastener manufacturer who competes directly with the products of all other fastener manufacturers in the country. His prices are dependent upon the prices charged by his competitors for their own wares. This is true even though the design and shape of a specific fastener may vary to a noticeable degree from a competitively offered product. This means that the buyer will weigh both price and prospective merits of the separate products of different sources of supply.

Yet the large competitor—with national distribution—is automatically exempted from the act because he is able to show that more than 35 percent of the sales of this item are to nondefense users. While the smaller firm, whose effort is concentrated in meeting defense needs, remains subject to the act because he does not have ability to develop nondefense markets through a program of national advertising and distribution and because he cannot show 35 percent of nondefense sales as to each separate article.

It is difficult to believe that Board objection to this proposal can be regarded as anything more than a self-perpetuating interest in maintaining domination over an area of business in which little, if any, recovery of so-called excess profits can be demonstrated.

MANDATORY EXEMPTIONS FOR STANDARD COMMERCIAL ARTICLES AND SERVICES

The language of the proposed amendment, which is the same as last year's proposals, is as follows:

> SEC. 4. Section 106(e)(4)(B) of the Renegotiation Act of 1951, as amended (relating to mandatory exemption for standard commercial articles and services), is amended to read as follows:
>
> "(B) the term 'standard commercial article' means, with respect to any fiscal year, an article—
>
> "(i) which either is customarily maintained in stock by the contractor or subcontractor or is offered for sale in accordance with a price schedule regularly maintained by the contractor or subcontractor, and
>
> "(ii) which two or more competitors can be shown to maintain in stock, or which is substantially similar to articles which two or more competitors offer for sale in accordance with regularly established price lists;."

SUPPLEMENTARY COMMENT ON DEPARTMENT OF DEFENSE COMMENTARY WAYS AND MEANS HEARINGS, JULY 29, 1958

With respect to the proposed exclusion of contracts awarded as the result of competitive bidding in determining whether a contractor shall be subject to the act, a comment by Mr. Dechert of the Department of Defense, although no longer directly applicable, should not go unanswered.

Mr. Dechert said that competitive bidding "in the field of complex items where costs cannot be accurately forecast do not guarantee against excessive profits." He added that:

> In the field of aircraft, for example, perhaps three or more companies would actually bid in connection with a proposed contract for the development and production of a complex piece of equipment. This does not mean that the successful bid is based on accurate cost estimates. In the procurement of complex equipment, competition does not necessarily guarantee against excessive profits.

With due respect to Mr. Dechert, the competition to which he refers never is

on the basis of a firm fixed price to the low bidder. In fact, firm fixed price bids are regarded as impossible "for the development and production of a complex piece of equipment," for the very reason he states, the inability to make accurate cost estimates. Such competition is actually conducted as a competitive negotiation, evaluation being on the basis of proposals—not fixed price bids—which present varying approaches to problems of design, engineering, manufacture, and so forth, plus an estimate of cost and a proposed management fee. Such negotiated contracts would not have been excluded by the amendment proposed last year, nor would they be excluded from the computation provided for in this year's proposal.

We respectfully urge the Committee on Ways and Means to give serious and sympathetic consideration to our proposals.

Finally, we would like to call to the attention of the Members an editorial appearing in the Wall Street Journal on August 4, 1958, on the Renegotiation Act of 1951:

LOADED LANGUAGE

One of the troubles with the current debate over the Renegotiation Act for Government contracts is that it is wrapped up in some emotion-laden language.

This is the law which permits the Government, having once made a contract with a manufacturer to supply goods at a certain price, to later "renegotiate" it and reduce the amount it has agreed to pay. The law is usually described as one designed to recapture "excessive profits" on defense contracts.

Now "negotiation" is a respectable word and "excessive profits" a disreputable phrase. Almost everyone is opposed to the latter and in favor of the former. So a proposal to negotiate away excessive profits has a hard time getting any hard discussion.

But before Congress leaps into extending this wartime measure it ought to frankly recognize that this "renegotiation" in practice is pretty much unilateral. One party in the negotiation, the manufacturer, has a pistol at his head. This is especially true of industries, like aircraft manufacturing, that are heavily dependent on Government business. As a practical matter, the law simply means that the Government can later change its mind on what it agreed to.

And "excessive profits" is a phrase with no definable meaning. There are those who think any profit excessive, and some who think thus are no strangers to Government service. In practice it has come to mean any profit a manufacturer makes over and above what the Government now thinks he ought to have made.

Quite apart from that, there is room for a little thought about the familiar wartime attitude of "hang the costs" of making this-or-that; that attitude certainly wasn't discouraged by the knowledge that if costs were held down the Government would simply "renegotiate" any savings away from the manufacturer.

Nothing is so likely to spur economy and efficiency in operation as a reward for it; nothing discourages it like the knowledge that lower costs will profit the manufacturer nothing. It is not at all unlikely that a renegotiation law generally applied could increase the Government's cost of buying things.

At any rate, we think before Congress approves the bill out of habit it might reflect that it is endorsing a practice by the U.S. Government that would hardly be tolerated in any other buyer.

The text of our proposed amendments follows:

A BILL TO AMEND THE RENEGOTIATION ACT OF 1951 TO ASSIST SMALL BUSINESS, AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

DECLARATION OF PURPOSE AND POLICY

SECTION 1. It is hereby declared to be the policy of the Congress, and the purpose of this Act—

(1) to encourage subcontracting in Government procurement to provide incentives for small and independent business concerns,

(2) to encourage prime contractors and subcontractors to subcontract the maximum proportion of their contracts and subcontracts to provide the proper profit motives for small and independent business concerns as the cornerstone of our free enterprise system, and

(2) to expand the Government procurement base by providing incentives and encouragement to small and independent business concerns.

The Congress hereby reaffirms its longstanding policy of assuring to small and independent business concerns a maximum proportion of the contracts for goods and services awarded by the various departments and agencies of the Federal Government.

ENCOURAGEMENT OF SUBCONTRACTING

SEC. 2. Section 103(e) of the Renegotiation Act of 1951, as amended (setting forth factors to be taken into account in determining whether profits are excessive), is amended by adding at the end thereof the following: "In determining excessive profits, favorable recognition must be given to economies achieved through contracting with small business concerns (as defined pursuant to section 3 of the Small Business Act); and a contractor or subcontractor who achieves economies through the programs of the Department of Defense, the Small Business Administration, or any other agency of the Government, to increase the share of such small business concerns in procurement shall, subject to other considerations set forth in this subsection, be provided incentive rewards through proportionately higher profit allowances."

MINIMUM AMOUNTS SUBJECT TO RENEGOTIATION

SEC. 3. (a) Section 105(f)(1) of the Renegotiation Act of 1951, as amended (setting forth minimum amounts subject to renegotiation), is amended (1) by inserting ", or $5,000,000, in the case of a fiscal year ending after June 30, 1959" immediately after "1956" each place it appears; and (2) by adding at the end thereof the following: "For the purpose of determining pursuant to the first sentence of this paragraph whether or not the receipts or accruals from such contracts and subcontracts shall be renegotiated for any fiscal year, there shall be excluded amounts received or accrued from—

"(A) any fixed price or incentive-type contract or subcontract if such contract or subcontract, by its terms, is subject to price redetermination or price revision; and

"(B) any contract or subcontract awarded at a fixed price to the lowest acceptable bidder as a result of competitive bidding in which three or more responsive and competitive bidders have taken part."

(b) Section 105(f)(3) of the Renegotiation Act of 1951, as amended (relating to determination of amounts subject to renegotiation), is amended (1) by inserting ", the $5,000,000 amount" immediately after "the $1,000,000 amount" in the second sentence; and (2) by striking out "$1,000,000" each place it appears in the last sentence and inserting in lieu thereof "$5,000,000".

MANDATORY EXEMPTIONS FOR STANDARD COMMERCIAL ARTICLES AND SERVICES

SEC. 4. Section 106(e)(4)(B) of the Renegotiation Act of 1951, as amended (relating to mandatory exemption for standard commercial articles and services) is amended to read as follows:

"(B) the term 'standard commercial article' means, with respect to any fiscal year, an article—

"(i) which either is customarily maintained in stock by the contractor or subcontractor or is offered for sale in accordance with a price schedule regularly maintained by the contractor or subcontractor; and

"(ii) which two or more competitors can be shown to maintain in stock, or which is substantially similar to articles which two or more competitors offer for sale in accordance with regularly established price lists;".

EXTENSION OF RENEGOTIATION ACT OF 1951

SEC. 5. Section 102(c)(1) of the Renegotiation Act of 1951, as amended (relating to termination of the Act), is amended by striking out "June 30, 1959" and inserting in lieu thereof "September 30, 1961".

EFFECTIVE DATE

SEC. 6. The amendments made by section 2 and subsection 3(a)(2) of this Act shall apply only in respect of contracts with the Departments and subcontracts made after June 30, 1959.

Mr. ALLEN. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. MEADER].

Mr. MEADER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MEADER. Mr. Speaker, I have opposed any effort to amend existing law as to responsibilities within the Department of Agriculture for the Rural Electrification Administration, as outlined in H.R. 1321.

My position was stated clearly in Additional Views to House Report 235, filed March 20, of this year. H.R. 1321 modifying Reorganization Plan No. 2 of 1939 and Reorganization Plan No. 2 of 1953, adopts an erroneous principle of administration. Instead of tightening controls and establishing clear channels of authority and responsibility it moves in the opposite direction of fragmentation and dispersal of functions and responsibility.

The Hoover Commission, in its report on general management of the executive branch, had this to say:

The President, and under him his chief lieutenants, the department heads, must be held responsible and accountable to the people and the Congress for the conduct of the executive branch. Responsibility and accountability are impossible without authority—the power to direct. The exercise of authority is impossible without a clear line of command from the top to the bottom and a return line of responsibility and accountability from the bottom to the top.

Continuing:

Under the President the heads of departments must hold full responsibility for the conduct of their departments. There must be a clear line of authority reaching down

through every step of the organization and no subordinate should have authority independent from that of his superior. Each department head should receive from the Congress administrative authority to organize his department and to place him in control of its administration.

Even further:

We recommend that the department head should be given authority to determine the organization within his department.

Now, if we continue to create autonomous administrations outside; or even inside, executive departments, administrative chaos is the inevitable result. The department head—a member of the Cabinet—and the President will lose control over the operations for which the administration is responsible.

Likewise the Congress will find it difficult, if not impossible to examine and control the operations of a multitude of autonomous, uncoordinated administrative activities.

The Hoover Commission concluded:

We have urged in our first report that the foundation of good departmental administration is that the Secretary shall have authority from the Congress to organize and control his organization, and that separate authorities to subordinates be eliminated.

Proper administration requires further tightening of authority and establishment of clearer channels of command, not in their diffusion as will be accomplished by H.R. 1321.

Mr. BOLLING. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to and a motion to reconsider was laid on the table.

Mr. FASCELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1321) to amend Reorganization Plan No. 2 of 1953.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 1321, with Mr. BOLLING in the chair.

The Clerk read the title of the bill.

By unanimous consent the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule the gentleman from Florida [Mr. FASCELL], will be recognized for 1 hour and the gentleman from Michigan [Mr. HOFFMAN], for 1 hour.

The Chair recognizes the gentleman from Florida.

Mr. FASCELL. Mr. Chairman, I yield myself such time as I might consume.

Mr. Chairman, the bill before the Committee, H.R. 1321, has two purposes. First, to restore to the Administrator of the Rural Electrification Administration the authority to approve or disapprove loans to be made under the Rural Electrification Act of 1936. This loanmaking authority will not be subject to the supervision, direction, or any other control by the Secretary of Agriculture. This is made clear in the language of the bill as amended by the Committee. The bill states that all of the functions and operations of the Department and the Administrator shall be exercised and administered within the Department of Agriculture by such Administrator under the general direction and supervision of the Secretary of Agriculture. Up to this point it follows the language of the 1939 Reorganization Act. Then there is added the following to make it explicit as to what the purpose of the legislation is:

Except that insofar as such functions relate to the approval or disapproval of loans authorized to be made under the Rural Electrification Act of 1936, as amended, their exercise by the Administrator shall not be subject to the supervision or direction of, or to any other control by, the Secretary of Agriculture.

The language is quite clear on intent.

The second purpose is to reestablish in the Rural Electrification Administration functions which it had prior to the passage of Reorganization Plan No. 2 of 1953 and to modify the effect of that plan and the 1939 plan so that the Secretary of Agriculture will not be able to distribute the functions of REA and diversify them to other departments or officials within the Department of Agriculture.

We want to maintain the REA as an identifiable unit within the Department of Agriculture under the general supervision and direction of the Secretary of Agriculture, except when it comes to functions of loans. In that case the Administrator shall have the authority, without review or general supervision of the Secretary, to make or approve a loan.

The reasons for this legislation are very, very clear, and the issue is very, very simple. You can take your choice of administration. The bill proposes one way; others would have it the way it is. For my own part, I will take the legislation here recommended for reasons that are manifest.

In the consideration of the language of this bill and the reasons why this change should be made, I point out to you certain facts. First of all, under the operations of the Department and the Administrator under the reorganization plan of 1939, there were no orders, written or unwritten; no regulations, written or unwritten, that dealt with the administration of the Rural Electrification Administration or the Administrator in making his loans under the theory of the 1939 reorganization plan. The language of that plan stated this specifically:

SEC. 5. Department of Agriculture—Rural Electrification Administration transfer: The Rural Electrification Administration and its functions and activities are hereby transferred to the Department of Agriculture and shall be administered in that Department by the Administrator of Rural Electrification Administration under the general direction and supervision of the Secretary of Agriculture.

That is the way it operated until Reorganization Plan No. 2 of 1953 came along, which was a general plan of operation involving not just the REA. And it is significant to note the change that took place immediately or shortly thereafter when this plan went into operation.

You find under the purview of the authority of reorganization plan of 1953 that all of the functions and operations of the REA are now transferred and rest in the Secretary of Agriculture, a tremendous difference in the concept of operation from the plan of 1939. The proof of the pudding is in the fact that the Secretary of Agriculture himself, acting under the purview of the 1953 reorganization plan, for the first time issued a regulation or order directing that all of the functions which had been transferred to him under the reorganization plan were, in turn, transferred right back to the Administrator of REA.

Mr. EVINS. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield to the gentleman from Tennessee.

Mr. EVINS. I would just like to interrupt the gentleman, who is making such an excellent talk, and say when this power was delegated to the Secretary, did he not propose to transfer it to a central agency, after he had promised the Congress that if any changes were to be made he would consult the Congress, and he failed to do so?

Mr. FASCELL. I believe the gentleman is correct, and that is in line with the facts which I will discuss in just a moment. I thank the gentleman for bringing that out.

As I say, the proof of the pudding, under the operation of the 1953 act, lies in the fact that the Secretary of Agriculture issued an order transferring all of the power and authority back to the Administrator of the REA for its operation, reserving unto himself, the Secretary, however, as the law required him to do, the right to take those privileges and functions back if he so saw fit. This is all covered in the testimony which will be found in the hearings held last year and this year on the same subject. As a matter of fact, then, under the 1953 plan from a practical standpoint, we had the REA as an identifiable unit in the Department of Agriculture operating independently, although technically and legally that would not be the case. And, everything went along fine; you heard no complaints about REA loans until when? In May 1957 or thereabouts, when suddenly comes to light for the first time a so-called informal loan review procedure. Now, mind you, it was not in writing; there was no written legislation, and yet it is a substantial procedural operation within the Department which heretofore had not existed. Now, you can draw your own inferences from that as far as I am concerned. Nevertheless I will state, as the testimony before the committee bears out, that this was purely an informal or oral arrangement. The new arrangement simply meant that whereas theretofore the Administrator of REA had the actual sole approval and authority of the granting or disapproval of a loan, that thereafter, on those loans which were in excess of $500,000, that they would then be subject to review by the Director of Farm Credit Services before the fact of final approval by the REA Administrator. I would call to your attention the specific testimony, and I believe it is important

because it bears on the fact of which way you will choose to have REA operated and why this legislation is now before you. In the hearings on the legislation this year beginning on page 35, there is an examination by me of Mr. Scott, the Director of the Farm Credit Services, and I leave you to draw your own inferences from the testimony as to what changes had taken place in the loan operation of REA and why:

On page 4, Mr. Scott, you make the statement that the Administrator's authority for final approval of loans was and is not curtailed. Then you follow that up, however, by saying that you have an informal arrangement whereby loans in excess of $1 million are reviewed by you.

Mr. SCOTT. That is correct.

Mr. FASCELL. Isn't that a modification of the Administrator's authority?

Mr. SCOTT. He received the delegation of authority from the Secretary when he was appointed to run the Rural Electrification Administration under the act, and to take actions on loans. That was not interfered with in any way. I have no authority to approve or deny loans. That authority has always been and is now in the Administrator. I review some of them. As to any application where I have any points that I think might well be brought to the attention of the Administrator, I do that. Never in any sense have I indicated that he should turn it down or approve it.

Mr. FASCELL. If this informal arrangement is not a modification of the authority of the Administrator, what is its purpose?

Mr. SCOTT. Well, it is largely to keep the Secretary's office informed, and me particularly, so that I can bring to the attention of the Secretary any points about the program of any nature that I think would be in keeping with his responsibilities.

Mr. FASCELL. If the Administrator had a direct delegation of authority under the Reorganization Act from the Secretary of Agriculture, why wouldn't he be automatically informed as to everything that is going on in this Department?

Mr. SCOTT. You mean the Secretary be automatically informed?

Mr. FASCELL. Yes. Isn't the REA Administrator a part of the Department of Agriculture?

Mr. SCOTT. Oh, yes, indeed.

Mr. FASCELL. Then why would you have to have an informal procedure to keep the Secretary advised? He is under the direct supervision of the Secretary of Agriculture, is he not?

Mr. SCOTT. That is right.

Mr. FASCELL. Then this informal arrangement is evidently to accomplish something else.

Mr. SCOTT. No; it is not.

Mr. FASCELL. Then I still don't understand the reason for the informal arrangement.

Mr. SCOTT. The pattern of operation in the Department of Agriculture is to have the several bureaus or agencies under the supervision and direction of a staff member, the Under Secretary and the Assistant Secretaries, and myself, and the administrative assistant, Mr. Roberts.

Mr. FASCELL. Now, sir, you are Director of Agricultural Credit Services?

Mr. SCOTT. That is right.

Mr. FASCELL. Under ordinary operation in the chain of command wouldn't Mr. Hamil's department be under your supervision and direction?

Mr. Hamil is the Administrator of REA.

Mr. SCOTT. That is right.

Mr. FASCELL. Then if that is true, why the necessity of expressing specifically an informal arrangement dealing with a particular amount of loans? You have jurisdiction over everything he does, don't you?

Mr. SCOTT. That is correct, but in any lending operation the way to keep in touch with the loan requirements out in the country, and the specific needs in the REA systems, to find out what their requirements are, what their progress is, and their estimates of future growth, and so on, you get that best from review of the loan dockets.

Mr. Chairman, I am going at length into this testimony because I believe it develops very clearly between the Administrator and the Director of the Farm Credit Services and myself in this interrogation exactly what the issue is. I continue quoting from the hearings:

Mr. FASCELL. I will agree with you, Mr. Scott, but couldn't you do that before you had this informal loan arrangement?

Mr. SCOTT. Yes.

Mr. FASCELL. All right, then, what are you doing now under the informal arrangement that you weren't doing before the informal arrangement?

Mr. SCOTT. Well, it is an opportunity in an orderly way to look at the loan folders. I didn't look at very many loan folders before. It was an arrangement to have these larger loans come across my desk, to keep me informed as to what the situation is.

Mr. FASCELL. In other words, what you are telling me, as I understand it, is the practice in the Department was, prior to the time that this informal arrangement was set up, that nobody reviewed Mr. Hamil's activities. For all intents and purposes, he was an independent operation, even though he was under the direction, supervision, and in the chain of command which flowed through you to the Secretary; so that there would be no misunderstanding about a definite review practice being established, you set up this informal review basis, even though you had the authority prior to that time to do the same thing?

Mr. SCOTT. That is right. Mr. Hamil and his predecessor, Mr. Nelson, and I frequently talked about matters, but this was thought to be a more orderly way and a very simple way for me to keep in touch with the problems and progress of the system out through the country.

Mr. FASCELL. I am still at a loss and I can't understand why it is necessary to have a particular administrative procedure identified as such when you had the authority to do the same thing all along.

This gives rise to speculation, at least, if not actual fact, that something is now being done that wasn't done before, and in order to do that you had to specify it even though it is informally.

I don't see how you can escape that, and this is, by the way, an oral proposition, there is no written regulation or directive?

Mr. SCOTT. That is correct.

Mr. FASCELL. So we have the same situation today as we did the last time we discussed this matter. Do I understand, Mr. Scott, that under the present procedure of this informal arrangement that Mr. Hamil has a completed docket prior to the time he comes to you, if it is in excess of $1 million?

Mr. SCOTT. Yes.

Mr. FASCELL. And when the matter is brought to you, has he decided what action should be taken before it comes to you?

Mr. SCOTT. Well, I don't attempt to find out whether he has or has not. As a matter of fact, I am quite sure that sometimes I see the loan before he does. These dockets represent the judgment of his staff people, including the men that work there in the General Counsel's office.

Mr. FASCELL. Maybe I better direct my questions to Mr. Hamil; would you inform me what the procedure is now. If a docket is presented, and I assume that it is a file folder, it starts out with the basic application and then goes with their—with staff studies, and what not, stuck on top of it?

Mr. HAMIL. Yes.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield for an inquiry?

Mr. FASCELL. I yield.

Mr. BROWN of Ohio. Is the gentleman reading from the hearings of 1958 or from the hearings of 1959, which have not been printed and are not available to the House? As far as the minority is concerned, they are not available here. From which hearings is the gentleman reading?

Mr. FASCELL. As I stated when I started, I began reading on page 35 of the printed hearings of 1959 on the legislation.

Mr. BROWN of Ohio. They just came over, I understand, and were delivered today. We have not even had an opportunity to read them.

Mr. FASCELL. However, you have had the galley proofs for a long time. Now, to continue with the testimony I was reading:

Mr. FASCELL. And finally somebody gets around to putting a final sheet of paper on top of it which says yes or no, Mr. Hamil; is that what you do?

Mr. HAMIL. I sign all loan dockets. That makes it a legal instrument, and in my absence, as I told you a minute ago, I delegate the authority. Let me put it this way: No loan has ever gone to Mr. Scott's desk that I didn't intend to make. I have made every one of them that went to Mr. Scott's desk.

Mr. FASCELL. That doesn't answer my question.

Mr. HAMIL. Well, what do you want, Mr. FASCELL?

Mr. FASCELL. I can appreciate what you are telling me. I have no quarrel with that. All I am trying to find out now is whether or not you actually, in writing, take final action on a loan prior to the time it is submitted for review.

Mr. HAMIL. I have in many cases. I can any time I want to.

Mr. FASCELL. All right.

Mr. HAMIL. I am the Administrator, Mr. Congressman, and I can sign those dockets any time I want to.

Mr. FASCELL. When you say sign a docket, just what does that mean; tell me.

Mr. HAMIL. That makes it a legal document obligating the United States of America.

Mr. FASCELL. In other words, it is the final paper which indicates that the applicant is entitled to the money?

Mr. HAMIL. Yes, it is a commitment, Congressman. There may be a stop order provision saying that the borrower must meet certain qualifications before we will release the funds.

Mr. FASCELL. I see. But for all intents and purposes it is the final commitment?

Mr. HAMIL. Yes.

Mr. FASCELL. Now, all I am trying to establish is the procedure. Do I understand that the final commitment in all cases involving $1 million is or is not signed by you prior to submission for review under this informal arrangement you have?

Mr. HAMIL. Basically, they have not been signed before I send them over.

Mr. FASCELL. All right, then, any loans for $1 million are submitted to you and then they are signed by you?

Mr. HAMIL. Yes.

Mr. FASCELL. That is the procedure?

Mr. HAMIL. Yes, as Mr. Scott has told you, Mr. Congressman, it has been an informal

procedure for discussion purposes. This is no small amount we are dealing with.

Mr. FASCELL. I didn't say it was. I don't mean to be derogatory at all. Now, isn't it a fact, Mr. Hamil, prior to 1957, when the first informal arrangement was made, that the final commitment was signed by you without prior review?

Mr. HAMIL. I discussed many loans with Mr. Scott prior to that.

I am still bearing on the question because I want a direct answer.

Mr. FASCELL. I am sure you did, and with other people, but the basic difference between your operation prior to 1957 and today is that in those loans under which this informal arrangement applied, you do not actually sign the final commitment until after the review has been made?

Mr. HAMIL. That is basically right.

Mr. Chairman, I should like to tie that testimony in with a little bit of testimony that came out of the last hearings, and I refer to page 206 of the hearings on the legislation in the last year, when a similar bill was before the committee.

Again the interrogation was of Mr. Scott by Mr. Lanigan, and I quote from page 206:

Mr. LANIGAN. I just wanted to get back to this construction that you had—this discussion you had, whether you would review the loans before they were made rather than after they were made.

Mr. SCOTT. Yes.

Mr. LANIGAN. Why were you to review them before?

Mr. SCOTT. Well—

And this is the issue, as I see it—

Well, if you are going to have any influence on policies on a loan, certainly the time to discuss it is before the loan is made.

Mr. Chairman, I do not know how you can document any clearer than that what the intent is, and what the change is that has taken place in the operation of the Administrator of the Rural Electrification Administration within the Department of Agriculture under the procedure that exists under the reorganization plan of 1953 and the Secretary of Agriculture's loan-review policy.

Now, it has been said, and it probably will be said, that by this bill we are starting some kind of precedent which is an administrative monstrosity. I would say in answer to that, and I point this out in the affirmative discussion on this legislation, that when Congress set up the REA with the policies inherent in that legislation, they provided that an Administrator should be elected for a 10-year term. Everybody here understands why that was done. It was to free the Administrator from outside pressure. All we are seeking to do in this legislation is to be sure that even though certain administrative changes have been made which are a benefit for accounting purposes and budget purposes and personnel purposes and other administrative purposes, we do not destroy the original intent that Congress had in setting up this act as far as the independent loan actions of the Administrator are concerned; and we do not inflict upon his independent judgment any policies or criteria which were not spelled out by the Congress in that act. That is all we mean to say.

The same procedure with respect to the independence of units within a department exists in other cases. They are spelled out in the reports. There is nothing unusual about it. Other officers are given independence with respect to certain functions in which they have the sole authority despite the fact that they are in a chain of administrative command in a larger department.

Mr. Chairman, in conclusion I submit there is a very real reason that since 1957 there has been considerable question around the country with the REA's and the cooperatives all of whom support the legislation. I believe it is well founded. I believe this legislation provides a moderate approach to correct that problem, and I submit it should be adopted.

Mr. McGOVERN. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield.

Mr. McGOVERN. I want to associate myself with the very fine remarks that the gentleman from Florida has just made. In that connection, a few minutes ago, it was charged by the distinguished minority leader in citing the committee report, for authority, that the report stated the 1939 act had actually transferred the loanmaking authority from the Administrator of the REA to the Secretary of Agriculture, but in reading the report since that time, it becomes clear to me, and I think to the gentleman, that the report says just the opposite.

If you will turn to page 3 of the committee report, this is what we read:

While the 1939 plan transferred the functions and activities of the Rural Electrification Administration to the Department of Agriculture, it continued the administration of these functions and activities in the Administrator of Rural Electrification Administration.

Mr. FASCELL. I thank the gentleman for pointing out what the committee report had to say, and I certainly agree in that analysis of it.

The CHAIRMAN. The gentleman from Florida [Mr. FASCELL] has consumed 25 minutes.

The gentleman from Ohio [Mr. BROWN] is recognized.

Mr. BROWN of Ohio. Mr. Chairman, I yield myself such time as I may use.

Mr. Chairman, I have listened with a great deal of attention to my very able and very learned colleague on the committee, the gentleman from Florida [Mr. FASCELL], for whom I have gained a great admiration and respect and also a great deal of affection throughout the time we have been serving together. He is indeed a very, very able pleader at the bar. I want to congratulate him upon being skillful enough to present a bad case in a rather favorable light to this body.

I would like to discuss with you, if I may, for a little while some facts about this situation and about this legislation, and about the background of the Rural Electric Administration.

In the first place, I think it should be written indelibly in the RECORD of this House at this time that a great majority of the membership of this body on both sides of the aisle support the idea and the ideals of the REA. I think it should be made clear that I have throughout the years of service in Congress, and it has been a long, long time, as most of you know, supported REA appropriations and all beneficial laws for the purpose for which REA and later the telephone arrangement under REA were enacted.

I think it should also be made clear in the very beginning that the present administration now in control of the executive branch of the Government has been very much interested in the welfare of REA and interested in the services it has rendered.

In this connection I would like to point out as a matter of record and as a matter of fact that during the 6 years of the present administration, from 1953 through 1958, there was $1,545 million Federal funds made available for REA purposes, while during the 17½ years, or nearly 18 years in which our Democratic friends controlled the administration there was a total sum of $2,954 million made available for the use of REA.

I refer to the minority report which appears on page 25. May I express the hope that before you vote on this particular measure you at least take the time to read the hearings. They are available just now. They came in after I took my seat at the table in charge of this bill; and that you read the report, and especially the minority report. The facts are that when REA was established back in 1936 it was created as an independent agency of the Government, coming under the direction and control of the Office of President of the United States. President Roosevelt back in 1939, realizing the pressures that were upon him because of this great multitude of independent agencies that had been placed under the Office of the President, in Reorganization Plan No. 2, which was submitted to Congress at that time by him, requested that this independent agency be transferred and put under the jurisdiction, direction and control of the Secretary of Agriculture.

There was no opposition to the reorganization plan submitted by President Roosevelt by those Members who oppose this bill today and who served here then.

A little later came the first Hoover Commission, which was instituted by a unanimous vote of both the House and the Senate to act as an arm of the Congress. In their findings reported to the Congress and to the President they said we should transfer more of these independent agencies out of the Office of the President of the United States to the different Cabinet officials for operational purposes, for supervision, so that the President himself would not be required to pass upon these matters.

You and I are practical people; I see some of my friends today who are very realistic in politics. I do not believe anyone will contend that when a so-called independent agency is placed under the President of the United States that the President of the United States and the White House Office does not have something to say about the policies that are followed and the actions that are taken by the heads of these independent agencies. So, really, when we get down to cases, when we discuss this situation

realistically as men and women who have had some experience in public life, persons who are not as naive as my friend from Florida would like to have some people believe, it does not make too much difference in the end, in the summation, whether it is the Secretary of Agriculture or the President of the United States who may be consulted, who may review, who may take a look at the loans being made or the money being obtained from the Federal Treasury by any agency of Government which may come under their jurisdiction, regardless of which it may be. I think most of you will agree that this is rightfully so; because, after all, the Cabinet officers, out of their own confines of jurisdiction, the President within his, have the responsibility to the people of the country to know what the cost of any agency or any activity of Government may be. I believe if you will check the records and the reports that have been referred to here, and read these hearings—and we had voluminous hearings a year ago, or almost a year ago, and again shorter hearings this year on this subject—you will find there a rather plain story about this whole situation, something that you want to think about; and that, my friends, is that there was not one single word or one iota of testimony given or taken that the Secretary of Agriculture had ever at any time interfered in any way with the Director of REA in making these loans. Seemingly, the only thing the Secretary of Agriculture is guilty of is inquiring for information, getting information that will be of benefit to him and the President of the United States and which I hope will be of some benefit to the Congress of the United States, which, after all, has to pass upon the appropriations and the expenditures of public funds.

No; I took particular interest in it to inquire of every critical witness who came before our committee either last year or this year if they could point to a single instance, Mr. Chairman, where the Secretary of Agriculture had interfered in any way with the making of these loans. I heard the dialog that went on between the gentleman from Illinois and the gentleman from Indiana about an REA loan that was made or was not made down in southern Indiana. I am sorry the gentleman from Illinois has not had the opportunity to read the hearings. But I recall very distinctly that the testimony showed the request of the REA cooperative for one of the loans had been withdrawn and the loan was not being requested, had not been asked for, and it was not rejected or not turned down by either the REA Administrator or by the Secretary of Agriculture.

Now, what have we here? We have only the expressed fear on the part of somebody, somehow, that perhaps somebody in the distant future, some Secretary of Agriculture, or if it goes back to the Office of the President, if you transfer it there, some President might say that this loan is not justified and should not be made.

The facts are, and we ought to discuss facts when we consider legislation of this kind, that this Congress accepted without the opposition of those who now propose the legislation, the reorganization plan not only of 1939, as I mentioned a moment ago, but also Reorganization Plan No. 2 of 1953.

The facts are, whether you like it or not, if you will read this bill the language speaks for itself that it is now being proposed by the sponsors of the legislation that you amend both Reorganization Plan No. 2 of 1939 and Reorganization Plan No. 2 of 1953. If as I understood the gentleman from Florida to say really all this trouble springs from the reorganization plan of 1953, I ask you in the name of common sense why was it necessary or advisable or wise to write legislation that would also amend the reorganization plan of 1939?

No; the facts are as I said a moment ago, someone has a fear that a future Secretary may overrule some loan.

The facts are, Mr. Chairman, that we now have more than 95 percent of the farms of this country being served with electricity, either from REA, and it is a glorious record that the REA has written in this field of activity, or by private power companies. The facts are that 75 percent or more of the loans that are now being made under REA are for the purpose of extending power facilities into urban and suburban areas for use not only by householders but for the use of industry.

The facts are, in my opinion, that sometime, someday, the Congress of the United States, which created this great agency, must take a look at it once more to see just what we should do in the future about this matter.

Now, it is my contention, it is my belief, in view of the facts, in view of the record, that there is not one single bit of testimony in these hearings that shows—and no witness could point to a single incident—where any damage has been done in any way to REA or where any loan has been rejected by the Administrator either with or without the review or the suggestion of the Secretary of Agriculture or any of his deputies. Consequently, I cannot understand for the life of me, having sat for weeks and weeks through these hearings last summer and again this spring, why this legislation is either necessary or wise. Why some Members of this House who marched up the hill, if you please, in 1939 and again in 1953 to give us a better administrative setup for our Government, a better control of the functions of Government, now want to turn around and march down the hill again and disintegrate and destroy, or at least maim and injure the very agency of Government that they created, the very methods that they said a short time ago were good and right and were proper, just does not make sense. There is no reason in the world that I know of that any member of any REA cooperative should have any fear that any of their proper activities will be interfered with in any way by this or, I believe, by any other administration; by this Secretary of Agriculture or by this President or by any other Secretary of Agriculture or any other President who may come from my party or from yours. So, I cannot support this bill, much as I believe in the purposes of the Rural Electrification Administration and much as I have supported that organization throughout the years and expect to continue to support it in all of its proper activities.

Mr. CURTIS of Missouri. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Missouri.

Mr. CURTIS of Missouri. I want to thank the gentleman for his statement and ask him a question. I have read over this report and I do not believe I have ever seen a report from a committee of quite this nature, because the report itself takes up only about four pages plus, but then the bulk of this report seems to be a statement of Clyde T. Ellis, general manager of the National Rural Electric Cooperative Association. He is not a Member of Congress. Was he a witness and was he interrogated?

Mr. BROWN of Ohio. He was a witness before the committee back in 1958. He filed a statement.

Mr. CURTIS of Missouri. Why would 11 or 12 pages of this report—and it is only a short report—be taken up with his statement? I have never seen a committee report of that nature.

Mr. BROWN of Ohio. The gentleman has asked me a question that I, of course, cannot answer, because I did not prepare nor did I sign the majority report. If the gentleman will turn the pages, he will find that I prepared and I filed the minority report, which starts on page 24.

Mr. CURTIS of Missouri. May I ask this further question. May we presume, then, that the majority is endorsing this statement of Mr. Ellis?

Mr. BROWN of Ohio. The gentleman will have to decide that for himself. I do know, of course, that Mr. Ellis is not a Member of Congress. He was a Member of Congress. Probably he is in a much more prosperous position and condition today than the average Member of Congress. I do know that he heads a great organization and is interested in legislation of this type. I do know that he has been a very vehement witness in his testimony, yet he did not point out a single instance or submit to the committee a single bit of direct evidence or even indirect evidence that in any way the Secretary of Agriculture had interfered with the Director of REA in making loans. And I want to emphasize for the record, the Assistant Secretary of Agriculture, as well.

Mr. YOUNGER. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman.

Mr. YOUNGER. The gentleman is a member of the Hoover Commission. Is this bill in line with the Hoover Commission recommendations?

Mr. BROWN of Ohio. This bill?

Mr. YOUNGER. Yes.

Mr. BROWN of Ohio. No. Reorganization Plan No. 2 of 1939 was sent up by President Roosevelt before the Hoover Commission became active. Reorganization Plan No. 2 of 1953, as well as the other, are both in line with the Hoover Commission recommendations that were made by the first Hoover Commission.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman.

Mr. JONAS. Considering the fact that since its organization in 1935 and up to 1958 the U.S. Government has loaned $3.8 billion for this program, is there anything inherently wrong in having a Cabinet member supervise loans that are in excess of $1 million? It strikes me, since we already owe more money than all the nations of the world put together and we are facing a $12 or $14 billion deficit this year, it is high time that somebody began to supervise some of the lending agencies. Is there anything inherently wrong with this?

Mr. BROWN of Ohio. I get the import of the gentleman's question. I certainly do not feel so. As I stated a moment ago, I feel there is some responsibility on the part of the administration, and certainly of the Cabinet officers under whose jurisdiction these different agencies come, at least to obtain information and be able to furnish it to the Congress of the United States and to the American people.

Mr. JONAS. Am I correct in my understanding that the purpose of this legislation is to take away from the Secretary of Agriculture any authority to inspect, examine, supervise or give advice about the making of loans in excess of $1 million?

Mr. BROWN of Ohio. That is a rather broad coverage but, as I read this bill, the Secretary of Agriculture would have no control, no right of review, no right of resurvey or study or right to comment on any loan that the Director of the REA might desire to make. He would be a free agent, on his own, absolutely.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. On page 126 of the hearings of 1958 I find this question asked of Mr. Ellis:

> Well, on page 2 you say there is a master plan to drain REA of its life and vitality?
>
> Mr. ELLIS. Yes, sir.
>
> Mr. HOFFMAN. You are referring to Mr. Benson; are you?
>
> Mr. ELLIS. I am referring to the master plan as outlined first by the——
>
> Mr. HOFFMAN. Are you referring to Mr. Benson?
>
> Mr. ELLIS. As being a party to it, yes.
>
> Mr. HOFFMAN. Who else is in it, briefly? Just the names and the positions they hold.
>
> Mr. ELLIS. The plan was outlined, the first time I saw it, by the task force on lending agencies of the Hoover Commission. Now the Hoover Commission did not adopt the task force recommendations but the task force made four recommendations.
>
> Mr. HOFFMAN. Just a minute. Now, Mr. Chairman, I do not want to take a lot of time. If you will just answer my questions, we will get through very quickly.
>
> I asked you who besides Benson participated in this master plan as you term it, to destroy REA?

I would like to have the Members notice this vile, wicked conspiracy here that Mr. Ellis seems to see somewhere. Here is his answer.

> Mr. ELLIS. The power companies.
>
> Mr. HOFFMAN. Well, name them.
>
> Mr. ELLIS. Mr. Eisenhower, President Eisenhower, Mr. Benson, Douglas McKay, and now I fear Secretary Seaton.

The gentleman says it is the power companies. I ask the gentleman from Ohio, did you ever hear of President Eisenhower being a power company before?

Mr. BROWN of Ohio. I never knew he was engaged in that activity. I thought, before he became President, he was a general. But I may have been misinformed.

Mr. HOFFMAN of Michigan. I wish the gentleman would read this record again.

Mr. BROWN of Ohio. I shall check it very carefully. I heard that testimony, participated in it.

Mr. HOFFMAN of Michigan. Here is the question:

> Anyone else?
>
> Mr. ELLIS. Yes; the Director of the Bureau of the Budget.

He is in this vile conspiracy. Does the gentleman think Mr. Ellis must have been telling these folks about our plans?

Mr. BROWN of Ohio. I want to save some time for other gentlemen, if I may.

Mr. HOFFMAN of Michigan. Let me go a little further. The gentleman had something to do with the Hoover Commission?

Mr. BROWN of Ohio. Slightly.

Mr. HOFFMAN of Michigan. The gentleman was on the committee when it went through Congress.

> Mr. HOFFMAN. In fact, everyone who is opposed to your recommendations?
>
> Mr. ELLIS. Oh, no. I don't say that at all.
>
> Mr. HOFFMAN. You have gotten to the Director of the Budget, now. Who next?
>
> Mr. ELLIS. Everybody who has participated in trying to carry out the plan as outlined by this task force of the Hoover Commission on lending agencies, who has done any or several of these things to effectuate the plan as laid out there.

I cannot understand how my friend from Ohio would be in a deal of that kind.

Mr. BROWN of Ohio. I follow the gentleman's leadership on my committee, and he may have misled me at some time in the past.

Let me conclude that the administration that Mr. Ellis is speaking about was the same administration that furnished to the Rural Electrification Administration in funds more than 50 percent as much money in 6 years as did the preceding administrations in practically 18 years.

Mr. FASCELL. Mr. Chairman, I yield 10 minutes to the sponsor of this legislation, the gentleman from Illinois [Mr. PRICE].

Mr. PRICE. Mr. Chairman, this bill is designed to do two things. First, it reestablishes the loan-making authority of the Rural Electrification Administration Administrator. Second, it maintains in the Department of Agriculture for centralized administrative purposes the Rural Electrification Administration.

The Congress, when it passed the original REA Act in 1936, was explicit in its intent that this would be an independent agency with loan-making authority vested in the Administrator. This is typical of the action of the Congress in the establishment of all loan-making agencies within the Federal Government. If there is a superior authority placed over the REA Administrator in the loan-making power that he holds, it would be the only case in the Government where such control exists.

As the sponsor of the bill, I do not want to see the agency taken from the Department of Agriculture, where it has had good administration, where it is in a good home, and where in the Congress it comes within the jurisdiction of a committee, the Committee on Agriculture, which has always been good to the Rural Electrification Administration and has sponsored it and has made it a valuable agency for the rural segments of American society.

It has been testified that 95 percent of rural homes, of the farms of the country, have been electrified under this program, so no one questions the value of the Rural Electrification Administration.

I want to be perfectly honest about the argument that arises over whether the 1939 Reorganization Act gives the Secretary of Agriculture loan-making authority over the Administrator. Perhaps it did.

The point at issue here, however, is that there may be a question whether it does or does not. There is reason to believe that possibly it does. But, that is not an issue here because this authority was never exercised by the Secretary of Agriculture. It is significant, I think, that the first time it was exercised was in May of 1957, almost 4 years after the Reorganization Plan No. 2 of 1953, and it is significant that this change in the loanmaking operations of the agency came during the controversy over the Indiana case, which was explained sometime earlier in the afternoon by the gentleman from Indiana [Mr. DENTON].

It has been stated that no loans have been withheld. That may be perfectly true. But, the Indiana loan had not yet been made. There is evidence that many loans have been delayed. But, I am not arguing that point.

The Congress in 1936 set the REA up as an independent agency and the great stress in those days was that it would forever be free of politics. I think one way of keeping it free of politics is by vesting the loan authority in the Administrator. After all, what do we on this side of the aisle have to gain today by having it vested in the Administrator when he is appointed by the present administration? But, we think by making him an independent agent with full loan authority, he has a degree of independence that will permit him to keep his agency completely free of politics. That is our desire here.

It has been stated here by my good friend, the distinguished gentleman from Ohio [Mr. BROWN], that this legislation is born of fear. Well, perhaps, there is some degree of truth in that. But, that fear was generated at a time when there was cause for fear—at the time of the Indiana case. How do we know how many loans might have been involved, in the same manner as the Indiana case today had not this legis-

lation been introduced last year to serve notice upon the Department that Congress was watching and that Congress had a voice in this matter.

It has been said that there was no opposition to the Reorganization Plan No. 2 in 1953. Well, there was opposition to it. Many distinguished Members of Congress were opposed to it, and if I could read the names without violating the rules of the House here this afternoon, I am sure some of the gentlemen of the House would be surprised to find who the opponents were to this plan. They insisted then and they still insist today that Congress would not have approved Reorganization Plan No. 2 of 1953 if they had not had positive assurances that there would be no major change in the administration of the agency unless it was first cleared by the Congress.

I would consider that changing the rules as to the loanmaking authority is certainly a major change. Some of these Members of the Congress on both sides of the Capitol feel there has been a breach of the promises that were made in 1953. They feel that the assurances given to them at that time have not been fulfilled. You will read that in your committee report.

There is plenty of reason for the Congress to act in this matter, to preserve its prerogative, and to have something to say about this agency of Government. This legislation merely reaffirms the original statutory authority of the Rural Electrification Administration and reaffirms the intent of the Congress that the Administrator himself shall be the final authority in the granting of loans. What is so strange about that? He is the man who makes all of the arrangements. You know the REA Administrator is a pretty active man. He travels into every section of the country. He attends the regional meetings and the State and district meetings. He sits down with all the co-op leaders throughout the country and talks over with them their plans for future expansion and their plans for new cooperatives. I think we would be taking a great deal from him if he is not able to speak authoritatively to them, when they discuss with him the possibility of a loan to expand their operations.

There might be frequent occasions, unless we do something now, to keep this authority within the hands of the Administrator, when some assurance that he gives to these co-ops in keeping with what he believes to be within the regulations of his organization, should a superior be able to repudiate implied agreements with applicants. No one wants to take the agency out of the Department of Agriculture. We are very happy that it is there. We think it has prospered there. It prospered there long before we had the regulation of May 1957. This agency has lived a long time within the intent of Congress, and it is a very strange thing that suddenly this act is required to change the entire loan procedure. I think what we need to protect the REA is the enactment of this legislation to fulfill the intent of Congress.

There was much consideration given at the time of the enactment of the original act, to make certain that this would be one agency that would serve the rural segment of our society without regard to politics. I concede that the Indiana case, being the possible cause for this order, would bring in the element of politics. That would be only the beginning. There would be many more to follow that.

Let us keep this agency free from politics. Let the Administrator have final authority, as Congress originally intended that he have.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. PRICE] has expired.

Mr. HOFFMAN of Michigan. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The Chair will count.

Mr. HOFFMAN of Michigan. Mr. Chairman, I withdraw the point of order.

Mr. MEADER. Mr. Chairman, I yield 3 minutes to the gentleman from Maine [Mr. MCINTIRE].

Mr. MCINTIRE. Mr. Chairman, my interest in this legislation today stems from two sources: First, all the REA cooperatives in Maine are within my congressional district. I have followed their progress with a great deal of interest. I wish not only to commend the management of the cooperatives but also those who have considered their needs in new applications within the last few years, which applications have been approved and a fine job done. Second, my interest stems also from experience which I draw upon in the field of agricultural credit.

I am very much disturbed at what appears to be a challenge to the principle of review of loans on the part of those who have areas of responsibility in connection with those loans. I think it is an important principle. It is a basic part of the sound lending done by our agricultural lending agencies. The principle is that when loan applications reach a certain level they must be reviewed by those in higher authority.

This legislation, in my opinion, strikes at the very heart of that principle. In my experience with agricultural credit I have found the principle most sound. I shall oppose this legislation, because I think sound review is a very important part of constructive lending.

I subscribe to the principle that if there is invested in the authority of the Secretary a responsibility, then certainly administratively there should be room enough in the minds of us all that he should discharge that responsibility regardless of who the Secretary might be.

During my service in Congress I have worked objectively to keep lending functions of Federal agencies out of partisan politics.

I regret that there is nothing in the background of this legislation that brings me to any other conclusion than that it is inspired as a partisan attack on the present Secretary of Agriculture.

I regret that leadership in REA and in Congress stoops to these tactics. It is not the way I wish to handle REA affairs.

Mr. FASCELL. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana [Mr. WAMPLER].

Mr. WAMPLER. Mr. Chairman, I speak to you at this time on a subject which is very important to all of us. A great piece of legislation was enacted in 1935 which gave new life to the man who lives in the rural area; it gave him equality with those in other fields of endeavor; that was the establishment of the Rural Electrification Administration. From that came an appeal, an appeal to the private-power industry to create and generate electricity and carry it into these rural areas, but the appeal did not meet with the response that was necessary. There followed the formation of the rural electrification cooperatives. They have gone a long way in giving the farmer in the rural areas the power he needs. Now they have taken a further step in trying to meet those needs.

I speak for the State of Indiana, where we have found that the cost of electricity to the REMC's the Rural Electric Membership Corporations, was somewhat excessive. They had the idea they would like to broaden out a little to the point where they could generate their own electricity. Immediately the cooperatives appealed to the REA to get a loan of $42 million to activate a plan in the southern section of the State. The Governor of the State of Indiana brought his forces into action.

He rounded up three public utilities commissioners, indoctrinated them as he saw fit, sent them to Washington to confer with the President of the United States and with the Secretary of Agriculture and defeated the thing that Indiana was striving to procure, a plant to generate electricity in the southern section of that great State. There existed a rivalry between private industry and public industry, that was politically instigated to defeat a project designed to meet the needs of the public.

Yes; this could occur in your State. It did happen in mine.

We in Indiana have a unique situation but it is no different from a situation that might face you in your State. We are optimistic, progressive, and appreciative of the things that have happened in the past with the REA.

We also feel that the security and the defense of America must be built in this age where we face an epoch of power and an era of science and we feel we cannot be retrogressive and still build that program by 1965.

When you evaluate the situation you must go back to the farmers in your own districts. They are the ones who will express their views to you and they will cite the case in Indiana as the reference, whether the farmer hails from the Gulf of Mexico to the Great Lakes or from the Atlantic to the Pacific. There is a feeling that the State of Indiana has been discriminated against by placing REA loan responsibility in the hands of the Department of Agriculture without the jurisdiction of the Administrator of the REA; and, therefore, a most beneficial program cannot be maintained without such amendments as we are considering today.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. WAMPLER. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I want to congratulate the gentleman from Indiana as a new Member in making such an excellent speech and a fighting speech in behalf of the farmers of his district, State, and the country.

Mr. WAMPLER. I thank the gentleman.

Mr. HOFFMAN of Michigan. Mr. Chairman, I make the point of order that a quorum is not present.

Mr. FASCELL. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BOLLING, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1321) to amend Reorganization Plan No. 2 of 1953, and come to no resolution thereon.

FAIR LABOR STANDARDS ACT

Mr. ADDONIZIO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. ADDONIZIO. Mr. Speaker, last year we celebrated the 20th anniversary of one of the great pieces of humanitarian legislation enacted during New Deal days. The Fair Labor Standards Act has helped millions of people in the economy at the bottom of the economic ladder, who do not enjoy the protection of unions, to receive a minimum wage which helps them to receive at least subsistence income.

The Fair Labor Standards Act has also put a ceiling on hours, so that the 40-hour week has become a standard in the Nation. The Fair Labor Standards Act has made a great contribution to the economy. It has increased the purchasing power of the American people and in part made possible the great economic expansion which the Nation has enjoyed over the postwar years.

But we have been amiss in not taking full advantage of the possibilities of the law. During the 20 years while the law was in effect we have increased the minimum wage only twice and we have failed to extend the coverage under the law over these 20 years. Consequently, despite the years of successful operation under the Fair Labor Standards Act, we find that some 20 million employees working in commerce are still not covered by the provisions of the law.

We have been particularly amiss in not extending the benefits of the law to millions of employees who need the protection of the Fair Labor Standards Act most. The law does not cover the 8 million employees in retail trade nor are the 4 million employees in services and related industries subject to the coverage of the Fair Labor Standards Act. I believe that the workers in these industries urgently need the protection of the Fair Labor Standards Act and that we must extend the protection of the Fair Labor Standards Act to these employees.

I do not favor Federal legislation to regulate wages in small local business. It would seem fair to me, therefore, that we exempt from the provisions of the Fair Labor Standards Act those retail and service establishments which are purely local in nature. But I cannot see the justice of failing to cover employees working in multi-million-dollar establishments and for chains which have hundreds and sometimes even thousands of outlets in practically every State of the Union.

A recent study by the U.S. Department of Labor shows that many of these multi-million-dollar retail and service corporations are the ones that are most guilty of paying substandard minimum wages. I believe that the protection of Fair Labor Standards Act should be extended to at least an additional 10 million workers throughout the country.

But not only is the coverage of the Fair Labor Standards Act entirely inadequate, the minimum wage in itself is outmoded. It is almost 4 years since Congress voted the dollar an hour minimum wage. I believe that it was inadequate then and it certainly is way behind the times today. The growth in American productivity also makes it possible to support higher minimum wages without hurting the economy.

As a matter of fact, it is a basic need of our economy to increase minimum wages which help boost the purchasing power of the broad masses of the population and support our ever-increasing capacity to produce. Boosting the minimum wage to $1.25, therefore, as provided by my bill, H.R. 312, serves not only humanitarian interests but is a basic need for a healthy and growing economy.

Mr. Sol Stetin, an able vice president and regional director of the Textile Workers Union of America, has kindly furnished me with an estimate of the impact on the economy of New Jersey if the minimum wage were raised to $1.25 per hour and coverage broadened. The survey was compiled by the research department of the AFL–CIO. An estimated 180,000 low paid workers in New Jersey would be affected. The required increase in total wage and salary payrolls in New Jersey would be less than one-half of 1 percent.

Although small as a proportion of total payroll, the increase would be considerable addition to the purchasing power of the State's lower-income families. In dollar terms, the increase in purchasing power for New Jersey's low-income workers would be an estimated $49 million a year.

As Mr. Stetin observes, these facts constitute a convincing and forceful argument for immediate adoption of the pending legislation.

This year we will celebrate the 21st anniversary of the Fair Labor Standards Act. This is the year when the Fair Labor Standards Act should reach full maturity. A proper way to celebrate it is to extend the coverage to workers in retail and service trades and to other millions of employees not covered by the act, and to boost minimum wages to $1.25.

DECLARING GOOD FRIDAY A LEGAL HOLIDAY

Mr. WOLF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a letter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. WOLF. Mr. Speaker, simple eloquence spoken from the heart is the most effective and meaningful method of communication. I am sure that none of us are able to forget the beautiful and touching letter written by Vanzetti, the humble fishpeddler, to his son on the eve of his death.

I am taking this opportunity to place in the CONGRESSIONAL RECORD a letter from one of my constituents. She is a woman who loves her country dearly and is deeply religious, not in the flashy, empty way of many but in the humble, honest way that is the mark of the true believer.

This woman, Mrs. Haase, has asked me to sponsor a bill making Good Friday a national legal holiday. I have checked with many religious and lay leaders who support such an idea because they feel, as I do, that Good Friday is as important in the life of the Christian religion as Christmas. I am introducing today a joint resolution declaring Good Friday in each year a legal holiday.

Herein follows the letter from Mrs. Haase. Its contents bear thoughtful consideration:

CLINTON, IOWA, *April 7, 1959.*

Mr. LEN WOLF,
Honorable Congressman,
House of Representatives, U.S. Congress,
Washington, D.C.

DEAR MR. WOLF: This letter is a request for your help to make Good Friday a legal national holiday.

Undersigned is a naturalized citizen having come from Germany. I embrace the Lutheran faith.

I dearly love this land and its Constitution. It is built on Christian principles. In fact we call ourselves a Christian nation preserving Christianity for the world.

This is a noble ambition and so I risk to ask my Government to make Good Friday a legal holiday. We have Christmas, Easter, and Pentecost. These three are our big Christian festivals. They fall on a Sunday and are automatic holidays.

As Christians we cannot have Easter without Good Friday. That is the most important day in our faith. America with all its blessings should take time to go with Christ to Golgatha, take full part in Christ's death. Give the people this day for consecration and really be prepared for the glory of Easter, after the darkness of Good Friday.

In Germany, it was a solemn day. Families partaking in the Lord's Supper and all work resting.

Here we are getting more aware of the holiness of the day. Many employers give their employees time off for church attendance. This is very nice—but I love to ask our Government for a proclamation to elevate Good Friday as a legal national holiday.

It would give our country a good standing in the world, as a Christian Nation, we are obligated to observe Good Friday in this measure. Surely there be many blessings for every citizen in this observation.

Mr. WOLF, I thank you for help you could give this plea. I am positive it has your personal approval, also of many other citizens.

May God bless you in your position in our Government.

Sincerely,

MARTHA A. HAASE.

TO REVISE, EXTEND, AND IMPROVE THE UNEMPLOYMENT INSURANCE PROGRAM

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, the speed with which H.R. 5640 passed in the House was not only motivated by the need for extending temporary unemployment compensation beyond April 1, when the emergency program was due to end. It was recognition of a continuing problem that could become chronic.

With the recession of last year behind us, insofar as production and profits are concerned, it was expected that this improvement would be reflected in a sizable reduction of unemployment totals.

The large number of people who are out of work is a matter of deep concern to the Congress. As our work force is steadily increasing on the one hand, while the introduction of automation is shrinking the number of job opportunities, we face a widening gap that must be closed, if we are to avoid the burden of heavy unemployment in this country.

A reduction in the standard workweek but without reduction in pay, in order to spread employment opportunities, may be the required solution. Meanwhile, improvements in our unemployment compensation system are necessary to provide support for the displaced workers in our economy. We understand management's need to concentrate on production and profits. The object is to produce more goods with fewer workers. Automation has come along fast in 1957 and 1958. This has resulted in rising business activity that does not absorb the unemployed.

It, therefore, becomes the public responsibility, through the cooperation of the Federal Government and the States, to provide compensation for the unemployed to a greater extent than before, in the hope and the expectation that our growing economy will open up more job opportunities.

This is our major national problem. Until such time as private enterprise, with an assist from Government, can generate a sufficient volume of activity to create jobs, we have no alternative but to extend and increase unemployment compensation.

We cannot maintain our leadership if we resign ourselves to a split-level society in which the large majority of our people enjoy high wages, high profits, and a high standard of living while 4 or 5 million adults are excluded from the opportunity to earn any income whatsoever.

The pressures and tensions inherent in this contradiction would seriously weaken our society because unemployment of this scope is both inhuman and wasteful.

The present hodgepodge of unemployment compensation systems in the various States, resembles structures that were built without design. They encourage divisive competition among the States and encourage the migration of industry with its disorganizing effect upon industries, workers, and communities.

The plain fact is that the Federal-State unemployment compensation system has not evolved with the times. It did not anticipate automation and its effects upon the labor force. It has not caught up with the realities of today. Restrictions in the laws kept a padlock on the $7 billion in unemployment reserve funds during the recession. Some groups of hired farm laborers, 1.8 million employees in small firms, and others, have no protection whatever under the present jobless aid laws.

One of the most serious defects is that dependent benefits are provided in only 11 of the States. The failure to make any distinction between the needs of the single person who is unemployed, and the unemployed family man who has many mouths to feed, is both shocking and tragic. There is no excuse whatsoever for this appalling neglect.

To achieve permanent Federal standards and supporting State legislation, it is necessary for the Congress to be guided by experience in the field which points to the following needs:

First, that coverage should be expanded.

Second, that the maximum duration of benefits should be increased to 39 weeks.

Third, that the maximum of benefits payable under the law shall be an amount equal to at least two-thirds of the average weekly wage earned by employees within the State, or an amount—exclusive of dependents' benefits—equal to one-half of such individuals average weekly wage, whichever is the lesser.

Fourth, That an equalization fund shall be established to reduce the excessive costs of jobless insurance in those States that are suffering from heavy unemployment because of national economic conditions.

Fifth, that the duration of benefits should be further extended in those States whenever the average unemployment within those States is in excess of 6 percent.

Much distress and bitterness have been caused by the overly strict and punitive requirements as to eligibility for benefits. Because an employee is partly at fault, is no valid reason why he and his dependents should be cut off completely from benefits.

It is advisable to moderate these requirements so that compensation may be denied in such State to any otherwise eligible individual only under the following circumstances:

For the first week of unemployment occurring within the benefit year.

For a period not in excess of 12 weeks immediately following the week in which he has been found, after an opportunity for a fair hearing, to have obtained, or to have sought to obtain, compensation by fraud, or willful misrepresentation of material fact.

For a period not in excess of 4 weeks immediately following the week in which he left suitable work without good cause, or refused to accept suitable work without good cause, or was discharged for misconduct in connection with his work.

Repeated renewals of the Temporary Unemployment Compensation Act meet the problem on an emergency basis only. They are not concerned with the basic improvement of the program through the addition of Federal benefit standards.

In drawing your attention to my bill, H.R. 175, to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program, and for other purposes, I want to emphasize the fact that the Federal unemployment compensation program, to succeed in its purpose, must be brought up to date.

FOREIGN CLAIMS SETTLEMENT COMMISSION

Mr. ASHLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHLEY. Mr. Speaker, the House of Representatives has often been called the greatest deliberative body in the world. Perhaps most Americans would agree with this appraisal but there are some who would not—and with good reason.

Among those who have cause to question the deliberative capacity of this body are the American soldiers who fought and bled in Korea, who were captured and brutally treated by the Communist enemy, only to return to this country to be branded traitors by an incompetent and dishonest governmental agency.

Mr. Speaker, Public Law 615 of the 83d Congress was enacted to compensate, in some small measure, our Korean prisoners of war for the shocking treatment they received at the hands of their Communist captors. In effect, the only condition for eligibility was that a POW could not knowingly and without duress have collaborated with the enemy.

The manner in which Public Law 615, 83d Congress, has been administered by the Foreign Claims Settlement Commission is a national disgrace. Members of the Commission and of the Commission staff have told me that they are thoroughly ashamed of the arbitrary and obnoxious procedures which not only have denied benefits to those eligible but have branded these applicants as traitors to their country to boot.

It may interest this deliberative body to know that, at least in one case, benefits were denied a claimant on the basis

of collaboration with the enemy without the claimant being given even the semblance of a full and fair hearing. This case involves a former constituent of mine, Joseph Hammond, who is now a resident of Whittier, Calif. For those interested, his Foreign Claims Settlement Commission claim number is K–251435. Decorated for bravery and for severe gunshot wounds, Hammond received an honorable discharge from the Army upon his repatriation from a North Korean prisoner camp. But the Foreign Claims Settlement Commission, on the basis of secret and secondhand information which was never shown to Hammond, decided that he had sided with his Communist captors.

This story has been told many times, Mr. Speaker. I have repeated it here on the floor for the past 4 years with little more than a murmur of interest from the House committee which has the responsibility for reviewing the activities and affairs of the Foreign Claims Settlement Commission. The story has also been told in a nationally circulated magazine by a respected author who continues to be shocked and disillusioned by the callous indifference of the Claims Commission and the Congress to which it is responsible.

As I said before the Easter recess, Mr. Speaker, I plan to continue the airing of this grisly situation, however long it may take, until such time as the Congress acts to protect the dignity and rights of these men who fought so hard to safeguard freedom for all Americans.

MOBILE COUNTY v. SOUTHERN FURNITURE CO., INC.

The SPEAKER laid before the House the following communication:

The Clerk read as follows:

HON. SAM RAYBURN,
Speaker of the House of Representatives,
U.S. Capitol,
Washington, D.C.

DEAR MR. SPEAKER: Arthur Perlman, an employee of the House while conducting an investigation at my direction and on behalf of the Committee on Government Operations in Mobile, Ala., has been served with the enclosed subpena.

I am also enclosing a memorandum of relevant precedent prepared at my request by committee counsel.

Due to the fact that the presence of Mr. Perlman is requested in Mobile on Thursday of this week, I have caused a letter to be sent to the clerk of the Mobile court, a copy of which is enclosed.

Mr. Perlman will do nothing further in this matter unless expressly permitted by a resolution of the House.

Sincerely yours,

WILLIAM L. DAWSON,
Chairman.

The SPEAKER. The Clerk will read the subpena.

The Clerk read as follows:

MOBILE COUNTY,
State of Alabama:

GRAND JURY CASE NO. 106

To Any Sheriff of the State of Alabama, Greetings:

You are hereby commanded to summon Mr. Arthur Perlman—Battle House—duces tecum to bring him to the grand jury any and all statements taken by him and any and all documents in his possession in connection with condemnation case of *Mobile County* v. *Southern Furniture Company, Inc.*, if to be found within your county, at the instance of the State of Alabama to appear before the Circuit Court of Mobile County, Ala., on the 16th day of April 1959, at 10 o'clock a.m., and from day to day thereafter until discharged, to give evidence and the truth to speak before the grand jury of said county, concerning certain matters to be investigated by said grand jury.

Attest:

JOHN E. MANDEVILLE,
Clerk, Circuit Court, Mobile County, Ala.

Grand jury room, second floor, new courthouse.

The SPEAKER. The letter and subpena will be printed in the Journal.

ROBERT A. TAFT MEMORIAL DEDICATION CEREMONIES

Mr. REECE of Tennessee. Mr. Speaker, I offer a resolution (H. Res. 243) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That there be printed as a House document, will illustrations, the proceedings in connection with the dedication ceremonies of the Robert A. Taft Memorial on April 14, 1959.

The resolution was agreed to.

A motion to reconsider was laid on the table.

BITUMINOUS COAL INDUSTRY

The SPEAKER. Under previous order of the House, the gentleman from West Virginia [Mr. BAILEY] is recognized for 30 minutes.

Mr. BAILEY. Mr. Speaker, it is no secret that the bituminous coal industry has been in a relatively poor condition since the end of World War II. This is a basic and indispensable industry and one upon which we must depend for most of our energy requirements for the future. This would be particularly true in event of a third world war. Yet, production of bituminous coal last year was only around 400 million tons, a decline of 100 million tons below 1957. Coal's earnings are among the lowest of any major industry.

The coal industry is trying to help itself. Recently, the coal producers, the United Mine Workers of America, the coal carrying railroads, coal equipment manufacturers, and coal using electric utilities organized the National Coal Policy Conference, whose objectives are the advancement of the interests of coal. Action by an industry on such a broad front is, to my knowledge, without precedent and is most heartening.

The conference is sponsoring a dinner at the Statler Hotel on the evening of April 27 to which all Members of Congress have been invited. The theme of the dinner is the need for a national fuels policy.

I am hopeful that all Members of the House who can do so will attend this dinner. In making this statement, I realize the conditions under which Members work and the incessant demands upon their time. Yet, your presence would show your keen interest in the welfare of one of our major industries; it would be most appreciated by the leaders of the conference. Also, the welfare of the railroads is closely related to the welfare of bituminous coal, since coal is the biggest and most important single item which the rails carry. The decline in coal consumption during the past several years has hurt the railroads, and they are keenly interested in the volume of coal which is mined and consumed.

More important is the contention of the leaders of the coal industry that a national fuels policy should be drafted and put into effect without delay. They say we have a gas policy, an oil policy, an atom policy, but no policy which takes into account our fuel resources as a whole and their use to the best advantage of the country from the standpoint of national security and the national economic stability.

Among the speakers at the dinner on April 27 will be John L. Lewis, president of the United Mine Workers; Howard E. Simpson, president of the B. & O. Railroad; Philip Sporn, president, American Electric Power Service Corp., of New York. George H. Love, chairman of the board of the Consolidation Coal Co., of Pittsburgh, and long a leader in coal, will preside. Mr. Love is chairman of the coal policy conference.

I am informed that the speeches will be brief and to the point. This, as I see it, is not just another dinner, but a meeting at which we can get the point of view of a major industry on a subject of major concern to all of us. I urge all of you who can to be there.

I think my colleagues in the House, should approve promptly the action taken in the Senate in setting up an emergency Commission on Unemployment.

This commission is of an emergency nature and contemplates finding facts on which to base emergency legislation to provide for relief in many areas of our Nation where chronic unemployment exists. The time allotted the commission, limited to 60 days, clearly indicates that no long-term program of permanent relief is planned.

This brings to the forefront the question of what Congress should do and must do to protect one of the Nation's major sources of fuel by setting up the necessary legislation to provide for extensive research into the possibility of finding new markets and new uses for our plentiful supply of bituminous coal.

Successful coal research would mean prosperity for West Virginia and other major coal producing States for the next hundred years. If adopted, it would be of more material good than any other program aimed at improving my State's economy.

Coal research has been and is presently under the control of the Bureau of Mines in the Interior Department. Despite the fact that this Department has up-to-date facilities, for research, worthwhile results have been limited. This brings to the forefront the question of whether an independent commission, for which the Government would provide separate appropriations, would be more effective and get more prompt results than to continue this program under the

Interior Department, subject to the vicissitudes of politics and the ambitions of those who hope to gain political preference.

In order to hear an unbiased approach to what is the best policy to pursue, you can be assured that the banquet speakers at the Statler Hotel on the evening of April 27 will go into every angle of the problem of saving an industry essential to our prosperity and necessary to our national security.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. BAILEY. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I wanted to thank the distinguished gentleman for all he has done for the textile industry in the way of protection, and I should like to help his coal industry, also.

Mr. BAILEY. Mr. Speaker, I thank the gentlewoman.

HON. CLARE BOOTHE LUCE

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that the remarks I made regarding the Honorable Clare Boothe Luce's appointment to Brazil may be placed with the remarks I made concerning Pan-American Day.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE IMMIGRATION AND NATIONALITY ACT

The SPEAKER. Under previous order of the House, the gentleman from New Jersey [Mr. ADDONIZIO] is recognized for 10 minutes.

Mr. ADDONIZIO. Mr. Speaker, nearly 7 years have passed since our immigration and nationality laws were codified in the McCarran-Walter Act. I opposed that legislation when it was being considered by this House in April of 1952. I opposed it because I disagreed with the basic philosophies upon which it was founded.

In voicing my opposition to the bill at that time, I stated that "it is not always easy, in times such as these, for an honest man to cast his vote in this House with the comfortable certainty that time will prove that he made the right choice." I was confident then that my position was right. I am absolutely certain now that it was and that time has proven it so.

I have introduced legislation to amend the Immigration and Nationality Act in every Congress which has convened since it was enacted. This year I introduced H.R. 315—basically the same bill I introduced in the 84th and 85th Congress. I am proud to say that this is a companion bill to H.R. 16 introduced in this session by the chairman of the Committee on the Judiciary, one of the most untiring champions in the cause of humanizing our immigration policies that I know. A number of other members have joined me in sponsoring the same bill since it was first introduced as the Celler-Lehman bill in 1955.

This bill would correct many of the injustices that exist in our present immigration system and would at the same time improve the system's administration. The most important change the bill would effect would be the elimination of the national origins quota system as the basis for determining whom among the peoples of the world we are to welcome as immigrants.

A plethora of words have been uttered in the past 35 years on the subject of our national origins quota system, by its advocates as well as its adversaries. I shall not add to this superabundance beyond stating that in my opinion the national origins quota system is a vestigial holdover of a discredited theory of racial superiority and inferiority. Many of us thought that we were fighting to rid the world of threats from a similar theory propounded by the Third Reich during World War II.

I would make only one other observation concerning our present quota system. This is that during these times, when we are striving to win over and hold in our camp the peoples of the uncommitted and underdeveloped areas of the world, this problem assumes larger proportions. For these are the very people we are slapping in the face with our national origins selections. It is the peoples of the young burgeoning nations, the newly emancipated countries, of Asia who bear the brunt of the most extreme discrimination in our present law—the Asia-Pacific triangle restrictions. We provide them not only with special restrictions but also with ancestral ones. Truly, it seems to me, we have singled out these people and said to them, "You are the most undesirable of mankind. Do not enter and corrupt our society." The time for a judicious reappraisal of this policy has long since passed.

In place of the national origins system, the bill I introduced would provide for a unified quota system which would promote the general welfare both internally and in our dealings with other nations. The mechanics of this new proposed system have been explained sufficiently before that I feel I need not discuss them at this time beyond outline form.

The bill provides for the distribution of quota immigrant visas without regard to race. If enacted it would be the first time since we first adopted a quota system that the distributions were so made.

Visas would be distributed according to a system of five preference classes of aliens, which include, first, family reunification class; second, occupational class; third, refugee class; fourth, national interest class; and, fifth, resettlement class. These terms are all self-explanatory, I think, except the national interest class, which includes peoples who would advance the national interests of the United States by strengthening areas of the free world that would be assisted in alleviating their own problems by the emigration of some of their people.

An unfair distribution of visas is guarded against by providing that no more than 15 percent of the visas available within any of the preference classes could go to any nation.

The total annual quota would be set permanently at 250,000. The percentage distribution of visas among the five preference groups would be made by the President each year, subject to the confirmation of Congress. In this way we would be assured of having an immigration policy which is current with existing conditions, so that visas would be issued to the various classes according to our domestic and foreign policy needs.

A number of bills other than those patterned after the Celler-Lehman proposal have been introduced in recent years to alleviate the rigors of the national origins quota system. These bills would provide for the pooling and redistribution of unused quotas. President Eisenhower has sent repeated messages to Congress advocating such a plan. If this were the best improvement that could be hoped for, I would support such a change. In essence, however, this would not correct the basic fallacy which eventually would have to be faced. If we are going to do anything at all we should remove the fallacy itself by doing away with the national origins principle.

There are a thousand other technical difficulties involved in eliminating all of the objectionable features of the Immigration and Nationality Act. There is the need for more adequate procedural safeguards in the granting or withholding of visas and in exclusion and deportation proceedings. There is the subject of judicial review. I do not intend to enter into a discussion of these many issues today. My purpose in speaking today is merely to draw the attention of this House to the fact that the need to improve our immigration policies is still with us—indeed it is more pressing than ever.

Most of the problems I mentioned have been carefully examined and provisions made for them in the bill I introduced. Many of the provisions of my bill are based upon the recommendations of the President's Commission on Immigration and Naturalization. This Commission, which was appointed by President Truman after the Immigration and Nationality Act was passed over his veto, made a thorough study of our immigration policies. It conducted extensive hearings throughout the country and heard scores of our most eminent leaders in the fields of religion, labor, and Government declare that those policies were outmoded and unjust. I would recommend as further reading to anyone interested in these basic issues the Commission's hearings and its report entitled "Whom We Shall Welcome."

When I think of the need to rid our immigration laws of the discriminatory racist provisions of the national origins quota system, I cannot help but think at the same time of a statement by Abraham Lincoln. I was reminded of this statement recently as it was quoted again by numerous speakers on the occasion of Lincoln's birthday. In the year 1855, Lincoln wrote to a friend:

> As a nation we began by declaring that "all men are created equal, except Negroes." When the know-nothings get control it will read "all men are created equal except Negroes and foreigners and Catholics."

When it comes to this, I shall prefer emigrating to some country where they make no pretense of loving liberty.

There is no excuse for not taking up the issue of immigration during this session of Congress. We must not delay any longer in putting the wheels of the legislative process into motion so that we may see done that which cries out to be done. I urge prompt action on this essential measure.

OIL IMPORT CONTROL PROGRAM

The SPEAKER. Under previous order of the House, the gentleman from West Virginia [Mr. STAGGERS] is recognized for 5 minutes.

Mr. STAGGERS. Mr. Speaker, I want to say frankly to my colleagues that the complaints that have been made in Congress against the White House Oil Import Control Program are very disappointing to the people of West Virginia. From the time that I entered Congress 10 years ago, I have appealed for legislative protection against the foreign residual oil that has invaded the fuel markets of the east coast, displaced more than a quarter billion tons of bituminous coal in the interim, brought unemployment and poverty to coal and railroad communities throughout the Appalachian region, and made a mockery of competitive enterprise.

The President's order to place a lid on residual oil imports was taken as a security measure. The administration finally concluded that it is folly to depend upon an overseas source of oil supply at a time when the most vehement threats—complete with sound effects produced by the rattling of sabers—are being broadcast worldwide from Moscow and Peiping. Holding residual oil imports down to the level specified under the White House decree will protect at least a good portion of the coal production capacity that, in an emergency, would be required to substitute for the alien fuel now being consumed in east coast markets.

The West Virginia congressional delegation worked hard to convince the executive department of the need for a limitation of residual oil imports. We accept the White House order even though it is entirely inadequate from the standpoint of our State's economy. We have shown the need for enactment of a quota on residual oil imports. We shall continue to stand in support of this measure. Meanwhile, I challenge the statements of those isolated voices who have objected to the mandatory control program. I am convinced that insufficient thought has been given to the defense implications of the program, else no patriotic American would be willing to risk continuation of the policy that gave Open Sesame to international oil shippers at the expense of our vital domestic fuel industries. A study of our projected fuel requirements in a period of hostility will disclose ample reasons for the President's fear that further economic injury to the coal industry would constitute national danger.

I want to say to my friends who object to a holddown on residual oil imports that I resent your unsympathetic attitude toward American workers who have lost their jobs because some of your electric power stations and industrial plants have been able to buy energy a little cheaper from tankers hocking a foreign product at our east coast ports. If you would but review the pricing tactics of the important companies, I am quite certain you could not tolerate furtherance of the practice. In the 10-year period prior to 1959 residual fuel oil prices have varied from an annual average of $1.89 per barrel to an annual average of $3.08 per barrel, not in synchronization with general business fluctuations but geared only to undersell domestic fuels. We talk about competitive enterprise, and we enact laws to deter individuals and corporations from interfering with or destroying the spirit and operation of this system. There is no competition in a market where a commodity produced in a foreign country without a price tag is permitted to be unloaded in whatever quantity and at whatever price the international marketer decides upon.

Congress has heard these figures before, but I nevertheless want to reiterate a few facts that will explain what has happened to a large segment of the 4½ million unemployed American workers. When residual oil imports reached a level of 74 million barrels in 1949, a Senate committee, whose membership included the late Senators Neeley and Taft, set out to determine the actual economic effect of this alien product on U.S. jobs. The committee learned that the economic distress imported from the refineries of Aruba and Curacao not only affected miners in West Virginia, Virginia, Pennsylvania, Kentucky, and Ohio, but that it also extended to railroad workers, to suppliers, equipment manufacturers, and even to the banks and small business houses in all of these areas. Today those 74 million barrels have been more than doubled, aggravating the hardship and depriving hundreds of thousands of workers of an opportunity to earn a means of livelihood for themselves and their families.

At hearings on depressed areas by a Senate committee in Morgantown, W. Va,. last month, the managing director of the Morgantown Chamber of Commerce testified that Monongalia County suffered a 28-percent decline in coal production in 1958. Mr. James R. McCartney explained that this loss resulted in unempoyment for 2,000 coal miners, and he attributed excessive residual oil imports as the primary reason for the decrease in coal demand. It is interesting to note that Mr. McCartney also presented figures emphasizing the drastic losses suffered by the American glass industry as a consequence of the unfair competition originating in lands far away where wages are but a small percentage of those for identical work in this country. I mention this portion of Mr. McCartney's testimony because I think it should be in the RECORD. One of these days Congress is going to assume a more realistic approach to the unemployment problem in this country. Ultimately even the most vociferous free-traders will be forced to concur in a tariff program that will give the American manufacturer and worker at least a fighting chance at economic survival.

Let me remind you, Mr. Speaker, that our desire for a modicum of protection against excessive imports is not in any way intended to oppose a vigorous international trade program. We hope that labor forces in other parts of the world will eventually attain the standard of living to which every human being should aspire. If and when that objective is realized, free trade will be practical and certainly most desirable. Meanwhile, no country can logically be expected to admit vast quantities of products that are not needed and in fact tend to be destructive of the importing nation's economy.

We hope and pray for the continued improvement of living standards elsewhere in the world. We have contributed vast sums of money and materials to scores of nations in an effort to stimulate their economies. American capital has explored business opportunities in the far reaches of the globe; new industrial plants have thus emerged in the most backward areas to bring jobs and manufactured products within easy reach of the natives.

I was interested in the April 3 announcement that the southern Italy development fund is planning to borrow $30 million in U.S. dollars through the sale of Republic of Italy guaranteed external loan bonds. Of the total, $20 million will consist of 15-year sinking fund bonds to be offered publicly through Morgan Stanley & Co. Concurrent with the offering of the bonds, the World Bank and European Investment Bank are entering into loan agreements with the issuer, known as Cassa per il Mezzogiorno. These transactions are encouraging, Mr. Speaker. American investors appreciate an opportunity to participate voluntarily in oversea businesses. Such relationshsips have a tendency to bring us closer together and should without question accrue to the benefit of those financially interested in projects of this nature.

As U.S. investment dollars spur economic development in Italy and in other friendly foreign countries, industrial capacity will be expanded and more goods made available, not only in domestic trade, but also for export. Many of the products not now easily available in the United States will be purchased here. We welcome this prospect. Our only qualification is that a reasonable tariff and quota system be utilized to provide a mutually favorable balance. In the case of the residual oil that has inundated our markets, stockholders of the oil companies and the ruling regimes of producing and refining countries have been the prime beneficiaries.

I think you will agree that West Virginians are extremely fair in their attitude toward international trade policies. To ask us to endure prolonged periods of unemployment and depression merely to appease the selfish interests of a small group is eminently unfair. And, once again, I remind all of my colleagues that any program short of the provisions of the White House order would invite national catastrophe.

SELF-RULE FOR THE DISTRICT OF COLUMBIA

Mr. MORRIS of New Mexico. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. ASHLEY. Mr. Speaker, more than a month ago 21 Members of this House from both parties, of diverse political views and from diverse parts of the country, joined to sponsor legislation to restore the government of the District of Columbia to the people of the District. Four weeks ago we were told by the chairman of the District Committee that there would be hearings on this legislation in this session. But the chairman also said he sees no "urgency" in this matter. And the chairman of the subcommittee to which the bills were referred said he has made no plans for hearings. Two more weeks have passed and we have heard no more about these hearings.

This legislation has passed the other House four times in a decade, only to die because the District Committee failed to hold hearings. Under the circumstances, I think the lack of any sense of urgency or of any plans in the committee are difficult to understand. After 10 years of delay, I think there is some urgency and there should be some plans. It is a fact that a majority of the Members of this House want an opportunity to vote on this legislation. It is a fact that home rule is a part of the official platform of both parties, endorsed by the incumbent Republican President and by his Democratic predecessor. When given the opportunity, the people of the District have asked for home rule by large majorities. In the Democratic primary of 1956, nearly 80 percent of the voters favored it. In a Republican poll conducted by mail recently, I understand two-thirds were for it. Surely the District Committee deserves a chance to consider this legislation and this House deserves a chance to vote on it—and, above all, the people of the District deserve a chance to govern themselves.

But opponents argue that the Nation's Capital must have the close and careful supervision of Congress. Of course, home rule does not in any way challenge the supervision of Congress. It does take Congress out of the business of playing alderman. But has Congress done such a good job that we do not dare turn it over to the people? Look just at the recent record.

The District Subcommittee of the House Appropriations Committee, conscientious and busy men with constituents and duties of their own to take care of, spent its valuable time in recent hearings on such important topics as leaks in the roof of the District morgue and the equipment of a new fireboat for the Fire Department. When the District appropriations bill came to the floor, a grand total of 28 out of 436 Members of this House were present to debate and vote on it. Is that the kind of close congressional supervision the District cannot do without? Congress should not have to spend its time checking on plumbing, the streetlights, and the fire equipment of the District. This House demonstrated, in the so-called debate on the District appropriations, that it does not want to and will not take its time for serious consideration of District matters—even those that are very important to the District, if not to Congress.

It seems to me demonstrably absurd, therefore, to argue that Congress must govern Washington because it is the Nation's Capital. Congress not only does not have to do so—it does not do so. It is overwhelmingly clear that Congress does not want to. And, if we are given a chance to vote on it, we will prove it by turning over municipal government to the people who are governed, who pay the taxes, and who do care enough to do the job.

The condition of the District is an eloquent demonstration of the kind of government it now has—and, if I may be pardoned for calling a spade a spade, it is carpetbag government—we are the carpetbaggers.

The chairman of the subcommittee who has not made any plans for hearings on home rule is, in spite of that, one of the most eloquent critics of the condition to which the District has come under congressional rule. No one could be more critical than he has been. And whether one agrees with his criticisms or not, there are plenty we can agree on. The District Commissioners, a few weeks ago, presented a report on the state of the District which is full of evidence that Washington is a city in trouble. Much of the same evidence was in an article in the Kiplinger Changing Times magazine last October. The downtown business area is making steady progress—downhill. While we founder in indecision and redtape about slum clearance, the slums keep on growing. City services deteriorate, the schools are starved for adequate funds, and as a result, people who can afford it move to the suburbs. People who cannot afford to move stay here. And the tax resources of the city shrink accordingly.

This is a vicious circle. There is no easy way out of it for Washington, any more than for any other city with acute urban problems. But we, the Congress, who supposedly must run the municipal affairs of the Capital because its citizens cannot be trusted to do so—we have certainly not found a solution. Why then, should we not give the people themselves a chance? They live here, not us. If Washington is to be a Capital to be proud of, there must be a change—there must be a vigorous local government, endowed with the authority of local election and the solicitude of local residents. These people care, because this is their home. We haven't done the job; why not let them try?

It is hard to see an argument against home rule. Are we really afraid, in the Capital of American democracy, to try such a dangerous experiment as a little local democracy? Our Capital is not only physically an increasingly shabby example for our Nation. Morally, it is an even worse example. Washington, our National Capital, is the one city, in this democratic country, where we repudiate democracy.

The legislation before this House is not dangerous or radical legislation. It simply proposes to restore the local self-government that is the oldest tradition of the Nation's Capital—a tradition that obtained from the earliest days for three-quarters of a century and which was taken away by Congress in the 1870's. At the same time, it amply safeguards the Federal interest. Not only does it provide for a congressional veto over municipal action; it provides also for a Presidential veto; and on top of that, it provides for an appointed, not an elected, mayor. If we are really afraid to grant so modest a taste of democracy to the people of Washington, we must indeed be deathly afraid of democracy. Is that a verdict we want to accept?

I do not. I want to let the people of Washington run their own business. I believe most of the Members of Congress who obviously aren't doing their job as aldermen would like to turn the job over to the people of Washington, who can and will do it.

To do so, in view of the facts, is a piece of elementary common sense. It is also an act of justice and fair play to the people of the District. And I think it is very plain what the people of this country, our constituents, want us to do. The press all over the country is increasingly commenting, and critically, on our failure to act. I would like to insert, at the end of my remarks, a summary which appeared in the Washington Post and Times Herald, of 21 editorials, from 16 States, as evidence of national sentiment for restoring democracy to the District of Columbia. In doing so, let me add that I believe the preponderant sense of this House is that there is an urgency about this matter, that we have delayed far too long, and that this year we will act to return to the people of Washington at least this limited right to govern themselves.

[From the Washington Post and Times Herald, Mar. 25, 1959]

PRESS IN 16 STATES CALLS FOR HOME RULE IN THE DISTRICT OF COLUMBIA

A total of 21 newspapers in 16 States have urged home rule for the District in recent editorials.

Urging Colorado Congressmen to fight for home rule here, the Denver Post said: "The undemocratic situation in the National Capital is a reproach to our whole political system, and all of us have a stake in correcting it."

Other newspapers cited the District as being a flagrant example of taxation without representation and the denial of government by consent, according to editorial excerpts released yesterday by the Washington Home Rule Committee, Inc., 924 14th St. NW.

Editorial excerpts on the home rule issue follow:

Honolulu Advertiser: "The District of Columbia ought to have the right to vote. When those folks talk about second-class citizenship, it should fall on sympathetic ears and stir sympathetic hearts in these parts. They don't have a delegate to Congress, not even a voteless one. They don't have a Governor, not even an appointed one. They don't have a legislature, not even

a Territorial one. They pay taxes without representation."

Glens Falls (N.Y.) Post Star: "We wonder if Congress will be able to drag its eyes from the far horizons this year long enough to see the example of homerulelessness at its very feet. We mean Washington, D.C. There's an old saying that he who dances must pay the piper. Washington taxpayers pay the piper. They just don't get a chance to dance."

San Francisco Chronicle: "The approval of the District Committee in the House is needed, and we earnestly urge that it be given.

"The rest of the country well knows that home rule has been denied to Washington, D.C., all these years because past Congresses insisted on fighting the Civil War again there. But the conscience of the country cannot permit this travesty of democracy in the center of world leadership of democracy."

Hartford Courant: "The voteless status of the inhabitants of the Nation's Capital has long been one of the anomalies of our system. Self-government is assumed to be the right of every organized community in the Nation, yet at the heart of National Government there exists a city lacking this fundamental right. Citizens rightfully claim that it is taxation without representation."

New York Herald Tribune: "Naturally, the 850,000 dwellers in the District—one hesitates to call them citizens, though of course they are—are hoping that the entry of the new States will give some impetus to their own petition for better treatment.

"Why does Congress cling to this ridiculous system? The answer is that a small group of Southerners in the District Committee of the House of Representatives, wishing to keep matters of racial policy in their own hands rather than turning them over to the local inhabitants, has persistently bottled up the necessary legislation."

Christian Science Monitor: "Major resistance to home rule for Washington has stemmed from the fact that a large part of the city's potential electorate is colored. In fact, with growth of residential suburbs in Maryland and Virginia, recent surveys indicate that Negroes form over half the population of the Federal District. Yet few would seriously advocate that Harlem in New York City or the South Side of Chicago should be disfranchised."

Denver Post: "Since the people of Washington have no representatives of their own in Congress, they are dependent on the rest of us for help in getting their bill to a stage where it can be voted upon.

"The undemocratic situation in the National Capital is a reproach to our whole political system, and all of us have a stake in correcting it.

"We hope Members of Congress from Colorado will do whatever they can to aid in the fight to get this bill out of committee so it can pass."

St. Louis Post-Dispatch: "Surely the American people do not send representatives to the Senate and the House to do the chores of aldermen. This nonsense would be ended by a bill which would relieve Congress of these District affairs just as it has been relieved of such responsibilities in the Territories. A referendum would be held, giving the people of the District a chance to accept home rule in the form of a Territorial government. If they did, an economical and efficient local government would be set up under an appointed Governor and an elected 15-member Assembly. Certain functions which properly are the Government's would be excluded from the Assembly's authority. This represents a compromise hardly to be avoided, but it would not keep the people of the District from managing those affairs which are truly their own."

Oregonian, Portland, Oreg.: "The absurd position of Washington, D.C., as the undemocratic capital of the world's largest democracy, is underscored by the fact that the 'mayor' of the capital city is a Nevadan whose interests and constituency are thousands of miles away."

Minneapolis Tribune: "The proposed legislation still would not be full enfranchisement of the people of the District. But it would finally give more than 850,000 Americans the right to rule themselves in local matters. It would provide a more efficient government for the city. It would relieve Congress of the task of handling the details of District affairs. It would be a logical followup to Congress' action in voting statehood to Alaska and Hawaii."

Farmington (N. Mex.) Daily Times: "Now that action on Hawaii is completed, perhaps Congress can find time during its present session to do something about the plight of another group of Americans who, in a sense, are citizens in name only.

"The frustrated citizens of Washington have our complete sympathy. Aside from the principle involved, it seems slightly ridiculous for Congressmen to be spending their time worrying about Washington fire, police, sewage and street problems, etc., when other far more critical issues of national import await decision.

"If support from this corner will do the Home Rule Committee any good, the committee has it."

St. Petersburg (Fla.) Times: "Quite apart from the paradoxical injustice of nearly a million American citizens living right in the seat of the world's greatest democracy without a scintilla of self-government, there's another good reason why the rest of us should demand that Congress put an end to this 75-year-old situation.

"That is to get rid of the piddling city council functions which Congress must discharge as long as it refuses to give the District self-government."

St. Paul Pioneer Press: "Minnesotans last year strongly endorsed the principle of home rule by adopting a constitutional amendment permitting towns, cities and counties greater control over local affairs.

"In view of this approval, it would seem that the great majority of Minnesotans, if not all, would support extending that principle to the residents of Washington, D.C. The 850,000 persons who live in the District of Columbia now have no voting privileges and no voice in the conduct of their city's affairs."

McClatchy Newspapers of California: "Governments derive their just powers from the consent of the governed. This basic principle of American Democracy was set forth first in the Declaration of Independence.

"But where is one of the most flagrant violations of this principle to be found? In Moscow? In Peiping? In Warsaw?

"Unhappily it is right in the Capital of the United States whose permanent residents have been voteless for the past 79 years."

Milwaukee Journal: "The bill died in the House. But it is being offered again. It deserves passage. It is not a perfect plan, but it is the best that Congress is apt to accept. Washington has home rule coming. It has a right to run its own local affairs. Congress needs to get rid of the burden of running a local government."

Oil City (Pa.) Derrick: "A bill to grant home rule to the people of Washington is pending in the Congress. It should be approved without delay."

Springfield (Mo.) Leader and Press: "Washington is unique among American cities, most cities in the world, for that matter. It is not self-governing, but is governed by the U.S. Congress. Think about that a moment. America has been quick to reenfranchise even its conquered enemies once they were defeated—the Germans and the Japanese, to give the two most recent examples. But we deny the people of our Capital City the ballot."

Tacoma (Wash.) News Tribune: "It would be grossly unfair to deny 850,000 people the right to vote and to run their own local institutions. Residents of Washington State can do their fellow Americans in Washington City a friendly act by urging the support of their own delegation to passage of the pending necessary legislation."

Daily Pantograph, Bloomington, Ill.: "Whatever the national emergency, be it the Berlin crisis or sending troops to Lebanon, 31 Members of the House and Senate who constitute the District "city council," must take time to deal with the purely local issues of a big city. They were not elected by the people of the District, and they are not responsible to these people.

"This inefficient and undemocratic practice should be ended by granting to the people of the District of Columbia the home rule they seek and deserve.

"None of us is entirely free as long as Congress denies freedom to people of an entire area in which the National Capital is located."

Olean (N.Y.) Times Herald: "We are glad to pass this along to our readers, because we feel that there should not be a disenfranchised segment of the American population with no control over how their local tax money is spent.

"Secondly, and of importance to all of us, none of our Representatives in Congress should be burdened with the task of acting as members of the District of Columbia city council. There are too many items of national importance requiring their attention."

Burlington (Iowa) Hawk-Eye Gazette: "But Congress has little stomach, or time, for the job.

"Senator JOSEPH CLARK, a former Philadelphia mayor, for example, has announced he will no longer serve on the Washington, D.C., committee.

"Senator STEPHEN YOUNG, a newcomer from Ohio, declared: 'The people of Ohio did not elect me to be county commissioner for the District of Columbia.'

"Well, we gave statehood to Alaska, and likely will bestow it also on Hawaii. Isn't it time to give cityhood to Washington?"

MEMORIALS OF THE LEGISLATIVE ASSEMBLY OF THE STATE OF OREGON

Mr. MORRIS of New Mexico. Mr. Speaker, I ask unanimous consent that the gentlewoman from Oregon [Mrs. GREEN] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, I am honored to lay before the House four memorials enacted by the 50th Legislative Assembly of the State of Oregon, currently in session. I ask that these memorials be printed in full following my remarks in the RECORD.

Senate Joint Memorial 3, adopted on March 13, 1959, calls for the appropriation of adequate sums for the construction of forest access roads, and for the modernization and expansion of recreational facilities in our national forests.

House Joint Memorial 2, adopted on March 16, expresses the opinion of the legislature of my State on the recurring question of Federal aid to education. That memorial pierces to the heart of

the ideological camouflage which opponents of aid to education have laboriously constructed and points out that the Federal Government has a rightful obligation to the preservation of our American way of life by assisting the cause of education. I am proud that my State has taken this forward-looking position.

House Joint Memorial 4, adopted on March 17, calls upon the Congress to carry out the clear intent of Public Law 627 of the 84th Congress, to enable the existing toll-free bridge across the Columbia River between Portland, Oreg., and Vancouver, Wash., to remain toll free.

House Joint Memorial 5, enacted on March 19, calls for the President to review the possibility of additional funds for the orderly planning of further development of our great river resources, with a particular view toward expediting a solution of the fish passage problem. This particular problem is one which has held up several long-range decisions as to the best method of developing the resources of the Columbia Basin, not for the residents of the region alone, but for all the people of the Nation. Such additional funds, I sincerely believe, would be a very wise and economical investment in the future. I intend to bring the views of the Oregon Legislature and of interested Oregonians to the attention of the appropriate committees at the proper time.

I would also like to take this opportunity to express my belief that the 50th Legislative Assembly of the State of Oregon, as it begins the second century of the history of a great State, is making a great record in exemplification of Oregon's reputation as a forward-looking, bold, and imaginative frontier.

HOUSE JOINT MEMORIAL 2

To His Excellency, the Honorable Dwight D. Eisenhower, President of the United States, and to the honorable Senate and House of Representatives of the United States of America, in Congress assembled, and to the Oregon Members of these legislative bodies:

We, your memorialists, the 50th Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

Whereas increasing school costs are imposing a steadily increasing burden upon the taxpayers of the State of Oregon; and

Whereas the present tax collection policies of the Federal Government fall heavily upon State and local sources, with little corresponding return to the State for the assistance of public school education; and

Whereas under such taxation policies the Federal Government should assume its rightful obligation to the preservation of our American way of life by assisting the cause of education; and

Whereas the Soviet Government poses a real and terrible threat to the leadership and existence of the free world through its accomplishments in the field of science; and

Whereas added financial resources will be needed by our States and local communities to enable them to maintain an educational program not only to compete with the Soviet Government in the field of science, but also to explore and solve the basic problems of living and leading in a world teetering on the brink of atomic catastrophe; and

Whereas the Federal Government has vastly superior taxing powers, and it is the announced policy of both major political parties that the Federal Government should contribute moneys to the support of local elementary and secondary education: Now, therefore, be it

Resolved by the House of Representatives of the State Oregon (the Senate jointly concurring therein), That the Congress of the United States is hereby urged to provide and pass legislation giving grants to the various States on the basis of each State's school-age population, providing funds for the use of the States for the assistance of elementary and secondary public school education; be it further

Resolved, That the Oregon Members of the U.S. Senate and House of Representatives promote and support such legislation; be it further

Resolved, That His Excellency, the President of the United States, is hereby urged that he give such legislation his full support and leadership, and that he use the full influence and resources of his great office to insure the passage of this legislation; and be it further

Resolved, That the chief clerk of the house of representatives be and hereby is directed to send a copy of this memorial to the Honorable Dwight D. Eisenhower, President of the United States, to the President and Chief Clerk of the U.S. Senate, to the Speaker and the Chief Clerk of the House of Representatives of the United States, and to all members of the Oregon congressional delegation in the Congress of the United States.

Adopted by house February 16, 1959.
Readopted by house March 16, 1959.

RUTH E. RENFROE,
Chief Clerk of House.
ROBERT D. DUNCAN,
Speaker of House.

Adopted by senate March 12, 1959.

WALTER J. PEARSON,
President of Senate.

SENATE JOINT MEMORIAL 3

To His Excellency, the Honorable Dwight D. Eisenhower, President of the United States, and to the Honorable Senate and House of Representatives of the United States of America, in Congress Assembled:

We, your memorialists, the 50th Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

Whereas the economy of the State of Oregon is largely based on timber and recreation; and

Whereas the national forests of the United States contain the key timber supply and recreational resources within the State of Oregon; and

Whereas the economy and welfare of the State of Oregon are therefore dependent upon the quality of the management of the national forests; and

Whereas sound management of the national forests requires adequate financing; and

Whereas at hearings conducted by the Subcommittee on Public Roads of the Committee on Public Works of the U.S. Senate in December 1957, in Oregon, and at other points throughout the Western States, Members of the U.S. Senate and House of Representatives, authorized officers of the U.S. Forest Service, representatives of State and local governments and knowledgeable citizens of the Western States unanimously agreed that proper management of the national forests for the most effective and efficient development of their recreational and timber resources requires the accelerated development of a permanent access road system within such national forests; and

Whereas the budget presented by the executive branch of Congress for its consideration requires appropriations for this purpose that are substantially below the sum that only 1 year ago Congress authorized to be appropriated for the fiscal year commencing July 1, 1959; and

Whereas the said budget requires an appropriation of only $8,500,000 to finance Operation Outdoors, the 5-year plan announced by the U.S. Department of Agriculture for modernizing and expanding recreational facilities in the national forests to meet the heavily increasing use made of the national forests by our citizens for recreation; and

Whereas such plans for successful completion of Operation Outdoors specifically contemplated that an appropriation of $19,500,000 would be required for the fiscal year commencing July 1, 1959: Now, therefore, be it

Resolved by the Senate of the State of Oregon (the House of Representatives jointly concurring therein), That the Congress of the United States is hereby urged to appropriate for the construction of access roads in the national forest during the fiscal year commencing July 1, 1959, the full amount of $30 million that is authorized therefor by law; be it further

Resolved, That the Congress appropriate for Operation Outdoors the full amount of $19,500,000 previously agreed upon as a necessary expenditure during the fiscal year commencing July 1, 1959; be it further

Resolved, That the Oregon Members of the U.S. Senate and House of Representatives be asked to promote and support such appropriations; and be it further

Resolved, That copies of this memorial be sent to the Honorable Dwight D. Eisenhower, President of the United States; to the President and the Chief Clerk of the U.S. Senate; to the Speaker and the Chief Clerk of the House of Representatives of the United States; and to all members of the Oregon congressional delegation.

Adopted by senate March 10, 1959.

MEDA COLE,
Chief Clerk of Senate.
WALTER J. PEARSON,
President of Senate.

Adopted by house March 13, 1959.

ROBERT B. DUNCAN,
Speaker of House.

HOUSE JOINT MEMORIAL 4

To His Excellency, the Honorable Dwight D. Eisenhower, President of the United States, and to the Honorable Senate and House of Representatives of the United States of America, in Congress assembled:

We, your memorialists, the 50th Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

Whereas U.S. Highway 99 crosses Washington, Oregon, and California extending from Canada to Mexico as a truly interstate, interregional and international highway; and

Whereas U.S. Highway 99 has been designated as an integral portion of the new "National System of Interstate and Defense Highways," commonly known as the Interstate Highway System; and

Whereas there is now no toll road, toll bridge or other toll charge anywhere along this important throughway; and

Whereas the brunt of the toll charges at the Portland-Vancouver interstate bridge would fall on workers who must daily commute to their jobs; and

Whereas section 109 of the Federal Highway and Highway Revenue Acts of 1956 (Public Law 627, approved June 29, 1956) provides in part as follows:

"It is hereby declared to be the intent and policy of the Congress to equitably reimburse those States for any portion of a highway which is on the Interstate System, whether toll or free, the construction of which has been completed subsequent to

August 2, 1947, or which is either in actual use or under construction by contract, for completion, awarded not later than June 30, 1957 and such highway meets the standards required by this title for the Interstate System. * * * It is also declared to be the policy and intent of the Congress to provide funds necessary to make such reimbursements to the States as may be determined": Now, therefore, be it

Resolved by the House of Representatives of the State of Oregon (the Senate jointly concurring therein), That the President of the United States recommend, and the Congress of the United States enact, legislation clarifying the provisions of the Federal Highway and Highway Revenue Acts of 1956 for the purpose of having that portion of the Interstate Highway System known as the Portland-VanCouver Interstate Bridge continued to be operated as a toll-free bridge, and that the costs of improving navigation on the Columbia River and improving the existing highway be borne and paid for out of funds provided by the Congress from gas taxes and other revenues for the Interstate Highway System, and be it further

Resolved, That copies of this memorial be transmitted to the President of the United States, Secretary of the U.S. Senate, Clerk of the U.S. House of Representatives, and to each member of the Oregon Congressional Delegation.

Adopted by house February 25, 1959. Readopted by house March 17, 1959.

RUTH E. RENFROE,
Chief Clerk of House.
ROBERT B. DUNCAN,
Speaker of House.

Adopted by senate March 13, 1959.

WALTER J. PEARSON,
President of Senate.

HOUSE JOINT MEMORIAL 5

To His Excellency, the Honorable PRESIDENT OF THE UNITED STATES:

We, your memorialists, the 50th Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

Whereas there is growing need in the Pacific Northwest for answers to the critical problems surrounding the passage of anadromous fish, particularly salmon and steelhead, at hydroelectric dams; and

Whereas failure to adequately finance fishery research is causing delay in the planning of dams which will be needed within a few years in the interest of national defense and economic expansion: Now, therefore, be it

Resolved by the House of Representatives of the State of Oregon (the Senate jointly concurring therein), That we urge the President of the United States to review the situation with the hope that additional Federal appropriations may be made available through the Department of Defense or the Department of the Interior so that planning for both fish and dams may proceed in an orderly fashion; and be it further

Resolved, That copies of this memorial be sent to the President of the United States, all Members of the Oregon congressional delegation, and the legislative assemblies of the States of Washington, California, Idaho, Montana, Utah, Nevada, and Wyoming.

Adopted by house March 19, 1959.

RUTH E. RENFROE,
Chief Clerk of House.
ROBERT B. DUNCAN,
Speaker of House.

Adopted by senate March 27, 1959.

WALTER J. PEARSON,
President of Senate.

IS THERE INEQUITY INVOLVING PENSION RIGHTS OF THE WIDOWS OF JAPANESE PRISONERS IN WORLD WAR II?

Mr. MORRIS of New Mexico. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. LEVERING] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. LEVERING. Mr. Speaker, I have recently received a most interesting letter from Dr. H. W. Glattly, of the Prosthetics Research Board, National Academy of Sciences, National Research Council, in Washington, relating to possible inequities involving the pension rights of the widows of veterans of World War II who were prisoners of the Japanese during that great conflict.

As a prisoner of war, although as a civilian volunteer, I spent 3½ years in Japanese military prison camps, Mr. Speaker, and I know that the dietary needs of the natives of the Far East are very different from those of a native of North America. I was on the burial detail on many occasions in Camp O'Donnell and at Cabanatuan, and I can testify to the fact that hundreds of our fighting men died of sheer starvation, and that thousands of them returned to their homes with disabilities suffered from protracted hunger—and from which they will never completely recover. As Dr. Glattly points out, the death rate of those Westerners subjected to the Far East minimal diet for long periods of time has been unusually high, compared with the death rate of prisoners who were interned in German prison camps. The letter has a great deal of information which I commend to my colleagues, particularly those who serve on the Committee on Veterans' Affairs.

The letter is as follows:

PROSTHETICS RESEARCH BOARD,
NATIONAL ACADEMY OF SCIENCES,
NATIONAL RESEARCH COUNCIL,
Washington, D.C., April 1, 1959.

Hon. ROBERT W. LEVERING,
House of Representatives,
Washington, D.C.

DEAR MR. LEVERING: Under present laws governing the Veterans' Administration, service connection with respect to the cause of death of a veteran is normally dependent upon documentation in official medical records of a related condition or disability that occurred during the individual's period of military service. There are certain disabilities for which service connection has been established by statute based upon "presumption." This is true of tuberculosis. In such instances, the condition must be made a matter of record within a specified number of years after a veteran leaves the military service.

In the past few years there have been many instances wherein a former prisoner of war of the Japanese has died of disease, but since a related condition was not a matter of record at the time of the individual's separation from the service, service connection could not be established under existing laws and the widow had no pension rights. This occurred recently in the case of Maj. Gen. E. P. King who commanded the U.S. forces in Bataan. Although General King had served this Nation for 35 years at the time he retired and had undergone the stresses and strains of a surrender and 3½ years of starvation as a prisoner of war, his widow's claim for pension was denied on the basis that his death by a heart attack was not service connected since a cardiac condition was not a matter of record during his period of military service. Many similar cases have been brought to my attention since 1945.

The following facts are relevant to this problem:

1. No sizable U.S. force in World War II suffered the catastrophic casualty rate of the units that defended the Philippine Islands and were captured by the Japanese.

2. No large group of American prisoners of war in any other theater of World War II were subjected for so long a period of time to a diet that was so grossly inadequate both quantitatively and qualitatively and to the almost total absence of medical care such as were those comprising the Philippine force who were prisoners of war of the Japanese for about three and a half years.

Germany recognized the provisions of the Geneva convention as regards the treatment of POWs. Japan did not recognize this international agreement. There was, accordingly, a wide disparity between the policies of these two powers governing the treatment of prisoners of war. This was reflected in an infinitely higher mortality and disability rate in Japanese camps as compared with those operated by the Germans and other Axis nations. The following data was taken from "A Follow-Up Study of World War II Prisoners of War" that was prepared for the Veterans' Administration by the National Academy of Sciences—National Research Council:

	Captured	Recovered	Died as POW's	Death rate
				Percent
European theater	93,653	92,820	576	0.6
Pacific theater	24,992	16,358	8,452	33.8

The death rate was 55 times higher in Japanese camps than in those operated by the Germans and Italians. There was a correspondingly higher rate of disease among POW's of the Japanese.

3. Medical literature does not contain today any comprehensive study of the long-range effects of severe starvation endured for a long period of time.

The above-mentioned study made by the National Academy of Sciences for the Veterans' Administration makes this statement on page 15:

"The adverse conditions in Japanese prison camps responsible for a mortality excess of such magnitude can be assumed to have had strong selective effects. A question of special interest is whether those who survived such conditions, presumably by virtue of exceptional viability, nevertheless bear lasting residuals of the experience severe enough to affect their survival unfavorably in the long run."

4. During the 6-year period 1946–51 (p. 19 of the study cited above) there was a mortality rate of 31.7 percent among the surviving Japanese POWs as compared with an expected actuarial rate of 14.2 percent. The European exprisoners experienced no excess of mortality during this 6-year period (p. 25 of the NAS study).

The NAS report, on page 63, concludes that "The Pacific prisoners who survived imprisonment were, without question, adversely affected by that experience, whereas the European prisoners showed no measurable effect of their imprisonment, at least during the first 6 years after liberation. The

negative findings in the European group appear to be sufficiently well established to conclude that more intensive study of this group, for the period thus far observed, is not indicated.

"For the Pacific prisoners the evidence is unequivocal that the effects of imprisonment resulted in a markedly reduced survival potential at liberation."

5. In view of the findings of this report, it would be desirable to request the Veterans' Administration to bring up to date the mortality data regarding the ex-prisoners of the Japanese.

6. Relief for this problem must of necessity be by statute. Since the direct relationship of starvation to many diseases cannot be documented in medical literature, the principle of presumption must be utilized. The use of this principle in the determination of service connection is quite common. Before the present Congress are the following measures involving service connection for veterans based upon presumption: H.R. 279, H.R. 281, and H.R. 280.

7. The number of potential beneficiaries of relief legislation for this group is relatively small, and the act would therefore not be significant as regards the budget. Excluded from the provisions of such an act would be deaths due to accident.

I have not as yet heard from Dr. Bloom with respect to holding a meeting on this subject at the time of the annual meeting of the American Defenders of Bataan and Corregidor next month. If you believe that this project is feasible, a plan to initiate it should be developed.

Sincerely,

H. W. GLATTLY, M.D.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. BREWSTER (at the request of Mr. FOLEY), for Tuesday, April 14, on account of official business.

To Mr. TEAGUE of Texas (at the request of Mr. FOUNTAIN), from April 15 through April 22, 1959, on account of official business.

To Mr. HESS, for April 15, 16, and 17, on account of official committee business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. ADDONIZIO, for 10 minutes, today.

Mr. PASSMAN, for 1 hour, on Tuesday, April 28.

Mrs. ROGERS of Massachusetts, for 5 minutes, today and tomorrow.

Mr. STAGGERS, for 5 minutes, today.

Mr. MOSS (at the request of Mr. MORRIS of New Mexico), for 15 minutes, on Thursday next.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. PORTER and to include extraneous matter.

Mr. HALLECK and to include extraneous matter.

Mr. MAGNUSON.

Mr. ROBERTS in two instances.

Mr. DOOLEY and to include extraneous matter.

(At the request of Mr. MORRIS of New Mexico, and to include extraneous matter, the following:)

Mr. FOGARTY.

Mr. ROOSEVELT.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 12. An act to expedite the utilization of television transmission facilities in our public schools and colleges, and in adult training programs; to the Committee on Interstate and Foreign Commerce.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2575. An act to authorize the appropriation of $500,000 to be spent for the purpose of the III Pan American Games to be held in Chicago, Ill.; and

H.R. 3648. An act to regulate the handling of student funds in Indian schools operated by the Bureau of Indian Affairs, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 2493. An act declaring certain property in the State of New Mexico to be held in trust for the pueblo of Santo Domingo.

ADJOURNMENT

Mr. MORRIS of New Mexico. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 25 minutes p.m.) the House adjourned until tomorrow, Wednesday, April 15, 1959, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

845. A letter from the Chairman, Federal Communications Commission, transmitting a draft of proposed legislation entitled "A bill to amend section 5(c) of the Communications Act of 1934, as amended, to redefine the duties and functions of the review staff"; to the Committee on Interstate and Foreign Commerce.

846. A letter from the Attorney General, transmitting a draft of proposed legislation entitled "A bill to amend the Trading With the Enemy Act, as amended"; to the Committee on Interstate and Foreign Commerce.

847. A letter from the Director, Administrative Office, U.S. Courts, transmitting a draft of proposed legislation entitled "A bill to amend subdivision c of section 48 of the Bankruptcy Act (11 U.S.C. 76c) to increase the closing fee of the trustee from $5 to $10 and section 132 of the Bankruptcy Act (11 U.S.C. 532); to the Committee on the Judiciary.

848. A letter from the Clerk, U.S. Court of Claims, transmitting certified copies of the court's opinion in the case of *Georgia Kaolin Company* v. *The United States* (Congressional No. 7–55); to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of the rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DAVIS of Tennessee: Committee on Public Works. H.R. 3460. A bill to amend the Tennessee Valley Authority Act of 1933, as amended, and for other purposes; with amendment (Rept. No. 271). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HULL:

H.R. 6346. A bill to provide that Federal expenditures shall not exceed Federal revenues, except in time of war, national disaster, emergency, or economic depression, and to provide for the retirement of the public debt; to the Committee on Ways and Means.

By Mr. BAILEY:

H.R. 6347. A bill to provide for the encouragement of economic redevelopment in communities depressed by chronic unemployment; to the Committee on Banking and Currency.

By Mr. BENNETT of Florida:

H.R. 6348. A bill to provide a practical means of reducing the national debt by designating the obligations to be retired by certain payments received by the United States, and for other purposes; to the Committee on Ways and Means.

By Mr. BROYHILL:

H.R. 6349. A bill to amend the act entitled "An act to require certain safety devices on household refrigerators shipped in interstate commerce," approved August 2, 1956; to the Committee on Interstate and Foreign Commerce.

By Mr. CELLER:

H.R. 6350. A bill to authorize the conveyance to the city of New York of certain lands located in said city for park and recreational purposes; to the Committee on Public Works.

H.R. 6351. A bill to revise section 3054, title 18 of the United States Code, concerning the enforcement of certain provisions of such code, and for other purposes; to the Committee on the Judiciary.

H.R. 6352. A bill to amend subdivision d of section 60 of the Bankruptcy Act (11 U.S.C. 96d) so as to give the court authority on its own motion to reexamine attorney fees paid or to be paid in a bankruptcy proceeding; to the Committee on the Judiciary.

By Mr. COOLEY:

H.R. 6353. A bill to amend the Federal Farm Loan Act to transfer responsibility for making appraisals from the Farm Credit Administration to the Federal land banks, and for other purposes; to the Committee on Agriculture.

By Mr. CRAMER:

H.R. 6354. A bill to amend sections 522 and 545 of title 38, United States Code, to increase the income limitations applicable to payment of pension for non-service-connected disability or death to $2,000 and $3,300; to the Committee on Veterans' Affairs.

H.R. 6355. A bill to amend the Railroad Retirement Act of 1937 to increase from $100 to $150 a month the amount of outside earnings which a disability annuitant may earn without losing his annuity thereunder; to the Committee on Interstate and Foreign Commerce.

H.R. 6356. A bill to amend the Internal Revenue Code of 1954 to provide that annuities under the Civil Service Retirement Act shall not be subject to the income tax; to the Committee on Ways and Means.

H.R. 6357. A bill to restore the traditional relationship between active duty pay and retired pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. DENT:

H.R. 6358. A bill to amend the act of December 18, 1942 (relating to research for utilization of coal), to authorize the Secretary of the Interior to make a certain contract or contracts for research and to make certain grants to the State of Pennsylvania; to the Committee on Interior and Insular Affairs.

H.R. 6359. A bill granting the consent of Congress to a Great Lakes Basin compact, and for other purposes; to the Committee on Foreign Affairs.

By Mr. DEROUNIAN:

H.R. 6360. A bill to provide that special nonquota immigrant visas may be issued to certain orphans lawfully adopted abroad after June 30, 1959; to the Committee on the Judiciary.

By Mr. DOLLINGER:

H.R. 6361. A bill to authorize appropriations for the Federal-aid primary system of highways for the purpose of equitably reimbursing the States for certain free and toll roads on the National System of Interstate and Defense Highways, and for other purposes; to the Committee on Public Works.

By Mr. FINO:

H.R. 6362. A bill to amend the Federal Employees' Compensation Act so as to facilitate the collection of fees by attorneys representing claimants under such act; to the Committee on Education and Labor.

H.R. 6363. A bill to amend the National Service Life Insurance Act of 1940 to provide for lump-sum payments to certain beneficiaries under such act; to the Committee on Veterans' Affairs.

By Mr. FLOOD:

H.R. 6364. A bill to amend the Fair Labor Standards Act of 1938 to fix the minimum wage at $1.25 an hour; to the Committee on Education and Labor.

By Mr. HEALEY:

H.R. 6365. A bill to authorize appropriations for the Federal-aid primary system of highways for the purpose of equitably reimbursing the States for certain free and toll roads on th National System of Interstate and Defense Highways, and for other purposes; to the Committee on Public Works.

By Mr. HERLONG:

H.R. 6366. A bill to repeal the tax on transportation of persons; to the Committee on Ways and Means.

H.R. 6367. A bill to amend the Federal Alcohol Administration Act in order to amend the definition of the term "United States"; to the Committee on Ways and Means.

H.R. 6368. A bill to amend the Tariff Act of 1930 to place certain pumice stone on the free list; to the Committee on Ways and Means.

By Mr. KNOX:

H.R. 6369. A bill to provide an alternative basis for determining the amount of money made available to a State for schools and roads by the Secretary of Agriculture in the case of sales of certain forest products from national forests located within such State, and for other purposes; to the Committee on Agriculture.

By Mr. LANE:

H.R. 6370. A bill to provide for absence from duty by civilian officers and employees of the Government on certain days, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. McINTIRE:

H.R. 6371. A bill to provide for a review of the reports on the project for Narraguagus River, Maine; to the Committee on Public Works.

H.R. 6372. A bill to provide a preliminary examination and survey of Calf Island, Maine, in the interest of navigation; to the Committee on Public Works.

By Mr. McSWEEN:

H.R. 6373. A bill to repeal the excise tax on amounts paid for communication services or facilities; to the Committee on Ways and Means.

By Mr. MULTER:

H.R. 6374. A bill to amend the Renegotiation Act of 1951 to assist small business, and for other purposes; to the Committee on Ways and Means.

By Mr. PASSMAN:

H.R. 6375. A bill to repeal the excise tax on amounts paid for communication services or facilities; to the Committee on Ways and Means.

By Mr. PELLY:

H.R. 6376. A bill to amend section 162 of the Internal Revenue Code of 1954 to provide that certain expenditures incurred in connection with measures submitted to the electorate shall be allowed as business deductions; to the Committee on Ways and Means.

By Mrs. PFOST:

H.R. 6377. A bill to consolidate, revise, and reenact the public-land townsite laws; to the Committee on Interior and Insular Affairs.

By Mr. SMITH of Virginia:

H.R. 6378. A bill to authorize the American Society of International Law to use certain real estate in the District of Columbia as the national headquarters of such society; to the Committee on the District of Columbia.

By Mr. TEAGUE of Texas:

H.R. 6379. A bill to amend chapter 35 of title 38, United States Code, to make the definitions of World War I and World War II, for the purposes of war orphans' educational assistance, conform to those applicable to compensation for a service-connected disability or death; to the Committee on Veterans' Affairs.

By Mr. TEAGUE of Texas (by request):

H. R. 6380. A bill to extend the existing authority to provide hospital and medical care for veterans who are U.S. citizens temporarily residing abroad to include those with peacetime service-incurred disabilities; to the Committee on Veterans' Affairs.

By Mr. WAMPLER:

H.R. 6381. A bill to encourage and stimulate the production and conservation of coal in the United States through research and development by creating a Coal Research and Development Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. AVERY:

H.R. 6382. A bill to amend the Renegotiation Act of 1951 to assist small business, and for other purposes; to the Committee on Ways and Means.

By Mr. McCULLOCH:

H.R. 6383. A bill to amend the Renegotiation Act of 1951 to assist small business, and for other purposes; to the Committee on Ways and Means.

By Mr. MOORE:

H.R. 6384. A bill to amend the Renegotiation Act of 1951 to assist small business, and for other purposes; to the Committee on Ways and Means.

By Mr. QUIE:

H.R. 6385. A bill to amend the Renegotiation Act of 1951 to assist small business, and for other purposes; to the Committee on Ways and Means.

By Mr. ROBISON:

H.R. 6386. A bill to amend the Renegotiation Act of 1951 to assist small business, and for other purposes; to the Committee on Ways and Means.

By Mr. SMITH of California:

H.R. 6387. A bill to amend the Renegotiation Act of 1951 to assist small business, and for other purposes; to the Committee on Ways and Means.

By Mr. BROOKS of Louisiana:

H.R. 6388. A bill to establish a program of financial assistance to promote the construction of science buildings and the development of related equipment and facilities at colleges and universities in the United States; to the Committee on Science and Astronautics.

By Mr. CHAMBERLAIN:

H.R. 6389. A bill to amend the Internal Revenue Code of 1954 to repeal the retailers excise tax on luggage, handbags, etc.; to the Committee on Ways and Means.

By Mr. DIGGS:

H.R. 6390. A bill to prevent discrimination in any public or semipublic place or by any public or semipublic transportation against members of the Armed Forces because of race, color, or creed; to the Committee on the Judiciary.

By Mr. O'BRIEN of New York:

H.R. 6391. A bill to amend section 4 of the War Claims Act of 1948 to provide benefits to certain contractors' employees; to the Committee on Interstate and Foreign Commerce.

H.R. 6392. A bill to amend section 5 of the War Claims Act of 1948 to provide detention and other benefits thereunder to certain Guamanians killed or captured by the Japanese at Wake Island; to the Committee on Interstate and Foreign Commerce.

By Mr. PUCINSKI:

H.R. 6393. A bill to amend the Social Security Act and the Internal Revenue Code so as to provide insurance against the costs of hospital, nursing home, and surgical service for persons eligible for old-age and survivors insurance benefits, and for other purposes; to the Committee on Ways and Means.

By Mr. VAN ZANDT (by request):

H.R. 6394. A bill to provide death compensation on behalf of widows and children of severely disabled veterans; to the Committee on Veterans' Affairs.

By Mr. CUNNINGHAM:

H.R. 6395. A bill to provide for the reclassification of certain distribution clerks at airport mail facilities, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GRAY:

H.R. 6396. A bill to encourage the development of the basic water resources of the United States; to the Committee on Public Works.

By Mr. ROBERTS:

H.J. Res. 337. Joint resolution proposing an amendment to the Constitution of the United States reserving to the States exclusive control over public schools; to the Committee on the Judiciary.

By Mr. WOLF:

H.J. Res. 338. Joint resolution declaring Good Friday in each year to be a legal holiday; to the Committee on the Judiciary.

By Mr. REUSS:

H. Res. 242. Resolution favoring an international agreement for a suspension of nuclear weapons tests; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By Mr. DADDARIO: Memorial of the General Assembly of the State of Connecticut memorializing Congress to support a proposed amendment to the Federal Constitution relative to the imposition and collections of taxes on income by the States; to the Committee on the Judiciary.

By Mr. GIAIMO: Memorial of the General Assembly of the State of Connecticut memorializing the Congress of the United States to support a proposed amendment to the Federal Constitution by adopting Senate Joint Resolution 29, providing that the several States would have no power to impose and collect taxes on income from whatever source derived except in respect to residents of the State imposing the tax; to the Committee on the Judiciary.

Also, memorial of the General Assembly of the State of Connecticut memorializing Congress to amend the provisions of Public Law 85–316 to include cases which fall within the fourth preference quota, in order to provide for entry of the many thousands, petitions for whom have piled up in a backlog in prior years; and that in order not to create another problem of separated families, those applicants who are married and have families be permitted to bring them into this country; to the Committee on the Judiciary.

By Mr. LANE: Memorial of General Court of Massachusetts memorializing the Congress of the United States to enact legislation to alleviate the burdens presently existing on the textile and fishing industries of the Commonwealth of Massachusetts; to the Committee on Ways and Means.

By Mr. MONAGAN: Memorial of the General Assembly of the State of Connecticut memorializing Congress to amend Public Law 85–316 to include cases which fall within the fourth preference quota; to the Committee on the Judiciary.

Also, memorial of the General Assembly of the State of Connecticut memorializing Congress to support a proposed amendment to the Federal Constitution relative to the imposition and collections of taxes on income by the States; to the Committee on the Judiciary.

By the SPEAKER: Memorial of the Legislature of the State of Wisconsin, memorializing the President and the Congress of the United States to take steps to acquire, establish, and develop a Kettle Moraine National Park in Wisconsin to properly commemorate the glacial age; to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1, of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DANIELS:

H.R. 6397. A bill for the relief of Iona Lembesis (nee Rozanitou); to the Committee on the Judiciary.

By Mr. DERWINSKI:

H.R. 6398. A bill for the relief of Mrs. Henryka Bernard; to the Committee on the Judiciary.

By Mrs. DWYER:

H.R. 6399. A bill for the relief of Fernando Pereira Fernandes; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 6400. A bill for the relief of Mrs. Clara Young; to the Committee on the Judiciary.

By Mr. HARRISON:

H.R. 6401. A bill for the relief of Ingold Hahn; to the Committee on the Judiciary.

By Mr. JACKSON:

H.R. 6402. A bill for the relief of Victor Stiglic; to the Committee on the Judiciary.

By Mr. MEYER:

H.R. 6403. A bill for the relief of Kim Myon Yon; to the Committee on the Judiciary.

By Mr. MILLIKEN:

H.R. 6404. A bill for the relief of Mrs. Serpuhi Klavuzoglu; to the Committee on the Judiciary.

By Mr. MOORE:

H.R. 6405. A bill for the relief of Vukasin Krtolica; to the Committee on the Judiciary.

By Mr. TAYLOR:

H.R. 6406. A bill for the relief of Allen S. Collins; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

149. By Mr. DOOLEY: Resolution of the board of directors of the Chamber of Commerce, New Rochelle, N.Y., opposing Federal subsidies for public education on the grounds that they are unnecessary, unreasonable, unsound and dangerous to the preservation of local initiative and vitality; to the Committee on Education and Labor.

150. Also, resolution of the board of directors of the Chamber of Commerce, New Rochelle, N.Y., urging support of House Resolution 161 to eliminate the back-door financing, and requesting Members of the Congress to use their greatest efforts to compel the House Rules Committee to report this measure to the House and then to secure the adoption of same; to the Committee on Rules.

151. Also, resolution of the board of directors of the Chamber of Commerce, New Rochelle, N.Y., urging the repeal of the excise taxes on telephone and transportation services; to the Committee on Ways and Means.

152. Also, resolution of the board of directors of the Chamber of Commerce, New Rochelle, N.Y., appealing for the removal of excise tax on luggage, briefcases, personal leather goods such as wallets and key cases, and ladies' handbags; to the Committee on Ways and Means.

153. By Mr. GIAIMO: Petition of the Public Utilities Commission of the State of Connecticut pertaining to excise taxes on telegraph service; to the Committee on Ways and Means.

154. By Mr. KNOX: Petition of residents of the 11th Congressional District of Michigan in behalf of the sovereign state of Finland and its people; to the Committee on Foreign Affairs.

155. By the SPEAKER: Petition of the president, Legion for the Survival of Freedom, Inc., McAllen, Tex., petitioning consideration of their resolution with reference to the defense of American freedom; to the Committee on Foreign Affairs.

EXTENSIONS OF REMARKS

Radiation Hazard Act of 1959

EXTENSION OF REMARKS
OF

HON. KENNETH A. ROBERTS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1959

Mr. ROBERTS. Mr. Speaker, on April 10, 1959, I introduced a bill, H.R. 6265, to provide for the vesting of primary responsibility for the protection of the public health and safety from radiation hazards in the Public Health Service of the Department of Health, Education, and Welfare, and for other purposes.

I believe that this bill deals with a most important and crucial public health hazard, the danger of ionizing radiation. The principal sources of ionizing radiation which have been created or developed by man include X-ray machines, nuclear reactors and their radioisotopic byproducts, high-energy particle accelerators, a number of concentrated forms of naturally occurring radioactive materials, and the fallout constituents of nuclear weapons. Among these sources, only nuclear reactors, their fuels, their radioisotopic byproducts, and their radioactive wastes have been placed under substantial regulation from the standpoint of their influence on health and safety.

In the absence of a comprehensive program through which the health hazards of all sources of ionizing radiation may be brought under supervision, there is an important weakness in the Nation's efforts to control radiation safely.

X-ray machines are now used extensively in industry as well as in the health professions. Radioisotopes are finding application in a rapidly increasing number of industrial plants, university laboratories, hospitals, and agricultural research centers. And nuclear reactors are being planned and constructed at an accelerating pace. Few areas of human activity remain where sources of ionizing radiation do not find some practical application.

A comprehensive program for the control of radiation hazards includes many elements; two are particularly worthy of attention: (a) The formulation of sound radiation protection standards and (b) the enforcement of public health regulations based upon these standards.

One of the important problems with which the Congress must deal is the extent to which the regulatory and enforcement functions of a radiation control program must be discharged by the Federal Government and to what extent they may be discharged effectively by State and governmental agencies.

Briefly stated, the bill H.R. 6265 would do the following. It declares it to be the policy of this Government that primary responsibility for the protection of the public health from radiation hazards shall be vested in the Public Health Service and in State and local health authorities. It instructs the Surgeon General to develop, in consultation with Federal, State, and local agencies exercising responsibilities in connection with the control of radiation hazards, uniform standards of radiation protection. It authorizes the Surgeon General to conduct research, studies, investigations,

and training programs with respect to the control of radiation hazards both directly and through grants-in-aid. It establishes a National Advisory Council on Radiation Hazard Control, to be appointed by the President and to consist of 15 members, including the Surgeon General of the U.S. Public Health Service, the Secretary of Defense, the Chairman of the Atomic Energy Commission, and the Director of the National Science Foundation. And finally, it requires the Surgeon General to submit to the Congress not later than February 28, 1960, a comprehensive program for the control of radiation hazards emanating from all manmade sources. This program will be developed by the Surgeon General after consultation with Federal, State, and local agencies exercising responsibilities in connection with the control of radiation hazards.

Mr. Speaker, the bill H.R. 6265 was referred to the Committee on Interstate and Foreign Commerce and it is my hope as chairman of its Subcommittee on Health and Safety that action on this important legislation can still be taken during the first session of this Congress.

Mr. Summerfield's Space Age Philosophy

EXTENSION OF REMARKS
OF
HON. DON MAGNUSON
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 14, 1959

Mr. MAGNUSON. Mr. Speaker, time was when it took 4 days for regular mail to reach me here from the State of Washington. For 6 years, as a matter of fact, I learned that I could count on this as an immutable rule of thumb.

It was kind of comforting, even, to know I could depend on this, one of the few unchanging constants in an age of bewildering flux.

Alas, no more. Mr. Summerfield, caught up with the spirit of the times, could not leave well enough alone. He persuaded the President and a somewhat reluctant Congress to give him more money through increased postal rates to finance a wholesale modernization program of the postal service. He promised us a new, efficient postal system, in keeping with the moods and needs of the mid-twentieth century.

The new look has arrived, quietly, unheralded.

It now takes 7 days for the mail to reach my office.

I long hesitated to admit, even to myself, that my old familiar 4-day rule had been replaced by a brand spanking new 7-day model. But indisputable proof confronted me last Friday, April 10, when the postman delivered a letter to the office at 1 p.m.

I looked at the postmark. The letter had been posted exactly 7 days earlier, at 1 p.m. April 3, from a small town in the State of Washington.

I felt sad, Mr. Speaker, when the truth was forced upon me. Even this had changed and was no more.

But in the midst of my sorrow, there came the gleam of a comforting thought. Maybe, I said to myself, Mr. Summerfield is wiser than us all. Maybe he alone realizes that in the midst of the noise, and complexity and speed of the space age, we need to be reminded that time is eternal, that life will go on, and that we must preserve some of the old values of cumbersomeness, inefficiency and delay.

World Law—The Bridge Between the Danger and the Dream

EXTENSION OF REMARKS
OF
HON. CHARLES O. PORTER
OF OREGON
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 14, 1959

Mr. PORTER. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following remarks which I am scheduled to present this evening before the Wilmington, Del. chapter of the United World Federalists:

WORLD LAW—THE BRIDGE BETWEEN THE DANGER AND THE DREAM

Considering the degree and the immediacy of the danger of a thermonuclear world disaster and the apparent remoteness of peace based on world law, it might be appropriate for me to commence my remarks with the words of a hymn. You are probably acquainted with the second verse of "Turn Back O Man, Forswear Thy Foolish Ways," but let me read it to you:

"Earth might be fair and all men glad and wise,
Age after age their tragic empires rise,
Built while they dream, and in that dreaming weep,
Would man but wake from out his haunted sleep,
Earth might be fair and all men glad and wise."

Hymns, fellowship, prayer—all these should be utilized in the search for world peace. We remember what St. Paul preached. We know that faith needs works. We wonder, are we smart enough to survive? Is it in fact too late to avert world disaster? The cosmic clock may indeed indicate 5 minutes after 12, not before 12.

I didn't come here tonight to despair, nor did I come here to bedazzle you with the prospect of a world at peace, a peace insured by effective world law.

PRESENT POLICIES PUSH ATOMIC WAR CLOSER

I didn't come to make you wring your hands and gnash your teeth and tear your hair, although I grant that these responses may be entirely defensible in the light of our present situation and of our policies which are every day pushing us closer to atomic war and to the destruction of our civilization.

I didn't come to describe for you the social, economic, and cultural configurations of a world no longer forced to dissipate its resources in a gigantic arms race.

I did come to Wilmington from Washington to attempt to delineate more precisely the danger confronting the world today and the dream—the attainment of which means escape from this danger. I came to counsel against excesses of both despair and hope. If we have decided to climb Mt. Emerest, we do not give up before we start, nor do we start without considerable preparations, preparations which might be hastened if that summit were soon to be the only place on earth that could sustain life.

So it is with the attainment of workable world law. I want to discuss several particular preparations we can make and, I add, must make immediately.

Washington, D.C., sometimes described as a place of protocol, alcohol, and Geritol, has no monopoly on attempts to solve this problem, and certainly we can't do it without the help of Wilmington, Del., Eugene, Oreg., and people in cities and countries everywhere.

A human being is a frail thing. He can easily be killed. Most of us are reluctantly reconciled to our own personal mortality, but we are appalled at the thought that our children may not have a chance to grow up because of our progress in the arts of weapon making. We would like to figure out how to save them.

We must accurately assess the danger. Are we too alarmist? Is there a balance of terror on which we can rely? Can't we take comfort in the age-old belief that for every offensive weapon man has invented, man has soon developed an effective defense?

THE LINES GROW LONGER

The danger, unquestionably, is unprecedentedly great. We have explosives inconceivably more powerful than any we ever imagined possessing. Let me illustrate. If you use a line 2 inches long to represent the explosive force of an 11,000-pound blockbuster chemical bomb, the largest we had in World War II, in order to represent on the same scale a 3-megaton hydrogen bomb—a relatively small thermonuclear device—you would have to draw a line 20 miles long.

Propulsion and guidance systems are improving rapidly. Our experts assured us more than a year ago that we now were at the stage of "nuclear plenty," which means each of three nations has more than twice or three times enough bombs to wipe out all human life. Our military men talk dispassionately about the "overkill" problem.

THREE WAYS OF TRIGGERING WAR

But just because we have them doesn't mean we'll use them, does it? Let's look at the ways an all-out war could be triggered.

First, intentionally. We have, I am told, an increasing number of military men privately advocating preventive war, their reason being that in no other way will we have a chance because of vast Soviet superiority in missiles. Of course, the Soviets are aware of this reasoning. And we realize they may decide to insure that their missiles get the head start.

Second, war could start accidentally. That is, the result of human error. Many fingers are on many triggers and those fingers belong to fallible human beings.

Third, by unauthorized action, as where, without proper authority, a custodian of a weapon decides, for reasons of insanity, venality, idealism or perhaps alcohol, to cause a thermonuclear explosion.

We have laws, customs and mechanical safeguards galore with reference to the use of small arms, but a lot of people get hurt and killed with them every day.

A single atomic explosion in these times of tension would be hard to interpret except as an aggressive act, the precursor of an all-out attack. There would be no wreckage to examine, no witnesses to question, only the necessity to judge instantly whether retaliation was in order. I submit to you that the man who had to make the decision would not be inclined to characterize any mysterious blast as anything but an attack.

Until tensions in the world can be reduced, any accidental or unauthorized explosion is likely to set in motion toward all-out war forces which cannot be stopped.

FANTASTIC SPECULATION

Do I speculate fantastically? I wish I could say I did. Let me read what the Rand Corp. said last July on this subject, this corporation being, as many of you know, in effect the private brains of our Air Force:

"It should be recognized that all-out nuclear war could start in many ways, other than by a premeditated Soviet attack. A local war might become so invested with national interests and prestige that Soviet leaders, if faced with decisive defeat, would choose to counter with an all-out attack. This danger has probably increased because Khrushchev seems less cautious than Stalin, less secure in his grasp of power, yet freer to exercise his diplomacy on a global scale. War might occur because of miscalculation of U.S. intentions; in a period of acute tension, verbal and even military indicators would be difficult to interpret, and the premium on a first strike might well tempt the USSR to launch a pre-emptive attack. War might even begin by accident, triggered by a chance release of weapons, and carried on because both sides were poised in a high state of alert for quick and nearly automatic retaliation. Finally, as just mentioned, we cannot rule out the possibility that the United States, faced with a major Soviet challenge, might sometime be forced to resist militarily, even at the risk of devastation."

Later in the same report, a note of hope, at least as to fallout, was sounded:

"To conclude: Despite many unresolved questions about long-term fallout, it seems to be a sound generalization that long-term radiation problems are a less critical threat to the survival of a population than the central short-term problem, namely, how to protect a substantial fraction of the population from the immediate disaster of a nuclear war."

However, disclosures subsequently indicate that food supplies may be far more critical because of long-term radiation, so perhaps even that vestige of comfort is denied us.

ARE WE SMART ENOUGH TO SURVIVE?

The danger is clear and deadly and immediate, yet the usual reaction, when not entirely due to ignorance, is either an indifferent fatalism or a sappy kind of optimistic incredulity. One attitude is summed up in the words, "Well there's nothing we can do about it," and the other in the words, "Things look tough all right but we'll muddle through again." These attitudes may be entirely adequate from a personal mental hygiene point of view but they are not going to help us survive.

There are many things we can do about this danger and we certainly can't count on muddling through. The question is, Are we smart enough to survive? Are we smart enough to apprehend the danger, to conceive the solution and then to proceed step by step to its fulfillment? I don't know. You don't know. We wonder. We hope. We pray.

What about the dream, the solution, a world under law? It isn't so complex nor is it in itself controversial. We don't have war among the States of our Nation—not any more. We have a Federal system. What is controversial is the feasibility of even trying to attain this sort of system for the world. The usual accusations are that those who want world law are out to weaken our position with respect to the Soviet Union and also that such a system would mean an invasion of our sovereignty with interference in local affairs.

WORLD LAW IS THE SOLUTION FOR OUR WEAPONS CRISIS

Let me now call a few witnesses in support of my proposition that world law is the solution for our weapons crisis.

The President has said so. Last August his Assistant Secretary of State for International Organization Affairs, Francis O. Wilcox, expressed administration policy in these words:

"In this nuclear age, when we are all faced with annihilation, man must continue relentlessly his eternal quest for peace. In this quest I believe that our best hope still lies in the concept of collective security and in taking what steps we can to strengthen the peace machinery of the United Nations."

Sometimes the White House and the Republicans in Congress differ, but apparently not on this point. Consider what Senator STYLES BRIDGES, head of the Republican policy committee, said on the floor of the Senate last July 23:

"But we are confronted today with the awful fact that thermonuclear devices make war a threat of total destruction of the civilized world. We face catastrophe if we allow the world to drift into another world war. We may not be able to escape war in any event, but we have a sacred duty to all mankind to try to find another way out.

"Aside from naked power politics, backed by each nation's armed strength, our only hope lies in developing the power of the community, as presently represented by the United Nations, to deal with the trouble spots that lead to war.

"The United Nations cannot control the actions of the great powers. If they are determined to make war, the United Nations will be powerless to stop them.

"But the great powers drift into war by lining up on opposite sides in the crises that occur in smaller nations. If we give the United Nations power to deal constructively with these events and conditions, we can remove many of the causes which set the great powers against each other, and thereby make world war less likely."

The Senator and I disagree on many issues, but not on this one.

HOW DO WE USE THE WORLD LAW CONCEPT?

What is the program? How do we use the concept of world law to bridge the gap between the danger of war and the dream of peace? The short and general answer is that we educate and discipline ourselves so that our executive and legislative branches proceed to carry out a vigorous public consensus demanding that we proceed to strengthen the United Nations and thus permit general massive disarmament.

The longer and more specific answer has, among others, these lines of action:

1. We must set about at once to consider strengthening the United Nations. Article 109 of the United Nations Charter provides procedures for calling a Charter Review Conference. In 1955 and again in 1957 this Conference was postponed pending more auspicious international circumstances.

The Committee on Arrangements for a United National Charter Review Conference meets this June. It is my hope that the United States at that time will urge the Committee to recommend to the United Nations General Assembly that governments establish national commissions, or instruct national bodies, to undertake studies to determine their position on charter review.

I want to read to you the text of a resolution to be introduced in the Congress this week by myself and several colleagues:

"Whereas the basic purpose of the foreign policy of the United States of America is to protect the freedom of its citizens; and

"Whereas the United States seeks freedom, peace, and prosperity for the peoples of all nations; and

"Whereas the United States has joined with other nations to pursue these goals through the United Nations; and

"Whereas enforceable law has proven to be indispensable to the attainment of these goals and to the peaceful and just settlement of disputes within all civilized communities: Now, therefore, be it

"Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that it should be United States policy to seek, through the United Nations, the development of world law to protect the freedom, peace, and just aspirations of all peoples, to provide for the peaceful settlement of international disputes, and to permit the elimination of national armaments; and be it further

"Resolved, That a copy of this resolution will be sent to the President of the United States, who is hereby requested to initiate studies at the highest level of the changes which should be made in the Charter of the United Nations or in the charters of other international organizations to further the development of world law for the purposes enumerated in this resolution; and, pursuant to this goal; be it further

"Resolved, That the United States Government should urge the United Nations Committee on Arrangements for a United Nations Charter Review Conference, when it meets in June 1959, to recommend to the United Nations General Assembly that governments establish national commissions, or instruct appropriate national bodies, to undertake studies to determine their positions on charter review or revision in order to facilitate fruitful consideration of suitable measures to strengthen the United Nations Charter as an effective legislative, executive, and judicial instrument of world law when a Charter Review Conference is held."

In my opinion the very act of seeking to strengthen the United Nations would lessen tensions among nations today and reduce the likelihood of a war by design or a war triggered by an accidental or unauthorized act.

2. Proposals in the Congress and by the Vice President to increase the power of the World Court should proceed on their own and also as part of United Nations Charter revision studies. Senators HUMPHREY and MORSE, among others, propose to allow the Court to decide whether an issue is domestic or not. The Vice President wants the Court to interpret treaties so as to bind the parties. These would be gigantic steps forward away from war and toward peace.

3. The establishment of a United Nations police force, as urged by both the Congress and the President, could be done by action in the United Nations General Assembly. As presently conceived, it would be only for observation and patrol but if, as has been urged from many quarters, such as organization were used to supervise all armed forces in Berlin, its functions might well, in time, grow into something more formidable and effective.

4. Cessation of atomic testing. It was most encouraging that the Geneva talks were recently resumed. Any kind of an international inspection system would be a significant step forward. A would-be violator would have to consider the impact not only of world opinion, but the opinion of his own people.

5. Massive disarmament as proposed by Sir Philip Noel-Baker and others, on a multilateral basis and with proper safeguards of course, is possible. It is also realistic. The other evening Noel-Baker, the great authority on world disarmament, took violent exception to my using the word "dream" to describe world peace through world law. "The romanticists," he said, "are those persons who believe war can be prevented by an arms race." He went on to point out that no country can defend itself today, no matter how much it spends. You might, for a while, defend an airfield or launching site, but not the people. The cities are vulnerable, naked, defenseless. I agree with him that negotiations on a multilateral arms-limitation agreement, of great scope, ought to be begun without delay and with the utmost determination and intelligence.

6. The informing of public opinion here and elsewhere, as by discussions of the danger, the dream, and the programs by organizations like yours, and also the League of Women Voters, labor unions, churches, and schools. The monumental book "World Peace Through World Law," by Grenville Clark and Louis Sohn, should be used as the basis for profitable sessions. Unofficial international meetings should be held whenever possible to discuss these matters.

AN INFORMED PUBLIC OPINION

Our Government is based on public opinion. In these times it is more necessary than ever before that this public opinion, which elects our leaders, be informed.

No doubt you can suggest improvements on this program. Please do. I could add my own personal project of establishing a chapter in the United States Congress of the World Parliament Association. It will be called Members of Congress for World Law. I could also mention the personal security plans my able and respected friend, Ralph Lapp, the atomic publicist, has for the safety of himself and his family if they survive the first nuclear blast. They have supplies stored away in a shelter not too far out of Washington. He is neither a fatalist nor a sappy optimist, but most of us are one or both.

THE BALANCE OF TERROR

The other night, when I had the privilege of talking with Philip Noel-Baker, he ended his remarks to our small group by saying he believed that very substantial arms reductions were not only critically necessary but technically feasible in terms of effective inspection procedures.

"On the other hand," he said, "I believe that within 10 years we will all be dead and that the earth will be an incinerated relic."

The man sitting next to him, one of our highest scientific policy advisers for the administration, added without hesitation and with somber sincerity, "I believe so, too."

They may well be right. I refuse to believe that they are. It may indeed be 5 minutes after midnight; but, since we are not able to see this cosmic clock and because we want our children to have a chance to grow up, we have no honorable course but to proceed as though there was still time to save the world from becoming an "incinerated relic."

I started with a hymn and I shall end with the closing verse of "Turn Back O Man."

"Earth shall be fair, and all her people one,
Nor till that hour shall God's whole will be done.
Now, even now, once more from earth to sky
Peals forth in joy man's old undaunted cry:
'Earth shall be fair, and all her folks be one.' "

Thank you very much.

Voters Support Eisenhower Policies

EXTENSION OF REMARKS

OF

HON. CHARLES A. HALLECK

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1959

Mr. HALLECK. Mr. Speaker, following the recent Easter recess, the chairman of the Republican policy committee, Mr. BYRNES, joined with me in inviting Republican House Members to report informally on current sentiment in their home congressional districts on these four topics: First, the fight for a balanced budget; second, the adequacy of our defense program; third, the Berlin crisis and the international situation; and fourth, resistance to spendthrift Federal programs.

The response from our membership was gratifying and enlightening. The replies were carefully examined by Mr. BYRNES and myself and were the subject of a detailed report made to the President this morning at the White House leadership conference.

Under leave to extend my remarks in the RECORD, I include the following joint release reporting on our findings by topic and by geographical area:

JOINT RELEASE BY HON. CHARLES A. HALLECK, OF INDIANA, HOUSE REPUBLICAN LEADER, AND HON. JOHN W. BYRNES OF WISCONSIN, CHAIRMAN OF THE HOUSE REPUBLICAN POLICY COMMITTEE

WASHINGTON, April 14.—Reports from Republican House Members, back in Washington after spending the Easter recess in their own districts, indicate overwhelming support for administration policies on several fronts, according to House Republican Leader CHARLES A. HALLECK and JOHN W. BYRNES, chairman of the Republican Policy Committee.

HALLECK and BYRNES earlier had asked their Republican colleagues to pass along reactions of the folks back home to four current issues.

A survey of replies indicated widespread voter support of efforts by the President and Republicans in Congress to achieve a balanced Federal budget.

By the same token, an overwhelming majority of people back home trust President Eisenhower's judgment on the Nation's defense needs, the returning Congressmen told HALLECK and BYRNES.

The President's firm stand on the Berlin situation is receiving widespread approval, most citizens being convinced that appeasement of the Russians would be a grave mistake, in the opinion of Congressmen answering the Halleck-Byrnes inquiry.

Spendthrift programs got a thumbs-down reaction almost everywhere, the GOP members reported.

Following are some of the typical replies received by HALLECK and BYRNES from their colleagues:

ON A BALANCED FEDERAL BUDGET

Middle West

"The President's fight has taken solid root to a point where Democrats are visibly stunned by the 'spender' label" (Ohio).

"I found overwhelming support for a balanced budget and resistance to Federal spending programs" (Ohio).

"My constituents are definitely for a balanced budget and express a keen interest in reducing expenditures to the fullest extent possible" (Illinois).

"Republicans, particularly, are encouraged over the President's apparent decision to stand firm and hold expenses in line" (Illinois).

"The people of my district overwhelmingly support the President in his drive for a balanced budget" (Michigan).

"The President's position in favor of a balanced budget is extremely popular" (Indiana).

"The people of my district are insisting on a balanced budget. They fear the inflation tendencies now all too prevalent" (Iowa).

"The people of my district want Congress to match any unbalancing of the Eisenhower budget with tax increases, and a large percentage have told me to vote against any spending bills which would unbalance the budget unless taxes are provided to cover them" (South Dakota).

Atlantic States

"The residents of my district strongly favor our efforts to curtail spending and balance the budget" (Pennsylvania).

"The people * * * continue to insist on a balanced budget" (Pennsylvania).

"The people are generally for a balanced budget" (New York).

"The fight for a balanced budget is generally supported" (New York).

"Basically, the people are concerned with prices, which is an indirect way of saying they want a balanced budget and stable economy" (New York).

"The President must continue to show that the Republican Party stands for a balanced budget, a budget providing for progress and economy in Government at the same time" (Massachusetts).

"I found repeated expressions in support of keeping Federal expenditures under control" (Maine).

"Moderation in Government spending makes sense to the grassroots voters" (New Jersey).

Pacific States

"I have more than 27,000 signatures of citizens of my area on petitions urging that the Government live within its means" (Washington).

"People are saying more and more that inflation must be stopped" (Washington).

"I have been in receipt of over 7,000 letters asking me to back the administration's stand for a balanced budget with no new general taxes" (Washington).

"The general public is demanding retrenchment in spending which will lead to a reduction in taxes" (California).

"The people of my district are quite vehement that I do everything I can to fight for a balanced budget. They feel very strongly that the President should veto any excessive spending bills" (California).

ON THE ADEQUACY OF OUR DEFENSE PROGRAM

Middle West

"Most people are inclined to rely on the judgment of the President rather than the rantings and wails of some of the self-appointed political experts on the other side of the aisle" (Ohio).

"Republicans and Democrats alike believe that the decision of the President can be trusted" (Ohio).

"They believe our defense program to be wholly adequate" (Illinois).

"My people feel that the President is the best authority in determining our defense program" (Illinois).

"The people have confidence in his (the President's) judgment on defense requirements" (Michigan).

"People are pretty much ready to trust the President's position with respect to our preparations for defense" (Indiana).

"They have confidence in President Eisenhower * * * and have no time for the so-called defense experts in the Congress who seem to have all the answers" (Iowa).

Atlantic States

"I received no complaints in regard to our defense program" (Massachusetts).

"They are satisfied that our defense program is satisfactory because they have confidence in the President" (New Jersey).

"My constituents have faith in the President as a military leader" (Pennsylvania).

"My people do not seem inclined to follow the armchair generals who would ignore his (the President's) military experience" (Pennsylvania).

"They believe that our defense program is adequate" (New York).

"The administration's defense program is generally supported" (New York).

Pacific States

"Most citizens realize the President is better qualified by training, education, and access to all facts than anyone else to say what the Nation's defense needs are and that they stand ready to support his judgment" (Washington).

"The people in general believe our defense program is adequate" (California).

ON BERLIN AND THE INTERNATIONAL SITUATION

Middle West

"The firm stand on Berlin received almost unanimous approval" (Ohio).

"They are solidly behind him on the Berlin crisis" (Michigan).

"There is renewed appreciation of Secretary Dulles' policy of firmness toward the Communists and concern lest a possible successor be less firm" (Indiana).

"There was almost unanimous support of the present stand in the Berlin crisis, and constant statements that we should be firm, and under absolutely no circumstances attempt to appease the Communists" (Illinois).

"They like our firm position relative to Berlin" (Illinois).

"The people of my district are not too optimistic about a summit conference unless it is first determined that some progress can be made at a meeting of foreign ministers" (Iowa).

"My people want us to stand up to Russia on all issues" (Kansas).

Atlantic States

"The people appreciate that we must keep a stiff upper lip and meet our responsibilities in the Berlin crisis" (New York).

"Many people seemed to feel that the illness of Mr. Dulles has returned the President to more vigorous leadership and that its effect on the country was excellent" (New York).

"I found great enthusiasm among the voters for the President's recent television speeches. Folks agree with his firm stand on the Berlin crisis and are rallying behind him" (Massachusetts).

"Most people have just become immune to crises" (Massachusetts).

"I found strong support of the President's position and a feeling that this is no time for compromise" (Maine).

"They believe he is doing what is best for the country in relation to Berlin" (New Jersey).

"The confidence of our people in the ability of the Republican Party to meet the Soviet challenge is one of our major assets" (Pennsylvania).

"A recent poll showed 99 percent of the people favoring a strong stand on Berlin. Where criticism exists it is almost always that Ike is not rough enough" (Pennsylvania).

Pacific States

"My people expressed confidence in Secretary Dulles and hope that he will be able to return to his position" (California).

"Since the President's speech concerning our firm stand on Berlin, there has been a feeling of general relaxation in tension and worry and confusion" (Washington).

ON SPENDTHRIFT FEDERAL PROGRAMS

Middle West

"For the most part, the people that I talked with are opposed to spendthrift programs. A departure from this is noted only in the top echelon of labor organization" (Ohio).

"Iowa people are definitely opposed to spendthrift Federal programs. They hope the President will exercise his veto power in an attempt to hold things within a proper balance" (Iowa).

"The President should continue to emphasize the point that deficit spending feeds the fire of inflation, which imposes a cruel, unfair tax on low-income groups which can least afford to pay it" (Michigan).

"In my opinion we have failed to make a definite impression on the minds of the people of the vital need for a balanced budget and a sound economy. The spenders still have glamour and get headlines" (Illinois).

"My constituents are against all welfare spending programs" (Kansas).

Atlantic States

"There is strong resistance to spendthrift Federal programs" (New York).

"The people are tax conscious and understand that if they are going to spend, they can expect to be taxed. It isn't politically helpful to be labeled as a spender" (New York).

"I found repeated expressions in support of keeping Federal expenditures under control" (Maine).

"The people are deeply concerned about excessive Federal spending. They are restive about the heavy tax burden and would like some hope of eventual tax relief" (Pennsylvania).

"The Pennsylvania Dutch, whom I represent, have always opposed Federal welfare programs. In my recent chats with them I did not discover that they have changed their viewpoint in any particular" (Pennsylvania).

Pacific States

"The general public is demanding retrenchment in spending which will lead to a reduction in taxes" (California).

"I feel we need to dramatize more of our issues because factual talk about balanced budgets, and inflation, and fiscal responsibility doesn't have the emotional appeal of the 'doing something for somebody' programs" (Washington).

"My mail indicates the public generally is for curtailing new and costly programs" (Washington).

Chamber of Commerce Week

EXTENSION OF REMARKS

OF

HON. EDWIN B. DOOLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1959

Mr. DOOLEY. Mr. Speaker, the current week is known as Chamber of Commerce Week. Evidence that there is nothing new under the sun keeps turning up in the most unlikely places. From far off Mesopotamia comes proof that the local chamber of commerce—that symbol of jet-age enterprise—actually had its counterpart in the ancient city of Mari some 6,000 years ago.

If archeologists who plied their trade amid those ruins have read their cunieform tablets correctly, the administrative palace of the Kingdom of Mari boasted both a foreign office and a board of trade, and from all accounts, business was really booming. In his book, "The Bible as History," Warner Keller tells us, "More than 100 officials were involved in dealing with the incoming and outgoing messages, which amounted to thousands of tablets."

Babylon had its chambers of commerce, too, apparently within the shadow of the Tower of Babel and the fabulous Hanging Gardens. During the Middle Ages, fairs and merchant guilds were the predominent businessmen's organizations. The predecessor of the modern chamber of commerce was started during the reign of the French King, Henry, with the establishment of the Superior Chambers of Commerce of France. About that time, too, the merchants of Marseilles formed an independent voluntary group to represent the commercial interests of their port. This early local was closely akin to that country's present day chambers of commerce, voluntary organizations having quasi-public functions. Today these groups have charge of stock and produce exchanges, issue export certificates, and even help manage the port cities. They also differ from their American counterparts in that their membership is smaller, ranging from 9 to 21.

Switzerland has two distinct types—those that follow the French concept and function under state auspices, and independent groups similar to our own. The German chambers, like those in France, are pretty much official institutions. On the other hand, in Britain they are, like our own, entirely voluntary organizations.

And speaking of differences, our own chambers of commerce really evolved from three somewhat different types of business groups, each fulfilling a particular need created by a particular time and place. There were the trading organizations, whose members met for the sole purpose of trading with one another. These were sometimes known as boards of trade, a name that still survives in some areas, particularly small towns. Then there were the protective organizations—businessmen who banded together against high taxes and discriminatory regulations. And finally, in the newer sections of the country, town boosters organized to seek new industries and good roads that would draw tourist travel and help the community grow.

Regardless of these differences, the common goal of all three types of business groups was progress. But in a country marked by rapid growth and change as ours has been, what today may pass as progress can become, almost overnight, somewhat of a mixed blessing. For example, as the horse-and-buggy days slipped further into history, the big move to the new population centers brought new problems. But the oldtimers saw no personal profit from becoming bigger cities, and they often voted down needed public improvement programs. Nevertheless the growth of America's cities was as inevitable as the industrial revolution, and so chambers of commerce became the vehicles by which civic-minded people could be mobilized "to build bigger communities by making them better."

The stock market crash brought a somewhat different problem, though. As land values went down, so did the municipality's ability to service their overextended bond capacity. Faced with high municipal taxes, the businessmen took a new look at their organization, and belatedly they became tax conscious. Today the role of guardian of the taxpayer's pocketbook is an established function of the chamber of commerce.

Until 1912, the chamber of commerce movement had little or no cohesiveness. Then President Taft urged a group of businessmen to form what later became the Chamber of Commerce of the United States. Now there are 32 State and regional chambers, but the backbone of the movement still remains the local unit. And these days its business is not all business, either. The local chamber of commerce provides the leadership for all kinds of community activities—a project for the handicapped, the building of a playground, a fund drive to send city kids to camp.

As a matter of fact, projects aimed at helping youngsters rate high among chamber of commerce-sponsored activities. But then this preoccupation with the problems of America's children is nothing new in chamber of commerce history. The records show that the Ohio Chamber of Commerce—the oldest in the country—was responsible for the enactment of the first child labor law in the Nation.

Three Hundred and Fiftieth Anniversary of Dutch Landing

EXTENSION OF REMARKS
OF
HON. JAMES ROOSEVELT
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 14, 1959

Mr. ROOSEVELT. Mr. Speaker, on March 14, 1959, the second annual banquet of the Holland Society of New York, Potomac branch, was held at the Mayflower Hotel in Washington, D.C. This banquet marked the opening of the festivities commemorating the 350th anniversary of the landing of the Dutch at New Amsterdam.

I am particularly pleased to bring this significant occasion to the attention of my colleagues, as I am a life-long member of the Holland Society as was my father before me.

Messages were received at the banquet by numerous prominent persons, including His Excellency J. H. van Roijen, Netherlands Ambassador to the United States, whose greeting read as follows:

> Congratulations to the Potomac Branch of the Holland Society on initiating the 350th anniversary of the landing of our people on your shores and the commemoration of this year of history.

President Eisenhower wired greetings, as follows:

> It is a pleasure to send greetings to the members and guests of the Potomac Branch of the Holland Society of New York gathered on the occasion of the 350th anniversary of the Dutch explorations by Henry Hudson. From the earliest days, the growth and spirit of our country have been strengthened by citizens of Dutch descent. The Holland Society helps to preserve an important quality of American culture. I am delighted to add my best wishes for a fine evening.
>
> DWIGHT D. EISENHOWER.

I should like to touch briefly on some of the historical highlights in connection with the settling of the Dutch on what is now known as Manhattan. For instance, Netherlands' Prince Bernhard said, on May 19, 1958:

> The Netherlands and the United States can pride themselves on very old cultural relations. In 1638 Holland provided your country with its first schoolmaster, Adam Roelants. An early President of the United States, John Quincy Adams, opened a long line of American students seeking knowledge at Dutch universities, when at the age of 13 he registered as a student at the University of Leyden.
>
> You who are friends of my country and whose ancestors in many cases came from there, have set yourselves the task of advancing the friendship and cultural relations between our two countries.

There was a tablet in the court of the recently demolished Produce Exchange near the Customs House in downtown New York that marked the location of the first school in New Amsterdam, taught by Adam Roelandsen. It was also the first school of which there is any record in America.

Another first: In 1648, when the northernmost limits of the town extended no further than Wall Street, Gov. Pieter Stuyvesant laid the basic foundations of New York's and the Nation's volunteer fire-fighting system when he appointed four fire wardens.

A medical first in America: When the 17th century began, doctors cured much more by personality than by their remedies and practices. As a consequence, this era witnessed the discoveries of Antony van Leeuwenhoek, who built the microscope and was the first to describe the corpuscular formation of the blood, and those arising from Christian Huyghens' epochal studies in the field of optics. Dutch colonial America was the scene of several probable "firsts," notably the first coroner's inquest—1658—and establishment of the first hospital—1659.

The three Presidents: Three Presidents of the United States have been of direct descent in the male line from settlers of New Netherland well in advance of 1675. At least as many more occupants of the White House have been in part of such ancient stock through marriage. These three Presidents were also Governors of the State of New York. The first of the trio was Martin Van Buren, the second was Theodore Roosevelt—a very active member of the Holland Society—and the third was Franklin Delano Roosevelt, my father.

Our flag: The *Andria Doria*, bearing a copy of the Declaration of Independence of July 4, 1776, and her commission from the Continental Congress, signed by John Hancock, with copies in blank, signed by the same, for the equipment of privateers, and with a 13-striped flag flying at her masthead, sailed into the roadstead of St. Eustatius on the 16th of November 1776. She dropped anchor before Orangetown and in front of Fort Orange. The commander of the fort, Abraham Ravenle, on seeing the character of the vessel, and recognizing the flag of the American Congress, was in a quandary.

What should he do? Should he salute it with the full number of "honor shots" which were usually accorded to men-of-war of a recognized nation and thus officially recognize sovereignty of the United States of America? He was ordered by Governor De Graeff to return the salute with two guns less, as if the *Andria Doria* were a merchantman. Upon the commander's return to the fort, the Dutch garrison belched forth a salute of 11 guns. Following this event were serious repercussions. Governor De Graeff was subsequently recalled to Holland. The English protested in no uncertain terms to the Netherlands Government and accused it of violating its neutrality in recognizing an enemy.

EVACUATION DAY, NOVEMBER 25, 1783

Their discovery is a feat even more difficult than that performed by Symon's great-great-grandson, Sgt. John van Arsdale, who, after fighting against the British in the War of the American Revolution and being captured, imprisoned, and nearly starved to death by them, on evacuation day at New York, November 25, 1783, climbed the tall greased flagpole at the battery, tore down the British flag, and fastened the American flag there. The British had evacuated the city at noon, leaving their flag flying, after secretly greasing the pole. American military orders for the day were that the American flag should be raised upon the pole when General Washington appeared at the battery. At the vital moment the order could not be executed; the humiliation was intense; no one was able to climb the pole—until a young man in the crowd of spectators volunteered. He was John van Arsdale, who, having been a sailor in his father's ship, climbed the pole, tore down the flag, and substituted Old Glory. Upon descending, he received an ovation and a gift of money, to which General Washington contributed. (Hoppin, "The Washington Ancestry," vol. III, p. 164.)

Many fortunes have been made in New York City real estate since the Indians traded Manhattan to Peter Minuit for trinkets worth $24.

Today's value of all land and buildings, less tax-exempt holdings, on Manhattan Island is far in excess of $10 billion. The Dutch certainly got a bargain for their beads.

National Allergy Month

EXTENSION OF REMARKS
OF
HON. JOHN E. FOGARTY
OF RHODE ISLAND
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 14, 1959

Mr. FOGARTY. Mr. Speaker, I have today introduced a joint resolution authorizing the President to issue a proclamation designating the month beginning August 15 and ending September 15 as National Allergy Month. Its purpose is to urge the people of this Nation to cooperate in the fight for the prevention, treatment, and cure of allergic illness and to invite the communities of the United States to mobilize and extend their health resources to more adequately take care of the growing number of our citizens afflicted with these diseases.

The allergic diseases include both common and rare conditions. Some are so serious as to threaten life, others are

no more than annoyances. But, all impair health, happiness, and productivity and many decrease longevity. While most of us are familiar, at least by the name, with bronchial asthma, hay fever, allergic eczema, allergic headaches, abnormal reactions to drugs, and the contact skin eruptions so common in industry, we are less familiar with the diseases of an allergic nature which affect the heart and circulatory system, the blood cells, the gastrointestinal tract, the kidneys, and nervous system. Among the important systemic diseases suspected of having an allergic basis are rheumatic fever, ulcerative colitis, certain types of nephritis, and that group of conditions which are known collectively as the collagen diseases.

The allergic diseases are a leading cause of acute disease and chronic disability among individuals in every decade of life, but especially among children since the initial symptoms of allergy appear more often in the first two decades of life than at any other time. Allergic diseases are also among the leading causes of death among children.

Long neglected because they do not have the reputation of being killers, the allergic diseases are now recognized as major causes of disability, invalidism, and absenteeism from school, business, and industry. It is conservatively estimated that a minimum of 17 million Americans suffer during their lives from an allergic disease, ranging from annoying hay fever to severe, crippling and often incapacitating asthma. Minor allergic episodes, such as isolated attacks of poison ivy dermatitis, affect more than half our total population at one time or another.

The two most common distinct allergic diseases are asthma and hay fever. So far as our civilian population is concerned, the U.S. Public Health Service ranks hay fever and asthma third in prevalence among the chronic diseases—following diseases of the heart and circulation and arthritis and rheumatism. Together, asthma and hay fever account for more than 25 million work-days lost each year.

ALLERGY IN CHILDREN

The overall incidence of allergies in children is about 14 percent. In a study of 1,225 children, aged 1 to 14 years, chosen at random from a general population, no fewer than 175 children were diagnosed as definitely allergic and 220 as probably allergic. Multiple allergies were found to occur in slightly more than 3 out of 4 allergic children. Three-quarters of the patients with eczema had respiratory allergies and/or asthma.

Food allergy, especially that to cow's milk, causing gastrointestinal symptoms and infantile eczema is the most common type of allergy in early infancy. In children, respiratory allergies are the most troublesome disorders. In this group, food allergy is somewhat replaced by sensitivity to pollens, animal danders and hair, and bacterial infection. Studies show that more than 50 percent of children with eczema develop asthma. More than 40 percent with respiratory allergies eventually develop bronchial asthma.

Prophylaxis and treatment of major allergies in early childhood may not only prevent asthma and hay fever but also reduce the frequency of recurring upper respiratory infections.

Patients under 20 have a much better prospect of obtaining marked relief from most types of allergy than do older people. Early diagnosis and competent allergic, medical, dermatologic, and sometimes psychiatric management can prevent both the troublesome complications that arise from long-standing allergy and some of the secondary changes that produce recurring disability.

ASTHMA

While asthma may begin at any age, the majority of cases begin in childhood. If neglected, the disease tends to recur and become chronic so that it may lead to serious, disabling pulmonary disease in adult life. Infants with eczema and children with hay fever are apt to develop asthma. The popular belief that the asthmatic child will outgrow his condition is a dangerous one. If the asthma is neglected, it tends to persist. Even if it does subside spontaneously, it may leave its victim handicapped physically and psychologically.

Asthma is one of the more frequent causes of referral to pediatric outpatient clinics and children's hospital wards each year. It has been stated that the odds are 8 or 9 to 1 that a child with asthma will grow out of it. Unhappily, without the assistance of early preventive measures, many asthmatic children develop severe complications difficult to treat.

Perhaps the most common complication of asthma is emphysema, or overdistention of the lungs. The lungs become voluminous; they have very little mobility. Oxygenation of the blood is impaired. The patient becomes short of breath on even light exertion and sometimes even at rest.

There is extra risk for asthmatics from surgical procedures. Medico-actuarial studies consistently show that a great part of the excess mortality among asthmatic persons is due to high death rates from respiratory complications of the disease itself and from pneumonia, heart disease, and tuberculosis. Insurance experiences would indicate that asthmatic victims are relatively less resistent to diseases involving the respiratory system than are nonasthmatics. Insurance studies indicate that the mortality rate for patients with asthma, taken as a group, is appreciably greater than for nonasthmatics and consequently their average length of life is somewhat less. The presence of asthma in an individual is not compatible with a high level of general health and efficiency.

ALLERGY IN INDUSTRY: OCCUPATIONAL ALLERGIES

In our system of free enterprise, the unimpaired health of the worker is essential to the continued growth and expansion of the national productive effort and so, to the Nation's welfare. Our national productive capacity is reduced, not only by the great killing diseases of man, but also by conditions which sap our national vitality through insidious inroads on the health of the worker, be he an executive, a craftsman, or a laborer. The allergic diseases are among the chronic conditions which lead to substandard work performance, excessive absenteeism, and a continuous demand for medical attention.

The allergic diseases reduce longevity. They kill many individuals prematurely and contribute to other deaths by predisposing to heart and lung disease. But their importance lies in the toll they exact from our working population, day by day and year after year. Where allergic conditions arise from occupational exposures, an increasingly frequent situation in this age of chemicals and synthetic products, compensation awards add to the financial losses.

The incidence of allergy among the general population exceeds 10 percent. It is double this in many industries where workers are exposed to allergens by contact or inhalation. At least 20 percent of occupational conditions are allergic, and these are largely conditions which recur again and again.

Industrial progress has intensified the problem of allergy. There is widespread evidence of sensitization to industrial chemical agents, including the constantly increasing number of new compounds used in our modern technology.

Allergic contact skin disease is one of the most common diseases in industry today. It is frequently seen, for example, among workers who handle dyes and dye intermediates, photographic developers, rubber accelerators and antioxidants, soaps, mercury solutions, plants and plant derivatives, insecticides, plastics, and antibiotics.

DRUG SENSITIVITY

Allergic reactions are provoked in sensitive individuals by many of the drugs commonly used in medical treatment, including such well-known drugs as aspirin, quinine, arsenic, the barbiturates, the bromides and iodides, and sulfa drugs. Biological products such as insulin, liver extract, other hormones, and serums, also may produce allergic reactions. The numbers of persons affected year by year is in the thousands. While many such reactions are mild and are terminated by the withdrawal of the drug, others are extremely serious and even fatal.

The problem of drug sensitivity has become increasingly important during recent years since the multiplication of new compounds used in medical treatment has led to a proportionate increase in the number of drug reactions. Among the most common offenders today are the antibiotics.

Allergic reactions to the antibiotics have increased in proportion to the extended use of these agents. Penicillin is particularly apt to produce allergic reactions and, because penicillin is the most commonly used antibiotic, reactions to it have been reported in great numbers. A survey made in 1956 revealed the thousands of reactions to penicillin annually, with deaths numbering in the hundreds.

While the antibiotics have saved thousands of lives and reduced the

length and severity of infections in millions of people, allergic reactions are sufficiently frequent and serious as to pose an important medical problem.

THE ALLERGY PROBLEM TODAY

At present, large sums are being expended for research in infantile paralysis, tuberculosis, rheumatism and heart disease, cancer, multiple sclerosis, prematurity and so forth. Allergy affects as many children as do any one of these, yet there is practically no money being expended on its study. The reason for this is that death seldom results from an allergy despite its incapacitating and chronic character.

Despite the amount of disability they cause, the allergic diseases have received relatively little attention in the development of specialized facilities for treatments, in research and in medical education. Even in cities with the best of general hospitals, it is often difficult or impossible for the asthmatic patient of modest means to obtain adequate care. Severe asthma requires the most intensive medical and nursing service, yet may persist far longer than the acute stage of most other diseases. As a result, hospitals treating acute diseases are often reluctant to admit such patients and institutions offering chronic care are poorly equipped to handle them.

The number of allergy patients seen in outpatient clinics of hospitals and in the offices of physicians is sufficiently striking, but even more so is the number of patient visits. Statistics provided by the United Hospital Fund of New York City reveal that allergy sufferers require on an average three times as many clinic or office visits per year than do those suffering from all other types of illness.

What is being done to help the millions of Americans suffering from allergic diseases? The Allergy Foundation of America, a voluntary health agency established under the sponsorship of the two national professional societies, the American Academy of Allergy and the American College of Allergists, has developed a broad program of public information and education intended to guide the allergic individual in obtaining the best possible medical care. This agency attempts to bring to the public reliable information on the latest scientific knowledge about allergy, and the management and treatment of the allergic diseases.

In order to accelerate efforts in the field of allergy, the foundation complements the expanded program of research and training of the National Institute of Allergy and Infectious Diseases by offering opportunities for specialized training for medical students, graduate physicians and research scientists in the form of scholarships, fellowships, and grants.

The Allergy Foundation of America initiated National Allergy Month 2 years ago with the purpose of disseminating as widely as possible information concerning allergy as a growing health problem. For each of the past 2 years the educational campaign conducted during this month has been highly successful and several hundred thousands of informational pamphlets have been distributed to the public in an effort to inform and educate our citizens. The Allergy Foundation of America plans to sponsor a National Allergy Month again this year, August 15–September 15. To this end, the joint resolution which I have today introduced in conjunction with Senator LISTER HILL, will seek to obtain Presidential proclamation urging Americans to support this program through voluntary gifts and services in their communities.

A Good Neighbor: Senator Humphrey on Latin America

EXTENSION OF REMARKS
OF
HON. CHARLES O. PORTER
OF OREGON
IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 14, 1959

Mr. PORTER. Mr. Speaker, at the University of Florida on April 3 of this year the distinguished Senator from Minnesota, the Honorable HUBERT H. HUMPHREY, delivered a speech on Latin America.

It is exceptional. It is a brilliant résumé of the existing problems between the governments of Latin America and the Government of the United States.

The Senator has come to grips with the central issues involved without the cliches and generalities so prevalent in discussions of Latin America.

Under a previous consent, I am including the text of Senator HUMPHREY'S statement in the RECORD.

A NEW ERA FOR LATIN AMERICA

(Address prepared for delivery by Senator HUBERT H. HUMPHREY, of Minnesota, University of Florida, Gainesville, Fla., Friday night, April 3, 1959)

Tonight I might have selected as my topic the Berlin crisis, the troubled Middle East or the vexing problem of attempting to control the nuclear arms race. But I have chosen instead to talk about Latin America and U.S. policy toward her Latin American neighbors. Since the end of World War II we have been preoccupied with a series of crises on the periphery of the Communist empire—Greece, Berlin, Korea, Indochina, Suez, Quemoy, Lebanon, and again Berlin. In the meantime, the seemingly less precarious situation in Latin America went almost unnoticed.

It took the demonstrations against Vice President NIXON last spring to explode any remaining illusions about the state of our Latin American relations. The plain truth is that today inter-American relations are in a more critical stage than they have been at any time in the past three decades.

At this point, I would like to pause to pay tribute to the University of Florida, one of the few U.S. universities which has a well-rounded Latin American studies program. Recently, the Hispanic Foundation of the Library of Congress surveyed universities across the country to find out which ones offered Latin American studies. I am told that only eight universities fall into category I, that is, ones which offer a well-staffed, well-rounded course of study about Latin America. The University of Florida is one of these eight. Florida's awareness of the importance of inter-American understanding also has been reflected in the thoughtful and persistent efforts of Senator SMATHERS to bring attention to the realities of our foreign policy in Latin America.

We are now on the threshold of the 69th anniversary of the Organization of American States. It has long been customary at this time of the year to extol pan-American peace, solidarity, and cooperation. Such oratory now would be a gratuitous gesture. It is dangerous to perpetuate comfortable fictions about a bond that has been broken. The first prerequisite of a responsible and effective policy toward Latin America is a willingness to face the facts, however unpleasant they may be.

OUR STAKE IN LATIN AMERICA

There is no disagreement on the importance of cordial, cooperative relations with our 20 sister Republics. Everyone agrees that strategically, ICBM's notwithstanding, Latin America remains one of the key foundations of our defense shield. Politically, close and harmonious relations with the Latin American people, who now number over 180 million, add to the free world's strength in the larger issues of the cold war.

Economically, the American Republics constitute a vital ingredient in our own well-being. The area is second only to Europe as a purchaser of our exports. Twenty-five percent of all our exports go there. In 1957 this meant the sale of $560 million worth of automobiles and parts, of $445 million worth of chemicals, $135 million of medicines, $121 million of edible animal products, and so on across the board of U.S. products. Latin American purchases add up to a lot of jobs for a lot of people in the United States. At the same time, imports from south of the Rio Grande consist of many strategic minerals as well as materials essential to our peacetime industries. U.S. private investments in the area now total over $9 billion, more than in any other region of the world.

Why, then, have relations deteriorated?

CRISIS POLICY

Part of the responsibility lies in our preoccupation with Europe, the Middle East, and Asia. While attention to these vital areas is understandable, the resulting neglect of Latin America cannot be justified. The personal diplomacy of the administration has also tended in the same direction. With all decisionmaking power concentrated in Secretary Dulles, the less precarious situation in Latin America got shoved into the background until it too became a crisis. Up until the recent disturbances, I am told, Foreign Service officers working in Latin America were somehow considered to be occupying second-class positions.

TAKING LATIN AMERICA FOR GRANTED

The good-neighbor policy itself may be partly to blame for the assumption that nothing much could go wrong within our hemisphere. Latin American representatives tried to make their grievances heard through proper channels and at stated conferences. Often their warnings and protests were bitter. But the good-neighbor policy had been so successful in cementing United States-Latin American relations that long after its demise an aura of good will lingered on, hiding the grim realities underneath. The hangover from the good-neighbor policy seems to have created an impression in the United States that the Latin American republics were solidly with us, no matter what we did or did not do.

LATIN-AMERICAN REVOLUTIONS

The attitude of taking Latin America for granted is only part of the growing estrangement between the United States and Latin America. I think that our gravest error has been a misreading of the revolution gripping the region. Some people are prone to dis-

miss Latin American revolts as mere changes in the palace guard, while others see Communist influence in every upheaval. These stereotypes can be our undoing.

Today, the nations to the south are in the midst of an epic social revolution. We and the Communists have vied with each other in telling people the world over that they no longer have to live out their lives in hopeless misery. The peoples of Latin America took us at our word.

They want an end to semifeudal conditions in which 5 percent of the population owns 80 to 90 percent of the land; in which a handful of nationals and foreigners live in luxury while the majority live in squalor; in which disease strikes down their children, and hunger and ignorance perpetuate their slavery; in which the wealthy minority joins with the army to keep things just as they are.

Many thousands of Latin Americans have risked exile, imprisonment, torture, and death to achieve responsible governments, responsive to the needs of their people. These courageous people usually come from the classes that produce political leadership—students, union leaders, professional and business men. The rash of revolutions that toppled tyrannies in Argentina, Colombia, Venezuela, and Cuba attests to their determination to achieve freedom and bread.

THE LATIN AMERICAN IMAGE OF THE UNITED STATES

In the midst of that upheaval, which we above all other peoples should be able to understand and to sympathize with, the United States has somehow managed to appear callous and indifferent. While we have eagerly sought Latin American support to stop the spread of Communist tyranny, we have demonstrated a peculiar nonchalance toward despotisms of the home-grown variety.

In 1954 Secretary Dulles took time to fly to the ninth Inter-American Conference in Caracas to press for an inter-American declaration against Communist intervention in the Western Hemisphere. That very same year we bestowed the Legion of Merit on Pérez Jiménez then the hated dictator of Venezuela. The incredible citation reads in part:

"To H. E. Marcos Pérez Jiménez, President of the Republic of Venezuela for the exceptional nature of his outstanding accomplishments. His Excellency, as President of the Republic of Venezuela and previously, has demonstrated a spirit of friendship and cooperation with the United States. The sound economic, financial, and foreign investment policies advocated and pursued by his administration have contributed greatly to the economic well-being of his country, and to the rapid development of its tremendous resources. These policies, judiciously combined with a far reaching public works program, have remarkably improved its education, sanitation, transportation, housing, and other important basic facilities."

Shortly after our tribute to Pérez Jiménez, the Archbishop of Caracas dared to denounce the tyrant in a pastoral letter, and thousands of anguished Venezuelans hazarded their lives to get rid of the bloody oppressor upon whom we had lavished praise.

On January 10, 1958—just 13 days before unarmed men, women, and children rose heroically against the brutal Venezuelan dictatorship—the man who had been our Ambassador to Venezuela from 1951 to 1956 wrote from his new post in Turkey to the dictator's savage secret-police chief congratulating him for putting down the first abortive revolt. The letter, on Foreign Service stationery, came to light after the democratic revolution.

These incidents are, unfortunately, not isolated. Our Defense Department, in the middle of the Cuban revolt, decorated the officer who had commanded air raids against the Cuban people. We kept up a stream of armaments to Batista long after it had become apparent that he was using them against his own people, contrary to the terms of our defense agreement.

The Communists, of course, are getting a lot of mileage out of such errors. But we must face up to the fact that our own actions, not Communist propaganda, have created throughout Latin America an image of the United States as a nation selfishly engrossed in defending its own freedoms but heedless of the aspirations of others.

THE ECONOMIC SITUATION IS SERIOUS

U.S. official attitudes with regard to Latin America's economic problems have deepened the estrangement between us.

Our economic attitudes toward Latin America have created the image of the United States are arrogant, paternal, interested primarily in promoting the interests of U.S. investors, and unconcerned for the well-being of ordinary human beings. It is painful to think that the generous impulse of the United States, which first created the idea of technical assistance in Latin America in 1942, now seems so perverted.

As you know, all the American Republics, to a greater or less degree, fall into the category of underdeveloped countries. All are dependent on the export of one, or at best a few, commodities to earn the foreign exchange to buy vital necessities and to finance economic development.

Any downswing in the world price or demand for their few exports plays havoc with their income. This uncertainty makes development planning exceedingly difficult.

With an average annual per capita income of less than $300, some areas in Latin America are hard pressed to maintain even this low living standard in the face of a rapidly growing population.

Our neighbors have not been sitting on their hands waiting for assistance. Ninety percent of the capital invested in the area is Latin America's own. The reserves accumulated from the sale of raw materials during World War II, made possible a spurt of development in the region. From 1945 to 1953 the average per capita income rose at the rate of 3.3 percent a year, and Mexico, for example, achieved a rate twice as great. After 1952, with reserves depleted and the price and demand for Latin America's principal products on the decline, the accelerated rate of development ground to a halt.

Responsible leaders in Latin America are worried. On the one hand they have populations awakened from centuries of apathy who are demanding a better deal in life. On the other hand, the ubiquitous Communists are there, dangling tempting promises before the eyes of the underprivileged. Democratic leaders in Latin America know that they must produce some tangible results, that they must provide some hope for a better future, if democratic government is to endure.

THE U.S. RESPONSE HAS BEEN AMBIGUOUS

On the question of Latin America's economic development the United States has presented an ambiguous picture. Latin Americans understood and welcomed Secretary Marshall's stirring declaration at Harvard University 12 years ago: "Our policy is directed not against any country or doctrine, but against hunger, poverty, desperation, and chaos." Hunger, poverty, desperation and chaos well described Latin American conditions. And, we encouraged the Latin Americans to look almost exclusively to us for assistance.

We then proceeded to provide billions in aid to Europe and Asia. To Latin American pleas for assistance, we replied with advice that they should look to private investments and private enterprise as the principal channel for their funds. In 1956 Senator SMATHERS proposed an amendment to the Mutual Security Act to provide a special fund for loans for Latin America for health, education and sanitation projects. This proposal met with resistance from the State Department on the grounds that private capital was doing a good enough job. I am happy to say that Congress passed the amendment in spite of State Department resistance.

The frequent reiteration that private capital would meet Latin American requirements insulted and irritated our neighbors. We Americans like our system of free enterprise. It has worked for us, although not in the simon-pure form that some people like to pretend. Latin Americans, on the other hand, have some sour memories of the robber-baron type investments, both domestic and foreign, which we ourselves have long since ceased to tolerate.

In addition to historical differences, the advice ignored the plain fact that private enterprise goes in to make a profit, and will hardly be attracted when the basic sinews of a national economy—such as roads, power and sanitation facilities—are lacking.

Moreover, overdependence on private investment results in a piecemeal approach to economic development as private funds haphazardly move into a mine here and a factory there. Latin Americans point out that in their urgent circumstances they cannot wait for the trickle-down theory to maybe work.

THE U.S. CHANGE OF HEART

It took the violent outbursts against Vice President NIXON to make us conscious of the gravity of the Latin American situation. On March 10 last the Department of State announced a change of heart, as follows:

"Not only must account be taken of the private capital and technical know-how required to create employment for those who today are underemployed or unemployed, but also of the need to create new jobs for an even larger number of workers. In addition to the expansion of industry and agriculture which this implies, very large additional amounts of public funds will be required for facilities which only governments can provide; for example, highways, sanitation facilities, hospitals, and schools."

The recognition that Latin American growing pains differ from ours and our consequent abandonment of inflexible doctrinaire principles should open the way for better inter-American understanding.

Along the new guidelines positive steps are in progress. The administration has finally announced that it will support an Inter-American Development Bank, something the Latin Americans have been urging for years and we have been resisting for years. We have agreed to consult with the Republics before making decisions which could affect their principal exports. We have indicated a willingness to take a fresh look at efforts to deal with instability and fluctuation in the commodity market. We have lent our support to the idea of regional markets within Latin America.

In short, we have recognized the magnitude of Latin America's problem and have agreed to cooperate with our neighbors in finding solutions.

A NINE-POINT PROGRAM FOR IMPROVING LATIN AMERICAN RELATIONS

Latin America, as population zooms, as industrial development spreads, and hope and impatience mingle, is going to be a cauldron of competing political ideologies. We should welcome this development, not fear it.

In no region of the world have we deeper historical traditions to build upon. It was with the Latin American Republics that we first developed the idea of regional cooperation. The bold idea of mutual cooperation to attack disease, illiteracy, and poverty was born within the inter-American family.

These are the people who wept unashamedly when Franklin Delano Roosevelt died.

Today in Latin America there are many leaders who understand and admire our democratic system and want to develop something comparable in their own countries. I know of an American who, while attending the inauguration last month of the democratically elected President of Venezuela, was asked on three separate occasions by newly elected Venezuelan congressmen how they could get hold of a copy of the "Jefferson Manual of Rules for the House of Representatives."

Our traditions of individual freedom and concern for ordinary human beings were once the cornerstone of our successful Latin American policy. Now, to Latin Americans, these much admired beliefs seem to stop at the border. While we caution our neighbors about Communist activities and Communist infiltration, we appear peculiarly cold toward the Latin American yearning to achieve genuine civil liberties.

The recent steps taken by the administration to repair our tottering Latin American policy should be applauded. They are steps in the right direction, but they will not be enough if the escalator of history is going faster in the opposite direction. We must replace our massive indifference to Latin American aspirations with massive cooperation.

The Latin American situation cries out for imaginative, long-range planning, rather than the hurried, patch-up measures after an explosion has occurred.

A coordinated program on the order of the Marshall plan would give the Latin Americans new hope of attaining bread and freedom. The possibilities of such an effort should be explored carefully, not primarily as an anti-Communist stratagem, but because it is good for Latin America and for the United States. We should not be ashamed of our humanitarian tradition. Nor should we be embarrassed if humanitarian and security objectives sometimes coincide in our national policy.

In conclusion, I should like to propose a nine-point program for improving United States-Latin American relations. I believe this program is realistic and workable and in harmony with the best interests of our country and of our 20 sister Republics.

First. The United States should increase the volume of its economic aid in support of Latin American efforts to develop diversified and viable economics so they will not be dependent, as they now are, on a few commodities. Requests for loans from the Development Loan Fund and the Export-Import Bank should be dealt with expeditiously and sympathetically. We should cooperate fully with the new Inter-American Development Institution. The proposed corps of technical experts within the institute could help the smaller, inexperienced countries draw up coordinated development plans.

Second. The United States should accelerate and strengthen its program of technical assistance in agriculture, health, education, vocational training, and public administration. The time has come to recapture the original fervor of President Truman's bold new program which was widely hailed in Latin America when it was first announced a decade ago.

Third. The United States should support vigorously the current moves within Latin America to establish regional markets. The elimination of inter-American trade barriers would broaden markets for Latin American products and make low-cost manufacturing feasible, both indispensable prerequisites to diversification and economic growth.

Fourth. The United States should review its trade and tariff policies as they affect imports from Latin America. It is self-defeating for us to provide economic assistance with one hand and take it away with the other by shortsighted trade restrictions. If policies designed to strengthen our trade with Latin America cause hardship to any domestic industry, the Government has a responsibility to aid those so affected. (I recently cosponsored an amendment in the Senate to the Area Redevelopment Act (S. 722) to make such aid possible, but unfortunately it did not pass the committee stage.)

Fifth. The United States should give wholehearted support to the health programs under the direction of the Pan American Sanitary Organization. Widespread disease which stalks Latin America is a tremendous economic drain as well as a human tragedy. Investment in health is perhaps the cheapest, most effective investment we can make in the future of the Western Hemisphere.

Sixth. The United States should develop a bold and imaginative program of student and cultural exchange.

We need to reexamine our methods of screening Latin American scholarship recipients. Too frequently the test has been the friendliness of the recipient toward the United States. Young Latin Americans of so-called leftist tendencies have been excluded, when they are often the very ones who would benefit most from the program.

Seventh. The U.S. press, radio, and TV, networks should give wider and better balanced news coverage of Latin American affairs. This, of course, is something our Government can do little about. But it is essential that the American people have a continuous report and interpretation of Latin American developments if they are to understand the magnitude of the problems in that region and what we are asked to support. When news of revolutions and executions dominate our newspapers, it is hard for the American taxpayer to form an understanding of the underlying realities in the 20 American Republics, and of our interest in them.

Eighth. The United States should thoroughly reappraise its military assistance program in Latin America. What we have given one nation for hemispheric defense has often provoked demands by another for an equal amount of aid. Great care should be taken not to encourage this type of arms race, which Latin American governments can ill-afford. We should give greater attention to the coordination of military policy and strategy in the hemisphere. This might well result in a decrease in the requirements of national military establishments.

Further, our military assistance to certain dictatorial governments has raised the question of whose freedom those governments are defending. The use by Batista of U.S. supplied armaments against his own people, contrary to stipulations of our defense treaty, has greatly damaged U.S. prestige throughout Latin America. It makes little sense to speak of hemisphere defense while arming a tyrant who uses weapons to intimidate his own people.

Ninth. The United States should lend its support to the idea of regional arms control. Last year Costa Rica submitted such a plan to the Organization of American States and received nominal support from the U.S. delegation. Our Government should now press for the consideration of the Costa Rican plan or some similar project, at the eleventh inter-American Conference to be held at Quito next year.

The quality of our overall policy toward Latin America will be determined not only by what we do, but by how we do it.

Unless we pursue our policies with a genuine interest in the welfare of our fellow human beings, they will do little to heal our wounded inter-American relations. The steps already taken by the Department of State, many of them complete reversals of former policy, will avail us little if they are done reluctantly and only under Latin American pressure.

We must, if we are to recapture the warm bonds of friendship which characterized the best days of the good-neighbor policy, breathe into inter-American cooperation that intangible spirit which then characterized our relations—a deep-rooted conviction that the Western Hemisphere can, indeed it must, be a New World where freedom and opportunity flourish.

Statement Upon Introduction of Legislation Proposing Constitutional Amendment To Assure the States Exclusive Control Over the Public Schools

EXTENSION OF REMARKS
OF
HON. KENNETH A. ROBERTS
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 14, 1959

Mr. ROBERTS. Mr. Speaker, in a bill which I am introducing today, I am proposing an amendment to the Constitution which shall be valid upon ratification by the legislatures of three-fourths of the States. This amendment reads:

> Administrative control of any public school, public educational institution, or public educational system operated by any State or by any political or other subdivision thereof, shall be vested exclusively in such State and subdivision and nothing contained in this Constitution shall be construed to deny to the residents thereof the right to determine for themselves the manner in which any such school, institution, or system is administered by such State and subdivision.

The distinguished Senator from Georgia [Mr. TALMADGE] previously has introduced similar legislation.

Mr. Speaker, when the Supreme Court in its 1954 desegregation decision decreed that the separate but equal principle in providing public education was unconstitutional, there was set in motion pressure which has caused turmoil in the South and in other sections of this country.

Since this unprecedented decision was handed down, we have seen radical elements flourish, schools destroyed by explosives, Federal troops with bayonets invading a campus, and public school buildings shut down. Today, nearly 5 years later, the issue is more irreconcilable than ever. The problem remains, and it is time a solution is found.

In my estimation, the solution can be approached only when a sound constitutional foundation is laid. This is what the amendment which I propose seeks to provide.

For some time, I have insisted that education is and ought to be under exclusive control of State and local authorities. There should be no room under our Constitution for the Federal Government to usurp this authority, and that is what happened in the 1954 integration decree.

History warns us of the usurpation of powers by the judiciary. George Washington in his Farewell Address stated:

Let there be no change by usurpation; for though this, in one instance may be the instrument of good, it is the customary weapon by which free governments are destroyed.

In 1956, a special committee of outstanding jurists appointed by the Governor of Florida made a thorough study of public-school education in the light of the Supreme Court decisions. The committee pointed out that the assumption of power to change the meaning of the Constitution such as evidenced by the Supreme Court's integration decrees is an abuse of public trust and a tyrannical usurpation of power. The committee pointed out:

The Constitution of the United States may be amended only in the manner provided in that Constitution. In the course of history since the adoption of the Constitution the people have 21 times found it expedient to amend the Constitution, and when that unanimity of public opinion which justifies a change in the Constitution has developed among the people they have found no difficulty in effecting the changes they found desirable.

In my estimation, Mr. Speaker, the time has come and the people are ready for a constitutional amendment to assure each State the right to determine how it will conduct its public-school system.

David Lawrence, noted and respected syndicated columnist and publisher, recently in his column pointed to what seems to me to be the growing unworkability of integration in the schools. He indicates that the issue may reach the status of prohibition and its repeal, where the collateral effects of the controversy made it clear that each State should have the right to control its own liquor traffic. Mr. Lawrence concludes:

So with respect to school integration—as already revealed in the big cities of the North, including voteless Washington—the emergence of emotional issues having little to do with the merits of education or equality of status of individuals may finally decide the controversy in the next decade. It could bring a wave of feeling that local option—the right of each State to handle its own educational problems—is again the answer to a question of sociology as raised by the Supreme Court.

These emotional side-effects, which are already splitting this Nation, should not be allowed to grow. Let us take the problem out of the hands of a judicial oligarchy and place it back in the hands of the people concerned. The people can and will solve this problem to their own satisfaction if given the opportunity. An amendment to the Constitution, such as I propose, would, I sincerely believe, give them that opportunity.

SENATE

WEDNESDAY, APRIL 15, 1959

Rev. William C. Martin, bishop of the Dallas-Fort Worth area of the Methodist Church, offered the following prayer:

Almighty and Eternal God, our Heavenly Father, Thou who art the source of all truth and of all righteousness, we give Thee grateful thanks for the abundance of Thy mercies by which our Nation was brought to birth and by which it has been guided and guarded and sustained, even unto this day. Grant, we beseech Thee, to Thy servants, the President and the Members of the Senate, such a full measure of Thy wisdom that they may be able to interpret, wisely and faithfully, Thy will for the people whom they represent and for this Nation and the nations of the world. And may the decisions which they make this day and every day be so fully in accord with the principles of justice and freedom that the people will be guided aright and the peace and welfare of the world advanced, through Jesus Christ, our Lord. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Monday, April 13, 1959, was dispensed with.

REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT—MINORITY, SUPPLEMENTAL, AND INDIVIDUAL VIEWS—(S. REPT. 187)

Under authority of the order of the Senate of April 13, 1959,

Mr. KENNEDY, from the Committee on Labor and Public Welfare, on April 14, 1959, reported favorably, with amendments, the bill (S. 1555) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes, together with minority, supplemental, and individual views, which was printed.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the concurrent resolution (S. Con. Res. 20) extending greetings to the Honorable Harry S. Truman on the 75th anniversary of his birth, May 8, 1959.

The message also announced that the House had passed the bill (S. 1096) to authorize appropriations to the National Aeronautics and Space Administration for salaries and expenses, research and development, construction and equipment, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H.R. 836. An act to amend the code of law for the District of Columbia by modifying the provisions relating to the attachment and garnishment of wages, salaries, and commissions of judgment debtors, and for other purposes;

H.R. 1844. An act to amend the Life Insurance Act of the District of Columbia approved June 19, 1934, as amended by the acts of July 2, 1940, and July 12, 1950;

H.R. 5534. An act to designate the bridge to be constructed over the Potomac River near 14th Street in the District of Columbia, under the act of July 16, 1946, as the George Mason Memorial Bridge, and for other purposes;

H.R. 4601. An act to amend the act of September 1, 1954, in order to limit to cases involving the national security the prohibition on payment of annuities and retired pay to officers and employees of the United States, to clarify the application and operation of such act, and for other purposes; and

H.J. Res. 336. Joint resolution making a supplemental appropriation for the Department of Labor for the fiscal year 1959, and for other purposes.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H.R. 2575. An act to authorize the appropriation of $500,000 to be spent for the purpose of the III pan-American games to be held in Chicago, Ill.; and

H.R. 3648. An act to regulate the handling of student funds in Indian schools operated by the Bureau of Indian Affairs, and for other purposes.

HOUSE BILLS REFERRED OR PLACED ON CALENDAR

The following bills were severally read twice by their titles and referred, or placed on the calendar, as indicated:

H.R. 836. An act to amend the code of law for the District of Columbia by modifying the provisions relating to the attachment and garnishment of wages, salaries,

and commissions of judgment debtors, and for other purposes;

H.R. 1844. An act to amend the Life Insurance Act of the District of Columbia approved June 19, 1934, as amended by the acts of July 2, 1940, and July 12, 1950; and

H.R. 5534. An act to designate the bridge to be constructed over the Potomac River near 14th Street in the District of Columbia, under the act of July 16, 1946, as the George Mason Memorial Bridge, and for other purposes; to the Committee on the District of Columbia.

H.R. 4601. An act to amend the act of September 1, 1954, in order to limit to cases involving the national security the prohibition on payment of annuities and retired pay to officers and employees of the United States to clarify the application and operation of such act, and for other purposes; placed on the calendar.

LEAVE OF ABSENCE

On request of Mr. JOHNSON of Texas, and by unanimous consent, Mr. ENGLE was granted leave of absence from sessions of the Senate on April 15, 16, and 17, to attend the World Congress of Flight, at Las Vegas, Nev.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the following subcommittees were authorized to meet during the session of the Senate today:

The Judiciary Subcommittee of the Committee on the District of Columbia;

The Antitrust and Monopoly Legislation Subcommittee of the Committee on the Judiciary;

The Constitutional Amendments Subcommittee of the Committee on the Judiciary; and

The Subcommittee on Governmental Organization for Space Activities of the Committee on Aeronautical and Space Sciences.

On request of Mr. JORDAN, and by unanimous consent, the Committee on Foreign Relations was authorized to meet during today's session of the Senate.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule, there will be the usual morning hour for the transaction of routine business. I ask unanimous consent that statements in that connection be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

RESIGNATION OF SECRETARY OF STATE DULLES

Mr. JOHNSON of Texas. Mr. President, my heart is heavy and I am saddened by the news that circumstances over which he had no control made it necessary for the distinguished Secretary of State, John Foster Dulles, to submit his resignation this morning. Every American will regret his resignation and the circumstances which led him to submit it.

Everyone who knows John Foster Dulles is impressed with his deep dedication to duty; and all of us who know him intimately know that this decision is one which he did not make lightly, but only because he thought it would serve the best interests of the Nation and the free world.

Secretary Dulles will remain in our hearts as a great American who faced difficult and trying tasks with fortitude and with resolution.

On many occasions I have had the opportunity to visit with him, either in his office or in his home, to discuss problems which affected our country. We did not always agree on the solutions proposed or on the methods by which the Government was proceeding; but we could always disagree without being disagreeable.

Mr. President, I have only the highest respect, the greatest admiration, and the deepest personal affection for this dedicated man who has served his country long and well, and always has served it fearlessly.

Mr. DIRKSEN. Mr. President, it is an interesting commentary on mankind that character, after all, will have its way. Disagree though we as a country may with our officials, yet in an hour of crisis and challenge people respect character.

It is notable that approbation and praise of the service of John Foster Dulles should have been manifested so widely and so intensely in every walk of life and in every section of the country.

John Foster Dulles is a great Christian. He has sensed the great surges and the great movements in history toward the nobler ideals of mankind.

John Foster Dulles is a great philosopher, with an amazing sense of humor and an imperturbability which are so necessary in the diplomatic field.

We know John Foster Dulles as a great lawyer in whose book only the facts must count.

So it is with a sense of dismay that we receive the message of his resignation. It will come as a shock to the Nation. We shall miss his counsel and we shall miss his guiding hand as he carried on his dedicated efforts, in behalf of his fellow countrymen, toward the golden goal of human peace.

Mr. MANSFIELD. Mr. President, there are times when words will not say what we mean. At best, they can only suggest what we feel. This is one of those times.

The resignation of John Foster Dulles, the Secretary of State, does not come as a shock, for we have sensed for weeks, as he must have known for even longer, that this day might come. There are physical limits which apply even to the strongest spirit. There is a point beyond which even the most dedicated heart and mind can no longer sustain the drag of the body.

We knew this day might come. We did not know when it would come. That question has now been answered.

For me, Mr. President, it is a day of inexpressible sadness. I feel the resignation of Mr. Dulles as a personal loss, for I have known him as a very human man. I have sensed his innate touch of humanity even in the impersonal world of international relations in which his work confined him.

I feel his resignation, too, as a public loss. There will be time enough to talk of his many achievements on behalf of the Nation. At this moment, we can only face the fact that he will be unable to continue his unselfish labors on behalf of all of us, on behalf of the peace and the freedom of mankind.

Even in the throes of grave illness, however, John Foster Dulles has something to give to the Nation. I speak now not of what he may still be able to contribute in the way of advice on foreign policy. He will provide that, to be sure. I speak, rather, of another gift which he gives, a gift infinitely more precious. He gives to us—to the President, to Members of Congress, to all who hold public trust—the example of his pure spirit of dedication to the Nation, his steadfastness in the face of adversity, his invincible courage and determination in the pursuit of the just as it was given to him to see the just. If we have but the sense to recognize this gift, the humility to take it, and the will to act on it, we shall move through the difficult days ahead toward a just and enduring peace.

Mr. MORTON. Mr. President, it was with deep sorrow that I learned this morning that Secretary of State Dulles had submitted his resignation. Along with many others, I had hoped, up until the time he made this decision, that somehow he would regain sufficient strength to enable him to continue discharging his responsibilities as Secretary of State.

I have a deep personal feeling in this matter. In December of 1952, Mr. Dulles asked me if I would go to work for him after he assumed his duties as Secretary of State in January 1953; and this I did. I served with that great man for 3 years and 2 months.

I had always respected him and admired him for his courage, his great devotion to duty, and his profound understanding of the problems of this troubled world. During my association with him I came to love him.

I hope and pray that sufficient strength will be restored to him so that he will be able to bring to bear his intellect, his force, and his understanding on the problems which face our Nation today. He knows that he has all my good wishes and my prayers.

Mr. KEATING. Mr. President, I wish to associate myself with the remarks of my distinguished colleague from Kentucky. The resignation of Mr. Dulles is a sad occasion for all of us who have been hoping and praying that his health would improve sufficiently to enable him to remain at the post which he has so well filled.

His wise counsel is sorely needed in these critical times. We can only hope

that relief from the burdens of the task which he has been performing so magnificently may help to improve his condition, and that he will yet be restored to full health and vigor.

His counsel will continue to be exceedingly important, and it is extremely important that he be available to his successor for aid, counsel, and encouragement in the serious and critical tasks which our Secretary of State will face in these times.

Mr. WILEY. Mr. President, the resignation today of John Foster Dulles as Secretary of State represents, in my humble judgment, a tremendous loss to our country and to the free world.

Rarely in history has a man in public life served the country he loved with more distinction, ability, and dedication.

As Secretary of State, Mr. Dulles carried on his duties tirelessly and relentlessly. On an around-the-clock, around-the-globe schedule, he gave a measureless amount of energy and devotion to his difficult and challenging task.

During more than 50 years of service to his country in a variety of important posts, and particularly as Secretary of State, he has exhibited the kind of integrity and statesmanship which not only his friends have praised, but also his critics in this country and enemies of our Nation abroad have respected.

Today, I, like millions of others in America share the President's sorrow at the necessity of Mr. Dulles' resignation.

As he relinquishes his duties, our country now can, and will, I believe, express gratitude to him for a lifetime of worthy service and for a job well done.

We prayerfully hope for his full recovery from his illness, so that he may enjoy many brighter years ahead.

Mr. KUCHEL. Mr. President, I wish to join my colleagues on both sides of the aisle who have expressed their sentiments and those of the people of our country, and, I think I can truthfully say, the sentiments of the people of the free world, in the sad and sorrowful situation which has required the Secretary of State of our country to resign.

John Foster Dulles has been a tower of strength for those people all around the globe who believe in freedom. He has been unflinching and unswerving in his devotion to this cause in the face of incessant Communist taunts and threats, intrigue and intransigence.

We pray that Mr. Dulles may be spared for the future so that his own wisdom may be available to the Government of our country as it continues hopefully to find a way to peace.

I join other Members of this body in thanking John Foster Dulles for his many years of dedicated service to America and to the cause of a just peace. We wish for him—indeed, pray for him—recovery from the malignancy which unhappily has been visited upon him.

Mr. NEUBERGER. Mr. President, I ask unanimous consent to include in the pages of the CONGRESSIONAL RECORD the statement which I issued to the press on April 15 when I learned that John Foster Dulles had resigned as our Secretary of State, because of the critical nature of his illness.

I join with others in the Senate in wishing for Mr. Dulles all possible recovery from the serious disease which plagues him. His dedication to duty has stirred the admiration of freedom-loving people all over the world.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR RICHARD L. NEUBERGER, OF OREGON

All Americans must sympathize with the gallant fight of Secretary Dulles against a grim disease. More than ever, I think we appreciate the dedication and self-sacrifice with which Mr. Dulles has approached his task as our Secretary of State for so many years.

At the time cancer was first diagnosed, it may have been that Secretary Dulles should have undergone some of the treatments which he since has received, more than 2 years later. However, his devotion to duty carried him back to his work at an early date. This is one more indication that his countrymen are in his debt.

SUPPLEMENTAL APPROPRIATION FOR DEPARTMENT OF LABOR

Mr. HAYDEN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of House Joint Resolution 336, making a supplemental appropriation of $40 million for unemployment compensation for veterans and Federal employees. This resolution passed the House of Representatives yesterday. The second supplemental appropriation bill, which presently is before the Appropriations Committee, contains an appropriation of $40 million for this purpose. The second supplemental appropriation bill, however, will not be enacted into law in sufficient time for payments which are due to be made to veterans and Federal employees. This emergency measure will make the funds available; and any amount used under it will be charged against the amount contained in the second supplemental appropriation bill when it is enacted into law.

When the joint resolution passed the House yesterday, the chairman of the House Appropriations Committee—as shown on page 5819 of the RECORD—had inserted in the RECORD a letter, from the Director of the Bureau of the Budget, pointing out the urgency in connection with this matter.

I was directed by the Appropriations Committee to present this matter to the Senate as soon as possible after the joint resolution arrived from the House.

Mr. DIRKSEN. Mr. President, I understand that there is agreement on this matter, that the item was taken out of the other bill in the interest of expeditious action, that it was sent to Congress by the Bureau of the Budget, and that it has been passed by the House of Representatives, and has the approval of the Senate Committee on Appropriations.

Mr. HAYDEN. That is correct.

Mr. DIRKSEN. Certainly we have no objection.

The VICE PRESIDENT. The joint resolution will be read for the information of the Senate.

The joint resolution (H.J. Res. 336) making a supplemental appropriation for the Department of Labor for the fiscal year 1959, and for other purposes, was read the first time by its title, and the second time at length, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sum is appropriated, out of any money in the Treasury not otherwise appropriated for the Department of Labor for the fiscal year ending June 30, 1959, namely:

DEPARTMENT OF LABOR

BUREAU OF EMPLOYMENT SECURITY

Unemployment compensation for veterans and Federal employees

For an additional amount for "Unemployment compensation for veterans and Federal employees", $40,000,000: *Provided,* That obligations incurred and expenditures made pursuant to this joint resolution shall be charged to the appropriation under this heading in the Second Supplemental Appropriation Act, 1959 (H.R. 5916), whenever such Act containing such appropriation is enacted into law.

The VICE PRESIDENT. Is there objection to the request for the immediate consideration of the joint resolution?

There being no objection, the joint resolution (H.J. Res. 336) was considered, ordered to a third reading, read the third time, and passed.

MORNING BUSINESS

The VICE PRESIDENT. The morning business is now in order.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPAIR OF NAVAL RESERVE BUILDING, BOSTON, MASS.

A letter from the Assistant Secretary of Defense, notifying the Senate that the Department of the Navy had been granted approval to proceed with a project for the Naval Reserve for the necessary repair of damage, alterations, and improvements to permit the continued utilization by the Naval Reserve of a portion of building 36, known as the Fargo Building, Boston, Mass., at an estimated cost of $112,730; to the Committee on Armed Services.

MODERNIZATION OF PENSION PROGRAMS FOR CERTAIN VETERANS

A letter from the Administrator, Veterans' Administration, Washington, D.C., transmitting a draft of proposed legislation to modernize the pension programs for certain veterans and their dependents (with an accompanying paper); to the Committee on Finance.

DRAFTS OF PROPOSED LEGISLATION

A letter from the Chairman, Federal Communications Commission, Washington, D.C., transmitting five drafts of proposed legislation, as follows:

A bill to amend section 5(c) of the Communications Act of 1934, as amended, to

redefine the duties and functions of the review staff; and

A bill to amend subsection (b) of section 309 of the Communications Act of 1934, as amended;

A bill to amend section 318 of the Communications Act of 1934, as amended (47 U.S.C. 318);

A bill to amend section 319(d) of the Communications Act of 1934, as amended (47 U.S.C. 319(d)); and

A bill to authorize the imposition of forfeitures for certain violations of the rules and regulations of the Federal Communications Commission in the common carrier and safety and special fields (with accompanying papers); to the Committee on Interstate and Foreign Commerce.

AMENDMENT OF TRADING WITH THE ENEMY ACT

A letter from the Attorney General, transmitting a draft of proposed legislation to amend the Trading With the Enemy Act, as amended (with accompanying papers); to the Committee on the Judiciary.

AMENDMENT OF BANKRUPTCY ACT, RELATING TO CLOSING FEE OF TRUSTEE

A letter from the Director, Administrative Office of the U.S. Courts, Washington, D.C., transmitting a draft of proposed legislation to amend subdivision c of section 48 of the Bankruptcy Act (11 U.S.C. 76c) to increase the closing fee of the trustee from $5 to $10 and section 132 of the Bankruptcy Act (11 U.S.C. 532) (with accompanying papers); to the Committee on the Judiciary.

TABLES OF BANKRUPTCY STATISTICS

A letter from the Director, Administrative Office of the U.S. Courts, Washington, D.C., transmitting, pursuant to law, statistical tables reflecting the business transacted by the bankruptcy courts, for the fiscal year ended June 30, 1958 (with an accompanying document); to the Committee on the Judiciary.

CASE OF GOVERNMENT OF NORWAY AND GOVERNMENT OF THE UNITED STATES OF AMERICA

A letter from the clerk, U.S. Court of Claims, Washington, D.C., transmitting, pursuant to law, a copy of the opinion rendered by that court, on April 8, 1959, in the case of the Government of Norway and the Government of the United States of America, No. Congressional 6–57 (with an accompanying paper); to the Committee on the Judiciary.

SUSPENSION OF DEPORTATION OF ALIENS—WITHDRAWAL OF NAME

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, withdrawing the name of Alexander Kaszuba from a report relating to aliens whose deportation has been suspended, transmitted to the Senate on June 16, 1958; to the Committee on the Judiciary.

PROPOSED PUBLIC HEALTH SERVICE COMMISSIONED CORPS PERSONNEL ACT OF 1959

A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to strengthen the commissioned corps of the Public Health Service through revision and extension of some of the provisions relating to retirement, appointment of personnel, and other related personnel matters, and for other purposes (with accompanying papers); to the Committee on Labor and Public Welfare.

PROVISION OF CERTAIN ANNUITIES PAYABLE FROM CIVIL SERVICE RETIREMENT AND DISABILITY FUND

A letter from the Chairman, U.S. Civil Service Commission, transmitting a draft of proposed legislation to provide certain survivor annuities payable from the civil service retirement and disability fund (with accompanying paper); to the Committee on Post Office and Civil Service.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A joint resolution of the Legislature of the State of Tennessee; to the Committee on the Judiciary:

"HOUSE JOINT RESOLUTION 68

"Whereas Capt. William Driver, a retired American sea captain, born in Salem, Mass., March 17, 1803, died in Nashville, Tenn., March 3, 1886, who gave the name Old Glory to our American flag, a name revered by all patriotic Americans, now lies buried in the city cemetery at Nashville; and

"Whereas his grave is a shrine visited by many tourists and native Tennesseans; and

"Whereas the Nashville City Cemetery Commission has granted post 5 of the American Legion permission to erect a flag pole at this grave, which pole will be spotlighted at night; and

"Whereas post 5 of the American Legion is committed to maintaining a flag, in good condition at all times: Now, therefore, be it

"Resolved by the House of Representatives of the 81st General Assembly of the State of Tennessee, the Senate concurring, That it does memorialize the Congress of the United States to grant permission to the city of Nashville to fly the American flag over the grave of Capt. William Driver, in the city cemetery, 24 hours each day.

"Adopted March 18, 1959.

"JAMES L. BOMAR,
"Speaker of the House of Representatives.

"WILLIAM D. BAIRD,
"Speaker of the Senate.

"Approved March 21, 1959.

"BUFORD ELLINGTON,
"Governor."

A joint resolution of the Legislature of the State of Alaska; to the Committee on Government Operations:

"SENATE JOINT MEMORIAL 19

"To the HONORABLE RICHARD NIXON, PRESIDENT OF THE SENATE; THE HONORABLE SAM RAYBURN, SPEAKER OF THE HOUSE OF REPRESENTATIVES; THE HONORABLE JOHN L. MCCLELLAN, CHAIRMAN, SENATE COMMITTEE ON GOVERNMENT OPERATIONS; THE HONORABLE E. L. BARTLETT AND THE HONORABLE ERNEST GRUENING, SENATORS FROM ALASKA; THE HONORABLE RALPH J. RIVERS, REPRESENTATIVE FROM ALASKA:

"Your memorialist, the Legislature of the State of Alaska in first legislature, first session assembled respectfully submits that—

"Whereas, legislation has been introduced into the United States Senate known as the Payments to Local Government Act of 1959; and

"Whereas this bill represents the culmination of nearly 10 years of continuous legislative effort to develop a program which would afford some measure of relief to local communities which have suffered losses as a result of the presence of Federal tax immune properties within their jurisdictions; and

"Whereas at the same time the bill does not do violence to the principle of Federal tax immunity, establishing as it does a nonpartisan board to administer a temporary 5-year program of payments in lieu of taxes and special assessments on a limited category of real property which has been removed from the local tax rolls as a result of Federal acquisition; and

"Whereas the bill does not introduce any sort of a Federal giveaway program, but rather allows only for payment in carefully weighed cases of legitimate local government hardship arising from Federal tax-free properties; and

"Whereas representative and responsible local government groups throughout the United States, including the Council of State Governments, the American Municipal Association and the National Association of County Officials have publicly supported this legislation; and

"Whereas the passage of such legislation would be of direct benefit to local jurisdictions in Alaska where Federal holdings are numerous;

"Now, therefore, your memorialist urges that Senate bill 910 of the 86th Congress, 1st session, be passed by both Houses of Congress in the near future.

"Passed by the senate March 26, 1959.

"WILLIAM E. BELTZ,
"President of the Senate.

"Attest:

"KATHERINE T. ALEXANDER,
"Secretary of the Senate.

"Passed by the house April 4, 1959.

"WARREN A. TAYLOR,
"Speaker of the House.

"Attest:

"ESTHER REED,
"Chief Clerk of the House.

"I hereby certify that the above and foregoing constitutes a full, true and correct copy of Senate Joint Memorial 19 as passed by the Senate and the House of Representatives of the State of Alaska.

"KATHERINE T. ALEXANDER,
"Secretary of the Senate."

Two concurrent resolutions of the Legislature of the Territory of Hawaii; to the Committee on Labor and Public Welfare:

"SENATE CONCURRENT RESOLUTION 66

"Whereas the Congress of the United States has passed numerous legislations assisting the veterans of our country; and

"Whereas the veterans of World War I, World War II, and the Korean conflict are fast approaching their twilight years; and

"Whereas the Veterans' Administration is in charge of the National Home for the Disabled Volunteer Soldiers which provides for the indigent, disabled, and wounded veterans; and

"Whereas it is incumbent upon the citizens of this country to further reward the sacrifices made by the veterans who are now aged, infirmed, incapacitated, and indigent; and

"Whereas, the Territorial military groups have proved their military skill in World War II as illustrated by the Purple Heart Battalion and the most decorated unit in the U.S. military history, and sacrifices as shown by the highest casualty rate populationwise, in the recent Korean conflict; and

"Whereas, no home is established in Hawaii for veterans in need: Now, therefore, be it

"Resolved by the Senate of the 30th Legislature of the Territory of Hawaii, the House of Representatives concurring, That the Congress of the United States is hereby respectfully requested to enact legislation establishing and maintaining a Pacific area veterans' home in Hawaii; and be it further

"Resolved, That duly authenticated copies of this concurrent resolution be forwarded to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, to the Administrator of Veterans' Administration, and to the Delegate to Congress from the Territory of Hawaii."

"SENATE CONCURRENT RESOLUTION 67

"Concurrent resolution requesting the Congress of the United States to provide for the replacement of vehicles supplied to amputee veterans

"Be it resolved by the Senate of the 30th Legislature of the Territory of Hawaii, the House of Representatives concurring, That the Congress of the United States is hereby

respectfully requested to enact legislation to provide for the replacement every 5 years of specially designed cars supplied to amputee veterans and to appropriate sufficient funds which shall cover the purchase price and delivery costs; and be it further

Resolved, That duly authenticated copies of this concurrent resolution be forwarded to the President of the Senate and to the Speaker of the House of Representatives of the Congress of the United States, to the Administrator of Veterans' Administration and to the Delegate to the Congress from Hawaii."

A resolution of the House of Representatives of the Territory of Hawaii; to the Committee on Armed Services:

"HOUSE RESOLUTION 83

"Whereas the Government of our United States of America has programed and will program the establishment of additional guided missile ranges; and

"Whereas the establishment of guided missile range in the Territory of Hawaii will serve to publicize and emphasize the importance of our islands to our country and to the free world; and

"Whereas there is an abundance of idle land on the island of Hawaii, Kauai, and Maui, which appear to be ideally suited for the establishment of a guided missile range; and

"Whereas the establishment of a guided missile range in the Territory of Hawaii will lessen the inconvenience and expenses incidental to displaying the operation of guided missiles and guided missile ranges to invited observers from friendly countries of the Far East; Now, therefore, be it

"Resolved, That the U.S. Departments of Defense, Interior, and State, Central Intelligence Agency, and Federal Bureau of Investigation be and they are hereby respectfully requested to investigate the feasibility, wisdom, and safety (both to the national security and to the persons and property in the Territory of Hawaii) of establishing a guided missile range on the island of Hawaii, Kauai, and Maui; and be it further

"Resolved, That a duly certified copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, the Secretaries of the U.S. Departments of Defense, Interior, and State, the Director of the U.S. Central Intelligence Agency, the Director of the Federal Bureau of Investigation, the Delegate to Congress from Hawaii and the Governor of the Territory of Hawaii."

A resolution adopted by Barracks No. 1361, members of World War I, Pembina County, N. Dak., favoring the enactment of House bill 1181, relating to pension benefits under the social security law; to the Committee on Finance.

A resolution adopted by the Board of Aldermen of the City of Chelsea, Mass., favoring the enactment of legislation to abandon the excise tax on telephones; to the Committee on Finance.

A letter, in the nature of a petition, from the Todd County Taxpayers League, Inc., Mission, S. Dak., signed by L. R. Lapsley, chairman, and Keith Schlueter, secretary, relating to Indian affairs in the State of South Dakota; to the Committee on Interior and Insular Affairs.

A resolution adopted by Plaquemines Parish School Board, Pointe a la Hache, La., favoring the enactment of legislation to curb the power of the Supreme Court of the United States, and so forth; to the Committee on the Judiciary.

A resolution adopted by the 36th delegate assembly of the Montana Education Association, favoring the enactment of Senate bill 2, the so-called School Support Act of 1959; to the Committee on Labor and Public Welfare.

A resolution adopted by the Board of Supervisors of Orange County, Goshen, N. Y., protesting against a limited Federal contribution under the Federal roads program; to the Committee on Public Works.

By Mr. BARTLETT (for himself and Mr. GRUENING):

A joint resolution of the Legislature of the State of Alaska; to the Committee on Interstate and Foreign Commerce:

"SENATE JOINT MEMORIAL 22

"To the HONORABLE DWIGHT D. EISENHOWER, PRESIDENT OF THE UNITED STATES; THE HONORABLE RICHARD NIXON, PRESIDENT OF THE SENATE; THE HONORABLE SAM RAYBURN, SPEAKER OF THE HOUSE OF REPRESENTATIVES; THE HONORABLE E. L. BARTLETT AND THE HONORABLE ERNEST GRUENING, SENATORS FROM ALASKA; AND THE HONORABLE RALPH J. RIVERS, REPRESENTATIVE FROM ALASKA:

"Your memorialist, the Legislature of the State of Alaska in first legislature, first session assembled, respectfully submits that:

"Whereas Public Law 85-739 as passed in August 1958, allows certain small vessels to transport merchandise to and from places within the inland waters of southeastern Alaska and Prince Rupert, British Columbia; and

"Whereas the vessels authorized by this law are operated by cooperatives and transport the merchandise of members on a nonprofit basis; and

"Whereas the large, scheduled vessels serving southeastern Alaska cannot economically and expeditiously provide service between small fishing villages and the larger commercial and processing centers of southeastern Alaska; and

"Whereas considering the numerous and diverse waterways of southeastern Alaska and the dependence of the area on the fishing industry it can be seen that the operation of such small vessels is essential to the total economy of that part of the State; and

"Whereas the present Federal law authorizes the use of such small vessels only until March 15, 1960; and

"Whereas this time limitation leaves the operators of such vessels in doubt as to the status of their activities, and has a depressive effect on that part of the Alaskan economy that is dependent on inexpensive and effective transportation between the inland ports:

"Now, therefore, your memorialist urges that all necessary action be taken to encourage, pass, and approve Federal legislation to extend the limits of Public Law 85-739 for 4 years beyond March 15, 1960.

"WILLIAM E. BELTZ,
"President of the Senate.

"Attest:

"KATHERINE T. ALEXANDER,
"Secretary of the Senate.

"Passed by the house April 4, 1959.

"WARREN A. TAYLOR,
"Speaker of the House."

By Mr. JAVITS:

A concurrent resolution of the Legislature of the State of New York; to the Committee on Armed Services:

"RESOLUTION 89

"Concurrent resolution memorializing Congress to provide for the utilization of Camp Drum in Jefferson County on a year-round basis

"Whereas in recent years the facilities of the U.S. Army installation known as Camp Drum in Jefferson County in New York State, have been utilized only during certain months of each year; and

"Whereas the commanding general of the First Army and the commanding general of the Continental Army of the United States have recommended that training troops should be stationed at Camp Drum during the entire year; and

"Whereas the above-mentioned commanding generals as well as many other army officers who are familiar with the situation have stated that the above stationing of troops at Camp Drum would not only be beneficial to the morale of the officers and troops who are trained there but would also improve their training and efficiency; and

"Whereas, the carrying out of such recommendation would eliminate much shifting and transportation of troops and would not involve any increased expenditure of funds: Now, therefore, be it

"Resolved (if the Senate concur), That the Congress of the United States be and it hereby is respectfully memorialized to take such action as may be necessary to provide that the above-mentioned Camp Drum shall be utilized and kept in operation during the entire year; and be it further

"Resolved (if the Senate concur), That copies of this resolution be transmitted to the President of the United States, the Secretary of the Senate, the Clerk of the House of Representatives, and the Secretary of the Army and to each Member of Congress duly elected from the State of New York."

(The VICE PRESIDENT laid before the Senate a joint resolution of the Legislature of the State of Alaska, identical with the foregoing, which was referred to the Committee on Interstate and Foreign Commerce.)

JOINT RESOLUTION OF OREGON LEGISLATURE

Mr. NEUBERGER. Mr. President, the 50th Assembly of the Oregon Legislature has adopted a joint memorial to Congress supporting appropriations needed to complete Operation Outdoors on schedule during the coming fiscal year. So that the Senate will know of the support among Oregon State legislators for improving recreational facilities in the national forest, I ask consent to have printed in the RECORD, and appropriately referred, the text of senate joint memorial 3.

There being no objection, the joint resolution was referred to the Committee on Appropriations, and, under the rule, ordered to be printed in the RECORD, as follows:

SENATE JOINT MEMORIAL 3

To His Excellency, the Honorable Dwight D. Eisenhower, President of the United States, and to the Honorable Senate and House of Representatives of the United States of America, in Congress assembled:

We, your memorialists, the 50th Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

Whereas the economy of the State of Oregon is largely based on timber and recreation; and

Whereas the national forests of the United States contain the key timber supply and recreational resources within the State of Oregon; and

Whereas the economy and welfare of the State of Oregon are therefore dependent upon the quality of the management of the national forests; and

Whereas sound management of the national forests requires adequate financing; and

Whereas at hearings conducted by the Subcommittee on Public Roads of the Committee on Public Works of the United States Senate in December 1957, in Oregon, and at other points throughout the Western States, Members of the U.S. Senate and House of Representatives, authorized officers of the

U.S. Forest Service, representatives of State and local governments and knowledgeable citizens of the Western States unanimously agreed that proper management of the national forests for the most effective and efficient development of their recreational and timber resources requires the exhilarated development of a permanent access road system within such national forests; and

Whereas the budget presented by the executive branch of Congress for its consideration requires appropriations for this purpose that are substantially below the sum that only 1 year ago Congress authorized to be appropriated for the fiscal year commencing July 1, 1959; and

Whereas the said budget requires an appropriation of only $8,500,000 to finance Operation Outdoors, the 5-year plan announced by the U.S. Department of Agriculture for modernizing and expanding recreational facilities in the national forests to meet the heavily increasing use made of the national forests by our citizens for recreation; and

Whereas such plans for successful completion of Operation Outdoors specifically contemplated that an appropriation of $19,500,000 would be required for the fiscal year commencing July 1, 1959: Now, therefore, be it

Resolved by the Senate of the State of Oregon, the House of Representatives jointly concurring therein, That the Congress of the United States is hereby urged to appropriate for the construction of access roads in the national forests during the fiscal year commencing July 1, 1959, the full amount of $30 million that is authorized therefor by law; be it further

Resolved, That the Congress appropriate for Operation Outdoors the full amount of $19,500,000 previously agreed upon as a necessary expenditure during the fiscal year commencing July 1, 1959; be it further

Resolved, That the Oregon Members of the U.S. Senate and House of Representatives be asked to promote and support such appropriations; and be it further

Resolved, That copies of this memorial be sent to the Honorable Dwight D. Eisenhower, President of the United States; to the President and the Chief Clerk of the U.S. Senate; to the Speaker and the Chief Clerk of the House of Representatives of the United States; and to all members of the Oregon congressional delegation.

RESOLUTION OF THE NEW YORK LEGISLATURE

Mr. KEATING. Mr. President, I ask unanimous consent to have printed in the RECORD, and appropriately referred, a concurrent resolution adopted by the New York State Legislature, memorializing Congress to provide for the utilization of Camp Drum in Jefferson County, N.Y., on a year round basis.

There being no objection, the concurrent resolution was referred to the Committee on Armed Services and, under the rule, ordered to be printed in the RECORD, as follows:

RESOLUTION 89

Concurrent resolution memorializing Congress to provide for the utilization of Camp Drum in Jefferson County on a year round basis

Whereas in recent years the facilities of the U.S. Army installation known as Camp Drum in Jefferson County in New York State, have been utilized only during certain months of each year; and

Whereas the commanding general of the 1st Army and the commanding general of the Continental Army of the United States have recommended that training troops should be stationed at Camp Drum during the entire year; and

Whereas the above mentioned commanding generals as well as many other Army officers who are familiar with the situation have stated that the above stationing of troops at Camp Drum would not only be beneficial to the morale of the officers and troops who are trained there but would also improve their training and efficiency; and

Whereas the carrying out of such recommendation would eliminate much shifting and transportation of troops and would not involve any increased expenditure of funds: Now, therefore, be it

Resolved (if the senate concur), That the Congress of the United States be and it hereby is respectfully memorialized to take such action as may be necessary to provide that the above mentioned Camp Drum shall be utilized and kept in operation during the entire year; and be it further

Resolved (if the senate concur), That copies of this resolution be transmitted to the President of the United States, the Secretary of the Senate, the Clerk of the House of Representatives, and the Secretary of the Army, and to each Member of Congress duly elected from the State of New York.

RESOLUTION OF THE INDIANAPOLIS BAR ASSOCIATION

Mr. KEATING. Mr. President, I ask unanimous consent to have printed in the RECORD, and appropriately referred, a resolution adopted by the Indianapolis Bar Association, endorsing S. 1567 and praying for its passage by the Congress.

There being no objection, the resolution was referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

RESOLUTION BY THE INDIANAPOLIS BAR ASSOCIATION

Whereas the Honorable KENNETH B. KEATING, U.S. Senator from the State of New York, has introduced S. 1567, which provides that attorneys at law admitted to practice before the highest court of their State or Territory shall not henceforth be required to obtain special admission to practice before any agency, board, bureau, commission, or department of the Federal Government, except the U.S. Patent Office; and

Whereas many attorneys at law have been faced with what we believe to be unnecessary delay and annoyance in procuring such additional admissions, and that said proposal by Senator KEATING is worthy and meritorious: Now, therefore, be it

Resolved by the Indianapolis Bar Association, That S. 1567 be, and the same is hereby, endorsed and the Congress of the United States is hereby petitioned to pass such proposed legislation.

RESOLUTION OF ST. PAUL, MINN., AFL–CIO TRADES AND LABOR ASSEMBLY

Mr. HUMPHREY. Mr. President, I ask unanimous consent that a resolution adopted on April 8, 1959, by the St. Paul AFL–CIO Trades and Labor Assembly in support of legislation, H.R. 3547 and S. 791, to set certain Federal standards in connection with the State unemployment compensation programs, be inserted in the RECORD. I am proud to be a cosponsor of this legislation which is sorely needed in order to provide adequate benefit payments to our country's unemployed workers.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas unemployment in our area is a serious situation at the present time and all indications are that it will remain at a critical level in the predictable future; and

Whereas the Minnesota State Senate has shown that it will not improve the wholly inadequate Unemployment Compensation Act that is presently in effect; and

Whereas there are many hundreds of families in our area who are suffering needless hardships because of the failure of the legislature to live up to the intent of the Minnesota Unemployment Compensation Act by amending it to keep up with present-day economic conditions: Now, therefore, be it

Resolved, That the St. Paul AFL–CIO Trades and Labor Assembly in behalf of its 60,000 members go on record for full support of H.R. 3547 and S. 791, a bill to set permanent Federal standards guaranteeing benefits of at least 50 percent of a worker's average weekly wage, up to a maximum of two-thirds of the State's average weekly wage, benefits payable for a 39-week period; and be it further

Resolved, That a copy of this resolution be sent to Congressman JOSEPH E. KARTH and Senators HUBERT H. HUMPHREY and EUGENE J. MCCARTHY, urging them to use every effort to secure passage of this urgently needed legislation.

JOINT RESOLUTION OF OREGON LEGISLATURE

Mr. MORSE. Mr. President, I ask unanimous consent that there be printed in the RECORD, and appropriately referred, Enrolled House Joint Memorial 5 adopted by the House of Representatives and the Senate of the State of Oregon, urging Federal appropriations to facilitate planning for the passage of fish and planning for hydroelectric dams in the rivers of the Pacific Northwest.

It gives me special pleasure to bring this particular resolution to the attention of my colleagues because it makes it clear that the Oregon Legislature strongly supports our efforts to bring about full development of our great river resources of the Pacific Northwest at the earliest possible date.

There being no objection, the joint resolution was referred to the Committee on Appropriations, and, under the rule, ordered to be printed in the RECORD, as follows:

HOUSE JOINT MEMORIAL 5

TO HIS EXCELLENCY, THE HONORABLE PRESIDENT OF THE UNITED STATES:

We, your memorialists, the 50th Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

Whereas there is growing need in the Pacific Northwest for answers to the critical problems surrounding the passage of anadromous fish, particularly salmon and steelhead, at hydroelectric dams; and

Whereas failure to adequately finance fishery research is causing delay in the planning of dams which will be needed within a few years in the interest of national defense and economic expansion: Now, therefore, be it

Resolved by the House of Representatives of the State of Oregon (the Senate jointly concurring therein), That we urge the President of the United States to review the situation with the hope that additional Federal appropriations may be made available

through the Department of Defense or the Department of the Interior so that planning for both fish and dams may proceed in an orderly fashion; and be it further

Resolved, That copies of this memorial be sent to the President of the United States, all members of the Oregon congressional delegation, and the legislative assemblies of the States of Washington, California, Idaho, Montana, Utah, Nevada, and Wyoming.

REACTIVATION OF THE CASTLE POINT VETERANS HOSPITAL, NEW YORK

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted by the Veterans of Foreign Wars of the United States, of Dutchess County Council, State of New York, favoring the reactivation of the Castle Point Veterans Hospital.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Resolved, That since the Chief Medical and Surgical Department of the Veterans' Administration, Washington, D.C., does not feel that they want to recommend to the Veterans' Administration, Administrators favorable, to reactivate Castle Point Veterans Hospital, to its full capacity for general medical and surgical hospital; be it further

Resolved, That since a conference with Dr. William S. Middleton, held at Castle Point Hospital on Thursday, April 9, 1959, facts have been presented to him by various leaders of the veteran organizations, civic, fraternal, chamber of commerce, city of Beacon, N.Y., officials, and Dutchess County Board of Supervisors officials, and other officials, including the Dutchess County veterans agency, and New York State veterans affairs counsellors, without any immediate results to the reactivation of the Castle Point Veterans Hospital, a copy of recommendations made to him attached, as part of this resolution; be it further

Resolved, That since there is a waiting list of such cases in the Albany Veterans Hospital of 121, as of April 9, 1959, New York City Hospital of 80, Castle Point Veterans Hospital of 3, a total of 204 patients waiting for hospitalization, also there are a number of admitted cases at these hospitals that are not included in this waiting list, however patients must wait for beds from 1 to 3 weeks, in which case the waiting list is much larger than appears on the record; be it further

Resolved, That there is now a 1,800 waiting list of NP cases at Montrose Veterans Hospital, and at Northport VA Hospital with a bed load capacity of 1,000, as of April 9, 1959, there has been a bed load of 2,300, or overcrowding of NP cases by 1,300; be it further

Resolved, That there are at present NP cases at the Montrose and Northport Veterans Hospital, with minimum NP sickness, although these same NP cases in need of more general medical treatment, than NP treatment, which could be treated at the Castle Point VA Hospital; be it further

Resolved, That the remodernization with the three empty buildings at Castle Point VA Hospital, could be accomplished with a minimum of $500,000 and a maximum of $750,000; be it further

Resolved, That this Castle Point VA Hospital could immediately accept and treat general medical and surgical cases up to a total of 350 bed patients with the TB cases, if approval came from the Veterans' Administration; be it further

Resolved, That as an economical measure, the cost per diem per patient would decrease, if reactivated to its full capacity, concurred to by Dr. William S. Middleton; be it further

Resolved, That there has been an authorization made by the President, and Congress, to the Veterans' Administration, of remodernization of Castle Point VA Hospital on September 1957, in the amount of $3 million and as of July 1, 1958, the recommendation for the remodernization program for Castle Point VA Hospital still in existence, when a few months later a cutback of 40 TB beds, and 10 general medical and surgical cases, or a total of 50 beds was ordered to take effect as of July 1, 1959, with an additional 50 beds on July 1, 1960; be it further

Resolved, That the Chief Medical and Surgical Department had recommended to the Veterans' Administration, the approval of the remodernization of the Castle Point VA Hospital, in the amount of $3,100,000 on September 1957, and July 1, 1958, however only a few months later ordered the cutback, and do not find it fit to recommend the reconversion to general medical and surgical treatments; be it further

Resolved, That the cost of the remodernization program including the remodernization of the three empty buildings at this VA Hospital, to its full bed capacity of 600 bed patients, would cost, and could be remodernized for 25 percent of the original appropriation, thus saving of $2,500,000 of the original appropriation, and could be reactivated to its full capacity with a little increase of additional personnel; however, the per diem, per patient would cost less; be it further

Resolved, That there are 20 counties in the Albany VA hospital area, or approximately a little more than one-third of the New York State Counties, handling general medical and surgical cases, and which includes 6 counties which want their patients to go to Castle Point VA Hospital, and are forced to be admitted, due to the fact, that Castle Point VA hospital has been known as a TB hospital; be it further

Resolved, That patients from Rockland, Sullivan, and the most populated area (Westchester County) must be sent to New York City VA Hospital, same condition as Albany VA Hospital; be it further

Resolved, That since the Veterans' Administration did not make known, to the general public, and mostly to the counties involved, that the general medical and surgical cases could be referred to Castle Point VA Hospital, the Veterans' Administration is fully responsible for the small waiting list at Castle Point VA hospital, as very few organizations, their service officers, their rehabilitation officers, were only sending TB cases to Castle Point VA Hospital; be it further

Resolved, That these nine counties have over 200,000 veterans, in a fast-growing area, with the International Machines Corp. being constructed and added to this community, in the city of Poughkeepsie, and Kingston, N.Y., with a personnel of 17,000, approximately, also 3 large new Satte institutions built only recently with added personnel, thus increasing the veteran population, where only a few miles away a new 800-unit housing development will begin, practically behind the hospital; be it further

Resolved, That since there are over 300 patients at Mount McGregor Hospital, which is being kept active by New York State to rehabilitate veterans after they are discharged from veterans hospital, and several times, the New York State was to closed this rehabilitation center, and which also is this year being considered by the New York State, there is a very serious problem, in this area, the southeastern part of New York State, as there are right now 504 veterans sick, needy, and afflicted, besides those admitted to the veterans hospital in Albany, and New York VA hospital, which are not considered a waiting list, but who are awaiting to enter the hospital, but must wait 1 to 3 weeks; be it further

Resolved, That the transportation problem of coming to and from Castle Point VA Hospital, is much more economical, easy access, to the members of the family of the needy, sick, and afflicted veteran, and it has been conceded by Dr. William S. Middleton, that more frequent visits from the family helps greatly to restore the health much more sooner to such a veteran; be it further

Resolved, That since Dr. William S. Middleton, has taken a stand, that the 504 waiting list in this area, plus the admitted cases, is not alarming to him, however this is a very serious situation in this area, and since it does involve the counties of Greene, Ulster, Orange, Delaware, Rockland, Sullivan, Dutchess, Putnam (most populated area), Westchester, and northern Bronx, or the largest population or populated area in the United States, which also means, the largest taxpaying population in the United States; be it further

Resolved, That a recommendation has been submitted to Dr. William S. Middleton, to authorize the use of the hospital for the following type of medical care and a general hospital, at the Castle Point, VA Hospital:

(a) When TB bed load drops that the increase and bed conversion to other type of medical and mental cases be authorized,

(b) That the six wards to be used for TB-general medical-surgical type patients—using wings "D" and "E",

(c) Tnree buildings, now empty to be used to: (1) Help alleviate overload at Northport Veterans Hospital with long-term nondangerous cases; (2) to help out large waiting list at Montrose VA Hospital with same type of patients; (3) that the biggest problem in Veterans Administration is the old aging veteran requiring longer periods of medical care and rehabilitation—that consideration be given to institute an all-out study type program for these veterans using these existing buildings; be it further

Resolved, That there will be an increase of veteran patients as these veterans grow older; be it further

Resolved, That since warehousing of mentally sick veterans is not encouraged, however there are many of the so-called mentally sick, that need minimum of treatment for such illness, but do not require medical and surgical treatment, therefore such patients could be treated at the Castle Point Hospital: Therefore, be it

Resolved, That proper legislation be introduced by the Congress of the United States in the House of Representatives and the U.S. Senate, and made into law, to reactivate Castle Point VA Hospital to its full capacity of 600 beds, with proper number of hospital personnel, staff, also that proper appropriation be made for the increase of personnel, patients and staff for the increase of bed patients, also an appropriation to remodernize the hospital and also the three empty hospital buildings, which will amount to $750,000, so that full reactivation of this hospital be made immediately.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations, without amendment:

S. 455. A bill to provide for the appointment of an assistant to the Secretary of State to assure joint policy and planning and equitable budgeting of exchange of persons, programs, and administrative cooperation between staffs engaged in carrying out such programs (Rept. No. 188); and

H. Con. Res. 34. Concurrent resolution favoring the meeting of the North Atlantic

Treaty Parliamentary Conference for 1959 in Washington, D.C. (Rept. No. 189).

By Mr. HENNINGS, from the Committee on Rules and Administration, without amendment:

H.J. Res. 301. Joint resolution providing for printing copies of "Cannon's Procedure in the House of Representatives"; and

S. Res. 100. Resolution to extend time for report on S. Res. 318 of the 85th Congress relative to preservation and display of Senate documents and records.

By Mr. HENNINGS, from the Committee on Rules and Administration, with additional amendments:

S. Res. 48. Resolution establishing a committee to study the matter of the development and coordination of water resources (Rept. No. 190).

PRINTING OF ADDITIONAL COPIES OF CERTAIN HEARINGS ON TRANSPORTATION PROBLEMS IN WASHINGTON METROPOLITAN AREA

Mr. HENNINGS, from the Committee on Rules and Administration, reported an original concurrent resolution (S. Con. Res. 22) to print additional copies of certain hearings on transportation problems in Maryland, Virginia, and the Washington metropolitan area, which was placed on the calendar, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Joint Committee on Washington Metropolitan Problems, one thousand additional copies of the hearings held during the Eighty-fifth Congress entitled, "Transportation Problems in Maryland, Virginia, and the Washington Metropolitan Area."

MARY CUNNINGHAM

Mr. HENNINGS, from the Committee on Rules and Administration, reported an original resolution (S. Res. 104) to pay a gratuity to Mary Cunningham, which was placed on the calendar, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Mary Cunningham, sister of Henry Patrick Kiley, an employee of the Senate at the time of his death, a sum equal to one year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

REPORT OF JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES—CIVILIAN EMPLOYMENT IN EXECUTIVE BRANCH

Mr. BYRD of Virginia. Mr. President, as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, I submit a report on Federal employment and pay for the month of February 1959. In accordance with the practice of several years' standing, I ask unanimous consent to have the report printed in the RECORD, together with a statement by me.

There being no objection, the report and statement were ordered to be printed in the RECORD, as follows:

FEDERAL PERSONNEL IN EXECUTIVE BRANCH, FEBRUARY 1959 AND JANUARY 1959, AND PAY, JANUARY 1959 AND DECEMBER 1958

PERSONNEL AND PAY SUMMARY

(See table I)

Information in monthly personnel reports for February 1959 submitted to the Joint Committee on Reduction of Nonessential Federal Expenditures is summarized as follows:

Total and major categories	Civilian personnel in executive branch			Payrol[1] (in thousands) in executive branch		
	In February, numbered—	In January, numbered—	Increase (+) or decrease (−)	In January was—	In December was—	Increase (+) or decrease (−)
Total [1]	2,335,224	2,337,820	−2,596	$1,068,140	$1,131,471	−$63,331
Agencies exclusive of Department of Defense	1,257,055	1,253,818	+3,237	572,481	624,617	−52,136
Department of Defense	1,078,169	1,084,002	−5,833	495,659	506,854	−11,195
Inside continental United States	2,152,494	2,154,657	−2,163			
Outside continental United States	182,730	183,163	−433			
Industrial employment	565,362	569,395	−4,033			
Foreign nationals	195,416	197,073	−1,657	[2] 23,783	[3] 25,007	−1,224

[1] Exclusive of foreign nationals shown in the last line of this summary.
[2] Subject to revision.
[3] Revised on basis of later information.

Table I, below, breaks down the above figures on employment and pay by agencies.

Table II breaks down the above employment figures to show the number inside continental United States by agencies.

Table III breaks down the above employment figures to show the number outside continental United States by agencies.

Table IV breaks down the above employment figures to show the number in industrial-type activities by agencies.

Table V shows foreign nationals by agencies not included in tables I, II, III, and IV.

TABLE I.—*Consolidated table of Federal personnel inside and outside continental United States employed by the executive agencies during February 1959, and comparison with January 1959, and pay for January 1959, and comparison with December 1958*

Department or agency	Personnel				Pay (in thousands)			
	February	January	Increase	Decrease	January	December	Increase	Decrease
Executive departments (except Department of Defense):								
Agriculture	83,561	83,573		12	$35,639	$37,720		$2,081
Commerce [1]	30,564	30,147	417		14,412	15,143		731
Health, Education, and Welfare	57,604	57,494	110		26,239	27,301		1,062
Interior	49,255	49,210	45		24,248	24,894		646
Justice	30,028	30,174		146	17,071	17,842		771
Labor	5,854	5,805	49		3,169	3,150	$19	
Post Office	541,907	542,551		644	249,140	[2] 287,428		38,288
State [3]	35,345	[4] 35,261	84		14,588	16,063		1,475
Treasury	78,717	76,123	2,594		38,019	39,421		1,402
Executive Office of the President:								
White House Office	400	402		2	254	260		6
Bureau of the Budget	425	423	2		326	343		17
Council of Economic Advisers	30	34		4	33	30	3	
Executive Mansion and Grounds	73	72	1		34	28	6	
National Security Council [3]	62	62			41	43		2
Office of Civil and Defense Mobilization	1,654	1,650	4		1,034	1,083		49
President's Advisory Committee on Government Organization	6	6			4	5		1
President's Committee on Fund Raising Within the Federal Service	4	4			4	4		
Independent agencies:								
Alaska International Rail and Highway Commission	2	2			2	2		
American Battle Monuments Commission	511	511			87	90		3
Atomic Energy Commission	6,715	6,760		45	4,259	4,440		181
Board of Governors of the Federal Reserve System	605	607		2	364	361	3	
Boston National Historic Sites Commission	3	3			1	1		
Career Executive Board	4	3	1		1		1	

[1] February figure includes 213 seamen on the rolls of the Maritime Administration and their pay.
[2] Includes pay of temporary Christmas employees.
[3] February figure includes 12,880 employees of the International Cooperation Administration as compared with 12,817 in January, and their pay. These ICA figures include employees who are paid from foreign currencies by deposited foreign governments in a trust fund for this purpose. The February figure includes 2,036 of these trust fund employees and the January figure include 2,036.
[4] Revised on the basis of later information.
[5] Exclusive of personnel and pay of the Central Intelligence Agency.

TABLE I.—*Consolidated table of Federal personnel inside and outside continental United States employed by the executive agencies during February 1959, and comparison with January 1959, and pay for January 1959, and comparison with December 1958*—Continued

Department or agency	Personnel				Pay (in thousands)			
	February	January	Increase	Decrease	January	December	Increase	Decrease
Independent agencies—Continued								
Civil Aeronautics Board	686	682	4		$442	$461		$19
Civil Service Commission	3,876	3,887		11	2,022	2,120		98
Civil War Centennial Commission	6	6			4	4		
Commission of Fine Arts	4	4			3	3		
Commission on Civil Rights	59	[4] 59			38	39		1
Development Loan Fund	65	62	3		48	41	$7	
Export-Import Bank of Washington	225	225			152	135	17	
Farm Credit Administration	849	854		5	502	511		9
Federal Aviation Agency	31,005	30,210	795		17,225	17,376		151
Federal Coal Mine Safety Board of Review	7	7			4	4		
Federal Communications Commission	1,231	1,231			743	775		32
Federal Deposit Insurance Corporation	1,231	1,229	2		698	737		39
Federal Home Loan Bank Board	942	938	4		528	547		19
Federal Mediation and Conciliation Service	336	338		2	282	270	12	
Federal Power Commission	802	790	12		485	493		8
Federal Trade Commission	721	724		3	471	490		19
Foreign Claims Settlement Commission	75	76		1	54	56		2
General Accounting Office	5,209	5,221		12	2,792	2,921		129
General Services Administration [6]	27,964	28,059		95	11,746	11,978		232
Government Contract Committee	28	26	2		14	15		1
Government Printing Office	6,497	6,473	24		3,259	3,318		59
Housing and Home Finance Agency	10,944	10,956		12	5,917	6,197		280
Hudson-Champlain Celebration Commission	3	3			1	1		
Indian Claims Commission	17	17			16	10	6	
Interstate Commerce Commission	2,249	2,236	13		1,317	1,368		51
Lincoln Sesquicentennial Commission	8	8			5	5		
National Aeronautics and Space Administration	3,534	8,450	84		5,120	5,243		123
National Capital Housing Authority	299	295	4		123	126		3
National Capital Planning Commission	31	30	1		20	22		2
National Gallery of Art	316	318		2	122	131		9
National Labor Relations Board	1,413	1,395	18		898	934		36
National Mediation Board	114	118		4	88	80	8	
National Science Foundation	482	416	66		240	218	22	
Outdoor Recreation Resources Review Commission	11	10	1		1	1		
Panama Canal	14,075	14,112		37	3,924	4,014		90
Railroad Retirement Board	2,348	2,375		27	1,109	1,135		26
Renegotiation Board	314	315		1	224	242		18
St. Lawrence Seaway Development Corporation	149	153		4	79	97		18
Securities and Exchange Commission	926	913	13		553	575		22
Selective Service System	6,394	6,394			1,780	1,838		58
Small Business Administration	1,788	1,742	46		992	1,067		75
Smithsonian Institution	1,007	993	14		446	460		14
Soldiers' Home	1,003	1,002	1		298	299		1
South Carolina, Georgia, Alabama, and Florida Water Study Commission	8	6	2		1		1	
Subversive Activities Control Board	32	32			25	25		
Tariff Commission	223	222	1		146	152		6
Tax Court of the United States	150	153		3	105	104	1	
Tennessee Valley Authority	14,951	14,931	20		7,998	8,131		133
Texas Water Study Commission	11	8	3		2		2	
Theodore Roosevelt Centennial Commission	2	2			2	2		
U.S. Information Agency	10,737	10,750		13	3,636	3,870		234
Veterans' Administration	172,367	172,430		63	66,706	70,234		3,528
Virgin Islands Corporation	1,002	1,055		53	106	90	16	
Total, excluding Department of Defense	1,257,055	1,253,818	4,440	1,203	572,481	624,617	124	52,260
Net change, excluding Department of Defense			3,237				52,136	
Department of Defense:								
Office of Secretary of Defense	1,701	1,687	14		1,128	1,208		80
Department of the Army	405,402	407,214		1,812	[7] 185,584	[4] 186,193		609
Department of the Navy	355,857	359,012		3,155	169,163	175,010		5,847
Department of the Air Force	315,209	316,089		880	139,784	144,443		4,659
Total, Department of Defense	1,078,169	1,084,002	14	5,847	495,659	506,854		11,195
Net decrease, Department of Defense			5,833				11,195	
Grand total, including Department of Defense	2,335,224	2,337,820	4,454	7,050	1,068,140	1,131,471	124	63,455
Net decrease, including Department of Defense			2,596				63,331	

[6] Includes 3 employees of the Federal Facilities Corporation.

[7] Subject to revision.

TABLE II.—*Federal personnel inside continental United States employed by the executive agencies during February 1959, and comparison with January 1959*

Department or agency	February	January	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	82,348	82,357		9
Commerce [1]	29,972	29,546	426	
Health, Education, and Welfare	57,088	56,971	117	
Interior	48,624	[2] 48,601	23	
Justice	29,668	29,820		152
Labor	5,769	5,708	61	
Post Office	539,873	540,570		697
State [3]	8,767	8,724	43	
Treasury	77,828	75,246	2,582	
Executive Office of the President:				
White House Office	400	402		2
Bureau of the Budget	425	423	2	
Council of Economic Advisers	30	34		4
Executive Mansion and Grounds	73	72	1	
National Security Council [4]	62	62		
Office of Civil and Defense Mobilization	1,654	1,650	4	
Executive Office of the President—Continued				
President's Advisory Committee on Government Organization	6	6		
President's Committee on Fund Raising Within the Federal Service	4	4		
Independent agencies:				
Alaska International Rail and Highway Commission	2	2		
American Battle Monuments Commission	14	14		
Atomic Energy Commission	6,683	6,727		44
Board of Governors of the Federal Reserve System	605	607		2
Boston National Historic Sites Commission	3	3		
Career Executive Board	4	3	1	
Civil Aeronautics Board	686	682	4	
Civil Service Commission	3,866	3,878		12
Civil War Centennial Commission	6	6		

[1] February figure includes 213 seamen on the rolls of the Maritime Administration.

[2] Revised on the basis of later information.

[3] February figure includes 1,841 employees of the International Cooperation Administration as compared with 1,841 in January.

[4] Exclusive of personnel of the Central Intelligence Agency.

TABLE II.—*Federal personnel inside continental United States employed by the executive agencies during February 1959, and comparison with January 1959*—Continued

Department or agency	February	January	Increase	Decrease
Independent agencies—Continued				
Commission of Fine Arts	4	4		
Commission on Civil Rights	59	[2] 59		
Development Loan Fund	65	62	3	
Export-Import Bank of Washington	225	225		
Farm Credit Administration	839	844		5
Federal Aviation Agency	29,529	28,752	777	
Federal Coal Mine Safety Board of Review	7	7		
Federal Communications Commission	1,217	1,216	1	
Federal Deposit Insurance Corporation	1,229	1,227	2	
Federal Home Loan Bank Board	942	938	4	
Federal Mediation and Conciliation Service	336	338		2
Federal Power Commission	802	790	12	
Federal Trade Commission	721	724		3
Foreign Claims Settlement Commission	75	76		1
General Accounting Office	5,131	5,142		11
General Services Administration [5]	27,915	28,010		95
Government Contract Committee	28	26	2	
Government Printing Office	6,497	6,473	24	
Housing and Home Finance Agency	10,764	10,780		16
Hudson-Champlain Celebration Commission	3	3		
Indian Claims Commission	17	17		
Interstate Commerce Commission	2,249	2,236	13	
Lincoln Sesquicentennial Commission	8	8		
National Aeronautics and Space Administration	8,530	8,446	84	
National Capital Housing Authority	299	295	4	
National Capital Planning Commission	31	30	1	
National Gallery of Art	316	318		2
National Labor Relations Board	1,389	1,373	16	
National Mediation Board	114	118		4
National Science Foundation	482	416	66	
Outdoor Recreation Resources Review Commission	11	10	1	
Panama Canal	396	406		10
Railroad Retirement Board	2,348	2,375		27
Renegotiation Board	314	315		1
Independent agencies—Continued				
St. Lawrence Seaway Development Corporation	149	153		4
Securities and Exchange Commission	926	913	13	
Selective Service System	6,215	6,215		
Small Business Administration	1,763	1,719	44	
Smithsonian Institution	991	977	14	
Soldiers' Home	1,003	1,002	1	
South Carolina, Georgia, Alabama, and Florida Water Study Commission	8	6	2	
Subversive Activities Control Board	32	32		
Tariff Commission	223	222	1	
Tax Court of the United States	150	153		3
Tennessee Valley Authority	14,951	14,931	20	
Texas Water Study Commission	11	8	3	
Theodore Roosevelt Centennial Commission	2	2		
U.S. Information Agency	2,658	2,669		11
Veterans' Administration	171,189	171,258		69
Total, excluding Department of Defense	1,197,623	1,194,437	4,372	1,186
Net increase, excluding Department of Defense			3,186	
Department of Defense:				
Office of the Secretary of Defense	1,659	1,644	15	
Department of the Army	348,651	350,396		1,745
Department of the Navy	323,254	326,506		3,252
Department of the Air Force	281,307	281,674		367
Total, Department of Defense	954,871	960,220	15	5,364
Net decrease, Department of Defense			5,349	
Grand total, including Department of Defense	2,152,494	2,154,657	4,387	6,550
Net decrease, including Department of Defense			2,163	

[5] Includes 3 employees of the Federal Facilities Corporation.

TABLE III.—*Federal personnel outside continental United States employed by the executive agencies during February 1959, and comparison with January 1959*

Department or agency	February	January	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	1,213	1,216		3
Commerce	592	601		9
Health, Education, and Welfare	516	523		7
Interior	631	[1] 609	22	
Justice	360	354	6	
Labor	85	97		12
Post Office	2,034	1,981	53	
State [2]	26,578	[1] 26,537	41	
Treasury	889	877	12	
Independent agencies:				
American Battle Monuments Commission	497	497		
Atomic Energy Commission	32	33		1
Civil Service Commission	10	9	1	
Farm Credit Administration	10	10		
Federal Aviation Agency	1,476	1,458	18	
Federal Communications Commission	14	15		1
Federal Deposit Insurance Corporation	2	2		
General Accounting Office	78	79		1
General Services Administration	49	49		
Housing and Home Finance Agency	180	176	4	
National Aeronautics and Space Administration	4	4		
National Labor Relations Board	24	22	2	
Panama Canal	13,679	13,706		27
Independent agencies—Continued				
Selective Service System	179	179		
Small Business Administration	25	23	2	
Smithsonian Institution	16	16		
U.S. Information Agency	8,079	8,081		2
Veterans' Administration	1,178	1,172	6	
Virgin Islands Corporation	1,002	1,055		53
Total, excluding Department of Defense	59,432	59,381	167	116
Net increase, excluding Department of Defense			51	
Department of Defense:				
Office of the Secretary of Defense	42	43		1
Department of the Army	56,751	56,818		67
Department of the Navy	32,603	32,506	97	
Department of the Air Force	33,902	34,415		513
Total, Department of Defense	123,298	123,782	97	581
Net decrease, Department of Defense			484	
Grand total, including Department of Defense	182,730	183,163	264	697
Net decrease, including Department of Defense			433	

[1] Revised on basis of later information.
[2] February figure includes 11,039 employees of the International Cooperation Administration as compared with 10,976 in January. These ICA figures incude employees who are paid from foreign currencies deposited by foreign governments in a trust fund for this purpose. The February figure includes 2,036 of these trust fund employees and the January figure includes 2,036.

TABLE IV.—*Industrial employees of the Federal Government inside and outside continental United States employed by the executive agencies during February 1959, and comparison with January 1959*

Department or agency	February	January	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	3,201	3,047	154	
Commerce	2,061	2,000	61	
Interior	6,855	6,846	9	
Treasury	5,441	5,467		26
Independent agencies:				
Atomic Energy Commission	154	156		2
Federal Aviation Agency	820	808	12	
Federal Communications Commission	13	13		
General Services Administration	1,247	1,238	9	
Government Printing Office	6,497	6,473	24	

TABLE IV.—*Industrial employees of the Federal Government inside and outside continental United States employed by the executive agencies during February 1959, and comparison with January 1959*—Continued

Department or agency	February	January	Increase	Decrease
Independent agencies—Continued				
National Aeronautics and Space Administration	8,534	8,450	84	
Panama Canal	6,942	6,964		22
Tennessee Valley Authority	12,152	12,118	34	
Virgin Islands Corporation	1,002	1,055		53
Total, excluding Department of Defense	54,919	54,635	387	103
Net increase, excluding Department of Defense			284	
Department of Defense:				
Department of the Army:				
Inside continental United States	[1] 132,675	[2] 135,250		2,575
Outside continental United States	[1] 10,375	[2] 9,500	875	
Department of Defense—Continued				
Department of the Navy:				
Inside continental United States	200,581	202,837		2,256
Outside continental United States	5,157	5,187		30
Department of the Air Force:				
Inside continental United States	158,032	158,267		235
Outside continental United States	3,623	3,719		96
Total Department of Defense	510,443	514,760	875	5,192
Net decrease, Department of Defense			4,317	
Grand total, including Department of Defense	565,362	569,395	1,262	5,295
Net decrease, including Department of Defense			4,033	

[1] Subject to revision. [2] Estimate.

TABLE V.—*Foreign nationals working under United States agencies overseas, excluded from tables I through IV of this report, whose services are provided by contractual agreement between the United States and foreign governments, or because of the nature of their work or the source of funds from which they are paid, as of February 1959 and comparison with January 1959*

Country	Total		Army		Navy		Air Force	
	February	January	February	January	February	January	February	January
Belgium	12	11					12	11
England	4,158	4,171					4,158	4,171
France	22,142	22,197	16,777	16,824			5,365	5,373
Germany	84,528	84,549	72,405	72,444	56	57	12,067	12,048
Japan	72,112	73,378	27,981	28,833	16,033	16,096	28,098	28,449
Korea	7,688	7,640	7,688	7,640				
Malta	81	82			81	82		
Morocco	4,082	4,389	12	23	829	831	3,241	3,535
Netherlands	39	41					39	41
Norway	25	25					25	25
Spain		2						2
Trinidad	549	588			549	588		
Total	195,416	197,073	124,863	125,764	17,548	17,654	53,005	53,655

STATEMENT BY SENATOR BYRD OF VIRGINIA

Executive agencies of the Federal Government reported civilian employment in the month of February totaling 2,335,224. This was a net decrease of 2,596 as compared with employment reported in the preceding month of January.

Civilian employment reported by the executive agencies of the Federal Government, by month in fiscal year 1959, which began July 1, 1958, follows:

Month	Employment	Increase	Decrease
July	2,373,410	6,306	
August	2,373,934	524	
September	2,356,493		17,441
October	2,355,482		1,301
November	2,354,767		715
December	2,351,833		2,934
January	2,337,820		14,013
February	2,335,224		2,596

Total Federal employment in civilian agencies for the month of February was 1,257,055, an increase of 3,237 as compared with the January total of 1,253,818. Total civilian employment in the military agencies in February was 1,078,169, a decrease of 5,833 as compared with 1,084,002 in January.

Civilian agencies reporting the larger increases were Treasury Department with 2,594, Federal Aviation Agency with 795 and Commerce Department with 417. The increase in Treasury Department was largely seasonal. The largest decrease was reported by Post Office Department with 644.

In the Department of Defense decreases in civilian employment were reported by the Department of the Navy with 3,155, the Department of the Army with 1,812, and the Department of the Air Force with 880.

Inside continental United States civilian employment decreased 2,163 and outside continental United States civilian employment decreased 433. Industrial employment by Federal agencies in February totaled 565,362, a decrease of 4,033.

These figures are from reports certified by the agencies as compiled by the Joint Committee on Reduction of Nonessential Federal Expenditures.

FOREIGN NATIONALS

The total of 2,335,224 civilian employees certified to the committee by Federal agencies in their regular monthly personnel reports includes some foreign nationals employed in U.S. Government activities abroad, but in addition to these there were 195,416 foreign nationals working for U.S. military agencies during February who were not counted in the usual personnel reports. The number in January was 197,073. A breakdown of this employment for February follows:

Country	Total	Army	Navy	Air Force
Belgium	12			12
England	4,158			4,158
France	22,142	16,777		5,365
Germany	84,528	72,405	56	12,067
Japan	72,112	27,981	16,033	28,098
Korea	7,688	7,688		
Malta	81		81	
Morocco	4,082	12	829	3,241
Netherlands	39			39
Norway	25			25
Trinidad	549		549	
Total	195,416	124,863	17,548	53,005

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. COTTON (for himself, Mr. AIKEN, Mr. BRIDGES, Mr. DODD, Mr. GREEN, Mr. PASTORE, Mr. PROUTY, and Mrs. SMITH):

S. 1672. A bill to rescind the action of the President imposing quotas on petroleum and petroleum products; to the Committee on Finance.

(See the remarks of Mr. COTTON when he introduced the above bill, which appear under a separate heading.)

By Mr. BARTLETT (for himself and Mr. GRUENING):

S. 1673. A bill to amend section 201(a)(4) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 481(a)(4)) with respect to the powers and duties of the Administrator of General Services as to representations in original and appellate judicial proceedings; to the Committee on Government Operations.

By Mr. CHAVEZ:

S. 1674. A bill for the relief of Spencer F. Coffey; and

S. 1675. A bill for the relief of Beatrice Ohanessian; to the Committee on the Judiciary.

By Mr. PASTORE:

S. 1676. A bill for the relief of Arsene Kavoukdjian (Arsene Kavookjian); and

S. 1677. A bill to provide for the incorporation of the National Woman's Relief Corps, Auxiliary to the Grand Army of the Republic, organized 1883, 76 years old; to the Committee on the Judiciary.

By Mr. WILLIAMS of Delaware:

S. 1678. A bill to amend the Mineral Leasing Act for acquired lands to require competitive bidding for leases of deposits of oil and gas not within any known geological structure of a producing oil or gas field; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. WILLIAMS of Delaware when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS:

S. 1679. A bill for the relief of Drago Franic; to the Committee on the Judiciary.

S. 1680. A bill to amend section 106 of the Housing Act of 1949 with respect to the provision of civil defense shelter facilities in urban renewal areas; to the Committee on Banking and Currency.

(See the remarks of Mr. JAVITS when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. MORSE:

S. 1681. A bill to provide an elected mayor, city council, school board, and nonvoting delegate to the House of Representatives for the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

(See the remarks of Mr. MORSE when he introduced the above bill, which appear under a separate heading.)

By Mr. HOLLAND:

S. 1682. A bill for the relief of Mitchell W. Freeman, J. V. Cruce and his wife, Evelyn S. Cruce, and Mrs. Monte Pickens; to the Committee on Interior and Insular Affairs.

By Mr. McCARTHY:

S. 1683. A bill to amend the Hatch Act to permit all officers and employees of the Government to exercise the full responsibility of citizenship and to take an active part in the political life of the United States; to the Committee on Rules and Administration.

S. 1684. A bill for the relief of Mr. and Mrs. Carl Skogen Woods; to the Committee on the Judiciary.

By Mr. LANGER:

S. 1685. A bill for the relief of Blyth Ying Lee; to the Committee on the Judiciary.

By Mr. SYMINGTON (for himself and Mr. HUMPHREY):

S. 1686. A bill to provide for the public welfare by authorizing and directing the Secretary of Health, Education, and Welfare to initiate a food certificate program for the benefit of low income and unemployed persons; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. SYMINGTON when he introduced the above bill, which appear under a separate heading.)

By Mr. DOUGLAS:

S. 1687. A bill for the relief of Rachel Ann Proctor; to the Committee on the Judiciary.

By Mr. BEALL:

S. 1688. A bill to authorize the American Society of International Law to use certain real estate in the District of Columbia as the national headquarters of such society; to the Committee on the District of Columbia.

By Mr. MUNDT (for himself and Mr. DOUGLAS):

S. 1689. A bill to create the Freedom Commission for the development of the science of counteraction to the world Communist conspiracy and for the training and development of leaders in a total political war; to the Committee on the Judiciary.

(See the remarks of Mr. MUNDT when he introduced the above bill, which appear under a separate heading.)

By Mr. MUNDT (for himself and Mr. CASE of South Dakota):

S. 1690. A bill to amend the act of September 2, 1958 (72 Stat. 1773, Public Law 85–923) concerning payment of debts out of compensation for trust land on the Lower Brule Sioux Reservation taken by the United States;

S. 1691. A bill to amend the act of September 2, 1958 (72 Stat. 1766, Public Law 85–916) concerning payment of debts out of compensation for trust land on the Crow Creek Sioux Reservation taken by the United States; and

S. 1692. A bill to amend the act of September 2, 1958 (72 Stat. 1762, Public Law 85–915) concerning payment of debts out of compensation for trust land on the Standing Rock Sioux Reservation taken by the United States; to the Committee on Interior and Insular Affairs.

By Mr. CARROLL:

S. 1693. A bill for the relief of William D. Warren; to the Committee on Finance.

By Mr. HILL (for himself and Mr. YARBOROUGH):

S. 1694. A bill to extend the existing authority to provide hospital and medical care for veterans who are U.S. citizens temporarily residing abroad to include those with peacetime service-incurred disabilities; to the Committee on Labor and Public Welfare.

By Mr. MAGNUSON:

S. 1695. A bill for the relief of Lovro Mataya; and

S. 1696. A bill for the relief of Wong Sue Chee; to the Committee on the Judiciary.

By Mr. KENNEDY (for himself and Mr. AIKEN):

S. 1697. A bill to amend the Mutual Defense Assistance Control Act of 1951; to the Committee on Foreign Relations.

(See the remarks of Mr. KENNEDY when he introduced the above bill, which appear under a separate heading.)

By Mr. MUNDT:

S. 1698. A bill for the relief of Thelxiopi Vonofacidow; to the Committee on the Judiciary.

CONCURRENT RESOLUTION

Mr. HENNINGS, from the Committee on Rules and Administration, reported an original concurrent resolution (S. Con. Res. 22) to print additional copies of certain hearings on transportation problems in Maryland, Virginia, and the Washington metropolitan area, which was placed on the calendar.

(See the above concurrent resolution printed in full where it appears under the heading "Reports of committees.")

RESOLUTIONS

Mr. MANSFIELD (for himself, Mr. HAYDEN, Mr. MURRAY, Mr. ANDERSON, Mr. GOLDWATER, Mr. MCNAMARA, Mr. MOSS, and Mr. CHAVEZ) submitted a resolution (S. Res. 101) opposing the release at the present time of any part of any Government inventory of copper, which was referred to the Committee on Interior and Insular Affairs.

(See the above resolution printed in full when submitted by Mr. MANSFIELD, which appears under a separate heading.)

Mr. NEUBERGER (for himself, Mr. CARROLL, Mr. HUMPHREY, and Mr. DOUGLAS) submitted a resolution (S. Res. 102) directing the Committee on Rules and Administration to report a pay and classification system for employees of Senators, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. NEUBERGER, which appears under a separate heading.)

Mr. HUMPHREY (for himself, Mr. JAVITS, and Mr. NEUBERGER) submitted a resolution (S. Res. 103) favoring the recognition of April 15 of each year as Africa Freedom Day, which was referred to the Committee on the Judiciary.

(See the above resolution printed in full when submitted by Mr. HUMPHREY, which appears under a separate heading.)

Mr. HENNINGS, from the Committee on Rules and Administration, reported an original resolution (S. Res. 104) to pay a gratuity to Mary Cunningham, which was placed on the calendar.

(See above resolution printed in full where it appears under the heading "Reports of Committees.")

RESCISSION OF QUOTAS ON OIL IMPORTS

Mr. COTTON. Mr. President, a Presidential proclamation, issued March 10, has clamped tight restrictions on imports of crude oil and its principal products into the United States. The President's order can only have the most damaging consequences for the consumers and the industries of New Hampshire, New England, and most of the eastern seaboard.

The New England Senators, individually and collectively, had urged the President not to take this action. We warned him that such restrictions would adversely affect New England's industrial growth, its competitive economic position, and the welfare of its citizens. My own appeal against the mandatory import cutbacks called attention to the fact that it could result in shortages, or price increases which would have far-reaching effects.

Some of our worst fears were confirmed recently during the Easter recess of the Congress, when the specific quotas on residual oil imports were announced. The quota was set at 347,311 barrels a day for the next 3 months. This is a cutback of more than 27 percent when compared to average daily imports of 476,000 barrels in 1957 and 1958.

A reduction of this magnitude will almost inevitably have the most serious results, especially for New England and the east coast, which uses 50 percent of the residual oil consumed in the Nation. Those of us who were gravely concerned about the impact of a possible 10- or 15-percent cutback are now being hit by a 27-percent slash in these vital imports.

The adverse effects of the President's proclamation were spelled out to the Senate by the senior Senator from Vermont [Mr. AIKEN] in clear and unmistakable terms. They are worth reemphasizing.

The restrictions on oil imports are:

First. Discriminatory to a populous region of the United States which has no natural fuel supplies.

Second. A major contribution to inflation.

Third. Conducive to unemployment.

Fourth. Harmful to our good relations with other oil producing countries.

Furthermore, the quotas:

First. Will place U.S. industry at a further competitive disadvantage in the world markets.

Second. Will weaken our national security.

Third. Will contribute to the growing domination of Government bureaucracy over our citizens and our industries.

Our concern about the consequences of the President's order is only reinforced by the recent announcement of the detailed quotas.

New England Senators and others have vainly implored the President to reconsider and revoke his order.

The only means of protest now left open to us is the outright step of proposing that Congress rescind the proclamation. I believe the facts fully warrant our use of this remedy, the last at our disposal. They fully justify the enactment of such legislation.

Therefore, Mr. President, for myself, and Senators AIKEN, BRIDGES, DODD, GREEN, PASTORE, PROUTY, and Mrs. SMITH, I introduce for appropriate reference a bill to rescind the President's proclamation on oil import quotas.

The bill simply rescinds the action taken by the President in his proclamation of March 10 and provides against the issuance of other Executive orders with respect to petroleum or petroleum products without the prior approval of the Congress.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1672) to rescind the action of the President imposing quotas on petroleum and petroleum products, introduced by Mr. COTTON (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Finance.

COMPULSORY BIDDING FOR CERTAIN OIL OR GAS LEASES

Mr. WILLIAMS of Delaware. Mr. President, I introduce for appropriate reference, a bill the purpose of which is to make it mandatory that the Federal Government in leasing its oil and gas rights shall do so on a competitive bid basis.

It is estimated that we are losing at least $20 million annually as a result of our present policy of leasing these lands on a fixed-rate fee.

Under the existing law, the Federal Government has a standing rule of leasing the mineral rights on public lands at a fixed price of 50 cents per acre with an exception being made only in those areas in which there is known to be mineral rights.

All public lands are leased at these rates unless they are lands upon which oil deposits have been proven. On proven grounds, they can sell or negotiate leases at higher rates.

The catch is that the lands are not proven for oil deposits until after they have been leased. Therefore, the net effect of the existing law is that in areas in which the Government land is surrounded by proven oil deposits and at times when such surrounding lands are actually bringing premiums of as high as 20 to 30 dollars per acre for the leasing rates, the Government will lease its land which is just as valuable for the standard 50 cents per acre.

One glaring example of how the Government lost under this noncompetitive bid operation is best illustrated by what happened in New Mexico. An area of approximately 40,000 acres near Carlsbad, N. Mex., was withdrawn by the Secretary from oil or gas leasing on February 6, 1939, because of the potash developments in that area.

Many requests for leases to open the area for oil and gas development were received. Oil and gas had been found in large quantities in the immediate surrounding area. With modern technique for drilling, it was believed that it would be possible to drill for oil and gas without serious risk to the potash development.

Accordingly, the area was opened for oil and gas leasing with nearly all of this area being open on a noncompetitive basis inasmuch as it had not been actually proven to be a producing area for either oil or gas.

This 40,000 acres was broken up into about 79 tracts, and immediately nearly 29,000 applications were received from various interested parties, seeking to lease these tracts at the standard 50 cents per acre. The demand was so great that the Federal Government announced and arranged a public drawing whereby on a given date all the applications were placed in a pot and the lucky 79 drawn.

Through this noncompetitive bid allocation the Government received $20,000 for leasing this approximately 40,000 acres. According to Mr. Marion Clawson, former Director of the Bureau of Land Management of the Department of the Interior in Washington, D.C., had the Government leased these lands on the normal competitive bid basis, the Government would have realized a minimum of $500,000 premium, and he stated that many private operators had placed this estimate as high as $1½ million premium the Government would have received on the same lands.

This is only one instance, but there are many more which could be cited; and certainly even if there is only one this bill should be enacted.

There can be no possible justification as to why the Federal Government should not lease all of its public lands at all times at the most favorable rates available, and the adoption of the bill which I am introducing today would make this mandatory. At a time when our national deficit is exceeding $1 billion per month, certainly all sources of revenue should be considered.

This bill merely provides that the Department of the Interior in negotiating these leases for the American taxpayers shall exercise the same sound business principles which would be exercised by them were they leasing their own property.

The PRESIDING OFFICER (Mr. BARTLETT in the chair). The bill will be received and appropriately referred.

The bill (S. 1678) to amend the Mineral Leasing Act for acquired lands to require competitive bidding for leases of deposits of oil and gas not within any known geological structure of a producing oil or gas field, introduced by Mr. WILLIAMS of Delaware, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

CONSTRUCTION OF CIVIL DEFENSE SHELTERS

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, a bill to provide for the construction of civil defense shelters in conjunction with urban renewal areas anywhere in the United States.

Nearly 400 cities in 42 States already participate in the Federal urban renewal program, and every community is eligible to apply.

The Federal Office of Civil and Defense Mobilization estimates that in the event of a massive enemy attack, existing shelter facilities could adequately protect less than 1 percent of our entire population.

It is almost incredible that this dread prospect confronts us in 1959, the 10th year since we first learned that another country had developed the capacity to wage thermonuclear warfare. Recently, Premier Khrushchev repeated his boast that the Soviet Union, with split second preparations, could launch an attack with intercontiental missiles armed with nuclear warheads against any people on earth. The threat was clearly directed at the United States. We cannot mark time on civil defense under these circumstances.

The prime targets in a sneak attack against us are our densely populated major cities with a heavy concentration of industry. Estimates of what it would cost to construct shelters to furnish protection against a direct blast and fallout in 150 of these cities range up to a Federal expenditure of $50 billion. However, by helping to finance civil defense facilities in connection with urban renewal projects for a tiny fraction of that cost—about 7½ percent of the anticipated urban renewal authorization for next year—we can initiate a construction program which would stimulate a major civil defense shelter effort by States and localities.

Under the terms of my bill, those participating communities which currently contribute one-third of the funds needed for slum clearance and redevelopment compared to a two-thirds contribution in capital grants by the Federal Government, would receive additional money to build shelters on urban renewal sites.

To illustrate, had this provision been a part of the law in June 1958, 180 urban renewal projects then under way would have been eligible to receive an additional $30 million over and above the Federal contribution required of about $400 million for the construction of civil defense shelters. The 400,000 residents in these projects would then have had some measure of protection against radioactive fallout following a nuclear attack.

Despite periodic public skepticism regarding shelters, defense authorities view them quite plainly as a life or death proposition. The Rand Corp.'s report, titled a "Study of Nonmilitary Defense," estimates that even in the event of a

30- to 50-minute warning, a nuclear attack against 150 major U.S. cities with no civil defense facilities could just about destroy our country. A system of fallout shelters plus provision for tactical evacuation of part of the population following attack warning would cut fatalities nearly in half. A combination of blast and fallout shelters, with rapid entry and evacuation of part of the population prior to attack, would theoretically cut the fatality rate 95 percent, according to the Rand report.

Last year, the Federal Office of Civil and Defense Mobilization launched a program of public education on the effects of fallout, with the objective of accelerating preparations for radiation protection in recognition of the fact that public awareness of the devastation which could be wrought by nuclear warfare far outstrips our knowledge of what personal precautions are essential to survival following an attack. This type of education in civilian defense techniques is all to the good, but we must be alive to use them.

Positive Federal action to initiate a national shelter program is the best kind of proof we can hold up to any potential enemy that a surprise strike against the United States would not catch our civilian population off guard and knock us out in one blow—that such a gamble would, instead, end in destruction of the aggressor nation.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1680) to amend section 106 of the Housing Act of 1949 with respect to the provision of civil defense shelter facilities in urban renewal areas, introduced by Mr. JAVITS, was received, read twice by its title, and referred to the Committee on Banking and Currency.

HOME RULE FOR THE DISTRICT OF COLUMBIA

Mr. MORSE. Mr. President, I am informed that the Judiciary Subcommittee of the Senate Committee on the District of Columbia intends shortly to open hearings on proposed legislation conveying to the residents of the city of Washington a measure of home rule.

At the present time there are two differing proposals before the subcommittee. One is Senate Joint Resolution 10, which I introduced January 12, 1959, and the other is S. 659, introduced at the request of the Board of Commissioners on January 23, 1959.

Today I introduce, and ask for its appropriate reference, a measure which embodies the true home rule principles of the Neely-Morse proposal which passed the Senate in the 84th Congress as S. 669.

I do this, Mr. President, because it is my judgment that the subcommittee should have before it a clear cut alternative to the pending measures. I do not assert that each clause and section of the bill I now introduce is perfect. As a matter of fact, because of the changes which have occurred since the passage of the old Neely-Morse bill in 1955, there have been incorporated in this new version many technical improvements and I am sure that many more can and should be made. Since I believe this to be true, there is no inconsistency in averring that of all home rule measures before the subcommittee, Senate Joint Resolution 10 seems to me to provide the best solution toward obtaining a sound and effective home rule act. However, it is also true that the subcommittee may prefer to recommend a bill rather than the resolution and I want them to have an opportunity to consider a measure which will in form and substance provide a true home rule philosophy and procedure.

Last August 6, during the colloquy which preceded the passage in the Senate of the ill-starred S. 1846, which is identical with S. 659 of this session, I made no bones of the fact that I considered it to be bad legislation. My grounds of objection were based upon the sound position that I do not consider the power to choose an appointive executive as equivalent in fact to giving the franchise to the citizens of the Capital. When this patronage appointee, for such is the titular Governor of the asserted territorial form, is bolstered in his monolithic dominance by a Presidential second veto power, I hold that the freedom which the city of Washington should have is forfeit to the executive branch. The only change which would result would be the replacement of the present three-man appointive Board by a two-man appointive Board with the senior of the two holding the whip hand.

There are a goodly number of well-intentioned citizens who have, however, swallowed whole the political hokum of the administration's position, including, I regret to state, a leader in the Democratic Party in the District. I sincerely hope that when the present hearings are concluded the citizens will have been converted to the proposition that their own best interest lies with legislation making this Capital a true city under a locally elected mayor, council, and school board, rather than a political monstrosity.

I ask unanimous consent that the bill be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1681) to provide an elected mayor, city council, school board, and nonvoting Delegate to the House of Representatives for the District of Columbia, and for other purposes, introduced by Mr. MORSE, was received, read twice by its title, referred to the Committee on the District of Columbia, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to the retention by Congress of the ultimate legislative authority over the Nation's Capital which is granted by the Constitution, it is the intent of Congress to restore to the inhabitants of the District of Columbia the powers of local self-government which are a basic privilege of all American citizens; to reaffirm through such action the confidence of the American people in the strengthened validity of principles of local self-governmet by the elective process; to promote among the inhabitants of the District the sense of responsibility for the development and well-being of their community which will result from the enjoyment of such powers of self-government; to provide for the more effective participation in the development of the District and in the solution of its local problems by those persons who are most closely concerned; and to relieve the National Legislature of the burden of legislating upon purely local District matters. It is the further intention of Congress to exercise its retained ultimate legislative authority over the District only insofar as such action shall be necessary or desirable in the interest of the Nation. Finally, it is recognized that the restoration of the powers of local self-government to the inhabitants of the District by this Act will in no way change the need, which arises from the unique character of the District as the Nation's Capital, for the payment by the Federal Government of a share of the expenses of the District government; and it is intended that an equitable share thereof shall be paid annually.

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TITLE I—DEFINITIONS

Definitions

SEC. 101. For the purposes of this Act—

(1) The term "District" means the District of Columbia.

(2) The terms "District Council" or "Council" means the Council of the District of Columbia provided for by title III.

(3) The term "Chairman" means the Chairman of the District Council provided for by title III.

(4) The term "Mayor" means the Mayor provided for by title IV.

(5) The term "qualified elector" means a qualified elector of the District as specified in section 906, except as otherwise specifically provided.

(6) The term "act" includes any legislation adopted by the District Council, except where the term "Act" is used to refer to this Act or other Acts of Congress herein specified.

(7) The term "District Primary Act" means the Act of August 12, 1955 (Public Law 376, Eighty-fourth Congress; 69 Stat. 699).

(8) The term "person" includes an individual, partnership, association, joint-stock company, trust, or corporation.

(9) The term "capital project", or "project", means (a) any physical public betterment or improvement and any preliminary studies and surveys relative thereto; (b) the acquisition of property of a permanent nature; or (c) the purchase of equipment for any public betterment or improvement when first erected or acquired.

(10) The term "pending", when applied to any capital project, means authorized but not yet completed.

(11) The term "Board of Elections" means the Board of Elections created by section 3 of the District Primary Act.

(12) The term "election", unless the context otherwise indicates, means an election held pursuant to the provisions of this Act.

(13) The term "domicile" means that place where a person has his true, fixed, and permanent home and to which, when he is absent, he has the intention of returning.

(14) The term "municipal office" means an office of any governmental unit subordinate to a State or Territorial government.

(15) The terms "publish" and "publication", unless otherwise specifically provided herein, mean publication in a newspaper of general circulation published in the District.

(16) The term "Municipal Courts of the District of Columbia" means the Municipal Court for the District of Columbia, the Municipal Court of Appeals for the District of Columbia, the District of Columbia Tax Court, the juvenile court of the District of Columbia, and such other municipal courts as the District Council may hereinafter establish by act.

TITLE II—STATUS OF THE DISTRICT

Status of the District

SEC. 201. (a) All the territory constituting the permanent seat of the Government of the United States shall continue to be designated as the District of Columbia. The District of Columbia is hereby declared to be a body politic and corporate in perpetuity for governmental purposes and as such may sue and be sued, contract and be contracted with, and have a corporate seal. Such body politic and corporate is the successor of the District of Columbia created by section 2 of the Revised Statutes relating to the District of Columbia and continued by the first section of the Act of June 11, 1878 (D.C. Code, 1951 edition, sec. 1–102). So far as is consistent with the provisions of this Act, all powers, rights, privileges, immunities, duties, obligations, assets, and liabilities of the District of Columbia created by such section 2 are hereby transferred to, vested in, and imposed upon the body politic and corporate created by this section.

(b) Section 1 of the Act of February 21, 1871 (16 Stat. 419), and section 1 of the Act of June 11, 1878 (20 Stat. 102), are hereby repealed.

(c) Nothing contained in this section shall affect the boundary line between the District of Columbia and the Commonwealth of Virginia as the same was established or may be subsequently established under the provisions of title I of the Act of October 31, 1945 (59 Stat. 552).

TITLE III—THE DISTRICT COUNCIL

Part 1—Creation of the District Council

Creation and Membership

SEC. 301. There is hereby created a Council of the District of Columbia consisting of nine members elected as provided in title IX.

Qualifications for Holding Office

SEC. 302. No person shall hold the office of member of the District Council unless he (1) is a qualified elector, (2) is domiciled in the District and resides in the ward from which he is nominated, has, during the three years next preceding his nomination resided and been domiciled in the District and has for one year preceding his nomination, resided and been domiciled in the ward from which he is nominated, (3) holds no other elective public office, and (4) holds no appointive office for which compensation is provided out of District funds. A member of the Council shall forfeit his office upon failure to maintain the qualifications required by this section.

Compensation

SEC. 303. Each member of the District Council, except the Chairman, shall receive compensation at a rate of $8,000 per annum, payable in periodic installments. The Chairman shall receive compensation at a rate of $10,000 per annum, payable in periodic installments. All members shall receive such additional allowances for expenses as may be approved by the District Council to be paid out of funds duly appropriated therefor.

Changes in Membership and Compensation of District Council Members

SEC. 304. The number of members constituting the District Council, the qualifications for holding office, and the compensation of such members may be changed by act passed by the District Council: *Provided*, That no such act shall take effect until after it has been assented to by a majority of the qualified electors of the District voting at an election on the proposition set forth in any such act.

Part 2—Principal functions of the District Council

Functions Heretofore Exercised by the Board of Commissioners

SEC. 321. (a) Except as otherwise provided in this Act, all functions granted to or imposed upon the Board of Commissioners of the District are hereby transferred to the District Council except those powers hereinafter specifically conferred on the Mayor.

(b) The Board of Commissioners of the District is hereby abolished.

Functions Relating to Zoning

SEC. 322. The Zoning Commission created by the first section of the Act of March 1, 1920, creating a Zoning Commission for the District of Columbia, as amended (D.C. Code, 1951 edition, sec. 5–412), is hereby abolished, and its functions are transferred to the District Council.

Certain Delegated Functions

SEC. 323. No function of the Board of Commissioners of the District which such Board has delegated to an officer or agency of the District shall be considered as a function transferred to the Council by section 321. Each such function is hereby transferred to the officer or agency to whom or to which it was delegated, until the Mayor or Council, or both, pursuant to the powers herein granted, shall revoke, modify, or transfer such delegation.

Powers of and Limitations Upon District Council

SEC. 324. (a) Except as provided in subsection (b) and subject to the reserved powers of the Congress as provided in section 324(d), there shall be vested in the District Council complete legislative power over the District with respect to all rightful subjects of legislation not inconsistent with the Constitution or with the laws of the United States which are applicable but not confined to the District: *Provided*, That such subjects are within the scope of the power of Congress in its capacity as the legislature for the District of Columbia as distinguished from its capacity as the National Legislature. Nothing in this section shall be construed as vesting in the District government any greater authority over the Commission on Mental Health, the National Zoological Park, or the Washington aqueduct than the authority which was vested in the Board of Commissioners prior to the date of the enactment of this act. The District Council shall, by majority vote of those present, confirm or reject nominees proposed by the Mayor, and shall have power, by vote of two-thirds of its members, to override any veto by the Mayor.

(b) The District Council may not pass any act contrary to the provisions of this Act or—

(1) impose any tax on property of the United States;

(2) grant any exclusive privilege, immunity, or franchise;

(3) authorize any lottery or the sale of lottery tickets or authorize any form of gambling;

(4) authorize the use of public money in support of any sectarian, denominational, or private school except as now or hereafter authorized by Congress;

(5) lend the public credit for support of any private undertaking;

(6) authorize the issuance of bonds except in compliance with the provisions of title VI; or

(7) enact or pass any act inconsistent with or contrary to the Act of June 6, 1924 (43 Stat. 463), as amended by the Act of April 30, 1926 (44 Stat. 374), and by the Act of July 19, 1952 (66 Stat. 781); and the Act of May 29, 1930 (46 Stat. 482), as amended, and the Council shall not pass any act inconsistent with or contrary to any provision of any Act of Congress as it specifically pertains to any duty, authority, and responsibility, of the National Capital Planning Commission; except insofar as the above-cited or other referred to Acts refer to the Engineer Commissioner or the Board of Commissioners, the former of which terms, after the enactment of this Act, shall mean the Mayor or some District Government official deemed by the Mayor to be best qualified, and designated by him to sit in lieu of the Mayor as a member of the National Capital Planning Commission and the National Capital Regional Planning Council, and the latter term shall mean the District Council.

(c) An act, except as otherwise provided in this Act, shall become effective thirty days after its passage or at such later time as the Council may designate: *Provided*, That an act may become effective at any time after its passage if the Council by vote of two-thirds of its members shall state in such act that an emergency exists requiring such earlier effective date. Every act or resolution shall include a preamble, or be accompanied by a report, setting forth concisely the purposes of its adoption. Every act or resolution shall be published, within seven days after its passage, as the District Council may direct.

(d) The Congress of the United States reserves the right, at any time, to exercise its constitutional authority as legislature for the District of Columbia, by enacting legislation for the District on any subject, whether within or without the scope of legislative power granted to the District Council by this Act, including without limitation legislation to amend or repeal any law in force in the District of Columbia prior to or after the enactment of this Act or of any provision of this Act.

(e) Upon the effective date of this title, jurisdiction over the Municipal Courts of the District of Columbia shall vest with the District Council in all matters pertaining to the organization and composition of such Courts, and to the appointment or selection, qualification, tenure, and compensation of the judges thereof. Nothing in this Act shall be construed to change the tenure of any judge occupying the position of a judge of a Municipal Court of the District of Columbia on the date of the enactment of this Act, except that his compensation may be increased.

(f) Nothing in subsection (e) of this section shall be construed to curtail the jurisdiction of the United States District Court for the District of Columbia or any other United States court other than the Municipal Courts of the District of Columbia.

Part 3—Organization and procedure of the District Council

The Chairman

SEC. 331. The District Council shall elect from among its members a Chairman who shall be the presiding officer of the District Council and a Vice Chairman, who shall preside in the absence of the Chairman. When the Mayor is absent or unable to act, or when the office is vacant, the Chairman shall act in his stead. The term of the first Chairman shall expire at the close of December 31, 1962, and at the close of December 31 of each succeeding even-numbered year the term of office of the incumbent Chairman shall expire.

Secretary of the District Council; Records and Documents

SEC. 332. (a) The District Council shall appoint a secretary as its chief administrative officer and such assistants and clerical personnel as may be necessary. Notwithstanding any other provision of this Act, the compensation and other terms of employment of such secretary, assistants, and clerical personnel shall be prescribed by the District Council.

(b) The secretary shall (1) keep a record of the proceedings of the District Council, (2) keep a record showing the text of all acts and resolutions introduced, and the ayes and noes of each vote, (3) authenticate by his signature and record in full in a continuing record kept for that purpose all acts passed by the District Council, and (4) perform such other duties as the District Council may from time to time prescribe.

Meetings

SEC. 333. (a) The first meeting of the District Council after this part takes effect shall be called by the member who receives the highest vote in the election provided in title IX. He shall preside until a Chairman is elected. The first meeting of the District Council in each odd-numbered year commencing with 1961 shall be called by the Secretary of the District Council for a date not later than January 7 of such year.

(b) The District Council shall provide for the time and place of its regular meetings. The District Council shall hold at least one regular meeting in each calendar week except that during July and August it shall hold at least two regular meetings in each month. Special meetings may be called, upon the giving of adequate notice, by the Mayor, the Chairman, or any three members of the Council.

(c) Meetings of the District Council shall be open to the public and shall be held at reasonable hours and at such places as to accommodate a reasonable number of spectators. The records of the Council provided for in section 332 (b) shall be open to public inspection and available for copying during all regular office hours of the Council Secretary. Any citizen shall have the right to petition and be heard by the Council at any of its meetings, within reasonable limits as set by the Council Chairman, the Council concurring.

Committees

SEC. 334. The Council Chairman, with the advice and consent of the Council, shall appoint such standing and special committees as may be expedient for the conduct of the Council's business. All committee meetings shall be open to the public except when ordered closed by the committee chairman, with the approval of a majority of the members of the committee.

Acts and Resolutions

SEC. 335. (a) The Council, to discharge the powers and duties imposed herein, shall enact acts and adopt resolutions, upon a vote of a majority of the members of the Council, unless otherwise provided herein. Acts shall be used for all legislative purposes. Resolutions shall be used to express simple determinations, decisions, or directions of the District Council of a special or temporary character.

(b)(1) The enacting clause of all Acts passed by the District Council shall be, "Be it enacted by the Council of the District of Columbia:".

(2) The resolving clause of all resolutions passed by the District Council shall be "The Council of the District of Columbia hereby resolves,".

(c) A special election may be called by resolution of the District Council to present for referendum vote of the people any proposition upon which the District Council desires to take such action.

Passage of Acts

SEC. 336. The District Council shall not pass any act before the thirteenth day following the day on which it is introduced. Subject to the other limitations of this Act, this requirement may be waived by the unanimous vote of the members present.

Procedure for Zoning Acts

SEC. 337. (a) Before any zoning act for the District is passed by the District Council—

(1) the District Council shall deposit the act in its introduced form, with the National Capital Planning Commission. Such Commission shall within thirty days after the date of such deposit, report to the District Council whether the proposed act is in conformity with the comprehensive plan for the District of Columbia. The District Council may not pass the act unless it has received

such report or the Commission has failed to report within the thirty-day period above specified; and

(2) the District Council (or an appropriate committee thereof) shall hold a public hearing on the act. At least thirty days' notice of the hearing shall be published as the Council may direct. Such notice shall include the time and place of the hearing and a summary of all changes in existing law which would be made by adoption of the act. The District Council (or committee thereof holding the hearing) shall give such additional notice as it finds expedient and practicable. At the hearing interested persons shall be given reasonable opportunity to be heard. The hearing may be adjourned from time to time. The time and place of the adjourned meeting shall be publicly announced before adjournment is had.

(b) The District Council shall deposit with the National Capital Planning Commission each zoning act passed by it. If in the opinion of the Commission such act, as passed, would adversely affect the interests of the Federal Government, the Commission, shall within thirty days after the date of such deposit certify to the District Council its disapproval of such act. If such certification of disapproval is not made within such thirty-day period, the zoning act shall take effect as law on the day following the expiration of such period. If the Commission makes such certification of disapproval within the thirty-day period above specified, the zoning act shall take effect as law only if, within thirty days after the day on which such certification is received, the act be readopted by the affirmative vote of at least two-thirds of the members of the District Council; in which case the zoning act shall take effect as law on the day following the day on which it is readopted, or at such later date as the Council may designate.

Investigations by District Council

SEC. 338. (a) The District Council, or any committee or person authorized by it, shall have power to investigate any matter relating to the affairs of the District; and for that purpose may require the attendance and testimony of witnesses and the production of books, papers, and other evidence. For such purpose any member of the District Council (if the District Council is conducting the inquiry) or any member of the committee, or the person conducting the inquiry, may issue subpenas and may administer oaths.

(b) In case of contumacy by, or refusal to obey a subpena issued to, any person, the District Council, committee, or person conducting the investigation shall have power to refer the matter to any judge of the United States District Court for the District of Columbia, who may by order require such person to appear and to give or produce testimony or books, papers, or other evidence, bearing upon the matter under investigation; and any failure to obey such order may be punished by such court as a contempt thereof as in the case of failure to obey a subpena issued, or to testify, in a case pending before such court.

TITLE IV—MAYOR

Election, Qualifications, and Salary

SEC. 401. (a) There is hereby created the office of Mayor of the District of Columbia. The Mayor shall be elected as provided in title IX.

(b) No person shall hold the office of Mayor unless he (1) is a qualified elector, (2) is domiciled and resides in the District and has during the three years next preceding his nomination been resident in and domiciled in the District, (3) holds no other elective public office, and (4) holds no appointive office for which compensation is provided out of District funds. The Mayor shall forfeit his office upon failure to maintain the qualifications required by this section.

(c) The Mayor shall receive an annual salary of $15,000, and an allowance for official expenses, which he shall certify in reasonable detail to the District Council, of not more than $2,500 annually. Such salary shall be payable in periodic installments.

(d) Notwithstanding any other provision of this Act, the method of election, the qualifications for office, the compensation and the allowance for official expenses pertaining to the office of Mayor may be changed by act passed by the District Council: *Provided*, That no such act shall take effect until after it has been assented to by a majority of the qualified electors of the District voting at an election of the proposition set forth in any such act.

Powers and Duties

SEC. 402. The Mayor shall be the chief executive officer of the District government. He shall be responsible for the proper administration of the affairs of the District coming under his jurisdiction or control, and to that end shall have the following powers and functions:

(1) He shall designate the officer or officers of the executive department of the District who shall, during periods of disability or absence from the District of the Mayor, the Chairman and the Vice Chairman of the District Council, execute and perform all the powers and duties of the Mayor.

(2) He shall act as the official spokesman for the District and as the head of the District for ceremonial purposes.

(3) He shall administer all laws relating to the appointment, promotion, discipline, separation, and other conditions of employment of personnel in the office of the Mayor, personnel in executive departments of the District, and members of boards, commissions, and other agencies, who, under laws in effect on the effective date of this section, are subject to appointment and removal by the Commissioners. All actions affecting such personnel shall, until such time as legislation is enacted by the District Council superseding such laws and establishing a permanent civil service system or systems, based on merit, pursuant to section 402(4), continue to be subject to the provisions of Acts of Congress relating to the appointment, promotion, discipline, separation and other conditions of employment applicable to officers and employees of the District government; to section 1101(d) of this Act, and, where applicable, to the provisions of the joint agreement between the Commissioners and the Civil Service Commission authorized by Executive Order Numbered 5491 of November 18, 1930, relating to the appointment of District personnel. He shall appoint or assign personnel to positions formerly occupied, ex officio, by one or more members of the Board of Commissioners and shall have power to remove such personnel from such positions. The officers and employees of each agency with respect to which legislative power is delegated by this Act and which, immediately prior to the effective date of this section, was not subject to the administrative control of the Board of Commissioners of the District, shall continue to be appointed and removed in accordance with applicable laws until such time as such laws may be superseded by legislation passed by the Council establishing a permanent civil service system or systems, based on merit, pursuant to section 402(4): *Provided*, That all appointments of department heads and members of boards and commissions; all appointments and assignments to positions formerly occupied, ex officio, by one or more members of the Board of Commissioners of the District, and appointments made pursuant to section 904 of this Act, shall be by and with the consent of the Council.

(4) He shall administer the personnel functions of the District covering employees of all District departments, boards, commissions, offices, and agencies, except as otherwise provided by this Act. Personnel legislation enacted by Congress, prior to or after the effective date of this section, including without limitation, appointments, promotions, discipline, separations, pay, unemployment compensation, disability and death benefits, leave, retirement, insurance, and veteran's preference, applicable to employees of the District government, as set forth in section 1102(c), shall continue in effect until such time as the Council shall, pursuant to this section, provide similar or comparable coverage under a District civil service system or systems, based on merit. The District civil service system or systems shall be established by legislation of the Council and shall provide coverage similar or comparable to, or shall provide for continued participation in, all or part of the Federal civil service system. The District civil service system or systems shall take effect not earlier than one year or later than five years after the effective date of this section.

(5) He shall, through the heads of administrative boards, offices, and agencies, supervise and direct the activities of such boards, offices, and agencies.

(6) He shall, at the end of each fiscal year, prepare reports for such year of (a) the finances of the District, and (b) the administrative activities of the executive office of the Mayor and the executive departments of the District. He shall submit such reports to the Council within ninety days after the close of the fiscal year.

(7) He shall keep the District Council advised of the financial condition and future needs of the District and make such recommendations to the Council as may seem to him desirable.

(8) He may submit drafts of acts to the District Council.

(9) He shall perform such other duties as the District Council, consistent with the provisions of this Act, may direct.

(10) He may delegate any of his functions (other than the function of approving contracts between the District and the Federal Government under section 1001) to any officer, employee, or agency of the executive office of the Mayor, or to any director of an executive department who may, with the approval of the Mayor, and if the Council has given assent, make a further delegation of all or a part of such functions to subordinates under his jurisdiction.

(11) The Mayor or the District Council may propose to the executive or legislative branches of the United States Government, legislation or other action dealing with any subject not falling within the authority of the District government, as defined in this Act.

(12) As custodian he shall use and authenticate the corporate seal of the District in accordance with the rules of the Council.

(13) He shall have the right, under the rules to be adopted by the District Council, to be heard by the Council or any of its committees.

(14) If empowered by the District Council, he is authorized and directed to promulgate, adopt and enforce such rules and regulations, not inconsistent with any Act of the Congress or any act of the Council, as are necessary to carry out his functions and duties.

(15) He shall within ten days after the adoption of any act by the District Council approve or disapprove such act, in the event of disapproval stating his reasons therefor. If the Mayor shall not act thereon within ten days, such act shall become law as

provided in this Act. Upon such disapproval, such act shall not become law unless pursuant to section 324(a) it shall subsequently within thirty days after such veto be readopted by vote of two-thirds of the members of the District Council, whereupon it shall become law in accordance with the provisions of this Act.

TITLE V—THE DISTRICT BUDGET

Fiscal Year

SEC. 501. The fiscal year of the District of Columbia shall begin on the 1st day of July and shall end on the 30th day of June of the succeeding calendar year. Such fiscal year shall also constitute the budget and accounting year.

Budgetary Details Fixed by District Council

SEC. 502. (a) The Mayor shall prepare and submit, not later than April 1, to the District Council, in such form as the Council shall approve, the annual budget estimates of the District and the budget message.

(b) The Mayor shall, in consultation with the District Council, take whatever action may be necessary to achieve, insofar as is possible, (1) consistency in accounting and budget classifications, (2) synchronization between accounting and budget classifications and organizational structure, and (3) support of the budget justifications by information on performance and program costs as shown by the accounts.

Adoption of Budget

SEC. 503. The District Council shall by act adopt a budget for each fiscal year not later than May 15, except that the District Council may, by resolution, extend the period for its adoption. The effective date of the budget shall be July 1 of the same calendar year.

Budget Establishes Appropriations

SEC. 504. The adoption of the budget by the District Council shall, from the effective date thereof, operate to appropriate and to make available for expenditure, for the purposes therein named, the several amounts stated therein as proposed expenditures, subject to the provisions of section 702.

Supplemental Appropriations

SEC. 505. The District Council may at any time adopt an act by vote of a majority of its members rescinding previously appropriated funds which are then available for expenditure, or appropriating funds in addition to those theretofore appropriated to the extent unappropriated funds are available; and for such purpose unappropriated funds may include those borrowed in accordance with the provisions of section 621.

Part I—Borrowing for capital improvements

Borrowing Power; Debt Limitations

SEC. 601. The District may incur indebtedness by issuing its bonds in either coupon or registered form to fund or refund indebtedness of the District at any time outstanding and to pay the cost of constructing or acquiring any capital projects requiring an expenditure greater than the amount of taxes or other revenues allowed for such capital projects by the annual budget: *Provided*, That no bonds or other evidences of indebtedness, other than bonds to fund or refund outstanding indebtedness, shall be issued in an amount which, together with the indebtedness of the District to the Treasury of the United States pursuant to existing law, shall cause the aggregate of indebtedness of the District to exceed 12 per centum of the average assessed value of the taxable real and tangible personal property of the District subject to taxation by the District as of the first day of July of the ten most recent fiscal years for which such assessed values are available, nor shall such bonds or other evidences of indebtedness issued for purposes other than the construction or acquisition of capital projects connected with highway, water and sanitary sewage works purposes or other revenue-producing capital projects which are determined by the District Council to be self-liquidating exceed 6 per centum of such average assessed value. Bonds or other evidences of indebtedness may be issued by the District pursuant to an act of the District Council from time to time in amounts in the aggregate at any time outstanding not exceeding 2 per centum of said assessed value, exclusive of indebtedness owing to the United States on the effective date of this title. All other bonds or evidences of indebtedness, other than bonds to fund or refund outstanding indebtedness, shall be issued only with the assent of a majority of the qualified electors of said District voting at an election on the proposition of issuing such bonds. In determining the amount of indebtedness within all of the aforesaid limitations at any time outstanding there shall be deducted from the aggregate of such indebtedness the amount of the then current tax levy for the payment of the principal of the outstanding bonded indebtedness of the District and any other moneys set aside into any sinking fund and irrevocably dedicated to the payment of such bonded indebtedness. The District Council shall make provision of the payment of any bonds issued pursuant to this title, in the manner provided in section 631 hereof.

Contents of Borrowing Legislation; Referendum on Bond Issue

SEC. 602. (a) An Act authorizing the issuance of bonds may be enacted by a majority of the District Council members at any meeting of the Council subsequent to the meeting at which such Act was introduced, and shall contain at least the following provisions:

(1) A brief description of each purpose for which indebtedness is proposed to be incurred;

(2) The maximum amount of the principal of the indebtedness which may be incurred for each such purpose;

(3) The maximum rate of interest to be paid on such indebtedness; and

(4) In the event the District Council is required by this part, or it is determined by the Council in its discretion, to submit the question of issuing such bonds to a vote of the qualified electors of the District, the date on which such election will be held, the manner of holding such election, the manner of voting for or against the incurring of such indebtedness, and the form of ballot to be used at such election. The ballot shall be in such form as to permit the electors to vote separately for or against the incurring of indebtedness for each of the purposes for which indebtedness is proposed to be incurred.

(b) The District Council shall cause the proposition of issuing such bonds to be submitted by the Board of Elections to the qualified electors at the first general election to be held in the District not less than forty days after the date of enactment of the Act authorizing such bonds, or upon a vote of at least two-thirds of the members of the District Council, the Council may call a special election for the purpose of voting upon the issuance of said bonds, such election to be held by the Board of Elections at any date set by the Council not less than forty days after the enactment of such Act.

(c) The Board of Elections is authorized and directed to prescribe the manner of registration and the polling places and to name the judges and clerks of election and to make such other rules and regulations for the conduct of such elections as are not specifically provided by the District Council as may be necessary or appropriate to carry out the provisions of this section, including provisions for the publication of a notice of such election stating briefly the proposition or propositions to be voted on and the designated polling places in the various precincts and wards in the District, which said notice shall be published at least once a week for four consecutive calendar weeks on any day of the week, the first publication thereof to be not less than thirty nor more than forty days prior to the date fixed by the District Council for the election. The Board of Elections shall canvass the votes cast at such election and certify the results thereof to the District Council in the manner prescribed for the canvass and certification of the results of general elections. The certification of the result of the election shall be published once by the Board of Elections within three days following the date of the election.

Publication of Borrowing Legislation

SEC. 603. The Mayor shall publish any Act authorizing the issuance of bonds at least once within five days after the enactment thereof, together with a notice of the enactment thereof in substantially the following form:

"Notice

"The following Act authorizing the issuance of bonds published herewith has become effective, and the time within which a suit, action, or proceeding questioning the validity of such bonds can be commenced as provided in the District of Columbia Charter Act will expire twenty days from the date of the first publication of this notice (or in the event the proposition of issuing the proposed bonds is to be submitted to the qualified electors, twenty days after the date of publication of the promulgation of the results of the election ordered by said Act to be held).

_____, _____,

Mayor".

Short Period of Limitation

SEC. 604. Upon the expiration of twenty days from and after the date of publication of the notice of the enactment of an Act authorizing the issuance of bonds without the submission of the proposition for the issuance thereof to the qualified electors, or upon the expiration of twenty days from the date of publication of the promulgation of the results of an election upon the proposition of issuing bonds, as the case may be, all as provided in section 603—

(1) Any recitals or statements of fact contained in such Act or in the preambles or the titles thereof or in the results of the election of any proceedings in connection with the calling, holding, or conducting of election upon the issuance of such bonds shall be deemed to be true for the purpose of determining the validity of the bonds thereby authorized, and the District and all others interested shall thereafter be estopped from denying same;

(2) Such Act and all proceedings in connection with the authorization of the issuance of such bonds shall be conclusively presumed to have been duly and regularly taken, passed, and done by the District and the Board of Elections in full compliance with the provisions of this Act and of all laws applicable thereto;

(3) The validity of such Act and said proceedings shall not thereafter be questioned by either a party plaintiff or a party defendant, and no court shall have jurisdiction in any suit, action, or proceeding questioning the validity of same, except in a suit, action, or proceeding commenced prior to the expiration of such twenty days.

Acts for Issuance of Bonds

SEC. 605. After the expiration of the twenty-day limitation period provided for in section 604 of this part, the District Council may by act establish an issue of bonds as authorized pursuant to the provisions of sections 601 to 604, inclusive, hereof. An issue

of bonds is hereby defined to be all or any part of an aggregate principal amount of bonds authorized pursuant to said sections, but no indebtedness shall be deemed to have been incurred within the meaning of this Act until the bonds shall have been sold, delivered, and paid for, and then only to the extent of the principal amount of bonds so sold and delivered. The bonds of any authorized issue may be issued all at one time, or from time to time in series and in such amounts as the District Council shall deem advisable. The act authorizing the issuance of any series of bonds shall fix the date of the bonds of such series, and the bonds of each such series shall be payable in annual installments beginning not more than three years after the date of the bonds and ending not more than thirty years from such date. The amount of said series to be payable in each year to be so fixed that when the annual interest is added to the principal amount payable in each year the total amount payable in each year in which part of the principal is payable shall be substantially equal. It shall be an immaterial variance if the difference between the largest and smallest amounts of principal and interest payable annually during the term of the bonds does not exceed 3 per centum of the total authorized amount of such series. Such Act shall also prescribe the form of the bonds to be issued thereunder, and of the interest coupons appertaining thereto, and the manner in which said bonds and coupons shall be executed. The bonds and coupons may be executed by the facsimile signatures of the officer or officers designated by the Act authorizing the bonds, to sign the bonds, with the exception that at least one signature shall be manual. Such bonds may be issued in coupon form in the denomination of $1,000, registerable as to principal only or as to both principal and interest, and if registered as to both principal and interest may be issuable in denominations of multiples of $1,000. Such bonds and the interest thereon may be payable at such place or places within or without the District as the District Council may determine.

Public Sale

SEC. 606. (a) All bonds issued under this part shall be sold at public sale upon sealed proposals at such price or prices as shall be approved by the District Council after publication of a notice of such sale at least once not less than ten days prior to the date fixed for sale in a daily newspaper carrying municipal bond notices and devoted primarily to financial news or to the subject of State and municipal bonds published in the city of New York, New York, and in a newspaper of general circulation published in the District. Such notice shall state among other things that no proposal shall be considered unless there is deposited with the District as a downpayment a certified check or cashier's check for an amount equal to at least 2 per centum of the par amount of bonds bid for, and the District Council shall reserve the right to reject any and all bids.

(b) The Treasurer of the United States, and any administrative officer or agency of the United States Government may purchase bonds issued under this part with funds under the control of such officer or agency to the same extent as the Treasurer, officer, or agency's is permitted by law to invest such moneys in obligations of the United States Government, and such sale may be negotiated without the necessity of complying with the provisions of this section, relative to a public sale of the bonds.

Part 2—Short-term borrowing

Borrowing To Meet Supplemental Appropriations

SEC. 621. In the absence of unappropriated available revenues to meet supplemental appropriations made pursuant to section 505, the District Council may by act authorize the issuance of negotiable notes, in a total amount not to exceed 5 per centum of the total appropriations for the current fiscal year, each of which shall be designated "supplemental" and may be renewed from time to time, but all such notes and renewals thereof shall be paid not later than the close of the fiscal year following that in which such act becomes effective.

Borrowing in Anticipation of Revenues

SEC. 622. For any fiscal year, in anticipation of the collection or receipt of revenues of that fiscal year, the District Council may by Act authorize the borrowing of money by the execution of negotiable notes of the District, not to exceed 20 per centum of the total anticipated revenue, each of which shall be designated "Revenue Note for the Budget Year 19 ". Such notes may be renewed from time to time, but all such notes, together with the renewals, shall mature and be paid not later than the end of the fiscal year for which the original notes have been issued.

Notes Redeemable Prior to Maturity

SEC. 623. No notes issued pursuant to this part shall be made payable on demand, but any note may be made subject to redemption prior to maturity on such notice and at such time as may be stated in the note.

Sale of Notes

SEC. 624. All notes issued pursuant to this part may be sold at not less than par and accrued interest at private sale without previous advertising.

Part 3—Payment of bonds and notes

SEC. 631. (a) The Act of the District Council authorizing the issuance of bonds pursuant to this title shall, where necessary, provide for the levy annually of a special tax without limitation as to rate or amount upon all the taxable real and personal tangible property within the District in amounts which, together with other revenues of the District available and applicable for said purposes, will be sufficient to pay the principal of and interest on said bonds and the premium, if any, upon the redemption thereof, as the same respectively become due and payable, which tax shall be levied and collected at the same time and in the same manner as other District taxes are levied and collected, and when collected shall be set aside for the purpose of paying such principal, interest, and premium.

(b) The full faith and credit of the District shall be and is hereby pledged for the payment of the principal of and the interest on all bonds and notes of the District hereafter issued pursuant to this title whether or not such pledge be stated in the bonds or notes or in the Act authorizing the issuance thereof.

Part 4—Tax exemption—legal investment

Tax Exemption

SEC. 641. Bonds and notes issued by the District Council pursuant to this title and the interest thereon shall be exempt from all Federal and District taxation except estate, inheritance, and gift taxes.

Legal Investment

SEC. 642. Nothwithstanding any restrictions on the investment of funds by fiduciaries contained in any other laws, all domestic insurance companies, domestic insurance associations, executors, administrators, guardians, trustees, and other fiduciaries within the District of Columbia may legally invest any sinking funds, moneys, trust funds, or other funds belonging to them or under or within their control in any bonds issued pursuant to this title, it being the purpose of this section to authorize the investment in such bonds or notes of all sinking, insurance, retirement, compensation, pension and trust funds. National banking associations are authorized to deal in, underwrite, purchase and sell, for their own accounts or for the accounts of customers, bonds and notes issued by the District Council to the same extent as national banking associations are authorized by paragraph seven of section 5136 of the Revised Statutes (title 12, U.S.C., sec. 24), to deal in, underwrite, purchase and sell obligations of the United States, States, or political subdivisions thereof. All Federal building and loan associations and Federal savings and loan associations; and banks, trust companies, building and loan associations, and savings and loan associations, domiciled in the District of Columbia, may purchase, sell, underwrite, and deal in, for their own account or for the account of others, all bonds or notes issued pursuant to this title: *Provided*, That nothing contained in this section shall be construed as relieving any parson, firm, association or corporation from any duty of exercising due and reasonable care in selecting securities for purchase or investment.

TITLE VII—FINANCIAL AFFAIRS OF THE DISTRICT

Part 1—Financial administration

Surety Bonds

SEC. 701. Each officer and employee of the District required to do so by the District Council shall provide a bond with such surety and in such amount as the District Council may require. The premiums for all such bonds shall be paid out of appropriations for the District.

Financial Duties of the Mayor

SEC. 702. The Mayor, through his duly designated subordinates, shall have charge of the administration of the financial affairs of the District and to that end he shall—

(1) prepare and submit in the form and manner prescribed by the District Council under section 502 the annual budget estimates and budget message;

(2) supervise and be responsible for all financial transactions to insure adequate control of revenues and resources and to insure that appropriations are not exceeded;

(3) maintain systems of accounting and internal control designed to provide—

(A) full disclosure of the financial results of the District government's activities,

(B) adequate financial information needed by the District government for management purposes,

(C) effective control over and accountability for all funds, property, and other assets: *Provided*, That as soon as practicable after the date of enactment of this Act, the mayor shall cause the accounts of the District to be maintained on a basis that will facilitate the preparation of costs-based budgets;

(4) submit to the District Council a monthly financial statement, by appropriation and department, and in any further detail the District Council may specify;

(5) prepare, as of the end of each fiscal year, a complete financial statement and report;

(6) supervise and be responsible for the assessment of all property subject to assessment within the corporate limits of the District for taxation, make all special assessments for the District government, prepare tax maps, and give such notice of taxes and special assessments as may be required by law;

(7) supervise and be responsible for the assessment and collection of all taxes, special assessments, license fees, and other revenues of the District for the collection of which the District is responsible and receive all money receivable by the District from the Federal Government, or from any courts, or from any agency of the District;

(8) have custody of all public funds belonging to or under the control of the District, or any agency of the District government, and deposit all funds coming into his hands, in such depositories as may be designated and under such terms and conditions as may be prescribed by act of the District Council;

(9) have custody of all investments and invested funds of the District government, or in possession of such government in a fiduciary capacity, and have the safekeeping of all bonds and notes of the District and the receipt and delivery of District bonds and notes for transfer, registration, or exchange.

Control of Appropriations

SEC. 703. The District Council may provide (1) the transfer during the budget year of any appropriation balance then available for one item of appropriation to another item of appropriation, and (2) the allocation to new items of funds appropriated for contingent expenditure.

Accounting Supervision and Control

SEC. 704. The Mayor, through his duly authorized subordinates, shall—

(1) prescribe the forms of receipts, vouchers, bills, and claims to be used by all the agencies of the District government;

(2) examine and approve all contracts, orders, and other documents by which the District government incurs financial obligations, having previously ascertained that moneys have been appropriated and allotted and will be available when the obligations shall become due and payable;

(3) audit and approve before payment all bills, invoices, payrolls, and other evidences of claims, demands, or charges against the District government and with the advice of the legal officials of the District determine the regularity, legality, and correctness of such claims, demands, or charges; and

(4) perform internal audits of central accounting and department and agency records of the District government, including the examination of any accounts or records of financial transactions, and giving due consideration to the effectiveness of accounting systems, internal control, and related administrative practices of the respective agencies.

When Contracts and Expenditures Prohibited

SEC. 705. No officer or agency of the District shall, during any budget year, expend or contract to expend any money or incur any liability, or enter into any contract which by its terms involves the expenditure of money, for any purpose, in excess of the amounts appropriated for any item of expenditure. Any contract, verbal or written, made in violation of this Act shall be null and void. Any officer or employee of the District who shall violate this section, upon conviction thereof, may be summarily removed from office. Nothing in this section, however, shall prevent the making of contracts or of expenditures for capital improvements to be financed in whole or in part by the issuance of bonds, nor the making of contracts of lease or for services for a period exceeding the budget year in which such contract is made, when such contract is permitted by law.

General Fund

SEC. 706. The general fund of the District shall be composed of the revenues of the District other than the revenues applied by law to special funds. All moneys received by any agency, officer, or employee of the District in its or his official capacity shall belong to the District government and shall be paid promptly to the Mayor, or his duly authorized subordinates, for deposit in the appropriate funds.

Contracts Extending Beyond One Year

SEC. 707. No contract involving expenditure out of the appropriations of more than one year shall be made for a period of more than five years; nor shall any such contract be valid unless made or approved by act of the District Council.

Part 2—Annual postaudit by General Accounting Office

Independent Annual Postaudit

SEC. 721. (a) The General Accounting Office shall audit the financial transactions of the District for the fiscal year ending June 30, 1961, and for each fiscal year thereafter, under such rules and regulations as may be prescribed by the Comptroller General of the United States. The audit shall be conducted at the place or places where the accounts are normally kept. The representatives of the General Accounting Office shall have access to all books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the District and necessary to facilitate the audit, and they shall be afforded full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians.

(b) (1) A report of each such audit for each fiscal year shall be made by the Comptroller General to the Mayor and to the District Council not later than January 15 following the close of the fiscal year for which such audit is made. The report shall set forth the scope of the audit and shall include such comments and information as may be deemed necessary to keep the Mayor and the District Council informed of the operations and financial condition of the District, together with such recommendations with respect thereto as the Comptroller General may deem advisable. The report shall also show specifically every program, expenditure, or other financial transaction or undertaking, which, in the opinion of the Comptroller General, has been carried on or made without authority of law.

(2) After the Mayor and his duly authorized subordinates have had an opportunity to be heard, the District Council by resolution shall provide for the publication of such report together with such other material as it deems pertinent thereto.

(3) The Mayor, within ninety days after the report has been made to him and the District Council, shall state in writing to the District Council what has been done to comply with the recommendations made by the Comptroller General in the report.

Amendment of Budget and Accounting Act

SEC. 722. Section 2 of the Budget and Accounting Act, 1921 (U.S.C., 1952 edition, title 31, sec. 2), is hereby amended by striking out "and the municipal government of the District of Columbia."

Part 3—Adjustment of Federal and District expenses

Adjustment of Federal and District Expenses

SEC. 731. Subject to section 1001 and other provisions of law, the Mayor, with the advice and consent of the District Council, and the Director of the Bureau of the Budget, are authorized and empowered to enter into an agreement or agreements concerning the manner and method by which amounts owed by the District to the United States, or by the United States to the District, shall be ascertained and paid.

Title VIII—Board of Education

Creation and Membership

SEC. 801. There is hereby created a Board of Education, consisting of nine members elected as provided in title IX.

Transfer of Functions

SEC. 802. The Board of Education provided for in section 2 of the Act entitled "An Act to fix and regulate the salaries of teachers, school officers, and other employees of the board of education of the District of Columbia", approved June 20, 1906, is hereby abolished and its functions are hereby transferred to the Board of Education created by section 801.

Functions and Limitations

SEC. 803. (a) Subject to the provisions of section 321, the Board of Education shall—

(1) determine appropriate policies for the District with respect to the maintenance and operation of public schools;

(2) appoint the Superintendent of Schools;

(3) prescribe such regulations, not inconsistent with the provisions of this title, as may be necessary or appropriate for the purposes of the operation of this title; and

(4) appoint such standing and special committees, and allocate to them such duties, as may be necessary or appropriate for the purposes of the operation of this title.

(b) In contracting with any person to serve as Superintendent of Schools of the District, the Board of Education shall not obligate the District for a period longer than the three-year period commencing on the date of contracting. Each contract shall reserve to the Board the right to remove the incumbent for cause.

(c) Final action by the Board of Education shall not be taken on any proposed regulation until the thirteenth day following the day on which it was submitted; but the Board of Education may take earlier final action at a regular meeting, or at a special meeting for which reasonable notice has been given, upon vote of two-thirds of the members present.

Qualifications for Holding Office

SEC. 804. No person shall hold the office of member of the Board of Education unless he (1) is a qualified elector, (2) resides and is domiciled in the ward from which he is nominated, has, during the three years next preceding his nomination resided and been domiciled in the District, and has for one year preceding his nomination, resided and been domiciled in the ward from which he is nominated, (3) holds no other elective public office, and (4) holds no appointive office for which compensation is provided out of District funds. A member of the Board of Education shall forfeit his office upon failure to maintain the qualifications required by this section.

Compensation of Members

SEC. 805. Members of the Board of Education shall receive $20 per meeting attended.

President of the Board of Education

SEC. 806. (a) The Board of Education shall elect from among its members a presiding officer, to be known as the "President of the Board of Education". The term of the first such president shall expire at the close of December 31, 1962, and at the close of December 31 of each succeeding even-numbered year the term of office of the incumbent president shall expire. The Board of Education may by resolution remove the President of the Board of Education from his office as such.

(b) The President of the Board of Education shall, with the approval of the Board, designate a member of the Board to act as president during his absence or disability. If a vacancy occurs in the office of president, the Board shall elect from among its members a president for the unexpired term.

Secretary of the Board of Education; Records

SEC. 807. (a) The Board of Education shall appoint a secretary who shall serve at the pleasure of the Board, and such assistants and clerical personnel as may be necessary.

(b) The secretary shall keep a full record of the proceedings of the Board and shall perform such other duties as the Board may from time to time prescribe.

Meetings

SEC. 808. (a) The first meeting of the Board of Education after this section takes effect shall be called by the member who receives the highest vote in the election provided by title IX. He shall preside until a president is elected. The first meeting of the Board in each odd-numbered year commencing with 1961 shall be called by the secretary of the Board for a date not later than January 31 of such year.

(b) The Board of Education shall by resolution provide for the time and place of its regular meetings. The Board shall hold at least one regular meeting in each calendar month during the school term. Special meetings may be called, upon the giving of adequate notice, by the President or any three members of the Board.

(c) Meetings of the Board shall be open to the public and shall be held at reasonable hours and at such places as to accommodate a reasonable number of spectators. The record provided for in section 807(b) shall be open to public inspection and available for copying during all regular office hours of the Board secretary. Any citizen shall have the right to petition and be heard by the Board at any of its meetings, within reasonable limits as set by the Board President, the Board concurring.

Changes in Board Membership, Compensation and Selection

SEC. 809. The number of members constituting the Board of Education, the method of election, the qualifications for holding office, the tenure of office and the compensation of such members may be changed by act passed by the District Council: *Provided*, That no such act shall take effect until after it has been assented to by a majority of the qualified electors of the District voting at an election on the proposition set forth in any such act.

TITLE IX—ELECTIONS IN THE DISTRICT

Board of Elections

SEC. 901. (a) The members of the Board of Elections in office on the date of enactment of this Act shall continue in office for the remainder of the terms for which they were appointed. Their successors shall be appointed without regard to political affiliations, by the Mayor by and with the advice and consent of the District Council. The term of each successor (except in the case of an appointment to fill an unexpired term) shall be three years from the expiration of the term of his predecessor. Any person appointed to fill a vacancy shall be appointed only for the unexpired term of his predecessor. When a member's term of office expires, he may continue to serve until his successor is appointed and has qualified. Section 3 of the District Primary Act is hereby modified to the extent that it is inconsistent herewith.

(b) In addition to its other duties, the Board of Elections shall also, for the purposes of this Act—

(1) maintain a permanent registry;

(2) conduct registrations and elections;

(3) in addition to determining appeals with respect to matters referred to in sections 907 and 911, determine appeals with respect to any other matters which (under regulations prescribed by it under subsection (c)) may be appealed to it;

(4) print, distribute, and count ballots, or provide and operate suitable voting machines;

(5) divide the District into three wards as nearly equal as possible in population and of geographic proportions as nearly regular as possible, and establish voting precincts therein;

(6) operate polling places;

(7) certify nominees and the results of elections; and

(8) perform such other functions as are imposed upon it by this Act.

(c) The Board of Elections may prescribe such regulations not inconsistent with the provisions of this title, as may be necessary or appropriate for the purposes of this title, including regulations providing for appeals to it on questions arising in connection with nominations, registrations, and elections (in addition to matters referred to it in sections 907 and 911) and for determination by it of appeals.

(d) The officers and agencies of the District government shall furnish to the Board of Elections, upon request of such Board, such space and facilities in public buildings in the District to be used as registration or polling places, and such records, information, services, personnel, offices, and equipment, and such other assistance and facilities, as may be necessary to enable such Board properly to perform its functions.

(e) In the performance of its duties, the Board of Elections shall not be subject to the authority of any nonjudicial officer of the District.

(f) The Board of Elections, and persons authorized by it, may administer oaths to persons executing affidavits pursuant to sections 901 and 907. It may provide for the administering of such other oaths as it considers appropriate to require in the performance of its functions.

(g) The Board of Elections is authorized to employ such permanent and temporary personnel as may be necessary. The appointment, compensation, and other terms of employment may be set by the Board of Elections without regard to the provisions of section 402 of this Act.

(h) Each member of the Board of Elections shall be paid at the rate of $1,500 per annum in periodic installments.

What Elections Shall Be Held

SEC. 902. (a) The Board of Elections shall conduct a general election—

(1) in any even-numbered calendar year commencing with 1960; and

(2) in any odd-numbered calendar year commencing with 1961, if an act authorizing the issuance of bonds required by section 602 to be submitted for a referendum at an election is enacted at least forty days prior to the date for conducting the election in such year.

(b) Such general elections shall be held on the fourth Tuesday before the Tuesday in November prescribed hereafter for runoff elections.

(c) Any runoff elections required to be held pursuant to section 905 shall be held on the first Tuesday after the first Monday in November.

Elective Offices; Terms of Office

SEC. 903. (a) The offices of the District to be filled by election shall be the elective offices on the District Council and on the Board of Education, the Mayor and the District Delegate.

(b) The term of an elective office on the District Council shall be two years beginning on January 1 of the odd-numbered year following such election.

(c) The term of an elective office on the Board of Education shall be two years beginning on January 1 of the odd-numbered year following such election.

(d) The term of office of the Mayor shall be four years, beginning on January 1, 1961, and on January 1, following such election, of every other odd-numbered year thereafter.

(e) The term of office of the District Delegate shall be two years begining at noon on January 3 of the odd-numbered year following such election.

Vacancies

SEC. 904. (a) Vacancies in the office of Mayor, in the District Council or in the Board of Education shall be filled at the next general election held pursuant to section 902 for which it is possible for candidates to be nominated following the occurrence of the vacancy. A person elected to fill a vacancy shall take office as soon as practicable following the certification of his election by the Board of Elections and shall hold office for the duration of the unexpired term to which he was elected but not beyond the end of such term.

(b) If the office of Delegate becomes vacant at a time when the unexpired term of such office is six months or more, a special election and, if necessary, a runoff election shall be held, at such time and in such manner (comparable to that prescribed for general elections) as the Board of Elections shall prescribe.

(c) Until a vacancy in the office of Mayor, in the District Council or in the Board of Education can be filled in the manner prescribed in subsection (a) hereof, a vacancy in the office of Mayor shall be filled by appointment by the District Council; and a vacancy in the District Council or in the Board of Education shall be filled by appointment by the Mayor. No person shall be qualified for appointment to any office under this subsection unless, if nominated, he would have been a qualified candidate for such office at the last election conducted prior to or on the date the vacancy occurred. A person appointed to fill a vacancy under this subsection shall hold office until the time provided for an elected successor to take office, but not beyond the end of the term during which the vacancy occurred.

What Candidates Are Elected

SEC. 905. At any general election, a candidate for Delegate or a candidate for Mayor who receives a majority of the votes validly cast for such office shall be elected. At any general election, each of the three candidates in each ward for positions on the District Council and each of the three candidates in each ward for positions on the Board of Education, receiving the highest number of valid votes, shall be elected if he receives more than one-sixth of the total number of votes validly cast in the District for all candidates in his ward for the position for which he is a candidate. In case any office is unfilled because of failure of any candidate to receive in any general election the necessary proportion of votes validly cast, there shall be a runoff election to fill such office. In such runoff election the candidates shall be the persons who were the unsuccessful candidates for the unfilled offices in the general election, and who received the highest number of valid votes in that election, to the number of twice the offices to be filled. The candidate or candidates receiving the highest number of votes validly cast in the runoff election shall be elected. In any election in which there are two or more similar positions to be filled in any ward, a vote for any candidate for such a position in that ward will be valid only if the ballot records votes for as many candidates for such positions in that ward as there are positions to be filled.

Qualified Electors

SEC. 906. No person shall vote in an election unless he meets the qualifications of an elector specified in this section and has registered pursuant to section 907 of this Act or section 7 of the District Primary Act. A qualified elector of the District shall be any person (1) who has maintained a domicile or place of abode in the District continuously during the one-year period ending on the day of election, (2) who is a citizen of the United States, (3) who is on the day of the election at least twenty-one years old, (4) who has never been convicted of a felony in the United States, or, if he has been so convicted, has been pardoned, (5) who is not mentally incompetent, as adjudged by a court of competent jurisdiction, and (6) who certifies that

he has not, within one year immediately preceding the election, voted in any election at which candidates for any municipal offices (other than in the District of Columbia) were on the ballot.

Registration

SEC. 907. (a) No person shall be registered unless—

(1) he shall be able to qualify otherwise as an elector on the day of the next election; and

(2) he executes, in the presence of an employee of the Board of Elections authorized to take oaths for such purposes, a registration affidavit on a form prescribed by the Board of Elections showing that he will meet on the day of the election all the requirements of section 906 of this Act—

(A) that he meets each of the requirements specified in section 906 for a qualified elector for the office for which he intends to vote;

(B) that he meets the requirements of paragraph (2) of this subsection; and

(C) that he has no intention of doing any act which would prevent him from being a qualified elector on the day of the next election.

(b) If a person is not permitted to register, such person, or any qualified candidate, may appeal to the Board of Elections, but not later than three days after the registry is closed for the next election. The Board shall decide within seven days after the appeal is perfected whether the challenged elector is entitled to register. If the appeal is denied the appellant may, within three days after such denial, appeal to the Municipal Court for the District of Columbia. The court shall decide the issue not later than eighteen days before the day of the election. The decision of such court shall be final and not appealable. If the appeal is upheld by either the Board or the court, the challenged elector shall be allowed to register immediately. If the appeal is pending on election day, the challenged elector may cast a ballot marked "challenged", as provided in section 911.

(c) For the purposes of this Act, the Board of Elections shall keep open, during normal hours of business, Saturdays, Sundays, and holidays excepted, a central registry office and shall conduct registration at such other times and places as the Board of Elections shall deem appropriate. The Board of Elections may suspend the registration of voters, or the acceptance of changes in registrations for such period, not exceeding thirty days, next preceding any election as it may deem necessary and appropriate.

Qualified Candidates

SEC. 908. The candidates at an election in the District shall be the persons, registered under section 907 of this Act or under section 7 of the District Primary Act, who have been nominated as provided in section 909 of this Act: *Provided*, That no member of the Board of Elections may be such a candidate.

Nominations

SEC. 909. (a) Nomination of a candidate shall take place when the Board of Elections receives a petition in accordance with rules, not inconsistent with this Act, prescribed by the Board either—

(1) a declaration of candidacy accompanied by a filing fee equal to 5 per centum of the annual compensation for which nomination is sought; said fee to be refunded—

(A) if the candidate withdraws his candidacy in writing received by the Board not more than three days after the last day on which nominations may be made; or

(B) if the candidate polls 10 per centum or more of the total vote cast for that office; or

(2) a nominating petition signed by the number of registered voters specified below, without payment of a filing fee: *Provided*—

(A) that any petition for a candidate for the office of District Delegate be signed by six hundred qualified electors registered in the District, and

(B) that any petition for a candidate for the District Council be signed by three hundred qualified electors registered in the ward from which he is nominated for such office.

(b) No person may be a candidate for more than one office in any election. If a person is nominated for more than one office, he shall, within three days after the last day on which nominations may be made (as prescribed by the Board of Elections), notify the Board of Elections for which such office he elects to run.

(c) The Board of Elections is authorized to accept any nominating petition as bona fide with respect to the qualifications of the signatories thereto: *Provided*, That the originals or facsimile copies thereof shall have been posted in a suitable public place for at least ten days: *And provided further*, That no challenge as to the qualifications of the signatories shall have been received in writing by the Board of Elections within ten days of first posting of such petition.

(d) The Board of Elections may, at its discretion, declare elected, without an actual count of the votes cast, any unopposed candidate.

Nonpartisan Elections

SEC. 910. (a) Ballots and voting machines shall show no party affiliations, emblem, or slogan.

(b) Section 16 of the Act entitled "An Act to prevent pernicious political activities", approved August 2, 1939 (53 Stat. 1147), is amended by inserting immediately after "exists in" the following: "the District of Columbia or".

Method of Voting

SEC. 911. (a) Voting in all elections shall be secret. Voting may be by paper ballot or voting machine.

(b) The ballot shall show the wards from which each candidate (other than for District Delegate and Mayor) has been nominated. Each voter shall be entitled to vote for nine candidates for the District Council, not more than three from each ward; for nine candidates for the Board of Education, not more than three from each ward; for one candidate for Mayor and for one candidate for District Delegate. No person shall be a candidate from more than one ward.

(c) The ballot of a person who is registered as a resident of the District shall be valid only if cast in the voting precinct where the residence shown on his registration is located.

(d) Absentee balloting shall be permitted under regulations adopted by the Board of Elections.

(e) At least ten days prior to the date of any referendum or election, any group of citizens or individual candidates interested in the outcome of the election may petition the Board of Elections for credentials authorizing watchers at any and all polling places during the voting hours and until the count has been completed. The Board of Elections shall formulate rules and regulations, not inconsistent with provisions of this title, to prescribe the form of watchers' credentials, to govern their conduct, and to limit the number of watchers so that the conduct of the election will not be unreasonably obstructed.

(f) If the official in charge of the polling place, after hearing both parties to any such challenge or acting on his own initiative with respect to a prospective voter, reasonably believes the prospective voter is unqualified to vote, he shall allow the voter to cast a paper ballot marked "challenged." Ballots so cast shall be segregated, and no such ballot shall be counted until the challenge has been removed as provided in subsection (g).

(g) If a person has been permitted to vote only by challenged ballot, such person, or any qualified candidate, may appeal to the Board of Elections within three days after election day. The Board shall decide within seven days after the appeal is perfected whether the voter was qualified to vote. If the Board decides that the voter was qualified to vote, the word "challenged" shall be stricken from the voter's ballot and the ballot shall be treated as if it had not been challenged.

(h) If a voter is physically unable to mark his ballot or operate the voting machine, the official in charge of the voting place may enter the voting booth with him and vote as directed. Upon the request of any such voter, a second election official may enter the voting booth to assist in the voting. The officials shall tell no one what votes were cast. The official in charge of the voting place shall make a return of all such voters, giving their names and disabilities.

(i) A voter shall vote only once with respect to each office to be filled.

(j) Copies of the regulations of the Board of Elections with respect to voting shall be made available to prospective voters at each polling place.

(k) Before being allowed to vote the voter shall sign a certificate, on a form to be prescribed by the Board of Elections, that he has duly registered under the election laws of the District and that, to his best knowledge and belief, he has not since such registration done any act which might disqualify him as an elector.

Recounts and Contests

SEC. 912. (a) The provisions of section 11 of the District Primary Act with respect to recounts and contests shall be applicable to any election or referendum held under this Act, except that in the case of a referendum any qualified voter who has voted in such referendum may petition the Board of Elections for a recount of the votes cast in one or more precincts under the same conditions required of a candidate for office under section 11(a) of the District Primary Act. These provisions shall be applicable to the referenda held until titles VI, XV, and XVII of this Act notwithstanding the fact that the provisions of this title do not otherwise take effect unless the charter referendum provided in title XV is adopted.

(b) If the court voids all or part of an election under this section, and if it determines that the number and importance of the matters involved outweigh the cost and practical disadvantages of holding another election, it may order a special election for the purpose of voting on the matters with respect to which the election was declared void.

(c) Special elections shall be conducted in a manner comparable to that prescribed for regular elections and at times and in the manner prescribed by the Board of Elections by regulation. A person elected at such an election shall take office on the day following the date on which the Board of Elections certifies the results of the election.

(d) Vacancies resulting from voiding all or part of an election shall be filled as prescribed in section 904.

Interference With Registration or Voting

SEC. 913. (a) No one shall interfere with the registration or voting of another person, except as it may be reasonably necessary in the performance of a duty imposed by law. No person performing such a duty shall interfere with the registration or voting of another person because of his race, color, sex, or religious belief, or his want of property or income.

(b) No registered voter shall be required to perform a military duty on election day which would prevent him from voting, ex-

cept in time of war or public danger or unless he is away from the District in military service. No registered voter may be arrested while voting or going to vote except for a breach of the peace then committed or for treason or felony.

Violations

SEC. 914. Whoever willfully violates any provision of this title, or of any regulation prescribed and published by the Board of Elections under authority of this title, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not more than $500 or imprisoned for not more than six months, or both.

TITLE X—MISCELLANEOUS

Agreements With United States

SEC. 1001. (a) For the purpose of preventing duplication of effort or of otherwise promoting efficiency and economy, any Federal officer or agency may furnish services to the District government and any District officer or agency may furnish services to the Federal Government. Except where the terms and conditions governing the furnishing of such services are prescribed by other provisions of law, such services shall be furnished pursuant to a contract (1) negotiated by the Federal and District authorities concerned, and (2) approved by the Director of the Bureau of the Budget and by the Mayor, by and with the advice and consent of the District Council. Each such contract shall provide that the cost of furnishing such services shall be borne in the manner provided in subsection (c) by the Government to which such services are furnished at rates or charges based on the actual cost of furnishing such services.

(b) For the purpose of carrying out any contract negotiated and approved pursuant to subsection (a), any District officer or agency may in the contract delegate any of his or its function to any Federal officer or agency, and any Federal officer or agency may in the contract delegate any of his or its functions to any District officer or agency. Any function so delegated may be exercised in accordance with the terms of the delegation.

(c) The costs to each Federal officer and agency in furnishing services to the District pursuant to any such contract shall be paid, in accordance with the terms of the contract, out of appropriations made by the District Council to the District officers and agencies to which such services are furnished. The costs to each District officer and agency in furnishing services to the Federal Government pursuant to any such contract shall be paid, in accordance with the terms of the contract, out of appropriations made by the Congress to the Federal officers and agencies to which such services are furnished.

Personal Interest in Contracts or Transactions

SEC. 1002. No member of the District Council and no other officer or employee of the District with power of discretion in the making of any contract to which the District is a party or in the sale to the District or to a contractor supplying the District of any land or rights or interests in any land, material, supplies, or services shall have a financial interest, direct or indirect, in such contract or sale. Any willful violation of this section shall constitute malfeasance in office, and any officer or employee of the District found guilty thereof shall thereby forfeit his office or position. Any violation of this section with the knowledge express or implied of the person contracting with the District shall render the contract voidable by the Mayor or the District Council.

Compensation From More Than One Source

SEC. 1003. (a) Except as provided in this Act, no person shall be ineligible to serve or to receive compensation as a member of the District Council, the Board of Education, or the Board of Elections because he occupies another office or position or because he receives compensation (including retirement compensation) from another source.

(b) The right to another office or position or to compensation from another source otherwise secured to such a person under the laws of the United States shall not be abridged by the fact of his service or receipt of compensation as a member of the District Council or either such Board, if such service does not interfere with the discharge of his duties in such other office or position.

(c) For the purpose of sections 281, 283, 284, 434, and 1914 of title 18 of the United States Code and section 190 of the Revised Statutes (5 U.S.C. 99), no person shall, by reason of membership on the District Council, the Board of Education, or the Board of Elections or by reason of his serving in any position in or under the government of the District of Columbia, be considered to be an officer or employee of the United States.

Assistance of United States Civil Service Commission in Development of District Merit System

SEC. 1004. The United States Civil Service Commission is hereby authorized to advise and assist the Mayor and the District Council in the further development of the merit system required by section 402 (3) and the said Commission is authorized to enter into agreements with the District of Columbia government to make available its registers of eligibility as a recruiting source to fill District positions as needed. The costs of any specific services furnished by the Civil Service Commission may be compensated for under the provisions of section 1001 of this Act.

TITLE XI—SUCCESSION IN GOVERNMENT

Transfer of Personnel, Property, and Funds

SEC. 1101. (a) In each case of the transfer, by any provision of this Act, of functions to any agency or officer, there are hereby transferred (as of the time of such transfer of functions) to such agency or to the agency of which such officer is the head, for use in the administration of the functions of such agency or officer, the personnel (except the members of boards or commissions abolished by this Act), property, records, and unexpended balances of appropriations and other funds, which relate primarily to the functions so transferred.

(b) If any question arises in connection with the carrying out of subsection (a), such question shall be decided—

(1) in the case of functions transferred from a Federal officer or agency, by the Director of the Bureau of the Budget; and

(2) in the case of other functions (A) by the District Council, or in such manner as the District Council shall provide, if such functions are transferred to the District Council or to the Board of Education, and (B) by the Mayor if such functions are transferred to any other officer or agency.

(c) Any of the personnel transferred to any agency by this section which the head of such agency shall find to be in excess of the personnel necessary for the administration of his or its functions shall, in accordance with law, be retransferred to other positions in the District or Federal Government or be separated from the service.

(d) No officer or employee shall, by reason of his transfer by this Act, be deprived of a civil-service status held by him prior to such transfer.

Existing Statutes, Regulations, and So Forth

SEC. 1102. (a) Any statute, regulation, or other action in respect of (and any regulation or other action issued, made, taken, or granted by) any officer or agency from which any function is transferred by this Act shall, except to the extent modified or made inapplicable by or under authority of law, continue in effect as if such transfer had not been made; but after such transfer references in such statute, regulation, or other action to an officer or agency from which a transfer is made by this Act shall be held and considered to refer to the officer or agency to which the transfer is made.

(b) As used in subsection (a), the term "other action" includes any rule, order, contract, policy, determination, directive, grant, authorization, permit, requirement, or designation.

(c) Unless otherwise specifically provided, nothing contained in this Act shall be construed as affecting the applicability to the District of Columbia government of personnel legislation relating to the District government until such time as the District Council may otherwise elect to provide similar and comparable coverage as provided in section 402(4).

Pending Actions and Proceedings

SEC. 1103. (a) No suit, action, or other judicial proceeding lawfully commenced by or against any officer or agency in his or its official capacity or in relation to the exercise of his or its official functions, shall abate by reason of the taking effect of any provision of this Act, but the court, unless it determines that the survival of such suit, action, or other proceeding is not necessary for purposes of settlement of the questions involved, shall allow the same to be maintained, with such substitutions as to parties as are appropriate.

(b) No administrative action or proceeding lawfully commenced shall abate solely by reason of the taking effect of any provision of this Act, but such action or proceeding shall be continued with such substitutions as to parties and officers or agencies as are appropriate.

Vacancies Resulting From Abolition of Board of Commissioners

SEC. 1104. Until July 1, 1961, no vacancy occurring in any District agency by reason of section 321, abolishing the Board of Commissioners, shall affect the power of the remaining members of such agency to exercise its functions, but such agency may take action only if a majority of the members holding office vote in favor of it.

TITLE XII—SEPARABILITY OF PROVISIONS

Separability of Provisions

SEC. 1201. If any provision of this Act or the application thereof to any person or circumstance is held invalid, the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby.

TITLE XIII—TEMPORARY PROVISIONS

Powers of the President During Transition Period

SEC. 1301. The President of the United States is hereby authorized and directed to take such action during the period following the date of the enactment of this Act and ending on the date of the first meeting of the District Council, by Executive order or otherwise, with respect to the administration of the functions of the District of Columbia government, as he deems necessary to enable the Board of Elections properly to perform their functions under this Act.

Reimbursable Appropriations for the District

SEC. 1302. (a) The sum of $500,000 is hereby authorized to be appropriated for the District of Columbia, out of any money in the Treasury not otherwise appropriated, for use (1) in paying the expenses of the Board of Elections (including compensation of the members thereof), and (2) in otherwise carrying into effect the provisions of this Act.

(b) The full amount of expenditures out of the appropriations made under this authorization shall be reimbursed to the United States, without interest, during the fiscal year ending June 30, 1962, from the general fund of the District of Columbia.

TITLE XIV—EFFECTIVE DATES

Effective Dates

SEC. 1401. (a) As used in this title and title XV the term "charter" means titles I to XII, both inclusive, and titles XVI and XVII.

(b) The charter shall take effect only if accepted pursuant to title XV. If the charter is so accepted, it shall take effect on the day following the date on which it is accepted (as determined pursuant to section 1506) except that—

(1) part 2 of title III, title V, title VII, and sections 802 and 803, shall take effect January 1, 1961, and

(2) section 402 shall take effect on the day upon which the Mayor first elected takes office.

(c) Titles XIII, XIV, and XV shall take effect on the day following the date on which this Act is enacted.

TITLE XV—SUBMISSION OF CHARTER FOR REFERENDUM

Charter Referendum

SEC. 1501. (a) On a date to be fixed by the Board of Elections, not more than nine months after the enactment of this Act, a referendum (in this title referred to as the "charter referendum") shall be conducted to determine whether the registered qualified electors of the District of Columbia accept the charter.

(b) As used in this title, a "qualified elector" means a person who meets the requirements of section 906 on the day of the charter referendum.

Board of Elections

SEC. 1502. (a) In addition to its other duties, the Board of Elections established under the District Primary Act shall conduct the charter referendum and certify the results thereof as provided in this title.

(b) Notwithstanding the fact that such section does not otherwise take effect unless the charter is accepted under this title, the applicable provisions of section 901 of this Act shall govern the Board of Elections in the performance of its duties.

Registration

SEC. 1503. (a) The Board of Elections shall conduct within the District of Columbia a registration of the qualified electors commencing as soon as practicable after the enactment of this Act and ending not more than thirty days nor less than fifteen days prior to the date set for the charter referendum as provided in section 1501 of this title.

(b) Prior to the commencement of such registration, the Board of Elections shall publish, in daily newspapers of general circulation published in the District of Columbia, a list of the registration places and the dates and hours of registration.

(c) The applicable provisions of section 907, notwithstanding the fact that such section does not otherwise take effect unless the charter is accepted, shall govern the registration of voters for this charter referendum.

Charter Referendum Ballot; Notice of Voting

SEC. 1504. (a) The charter referendum ballot shall contain the following, with the blank space appropriately filled:

"The District of Columbia Charter Act, enacted ———, proposes to establish a new charter for the District of Columbia, but provides that the charter shall take effect only if it is accepted by the registered qualified electors of the District in this referendum.

"By marking a cross (×) in one of the squares provided below, show whether you are for or against the charter.

☐ For the charter

☐ Against the charter"

(b) Voting may be by paper ballot or by voting machine. The Board of Elections may make such changes in the second paragraph of the charter referendum ballot as it determines to be necessary to permit the use of voting machines if such machines are used.

(c) Not less than three days before the date of charter referendum, the Board of Elections shall mail to each person registered (1) a sample of the charter referendum ballot, and (2) information showing the polling place of such person and the date and hours of voting.

(d) Not less than one day before the charter referendum, the Board of Elections shall publish, in newspapers of general circulation published in the District of Columbia, a list of the polling places and the date and hours of voting.

Method of Voting

SEC. 1505. Notwithstanding the fact such sections do not otherwise take effect unless the charter is accepted under this title, the applicable provisions of sections 911, 912, 913, and 914 of this Act shall govern the method of voting, recounts and contests, interference with registration or voting, and violations connected with this charter referendum.

Acceptance or Nonacceptance of Charter

SEC. 1506. (a) If a majority of the registered qualified electors voting in the charter referendum vote for the charter, the charter shall be considered accepted as of the time the Board of Elections certifies the result of the charter referendum to the President of the United States, as provided in subsection (b).

(b) The Board of Elections shall, within a reasonable time, but in no event more than thirty days after the date of the charter referendum, certify the result of the charter referendum to the President of the United States and to the Secretary of the Senate and the Clerk of the House of Representatives.

TITLE XVI—DELEGATE

District Delegate

SEC. 1601. (a) Until a constitutional amendment and subsequent congressional action otherwise provide, the people of the District shall be represented in the House of Representatives of the United States by a Delegate, to be known as the "Delegate from the District of Columbia", who shall be elected as provided in this Act. The Delegate shall have a seat in the House of Representatives, with the right of debate, but not of voting. The Delegate shall be a member of the House Committee on the District of Columbia and shall possess in such committee the same powers and privileges as in the House of Representatives, and may make any motion except to reconsider. His term of office shall be for two years.

(b) No person shall hold the office of District Delegate unless he (1) is a qualified elector, (2) is at least twenty-five years old, (3) holds no other public office, and (4) is domiciled and resides in the District and during the three years next preceding his nomination (a) has been resident in and domiciled in the District and (b) has not voted in any election (other than in the District) for any candidate for public office. He shall forfeit his office upon failure to maintain the qualifications required by this subsection.

(c) (1) Subsection (a) of section 601 of the Legislative Reorganization Act of 1946, as amended, is hereby amended by striking out "from the Territories".

(2) Clause (b) of section 1 of the Civil Service Retirement Act of May 29, 1930, as amended (70 Stat. 743), is hereby amended by striking out "from a Territory".

(3) The second paragraph under the heading "House of Representatives" in the Act of July 16, 1914 (U.S.C., 1952 edition, title 2, sec. 37), is hereby amended by striking out "from Territories".

(4) Paragraph (i) of section 302 of the Federal Corrupt Practices Act, 1925, as amended (U.S.C., 1952 edition, title 2, sec. 241), is hereby amended by inserting after "United States" the following: "and the District of Columbia".

(5) Section 591 of title 18, United States Code, 1952 edition, is hereby amended by inserting "and the District of Columbia" before the period at the end thereof. Section 594 of such title is hereby amended by inserting after "Territories and possessions" the following: "or the District of Columbia". The first paragraph of section 595 of such title is hereby amended by inserting after "from any Territory or possession" the following: "or the District of Columbia".

TITLE XVII—REFERENDUM

SEC. 1701. (a) The qualified electors (as defined in section 906) shall have power, pursuant to the procedure provided by this title, to approve or reject in a referendum any act of the District Council, or part or parts thereof, which has become law, whether or not such act is yet operative. This power shall not extend, however, to acts authorizing the issuance of bonds, which shall be subject to the referendum provisions contained in section 602, or to acts continuing existing taxes or making appropriations which in the aggregate are not in excess of those for the preceding fiscal year. Within forty-five days after an act subject to this title has been enacted, a petition signed by qualified electors equal in number to at least ten per centum of the number who voted at the last preceding general election may be filed with the Secretary of the District Council requesting that any such act or any part or parts thereof be submitted to a vote of the qualified electors.

(b) The Board of Elections shall prescribe such regulations as may be necessary or appropriate with respect to the form, filing, examination, amendment, and certification of petitions for referenda and with respect to the conduct of any referendum held under this title.

Effect of Certification of Referendum Petition

SEC. 1702. (a) When a referendum petition has been certified as sufficient, the act, or the one or more items, sections or parts thereof, specified in the petition shall not become operative, or further action shall be suspended if it shall have become operative, until and unless approved by the electors, as provided in this title. The filing of a referendum petition against one or more parts of an act shall not alter the operative effect of the remainder of such act.

(b) If, within thirty days after the filing of a referendum petition, the Secretary has not specified the particulars in which a petition is defective, the petition shall be deemed sufficient for the purpose of this title.

Submission to Electors

SEC. 1703. An act with respect to which a petition for a referendum has been filed and certified as sufficient shall be submitted to the qualified electors at a referendum to be held in connection with the first general election which occurs not less than thirty days nor more than one year from the date on which the Secretary files his certificate of the sufficiency of the petition. The District Council shall, if no general election is to be held within such period, provide for a special election for the purpose of conducting the referendum.

Availability of List of Qualified Electors

SEC. 1704. If any organization or group requests it for the purpose of circulating descriptive matter relating to the act to be voted on at a referendum, the Board of Elections shall either permit such organization or group to copy the names and addresses of the qualified electors or furnish

it with a list thereof, at a charge to be determined by the Board of Elections, not exceeding the actual cost of reproducing such list.

Results of Referendum

SEC. 1705. An act which is submitted to a referendum which is not approved by a majority of the qualified electors voting thereon shall thereupon be deemed repealed. If a majority of the qualified electors voting thereon approve the act, it shall become operative on the day following the day on which the Board of Elections certifies the results of the referendum. If conflicting acts are approved by the electors at the same referendum, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict. As used in this section, the word "Act" shall mean the complete Act, or any part or parts thereof, specified in the petition for referendum.

TITLE XVIII—TITLE OF ACT

SEC. 1801. This Act, divided into titles and sections according to table of contents, and including the declaration of congressional policy which is a part of such Act, may be cited as the "District of Columbia Charter Act".

FREEDOM COMMISSION AND FREEDOM ACADEMY

Mr. MUNDT. Mr. President, on behalf of the senior Senator of Illinois [Mr. DOUGLAS] and myself I introduce, for appropriate reference, a bill to create a Freedom Commission to undertake the establishment of a Freedom Academy to train Americans and foreign visitors from the free world to better understand the nature of the international Communist conspiracy and to develop effective methods of combating its propaganda and espionage activities.

Last week, the Senator from Illinois and I attended the annual meeting of the Council Against Communist Aggression, which was held in the Washington Hotel, in this city. At that meeting we heard inspiring and informative addresses by Representatives WALTER JUDD, of Minnesota, and SID HERLONG, of Florida, in support of legislation of this type which they have introduced in the House of Representatives. The proposed legislation grew out of the experiences and recommendations of the so-called Orlando group, which for several years down in Orlando, Fla., has been conducting a citywide educational campaign to alert and acquaint the students and adults of Orlando, Fla., about the true significance and the specific objectives of atheistic communism as it is being directed today from Moscow, Russia. In my own remarks at the council meeting I told the group that the Senator from Illinois and I would be glad to introduce a companion bill in the Senate.

Mr. President, a recent editorial in Life magazine, entitled "For a Political West Point," spells out in striking language the need for the free countries of the world to start training cadres of citizens who recognize the evils of communism for what they are and who are equipped to refute and repel the insidious propaganda and the cold war tactics of international communism.

I ask unanimous consent that excerpts from the editorial be printed at this point in my remarks.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

Neither the Red army nor straight Marxist propaganda, with all their power, could alone have created student riots in Venezuela, frustrated the parliamentary system of Italy, won an election in the most literate state in India (Kerala), retained key footholds in the British and American labor movements, ridden the street whirlwinds of Baghdad to the edge of power, dazzled the opening mind of Africa, or poisoned strategic corners of press and university opinion from Paris to Tokyo. These are organizational successes, the fruit of long and rigorous training of dedicated individuals in a conspiratorial technique.

Lies and terror, as well as bribery and argument, are parts of this technique. But that is not the reason the free world has failed to counter it. Apathy and ignorance are the reasons. Given the will, the Communist political war can be countered by open and ethical methods which will uphold the values as well as the institutions of freedom.

The Herlong-Judd bill attempts to focus and organize this potential counteraction. It sets up what is tentatively called a Freedom Academy but what is really a West Point of political war. To selected candidates from the United States and all free countries, it would offer intensive courses in Communist political techniques and how to reverse or resist them. A graduate—whether American oilman, Indian peasant leader, African nationalist, Mexican labor boss, Japanese mayor, or Indonesian bookseller—would be thus better equipped to meet the Communists, technique for technique and argument for argument, on his home ground. It sounds like a tall order. It is. The Soviets have scores of academies for training Communists in this operational science. They are way ahead of us. But the makings of a counterscience exist.

* * * * *

It will be objected that counteraction is too negative and static a concept for the cause of freedom. But it is surely not a negative act to collect and disseminate what knowledge we have about political infighting. Moreover, while diversity of belief is a hallmark of free man, a closer knowledge of their common enemy is bound to result in wider areas of free agreement and more constructive policies to promote freedom.

The Communist challenge does not confine itself to conventional arenas. As one good textbook puts it (Philip Selznick's "Organizational Weapon"), it tries to make all our institutions political and fights not only at the top but "everywhere in the social structure, wherever an increment of power can be squeezed from control of an institution or a portion of it." The big problem in meeting this total challenge is to avoid innocence on the one hand and hysteria on the other. An official academy would be the best guardian of a cool perspective. Thus the debate on the Herlong-Judd bill should certainly not divide the country along partisan or liberal-conservative lines; men of every political color except one can unite behind this proposal. It should be supported by all who take the Communist threat as seriously as the Communists intend it.

Mr. MUNDT. Mr. President, the Communist cold war against the free nations and again our free institutions is being fought by Communist agents in almost every walk of life. They have infiltrated our universities, our cultural and religious groups, our labor and farm organizations, our newspapers, and such media of communication and entertainment as radio, TV, and the motion-picture industry. They utilize economic weapons, propaganda warfare, espionage, front organizations, innocent dupes, and gullible idealists who fail to realize either the dangers of communism or the fact that their good intentions are being perverted for tyrannical purposes.

To effectively offset and defeat the Communist organizational weapons, we need trained, dedicated people who understand the Communist strategy and who appreciate the tactics and the realities of a total global power struggle. Such an academy as that proposed in the Mundt-Douglas bill in the Senate and the Herlong-Judd bill in the House would have the means and the objective of providing the free world with skilled operatives to promote freedom's side of this cold war into which we have reluctantly but realistically been forced.

It is not our intention to emulate Communist conspiratorial techniques in conducting our side of this global struggle. Our methods and techniques can and should be developed in full harmony with our democratic principles, our Christian ethics, and our civilized concept of morality. With right on our side, however, we should be able to evolve methods and techniques far more effective than those utilized by the Communists to exploit those with whom they come in contact.

As was pointed out by the Council Against Communist Aggression recently:

The Communists now have the lead time of half a century; for them it is already high noon. For us, it is the choice between continued darkness or early dawn. Let us choose the dawn and choose it now. The choice will not be ours again.

At least since the October revolution in 1917, international communism has had the world as its target. We are late—very late—in developing the proper, effective methods for repelling it. But there is still time if we devote our great American talents, vision, and resources to this immediate problem. I sincerely hope that before this session of Congress adjourns we shall have set in motion the training of the essential forces of freedom to help to hold what is left of the free world and to begin the necessary work of pushing the boundaries of communism back closer and closer to their home base in the Kremlin. Once compelled to retreat, communism may collapse entirely, and much more rapidly than is generally realized.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1689) to create the Freedom Commission for the development of the science of counteraction to the world Communist conspiracy and for the training and development of leaders in a total political war, introduced by Mr. MUNDT (for himself and Mr. DOUGLAS), was received, read twice by its title, and referred to the Committee on the Judiciary.

AMENDMENT OF MUTUAL DEFENSE ASSISTANCE CONTROL ACT OF 1951

Mr. KENNEDY. Mr. President, on behalf of the senior Senator from Vermont [Mr. AIKEN] and myself, I introduce for appropriate reference, a bill to amend

the Battle Act of 1951. This bill, which would give greater discretion to the President in granting assistance to satellite nations in the event that it might help to maintain those nations free from full Communist domination, is essentially the same as the bill which I introduced last year and which was considered as an amendment to the Mutual Security Act.

Unhappily, that amendment was defeated by one vote on the floor of the Senate, after the State Department determined that this bill would best be considered as separate legislation. The State Department has meanwhile reevaluated the bill, and the administration is now prepared to give the present bill its full support.

This bill is too important for it to become a matter of partisan bickering and misunderstanding. It is clearly intended to provide our Government with a more effective tool in meeting the threat of Sino-Soviet communism. We have found from sad experience that our own arsenal of weapons for use behind the Iron Curtain is very nearly empty. The pleasant slogans of liberation have had a hollow echo. The diplomatic approaches to a Russian troop withdrawal have not thus far been fruitful. We have been able to do very little through refugee relief or propaganda appeal or by U.N. resolution.

We cannot any longer count on freedom to come to Poland and other nations of Eastern Europe by means of dramatic or violent revolution. Our best hope is rather in more nations following the example of Poland, Yugoslavia, and Finland in moving gradually, if cautiously, away from total Soviet political domination and seeking greater economic independence as well. We are not going to help them revolt or send them arms. We made that clear in 1956. Neither are we helping by woodenly lumping all Eastern European nations together under one label regardless of the differences in their aspirations or operation. We can help by offering the best possible concrete alternatives—by being prepared to take advantage of the first opening—by having ready alternative forms of economic aid to lessen their dependence upon the U.S.S.R. or China. Unfortunately, we cannot do more, certainly we dare not do less.

This amendment is not intended in itself to provide any immediate grant of assistance to any nation. Rather this bill is an attempt to bring the Battle Act, passed in 1951, under completely different historic circumstances, into line with present realities. What it suggests is that there be the possibility of acting quickly and effectively if in the future any of the now subjected nations has a chance of loosening its ties to the U.S.S.R. and if the President feels that a grant of assistance would serve to encourage greater independence by those nations.

Under the present Battle Act legislation, we are able to grant assistance only on a finding that a given country is not Soviet controlled or dominated—a finding which is difficult to make in a twilight situation such as existed in Poland in 1956. And even so, the only limited avenues of assistance which are open under the Battle Act are the President's Emergency Fund—limited to $30 million per year—and the sale provisions of Public Law 480 under which a country such as Poland can buy certain food products. This is an exceedingly cumbersome set of tools, which prevented the President from acting in the Polish situation only after several months of negotiation. In the case of Hungary, we were unable to act at all. Today there is no new country where such action is desirable immediately—but who can predict, in view of the outbreaks of the past 3 years in East Germany, Hungary, Poland, and Yugoslavia, what the next few years will bring?

Moreover, if this amendment is passed, we can improve the effectiveness of those aid agreements which we already have made and might contemplate making with the Government of Poland. Many of the humanitarian and special economic benefits which other nations attain through Public Law 480 are not available to Poland—reloaning of accumulated currencies for educational training, special welfare projects, and the like. Moreover, in providing sufficient dollar assistance, it would be desirable to provide our Government with the option of granting assistance through the Export-Import Bank, now wholly denied by the Battle Act.

I hope, Mr. President, that the Foreign Relations Committee will hold hearings on this bill during the next weeks and that we can consider this legislation constructively. If we pass this proposed legislation, there is a real opportunity for giving our foreign policy a flexibility which might exploit cracks in the Iron Curtain. To the valiant people of Poland and the other subjected states of East Europe, this is one of the few practical demonstrations that we in the Congress can give to assure them that their hopes can yet be realized in the years ahead.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1697) to amend the Mutual Defense Assistance Control Act of 1951, introduced by Mr. KENNEDY (for himself and Mr. AIKEN), was received, read twice by its title, and referred to the Committee on Foreign Relations.

GOVERNMENT RELEASE OF STOCKPILED COPPER

Mr. MANSFIELD. Mr. President, there have been rumors going around for the past several days to the effect that an agency of the Government is seeking permission from various departments within the executive branch to dispose of up to 128,000 short tons of copper in the Government inventory. These rumors have reached such a stage that within the past 2½ weeks the price of copper has declined 2½ cents on the London market.

Everyone knows what a difficult situation the copper mining industry in this country has occupied over the past several years; and for that matter, the hard metal industry. It has been the most blighted area in the field of unemployment, and the depressed condition has been quite evident until recently. Now we have this attempt on the part of a Mr. Price, who I understand lives on Long Island and visits Washington once a week, as a consultant to the Office of Civil and Defense Mobilization, headed by former Gov. Leo Hoegh, of Iowa, to dump Government-owned copper on the domestic market.

This has come to the attention of those of us from the hard rock mining States as an attempt being made to shift a large portion, if not all, of the 128,000 short tons into the domestic market, with the possibility that if that is done the price decline which has become evident in the past 2½ weeks will become precipitate in the days ahead.

Mr. President, yesterday my colleague, the senior Senator from Montana [Mr. MURRAY], the Senators from Arizona [Mr. HAYDEN and Mr. GOLDWATER], the Senators from Utah [Mr. BENNETT and Mr. MOSS], the Senator from Idaho [Mr. CHURCH], the Senators from Nevada [Mr. BIBLE and Mr. CANNON], the Senators from Michigan [Mr. MCNAMARA and Mr. HART], the Senator from North Carolina [Mr. JORDAN], the Senators from New Mexico [Mr. CHAVEZ and Mr. ANDERSON], the Senator from Colorado [Mr. ALLOTT] and myself addressed a joint letter to the Honorable Leo A. Hoegh, Director of the Office of Civil and Defense Mobilization. In that letter we stated:

DEAR MR. DIRECTOR: We are disturbed by reports that your agency is seriously considering the release to industry of certain quantities of copper now held in the DPA stockpile.

You doubtless are aware of the fact that within recent days the price of copper has substantially decreased, and we are advised by the domestic copper producing industry that London market sources report the drop in the London market is due to the above mentioned reports and rumors in the copper market places of the world.

In the last two weeks, the domestic custom smelter price has declined 2 cents per pound—

I interpolate to say at this point that the price has declined another half cent since yesterday.

I continue the letter:

and the London price has declined 2¼ cents per pound.

We respectfully urge that you immediately announce that there is no plan on the part of the Government to release any stockpiled copper, and we further urge that the DPA inventory of copper be immediately placed in the national stockpile and that such action be publicized.

Unless this action is taken, further drops in the price of copper—to disastrous levels—are inevitable.

It is our considered judgment that the best interest of the country, from both the national security and economic standpoints, will be served by immediate action as outlined above.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I am delighted to yield.

Mr. GOLDWATER. I wish to join with my distinguished friend from Montana in the sponsoring of the resolu-

tion which the Senator will submit relative to copper.

Mr. President, the copper industry went through a very depressing period during the past 2 years. Only during the last calendar year has copper once again hit its stride and been able, on the open market, to reach a price which is profitable to the producer and to the miner alike.

The inventory of copper which is owned in its various forms by the Federal Government hangs as a sword over the head of this industry.

Mr. President, I am hopeful that the letter the Senator from Montana has just read will be as productive for the industry as we intended it to be, and I am likewise hopeful that the Senator who is now speaking and other Senators from the copper producing States will pursue this matter, to the end that something will be done to reduce the governmental stockpile and to remove that obstacle to a sure price, which we now have. I think it is one of the most serious things that hangs over the domestic copper market. When we add to it the constant threat of cheap imports, we observe the growing danger to our copper industry in the West.

I commend the Senator for his action this morning.

Mr. MANSFIELD. I thank the Senator from Arizona for his support of the resolution which I am about to submit.

Mr. President, since this is the morning hour, and since I observe the distinguished chairman of the Republican National Committee standing on the floor, I should like to ask unanimous consent to proceed for an additional 2 minutes, so that the Senator may sit down.

Mr. MORTON. Mr. President, reserving the right to object, I am still able to stand.

Mr. President, I have no objection.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, I submit for appropriate reference a resolution on behalf of myself and Senators MURRAY, HAYDEN, ANDERSON, GOLDWATER, MCNAMARA, and MOSS.

I ask unanimous consent that after I read the resolution, which is very short, it be allowed to lie on the desk until 4 o'clock this afternoon for additional cosponsors, and that the resolution be referred to the Committee on Interior and Insular Affairs, where immediate action will be undertaken.

The PRESIDING OFFICER. The resolution will be received and appropriately referred. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, I wish to add the name of the distinguished Senator from New Mexico [Mr. CHAVEZ] as a cosponsor of the resolution.

Mr. President, the resolution reads as follows:

Whereas within recent days the price of copper on the London market has declined 2½ cents per pound and the domestic custom smelter price has declined 2 cents per pound, as a result of persistent reports that the executive branch of the Government was about to release to industry certain quantities of copper in the DPA stockpile; and

Whereas copper stocks in the hands of producers and users increased on a worldwide basis by 15,000 tons during the month of March; and

Whereas world copper output was at a record high during the month of March: Therefore, be it

Resolved, That it is the sense of the Senate that the best interests of the country, from both the national security and economic standpoints, will not be served by the release of any part of any governmental inventory of copper at this time, but on the contrary incalculable damage to the national security and the economic well-being of the Nation would result by such action.

The PRESIDING OFFICER. The resolution will be received and appropriately referred.

The resolution (S. Res. 101) was referred to the Committee on Interior and Insular Affairs.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article entitled "World Copper Stocks Are Up 15,000 Tons—Record Mine Output," published in the American Metal Market of this morning.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WORLD COPPER STOCKS ARE UP 15,000 TONS—RECORD MINE OUTPUT—MARCH BROUGHT VIGOROUS RISE IN BOTH PRODUCTION, DELIVERIES; U.S. STOCKS REMAIN LOW

NEW YORK, April 14.—The world's copper mines and refineries produced more metal last month than at any time in history. One result of this alltime record output of copper was another increase in the refined stocks held by producers. Copper Institute statistics released this afternoon show that these stocks increased on a world basis by 15,188 tons in March. This development came in spite of the fact that the producers' deliveries of copper to fabricators rose by about 27,000 tons to the second highest level in history, 270,825 tons.

Producer reserves of copper inside and outside the United States show a contrasting picture. While the refined stocks outside the United States underwent a hefty increase of 17,452 tons in March, the tight domestic supply situation resulted in a decrease of 2,571 tons in U.S.-producer reserves, already considered by most trade observers to be low in view of threatened labor troubles at western mining properties.

U.S. OUTPUT, DELIVERIES RISE

Output of crude copper from domestic mines in March was the third highest on record for any month. It totaled 101,118 tons—only slightly less than March and May of the peak production year of 1956. Production from secondary metal was also up sharply in March to the level of 16,117 tons as U.S. custom smelters had an active month.

Refinery production of copper in the United States declined slightly last month to the level of 140,928 tons. Deliveries by producers to their customers rose by about 4,000 tons from February to 124,220 tons. As a result there was a decline of 2,571 tons in stocks to 82,952 tons, less than 3 weeks supply at the current rate of deliveries.

But while producer stocks in the United States remain low, it was pointed out by one prominent producer here that U.S. fabricators' stocks have increased by 60,000 tons since October. Thus producer stocks in a good measure have shifted into the hands of their customers in recent months.

FOREIGN OUTPUT SETS NEW RECORD

Outside of the United States production from both mines and refineries showed vigorous gains. Mine output increased by about 11,500 tons to 167,598 tons, an all-time record high. Still more mine capacity is expected to be brought in by producers as the year goes on.

Output of copper from foreign refineries also set a new record in March, increasing by about 23,000 tons over February to the peak level of 144,497 tons.

A healthy feature of the foreign statistics is the fact that deliveries of copper abroad also rose by about 23,000 tons in March to the level of 146,605 tons. In spite of the additional metal taken by fabricators outside the United States, however, the stocks of metal abroad rose by 17,452 tons. In the past 5 months, stocks of refined metal outside the United States have increased by 91,398 tons.

Mr. MURRAY. Mr. President, I concur completely with the remarks made by my distinguished colleague, the junior Senator from Montana [Mr. MANSFIELD].

The situation he has described is indeed serious, and the national security and the economic welfare should not be endangered by the release of any part of the Government-held copper stocks, particularly in view of the fact that world copper output was at a record high during the month of March, and world copper stocks during that month increased by an amount in excess of 15,000 tons.

Only last July, at the urging of the administration, the Senate passed a bill, S. 4036, calling for the purchase by the Government of 150,000 tons of copper, in an effort to stabilize the then disastrously low copper price. Subsequently thereto, following the extended strikes in the copper mines of South Africa, the price of copper rose to a more satisfactory level. Now we are faced with the situation of the price of copper being forced down again to disastrous levels if the proposal to release Government-held inventory is carried out.

Mr. President, I ask unanimous consent that an article which appeared in today's issue of the Daily Metal Reporter, describing the world's copper stocks and the world copper mine production during the month of March, appear in the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FREE WORLD COPPER OUTPUT AT RECORD HIGH IN MARCH—U.S., FOREIGN DELIVERIES ALSO SHOW GAINS—STOCKS INCREASE SHARPLY ABROAD

The copper statistics for March highlighted the following:

An increase in domestic and foreign crude production that made the Free World's output the largest on record.

A substantial gain in domestic and foreign deliveries to consumers.

A slight decrease in domestic refined stocks, but a substantial increase in refined stocks outside the United States.

In evaluating the March statistical position of the metal, what impressed factors in the industry most was that the world's stocks of copper have shown a steady increase for the past 4 months. Beginning with last December through March, the increase has amounted to 51,439 tons, which points up the

fact that basically there is no world shortage of the metal.

* * * * *

CUMULATIVE LEAD AND ZINC ENTRIES AGAINST QUOTAS

Following are the U.S. lead and zinc import quotas for various countries in the current quarter, and the cumulative entries from each country through April 14, in pounds:

Lead bearing ore

[In pounds]

DUST AND MATTE

Country	Quota for quarter	Entries through Apr. 14, 1959
Australia	10,080,600	7,742,592
Bolivia	5,040,000	[1] 5,040,000
Canada	13,440,000	7,607,859
Peru	16,160,000	13,799,202
South Africa	14,880,000	3,138,609
All others	6,560,000	429,732
LEAD BULLION, PIGS, BARS		
Australia	23,630,000	4,002,762
Canada	15,920,000	2,302,565
Mexico	36,880,000	2,652,680
Peru	12,880,000	----------
Yugoslavia	15,760,000	4,389,464
All others	6,080,000	[1] 6,080,000
ZINC BEARING ORES		
Canada	66,480,000	23,476,136
Mexico	70,480,000	3,800,291
Peru	35,120,000	9,635,411
All others	17,840,000	[1] 17,840,000
ZINC IN BLOCKS, PIGS OR SLABS		
Belgian Congo	5,440,000	----------
Belgium and Luxembourg	7,520,000	5,806,406
Canada	37,840,000	5,781,905
Italy	3,600,000	[1] 3,600,000
Mexico	6,320,000	1,246,333
Peru	3,760,000	----------
All others	6,080,000	[1] 6,080,000

[1] Quota filled.

Miscellaneous metals

Bismuth (per pound) in ton lots	$2.25
Cadmium (per pound) com. stick, wholesale quantities	1.30
Anodes and patented shapes	1.30
Calcium, per pound, in ton lots, in slabs and small pieces	2.95
Chromium (per pound) delivered:	
Exo. 98.5 percent, 0.05 percent C	1.15-1.19
Elec. 99.8 percent	1.15-1.19
Cobalt (per pound), 98-99 percent, keg of 500 pounds	1.75
Gallium, per gram, in 1,000 gram lots, $3. In 1 to 999 grams	3.25
Gold (per ounce) U.S. Treasury	35.00

Germanium (per gram), f.o.b. Miami, Okla.; 1st reduction, 43.50 cents in 1,000 gram lots; 39.50 cents in 10,000 gram lots. Intrinsic grade.

(Under authority of the order previously entered, the names of Senators BENNETT, CHAVEZ, GRUENING, MCGEE, HART, BIBLE, CANNON, JORDAN, BARTLETT, O'MAHONEY, CHURCH, and ALLOTT were added as additional cosponsors of Senate Resolution 101.)

PAY AND CLASSIFICATION SYSTEM FOR EMPLOYEES OF SENATORS

Mr. NEUBERGER. Mr. President, on behalf of the junior Senator from Colorado [Mr. CARROLL], the senior Senator from Illinois [Mr. DOUGLAS], and myself, I submit a resolution which would direct the Senate Committee on Rules and Administration to prepare and present to the Senate a standardized classification and pay system for employees in the offices of Senators.

My proposal directs the committee to formulate and report to the Senate at the earliest practicable date a plan which provides for first, allocation of positions to classes and grade levels based upon duties and responsibilities of these positions; second, establishment of uniform descriptive titles for such positions; and third, creation of uniform salary schedules to be based upon duties and responsibilities, and to include provision for longevity pay increases.

FRAME OF REFERENCE NEEDED

Mr. President, the current controversy over disclosure of the salaries paid members of the staffs of individual Senators has become a tempest in a teapot. The public and the press have an understandable curiosity to know what Senators' assistants and secretaries are paid. Taxpayers' dollars are providing these salaries. But this information, in and of itself, is of little significance unless there exists some knowledge of the duties and responsibilities of the recipients of these salaries.

On the other hand, Members of the Senate have indicated a reluctance to reveal salaries paid their staffs because of a fear that interoffice and intraoffice envy would cause dissension within the Senate office buildings. Although it is reasonable to suspect that such worries would become groundless after the initial impact had dissipated, this concern has assumed a quality of reality which tends to thwart the right of the American people to know where their tax dollars go.

OFFERS SOLUTION TO DUAL PROBLEM

I believe that the suggestion which I advance today contains the key to a satisfactory solution to both these problems.

Furthermore, I regard it as a proposal which represents an effective answer to the current uproar over so-called nepotism. Although I never have had a relative on the Government payroll, I am not opposed to nepotism, per se. After all, such illustrious Members of Congress as Harry Truman, John N. Garner, Arthur H. Vandenberg, and Irving M. Ives have employed their relatives. The question, it seems to me, narrows down to this: Does the relative perform duties and carry responsibilities commensurate with compensation received. That is the crux of the issue.

Employees in Senate offices may be separated generally into three classes: First, executive or policyforming; second, administrative; and third, clerical.

THREE PERSONNEL CLASSES FOUND

Within the first group are individuals who carry such impressive Senate titles as administrative assistant, legislative assistant, press secretary, and executive secretary. These persons assist Senators in preparing policy positions, serve as their intimate advisers on legislative matters, and deal directly with the public, the press, and other senatorial offices on behalf of their employer.

In the second group are persons who are frequently referred to as office manager, research assistant, or personal secretary. They are primarily concerned with major administrative decisions involving correspondence, preparation of materials for distribution to press and public, operation of general office routine and collection of basic data for use in legislative projects.

The third group consists of those usually called secretary, assistant secretary, stenographer, clerk-typist, receptionist, and clerk. They carry out the vital functions of preparation of outgoing correspondence, reproduction of speeches and press releases, greeting visitors, filing documents, and handling telephone calls.

TITLES, DESCRIPTIONS NOT EXCLUSIVE

I have no intention of claiming that these position titles and job descriptions are exclusive. I say only that they are common and general. It is obvious to all familiar with the operations of this body that there exists overlap of functions among the jobs which I have described. But to quarrel with specifics is not, to my mind, to destroy the validity of classification. And to define, however roughly, the jobs which fall within the broad grades which I have suggested is a forward step in providing the public with a standard against which to judge the salary paid individual employees in a particular senatorial office.

Therefore, I suggest to the Senate that the Senate Committee on Rules and Administration be instructed to prepare, after full hearings and discussion, a list of positions and job descriptions which will reflect, as accurately as is possible, the various tasks which are normally associated with the operation of a Senator's office, that these positions and related job descriptions be grouped into several wide classes, subdivided by grade level, and the total proposal submitted to the Senate for its consideration.

COMMITTEE TO SUBMIT PAY SCALE

My resolution also provides that this classification study be accompanied by a suggested pay scale, to include a statement of normal upper and lower limitations consistent with existing statutory prohibitions, for each grade, and a liberal number of pay levels within such grades. In order to permit desirable flexibility, it would seem advisable that pay levels for top positions within a particular grade extend into the salary range allowed in the next grade just above. In addition, the plan should include recommendations for longevity raises to reward long service and take account of increased efficiency gained through experience.

In order that the public and press might have ready access to this information, the appropriate official of the Senate would make available—for general examination by responsible persons—a list of the names of all persons employed by Senators, together with their grade, position, and salary range, but not necessarily the exact pay level, thus preserving a reasonable degree of protection to employee and employer but emphasizing the concept of equal pay for equal work.

PRECEDENT EXISTS FOR PLAN

I fully realize that the various elements of the proposal which I present today may be smothered in a barrage of criticism aimed at establishing that my

separate ideas on this subject do not take account of individual differences in personnel and office organization. However, it is important to point out that portions of this suggested system are now in operation in the Senate. For example, under title 2 of the United States Code, detailed salary information is provided, indicating by title the basic annual compensation of positions in the office of the Secretary of the Senate, in the office of the Sergeant at Arms and Doorkeeper, on committee staffs, and in the Senate Press Gallery. Furthermore, the system which I present in no way interferes with the ability of a Senator to hire persons in whom he has the greatest confidence.

QUESTION MUST BE VIEWED IN CONTEXT

However, the larger point is this: If the public is to have knowledge of the salaries received by all employees of individual Senators, then it should also have information concerning the work performed against which to evaluate the amount paid each employee. And if a plan is adopted which will provide both these essential elements, it should be one which permits sufficient flexibility to allow for ordinary administrative demands relative to staff morale.

I have previously expressed my belief that the Senate as a body should make public salaries of those employed by Senators. I do not believe that my proposal represents a tempering of that position. Rather I think that it is a method by which this body may effectively fulfill its responsibility to the American people. I trust that the Senate will give it full and serious consideration.

Mr. President, I send the resolution to the desk. I am submitting it for myself and the distinguished senior Senator from Colorado [Mr. CARROLL] and the distinguished senior Senator from Illinois [Mr. DOUGLAS].

The PRESIDING OFFICER. The resolution will be received and appropriately referred.

The resolution (S. Res. 102) was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on Rules and Administration is authorized and directed to formulate and report to the Senate at the earliest practicable date a pay and classification system for employees in the offices of Senators which shall (a) allocate the positions of such employees to classes and grade levels based upon the duties and responsibilities of such positions, (b) establish uniform descriptive titles for such positions, and (c) establish uniform salary schedules for such positions to be based upon the duties and responsibilities thereof, and to include provision for periodic increases based upon longevity.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. NEUBERGER. I am happy to yield.

Mr. HUMPHREY. I am very pleased to hear the Senator's remarks with reference to the matter of positions of employment in the Senate and positions of employment in the offices of the respective Senators.

There has been a good deal of talk about the payrolls of Senators and of Members of Congress generally. There has been a good deal of conjecture as to what we pay. Speaking for myself, I have said to representatives of the press that if they wish to come into my office and take a look at my office payroll, they were at liberty to do so. There is nothing to hide so far as I am concerned. I would be more than pleased to have them examine my payroll.

However, as all of us know, at times problems come up in terms of different salary scales in the various offices, which could cause, with the opening up of all the scales, some embarrassment and some difficulty.

Therefore the resolution which the Senator from Oregon is submitting is one which would regularize the salary scales and would provide job descriptions according to the various amounts of income received by our employees. It would do for the legislative branch of the Government what we expect to be done by every other branch of the Government.

I have been contemplating, in conjunction with one or two of my colleagues in the Senate, submitting a resolution asking for the establishment of an outside commission to examine the entire employment policy of the legislative branch of the Government, with the view in mind that the commission would make recommendations which would guide us in terms of legislation.

I believe that the Senator from Oregon is performing a genuine service in submitting his resolution. I am delighted to hear his explanation of it. I know he feels there are undoubtedly areas which he has not fully explored, and that undoubtedly some revisions will be required when the resolution comes before the Committee on Rules and Administration.

However, as I understand what the Senator from Oregon is seeking, it is that we do something constructive about the situation, and not be put in the position, because of the present rules of the Senate, of having to make individual judgments as to whether we should or should not release our payrolls to public view, with the possibility of causing much trouble and concern among our colleagues.

Therefore, I am happy to associate myself with the tenor of the Senator's remarks, and to express the hope that his resolution will receive prompt consideration, and that whatever adjustments may be required will be quickly made. I hope the Senate will proceed to consider carefully the entire matter of senatorial employment, so that there will be no doubt as to the employment practices, the pay scales, and the work performed. The money is paid from public funds. This is public business. I hope the Senator will not have objection to my suggestion to having the resolution lie at the desk so that other Senators may join him in submitting the resolution, and to permit the Senator from Minnesota to join as one of the cosponsors.

Mr. NEUBERGER. I thank the Senator from Minnesota. Of course we are delighted and honored to have him as a cosponsor. He has far more knowledge and experience in the Senate than I have. I certainly welcome his support of the resolution.

Mr. President, I ask unanimous consent that the resolution may lie on the desk until next Monday for further sponsorship.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NEUBERGER. I wish to make only a brief comment on what the Senator from Minnesota has so pertinently said. I myself believe there has been a good deal of unfair criticism because certain Senators and Representatives have employed relatives on their staffs. I am not opposed to the employment of relatives, per se, although I myself have no relatives on my payroll.

It seems to me that the question is: Does the relative have the merit and qualifications for the position to which the relative is appointed? After all, we know that relatives are employed in private industry, in the newspaper-publishing business, in banking, and in manufacturing, who hold very high positions on appointment by the heads of such organizations. President Franklin D. Roosevelt had a son as his assistant. Major Eisenhower now is on the staff at the White House. I can see no reason why a person who occupies a position of high responsibility in government should not have associated with him, in an important position, someone he loves and who has the qualifications to fill that position, whether it be at the White House or in the Senate Office Building.

What the resolution seeks to do is to establish classifications and uniform standards for such positions. Then, if some Senator's wife or daughter or son or niece or nephew is holding such a position, there can be some standard against which that particular position could be judged.

I shall follow the suggestion made by my good and wise friend, the senior Senator from Minnesota, and ask that the resolution lie at the desk until next Monday for further sponsorship.

The PRESIDING OFFICER. Without objection, it is so ordered.

DESIGNATION OF APRIL 15 OF EACH YEAR AS AFRICA FREEDOM DAY

Mr. HUMPHREY. Mr. President, I should like to call to the attention of the Senate the first anniversary of Africa Freedom Day, which is being celebrated today. One year ago, in Accra, the capital of Ghana, the first Conference of African Independent States met; and at that time it issued, among others, the following resolution:

The Conference of Independent African States, convinced that a definite date should be set for the attainment of independence by each of the colonial territories in accordance with the will of the people of the territories and the provisions of the Charter of the United Nations, decides that the 15th of April of every year be celebrated as Africa Freedom Day.

That first Conference of African Independent States was attained by the Prime Ministers or Foreign Ministers of Egypt, Ethiopia, Ghana, Liberia, Libya, Morocco, the Sudan, and Tunisia. It is interesting to note that of these eight countries, only three were independent

at the end of the Second World War. By the end of 1960, five additional countries will have joined the ranks of the independent African nations; and in another decade only a few enclaves on the African Continent will not be free to determine their own destinies.

The proposal for Africa Freedom Day was endorsed last December by the founding meeting of the All African People's Conference, an unprecedented assembly which was attended by more than 200 nongovernmental delegates representing nationalist movements in 28 African countries, many of them still under colonial rule. We are privileged to have visiting with us in the United States at this time Mr. Tom Mboya, who, as chairman of that great meeting, provided the same kind of farsighted, dynamic leadership for freedom and democracy that has been the hallmark of his service to the people of Kenya.

Mr. President, along with other members of the Senate Foreign Relations Committee, I met with Tom Mboya this week. I think I speak for all those who were in attendance when I say that we were deeply impressed by his dedication to the ideals and principles of democracy, his dedication to improvement of the political, the economic, and the social standards of the African people, and his dedication to nonviolence. He is a powerful force, a young man—under 30 years of age—who is well educated, and a leader of his people.

It seems to me fitting that the United States, itself the product of revolutionary determination to be master of its own destiny, should note and salute the peoples of Africa on this historic anniversary. To that end, I introduce a resolution to the effect that April 15 of each year be recognized as Africa Freedom Day, and that the President be urged to send a special message of good will on that date, each year, to the independent countries of Africa.

The PRESIDING OFFICER. The resolution will be received and appropriately referred.

The resolution (S. Res. 103) was referred to the Committee on the Judiciary, as follows:

RESOLUTION

Whereas the emergence of Africa into the forum of world affairs is one of the most significant developments of this period of history; and

Whereas on the African Continent new and independent countries are being born with great rapidity, four of which are joining the free nations of the world in 1960; and

Whereas at the first Conference of African Independent States convened in Ghana last April, the then eight free nations of the continent called for the observation on April 15 of Africa Freedom Day until all Africa is free; and

Whereas this call to the world was reiterated by the All African People's Conference held in Ghana in December 1958; and

Whereas the peoples of Africa are sympathetic to the ideals of democracy espoused by the free world, and look for friendship and assistance from the United States; and

Whereas our American tradition of freedom and independence makes us sympathetic to the desire of all people for self-determination: Now, therefore, be it

Resolved, That it is the sense of the Senate that April 15 of each year should be recognized as Africa Freedom Day; and that we urge the President on that date each year to send a special message of good will to the independent countries of Africa.

Mr. JAVITS. Mr. President, will the Senator from Minnesota yield to me?

Mr. HUMPHREY. I yield.

Mr. JAVITS. Mr. President, I should like to join in sponsoring the resolution. I intend to speak later today about Africa.

Mr. HUMPHREY. Mr. President, I am more than delighted to have the distinguished senior Senator from New York join in sponsoring the resolution. I ask unanimous consent that his name may be added to it, as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NEUBERGER. Mr. President, I should like to ask, also, that my name be added to the resolution, as one of its sponsors.

Mr. HUMPHREY. Mr. President, I also ask unanimous consent to have the name of the distinguished junior Senator from Oregon [Mr. NEUBERGER] added to the resolution, as one of its sponsors. I appreciate his support.

Mr. NEUBERGER. I thank the Senator from Minnesota.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Minnesota? Without objection, it is so ordered.

Mr. PROXMIRE subsequently said: Mr. President, today is being celebrated in many parts of the world as Africa Freedom Day. This is an occasion of significance to the United States as well as to the people of Africa. The events that will be taking place on the continent of Africa in the coming months and years will have a serious impact on the entire world.

The people of the United States feel a strong bond of sympathy and support with the people of Africa in their efforts to win the right of self-government. It is therefore sensible that a basic element of our foreign policy should be to aid and encourage the development of the education, social, and economic conditions under which the leaders of Africa can establish responsible, democratic self-government and insure liberty and freedom for their people.

There has been a great increase in the attention which is being directed from this country to the emerging nations of Africa. This attention is going out from our Government, from business enterprises, from our press, and from Americans everywhere. As a result of this growing interest and concern for the people of Africa there will come more effective efforts from the United States—both governmental and private efforts—to help Africans choose and establish the free institutions under which their new nations can flourish in freedom and prosperity.

Mr. JAVITS subsequently said: Mr. President, today, April 15, marks African Independence Day. At the first Conference of African Independent States in Accra last year, a call was issued to the world to observe April 15 of each year as Africa Freedom Day until all Africa is free from colonial rule.

Six African states have achieved national independence since the end of World War II; they are as follows: Ghana, British colony Gold Coast and the Trusteeship territory Togoland, 1957; Guinea, French territory in West Africa, 1958; Libya, under British and French Military Administration since 1942, 1951; Morocco, former French and Spanish Protectorates, 1956; Sudan, Anglo-Egyptian Condominium, 1956; Tunisia, French Protectorate, 1956.

Four other African countries are scheduled to attain independence next year. These are: Cameroons, French territory in French Equatorial Africa; Togoland, French territory under Africa trusteeship; Somalia, Italian trusteeship since 1950; and Nigeria, British colony and Protectorate, Federation of Nigeria.

In addition, the inhabitants of British Cameroons also will have the option, after a plebiscite scheduled to be held between November 1958 and April 30, 1960, of declaring their independence or joining any of the adjoining would-be independent states in Africa.

The peoples of Africa naturally look to the United States for inspiration and as a model in their search toward independence and their efforts to retain their new statehood. A tenth of our American citizens trace their origin to Negro Africa, especially from those areas on the west coast of that continent. American Negroes have recognized this tie of blood and already there are established societies in this country, such as the International Friends of Ghana, whose object it is to help the nascent states in Africa to grow in the highest traditions of freedom and to prosper.

The Soviets have not been unmindful of the opportunities for their own ends in the newly independent states and most recently the press carried reports of growing Communist influence in Guinea. I believe, however, that the peoples of Africa value their freedom too highly to be taken in by a new Communist imperialism, though the Soviets will continue to fish in the troubled waters where the new states of Africa are seeking to find their way.

More and more Americans are beginning to realize the importance of Africa in the world sphere. It is no longer the Dark Continent of the travelogs, but truly a vast area of 11.7 million square miles, containing invaluable natural resources, and serving as a home of some 220 million people. I have every hope that the peoples of Africa will continue to be oriented toward the free world. Their ties of blood and culture are strong with our country despite the distance and the disparity of our respective natural development.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959—AMENDMENTS

Mr. HOLLAND submitted amendments, intended to be proposed by him, to the bill (S. 1555) to provide for the reporting

and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes, which were ordered to lie on the table and to be printed.

Mr. GOLDWATER submitted amendments, intended to be proposed by him, to Senate bill 1555, supra, which were ordered to lie on the table and to be printed.

AUTHORIZATION OF CERTAIN APPROPRIATIONS FOR NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Mr. JOHNSON of Texas. Mr. President, I ask that the Chair lay before the Senate the amendment of the House of Representatives to Senate bill 1096.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1096) to authorize appropriations to the National Aeronautics and Space Administration for salaries and expenses, research and development, construction and equipment, and for other purposes, which was, on page 3, line 2, strike out all after "this" down through line 5, and insert "Act: *Provided*, That upon reaching a final decision to implement, the Administrator or his designee shall notify the Committee on Science and Astronautics of the House of Representatives and the Committee on Aeronautical and Space Sciences of the Senate, of the cost of such constructoin of new research facilities or the modification of existing research facilities: *Provided further*, That no such funds shall be used for the construction or modification of any facility if funds for such construction or modification have been previously denied by the Congress."

Mr. JOHNSON of Texas. Mr. President, I move that the Senate concur in the House amendments so that this measure can go to the President.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to.

ELIGIBILITY OF CERTAIN ATTORNEYS TO PRACTICE BEFORE FEDERAL ADMINISTRATIVE AGENCIES—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of March 26, 1959, the names of Senators BRIDGES and HRUSKA were added as additional cosponsors of the bill (S. 1567) to provide that each member of the bar of the highest court of a State or of a Federal court shall be eligible to practice before administrative agencies of the United States, introduced by Mr. KEATING on March 26, 1959.

PROPOSED AMENDMENT TO CONSTITUTION RELATING TO ELECTION OF PRESIDENT AND VICE PRESIDENT—ADDITIONAL COSPONSOR OF JOINT RESOLUTION

Mr. SPARKMAN. Mr. President, on March 12, I introduced, on behalf of myself and several other Senators, Senate Joint Resolution 86 relating to the electoral college. I ask unanimous consent that at the next printing of the joint resolution the name of the junior Senator from West Virginia [Mr. BYRD] may be added as a sponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. HAYDEN:

Address on the subject "Business in the 86th Congress," delivered by Senator ANDERSON before the Western Highway Institute Convention, in Phoenix, Ariz., April 6, 1959.

By Mr. JAVITS:

Address delivered by Senator GRUENING at dedication of new library at Albert Einstein College of Medicine, of Yeshiva University, New York, April 5, 1959.

By Mr. HUMPHREY:

Address entitled "Inching Along Toward Peace," delivered by him before Dade County Bar Association, Miami, Fla., on March 30, 1959.

Address delivered by Representative JOHN BRADEMAS, of Indiana, at the annual spring meeting of the Indiana Foreign Language Teachers Association, Valparaiso University, April 11, 1959.

By Mr. CARROLL:

Address on the subject "Steps Toward World Order," delivered by Senator HUMPHREY before the University of Virginia Law School, at Charlottesville, Va., on March 12, 1959.

By Mr. NEUBERGER:

Article entitled "A Railroad So Popular It Must Expand," published in Business Week for March 28, 1959; and an article entitled "Portland Builds a Railroad," written by RICHARD L. NEUBERGER, and published in Railway Progress for January 1958, both relating to the Portland Zoo Railroad.

SPEECH ON FOREIGN AFFAIRS BY SENATOR MANSFIELD AT ANNUAL DINNER OF ALUMNI ASSOCIATION OF NEW YORK UNIVERSITY LAW SCHOOL

Mr. MURRAY. Mr. President, my distinguished colleague, Senator MIKE MANSFIELD, made an address of worldwide significance in regard to foreign affairs at the annual dinner of the Alumni Association of the New York University Law School on April 8, 1959.

Montana is justly proud of her distinguished junior Senator. His great ability and attainments in the national legislative field have not only been recognized in Montana for many years, but here in the U.S. Senate by his designation as majority whip. Senator MANSFIELD is equally qualified in the field of international affairs. His approach to world problems is always well reasoned and sound.

In his address to New York University Law School, Senator MANSFIELD has outlined the changing nature of our problems and our dealings with the Soviet Union. He has urged that the United States approach negotiations with the Soviet with flexibility and with new ideas. He has urged that the United States not maintain a cold, rigid, and consequently brittle, position that could lead only to intensification of the cold war and even to hostilities.

So that the Members of the Senate may have the full text of his splendid address available to them, I ask unanimous consent that it be printed in the CONGRESSIONAL RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

SPEECH BY SENATOR MIKE MANSFIELD, DEMOCRAT, MONTANA, DELIVERED AT ANNUAL DINNER OF ALUMNI ASSOCIATION OF LAW SCHOOL, NEW YORK UNIVERSITY, NEW YORK CITY, HELD AT WALDORF-ASTORIA HOTEL, NEW YORK CITY, WEDNESDAY EVENING, APRIL 8, 1959

INTRODUCTORY REMARKS

Justice Frank, Father O'Reilly, President Newsom, Senator Murray, Judge Valenti, distinguished justices, Commissioner Kennedy, members of the bar, and, if there are any here, other than myself, fellow laymen, I feel overwhelmed by the generous words of introduction. I am deeply grateful for them even though they are undeserved. The introduction was so kind as to suggest that, for a moment, Justice Frank had doffed his judicial robes in order to serve as counsel for the defense.

I appreciate his summation on my behalf more than I can say. For, in the midst of this distinguished legal gathering, I am in need of counsel. You see, as a layman, I share the layman's sense of awe in the presence of the law, or, perhaps, I should say, in the presence of lawyers. That may seem strange to you since, as you know, I have been helping to make laws for almost 20 years. It is one thing, however, to write the law. It is another to be face to face with those who can tell you in no uncertain terms what it is that you have written.

Besides Justice Frank, I believe there are others in the room to whom I can turn for counsel in my predicament, or, at any rate, whom I can call as character witnesses. There is, for example, the Honorable JAMES MURRAY, known to you, his New York University colleagues, as JIM, and to his fellow Montanans as BIG JIM. To me, he is and always will be the senior Senator from Montana. His contributions to humanity, to the Nation, and to the State of Montana have been many and great. His example and his guidance, to me, personally, have set such high ideals of public service that I can only grope for them and do the best I can to measure up to them.

Present here, too, is your outstanding police commissioner, Stephen P. Kennedy, who, I hope, will also serve as a character witness on my behalf. He can tell you, at least, that my name is not on the New York City police blotters. Commissioner Kennedy, I understand, has been named man of the year by your association. You know him as a great administrator of the police force of this complex metropolis. In my opinion there is no more difficult job in the world.

Personally, I should like to nominate Commissioner Kennedy as "international policeman of the year." I make the suggestion on the basis of my experience as a U.S. delegate to the United Nations General Assembly last year. Few of us realize or appreciate the wonderful job his force does in protecting the hundreds of foreign delegates who converge on this city for United Nations meetings, as well as their permanent mission here the year round. The New York City police perform a great service for the entire Nation in insuring the safety of these foreigners, whether we happen to like them or not. I think it is high time that Washington recognize this service and give some consideration to reimbursing the city of New York for the cost of this special police protection. That is the least we can do in return for the great contribution which New York makes to the international reputation and responsibilities of the entire Nation.

I should like to round out my counsel for defense by including in it another Montanan, Russell Nyles, the dean of your law school. To you, I believe he is known as "Poppa." To Montana, he is the dean of one of the great law schools of the country. When I began my own formal higher education, somewhat belatedly—I was 24 years old when I entered college—I had already heard of Dean Nyles because he was, and is, considered one of Montana University's outstanding graduates.

Finally, may I enter, in support of my presence here, tonight—a layman among lawyers—the plea that I am no ordinary layman but rather one with a prior claim to your acceptance. You see, I am a native-born New Yorker. Not only that but I was born very close to the site of the citadel of your society, that is, just off Washington Square. As a matter of fact, it is not at all impossible that I was born on the very spot where the new New York University Law School now stands. May I add, however, that I was not more than 3 or 4 years old before my father and mother had the good sense to pack me up and move me on to Montana.

Having established, I hope, my right to be here, let me proceed, in all seriousness, to a very serious subject. I want to talk with you tonight about Germany, about the prospects for peace or war in the situation which is developing in that country.

PROSPECTS IN GERMANY

In a few weeks a conference on Germany will be held in Geneva. It will be a conference of the foreign ministers of the Western nations and the Soviet Union. Free Germans of the West and Communist Germans of the East will be present. This conference is likely to be followed by another in the summer—a conference of President Eisenhower and other Western heads of state and Mr. Khrushchev.

We may expect that these two principal conferences will be supplemented by a great deal of diplomatic exchange and other contacts at all levels and in various combinations. There will be meetings among representatives of the Communist nations. There will be meetings among representatives of the free nations. There will be meetings between the free and the Communist. In short, we are in for talk, a great deal of talk in the days ahead.

PROCEDURES AND THE COMING CONFERENCES

We may anticipate that there will be disagreements—serious disagreements—even before the stage of negotiating the problems of peace is reached. There will be arguments over who should talk and who should not; whether talk should begin at the summit and echo down to the base or begin at the base and rise up to the summit. Some of these arguments, indeed, have already taken place. There will be others.

Let me say that I appreciate the importance of these preliminaries. The manner in which they are dealt with will have an effect on the prospects for peace. It is important that procedural questions be discussed fully. It is equally important, however, that they be discussed with one object in view—the facilitating of sound agreements for peace. Procedural questions are not or ought not to be wrangled over for the purposes of face-saving, propaganda, or the evasion of responsibilities. Let us recognize, by all means, that procedural questions are important. But let us recognize, too, that the basic procedural problem which confronts us is not who talks with whom and when. Rather, it is: What kind of talk is likely to produce meaningful agreement?

I believe it is reasonable to say that decent men and women—in Russia or in Poland no less than in the United States or the United Kingdom—are not interested in propaganda conferences or face-saving conferences. They are not interested in conferences which merely restate platitudes on the virtues of peace. They are interested in conferences which will get on with the business of peacemaking. They will expect of those who participate in these conferences less concern with the problem of saving face and more with the problem of saving civilization. They will pray for the success of these conferences wherever they meet, whoever may participate in them, whenever they are held.

OBJECT OF THE COMING CONFERENCES

When we speak of praying for the success of these conferences, we ought to have clearly in mind some concept of what we mean by success. Do we mean the kind of success which characterized the Geneva Conference in 1955? That Conference produced pleasant generalizations on the virtues of peace. A year later, however, we were back to business as usual, to the business of propaganda war and cold war. Now, 4 years after Geneva, we are without tangible achievements for peace. On the contrary, we are entering the most critical period in international relations since the Korean conflict.

Nor can we mean, when we pray for the success of these impending conferences, peace at any price. I do not believe the people of this Nation are prepared to sacrifice the future of their children in freedom for a moment of surcease from the pressure and tensions of life today on the brink of war.

No; I do not think we mean either of these alternatives when we say that we pray for the success of these conferences. I believe that we mean we hope for progress toward sensible agreements which will permit us to live and to let live, which will substitute competition in the realm of ideas and human achievement for competition on the battlefields, which will reduce the dangers of hostility among nations now glaring at each other across the black and bottomless pit of nuclear war. In short, we hope for agreements which promise some measure of stability for all mankind. We hope for agreements which will reduce the likelihood of armed conflict not only for today but for tomorrow and tomorrow. We hope for agreements which at least will begin to remove the residual injustices of World War II and its chaotic aftermath—injustices which, almost 15 years later, still press upon the backs of the peoples of many lands.

It is one thing to hope, in these terms, for the success of the coming conferences. It will be another to bring the hope to fruition. In international aspirations as in human aspirations, there is, inevitably, a gap between what we would like to do and what we are likely to be able to do.

The best chance of closing this gap, I believe, lies in approaching the impending conference with neither an excess of expectation nor with a cynical disbelief in their prospects of yielding anything constructive. What we need most in the days and weeks of talk which lie ahead is a clear and specific understanding of what it is that we want to bring about by these talks. We need a positive purpose which is adjusted to the realities of the existing situation in the world. We need ideas, new ideas, realistic ideas, which may help us to realize this purpose. It is important to remember in this connection that in the realm of international negotiation, the search for all is likely to yield nothing. The intelligent pursuit of what is reasonable may lead to more than we dared hope for.

THE NEED FOR THE CONFERENCES

Before we can clarify our purposes in the impending conferences, it is essential to appreciate the origins of these conferences. Why, we may well ask ourselves, is it necessary to talk with the Russians at all at this time, about Germany or any other subject for that matter? Has Mr. Khrushchev compelled the West to meet? Are we merely responding, reluctantly, reticently, to a changing whim in Soviet policy? Are we going into these conferences as though they were some evil Communist brew which we have no choice but to drink?

If that is our concept, if we see the origins of the conferences in these terms then I say, in all seriousness, that it is preferable not to go into them. We do not have to drink of the cup that is proferred. If we can conceive of our participation in these conferences as nothing more than a submission to Soviet threats or an entrapment by Soviet blandishments then I say again it is better not to go into them; it is better, not to delude ourselves.

Seen in these terms, the conferences will yield nothing worth the having. They may produce propaganda. They may produce platitudes. They may save faces. They will not produce a worthwhile basis for durable peace in Germany and Europe or anywhere else. On the contrary, they may rot even further the shabby platform which now supports the present dangerous international dance on the edge of destruction.

I want to suggest, however, that we need not appraise these coming conferences as merely a Western jump to the snap of the Soviet diplomatic whip. There is another way of looking at them. Some of us have looked at them in this other fashion for a long time, long before Mr. Khrushchev's recent maneuvers at Berlin. In this other light, the origins of these conferences are seen to lie in very different soil. Seen in this other light, the need for these talks, is a need that has long existed. For some of us who have advocated an American initiative for peace, it is a source of regret that we of the West have appeared to wait for a prompting from the East to begin these talks.

For us, the origins of these talks do not rest in Mr. Khrushchev's recent statements. The need arises elsewhere. It arises from the vast changes which have taken place in the world during the past decade; more particularly the changes which have taken place on the European continent; specifically, the changes which have taken place in Germany.

Let me point out some of these changes. Think for a moment of the monumental revolution in technology alone. In scarcely a decade, this technological revolution has reposed in the hands of men, at once, the power to light new stars in the heavens and to put out the lights of civilization on earth. That change alone has a profound significance for all humanity and endless implications for the foreign policies of every nation.

There have been other changes of not much less significance. We have witnessed in

Russia in the space of a decade the passing of the era of Stalin; the recovery from the devastation of invasion and the rapid development of an advanced science and technology. We have witnessed, during this decade, vast upheavals within China and great transitions in the belt of nations—old nations and new—stretching half way round the world, from one end of the Afro-Asian world to the other. A billion and a half people have been torn loose from ancient moorings. These changes, too, have a profound significance for us, for the Russians, for the entire world.

In Europe, we have witnessed the comeback of a continent. Its people, in the West, at least, are no longer the stunned, war-numbed masses, which the liberating allied armies found wandering in bewildered impotence, in the midst of the rubble and overwhelming devastation of World War II. The Europeans have revitalized themselves, their economies, their political life. What is true of all Western Europe is emphatically true of Western Germany. An old generation has recovered. A new generation has come of age, changed with new vigor, new ideas, seeking new and constructive directions.

Can we suppose for a moment that these changes—these vast, unmeasurable changes and others do not compel changes in the relationships among nations? It is obvious that they do; they alter the facts of the situation with which the policies of this Nation, of all nations must deal if there is to be peace. Obviously, policies devised years ago, in another setting, cannot serve in the new situation which is evolving.

It is true that there have been some adjustments in the policies of all the principal nations to these changes. The question is: are these adjustments sufficient; are they coming in good time? Unless they are, not only is there little likelihood of a genuine peace being achieved but even the unspoken truces which have, heretofore, cushioned the principal points of friction in the world, are endangered. In the light of the worldwide transition of the past decade these unstable truces must either be altered by reason, by negotiation, sufficiently and in time, or, sooner or later, they will give way in conflict.

One of these points of friction, of possible conflict, exists in Germany. In fact, it extends throughout Central Europe. It is in this region that the military power of the two nations capable of ultimate war—the United States and the Soviet Union—are in the closest of contact. It is in this region, too, that most of the residual injustices of World War II are to be found.

For years now an unspoken agreement, an unstable truce has existed in this region. The shaky peace has rested on the avoidance of military incidents which go beyond the point of no return. It has rested on the acquiescence of the Germans, no less than the Western Powers and the Soviet Union in a divided Germany and a divided Berlin. It has rested upon the acquiescence of ourselves and the peoples of Eastern Europe in Soviet military domination of that region.

For years this has been the reality, despite talk of unification of Germany, despite talk of liberation of Eastern Europe, despite Soviet threats and blandishments.

It has been a tolerable, if not exactly, a comfortable arrangement. What we have failed to reckon with, however, or at least to reckon with adequately, is that the pressures of change in the world and, particularly, in Europe and Germany itself, have been building around this point whether we have realized it or not, whether or not we and the Russians chose to look at this reality. We have waited a long time to face this fact. I deeply hope that we are prepared to face it now and that it is not too late to face it now, in peace.

This, then, is the perspective in which the coming conference ought to be seen. I repeat they may be worse than useless if they are regarded merely as an unavoidable Western response to a Soviet initiative. They can be a godsend if they are recognized by all concerned as an opportunity to begin to replace the outmoded truce in Germany and central Europe with something more durable, something better for all concerned.

If the beginnings of a stable peace in Germany and central Europe are to be drawn from the impending conferences, there will have to be a rethinking of many aspects of the policies which the Soviet Union has pursued in that region, which the nations of the West have pursued. There will have to be give and take, a quid pro quo, concession to match concession. We cannot, at this point, see the details of agreements but the signposts along the road to a rational settlement are beginning to emerge.

1. At Berlin, for example, we can see that there can be no one-sided withdrawal of the forces of freedom from the Western part of the city. That does not mean, however, that there can be no change in the status of that city. It means only that any change in the status of that city must be a total change, which leaves freedom in no less an advantageous position than communism. Perhaps this total change can be brought about through the interim neutralization of both free and Communist Berlin with the help of the United Nations and under its supervision, with free access to the city by all routes guaranteed by that body until Berlin becomes once again the capital of a united Germany.

2. There needs to be at least the beginnings of the beginning on the problem of German unification, with Germans of East and West contributing more, much more, than they are now doing to the solution of the problems of unification.

3. There must be some evidence of a willingness on the part of the Communists in control of the Eastern part of Germany to accept and to extend the principles of the United Nations Declaration on Human Rights. In particular, there must be a beginning of the restoration of political rights to all in that zone, rights which can be exercised freely and not under the threat of terror.

4. There must be a willingness to accept the reality that Germany's peaceful ties with Western Europe cannot be ended except by the will of the German people themselves.

5. There must be an equal willingness, however, to accept the premise that the extent and nature of German rearmament is not sacrosanct, that it can be limited or altered in the interests of the security of all nations.

6. There must be a willingness to accept the premise that the numbers of foreign troops, and the nature of their armaments in Germany and in central Europe is subject to negotiation on a give-and-take basis. To this end, the Eden and Gaitskill plans and the Rapacki plan all merit the closest consideration, provided, I repeat, provided that there are reasonable agreements in the Geneva conferences on the control of nuclear testing and the prevention of surprise attack.

May I say that the points which I have just enumerated are not new. Others have alluded to them. I believe that, in part at least, they represent the direction in which the Secretary of State was trying to lead the Western nations when he was stricken. I reiterate tonight what I have said many times, that his illness represents a most serious loss to the cause of freedom and of peace and that I hope deeply that he will recover in time to make his advice, his leadership, and his guidance available.

May I say, too, that the points which I have just enumerated as signposts of peace are drawn from the same nine points which I made in a speech in the Senate 2 months ago and have repeated in whole or in part on several occasions since that time. I have not altered those points in any significant way because I believed then, and I believe now, that they indicate the way in which the search for a more durable peace—a worthwhile peace—is likely to prove most fruitful. The discussion which has followed my remarks in the Senate and elsewhere has been very useful. It has helped to clarify and to elaborate. Most of all, it has helped, I believe, to break the moratorium on new thought on this critical problem of the Nation. This thought in connection with the German crisis is coming before, not as in Korea, after, the crisis was upon us.

STRENGTHENING THE PROSPECTS FOR PEACE

Let me consider, in conclusion, the prospects for peace in Germany and what can be done to strengthen them. I think it is essential to emphasize that peace in Germany depends not on us alone, not on the Western nations alone, but on the Soviet Union as well. If the Soviet Union does not seek peace, then there will not be peace. It does not follow, however, that even if the Soviet Union does seek a durable settlement in Germany and central Europe that one will automatically emerge. Peace is a two-way street, and we are on one side of it.

We will endanger our own position and the prospects of peace if we become obsessed with the fascinating game of interpreting the ever-changing charades of Soviet policy. These charades may mean peace. They may mean war. They may mean neither peace nor war. We can only assume as certainty that at any given time they can mean any of these possibilities and that we must be prepared to face any of them. What we can do, beyond this, if we would increase the prospects of peace, is to get clear in our own minds why it is that we stand firm in Germany, as indeed we must. We stand firm, not as an end in itself. We stand firm in order to go forward toward a durable peace. If there is to be peace, we, no less than the Russians, shall have to put aside the dangerous toys of the propaganda war, and the chips on the shoulders of the cold war. We shall have to put aside both the grins and the frowns. We shall have to examine and to examine deeply the problems of peace and see what it is possible to do with them in the light of the new realities of the situation which confronts us. We shall have to apply to these altered problems, new ideas. We shall have to bring to these problems a renewed determination to respond to the deepest desire of our own people and of all mankind, a new dedication to the search for progress toward a durable peace.

GOVERNMENT INVENTORY OF FOODSTUFFS—FOOD FOR THE NEEDY

Mr. MURRAY. Mr. President, some of us hoped, after the depression of the early thirties, that there would never again come a time in America when there would be large masses of hungry people and mounting surpluses of food.

Such a time has come again. The Department of Agriculture has inventories of more than $8 billion of foodstuffs; unemployment, according to official estimates, is in excess of 4½ million, but real unemployment, including part-time unemployed, is well over 5 million. Hundreds of thousands of the unemployed are without compensation of any sort and they and their families are in dire need.

In my judgment, the Department of Agriculture has abundant funds and authority to provide food for the needy. The Department has recently admitted

in private communication that it does not know if it is using all of its authorities to provide food for hungry people. I know that a number of my colleagues are studying bills to make distribution of surplus foods mandatory on the Secretary of Agriculture. In view of the situation, I believe that the Senate would be interested in a statement recently released by Mr. Albert Whitehouse, director of the industrial union department of the AFL–CIO. I request unanimous consent that it be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

MARCH 24, 1959.

Albert Whitehouse, director, industrial union department, AFL–CIO, today called upon Congress to review and investigate the workings of the Federal surplus foods program.

Whitehouse pointed out that continuing large-scale unemployment is causing distress across the country, that some 5 million persons are now dependent upon public assistance programs, that millions of children now lack adequate school lunches, and that other millions of low-income Americans suffer as the result of inadequate diets.

"We are sitting on mountains of food," Whitehouse said. "By this July, Federal warehouses will be bursting with over $9 billion worth of so-called surplus. The costs of storage alone for this food now are mounting up to a billion dollars a year.

"In view of the needs of the American people, this situation makes no sense at all. The unemployed of the Nation, the Nation's underprivileged schoolchildren, those on public assistance, and other low-income groups can make good use of this so-called surplus.

"If the billion dollars that will go to defray storage costs this year were spent on getting milk, meat, dried fruits, and other foods to those in need, a big dent could be made in our mountain of surplus. Unless intelligent action is taken, there is little hope that the surplus will do other than rot, since there is little chance that market conditions will change.

"Year by year, the surpluses grow. This year, because of the Benson flexible farm crop system, a bumper crop of corn will result, with millions more bushels in surplus. Last year, an additional 300 million bushels of wheat were declared surplus. These grains could mean bread and meat to millions of Americans now denied adequate diets.

"A recent newspaper survey showed 31,000 families living in want in the District of Columbia. Another survey showed that 7,000 District of Columbia schoolchildren suffer from malnutrition. In the Nation's Capital, many families are dependent largely upon the woefully inadequate Federal surplus program for sustenance. The surplus food handout in the District now amounts to a sparse monthly allotment of flour, cornmeal, rice, and powdered milk.

"This situation is repeated monotonously across the country. In many areas there has been no meat, fats, oils, eggs, dried fruits, or other essentials for at least 2 years. Although cheese continues to be in plentiful supply, it has been removed from the surplus list. Peanuts are now in surplus, but no effort appears to be at hand to process them into needed oils or peanut butter.

"Much of the trouble is due to the nature of the law under which the surplus food program operates. This law hitches a vital relief program to the vagaries of the agriculture market as interpreted by the Department of Agriculture.

"Far more could be done to stabilize farm prices by reducing our senseless surpluses through the food program than by the kind of flexible farm support policies now being pursued. Surplus foods could be distributed to those in need—the jobless, those on public assistance, the aged and infirm in institutions, and the schoolchildren—without detriment to private enterprise. For the longer pull, all will gain from a surplus food program geared to need instead of the market.

"Even today's inadequate program is not being properly carried out. Our economy-minded Secretary of Agriculture has succeeded in driving up the budget of his Department to an all-time high of $7 billion. In the interests of his own kind of economy, the Secretary last year turned back to the Treasury unspent some $83.5 million of surplus food funds, although 1958 was a recession year in which need was greater than at any time since before World War II.

"Under the law, the Secretary of Agriculture had $220 million allocated for his surplus food program last year, but spent only about $140 million. He also had $300 million of unobligated balances carried forward from previous years. In view of the funds at hand and the needs of American citizens, the performance of the Department has been one of callous indifference, to say the least.

"Congress should undertake a full-scale investigation of the surplus food program with a view to improving the law and its administration. An adequate diet is the right of every American family. There is no excuse for malnutrition in the United States, especially at a time when bumper crops threaten to outrun storage space."

UNITED STATES FOREIGN POLICY—ADDRESS BY ELMO ROPER

Mr. MURRAY. Mr. President, on March 24 Mr. Elmo Roper, the distinguished public opinion analyst, was asked to speak before the Baltimore League of Women Voters on the challenging topic, "Well, what broad general policies would you lay down if you were Mr. Dulles?"

I have just read Mr. Roper's speech. I believe it to be one of the best statements on the desirable course of U.S. foreign policy that I have ever seen.

Mr. Roper makes the case for a United Nations police force, for new relations with those areas of Asia and Africa which contain the oldest cultures and the newest nations in the world. He bluntly states the alternatives in policy regarding relations with Communist nations, and the great possibilities open to the free world if we move closer to Europe economically and politically.

Achievement of this latter goal could, in my opinion, be quickened by approval of Senate Concurrent Resolution 17, cosponsored by the distinguished senior Senators from Minnesota, Tennessee, Kentucky, and New Jersey [Mr. HUMPHREY, Mr. KEFAUVER, Mr. COOPER, and Mr. CASE]. This resolution provides for an Atlantic Exploratory Convention.

Mr. President, I ask unanimous consent to insert Mr. Roper's speech in the body of the RECORD. In so doing I express the hope, which I believe will find favor on both sides of the aisle, that greater attention be given, by the U.S. Government, to the recommendations of Mr. Roper and to the talents he could bring to bear in the field of foreign relations.

There being no objection the address was ordered to be printed in the RECORD, as follows:

SPEECH BY ELMO ROPER BEFORE THE BALTIMORE LEAGUE OF WOMEN VOTERS

I have not come here tonight with a readymade solution for the Berlin crisis. I have come here with some thoughts about how to live in a world of chronic crisis, and more specifically, about the requirements of a modern foreign policy for the United States.

The issue facing our generation is simple: it is whether or not we shall survive. If we do achieve such a basic, primitive goal we shall need to call into use all the subtlety, foresight, wisdom, and inventiveness that is latent in our civilization. In order to save what is precious and essential in that civilization we must cut out ruthlessly those parts of our thought and behavior which have ceased to be relevant to the circumstances in which we live and have begun to threaten our chances for continued growth and life. We must give up cherished habits and prejudices or we will find ourselves, at best out of step, at worst out of existence, in a world where the once powerless are becoming more powerful each year.

I suppose, today, there is no longer any need to prove that this is so. The evidence lies all around us. We have invented weapons of unprecedented power and at the same time have found ways of delivering these weapons quickly on target, through our conquest of space—inner and to some extent outer. The scientists of the world, responding to the requests of their sovereign governments, have found a way to destroy those governments in a matter of hours. Military victory has become an obsolete concept in a world within pushbutton distance of nuclear destruction. The winner in the next big war will be that nation which kept 25 percent of its total population alive for 12 hours longer than did its rival. Yet, wearily, automatically, we go on with the futile race for monopoly of the capacity for atomic terror—although no such monopoly can ever again exist. We don't seem to know what else to do. Faced with a rival we cannot trust and with whom we have not been able to come to terms, perhaps we have no choice but to continue trying to keep abreast both of the Russians and of the latest refinements of nuclear science. But surely no one is kidding himself that any longer can we buy security with our millions so expended. No one in his right mind is. Military security, like military victory, is a phrase from a dead language, a language which was struck forever dumb 13 years ago at Hiroshima.

Because the traditional military meanings have been destroyed, it is now necessary to find other ways to approach what, if we cannot call it security, we can think of at least as a diminution of insecurity in today's harrowed world.

What we must do is rethink the bases of our relations with the rest of the world. Actually the last two decades have already brought about a revolution in America's understanding of her relations with the rest of the world. The United States was until comparatively recently Europe's stepchild, borrowing culture as well as money from the Old World—that is, when she felt the need to go abroad at all, for most of the time she was quite content to stay at home, exploring her vast undeveloped natural wealth and settling her own frontier. Busy with our own growth we knew little about the outside world and seemed to care less. Even as our fortunes became more and more deeply interwoven with those of the world "beyond the water's edge," we turned our face away from the full implications of this fact, unwilling to become embroiled with the troubles of what seemed to us an alien world. We all remember, with not too much

pride, how stubbornly we resisted this embroilment throughout the 1930's and in the end how little choice we had. In a sense, we might be likened to children, unwilling to grow up, reluctant to leave off the happy games of youth to face the more serious and complex involvements of adulthood. But a child grows up, whether he likes it or not, and one day we woke up to find that was just what had been going on. We found that America is no longer in the posture of a helpless child, surrounded by all-knowing, all-powerful adults, but a Nation in its prime, surrounded by others whose time of great power is either past or yet to come—and one strong and implacable enemy. And we are so deeply involved with these other nations—all of them—that there will never again be any way out for us but to face up to the full implications of that fact.

How we got there is no secret. We reached this peak of strength because we have a unique inventive and business genius that enabled us to transform our abundant natural resources into the equally abundant products of man's technology. We reached this deep involvement with the rest of the world, partly through the stepping up of transportation and communication through that same technology so that places once surrounded by a romantic aura of distance now are within harshly unromantic bomber range. But all this is less due to transportation itself than to what transportation has made possible: an unprecedented flow of international trade. It is trade that binds our world together and makes it forever impossible for us to return to a simpler, self-sufficient past.

I don't suppose there are many of us left who would proclaim that the United States has the ability to go it alone in the matter of the supplies we need to keep our standard of living at the level it is. Yet, I think we still tend to overrate the extent to which we can rely on our own resources to keep us the richest and most powerful nation in the world. Here are some sobering facts about our resources from the report made in 1952 by the President's Materials Policy Commission, headed by William S. Paley—and incidentally, one of the most penetrating reports of our time.

"The United States' appetite for materials is Gargantuan—and so far, insatiable. At midcentury, the Nation uses up over 2½ billion tons of materials each year to keep itself going and support its standard of living. With a population of 151 million, each person consumes, on an average, 18 tons a year. He uses about 14,000 pounds of fuel for heat and energy—warming houses and offices, running automobiles and locomotives, firing factory boilers, smelting metals, and hundreds of other tasks. He uses 10,000 pounds of building materials—lumber, stone, cement, sand and gravel, and so on—800 pounds of metals—(winnowed from 5,000 pounds of ores). He eats nearly 1,600 pounds of food; this, together with cotton and other fibers for clothing, and with pulpwood for paper, and other miscellaneous products, mounts up to 5,700 pounds of agricultural materials. In addition he uses 800 pounds of nonmetallics, such as lime fertilizer and chemical raw materials.

"Such levels of consumption, climaxing 50 years of phenomenal economic progress, levy a severe drain on every kind of resource we have: minerals, forests, soil and water. In the first 50 years of the 20th century, as population doubled and our total national output reached five times the 1900 level, the stream of raw materials increased in volume and value until, in 1950, it was worth two and one-half times as much (in constant dollars) as it was in 1900. In 1950 we were taking from the earth 2½ times more bituminous coal, 3 times more copper, 3½ times more iron ore, 4 times more zinc, 26 times more natural gas, 30 times more crude oil than in the year 1900. The quantity of most metals and mineral fuels used in the United States since the First World War exceeds the total used throughout the entire world in all of history preceding 1914."

Then the report goes on to say, "This vast drain, greater today than yesterday, and inescapably greater tomorrow than today, upon resources that cannot be renewed has become the most challenging aspect of our present-day economy. A ton of ore removed from the earth is a ton gone forever; each barrel of oil discovered means one less remaining * * * The time has clearly passed when we can afford the luxury of viewing our resources as unlimited and hence taking them for granted. In the United States, the supplies of the evident, the cheap, the accessible, are running out. The plain fact is that we have skimmed the cream of our resources as we now understand them. * * * At the start of the century we produced some 15 percent more raw materials than we consumed (excluding food); by mid-century we were consuming 10 percent more materials than we produced. We had completed our slow transition from a raw materials surplus nation to a raw materials deficit nation."

So there we are. The Nation with the highest standard of living in the world and greatly dependent on the rest of the world to maintain it. We are not used to thinking this way about our position in the world. We are used to thinking of our own resources as limitless, and in recent years it has been easy to see the rest of the world as either an outstretched hand, as in the case of our European friends and the underdeveloped countries of Asia, or an outstretched fist, in the case of Russia and her Communist-controlled bloc of nations. But it is true, nevertheless. However strong we are now, however creative and inventive and humanly resourceful we continue to be, the plain fact is that we need the world just as it needs us. Our choice is no longer whether to mingle in world affairs or to leave them alone; it is between more and less intelligent, more and less constructive ways of playing our part in that world. I want to talk today about what I consider to be some of the more intelligent ways of participating in that world.

It is essential that we redefine our relations with the three groups of nations into which the world can be roughly divided: (1) The Communist and Communist-controlled nations, (2) the underdeveloped existing nations and the would-be nations of Asia and Africa who have tended to avoid definite alinement with power blocs outside their own regions, and (3) our accustomed allies, the friendly and democratic nations who, for the most part, are located in the Western part of the world.

Finally, (4) we must do some fresh thinking about the U.N. and the role it has to play in maintaining and solidifying peace.

1. First of all, we need to accept the fact that Russia and the Communist world will not disappear—except possibly arm and arm with us—will not stop trying to win over other parts of the world, and may not change its character except slowly. And at the same time we should keep in the backs of our minds that old truism that the only thing certain is change. In that, there is hope for man. Meanwhile, we must deal with Russia on a realistic basis. Military competition is a blind alley—although it may be an essential one. Russia has already seen this and has engaged in powerful campaigns to win friends and influence people on an economic, political, and ideological basis. Much can be done within the framework of peaceful coexistence and Russia has been quick to see and take advantage of this.

We may not like Russian imperialism, or the police state concept or the callousness of so-called communism, but for the present, we shall have to find a way of coexisting with them, for there is no alternative but nonexistence. What we must get out of is being in a position where we act only negatively, defensively, trying to fight Communist advances, minimize its gains, but offering nothing positive of our own. Up to now, communism has been on the march, while democracy has been, more often than not, on the limp.

Right now we are going through a particularly severe crisis in our relations with Russia, the issue being Berlin. We have met the latest Russian threats, in the main, with intransigence. I think we need to find a way to inject a greater measure of flexibility into our approach to this, as to other situations.

The answer may or may not be a summit meeting, but through some means a way must be found to coexist in a less risky and dangerous manner than we have been doing. One can get dizzy, one can lose his sense of proportion, one can even fatally lose his balance, when forced to live regularly on the brink of a precipice.

I should like to talk a little here about our relations—or perhaps I should say, our lack of relations—with Communist China, because our attitude toward that country provides an excellent case study with which to exhibit the inadequacies of our general approach to international relations. And this inadequacy is present, mind you, in our attitude toward a country that more than one observer has called our number one challenge in the world today—even outstripping that of Soviet Russia.

Whenever the public is asked about Communist China, their answer is quick and definite: Red China should not be traded with, should not be recognized, should not be let into the U.N. In other words, in the minds of a large majority of Americans, the best attitude to take toward a nation which represents one-quarter of the world's population is to ignore it.

The public's attitude toward the Chinese Nationalists is more complex: Although few expect Chiang Kai-shek to return to power on the mainland, and although even fewer were ready to go to the defense of the disputed offshore islands last fall, Americans are favorable to the Nationalist leader by a 4 to 3 ratio.

On what are these sentiments based? In too few cases are they based on a knowledge of the real situation. Last fall, when the papers were full of the newly erupted crisis in the Formosa straits, we asked a national cross-section: "Do you happen to remember the names of the islands that the Communist Chinese forces have recently been bombarding?" At that time, only 52 percent could name Quemoy and only 30 percent could name Matsu.

The difference at that time in the opinions of the informed and the uninformed was great. People who couldn't identify either the islands under bombardment or the Secretary of Defense were extremely reluctant to see America fight over either the offshore islands or Formosa itself. At the same time, very few of them had any criticism of Eisenhower's handling of foreign affairs, although at that time he was advocating a rather militant policy in respect to Quemoy and Matsu. Nor did they have any particular criticism of Chiang Kai-shek—most of this relatively uninformed group thought rather highly of him—but wouldn't help defend him on Formosa.

Turning to the much smaller, informed group, we find that they are much more consistent. The vote on whether to fight, if necessary, at least for Formosa, is much closer—more evenly divided. (This group

also rejected the idea of fighting over Quemoy and Matsu.) So is the vote of approval or disapproval of Eisenhower's handling of foreign affairs—many more of them disapproved. And these people had a lower opinion of Chiang and his chances to regain mainland power than did the less informed group—although they were at the same time more willing to come to his defense.

Obviously, the patterns of thought and feeling that underlay these two complexes of attitudes were quite different. For the uninformed group, opposition to a fight in the Formosa straits was a quick instinctive reaction, based on little or no knowledge of the actual situation. Their support for Eisenhower's handling of foreign affairs was also based on an emotional feeling about Eisenhower rather than any specific thing that he had done. Also with Chiang Kai-shek, these people were probably expressing a vague residue of the good feeling that was built up for Chiang by President Roosevelt and others during World War II, rather than any concrete information about the Nationalist leader.

Our popular attitude toward Red China, then—and our official policy has closely paralleled our popular attitude—has been uninformed, and consequently emotional. Our stance has fluctuated between that of an indignant preacher and a frightened ostrich—when we find we can't lecture unpleasant realities away we dig into the sand for a doze. Both attitudes are supremely unrealistic and can be supremely dangerous.

2. The second great part of the world with which we must enter into new relations is the so-called underdeveloped regions of Asia and Africa. The nations of the Near, Middle and Far East are in some ways the most sophisticated, knowing countries in the world, but in some ways they are the most naive. These regions contain the oldest cultures in the world and the newest nations. Their forms of government are different from ours; many are not democratic at all, in others democracy has put down only tentative roots which are not yet grounded in the essential soil of universal education and a people free enough from the day-to-day struggle for physical survival to think beyond the hope of bread and shelter.

These are countries with great resources which have only begun to be developed and utilized. When they are, the world will be richer and safer for it. Richer, because we shall all benefit from their increased capacity for exporting and their increased economic self-sufficiency. Safer, because as long as these nations live on a margin of survival, their economic insecurity will express itself also as psychological and political insecurity, and nations ridden by insecurity are bad bets for democracy—and peace. Until these nations get on a sound economic footing, they will be easy prey for the kind of demogoguery that seeks a scapegoat for their economic ills. This can take the form of leaders who stir up trouble with an outside and often imagined enemy to deflect attention from troubles at home, leaders whose most powerful weapon is their ability to involve great powers in the conflicts and tensions of small nations, thereby scaring the world into bribery and appeasement. Or it can take the dread form of surrender to the irrevocable tyranny of a Communist government, which closes the nation off from further movement toward freedom and economic progress.

The question with regard to these countries, then, is not whether or not to get them speedily on the way to fruitful development of their barely tapped resources. The question lies in how this should be done. I think the answer is that it should be done in a number of ways at one and the same time.

A good deal of it can be done by private investment. Probably a good deal more than is presently being done can be done by private investment. But however much can and should be done by private investment, there are some things it cannot do. In the least developed countries, much groundwork has to be laid before profitable enterprise can be begun. Surveying must be done, in order to discover the nature and amount of resources these countries have. Roads must be built, and railroads laid. Harbors and waterways must have the capacity to accommodate modern shipping. Electric power must be made available. In many of these countries rudimentary sanitation must be provided and basic educational and government facilities before there can be any real prospect of economic growth. Private capital from foreign countries should not be expected to do these jobs. But these jobs must be done, and in many cases they must be done before foreign capital can be put to any profitable use.

Again, the question, How? The first thought that comes to mind is that the United States should step in and fill the gap with a massive foreign aid program far greater than anything yet proposed. I don't think this is the case. We hear an awful lot about foreign aid, both pro and con. Should we have more of it, less of it, none of it? American aid is presented either as a panacea for the rest of the world's ills, or as a way of throwing our hard-earned wealth down a bottomless foreign drain. I think a lot of what has been said on this subject has simply not made very good sense.

I doubt that a sum such as we are now spending—about 1½ percent of our national income—could provide either a world panacea or the means to our national bankruptcy. However beguiling the idea may seem, what the world expects of the United States, and what we have to give the world, is not a magic wand that will instantly wave valleys into fruitfulness and dot the countryside with atomic energy plants. In saying this I am not talking against foreign aid or its present size.

But actually there are a number of ways, other than and often better than American foreign aid, to provide the needed capital. The World Bank is in a position or could be put in a position to provide loans for these purposes.

There are, of course, the various international agencies of the United Nations. And recently a new idea has been put forth which has been received with interest both in the West and in the Arab world—the idea of a regional bank for the Middle East.

Of course, one of the greatest barriers to trade, as we all know, lies in unnecessary or unnecessarily high tariffs. In the case of strategic materials, we are really cutting off our nose to spite our face when we erect substantial tariff barriers against these materials. Beside the immediate consequence of higher consumer prices, they have the effect of cutting down the supply of materials offered to us and discouraging production of these materials abroad. When high-cost domestic materials, in more or less scarce supply, are substituted for lower-cost more plentiful foreign supplies, we are robbing ourselves twice over, first, through the higher price we pay and, second, through unnecessary depletion of our own resources.

But, aside from the need to improve the economic condition of these countries—for their sake and ours—there is an equally pressing need for improvement in our non-economic relations with them.

It is a great irony—and could be a tragic one—that where Communists offer this part of the world ideas—primitive and distorted though they may be—the primary offering of the democratic world has been its machines. This is no small gift; machines can be a great liberating power. It is perhaps too much to expect to communicate fully ideas of parliamentary democracy to nations which are mostly illiterate and steeped in authoritarian tradition. But unless the American vision of a world of machine-supported ease is accompanied by a supplementary vision of human life lived in freedom and dignity, we will have added little, except to the world's unrest.

But giving can be a kind of tyranny, unless it is accompanied by a respect for and a desire to understand the needs of the recipient. We have too often judged other nations by our own standards, in ways that have been, at best, irrelevant and frequently offensive to the countries involved.

There are deep scars in these lands from centuries of oppression, much of which has been Western in origin. We must learn to stop supporting regimes that, to their awakened and impatient citizenry, represent the oppression of the past. We must give these people the confidence that we accept their drives toward national independence and their demand for a transfer of power and wealth to a broader base. We must not insist on nations who wish to be neutral actively joining our power bloc. We will make no friends this way. The words "If you're not for us, you're against us" have the quality more of vinegar than of honey.

3. When we turn to our European neighbors, we face, in many ways, quite different problems. These are the most developed nations in the world; they have been masters of their own destinies for quite some time. They are high on industrial capacity and low on natural resources. What is the nature of our relationship to Europe, and what should it be? It is a closer relationship than that with any other area in the world. It cannot help but be. Our cultures have the same roots; we have a common religion, art and literature in common, similar political institutions in that they are based on a belief in the dignity of man rather than the omnipotence of the state. From all this shared experience we have developed common values—a respect for the creative potential of the individual human being and a belief that this potential will best realize itself in an atmosphere of maximum liberty.

The days when national boundaries defined clear-cut, independent entities, the days when any nation, however mighty, could "go it alone" are past. This is evident to almost everyone, and the world is fast moving toward regional amalgamations. Perhaps in the best of all possible worlds this wouldn't be true. But it is folly for us to pretend it isn't true. Only in unity is there strength. Why do we watch with such trepidation the movement of the Arab world toward consolidation? Because we know that in such joining of forces lies a great deal of power, and in the case of a Nasser-led union we are afraid of the use of that power. But we must not forget that this is a power which is also available—and essential—to the Atlantic countries—if we have the courage to shuck off old political conceptions as we have, for example, shucked off the conception that every family must grow its own food and spin its own cloth—if we have the vision to create for today's conditions as well and with as much imagination as our forefathers did late in the 1700's.

Our leaders have stated again and again this overriding necessity. In 1957 President Eisenhower and British Prime Minister Macmillan issued a declaration of common purpose that said in part: "The concept of national self-sufficiency is out of date. The countries of the free world are interdependent, and only in genuine partership, by combining their resources and sharing tasks in many fields, can progress and safety be found."

The American people, too, see clearly this need for democratic unity: A few months after the 1956 Suez crisis we presented them with this question:

"Last year's crisis over the Suez Canal and the Middle East caused a great strain between the United States and its allies, Eng-

land and France. Do you think it essential that we get this alliance fixed up, or merely desirable, or do you think it really doesn't matter whether we get it fixed up or not?"

This is how the public answered: Essential we get alliance fixed up, 66 percent; not essential, but desirable, 18 percent; really doesn't matter, 9 percent; don't know, 7 percent.

The history of the last few years is too often a story of Western disunity and shortsighted action because of the absence of a genuine collective policy and joint planning. Hasty improvisation has taken the place of thoughtful, long-range programs. All too often the Western Powers have seemed not to know what they wanted, and all too often they have given the impression that they want nothing more than to preserve the status quo throughout the world rather than facing emerging national and international realities.

Europe itself has seen the compelling need for unity in going full speed ahead with the development of a common market—and European national boundaries were transcended as long as 6 years ago when the Coal and Steel Community was established. Since then, the structure of the European coal and steel industry has been thoroughly overhauled. Since, as Jean Monnet put it, "the fresh wind of competition" blew "across the wide spaces of this common market" steel production has risen and prices have declined, without any diminution of profits.

What is the role of the United States in these developments? Is it enough for us to stand by, pleased and encouraging, giving our blessing to the new turn of European events? Should we welcome Europe as a potential third force in the field of world power? Should we assume that we could lose nothing and stand only to gain from the changing structure of Europe? I don't think we can make that assumption. In fact, I think we are making a great mistake if we do.

I think there are two kinds of reasons for looking at this development in a different way. The first kind is to ask, what do we have to lose by the ultimate formation of a united Europe, or the intermediate formation of a European Common Market? There are several possibilities. One is the possibility that Germany might come to dominate this united market and that one day Germany's aggressive impulses might come to the fore again—as it has done twice in my lifetime—and turn Europe's productivity against us. This does not seem very likely at the present time; but is Germany's friendship something we can take for granted, especially if long years of national division gradually create within Germans a deep resentment against the outside world and a determination to resume complete national identity at any cost? Another possibility is that, even if this does not happen, Europe itself could become unfriendly to us, through some happenstance of international politics, and with the same result as if Germany were dominant. A united Europe would feel stronger and more independent than its separate countries can possibly feel now and might tend to draw away from us through its own new self-confidence.

Another more immediate possibility is that this Common Market might discriminate against goods coming from the United States. While we expect and hope that the Common Market will not be used against us, but instead used to place tariffs at a reasonable level which will represent a compromise between the various tariff levels of the different countries involved, this is a theoretical possibility, at the very least, and one which has given American export firms some concern. Even if this did not happen now, it certainly is not intended now, there is no way of being sure that it might not happen in the future.

But there is another point of view from which we can look at these new developments of the European idea. Let us agree that it is a good idea, but then let us ask whether there is an even better idea. I think there is. I think if we will free our minds for a minute, we will see that all the advantages, and none of the disadvantages of the European idea would obtain if we expanded it into an Atlantic idea. With the United States on the outside, there will always be at least the risk that European power—or trade—can be turned against us. With the United States itself drawn closer into this common trading area, we can share in the benefits of an integrated economy and by our presence make those benefits for both our country and Europe incomparably greater.

We would have the advantage of reduced costs all around, as each country or region produced what it could produce most economically, and increased trade all around as markets expanded and became freer.

To the benefits of a more closely integrated economy, we might some day add the benefit of a common currency, thus working out one of the peskier problems of international business. We might be able to make it possible for people to move freely from areas where there was high unemployment to areas where there was a high demand for labor and skills.

As we moved closer to Europe economically, there would be an inevitable tendency to move closer politically. The administration of the closer economic relations would require closer integration of each government's policies. We already have the beginning of joint military planning. The benefits of coordinating our economic policies are substantial. Political and diplomatic coordination or integration by some means or other would be expected to follow. I believe this would be a development which would be of great benefit both to Europe and ourselves.

For better or worse, we are bracketed with Europe in the eyes of the rest of the world, and much will depend on whether we make it a fortunate or injurious bracketing. We can win the world's friendship only through the good example we set—in the just and humane relations we establish within our countries and with the rest of the world. Unlike the Communists, we cannot bypass the normal channels to good will by subversion and infiltration, conscienceless propaganda, and ultimately, if the circumstances seem propitious, the use of military force. True, we have our wealth, but we are too intelligent to suppose that, in the long run, purchased friendship would be much of a bulwark against the hatred of oppressed, perpetual "have not" peoples.

To put it in the simplest terms, if we established closer economic and political ties with Europe, we would be richer and stronger, and better able to win the struggle for survival our country and our civilization are now fighting in various degrees of cold, hot, and lukewarm war. Eventually as the areas of peace, stability, and democracy in the world enlarge, we might then be able to expand these ties to include other countries of the world. But this would take time; the kinds of ties that can be formed between long practicing democracies, and nondemocracies are quite different. With the democracies of Western Europe we could start at any time to push forward toward regional rather than national thinking that would liberate our economies and strengthen our position in the world.

It seems to me that the central question is not whether or not we should form closer ties with the European democracies but rather what is the best way of implementing the new interdependence which confronts us.

I suggest that the best people to find these new ways are not the professional diplomats, whose training is in the niceties of power relations, who are responsible to their governments and to policies and forms already established, who are understandably afraid that any truly imaginative proposal they might make would be regarded as committing the nation they represent. If a new solution is to be found, it is most likely to be discovered by free and unfettered minds, operating without restrictions or commitments to established positions and policies. I suggest that the best approach to this problem is to call a citizen's convention, where the best minds in our country, with the aids of political, economic, sociological, and financial experts, can meet with the best minds of those democracies with whom we will inevitably share a common fate, and together work out what seems to be the best way of securing close and continuing cooperation among the democracies. This group should include all shades of representative opinion on this subject and be strictly bipartisan—and strictly "top drawer." They should be as close as we can find to the Jeffersons, Madisons, and Hamiltons of an earlier critical period of our history. The plan they evolved would then be submitted to the legislative bodies of their respective countries for acceptance or rejection.

There is no use speculating on what recommendations would come out of such a conference. They might be very simple—or quite wide ranging. They might stop with the devising of a new political mechanism to insure a common foreign policy—or they might go much further. No one can predict what a group of the best brains in the free world would come up with—and certainly no one can, in advance, discount the possibility of workable answers. Surely the ability of man to devise new and better forms under which to govern himself did not end in 1789. Surely the faith of Jefferson and Lincoln and Wilson in the people and in their ability to solve their problems was not misplaced.

4. However, building these organic ties among the democratic nations will bear their best fruit only if we can at the same time establish more stability in the world around us. The very unity of all the democracies would do much for stability, but this is also a task in which all the nations of the world must cooperate and which should be tackled within the context of the U.N. A newly united bloc of Western democracies would be in a much better position to work toward the end of building this peace and stability, since with the minimizing of their internal problems and differences they could turn their attention outward to global problems. The U.N. may not be able to solve all the world's problems, but it is our chief hope of preventing those problems from exploding to destroy us.

The way to give the U.N. power to enforce peace is in the establishment of a permanent U.N. police force. The military action taken by Britain and the United States in Jordan and Lebanon last summer earned us few friends in that region. For too many, it once again evoked the ghosts of colonialist repression. Only a truly international force, dedicated solely to the preservation of peace, can act effectively in times of crisis. Surveys have shown that most people in this country approve of this idea, but we must work for the acceptance of such a force among the nations of the world.

As long as authoritarian government prevails throughout much of the world, there can be no genuine "world government." Still, as much as we can, we must work for the establishment of law between nations. The alternative is chaos.

One suggestion I should like to offer is that the bar associations of many countries meet and study the possibilities of strengthening and developing effective international

law. Meanwhile, we must recognize the limitations of the U.N. as now constituted, work through it when we can, but face the power realities and try to unify the democracies by direct negotiations when only that will achieve the desired end.

5. We must work on many fronts. Much of what happens in the world is outside of our power and control. We should accept this and not feel that the outcome of every situation is on our shoulders. But where our actions can have effect, we must act intelligently and well.

I submit that one of the primary spheres of needed and possible action is in our relations with our fellow democracies. If we cannot establish a genuine working relationship with the countries with which we have most in common, we can hardly expect to succeed with countries whose attitude toward us is indifferent or suspicious or openly hostile.

Of course, there is an alternative. It may well be that there is no compelling reason for the survival of that rather peculiar and self-destructive species — mankind — which happens to inhabit this particular planet. That is an alternative. For those who reject that alternative—as I do—there is no road open but intelligent change.

PAN-AMERICAN DAY, 1959

Mr. KEATING. Mr. President, yesterday was celebrated throughout the Western Hemisphere as Pan-American Day. It marked a significant day in the life of this region of the world and in man's eternal struggle to promote universal peace and prosperity.

On Pan-American Day we commemorate the historic event of April 14, 1890, when the 21 Republics of the Americas pooled their diplomatic and intellectual resources in an effort to promote the peace, progress, and prosperity of the Western Hemisphere.

The Pan American Union, which evolved from that event 69 years ago, is one of the oldest, and certainly one of the most successful, international organizations devoted to the improvement of relations between peoples and nations. It has contributed tremendously to strengthening the countries of the Western Hemisphere and insuring, so far as is possible, that they live in harmony and work cooperatively on common problems.

The Union was a forerunner of the Organization of American States, which was established in 1948, and which has played a major role in the continuing effort to coordinate the material and human resources of the American Republics for the happiness and profit of mankind.

In the face of great obstacles and in spite of repeated reversals, the OAS has continued to move forward. With enlightened leadership and unswerving dedication to the basic purpose of making justice and morality the measuring stick for relations between nations, great progress has been achieved.

The example of cooperative action among the nations of the Western Hemisphere has given the whole world food for thought. We have shown the world how it is possible for good neighbors to live together amicably and profitably.

In the days ahead, it is vital that the United States, in cooperation with our friends south of the border, continue to expand our joint economic and political and military projects. We must pursue with ever greater vigor the cultural exchanges which hold such promise for promoting mutual understanding and appreciation. I am convinced that greater people-to-people contacts, running the gamut from sports to music, from politics to engineering, hold the key to firming up the traditional bonds of friendship between the United States and our sister States of Latin America.

The potential for future growth and development in this hemisphere is almost unlimited. As each of us contributes to better understanding among the American Republics and peoples, through knowledge, through communication, through the people-to-people programs, through the numerous organizations devoted to fostering better relations, so we contribute to the future of the hemisphere and to the lives of those who come after us.

Pan-American Day, 1959, marked an important anniversary. The warmth and enthusiasm with which it was celebrated testifies eloquently to the determination of the peoples of the Americas to make the way of peace and cooperation the ultimate way of the world.

Mr. PROXMIRE. Mr. President, it is appropriate that the Senate take note today on Pan-American Day, at this time when our Government is greatly increasing its attention and aid to our Latin American neighbor nations.

On April 14, 1890, the first of the pan-American conferences was held here in Washington, and the Pan American Union was created to promote cooperation among the countries of our Western Hemisphere.

Now, in 1959, the importance of cooperation among the countries of North, Central, and South America is more vital than ever. All Western Hemisphere nations must constantly strive to develop a greater atmosphere of international peace and understanding, with friendship for democracy everywhere, in the Cordell Hull tradition. As the strongest nation of the hemisphere, the United States has the responsibility to act positively to promote such peace and understanding. The current efforts in Congress and in the administration to review our political and economic policies toward other Western Hemisphere nations holds out great hope that this country will help Latin American countries to greater national prosperity and freedom and to greater international influence for peace and freedom.

ADDRESS BY ARCHBISHOP JAMES OF GREEK ORTHODOX CHURCH OF NORTH AND SOUTH AMERICA

Mr. KEATING. Mr. President, several weeks ago the distinguished Senator from Massachusetts [Mr. SALTONSTALL] addressed the Senate and welcomed back to the United States his eminence Archbishop James, newly elected archbishop of the Greek Orthodox Church of North and South America. Archbishop James arrived the evening of March 31 and was enthroned the following day at the Greek Cathedral in New York City. Following that event there was an enthronement banquet at the Waldorf-Astoria. Attending this banquet were many leading religious figures representing the various faiths in our Nation. Representing the Government were Attorney General William P. Rogers, the Honorable George V. Allen, Director, USIA, and former Ambassador to Greece, and the Honorable Kevin McCann, as the personal representative of President Eisenhower.

At the enthronement banquet, Archbishop James delivered his first public address to his flock, and I wish to bring to the attention of my colleagues this eloquent and moving statement.

Archbishop James is no stranger to the United States. Born in 1911, he came to the United States in 1939, and served as archdeacon of the Greek archdiocese and as professor at the archdiocese theological school.

He was ordained a priest in Boston on June 14, 1940, and served in this capacity at Hartford, Conn., in 1940–41. He was a preacher at the Holy Trinity Cathedral in New York from 1941 to 1942 and later in 1942 served for a brief period in St. Louis, Mo.

In 1942, he was appointed dean of the Cathedral of the Annunciation in Boston, and served in that capacity until 1954. For a brief period in 1954, prior to his election as a bishop, he served as director of the Holy Cross Orthodox Theological School in Brookline, Mass.

In December 1954, he was elected Bishop of Melita—Malta—and was assigned to the Archdiocese of Central and Western Europe. In March 1955, he was appointed representative of the Ecumenical Patriarchate at the World Council of Churches headquarters in Geneva. On April 4, 1956, he was elected a Metropolitan.

As the representative of the Ecumenical Patriarchate in the World Council of Churches, Archbishop James traveled extensively throughout the world and attended many ecclesiastical meetings and councils. During this time, he also visited the United States on several occasions and delivered lectures at Harvard University, Boston University and other institutions, and at several religious conferences. While in Boston, Archbishop James studied at the Harvard Divinity School and earned the degree of master of sacred theology—(S.T.M.). He is the author of many religious books and articles.

Archbishop James, who is an American citizen, has close ties with many of the religious groups in the United States, stemming from his association with the World Council of Churches and the National Council of Churches.

The Greek Archdiocese, which is under the jurisdiction of the ancient Ecumenical Patriarchate of Constantinople, now headed by Patriarch Athenagoras I, has 1,150,000 communicants and 375 churches in the United States. It is the headquarters of the Greek Orthodox Church, which is the largest of the many Eastern Orthodox bodies in America.

I ask unanimous consent that the remarks of Archbishop James at the enthronement banquet be printed in the RECORD following my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS OF ARCHBISHOP JAMES AT ENTHRONEMENT BANQUET, APRIL 1, WALDORF-ASTORIA, NEW YORK CITY

May I first thank you all, from the bottom of my heart, for this most kind and cordial reception, which you have accorded me upon my arrival. I interpret it as your expression of devotion and loyalty to our Ecumenical See and to the great Prelate, who honors that See today, our God-given Spiritual Leader, the Ecumenical Patriarch, Athenagoras 1st. I, therefore, accept your most touching expressions with a deeply grateful heart, and I magnify the name of the Lord.

I thank Him for you, who have grasped every possible opportunity in this, our beloved country, to develop yourselves into real and loyal and faithful citizens. You have progressed to an amazingly admirable degree, and have made both this country and your motherland and the Ecumenical Patriarchate especially proud of you.

Be blessed, therefore, my beloved brethren, and continue to grow in the Grace of God. This is the prayer, which his All Holiness, our Ecumenical Patriarch, offers daily for you. Continued spiritual and moral and social advancement and progress, is that which we all wish for you. I place myself at your service—beginning today—in order that I may help you walk in accordance with your high calling; to prove yourselves children of light and worthy daughters and sons of the Lord. Ahead of us lies a task of tremendous dimensions. That which we have accomplished is only the prologue—the preface to a chapter, which we must add to the history of America. We carry a challenging burden of historic responsibilities. We must discharge it in the best possible way, and thus prove ourselves worthy bearers of this Hellenic-Christian culture and civilization.

We are Americans. No less than any other Americans. Let us, therefore, make our role and contribution felt and appreciated in its true value. No field of activity and endeavor can be considered alien or unattainable by us. In the field of industry as well as in the field of the sciences, in the field of economics as well as in the field of education, in the field of civic endeavors as well as in the field of politics, in the field of athletics as well as in the field of literature and arts, in the field of religion as well as in the field of patriotism, we can, we must, distinguish ourselves in every way and bring joy and pride to the heart of America.

Our native land, the land in which our fathers and mothers and many of us were born, will experience no more blessed day, than that day, when we bring forth a full testimony to its immortal, ever-vigorous and creative spirit. Let us be inspired and guided by this; let us make it manifest to the whole world, that without diminishing or dimming its light, we can carry its torch high and illumine not only the path of our God-given destiny, but also the great destiny of this beloved country of ours.

Before concluding these humble remarks, I would like to ask you, dear Dr. McCann and dear Attorney General Rogers, to accept and convey my warmest expression of gratitude to our beloved Persident. Although I certainly hope to be able to pay him a personal visit, I ask you nevertheless to assure him of the love and esteem in which his All Holiness holds him, and of our prayers, which we unceasingly offer to God for him. You may, furthermore, assure our President that the Greek Orthodox Church in the Western Hemisphere will continue to be, not only a preacher, but a real factor of benevolence and peace both at home and abroad, and that our banner of the Risen Lord shall continue to proclaim the same ideals which the Star Spangled Banner proudly proclaims and heralds to the world.

I especially wish to acknowledge the presence of my brethren in Christ, who represent other churches and church organizations present here tonight. I would like to take this opportunity to pledge to them my full cooperation in such activities which hold a promise of further forging the link of brotherly love. As representative of our Ecumenical Patriarchate, which has proven its ecumenical spirit throughout its history, I would like to assure them that I shall do everything in my power to join with them in all efforts made toward church unity.

May the blessing and the grace and the mercy of the Lord enrich and protect and guide all men of good faith from glory to glory and from happiness to happiness.

CHAMBER OF COMMERCE WEEK

Mr. KEATING. Mr. President, the week of April 12–18 has been proclaimed by Governor Nelson A. Rockefeller as Chamber of Commerce Week in New York State. I am pleased to take this opportunity to salute the chambers in my State, and all across the Nation, for their significant contributions to the building of a better America.

The New York Chamber of Commerce was chartered in 1768, and the charter was renewed at the first session of the New York Legislature. In the years since then, the chamber has worked unceasingly and courageously for its aims and objectives.

The chamber of commerce has consistently and ably presented the business point of view on matters of public and governmental impact. We in Government have benefited from their counsel and strong presentations.

The chamber movement has been closely linked with the economic growth of my State and our Nation. Through its unswerving and traditional beliefs in the free enterprise system, the chamber has encouraged the individual initiative and helped develop the leadership which is essential for the proper functioning of the American system.

The chamber of commerce has been in the vanguard of every major civic, educational, cultural, and philanthropic advance in recent history. Through its efforts, our cities are better places in which to work and live. It is important to note these significant contributions of the chamber movement, for all too often its leadership in community activities is overlooked.

I am proud to salute the chambers of commerce for their many contributions to the building of a better and more prosperous America. Through their efforts, the American ideals of individual initiative and free enterprise have been strengthened and promoted. I wish the chambers of New York State, and of all States, every success as they continue their important endeavors.

UNEMPLOYMENT PROBLEMS

Mr. McNAMARA. Mr. President, the Senate has passed a bill establishing a so-called Commission To Study Unemployment Problems.

It is unfortunate the Senate did not act with the same speed and righteous determination 3 weeks ago, when it had before it specific legislation that would really do something to meet the problems of unemployment.

I refer to the amendments we proposed which would have given some substance to the emergency unemployment compensation legislation.

However, I suppose it is much easier to set up a study commission than it is to tackle realistically the problems that unemployment creates—and the problems that create unemployment.

A study commission is a time-honored device which can accomplish two goals. For those who really want to know, it may provide the necessary information which can lead to action. For others, however, it may be a convenient out; an opportunity to give lipservice to a situation without having to do anything about it.

It strikes me as a bit odd that the U.S. Congress, with its vast sources of information, its active and supposedly knowledgeable committees, should have to resort to an outside commission to do its job for it.

Further, despite assurances to the contrary, I cannot help but feel that a major result of this commission plan will be to delay congressional action on proposed legislation already before it.

Certainly the Commission would be hard put to add to the case which already has been made for passage of the area redevelopment bill and the housing and airport legislation, for example.

Will the Commission come back and tell us that about 4½ million persons are unemployed, and that thousands upon thousands are exhausting—or have exhausted long ago—their unemployment benefits?

We need no commission to tell us that. We know that today, and we knew it 3 weeks ago when we had an opportunity in the Senate to do something about it.

The Commission on Unemployment Problems, once it is formed, will have 60 days to accentuate the obvious. I wish it well. If it leads to the reemployment of a single person, it will have served a purpose.

But the Congress of the United States could help a great many more persons—and do it much sooner—if it would live up to its responsibilities.

Mr. President, there is ample proposed legislation now before the Senate to meet both the current emergency and to help prevent such situations from occurring in the future. Many Senators have presented their suggested programs.

I have introduced or sponsored a number of bills which I believe would help carry out the intent of the Employment Act of 1946 as well as improve our national economy and standards. I ask unanimous consent that a list of these bills be printed in the RECORD at the conclusion of my remarks.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

UNEMPLOYMENT

S. 791: To establish uniform Federal standards of unemployment insurance of 39 weeks duration at 50 percent of average weekly wage.

S. 1323: McNamara bill to provide up to 16 weeks of emergency unemployment insurance to those who have exhausted other

benefits or who were not in covered employment.

EMPLOYMENT

S. 1: Federal assistance to the States to build airports.

S. 8: McNamara bill to provide $2 billion in Federal funds over a 2-year period to assist the States in school construction.

S. 295: McNamara bill establishing a program to encourage operations of marginal copper mines necessary to the national defense.

S. 296: McNamara bill establishing a program to encourage continuing operation of iron mines in the interests of national defense.

S. 462: McNamara bill to provide for a 35-hour workweek under the Fair Labor Standards Act.

S. 722: Area redevelopment bill to provide Federal aid to areas crippled by chronic unemployment.

S. 1046: A bill to raise the minimum wage to $1.25 an hour to extend protection of the Fair Labor Standards Act to millions of workers in retail and other fields.

S. 1085: McNamara bill to provide farm workers with the protection of the Fair Labor Standards Act.

EFFORTS OF THE ADMINISTRATION TO COMBAT UNEMPLOYMENT

Mr. GOLDWATER. Mr. President, last week thousands of people from areas of unemployment in the East descended on Washington in an attempt to prove that the administration is not doing enough to create jobs. Several interesting and intelligent commentaries have been written relative to that incident and some of the attendant happenings. The first that has come to my attention was written by a man who has long been a friend of labor, and who is one of the country's better known labor writers, Mr. Jack Crellin of the Detroit Times. It is interesting to observe that this writer commented on the efforts of George Meany to suppress remarks from the floor and to subject the people in attendance to a rigid program of speeches. This constant denial of the democratic processes by the leaders of labor is one of the subjects of discussion in the coming debate on labor reform, and because this incident occurred just last week, and because it has been brought to the public's attention by Mr. Crellin, I ask unanimous consent that this particular column be inserted in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Detroit Times, Apr. 12, 1959]

THE JOBLESS CONFERENCE THAT WAS A FIASCO

(By Jack Crellin)

Having suffered through our own private purgatory of 30 hours on a day coach, we feel we are entitled to at least a few observations about last week's fiasco mislabeled a conference of the unemployed in Washington.

For our money, it amounted to nothing more than exploitation of human misery by certain AFL–CIO leaders who should have known better.

If we appear prejudiced in this matter it is simply because we are.

Our sympathies go out to the thousands of bewildered delegates who were loaded aboard special railroad coaches and buses, hauled to Washington, and then herded like so many cattle into a steamy meeting hall on the city's outskirts where they were held virtual hostages for 6 hours of speeches by labor and political demagogs.

Sponsors of the rally, of course, will claim they accomplished their purpose of focusing national attention on the jobless situation and by wringing from a previously reluctant LYNDON JOHNSON, Senate Democratic majority leader, a vague promise of an investigation within 90 days.

But the thought occurs that if it took all that time and money to get the man who ostensibly speaks for the political party the AFL–CIO so enthusiastically supports at the polls to change his mind, that perhaps the AFL–CIO is getting a mighty poor return on its investment.

At least Jimmy Hoffa gets 6 percent on his.

Perhaps the most disappointing aspects of the meeting were the manner in which it was conducted and the general attitude of the brass toward the people in attendance.

If any of the delegates consented to the grueling trip in the belief they would be able to voice their opinions from the floor, they speedily learned they had been lured there under false pretenses.

They were regarded as little more than prize specimens put on display at a county fair. Their role was a silent one. They were to be seen but not heard.

The same holds true for those who planned to discuss their problems with their Congressmen.

The meeting site was so remote from Capitol Hill it is doubtful a majority of Congress was even aware of the visitors' presence.

AFL–CIO President George Meany seemed obsessed with the idea the meeting might get out of hand.

This apprehension on the part of Meany and others was apparent from the outset.

Staff members were posted at the doors to see that no one was admitted without the proper credentials.

The list of speakers was carefully arranged and screened in advance and to make doubly sure the delegates would not get into mischief. Box lunches consisting of a combination sandwich, a hard-boiled egg, an apple and a cupcake, were served right in the hall during the brief noon recess.

Meany ran the show with an iron hand.

He refused to tolerate questions from the floor.

His timetable called for speeches right up until the hour of adjournment.

The delegates, particularly the 1,400 from Michigan, endured the oratorical bombast for as long as they could.

When their patience was exhausted, they straggled out of the hall to soak up some of the warm spring sunshine.

When the final curtain came down less than one-third were still in their seats.

They all agreed some of the speeches were fine. But many a delegate wondered aloud why he had come to Washington to hear something he already knew—that it is mighty rough when you can't find a job.

Mr. GOLDWATER. Continuing in this same vein, it is about time that certain leaders of labor awaken to the fact that their very insistence on more Government intervention will mean the ultimate loss of more jobs. Last week I addressed myself on the Senate floor to the fact that Federal spending defeats its own end, and I once again remind the labor leaders and my colleagues that in spite of over 50 percent of the Federal budget being spent for props and crutches under the economy between 1932 and 1939, at no time was the unemployment mark below 7.7 million. Today, more people are at work than at any time in the history of this country, and while no one can stand idly by when unemployment exists, still it must be recognized that unemployment is at a low figure and employment at a high figure. Labor leaders now faced with the responsibility of holding the line in steel and other wages should realize that it is unearned wage increases, increases given without increase in productivity, that has created the base for price increases, which are also unearned. The labor leaders are willing to charge everybody but themselves with the responsibility of unemployment in this country, and it is time that they face up honestly to the fact that their own actions and insistence on more Federal participation has created unemployment, and is creating unemployment. In relation to this, I ask unanimous consent that an interesting article by David Lawrence, entitled "Job Destruction," be inserted at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From U.S. News & World Report, Apr. 20, 1959]

JOB DESTRUCTION

(By David Lawrence)

Several thousand unemployed workers assembled in an artificially contrived demonstration in Washington last week to attempt to prove that the administration isn't doing enough to create jobs.

The prescription offered—that the Government spend more money on various projects reminiscent of the "boondoggling" of the 1930's—was quickly embraced by some Democratic leaders. Indeed, it was suggested that a commission be appointed to investigate the plight of the unemployed in various areas. There were unmistakable signs of an effort to engage in political exploitation.

Memories are short. All the "made-work" appropriations in the period of the Hoover-Roosevelt depression from 1933 to 1940 did not at any time reduce the unemployment figure below the 7,700,000 mark. It still stood at 9,480,000 in 1939. Only defense projects necessitated by World War II ended use of the opiates that had proved so illusory in the attempt to increase employment. No effective substitute had been found for the normal processes of job creation, especially in the capital-goods industries which had been particularly neglected in the so-called depression remedies.

So it is today. Those economists with a nostalgia for the old New Deal pattern still urge the appropriation of billions of dollars of public funds for a variety of special projects aimed at stimulating the creation of jobs. They talk glibly of the expanding population and the "growth" that's ahead of us. But they do not put their finger on the poison that is stunting our growth today—the job destruction that has been consistently, though unwittingly, carried on by the organized-labor monopoly.

Certainly there is need for a commission to investigate, as Senator LYNDON JOHNSON, Democrat majority leader in the Senate—has proposed, but it should do more than seek headlines to emphasize for political reasons the fact that there is unemployment. What the commission should do, of course, is to investigate and expose the persistent destruction of jobs in the last several years.

It will be found that labor unions have forced prices up to the point where the products of many companies have been priced out of the market as bigger competitors, with better tools and equipment, have taken over.

It will be found that union labor has all too often abandoned at the collective-bargaining table the statesmanship of only 10 years ago when the AFL sent out a guidance memorandum to its local labor unions recommending that they take into account the financial and price problems of the employer before submitting requests for wage changes.

It will be found that the number of mergers, particularly among small businesses, has been large and that failures have increased because of exorbitant demands by labor unions which in many an industry make the small business pay the same wage rates as the big business.

It will be found that, whereas in 1956 American businessmen had approved plans for capital goods expansion—the building of new plants and the purchase of new tools and equipment—many of these projects had to be laid aside in the next 2 years because the cost of borrowing money had substantially increased and there was an inadequate supply of capital.

It will be found that plans on the drawing board today for normal expansion of American business would create more jobs than all the billions of public money which Congress is being urged to spend outside the budget.

It will be found that, whereas 850,000 youngsters come into the labor market each year, the big labor monopoly shuts many of them out as it continues the process of job destruction through the forcing of higher and higher prices beyond the consumer's capacity to pay.

It will be found that the drive for more and more Government spending for special interests has unbalanced our budget and produced around the world a loss of confidence in the American dollar.

It will be found that there are vast opportunities for American trade abroad even under existing tariffs and quotas but that the American workingman is not getting the benefit of such expansion because the American price level is inflated.

For the fact is that the labor monopoly and inflation have stunted job creation.

A commission appointed to "play politics with human misery" is indefensible. But a commission that will open the eyes of the American people to those forces and influences which have been carrying on for several years now a steady campaign of job destruction would be helpful. Such a fact-finding inquiry should, of course, be conducted by a body of broad-visioned citizens who are without political motivation and clearly without ties to the pressure groups.

Mr. GOLDWATER. Of course, the fiery Socialist leader, Walter Reuther, was in on this demonstration; in fact, the idea was his, so it was to be expected that he would be here and have his usual remarks to make, remarks not bearing on the subject. Every serious gathering must have its light side, and Mr. Reuther provided it in this instance. He made fun of our President for playing golf and for occasionally going quail hunting. I suggest that if Mr. Reuther had to work half the number of hours Mr. Eisenhower and other politicians put in during a routine day, he would be demanding double time, then triple time and then would probably quit in favor of unemployment relief. It is amusing to find Mr. Reuther commenting on Mr. Eisenhower's activities when Mr. Reuther himself had just returned from a rather extended sojourn in Puerto Rico where Life and other national magazines depicted the gathering sprawled around swimming pools, walking on the beaches and, in short, enjoying themselves as people on vacations do. I am not against labor leaders enjoying this kind of life, but I think it is in ill grace for one of the Nation's most prominent labor men to accuse the Chief Executive of idleness when he himself enjoys the same general relief from work from time to time. The President is accustomed to accomplishing work while he is on vacation. It is interesting to note that the vacationing labor leaders could not find time to apply their code of ethics to Mr. Maurice Hutcheson, president of the Carpenters' Union, for the disclosures made by the McClellan committee against them during the past year.

The Phoenix Gazette has suggested that Ike needs his own picket line, and so that my colleagues may know how a prominent Democrat editor of the West looks on the ridiculous outbursts of Mr. Reuther, I ask unanimous consent that this editorial be printed in the RECORD at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Phoenix (Ariz.) Gazette, Apr. 11, 1959]

IKE NEEDS HIS OWN PICKET LINE

Walter Reuther has had his day at the lion pits. On the pretext of protesting against unemployment, the Socialist-minded labor tycoon gathered a mob of stooges in Washington to hoot at President Eisenhower for playing golf and make snide remarks about the Chief Executive for going quail hunting occasionally. It was all planned, we suspect, to give the common man a picture of Mr. Eisenhower eating cake while comrade citizen starves. Shades of the tumbrel and guillotine.

If most of the men in Reuther's mob had to work half the number of hours Mr. Eisenhower puts in as a matter of routine, they would quit in favor of unemployment relief and idleness. If all of them were denied access to normal recreation, as the President always is, they would be crying for the head of every labor union leader in sight. How far can we go with stupidity encouraged by a politically ambitious leftwinger?

When he is in Washington, Mr. Eisenhower goes to work on the early shift and quits on the late one. He is at his desk when most of us are still resting comfortably in the sheets. He is never free from official duties and his mind can never relax from the problems of his job. He is subject to call at any hour of the night, and there is no bonus guaranteed every time the office rings up his bedroom. Who wants a job like that?

Then there are the vacations. Mr. Eisenhower takes quite a few of them. With pay, too. We all joke about them. But Reuther and his boys aren't joking; they're downright serious. And what they somehow never got around to reminding themselves is that Mr. Eisenhower doesn't take the same kind of vacations most of us do. An office staff goes along, and there are teletypes and telephones, and constant problems to be reviewed. Five hours is about the least working time the President puts in during a normal vacation day, and it often runs as high as 10. Who wants a vacation like that?

Reuther's "march on Washington" showed the Detroiter's hand as few things have. We are sorry George Meany was pressured into taking part—against his better judgment, by all accounts. The demonstration turned into nothing but a political maneuver of the lowest sort, an obvious attempt to arouse class prejudice and hatred against the administration through moronic hysteria.

It's too bad Mr. Eisenhower can't throw a picket line around Reuther.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959—MINORITY VIEWS

Mr. GOLDWATER. Mr. President, I ask unanimous consent that the minority views, prepared by the staffs of the Senator from Illinois [Mr. DIRKSEN] and myself, in connection with the Labor-Management Reporting and Disclosure Act of 1959, Senate bill 1555, be printed in the body of the RECORD at this point as a part of my remarks.

There being no objection, the minority views were ordered to be printed in the RECORD, as follows:

MINORITY VIEWS

We oppose the passage of this bill in its present form because it fails to achieve the objectives which the American public demands.

In January 1957, as a result of the hue and cry raised across the country for an investigation into the corruption and racketeering in the labor-management field, the Senate unanimously authorized creation of a select committee, popularly known as the McClellan rackets committee. That committee held extensive hearings during 1957 and issued an interim report in March 1958 which constituted a shocking indictment of the practices followed or allowed in a number of labor unions and by some employers. Continued hearings in 1958, and this year as well, accumulated evidence of the extent of the racketeering and corruption which exists in important segments of the labor movement. Moreover, these more recent hearings also revealed how certain traditional devices of labor unions, such as the picket line and the boycott, had been corrupted to further the nefarious ends of dishonest and racketeering labor bosses. It is painfully clear that what is needed, and what the public is insistently demanding, is Federal legislation designed both to assure some minimum measure of internal union democracy and an effective curb on the corruption and racketeering which the McClellan committee had revealed.

MINIMUM STANDARDS OF UNION DEMOCRACY

In March 1958, the American Civil Liberties Union pointed out the need for a labor union bill of rights which would guarantee the following as a minimum program of union democracy:

(1) Freedom of speech, press, and assembly for all union members.

(2) Freedom of elections and secret balloting for all union members.

(3) Regulation of and limitation on the imposition of trusteeships over local unions by the internationals and certain guarantees for local union automony.

(4) Comprehensive and detailed accounting of union funds, and disclosure of the same to union members.

(5) Equal treatment by the union of all its members.

(6) Due process within the union guaranteeing all members the right to be protected through fair and impartial hearings and before unbiased and independent tribunals with respect to disciplinary proceedings against them.

The committee bill does nothing at all to achieve points (1), (5), and (6). Those portions of the bill dealing with points (2), (3), and (4) are inadequate in important respect to achieve these basic, minimum objectives. There is a complete failure either to impose certain necessary legal obligations and limitations on union officers or to provide those sanctions which are essential to make these provisions of the bill effective.

However, what is most shocking about the committee bill is its spurious appearance of

granting union members rights and protections which they now lack but which on close examination are revealed as either feeble or nonexistent. The bill is full of "gimmicks" intended to lull the public into believing it lives up to its advance billing as a genuine labor reform measure. In committee, the minority made every effort to write an effective bill more in line with what the public is demanding, but through sheer weight of numbers, the proponents of the bill, except for a few amendments which it would have been impossible for anyone to reject, blocked us at every turn. An analysis of these "gimmicks" together with those of our amendments which the majority perforce accepted, appear as appendix A and B to these minority views.

THE M'CLELLAN COMMITTEE FINDINGS AND RECOMMENDATIONS

The committee bill fails in substantial respects to carry out the recommendations of the McClellan rackets committee or to impose those measures which are necessary to implement its findings. That committee made these specific recommendations and findings in the following areas:

I. Filing, reporting and disclosure of union financial affairs

The McClellan committee declared that financial statements required to be filed by labor unions be further required "to be accurate and complete, that there be a method for checking of their veracity and provisions for bringing legal action against unions filing false statements and against the officers of the unions testifying to these false statements." The "gimmicks" in the bill's provisions dealing with this recommendation are exposed in appendix B to this minority report. The most important weakness, however, of the reporting and disclosure provisions of the committee bill is the lack of an adequate procedure for compelling labor unions to rid themselves of the criminals, crooks, thieves, betrayers, and misleaders of their membership.

The committee bill relies exclusively on criminal proceedings and penalties against unions and union officers who fail to comply with its requirements. Thus, the membership is relieved of any substantial responsibility for cleaning its own house. We fully agree with the following statement made by Senator MORSE during the course of the hearings before our subcommittee:

"And I just want to say to the union leaders of America this morning that if their point of view is that no legislation should be passed that holds the membership responsible in any way for the misconduct of the union officials, they have lost me on that issue."

A maximum fine of $10,000 against a labor union, particularly if it is a fairly large one, is scarcely sufficient to induce the membership to get rid of its lawbreaking officials.

A much more effective means for inducing necessary action by the membership is to deprive the noncomplying union, during the period of noncompliance, of some of the special privileges which have been granted to unions by Federal statute. Two of these are immunity from Federal income taxation and the right to use the processes of Federal labor agencies such as the National Labor Relations Board and the National Mediation Board. We would deny these two privileges to any union that failed to comply with the provisions of the committee bill or which failed to rid itself of corrupt, racketeering, or criminal officials. Both the McClellan bill, S. 1137, and the bill, S. 748, take this approach, and it is our intention to offer amendments along these lines on the floor of the Senate.

II. Fiduciary obligations of union officials

The McClellan committee declared:

"Since union moneys * * * are in actuality a trust, being held for the members of the union by their officers, the committee feels that attention should be given to placing certain restrictions on the use of these funds, such as now are imposed on banks and other institutions which act as repositories and administrators for trust funds."

The committee bill professes to recognize the fiduciary nature of the union official's relation to his union and its members, but makes no provision to establish such relationship, to impose the duties of a fiduciary on union officials, or to give union members any remedy for a breach of the fiduciary obligation.

In virtually every State in the Nation, the officers and directors of corporations are made fiduciaries by statute and held to the strictest accountability in their handling of corporate funds and property. Moreover, any profit or gain which accrues to them by virtue of their official position, even if no damage to the corporation or stockholder results, is held in constructive trust for the benefit of the corporation and its stockholders. Under these statutes, stockholders are given the right to enforce the fiduciary obligation through a suit in the courts. The same obligations and remedies attach to the officers and directors of nonprofit and eleemosynary corporations—churches, hospitals, charitable institutions, etc. Union officials alone seem to be free from what has become a normal, in fact a universal, obligation of officials similarly situated.

Only one State has enacted a statute imposing fiduciary obligations on union officials and giving union members a right to sue in the event of any breach thereof. New York, within recent weeks has done so, despite the objection by the New York State AFL–CIO that this type of reform legislation should be left to the Federal Government, a position directly contrary to that taken by the supporters of the committee bill in connection with the question of fiduciary status. The case law in the States on this subject, is almost nonexistent, and the omission of any enforceable fiduciary provision from the committee bill constitutes a failure to provide what could be the most effective possible device for enabling rank-and-file union members themselves to control financial misconduct on the part of their officials.

Both the McClellan bill (S. 1137) and S. 748 contain provisions designed to impose fiduciary obligations on union officials and to give union members a right to sue in the Federal courts for breach thereof. It is our intention to offer on the floor of the Senate, amendments designed to fill this unjustifiable vacuum.

III. Union election procedures

The McClellan committee recommended legislation directed "to the use of secret ballots in union elections and other vital union decisions."

As pointed out in appendix B, the "gimmicks" in title III of the committee bill which deals with the election and removal of union officers are enough to nullify much of the effectiveness of these provisions. Similarly, title II of the committee bill which regulates the imposition of trusteeships over local unions by national and international labor organizations, is crippled by hedging the remedies it provides with conditions which substantially diminish their effectiveness. These shortcomings also are described in appendix B.

IV. The "no man's land" problem

One of the most important problems which faced the committee was that raised by the existence of the "no man's land" in labor relations resulting from recent decisions of the Supreme Court. Small employers, their employees, and the unions which deal or seek to deal with them are denied access to both the National Labor Relations Board and to any State court or agency for the resolution of their labor-relations problems or for relief from illegal practices and conduct. In consequence the "no man's land" has become a happy hunting ground for corrupt and racketeering unions and their officials. Small employers and their employees in this area which exists "outside the law" are increasingly being victimized and are helpless to protect themselves. So shocking had this situation become that the McClellan committee, in order to insure these victims an effective and quick-acting forum recommended legislation authorizing any State or Territory "to assume and assert jurisdiction over labor disputes over which the [National Labor Relations Board] declines jurisdiction."

Both S. 748 and a separate bill, S. 1386, introduced by Senator MCCLELLAN, seek to remedy this situation by provisions designed to carry out the rackets committee's recommendation and we intend to offer such amendments on the floor of the Senate. The provision in the committee bill takes exactly the contrary approach of compelling the National Labor Relations Board to assert its full jurisdiction by taking every case. However, instead of doing this in a straightforward and unequivocal fashion (as was done in the original Kennedy-Ervin bill, S. 505), the committee bill disguises what it does by permitting the Federal Board to cede some of its jurisdiction to the States but in such a manner and under such conditions as to transform the State agency to which cession is made into a mere subordinate arm of the National Labor Relations Board for the administration, not of its own State law, but of the Federal law.

It is impossible to believe that any State would accept cession under these circumstances and, in any event, even if the States were willing, it would require years for all 50 of them to enact the necessary legislation. The net result is that the Federal Board would be compelled to take every case, and its present timelag of about 2 years in disposing of cases might grow to 3 or even 4 years or more. Relief provided to the victims after such a waiting period can scarcely be regarded as an adequate solution of the "no man's land" problem. Most of the victims will have lost their businesses or their jobs while their cases are pending before the Federal Board.

V. Organizational and recognition picketing

The McClellan committee found that "the weapon of organizational picketing had been abused" by its use without regard to the desires of the employees in question.

The Taft-Hartley Act guarantees to employees the right to form or join labor unions, and, in complete freedom, to select unions to represent them for the purposes of collective bargaining. It also guarantees employees the right to refrain from engaging in these activities or from exercising these rights and protects them against restraint or coercion by either an employer or a labor union in the enjoyment of these guarantees. Neither the committee bill, nor any other proposal before the Congress, is designed to destroy or weaken these rights. To the contrary, all of the proposed legislation purports to strengthen and help enforce these rights.

Nevertheless, the committee bill by completely ignoring recognition and organizational picketing by labor unions which do not represent a majority of the employees in the picketed enterprise, fails to provide the very protection of these employee rights which the Taft-Hartley Act prescribes. By doing nothing to limit such picketing, the committee bill, in effect, permits employees to be restrained or coerced in their right to join or not to join a union, to select or refuse to accept a union as their collective-bargaining representative, as well as permitting an employer to be coerced into violating the law by forcing him to recognize a

union which the majority of his employees do not wish either to join or to select as their bargaining representative, thus depriving them of the rights guaranteed to them by law.

This type of picketing is a favorite device of the corrupt Teamsters Union. Godfrey P. Schmidt, professor of law at Fordham University, the man who initiated the action against the Teamsters which resulted in the Federal court's establishing a monitorship over that union (Professor Schmidt is one of the three monitors), and who probably knows as much about labor union corruption and racketeering as anyone in the country, had this to say about such picketing in his testimony before our subcommittee:

"From my conversations with rank and file workers, I am persuaded that they are as convinced as I am that no labor reform can be effectuated unless recognitional and organizational picketing is banned. Your prohibition of blackmail picketing is completely inadequate. In the first place, it neglects the rather obvious fact that your proposed section 8(b)7 (p. 48 of your bill) could very easily be evaded. In the second place, your language makes enforcement all but impossible. I see no reason why the coercive thrust of the picket line should be permitted to be used to prevent free choice of bargaining agents, which is supposed to be central to the labor relations policy of this country. When you questioned me on this point you were concerned with the plight of Puerto Rican workers who were being exploited by employers by means of low wages and bad working conditions. So am I. But such situations are far more rare, in my opinion, than the situation with which I am concerned, namely, the repeated instances of backdoor agreements between corrupt or dictatorial labor leaders and employers, both of whom turn their backs on employees' wishes. Moreover, the case of the exploited worker can easily be handled by the traditional organizational methods which have made unionism great for many years past."

Both S. 748 and S. 1387, the bill introduced by Senator McCLELLAN, deal adequately and effectively with the problem. The committee bill ignores it but tries to divert attention from this omission by making it unlawful for a union to picket the premises of an employer for the purpose of taking or obtaining from the employer "against his will or with his consent * * * any money or other thing of value * * * for the personal profit of any individual." A discussion of this diversionary provision is contained in appendix B.

Section 504 of bill S. 748 amends the Taft-Hartley Act by making it an unfair labor practice for a union, by picketing, to coerce an employer to recognize it as the bargaining representative of his employees, or to coerce his employees to accept or designate it as their representative, where "the employer has recognized in accordance with the Taft-Hartley Act any labor organization and a question concerning representation may not properly be raised; within the last preceding 12 months a valid election has been conducted; the union cannot establish the existence of a sufficient interest on the part of the employees in having it represent them; picketing has been engaged in for a reasonable period of time and an election has not been conducted."

A mandatory injunction for violation of this provision is also provided in bill S. 748.

Senate bills S. 748 and S. 1387 deal with what is commonly known as recognition picketing. They cover the type of situation where the union attempts to secure recognition and bargaining rights by the pressure brought on the employees or employer by a picket line. This is also sometimes known as organization from the top as distinguished from the accepted organizational technique of attempting to persuade the employees to join by use of handbills, letters, meetings, personal solicitation, etc.

The committee bill deals with a situation—extortion picketing—which although indefensible is practically unknown in the United States. In the situation which the bill seeks to cover the picketing union leader or gangster does not want the employees of the picketed employer to join any union and may not have a charter or affiliation from any union which would permit him to admit the employees to membership if they evidenced an interest. In those rare cases the situation would be no different if the union leader or gangster leading the picketing had a gun rather than a picket sign to enforce his demands.

We have no objection to such conduct being prohibited, and there is no doubt that it is now unlawful in all the States and under existing Federal law as well, for it is simply extortion.

During the last year the National Labor Relations Board has held it to be an unfair labor prictice for a union to picket for recognition after having lost an election. The first case to so hold was the *Curtis Brothers* decision (41 L.R.R.M. 1025 (Oct. 30, 1957)). It appears significant that the Taft-Hartley law had been in effect for over 10 years at the time of this decision. During that 10-year span the Labor Board must have had doubts that the law made such conduct an unfair labor practice. Although many charges were filed with the General Counsel alleging such conduct to be an unfair labor practice those charges were not processed, the General Counsel apparently relying on a 1948 decision of the Labor Board in *Perry Norvell* (23 L.R.R.M. 1061). During that period the Labor Board was narrowly limiting the application of section 8(b)(1)(a) of the Taft-Hartley Act to violence or mass picketing.

The facts in the Curtis case were simple. The union involved lost an election among the company's employees by a vote of 28 to 1. The union continued to picket after the election, the picket signs reading substantially that Curtis Bros., employs nonunion drivers, Curtis Bros., unfair to Teamsters Union, Teamsters Union wants employees of Curtis Bros. to join them to gain union wages, hours, and working conditions. The Labor Board's decision holding such conduct to be an unfair labor practice came down after 2 years of such picketing, illustrating, incidentally, the present timelag under which the Labor Board is currently operating.

Following the Curtis decision the Labor Board has issued a number of like decisions. In no case was an injunction sought by the Board to stop picketing pending decision on the merits. The Curtis decision was appealed and on November 26, 1958, the U.S. Court of Appeals for the District of Columbia circuit, by a 2 to 1 decision, reversed the Board, holding that the conduct—peaceful picketing for recognition—is not banned by present law. The National Labor Relations Board is presently seeking certiorari in this case. A decision by the ninth circuit on similar facts, *Alloy Mfg.* (43 L.R.R.M. 2548), sheds no light on the question because the case was decided upon a technicality. Other cases are pending in the fourth and second circuits, having not as yet been argued. The present situation then is that the only court which has spoken upon the subject, has held it not be an unfair labor practice to picket for recognition even after the union has lost an election.

Situations like Curtis are not infrequent. Organizing from the top rather than persuasion of the employees has become the standard organizing procedure of many unions—in particular the racket-ridden Teamsters Union. The union seeks to bring economic pressure directly upon the employees to force them to join the union in order to protect their jobs. Obviously, if Curtis' customers (Curtis is a retail furniture dealer) stopped doing business with Curtis so long as the picketing took place, there would be no jobs for the employees. The same result would follow if the picketing caused Curtis' suppliers to stop making deliveries to it. In either case, at the very least, hours of work and earnings of employees would be reduced. The direct economic pressure by the union upon the employees is thus clear.

Such picketing also has the purpose of coercing the employer into recognizing the union and signing a contract with it, thus forcing the employees to join, even though the employees have shown that they do not want the union as their bargaining agent. The employer is thus coerced by the threat to his business to violate the law by coercing his employees into joining the union. It would be difficult to imagine a tactic more alien to the free choice with respect to unionization that the Taft-Hartley Act guaranteed to employees. One of the basic purposes of the act is to promote industrial stability and peace. To this end section 9(c)(3), for example, prohibits more than one election per year and was included in the Taft-Hartley Act to give both employees and employers a period of peace free from the unsettling effects of a union organizing campaign. Another section of the act requires the employer to bargain with a union which the Board has certified after the union has won an election. But where the union loses an election the Board certifies that fact and the employer is not only free to refuse to deal with it, but in fact violates the law if he treats it as the majority representative of his employees. Picketing following the loss of an election thus thwarts the purposes of the act and should be made illegal.

Opponents of any restrictions upon recognition picketing attempt to conjure up situations where a strict ban on recognition picketing could conceivably work a hardship on the picketing union. The same technique of suggesting a parade of imaginary horribles was used in 1947 in opposition to almost every proposal to amend the Wagner Act by Taft-Hartley. Those dire predictions simply did not come to pass.

Section 504 of the bill, S. 748, attempts to prevent any possible miscarriage of justice by giving the Labor Board a great deal of latitude in determining when it will act to stop the picketing. Thus, it may act when picketing has been engaged in for a "reasonable period of time" or when the union cannot establish the existence of a "sufficient interest." Opponents of any legislation on the subject ask what is a "reasonable period of time" and what is a "sufficient interest"? But the Board has had over 20 years of experience in determining similar questions in various situations which arise in representation cases, such as the percentage needed to obtain an election and the percentage needed to intervene in a representation case. We doubt that the Board would have any trouble laying out the ground rules for "reasonable period of time" or "sufficient interest" taking into account all the circumstances in a given case.

Opponents of any legislation controlling recognition picketing state that it needs more study. They ignore the fact that committees of one House of Congress or the other have been studying it since 1947. Opponents cite examples like the following: A union obtains a membership-card majority and files a petition for an election; the employer then discharges several union adherents; the union waives the charges it has made of discriminatory discharge so that the election may proceed; and then the union loses the election. Opponents, using these facts, say that S. 748 would prevent use of a picket line. This is simply not so.

The union could picket to force the employer to remedy the unfair labor practice by reinstating and providing back pay to the dischargees. Under S. 748 the Board would have discretion to extend the scope of "reasonable * * * time" and "sufficient interest." The argument also ignores a long line of Board decisions holding that upon a finding of facts similar to those above presented, the Board will order the employer to bargain with the union using the card majority as proof of majority without an election. (See Drummond Implement Co., 102 NLRB No. 62; W. T. Grant Co., 94 NLRB No. 145 enforced 199 F. (2d) 711 (C.A. 9); M. H. Davidson Co., 94 NLRB 142; Armco Drainage, 32 L.R.R.M. 1538, enforced 220 F. (2d) 573 (C.A. 6), certiorari denied, 350 U.S. 838.) In any event, for every imaginary situation which opponents may suggest, there are innumerable actual cases where employees have been forced into unions against their will by the recognition picket line.

VI. Secondary boycotts

During the fall of 1958, the McClellan committee devoted considerable time and a number of hearings to the problems raised by the indiscriminate use of secondary boycotts, many types of which are not held to be unfair labor practices under the Taft-Hartley Act's ban on secondary boycotts.

The records of the National Labor Relations Board show that from the enactment of Taft-Hartley in 1947 until the present, 34 percent of the secondary boycott cases coming to the Board involve the Teamsters Union which represents about 10 percent of all of the members of organized labor. Thus, the figures demonstrate, that like minority picketing, the secondary boycott is a favorite device of the Teamsters, and is used by them at least three and one-half times as frequently as it is by any of the rest of the labor movement.

The basic justification for banning secondary boycotts is to protect genuinely neutral employers and their employees, not themselves involved in a labor dispute, against economic coercion designed to give a labor union victory in a dispute with some other employer. Congress thought it had achieved this objective when, in adopting the Taft-Hartley Act in 1947, it enacted section 8(b)(4) of the National Labor Relations Act. Unfortunately, decisions of the National Labor Relations Board and the courts have so interpreted section 8(b)(4) as to leave a number of gaping loopholes through which genuinely neutral employers and their employees continue to be victimized by the use of the secondary boycott.

Professor Schmidt, in his testimony, characterized the secondary boycott in the following terms:

"Since the irresponsible power of labor leaders needs curbing (it is this power which gives them the opportunity to play dictator), secondary boycotts, which is a source of this power, must be limited. (The original intention of those who framed the Taft-Hartley law has been betrayed or frustrated by a whole series of Board and court decisions.) I think the administration bill's provisions in this respect should be incorporated in your bill. With growing impertinence, labor leaders dragoon neutrals into participation in their labor disputes. We need the rational limitation which the administration bill provides. I am not impressed by the argument that corrupt practices should be remedied by one bill and labor relations by another bill. What you must strike at is the source of untrammeled power exercised by labor leaders. You must submit that power to reasonable and civilized regulation. Most of the corrupt practices revealed by the McClellan committee have been made possible, against the wishes of the decent rank-and-file majority, precisely because union leaders have held at the head of the worker several cocked guns: (a) compulsory unionism without any effective intraunion bill of rights; (b) organizational and recognitional picketing; and (c) the secondary boycott bloated to the unconscionable grab for power now permitted by the Board and the courts."

The major loopholes in the present ban on secondary boycotts are:

(1) Coercion of employers. Present law makes it an unfair labor practice for a union or its agents to urge the employees of an employer to refuse to perform work for the purpose of compelling their employer to cease doing business with some other person. This provides the biggest loophole in present law. The prohibition is against the threatening or urging of the employees of the other employer. Nothing is said about urging or persuading the employer of the secondary employees. Thus a union having a dispute with or attempting to organize the employees of employer A can go directly to employer B, who either uses employer A's products or supplies employer A with raw materials, and threaten employer B with a strike or picket line if he continues to do business with employer A. If the union happens to be bargaining agent for the employees of B, it takes little persuasion of B to get him to stop doing business with A. B does not want trouble with the union with which he has a contract and anyway A is only one of his many suppliers or customers. So B readily succumbs to the union pressure and tells A he no longer wishes A's products or will no longer supply raw materials to A, and in so doing no one has violated present law. But look at the situation of employer A. Perhaps B is his primary customer or supplier. His alternative is to yield entirely to the union's demands, force his employees to join the union, or go out of business. Countless examples of actual cases corresponding to this hypothetical have been presented to congressional committees in various hearings since 1947.

The bill, S. 748, meets this problem by amending section 8(b)(4) of the present law to make the restriction apply to "threaten, coerce, or restrain any person engaged in commerce * * *" as well as "induce or encourage any individual employed by any person."

(2) Hot-cargo clauses: It has become common to find clauses in union contracts whereby the employer agrees not to handle what the union chooses to call "hot goods," "unfair materials," and "blacklisted products." Such clauses have become standard in contracts entered into by the Teamsters Union. Here, employer A, who has a dispute with a union or whose employees are being solicited for union membership, is in real trouble. He may have customers waiting for his product or he may have suppliers eager to send him raw material, but both his delivery of products and supply of raw material cannot move from or to his place of business because the carriers in either instance have "hot cargo" clauses in their contracts with the Teamsters Union. His alternative is the same as in loophole No. 1—go out of business or yield to the union's demand, which often is a demand for a compulsory membership contract with a union which his employees do not want.

These "hot cargo" contracts have been the subject of much litigation before the Board, the courts, and the Interstate Commerce Commission. A review of these cases leads to the conclusion that while there may be circumstances under which a "hot cargo" contract is not a defense to otherwise unlawful conduct, generally speaking it does provide a large loophole in the ban on secondary boycotts.

S. 748 makes it an unfair labor practice for a union to coerce an employer to enter into such an agreement, or having entered into it, for a union to coerce the employer to live up to it, or to induce his employees to take economic action to force the employer to live up to it. Only the latter is now unlawful under the Taft-Hartley Act.

(3) Boycotts by railroad employees, agricultural workers, Government employees, and other groups now excluded from the secondary boycott ban of the Taft-Hartley Act: Under the definition section of the Taft-Hartley Act railroad employees, agricultural workers, and governmental employees are not employees within the meaning of the act. The Board has reached the conclusion that secondary boycotts by these exempt categories, and the inducement of such boycotts are not unfair labor practices. (See *International Rice Milling*, 84 N.L.R.B. 360, and *Di Giorgio Wine*, 87 N.L.R.B. No. 125.)

Secondary boycotts by these groups are just as much against the public interest as boycotts by anyone else.

The bill, S. 748, would extend the ban to these excluded categories by use of the words "any person" instead of the use of the words "employees of any employer" in section 8(b)(4)(i) and (ii).

(4) Inducement of an individual. The word "concerted" in section 8(b)(4) of the present act has opened another loophole. The Supreme Court held in *N.L.R.B.* v. *International Rice Milling* (341 U.S. 665) that it did not constitute a violation when pickets stopped a single truck. Thus, when trucks appear one at a time and are prevailed upon not to cross a picket line, there is no "inducement to concerted activity." S. 748 closes this loophole by dropping the word "concerted" from section 8(b)(4).

Senator McClellan has also introduced bills, S. 1384 and S. 1385, which deal effectively with these loopholes.

REPORTING REQUIREMENTS FOR EMPLOYERS AND THEIR REPRESENTATIVES

Section 8(c) of title I of the Taft-Hartley Act reads as follows:

"The expressing of any views, argument, or opinion, or the dissemination thereof, whether in written, printed, graphic, or visual form shall not constitute or be evidence of an unfair labor practice under any of the provisions of this act, if such expression contains no threat of reprisal or force or promise of benefit."

Senate Report No. 105, which accompanied the Taft-Hartley bill, stated:

"Another amendment to this section would insure both to employers and labor organizations full freedom to express their views to employees on labor matters, refrain from threats of violence, intimation of economic reprisal, or offers of benefit. The Supreme Court in *Thomas* v. *Collins* (323 U.S. 516) held, contrary to some earlier decisions of the Labor Board, that the Constitution guarantees freedom of speech on either side in labor controversies and approved the doctrine of the *American Tube Bending* case (134 F. (2d) 993). The Board has placed a limited construction upon these decisions by holding such speeches by employers to be coercive if the employer was found guilty of some other unfair labor practice, even though severable or unrelated (*Monumental Life Insurance*, 69 N.L.R.B. 247) or if the speech was made in the plant on working time (*Clark Brothers*, 70 N.L.R.B. 60). The committee believes these decisions to be too restrictive."

It is difficult to comprehend how anyone in 1959 could seriously contend that the American worker should be legally prevented from hearing all sides of a labor-management dispute. In 1935 when the Wagner Act was passed, it may have been true that in a number of situations any statements by employers might be considered to be undue influence. But, in the last two decades the labor movement has grown by leaps and bounds. It is difficult to imagine any American industrial worker being cowed or

unduly influenced by any statements on the part of his employer which do not violate section 8(c). We believe that any worker would strongly resent the implication that he has to be protected from such statements or that he is not entitled to hear all sides of an organization question before casting his ballot.

Yet the committee bill would have the practical effect of depriving employees of hearing from their employer during an organizational campaign. The union seeking to organize them might have been shown by the McClellan committee to be ridden by racketeers, or to be Communist dominated; yet an employer would be deterred from bringing such facts to the employees attention if the committee bill were enacted. The employer might be paying substantially higher wages and granting many more fringe benefits than the employer down the street whose employees are represented by the same union, which is promising "pie in the sky" to his employees if they only vote for the union. But he would seriously doubt the wisdom of bringing these facts to the attention of his employees who are about to vote upon the question of whether that union should represent them. Section 103 of the committee bill has the practical effect of diminishing the protection afforded by the free-speech provision of the Taft-Hartley Act.

Section 103(a)(1) requires an employer to report any expenditure in connection with an agreement with a labor relations consultant or other independent contractor whereby the consultant undertakes activities where "an object thereof, directly or indirectly, is to persuade employees" to exercise or not to exercise their right to join a union. More sweeping language could hardly be found for effectively discouraging such a consultant from doing anything in an organizing campaign, unless the employer reported it to the Secretary of Labor. It should be noted that section 103(b) also requires the consultant to make such a report.

There would be no objection to requiring the reporting of any action on the part of a consultant which would constitute an unfair labor practice, althought the present section 8(a) of the Taft-Hartley law contains adequate safeguards and remedies against such abuses. This is the approach taken by the bill, S. 748, the McClellan bill, S. 1137, and by the statute recently enacted by the State of New York by an overwhelming majority of the representatives of both parties in the legislature of that State.

Furthermore, while the term "labor relations consultant" is not defined in the bill, since it covers any independent contractor, it obviously includes attorneys. Section 103(b) uses the term "person" and section 111 uses the words "any person who acts as a labor relations expert, adviser, or consultant" in making specified conduct of such people unlawful. Since in substantially every case, employees consult with and seek the help and guidance of attorneys, these requirements must be judged with respect to their effect upon the privileged nature of the attorney-client relationship and the attorney's obligation under the Canons of Ethics.

The American Bar Association considered this problem at its midwinter meeting just concluded, and a resolution was adopted by its house of delegates which reads as follows:

"*Resolved,* That the American Bar Association urges that in any proposed legislation in the labor-management field the traditional confidential relationship between attorney and client be preserved, and that no such legislation should require report or disclosure, by either attorney or client, of any matter which has traditionally been considered as confidential between a client and his attorney, including but not limited to the existence of the relationship of attorney and client, the financial details thereof, and any advice or activities of the attorney on behalf of his client which fall within the scope of the legitimate practice of law; and be it further

"*Resolved,* That the officers and councils of the sections of labor relations law and corporation, banking and business law be directed to bring the foregoing resolution to the attention of the Members and proper committees of Congress in connection with any proposed legislation in this field and to oppose legislation contrary to the principles urged in said resolution."

In committee, the minority offered amendments both to define the term "labor relations consultant" and to protect the traditionally privileged communications between attorney and client. Both of these amendments were rejected despite the fact that the recently enacted New York statute to which reference was made above defines "labor relations consultant" and protects the client-attorney relationship. It seems strange that the supporters of the committee bill should reject provisions which the government of a State as traditionally friendly to labor as New York adopts so overwhelmingly.

Section 103(a) (1) and (2) require reporting by an employer of any expenditure made directly by himself or to a consultant who "undertakes to supply such employer with information concerning the activities of employees or a labor organization in connection with a labor dispute, except information for use solely in conjunction with a judicial, administrative, or arbitral proceeding." This would seem to be contrary to the professed purpose of the committee bill which is to prevent wrongdoing and racketeering by exposing it to the white light of publicity. Evidence before the McClellan committee may reflect directly upon the motivation and background of the union and the organizers leading the organizational campaign. Yet a consultant, who provides such material and advises upon the means of communicating it to the employees, must report it and the employer must also report it. The attorney, who is acting as a consultant, is confronted with the alternative of reporting and thus violating the attorney-client relationship or failing to report, thereby subjecting himself to the criminal penalties provided by section 108(a).

We would have no objection to such provision if it were limited to what is commonly known as espionage, already illegal under section 8(a) of the Taft-Hartley law, but the minority's amendment to that effect was rejected in committee. However, it also covers many other types of information which the employees should know about the labor organization which is seeking to represent them if they are to cast an intelligent ballot.

The sole argument advanced to justify this type of reporting requirement for employers and their representatives is that under the committee bill labor unions are required to make far more extensive financial reports than are employers, and hence that it is not unfair to impose these requirements on the latter and their representatives.

Although this argument is literally true, it is also quite misleading. For it creates the erroneous impression that management is required to do little or no reporting to government of its financial affairs, activities, and condition. To the contrary, business enterprise under both State and Federal law, is subjected to a degree of financial reporting and public disclosure far more extensive and detailed than anything that is required of labor unions under the committee bill plus any other statute, State and Federal, now on the books. Appendix C sets forth a brief summary of such reporting requirements.

Moreover, this insistence upon parallelism or mutuality in labor legislation, a doctrine which asserts that every legal obligation or restriction imposed upon labor unions should also be imposed upon employers and vice versa, is utterly unsound and has been rejected even by those experts in labor relations who are most sympathetic to the cause of organized labor. Congress not only has the right, but the duty, to legislate against specific evils within its jurisdiction and should not be compelled mechanically to extend its legislation to areas where it would be inappropriate merely because of a false doctrine of parallelism. The financial affairs of labor and of management do not give rise to the same or even similar problems, and Congress would have no justification in refusing to deal with one set of these problems merely because its program for doing so was entirely inappropriate and unrelated to the other set. This entire issue is analyzed at length in appendix D.

For these reasons we believe that the approach taken by S. 748, S. 1137, and the recently enacted New York State law, should be substituted for these provisions of the committee bill: to wit, that employers and their representatives be required to report those financial expenditures only which are designed to interfere with, restrain, or coerce employees in the exercise of their statutory rights or to secure information about the activities engaged in by their employees in the proper and legitimate exercise of those rights.

REVISIONS OF THE TAFT-HARTLEY ACT

The revelations of the McClellan committee which have so aroused the American public have not been primarily concerned with labor-management relations, and are related only incidentally to the area covered by the Taft-Hartley Act. Hence, we agree with those who insist that the labor-reform legislation to cope with corruption, racketeering, and lack of internal union democracy which the public is demanding, is wholly different from and unrelated to revision of the Taft-Hartley Act for the purpose of improving the law governing labor-management relations and that the two are best dealt with entirely separately.

There are, however, a few amendments of the Taft-Hartley Act which are so directly related to the subject of labor reform and which are so inevitably intertwined with any adequate program for effective reform, that we do not hesitate to assert that absent such Taft-Hartley amendments, no adequate and effective legislative labor reform program is attainable. In our opinion, there are no more than four of such essential Taft-Hartley amendments and they have all been dealt with at considerable length in this minority report.

They are as follows:

First, elimination of the loopholes in the ban against secondary boycotts;

Second, some limitations on the right of minority unions to engage in organizational and recognition picketing;

Third, the elimination of the "no man's land" in labor disputes and the solution of the problems which the existence of the "no man's land" had given rise to; and

Last, the revision of section 302 of the Taft-Hartley Act to prevent certain abuses involving so-called middlemen and possible subversion of union officials as provided in the committee bill but as amended along the lines unsuccessfully proposed in committee by the minority.

We cannot think of any other provision of the Taft-Hartley Act or any relevant or legitimate amendment thereto which has or could have even the slightest significance for or be in the slightest degree necessary to the achievement of an effective labor reform program. For that reason we believe that all other proposed amendments to the Taft-Hartley Act such as are contained in

both the committee and administrative bills are entirely irrelevant to the professed objective of labor-reform legislation.

Our conclusion in this respect is entirely consistent with the action taken by our committee in establishing a panel of 12 labor relations experts to make a study of needed revisions of the Taft-Hartley Act, and to report their findings and recommendations to our committee. It seems to us that for the Congress to act on any revision of Taft-Hartley which is unrelated to the subject of labor reform is to anticipate, yes, even to undercut the work of that panel of experts.

The sole justification advanced for the inconsistency of the committee bill in including irrelevant Taft-Hartley amendments, despite the creation of the panel of experts, has been the assertion that these amendments are noncontroversial. This is utterly inaccurate. It is true that some of these or similar amendments are to be found both in the committee bill and in S. 748, the administration bill. It is also true that some of them were in the Kennedy-Ives bill which passed the Senate in 1958. But it was precisely their presence in the Kennedy-Ives bill which contributed to last year's defeat of that measure in the House, and that itself constitutes substantial proof of their controversial nature. In any event, if clearer proof were needed there is not a single one of these irrelevant Taft-Hartley amendments in either bill which does not find labor and management irreconcilably opposed to each other on the question of their desirability.

We therefore recommend that these irrelevant Taft-Hartley amendments, by which we mean every amendment to that statute except the four we have enumerated above, be stricken from the committee bill or rejected by the Senate when offered as amendments on the floor.

POLITICAL CONTRIBUTIONS AND EXPENDITURES BY LABOR UNIONS

Despite his unique leadership and outstanding eminence in the field of labor reform, resulting from his activity as chairman of the rackets committee, the minority reports with regret that no provision of Senator McCLELLAN's labor reform bill, S. 1137, or his other bills dealing with necessary and relevant Taft-Hartley changes, was discussed by the committee except for one or two of a minor nature offered as amendments by the minority.

We therefore strongly urge the Senate to give to these measures on the floor the careful consideration they deserve and which they were never given in committee through any action in that direction by any member of Senator McCLELLAN's own party.

We of the minority are especially interested in a provision of his bill, S. 1137, dealing with a problem which, in our opinion, has a direct and substantial bearing on labor union reform, particularly on the subject of labor union democracy.

It is no longer possible to deny what every well-informed observer knows, that the labor movement has grown from a puny infancy to a lusty and stalwart maturity. The power and influence which the labor union wields over its own membership and exerts in the political, as well as the economic sphere, is becoming increasingly irresistible. There is a widespread recognition among the knowledgeable that in areas where the labor movement is well entrenched, its membership, with or without the aid of the compulsory unionism required under union security contract provisions, has increasingly become a captive membership (see quotations from Profs. Clark Kerr and Clyde Summers in appendix D).

For these reasons it seems imperative to us that the Congress seriously consider the need for legislation in connection with the growing political activities of labor unions. Existing Federal law on the subject is applicable solely to these activities in connection with Federal elective office, and is entirely inapplicable to such activities in connection with State and local political campaigns and elections. Very few States either limit or prohibit these activities, and judicial decisions have demonstrated the inefficacy of existing Federal law on the subject. Unless these activities are regulated and curbed by effective Federal legislation, there is danger that union political power may eventually become so overwhelming as to be able to sweep all before it, abridging individual civil rights in the process.

Section 304 of the Taft-Hartley Act amended the Federal Corrupt Practices Act to make it unlawful for corporations and labor organizations to make any contribution or expenditure in behalf of any candidate for Federal office. This provision has proved to be largely ineffectual insofar as unions are concerned.

The only bill presently before the Senate which deals with the subject is S. 1137 introduced by Senator McCLELLAN. Section 412(a) of that bill makes it unlawful for any labor organization, or any officer, agent, or representative of such organization to make any contribution or expenditure out of money, trust funds, or other property of such labor organization if the purpose is to influence voters or affect the results of any election, party primary, convention or caucus, or to make any contribution out of such money, funds or property to or in behalf of, any candidate.

It is also made unlawful for any labor organization or its officers and agents to coerce or attempt to coerce any member of the labor organization to contribute services or money to any party, committee organization, agency, or person for the purpose of affecting the results of such election, primary, etc. The bill expressly provides that nothing therein shall impair the right of individual officers or members to vote, express their opinions on political subjects or to contribute their own services or money for political purposes.

If the Senate enacts legislation which preserves union funds for the purposes for which they are created, it is difficult to imagine how it can ignore a widespread abuse which strikes so directly at the civil rights of the members. Compulsory unionism can constitute a dangerous restriction on freedom, but the deadliest danger comes from a subtle extension of compulsory unionism into the political area. We are talking about the regular deduction from a man's pay for political purposes. The union member, on pain of dismissal from his job, is, in effect, required to sign a blank political check for the union leader. The union official then disposes of the worker's money in such political campaigns as he, the union official, sees fit.

There is nothing to stop the union official from using the member's own money to support political candidates which the union member himself opposes. In other words, that union member may go down to the polls and vote for a candidate who is, at the same time, being opposed by the union leader; but the union leader is nullifying to a degree the franchise of such a union member by requiring him to contribute money which the union official can then use against his chosen candidate.

Which is worse—to prevent a man from voting, or on the other hand, to let him vote but compel him, at the same time, to supply political funds which may be used against his chosen candidate? There are millions of union members in this country today who are making forced political contributions on pain of losing their jobs. They are the new second-class citizens in America. They are the citizens whom we, by law, have turned over not only to the economic but to the political mercies of a small group of union politicians. This is a new serfdom, where a citizen is required to surrender a portion of his freedom of political choice to a union politician or be discharged from his job on the grounds of failure to pay his dues.

The commitee bill has been heralded as a bill which would reduce the power of the union boss. There could be no greater power than complete political power. We believe the provisions of Senator McCLELLAN's bill, S. 1137, dealing with the use of union funds for political purposes, should be added to the committee bill as a further and most essential safeguard for the civil liberties of union members. We agree that there should be no restrictions upon an individual union member in contributing his own money or his own time for political purposes.

PROPOSED AMENDMENTS

The committee bill would become an effective labor reform measure if it cleaned up the "gimmicks" described in appendix B, dropped irrelevant Taft-Hartley revisions, and adopted amendments in the following areas:

(1) Imposed fiduciary obligations, enforcible by union members, on the officials of labor unions.

(2) Imposed the effective sanctions of denial of tax immunity and of access to the National Labor Relations Board, the National Mediation Board, and so forth, on unions which violate the bill's provisions.

(3) Solved the problems arising out of the no man's land by permitting the States to exercise jurisdiction in those classes of labor cases which the Federal Labor Board would refuse to entertain.

(4) Limited organizational and recognition picketing by unions which clearly do not represent a majority of the employees of the picketed employer.

(5) Closed the loopholes in the present law dealing with secondary boycotts.

(6) Limited effectively political expenditures and contributions by labor unions.

We intend either to offer or support on the floor of the Senate, appropriate amendments based as far as possible on the bills S. 748 and S. 1137, which are designed to achieve these minimum objectives.

UNIONS OF GOVERNMENT EMPLOYEES

In addition we propose to offer or support an amendment to correct an inequity in the committee bill, the import of which seems to have escaped the attention of all of the members of the committee. As the bill now reads labor unions whose membership consists of Government employees and whose employers are governmental bodies or agencies of any kind, Federal, State, local, municipal, etc., are subject to all the requirements, restrictions, and limitations of the bill.

On the other hand, these unions and their Government employee members (of whom there are about 2½ million) receive few or none of the benefits under existing labor law, both State and Federal. They are completely excluded from the coverage of the Taft-Hartley Act and thus are denied the rights and benefits extended to members of nongovernmental unions, and as far as Federal employees are concerned, are specifically denied the right to strike. Similar limitations on the union activities of governmental employees are well-nigh universal at every level of government throughout the Nation.

Thus the overwhelming majority of Government employees are denied the right to strike or picket, are denied protection against discrimination in employment because of union activities, cannot compel their governmental employers to bargain collectively or to enter into collective bargaining agreements even when their unions represent a majority of the employees in a unit, cannot

attain exclusive representation status, and cannot, through their unions, secure union security arrangements requiring membership as a condition of continued employment, such as are authorized by the provisions of the Taft-Hartley Act.

Hence, these Government employee unions, if not taken out from under the requirements of the committee bill, would be the victims of an inequitable statutory arrangement whereby they would find themselves subject to many Federal regulations and controls without being extended the benefits and rights enjoyed by other types of labor organizations under Federal law.

But even more important than the elimination of an unjustifiable inequity is the need for vindicating a most fundamental principle which underlies a free society. It is our firm conviction that the existence and continued development of genuinely voluntary social organizations, not dependent on Government and free from Government regulation, is an essential condition of a healthy democratic society.

Labor unions of governmental employees such as we have described meet every test of what constitutes a genuinely voluntary, private association. They have no power of any kind, statutory, economic, or otherwise, to compel anyone to join, or their members to remain such. They are completely dependent upon the voluntarily extended support of their members for their continued existence, and must in turn justify such support by the continued service they render their members. Any misconduct, dereliction, or corruption is well guarded against by the right of each member to withdraw from the organization, thus cutting off its only sources of revenue. As a result, corruption, racketeering, gangsterism, find it well nigh impossible to gain a foothold. As a matter of fact, we do not know of a single instance in which these evils have been found to exist in a union of Government employees, and we are reliably informer that in all the years of their existence, no Government union has ever imposed a trusteeship over a local or subordinate body.

For these reasons we shall offer and support on the Senate floor an amendment to exclude unions of Government employees from the coverage of the committee bill.

BARRY GOLDWATER.
EVERETT MCKINLEY DIRKSEN.

APPENDIX A

MINORITY AMENDMENTS ADOPTED BY THE COMMITTEE

The minority was successful in having some of their amendments adopted by the committee and to this extent have somewhat improved the bill by closing several loopholes and correcting some omissions and deficiencies. But the committee bill, despite the addition of the minority amendments, is still woefully inadequate to achieve a minimum of necessary labor reform.

The amendments successfully offered by the minority and described below appear in italic.

Section 101(a): This section requires a union to file with the Secretary a copy of its constitution and bylaws and a report, *both* signed by its officers. Our amendment requires the union officers to sign the copy of its constitution and bylaws as well as the report.

Section 101(a)(1): This report must contain the name of the union and address of its principal place of business and, *if different, the address where its books and records are kept.* Where the books and records of the union are housed separately from the union's headquarters, our amendment also requires the address where the books and records are kept.

Section 101(a)(3): The report must set forth the initiation fee or fees which are required of new *or transferred* members by the constitution. Our amendment thus broadens the filing requirement to include fees charged transferred members from other locals. If the fee scale for transferred members differs in any way from that for new members, a very common practice, this information should be made known to the union members.

Section 101(a)(5): This subsection requires the union to file a detailed statement covering the union's internal operations and procedures. It did not, however, require any information as to the procedure for *disciplining or removal of union officers or agents.* Our amendment requires such a report.

Further, the union must report on the constitution's procedure for *imposition of fines, suspensions,* and expulsions of members, including the grounds *upon which such action may be taken and any provision made for notice, hearings, judgment on the evidence, and appeal procedure.* Our amendment thus broadens the requirement to include fine and suspension of members and any provision for notice, hearing and appeal.

Section 101(b)(3): The union must file a financial statement listing the salaries, allowances *and other direct or indirect disbursements* to each officer and *also to* each employee who received more than $10,000 in the aggregate. Under this section as originally worded, gifts, gratuities and other special favors (not covered by salaries or allowances) need not have been reported. The adoption of our amendment plugs this loophole.

Section 101(b)(4)(5): The report must contain a detailed statement of loans to union officers, employees, or members and also to any business enterprise together with a statement of the *purpose,* security, and arrangements for repayment. If it is important for the members to know about the security and repayment of the loan, it is even more important that they know the purpose of the loan. Our amendment gives the union members this information.

Section 102: Union officers and employees must file a report on any income *or other benefit with monetary value* derived from a conflict-of-interest situation. Since there are many ways in which a person may have a conflict of interest without receiving what is technically income, our amendment plugs this loophole by requiring disclosure of any other benefit with monetary value derived by a union officer or employee from a conflict of interest.

Section 102(a)(4): Similarly, any union officer or employee must disclose benefits derived from a business which buys, sells, or leases to, *or otherwise deals with* his union. Inasmuch as the Kennedy-Ives bill of last year contained the words "otherwise dealing with," there is no rational explanation for the omission of this phrase from the Kennedy-Ervin bill. As Prof. Archibald Cox stated in his testimony before the committee this year:

"If the principle that a union officer should report any situation in which he stands to make a personal profit from a transaction with a union is sound as applied to a sale or a lease it is just as sound as applied to other business dealings. I urge that the committee restore the words omitted."

We agree with Professor Cox, and our amendment therefore broadens the language of the section by the insertion of the phrase "or otherwise dealing with" to cover every conflict-of-interest situation.

Section 102(a)(6): A union officer or employee must file a report covering any payment *of money or other thing of value received directly or indirectly from any employer or his agent or consultant except payments referred to in section 302(c) of the Taft-Hartley Act.* Our amendment requires a report covering any payment by an employer or his agent to a union officer or employee. This is in contrast to the original wording of the bill which required a report only on employer payments to a union officer or employee pursuant to an arrangement whereby the officer or employee would influence or affect employees in the exercise of their rights.

Section 102(c): No one need report under this section unless he holds *or has held* an interest, or has engaged in a conflict-of-interest transaction. Our amendment adds the words "or has held" in order to make it useless for an officer or employee to divest himself of any conflict-of-interest benefit in order to avoid the filing of such report.

Section 103(a)(1): This section requires employers to file reports covering payments to middlemen who are to persuade employees *to exercise* or not to exercise their rights. Under the original language no report would be required concerning an agreement where a middleman persuades employees to exercise their rights; i.e., to join a union. Information covering this type of an agreement requires disclosure as much as where the object of the agreement is to persuade employees not to join a union. Our amendment closes this loophole.

Section 103(a)(2): Among other things, this section exempts from the reporting requirement expenditures by an employer incurred in publishing in his own name a newspaper, newsletter, or other letter or communication, *or advertisement.* It is doubtful that the original provision would have been construed to cover advertisements by an employer and therefore our amendment clears up this doubt by including the word "advertisement" in the exemption.

Section 103(a)(4): This section, written into the bill by our amendment, requires an employer to file a report on any dealings he may have with a union officer or employee and which would require such officer or employee to file a conflict-of-interest report. It thus operates as a double check on both employer and union personnel conflict-of-interest cases.

Section 103(d): Nothing contained in this section shall be construed to require *any other person* to file a report unless he was actually engaged in a conflict of interest. Our amendment substituted "any other person" in place of "labor relations consultant" inasmuch as the bill does not contain a definition of "labor relations consultant."

Section 104(c): This section provides that the Secretary of Labor shall make available reports filed by *any person* to State agencies. For some unknown reason, the bill originally covered only labor union and employer reports excluding conflict-of-interest reports filed by union officers and employees. Our amendment substituting "person" for "labor organization and employer" covers conflict-of-interest reports of union officers and employees as well.

Section 105: Every person required to file reports under Sections 101, *102,* and 103, must preserve the records under conditions prescribed by the Secretary. Section 102 reports are those filed by union officers and employees covering their conflicts of interest. Again, our amendment plugs this gap by requiring these records to be preserved.

Section 106(b): The Secretary is given authority to issue rules and regulations prescribing the form, *time of filing,* and publication of reports. No authority was originally given to the Secretary to prescribe the time of filing such reports. Our amendment corrects this omission.

The Secretary is also given authority to prescribe simplified reports where he finds that a detailed report would be unduly burdensome on unions *by virtue of their size.* In order to deny large unions the special

privilege of being able to file simplified reports, our amendment limits the Secretary's authority to prescribe simplified reports only where a detailed report would be burdensome on the union because of its *size*.

Section 106(c): The Secretary shall have the power and is directed when he *believes it necessary* in order to determine whether anyone has violated or *is about to violate* a provision of this bill to make investigations.

As originally worded, this section would have given the Secretary the authority to investigate the books and records of persons reporting under the act only when he had probable cause to believe that a person had violated provisions of the act. On the surface, the term "probable cause" would appear to give the Secretary all the investigatory power that he needed. But the words "probable cause" would throw a monkey wrench into the Secretary's investigatory machinery. Probable cause means more than mere suspicion that the act has been violated. To have probable cause, a person must have such evidence as would lead the ordinary prudent man to believe that the act has been violated. Consequently, every time he commenced an investigation the Secretary could be dragged into court until the question of probable cause had been decided. Under nearly every statute requiring the filing of reports, such as the Internal Revenue Act and the Fair Labor Standards Act, the Administrator can conduct "spot check" investigations unhampered by the "probable cause" requirement. Our amendment rewrites this section to give the Secretary investigatory power when he believes it necessary in order to determine whether a violation has occurred or is about to occur.

Section 107(a): A labor union is prohibited from making loans to any officer or employee *which results in a total indebtedness on the part of such officer or employee to the labor union in excess of $1,500.*

As originally worded, this section would have prohibited a union from making loans to any officer or employee in excess of $1,500. The loophole here is quite obvious. The union could make an unlimited series of loans to one of its officers each in the amount of $1,499 without violating this section. Our amendment closes this loophole by prohibiting loans which result in a total indebtedness on the part of the officer to the union in excess of $1,500.

Section 107(b): Our amendment adds a new subsection prohibiting a union or an employer from paying the fine or costs of defense of any officer, agent, or employee indicted for or convicted of any violation of the act. If the person is acquitted he may be reimbursed for his expenses. Our amendment therefore prohibits the funds of the union or the corporation from being used in such an improper manner.

Section 108(c): A person who willfully *conceals, withholds,* or destroys any books, records, reports, etc., shall be subject to a fine and/or imprisonment. Making it a crime to destroy books and records takes care of only part of the problem. It should also be made a crime to withhold or conceal books and records and our amendment covers this situation.

Section 109(b): This section provides that a union member may sue a person convicted of embezzling union funds, only after the union has failed or refused to sue to recover these funds *within 6 months* after being requested to do so by the member. Under this section as originally worded a union could employ stalling tactics for an indefinite period during which the embezzled funds might be completely dissipated. Our amendment adds a 6-month time limitation so that the member can sue if the request is not granted within that time.

Section 110(c): Our amendment adds a new section to the bill authorizing the Secretary to bring suits in court to restrain or prevent violations of the act and also to compel compliance with the provisions of the act. Without our amendment, the bill would rely exclusively on criminal penalties to compel compliance. In many cases, criminal statutes have proved to be ineffective and our amendment partially corrects this weakness in the bill by giving the Secretary this additional authority.

Section 111: This section, making it unlawful to carry on extortion picketing, was originally made an unfair labor practice in the bill. But our amendment makes it a crime under section 302 of the Taft-Hartley Act. Also, as originally worded, this provision would have prevented a union from picketing for a pay increase or any other legitimate economic benefit. Our amendment corrects this faulty draftsmanship by insuring the union's right to engage in peaceful picketing for lawful objectives.

Section 201(a): This section requires trusteeship reports to be signed by the president and *treasurer* of the supervisory union, *as well as the trustees.* Our amendment substitutes the treasurer for the secretary and, in addition, requires the report to be signed by the trustees as well.

Section 310(b): Our amendment adds new language to the election section *preventing the union and its officers from discriminating for or against any candidate with respect to the use of membership lists of the union.* Our amendment would also provide for *adequate election safeguards to insure a fair count of the ballot as well as the right of any candidate to have an observer at the polls and at the counting of the ballots.*

Section 301(d): This section provides that a reasonable opportunity be given for the nomination of candidates *and every member in good standing shall be eligible to be a candidate and hold office and to support the candidate of his choice, without being subject to penalty, interference, or reprisal of any kind by the union or its officers.* This is a most important amendment submitted by the minority because to some degree it helps insure a democratic procedure in any election of union officers.

Section 302(b): The Secretary shall have the power to investigate complaints and where an invalid election is set aside, he shall supervise the conduct of the election *or hearing and vote upon the removal of officers.* Our amendment gives the Secretary the authority to supervise a hearing and vote upon the removal of officers. Further, the committee adopted our amendment which gives a court the power to preserve the assets of the union where a union election is being judicially challenged.

Section 302(c)(2): Where the court declares an election invalid and a new election is held *or the proceeding is for the removal of officers,* the Secretary shall certify the results of the election or the removal proceedings to the court for the issuance of a decree. Our amendment makes this procedure apply to the removal of officers as well as to the regular or usual election of union officers.

Section 303: This section provides that no labor union is required to hold elections with greater frequency than is required by this bill or its own constitution and bylaws. This means that a local union could continue to hold election of officers once every 5 years as provided by its constitution without violating the provisions of the bill even though the bill provides for elections at least every 3 years. This is a "gimmick" that the minority overlooked. The bill gives the appearance of requiring local unions to hold election of officers at least once every 3 years and internationals at least once every 5 years. But the language of this section provides the unions with an opportunity to amend their constitutions to require the holding of elections less frequently than provided in the bill, thus rendering the 3- and 5-year election provisions a nullity. It is the intention of the minority to offer an amendment on the floor to take care of this "gimmick."

Section 305(a): This section prohibits convicts from holding union office in certain cases (*other than an employee performing exclusively clerical or custodial duties*). Our amendment makes it clear that this prohibition does not apply to employees whose duties are purely clerical or custodial in nature.

Section 305(b): This section states that no person who is determined by the Secretary to have *"failed to file"* required information under the act can serve as a union officer. Our amendment substitutes "failed to file" for "violated" any provision of this title. The original language raises several points. First, the Secretary cannot determine who violates the act; that is for the court to determine. Second, where the Secretary did determine someone had violated the filing requirements, and the court subsequently finds the person not to have violated them because of, for instance, a proper plea of self-incrimination, that person would remain eligible to serve as an officer of the union. Our amendment rewrites this section so as to prohibit a person who is determined by the Secretary to have failed to file from holding union office, regardless of whether such failure to file is a "violation" of the bill.

This section also provides that a *labor union* or officer who knowingly permits a person to hold office in violation of this section would be subject to a fine and imprisonment. Inasmuch as an officer holds office by permission of the union and not through another officer, our amendment makes it a crime for the union for violating the act. Without this amendment the provision would, for all practical purposes, have been a nullity.

Section 504: Our amendment adds a new section to the bill authorizing the Secretary to enter into arrangements or agreements with other Federal and State agencies. This provision would permit the Secretary to utilize the facilities of these agencies in order to aid him in carrying out the purposes of the act.

Section 506(a): Our amendment adds a new subsection to the bill making it unlawful for a union, its officers or any agent, to fine, suspend, or otherwise discipline a member for exercising his rights under this bill.

Section 506(b): Again, our amendment adds a new subsection to the bill making it unlawful for any person, by the use of force, violence or economic reprisal, to restrain, coerce, or intimidate a union member in the exercise of his rights under the bill. These two amendments provide the most important safeguards in the bill for protecting union members against reprisals for exercising even such inadequate rights as the bill confers upon them.

Section 507: *Nothing in this act shall be construed to impair or diminish the authority of any State to enact or enforce its own criminal laws.* Our amendment adds this section to the bill in order to preserve the authority of the States to apply their own criminal law against possible preemption by the Federal Government.

Section 602(a): It shall not be an unfair labor practice for an employer engaged in the building and construction industry to make an agreement covering employees engaged in the industry with a union because (4) such agreement specifies minimum training. In many crafts only union members can receive apprenticeship training inasmuch as only the union provides such apprenticeship training. Thus, our amendment, by striking out the word "apprenticeship," prevents the legalization of closed shop agreements which are now illegal under Taft-Hartley

Section 606: Our amendment adds a new section to the bill authorizing the President to designate an officer or employees of the Board as acting General Counsel whenever a vacancy occurs in that office.

These amendments undoubtedly strengthen the safeguards for such rights as the committee bill bestows on employees and on rank and file union members. *Unfortunately, however, the bill in fact, confers so few rights, and the few it appears to grant are so restricted and hedged about with difficult conditions and limitations, that the amendments successfully urged by the minority are like a stout lock on an empty strongbox. If the box had any treasure in it, the lock's presence would be invaluable. On an empty box the lock is meaningless.*

APPENDIX B

THE "GIMMICKS" IN THE COMMITTEE BILL

Even if the committee bill effectively did every thing it appears to do, it would still be largely inadequate to accomplish the job of eliminating or even substantially diminishing abuses, corruption, and racketeering in the labor-management field. Its serious omissions in this respect, however, are considered in the body of the minority report. In this analysis the sole purpose will be to demonstrate that many of the provisions of the committee bill belie their own appearance, and in fact do not give employees and union members the rights, benefits, and protections which are claimed for them.

I. FIDUCIARY OBLIGATION OF UNION OFFICIALS (SEC. 2 (b))

The bill does no more than declare that it encourages the faithful observance of fiduciary responsibilities by union officials by requiring them to make certain financial reports. But by the use of the word "fiduciary" in what is in fact merely the bill's preamble, an impression is created that something is being done about the fiduciary obligations of union officials. A minority amendment imposing fiduciary status on union officials and giving union members a right to sue in the Federal courts for breach thereof was rejected.

II. WHO IS A UNION "OFFICER"?

The sanctions of the committee bill are exclusively criminal and are directed mainly at union "officers" who fail to comply with its requirements—reporting of financial matters, and regulation of trusteeships, and of union elections. The U.S. Supreme Court has held that a union's "officers" are only those officials who are so designated by the union's constitution and that function is not the test. Thus, a union can rewrite its constitution so as to have only a single officer, its president for example. That means that those officials who perform the duties of vice president, secretary, treasurer, business agent, organizer, manager, member of an executive board, or other union governing body are not "officers" and hence completely free from the bill's requirements or sanctions. A minority amendment defining "union officers" to include all of these governing or policymaking officials was rejected.

III. LOANS BY UNIONS TO UNION OFFICERS, MEMBER AND EMPLOYEES (SEC. 101 (b) (4))

Unions must report all loans to union members and officials aggregating more than $250. This enables the union leadership to make loans of $250 or less to favored members or officials, to deny them to those union people who for one reason or another oppose the leadership, and to act in this discriminatory fashion without letting the membership know about it. A more effective device for permitting an incumbent union leadership to use union funds for perpetuating itself in office is difficult to imagine. Nevertheless, a minority amendment was rejected to require reporting of all such loans regardless of amount, which by way of contrast is just what the bill requires with respect to loans made by a union to any business enterprise.

IV. CONFLICT-OF-INTEREST REPORTING BY UNION OFFICIALS (SEC. 102(a))

Section 102(a) requires every union officer and every union employee receiving an annual gross salary from the union of more than $5,000 (except mere clerical employees) to report any conflict-of-interest transaction as set forth in the bill. Generally, these transactions are such as to put the union man on both sides of a labor-management situation at the same time, and they thus constitute a breach of his duty to his union. Because of the lack of definition of "officer" in the bill, all union policymaking and governing officials not designated as officers in the constitution, and who, if they are on the union payroll, receive less than $5,000 per year, are freed from the requirement of reporting these fundamentally unethical transactions. This provides a gaping loophole for those dishonest union officials whose main source of income is derived not from their union salaries but from their conflict-of-interest transactions. A minority amendment was rejected to eliminate the $5,000 salary limitation which would have then required all nonclerical union employees to report these transactions. By way of contrast, however, the majority did knock out the $2,500 limitation on reporting of expenditures by employers for the purpose of influencing employees.

V. CONFLICT-OF-INTEREST BENEFITS DERIVED THROUGH A DUMMY OR STRAWMAN SETUP

A minority amendment designed to require reporting of benefits derived by a union official in a conflict-of-interest situation where the union official gets his unethical take from a third-party intermediary, was rejected.

VI. EXEMPTION OF SMALL UNIONS (SEC. 101(b))

Having agreed in subcommittee to a minority amendment eliminating the power of the Secretary to exempt small unions and employers from the financial reporting requirements, the majority, in full committee, put it back in again. Their argument was that such reporting would be burdensome to many small unions. However, the bill already contains a provision authorizing the Secretary to prescribe simplified reports where full reports would be burdensome. The result of retaining this exemption is to make it possible for some of the most corrupt unions, such as the Johnny Dio paper locals having few, or even no members, to evade the financial reporting requirements of the bill.

VII. INFORMATION IN REQUIRED FINANCIAL REPORTS TO BE MADE AVAILABLE TO UNION MEMBERS (SEC. 101 (C))

This provision sounds as if union members would be given the information necessary for them to keep their union officials honest. Nothing could be more deceptive. Neither the union member, nor even the Secretary, can tell by looking at one of these required financial reports whether it is accurate, erroneous, or deliberately falsified. In order to determine that, it would be necessary to compare the report with the basic union books, records, and accounts from which the reports have been prepared. It is only then that discrepancies might become evident. The bill fails to provide that union members be given access to these basic documents. A minority amendment to that effect was rejected. It was argued that the bill gives the Secretary access to these records and that is enough to assure that reports filed will not be falsified. This assertion is entirely unsound. The best source of information would be alert union members who had discovered falsifications after comparing the basic union records with the filed reports. Having no access to these basic records, union members are rendered largely useless as sources of information for such misconduct. The Secretary, under the bill, must rely either on the hit-and-miss method of spot checking a sampling of the filed reports or on complaints unsupported by concrete evidence. Which of these is he to investigate? No one can say. This omission renders the financial filing requirements of the bill almost entirely worthless despite its specious appearance of effectiveness.

VIII. PRESERVATION OF BASIC UNION RECORDS (SECS. 105, 108 (C))

The committee bill requires the making and preservation of the records upon which the filed financial reports are based and imposes severe penalties for their destruction or concealment. This adds to the impression that the bill's procedure for public disclosure of union financial affairs is being effectively safeguarded. But the very people who are most vitally concerned in the matter—the union members—are denied access to these carefully safeguarded records, a right enjoyed by corporate stockholders with respect to corporation records in almost every State in the Union. (See appendix C.)

IX. EMBEZZLEMENT OF UNION FUNDS (SEC. 109(a))

This makes embezzlement of union funds a Federal crime. Embezzlement of any kind is already a crime in every State and Territory of the United States, and there is no evidence that these local laws are not being properly enforced. This provision gives union members nothing they do not already have.

X. SUITS BY UNION MEMBERS TO RECOVER EMBEZZLED UNION FUNDS (SEC. 109(b))

Union members seem to be given the right to sue in a Federal or State court any union officer who has been convicted of embezzling union funds, for the recovery of such funds for the benefit of the union. But this right accrues so long after the act of embezzlement occurred that even if the suit is successful there is small likelihood that the stolen funds will not have been dissipated. Thus, the officer must first be suspected, then investigated, then indicted, tried, and finally convicted. Even then the suit can't be brought by the union member until 6 months after the union's officers have rejected his demand that they bring such suit themselves. The period between the indictment and the suit by the union member could easily span several years. Furthermore, this apparent right of the union member to sue is so hedged about by restrictions and limitations that he is far better off suing in a State court under State law. In most States he could bring suit as soon as the money was misappropriated; he would not need to wait even for indictment of the embezzling official; he would not have to show criminal intent; and he could secure a judgment upon a preponderance of the evidence rather than wait for a criminal conviction requiring proof beyond a reasonable doubt. And finally the committee bill, as a further condition of bringing this suit, requires the union member to get leave of the court upon a sworn application and for good cause shown. These three additional conditions transform what appears to be a right to sue into a mere privilege dependent upon the court's discretion. Under State law, he could sue as of right without being subject to these conditions, conditions incidentally which the law imposes very rarely, only in unusual types of cases, and never heretofore in this type of legal action. Thus, upon examination, this so-called right to sue for recovery of embezzled funds turns out to be a snare and a delusion which no lawyer would ever advise his client to utilize. It should be added that the minority secured acceptance of an amendment preserving the remedies of union members under State law in this type of proceeding. Without this

amendment, union members would have been stripped of their existing rights and given literally nothing in return.

XI. PAYMENTS BY EMPLOYERS TO REPRESENTATIVES OF HIS EMPLOYEES (SEC. 111)

The committee bill makes it a crime for an employer to give anything of value "to any representative of his employees." The Supreme Court has ruled that the term "representative" is not limited to a representative for collective bargaining purposes. Thus it is possible for an employer to commit a crime if he gives a material reward to the president of his employees' bowling league for his success in running a bowling tournament. Such president is a "representative of his employees" within the meaning of the bill. A minority amendment to eliminate this possibility was rejected.

XII. PAYMENTS BY EMPLOYERS TO UNION OFFICIALS (SEC. 111)

This section also makes it a crime for an employer to give or lend anything of value to an officer or employee of a union with intent to influence his decisions, actions or duties as a "representative of employees" (again that dangerous phrase) or as a union "officer or employee." If this were merely intended to outlaw bribery of union officials, that is already illegal under all State laws. But the term "influence" includes acts which are not technically bribery—what seems to be aimed at is prohibiting the subversion of union officials in the performance of their union duties. But why should such subversion be criminal only if it is committed by an employer, even if the employer and the subverted official's union have absolutely no relations with each other? (The bill's language includes such a situation in its scope). If the subversion of union officials is reprehensible and merits outlawing, why shouldn't it be outlawed regardless of who does the subverting? As the bill now reads, a Jimmy Hoffa or Dave Beck can subvert the president of the Retail Clerks Union by paying him to give up an organizing campaign so that the Teamsters can take it over, and no crime is committed. But if an employer in the steel industry gives something of value to his acquaintance, the head of a textile workers union, to persuade him to influence his union to change its political line, that would be a crime under the bill. A minority amendment to make it a crime for any person (not merely an employer) to subvert a union official was rejected.

XIII. EXTORTION TO PERMIT THE UNLOADING OF FREIGHT-CARRYING MOTOR VEHICLES (SEC. 111)

This section makes it a crime for a union of any of its representatives or employees to demand from a truckdriver or his employer a fee or charge for the unloading of the truck's cargo. This is extortion and is already illegal under State law and in all probability under Federal law (the Hobbs Act) as well. Hence, the extortion rarely takes this obvious form. What usually happens is that the union or union official seeking to exact a fee for permitting the truck to be unloaded, requires the operator to join the union and pay a sizable initiation fee even if he lives and works in another locality and belongs to another union, even if it is merely another local of the extorting union. This gives the deal an appearance of legitimate labor activity but it is nothing but disguised extortion. A minority amendment designed to outlaw this kind of racket was rejected.

XIV. EXTORTION PICKETING (SEC. 111)

This makes it a crime to picket for the purpose of compelling the picketed employer to pay off an "individual" in order to get rid of the picket line. Again, this is naked extortion and is already a crime both under State and Federal law (the Hobbs Act). Hence, this provision, like the previous one, is mere window-dressing designed to create an impression that the committee bill does something effective about certain indefensible types of picketing which are just as frequent as this type of "extortion picketing" is rare. It does nothing of the kind. Recognition and organizational picketing where the employees clearly do not want to be represented by the picketing union and which frequently is carried on to force the employer to violate the law by recognizing such a union is left completely untouched. Moreover, even within its own narrow scope, the provision is specious. The picketing is illegal only if it is for the enrichment of an "individual"—if the ill-gotten gains go to the racketeering union itself it is not illegal. And there is no illegality involved in threats to engage in such picketing nor in causing or attempting to cause others to so engage. Minority amendments to remedy these defects were rejected, and they remain to mislead the public into thinking that another labor abuse has been corrected.

XV. REPORTING REQUIREMENTS IN CONNECTION WITH TRUSTEESHIPS IMPOSED ON LOCALS BY INTERNATIONAL UNIONS (SEC. 201)

This section requires international unions to file reports giving specified information about any trusteeships over a local. The documents, books, records, etc., which the union makes or keeps and upon which these reports are based must not be destroyed or concealed. But union members (including even those in the trusteed locals) are not given access to these basic records and hence can rarely know if the filed reports are accurate or falsified. There is, moreover, no requirement that such basic records must be made and kept by the union in the first instance. The only applicable provision in this connection is section 105 which merely requires unions to make and keep basic records in connection with financial transactions. Inasmuch as the trusteeship reporting requirements include nothing of a financial nature, the only requirement is that they not be destroyed or concealed if the union chooses to make or keep them, which it need not do.

XVI. "PROBABLE CAUSE" IN CONNECTION WITH THE SECRETARY'S AUTHORITY TO BRING SUIT TO ENFORCE THE TRUSTEESHIP AND ELECTION PROVISIONS OF THE BILL (SECS. 204 AND 302)

At the insistence of the minority, an amendment was adopted giving the Secretary power similar to that of other regulatory agencies to investigate for violations of the bill's financial reporting requirements. This was done by striking out the restrictive phrase "probable cause" to believe violations had been committed and permitting the Secretary to investigate when he believes violations had been committed or are about to be committed. Retention of the original language, particularly the phrase "probable cause" would have completely nullified the Secretary's investigative effectiveness. Nevertheless, the restrictive phrase "probable cause" is still retained in two other significant parts of the bill. Section 204 gives the Secretary authority to sue in a Federal court to remedy violations of the bill's trusteeship provisions and section 302 to remedy violations of the provisions dealing with the election and removal of union officers. In each case, however, the same three conditions are imposed upon the Secretary's bringing suit. First, he must have a complaint from a union member; and second, he must have probable cause to believe (1) that a violation has occurred, and (2) that it has not been remedied. And just as the Secretary's power to investigate was limited by the phrase "probable cause" so is his power to sue on behalf of those complaining union members to whom the bill does not guarantee the access to the basic union records which would enable them to furnish the evidence necessary to meet the requirement of a showing of "probable cause." Thus, this combination of lack of access to basic union records coupled with the requirement to show "probable cause," in effect, renders the remedies under the trusteeship and election provisions almost wholly illusory. Suffice it to say that no comparable Federal statute in the labor field conditions a suit upon "probable cause," neither the Taft-Hartley, Fair Labor Standards, nor Walsh-Healey Acts. The bill's supporters rejected minority amendments to strike out "probable cause" as was done in connection with the Secretary's investigative powers, but no reason for this difference in treatment has yet been forthcoming.

XVII. RIGHTS OF CANDIDATES FOR UNION OFFICE (SEC. 301(b))

This section purports to guarantee rival candidates for union office the same facilities for reaching the membership as the incumbent officers. Senator PROUTY's proposal to give them access to the union membership lists for 30 days preceding the election was first accepted, then rejected in favor of a provision which does not give such access but purports to provide equal campaigning facilities for all candidates. The joker in this one is that the machinery all remains in the hands of the incumbent officers.

XVIII. "SECRET BALLOT" IN UNION ELECTIONS (SEC. 502(j))

This section defines "secret ballot" but does not exclude voting by proxy. A minority amendment to assure that proxy voting was prohibited was rejected thus leaving a loophole for election abuses.

XIX. PRESERVATION OF ELECTION AND CONVENTION RECORDS (SEC. 301)

This section requires union officials to preserve for 1 year all ballots, election records, credentials of convention delegates, and all minutes and other convention records pertaining to the election of officers. But again there is no provision requiring that access be given to these records to union members or even defeated rival candidates. Inasmuch as the Secretary can begin court action for violation of the election provisions only upon complaint of a union member, and upon a showing of "probable cause," it is obvious that his remedial powers are sadly restricted. How can a complaining union member secure evidence amounting to "probable cause" of a violation if he is denied access to the basic election records and documents? Again we have an appearance of a remedy without the reality.

XX. PREEMPTION OF STATE LAWS BY BILL'S ELECTION PROVISIONS (SEC. 303)

This section specifically preempts all State laws dealing with challenging a union election which has already been conducted, thus making the bill's provisions in this respect the sole remedy available to union members. The catch here is that many State laws provide more expeditious and effective remedies in this area than does the committee bill. A minority amendment to preserve remedies available under State law was rejected.

XX. UNION ORGANIZATIONS KNOWN AS CONFERENCES, JOINT COUNCILS, STATE AND DISTRICT COUNCILS, AND OTHER ASSOCIATIONS OF UNIONS (SEC. 571(h)(i))

The McClellan rackets committee hearings revealed that some of the worst manifestations of corruption and racketeering in the labor movement were to be found in organizations which are associations of labor unions rather than of individual employees, such as conferences, joint boards, State and district labor councils, etc. The most notorious example, of course, are the regional conferences into which the Teamsters are divided, particularly the Western Conference of Teamsters formerly headed by Frank Brewster. Associations of this kind are not labor organizations under existing law nor

would they be under the committee bill for they do not bargain collectively, do not represent employees for collective bargaining purposes, do not enter into collective-bargaining agreements, and employees neither participate in their activities nor hold direct membership therein. Hence, these organizations, many of them extremely corrupt, as well as their officers and employees, are left completely untouched by the committee bill. Minority amendments to remedy this were rejected.

XXII. THE "NO MAN'S LAND" PROBLEM (SEC. 601)

"The "no man's land" is one of the most serious problems in labor-management relations. Senator KENNEDY himself has admitted that his own original proposal in his bill to compel the National Labor Relations Board to exercise all of its jurisdiction and take every case even if it was primarily local in character, is not an acceptable solution. Nevertheless the majority accepted Senator MORSE's amendment, now in the committee bill, which for all practical purposes, does exactly what the original Kennedy bill would have done but appears to be doing something different. It requires the Federal Board to assert all of its jurisdiction but permits it to cede jurisdiction (in cases which are primarily local) to the States to administer the Taft-Hartley Act but only through an administrative agency and not through the State courts. Under the provisions of the bill, these State agencies would be mere arms of the Federal Board subject to its control in every significant respect, and all judicial appeals would be through the Federal courts exclusively. To implement this provision would require every State in the Union to enact new legislation and 40 of them, which do not now have such an agency, to create one. Under normal circumstances it might well take decades before they all took the necessary legislative action. But the scheme so completely negates the sovereign character of the several States, that it is impossible to believe that any of them would voluntarily submit one of their independent governmental agencies, to the subordinate, even degrading status, to which the proposal would reduce them. But behind this completely unrealistic provision, hidden like a raisin in a cake, is the concrete fact that if the proposal is adopted, the Federal Board would be compelled to take every case affecting interstate commerce. The present timelag of the Board in case handling is about 2 years. This provision would extend it to 3, possibly 4 years. The small employer, his employees, and the unions which deal with them would be given a forum which they do not now have, but they still wouldn't get the quick and effective relief they so urgently need. The "no-man's land" would be eliminated, but the "no man's land" problem would remain as unsolved as it is now.

XXIII. COMMUNICATIONS BETWEEN ATTORNEY AND CLIENT

From time immemorial the communications made by a client to his lawyer, like those between patient and doctor, priest and penitent, etc., have been regarded as sacred, and the right to keep these communications confidential is protected by law in every State in the Union. Some of the provisions of the committee bill, particularly those that require reporting by labor relations consultants, experts or advisers raise a problem in this regard because many of these people are lawyers and the people for whom they act are their clients. The American Bar Association within the past few weeks vigorously urged that the labor bills specifically protect this traditional aspect of the attorney-client relationship. The minority offered an amendment to that effect which was rejected, the argument being that it is already protected under existing law. As indicated, that is certainly true under State law—but it is questionable if Federal law would provide similar protection under the committee bill.

XXIV. REMOVAL OF OFFICERS (SECS. 301, 302)

Section 301(g) provides that if the Secretary, upon application of a member of a local union, finds that the constitution and bylaws of such local union do not provide an adequate procedure for the removal of an elected officer guilty of serious misconduct, such officer may be removed by the local's members so voting in a secret ballot election. The procedure allegedly provided for bringing this remedy into play is to be found in section 302. That section authorizes the Secretary to bring a civil action against the local union in a Federal court upon a complaint of a member of the local alleging that section 301 has been violated (i.e., that there is no adequate procedure for removal of officers in the local's constitution and bylaws) including violation of the constitution and bylaws of the labor organization pertaining to the election and removal of officers. Despite the italicized language which was added at the insistence of the minority, the phraseology of this provision (sec. 302(a)) is, at best, ambiguous in the extreme. It is exceedingly doubtful whether the Secretary is authorized to act on a complaint of a union member that his local's constitution and bylaws do contain an adequate procedure for the removal of officers, but the local or its officers is nevertheless refusing to comply with its own prescribed procedures in that regard. A close scrutiny of the language leads almost inevitably to the conclusion that these provisions establish a remedy in the courts through the Secretary only where the local's constitution and bylaws fail to provide an adequate procedure for removal of the local's elected officers, but do not give judicial relief where such a procedure exists but the local refuses to apply or follow it. The minority urged that section 301(g) be modified to permit the Secretary to sue in the courts upon a finding that an adequate procedure was lacking or, where it was provided was not being followed, but the majority would not agree.

XXV. ALLOCATION OF JURISDICTION AS BETWEEN THE STATES AND THE FEDERAL GOVERNMENT AS CONTAINED IN VARIOUS PROVISIONS OF THE COMMITTEE BILL

The committee bill distributes its remedies as between the States and the Federal Government in accordance with no discernible standard or consistent principle. Some remedies are exclusively Federal, some are left to the States and denied to the Federal Government, some are given to the States but only if they apply Federal law, and some are allocated to both the States and Federal Government. In some instances, the majority insisted upon exclusive Federal jurisdiction asserting that absolute uniformity was essential; in others, it was insisted that diversity of treatment under varying State laws was absolutely necessary. The following are the eight major provisions in which an allocation of jurisdiction was made:

1. Fiduciary obligations: The bill creates no Federal fiduciary obligation or remedy. This is left entirely to the States, which in fact, have no statutory law on the subject and very little case law. Interestingly, New York State has just enacted a labor reform bill which imposes stringent fiduciary obligations on union officials and gives union members themselves the right to sue for breach thereof. But the New York State AFL–CIO, the largest State labor federation in the country, with over 2 million members, opposed the bill, its principle objection being that State governments should permit the Federal Government to enact a law that would have a uniform effect throughout the country. This is exactly the reverse of the position taken by the majority in committee on the subject of fiduciary obligations and remedies.

2. Suits to recover embezzled union funds: But, having taken this position on fiduciaries, the majority did an about-face and made an exception permitting union members to sue in either State or Federal courts under Federal law to recover embezzled union funds while preserving their right to bring a similar suit under State law in State courts. No reason for the difference in treatment is discernible.

3. Embezzlement of union funds: This is made a Federal crime while preserving the right of the States to prosecute in State courts as a State crime.

4. Extortion picketing: This adds a new Federal crime although it is already a crime under State law (which is not preempted) and probably a Federal crime as well under the Hobbs antiracketeering statute. What the effect is on the Hobbs Act, nobody knows.

5. Extortion to permit unloading of trucks: Adds a new Federal crime although it is already a crime under State law (which is not preempted) and probably a Federal crime as well under the Hobbs Act, the effect upon which again is unknown.

6. Trusteeships: (a) Creates a Federal court action by the Secretary of Labor for violation.

(b) Doesn't preempt State law remedies, but if a union member chooses the Federal remedy (through a suit by the Secretary) he can't use the State remedy.

7. Election safeguards: (a) Creates a Federal court action by the Secretary to challenge an election which has already been held and preempts any similar State remedy. The Secretary's remedy is exclusive and is the only one the union member may use—he loses his State remedy.

(b) But if there are abuses in connection with an election prior to its being held, the bill provides no Federal remedy at all. The union member's only relief can come only through whatever State law may exist on this subject.

8. The "no man's land": Here, everything is turned over entirely and exclusively to the Federal Government with a single unrealistic exception that the States may administer the Federal law only (Taft-Hartley) through administrative agencies and not the courts. These agencies would be virtually arms of the Federal Labor Board with little or no independent power or status, and in any event would be permitted to take only those cases which are primarily local in character, and where although technically there was an effect on interstate commerce, such effect was remote and insubstantial.

APPENDIX C

DISCLOSURE OF CORPORATE FINANCIAL AFFAIRS

Aside from voluntary disclosures by many leading corporations to their shareholders and through their trade associations to the general public, there are mandatory or quasi-mandatory reporting requirements under State and Federal laws or under contractual agreements.

For the latter type, reference need only be made to the requirements of the New York Stock Exchange and other leading security exchanges. In order for a security to be listed the corporation must file an extensive preliminary statement of corporate conditions (capital stock setups; purpose of issue; character and application of the proceeds; a detailed list of subsidiary and controlled corporations; indebtedness; property owned; output for preceding 5 years; dividends owed or declared; balance sheets, income and surplus accounts of prescribed form and content) and agree to furnish prescribed annual reports (periodic statements of earnings, a balance sheet, income statement and surplus account).

STATE LAWS

Under State laws several methods are used to protect investors and the general public through various reporting and disclosure requirements. So-called blue sky laws are of two main types: fraud acts and regulatory acts. Virtually every State requires registration of new securities and filing of statements of corporate situation as a condition of the right to sell new securities within the State. The following State requirements are typical. This listing is not an exhaustive one.

SALE OF SECURITIES

Alabama: Every issuer whose securities have been registered must file periodic reports with the commission (attorney general), who is authorized to subpena witnesses, examine them under oath, inspect records of issuer, investigate complaints * * *. The records of the commission are open to the public * * *.

Arizona: Registration required of officers or issuers includes statement of corporate structure, amount of securities outstanding and financial statements.

Arkansas: Detailed information must be submitted by corporation to State bank commissioner prior to sale of covered securities. Such information is open to the public.

California: No sale or offer of sale of covered securities is permissible without a permit of the corporation commissioner after filing required information giving full details.

Colorado: Issuers of securities within the scope of the act must file prospectus with commissioner of securities within 12 months next preceding offering: name and address of issuer; date business commenced; location and nature of undertaking; details of capital; classes of securities, of stock and payment; amount of proposed issue and application of proceeds; details of organization expenses, if venture is less than 3 years old * * *. Statement of the interest of each director in property and compensation agreement with salesmen.

District of Columbia: Covered by Federal Securities and Exchange Act.

Florida: Has adopted the uniform Sale of Securities Act with slight revisions.

Georgia: Unless registered under Federal Securities Act of 1933, securities must be registered with the secretary of state and prospectus must include: name and address of main office of issuer; title and amount of securities; total offering price; * * * balance sheet certified by independent certified public accountant * * * profit and loss statement for 3 years back * * *.

Idaho: Law requires full information concerning securities to be sold to be filed with the department of finance.

Illinois: Covered securities must be registered by "notificattion," "description," or "qualification."

Iowa: Report required must include a balance sheet, statement of income, expenses and fees for fiscal year, plus a certified copy of articles, amendments, and bylaws.

Moreover, many States require the filing of periodic reports with the secretary of state and compel the directors to lay annual balance sheets before the stockholders. Reference need only be made to sections 47–50 of chapter 156 of the Massachusetts General Law:

ANNUAL REPORTS

"SEC. 47. Time; content.

"Every corporation shall annually * * * prepare and submit to the commissioner a report of condition which shall be signed and sworn to * * * stating:

"1. The name of the corporation.

"2. The location (with street address of its principal office * * *).

"3. The date of its last preceding annual meeting.

"4. The total amount of its authorized capital stock * * * the amount of stock with par value * * * without par value, issued and outstanding and the amount paid thereon * * *.

"5. The names and addresses of all the directors and officers of the corporation, and the date on which the term of office of each expires.

"6. A statement of assets and liabilities of the corporations as of the date of the end of its last fiscal year, to be made in such forms as the commissioner shall prescribe.

"SEC. 48. Approval of commission, filing; public inspection. * * * the State secretary * * * shall receive and preserve it (the report) in book form convenient for reference and open to public inspection.

"SEC. 49. Auditor's statement; selection of auditors; filing of statement * * * a corporation which has issued capital stock of one hundred thousand dollars or more * * * shall file (accompany its report to the commissioner) a written statement on oath by an auditor that such report represents the true conditions of the affairs of such corporation * * *.

"SEC. 50. Failure to file; penalty. * * * If a corporation fails for two successive years to file its annual report of condition the supreme judicial court * * * may decree a dissolution of the corporation."

A partial list of other State requirements for annual reports follows:

Alabama: Corporation must file annual report giving names and addresses of residents of Alabama who hold its shares of stock and outstanding bonds on specified date over the past 5 years.

Alaska: Annual report: amount of capital stock and amount actually issued; amount of debts; amount of assets; names and addresses of directors and officers.

Arizona: Annual report: assets, liabilities, accumulations, capital stock paid up and issued, all real and personal property and situation of same. Corporation commission has power to supervise and regulate all public service corporations, and to inspect books, papers, business methods and affairs of corporations offering stock to the public (Arizona Constitution, art. XV, sec. 4).

Arkansas: Annually on forms prescribed by public service commission.

Colorado: Annually with secretary of state to include indebtedness of corporation and all other information necessary to show financial condition of corporation.

Connecticut: Annually from corporations organized under joint stock law and certain specially chartered corporations with the secretary of state.

District of Columbia: Annually to contain, in general, same but current information included in certificate.

Florida: Annually to contain in addition to specified data, all other such information as may be necessary for the secretary of state to have in carrying out the provisions of the law.

Georgia: Annual report to secretary of state showing name, where, when, and by what authority incorporated, amount of capital stock, nature of business, and location of principal office.

Idaho: Annual report must include only information as to stock.

Illinois: Reports must be on forms prescribed and furnished by the secretary of state.

Indiana: Every corporation must file with the secretary of state, annually, a report of the condition of the corporation.

Iowa: Annual report must include name and addresses of corporation, amount of capital stock authorized, amount issued and outstanding, its par value, and amount of common and preferred; names and addresses of officers and directors.

Kansas: Annually to the secretary of state; it must include, among other things, assets and liabilities and changes, if any, since last report.

Michigan: Reports annually must contain sufficient information to show condition of corporation at close of last fiscal year.

Missouri: Annual reports must include balance sheet as of preceding fiscal year and special reports as to the financial condition may be required at any time.

New Hampshire: Annual report must include, among other things, the total assets and liabilities of the corporation and the report must be made on forms provided by the secretary of state.

Ohio: A financial statement must be made annually to stockholders and to State on prescribed form.

Oregon: An annual report must be made to the corporation commissioner on forms he supplies.

Pennsylvania: The annual report to stockholders must contain, unless otherwise provided by bylaw, a summary of assets and liabilities; deficit and how acquired or created; balance sheet, income and profit and loss statement ordinarily used by accountants for the particular business.

Without exception, stockholders in any State may require a corporation to open up the corporate books and records for inspection, at reasonable times and for valid purposes. This is a common law right which in some States has been expanded by statute, as Alabama, California, Colorado, Illinois, Kansas, Kentucky, Maine, Massachusetts, Oregon, New Hampshire, Texas, Washington, and Wisconsin. This in many instances amounts to a publication of the information. Examples of several statutory requirements follow:

Alabama: Stockholder has the right of access to inspection of and examination in person or by agent of books, records, and papers of the corporation at reasonable and proper times.

California: A stockholder with 10 percent of shares represented at any stockholders' meeting must be granted access to books and records of the corporation.

Colorado: Stockholders have the right of access to the books and accounts at the office of the corporation.

Delaware: The proper manner of enforcing inspection of the corporate books is by mandamus.

District of Columbia: The shareholders owning an aggregate of at least 5 percent of all the outstanding shares must be granted access to the books and records of the corporation.

Idaho: The book of bylaws must be kept open to the public during business hours.

Illinois: Any person who has been a stockholder for at least 6 months, or shareholders holding at least 5 percent of outstanding stock must be granted access to all books and records of account, minutes, and other records.

The certificate or articles of incorporation originally filed before a corporation may be formed, must contain at least the following data in every State:

1. Name of corporation.
2. Objects of corporation.
3. Location of principal office.
4. Amount of authorized capital stock.
5. Period of duration of corporation, if any.

Examples of additional information that must be included can be seen in the following:

Alaska: The highest amount of indebtedness to which corporation may be subjected; the number of directors (at least three); names and residences of incorporators; any restrictions on the rights of particular shares of stock.

Arizona: By what officers the affairs of the corporation are to be conducted and the time when they are to be elected; the highest amount of indebtedness; whether the

private property of stockholders is to be exempt from the corporate debts; the articles must be published at least six times in the newspaper in the county of the principal office.

California: Any restrictions on the rights of any class or issue of stocks; the number of directors (at least three).

Colorado: The preferences and rights of restrictions on each class of stock authorized; the names of the directors (at least three).

Delaware: The name and address of the resident agent; the capital with which the business is to be started, not under $1,000; a description of the classes of stock and preferences.

District of Columbia: The preferences and rights of each class of stocks; the minimum amount of capital for starting the business (not less than $1,000); any provision for the regulation of the internal affairs of the corporation.

Florida: The characteristics of every class or series of shares of stock; the amount of capital with which the business is to be started (not less than $500).

Illinois: Any provisions for the regulation of the internal affairs of the corporation and any restrictions on the rights of the stockholders.

Officers and directors must report

A director occupies a fiduciary or quasi-fiduciary relation to a corporation and its stockholders in the following States: Arkansas, California, Connecticut, Delaware, Florida, Idaho, Illinois, Indiana, Iowa, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, South Dakota, Texas, Utah, Virginia, West Virginia, and Wisconsin.

The director's position is one of trust and is frequently denominated a trustee under an implied or constructive trust, and held accountable in equity for his actions. He is bound to act with fidelity, the utmost good faith and subordinate his private and personal interests to his trust duty in the event of any conflict.

Generally speaking, this same relationship is applied as between an officer and a corporation or its stockholders. Officers are held to strict accountability and become personally liable for breaches of trust.

With both directors and officers, an accounting for activities can be obtained on proper motion in a court of equity by the stockholders. This is one of the best protections available to the stockholders.

Special State regulation

State regulation of insurance companies is chiefly through the licensing power. Most States provide for annual licenses. The control of the financial operations is exercised by the States chiefly through computing the reserve liability, computing the value of assets, controlling investments, controlling expenditures, and approving reorganization, reinsurance, and consolidation. (See Connecticut General Statutes, sec. 412; Georgia Code, sec. 56–810; Illinois Revised Statutes, ch. 72, secs. 596 and 775; Iowa Code, sec. 511.8(13); Kansas General Statutes, secs. 40–234, 40–409, 40–1109; Kentucky Revised Statutes, secs. 296.250 and 297.170; Massachusetts Laws, ch. 175, sec. 1–194; Minnesota Revised Statutes, secs. 60.68 and 65.01; New York Insurance Law, ch. 28, secs. 9, 20, 32, 86, 97, and 98; Ohio General Code, secs. 9351–9355; South Carolina Code of Laws, secs. 7944 and 7951; Wisconsin Statutes, secs. 203.33–203.49.)

FEDERAL LAWS

There are reports required of corporations under Federal law. The Securities and Exchange Commission requires annual reports and, in many situations, quarterly reports from every issuer of a security registered on a national securities exchange, covering information in detail concerning corporate earnings and expenditures, including remuneration of directors and officers. (See 15 U.S.C. 78m.) In addition to reports from corporations whose securities are listed on any national exchange, corporations with more than $2 million outstanding shares must file detailed reports. (See SEC forms 10K, 9K, 8K.)

Every registered holding company and every mutual service company covered by the Public Utility Holding Company Act of 1935 must render detailed reports to the Securities and Exchange Commission on its financial condition, structure, and transactions, and permit the Commission to examine all books and records.

Electric utilities and natural gas companies

The Federal Power Commission has the power to examine the books and accounts of licensees. It may require licensees to submit reports. (See 16 U.S.C. 825.) This agency has jurisdiction over electric utilities engaged in interstate commerce or those on navigable waters or public lands. This agency also exercises jurisdiction over natural gas companies, from which it may require periodic and special reports and prescribe forms of accounts. (See 15 U.S.C. 717g.)

Telephone and telegraph companies

The Federal Communications Commission exercises broad authority over broadcasting, telephone and telegraph companies. Public disclosure of activities and internal operations of broadcasting companies is accomplished through the regular scrutiny of licenses. Similar control is exercised over telephone and telegraph companies by requiring complete publication through reports of any data. (See 47 U.S.C. 219 and 220.)

Banking

Federal control over the banking industry is exercised by the Comptroller of the Currency, the Federal Reserve Board, and the Federal Deposit Insurance Corporation. Reports required of banks to the Federal Government, published in abbeviated form in newspapers, are the most compete of any corporate reporting forms. (See 12 U.S.C. 161–164 and sec. 481 among the other sections of title 12 of the United States Code.)

The Federal Trade Commission under 15 U.S.C. 46(b) may and does require of corporations in commerce to file annual and/or special reports or to answer in writing specific questions regarding the organization, business, conduct, practices, management and its relations with other corporations, partnerships, and individuals of the respective corporations.

Nowhere are more detailed and comprehensive reports made to the Federal Government than those required of railroads and motor carriers by the Interstate Commerce Commission. For all practical purposes the ICC has a duplicate set of books from every carrier subject to this jurisdiction.

APPENDIX D

THE FALSE DOCTRINE OF MUTUALITY IN LABOR LEGISLATION

When the legislation which became the Taft-Hartley Act was under discussion in 1947 labor unions for the first time raised the issue of "mutuality." They objected strenuously to the provision which became law in the Taft-Hartley Act, requiring officers of labor unions to file non-Communist affidavits with the National Labor Relations Board as a condition precedent to enjoying the privileges granted by the Taft-Hartley Act. It was their contention that this provision was discriminatory because the act contained no similar requirement with respect to employers.

From that day to this the unions have not only insisted upon the alleged discriminatory nature of this requirement but have developed a position which in substance holds that any legislative limitation or restriction imposed on labor unions must, to be fair, also be imposed upon management.

In the hearings on Taft-Hartley in 1947, the testimony and the evidence made it overwhelmingly clear that there were substantial segments of the labor movement which were either under the control of the Communist Party or were led by officers who were themselves either Communists or strongly sympathetic to communism. Not one shred of testimony was adduced indicating that a similar situation existed with respect to management. It seemed perfectly natural therefore to the Congress to direct its legislation to the area where the evil was known to exist and that no mechanical rule of mutuality need be applied.

In the hearings on labor legislation during subsequent sessions of the Congress the unions again insistently reiterated the doctrine of mutuality. Wherever proposed legislation is designed to correct some evil or abuse which has been found characteristic of the labor movement or of some particular segment of it, the labor union leaders have contended that no such legislation should be adopted unless similar limitations are imposed on management. It is the contention of this memorandum that "mutuality" as it has been raised is almost without exception a false issue.

The characteristics of organized labor and management, even in their relations with each other, differ so fundamentally that in only a few instances is it desirable to enact parallel requirements for each. What is more, despite the contention of the union leaders that failure to apply the doctrine of mutality constitutes discrimination, even a casual examination of the legislation on the statute books reveals that labor unions enjoy privileges and immunities enjoyed by no other private organization or institution, certainly not by management, and is free from the tremenodus volume of regulatory and restrictive legislation which applies to business exclusively. In other words, that labor itself is the beneficiary of a widespread lack of "mutuality."

A quarter of a century ago unions as contrasted with management were small and weak. Special immunities and privileges were deemed essential to establish some approach to an equality in strength. This, as has been indicated, has been achieved by an extensive regulation of business on the one hand from which unions are almost entirely free, and by the grants of privileges and immunities to unions which business does not enjoy.

During the past quarter of a century unions have grown strong, large, and powerful and the inequality from which they suffered as they faced management during the past, in most instances no longer exists. In a study published last year by the Fund for the Republic entitled "Unions and Union Leaders of Their Own Choosing." Clark Kerr, president of the University of California, former member of the War Labor Board, presently a member of the United Automobile Workers review board, and himself universally regarded as a top expert in the labor field, had this to say:

"A quarter of a century later—today—unions are well established and secure in most major industries of the Nation. Their members number 18 million. They can close down even the giants of American industry—General Motors and United States Steel. They negotiate 100,000 contracts covering the working rules that guide and govern important aspects of the life of industrial men in nearly every trade and every industry and nearly every town. Income, leisure, job

security, retirement, pace of work, job opportunities, discipline—all are affected by union participation in the rulemaking process. And union influence extends outside the industrial government of the Nation into its political processes too. Unions affect the selection and the election of candidates. They are intimately woven into much of our economic and political life."

Having thus pointed out that labor unions are no longer the weak and ineffectual organizations of 25 years ago, President Kerr manifests his own skepticism with respect to the doctrine of mutuality. In the same pamphlet he points out fundamental differences between labor unions and corporations and in so doing clearly implies that the regulation of one need not be paralleled by an identical or similar regulation of the other.

"The great current issue is the impact of the union on the freedom of the worker. This issue is not simple; it is most complex. It is one that runs through all or nearly all of the union movement and is central to its very existence. While not unknown as an issue in the spheres of Government and the corporation, it is less intensely manifested there at the present time. Our Nation has had a long, successful experience in creating a democratic framework for our Government and protecting the liberties of individual citizens. Our corporations are not expected to be run on a democratic basis. They are founded on the model of the individual entrepreneur making his own decisions; and corporations seldom have either a captive labor force or captive consumers (when they do have captive consumers they are usually subject to State control).

"The unions are different. They have not had, like our Government, a long and successful experience in developing a system of checks and balances, in limiting their sphere of endeavor, in defining and protecting the internal rights of their members. Unlike the corporation, they are founded on the assumption of internal democracy. They are associations of individuals, not collections of capital funds. Moreover, increasingly they have a captive membership. It is usually not possible for a union member just to withdraw in protest, without penalty, if he does not like the organization, its leaders, or its policy. We have here, most frequently, a more or less compulsory organization with substantial impact on the lives of its members."

On May 8, 1958, Clyde Summers, professor at the Yale University Law School, and formerly chairman of a special committee appointed by Governor Harriman of New York to investigate misconduct in labor unions, testified before the Labor Subcommittee of the Senate Committee on Labor and Public Welfare. Professor Summers testified at considerable length on the issue of democracy in unions. Earlier in the year, Professor Summers had written an article which was published in the Social-Democratic magazine, The New Leader, of February 10, 1958, and in it he had something significant to say about the doctrine of mutually; we quote:

"The lack of union democracy is sometimes excused by pointing to the lack of democracy in corporations. Why should we criticize union officers for acting without consulting their members when corporation officers act without consulting stockholders? This tends to hide vital distinctions behind an appeal to verbal equality. The man who works in a shop works under the jurisdiction of the union, which makes contracts legally binding on him despite his dissent. The core of his working life, the very source of his livelihood, is governed by the contract which the union makes. It tells him when he shall work, what he shall do, and how he shall work. It defines maternity benefits and retirement rights—from the cradle to the grave. Contrast this with a man who owns a share of stock. The corporation determines only whether he shall receive 4 percent or 6 percent on his investment. If a worker does not like his union, it is said, he can quit and seek other work. But the teamster cannot escape Hoffa unless he stops driving, the operating engineer cannot escape Maloney unless he abandons his bulldozer, and the carpenter cannot escape Hutcheson unless he discards his saw. The corporate shareholder who disagrees with the directors can, for the most part, sell his stock and buy another on the open market. Few corporate monopolies exist in which any person is not free to join as stockholder, and without inquiry as to race, sex, or political beliefs. Nor do corporations have power to expel those who cause trouble. The same is not true of unions. In short, the union has an all-encompassing compulsory power over vital elements of the existence of every person for whom they bargain. To compare union membership to stock shareholding is to be blind to industrial realities."

It is plain that the disinterested experts in the field of labor and labor-management relations regard it as absurd to insist that every regulation imposed upon labor is discriminatory unless it is also imposed upon management. Thus Prof. Archibald Cox of the Harvard Law School in his statement before the Senate Labor Subcommittee on May 6, 1958, stated, and I quote:

"I submit that it is a shortsighted mistake to argue that every law must apply in the same fashion to both employers and labor unions. Business organizations and trade organizations have different characteristics; they serve different functions in society; and they face different problems. Labor unions pay no tax upon most of their income. This is sound legislative policy, but if the false notion of exactly parallel treatment were followed, they would be subject to tax. Labor unions are not subject to the antitrust laws in the same manner as business firms. Again the diverse treatment is based upon sound policy, although parallelism would require us to abolish the exemption."

And again,

"Trade unions have a special status under the National Labor Relations Act. As a result their officials have great power over the lives and welfare not only of their members but of all employees for whom they act as bargaining representative—much more power than corporations hold over their stockholders."

On May 21, 1958, Professor of Economics Richard Lester, of Princeton University, appeared before the Labor Subcommittee and in the course of his testimony made the following statement:

"I personally have been very skeptical of too many of these analogies and too many notions that everything that management does, unions should do; or union does, management should do. Because I think there is a significant difference between management and unions. For that reason I have not, for example, approved putting unions under the antitrust laws in the way that some people have proposed; and therefore I do not think that you have got to be careful that you do not try to—just because you think something is appropriate for unions or something is appropriate for management, it should not automatically be true it should be imposed on the other."

Prof. Archibald Cox not only adopts the same view, but as we have seen, emphasizes the special statutory privileges enjoyed by labor unions. In his testimony before the subcommittee previously referred to, he asserts that the Federal Government has the responsibility to take reasonable measures to enforce the fiduciary duties of union officials and to insure internal union democracy:

"The Government has this duty because labor unions enjoy their present power by virtue of Federal statutes, chiefly the National Labor Relations Act. Other voluntary associations are different in two respects: (1) They lack the statutory power of a union designated as a bargaining representative; (2) no other voluntary association has as much power over an individual's livelihood and opportunities or over the rules governing his daily life. The union bulks much larger in the life of a worker than a corporation in the affairs of a stockholder."

Thus it seems apparent that the principle of applying parallel limitations upon management whenever such limitations are imposed on labor unions is completely without justification. As a matter of fact an examination of existing legislation demonstrates conclusively that the degree of regulation, restriction, and limitation imposed by the Federal Government on business enterprises is far in excess of that which is imposed on labor unions. In contrast, labor unions are more or less unregulated by the Federal Government and enjoy privileges and immunities which business enterprise does not enjoy.

Thus both management and labor unions are regulated in their labor relations under the Labor-Management Relations Act of 1947 (Taft-Hartley Act) and the Railway Labor Act. On the other hand, business enterprise, in its various aspects, is regulated by the Department of Justice under the antitrust laws, by the Federal Trade Commission, the Interstate Commerce Commission, the Securities and Exchange Commission, the Federal Communications Commission, the Federal Power Commission, the Civil Aeronautics Administration, and the Civil Aeronautics Board. The Department of Labor regulates business enterprise under the Fair Labor Standards Act with respect to minimum wages, overtime, and child labor, as well as under the Davis-Bacon Act, the Walsh-Healey Public Contracts Act, the Copeland Antikickback Act, and the 8-hour laws. With respect to all of this regulation of business, there is no equivalent or similar regulation of labor unions. To the contrary, the statutes administered by the Department of Labor, which I have just enumerated, not only regulate business but do so on behalf of labor.

The Federal Government regulates business activity in many of its other aspects. For example, maritime affairs, meat and poultry inspection, food and drug inspection, mining operations, banking, insurance, veterans' affairs, foreign operations, and so forth. The Government Contract Committee prohibits employers who are parties to Government contracts from engaging in discrimination against employees or applicants for employment because of race, creed, sex, or national origin, but there is no similar requirement with respect to admission to membership in the labor unions which bargain collectively with these Government contractors.

There are two statutes regulating labor unions, the Lea (Anti-Petrillo) Act and the Hobbs (Antiracketeering) Act. On the other hand, employers are regulated by the Byrnes (Antistrikebreaker) Act.

When it comes to immunities, business enterprises enjoy none while labor unions enjoy many. The latter are immune from the Federal income tax and similar taxes in a number of the States. Only employers pay the unemployment compensation tax, the railroad unemployment insurance tax, and the payments required under workmen's compensation laws by both Federal and State Governments. Unions are not subject to the Federal antitrust laws and have substantial immunity from the granting of injunctions against them by the Federal courts under the Norris-LaGuardia Act and in some States which have little Norris-LaGuardia Acts.

Among the additional privileges and immunities enjoyed by labor unions are the following:

1. The Federal Government in the Taft-Hartley Act specifically guarantees them against interference with their internal affairs, nor are they required to be incorporated under either State or Federal law. Corporations on the other hand owe their existence to State corporation law and their activities are limited to the provisions of their corporate charters which are required to be in conformity with State law.

2. Labor unions have immunity against the misconduct of their members who are engaged in union activity as, for example, strikes and picketing. This kind of immunity is not possessed by other types of unincorporated associations.

3. Labor unions enjoy the right to bargain exclusively for all the employees in the unit, including those employees who are not members and even those who are strongly opposed to the union. This can mean, as it often does, that a union selected as the bargaining agent by a few as 25 percent of the employees in the unit becomes the bargaining spokesman for all the employees.

4. Labor unions are not subject to anything smaller or equivalent to suits by minority corporate stockholders against their corporations.

5. Through collective bargaining contracts labor unions may require union membership as a condition of continued employment although employers are forbidden by law to require nonmembership in a union as a condition of employment.

6. Unions enjoy a right to strike without either the union or its members being penalized therefor. If the strike results from the employer's unfair labor practice, the strikers cannot be replaced. The employer does not have any equivalent right to engage in a lockout, except in two types of situations, both extremely rare and both of minor significance. All other types of lockout are illegal under the Taft-Hartley Act.

7. The prohibition imposed on unions by the Taft-Hartley Act against restraint and coercion of employees is limited to physical violence, direct economic coercion or to threats of either of these two types of conduct. On the other hand, the prohibition imposed on employers under the act is against interference as well as restraint and coercion, and goes far beyond the violence and direct economic coercion which is forbidden to unions.

8. When management discriminates against an employee in violation of the Taft-Hartley Act, the Board may issue not only a cease-and-desist order but may require the employer to reinstate such employee and to pay him backpay as well. These remedies are in substance sufficient to take care of most of the unfair labor practices committed by employers and to restore employees to the status they would have enjoyed if the unfair labor practice had not been committed. Unions, on the other hand, even though they may engage in illegal conduct which results in loss of pay for employees, are not required to compensate employees for such loss, except where the union itself was responsible for causing an employer to discriminate. Thus an illegal mass picket line where picketing denies access to the plant to employees who wish to continue to work and which as a result causes such employees to lose pay is not the type of misconduct which the NLRB has required the offending union to remedy by compensating the employees for loss of such pay, but an employer must compensate for loss of pay suffered by locked-out employees.

9. Unions have the right under certain circumstances to examine an employer's books and records in the course of collective bargaining. The employer has no equivalent right.

10. Labor unions in many situations have a legal right of access to the employer's property, the right to compel the employer to make his property available for use by the union, and the right to invade the privacy of employees who are not union members and sometimes even against their wishes. Employers enjoy no equivalent or similar rights.

TRIBUTE TO BARROW LYONS

Mr. NEUBERGER. Mr. President, the death of Barrow Lyons will leave a vacuum in the ranks of those persons with strong convictions who strive for conservation and wise use of our natural resources. During the innumerable controversies over resource policies, Barrow Lyons could always be found on the side of the people.

His dedication to the public interest was reflected in his authoritative book, "Tomorrow's Birthright," which was published in 1955. I had an opportunity to review Barrow Lyons' book for the magazine, The New Leader, and I was moved to comment on the thoroughness of his research and his insight into sound policies needed to assure the use of our Nation's resources for future generations.

Barrow Lyons will also be remembered for the talent and energy he contributed in the struggle over construction of a high dam at Hells Canyon by the Federal Government. At a time when there was generally little understanding of the issues at stake, Mr. Lyons worked tirelessly to explain the reasons why the dam should be built by the Federal Government in articles and news stories. Although he crusaded for many causes involved in bitter debate, Mr. Lyons never let himself become involved in personal invective or acrimony. Facts were his basic weapon. Those who have worked alongside the late Barrow Lyons will long cherish his fine human qualities.

I ask unanimous consent to include with my remarks an obituary from the New York Times of April 6, 1959, describing the career of Barrow Lyons.

There being no objection, the obituary was ordered to be printed in the RECORD, as follows:

BARROW LYONS, 69, LED NEWS SERVICE—INDEPENDENT FEATURES HEAD IN CAPITAL DIES—EX-AIDE OF RECLAMATION BUREAU

WASHINGTON, April 6—Barrow Lyons, a newspaperman and former Government press officer, died of a heart attack yesterday in his home here. He was 69 years old.

For the last 2 years Mr. Lyons had been manager of his own syndicate, The Independent features service, distributing Washington news analyses to magazines and weekly newspapers throughout the country.

Mr. Lyons, a native of New York, graduated from Dartmouth College. He had been a reporter and copy editor on the New York Times, the New York Post, the Baltimore Sun and the Christian Science Monitor. Before coming here in 1938, he had been financial news editor of Newsweek magazine.

In Washington, Mr. Lyons did research on small business for the Temporary National Economic Committee and later became an information specialist on war finance with the War Production Board. During most of the war period, he wrote a column for the Western Newspaper Union, which serves about 1,000 weekly newspapers.

Mr. Lyons had been press officer of the Reclamation Bureau of the Interior Department from 1944 to 1952. He wrote the book, "Tomorrow's Birthright," a study of conservation.

He leaves his wife, Ruth; two daughters, Mrs. Robert W. Hedges and Mrs. Jean Lenauer, both of New York; a brother, Dr. L. V. Lyons, also of New York, and three grandchildren.

PROPOSED OREGON DUNES NATIONAL SEASHORE

Mr. NEUBERGER. Mr. President, in view of the widespread interest in the bill for an Oregon Dunes National Seashore, I ask unanimous consent to have printed in the body of the RECORD an editorial entitled "Take It Easy," published in the Eugene, Oreg., Register-Guard of April 8, 1959, and an editorial entitled "Water, Park Need Thought," published in the Coos Bay World of April 1, 1959.

The editorials from these two influential Oregon newspapers are thoughtful, restrained, and fair and moderate in their approach. The writers of the editorials obviously realize that it is my intention, in sponsoring the national seashore bill, to augment the magnificent Oregon seacoast as a tourist attraction and not to detract from any industrial or economic possibilities.

I subscribe to the words of caution in the editorial from the Register-Guard, which warn residents of the seacoast area not to be misled by those who would exploit selfishly priceless scenic resources which should be protected for future generations of Americans to see and enjoy.

After all, every great national park has usually been opposed by a few shortsighted local interests. Yet, the national park, once established, has generally been a bonanza in the thousands of tourists and sightseers it always has attracted.

Also, I ask consent to have printed in the RECORD an informative article written by Mr. Malcolm Bauer, of the Oregonian, which reports on a public meeting held in Reedsport on April 12 for a discussion of the seashore recreation area proposal. Mr. Bauer is associate editor of the Oregonian.

There being no objection, the editorials and article were ordered to be printed in the RECORD, as follows:

[From the Coos Bay World, Apr. 1, 1959]

WATER, PARK NEED THOUGHT

U.S. Senator DICK NEUBERGER'S proposal for a national park in the sand dunes areas of Douglas and Lane Counties, and at the fabulous Sea Lion Caves of Lane County, is great—with the single exception of doubts about future industrial use of the dunes' potential water reservoirs.

Existence of a national park would do much to promote further tourist travel along the Coast Highway. Acquiring the touring dollar, no one needs to be told, is becoming one of Oregon's major industries. This is particularly true along our coast. It is an exceptionally clean dollar, too, being founded on fun, enjoyment, and recreation.

One must hope, however, that Senator NEUBERGER and other backers of the park idea will lend a serious ear to those who are lukewarm about a national park because of

possible hindrance of industrial development.

One hopes that park legislation, if such comes to pass, will take into account the possibility of developing water resources for industry. Industry is, after all, another crying need for this whole State, and especially for this section of the State.

An example of what we mean is found in the sand dunes area across Coos Bay from North Bend. This is not part of the area which Mr. NEUBERGER proposes for the park, but it is in many ways similar scenically and geologically to the Douglas and Lane stretches of beach and dunes which would be in the park.

Pacific Power & Light Co. has spent over 2 years developing deep wells in the dunes, proving out the possibility of an industrial water supply suitable for use in making pulp. P.P. & L. hasn't said anything officially yet about its findings, but if it is supposed to be secret, it is a very poorly kept secret that there is bountiful water for one or more large pulp mills here on the bay, and having proved existence of water, the power company is now in the process of selling a pulp mill here to three separate corporations, one of which will buy the idea in a short time.

To the north, the people have noticed this development.

Many businessmen and industrialists realize water found in the Coos County dunes may also be present in dunes near them. The water-starved Oregon coast may have a partial answer here to its industrial water problem.

The proposed park has quite naturally thrown some fear into industry on this score. It is a fear which park proponents can overcome by protecting the dunes as a source of water, whether they are included in a national park or not.

We recommended this for study to Mr. NEUBERGER and other park proponents, who, with the exception of the water problem, have proposed a noble idea.—F.W.A.

[From the Eugene (Oreg.) Register-Guard, Apr. 8, 1959]

TAKE IT EASY

The people of western Lane and Douglas Counties are understandably interested, even concerned. They want to know more about this proposal to create an Oregon Dunes national seashore in their backyards. However, too many of them are screaming before they're hurt. We have seen no evidence that anybody intends to ride over them roughshod, even if they could.

In Reedsport Sunday, a representative of the park service will be on hand to answer questions and to explain further what the proposed park status will mean to businessmen and others in the Florence-Reedsport area. It would be well to wait, at least until then, before opposing the park idea.

From here, it appears as if some citizens have been taken in by persons whose motives are questionable and whose tactics are quite transparent. We speak of those who stand to turn a fast buck by speculating in some of the land the Government might want for park purposes. Given a choice between a national park and a row of townlots, they'll take the profitable townlots any day, not because they represent the wisest development of the area, but because they are profitable.

Others of the area, like those of us who live inland, should take a broader view. We should not let ourselves be aroused by the high-sounding protestations of those who are scrambling to salvage their own dreams of easy money. Rather we should withhold judgment until more of the facts are in.

These things take time. There is no chance of there being a national reserve over there for at least 3 years, and probably for much longer than that. All points of view will have a chance to be heard.

This proposal should be recognized for what it is—a proposal in which the park service is interested. That, and no more. The service, now deep into its "Mission 66" program of refurbishing worn out parks, is reluctant to take on new responsibilities until it can live up to the ones it has inherited. Far from moving too quickly to establish a park area in Oregon, the service is likely to move with the greatest deliberation. This is no time, by irresponsible alarms, to discourage establishment of a park that we may someday wish we had.

[From the Oregonian, Apr. 13, 1959]

PUBLIC OPINION DIVIDED ON COAST PARK PLAN

(By Malcolm Bauer)

REEDSPORT.—Public opinion is sharply divided in central Oregon coast communities over the merits of a proposal to establish a 35,000-acre national seashore recreation area between the mouths of the Siuslaw and Umpqua Rivers.

This was apparent here Sunday afternoon as 150 persons crowded into a room in Reedsport High School to hear an explanation of the plan from officials of the National Park Service headed by Dan H. Thompson, Chief of Recreation Resource Planning in the National Park Service headquarters in Washington, D.C.

APPLAUSE GREETS FORESTER

Loud applause greeted the statement of George Harrington, resident forester at the Crown-Zellerbach Tahkenitch Tree Farm, that recreation development in the area should be left to local and State governments. He said several Oregon payrolls depended on lumber produced on the tree farms' 10,000 acres, 3,000 of which are included in the area suggested for Federal development.

There was also generous applause for Martha Ann Platt, 2738 Northeast 14th Avenue, Portland, who supported the recreation proposal as incorporated in Senator RICHARD L. NEUBERGER's Senate bill 1526. Speaking as vice president of the Oregon Audubon Society and conservation chairman of the Mazamas, she said "a national park label" would attract many tourists.

William E. Walsh, Coos Bay, ex-president of the State senate, presided at the hearing which he described as an information session not a debate.

QUICK ACTION URGED

"If we are going to have a national park in this area," Walsh said, "the sooner we can have it the better."

A second such session will be Monday at 8 p.m. at the junior high school in Florence.

The following points were developed by Thompson and other NPS officials in response to questions, principally from Orin Collier, Reedsport lawyer, speaking for the Port Umpqua Chamber of Commerce.

1. The study area which may or may not coincide with the boundaries drawn for the national seashore recreation area contain: 13,115 acres of Federal land including national forest, 522 acres of State-owned land (Jesse M. Honeyman State Park), 320 acres of county-owned land, 14,963 acres of privately owned land and 4,250 acres of freshwater lakes (Cleawox, Siltcoos, Woahink).

CONSULTATION PROVIDED

2. Boundaries will not be established (by the Secretary of the Interior) without full consultation with local officials and consideration of local public opinion.

3. There is no provision for the direct reimbursement of taxing units for revenue loss by conversion of private property to public use, but, in Thompson's view, "the recreation area should produce far more revenue than ever received from taxes." He said that 2,500,000 annual visitors to the Great Smoky Mountain National Park, spent an estimated $28 million for services in the immediate vicinity of the park.

4. It is intended to depend for services on establishments outside the recreation area. Commercial properties within the area generally would be acquired by the Government.

RESIDENCES APPROVED

5. Private residences would also be bought. In some cases, the Government would agree to a life tenancy by the owner, but the latter could not leave the property to his children. The tenant would not have to pay rent during his life tenancy.

6. The National Park Service would try to acquire property by negotiation. It would use the extreme course of condemnation only to clear a title, to prevent undesirable uses or to gain property for a specific official facility.

7. Thompson roughly estimates the cost of property acquisition in the "study area" at $3 million.

8. State and Federal highways such as Highway 101, would remain in their current status; there would be no toll or special regulation even though they should run through the area. County roads would probably be taken over by the parks service.

9. Fishing would be allowed; the parks service prefers no hunting of game, except perhaps of migratory wildfowl under State regulations.

10. Initially, the recreation area would be operated by a permanent staff of about 10 persons and an additional seasonal staff of from 10 to 15.

11. Construction work is by bid and in the experience of the park service, local contractors usually can bid lowest.

12. There would be no change in the status of Honeyman State Park.

A. J. Meyer, general manager of the Gardiner branch of International Paper Co., made a brief statement opposing the project because of lack of information on its possible effects.

FEDERAL PLAN FAVORED

An officer of the Port Umpqua Chamber of Commerce, who preferred to remain anonymous, told this reporter that it was his belief that sentiment in his organization favored the Federal program. The contrary was the case, he said, in Florence, the site of Monday night's hearing.

The National Park Service attitude was summed up by Herbert Maier, associate regional director of the NPS with headquarters in San Francisco: "We have to think big, not small," he said. "A mere strip of beach is not enough. A certain amount of upland area is needed for services and also as a buffer."

The area has 24 miles of coastline and varies in depth from the beach from about 1 to 6 miles. The plan incorporates the Sea Lion Caves, a private enterprise 12 miles north of Florence, but no issue on that property was raised at the hearing here.

COMPETITIVE BID CONTRACTS

Mr. WILLIAMS of Delaware. Mr. President, recently I introduced S. 1383, a bill which provides that the Federal Government in awarding contracts for national defense or for civilian goods must award these contracts on a competitive bid basis with the contracts then going to the lowest responsible bidder.

Exceptions were made only in those instances wherein the advertisement for public bids would not be feasible from a national security standpoint.

In introducing that bill I quoted from a report from the Comptroller General which had been submitted to the Congress on January 20, 1959, wherein he called to our attention a specific case in

which the Government had paid over $6 million more than would have been paid under the same contract had the proper business procedures been followed.

To emphasize the urgent need for the enactment of this type of legislation, I am today calling attention to another report recently submitted by the Comptroller General, wherein another $1 million was unnecessarily being expended.

This report involves a Department of the Air Force contract with the Avco Manufacturing Corp., Crosley Division, of Cincinnati, Ohio. In rendering this report, the Comptroller General said:

> An excessive price was negotiated for contract AF 33(600)-31100 because the Air Force accepted more than $1 million of recorded costs which the contractor included in error in its pricing proposal.

This was a negotiated cost-plus contract. When the Comptroller General made his audit, it was found that the contractor had included in the recorded costs of $13,331,769 more than $1 million representing the cost of excessive quantities of several component parts which had been purchased and charged against this contract. These components were not required for use on this contract, but they were actually acquired by the same contractor for use in performing under another fixed-price contract with the same department. For example, 15 turrets were required for performance under contract AF 33(600)-31100, but the contractor included 47 turrets in recording costs for the same cost-plus negotiated contract. This resulted in the Federal Government's being charged excess costs of more than $900,000 for these turrets alone. Additional errors of approximately $100,000 in recording costs of other materials against this same contract were found, bringing the total to in excess of $1 million.

It should be remembered that these extra purchases of component parts, which were being charged to this cost-plus fixed contract and which were not needed, actually meant that not only was the cost of the contract raised by $1 million, but also had the error not been corrected the contractor would have received the normal 10 percent profit on the error.

Furthermore, the major portion of these $1 million parts which were bought in excess of the requirements and charged against this cost-plus contract actually were used on another contract which the Avco Manufacturing Co., had with the U.S. Government at the same time—only the second contract was a fixed-price contract.

Simply stated, the company through this claimed error charged $1 million of their own costs on a fixed-price contract to a cost-plus contract.

There was no reason whatever why both these contracts could not have been awarded on a competitive bid basis with all companies being allowed to participate, thereby not only eliminating the $1 million error but also probably reducing substantially the cost of the original contract.

The Air Force and the contractor have agreed upon the overstatement of the original price in the amount of $1,133,510, and the contractor has accordingly refunded this amount to the U.S. Government. The point is, however: How many such contracts are there which have not been audited and upon which errors have not been found?

To further emphasize the need for mandatory competitive bidding I call attention to the fact that the Department of Defense is now refusing to give the Comptroller General access to adequate information whereby his office can review many of the contracts. The Comptroller General claims that this permission is being denied his auditors even when the contracts in question are unclassified contracts. For instance, they have been refused access to the reports of the Inspector General of the Air Force covering the study of the ballistic missile program.

Congress has appropriated billions of dollars to our national defense departments, but it is physically impossible for us in Congress to examine each of these contracts; however, Congress does have in the Comptroller General's office an agency whereby the expenditures of all of these departments can be audited.

Unless this arbitrary ruling on the part of the Defense Department denying the Comptroller General access to adequate information for auditing all of these unclassified contracts is reversed, there is no manner in which Congress can know what is being done. I shall insist, as one Member of the U.S. Senate, that the Comptroller General be given full and unrestricted authority to audit the expenditures of any agency of the U.S. Government, and I join others in asking for a reversal of this ruling and for the passage of my bill.

SHASTA DAISY PROPOSED AS NATIONAL FLOWER

Mr. HUMPHREY. Mr. President, I have received a most delightful letter from the third grade class of Baywood School in San Mateo, Calif., in which these youngsters movingly state their case for the choice of the Shasta daisy as the national flower. They point out that like our country, the Shasta daisy was once small and wild but with work and patience it has become a lovely flower; that the white of its petals is symbolic of purity; that its center is a big heart of gold like the people of our country, and that its many petals might represent our 50 States.

Mr. President, these arguments have touched me so much that if I were not already committed to the corn tassel, I would be tempted to join with the third grade of Baywood School and urge the adoption of the Shasta daisy as our national flower. I ask unanimous consent that this letter be printed in the CONGRESSIONAL RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

Hon. HUBERT H. HUMPHREY,
Senate Office Building,
Washington, D.C.

DEAR SENATOR HUMPHREY: Our class studied about Luther Burbank, the plant wizard. He was a great man. He loved living things. He knew more about plants than any other man in the world. He gave the world more than 3,000 new fruits, vegetables, and flowers. One of the flowers he created was the beautiful Shasta daisy.

Because we feel that there should be a reason for the choice of our national flower, we think that the Shasta daisy created by a great American would be a good choice.

Besides being an American flower the Shasta daisy is hardy, simple but beautiful, blends well with all colors, grows everywhere, and keeps well when cut.

Like our country the Shasta daisy was once small and wild but with work and patience it has become a lovely flower. The white of its petals is symbolic of purity and its center is a big heart of gold like the people of our country. Its many petals might represent our 50 States. We hope you will consider the Shasta daisy as a national flower.

Sincerely,

LORNA PICKRELL,
Class Representative, Third Grade, Baywood School, Alameda and Kentucky, San Mateo, Calif.

LATIN AMERICAN POLICY AND THE VISIT OF FIDEL CASTRO

Mr. HUMPHREY. Mr. President, at 7 o'clock this evening Fidel Castro, one of the most controversial figures of our time, will arrive in Washington. One thing is certain about Dr. Castro: To millions of Cubans he symbolizes their hope for a better life.

What we are witnessing in Cuba is a revolution with a capital "R." The Cubans want an end to miserable poverty on a beautiful island whose soil and climate could be extraordinarily fruitful. There is a determination to break their economy's dependency on a single crop—sugar—with its uncertain world markets and its seasonable unemployment. And there is a pent-up mass hunger for land, understandable in a country where less than one-tenth of 1 percent of the farmers own one-fifth of all agricultural land, and 8 percent own 70 percent of the land. Cubans also want an end to an almost unbroken chain of election frauds, nepotism, and graft which have constantly frustrated their hopes for competent, responsive, and responsible government.

Dr. Castro's task of realizing such a social revolution in a country whose feudal roots go back over four centuries is immensely more complex than his amazing defeat of a modern, well-equipped army. He has surrounded himself in his cabinet with a number of honest, capable men, several of whom are accompanying him to Washington.

Dr. Castro's labors are complicated by the machinations of the international Communists. It is pertinent to recall that the Communists have a long history in Cuba. Trained party organizers furnished much of the leadership in establishing labor unions after the overthrow of the brutal Machado dictatorship, in 1933. Subsequent Cuban Governments, including that of Batista, found it convenient to "play ball" with the Communists. The outlawing of Communist activities in 1952 drove them underground. After the overthrow of Batista, the Communists have emerged as the single most organized, disciplined political force in the country. In Cuba,

as elsewhere, they have sought to identify themselves with the reforms of the revolution.

The Communists are trying to maneuver us into appearing to be opposed to the aims of the revolution. In this, their task has been facilitated by the almost universal resentment in Cuba of our military aid to Batista.

We must admit in all candor that the future in Cuba is uncertain. The great majority of the Cuban people want an authentic national revolution. It should be our policy to be sympathetic to their aspirations, and to let them know, through Dr. Castro and the team who accompanies him that the Cuban people can count on us for understanding and help.

Cuba is a part of a larger picture which extends in one form or another all the way from the Rio Grande to Tierra del Fuego. It is imperative that we understand what is occurring today in Latin America, if we are to formulate an effective Latin American policy. Anticommunism is not enough. We must forcefully demonstrate what we are for.

Our gravest error has been a misreading of the revolutions gripping the region. Some people are prone to dismiss Latin American revolts as mere changes in the palace guard, while others see Communist influence in every upheaval. These stereotypes can be our undoing.

Today, the nations to the south are in the midst of an epic social revolution. We and the Communists have vied with each other in telling people the world over that they no longer have to live out their lives in hopeless misery. The peoples of Latin America took us at our word.

They want an end to semi-feudal conditions in which 5 percent of the population owns from 80 to 90 percent of the land; in which a handful of nations and foreigners live in luxury, while the majority live in squalor; in which disease strikes down their children, and hunger and ignorance perpetuate their slavery; in which the wealthy minority join with the army to keep things just as they are.

Many thousands of Latin Americans have risked exile, imprisonment, torture, and death to achieve responsible governments, responsive to the needs of their people. These courageous people usually come from the classes that produce political leadership—namely, students, union leaders, and professional and businessmen. The rash of revolutions that toppled tyrannies in Argentina, Colombia, Venezuela, and Cuba attests to their determination to achieve freedom and bread.

THE LATIN AMERICAN IMAGE OF THE UNITED STATES

In the midst of that upheaval, which we—above all other people—should be able to understand and to sympathize with, the United States has somehow managed to appear callous and indifferent. While we have eagerly sought Latin American support to stop the spread of Communist tyranny, we have demonstrated a peculiar nonchalance toward despotisms of the home-grown variety.

Our Government has pinned medals on notoriously corrupt and brutal dictators, invited Venezuela's ruthless secret-police chief to the United States to study FBI methods, sent a warm message of official condolence at the assassination of the tyrant Somoza, when the Nicaraguan people themselves were secretly rejoicing, and kept a stream of armaments flowing to Batista long after it had become apparent that he was using them against his own people, contrary to the stipulations of our defense treaty.

The Communists, of course, are getting a lot of mileage out of such errors. But we must face the fact that our own actions, not Communist propaganda, have created throughout Latin America an image of the United States as a nation selfishly engrossed in defending its own freedoms, but heedless of the aspirations of others.

A NINE-POINT PROGRAM FOR IMPROVING LATIN AMERICAN RELATIONS

Latin America, as population zooms, as industrial development spreads, and as hope and impatience mingle, is going to be a cauldron of competing political ideologies. We should welcome this development, not fear it.

In no region of the world have we deeper historical traditions to build upon. It was with the Latin American Republics that we first developed the idea of regional cooperation. The bold idea of mutual cooperation to attack disease, illiteracy, and poverty was born within the inter-American family. These are the people who wept unashamedly when Franklin Delano Roosevelt died.

Today in Latin America there are many leaders who understand and admire our democratic system, and want to develop something comparable in their own countries.

Our traditions of individual freedom and concern for ordinary human beings were once the cornerstone of our successful Latin American policy. Today, to Latin Americans, these much-admired beliefs seem to stop at the border. While we caution our neighbors about Communist activities and Communist infiltration, we appear peculiarly cold toward the Latin Americans' yearning to achieve genuine civil liberties.

The recent steps taken by the administration to repair our tottering Latin American policy should be applauded. They are steps in the right direction, but they will not be enough if the escalator of history is going faster in the opposite direction. We must replace our massive indifference to Latin American aspirations with massive cooperation.

The Latin American situation cries out for imaginative, long-range planning, rather than the hurried, patched-up measures after an explosion has occurred.

A coordinated program on the order of the Marshall plan would give the Latin Americans new hope of attaining bread and freedom. The possibilities of such an effort should be explored carefully, not primarily as an anti-Communist stratagem, but because it is good for Latin America and for the United States. We should not be ashamed of our humanitarian tradition, nor should we be embarrassed if humanitarian and security objectives sometimes coincide with our national policy.

In conclusion, I should like to propose a nine-point program for improving United States-Latin American relations. I believe this program is realistic, workable, and in harmony with the best interests of our country and of our 20 sister republics.

First. The United States should increase the volume of its economic aid in support of Latin American efforts to develop diversified and viable economies, so they will not be dependent, as they now are, on a few commodities. Requests for loans from the Development Loan Fund and the Export-Import Bank should be dealt with expeditiously and sympathetically. We should cooperate fully with the new Inter-American Development Institution. The proposed corps of technical experts within the Institute could help the smaller, inexperienced countries draw up coordinated development plans.

Second. The United States should accelerate and strengthen its program of technical assistance in agriculture, health, education, vocational training, and public administration. The time has come to recapture the original fervor of President Truman's bold new program which was widely hailed in Latin America when it was first announced a decade ago.

Third. The United States should support vigorously the current moves within Latin America to establish regional markets. Elimination of inter-American trade barriers would broaden markets for Latin American products and would make low-cost manufacturing feasible. Both are indispensable prerequisites to diversification and economic growth.

Fourth. The United States should review its trade and tariff policies as they affect imports from Latin America. It is self-defeating for us to provide economic assistance with one hand, and then take it away, with the other, by shortsighted trade restrictions. If policies designed to strengthen our trade with Latin America cause hardship to any domestic industry, the Government has a responsibility to aid those so affected. In the Senate, I recently cosponsored an amendment to the Area Redevelopment Act (S. 722) to make such aid possible; but, unfortunately, it did not pass the committee stage.

Fifth. The United States should give wholehearted support to the health programs under the direction of the Pan American Sanitary Organization. Widespread disease which stalks Latin America is a tremendous economic drain as well as a human tragedy. Investment in health is perhaps the cheapest, most effective investment we can make in the future of the Western Hemisphere.

Sixth. The United States should develop a bold and imaginative program of student and cultural exchange.

We need to reexamine our methods of screening Latin American scholarship recipients. Too frequently the test has been the friendliness of the recipient toward the United States. Young Latin Americans of so-called leftist tendencies

have been excluded, when they are often the very ones who would benefit most from the program.

Seventh. The U.S. press, radio, and TV networks should give wider and better balanced news coverage of Latin American affairs. This, of course, is something our Government can do little about. But it is essential that the American people have a continuous report and interpretation of Latin American developments if they are to understand the magnitude of the problems in that region and what we are being asked to support. When news of revolutions and executions dominate our newspapers, it is hard for the American taxpayer to form an understanding of the underlying realities in the 20 American Republics, and of our interest in them.

Eighth. The United States should thoroughly reappraise its military assistance program in Latin America. What we have given one nation for hemispheric defense has often provoked demands by another for an equal amount of aid. Great care should be taken not to encourage this type of arms race, which Latin American governments can ill afford. We should give greater attention to the coordination of military policy and strategy in the hemisphere. This might well result in a decrease in the requirements of national military establishments.

Further, our military assistance to certain dictatorial governments has raised the question of whose freedom those governments are defending. The use by Batista of U.S.-supplied armaments against his own people, contrary to stipulations of our defense treaty, has greatly damaged U.S. prestige throughout Latin America. It makes little sense to speak of hemispheric defense while arming a tyrant who uses weapons to intimidate his own people.

Ninth. The United States should lend its support to the idea of regional arms control. Last year Costa Rica submitted such a plan to the Organization of American States, and received nominal support from the U.S. delegation. Our Government should now press for the consideration of the Costa Rican plan, or some similar project, at the 11th Inter-American Conference to be held at Quito next year.

The quality of our overall policy toward Latin America will be determined not only by what we do, but by how we do it.

Unless we pursue our policies with a genuine interest in the welfare of our fellow human beings, they will do little to heal our wounded inter-American relations. The steps already taken by the Department of States, many of them complete reversals of former policy, will avail us little if they are done reluctantly and only under Latin American pressure.

We must, if we are to recapture the warm bonds of friendship which characterized the best days of the good neighbor policy, breathe into inter-American cooperation that intangible spirit which then characterized our relations—a deep-rooted conviction that the Western Hemisphere can, indeed it must, be a new world where freedom and opportunity flourish.

Let us hope that we will be able to convey our deeply felt, best wishes to Fidel Castro and the Cuban people for the full realization of their aspirations for a democratic and progressive Cuba.

ADDRESS BY THE VICE PRESIDENT BEFORE THE ACADEMY OF POLITICAL SCIENCE

Mr. AIKEN. Mr. President, on Tuesday evening, April 14, the Vice President delivered a very important address before the Academy of Political Science in New York. This address should be of great interest to everyone who is interested in devising a means for the settlement of international disputes.

I ask unanimous consent to have the Vice President's address printed in the body of the RECORD.

Mr. JAVITS. Mr. President, will the Senator yield to me on that point for a moment?

Mr. AIKEN. Yes. First I should like to have consent to have printed an editorial from the New York Times of today relating to the address.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. AIKEN. Now I yield to the Senator from New York.

Mr. JAVITS. I had hoped to have the privilege of introducing the address for the RECORD, but only one of us can do so. I thought the address was a vital statement of policy and position, and we are delighted that the address was delivered in New York City. I want to commend my colleague for putting it into the RECORD.

Mr. AIKEN. I am sure it will be of great interest, as I stated, to everyone who is concerned with devising a means for the settlement of international disputes and misunderstanding of agreements between countries.

There being no objection, the editorial and address were ordered to be printed in the RECORD, as follows:

[From the New York Times, Apr. 15, 1959]

FOR A WORLD OF LAW

An important and far-reaching proposal for realizing the guiding ideal of both the United States and the United Nations was made by Vice President NIXON in his speech before the Academy of Political Science.

The ideal, long proclaimed by American statesmen, in particular President Eisenhower, and embodied in the United Nations Charter, is to establish a peaceful world in which the rule of force will be replaced by the rule of law.

To that end Mr. NIXON proposes to elevate the International Court of Justice at The Hague to a real Supreme Court of the world with far wider jurisdiction and employment in international disputes and with the power to make binding decisions especially in cases involving differing interpretations of international treaties and agreements that have been a dominant element in the conflict between the free world and the Communist bloc. Under his plan this latter power would be spelled out in all future international agreements, which would provide both for submission of any dispute arising from their interpretation to the court and for pledges by the signatory nations to be bound by the court's decisions.

Mr. NIXON characterized his proposal as still unofficial. But he has wide administration backing for it and, in line with President Eisenhower's state of the Union message, forecast administration recommendations to Congress to give effect to it by modifying American reservations as to the court's jurisdiction which set a pattern for other nations.

The International Court of Justice, consisting of 15 international jurists elected by the United Nations General Assembly and the Security Council, is already "the principal judicial organ of the United Nations." As such it is charged with helping to bring about "conditions under which justice and respect for the obligations arising from treaties and other sources of international law" shall prevail. But it has been unable to do much toward that goal, first because it can deal only with cases voluntarily submitteed to it by both parties, which has meant about two cases a year, and second because it has no enforcement powers of its own, such enforcement being left to the paralyzed Security Council.

By giving special recognition to the Court and its functions and powers in future treaties, Mr. NIXON's proposal would go far in remedying some, if not all, of these weaknesses. International disputes would still have to be settled in the main on a political basis by negotiations and conferences, but the court could still give far greater moral authority to any resulting agreements and thereby help not only replace force by law but also mitigate the balance of atomic terror that now keeps the peace.

But to enable it to do so it will still be necessary to arrive at common standards and a generally accepted language in which words will mean what they say and mean the same to all parties. That will be no easy task in a world in which the Communists regard law and morality as merely an instrument for the destruction of their opponents and twist words into their opposites, so that in their jargon slavery becomes freedom, dictatorship becomes democracy, oppression becomes respect for human rights, and new conflicts are snatched out of thin air, as in the Berlin crisis. But any progress in rectifying this situation is welcome, and Mr. NIXON'S proposal deserves both study and support.

TEXT OF ADDRESS BY THE VICE PRESIDENT OF THE UNITED STATES BEFORE THE ACADEMY OF POLITICAL SCIENCE, NEW YORK, N.Y., APRIL 13, 1959

An invitation to address this distinguished audience is one of the most flattering and challenging a man in my position could receive.

Flattering because the very name of this organization at least implies that the profession which I am proud to represent can properly be described as a science rather than by some of the far less complimentary terms usually reserved for politics and politicians.

And challenging because I realize that an Academy of Political Science expects a speech of academic character. I hasten to add, however, if it is proper to quote a Princeton man at a Columbia gathering, that in using the term academic I share Woodrow Wilson's disapproval of the usual connotation attached to that word. Speaking on December 28, 1918, in London's Guildhall he said: "When this war began a league of nations was thought of as one of those things that it was right to characterize by a name which, as a university man, I have always resented. It was said to be academic, as if that in itself were a condemnation, something that men could think about but never get."

In my view, the primary function of the practicing politician and of the political

scientist is to find ways and means for people to get those things they think about; to make the impractical practical; to put idealism into action.

It is in that spirit, that I ask you to analyze with me tonight the most difficult problem confronting our society today. It is, as I am sure we will all agree, the simple but overriding question of the survival of our civilization. Because while none of us would downgrade the importance of such challenging problems as the control of inflation, economic growth, civil rights, urban redevelopment—we all know that the most perfect solutions of any of our domestic problems will make no difference at all if we are not around to enjoy them.

Perhaps at no time in the course of history have so many people been so sorely troubled by the times and dismayed by the prospects of the future. The almost unbelievably destructive power of modern weapons should be enough to raise grave doubts as to mankinds ability to survive even were we living in a world in which traditional patterns of international conduct were being followed by the major nations. But the threat to our survival is frighteningly multiplied when we take into account the fact that these weapons are in the hands of the unpredictable leaders of the Communist world as well as those of the free world.

What is the way out of this 20th century human dilemma? For the immediate threat posed by the provocative Soviet tactics in Berlin, I believe that to avoid the ultimate disaster of atomic war on one hand, or the slow death of surrender on the other, we must continue steadfastly on the course now pursued by the President and the Secretary of State.

In the record of American policy, as it has unfolded since the time of Korea, our national resolves to stand firm against Communist aggression are clearly revealed. This has particularly been the case since the policy of containment matured into the policy of deterrence. In the recurrent post-Korean crises of the Formosa Straits, the Middle East, and now Berlin, the President, and Mr. Dulles have given the Soviet leaders no possible cause to misconstrue the American intent.

I believe moreover that the Soviet leaders are equally on notice that regardless of which political party holds power in Washington these policies of resolute adherence to our principles, our commitments and our obligations will prevail. I specifically want to pay tribute to members of the Democratic Party in the Congress for putting statesmanship above partisanship by making this clearly evident in the developing situation of Berlin.

We can also take confidence in the fact that at this moment the United States possesses military power fully adequate to sustain its policies, and I am certain that whatever is necessary to keep this balance in favor of the free nations and the ideals of freedom will be done, by this administration and by its successors regardless of which political party may be in power.

What this posture of resolute national unity taken alone must mean in the end, however, is simply an indefinite preservation of the balance of terror.

We all recognize that this is not enough. Even though our dedication to strength will reduce sharply the chances of war by deliberate overt act, as long as the rule of force retains its paramount position as the final arbiter of international disputes, there will ever remain the possibility of war by miscalculation. If this sword of annihilation is ever to be removed from its precarious balance over the head of all mankind, some more positive courses of action than massive military deterrence must somehow be found.

It is an understandable temptation for public men to suggest that some bold new program will resolve the human dilemma—that more missiles, more aid, more trade, more exchange, or more meetings at the summit will magically solve the world's difficulties.

The proposals that I will suggest tonight are not offered as a panacea for the world's ills. In fact, the practice of suggesting that any one program, whatever its merit, can automatically solve the world's problems is not only unrealistic but, considering the kind of opponent who faces us across the world today, actually can do more harm than good in that it tends to minimize the scope and gravity of the problems with which we are confronted, by suggesting that there may be one easy answer.

But while there is no simple solution for the problems we face, we must constantly search for new practical alternatives to the use of force as a means of settling disputes between nations.

Men face essentially similar problems of disagreement and resort to force in their personal and community lives as nations now do in the divided world. And, historically, man has found only one effective way to cope with this aspect of human nature—the rule of law.

More and more the leaders of the West have come to the conclusion that the rule of law must somehow be established to provide a way of settling disputes among nations as it does among individuals. But the trouble has been that as yet we have been unable to find practical methods of implementing this idea. Is this one of these things that men can think about but cannot get?

Let us see what a man who had one of the most brilliant political and legal minds in the Nation's history had to say in this regard. Commenting on some of the problems of international organization the late Senator Robert Taft said: "I do not see how we can hope to secure permanent peace in the world except by establishing law between nations and equal justice under law. It may be a long hard course, but I believe that the public opinion of the world can be led along that course, so that the time will come when that public opinion will support the decision of any reasonable impartial tribunal based on justice."

We can also be encouraged by developments that have occurred in this field in just the past 2 years.

Not surprisingly the movement to advance the rule of law has gained most of its momentum among lawyers. Mr. Charles Rhyne, a recent president of the American Bar Association, declared in a speech to a group of associates in Boston a few weeks ago that there is an idea on the march in the world. He was referring to the idea that ultimately the rule of law must replace the balance of terror as the paramount factor in the affairs of men.

At the time of the grand meeting of the American Bar Association in London in July 1957, speaker after speaker at this meeting—the Chief Justice of the United States, the Lord Chancellor of Great Britain, the Attorney General of the United States, and Sir Winston Churchill—eloquently testified that the law must be made paramount in world affairs.

An adviser to the President, Mr. Arthur Larson, left the White House staff to establish a world rule of law center at Duke University.

One hundred and eighty-five representatives of the legal professions of many nations of earth met in New Delhi last January and agreed that there are basic universal principles on which lawyers of the free world can agree.

A year ago, through the activity of the bar association and by proclamation of the President, May 1—the Communist May Day—became Law Day in the United States. The bar association stimulated more than 20,000 meetings over the country on the first Law Day. In a few weeks, this tribute to an advancing idea will be repeated on a far greater scale.

President Eisenhower, you will recall, said in his state of the Union message last January: "It is my purpose to intensify efforts during the coming 2 years * * * to the end that the rule of law may replace the obsolete rule of force in the affairs of nations. Measures toward this end will be proposed later, including reexamination of our relation to the International Court of Justice."

I am now convinced, and in this I reflect the steadfast purpose of the President, and the wholehearted support of the Secretary of State and the Attorney General, that the time has now come to take the initiative in the direction of establishment of the rule of law in the world to replace the rule of force.

Under the Charter of the United Nations and the Statute of the International Court of Justice, institutions for the peaceful composing of differences among nations and for law giving exist in the international community. Our primary problem today is not the creation of new international institutions, but the fuller and more fruitful use of the institutions we already possess.

The International Court of Justice is a case in point. Its relative lack of judicial business—in its 12-year history an average of only two cases a year have come before the tribunal of 15 outstanding international jurists—underlines the untried potentialities of this Court. While it would be foolish to suppose that litigation before the Court is the answer to all the world's problems, this method of settling disputes could profitably be employed in a wider range of cases than is presently done.

As the President indicated in his state of the Union message, it is time for the United States to reexamine its own position with regard to the Court. Clearly all disputes regarding domestic matters must remain permanently within the jurisdiction of our own courts. Only matters which are essentially international in character should be referred to the International Court. But the United States reserved the right to determine unilaterally whether the subject matter of a particular dispute is within the domestic jurisdiction of the United States and is therefore excluded from the jurisdiction of the Court. As a result of this position on our part, other nations have adopted similar reservations. This is one of the major reasons for the lack of judicial business before the Court.

To remedy this situation the administration will shortly submit to the Congress recommendations for modifying this reservation. It is our hope that by our taking the initiative in this way, other countries may be persuaded to accept and agree to a wider jurisdiction of the International Court.

There is one class of disputes between nations which, in the past, has been one of the primary causes of war. These economic disputes assume major importance today at a time when the cold war may be shifting its major front from politics and ideology to the so-called ruble war for the trade and the development of new and neutral countries.

As far as international trade is concerned, an imposing structure of international agreements already exists. More complex and urgent than trade, as such, is the area of international investment. For in this area will be determined one of the most burning issues of our times—whether the economic development of new nations, so essential to their growth in political self-confidence and successful self-government, will be accomplished peacefully or violently, swiftly or wastefully, in freedom or in regimentation and terror.

We must begin by recognizing that the task of providing the necessary capital for investment in underdeveloped countries is a job too big for mere Government money. Only private money, privately managed, can do it right in many sectors of needed development. And private investment requires a sound and reliable framework of laws in which to work.

Economic development, involving as it does so many lawyers and so many private investors, will tend to spread and promote more civilized legal systems wherever it goes. Already, in its effort to encourage U.S. private investment abroad, the U.S. Government has negotiated treaties of commerce with 17 nations since 1946, tax conventions with 21 nations, and special investment guarantee agreements under the Mutual Security Act with 40 nations. A host of other special arrangements are in effect, such as those under which we have helped six nations draft better domestic legislation relating to foreign investment.

What has been done is for the most part good but there are several areas where additional action is called for. The countries that need economic development most are too often least likely to have the kind of laws, government, and climate that will attract investment. The political risks of expropriation and inconvertibility against which ICA presently sells insurance are not the only political risks that investors fear. Three U.S. Government commissions, as well as numerous private experts, have recently recommended a variety of improvements in our machinery for fostering foreign investment.

I select three for particular endorsement. Our laws should permit the establishment of foreign business corporations meriting special tax treatment, so that their foreign earnings can be reinvested abroad free of U.S. tax until the U.S. investor actually receives his reward. In addition, more tax treaties should be speedily negotiated to permit tax sparing and other reciprocal encouragements to investors. The ICA guarantee program should be extended to include such risks as revolution and civil strife. Finally, a concerted effort should be made to extend our whole treaty and guarantee system into more countries, especially those in most need of development.

The great adventure of economic development through a worldwide expansion of private investment is bound to develop many new forms and channels of cooperation between governments and between individuals of different nations.

We need not fear this adventure; indeed we should welcome it. For if it sufficiently engages the imagination and public spirit of the legal profession and others who influence public opinion, it must be accompanied by the discovery or rediscovery, in countries old and new, of the legal principles and the respect for substantive law on which wealth and freedom alike are grounded.

There are encouraging signs at least that we are on the threshold of real progress toward creating more effective international law for the settlement of economic disputes between individuals and between nations.

Turning to the political area, we have now come far enough along in the great historic conflict between the free nations and the Communist bloc to know that negotiation and discussion alone will not necessarily resolve the fundamental issues between us. This has proved to be the case whether the negotiations took place through the very helpful processes of the United Nations, or at the conference table of foreign ministers, or even at what we now call the summit.

What emerges, eventually, from these meetings at the conference table are agreements. We have made a great many agreements with the Soviet leaders from the time of Yalta and Potsdam. A major missing element in our agreements with the Soviet leaders has been any provision as to how disputes about the meaning of the agreements in connection with their implementation could be decided.

Looking back at the first summit conference at Geneva, for example, we find that it produced an agreement, signed by the Soviet leaders, which elevated the hopes of the entire world.

It should be noted, however, that the President and the Secretary of State repeatedly warned both before and after the holding of the conference that success could be measured only in deeds. One of the announced purposes of the conference was to test the Soviet sincerity by the standard of performance.

The summit conference has since been characterized by some as a failure, but in terms of agreements, as such, it was a success.

Let me quote briefly from that agreement: "The heads of government, recognizing their common responsibility for the settlement of the German question and the reunification of Germany, have agreed that the settlement of the German question and the reunification of Germany by means of free elections shall be carried out in conformity with the national interests of the German people and the interests of European security."

In other words, those who participated in the conference, including Mr. Khrushchev, agreed at Geneva on a sound method for dealing with the German problem—the very same problem from which he has now fathered the new crisis at Berlin. But while the agreement seemed clear, as events subsequently developed, Mr. Khrushchev's understanding of its meaning was ostensibly different from ours.

The crucial question remained—how was the agreement to be effective when the parties disagreed as to what it meant? This is typical of a problem that can arise wherever any agreement is entered into between nations.

In looking to the future what practical steps can we take to meet this problem? I will not even suggest to you that there is any simple answer to this question. For obviously there can be none. But I do believe there is a significant step we can take toward finding an answer.

We should take the initiative in urging that in future agreements provisions be included to the effect (1) that disputes which may arise as to the interpretation of the agreement should be submitted to the International Court of Justice at The Hague; and (2) that the nations signing the agreement should be bound by the decision of the Court in such cases.

Such provisions will, of course, still leave us with many formidable questions involving our relationships with the Communist nations in those cases where they ignore an agreement completely apart from its interpretation. But I believe this would be a major step forward in developing a rule of law for the settlement of political disputes between nations and in the direction all free men hope to pursue. If there is no provision for settling disputes as to what an international agreement means and one nation is acting in bad faith, the agreement has relatively little significance. In the absence of such a provision an agreement can be flagrantly nullified by a nation acting in bad faith whenever it determines it is convenient to do so.

While this proposal has not yet been adopted as the official U.S. position, I have discussed it at length with Attorney General Rogers and with officials of the State Department and on the basis of these discussions I am convinced that it has merit and should be given serious consideration in the future.

The International Court of Justice is not a Western instrumentality. It is a duly constituted body under the United Nations Charter and has been recognized and established by the Soviet Union along with the other signatories to the charter.

There is no valid reason why the Soviets should not be willing to join with the nations of the free world in taking this step in the direction of submitting differences with regard to interpretation of agreements between nations to a duly established international court and thereby further the day when the rule of law will become a reality in the relations between nations.

And, on our part, as Secretary Dulles said in his speech before the New York State Bar Association on January 31: "Those nations which do have common standards should, by their conduct and example, advance the rule of law by submitting their disputes to the International Court of Justice, or to some other international tribunal upon which they agree."

We should be prepared to show the world by our example that the rule of law, even in the most trying circumstances, is the one system which all free men of good will must support.

In this connection it should be noted that at the present time in our own country our system of law and justice has come under special scrutiny, as it often has before in periods when we have been engaged in working out basic social relationships through due process of law. It is certainly proper for any of us to disagree with an opinion of a court or courts. But all Americans owe it to the most fundamental propositions of our way of life to take the greatest care in making certain that our criticisms of court decisions do not become attacks on the institution of the court itself.

Mr. Khrushchev has proclaimed time and again that he and his associates in the Kremlin, to say nothing of the Soviet peoples, desire only a fair competition to test which system, communism or free capitalism, can better meet the legitimate aspirations of mankind for a rising standard of living.

Perhaps it is significant that the leaders of the free world do not feel obliged to so proclaim so often. The world knows that this is the only kind of competition which the free nations desire. It is axiomatic that free people do not go to war except in defense of freedom. So obviously we welcome this kind of talk from Mr. Khrushchev. We welcome a peaceful competition with the Communists to determine who can do the most for mankind.

Mr. Khrushchev also knows, as we do, that a competition is not likely to remain peaceful unless both sides understand the rules and are willing to have them fairly enforced by an impartial umpire. He has pointedly reminded the world that Soviet troops are not in Germany to play skittles. The free peoples passionately wish that Mr. Khrushchev's troops, as well as their own, could find it possible to play more skittles and less atomic war games. But we remind him that his troops could not even play skittles without rules of the game.

If the Soviets mean this talk of peaceful competition, then they have nothing to fear from the impartial rules impartially judged which will make such peaceful competition possible.

The Soviet leaders claim to be acutely aware of the lessons of history. They are constantly quoting the past to prove their contention that communism is the wave of the future. May I call to their attention one striking conclusion that is found in every page of recorded history. It is this: the advance of civilization, the growth of culture, and the perfection of all the finest qualities of mankind have all been accompanied by respect for law and justice and by the constant growth of the use of law in place of force.

The barbarian, the outlaw, the bandit are symbols of a civilization that is either primitive or decadent. As men grow in wisdom, they recognize that might does not make right; that true liberty is freedom under law; and that the arrogance of power is a pitiful substitute for justice and equity.

Hence once again we say to those in the Kremlin who boast of the superiority of their system: Let us compete in peace, and let our course of action be such that the choice we offer uncommitted peoples is not a choice between progress and reaction, between high civilization and a return to barbarism, between the rule of law and the rule of force.

In a context of justice, of concern for the millions of men and women who yearn for peace, of a constant striving to bring the wealth abounding in this earth to those who today languish in hunger and want—in such a context, competition between the Communist world and the free world would indeed be meaningful. Then we could say without hesitation: Let the stronger system win, knowing that both systems would be moving in a direction of a world of peace, with increasing material prosperity serving as a foundation for a flowering of the human spirit.

We could then put aside the hatred and distrust of the past and work for a better world. Our goal will be peace. Our instrument for achieving peace will be law and justice. Our hope will be that, under these conditions, the vast energies now devoted to weapons of war will instead be used to clothe, house, and feed the entire world. This is the only goal worthy of our aspirations. Competing in this way, nobody will lose, and mankind will gain.

FOREIGN MILITARY AID

Mr. MORSE. Mr. President, I ask unanimous consent that there be printed in the RECORD as a part of my remarks what I consider to be a very penetrating article on foreign military aid, written by one of the great military authorities of our country, Hanson W. Baldwin. I ask that the entire article be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Apr. 4–15, 1959]

FOREIGN MILITARY AID—DOUBTS OF ITS COMBAT EFFECTIVENESS REFLECTED IN CONGRESSIONAL DEBATE

(By Hanson W. Baldwin)

The continuing debate on foreign military aid, now resumed after the congressional recess, has become a recurring phenomenon of each legislative session.

The debate reflects far more than a thwarted longing for the dear dead days beyond recall when isolationism and a fortress America strategy were viable political-economic-military concepts. Nostalgia and a human desire to get away from the world's problems are inherent in the perennial foreign-aid debate, but there are other more important factors.

One is a feeling, fostered by the origin of the foreign-aid programs, that there should be some finite end in sight to a program of overseas aid. When foreign aid was started Congress and public opinion believed that the aid was temporary, to help fill the vacuums of power left by World War II. But it has assumed a permanent character over the years and the pressure of high taxation prompts an annual reexamination of the program.

LITTLE REVIEW PROVIDED

Another factor that has provoked increasingly intensive analysis of foreign military aid by Congress is the lack of adequate mechanisms in the executive branch of Government for continuous critical review of the program's combat effectiveness.

An ad hoc committee to study foreign military aid, headed by William H. Draper, Jr., is now undertaking such a review in behalf of the President, but such judgments should be continuously available, in the opinion of Congress.

There are also some serious military reservations in the Pentagon. These apply, not to the principle of collective security, of overseas allies, nor of foreign aid, but to some of the methods and practices that have characterized the program.

The old shibboleth so often used to sell the program that a dollar spent overseas to train and equip allies buys much more combat effectiveness than a dollar spent on U.S. forces is particularly resented by some officers in the Pentagon. It is certainly open to serious challenge.

CALLED CHEAPER

The basis for this easy generalism is, of course, that foreign soldiers and equipment are cheaper, that the Nation can get more divisions, more bang for a buck. But omitted from this inaccurate formula is the factor of comparative quality. Too often no detailed analysis, country by country, is applied as a qualifying factor.

There are other factors in certain countries that, in the opinion of some qualified military men, have seriously reduced in those countries the value of the foreign military aid program. Too often military aid has been used as a political prop, or for nationalistic prestige purposes, as in Iraq. It would be hard to prove that the money spent for military aid to Iraq has served any really useful purpose, either military or political.

Too often the United States attempts to build in small undeveloped countries armies after its own image, with all the formal trappings that go with a major industrialized state. And too often, when dealing with its largest allies, the Nation has been reluctant, or slow, to furnish them the arms that have for them major political and military significance today—nuclear weapons and missiles.

CHANGES ADVOCATED

Many military observers believe that there should be some important changes in the Nation's objectives and methods in some countries. In many of the smaller countries the original objective of military aid has been completely altered with the years. In small countries, like Thailand, there are really only two valid goals for any military-aid program: An internal security force powerful enough to prevent any Communist coup or conquest by subversion and a small "trigger" force, ready to fire the first shots against external aggression.

Both of these forces should also have the capability of organizing, leading, and developing, with this country's help, a major indigenous guerrilla effort in case of invasion. The kind of armed force needed and the type of warfare to be waged would obviously vary with the terrain, climate, people, and other conditions.

But the sort of defense that the Tibetans have employed against the Chinese Communists offers far more hope in terms of combat effectiveness for each dollar spent than a "show army" of tanks and jet planes that would always be outnumbered and that the smaller nations could never properly employ.

Yet today the United States is still trying to create around the world forces in its own image, and despite Algeria and its lessons, there has been far too little attention paid to guerrilla warfare and how to meet it.

In the case of our larger allies—France, the United Kingdom, Italy, West Germany, and so on—the problem differs materially. Despite the political and military dangers of a greater dispersal of nuclear arms, it is clear that such a dispersion will take place, no matter what the United States does.

These nations have acquired or will acquire nuclear weapons and missiles, but with this country's help they can become nuclear-missile powers of importance far more rapidly and at less cost than if they must depend upon their own resources. This affirmative policy, fortunately, has been endorsed, but practically it has been implemented far too slowly.

These factors, plus individual mistakes and inefficiencies, are some of the problems that underlie the congressional debate on foreign aid. They deserve continuing critical examination, not only by Congress, but by the executive branch of Government.

Mr. MORSE. Mr. President, within the 3-minute rule, I should like to read a paragraph or two for special emphasis. Mr. Baldwin says:

The old shibboleth, so often used to sell the program that a dollar spent overseas to train and equip allies buys much more combat effectiveness than a dollar spent on U.S. forces is particularly resented by some officers in the Pentagon. It is certainly open to serious challenge.

The basis for this easy generalism is, of course, that foreign soldiers and equipment are cheaper; that the Nation can get more divisions, more bang for a buck. But omitted from this inaccurate formula is the factor of comparative quality. Too often no detailed analysis, country by country, is applied as a qualifying factor.

It was along those lines of criticism that a special study made for the Foreign Relations Committee of the Senate 2 or 3 years ago, in connection with a group of contracts for which we paid $240,000 of the taxpayers' money, caused me to believe we ought to make a very careful analysis of the facts in regard to both foreign military aid and economic aid, to the end that we would strengthen both of those programs by eliminating what I am satisfied is great waste in both.

Mr. President——

The PRESIDING OFFICER. The Senator from Oregon.

INTEGRITY IN BUDGETING

Mr. MORSE. Mr. President, every Federal and State regulatory body in its scrutiny of private utility operating statements and balance sheets is concerned about the integrity of the accounts.

With eagle eye practice from years of experience, the accounting sleuths of the utility commissions conduct a search along the boundary line between capital investments and operating expenditures.

The Federal Power Commission raised its collective eyebrows, for example, when a recent investigation of private utility expenditures for full-page national magazine advertisements disclosed that one electric company was capitalizing the cost of the advertisement and thereby making that cost a part of its rate base on which it then claimed a "fair" rate of return in perpetuity.

The more common line of demarcation comes down to such day to day questions as accounting for the price of an insulator on a utility pole. When first installed, an insulator is capitalized. But

a replacement is considered operating or maintenance expense.

The strict observance of this line of demarcation results in an accounting structure that has integrity. The investor is thus given assurance that the capital structure is not full of water.

On the other hand, the Internal Revenue Service wants to be assured that the operating statement of a manufacturing company does not include capital items as tax deductions in the guise of operating expense.

With all this concern over accounting and budgeting integrity in the private enterprise sector of the economy, it is increasingly a matter of great concern to me that the entire concept of the Federal budget lacks the very integrity which we so vigorously impose on private business.

The businessman every day must make decisions on whether to buy a building or rent, whether to buy a machine or employ more people. The city manager must decide whether to have the police patrol on foot or in cars. These decisions involve the distinction between capital investments and operating expenditures. The integrity of management decisions depends on the distinction.

The proposal for a capital budget for the Federal Government pertains to the managerial and accounting integrity of the Federal establishments. It applies a fundamental business principle to public business.

This is much more than a matter of practicing what we preach or what is good for the goose is good for the gander.

Integrity, as thousands of businessmen have learned to their sorrow, is much more than, and can be quite different from, honesty. Many an honest business has gone sour because of poor bookkeeping.

The proposal for a capital budget points the way to a higher integrity of administrative procedure. It is like adding a fourth dimension, the dimension of time and time concepts, to our three-dimension space world.

The capital budget makes it possible to distinguish the short-range view of the 1 year operating expense from the long-range view of the capital investment that is wealth producing and may last for centuries.

Government, much more than individuals and corporations, must be able to take the long-range point of view. The capital budget is the tool for looking ahead, for raising our sights to take into account the needs of generations to come.

Every farmer makes decisions as between "a quick buck" or the long-range husbanding and conservation of his land. In the latter case, he practices the integrity of thinking that is the essence of the capital budget. When he practices capital budgeting, he is being a good steward, the trustee who will turn over to his son a better farm.

The Federal Government will gain in stature and in public respect as it demonstrates not by words and preaching but by action and deeds that it serves in the role of the good steward, looking after the needs of generations to come.

The Government must take the point of view of the long term, as well as the short term. It must provide the leadership for the long-range point of view. It must hold out its spear to distinguish between the temporary current operating expenditures and the long-range capital investments.

These are some of the reasons why I think the capital budget, as provided in my bill, S. 1244, will point the way to a higher integrity of public administration. The adoption of the capital budget should help us all, both in and out of government, to raise our sights and give greater weight to the long-range point of view.

I ask unanimous consent to have printed in the RECORD as a part of my remarks a column by A. Robert Smith, which was published in the Eugene, Oreg., Register-Guard on April 6, 1959, on the subject of the Morse and Humphrey capital budget bills.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

MORSE, HUMPHREY BILLS WOULD ALTER U.S. BUDGETING

(By A. Robert Smith)

WASHINGTON.—With the battle of the budget continuing to loom as the fundamental political factor between President Eisenhower and the Democrats in Congress on such issues as Federal airport aid, a housing bill, school construction aid, and other so-called spending bills, increased attention is being focused on proposals to have the Government distinguish between its investments and its spending.

During the past month, Senator WAYNE MORSE, Democrat, of Oregon, and Senator HUBERT HUMPHREY, Democrat, of Minnesota, introduced different bills with the similar purpose of creating a capital budget that would list those projects on which the Federal Government can expect to realize a tangible return. Senator BOB BARTLETT, Democrat, of Alaska, and WILLIAM PROXMIRE, Democrat, of Wisconsin, are cosponsors of MORSE'S bill. Representative AL ULLMAN, Democrat, of Oregon, is sponsoring it in the House.

MORE PROGRAMS

The political attraction of the capital budget idea is that it would make it possible for the Government to undertake more programs involving Federal financial assistance without unbalancing the regular spending budget. It would offer a means, in a word, for both the economizers and the spenders to achieve a political victory in the battle of the budget.

The capital budget idea has won some impressive endorsements that are nonpolitical, however. It was recommended by the Hoover Commission on Government Reorganization. And by Committee for Economic Development, composed of business and industrial leaders. Also the Congressional Joint Economic Committee headed by Senator PAUL DOUGLAS, Democrat, of Illinois.

Under the Morse bill, the President would be asked to separate from his list of usual nonreimbursable expenditures in the annual budget all those items which met both of two tests: that they represent a useful economic life of more than 10 years; and that they be revenue-producing or self-liquidating in nature. All of these items would go into the separate budget as capital investments.

"Mortgage loans, such as REA and FHA loans, are included in productive capital investments, because they meet both tests," MORSE explained. "The network of Federal corporations and similar activities, such as Bonneville Power Administration, should be treated as productive capital investments.

"Flood control dams would not meet the test of revenue producing. Irrigation investment would not meet the test of interest repayment. Farm crop mortgages would not meet the test of revenue nor the test of 10 years' life. Thus none of these capital investments would qualify as productive capital investments as here defined," MORSE added.

MORSE said he made the definition of a capital investment intentionally severe. Otherwise, all sorts of spending programs could be lumped into this capital budget to evade the problem of balancing the regular spending budget.

NEW LIGHT ON DEBT

A capital budget would also put a new light on the national debt by distinguishing between what MORSE called live weight debt and deadweight debt.

"An identification of the presently existing productive capital investments of the Federal Government, such as FHA, REA, and other gilt-edge loans, and the net worth of Government corporations and such long-range revenue-producing assets as hydroelectric facilities, the Alaska Railroad, the St. Lawrence Seaway, and many others," MORSE declared, "would reduce the public debt to a much more meaningful figure."

Senator HUMPHREY said, "Every businessman is familiar with a capital budget" because businesses prepare balance sheets which list assets on one side and liabilities on the other. He said it is time we put the Federal Government in its bookkeeping methods on a businesslike basis also.

"If American Telephone & Telegraph Co. maintained a budget like that of the Federal Government, we would still be communicating in this country by smoke signals," HUMPHREY contended. "It is time we stopped lumping expenditures for paperclips with investments in public power projects."

HUMPHREY recalled that last year Congress had an emergency housing bill which authorized a Federal agency to use an extra $1 billion to buy home mortgages.

BILLION IN ASSETS

"Immediately the cry was raised that the Congress was spending a billion dollars," he recalled. "No mention was made of the fact that the Government was gaining a billion dollars in assets or that this billion dollars would be paid in full with interest. No, as far as the public knew, from newspaper reports and the charges of reckless spending, the Congress had simply spent a billion dollars for which there was nothing to show and which the taxpayers would have to pay. This, of course, is simply not the case. A capital budget would have shown in a true light that the Government in this case invested $1 billion, and gained $1 billion in assets."

U.S. ASSETS

In the context of the perspective these Senators are trying to establish for viewing Government fiscal policy, the House Government Operations Committee earlier this year tabulated the real property and personal property assets of the Federal Government. The remaining public domain, including mineral resources, for example, was valued at $14 billion. The committee concluded:

"This Federal property inventory report records, as of June 30, 1958, Federal real and personal assets as being over $262 billion. It is interesting to observe, in this connection, that the size of the national debt, as of June 30, 1958, was reported as being over $276 billion."

THE PROPOSED NEZ PERCE DAM PROJECT ON THE MIDDLE SNAKE RIVER

Mr. MORSE. Mr. President, the Multnomah County Labor Council, AFL–CIO, and the Idaho-Oregon-Washington Hells Canyon Association have provided me with copies of their resolutions of April 6 and March 9, respectively, relative to the proposed Nez Perce Dam project on the Middle Snake River.

I ask unanimous consent that these resolutions be printed in the RECORD at the close of my remarks.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. MORSE. Mr. President, it is with special pleasure that I ask that these be made available for the information of my colleagues, because in my opinion both resolutions express strong support for a project which is clearly in the public interest. Construction of the Nez Perce project should be postponed temporarily pending a solution of the fish-passage problem, but I have every reason to believe that within a reasonably short period of time an intensive study by the experts in this field will produce a solution to the fish-passage problem. The mere fact that we are awaiting the solution to the problem of fish passage should not serve as a basis for sacrificing a great multipurpose project through the construction of one or two inferior dams in the same general reach of the river.

My views on the Nez Perce project were set forth in a statement I submitted on March 14, 1959, to the Board of Engineers for Rivers and Harbors in Washington, D.C. I ask unanimous consent that an extract from the statement containing my comments on the Nez Perce project be printed in the RECORD at this point in my remarks.

There being no objection, the extract was ordered to be printed in the RECORD, as follows:

For the most notable example of what I mean by partial development rather than maximum development, let's look at the recommendations for the stretch of the Snake River above Nez Perce. Under the principle of full development and maximum net benefit the 1948 report protected full development by providing for such projects as high Hells Canyon and Nez Perce in this strategic reach of the river. Ten years later both projects are missing from the division engineer's major water plan. Justification for incomplete and partial development in this report is based on a nebulous time equation analysis used by the division engineer. By application of this formula the division engineer apparently is trying to justify the retreat from a superior, maximum-use, multipurpose project, to a more costly and inferior combination of projects.

The substitution of two dams to provide substantially the same accomplishments as one in the same general location is obviously illogical. The illogic is very well borne out by the cost and benefit figures given by the division engineer in the report.

I do not propose that Nez Perce be built now, it should be stressed. But I have confidence in the ability of the Nation's scientists and engineers to solve the complex problem of fish passage and conservation and expansion of fishery resources. I am satisfied they can do the job if our scientific and technical resources are promptly and assiduously applied.

Therefore, I believe the recommendation in the current report, favoring construction of High Mountain Sheep and Lower Canyon, be set aside, and that Nez Perce Dam of optimum height be recommended, subject to solution of the fish-passage problem. Above all, this ideal site should be reserved for its full contribution to our people and to posterity.

EXHIBIT 1

NEZ PERCE RESOLUTION

Whereas Nez Perce Dam on the Middle Snake River was proposed by the Corps of Engineers in 1948, but not recommended for construction because of the fish passage problem; and

Whereas Nez Perce Dam would be the largest dam in the world, with a hydroelectric power capacity of 2,500,000 kilowatts, which is greater than that of Grand Coulee and Russia's Kuibyshev Dam of 2,300,000 kilowatts; and

Whereas power from Nez Perce could be sold at about 1.5 mills per kilowatt-hour and is the lowest cost power known to be available for development in the United States; and

Whereas this low cost power would make possible the development of other vital natural resources in the Pacific Northwest, would make possible the creation of new jobs and new industries; and

Whereas the economy of the Pacific Northwest States has been worsening during the past several years, with regular seasonal unemployment compounded by business failure and the lack of sufficient economic growth to meet the needs of a growing population; and

Whereas the vast storage capacity of Nez Perce Dam, which would control both the Middle Snake and Salmon Rivers, would contribute not only to the control of floods but to needed power production at downstream dams especially during the power-short winter months; and

Whereas winter power shortages frequently force industrial shutdowns at the very same period that our seasonal lumber and agricultural industries are closed, making year around jobs and employment in any field exceedingly difficult; and

Whereas the only obstacle to immediate construction of Nez Perce Dam is the as-yet unsolved problem of downstream passage of fingerlings over high dams; and

Whereas this same problem interferes with the construction of all other high dams or combinations of dams in the same reach of rivers; and

Whereas other dams proposed as alternates to Nez Perce are neither as good nor as economical as Nez Perce; and

Whereas despite the spectacular progress made through research in solving fish passage problems at high dams, and the prospect that further research will lead to a solution of the problem at Nez Perce, the Corps of Engineers has not yet proposed a long-range fisheries research program nor a special Middle Snake River fisheries research program; and

Whereas the fish passage problem should be solved within the next 5 years, granted sufficient effort on the part of the Corps of Engineers and State and Federal fisheries agencies; and

Whereas other sources of hydroelectric power are available for development during that 5-year period that will not interfere with ultimate construction of Nez Perce Dam; and

Whereas the Army Engineers' own study shows the great and undebatable superiority and economy of Nez Perce Dam over proposed alternatives; and

Whereas the best interests of the economy of the Northwest and the people of the region will best be served by its ultimate construction: Therefore be it

Resolved, That the Multnomah County Labor Council, AFL–CIO, at Portland, Oreg., on March 30, 1959, endorses the Nez Perce project and opposes the alternative proposals; and be it further

Resolved, That we urge the U.S. Army Corps of Engineers and the Board of Engineers for Rivers and Harbors to recommend to Congress the authorization and ultimate construction of Nez Perce Dam; and be it further

Resolved, That we urge the Corps of Engineers and the Board of Engineers for Rivers and Harbors to prepare and present to Congress, in coordination with State and Federal fisheries agencies, a long-range program for upstream fisheries research and conservation, and special Middle Snake River fisheries research program with emphasis on solving the problem of fish passage at high dams; and be it further

Resolved, That we urge Congress to authorize the Nez Perce Dam for Federal construction deferred until a speedy solution is found for the fish problem, or in other definite ways to preserve the Nez Perce reach for ultimate construction of Nez Perce Dam; and be it finally

Resolved, That we urge the adoption of similar resolutions by the Oregon AFL–CIO and other labor councils and unions in the State of Oregon.

MULTNOMAH COUNTY LABOR COUNCIL,
AFL–CIO,
GORDON SWOPE,
Secretary pro tempore.

RESOLUTION BY THE IDAHO-OREGON-WASHINGTON HELLS CANYON ASSOCIATION URGING THE AUTHORIZATION OF NEZ PERCE DAM WITH ACTUAL CONSTRUCTION TO BE DEFERRED UNTIL THE FISH PROBLEM IS SOLVED

Whereas the Corps of Engineers in 1948 proposed the construction of the Nez Perce Dam on the Snake River but deferred recommending construction pending solution of the fish passage problem; and

Whereas the Nez Perce Dam would be the largest dam in the world and have a hydroelectric power capacity of 2,500,000 kilowatts which exceeds that of Grand Coulee Dam and is even greater than Russia's Kuibyshev Dam of 2,300,000 kilowatts which is now the largest hydroproject in the world; and

Whereas Nez Perce power would cost about 1.5 mills per kilowatt hour which is the lowest cost power known to be available for development in the Nation; and

Whereas this low cost power would open up the mineral and other resources of the area, attract chemical and metallurgical industries, provide new job opportunities, improve the per capita income of our people, and raise the standard of living; and

Whereas Nez Perce Dam has great engineering and geographic advantages because one dam would dam two rivers and create two reservoirs at a saving of over $150 million compared to the next alternative; and

Whereas the Nez Perce Dam has the advantages of an excellent rock foundation and great economy because no cost will be involved for relocation of railroads, farms, roads, or towns; and

Whereas Nez Perce Dam would swallow up the floods of both rivers and stabilize navigation conditions from Lime Point and Lewiston to the Pacific Ocean as well as providing urgently needed flood control at all downstream areas; and

Whereas Nez Perce Dam would hold the stored floodwater for release in winter to create a great amount of downstream power when it is most urgently needed to carry winter peak loads; and

Whereas the only impediment to immediate start of construction of Nez Perce Dam is the fish problem, specifically the downstream passage of fingerlings; and

Whereas such spectacular progress has been made through fisheries research and actual operations at Brownlee Dam, Pelton Dam, Baker Dam, and Engeltrout Dam, as well as through the Japanese method of fish farming, which indicates that a satisfactory solution of the fish problem should be assured within 5 years; and

Whereas the fisheries problem is in fact also an impediment at this time to the construction of the alternatives to Nez Perce Dam; and

Whereas such a 5-year delay can be advantageously used to build the high Asotin Dam to provide barge navigation to the Nez Perce Dam and thus avoid the construction of a $15-million railroad for construction purposes; and

Whereas the 5-year delay of Nez Perce Dam would be feasible from a power standpoint since many alternative hydroelectric projects are available throughout the Pacific Northwest which would not involve the fish problem; and

Whereas the 308 review report clearly shows that the Nez Perce Dam is far and away the best and most economical development of the Snake River; and

Whereas the Nez Perce Dam would result in the fullest, comprehensive, multiple purpose development of the Snake River; and

Whereas Congress should authorize the Nez Perce Dam at this time in order to save the damsite and permit construction to start as soon as the fish problem is definitely solved: Now, therefore, be it

Resolved, That the Idaho, Oregon, and Washington Hells Canyon Association at Lewiston, Idaho, March 9, 1959, endorses the Nez Perce Dam and opposes the alternative schemes; and be it further

Resolved, That we urge the Board of Engineers for Rivers and Harbors to recommend the ultimate construction of Nez Perce Dam; and be it further

Resolved, That we urge Congress in the next omnibus bill to authorize the Nez Perce Dam but with actual construction to be deferred until the fish problem is solved.

THE "PACIFIC NORTHWEST ACCOUNT" BILL—RESOLUTION OF MADRAS-JEFFERSON COUNTY CHAMBER OF COMMERCE

Mr. MORSE. Mr. President, I ask unanimous consent that there be printed in the RECORD at this point a resolution dated March 2, 1959, adopted by the Madras-Jefferson County Chamber of Commerce supporting the bill S. 1388, of which the senior Senator from Montana [Mr. MURRAY] is principal sponsor and I am a cosponsor.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas there has been introduced in the Congress of the United States, House bill 3510, to provide for the establishment by the Secretary of the Interior an account known as Pacific Northwest account bill dealing with the payment of construction costs on irrigation projects after 50 years; and

Whereas this Pacific Northwest account bill having been proposed and if enacted will greatly assist the irrigation farmers, in this north unit of the Deschutes project, to carry the load of the construction costs that have been incurred in securing water for the arid lands in this and other parts of Oregon, also other parts of the State; and

Whereas the assistance from the net power revenues produced by the large Government hydroelectric installations of the Western States is necessary to help these projects that have a high construction cost and cannot be paid out in the 50-year period as now required by law; that we feel there should be some relief granted for the irrigation farmers living on the projects that cannot be paid out in 50 years; also for the benefit of needed projects that can be constructed at the high costs that could not otherwise be constructed; and

Whereas this bill, we feel, would treat all projects alike and at the same time would materially assist in bringing more lands under irrigation; that by so doing would make more area for the people to live and have a home of their own; and

Whereas that under the terms of the bill as we understand it, only a part of the net revenues would be used and these revenues would be applicable after many of the hydroelectric projects have been paid in full, so that the Government of the United States, that originally built these projects had received all of their original costs; and

Whereas that, as above mentioned, we do have a project in this immediate area, north unit of the Deschutes project that would be greatly benefited in some 40 years; that the costs of said project were much higher than was originally expected or anticipated; that we feel that in this way our farmers and landowners can at some time in the future have the original costs reduced to such a figure that they can be paid out without great hardship; and

Whereas it may seem advisable in the future to enlarge this project as well as others built under similar circumstances; that if the same is enlarged and additional lands taken in, the costs would be even higher than that during the construction of the original project; that our district would be in a better position to take care of the increased population that might in the future desire to settle in this part of Oregon:

Now, therefore, we desire to go on record as favoring this Senate bill 1388 introduced by Senator MURRAY, of Montana; that it was unanimously voted by this organization to support this bill and urge all of the Oregon delegation in Congress to use their utmost efforts to see the same made into law; that we feel it is to the best interests of all of the people of the Columbia River Watershed; that all of the projects will eventually receive the same necessary benefit;

That we request that this resolution as passed by this Madras-Jefferson County Chamber of Commerce be forwarded to the Oregon delegation in Congress; to the sponsors of this bill and that the same be used at the hearing before the Committee; that the same be spread on the minutes of this hearing as an expression of the views of the Madras-Jefferson County Chamber of Commerce.

MADRAS-JEFFERSON COUNTY CHAMBER OF COMMERCE,
DON LEHMAN, *President*.

Attest:

HOWARD W. TURNER, Secretary.

The PRESIDING OFFICER (Mr. JORDAN in the chair). Is there further morning business? If not, morning business is concluded.

PROGRESS IN LATIN AMERICA

Mr. SMATHERS. Mr. President, yesterday was Pan-American Day, a day designated to commemorate the union of the Americas.

We should today and every day hereafter reaffirm our dedication to peace and justice, to friendship and cooperation between all the nations of the Western Hemisphere.

The Senate was not in session yesterday in order that proper tribute could be paid by the Members of the Senate to the memory of one of our greatest Senators, Robert Taft. For this reason, many of us who had intended to speak on Pan-American Day and review the progress and the changes resulting since the last Pan-American Day were unable to do so.

Therefore, today I should like to occupy some of the Senators' time in reviewing what changes have occurred and the little progress that has been made in this area during the past year.

There has been no shortage of conferences, discussions, and words with respect to what we should do to improve our Latin American relations, but unfortunately most of them add up to the conclusion that, "Yes, one of these days we should sit down and really do something meaningful about Latin America."

Mr. President, it is high time we got off our conference chairs and began to act, because one of these days it may be too late. There is indisputable evidence that comes to us every day from the press, the radio, and particularly from those who travel in these Latin American countries that things are on the march, and in some cases they are not marching in the right direction.

It was my very great privilege to make what has now become an annual trip through some of these Latin American countries a few months ago. I made a tour of Mexico, Honduras, Guatemala, and Panama, and then on to the new Federation of the British West Indies, whose capital is located in Trinidad.

On this, my first visit to any of the countries since the regrettable incident which occurred on the Vice President's Latin American tour last year, I made additional studies of the testy and ticklish Latin American problems. I should like at this time to briefly recapitulate some of my observations and experiences on that tour, some of them heartening and others most disturbing, and point up conclusions which vividly indicate the necessity of immediate action on the part of the United States.

I went to Mexico shortly before President Adolfo Lopez Mateos was inaugurated.

During my 10-day stay, I was pleased to observe Mexico's economic and political progress. During its trial-and-error period following the revolution of 1910, Mexico suffered severely. Today the Mexican people can be justifiably proud of the hardships which they have endured to root out colonial, dictatorial and semifinal traditions that were strangling the development of Mexico as a modern nation.

We can be encouraged by the fact that the U.S. and Mexican relations are at a better point now than they ever have been. President Mateos' election was marked by the most peaceful, and at the same time, the heaviest voting ever held in Mexico.

No longer in the pistol-packing category, Mexico's men of action have learned—as we have—to negotiate a settlement instead of shooting for one.

President Eisenhower's visit to Mexico last month demonstrated the deep interest the American people hold in maintaining and strengthening our ties of friendship with Mexico.

Before getting into the minus points, let me stress a few more plus factors about Mexico. It was my privilege to talk with President Mateos and with Dr. Padilla Nervo, the Foreign Minister, while in Mexico.

President Mateos is a handsome man, young—only 48—charming and intellectual. He is the symbol of Mexico's newly formed middle class—a class which eats bread, not tortillas; a class which wears shoes and hopes and works for a brighter tomorrow. He comes from a family of historic importance, and he has made an impressive record as the peacemaking Secretary of Labor in the just past regime of President Adolfo Ruiz Cortines.

This man, President Mateos, who is Mexico's man of moderation, is a great admirer of our Majority Leader LYNDON JOHNSON. My visit with the President took place just before Senator JOHNSON'S visit was arranged, and throughout our discussion Lopez Mateos kept inquiring as to JOHNSON'S beliefs, background, and interests. I know that his visit with Senator JOHNSON later must have been a pleasant and profitable one for both.

President Mateos' thinking is along the lines of that of the liberals of our country, a radical change from policies heretofore. An avid reader, he reads well in English but does not yet speak it fluently. This man—who will guide the destiny of our next door neighbor for the next 6 years—seems certain of his country's future.

He is eager to attract U.S. investors, who no longer have the jitters about bringing their capital into this land so filled with opportunities. Our businessmen have helped the Mexican economy through investments and the Mexicans definitely want more.

I was impressed by President Mateos' independence and self-assurance. In our chat, which lasted almost 45 minutes, he was relaxed and interested even though many hundreds of people were waiting to present problems and make requests of him. I came away realizing that he is well aware of our efforts to help his country; it was a most rewarding and encouraging visit for me.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. SMATHERS. I am happy to yield to the able Senator from Arizona.

Mr. GOLDWATER. I am very happy that my distinguished colleague the junior Senator from Florida is commenting, as he is, on the country of Mexico, our neighbor to the south.

As the Senator knows, my native State of Arizona borders on the State of Sonora, one of the fastest growing states in Mexico. During the days following the inauguration of President Mateos, it was my pleasure to visit with him for about half an hour, during which time we discussed a particular problem involving our mutual border.

I wish to corroborate what the Senator has said about general conditions in Mexico under President Mateos. We have every reason to expect that under this President's regime we shall see a very rapid advancement in living conditions in Mexico. We shall see industry grow. We shall see farming become mechanized and modernized. We shall see highways built. We shall see the country opened up.

I can only say to my colleagues in the Senate and to my fellow Americans that instead of visiting Europe, instead of visiting the Far East, if one has not paid a visit to the delightful country of Mexico, one has not really lived.

The former Ambassador from Mexico to this country, Senor Tello, is now Minister of Foreign Affairs. I do not know whether the Senator intends to comment on him or not, but he is a member of the new team in Mexico, which is bringing the potential giant to the foreground.

I thank the Senator.

Mr. SMATHERS. I thank the able Senator from Arizona for his comments. I think it has been well demonstrated over the years that he is not only one of Mexico's good friends in the United States, but he is also most sympathetic with the problems of all of Latin America. I thank the Senator for reminding me of Ambassador Tello. I have not referred to him here. As the able Senator has said, he is the new Foreign Minister of Mexico. He is a man who understands the problems with which we in the United States are confronted. I am certain he will appreciate the efforts of the Senator from Arizona and others of us who have continually tried to improve the relationships between Mexico and the United States.

While in Mexico, I talked to representatives of the mining and sugar industries. The future of lead and zinc has Mexicans frankly worried. Although their interests were not hurt as badly by the quota imposed on them last September as had been predicted, the situation still demands a close watch. We cannot extend our hands in friendship, while at the same time knocking off 20 percent of our lead and zinc imports from this good neighbor, which at the same time is our second best customer.

In Mexico's case the raising of import duties was like a sharp slash across the cheek, for lead production there is worth more than $60 million and the zinc output is valued at $74 million. Before the quota system was enforced, 90 percent of Mexico's mining production had been marketed in this country.

Senor Garcia Reynoso, who was then the director-general of the National Union of Sugar Producers and who is now the Under Secretary of the Minister of Economy, participated in my conversation with representatives of the sugar industry.

Their problem is briefly this: The Mexicans would like to sell enough sugar to the United States to earn the dollars they need to purchase machinery for sugar refineries. This machinery is purchased here in the United States. I visited several sugar mills and saw what they were doing and how they were doing it.

Mexico is not a sugar-surplus country. It needs additional machinery and more sugar to meet the demands of its own people. Obviously, their claims should be seriously considered when we take up the sugar bill in the Congress this year.

On the minus side of Mexico it can be marked heavily with red ink that the Communist threat is large and menacing. The Russian Embassy in Mexico City has more than 100 Reds assigned there. Officially it is as large as our own Embassy—and unofficialy larger—yet trade with Russia makes up less than two-tenths of 1 percent of Mexico's exports and imports. U.S.S.R. exports to Mexico came to $614, while imports totaled $140,000; whereas we trade over a billion dollars worth of goods a year. And there is a constant stream of Mexicans visiting the United States, and American tourists visiting Mexico. The figure of Communists at the Soviet Embassy in Mexico does not include those attached to embassies of Communist bloc countries.

We have only 63 Foreign Service officers stationed in Mexico.

There is considerable evidence that Mexico City acts as headquarters for much of the Communist activity now taking place throughout Latin America—a sort of school for would-be Reds. Mexico is in a peculiar position, for it permits the Communists to have freedom of movement and expression. The Communist Party is not registered as a party in Mexico, however, for they have less than the qualifying 75,000 members to register.

Perhaps, because of the seeming lack of strength in card-carrying members of the Communist Party, Mexico does not fear a threat. Yet, the Communists represent a sword of Damocles dangling over their heads and ours, for Red agitators are at work trying to undo everything we try to do.

Obviously, the Reds are designing to create tensions within Mexico to halt the progress being made under democratic institutions. A monthly magazine written in Spanish, called U.S.S.R., is distributed free throughout Mexico and represents more of the propaganda being funneled from Red headquarters. They seek to stir dissension and distrust between us and Mexico.

Last summer the Red agitators played an active part in inciting strikes which all but paralyzed the capital. Last February a strike cut off telegraph lines in Mexico City for 2 weeks.

The Government of Mexico is not unmindful of these Communist activities and only last week expelled two Soviet Embassy attachés from the country, charging they had a hand in the Easter weekend rail strike. Two other Red attachés were reported marked to go.

The recent flareup between Guatemala and Mexico over a Guatemalan patrol plane strafing some Mexican shrimp boats oddly enough became a vehicle for anti-United States Communist propaganda. Some fellow-traveling articles appeared in newspapers throughout Mexico to the effect that the whole affair was a U.S. plot to pit Mexico against Guatemala in accord with the old divide-and-conquer theory. Such a suggestion was ridiculous, of course. But that kind of Communist propaganda leaves a residue of poison.

If the Mexicans should become inflamed at the Colossus to the North—as we are called—by this bull-baiting, Red-

flag waiving, then the Communists will have succeeded. We cannot permit this to happen.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. SMATHERS. I am happy to yield to the distinguished Senator from Alaska.

Mr. GRUENING. I ask the able Senator from Florida, who has effectively devoted a great deal of time and attention to improving the relationships between the United States and our Latin-American neighbor republics, whether he does not agree with me that we should do everything we may properly do to improve our relations and strengthen our bonds with our one land-neighbor to the south, Mexico, and that that is of prime importance, in our international relations.

Mr. SMATHERS. I absolutely agree with the Senator from Alaska. I believe we are not giving to the subject the attention it deserves.

Mr. GRUENING. I am in full accord with the Senator from Florida. Is it not a fact that as we improve our relations with Mexico, we improve them thereby also with all the other Latin-American countries?

Mr. SMATHERS. The Senator is absolutely correct. What we do in relation to Mexico spills over into the other Latin-American countries. As a matter of fact what we do is appreciated by all the Latins in the other countries.

Mr. GRUENING. A very interesting article from the magazine the New Leader pointing out the leadership which Mexico is assuming among Latin-American countries was recently placed in the RECORD by the Senator from Montana [Mr. MANSFIELD]. In line with that article, it seems to me there is every good reason why we should be closely associated with Mexico in common efforts to improve our relationship and to help Mexico and ourselves develop economically and culturally, and on a basis of friendly intercourse and exchange proceed in ways tending to mutual advantage to bind more closely the ties of neighborliness and friendship.

Mr. SMATHERS. I thank the Senator for his observation. I agree with him fully.

The Americas must stand united against our common foe. As one, we should be up in arms against the Reds, lest they cause us to carry arms against one another.

Let me add here that I was extremely gratified by the good work being done in Mexico by our Ambassador, Robert Hill. He is an outstanding representative, for he speaks the language, tirelessly works to understand the problems and aspirations of Mexicans and, in turn, helps them to understand us. Energetic and capable, Ambassador Hill is doing an excellent job in one of the most dynamic and key posts in the Western Hemisphere.

HONDURAS

My next stop was Honduras, which is situated in the middle of Central America. On his last voyage, Columbus encountered Honduras and gave it that name—meaning depths—because of the deep water offshore. This mountainous country, which has a perpetual spring-like climate, once was the seat of the Mayan Indians' cultural and religious center.

Because it is nearly 90 percent mountainous, Honduras has a stupendous transportation problem. We can imagine how costly it would be to build and maintain roads on such precipitous terrain.

In fact, today, 1959, there are only about 25 miles of paved road in the entire country—a country whose area is about the size of the State of Pennsylvania. The rest of the roads, comprising some 1,400 miles, are dirt roads mostly over steep and hazardous ranges. During the rainy season, less than half are even passable.

This lack of transportation has been a major obstacle to Honduras' economic development. For example, there is no road connecting the east with the west. Most of the people are crowded into the western end of the country, while the fertile eastern portion lies nearly uninhabited.

Meeting President Ramon Villeda Morales was a privilege, for I discovered that this man, with a sensible program, speaks beautiful English and is well informed. Both a physician and a diplomat, the 41-year-old President won by a landslide in 1957 in the first free elections in some time.

Honduras had been in the hands of dictators and military juntas from 1932 until Dr. Villeda Morales assumed the reins. Dr. Villeda is familiar with the Washington scene, having served as Ambassador from his country to the United States before his election as President. He is friendly to the people of the United States and knowledgeable about our problems and aspirations and our desire to be helpful to his country.

Incidentally, I also met with some of Dr. Villeda Morales' Cabinet, among whom was Roberto Martinez Ordonez, then Minister of Public Works and Communications, who is an engineering graduate of the University of Alabama. He has a strong American flavor, having played football for Alabama in both the Orange and Sugar Bowls.

In this minister and in the Public Health Minister, also named Martinez, we have excellent allies and ambassadors issuing good will for the United States.

I was privileged to address a joint session of the congress in Honduras, where my impressions of what the United States was trying to do to improve relationships between our two countries were very cordinally received.

When I was flown to the Guayape Valley, I was able to observe in action our best type of technical cooperation which is combined with loans. This 25-mile-wide valley, with a river threading through it, had never been fully used by the Hondurans. It was isolated from the rest of the country because of the lack of roads and the absence of a bridge across the river.

Thanks to a $1.75 million credit made available to the Honduran Government from the so-called Smathers amendment funds, a basic road network is being built.

Access roads are going in to connect the valley with the town of Juticalpa, which already connects by means of an all-weather road to the population centers in the west. Moreover, the new bridge over the Guayape River means that both sides of the valley can make use of the road network.

Another U.S. university alumnus, Ernesto Crespo, an engineering graduate of Louisiana State University, is in charge of coordinating the Guayape Valley development project, which includes the training of Honduran Army troops in road construction. We have excellent ICA representatives in Honduras cooperating with the Honduran Government officials, and our Ambassador, Robert Newbegin, a practical, realistic man, is doing for us a useful and sensible job.

No one imagines that the economic problems of Honduras will evaporate with the opening to settlement of the Guayape Valley. The nation faces grave difficulties in its struggle to raise the living standards of the people. Per capita income amounts to scarcely $200 a year. More than 60 percent of those over 10 years of age are illiterate.

Less than one-half of the children are today receiving any schooling. On Honduran farms of less than 25 acres—and this includes at least 50 percent of the farm population—5 out of 6 farms do not even have a wooden plow.

Nevertheless, an end to the isolation of the various pockets of civilization in Honduras will be a great stride forward in the country's drive to modernize. With roads, several villages will be able to group together to provide a teacher for the children. Heretofore inaccessible, good farmland will be made available for cultivation. Farm goods can move to market, and products of light industries can move to farms.

I am proud of the part the United States is playing and can play in this continuing endeavor. All that Hondurans ask is that we continue to cooperate with them, to assist them in their very constructive efforts to build their country, and to improve the lot of their people.

GUATEMALA

I visited Guatemala for 5 days. I was delighted to spend an hour and a half with its President, Miguel Ydigoras Fuentes, and with the Foreign Minister, Jesus Unda Murillo.

President Ydigoras is like an umpire at a ball game. He is undergoing critical fire from the left and the right—from those who think his reforms go too far and from those who want him to push ahead faster.

Contrary to reports I had heard about a team of bodyguards being posted around him constantly, he did not have more than the customary amount of protection afforded any president in Latin America when I saw him walking on the streets of Guatemala City. President Ydigoras is an experienced, friendly man. He speaks excellent English, has visited the United States many times, has several grandchildren living in the United States now, and all in all seems

most favorably disposed toward us. But he has many problems.

Guatemala needs strong leadership. Sagging coffee prices have dealt the worst blow to its economy. What is more, the fields in which cotton has been planted have not solved the problem, because the demand for cotton is off, as our own farmers well understand. The banana crop suffered because of cold weather. The Communist uprisings and sporadic shootings have frightened away the regular cruise ships and diverted practically all the tourist industry from Guatemala.

We in the United States are helping in several respects to meet the problems there through ICA programs and the building of the Pan-American Highway. However, we may have to do more, and soon, to help Guatemala meet its mounting problems, problems triggered and exploited by the ever present Communists.

During my visit with the President, it was he who brought up the matter of United Fruit Co.'s troubles with labor, a problem at that time which caused him great concern because the United Fruit Co. is the largest employer of labor in Guatemala. The United Fruit Co. owns the railroad and has provided much of the nation's income, but it is being asked to move forward in increasing benefits and wages by strong pressure from the unions. It is a problem to know how far and fast the company can go.

The 62-year-old Army veteran says he should not be expected to solve in the first or second year of office problems which his predecessors never solved, but it appeared to me that he was making progress in these various areas.

Guatemala counts on coffee for 73 percent of its exports. As coffee drinkers for the most part, we know how much less we pay for a pound now than we did several years ago. Consider, then, how much less income Guatemala can count on. We can buy only so much of Guatemala's coffee, as is the case with Brazil, Colombia, and other coffee-raising nations. Experimentations in corn, cotton, tobacco, and a type of jute called Kenaf are a part of Guatemala's attempts to get back on its financial feet after coffee pulled the economic rug out from underneath the country.

President Ydigoras showed keen sensitivity to the aspects of all the problems facing his people.

When I met with the Guatemalan Chamber of Commerce, composed of native businessmen, I was truly shocked to discover how little they know about the United States.

To them we are the land of manna from heaven. They were most unrealistic about our national budget. Indeed, they were surprised to learn that Members of Congress pay taxes. Their amazement was heightened when I told them that some people pay taxes as high as 91 percent. I was thus able to impress on them the real significance of U.S. contributions in the light of the heavy tax burdens its citizens bear.

It was my turn to be amazed when I began to compare the makes of cars on the narrow Guatemalan streets. On my previous visits there, American cars were in the majority. Now British, German, and Italian cars appear to be on the increase. Considering the country's narrow roads and the price of gasoline, which is set at 60 cents a gallon, I can readily understand why Guatemalans prefer small European models.

Last year, the 20 American Republics bought $559 million worth of automobiles and parts. As the American Republics construct more roads and earn more foreign exchange with which to purchase manufactured products, they will buy even more cars. If the car manufacturers of the United States do not want to be priced entirely out of the Latin American market, they will have to make some concessions to the considerations of their customers.

A more hopeful future for Guatemala lies in the fact that one of the most concentrated searches for oil is now being conducted there. At least, Guatemala will have another liquid gold export.

Guatemala is one of the most picturesque and historic of all Latin American countries, with beautiful scenery, lakes, mountains, farmlands. When Tobias Hartwick, of the Embassy staff, took us to Antigua, which had been the capital of Guatemala until it was destroyed by earthquake in 1773, I was reminded that the cathedral in Antigua was built in 1534, almost 75 years before our Jamestown settlement.

The people of Guatemala have a historic past of which they can be proud. But, because they are too busy looking ahead to the future, about which Government officials are most optimistic, they do not have the time to be nostalgic.

I found that Ambassador Mallory, an excellent representative of the United States, and his staff were doing a creditable and understanding job in a difficult assignment.

Much as President Ydigoras is liked personally by his people, he admits that no leader can be completely popular when his country has many holes in its pockets.

Just recently, a small armed uprising in the mountains of western Guatemala was put down; however, observers on the scene say that a move is afoot to bring to the Presidency before 1960, one Señor Ortiz Passarelli, who was elected President of Guatemala in 1957, after President Armas was assassinated. Because the army annulled the election, Ydigoras, the defeated candidate, was inaugurated.

Mr. President, we must not overlook the fact that the Communists lost considerable face in Guatemala when they were overthrown. Therefore, that is one country which they would again like to control, a country in the vital chain which links us to the Panama Canal and open shipping lanes.

PANAMA

My next stop was Panama, where I stayed from November 29 to December 2. President Ernesto de la Guardia and other high officials of the Panamanian Government kindly took time for conversations about their problems.

The most serious problem at the time was the student unrest.

When we learn that in Panama the pre-teenage group—students ranging from 11 to 14 years—are being skillfully manipulated for Communist and anti-government purposes, we realize this is more than merely the usual youthful exuberance for political participation which is common in Latin American countries.

Last May, rioting got out of hand, with the result that at least nine persons were killed and many injured. On November 3, Panama's Independence Day, students and members of the National Guard again clashed.

The situation is quite delicate. The government cannot very well move troops against the children.

Some of the points of agitation in Panama are first, a larger share of the receipts from the Panama Canal for the country of Panama; second, increasing tuition in Canal Zone schools for non-zone resident children, and third, different wage scales for U.S. citizens and Panamanian citizens who work in the Canal Zone.

On the first issue, I do not profess to know the answers. Panamanian politicians concur, however, that something should be done about it soon.

On the school matter, for years Panamanian children from outside the Canal Zone have been accepted, with the payment of tuition. No tuition is charged for children of residents of the zone. For the school year 1958 and 1959, tuition rates for nonresidents were jumped, from $225 to $351, for grades 1–6; from $270 to $450, for grades 7 to 12; and from $360 to $600, for junior college.

The Panama Canal Company claims that the actual per student costs for the above-mentioned grades amount to $515, $575, and $920, respectively, with the Canal Zone government subsidizing the difference. I have no reason to doubt their accounting or their reasoning that tuition increases must follow rising operational costs. I do think, however, that in this matter we can be pennywise and pound foolish. If higher fees put up a barrier to the education of Panamanian children in U.S. curriculum, we could very well be erecting a parallel barrier to future United States-Panama understanding. Perhaps an appropriation will be necessary to keep the doors of our schools open to Panamanian children. No wiser long-term investment can be made.

Another source of friction—for which we might seek some adjustment—is the difference in wages being paid to U.S. citizens and Panamanian citizens who work in the Canal Zone. The basic wages for employees of the Canal Zone are supposed to be the same, regardless of citizenship. But U.S. citizens receive an increment which represents the difference between U.S. taxes and the Panamanian taxes. Then they receive an additional 25 percent as an oversea differential.

Ernesto de la Guardia, Panama's President, is typical of the new leadership which is coming into power all over Latin American. He is intelligent, nervous, energetic, and highly nationalistic. He wants more and better things for his

people. He is not unfriendly to the United States, for he understands us very well. He is a graduate of Brown University, and his son and relatives were educated in the United States.

But like the other restless, awakening countries of Latin America, Panama has problems; and the Communists exploit and exaggerate these problems. So President de la Guardia has to be continually on guard, and he must demonstrate progress; otherwise, the Communist charges would look true. Panama is one country to which we must immediately give consideration. We cannot turn our backs on its problems or be indifferent to its requests; otherwise there may be a real explosion there.

TRINIDAD

The last stop on my trip was Trinidad, a British possession in the Caribbean since 1802. In 1941, the United States acquired a 99-year lease to the naval base at Chaguaramas.

Although Trinidad is separated by only 7 miles from the Venezuelan coast, the island's problems and its relations with us do not fit into the Latin American context of events in the Caribbean. I wish to diverge for a moment from a discussion of our Latin American relations, to report on some interesting developments on our own doorstep.

Early in 1948, after years of negotiation, Trinidad joined with its sister colonies of Jamacia, Antigua, Barbados, Dominica, Grenada, Montserrat, St. Christopher, Nevis, Anguilla, St. Lucia, and St. Vincent, to form a federation known as the West Indies, looking forward to eventual independent status as a member of the British Commonwealth. Some of the islands of the federation are separated by as much as 1,000 miles of sea. The total population runs to about 3 million.

I spoke with a number of the officials of the new federation government, and found them very intelligent, and loaded with problems reminiscent of our own postrevolutionary days of the Articles of Confederation. There is much interisland rivalry. Each of the islands has its own laws and its own tariffs. Passports are necessary in order to travel between the islands.

While I was in Trinidad, there was some talk and fear of the withdrawal of Jamaica from the federation. Jamaica is the largest and most populous member; and there is fear in Jamaica that it will be taxed disproportionately, to develop the other islands. Jamaicans also are concerned that federation will mean an end to the safeguards for its industries, and hence competition from Trinidad, the next largest member.

The only outstanding problem for the United States in the West Indies concerns the Chaguaramas Base. Trinidad has been selected as the location for the capital of the West Indies federation. A committee appointed to choose the actual site for the capital selected Chaguaramas, despite the fact that the British Government had indicated that it was necessary for defense purposes. The West Indies federation is still without a permanent site for its capital. Meanwhile, the Chief Minister of Trinidad, Dr. Eric Williams, has found that the question makes a convenient whipping-boy to stir up interest in his political campaign. The matter is presently quiescent; but it could crop up in the future.

I found that the West Indians were also troubled about their itinerant laborers in the United States. I discussed the question with Mrs. Phyllis Allfrey, the Minister of Labor and Social Affairs of the federation government, who stated that the federation is most anxious to have the United States permit more West Indians to come to the United States to work. I suggested that their government make an appointment with our Department of Labor, to discuss the complex matter.

I am sure all of us wish well for the future of the West Indies. Their future is allied with ours. We should give them every consideration in their efforts to launch a free and sturdy federated government in the Caribbean.

CONCLUSIONS

Mr. President, I have mentioned the high points of my Latin American tour in hopes that these facts will stimulate among the Members of Congress greater interest in our sister republics.

That this trip reaffirmed my long-held conviction that the United States must recognize our deep interests and ties in Latin America is plain to see.

Arduous and continuing work is ahead of us. Spasmodic awakenings and bursts of energy cannot bring long-range satisfactions.

In 1954, when he announced his resignation as Secretary General of the Organization of American States, the great Alberto Lleras Camargo, now the President of Colombia had the following wise words of admonition for the members of the inter-American family:

> The economic problems of inter-American life are surely not more difficult than were those of a political nature in the past. The latter were in fact so thorny that when attempts were made to put off debate on them or to ease the attendant strain, it was customary to turn to economic topics, as something pleasanter, more congenial to everyone, of mutual interest, and of slight import.
>
> Today that is no longer true, obviously. There are serious conflicts of interest, and economic views that appear to clash just as much as, early in this century, the corollaries of the Monroe Doctrine might have jarred with the principle of nonintervention. Millions of words, some of them harsh, some pleasant, some wrathful, and others persuasive, had to be exchanged via the channels of the Organization before essential agreements were reached that made it impossible to differ any longer on the first principles of Pan-Americanism. The same thing is bound to happen in this other field, in which solidarity is no less important, distinctive and indispensable than it is in purely political areas. But in order to bring this about, the one thing that should not be done is to desert the council tables at which the very least that could be accomplished is a clarification of the area of disagreement, an indispensable prerequisite for understanding.

Mr. President, 5 years later there are some signs of moves toward the inter-American economic cooperation which Dr. Lleras hoped for. Our country has agreed to consult with our Latin American neighbors, before taking any unilateral action which might affect the markets of their principal exports.

This, indeed, is a beginning. It is a definite recognition that the United States, as a great consumer's market, by its domestic actions can, and does, affect the lives of millions of Latin Americans. We have also, at long last, agreed to participate in an inter-American development bank; and it is now well on the way to being organized.

Several years ago it was popular to say that what we need in our foreign program is more trade, not aid. On this point, all of us agree. Certainly our Latin American neighbors agree. I have yet to visit a country of Latin America which does not desire our trade more than our aid, for trade is aid. It is lasting. It develops both countries. It is dignified. It is mutually helpful. But, Mr. President, we must, in truth, be willing to move and compete for trade.

Latin America constitutes the greatest market in the world for our goods. In 1958, we sold Latin America 26 percent of all our exports—worth more than $4.1 billion. In return we import 40 percent of their products; but they may not be our best customer tomorrow if economic barriers imposed by the United States send these one-crop countries into eager Red hands.

Russia makes uneconomic deals with anyone, feeling that losses can be borne by their entire economy, when political aims are to be achieved.

Offers of loans and technical assistance by the Communists will become more appealing to our good neighbors if our similar offers are conspicuously absent.

That is why I feel private American investments in Latin America, coupled with technical know-how, can achieve further economic gains for those countries, and thus mend the rips in our relations.

United States private investments in Latin America during 1958 reached over $9 billion. These American investments are making a great contribution by creating employment, introducing technical know-how, and in general, stimulating economic growth in their host country.

But Latin America needs many times over the amount of private capital that investors are presently willing to invest outside the United States. Perhaps Senators will recall the private Argentine mission that was here unofficially at the time of President Frondizi's visit making just that point and pleading for investments.

We made some loans to the Government, but more helpful and most encouraging was the willingness of some of our businessmen to invest capital in Argentina's future.

One of the ways by which U.S. capital might be encouraged would be to provide some form of tax relief. There already has been some inter-American discussion of U.S. tax laws which nullify Latin American efforts to induce private investments through tax concessions. This is certainly a matter which warrants further discussion.

Along the line of providing tax relief, I intend to introduce proposed legislation designed to defer U.S. taxes on income

earned abroad until such time as such income is brought home as a dividend payment or as a remittance of profit. Businesses incorporated under the laws of the United States, but which are engaged exclusively in foreign operations, would become subject to U.S. corporate income tax on their foreign earnings only when such earnings are distributed to the parent stockholders in the United States.

Even with inducements through tax relief, private U.S. investments cannot do the whole job in Latin America. For some time to come, the Latin American Republics are going to need many public loans for such nonprofitable but essential developments as roads, bridges, ports, and sanitation systems.

On January 8, I introduced a bill which would establish the office of Under Secretary of State for Western Hemisphere Affairs. I believe now, more than ever, that this post is necessary if we are to achieve a new and dynamic policy with regard to Latin America. This bill has been referred to the Committee on Foreign Relations, and I sincerely trust that the committee will be disposed to consider it favorably and that it may be enacted this year.

Rioting incited by and involving Latin American students has made black headlines in our newspapers this year, as in years past. The incidents, well known to us all, should awaken us to the fact that these young people are those we may very well be dealing with at conference tables in the todays that become tomorrows. That is why I favor, suggest—yes, in fact, urge—that we consider an effective, greatly broadened student exchange program between the Americas, so that casual misunderstandings will not be turned into stone-throwing hassles.

Wherever Communists can, they plant people in schools, to warp and twist young, curious minds. Unless we combat this wholesale mesmerizing with a program whereby students can visit this country to study, thus seeing how people of the United States really live, we stand to hinder hemisphere relations.

If Senators will recall, I mentioned several key government officials in Latin America whom I met on this tour who were American educated. These men, and many more, such as Galo Plaza, former President of Ecuador, and the Foreign Minister of Ecuador, Carlos Tovor Zadumbida, are doing excellent jobs for their countries and at the same time, because they know us well, are rendering a service to truth and honesty by picturing us as we really are.

Each of those men was educated in the United States. Wherever such men are engaged in active politics, the United States has the best of relations.

I use this point to illustrate how successful exchange programs can be. Like bread cast upon the waters, the results are generously rewarding.

At the same time I would like to see an exchange program conducted between the Americas' newspapermen. The fourth estate, so vital in any nation to its freedom and welfare, is one of the best foes against our common enemy, communism. For where a press is free, and men's minds are likewise free, there the poison pens cannot succeed in maligning relationships. I intend to introduce legislation which will encourage journalists to explore, discover, and study freedom of the press in this country and in the countries to the south of us.

In conclusion, Mr. President, I should like to appeal to the Organization of American States on this illustrious day. The OAS has many duties and responsibilities. It is discharging many of them well. It has been a useful organization and, I think, will be even more useful in the future, but one of its inherent duties is to try to resolve differences and disputes which arise between member countries. Open war between countries has proven to be disruptive and detrimental to both sides.

Obviously, the OAS has a duty to keep the peace in Latin America. Today we are sitting on a time bomb in the Caribbean, a bomb which could explode at any moment.

Since Fidel Castro deposed a dictator and came into power in Cuba, the Caribbean has been brewing up a storm. Gale warnings are up. We must take precaution now, before a series of revolutionary hurricanes sweep away the peace. Many proven friends of Latin America are now greatly apprehensive about what is happening in Cuba. Things have not worked out in Cuba as many of us had hoped. A democracy has as yet not replaced a dictatorship. It appears that one form of suppression has replaced another. Press dispatches on Monday reported that a Rotary Club in Santa Clara, Cuba, petitioned the Government for a return of constitutional protection of individuals—the right of habeas corpus, the end of war crimes trials and the release of those who have been imprisoned without charges filed against them.

Let me quote some press reports which give evidence of the growing concern about the turn of events in Cuba.

Newsweek magazine, of April 13, 1959, has a report on current conditions in Cuba. Let me quote it, in part:

> The Government now is polka-dotted with Communists, with party liners, with fellow travelers, and with men who say in effect: "I have no use for the Communists, but as long as they support Castro why get excited about them?" The editor of the Government newspaper Revolución is Carlos Franqui, a former proofreader on the Communist newspaper Hoy. Another Communist, Alfredo Guevara, runs the army information program. Still another, Violeta Casals, runs Radio Rebelde, the national Castro radio network. The Communists are also taking over cultural activities: Francisco Alonso is head of the National Fine Arts Commission; Vincentina Antuna directs the National Institute of Culture.
>
> Fidel's brother Raúl is probably not a Red, but as head of the army he has given the Communists free rein; as a result anti-Communists officers are being purged.

The article states further:

> The Ministry of Education particularly has been infiltrated by Reds, anti-Communist teachers are losing their jobs.

Later the article reads:

> People close to Fidel have warned him about the Communists but he refuses to listen. He will not listen to anyone who it attempting to make him face reality, whether about the Communists or about anything else.

I read further from the article:

> The fact nevertheless remains that Cuba could become another Guatemala, that is, a country dominated by the Communists as Guatemala was under Jacobo Arbenz. It very well may—unless Castro stops talking and starts tackling the problems of making Cuba a stable country once again.

I ask unanimous consent to have the entire article from Newsweek printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CUBA—ANOTHER GUATEMALA?

(Will Cuba go Communist? Just 3½ months after Fidel Castro and his bearded rebels swept out of the hills and threw out Fulgencio Batista this chill question is disturbing observers here and in the Caribbean. From Havana, Senior Editor Harold Lavine reports on Castro's new Cuba, and the chances of it becoming another Guatemala.)

What is happening in Cuba can be stated quite simply: The Communists, who were quick to jump on the Castro bandwagon once it really got rolling, now are grasping for the reins. They haven't yet gotten all the reins within their grip—but they could, very easily.

The Government now is polka-dotted with Communists, with party liners, with fellow travelers, and with men who say, in effect: "I have no use for the Communists, but as long as they support Castro why get excited about them?" The editor of the Government newspaper Revolución is Carlos Franqui, a former proofreader on the Communist newspaper Hoy. Another Communist, Alfredo Guevara, runs the army information program. Still another, Violeta Casals, runs Radio Rebelde, the national Castro radio network. The Communists are also taking over cultural activities: Francisco Alonso is head of the National Fine Arts Commission; Vicentina Antuna directs the National Institute of Culture.

Fidel's brother, Raúl, is probably not a Red, but as head of the army he has given the Communists free rein; as a result, anti-Communist officers are being purged. Maj. Ernesto (Ché) Guevara insists that he's not a Communist either, but Guevara has a habit of putting men in Government positions who are.

The Ministry of Education particularly has been infiltrated by Reds; anti-Communist teachers are losing their jobs.

The Communists have infiltrated nongovernment areas, too. They have moved into the labor unions. Batista was quite partial to labor and the leaders of labor were part and parcel of the Batista dictatorship. When he fled they had to quit the country too; those who tarried soon found themselves in La Cabaña fortress. This left a vacuum of leadership, and there were the Communists, ready and eager to fill it.

Why has Castro, who is not himself even remotely a Communist, let the Communists take over so much power? The answer is not a heartening one: The Communists basically are quite right about Castro; the man is a romantic. And the goal of his romanticism has a Communist ring to it—a country in which there are no rich and no poor, a country in which everyone is a member of the middle class. One of his most dramatic acts was to cut rents: All rents under $100 a month have been cut by 50

percent; between $100 and $200 a month, by 40 percent; over $200 a month, by 30 percent. The goal was a sharp redistribution of income.

DEAF EAR

People close to Fidel have warned him about the Communists but he refuses to listen. He will not listen to anyone who is attempting to make him face reality, whether about the Communists or about anything else.

But Castro's vision has a capitalist base. He wants a country in which every farmer owns his own land. Nothing has so caught the imagination of Cuba as Castro's land-reform program; organizations are raising money to buy tractors to give to the campesinos (countryfolk) to use when they have their own land. Here again, Castro is playing Robin Hood; he promises to take from the rich and give to the poor.

His motives unquestionably are praiseworthy; in Cuba the rich are very rich, indeed—and the poor are horrifyingly poor. Yet the fact remains that so far Castro has succeeded only in paralyzing the Cuban economy. The cut in rents killed the real-estate market and halted construction, making thousands of workers idle, cutting the sale of such products as steel and cement by more than 50 percent. The land reform program electrified the campesinos but it has driven investment capital into hiding.

There are today between 300,000 and 400,000 unemployed workers in Cuba in a labor force of approximately 2.3 million; between 300,000 and 400,000 additional workers are woefully underemployed; and the situation will get worse when the sugar season ends late in May and the mills shut down. Castro has instituted a public-works program but it cannot make more than a dent in the unemployment. Any step-up probably would bring inflation and necessitate a peso devaluation.

JUMPY NERVES

Like the Communist threat, these are the facts that Castro refuses to face. He prefers to talk about his prosperous Cuba. And the more he talks, the more nervous businessmen become. Shopkeepers ask tourists: "Have you any dollars I can buy with pesos?" Their explanation: "We don't know what is going to happen tomorrow and a man must take care of himself."

Communists feed on turmoil, and the Communists are having a feast.

The situation is not hopeless. Castro means well. Even those most dubious about the future of Cuba agree on that. Castro is honest, and an honest government is something unique in Cuba; even those most dubious about Castro himself praise him for ending corruption in the government. Most important of all, the Castro revolution was a middle-class revolution and there are plenty of men around Castro who just don't like what is happening. And sometimes they can make themselves felt. When Batista's officials fled Las Villas Province and Ché Guevara appointed a party-liner as governor, for example, the men in Las Villas who had carried guns for Castro drove him out—with guns.

The fact nevertheless remains that Cuba could become another Guatemala, that is a country dominated by the Communists as Guatemala was under Jacobo Arbenz. It very well may—unless Castro stops talking and starts tackling the problems of making Cuba a stable country once again.

This is something for every American to worry about, for Cuba is bigger than Guatemala; it is also a great U.S. naval base—guarding the Panama Canal.

Mr. SMATHERS. Mr. President, the New York Times of April 5, 1959, carried a dispatch by its correspondent, R. Hart Philips, which reads, in conclusion:

But the middle class which supported Dr. Castro wholeheartedly during the 2-year rebellion is losing their enthusiasm for the revolution. It is watching with growing concern the activities of the Communists here, who are organizing their party and making considerable progress in gaining control of labor.

Mr. President, I also ask unanimous consent to have printed in the RECORD at this point in my remarks an article from the New York Times of Tuesday, April 14, 1959, under the heading "Costa Rican Denies Charges by Castro."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

COSTA RICAN DENIES CHARGES BY CASTRO

SAN JOSE, COSTA RICA, April 13.—Former President José Figueres has indignantly denied charges by Premier Fidel Castro of Cuba that he was an agent of Yankee imperialism.

In a recorded speech broadcast today, Dr. Figueres said: "I want the support of the people, not the rabble. I do not want to happen to me what has happened in other Central American countries, where they have substituted the rabble for the people in order to claim popular support."

At this point, his audience of veterans of the 1948 revolt here shouted, "Down with Fidel Castro." Figueres did not intervene.

Warning that a distinction must be drawn between genuine democratic revolutions and those prompted by rabble-supported demagogs, he continued: "In every American country there exists a Communist nucleus that backs a demagog's leadership solely to overthrow it later and establish not merely dictatorship of the proletariat but mob dictatorship."

Mr. SMATHERS. Mr. President, on Friday I put into the RECORD some additional press comments on the Cuban situation. Let me quote briefly from two of those articles.

Mr. John B. McDermott, a correspondent for the Miami Herald, writing from Havana, in a story carried by a news syndicate and published by the Chicago Daily News on March 31, 1959, said:

Memo to Moscow: Keep your secret agents and your organizers home, Nikita Khrushchev. You don't need them here. Fidel Castro is unwittingly talking Cuba into the Communist orbit.

Columnist Drew Pearson, in an article which appeared in the Washington Post and Times Herald, told of the violent revolt which broke out in Bogotá, Colombia, during the Bogotá Conference in 1948. Three hundred were killed in the revolt. Pearson says:

Number One leader of this revolt, it now develops, was Fidel Castro.

Finally, let me cite a United Press International dispatch, carried on April 13, 1959. A story datelined from Havana, Cuba, said:

Dr. Castro said today that elections in Cuba would be delayed until his revolutionary government had finished its work.

It is no wonder we hear and read of a growing barrage of anti-American statements emanating from Cuba these days. This is bad enough, but I think the United States will survive somehow.

However, what is most disturbing is that this group apparently is organizing forces in Cuba to invade the shores of other Latin American countries and overthrow present governments and set up their own.

I have a letter from the President of Haiti, which I should like to read at this time:

PRÉSIDENT DE LA RÉPUBLIQUE D'HAÏTI,
Port-au-Prince, March 31, 1959.

The Honorable GEORGE SMATHERS,
U.S. Senate, Washington, D.C.

MY DEAR SENATOR: Your leadership in the U.S. Senate and your definitive position regarding the maintenance of peace in Latin America and particularly in the Caribbean are deeply appreciated.

Unfortunately, and without any desire on our part, Haiti has become involved in the Caribbean war of words—a situation that I sincerely hope does not progress beyond this—between neighboring republics. Haiti definitely cannot afford to be enmeshed in any international disputes at this time, particularly when we have been striving toward the attainment of economic and political stability.

I feel—as you have already noted in your remarks to the press in the United States—that peace must be maintained in this area under any circumstances, and I will cooperate with the U.S. Government through the Organization of American States, the United Nations, and even independently in every way possible to insure that a peaceful situation exists in this hemisphere. There is no doubt in my mind of the importance of hemispheric unity and friendship, especially in the face of the critical situations in Germany, the Middle East, and the Far East.

Please accept my sincere thanks, Mr. Senator, for your support in this sensitive situation. Also, whenever you are able to do so, I should like very much to have you visit Haiti as my guest. Please let me know when you find it to be convenient, so that I can make the necessary arrangements.

Sincerely,

DR. FRANCOIS DUVALIER,
President of the Republic of Haiti.

Mr. President, things are getting pretty extreme when the President of a Republic such as Haiti has to write a letter and plead like that.

Mr. President, we who are members of the OAS should not permit an attack to be launched from Cuba against the country of Haiti. Haiti has already suffered too grievously from killings and bloodshed, unrest and turmoil. An attack of this kind could accomplish no earthly good.

Just a few days ago the U.S. Ambassadors from the 12 Caribbean countries met at San Salvador to discuss this rapidly deteriorating situation in the Caribbean. After one of the really heated sessions where, according to the New York Times, the career diplomats wished to soft pedal the situation and the appointed diplomats sought to take a firm stand against attacks, they finally agreed on the recommendation "that each country be assured the right to develop its political life, free from outside intervention."

Mr. President, that is and has been the historic policy of the U.S. Government. If we had not followed that policy, then, of course, we would have meddled in the affairs of many Latin

American countries heretofore, and, undoubtedly, might even have gone so far as to attack a number of countries wherein the governments were not friendly to us. But we have learned over the course of the years that it is best to allow the people of a country to establish a government of their own choice. They may not be able to do it as quickly as they would like, but inevitably time has proved the will of the people is obeyed.

We believe the policy of nonintervention is an intelligent one. We, therefore, do not violate any sovereign nation's borders merely because the nation is either weak or has in power a government which we do not like. Certainly, a precedent of attacking a government when one merely does not approve of the men at the top would be a dangerous precedent to establish in Latin America, or anywhere else for that matter, and ultimately it might well result in the destruction of some of the governments which today are planning to attack other governments.

Mr. President, we are all gratified that most of the countries of the Western Hemisphere abide by the rule of nonintervention. It appears to me that if we and other countries of the hemisphere can follow that rule, certainly the present leaders of the Government of Cuba can properly do the same.

One of the reasons why we are expecially concerned about the disturbing rumors which we hear emanating from Cuba is that it appears some of the proposed attacks are being led by men who, in many instances, are antidemocratic and pro-Communist.

The OAS, I believe, have historically subscribed to the policy of nonintervention. But, as is the case with so many organizations of this type, they are reduced in their effect to the moral suasion of their desires and policies. They have no physical means by which they can, for example, keep the peace and protect helpless countries about to be attacked.

Unfortunately, moral suasion is not a sufficient pressure to the minds of some men who seek to establish Communist beachheads in Central and South America. The OAS is, in that situation, reduced to a position of impotence and helplessness.

Would it not, under these circumstances, be a good idea to build up a force for peace directed and guided in this hemisphere by the OAS?

Such a military force could effectively eliminate the prospect of war in our own hemisphere.

If such a military force directed by the OAS should be deemed a good idea—and I think it is—it could be easily created without any additional expense whatever to any of the American Republics.

As many of the Members of the Senate remember, last year I spoke and voted against a proposed bill to give to certain Latin American countries destroyers and other military equipment. As I said then and believe now, military assistance is not the way to help Latin America. Too often the arms which we have sent to Latin American countries have been, unfortunately, used by the governments then in power, not against some outside threat, but rather against the people of the country to which the arms were sent.

It is my information from the State Department that in the present military assistance program for 1960, $66.8 million is allocated for assistance to Latin American countries. This is an increase even over that which was appropriated last year.

Would it not be a good idea if this proposed military assistance program were scrapped and this money diverted to the OAS, to be used by this organization to create a volunteer police force for the purpose of keeping peace in Latin America?

Certainly the knowledge that there was such a force in existence which could keep the peace would make it possible for every Latin American country thereafter to reduce the size of its own military budget; and the moneys which are now being used to create armies, navies, and air forces could be put to much better use in the building of schools, roads, and hospitals and in raising the economic and social levels of the people of Central and South America.

The people of the various Republics would know that if there were ever any danger of their being attacked from without they could call upon the OAS and get the benefit of its police force to protect them while the issue involved was being settled, as it should be, at the conference table.

The OAS would then become a truly meaningful organization for peace. It would not only continue its very worthwhile purpose in improving economic conditions and settling disputes in the Western Hemisphere, but at the same time could become truly the guardian of peace in the Western Hemisphere for North and South America.

In this connection, I would further recommend that there be created a Court of Justice for the Western Hemisphere similar to, but we hope more effective than, the World Court, wherein people, acting in a civilized manner, following the process of the law rather than the willful ambitions of certain men, could settle their disputes before a high tribunal.

Such a system of courts and a police force would guarantee that justice would prevail, that the peace could be maintained, and that the peoples of the Western Hemisphere could spend their energies, their time, and their money in pursuing the great objectives of better living conditions for all greater liberty for all, and a more enduring peace for all.

CONSTRUCTION OF MODERN NAVAL VESSELS

The PRESIDING OFFICER (Mr. JORDAN in the chair). The hour of 2 o'clock having arrived and the morning hour having been concluded, the Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 3293) to authorize the construction of modern naval vessels.

Mr. PROXMIRE obtained the floor.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield to the Senator from Missouri.

WHERE IS MR. BENSON'S PROMISED FARM BILL?

Mr. SYMINGTON. Mr. President, last Wednesday, my friend and the farmer's friend, the distinguished senior Senator from North Dakota [Mr. LANGER], placed in the RECORD a prepared statement in which he asked why the Senate Agriculture and Forestry Committee has not come up with a new farm bill.

Let me assure the able Senator that I share his concern for the economic plight of farm families, not only in North Dakota and Missouri, but throughout the Nation.

According to Department of Agriculture forecasts, farm prices and farm income are expected to drop in 1959.

Yet the Department's inventories and costs continue to rise higher and higher.

Everyone knows, therefore, that we need a new farm bill and a new farm program.

One of the responsibilities of any administrator of an executive department of our Government is to recommend legislation to the Congress.

During the years I have been a member of the Senate Agriculture and Forestry Committee, it has become increasingly apparent that, whereas the present Secretary always goes out of his way to criticize the Congress, he is either unwilling or unable to present a complete program of his own.

When Mr. Benson came before the Senate last February, he offered no overall program to deal with the increasing problems now facing the farmers.

Therefore I asked him to prepare an omnibus farm bill embodying his ideas.

In this connection I quote from the original transcript of hearings held before our committee last February 16 and 17:

Senator SYMINGTON. I would hope that you would come up here and say "This is a problem, I am head of this department, here is the piece of legislation that I think the Congress ought to pass this year to help lick it." Now isn't that a fair request?

Secretary BENSON. Well, Senator, all that is needed is to put some of this language into legal language. That is all that is required.

And from the same RECORD:

Senator SYMINGTON. Mr. Chairman, may I make a recommendation, and if anyone on the committee disagrees I wish they would say so. I recommend that the Secretary of Agriculture draw up in what he calls legal language a bill that the Congress should study and analyze and in his opinion pass in order to help this growing problem of the investment of the American people in agriculture, and also to help the standards of living in agriculture.

Now I recommend we ask the Secretary of Agriculture to give us a bill on agriculture.

The CHAIRMAN. That question was posed to him this morning, and he agreed to do that. As I understood him.

Still later in the transcript:

Senator SYMINGTON. Let's have once and for all an overall omnibus farm bill that the Secretary of Agriculture, starting his seventh year, says, "This is what I think the Congress should pass in order to clarify and make constructive the farm program of the United States."

Secretary BENSON. Mr. Chairman, I will do anything you ask me to do that will be helpful to the Congress in discharging its legislative responsibility in this field, so if you want us to——

The CHAIRMAN. I want you to submit a bill that will be satisfactory to the farmers. That is what I want.

The suggestion that the Secretary submit an omnibus farm bill was concurred in by other members of the committee, as the following part of the RECORD confirms:

Senator PROXMIRE. It would certainly seem to me, Mr. Secretary, you would come in and propose changes all up and down the line anywhere you feel the law should be changed and improved.

Secretary BENSON. That is what I have done in the testimony, and we will draft it.

Senator PROXMIRE. Good.

On the second day of the hearings, the chairman of the committee, the distinguished senior Senator from Louisiana, stated:

The CHAIRMAN. And as I stated to you yesterday, we have all the facts, and we have, of course, the President's views and your views, and what we would like to have now is legislation, that is, put into an act the recommendations that you are proposing.

Secretary BENSON. We have already started the lawyers working on phases of it, Mr. Chairman.

The CHAIRMAN. And may I suggest that you deal with it either by titles or separate acts because as we stated yesterday, there are some commodities on which, you see, we acted last year that will not need any attention this year.

Secretary BENSON. Right.

The CHAIRMAN. But in any event, whatever act you propose, suggestions you propose, let's either have it by separate acts or by titles so that this committee can act accordingly.

After waiting nearly 3 weeks I wrote to the Secretary asking when his omnibus farm bill would be sent to the committee in accordance with his above noted agreement.

I ask unanimous consent that my letter of March 5, be included in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MARCH 5, 1959.

The Honorable EZRA TAFT BENSON,
Secretary of Agriculture,
Washington, D.C.

DEAR MR. SECRETARY: During your appearance before the Senate Agriculture Committee on February 16 and 17, you agreed to send the committee an omnibus farm bill embodying your complete recommendations for solving the current farm problem.

Would you please advise me as to when we might expect to have a draft of this omnibus farm bill.

Sincerely,

STUART SYMINGTON.

Mr. SYMINGTON. Another 3 weeks passed before I received a reply from Acting Secretary True Morse, which did not answer my question.

Mr. President, I ask that the letter from Mr. Morse be inserted at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF AGRICULTURE,
Washington, D.C., March 27, 1959.

Hon. STUART SYMINGTON,
Committee on Agriculture and Forestry, U.S. Senate.

DEAR SENATOR SYMINGTON: This is in reply to your recent letter requesting that the Department forward to the Committee on Agriculture and Forestry suggested legislative language embodying the recommendations of the Department.

As you will recall, in the Secretary's prepared statement he said the following:

"Last year there was passed the Agricultural Act of 1958, affecting primarily cotton, rice, and corn. In view of this recent action, the Congress may feel it desirable to give that legislation a reasonable trial period."

In his appearance before the Senate Agriculture Committee on February 16 and 17, the Secretary agreed to forward to the committee legislative language embodying the alternative proposals with respect to wheat, tobacco, and peanuts. We have already forwarded the material for wheat and expect to forward the legislative language for tobacco and peanuts very shortly.

Senator ELLENDER, along with a large number of other Senators, as you know, has introduced a bill to extend the Sugar Act. Our recommendations as to the extension of Public Law 480 will be sent soon. We are reviewing other pending legislation to see if there is further legislation needed that is not already covered by pending bills or the recommendations in the President's message of January 29, 1959.

Sincerely yours,

TRUE D. MORSE,
Acting Secretary.

Mr. SYMINGTON. Nearly 8 weeks have now passed, but the Secretary of Agriculture has not yet fulfilled his agreement to provide our commitee with his suggestions, in legislative language, for an overall farm bill.

Accordingly I wrote the Secretary again today, asking him when his promised omnibus bill would be sent the committee. Mr. President, I ask unanimous consent that this letter be inserted at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE, COMMITTEE ON
AGRICULTURE AND FORESTRY,
April 13, 1959.

The Honorable EZRA TAFT BENSON,
Secretary of Agriculture,
Washington, D.C.

DEAR MR. SECRETARY: Secretary Morse has replied to my letter to you of March 5 asking when the omnibus farm bill you agreed to present the Senate Agriculture Committee would be available.

The letter from Mr. Morse says our committee has received from your Department alternative legislative drafts for wheat and peanuts; therefore it is in no sense a reply to my letter to you of March 5.

Could I again respectfully ask when you plan to fulfill the agreement you made with our committee to provide an omnibus bill embodying all your recommendations for handling the present farm situation?

Sincerely,

STUART SYMINGTON.

Mr. SYMINGTON. The distinguished Senator from North Dakota, and all others who believe action on the farm situation is necessary, likewise may wish to request that the Secretary carry out his promise to give us his proposals in the form of an overall bill.

According to President Eisenhower, the cost alone of storing and handling these growing surpluses will soon be over $19 million a week.

The first step in consideration of how to alleviate this situation is receipt by the Congress of the overall omnibus farm legislation Mr. Benson promised last February. It is already long overdue and Mr. Benson should send it up now.

Instead of doing so, he continues to criticize the Congress.

In this connection, Mr. President, I ask unanimous consent that an article from the New York Times of yesterday be inserted at this point in the RECORD.

There being no objection, the article ordered to be printed in the RECORD, as follows:

[From the New York Times, Apr. 14, 1959]

BENSON URGES FIGHT FOR NEW FARM PLAN

WASHINGTON, April 13.—Ezra Taft Benson, the Secretary of Agriculture, said today that consumers and businessmen should battle for "realistic farm programs." He contended that Democrats in Congress were blocking his proposals but offering no positive plans of their own.

"The voice of the American farmer calls in louder and louder tones for freedom to act, and for less Government interference," he said.

"If this is what farmers want, what are we waiting for—what is Congress waiting for? We've made our recommendations. Why don't we get action?"

Mr. Benson raised these questions in a report presented to a meeting of the Associated Retail Bakers of America.

"It is not only farmers who should be in this battle for realistic farm programs," the Secretary went on. "This is the battle of every citizen, every businessman, every taxpayer, every housewife, every consumer, every person interested in a sound economy that is so vital to the future of this country."

Mr. Benson said that it was the conviction of the Eisenhower administration that the best way to help agriculture was to adopt programs that helped the farmers to help themselves.

Mr. SYMINGTON. Mr. President, it would be amusing if it were not so tragic to watch the efforts of Mr. Benson to blame the Congress, when he himself is either unwilling or unable to present a farm program.

Mr. President——

The PRESIDING OFFICER. The Senator from Missouri.

FOOD STAMP PLAN FOR PERSONS NEEDING PUBLIC ASSISTANCE

Mr. SYMINGTON. Mr. President, on behalf of myself, and the senior Senator

from Minnesota [Mr. HUMPHREY], I introduce a bill to promote the health and welfare, to augment the purchasing power, and to improve the nutrition of those persons receiving public assistance, the unemployed, and other low income, needy persons, and ask that it be appropriately referred.

Many of our fellow Americans are underfed and undernourished. It is a tragic commentary that this should be true in a nation as rich and productive as the United States.

Forty-two percent of the lower income families are not receiving recommended amounts of calcium. They need more milk and milk products.

Nearly one-third of the low income families in our Nation do not receive the minimum recommended allowances of ascorbic acid—vitamin C.

They need more citrus fruits.

Diets of low income persons are also deficient in protein, thiamin, vitamin A, riboflavin, and other important nutrients.

Surveys shows that low levels of income and purchasing power are directly related to inadequate dietary levels. Persons with restricted budgets are simply not able to purchase the kinds of foods so necessary for a balanced, nutritious, and healthful diet.

Many of our fellow Americans are in this position.

First, there are the 4.3 million who are unemployed. Nearly 2 million do not now receive any assistance or unemployment compensation. They cannot purchase the foods needed for a balanced diet. Even those unemployed who are receiving some assistance find it practically impossible to purchase all the necessary foods.

The problem is equally serious for the several million of our fellow Americans whose only source of income is through public assistance.

These people—the aged, the dependent children, the blind, and the disabled—are finding it increasingly difficult to make ends meet on this limited income.

The average public assistance, per individual, is some $60 per month. It is all but impossible to meet normal costs of living and still purchase the foods needed for a healthy and nutritious diet.

There are still other low income and needy persons who are not eligible for any public assistance and who so desperately need additional purchasing power if they are to improve their nutritional level.

Mr. President, the bill we are introducing today would supplement the purchasing power of those needy persons by providing food certificates or stamps to be used as partial payment toward the purchase of designated, highly nutritious foods.

This is how the program would work:

The Secretary of the Department of Health, Education, and Welfare would determine, based on available research data and from new surveys, the nutrients most commonly found to be deficient in the diets of low income, needy persons.

The Secretary of HEW would then designate the food products which most abundantly supply these nutrients.

Based on available surveys, calcium, protein, vitamin A, thiamin, riboflavin, niacin, and ascorbic acid (vitamin C) are the nutrients most needed. Foods supplying these nutrients include meat, milk, and poultry products, as well as fruits and vegetables.

Food stamps would be issued, and would be used as partial—50 percent—payment toward the purchase of $10 worth of the designated food products.

Persons eligible for the food stamps include:

First. Recipients of assistance or benefits under programs of old-age assistance, aid to dependent children, aid to the blind, and aid to the permanently or totally disabled, as provided in the Social Security Act.

Second. Recipients of unemployment benefits.

Third. Recipients of financial assistance provided for the needy by a State or local agency.

Fourth. Needy persons, including unemployed who are not receiving unemployment compensation benefits; those not eligible for assistance because of lack of legal residence; and other persons not eligible in above categories, who are certified to be in need of supplemental assistance in obtaining an adequate diet.

The stamps would be distributed monthly and, insofar as possible, at the same time and with the monthly assistance payments.

In administering the program, the Secretary of HEW will work through State and local welfare agencies.

The Secretary of HEW will redeem food stamps through normal banking institutions. The Secretary is authorized to reimburse banking institutions for special services they may render in connection with handling the stamps.

Mr. President, there is a real need for this type of food-stamp plan if we want all the American people to have an adequate and nutritious diet, so that they may be strong and healthy.

The program we have introduced is not intended to replace any of the present programs of asistance to the needy. Instead, it is to supplement these programs. As example, the surplus food distribution program of the Department of Agriculture is making some food available to hungry persons in certain distressed areas throughout the country. However, this program is far from adequate either as to quantity or quality.

Prompt action is needed to remedy this situation.

But increased distribution of surplus food commodities is not the total answer. Flour, cornmeal, dried milk, rice, or dried beans do not provide the nutrients so necessary to health and welfare.

The bill we have introduced would supplement these food items with purchasing power, enabling needy persons to obtain more nutritious commodities.

The mechanics of our plan are the result of careful study of various methods which have been tried or suggested in the past.

It is a modest program, with an estimated annual cost—based on current data as to the number of public assistance recipients, the unemployed, and others who would be eligible—of between six and seven hundred million dollars.

Every effort has ben made to simplify administrative procedures and therefore to minimize their cost.

The plan utilizes normal, established retail stores, and therefore does not disrupt or displace regular marketing channels.

Under the program, this supplemental purchasing power may be used only for the purchase of designated food commodities. This insures that the recipient will receive maximum benefits from this program.

We urge prompt action on this bill so that its benefits may soon be available to our fellow Americans who are unable to provide for themselves a balanced and nutritious diet.

Mr. President, I ask unanimous consent that the bill be printed at this point in the RECORD and be held at the desk until the close of business Friday, April 17, so that any of my colleagues who wish to do so may join in sponsoring this proposed legislation.

The PRESIDING OFFICER (Mr. MUSKIE in the chair). The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD and lie on the desk, as requested.

The bill (S. 1686) to provide for the public welfare by authorizing and directing the Secretary of Health, Education, and Welfare to initiate a food certificate program for the benefit of low income and unemployed persons, introduced by Mr. SYMINGTON for himself and Mr. HUMPHREY, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

STATEMENT OF PURPOSES

SECTION 1. It is the purpose of this Act to promote the general welfare by assisting individuals with low incomes, the unemployed, and others, to secure an adequate and proper diet of foods high in nutritional value which are ordinarily consumed in inadequate quantities by persons in such groups through the initiation of a food certificate program. It is the intent of Congress that nothing in this Act should be construed as intending or justifying the payment of inadequate wages, the lowering of standards of public assistance, or the lowering of unemployment compensation benefits.

DEFINITIONS

SEC. 2. As used in this Act—

(a) The term "Secretary" means the Secretary of Health, Education, and Welfare.

(b) The term "food certificate" shall mean a certificate, coupon, stamp, or other medium of exchange issued to an eligible recipient pursuant to the provisions of this Act.

(c) The term "designated food store" means an established grocery store, or merchant engaged in the distribution of food at the retail level, located in the community, meeting the requirement of eligibility as determined by the Secretary.

(d) The term "State" shall include Hawaii, the District of Columbia, Puerto Rico, and the Virgin Islands.

ESTABLISHMENT OF THE FOOD CERTIFICATE PROGRAM

SEC. 3. (a) The Secretary shall establish and administer a national food certificate

program in accordance with the provisions of this Act, and shall make rules and regulations for the conduct thereof. Under such program the Secretary shall issue to eligible persons, as hereinafter provided, certificates which shall be redeemable by the recipient thereof at any designated food store for certain specified foods.

(b) The Secretary shall from time to time designate the specific food commodities which may be purchased with food certificates issued pursuant to the provisions of this Act, and such certificates may be used only for the purchase of such designated foods. Food commodities shall be designated by the Secretary which contain nutrient ingredients found by him to be commonly deficient in the diets of persons receiving assistance under this Act.

PERSONS ELIGIBLE FOR FOOD CERTIFICATES

SEC. 4. (a) The following persons shall be eligible to receive food certificates for any month—

(1) Every individual who is a recipient of assistance or benefits for such month under the programs of old-age assistance, aid to dependent children, aid to the blind, or aid to the permanently and totally disabled provided for in titles I, IV, X, and XIV, respectively, of the Social Security Act.

(2) Every individual who is a recipient of unemployment compensation benefits for such month from any State.

(3) Every individual who is the recipient of financial assistance for such month provided for the needy by any State or political subdivision thereof.

(4) Every individual who, but for lack of legal residence only, would be eligible for such month for financial or other assistance provided for the needy by the State or local subdivision in which such individual is located.

(5) Every needy individual, including unemployed individuals not eligible for unemployment compensation benefits, with respect to whom the Secretary has received a certification for such month from the welfare or public assistance agency of a State or political subdivision thereof under an agreement entered into pursuant to subsection (b) of this section.

(b) The Secretary is authorized to enter into agreements with the welfare or public assistance agency of any State or political subdivision thereof whereby such agency shall certify to the Secretary, under regulations to be prescribed by the Secretary, the names of individuals of such State or political subdivision who are in need of public assistance but are not eligible for food certificates under paragraphs (1), (2), or (3) of subsection (a), and the Secretary shall provide for the issuance of food certificates to be distributed to such individuals.

ISSUANCE AND VALUE OF FOOD CERTIFICATES

SEC. 5. (a) The Secretary shall provide for the preparation of food certificates for issuance to individuals eligible therefor under section 4. Such certificates shall be in such denominations as the Secretary shall determine, and no individual shall receive food certificates with a face value exceeding $5 for any month. They shall be issued monthly and shall be valid only with respect to purchases made during the month for which they are issued.

(b) Food certificates issued under the provisions of this Act may be used only at designated food stores and may be used only as part payment for food commodities purchased. Part payment shall not exceed one-half of the total cost of the food commodities purchased at the time such certificates are used, and in no event shall such certificates be used as part payment for any food commodities other than those food commodities designated by the Secretary pursuant to section 3(b).

(c) Food certificates shall be distributed by the Secretary, in the case of State agencies making payments to individuals under the programs referred to in paragraphs (1), (2), and (3) of section 4(a), to the State agency making such payments, and, in the case of an individual eligible to receive food certificates under paragraph (4) or (5) of such section, to the State agency which certified the name of such individual to the Secretary. Subject to such rules and regulations as may be prescribed by the Secretary, the eligibility of any individual for food certificates shall be determined by the State agency making the payment by reason of which the individual is eligible for such certificates.

(d) Unless otherwise provided by the Secretary, food certificates for the use of individuals described in paragraphs (1), (2), and (3) of section 4(a) shall be issued to such individuals at the same time and together with any payments made by the State under programs described in such paragraphs. Food certificates for the use of individuals described in paragraphs (4) and (5) of section 4(a) shall be issued to such individuals in such manner as the Secretary shall prescribe.

(e) Food certificates shall not be transferred except as provided in this Act, and shall be valid only with respect to purchases made by or on behalf of the person to whom they are issued.

REDEMPTION OF SURPLUS FOOD CERTIFICATES

SEC. 6. (a) The Secretary shall provide for redemption, through the cooperation of banking institutions throughout the Nation, of food certificates. For such purposes, he shall designate banking institutions which shall be authorized to accept such certificates from designated food stores. Institutions so designated shall pay at the time of presentation in cash or by credit to a demand deposit the full value of all food certificates presented to them.

(b) Banking institutions accepting food certificates may present to the Secretary, or such other agency as the Secretary may designate, evidence of the deposit with them of food certificates presented by designated food stores, together with appropriate vouchers. Such evidence of deposit and vouchers shall be considered complete documentation for payment and payments may be made thereon.

(c) The Secretary may advance moneys to banking institutions, where such action appears necessary, to provide funds for the redemption of surplus food certificates. Such advances shall be accounted for by such banking institutions at least monthly.

(d) The Secretary may contract to pay banking institutions designated to receive food certificates a charge determined by the Secretary to be reasonable for the services rendered in acting as such depositories.

RULES AND REGULATIONS

SEC. 7. The Secretary may, from time to time, issue such rules and regulations as he deems necessary or proper in order to carry out the purposes and provisions of this Act.

AUTHORIZATION FOR APPROPRIATIONS

SEC. 8. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

CRIMINAL PROVISIONS

SEC. 9. (a) Whoever shall falsely make, alter, forge, or counterfeit or cause or procure to be falsely made, altered, forged, or counterfeited any food certificate or certificate similar thereto for the purpose of obtaining or receiving, or of enabling any other person to obtain or receive, directly or indirectly, from the United States or any of its officers or agents, any money or other thing of value, and whoever shall transfer or utter as true, or cause to be transferred or uttered as true, any such false, forged, altered, or counterfeited food certificate or certificate similar thereto, with intent to defraud the United States, or any mercantile establishment, banking institution, or person, shall, upon conviction thereof, be fined not more than $5,000 or imprisoned not more than ten years, or both.

(b) Any person not being so authorized by this Act or the regulations issued pursuant thereto, who shall have food certificates in his possession or under his control, or any person who shall use, transfer, or acquire food certificates in any manner not authorized by this Act, or the regulations issued pursuant thereto, or who shall buy, sell, or exchange food certificates without being authorized to do so by this Act or regulations issued pursuant thereto shall be guilty of a misdemeanor and shall, upon conviction thereof, be fined not more than $5,000 or imprisoned for not more than one year, or both.

REPORTS

SEC. 10. The Secretary shall make an annual report to Congress describing the operations of the food certificate plan and such report shall include information with respect to the following: The number of individuals entitled to receive such certificates; the extent to which such plan has been effective in improving or maintaining health; the effect of such plan on the expenditure habits of recipients of such certificates; the extent to which such certificates have been improperly used; and the amount and type of administrative expenditure incurred in carrying out such plan.

EFFECT ON OTHER ASSISTANCE PROGRAMS

SEC. 11. Any benefits received under this Act shall not be deemed to be income or resources for the purposes of any provision of the Social Security Act, nor shall such benefits be used to justify any decrease of cash or other benefits paid to any individual by any State or local subdivision thereof.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. SYMINGTON. I should like to yield to my friend, the able Senator from South Carolina, but the distinguished Senator from Wisconsin [Mr. PROXMIRE] has yielded to me.

Mr. PROXMIRE. Mr. President, I yield.

Mr. JOHNSTON of South Carolina. I should like to ask the Senator from Missouri a question. How can he explain to the taxpayers of the United States this condition at home, when we are giving $5 or $6 billion for foreign aid?

Mr. SYMINGTON. I believe the comment of the able Senator from South Carolina is most pertinent, indeed.

The people of the country would better understand assistance to other countries if we were taking action to eliminate the serious conditions which exist among our own people.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. SYMINGTON. I thank the distinguished Senator from Wisconsin for his typical graciousness and courtesy in yielding to me. The senior Senator from Minnesota has asked me to yield to him, and I take this way of explaining to him that I do not have the floor. I thank the Senator.

Mr. PROXMIRE. Mr. President, I have promised to yield to the Senator from Alaska and to the Senator from

Virginia. I realize that the senior Senator from Minnesota merely wishes to comment on the bill which has been introduced by him and the Senator from Missouri. I am glad to yield to him briefly for that purpose.

Mr. HUMPHREY. I thank the Senator from Wisconsin. It is with great pride and honor that I join with the Senator from Missouri in the presentation of what I believe to be a very well designed and well developed program for a so-called food stamp system and food assistance program for needy people. It is inconceivable to me that our Government should find it difficult to perfect an administrative program which can bring to needy people the food which they require out of sheer humanitarian considerations.

On the floor of the Senate we have heard time after time, during the past month, statements by the Senators from Kentucky and the Senators from West Virginia—to mention only two States—dealing with the dire need of people in their respective States. Had there been a food stamp program in existence and had there been in existence the kind of program outlined by the Senator from Missouri [Mr. SYMINGTON], those people would have had their basic food needs met. There would have been an adequate diet provided. Relief would have been provided for people undergoing that kind of suffering. All of that would have been done without any upsetting of normal markets, without any difficulty for normal retailers, and without any difficulty in connection with what we call normal customs.

I believe that the program which the Senator from Missouri has presented is long overdue. I repeat that it is a program into which a great deal of work has gone in terms of perfecting proposed legislation. We owe the Senator from Minnesota a debt of gratitude for his leadership. He was kind enough to permit me to associate myself with him, as a member of the Committee on Agriculture and Forestry and as one of his good friends, as a cosponsor of the proposed legislation.

I believe that the Members of the Senate will wish to urge prompt action on the proposal by the appropriate committees of Congress. I again thank the Senator for his leadership. I express to him my personal appreciation for what he has done to spell out once again what our country should do in terms of humanitarian assistance to the needy people of this country.

Mr. SYMINGTON. Mr. President, will the Senator from Wisconsin yield to me for 1 minute?

Mr. PROXMIRE. I yield to the Senator from Missouri.

Mr. SYMINGTON. I thank my good friend from Minnesota for his very kind remarks. I deeply appreciate his cosponsorship and support. The other day on a visit to one of our States I found that in that State 100,000 children have less than one-third of an adequate protein diet. I was told that in a class of 30 children in that State, only two of the fathers and mothers of those children had employment. There is a real need for the type of program we have introduced and I hope there will be prompt action on this bill.

I thank the Senator from Wisconsin.

Mr. PROXMIRE. I promised to yield to the Senator from Alaska. First, I wish to emphasize and underline what the Senator from Missouri has said about the Secretary of Agriculture's failure to give the Committee on Agriculture and Forestry the recommendation which he told us he would give us. He made that promise in February. Anyone who reads the record which the Senator from Missouri has put into the CONGRESSIONAL RECORD will note that the Secretary of Agriculture made the statement that he would give the committee his recommendation for a farm program; that he has not done so, and that he has indicated he has no intention of doing so. I now yield to the Senator from Alaska.

Mr. GRUENING. Mr. President, in the course of the excellent speech by the distinguished senior Senator from Missouri, in introducing the bill sponsored by him and by the able senior Senator from Minnesota, the distinguished Senator from South Carolina [Mr JOHNSTON] interpolated a brief, terse question. I should like to see that question repeated every hour on the hour throughout the remainder of this session of Congress. It is a question which a great many people throughout the United States are asking, and properly so.

Inasmuch as a few minutes have elapsed since the Senator from South Carolina asked the question, I should like to paraphrase briefly his question as I interpret it. It is: How can we justify our failure to provide some of the essential necessities of life—food, clothing, shelter, adequate school and health facilities—to the American people, when we are constantly being asked to give more and more billions of dollars to countries overseas? Why is there not at least an equal if not a greater sense of responsibility for taking care of our domestic needs? While we are being asked to give more and more assistance abroad and warned not to diminish it by 1 cent, we are at the same time being told by the administration we must not ask for adequate funds for the necessities of life for our own people.

I hope the distinguished senior Senator from South Carolina, who uttered that appropriate query will persist in asking it. It is one of the most pertinent queries that can be asked of the Congress and the administration. The American people are asking it increasingly. I should like to have that question answered affirmatively by action on the part of Congress, whatever may be the attitude of the White House.

Mr. HUMPHREY subsequently said: Mr. President, earlier today the distinguished junior Senator from Missouri [Mr. SYMINGTON] introduced a bill to provide for a food certificate plan, as to which I made a brief comment.

I am proud to be a cosponsor of the bill introduced by the Senator from Missouri.

For too long we have let the clamor of the prosperity jubilee chorus drown out the small voices of the people in our society who have not shared in the rising standards of living that the majority have enjoyed. Through no fault of their own, these citizens have stood helplessly by, with incomes too low to buy anything other than the bare necessities, too low to secure an adequate and proper diet.

The food certificate plan presented by the Senator from Missouri is a practical plan to meet the immediate needs of more than 6 million Americans. Who are these people? They are widows struggling to rear dependent children on social security checks. They are the elderly whose working years were not fruitful enough for them to lay by a store of worldly goods sufficient to maintain them when they could no longer work. They are the unfortunates who are not physically able to keep pace with the rest of us. They are the workers whose lack of skills force them into the fields of intermittent labor at the low end of the wage scale. And, they are the industrial workers whose trained skills are no longer needed and who are drawing unemployment compensation benefits, or have exhausted these benefits.

It is for people such as these that this program is introduced. It is to give those of us who are more fortunate a way to assist those who have not been so lucky.

We have waited long enough for the enactment of this kind of assistance. Similar proposals have been made for years. This is not the ideal program, nor the most far-reaching in its benefits—and certainly it is not the most costly—but it is an affirmation of the intent of the American people to take care of their own.

Our colleague, Senator AIKEN, has long cherished a food allotment plan that would render invaluable assistance to all low income citizens, not just those on the welfare lists. It has been my honor to cosponsor Senator AIKEN's proposal in previous sessions. I will continue to support it and press for its passage. This bill, however, has never gained the official blessing of the Department of Agriculture. Somehow the Secretary of Agriculture has not felt an iota of responsibility toward those in need.

At the direction of the Congress of the United States, the Secretary of Agriculture has released from his vast storehouses certain quantities of such commodities as rice, cornmeal, white flour, dry beans, and the like. This distribution should be continued, but it does not fulfill the nutritional needs of the recipients. Our colleagues from West Virginia, Senators BYRD and RANDOLPH, have pointed out to us here on this floor the inadequacy of these few surplus commodities to fill the needs of the unemployed in their State. The welfare rolls in West Virginia carry the names of more than 300,000 persons. In Pennsylvania, more than 900,000 needy persons are receiving assistance.

Mr. President, I ask unanimous consent that a table, compiled by the Agricultural Marketing Service of the U.S. Department of Agriculture, be printed at this point in my remarks. This table

shows both the number of persons eligible for assistance—those in one of the welfare categories—and those who participated in the surplus commodity distribution program in February 1959. The difference in the figures is due to the fact that not all of those eligible are able to get to the food distribution points.

Senator SYMINGTON has so thoroughly explained the operation of this food stamp plan and so conclusively stated the case for it that there is little that I can add.

A point which I would like to stress is that this plan utilizes normal, established retail stores. It will increase the amount of products moving through the stores. It does not disrupt or interfere with normal channels of trade.

Also, Mr. President, I want to assure my friends who support more adequate cash assistance programs for the aged, the blind, the disabled, the dependent children, and the unemployed that this bill is not designed as a substitute for such programs. The adoption of this proposal should be based on its own merits. It conflicts in no way with the intentions of any other program, nor does it minimize the need for strengthened cash assistance programs. When we measure the great need of people against available cash assistance and add another $5 per month in the form of food stamps, we have not even begun to give the kind of welfare benefits to the needy which they require and deserve, and which this great rich Nation can afford.

Mr. President, I ask unanimous consent that a table entitled "Number of persons in family units eligible for and participating in commodity distribution February 1959," may be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Number of persons in family units eligible for and participating in commodity distribution, February 1959

State	Number of eligibles [1]	Recipients as a percent of eligibles	Number of recipients			
			Total	Public assistance	Indians	Other
Alabama	149,617	90	135,135	46,102		89,033
Arizona	66,366	81	53,642	21,398	11,015	21,229
Arkansas	325,542	91	297,789	88,992		208,797
California	86,909	83	71,857	20,376	20	51,461
Colorado	29,490	93	27,442	19,599		7,843
Connecticut	1,594	65	1,037	882		155
District of Columbia	42,681	83	35,304	19,752		15,552
Georgia	49,085	91	44,736	13,584		31,152
Illinois	98,734	87	85,876	58,156		27,720
Indiana	122,911	88	107,727	49,071		58,656
Iowa	108,179	90	97,184	45,015	171	51,998
Kansas	11,953	100	11,953	11,900		53
Kentucky	307,700	91	278,808	75,265		203,543
Louisiana	180,784	99	178,262			178,262
Maine	69,979	84	58,887	25,979	831	32,077
Maryland	55,363	84	46,683	21,994		24,689
Massachusetts	13,672	32	4,414	4,123		291
Michigan	597,954	90	536,129	219,573		316,556
Minnesota	53,353	93	49,751	27,237	4,108	18,406
Mississippi	471,662	93	440,993	175,847		265,146
Missouri	172,411	72	124,620	35,027		89,593
Montana	12,876	93	11,916	235	11,405	276
Nebraska	2,102	100	2,102		2,102	
Nevada	1,703	94	1,598	853	263	482
New Hampshire	9,899	97	9,597	4,579		5,018
New Jersey	22,429	97	21,693	13,903		7,790
New Mexico	48,299	87	42,183	28,723		13,460
New York	539,852	69	374,516	262,395		112,121
North Carolina	1,071	84	904			904
North Dakota	14,135	90	12,665	769	9,752	2,144
Ohio	77,403	88	67,992	61,232		6,760
Oklahoma	295,835	88	260,159	113,358		146,801
Pennsylvania	931,788	84	780,423	258,206		522,217
Puerto Rico	637,749	94	602,253	400,550		201,703
Rhode Island	19,997	62	12,470	8,602		3,868
South Carolina	2,660	100	2,660			2,660
South Dakota	42,372	92	39,153	13,497	19,783	5,873
Tennessee	194,699	90	174,484	36,378		138,106
Texas	102,739	92	149,484	46,746		102,738
Utah	35,739	66	23,410	18,067	1,081	4,262
Vermont	16,858	87	14,741	4,668		10,073
Virginia	42,404	87	36,982	6,878		30,104
Washington	8,284	89	7,354	5,370		1,984
West Virginia	323,787	91	294,866	85,300		209,566
Wisconsin	71,561	88	63,158	16,628	866	45,664
Wyoming	10,798	91	9,843	5,167		4,676
Trust Territory	5,835	100	5,835			5,835
Total	6,548,813	87	5,710,670	2,371,976	61,397	3,277,297

[1] Number of persons certified as eligible to receive donated commodities.

EXTENSION OF THE SUGAR ACT

Mr. LANGER. Mr. President, will the Senator from Wisconsin yield briefly to me?

Mr. PROXMIRE. I yield.

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a resolution adopted by the board of directors of the Garrison Diversion Conservancy District, urging the extension of the Sugar Act.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION ADOPTED APRIL 2, 1959, BY THE BOARD OF DIRECTORS OF THE GARRISON DIVERSION CONSERVANCY DISTRICT

Be it resolved by the board of directors of the Garrison Diversion Conservancy District, the North Dakota political subdivision organized for the purpose of promoting and bringing about the development of the Garrison diversion project, duly assembled at meeting in Harvey, N. Dak., this 2d day of April 1959, That the Congress of the United States be, and is hereby respectfully urged to extend the Sugar Act as proposed by S. 187, and companion measures, 86th Congress; and be it further

Resolved, That the secretary of this board is directed to mail a copy of this resolution to the Honorable HARRY F. BYRD, chairman, Senate Committee on Finance; Hon. HAROLD D. COOLEY, chairman, House Committee on Agriculture; Senators WILLIAM LANGER and MILTON R. YOUNG and Representatives QUENTIN N. BURDICK and DON L. SHORT.

ROY A. HOLAND,
Chairman.

Attest:

VERNON S. COOPER,
Secretary.

TAX RECIPROCITY

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the RECORD at this point an editorial entitled "U.S. Tax Attempt Tossed Out," published in the Telegram of Toronto, Ontario, of April 11, 1959.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

U.S. TAX ATTEMPT TOSSED OUT

Rarely have tax officials suffered a more decisive defeat than has the U.S. Internal Revenue Service in the courts in Cincinnati, in the case in which the service has tried to tax a Canadian company.

Consolidated Premium Iron Ores, Ltd., a Toronto company whose business is marketing the output of Steep Rock Iron Mines Ltd., has won a clear verdict in the Federal U.S. Court of Appeals against U.S. Government tax officials who assessed it for $4,599,418 in back taxes. In this verdict, the American court has shown more sense than the tax branch of the American Government.

This is a case that has not only ruffled Canadian feelings, but threatened to upset harmonious rclations under the Canada-U.S. tax treaty that provides orderly procedure for avoidance of double taxation.

This is, moreover, the case which would have jeopardized the position of hundreds of U.S.-controlled firms in Canada and, if U.S. tax officials had had their way, delivered a severe blow to Canadian economic development to the extent that it has been based on U.S. capital investment here.

The basic doctrine of tax reciprocity, as it prevails between Canada and the United States, is that U.S. investment in Canada operates under Canadian law as to taxes and other administrative matters. Similarly, Canadian investment in the United States operates under U.S. law, with no duplication of taxes or interference from Canadian authorities.

As the Premium Iron Ore case has demonstrated, this is not good enough for U.S. Federal tax officials. Back in 1956, acting on a tax informer tip, they assessed this company, which is wholly subject to Canadian law, for back taxes in the war years when Canada allowed it tax exemption as a development incentive.

The claim rested on the contention that since Premium Iron Ore is financed by the Cyrus Eaton interests, and Mr. Eaton resides in the United States, the company was subject to U.S. tax. Not overlooked is the fact that Mr. Eaton is a sharp critic of some U.S. policies, notably in foreign affairs, and the United States attempt to collect taxes from a Canadian property of his has a bad

odor of political motive, repugnant to Canadian thought.

The Canadian Government protested formally against this claim, both under the St. Laurent and the Diefenbaker regimes. The U.S. tax court described the claim as "inconsistent" and ruled against it. Now the U.S. court of appeal in Cincinnati has upheld this finding.

It's to be hoped that U.S. tax officials will be content with the verdict. Reportedly, they may still appeal to the U.S. Supreme Court. But two clear verdicts are enough to remove any legitimate doubt that the U.S. tax attempt was unfounded. In view of the impact upon Canadian-U.S. relations, it was unwise in the first place.

PROPOSED IRRIGATION RESEARCH PROGRAM IN NORTH DAKOTA

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a resolution adopted by the Garrison Diversion Conservancy District of Bismarck, N. Dak.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION ADOPTED APRIL 2, 1959, BY THE BOARD OF DIRECTORS OF THE GARRISON DIVERSION CONSERVANCY DISTRICT, REQUESTING AN EXPANDED IRRIGATION RESEARCH PROGRAM IN NORTH DAKOTA BY THE AGRICULTURAL RESEARCH SERVICE

Whereas the Garrison Diversion Conservancy District, a political subdivision of the State of North Dakota, established to bring about the development of the Garrison diversion project, is vitally interested in the successful development of irrigation in North Dakota as proposed under this project; and

Whereas the conservancy district recognizes the valuable work that has been performed by the North Dakota Agricultural Experiment Station and the Agricultural Research Service in irrigation research on the development farms in North Dakota and commends these agencies for their endeavors in this field; and

Whereas the conservancy district recognizes the need for a continuing and expanded irrigation research program that will provide the farmers in the Garrison diversion project area, where irrigation is a relatively untried method of farming, the basic information they need about irrigation; and

Whereas it has come to the attention of the board of directors of the Garrison Diversion Conservancy District that funds included in the Department of Agriculture's budget for fiscal year 1960 for the agricultural research activities in North Dakota will not be sufficient to permit the Agricultural Research Service to undertake new irrigation research projects after the projects presently under way are completed, which completion is scheduled for the current year; and

Whereas the North Dakota State Legislature has appropriated funds to the North Dakota Agricultural Experiment Station to acquire and partially develop a section of land near Carrington, N. Dak., for an irrigation experiment station which station is very typical of the soils, climate, topography, and drainage of the Garrison diversion project and will provide a permanent site for a continuing irrigation research program in North Dakota; and

Whereas the Garrison Diversion Conservancy District believes that the most efficient and economical way in which to obtain the essential irrigation research data is through a program accomplished by the cooperative efforts of the Agricultural Research Service and the North Dakota Agricultural Experiment Station at this Carrington Station: Now, therefore, be it

Resolved by the board of directors of the Garrison Diversion Conservancy District, at meeting duly assembled at Harvey, N. Dak., this 2d day of April 1959, That the Congress of the United States is respectfully urged to appropriate adequate funds to the Agricultural Research Service, Department of Agriculture, that will be available for the inauguration of an expanded irrigation research program in North Dakota by the Agricultural Research Service at the Carrington Experiment Station in cooperation with the North Dakota Agricultural Experiment Station; and be it further

Resolved, That copies of this resolution be forwarded to the Secretary of Agriculture; the chairman of the Appropriations Committees of the U.S. Senate and House of Representatives; Senators WILLIAM LANGER and MILTON R. YOUNG; Congressman QUENTIN BURDICK and DON L. SHORT; and the Director of Agricultural Research Service, U.S. Department of Agriculture.

ROY A. HOLAND, *Chairman.*

Attest:

VERNON S. COOPER, *Secretary.*

FEDERAL INCOME TAX DAY

Mr. BYRD of Virginia. Mr. President, will the Senator from Wisconsin yield to me?

Mr. PROXMIRE. I yield.

Mr. BYRD of Virginia. Mr. President, April 15 each year generally has come to be regarded as Federal income tax day.

Today being April 15, it would seem to be appropriate that we should pause to consider the reasons why such high Federal taxes are necessary.

In this connection, I ask unanimous consent to have published in the body of the RECORD a copy of the leading editorial in the Wall Street Journal of this date.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THOUGHTS FOR APRIL 15

It has long been a truism that high taxes make people disdain the law. That has been notoriously the case in France, for example; it is becoming increasingly the case in the United States.

Thus a survey recently conducted by this newspaper showed that two out of five American taxpayers interviewed admitted cheating on their returns. It was not that they used every legal provision to their advantage, but that they deliberately short-changed the Government.

Though such a poll naturally doesn't pretend to be statistically precise for the whole Nation, it is at least indicative of the mood of quite a few people. Others, who wouldn't think of cheating, pay their taxes with annoyance, anger, or disgust.

For the Government to create such a mood is bad enough; what is worse is that the thing doesn't end there. Excessive taxation breeds, in many people, a disrespect for the Government as a whole. Moreover, much of what the Government does with tax money invites both disrespect for Government and the corrosion of individual morality.

Consider the farm program, for one instance. People with a tradition of self-reliance become inured to accepting Federal handouts. Some of them, oppressed by controls, become lawbreakers. Meantime the entire spectacle hardly enhances the dignity of Government. Because Congress refuses to face today's farm facts, the program resembles something dreamed up in a madhouse. And yet a good hunk of the tax dollar goes to pay for this folly.

Similarly, few healthy veterans can possibly believe that they are entitled to innumerable Federal benefits, but they keep on taking them because they are available; why not get what the others are getting? For its part Congress, skittish of imagined political hot water, refuses to reform and reduce the veterans' program. Again, for the public at large, the impression is created of the Government handling tax money in a silly fashion.

The more the Government gets into matters of private concern, the more these twin effects show up—the undermining of individual independence and the placing of Government in an unattractive or ridiculous light.

And the outlook for the future is not auspicious. There are too many in Congress who want to expand Government much further, apparently without limit. They are looking at human existence through the wrong end of the telescope, for Government is not and cannot be the generator of wealth, as our own history abundantly proves. On the contrary, every expansion of Government, paid for through higher taxes or more inflation, is a powerful depressant on the true sources of wealth. Existing taxes are already far too high for sound economic growth.

To put it another way, just suppose that we had sound money and confidence that the Government was going to keep it sound; that we had a Government constantly cutting spending, gradually paying off the debt and reducing taxes. The effect would be electric; the economic goals proclaimed by the statists would seem piddling by comparison to what a free people would accomplish. This is the lesson of our history, and it seems incredible that so many people can manage to misread it.

We all know, or ought to, that this Government was founded in reaction to excesses of government. It was meant to be limited, for the very good reason that the people who founded it understood that in the freest possible play of individual initiative was not only the best guard against tyranny but also the surest route to material abundance. And so long as the Government remained limited it was not the target of the widespread disrespect of the people.

Now in these reflections on April 15 it is certainly not our purpose to condone those who cheat on their taxes. What we are saying is that it is an inevitable reaction to exorbitant taxation—a tax revolt in fact—and a part of the general malady of big government.

After all, Government can hardly expect anything but disrespect when it permits excessive taxation and inflation to cheat the people of their present livelihood and future hopes.

CURRENT SPENDING LEGISLATION

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a statement by me based on a compilation by Tax Foundation, Inc., showing the present status of current spending legislation.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BYRD OF VIRGINIA

As Congress returns from its Easter recess, it is faced with partially enacted legislation which, in its present status, clearly shows a trend toward enactment of new spending legislation far in excess of administration requests.

Senate action on spending legislation it has considered would increase requested amounts by 24 percent, and in the House of Representatives increases in legislation it

has considered so far are averaging 12 percent.

I base these statements on my own interpretation of a strictly factual compilation by Tax Foundation, Inc., which shows currently active bills carrying new spending authority, and their status through Tuesday, March 24, 1959, as Congress recessed for the Easter holidays.

The Tax Foundation is an independent organization which I hold in the highest regard for its research in the field of government.

For years the foundation has been keeping a running box score on spending legislation action in each session of Congress. The present compilation is the first in its current series for the 1st session of the 86th Congress.

On the basis of incompleted legislative action to date, the compilation shows:

1. Some degree of action to date has been taken on administration proposals totaling $10,963 million.

2. The Senate has acted to some degree on administration proposals totaling $6,450 million, increasing them by $1,540 million to $7,990 million.

3. The House has acted to some degree on administration proposals totaling $10,913 million, increasing them by $1,331 million to $12,244 million.

4. The Senate has not acted on any appropriation legislation; it has dealt only with spending authority outside of effective annual appropriation control; the administration requests have been increased in each instance.

5. The only reductions under administration requests appear in House of Representatives action on some items for which final spending authority is provided in regular appropriation bills.

I append the Tax Foundation tabulation, "Congressional Action on Requested New Spending Authority—Status Through March 24, 1959," with explanatory notes:

Congressional action on requested new spending authority—status through Mar. 24, 1959 [1]

[In millions]

Type of new spending (obligational) authority by bill or program, and fiscal year	Administration request	House committee action	Passed by House	Senate committee action	Passed by Senate	House versus requests	Senate versus requests
Appropriations:							
2d supplemental (1959)	$2,865	$2,480	$2,657	----------	----------	−$208	----------
Treasury and Tax Court (1960)	789	781	781	----------	----------	−8	----------
Postal deficit (1960)	172	470	470	----------	----------	+298	----------
Interior Department and related agencies (1960)	491	472	472	----------	----------	−19	----------
District of Columbia, Federal funds (1960)	70	61	61	----------	----------	−9	----------
Deduct appropriations to liquidate contract authority	−74	−69	−69	----------	----------	−5	----------
Total appropriations	4,313	4,195	4,372	----------	----------	+59	----------
Contract authority:							
Grants for urban renewal (1959–65)	1,450	1,500	----------	$2,100	$2,100	+50	+$650
Grants for airports (1960–63)	200	297	297	565	465	+97	+265
Total contract authority	1,650	1,797	297	2,665	2,565	+147	+915
Authority to expend from debt receipts:							
Loans for college housing (1959)	200	400	----------	400	300	+200	+100
Loans for college educational facilities (1959)	----------	----------	----------	125	125	----------	+125
Cooperative housing mortgage purchases (1959)	----------	75	----------	----------	----------	+75	----------
Direct housing loans to veterans (1959)	----------	300	300	300	150	+300	+150
Aid to depressed areas (1959)	50	----------	----------	300	300	----------	+250
International Monetary Fund (1959 or 1960)	1,375	1,375	----------	1,375	1,375	----------	----------
International Bank (1959 or 1960)	3,175	3,175	----------	3,175	3,175	----------	----------
Tennessee Valley Authority revenue bonds (1959)	200	750	----------	----------	----------	+550	----------
Total authority to expend from debt receipts	5,000	6,075	300	5,675	5,425	+1,125	+625
Total new spending (obligational) authority	10,963	12,067	4,969	8,340	7,990	+1,331	+1,540

[1] See explanatory notes, following this table.

EXPLANATORY NOTES RELATING TO PRECEDING TABULATION ON "CONGRESSIONAL ACTION ON REQUESTED NEW SPENDING AUTHORITY—STATUS THROUGH MARCH 24, 1959"

1. The tabulation covers only spending authority requiring no further action by Congress in advance of incurrence of obligations. The three types of spending authority, as recognized in the budget, are appropriations, contract authority, and authority to expend from debt receipts—the latter two representing the so-called "back door" approaches to the Treasury. Authorizations to appropriate, which require further action by Congress and are not considered at this point as within the budget, are excluded. Thus, the tabulation omits certain authorizations to appropriate in the housing and depressed areas bills. The House committee version of the housing bill, in addition to the various amounts carried in the tabulation, also authorizes appropriation of $100 million for loans to nonprofit corporations for housing for elderly persons, as well as smaller amounts for other purposes. It also revives a public housing program which could cost $3.7 billion under a 1949 authorization of appropriations, according to official estimates. The Senate-approved depressed areas bill, in addition to providing spending authority listed in the tabulation, also authorizes appropriations of $89.5 million for specific purposes, plus an indefinite amount for administrative costs.

2. Spending authority intended to be effective in the current fiscal 1959, in fiscal 1960, and in other future years is combined in a single tabulation. Measures listed for fiscal 1959 include those which would be effective in the current year if enacted before June 30, even though comparable proposals may be a part of the administration fiscal 1960 program.

3. The postal deficit is the only part of postal costs which affects the budget. Appropriations from postal receipts are omitted from the tabulation. The budget estimate of $172 million for the fiscal 1960 postal deficit assumed approval of a recommended increase in postal rates to yield $350 million. The House reduced total postal appropriations by $52 million. On the basis of existing rates, the estimated appropriation of $470 million for the postal deficit is an increase of $298 million over the estimate in the budget.

4. The bill authorizing commitments to the International Monetary Fund and the International Bank for Reconstruction and Development, as passed by the Senate, provides that it shall not be effective until after the beginning of fiscal 1960. As reported to the House, it would be effective in fiscal 1959, as proposed by the administration. The $1,375 million contribution to the International Monetary Fund is an immediate budget expenditure under the administration proposal and its deferment would unbalance the fiscal 1960 budget by a substantial amount. More than $1 billion of this amount would be paid in a non-interest-bearing note, which becomes a part of the public debt. Its deferment might have a bearing on the urgency of an increase in the debt ceiling, believed by the administration to be necessary before June 30. The $3,175 million commitment for the International Bank, while the same type of spending authority as that for the Fund, is not expected to become a budget expenditure. This commitment is intended to facilitate the financing of the Bank's operations by sale of bonds.

5. The tabulation reflects possibilities for affecting the budget situation adversely, from the expenditure side only, at this stage. Rejection in whole or in part of administration proposals for increases in tax revenues, which have made little progress as yet, or losses in revenues resulting from actions by Congress, also could have serious effects upon the budget, either in fiscal 1960 or immediately succeeding years.

6. Comparisons for each branch of Congress relate to the latest stage of action. No appropriations bills have been acted upon in the Senate thus far.

FIDEL CASTRO OF CUBA

Mr. MORSE. Mr. President, will the Senator from Wisconsin yield to me?

Mr. PROXMIRE. I yield.

Mr. MORSE. Mr. President, some months ago when some of us in the Senate publicly criticized Castro of Cuba for the blood baths he was carrying on in Cuba and for his violation of all the civilized rules of fair procedure in the trial of war criminals, statements attributed to Castro came out of Cuba, that the executions would be limited to those who, the Castro followers were satisfied, were guilty of having committed atrocities under the Batista regime.

Some of us, including the senior Senator from Oregon, have been very critical of the inhumanity, brutality, and totalitarianism of the Batista regime, as is evidenced by the fact that, as a member of the Subcommittee on Latin-American Affairs of the Committee on Foreign Relations, I led the fight in that committee for a cessation of the shipment of American arms to Batista. We who had taken that position felt that the explanation given by Castro was no justification for inhumanity to man, and that the sound, civilized principles of the Geneva convention should be followed in Cuba.

I have before me a news dispatch dated at Havana, April 14, all of which I shall ask unanimous consent to have

printed in the RECORD, but a part of the article reads as follows:

Premier Castro has stated that those convicted of counterrevolutionary activities would be executed by firing squad. Some 2 weeks ago five men were arrested for conspiring to kill Dr. Castro. They were lodged in La Cabaña fortress across the bay from Havana, where some "war criminals" of the Batista regime are awaiting trial.

The article continues by pointing out that one person was condemned to be executed because of the alleged sale of marijuana.

Although Dr. Castro said in a public speech that those trafficking in narcotics, those involved in illegal gambling, in counterrevolutionary activities, and those who misappropriated funds would be executed by firing squad, no legislation has been approved fixing this penalty.

It is with sadness that I report such an announcement coming out of Cuba. I still think a system of government by law, based upon fair procedure, ought to prevail if the head of the Cuban Government wants to represent that his is a government of freedom, personal liberty, and fair procedure.

Mr. President, I ask unanimous consent that the article, entitled "Cuba Arrests Nine in Plot," published in the New York Times of April 15, 1959, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CUBA ARRESTS NINE IN PLOT—OTHERS ARE REPORTED INVOLVED IN ANTI-CASTRO CONSPIRACY

HAVANA, April 14.—Nine persons, including a former councilman of the municipality of Regla across the bay from Havana, have been arrested on a charge of conspiring against the revolutionary government. The group was arrested in a meeting in a house in Regla.

The police say they found documents that will lead to the arrest of others involved in the conspiracy. A report circulating in Havana today said that "10th of March" bombs and arms were seized in the house, although this has not been comfirmed by the police, March 10 was the date on which the former President Fulgencio Batista seized control of the Government in 1952, thus linking the conspiracy to the former regime.

Premier Castro has stated that those convicted of counterrevolutionary activities would be executed by firing squad. Some 2 weeks ago five men were arrested for conspiring to kill Dr. Castro. They were lodged in La Cabaña Fortress across the bay from Havana, where some 800 "war criminals" of the Batista regime are awaiting trial.

The appeal of Heriberto Bertematy Rodriguez, who was condemned April 19 to be executed if convicted of the sale of marijuana, will be presented tonight in La Cabaña.

Although Dr. Castro said in a public speech that those trafficking in narcotics, those involved in illegal gambling, in counterrevolutionary activities and those who misappropriated public funds would be executed by firing squad, no legislation has been approved fixing this penalty. However, Bertematy was sentenced under article 16 of the Rebel Criminal Code, which was interpreted by the court to apply the death penalty to any crime it considered to be to the social detriment of the nation.

Mr. MORSE. Mr. President, I ask unanimous consent also to have printed in the RECORD at this point an article entitled "Costa Rican Denies Charges by Castro," published in the New York Times of April 14, 1959.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

COSTA RICAN DENIES CHARGES BY CASTRO

SAN JOSE, COSTA RICA, April 13.—Former President José Figueres has indignantly denied charges by Premier Fidel Castro of Cuba that he was an "agent of Yankee imperialism."

In a recorded speech broadcast today, Dr. Figueres said: "I want the support of the people, not the rabble. I do not want to happen to me what has happened in other Central American countries, where they have substituted the rabble for the people in order to claim popular support."

At this point his audience of veterans of the 1948 revolt here shouted, "Down with Fidel Castro." Figueres did not intervene.

Warning that a distinction must be drawn between genuine democratic revolutions and those prompted by rabble-supported demagogues, he continued: "In every American country there exists a Communist nucleus that backs a demogogue's leadership solely to overthrow it later and establish not merely dictatorship of the proletariat but mob dictatorship.

HAVANA, April 13.—Dr. Castro said today that elections in Cuba would be delayed until his revolutionary government had finished its work.

He also repeated the charge that his enemies were buying arms in Miami and preparing a campaign against him there.

NOMINATION OF CLARE BOOTHE LUCE TO BE AMBASSADOR TO BRAZIL

Mr. MORSE. Mr President, at a hearing before the Committee on Foreign Relations this morning I asked Mrs. Luce some questions concerning her record and her statements. One of my colleagues on the committee asked if questions on those subjects had been asked when the nomination of Mrs. Luce to be Ambassador to Italy was being considered. She said they had not been asked. I think the record will show that she said something to the effect that it was a private hearing, not a public hearing.

I asked Mrs. Luce if I was a participant in that hearing. She said I was. I asked her if she believed I was a member of the committee at that time. She said she believed I was. I told her I was certain that she was mistaken.

But I always document my statements. Therefore, let the RECORD show that I had not even been appointed to the Committee on Foreign Relations until some 2 years after Mrs. Luce was before the committee in 1953, when her nomination to be Ambassador to Italy was considered.

But even if I had been a member of the committee at that time, I probably would not have asked her questions on the points about which I asked her this morning, because I was not aware until recently of the very unfortunate remarks which she made.

I simply wish to say on the floor of the Senate, before I go to the committee room to vote against the confirmation of the nomination of Mrs. Luce this afternoon, that the great architect of the Good Neighbor Policy, whose memory is revered all over Latin America and South America, was Franklin Roosevelt. I have no intention of voting to confirm the nomination as Ambassador of Brazil of anyone—man or woman—who admits, as Mrs. Luce admitted again this morning, that she did say that Franklin Roosevelt was the only President in the history of the United States who lied us into a war. I asked her to document the charge. I will never vote to confirm the nomination of anyone who is guilty, as I told her this morning, of such subversive statements.

RESPONSIBILITY OF THE INDIVIDUAL SENATOR—ITS DISINTEGRATION—PART III: RESPONSIBILITY TO THE DEMOCRATIC PARTY PLATFORM

Mr. PROXMIRE. Mr. President, in February and again last month I pleaded on the floor of the Senate for more democracy in the Democratic Party in this body.

These speeches do not in any sense constitute an attempt to organize a revolt or to split or divide the Democratic Party in the Senate. As I have said before, the Senate, like the country, urgently needs strong leadership. Indeed, there is no intention to weaken the remarkably able leadership of our majority leader. I think he has served his party, the Senate, and the country very well. There is every intention, however, to make the great power which properly inheres in his office subject to the kind of direction and control to which it should be: that of all other Democratic Senators.

Since I last spoke in the Senate on this subject, other Senators have made criticisms of the conduct of the leadership. I warmly approve each of these criticisms. They were constructive and positive. They were calculated to achieve the same objective I seek; that is, the opportunity for more Democratic Senators to have a voice in Democratic policy or to have Democratic policy determined so that it can be known by all members of the Democratic Party in the Senate.

FIGHT FOR FULL SENATE REPRESENTATION FOR ALL STATES

Mr. President, I want to make it emphatically clear that this is not a fight for the rights of individuals who happen to be U.S. Senators. It is a fight for full representation for the States these Democratic Senators represent. Once again, Mr. President, I will not be personal, but no one can convince me: First, that the Senator from Texas is in any direct sense responsible to the people of Wisconsin as is the Senator from Wisconsin; or second, that the Senator from Texas knows as much about the needs of the people of Wisconsin as does the Senator from Wisconsin. As long as the Senators from Wisconsin, Michigan, Illinois, and Pennsylvania, for instance, are denied the right to have anything to

say about where our party is going in this body, the people of Wisconsin, Michigan, Illinois, and Pennsylvania are denied that right too. This is a fight for full representation in the Senate of the United States for all Americans.

ACID TEST: RESULTS

But it is more than this, Mr. President, and this is why I am speaking today. In the hard-eyed view of many, the test of any legislative body is not in its procedures or organization—however good or bad, just or unjust they may be. The real test is in the results: The laws which a legislative body writes onto the statute books or fails to write.

How do we measure these results? How do we tell whether a legislative body is or is not doing the job it should do? What fair, objective standard of evaluation is available?

Every Senator, every editorial writer—in fact, every interested citizen—has his own subjective standard of assessment. These standards differ so that what one competent and honest critic would call a distinguished record of accomplishment, another equally competent and honest critic might call a disaster for America and mankind.

PARTY PLATFORM AS STANDARD

No standard, therefore, can satisfy everyone or come close to it. There is one standard, however, that can measure objectively and precisely the performance of a party. That is the standard which the party itself has adopted. The national platform of a political party was freely established by responsible members of that party before its candidates went to the American people to ask for their support.

Mr. President, the performance of a party in compliance with its platform measures a moral responsibility that was summed up simply, bluntly, and, I think, brilliantly by former President Harry S. Truman in his Memoirs, when he wrote:

> The platform of a political party is a promise to the public. Unless a man can run on his party's platform—and try to carry it out, if elected—he is not an honest man * * *. When I was elected President, I tried to carry out the platform promises that had been made. The basic principle in all of those platforms was the benefit of the average man who has no pull in Washington. To me, party platforms are contracts with the people, and I always looked upon them as agreements that had to be carried out.

Mr. MORSE. Mr. President, will the Senator from Wisconsin yield to me?

Mr. PROXMIRE. I yield.

Mr. MORSE. I must leave the Chamber, to attend a meeting of the Foreign Relations Committee, which is scheduled for 3 o'clock.

I wish to say that I have read the prepared text of the Senator's speech, and I wish to associate myself with its major premise, which I believe is a plea on the part of Democratic Senators for a recognition that a political platform is a solemn promise made by a political party, in the form of an offer of a political contract.

As I said in the Senator's home State a week ago last night, as I supported the position he has taken in the Senate for greater Democratic practices and procedures within the operations of the Democratic Party in the Senate, I believe that the Democratic Party has a duty to the American people to keep faith with its pledges of 1956, in the last contract it offered. And come 1960, I believe the American people will take a long, hard look at the 1960 platform, from the standpoint of evaluating the degree to which in good faith we have tried to keep our pledges of 1956.

I believe the Senator from Wisconsin is performing a great service for the Democratic Party, by having the courage and the forthrightness to stand on the floor of the Senate and make his plea for carrying out the pledges of our party; and I am proud to associate myself with his point of view.

Mr. PROXMIRE. Mr. President, I wish to express my deep gratitude to the distinguished Senator from Oregon. I know of no one, either in or out of the Senate, whose support I would rather have. He has always demonstrated integrity and courage, and he has said exactly what was on his mind, let the chips fall where they may. That is exactly the kind of support I am particularly glad to have.

Of course, Mr. President, I recognize that the President of the United States is primarily responsible to the platform of his party, and the responsibility of Senators to the platform is of a different degree. Nevertheless, it is a responsibility that has been recognized emphatically and clearly. For instance, in the Report of the LaFollette-Monroney Committee, the Joint Committee on the Reorganization of Congress, in March 1946, there was this affirmation:

> Strong recommendations were made for formal expression within the Congress—
>
> I repeat, "within the Congress"—of the main policies of the majority and minority parties. These recommendations called for some mechanism which could bring about more party accountability for policies and pledges announced and made in the national platforms of the major political parties * * * only through the expression of the will of the people by their support of political parties on the basis of their platform pledges can the majority will be determined.

FUTURE PERFORMANCE AS MEASURE

So today, Mr. President, I propose that we measure the performance of the Senate against our party platform. Furthermore, in order to make this proposal as constructive as possible, I suggest that we look ahead, rather than behind. The record of the 85th Congress is history. We can quarrel over the promises it kept and the promises it did not keep. But such recriminations would serve a far less useful purpose than to look strictly to the future: to set forth the promises that were made by our Democratic Party in 1956 that have not yet been kept, but which our party can still redeem this year and next.

I believe very deeply that frequent caucuses of the Democratic Party would be immensely helpful in giving the Democratic Party the force it needs for redemption of these promises. There are other vital procedural changes that would help, too, such as expansion of the Democratic Policy Committee, or promulgation of a Senate Democratic program, announced as such by any responsible Democratic agency in the Senate, including the majority leader.

But I shall willingly concede that if the following significant pledges of the 1956 platform are honored by the United States Senate this year or next, then the party leadership will have demonstrated its practical party responsibility, whether caucuses are held or are not held.

STILL-TO-BE-KEPT PLEDGES

The performance of the party with regard to these promises—ratified by the National Democratic Convention in 1956—between now and sine die adjournment in 1960, will be the test.

The still-to-be-kept promises from the 1956 Democratic platform that follow are the major pledges made to the vast majority of Americans who are often forgotten between elections. In the case of these pledges, I shall mention the citizens to whom the promises have been made, and who await their fulfillment.

First of all, we assumed responsibility to the children in crowded schoolrooms, by promising—and this promise is yet to be kept:

> We pledge the Democratic Party to * * * legislation providing Federal financing to assist States and local communities to build schools.

Second. We assumed the responsibility of promising the families who are without homes of their own—and this is another promise yet to be kept:

> We pledge * * * that the availability of low-interest housing credit will be kept consistent with the expanding housing needs of the Nation.

Third. We assumed the responsibility of promising the taxpayers whose taxes are high and whose incomes are modest—and these are two more promises which are yet to be kept:

> The immediate need is to correct the inequities in the tax structure which reflect the Republican determination to favor the few at the expense of the many.
>
> We favor an increase in the present personal tax exemption of $600 to a minimum of at least $800.

Military and budget requirements may make this impractical, but certainly the pledge to correct inequities should be honored.

Fourth. We assumed the responsibility of promising the low income, nonunion workers—and these are two more promises which are yet to be kept.

> We feel it imperative to raise the minimum wage to at least $1.25 an hour.
>
> We further pledge as a matter of priority to extend full protection of the (minimum wage law) * * * to all workers engaged in or affecting interstate commerce.

Fifth. We assumed the responsibility of promising the families who live in slums—and this is another promise which is yet to be kept:

> We favor increasing the Federal share of the cost of the urban redevelopment and renewal programs.

Sixth. We assumed the responsibility of promising the citizens whose rights

are now denied because of race or religion—and these are three more promises yet to be kept:

The Democratic Party pledges itself to continue its efforts to eliminate illegal discrimination of all kinds in relation to: Full rights to engage in gainful occupation;

Full rights to enjoy security of the person.

Full rights to education in all publicly supported institutions.

In all fairness, I think it should be acknowledged that the 1957 Civil Rights Act fulfills the platform pledge for legislation to eliminate illegal discrimination in relation to the full right to vote; and certainly the majority leadership deserves great credit for that accomplishment. That Act is the first civil-rights Act in 80 years.

Seventh. We assumed the responsibility of promising the family breadwinners who are without jobs—and these are two more promises which are yet to be kept:

We shall continue to work for a stronger unemployment insurance system, with broader coverage and increased benefits consistent with rising earnings.

We shall also work for the establishment of a floor to assure minimum level and duration of benefits and fair eligibility rules.

Eighth. We assumed the responsibility of promising the families who are making payments on mortgages or on time-payment plans—of course this group includes most American families—and this is another promise which is yet to be kept:

We pledge ourselves to a vigilant review of our debt management policy in order to reduce interest rates in the service of our common welfare.

The Senate Finance Committee conducted the investigation of debt management policy, but Congress has refused to take any effective action to lower interest rates. Everyone knows that interest rates have been rising.

Ninth. We assumed the responsibility of promising the citizens whose political influence is confined to their votes—and again another promise which we have yet to keep.

The Democratic Party pledges itself to provide effective regulation and full disclosure of campaign expenditures and contributions in elections to Federal offices.

Tenth, and finally, Mr. President, we assumed the responsibility of promising the family farmers—and this is another promise which we have yet to keep—that we would improve farm income. The pledge in the platform explicitly ties the party to 90 percent price supports and the extension of such supports to most agricultural commodities not now supported. In view of the failure of the Congress to act in 1957 or 1958 to fulfill the Democratic Party's farm plank in any part, the situation is now such that complete platform redemption is impractical. Any measure that would improve farm income to any significant extent at less cost to the taxpayer would be about as much as could be fairly expected of the Democratic majority. But at least this promise to the family farmer should be kept; and it seems a fair reading of the party platform indicates that the Senate has an obligation to keep at least that part of the promise.

These are explicit or reasonably explicit promises made by the Democratic Party in its 1956 platform. They are the principal promises made to 10 very large groups of forgotten citizens. They represent promises made by our party to what President Truman called "the average person who has no pull in Washington"; or the man whose political influence, like the farmer's, is dwindling and is relatively small between elections. It is small, that is, in relation to the number of farmers in the population, and the farmer's importance when the party draws up its campaign appeal for votes.

I have omitted pledges which could have been kept but are now impossible to keep, such as the platform pledge for majority cloture. This civil rights promise is dead until 1961 because of the successful fight led by the majority leader at the outset of this session against its fulfillment.

If no significant additional attempt is made by the leadership to fulfill these promises. I think it is a fair conclusion that one-man rule, the lack of democracy in the Senate of which I have complained, is not getting results that caucuses might very well achieve.

The fact is that many Democratic Senators ran for office and were elected on many of these pledges. I am convinced that regular systematic legislative caucuses called to consider our party's responsibility to its platform would permit our party, with its 2 to 1 majority in the Senate, to keep many of these 15 promises.

Let me make my position absolutely clear. The majority leader and the Democratic majority in the 85th Congress did an excellent job in keeping promises in a number of specific fields: National defense, statehood, postal pay, power and water, atomic energy, foreign aid, and international trade. But in serving the interests of those whose influence between elections dwindle and disappear until it is time to ask for their support again, the Democratic majority still has a big job to do.

CHALLENGE TO THE LEADERSHIP

The 85th Congress is history, but nearly 2 full years remain to the 86th. This is the challenge I am proposing to our leadership. If all or most of these specific pledges made by our party to the voters of America are kept before adjournment in 1960, the majority leadership will have given a ringing, substantive answer to my plea for more Senate democracy. On the other hand, if these promises remain empty and unanswered, it will be clear to all Americans how big a stake they have in the democracy in the Senate for which I have been fighting.

And the stake in Senate democracy will be especially big for the parents of the child in the crowded school; or the young couple unable to meet the stiff interest payments necessary for a decent home or the $6,000 a year taxpayer struggling to support his family under a burden of Federal income taxes made heavier because of vast loopholes for the oil boys and the capital-gains-exception boys who know their way around in Washington.

The vast majority of Americans will find themselves included, not once but several times, in the categories of citizens for whom the major promises made in the Democratic platform of 1956 have yet to be kept.

This is a fight for those who exercise their only political influence when they go into the voting booth on election day and cast their ballot for the man and party that promises to stand for their interest.

Of course, this is the same old battle that has historically perplexed representative government. Special interests are immensely skilled in finding ways of frustrating the general interest. They will continue to work shrewdly and effectively to keep these promises from being fulfilled in the coming 2 years.

A regular legislative party caucus, called to discharge our Democratic responsibility to our Democratic platform is one answer. This is the traditional, proven method of assuming full party responsibility in the Senate. But the majority leader can show that Senate democracy is not the only way to meet our responsibility. He can answer special interest pressure by driving for the passage of legislation promised to the 10 groups of citizens who are still waiting to have the pledges made to them fulfilled.

Finally, this is not a matter of liberal fighting conservative. We have as much of an obligation to keep promises that might be classified as conservative as we have to keep those considered liberal. Our duty is to do what we said we would do. This is a matter of plain morality. We Democrats have made promises to tens of millions of Americans—average Americans who have no powerful national associations or labor unions or influential friends—to secure justice for them. They had only their faith that when they voted Democratic the promises made to them would be kept. We have made our promises. Now we have a moral duty to try to keep them.

Mr. McNAMARA. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield to the Senator from Michigan.

Mr. McNAMARA. I did not have the opportunity of hearing the speech of the Senator from Wisconsin as it was delivered on the floor of the Senate, but the Senator very kindly furnished me, in advance, a copy of his address. I want to join with him in his remarks, and to congratulate him on the fine presentation he has made.

Mr. PROXMIRE. I thank the distinguished senior Senator from Michigan. Nobody has more clearly or dramatically or sharply nailed down the issue than the Senator from Michigan did when he pointed out that not only have we not kept the party pledge with regard to unemployment compensation, but that there was no way the 16 Democratic Senators who sponsored the McNamara unemployment compensation amendment or proposal could secure a Democratic policy position. The Sena-

tor from Michigan tried in every way he could to persuade the leadership to afford them an opportunity to appear before the policy committee, and so forth, in order to achieve a position of the majority on unemployment compensation. I think in this fight he dramatically demonstrated how urgently necessary it is to develop the kind of institution for which I have been pleading—not simply for us as a matter of our own dignity and satisfaction, but for the people we represent, the people we fight for, and to whom we have made our promises.

Mr. President, I yield the floor.

THE PRESIDENT'S REQUEST FOR DEVELOPMENT LOAN FUND SHOULD BE APPROVED

Mr. KUCHEL. Mr. President, in a few days the U.S. Senate will have the opportunity to vote on the President's request for a mutual security program supplemental appropriation for the Development Loan Fund.

Two years ago, after a thorough review of our mutual security program, this organization was created. It is to the great credit of the Congress that the Development Loan Fund, a highly constructive supplement to our foreign economic policy, was organized. This Fund exists to help the economic development of peoples less fortunate than ourselves. It does so by providing long-term repayable loans, instead of grants or gifts, to economically and technically sound projects in a characteristically American fashion. It thus has a real appeal to the American taxpayer. Loans can only be made after careful review by a competent Board of Directors, and only to countries outside the Communist orbit. Loans are made for a specified period of time, at reasonable rates of interest, and only for projects which will contribute to the long-term economic growth of the country in which the project is undertaken.

I sincerely believe there is an imperative need for the Development Loan Fund and its place in the conduct of our foreign policy.

RELATION TO FOREIGN POLICY

Acting Secretary of State Herter, in testimony before the Senate Appropriations Subcommittee, declared our major foreign policy objectives to be:

> First, we are trying to establish a stable world order, built on a durable peace.
>
> Second, we are encouraging the economic growth of free nations, for both practical and humanitarian reasons.
>
> Our third objective is to gain ever-widening acceptance of the idea of the dignity of the human individual.

We seek to achieve these objectives by a variety of means, but sound economic development in underdeveloped countries plays an essential part in the achievement of them all.

Since the close of the Second World War, 20 new nations have emerged in the world. For the great majority of them their struggles to obtain stability and orderly development cannot be won unless the poverty, disease, and death, which have marked their course, are overcome.

For hundreds of millions of people, life, even in this age of solar and nuclear power, is still a Hobbsian nightmare—"brutish, short, and nasty." It is unthinkable that these teeming millions who live in what are called the underdeveloped countries of Asia, the Middle East, Africa, and Latin America will be content to accept these conditions for very long. They seek a better life. There can no longer be any question that these countries will seek to develop themselves. The only question is, How?

The success of our mutual security program in maintaining the peace, in deterring further Communist aggression, and the swallowing up of still free peoples has forced the Communists into a new offensive posture. Since 1954, unable to break up our defensive alliances, the Soviet-bloc countries have directed their energies toward economic penetration of underdeveloped countries.

Economic development requires capital. For the underdeveloped countries there are three possible sources of capital—domestic, Communist, and Western. The relative emphasis which underdeveloped countries place on these alternative sources will profoundly affect their economic and political evolution and consequently our security, prosperity and freedom.

A good part of the capital needs of the underdeveloped countries can and must be supplied from domestic sources. But for most of these countries existing production is barely sufficient to cover current consumption needs. Only a small margin of production, therefore, can be channeled into the formation of capital. If these countries despair of obtaining sufficient capital from abroad, they will be forced to adopt totalitarian measures at home. They will seek development by suppressing consumption and by forcibly mobilizing capital and labor. And this is not politically healthful to the free, self-governing nations of the world. A contemporary and terrifying example are the new communes of Communist China. Here may be found today what George Orwell predicted for 1984. These nations may withdraw into militant and embittered nationalism. For them, development will create a climate in which freedom will find grave difficulty to survive. For us, it will mean the loss of many vital raw materials and markets, a vast erosion of our world power and the end of an opportunity to further the cause of human freedom.

The second source of capital for the underdeveloped countries is the Communist bloc. As we well know, the Communist leaders use trade and aid as political weapons. Even though their assistance may be unaccompanied by formal political conditions, the spread of their capital, technology, and manpower throughout the underdeveloped countries is calculated in advance to have a beneficent political effect for communism.

The third source of capital is the industrialized West—primarily the United States. This means that our investment, public or private, represents the only chance for the underdeveloped countries to achieve a tolerable rate of economic development without sacrificing human values in their governmental systems or among their peoples. In this connection, it is easily understandable why private American capital is reluctant to pioneer loans in many of these unsettled areas.

The United States, with 6 percent of the world's population, produces 40 percent of the world's goods. We enjoy a per capita income of $2,400 per year, while per capita income in the underdeveloped countries varies between $50 and $300 per year. Food, though barely sufficient to sustain life, is far below health standards in the underdeveloped countries. Energy, except for that supplied by human beings is about one-twentieth the amount produced per person in the more developed countries.

Most of these countries lack anything approaching sufficient basic facilities in transportation, power, and communications. Financial and commercial institutions are often inadequate. Manufacturing and extractive facilities are frequently technically backward or nonexistent.

The Soviet bloc countries have been exploiting these conditions as rapidly and ruthlessly as their own forced-draft industrial growth permits. Consider the very attractive package offered by the Soviet Union through their representative to the Asian-African Peoples Solidarity Conference at Cairo in December, 1957:

> We do not seek to get any advantages. We do not need profits, privileges, controlling interest, concession, or raw material sources. We do not ask you to participate in any blocs, reshuffle your governments, or change your domestic or foreign policy. We are ready to help you as brother helps brother, without any interest whatever, for we know from our own experience how difficult it is to get rid of need. Tell us what you need and we will help you and send, according to our economic capabilities, money needed in the form of loans or aid—to build for you institutions for industry, education, and hospitals—our only condition is that there will be no strings attached.

We cannot underestimate the effectiveness of appeals of this sort. In the period 1953–56 the Soviet bloc made agreements with 10 underdeveloped country of the Middle East and Africa to provide them with $1.5 billion in economic aid. Although not all of this total has actually been expended so far, funds are being made available as projects are approved. On a global basis the Communist aid effort is still much smaller than ours, but it has come to approach the size of our effort in key uncommitted countries such as Burma and Indonesia. It now greatly exceeds our effort in Afghanistan, Egypt, Syria, Yemen, and Nepal.

Three facts in particular should be noted about the Communist aid offensive. First, it is highly selective, concentrated in those countries not yet firmly committed to either side in the cold war. Second, it emphasizes projects having an important psychological impact in the recipient countries. Third, in contrast with most of our assistance programs, Communist aid is provided on

terms specially adapted to the needs and desires of the underdeveloped countries—long-term, low interest loans—commonly at 2 to 2.5 percent—with the possibility of at least partial repayment in commodities or local currencies, with no formal economic or political commitments and with a minimum of administrative redtape.

The increase in Communist aid to the underdeveloped countries has been matched by an increase in Communist trade. The Soviet Union itself has been taking the agricultural surpluses of these countries—Egypt's cotton, Burma's rice, Uruguay's wool—and sending in return arms or capital goods and raw material neded for development. Between 1953 and 1956 the Soviet Union nearly doubled its imports from the underdeveloped countries and increased its exports to them more than fivefold. Other members of the Communist bloc—Poland, Czechoslovakia, and more recently Communist China, have also increased their trade with the underdeveloped countries, although by lesser amounts. By the end of 1958, Western businessmen were talking about Communist China's "economic invasion" of Asia and Africa.

For most countries of the Middle East and Asia and elsewhere, trade with the Communist bloc is growing at a faster rate than trade with the non-Communist world. In certain cases this has led to an economic dependence on Communist countries which has increased vulnerability to Communist influence. From Egypt, for example, the Communist block took 12 percent of exports—mostly cotton—in 1953, 34 percent in 1956, and 46 percent in 1957. A comparable growth in dependence on exports to the Communist bloc—mostly fish—has developed in Iceland, a member of the North Atlantic Treaty Organization.

The increase in Communist bloc aid and trade with underdeveloped countries has been matched by an increase in technical assistance and cultural exchange. During the last half of 1957, 2,300 Soviet-bloc technicians worked for a month or longer in 19 such countries of the non-Communist world. During the year as a whole about 2,000 technicians, professional people and students from these countries went for training to the Soviet Union or other Communist centers. Moscow, suddenly become a world center, is swarming with Arabs, Africans and Asians eagerly absorbing Communist know-how.

What does this farflung Communist economic offensive mean for the United States? Khrushchev himself supplied us with part of the answer when he told a group of U.S. Senators: "We value trade least for economic reasons and most for political reasons as a means for promoting better relations between countries." Stated less diplomatically, this means simply using aid and trade to advance the spread of world communism. The fact that in Russia foreign trade is a state monopoly gives Moscow a great advantage on this campaign. It can readily withhold foreign purchases, sales and credits to punish its enemies—as when it refused to send promised oil shipments to Israel after the Sinai campaign of 1956. Similarly, it can make them available to woo friends as when it buys Egyptian cotton for which there is no outlet in Western markets.

The Soviet bloc's economic offensive also promotes Communist political aims by less direct and more long-term means. The Communist leaders believe that the economic dependence fostered by their trade and aid programs will eventually lead to political dependence. They know that even where Communist loans and grants do not aid local Communist groups directly, they do so indirectly by increasing the respectability and prestige of Communists. They realize that even if Communist technicians and Communist technical training are formally restricted to scientific or economic subjects, these can still influence the institutions of an underdeveloped country. In short, the Communist economic offensive is an instrument by which the Communists hope to effect a basic change in the political orientation of the non-Communist world, particularly of the underdeveloped countries which contain the vast majority of the world's population.

In spite of the Soviet plans and programs, American policy, which seeks to aid other people to achieve their aspirations, cannot be designed as an emergency response to every zig and zag of Soviet policy. Our mutual security program, of which the Development Loan Fund is an integral part, serves to strengthen the free world's capacity to resist aggression. History has long taught us that free institutions cannot mature in a climate of chronic economic crisis. It is our intention to help these less fortunate people of the world to chart a long-term plan of economic development which will create the conditions favorable to the growth of free institutions so fundamental to the free world's continuance.

THE DEVELOPMENT LOAN FUND—EVOLUTION AND USES

The Development Loan Fund emerged out of the firm conviction of Congress that the best interests of the United States will be served if the worldwide drive for economic development is conducted within the framework of free societies and in association with the free world.

In the past, American aid was often intermingled with assistance given for other purposes. It was provided partly on a grant and partly on a loan basis and funds were programed annually by country.

The Development Loan Fund lends money for specific, economically sound, and technically feasible projects. It does not undertake the programing of annual projects by country. It is free from the requirement to obligate its funds within fixed periods, thus enabling it to concentrate upon long-range economic growth. The Fund is a revolving fund—repayments of loans and payments of interest will be available for new credit activities.

The Development Loan Fund supplements investment from other public and private sources and it does not extend credit when other financing is available on reasonable terms. The Development Loan Fund is able to provide financing on a flexible basis, where the countries might lack sufficient capacity to repay loans on normal banking terms from such institutions as the Export-Import Bank and the International Bank for Reconstruction and Development. Moreover, many of the most needed undertakings—power development, communications, and transportation—are not the kind that conventional financing can support.

The legislation establishing the Fund assured close coordination of its activities with our underlying foreign policy objectives by establishing a governing board which must pass upon all loans before they can be made. This Board is composed of the Under Secretary of State for Economic Affairs, as Chairman; the Director of ICA; the Chairman of the Board of Directors of the Export-Import Bank; Managing Director, Development Loan Fund; and the U.S. Executive Director for Reconstruction and Development, who is also an Assistant Secretary of the Treasury.

The Development Loan Fund is authorized to extend only loans, credits, guarantees, and other forms of financing, excluding grants or direct purchase of equity securities. Loans are usually made for periods of 15 to 30 years, and at interest rates running a little more than 4 percent as an average. This should be compared, Mr. President, with the Russians' technique of making very low interest loans, sometimes as low as one-half of 1 percent and rarely more than 2½ percent, with repayments often worked out in the form of barter deals.

The difference in interest rates has been offset by the fact that some of our loans are for longer terms than the customary 12-year period, standard for Soviet loans.

Congress initially authorized appropriations of $500 million to be available for use beginning in fiscal year 1958 and $625 million to become available in fiscal year 1959. Under these authorizations, $300 million was appropriated for use beginning in fiscal year 1958 and the executive branch last spring requested that the full $625 million authorized be appropriated for use beginning in 1959.

Ultimately, the conference committee on mutual security program appropriations agreed to appropriate only $400 million, although some members expressed the view in the conference report that the $400 million appropriation was insufficient to fulfill the objectives of the Development Loan Fund and stated:

> If additional funds are needed next January the Appropriations Committees of the House and Senate will give earnest consideration to the recommendations of the Executive in view of the importance of maintaining our friendly relations with countries with whom we have undertakings.

American experience in loan repayments since the end of the war offers convincing proof that we need not fear the capacity of prospective borrowers to repay. Between 1945 and 1958, the United States has collected $5,153 million in principal repayments; $1,805 million from reverse grants and returns;

and $2,092 million in interest. As the nations of the world improve their economic foundations, repayments can be undertaken on a shorter term basis. Above all, help now assures the conditions which make repayments to the United States profitable to all concerned.

President Eisenhower believes there is an urgent need to insure the continued operation of the Fund by restoring the appropriation originally requested. In the judgment of this administration failure to do so will impair the success of our efforts to assist the underdeveloped countries to maintain and improve their standard of living in the face of the enormous population explosion underway in many of them. We must do so in the confident belief that the improvement of man's lot on this earth with the God-given right to decide his own fate is the best guarantee we have against a return to the fang and the claw of primordial man.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 144) to modify Reorganization Plan No. II of 1939 and Reorganization Plan No. 2 of 1953.

A NEW ERA FOR LATIN AMERICA

Mr. SMATHERS. Mr. President, on April 3 of this year the very able, amiable, and distinguished Senator from the State of Minnesota and a member of the Senate Foreign Relations Committee [Mr. HUMPHREY] delivered a very enlightening address entitled "A New Era for Latin America" before the student body and faculty of the University of Florida at Gainesville, Fla.

All of us are eager to do what we can to repair the deterioration which has taken place in our policy toward this area. Having for many years been deeply interested in promoting and maintaining good relations with Latin America—an area vital to our own survival in time of emergency and our economic well-being in time of peace—I was particularly pleased to read this thought-provoking address. It gave me increased encouragement to know that my colleagues in the Senate and in the House of Representatives are now taking an active part in replacing platitudes by programs of positive action to improve United States-Latin America relations.

I feel that the speech deserves the attention of all Members of Congress, and I request unanimous consent to have it inserted in the body of the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

A NEW ERA FOR LATIN AMERICA

Tonight I might have selected as my topic the Berlin crisis. the troubled Middle East or the vexing problem of attempting to control the nuclear arms race. But I have chosen instead to talk about Latin America and United States policy toward her Latin American neighbors. Since the end of World War II we have been preoccupied with a series of crises on the periphery of the Communist empire—Greece, Berlin, Korea, Indochina, Suez, Quemoy, Lebanon, and again Berlin. In the meantime, the seemingly less precarious situation in Latin America went almost unnoticed.

It took the demonstrations against Vice President NIXON last spring to explode any remaining illusions about the state of our Latin American relations. The plain truth is that today inter-American relations are in a more critical stage than they have been at any time in the past 3 decades.

At this point, I would like to pause to pay tribute to the University of Florida, one of the few U.S. universities which has a well-rounded Latin American studies program. Recently, the Hispanic Foundation of the Library of Congress surveyed universities across the country to find out which ones offered Latin American studies. I am told that only eight universities fall into category I, that is, ones which offer a well-staffed, well-rounded course of study about Latin America. The University of Florida is one of these eight. Florida's awareness of the importance of inter-American understanding also has been reflected in the thoughtful and persistent efforts of Senator SMATHERS to bring attention to the realities of our foreign policy in Latin America.

We are now on the threshold of the 69th anniversary of the Organization of American States. It has long been customary at this time of the year to extol pan-American peace, solidarity and cooperation. Such oratory now would be a gratuitous gesture. It is dangerous to perpetuate comfortable fictions about a bond that has been broken. The first prerequisite of a responsible and effective policy toward Latin America is a willingness to face the facts, however unpleasant they may be.

OUR STAKE IN LATIN AMERICA

There is no disagreement on the importance of cordial, cooperative relations with our 20 sister Republics. Everyone agrees that strategically, ICBM's notwithstanding, Latin America remains one of the key foundations of our defense shield. Politically, close and harmonious relations with the Latin American people, who now number over 180 million, add to the free world's strength in the larger issues of the cold war.

Economically, the American Republics constitute a vital ingredient in our own well-being. The area is second only to Europe as a purchaser of our exports. Twenty-five percent of all our exports go there. In 1957 this meant the sale of $560 million worth of automobiles and parts, of $445 million worth of chemicals, $135 million of medicines, $121 million of edible animal products, and so on across the board of U.S. products. Latin American purchases add up to a lot of jobs for a lot of people in the United States. At the same time, imports from south of the Rio Grande consist of many strategic minerals as well as materials essential to our peacetime industries. U.S. private investments in the area now total over $9 billion, more than in any other region of the world.

Why, then, have relations deteriorated?

CRISIS POLICY

Part of the responsibility lies in our preoccupation with Europe, the Middle East and Asia. While attention to these vital areas is understandable, the resulting neglect of Latin America cannot be justified. The personal diplomacy of the administration has also tended in the same direction. With all decision-making power concentrated in Secretary Dulles, the less precarious situation in Latin America got shoved into the background until it too became a crisis. Up until the recent disturbances, I am told, Foreign Service officers working in Latin America were somehow considered to be occupying second-class positions.

TAKING LATIN AMERICA FOR GRANTED

The good neighbor policy itself may be partly to blame for the assumption that nothing much could go wrong within our hemisphere. Latin American representatives tried to make their grievances heard through proper channels and at stated conferences. Often their warnings and protests were bitter. But the good neighbor policy had been so successful in cementing United States-Latin American relations that long after its demise an aura of good will lingered on, hiding the grim realities underneath. The hangover from the good neighbor policy seems to have created an impression in the United States that the Latin American Republics were solidly with us no matter what we did or did not do.

LATIN AMERICAN REVOLUTIONS

The attitude of taking Latin America for granted is only part of the growing estrangement between the United States and Latin America. I think that our gravest error has been a misreading of the revolution gripping the region. Some people are prone to dismiss Latin American revolts as mere changes in the palace guard, while others see Communist influence in every upheaval. These stereotypes can be our undoing.

Today, the nations to the south are in the midst of an epic social revolution. We and the Communists have vied with each other in telling people the world over that they no longer have to live out their lives in hopeless misery. The peoples of Latin America took us at our word.

They want an end to semi-feudal conditions in which 5 percent of the populations owns 80–90 percent of the land; in which a handful of nationals and foreigners live in luxury while the majority live in squalor; in which disease strikes down their children and hunger and ignorance perpetuate their slavery; in which the wealthy minority joins with the army to keep things just as they are.

Many thousands of Latin Americans have risked exile, imprisonment, torture, and death to achieve responsible governments, responsive to the needs of their people. These courageous people usually come from the classes that produce political leadership—students, union leaders, professional and business men. The rash of revolutions that toppled tyrannies in Argentina, Colombia, Venezuela, and Cuba attests to their determination to achieve freedom and bread.

THE LATIN AMERICAN IMAGE OF THE UNITED STATES

In the midst of that upheaval, which we above all other peoples should be able to understand and to sympathize with, the United States has somehow managed to appear callous and indifferent. While we have eagerly sought Latin American support to stop the spread of Communist tyranny, we have demonstrated a peculiar nonchalance toward despotisms of the home-grown variety.

In 1954 Secretary Dulles took time to fly to the ninth Inter-American Conference in Caracas to press for an inter-American declaration against Communist intervention in the Western Hemisphere. That very same year we bestowed the Legion of Merit on Pérez Jiménez (pronounced Hema-nes) then the hated dictator of Venezuela. The incredible citation reads in part:

"To H. E. Marcos Pérez Jiménez, President of the Republic of Venezuela for the exceptional nature of his outstanding accomplishments. His Excellency, as President of the Republic of Venezuela and previously, has demonstrated a spirit of friendship and cooperation with the United States. The sound economic, financial, and foreign investment policies advocated and pursued by his administration have contributed greatly to the economic well-being of his country,

and to the rapid development of its tremendous resources. These policies, judiciously combined with a far-reaching public works program, have remarkably improved its education, sanitation, transportation, housing, and other important basic facilities."

Shortly after our tribute to Pérez Jiménez, the Archbishop of Caracas dared to denounce the tyrant in a pastoral letter, and thousands of anguished Venezuelans hazarded their lives to get rid of the bloody oppressor upon whom we had lavished praise.

On January 10, 1958—just 13 days before unarmed men, women, and children rose heroically against the brutal Venezuelan dictatorship—the man who had been our Ambassador to Venezuela from 1951 to 1956 wrote from his new post in Turkey to the dictator's savage secret police chief congratulating him for putting down the first abortive revolt. The letter, on Foreign Service stationery, came to light after the democratic revolution.

These incidents are, unfortunately, not isolated. Our Defense Department, in the middle of the Cuban revolt, decorated the officer who had commanded air raids against the Cuban people. We kept up a stream of armaments to Batista long after it had become apparent that he was using them against his own people, contrary to the terms of our defense agreement.

The Communists, of course, are getting a lot of mileage out of such errors. But we must face up the fact that our own actions, not Communist propaganda, have created throughout Latin America an image of the United States as a nation selfishly engrossed in defending its own freedoms, but heedless of the aspirations of others.

THE ECONOMIC SITUATION IS SERIOUS

U.S. official attitudes with regard to Latin America's economic problems have deepened the estrangement between us.

Our economic attitudes toward Latin America have created the image of the United States as arrogant, paternal, interested primarily in promoting the interests of U.S. investors, and unconcerned for the well-being of ordinary human beings. It is painful to think that the generous impulse of the United States, which first created the idea of technical assistance in Latin America in 1942, now seems so perverted.

As you know, all the American Republics, to a greater or less degree, fall into the category of underdeveloped countries. All are dependent on the export of one, or at best a few, commodities to earn the foreign exchange to buy vital necessities and to finance economic development.

Any downswing in the world price or demand for their few exports plays havoc with their income. This uncertainty makes development planning exceedingly difficult.

With an average annual per capita income of less than $300, some areas in Latin America are hard pressed to maintain even this low living standard in the face of a rapidly growing population.

Our neighbors have not been sitting on their hands waiting for assistance. Ninety percent of the capital invested in the area is Latin America's own. The reserves accumulated from the sale of raw materials during World War II, made possible a spurt of development in the region. From 1945 to 1953 the average per capita income rose at the rate of 3.3 percent a year, and Mexico, for example, achieved a rate twice as great. After 1952, with reserves depleted and the price and demand for Latin America's principal products on the decline, the accelerated rate of development ground to a halt.

Responsible leaders in Latin America are worried. On the one hand they have populations awakened from centuries of apathy who are demanding a better deal in life. On the other hand, the ubiquitous Communists are there, dangling tempting promises before the eyes of the underprivileged. Democratic leaders in Latin America know that they must produce some tangible results, that they must provide some hope for a better future, if democratic government is to endure.

THE U.S. RESPONSE HAS BEEN AMBIGUOUS

On the question of Latin America's economic development the United States has presented an ambiguous picture. Latin Americans understood and welcomed Secretary Marshall's stirring declaration at Harvard University 12 years ago: "Our policy is directed not against any country or doctrine, but against hunger, poverty, desperation, and chaos." Hunger, poverty, desperation, and chaos well described Latin American conditions. And we encouraged the Latin Americans to look almost exclusively to us for assistance.

We then proceeded to provide billions in aid to Europe and Asia. To Latin American pleas for assistance, we replied with advice that they should look to private investments and private enterprise as the principal channel for their funds. In 1956 Senator SMATHERS proposed an amendment to the Mutual Security Act to provide a special fund for loans for Latin America for health, education, and sanitation projects. This proposal met with resistance from the State Department on the grounds that private capital was doing a good enough job. I am happy to say that Congress passed the amendment in spite of State Department resistance.

The frequent reiteration that private capital would meet Latin American requirements insulted and irritated our neighbors. We Americans like our system of free enterprise. It has worked for us, although not in the simon-pure form that some people like to pretend. Latin Americans, on the other hand, have some sour memories of the robber-baron type investments, both domestic and foreign, which we ourselves have long since ceased to tolerate.

In addition to historical differences, the advice ignored the plain fact that private enterprise goes in to make a profit, and will hardly be attracted when the basic sinews of a national economy, such as roads, power, and sanitation facilities are lacking.

Moreover, over-dependence in private investment results in a piecemeal approach to economic development, as private funds haphazardly move into a mine here and a factory there. Latin Americans point out that in their urgent circumstances they cannot wait for the trickle-down theory to maybe work.

THE U.S. CHANGE OF HEART

It took the violent outbursts against Vice President NIXON to make us conscious of the gravity of the Latin-American situation. On March 10 last the Department of State announced a change of heart, as follows:

"Not only must account be taken of the private capital and technical know-how required to create employment for those who today are underemployed or unemployed but also of the need to create new jobs for an even larger number of workers. In addition to the expansion of industry and agriculture which this implies, very large additional amounts of public funds will be required for facilities which only governments can provide; for example, highways, sanitation facilities, hospitals and schools."

The recognition that Latin American growing pains differ from ours, and our consequent abandonment of inflexible doctrinaire principles, should open the way for better inter-American understanding.

Along the new guidelines, positive steps are in progress. The administration has finally announced that it will support an Inter-American Development Bank, something the Latin Americans have been urging for years and we have been resisting for years. We have agreed to consult with the Republics before making decisions which could affect their principal exports. We have indicated a willingness to take a fresh look at efforts to deal with instability and fluctuation in the commodity market. We have lent our support to the idea of regional markets within Latin America.

In short, we have recognized the magnitude of Latin America's problem and have agreed to cooperate with our neighbors in finding solutions.

A NINE-POINT PROGRAM FOR IMPROVING LATIN AMERICAN RELATIONS

Latin America, as population zooms, as industrial development spreads, and hope and impatience mingle, is going to be a cauldron of competing political ideologies. We should welcome this development, not fear it.

In no region of the world have we deeper historical traditions to build upon. It was with the Latin American Republics that we first developed the idea of regional cooperation. The bold idea of mutual cooperation to attack disease, illiteracy and poverty was born within the inter-American family. These are the people who wept unashamedly when Franklin Delano Roosevelt died.

Today in Latin America there are many leaders who understand and admire our democratic system and want to develop something comparable in their own countries. I know of an American who, while attending the inauguration last month of the democratically-elected President of Venezuela, was asked on three separate occasions by newly-elected Venezuelan congressmen how they could get hold of a copy of the "Jefferson Manual of Rules for the House of Representatives."

Our traditions of individual freedom and concern for ordinary human beings were once the cornerstone of our successful Latin-American policy. Now, to Latin Americans, these much admired beliefs seem to stop at the border. While we caution our neighbors about Communist activities and Communist infiltration, we appear peculiarly cold toward the Latin-American yearning to achieve genuine civil liberties.

The recent steps taken by the administration to repair our tottering Latin-American policy should be applauded. They are steps in the right direction, but they will not be enough if the escalator of history is going faster in the opposite direction. We must replace our massive indifference to Latin-American aspirations with massive cooperation.

The Latin-American situation cries out for imaginative, long-range planning, rather than the hurried, patch-up measures after an explosion has occurred.

A coordinated program on the order of the Marshall plan would give the Latin Americans new hope of attaining bread and freedom. The possibilities of such an effort should be explored carefully, not primarily as an anti-Communist strategem, but because it is good for Latin America and for the United States. We should not be ashamed of our humanitarian tradition. Nor should we be embarrassed if humanitarian and security objectives sometimes coincide in our national policy.

In conclusion, I should like to propose an eight-point program for improving United States-Latin American relations. I believe this program is realistic and workable and in harmony with the best interests of our country and of our 20 sister Republics.

First. The United States should increase the volume of its economic aid in support of Latin-American efforts to develop diversified and viable economies so they will not be dependent, as they now are, on a few commodities. Requests for loans from the Development Loan Fund and the Export-Import Bank should be dealt with expeditiously and sympathetically. We should cooperate fully with the new Inter-American Development

Institution. The proposed corps of technical experts within the Institute could help the smaller, inexperienced countries draw up coordinated development plans.

Second. The United States should accelerate and strengthen its program of technical assistance in agriculture, health, education, vocational training, and public administration. The time has come to recapture the original fervor of President Truman's "bold new program" which was widely hailed in Latin America when it was first announced a decade ago.

Third. The United States should support vigorously the current moves within Latin America to establish regional markets. The elimination of inter-American trade barriers would broaden markets for Latin-American products and make low-cost manufacturing feasible, both indispensable prerequisites to diversification and economic growth.

Fourth. The United States should review its trade and tariff policies as they affect imports from Latin America. It is self-defeating for us to provide economic assistance with one hand and take it away with the other by shortsighted trade restrictions. If policies designed to strengthen our trade with Latin America cause hardship to any domestic industry, the Government has a responsibility to aid those so affected. (I recently cosponsored an amendment in the Senate to the Area Redevelopment Act (S. 722) to make such aid possible, but unfortunately it did not pass the committee stage.)

Fifth. The United States should give wholehearted support to the health programs under the direction of the Pan American Sanitary Organization. Widespread disease which stalks Latin America is a tremendous economic drain as well as a human tragedy. Investment in health is perhaps the cheapest, most effective investment we can make in the future of the Western Hemisphere.

Sixth. The United States should develop a bold and imaginative program of student and cultural exchange.

We need to reexamine our methods of screening Latin American scholarship recipients. Too frequently the test has been the freiendliness of the recipient toward the United States. Young Latin Americans of so-called leftist tendencies have been excluded, when they are often the very ones who would benefit most from the program.

Seventh. The United States press, radio, and TV networks should be encouraged to give wider and better balanced news coverage of Latin American affairs. This, of course, is something our Government can do little about. But it is essential that the American people have a continuous report and interpretation of Latin American developments if they are to understand the magnitude of the problems in that region and what we are being asked to support. When news of revolutions and executions dominate our newspapers, it is hard for the American taxpayer to form an understanding of the underlying realities in the 20 American Republics, and of our interest in them.

Eighth. The United States should thoroughly reappraise its military assistance program in Latin America. What we have given one nation for hemispheric defense has often provoked demands by another for an equal amount of aid. Great care should be taken not to encourage this type of arms race, which Latin American governments can ill-afford. We should give greater attention to the coordination of military policy and strategy in the hemisphere. This might well result in a decrease in the requirements of national military establishments.

Further, our military assistance to certain dictatorial governments has raised the question of whose freedom those governments are defending. The use by Batista of U.S. supplied armaments against his own people, contrary to stipulations of our defense treaty, has greatly damaged U.S. prestige throughout Latin America. It makes little sense to speak of hemisphere defense while arming a tyrant who uses weapons to intimidate his own people.

Ninth. The United States should lend its support to the idea of regional arms control. Last year Costa Rica submitted such a plan to the Organization of American States and received nominal support from the U.S. delegation. Our Government should now press for the consideration of the Costa Rican plan or some similar project, at the eleventh Inter-American Conference to be held at Quito next year.

The quality of our overall policy toward Latin America will be determined not only by what we do, but by how we do it.

Unless we pursue our policies with a genuine interest in the welfare of our fellow human beings, they will do little to heal our wounded inter-American relations. The steps already taken by the Department of State, many of them complete reversals of former policy, will avail us little if they are done reluctantly and only under Latin American pressure.

We must, if we are to recapture the warm bonds of friendship which characterized the best days of the good neighbor policy, breathe into inter-American cooperation that intangible spirit which then characterized our relations—a deep-rooted conviction that the Western Hemisphere can, indeed it must, be a New World where freedom and opportunity flourish.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959—AMENDMENTS

Mr. GOLDWATER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. GOLDWATER. On Monday last, just before the adjournment of the Senate, the Senate Committee on Labor and Public Welfare was authorized to report the Labor-Management Reporting and Disclosure Act of 1959. I should like to inquire if the bill has been reported.

The PRESIDING OFFICER. The bill has been reported.

Mr. GOLDWATER. Has it been made the unfinished business?

The PRESIDING OFFICER. Not as yet.

Mr. GOLDWATER. I had hoped that it had been made the unfinished business.

In anticipation of its being made the unfinished business, I send to the desk 69 amendments to Senate bill 1555, and ask that they be printed and lie on the table. I inform my colleagues that there will be more.

The PRESIDING OFFICER. The amendments will be received, printed, and will lie on the table.

RENTAL OF COTTON ACREAGE ALLOTMENTS

Mr. JORDAN. Mr. President, I ask unanimous consent that the unfinished business, House bill 3293, be temporarily laid aside, and that the Senate proceed to the consideration of Calendar No. 104, Senate bill 1455.

Mr. KUCHEL. Mr. President, reserving the right to object, will my colleague tell me the nature of the proposed legislation?

Mr. JORDAN. It is a bill to authorize the rental of cotton acreage allotments.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1455) to authorize the rental of cotton acreage allotments.

The PRESIDING OFFICER. Is there objection to the request of the Senator from North Carolina?

Mr. KUCHEL. Mr. President, I shall not object, but I shall vote against the measure. I should like to have a discussion of it, and I desire that there be a quorum call before the debate begins.

Mr. JORDAN. There will be a quorum call.

The PRESIDING OFFICER. Is there objection to the request of the Senator from North Carolina?

There being no objection, the Senate proceeded to consider the bill.

Mr. JORDAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JORDAN. Mr. President, S. 1455 authorizes 1-year leases of upland cotton acreage allotments from farms having allotments of 10 acres or less to other farms in the same county if the combined allotments will not exceed 50 acres. In doing so it will accomplish the following purposes:

First. It will enable small farmers who have participated in the acreage reserve and cannot get back into cotton production immediately to obtain some return from their cotton allotments.

Second. It will provide lessees with allotments of such a size as will enable them to obtain needed credit and machinery and operate efficiently.

Third. It will permit counties to retain the cotton production necessary to their economies.

Fourth. It will alleviate the inefficiencies resulting from the present regulations under which many farmers plant small rented cotton acreages on a number of scattered farms.

The bill provides that increases resulting from the election of choice (b) under section 102 of the Agricultural Act of 1949 would be disregarded in applying the provisions of the bill, and the election of choice (a) or choice (b) by the operator of the farm on which the leased allotment is used would be applicable to the rented allotment. This would prevent the confusion which might arise if both choice (a) and choice (b) cotton were grown on the same farm.

The acreage history would be credited to the farm from which the allotment was rented just as though it had been planted on that farm.

Allotments rented under the bill would be adjusted to compensate for differences in normal yield between the farms involved.

The farm from which an allotment is leased would be required to reduce its acreage of crops requiring annual tillage by an acreage equal to the allotment transferred. This provision would be enforced by civil penalty equal to 150 percent of the rental for the allotment.

The bill would be applicable to the 1959, 1960, and 1961 crops.

Mr. STENNIS. Mr. President, will the Senator from North Carolina yield for a question?

Mr. JORDAN. I yield.

Mr. STENNIS. As I understand, the Senator from North Carolina is the author of the bill. Do I correctly understand, further, that the bill was reported unanimously by the Committee on Agriculture and Forestry?

Mr. JORDAN. The Senator is correct. The bill was reported unanimously by the committee.

Mr. STENNIS. The bill, in effect, is a committee bill, which includes major committee amendments.

Mr. JORDAN. That is correct.

Mr. STENNIS. The amendments restrict the bill, so that the only farmers who can sell, under the provisions of the bill, are those who have small allotments of 10 acres or less.

Mr. JORDAN. That is correct.

Mr. STENNIS. That within itself restricts the bill to a relatively small amount of acreage, considering the total amount of acreage in the entire cotton belt.

Mr. JORDAN. That is correct.

Mr. STENNIS. A further restriction is that the farmer must be an operator on a small scale, so that the acreage which he produces plus what he may buy from anyone else will not total more than 50 acres.

Mr. JORDAN. That is correct.

Mr. STENNIS. The effect of the bill as a whole, comprising all the amendments which were submitted in the committee, affords a limited field of operation. Even though the bill will mean something to the individual farmer, the overall effect is that the total acreage which might be sold under the bill would be relatively small. Is that not correct?

Mr. JORDAN. That is correct. Furthermore, the provisions of the bill make it applicable only 1 year at a time. A farmer cannot lease his land for more than 1 year at a time, and the bill is applicable for not more than 3 years.

Mr. STENNIS. I commend the Senator from North Carolina for the work he has done on the bill. Its application will, I think, help some individual farmers. I do not see how it could hurt anyone or hurt the cotton program.

Mr. JORDAN. I thank the Senator from Mississippi.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. JORDAN. I yield.

Mr. JOHNSTON of South Carolina. I should like to have the attention of the Senator from Arizona and the Senator from California. The committee received a report from the administration on the Senate bill 545. Senators who are members of the subcommittee will bear out my statement that after that time the committee reduced considerably the amount provided in the bill. The administration contended that the bill would put the land in the hands of the big farmers. The committee remedied that situation so as to provide that land in excess of 50 acres cannot be transferred to anyone. Any cotton farmer knows that 50 acres is not a big farm. So we have tried to reduce the amount of acreage to the point where only the small farmer will be helped and the bill will not permit the land to get into the hands of big farmers, as the Department of Agriculture contended might happen.

Mr. GOLDWATER. Mr. President, will the Senator from North Carolina yield?

Mr. JORDAN. I yield.

Mr. GOLDWATER. I believe I understand what the Senators from the South are trying to do, but I am disturbed by the thought that the bill may not do precisely what they feel it will do. The report states:

> This bill authorizes 1-year leases of upland cotton acreage allotments from farms having allotments of 10 acres or less to other farms in the same county, if the combined allotments will not exceed 50 acres.

Does that mean 50 acres in the county or 50 acres to another farmer? In other words, could one farmer buy up ten 5-acre tracts and thus have 50 acres?

Mr. JORDAN. It means that the allotment to a farmer would always have to remain to the farmer. He could not sell it. He could lease it only 1 year at a time.

Mr. GOLDWATER. I appreciate that fact.

Mr. JORDAN. The upland counties of North Carolina, Georgia, South Carolina, and Mississippi have a large number of small farmers who have only 1, 2, 3, or 4 acres, which is not large enough for a farmer to operate economically. He can now lease the land under the law, but he has to operate on the farm where he is located. The bill would allow him to group the farms together in one place, not to exceed 50 acres, including the land he already owns.

Mr. GOLDWATER. In the same county?

Mr. JORDAN. In the same county.

Mr. GOLDWATER. But would it prevent a farmer having 50 acres in two contiguous counties from creating a farm of 100 acres out of excess or unused allotments?

Mr. JORDAN. I do not think it would prevent him from doing that. If he owned a farm in another county—which might be the case—I do not know of anything which would prevent him from doing the same thing in that county.

The fear of the Department of Agriculture has been that by so doing, many cotton barons might be created. A cotton baron cannot be made with 50 acres.

Mr. GOLDWATER. I agree with that statement. That is the point I was concerned about. The Senators who have made this proposal are trying to remedy the plight of the small cotton farmer, who is having a hard time in getting along, by allowing him to lease his unused allotments to a farmer who is in a position to or can afford to farm those allotments. I was concerned that instead of helping the small farmer we might, under the bill, actually be pushing him out of business.

Mr. JORDAN. No, because the allotment would have to stay with the farmer. He could not sell it. He must stay with the farm. I think the bill would be a help to the small farmer.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. JORDAN. I yield.

Mr. ELLENDER. I wish to make it plain to the Senator from Arizona that the committee considered four bills which pertained to the same subject, some of which might have done harm by enabling farms to obtain more cotton acreage through leasing than might be desirable. The committee bill, however, limits the size to which an allotment may be increased through leasing to 50 acres.

A factor considered by the committee was that the condition making the enactment of this legislation necessary was brought about because of the acreage reserve program. Many small farmers who placed their cotton acreage in the acreage reserve program expecting the program to continue through 1959 are not now in a position to return to cotton. They need a little more time to plan and make adjustments. That was one reason why the bill was limited to production year by year, not to exceed 3 years. It will give farmers in that category a chance to make such arrangements as they see fit.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. JORDAN. I yield.

Mr. HOLLAND. I ask the attention of the Senator from Arizona [Mr. GOLDWATER] and the Senator from California [Mr. KUCHEL]. There are two items which, it seems to me, make the bill peculiarly equitable. The first has already been mentioned by the distinguished Senator from Louisiana [Mr. ELLENDER], the chairman of the committee. Under the acreage reserve program of the land bank, a great many small farmers were eking out only the scantiest possible existence. They could not live on the few acres put in the soil bank. Their acreage has been out of cultivation, in some instances, for 2 years or more. They may be working in a nearby town, so it would be very uneconomical, difficult, and expensive for them to return to the farm and take advantage of their allotment by planting a little cotton farm again.

The bill will allow them to get a little value for their acreage by enabling them to lease the allotments which still belong to them.

Second, there can be no sound objection to the bill, based upon the standpoint of their building up huge acreage, not only for the reason that it cannot be built up into farms which will exceed 50 acres, including what the lessee had himself, and also that leased from his neighbors, but, also, it will not serve to build up additional production; because under present law if these small farmers could not plant, they would simply

have to turn in their allotments to the county committees, which could reissue the allotments to others, and would do so. The only difference in production would be that the small farmers, whom we have been trying to protect by means of various laws, would lose any equity at all in the matter.

So it seemed to the committee, on which I served, that the real ends of equity were served by both the provisions I have mentioned and by others in the bill, without working any hardship on any cotton producer in either the traditional cotton-producing areas of the South or the cotton-producing areas of the West. I believe the committee, in reporting the bill, believed it had eliminated all provisions which could have done harm to the cotton industry, and had included all the provisions which would be helpful to the small cotton farmers.

Mr. TALMADGE. Mr. President, will the Senator from North Carolina yield to me?

Mr. JORDAN. I yield.

Mr. TALMADGE. First of all, I desire to compliment the distinguished junior Senator from North Carolina for his efforts and endeavors to aid these producers, who need help more than any other group I know of in the Nation.

In many parts of the traditional cotton-producing area of the South, the average cotton allotment is 5 acres or less. For instance, in Georgia, 40-odd percent of the cotton allottments are of 5 acres or less. I believe the same statement applies to North Carolina, South Carolina, Alabama, Florida, and Tennessee. The Mississippi allotments are exceedingly small.

Under the present law, such farmers may already lease their cotton allotments. But under the present law, they have to transport their machinery, their equipment, and their labor, sometimes several miles, in order to cultivate 1, 2, or sometimes 4 acres of cotton. Certainly it is uneconomical for them to cultivate such small acreage on farms which are 2, 3, or 4 miles away.

This measure will entitle them to lease those allotments to grow cotton on their own farms, provided the total acreage is not more than 50.

Then, if there is a difference in the fertility of the soil, with the result that a greater amount of cotton is produced on the farms for which the allotments are leased, there is a factor which will reduce the cotton acreage by that ratio, in order that the total production of cotton may not be greater than it is under the present law.

This proposed legislation would enable many thousands of farmers in many of the States of the Southeast, who are eking out a meager, and sometimes a marginal existence, to secure additional allotments from their neighbors, many of whom have gone to work in industries, or have begun to operate stores, or are engaged in other ways; and thus this measure will enable those farmers to have an economic unit which they can cultivate adequately, and from which they can make a living for their families.

I would say that in many instances this measure will represent the difference between the necessity for such farmers to abandon their farms and move to town, there to compete with an already overabundant supply of labor for jobs, and the possibility for those farmers to continue on their own humble, little farms to make a living, by the sweat of their own labor, for themselves and their families.

Mr. GOLDWATER. Mr. President, will the Senator from North Carolina yield to me?

Mr. JORDAN. I yield.

Mr. GOLDWATER. Mr. President, I have no objection to the bill, as it has been explained; and I shall not vote against it.

However, I wish to take advantage of this opportunity—because I do not recall seeing present in the Chamber at any previous time so many distinguished Senators from the southern cotton-producing States—to propose a philosophical question, or perhaps an economic question. To me, this bill, and even the necessity to introduce it, indicates one of the weaknesses in the present agricultural program.

First, we had the soil bank; and the farmers participated in the soil bank. But the soil bank did not work; and then the farmers left it.

Now the farmers want to lease their allotments.

I am in perfect harmony with the intent of the proposed legislation. However, as I stand here, I wonder, as I have often wondered heretofore, whether it is right for us to have on the statute books legislation which will forever keep the cotton farmer tied to the 2-acre, 3-acre, 4-acre, or 5-acre farm? Are we making a mistake by more or less "hedging him in" as a farmer?

To think out loud for a moment—and I am asking this question of my southern friends: Would it not be better to have less restrictive legislation, so as to allow such farmers not only to sell their farms, if they wish to, but also to dispose of their allotments, and to allow large-scale cotton farming to develop in the areas of the South which my colleagues represent, as we have allowed large-scale cotton farming to develop in the West?

There may be geographical reasons why that could not be done in the South. But I recall the burley tobacco situation. When we began to deal with it, the average burley tobacco farm comprised 10 acres, which, I understand, was then considered a large burley tobacco farm. But now—because of the necessity of protecting the small farmers—we have achieved an average burley tobacco farm of less than 3 acres.

Are we really helping such farmers in the South, by year after year enacting legislation to take care of a situation which I doubt can ever be improved?

I shall welcome an answer from any of my colleagues from the South.

Mr. ERVIN. Mr. President, if my colleague will yield to me, I believe I can state an answer.

Mr. JORDAN. I yield.

Mr. ERVIN. The chief problem in this field is fundamentally a human one rather than an economic one, although the two are intertwined. It is illustrated by the situation in my State. In North Carolina, approximately 48,000 cotton farmers have cotton acreages in the neighborhood of 4 acres or less. Many of them are Negroes who are advanced in years. Many of them are white persons who are advanced in years. Farming is the only thing they know how to do. They do not have enough capital to be able to farm on a large scale, and in many cases they have reached such an age that it is not possible for them to be reeducated for some other type of employment.

Mr. GOLDWATER. Mr. President, at this point will the Senator from North Carolina yield?

Mr. ERVIN. I yield.

Mr. GOLDWATER. The point my colleague has made fairly well reaches the meat of the matter. I understand that aspect of the situation, having spent part of my life in the South. But today can a farmer in the South really make it on a 2-acre or 3-acre or 4-acre cotton farm? Is such a farmer merely existing, at best; or is he able to make a living? For instance, is he able to send his children to school; is he able to purchase an automobile; is he able to have some of the better things of life?

Mr. ERVIN. His children are able to attend school, because in North Carolina the State supplies the textbooks for all schoolchildren. Furthermore, in most instances the school-lunch program, which is financed in part by the Federal Government, and other programs, furnish aid to his schoolchildren.

But I would say that the pending measure provides a practical way to aid small cottongrowers under present circumstances. My State is attempting to handle this situation by teaching farmers in this category to engage as much as possible in a form of agriculture whereby they will raise food crops. We have a very fine program under our State department of agriculture, whose farm demonstration agents are trying to teach these farmers ways to improve their status by raising food crops, poultry, and the like.

Most of them live in areas which are fundamentally agricultural, and there are no industries to take care of them, even if they were young enough to be educated to do industrial work. So it is a most serious problem, with which North Carolina is trying to deal, insofar as possible, by advocating, as proposed by Gov. Max Gardner, a live-at-home program, under which they would, insofar as possible, raise chickens, engage in truck gardening, and participate primarily in activities enabling them to secure food sufficient for their families on the farms.

As is true of growers of burley tobacco in some of our mountainous sections, cotton acreage allotments provide the only means by which farmers may receive a small amount of cash in order to buy coffee, sugar, and other commodities they cannot produce on the farm.

Mr. GOLDWATER. I do not want to prolong this discussion, because I realize it is one which could be debated day and

night. In my own State of Arizona, in 1950 about 113,000 people were dependent upon agriculture. The latest estimate is that in 1958 about 86,000 to 87,000 people were dependent upon agriculture. Even with that rather sizable decrease in the number of people engaged in farming, income from farming has tripled. Without knowing much, as I have said, about the farming situation in the South, my thought was that if we allowed a continuation of the normal tendency which has existed in this country since its founding, that is, the drifting away from the small farm and the tendency to bigger farms, those affected might become more gainfully employed by working for the larger farmers, or by working as mechanics, for example.

Mr. ERVIN. I think the solution must be a long-range one. The problem is finding its solution, to a large extent, in the children of these farmers being educated and moving elsewhere, to the cities and towns where there is industrial employment. But the farmers who make the problem most acute are those who have reached a point in age where they are not really capable of learning a new vocation.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. JORDAN. I yield to the Senator from Mississippi.

Mr. STENNIS. I desire to add one point to the question raised by the Senator from Arizona. This issue involves not only the man who is on the land today and who, it may be will have passed away by next year, but it involves the land itself and its future. Under the present law, if acreage is lost, it is lost forever. The issue involves the economy of a community and whether it can continue to exist.

Furthermore, I do not think there has been any determination made that we have any right, from a constitutional standpoint, to legislate this acreage out of existence as to an individual or as to future generations. Those questions are involved in this very minor bill, and they should be added to what the Senator has stated.

Mr. GOLDWATER. I agree with the Senator completely, but is that not in fact what we are doing when we try to say to a farmer—I care not whether he lives in Mississippi, Arizona, or California—"You can plant only X number of acres to cotton"? I have never felt that was in consonance with our concepts of freedom under the Constitution. Without knowing a great deal about the subject, I can say only that the southern cotton farmer has been hurt by cotton acreage allotments, just as the western farmer has been. Fortunately, in the West we are not limited to 2 or 3 or 4 acres. Our last allotment was 360,743.

A most important point has been made by the Senator from Mississippi. I doubt the constitutionality of Congress telling any man in this country what he can or cannot plant.

Mr. STENNIS. That is correct; but the lower the acreage allotment, the more the farmer is hurt.

Mr. GOLDWATER. It is pretty low now.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. JORDAN. I yield to the Senator from Alabama.

Mr. SPARKMAN. I should like to ask the Senator some questions. First of all, with respect to the restriction of 50 acres, as I understand the provision, no transfer could be made to anyone whose total planting would be more than 50 acres. Is that correct?

Mr. JORDAN. That is correct. The total acreage, including his own planting and what he has leased, cannot exceed 50 acres.

Mr. SPARKMAN. I understand the purpose for which the provision was made—at least, I believe I do. In other words, it is to hold down additional acreage in order to prevent overproduction as much as possible, while, at the same time, giving some relief to the small farmer. I wonder if the weight of the argument is not, on the other side, that it is primarily farmers with larger acreages who are going to be interested in buying these leases, and if the small farmer would not be better served without the amendment, rather than with the amendment. I just wonder what the reasoning of the committee was.

Mr. JORDAN. I am glad the Senator has raised that question. The committee started out with a proposal of a much higher acreage. It seemed to be the consensus that what was decided on was as high an acreage as we could get the Department of Agriculture to accept. I may ask the chairman of the full committee if that is a correct statement.

Mr. ELLENDER. Yes.

Mr. SPARKMAN. This proposal is made, then, in view of the opposition that has been shown by the Department of Agriculture?

Mr. JORDAN. We do not think the Department will oppose this bill as such.

Mr. SPARKMAN. It was the consensus of the committee that by proposing the acreage mentioned it was perhaps picking the only way which would furnish any hope of getting the legislation enacted.

Mr. JORDAN. I think that is correct.

Mr. SPARKMAN. Let me ask the distinguished Senator from North Carolina another question. The bill as it comes before the Senate covers 3 years, namely, 1959, 1960, and 1961. Of course, early in the year many of us proposed legislation in an effort to make the law effective for 1959. The Senator has no idea when the House will act on this measure, I presume.

Mr. JORDAN. No; I have not.

Mr. SPARKMAN. Is it likely that the bill could become law, let us say, earlier than May 1?

Mr. JORDAN. We will try our best.

Mr. SPARKMAN. The point I am trying to get at is this: Under the law as it stands—I do not know whether my statement applies to other commodities, but it applies to cotton—cotton farmers may release to their county committees for reallotment acreage they are not going to plant. The time limit for doing that in northern Alabama was April 1. For southern Alabama it was about March 20. I believe those are the correct dates. I presume that it is late all over the cotton area, not only from the standpoint of the time limitation in the bill, but from the time limitation imposed by the planting of the crop itself in the section of the State where I live. I presume cotton farmers in southern Alabama are already planting, and perhaps they are through planting. Within a week or 10 days, cotton farmers will be planting in the extreme northern area of Alabama.

The question I should like to ask the distinguished Senator from North Carolina is this: Does the Senator believe that any practical benefit can be derived by making the bill applicable to this year? Benefit could have been derived earlier in the year, but are we not past that time?

Mr. JORDAN. I believe the Senator is correct as to his State of Alabama, and as to Texas and Mississippi, where cotton has already been planted. I do not think it could possibly affect this year's planting.

Mr. SPARKMAN. There is not a great deal of cotton planted where I live, so I was gaging the whole area by the time limit. I am seeking advice on this matter. I wonder if it would not be better to change the dates, and to make the bill provide for 1960, 1961, and 1962.

Mr. JORDAN. I would have no objection to that.

Mr. JOHNSTON of South Carolina. Mr. President, as chairman of the subcommittee let me say that this bill might help some people this year. If we want to provide another year, we have 2 more years in the future to consider that matter. The bill was reported with the years stated.

Mr. SPARKMAN. Yes. The bill was reported March 18.

Mr. JOHNSTON of South Carolina. March 18.

Mr. SPARKMAN. That is nearly a month ago.

I would have agreed with the distinguished chairman of the subcommittee at that time. The question I am asking now is, will passage of the bill have any practical value at this time? Even though the provisions might be applicable to a few farmers, what will happen with regard to all the others?

For instance, in my State there has been a rather encouraging action on the part of the farmers who are not going to plant their acreage by their releasing acreage to the county committees. When the farmers release the acreage to the county committees they get nothing.

Mr. JOHNSTON of South Carolina. Mr. President——

Mr. SPARKMAN. May I complete this statement, please? The farmers get nothing for that. It seems to me if we keep "1959" in the bill there should be something to provide for going back and picking up those farmers who have released their acreage. Otherwise, we will have discrimination as among the planters, with respect to those to whom allotments have been given in one area as against another.

Mr. JOHNSTON of South Carolina. Mr. President, I think the Senator from Alabama has raised a good question, and

we should consider it well. At the same time, we are trying to protect the cotton acreage of the small farmer and trying to keep him from losing the historical record of his acreage. If some provision were incorporated in the bill to carry forward his history on the acreage, I think it would be all right. We should not let the farmer lose the history on his acreage for this 1 year.

Mr. SPARKMAN. I should like to ask the chairman a question on that very point.

I make the suggestion that under the law of today the acreage is protected through this year.

Mr. JORDAN. The Senator is correct.

Mr. SPARKMAN. The only benefit which could possibly accrue to the farmer this year would be the privilege of leasing his property. The acreage is already protected, but the law expires this year.

Mr. JORDAN. The Senator is correct.

Mr. SPARKMAN. If we should change the dates to 1960, 1961, and 1962 we would not only continue the protection against the loss of acreage but also would make it possible for the farmer to lease the unused acreage during those 3 years.

Mr. JORDAN. I have no objection to that procedure.

Mr. SPARKMAN. Mr. President, if that sounds reasonable to the members of the committee I should like, at the proper time, to offer an amendment to make that change.

Mr. HOLLAND. Mr. President, I hope the distinguished Senator will not offer such an amendment. My reason for making the statement is that we had a very long and involved discussion of this whole subject matter in the committee. We encountered opposition from members of the committee who come from the wheat-producing areas, from the corn-producing areas, and from other areas, with respect to this proposed legislation. The Department had turned down the proposal categorically in its original form. We endeavored to report the bill in some form on which we could get general agreement. We spent a long time on the matter.

I would be reluctant to have the bill changed, particularly in view of the fact that for the additional year of 1962 there is plenty of time for us to legislate, and in further view of the fact that we are trying an experiment to see how the proposed program will work and to see if we can help some of the very small farmers who need help.

I say to the Senator from Alabama, this is not the first time we have passed legislation after planting time. I remember one year when all of the Florida acreage—it is not a heavy acreage, only some 37,000 acres—had been planted before the legislation was passed. I think in that year an amendment was offered by the distinguished Senator from Mississippi [Mr. STENNIS] to protect the small acreages. I do not remember the exact provision, but a provision was adopted too late to be of help to my State.

I think we will encounter a similar situation almost any year. I think the provisions apply to a sufficient acreage in the Carolinas, Tennessee, Virginia, north Alabama, the hill section of Mississippi, Arkansas, Missouri, Oklahoma, and Texas so that passage of the bill would be very helpful. I would dislike to see written into the bill a provision which would be regarded as a change in the coverage of the bill.

The members of the committee will recall that representatives of the Department of Agriculture were present when this matter was considered and we frequently asked for their opinions as to what they could recommend. We finally got those representatives to recommend what was worked out.

I am not going to oppose the amendment if the distinguished Senator offers it, because I well recognize his good objective, but I think he would be injecting a troublesome factor.

In view of the fact that there is so much time available to accomplish the inclusion of the additional year, if we find the program works out well, I hope the Senator will not offer the amendment.

Mr. SPARKMAN. Mr. President, will the Senator from North Carolina yield to me for 1 minute?

Mr. JORDAN. I yield to my distinguished colleague from Alabama.

Mr. SPARKMAN. I certainly do not propose to offer an amendment which is not generally acceptable to the committee, because I realize the committee members worked hard on the bill. Furthermore, I know that when the House considers the bill there will be an opportunity to make such a change if it seems necessary or helpful.

In answer to the point raised by the Senator from Florida, let us consider the cotton planters in my immediate area of Alabama. The farmers in my home county, in the southern part of the county, will start planting within the next 10 days. The cotton planting will continue pretty well through the middle of May.

Let us suppose this proposed legislation becomes law by the first of May. That would mean, I presume, those farmers who had not planted at that time could lease their land and be paid for it, whereas the farmers who prior to that time had released their land to the county committee would get nothing.

I should dislike very much to see something done which would create friction among the farmers themselves, and I certainly have no wish to project any amendment which might cause dissension in the committee. I know the committee has considered this matter carefully, and I realize that the House committee has time to consider a change if it should appear to them a change should be made. Therefore, I shall not propose the amendment.

Mr. JORDAN. I thank the Senator from Alabama.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. JORDAN. I yield to the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. Mr. President, it is true that most of the cotton will be planted by the first of May, but I think every Senator who has lived on a farm knows that very often something happens to the cotton which has been planted and it does not come up properly, which makes necessary a replanting. Sometimes cotton has to be planted as late as June 1.

Therefore, under these circumstances I think there might be a great many cotton farmers who could dispose of some of the acreage, even if the bill should not be passed until late in May. I thought I would invite attention to that.

The bill will not affect too many farmers. A great many farmers have already planted and have already made preparations, but there are a few farmers who have not considered it economical to plant the 2 or 3 or 4 acres they have. Most of the farmers who will make use of the legislation have under 5 acres. Those who have 6 or 8 or 10 acres probably thought it economical to proceed to plant, and probably have already planted and are taking care of the acreage themselves. It is mostly the very small farmer who has 3 or 4 or 5 acres who needs this relief at the present time. It does not mean very much. The small farmer will probably lease 3 or 4 acres for approximately $10 an acre, and that is about all he can get out of it, to tide him over. Senators can see why he went into the soil bank when he was getting approximately one-third of a bale to the acre, which would mean $50, as contrasted with the $10 which they are getting at the present time. That is about what the ratio would be.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. JORDAN. I yield.

Mr. ERVIN. I commend my able colleague the junior Senator from North Carolina on the fine work he has done in connection with this problem, and I assure him that in my judgment he has rendered a very substantial service to agriculture, not only in North Carolina, but in all other States having the same problem. I commend him for his very fine work.

Mr. JORDAN. I thank the Senator.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. JORDAN. I yield.

Mr. THURMOND. I wish to take this opportunity to congratulate and commend the distinguished and able junior Senator from North Carolina for introducing this bill. Several years ago I had the pleasure of joining the Senator from Mississippi [Mr. STENNIS] in supporting a similar bill, and I was pleased to join the distinguished Senator from North Carolina in cosponsoring this measure.

By introducing this bill, the able Senator from North Carolina has shown his deep interest in the small farmers of the Nation. He has manifested a commendable desire to help the class of people who are receiving the smallest income of any segment of our population.

We are all aware that farm productivity has increased materially in recent years as a result of the application of new and improved farm methods and machinery. The application of these new methods and machinery make it economically impractical and inefficient to operate a farm below a minimum acreage, the exact size of the minimum acreage being dependent on the crop and the soil fertility. Yet many of our small cotton farmers are now being allotted less than 10 acres, and in some cases, 2, 3, or even 1 acre. Such a program is responsible for the creation of what some mistakenly refer to as the marginal farmer. In reality, they are referring to the farmer who is forced to undertake an economically infeasible farming operation, and to depend on Government subsidy to remedy his assured loss. He has no choice. He is trained and experienced as a farmer, and his worldly goods are invested in a farm. On his training, experience, and investment depend his and his family's livelihood, be it ever so meager.

S. 1455 would allow a farmer with less than a 10-acre allotment to rent his acreage allotment to a neighbor. This is certainly a step in the direction of remedying this tragic situation. Under the provisions of this bill, a farmer with a small allotment could realize some income from the rental of his allotment, and at the same time, he could have his time free to supplement his rental income. His neighbor, now in the same tragic circumstances, could, under the terms of the bill, by renting other allotments, obtain sufficient acreage on which to conduct an efficient and profitable farming operation.

Since rentals are restricted by the bill to county units, in any one of which soil productivity is relatively equivalent, there will be little, if any, addition to the surplus of the crop. At the same time, this bill marks a slackening of pace in forcing inefficiency and ultimate extinction on the small farmer, while increasing his chances for averting abject poverty. Although the bill will certainly not solve all of his problems, it will be of immeasurable benefit to small cotton farmers. As one of the original cosponsors, I am proud of the opportunity to support this legislation.

Mr. STENNIS. Mr. President, I support the bill which the Agriculture and Forestry Committee has reported, authorizing the lease of cotton acreage for the years 1959, 1960, and 1961 on a year to year basis. I regret that limitations have been placed on the size of farms eligible for leasing allotments as this sharply narrows the objectives of this bill. However, even with these limitations, it would be of assistance to a great many small farmers.

Under present law, cotton allotments can in effect be leased to other farms. It is my understanding that this is being done in many areas and especially by farmers who critically need additional acreage to better use their land, labor, and machinery. It is my understanding that when farms are close together and the same labor and equipment can be used on both farms, the county committee has authority to even transfer the cotton allotment to another farm after the first year of a 3-year contract. All we are, in effect, asking for in this bill is to simplify the procedure whereby the small farmers can participate easier in leasing their allotments.

There are other ways which allotments can be transferred under present law from one farm to another under certain circumstances. For example, a cotton farmer who needs additional acreage can buy a farm with a cotton allotment, and with permission of the county committee can have the two farms combined. Under this arrangement the cotton allotment can be planted at any location on either farm.

Mr. President, cotton allotments released to the county committe can also be transferrd to other farms, but there is some hesitation on the part of farmers to release cotton allotments for reapportionment to other farms. Present law protects acreage history credits for 1957, 1958, and 1959 even though it is not planted. However, farmers would lose their history under other provisions of the law if they released their acreage to the county committee for 3 consecutive years.

S. 1455 would enable the very small farmer to accomplish the transfer of acreage to another farm with less red tape and confusion. It could be done on a much more efficient basis and would give these very small farmers an equal chance to participate. This bill would simply permit the owner of a farm having an allotment of 10 acres or less to lease his allotment to a neighbor or any other farmer in the county, provided the combined allotment would not exceed 50 acres. This would assist in returning some of our idle acres to production.

It is unlikely that this bill would pass in time to give any real benefits for the 1959 crop year. Therefore, I am hopeful that this bill will be amended to include the 3-year period of 1960, 1961, and 1962.

There is great concern in many areas of the Cotton Belt that cotton acreage that was placed in the soil bank will be left idle in future years. If this situation should come about, the unplanted acreage would materially reduce income in the county. S. 1455 would assist in getting much of this acreage planted and thereby make a greater contribution to the farmers involved as well as to the local economy.

The operation of the present law has reduced acreage allotments to such an extent that cotton farming in many cases is carried on on an inefficient basis. This bill, while not going as far as my original bill (S. 569) authorizing the leasing of acreage to all farmers within county lines for a period up to 5 years, it would assist the small farmer and it would assist in getting the maximum acreage of cotton to be planted within a county. Farmers who need more acreage for better utilization of their land, labor, equipment, and other resources could get additional acreage and thereby operate a more efficient and more economical unit. The owner would benefit by rentals, and leasing of allotted acreage would not add to the cost of the present program.

Mr. President, I hope that the Senate will give full approval to this bill. I congratulate the distinguished Senator from North Carolina.

Mr. KUCHEL. Mr. President, I am bound to observe that the Department of Agriculture has interposed objections to the bill, citizens of California oppose it and in voicing objection to it, let the record show I speak for my colleague [Mr. ENGLE] and myself.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield.

Mr. HOLLAND. I think the distinguished Senator is mistaken, because the objections which were originally made were to the first wording of the bill. The experts of the Department who sat with us stated to us that in the redrafted form they saw no objection to it.

Mr. KUCHEL. I have a few questions which I should like to ask my able colleague [Mr. JORDAN] the author of the bill. While I am doing so, I ask my friend from Florida to peruse the letter which I have received from the Department of Agriculture on this subject.

Is it the intention of the bill to permit a person who owns not more than 10 acres of land upon which there is a cotton allotment to lease the allotment to another cotton farmer who, when he leases the acreage, will still have a cotton allotment of not more than 50 acres?

Mr. JORDAN. Yes. That is what the bill provides. Including his own acreage, he can lease only enough acreage to make a total of 50 acres.

Mr. KUCHEL. I am interested in the citizen of the Senator's State who has 10 acres, and who has a cotton acreage allotment on those 10 acres. Am I to understand that he would have the right to plant his own acreage?

Mr. JORDAN. Yes; he would have the right to plant on his own land, but he would have to lease someone else's land if he were to plant more than 10 acres.

Mr. KUCHEL. On page 2 of the report of the Committee on Agriculture and Forestry, I find the following language:

> Arguments advanced in support of the bills were as follows:
>
> 1. Small cotton farmers participated in great numbers in the acreage reserve program and substantially retired from cotton production. They are now not in a position to plant and will receive little or no benefit from their allotments unless this legislation is passed. Passage of this legislation would permit them an adjustment period until they could get back into cotton production.

I ask my friend, Does not that indicate that the farmer who could benefit by leasing his acreage allotment up to 10 acres does not now have the legal right to plant on his own land?

Mr. JORDAN. Yes——

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield.

Mr. HOLLAND. The wording does not so indicate. It merely indicates that the man who has had his land fallow for 2 years, and has moved off the land to work in a cotton factory, a cotton mill, a store, or somewhere else, is not practically in a position this year

to begin cultivating that little acreage of 10 acres or less. Practically, he cannot do it; but he does have the right to plant it. Otherwise, there would be nothing to lease.

Mr. KUCHEL. Let me ask the able Senator from Florida this question: Why can he not plant now, and receive a benefit from his allotment?

Mr. HOLLAND. Because he is working for someone in a job which he does not wish to give up. He is eking out a bare existence. Perhaps he has moved his wife to the little town nearby, and is working there as a wage earner. A great many of these people are people of most modest attainments. They work for wages. Many of them are colored people. They are not in a position to tear up their roots and go back and replant their land, consisting of 6, 8, or, at the most, 10 acres. It is not a practical thing for them to do.

Mr. KUCHEL. What was the incentive for that individual to get out of cotton farming?

Mr. HOLLAND. The land bank. The acreage reserve program of the land bank offered him the right to put his entire acreage, consisting of a small tract, into the acreage reserve program, and to receive what the Government estimated he could have made out of it if he had not done so.

The objective was, first, to diminish the total amount of production; and second, to take care of people in that unenviable position until they could get back on their feet.

As I see it, in many cases this is nothing more than an offer to help a little further in the readjustment which is under way.

In my own State much of the acreage in the classification we are discussing is being disposed of in one of two ways—first, by purchase by large timber companies who are foresting the land. Of course, no farmer with only a few acres can go into the forestry business.

Second, by purchase for grazing purposes. The same comment applies there. It requires a much larger acreage and a much greater investment of capital to go into that business. These people are being given a little more time to reorganize their lives and get started again.

Mr. KUCHEL. If the intent of the acreage reserve program legislation was to retire acreage from cotton production, is it fair to say that the intent of the proposed legislation is to put it back into production?

Mr. HOLLAND. It is not fair to draw the first premise. The intent was never, through the acreage reserve program, to take acreage out of any program. It was to make the land lie fallow, with the idea of cutting down production for the year involved. As compared with the conservation part of the soil bank, the acreage reserve program was always quite temporary, operating from year to year. A farmer could elect to put his small acreage in the program for the first year. If he did not like it, he could come back and pick up the tattered skeins and go to work again as a farmer. However, he could not extend it beyond the life of the acreage reserve program, which was itself a limited program.

Mr. JORDAN. The pending bill also provides that when a lease is made to another person the land must remain fallow. It is not possible to turn around and plant corn or any other crop which is protected under the farm program. It is not permitted to increase one crop when another is taken out of production. That is a provision in the bill. That is the reason for the penalty of 150 percent.

Mr. HOLLAND. The Senator from North Carolina is correct. One of the objectives of the committee was to prevent the building of a program under which some other group, producing tobacco, corn, vegetables, or some other crop such as small grains, could come in and cultivate that same land.

Mr. KUCHEL. I should like to ask my friend from Florida, for whom I have the highest respect, particularly in this field, whether there will be a surplus of cotton in the United States this year.

Mr. HOLLAND. I have heard it expressed both ways. No one knows, because no one knows what the seasons will be. The chances are that there will be a limited production of cotton. I should like to say to my friend from California that, regardless of what is produced this year or in any year in the future, the purposes of the acreage reserve program, the land bank, were limited as to the years covered. The purposes have been completely fulfilled. They were, in the main, to cut down the production of cotton, which could be put under that part of the Soil Bank for the particular years in which the acreage was placed under the program.

Mr. KUCHEL. Has the Senator from Florida had an opportunity to look at the memorandum which I received from the Department of Agriculture? Is it fair to say, on the basis of the memorandum, which was sent to me with the covering letter of the Department of Agriculture of March 23, that the Department of Agriculture objects to the bill?

Mr. HOLLAND. It is fair to say that the memorandum sent by Mr. McLain points out the only objection which I consider a proper objection to the proposed legislation. The committee knew about it. The objection is that there will be a cutoff place. Of course, if we are to have a program of this kind, limited to helping the few people who are in the weakest position, it is necessary to have a cutoff place.

A farmer who has 12 or 15 acres of land does not need the help as badly as does a farmer who has less than 10 acres. The committee, in the best judgment it could exercise, and with the best motives, picked the 10-acre limitation as the one which should be used. Mr. McLain calls attention to the fact that it is an arbitrary cutoff place, with which I would not contend at all. That is the fact.

Mr. KUCHEL. I thank the Senator from Florida. I ask unanimous consent that the objections to the pending bill, S. 1455, as prepared by the Department of Agriculture, be printed in the RECORD at this point.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

COMMENTS ON S. 1455, A BILL TO AUTHORIZE THE RENTAL OF COTTON ACREAGE ALLOTMENTS

1. Cotton is in surplus supply at the present time and it appears that production during the 1959–60 marketing year is quite likely to exceed domestic consumption and exports. The bill would result in a certain portion of the cotton allotment being planted which otherwise would not be planted. To the extent this occurs, the bill would therefore increase our supply of cotton as well as the cost to the Government in carrying out the price support and surplus disposal programs.

2. Farm allotments are established to fix for each eligible farm its share of the national marketing quota. Generally, the size of the farm allotment is in relation to past cotton plantings on the farm. A farm allotment represents a right to plant cotton. The provision of the bill, which limits transfers of allotment from farms having allotments of 10 acres or less seems to imply that all farms in this size range constitute uneconomic cotton-producing units and are therefore entitled to additional preferential treatment over slightly larger cotton allotment farms. This arbitrary breaking point would undoubtedly lead to dissatisfaction among farmers having allotments over 10 acres, particularly in those counties where these farmers have had their allotments reduced sharply in the process of establishing minimum farm allotments for the 10-acre and less allotment farms.

3. The provisions of the bill which are designed to prevent a farmer from transferring his cotton allotment to another farm and then increasing his acreage of annually tilled crops would add a new type of restriction to a program that is already heavily burdened with complex procedures.

4. As pointed out in the report of Subcommittee No. 3 (p. 1 of S. Rept. 115 on S. 1455), present law provides several methods under which cotton allotment may be transferred from one farm to another. These methods appear adequate.

Mr. STENNIS. Mr. President, the Senator from Arkansas [Mr. FULBRIGHT] is very much interested in the pending bill, and has prepared a speech on it for delivery on the floor of the Senate. He is detained in the Committee on Foreign Relations by important business, which is very demanding in its nature, and he has asked that his speech be printed in the RECORD. I ask unanimous consent that the text of his remarks be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR FULBRIGHT

I am very much in favor of the objectives of the pending bill to authorize rental of cotton acreage allotments. I am a cosponsor of S. 545, which is one of several plans studied by the Committee on Agriculture on this subject before it reported out the pending bill.

Under the present law, farmers are permitted to rent acreage allotments, but they must produce the crop on the farm to which the allotment was assigned. This naturally results in an uneconomic method of production, and there has been much agitation to permit the rented acreage to be grown on the lessor's farm. I have received many letters from Arkansas farmers in support of legislation along these lines. Several county farm bureaus have advised

me of their support for this legislation. The Agricultural Council of Arkansas, composed of many cotton producers in the State, has favored this type of legislation.

The bill under consideration today is a modification in several respects of the bill introduced by Senator JORDAN, which I cosponsored. The bill limits the lease authorization to farmers having allotments of less than 10 acres and situations where the lessor's acreage combined with the lessor's own allotment does not exceed 50 acres. The transfer can only be made between farms in the same county.

Another important provision in the bill provides that the transferred allotment will be subject to the choice of the allotment and support plan originally elected by the lessor. In order to prevent a disruption of the historic basis for the allotment program, the bill provides that the rented acreage would still be credited to the farm from which the allotment was rented, as if it had been actually planted.

The rental provisions will be of substantial assistance in enabling cotton to be produced on the most economic farm units. Many small cotton farmers participated in the acreage reserve program and are not now in a position to plant. They will receive little benefit from their allotment unless this legislation is approved. The bill will protect these small farmers by preserving their current acreage history. The legislation will also result in a larger percentage of the total allotment being planted, since many small farmers do not plant their allotment and ultimately the farmer, the county, and the State lose this amount as acreage history.

The cotton planting season is now underway, and I cannot overstress the need for immediate action on this bill. The farmers must know as soon as possible whether they can plant rental acreage on their own farms.

I hope that the Senate will pass this bill today, and that the House will take it up for action at once.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be offered, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 344 of the Agricultural Adjustment Act of 1938, as amended, is amended by adding at the end thereof a new subsection as follows:

"(o) (1) Notwithstanding any other provision of law, the owner or operator of a farm for which a farm acreage allotment for upland cotton of ten acres or less is established under the provisions of this section may rent, as provided in paragraphs (1) and (2) of this subsection, such allotment, or any portion thereof, to any other owner or operator of a farm in the same county for use in the same county on a farm for which the acreage allotment for upland cotton does not exceed fifty acres. As used in the foregoing sentence, the term "allotment" includes the allotment for the farm as increased by allotments rented under this subsection, but does not include any increase resulting from the election of choice (B) under section 102 of the Agricultural Act of 1949. When the operator of any farm on which a rented allotment is to be used has elected choice (A) or choice (B) with respect to any allotment for any year, that choice shall be applicable to all allotments used on all farms operated by him for such a year, without regard to any election made by the operator of the farm from which any such allotment was rented. If the operator of the farm on which a rented allotment is to be used shall not have notified the county committee of his election within the time prescribed for such notification for farms within the county, he shall be deemed to have chosen choice (A).

"(2) Any such rental agreement shall be made on such terms and conditions, except as otherwise provided in this subsection, as the parties thereto agree: *Provided,* That no such agreement shall cover allotments made to any farm for a period in excess of one crop year, renewable each year.

"(3) No rental agreement shall be effective until a copy of such agreement is filed with the county committee of the county in which the acreage allotment is made.

"(4) The rental of any acreage allotment, or portion thereof, shall in no way affect the acreage allotment of the farm from which such acreage allotment, or portion thereof, is rented or the farm to which said acreage allotment, or portion thereof, is rented; and the amount of acreage of the acreage allotment rented shall be considered for purposes of future State, county, and farm acreage allotments to have been planted on the farm from which said acreage allotment was rented in the crop year specified in the lease.

"(5) Any farm acreage allotment, or portion thereof, rented under this subsection shall be multiplied by the per centum which the normal yield of the farm from which the acreage allotment, or portion thereof, is rented is of the normal yield of the farm to which the acreage allotment, or portion thereof, is rented.

"(6) The average of crops requiring annual tillage on the farm from which any allotment is rented shall be reduced during the period covered by the rental agreement below the acreage normally devoted to such crops on such farm by an acreage equal to the acreage allotment transferred. The acreage normally devoted to such crops and the amount of the reduction therein required by this paragraph shall be determined by the county committee after taking crop rotation practices and other relevant factors into consideration, and the reduction shall be agreed to in writing by the owner and operator of the farm from which the allotment is rented before the rental agreement may be filed with the county committee. Any producer who knowingly and willfully harvests an acreage of crops requiring annual tillage in excess of that permitted by this paragraph shall be subject to a civil penalty equal to 150 per centum of the rental provided for by the rental agreement filed with the county committee. Such penalty shall be recoverable in a civil suit brought in the name of the United States.

"(7) This subsection shall apply to the crop years of 1959, 1960, and 1961 only.

"(8) The Secretary shall issue such regulations as are necessary to carry out the provisions of this subsection."

Mr. JORDAN. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. HILL. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. JORDAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEFICIT FINANCING—ADDRESS BY SENATOR RUSSELL

Mr. TALMADGE. Mr. President, the Georgia bankers' convention is being held today at Augusta, Ga. The principal speaker is my able and distinguished colleague, the senior Senator from Georgia [Mr. RUSSELL]. One of the greatest problems confronting the Nation today arises from the fact that our Government is spending more money that it is taking in, in revenue.

The senior Senator from Georgia delivered an able speech in which he addressed himself primarily to the particular problem of deficit financing. I ask unanimous consent that his speech be printed at this point in the body of the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

REMARKS OF SENATOR RICHARD B. RUSSELL DELIVERED TO GEORGIA BANKERS' CONVENTION AT AUGUSTA, GA., APRIL 15, 1959

It is a great and happy privilege for me to be the guest today of the Georgia Bankers Association.

This is the first opportunity I have had in several years to leave Washington while Congress is in session in order to be with you on the occasion of your annual convention. I must say I have looked forward to this event with a great deal of anticipation.

I am grateful for this opportunity to pay my respects and express my appreciation to the bankers of Georgia for the continuing contribution that you are making to the welfare and progress of our great State.

Your vital role in the commercial life of the State is too well known to require any reiteration from me. Suffice it to say that you provide the financial underpinning for our entire economy.

Happily, the role of Georgia bankers is not limited to the commercial sphere. You have always been in the forefront of the community and civic undertakings that make Georgia a better place to live and to work.

Indeed, I know of no group with any higher sense of community pride and public spirit that the bankers of Georgia. Our banks are looked upon as something a great deal more than commercial institutions where money is deposited and borrowed. They are as much a part of the everyday life of the community as the church and the school.

You have earned this high station in our society by your keen awareness of the needs and problems of the people and communities you serve and by the discharge of your responsibility in meeting them. As a result, you have gained the respect, trust, and confidence of all of our people.

Because you are trusted to handle the financial affairs of others, I know that many of you must be deeply concerned by the way the fiscal affairs of the Federal Government in Washington are now being handled.

There is certainly good reason why you should be concerned.

Federal spending during the current fiscal year will be exceeded only by the peak years of World War II when this country was engaged in a desperate struggle for survival. It will almost double the entire cost of the New Deal Recovery programs from 1933 to 1939.

The already staggering national debt appears likely to hit another alltime high as a result of the largest peacetime deficit in history. The Federal Government has wound up in the red in every year but five since 1930.

Inflation, fostered and encouraged to a large degree by Federal fiscal policies, continues to cheapen the value of the dollar. This threatens incalculable harm to the national economy.

These harsh facts of financial life constitute a constant menace to the soundness, solvency, and security of our Nation at a time when we are under dire threat of Communist tyranny from abroad.

The menace goes to the heart of our great American system. Unless we put our financial house in order—and do so quickly—we may wake up some morning to find that our system of free enterprise and individual freedom and initiative has been transformed into a system of State socialism.

Today—the last day for paying last year's Federal income taxes—seems an appropriate, if painful, time for taking stock of how far we have traveled down the bleak road of fiscal irresponsibility. History records that we have proceeded quite some distance.

Since 1930, the Federal budget has grown from a relatively modest $3.3 billion dollars to the current year's $80 billion. Federal spending did not climb into the $10 billion a year class until the approach of World War II in 1941.

During the same period, the national debt has skyrocketed from $16 billion in 1930 to about $285 billion this year. It is hard to believe that during the late 1800's, Presidents Arthur and Cleveland were troubled by surpluses rather than deficits.

This period of spectacular growth in Federal spending and the steep rise of the national debt has been one of continuous crisis, challenge, and change.

We have weathered wars, hot and cold, and depressions, big and little.

We have seen our population expand by leaps and bounds, and our people crowd into the cities from the farms.

We have seen the advent of the scientific age with its atomic bombs and nuclear power, its jet aircraft and intercontinental missiles, its earth satellites and moon rockets. We are even now standing on the threshold of man's first trip into space.

All these things, of course, have had a mighty impact on Government and on Government spending. They made some deficit financing of an emergency nature essential and unavoidable. There were exceptional circumstances that called for exceptional measures. But we should not have permitted deficit financing to become the rule rather than the exception.

There is a widespread belief that recent tremendous increases in Government spending have been due to the necessity of providing for national defense. This is not the case. The great increases in Federal spending have been in domestic and civilian programs.

In the 5-year period between 1954 and 1959, spending for domestic and civilian programs rose from $19.1 billion to $34 billion estimated for the current fiscal year. This is an increase of almost $15 billion or 78 percent.

By contrast, defense spending this year is only about $1 billion higher than in 1954. In the intervening years, defense spending was actually below the 1954 level. This includes spending for our own military programs, atomic energy, and foreign aid.

It is interesting to note that estimated spending this year for agriculture is about the equal of the entire Federal budget during most of the individual years of the great depression. In spite of this enormous spending, many of our farmers today are in the worst financial straits of any time since the depression.

If the present trend continues, one noted economist has predicted that total Federal spending will increase about $10 billion over the next 5 years. He foresees a budget of $88 billion by 1964.

The time has come to ask ourselves what this spending spree means for the future of ourselves, our families, and our country.

For one thing, it means there is little possibility for any real relief from our present tax burden so long as spending continues to rise. Indeed, the prospects are for higher and higher taxes to keep pace with expanding expenditures.

It is somewhat ironic that Great Britain, a country which we helped put on its feet with financial aid and loans after World War II, last week announced a major reduction in taxes.

The present trend is also certain to mean an ever increasing Federal debt which now amounts to about $1,680 for every man, woman and child in the Nation. Interest on the debt alone now takes about one-tenth of all Federal tax revenue.

It is also certain to lead to more and more inflation and a cheaper and cheaper dollar which is now worth only about 48 cents by 1939 standards. This could prove disastrous for persons with fixed incomes, for provident investment, for the frugal who have put their security in savings and for prudent business and sound financing.

It will mean the concentration of greater and greater powers in the hands of an already much too powerful Federal Government in Washington. It will further reduce the importance of State and local governments and will increase government controls and interference over private enterprise.

And finally, it will weaken our ability—if not our will—to resist the aggressive designs of the Communists who will never abandon their dream of world conquest.

Certainly, the grave perils inherent in runaway government spending are of immediate and vital concern to every American. All stand to be hurt—business, labor, farmers, professional people, the aged and retired, consumers and every other element of our population.

There is a great deal of talk in Washington about the need for bringing Federal spending into line and balancing the budget. The President has expressed his desire for a balanced budget. So have the responsible leaders in Congress of both political parties.

Unhappily, there has been too much talk and too little action.

To make matters worse, the problem has become heavily clouded by a pall of partisan politics for which both parties and the President are partly to blame.

In the first place, not all of the "spenders" are Democrats and not all the "budget balancers" are Republicans, as some would have you believe. Both parties have some of both.

There is as much difference in the fiscal views and the political philosophy of JAKE JAVITS and BARRY GOLDWATER in the Republican Party as there is between PAUL DOUGLAS and HARRY BYRD in the Democratic Party.

In the second place, the so-called "balanced budget" that President Eisenhower submitted to Congress for fiscal 1960 contains quite a few holes and a good deal of fast bookkeeping doubletalk.

It was based on the assumption that Congress would increase gasoline taxes and postal rates, neither of which is very likely to happen, and on some highly questionable estimates of receipts and expenditures during fiscal 1960.

The Administration has also tried to charge some spending against the current year's budget that rightfully should be charged against fiscal 1960. This is a transparent effort to preserve a theoretical balance in 1960 at the expense of a larger deficit in the current year budget, which is already hopelessly out-of-balance by around $13 billion or more.

I also believe that the President's 1960 budget puts emphasis on the wrong sort of spending. I cannot agree with him that we should cut back the manpower strength of our own military establishment and defer the necessary research of advanced missiles and other technological weapons in order to increase our foreign aid program.

Since World War II, we have lavished $65 billion in American resources in countries all over the globe. Though initially sound, I believe we reached the point of diminishing return from foreign aid spending several years ago.

The program is shot through with waste and mismanagement. A recent Congressional investigation revealed an instance in which a motor pool in one country had received 44 tires for every truck in a single year, while in another country, there was only one carburetor for a certain type truck for an entire army.

In still another country, an American-financed military repair installation was found to be building airplanes for the private use of officers of a foreign army. And in Pakistan, almost $1.5 million has been set aside since 1953 for grain storage elevators that have not yet been built.

I simply cannot agree with the President that "dollar for dollar" we will receive more security from our foreign aid program than we will from additional expenditures for our own defense establishment.

I believe this is an area in which a tremendous savings can be made to be applied toward our own military strength and toward balancing the budget.

Although the President's budget contains serious defects of judgment and sincerity, President Eisenhower at least has plans to achieve a balanced budget. That is more than can be said for some of the ultra-liberals in the Democratic Party.

Not only are they making no pretense at seeking a balanced budget, but they are urging all sorts of socialistic and social reform spendthrift schemes in the name of bolstering the economy.

This group certainly does not speak for me, nor, I believe, a majority of our party.

It is high time for the responsible leadership in this country to make clear to the American people the impossibility of getting something for nothing.

It will require great political courage on the part of the President and the Congress to restore fiscal responsibility. It will require a President who will first set the example by cutting the ever-increasing White House expenditures and then demand that his appointed heads cut the costs of every agency over which the Cabinet exercises administrative control.

It will mean that the Congress must have the courage to stand up against the pressure groups who demand new spending. It will necessitate self-restraint on the part of State and local governments and the many organizations throughout the country who have their pet projects which require Federal spending. They must recognize that many of the activities they press in Washington can be administered more economically by State and local governments.

I am aware that such a course of action sounds good in theory but would be most difficult to achieve in practice. It would necessarily result in the elimination and curtailment of many programs and projects that are immensely popular with various segments of the population.

Here we are up against the old story in trying to reduce Government spending. Everybody is in favor of cutting the other fellow's program, but not his own. Everybody agrees that nonessential spending should go, but nobody can agree on what is nonessential.

I have been amazed time and time again to see citizens justify some public works projects for their own communities with which they are familiar as being essential

and, at the same time, apply the label of "pork barrel" to other projects in other communities.

This is an understandable human trait. But here is where the sacrifices must be made if we are to have meaningful reductions in Federal spending.

There is but one solution to the problem of balancing the budget. We must cut the garment to fit the cloth. Federal spending must be kept within available revenue.

In the painful cutting process, there must be one simple and inflexible principle of putting first things first. All spending proposals must be measured against the national interest. Those that do not measure up, must be postponed or abandoned.

The security and survival of our country must come first.

LOW PRICES FOR EGGS

Mr. HUMPHREY. Mr. President, I wish to call attention to another instance of the hard times which come unexpectedly upon farmers and to the attitude of the Secretary of Agriculture toward their misfortune.

On April 1 I began to receive letters and telegrams and long-distance calls from egg producers in Minnesota informing me that grade A eggs were selling at prices far below the cost of production, and asking that I take action to get some assistance from the Department of Agriculture. I shall read one letter and one telegram as examples.

ELKTON, S. DAK., *March 26, 1959.*

Senator HUBERT H. HUMPHREY,
Washington, D.C.

DEAR SIR: Today when the egg truck picked up eggs they were paying 18 cents a dozen for large eggs and less for other grades.

I did not sell my eggs today. I could not afford to sell at that price. It cost me more than 18 cents to produce those eggs so I thought I would write to you so you will know what is going on in the egg market as they are very careful not to mention anything like this in news casts or market reports.

Thank you.

Mrs. VIRGIL PORTER.

Mr. President, I should like to have Senators who pay from 55 cents to 60 cents a dozen for eggs in Washington know that the farmers of my State are getting for grade A, top grade, large, fresh eggs, 18 cents a dozen.

The telegram reads as follows:

BENSON, MINN.,
March 31, 1959.

HUBERT HUMPHREY,
Senate Office Building, Washington, D.C.:

Price of eggs in our area 20 cents a dozen for A large. Lots of chick cancellation. Market weak. Request greater school lunch purchases for the next 3 or 4 weeks.

BOB ANDERSON,
Manager, Benson Produce.

Mr. President, egg production is an important business in Minnesota, not only because we have large producers. Almost every Minnesota farmer is an egg producer to some extent. Minnesota is one of the major egg suppliers for the whole country. I think Minnesota is either the second or the third largest egg-producing State in the Nation.

Senators know that the Secretary has the authority to move quickly when a perishable agricultural commodity runs into price trouble. The law provides that a share of import duties, 30 percent is the amount, be made available to the Secretary for this purpose, among others. In past years, this program has provided emergency aid to many a producer of apples, poultry, eggs, and many other perishable commodities. Secretary Benson has used this program, although sparingly.

Therefore, in response to the many earnest requests, and following the usual channel for such action, I wrote to the Secretary of Agriculture asking that a shell-egg purchase program be put into effect, and urging that it be done at once, because when supplies of a product flood a market, the price to producers can fall very rapidly and very far. Often, merely the announcement that a section 32 purchase is to be made for the school lunch and welfare programs will have a strengthening effect on the market. Many times the purchase need not be large to get the desired effect.

I ask unanimous consent that my letter of April 2 to the Secretary and the press release which I issued on the subject be printed at this point in the RECORD.

There being no objection, the letter and press release were ordered to be printed in the RECORD, as follows:

APRIL 1, 1959.

The Honorable EZRA TAFT BENSON,
Secretary of Agriculture,
Washington, D.C.

DEAR MR. SECRETARY: Telegrams, telephone calls, and letters from egg producers in Minnesota and South Dakota indicate that the shell-egg market price has broken seriously. Farmers are receiving only 18 to 20 cents per dozen for grade A large eggs, a price appreciably below the cost of production. This means that a case of eggs that has cost the farmer $9 to produce is selling at $4 per case. Such a price loss can mean only disaster to egg producers.

As you know, the law is quite clear on this point. You have full authority to institute a purchase program for a non-price-supported perishable agricultural commodity under section 32 of Public Law 320. Time and again it has been proved that a purchase program that diverts even a small amount of a product from the regular market will strengthen the market price.

The producers of shell eggs are in price trouble. School-lunch programs are in need of additional protein foods. More than 5 million American citizens are receiving welfare assistance and surplus commodities such as cornmeal and flour. There are wide areas of growing unemployment and hunger in many States as unemployment-compensation benefits are exhausted. It is clear that a shell-egg diversion program put into action at this time could benefit many groups. There should be no delay on the part of the Secretary of Agriculture. You should move on this today.

I am quite aware that the Department of Agriculture has been purchasing quantities of dried eggs in recent weeks for the school-lunch program with section 32 funds. While dried eggs are a nutritious product, it is well known that this type of egg purchase has little, if any, effect on the market price of shell eggs.

Therefore, in this emergency situation, I strongly urge that you take immediate action to institute a shell-egg purchase program in the best interests of the Nation.

Sincerely yours,

HUBERT H. HUMPHREY.

SENATOR HUMPHREY URGES SECRETARY BENSON TO HALT EGG PRICE BREAK

Senator HUBERT H. HUMPHREY, Democrat, of Minnesota, today urged Secretary of Agriculture Ezra Taft Benson to make immediate purchases of shell eggs in order to halt the price break in the egg market.

"Telegrams, telephone calls, and letters from egg producers in Minnesota and South Dakota indicate that the shell-egg market price has broken seriously," Senator HUMPHREY stated in a letter sent yesterday to the Agriculture Secretary.

"Farmers are receiving only 18 cents to 20 cents per dozen for grade A large eggs, a price appreciably below the cost of production. This means that a case of eggs that has cost the farmer $9 to produce, is selling at $4 per case. Such a price loss can mean only disaster to egg producers."

The Minnesota Senator pointed out to the Secretary that he had full authority to institute a shell-egg purchase program under section 32 of Public Law 320.

"Time and again it has been proved that a purchase program that diverts even a small amount of a product from the regular market will strengthen the market price. The producers of shell eggs are in price trouble. School-lunch programs are in need of additional protein foods.

"More than 5 million American citizens are receiving welfare assistance and surplus commodities such as cornmeal and flour. There are wide areas of growing unemployment and hunger in many States as unemployment benefits are exhausted. It is clear that a shell egg diversion program put into action at this time could benefit many groups. There should be no delay on the part of the Secretary of Agriculture. You should move on this today."

Senator HUMPHREY went on to say: "I am quite aware that the Department of Agriculture has been purchasing quantities of dried eggs for the school-lunch program in recent weeks. While this is a nutritious product, it is well-known that this type of egg purchase has little, if any, effect on the market price of shell eggs. Therefore, in this emergency situation, I strongly urge that you take immediate action in the best interests of the Nation."

Mr. HUMPHREY. Mr. President, in my letter, I point out that with large, grade A eggs selling at from 18 to 20 cents a dozen, a case of eggs, which costs the farmer $9 to produce, is selling at $4 a case. That is the economics of egg production.

As was probably to be expected, I did not hear from the Secretary. But I continued to hear from the egg producers of Minnesota. Their telegrams tell the story of what happened much more vividly than I can tell it.

I do not know whether the Department of Agriculture is short on stationery, short on telephones, or short on telegram allowances; but if it is, I plead with Senators to provide a little extra allowance for the Department, because it is very hard to get an answer from the Department when people are in trouble, as I have found from previous experience.

Let me read a few of the telegrams. Here is one from Willmar, Minn.:

I am sending this telegram on behalf of thousands of farmers in this community in regard to the price of eggs. It's been the lowest in dozens of years. Some farmers' eggs do not average 15 cents a dozen, and it comes at a time when the farmer needs this income the most.

By the way, Mr. President, when we buy ham and eggs, even though the price of pork is down, and the price of eggs is down, we find that, nevertheless, the price of ham and eggs is still up. I hope the wages of the waitresses have been

raised; I hope someone is getting the benefit of the increased amount the consumers have to pay for ham and eggs.

I read further from the telegram:

When the new crop of grain is far away and the prices are uncertain and so is the weather, and the farmer and his wife depend on eggs to buy groceries, clothes, doctor bills, machinery repair, and also to buy seeds for the spring planting and feed for the livestock, and the farmer says at 15 cents a dozen for eggs it doesn't even pay the wear and tear let alone to keep a body alive.

In fact, Mr. President, it is really hardly worth the wear and tear on the hen.

I read further from the telegram:

As a small businessman have to face dozens of farmers every day and listen to their honest grievances. I would rather face 5,000 Republicans than watch a farm woman standing in some store unable to buy her meager needs for her family. I know, and you and millions of others know, that someone is going to make fat profit on this egg deal. As a member of Minnesota DFL and also known as the egg-eating, milk-drinking, butter-smearing, and the cow's best friend, I am speaking for millions of farmers. I urge you to drop everything you are doing and get on the egg wagon.

Very truly yours,
MORRIS CHARGO, WILLMAR PRODUCE.

By the way, Mr. President, that company is one of the finest and largest produce companies in my State.

I may add that although my constituents are gravely concerned over Berlin and over the crises in Iraq and over mutual security, they are also worried about the price of eggs. Even though the Foreign Relations Committee is meeting this afternoon—and I should like to be present at the meeting—I wish to say that as a U.S. Senator representing my constituents in Minnesota, I should like to obtain from the Secretary of Agriculture an answer about what he is going to do about the price of eggs. After we get the answer about eggs, we can consider the Berlin problem. Let us take little things first.

I read another telegram which I have received:

ROCHESTER, MINN., *April 6, 1959.*

Senator HUBERT HUMPHREY,
U.S. Senate, Washington, D.C.

Our industry needs help badly. Egg market is way out of line compared to other foods. We appreciate any help that you could give us.

RAY HASLEY,
President, Baby Chick and Hatchery Association.

I read another telegram:

MONTEVIDEO, MINN., *April 6, 1959.*

Senator HUBERT HUMPHREY,
Washington, D.C.:

It is urgent that a support price be established immediately. Current low prices will ruin egg industry.

ALVIN OFFERMAN,
Director, Minnesota Hatchery Association.

Another telegram which I have received reads as follows:

BENSON, MINN., *April 11, 1959.*

Senator HUBERT HUMPHREY,
Wahington, D. C.:

Because the egg industry is important in Minnesota it is very urgent that some kind of temporary support be given the Minnesota egg producer. I would suggest promotion and buying for the Armed Forces and schools. Please reply.

ASTOR L. UNDERTHUN,
President, Minnesota Egg Producers Association.

Mr. President, these are only a few of hundreds of telegrams and letters I have received.

Here is another telegram:

LITCHFIELD, MINN.

HUBERT H. HUMPHREY,
U.S. Senator,
National Capitol, Washinton, D. C.:

It is urgent that a support program be established for eggs. Current low prices will force the Midwest egg producers out of business.

VERNE E. CARLSON,
President, Meeker County Egg Producers Association.
L. L. BAUGARTNER,
Executive Secretary, Minnesota Egg Producers Association.

Mr. President, the continuing flood of requests from egg producers impelled me to query again the Secretary of Agriculture, for I felt that no effort should be spared to make him realize the seriousness of the situation. So, on April 13—just 2 days ago—I sent him the following telegram:

APRIL 13, 1959.

Hon. EZRA TAFT BENSON,
Secretary of Agriculture,
Washington, D.C.:

With reference to emergency egg price situation in Midwest States, about which I wrote you April 2, what action have you taken or do you propose to take? Minnesota egg producers turn to their Government for assistance in absence of positive marketing legislation. Would appreciate courtesy of reply.

HUBERT H. HUMPHREY,
U.S. Senate.

Mr. President, that is where the situation stands today.

I have a great deal of faith in Western Union, and I really believe that Western Union delivered that telegram. I also have a great deal of faith, let me say, in the secretaries in the Department of Agriculture. But somewhere along the line either the Secretary of Agriculture did not answer the telegram or Western Union did not deliver it; and I think one of them should explain, because I have not received any response whatsoever.

I have not received any response from the Secretary of Agriculture, and the egg producers are going broke. The Department of Agriculture has taken no true price supporting action.

Mr. President, it is a sad thing for the farmers, when the Secretary of Agriculture is not on the job, and apparently does not have their best interests at heart. This afternoon I want to encourage the Secretary of Agriculture to do something. I ask him please to do something. If he wants low-priced eggs, I think some folks back home will be willing to give him some eggs. But we would like to have reasonable prices for eggs. I believe that it would be well for the consumers to know that in one of the largest egg-producing areas in the Nation, the farmers are being paid 19 cents a dozen for Grade A eggs. I would not want to state what pullet eggs are selling for; the price is almost an insult to the pullets.

So that is the situation our people are encountering.

Mr. President, do you know when they will obtain relief? Not until after a large number of farmers who are egg producers have "gone to the wall," have encountered the process of economic attrition. We have gone through this before; and I know when the action of the Department of Agriculture comes.

I am serving warning on the Department of Agriculture that I will be after it day after day, as I have been already; and I have directed my staff to be after the Department of Agriculture; and I have asked the Committee on Agriculture and Forestry to be after the Department of Agriculture; until the funds which are available—they are not appropriated funds; they are tariff funds, section 32 funds, available funds—are used to support the egg market. This is the least that can be done.

Mr. President, my distinguished colleague, the junior Senator from Minnesota [Mr. MCCARTHY], is unavoidably absent from the Chamber at this time; he is attending another meeting. Earlier today I had hoped that we might participate in a colloquy on this matter, inasmuch as he wished to make a number of statements and to ask a number of questions. But since he had to attend to other official business, I suggested to him that he give me his statement, and that I would place it in the RECORD for him. Therefore, Mr. President, I ask unanimous consent that his statement be printed at this point in the RECORD, following my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MCCARTHY

In February 1953, Mr. Benson made a major policy address in St. Paul before the Central Livestock Association. The Secretary of Agriculture said:

"This administration is unqualifiedly committed to price supports. The President, in his state of the Union address to Congress, renewed his pledges to farmers."

The Secretary then went on to quote the President to the effect that "this price-support legislation will expire at the end of 1954. * * * So we should begin now to consider what farm legislation we should develop for 1955 and beyond. Our aim should be economic stability and full parity of income for American farmers."

The agricultural market generally, and the egg market in Minnesota specifically, is far from reflecting "economic stability and full parity of income for American farmers."

The Senate recalls, I'm sure, that the Secretary of Agriculture also said:

"The development of modern agriculture which has made possible these great achievements, has placed the family farm in a vulnerable economic position because farm prices and income rise and fall more rapidly than farm costs. Hence, the guarding of farm levels of living requires a program of storage and price supports to help to assure stability of income. These supports should be designated not only to serve the welfare of farmers, but also, in the widest national interest, to prevent disaster to the farm producing plant and the national food supply."

Mr. Benson returned to this point in his speech, and asserted again: "Price supports should provide insurance against disaster to the farm producing plant."

My question is this: Does anyone know what level of parity Mr. Benson holds to be the disaster level? At one time, as I recall, he thought a drop below 80 percent of parity was dangerous. The egg market in Minnesota has been at about 42 percent of parity for several days. Is that a disaster level?

The Department of Agriculture during the past few weeks has been buying about 50,000 cases of processed eggs a week. Then, as a result of the emergency in the egg market, the Department doubled its purchases on April 2, I believe, and bought 108,000 cases for that week. The market price in Minnesota went up a cent for a few days, and then dropped back even lower than before. Last week the Minnesota farmers were getting 20 cents a dozen for top grade, 16 cents for medium, 14 cents for seconds. The response of the Department last Thursday was to drop back to the purchase of about 50,000 cases again. The parity price for eggs is 47.4 cents per dozen; and the Minnesota price 20 cents, which is 42 percent of parity. Should not that qualify as a disaster level?

Is it within the letter and the spirit of the law for the Secretary of Agriculture to initiate an immediate program to support the egg market with section 32 funds? Last July 1 the Department had about $535 million in section 32 funds—and that $150 million of that has been spent so far this fiscal year. That leaves around $385 million. The use of a relatively small percentage of this fund to stabilize the egg market would be justified.

Mr. Benson spoke at the annual convention of the Associated Retail Bakers of America, last Monday, at the Sheraton-Park. He said he "called on Congress to heed the voice of the American farmer for more freedom to act and less Government interference."

The telegrams we have received during the past 2 weeks from the various officers of the State and county egg producer's associations and the State officers of the Minnesota Hatchery Association, reflect in some way the voice of the Minnesota farmer. The letters, telegrams, and telephone calls request not less Government interference, but a program of action.

Mr. Benson asserted that the "administration's opponents cannot agree on a constructive solution for the problems of artificial prices, farm surpluses and Government control."

Setting aside for the moment the larger question of the farm programs of Congress which twice have been vetoed in the past 6 years, it is my opinion that the Congress acted with clear purpose and responsibility when it provided section 32 funds to help level off disasterous price drops.

Mr. KUCHEL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Order No. 172, Senate bill 1555, introduced by the Senator from Massachusetts [Mr. KENNEDY] for himself and other Senators, and reported by the Committee on Labor and Public Welfare.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1555) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare with amendments.

Mr. KENNEDY obtained the floor.

Mr. KENNEDY. I yield to the Senator from North Carolina [Mr. ERVIN].

Mr. ERVIN. Mr. President, I send forward an amendment to the pending bill, and ask that it be printed and lie on the table preceding its being called up for consideration.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Massachusetts has the floor.

Mr. KENNEDY. I yield to the majority leader.

Mr. JOHNSON of Texas. Am I to understand that the amendment which the Senator from North Carolina plans to discuss is with regard to title 6?

Mr. ERVIN. Yes. If the amendment were adopted, it would strike out title 6. It would remove from the bill some amendments of the Taft-Hartley Act which are not relevant to a bill dealing exclusively with malpractices in the internal affairs of unions.

Mr. JOHNSON of Texas. Does the Senator have the amendment in the form in which he desires it?

Mr. ERVIN. Yes.

Mr. JOHNSON of Texas. I wonder if the Senator will ask the clerk to read it, and call it up, so it will be the pending question. We will not have any votes on it, but the Senator will have his rights protected.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. Has the so-called labor-management reform bill been made the unfinished business?

The PRESIDING OFFICER. It has.

Mr. DIRKSEN. Is it before the Senate at the present time? If it is not, it will require unanimous consent to take it up.

The PRESIDING OFFICER. The bill has been made the order of business.

Mr. DIRKSEN. Senate bill 1555 has been made the order of business?

The PRESIDING OFFICER. Senate bill 1555 is before the Senate.

Mr. ERVIN. Mr. President, I ask that the amendment which I have just sent forward to the desk be made the pending amendment.

The PRESIDING OFFICER. Is there objection to the request of the Senator from North Carolina?

Mr. DIRKSEN. Mr. President, reserving the right to object, I would think the request was out of order. Under the rules, of course, the committee amendments would come first.

The PRESIDING OFFICER. It can be done by unanimous consent.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent, if there is no objection to the committee amendments, that the Senator from North Carolina may offer his amendment and that it may be the pending amendment.

The PRESIDING OFFICER. Is there objection?

Mr. DIRKSEN. Mr. President, I would have no objection, except I think it is a rather summary way of disposing of the committee amendments.

Mr. JOHNSON of Texas. I did not dispose of them. Let us dispose of them, so the Senator from North Carolina can offer his amendment.

Mr. DIRKSEN. To that I have no objection. Of course, I think the ranking minority member of the committee should be here.

Mr. President, a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. As I understand, we are considering a clean bill, and there is no committee amendment.

Mr. GOLDWATER. Mr. President, will the Senator yield? As I understand, a clean bill was reported yesterday. It is not the bill on the desk. As I unstand the situation, the bill reported yesterday by the committee was a clean bill.

That is what I asked the Parliamentarian about earlier, because I wondered about the propriety of the bill being taken up, since it is a different bill from the bill which was previously printed.

The PRESIDING OFFICER. The bill was reported. The bill was introduced March 25, 1959, and referred to the Committee on Labor and Public Welfare. The bill was reported yesterday with amendments.

Mr. GOLDWATER. The bill was reported yesterday with amendments, or as amended?

The PRESIDING OFFICER. With amendments.

Mr. JOHNSON of Texas. Mr. President, I wonder if we can act on the committee amendments, since I understand there is no controversy about them. Then the amendment of the able Senator from North Carolina [Mr. ERVIN], can be offered. If not, we can get unanimous consent for the Senator from North Carolina to offer his amendment. I want to accommodate the Senator.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the committee amendments be considered and agreed to en bloc.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

The committee amendments agreed to en bloc are as follows:

On page 3, line 21, after the word "organizations", to strike out "employees" and insert "employers";

On page 15, line 22, after the word "be", to strike out "constructed" and insert "construed";

On page 16, line 21, after the word "any", to strike out "person" and insert "person,";

On page 17, line 9, after the word "such", to strike out "labor organization or by such employer" and insert "person";

On page 30, line 9, after the word "subordinate", to insert "labor";

On page 37, line 12, after the word "other", to strike out "recordings" and insert "records";

On page 41, line 6, after the word "by", to strike out "this title or its own constitution or bylaws" and insert "its own constitution or bylaws except as otherwise provided by this title";

On page 44, line 17, after the word "and", to strike out "expenditures" and insert "expenditure";

On page 47, line 23, after the word "of", to strike out "this" and insert "the";

On page 49, after line 6, to strike out "tion to an employee except that as used in provisions of this Act subjecting employers to any requirement, liability, prohibition, administrative sanction, or punishment, 'employer' shall not include the United States or any wholly owned Government corporation or any State or political subdivision of a State." and insert "tion to an employee but does not include the United States or any corporation wholly owned by the Government of the United States or any State or political subdivision thereof.";

On page 51, line 14, after the word "the", where it appears the second time, to strike out "Railroad" and insert "Railway"; and

On page 59, line 5, after the word "in", to strike out "the unit described in the petition" and insert "an appropriate unit".

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Labor-Management Reporting and Disclosure Act of 1959".

Declaration of findings, purposes, and policy

SEC. 2. (a) The Congress finds that, in the public interest, it continues to be the responsibility of the Federal Government to protect employees' rights to organize, choose their own representatives, bargain collectively, and otherwise engage in concerted activities for their mutual aid or protection; that the relations between employers and labor organizations and the millions of workers they represent have a substantial impact on the commerce of the Nation; and that in order to accomplish the objective of a free flow of commerce it is essential that labor organizations, employers, and their officials adhere to the highest standards of responsibility and ethical conduct in administering the affairs of their organizations, particularly as they affect labor-management relations.

(b) The Congress further finds, from recent investigations in the labor and management fields, that there have been a number of instances of breach of trust, corruption, disregard of the rights of individual employees, and other failures to observe high standards of responsibility and ethical conduct which require further and supplementary legislation that will afford necessary protection of the rights and interests of employees and the public generally as they relate to the activities of labor organizations, employers, labor relations consultants, and their officers and representatives.

The Congress, therefore, further finds and declares that the enactment of this Act is necessary to eliminate or prevent improper practices on the part of labor organizations, employers, labor relations consultants, and their officers and representatives which distort and defeat the policies of the Labor-Management Relations Act of 1947, as amended, and the Railway Labor Act, as amended, and have the tendency or necessary effect of burdening or obstructing commerce by (1) impairing the efficiency, safety, or operation of the instrumentalities of commerce; (2) occurring in the current of commerce; (3) materially affecting, restraining, or controlling the flow of raw materials or manufactured or processed goods into or from the channels of commerce, or the prices of such materials or goods in commerce; or (4) causing diminution of employment and wages in such volume as substantially to impair or disrupt the market for goods flowing into or from the channels of commerce.

(c) It is declared to be the policy of the United States to advance the objectives and protect the national interests referred to in subsection (a), and correct the evils referred to in subsection (b) by (1) requiring labor organizations, employers, labor relations consultants, and their officers and representatives engaged in industries affecting commerce to file with the Secretary of Labor (hereinafter in this Act referred to as the "Secretary") certain reports and information concerning their administrative practices and financial transactions, which shall be public information, (2) encouraging the faithful observance of fiduciary responsibilities by officers and representatives of labor organizations through a requirement that such officers and representatives shall file reports, which shall be public information, on transactions in which there may be a conflict between their interests as individuals and their responsibilities as officers or representatives of labor organizations and on all expenditures for community welfare, educational or charitable purposes, loans and other transactions involving union funds, (3) regulating the appointment of trustees or receivers by labor organizations engaged in industries affecting commerce to administer the affairs of subordinate labor organizations, (4) providing that labor organizations engaged in industries affecting commerce shall elect their officers periodically either directly by secret ballot or through delegates chosen by secret ballot, (5) encouraging voluntary action by labor organizations and employers engaged in industries affecting commerce, through the adoption of codes of ethical practices and suitable implementation and publication thereof, to eliminate and prevent improper activities in the administration of their affairs, their financial transactions, and their relations with each other, and (6) providing procedures for preventing acts and omissions of labor organizations, employers, labor relations consultants, and their officers and representatives, which are detrimental to the right and interests of individual employees and the public, and imposing criminal penalties for willful violations of provisions of this Act.

TITLE I—REPORTING AND DISCLOSURE

SEC. 101. (a) Every labor organization engaged in an industry affecting commerce shall file with the Secretary a copy of its constitution and bylaws and a report, both signed by its president and treasurer or corresponding principal officers, containing the following information:

(1) the name of such labor organization and address of its principal place of business and, if different, the address where its books and records are kept;

(2) the names and titles of its constitutional officers (including its principal financial officer);

(3) the initiation fee or fees which are required by new or transferred members by the constitution, bylaws, or other governing rules of the reporting labor organization on becoming members of such labor organization;

(4) the regular dues or fees which are required of members by the constitution and bylaws or other governing rules of the reporting labor organization in order to remain members in good standing of such labor organization; and

(5) through means of a detailed statement, or by reference to provisions of its constitution and bylaws or other governing documents, procedures followed with respect to (i) qualifications for or restrictions on membership, (ii) election of officers and stewards, (iii) discipline or removal of officers or agents, (iv) calling of regular and special meetings, (v) levying of assessments, (vi) imposition of fines, (vii) authorization for bargaining demands, (viii) ratification of contract terms, (ix) authorization for strikes, (x) authorization for disbursement of union funds, (xi) audit of union financial transactions, (xii) participation in insurance or other benefit plans, and (xiii) imposition of fines, suspensions, and expulsions of members, including the grounds upon which such action may be taken and any provision made for notice, hearings, judgment on the evidence, and appeal procedure. Any change in the information required by this subsection shall be reported to the Secretary at the time the reporting labor organization files with the Secretary the annual financial report required by subsection (b).

(b) Every labor organization engaged in an industry affecting commerce shall file annually with the Secretary a financial report signed by its president and treasurer or corresponding principal officers containing the following information in such detail as may be necessary accurately to disclose its financial condition and operations for the preceding fiscal year:

(1) assets and liabilities at the beginning and end of the fiscal year;

(3) receipts of any kind and the sources thereof;

(3) salary, allowances, and other direct or indirect disbursements (including reimbursed expenses) to each officer and also to each employee who received more than $10,000 in the aggregate from such labor organization and any other labor organization affiliated with the same international labor organization.

(4) direct and indirect loans aggregating in excess of $250 to any officer, employee, or member, together with a statement of the purpose, security, if any, and arrangements for repayment;

(5) direct and indirect loans to any business enterprise, together with a statement of the purpose, security, if any, and arrangements for repayment; and

(6) other disbursements made by it including the purposes thereof:

all in such categories as the Secretary may prescribe.

(c) Every labor organization required to submit a report under this title shall make available the information required to be contained in such report to all of its members in such form and manner as the Secretary shall by regulation prescribe.

(d) The Secretary may exempt from the requirements of subsection (b) for such definite or indefinite periods as he may determine any labor organization or class thereof having fewer than two hundred members and having gross annual receipts of less than $20,000, including all sums paid over as dues or per capita tax to a parent or affiliated labor organization (excluding payments received

by trustees under section 302(c) (5) or (6) of the Labor-Management Relations Act, 1947, as amended), if he finds that the exemption of such labor organization or class thereof would not interfere with the attainment of the objectives of this Act.

(e) Subsections (f) and (g) of section 9 of the National Labor Relations Act, as amended, are hereby repealed.

(f) Clause (i) of section 8(a)(3) of the National Labor Relations Act, as amended, is amended by striking out the following: "and has at the time the agreement was made or within the preceding twelve months received from the Board a notice of compliance with sections 9 (f), (g), (h)".

SEC. 102. (a) Every officer of a labor organization engaged in an industry affecting commerce, and every employee of such a labor organization (other than a clerical employee, as defined by the Secretary) who received wages, salary, expenses or other allowances in excess of $5,000 during the preceding fiscal year from labor organizations, shall file with the Secretary a signed report listing and describing for the preceding fiscal year—

(1) any stock, bond, security, or other interest, legal or equitable, which he or his spouse or minor child directly or indirectly held in, and any income or any other benefit with monetary value which he or his spouse or minor child derived directly or indirectly from, an employer whose employees such labor organization represents or is actively seeking to represent, except payments and other benefits received as a bona fide employee of such employer;

(2) any transaction in which he or his spouse or minor child engaged directly or indirectly, involving any stock, bond, security, or loan to or from, or other legal or equitable interest in the business of an employer whose employees such labor organization represents or is actively seeking to represent;

(3) any stock, bond, security, or other interest, legal or equitable, which he or his spouse or minor child directly or indirectly held in, and any income or any other benefit with monetary value which he or his spouse or minor child directly or indirectly derived from, any business a substantial part of which consists of buying from, selling or leasing to, or otherwise dealing with, the business of an employer whose employees such labor organization represents or is actively seeking to represent;

(4) any stock, bond, security, or other interest, legal or equitable, which he or his spouse or minor child directly or indirectly held in, and any income or any other benefit with monetary value which he or his spouse or minor child directly or indirectly derived from, a business any part of which consists of buying from, or selling or leasing directly or indirectly to, or otherwise dealing with such labor organization;

(5) any direct or indirect business transaction or arrangement between him or his spouse or minor child and any employer whose employees his organization represents or is actively seeking to represent, except work performed and payments and benefits received as a bona fide employee of such employer and except purchases and sales of goods or services in the regular course of business at prices generally available to any employee of such employer; and

(6) any payment of money or other thing of value received directly or indirectly from any employer or any person who acts as a labor relations expert, adviser, or consultant to an employer except payments of the kinds referred to in section 302(c) of the Labor Management Relations Act, 1947, as amended.

(b) The provisions of paragraphs (1), (2), (3), (4), and (5) of subsection (a) shall not apply to securities traded on a securities exchange registered as a national securities exchange under the Securities Exchange Act of 1934 or to shares in an investment company registered under the Investment Company Act of 1940, or to securities of a public utility holding company registered under the Public Utility Holding Company Act of 1935, or to any income derived therefrom.

(c) Nothing contained in this section shall be construed to require any officer or employee of a labor organization to file a report under subsection (a) unless he or his spouse or minor child holds or has held an interest, has received income or any other benefit with monetary value or a loan or has engaged in a transaction described therein.

SEC. 103. (a) Every employer engaged in an industry affecting commerce shall file with the Secretary a report, signed by its president and treasurer or corresponding principal officers, listing and describing for the preceding fiscal year—

(1) Any expenditure in connection with any agreement or arrangement with a labor relations consultant or other independent contractor by which such person undertakes activities where an object thereof, directly or indirectly, is to persuade employees to exercise or not to exercise, or persuade employees as to the manner of exercising, the right to organize and bargain collectively through representatives of their own choosing, or undertakes to supply such employer with information concerning the activities of employees or a labor organization in connection with a labor dispute, except information for use solely in conjunction with a judicial, administrative, or arbitral proceeding;

(2) Any expenditure, during the fiscal year, where an object thereof, directly or indirectly, is to persuade employees to exercise or not to exercise, or persuade employees as to the manner of exercising, the right to organize and bargain collectively through representatives of their own choosing, or is to obtain information concerning the activities of employees or a labor organization in connection with a labor dispute: *Provided*, That nothing herein shall be construed as applying to: (i) changes in wages, working conditions, or employee benefits; (ii) expenditures incurred in connection with the publication by such employer in his own name of a newpaper, newsletter, or similar house organ or other letter, communication, or advertisement; (iii) expenditures to obtain information for use solely in conjunction with a judicial, administrative, or arbitral proceeding;

(3) Any payment or loan, direct or indirect, of any money or other thing of value, or any promise or agreement therefor, to any labor organization or any officer or employee of any labor organization except (i) payments pursuant to a collective bargaining agreement the terms of which have been fully disclosed to the employees in the bargaining unit, (ii) compensation paid to an officer or employee of a labor organization for, or by reason of, his services as an employee of such employer, (iii) payments or loans made by any national or State bank, credit union, insurance company, savings and loan association, or other credit institution, and (iv) payments of the kind referred to in section 302 (c) of the Labor-Management Relations Act, 1947, as amended;

(4) Any payment, expenditure, loan, transaction, or arrangement involving such employer, of which a report is required from an officer or employee of a labor organization under the provisions of section 102(a) (1), (2), (5), and (6).

(b) Every person who pursuant to any agreement or arrangement with an employer engaged in an industry affecting commerce undertakes activities where an object thereof is, directly or indirectly—

(A) to persuade employees to exercise or not to exercise, or persuade employees as to the manner of exercising, the right to organize and bargain collectively through representatives of their own choosing;

(B) to supply an employer with information concerning the activities of employees or a labor organization in connection with a labor dispute, except information for use solely in conjunction with a judicial, administrative or arbitral proceeding,

shall file annually a report with the Secretary, signed by its president and treasurer or corresponding principal officers, containing the following information:

(1) the name under which such person is engaged in doing business and the address of his principal place of business;

(2) receipts of any kind from employers on account of labor relations advice or services, designating the sources thereof;

(3) disbursements of any kind, in connection with such services and the purposes thereof; and

(4) a detailed statement of the terms of such agreement or arrangement;

all in such categories as the Secretary may prescribe.

(c) Nothing in this section shall be construed to require any employer or other person to file a report covering the services of such person by reason of his giving or agreeing to give advice to such employer or representing or agreeing to represent such employer before any court, administrative agency, or tribunal of arbitration or engaging or agreeing to engage in collective bargaining on behalf of such employer with respect to wages, hours, or other terms or conditions of employment or the negotiation of an agreement or any question arising thereunder.

(d) Nothing contained in this section shall be construed to require an employer to file a report under subsection (a) unless he has made expenditures, payments, or loans of the kind described therein. Nothing contained in this section shall be construed to require any other person to file a report under subsection (b) unless he was a party to an agreement or arrangement of the kind described therein.

(e) Nothing contained in this section shall be construed to require any regular officer, supervisor, or employee of and employer engaged in an industry affecting commerce to file a report in connection with services rendered to such employer, nor shall any employer in an industry affecting commerce be required to file a report covering expenditures made to any regular officer, supervisor, or employee of an employer as compensation for service as a regular officer, supervisor, or employee of such employer.

SEC. 104. (a) The contents of the reports and documents filed with the Secretary pursuant to sections 101, 102, and 103 shall be public information, and the Secretary may publish any information and data which he obtains pursuant to the provisions of this title. The Secretary may use the information and data for statistical and research purposes and compile and publish such studies, analyses, reports, and surveys based thereon as he may deem appropriate.

(b) The Secretary shall by regulation make reasonable provision for the inspection and examination, on the request of any person, of the information and data contained in any report or other document filed with him pursuant to section 101, 102, or 103.

(c) The Secretary may by regulation provide for the furnishing by the Department of Labor of copies of reports or other documents filed with the Secretary pursuant to this title, upon payment of a charge based upon the cost of the service: *Provided*, That the Secretary shall make available without payment of a charge, or require any person to furnish, to such State agency as is designated by law or by the Governor of the

State in which such person has his principal place of business or headquarters, upon request of the Governor of such State, copies of any reports and document filed by such person with the Secretary pursuant to section 101, 102, or 103 or of information and data contained therein: *Provided further,* That no person shall be required by reason of any law of any State to furnish to any officer or agency of such State any information included in a report filed by such person with the Secretary pursuant to the provisions of this title, if a copy of such report, or of the portion thereof containing such information, is furnished to such officer or agency. All moneys received in payment of charges fixed by the Secretary pursuant to this subsection shall be deposited to the credit of the appropriation of the agency of the Department of Labor rendering such service and may be used, in the discretion of the Secretary, and notwithstanding any other provision of law, for the ordinary expenses of such agency.

SEC. 105. Every person shall make, keep, and preserve for such periods and under such conditions as the Secretary shall prescribe, such records and accounts of financial transactions as may be necessary to prepare and verify the financial reports required by sections 101, 102, and 103.

SEC. 106. (a) Initial reports required to be filed under this Act shall be filed not later than January 1, 1960: *Provided,* That initial reports required by sections 101(b) and 103 shall be required to cover only the period between the date of enactment and January 1, 1960, and the second report shall be required to cover only the period between January 1, 1960, and the beginning of the next fiscal year of the person filing such report.

(b) The Secretary shall have authority to issue, amend, and rescind rules and regulations prescribing the form, time of filing, and publication of reports required to be filed under this Act and such other reasonable rules and regulations (including rules prescribing reports concerning building funds, trusts, or enterprises financed by a labor organization) as he may find necessary to prevent the circumvention or evasion of such reporting requirements. In exercising his power under this section the Secretary shall prescribe by general rule simplified reports for labor organizations or employers for whom he finds that by virtue of their size a detailed report would be unduly burdensome: *Provided,* That the Secretary may revoke such provision for simplified forms of any labor organization or employer if he determines, after such investigation as he deems proper, that the purposes of this section would be served thereby. The Secretary may exempt from the requirements of section 101 for such definite or indefinite periods as he may determine, any labor organization or class thereof temporarily convened either for the sole purpose of negotiating a labor agreement or for carrying out educational activity.

(c) The Secretary shall have power and is directed when he believes it necessary in order to determine whether any person has violated or is about to violate any provision of this Act or any rule or regulation authorized by this Act (except amendments made by this Act to other statutes), to make an investigation and in connection therewith he may enter such places and inspect such records and accounts and question such persons as he may deem necessary to enable him to determine the facts relative thereto. The Secretary may report to interested persons or officials concerning the facts required to be shown in the report and concerning the reasons for such failure or refusal to file or any other matter which he deems to be appropriate as a result of such investigation.

SEC. 107. (a) No labor organization engaged in an industry affecting commerce shall make directly or indirectly any loan or loans to any officer or employee of such organization which results in a total indebtedness on the part of such officer or employee to the labor organization in excess of $1,500.

(b) No labor organization or employer shall directly or indirectly pay the fine, or pay or advance the costs of defense, of any officer, agent, employee, or representative indicted for or convicted of any violation of any provision of this Act: *Provided,* That upon acquittal such person may be reimbursed by his principal for expenditures necessarily incurred in his defense.

SEC. 108. (a) Any person who willfully violates or fails to comply with any provision of this title or the rules or regulations issued by the Secretary thereunder shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

(b) Any person who makes a false statement or representation of a material fact, knowing it to be false, or who knowingly fails to disclose a material fact, in any document, report or other information required under the provisions of this title or the rules or regulations issued thereunder shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

(c) Any person who willfully makes a false entry in or willfully conceals, withholds, or destroys any books, records, reports, or statements required to be kept by any provision of this title shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

(d) Each individual required to sign reports under sections 101 and 103 shall be personally responsible for the filing of such reports and for any statement contained therein.

SEC. 109. (a) Any person who embezzels, steals, or unlawfully and willfully abstracts or converts to his own use or the use of another any of the moneys, funds, securities, property, or other assets of a labor organization of which he is an officer or by whom he is employed directly or indirectly shall be fined not more than $10,000 or imprisoned for not more than five years, or both.

(b) When any officer or employee of any labor organization has been convicted of embezzling, stealing, or unlawfully and willfully abstracting or converting to his own use or the use of another any money or property of the labor organization in violation of the provisions of subsection (a), and the labor organization or its governing board or officers refuse or fail to sue to recover such money or property or the value of the same within six calendar months after being requested to do so by any member of the labor organization, any member of the labor organization may sue the convicted officer or employee in any district court of the United States or in any State court of competent jurisdiction to recover such money or property or the value thereof for the benefit of the labor organization. No such proceeding shall be brought except upon leave of the court obtained upon verified application and for good cause shown, which application may be made ex parte. The trial judge may allot a reasonable part of the recovery in any action under this subsection to pay the fees of counsel prosecuting the suit at the instance of the member of the labor organization and to compensate such member for any expenses necessarily paid or incurred by him in connection with the litigation. Nothing in this subsection shall reduce or limit the responsibilities of any officer or employee of a labor organization under any other law of the United States or the law of any State, and nothing in this subsection shall take away any right or bar any remedy to which members of a labor organization are entitled under any such law.

SEC. 110. (a) There shall be in the Department of Labor a Commissioner of Labor Reports, who shall be appointed by the President by and with the advice and consent of the Senate, shall receive compensation at the highest rate established for grade 18 of the General Schedule of the Classification Act of 1949, as amended, and shall perform such duties as may be prescribed by the Secretary or required by law. The Secretary may authorize the performance by the Commissioner of Labor Reports of any functions of the Secretary under this Act.

(b) The Secretary is authorized to make such expenditures and, subject to the civil service laws and the Classification Act of 1949, as amended, to appoint and fix the compensation of such personnel, including attorneys, as may be necessary to perform the functions imposed on him by this Act. Attorneys appointed under this section may appear for and represent the Secretary in any litigation, but such litigation shall be subject to the direction and control of the Attorney General.

(c) The Secretary, whenever it shall appear that any person has violated or is about to violate any of the provisions of this title, or any rule or regulation of the Secretary promulgated hereunder, may bring an action in a district court or other court of the United States for such relief as may be appropriate including, but without limitation, injunctions to restrain any such violations and to compel compliance with this title, and with rules and regulations issued thereunder. Any such action against a labor organization may be brought in the United States District Court for the District of Columbia or in the district court or other court of the United States where the violation occurred.

SEC. 111. Subsections (a), (b), and (c) of section 302 of the Labor-Management Relations Act, 1947, as amended, are amended to read as follows:

"SEC. 302. (a) It shall be unlawful for any employer or any person who acts as a labor relations expert, adviser, or consultant to an employer or who acts in the interest of an employer to pay, lend, or deliver, or agree to pay, lend, or deliver, any money or other thing of value—

"(1) to any representative of any of his employees who are employed in an industry affecting commerce, or

"(2) to any labor organization, or any officer or employee thereof, which represents, seeks to represent, or would admit to membership, any of the employees of such employer who are employed in an industry affecting commerce, or

"(3) to any employee or group or committee of employees of such employer employed in an industry affecting commerce in excess of their normal compensation for the purpose of causing such employee or group or committee directly or indirectly to influence any other employees in the exercise of the right to organize and bargain collectively through representatives of their own choosing, or

"(4) to any officer or employee of a labor organization engaged in an industry affecting commerce with intent to influence him in respect to any of his actions, decisions, or duties as a representative of employees or as such officer or employee of such labor organization.

"(b)(1) It shall be unlawful for any person to request, demand, receive, or accept, or agree to receive or accept, any payment or delivery of any money or other thing of value prohibited by subsection (a).

"(2) It shall be unlawful for any labor organization, or for any person acting as an officer, agent, representative, or employee

of such labor organization, to demand or accept from the operator of any motor vehicle (as defined in part II of the Interstate Commerce Act) employed in the transportation of property in commerce, or the employer of any such operator, any money or other thing of value payable to such organization or to an officer, agent, representative, or employee thereof as a fee or charge for the unloading, or in connection with the unloading, of the cargo of such vehicle: *Provided,* That nothing in this paragraph shall be construed to make unlawful any payment by an employer to any of his employees as compensation for their services as employees.

(3) It shall be unlawful to carry on picketing on or about the premises of any employer for the purpose of, or as part of any conspiracy or in furtherance of any plan or purpose for, the personal profit or enrichment of any individual (except a bona fide increase in wages or other employee benefits) by taking or obtaining any money or other thing of value from such employer against his will or with his consent.

"(c) The provisions of this section shall not be applicable (1) in respect to any money or other thing of value payable by an employer to any of his employees whose established duties include acting openly for such employer in matters of labor relations or personnel administration or to any representative of his employees, or to any officer or employee of a labor organization, who is also an employee or former employee of such employer, as compensation for, or by reason of, his services as employee of such employer; (2) with respect to the payment or delivery of any money or other thing of value in satisfaction of a judgment of any court or a decision or award of an arbitrator or impartial chairman or in compromise, adjustment, settlement, or release of any claim, complaint, grievance, or dispute in the absence of fraud or duress; (3) with respect to the sale or purchase of an article or commodity at the prevailing market price in the regular course of business; (4) with respect to money deducted from the wages of employees in payment of membership dues in or other periodic payments to a labor organization in lieu thereof: *Provided,* That the employer has received from each employee, on whose account such deductions are made, a written assignment which shall not be irrevocable for a period of more than one year, or beyond the termination date of the applicable collective agreement, whichever occurs sooner; (5) with respect to money or other thing of value paid to a trust fund established by such representative, for the sole and exclusive benefit of the employees of such employer, and their families and dependents (or of such employees' families, and dependents jointly with the employees of other employers making similar payments, and their families and dependents): *Provided,* That (A) such payments are held in trust for the purpose of paying, either from principal or income or both, for the benefit of employees, their families and dependents, for medical or hospital care, pensions on retirement or death of employees, compensation for injuries or illness resulting from occupational activity or insurance to provide any of the foregoing, or unemployment benefits or life insurance, disability and sickness insurance, or accident insurance; (B) the detailed basis on which such payments are to be made is specified in a written agreement with the employer, and employees and employers are equally represented in the administration of such fund, together with such neutral persons as the representatives of the employers and the representatives of employees may agree upon and in the event the employer and employee groups deadlock on the administration of such fund and there are no neutral persons empowered to break such deadlock, such agreement provides that the two groups shall agree on an impartial umpire to decide such dispute, or in event of their failure to agree within a reasonable length of time, an impartial umpire to decide such dispute shall, on petition of either group, be appointed by the district court of the United States for the district where the trust fund has its principal office, and shall also contain provisions for an annual audit of the trust fund, a statement of the results of which shall be available for inspection by interested persons at the principal office of the trust fund and at such other places as may be designated in such written agreement; and (C) such payments as are intended to be used for the purpose of providing pensions or annuities for employees are made to a separate trust which provides that the funds held therein cannot be used for any purpose other than paying such pensions or annuities; or (6) with respect to money or other thing of value paid by any employer to a trust fund established by such representative for the purpose of pooled vacation, holiday, severance or similar benefits, or defraying costs of apprenticeship or other training programs: *Provided,* That the requirements of clause (B) of the proviso to clause (5) of this subsection shall apply to such trust funds."

SEC. 112. (a) Every officer of a labor organization and every employer shall file annually at the beginning of each fiscal year with the Secretary an affidavit meeting all the requirements of subsection (b) of this section and not found by any court to be false. For the purposes of this section only, the term "employer" shall mean the officers and directors of an employer organized in the corporate or unincorporated association form or partners or individual proprietors.

(b) Each affidavit executed pursuant to the requirements of this section shall state that the affiant is not, and during the preceding twelve-month period has not been, a member of the Communist Party, or affiliated with such party, and that neither the affiant nor any organization of which he is a member or which he supports, or of which he has been a member or which he has supported during the preceding twelve-month period, believes in or teaches the overthrow of the United States Government by force or by any illegal or unconstitutional method. The provisions of section 1001 of title 18 of the United States Code shall be applicable to such affidavits.

(c) The provisions of the preceding subsections shall not apply to officers of labor organizations and employers within the meaning of this section who have not filed a petition under section 9 or a charge under section 10 of the National Labor Relations Act, as amended, during the twelve months preceding the date upon which they would otherwise be required to file such affidavit.

(d) Section 9(h) of the National Labor Relations Act, as amended, is hereby repealed.

TITLE II—TRUSTEESHIPS

SEC. 201. (a) Every national or international labor organization engaged in an industry affecting commerce which has or assumes trusteeship over any subordinate labor organization shall file with the Secretary within thirty days after the date of the enactment of this Act or the imposition of any such trusteeship and, semiannually thereafter, a report, signed by its president and treasurer or corresponding principal officers, as well as by the trustees, containing the following information: (A) the name and address of the subordinate organization; (B) the date of establishing the trusteeship; (C) a detailed statement of the reason or reasons for establishing or continuing the trusteeship; (D) the nature and extent of participation by the membership of the subordinate organization in the selection of delegates to represent such organization in regular or special conventions or other policy-determining bodies and in the election of officers of such national or international labor organization.

(b) The provisions of sections 101(c), 104, 105, and subsections (b) and (c) of section 106 of title I shall be applicable to reports filed under this title.

(c) Any person who willfully violates or fails to comply with any provisions of this section or the rules or regulations issued thereunder shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

(d) Any person who makes a false statement or representation of a material fact, knowing it to be false, or who knowingly fails to disclose a material fact, in any report required under the provisions of this section or the rules and regulations issued thereunder, or willfully withholds, conceals, or destroys any documents, books, records, reports, or statements upon which such report is based, shall be fined not more than $10,000 or imprisoned for not more than one year, or both.

(e) Each individual required to sign a report under this section shall be personally responsible for the filing of such report and for any statement contained therein.

(f) Every labor organization required to submit a report under this title shall make available the information required to be contained in such report to all of its members in any subordinate organization involved in such form and manner as the Secretary shall by regulation prescribe.

SEC. 202. Trusteeships shall be established and administered by a national or international labor organization over a subordinate body only in accordance with the constitution of such organization and for the purpose of correcting corruption or financial malpractice, assuring the performance of collective bargaining agreements or other duties of a bargaining representative, restoring democratic procedures, or otherwise carrying out the legitimate objects of such labor organization.

SEC. 203. (a) During any period when a subordinate body of a labor organization is in trusteeship, it shall be unlawful (1) to count the vote of delegates from such body in any convention or election of officers of the labor organization unless the delegates have been chosen by secret ballot in an election in which all the members in good standing of such subordinate body were eligible to participate, or (2) to transfer to such organization any current receipts or other funds of the subordinate body except the normal per capita tax and assessments payable by subordinate bodies not in trusteeship: *Provided,* That nothing herein contained shall prevent the distribution of the assets of a labor organization in accordance with its charter or constitution and bylaws upon the bona fide dissolution thereof.

(b) Any person who shall willfully violate the provisions of this section shall be fined not more than $10,000 or imprisoned not more than one year, or both.

SEC. 204. (a) Upon the written complaint of any member or subordinate body of a labor organization alleging that such organization has violated the provisions of section 202 or 203, the Secretary shall investigate the complaint and if the Secretary finds probable cause to believe that such violation has occurred and has not been remedied he shall, without disclosing the identity of the complainant, bring a civil action in any district court of the United States having jurisdiction of the labor organization to prevent and restrain such violation and for such other relief as may be appropriate.

(b) For the purpose of actions under this section, district courts of the United States shall be deemed to have jurisdiction of a labor organization (1) in the district in which such organization maintains its principal office, or (2) in any district in which its duly authorized officers or agents are engaged in

conducting the affairs of the trusteeship. Such organization may be sued as an entity. The service of summons, subpena, or other legal process of any court of the United States upon an officer or agent of a labor organization in his capacity as such shall constitute service upon the labor organization.

(c) In any proceeding pursuant to this section a trusteeship established by a labor organization in conformity with the procedural requirements of its constitution and bylaws and authorized or ratified after a fair hearing either before the executive board or before such other body as may be provided in accordance with its constitution or bylaws shall be presumed valid for a period of eighteen months from the date of its establishment and shall not be subject to attack during such period except upon clear and convincing proof that the trusteeship was not established in good faith for a purpose allowable under section 202. After the expiration of eighteen months the trusteeship shall be presumed invalid in any such proceeding and its discontinuance shall be decreed unless the labor organization shall show by clear and convincing proof that the continuation of the trusteeship is necessary for a purpose allowable under section 202. In the latter event the court may dismiss the complaint or retain jurisdiction of the cause on such conditions and for such period as it deems appropriate.

SEC. 205. The Secretary shall submit to the Congress at the expiration of three years from the date of enactment of this Act a report upon the operation of this title.

SEC. 206. Nothing contained in this title shall be deemed to authorize any suit in any court of the United States except upon complaint of the Secretary. The rights and remedies provided by this title shall be in addition to any and all other rights and remedies at law or in equity: *Provided*, That upon the filing of a complaint by the Secretary the jurisdiction of the district court over such trusteeship shall be exclusive and the final judgment shall be res judicata.

TITLE III—ELECTIONS

SEC. 301. (a) Every national or international labor organization engaged in an industry affecting commerce, except a federation of national or international labor organizations, shall elect the officers named in its constitution and the members of its executive board or similar governing body not less often than once every five years either by secret ballot among the members in good standing or at a convention of delegates chosen by secret ballot and in accordance with its constitution and bylaws.

(b) Every local labor organization engaged in an industry affecting commerce shall elect the officers named in its constitution and the members of its executive board or similar governing body not less often than once every three years by secret ballot among the members in good standing and in accordance with its constitution and bylaws. Such labor organization and its officers shall not discriminate in favor of or against any candidate with respect to the use of lists of members and shall comply with all reasonable requests of any candidate to distribute by mail or otherwise at the candidate's expense campaign literature in aid of such person's candidacy to all members in good standing of such labor organization. Adequate election safeguards to insure a fair count of the ballots shall be provided, including the right of any candidate to have an observer at the polls and at the counting of the ballots.

(c) Officers of intermediate bodies, such as general committees, system boards, joint boards, joint councils, or other associations of labor organizations as defined, shall be elected not less often than once every four years by secret ballot among the members in good standing or by union officers representative of such members who have been elected by secret ballot and in accordance with the labor organization's constitution and bylaws.

(d) In any election required by this section to be held by secret ballot a reasonable opportunity shall be given for the nomination of candidates and every member in good standing shall be eligible to be a candidate and to hold office (subject to reasonable qualifications uniformly imposed) and shall have the right to vote for or otherwise support, the candidate or candidates of his choice, without being subject to penalty, discipline, or improper interference or reprisal of any kind by such organization or any member thereof. Not less than fifteen days prior to the election notice thereof shall be mailed to each member at his last known home address, unless the election is held at the regular time specified in the constitution and bylaws of such organization on file with the Secretary of Labor. Each member in good standing shall be entitled to one vote. No member whose dues have been withheld by his employer for payment to such organization pursuant to his voluntary authorization provided for in a collective bargaining agreement shall be declared ineligible to vote or be a candidate for office in such organization by reason of alleged delay or default in the payment of dues. The votes cast by members of each local union shall be counted and the results shall be published separately. The election officials designated in the constitution and bylaws or the secretary, if no other official is designated, shall preserve for one year the ballots and all other records pertaining to the election. The election shall be conducted in accordance with the constitution and bylaws of such organization insofar as they are not inconsistent with the provisions of this title.

(e) When officers are chosen by a convention of delegates elected by secret ballot, the convention shall be conducted in accordance with the constitution and bylaws of the labor organization insofar as they are not inconsistent with the provisions of this title. The officials designated in the constitution and bylaws or the secretary, if no other is designated, shall preserve for one year the credentials of the delegate and all minutes and other records of the convention pertaining to the election of officers.

(f) No moneys received by any labor organization by way of dues, assessment, or similar levy, and no moneys of an employer shall be contributed or applied to promote the candidacy of any person in an election subject to the provisions of this title. Such moneys of a labor organization may be utilized for notices, factual statements of issues, and other expenses necessary for the holding of an election.

(g) If the Secretary, upon application of any member of a local labor organization engaged in an industry affecting commerce, finds that the constitution and bylaws of such labor organization do not provide an adequate procedure for the removal of an elected officer guilty of serious misconduct, such officer may be removed for cause shown and after notice and hearing by the members in good standing voting in a secret ballot conducted by the officers of such labor organization in accordance with its constitution and bylaws insofar as they are not inconsistent with the provisions of this title.

(h) The Secretary shall promulgate rules and regulations prescribing minimum standards and procedures for determining the adequacy of the removal procedures to which reference is made in subsection (g).

SEC. 302. (a) A member of a labor organization—

(1) who has exhausted the remedies available under the constitution and bylaws of such organization and of any parent body, or

(2) who has invoked such available remedies without obtaining a final decision within three calendar months after their invocation,

may file a complaint with the Secretary of Labor within one calendar month thereafter alleging the violation of any provision of section 301 (including violation of the constitution and by laws of the labor organization pertaining to the election and removal of officers). The challenged election shall be presumed valid pending a final decision thereon (as hereinafter provided) and in the interim the affairs of the organization shall be conducted by the officers elected or in such other manner as its constitution and bylaws may provide.

(b) The Secretary shall investigate such complaint and, if he finds probable cause to believe that a violation of this title has occurred and has not been remedied, he shall, within sixty days after the filing of such complaint, bring a civil action against the labor organization as an entity in the district court of the United States in which such labor organization maintains its principal office to set aside the invalid election, if any, and to direct the conduct of an election or hearing and vote upon the removal of officers under the supervision of the Secretary and in accordance with the provisions of this title and such rules and regulations as the Secretary may prescribe. The service of summons, subpena or other legal process of a court of the United States upon an officer or agent of a labor organization in his capacity as such shall constitute service upon the labor organization. The court shall have power to take such action as it deems proper to preserve the assets of the labor organization.

(c) If, upon a preponderance of the evidence after a trial upon the merits, the court finds—

(1) that an election has not been held within the time prescribed by section 301, or

(2) that the violation of section 301 may have affected the outcome of an election, the court shall declare the election, if any, to be void and direct the conduct of a new election under supervision of the Secretary and, so far as lawful and practicable, in conformity with the constitution and bylaws of the labor organization. The Secretary shall promptly certify to the court the names of the persons elected and the court shall thereupon enter a decree declaring such persons to be the officers of the labor organization. If the proceeding is for the removal of officers pursuant to subsection (g) of section 301, the Secretary shall certify the results of the vote and the court shall enter a decree declaring whether such persons have been removed as officers of the labor organization.

(d) An order directing an election, dismissing a complaint, or designating elected officers of a labor organization shall be appealable in the same manner as the final judgment in a civil action, but an order directing an election shall not be stayed pending appeal.

SEC. 303. No labor organization subject to the provisions of this title shall be required by law to conduct elections of officers with greater frequency or in a different form or manner than is required by its own constitution or bylaws except as otherwise provided by this title. Existing rights and remedies to enforce the constitution and bylaws of a labor organization with respect to elections prior to the conduct thereof shall not be affected by the provisions of this title. The remedy provided by this title for challenging an election already conducted shall be exclusive.

SEC. 304. The provisions of this title shall become applicable—

(1) ninety days after the date of enactment of this Act in the case of a labor organization whose constitution and bylaws can lawfully be modified or amended by action of its constitutional officers or governing body, or

(2) where such modification can only be made by a constitutional convention of the labor organization, not later than the next constitutional convention of such labor organization after the date of enactment of this Act, or two years after such date, whichever is sooner. If no such convention is held within such two-year period, the executive board or other governing body empowered to act for such labor organization between conventions is empowered to make such interim constitutional changes as are necessary to carry out the provisions of this Act.

SEC. 305. (a) No person shall serve as an officer, director, trustee, member of any executive board or similar governing body, business agent, manager, organizer, or other employee of a labor organization (other than an employee performing exclusively clerical or custodial duties) engaged in an industry affecting commerce, if within five years preceding such service he served any part of a prison term resulting from his having been convicted of: robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, violation of narcotics law, murder, rape, assault with intent to kill, or assault with intent to inflict grievous bodily injury, or conspiracy to commit any of such crimes, unless his citizenship rights, having been revoked as a result of such conviction, have been fully restored, or unless the Secretary determines that such person's service in such capacity would not be contrary to the purposes of this Act. Prior to making such a determination the Secretary shall hold an administrative hearing and shall give notice of such proceeding by certified mail to the State, county, and Federal prosecuting officials in the jurisdiction or jurisdictions in which such person was convicted. The Secretary's determination in any such proceeding shall be final.

(b) No person who, after a hearing on a written record, is determined by the Secretary to have failed to file any information required by title I or title II, after written notice by the Secretary directing him to file and no person who has been convicted of any violation of title I or title II shall serve as an officer, director, trustee, member of any executive board or similar governing body, business agent, international representative, manager, paid organizer, or other paid employee of a labor organization engaged in an industry affecting commerce for a period of five years after such determination by the Secretary or such conviction. No labor organization or officer thereof shall knowingly permit any person to assume or hold any office or paid position in violation of this subsection.

(c) Any person who violates this section shall be fined not more than $10,000, or imprisoned for not more than one year, or both.

(d) For the purposes of this section any person shall be deemed to have been "convicted" and under the disability of "conviction" from the date of the judgment of the trial court or the date of the final sustaining of such judgment on appeal, whichever is the later event.

TITLE IV—CODES OF ETHICAL PRACTICES

SEC. 401. (a) The Congress hereby declares that it is in the national interest that—

(1) national and international labor organizations and nationwide and industry-wide associations of employers engaged in industries affecting commerce shall voluntarily adopt or subscribe to codes of ethical practices obligating such labor organizations or employers, as the case may be, to adhere to principles and procedures which, with due regard to their traditions and background and their customary forms and procedures, will effectively eliminate and prevent improper and unethical activities in the administration of their affairs, in the use and expenditure of their funds, and in their relations with each other;

(2) codes of ethical practices for the administration of the affairs and the use and expenditure of the funds of a national or international labor organization engaged in an industry affecting commerce shall contain provisions to safeguard the democratic rights and privileges of members and to eliminate and prevent improper and unethical activities on the part of labor organizations or their subordinate bodies or organizations, or any officer or representative thereof, and measures and procedures to assure effective implementation and enforcement of such provisions;

(3) codes of ethical practices for the conduct of the business and the use and expenditure of funds of an employer engaged in an industry affecting commerce shall contain provisions to promote harmonious relationships between such employer and labor organizations which represent or seek to represent such employer's employees and to eliminate and prevent improper and unethical activities by the employer, or any officer or representative thereof in derogation of the rights of employees under section 7 of the National Labor Relations Act, as amended, or the Railway Labor Act, as amended, and measures and procedures to assure effective implemention and enforcement of said provisions; and

(4) codes of ethical practices shall contain appropriate provisions for the publishing of the provisions thereof to employers and employees in the industry affected and to the public.

(b) Codes of ethical practices shall not authorize or sanction any conduct on the part of labor organizations or employers, or officers or representatives thereof, which violates any Federal, State, or local law.

SEC. 402. (a) There is hereby established an Advisory Committee on Ethical Practices (hereinafter referred to as the "Committee") to advise the Secretary in the administration of this Act.

(b) The Committee shall be composed of fifteen members appointed by the Secretary, of whom five shall be chosen from a panel nominated by national or international labor organizations, which are affected and by national federations of labor organizations, five shall be chosen from a panel nominated by employer associations industrywide or national in scope, and five shall represent the public. Three members shall be appointed for a term of one year, three members for a term of two years, three members for a term of three years, three members for a term of four years, and three members for a term of five years, and thereafter appointment shall be for a term of five years, except that members appointed to fill vacancies occurring prior to the expiration of the terms of their predecessors shall be appointed only for the remainder of such terms. The terms of office of not more than one member representing labor organizations, one member representing employer associations, and one member representing the public shall terminate in any one year. The Committee shall meet at the request of the Secretary, but in any case not less frequently than four times each year, and whenever at least one-third of the members request a meeting. The members of the Committee shall receive compensation while attending meetings and performing work of the Committee at the rate of $50 a day, and shall receive necessary travel and other expenses incurred in connection with the work of the Committee.

(c) The Secretary shall provide such data and information, clerical assistance and other services and facilities as may be necessary for the Committee.

SEC. 403. The Secretary shall report to Congress not later than three years from the date of enactment of this Act on the progress achieved by labor organiaztions and employers in the elimination, through the voluntary adoption of self-policing codes of ethical practices, of improper activities in the administration of their affairs and the use and expenditure of their funds and shall include in such report such recommendations as he deems appropriate, based upon the experience of labor organizations and employers in adopting and implementing codes of ethical practices, pursuant to this title. The Secretary is authorized to file interim reports on these matters as part of his annual reports to Congress, pursuant to the provisions of section 9 of the Act entitled "An Act to create a Department of Labor", approved March 4, 1913 (5 U.S.C. 620).

TITLE V—DEFINITIONS AND MISCELLANEOUS

SEC. 501. As used in titles I (except section 111), II, III, IV, and V of this Act—

(a) "Commerce" means trade, traffic, commerce, transportation, transmission, or communication among the several States or between any State and any place outside thereof. For the purposes of this subsection, "State" includes any State of the United States, the District of Columbia, Hawaii, Puerto Rico, the Virgin Islands, American Samoa, Guam, Wake Island, the Canal Zone, and Outer Continental Shelf lands defined in the Outer Continental Shelf Lands Act (ch. 345, 67 Stat. 462).

(b) An activity or industry "affecting commerce" means any activity or industry in commerce or in which a labor dispute would hinder or obstruct commerce or the free flow of commerce, and includes any activity or industry "affecting commerce" within the meaning of the Labor-Management Relations Act of 1947, as amended, or the Railway Labor Act, as amended, except as hereafter provided.

(c) "Person" includes one or more individuals, labor organizations, partnerships, associations, corporations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, or receivers.

(d) "Employer" means any employer or any group or association of employers which is an employer within the meaning of any law of the United States relating to the employment of any employees or which may deal with any labor organization concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work, and includes any person acting directly as an employer or indirectly as an agent of an employer in relation to an employee but does not include the United States or any corporation wholly owned by the Government of the United States or any State or political subdivision thereof.

(e) "Employee" means any individual employed by an employer, and includes any individual whose work has ceased as a consequence of, or in connection with, any current labor dispute or because of any unfair labor practice.

(f) "Labor dispute" includes any controversy concerning terms, tenure, or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, regardless of whether the disputants stand in the proximate relation of employer and employee.

(g) "Trusteeship" means any receivership, trusteeship, or other method of supervision or control whereby a labor organization suspends the autonomy otherwise available to a subordinate body under its constitution or bylaws.

(h) "Labor organization" means any organization of any kind, any agency, or employee representation committee, group, association, or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor dis-

putes, wages, rates of pay, hours, or other terms or conditions of employment.

(i) "Labor organization engaged in an industry affecting commerce" includes a labor organization which—

(1) is the certified representative of employees under the provisions of the National Labor Relations Act, as amended, or the Railway Labor Act, as amended; or

(2) although not certified, is recognized or acting as the representative of employees of any employer or employers engaged in an industry, business, or activity affecting commerce; or

(3) has chartered a local labor organization or subsidiary body which is representing or actively seeking to represent employees of employers within the meaning of paragraphs (1) or (2); or

(4) has been chartered by a labor organization representing or actively seeking to represent employees within the meaning of paragraphs (1) or (2) as the local or subordinate body through which such employees may enjoy membership or become affiliated with such labor organization; or

(5) is a conference, joint board, joint council, or other association or aggregation of labor organizations, as heretofore defined, subordinate to a national or international labor organization other than a State or local central body.

(j) "Secret ballot" means any secret written, referendum, or voting machine ballot.

SEC. 502. Nothing contained in titles I, II, III, IV, or V of this Act shall be construed to supersede or impair or otherwise affect the provisions of the Railway Labor Act, as amended, or any of the obligations, rights, benefits, privileges, or immunities of any carrier, employee, organization, representative, or person subject thereto; nor shall anything contained in said titles of this Act be construed to confer any rights, privileges, immunities, or defenses upon employers, or to impair or otherwise affect the rights of any person under the National Labor Relations Act, as amended.

SEC. 503. For the purpose of any investigation provided for in this Act, the provisions of sections 9 and 10 (relating to the attendance of witnesses and the production of books, papers, and documents) of the Federal Trade Commission Act of September 16, 1914, as amended (15 U.S.C. 49, 50), are hereby made applicable to the jurisdiction, powers, and duties of the Secretary of Labor or any officers designated by him.

SEC. 504. In order to avoid unnecessary expense and duplication of functions among Government agencies, the Secretary may make such arrangements or agreements for cooperation or mutual assistance in the performance of his functions under this Act and the functions of any such agency as he may find to be practicable and consistent with law. The Secretary may utilize the facilities or services of any department, agency, or establishment of the United States or of any State or political subdivision of a State, including the services of any of its employees, with the lawful consent of such department, agency, or establishment; and each department, agency, or establishment of the United States is authorized and directed to cooperate with the Secretary and, to the extent permitted by law, to provide such information and facilities as he may request for his assistance in the performance of his functions under this Act. The Attorney General or his representative shall receive from the Secretary for appropriate action such evidence developed in the performance of his functions under this Act as may be found to warrant consideration for criminal prosecution under the provisions of this Act or other Federal law, and the Secretary may refer to any governmental agency any evidence obtained by him which may tend to show violation of a statute administered by that agency.

SEC. 505. The provisions of the Administrative Procedure Act shall be applicable to the issuance, amendment, or rescission of any rules or regulations authorized or required pursuant to the provisions of this Act.

SEC. 506. (a) It shall be unlawful for any labor organization, its officers, agents, representatives, or employees, to fine, suspend, expel, or otherwise discipline any of its members for exercising any right to which he is entitled under the provisions of this Act.

(b) It shall be unlawful for any person through the use of force or violence, or threat of the use of force or violence, or by economic reprisal or threat thereof, to restrain, coerce, or intimidate, or attempt to restrain, coerce, or intimidate any member of a labor organization for the purpose of interfering with or preventing the exercising by such member of any right to which he is entitled under the provisions of this Act.

(c) Any person who shall willfully violate the provisions of this section, shall be fined not more than $10,000 or imprisoned for not more than two years, or both.

SEC. 507. Nothing in this Act shall be construed to impair or diminish the authority of any State, as that term is used in section 501(a), to enact or enforce its own criminal laws.

SEC. 508. Every labor organization required to comply with the provisions of this Act shall inform all of its members concerning the provisions of the Act and the rights guaranteed members thereunder in a manner prescribed by the Secretary.

SEC. 509. If any provision of this Act, or the application of such provision to any person or circumstances, shall be held invalid, the remainder of this Act or the application of such provision to persons or circumstances, other than those as to which it is held invalid, shall not be affected thereby.

TITLE VI—AMENDMENTS TO THE LABOR-MANAGEMENT RELATIONS ACT OF 1947, AS AMENDED

SEC. 601. (a) Section 14 of the National Labor Relations Act, as amended, is amended by adding the following:

"(c)(1) The National Labor Relations Board shall assert, either directly or as hereinafter provided by this subsection, jurisdiction over all cases to which this Act applies. The Board may enter into an agreement with any agency of any State which is authorized by the law of such State to enter into and carry out such agreement whereby such agency is designated as the agent of the Board for the purpose of the exercise of jurisdiction within such State over classes of cases which are within the jurisdiction of the Board but with respect to which the Board finds that, because such classes of cases are essentially local in character, the impact thereof on commerce is not significant. Any such agreement shall (A) provide for the delegation by the Board to the State agency of such of the powers and duties of the Board as may be necessary or appropriate to enable the State agency to exercise such jurisdiction, (B) require that, in exercising such jurisdiction, the State agency shall apply and enforce the provisions of this Act as interpreted by the Federal courts and the Board, and (C) provide that such agreement may be suspended or terminated by the Board at any time if the Board finds that there has been a failure on the part of the State agency to comply with the provisions of such agreement or with regulations promulgated by the Board with respect to the carrying out of such agreement. The processes and orders issued by any such State agency in the exercise of such jurisdiction shall be enforced by the Board, and shall be reviewable, in the Federal courts and in the same manner and to the same extent as are the processes and orders of the Board. Whenever a State agency shall refuse to issue a complaint under section 10(b) or refuse to proceed with a petition filed pursuant to section 9(c), the party requesting the issuance of such complaint or filing such petition may, within such time and in such manner as the Board may by regulations prescribe, appeal the action of such State agency to the Board, and the State agency shall dispose of the matter in accordance with the decision of the Board upon such appeal. No State agency shall petition any district court of the United States for temporary relief or for a restraining order in any case without first having obtained the consent of the Board. In giving such consent the Board shall be guided by the same criteria as are applied in similar cases adjudicated by the Board itself. As used in this subsection, the term 'State' includes 'Puerto Rico' and the 'Virgin Islands'. With the consent and cooperation of those agencies charged with the administration of the Act the National Labor Relations Board may, notwithstanding any other provision of law, reimburse such agencies and their employees for services rendered for such purposes.

"(2) Nothing contained in sections 3, 4, 5, and 6 of this Act shall be construed to apply to any State agency with which the Board has entered into an agreement under this subsection."

(b) Section 10(a) of the National Labor Relations Act, as amended, is amended by repealing the proviso thereto.

SEC. 602. (a) After section 8 of the National Labor Relations Act, as amended, insert the following new subsection:

"(e) It shall not be an unfair labor practice under subsections (a) and (b) of this section for an employer engaged primarily in the building and construction industry to make an agreement covering employees engaged (or who, upon their employment, will be engaged) in the building and construction industry with a labor organization of which building and construction employees are members (not established, maintained, or assisted by any action defined in section 8(a) of this Act as an unfair labor practice) because (1) the majority status of such labor organization has not been established under the provisions of section 9 of this Act prior to the making of such agreement, or (2) such agreement requires as a condition of employment, membership in such labor organization after the seventh day following the beginning of such employment or the effective date of the agreement, whichever is later, or (3) such agreement requires the employer to notify such labor organization of opportunities for employment with such employer, or gives such labor organization an opportunity to refer qualified applicants for such employment, or (4) such agreement specifies minimum training or experience qualifications for employment or provides for priority in opportunities for employment based upon length of service with such employer, in the industry or in the particular geographical area: *Provided*, That nothing in this subsection shall set aside the final proviso to section 8(a)(3) of this Act: *Provided further*, That any agreement which is valid solely by reason of clause (1) of this subsection, shall not be a bar to a petition filed pursuant to section 9(c) or 9(e)."

(b) Nothing contained in the amendment made by subsection (a) shall be construed as authorizing the execution or application of agreements requiring membership in a labor organization as a condition of employment in any State or Territory in which such execution or application is prohibited by State or Territorial law.

SEC. 603. Section 9(c)(3) of the National Labor Relations Act, as amended, is amended by striking out the second sentence thereof.

SEC. 604. Section 2(11) of the National Labor Relations Act, as amended, is amended by adding a proviso at the end thereof, as

follows: ": *Provided*, That this term shall not be construed to include service assistants in the communications industry."

SEC. 605. Paragraph (4) of subsection 9(c) of the National Labor Relations Act, as amended, is amended to read as follows:

"(4) Notwithstanding the provisions of paragraph (1) of this subsection, the Board through its designated representative, if there is reasonable cause to believe that a question of representation affecting commerce exists, may call an informal conference of the parties upon due notice. If at such conference no agreement is reached for a consent election, and there are no substantial issues of fact or law which should be resolved by a preelection hearing, the Board, through its designated representative, may conduct an election in an appropriate unit but not before the expiration of thirty days following the date of the petition. Any party aggrieved by such proceeding may file a motion for hearing with the Board, but such motion shall not, unless specifically ordered by the Board, operate as a stay of the election. Unless such motion is granted prior to the election or is withdrawn, the Board shall afford the moving party an opportunity for hearing prior to certifying the results of such election."

SEC. 606. Section 3(d) of the National Labor Relations Act, as amended, is amended by adding after the period at the end thereof the following: "In case of a vacancy in the office of the General Counsel the President is authorized to designate the officer or employee who shall act as General Counsel during such vacancy, but no person or persons so designated shall so act (i) for more than forty days when the Congress is in session unless a nomination to fill such vacancy shall have been submitted to the Senate, or (ii) after the adjournment sine die of the session of the Senate in which such nomination was submitted."

The PRESIDING OFFICER. Without objection, the bill as amended will be regarded as the original text for the purposes of amendment.

Mr. JOHNSON of Texas. Mr. President, I did not hear the statement.

The PRESIDING OFFICER. The committee amendments have been agreed to; and, without objection, the bill as amended will be regarded as the original text for the purpose of amendment.

Mr. JOHNSON of Texas. That is fine.

Mr. ERVIN. Mr. President, I ask unanimous consent that the amendment which I have sent to the desk be made the pending question.

The PRESIDING OFFICER. The Chair will state that unanimous consent is not now required.

Mr. JOHNSON of Texas. Unanimous consent is not now required, but the Senator is asking that the amendment be made the pending question.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. It is proposed to strike out title VI, which begins on line 14 on page 54 and ends on line 25 on page 59.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from North Carolina [Mr. ERVIN].

Mr. JOHNSON of Texas. I thank the Chair.

Mr. KENNEDY. Mr. President——

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, today we begin debate on S. 1555.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield to the Senator from Texas.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that following the morning hour on Monday the time on the pending amendment be limited to 3 hours, to be controlled, respectively, by the Senator from North Carolina, proponent of the amendment, and by the majority leader, opponent of the amendment; and that it be understood there be no vote until after the morning hour on Tuesday.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield to my friend from Arizona.

Mr. GOLDWATER. The Senator said "3 hours." Does the Senator not mean 3 hours to each side?

Mr. JOHNSON of Texas. Three hours to each side. Three hours to be controlled by the Senator from North Carolina [Mr. ERVIN] and 3 hours to be controlled by the majority leader, with the understanding there will be no vote until Tuesday.

The PRESIDING OFFICER. Is there objection to the unanimous consent request of the Senator from Texas? The Chair hears none, and it is so ordered.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. KENNEDY. I am glad to yield.

Mr. DIRKSEN. I wish to address a question to the majority leader.

It is my understanding, as a practical matter, that the remainder of the week will be devoted to debate, that there will be no votes of any kind on the bill this week, and that the first vote will be on the Ervin amendment to strike title VI, which vote will be taken on Tuesday. There is to be allotted 3 hours to a side, or a total of 6 hours, beginning after the morning hour on Monday.

Mr. GOLDWATER. On Tuesday.

Mr. DIRKSEN. Beginning after the morning hour on Monday.

Mr. JOHNSON of Texas. There would be no vote until Tuesday. The Senator is eminently correct. Monday, following the morning hour, the time limitation will take effect. At that time we will begin using the six hours of debate, but obviously we will recess early enough so as not to consume all of the six hours, so that we will have the vote Tuesday following the morning hour.

Mr. GOLDWATER. Mr. President, the only thing the Senator from Arizona is concerned about is that he was the only person on the floor earlier today who was conversant with this subject, and he told a number of Senators on both sides of the aisle that he could visualize no possibility of any vote being taken on Monday.

Mr. JOHNSON of Texas. No vote will be had on that day.

Mr. GOLDWATER. I might have made a false statement to some Senators who wanted to speak on the pending amendment, and who may find themselves coming back to the Senate Tuesday without time to speak on the amendment. I cannot recall, off hand, any Senator who might be interested, nor can I think of anyone at the moment.

Mr. JOHNSON of Texas. Why do we not reserve a part of the time until Tuesday—say, at least one hour—to take care of any contingencies such as the Senator mentions.

Mr. GOLDWATER. That would be agreeable, because I do not want to be placed in a position of having made a false statement to any colleague whom I told in perfect honesty there would be no vote until Tuesday.

Mr. JOHNSON of Texas. I am very anxious to follow the suggestion of the Senator, and I assure the Senator that I will move to recess the Senate Monday in ample time to have at least one hour minimum, and perhaps more, to be used on Tuesday.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. WILLIAMS of Delaware. In the event that additional time is needed, if I understand the parliamentary situation correctly, on Tuesday the pending amendment would be subject to an amendment, as to which there would be no limitation of debate, unless this unanimous-consent agreement is modified.

Mr. JOHNSON of Texas. I think we got an agreement to vote on the Ervin amendment, and that would include all amendments thereto.

Mr. WILLIAMS of Delaware. It might have been intended to get such an agreement, but I should like to make a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. WILLIAMS of Delaware. As the unanimous-consent agreement was agreed to, did it include any amendments to the amendment, or would any amendments be in order with no limitation of debate?

The PRESIDING OFFICER. The agreement on which unanimous consent was obtained makes no reference to amendments.

Mr. WILLIAMS of Delaware. Therefore, an amendment offered to the amendment would be subject to unlimited debate; is that correct?

Mr. JOHNSON of Texas. That would vitiate the whole agreement.

Mr. MUNDT. May I suggest, Mr. President, that the majority leader modify his unanimous-consent request so as to include this type of circumstance.

Mr. WILLIAMS of Delaware. I was going to suggest that.

Mr. JOHNSON of Texas. Mr. President, I give the Senator from Arizona [Mr. GOLDWATER] my assurance that he will have a minimum of 1 hour, or more if he desires, on Tuesday, because I will move to recess early enough Monday for that to be done.

Mr. GOLDWATER. I merely want to protect the Senators whom I told in all honesty I did not think we would take any action on Monday.

Mr. JOHNSON of Texas. I understand.

Mr. President, I ask unanimous consent that following the morning hour on

Monday there be 3 hours allotted to the proponents and 3 hours to the opponents of the Ervin amendment, and that at the conclusion of 6 hours a vote be taken on the Ervin amendment and any amendments thereto, with the further understanding that there will be no yea and nay votes until after the morning hour on Tuesday.

The PRESIDING OFFICER. At the conclusion of the morning hour, or morning business?

Mr. JOHNSON of Texas. After morning business on Tuesday.

Mr. WILLIAMS of Delaware. I have no intention of offering any amendment to the Ervin amendment, but in the event that such an amendment should be offered, it seems to me there should be at least 10 minutes on a side for discussion of the amendment to the amendment. We should not be caught at the last minute if an amendment were offered to the Ervin amendment without opportunity for a brief explanation. I do not contemplate offering any such amendment.

Mr. JOHNSON of Texas. The Senator from North Carolina thought 30 minutes on his amendment would be sufficient. We have arranged for 6 hours, 3 hours to a side, and to have no vote until Tuesday. I believe we have allowed ample leeway. What we are trying to do is to indicate to Senators when we anticipate the first vote.

Mr. WILLIAMS of Delaware. I am entirely in agreement with what the Senator is trying to do. I have no intention of offering an amendment to the Ervin amendment, but I believe, for the sake of orderly procedure, it would be well, in the event such an amendment were offered, not to preclude the opportunity to make a brief explanation.

Mr. JOHNSON of Texas. In that event I shall be glad to ask unanimous consent to allow whatever time is necessary.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

The Chair hears none, and it is so ordered.

Mr. JOHNSON of Texas. Mr. President, in order that we may thoroughly understand the unanimous consent agreement, 3 hours to a side have been allotted. I have assured Senators that I shall move that the Senate take a recess early enough on Monday so that there will be at least an hour left on Tuesday. There will not be a yea-and-nay vote until after morning business is concluded on Tuesday.

Mr. President, I ask for the yeas and nays on the Ervin amendment.

The yeas and nays were ordered.

Mr. DIRKSEN. Mr. President, I should like to make an inquiry of the majority leader. I should like to know whether or not, under the circumstances, a Saturday session is contemplated.

Mr. JOHNSON of Texas. Not unless some Senator desires to speak on Saturday. If he does, there will be a Saturday session. Otherwise, the Senate will recess or adjourn on Friday evening.

Mr. DIRKSEN. I thank the majority leader.

ORDER FOR RECESS UNTIL TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in recess until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959

The Senate resumed the consideration of the bill (S. 1555) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes.

Mr. KENNEDY. Mr. President, today we begin debate on S. 1555, the Labor-Management Reporting and Disclosure Act of 1959. Before we proceed to a discussion of the provisions of this bill and to a debate on its merits, I would like to review very briefly for the Senate the background of this measure.

More than 2 years ago, the Senate by resolution established a bipartisan select committee to look into improper activities in the labor or management field. The select committee—popularly known as the McClellan committee—was established because of recurring reports of abuses of power on the part of both labor and management to the detriment of the welfare of employees, employers, and the public. For more than 2 years now, under the able leadership of the distinguished senior Senator from Arkansas [Mr. MCCLELLAN], this committee has looked into various situations which have been brought to its attention in an effort to spotlight problems requiring legislative action. It scarcely needs to be said that the Congress and the American people owe a deep debt of gratitude to Senator MCCLELLAN, the other members of his committee, and his staff for the workmanlike job which they have done over these past 2 years.

In addition to the work done by the select committee, the Senate Committee on Labor and Public Welfare, in the 85th Congress and again this year, has devoted many weeks hearing testimony on various legislative proposals which have been offered to eliminate some of the abuses which have been disclosed during the hearings of the McClellan committee. Many of the Nation's most qualified and objective experts in this field have devoted considerable time without compensation advising me and other members of the committee in this extremely complex field.

During the hearings last year, the Senate Committee on Labor and Public Welfare took over 1,500 pages of testimony and heard many witnesses who addressed themselves to the bills which were pending at that time. Again this year, between January and the early part of March, the Senate Committee on Labor and Public Welfare heard witnesses whose testimony covers over 815 pages. Between this and the previous session of Congress, every effort has been made to perfect legislative proposals pursuant to suggestions which were made by labor, management and the public. And so we finally come to the floor of the Senate with a bill which I believe by any test deserves to be called a comprehensive, strong, and effective measure to stamp out the abuses disclosed by the McClellan committee. The bill which is before us has received more extensive and concentrated attention by a larger number of people than any recent legislative proposal with which I am familiar. It has been subjected to critical scrutiny both within the Government and without. It has been criticized by those who are friendly to labor and those who are not friendly to it. It has been examined carefully by those who have a direct stake in it and by many who have no interest except the preservation of the common good.

It represents, it should be recalled, a bill which was:

First. Originally drafted by two members of the McClellan committee in 1958 to carry out its report—former Senator Ives, Republican of New York, and myself;

Second. Then modified by the amendments of the Senate Labor Committee, after exhaustive hearings;

Third. Further improved by amendments on the Senate floor last year, where it passed the Senate by a vote of 88 to 1;

Fourth. Still further improved by redrafting prior to its reintroduction this year, with the cosponsorship of two other members of the McClellan committee, Senators ERVIN and CHURCH, along with other Senators; and

Fifth. Finally, following further hearings, perfected still further by 46 amendments adopted in the careful line-by-line deliberations of the Senate Labor Committee, which reported the final version to this body by a vote of 13 to 2, Republican Senators JAVITS and COOPER being added as cosponsors.

In short, Mr. President, the bill which is before the Senate today is a most carefully drafted and effective piece of legislation. It is a bipartisan bill on a nonpartisan subject. It covers all of the outstanding recommendations of the McClellan committee including provisions to insure full reporting of union financial and administrative practices, standards and procedures for the conduct of secret union elections, standards, and procedures for the imposition of trusteeships upon subordinate bodies by national or international unions, controls on the activity of management middlemen and provisions to eliminate the no man's land in labor-management relations. I should like to call attention at this point to a 45-item summary of the provisions of this bill which appears in the committee report beginning on page 1 and I ask unanimous consent that this summary be reprinted in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, the summary may be printed in the RECORD, as requested.

(See exhibit 1.)

Mr. KENNEDY. In its present form, as reported by the committee, this bill represents a sound basis for obtaining effective labor reform legislation this year. In its present form, it is capable of receiving the support of members of both Houses from both parties, the administration and the responsible leaders of both labor and management. In its present form, this bill can and should become law in 1959—and the Jimmy Hoffas and their ilk will be on their way out.

But if we embark upon a series of amendments—some wanting to change this provision, some another, some feeling that it is too soft and some that it is too tough, some wanting more Taft-Hartley amendments added and some wanting more of them deleted—once we begin on that course, there is no certainty as to where we will emerge, no certainty that we will still have a broadly acceptable, workable bill, and no certainty that we will in the end have any bill at all that will become law in 1959.

I respect the sincere concern of those who seek further amendments, additions or deletions. This is a subject matter on which every Senator is bound to have his own ideas, his own favorite amendments and his own approach to the problem. But this measure has been carefully worked out, drafted and redrafted a hundred times by those closest to the problem. Whatever complaints may be raised, whatever imperfections may occur to some, we know that this bill will do the job. I say let us pass this bill and do that job—or stand in danger of letting it go undone for another critical year, or in fact, forever, because this represents our last opportunity to secure passage of an effective labor reform bill.

The most fertile field for amendment—by way of either addition or deletion—is, of course, the Taft-Hartley Act. The most difficult decision facing the committee in its deliberations was where to draw the line between those Taft-Hartley amendments which could properly be included in this bill, and those Taft-Hartley amendments which should properly await the recommendations of our panel of 12 experts established for this very purpose. Some of the Taft-Hartley amendments considered were directly related to racketeering, some only indirectly or not at all. Some were extremely controversial and threatened to bog down the entire bill—others were not controversial at all. Some were approved by the Senate last year—others were new, and more likely to delay action on the bill. Taking into consideration these factors, the requests of the administration and the testimony of expert witnesses and spokesmen for labor and management, the committee proceeded to draw this line—and, in my opinion, drew it wisely and well. I earnestly urge the Senate to support the committee in its determination as to where the line should be drawn. The alternative, in my opinion, could lead to chaos, confusion, and finally no bill at all.

No one who examines S. 1555 can doubt that the measure before us is a strong and effective deterrent to the abuses perpetrated by a relatively few in labor and management. All can agree that the standards prescribed by this bill will lead to more democratic and honest procedures in all trade unions and will create an atmosphere for harmonious labor-management relations. The provisions of this bill insure, as far as it is possible to do so by statute, that the internal affairs of unions and management are conducted honestly and that criminals and racketeers will be denied positions of power and trust in trade unions.

As I see it, the solution of our problems in the labor-management area has three distinct facets.

First. There is the problem of more effective enforcement of criminal law at the local and State level. Scarcely a single abuse in the labor or management field has come to the attention of the McClellan committee which did not have associated with it some violations of the criminal law. The crimes of violence, arson, assault, and so forth with which we are all familiar, are essentially problems of enforcement of criminal laws at the local level. Correction of this kind of activity is and should remain a function of police authorities at the local and State level. I do not believe, and I think this opinion is shared by my colleagues in the Senate, that the Federal Government should get into the business of exercising the police power which has traditionally and properly been the function of local authority. I regret to say that in many cases local police officials and law-enforcement authorities have not been as diligent as they might have been in apprehending and punishing those who have committed barbarous, antisocial acts. Society cannot tolerate the continued use of violence and force in labor-management relations. Therefore, I submit that State and local law enforcement authorities have a duty to step up the prosecution of those who in the name of trade unionism indulge in the most heinous criminal activity.

The second aspect of labor-management abuse which can be distinguished is the area of labor-management relations which is regulated basically by the National Labor Relations Act and the Railway Labor Act. Both of these statutes prescribe certain standards and procedures for the resolution of disputes between labor and management. The National Labor Relations Act which is our basic statute regulating labor-management relations has not been changed in any significant degree since its passage more than 12 years ago. Certainly any legislation of this type after 12 years needs to be revised in the light of changing conditions. In recognition of this fact and the many abortive attempts which have been made by the Congress to legislate in this complex area in the last decade, the Senate Committee on Labor and Public Welfare has established an advisory panel of distinguished experts in the labor law field to advise it concerning appropriate revisions in the statute. This advisory panel has been working assiduously since its appointment early in February at its task of making suggested revisions in the act. I might say at this point that the Senate and the people of the United States owe a debt of gratitude to the men who are serving on this panel for the diligent effort which they have put into developing recommendations for the Senate Labor Committee. I am confident that based upon their recommendations, the Senate Committee on Labor and Public Welfare will be able to report legislation to the Senate which will correct defects in the Taft-Hartley Act, but I emphasize that revisions in the Taft-Hartley Act are but one aspect of the problem of labor-management abuse.

S. 1555 contains six amendments to the Taft-Hartley Act. With but one exception these changes in the act have been recommended by the administration and were debated on the floor of the Senate last year. Each represents a modification of the act upon which there is broad consensus. None would radically affect the balance between labor and management.

These amendments to the Taft-Hartley Act either, first, modify the law to adjust it to existing and long established practice—as for example the building trades amendment; second, are responsive to the recommendations of the McClellan committee, the no man's land amendment, section 602, or third, make it possible to administer the act more easily—the Acting General Counsel amendment and the prehearing election amendment.

All of these amendments to the Taft-Hartley Act are necessary; all will contribute to more effective and expeditious handling of labor disputes and will contribute to industrial stability.

Because the prehearing election issue precipitated sharp debate in the Senate last year, I would like to point out that the amendment in S. 1555 dealing with this problem is entirely new. It was worked out very carefully with management and labor attorneys and after careful and painstaking debate in the committee was put into the bill by a unanimous vote.

As it stands in the bill now this provision would permit a representation election 30 days after a petition is filed by either management or labor if there are no substantial issues of fact or law which require a hearing by the NLRB. The full rights of all parties to due process are protected and even after an election is held a full hearing may be had before the Board on any unresolved issues. The 30-day waiting period is an additional safeguard against rushing employees into an election where they are unfamiliar with the issues.

All of the other provisions of title VI are fully discussed in the analysis which I will insert in the RECORD at the close of these remarks and are treated in the committee report. I single out this amendment because of the interest which the Senate showed in it last year and because I believe it typical of the salutary changes which have been made in this legislation since it was debated here last year.

The third front on which an attack can and should be made on abuses in the labor-management field is that which is treated in the bill before us. This bill deals essentially with the internal problems of trade unions and with the correction of certain abuses within management. It is not a bill dealing with labor-management relations per se which are governed by the National Labor Relations Act—the Taft-Hartley Act, although as I have pointed out above there are some Taft-Hartley amendments in it. It is essential in my view to draw this distinction. Long and critical study of this measure has been given by the Senate Labor Committee. The committee spent over 3 weeks in reviewing line by line the bill before us. Over 150 amendments were considered by the committee during this time. Some 46 of them were accepted and in most cases the amendments which were adopted strengthened the bill in some particular or another. After this careful consideration the bill was reported by a bipartisan 13 to 2 vote.

Finally, Mr. President, as we begin debate on this bill I want to remind the Senate of the history of legislation in the labor-management field. There has scarcely been a session of Congress in the last decade that there have not been proposals to correct abuses in the labor or management fields. Voluminous hearings have been compiled and extensive debates have been held, all to no avail. Why? Primarily because short-sighted persons on both sides of the issue have not been satisfied with making measurable progress—have not been content with taking major steps forward. In many cases, if their special interests or problems were not treated in exactly the way they wanted—they killed perfectly sound legislation. This can happen to this bill. I sincerely hope that it will not, for I believe that we owe it to working men and women and the public at large to enact a strong internal reform bill. If we load it down with ill-considered amendments, hastily devised on the floor of the Senate we run a grave risk of scuttling this bill. This would be a tragedy as the New York Times noted in an editorial on April 10.

But the public interest, and labor's too, clearly calls for the passage of S. 1555. Its defeat would set labor reform back on its heels in the present session of Congress. It would be a calamity for the Senate to turn it down merely because it doesn't go far enough.

I ask unanimous consent that this entire editorial be reprinted in the RECORD following these remarks.

The PRESIDING OFFICER. Without objection, the editorial may be printed in the RECORD as requested.

(See exhibit 2.)

Mr. KENNEDY. We have a sound and effective bill in S. 1555. I believe that the debate which will follow will demonstrate this fact beyond any shadow of a doubt.

The spotlight of public opinion shines brightly on us. The alternatives are clear. Either we move forward and act on the labor-management reform bill, S. 1555, thereby taking a major step forward in the eradication of corruption and racketeering in labor and management. Or we embark on a spree of attaching unworkable and unwise amendments onto a sound bill. The latter course can only result in dismal failure and the frustration of the hopes and desires of millions of our fellow citizens.

I am confident that the Senate will pursue the former course.

Mr. President, in order that the Members of the Senate may be fully informed as to the content of this measure, I ask unanimous consent that there be printed in the body of the RECORD at this point a detailed, section-by-section analysis of the pending measure, S. 1555.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

SECTION-BY-SECTION ANALYSIS OF THE BILL

Section 1: Contains the short title of the bill: "Labor-Management Reporting and Disclosure Act of 1959."

Section 2: Contains the congressional findings, purposes, and policy.

TITLE I. REPORTING AND DISCLOSURE

Section 101(a): Requires every labor organization engaged in an industry affecting interstate commerce to file with the Secretary of Labor a copy of its constitution and bylaws and a report containing specified information with respect to its name and address, names and titles of its constitutional officers, initiation fees and dues, and internal procedures. Both the constitution and bylaws and the report must be signed by the organization's president and treasurer or corresponding principal officers. Any changes in this information occurring during a year are to be reported at the time the organization files its next annual financial report with the Secretary.

Section 101(b): Requires every labor organization engaged in an industry affecting interstate commerce to file annually with the Secretary a comprehensive and detailed report of the union's financial operations. This report must be signed by the organization's president and treasurer or corresponding principal officers.

Under section 9 (f) and (g) of the National Labor Relations Act, as amended, reports on their internal procedures and financial transactions are required only of unions that desire to use the processes of the National Labor Relations Board. Under section 101 of the committee bill, unions that represent, seek to represent, charter subordinate bodies to represent, or are chartered by a union that represents or seeks to represent, or otherwise engage in collective bargaining on behalf of, employees of employers engaged in an industry affecting interstate commerce must file reports, regardless of whether or not they desire to utilize the processes of the Board. The information to be reported under the committee bill comprehends all the information required to be reported under present law. The committee bill, in addition, requires certain information to be reported that does not have to be specifically detailed under present law.

For example, under section 101(a), unions must report procedures followed with respect to discipline or removal of officers, and provisions made for notice, hearings, judgment on the evidence and appeal procedures in cases involving imposition of fines, suspensions, or expulsion of members. Under section 101(b), the salary, allowance and other direct or indirect disbursements, including reimbursed expenses, paid to every officer and to every employee who received more than $10,000 in the aggregate during the year from the union and any other body affiliated with the same international union must be listed. Loans aggregating in excess of $250 made to union officers, employees, or members, as well as loans in any amount made to business enterprises, must also be listed.

The committee bill gives the Secretary of Labor authority to prescribe the categories in which the financial information required by section 101(b) shall be reported.

Section 101(c): Provides that unions required to file reports under the bill shall make available the information required to be contained in such reports to all their members. The Secretary of Labor is given authority to issue regulations prescribing the form and manner in which this obligation shall be carried out.

Section 101(d): Authorizes the Secretary of Labor to exempt any labor union or class thereof from the financial reporting requirements of section 101(b) (but not from the obligation to file reports on their internal procedures contained in sec. 101(a)), if he finds that the exemption of such union or class thereof would not interfere with the attainment of the objectives of the bill. The committee's purpose in including this provision in the bill is to provide a means of easing the financial and administrative burdens of compliance in small unions and to concentrate attention on unions with significant funds. To be exempted a union must (1) have fewer than 200 members and (2) have gross annual receipts of less than $20,000. For purposes of the second of these two tests, dues, per capita taxes, and other sums to be paid over to a parent or affiliated organization are specifically included as part of the union's gross receipts. The test of inclusion is whether local officers or employees receive the funds. Payments from an employer directly to a separate welfare or pension fund under section 302(c) (5) or (6) of the Labor Management Relations Act, 1947, as amended, are specifically excluded.

Section 101(e): Repeals sections 9 (f) and (g) of the National Labor Relations Act, as amended. Under the committee bill, compliance by unions with the reporting requirements of the bill is enforced by criminal penalties, and is no longer a condition of union access to the representation and unfair labor practice procedures of the National Labor Relations Board.

Section 101(f): Makes a technical change in section 8(a)(3) of the National Labor Relations Act, as amended, required by the repeal of sections 9 (f), (g), and (h) of such act provided for in sections 101(e) and 112(d). The effect of this change is to eliminate the present requirement that a union must have received from the National Labor Relations Board a notice that it is in compliance with sections 9 (f), (g), and (h) of the act in order to be eligible to negotiate a union-shop agreement under section 8(a)(3) of the act.

Section 102(a): Provides that every officer of a labor organization engaged in an industry affecting commerce, and every employee of such organization, other than clerical employees, as defined by the Secretary of Labor, who received more than $5,000 in wages, salary, expenses, or other allowances during the preceding fiscal year is required to submit to the Secretary of Labor a report listing and describing any of six specified types of financial transactions presenting conflicts of interest situations in which he may have been involved during the preceding fiscal year. These transactions include the following: (1) any legal or equitable interest, income or other benefit with monetary value in a business whose employees the labor organization represents or is actively seeking to represent; (2) any transaction involving any legal or equitable interest in, or a loan to or from, any business whose employees the union represents or actively seeks to represent; (3) any legal or equitable interest, income or other benefit with monetary value

derived from a business a substantial part of which consists of buying from, selling or leasing to or otherwise dealing with a business whose employees the union represents or is actively seeking to represent; (4) any legal or equitable interest, income or other benefit with monetary value derived from a business any part of which consists of buying from, selling or leasing to or otherwise dealing with the union; (5) any business transaction or arrangement with an employer whose employees the union represents or is actively seeking to represent, except wages and benefits received as a bona fide employee of such employer and goods and services purchased and sold in the regular course of business at generally available employee discounts; and (6) any money or other thing of value received from any employer or any person acting as a labor relations expert, adviser or consultant to an employer, except payments of the kinds described in section 302(c) of the Labor Management Relations Act, 1947, as amended.

The types of transactions which must be reported under this section encompass both direct and indirect dealings of an officer or employee, his spouse, or minor children. Under section 102(c), however, a report must be made by a union officer or employee only if he has been involved during the preceding fiscal year in any transaction of the types enumerated in section 102(a).

By requiring reports on such transactions and by requiring other types of reporting under other sections of the bill, the committee is not to be construed as necessarily condemning the matters to be reported if they are not specifically declared to be improper or made illegal under other provisions of the bill or other laws. Reports are required as to matters which should be public knowledge so that their propriety can be explored in the light of known facts and conditions.

Section 102(b): Provides that the reporting requirements contained in paragraphs (1), (2), (3), (4), and (5) of section 102(a) shall not apply to publicly traded securities and other securities that are publicly regulated. This provision has been included in the bill because the committee believes that the holding of publicly traded or regulated stock can hardly lead to conflicts of interest because of the unlikelihood that such holdings will amount to a substantial or controlling interest. Existing public regulation of such securities held in such quantities provide sufficient safeguards of disclosure.

Section 102(c): As noted above in discussion of section 102(a), provides that a union officer or employee who is not involved in any transactions of the types enumerated in section 102(a) is not required to file any report under this section.

Section 103(a): Requires every employer engaged in an industry affecting interstate commerce to submit to the Secretary of Labor a report listing and describing specified expenditures in connection with labor-management relations during the preceding fiscal year. The report must be signed by the employer's president and treasurer or corresponding principal officers.

The expenditures which employers must report are as follows: (1) any expenditure pursuant to an agreement or arrangement with a labor relations consultant or other independent contractor by which such person undertakes any activities of which an object, directly or indirectly through employees, groups or committees of employees, or other persons, is to persuade employees to exercise or not to exercise, or persuade employees as to the manner of exercising, the right to organize and bargain collectively through representatives of their own choosing, or undertakes to supply such employer with information concerning the activities of employees or a union in connection with a labor dispute; expenditures for information for use solely in conjunction with a pending judicial, administrative, or arbitration proceeding, however, would not have to be reported; (2) any expenditure by the employer himself having an object, direct or indirect, similar to any of those listed and described in paragraph (1); here again, certain expenditures would not have to be reported, as follows: (i) changes in wages, working conditions, or employee benefits, (ii) publication by such employer in his own name of a newspaper, newsletter, or similar house organ, letter, communication, or advertisement, and (iii) obtaining information for use solely in conjunction with a pending judicial, administrative, or arbitration proceeding; (3) any direct or indirect payment or loan, or any promise or agreement to pay or loan, money or other thing of value to any union or any officer or employee of any union, except the following: (i) payments made pursuant to a collective bargaining agreement the terms of which have been fully disclosed to the employees in the bargaining unit covered by the agreement, (ii) compensation paid for or by reason of service as an employee, (iii) payments or loans made by any National or State bank, credit union, insurance company, savings and loan association, or other credit institution, and (iv) payments of the kind referred to in section 302(c) of the Labor Management Relations Act, 1947, as amended; and (4) any payment, expenditure, loan, transaction, or arrangement involving such employee of which a report is required of a union officer or employee under paragraphs (1), (2), (5), or (6) of section 102(a).

Section 103(b): Requires reports from every person who has an agreement or arrangement with an employer engaged in an industry affecting interstate commerce to undertake activities of the types listed and described in the discussion of paragraph (1) of section 103(a). These reports must be filed annually with the Secretary and must be signed by the reporting concern's president and treasurer or corresponding principal officers. They must contain full information about the person's business, receipts from employers on account of labor relations advice or services, disbursements of any kind in connection with such services, and a detailed statement of the agreement or arrangement between such person and an employer. As in the case of reports by unions under section 101(b), the committee bill gives the Secretary of Labor the authority to prescribe the categories in which the information required by section 103(b) shall be reported.

The committee in drafting section 103 was particularly desirous of requiring reports from middlemen masquerading as legitimate labor relations consultants. The committee believes that if unions are required to report all their expenditures, including expenses in organizing campaigns, reports should be required from employers who carry on, or engage such persons to carry on, various types of activity, often surreptitious, designed to interfere with the free choice of bargaining representatives by employees and to provide the employer with information concerning the activities of employees or a union in connection with a labor dispute.

Section 103(c): Provides that no employer nor any other person shall be required to file a report covering the giving of advice by such person to such employer, representing the employer before any court, administrative agency, or arbitration tribunal, or engaging in collective bargaining on behalf of such employer. The committee did not intend to have the reporting requirements of the bill apply to attorneys and labor relations consultants who perform an important and useful function in contemporary labor relations and do not engage in activities of the types listed in section 103(b).

Section 103(d): Provides that employers and other persons are not required to file any report under this section unless they have made expenditures, payments, or loans or have been parties to agreements or arrangements of the kinds described in subsection (a) or (b), respectively. Thus most employers who maintain normal collective bargaining relations with their employees will not have to file reports under this bill.

Section 103(e): Provides that regular officers, supervisors, or employees are not required to file any report in connection with services rendered by them to their employer. Employers are not required to file any report concerning expenditures in the form of compensation for the services of any of their regular officers, supervisors, or employees.

Section 104(a): Specifies that the contents of reports and documents filed under sections 101, 102, and 103 shall be public information and authorizes the Secretary of Labor to publish and use such information for statistical and research purposes, and to compile and publish studies and surveys based on the data contained in reports required to be filed under these sections.

Section 104(b): Authorizes the Secretary of Labor to prescribe regulations permitting the inspection and examination, on the request of any person, of the information contained in reports and documents filed under sections 101, 102, and 103.

Section 104(c): Authorizes the Secretary of Labor to furnish copies of reports or other documents filed under title I upon payment of a charge based on the cost of the service. It is provided, however, that copies of reports or other documents filed by any union or employer are to be made available by the Secretary without charge, or the Secretary may require such persons to furnish copies of such reports or documents, to designated State agencies upon request of the Governor of any such State. No person is to be required, however, by virtue of any State law to furnish any State officers or agency any information contained in a report filed under this title with the Secretary if a copy of such report, or the portion thereof containing such information, is furnished to such offices or agency. Money received in payment of charges fixed by the Secretary under this subsection is to be deposited to the credit of the appropriation of the agency of the U.S. Department of Labor which is charged with the responsibility of rendering this service provided for in this subsection and may be used, in the Secretary's discretion, for the ordinary expenses of such agency, notwithstanding any other provision of law.

Section 105: Requires unions, union officers and employees, employers and other persons who are required to file reports under sections 101, 102, or 103 to keep and preserve records and accounts of financial transactions necessary to verify such reports for such periods of time as the Secretary of Labor shall prescribe. Because of lack of experience in examining and analyzing reports of the types required by this title, the committee believes that the Secretary should have discretion in determining how long financial and other records should be kept by those who are required to report. The committee anticipates that in issuing regulations pursuant to this section the Secretary will minimize the burden of retaining records for unduly long periods of time.

Section 106(a): Requires that the first reports required under the bill shall be filed not later than January 1, 1960. Initial financial reports by unions under section 101(b) and reports by employers and other persons under section 103 will have to cover only the period between the date of the bill's enactment and January 1, 1960, and the second such reports will have to cover only the period between January 1, 1960, and the

beginning of the next fiscal year of the person filing such reports. Under section 106(b) the Secretary of Labor is given the authority to issue regulations prescribing the time when annual reports must thereafter be filed.

Section 106(b): Authorizes the Secretary of Labor to issue rules and regulations prescribing the form, time of filing (as has already been noted) and publication of reports and other reasonable rules and regulations (including rules prescribing reports concerning building funds, trusts or enterprises financed by unions) which he finds necessary to prevent circumvention or evasion of the bill's reporting requirements.

The committee expects that, in exercising his rulemaking power under this subsection, the Secretary of Labor will be vigilant in making sure that all types of special funds shall be reported. At the same time, it is expected that the Secretary will make every effort to reduce the cost and administrative burden of reporting. For this reason, the Secretary is directed to prescribe by general rule simplified reports by unions or employers for whom he finds that by virtue of their size a detailed report would be unduly burdensome, subject, however, to revocation if the Secretary determines, after investigation, that the purposes of this section would be served thereby. The Secretary may, in addition, exempt from the requirements of section 101 for definite or indefinite periods as determined by him, any union or class thereof, including conferences, joint boards or councils, associations or other aggregations of unions, that are transitory in character and that are formed solely to negotiate a labor agreement or to carry out educational activity. By including this discretionary exemption provision in the bill, the committee does not intend to imply that other labor organizations which do not exist for the purpose, in whole or in part, of engaging in collective bargaining with employers are required to file reports under the bill. Whether or not any such organization is required to report depends upon whether they are covered by sections 101 and 501 (h) and (i) of the bill, without regard to anything contained in this subsection.

Section 106(c): Provides that the Secretary of Labor has power and is directed, when he believes it is necessary in order to determine whether any person has violated any provision of the bill or any rule or regulation authorized by the bill (except amendments made in other statutes, such as the National Labor Relations Act or the Labor Management Relations Act, 1947), to make an investigation, enter places and inspect records and accounts and question persons deemed necessary to enable him to ascertain the facts. The Secretary is also authorized to make a report to interested persons or officials concerning the facts required to be shown in a report and the reason for any failure or refusal to file a report or any other matter he deems appropriate as a result of his investigation.

Section 107(a): Prohibits any union engaged in an industry affecting interstate commerce from making any direct or indirect loans to any of its officers or employees resulting in a total indebtedness on the part of such officer or employee to the union in excess of $1,500.

Section 107(b): Prohibits both unions and employers from directly or indirectly paying the fine, or paying or advancing the costs of defense, of any of their officers, agents, employees, or representatives who is indicted for or convicted of any violation of any provision of the bill. In the event any such person is acquitted, however, he may be reimbursed for expenditures necessarily incurred in his defense.

Section 108(a): Prescribes a fine of up to $10,000 or imprisonment for up to 1 year, or both, for willfully violating or failing to comply with any provision of title I or the rules or regulations issued by the Secretary of Labor thereunder.

Section 108(b): Prescribes a fine of up to $10,000 or imprisonment for up to 1 year, or both, for willful false statements or misrepresentations of material facts or failure to disclose material facts in reports, documents, or other information required under this title or the rules and regulations of the Secretary issued thereunder.

Section 108(c): Prescribes a fine of up to $10,000 or imprisonment for up to 1 year, or both, for willfully making a false entry, or willfully concealing, withholding, or destroying any books, records, reports, or statements required to be kept by this title.

Section 108(d): Assigns personal responsibility to the union or employer officers or other persons required to sign reports under sections 101 and 103 for the filing and the accuracy of statements in such reports.

Section 109(a): Makes the embezzlement of union funds or assets by any officer or employee a Federal crime punishable by a fine of up to $10,000 or imprisonment for up to 5 years, or both.

Section 109(b): Provides that when a union officer or employee has been convicted of embezzlement of union funds or property in violation of subsection (a) and the union or its governing board refuses or fails to sue to recover such money or property within 6 calendar months after being requested to do so by any member of the union, any of the union's members may sue the convicted officer or employee in any Federal district court to recover such money or property for the benefit of the union. Such actions may be brought only upon leave of court obtained upon verified application and for good cause shown which application may be ex parte. In his order the trial judge may allot a reasonable part of the recovery to pay fees of counsel representing the union member in the action and to compensate such member for expenses incurred by him in connection with the litigation. It is provided that nothing in this subsection shall reduce or limit the responsibilities of any union officer or employee under any other law of the United States or any State and that nothing in this subsection shall take away any right or bar any remedy to which union members are entitled under any such law.

Section 110(a): Provides that there shall be in the U.S. Department of Labor a Commissioner of Labor Reports appointed by the President by and with the advice and consent of the Senate. The Commissioner shall receive compensation at the highest rate established for grade 18 of the general schedule of the Classification Act of 1949, as amended, and shall perform such duties as may be prescribed by the Secretary of Labor or required by law and the Secretary may authorize him to perform any functions of the Secretary under the bill.

Section 110(b): Authorizes the Secretary of Labor to make expenditures subject to the civil service laws and the Classification Act of 1949, as amended, and appoint and fix compensation of personnel including attorneys necessary to perform his functions under the bill. Attorneys appointed under this subsection may appear for and represent the Secretary in any litigation, but all such litigation shall be subject to the direction and control of the Attorney General.

Section 110(c): Authorizes the Secretary of Labor to bring injunction actions in the U.S. District Court for the District of Columbia or in the district court or other court of the United States having jurisdiction of the actions sought to be enjoined to restrain violations of the provisions of this title or any rule or regulation of the Secretary thereunder and to compel compliance with this title and such rules and regulations.

Section 111: Amends sections 302 (a), (b), and (c) of the Labor Management Relations Act, 1947, as amended, primarily for the purpose of clarifying an ambiguity which presently exists. Under present law it is illegal for an employer to pay or deliver anything of value to a representative of his employees. The amendments contained in this section would remove any doubt that all forms of bribery and extortion which might escape the provisions of existing law would be prohibited under pain of criminal penalties for conviction thereof. The intent of these amendments to sections 302 (a) and (b) is to forbid any payment or bribe by an employer of anyone who acts in the interest of an employer whether technically an agent or not and to forbid the receipt of any such bribe by any person, whether an individual an officer or employee of a labor organization or a committee representing employees. Payment to and receipt of such payments by any union officer or employee having the intent of influencing such officer or employee in respect to any of his actions, decisions, or duties as a representative of employees or as such union officer or employee would also be made a criminal offense.

This section also amends section 302(b) to make unlawful the demand or acceptance of improper loading fees from interstate truckers. The proviso makes clear that this prohibition is not intended to make unlawful, however, any payment by an employer to any of his employees as compensation for their services as employees. It would also make it a criminal offense for a labor organization to conduct "shakedown" picketing, i.e., picketing with no legitimate purpose but which is to force an employer to buy off the union official involved. The subsection bans picketing to exact from the employer a payment for the enrichment of an individual as distinguished from bona fide picketing, the purpose of which is improvement in wages and working conditions of employees. This is an abuse documented by the McClellan committee. This section also provides that the general ban in section 302 upon employer payments to unions is not to apply to money deducted from the wages of employees pursuant to a collective bargaining agreement in the form of periodic payments to a union in lieu of membership dues, nor to employer payments to trust funds for pooled vacation, holiday, severance or similar benefits, or apprentice or other employee training programs.

Section 112(a): Provides that every union officer and every employer shall file annually at the beginning of each fiscal year with the Secretary of Labor an affidavit meeting the requirements of section 112(b) not found by any court to be false. It is specified that for the purpose of this section only the term "employer" means the officers and directors of an employer organized in the corporated or unincorporated association form or partners or individual proprietors. Under the provisions of section 112(c), however, the obligation to file such affidavits does not apply to any union officer or employer who has not filed a petition under section 9 or a charge under section 10 of the National Labor Relations Act, as amended, during the preceding 12 months.

Section 112(b): Provides that the affidavits required by subsection (a) shall state that the affiant is not and during the preceding 12 months has not been a member of the Communist Party or affiliated with such party and that neither the affiant nor any organization of which he is a member, of which he is or has supported during the preceding 12 months believes in or teaches the overthrow of the U.S. Government by force or any illegal or unconstitutional method. Section 1001 of title 18 of the United States Code is made applicable to such affidavits.

Section 112(c): As has already been noted, exempts from this section union officers and employers who have not filed a petition

under section 9 or a charge under section 10 of the National Labor Relations Act, as amended, during the 12 months preceding the date upon which they would otherwise be required to file an affidavit.

Section 112(d): Repeals section 9(h), the non-Communist affidavit provision, of the National Labor Relations Act, as amended.

TITLE II. TRUSTEESHIPS

Section 201(a): Requires reports by national or international unions to the Secretary of Labor on trusteeship established by such union over subordinate organizations. These reports must be filed within 30 days after the date of enactment of this bill in the case of trusteeships in existence on such date, and within 30 days following the imposition of any trusteeship over a subordinate organization after such date, and semiannually thereafter. Such reports must be signed by the president and treasurer or corresponding principal officers of the national or international union and by the trustee or trustees designated to exercise supervision over any subordinate organizations in trusteeship.

The reports must show (A) the union in trusteeship, (B) the date trusteeship was established, (C) a detailed statement of the reason for establishing or continuing the trusteeship, and (D) the nature and extent of voting by members of the subordinate organization in trusteeship for convention delegates and national or international union officers.

Section 201(b): Provides the Secretary of Labor with the same powers with respect to the reports on trusteeships required by subsection (a) that he has with respect to reports required by title I under sections 101(c), 104, 105, and 106 (b) and (c) of such title.

Section 201(c): Prescribes a fine of up to $10,000 or imprisonment for up to 1 year, or both, for willfully violating or failing to comply with this section or rules or regulations issued thereunder by the Secretary of Labor.

Section 201(d): Prescribes a fine of up to $10,000 or imprisonment for up to 1 year, or both, for false statements, misrepresentation of material facts or failure to disclose material facts in any report required under this section or the rules and regulations issued thereunder, or for willfully withholding, concealing, or destroying any books, records, reports, or statements upon which such report is based.

Section 201(e): Assigns personal responsibility to the union officers and trustees who are required to sign reports under subsection (a) for the filing and the accuracy of any statements contained in such reports.

Section 201(f): Provides that every union required to submit a report under title II shall make the information required to be contained in such report available to all of the members of the subordinate organization to which the report applies in such form and manner as the Secretary of Labor shall by regulation prescribe.

Section 202: Requires that trusteeships shall be established and administered only in accordance with the constitution and bylaws of the particular national or international union involved and for any one of the following purposes: correction of corruption or financial malpractice, assuring the performance of collective bargaining agreements or other duties of a bargaining representative, restoring democratic procedures, or otherwise carrying out the legitimate objects of the union.

The committee recognizes the difficulty of ascertaining and defining what ought to be regarded as proper purposes or trusteeships so as to permit useful and desirable trusteeships while preventing and minimizing abuses. It is not the intention of the committee to interfere in any way with the recognized authority and responsibility of a union to require compliance by subordinate organizations with all lawful and proper provisions of the union's constitution and bylaws. In part, the difficulty is resolved in the committee bill by the provisions for shifting the burden of proof contained in section 204.

Section 203(a): Makes it unlawful during trusteeship (1) to count members' votes for convention delegates or national or international officers if not by secret ballot in which all members in good standing could participate, or (2) to transfer to parent organization any funds of the trusteed union except regular per capita and assessments payable by nontrusteed unions. It is provided that upon dissolution of the trusteeship, assets may be distributed in accordance with the charter, constitution, or bylaws. The committee recognizes that in some unions persons who have retired or moved into supervisory positions; i.e., who are either no longer part of the bargaining unit or who have no active status in the union are nevertheless considered "members in good standing." It is not the committee's intention that such persons be given a right to vote by section 203(a)(1).

Section 203(b): Makes violation of subsection (a) punishable by a maximum $10,000 fine or imprisonment for 1 year, or both.

Section 204(a): Provides that upon the written complaint of a member or subordinate union alleging violation of section 202 or 203, the Secretary shall investigate and if he finds an unremedied violation, he may petition the appropriate Federal district court to enjoin and dissolve the trusteeship and for other appropriate relief.

Section 204(b): Provides for place and manner of bringing suit.

Section 204(c): This subsection provides that a trusteeship established by a labor organization (1) in conformity with the procedural requirements of its constitution and (2) authorized or ratified after a hearing before the union's executive board or such other body as may be provided for in the union's constitution and bylaws, shall be presumed valid for a period of 18 months. This presumption may be rebutted by clear and convincing proof that the trusteeship was not established for the purposes allowable under section 202. After the expiration of 18 months there will be a presumption that the trusteeship is invalid in any proceeding brought by the Secretary to remove the subordinate union from the trusteeship unless the labor organization can show by clear and convincing proof that the continuation of the trusteeship is necessary for a purpose allowable under section 202. If the labor organization can so show, the court may dismiss the complaint or retain jurisdiction of the cause on such conditions and for such period of time as it deems appropriate.

Section 205: Requires a report within 3 years by the Secretary of Labor on the operation of this title.

Section 206: Makes clear that Federal suits under title II are possible only upon suit initiated by the Secretary of Labor. All other rights and remedies at law or in equity are specifically preserved except that when the Secretary files a complaint under this title, the Federal court's jurisdiction is to be exclusive and the result res judicata.

TITLE III. ELECTIONS

Section 301(a): Provides that every national and international labor organization engaged in an industry affecting interstate commerce shall elect the officers named in its constitution and the members of its executive board or similar governing body at least once every 5 years by secret ballot or at a convention of delegates elected by secret ballot and in accordance with its constitution and bylaws.

Section 301(b): Provides that every local labor organization engaged in an industry affecting interstate commerce shall elect the officers named in its constitution and the members of its executive board or similar governing body at least once every 3 years by secret ballot and in accordance with its constitution and bylaws. Local unions and their officers are forbidden to discriminate in favor of or against any candidate for union office with respect to the use of the union's list of members in good standing and are required to comply with all reasonable requests of any candidate for distribution of his campaign literature by the unions, but at the candidate's expense, to members in good standing on the union's roster of members. Adequate election safeguards must also be assured by every local union to insure that the ballots cast in its elections are fairly counted; these safeguards are to include the right of any candidate to have an observer present on his behalf at the polls and at the counting of the ballots.

Section 301(c): Provides that officers of any intermediate body such as a general committee, system board, joint board, joint council or other association of labor organizations as defined in section 501(h) shall be elected at least once every 4 years by secret ballot or by union officers representative of the members who have been elected by secret ballot and in accordance with the union's constitution and bylaws.

Section 301(d): Requires that in any union election required by this section to be held by secret ballot, a reasonable opportunity shall be given for the nomination of candidates. Every member in good standing is to be eligible to be a candidate for, and hold, union office, subject, however, to reasonable qualifications uniformly imposed, and the right to support and vote for the candidate or candidates of his choice without being subject to penalty, discipline, or improper interference or reprisal at the hands of the union or any union member. Fifteen days' notice of an election is to be mailed to members unless the election is held at the regular time specified in the union's constitution and bylaws on file with the Secretary of Labor. Every member shall have one vote, and a member whose dues are checked off with his voluntary authorization provided for in a collective bargaining agreement is not to be disqualified from voting or being a candidate for union office for alleged dues default. The votes cast by members of each local union in national or international union election are to be counted and the results published separately. Ballots and election records are to be preserved for 1 year. The union's constitution and bylaws are to govern any election to the extent that they are not inconsistent with the provisions of title III.

Section 301(e): Provides that when union officers are chosen in a convention, the convention shall be conducted in accordance with the union's constitution and bylaws to the extent that they are not inconsistent with title III, and delegate credentials, minutes, and convention records pertaining to the election of officers are to be preserved for 1 year after the election.

Section 301(f): Provides that neither union funds nor funds of an employer are to be used to promote the candidacy of any person in union elections subject to title III; union funds, however, may be used for notices, factual statements of issues, or other expenses necessary for the conduct of the election.

Section 301(g): Provides that if the Secretary of Labor, upon application of any member of a local labor organization engaged in an industry affecting interstate commerce finds that the union's constitution and bylaws do not provide an adequate means for removing from office elected officers guilty of serious misconduct, such officers may be removed, for cause shown and after notice and hearing, by the members in good standing voting by secret ballot in an election con-

ducted by the union's officers. The election must be held in accordance with the union's constitution and bylaws to this extent that they are not inconsistent with title III.

Section 301(h): Authorizes the Secretary of Labor to prescribe minimum standards and methods for determining the adequacy of the procedures for the removal of union officers contained in union constitution and bylaws as specified in subsection (g).

Section 302(a): Provides for the filing of complaints with the Secretary of Labor by a union member alleging violation of section 301, including violation of the union's constitution and bylaws pertaining to the election and removal of officers, but only if he has (1) exhausted his remedies under the union's constitution and bylaws or (2) invoked such remedies without obtaining a final determination within 3 months. The election is to be presumed valid, however, pending a final decision, and in the interim the union's affairs are to be conducted by the officers elected or in office or in the manner provided in the union's constitution and bylaws.

Section 302(b): Provides that the Secretary must investigate complaints meeting the requirements of subsection (a), and if he has probable cause to believe that a violation of section 301 has occurred and has not been remedied, he shall, within 60 days of the filing of such complaint, institute an action in the U.S. district court for the district where the union has its principal offices to set aside the election and obtain an order directing a new election or, if the complaint involves an alleged inadequacy of procedure for the removal of a union officer guilty of serious misconduct, an order directing a hearing before and a secret ballot vote by the members, under the supervision of the Secretary in accordance with the provisions of title III and such rules and regulations as the Secretary may prescribe. Service of summons, subpena or other legal process of the court upon any union official or agent in his capacity as such is to be deemed service on the union for purposes of this section. The court shall have power to take any action it deems proper to conserve the assets of the union when proceedings are instituted and actions brought under this section.

Section 302(c): Provides for a trial of the issues in proceedings or action brought under this section by the district court. If the court, upon a preponderance of this evidence, finds that (1) an election was not held within the time prescribed by section 301, or (2) a violation of section 301 did or reasonably could have been expected to affect the result of an election, the court is to declare the election void and direct the holding of a new election under supervision of the Secretary of Labor. So far as may be lawful and practicable, such election is to be conducted in conformity with the union's constitution and by-laws. The Secretary is to certify the names of any person or persons elected in such election promptly to the court, and the court shall thereupon enter a decree declaring such person or persons to be an officer or officers of the union.

It is further provided in this subsection that if the proceeding before the court involves the removal of officers pursuant to section 301(g) the Secretary is to certify the results of the vote, and the court shall thereupon enter a decree declaring whether such persons have been removed from office in the union.

Section 302(d): Provides that an order of a Federal district court directing an election, dismissing any complaint filed under title III or designating certain persons to be the elected officers of a union are appealable in the same manner as the final judgment in a civil action. Orders directing elections, however, shall not be stayed pending appeal.

Section 303: Provides that no labor organization is to be required by law to conduct elections of officers more frequently or in a different form or manner than is required by title III of its own constitution or bylaws. Existing rights and remedies under a union's constitution and bylaws or under State or local law to enforce such union's constitution and bylaws with respect to elections are preserved if they are invoked prior to the conduct of an election, but under the provisions of section 303, the remedy available under title III for challenging an election that has already been conducted is exclusive.

Section 304: Provides that the election provisions of title III are to become effective—

(1) Ninety days after the date of enactment of the bill for any union whose constitution and bylaws can be modified to conform with the requirements of title III by its officers or governing body, such as its executive board or council; or

(2) where the modifications necessary to conform with the requirements of title III are such that they can only be made by a constitutional convention of the union, not later than the union's next constitutional convention after the date of enactment of the bill or 2 years after such date, whichever is the earlier date. In situations where a constitutional convention is not held within 2 years, the union's executive board or other governing body empowered to act for the union between conventions is empowered, notwithstanding any provision of the union's constitution or bylaws to the contrary, to make any necessary interim changes in the union's constitution and bylaws to carry out the provisions of the bill. It is expected that any constitutional changes made between conventions would be ratified at the union's next convention.

Section 305(a): Prohibits any person who has within the preceding 5 years served part of a prison term as a result of having been convicted of any one of the following specified crimes, namely: robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, violation of narcotics law, murder, rape, assault with intent to kill, assault with intent to inflict grievous bodily injury, or conspiracy to commit any such crime, from serving as a union officer, director, trustee, executive board or similar governing body member, business agent, manager, organizer or other employee, other than as an exclusively clerical or custodial employee, unless: (1) his citizenship rights, having been revoked as a result of such conviction, have been fully restored or (2) the Secretary of Labor determines, after a hearing of which notice has been given to Federal, State, and local prosecuting officials in any jurisdiction where such conviction took place, that such person's service in any such capacity would not be contrary to the purposes of this bill. In making any such determination, the Secretary's decision shall be final.

This provision in the bill is not conceived by the committee as additional punishment for the crimes mentioned in the section. The punishment of these kinds of crimes and the enactment of laws relating to them are and should be the province of the States. This provision is designed to further protect union members' and the public interest by establishing certain standards for persons holding union office—a matter within the purview of the Federal Government.

The committee is of the opinion that, in the interests of justice and effective law enforcement, a reasonable fixed time limit should be placed on the length of time a convicted person should be disqualified from holding union office or employment. Within this time limit, furthermore, means should be provided whereby convicted persons may obtain relief from the operation of this section if their ctizenship rights, having been revoked, are fully restored or they are able to demonstrate to the Secretary of Labor, on the basis that the nature of the offense of which they were convicted or their conduct subsequent to their having been imprisoned was such, that granting them such relief would not be contrary to the purposes of the bill.

Section 305(b): Prohibits any person who has been found by the Secretary of Labor, after a hearing on a written record, to have failed to file, after written notice by the Secretary directing him to do so, any information required by title I or title II, or who has been convicted of any violation of title I or title II from serving as a union officer, director, trustee, executive board or similar governing body member, business agent, international representative, manager, paid organizer or other paid employee for a period of 5 years after such determination by the Secretary or such conviction. Union and union officers are prohibited from knowingly permitting any such person to take or hold union office or employment in violation of this subsection.

Section 305(c): Prescribes a fine of up to $10,000 or imprisonment for up to 1 year, or both, for violation of this section.

Section 305(d): Stipulates that a person shall be deemed to have been "convicted" and under the disability of "conviction" for purposes of section 305 from the date of the judgment of the trial court or the date on which such judgment is sustained finally on appeal, whichever is the latter date.

TITLE IV. CODES OF ETHICAL PRACTICES

Section 401: Declares that it is in the national interest that national and international labor organizations and nationwide and industrywide associations of employers engaged in industries affecting commerce shall voluntarily adopt or subscribe to codes of ethical practices obligating such labor organizations or employers, as the case may be, to adhere to principles and procedures of conduct which will effectively eliminate and prevent improper and unethical activities in the administration of their affairs, in the use and expenditure of their funds and in their relations with each other. It is recognized in this subsection that due regard should be paid in the formulation of codes of ethical practices to the traditions and background and customary forms and procedures of the labor organizations and employers to which the particular codes apply.

Subsection (a) also declares that codes of ethical practices applicable to national and international labor organizations shall contain provisions which will safeguard the democratic rights and privileges of members and which will eliminate and prevent improper and unethical activities on the part of labor organizations or their subordinate locals or any officer or agent thereof. This subsection also declares that codes of ethical practices applicable to employers shall contain provisions which will promote harmonious relationships between such employers and the labor organizations which represent or seek to represent their employees and which will eliminate and prevent improper and unethical activities by such employers and their officers, agents, or representatives in derogation of the rights of employees to self-orgaization collective bargaining and other concerted activities guaranteed by section 7 of the National Labor Relations Act, as amended. Codes of ethical practices applicable to both labor organizations and employers should contain methods and procedures to assure the effective implementation and enforcement of the provisions of such codes.

Finally, under subsection (a) codes of ethical practices shall contain appropriate provisions for publication of the provisions

of the codes so that employers and employees in the industies affected and the public will be fully apprised as to the provisions of the codes.

Section 401(b): Provides that codes of ethical practices shall not authorize or sanction any conduct on the part of any labor organization or employer or any officer, agent, or representative thereof which violates any Federal, State, or local law. This subsection has been included in the bill to make clear that no private agreement or arrangement by or among labor organizations or employers or their officials, agents, or representatives is authorized by the bill if such arrangement or agreement would in any way conflict with any Federal, State, or local law.

Section 402 (a), (b), and (c): Establishes an Advisory Committee on Ethical Practices to advise the Secretary on the administration of this act, including the provisions of titles I, reporting and disclosure; title II, trusteeships; and title III, union elections; as well as title IV. Under subsection (b) the Committee will be composed of 15 members appointed by the Secretary, of whom 5 are to be chosen by a panel nominated by national or international labor organizations and by national federations of labor organizations, 5 are to be chosen from a panel nominated by nationwide or industrywide associations of employers, and 5 are to represent the public. Three members of the Committee are to be appointed for a term of 1 year, three members for a term of 2 years, three members for a term of 3 years, three members for a term of 4 years, and three members for a term of 5 years, and thereafter appointment is to be for a term of 5 years. It is specified in subsection (b) that the terms of office of not more than one member representing labor organizations, one member representing employer associations, and one member representing the public shall terminate in any one year. The Committee would meet at the request of the Secretary but in no case less frequently than four times each year. One-third of the members could request a meeting of the Committee. The members of the Committee would receive compensation while attending meetings and performing work of the Committee. Under subsection (c) of section 402 the Secretary is to provide necessary data, information, clerical assistance and other services and facilities for the Committee.

Section 403: Provides that not later than 3 years from the date of enactment of the bill the Secretary shall report to Congress on the progress achieved by labor organizations and employers engaged in industries affecting commerce in the elimination of improper activities in the administration of their affairs and the use and expenditure of their funds with particular reference to the significance of the voluntary adoption of self-policing codes of ethical practices in achieving such results. The Secretary shall include in his report such recommendations as he deems appropriate based upon the experience of labor organizations and employers in adopting and implementing codes of ethical practices pursuant to title IV. The Secretary would be authorized to include in his annual report to Congress, pursuant to title V, United States Code, section 620, interim reports on the subject matter dealt with in this title.

TITLE V. DEFINITIONS AND MISCELLANEOUS

Section 501: Contains definitions of terms as used in title I (except sec. 111), II, III, IV, and V of the bill.

Section 501(a): Defines "commerce" in substantially the same terms as does the National Labor Relations Act, as amended, and "State" as including any States of the United States, the District of Columbia, Hawaii, Puerto Rico, the Virgin Islands, American Samoa, Guam, Wake Island, the Canal Zone, and Outer Continental Shelf lands defined in the Outer Continental Shelf Lands Act.

Section 501(b): Defines activity or industry "affecting commerce" as meaning any activity or industry in interstate commerce or in which a labor dispute would hinder or obstruct commerce or the free flow of commerce, and as including any activity or industry "affecting commerce" within the meaning of the Labor-Management Relations Act, 1947, as amended, or the Railway Labor Act, as amended, except as hereafter provided.

Section 501(c): Defines "person" in the same terms as does the National Labor Relations Act, as amended.

Section 501(d): Defines "employer" as meaning any employer or group or association of employers which is an employer within the meaning of any law relating to employment of employees or which bargains collectively with any union concerning wages, working conditions, or other conditions of employment. The term includes any person who acts directly as an employer or indirectly as an agent of an employer in relation to an employee. The term does not include the United States or any wholly owned Government corporation or any State or political subdivision of a State.

Section 501(e): Defines "employee" as meaning any individual employed by an employer and including any individual whose work has ceased as a consequence of, or in connection with, any current labor dispute or because of any unfair labor practice.

Section 501(f): Defines "labor dispute" in the same terms as does the National Labor Relations Act, as amended.

Section 501(g): Defines "trusteeship" as including all methods by which a national or international union takes supervision or control and conducts the affairs of a subordinate body under its constitution and bylaws.

Section 501(h): Defines "labor organization" in the same terms as does the National Labor Relations Act, as amended. The scope of the term as used in the bill, however, is broader than under the National Labor Relations Act, as amended, since the definitions of "employer" and "employee" which are used in defining the term do not contain any of the exclusions, such as those for employers and employees subject to the Railway Labor Act, employers of agricultural labor, employers of public employees (except as provided in subsection (d)), which are provided for in the act. Hence, the definition of "labor organization" included in the bill includes labor organizations representing such employees.

Section 501(i): Defines "labor organization engaged in an industry affecting commerce" in broad terms so as to cover all unions which represent, seek to represent, charter subordinate bodies to represent, or are chartered by a union representing or seeking to represent employees of employers subject to the National Labor Relations Act, as amended, or the Railway Labor Act, as amended, i.e., within the full scope of the commerce power. The definition includes all forms and levels of labor organization and combinations of labor organizations which exist for or carry on collective bargaining with employers, from internationals through locals and including conferences, joint boards and joint councils. This definition, like others in this section, is intended to provide comprehensive coverage of labor organizations engaged in any degree in the representation of employees or administration of collective bargaining agreements.

Section 501(j): Defines "secret ballot" as meaning all forms and methods of voting in secret.

Section 502: Makes clear that titles I, II, III, IV, and V are not intended and are not to be construed as superseding or impairing or otherwise affecting the Railway Labor Act, as amended, nor any obligation, right, benefit, privilege, or immunity of any carrier, employee, organization, representative, or person subject to that act. These titles likewise are not intended and are not to be construed as conferring any right, privileges, immunity, or defense upon any employer, nor as impairing or otherwise affecting the rights of any person under the National Labor Relations Act, as amended.

Section 503: Gives the Secretary of Labor, for the purpose of making any investigation authorized by the bill, the same subpena powers as are vested in the Federal Trade Commission Act.

Section 504: Authorizes the Secretary of Labor to enter into arrangements or agreements for cooperation with other Government agencies in the performance of their respective functions, with a view toward avoiding unnecessary expenses and duplication of functions and to utilize the facilities or services, including the services of employees, of any department, agency, or establishment of the United States or any State or political subdivision, with the lawful consent of such department, agency, or establishment. Every Government department, agency, or establishment is directed to cooperate with the Secretary and, to the extent permitted by law, provide such information and facilities as he may request for his assistance in performing his functions under the bill.

This section further provides that the Attorney General is to receive from the Secretary evidence developed in the performance of his functions under the bill which may be found to warrant consideration and a basis for criminal proceedings under the bill or any other Federal law. The Secretary is authorized to refer to any governmental agency any evidence obtained by him which may tend to show violation of a statute administered by that agency.

Section 505: Makes the Administrative Procedure Act applicable to the issuance, amendment or rescission of rules or regulations authorized or required by the bill.

Section 506(a): Makes it unlawful for any union or its officers, agents, representatives, or employees to fine, suspend, expel, or otherwise discipline any member because he exercises any right to which he is entitled under this bill.

Section 506(b): Prohibits the use or threat of force or violence, or any economic reprisal or threat of such reprisal, to restrain, coerce, or intimidate, or attempt to restrain, coerce, or intimidate, any union member for the purpose of interfering with or preventing him from exercising any right to which he is entitled under the bill.

Section 506(c): Prescribes a fine of up to $10,000 or imprisonment for up to 2 years, or both, for willful violations of this section.

The committee believes that if the bill is to achieve its maximum value in preventing corruption in the labor and management field and in safeguarding democratic practices with respect to union elections and trusteeships, any improper interference with or reprisals against union members who are exercising rights guaranteed them by the bill must be severely punished. For this reason, any such interference or reprisal has been made subject to a maximum 2-year prison term, a maximum $10,000 fine, or both.

Section 507: Safeguards the authority of the States to continue to enact and enforce their own general criminal laws.

This section is designed to make clear that section 109(a), making embezzlement of union funds a Federal crime, and the references to certain crimes in section 305 of the bill are not intended to bar the States from continuing to enact and enforce, in the exercise of their general police powers, criminal statutes dealing with the particular crimes

mentioned in the bill. The bill is not intended in any way to impair or diminish State authority to enact and enforce such general criminal statutes.

Other sections of this bill refer specifically to the respective responsibilities of State and Federal Governments with regard to the subject matter covered by the bill. Nothing in this section is to be construed as altering these divisions of governmental responsibility as therein defined.

Section 508: Requires every labor organization to which the bill applies to inform all of its members concerning the provisions of this bill and their rights they are guaranteed thereunder. The Secretary of Labor is given authority to prescribe the manner in which this obligation shall be effectuated.

Section 509: Contains the usual separability clause.

TITLE VI. AMENDMENTS TO THE LABOR-MANAGEMENT RELATIONS ACT OF 1947, AS AMENDED

Section 601(a): Adds a new subsection (c) to section 14 of the National Labor Relations Act, as amended, which is designed to eliminate the so-called no man's land to which the McClellan committee called attention in its interim report. This subsection provides procedures through State agencies under agreement with the National Labor Relations Board for dealing with classes of cases which are within the jurisdiction of the Board but with respect to which the Board finds that, because such classes of cases are essentially local in character, the impact thereof on interstate commerce is not significant.

Paragraph (1) of the new section 14(c) of the act provides that the Board shall assert, either directly or through the procedures authorized by this subsection, jurisdiction over all cases to which this act applies. With respect to classes of cases that are essentially local in character, the Board is authorized to enter into an agreement with any authorized State agency whereby such agency will be designated as the agent of the Board to exercise jurisdiction over such classes of cases in such State. Any such agreement is to (a) provide for delegation by the Board to the State agency of such of the Board's powers and duties as may be necessary or appropriate to enable such State agency to exercise such jurisdiction, (b) require that, in exercising such jurisdiction, the State agency shall apply and enforce the act as interpreted by the Board and the Federal courts, and (c) provide for suspension or termination of such agreement by the Board if the Board finds that the State agency has failed to comply with the provision of the agreement or with regulations of the Board with respect to the carrying out of such agreement.

It is further provided in paragraph (1) that processes and orders of State agencies under such agreements are to be enforced exclusively by the Board, and are to be reviewable, in the Federal courts in the same manner and to the same extent as directly administered processes and orders of the Board. Appeals from a refusal by a State agency to issue a complaint of unfair labor practice under section 10(b) of the act or a refusal by such agency to process a representation petition under section 9(c) are to be taken, within such time and in such manner as the Board shall by regulation prescribe, to the Board, where they are to be disposed of in the same manner as if they were appeals from decisions of regional directors of the Board. The State agency is to be bound by the Board's decisions upon such appeal.

Paragraph (1) preserves the exclusive jurisdiction of the Board with respect to petition for temporary relief or restraining orders in the Federal courts. No State agency is to prevent any such petition in any case without having first obtained the consent of the Board, and in giving such consent the Board is to be guided by the same criteria as are applied in similar cases adjudicated by the Board itself.

With the consent and cooperation of agencies charged with administration of the act, under agreements made pursuant to this subsection, the Board may, notwithstanding any other provision of law, reimburse such agencies and their employees for services rendered for such purposes. As used in this subsection, Puerto Rico and the Virgin Islands are deemed to be States for purposes of entering into agreements of the types provided for in this subsection.

Paragraph (2) of the new section 14(c) of the act makes clear that the provisions of sections 3, 4, 5, and 6 of the act, which deal with the organizations and rulemaking functions of the Board, are not to apply to any State agency with which the Board has entered into an agreement pursuant to paragraph (1). The manner in which State agencies are to carry out such agreements is left to the States within the framework of such agreements.

Section 601(b): Repeals the proviso to section 10(a) of the National Labor Relations Act, as amended, as no longer needed or appropriate under the terms of the new subsection (c) that would be added to section 14 of the act by section 601(a).

Section 602(a): Makes clear that it is not an unfair labor practice for an employer primarily engaged in the building and construction industry to enter into agreements with labor organizations of which building and construction employees are members without the union's majority status having been established in the particular manner provided for under section 9 of the act. Representation elections in a large segment of the industry are not feasible to demonstrate such majority status due to the short periods of actual employment by specific employers. The section also permits the union shop provisions of such a contract to take effect within 7 days of hiring, also in recognition of the brief periods of employment characteristic of the industry. No other change is made in union security limitations now in the law. The section permits an agreement providing for an exclusive referral system based upon objective criteria for referral; such a referral system must be conducted without discrimination in regard to union membership (as now provided by law) but the order of referral may be governed by objective standards such as those set forth in the section. It is specifically provided that a contract permitted by this section would not be a bar to a representation or decertification election if without the authorization of the section it would not be a bar to such an election.

Section 602(b): To remove all doubt, it is specifically provided that the union security provisions of agreements permitted by (a) are subject to the limitations of State and Territorial law just as all collective agreements under section 8(a)(3) are limited by the provisions of section 14(b) of the National Labor Relations Act.

Section 603: Repeals the provision of section 9(c)(3) of the National Labor Relations Act, as amended, which bars economic strikers from voting in representation elections conducted by the National Labor Relations Board. The present ban on such voting is generally regarded as a "union busting" provision.

Section 604: Makes clear that service assistants in the communications industry are not to be regarded or treated as supervisors under the definition contained in section 2(11) of the National Labor Relations Act, as amended.

Section 605: Amends paragraph (4) of section 9(c) of the National Labor Relations Act, as amended to authorize the National Labor Relations Board to hold prehearing elections in cases where there are no substantial issues of fact or law requiring a preelection hearing. This section provides that notwithstanding section 9(c)(1), when a question of representation affecting commerce exists, the Board through its designated representative may call an informal conference of the parties upon due notice. If no agreement is reached at such conference for a consent election and there are no substantial issues of fact or law requiring a hearing before an election, the Board may, through its designated representative, conduct an election. Such election is not to be conducted before the expiration of 30 days from the date of the petition. Any party aggrieved by the proceeding may file a motion for a hearing, but such motion shall not, unless specifically ordered by the Board, operate to stay the election. Unless such motion is granted prior to the election or is withdrawn, the Board is to afford the moving party an opportunity for hearing before certifying the results of such election.

Section 606: Amends section 3(d) of the National Labor Relations Act, as amended, to provide that when any vacancy exists in the office of the General Counsel of the National Labor Relations Board, the President may designate an officer or employee as acting General Counsel. Such designation shall expire (i) at the end of 40 days when the Congress is in session unless a nomination to fill the vacancy has been submitted to the U.S. Senate or (ii) upon the sine die adjournment of the session of the Senate in which such nomination was submitted.

Under this provision a recess designation of an acting General Counsel will expire 40 days after the beginning of the next session of the Congress unless prior to that time the President submits a nomination to fill the vacancy in the Office of General Counsel.

EXHIBIT 1

SUMMARY OF THE PROVISIONS OF S. 1555

(1) Full reporting and public disclosure of union internal processes;

(2) Full reporting and public disclosure of union financial operations;

(3) All information required to be reported will be made available to union members in a manner prescribed by the Secretary;

(4) Criminal penalties for failure to make such reports or for filing false reports;

(5) Criminal penalties for false entries in and destruction of union records;

(6) Full reporting and public disclosure of financial transactions and holdings, if any, by union officials which might give rise to conflicts of interest, including payments received from labor relations consultants;

(7) Full reporting and public disclosures by employers of expenditures for the purpose of persuading employees to exercise, not to exercise, or as to the manner of exercising their rights to organize and bargain collectively;

(8) Full reporting and public disclosure by employers of expenditures for the purpose of obtaining information concerning the activities of employees or unions in connection with a labor dispute;

(9) Full reports by employers of any direct or indirect loans to a labor organization or officer or employee of a labor organization;

(10) Criminal penalties for failing to file or falsification of reports required of employers and labor relations consultants;

(11) Provides Secretary with broad investigatory power, including the power of subpena, to prevent violation of the reporting and other provisions of the bill;

(12) Authorizes the Secretary to bring a civil injunction in a district court of the United States to compel compliance with the reporting provisions of the act or any rules

or regulations which he promulgates to insure compliance with these provisions;

(13) Criminal penalties for payments by "middlemen" to union officials;

(14) Full reports by employers of any arrangement with a labor relations consultant or other independent contractor by which such person undertakes to persuade employees to exercise or not to exercise or regarding the exercise of their rights to organize or bargain collectively;

(15) Full reports by any person who has an agreement with an employer to persuade employees to exercise or not to exercise or as to the manner of their exercising their rights to organize and bargain collectively; or who supplies information to an employer concerning the activities of employees or labor organizations in connection with a labor dispute;

(16) Prohibits persons who have been convicted of certain crimes from holding union office or employment within 5 years of having served any part of a prison term as a result of such conviction;

(17) Prohibits unions from paying the legal fees or fines of any person indicted or convicted of a violation of the bill;

(18) Full reporting and public disclosure of trusteeships imposed by national or international unions;

(19) Criminal penalties for failure to file or falsification of required reports relating to trusteeships;

(20) Prescribes minimum standards for establishment of trusteeships and sets limits on their duration;

(21) Authorizes Federal court proceedings to dissolve trusteeships when not imposed in accordance with provisions of the bill;

(22) Empowers Federal courts to preserve the assets of a trusteed labor organization and limits the funds which may be transferred from a trusteed labor organization to the international;

(23) Requires election of constitutional officers and members of executive boards of international unions at least every 5 years by secret ballot or by delegates elected by secret ballot;

(24) Requires election of constitutional officers and members of executive boards of local unions at least every 3 years by secret ballot;

(25) Protects freedom of opportunity to nominate candidates in union elections;

(26) Protects members' right to vote in union elections without being subject to improper interference or reprisals;

(27) Insures that every candidate for union office shall be afforded the opportunity to distribute at his own expense literature in support of his candidacy to all the members of the union;

(28) Requires that all candidates shall have the opportunity to have observers present at the balloting and at the counting of the ballots in a union election;

(29) Prohibits use of union funds to promote individual candidacy in union elections;

(30) Procedures whereby a union officer guilty of serious misconduct in office may be removed by a secret ballot vote after court proceedings if the union's constitution does not provide adequate machinery for such removal;

(31) Provides for investigations by the Secretary of members' complaints of improper procedures in union elections and court actions by the Secretary to set aside improperly conducted elections;

(32) Empowers Federal courts to direct new elections to be conducted under supervision of the Secretary where it finds union election was improperly conducted;

(33) Preserves members' rights to enforce union's constitution under State laws with respect to trusteeships and safeguarding fair procedures before an election;

(34) A congressional declaration of policy favoring voluntary self-policing, through adoption and implementation of codes of ethical practices, by labor organizations and employers;

(35) Establishment of an Advisory Committee on Ethical Practices composed of representatives of the public, labor organizations, and employers;

(36) Eliminates the "no man's land" in labor-management relations by directing the National Labor Relations Board to exercise jurisdiction directly or with the aid of State agencies in all cases within its competence;

(37) State agencies may, by agreement with the National Labor Relations Board, administer the Federal act in accordance with procedures and substantive law applicable with regard to cases processed by the NLRB;

(38) Subjects shakedown picketing to criminal sanctions;

(39) Bans demand and acceptance by unions or union representatives of payments from interstate truckers of improper unloading fees;

(40) Permits with appropriate safeguards, prehire and 7-day union shop agreements in the building and construction industry;

(41) Clarification of the propriety of employer contributions to joint union-management apprenticeship funds;

(42) Restoration of voting rights to economic strikers;

(43) Criminal penalties for embezzlement, conversion, etc., of union funds;

(44) Establishes a prehearing election procedure with respect to labor disputes in which there are no substantive issues present in order to speed up the handling of cases by the National Labor Relations Board;

(45) Authorizes the President to appoint an acting General Counsel to the National Labor Relations Board when a vacancy occurs in that office.

EXHIBIT 2

[From the New York Times, Apr. 10, 1959]

THE SENATE AND LABOR REFORM

After weeks of political infighting the Senate Labor and Public Welfare Committee has brought forth a new incarnation of the Kennedy labor union regulation measure (now S. 1555), approved by a vote of 13 to 2. Its essentials are the same as the original bill, in spite of some 46 amendments which, on the whole, are strengthening. But the new sponsors it has picked up in the process are even more important.

Senator KENNEDY wasn't able to get any leading Republicans to join him and the 11 other Democrats who introduced the first bill (S. 505), Now two such have been added to the roster—New York's Senator JAVITS and Senator COOPER, of Kentucky. This is a healthy sign. Differences of opinion as to how to put curbs on corruption and dictatorship in unions should never have been made a party issue. The new sponsors show that this is less likely to happen in the future.

To most of the Kennedy-Ervin bill there has been no serious opposition—nor should there be now. The American Federation of Labor-Congress of Industrial Organizations has consistently supported it. The great bulk of its provisions are aimed to stop corrupt practices, through public disclosure of the financial operation of unions and their officers, and to insure democratic procedures in the conduct of union affairs, both in elections and in the use of local trusteeships.

What criticism there has been of these sections of the bill has come mostly from Republicans who want them to go further—for example, stronger penalties for violations and giving a fiduciary status to union officials. Had the bill been confined to the regulation of the internal affairs of unions, its passage would have been relatively easy. Title VI, amending the Taft-Hartley Act, on the contrary, has proved to be highly controversial. Even at that, the opposition has been focused there, too, not so much on what is in the bill as what has been left out. For example, powerful pressure has developed, especially among Republicans, to add wide picketing and boycott restrictions—which labor strongly opposes. These and other amendments will surely be urged when the bill goes to the Senate floor.

But the public interest, and labor's too, clearly calls for the passage of S. 1555. Its defeat would set labor reform back on its heels in the present session of Congress. It would be a calamity for the Senate to turn it down merely because it doesn't go far enough.

Mr. KENNEDY. Mr. President, I ask that, during the debate on S. 1555, staff of the Senate Committee on Labor and Public Welfare be permitted access to the floor of the Senate without regard to the usual numerical restrictions imposed by the rules.

I also ask unanimous consent that Prof. Archibald Cox, of the Harvard law school, be permitted to be present in the Chamber during the debate on S. 1555, as he was during the debate on the bill last year. Professor Cox has advised me and the committee on this bill and his assistance would be very helpful during the debate.

Professor Cox was chairman of the so-called Blue Ribbon Committee, and participated in the drafting of the proposed legislation. He was present during the discussion in the committee, and his services have been rendered voluntarily.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Massachusetts?

Mr. DIRKSEN. Mr. President, reserving the right to object, does the Senator's request contemplate including an equal number of minority staff members?

Mr. KENNEDY. Yes. It includes both sides.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Massachusetts? The Chair hears none, and it is so ordered.

Mr. DIRKSEN. Mr. President, in due course we shall have abundant opportunity to ventilate the minority views on the pending bill. I am content to leave it at that until the debate begins, particularly with reference to the Ervin amendment and other amendments which will be offered. A substantial number of amendments will be offered on the minority side. The bill will receive adequate ventilation before consideration is concluded.

FEDERAL-STATE UNEMPLOYMENT INSURANCE SYSTEM

Mr. KENNEDY. Mr. President, a few days ago, 21 distinguished teachers and members of the faculties of such outstanding schools as the University of Michigan, Princeton University, the University of Illinois, Smith College, Harvard University, Michigan State University, the University of Chicago, Johns Hopkins University, the Massachusetts Institute of Technology, the University of Pennsylvania, the Univer-

sity of California, Brandeis University, Haverford College, and Stanford University issued a statement calling attention to "the need for strengthening the national responsibility for unemployment insurance on a permanent basis." They made 4 recommendations, all of which are incorporated in S. 791, the bill introduced by the junior Senator from Minnesota, the senior Senator from New Jersey, myself, and 31 other Members of this body.

I ask unanimous consent that the full text of the statement by these 21 students of the problem be included in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

IMPROVING OUR FEDERAL-STATE UNEMPLOYMENT INSURANCE SYSTEM—RECOMMENDATIONS FOR CONGRESSIONAL ACTION

It is now clear from recent experience that in its present form our Federal-State unemployment insurance system does not afford sufficient protection to unemployed persons and their families during a recession.

Early in 1958, after the recession had begun, the executive and legislative branches of the Federal Government concluded that the Federal-State system of unemployment insurance was not adequate to meet the unemployment emergency without Federal action. As a result, Congress passed and the President signed, an emergency stop-gap bill to provide temporary unemployment compensation benefits by advancing funds to the States to increase the duration of State benefits by 50 percent.

At the time Congress took emergency action there was in excess of $8 billion in the State unemployment insurance reserve funds. But a very large proportion of this money was not available in States experiencing heavy unemployment. As a result, on January 1, 1959, there was a total of nearly $7 billion in these unemployment reserves which was available but had not been used. Yet, during the last 6 months of 1958, the Federal Government had to advance to the States over $300 million out of general revenues, under the temporary unemployment compensation program, to meet the need for increased duration of unemployment benefits.

The weakness in our Federal-State unemployment insurance system thus were clearly demonstrated by this need for emergency Federal legislation for loans while there were substantial overall reserves.

This recent experience demonstrates the need for strengthening the national responsibility for unemployment insurance on a permanent basis. We, therefore, recommend Federal legislation to establish:

1. A nationwide reinsurance fund in order to equalize excessive costs of unemployment insurance in States experiencing a high incidence or prolonged duration of unemployment.

2. A specific minimum number of weeks of benefits applicable to all States for all unemployed persons having a recent substantial employment history.

3. A specific minimum proportion of weekly earnings which the great majority of unemployed in all States should receive subject to a defined maximum weekly benefit amount.

4. Nationwide coverage on a broadened basis, including all employees having a substantial attachment to the labor force.

The changes recommended would retain the basic responsibility for unemployment insurance in the individual States. At the same time, however, recognition is given to the fact that the Federal Government should have a responsibility to assist the States to meet unemployment which cannot effectively be handled exclusively on an individual State basis.

The following 21 persons, all holding academic positions, and identified with the field of social insurance, have subscribed to the foregoing statement:

SIGNERS

Gardner Ackley, chairman, department of economics, the University of Michigan.

J. Douglas Brown, dean of the faculty, Princeton University.

Wilbur J. Cohen, professor of public welfare administration, the University of Michigan.

F. F. Fauri, dean, school of social work, the University of Michigan.

Phillips L. Garman, professor of labor and industrial relations, the University of Illinois.

William Haber, professor of economics, the University of Michigan.

Eleanor M. Hadley, associate professor of economics, Smith College.

Alvin H. Hansen, professor emeritus, graduate school of public administration, Harvard University.

Frederick H. Harbison, professor of economics and director, industrial relations section, Princeton University.

Seymour E. Harris, Littauer professor of political economy, Harvard University.

Charles C. Killingsworth, director, labor and industrial relations center, Michigan State University.

Richard A. Lester, professor of economics, Princeton University.

Alton A. Linford, dean, school of social service administration, University of Chicago.

Clarence Long, professor of economics, the Johns Hopkins University.

Charles A. Myers, professor of industrial relations, department of economics and political science, Massachusetts Institute of Technology.

Gladys L. Palmer, research professor, the Wharton school of finance and commerce, University of Pennsylvania.

Arthur M. Ross, director, institute of industrial relations, University of California.

Charles I. Schottland, dean, graduate school for advanced studies in social welfare, Brandeis University.

Sumner H. Slichter, Lamont University professor, Harvard University.

Herman M. Somers, chairman, department of political science, Haverford College.

Dale Yoder, visiting professor, division of industrial relations, graduate school of business, Stanford University.

THE LOYALTY OATH AND DISCLAIMER AFFIDAVIT IN THE NATIONAL DEFENSE EDUCATION ACT

Mr. KENNEDY. Mr. President, I have been informed by the distinguished senior Senator from Montana [Mr. MURRAY], who is chairman of the Education Subcommittee of the Labor and Public Welfare Committee, that he plans to hold hearings upon S. 819, a bill to amend the National Defense Education Act by striking the provision dealing with the loyalty oath and the disclaimer affidavit. This bill was introduced by the distinguished senior Senator from Pennsylvania and me.

A great many organizations have written to me expressing their support for the measure. I ask unanimous consent that the resolution of the house of representatives of Smith College of Northampton, Mass., the resolution of the FDR Democratic Club in Hollywood, Calif., and the resolution of the Los Angeles Chapter of the Federation of American Scientists be printed in the RECORD as representative of the groups which have taken a strong stand in favor of the elimination of this provision of the National Defense Education Act.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SMITH COLLEGE,
Northampton, Mass., April 9, 1959.

We oppose section 1001(f) of the National Defense Education Act both in principle and in practice. The principle of attaching loyalty oaths to Federal grants for education undercuts our expressed confidence in American ideals. It is a basic tenet of our educational philosophy that everyone have a right to free inquiry into and free choice among all points of view. This philosophy asserts that such free inquiry and choice will lead to a fuller understanding of all principles and to an affirmation of the values of the American way of life. Free intellectual inquiry does not imply seditious belief.

Furthermore, we doubt the effectiveness of the loyalty oath. Loyal citizens may be antagonized by being required to take such an oath because it conflicts with the principle stated above. Disloyal persons will not hesitate to take the oath, nor will it prevent them from acting according to their beliefs. Requiring a loyalty oath as a condition for Federal aid to students establishes a precedent of unwarranted Government interference with academic freedom.

We urge the immediate repeal of section 1001(f) on these grounds.

HOUSE OF REPRESENTATIVES,
SMITH COLLEGE.

Whereas Senator JOHN KENNEDY, of Massachusetts, and Senator JOSEPH CLARK, of Pennsylvania, introduced on January 29, 1959, in the U.S. Senate, Senate bill 819; and

Whereas Congressman FRANK THOMPSON, JR., of New Jersey, introduced on January 7, 1959, in the House of Representatives, House bill 284; and

Whereas, S. 819 and H.R. 284 provide for repeal of the nondisloyalty oath now required of applicants for grants or loans under the National Defense Education Act; and

Whereas Senator KENNEDY has said the oath would discourage only those who find oaths "distasteful and humiliating," and "most of those thus excluded by this provision might be said to be nonconformists and dissenters—but surely in our efforts to attract into scientific pursuits the best talents, the most inquiring minds and our Nation, we do not wish to exclude the nonconformists and the dissenters. Those who are willing to sign such an affidavit are not always by that act necessarily proven to be either more loyal or more talented than those who do not sign"; and

Whereas Congressman THOMPSON has said:

"Repeal of the loyalty oath is provided in H.R. 284, however the measure also calls for an affirmative oath of allegiance. Many educational leaders believe the present requirement of a loyalty oath, applying as it does to a large number of young people and teachers, is thoroughly harmful since it singles out people in education as objects of suspicion. Further, the present act tragically stifles the free exchange of ideas in the classroom and leads to complete stultification of the educational process"; and

Whereas the 1958 platform of the Democratic Party of California adopted at the Democratic State convention at Sacramento, August 9 and 10, 1958, states:

"The Democratic Party reaffirms its belief that our country's greatest security is the freely given loyalty of its citizens. * * *

We therefore oppose all oaths of nondisloyalty and the penalizing of citizens for the exercise of their constitutional rights": Now, therefore, be it

Resolved, That the Franklin Delano Roosevelt Club of Hollywood, Calif., supports S. 819 and H.R. 284; and that copies of this resolution be sent to Senators CLAIR ENGLE, THOMAS KUCHEL, KENNEDY, and CLARK, and to Congressmen THOMPSON, JOE HOLT, CHET HOLIFIELD, CLYDE DOYLE, and JAMES ROOSEVELT.

ROYCE BARSTOW,
President, Franklin Delano Roosevelt Democratic Club of Hollywood, Calif.

(The above resolution was unanimously adopted March 18, 1959.)

WEST LOS ANGELES, CALIF., *April 8, 1959.*
Hon. JOHN F. KENNEDY,
Washington, D.C.:

Los Angeles Chapter, Federation of American Scientists, urges passage of H.R. 2437, S. 819, or similar legislation removing the loyalty provision from the National Defense Education Act.

In a democracy, students cannot be forced to study science; but attempts to legislate their loyalty can drive many excellent students away from science.

Traditional academic freedom of thought, which is endangered by the loyalty provision, is essential to the development of a healthy scientific community. Especially in the current crisis, America cannot afford this implication that scientists are a suspect group. The opportunity to receive an education should no more be contingent upon personal belief than are farm loans or old-age benefits.

DAVID L. HETRICK, Ph. D.,
Chairman, Los Angeles Chapter, Federation of American Scientists.
CANOGA PARK, CALIF.

HOW TO GET ELECTED TO CONGRESS

Mr. KENNEDY. Mr. President, in the April issue of Pageant magazine there appeared an article entitled "How To Get Elected to Congress." This is a story of a campaign by KEN HECHLER which resulted in his election to Congress from West Virginia's Fourth District.

I was privileged to visit West Virginia during the campaign and, in a small way, to participate in it. I was impressed, as the author of the article was obviously impressed, with the vigor, the dedication, and the ability of the college professor who decided he wanted to take an active part in the political life of the country rather than merely teach others about it.

KEN HECHLER proved it is no obstacle to start without widespread support and the handicap of only a brief residence in the community is not insuperable. He proved that strength of character and an interest in the people who make up the constituency are more persuasive than opposition jibes.

I commend this article to all persons interested in political science and I congratulate the voters of West Virginia upon their wisdom in electing KEN HECHLER.

Mr. President——

The PRESIDING OFFICER. The Senator from Massachusetts.

PROPOSED HONORARY CITIZENSHIP FOR WINSTON CHURCHILL

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a broadcast given last Monday evening by Mr. Eric Sevareid. The proposal which he discusses is one which I believe is worthy of our full attention during the next days, prior to the arrival in Washington of Sir Winston Churchill. I believe now that Sir Winston has left active political office, that a grant of honorary U.S. citizenship to him would be a worthy and fully deserved gesture.

There being no objection, the text of the broadcast was ordered to be printed in the RECORD, as follows:

CBS RADIO NEWS ANALYSIS, MONDAY, APRIL 13, 1959

(By Eric Sevareid)

Good evening. Three weeks from today, Winston Churchill will arrive on these shores; the great defender of humane society in its time of peril is now 84, and it is possible that this is the last time Americans will see him in the flesh; thereafter he will belong to history and the folk memory of our common culture. He has received many honors in this country; but there is one possible honor surpassing all others, the one that was enjoyed by the Marquis de Lafayette and thereafter by his male descendants, American citizenship.

This idea of making Churchill an American citizen as well as a British subject, was first suggested here by a well-known Washington resident, Miss Katherine Halle, who is also a longtime friend of the Churchill family. The idea has been received with enthusiasm by every individual this reporter has tried it on, but the legal difficulties in the way may be considerable.

The Congress, apparently, would have to make any move in that direction; the President, so I am informed, could not, by Executive order, make Mr. Churchill either a full citizen or an honorary citizen; honorary citizenship of the United States is a condition that seems to have no precedent, though it is a familiar practice with State Governors; but Churchill, in his relationship to this country, is himself virtually without precedent and in the best of all worlds, there ought to be a way.

There appear to be at least two major problems where a grant of full citizenship is concerned. One is that the Constitution requires that the Congress provide a uniform rule of naturalization which makes it difficult to put the English statesman in a legislative class by himself; the other is that, strictly speaking, he would have to take an oath of allegiance to the United States. What could be done by Congress in terms of honorary citizenship remains to be explored.

There are, of course, many people who have dual citizenship today—in a certain sense. People, that is, who are considered by a foreign state to be a citizen of that state and considered under our laws to be a citizen of America. But they are not dual citizens in the eyes of both states as are the male descendants, today, of Lafayette.

Lafayette did not become an American citizen by act of the Federal Congress, except indirectly. He was first made a citizen by act of the General Assembly of the State of Maryland, and New York, among other States; that was early in the seventeen-eighties, before the Constitution was ratified and the Federal Congress established. In those days each State could write its own naturalization rules; so Lafayette and his male heirs were declared to be citizens by those States and later, as part of the bargaining for State ratification of the Constitution, these state acts were accepted as part of the Federal law. This was also done, in similar fashion, for the German soldier of fortune, Baron de Kalb; he was killed in the Revolution and left no son.

Lafayette did, and his direct descendant, Count de Chambrun, won a court test on his right to American citizenship when he arrived here without a visa during the wartime days of the Vichy government in France. He was the object of much acrimonious controversy at that time, since he was married to the daughter of the Vichy politician, Laval, who was later shot as a traitor to France. But De Chambrun today is an undisputed legal citizen of both France and the United States. So far as this reporter can discover, no other family enjoys this extraordinary status.

Congress frequently passes special legislation restoring citizenship to an individual, caught in unusual circumstances; but there is what is described to me as an unwritten rule that Congress never grants naturalization by special act; what it does, through private bills, is to adjust or waive certain normal immigration requirements for citizenship which is then attained through the regular court procedures.

In the Revolutionary and post-Revolutionary days, when the struggling young Republic had acute reason to be aware of the help given by foreigners, tangible expressions of gratitude to them were not uncommon. Lafayette was not only made a citizen; he was also given a piece of land and a gift of $200,000 by the United States.

If there has ever been a time, since then, when a case could be made for an illustrious foreigner receiving exceptional honor here, it would seem to be now, with Winston Churchill.

This is Eric Sevareid in Washington.

RECESS

The PRESIDING OFFICER. What is the pleasure of the Senate?

Mr. DIRKSEN. Mr. President, in accordance with the previous order, I move that the Senate now take a recess.

The motion was agreed to; and (at 5:44 o'clock p.m.), in accordance with the previous order, the Senate took a recess until tomorrow, Thursday, April 16, 1959, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate April 15, 1959:

COUNCIL OF ECONOMIC ADVISERS

Henry C. Wallich, of Connecticut, to be a member of the Council of Economic Advisers, vice Paul W. McCracken, resigned.

COMMODITY CREDIT CORPORATION

Frank A. Barrett, of Wyoming, to be a member of the Board of Directors of the Commodity Credit Corporation, vice Robert L. Farrington, resigning.

U.S. DISTRICT JUDGE

Charles M. Metzner, of New York, to be U.S. district judge for the southern district of New York, vice John W. Clancy, retired.

IN THE REGULAR ARMY

The following-named officers for appointment in the Regular Army of the United States to the grades indicated, under the provisions of title 10, United States Code, sections 3284, 3306, and 3307.

To be major generals

Maj. Gen. Carl Henry Jark, O17556, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. George Elial Bush, O17634, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. James Bernard Quill, O17673, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Normando Antonio Costello, O17764, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Lloyd Roosevelt Moses, O29362, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Robert Jefferson Wood, O18064, Army of the United States (brigadier general, U.S. Army).

To be brigadier generals

Brig. Gen. Clarence Renshaw, O17708, Army of the United States (colonel, U.S. Army).

Brig. Gen. Philip Frederick Kromer, Jr., O18030, Army of the United States (colonel, U.S. Army).

Brig. Gen. Charles Granville Dodge, O18072, Army of the United States (colonel, U.S. Army).

Brig. Gen. Tom Robert Stoughton, O18156, Army of the United States (colonel, U.S. Army).

Brig. Gen. John Charles Hayden, O18174, Army of the United States (colonel, U.S. Army).

Maj. Gen. John Simpson Guthrie, O18228, Army of the United States (colonel, U.S. Army).

Maj. Gen. Charles Edward Beauchamp, O18238, Army of the United States (colonel, U.S. Army).

Brig. Gen. Daniel Aloysius O'Connor, O29454, Army of the United States (colonel, U.S. Army).

Brig. Gen. Hiram Dudley Ives, O29509, Army of the United States (colonel, U.S. Army).

Maj. Gen. Charles Hartwell Bonesteel 3d, O18655, Army of the United States (colonel, U.S. Army).

Brig. Gen. Stephen Read Hanmer, O18348, Army of the United States (colonel, U.S. Army).

Brig. Gen. William Frederick Cassidy, O18354, Army of the United States (colonel, U.S. Army).

Maj. Gen. Marshall Sylvester Carter, O18359, Army of the United States (colonel, U.S. Army).

Brig. Gen. Tom Victor Stayton, O18417, Army of the United States (colonel, U.S. Army).

Brig. Gen. John Archibald Barclay, O18420, Army of the United States (colonel, U.S. Army).

Maj. Gen. August Schomburg, O18422, Army of the United States (colonel, U.S. Army).

Brig. Gen. Charles Breckinridge Duff, O18438, Army of the United States (colonel, U.S. Army).

Brig. Gen. Earle Fremont Cook, O18450, Army of the United States (colonel, U.S. Army).

Brig. Gen. Albert Frederick Cassevant, O18456, Army of the United States (colonel, U.S. Army).

Maj. Gen. Louis Victor Hightower, O18502, Army of the United States (colonel, U.S. Army).

Maj. Gen. Hugh Pate Harris, O18518, Army of the United States (colonel, U.S. Army).

Maj. Gen. Victor James MacLaughlin, O18580, Army of the United States (colonel, U.S. Army).

Brig. Gen. Van Hugo Bond, O18601, Army of the United States (colonel, U.S. Army).

Brig. Gen. John Clement Monahan, O38706, Army of the United States (colonel, U.S. Army).

Maj. Gen. Rush Blodget Lincoln, Jr. O18656, Army of the United States (colonel, U.S. Army).

Brig. Gen. Kenneth Frederick Zitzman, O18694, Army of the United States (colonel, U.S. Army).

Maj. Gen. Floyd Allan Hansen, O18767, Army of the United States (colonel, U.S. Army).

Brig. Gen. Horace Freeman Bigelow, O18775, Army of the United States (colonel, U.S. Army).

Maj. Gen. Isaac Sewell Morris, O18806, Army of the United States (colonel, U.S. Army).

The following-named officers for temporary appointment in the Army of the United States to the grades indicated under the provisions of title 10, United States Code, sections 3442 and 3447:

To be major general

Brig. Gen. Philip Campbell Wehle, O18067, U.S. Army.

To be brigadier generals

Chaplain (colonel) William Joseph Moran, O29195, U.S. Army.

Col. John George Ondrick, O18804, U.S. Army.

Col. John William Keating, O18897, U.S. Army.

The officers named herein for promotion as Reserve commissioned officers of the Army under the provisions of title 10, United States Code, section 3384:

To be major generals

Brig. Gen. Paul Bela Bell, O215450, U.S. Army Reserve.

Brig. Gen. Clayton Price Kerr, O164979, Army National Guard of the United States.

Brig. Gen. Francis Burke McSwiney, O305589, Army National Guard of the United States.

To be brigadier generals

Col. Carl Holbrook Aulick, O260430, Adjutant General's Corps, Army National Guard of the United States.

Col. Thomas Patrick Carroll, O1321152, Adjutant General's Corps, Army National Guard of the United States.

Col. Juan Cesar Cordero, O222751, Infantry, Army National Guard of the United States.

Col. Ted Herd Corry, O208166, Artillery, Army National Guard of the United States.

Col. Wardell Sylvester Duggan, O314773, Artillery, U.S. Army Reserve.

Col. Willard Haskell Foster, O299149, Corps of Engineers, U.S. Army Reserve.

Col. James Eugene Frank, O268106, Artillery, U.S. Army Reserve.

Col. Ira Maximilian Ferdinand Gaulke, O214191, Adjutant General's Corps, Army National Guard of the United States.

Col. Chester Pilgrim Hartford, O288390, Infantry, U.S. Army Reserve.

Col. Lawrence Lyle Heinlein, O233033, Adjutant General's Corps, Army National Guard of the United States.

Col. Orland Gerrard Hunt, O280504, Artillery, Army National Guard of the United States.

Col. Francis Patrick Kane, O354217, Infantry, Army National Guard of the United States.

Col. Harvey Ellis Landers, O257173, Artillery, Army National Guard of the United States.

Col. David Edward Mayer, O178166, Medical Corps, U.S. Army Reserve.

Col. Cooper Burnett Rhodes, O258656, Infantry, U.S. Army Reserve.

Col. William Alfred Stebbins, O327850, Infantry, Army National Guard of the United States.

Col. Coulter Robert Sublett, O293601, Ordnance Corps, U.S. Army Reserve.

Col. Aylwyn Pennell Williams, O220650, Infantry, U.S. Army Reserve.

Col. William Jerome Witte, O333473, Infantry, Army National Guard of the United States.

The officers named herein for appointment as Reserve commissioned officers of the Army under the provisions of title 10, United States Code, section 593(a):

To be major generals

Col. Frank Douglas Pickney, O246920, Adjutant General's Corps, Army National Guard of the United States.

Col. John Clyde Wilson, O291915, Adjutant General's Corps, Army National Guard of the United States.

IN THE REGULAR ARMY

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3298. All officers are subject to physical examination required by law:

To be first lieutenants

Abbott, Jerry M., O74036.
Abell, Julian L., O73588.
Adams, Jack L., O74039.
Adams, Richard E., O73589.
Adkins, John E., O74040.
Agnew, Jack S., O74041.
Allaire, Christopher J., O73590.
Alward, Samuel A., O73591.
Amlong, Ransom J., O73592.
Anderson, James L., O73593.
Andree, Robert G., O73594.
Arnecke, Charles O., Jr., O74055.
Bacon, Robert C., O73595.
Bagnal, Charles W., O73596.
Bahnsen, John C., Jr., O73597.
Bailey, George A., O77260.
Baker, A. J., O74060.
Baker, Clifford H., O73598.
Bales, Garry L., O74063.
Bannister, Edwin J., O74064.
Barlow, Keith A., O73599.
Barrett, Reid A., O73600.
Bauchspies, James S., O73601.
Baxter, Arthur S., Jr., O74067.
Baxter, William P., O73602.
Beal, James E., O73603.
Beauchamp, Irving A., Jr., O73604.
Beck, Edmund S., O74069.
Beebe, Steven G., O73605.
Bell, Charles S., O84072.
Bell, Lawrence A., O74071.
Benish, Anthony A., Jr., O73606.
Berry, David T., O73607.
Binstein, Mark P., O73608.
Birkenholz, Richard M., O74079.
Blackwell, Jesse E., O73609.
Blagg, Thomas E., O74080.
Blewster, James C., O73610.
Blunt, Roger R., O73611.
Boerner, Dennis H., O74084.
Boles, Bennie C., O74087.
Bolin, James P., O73612.
Bonnarens, Frank O., O73613.
Bonnett, William B., O74089.
Bortolutti, Angelo, O73614.
Botts, Robert H., O74091.
Boudreau, Arthur F., O73615.
Bowes, Thomas M., O73616.
Boylan, Steven V., O73617.
Braddock, David R., O74094.
Bradford, Zeb B., Jr., O73618.
Braithwaite, Garlan D., O74095.
Bramlett, Mead R., O74096.
Brandel, George P., O73619.
Brashears, Bobby F., O74097.
Bray, John R., Jr., O73620.
Brinkley, Charles B., Jr., O73621.
Bronson, Russell A., O74101.
Brown, Frederic J., 3d, O73622.
Broyles, Alvin K., Jr., O74105.
Buchanan, James R., O74109.
Bullock, Victor T., O73623.
Burcham, Jerry J., O73624.
Burns, Edwin A., O74111.
Burns, Thornton A., Jr., O73625.
Burset, Miguel A., O74112.
Bynell, Harlan B., O73626.
Calderwood, Earl H., O74115.
Caldwell, Everette G., O73627.

Calvert, Jack F., O74117.
Camper, Kenyon L., O74119.
Canby, Steven L., O73628.
Caron, Robert P., O73629.
Carr, Eldon D., O73630.
Carraway, Joseph R., O73631.
Carter, Robert H., Jr., O74124.
Carter, Thomas E., O74125.
Cavenaugh, Michael F., O73632.
Celeste, Raymond, Jr., O73633.
Chambers, Plato G., O73634.
Chase, Richard C., O73635.
Chesnauskas, Ralph J., O73636.
Chick, Robert L., O77314.
Childs, Jefferson D., 3d, O73637.
Christopher, Harry G., O73638.
Clark, John J., O73639.
Coats, Whit L., O73640.
Cody, William F., O73641.
Coffman, Ronald L., O74131.
Colson, John T., O74133.
Comeskey, Harry A., O73642.
Conklin, John R., O73643.
Conrad, Michael J., O73644.
Cook, Richard A., O74135.
Corderman, David M., O73645.
Coulter, Carleton, 3d, O73646.
Council, Cicero, Jr., O73647.
Crain, Wallace S., O73648.
Cralle, Maury S., Jr., O73649.
Crandall, Harry W., O73650.
Craver, Douglas M., O74139.
Crawford, Cecil M., O74140.
Cremer, Robert D., Jr., O73651.
Crews, William F., O73652.
Crites, William R., O73653.
Croft, Carl L., O73654.
Crosby, Glenwood L., O81613.
Crosby, James C., O74143.
Cross, Ernest E., O73655.
Crouter, Edgerton T., O73656.
Crowe, John M., Jr., O74145.
Cunningham, Clarence, O74147.
Curl, Richard L., O73657.
Custard, Norman L., O74148.
Dail, Robert B., O77346.
Daly, Edward F., Jr., O73658.
Damron, Herbert C., O73551.
Danek, Robert B., O73659.
Dantos, Evangelos, O73660.
Davis, Sidney, O85153.
Day, Frank L., O73661.
Day, Thomas E., O78277.
Dayharsh, Theodore J., Jr., O73662.
deCamp, William S., O74155.
DeFrance, Rudolph B., O73663.
DeLeuil, Wood R., O73664.
DeThorne, Raymond J., O74160.
Demers, Gerald Z., O73665.
Devoto, William R., O73666.
Dewey, Arthur E., O73667.
Diez, Everett S., O73669.
DiGennaro, William L., O73668.
Dozier, James L., O73670.
Drury, Dan LaV., O74174.
Duncan, Robert M., O73671.
Dunn, Jack A., O73672.
Eastburn, Charles E., O73673.
Easton, Robert H., O73674.
Ebert, Vernon E., O73675.
Eckert, William N., O74183.
Ege, Conrad C., O73676.
Eitel, James W., O78291.
Eliot, Phillips G. P., O73677.
Ellis, James N., O73678.
Enloe, James A., O74187.
Esposito, Vincent J., O73679.
Ethridge, Wayne H., O74188.
Farmer, William P., O73680.
Farris, Robert G., O73681.
Fisch, Donald A., O73682.
Fisher, Robert L., O74197.
Fitzgerald, John M., 2d, O82269.
Fitzgerald, Larry D., O73683.
Fitzmorris, Lawrence B., O74198.
Florence, David L., O74199.
Flory, Robert A., O73684.
Floyd, Ralph H., Jr., O73685.
Fogh, Frederic J., O73686.
Foss, John W., 2d, O73687.
Fox, Eugene, O73688.
Fox, Eugene A., O73689.
Frank, Winfield C., O73690.
Frecka, Jerry C., O73691.
Frederick, William R., 3d, O73692.
Freisem, Robert D., O74206.
French, Forrest J., Jr., O73693.
Garvey, Charles J., O73694.
Gates, Clayton S., O73695.
Gerasimon, Gerald G., O74006.
Gibbons, Gerald G., O81639.
Gibbons, James H., O74212.
Gillie, Gerald R., O74214.
Gleason, Joseph E., O73696.
Glenn, Charles A., O73697.
Glock, Howard G., O73698.
Godding, Donald R., O74220.
Goldberg, Gerald D., O73699.
Goodman, Robert A., O73700.
Goodwyn, Robert T., 3d, O73701.
Gordon, John V., O74224.
Gorlinski, Charles C., O73702.
Graesser, Donald C., O73703.
Grant, Theodore, O73704.
Greene, Earl McA., O74228.
Griffin, Thomas N., Jr., O73705.
Griffith, Franklin D., O74229.
Griminger, Charles O., O74230.
Grinstead, John B., Jr., O73706.
Griscom, Ralph M., O73707.
Gross, Thomas R., O74232.
Groves, Billie R., O74233.
Gwaltney, Robert L., O73956.
Haley, John P., O73708.
Hall, Gary C., O73709.
Hammel, Donald A., O73710.
Hammond, Robert D., O73711.
Hanson, Thomas W., O73712.
Haponski, William C., O73713.
Hardin, James A., O74237.
Harding, Thomas C., Jr., O73714.
Harmon, Marsden A., O74238.
Harris, Arthur M., O73715.
Harris, James A., O73716.
Hart, Rufus R., O73717.
Hattler, Carl F., O73718.
Haydon, Joseph J., O73719.
Hayne, Paul, 3d, O73720.
Haynes, Jesse L., Jr., O74243.
Hearn, Jerry L., O74244.
Hensley, William R., O74007.
Herrmann, Carl G., O73721.
Hewitt, Robert A., Jr., O73722.
Hodges, Harold E., O74255.
Hoke, Richard V., O84085.
Holder, Bobby W., O74258.
Holland, Harold B., O74259.
Hollender, Donald W., O73723.
Holloway, Edwin T., O73724.
Holmes, Frederick S., Jr., O73725.
Hooker, Richard D., O74263.
Hooker, William M., O73726.
Hopkins, Woodard B., Jr., O74264.
Horn, Will H., O74266.
Horton, David F., O73727.
Huff, Jerry H., O73728.
Hull, Robert L., O73729.
Hutchison, Jarold L., O73730.
Hutton, John D., O74278.
Imschweiler, David R., O74279.
Ingram, Duane C., O74280.
Ippolito, Charles P., O74281.
Jackson, George F., Jr., O74284.
Jasper, Theodore C., O73731.
Jensen, Lynn R., O74289.
Jezior, Anthony M., O73732.
Johansen, John LeR., O73734.
Johansen, William R., O73733.
Johnson, Harry W., Jr., O73735.
Johnson, John C., O73736.
Johnston, David J., O73737.
Johnston, Richard R., O73738.
Jones, Carleton H., Jr., O74292.
Judson, Robert P., O73739.
Kallfelz, John M., O73740.
Kaufman, Richard C., O74298.
Keating, Richard J., O73742.
Keinath, Warren G., Jr., O73744.
Keliher, John G., O74299.
Kem, Richard S., O73745.
Keutmann, John A., O73746.
Kinder, Norman W., O74307.
Kirk, John M., O73749.
Kitchen, Kenneth S., O74309.
Klein, Rudolph F., 3d, O74311.
Knowles, Kenneth J., O73750.
Knudsen, Walter H., Jr., O73751.
Kottich, Charles R., O73752.
Lane, James F., O73753.
Lane, Robert L., O74325.
Larr, David R., O73754.
Lash, Peter W., O73755.
Lasley, Paul A., O73756.
Law, Laurence J., O74329.
Lawhorn, Douglas A., O74330.
Lea, W. J., Jr., O75230.
Lee, Donald C., O73758.
Lee, George W., Jr., O73759.
Lee, Ray H., O74334.
LeHardy, Ward M., O73757.
Lemmon, Samuel L., Jr., O73760.
Lester, Robert J., O74337.
Levy, Norman, O73761.
Lewis, Warfield M., Jr., O73762.
Linder, William H., O73763.
Lindquist, Roy E., Jr., O73764.
Lindsey, Robert H., O73765.
Linkenhoger, Gayle N., O73766.
Lion, Paul M., 3d, O73767.
Liska, Walter B., O73768.
Little, Donald C., Jr., O73769.
Liwski, John L., O73770.
Lockridge, Robert W., Jr., O74341.
Loffert, George U., Jr., O73771.
Lowe, Thomas L., Jr., O74346.
Lueders, Dirk H., O73772.
Lynch, Eugene S., O73773.
Lynch, Gerald H., O82347.
Lyon, William E., O73774.
Mackin, Richard E., O73775.
Major, Dorrance D., O81693.
Malinowski, Richard C., O73776.
Martin, Edwin W., Jr., O73777.
Martin, George J., O73778.
Marvin, Harold A., O73779.
Masterson, Thomas J., O73780.
Matt, Jon R., O73781.
Matthews, Francis W., O73782.
Matthews, Kenneth F., Jr., O74366
Mayson, Elford M., O73783.
McAniff, Thomas J., O73784.
McCahan, Walter L., O73785.
McCarty, Douglas W., O74368.
McConnel, Mervin G., O73786.
McCoy, Charles E., Jr., O74371.
McCreight, Randolph A., O73787.
McGinn, John J., O73788.
McGrath, Michael J., O73789.
McGregor, Donald V., O74381.
McGuire, Harry J., O73790.
McKee, William S., O74382.
McNulty, James W., O73791.
McRee, Griffith J., Jr., O73792.
Mericle, Russell A., Jr., O73793.
Merola, Paul A., O73794.
Miles, Henry B., Jr., O73795.
Miller, Thomas LaR., O73796.
Mitchell, Gregory W., O73797.
Moore, David W., 3d, O73798.
Morehead, Robert N., O74400.
Morelli, Donald R., O73799.
Morgan, Jerold A., O73800.
Morris, Joseph L., O74402.
Muller, Walter J., Jr., O73801.
Munro, Robert D., O74406.
Munsey, Jack T., O73802.
Munson, Hugh W., Jr., O73803.
Muntz, David C., O73804.
Narus, William E., Jr., O73805.
Neary, Edward F., O73806.
Nicholson, John W., O73807.
Nicholson, Robert K., O73808.
Novotny, Richard A., O74418.
Oakes, John H., O73811.
O'Brien, Bernard J., O73809.
Ogren, Charles T., O73812.
Ortner, Anthony J., O73813.
O'Shei, Donald M., O73810.
Painter, Charles F., O74431.
Palmer, Dave R., O73814.
Paradise, James, Jr., O73815.
Parker, Charles R., O73816.
Parker, John R., O73817.

Parsons, Walter H., 3d, O74435.
Patrick, Farrell G., O73818.
Pearson, John R., O74437.
Pearson, Stanley R., O74438.
Pellegrinon, Ronald G., O74439.
Pelosi, Silvio, O73819.
Pendino, Michael J., O73820.
Peterson, Benjamin G., O73821.
Phillips, Gary R., O73822.
Pierce, Richard B., O73823.
Pitman Kenneth M., O74443.
Pitre, George L., Jr., O74444.
Polhemus, Richard E., O74445.
Polickoski, John S., O73824.
Poole, Charles E., Jr., O73825.
Porter, Jon E., O73826.
Pugmire, Robert M., Jr., O74449.
Quackenbush, Robert E., Jr., O73827.
Rajala, Paul W., O73828.
Rall, Frederick A., O73829.
Ramey, Hubert D., O74453.
Randall, Robert D., O73830.
Ranger, David W., O74454.
Raudebaugh, James D., O74455.
Raymond, Harry J., O73831.
Reason, Robert L., O74457.
Redhair, Roger R., O73832.
Redline, Edward H., O73833.
Rhodes, Edward F., O73834.
Rhone, Jimmy S., O74464.
Richards, Edward T., O73835.
Richards, Robert N., O73836.
Richardson, Gerald A., O73837.
Rinker, Richard, O73838.
Roberts, Samuel J., 3d, O73839.
Robinson, James H., Jr., O81728.
Rod, Ronald F., O74469.
Roll, William C., O73840.
Root, Roger A., O73841.
Rose, Jerald L., O74473.
Ross, Morrill, Jr., O73842.
Ross, Robert A., O73843.
Rostine, George W., O73844.
Roughley, David, O74476.
Roush, William W., O74477.
Roy, Charles D., O74478.
Ruffner, Ernest L., O73845.
Rundgren, Ivar W., Jr., O73846.
Rush, Karl C., O74479.
Rusk, Edward E., O74480.
Russell, Charles ., O73847.
Russell, James F., O74481.
Saferstein, Thorton S., O73848.
Saint, Charles P., O73849.
Salamone, Luciano C., O73850.
Sarkiss, Charles DeF., O73851.
Sawey, William J., O74486.
Saxton, Benjamin P., Jr., O73852.
Scales, David J., O73853.
Schaubhut, Norman J., O74487.
Schmidt, John L., O74490.
Schneider, Robert S., O74491.
Scholz, John C., O73854.
Schoonmaker, Marshall D., O73855.
Schrage, William K., Jr., O73856.
Schuler, Bob D., O73857.
Schvaneveldt, Noel S., O73976.
Schwarzkopf, H. Norman, O73858.
Scott, Charles F., 3d, O73859.
Scully, Robert C., O73860.
Sewell, James H., Jr., O73861.
Sharer, Frank E., O73864.
Shattuck, Milton C., Jr., O73865.
Shean, Frederic L., O73866.
Shirey, James C., O73867.
Sidler, Garrett V., O73868.
Simon, Frederic P., O74512.
Simpson, Charles E., Jr., O74513.
Singletary, Charles B., O73869.
Sirkis, Michael S., O73870.
Sisinyak, Mark J., O73871.
Sitkin, Charles P., O74515.
Skidmore, Herrol J., Jr., O73872.
Skidmore, Wilbur M., 2d, O73873.
Sloan, John F., O73874.
Smedley, Jimmy C., O74517.
Smith, Donald B., Jr., O73875.
Smith, Frank L., O73876.
Smith, Lowell G., O73877.
Smith, Raymond W., O74519.
Smith, Scott B., O73878.
Smith, Stainton, O73879.
Smith, William F., O74520.
Snavely, Charles C., 2d, O73880.
Snodgrass, John C., O73881.
Snowden, Edgar, 4th, O74521.
Sorley, Lewis S., 3d, O73882.
Southerland, Harold P., Jr., O73883.
Speiser, Robin G., Jr., O73884.
Spires, James W., O73885.
St. Louis, Robert P., O73886.
Stanley, James W., O73887.
Stapleton, George J., O73888.
Stevens, Philip J., O74528.
Stevenson, John H., O73889.
Stewart, Charles F., Jr., O74530.
Stillions, Eugene L., Jr., O74532.
Stokes, Theodore K., O74534.
Stokes, William M., 3d, O74535.
Straub, James O., O73890.
Stricklin, Roger B., Jr., O81747.
Strozier, James K., O73891.
Sturgeon, James M., O74547.
Stynes, Philip A., O73892.
Suddath, Leroy N., Jr., O73893.
Sullivan, Robert P., O73894.
Swezey, Charles F., O73895.
Sylvester, Richard D., O73896.
Tapp, Richard L., O74553.
Tatum, James M., O74555.
Thacker, Goebel R., O74561.
Thompson, Gerald R. A., O73898.
Thompson, Richard P., O73899.
Tinsman, Robert B., O73900.
Todd, Ronald D., O74566.
Toner, Richard B., O74568.
Torres, Marco, Jr., O74569.
Trefzger, Charles E., O73901.
Tripp, Richard L., O73902.
Tucker, Bert E., Jr., O73903.
Turley, James R., O74575.
Turner, Hiram B., Jr., O73904.
Twichell, Heath, Jr., O73905.
Uebel, Patrick N., O73906.
Updike, Everett C., O73907.
Urbach, Walter, Jr., O73908.
Utz, John S., O73909.
Valence, Edward, Jr., O73910.
Van Dervort, Edmund LeR., O73911.
Vanbebber, Herman J., O74577.
Vann, Peter J., O73912.
Vye, George D., O84111.
Wagenheim, Herbert M., O73913.
Wagner, John F., O73914.
Waldeck, James J., Jr., O73915.
Wall, John F., Jr., O73916.
Wange, Lawrence A., O73917.
Ward, George W., Jr., O73918.
Washburn, Richard B., O73919.
Wasko, Frank J., Jr., O77764.
Weihl, William L., O73920.
Weinert, Phillip D., O77769.
Weinstein, Leslie H., O73921.
Weinstein, Sidney T., O73922.
West, Arvid E., Jr., O73923.
West, Michael F., O73924.
Westcott, William C., 3d, O73925.
White, Jack A., O74593.
Wien, George E., O73926.
Wilkerson, Arlie J., O74597.
Williams, Alex N., 3d, O73927.
Williams, Donald G., O74598.
Williams, Gary C., O73928.
Williams, Richard L., O74599.
Williams, W. Douglas, O73929.
Williamson, Marvin M., O73930.
Williford, Donald E., O74600.
Wilson, Ernest B., O73931.
Winkel, Paul P., Jr., O73932.
Winter, Thomas C., Jr., O73933.
Withers, George K., O73934.
Wittekind, Wilfred H., O74602.
Wold, Howard G., O73935.
Woodmansee, John W., Jr., O73936.
Woods, George J., Jr., O73937.
Woods, Stephen R., Jr., O73938.
Wuest, Melvin L., O73939.
Wurman, James W., O80232.
Wynn, Gerard M., O73940.
Yon, Everett M., Jr., O73941.
Young, George E. W., Jr., O73942.
Zekanis, Henry A., O74613.
Ziegler, Michael G., O73943.
Zimmerman, Martin B., O73944.

To be first lieutenants, Medical Service Corps

Bradford, Charles E., O73131.
Causey, James A., O84136.
Green, Bruce E., O76824.
Joyce, Brendan E., O85011.
Muzzio, Robert J., O74409.
Salmon, Ray W., Jr., O78168.
Van Meer, James E., O84290.

The following-named person for reappointment to the active list of the Regular Army of the United States, in the grade and corps specified, from the temporary disability retired list, under the provisions of title 10, United States Code, section 1211:

To be major

Ross, Rose F., WAC, L200019.

The following-named persons for appointment in the Regular Army of the United States, in the grades and corps specified, under the provisions of title 10, United States Code, sections 3285, 3286, 3287, 3288, 3291, 3294, and 3311:

To be captains

Board, Hal J., DC, O2270448.
Cobb, Alton B., MC, O1941945.
Finger, John E., MC, O4023200.
Lumpkin, Beulah C., AMSC, R20000.
Malizia, Walter F., MSC, O1691745.
McCormick, Helen L., ANC, N783720.
Roslonowski, Helen I., ANC, N752990.
Sheridan, Vivian C., ANC, N727315.
Shukes, Anne E., ANC, N774298.
Stave, Rodney L., DC, O2274572.
Steele, Richard A., DC, O4021870.
Tyarks, Margaret E., ANC, N758148.
Watson, Winifred J., AMSC, J100021.
Wells, Ruby E., ANC, N901335.
Welsh, Eleanor J., ANC, N805628.
Wright, Cecille D., ANC, N805124.

To be first lieutenants

Enstrom, Oscar G., II, MC.
Hudgins, Charles T., Jr., MSC, O1918939.
Hume, Horace R., MC, O2291555.
Hutchinson, Rowland A., DC, O4070316.
Rizer, Charles B., MSC, O4016579.
Rosen, Arthur, MSC, O2270543.
Shrader, Bernice M., ANC, N901708.
Sowa, Helen B., ANC, N902293.
Symanski, Charles W., DC, O2289722.
Weinert, Charles M., MSC, O1894053.
Ziebell, Earl L., MSC, O4074350.

To be second lieutenants

Alder, Calvin C., MSC, O5700370.
Armstrong, Mary P., WAC, L2291408.
Borth, Alfred G., MSC, O5203503.
Bryant, Robert J., MSC, O2285039.
Burton, Nelson L., MSC, O2293244.
Callaway, Mayson A., Jr., MSC, O5300496.
Cornwall, Ralph W., MSC, O1915608.
Fonkalsrud, Alfred O., MSC, O4059857.
Geringer, Gerald G., MSC, O2288866.
Grapp, Robert L., MSC, O5504783.
Heriot, Richard M., MSC, O4063747.
Hull, Donald R., MSC, O4059860.
Koch, Joseph L., MSC, O4030048.
Leeder, Laird G., Jr., MSC, O5201972.
Locke, Richard S., MSC, O5204286.
McMinn, Joseph C., MSC, O4049509.
Moran, Homer B., MSC, O4071838.
O'Rourke, Gwendolyn L., ANC, N5701472.
Otterstedt, Charles C., Jr., MSC, O4074627.
Pantalone, Julius D., MSC, O4069441.
Pitchford, Thomas L., MSC, O4031625.
Pitts, William P., MSC, O2285298.
Rothwell, J. C., MSC, O5401355.
Rowland, Stanley L., MSC, O5505784.
Shaw, Dale L., MSC, O4050620.
Steele, Billy D., MSC, O5400463.
Stensrud, Dean W., MSC, O2293236.
Van Nus, Frederick, MSC, O2104664.
Wangemann, Robert T., MSC, O4057431.
Young, John W., Jr., MSC, O5300336.

The following-named persons for appointment in the Regular Army of the United

States, in the grades specified under the provisions of title 10, United States Code, sections 3285, 3286, 3287, and 3288:

To be majors

Dryer, Charles W., O1303476.
Robinson, Joseph W., O1061233.
Stone, Guy E., Jr., O2007119.
Trevathan, Louis B., O415477.
Worley, Marvin L., Jr., O1334067.

To be captains

Alford, Emanuel P., Jr., O1583648.
Anderson, Julian A., O1688811.
Crowe, Cecil A., O2263249.
Dowds, Peter M., O1950153.
Eskes, James N., O1794795.
Hawthorne, James D., O977412.
Lenz, Daniel A., O1881929.
Morgan, William R., Jr., O970152.
Oates, Arthur M., O2200362.
Payson, Paul M., O2200879.
Rork, James R., O1924543.
Sinai, Samuel B., O729666.
Skibinski, Stephen S., O1824094.
Smith, Adair A., O989459.
Yost, William L., O965007.

To be first lieutenants

Barker, Llyle J., Jr., O4032285.
Bessler, Lawrence H., O4041258
Blackmore, James R., O4015768.
Brice, Larry M., O4058834.
Carlson, Raymond R., O4025272.
Carter, Thomas D., Jr., O4034888.
Colquhoun, Edward W., O2288306.
Curran, Gordon A., O2285383.
Divis, Ernest W., O4041632.
Dottle, James C., O4045303.
Forsyth, Robert F., O4010889.
Foster, Robert G., O4075254.
Froelich, James W., O4024454.
Gibson, Jesse B., O4031058.
Horgan, Thomas B., O2277099.
Lummis, Mason M., O2203117.
Martin, George L., O2284354.
McKenna, Thomas P., O2282781.
Meyer, Raleigh R., Jr., O4050039.
Rhode, Michael, Jr., O4029377.
Sammt, Carl J., O4042497.
Smith, Hubert G., O4059368.
Solinsky, Harold, O4025186.
Staros, Edward J., O4024019.
Stovall, Don O., O1861844.
Thomas, Raymond G., O1883144.
Truitt, Gene A., O4030849.
Upton, Edwin J., O2288590.

To be second lieutenants

Adams, Donald D., O5301825.
Alden, John H., O4084894.
Alexander, Walter D., O4085823.
Ambrosino, Richard R., O5201593.
Baxter, Wayne H., O5200905.
Bay, Charles H., O5503237.
Beaulieu, Gary P., O4066160.
Berry, Louie G., O5411200.
Biesenbach, Donald E., O5400419.
Bolt, Richard R., O4060468.
Bradley, Robert E., O4049350.
Brown, Leonard T., O5301583.
Brown, Leroy W., O5504437.
Bunn, Edward J., O4071788.
Buono, Daniel P., O5405090.
Burke, Richard T., O4064471.
Caplick, William J., O5203492.
Carlyle, Cameron A., O4052949.
Chirtea, Michael, Jr., O5504714.
Cobb, Edward R., Jr., O5302264.
Collier, William T., O4048086.
Cronin, Richard P., O4066110.
Crum, Raymond H., Jr., O5300503.
Cubert, Burleigh M., O2267109.
Custer, Philip E., O4076813.
Daniels, James W.
Darby, Barney D., Jr., O5305248.
Encell, John H., Jr., O4085406.
Eppler, Daniel R., O2292509.
Gallagher, Joseph P., O4063706.
Geczy, George. Jr., O4070166.
Gibbons, James O., O5411137.
Guy, Murray J., O4066409.
Halpern, Wayne J., O5300099.
Harris, Robert W., O4061526.
Heflin, Andrew H., O4011576.
Hempstead, Edward B., O5203701.
Hickman, Jere L., O4062862.
Horn, Robert C., O4066253.
Isham, James A., O4045829.
Jones, Edwin Y., Jr., O5303883.
Kimball, John S., O4050173.
Klein, Hugo L., O5401890.
Krahn, Wayne E., O5502148.
Loudermilk, Roy L., Jr., O4076080.
Mason, Arther W., O4059530.
Mastroserio, Joseph, O5303893.
Mozey, William B., Jr., O4058124.
Nash, Harold F., Jr., O4083381.
O'Connor, John H., O4060922.
Okada, Richard F., O4042307.
Parker, Jimmie C., O4048731.
Peake, Hayden B., O2290156.
Phipps, Donald E., O4083626.
Pickett, John H., Jr., O5400919.
Powe, Carl M., Jr., O4075437.
Powell, Walter W., O4044311.
Pugh, John W., O4060939.
Riggs, Joseph A., Jr., O4063334.
Roane, Glenwood P., O1890669.
Roeming, Fredric E., O4041383.
Rundle, Ralph T., O5400261.
Schonblom, James E.
Schmidt, Guy L., O4066800.
Shaffer, Malcolm S., O5401138.
Smith, Billy V., O5503512.
Smith, Samuel E., O1876380.
Staples, Frederick B., O5400846.
Taylor, Billy H., O4083479.
Tuszyynski, Andrew J., O4059473.
Walton, Elmer L., O5407723.
Weaver, George E., O1887226.
Wesel, Robert M., O4086007.
Wilson, Frederick C., O4062328.
Wolfe, William D., O4044562.
Yoho, Robert O., O4069461.
Yoos, Robert E., O4065771.

The following-named persons for appointment as chaplain in the Regular Army of the United States in the grade of first lieutenant, under the provisions of title 10, United States Code, sections 3285, 3286, 3287, and 3288:

Anderson, Robert C., O4055812.
Clark, Albert V., O4043441.
Ettershank, John P., Jr., O2284963.
Everett, Paul P., O3059357.
Harding, Richard M., O2287060.
Harrell, Ralph E., O1942094.
Hayes, Quentin O., O4022061.
Kienitz, John E., O4022971.
Maguire, Francis N., O2285019.
Salemme, Robert A., O1941797.

The following-named distinguished military students for appointment in the Medical Service Corps, Regular Army of the United States, in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 3285, 3286, 3287, and 3288:

Belcher, David R.
Cragun, John R.
Crow, Kenneth E.
Dupuy, Lloyd C.
Field, Richard W.
Gibbons, Robert B.
Hansen, Louis J.
Harris, Jon N.
Higgs, Richard H.
Hill, William R.
Jackson, Thomas C.
Jensen, Richard W.
Kennan, James S.
Kielman, Roger W.
Kutscha, Norman P.
Laird, Stewart W.
Moore, Claude P.
Moore, Douglas E.
Payne, John C.
Pittman, Thurman M.
Pollock, Archie D., Jr.
Simpson, Calbrieth L., Jr.
Sisler, Gary L.
Smith, Donald W.
Tucker, Tracy W.

The following-named distinguished military students for appointment in the Regular Army of the United States in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 3285, 3286, 3287, and 3288:

Adair, Meredith R.
Adams, Charles M., III
Adams, Hunter W.
Adams, Joseph F., III
Adams, Melvin M.
Adams, William K.
Adelmann, Walter J.
Agee, Damon W., Jr.
Ailles, Craig R.
Albertson, William D.
Albrecht, Edward D.
Albright, John N.
Aldrich, Wilbert H.
Allbee, John R.
Alley, Frank M., Jr.
Amidon, Bert C.
Amyx, Jack F.
Anderson, Barrie W.
Anderson, Jay E.
Anderson, Morris D.
Anderson, Richard J.
Andrews, John W.
Angolia, John R.
Antici, Edwin M.
Arbogast, Alfred A., Jr.
Archibald, Harold R.
Argrett, James H., Jr.
Aucoin, Alvin S.
Auman, Richard H.
Auyong, Stephen K. H.
Avant, Thomas L.
Ayers, James E.
Baker, David G.
Bareiss, David A.
Barmore, Frederick E., Jr.
Barnard, Robert H.
Barnes, William R.
Barnett, Charles I., Jr.
Barnett, James R.
Barnett, John R.
Barratt, Richard H.
Barreca, Nicholas E.
Barrett, Peter J.
Barrett, Richard J.
Barrett, William M.
Barrington, David
Barros, John J.
Barrowman, Thomas J.
Bartlett, Guy W.
Barton, Charles D.
Bassett, Lowell R.
Batcheler, George E.
Bates, John H., Jr.
Bayonet, Natalio P.
Beach, David R.
Beall, George
Beasley, John D., III
Beatty, Robert E.
Bechtler, Alfred N.
Becker, John B.
Behie, Edward H.
Bell, David A.
Bellaver, Richard F.
Benson, Frederick S., III
Benwitz, Richard A.
Berry, Thomas E.
Berta, Thomas L.
Best, David M.
Bettencourt, Ronald G.
Bicknell, Hilton B.
Biles, Raymond G.
Bingham, Keith P.
Bird, John J.
Birrane, John H.
Bisbey, Jay B.
Bishop, Edward L.
Bishop, John C.
Blake, Billy N.
Blakemore, Vaughan A., Jr.
Blasco, Andrew P.
Blevins, Virgil E.
Boerschel, August P.
Boles, Wayne T.
Bond, John A.
Boos, Philip D., Jr.
Borgmann, Wayne A.
Borstorff, Allan R.
Boston, Louis J.
Boterf, Chester A., Jr.
Boucher, Arthur G.
Bowser, William H.
Boyd, James R.
Boyle, Clarence E.
Boysen, John H.
Braithwaite, David A.
Branscome, Dexter A., III
Brauer, David P.
Brault, Francis M.
Breedlove, Joe J.
Brent, John J., Jr.
Breslin, Frederick C.
Brigham, Donald F.
Brinkley, James W.
Brooks, Joseph J., Jr.
Broullon, Anthony J.
Brown, Bobby F.
Brown, George R., Jr.
Brown, Melvin H.
Brown, Patty E.
Brown, Paul, Jr.
Brown, Richard L.
Browne, Robert J.
Browne, William J.
Brownfield, Boyd J.
Brumfield, Ike S.
Bruner, William M.
Buchanan, Gale A.
Buchanan, William J., Jr.
Buckley, Benjamin C., Jr.
Buckner, James L.
Buffaloe, Laurence W.
Bunter, Walter A., Jr.
Bures, Raymond A.
Burkholder, Robert D.
Burley, Earl B.
Burns, Robert R.
Butcher, Robert P.
Byrd, Charles R.
Byrd, James E.
Calhoun, George H.
Callahan, Joel T.
Calvin, John H.
Campbell, John R., Jr.
Campi, Francis V.
Carlisle, Allen D.
Carlisle, Robert M.
Carrara, Paul J.
Carroll, Edward J.
Carter, Arthur P., Jr.
Cartwright, Edward L., Jr.
Cartwright, Peter A.
Cathey, Edwin M.
Catron, George R.
Catineau, William J.
Chester, Guy K.
Chew, Frank S.
Christianson, Raymond C.
Childrey, Albert B., III
Chittenden, Warde P.
Claggett, Larry W.
Clark, George M.
Clark, Jack T.
Clark, Marion A.
Clark, Thomas F.
Clarke, Peter W.
Clarke, Samuel, Jr.
Clement, Joe M.
Clifton, James A.
Coffman, Joe P.
Cole, James R.
Cole, Samuel B., II
Collins, Francis E., Jr.
Concepcion, Ernest P.
Conley, Edward J.
Conlon, John F.
Connors, Francis X. K.
Conti, Richard N.
Cook, Grady W.
Cooley, Russell E., III
Cooper, Russell E.
Cope, Robert C.
Cosby, Andrew D.
Coughlin, Frank J., Jr.
Coyle, Jonathan
Craig, Hal N.
Cramer, Parker D.
Cranford, George M.
Craven, Ronald E.
Crotchett, Howard E.
Crowe, Donald F.
Crowe, John S.
Curbow, Stanton L.
Curran, Martin D.
Curtis, George R.

Curtis, Thomas A.
D'Agosto, Richard N.
Dague, Paul B.
Dahill, John B.
Daiker, Donald A.
Dalhausser, Robert W.
Daniel, Howard D., Jr.
Darden, Norman D., Jr.
Davidson, Charles N.
Davis, Peter A.
Dawson, Lawrence S.
De Fabio, Richard A.
De Ford, Dale D.
DeGrant, Robert L.
De Lauder, William B.
Del Buono, John A.
Dellinger, George C.
DeMartini, Frank J., Jr.
Denham, Robert B.
Dennis, John A.
Dent, Fred C., Jr.
des Granges, Jacques F. G.
Dewey, Lawrence R., Jr.
Dewey, William D.
DeYoung, Thomas A.
Dickson, Carroll Z.
Diehl, Thomas E.
Dietrich, Regis P., Jr.
Diggins, Kevin J.
Dix, James A.
Doherty, Martin C.
Dolbier, Walter H., Jr.
Doles, James A.
Domal, Stanley J.
Donaldson, Orlow B., III
Donaldson, Ronald J.
Donato, Paul A.
Donnelly, Raymond E., Jr.
Dooly, Billy B.
Doss, Lorenzo M.
Dougherty, Harry M.
Dowdey, Charles F.
Downey, Hal W.
Downing, William R.
Doyle, Vincent J.
Drosdeck, John S., Jr.
Duchin, Ronald A.
Dudas, Ronald E.
Dugas, Sidney P.
Dukes, Donald L.
Dumas, George C.
Dumas, Jesse D.
Duncan, Charles H., Jr.
Dunlop, David R.
Dunn, David A.
Dunn, John R.
Dunnington, Warren H.
Durham, James M.
Durham, Thomas F., III
Eady, William D.
Economos, Chris N.
Edison, Robert G.
Eward, Harry J.
Edwards, Aubrey H., Jr.
Edwards, Donald E.
Edwards, J. C., Jr.
Eger, Ronald E.
Eggleston, Carl B.
Eiche, Jon J.
Eiswerth, Vernon E.
Eitel, George L., Jr.
Ellison, William E.
Emery, Bruce W.
Endicott, Willard E.
England, Delbert L., Sr.
Enix, James R., Jr.
Epstein, David G.
Erbe, Henry H., Jr.
Errickson, Robert B.
Erwin, Lyal H.
Eskridge, Robert J.
Evans, William U., Jr.
Fahringer, Robert H.
Fall, Edward L., Jr.
Farley, John C.
Felsher, Edwin H., Jr.
Fernandez, Robert A.
Ferrara, Richard E.
Ferraro, Albert A., Jr.
Ferris, Lowell D.
Fields, Charles G.
Fields, William R., Jr.
Finch, Vernon D.
Finney, Essex E., Jr.
Fisher, Gordon L.
Fishkin, Douglas E.
Flanders, George W.
Fleming, Blaine T.
Flitcraft, Stanley, Jr.
Fluke, Eugene C.
Fogarty, Daniel C.
Fontana, Robert G.
Foster, James E.
Fox, Joseph M.
Fraase, William K.
Franklin, Robert L.
Frazier, Larry D.
Freiler, John J.
Frem, Harvey J.
Frey, Evan C.
Friauf, Gerald F.
Friesz, Leonard L.
Frischkorn, George K.
Fudge, Eugene E.
Gallagher, Robert J.
Galon, Exiquiel B. M., Jr.
Gantt, John R.
Garrett, Robert, II
Garvin, Jerry M.
Gaulke, Gary L.
Gayler, James M.
Gegner, William R.
Gehler, Donald C.
Genova, Anthony T.
Gessner, Charles J. B.
Gettle, Kenneth L.
Getz, Dwaine E.
Ghirardini, Rowe A.
Gibbs, Nelson F.
Gillespie, John J.
Girard, John E.
Giraudo, Robert A.
Gleason, James E.
Glenn, Robert W.
Goodwyne, Charles O.
Goring, Richard H.
Gorman, Patrick H.
Gossett, John T.
Goyette, William J.
Grassi, Robert H.
Grayson, Eugene H., Jr.
Greco, John D.
Greene, Therman R.
Greenwood, Everett O.
Greeson, James H.
Gregg, William G.
Grenier, Alfred F.
Grenke, William C.
Grooms, Jimmy R.
Grout, Harold P.
Groves, Charles D.
Guazzo, William, Jr.
Gunerman, Howard E.
Guy, Warren J., Jr.
Haas, George C.
Hagerty, Harve J.
Hall, Frank P., Jr.
Hall, James
Hall, Lawrence E.
Hamil, Richard C.
Hamilton, Carl M., Jr.
Hammill, William R.
Hand, Richard M.
Hardy, James M.
Harmon, Donald G.
Harper, James R.
Harris, Arnold F.
Harris, Bobby R.
Harrower, Bruce T.
Haselton, Hunter G.
Hawes, Velpeau E., Jr.
Hawley, William C.
Hayes, Richard D.
Hayes, Richard E.
Hays, Robert O.
Heberle, Charles J.
Hedges, John W.
Hegerlich, Robert L.
Henderson, John S.
Henriques, Richmond B.
Henry, Charles W., Jr.
Henry, William J.
Hepler, James M.
Hepler, Leslie J.
Herman, Gene L.
Hesch, Russell J.
Heslin, Robert E. J.
Higashionna, Ryokichi
Hill, Alden V.
Hill, Ridings L.
Hill, William V., Jr.
Hilsmeier, Allen E.
Himsel, Kenneth W.
Hinrichs, Donald M.
Hinterleiter, David O.
Hintze, Richard A.
Hobar, Basil J.
Hobson, Robert L.
Hodges, Philip G.
Hoffman, Jason G.
Hogan, David C.
Hogan, Jerry H.
Holder, Kenneth A.
Holman, Donald H., Jr.
Holohan, John F., Jr.
Honan, Francis E.
Horne, Charles H.
Horne, Douglas S.
Horton, Franklin N.
Horton, William R.
Houston, Samuel B.
Howard, James D.
Howe, Robert D.
Huggin, Benjamin A.
Huggins, Bobby R.
Humberd, David R.
Humbert, David W.
Humes, Walter W.
Humphreys, Robert R.
Humphries, John P.
Hunter, William J., Jr.
Hurst, Olen V., Jr.
Huskinson, William M., Jr.
Ikstrums, Janis
Ilg, Robert J.
Imhof, William A.
Inglett, Robert A.
Inman, Terence B.
Innes, Douglas D.
Ircink, Paul L.
Irons, Richard L.
Irvin, Lee P.
Irvine, Raymond G., Jr.
Ivey, Donald J.
Ivey, William L.
James, James D.
James, Theodore K.
Jardine, John W.
Jary, Roland S.
Jayne, Robert K., Jr.
Jefferson, Harvey P.
Jenkin, William E.
Jenkins, James H.
Jenkins, Joe E.
Jensen, Jerald D.
Jernigan, Earl J.
Jett, Carl O., Jr.
Johnson, Charles C.
Johnson, Dean B.
Johnson, Donald O.
Johnson, Edward O., Jr.
Johnson, Harold D.
Johnson, John W.
Johnson, Stanley R.
Jolly, Robert D.
Jones, Alva R., Jr.
Jones, Elwood M.
Jones, Gary W.
Jones, John G.
Jones, Julius E.
Jones, William S.
Jones, Roland A.
Jordan, George W., Jr.
Jordan, Josef C., Jr.
Joyce, John H.
Junier, Edward J.
Jurkowich, George J.
Kaneko, Roy T.
Kaplan, Kenneth
Karl, Edward V.
Karp, John C., Jr.
Kawano, Kenneth I.
Kehler, Paul R.
Kell, Wallace A.
Kellenberger, William E.
Kellock, David E.
Kelly, Patrick J.
Kengla, Charles A.
Kennedy, Thomas J., Jr.
Kerns, John A.
Key, Gilbert N.
Keyes, Billy G.
Kidd, Paul D.
Killheffer, Peter H.
Kim, Calvin D. S.
Kimber, Harold W.
Kimura, Michael M.
King, Thomas R., Jr.
Kirby, Ernest R.
Kirchmier, Raymond S. II
Kirk, Francis D.
Kirk, Michael K.
Kittelberger, Kenneth F.
Klaesius, Roger K.
Kleese, Gene D.
Kline, Gary L.
Knowles, Stanley W.
Kobayashi, Ralph K.
Kodama, Lester T.
Koepfer, Donald J.
Kolin, Raymond A.
Koon, Carl B.
Kornberger, Charles M.
Kornegay, Billy H.
Kramer, Leo A., Jr.
Kribs, Billy R.
Krizan, William A.
Kroencke, James E.
Kuehl, James L.
Kuhns, James A.
Kushner, John R.
Lacy, William J.
Lagana, John J., Jr.
LaFrance, Richard B.
Lai, Leonard S. Y.
Lamarque, Ruben A., Jr.
Lammons, Jay L.
LaMura, Edward L.
Lanphear, Paul J.
Lawlor, James
Lawson, Thomas E.
Layton, Charles M.
Ledbetter, Homer M., Jr.
Ledbetter, John W., Jr.
Le Donne, Frederick
Lee, Bruce L.
Lehman, Robert A.
Leitzen, Thomas R.
Leland, Harold L.
Lewis, Thomas S.
Lid, Dennis W.
Lilliquist, William E.
Limmer, Ralph D.
Linden, Albert H., Jr.
Lloyd, Harris H.
Lockwood, Charles L.
Long, Anthony
Long, Gary D.
Lookabaugh, Albert L.
Loop, Nowell E.
Lord, Charles E.
Losa, Gene A.
Love, David T.
Love, James E.
Lovell, Don E.
Lovell, James A.
Luginsland, William O.
Lynch, Robert J.
Lyttle, Harry D., Jr.
MacArthur, Douglas E.
MacGregor, Harry G., Jr.
MacInnis, David N.
Mackoff, Roger L.
MacWillie, Donald M., Jr.
Madden, William L.
Madigan, John E.
Magee, Michael C.
Magee, William S., Jr.
Magill, John A.
Maher, Edward J.
Mahurin, Larry R.
Manderson, Ivor C.
Manderville, Bernard P., Jr.
Manley, Barry L.
Mann, Marion E., Jr.
Mapes, Pierson G.
Marano, John C.
Marcotte, Leo R.
Markofski, Donald R.
Marley, Ronald W.
Maroscher, Albert G.
Marshall, Jerry V.
Martin, Charles J. III
Martin, Richard H.
Martinelli, Aldo R.
Martinson, Juri
Marwitz, Carl E.
Masel, Walter S.
Mason, Donald R.
Masotti, James J.
Mast, Phillip K.
Masuo, Robert H.
Matchette, Claude R.
Matheson, Kent D.
Mathis, Douglas
Matteo, Thomas F., Jr.
Matzeder, Clarence J.
Maughan, Richard R.
Mauro, Donald J.
Mausshardt, Donald B.
Maxwell, Michael W.
Mays, Aldine M., Jr.
Mays, James L.
McAlpin, George R., Jr.
McCartt, William G.
McCloy, John J. II
McCue, Bernard A.
McCullough, Overton H.
McCullough, William G., Jr.
McCune, John C.
McDaniel, Everett S.
McDowell, Edwin L.
McElrath, William L., Jr.
McFadden, John H.
McFadden, Phillip L.
McGowan, Oliver W.
McKay, James M., Jr.
McKenna, Jerry D.
McLaughlin, Edward J.
McLeod, Roy G.
McNabb, Jerry W.
McNichols, William J.
McNutt, Joel W.
McPeek, Donald F., Jr.
Meador, Eddie D.
Medley, Ted
Megehee, Daniel B.
Melnik, Walter, Jr.
Melton, Thomas L.
Menner, William R.
Mentor, John L.
Mercadante, Richard T.
Merchant, Don L.
Merchant, James L.
Merski, Norman R.
Metcalf, Ronald C.
Meyrick, Joseph S.
Michetti, Denis A.
Mickey, Forrest R.
Mikytuck, Robert, Jr.
Miley, John R.
Miller, Carl J.
Miller, Harold E., Jr.
Miller, Ralph
Miller, Ronald A.
Miller, Thomas H.
Mills, Gary L.
Minor, Richard E.
Mitchell, Charles C.
Mitchell, John R.
Moeller, Lawrence B.
Montgomery, David B.
Montgomery, Horace, Jr.
Moore, Donald F.
Moore, John W.
Moorhead, John H.
Moosberg, John B.
Moran, Robert B.
Moreland, Harry W.
Morgan, Sydney H.
Moritz, Thomas W.
Morrill, Edward D.
Morris, George A.
Morrison, Donald C.
Morrison, Richard C.
Morrison, Robert C.
Moses, Johnny M.
Mosher, Barry R.
Mosher, Dale S.
Mosher, Robert, L.
Motley, James B.
Mountel, William E.
Mueller, Harold B.
Mullman, Raymond P.
Murata, Mark M.
Murkison, Eugene C.
Murphy, Hugh T.
Myers, Marvin O.
Nash, Charles J., Jr.
Nash, Donald B.
Neal, Samuel L., Jr.
Nelson, Carl W.
Nelson, Robert L.
Neuberger, Kirk M.
Newell, Larry C.
Newman, Richard C.
Nichols, William W. Jr.
Niendorf, Lynn R.
Niven, Charles P.
Nolen, James T.
North, John R.
Nugent, Richard O.
Oakes, William E.
Oberdeck, Martin K.
O'Connell, Thomas R.
O'Connor, John P.
Offutt, Edward W.
Ogden, Gregory T.
O'Keefe, Edward T., Jr.
Oldham, Theodore H.
Oliver, Homer D.
Oliver, Robert T.
Olson, Kenneth R.
O'Neill, Daniel J.
Oppenlander, Robert W.
Orr, John B.
Orr, Paul F.
Orth, Richard C., Jr.
Ott, John S.
Ouimet, William C., Jr.
Owens, Augustus L.
Palsha, Robert J.
Pangman, James K.
Papazoglou, Peter
Pappas, Constantine P.
Pare, Clermont P.
Paris, John M.
Parker, Robert W.
Parsons, William W.
Pasternak, Dexter J.
Pattison, John A.

Patton, Barry G.
Patton, William L., Jr.
Pawlik, Eugene A., Sr.
Payne, Herbert M., Jr.
Pearce, Carl A.
Perreault, William J.
Perry, Lloyd M.
Person, James L.
Pesqueira, Richard E.
Petric, John A.
Peyton, John H.
Pfann, Bruce W.
Phifer, Thomas K.
Pierce, Harlan L.
Pierce, James S.
Pierpan, Henry J.
Pierre, Russell, Jr.
Pietrowicz, Stephen R.
Pihl, Donald S.
Pike, Gerald D.
Pike, James C.
Pike, Thurston E.
Pincus, Ronald
Pingry, Thomas E.
Pipia, John F.
Pishon, Nicholas E.
Pistole, Robert G.
Plachy, Roger J.
Ploudre, George W., II
Poe, Thurel J., Jr.
Poitras, Michael F.
Polansky, Victor L.
Pomponio, Arthur M.
Poole, Buddy J.
Pope, Morgan D.
Posey, Dudley M.
Powers, James S.
Pressley, Ronnie J.
Proe, John D.
Pullig, Jackie N.
Raffaele, Eugene J.
Rafferty, Joseph V.
Rapaport, Benjamin
Rasmussen, Robert B.
Ratcliffe, John P.
Ray, Harry D., Jr.
Reddin, Thomas E.
Reed, John W.
Reuter, Neil G.
Rewerts, David G.
Reynolds, Buddy L.
Rhoads, Milton D.
Rhynsburger, Robert B.
Richard, Virgil A.
Richards, Arthur E., III
Ricketts, Donald D.
Rinard, John W.
Ringmacher, Nelson E., Jr.
Rizzi, Walter J.
Roberts, Forrest E., Jr.
Roberts, James E., Jr.
Roberts, Joel E. L.
Roberts, Philip C., Jr.
Robertson, Wayman D.
Robinson, Paul R.
Robinson, Richard R.
Robinson, Robert R.
Rodriguez, Radames
Romanik, Thomas
Romboski, Lawrence D.
Romek, Robert R.
Rose, Claude H. Jr.
Rosenberry, Frank A.
Rounseville, Richard G.
Roy, Jerry H.
Rugenstein, Edgar H.
Ryman, Ernest G.
Sabia, Donald M.
Sackett, Richard E.
Sadler, Richard C.
Salley, Robert W.
Sanders, Clarence B., Jr.
Sandfort, Phillip L.
Sands, Robert G.
Sattler, Howard E.
Savas, Ronald D.
Scarborough, John M.
Schaubach, George E., Jr.
Scheel, Clarence A.
Scherz, James P.
Schiano, Louis J.
Schlapak, Benjamin R.
Schley, Robert L.
Schlievert, James W.
Schmid, Karl F.
Schneebeck, Gene A.
Schneeweis, Harold N.
Schor, Stephen H.
Schultz, Alvin L.
Schumaker, Theodore A.
Schuster, Jon N.
Schutz, Ronald C.
Schwartz, Daniel
Scott, Walter S.
Scott, William A.
Seaver, James R.
Seiler, Robert B.
Seitz, John A., III
Self, Charles R.
Selman, Steven E.
Seufert, Gary L.
Sewell, Stephen H., Jr.
Shannon, David H.
Sharkey, William P.
Shaw, Terrence L.
Sheedy, Louis W.
Shepard, Philip G.
Shephard, David A. C.
Sherard, Rufus C.
Sherrell, Wilson J.
Shouse, Delbert F.
Shroyer, Phillip M.
Siebert, Edward M.
Siebert, Fred H., Jr.
Sillers, Bruce D.
Silva, Warren R.
Simpson, LeOren
Sisterman, Lawrence E.
Skamser, Harold P., Jr.
Skinkle, LeRoy W.
Skopic, Charles E.
Slattery, Frank P., III
Slaughter, John C.
Slayton, Emmett, Jr.
Slifer, Richard D.
Smith, Charles E.
Smith, Conrad M.
Smith, Glenn A., III
Smith, James E.
Smith, Jarvis E.
Smith, Joseph H.
Smith, Roger W.
Snable, Gary L.
Sobers, Richard E.
Soland, Donald J.
Soriano, Feliciano P.
Sorini, Laurence F., Jr.
Souvenir, Melvyn L.
Sovine, Leroy K.
Sparling, Darryl E.
Sparks, Ralph A.
Spears, James W.
Spengler, William D.
Spera, Francis P.
Spillane, Robert B.
Spofford, Walter O., Jr.
Springfield, Bruce W.
Sroka, Richard M.
Stang, Arthur C., III
Stansell, Ernest L., Jr.
Starr, Frank C.
Stebbins, Allen F.
Stebbins, Ronald S.
Stepp, Roderick D.
Stevens, Eulin L.
Stewart, Charles M.
Stewart, Randall J.
Stewart, Richard W.
Stiepock, Robert C.
Stone, Ronald S.
Straight, Kaye R.
Streeter, William F.
Strickland, Darwin T., Jr.
Stroh, George C.
Strother, James O.
Stuart, Robert L.
Stults, Claude L., Jr.
Stupal, Ivan S.
Sugita, Edwin T.
Sullenger, Lawrence W.
Sullins, William R.
Summers, William E.
Sumner, John H.
Sussman, Michael M.
Suter, William K.
Sweeney, Robert F.
Swindells, John E.
Swinton, Raymond M.
Sylvia, Robert F.
Szustak, Frank G.
Taylor, Donald C.
Taylor, James E.
Taylor, Ralph W.
Taylor, William D.
Teed, Edward L.
Terrell, Robert N.
Terry, Norman D.
Terseck, Richard J.
Tew, Clyde A.
Thayer, William S.
Thomas, Phillip J.
Thomas, Richard C.
Thompson, James P., Jr.
Thompson, Paul F., II
Thompson, Vernon D.
Thorstad, Ronald C.
Thurin, John P.
Tipka, John W.
Tomczak, Donald J.
Tompson, James D.
Tompson, John C.
Toner, David L.
Toothaker, Thomas R.
Townsend, James N.
Trahe, Robert M. W.
Trew, Robert B.
Tritaik, Wayne A.
Tucker, John D.
Tucker, Spencer C.
Tudor, Robert W.
Tuma, Jimmy W.
Turley, Jesse D., III
Turner, Thomas W.
Uhler, Robert G.
Ulrich, Joe D.
Urquhart, Charles T.
Uyeda, Frederick K.
VanDover, James R.
Vanek, David V.
Van Horne, Marvin L.
Van Houten, John B., Jr.
Vaughn, Emmet P., Jr.
Venden, Roger D.
Venzke, Gene A.
Vernot, Robert D.
Vinci, Joseph F.
Vines, Charles A., Jr.
Vines, Charles W., Jr.
Vinett, Peter A.
Voos, Melvin H.
Wacloff, Robert L.
Wagner, William H.
Wait, William M.
Walczak, Sylvester, Jr.
Waldrop, John C.
Wall, Kenneth L.
Wall, William J., Jr.
Wallace, Malcolm K. R.
Wallace, Pete
Waller, Calvin A. H.
Walls, Richard B.
Walsh, Daniel P.
Ward, Alan W.
Weaver, John R.
Webb, James M., Jr.
Webb, Jesse H., Jr.
Webb, Waldo R.
Weeks, Joseph P.
Weeks, William J., Jr.
Weening, Otto
Welch, John A.
Welker, John J.
Wells, James L.
Wells, Robert M.
Welsh, Gary P.
West, David L.
Westgard, William C.
Wheeler, Roger J., Jr.
White, William L., Jr.
Whiteside, Jerry E.
Whitley, Henry G., Jr.
Whittall, Herbert V.
Whitworth, David C.
Widder, David J. W.
Wigton, Ronald E.
Wilder, William B., Sr.
Wilkerson, Edwin A.
Wilkins, Robert E.
Williams, Alex E.
Williamson, Alan R.
Wilson, Carroll R.
Wilson, Henry W.
Wilson, Loren D., Jr.
Wilson, Martin L.
Windham, William J.
Winebarger, Marion C.
Winford, Billy G.
Winn, David S., Jr.
Winter, Maurice G.
Wolf, Wilbur E., Jr.
Wolpert, Robert A.
Womack, Willard A.
Woodhouse, Donald L.
Woods, Roy S., Jr.
Woodworth, Glenn M.
Workman, Willard M., Jr.
Wright, Willie F.
Wrigley, John B.
Yates, Cecil E., Jr.
Yates, Richard P.
Yeo, Kenneth B., Jr.
Yeosock, John J.
Yersky, Ronald E.
Yon, Frank E.
Young, Carl L.
Young, Robert C.
Zahn, Kenneth C.
Zajac, Stephen G.
Zierak, Robert A.
Zorn, Burl A.

IN THE NAVY AND MARINE CORPS

The following-named midshipmen (Naval Academy) to be ensigns in the Navy, subject to qualifications therefor as provided by law:

Peter G. Abdalla
Gordon E. Abercrombie
Lloyd H. Adams
Frank M. Adamson, Jr.
Jerry D. Akens
Carl J. Albrecht
Edward E. Alexander, Jr.
Bobby D. Allen
Carl E. Anderson
Arthur E. Archambault, Jr.
James J. Arnold, Jr.
Raymond J. Art
Richard J. Asafaylo
David C. Ascher, Jr.
William M. L. Asher
William L. Assell
George B. Auchy
Jack B. Austin
Donald D. Babcock
Roger F. Bacon
John K. Bainbridge
Edward B. Baker, Jr.
Robert E. Baker, Jr.
Richard L. Baldwin
Stuart F. Ball
Edward K. Bannan
William D. Barkman
Gary L. Barnum
Patrick J. Barry
Walter H. Baskin
Jon D. Batchelor
Arnold R. Battaglini
John A. Battenburg
William H. Batts, Jr.
Lawrence D. Bauer
Robert H. Beasley, Jr.
Robert R. Beaton
Norbert H. Bednarek
Richard K. Beggs
Howard V. Berkowitz
Vernon C. Bloch
Charles W. Blount
John W. Bogle
William C. Boissenin
Thomas H. Bond
Robert M. Booth
Allen P. Boothe
Ronald E. Bostick
Michael P. Bothwell
Robert L. Bovey
George A. Bowley
David H. Boyd
Alonzo R. Boyle
Peter R. Bozzo
Daniel B. Branch, Jr.
George E. Brainerd
Joseph A. Brantuas
Dennis W. Brezina
Kent S. Bromwell
John C. Brons
Michael J. Brown
William L. Brown
Malvin D. Bruce
Edward L. G. Bryan
John C. Buchanan
John P. Bundarin, Jr.
William S. Burgess
Nolan R. Burke
William S. Bush III
John A. Butterfield
Robert H. Byng
William T. Cain
Theodore H. Calhoon
Terrence J. Camilleri
Donald R. Campbell
Geoffrey D. Cant
Clyde A. L. Carter
Frederick W. Carter, Jr.
James P. Cartwright
James P. Carwin
Alexander Castro, Jr.
Edward W. Cather II
Robert L. Ceres
Philip R. Chamberlin
Donald A. Chase
Daniel M. Cheston IV
John W. Chidsey
Keith L. Christensen
Ralph W. Christy
Joseph Chulick, Jr.
Donald H. Clark
Kent R. Clark
Maurice E. Clark
William G. Clautice
Wilton R. Clements
Thomas A. Clift
Stanley M. Cobb, Jr.
Richard M. Cockley
James E. Collins
John F. Collins
Patrick M. Commons
Raymond T. Connolly
Paul T. Converse
Michael B. Cooper
William R. Corcoran
Carl D. Corse, Jr.
Charles E. Cosky
Thomas P. Costigan
John P. Crumpacker
James J. Culliton
Robert S. Cunningham
Robert E. Currie
James M. Curtin
Guy H. Curtis III
Ronald R. Curtis
Lee M. Cutler
John Dachos
Henry F. Daidone
Carl N. Danitschek
Paul H. Darby, Jr.
Robert M. Darby
Alden A. Davis
Carl E. Davis
Hugh M. Davis, Jr.
Joseph F. Davis
Richard S. Davis
Wade L. Davis
John R. Dawdy
Armand G. DeCesare
David A. Deniston
Clifford R. Den-Otter
Richard B. Derickson III
Joshua C. Dickinson III
Charles P. Dobbs
David P. Doelger
David A. J. Donovan, Jr.
Francis R. Donovan
James J. Dorsey
Frederic G. Dorwart, Jr.
William B. Drake, Jr.
William C. Drotleff, Jr.
Donald R. Dunn
James V. Dunn
David W. Dyke
Walter T. Dziedzic, Jr.
Perry L. Ealick
Everett W. Edgerton, Jr.
Gerald E. Egan
Ernest J. Ehlers
William D. Ekleberry
John S. Ekstrom
George M. Elliott
Richard L. Engel
Grover G. Ericksen
George E. Erickson, Jr.
Cliffiord D. Estes
John A. Estes
Lucian C. Evans
Stuart D. Evans
William H. Everett III
James F. Featherstone
Dale N. Fendorf
William F. Fernow
Charles L. Ferris
Tylor Field II
James R. Fiene
Martin J. Finerty, Jr.
James R. Finlen
John P. Firmin
Michael E. Fitzgerald
Eugene E. Fitzpatrick
Jack R. Flikeid
Martin R. Flynn
Noel S. Flynn
Raymond L. Forbes, Jr.
Joseph P. P. Ford
Homer L. Franck
Charles G. Frankhauser
Frank W. Franklin, Jr.
Larry B. Franklin
Fred H. Freckmann
James R. Fuqua, Jr.
William C. Gabrielsen
Thomas H. Gainer, Jr.
John L. Gaither
William B. Garrett
William F. Garrity
George B. Garton, Jr.
Charles M. Garverick
Bernard R. Geiger
Gary Q. Geist
David A. Gill
David S. Gilmer
John S. Glaeser
Barry L. Gordon
Robert C. Gordon
Milton R. Gorham, Jr.
Lawrence D. Gosen
David L. Green
John G. Green

Patrick T. Green
Richard K. Griffith
James E. Grise
Paul E. Gross
Paul E. Guay
John A. Gunther
David G. Guthrie
Thomas W. Habermas
James M. Haffey
Raymond D. Hager, Jr.
Wayne J. Haley
Griffin F. Hamilton
Warren G. F. X. Hammond
James M. Hanford
Martin P. Hanson
Robert K. Harmuth
Michael L. Hartman
Thomas A. Hassler
John W. Hawthorne
John M. Heiges
William E. Held, Jr.
Joseph C. Henderson
Tomas G. Henderson
Donald M. Hernon
Hanley E. Heyden
Wayne A. T. Hildebrand
Edward R. Hill
Hassel Hill, Jr.
John W. Hilt
Milton H. Hoever
John H. Hoey
James H. Holds
Donald D. Holmes
Ben F. Holt, Jr.
William J. Honadle
William M. Honsa, Jr.
Granville J. Hopkins
Jerry L. Horacek
Charles A. Hougland
William P. Houley
Anthony E. Hudalla
Christopher L. Hudgins
Richard F. Huebner
Harvey P. Huetter
Charles L. Hughes, Jr.
Charles B. Humes
George B. Hunt, Jr.
Richard W. Hunter
Robert C. Hurd
Francis P. Hurley
Robert M. Hydinger
Richard L. Ihly
Jack L. Iler
John P. Jackson
Jon G. James
Thomas C. Jarvis
Robert L. Jaseph
Ronald H. Jesberg
Richard W. Johnson
Roland R. Johnson
Rodney K. Johnston
Patrick D. Joynt
Raymond A. Kambeitz
John S. Kanuch
Maynard O. Kartvedt
Donald L. Katz
Karl L. Keay
Joseph Keeley
David S. Kelly
Robert J. Kelly
William H. Kelly
Carl D. Keske
Harry C. Ketts III
Bradley N. Keyes
Robert K. U. Kihune
Ingolf N. Kiland, Jr.
Eric L. Kincanon
Judson M. Kinch
John J. King
Joseph F. King
MacLellan E. King, Jr.
Donald J. Klein
Samuel J. Knox, Jr.
Walter H. O. Kopp
Allen L. J. Krischker
Theodore G. Krumm, Jr.
Victor C. Kruzic
David H. LaCagnina
James B. Lackey
John D. Laferty
James C. Langemo
John A. Langford, Jr.
Robert L. Larkin, Jr.
Anthony J. LaSala
Mitchell L. Lathrop
John T. Lawler
Frank T. Lazarchick
John F. Leder
John M. Leeds
George R. Lehmberg, Jr.
Adolf O. Lekebusch
Hayden L. Leon, Jr.
James F. Leonard
Robert F. Lester
Harry E. Lewis
Michael H. Lewis
John J. Libert
Kent "A" Link
Gordon M. Littlefield
Charles H. Lloyd
Wayne P. Lockwood
Wallis "M" Logan
Robert W. Logie
"J" Phillip London
Thomas A. Long, Jr.
William J. Longfellow, Jr.
John E. Lovejoy
Jerry M. Loveless
Jack W. Lovell
James R. Lowe
Thomas J. Lukish
William B. McAree II
John J. McCabe
Peter T. McCall
Sylvester W. McCall, Jr.
David D. McCarthy
Howard E. McCord, Jr.
Jerry P. McDaniel
Steven W. McGanka
William R. McGowen
Fred P. McIntyre
Robert H. McLeod
Jerry C. McMurry
Thomas P. McReynolds
Charles J. McVey
Bridgman A. MacDonald
Byron N. MacFarlane
Anthony J. Marangoni
Charles F. Marron
Walter W. Marshall
James E. Martin
Johnny N. Martin, Jr.
Richard L. Martin
Robert L. Martin
Timothy H. Marvin
John H. Mascali
Joseph A. Masterbone, Jr.
William G. Matthews
Henry H. Mauz, Jr.
Michael D. Maynard
Norman A. Mayo
Albert T. Mays
Lawrence R. Menzies
Francis M. Meredith II
Arthur Merz
Robert D. Michael
Charles P. Miller III
Richard D. Milligan
Robert L. Milner
William I. Milwee, Jr.
James H. Mintun, Jr.
Howard D. Mitchell
John S. Mitchell, Jr.
Karl A. Moellmer
Milan Moncilovich
Richard J. Moore
Harry E. Morgan, Jr.
Henry A. Morgan, Jr.
John P. Morgan
Robert V. Morgan
Carleton E. Mott, Jr.
Dennis M. Moynahan
Kevin M. Mulkern
Robert M. Mulrooney
James E. Murphy
Frederick E. Naef, Jr.
John E. Nash
Robert A. Nash
John F. Neish
Patrick J. Nelis
Jack R. Nickel
Van K. Nield
Charles G. Nolan
Bruce D. Nordwall
Richard J. Noreika
David F. Norwood
John E. Nourie
Silas O. Nunn III
Robert O. Oakes
Vincent Obsitnik
Phillip J. O'Connell, Jr.
Byron J. Oistad
Frederick A. Olds
Robert G. Oliver
Edward J. O'Neill, Jr.
John C. Oneto
Francis A. Orr
David L. Osburn
Marvin R. Osburn
Everett F. Overman, Jr.
Allan A. Ovrom, Jr.
Richard J. Pagnillo
John A. Paine, Jr.
Leslie N. Palmer
Henry W. Papa
Guy C. Parsons, Jr.
John R. Patten
Charles C. Pease
John N. Pechauer
Lawrence F. Permenter
Gerald L. Peterson
Robert A. Petitt
William E. Pheris IV
Lawrence C. Pizinger
Preston G. Pollock, Jr.
James K. Poole
Philip H. Powers
Robert L. Prendergast
John T. Priest
Richard A. Radecki
James E. Ramsey
Donald J. Raunig
Dennis S. Read
Edward G. Redden
Elbert G. Rees
Gayle "H" Rees
James D. Regan
Ronald W. Render
James G. Reynolds
Philip W. Reynolds
Hugh W. Rhodes
Roy J. Rice
Daniel C. Richardson
William E. Richardson
Herbert B. Richter
Wayne E. Rickman
Robert A. Riddell
Larry M. Riley
James N. Noberts
John S. Robertson
Richard E. Robinson
Ronald J. Rodriguez
Hans M. Roensch, Jr.
David N. Rogers
Clifford A. Rose, Jr.
Louis F. Rossi
James B. Rucker, Jr.
Richard D. Russell
Allen R. Ruth
Thomas A. Ryan
Alfred J. Santos, Jr.
John J. Savel, Jr.
Harold E. Saxton
Bruce J. Schick
Patrick McG. Schnauffer, Jr.
Elmer C. Schoneman
John J. Schultz
Philip D. Schultz
Douglas R. Scott
Lawrence S. Scott
David F. Sears
James R. Seeley
Donald W. Seykowski
Donald Shelton
Scott S. Shenton
Furman L. Sheppard, Jr.
Allen M. Shinn, Jr.
David K. Shiverdecker
Samuel W. Sigmund
William J. Silvers
Dean M. Simmons
George T. Simmons
Luther W. Skelton III
Fenwick R. Small
Arthur K. Smith, Jr.
Badger C. Smith III
Bradley N. Smith
Gary T. Smith
Gibson P. Smith
James A. Smith, Jr.
Rayburn R. Smith
William T. Smoot
Hugh V. Snively
Stephen V. H. Snyder
Nelson C. Springer
Courtney W. Stanton
Robin L. Starck
Daniel P. Stephens
David H. Stitzel II
Peter C. Stout
Hubert J. Strachwitz
Sylvan D. Stratton
George H. Strohsahl, Jr.
David D. Sullivan
John L. Sullivan
Gary R. Susag
Walter S. Szczypinski, Jr.
Lee R. Talbert
Peter T. Tarpgaard, Jr.
Felix E. Templeton
Alfred A. Thresher II
James F. Tidd
Hollis J. Tiedemann, Jr.
Bennett E. Todd, Jr.
Charles F. Tomajczyk, Jr.
Rodney G. Tomlinson
Frederick F. Touchstone, Jr.
Richard M. Trippe, Jr.
Ronald C. Trossbach
David D. Troyer
Daniel M. Truax
Ralph E. Tuggle
Gale N. Turner
John W. Turner
Jack H. Udebrock
Truxtun Umsted
Gerard F. Varni
Robert C. Vasey III
Sidney E. Veazey
Charles A. Vickery
Larry G. Vogt
Douglas Volgenau
Howard E. Wainwright
Jonathan M. Wainwright
Harry C. Walker
John W. Walker
Donald J. H. Wallace
Robert G. Walls
Louis B. Wardlow
Toby G. Warson
Larry S. Weaver
Waldemar C. Weber
Edward C. Webster
Raymond B. Wellborn
Howard A. Wells, Jr.
Richard K. Westfahl
Gary F. Wheatley
William C. Wheaton
James R. Wheeler
Russell E. Whipps
Verne B. Whitehead
Alvin L. Wilderman
Robert C. Wiley
Douglas D. Williams, Jr.
John R. Williams
Robert A. Williams
Robert J. Willingham, Jr.
Charles M. Wilson, Jr.
James P. Wilson
Richard F. Winter
William T. Wirth
Charles D. Witt
Roland R. Wommack
Ronald E. H. Woodaman
Robert R. Wright
Theodore W. Wu, Jr.
Walter P. Wynn, Jr.
William J. Yaworsky
Raymond A. Yenchko
George M. Yerkes
Frank D. Young 3d
Howard L. Young, Jr.
James T. Young
Vernon O. Young
Thomas C. Zacharias
Walter C. Zitzewitz

The following-named midshipmen (Naval Academy) to be ensigns in the Supply Corps of the Navy, subject to qualifications therefor as provided by law:

Robert C. Armour
Carl A. Bailer
William H. Ballard, Jr.
Thomas H. Billings
Jacob Boltz
William H. Branson
John J. Bray, Jr.
Harry J. Brock, Jr.
Chester I. Burnett, Jr.
Joseph Casasanto
Donald R. Cooper
Jay R. Denney
Roger C. Erickson
Ralph J. Facciani, Jr.
Jerome T. Flammger
Roy W. Forsberg
Paul J. Franchi
Lynn M. Gantt
Sylvester R. M. Granger
Robert W. Groom
Rudolph B. Hamlin
Jonathon J. Hardin, Jr.
Bobby J. Jones
James A. Kelly
Emmett J. Knapp
Harry J. F. Korrell, Jr.
Donley D. Kubasch
Steven C. Lamphear
Richard P. Leisenring
Samuel J. Ligon, Jr.
John M. Machesky
Robert L. Manly
Frederick W. March
John P. Meany, Jr.
John A. Moore
Daniel A. O'Brien
Donald W. Parker
Leo J. Peck
Donald T. Peters
William E. Powell, Jr.
Howard W. Poxon, Jr.
Harry B. Rike III
Peter J. Schleck
John E. Seeburger, Jr.
John M. Shiels
Charles T. Staats
Robert E. Steidle
Michael S. Sturges
Donald D. Thompson
Gerald H. Welsh
Michael D. Willen
John P. Williams
Joe B. Wright
Howard B. Yeager
Richard S. Zembrzuski
Richard E. Zscheile
Alexander E. Zuntag

The following-named midshipmen (Naval Academy) to be ensigns in the Civil Engineer Corps of the Navy, subject to qualifications therefor as provided by law:

David E. Bottorff
John L. Dettbarn
Thomas H. Emsley
Jon R. Ives
Julian M. F. Kau
John A. LaFond
Richard W. Laton
Roger G. Martin
Delmont J. Monarch, Jr.
James H. Osborn
Robert L. Preston
Paul A. Thornton
Peter S. VanNort
Richard Y. Wisenbaker

The following-named (Naval Reserve Officers' Training Corps) to be ensigns in the line of the Navy, subject to qualifications therefor as provided by law:

Alex Anckonie
Robert C. Arnold
James L. Bast
Gordon W. Bawden
William F. Bearden
Emerson H. Bell, Jr.
Richard L. Blake.
David S. Bloxsom
Brian F. Bremer
Alan G. Brown
Byron "W" Buell
Jerome V. Burchett
Wayne R. Campbell
Thomas R. Chandler
Thomas P. Damm
Robert H. Diefenbacher
Thomas G. Freeman
John G. Griffith
Matthew B. Healey
Marle D. Hewett
William F. Hicks
Richard W. Hoff
Robert E. Hunkins
Robert D. Johnson
Richard J. Kuebler
Alan I. McCone, Jr.
Richard A. MacEwen
John F. Neese
George A. Nelson
William C. Osswald
Charles E. Peterson
Robert S. Rand
James F. Rappolt
Charles F. Seibold
George M. Smith, Jr.
Harvey D. Smith, Jr.
James W. Sole
Leslie Stoessl
James R. Stratton
Roy S. Swanner
Stanley P. Thompson
Robert B. Wheeler
Robert F. Zimels

The following-named (civilian college graduates) to be permanent lieutenants (junior grade) and temporary lieutenants

in the Medical Corps of the Navy, subject to qualifications therefor as provided by law:

William L. Heinrichs
Gilbert J. Hum
John R. Mani

Edwin F. Aune, Reserve officer, to be a permanent lieutenant commander and a temporary commander in the Medical Corps of the Navy, subject to qualifications therefor as provided by law.

The following-named Reserve officers to be lieutenants in the Medical Corps of the Navy, subject to qualifications therefor as provided by law:

Douglas G. Boyden
Hellmut C. Gebhardt
Thomas C. Hartney

The following-named Reserve officers to be permanent lieutenants (junior grade) and temporary lieutenants in the Medical Corps of the Navy, subject to qualifications therefor as provided by law:

Harry N. Beaty
David R. Belevetz
Matthew I. Bucko, Jr.
Wiltie A. Creswell, Jr.
Robert I. Cutcher
David E. Drum
Peter P. Lawlor, Jr.
Rodney I. MacDonald
Melvin B. Meyer
George H. Mitchell, Jr.
Royden W. Neal
John M. O'Lane
Alvin Szojchet
Richard A. Thompson
Wayne R. Wilson, Jr.

The following-named Reserve officers to be lieutenants (junior grade) in the Dental Corps of the Navy and be promoted to the grade of lieutenant when their line-running mates are so promoted, subject to qualifications therefor as provided by law:

Allen K. Brown
Richard E. Charlick
Peter W. Connole
Benton E. Crawford, Jr.
Daniel F. Crowther
Max B. Daughtry
James V. Gourley
Maurice C. Hack, Jr.
Edwin J. Hancock
John H. Hanley
Gerald L. Hart
James I. Johnson
Robert W. Koch
Robert E. Losert
Larry L. Nash
Jerry L. Pollard
Richard G. Preece
David J. Smith
Lloyd R. Tennyson
Eugene J. Weigel, Jr.
John P. Williams

The following-named officers selected as alternates to be lieutenants (junior grade) in the Dental Corps of the Navy and be promoted to the grade of lieutenant when their line-running mates are so promoted, subject to qualifications therefor as provided by law:

Stephen G. Bell
Brice J. DeVos
Richard O. Gibbs
Wilber G. Gill
William S. Mull

Raymond G. Leslie, U.S. Navy retired officer, to be a permanent chief warrant officer, W–4, in the Navy, pursuant to title 10, United States Code, section 1211.

Herman E. Northway, U.S. Navy retired officer, to be a lieutenant in the line of the Navy for temporary service, pursuant to title 10, United States Code, section 1211.

Otto Schneider, officer to be a lieutenant in the Chaplain Corps of the Navy for temporary service in lieu of lieutenant (junior grade) as previously nominated and confirmed to correct grade.

The following-named line officer of the Navy for temporary promotion to the grade of lieutenant, subject to qualification therefor as provided by law:

Sznyter, Edward W., Jr.

The following-named officers of the Navy for permanent promotion to the grade of lieutenant (junior grade) in the line and staff corps as indicated, subject to qualification therefor as provided by law:

LINE

Adams, Billy J.
Anderson, Jerry P.
Browning, Robert B.
Gemme, Merilyn F.
Hollis, Zid V.
Knight, John R., Jr.
Musick, Wayne O.
Smith, Richard J. W.
Thayer, Albert J.
Witherspoon, Beverly W.
Wyly, James R., Jr.
Young, Johanna L. H.

SUPPLY CORPS

Szwed, James A.
Webster, John C.

The following-named (Naval Academy graduates) for permanent appointment to the rank of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Richard C. Abington
LeRoy A. Bickley
Harry W. Boltz
George H. Braman, Jr.
Bruce G. Brown
Dwight E. Brown
Jimmy L. Brown
Edmund B. R. Burns
David H. Calhoun
Daniel B. Chapla
Charles F. Corbelli
Thomas R. Crompton
William E. De Iuliis
William P. Eshelman
Henry D. Estes
Leonard L. Etcho
Chauncey R. Fairchild
Angelo Fernandez
Joseph F. Flynn
David J. Frie
Gerald G. Garbacz
Robert B. Gardner
John J. Garrity, Jr.
Edward W. Gibbons
Edward J. Hoynes
Wayne R. Hyatt
David C. Johnson
Richard A. Johnson
Denis J. Kiely, Jr.
John J. Kilday
John H. Knief
Ray E. La Van, Jr.
Stanley W. Legro
Richard J. Madden
Anthony M. Marks
Robert C. McFarlane
Wilbur C. McMinn, Jr.
John L. Meehan
Frederick H. Menning, Jr.
Donald B. Messerschmidt
Thomas C. Monaghan
Jacques C. Naviaux
William H. Neville
Jonathan K. Osgood
Jack W. Phillips
Albert J. Roberts III
Ramiro Saenz
John W. Sapp IV
Peter C. Schon
Hugh B. Severs II
John E. Shimota
John J. Shirreffs, Jr.
Winfield W. Sisson
Norman St. Amand
James H. Tinsley
Kenneth R. Town
Robert L. Vogt
Grant D. Wright

The following-named (Army Reserve Officers Training Corps) for permanent appointment to the rank of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Charles G. Banks, Jr.
Henry E. Thomas IV

The following-named (Air Force Academy) for permanent appointment to the rank of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Robert E. Lowe

The following-named (meritorious noncommissioned officers) for permanent appointment to the rank of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Billy W. Adams
James F. Baier
Edward R. Bailey
Horace A. Bertrand, Jr.
Bobby D. Bogard
Frederick E. Boone
John C. Boston, Jr.
Kenneth R. Buske
John E. Curry
Larry R. Davidson
Edward E. Dixon II
Michael E. Dominguez
David S. Dvorak
Patrick E. Ennis
Roy E. Fisher
James G. Hanrahan
Barclay Hastings
Donald L. Hazlett
David T. Howe
Clifford A. Jackson
Hugh S. Jolley
Stephen H. Kaster
Reginald C. Kelley, Jr.
James D. Koppang
Edward J. Land, Jr.
Stanley O. Lenhart
Donald O. Lyman
Harold R. Martin
William P. McConnell
Robert B. Mickey
Eugene D. Mitchell
Walter Muller, Jr.
Joseph A. Nunez
Walter J. O'Neil, Jr.
Michael L. Pannone
Richard N. Pegler
Francis L. Pieri, Jr.
Russell W. Rader
Arthur M. Shepherd
Spencer C. Strickland, Jr.
Ralph D. Templeton
Hagar E. Thomas, Jr.
Richard E. Thomas
Harry G. Todd
Almon C. Turner, Jr.

The following-named (Naval Reserve Officers Training Corps) for permanent appointment to the rank of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Gary E. Christensen
John F. Dwan
Harcourt A. Morgan III

The following-named officer for temporary appointment to the rank of first lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Raoul Soomre

IN THE REGULAR AIR FORCE

The following persons for appointment in the Regular Air Force in the grades indicated, under the provisions of section 8284, title 10, United States Code, with a view to designation under the provisions of section 8067, title 10, United States Code, to perform the duties indicated, and with dates of rank to be prescribed by the Secretary of the Air Force:

To be major, USAF (Chaplain)

LeRoy Henry, AO550083.

To be captains, USAF (Medical)

William B. Jones, AO1857211.
Thomas R. Moffett, AO3076607.

To be captain, USAF (Dental)

Henry T. Pelc, AO3042667.

To be captains, USAF (Judge Advocate)

Harold W. Gardner, AO2247312.
Harry O. Hinz, AO2235002.
Ralph L. Jewell, AO3010440.

To be captains, USAF (Nurse)

Patricia L. Henrici, AN2244206.
Mary J. Nash, AN2218066.
Bonnie L. Stewart, AN2244085.

To be first lieutenants, USAF (Medical)

Raymond G. Armstrong, AO3075049.
Fulton W. Fite, AO3075073
Raymond E. Gills.
Robert P. Griffin, AO3088641.
Richard C. Harris.
John E. Meyers, AO3075102.
Carl E. Speicher, AO3075127.

To be first lieutenant, USAF (Nurse)

Crescentia C. Wellman, AN2242221.

The following persons for appointment in the Regular Air Force, in the grades indicated, under section 8284 of title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

To be majors

Walter L. Abbott, AO737692.
Carl H. Amos, AO789746.
Billy H. Davis, AO560876.
William L. Dotson, AO663760.
Lewis Erhart, AO806643.
Leland S. Fields, Jr., AO746068.
Moss K. Fletcher, AO885284.
Albert P. Gsell, Jr., AO675762.
Irving W. Haberlo, AO565531.
Ben M. Hagan, AO797821.
David S. Hamm, AO2078368.
Clayton H. Heinlen, AO406642.
Robert Henwood, AO2084299.
George M. Howell, AO759010.
Freeman L. Jones, AO563441.
Ray L. Jones, AO695178.
William M. King, Jr., AO563520.
Kay W. Kroepsch, AO794331.
James W. Lamb, AO799796.
William A. Long, AO680245.
Dwight W. McCallum, AO724448.
Vernon R. Morris, AO736019.
James N. Paxton, Jr., AO854855.
Harvey B. Piper, AO569777.
Michael E. Rowan, AO2001957.
Warren H. Terry, AO2085482.
Ralph M. Tuuri, AO726856.
Harold A. Twedten, AO873372.

To be captains

George Bilon, AO2233692.
Samuel A. Biondo, AO2219430.
Phil C. Brockman, AO936079.
Joseph T. Donahue, AO841175.
Bernard W. Kruyer, AO2219565.
William W. Lewis, AO2219577.
George McCormack, AO806876.
Owen W. Moore, AO761456.
Robert S. North, AO2234311.

Russell K. Parsons, AO2217072.
Joseph D. Ryan, AO718147.
Donald C. Schipke, AO2223054.
Robert D. Schopfer, AO2219654.
Robert Senechek, AO2223198.
Wendell H. Shawler, AO2223426.
Robert C. Smith, AO2223010.
Richard G. Villa, AO2079648.
James C. Warren, AO2215030.
Howard G. Willis, AO2219696.

To be first lieutenants

Kenneth A. Algozin, AO3050146.
Donald L. Alleman, AO3009418.
Jerry B. Anderson, AO3058270.
Robert E. Baltzell, AO3053358.
Lonnie D. Benson, AO3052344.
George R. Billington, AO3052780.
William H. Black, AO3053085.
Ernest G. Bott, AO3064193.
Herbert A. Carlson, AO2210581.
Charles S. Chandler, AO3056135.
Roger O. Clemens, AO3058976.
Ronald M. Clements, AO3046591.
John J. D'Angelo, AO3051268.
James W. Davis, AO3029869.
Harvey J. Dice, AO3050255.
Joe H. Engle, AO3046750.
James F. Fantaski, AO3051006.
Joseph H. Goble, AO3046599.
Elwin C. Gresham, AO3056156.
Robert M. Hubbard, AO3053595.
Willard T. Huff, AO3047801.
Alois L. Jacoboski, Jr., AO3056166.
Robert S. Keating, AO2219857.
William A. Kincaid, AO3058065.
Keith G. Kinyon, AO3059099.
Barton D. Lynn, AO3064236.
Richard F. Lyon, AO3058930.
William C. Malone, AO3056186.
Joe F. Marchant, AO3052867.
Robert G. Medlock, AO3052689.
Maurice W. Miller, AO3015200.
David Nickerson, AO3047758.
James H. Phillips, AO3052283.
Robert M. Powell, AO3056203.
Hugh L. Scott, AO3057697.
Ralph Solvold, AO3050521.
Milton A. Steadman, AO3027696.
David L. Steed, AO3058084.
Charles A. Tarazano, AO3056223.
William H. Thomas, AO3059123.
Clifford E. Trout, AO3050233.
Joseph R. Vizzone, AO3056225.
William W. Waller, AO3053447.
Evans E. Warne, AO3052942.
James L. Warnock, AO3059126.
Lee E. Weber, AO3058959.
Herbert E. Williams III, AO3049315.
Gayland D. Wright, AO3047403.

The following-named cadets, U.S. Air Force Academy, for appointment in the Regular Air Force, in the grade of second lieutenant, effective upon their graduation, under the provisions of section 8284 of title 10, United States Code. Date of rank to be determined by the Secretary of the Air Force:

Herbert Arnold Adamson
Howard Thomas Akers
David Dean Anderson
Thomas Irwin Anderson
David Thomas Archino
Roger Conrad Axlund
Robert Keith Barnard
Ules Lee Barnwell, Jr.
James Oliver Bartholomew
Robert Duane Beckel
Charles Granville Bender, Jr.
Richard Malone Bigelow
Jon David Black
James Roland Blackwell
Robert Edward Blake
Karol Joseph Bobko
Thomas Gayle Bowen
Don Lewis Brooks
James Wilson Brown III
Robert Lloyd Browning
Jack Boyd Bryan
Robert Chester Buckles
George Wiley Burch
Stanley Karl Burghardt
James Gordon Burton
Marvin Wayne Buss
Henry David Canterbury
Michael Patrick Chamblain Carns
James Thomas Carpenter
Richard Eugene Carr
James Edward Chapman
Donald Thomas Chase
Robert John Chepolis
George Charles Clark
Roger Guy Conant
James William Connally
Curtis Gerald Cook
Lawrence Frank Cotton
Roger Lowell Counts
Harry Hillus Culler, Jr.
Emil Earnest Cwach, Jr.
John Michael Davey
Charles Ronald Davis
Howard Dale Davis
William Sheldon Davis III
Robert Stephen Delligatti
Thomas Gardner Derrickson II
Joseph Gregory DeSantis
John William Dolan
Lee Roy Dorey
Paul Theodore Douskey
Robert John Dwyer
Gerald Francis Elsbernd
Arthur George Elser
Robert Holder Fay, Jr.
Charles Joseph Ferrari
Gerard Buckley Finneran
James Kaigler Fletcher
Larry Douglas Fortner
Ronald Clay Fox
Albert Anthony Gagliardi, Jr.
Stephen Earl Galios
Jon Anthony Gallo
Gares Garber, Jr.
Gerald Joseph Garvey
John Jefferson Gaunt, Jr.
Walter Clarence Givens
Richard Barron Goetze, Jr.
William Herbert Gold
David Michael Goodrich
Douglas Gordon Grafflin, Jr.
David Ellis Griffin
David Hale Groark
John Forrest Gulledge
James Poteat Gunter, Jr.
Harlow Kenneth Halbower
Stephen Anthony Hamer
Flaye Maxwell Hammond, Jr.
Daniel Wise Hardage
Joseph Alexander Harnitchek
John G. Hayes, Jr.
John Richard Hayes, Jr.
Floyd Robert Hester
Richard Madden Hilbert
Ransom Steele Holmes III
Bradley Clark Hosmer
Thomas Daniel House, Jr.
John Griffeth Houston
John Morris Howell, Jr.
John Richard Hundemer
Leigh Hale Hunt, Jr.
Robert Lee Hurley
John Frederick Hutchinson, Jr.
George Roy Inness, Jr.
Jimmie Laurence Jay
Wayne Otto Jefferson, Jr.
Robert Sidney Franklin Jennings
Hansford Tillman Johnson
Theodore Beaire Johnson
Lawrence Malcolm Jolly
Edward Hjalmer Josephson
Thomas Joseph Jozwiak
Charles Arthur Kaake, Jr.
Conrad Michael Kay
Nathaniel Harrison Keezell, Jr.
Louis Kingsland, Jr.
Robin Mark Kozelka
Lorin Burton Krueger II
Edward Frederick Lankenau III
Ronald Todd Lanman
Paul Samuel Lasen
John Edwin Lee
Richard Dean Lee
Dana Carl Lentz
Donald Brooks Livingston
Charles Martin Lofton, Jr.
Robert Thomas Loveridge
Clark Edward Lovrien, Jr.
Edward Joseph Lynch
Donald Eugene Madonna
Leonard Jerome Mahony, Jr.
John Edmund Mantei
Richard Albert Mason
Charles Aloysius May, Jr.
Gerald Barrie McDonald
William Lee McLain, Jr.
James Connell McMonigal
Charles Howard Meier, Jr.
Melvin John Merz
James Irwin Miholick
Craig Vernon Miller
Donald William Miller
Max Ivan Miller, Jr.
John Calvin Knox Milligan
John Henry Miltner
Jay Neely Mitchell
Kent Montavon
Edwin Jones Montgomery, Jr.
Joseph David Morgan III
Michael Conlon Murphy
Patrick Louis Musmaker
Robert Charles Oaks
Lyn Douglas Oberdier
John Arthur Olson
Norris Orville Olson
James Francis O'Neil
William Edward Page, Jr.
Brian Thomas Parker
Richard Leldon Penn, Jr.
Roger Holt Peterson
David Joe Phillips
Wayne Creekmore Pittman, Jr.
Melvin Eugene Pollard
Leo Leslie Prescott, Jr.
Norman Patrick Quigley
Michael Peter Reardon
James McKee Reed, Jr.
John Michael Reeves
James Mauran Rhodes, Jr.
David Keith Richart
Sherwood Andrew Richers
Roscoe Russell Roberts III
Charles Stewart Rodgers
Edwin Lee Rosane
Craig Otis Schaum
Roger Edwin Schemenaur
Karl William Schmidt
Walter Edgar Schmidt
Dennis Ray See
Anthony William Seizys
Jonathan Stickley Shafer
Jon Grant Shaffer
David Raymond Shearin
Arthur Kenneth Shumate
Robert Harold Siteman
Jimmie Lee Smith
Kenneth Robert Smith
Philip Roland Smothermon
Thomas Patrick Stack
Samuel Dickson Starrett
John Robert Stevens
Brock Tourville Strom
William David Telford
Eugene Andrew Thomas
Kenneth Raymond Thompson
Laurence Joseph Thomson
Harold Wade Todd, Jr.
William Morgan Toney
Richard Eugene Tracey
Richard Lynn Trail
John Winfield Ulmer, Jr.
James Coy Vance
Eugene Larry Vosika
James Edward Warren
Albert Lee Waters
James Robert Weaver
James Clayton Welch
James Earle West
Hubert Giles Wideman II
Robert Lyons Wilder
Robert Flack Williams
Charles Peter Winters
Dean Chase Wood
Frederick Banks Wynn
Charles David Zaleski

The following-named cadets, U.S. Military Academy, for appointment in the Regular Air Force, in the grade of second lieutenant, effective upon their graduation, under the provisions of section 8284 of title 10, United States Code. Date of rank to be determined by the Secretary of the Air Force:

William Earl Barry
Darwin Doris Boyd
William Stratton Callaghan, Jr.
David Randolph Carroll
William Alan Cohen
Robert Grayson Crawford
Robert Joseph Croteau
Geoffrey Curtis Davis, Jr.
John Forrester
Peter Haynes Foster
LeRoy Vincent Greene, Jr.
George Pierre Hannan
Edward Irwin Haskin
Alfred Yim Kui Hew, Jr.
Harold Stephen Hughes
William Daniel Isaac
John Albert Knebel, Jr.
Wayne Winston Lambert
Orthus Knighton Lewis, Jr.
Spencer Maddux
John Ferral McBlain, Jr.
William Stokes McDaniel
Michael Molitoris, Jr.
Dudley McBeth Moorhous, Jr.
Edwin Matthews Moorman, Jr.
Donald Eugene Morgan
John Richard Morrison
Laurence Sean O'Neill
F. David Ortman
James Bryan Patton
John Paul Porter
Eugene Neal Smith
James Wallace Taylor
Ronald Howard Templeton
Richard George Toye
James Richard Turner
Jack Michael Warren
Bernard Emmett Watlington
Ralph Robert Wensinger
Richard Le Brou Whitesides
David Comings Whitmore
George Watson Williams
James Clark Woods

The following-named midshipmen, U.S. Naval Academy, for appointment in the Regular Air Force, in the grade of second lieutenant, effective upon their graduation, under the provisions of section 8284 of title 10, United States Code. Date of rank to be determined by the Secretary of the Air Force:

Frederick Charles Anderson
James Richards Anderson
Russell McLennan Anderson
George Arthur Ballantine
John Thomas Bond
Richard Lewis Buxton
Timothy Barry Casey
Donald Joseph Chomicz
Robert Oscar Copeland
William Frank Corroum
Donald Lee Cromer
Richard Robert Cudlipp
Peter Michael Cunningham
Richard Manuola Dagampat
Robert Edward Davison
Gaylen Bruce Doane
Robert Henry Drozd
Grover Giles Ericksen
Gary Warren Findlay
Matthew Mark Fleming
Charles Raymond Fraime
George Russell Fritzinger
John Baxter Funderburk, Jr.
David Ellsworth Greene
Hardy Gregory, Jr.
William Orgain Harris III
Ronald Anthony Hearst
Neil Duane Heiman
Thomas Lincoln Holroyd
Raymond Ingledew Howell
David Lynn Humphrey
Thomas Edward Karpick
Matthew James Kelch
Thomas Francis Kennedy
John Timothy Kensinger
Frank William Larson
Robert Lee Larson
Harold Martin Lee
Roger Lane Levander
John Joseph Livengood
William James Mahoney, Jr.
Edgar Joseph Manton
Frank Carroll Martin
David William McCarthy
Jerry Dean McDonald
Joseph Joyce McGlinchey
Wayne Kenneth Messner
Leon Dale Minard, Jr.
William Molnar, Jr.
Richard Lee Moore
David Edwin Morgan, Jr.
Glenn Raymond Morrison, Jr.
John William Morrow, Jr.
Ronald Joseph Nargi
Frank John Navratil
Richard Allen Nelson
Roland Robert Obenland
Paul Daniel O'Connor, Jr.
Robert Anthony Oliveri
Barry Ransom Packard
William Donald Palmer
Ragan Thomas Phillips
Frank Bernard Pipkin, Jr.
William Terrell Posey
Cecil William Powell
Robert Harland Reifsnyder
Arnold Albert Ricci
Matt Abbett Roberts III
John Gardiner Richards Roddey
Frank Alexander Roescher
William Jarrett Roth, Jr.
Phillip Ned Salyer
Lester Howard Sellers
Prescott Newman Shinn
Andrew Richard Silvay
Donald Curtis Smith
Michael Carl Stevens
Robert James Touhey
George Lawrence Tuzo
John Caldwell Vance, Jr.
John Strickland Vaughan
Stanley Ezekiel Wainwright, Jr.
Quintin LeRoy Waterman
Fredrick Stuart Yeatts

Subject to medical qualification and subject to designation as distinguished military graduates, the following distinguished military students of the Air Force Reserve Officers' Training Corps for appointment in the Regular Air Force in the grade of second lieutenant under section 8284 of title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

Harry H. Abe
David R. Abel
Edmund J. Adamczyk
Ellis C. L. Adams
William R. Alford
Robert F. Allison
Peter D. Amdisen
Donald W. Anderson
John D. Anderson, Jr.
Roger C. Anderson
George D. Anderton, Jr.
Henry E. Apgar, Jr.
Samuel E. Armistead, Jr.
Gerard J. Arseneault
Philip R. Austin
Richard D. Austin
William J. Austin
William W. Austin, Jr.
John P. Avant
Allan F. Avery
Donald L. Ayres
Glen E. Ballew
Edwin S. Barland
Robert W. Barrickman
Randall E. Beaty
Michael L. Beavers
David H. Beck
Paul F. Been
Glen E. Belew
Roland N. Bell
David F. Bellan
Farrald G. Belote, Jr.
Lynn H. Benson
Joseph L. Bergeron
Lloyd A. Bickford
Robert W. Biery
Dean W. Bishoprick
Dean A. Bitner
Donald R. Black
Tommy L. Blanton
John D. Boardman
Robert L. Bond
Edward R. Bracken
James A. Brady
Arthur W. Brodeur
William R. Brown
Donald B. Browning
Louis L. Bucciarelli, Jr.
David P. Buchmueller
Donovan D. Buell, Jr.
James A. Builta
Raymond A. Bukovszky
Ronald D. Buran
Alfred L. Burden
Richard S. Burns
James E. Burt
Louis C. Butaud, Jr.
Hubert J. Buteau
Lawrence E. Butts, Jr.
James T. Callaghan
Arthur L. Cameron, Jr.
Calvin D. Campbell
James V. Canavan
Rhon V. Carleton
Houston H. Carr
James J. Carroll
William J. Casey
John M. Cassel
Hugh K. Caughran
Frederick B. Cavanaugh, Jr.
John E. Chambers
Kenneth F. Champagne
Warren F. Chichester
James B. Christian
William M. Chynoweth
Reginald M. Cilvik
Ronald L. Clamme
Lawrence D. Clark
Walter L. Clark
Lawrence X. Clifford
Lawrence A. Cline
Donald R. Cloud
Thomas H. Coblentz, Jr.
Kenneth L. Cochrum
Roy A. Colclaser
Gary A. Colwell
Jimmy W. Combs
David M. Comeaux
Milton C. Contella
John A. Conover
Charles W. Cooper
Lee T. Corbett, Jr.
Jack F. Coston
Harold W. Cousar
Gary E. Cox
Ronald W. Craig
Donald A. Cross
Dennis M. Crowley, Jr.
William W. Culberth
Ralph L. Cunningham
Michael G. Dakes
Gary N. Danekas
Leslie C. Davenport
Hubert J. Davis, Jr.
Richard E. Davis
Richard F. Davis
Roger L. Davis
Irvin B. Decker, Jr.
John E. Deeming
John E. DeJong
Robert S. DeLaney
Joseph R. DeMarco
Russell S. Demarest, Jr.
Arthur B. Denman, Jr.
Delmar A. Deterling
William T. Dewey
Thomas E. Diggs
John J. Dillon
William J. Donnelly III
David F. Doyle
Joe W. Driskill
Jackie W. Drummond
Joseph A. DuBois, Jr.
James T. Dugan
Gary L. Duncan
Donnie R. Duplissey
William L. Dytrt
Loren D. Eastburn
Raymond E. Eastes
Billy G. Edenfield
Herbert H. Edwards
Gaylord M. Ellerman
Paul G. Ellinghaus
Ronald R. Ellis
Evarts B. English III
Richard D. Eskelin
Henry L. Eskew, Jr.
Charles D. Evans
Joseph M. Farrell
John R. Farrington
David C. Farwell
Peter J. Fass
Louis A. Favello
Joel A. Fedder
Frank B. Feigert
Paul T. Fisher
James J. Fitzgibbon
Jerry D. Flood
Wallace K. Foster
Lawrence A. Fricke, Jr.
Robert E. Funkhouser, Jr.
Donald T. Furuta
Thomas R. Gainer
Robert C. Gammill
Donald G. Garner
Harold T. Garrison
Robert A. Gazzola
Thomas S. Gealta
Daweel George
Glenn G. Giddings, Jr.
Bruce A. Giedt
Edward W. Gilbertson
John S. Gillis
Charles A. Girand
Malbern G. Glasscock
Robert D. Glenn
Johann K. Gnan, Jr.
Robert D. Gobble
William S. Godwin
Robert C. Goetz
John D. Goode
Walter L. Gordon
Bobby G. Graham
William R. Graham, Jr.
Shelton D. Granade
Richard C. Grant
Elisha G. Gravely
Edward H. Green
Carl A. Greene
Charles D. Greenidge
Donald S. Greenwade
Marvin G. Gregory, Jr.
William T. Griffin
Donald L. Griffiths
Billie E. Grubbs
Gerald N. Gunter
Harvey J. Haas
Robert G. Haines, Jr.
Carlton G. Hall
William D. Harden III
Peter J. Hardy
Jay P. Hargrove
Floyd Erickson Hargrove
Winfield S. Harpe
Emory F. Harris
Robert C. Harris
Ronald L. Harrison
James R. Harrod
James A. Hataway
Lester E. Hatcher
Arnold W. Haugeberg
Wendell J. Heaton
Roger A. Heglie
Jerome Heller
Jackson A. Henley
Richard M. Henningsen
Carl W. Hennrich
Hiram J. Herbert, Jr.
Joseph T. Herbin
Donald R. Hicke
Byron P. Higgins
J. Alan Higgins
Francis J. Hilbing, Jr.
Robert E. Hildner
John R. Hill
Roger H. Hill
Ronald L. Hinkle
Carl Stanley Hinshaw
Glenn D. Hitchcock
Elmer E. Holt
Phillip M. Horn
Donald J. Houde
John R. Howard
Marvin D. Howe
John A. Hrastar
Frank M. Huey
James E. Hughes
John W. Hunnicutt

Phillip E. Jackey, Jr.
Gene E. Jackson
Robert L. Jacques
Corwin E. Jacob
Gary L. Jacobs
Walter D. James
Jack R. Javens
George T. Jenkins, Jr.
Richard L. Jensen
Philip H. Johannes
John R. Johnson
Laurence N. Johnson
Pete T. Johnson, Jr.
John D. Johnston
Albert H. Jones, Jr.
Walter H. Jones
Ward L. Jones
Richard K. Joyce
Nicholas A. Keck
Richard J. Keller
Bernard L. Kelly
Thomas J. Kempton
Richard M. Kennady
Harry M. Kepner
Dathan R. Kerber
John E. Kern
William B. Kessler, Jr.
James P. Key
Francis T. Kieltyka
Bernard A. Kilgore
Frederick M. King
Warren F. Klecan
Harold J. Klingensmith
Richard C. Knudson
Michael F. Koskinen
Philip S. Kronenberg
Gary R. Lair
Donald P. Lamoureux
Sherrill G. Laney
Howard H. Lange
Richard J. Latshaw
Hans Lawaetz
Fritz E. Lebow, Jr.
Edward F. Lednicky
Charles K. Leedy
John M. Leinonen
Patrick R. Leonard
Donald A. L'Esperance
Robert L. Levison, Jr.
Donald R. Lindsay
Lawrence D. Lindsay
Erich W. Linse, Jr.
Robert P. Little
Kerman L. Love
Errol K. Loving
Charles R. Luhrman
David C. Luke
William E. Mabson
Donald A. MacDonald
Harold I. MacDougal
James A. Mack
Richard L. Mackrill
Stanley E. Macora, Jr.
John A. Maddocks
Robert N. Magid
Richard A. Malone
Richard J. Manning
Don L. Mansfield
George F. Marschalk
Paul Marsh, Jr.
Charles H. Martin
LaRue W. Martin
Claude A. Mason
Charles E. Masuga
Donald J. Matasick
Henry S. Mather
Carl J. Matthews, Jr.
Richard J. Maurer
George T. Mauro
Herbert F. Mayer
Thomas M. McCall
Charles M. McCarty
William H. McCorvey
Charles H. McCrea
Norman A. McDaniel
Charles M. McDonald
John J. McDonnell
Harry M. McDowell
Russell V. McDowell
Kenneth R. McKee
Warren McKeon
John J. McKiernan
John S. McKinney
Theron D. McLaren
Guyton S. McLendon, Jr.
Robert S. McNeil
Ken B. McNeill
Erik D. McWilliams
Phillip L. Melvin
Robert G. Metcalf
Robert C. Metsker
Frederick A. Meurer
William L. Meusel, Jr.
Walter D. Meyer
Nicholas M. Mihalas
George K. Miller
Ralph B. Miller
Donald B. Mitchell
Fred C. Mitchell
Richard H. Morgan
Walter V. Mosgovoy
Philip R. Mulkey
Richard G. Murphy
Douglas W. Nabholz
Denney J. Narog
Gary L. Nelsen
Lowell P. Nelson
Michael A. Nelson
Donald A. Newell
William M. Newell
Robert C. Newth
Harry G. Nichol, Jr.
Paul M. Nielsen
Kenneth E. Noll
Eddie C. Norrell
William R. Norwood
Thomas J. O'Connor, Jr.
Dennis R. Odekirk
Charles C. Olasky
Terence J. O'Rourke
Richard L. Ouren
Robert L. Pankratz
Harry L. Pannill
William F. Parker
Richard D. Parkhill
Bishop P. Parrish
James W. Partin
Jan D. Patterson
Robert A. Payne
James A. Peacock
Dennis A. Pearce
Gary A. Pearson
Richard D. Peebler
William F. Perkins
Dan N. Perkuchin
James G. Peters
Dick J. Petersen
John O. Pewthers
Robert T. Pfeuffer
Bobby W. Phillips
Peter F. Pierpont
Serhij Pilipowskyj
William E. Powell
Allen L. Prestegard
William H. Pritchard
Robert L. Proost
Richard J. Puricelli
Linwood N. Purrington, Jr.
John R. Rader
Ross W. Randolph
James L. Raper
Robert J. Rask
Paul J. Rausch
James D. Reed
Samuel J. Reed IV
Dino D. Reginato
Robert D. Reneau
Alfred Ricci
John C. Rich
David A. Riggs
Milton D. Rindahl
Bruce D. Risinger
James W. Rivers, Jr.
Charles D. Roberson
William R. Robertson
Frederick R. Rodean
Stanley A. Rodman
Brown B. Rogers, Jr.
Robert Rohinsky
Jay R. Roland
Jimmy Y. Rollins
James G. Ross
Carl J. Rossow
Louis P. Rubel
Jon A. Rubenzer
Richard A. Rudy
Francis D. Ruth
John L. Sakella
Ernest L. Sanders, Jr.
Gordon L. Sanders
Jerry D. Sargent
Donald C. Saunders, Jr.
Allan C. Sawyer
Jerry W. Saylor
William E. Scheidt
Dan F. Schrepel
Eugene P. Schumacher
Edward P. Scott
Taylor G. Scott
Jay M. Sedlik
Vernon L. Seese
Kenneth H. Sellers
George Shackleton
Lewis F. Shaffer
David J. Shea
Richard E. Shine
Kenneth B. Shore
Ellie G. Shuler, Jr.
Marvin W. Shumate
Warren L. Simmons
Alexander A. Simon, Jr.
Peter L. Sloan
John M. Slocum
Vern G. Smalley
Cromer W. Smith, Jr.
Jerry B. Smith
Thomas M. Smith
Val Smith
Wayne O. Smith, Jr.
Stephen M. Smoker
Robert L. Snyder
Robert W. Spielman
John P. Spoone, Jr.
Howard B. Sprinkle
Michael N. Stafford
Paul R. Stankiewicz
James H. Steinmeier
Gary E. Stevens
Robert B. Stewart
Kenneth D. Stone
James K. Stoop
John H. Storer
Robert G. Stuart
Monte L. Stuck
Gerald J. Sullivan
Robert R. Summers
Frank W. Swofford
Charles D. Tabor, Jr.
Richard J. Talbot
John B. Tarsoly
Orlia A. Tate, Jr.
James D. Terry
Floyd S. Thompson
Robert D. Tilley
William H. Traub
Robert E. Travis
Nicholas P. Trinchitella
Donald J. Trombley
Richard H. Troyer
Richard J. Trzaskoma
Howard C. Turner, Jr.
Hughland L. Tyner
Frank S. Vajda
Charles M. Valentine, Jr.
Maurice V. Van Dusen, Jr.
John A. Van Kesteren
John C. Vaughan III
Don R. Wade
Kimball R. Wakefield
Kenneth R. Walker
Larry J. Walker
George H. Walther
Norris E. Warner
William T. Washburn
Devere M. Watkins
Michael Waynik, Jr.
Edward M. Webb, Jr.
Jay W. Wesson
George W. West
Jay L. Wheelhouse
Jerry E. White
Edward R. Williams
Ray E. Williams
Warren R. Williams
Larry D. Willingham
Winfred A. Wilson
Freddie C. Winburn
David L. Winterhalter
Albert J. Winton
William A. Wolovich
Donald R. Wood
Lawrence M. Wood
William E. Wood, Jr.
Marvin J. Woodring
Roger F. Woodworth
Norman D. Yetka
James F. Zawadzki
William L. Zint, Jr.

Subject to medical qualification and subject to designation as distinguished military graduates, the following distinguished military students of the Air Force Reserve Officers' Training Corps for appointment in the Regular Air Force in the grade of second lieutenant under section 8284 of title 10, United States Code, with a view to designation under the provisions of section 8067, title 10, United States Code, to perform medical service duties. Dates of rank to be determined by the Secretary of the Air Force:

Arthur P. Caldwell
Robert E. Englekirk
James W. Hendley
Robert M. Young

HOUSE OF REPRESENTATIVES

WEDNESDAY, APRIL 15, 1959

The House met at 12 o'clock noon.

Bishop A. Frank Smith, the Methodist Church, Houston, Tex., offered the following prayer:

Almighty God, the Creator of all things, the Ruler of the nations, the Father of us all, we invoke Thy presence with, and Thy guidance for all peoples and especially for this land of ours. We are conscious of and grateful for the providence that has brought us, individually and collectively, down to this hour, and this morning. Our desire and prayer is that we may take unto ourselves the injunction of the Master Teacher: "Unto whom much is given, of him shall much be required," and, as a privileged people, recognize that we are correspondingly an obligated people. Extend our horizons, deepen our sympathies, lend unto us balance and poise, that we may be able to put first things first, and to distinguish between the passing and the eternal. May Thy blessing rest upon the Congress of the United States, upon the President and all those in places of responsibility and authority, and upon the people—Thy children—everywhere, to the end that increasingly Thy will may be done upon the earth as it is done in Heaven. For Thine is the kingdom, and the power, and the glory, forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 27]

Andersen, Minn.	Giaimo	Polk
Barden	Gray	Powell
Baring	Hall	Rostenkowski
Bowles	Holifield	Roush
Buckley	Holland	St. George
Carnahan	Hosmer	Santangelo
Celler	Huddleston	Stubblefield
Cohelan	McMillan	Teague, Tex.
Davis, Tenn.	Macdonald	Teller
Dent	Mahon	Tollefson
Diggs	Merrow	Van Pelt
Donohue	Miller, George P.	Walter
Durham	Moulder	Whitener
Feighan	Multer	Whitten
Flynn	Norblad	Williams
Fogarty	Philbin	Wilson
		Winstead

The SPEAKER. On this rollcall 379 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

MODIFYING REORGANIZATION PLAN NO. 2 OF 1939 AND REORGANIZATION PLAN NO. 2 OF 1953

Mr. FASCELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 1321) to amend Reorganization Plan No. 2 of 1953.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 1321, with Mr. BOLLING in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday the gentleman

from Florida [Mr. FASCELL] had 20 minutes remaining; the gentleman from Ohio [Mr. BROWN] had 30 minutes remaining.

The Chair recognizes the gentleman from Florida.

Mr. FASCELL. Mr. Chairman, I yield 10 minutes to the distinguished majority leader, the gentleman from Massachusetts [Mr. MCCORMACK].

Mr. McCORMACK. Mr. Chairman, the National Electric Cooperative Association which, as we know, is the national service organization of the Rural Electric Systems of the Rural Electrification Administration, representing at least 90 percent of these systems and which serve about 4 million farms and other rural establishments in 44 States and Alaska, with from 12 to 16 million people benefiting, strongly support this bill.

Also appearing before the subcommittee last year were the assistant manager and engineer of the Buckeye Rural Electric Cooperative of Gallipolis, Ohio; the general manager of the Eastern Iowa Light and Power Cooperative of Wilton Junction, Iowa; the manager of the Association of Illinois Electric Cooperatives of Springfield, Ill.; the executive secretary of the Ohio Statewide Association of Columbus, Ohio; the president of the Menard Electric Cooperative of Petersburg, Ill.; the president of the Burke-Divide Electric Cooperative of Columbus, N. Dak.; the manager of the Johnson County Electric Cooperative Association of Cleburne, Tex.; the director of the North Arkansas Cooperative of Salem, Ark.; the manager of the Morgan County Rural Electric Membership Corporation of Martinsville, Ind.; the president of the board of directors of the Sheyenne Valley Electric Cooperative of Finley, N. Dak.; the manager of the Marlboro Electric Cooperative of Bennettsville, S.C.; the president of the National Rural Electric Cooperative Association; the manager of the Sam Houston Electric Cooperative of Livingston, Tex.; the manager of the Williams Electric Cooperative of Williston, N. Dak.; the president of the board of directors of the Verendrye Electric Cooperative of Velva, N. Dak.; the executive manager of the Tarheel Electric Membership Association of Raleigh, N.C.

That is an illustration of the support given to this bill by those who are the beneficiaries of this great program which this Congress put into effect years ago under Democratic leadership.

I might also say that at the time of the hearings a representative of the General Accounting Office who appeared, John W. Moore, legislative attorney, was asked this question:

> If the REA were put in the same status as the Farm Credit Administration by becoming an independent agency, but with certain housekeeping facilities in the Department of Agriculture, such an action would in no way do violence to the good management principles that you have mentioned, would it?

That is what this bill undertakes to do. This bill also does nothing more than what the Maritime Administration now has the power to do in the Department of Commerce. They are in there for housekeeping purposes. But they have the final say in connection with loans and in passing upon any loans or subsidies that come before the Maritime Administration of the Department of Commerce. There are other agencies that are parts of departments that have the same autonomy in connection with the making of loans but are part of a department for housekeeping purposes.

In connection with Reorganization Plan No. 2 of 1953, a number of Members at that time expressed concern about the power to change functions of the REA without notice. They were assured that this would not be done. One Member of the Senate said:

> We have the Secretary virtually giving notice that he will make public his plans for major changes.

Another Member of the Senate, a former Secretary of Agriculture, said:

> It requires the Secretary, to the extent practicable, to give appropriate advance public notice of delegations of functions and to afford opportunity for interested persons or groups to place their views before the Department.

Our former colleague, Cliff Hope, speaking when the resolution was up before the House, assured us that the Secretary would be required to give public notice of important changes and the opportunity of interested persons to be heard.

Speaking for himself, Secretary Benson said it was his intention and that of the Department "to consult with Members of Congress and with farm organizations and other interested groups. We do not expect to make any major changes in organization without full consultation and advice."

For nearly 4 years nothing happened. Then the secret directive was issued. Nobody was advised. Members of Congress were not advised or consulted. The committees of Congress were not advised or consulted. The farm groups interested were not advised or consulted. It was only by accident that it was found out, when the manager of a cooperative that had filed an application upon which it was important to have action before the end of the fiscal year 1957 made inquiry in connection with that action and was informed about the new directive, that he had to give additional information.

As a result of that Members of Congress tried to get information. The interested rural electrification cooperatives tried to get information, but they could not get information. It was only after several weeks of strong probing by Members of Congress that they were able to get the information about this important change, this major change in connection with the Rural Electrification Administration.

This change means that somebody appointed by the Secretary, whose office is not established by the Congress specifically, who is appointed by the Secretary, for all practical purposes supersedes a man appointed by the President and confirmed by the Senate, the Administrator of the Rural Electrification Administration, not to review after the fact but to review all applications of $500,000 or more, now $1 million or more, before the fact.

You all know the story of the Indiana case, you all know it was held up, you all know an important policy was involved. The Administrator, Mr. Hamil, testified that he had a consultation in the Secretary's office with representatives of the Department of Public Utilities of the State of Indiana, and that later he went over to the White House and had a conference with some persons there about the Indiana application.

This is a major change, this is a radical change, this is a violation of the promise made by the Secretary himself to the Congress of the United States. This means that one not appointed by the President and confirmed by the Senate is in a position where he can dictate policy in connection with this important agency, which is of such vital importance to millions of persons who live on the farm and till the soil for a living.

So the case is clear. You and I know the reason for putting that order through secretly. If they gave public notice, if they had consulted with the farm organizations, if they had consulted with the committees of Congress and Members of Congress, there would be a rousing of public opinion with knowledge of the proposed change. Public opinion among our farming communities and among Members of Congress representing farm districts would have been so strong that they would not have dared to put that directive through superseding the Administrator of the Rural Electrification Administration, a Senate-confirmed official, by one who was simply an appointee of the Secretary of Agriculture.

The case is clear. There are other agencies in the same position as this agency will be, if this law is passed, where for housekeeping purposes, they are a part of a department, but they have an autonomy within themselves in carrying out the major purposes of the law they administer and which Congress passed. In this case, we are simply doing what the Congress intended to do, which was circumvented by a secret order. Congress should pass this law not only to carry out our intent, but to protect the great farming communities of our country.

Mr. BROWN of Ohio. Mr. Chairman, I yield 7 minutes to the gentleman from Michigan [Mr. MEADER], a member of the committee.

Mr. MEADER. Mr. Chairman, I listened with great interest to the remarks of the distinguished majority leader, with whom it has been my pleasure to serve on the Committee on Government Operations during my entire career in the House of Representatives. He has made a stirring appeal but he has employed inflammatory phrases such as "a secret order" and has charged the Secretary of Agriculture with violating a certain promise made to the Congress of the United States.

I was present when Reorganization Plan No. 2 of 1953 was considered by the Committee on Government Operations. The majority leader more than once during those proceedings indicated that, in general, he favored Reorganization Plan No. 2. He very carefully went over

with the Secretary, Mr. Benson, this very matter of consultation with Congress on major changes.

So that there may be no mistake or misunderstanding, I want to read one of these passages from the record of our hearings. I may say also that the majority leader asked the same question of our former colleague, Mr. Hope, of Kansas, who was also a witness in favor of that reorganization plan. I quote from page 92 of our hearings of May 21 and 25 of 1953. Secretary Benson was the witness and Mr. McCORMACK was interrogating him.

Mr. McCORMACK. Well, not to quibble—I am not going to quibble—you have stated and you now definitely state for the record that before any changes take place, if this reorganization plan becomes effective, in addition to consulting with others, on proper public notice, hearing on major matters, and so forth, you are going to consult with the Democratic members of the committee as well as the Republican members of the committee?

Secretary BENSON. Well, I think, Congressman, certainly on any major change proposed we would want to consult with the Republican and Democratic Members of Congress.

Mr. McCORMACK. Well, I said——

Secretary BENSON (interrupting). Now, you wouldn't want us to do that on every minor change that was to be done from day to day.

Mr. McCORMACK. I said major.

Secretary BENSON. On major changes; yes.

Mr. McCORMACK. Now, what would you call a major change?

Secretary BENSON. I think this provision dealing with marketing—

Which had been discussed a few minutes earlier—

as we envision it, would be a major change. I think if we proposed the consolidation of any two agencies or any important functions of two agencies, that would be a major change.

It is pretty hard to describe what is a major and what is a minor change.

Mr. McCORMACK. I agree with that. I am just trying to get an understanding of what is in your mind.

The gentleman who just preceded me, the majority leader, more or less assumes that what was done here, which he calls a secret order was a major change of the character discussed before our committee.

I submit it was not a major change but merely the exercise of control by the head of a department. This involves no consolidation of agencies within the Department of Agriculture. It involves no consolidation of functions within the agencies in the Department of Agriculture. It involves day-to-day supervision of the subordinates within the Department of Agriculture and nothing more.

Now I ask the majority leader, who has frequently stood on this floor and upheld the separation of powers of government, even to the extent of indicating that Congress is not entitled to information from the executive branch, if he would try to set up whirlpools of government as they are called by Dr. Ernest S. Griffith in his book "Congress—Its Contemporary Role"—pages 37–39.

Does the majority leader believe individual Members of Congress should interfere in the daily administration of the functions of the executive branch of the Government?

Is he suggesting that before the Secretary of Agriculture can sign a letter he must come over here and talk to the chairman of the Committee on Agriculture and the ranking minority member of that committee?

Is he suggesting that we inject ourselves into the administration of the affairs of the executive branch of the Government? I hope not, because we have enough to do to attend to our own business.

The Congress acts by the action of committees and the House and the Senate. It does not act through individual Members of Congress, consulting with departments, of which there is no record and could be no official record.

If major changes are contemplated the reorganization plan itself contains a provision included at the request of the Secretary of Agriculture, for advance notice and hearing. There is not any suggestion that that provision has been violated. The hearing record of the committee does not justify the attack the majority leader has made on the Secretary of Agriculture nor the flammatory phraseology he used in discussing this bill.

Now, Mr. Chairman, I am opposed to H.R. 1321 because, first, it flaunts sound principles of administration and good government, and second, because the burden of proof has not been sustained. Indeed, not even a prima facie case has been made to justify this proposed change in law.

Students of government agree that a basic principle of sound administration is that authority and responsibilty go hand in hand; that clear lines of authority or channels of command between a top administrator and subordinates must be established and maintained.

That philosophy has been expressed repeatedly by the Hoover Commission on reorganization of the executive branch of the Government, and has been endorsed by the Congress both expressly and by its action, particularly by its approval of reorganization plans growing out of the Hoover Commission's studies. Those studies had as their objective centralization of administrative power in the head of departments with full authority to delegate portions of it to subordinates and to hold them responsible.

Such sound philosophy of governmental structure runs through the legislative history of congressional efforts to bring the sprawling military services and their respective semiautonomous divisions, corps, and bureaus under centralized control of the Department of Defense. There should be no disagreement among us on that basic principle.

It must likewise be clear that the purpose of the bill before use is to move in the opposite direction, away from such vital centralization and clear channels of authority.

The bill in its effect disperses and fragments governmental authority and, as I stated at the outset, flaunts and violates sound principles of administration. It sets bad precedent. It places beyond the control of the Secretary of Agriculture and perhaps even the Chief Executive the supervision of the only function in the Rural Electrification Administration that amounts to anything; namely, the granting of loans. It might be said the bill is not only one of diffusion but confusion.

It should be clearer to—and we would be more candid with—the American people if the bill provided outright for repeal of Reorganization Plan 2 of 1939 and Reorganization Plan 2 of 1953 and recreated the REA as an independent autonomous body wholly outside any department of Government. But H.R. 1321 leaves REA in the Department of Agriculture, leading to the impression that the Cabinet officer who heads that Department has some authority over it and over the REA Administrator as his subordinate. In fact, the Secretary of Agriculture, if this bill is adopted, would have no such control and supervision.

Thus, if we are to take the action which is the object of this measure, it would be far preferable in my opinion to go all the way and give REA complete autonomy than do as some want to, to leave it within the Department of Agriculture with apparent but no real control.

What case has been made for this departure from sound principles of government? From the committee's record it appears that absolutely no case has been made, not even a prima facie one.

Other speakers have quoted amply from the RECORD to show that no loan has been disapproved by virtue of the supervision of the Secretary of Agriculture and that the Administrator in exercising the functions delegated to him by the Secretary of Agriculture has been free from any interference. For emphasis I quote the following passage from the testimony of Mr. Hamil, the Administrator, on page 34 of the committee hearings:

Secretary Benson has made no change in the organization, authorities, functions or policies of REA.

The informal procedure whereby proposed supplemental loans in excess of one-half million dollars—now $1 million—and proposed loans to new borrowers are discussed with Mr. Kenneth L. Scott, Director of Agricultural Credit Services, has not resulted in the rejection of a single loan or in any appreciable delay.

In not a single instance has Secretary Benson or Director Scott interferred in the discharge of my responsibilities as Administrator of REA. I make the loans.

The emotional charges of political interference are without support in the RECORD. The person with whom the REA Administrator is required to consult on behalf of the Secretary of Agriculture is Mr. Kenneth L. Scott, Director of Agriculture Credit Services. Mr. Scott has been with the Department of Agriculture since 1934, for 20 years with the Farm Credit Administration, and since 1954, in his present position. How can we base legislative judgment on a tacit assumption of political interference when the facts are all to the contrary?

Mr. Chairman, I appeal to my colleagues not to embark on this dangerous course of creating autonomous little kingdoms in the executive branch of the Government. If the cooperative association lobby succeeds in this movement to place REA outside the channels of control of the administration of the executive branch, what will come next? The Corps of Engineers, the Bureau of Reclamation. What other bureaus having functions of interest to a particular segment of our population will seek to free themselves from supervision and control of Cabinet officers.

It is perfectly obvious that if the precedent established today encourages a widespread movement toward dispersal and fragmentation of Government functions, the executive branch of the Government must become an unmanageable hodge-podge of sovereign, autonomous bureaucracies. Congress will find its control weakened to the point of disappearance.

I hope H.R. 1321 will be resoundingly defeated.

The CHAIRMAN. The time of the gentleman from Michigan [Mr. MEADER] has expired.

Mr. BROWN of Ohio. Mr. Chairman, I yield 7 minutes to the gentleman from New York [Mr. BARRY].

Mr. BARRY. Mr. Chairman, we have heard eloquently from the gentleman from Michigan [Mr. MEADER], whose factual testimony cuts through the haze of oratory presented by the gentleman from Massachusetts [Mr. MCCORMACK].

In the course of the remarks delivered by the gentleman from Massachusetts he also stated something about an Indiana situation; an application that was made by the REA of Indiana.

Yesterday we heard considerable testimony with respect to this loan application from his side of the aisle. I would like to take occasion to look at the record with your indulgence on this phase of the majority leader's statement this morning. I refer to the statement of David A. Hamil, Administrator, REA before the Government Operations Committee hearings of 1958, page 212, with regard to this loan application for Indiana:

> An application for about $42 million was received on May 10, 1957, from a federation of Indiana distribution cooperatives called Hoosier Cooperative Energy, Inc. The cooperative proposes a lease-operation arrangement with the aluminum wire firm of Richards & Associates, which planned to use surplus power for operation of a new aluminum plant.
>
> REA met numerous times with representatives of the Hoosier group and their engineers, the Southern Engineering Co. Over a period of many months the Hoosier group revised its plans, reviewed its engineering studies, keeping pace with changing conditions in its negotiations with the aluminum firm. Through October and November of last year these changes were major in nature, and in mid-December REA was advised by the Hoosier group that they no longer wished to consider a lease-operation arrangement with the aluminum company. They wanted to enter into an outright sale-of-power arrangement. Necessary information in respect to this proposal has not been submitted to REA, and we have been unable, for that reason, to further process the application.
>
> Our latest information is that the Hoosier group no longer plans to serve the aluminum plant, and is working on another plan of operation. REA has no details of this new proposal, nor do we know when a new or revised loan application will be submitted.
>
> REA's processing of the Hoosier application has been normal in every respect. We neither speed up nor hold back on loan processing. We take them as they come, insisting only that they stand on their merits.

Mr. Chairman, yesterday morning it was my good fortune to witness the dedication of the Taft Memorial, honoring that great statesman, Senator Robert A. Taft, who, for so many years, championed integrity in Government and sound principles of management for the Nation. In yesterday's special tribute, former President Herbert Hoover said that Bob Taft for years struggled against great odds to prevent legislators from "changing for change sake rather than for improvement." I wonder, Mr. Chairman, if we are not dangerously near that very position today while in the shadow of the gracious Taft Memorial which should certainly serve as a reminder of his sound philosophy of government.

During the course of the hearings on this bill, there is not one iota of evidence to show that there was ever a single REA loan turned down because of the REA being in the Department of Agriculture, or particularly because the Secretary of Agriculture has a right of review over the loans that the REA made—and yet some would change it. The Administrator of the REA has stated and I quote:

> Benson has made no change in the organization authority, function or policies of REA.

And the Administrator went on to say further that the informal procedure we have heard so much about "has not resulted in the rejection of a single loan or any appreciable delay."

What then are the motivating forces that bring this legislation to the floor? Gentlemen, I examined carefully the evidence presented to this Committee, especially by those seeking the adoption of this bill. I refer you to the statement of Clyde Ellis, general manager of the National REA, which appears in the record of hearings on this bill, and I ask you, after perusing this document, if this is not his individual effort wherein he has corraled the REAs throughout the country to get behind this legislation, more with the purpose in mind of showing the strength of the REA for future legislative purposes than the particular issue at hand?

Has this House and this Congress constituted itself as a body to determine who has the naked power to achieve his will even though no gain may be reflected to the people? I think not—and I am confident that a great many of my colleagues also agree. Let the record speak for itself with regard to the intent of the proceedings upon which we are now engaged. I refer again to Mr. Ellis' statement, which appears on page 50 of the hearings, where he complained:

> The act prohibits us from using REA loans to serve any of the most profitable part of the power industry market; that is, we are prohibited from going into the most thickly settled villages and towns of over 1,500 population.

Mr. Ellis makes this statement notwithstanding the fact that, by his own later testimony, 95 percent of the farms of the Nation have been covered by rural electrification or otherwise, and it certainly is recalled by Members of Congress that the original intent of the REA was for the purpose of establishing electric service, and later telephone service to the farms in the rural areas of the Nation where no service previously existed.

There was no intent in the original law to provide electrical services which industry could otherwise have provided. Private capital should be employed in thickly populated villages and communities where it can do the job without Government support. This is in accordance with basic elements of the free enterprise systems upon which this Nation has so long prospered.

Continuing further from Mr. Ellis' statement, he drones on with 10 other major complaints with respect to the provisions of the REA and its problem in competing with private enterprise. Mr. Chairman, this bill is not at all what it purports to be. This bill is designed to be an opening wedge to let the flood gates down on the other complaints in Mr. Ellis' statement that the REA's throughout the Nation would request of this or future Congresses—in order to more effectively compete and drive out private capital throughout areas that are now already supplied with private power and where ample capital is available to do the job without Government subsidy, which, in the words of Senator Taft, amounts to "creeping socialism."

In conclusion, Mr. Chairman, I would like to point out that in the statement of Mr. Ellis, he consistently uses the word "fear." In fact, beginning on page 51 and continuing for two pages, "fear" is mentioned 12 times or words connoting the same apprehension.

I submit, Mr. Chairman, that an act of this House predicated on the unsound principle of change for change's sake, coupled with a psychosis of fear, and contrary to sound management principles of Government, sets a dangerous precedent in reversing reorganization proceedings recommended by the Hoover Commission, and is unworthy of approval by this august body.

Mr. BROWN of Ohio. Mr. Chairman, I yield 4 minutes to the gentleman from California [Mr. HIESTAND].

Mr. HIESTAND. Mr. Chairman, a fundamental of sound organization is that powers must measure up to responsibility. I am sure every Member of this House agrees with that.

Mr. Chairman, the Congress of the United States over the years has established a reputation as among the best of the legislative bodies anywhere in the world.

This has been achieved through careful deliberation and thorough analysis of the facts involved in particular issues. But one of the most important qualities which has usually typified Congress is that we have adhered to basic principles of sound governmental procedure and the

placing of responsibility in compliance with good administrative practice.

The passage of H.R. 1321 would create an administrative monstrosity and would be a blot on the reputation of the Congress.

The effect of this bill is inconcievable in that it would leave the REA within the Department of Agriculture subject to the general supervision and direction of the Secretary of Agriculture, but the Administrator of REA would have authority to approve or disapprove loans without the supervision or direction of, or any other control by the Secretary of Agriculture.

In other words the Congress would be telling the Secretary of Agriculture that we are holding him responsible for the supervision and direction of REA as a part of the Department of Agriculture, but would remove from the Secretary any authority over the approval or disapproval of loans which is in essence the lifeblood of the agency.

In the first place, I doubt if there is anyone here who believes that it is good public administration to saddle the Department head with the responsibility for an agency, but remove all of his supervision over that agency.

Secondly, this debate fails to produce any evidence that the REA programs are being interfered with by the Secretary of Agriculture or anyone else in the executive branch. REA's Administrator Dave Hamil, who has high respect on both sides of the aisle, has testified:

> In not a single instance has Secretary Benson or Director Scott interfered in the discharge of my responsibilities as Administrator of REA. I make the loans.

Speaking very frankly the politically inspired lobbyists, including the one who takes up most of the committee reports who are pushing this measure have even failed to present any evidence where the existing procedure has been harmful to REA or a single bona fide loan application has been rejected.

In contrast REA has enjoyed the golden era of its existence during the past 6 or 7 years. For example, loans of $1.2 billion were made during this period contrasted to $2.6 billion loaned in the previous 17½ years of the program.

Let me cite you some additional proof that this whole business is purely a distasteful "tempest in a teapot."

During the last 6 years the following has been achieved:

First. Borrowers delinquent on loans dropped from 45 to 6—systems payments $139 million ahead.

Second. The backlog of applications has dropped. On June 30, 1953, there were 234 applications on hand for $193 million. On December 31, 1958, there were 58 applications on hand for $111.5 million which included one application for $48.5 million.

Think of that, Mr. Chairman, one-fifth of the backlog of pending applications at the end of last year compared to 6 years ago.

Third. Annual power sales are nearly 22 billion kilowatt-hours—double sales in 1952.

Fourth. Net worth of cooperative borrowers has more than tripled. REA has come of age; it has matured.

Now there are two other factors which are disconcerting to many Members of this House and are perhaps an indication of why some want to create this tempest to distract attention from the real problems.

I refer to the fact that 75 percent of new customers being added under the REA program are industrial and nonfarm consumers. One-half of the total power being used by REA systems is for nonfarm use. Then there is the law which allows REA cooperatives to borrow your money from the Treasury at 2 percent though the Treasury has to pay 4 percent for those funds. But that is the law. Congress wrote it. The administration is charged with directing the REA as the law is, and I have every reason to believe the Department is doing a good job.

REA is making tremendous progress and it has not been hampered by anyone in this administration. The passage of this bill would not only be a reflection on the intelligence of the Congress and our knowledge of sound public administrative practice, but it would be a disservice to the American people and the REA program. This is not a matter to be passed over lightly. The passage of this monstrosity would come back to haunt each of us and I urge its referral back to the committee.

Mr. BROWN of Ohio. Mr. Chairman, I yield the remainder of the time on this side to the gentleman from Minnesota [Mr. NELSEN], former Director of the REA.

Mr. NELSEN. Mr. Chairman, and members of the Committee, I would like to make some brief remarks about this bill, and I am sorry that time does not permit adequate coverage of the things that I think need to be discussed. I have heard a good deal of talk from other members of the Committee, and they were fine, and I want to compliment the gentleman from Illinois [Mr. PRICE] on the remarks that he made relative to this measure. They were well done and very sincere.

Mr. Chairman, I would like to add this comment, that I do happen to be a farmer. This morning my son turned the switch on at the end of the barn and the barn was cleaned. He turned another switch, and the silage came down for the cattle. The milking operation was handled with electric power delivered on a system that I helped organize. The poles that are still in the ground were put there when I went out with others to get enough members signed up on our system to bring REA to our farm, and I served as vice president of the board.

In the early stages of the history of this program we had a tax bill in Minnesota that was impossible to live with. As a State senator I was the author of the tax bill under which we now operate, one of the best systems in the United States. I later became the administrator of this program, and I administered the program for 3 years. I worked hard at it. I traveled all over the United States. I dealt with many Members of Congress, and I was given wonderful treatment, and I thank all of you for it.

Now I want to address myself to the bill, because time will not permit me to deal with all of the things I wish to develop relative to this measure. I was in the REA from 1953 to 1956. The Reorganization Act which has been talked about here was enacted when I was the Administrator. Never at any time did anybody interfere with me in my operation as REA Administrator, and I know that to be true, and that is true at this time.

Now, then, I want to tell you something else about this program. If this particular act is necessary, if the REA Administrator is being bothered, there is only one thing to do, and that is to make it an independent agency, which the Senate attempted to do. The bill was defeated. Why? That is a good question. But, remember this, the Secretary of Agriculture, if he wishes, could interfere with personnel, he could interfere with the legal division under the Humphrey-Price bill, and if he wishes to hurt the Administrator, he still can. And if the proponents of this measure mean what they say, they should adopt what is known as the Curtis bill, if it is in keeping with the rules of the House to mention that, where the REA becomes a completely separate agency which could be operated in the future without any interference whatsoever. But this, in my opinion, is nothing more than another strawman that they have built up.

I want to tell you what I found in the REA. I found on my desk $200 million of waiting loan applications. I found in the REA about 1,200 to 1,500 of the finest employees who ever worked for the Government of the United States—good people. We revised the procedure under which loans were handled. I was the Administrator. We did it in this way. If it was a good credit risk, where interest and payments were being made, we made the loan. We did not go through all the redtape. The $200 million of applications melted down to nothing overnight.

We have made more loans under this Administration and better loans, and the power rates are lower and the repayment schedule is better and the delinquency record is better.

For example take generation: 1,116,000 kilowatts of capacity in the last 6 years as compared to 1,145,000 kilowatts of capacity in the previous 17 years. With a total of $3.8 billion, $1.2 billion have been made in the last 6 years.

Take the REA telephone program. There were only 7,500 telephones under REA telephone systems in the country prior to 1953. We added 800,000 since that time—think of that. Those who say that the program has been hampered are only building a strawman—and it could well catch fire from some of the hot air that whizzes by.

Now I would like to get down to something else, if time permits. I happen to be a dues-paying member of NRECA. Every year I pay my light bill and every year I pay dues. I believe we need organizations. But I think we need them not for propaganda, but for the best interests of the REA program.

When I came to Washington the word went out, not by journalists of high quality, of which we have many, but by the paid writers, and most of the lines went something like this: "Program running like dry creek," "don't wiggle, little catfish, we are just going to cut your guts out," "REA at the crossroads," "G. and T. program dead," "Power lobby takes over," and so forth.

Those statements appeared in magazines all over the United States.

It was reported that we were going to scuttle the REA program. The strawman gradually became bigger and bigger and bigger and he almost came to life. It took almost all of our time to defend our own position and keep the fact straight. At the same time, the program is better today than it ever has been. I have a personal interest in this program, because when I clean my barn every morning, it is done by electric power—a great help on the farm. And by the way, the substance that goes out is much better in quality than some of the stuff I hear that passes for political argument.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. NELSEN. I yield to the gentleman.

Mr. BROWN of Ohio. Before the gentleman leaves that point, in what magazines did those articles appear?

Mr. NELSEN. Almost any magazine that would print them. They have appeared in some of our national magazines. Some appeared in trade journals, and what-have-you—whoever would print them. I want to say that many of the people who printed them took them in good faith.

Here is a report from the Government Operations Committee. I was investigated. There are Members on this floor who were on the committee when I was investigated. The charges were a shotgun wedding.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. NELSEN. I yield.

Mr. HOFFMAN of Michigan. Was that the time when those Members from, I believe, southeast Colorado came in and the committee would not hear them? That was the Chudoff Committee.

Mr. NELSEN. That is right. Some of the witnesses were contacted by staff members before they appeared before the committee. It was a shotgun wedding. If you read the report you will find in it, "It has been reported—" "There are those who believe—" "There are some who are of the opinion—" "Rumors are—".

They are not direct charges. And, believe it or not, I was investigated for just one thing that I think is really funny. It does not appear in this report.

I was investigated because I drank coffee with some friends—Republican—in Minnesota. In my opinion the whole investigation was nothing more than taxpayers' dollars being spent on a political hayride to write a political record—to build a strawman. It did not work, not even in a campaign, where of course it was intended to be used, and it was used.

I also want to say this, that this strawman has been built to a great degree by our own national organization, NRECA, of which I am a member. When they are so bold as to send telegrams into my district in political campaigns—when they are so bold as to write speeches attacking me for other men who are running for office to deliver, they are violating the trust that I and my neighbor farmers have placed in them. I regret that it happened. I was tape recorded time after time—recorders followed me around in Denver like little red coaster wagons in the hope that I would slip. NRECA personnel played parts of an Indiana speech, out of context, in New Mexico in the hope that I could be discredited by obvious misrepresentation. It did not work.

I want to say that on their staff are many fine friends of mine. But it is tragic that we should be subjected to these low-level propaganda attacks where facts are misrepresented and tuned to their own fancy. Many members of this House have come to me on this very issue and a number of them have said, "I do not dare vote against this bill because they will make it appear that I am against rural electrification." The facts will be distorted and twisted by that propaganda front, NRECA. I believe that all of us, whether we be farmers or laborers or businessmen, if we have reached the degree of fear where those who practice a technique of propaganda make us afraid to have an honest difference of opinion, then it is about time we look into a few things.

As to this bill, if we believe that REA has been interferred with, which it has not been, then we should divorce it completely, because remember this: Under this bill you are taking away from the Secretary the right to have a voice in the approval or denial of loans, but you would leave in his hands complete authority as to policy, as to personnel. And what could he do? Who knows what a future Secretary of Agriculture could do to the REA. He could say, "Chris Schultz, we think you should be transferred; Reggie Cole and Roy Zook should go to Alaska; Oz Briden, I don't like the way you trim your eyebrows, move over. And so he could still put the finger on many outstanding men, Ralph Foreman, Bill Eastman, Everett Weitzell, Ray Lind.

He could fire the whole group of dedicated men if he wanted to by making it tough for them. He could go down in the Legal Division and say, "I want you to put a flag on this loan." It could happen.

It is a phony issue. I regret that a program that is so near and dear to the farmers of America should be continually placed in this political crossfire and be used in campaign after campaign.

The Farm Credit Administration has been referred to. I hope the day comes when we can have in this REA program a revolving fund of some kind after the pattern of the Farm Credit Administration, where the farmers can finally run their own business. I am one of them, and we can do it. The REA co-ops in my district pay back more to the Government than they borrow. We could operate with a revolving fund.

That about sums up the remarks I have, Mr. Chairman. I am opposed to this bill because it is phony. If I were to vote for this bill I would be admitting there is something wrong, which there is not. I regret that this measure should be on this floor. I am probably one of the few farmers in this room, and I am one of the few that have been with this program since it was conceived, since it was born, and all through its maturity.

I want to refer to a couple of other gentlemen on this floor and compliment them. I will refer to a couple of issues and problems we settled. We had in Kentucky a problem when I came in, a very difficult one. The gentleman from Kentucky [Mr. NATCHER], who is on the floor, knows about it. The record in the House hearings carries his expression of endorsement of the settlement made. There we finally settled a case that had been in the courts for years, and long before I came along.

The farmers in Kentucky have as a result one of the finest powerplants in the world. Power costs were cut and a fine plant was salvaged from a problem which I inherited when I came to Washington.

It was our privilege to help out in the settling of the long contested Georgia situation, where the REA preference customers worked out a satisfactory arrangement with the Government on hydropower and the power companies on firming and delivery of the power.

I have personal letters from Marshall Pollock and Jim Polhill of Georgia with the sincerest of thank you's for the help the REA gave them, and I personally enjoyed a thank you from Congressman FLYNT of Georgia.

We worked hard. We did our best. We made mistakes, but when we did, they were honest ones.

Summing up the mechanics of the bill under consideration in detail, it appears that the significance of the bill is far from clear, but it appears that it could have two possible fundamental interpretations, each of which would be equally undesirable for different reasons.

The first possible interpretation is that the bill in effect would vest practically all of the powers relative to the REA in the Administrator, but yet the Secretary of Agriculture would be left under it with the general function of directing and supervising the REA. The bill provides that functions relative to the REA transferred to the Department of Agriculture and its Secretary by reorganization plans of 1939 and 1953 would be transferred to the Administrator of the REA, and that officer would have the authority to approve or disapprove loans without any review by the Secretary of Agriculture.

Now, Reorganization Plan No. 2 of 1939 provides in section 402 that the control of records, property, and personnel of the agencies transferred—including REA—is to be vested in the Secretary of the department concerned. The control of funds was transferred to him by section 403, and the control of personnel was specifically covered by section 404. Now if the functions and activities rela-

tive to the REA that were transferred to the Secretary by this plan are transferred back to the Administrator, then all authority over records, personnel, property, and funds would be placed in the hands of the Administrator. The approval of loans would also be in his hands.

But the Secretary of Agriculture would be left in the anomalous position of having general direction and supervision of the REA. Although he would be deprived of the tools needed to perform this function, the Secretary of Agriculture would still be responsible. Only one tool would be left in his hands. Remember, the funds for the REA are advanced to it by the Treasury pursuant to an appropriation made by Congress. Now section 3(a) of the Rural Electrification Act of 1936, as amended, provides:

> The Secretary of the Treasury is hereby authorized and directed to make loans to the Administrator, upon the request and approval of the Secretary of Agriculture, in such amounts in the aggregate for each fiscal year * * * as the Congress may from time to time determine to be necessary.

Thus the determination of the amount of money to be spent by the REA within an appropriation made by Congress would remain in the hands of the Secretary of Agriculture. There is nothing in this bill that would in any way change either section 3(a) of the act of 1936, as amended, or the power of the Secretary under it.

Then, under this first possible interpretation, the Secretary of Agriculture would have general direction and supervision over the REA but practically no authority over the agency for which he is responsible. If the Secretary is deprived of supervision over the end product, how could anyone argue that the REA would be "under the general direction and supervision of the Secretary of Agriculture"? To say the least this would be highly anomalous.

The other possible interpretation of the language of this bill is just as ridiculous. Under this construction the Secretary would still have all possible controls over property, funds, personnel, and procedures of the REA, but he would be deprived only of control over the approval or disapproval of loans. Obviously in this instance it would place the Administrator of the REA in a peculiar position.

The report of the minority of the House Committee on Government Operations spells out specifically this interpretation:

> A literal reading of the bill reported by the majority would leave subject to the Secretary's direction and supervision all of the functions and activities of REA except the bare function of approving and disapproving loans. The Administrator in other vital aspects of administering the Rural Electrification Act and the agency would continue to be subordinate to the Secretary, and subject to his direction, supervision, and control, and to the regulations prescribed by him for the government of the Department, the conduct of its officers and clerks, the distribution and performance of its business (other than the act of approving or refusing to approve loans), and the custody, use, and preservation of the records, papers, and property appertaining to it (5 U.S.C. 22). The preparation and submission of annual loan and administrative fund budgets, the appointment and supervision of personnel, the formulation of loan and other administrative policies and procedures, and all the other activities and functions associated with the administration of REA would continue to be under the Secretary's direction and supervision.

Obviously the minority is correct when it says that "such an arrangement is unworkable." Under this interpretation the Secretary could supervise the selection of personnel, he could determine the procedures to be used by the REA, he could determine the funds to be requested in the REA's budget, he would control its office equipment and supplies, loan procedures would be under his control, legal advice and services would be supplied by the Department; but the actual approval or disapproval of loans would not be subject to the Secretary's control. The final approval or disapproval of loans would be the responsibility of the Administrator alone. It is hard to see how the Administrator could logically be vested with the sole authority to approve or disapprove of loans if the entire operations on which this final act rests are under the direction and supervision of someone else and could be removed from the immediate control of the Administrator.

It is not clear which of these two possible interpretations of the bill is correct. Either one of them would be anomalous, to say the least.

Significantly, neither in 1958 nor in 1959 did the Committee on Government Operations conduct hearings on this specific bill reported to the House. It conducted hearings on a completely different bill that bears no relation to this bill at all. Therefore, the hearings yield no evidence from representatives of the Bureau of the Budget, of the Department of Agriculture, or of REA on how this specific bill might actually be interpeted and applied.

The REA is too important, too vital to American agriculture, for Congress to place it in such an anomalous position.

PROGRESS OF REA PROGRAMS

Profound postwar changes in the character of rural America—including the growth of a large nonfarm population, the increasing use of electricity for farm and home chores, and the development of new rural industries and processing plants—have greatly increased the demand for adequate and reliable electric service in rural areas. In addition, the growing interdependence of city and country has made modern dial telephone service a virtual necessity in rural America. Since 1952, the Rural Electrification Administration has steadily increased the tempo of its activities to help 985 active electric borrowers and 638 rural telephone systems to meet this continuously growing demand for their services.

LOAN NEEDS MET FULLY

Loans to rural electric systems approved during calendar year 1958 totaled $213.8 million, bringing total electric loans approved since inception of the program to $3.8 billion. About $1.2 billion of this total has been made since January 1, 1953. Telephone loans reached the record high of $102.9 million in calendar year 1958. More than 79 percent of all telephone loans and about 31 percent of all electric loans have been made since January 1, 1953.

EIGHT HUNDRED THOUSAND CONSUMERS ADDED IN 6 YEARS

Some 800,000 new consumers and 180,000 miles of line have been added to the systems of REA electric borrowers since January 1, 1953. The current rate of addition is more than 120,000 consumers a year. Among these new users, nonfarm consumers outnumber farm consumers 3 to 1. Power sales to nonfarm establishments now are greater than to farmers.

Besides this growth in numbers, consumers are using more kilowatt-hours of electricity each year. Annual consumption averaged 3,050 kilowatt-hours per consumer in 1953; in 1958, it was estimated at 4,450 kilowatt-hours. Power sales on systems financed by REA rose 10 percent over 1957 during calendar year 1958, reaching an estimated 21.7 billion kilowatt-hours.

MORE POWER ASSURED FOR RURAL CONSUMERS

Particular attention has been given to borrowers' needs for an expanding supply of power at low cost. REA has pressed the search for more economical means of power production and has assisted borrowers to obtain substantial savings in initial investment and operating costs through interconnection, joint operation, and more efficient generating units.

In calendar year 1958, REA approved loans to provide 214,000 kilowatts of additional generating capacity. Installed capacity stood at nearly 1.3 million kilowatts on January 1, 1959.

During the first 17½ years of the REA electric program, loans provided for a generating capacity of 1,145,000 kilowatts. During the next 6 years—beginning January 1, 1953—loans were approved providing for an additional 1,116,000 kilowatts of generating capacity. Generation and transmission loans have accounted for almost 31 percent of the total loaned for rural electrification since January 1, 1953, compared with 19 percent before that date. Forty-three percent of the 1958 loans were approved for generation and transmission facilities.

During the past 6 years, first loans have been made to five new generation and transmission cooperatives. In addition, one cooperative has successfully negotiated with AEC for construction of a nuclear reactor as part of AEC's power demonstration program, and 20 borrowers or groups of borrowers have obtained access permits for information from AEC. REA itself is keeping abreast of nuclear developments.

FARMERS PAY LESS FOR ELECTRICITY

The average price of power paid by rural residential consumers has dropped more than three-fourths of a cent per kilowatt-hour since 1952. This is due largely to the increased use of electricity. The average price is now about 2.68 cents per kilowatt-hour, lowest in REA history. The wholesale cost to REA distribution borrowers is also at a record low—about 8 percent lower than in 1952.

BETTER TELEPHONES AND MORE OF THEM

In early 1953, only 40 REA telephone borrowers had cut over 85 dial central offices to bring new or improved service to 7,500 subscribers. As of January 1, 1959, 488 borrowers had cut over 1,855 new dial exchanges. Loans approved since January 1, 1953, will benefit about 800,000 farm families and other rural subscribers. Total telephone loans to date will benefit about 1,100,000 rural subscribers.

BORROWERS BUILD FINANCIAL STRENGTH

Given encouragement toward independence and self-reliance, REA borrowers have made substantial financial progress since 1952. Net worth of electrification borrowers has more than tripled, increasing from $161 million at the end of December 1952 to $512 million on December 31, 1958.

During the 6-year period January 1, 1953, to January 1, 1959, the number of electrification borrowers behind in their loan payments dropped from 45 to 6. In the same period, the balance of payments on debt made in advance of due dates rose from $52.5 million to abcut $139 million. In the much newer telephone program, the balance of advance payments amounts to $1 million and all but 16 borrowers are current or ahead of schedule on debt payments.

EFFICIENCY BENEFITS ALL

REA has streamlined its procedures to speed processing of loans, to give improved service to borrowers, and to reduce administrative costs. With 11 percent fewer employees today than in 1952, REA is administering much bigger electric and telephone programs. Working with industry, REA carries on constant research to hold down construction costs and to improve performance and service.

PLANNING FOR FUTURE GROWTH

To help borrowers keep ahead of new power demands, REA has developed new techniques of long-range planning for rural electric systems. As a result, borrowers will be able to schedule construction several years in advance and to expand at minimum cost. New telephone construction also is being planned to meet needs over an extended period.

The effect of this bill is to leave the Rural Electrification Administration within the Department of Agriculture subject to the general supervision and direction of the Secretary of Agriculture except that the Administrator of REA would have authority to approve or disapprove loans without the supervision or direction of, or any other control by, the Secretary of Agriculture. This would be an administrative monstrosity.

The hearings on this bill failed to produce any evidence that the Rural Electrification programs were being interfered with by the Secretary of Agriculture or anyone else in the executive branch. REA Administrator David A. Hamil has testified:

> In not a single instance has Secretary Benson or Director Scott interfered in the discharge of my responsibilities as Administrator of REA. I make the loans.

The charge has been made that the Eisenhower administration is destroying REA. The REA-financed systems have never been in stronger position than they are at this time. Here are some facts from the record:

First. The greatest progress ever during the last 6 years. Loans of $1.2 billion were made during this period compared to $2.6 billion loaned in the previous 17½ years of the program.

Second. Power sales nearly 22 billion kilowatt-hours—double sales in 1952.

Third. Borrowers delinquent on loans dropped from 45 to 6—systems $139 million ahead on payments.

Fourth. Net worth of cooperative borrowers more than tripled. REA has come of age—it has matured.

Fifth. Over 95 percent of the farms and ranches of America have electric power.

Sixth. Seventy-five percent of new customers being added are industrial and nonfarm residential consumers.

Seventh. One-half of total power sales by REA system is for nonfarm use.

Since the adoption of Reorganization Plan No. 2 of 1939 the Rural Electrification Administration has been within the Department and subject to the general direction and supervision of the Secretary of Agriculture. The purpose of this action and of Reorganization Plan No. 2 of 1953 was to centralize in the Secretary responsibility for effective administration of all programs within the Department. This coordination of responsibility and authority is in line with the sound congressional policy of vesting functions directly in the Department heads so that they can be held accountable for the performance of their agencies.

For about 20 years REA has been effectively accomplishing its purposes under the general supervision and direction of the Secretary of Agriculture. The REA programs have been especially successful during the past 6 years.

During the hearings on Reorganization Plan No. 2 of 1953 Secretary Benson assured the committee that he would make no major changes in the REA organization without consulting with the Congress and making known such proposals to the public prior to their becoming effective.

Recently, Secretary Benson said:

> I have made no major change in the REA organization or policies. I have transferred no functions or powers from REA. I have adhered to my assurances and the provisions of Reorganization Plan No. 2 of 1953.

[From REA Fact Sheet, Jan. 14, 1959]

ELECTRIFICATION PROGRAM

FARMS ELECTRIFIED

Percent of U.S. farms electrified: About 96 percent.

Number of consumers served by REA financing, 4,590,000.

Percent of farms among REA consumers: 66.5 percent in 1951; 58.2 percent in 1955; 55.9 percent in 1958.

Present rate of growth of nonfarm consumers: 3 to 1 over farm.

BORROWERS

Total number of borrowers, 1,081.

Active borrowers, 985.

Number of cooperative borrowers which have repaid loans in full from revenues, 8.[1]

Loans and advances as of Dec. 31, 1958

	Million
Loans since start of program in 1935	$3,847
Funds advanced since start of program	3,255
Total unadvanced funds	592

Electrification loans, 1950–58

Fiscal year	Gross amount	Amount for generation and transmission
1950	$376,199,000	$135,985,195
1951	221,815,500	50,608,585
1952	165,758,731	62,194,979
1953	164,972,662	36,713,205
1954	167,104,100	31,238,480
1955	167,530,430	41,120,670
1956	189,804,800	61,251,939
1957	300,461,514	120,143,676
1958	241,636,869	86,338,132

Loans and advances in calendar year 1958

Loans	$213,802,000
Funds advanced	203,342,000

Repayments as of Nov. 30, 1958

Principal repaid since start of program	$579,000,000
Interest paid since start of program	$346,000,000
Balance paid ahead of schedule	$137,000,000
Number of borrowers delinquent	5
Amount in arrears over 30 days	$117,000

Repayments in calendar year 1958 (through Nov. 30)

	Million
Principal repaid	$72.1
Interest paid	39.8
Increase in balance of payments made ahead of schedule, Dec. 31, 1956–Nov. 30, 1958	193

GROWTH IN USE OF POWER

Sale of power by REA systems by selected fiscal years: [1] 1945, 2.1 billion kilowatt hours; 1950, 6.2 billion kilowatt hours; 1955, 14.5 billion kilowatt hours; 1958, 20.7 billion kilowatt hours.

Input of power in 1958, 23.7 billion kilowatt hours.

Anticipated input in 1963 (REA estimate—current year, 39 billion kilowatt hours.

FINANCIAL GROWTH

Gross revenues: 1952, $321 million; 1958, [2] $563 million.

Net margin: 1952, $24.5 million; 1958, [2] $73.3 million.

Net worth: 1952, $161 million (7.7 percent); 1958 [2] $512 million (16.4 percent).

TELEPHONE PROGRAM

Number of telephone borrowers: December 31, 1952, 231; December 31, 1958, 638.

Loans and advances as of Dec. 31, 1958

	Million
Loans since start of program in 1949	$526.5
Funds advanced since start of program	355.4
Funds unadvanced	171.1

[1] Henry County Rural Electric Membership Corporation, New Castle, Ind.; Gowrie Rural Electric Cooperative Association, Gowrie, Iowa; Boone County Rural Electric Membership Corporation, Lebanon, Ind.; United Rural Electric Cooperative, Kenton, Ohio; Hendricks County Rural Electric Membership Corporation, Danville, Ind.; Alcorn County Electric Power Association, Corinth, Miss.; Noble County Rural Electric Membership Corporation, Albion, Ind.; Logan County Cooperative Power and Light Association, Bellefontaine, Ohio.

[1] Net sales which excludes sales from one REA borrower to another.

[2] Preliminary.

Loans and advances in calendar year 1958

	Million
Loans	$102.9
Funds advanced	88.9

Repayments as of Nov. 30, 1958

Principal repaid since start of program	$8,900,000
Interest paid since start of program	$6,800,000
Balance paid ahead of schedule	$1,000,000
No. of borrowers delinquent	18
Amount in arrears	$386,000

Growth in service to subscribers

	As of Dec. 31, 1954	As of Dec. 31, 1956	As of June 30, 1958
Number of borrowers reporting	176	402	556
Telephones in service	168,000	468,000	756,000
Subscribers receiving—			
Service	157,000	432,000	694,000
Initial service	----------	126,000	217,000
Dial service	----------	300,000	538,000
Initial dial service	----------	272,000	450,000

Growth in revenues

	Number borrowers reporting	Total operating revenues
For 12 months ending—		
Dec. 31, 1954	176	$8,162,000
Dec. 31, 1955	285	16,359,000
Dec. 31, 1956	406	26,714,000
Dec. 31, 1957	515	40,835,000
June 30, 1958	556	47,996,000

Mr. FASCELL. Mr. Chairman, I yield such time as he may desire to the gentleman from Indiana [Mr. DENTON].

Mr. DENTON. Mr. Chairman, during a colloquy with the gentleman from Illinois [Mr. ALLEN], yesterday, I discussed the application of the Indiana REA's for an REA loan to construct a powerplant at Petersburg, Ind., and I would like to add to that statement, as I believe the situation in Indiana shows the necessity for this legislation.

It has been said that no application has been turned down because of the order of 1957 giving to the Secretary of Agriculture the power to review applications for REA loans exceeding $500,000. While it is true that the Indiana application has not been actually turned down, nevertheless it was filed in 1957 and no action has been taken on it. It is just the difference between saying "You can't have the money" and not giving it to you.

It has also been said that the Indiana application has been withdrawn. This is what actually happened. Nine Indiana REA's made application for this loan to build the powerplant. Since that time, 7 additional REA's have sought to join in this application, and the application has been withdrawn, as everyone in the REA knows, to be refiled with 16 applicants instead of the original 9.

When the REA was established, it was an independent agency. By giving the Administrator a long term of office of 10 years, it was the intent of Congress that he would be free from political influence. You will notice that his position was very different from that of the Secretary of Agriculture, who is a political appointee and whose term of office would naturally expire with a change of administration.

Since the inception of the REA, the Administrator has had the authority to approve all loans. Claude Wickard had such authority, as did David Hamil until the order of 1957, which gave the Secretary of Agriculture the power to review applications for loans over $500,000. If the Secretary of Agriculture already had this power, why was it necessary to issue this order? If we concede that the Reorganization Plan No. 2 of 1953 gave the Secretary of Agriculture this power, he had never exercised it. Furthermore, when the Senate Government Operations Committee was considering Reorganization Plan No. 2 of 1953, the committee was fearful that the Secretary of Agriculture, rather than the REA Administrator would approve these loans; however, Secretary Benson assured them that no change would be made in the REA procedure, unless and until both of the interested committees in Congress were given knowledge of this fact.

As we know, however, Secretary Benson did change that procedure, but has yet to give the interested committees notice. The manner in which the Indiana REA's application for loan was handled demonstrates the need for remedial legislation. As I pointed out in my colloquy with the gentleman from Illinois, the REA Administrator, Mr. Hamil, was processing the application of the Indiana REA's for a loan to build the powerplant at Petersburg, Ind., in the regular manner, when political influence entered the picture.

The Public Service Commission of Indiana, which passes on many phases of the REA's activities, at the request of the Governor of Indiana, lobbied against this application. Public service commission officials conferred with Secretary Benson and Mr. Hamil. After that meeting, conference was held at the White House presided over by Sherman Adams, and immediately following, Secretary Benson issued the order giving himself the power to review loan applications over $500,000 and set up a procedure in his own department to place this authority under one of his assistants. As a result of that action, the loan application of the Indiana REA's has not been approved.

At every crossroads in the State of Indiana during the last political campaign, my party charged that political consideration prevented this loan from being approved, and I never heard this charge denied. In fact, toward the end of the campaign, the opposition apparently came over to our side and indicated that they thought this loan of the Indiana REA's should be approved. It would be difficult to convince the users of REA electricity in Indiana that this loan was not denied because of political considerations.

Approval of this loan would have been very beneficial to the State of Indiana for several reasons: First, it would have enabled the users of REA electricity to receive cheaper electric rates; and second, since this plant would have been built in the district I represent at Petersburg, Ind., in the coalfields where there is much unemployment, it would have brought about greater employment both at this plant, and in the coalfields which would supply coal to the plant. In addition, construction of this plant would bring other industries into the district, such as an aluminum plant, which was proposed at the time the Indiana REA applied for a loan to build the Petersburg plant.

I have a personal reason for wanting to see this legislation enacted, because I do not believe that this loan will ever be approved if Secretary Benson has the right and power to pass on these loans. Also, this same thing might happen in your State—in the district you represent.

The example of the Indiana REA illustrates strongly that we should return to the original intent of the law, that these loans should be processed by the REA Administrator who will not be subject to the same political pressure as might be brought to bear on the Secretary of Agriculture.

Mr. FASCELL. Mr. Chairman, I yield such time as he may desire to the gentleman from South Dakota [Mr. McGOVERN].

Mr. McGOVERN. Mr. Chairman, I have long believed that the Federal rural electrification program which has been operating since 1936 is the finest possible example of grassroots democracy. No one can fully evaluate the tremendous contribution that rural electricity has made to the development of our Nation.

The blessings of REA to the farm families of America are realized in the form of electric lights, refrigeration, washing machines, telephones, and power equipment such as milking machines feed grinders, pumps, and numerous other labor-saving devices. Every main-street in a rural area as well as the factories of the Nation have felt the stimulus of millions of dollars of farm purchases of appliances, machinery, and equipment for REA users.

The program has been an inspiring experience in democratic living as farmers have joined together to form REA cooperatives which they have managed and directed with great skill. REA loans have been repaid to the Treasury ahead of schedule and in spite of the low 2-percent interest rate, the Government has shown a net profit of millions of dollars during the near quarter of a century that the program has operated.

Up until 1953, the REA Administrator, presumably the man best equipped for such functions, had full authority to pass on REA loan applications. Since that time, under Government Reorganization Plan No. 2, the Administrator's loan-making authority has been given over to the Secretary of Agriculture for those loans in excess of $500,000.

The legislation now before us would restore full loan-making authority to the REA Administrator. This legislation, known as the Humphrey-Price bill, because of its sponsorship by the distinguished Senator from Minnesota and our able colleague, the gentleman from Illinois [Mr. PRICE], seemed so essential

to me that I introduced similar legislation—H.R. 3029—early in this session and testified in its support before the House Government Operations Committee.

It is my strong conviction that the future growth and integrity of rural electrification rests considerably upon our approval of this legislation.

As matters now stand, the REA Administrator has been stripped of his most important function. The careful investigation and approval or disapproval of loans requested by rural electric groups is the major responsibility of the Administrator. When he is deprived of this authority and his functions are transferred to the Secretary of Agriculture, the dignity of REA and the authority of its Administrator to make loans based on nonpolitical considerations are jeopardized.

It has always been the intent of Congress that REA loans are to be made provided they meet proper feasibility criteria. Political considerations or personal inclinations have no place in this decision.

Why, then, should the Administrator best equipped to pass on the technical characteristics of a loan request have his judgment overruled by another official? The REA Administrator has a competent technical staff that has already investigated the merits of a loan application before it is sent on to the Secretary of Agriculture for review. What kind of a review is then made by the Secretary? Is it another technical review? If so, is not this a case of wasteful duplication of effort. If it is not a technical review, can it be a political test or some other hurdle based on the personal philosophy or prejudices of the Secretary of Agriculture? If so, the quicker we stop this practice, the better it will be for the rural electric users of the country.

Although I have a particular lack of confidence in the present Secretary of Agriculture and the present administration's attitude toward REA, I would not want any Secretary of Agriculture, Democratic or Republican, duplicating the functions of the REA Administrator or overruling his judgment on loan decisions.

On the other hand, I see nothing to be gained and much that could be lost in the more extreme proposals that have been made to set up a completely separate Rural Electrification Administration independent of the Department of Agriculture.

If we pass the legislation before us to restore the loan-making authority of the REA Administrator, REA can continue to benefit from its relationship to the Department of Agriculture more than it would from a completely independent status as a new agency.

As an independent agency it would lose the present benefit of a Cabinet level spokesman in the fight for appropriations. Furthermore, the congressional committees now handling REA matters have had long experience with the program. This does not mean that a new set of committees would be hostile, but a continuation of the present committee responsibility leaves rural electric leaders and members with a more certain knowledge as to where they stand with the Congress. Finally, why should we add further to the maze of Federal agencies by creating yet another new one when historical experience demonstrates that the existing operation can be made fully effective through the moderate proposal contained in the Humphrey-Price legislation?

I strongly urge the Congress to act favorably on this legislation by restoring the loanmaking authority of the REA Administrator.

Mr. BROWN of Ohio. Mr. Chairman, I ask unanimous consent that all Members have the privilege of extending their remarks at this point in the RECORD on this bill.

Mr. FASCELL. I will make a request when we get back into the House that Members may extend their remarks in the proceedings on the bill, but I have already agreed to yield to Members at this point.

The CHAIRMAN. The request is withdrawn.

Mr. FASCELL. Mr. Chairman, I yield such time as he may consume to the gentleman from Missouri [Mr. BROWN].

Mr. BROWN of Missouri. Mr. Chairman, I appreciate the courtesy of the committee in allowing me to make some remarks about this bill.

I want to congratulate the distinguished chairman of this committee for this constructive measure.

I enthusiastically support this bill. I feel very deeply that any board, agency, or administrator in Government charged with the responsibility of making loans should be free and independent of political control or veto by a Cabinet member. Congressional appropriation power and congressional legislative power are sufficient political supervision and policy control.

To subject loans to political approval by a Cabinet member is to invite abuse. A Cabinet member is a political appointee, whose term of office is concurrent with and dependent on the President's tenure. In a given 4-year period, you might get one who is completely out of sympathy with the agency's purpose and operation. If so, he could scuttle or strangle it by disapproving loans unjustifiably.

Conversely, the Cabinet member in another period could be overzealous and want to extend the agency's functions far afield from the original purpose; and he might approve excessive loans unjustifiably.

Or, through prejudice and favoritism, the Cabinet member could grant some loans and deny others, and thereby abuse his authority.

As a matter of principle, it is a mistake to superimpose a Cabinet member or a combination of Cabinet members over and above any loan-making agency.

And, Mr. Chairman, I submit that I am not alone in that belief. Last year, the Small Business Committee of the House—of which I am a member—held extensive hearings on equity capital and long-term loans for small business.

In April, we were in the process of formulating a bill to submit to Congress creating capital banks, and we were getting the counsel of the members of the Board of Governors of the Federal Reserve. One of the bills provided an ex officio loan policy committee at the top of the organization structure, a committee comprised of the Secretary of the Treasury and the Secretary of Commerce as two of three members.

Gov. James K. Vardemann opposed this idea vehemently, stating in part—and I quote the printed transcript of the hearings:

> The biggest objection to them—

Meaning the Secretary of the Treasury and the Secretary of Commerce—

> is that they are partisan national political creatures. They are appointed by the President, as his Cabinet, and as such they are going to follow the party line as dictated by the President.

Governor Vardemann pleaded for an independent policy board, subject only to congressional appropriation control; and, quoting the governor further in the hearings:

> Once you put the men on this Board, they should be free of political and economic domination from any individual group, or party or anybody else during their term of office.

It has been said that an administrator is, in fact, a political appointee of the President approved by the Senate. But oh—there is a big difference—the independence of tenure. The REA Administrator serves for 10 years. He will serve under at least two Presidents. His tenure makes him, at least, a semipolitical appointee with indisputable independence, if he's half a man.

The REA is a Federal lending agency. It exists for the express purpose of making loans to further rural electrification. The approval of those loans is the function of the REA Administrator and his large and capable staff. The decision as to whether or not a loan should be made is supposed to depend on the merits of each case. If a loan applicant qualifies for a loan, and if the REA Administrator finds the loan is feasible from an economic and engineering standpoint, that loan is supposed to be in order. The loan is not supposed to pass any sort of political or philosophical test imposed by any member of the President's Cabinet. The people's Congress can apply ample philosophical and policy control.

Yet we find that without the knowledge of Congress, the Secretary of Agriculture directed that applications for loans over $500,000 be sent over to his office for approval. This gave the Secretary a veto power over some 80 percent of the loans, dollarwise, made by the REA last year.

Now I don't know whether the present Secretary of Agriculture has exercised or abused this authority. I suggest that we could just concede that the present Secretary—Mr. Benson—is as perfect as he says he is, that his intentions are as pure as the driven snow. But what about the next Secretary or the one after that?

No Secretary of Agriculture should have review authority or veto power over

any REA loan, $5,000 or $500,000. And, I suggest that some of the people who so strongly favor this setup while they have their Secretary will be sick of it when they lose their Secretary. This authority lodged in a political appointee casts a political shadow over the REA procedure where there was none before.

I think this bill will eliminate that shadow. I think it will restore the faith of rural people in the loan procedures of the Rural Electrification Administration. I think it will restore the independent, nonpartisan stature which REA must have if it is to fulfill its original purpose.

Mr. Chairman, I am proud to support this measure and I sincerely hope it will receive the favorable consideration of this Committee and the Congress.

Mr. FASCELL. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. ROOSEVELT].

Mr. ROOSEVELT. Mr. Chairman, the words of the majority leader, Mr. MCCORMACK, and the other able Members who have spoken in support of this bill clearly prove its justification and need.

Mr. Chairman, there are many valid and practical reasons for the enactment of H.R. 1321. I merely want to emphasize two of these many reasons for I believe they are at the heart of the matter.

First, it should be noted that Congress intended that the REA Administrator exercise independence of judgment far removed from political or partisan considerations. This intent has not been followed since 1957 when the Secretary of Agriculture took over the loanmaking authority of the Administrator. No one has really been successful in discovering the standards which have been established for the loan review setup.

Second, the past history of the operation of the REA does not warrant the interference in loanmaking policy by the Secretary of Agriculture. The record shows that REA functioned efficiently and successfully from 1939 to 1957. During this period REA was under the general supervision and direction of the Secretary of Agriculture, but the REA Administrator had the final say-so on loans. This concept of independence of departmental control in specified matters is practiced by other Government agencies such as the Department of Commerce, to cite just one example.

During the 1939–1957 period, we saw great advances in farm electrification. Three billion dollars in sound loans have been made, with $1 billion already paid back to the Government. H.R. 1321 proposes to restore REA to the position it had during the 23 years in which a successful record was achieved. I hope this legislation will be overwhelmingly supported.

Mr. FASCELL. Mr. Chairman, I yield such time as he may consume to the gentleman from Nebraska [Mr. BROCK].

Mr. BROCK. Mr. Chairman, I rise in support of the pending measure, H.R. 1321.

I am not a johnny-come-lately in the REA field. I have had the honor and privilege of consulting with the late Senator George Norris, Nebraska, the father of the REA, when this program was being formulated for subsequent legislative action. During the ensuing years, it has been my further privilege to continuously work in conjunction with the REA representatives, the rural public power people throughout the country, as well as serving in the official capacity as president of my own public power district for 14 years. In fact, it became necessary for me to resign my position as vice president of the State of Nebraska REA in order to run for my present office as a Representative in this body.

Because of these former connections over the period of years, in which the REA was developing into a stable, helpful and necessary agency, the future of this agency gives me great concern. My personal knowledge of its needs to function properly for the purpose it was created prompts my remarks on this occasion. It is also my knowledge that the REA consumers throughout the United States want the membership on both sides of the aisle to support this measure.

The National Rural Electric Cooperative Association, composed of the membership of similar electric cooperatives in the several States, including my State of Nebraska, has taken a definite position on this legislation. Our experience in dealing with the existing authority and control of REA, within the jurisdiction of the Secretary and Department of Agriculture, has been very unsatisfactory. Ninety percent of the rural electric systems in the United States have gone on record as opposing the present setup of the REA. They have expressed their views in convention assembled as recently as February of this year. They resolved to ask the Congress to restore the REA to the status of an independent agency, the status which was the original intent and purpose of the Congress when REA first came into being. The rural electric systems, who are the borrowers from REA, have no confidence in the policies of the Secretary of Agriculture and are unalterably opposed to his usurpation of the powers previously granted to the REA Administrator.

The Speaker himself, when addressing the recent annual meeting of the delegates from the rural electric systems said:

> We in the Congress do not believe that this should be administered by any Cabinet officer, but we believe it should be administered by an Administrator appointed for the purpose for which he should be, and one whose vital interest is in this program.

Mr. Chairman, those words were well chosen, and emphasizes the fact that the Secretary of Agriculture is not only out of step with the original intent and purpose of the Congress when it created the REA, nor has he at any time exhibited even a sympathetic interest in the expanding programs of the REA, which has contributed much to a better life for our stable rural citizens.

The Benson order of May or June 1957, which stripped the REA Administrator of the loan powers he previously exercised without interference, fits into a master plan that has for its objective the ultimate destruction of the REA program, as we have known it and seen it function successfully for the past 24 years.

Mr. Chairman, if we are going to legislate the loan authority back to final jurisdiction of the REA Administrator, it stands to reason that we should go the whole cloth, and restore the agency back to its original independent status.

The Speaker also stated to the delegates:

> We in the Congress intend, if fighting will do the job, if using reason and good common sense will do the job, to keep rural electrification on the track it has been running for nearly 25 years.

Mr. Chairman, this appears to be good sound logic.

Mr. FASCELL. Mr. Chairman, I yield such time as he may consume to the gentleman from Alabama.

Mr. BROWN of Ohio. Mr. Chairman, just a moment. The minority was given to understand a few moments ago, upon inquiry made of the majority, that there would only be one speaker, one remaining speaker on that side, and for that reason we yielded back the remaining time on this side. I just wonder how many Members are going to make speeches after we had that understanding.

Mr. FASCELL. Mr. Chairman, our concluding speaker is a member of the committee, and we have two more——

Mr. BROWN of Ohio. I know, but we had what I thought was the concluding speech and then we have had two or three speeches here already after agreement was made that there would be one remaining speaker on the majority side and one on the minority side when with that understanding we yielded back the time.

Mr. FASCELL. I am sorry the gentleman misunderstood.

Mr. BROWN of Ohio. Well, the record speaks for itself.

The CHAIRMAN. The time being used now is the time of the gentleman from Florida since the time of the gentleman from Ohio has expired.

Mr. BROWN of Ohio. Mr. Chairman, I understand that the time of the gentleman has expired. I have been here a long time and I understand the rules of the House, I may say to the Chair, but I also understand that there is an agreement made between the majority leadership in control of this bill and the minority leadership in charge of this bill that there was only one remaining speaker on that side, and since that time we put on our one remaining speaker, and then there have been several speakers in support of the bill. I am just inquiring now, how many more speakers we may expect to hear from under that previous agreement. I would just like to find out where we are.

Mr. FASCELL. Mr. Chairman, I yield the balance of the time to conclude debate to the gentleman from Iowa [Mr. SMITH].

Mr. PRICE. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield.

Mr. PRICE. With the permission of the gentleman from Iowa, I take this

time to set the record straight on the comparative amounts of funds appropriated to the REA in recent years, since frequent reference has been made to this factor in the debate on the bill.

The average per year appropriations for the REA during the period of 1946 to 1953 was $281 million a year. During the term as REA Administrator, the gentleman from Minnesota [Mr. NELSON], who has just addressed the House, the average per year appropriation was $175 million a year.

During the last 2 years, 1957 and 1958, the average per year appropriation was $271 million. This would indicate a considerable lead during the period from 1946 to 1953.

The following table will indicate just the amount of the loans approved:

Gross REA electric loans since World War II

[In millions]

FISCAL YEAR AND AMOUNT APPROVED	
During term of Claude Wickard, Administrator:	
1946	$291
1947	256
1948	319
1949	449
1950	376
1951	222
1952	166
1953	165
Average per year	281
During term of Ancher Nelsen, Administrator:	
1954	167
1955	168
1956	190
Average per year	175
During term of David Hamil, Administrator:	
1957	301
1958	242
Average per year	271

Mr. SMITH of Iowa. Mr. Chairman, the gentleman from Minnesota [Mr. NELSEN] has made a very fine argument on how well this program worked before the secret order involved was issued and before the famous rendezvous at the White House, including anti-REA people, Sherman Adams, and the Secretary's representative, Mr. Scott. It is a fine presentation of how well it worked before that time.

He has also rendered a service in pointing out to this body how important it is that these programs continue to expand, for this reason: As technology brings forth more electrical conveniences and as farmers can, they want to add to the electrical machines used on the farm. This is the reason we must continue to expand the supply of electricity. There is also a great benefit resulting to those who produce and merchandise electrical equipment.

He also makes another point I would like to discuss. As I understand, he says that the Secretary of Agriculture will still be able to render harm to the REA program, even if this bill is passed. I submit that is true. But we cannot, until 1960, cure that situation. Congress cannot change the Secretary of Agriculture—that is a decision for the voters in 1960. In the interim all we can do is whatever can be done by passage of legislation. That is the reason for the bill under consideration.

In summarizing the arguments on the bill under consideration, I would like to say that it is in essence a bill to outlaw the use of a concealed weapon. The concealed weapon in this case is the secret oral order issued by the Secretary of Agriculture in 1957 following a conference of anti-REA people at the White House. The weapon even changes caliber from time to time. One time, when the Director of Agricultural Services, Mr. Scott, came before the committee, he said the order applied to all loans over $500,000. The next time it was on all loans over a million dollars. For all we know, it may be applicable to all loans over $1,000 today. There is no way of knowing. It is one of those concealed weapons that is so difficult to control that you must outlaw it.

The arguments used on this floor to oppose this bill are the same arguments used by defendants being prosecuted for carrying a concealed weapon. The argument in both cases has been, "Why prosecute me? You have not proved that I killed anybody yet." There is obviously a greater reason involved for this secret order that was issued than what has generally been conceded by the opponents of this bill.

I point to page 40 of the hearings and to questions asked of Mr. Scott by myself and others. It was pointed out at that time that through this order, Mr. Scott could do to the REA program the same thing he did to the watershed program, wherein he instituted a policy which said: "You cannot receive a watershed loan unless you can prove to me that you cannot get the loan elsewhere."

Under these loans, the amount of interest cost to the applicant can be important. Under the order in the watershed program, you had to get a loan elsewhere if you could regardless of the interest cost. That same policy could be instituted here. It would be easy to do under this kind of order if it is allowed to stand and would be consistent with the announced plan of the administration to raise interest rates on REA loans.

The gentleman from Ohio [Mr. BROWN] and others have said that there was no testimony given or taken that the Secretary of Agriculture has ever interfered in any way with the Director of REA in making these loans. The gentlemen from Indiana [Mr. DENTON and Mr. WAMPLER] spoke about one case in Indiana. Now maybe Mr. Benson was not there but his assistant, Mr. Scott, was there and I say what difference does it make if the assistant Mr. Scott is there instead of Mr. Benson and especially when Sherman Adams was there, too? What more do you need to electrify the rural electric communities of America and cause alarm in those communities?

Certainly it would, and it did; and as a result there appeared all of these items that were mentioned in the various farm journals and publications of the country. REA users became concerned because administration of the REA program had been thrown headlong into politics.

I think I should point out also that this bill, if amended as proposed by the committee, will not be the same bill that was originally introduced. There were some objections to the wording of the bill, and the committee is proposing to substitute the provisions of a bill I happened to introduce, H.R. 5688. The bill as amended should meet the objections heard to the wording of H.R. 1321. In considering this revised bill, I say you will have to be a great friend indeed of this administration's high interest policy and the Secretary of Agriculture to vote against this bill.

I urge you to vote for the bill for the benefit of the rural electric communities of America and those who produce and sell and repair electric appliances.

The CHAIRMAN. The time of the gentleman from Iowa has expired; all time has expired.

The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of Reorganization Plan Numbered 2 of 1953 shall not hereafter apply to the Rural Electrification Administration, and there are hereby transferred to the Administrator of the Rural Electrification Administration all functions which were transferred from the Administrator to the Secretary of Agriculture by such reorganization plan; and notwithstanding the provisions of section 5 of Reorganization Plan Numbered 2 of 1939, or the provisions of any other law, any action of the Administrator of the Rural Electrification Administration with respect to the approval or denial of loans authorized to be made under the provisions of the Rural Electrification Act of 1936, as amended, shall be the sole responsibility of the Administrator.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That the functions and activities of the Rural Electrification Administration and the Administrator of the Rural Electrification Administration which were transferred to the Department of Agriculture and to the Secretary of Agriculture by Reorganization Plan No. II of 1939 and Reorganization Plan No. 2 of 1953 are hereby transferred to the Administrator of the Rural Electrification Administration, and shall be exercised and administered within the Department of Agriculture by such Administrator under the general direction and supervision of the Secretary of Agriculture; except that insofar as such functions relate to the approval or disapproval of loans authorized to be made under the Rural Electrification Act of 1936, as amended, their exercise by the Administrator shall not be subject to the supervision or direction of, or to any other control by, the Secretary of Agriculture."

Mr. HOFFMAN of Michigan. Mr. Chairman, I move to strike out the last word.

WILL CONGRESSIONAL FOLLY AID RUSSIA TO ESTABLISH COMMUNISM THROUGHOUT WORLD?—RUSSIA'S PURPOSE

Mr. HOFFMAN of Michigan. Mr. Chairman, speaking generally, we have accepted the theory that the present purpose of Russia is to establish communism throughout the world—destroy what we are pleased to call the free world.

We assume that self-preservation now demands that as a people and a nation we do our utmost to defeat that objec-

tive. We likewise seem to admit that as a nation we are so weak in national resources, in economic strength, in technical knowledge, in military ability, that we are dependent upon other nations for our continued existence.

It is true that, since the adoption of the Marshall plan, in opposing the spread of communism, we have, through foreign aid, spent some $22.759 billion for military supplies and services; $34.516 billion in economic and technical aid grants; and $14.277 billion in new credits or loans. Apparently, we have accepted as our duty the policy of making loans and extending financial and technical aid, the actual value of which cannot be estimated.

Surrendering a part of our national independence, of the control of our own destiny, we became a part of the United Nations which has 82 members; we became a part of a military alliance with 14 other nations when we became a member of NATO; we are now bound in a common bond which binds us to participate in every war in which any of our allies may become rightfully or wrongfully involved.

We are no longer the masters of our destiny.

We are no longer a free and independent nation.

Economically and militarily, we are but one nation of a group. The Congress is no longer the sole authority to involve us in war, even though the Constitution so provides.

Our material resources, including as well the youth of our land and our scientific knowledge, are handcuffed to the decisions of those in control in other lands.

Although we no longer have the ability to abstain from war or to formulate our own foreign policy—those in control now have the authority—it is still our duty—one imposed by the necessity of self-preservation—to do everything within our power to make ourselves strong and competent to wage successful warfare if that be forced upon us.

This would seem to lead to the conclusion that releasing information which would give aid and comfort to our enemies would be supreme folly, this notwithstanding the theory that, ours being a people's Government, the people are entitled to all information within the possession of the executive departments, including the Department of National Defense.

It is a matter of common knowledge that not only has the Defense Department spent billions of dollars, employed the country's topmost scientists, in an effort to give us the best possible offensive and defensive weapons available, but that it has from time to time as a result of its research work devised new and more efficient offensive and defensive weapons, discarding the old, the obsolete, devising and producing the new and better.

Progress has been made through secret investigations and experiments, through the continuance of employment of those in the possession of advanced scientific knowledge. It is acknowledged that most amazing progress has been made because of the employment of those with special and superior knowledge, because of experiments which have been carried on through the observation not only of people but of animals.

Being under the necessity, if we are to survive, of being first rather than second best in preparation for defense, it necessarily follows that, if we are to win over our competitors, it is folly to advise them of each progressive successful step we take. In the press a few days ago there appeared a statement by General Thomas S. Power, the Nation's Strategic Air Commander, advising that he had, in substance, warned the Congress that it was risking the whole country if it did not vote more money for both Atlas, ICBM's and atomic bombers than the amount requested by President Eisenhower.

Then, a few days later, we heard from General Power's superior, General Thomas D. White, Air Force Chief of Staff, to the effect that we were prepared and apparently General Power did not know all on the subject he was talking about. It leaves us all somewhat confused as to the exact situation.

The controversy continues.

This morning to my desk came a letter from the General Counsel of the Department of Defense, which enclosed a letter dated March 30, 1959, written to the Secretary of Defense by Mr. Moss, chairman of the Subcommittee on Government Information of the House Government Operations Committee, and which reads as follows:

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
SPECIAL GOVERNMENT INFORMATION
SUBCOMMITTEE OF THE COMMITTEE
ON GOVERNMENT OPERATIONS,
Washington, D.C., March 30, 1959.

Hon. NEIL H. MCELROY,
Secretary of Defense, Department of Defense, The Pentagon, Washington, D.C.

DEAR MR. SECRETARY: The House Government Information Subcommittee has been informed that a Department of Defense memorandum dated June 3, 1958 and signed by Assistant Secretary of Defense (Public Affairs) Murray Snyder imposes restrictions on information about the use of monkeys in scientific research projects. The memorandum bears the military security classification "Confidential."

Executive Order 10501 states that the classification "Confidential" is authorized only for defense information or material the unauthorized disclosure of which could be prejudicial to the defense interests of the Nation.

In December 1958 the Dayton Daily News was refused information about the use of monkeys in scientific research projects at the Wright Air Development Center. Shortly thereafter Mr. Roy Johnson, Director of the Advanced Research Projects Agency admitted during questioning at a press conference that "primates" were being prepared for use in satellite research projects.

The House Government Information Subcommittee would appreciate a full explanation of the apparent on-again-off-again secrecy about the use of monkeys in research projects. The subcommittee will appreciate a specific explanation of how the disclosure of such information could prejudice "the defense interests of the Nation."

Sincerely,

JOHN E. MOSS,
Chairman.

To that letter, the General Counsel of the Department of Defense replied on April 10. A copy of that letter follows:

GENERAL COUNSEL OF THE
DEPARTMENT OF DEFENSE,
Washington, D.C., April 10, 1959.

Hon. JOHN E. MOSS,
Chairman, Special Government Information Subcommittee, Committee on Government Operations, House of Representatives.

DEAR MR. CHAIRMAN: I write this letter at the direction of the Secretary of Defense to reply to your letter of March 30, 1959, which related to the handling of information on use of animals in space experiments. Your letter cited a classified memorandum signed by the Assistant Secretary of Defense for Public Affairs, and, in effect, demanded an explanation of how any information concerning the use of animals in experiments could come under the provisions of the President's Executive Order 10501, which requires protection of information the publication of which "could be prejudicial to the defense interests of the Nation."

We have noted the news articles of last Saturday (April 4), through which, contemporaneously with sending your letter to the Secretary of Defense, your staff made public both the substance of your inquiry and your committee's indicated prejudgment that care to avoid offending religious or other sensibilities of persons at home and abroad, concerning Government experimentation with animals, was not a Government responsibility, much less a matter which could involve defense interests.

It is regretted that you did not follow the customary courteous course of awaiting a reply to your letter to the Secretary, particularly since you knew that classified information was involved. It is our belief that your committee's actions in this matter not only have served to encourage disrespect for the security system, but that the only real beneficiaries can be the Communist propagandists who want to stir up trouble between us and other nations.

The memorandum of the Assistant Secretary of Defense for Public Affairs about which you asked transmitted classified information which had been received from another Government agency and, accordingly, was appropriately classified under Executive Order 10501. The originating agency advises us that the basic correspondence must remain classified. It can therefore be made available to you personally only upon assurance that the security classification will be honored. While I am thus not at liberty here to provide you with the classified attachments, I can nevertheless now give you the complete material which was contained in the Assistant Secretary's memorandum. That memorandum was classified only because of the classified attachments, and consisted only of the following two paragraphs:

"It is believed that attached exchange of correspondence concerning the need for care in this matter is self-explanatory.

"It is requested that you alert your staffs and other personnel concerned to the need for careful handling of this subject in speeches, articles, pictures and other material originating within your Military Service, intended for publication."

It will be noted that Assistant Secretary Snyder's memorandum called attention to the "need for care" to be taken in connection with the subject generally but did not, in any way, direct suppression of information, as you implied in your letter.

From your letter and the additional information relating to your committee appearing in the newspapers, it appears reasonably clear that information concerning classified matters has been disclosed by an

employee of this Department, without authority. Accordingly, it is requested that you furnish to the Department of Defense all pertinent facts concerning the acquisition of information on this matter by yourself and your committee staff, including the name of Department employee or other source; the date of disclosure; to whom disclosure was made; the manner of disclosure—whether oral or in writing—and any other relevant facts. I am sure that as a Member of Congress you will assist in fulfilling our official responsibility for upholding the laws concerning national security. Obviously, if unauthorized disclosures are to go unnoticed, we will soon have a Government of men and not of laws. This would indeed, be the road to anarchy.

In view of the security aspects involved and the direct foreign relations implications, we are furnishing copies of this letter to the chairmen and senior minority members of the Armed Services Committees and the Foreign Relations and Foreign Affairs Committees of both Houses of the Congress.

Sincerely yours,

ROBERT DECHERT.

Attached thereto was the following:

[From the Washington Post and Times Herald, Apr. 4, 1959]

SPACE MONKEYS TAGGED SECRET—MOSS ASKS WHY

The military was reported yesterday to be stamping as "confidential" all information about space monkeys. Representative JOHN E. Moss, Democrat, California, is asking: "Why?"

As chairman of the House Government Information Subcommittee, Moss wrote Secretary of Defense Neil McElroy:

"The subcommittee will appreciate a specific explanation of how the disclosure of such information could prejudice the defense interests of the Nation."

A Defense Department spokesman declined comment.

People connected with the Moss group suspect that all the hush-hush is to avoid offending those in India who worship monkeys or those at home who complain of inhumane treatment of animals.

According to Moss, Assistant Secretary of Defense Murray Snyder put out a secret order, No. 10501, last June 3, stating that research business on monkeys is for defense information only.

The following December, Moss said the Dayton Daily News tried unsuccessfully to obtain information about space monkeys under training at Wright Air Development Center.

Shortly after that, Moss said, Roy Johnson, Director of the Advanced Research Projects Agency, admitted that primates were being trained for use in satellite projects.

Similar copies went to the chairman and the ranking minority member of the Senate Foreign Relations Committee, the House Foreign Affairs Committee, the Senate Armed Services Committee and the House Armed Services Committee.

The Department apparently considers the matter of some importance.

It does seem that an end should be made to the controversy which exists between the committees of the Congress and the executive departments as to the information which the congressional committees are entitled to receive from the executive departments.

We are wasting money, sometimes creating ill feeling, holding what apparently are endless investigations and hearings, and all of which take the time, not only of the Members of Congress but, of far more importance, of the chief officers in the executive departments.

Sometimes I wonder how it is possible, in view of the demands for information which congressional committees are continually making upon them, for those in the executive departments to perform their duties.

In the press statement to which reference has been made this statement is found:

People connected with the Moss group suspect that all the hush-hush is to avoid offending those in India who worship monkeys or those at home who complain of inhumane treatment of animals.

One of the principal objectives of our foreign policy is to obtain and retain the good will of other nations, the people of other nations.

The House Government Information Subcommittee has three members: Mr. Moss, who is chairman, Congressman FASCELL from Florida, and the Representative from the Fourth Congressional District of Michigan. So far as I know, it has four professional staff members: Mr. Samuel J. Archibald, former newspaper reporter; Mr. John J. Mitchell, counsel; Mr. Paul Southwick, formerly with UPI; Mr. Harry S. Weidberg; and two stenographers, Mrs. Helen Beasley and Mrs. Catherine Hartke.

Inasmuch as Chairman Moss is one of the outstanding champions of the people's right to know, will he kindly give us the names of those who "connected with the Moss group suspect that all the hush-hush is to avoid offending those in India who worship monkeys?" Also advise as to who in India has been offended or who has suggested that he would be offended by the use of monkeys.

If it is necessary or advisable to use monkeys in connection with these or other experiments, was it one of the purposes of this press release to prevent further use of those animals?

When and from what source did the Moss subcommittee get the authority to participate in religious discussion, to inject the religious issue?

Mr. WOLF. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I rise in support of the Humphrey-Price REA bill as amended by the committee. This bill has the same intent as the bill which I introduced.

My district has many REA co-ops with thousands of electric consumers on the farms and small towns. From these obviously worried consumers are coming a large number of letters requesting my support of this legislation, which is indicative of the feeling that a change is needed. A further dramatic demonstration was given to me on a very icy night in December 1958 when 58 farmer-directors representing 5 REA co-ops, some of whom traveled up to 120 miles to meet with me to urge my support of this legislation. Men who will travel over such hazardous road conditions obviously feel a very strong dedication, and for these reasons I take the floor today to support the Humphrey-Price bill. To prove that this is not a partisan position I am taking, I would like to state that the majority of these 58 farmer-directors are active Republican workers.

These farmer-directors were not willing to state specifically why the change is needed because they knew that any moneys which may come to them in the future would have to come from this organization and they did not want to jeopardize any loan request needed in the future.

It seems that the gentleman from Ohio, representing the minority report, builds his whole case around the question "Can you prove that the Secretary of Agriculture has interfered in the granting of a loan?"

It is unlikely that anyone except a person sitting in the inner circle at the Department of Agriculture would be in a position to answer this question. It is impossible to know what shuffling in criteria takes place as loans are ruled upon. Naturally, Secretary Benson would not give out this information. The applicants for loans to whom this happened would not say so, because it would jeopardize their chance for a loan in the future.

Further, whether or not the REA Administrator has recommended loans that have been refused by the Secretary of Agriculture is immaterial. The point is that the REA Administrator, an accountable official to Congress, should not be accountable to someone who has no standing except as a political appointee of the President.

We are attempting to do two things with the pending legislation. First, to restore the loan-making function to the REA Administrator without qualification; and second, to maintain in the Department of Agriculture for centralized administrative purposes the Rural Electrification Administration.

A bit of history is needed in order to make clear the change for which we are asking. When Mr. Benson testified about Reorganization Plan No. 2 before the Senate Committee on Government Operations, he stated, and it is a matter of public record, that if there were any major change in the administrative establishment or structure of REA he would tell the proper committees of this fact in advance.

Mr. Chairman, this procedure was not followed when the general reorganization of the Agriculture Department was made. Consequently, Congress was presented with an accomplished fact and there was nothing that Congress could do to voice its opposition except to follow the legislative form. We are all well aware of the fact that the REA has been in a privileged position in the Department of Agriculture. This was the wish of Congress. The proof of this is in the fact that the REA Administrator is appointed for 10 years. This is longer than the number of years a President may serve under the Constitution, and clearly longer than the time a Cabinet officer serves. Without question it is longer than the time most political appointees in executive departments serve, which clearly points up the wish of Congress to keep the REA Administrator free from political pressures of either party.

Under the present situation, the REA is headed by an Administrator, appointed by the President and agreed to by the Senate, who is under the thumb of the Secretary of Agriculture.

It is obvious that under the present arrangement the REA loses its identity and becomes just another one of many agencies within the Department of Agriculture. When the responsibilities for REA policy are diffused throughout a number of offices in the Department, the historically intended purpose of keeping the REA as an important segment of our farm policy is defeated.

You may ask why I do not support the bill intended to give the REA status as an independent agency. I have two reasons for not supporting such a bill or amendment.

The first is that the REA is concerned for the most part with problems involving rural America. It has served best when it had preferred status and was still an important arm in the Agriculture Department. I do not think that such close cooperation could exist if it operated as a separate agency.

My second reason is an economic and administrative one. When the first Hoover Commission was created in 1947, there were 65 independent agencies, many of them working at cross-purposes. The Hoover Commission recommended the elimination of a great many of them. The number has now been reduced from 65 to 40. This is not the time to start in the opposite direction when we are so interested in avoiding added bureaucracy and waste in Government.

Mr. BROWN of Ohio. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I simply want to read from the record for the benefit of the committee and for the benefit of the gentleman from Iowa [Mr. WOLF], on page 16 of the hearings, in which I asked the gentleman from Iowa, after he testified, this question.

Mr. BROWN. The only question I have is whether or not the gentleman—

That means Mr. WOLF, of course—

knows of any case where the Secretary of Agriculture has turned down or rejected any loan recommended by the Administrator.

Mr. WOLF. How soon will you make the decision on this?

Chairman DAWSON. It won't be today.

Mr. WOLF. I will gather that information and submit it to the committee to be a part of my report.

Mr. BROWN. Very well. I would like to have it authenticated and documented. There has been no testimony on that so far.

Mr. WOLF. I will get it back to your subcommittee this afternoon.

Later on in the report there was a letter filed, addressed to Mr. DAWSON, chairman of the committee, by Mr. WOLF, in which he says:

My answer—

Referring to the answer to my question—

is that it is unlikely that anyone except a person sitting in the inner circle at the Department of Agriculture would be in a position to answer this question.

To wit, the question as to whether or not he personally knew or could document or could produce any evidence of any case where a loan had been rejected. So, evidently the gentleman does not know of any such loan having been rejected or refused as the result of the review by the Secretary of Agriculture.

Mr. MORRIS of Oklahoma. Mr. Chairman, I move to strike out the last word.

Mr. MORRIS of Oklahoma. Mr. Chairman, it seems to me that the only question we should ask ourselves is whether or not this is good and valid legislation. If it is we should pass it. I certainly think it is.

I don't know that it is but it may be true that the motive behind it, or a partial motive behind it, is because of a fear of what might happen under Secretary Benson. So far as I am personally concerned I understand that Secretary Benson is a very splendid gentleman; a good man, a Christian man. But his philosophies, in regard to a farm program of course, run counter to the philosophies of a great many people, and they run counter to my own philosophy in regard to operating the farm program; at least in many instances. But it does not make any difference, as I see it, whether it was motivated by the fact that some people may have thought that Secretary Benson would be unfriendly in this matter or not. The only question, I repeat, is whether or not it is good and valid legislation. And here is why I think it is. Some of these points have been made in the debate, but I want to emphasize just one or two in the few minutes that I have.

In the first place, the Secretary of Agriculture, regardless of who he is, has so many, many important duties to perform that he could not possibly perform duties in this particular REA field as expeditiously as they ought to be performed and as can the REA Administrator; because the Administrator becomes an expert in this field and he also has time to devote to it. What I am afraid of, perhaps more than the fact that the Secretary might turn down some good loans, is that there will be a slowdown on the making of loans. When these applications are filed, these various REA co-ops need the money and they often need it badly and at once to put people to work and to carry on with their operations.

We all know that REA has not only been a blessing to rural America and has helped to light up rural America, but it has been a blessing to small business. It has been a blessing to the whole economy of our country.

I feel that the Administrator is the man who definitely ought to have the final say-so in regard to these loans.

I might call attention to the fact that we all know something about life, about politics. We all know about political pressures, and so forth. But the Administrator is appointed for and has a tenure in office of 10 years. To a large extent, maybe not entirely, but to a large extent he is removed from political pressures. And if he is the proper kind of man, and we assume that he is going to be the proper kind of man, whether he is a Democrat or a Republican, he will have time to devote to the problem. He will be the type of person to whom you can go and talk and get a speedy hearing in regard to these important matters. And he will be able to make a final decision expeditiously.

My final thought is simply this. These are not grants; these are loans. And I think that everyone will agree that the repayment performance on these loans has been unusually good.

So, Mr. Chairman, I rise in support of this bill as amended by the committee.

Mr. PRICE. Mr. Chairman, I am hopeful the House this afternoon will give its approval to this bill.

The purpose of H.R. 1321 is to return to the Administrator of the Rural Electrification Administration all of the independent authority with respect to the approval or denial of loans authorized to be made under provisions of the REA Act of 1936 he possessed prior to the acceptance of the aforementioned reorganization plans.

I feel the gentleman from Florida [Mr. FASCELL], has sound arguments as to the wisdom of this course of action. I feel that this is a needed move to preserve the vitality and purpose of this useful agency, which has brought light and power to rural America.

It was as an independent agency that REA was created back in 1936.

In 1939, the agency was placed in the Department of Agriculture, on the supposition that clearer lines of authority would be established and efficiency improved. It has since become obvious that the lack of independence could eventually destroy REA should it become subservient to an administration which would not have created it and was lacking in enthusiasm for it.

The fine accomplishments of REA cannot be consolidated by divided and contradictory administration.

To solidify REA gains I urge approval of H.R. 1321. It is necessary to establish in the Rural Electrification Administration, as a matter of law, the function vested in the agency by the 1936 act.

The measure is required, further, to restore the prestige of the REA Administrator, who under present administrative rulings is stripped of authority Congress intended to rest in his hand.

The REA program has enjoyed phenomenal success. A serious threat to its continuance can be eliminated by approval of this bill, H.R. 1321.

Mr. HOEVEN. Mr. Chairman, I have carefully read both the majority and minority committee reports on this bill and have also given close attention to the debate. Judging from the information I have at hand, there seems to be no real justification for this legislation. If enacted into law, it would create an unworkable administrative anomaly. It is difficult for me to understand the real purpose in trying to have this bill enacted into law.

There are not many Members of the House who have supported the REA program longer or more earnestly than I have. My voting record in the House in this regard speaks for itself. Furthermore, I yield to no one in the support of the REA program at the present time.

If I thought for one moment that the REA loan program would be jeopardized by the failure to enact this legislation, it most certainly would have my support.

Under the terms of the bill, the Secretary of Agriculture would be responsible for the overall affairs of REA, but would have no authority concerning its main function; that is, taking action on loan applications. Such a division of authority and responsibility would be completely inconsistent with the administration of REA as an agency within and as a part of the Department of Agriculture.

A claim has been made that the Secretary has taken away the authority of the Administrator to approve loans. That certainly is untrue. They say this administration is destroying REA. That is absolutely false, as the record of achievement clearly indicates. During the hearings on March 6, 1959, before the Subcommittee on Executive and Legislative Reorganization of the House Committee on Government Operations, the REA Administrator, David A. Hamil, stated:

> I am ready to answer for any aspect of the administration of the REA programs. I have administered them without interference from any quarter. I exercise full responsibility.
>
> In not a single instance has Secretary Benson or Director Scott interfered in the discharge of my responsibilities as Administrator of REA. I make the loans.
>
> Not one of my loan decisions has been motivated or colored by political considerations.

Not one good reason has been advanced to support the enactment of this legislation. Certainly we should not build up additional independent agencies in our Government. This does not make for good government. The Hoover Commission, in its several reports, recommended the elimination of many of these agencies. In a report to the 81st Congress relating to a study of the Department of Agriculture, the Hoover Commission said:

> We have urged in our first report that the foundation of good departmental administration is that the Secretary shall have authority from the Congress to organize and control his organization, and that separate authorities to his subordinates be eliminated.

This recommendation was approved by Congress. Once the practice of exempting certain agencies and excepting particular functions has begun, the chance of achieving substantial improvements in the efficiency of the Government will speedily diminish. Passage of the bill now under consideration, in my judgment, therefore, would be a step in the wrong direction.

Mr. JOHNSON of Wisconsin. Mr. Chairman, under leave to extend my remarks, I wish to state my views in favor of passage of H.R. 1321, a bill to restore to the Administrator of REA all of the functions which were transferred from the Administrator to the Secretary of Agriculture by the Reorganization Plan No. 2 of 1953, giving him full authority to approve or deny loan applications that are made under provisions of the REA Act of 1936 as amended.

The 9th Congressional District which I represent is predominantly rural in character. As the representative of more than 300,000 people whose welfare is dependent upon agriculture directly or indirectly, I am vitally concerned with all legislative matters which affect their lives.

The rural electrification program is one of the Federally supported activities that has done most to improve the life of rural people in my district, in the whole of Wisconsin and in the entire country. I view with disfavor the perpetuation of any change that the REA program has undergone which poses a threat to its future.

I consider the application of Reorganization Plan No. 2 to REA as such a threat. In my opinion it is dangerous to vest in a politically minded Secretary of Agriculture the authority to approve or disapprove applications for REA loan funds.

In my considered judgment it is not the intent of Congress to have a well-paid and competent Administrator of the REA program sitting on the knee of the Secretary of Agriculture, taking his orders and mouthing his words like a well disciplined Charles McCarthy.

People of my district are rapidly losing confidence in the infallability of Secretary Benson in the broad field of agriculture. In the special field of rural electric affairs they have even less confidence in his judgment. They feel with considerable justification that the legislative proposals espoused by Secretary Benson to raise REA interest rates and to have REA loan applicants go into the private money market for funds clearly demonstrates his lack of understanding and appreciation of their problems.

Because I share the concerns and apprehensions of my constituents, and because I believe that the bill before the House will correct a threatening situation, I urge passage of H.R. 1321.

Mr. MACK of Illinois. Mr. Chairman, I wish to voice my enthusiastic support for H.R. 1321, a bill to modify Reorganization Plan No. 2 of 1939 and Reorganization Plan No. 2 of 1953 which was introduced by my good friend and colleague, the gentleman from Illinois [Mr. PRICE].

It is my understanding that this amendment would restore to the Administrator of the Rural Electrification Administration the authority to approve or disapprove loans. It would have the effect of restoring in the Rural Electrification Administration the functions vested in that agency by Congress in 1936. It would permit the Rural Electrification Administration to continue to function within the Department of Agriculture. But it would maintain its independence and integrity and the Secretary of Agriculture would not have the power to redistribute or transfer its functions to other agencies in the Department.

Mr. Chairman, the 27 electrical cooperatives in Illinois have fully endorsed this bill as being in the public interest and contributing to the efficient operation of their cooperatives. I have discussed this matter with them on many occasions and am convinced that individual members of these cooperatives strongly feel that this amendment should be approved.

The rural electrification program has been successful in bringing all the conveniences of our cities to the rural sections of our country. It has spurred our economic growth by creating a new market for our manufactured products. It has brought electric power into the most remote areas of this country. In less than 25 years this program has replaced darkness with light, and has made rural family life more pleasant. In my opinion, this has been one of the greatest programs enacted by Congress since the turn of the century.

Mr. Chairman, I strongly support this bill because I feel that the independence of this agency must be maintained. The Rural Electrification Administration should not be subjected to political influence and therefore, in my opinion, should not be subjected to the influence of the Secretary of Agriculture with regard to loans for various cooperatives. The REA should be administered by its own Administrator rather than by a Cabinet Secretary. We have had some outstanding men serve in this capacity. These men have been dedicated to this service and in most instances have ignored all political consideration when approving or disapproving loans. I feel that the Administrator should be given the authority for approval or disapproval of all loan applications.

Mr. Chairman, I hope that this bill is adopted because it will contribute to the efficiency of the Rural Electrification Administration.

Mrs. PFOST. Mr. Chairman, I am vitally interested in the passage of the bill before us today. As you know, it transfers back to the Administrator of the REA those functions which were transferred from him to the Secretary of Agriculture back in 1953. In January I introduced a similar bill.

In urging the House to pass this bill, I speak not only for the thousands of hard working rural people in my district in Idaho, but also for hundreds of thousands more throughout our great Nation.

Since the Congress adopted the Rural Electrification Act nearly a quarter of a century ago, the REA program has been a beacon of light and hope to the homes of rural America.

Today, however, there is a dark cloud on the horizon; a cloud that throws an ominous shadow over the shining nonpolitical activities of REA. It is a threat to the very heart of this vitally important agency. I refer to the Reorganization Plan No. 2 of 1953 as it is now being applied to REA by the Secretary of Agriculture.

Recent statements by Secretary Benson show the basic difference between his thinking and the thinking behind the establishment of REA. For example, he has advocated raising interest rates on REA loans. He also has proposed private financing of REA's future loan requirements, a proposal that would turn back the clock of progress and put the people once again at the mercy of ruthless, private monopolies.

Some of you may ask, how is this possible? How can a little private financing wreck REA? Well, Mr. Chairman, here is the answer.

As soon as REA opens the way to a better life for a farm or home, it creates additional demands for its services. More people want more refrigerators, more toasters, more washing machines, more TV sets and radios, and particularly for farmers, more milking equipment—just about everything that people need and are getting through REA facilities.

This means there must be larger capacity lines, more power insulators and generators, additional substations and all of the machinery and equipment that go into an electrical system.

To provide this equipment, the various REA systems, through borrowing, get the necessary funds. They must keep pace with the ever-increasing demands. Otherwise, they would be open to attack by other suppliers of power. And this is the crux of the whole matter: these private suppliers, through private financing, could gain control of an REA system even though that same system has done the pioneering work and made a sizable capital initial investment.

Let me remind you, Members of the House, that through the extension of light and power systems through REA, farmers have been able to throw away their kerosene lamps and have achieved the living comforts and standards to which they are so eminently entitled.

In my own State of Idaho, 97.1 percent of all farms had central station electric service last year. Yet only 30 percent of our farms had such facilities in the mid-1930's.

Since the rural electrification program has had such a great and beneficial effect upon the daily lives of the people, many of them think of it not as a remote Government agency with headquarters in Washington, but as their own creature. I know that is how the rural people in my district regard it. And they should, because so many of them have joined the electric cooperatives, served on their boards, and helped in so many other ways to make it the wonderful success that it is today.

Surely, a program that has given so many benefits to so many people in so short a time deserves to be kept free of politics. The Congress realized this when it set up the Agency. It established a 10-year term for the Administrator to insure his freedom from political pressures, and gave him the authority to judge loan applications solely on technical and legal grounds.

Now, the decision regarding REA loans—the only real purpose for the existence of REA—are no longer the sole responsibility of the Administrator. Nor are they free of the possible taint of political considerations. The Administrator must review new loan applications exceeding $500,000 with the Secretary of Agriculture or one of the Secretary's subordinates, both of whom are political appointees whose philosophies may and frequently do conflict sharply with the basic philosophy of REA.

Why this change? Does the Secretary of Agriculture have the professional and technical know-how to evaluate an electrification project? Of course not. The answer must be obvious to all of us: The Secretary of Agriculture wants to make sure that the loan applications conform to the philosophy of the administration. And we know that philosophy is definitely not for public power for the public interest, but rather private power for private, monopolistic interests.

Let us not weaken the system that the Congress has set up and which is working so well. Let us not hamstring a program that has lightened the burdens of our farm people and has literally lighted their lives. Let us rather work to strengthen REA and make it an everlasting monument to the wisdom of those who created it. Again, I urge the passage of H.R. 1321.

Mr. ELLIOTT. Mr. Chairman, I rise in support of H.R. 1321, which seeks to give the Administrator of REA the unqualified right and jurisdiction to approve or disapprove applications by rural electric cooperatives for REA loans. By the same token this bill would relieve the Secretary of Agriculture of all right to supervise, direct, or control the making of such loans.

I have always supported the REA program, and am happy to have had the privilege during my service in the Congress of voting for the largest appropriations that have ever been made for REA loans. In the year 1949 the Rural Electrification Administration loaned $321,287,000 to the rural electric co-ops; in 1950, the amount loaned was $286,658,000; in 1951, it was $268,131,000; in 1952 it was $227,574,000; in 1953, $207,634,000. In no year, since 1953, appropriations for which were made by the 2d session of the 82d Congress, have loans made exceeded the amount of $200 million, save and except in the year of 1958, when loans reached the total of $205,332,000. Res ipsa loquitur.

The rural electric cooperatives in the 7th Congressional District of Alabama have made fine use of the loans that we have provided. The cooperatives serving our district have borrowed over $8 million for building lines which now serve nearly 25,000 customers; another $4.5 million has been loaned to telephone companies and cooperatives in the area.

Mr. Chairman, I know what it is to have been reared without the benefits of electricity; I know something of the burdens electricity has removed from the backs of farm women, and from the brawn of farm men. The spring as a milk cooler and the battling block as a clothes washer are no more and I am glad.

REA has had a fairly liberal lending policy so far as these co-ops go and it has done a world of good. I don't want any Secretary of Agriculture to be placed in the position of being able to stifle or curb or circumscribe the good work the co-ops are doing. Let us pass this bill and remove any temptation in that direction that he may have.

Mr. CARTER. Mr. Chairman, in deliberations on this floor last Wednesday concerning the Humphrey-Price bill—H.R. 1321—I was of the hope that this House would be successful in passing that bill in unaltered form, thereby restoring the REA as a semi-independent agency and returning to the office of the REA Administrator the efficacy that it had held prior to 1953.

The main reason I had hoped to have the REA taken out from under the Department of Agriculture was so that Ezra Taft Benson would be unable to continue showing REA loan funds as a subsidy to farmers, as he has been doing since the REA came under his control in 1953. Actually, as we are all aware, the REA loan fund program is self-sustaining and, in the long run, is a money-making venture for the taxpayers of America.

Since the House of Representatives as a body was not able to agree on this bill without amendment, I decided to go ahead and vote for the bill in its amended form. In this amended form, the Administrator of the REA will once again have control over the lending activities of the agency. This is actually somewhat of a "half a loaf" solution to the problem. But then, even if the bill had been passed without amendment, under the present administration we would have only been successful in taking the REA out from under the control of Ezra Taft Benson and placing it under the control of Eisenhower. In view of these facts, any benefit to the REA and to rural electric cooperatives all over the country might have been rather dubious.

Mr. FOUNTAIN. Mr. Chairman, there are many good and valid reasons why I favor the passage of H.R. 1321. The debate thus far clearly indicates grave doubt as to who has the final authority to make decisions in connection with REA loans, the Rural Electrification Administrator or his administrative boss, the Secretary of Agriculture. Personally, I have no objections to the administration of the Rural Electrification Administration program within the Department of Agriculture by the Administrator under the general administrative supervision of the Secretary of Agriculture. The fact that the Rural Electrification Administration is an agency of the Department of Agriculture, without anything further, in and of itself, already gives the Secretary of Agriculture tremendous indirect influence upon the actions of the Rural Electrification Administrator.

Nevertheless, serious question has arisen as to whether or not the Administrator of the Rural Electrification Administration, duly appointed by the President for a term of 10 years on the basis of his peculiar qualifications for the job, and confirmed by the Senate, exercises the power and assumes the responsibility vested in him by the Rural Electrification Act of 1936. The power of the Secretary of Agriculture to review and influence loans, as some seem to think is now true, is one thing—while the power of the Secretary of Agriculture as the administrative head of a

department, which includes along with the REA many other agencies, is another.

Personally, I think it is a good thing to have coordination between agency and department heads in the interest of efficiency and economy, in a matter of this kind affecting so many people. However, if the Administrator does not have the final authority to approve or disapprove loans, he is merely serving in a more or less perfunctory capacity and his position is not in keeping with an appointment by the President and confirmation by the Senate. I believe the Congress wants him to exercise his independent judgment. The present Administrator says he is doing that. If that is true, this bill will eliminate any question about his authority.

My experience as chairman of the Intergovernmental Relations Subcommittee of the House Committee on Government Operations, which includes jurisdiction over the Department of Agriculture for efficiency and economy purposes, has convinced me that the Secretary of Agriculture already has under his jurisdiction far more than he can possibly attend to. If he should make decisions in connection with loans to REA cooperatives, in my opinion, he would of necessity have to do so on the basis of a subordinate's recommendations. In effect, this would be placing the subordinate in a position of making decisions which are the responsibility of the Administrator. This bill in no way changes the status of personnel or of general supervision by the Secretary of Agriculture, but it does insure the continued operation of the REA as an integral and dynamic unit within the Department of Agriculture.

Most assuredly, all of us should be opposed to unnecessary and unwise loans by the Administrator. This legislation, insofar as I am concerned, is in no way designed to encourage him to make undeserving loans. If I thought it would have such a result, I would be opposed to it.

There is another more paramount reason why I favor the passage of H.R. 1321. It will to some extent do what was left undone by Congress in 1953 when, by default, it permitted the President's Reorganization Plan No. II to become law without permitting debate on its merits. I was opposed to Reorganization Plan No. II. I introduced a disapproving resolution known as H.R. 236. Unfortunately, although requested several times by me to do so, the then chairman of the Committee on Government Operations, did not call the committee together for action on the plan. I, therefore, did the only thing I could do as the introducer of a disapproving resolution. I exercised under the rules of the House the personal privilege of making a motion on the floor of the House to discharge the Committee on Government Operations from further consideration of H.R. 236. Only 30 minutes debate was permitted under the rule.

The purpose of that 30 minutes was to enable Members to ask the House to debate Reorganization Plan No. 2 on its merits. This was, of course, during the 83d Congress which was under the control of a Republican administration, just as was the House Committee on Government Operations. Almost to a man, the Republicans, aided by some few Democrats, refused to permit debate as to the merits of Reorganization Plan No. 2. While the plan was, to some extent, discussed by extended remarks in the RECORD, its merits were not considered.

However, 128 Members of the House expressed their fears by supporting the discharge resolution and asking for general debate on the plan. The overwhelming majority of Republicans opposed debate, thus approving the plan.

Consequently, under the reorganization act, the President's so-called plan No. 2 automatically became law. It was no plan at all. It was a complete abdication by the House of congressional authority over the Department of Agriculture. Without any knowledge of what the Secretary of Agriculture had in mind, the House, by refusing debate on the plan's merits, permitted, with certain exceptions, the transfer to the Secretary of Agriculture of all functions not vested in him of all other officers and of all agencies and employees of the Department of Agriculture. The Rural Electrification Administration was included in the transfer.

I never like to take the position of one who says, "I told you so." And yet, I cannot resist the temptation to say to you today that I argued upon the floor of the House in 1953 that Reorganization Plan No. 2 clearly violated the spirit and intent of the reorganization act. I said then there was nothing in the plan to tell us "what the Secretary of Agriculture would do with respect to the Bureau of Agricultural Economics, the Foreign Service, the Soil Conservation Service, the Farmers Home Administration, and the Rural Electrification Administration." I then asked these questions: "Is there one of you who has the slightest idea as to what will be done by the Secretary of Agriculture, or any other Secretary, with the various functions of the Department under this plan? Which of the functions will be magnified? Who among the officers or which of the agencies will be given greater power? Which function or functions will be subordinated or stifled or even possibly eliminated?" Many of us raised serious questions as to the advisability of giving the Secretary of Agriculture such unbridled and unlimited blanket authority.

I make these observations because today we are debating the advisability of modifying Reorganization Plan No. 2 of 1939 and Reorganization Plan No. 2 of 1953. Had the House disapproved Reorganization Plan No. 2, passage of this bill would not be necessary. The modification proposed in this bill, while it may not be the best way to amend reorganization plans, will at least return to the Congress in the form of specific legislation a minimum of the authority vested in the Secretary by its default approval of the President's Reorganization Plan No. 2, a plan which gave the Secretary of Agriculture more authority over the Department of Agriculture and its various agencies and branches than even the President himself has.

It is true that in 1939 the functions of the Rural Electrification Administration were transferred to the Department of Agriculture. However, experience showed that the Rural Electrification Administrator exercised the power and the authority to approve or disapprove loans. Under the authority of Reorganization Plan No. 2, there seems to have been an important modification of that practice. Such delegation of congressional authority—the power to legislate—to administrative heads is a dangerous trend. It is time for the Congress to stop abdicating its responsibility under the Constitution. In fact, the time has long since passed when the Congress should return to itself many of the powers and responsibilities which it has previously unwisely delegated to administrative agencies.

The passage of H.R. 1321 will in some small way do just that insofar as the Department of Agriculture is concerned. At the same time, it will establish clear responsibility and accountability on the part of the Administrator of the Rural Electrification Administration.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BOLLING, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1321) to amend Reorganization Plan No. 2 of 1943, pursuant to House Resolution 236, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. FASCELL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 254, nays 131, answered "present" 1, not voting 48, as follows:

[Roll No. 28]

YEAS—254

Abbitt	Belcher	Brooks, Tex.
Abernethy	Bennett, Fla.	Brown, Ga.
Addonizio	Bennett, Mich.	Brown, Mo.
Albert	Berry	Burdick
Alexander	Blatnik	Burke, Ky.
Alford	Blitch	Burke, Mass.
Anderson, Mont.	Boggs	Burleson
	Boland	Byrne, Pa.
Andrews	Bolling	Cannon
Anfuso	Bonner	Carter
Ashley	Boykin	Casey
Ashmore	Boyle	Celler
Aspinall	Brademas	Chelf
Avery	Bray	Coad
Bailey	Breeding	Coffin
Barrett	Brewster	Cohelan
Bass, Tenn.	Brock	Colmer
Beckworth	Brooks, La.	Cook

Cooley	Johnson, Md.	Pfost
Daniels	Johnson, Wis.	Pilcher
Dawson	Jones, Ala.	Poage
Delaney	Jones, Mo.	Porter
Denton	Karsten	Preston
Diggs	Karth	Price
Dingell	Kasem	Prokop
Dollinger	Kastenmeier	Pucinski
Dowdy	Kee	Quigley
Downing	Kelly	Rabaut
Doyle	Kilday	Rains
Dulski	Kilgore	Randall
Durham	King, Calif.	Rees, Kans.
Edmondson	Kirwan	Reuss
Elliott	Kitchin	Rhodes, Pa.
Everett	Kluczynski	Riley
Evins	Knox	Rivers, Alaska
Fallon	Kowalski	Rivers, S.C.
Farbstein	Landrum	Roberts
Fascell	Lane	Rodino
Fisher	Langen	Rogers, Colo.
Flood	Lankford	Rogers, Fla.
Flynn	Lennon	Rogers, Tex.
Flynt	Lesinski	Roosevelt
Fogarty	Levering	Rutherford
Forand	Libonati	Saund
Forrester	Loser	Schwengel
Fountain	McCormack	Scott
Frazier	McDowell	Selden
Friedel	McFall	Shelley
Gallagher	McGinley	Sheppard
Garmatz	McGovern	Shipley
Gary	Machrowicz	Sikes
Gathings	Mack, Ill.	Simpson, Ill.
George	Madden	Sisk
Granahan	Magnuson	Slack
Grant	Marshall	Smith, Iowa
Gray	Matthews	Smith, Miss.
Green, Oreg.	May	Smith, Va.
Green, Pa.	Metcalf	Spence
Griffiths	Meyer	Staggers
Gross	Miller, Clement W.	Steed
Hagen	Mills	Stratton
Haley	Mitchell	Sullivan
Hall	Moeller	Thomas
Hardy	Monagan	Thompson, La.
Hargis	Montoya	Thompson, N.J.
Harmon	Moorhead	Thompson, Tex.
Harris	Morgan	Thornberry
Harrison	Morris, N. Mex.	Toll
Hays	Morris, Okla.	Trimble
Healey	Moss	Tuck
Hébert	Murphy	Ullman
Hechler	Murray	Vanik
Hemphill	Natcher	Vinson
Herlong	Nix	Wampler
Hogan	Norrell	Watts
Holifield	O'Brien, Ill.	Weaver
Holtzman	O'Brien, N.Y.	Wier
Horan	O'Hara, Ill.	Willis
Hull	O'Hara, Mich.	Wolf
Ikard	O'Konski	Wright
Irwin	O'Neill	Yates
Jarman	Oliver	Young
Jennings	Passman	Zablocki
Jensen	Patman	Zelenko
Johnson, Calif.	Perkins	
Johnson, Colo.		

NAYS—131

Adair	Corbett	Judd
Alger	Cramer	Kearns
Allen	Cunningham	Keith
Arends	Curtin	Kilburn
Auchincloss	Curtis, Mass.	King, Utah
Ayres	Curtis, Mo.	Lafore
Baker	Dague	Laird
Baldwin	Derounian	Latta
Barr	Derwinski	Lindsay
Barry	Devine	Lipscomb
Bass, N.H.	Dixon	McCulloch
Bates	Dooley	McDonough
Baumhart	Dorn, N.Y.	McIntire
Becker	Dorn, S.C.	McSween
Bentley	Dwyer	Mack, Wash.
Betts	Fenton	Mailliard
Bolton	Fino	Martin
Bosch	Ford	Mason
Bow	Frelinghuysen	Meader
Broomfield	Fulton	Michel
Brown, Ohio	Gavin	Miller, N.Y.
Broyhill	Glenn	Milliken
Budge	Griffin	Minshall
Bush	Gubser	Moore
Byrnes, Wis.	Halleck	Mumma
Cahill	Halpern	Nelsen
Canfield	Henderson	Osmers
Cederberg	Hiestand	Ostertag
Chamberlain	Hoeven	Pelly
Chenoweth	Hoffman, Ill.	Pillion
Chiperfield	Hoffman, Mich.	Pirnie
Church	Holt	Poff
Clark	Hosmer	Quie
Collier	Johansen	Ray
Conte	Jonas	Reece, Tenn.
Rhodes, Ariz.	Smith, Calif.	Wainwright
Riehlman	Smith, Kans.	Wallhauser
Robison	Springer	Weis
Rogers, Mass.	Taber	Westland
Saylor	Taylor	Wharton
Schenck	Teague, Calif.	Widnall
Short	Thomson, Wyo.	Withrow
Siler	Utt	Younger
Simpson, Pa.	Van Zandt	

ANSWERED "PRESENT"—1

Jackson

NOT VOTING—48

Andersen, Minn.	Huddleston	Roush
Barden	Keogh	St. George
Baring	McMillan	Santangelo
Bowles	Macdonald	Scherer
Buckley	Mahon	Stubblefield
Carnahan	Merrow	Teague, Tex.
Daddario	Miller, George P.	Teller
Davis, Ga.	Morrison	Tollefson
Davis, Tenn.	Moulder	Udall
Dent	Multer	Van Pelt
Donohue	Norblad	Walter
Feighan	Philbin	Whitener
Foley	Polk	Whitten
Giaimo	Powell	Williams
Hess	Rooney	Wilson
Holland	Rostenkowski	Winstead

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Buckley for, with Mr. Hess against.
Mr. Daddario for, with Mr. Scherer against.
Mr. Keogh for, with Mr. Van Pelt against.
Mr. Giaimo for, with Mr. Merrow against.
Mr. Moulder for, with Mr. Jackson against.
Mr. Walter for, with Mr. Wilson against.
Mr. Multer for, with Mrs. St. George against.

Until further notice:

Mr. Davis of Georgia with Mr. Andersen of Minnesota.
Mr. Mahon with Mr. Tollefson.
Mr. Santangelo with Mr. Norblad.

Mr. JACKSON. Mr. Speaker, on the last rollcall I have a live pair with the gentleman from Missouri [Mr. MOULDER]. If he were present he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

GENERAL LEAVE TO EXTEND REMARKS

Mr. FASCELL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

MODIFYING REORGANIZATION PLAN NO. 2 OF 1939 AND REORGANIZATION PLAN NO. 2 OF 1953

Mr. FASCELL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 144) to modify Reorganization Plan No. 2 of 1939 and Reorganization Plan No. 2 of 1953.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the functions and activities of the Rural Electrification Administration and the Administrator of the Rural Electrification Administration which were transferred to the Department of Agriculture and to the Secretary of Agriculture by Reorganization Plan No. II of 1939 and Reorganization Plan No. 2 of 1953 are hereby transferred to the Administrator of the Rural Electrification Administration, and shall be exercised and administered within the Department of Agriculture by such Administrator under the general direction and supervision of the Secretary of Agriculture; except that insofar as such functions relate to the approval or disapproval of loans authorized to be made under the Rural Electrification Act of 1936, as amended, their exercise by the Administrator shall not be subject to the supervision or direction of, or to any other control by, the Secretary of Agriculture.

The bill was ordered to be read a third time, was read the third time, and passed.

A similar House bill (H.R. 1321) was laid on the table.

A motion to reconsider was laid on the table.

PRIVILEGE OF THE HOUSE

Mr. HARRIS. Mr. Speaker, I rise to a question of the privilege of the House.

The SPEAKER. The gentleman will state it.

Mr. HARRIS. Mr. Speaker, I have been subpenaed to appear before the United States District Court for the District of Columbia to testify on April 15, 1959, at 10 p.m. in the case of United States of America against Bernard Goldfine. Under the precedents of the House, I am unable to comply with this subpena without the consent of the House, the privileges of the House being involved. I, therefore, submit the matter for the consideration of this body.

Mr. Speaker, I send to the desk the subpena.

The SPEAKER. The Clerk will read the subpena.

The Clerk read as follows:

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA—UNITED STATES OF AMERICA *v.* BERNARD GOLDFINE, DEFENDANT—No. 1158-58

To Congressman OREN HARRIS,
Room 1503, New House Office Building, Washington, D.C.:

You are hereby commanded to appear in the United States District Court for the District of Columbia at 3d and Constitution Avenue NW., fourth floor, courtroom 8, in the city of Washington, on the 15th day of April 1959, at 10 o'clock p.m. to testify in the above-entitled case.

This subpena is issued on application of the defendant.

HARRY M. HULL,
Clerk.
By IRENE B. BURROUGHS,
Deputy Clerk.

APRIL 8, 1959.

EDWARD BENNETT WILLIAMS,
Attorney for Defendant.

The SPEAKER. The letter and subpena will be printed in the Journal.

UNITED STATES OF AMERICA v. RICHARD A. MACK AND THURMAN A. WHITESIDE

The SPEAKER laid before the House the following communication:

APRIL 15, 1959.

The Honorable the SPEAKER,
House of Representatives.

SIR: From the U.S. District Court for the District of Columbia, I have received a subpena duces tecum, directed to me as Clerk of the House of Representatives, to appear before said court as a witness in the case of the *United States* v. *Richard A. Mack, Thurman A. Whiteside* (Criminal No. 856–58), and to bring with me certain and sundry papers therein described in the files of the House of Representatives.

The rules and practice of the House of Representatives indicates that the Clerk may not, either voluntarily or in obedience to a subpena duces tecum, produce such papers without the consent of the House being first obtained. It is further indicated that he may not supply copies of certain of the documents and papers requested without such consent.

The subpena in question is herewith, and the matter is presented for such action as the House in its wisdom may see fit to take.

Respectfully yours,

RALPH R. ROBERTS,
Clerk, U.S. House of Representatives.

The SPEAKER. The Clerk will read the subpena.

The Clerk read as follows:

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA—UNITED STATES OF AMERICA *v.* RICHARD A. MACK, THURMAN A. WHITESIDE—CRIMINAL NO. 856–58

To Honorable RALPH ROBERTS,
Clerk, House of Representatives,
House Office Building, Washington, D.C.:

You are hereby commanded to appear in the U.S. District Court for the District of Columbia at 3d and Constitution Avenue NW., 4th floor, courtroom 8, in the city of Washington, D.C. on the 17th day of April 1959 at 9:30 o'clock a.m. to testify in the case of *United States* v. *Richard A. Mack*, and bring with you the original letter of the Honorable George Smathers to the Honorable Oren Harris, dated March 5, 1958 (with copy of the letter from Honorable George Smathers to Mr. L. B. Wilson, dated February 16, 1954, which was enclosed therewith at the time of its transmission to the subcommittee); the original letter of the Honorable Warren G. Magnuson to the Honorable Oren Harris, dated March 5, 1958; the original letter of the Honorable Andrew F. Shoeppel to the Honorable Oren Harris, dated March 5, 1958; the original letters of the Honorable Estes Kefauver to the Honorable Oren Harris, dated March 10, 1958, and February 26, 1958; the original letter of the Honorable Spessard Holland to the Honorable Oren Harris, all of which letters are located in the files of the Special Subcommittee on Legislative Oversight of the Committee on Interstate and Foreign Commerce; the original of the photograph of Mrs. George T. Baker and Mrs. Gordon Moore on file with the subcommittee; the copy of the partial transcript of the Minifon recording of the interview of Honorable Richard A. Mack by Paul Berger and Herbert Wachtell of February 17, 1958 (the original of which was given to Agent Boardman of the Federal Bureau of Investigation on September 15, 1958) on file with the subcommittee; the receipt for the original transcript of the Minifon recording of the Mack-Wachtell-Berger interview of February 17, 1958, bearing the signature of Agent Boardman of the Federal Bureau of Investigation and the date of September 15, 1958; the return and supplemental return of Thurman A. Whiteside to the subpena of the Special Committee on Legislative Oversight of January and February 1958, which documents are on file with the subcommittee; letter from A. Frank Katzentine to Paul Porter, Esq., dated February 24, 1956 (in channel 10 file); January 9, 1956, memo from A. Frank Katzentine file (in channel 10 file); letter from A. Frank Katzentine to Paul Porter, Esq., cancelling all horse race broadcasts, dated December 2, 1955 (in channel 10 file).

2. To produce the documents set forth in the attached subpena duces tecum, all of which documents are relevant to the issues in counts 1 and 3 of the indictment.

This subpena is issued upon application of the defendant Richard A. Mack.

HARRY M. HULL,
Clerk.

By MABEL R. HOUSTON,
Deputy Clerk.

April 13, 1959, Nicholas J. Chase, attorney for Richard A. Mack.

Mr. ALBERT. Mr. Speaker, I offer a privileged resolution (H. Res. 244) and ask for its immediate consideration.

The Clerk read the resolution as follows:

Whereas in the case of United States against Richard A. Mack, Thurman A. Whiteside (Criminal Case No. 856–58), pending in the United States District Court for the District of Columbia, a subpena duces tecum was issued by the said court and addressed to Ralph R. Roberts, Clerk of the House of Representatives, directing him to appear as a witness before said court at 9:30 antemeridian on the 17th day of April 1959, and to bring with him certain and sundry papers in the possession and under the control of the House of Representatives: Therefore be it

Resolved, That by the privileges of this House no evidence of a documentary character under the control and in the possession of the House of Representatives can, by the mandate of process of the ordinary courts of justice, be taken from such control or possession but by its permission; be it further.

Resolved, That when it appears by the order of the court or of the judge thereof, or of any legal officer charged with the administration of the orders of such court or judge, that documentary evidence in the possession and under the control of the House is needful for use in any court of justice, or before any judge or such legal officer, for the promotion of justice, this House will take such action thereon as will promote the ends of justice consistently with the privileges and rights of this House; be it further

Resolved, That Ralph R. Roberts, Clerk of the House, be authorized to appear at the place and before the court named in the subpena duces tecum before-mentioned, but shall not take with him any papers or documents on file in his office or under his control or in possession of the House of Representatives; be it further

Resolved, That when said court determines upon the materiality and the relevancy of the papers and documents called for in the subpena duces tecum, then the said court, through any of its officers or agents, have full permission to attend with all proper parties to the proceeding and then always at any place under the orders and control of this House and take copies of any documents or papers and the Clerk is authorized to supply certified copies of such documents and papers in possession or control of said Clerk that the court has found to be material and relevant, except minutes and transcripts of executive sessions, and any evidence of witnesses in respect thereto which the court or other proper officer thereof shall desire, so as, however, the possession of said documents and papers by the said Clerk shall not be disturbed, or the same shall not be removed from their place of file or custody under said Clerk; and be it further

Resolved, That a copy of these resolutions be transmitted to the said court as a respectful answer to the subpena aforementioned.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CONSTRUCTION AT MILITARY INSTALLATIONS

Mr. THORNBERRY, from the Committee on Rules, reported the following privileged resolution (H. Res. 245, Rept. No. 272), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5674) to authorize certain construction at military installations, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

PARLIAMENTARY CONFERENCES WITH CANADA

Mr. COLMER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 239 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H.J. Res. 254) to authorize participation by the United States in parliamentary conferences with Canada. After general debate, which shall be confined to the joint resolution, and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the joint resolution shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the joint resolution for amendment, the Committee shall rise and report the joint resolution to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. COLMER. Mr. Speaker, I yield the customary 30 minutes to the gentleman from Idaho [Mr. BUDGE] and pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 239 makes in order the consideration of

House Joint Resolution 254, which authorizes participation by the United States in parliamentary conferences with Canada. This resolution provides for an open rule and 1 hour of debate.

House Joint Resolution 254 authorizes the appointment of not to exceed 24 Members of Congress to the Canada-United States interparliamentary group each year; half of this number to be appointed by the Speaker of the House and half by the President of the Senate. Not less than four members shall be from the Committee on Foreign Affairs and not less than four from the Committee on Foreign Relations. The resolution also authorizes the appropriation of not to exceed $30,000; $15,000 of which shall be for the expenses of the House delegation, and $15,000 for the Senate delegation.

In the first report of the special study mission to Canada made during the 85th Congress, it was recommended that in the interest of improving our relations with Canada, the United States should explore the following fields of activity: One, congressional representation, in observer status, on the Canadian-United States Trade Committee; two, formal recognition of Canada-United States relationship as a continuing area of interest by a subcommittee or a joint committee; and three, periodic visits to each country by the parliamentarians of the other.

Subsequently, the Senate passed Senate Resolution 359, authorizing the study of the problem of United States and Canadian parliamentary liaison, and a meeting was held here in Washington in January of this year, attended by eight Members of the U.S. Congress. It was decided at that time that semi-annual meetings should be held in order to discuss the problems of the United States-Canadian relations and in order to foster better understanding in each country of the other's problems.

I urge the adoption of this resolution.

Mr. BUDGE. Mr. Speaker, I am in complete agreement with the remarks of the gentleman from Mississippi. I know of no opposition to the rule.

Mr. COLMER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ACQUIRING LAND ALONG MOUNT VERNON HIGHWAY

Mr. DELANEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 237 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2228) to provide for the acquisition of additional land along the Mount Vernon Memorial Highway in exchange for certain dredging privileges, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. DELANEY. Mr. Speaker, I yield 30 minutes to the gentleman from Idaho [Mr. BUDGE] and now yield myself such time as I may consume.

Mr. Speaker, House Resolution 237 makes in order the consideration of H.R. 2228, providing for the acquisition of additional land along the Mount Vernon Memorial Highway in exchange for certain dredging privileges. This resolution provides for an open rule and 1 hour of debate.

The purpose of this bill is to authorize the Secretary of the Interior to acquire certain lands in exchange for dredging and other rights on lands already owned by the United States located on the east side of the parkway in Fairfax County, Va.

The bill covers two adjoining parcels of land located along the east side of the parkway. It authorizes the Federal Government to accept from the Smoot Sand & Gravel Corp., present owners of the property, fee simple title to a strip of land below Hunting Creek containing 110 acres, more or less, plus fee simple title to an adjoining area of 150 acres, more or less, also owned by Smoot Sand & Gravel Corp. It would permit this corporation to reserve the right to remove sand and gravel from this 150-acre tract for a period of 30 years, and it would further reserve to this corporation for the same period of time such riparian rights as are appurtenant to this 150-acre tract.

In exchange for the deed to the approximately 260 acres, the Federal Government would grant to Smoot Sand & Gravel Corp. the privilege of dredging sand and gravel for a period of 20 years from approximately 85 acres out of some 110 acres of land belonging to the United States. All dredging would be performed in accordance with the plans recommended by the Chief of Engineers and authorized by the Secretary of the Army. Both the Secretary of the Army and the Secretary of the Interior are authorized to prescribe such terms and conditions as are necessary to protect the interest of the United States in carrying out any contracts entered into under the bill.

No expenditure of Federal funds is involved.

I urge the adoption of this resolution.

LEGISLATIVE PROGRAM

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. DELANEY. I yield.

Mr. ALBERT. Mr. Speaker, I have asked for this time in order to advise the membership that on tomorrow the bill, H.R. 5674, providing for the authorization and construction of military installations will be programed, and that the gentleman from Georgia [Mr. VINSON], chairman of the Committee on Armed Services, will ask for a rollcall vote on that bill.

Mr. BUDGE. Mr. Speaker, I know of no opposition to the adoption of the pending rule on this measure, and I yield back the balance of my time.

Mr. DELANEY. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

UNITED STATES AND CANADIAN PARLIAMENTARY CONFERENCES

Mrs. KELLY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (H.J. Res. 254) to authorize participation by the United States in parliamentary conferences with Canada.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution, House Joint Resolution 254, with Mr. THOMPSON of New Jersey in the chair.

The Clerk read the title of the joint resolution.

By unanimous consent, the first reading of the joint resolution was dispensed with.

Mrs. KELLY. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, House Joint Resolution 254 grants permanent legislative authority for the yearly appointment of a U.S. delegation to the Canada-United States Inter-Parliamentary Group. It also authorizes a $30,000 annual appropriation for this activity.

Following the Korean war and up until last year our relations with Canada had slipped badly. There had developed an increasing resentment against U.S. economic and political policies. This deterioration had continued unabated and unnoticed for some time until members of this committee began pointing to the dangers which the situation held for the United States.

The resolution authorizes U.S. participation in a joint group with Canadian parliamentarians which, in my opinion, will improve relations between our two countries. In this forum there will be ample opportunity to discuss problems common to our two countries, and from these discussions it is quite probable there will come new approaches, new ideas, and new solutions. It will enable the Canadians to understand many of our problems and us to understand Canadian problems. In the opinion of all concerned, U.S. participation will be of substantial value in retarding further deterioration in Canada-United States relations and in giving further support to the outstanding cooperation between our two countries in economic matters, in foreign policy and in defense.

The resolution authorizes the appointment of not less than 24 members to the Canada-United States Interparliamentary Group. Twelve of this number are to be from the House and 12 from the Senate. Not less than four of the House

representatives are to be from this committee. The resolution also authorizes an annual appropriation not to exceed $30,000, $15,000 of which is for the expenses of the House group. Expenses which would be covered by this appropriation would include travel to the semiannual meetings, expenses while there, and entertainment of the Canadian group when it is here.

The Canada-United States Interparliamentary Group grew out of a suggestion contained in the first report of the Special Study Mission to Canada composed of Mr. Brooks Hays and Mr. FRANK M. COFFIN. The recommendation was as follows:

CONGRESSIONAL AWARENESS

The vital role which Congress plays in determining United States-Canadian relationships, for better or worse, must no longer be ignored. The fact needs to be constantly borne in mind that, unlike the parliamentary system of Canada, the executive branch does not necessarily speak for the legislative branch. It is not enough that there be continuing liaison between the Cabinets of the two nations. The following fields of activity should be thoroughly explored:

(a) Congressional representation, in observer status, on the Canada-United Trade Committee (at present, a committee of the two executive branches). Our information is that Canadian parliamentarians would understand the need for such liaison under our system.

(b) Formal recognition of Canada-United States relationship as a continuing area of interest by a subcommittee or a joint committee.

(c) Periodic visits to each country by the parliamentarians of the other.

Prime Minister Diefenbaker picked up this suggestion in a speech which he made at Wesleyan University on June 8, 1958, stating:

To meet the problem of the relations of our nations the Hays-Coffin report suggested a congressional committee on Canadian relations. I am sure that the Parliament of Canada would give the fullest consideration to the setting up of a similar committee of Canadian parliamentarians who in periodic visits to our respective capitals would do much to achieve suggested solutions of recurring problems.

The benefits that will flow from such a joint meeting were very apparent in 1942, when at a parliamentary conference at which I had the honor to preside, Members of Congress of the United States met in conference for the first time with Canadian and Commonwealth Members of Parliament.

Subsequently the Senate Foreign Relations Committee held a hearing on Canadian-United States relations, following which Senator AIKEN introduced Senate Resolution 359, which passed the Senate on August 8, 1958. Senate Resolution 359 authoritzed a study of possible means of effecting interparliamentary liaison with Canada and authorized discussion with Canadian groups to that end. Senator AIKEN discussed the need for parliamentary liaison with the Canadians in the fall of 1958 as did Mr. HAYS and Mr. COFFIN.

The approval of the Speaker was secured for a meeting to be held last January here in Washington. The meeting was held and was attended by Mr. COFFIN, Mr. MERROW, Dr. JUDD, and myself for the House and by Senator AIKEN, Senator MANSFIELD, Senator MORSE, and Senator CAPEHART for the Senate. The Canadian representation included the Speaker of the Canadian House of Commons and the Speaker of the Canadian Senate together with seven other Canadian parliamentarians. The group concentrated on the problem of establishing an interparliamentary group, discussion of the ways in which this could best be accomplished and the techniques which would be appropriate. It was agreed that small steering groups from the United States and Canada would handle agendas and arrangements for the meetings but that these steering groups would be considerably expanded at the time of actual meetings. It was further agreed that each country would furnish the travel and expenses of its own delegation, but that the host country in each case would pay for any side trips and for any entertainment.

The Canadian group has now extended an invitation to 24 U.S. representatives—12 from the Senate and 12 from the House—to attend the ceremonies in connection with the dedication of the St. Lawrence Seaway.

If this resolution is not passed it would be almost impossible for the House to participate. I would like to point out, however, that even if the House does not, it is almost certain that the other body would go ahead even in the absence of representation from the House.

Mr. Chairman, this resolution is in the best interests of the United States. In my opinion, it will serve a very useful purpose in bringing the parliamentary representatives of the United States and Canada together and in improving relations between the United States and our ally to the north.

The CHAIRMAN. The gentleman from Minnesota [Mr. JUDD] is recognized.

Mr. JUDD. Mr. Chairman, I doubt if there is any place in the world where a closer mutuality of interest exists than between the United States and its neighbor to the north, Canada. There is no place where a genuine understanding of our common interests and of the views of each other regarding them is more important. There is, I think, no place where true reciprocity in actions is more essential. For the legislative bodies of each country to know what the other is thinking or doing and why is bound to be beneficial to each.

It is inescapable that when two countries live side by side, as we do, with a 3,000-mile border, some trouble, incidents, or differences of opinion arise. This is especially true when thousands of people are going back and forth across the border every single day at places like Detroit and Buffalo and between Seattle and Vancouver, as well as the regular immigration flow.

Some of our waters flow north into Canada, and one of hers, the Columbia, flows south into our country.

In my part of the United States we are dependent for much of our oil on pipelines that come from developing oilfields in western Canada. In turn, they are dependent on us for the major markets to which they can deliver oil by pipeline from their inland fields.

We have some absolutely essential defense installations on the soil of our northern neighbor, essential to the survival of the United States in this age of missiles.

Many Americans have invested such large quantities of dollars in Canadian companies that sometimes the latter feel unable to function as Canadian companies because of the control of ownership in the United States.

Canada has a troublesome trade deficit with the United States. She dislikes some of our tariffs and our disposal of agricultural surpluses abroad. We have subsidies for domestic production of zinc, lead, copper that they believe unreasonably discriminate against their ores.

Differences inevitably develop from time to time under such circumstances. There is a much longer list of possible irritations that, if ignored, can become grievances which in turn become difficulties that lead to public statements or policies injurious to both sides. In such a situation it seems to me there ought not to be the slightest question as to the value and the wisdom of adopting this resolution, setting up joint groups to meet probably twice a year, once here, and once in Canada. Representatives of our House and Senate will meet privately with representatives of the two Houses of the Canadian Parliament to discuss and try to thresh out whatever problems there may be so that at least we understand each other and do not get too far into some of the difficulties that have been developing more frequently of late, with harm to both sides.

That is all there is to this resolution. It was suggested informally by a delegation from this House. It was a tentative idea, but the Canadian Prime Minister himself welcomed it and offered to cooperate in setting up a group of this sort.

It seems obvious that the relations between our two countries will be even more important in the years ahead than at any time in the past. We should undertake this effort. It is so relatively easy to prevent misunderstandings; it is so difficult to clear away estrangements once they have developed or after inflammatory statements have been made.

Mr. SAYLOR. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. I wish to take this opportunity to commend the committee for bringing this resolution to the floor of the House for consideration. I sincerely believe, from my knowledge of and association with Members of the Parliament of Canada that this will do a great deal to prevent some small incidents which have occurred in the past from ever occurring again, and will strengthen the friendly relations between our countries.

Mr. CHIPERFIELD. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield to the gentleman from Illinois.

Mr. CHIPERFIELD. I favor the passage of House Joint Resolution 254. It creates a legislative committee of 24

Members of the Congress for the purpose of meeting with a similar group of the Canadian Parliament.

Our relations with Canada are of the utmost importance. I firmly believe for us to meet with the Canadians will improve our relations with Canada and bring about a better understanding between our two countries.

Certainly it is in the best interests of the United States to enact this resolution. It will do much to assist in reducing frictions, and it will solidify the good relations between the two countries.

I hope the vote will be unanimous.

Mr. JUDD. Mr. Chairman, I yield such time as he may require to the gentleman from Ohio [Mr. Bow].

Mr. BOW. Mr. Chairman, I would like to ask the gentleman several questions. My interest in this matter stems somewhat from the appropriations standpoint. It is a fact, is it not, that Canada is a member of the NATO organization with which we have a parliamentary setup at this time?

Mr. JUDD. That is true.

Mr. BOW. And is it not true that in the NATO Parliamentary Union we are spending about $57,129 a year? This would add $30,000 more, I understand.

Mr. JUDD. A maximum of $15,000 for the House and $15,000 for the Senate.

Mr. BOW. The total of the two, the NATO Parliamentary Union which includes Canada, and the United States, would be $87,129. In the Interparliamentary Union our expenses at the present time are about $58,000 a year.

I would like to ask the gentleman whether or not we are now establishing a precedent where we are going to have interparliamentary unions in NATO and the other interparliamentary unions, perhaps later. SEATO then begins to develop with each of the countries of the world separate interparliamentary unions, a union upon a union, whereas we are already in these groups that now meet together.

Mr. COFFIN. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield to the gentleman from Maine.

Mr. COFFIN. The gentleman has asked a very pertinent question. It has been the judgment of our committee that this relationship between these two great North American countries is a unique one. We have the conviction that just because these countries are close together and abut each other now, with a common border of some 4,800 miles, which border is crossed every day by people and goods, with a tremendous possibility of irritation, that we need something in addition to the formal relationship between the executive bodies. This informal fluctuating but periodic relationship serves the purposes of these groups which the gentleman has mentioned, the NATO Conference and the other interparliamentary bodies. NATO consists of some 15 countries in the parliamentary union which meets once a year and is vastly larger now. It is impossible to have the down-to-earth detailed agenda that this Canada-United States group could erect and could carry out over the years. We think, therefore, this is not a precedent for the type of development which the gentleman appropriately would not welcome. Obviously, we do not have the personnel to establish bilateral relationships with every other nation, but we think this situation stands unique because of the geography, the population, and the other reasons I have mentioned.

Mr. BOW. The gentleman is quite correct. My concern is whether we are now going to begin to establish parliamentary unions with all the nations with which we now have diplomatic relations within the hemisphere, all touching our borders, with this amount we are now appropriating. May I say that the $57,129 that we are appropriating is not the complete picture. I understand, in addition to that foreign currencies are used which would increase that amount.

Mr. JUDD. Not in this arrangement.

Mr. BOW. Not in this arrangement. But I am talking about the NATO setup and whether or not perhaps when NATO meets there could be a meeting with the Canadians separate from the other, if the delegations are there.

I raise these questions because I would like the views of the great Committee on Foreign Affairs. It is important to us when we come to the appropriation of funds to have the views of the committee and to know what their intentions are as to the future and whether this is establishing a precedent for additional interparliamentary unions.

Mr. JUDD. I appreciate the gentleman's bringing this point up. We discussed it in our committee on several occasions. There are no other countries, with one possible exception, Mexico, that has any such relationship to the United States. I will say, frankly, that if the Government of Mexico were to approach the United States saying that they believed it would be in their interest and ours to set up a group of their legislators and ours to deal with any issues of vital mutual interest, I should favor our accepting their request. I am not suggesting such a request. We did not make such a request of the Canadians. But to build the closest possible understanding with the country on our north and the one on our south, the three of us being the most populous countries in the Western Hemisphere and having vital interests in common, is a project of such importance that I think the amount of money involved for an arrangement of this sort is infinitesimal.

I wonder if the gentleman has the figures as to the amount of investment of American capital in the DEW line, or the amount of United States capital invested in Canadian industries? The defense of our country from possible missiles across the North Pole depends on joint military arrangements. If the gentleman will look at the money involved in our common defense and defense production, he will see that this $30,000 is an incredibly small amount to spend to try to prevent in the earliest possible stages any misunderstanding or estrangement or both.

Mr. BOW. I think I do have the figures on the cost of the DEW Line, and I have seen the figures on our investment in Canada, and it would seem to me with those large investments that we have, perhaps we have advanced sufficient funds that we should be in pretty good shape with our neighbors to the north. Whether or not a group of our membership meeting with a small group of the Canadian House is going to correct all of the ills, I do not know, and I am not sure one way or the other. My only thought is, when we talk about a small amount of $30,000, we have to add that to the hundreds of thousands that we have throughout the entire bill when it comes to the United Nations, the parliamentary unions, and others, which look small when you take them individually, but when you add them all up we run into an awful lot of money. And it seems to me we ought to be sure we get a dollar's worth of value for the dollar we spent.

Mr. JUDD. I am in wholehearted agreement with what the gentleman has said. I believe we can get a great deal more than full value received for the dollars spent under this proposal.

Mr. LAIRD. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield to the gentleman from Wisconsin.

Mr. LAIRD. I think the necessity for this resolution is certainly very great in view of the action that the Congress has taken this year in antagonizing our friends to the north through the passage of the Great Lakes water diversion bill, and I think we will have to work very closely with our friends in Canada, and perhaps one of the antagonisms that the gentlewoman from New York referred to was the activity of this Congress in trying to divert water from the Great Lakes.

Mr. JUDD. And the gentleman understands that this can be a two-edged sword. The Columbia River rises in Canada and flows into our great Northwest. We can alter the water level in the St. Lawrence, but they can alter the water level in the Columbia. It is that kind of problem that good neighbors should work out together for our mutual benefit.

Mrs. KELLY. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois [Mr. O'HARA].

Mr. O'HARA of Illinois. Mr. Chairman, I must admit that the charm as well as the logic of the gentlewoman from New York [Mrs. KELLY] has won me. I think it is a good thing for our legislators to meet with the legislators of Canada. I trust that when the charming gentlewoman from New York, the persuasive gentleman from Maine, and the others from this body meet with the statesmen from the Dominion they will stress the fact that Congress speaks for the American people and international good will travels a two-way street. Three times this body passed the Lake Michigan water diversion bill by tremendous majority, and two times the other body passed it overwhelmingly. We of Illinois do not think that the Government of Canada is leading the way to a better understanding when it meddles in a dispute among the States of the Great

Lakes, and seeks to deprive the people of Chicago of the only hope they may have of averting a frightful plague. So I hope our American legislators, in meeting with the Canadian legislators, will make it crystal clear that one way not to make friends with one's next-door neighbor is to interfere when he seeks to protect the health of his family with a plumbing job.

Of course, the Canadians are fine people. Many of Canadian birth are among our leaders in Chicago, well liked by everyone, and they are as aghast as the rest of us at the course of the Canadian Government suddenly changing front on a matter so vital to all Chicago's millions and which could not by any stretch of the imagination do harm to Canada or anyone.

The Government of Canada could assure the success of future associations of Canadian and American legislators by withdrawing its objections to Lake Michigan water diversions. There is still time.

Mr. JUDD. Mr. Chairman, I yield 1 minute to the gentleman from Iowa [Mr. HOEVEN.]

Mr. HOEVEN. Mr. Chairman, I express the hope that if this joint resolution is adopted the Committee on Agriculture may have some consideration in being represented on the U.S. delegation. I do not see the chairman of the Committee on Agriculture on the floor at the moment, but I think he has in mind sending a subcommittee up to Canada to see if we can iron out some matters relating to the disposal of surplus agricultural commodities. Canada has a wheat surplus problem just as does the United States, and the disposal of such surpluses in an orderly manner should be the subject of joint discussion. There are other matters in the agricultural field which should also be resolved. Representatives of the Committee on Agriculture could well have a place on the U.S. delegation whenever it is appointed.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. HOEVEN. I yield to the gentleman from Minnesota.

Mr. JUDD. May I say to the gentleman that both our committee and the joint group have discussed that very point. There are many issues to be taken up. They cannot all be solved at once. It is the plan to work out informally an agenda for each meeting ahead of time. One meeting would perhaps concentrate on, among other things, immigration problems, the next on trade matters. The next on boundary waters, and perhaps the next on the sort of agricultural problems which the gentleman mentions. To that meeting, obviously, our Speaker would want to appoint some Members who are experts in that particular field.

Mr. Chairman, I yield such time as she may desire to the gentlewoman from Washington [Mrs. MAY].

Mrs. MAY. Mr. Chairman, I rise to support this House joint resolution. It strikes me as very sound legislation. I represent an area where the famous Columbia River runs north and south of the common boundary between Canada and the United States. There is more than a billion dollar investment on the part of the United States in this part of our river and I think this resolution provides a relatively inexpensive life insurance policy to protect this investment. In the future development of the Columbia River Basin, the people of the United States and Canada realize that their problems are mutual and that we can reach long-range intelligent solutions only by working together. If as nations we each adopt a narrow nationalistic approach, this would mean disaster to our common interest. Oftentimes our difficulties have been aggravated and exaggerated by unfortunate and oftentimes carelessly made pronouncements of persons on both sides of our boundary. I agree wholeheartedly with previous speakers that the congressional group which this resolution establishes would have the necessary stature to put discussion of our mutual problems in parliamentary conferences on a basis that would make it far easier to reach areas of agreement on the many problems involving our two countries.

Sir David Eccles, president of the Board of Trade, United Kingdom, made a speech before the European Industrial Conference in London in 1958 in which he said:

> Nations are not like individuals. They cannot fall in love at first sight. There are no enchanted evenings for proud and ancient communities, when across a crowded room they lose in an instant their heads and their hearts. Nations must carry about with them the wounds and dreams of history. They can come nearer to each other only by showing respect, sympathy and scrupulous honesty.

I am firmly convinced that with the passage of the joint resolution before us, we will create a greater opportunity to meet in a proper atmosphere for reaching a statesmanlike solution of our mutual problems.

Mr. JUDD. Mr. Chairman, I have no further requests for time.

Mrs. KELLY. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read the joint resolution for amendment.

The Clerk read as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That not to exceed twenty-four Members of Congress shall be appointed to meet jointly and at least annually and when Congress is not in session with representatives of the House of Commons and Senate of the Canadian Parliament for discussion of common problems in the interests of relations between the United States and Canada. Of the Members of the Congress to be appointed for the purposes of this resolution (hereinafter designated as the United States group) half shall be appointed by the Speaker of the House from Members of the House (not less than four of whom shall be from the Foreign Affairs Committee), and half shall be appointed by the President of the Senate from Members of the Senate (not less than four of whom shall be from the Foreign Relations Committee).

Mrs. KELLY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. KELLY: On page 1, line 5, after the word "session", insert "(except that this restriction shall not apply during the 1st session of the 86th Cong.)."

Mrs. KELLY. Mr. Chairman, this amendment was suggested due to the fact that in June, pursuant to the invitation extended by Canada for Members of Congress to participate in the opening of the St. Lawrence Seaway, it will be necessary for the group to be absent 1 or 2 days in order to go up there at that period of time. That is the reason for this amendment. It will apply only to this particular occasion.

Mr. GROSS. Mr. Chairman, will the gentlewoman yield?

Mrs. KELLY. I yield to the gentleman from Iowa.

Mr. GROSS. Does the amendment have anything to do with an additional appropriation

Mrs. KELLY. No. This amendment will simply permit Members to attend the opening of the St. Lawrence Seaway on the invitation extended to us by Canada. I should also like to point out that the joint resolution contains a provision limiting the group to not more than 24 members. The invitation extended by Canada includes 24. We hope that the U.S. delegation will not always include the full number. We also anticipate, in accordance with the desire of certain Members of Congress to join with us in the discussion of problems particular to their areas to incorporate them in the groups when those problems are discussed.

Mr. BAILEY. Mr. Chairman, will the gentlewoman yield?

Mrs. KELLY. I yield.

Mr. BAILEY. I wonder if the gentlewoman could arrange to provide for a 25 member committee and have the gentlemen on it who led the fight against the St. Lawrence Seaway.

Mrs. KELLY. That will not be necessary because the gentleman could be included as one of the 24 members.

Mr. GROSS. Mr. Chairman, I move to strike out the last word.

Mr. GROSS. Mr. Chairman, I should like to put the House on notice and emphasize that this is the beginning of a $30,000 or more annual appropriation that will go on from now until the end of time. Someone spoke of Mexico a little while ago, and we immediately had the assurance of the gentleman from Minnesota [Mr. JUDD] that if the Mexicans invited us to establish a so-called parliamentary group, we would be glad to accommodate them and that, of course, would call for another $30,000 or more a year.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. JUDD. I did not say that we would be glad to accommodate them. I said that, speaking for myself, I think the relationships between the United States and Canada and the United States and Mexico are so important that it would be

a sound investment to approve such an arrangement, if they requested it.

Mr. GROSS. Are our relations with Mexico any less important than with Canada?

Mr. JUDD. I said, I strongly approve of this with Canada, and if Mexico, which is the only other country which has such a unique position with respect to ourselves, should request a similar group, I would favor it.

Mr. GROSS. I like that word "unique." We are members of the United Nations and spending millions upon millions of dollars each year on that international organization. As the gentleman from Ohio [Mr. Bow] well pointed out, we are also members of NATO, and the NATO parliamentary group. We are also a member of the granddaddy of junketing organizations, the Interparliamentary Union. Next, it will probably be SEATO. I wonder how many official commissions are already operating between the United States and Canada. Does the gentleman have any idea how many committees and commissions we have going back and forth across the border conferring with the Canadians on various problems?

Mr. JUDD. I think there are none of a parliamentary nature; that is, between the representatives of the two legislative bodies of our respective countries.

Mr. GROSS. I am talking about committees and commissions of various kinds.

Mr. JUDD. Perhaps, if we could resolve some of the difficulties through this arrangement, we could save many times the amount of money herein through the elimination of problems that now require these other commissions or committees from the executive branch of the Government.

Mr. GROSS. I am not clear whether this is designed to take care of the opening of the St. Lawrence Seaway. Just what is this particular organization designed to accomplish?

Mr. COFFIN. We thought that the gentleman for once would be somewhat mollified knowing that this was one country that is not receiving foreign aid from us. This is a modest bill for maintaining and bettering relationships with a nation one-tenth our size in population and with greater resources. But, here is one nation that has not been the recipient of grant aid and this is a modest thing. I think the gentleman's talents which are remarkable should be reserved for greater things.

Mr. GROSS. Let me go just this far on that point and say that this is probably the least worst of all of these junketing deals that have been wrapped around the necks of the taxpayers. This is probably the least worst, but it certainly is not palatable enough for me to swallow. Earlier someone said that this United States-Canadian parliamentary group would take no binding action as a result of the meetings to be held. Let me point out that the American delegation to the Interparliamentary Union went on a junket to Rio de Janeiro last year and it is my understanding that this American delegation voted for the Paul Hoffman scheme to set up a United Nations special fund of $2 to $5 billion a year. It is my understanding that the American delegation also voted for a resolution to provide for a permanent United Nations Police Force. I wonder who is going to put up the $2 to $5 billion and who is going to foot the bill for a division of troops in the United Nations? Is this just another organization to recommend the spending, through an international organization, of more billions of our taxpayers money?

Mr. COFFIN. The ground rules also do not provide for taking actions which would bind either Government, but would explore the situation and help immeasurably toward better relations.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. GROSS. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Chairman, is there anything in this resolution that will prohibit the adoption of a resolution in any so-called parliamentary meeting with the Canadians?

Mr. COFFIN. This would not be necessary. This group is made up of three parts. It is bipartisan, first.

Mr. GROSS. No; the gentleman is not answering my question. Is there anything that prohibits the adoption of a resolution in any one of these parliamentary meetings?

Mr. COFFIN. May I say to the gentleman first, no; and secondly, if there were a resolution it would have no more binding effect on either Government than the statement of any individual.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. HOFFMAN of Michigan. Why do you need all these extra fellows when you have hockey teams, football teams, the lacrosse boys, and thousands and thousands of fishermen and hunters? Why do you need these? I understand the gentleman is supporting this resolution.

Mr. GROSS. I am supporting this?

Mr. HOFFMAN of Michigan. I understood so.

Mr. GROSS. Not yet. The gentleman makes a good point. A couple of weeks ago we were told on the House floor that nothing helped international relations more than a fine sports event. So the House obligingly voted a half million dollars to finance the pan-American games in Chicago, an international sports event. In view of that argument I do not know of any reason why we should go into a thing of this kind when we have all of these fine sport relationships with Canada.

Mr. HOFFMAN of Michigan. I have always gotten along with the Canadians, until they put the extra 10 cents on the dollar. I did not like that.

Mr. GROSS. Someone mentioned the fact that we have quite an investment in Canada. We have heavy investments in France. Why not a parliamentary deal with France, and with Britain? We have billions of dollars loaned to Britain and cannot collect a dime. Why not organize a parliamentary group with the British and French for the purpose, among other things, of collecting some of the money they owe us?

Mr. COFFIN. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. COFFIN. That is a serious question and deserves a serious answer. When you consider such countries as Spain, France, and Britain, which are remote in space at least, the problems are much more capable of being treated completely at the executive level with whatever advice you can give them. In the case of Canada, with the infinite amount of traffic back and forth, the gentleman from Michigan mentioned one irritation—a small one—occurring at the current differential. The existence of a group like this will do a great deal towards bringing about a climate which will be conducive to the solution of problems between the two countries, more than anything I can imagine.

Mr. GROSS. I am concerned about this bill, and I am concerned about all groups of a similar nature. We are appropriating approximately $50,000 a year to the Interparliamentary Union, but that is just a drop in the bucket compared to the expense which is incurred each year by that junketing outfit. The delegates take four-motored military planes, and with them go their wives and some of them reportedly take along their children all over the world. They spent counterpart funds, and this, plus the cost of operating a couple of big four-motored planes, plus the cost of taking their wives and other members of their families adds up to a fat bill of expense for the taxpayers of the country, and most of it never shows up in the appropriations made by the Congress.

I am sick and tired of this kind of business. In my opinion this bill will lead to a parliamentary junketing deal with Mexico and perhaps with most of the rest of the countries of Central and South America with the taxpayers paying the freight.

I urge you to vote against this bill.

Mrs. CHURCH. Mr. Chairman, I move to strike out the requisite number of words.

The CHAIRMAN. The gentlewoman from Illinois is recognized for 5 minutes.

Mrs. CHURCH. Mr. Chairman, I seek, if I can, to bring this matter into proper perspective. The Foreign Affairs Committee has come in with a serious proposal to meet a serious situation; and I think that the issue merits serious consideration.

At the same time I feel constrained to tell you that I, and some others on the committee, had some reservations that led us to vote against bringing out this resolution at this time and without more extensive consideration of all factors involved.

I, personally, am not convinced that we have given adequate study to the overall future reactions possible, no matter how valuable this means of closer cooperation with Canada may seem to be.

I thoroughly recognize the need for bettering our relations with our neighbor to the north, and I also believe very much in person-to-person contact as the best means of developing better understanding between nations and between individuals. However, I am not fully convinced of the wisdom of establishing this new system of bilateral relationship, nor am I convinced that the method proposed is necessary to secure adequate consultation. Under the current rules of the Foreign Affairs Committee, systematic consultation with officials of foreign countries is already possible, although, admittedly, on a more limited basis. My feeling of fear concerning bilateral arrangements, Mr. Chairman, is based not only on the thought that other requests for such arrangements would inevitably occur; but even more on the fear that rejection of such requests will lead to misunderstanding and possible ill will. Although continuity of territory, such as exists between ourselves and Canada, might not be present at the time of such requests, it would correctly be argued that the United States could not justly discriminate on that basis alone. If, therefore, we put ourselves in the position of accepting this relationship with Canada, I would think that we could not refuse to establish such relationships, when so requested by any other country in the world, without seeming to deny to its people equal respect and equal rights.

So, Mr. Chairman, for reasons of long-range foreign policy, I did propose in the committee further and deeper consideration of all the factors and reactions that establishment of this new policy of permanent bilateral interparliamentary relationships might involve. I am sorry that I cannot wholeheartedly and without any reservations agree in this matter with my colleagues on the committee. Again, let it be said strongly for the benefit of our friends in Canada and in this country, that our relationships should be bettered, our mutual interests further explored, our friendship strengthened. I merely question whether, in seeking to gain all this, we have, at this time, duly considered what may be involved in quick passage of this resolution.

I would certainly express the hope that no nation in the world may be led to interpret this action to mean that we are giving favored nation treatment to any one country, to the exclusion of other sovereign nations who, while not so geographically close, do equally seek with us mutual consideration and friendly association.

Mr. COFFIN. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I think we should all realize when we approach consideration of this resolution the particular facts which exist regarding U.S.-Canadian relations. A while ago we were speculating about investments in Canada. Our investments in Canada amount to almost the total U.S. investments in Latin America and twice those in Western Europe. I cannot begin to tell you of the particular bases that we have in Canada or the reliance that we place on the DEW line and several other lines. I cannot begin to tell you of the great stress we place on our own planning in government or industry on the natural resources that exist in Canada or our continued participation in international enterprises of all kinds.

Here is one place, Mr. Chairman, where we have a chance to use imagination in devising a limited vehicle of limited effect for something that is helpful before an unpleasant incident occurs. Usually we are in the position of wondering what to do about a crisis and finding in Congress that our hands are tied, that things are too tense, that only the Executive can act. Here is one place where the legislative branch in a limited situation can make a contribution that is wholesome, that is preventive in nature, that is timely, that is bound to be fruitful.

I wonder, Mr. Chairman. Yesterday, with very little discussion and with very little controversy certainly, we passed a valuable bill. We authorized some $48 million in that outer space bill. That was a necessary thing, of course. We are not asking for that amount of money. We are asking for no particular amount of money, as a matter of fact. This is simply an authorization we are asking. We are asking for an authorization up to $15,000 for Members of this body and up to $15,000 for Members of the other body to engage in down-to-earth detailed discussion between neighbors. This is the modern version of the good neighbor policy.

I urge, Mr. Chairman, that we keep our perspective as we face the vote on this resolution.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York.

The amendment was agreed to.

The Clerk read as follows:

SEC. 2. An appropriation of $30,000 annually is authorized, $15,000 of which shall be for the House delegation and $15,000 for the Senate delegation, or so much thereof as may be necessary, to assist in meeting the expenses of the United States group of the Canada-United States Interparliamentary group for each fiscal year for which an appropriation is made, such appropriation to be disbursed on vouchers to be approved by the Chairman of the House delegation and the Chairman of the Senate delegation.

Mr. BOW. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I take this time only for the purpose of some further clarification of the appropriation to come before the subcommittee of which I have the honor of being a member.

May I ask what this money is to be used for? What is this $15,000 to be used for, how is it to be used, and for what purpose?

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Minnesota.

Mr. JUDD. The best way to answer that is to read from a summary of the discussions of the first group meeting held early this year.

The item "Financing of Future Meetings," reads as follows:

Financing shall continue on the same basis; namely, that the host delegation shall pay the costs of group meetings and side trips in the host country and that the traveling delegation shall pay its travel expenses and its lodging in the host country.

When the nine members of the two Houses of the Canadian Parliament came down to Washington last January, they paid their traveling expenses and their hotel lodging. We entertained them at two luncheons between our morning and afternoon sessions. One was arranged by the gentlewoman from New York [Mrs. KELLY]. The next day the Senate group provided a similar luncheon in the old Supreme Court room in the Senate wing of the Capitol. The expenses were taken care of originally by the gentlewoman from New York herself because the Foreign Affairs Committee had no official funds to provide even a luncheon for these distinguished guests within our country. This summer we hope a group of Members will go to Canada at the time of the dedication of the St. Lawrence Seaway. The fund authorized in this bill will be used to pay the travel expenses and the hotel bills of the U.S. representatives there; and the Canadians, if they should put on any functions for our group or take us to see a dam or an enterprise where American funds are invested, or perhaps a project about which there is some irritation, will pay the expenses of that side trip.

Mr. BOW. That is how these funds would be used?

Mr. JUDD. That is right.

Mr. BOW. The reason I am concerned about this is, we have appropriated, as I said before, about $58,000 a year for the International Parliamentary Union and some $57,000 for the NATO Parliamentary Union, and we thought we were appropriating the full amount of costs and travel funds. Now I am advised that the Air Force has a bill against somebody for about $104,000 for travel by the group. Now, is this going to cover the amount that will be reimbursed to the Air Force or whoever handles the travel, or are we going to have another situation where we think we are appropriating funds to cover all expenses and later find that there is a reimbursable item to some other branch of the Government?

Mr. JUDD. It is the intention of the committee that the funds authorized in this resolution and the appropriations coming out of the gentleman's own subcommittee later will cover all expenses.

Mr. BOW. In other words, this $15,000, as far as the House is concerned, is all the money that is necessary; that we will not have any bill submitted later for the Air Force for travel or anything of that kind?

Mr. JUDD. That is correct.

Mr. BOW. I thank the gentleman.

The Clerk read as follows:

SEC. 3. The U.S. group of the Canada-United States Interparliamentary group shall submit to the Congress a report for each fiscal year for which an appropriation is made including its expenditures under such appropriation.

SEC. 4. The certificate of the Chairman of the House delegation or the Senate delegation of the Canada-United States Interparliamentary group shall hereafter be final

and conclusive upon the accounting officers in the auditing of the accounts of the U.S. group of the Canada-United States Interparliamentary Group.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. THOMPSON of New Jersey, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the resolution (H.J. Res. 254) to authorize participation by the United States in parliamentary conferences with Canada, pursuant to House Resolution 239, he reported the resolution back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the committee amendment.

The committee amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the joint resolution.

The joint resolution was passed.

A motion to reconsider was laid on the table.

MOUNT VERNON MEMORIAL HIGHWAY

Mr. JONES of Alabama. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2228) to provide for the acquisition of additional land along the Mount Vernon Memorial Highway in exchange for certain dredging privileges, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 2228, with Mr. THOMPSON of New Jersey in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. JONES of Alabama. Mr. Chairman, I yield 5 minutes to the gentleman from Mississippi [Mr. SMITH].

Mr. SMITH of Mississippi. Mr. Chairman, this bill was introduced at the request of the National Park Service to help bring about the acquisition of some lands along the George Washington Memorial Parkway which would fill the void on that parkway between Alexandria and Mount Vernon.

The lands would be acquired through an exchange of dredging rights, and as a result the property would be acquired at no monetary cost to the Government.

The bill was favorably reported on by the various agencies to the Committee on Public Works and was reported unanimously by the committee on February 12.

There was some confusion and misunderstanding about how the operation of the bill as reported might affect certain marsh areas on the Potomac, and because of this, some of the interested Members of Congress, who were concerned about the effect of this on the work of the Park Service in this area proposed certain changes in the legislation to make it clear that the marsh area would be preserved in its wildlife benefits as a wetland area, where birds might live and breed in the future.

I have joined in working out a series of amendments which I believe will be offered by the gentleman from Pennsylvania [Mr. SAYLOR], and which I think will adequately protect the wildlife interests in this area and at the same time serve the purpose of the Department of the Interior in acquiring this land, to have the necessary land available for the parkway between the actual highway and the Potomac River at no cost to the Government.

This will enable the parkway to be enlarged, to fulfill its initial purpose along this area and at the same time, in the long run, will greatly serve the interests of wildlife in the area, because this additional property will come under public ownership.

There are provisions in the bill and in the amendments as to regulations in regard to the dredging operation that will be made possible by this swap of land for dredging rights. I believe the provisions are such that they will not in any way interfere with the normal dredging operation of the Smoot Co.; no authority is granted to impose regulations which would not be practicable, or result in an economic hardship to the Smoot Co.

I hope that the bill with these proposed amendments, which I believe are acceptable to me as the author of the bill and to the committee, will be adopted and that we will be able to move ahead with this acquisition of one of the few remaining sites along the George Washington Memorial Parkway between Alexandria and Mount Vernon that is still not part of the parkway, so that it may become Federal property and an important part of this great memorial highway.

Mr. MACK of Washington. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, this bill comes before the Committee today with the unanimous approval of the House Committee on Public Works. The bill is approved by the Interior Department and is endorsed by the Department of Commerce, the two Federal agencies that will have the most to do with the administration of this legislation. The bill is also approved by the National Planning Commission, and it has the endorsement of the Fish and Wildlife Service. There was no opposition in the committee to the passage of this legislation.

The Smoot Sand and Gravel Co. are the owners of two tracts of land that lie between the Mt. Vernon Memorial Parkway and the Potomac River. One of those tracts consists of 150 acres and the other of 110 acres, a total of 260 acres of land altogether. The Smoot Sand and Gravel Co. may build at any time they desire whatever in the nature of a structure they desire on the property, or they may sell that property to some other owner or lease it and structures may be placed upon the property that would mar the landscape and shut out the view of the Potomac River from the parkway.

The Park Service and the Interior Department are the initiators of this legislation and the Departments that request its passage. No money is involved. The dredging will be carried out under the administration of the U.S. Army Engineers, who say that its administration is perfectly feasible.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MACK of Washington. I yield to the gentleman from Iowa.

Mr. GROSS. Is the gentleman saying, then, that there is no anticipation that this will cost the Federal Government any money?

Mr. MACK of Washington. The Federal Government will give dredging rights to the Smoot Sand & Gravel Co. on the 150-acre tract the Smoot Sand & Gravel Co. now owns and which they may dredge, and in return for the 110 acres which are immediately adjacent to the parkway they will allow them to dredge 85 acres of land that is now under water in the Potomac River.

Mr. GROSS. This will not cost the Government any money, either now or in the future?

Mr. MACK of Washington. No. This is an acquisition of land from the Smoot Sand & Gravel Co., 260 acres, by the Federal Government in return for dredging rights on about 230 acres.

Mr. JONES of Alabama. Mr. Chairman, I yield 2 minutes to the gentleman from Florida [Mr. MATTHEWS].

Mr. MATTHEWS. Mr. Chairman, I wish to thank the chairman and the members of the committee for working in cooperation with several of us who are interested, along with them, I know, in preserving the Dyke Marsh as a wildlife area.

My attention was first called to this problem when I read in the Washington Post an article by Mr. Barnes, president of the Audubon Society of the District of Columbia, on Sunday, February 8, of this year. Many of my friends who live in the District of Columbia have expressed to me a keen interest in this proposition. They expressed the earnest hope that we would do everything in the world we could to preserve this natural wildlife area in the territory described by the gentleman from Mississippi [Mr. SMITH].

As I understand, the gentleman from Michigan [Mr. DINGELL] and perhaps the gentleman from Pennsylvania [Mr. SAYLOR] will offer amendments that will be acceptable to the committee and at the same time will help the lovers of wildlife in their hope of seeing a natural habitat preserved in this area. I am particularly hopeful that no marinas will be erected on the marsh site, that will be preserved.

I hope by this discussion this afternoon we can emphasize again to the National Park Service, and I think they realize this fact, the necessity of making every effort to preserve the few natural wildlife habitats we have remaining in this country.

It is my intention to vote for the amendments to be offered by the gentlemen to whom I have referred, and it is my intention to vote for the final passage of this bill.

Mr. MACK of Washington. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. SAYLOR].

Mr. SAYLOR. Mr. Chairman, I want to commend the members of the Committee on Public Works for bringing this bill to the Congress so that we might act on it today. Many of us, and perhaps all of us, have traveled from Alexandria to Mount Vernon on that beautiful memorial highway which has been built by our Park Service. However, few of us realize that just outside the city limits of Alexandria, a large tract of land over a mile in length is in private ownership and is subject at any time to being dredged to within 10 feet of the present highway. So the basic purpose of this legislation and the reason that the gentleman from Mississippi [Mr. SMITH] introduced it is to see to it that the National Memorial Highway is not the scene of a dredging operation. That tract of land which is described on this map as "A" comprising a little better than 110 acres will be deeded by the Smoot Sand and Gravel Co. to the Federal Government with no charge whatsoever. The tract of land which is described as "D" is also owned by the same gravel company and contains a little better than 150 acres of land. It, too, will be deeded to the United States at no charge whatsoever, but with a reservation that the gravel company will retain for a period of 30 years the right to dredge in that part of the tract of land subject to the rules and regulations laid down by the Secretary of the Interior and by the Army Engineers who have charge of dredging on any navigable river. In return for these two deeds to the Federal Government, the Smoot Sand and Gravel Co. will be given the right for a period of 20 years to dredge in the area on this map marked "C." That is an area of about 110 acres. But, the gravel company will only be allowed to dredge 85 acres of that land. It has been a matter of great concern to conservation groups in and about Washington that the Department of the Interior might be losing one of the few remaining wetland areas in and about the District of Columbia. Therefore, they are concerned about this bill. I would like to take this opportunity to commend the author of this bill, the gentleman from Mississippi [Mr. SMITH] for his willingness to cooperate with the gentleman from Michigan [Mr. DINGELL] and myself, who went to see him to work out the amendments which will be offered. The gentleman from Mississippi was most cooperative. I might say to my colleagues in the House that if all the Members were as cooperative in attempting to work out legislation as the gentleman from Mississippi [Mr. SMITH] was in cooperating with the gentleman from Michigan [Mr. DINGELL] and myself, many of the debates that take place upon the floor of this House would not be necessary. I want to pay a tremendous tribute to the gentleman from Mississippi [Mr. SMITH] for his ability to sit down and work out a real tacky problem. I think, under the amendments, which the gentleman from Mississippi [Mr. SMITH] has agreed to, and which will be offered en bloc, the Federal Government will gain; the George Washington Memorial Highway will be preserved; and the conservation forces in this country will gain a tremendous natural asset.

There is one further point that I would like to stress at this time. The Secretary of the Interior is given 1 year to designate a part of the land included in this bill as a part of the George Washington Memorial Highway. It is the hope and desire of all the people interested in this bill that the Secretary of the Interior will not include as a part of the George Washington Memorial Highway any of the lands that lie east of the line of marsh as shown on National Capital Park and Planning Commission File No. 105.223–415.

Mr. JONES of Alabama. Mr. Chairman, I yield such time as he may desire to the gentleman from Montana [Mr. METCALF.]

Mr. METCALF. Mr. Chairman, this bill, with the amendments that are to be submitted by the gentleman from Michigan [Mr. DINGELL] and the gentleman from Pennsylvania [Mr. SAYLOR], is in the highest traditions of conservation. The gentleman from Mississippi is especially to be commended for his efforts in behalf of this legislation, for his efforts to carry out the needs of the National Park Service to preserve the scenic area adjacent to the Mount Vernon Memorial Highway, and for his understanding of the desires of conservationists to preserve the wetlands for a wildlife habitat.

For years many of us have pointed out that swamplands and wetlands suitable for the preservation of waterfowl occur in small tracts. All over America there are marshlands that can be acquired to preserve the nesting grounds and the habitat of this type of wildlife. It is appropriate that here in the Nation's Capital a plan has been negotiated between competing groups so that one of these small tracts is to be so preserved. It is significant that after conferences and consultation of all concerned a plan was evolved that gave the Smoot Co. substantially the dredging rights that it desired, preserved the buffer strip for the highway, and at the same time provided for the preservation of the wildlife values at Dyke Marsh. The solution here worked out can be an inspiration for similar solutions throughout the Nation and demonstrates that wildlife values can be preserved if all parties are willing to sit down and work out a plan.

Mr. JONES of Alabama. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, I would like to join the gentleman from Pennsylvania [Mr. SAYLOR], in paying tribute to the author of this bill, the gentleman from Mississippi [Mr. SMITH], for the fine spirit of compromise and cooperation, and for the genuine concern which he has displayed for the problems of conservation. He contributed materially to the efforts made to preserve Dyke Marsh, an irreplaceable marsh and wetland near the Nation's Capital, for waterfowl and wildlife.

I would like to pay tribute to my good friend, the gentleman from Pennsylvania [Mr. SAYLOR], as one of the outstanding conservationists of this House, and as one who worked so hard with me and others in evolving a workable solution to both protect the highway and to preserve a priceless natural asset, Dyke Marsh, for waterfowl production.

I would like to associate myself with the remarks of the gentleman from Florida [Mr. MATTHEWS] on the purposes of this bill and the purposes of the amendments, and I expect his remarks will be taken as an important part of the legislative history of this bill.

Mr. Chairman, briefly the amendments which will be offered by the gentleman from Pennsylvania [Mr. SAYLOR] provide that Dyke Marsh is an area of national concern and that it is to be preserved for the production and preservation of wildlife. The amendments will also set forth the conditions for the dredging of the area. I might say parenthetically that the conditions are not intended to be and will not be onerous to the Smoot Sand & Gravel Co. They are regarded as necessary for the preservation and restoration of this small marshland to its natural conditions, at as early a date as can possibly be accomplished. It is our expectation that this will be accomplished, first through the wise selection of the particular areas to be dredged within area "C" leaving a rim or island around the outer edge of the area. We expect that the Secretary will provide for the deposition of the silt and waste from the dredging operations in such way as to encourage the restoration of the marsh at the earliest possible moment.

It is also our expectation as drafters of the amendment that the Corps of Engineers, which have informally promised the Fish and Wildlife Service their cooperation, will dump from their hopper barges the silt dredged from the main Washington Channel in such way as to accelerate the marsh rebuilding in the fastest way possible. They have advised us that they are happy to have a place to dump this silt from the main channel, and there is no better use than for rebuilding Dyke Marsh.

The gentleman from Pennsylvania [Mr. SAYLOR] has also provided that the Secretary will administer all of the areas known as A, B, C, and D in this bill, as wildlife habitat and will use them for the maximum development and preservation of wildlife and wildlife breeding in the particular area.

Mr. FOLEY. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from Maryland.

Mr. FOLEY. You mentioned the exercise of discretion in the selection of this particular area for dredging purposes. I am assuming it is the wildlife area that will be sold.

Mr. DINGELL. What will happen is this: We assume that in the one area where Smoot is entitled to dredge 85 out of 110 acres, area C, that the selection of the 85 acres to be dredged will be at the discretion of the Secretary, who will use his good judgment for the preservation of the wildlife by retention of a rim around the edge to rebuild the area by siltation and in all other necessary and proper ways.

Mr. FOLEY. The Secretary of the Interior will exercise the final selection of the land?

Mr. DINGELL. That is our expectation.

Mr. FOLEY. I was advised some time ago by representatives of the Garden Club of America and the Wildlife Federation people that they apparently feel opposed to this exchange of land. I am gratified to see that progress has been made to accommodate those people. Do they approve of these amendments?

Mr. DINGELL. Of course, I cannot speak for the garden clubs. I discussed it with Mr. Gutermuth, of the Wildlife Management Institute. He thinks these are good amendments and in the public interest.

We have agreed to permit the Secretary 1 year from the effective date in which to reserve lands needed for parkway purposes and so provide in the amendments. However, it is our expectation that in no instance will he use this discretion to alter the character of the marsh proper, or to use land for parkway purposes beyond the marsh line.

The marsh line or border of the marsh extends at some points to 500 feet from the highway, but we expect that the Secretary will surely not use more than 50 or 100 feet of land beyond the present highway for purposes in any way harmful to wildlife values.

The Potomac was once the scene of some of the finest hunting in the East. Its marshes were famous for rail and waterfowl. Listen for a minute to Dr. Elliott Coues of the Smithsonian Institution, writing in 1882:

> During the fall migrations these marshes afford refuge and food for innumerable hosts of rail, reed-birds, and red-winged blackbirds, which attract scores of "gunners" so that during the early days of September this locality reminds one of the firing of a skirmish line preceding a great battle. The crack of fowling pieces is incessant from early morn to twilight. All classes in society are represented, from the gentleman sportsman with his pusher and favorite breech-loader, hunting rail, to the ragged contraband with the cheap, old-fashioned, single-barreled muzzle-loader, or old-style army musket, "wading" the marshes from knee to waist deep, to whom all flesh is game, who takes in principally blackbirds and reed-birds, and is particularly happy when he can surprise an unsophisticated rail on the side of a "gut." The professional or market gunner is also well represented, and during the early days of the season reaps a good harvest. It is a common thing on the first day of the season for one gunner to secure from 12 to 20 dozen Carolina rail and as many reed-birds.

Waterfowling along the Potomac is almost a memory. Only a few blinds are still maintained at some of the creek mouths and at Dyke.

Several factors have contributed to the decline of our duck populations locally. Siltation and pollution have made the river less hospitable to game fish and waterfowl, cutting down light penetration and the growth of aquatic food plants. Marshes have been drained and filled with serious losses of shelter and food resources.

During the past few years, the role of marshes in maintaining waterfowl populations has received wider recognition. The Fish and Wildlife Service, the State game commissions and the conservation organizations have joined forces to halt the destruction of marshes, to acquaint the public with the values of marshlands, and to bring about a restoration of wetlands where possible.

The Dyke Marsh, on the Virginia shores of the Potomac below Alexandria, is a fine example of the type of marsh which game management experts value. As a symbol of the wetlands habitats that produce our best waterfowl hunting, the preservation of the Dyke Marsh is of interest to every duck hunter. If we have not the wisdom to preserve a marsh on the borders of the Nation's Capital, what chance have we to educate the public in sections of the country remote from our centers of conservation interest? If Government officials and members of the Congress join in condemning this marsh, who is there to affirm the values of marshes? And if we lose our marshes, how can we hope to maintain a semblance of a famous sport with large economic implications to all who derive a living from serving the interests of the sportsman?

Let there be no mistake about the value of marshes generally, of the Dyke Marsh particularly, as a habitat for game species. Here is the natural breeding ground for resident black ducks and for the beautiful wood duck, when bordering trees or boxes provide nesting sites. From fall to spring, the Dyke Marsh is home for significant numbers of all of the surface-feeding ducks—blacks and mallards, baldpates and pintail, green-winged and blue-winged teal and a number of others. On migration, it harbors woodcock and snipe and a variety of shorebirds. Marshes provide the best trapping areas for muskrat and mink.

A marsh in winter seems like a bleak place, but not to a hunter or to the waterfowl he hunts. Even if the Dyke Marsh is closed to all hunting, it is still important to the duck hunter, invoking memories of exciting days afield and giving assurance that the ducks he loves to watch have a home nearby.

To the uninitiated looking at a marsh, it seems like a monotonous place and one may ask why it is so important to birds and other wildlife. A marsh is a very special type of habitat, with its own peculiar forms of wildlife—ducks and rails, bitterns and herons, muskrats and mink, and many more. Take away the marsh and you have destroyed the wildlife that inhabits the marsh. The wildlife does not move elsewhere; the marsh animals and birds could not make a living anywhere else, and there are no longer other marshes to which they can move. The only way to preserve the game and other species that are adapted to marsh life is to preserve the natural character of the marsh.

The marsh is not just a sea of cattails, a shelter for waterfowl from man and the elements. It is a prolific producer of food. Wild millet, smartweeds, and a variety of other annuals drop their ripened seeds into the shallow waters where they are preserved as a food resource for the ducks during the winter. The arrow arum, which the botanist admires along with the other flowering plants of the marsh, is one of the very best food plants for the wonderfully brilliant wood ducks. The marsh is rich in insect life, some living an aquatic life and others airborne, but all food for rails and bitterns, for swallow and wren. No other natural habitat supports a richer wildlife population around the seasons.

Most of us hunt less for the bag that we bring home than for the release from the tensions of business that comes from getting away from it all. This is the greatest appeal of the duck marsh on a frosty fall morning. One can also get away from it all with a shallow draft duckboat in the Dyke Marsh. So long as we keep the present extent of the marsh, some 200 to 250 acres of genuine marsh, that quality of wildness will be preserved, but if we allow H.R. 2228 to become law without the safeguarding amendments that are being offered on the floor today the remnant of some 50 or 60 acres of the marsh will retain little of the atmosphere of the true marsh.

It has been said that we have to choose between protecting the Mount Vernon Memorial Highway and losing the Dyke Marsh. I do not see the choice in those terms. We can surely protect the Mount Vernon Memorial Highway without sacrificing the wildlife values of the marsh.

It has also been said that a marina will afford more recreation to the public than the marsh. But again, I say that that is a false choice. There are plenty of other sites for marinas. The marsh can be preserved and boating can be unrestrained, but it ought not to be based on the edge of the marsh as it now is.

As one who has known the pleasures and rewards of waterfowl hunting, I am opposed to any measure that leads to the needless destruction of a fine marsh. I support enactment of H.R. 2228, if these amendments are adopted.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. MACK of Washington. Mr. Chairman, I yield the gentleman 1 minute to ask him a question.

Will the gentleman from Michigan tell the House whether he and the gentleman from Pennsylvania have consulted with officials of the Wildlife Service in the Interior Department and tell us what their attitude on this matter is?

Mr. DINGELL. We have consulted with biologists and technical people in the Fish and Wildlife Service; we have discussed this at considerable length, with Mr. Keith McCarthy, who is administrative assistant to Mr. Ross Leffler, Assistant Secretary of the Interior for Fish and Wildlife, Mr. James T. McBroom of Fish and Wildlife, and others.

They are well aware of the things I have discussed in my remarks today, and have furnished us at our request, data planning and drafting assistance in framing the amendments we offer.

Mr. MACK of Washington. They are agreeable to the amendment?

Mr. DINGELL. They certainly are.

Mr. MACK of Washington. I thank the gentleman.

Mr. DINGELL. Mr. Chairman, I ask unanimous consent to revise and extend my remarks and that all Members who desire to do so may have the same permission.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. JONES of Alabama. Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin [Mr. REUSS].

Mr. REUSS. Mr. Chairman, the amendment to H.R. 2228 reserving the Dyke Marsh as a wildlife area for study and recreation is an excellent one.

Louis J. Halle, author of "Spring in Washington," describes why the Dyke Marsh is worth preserving:

For 2 hours I struggled through the marsh, filling the sky with ducks that took off from the inlets ahead of me, sometimes only 2 or 3, sometimes 15 or 20 at once. The quacking black ducks and mallards were heavy on the wing, circling in masses all about the horizon. Alongside them, the smaller baldpates, pintails, and wood ducks flew in swift, compact groups. They rose high in the air, circled, and came sweeping down in long curves over the reeds. They circled away again, exploring the whole marsh with its myriad veins, before they decided it was safe to put down and, on suddenly set wings, scudded all together over the grasstops and disappeared into some inlet hidden from view. When they put into the smaller inlets, they backed their wings and dropped vertically from 15 or 20 feet. Several times I flushed ducks no larger than pigeons, the green-winged teal, swiftest of all, sweeping like sandpipers over the marshes, here and away again before you knew it.

I could never hope to stalk any of these surface-feeding ducks for a closer view of them on the water, but the little groups of American mergansers on the two broadest inlets were not nearly so wary. I crept up to spy on their privacy from the rushes, until one of them would spy me. Then, croaking softly, they would all taxi along the inlet, splashing with wings and feet, at last rising from the water and, stretched taut, make off like arrows to the open river. On one inlet a horned grebe, when it saw me, sank down like a rock and did not reappear. On another, a coot pattered away from me about the bend. A greater yellowlegs flew across the outer edge of the marshes on its way north, far in advance of schedule according to the bird calendar (although that evening I saw half a dozen more migrating in a flock across the airport). Though it was not a warm day, little companies of gnats were to be seen about the wooded edges of the marshland.

To complete the picture, you have not only singing blackbirds and song sparrows to add: two eagles with white heads and tails were beating back and forth or soaring aloft; turkey vultures and a single female marsh hawk were circling or sweeping by; a red-shouldered hawk hung overhead; great blue herons traversed the grassy pastures with wings beating slowly and easily, alighting on their long stalks by the borders of inlets, taking off again with the peculiar buoyancy of their flight, as if they were not altogether heavier than air. Crews struggled into the wind. Gulls flapped past or circled out over the river. This abundance of life, virile and variegated, expanding over the countryside with the change of season, was worth an amphibious excursion from the highway.

In another description of the marsh, published by the Audubon Society of the District of Columbia in 1948, Halle mentioned other birdlife:

It is worth visiting Dyke well before dawn in May. All the red-wings in creation are there overnight, and at first light the marsh begins to give them off in black clouds. Kingbirds cannot wait for the real dawn to begin their cheepering, and other small birds have the same impatience. As the blackness begins to dim, it is already a sounding and resounding marsh. Most notable in the chorus are the long-billed marsh wrens, more at home than any other small birds among these reeds. In May the whole marsh becomes a wren city that wakes before dawn. By the time there is light enough to see, the wrenlets, carried off their feet by their own singing, are bobbing up and down above the reeds on fluttering wings, so that, as I have said elsewhere, you have the impression of an effervescence over the entire expanse of marsh. With the smoke of blackbirds billowing up at the same time, it seems to be releasing stored-up energy.

Summarizing the importance of the marsh, Halle said:

In some respects the marsh at Dyke is a more nearly inexhaustible field for the observation of birds than any other small area close to Washington. In absolute dimensions the Dyke marsh is smaller than the National Airport; but area is relative for the nature explorer. A small patch of woodland is bigger, for him, than a large expanse of lawn, if it takes longer to investigate. I have never thoroughly explored this marsh, though I have spent many hours struggling through it. A large part of its fascination is in the knowledge that more birds inhabit it than one has seen, so that one's expectations are never exhausted.

Moreover, this is the nearest thing to primeval wilderness in the immediate vicinity of the city; civilization has gone around it, leaving it still beyond the frontier. It combines this advantage for the lover of wilderness with that of being more accessible to Washingtonians than, say, Alaska.

I hope that the National Park Service will help to make the Dyke Marsh useful for amateur naturalists with serious and mature interests.

At the Audubon Society's Corkscrew Swamp sanctuary in the Everglades National Park in Florida, the visitor walks into the marsh on catwalks maintained for that purpose. A pair of catwalks strategically placed at Dyke would encourage its appreciation and enjoyment by the public.

Mr. JONES of Alabama. Mr. Chairman, I yield 1 minute to the gentleman from Vermont [Mr. MEYER].

Mr. MEYER. Mr. Chairman, it would seem to me from the remarks on both sides of the aisle that the amendments to this bill now assure that here in Washington we are going to set a good pattern for the rest of the country in maintaining our wildlife and recreational values.

Mr. JONES of Alabama. Mr. Chairman, I know of no further requests for time.

The CHAIRMAN. Under the rule the Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to protect more adequately the Mount Vernon Memorial Highway, and to add further to its memorial character, the Secretary of the Interior is hereby authorized to carry out the following transactions with the Smoot Sand and Gravel Corporation:

(a) The Secretary of the Interior is authorized to acquire certain lands in exchange for certain dredging and other rights on land already owned by the United States on the east side of the Mount Vernon Memorial Highway in Fairfax County, Virginia, extending from approximately station 426 to station 516+50, shown as areas "A", "B", "C", and "D" on plan numbered 105.22–415 in the files of the National Capital Park and Planning Commission and more particularly set forth as follows:

(1) To accept on behalf of the United States of America a good and sufficient title in fee simple, free of all encumbrances, to that piece of land lying on the east side of the Mount Vernon Memorial Highway and extending from approximately opposite station 459 to station 516+50, approximately five thousand seven hundred and fifty feet in length and averaging approximately eight hundred feet in width, and containing one hundred and ten acres, more or less, and as further shown as area "A" on said plan.

(2) To accept on behalf of the United States of America a good and sufficient title in fee simple, free of all encumbrances, to area "D" lying between area "A" and the Potomac River, and containing one hundred and fifty acres, more or less; the Smoot Sand and Gravel Corporation reserving unto itself, its successors and assigns, the right to remove sand and gravel therefrom for a period of thirty years, and for the same period reserving such riparian rights as may exist in area "D".

(3) To permit the Smoot Sand and Gravel Corporation, its successors and assigns, to remove sand and gravel from that part of United States property lying east of area "B" and opposite stations 426 to 459, to the extent of eighty-five acres, more or less, of the total one hundred and ten acres in area "C", as shown on said plan, for a period of twenty years, and for the same period granting such riparian rights as may exist in this area.

(4) To require that the scope of dredging operations necessary to remove the sand and gravel in areas "C" and "D" be so limited and conducted as not to undermine the adjacent shores of areas "A" and "B" and to provide that the Government shall have the right of ingress and egress from the Potomac River to the lands marked on the plan as areas "A" and "B" for the purpose of depositing dredged material in those areas; and to allow the workmen employed in the dredging operations at the locations described above to have access to the Mount Vernon Memorial Highway for the purpose of going to and from work, and to park their cars at designated places.

(b) The Secretary of the Interior and the Secretary of War are hereby further authorized to prescribe in any contract or contracts entered into pursuant hereto any other terms and conditions deemed necessary to protect the interests of the United States in the above transactions.

(c) All lands acquired by the United States pursuant to this Act shall be administered by the Secretary of the Interior through the National Park Service as a part

of the Mount Vernon Memorial Highway and shall be subject to all laws and rules and regulations applicable thereto.

(d) All dredging shall be performed in accordance with plans recommended by the Chief of Engineers and authorized by the Secretary of War as provided in section 10 of River and Harbor Act approved March 3, 1899 (30 Stat. 1151; 33 U.S.C. 403), as amended.

Mr. JONES of Alabama (interrupting the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

Page 2, line 6, after the word "Capital" strike out the words "Park and."

The amendment was agreed to.

The Clerk read as follows:

Page 3, line 22, strike out "War" and insert "the Army."

Mr. DINGELL. Mr. Chairman, reserving the right to object, may I just wonder if the distinguished chairman of the subcommittee would mind withholding action on this until after the other amendments.

Mr. JONES of Alabama. I may say that these are clerical amendments. This bill was originally presented at a time when there was a Secretary of War. That title was inadvertently carried in the bill when it was introduced. These are clerical amendments and do not disturb the substance of the bill.

Mr. DINGELL. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

The Clerk read as follows:

Page 4, line 8, strike out "War" and insert "the Army."

Mr. SAYLOR. Mr. Chairman, I offer several amendments and ask unanimous consent that they be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the amendments as follows:

Amendments offered by Mr. SAYLOR: Page 1, line 4, after the word "Highway," strike out the word "and" and after the word "character," on line 5, insert the following: "and in order to acquire an area of irreplaceable wet lands near the Nation's Capital which is valuable for the production and preservation of wildlife."

Page 3, line 5, after the word "acres", strike out the words "more or less".

Page 3, line 12, after the letter "B", strike out the remainder of line 12, and lines 13 through 16 to the semicolon.

Page 3, lines 21 and 22, after the word "Interior", strike out the words "and the Secretary of the Army are" and insert the word "is".

Page 3, line 25, strike out the period and add the following: ", including conditions governing the conduct of dredging operations, the deposition of spoil, and the revegetation of spoil areas, so that these activities will be carried on in such a manner as to provide for the preservation of wildlife values in areas 'C' and 'D'."

Page 4, line 3, after the word "Interior", strike out the balance of line 3 through line 5 and add the following sentence:

"The Secretary shall administer all of the lands described in this bill as 'A,' 'B,' 'C,' and 'D' so that Fish and Wildlife development and their preservation as wetland wildlife habitat shall be paramount, except such portion thereof that the Secretary shall designate as a part of the George Washington Memorial Parkway within one year from the effective date of this Act."

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Alabama.

Mr. JONES of Alabama. Mr. Chairman, the committee has had an opportunity to consider the amendments that have just been offered by the gentleman from Pennsylvania. They are acceptable to the committee. The author of this bill tells me that in his opinion they will strengthen the bill and remove certain questions that have arisen before these amendments were offered. Therefore, we accept the amendments.

Mr. MACK of Washington. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Washington.

Mr. MACK of Washington. Mr. Chairman, we on our side concur in the statement of our chairman. The amendments are acceptable to us.

Mr. BOW. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Ohio.

Mr. BOW. May I ask the gentleman whether his amendments will clarify an unfortunate situation we have in connection with the Potomac River and the pollution of that great body of water? Is there anything being done to help correct that situation that exists here in the Nation's Capital?

Mr. SAYLOR. I may say to the gentleman from Ohio that some things are being done to correct that situation, but they do not have an appropriate place in this bill.

Mr. BOW. There is nothing in this bill that will be helpful from that standpoint?

Mr. SAYLOR. No.

Mr. BOW. I wish there was some way to get that in here so that we could correct some of this unfortunate situation.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Pennsylvania [Mr. SAYLOR].

The amendments were agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. THOMPSON of New Jersey, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2228) to provide for the acquisition of additional land along the Mount Vernon Memorial Highway in exchange for certain dredging privileges, and for other purposes, pursuant to House Resolution 237, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed and a motion to reconsider was laid on the table.

JOHN FOSTER DULLES

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, the Nation well may mourn the circumstances that have forced John Foster Dulles to relinquish the Cabinet post in which he has so faithfully and honestly served his Nation and the world. Truly, he has consumed himself in patriotice devotion to duty. There is no question but that his skillful diplomacy and thorough understanding of the peril of our age have done much to prevent a cold war from flaming into an atomic holocaust.

Mrs. BOLTON. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield to the gentlewoman from Ohio.

Mrs. BOLTON. Mr. Speaker, the word that reached us earlier in the day that our gallant Secretary of State had given his resignation to the President has brought sadness and deep regret to millions both here and across the seven seas.

John Foster Dulles has served as few men have done, but he has determined that he can no longer carry the full burden of his great office, follows the same consecration as all the acts of his public life. Few men have brought to the Cabinet and to the Department of State greater knowledge of world affairs. Certainly no man has given so completely of himself as has this dynamic public servant. He now steps aside that the country he loves and the world as a whole may not be placed in jeopardy by his physical disability.

There are no words in which to express the sadness with which we accept his verdict. Surely there is no heart that does not bleed for him and for the exquisite woman, his wife, whose love and understanding are a vital part of his strength, his courage, and his indomitable will.

Let us hope for this gallant pair that they may now have a period of even closer companionship than they have yet had, blessed by the gratitude of these United States and of the people of the free world.

INVITE THE DALAI LAMA TO THE UNITED STATES

Mr. ASHLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHLEY. Mr. Speaker, recent events in far-off Tibet, like those in Hungary 3 years ago, have caused widespread concern for the safety of a brave and proud people who have dared to oppose the dictates of communism.

The citizens whom I represent in Congress, residents of the Toledo, Ohio, area, have expressed to me their profound sympathy with the people of Tibet and with their temporal and spiritual leader, the Dalai Lama. It has been their suggestion, with which I wholeheartedly concur, that an appropriate invitation be extended to the Dalai Lama to visit this country and to remain here for whatever duration may meet his pleasure.

In light of the difficult diplomatic position of India, present sanctuary of the Dalai Lama, this suggestion would appear to be especially timely.

While Nehru has said that India "cannot ignore, forget, or look away" from events in Tibet, it is clear that India is in no position to jeopardize her diplomatic relations with Red China. Thus it becomes apparent that the Dalai Lama's presence in India will pose an uneasy problem. In this connection, it is noteworthy that Mr. Nehru has said that while India has no intention of placing "undesirable curbs" on his activity, he hopes the Dalai Lama "would not take away any steps here which would embarrass us and him."

Surely the implied restraint on the Dalai Lama's freedom of expression which Mr. Nehru's comment suggests, would evaporate upon his arrival to the United States.

Mr. Speaker, our country has won both gratitude and esteem from millions of freedom-loving people for the sanctuary which we have accorded Cardinal Mindzenty. I know that a like expression of readiness to open our doors to the leader of the Tibetan people would also have the approval of the civilized world. It is with these thoughts in mind that I have asked President Eisenhower to extend an appropriate invitation to the Dalai Lama, and I hope there will be others who express similar sentiments.

HERTER WINS ACCLAIM AS ACTING SECRETARY OF STATE

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, it is not often that a substitute, called in to fill the shoes of a star regular, at a critical moment in the game, is able to play his position with the skill and dependability of Christian A. Herter.

The illness of Secretary Foster Dulles, aggravated by overwork, deprived the free world of his great services at a tense crisis in the cold war. The Communists moved in quickly to exploit this advantage.

They failed to evaluate the sound preparation and the diplomatic ability of Under Secretary Herter, who quietly stepped into the breach.

Schooled in his youth as a member of the U.S. Foreign Service, Herter gained valuable experience and knowledge as State representative, Congressman, Governor of Massachusetts, and Under Secretary of State.

Without fanfare, Herter has developed a reputation for "getting things done."

He became the right-hand man of Foster Dulles who recognized his talent for statesmanship.

Eventually, the Communists will discover his unobtrusive but expert leadership too late and to their dismay.

To inform our fellow Americans as to the qualities of our next Secretary of State, I include in the CONGRESSIONAL RECORD the following editorial entitled "Herter's Assets Many and Valuable," from the April 7, 1959, issue of the Evening Tribune, Lawrence, Mass.:

HERTER'S ASSETS MANY AND VALUABLE

Acting U.S. Secretary of State Christian A. Herter has been stepping more and more into the limelight of late during the prolonged illness and absence of Secretary Dulles.

It is now generally expected that he will succeed Dulles in due time. But this development has brought forth some expressions of concern that Herter will not show the bold leadership in foreign policy during the next 3 years that Dulles has shown in the past five.

This attempted belitting of Herter's statesmanship does not seem to be justified by his record. Dulles may be the more able international lawyer. Herter is by far the more experienced politician.

As Massachusetts Governor, Herter is credited with having established a State development commission and department of commerce. Both were successful in bringing new business to this State and overcoming local depressions.

Other Herter commissioners worked out programs of court and prison reform. He was active in setting up the Massachusetts student loan plan and a New England interstate compact on education, although the latter was never activated.

In all, Herter, as Governor, was credited with getting 85 percent of his program through the Massachusetts State Legislature.

Dulles has just turned 71; Herter 64. But it is interesting to note that as young men, both put in some years in the U.S. foreign service. Both were staff assistants to President Wilson at the Paris peace conference in 1919. Herter then directed the Hoover Relief Commission in Europe.

Returning to civilian life, Dulles went back to corporate law practice. He did not again become active in foreign affairs until he was made a delegate to the 1945 United Nations charter conference in San Francisco.

Herter went into poltics. He served 10 years in the Massachusetts Legislature, 10 years in Congress, 4 years as Bay State Governor. His record here showed plenty of talent as a leader and a maker of public policy.

In Congress, Herter served on Joint Economic and Foreign Relations Committees. His principal achievement there was in seizing the Marshall plan idea and lining up the support which put it through the Republican 80th Congress.

As chairman of the Herter subcommittee on foreign relations, he led his group on a first hand survey of Western Europe to determine its economic needs and capabilities. Over the years, Herter has probably given more support to the foreign aid program than has Dulles.

This experience in getting along with lawmakers has stood Herter in good stead in dealing with Congress. As an ex-member of their club, Congressmen respect him. Having good relations with Congress is important for any Secretary of State—as Dulles well knows.

In the 2 years that Herter has been Undersecretary of State he has necessarily worked more behind the scenes as operating head of the department. Dulles has been front man and spokesman.

But during Dulles' many absences from Washington, it has been Herter who has made the day-to-day decisions, held the staff conferences, seen the diplomats and run the operations control board which carries out the policy decisions.

And any effort to sell him short would be a mistake.

FAIR LABOR STANDARDS ACT

The SPEAKER. Under previous order of the House, the gentleman from New Jersey [Mr. THOMPSON] is recognized for 60 minutes.

Mr. THOMPSON of New Jersey. Mr. Speaker, as a member of the Committee on Education and Labor I have taken a particular interest in the operation of the Fair Labor Standards Act, which is designed—in its own words—to safeguard the health, efficiency and well-being of American wage earners.

Every year since I have had the honor of sitting in this House, there has been discussion about the amount of the Federal minimum wage, the extent of the law's coverage, or both. Almost every year there have been hearings before the labor committee on various proposals to strengthen the law.

This year, I am glad to say, it seems likely that our discussion will bear fruit. I am sure that a substantial majority of this House, and a substantial majority of our distinguished colleagues in the Senate, share my view that wage-hour improvements can no longer be delayed.

The question that will confront us in the committee, and will later be raised when a bill is reported, is this: What improvements should be made at this time? How far can we safely go toward relieving the plight of the underpaid and exploited workers among us, without damage and disruption to the economy as a whole?

The answer to this question is, of course, a matter of opinion, on which we can expect differences. In committee we will hear a wide variety of witnesses, who will urge upon us a wide variety of conflicting actions. Each Member of this House, I am sure, has already begun to receive communications, equally conflicting in their views on this issue.

All these witnesses and all these communications—as my colleagues fully realize—are to some degree suspect. They are suspect, not because they intend to deceive, but because each of

them presents and interprets the facts that best support a certain viewpoint. The task of the committee, and of the House as a whole, is to sift these various presentations, to analyze them, and to arrive, as best we can, at a fair and reasonable conclusion.

Fortunately, we have available to us in this effort a considerable volume of data which—in theory, at least—was not compiled to support any predetermined point of view. I refer to the continuing economic studies carried on by the Department of Labor, the Department of Commerce, and their various subsidiary agencies.

These studies, conducted by professional economists whose only interest is to learn and report the truth, tell us at regular intervals what is happening to wages, employment, hours of work, living costs, and many other aspects of our national life. They provide a yardstick against which we can measure the pleas and opinions of those who are urging us to move in one direction or another.

In addition, many years ago the Congress, in its wisdom, directed the Secretary of Labor to study the effects of each increase in the Federal minimum wage and to report his findings. It was recognized that a study of what happened in the past would be of invaluable assistance to Congress in deciding its future action.

Congress clearly intended the Secretary of Labor to make full use of the data regularly compiled by his Department, and to make whatever additional studies might be necessary.

And Congress clearly intended that these should be factual and scientific reports, unclouded by preconceived opinions or political prejudice. We do not need to pass a law in order to bring before us another special pleader. We get plenty of those, without legislation or invitation.

I am not suggesting that in submitting these reports to Congress the Secretary of Labor should refrain from adding his own interpretation of them. It is entirely proper for him to interpret the figures and to make recommendations based upon his interpretation.

But I submit, Mr. Speaker, that the Secretary of Labor has a solemn obligation to interpret his reports honestly, sensibly, and factually. I submit that a Cabinet officer, even though he is of a different political party than the majority in Congress, has a moral obligation to correctly represent the facts gathered by his Department, and no officer has a right to distort the facts in an attempt to justify his conclusions.

Yet that is exactly what the Secretary of Labor has done this year. His treatment of his report on the impact of the $1 minimum wage—a report which I, for one, was awaiting with great interest—is a deceptive, classic example of deliberate deception.

Let me call your attention to the sequence of events involving this report.

On March 12, Secretary Mitchell submitted the report to Congress. More precisely, he sent copies to you, Mr. Speaker, and to the Vice President, as the Presiding Officer of the Senate.

Along with this report, which covered some 700 closely typed pages, he sent what purported to be a covering letter—a letter which supposedly summarized the report, and which contained his recommendations.

On that very same day, the 12th of March, the Secretary of Labor released to the press the text of his letter. This was duly reported, throughout the Nation, as a fair summary of the Department of Labor's findings, and the resulting recommendations of the Secretary of Labor.

Meanwhile, what had happened to the report itself—the 700 pages which supposedly supported the Secretary of Labor's position?

As I have mentioned, copies were in the hands of the Speaker and of the Vice President. But no copy was available to the members of the House labor committee, or the Senate labor committee.

No copies were available to the press, except one—and that one was in the Secretary's office, where it could be inspected by newspaper reporters who had the time to wait in line for the chance. In effect, it was not available at all.

Why was this so?

At the time—on March 12 and for the next several days—those of us who inquired were told that the mechanical task of reproducing so many pages had delayed the issuance of the report.

Even then this seemed like a lame excuse; for the matters contained in the report were not last-minute news, or stop-the-press bulletins. Presumably the report dealt with certain economic developments that took place in 1956—as, indeed, it did. Surely the data had been compiled long ago, and could have been printed in time to accompany the Secretary's letter.

The real reason for the delay became clear only after copies of the report began to emerge—slowly and painfully, one by one—from the Department of Labor.

I have now read this report. I have also studied an analysis prepared by the research department of the AFL–CIO, which seems to me to be accurate in every detail.

I fully concur with Mr. George Meany, the president of the AFL–CIO, who—in a letter to you, Mr. Speaker—charged that "there is not a shred of information" in the Secretary's report to justify his account of it.

I want to call attention to two sentences in Mr. Meany's letter, which strike at the root of this matter. He said:

> It is one thing for the Secretary to oppose an increase in the minimum wage on the basis of his own beliefs and prejudices. It is quite another, and we think reprehensible, matter for the Secretary to pretend to Congress that his opposition is based upon this report.

The report—the 700-page document prepared by the Department of Labor experts, the document that was so elusive a month ago—proves beyond question that the $1 minimum was readily absorbed by the economy; that it caused very little disturbance even in the lowest-wage industries and areas; and that whatever damage may have been caused by this small disturbance was more than offset by the beneficial effects to the communities involved.

That is what the report said. But what did the Secretary of Labor say?

He said the $1 minimum did cause disruption and damage to the economy. He said it caused unemployment, especially in certain low-wage industries. To back up this latter point, he even quoted some statistics.

The trouble is, the statistics were wrong.

Secretary Mitchell told this Congress that "according to monthly data published by the Bureau of Labor Statistics, 16 out of 22 low-wage industries showed a noticeable drop in employment" as a result of the $1 minimum wage.

It is not quite clear just what period of time the Secretary has in mind. I assume he did not mean the period of the Eisenhower recession. What he is supposed to be discussing is the period directly after the $1 minimum went into effect in March 1956.

Let us see what the figures really show. And bear in mind, these are figures from the Bureau of Labor Statistics, an agency within the Department of Labor.

The BLS figures for the period from April 1955 to April 1956—a logical comparison—show that in these same 22 low-wage industries, employment declined in 12, not 16. And in 4 out of the 12, the decline was less than 1 percent.

On the other hand, in 10 out of the 22 low-wage industries, there was actually an increase in employment. And for the 22 as a whole, there was no change. The gains balanced the losses.

Considering that this constant employment was at generally higher wages, the sensible conclusion is that the net effect of the $1 minimum was good.

But the Secretary of Labor obviously did not want to arrive at this conclusion. Therefore he brushed aside the accurate, up-to-date figures of his own agency, the Bureau of Labor Statistics, and substituted vaguely identified figures of his own, which he claimed were from the same source.

I regret to say, Mr. Speaker, that the same sort of distortion and misrepresentation pervades many of the Secretary's interpretations and recommendations. Let me add just a few words about his view of the future.

Secretary Mitchell opposed an increase in the minimum wage on several grounds. For one thing, he said it would cause "disemployment."

I am not quite sure why the Secretary used that particular word, which I gather is his own invention. I suppose it is the domestic equivalent of disengagement, in the sense of workers being disengaged from their jobs. Or perhaps "disemployment" is a new ailment, developed under this administration—a sort of economic fallout.

Possibly the Secretary just wants to give us something to remember him by. Warren G. Harding gave us "normalcy"; Secretary Mitchell offers us "disemployment." For the Nation's sake, I hope the comparison is not carried too far.

In any case, "disemployment" is what the Secretary says would result from a higher minimum wage. Yet the only basis for such an argument is the record of previous increases; and as I have shown, that record—despite the Secretary's distortion of it—is favorable.

To be sure, it would be a different matter if the legislation we are proposing would have a far greater impact than previous increases in the minimum wage. However, that is not the case. The best available figures indicate that our bill would cause an increase of only about 1 percent in factory wage payrolls. That compares with an increase of eighty-five hundredths of 1 percent—85 percent as much—caused by the 1956 amendments, an increase that was taken in stride by our economy.

This leads me to Secretary Mitchell's second principal objection to a higher minimum wage. He argues against it on the grounds that too many workers are now earning less than the $1.25 we propose.

I submit that this argument is ridiculous by any measure.

If, indeed, an excessive number of workers are earning less than $1.25 an hour, I submit that it is high time for the Congress to act. As any number of studies—including studies by the Department of Labor—make clear, $1.25 an hour is barely enough to provide a minimum standard of living for a single, self-supporting individual.

The Secretary is saying, in effect, that we do not dare try to solve a pressing national problem simply because it is too pressing. This may well reflect the attitude of the present administration toward many aspects of our national life, but I do not think it is an attitude acceptable to this House.

In conclusion, Mr. Speaker, I want to revert back, not to the merits of the wage-hour bill, but to the tactics of the Secretary of Labor.

He submitted to the Congress a letter which at best distorted and at worst flatly misstated the contents of a report which he was obligated by law to compile.

He failed to make available, until much later, copies of the report itself; so his letter could not readily be checked against the facts.

By this action, the Secretary of Labor deceived and confused those he was duty-bound to assist and inform. And by giving widespread publicity to his letter, when the report was not available, the Secretary of Labor attempted to deceive and confuse the American people.

We all know how difficult it is for the truth to catch up with such deception. The Secretary of Labor has provided us with an outstanding example.

Two weeks elapsed between the time the Secretary publicized his letter, and the time when the 700-page report could be located and analyzed.

In that interval, the affair had become "old news." The letter which Mr. Meany sent to you, Mr. Speaker, pointing out the Secretary's distortions and misstatements, received little or no publicity. Only a few of our fellow citizens are aware that the Secretary of Labor's statements were false and his recommendations without foundation.

I must say, with regret, that this is not the first time Secretary Mitchell has disregarded the facts—and disregarded what he privately expresses as his convictions—to serve the narrow, partisan interests of an administration dominated by big business. It is simply the most flagrant example.

For my part, I am tired of seeing the Secretary of Labor pose as the one liberal voice in a reactionary Cabinet, when every time the chips are down—whether on minimum wages, unemployment compensation or labor reform—he winds up playing the administration's game.

The performance of the Secretary in this instance was not, I regret to say, unique. On a number of other occasions, involving this and other issues, he has resorted to contradictions, rapid footwork and just plain hokum.

For example, there was the matter of the labor reform bill of last year, known in the Senate as the Kennedy-Ives bill.

This legislation was drafted, as you know, by the distinguished Senator from Massachusetts, [Mr. KENNEDY], who, I am proud to say, is a Democrat, and by the then senior Senator from New York, who has since retired, the highly respected expert on labor-management affairs, Irving M. Ives, who is a Republican.

Mr. Ives had every reason to believe that in helping to draft the bill, he was reflecting the position of the administration, and in particular the views of the Secretary of Labor. He spared no effort to shape the bill in such a way that it would attract broad, bipartisan support. But what happened?

The Secretary of Labor, without any prior warning, and while he himself was in Geneva, Switzerland, caused to be issued in his name a scathing attack on the Kennedy-Ives bill. He denounced the bill even though he knew full well that it contained most of the provisions he himself had recommended in his public statements.

I do not maintain that the Kennedy-Ives bill included all the provisions Mr. Mitchell had advanced at one time or another. But I do say it came close enough to merit his support, and far too close to provide any basis whatever for his intemperate attack on it. Mr. Mitchell should know enough about the legislative process not to expect any bill to meet in every detail the specifications set forth by one point of view.

Then there is the matter of Federal standards for unemployment compensation. For 5 years the Secretary of Labor has been exhorting the State legislatures to improve their unemployment benefits to yield, on the average, 50 percent of weekly earnings. He has not succeeded. Last fall he acknowledged his failure, and announced that he had joined those of us who believe that only a system of Federal standards can achieve that desirable end.

That was last fall. Now it is spring, with the votes counted and Congress in session; and the Secretary has changed his mind. At any rate, he has changed his speech. He's not for Federal standards any more.

We find the same old refrain when it comes to the coverage of the wage-hour law. Time after time, the Secretary of Labor has expressed the view that coverage should be broadened. Only a few weeks ago, in a speech he delivered in California—with a picket line of unprotected and underpaid farm laborers outside the hall—he even came out for the extension of the Fair Labor Standards Act to agriculture.

But once again, when we get right down to cases, when we are trying to carry out some of these objectives and we look for the Secretary's support, we look in vain. We get the sort of thing he offered us in his letter—the extension of the provisions on wages, but not on hours, to a relatively few workers, many of whom are in establishments which have already been organized by trade unions and where, as a result, the need is least pressing.

I was glad to read in the newspapers last week that in his address to the AFL–CIO's unemployment conference, Secretary Mitchell confessed that the administration had not done as much as he would have liked to see done about the unemployment problem. I admire his candor on that point. I only wish he would be more candid more often.

There is a widely held belief that Secretary Mitchell, if he were free to follow his own convictions, would generally be found on the side of liberalism and progress. For all I know this may be true. Certainly the continuing personal friendship between the Secretary and the leaders of organized labor—despite their sharp differences on the policies the Secretary eventually has to advocate—indicates that they feel his heart is in the right place.

But I submit, Mr. Speaker, that the location of the Secretary's heart is less important than the way in which he exercises his influence and his position. It does not help the Congress, and it does not help the people we represent, for the Secretary of Labor to believe in his heart that the minimum wage should be raised, when his actual recommendation is that it should not.

I would much prefer the Secretary to say what he believes, to believe what he says, and to base both his beliefs and his words on the facts as developed by his own professional experts.

As I have said, there have been other instances in which the Secretary of Labor, in order to serve the political purposes of the present administration, has ignored what he knows—or certainly ought to know—is in the public interest. I should like to discuss some of these instances.

As I have pointed out, the position which the Secretary of Labor has taken on the raising of the minimum wage under the Fair Labor Standards Act to $1.25 per hour is not justified by the facts available in his own Department Those facts make clear that an increase in the minimum wage has not caused any appreciable dislocation in the economy, has not forced any appreciable unemployment, even in the low wage sectors of the economy, and has not been a noticeable hardship for any employer. Nevertheless, the Secretary of Labor has continued to insist that an increase

in the minimum wage above the present level of $1 an hour would be inflationary and would do serious damage to our economy.

The Secretary's position on the extension of coverage under the Fair Labor Standards Act has been equally equivocal. When in 1955 the proposals were made to broaden the coverage of the act, as well as to increase the minimum from the then level of 75 cents an hour, the Secretary informed the Congress that he thought the coverage of the act should be broadened. When he was pressed, however, as to what the precise recommendations of the administration were for extension of the act's coverage to particular groups of employees, he refused to give the Congress any recommendations along this line. The Secretary then took the position that the devising of proposals for extension of the act's coverage was the task of the Congress, not of his administration.

By taking this position, the Secretary deliberately withheld from the Congress the benefit of the informed views of his Department—the Department which in fact administers the Fair Labor Standards Act—as to the areas in which extension of coverage was most needed and most justifiable. His action left the Congress in a most difficult position and the result was that while the minimum wage was raised to $1 an hour in 1955, no action was taken to broaden the coverage of the act.

Subsequently, after Congress gave the Secretary of Labor money to conduct an exhaustive study of wages in retail trade, the Secretary made certain recommendations to Congress for the extension of coverage of the Fair Labor Standards Act. These recommendations, however, were grossly inadequate and simply did not meet the needs which his own Department, in report after report, had indicated were of paramount importance from the standpoint of improving the effectiveness of the act. Time and again the Secretary, when pressed by congressional committees for his proposals and his advice on extension of coverage of the Fair Labor Standards Act, has failed completely to provide the Congress with any leadership in this vital field.

The Secretary of Labor has likewise failed to measure up to his responsibilities as a spokesman in the administration for the welfare of the wage earners of the United States by the vague and often contradictory positions he has taken on legislation dealing with abuses in the labor and management field and with amendments of the Taft-Hartley Act. Last year, for example, the Secretary at first opposed and then agreed with the inclusion of a provision in the Kennedy-Ives bill to permit him to exempt small unions with less than 200 members and having gross annual receipts of less than $25,000 from the application of the reporting requirements provided for in that legislation. Indeed, the Secretary's last-minute agreement to accept this provision was one of the principal factors that made possible the nearly unanimous vote in favor of the Kennedy-Ives bill.

This year, I am informed, the Secretary of Labor is once again opposing inclusion of a provision in the Kennedy-Ervin-Cooper bill which would give him the authority to exempt small unions having less than 200 members and gross annual receipts of less than $20,000. He has taken this position on the specious basis that many of the abuses revealed by the McClellan committee have taken place in small unions. In this connection, he has endeavored to direct particular attention to the so-called paper locals of the Teamsters' Union which were formed under the leadership of Johnny Dio in New York City. Anyone who has taken pains to study the provisions of the Kennedy-Ervin-Cooper bill and the hearings of the McClellan committee is aware, however, of the fact that the type of situation involving the paper locals in New York City which were formed under the domination of Johnny Dio would not and does not purport to be cured by the reporting requirements of the Kennedy-Ervin-Cooper bill. The situation of these locals would be dealt with by other provisions of the bill as to which no exemption for small unions is provided for. It is not known whether the Secretary will maintain his position in opposition to the exemption of small unions this year or will, as he did last year, agree to the inclusion of such an exemption. While we all hope that the Secretary will not obstruct the enactment of constructive labor-management reform legislation, it is already clear that we are not going to have the benefit of much guidance or leadership from the Secretary in dealing with this most difficult field.

In this connection, it is worth pointing out that by insisting on the inclusion of provisions dealing with secondary boycotts and so-called organizational picketing in labor-management reform legislation, the Secretary of Labor is deliberately jeopardizing the possibility of enacting fair and effective legislation in this field. In the first place, it is far from clear that anyone has yet been able to devise provisions that will adequately prohibit undesirable secondary boycotts and picketing that will not at the same time interfere with perfectly legitimate activities of labor organizations. The field of labor-management relations is difficult and controversial and it is most important that Congress be alert to prevent either side from gaining an undue advantage over the other as a result of legislation which is passed in this field.

Finally, while I think many of us applaud the frequently repeated assertion by the Secretary of Labor of his opposition to so-called right-to-work laws, the Secretary has consistently opposed legislation to repeal section 14(b) of the Taft-Hartley Act. This section is the Federal statute that provides the legal basis for State right-to-work laws.

The Secretary of Labor has said that while he opposes right-to-work laws he hopes—and I am sure he hopes with his might and main—that the States that have right-to-work laws will repeal these laws. Yet the Secretary knows—he must know if he has any concern for the facts—that while a number of the States last November rejected right-to-work laws, few States that have such laws have taken steps to repeal them. It is indeed most unlikely that these laws can be gotten rid of by State action. Only Federal legislation repealing section 14(b) of the Taft-Hartley Act will do the job.

Mr. FOLEY. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from Maryland.

Mr. FOLEY. Does the gentleman believe the Secretary of Labor disremembers the 1953–54 recession and the economic dislocation; namely, unemployment, or, in the gentleman's opinion, does he disremember the close to over 5 million unemployed in the 1957–58 recession in his selection of "disemployment"? Is that a new term coined to euphemize unemployment?

Mr. THOMPSON of New Jersey. I think it is sort of a sweetening term, perhaps the least invidious he could think of to describe this particular situation. He says some rather engaging things, and I understand is going to eat a hat if things do not improve radically in the near future. Then he will be "disposed" of a hat, I suppose.

Mr. FOLEY. Would you say he might be indisposed if he ate a hat?

Mr. THOMPSON of New Jersey. Possibly, if it is the hat I saw him wearing last, I think he might be indisposed.

The only basis for his argument is the record of previous increases and, as I have shown, in that regard despite his distortion of it, it is favorable.

THE COFFEE PROBLEM—WE MUST ALSO PROTECT THE AMERICAN CONSUMER WHILE TRYING TO HELP LATIN AMERICA—INTRODUCTION OF TRADING CONTROL BILL

The SPEAKER pro tempore (Mr. PATMAN). Under previous order of the House, the gentlewoman from Missouri [Mrs. SULLIVAN] is recognized for 15 minutes.

Mrs. SULLIVAN. Mr. Speaker, this being Coffee Day in Latin America in observation of the importance of that commodity to the economies of nearly all of the Latin American countries, it is an appropriate time, I believe, to reemphasize the need for at least some minimum protection for the American consumer in case the hopes and aspirations of the Latin Americans should materialize for a substantial surge upward in green coffee prices.

Without in anyway detracting from the good neighborliness reflected in our ceremonies here yesterday in recognition of Pan American Week, I want to bring to the attention of the Congress, as well as to our friends of Latin America, the fact that stability in coffee prices is mutually important to all of us. Unfortunately, there has grown up a sense of antagonistic objectives as between the American consumer and the Latin American producer of coffee. When coffee prices are so high as to be a gouge on the American consumer—as happened 5 years ago—Latin America exults in a resulting prosperity. And now in this

year, when coffee prices at the producing end are so low as to cause concern bordering on alarm in Latin America, the American consumer tends to rejoice in the comparative reasonableness of the grocery store price of this much-desired item in the menus of most American families.

STABILITY MUST BE TWO-WAY STREET

For the good of all concerned, we need, instead of periodic violent ups and downs in coffee prices—feast or famine in Latin American having a reverse effect of famine or feast in American consumer uses of coffee—we need instead sincere efforts toward assuring fair prices both for producer and consumer.

I am not proposing any formula. I do not possess one. We are all familiar with efforts of the producing nations to operate a quota program to cut down on exports of coffee, particularly in sales to the United States. We are also familiar with efforts of our own Government, through various programs, loans, and other devices, to help the governments of the Latin American nations to stabilize their economies.

All I want to point out is, that our effort should not and must not be all in one direction. For under present circumstances, we in this country, as consumers, are virtually helpless in case a combination of events and activities below the Rio Grande should suddenly result once again in an excessive rise in price to the American consumer.

GREEN COFFEE PRICE RISE WILL SHOW UP IMMEDIATELY IN STORES

The coffee importing industry here is coasting along right now on extraordinarily low inventories of green coffee. As the price of coffee at the producing end fell, purchases and imports by American firms also fell. The practices of the coffee industry in this country are such that we can probably look for a sudden spurt in coffee buying and in imports as the price in Latin America might rise. And as green coffee prices rise, grocery store prices go right along with them. That has been the experience.

Five years ago, in the wake of a fake shortage scare, American importers went wild in buying coffee, and as they bought to beat the alleged or imagined shortage, in effect they tended to cause one which had no basis in actual supply and demand. The Federal Trade Commission investigation of 1954 proved that. Five roasters in this country built up incredible inventories of green coffee under this fear psychology, leading to an incredible price rise to an ultimate level of $1.32 per pound in the grocery stores. Five years is not so long ago that we cannot remember vividly the coffee shortage hoax which cost American consumers hundreds of millions of dollars.

CHANGE IN AMERICAN COFFEE BREW

The American consumer—the housewife—learned a lesson in economics in that episode which has been a bitter thing to Latin America ever since. She learned that as coffee prices rose, she could satisfy her family's penchant for coffee only by cutting down on the strength of the brew. Instead of the customary 40 cups per pound, the housewife got into the habit of brewing 50 and 60 cups per pound—and many still do so. A coffee firm which had occasion to write to me the other day sent the letter on stationery printed with the company's advertising claim that its blend gives a guaranteed 70 cups of good coffee per pound.

In other words, we have been forced by economic circumstances of the terribly high prices of 5 years ago to develop what amounts to a new national taste in coffee—the blend we drink now is much different from that of 5 years ago, and it goes much further. And the soluble or instant coffees have spurted in sales primarily as a result of the high prices of 5 years ago. Certainly this is a headache for Latin American producers, since we drink more cups of coffee now without necessarily buying more green coffee.

This should serve as a warning to our producer friends of Latin America to recognize the need for keeping the American customer's buying habits and budgets in mind, and not seek to raise coffee prices excessively. There has to be a level of reasonableness—or we as consumers and they as producers all suffer far-reaching consequences.

FTC SUGGESTS REGULATION OF TRADING PRACTICES

However, Mr. Speaker, I did not ask for this time today in order to lecture Latin America. That is not my purpose. I speak primarily to the needs of the American consumer, merely pointing out to our Latin American friends that we have a mutuality of concern in a common problem, and that solutions must be fair to both groups.

The history of the coffee inflation of 5 years ago, based on false information about a great shortage which did not in fact exist, and aggrevated by a series of startling irregularities in coffee futures trading in the exchange in New York, brings to mind that one of the few suggestions made by the Federal Trade Commission in 1954 for avoiding this kind of hoax and scare in the future called for the passage of a simple bill by Congress to place futures trading in coffee under the Commodity Exchange Act.

The FTC also suggested better crop reporting, and we have made progress in that. Agriculture Department estimates on coffee supplies have been generally accurate in recent years, particularly when they disputed self-serving estimates sometimes put out by any of the producing countries. But we have not yet taken the simple step of providing for proper regulation of speculation in coffee futures. Bills which I introduced in previous Congresses to carry out this major recommendation of the FTC have all languished in committee and died with the 83d, 84th, and 85th Congresses. Today, Coffee Day, I am reintroducing this bill to add coffee to the list of commodities subject to the Commodity Exchange Act.

LARGE LIST OF COMMODITIES SUBJECT TO ACT

Other commodities currently subject to such regulation are: wheat, cotton, rice, corn, oats, barley, rye, flaxseed, grain sorghums, mill feeds, butter, eggs, onions, Solanum tuberosum—Irish potatoes, wool, wool tops, fats and oils—including lard, tallow, cottonseed oil, peanut oil, soybean oil and all other fats and oils—cottonseed meal, cottonseed, peanuts, soybeans, and soybean meal. That is a pretty comprehensive list.

Onions and wool were added to this list just in the past few years—since the FTC urged that coffee also be included. Onions and wool were added because of congressional concern over manipulation of the market by speculative practices previously not subject to regulation.

Now is the time to add coffee. There is no imminent danger right now of a runaway coffee market—at least there does not appear to be any. Therefore, action to add coffee to the list, when the coffee market is down, could not set off any alarming reactions in Latin America as would be sure to happen if we were to take this action in the midst of a sharply rising market.

PRICE RISE IN GREEN COFFEE WOULD SHOW UP INSTANTLY IN STORES

Those who say "Why bother right now when coffee prices are down?" are like the fellow who saw no reason to mend his roof when the sun was shining, because "it ain't raining now." Of course, when it is raining, the repair work cannot be done.

My bill is no pat solution for the problems affecting the coffee industry. It is a minimum safeguard, however, for the American consumer in case we should again run into the kind of thing we experienced in 1953–54. The Federal Trade Commission, which originally suggested that Congress take this step, has shown absolutely no leadership in recent years in pushing for this legislation, just as it has not been very active in most other areas of its responsibilities. All the more reason then why we in the Congress must accept the burden of leadership on this.

With current low inventories of coffee on hand in this country—the figures show inventories dropped more than 100 million pounds, or 29 percent, during 1958 to give us the lowest yearend stocks on hand since the bubble broke in 1954—it is inevitable that every minor rise in green coffee prices will again be reflected instantly in higher prices in the grocery stores. This is the practice of the big roasters—according to the FTC report, they price not on actual cost of their coffee on hand but on replacement costs. So we will be on the price-rise merry-go-round immediately with any improvement in producers' prices brought about by tighter export restrictions or by currency manipulations in Latin America.

WE HAVE NO PROTECTION AGAINST SPECULATIVE IRREGULARITIES

If, in addition, the coffee futures market remains vulnerable to all kinds of irregularities in trading and speculative practices because of the absence of any day-to-day governmental regulation such as we have for so many other commodities, the American consumer will certainly suffer for it.

And Congress will be derelict in protecting the people who elect the Congress.

Sure, we can blame the executive department for lack of leadership, or of imagination and energy on this matter. But we already have enough political ammunition of that nature to carry us well through 1960. The point is that instead of political ammunition to berate a complacent and unimaginative administration, we need continued strong leadership here to point the way to solutions of problems which cry for attention. And trading in coffee futures is one of those problems.

I sincerely hope that the Committee on Agriculture will soon schedule hearings on this bill, and particularly call in the Federal Trade Commission staff experts who pointed the way 5 years ago to one of the few means available to the United States to protect our consumers from trading irregularities and manipulated prices on coffee.

The State Department is busily seeking to help the Latin American economies, and we all go along with that idea. But let us not forget the American consumer. Five years ago, the State Department was completely taken in by the fake reports of a shortage of coffee and in correspondence which I placed in the CONGRESSIONAL RECORD in 1954, flatly assured me there was nothing to be done about the high price of coffee because the coffee supplies were alarmingly low.

Seldom has an American Government agency been so completely wrong on its facts on a matter affecting so broadly the entire American public.

COFFEE IS OUR BIGGEST SINGLE IMPORT ITEM

Coffee, dollarwise, is the largest import commodity coming into the United States. It is one of the few over which there is absolutely no form of governmental control to prevent trading irregularities and manipulation of the market. This is an intolerable situation.

I salute Latin America on Pan American Week and on Coffee Day. The governments of Latin America are doing everything they can think of to raise coffee prices as a means of raising income levels. There is no reason why they should not obtain fair prices for this major crop. But, unless we pass legislation such as I am introducing today to place trading in coffee futures under the Commodity Exchange Act, what protection is there for our consumers if, as I said, the hopes and aspirations of Latin America for a great surge in coffee prices should materialize?

Considering that we need about 3 billion pounds of green coffee a year, it is easy to see what each 1-cent increase in the price means to us as consumers. We don't want to hold prices unfairly low; but we need at least minimum protection to keep them suddenly in the future from again going through the stratosphere, as they did in 1954, when the need for this legislation was so dramatically called to our attention.

THE OPPORTUNITY TO CREATE A FREE SOCIETY

Mr. LANE. Mr. Speaker, I ask unanimous consent to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, the United States was built by people who dared every hardship for the opportunity to create a free society. For generation after generation, we opened our arms to the poor and oppressed peoples of Europe.

In every land, people dreamed of the day when they would be able to come to the United States, the sanctuary of freedom. Once here, they knew that we would never betray them to the oppressors from whom they had escaped.

The upheavals of World War II made it possible for many of these people to escape the clutches of communism. Millions of displaced persons and refugees found temporary safety behind the lines of the advancing American armies. The United States, dedicated to the principle of human rights, could not in good conscience, send these victims back to the doom that is communism.

Responding to their appeals for help, the Congress enacted the Displaced Persons Act, the Refugee Relief Act, and other laws to temper justice with mercy, so that those who fled to the United States would not have to fear that at some future time they would be forcibly returned to the lands where terror rules.

It is true that a few of them, in desperation, managed to reach the United States without the formalities of proper papers. Others, who did enter through regular channels, subsequently suffered mental breakdowns which could be traced to the nightmare of Communist persecution which has been known to break the mind and spirit of human beings.

Technically, they were still aliens. And, in the stilted language of the immigration laws, they were granted the dubious protection called "stay of deportation." In the Immigration Law of 1952, it was stated that:

> The Attorney General is authorized to withhold deportation of any alien within the United States to any country in which, in his opinion, the alien would be subject to physical persecution and for such period of time as he deems necessary for such reason.

No one paid any attention to this section because it was inconceivable that communism would ever abandon force and terror as basic policy. But now, the U.S. Immigration and Naturalization Service has notified a number of Poles in the categories I have referred to, that:

> Information available indicates a changed political situation in Poland necessitating reconsideration of the aliens' application for stay of deportation.

What changed political situation? The Immigration and Naturalization Service does not state, because it does not know. So it places the burden of proof on the alien in this country. The aliens are informed that they will be furnished a further opportunity to testify and submit any available evidence they may have, to support their claim of physical persecution if returned to Poland at this time.

This strange about-face in policy is fantastic, ludicrous, and heartless. It is demoralizing the refugees, and is arousing justified resentment among all fair-minded Americans. The sincerity of the United States, and its longstanding reputation of protecting those who found asylum here, is at stake.

What caused this switch, which now proposes to betray the promise of sanctuary, and hand the victims back to the Communists, and to the terrors of rehabilitation? Is it part of the new and flexible foreign policy of the United States, which, in the name of expediency, would conveniently ignore principles? Whatever the rationalization may be, it is both wrong and cruel.

The American public will never sanction the use of freedom-loving Polish refugees as instruments of international diplomacy. The Soviet record of broken pledges and of governing satellite nations by puppet regimes, is too well known to permit any wishful thinking on the part of the U.S. Government. Those who rule Poland today have Polish names, but from that point on, any similarity or relationship between them and the Polish people is a fiction and a fraud. The Polish Government is Communist. It is the captive of the Kremlin. It is the enemy of the Polish people and their imperishable devotion to freedom and to their Catholic faith. To forcibly deport anti-Communist refugees to Communist-dominated Poland would betray their confidence in us. This is but a first step in toward appeasement of the Soviet Union and recognition of its domination over Poland and every other satellite country.

The United States is being pressured and persuaded to participate in summit conferences to the dismay of those behind the Iron Curtain who look to us, and our professed ideals, as their last hope. Khrushchev wants to bargain at the top level. In the expectancy that we will weaken and disenagage and abandon Eastern Europe to communism.

The American people must make it plain to the U.S. Government that they will never support any sacrifice of principle for the illusion of "peace in our time," for that road of cowardly compromise leads to disaster.

The burden is on the Immigration and Naturalization Service to prove that the political situation in Communist Poland has improved to the extent that it would be safe for refugees. It has made no attempt to do so, because it knows that it has no case. The Immigration and Naturalization Service does not realize the consequences of its ill-advised decision. I am sure that it does not want to assume responsibility for the reenslavement of men and women who are now free. But that will be the end result if it continues with its present plans.

I, therefore, ask the Congress to revoke the discretionary and arbitrary power exercised by the Immigration and Naturalization Service in these instances. The immigration laws must protect, and not punish, those aliens and refugees who are of good character, and who are definitely anti-Communist.

Our long and loyal friendship with the Polish people, and our spiritual kinship

with them as fighters for freedom, require that we stop this inhuman deportation program which is bereft of reason and conscience.

We must welcome instead of condemning to exile, the Polish refugees in the United States. And thereby prove to them; to the captive peoples of Europe; and to the civilized world; that our country is in truth, the haven for the oppressed who believe and trust in American justice and American compassion.

ANNOUNCEMENT

Mr. FOLEY. Mr. Speaker, this afternoon when rollcall No. 28 was had, I was inadvertently and unavoidably absent because I had to attend the awarding of essay prizes at the Kenwood Country Club on behalf of the Civitan Club of Bethesda. Had I been present I would have voted "yea."

MR. HAROLD LOCKHEIMER

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. ADDONIZIO] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. ADDONIZIO. Mr. Speaker, the Government has lost a most able and devoted public servant in the recent resignation of Mr. Harold Lockheimer from the exacting position of Director of the Federal Housing Administration Insuring Office for Puerto Rico and the Virgin Islands. Mr. Lockheimer assumed the post, which he held for 3 years and 4 months, at considerable personal sacrifice, and now finds it imperative to devote time to his business affairs, principally his public relations firm.

As acting chairman of the Housing Subcommittee of the House Banking and Currency Committee, I became well acquainted with Mr. Lockheimer and was most favorably impressed with the efficiency and enthusiasm with which he met an ever increasing workload. His splendid performance is reflected by the growth in the volume of FHA operations in Puerto Rico. During the first 17 years of the program, 1939 through 1955, inclusive, approximately $135 million in home mortgage loans were insured by the local office. By contrast, $108 million in home mortgage loans were insured by the office during Mr. Lockheimer's incumbency of 3 years and 4 months.

From those who are familiar with his record, Mr. Lockheimer takes with him into private life appreciation for a job well done and best wishes for the future.

NEW AREA REDEVELOPMENT BILL APPROVED BY SUBCOMMITTEE

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PATMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. PATMAN. Mr. Speaker, as chairman of Subcommittee No. 3 of the House Banking and Currency Committee, I wish to include in the record at this point a short summary of the changes which the subcommittee agreed upon yesterday in voting to report favorably to the full committee S. 722, the Area Redevelopment Act. Since these changes involve many different provisions of the bill, they were incorporated in a single amendment in the nature of a substitute. Because of the widespread interest in this badly needed legislation, I am sure it will be helpful to the Members to have this information. Chairman SPENCE has not indicated when the bill will be brought before the full committee for consideration.

EFFECT OF CHANGES IN S. 722 AGREED TO BY SUBCOMMITTEE NO. 3

1. Eligibility criteria for rural areas:

Administrator must designate any rural county on either of two 1954 lists of counties with lowest farm incomes and levels of living; may designate other counties under criteria of original bill.

2. Financing:

Loan funds must be appropriated (bill now allows borrowing such funds from Treasury).

3. Dollar amounts:

[In millions of dollars]

	Now	Proposed
Plant loans (industrial areas)	$100.0	$75.0
Plant loans (rural areas)	100.0	75.0
Public facility loans	100.0	50.0
Public facility grants	75.0	35.0
Retraining subsistence payments	10.0	10.0
Vocational training grants	(1)	[2] 1.5
Technical assistance	[2] 4.5	[2] 4.5
Total	389.5	251.0

[1] No amount specified.
[2] Per year.

4. Public facility loans and grants:

(a) no loans or grants to private organizations.

(b) interest rate lowered on loans (from 4 percent to 2⅞ percent under present conditions).

(c) loan may cover entire cost (bill now limits to 65 percent).

(d) requirement that public works project itself provide permanent jobs is eliminated.

(e) loans may be made where not otherwise available on "equally favorable" terms. (Bill now says "reasonable terms.")

(f) both loans and grants must be consistent with approved overall redevelopment program.

(g) loan or grant is prohibited for facility that would compete with existing privately owned public utility unless State agency finds need.

5. Urban renewal grants:

Not more than 10 percent of new funds authorized for total urban renewal program may be used under area redevelopment program.

6. Vocational training:

(a) dollar limit on financial assistance ($1.5 million a year).

(b) financial assistance must be channeled through State board for vocational education.

(c) authority for Secretary of Labor to issue vocational training regulations jointly with Administrator is eliminated.

7. Records and audit:

Recipients of plant loans or public facility loans or grants must keep records, submit to GAO audit.

QUESTIONS AND ANSWERS ABOUT THE NEW POLICY OF TIGHT MONEY AND HIGH INTEREST

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PATMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. PATMAN. Mr. Speaker, on Monday President Eisenhower renewed his campaign against what he calls inflation. According to the front page stories in the newspapers yesterday, the President made a speech on Monday to the Advertising Council, which is reported to be made up of top executives of advertising and communication firms, such as the Madison Avenue outfits, the broadcasting networks, the big newspapers and magazines, and so on. The President congratulated the advertising and communications industries for the sound dollar campaign which they have been carrying on, and promised to renew his fight against the so-called inflation.

The President's speech recognized that inflation is in the realm of the future, if not in the realm of imagination. He pointed out that the price indexes have been stable for many months. Nevertheless, he declared that since there is no present inflation, "This is exactly the time to think about the inflation."

I believe we may safely assume that this renewed campaign against inflation means the country will have more tight money and high interest and more price increases—plus, of course, continuing opposition to all legislation aimed at putting the unemployed back to work and putting the economy back on the road to growth. Tight money and high interest have been the tools used in the administration's past campaigns against inflation, and I see no indication that the tools will be changed. Nor can I imagine any tools that could be so agreeable to the Wall Street bankers and money manipulators.

If the new campaign against inflation means what it has meant in the past, it will mean still more profits for the big bankers and money lenders, and still more interest burdens on the general public. It will mean that the stock-market will be on its way up again. It will mean that the national stockbrokers will bring still more suckers into the market, selling them stocks whose dividend yields are less than the interest rates on Government bonds. And it will mean that the big boys in the market will make still more millions—taxable only as capital gains.

Actually the Government authorities who decide the money and credit policies of this Nation have already put the country back in a condition of tight money and high interest. Why?

Let us examine the arguments which have been made for the tight-money and high-interest rate policies. Let us take up the arguments in a systematic way and see whether the cold facts actually support the arguments. Let us examine these questions:

Mr. Speaker, are high interest rates needed to encourage more savings?

What is the evidence that high interest rates do in fact encourage savings? Have individuals saved larger percentages of their incomes when interest rates were high than when interest rates were low?

What is the reason for the Treasury's difficulty in selling securities to individuals and institutions who have savings to invest? Is the Treasury asking the public to carry a heavier load of Federal securities than in the past? Has a kind of saturation point been reached beyond which investors will not absorb more Federal securities except at higher interest rates?

Has the demand for investment funds from all sources, including demands from abroad, placed increasing requirements on our economy for savings?

Has the recent progress toward business recovery resulted in an increased demand for credit which is likely to exceed the rate of savings and thus bring about an inflationary excess of bank-created money?

Let us examine some of the evidence on these questions and then take up these additional questions: How much have the recent increases in interest rates added to the cost of carrying the Federal debt? How do these increased costs affect the prospects for reducing the Federal debt?

These are important questions, and I am afraid that many of us have been sold some unsupportable answers. The fact is, I think, that many of us have been inclined to accept the proposition that the high interest rates which have been imposed on the country over most of these past 5 or 6 years have actually had some justification in what seems offhand to be a new and larger demand for savings than has been encountered in previous years. True, in several recent years business investment has been at unprecedentedly high levels. State and local governments have been increasing their outlays for local improvements and issuing larger amounts of debt obligations. Finally, the Federal debt has hit an all-time high—$285 billion. And, as we know, the Treasury has a problem of financing this year's deficit of about $13 billion, in addition to which it will be faced with the problem of refunding within the next 12 months about $70 billion of the already existing debt, not counting refunding of savings bonds and new issues of Treasury bills.

But let us see whether or not the problem really is bigger than in the past. To find the answers to most of the questions I have posed, we can turn to the factual record of the past several years and see what the results have been. Since the Treasury-Federal Reserve accord was reached in early 1951, the money managers have, in general, been on a program of tight money and high interest rates—that is true. Yet there have been several times when the money managers thought they had overdone the tight-money policy and instituted periods of easy money and relatively low interest rates. In fact, these policy changes have covered some wide extremes, and interest rates in these years have undergone extremely wide variations.

THE PAST SAVINGS IN MONETARY PLOICY

By way of background, let me refresh the Members' memories concerning the times when new credit policies have been instituted and temporarily reversed.

The first period of tight money was instituted simultaneously with this administration's taking office in 1953. In fact, the Federal Reserve had already begun to tighten credit in November and December of 1952, before the administration took office. Then in February of 1953, the administration instituted its tight money policy officially. Its first issue of bonds—the notorious 3¼ percent bonds issued in February—was at an interest rate considerably above rates then prevailing in the market, this incident both influenced the upward trend of interest rates and confirmed investors' beliefs that the administration intended to pursue the tight-money policy which it had been proclaiming.

Perhaps the best way to mark the changes in credit policies which have taken place since is to note the changes in the rates on 91-day Treasury bills. It is in these bills that the Federal Reserve's Open Market Committee trades, and it is principally by increasing or decreasing its portfolio of these bills that the Federal Reserve increases or decreases the supply of money and credit in the banking system. In other words, the going rate on Treasury bills is generally accepted to be the most direct and sensitive index of the Federal Reserve's current credit policy.

The rate on Treasury bills, which had averaged 1.8 percent in 1952, was driven up to almost 2¼ percent by May of 1953. By late summer of 1953, however, business started on a rapid decline and there was much feeling in the administration, in the Federal Reserve, and elsewhere, that the program of tightening credit had gone too far and too fast. So in the late summer of 1953, the monetary authorities began loosening credit, and they made credit progressively easier until the rate on Treasury bills fell to about two-thirds of 1 percent by June of 1954. At this point, however, the money managers began tightening credit again, and by the third quarter of 1955 money was tighter even than at mid-1953.

Thereafter the monetary authorities continued to increase the squeeze. There were two brief reprieves in 1956; but, on the whole, money was much tighter in 1956 than it had been in the first quarter of 1953. The bill rate for that year averaged about 2.7 percent. Then in 1957 the brakes were applied progressively harder up to mid-November of that year. The average bill rate for 1957 was 3.3 percent.

By late 1957 the great business recession was then upon us. So, beginning early in 1958 the monetary authorities began loosening credit. The Treasury bill rate dropped to 2.6 percent in January, and continued down to about nine-tenths of 1 percent by June of that year.

Then, beginning last July credit began to be tightened again, and by December the bill rate had been brought up to 2.8 percent. Furthermore, since that time our money managers have taken action which indicates they intend to continue the new credit squeeze for some time, and even increase it. Early last month the Federal Reserve raised its discount rate from 2½ percent to 3 percent, and, simultaneously, the rate on Treasury bills jumped to above 3 percent and has ranged between 2.7 percent and 2.9 percent in the weeks since.

This, then, is the record in brief.

DO HIGH INTEREST RATES ENCOURAGE SAVINGS?

Many of the official pronouncements made in support of high interest rates have been, of course, that high interest rates encourage people to save more. Chairman Martin has often put it this way: "Interest is a wage to the savers as well as a cost to the borrower."

But if high interest rates actually do cause individuals to save more, we would expect to find some indication of this in the record. We would expect that people would have saved larger percentages of their personal disposable income in years when interest rates were high than in years when interest rates were low. Personal disposable income is, of course, personal income less taxes, which is the total income that individuals may use for both spending and saving.

As I have indicated, interest rates have varied widely between the years 1951 and 1958. But the fact is that the percentage of disposable incomes which individuals saved in these years varied within a rather narrow range, and furthermore, the highest percentages of savings were made in years when interest rates were lowest.

Table 1, which I will insert at this point, shows the percentage of disposable personal income saved in each of the years 1951 through 1958. And for comparative purposes the table also shows the average market yield on 91-day Treasury bills; the average market yield on taxable U.S. Government bonds; and the average market yield on prime commercial paper. It shows no correlation that I can discover between interest rates and the percentage of incomes that have been saved.

Here are a few comparisons. In the whole range of years individuals saved the lowest percentage of their disposable incomes in 1955, when only 6.4 percent was saved; and they saved the highest percentages in 1952 and 1953, when 7.9 percent was saved. In the 2 years of highest savings, interest rates were relatively low. For example, the yield on Treasury bills averaged 1.77 percent in 1952, and 1.93 percent in 1953. On the other hand, in the year when interest

rates were highest, 1957, individuals saved one of the smallest percentages of their incomes—6.8 percent. And to continue the contrast, individuals saved a somewhat lesser portion of their income for 1958, when the average yield on Treasury bills was at 1.84 percent, than in 1957, when the yield was 3.27 percent.

Now for purposes of comparison here, it would perhaps be better to call attention to an interest rate which is more widely available to individuals on the form of savings which they are most likely to make. For example, we might compare prevailing rates being paid by the banks on time deposits. However, no statistics on the actual rates paid on time deposits are available, and the Federal Reserve System, which sets the maximum rate by regulation, has changed this maximum only once in this period of years when it was running interest rates up and down elsewhere.

TABLE 1.—*Rate of personal savings compared with interest rates, 1951–58*

Year	Disposable personal income (billions)	Personal savings as related to disposable personal income (percent)	Average interest rates per year		
			Yield on 3-month Treasury bills (percent)	Yield on taxable U.S. Government bonds (long term) (percent) [1]	Prime commercial paper 4 to 6 months [2]
1951	$227.5	7.8	1.55	2.57	2.16
1952	238.7	7.9	1.77	2.68	2.33
1953	252.5	7.9	1.93	2.94	2.52
1954	256.9	7.3	.95	2.55	1.58
1955	274.4	6.4	1.75	2.84	2.18
1956	290.5	7.2	2.66	3.08	3.31
1957	305.1	6.8	3.27	3.47	3.81
1958	311.6	6.7	1.84	3.43	2.46

[1] Series includes: 1951 through March 1952, bonds due or callable after 15 years; April 1952–March 1953, after 12 years; April 1953 to date, 10 years and after.
[2] Averages of daily prevailing rates.
Sources: U.S. Department of Commerce and Federal Reserve Bulletins.

The interest rates which we have compared, however, are fair indications of rates available to individuals on their savings. As for the 3-month Treasury bills, individuals can and do invest in these, although such investments must be made in an amount of no less than $1,000, and in multiples of $1,000.

Table 2 will throw additional light on this subject. It shows the percentage change in interest rates from one year to the next, and the percentage change in the rate of personal savings from one year to the next. As often as not when interest rates went up, the rate of savings went down. To cite two examples: Between 1954 and 1955 the average yield on 91-day Treasury bills jumped by 84 percent, but the rate of savings dropped 12 percent; between 1956 and 1957 the bill rate jumped 23 percent, but the savings rate went down 6 percent.

Individuals do invest in 91-day Treasury bills, however, as well as do banks, other financial institutions, and industrial corporations. And long-term Government bonds are, of course, quite commonly available for individual investment.

Table 2 will throw additional light on this subject. It shows the percentage change in interest rates from one year to the next and the percentage change in the rate of personal savings from one year to the next. Let me call attention to what the table shows:

From 1951 to 1952 the bill rate went up 14 percent, and the bond rate went up 4 percent, but the ratio of personal savings went up only 1 percent.

Then in 1953, the bill rate went up another 9 percent, and the bond rate went up another 10 percent. But the percentage of personal incomes which was saved went up not one iota.

In the easy credit period of 1954, the average bill rate dropped 51 percent and the bond rate dropped 13 percent. And in this year, whether because of the recession or because of the drop in interest rates, individuals saved 8 percent less of their incomes than in the previous year.

But then look at what happened in 1955. The bill rate went up 84 percent, and the bond rate went up 11 percent, but the rate of individual savings went down again by 12 percent.

In 1956, the bill rate went up another 52 percent, and the bond rate went up another 8 percent, and this time individual savings also went up—by 12 percent.

But in 1957 the bill rate went up another 23 percent, and the bond rate went up another 13 percent, and this time the savings rate dropped by 6 percent.

Then last year the bill rate dropped 44 percent and the bond rate 12 percent, and the individual savings rate went down again by 6 percent.

In none of these years was the magnitude of the change in the savings rate in any way related to the magnitude of the changes in interest rates. In fact, in 3 of the 7 years the savings rate changed in the opposite direction from quite large changes in interest rates; and in one of the 7 years the savings rate changed not at all despite large increases in interest rates.

TABLE 2.—*Changes in interest rates compared with changes in rate of personal savings*

Year	Percent change from previous year		
	Interest yield on 91-day Treasury bills	Interest yield on long-term Government bonds	Rate of personal savings
1952	+14	+4	+1
1953	+9	+10	0
1954	−51	−13	−8
1955	+84	+11	−12
1956	+52	+8	+12
1957	+23	+13	−6
1958	−44	−12	−6

In short, the record of the past 7 years does not support the contention that individuals save more of their income when interest rates are high. The rate of savings has varied somewhat from year to year, and the available evidence suggests that when interest rates are increased individuals are as likely to save a smaller percentage of their incomes as a larger percentage.

ARE THE AMERICAN PEOPLE CARRYING THE LARGEST FEDERAL DEBT IN HISTORY?

One of our questions is, of course, whether the Federal debt has mounted to the point that the American people simply cannot carry a larger debt without some encouragement in the form of greatly increased interest payments.

The fact is that in 1957 and 1958 on a per capita basis the gross public debt, including securities guaranteed by the Federal Government, was the lowest of any years since 1944. At the end of 1958 the per capita debt was $1,588; in 1954 it was $1,671; in 1952 it was $1,650; and in 1948 it was $1,721.

So we cannot say that increased interest rates are justified by the fact that the American people are now carrying a greater Federal debt than before. Considering the population increase, they are carrying a smaller Federal debt than at any time in the years 1945 through 1952 when interest rates were relatively low.

I will insert here table 3 which shows the per capita debt at the end of each fiscal year from 1939 to 1958:

TABLE 3.—*Gross Federal debt [1] per capita, [2] 1939–58*

June 30:	
1939	$350.63
1940	367.08
1941	414.85
1942	571.02
1943	1,029.82
1944	1,464.17
1945	1,851.70
1946	1,908.79
1947	1,792.67
1948	1,721.21
1949	1,694.93
1950	1,696.81
1951	1,653.61
1952	1,650.35
1953	1,667.06
1954	1,670.64
1955	1,660.42
1956	1,622.28
1957	1,580.54
1958	[3] 1,588.18

[1] Includes obligations guaranteed by the U.S. Government.
[2] Based on Bureau of the Census estimated population for continental United States.
[3] Subject to revision.
Source: Annual Report of the Secretary of the Treasury, 1958.

HAS THE DEMAND FOR PRIVATE SAVINGS INCREASED?

Now, of course, to appraise the impact on savings of increases in the Federal debt, we cannot stop with looking at the Federal debt alone. We must also consider what the total demand for investment funds in the United States has been. As we know, there have been several recent years, prior to 1958, when business investment in new plants and equipment was at record levels. The State and local governments have been issuing large amounts of bonds to finance public improvements. Furthermore, there has been an increased demand from abroad for investment funds which has been met in part by private investors in the United States and in part by Federal agencies. Demand for investment funds from all these sources makes up the picture of the total demand made on savings in United States and upon the commercial banks for newly created money, to the extent that savings do not meet the demand. Financing a Federal deficit makes a demand on savings in competition with business demands for investment funds. And net foreign investment—that is, the amount of foreign

loans or investments made in any year in excess of repayments from abroad—is money which must be raised in competition with domestic business, and in competition with the fund-raising efforts of the Federal, State, and local governments.

On the other hand, a surplus in the Federal budget makes funds available for investment elsewhere. And so, too, does a net surplus in the budgets of all the State and local governments taken together.

So to find the net demand for savings in any 1 year we might proceed as follows:

First. We take the gross private domestic investment. This includes the total amount of money spent by business and agriculture for productive plant and equipment. It includes all private construction, including residential construction, and it includes changes in business inventories. It is called "gross" private investment because it is the total amount of money invested in the domestic economy without respect to the question of how much the plant and equipment previously in place may have depreciated.

Second. We add to the gross private domestic investment the net amount of U.S. funds invested abroad. Or, if the investment funds returned from foreign countries are greater than the new foreign investments, we subtract the difference.

Finally, we add the total net government deficit in the year, taking account of the combined spending and the combined incomes of the Federal, State, and local governments. Or, if all governments combined have a surplus, we subtract the amount of the surplus.

TABLE 4.—*Demand for private savings as related to gross national product, 1951–58*

[Dollar amounts in billions]

Year	Gross national product	Gross private domestic and net foreign investment	Government surplus or deficit (Federal, State, and local)	Demand for private savings	Demand for private savings as related to gross national product (percent)
1951	$329.0	$56.6	$6.1	$50.5	15.3
1952	347.0	49.7	−3.9	53.6	15.4
1953	365.4	48.3	−7.1	55.4	15.2
1954	363.1	48.5	−6.7	55.2	15.2
1955	397.5	63.4	2.9	60.5	15.2
1956	419.2	69.6	6.3	63.3	15.1
1957	440.3	68.8	1.7	67.1	15.2
1958	437.7	53.6	−10.0	63.6	14.5

Source: Computed from data in Economic Report of the President, 1959, pp. 139, 157.

The result gives us the total demand for private savings in the United States within the particular year, though, of course, to the extent that this demand is not met by savings it is met by increases in bank-created money.

I would like now to invite the Members' attention to table 4, which sets out the total demand for private savings, computed in the manner I have just discussed, for the years 1951 through 1958. Here we may see that the demand for private savings was $50.5 billion in 1951, that it increased almost steadily—except for the recession year 1954—until it reached a total of $67.1 billion in the calendar year 1957. Last year, with the slump in business, the figure dropped back to $63.6 billion; yet this was considerably more than had gone into investment in any year prior to 1957.

The question is, however, have these increases in the demand for investment funds been any larger than the increases in our economy? Considering the increased output of our economy available for both consumption and investment, have the demands for investment funds increased disproportionately? Actually, no.

In fact, the percentage of our gross national product which has gone into investment, and into financing Government deficits, has been remarkably stable throughout these years. Last year, during the recession, the total demand for private savings dropped to 14.5 percent of the gross national product, but in the previous 7 years the total demand for private savings had ranged from 15.1 percent to 15.4 percent. Furthermore, the largest percentages of the gross national product going into investment and financing Government deficits were in the years 1951 and 1952, when interest rates were lowest.

In other words, these data suggest that all of the talk of recent years about raising interest rates to stimulate savings which were said to be needed to meet an unprecedented investment boom has been nonsense. Financing the unprecedented investment boom, plus the deficits of Federal, State, and local governments, plus investments abroad, has required no greater percentage of our gross national product than in 1951 or 1952, but actually a slightly less percentage.

And by the same token, all of the talk we have heard about squeezing credit and raising interest rates to prevent a runaway investment boom has also been nonsense. In none of the recent years has the runaway investment boom taken quite as high a proportion of our gross national product as did the investment boom of 1951 and 1952. Furthermore, the increases in the general price level accompanying the investment boom of 1951 and 1952 were a great deal less than the price increases which have accompanied the tight-money and high-interest policies imposed for the stated purposes of trying to dampen the investment booms of the more recent years.

Where then is the evidence that this country was suffering from a runaway investment boom in 1956 and 1957? It was this alleged boom that the Federal Reserve authorities said had to be dampened. It was this alleged boom that these people have cited to justify the big credit squeeze of those years.

Where also is the evidence that investment in those years was outrunning savings and was thus causing the banks to create money? Such evidence is hard to find. It is much easier to find evidence that what actually happened is this—as the money managers raised interest rates to higher and higher levels, business firms more and more shifted their long-term credit needs away from the bond market, temporarily, and to the commercial banks, because they did not wish to contract for long-term financing while bond rates were at fantastically high levels. In short, it was the high interest rates that were causing the greatly increased demand for bank credit, which is, of course, met by increases in the money supply. In other words, there are good grounds for thinking that the high interest rates which the money managers imposed not only failed to stimulate savings, but they caused the demand for bank-created money, which was what the money managers claimed they were trying to check.

HOW BIG IS THE NEW DEMAND FOR BANK LOANS?

Let us consider next whether the money managers' new tight money policy is justified by any increasing demand for bank loans.

The usual reasons which the money managers give for tightening money is, of course, that demand for borrowed money is so greatly in excess of savings that the commercial banks are called upon to create great quantities of new money to meet the demand. And too great an increase in the money supply is, they say, inflationary.

Any and all increases in the money supply are not, of course, argued to be inflationary. On the contrary the whole justification for the fractional reserve system on which the commercial banks operate is to have an elastic money supply, permitting expansions to meet increased needs for commercial credit.

Where then is the great resurgence of demand for borrowed funds, and for bank loans particularly, which justifies the money managers putting on another credit squeeze at this time and raising short-term money rates from 2½ to 3 percent?

The Wall Street Journal on Monday, March 23, stated it this way:

> A special feature of the business recovery of the past 11 months has been its slight influence on demands for borrowed money and on the interest rates charged for such borrowings. Furthermore, this special condition, as of now, seems likely to last for a good many months.

Then in support of this observation, this report continued:

> In New York City commercial and industrial loans show no stronger trends than during the 1957–58 recession of a year ago.

And I might add that up until April 1 demand for commercial and industrial loans all over the country was only imperceptibly larger than at the depth of the recession last year. On April 1 industrial and commercial loans of member banks that report weekly to the Federal Reserve were $30.6 billion, as compared to $30.4 billion on April 2 of last year. Furthermore, these loans had declined by $208 million since the beginning of the year.

Certainly then the return to a policy of tight money and high interest at this time becomes more and more puzzling. The country is still in a recession with 1 out of every 16 people looking for a job and unable to find a job. The demand for bank loans—and in fact for all credit—continues almost at the level of the worst period of the recession. Yet credit is tightened and interest rates are raised.

HOW MUCH WILL THE NEW HIGH INTEREST RATES COST TAXPAYERS?

We come now to a matter which affects the pocketbook of every family. The interest-bearing Federal debt which was outstanding at the end of February would have cost $7.9 billion each year in interest charges, even if the interest rates had not been raised since that time, and even if we were not faced by an additional debt by the end of the year. This interest cost of $7.9 billion is greater than the entire Federal budget of 1938. It is no small item.

Let us consider how the average interest rate on the Federal debt has been increased and what this means in actual costs of carrying the debt. What is the real interest rate?

When word gets around that the Treasury is issuing long-term bonds at 3½ or 4 percent, many people assume that this is the rate on the whole Federal debt. Actually, however, the rate on the whole debt is much lower for two reasons. First, a large part of the debt outstanding at any one time is in very short-term securities, such as the 91-day Treasury bills. And, of course, short-term securities can be sold in the market at much lower rates than would be required to sell long-term securities. For example, of all the interest-bearing debt outstanding at the end of last year, about 11 percent was in Treasury bills, mostly issued with a 3-month maturity date. Another 13 percent of the debt was in certificates which represent borrowings of 1 year or less.

A second reason why the average interest rate on all of the Federal debt is lower than private bond rates—or has been in recent years—is, of course, that some of the securities which were issued at more reasonable rates are still outstanding. Some of the older debt issued at these lower rates is almost constantly coming due and being refunded at higher rates. When market rates are being pushed up there is always some lag before the rates which the Treasury actually pays catch up.

Since 1942, the computed average interest rate on all of the interest-bearing debt has ranged from a low of 1.929 percent in 1944 to a high of 2.730 percent in 1957. Last year, 1958, the average was 2.638 percent. These figures are all from the Annual Report of the Secretary of the Treasury, and I will insert in the RECORD at a later point a table showing these rates for each year since 1942.

Here then are some comparisons on what increasing interest rates have cost in dollars and what this policy is likely to cost in the years ahead.

The Federal Government is now faced with a debt of at least $285 billion. At the end of February this year, the average interest rate on the interest-bearing debt then outstanding was 2.781 percent. At the high interest already achieved by February—before the Federal Reserve boosted them again in March—a Federal debt of $285 billion would have cost the taxpayers $7.9 billion a year in interest charges. This was $700 million more each year than it would have cost to carry the same debt if interest rates had been left where they were only last August. At that time the average rate on the whole debt was 2.534 percent.

It is $1.3 billion more each year than it would have cost to carry a debt of the same size if interest rates had been left at their 1952 levels. It is about five times the amount of money provided in the area redevelopment bill which the President vetoed last year because the administration thought the country could not afford the money to make loans to the State and local governments for needed local facilities.

It is $2.4 billion more each year than it would have cost to carry the same debt of $285 billion if interest rates had been left at their 1946 levels. This would build 48 one-million-dollar schools in each of the 50 States each year or a total of 2,800 such schools each year.

Yet these comparisons do not take account of the increased costs yet to be reflected by the latest boost made in March. We can, however, make some reasonable estimates of these new costs, on the basis of the increased rate which has already been reflected in short-term Treasury bills.

The yield on 91-day Treasury bills changes much more quickly than long-term rates. In fact, the rate on these bills may show, for a quite brief period, a rise or fall which is never reflected in long-term bond rates. But over the long run all interest rates—short-term and long-term—tend to rise or fall proportionately.

The average rate at which new 91-day Treasury bills were issued in 1958 was 1.839 percent. If we assume that in the future the bill rate will average 3 percent in line with the 3.062 percent reached on March 14 and in line with the Federal Reserve 3 percent discount rate, this will mean a bill rate 63 percent higher than the average for 1958.

And ultimately we can expect that the average interest rate on the Federal debt will rise 63 percent. In other words, the average rate on the whole debt in 1958, which was 2.638 percent, will go up to 4.300 percent. This will mean that a Federal debt of $285 billion will then cost the taxpayers $12.3 billion each year, instead of the $7.5 billion this debt would have cost at the 1958 rates, and the $6.6 billion it would have cost at the 1952 rates. In other words, we are presently confronted with the prospect of paying almost twice as much to carry the Federal debt as we would have paid to carry the same debt if interest rates had been left at their 1952 levels.

Yet as I have already pointed out, debt per capita is less than it was in 1952 and the total demand for investment funds from all sources is a smaller percentage of the national income than it was in 1952.

Why? We all ought to ask ourselves this question. Does this show good management of our Government's affairs? Or does it show very bad management of the interests of the vast majority of the people.

At this point I will insert table 5 which shows the amount of the interest-bearing Federal debt outstanding at the end of each year since 1942, the computed average interest rate on this debt, and the computed annual interest cost on this debt:

TABLE 5.—*Public debt and U.S. Government-guaranteed securities—Computed annual interest rates and interest charges, 1942 through February 1959*

Year [1] or month	Outstanding interest-bearing [2] public debt and U.S.-guaranteed securities (billions)	Computed annual interest rate (percent)	Computed annual interest charge (billions)
1942	$71,968	2.285	$1,644
1943	135,380	1.979	2,679
1944	199,543	1.929	3,849
1945	256,357	1.936	4,964
1946	268,111	1.996	5,351
1947	255,113	2.107	5,374
1948	250,063	2.182	5,455
1949	250,702	2.236	5,606
1950	255,209	2.200	5,613
1951	252,897	2.270	5,740
1952	256,907	2.329	5,982
1953	263,997	2.438	6,432
1954	268,990	2.342	6,300
1955	271,785	2.351	6,388
1956	269,956	2.576	6,952
1957	268,592	2.730	7,328
1958	274,798	2.638	7,248
1958—January	272,877	2.860	7,796
February	273,061	2.778	7,580
March	271,051	2.725	7,382
April	273,540	2.679	7,326
May	274,126	2.658	7,284
June	274,798	2.638	7,248
July	274,011	2.632	7,210
August	277,058	2.534	7,019
September	275,122	2.577	7,088
October	278,672	2.647	7,370
November	281,531	2.679	7,536
December	280,947	2.689	7,546
1959—January	283,913	2.704	7,670
February	283,354	2.781	7,871

[1] Year ending is June 30.
[2] These data for the public debt exclude certain matured and other non-interest-bearing debt.

Source: For 1939 through 1950, Annual Report of the Secretary of the Treasury for the fiscal year ended June 30, 1958; later data from Treasury Bulletin, February 1959.

HAS THE AVERAGE MATURITY OF THE FEDERAL DEBT BEEN INCREASED?

Let us consider briefly now one other question which bears on the justification, or the lack of justification, for the increases in the average interest rate on all of the Federal debt which has been made in recent years.

At various times when the Treasury has issued bonds at above-market rates, there have been official announcements that the Treasury was reorganizing the debt to put more of it on a long-term basis, and thus relieved what was said to be the problem of going constantly to the money market for short-term borrowings. Since interest rates on long-term securities are inevitably higher than on short-term securities, then obviously there would be some justification for increases in the average rate on the whole debt if the average maturity of the debt had been increased.

But the fact is that the average maturity of the debt has been shortened, not lengthened.

Although the average interest rate on the debt has gone up almost steadily since 1951, the year of the Treasury-Federal Reserve accord, but in no year since has the average term of the outstanding marketable debt been as long as in that year. In only one year of this administration has the average maturity been as long as it was in 1952. That was in

1955, when the average was pushed up to 5 years and 10 months. In 1952, the average was 5 years and 8 months. Last year, 1958, it was 5 years and 3 months.

So I think we may say that there is nothing in the length of the debt which justifies any increase in interest rates.

At this point I will insert table 6, which shows the average term of the marketable interest-bearing debt outstanding at the end of each fiscal year, beginning with 1951:

TABLE 6.—*Average maturity of marketable interest-bearing public debt*

Year as of June 30:	*Average length*
1951	6 years, 7 months
1952	5 years, 8 months
1953	5 years, 4 months
1954	5 years, 6 months
1955	5 years, 10 months
1956	5 years, 4 months
1957	4 years, 9 months
1958	5 years, 3 months
1959—January	4 years, 9 months

Source: Treasury Bulletin, March 1959, p. 21.

HOW WILL THE COST OF HIGH INTEREST PROLONG THE FEDERAL DEBT?

The time will soon come when we will have no choice but to make a serious effort to reduce the Federal debt. Most of this debt is, of course, a carryover from the monumental expenses of World War II. In the years immediately following the war some considerable progress was being made toward reducing the debt. But in more recent years this matter has been neglected.

At the end of 1945 the gross Federal debt plus securities guaranteed by the Federal Government came to $278.7 billion. This was reduced by $22 billion in the 5 years following, or to $256.7 billion at the end of 1950. With the Korean expenses, however, the debt went up to $267.4 billion by the end of 1952, only about $11 billion less than at the end of World War II. Since that time it has increased to a new high of $285 billion as of the end of last month.

Recently several Members of this body have earnestly proposed that some fixed schedule for paying off the Federal debt be adopted. My colleagues the gentlemen from Texas [Mr. WRIGHT and Mr. IKARD], particularly, have been urging such a proposal. And in this have been doing a wonderful public service.

For example, on March 4 the gentleman from Texas [Mr. WRIGHT] put into the CONGRESSIONAL RECORD a proposed schedule for liquidating the Federal debt completely within a hundred years. Beginning with a debt of $280 billion, this schedule proposed a reduction in the principal of the debt of 1 percent, or $2.8 billion, in the first year, and a reduction of $2.8 billion in each year thereafter until the whole debt is paid off—100 years from now.

This scheduling calls for an interest rate on the outstanding amount of 3½ percent which, according to the figures I have already cited, would mean a quite substantial increase in the average rate paid on the debt last year, and a quite substantial increase from the rate being paid even now. It seems to me, therefore, that we should be entertaining the idea of an interest rate of 2½ percent, or perhaps 2 percent, but not 3½ percent. In other words, we should divert the money managers from their folly in raising interest rates higher and higher.

As is indicated by table 5, which I have discussed, the computed average rate on all of the interest-bearing debt outstanding was less than 2½ percent in each of the years 1942 through 1955. In the years 1943 through 1946, it was less than 2 percent. In the notorious tight-money year of 1957, it rose to 2.730 percent; and last year, 1958, it was 2.638 percent. The average for the tight-money years of 1953 through last year was less than 2½ percent, so we might consider 2½ percent as the maximum.

On the other hand, if our money managers could be persuaded to get interest rates down to the World War II level, the average rate would be less than 2 percent. In the war years 1943 through 1946, the average rate on all of the Federal debt was less than 2 percent, or about 1.9 percent.

To many people such differences in interest rates as I have been discussing seem rather small matters. But these do not seem small matters to the big moneylenders, because these people well know that such differences mean astronomical differences in the actual amounts of money which they receive and which the taxpayers will have to pay.

Let us consider for a moment what these differences actually will mean to the taxpayers over the period it will take to pay off the present debt. One way to do this is to take the schedule which has been proposed by the gentleman from Texas [Mr. WRIGHT] for paying off the debt over the next 100 years, and compare what the cost to the taxpayers will be if we substitute interest rates more nearly in line with those which the country has recently had to pay, rather than a 3½ percent rate used in the proposed schedule.

Consequently, I have taken the same schedule that was inserted in the CONGRESSIONAL RECORD of March 4, 1959, by Congressman WRIGHT, used his same rate of repayment on the principal—$2.8 billion a year—but computed the interest charge on the unpaid balance at 2 percent, first, and second, at 2½ percent to find how the total interest costs at these rates would compare with a cost to the taxpayers at a rate of 3½ percent.

Here are the results.

In this proposed schedule for paying off a debt of $280 billion over the next 100 years with an interest rate of 3½ percent, the interest charges in the first 10 years alone would come to $94 billion. At an interest rate of 2½ percent, however, the interest charges in the first 10 years would amount to $69 billion; and at an interest rate of 2 percent—which was the average rate paid between 1942 and 1948—the interest charge in the first 10 years would come to $53 billion.

Over the entire 100 years the interest costs would compare as follows: At 2 percent the total interest charges which would be paid while a debt of $280 billion was being reduced to zero would come to $283 billion. In other words, even at 2 percent, we would pay more in interest charges than we would pay on the debt itself. At 2½ percent the total interest charges would come to $354 billion; and at 3½ percent the total interest charges would come to $495 billion.

At this point I will insert table 7 which presents a schedule for the reduction of a debt of $280 billion over the next 100 years with annual payments on principal of $2.8 billion, and showing the annual interest charges at the three alternative rates of interest:

TABLE 7.—*Total public debt, reduced annually by $2,800,000,000 and interest charges computed at 2, 2.5, and 3.5 percent*

[In billions of dollars]

Year	Total debt	Reductions of debt	Interest at— 2 percent	2.5 percent	3.5 percent	Year	Total debt	Reductions of debt	Interest at— 2 percent	2.5 percent	3.5 percent
0	280.000	2.800	5.600	7.000	9.800	16	235.200	2.800	4.704	5.880	8.232
1	277.200	2.800	5.544	6.930	9.702	17	232.400	2.800	4.648	5.810	8.134
2	274.400	2.800	5.488	6.860	9.604	18	229.600	2.800	4.592	5.740	8.036
3	271.600	2.800	5.432	6.790	9.506	19	226.800	2.800	4.536	5.670	7.938
4	268.800	2.800	5.376	6.720	9.408						
5	266.000	2.800	5.320	6.650	9.310	Cumulative total		56.000	101.360	126.700	177.380
6	263.200	2.800	5.264	6.580	9.212	20	224.000	2.800	4.480	5.600	7.840
7	260.400	2.800	5.608	6.510	9.114	21	221.200	2.800	4.424	5.530	7.742
8	257.600	2.800	5.152	6.440	9.016	22	218.400	2.800	4.368	5.460	7.644
9	254.800	2.800	5.096	6.370	8.918	23	215.600	2.800	4.312	5.390	7.546
						24	212.800	2.800	4.256	5.320	7.448
Cumulative total		28.000	53.480	66.850	93.590	25	210.000	2.800	4.200	5.250	7.350
10	252.000	2.800	5.040	6.300	8.820	26	207.200	2.800	4.144	5.180	7.252
11	249.200	2.800	4.984	6.230	8.722	27	204.400	2.800	4.088	5.110	7.154
12	246.400	2.800	4.928	6.160	8.624	28	201.600	2.800	4.032	5.040	7.056
13	243.600	2.800	4.872	6.090	8.526	29	198.800	2.800	3.976	4.970	6.958
14	240.800	2.800	4.816	6.020	8.428						
15	238.000	2.800	4.760	5.950	8.330	Cumulative total		84.000	143.640	179.550	251.370

TABLE 7.—*Total public debt, reduced annually by $2,800,000,000 and interest charges computed at 2, 2.5, and 3.5 percent*—Continued

[In billions of dollars]

Year	Total debt	Reductions of debt	Interest at— 2 percent	2.5 percent	3.5 percent
30	196.000	2.800	3.920	4.900	6.860
31	193.200	2.800	3.864	4.830	6.762
32	190.400	2.800	3.808	4.760	6.664
33	187.600	2.800	3.752	4.690	6.566
34	184.800	2.800	3.696	4.620	6.468
35	182.000	2.800	3.640	4.550	6.370
36	179.200	2.800	3.584	4.480	6.272
37	176.400	2.800	3.528	4.410	6.174
38	173.600	2.800	3.472	4.340	6.076
39	170.800	2.800	3.416	4.270	5.978
Cumulative total		112.000	180.320	225.400	315.560
40	168.000	2.800	3.360	4.200	5.880
41	165.200	2.800	3.304	4.130	5.782
42	162.400	2.800	3.248	4.060	5.684
43	159.600	2.800	3.192	3.990	5.586
44	156.800	2.800	3.136	3.920	5.488
45	154.000	2.800	3.080	3.850	5.390
46	151.200	2.800	3.024	3.780	5.292
47	148.400	2.800	2.968	3.710	5.194
48	145.600	2.800	2.912	3.640	5.096
49	142.800	2.800	2.856	3.570	4.998
Cumulative total		140.000	211.400	264.250	369.950
50	140.000	2.800	2.800	3.500	4.900
51	137.200	2.800	2.744	3.430	4.802
52	134.400	2.800	2.688	3.360	4.704
53	131.600	2.800	2.632	3.290	4.606
54	128.800	2.800	2.576	3.220	4.508
55	126.000	2.800	2.520	3.150	4.410
56	123.200	2.800	2.464	3.080	4.312
57	120.400	2.800	2.408	3.010	4.214
58	117.600	2.800	2.352	2.940	4.116
59	114.800	2.800	2.296	2.870	4.018
Cumulative total		168.000	236.880	296.100	414.540
60	112.000	2.800	2.240	2.800	3.920
61	109.200	2.800	2.184	2.730	3.822
62	106.400	2.800	2.128	2.660	3.724
63	103.600	2.800	2.072	2.590	3.626
64	100.800	2.800	2.016	2.520	3.528
65	98.000	2.800	1.960	2.450	3.430
66	95.200	2.800	1.904	2.380	3.332
67	92.400	2.800	1.848	2.310	3.234
68	89.600	2.800	1.792	2.240	3.136
69	86.800	2.800	1.736	2.170	3.038
Cumulative total		196.000	256.760	320.950	449.330
70	84.000	2.800	1.680	2.100	2.940
71	81.200	2.800	1.624	2.030	2.842
72	78.400	2.800	1.568	1.760	2.744
73	75.600	2.800	1.512	1.890	2.646
74	72.800	2.800	1.456	1.820	2.548
75	70.000	2.800	1.400	1.750	2.450
76	67.200	2.800	1.344	1.680	2.352
77	64.400	2.800	1.288	1.610	2.254
78	61.600	2.800	1.232	1.540	2.156
79	58.800	2.800	1.176	1.470	2.058
Cumulative total		224.000	271.040	338.800	474.320
80	56.000	2.800	1.120	1.400	1.960
81	53.200	2.800	1.064	1.330	1.862
82	50.400	2.800	1.008	1.260	1.764
83	47.600	2.800	.952	1.190	1.666
84	44.800	2.800	.896	1.120	1.568
85	42.000	2.800	.840	1.050	1.470
86	39.200	2.800	.784	.980	1.372
87	36.400	2.800	.728	.910	1.274
88	33.600	2.800	.672	.840	1.176
89	30.800	2.800	.616	.770	1.078
Cumulative total		252.000	279.720	349.650	489.510
90	28.000	2.800	.560	.700	.980
91	25.200	2.800	.504	.630	.882
92	22.400	2.800	.448	.560	.784
93	19.600	2.800	.392	.490	.686
94	16.800	2.800	.336	.420	.588
95	14.000	2.800	.280	.350	.490
96	1.200	2.800	.224	.280	.392
97	8.400	2.800	.168	.210	.294
98	5.600	2.800	.112	.140	.196
99	2.800	2.800	.056	.070	.098
100	0	0	0	0	0
Grand total		280.000	282.800	353.500	494.900

A DEBT WHICH WOULD TAKE 100 YEARS TO PAY OFF AT 3½ PERCENT INTEREST COULD BE PAID OFF IN 49 YEARS AT 2½ PERCENT INTEREST

Let us consider now how much sooner the Federal debt could be liquidated if we paid more reasonable interest charges on the debt.

Let us take the same initial payment for both interest and principal which the gentleman from Texas [Mr. WRIGHT] has proposed but compute the interest charges at 2½ percent instead of 3 percent, and apply the rest of the payment on reduction of the principal. The initial payments which have been proposed are $2.8 billion on principal and $9.8 billion in interest, or a total of $12.6 billion in the first year. At an average 2½ percent interest charge, the interest cost would be $7 billion and the remainder of the payment which is $5.6 billion could go to retire the principal. Then, if we continued to pay $5.6 billion each year thereafter, the total cost to the Government of both interest and principal would in no year exceed the total cost which would be made according to the schedule calling for a 3½ percent interest rate. On the contrary, in only the first year would the total payment for both interest and principal be the same as on the 3 percent schedule, and every year thereafter the total payment on both principal and interest would be progressively less.

Yet at an interest rate of 2½ percent, the whole debt would be paid off in 49 years instead of 100 years; and the total interest cost would be $178 billion instead of $495 billion. At this point I will insert table 8, showing the computations for each year at an interest rate of 2½ percent for carrying charges, and also table 9, showing the computations at a carrying charge of 2 percent.

If the Federal debt of $280 billion were liquidated on the same basis but with a carrying charge of 2 percent, instead of 3½ percent, it would take only 39 years to pay off the entire debt instead of 100 years. And the total interest costs would be $112 billion instead of $495 billion.

TABLE 8.—*Number of years required to pay off a Federal debt of $280,000,000,000 if interest charges are 2½ percent.*

[In billions of dollars]

Year	Total debt	Reduction of principal	Interest at 2.5 percent
0	280.000	5.600	7.000
1	274.000	5.600	6.850
2	268.800	5.600	6.720
3	263.200	5.600	6.580
4	257.600	5.600	6.440
5	252.000	5.600	6.300
6	246.400	5.600	6.160
7	240.800	5.600	6.020
8	235.200	5.600	5.880
9	229.600	5.600	5.740
10	224.000	5.600	5.600
11	218.400	5.600	5.460
12	212.800	5.600	5.320
13	207.200	5.600	5.180
14	201.600	5.600	5.040
15	196.000	5.600	4.900
16	190.400	5.600	4.760
17	184.800	5.600	4.620
18	179.200	5.600	4.480
19	173.600	5.600	4.340
20	168.000	5.600	4.200
21	162.400	5.600	4.060
22	156.800	5.600	3.920
23	151.200	5.600	3.780
24	145.600	5.600	3.640
25	140.000	5.600	3.500
26	134.400	5.600	3.360
27	128.800	5.600	3.220
28	123.200	5.600	3.080
29	117.600	5.600	2.940
30	112.000	5.600	2.800
31	106.400	5.600	2.660
32	100.800	5.600	2.520
33	95.200	5.600	2.380
34	89.600	5.600	2.240
35	84.000	5.600	2.100
36	78.400	5.600	1.960
37	72.800	5.600	1.820
38	67.200	5.600	1.680
39	61.600	5.600	1.540
40	56.000	5.600	1.400
41	50.400	5.600	1.260
42	44.800	5.600	1.120
43	39.200	5.600	.980
44	33.600	5.600	.840
45	28.000	5.600	.700
46	22.400	5.600	.560
47	16.800	5.600	.420
48	11.200	5.600	.280
49	5.600	5.600	.140
Total		280.000	178.460

TABLE 8.—*Number of years required to pay off a Federal debt of $280,000,000,000 if interest charges are 2½ percent.*—Continued

[In billions of dollars]

Year	Total debt	Reduction of principal	Interest at 2.5 percent
28	123.200	5.600	3.080
29	117.600	5.600	2.940
30	112.000	5.600	2.800
31	106.400	5.600	2.660
32	100.800	5.600	2.520
33	95.200	5.600	2.380
34	89.600	5.600	2.240
35	84.000	5.600	2.100
36	78.400	5.600	1.960
37	72.800	5.600	1.820
38	67.200	5.600	1.680
39	61.600	5.600	1.540
40	56.000	5.600	1.400
41	50.400	5.600	1.260
42	44.800	5.600	1.120
43	39.200	5.600	.980
44	33.600	5.600	.840
45	28.000	5.600	.700
46	22.400	5.600	.560
47	16.800	5.600	.420
48	11.200	5.600	.280
49	5.600	5.600	.140
Total		280.000	178.460

TABLE 9.—*Number of years required to pay off a Federal debt of $280,000,000,000 if interest charges are 2 percent*

[In billions of dollars]

	Total debt	Reduction of principal	Interest at 2 percent
0	280.000	7.000	5.600
1	273.000	7.000	5.460
2	266.000	7.000	5.320
3	259.000	7.000	5.180
4	252.000	7.000	5.040
5	245.000	7.000	4.900
6	238.000	7.000	4.760
7	231.000	7.000	4.620

TABLE 9.—*Number of years required to pay off a Federal debt of $280,000,000,000 if interest charges are 2 percent*—Continued

[In billions of dollars]

	Total debt	Reduction of principal	Interest at 2 percent
8	224.000	7.000	4.480
9	217.000	7.000	4.340
10	210.000	7.000	4.200
11	203.000	7.000	4.060
12	196.000	7.000	3.920
13	189.000	7.000	3.780
14	182.000	7.000	3.640
15	175.000	7.000	3.500
16	168.000	7.000	3.360
17	161.000	7.000	3.200
18	154.000	7.000	3.080
19	147.000	7.000	2.940
20	140.000	7.000	2.800
21	133.000	7.000	2.666
22	126.000	7.000	2.520
23	119.000	7.000	2.380
24	112.000	7.000	2.240
25	105.000	7.000	2.100
26	98.000	7.000	1.960
27	91.000	7.000	1.820
28	84.000	7.000	1.680
29	77.000	7.000	1.540
30	70.000	7.000	1.400
31	63.000	7.000	1.260
32	56.000	7.000	1.120
33	49.000	7.000	.980
34	42.000	7.000	.840
35	35.000	7.000	.700
36	28.000	7.000	.560
37	21.000	7.000	.420
38	14.000	7.000	.280
39	7.000	7.000	.140
Total		280.000	112.156

EDGAR A. BROWN

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that the gentleman from South Carolina [Mr. RIVERS] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. RIVERS of South Carolina. Mr. Speaker, as part of my remarks, I include a statement by State Senator Edgar A. Brown before a subcommittee of the U.S. House Judiciary Committee on proposed civil rights legislation, Tuesday, April 14, 1959, Washington, D.C.

The statement follows:

I am Edgar A. Brown of Barnwell, S.C. I am president pro tempore of the State Senate of South Carolina, and National Democratic Committeeman from South Carolina.

For 45 years, I have served continuously as an official of the Democratic Party, and for 39 years I have served continuously in the Legislature of South Carolina.

As a matter of fact, due to the generosity of the people of my home county of Barnwell, I have been privileged to serve continuously longer in public affairs in the last half century than any other man in South Carolina.

Speaking from this background of intimate knowledge, I would declare without qualification that no further Federal civil rights legislation is necessary for freedom, justice, peace, and happiness among all the people of South Carolina.

I go even farther: I declare that those forces outside of the South who advocate such legislation are doing a terrible disservice to the well-being of all races and all people in South Carolina when they deliberately agitate such issues.

For reasons of year-to-year political expediency, these forces outside the South are threatening, by every new move they make, to disrupt the peace and harmony of the most deep-rooted, patriotic, God-fearing section of this great Nation.

Both national political parties are equally guilty of shortsighted political judgment. This is asserted by me with great shame for the Democratic Party after 45 years of unswerving and loyal devotion.

If both the national Democratic and Republican Parties had requested Nikita Khrushchev in Moscow to draw up a program of baseless propaganda to utterly misrepresent and persecute the South, Khrushchev himself could not have done a more thoroughly reprehensible job than have the policymakers of our own American political parties. I say this with apologies to no one.

I tell my fellow Democrats here and now that those of us who have held the South together politically, believing that the Democratic Party means more to the welfare of the people of the Nation—that stalwart regular Democrats, as I claim to be, cannot be expected in the future to continue to keep our majority together if you pursue further the vicious affronts against our people. You insult white and Negroes alike when you engage in such false and useless methods.

Being a lifelong Democrat, I express appreciation to the Republicans among you for letting your party miss the boat politically when you decided to send paratroopers to Little Rock, and otherwise vented your political disdain of the responsible people of the South.

Often in politics we talk about the good people among our own constituents. Sometimes we try to pretend in a campaign that all people are good people. Actually, however, we know that in every section of the Nation there are people of real substance who have made this the greatest Nation in the history of the world. These people of substance are not in any particular class, race, or party. There are people of substance in all classes, races, and parties.

Now, I charge that both national parties have completely disregarded the people of substance in the South, including the responsible Negro people. We have a large number of worthy and highly respected citizens among the Negro race in the South, citizens who serve the State increasingly well, and who serve their own race faithfully and well.

What have you on this committee heard from responsible Negro citizens in South Carolina, or any other Southern State, about civil rights?

If you have heard anything at all from them, I am confident that you have been told that our Negro population now enjoys all the civil rights afforded to all free Americans.

Oh, yes, we have insisted upon maintenance of segregated public schools in South Carolina and, make no mistake about it, we will continue to insist upon segregated education in whatever form it must take, but the people of South Carolina, both white and Negro, have received and will continue to receive their full civil rights under the true meaning of the U.S. Constitution.

These guarantees are fulfilled without discrimination as to race. No need exists for a special agency or Federal supervision.

Constant agitation of the question, as though need did exist, serves as a dangerous and unwarranted irritant. Carried to an extreme, outside pressure will further seriously interfere with race relations that an official branch of State government (the Gresette committee on education) has just described as being most harmonious.

The term civil rights means the constitutional guarantees such as freedom of expression and assembly, fair trial, equal justice and other rights of free citizens—ownership of property, freedom to do business and so on.

The voting rights of qualified Negro citizens are not impaired in South Carolina. Nor is the right of Negroes to serve on juries. An increasing number of colored citizens have become eligible for voting and jury service, as anyone familiar with South Carolina polls or courtrooms can verify. South Carolinians of all races resent groundless suspicion cast on them by setting up Federal police authority in the name of a civil rights commission. They rightly regard it as an invasion of States rights which is also guaranteed by the Constitution.

We have adequate and proper civil rights laws within the State. State laws, with respect to separation of the races in some long established and generally accepted phases of activity, do not infringe on civil rights. These laws are designed to protect civil rights of both races, and to maintain the peace. On the other hand deviously conceived pretenses of so-called rights threaten our peace and happiness among all races.

This I say with a sense of deep responsibility and sincerity: leave South Carolina's affairs to South Carolinians, or the consequences are apt to be disastrous from several viewpoints, not the least of which might be the smashing of the solid political South.

The civil right of parents to have a voice in the schooling of their children does not curtail constitutional civil rights as spelled out in the Bill of Rights or elsewhere in the U.S. Constitution. Negro citizens have identical rights of exclusion in these same areas.

Without these State and local protective laws and customs, based on many decades of friendly and satisfactory actual experience, the civil rights and indeed the lives of citizens of both races may be endangered.

Without going into the details of each of the hodgepodge of bills before your committee, I declare that no further Federal legislation will serve any worthwhile purpose on race relations in the South. If you want to spend some time on bad race relations, we strongly recommend that you go into other parts of the Nation where race riots and incidents are almost every day news occurrences. We suggest that you look into teenage terrorism, and adult terrorism, among the melting pots of such large cities as New York, Philadelphia, Detroit, and Chicago. You find none of this mob racial unrest in South Carolina.

I like to point with pride to the fact that, after all of the sound and fury stirred up by propagandists from outside, the real proof of the solid friendship among the races in the South has been fully proven by the fact that we continue to live on the best of terms with our Negro population enjoying full measures of progress and prosperity. We have more Negro teachers, doctors, businessmen, home and automobile owners, and otherwise successful Negro citizens per square mile in South Carolina than will be found in any other State of the Nation outside of the South.

Since most of the racial hullabaloo has originated and has been tragically exploited by irresponsible political opportunists outside of the South, I have placed heavy emphasis upon the misguided political aspects, because that is where it belongs.

Concluding, I wish to point out respectfully that my 45 years of continuous political service and experience dates back to the days of men like Woodrow Wilson, William Jennings Bryan, Champ Clark, and many other notable figures. Never during all of the time of those strong men in the Democratic Party was there any evidence of any desire, just for political purposes, to single out any section of the Nation for such political skulduggery.

And I charge that when any of you from the rest of the country deliberately agitate such issues for political gain, you are being both unwise and unpatriotic. You are doing the Negro and other racial minorities, all of whom live in peaceful and happy circumstances in the South, an enormous injustice. You are striking at the very roots of individual freedom—the kind of freedom which

has brought together from all over the world so many citizens of different races and nationalities into a Nation which stands as a symbol of individual freedom for the rest of the world—a world which is suffering in so many areas from so many shortcomings and hatreds which do not now exist in this country.

I urge you on this committee and all Members of Congress to consider well the present happy and harmonious life of all Southern people before you make any more false moves under the pressure of political opportunists, misguided do-gooders or others who either do not care about the South, or who would deliberately destroy the well-being of our people, for some selfish reason which has nothing to do with the real peace and progress of the Negro race in the South.

L. MARION GRESSETTE, ROBERT E. McNAIR, AND THOMAS H. POPE

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that the gentleman from South Carolina [Mr. RIVERS] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. RIVERS of South Carolina. Mr. Speaker, as a part of my remarks, I include the statements of L. Marion Gressette and Robert E. McNair, chairmen of the Judiciary Committees of South Carolina State House of Representatives, respectively, and Thomas H. Pope, chairman of the South Carolina State Democratic executive committee.

The statements follow:

Mr. Chairman and gentlemen, we appear here primarily as citizens of the United States, for the preservation of the Republic is a cause that should be uppermost in the minds of all of us. And as advocates of the preservation of the rights and powers of the States, we believe we serve that cause above all others.

This Nation was founded upon a covenant among 13 sovereign States which banded themselves together to provide for the common defense and to advance the common welfare. To do this, they conferred certain powers upon the central government, mainly to present a united front against the enemy from without and regulate such internal matters as interstate commerce.

But they specifically reserved unto themselves all other powers. They took definite steps to guard against the development of a despotic Federal Government. In clear and unmistakable language, they said that all powers not delegated to the Federal Government were reserved to the States and ultimately to the people. The constitution of our State contains a similar clause, saying, in so many words, that the people have the power at any time to change the form of their government.

And as lifelong residents of the State of South Carolina and as present and former members of its general assembly, we know they can do it, for we have seen it done many times. The people of South Carolina are a proud people and they take their government seriously. They have amended their constitution many times.

Furthermore, no citizen of South Carolina is denied the ballot by reason of race, color, religion, or national origin. Some years ago, our State, by action of the general assembly and by overwhelming vote of the people removed from the constitution the so-called poll tax requirement for voting. Anyone who meets the reasonable minimum requirements as set forth in the constitution is allowed to vote—and we are proud to say that most of our citizens vote their consciences rather than the dictates of some pressure group.

It is claimed by the advocates of the so-called civil rights legislation that their main purpose is to insure to all people the right to vote. Our State already has insured that right, and it is protecting it in a most zealous manner. So is every other State of the Union. So wherein lies the need for the bills under consideration here today?

The obvious answer is that they are not needed.

Our State has on its statute books ample laws for the protection of the rights of all of its people. Anyone who intimidates, threatens or interferes with the rights of another is subject to severe penalties.

Our State has all but outlawed clandestine organizations formed for the purpose of intimidating others or committing violence against anyone. And there are in our penitentiary persons who have been convicted by South Carolina juries in State courts of violating these statutes. It is our purpose to prevent extremism and violence of all sorts, from whatever motive they may stem.

And the peace and good order among our people, the absence of violent agitation and disturbance is evidence enough that it is working.

Let's face the bald facts about the proposed legislation. Its sole purpose is to advance the political careers of those who have become subservient to a coalition of minorities by seeking to further the cause of integration of the races. It is that, and nothing more.

We in South Carolina, and in other States similarly situated, are doing all in our power to advance the best interests of both races. And we know from generations of practical experience that, now and in the foreseeable future, that cause can best be served on a basis of equal opportunity provided within a framework of segregation. We do not have interracial gang wars in our State, and we do not intend to have them. We are taking positive steps to prevent them by giving all of our people something better than an incentive for social strife in the pursuit of a false goal.

We are submitting as part of our testimony two documents taken from the official archives of the government of our State.

The first of these is the Sixth Interim Report of the South Carolina's Special School Committee. This group was created in 1951 to study the possible results of the decisions of the U.S. Supreme Court in the public education cases and to recommend courses of action to meet the problems that were sure to arise.

Even a cursory reading of this report should reveal that it is the firm purpose of our State to avoid arousing passions and to allay the fears and racial hatreds which have been caused by actions of the Federal courts and the Congress of the United States. This report shows also that public education has continued to make progress in South Carolina, even while it has been damaged by racial feuds in other areas, most especially in those which are loudest in their demands that the South change its pattern of living.

The second document we offer is a joint resolution unanimously adopted by the General Assembly of South Carolina on March 15, 1956.

That resolution asserts the intention of the State of South Carolina to "exercise all powers reserved to it to protect its sovereignty and the rights of its people." More than 3 years have passed since that resolution was adopted, but the temper of our people has not changed.

Mark you well, gentlemen, that statement did not originate in 1956, nor is it merely an idea grabbed from abstract thinking in 1959. It goes back to the very beginning of the Republic itself. It is a restatement of the principles enunciated by the men who freed this country from the tyranny of the British Crown, the men who shed their blood and gave of their personal property from 1776 onward.

More to the point, it is a restatement of the fundamentals of the Constitution of the United States as written and adoped by the Thirteen Original States, among whom our State is proud to this day to have been a leader. The rights and powers of the States to order as they see fit their own internal affairs is the keystone of the foundation of these United States. Destroy that, and you invite anarchy or, even worse, the absolute tyranny of the demagog who happens to be able to bind together the votes of enough self-seeking minorities to win power.

In opposing this legislation, we of the South are not fighting a sectional battle; we espouse the cause of national freedom. The measures under consideration may be aimed at us today, but they will apply to all of the 50 States of the Union.

The enabling legislation admitting the last two States to the Union specifically provided that they shall have the power to regulate their schools without Federal intervention. The laws admitting many other States after the Union was formed contain similar provisions. We, as one of the Thirteen Original States, ask no more than that.

It boils down to this:

This legislation is not sectional in its scope, whatever its intent may be. It will affect every one of the 50 States, and may lead to their destruction. And the citizens of the States whose Representatives in the Congress, for purely selfish political reasons, are clamoring for its passage will live to see it rise up and haunt them as a real and malevolent Banquo's ghost.

DANIEL R. McLEOD

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that the gentleman from South Carolina [Mr. RIVERS] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. RIVERS of South Carolina. Mr. Speaker, as part of my remarks, I include a statement of Daniel R. McLeod, attorney general of South Carolina, before Senate Subcommittee on Constitutional Rights before House Judiciary Committee, April 1959.

The statement follows:

Mr. Chairman and members of the committee, I am grateful for the opportunity of appearing before this distinguished committee. I concur wholeheartedly in what has been said by my colleagues from the State of South Carolina and, in an attempt to avoid repetition, I shall direct my remarks at the specific details of certain bills which are now before you.

OBSTRUCTION OF ORDERS REQUIRING INTEGRATION

S. 955 and H.R. 4457, title I, create an additional Federal offense by amending the present Federal statute relating to the obstruction of justice. This is clearly a pointed attempt to oppress a section of our Nation where school problems are rendered more difficult by recent decisions of the U.S. Supreme Court with additional retaliatory and vindictive measures. Under the present law there are ample and adequate methods of preventing interference with orders of the U.S. courts. This is apparent from a comparison of the wording of the present statute with

that submitted to the Congress. The proposed bill reads, as follows:

"Whoever corruptly, or by threats of force, or by any threatening letter or communication, willfully prevents, obstructs, impedes, or interferes with or willfully endeavors to prevent, obstruct, impede, or interfere with the due exercise of rights or the performance of duties under any order, judgment, or decree of a court of the United States which (1) directs that any person or class of persons shall be admitted to any school, or (2) directs that any person or class of persons shall not be denied admission to any school because of race or color, or (3) approves any plan of any State or local agency the effect of which is or will be to permit any person or class of persons to be admitted to any school, shall be fined not more than $10,000 or imprisoned not more than 2 years, or both."

Compare the foregoing with Title 18 USC, paragraph 1503:

"Whoever corruptly, or by threats or force, or by any threatening letter or communication, influences, obstructs, or impedes, or endeavors to influence, obstruct or impede, the due administration of justice, shall be fined not more than $5,000.00 or imprisoned not more than five years, or both."

As I shall subsequently refer to, it is to be noted that although the statutes relating to the obstruction of justice have, in the most part, been upon the statute books for many years, none of them carry the proviso that injunctive relief may be sought against the actions prohibited by the statute, yet in the bill under consideration by you, specific provision is made for injunctive relief with the proviso that such injunctive relief shall not be conditioned upon the ground that the conduct complained of is a crime.

Our present statutes specifically relate to assault on process service, resistance to an extradition agent, influencing or injuring jurors or witnesses, theft or alteration of court records, and picketing and parading before courthouse.

In none of these is the injunctive feature provided yet, in a measure aimed at a sphere where Federal interference has already produced nothing but discord, injunctive relief, contrary to a general rule of law, is specifically provided.

The present existing law has by a Federal court been declared to be "all embracing and designed to meet any corrupt conduct in an endeavor to obstruct or interfere with due administration of justice."

The present statutory law is, therefore, clearly comprehensive and adequate enough to provide for the enforcement and carrying out of the orders of the Federal court. The proposed legislation is not only needless but is pointedly aimed at a field in which there is already too much legislation and too much interference.

This bill makes it a Federal offense to obstruct or impede any order of a Federal court which directs the admission of a child to school, directs that a child shall not be denied admission to a school, or approves a plan by which a child is to be admitted to school. If such an order is handed down by a Federal court, the people of my State and of other States will be in peril of Federal prosecution if they should meet together to discuss action to be taken by them after such an order is passed or if they indulge in public meetings or make radio or television broadcasts or if they adopt plans of their own to meet the contingency with which they are faced, or if they place advertisements in the newspapers calling for concerted action to deal with the situation with which they are faced.

Their actions in such event could be construed by a Federal court in the language of *Bridges* v. *California*, 314 U.S. 52; 86 L. ed. 192, to "create a clear and present danger that they will bring about the substantive evil."

The proposed bill is contrary to a sense of fair play and sound reason in that it relates only to court orders admitting persons to schools. It nowhere provides that orders of court denying a child admission to school shall be obstructed or impeded. If a child is admitted to school in a manner that I consider improper, my protest against such admission is made at the risk of Federal prosecution; but if, for some reason, a child is denied admission to school, those who object to such denial are not subjected to Federal prosecution no matter how vociferously or in what manner they object to such an order of denial.

The bill operates also upon the wrongful assumption that orders must be passed admitting children to school. The President's message to the Congress uses such phrases as "desegregation programs" and "desegregate." Other bills before the committee refer to the school cases handed down since 1954 by the Supreme Court as "desegregation cases" and "antisegregation cases." The truth of the matter is that there has been no desegregation case nor has there been any integration case. After the case of *Briggs* v. *Elliott*, which arose in my State, was handed down, the Supreme Court remanded the case to the lower court for implementation. The late John J. Parker, Chief Judge of the Fourth Circuit Court of Appeals, concisely stated the import of that decision:

"It is important that we point out exactly what the Supreme Court has decided and what it has not decided in this case. It has not decided that the Federal courts are to take over or regulate the public schools of the States. It has not decided that the States must mix persons of different races in the schools or must require them to attend schools or must deprive them of the right of choosing the schools they attend. What it has decided, and all that it has decided, is that a State may not deny to any person on account of race the right to attend any school that it maintains. This, under the decision of the Supreme Court, the State may not do directly or indirectly; but if the schools which it maintains are open to children of all races, no violation of the Constitution is involved even though the children of different races voluntarily attend different schools as they attend different churches. Nothing in the Constitution or in the decision of the Supreme Court takes away from the people freedom to choose the schools they attend. The Constitution, in other words, does not require integration. It merely forbids discrimination. It does not forbid such segregation as occurs as the result of voluntary action. It merely forbids the use of governmental power to enforce segregation. The 14th amendment is a limitation upon the exercise of power by the State or State agencies, not a limitation upon the freedom of individuals."

Compare this with what the Supreme Court said in the case of *U.S.* v. *Reese* (92 U.S. 214, 23 L. Ed. 563):

"The 15th amendment relates to the right of the citizens of the United States to vote. It does not confer the right of suffrage upon anyone. It merely invests citizens of the United States with the Constitutional right of exemption from discrimination in the enjoyment of the elective franchise on account of race, color or previous condition of servitude."

The bill contains the further obnoxious feature which provides:

"No injunctive or civil relief against the conduct made criminal by this section shall be denied on the ground that such conduct is a crime."

This is a departure from the well established principle of law that the violation of criminal laws will not as a general rule be enjoined. It is but another demonstration of the tendency throughout the bills which are before the committee to substitute the injunctive process as a means of trial and enforcement of laws. The abuse of the injunctive process, which is evident in these bills, results in evils which strike at the freedom and liberty of the individual. The objection to such power being arbitrarily vested in the courts is well known: it deprives the defendant of his jury trial; it deprives him of the higher degree of proof required in criminal prosecutions; after punishment for violation of the injunction, he may be subjected to punishment under the criminal law for the same acts; it substitutes legislative punishment with a judge's punishment for contempt; it is often no more than a circumvention to overcome the supposed reluctance of jurors to convict; and it may result in the arbitrary exercise of power and in Government by injunction.

It is no mere oratorical figure of speech to say that the abuse of the injunctive power leads to Government by injunction; that Government by injunction can quickly degenerate into Government by edict; and that Government by edict is the handmaiden of dictatorships.

FLIGHT TO AVOID PROSECUTIONS FOR DESTRUCTION OF SCHOOLS OR CHURCHES

The objection raised to this legislation is that it is unneeded, unwarranted and insulting because it is tied up with a mass of legislation relating to school affairs. The implication in this type of legislation is that the States are not able or are unwilling to prosecute or to extradite and prosecute persons accused of these heinous offenses. I have personally assisted in the preparation of a bill which is in the course of passage at the present session of the General Assembly of South Carolina, the effect of which is to make the destruction, attempted destruction, threat of destruction or giving of false information as to destruction of public buildings an offense against the laws of South Carolina. In one case which has arisen in South Carolina and which involved only white persons, there was a vigorous prosecution as the result of a bombing. Except for the unfortunate death of a confessing witness prior to trial, there is little doubt but that a conviction would have been obtained.

The insulting feature of this type of legislation is illustrated by another case which arose in South Carolina and concerned a colored minister who was charged with assault with a deadly weapon, an offense precisely set forth in title 18, U.S.C. 1073, as one which is subject to prosecution in a case of flight. Yet the Department of Justice refused to prosecute in this clear-cut and obvious case and the Governor of New York refused to extradite the person charged for the purpose of subjecting him to prosecution in South Carolina. The President himself in his message states that State authorities have been vigilant in their execution of local laws dealing with crimes involving bombings.

We do not condone violence in South Carolina. We have been and we shall continue to be diligent in the prosecution of offenders against our laws; and if such persons flee across State lines to avoid prosecution, the remedy of extradition is available to return them to stand trial.

INSPECTION OF FEDERAL ELECTION RECORDS

The authority invested in the Attorney General of the United States under the terms of this proposed law and the provisions relating to the preservation of election records are truly shocking. Traditionally and constitutionally elections are State affairs. There is no such thing as a Federal election. There is no Federal election machinery. Every election is a State election and conducted under provisions of State law. The intrusion of Federal authority in purely State affairs is an arrogation of power which

is not warranted. It is a dangerous grant of power which an Attorney General could ruthlessly use to interfere in, disrupt, and control an election.

South Carolina has adopted a statute (sec. 23-67.1) which requires that registration to vote must be made upon application therefor on a form prescribed by statute. The statute prescribes that such applications "shall become a part of the permanent records of the (Registration) Board to which it is presented and shall be open to public inspection." We have nothing to hide in our election process and the intrusion of unwarranted Federal meddling cannot help but be viewed with resentment and alarm.

We have, moreover, a simple statutory procedure provided for appeal by anyone denied the right to register. The findings of the board of registration are not conclusive, but a de novo hearing is provided for before a circuit judge. Additionally, the statute provides that if urgency demands it in order to decide the matter in time to permit the appellant to vote if properly qualified, an extra term of the Supreme Court of South Carolina shall be called.

In South Carolina not one single case has been appealed under the provisions of this law. Certainly if the need for Federal surveillance existed, complaints would already have been made.

Federal interference in elections is not only a violation of the traditional rights of the States but is unwarranted and unnecessary.

EXTENSION OF CIVIL RIGHTS COMMISSION

My views on this Commission were stated before a committee of Congress in 1957 when the original legislation creating the Commission was pending at that session of the Congress. What was said then by me and by others is borne out by subsequent events. The Commission serves no useful purpose and has only generated discord and strife. It has gone to the ludicrous extent of asserting that State election officials cannot resign their offices but must, contrary to the constitutional provisions of the State of Alabama, remain in the status of dual officeholders for the purpose of being subjected to Federal prosecution.

It was prophetically stated in the House Minority Report, following the hearings on the Civil Rights Act of 1957, that this same Commission would not die a natural death at the end of its statutory 2-year period of life. The report stated:

"Anyone who believes that this Commission will cease to exist in 2 years can rightfully be accused of believing in fairies. The 2-year limitation upon the duration of the Commission will mark its first milestone to perpetuity. There will be so many leftwing pressure groups howling for its permanency as now demand its creation. Consideration of political expediency which spawned it will not let it expire. Its hordes of employees and snoopers will perpetuate themselves on the public payroll."

FEDERAL GRANTS FOR SCHOOLS

The President has recommended a program of financial and technical aid to States for the purpose of assisting them in desegregation processes which they do not care to undertake. This is a monumental example of Federal interferences and it is difficult to understand why the administration would, of its own motion and without any request by the States affected, seek to thrust upon the States enormous sums of the taxpayer's money for a purpose not consonant with constitutional principles. One of the most glaring defects in the proposed bill is that which foists on the people of the State grants-in-aid even though a State has made no application therefor, and has indicated that it does not desire to receive any of these Federal funds.

More repulsive are the terms of title VII of H.R. 4457 and title IV of S. 810, which authorizes grants-in-aid for the purpose of "conciliation, persuasion, education, and assistance."

These bills are predicated upon the wrongful assumption that schools must integrate. The opinion of Judge Parker in the Clarendon County case should be required reading for the framers of such legislation as this. They should be reminded again and again what was said in that case and which is more in point than any other Federal decision:

"The Supreme Court has not decided that the Federal courts are to take over or regulate the public schools of the States. It has not decided that the States must mix persons of different races in the schools or must require them to attend schools or must deprive them of the right of choosing the schools they attend. * * * The Constitution does not require integration."

Yet this legislation would permit the Secretary of Health, Education, and Welfare to promulgate a plan providing for the elimination of segregation; if this plan is finally determined by the Secretary to be one which should be imposed upon a State or political subdivision thereof, he is authorized to promulgate the plan and request conformance therewith by the State; and if the plan is not complied with the Attorney General of the United States is then granted authority to compel conformance to the plan by the institution of a suit in the name of the United States.

If this is not striking at the heart of American education, if this is not a direct attempt by the Federal Government to nationalize education, if this is not an unwarranted, unjustified, and unconstitutional step toward abolition of State functions, then it is difficult to imagine a more drastic means of reaching those improper objectives.

The American Legion, which can hardly be considered a sectional or biased or subversive group, at its 1958 annual convention in Chicago visualized the alarming tendency of the Federal Government to encroach into the field of education. At that convention there was adopted a resolution which should also be placed upon the list of required reading for those who would seek to federalize the education of our children by legislation such as is now being considered by this committee. The resolution reads, in part:

"The National Government should avoid interference, control, supervision, or direction in the educational processes, programs, activities, or systems of the respective States or local school districts, either directly or indirectly, by grants-in-aid, appropriations, gifts, or loans for construction of schools, buildings, or facilities, teachers' salaries, general student scholarships, equipment, or other purpose; by curriculum or program control, or by action of any officer, agency, branch, or department of the U.S. Government.

"The American Legion believes that the real vitality of our country lies in decentralization of the powers of government. We have an abiding faith in private enterprise and local initiative. We are convinced of the necessity to allow each community to decide its own educational policies and programs."

Throughout these bills there is specific authority, in many instances, for the Attorney General to bring suits, even upon the mere written complaint of an individual, in the name of the United States. The danger of this is that it strikes at the heart of the American jury system. It is analogous to the unwarranted grant of authority to use injunctive process similarly found throughout these bills. Ordinarily, in the case of contempt, a defendant is entitled to trial by jury which shall conform as near as may be to the practice in other criminal cases, but a vital distinction is made in cases which are brought or prosecuted in the name of, or on behalf of, the United States. A defendant cited for contempt is then not afforded the right to demand a trial by jury.

Section 603 of S. 810 is typical. It provides:

"The Attorney General has authority, upon receipt of a signed complaint to institute for or in the name of the United States a civil action or other proceeding for preventive relief—against any individual or individuals."

The devious means are therefore adopted to permit actions to be brought ex parte and a defendant cited for contempt would not be, as in the usual case, entitled to trial by a jury.

If this legislation is appropriate for enforcing the rights of individuals, it is difficult to see where it is to stop. Why may not Congress with equal show of authority, enact a code of laws for the enforcement and vindication of all rights of life, liberty, and property? There is no justification for iniquitous legislation of this sort which cuts through fundamental liberties and rights and places the United States in the position of being a parent-guardian for anyone who claims his rights have been adversely affected.

The President's proposal for the creation of another FEPC to supervise those who contract with the Government and tell them who they shall and shall not hire again demonstrates disregard for fundamental constitutional rights. The objections made to the FEPC and similar enactments, may as well be directed here. This legislation is abhorrent to our way of life and should not be adopted.

We have made wonderful strides in South Carolina. Our economy is advancing. There is no friction or discord among the races. There are no complaints that anyone's constitutional rights are being, or have been infringed. We desire to pursue our lives peacefully and harmonously and we intend to do so. The adoption of these measures will serve only to be a disrupting and discordant force. They offend the Constitution and the sensibilities of Americans who believe that the people can best engage in the constitutional objective of the pursuit of happiness unhampered by Federal intrusion such as will be brought about by these measures.

HON. ERNEST F. HOLLINGS

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that the gentleman from South Carolina [Mr. RIVERS] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. RIVERS of South Carolina. Mr. Speaker, as part of my remarks, I include a statement of the Honorable Ernest F. Hollings, Governor of South Carolina, before the Subcommittee on Constitutional Rights Legislation of the Judiciary Committee of the U.S. Senate, Washington, D.C.

The statement follows:

The first words of President Eisenhower in his special message on civil rights to the Congress this year were:

"Two principles basic to our system of government are that the rule of law is supreme, and that every individual regardless of his race, religion, or national origin is entitled to the equal protection of the laws."

To his two subjects, of law, on the one hand, and race and religion, on the other, I would first address myself to the latter.

Disraeli stated years ago that "No man will treat with indifference the principle of race. It is the key of history." Racial differences did not originate in nor are they confined to, the South. In Nehru's India there is more caste, race and religious prejudice than anywhere in the world. We see today Great Britain having difficulty trying to integrate the Turk with the Greek on the island of Cyprus. The racial differences of the Israelites and Arabs are threatening the world peace. The Catholic in the Scandanavian countries suffers the same difficulty as the non-Catholic in Spain or in some of our Latin American countries. In this country on the west coast there is the Chinese and Japanese problem. In Southwestern United States there is the Mexican problem. Not long ago a colored school principal at El Paso, Tex., threatened to quit because of the admission to his school of Mexican children. In New York there is the Puerto Rican problem. Last year in Florida a white family was promptly ousted from a colored neighborhood by Negroes who did not desire white neighbors. Billy Graham reports from his travels all over the world that wherever he found a difference in race, he found a problem.

As Governor of South Carolina I represent a State of tolerance and understanding. We have lived in peace and harmony with racial and religious differences for many years. There's no such thing as a restricted hotel in South Carolina. The Man of the Year in my hometown of Charleston recently was a distinguished Jew named Edward Kronsberg. To public office another Jew, Solomon Blatt, has been the unanimous choice for years as the speaker of our house of representatives. Just last week a Greek boy, Jimmy Leventis, was elected without opposition as president of the student body at the University of South Carolina. One of the largest Irish-Catholic societies in South Carolina, the Hibernian, last year had a protestant president, who is a Mason. The point I want to make and emphasize is that you can belong to and be president of any club or society in South Carolina regardless of religious affiliation.

For the Negro, South Carolina is a State of opportunity. There are colored leaders with their own insurance companies, bus lines, outstanding Negro members of the legal and medical professions, and in the teaching profession we have more than 7,200 Negro teachers in the school system of our State. This is more than there are in New York, New Jersey, Delaware, Rhode Island, Massachusetts, and Connecticut combined. We don't just speak of opportunity—we give it.

We would like to continue this climate of tolerance and understanding but we cannot if the President and Congress insist on attempting to legislate away racial differences. A distinguished South Carolinian, Bernard Baruch, once stated of prosperity a principle which is true of good race relations. He said· "Prosperity cannot be created by law. Prosperity can be created and can only be created by industry, intelligence and thrift." He warned, however, that prosperity could be destroyed by law, and he spoke of the danger of high taxes and government controls. Good race relations likewise cannot be created by law. Good race relations are created and can only be created by understanding, tolerance and respect. But good race relations can be disturbed by law, and today we have only to look to Little Rock to see its destruction by the so-called law of the land.

In South Carolina, despite some minor setbacks, the races continue to live in peace and harmony with mutual respect. In our schools peace patrols the school corridors; unlike New York, we do not need armed guards. The Negroes of our State feel as all of us feel—that schools are intended for education and not integration or social experimentation. They know that their Governor and general assembly are making a maximum effort to provide for their children the best educational program and the best opportunity to succeed on an individual basis. Let alone we shall continue to provide this opportunity, and as a practical matter, it can only be done in the separate pattern. The only way that children in South Carolina can continue to receive the efficient public school education so necessary for their future success and well-being is in conformity with the social patterns and customs ingrained in our way of life. Legislative attempts to change that pattern will only serve to destroy the well nigh boundless store of goodwill and understanding now existing among all races and beliefs.

The fact that such mutual respect and goodwill does exist in South Carolina is proved conclusively by the fact that there has not been a single complaint made to the Civil Rights Commission from any South Carolinian of any race.

As Governor of all the people of South Carolina, the Negroes as well as the white people, I beg of you not to destroy the friendship, education, culture, and opportunity of both races by enacting the proposed civil rights bills pending in this subcommittee.

I would refer next to the President's statement that the rule of law is supreme in our system of government. Immediately comes to mind the questions "What is the law of the law of the land?" or "What is the supreme law of the land?"

The law of the land, is the same today as it was the day this Nation was founded in 1787—that is the Constitution of the United States. As Mr. Charles Warren, eminent historian of the Supreme Court, stated: "However the Court may interpret the provisions of the Constitution, it is still the Constitution which is the law and not the decision of the Court."

Article VI of the Constitution tells us what the supreme law of the land is:

"This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding."

You will note that neither the U.S. Supreme Court nor their decisions is the supreme law of the land. The law student is taught in early days the difference between the law of the land and the law of the case or decision, and too often in this field we do find the law of the case in the segregation decisions being mistakingly referred to as the law of the land.

As Governor I have sworn before God and my people that I will preserve and defend the constitution of South Carolina and the Constitution of the United States. The constitution of our State has been amended so many times that it is difficult to recognize the original—but it has been amended legally. The Constitution of the United States has been amended illegally by the Supreme Court and today we struggle to recognize the original. This noblest document ever penned has been defiled by careless men of less nobility. Our U.S. Constitution, like all great things, finds its greatest strength in its permanency—and when that permanency is casually handled, its greatest strength suffers, and weakens, and perishes.

With clear conscience, and complete conviction, I state to the Congress that we are a government of laws and not of whim—that our deep sense of civic responsibility demands a respect for the law—that if the slightest law is to be respected, then the greatest law is to be hallowed. We recognize that the U.S. Constitution is an epic document—a great gift and hope to mankind—but when the form and letter and spirit of that Constitution is ignored, a gestation period of chaos erupts into a miscarriage of conscience and propriety. We find a U.S. Attorney General pledging economic blackmail against our Southland. We see both political parties competing to hurl the greatest insult and defamation at our door. And worse, we find a badly advised Chief Executive assuming command of a marching army, this time not against Berlin, but against Little Rock. This same Commander admonishes the southern Governors that in taking the oath to support the U.S. Constitution, they swear allegiance to the Supreme Court and the Court's version of "the law of the land." Or to be specific, he and others insist that the Governors are sworn to integrate the public schools.

The men who assembled and drafted our Constitution and those who have subsequently lawfully amended it made it apparent and definite that the individual, the State, and the Nation, were all to have rights. As a matter of course the rights must be different in scope since the needs are different in scope. Note carefully, I have emphasized "in scope"—they are not different in degree, for the National Government can no more take away a man's life or property without due process of law than can that same individual refuse to serve in our Armed Forces. Equally true is this with regard to the powers of a sovereign State over the individual. While some States allow 18-year-old to vote, other States forbid it, and the individual citizen of 18 in a forbidding State is not denied equal protection of the laws because he can't vote.

Paramount among these powers reserved to the States, therefore, is that of regulating elections, and equally paramount is the power of providing and regulating public education. Both of these powers remained undisturbed by the 14th amendment. The right to vote without regard to race was not guaranteed until 2 years later by the 15th amendment. It is clear by law and intent that the 14th amendment did not disturb the fixed boundary between the right of the individual and the power of the State in providing public education. Both the Congress that framed the amendment and the States that ratified it continued to operate separate schools. When the doctrine of "separate and equal" was sanctioned by the Supreme Court of the United States in 1896, neither Congress nor any court or State protested. On the contrary, everyone understood this doctrine as the basis upon which the States could conduct public education. The correctness of this understanding was confirmed repeatedly by the highest State and Federal courts in an unbroken line of decisions. The boundary line remained fixed. There is today no law and no provision of the Constitution requiring racially integrated schools. Until the Constitution is lawfully amended and the boundary line changed, the South stands on this boundary and on this principle. Until the Constitution is lawfully amended, my refusal to integrate the schools will not conflict with my oath as Governor.

In fact, the contrary is true. I could not conscientiously take an oath to protect and defend the Constitution of the United States and not object to the Supreme Court usurping the amendatory power that constitutionally is vested in three-fourths of the States. To do so would give us a government of men and not of laws. This danger was foreseen by our forefather in the founding days of this Republic, for it was George Washington who said in his Farewell Address:

"If, in the opinion of the people, the distribution or modification of the Constitutional powers be in any particular wrong, let it be corrected by an Amendment in the

way which the Constitution designates, but let there be no change by usurpation; for though this in one instance may be the instrument of good, it is the customary weapon by which free governments are destroyed."

Nevertheless, the danger grows and members of the Court claim for it the function, and even the duty, of amending the Constitution at will. In his dissenting opinion in Green v. United States in March 1958, Justice Hugo Black, with the concurrence of Chief Justice Earl Warren and Justice William O. Douglas, said this:

"Indeed, the Court has a special responsibility where questions of constitutional law are involved to review its decision from time to time and where compelling reasons present themselves to refuse to follow erroneous precedents; otherwise its mistakes in interpreting the Constitution are extremely difficult to alleviate and needlessly so."

In other words, when these Justices disagree with earlier and long-standing interpretations of the Constitution, such interpretations are mistakes and should be corrected by the Court, because the amending process is "extremely difficult," and "needlessly so" when the Justices can so easily take the place of the constitutional three-fourths of the States.

The Supreme Court of our land was established to decide litigation in the light of past decisions and not in spite of past decisions. It is not the Court's function to lay down "the law of the land" by judicial fiat. It is the Congress under the American system that makes law. Flagrantly, baldly usurping the amendatory power of three-fourths of the States, the Justices of the Supreme Court apparently take their gospel from Richard III, whom Shakespeare caused to say:

"Strong arms shall be our conscience, swords our law.
March on, join together to pell mell
If not to Heaven, then hand in hand to Hell."

It is distressing that the Justices don't know where they are trying to force us, but it is even more distressing that they, like Richard, apparently don't care.

As Governor I believe the duty of the Court to be that as expressed by the great Chief Justice Edward Douglass White. His opinion was joined in by Justice John Marshall Harlan, a grandfather of the present Justice. Chief Justice White stated:

"The fundamental conception of a judicial body is that one hedged about by precedents which are binding on the Court without regard to the personality of its members. Break down this belief in judicial continuity, and let it be felt that on great constitutional questions this Court is to depart from the settled conclusions of its predecessors, and to determine them all according to the mere opinion of those who temporarily fill its bench, and our Constitution will, in my judgment, be bereft of value, and become a most dangerous instrument to the rights and liberties of the people." *Pollock* v. *Farmers Loan & Trust Co.*, 157 U.S. 429, 652.

We therefore object generally to these civil rights proposals as inappropriate and dangerous approvals by the Congress of the Supreme Court's violation of its duty.

You should have the same objection. What is happening is obvious to all America. The Court has goofed. In their zeal to pioneer in the field of human rights, the justices have disobeyed the law for judges. Rather than being the heroes they thought they would be, they have incurred the wrath of everyone. The American Bar Association, the Association of State Supreme Court Justices, the State's Attorney General's Association, the Association of Secretaries of State, and leading jurists have all condemned the Court. Even the Civil Rights Commissioners are throwing up their hands in despair. Comes now the President and Attorney General asking the Congress to build into the law a respect for the Court and its disobedience of the law. They want the Congress not as a coequal branch of government with the Court, but to be its hatchetmen. The justices learn now a simple law of physics. A legal structure, like any other structure, must be built from the foundation up—not from the top down. The people through their Congress is the foundation of law and though the Court has manufactured some supreme stories at the top, they continue to fall around at their feet for want of proper foundation. Like all the king's horses and all the king's men, all of these civil rights proposals and all the Congress can't put Humpty Dumpty together again.

As the State's Governor I specifically object to attempts on the part of the Federal Government to take over the police powers of the States. We have law and order in South Carolina and we will maintain law and order in South Carolina. We don't need further Federal authority. We believe not only in States rights but in States responsibilities. Accordingly, where needed, we have enacted our own State statutes for the proper exercise of the police power in order to give equal protection of all the laws to all our citizens regardless of race. We will not allow persons to take the law into their own hands. We will not have mob violence in our State. As a member of our house of representatives, I authored the antilynch bill which is the law in South Carolina today. This law describes a mob as an assemblage of two or more persons without authority of law for the premeditated purpose of committing an act of violence upon the person of another. It provides strict penalties for mob violence. It is, I am informed, the strictest antilynch measure within the 50 States.

I can tell you as Governor of South Carolina that in any incident giving rise to a threat of mob violence, be it a labor dispute, racial tension or from whatever cause, South Carolina's laws will be enforced and there will be no mob violence. The Federal statute suggested by the Attorney General is unnecessary in South Carolina.

We have sound, fair election laws. Everyone believes in the free exercise of the Negroes' privilege to vote. He exercises this right unhampered. I reiterate there's not a single complaint from South Carolina to your Civil Rights Commission on any voting right infringement or denial. None of us condones violence, and although we have a malicious injury to property statute, when I took office in January I recommended a strict, clear-cut penal provision for those who would take the law unto themselves and deface and damage church and school property. A bill has been introduced by our senate judiciary committee providing for this, and additionally providing for threats of such misconduct, and I and the legislative leaders present can assure you that though it is not needed, we will have such a law in South Carolina within the next few days.

When it comes to civil rights, South Carolina has a civil rights statute. Before I read the State statute, I want to read to you the original Federal Civil Rights statute so that you can recognize the striking similarity. Section 241 of title 18, U.S.C.A., entitled "Conspiracy Against Rights of Citizens," is as follows:

"If two or more persons conspire to injure, oppress, threaten, or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same; or if two or more persons go in disguise on the highway, or on the premises of another, with intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured, they shall be fined not more than $5,000 or imprisoned not more than 10 years, or both."

Section 16–101 of the 1952 Code of Laws of South Carolina, entitled "Conspiracy Against Civil Rights," reads as follows:

"If any two or more persons shall band or conspire together to go in disguise upon the public highway or upon the premises of another with intent to injure, oppress or violate the person or property of any citizen because of his political opinion or his expression or exercise of the same or shall attempt by any means, measures or acts to hinder, prevent or obstruct any citizen in the free exercise and enjoyment of any right or privilege secured to him by the Constitution and laws of the United States or by the constitution and laws of this State such persons shall be guilty of a felony and, on conviction thereof, be fined not less than $100 nor more than $2,000 or be imprisoned not less than 6 months or more than 3 years, or both, at the discretion of the court, and shall thereafter be ineligible to hold, and disabled from holding, any office of honor, trust or profit in this State."

Now what is the matter with using either one of these statutes to deter the use of force or threats of force to obstruct court orders? The point is here that the technical difficulty presumed by the Attorney General in contempt proceedings in persons not being parties to the suit or the court not being in session is obviated. Court orders or no court orders—if persons interfere with the citizen in the free exercise or enjoyment of a right guaranteed by the United States Constitution, then they can be held under the State or Federal law. I realize the lack of individual applicability, but it is mob violence that the President and Attorney General were after. The truth is that the U.S. Attorney General doesn't like this statute. He would rather it be kept a secret because it is so easily applicable to labor violence. Time and again labor strife in this country could have been arrested by proceeding under section 241. If there was some way to measure labor strife and racial strife, there is no question that the former would far outweigh the latter. Labor disorder is of national concern. Racial disorder is of no such concern, but rather politically conceived.

If the Congress were to adjourn for 10 years, the Negro in South Carolina would continue to receive excellent education—his voting rights, his civil rights, his constitutional rights. But, on the other hand, if the Congress fails to meet and in the next 10 years fails to regulate labor violence, we are lost.

The Attorney General should start enforcing the laws he now has at hand and quit trying to play politics with minority and racial groups.

As Governor I intend to enforce the law in South Carolina. Without the Civil Rights Commission and without these so-called civil rights statutes, law enforcement will be an easy task.

Although there has been some deterioration since the Supreme Court decision of 1954, there is still a feeling of respect for the law. There is a revulsion against pressure groups like the NAACP and Ku Klux Klan. The candidate who opposed me in the general election, James W. Cole, was a Klan leader. He is now in jail—not for opposing me, I may add, but for opposing decency.

We have the highest respect and the most friendly relations with the Federal Bureau of Investigation.

South Carolinians respect their Federal judges and Federal courts. Grand juries are quick to indict for violations, and the U.S.

attorney will tell you he has complete cooperation. This will all go out of the window with the enactment of the proposed legislation. The people will feel—and they have a right to feel—that here are unnecessary laws being enacted against a minority South in the name of civil rights to gain political capital with other minority groups over the Nation. Rather than upholding the Federal Government and the Federal laws, they will feel that they are only political measures and the contest will be who can play the best politics rather than who can maintain law and order.

For myself, rather than dedicating my time to the furtherance of educational progress and industrial development to provide a future for all our people, I will be spending all of my time trying to maintain law and order.

Our State's attorney general will adhere to the specific bills at hand. I will complete my statement with observations on the recommendations of the President that have prompted the proposed legislation. I have already commented on the President's first recommendation about prohibiting the use of force to obstruct court orders in desegregation cases. I have stated how the original Civil Rights Act would cover this proposal. I believe the obstruction of justice statutes title 18, sections 1501–1507 are sufficient to cope with any threat of mob violence. The bill including the President's first recommendation states in effect that persons who do violence to school court orders shall be punished for a crime, but those that do violence to other court orders shall go free. If the Federal Government needs further power to enforce its order in school cases, then it needs this power in all cases. I have already pointed out that there is more labor dispute than school dispute, and if needed, the Congress in its drive for equality should give equal authority in labor disputes. The point is that this is special legislation for a special offense designed against a special section of our Nation, all in the pretended cause of equal protection of the laws. Our section of the Nation is known for peace and order. Our public leaders are known for their contribution and dedication to constitutional government and the preservation of all the freedoms for all the people. Anyone familiar with South Carolina and its people will tell you that rather than promoting civil rights these bills if enacted will create civil disorder. As a Governor I am particularly concerned. The police power is vested in the States and not in the National Government, and the primary duty of the State's chief executive is to administer this police power. Whether Gov. Orval Faubus was right or wrong will be argued from now on. Whatever your conclusion, the Attorney General now agrees that troops never should have been used and even Harry Ashmore has reported that desegregation cannot now be had in Little Rock. Be that as it may, Faubus as Governor used force to preserve law and order. The people, the real law of the land, vindicated his judgment by an overwhelming majority at the ballot box. These are facts. There is no doubt that despite these facts, Brownell would have arrested Faubus had this bill been the law. Governor Shivers of Texas, Governor Clement of Tennessee, and Governor Faubus have all used force to maintain law and order in these school matters. There should never be the enactment of a statute by the Congress that would cause the arrest of a State's chief executive for performing his primary duty.

The creation of this new offense makes a mockery of the double jeopardy provisions of the fifth amendment. For a single offense the Federal Government could prosecute under: First, the obstruction of justice statutes; second, the original Civil Rights Act; and third, under this proposal. If the offender were a party to an injunction, then he could be punished yet again, making four Federal trials. That all these punishments are applicable for one offense illustrates both the unnecessary and dangerous features of this proposed legislation.

This proposal in effect makes all Americans second-class citizens, and Communists first class. A Communist can threaten to overthrow the Government but unless this threat is accompanied with an overt act, there is no violation. Here the threat by an American citizen against a court order is punishable even though it is unaccompanied by an overt act. The Congress will not be giving equal protection to its U.S. citizen. If you think this is a ridiculous approach, read the proposal carefully. Moreover, words of disagreement can easily be interpreted as threats. No one in the South has agreed with any of the Court orders respecting the school decisions. They have so expressed themselves. The enactment of this bill would make criminals of them all.

Commenting on the President's second recommendation to give investigative authority to the FBI in school and church destruction cases, I would reiterate the police power is vested in the States and were it otherwise proper then such authority should be given for all crimes. There has been no indication that any Federal authority is needed in this field. No one has escaped prosecution for such an offense in South Carolina and I know of no flights from such prosecution. The President stated "State authorities have been diligent in their execution of local laws dealing with these crimes." The Attorney General when he appeared before this committee stated that "local officials have been diligent in their efforts to apprehend offenders" and at the same time he gave no instances wherein this proposal was necessary. He didn't cite a single case. This recommendation, therefore, is only an attempt to insult the South. While any type incident of this nature in the South receives national headlines, similar incidents in other sections of the country go unreported. Last October I was in attendance at the United Lutheran Church Convention in Dayton, Ohio.

On the first evening of our conference we were saddened to hear of the passing of one of the world's greatest church leaders, the late Pope Pius. We were even more shocked that when the news was announced at approximately midnight in Dayton, it was greeted by a group of people proceeding to the cathedral grounds in the city of Dayton, tarring a beautiful marble statue of the Pope, placing tinder sticks at the bottom and setting the likeness ablaze. There is no such anti-Catholic feeling anywhere in the State of South Carolina. When I came home and told of what had happened, my story was received with disbelief. I have yet to see this incident reported in any national publication. If it had occurred in South Carolina, the U.S. State Department would have been apologizing, and I believe it should have.

As to the President's third recommendation, I reiterate there hasn't been a single complaint of the violation of voting rights to the Civil Rights Commission from South Carolina. Persons in the South have resisted turning over election records to prevent fishing expeditions by the Federal authorities. When the election records were needed, they were obtained through the grand jury in Alabama. To vest the Attorney General with power over election records is highly dangerous. In addition to the usual historical observations of grand jury indictment and trial by jury being written into our Constitution to protect persons from judicial tyranny, I would like to warn of the political danger that this poses—not so much to the South, because we are a one-party State, but to those States that have vigorous two-party systems with close elections. Attorneys General are often selected more on the basis of their political ability than for their legal ability. Given the power to seize election records at a time of his own choosing, close elections could be controlled from Washington. I think the Attorney General should work through the local grand juries in this respect as they have always done.

I should refer here to the companion measure, S. 456, introduced by Senator JAVITS, and S. 810, introduced by Senator DOUGLAS, which undertake to give the Attorney General power to institute civil suits in behalf of any person who is denied equal protection of the laws on account of race, religion, or national origin. These bills again are concerned with select offenses for select groups. Done in the name of equality, they violate equality. That they are designed especially is best evidenced by the Attorney General's response to Senator ERVIN'S suggestion that a statute be expanded to allow the institution of suits for the denial of equal protection of the law on account of religion. Mr. Roger's response in opposing such a suggestion, stated that it would not be wise, and said this: "I think it would require the Government to become involved in a great deal of litigation which might very well harden the resistance that is already apparent in many areas to the point where it would be impossible to make any progress in the future." We are dangerously near that point in South Carolina due to the Supreme Court school decisions, and this bill would have exactly the effect that Mr. Rogers fears in the religious field. To use Mr. Rogers' words, this bill would "curtail progress, rather than advance the progress in this field."

The fourth and fifth recommendations dealing with Federal aid and authority in public schools is a typical camel's nose under the tent that probes continuously for those wishing to nationalize education. It is surprising that we have allowed the Federal Government to advance as far in this field as having a Department of Education. The people of this country will never stand for Federal schooling. Even Chief Justice Earl Warren has agreed, as stated in *Brown* v. *The Board of Education*, 347 U.S. 483; 98 Law Ed. 873: "Today education is perhaps the most important function of State and local governments." Two years ago the special Presidential Commission studying the so-called national emergency in public schooling found that in only 13 States in America is a child not being denied an education for the lack of a classroom or a school teacher. Low per capita income South Carolina is one of these 13. We don't need Federal aid. We don't want Federal aid because we don't want Federal controls. To give Federal authority over public schools beyond a military reservation or other Federal property is unthinkable. That these steps are only a foot in the door is best evidenced by the President's sixth recommendation that the Committee on Government Contracts be resolved into a Commission on Government Contracts. What was a committee is now to be a commission. It is the same national F.E.P.C. proposal that has been rejected as an unconstitutional assumption of State sovereignty and power by this Congress on numerous occasions.

As to the President's final proposal to extend the life of the Commission, South Carolina reiterates her position of opposition to the original institution of this Commission. A continuation would only mean extended uselessness and increased discord. Whether the Commission has had time enough to do what certain politicians desired is probably doubtful, but certainly we have had enough time to determine the necessity of this Commission. This Commission was

spawned by the flimsy testimony of news reports, hearsay, and political talk. Seven hundred and fifty thousand dollars was appropriated for the expected tremendous volume of violations of civil liberties. There has been no case in South Carolina. The case in Alabama has been dismissed. The Commission has a doubtful case in Georgia, and if we are interested in the rights and freedoms of persons, there are far more incidents of rape, murder, and bank robbery in this country and a Commission for these offenses would be more logical even though equally unwarranted.

The real truth is that thinking leaders of both races in the South realize that integration is unwise, impractical and will never be accomplished.

The South has stood the acid test. With all the opinions and predictions of psychologists, sociologists and special interest groups, despite the heavy pressure of the national leadership of both political parties, despite the millions of dollars expended for airborne troops, hearings, court proceedings and what have you, only 165 colored children have been integrated in the schools of 10 States in the last 5 years. In Arkansas there have been 78; North Carolina 13; Tennessee 44; Virginia 30. In the other six Southern States, South Carolina, Georgia, Florida, Alabama, Mississippi and Louisiana, there has been no integration. The southern Negro knows he is getting the best education and the best opportunity on an individual basis. We are denying him nothing on account of his race and we will give him nothing on account of his race. Lopsided internationalists may talk of the shame that racial incidents have visited upon these United States with the nations of the world. These nations know and understand racial differences. Rather than alarm for these incidents, the people of Europe were far more shocked at the striking similarity between Eisenhower and his use of troops to maintain law and order in Little Rock and Khrushchev's use of troops to maintain law and order in Hungary.

So-called civil rights legislation such as you have before you will drive deeply the shaft of division into the national body. Such bills would hurt our domestic and international efforts. They will hurt everyone, the white and the Negro alike. They will promote civil discord rather than civil rights. Law enforcement will depreciate as in the days of prohibition with local law officers opposing the Federal officers. They will make it extremely difficult for Governors of our States to maintain law and order. They will be a grievous disservice to our beloved America.

JOHN FOSTER DULLES

Mr. GLENN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SIMPSON] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SIMPSON of Pennsylvania. Mr. Speaker, I join in what I am sure is the unanimous sentiment of this body in expressing regret that a truly great and distinguished American has today found it necessary for reasons of health to relinquish an office that this patriotic public servant has filled with courage, perseverance, and unusual wisdom. It may be properly said that few people have served the cause of peace with greater dedication and effectiveness than has John Foster Dulles, our Nation's esteemed Secretary of State. That health now causes him to set aside the responsibilities of his office is a matter of serious moment to himself and is a consequence of utmost concern to the Nation he has served so selflessly and so well.

The political obscurants who recklessly in the past attempted to malign the dedicated steadfastness and infallible foresight of Mr. Dulles now have tragic reason to recant their carping and to acknowledge their own failure to measure up to his achievements for peace and the protection of mankind against Communist enslavement.

It is our fervent prayer that Mr. Dulles may recover from his illness so that we may continue to benefit from his wise counsel and so that he may enjoy with his beloved wife a rich period of private life.

TVA TURBOGENERATOR AWARD

Mr. GLENN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SIMPSON] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SIMPSON of Pennsylvania. Mr. Speaker, on February 6, 1959, the Tennessee Valley Authority awarded a contract for a 500,000 kilowatt steam turbogenerator to C. A. Parsons & Co., Ltd., of England.

On February 27, the Authority issued a statement defending its action. This statement clearly indicates to me that the Authority's preference for the foreign bidder was due primarily to considerations of price.

The two American bidders have now petitioned the Office of Civil and Defense Mobilization to upset this contract on the grounds that transfer of such major defense production potential to a source 3,000 miles from our shores threatens to impair our national security. The American companies and the Authority seem to agree on the fact that this huge generator is highly important to national defense. Therefore, the argument is primarily concerned with the question of whether or not its manufacture abroad will impair our national security potential.

So that our colleagues may have an understanding of the importance of this matter, I would like to cite a few facts about this turbogenerator. A 500,000 kilowatt generator is no trinket, no mere statistic. No such huge piece of equipment has yet been built and put into service. It will be one of the three largest steam generators that man has ever undertaken to build.

Such a generator is approximately 112 feet long, 60 feet wide, 19 feet high, and will weigh 1,812 tons. With a capacity of 670,000 horsepower, this generator, operating at an estimated 95 percent capacity, day in and day out, would produce continuously 636,500 horsepower. To visualize this vast output of power, it might be helpful to my colleagues to point out that 636,500 horsepower is the equivalent of more than 3,000 Fords or Chevrolets running at top speed day and night, 365 days a year, year in and year out. To put it another way, it is enough power to lift the 76,000-ton U.S.S. *Forrestal* 138 feet in 1 minute flat. This one piece of equipment could generate the entire annual power supply for the whole District of Columbia.

EMPLOYMENT

Manufacture of this generator in the United States would have provided a years' full-time employment for at least 700 American workers engaged directly in the fabrication of this machine and its component parts, and would have contributed to the employment of many other supporting and service personnel inside the plant of an American electrical manufacturer. I would hasten to add that this is not all the employment which would be affected. Based on data from the American Tariff League and the U.S. Chamber of Commerce indicating the importance of manufacturing jobs to a community, it can be estimated that these 700 jobs mean additionally $2,520,000 in annual retail sales; $1,890,000 in bank deposits; 749 automobile registrations; 784 households; 28 retail establishments; 518 jobs in other enterprises.

Thus, the 700 workers directly employed would cause 518 other jobs to exist in the community or a total of 1,218 jobs.

Given the substantial unemployment in our Nation today—amounting to 6.1 percent of our working force—I would question the wisdom of public policy which places this rather substantial number of jobs in the United Kingdom where the unemployed represent only 2.8 percent of the working force. In fact, Britain is enjoying great prosperity. I note, for example, that on April 2, 1959, the Wall Street Journal carried a dispatch from London which reads in part as follows:

> The British Government published an economic balance sheet indicating the nation has emerged from recession into the biggest boom in years.
>
> Rising incomes, near-stability in prices, and the most buoyant trade figures since World War II were reported in the treasury's economic survey for 1959.

And additionally, I note that the four areas where such generators can be produced here at home are all classified by the Department of Labor as areas of substantial unemployment. In my view, the domestic unemployment situation should be one overriding concern in these contract awards.

PRICE VERSUS DEFENSE

Another overriding concern should be our national security—the productive capacity we have available for defense; and our laws explicitly so state.

The price in the British bid is far lower than that in the domestic companies' bids. This is quite understandable in view of the lower wages and lower general costs of doing business in Britain. When the Japanese start building big generators, their price will, no doubt be even lower, and for the same reasons.

If we are to follow a theory of basing all defense-essential purchases primarily on price, we will inevitably find our essential defense productive capacity moving even closer to the Soviet boundaries.

On this matter of national security, the Authority comments:

In the event of total war, the problem of repair or replacement of generating units would be about the same whether they had been manufactured domestically or abroad. Any realistic contemplation of such a war must assume that American turbogenerator manufacturing plants could be destroyed or damaged in the same attack which might damage or destroy the unit installed in the Colbert Steam Plant. Early repair or replacement would seem unlikely no matter where the unit had been built.

In event of a less extensive attack or acts of sabotage, it should be recognized that generating units manufactured by all the major American suppliers are incorporated in the TVA system. Widespread damage to the system could result in heavy demands on all these suppliers, both by TVA and by utilities in other sections of the country. Addition of the Parsons unit to the TVA system increases the number of suppliers who can be called on in the event of such an emergency and thereby reduces the risk of delay in getting maximum capacity back into service.

Now, Mr. Speaker, I would like to ask my colleagues if those two paragraphs make much sense?

The Authority seems to feel that, if we have a big war, it will not make any difference where we bought the generator. Not prescient, I cannot say whether the Authority is right, but I still feel, both instinctively and from our past experience, that the more capacity we have 3,823 miles from the Iron Curtain—rather than just 477 miles away—the better off we will be.

Then the Authority seems to feel that, if we have a smaller war or sabotage, the British source of supply would, in effect, be an advantage—one more string in our bow. The experience of World Wars I and II does not bear out this line of reasoning. Even in the unlikely event that the Britsh would be in a position to assist us, I doubt that future adversaries would make shipment of massive, defense-essential electrical equipment across the ocean any easier than the Kaiser or Hitler did. Looking at this past experience of wartime production going eastward and not westward across the Atlantic, I personally would feel more secure if the production and repair facilities were in Schenectady or East Pittsburgh.

Since we cannot predict what a future war will do to productive capacity and since we do know what has happened in every war of this country, I would suggest that we might be wiser as a Nation were we to base our public policy upon what we do know and not upon what we do not know.

THE ECONOMICS OF THE SITUATION

Long concerned with electricity, fertilizers, flood control and related matters, the Authority is now branching out into a new field—the economics of foreign trade. Its experience in this field is scarcely remarkable.

The Authority says:

TVA would regret any real net loss of employment for American workers from its purchase of an English turbogenerator. However, it seems more likely that there will be a net benefit to American labor. TVA will make payment in dollars for its purchase from Parsons. It can reasonably be assumed that these dollars will be used to finance British purchases of other goods either in the United States or in third countries which will in turn use the dollars to make purchases in the United States. Those dollars can be expected to create and pay for as many man-hours of work in the United States as would have resulted from domestic manufacture of the turbogenerator.

I am sure, Mr. Speaker, that my colleagues will be glad to know that the Authority would "regret any real net loss of employment for American workers from its purchase of an English turbogenerator."

The logic underlying the rest of the economics in its statement can but leave us mystified.

Apparently the Authority has never heard the parable often, although perhaps apocryphally, attributed to President Lincoln:

If we spend $100 to buy iron rails from the English, we have the rails and they have the $100.

If we buy the rails from ourselves, we have both the rails and the $100.

Nor, apparently, has the Authority noted the diminution in our gold reserves. At the end of 1958, American gold holdings stood at $20.5 billions as compared with $22.8 billions at the end of 1957. The Wall Street Journal pointed out, on December 16, 1958:

The national gold reserve declined by $2.2 billion between February 19 and November 26; Federal Reserve Board experts estimate that foreign, mostly European, net acquisitions of gold and dollars during the entire year will be about $3 billion.

The United States gold reserve, at $20.6 billion, is at its lowest figure since the end of the war. The current slide in the gold stock is the sharpest on record, except for a precipitous decline during the first year of the Korean fighting.

Frankly, this disturbs me. It doesn't take much arithmetic to see that, if depletion of our gold supply continues at even a modest proportion of this rate, our stock could be exhausted in 10 to 15 years.

It is thus obvious that the Authority's economic theory, that dollars spent abroad are a lot of homing pigeons, does not bear up under close scrutiny.

And further, even if one accepts the Authority's "homing-pigeon theory" of international dollar transactions, I fail to see the validity of their contention that $12 million spent abroad can ever make as many jobs as $18 million spent here. Yet on this the Authority says:

Those dollars can be expected to create and pay for as many man-hours of work in the United States as would have resulted from domestic manufacture of the turbogenerator.

The Authority's mathematics escape me. Even in the unlikely event that the whole $12 million were to return to our shores, it could only provide two-thirds as many jobs as the $18 million spent here.

CONCLUSION

But, Mr. Speaker, even if we ignore these curious economic considerations and even if we ignore the relationship between this purchase and American unemployment, I fail to understand how our Government can refuse to recognize the threat this purchase poses to our national security. Must we dismantle our defense-essential productive capacity because of price? Must we produce defense-essential goods in plants thousands of miles from our shores when repair and maintenance are such important factors?

I am sure that every Member of this House is aware that our very survival as a Nation, in the event of a nuclear attack, can depend to a great extent on the speed with which we can restore our domestic productive capacity. One of the vital bases of domestic productive capacity is the availability of electric power. How then can our Government fail to see the questionable nature of this decision by the TVA?

In this deliberate courting of disaster, America appears to stand quite alone. Other nations of the world recognize the intimate relationship between electric power and their national security. As just one example, I would like to point out that the United Kingdom has never purchased its turbogenerative equipment from overseas sources.

For at least a score of years, the British have embargoed, or virtually embargoed, foreign-manufactured electrical machinery, chemicals, and many other products—for example, American automobiles for which Britain has an import quota of 650 cars a year as against approximately 140,000 British cars imported into the United States during 1958.

Recently, and after many, many years' urging, the British have allowed American companies to bid on British heavy electrical-equipment contracts—presumably secure in the knowledge that, if their extremely low labor rates permit them to bid lower than American companies in Tennessee, American bids will not trouble them in England.

I would become discursive, Mr. Speaker, were I to transfer this subject from the large turbogenerator to a discussion of the United Kingdom's highly protectionist or "Buy British" foreign trade policies. I will, therefore, close by urging that this decision of the Authority be reversed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. ROUSH, for the balance of the week, on account of official business.

To Mr. MAHON (at the request of Mr. RODINO), for Wednesday, April 15, 1959, on account of official business: To be present at the commissioning of submarine *Skipjack* at New London, Conn.

SPECIAL ORDER GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mrs. SULLIVAN, today, for 15 minutes.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. GEORGE and to include an address.

Mr. FORAND.

Mr. WOLF.

Mr. BROYHILL and to include extraneous matter.

Mr. DORN of New York (at the request of Mr. GLENN) and to include extraneous matter.

(At the request of Mr. FOLEY, and to include extraneous matter, the following:)

Mr. BOLAND in two instances.

Mr. HECHLER.

ADJOURNMENT

Mr. FOLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 32 minutes p.m.) the House adjourned until tomorrow, Thursday, April 16, 1959, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

849. A letter from the Assistant Secretary of Defense (Properties and Installations), relative to the Department of the Navy requesting approval to proceed with a project for the Naval Reserve for the necessary repair of damage, alterations and improvements to permit the continued utilization by the Naval Reserve of a portion of Building 36, known as the Fargo Building, Boston, Mass., at an estimated cost of $112,730, pursuant to section 2233a(b) of title 10, United States Code; to the Committee on Armed Services.

850. A letter from the Director, Legislative Liaison, Department of the Air Force, relative to the number of officers assigned or detailed to permanent duty in the executive element of the Air Force at the seat of government for the period ending March 31, 1959, pursuant to section 8031(c), title 10, United States Code; to the Committee on Armed Services.

851. A letter from the Administrator, Veterans' Administration, transmitting a draft of proposed legislation entitled "A bill to modernize the pension programs for certain veterans and their dependents"; to the Committee on Veterans' Affairs.

852. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, relative to the case of Alexander Kaszuba, A–2990961, involving suspension of deportation, pursuant to the Immigration Act of 1917; to the Committee on the Judiciary.

853. A letter from the Acting Secretary of State, transmitting a draft of proposed legislation entitled "A bill for the relief of Colbert Colgate Held and Charles W. Shellhorn"; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. THORNBERRY: Committee on Rules. House Resolution 245. Resolution for consideration of H.R. 5674, a bill to authorize certain construction at military installations, and for other purposes. Without amendment (Rept. No. 272). Referred to the House Calendar.

Mrs. PFOST: Committee on Interior and Insular Affairs. H.R. 2497. A bill to add certain lands located in Idaho to the Boise and Payette National Forests, with amendment (Rept. No. 273). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of Montana:

H.R. 6407. A bill to amend the Federal Credit Union Act; to the Committee on Banking and Currency.

H.R. 6408. A bill to provide a more equitable method for computing the self-employment income of farmers under the Social Security Act for taxable years ending during the period commencing January 1, 1955, and ending December 31, 1959; to the Committee on Ways and Means.

By Mr. ANFUSO:

H.R. 6409. A bill to authorize appropriations for the Federal-aid primary system of highways for the purpose of equitably reimbursing the States for certain free and toll roads on the National System of Interstate and Defense Highways, and for other purposes; to the Committee on Public Works.

H.R. 6410. A bill to express and effectuate the policy of Congress with respect to the disposal of surplus agricultural commodities, and for other purposes; to the Committee on Agriculture.

By Mr. BALDWIN:

H.R. 6411. A bill to amend the Internal Revenue Code of 1954 to provide that all transportation furnished to members of the Armed Forces (instead of only transportation costing 2½ cents per mile or less as under present law) shall be exempt from the tax on transportation of persons; to the Committee on Ways and Means.

By Mr. BASS of Tennessee:

H.R. 6412. A bill to amend the Federal Employees Salary Increase Act of 1958 to grant certain increases in compensation to employees of the agricultural stabilization and conservation county committees, to bring employees of agricultural stabilization and conservation county committees within the purview of the Civil Service Retirement Act and the Federal Employees' Group Life Insurance Act of 1954, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BERRY:

H.R. 6413. A bill to amend the act of September 2, 1958 (72 Stat. 1762, Public Law 85–915), concerning payment of debts out of compensation for trust land on the Standing Rock Sioux Reservation taken by the United States; to the Committee on Interior and Insular Affairs.

By Mr. CELLER:

H.R. 6414. A bill to authorize appropriations for the Federal-aid primary system of highways for the purpose of equitably reimbursing the States for certain free and toll roads on the National System of Interstate and Defense Highways, and for other purposes; to the Committee on Public Works.

By Mr. CRAMER:

H.R. 6415. A bill to amend the Internal Revenue Code of 1954 to provide that the cost of all medicine and drugs for the taxpayer and his spouse, rather than only the excess over 1 percent of adjusted gross income as otherwise provided, may be included in computing the medical expense deduction where such taxpayer or spouse is 65 or over; to the Committee on Ways and Means.

By Mr. DELANEY:

H.R. 6416. A bill to authorize appropriations for the Federal-aid primary system of highways for the purpose of equitably reimbursing the States for certain free and toll roads on the National System of Interstate and Defense Highways, and for other purposes; to the Committee on Public Works.

By Mr. DORN of New York:

H.R. 6417. A bill to provide for the establishment of a commission to study the shortage of doctors of medicine in the United States; to the Committee on Interstate and Foreign Commerce.

H.R. 6418. A bill to amend section 3853 of title 10, United States Code, to provide for the retention in an active status of certain members of the Army Reserve; to the Committee on Armed Services.

By Mr. FARBSTEIN:

H.R. 6419. A bill to authorize appropriations for the Federal-aid primary system of highways for the purpose of equitably reimbursing the States for certain free and toll roads on the National System of Interstate and Defense Highways, and for other purposes; to the Committee on Public Works.

By Mr. FOGARTY:

H.R. 6420. A bill to provide for the incorporation of the National Woman's Relief Corps, Auxiliary to the Grand Army of the Republic, organized 1883, 76 years old; to the Committee on the Judiciary.

By Mr. FOLEY:

H.R. 6421. A bill to establish a system for the classification and compensation of scientific and professional positions in the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FORAND:

H.R. 6422. A bill to amend the Social Security Act to enable the States to establish more adequate public welfare programs, and for other purposes; to the Committee on Ways and Means.

By Mr. JOHNSON of Maryland:

H.R. 6423. A bill designating the first Monday in Fire Prevention Week as National Firemen's Day; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 6424. A bill to authorize appropriations for the Federal-aid primary system of highways for the purpose of equitably reimbursing the States for certain free and toll roads on the National System of Interstate and Defense Highways, and for other purposes; to the Committee on Public Works.

By Mr. KEOGH:

H.R. 6425. A bill to authorize appropriations for the Federal-aid primary system of highways for the purpose of equitably reimbursing the States for certain free and toll roads on the National System of Interstate and Defense Highways, and for other purposes; to the Committee on Public Works.

By Mr. McINTIRE:

H.R. 6426. A bill to amend the Strategic and Critical Materials Stock Piling Act to provide for the construction of a demonstration plant for the production of ferromanganese from waste steel mill slags and low-grade ores; to the Committee on Armed Services.

By Mr. METCALF:

H.R. 6427. A bill to provide a more equitable method for computing the self-employment income of farmers under the Social Security Act for taxable years ending during the period commencing January 1, 1955, and ending December 31, 1959; to the Committee on Ways and Means.

By Mr. MINSHALL:

H.R. 6428. A bill to amend title 14, United States Code, in order to correct certain inequities in the computation of service in the Coast Guard Women's Reserve; to the Committee on Merchant Marine and Fisheries.

By Mr. MULTER:

H.R. 6429. A bill to provide for disaster loans to small business concerns which suffer economic injury due to federally aided highway construction programs; to the Committee on Banking and Currency.

By Mr. RIVERS of Alaska:

H.R. 6430. A bill to provide for the granting of mineral rights in certain homestead lands in the State of Alaska; to the Committee on Interior and Insular Affairs.

By Mrs. SULLIVAN:

H.R. 6431. A bill to amend section 2(a) of the Commodity Exchange Act, as amended, to provide for the regulation of futures trading in coffee; to the Committee on Agriculture.

By Mr. TEAGUE of Texas (by request):

H.R. 6432. A bill to modernize the pension programs for certain veterans and their dependents; to the Committee on Veterans' Affairs.

By Mr. THOMSON of Wyoming:

H.R. 6433. A bill to place in trust status certain lands on the Wind River Indian Reservation in Wyoming; to the Committee on Interior and Insular Affairs.

By Mr. ALBERT:

H.R. 6434. A bill to amend the Agricultural Act of 1949, as amended, the Agricultural Adjustment Act of 1938, as amended, and Public Law 74, 77th Congress, as amended; to the Committee on Agriculture.

By Mr. BURLESON:

H.R. 6435. A bill to amend section 105 of the Legislative Appropriation Act, 1955, with respect to the disposition upon the death of a Member of the House of Representatives of amounts held for him in the trust fund account in the office of the Sergeant at Arms, and of other amounts due such Member; to the Committee on House Administration.

By Mr. COOLEY:

H.R. 6436. A bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act so as to include nematocides, plant regulators, defoliants, and desiccants, and for other purposes; to the Committee on Agriculture.

By Mr. HOLTZMAN:

H.R. 6437. A bill to authorize appropriations for the Federal-aid primary system of highways for the purpose of equitably reimbursing the States for certain free and toll roads on the National System of Interstate and Defense Highways, and for other purposes; to the Committee on Public Works.

By Mr. MULTER:

H.R. 6438. A bill to authorize appropriations for the Federal-aid primary system of highways for the purpose of equitably reimbursing the States for certain free and toll roads on the National System of Interstate and Defense Highways, and for other purposes; to the Committee on Public Works.

By Mr. ROONEY:

H.R. 6439. A bill to authorize appropriations for the Federal-aid primary system of highways for the purpose of equitably reimbursing the States for certain free and toll roads on the National System of Interstate and Defense Highways, and for other purposes; to the Committee on Public Works.

By Mr. BURNS or Hawaii:

H.J. Res. 339. Joint resolution to authorize the Secretary of Commerce to sell certain war-built vessels; to the Committee on Merchant Marine and Fisheries.

By Mr. FOGARTY:

H.J. Res. 340. Joint resolution requesting the President to proclaim the month of August 15, 1959, to September 15, 1959, inclusive, as National Allergy Month; to the Committee on Judiciary.

By Mr. GEORGE P. MILLER:

H.J. Res. 341. Joint resolution to authorize the Secretary of Commerce to sell certain war-built vessels; to the Committee on Merchant Marine and Fisheries.

By Mr. THOMPSON of Louisiana:

H.J. Res. 342. Joint resolution to authorize the Secretary of Commerce to sell certain war-built vessels; to the Committee on Merchant Marine and Fisheries.

MEMORIALS

Under clause 3 of rule XXII,

Mr. LANE presented a memorial of the General Court of Massachusetts memorializing the President and the Congress of the United States to enact no legislation restricting the further importation of residual oil from nations friendly disposed toward the United States, which was referred to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CRAMER:

H.R. 6440. A bill for the relief of the estate of Samuel Grier, Jr., deceased; to the Committee on the Judiciary.

By Mr. FOGARTY:

H.R. 6441. A bill for the relief of Arsene Kavoukdjian (Arsene Kavookjian); to the Committee on the Judiciary.

By Mr. FOLEY:

H.R. 6442. A bill for the relief of Vincent J. Reilly; to the Committee on the Judiciary.

By Mr. GUBSER:

H.R. 6443. A bill for the relief of Donald P. Sevrens and W. A. Busch; to the Committee on the Judiciary.

H.R. 6444. A bill for the relief of Lee Ee Ai; to the Committee on the Judiciary.

By Mr. IRWIN:

H.R. 6445. A bill for the relief of Miss Anna Gentile; to the Committee on the Judiciary.

H.R. 6446. A bill for the relief of Luciano Soto y Carballal; to the Committee on the Judiciary.

By Mr. LANE:

H.R. 6447. A bill for the relief of Mrs. Maria Luisa D. Furtado; to the Committee on the Judiciary.

By Mr. MONAGAN:

H.R. 6448. A bill for the relief of James Joseph Shaker; to the Committee on the Judiciary.

By Mr. MOORE:

H.R. 6449. A bill for the relief of Mrs. Virginia Miles; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 6450. A bill for the relief of Roland Mishutani; to the Committee on the Judiciary.

H.R. 6451. A bill for the relief of Mary Miharu Takahashi; to the Committee on the Judiciary.

By Mr. SISK:

H.R. 6452. A bill for the relief of Antonino Catania; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Business in the 86th Congress

EXTENSION OF REMARKS
OF

HON. CARL HAYDEN

OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Wednesday, April 15, 1959

Mr. HAYDEN. Mr. President, the Senator from New Mexico [Mr. ANDERSON], a good neighbor of Arizona, delivered an address to the Western Highway Institute convention in Phoenix, Ariz., on April 6, which is recommended reading for anyone who wants information as to the march of population and industry in the great Southwest.

In it is an accurate summary of what the Congress has done to develop a highway system which has for its objective the movement of persons and things from where they are to where they are needed at less cost and in less time. He also has illustrated what needs to be done in furtherance of this purpose.

There is a nationwide demand for water, and there is no one better qualified than the Senator from New Mexico to state, as he did in his address, the progress which has been made toward meeting this imperative demand.

All the Senator from New Mexico said in Phoenix was informative, and to make his remarks available to a wider audience I ask unanimous consent that they be printed in the CONGRESSIONAL RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

BUSINESS IN THE 86TH CONGRESS

Your program committee gave me an easy topic for this noontime talk: "Business in the 86th Congress"—easy because it admits of many different treatments. I might confine my talk solely to the way the 86th Congress is likely to conduct its own business, the interferences that may come from extraneous issues, and the delays in enacting legislation that may result. Or I might discuss what business can expect from the 86th Congress—what laws we will pass with reference to income taxes, life insurance, trucking, water development, atomic energy, and allied subjects. Finally, in view of the great number of investigations already under way or about to be authorized, my theme might well be "Who Gets the Business, Why, and Where."

Naturally I will have a little trouble restraining myself on my favorite theme. Rather steadily these past few months, I have been talking and writing about the atom, its place in the home, its role in industry, its effect upon our laws and our lawyers, and the general problem of fallout; and today I could try to tune you in on what I regard as one of the most fascinating subjects now before the people of the earth.

Perhaps I might better start with a few words about what the 86th Congress has been doing these first 3 months, particularly as its actions relate to business.

Of first importance is the passage of the Hawaiian statehood bill, the addition of a 50th star to the flag. Today we are in the State which gave the 48th star to the flag and for 47 years held the distinction of being the last State admitted to the Union. For nearly half a century, when a new Representative of Arizona came into the Congress, he took the bottom of each committee list because committee assignments go by seniority and if seniority is equal, then by the order in which the States were admitted to the Union. Many times I've heard your Arizona people remark how they went to the absolute foot of the totem pole. Now come Alaska and Hawaii to move Arizona and New Mexico up a couple of notches, and we join with you in pleasure at our new prominence.

The Senate has passed a housing bill which provides $2.7 billion; has extended the Draft Act for 4 years in the pattern that the President requested; has passed an airport bill providing $465 million over a 4-year period; has added $48 million to the funds available to the new Space Agency to advance Project Mercury—the man in space—and to develop and test a new rocket engine. And finally, because it relates directly to business, it has passed a depressed area bill involving $390 million. Democrats thought the sum a minimum. Most Republicans thought it too large. One party's meat is the other party's poison. We learned that again when we extended some special unemployment compensation benefits, which we did in the final closing hours before the Easter recess.

Here in Arizona, I surely should mention the fact that the Senate Committee on Finance has been busy with hearings on a new proposal to change the basis for the taxation of life insurance companies. That deserves mention in Arizona because in 1950 there were two life insurance companies domiciled in New Mexico and three in Arizona. Today there are still 2 in New Mexico and 81 in Arizona. This State chartered more new life insurance companies than any State in the Union except Texas and if you add the State of Texas, Arizona and Texas started about as many new life insurance companies as all the rest of the Nation put together. I don't know what makes life insurance suddenly so attractive for Arizona and Texas companies, but perhaps an examination of the tax-free income possibilities could supply you with an answer.

The Senate has authorized the Joint Economic Committee to make an economic inventory of the United States. There is a background for that. The Senate Finance Committee on which I serve has made a long study on the financial condition of the United States, has filled 1,606 pages of printed testimony with theories, explanations and comment on what has been going on in our financial world. You and I will not need 1,600 pages to understand it. We know that if we deposited $100 in a bank 2 years ago, never wrote a check against it, just allowed it to lie in the bank, subject to the erosion of the dollar now going on, that $100 is worth $93 today. Inflation did that. And when there is that much inflation in the United States, whether creeping or galloping, interest rates will go up, true values will go down, businessmen will be affected, and people will want to see what Congress can learn about inflation as it sweeps across the land.

So that's a part of what the 86th Congress has been doing so far this year that might be of direct interest to business.

But my mail would indicate that businessmen are not concerned alone with taxes, inflation and unemployment. Through all the rather dull pattern of these inquiries there is woven in like a red thread the question of Berlin.

"What's going on?" they want to know. "Is Khrushchev bluffing? What will happen in May? If my children go to Europe this summer, will they be caught in a nuclear disaster? If war starts, how long will it last?"

If you find someone with exact answers to all these questions, send him to the missing persons section of the State Department; we have needed him a long time. But exact answers may not be required. What the Russians do may be influenced by what the free world does. Maybe I can give you one man's opinion.

A united front by the United States and her allies is essential if we are to deal successfully with the recurring world crises.

More important is unity among U.S. leaders, and the stand taken by the country's leaders must be understood and supported by the people. Businessmen like you must make a serious effort to be and remain informed on the problems facing your Nation's Government.

The U.S. position on Berlin is united. Democrats and Republicans alike are in agreement with the sentiments expressed on the floor of the Senate last month by Senator FULBRIGHT, new chairman of the Senate Foreign Relations Committee.

Senator FULBRIGHT listed three points on which there is complete unity in this country:

The United States will make no separate deals with the Soviet Union.

It will not be driven or enticed from Berlin or West Germany.

It will not accept, even tacitly, any propositions designed to formalize the subjugation of the once-free satellite peoples.

Berlin is the world's most important symbol of freedom. Because of this, more than because of its value as a city, it must be protected. It is an island of freedom in a sea of communism, and it must remain free.

Once the Russians understand that, and respect it, then there may be points that can be negotiated.

This is one audience that may be interested more than most others in the Berlin crisis, because here we have a problem that revolves around the highway—the highway which connects the island of West Berlin to the Bonn Government which in turn is tied to the rest of Western Europe. Remember that the United States, France, and Britain have their own zones and spheres of influence in Western Germany, and they are attempting to keep open their lines to Berlin. Over the highway which connects West Berlin with Bonn, roll constant thousands of trucks supplying the city. It was the blocking of the highway which precipitated the first Berlin crisis in 1948. Now the East Germans are threatening once again to cut off the highway which is the lifeline of the new city.

We need to keep constantly in mind the fact that it is not distances but distinctions which cause a fair share of this trouble. The end of World War I saw the establishment of the Polish corridor through Germany. It was a narrow strip of land, but it had high significance. After World War I, I talked with a distinguished statesman of a European nation. I asked him why that little strip of land disturbed him so. His reply was that the Polish corridor was not wide, but it was wide enough to bar forever the guarantee of peace for Europe as long as it existed.

Now again another little strip of land, the little highway that leads into West Berlin from West Germany, may embrace scant acreage, but may be sufficient to promise that a Berlin crisis or something similar to it, can fret us constantly as long as you live and as long as our children may live. It is a tiny highway but it could be the path over which we could travel to world war III.

Maybe I am a pessimist, but I do not look for any quick and easy relief from the tensions that now grip the world. Today it is Berlin; yesterday it was Lebanon, and the day before that it was Quemoy. Last week it was Korea; tomorrow, God knows. Wherever the force of worldwide communism can reach, even into the sacred temples of Tibet, the drive will be on. You and I and our children must be prepared to adjust our lives to it, to stand firm against it, and as Senator FULBRIGHT has suggested, to "chip away relentlessly at the encrusted Communist mixture of dogma, braggadocio, and fear that contributes so much to keeping world peace in a recurring state of serious jeopardy."

World tension, then, is part of the task of the 86th Congress and part of the responsibility the Congress feels toward business. Our world, which was once so large that it defied man's imagination, is now so small that we live neighbor to all creation. Instead of going around the world in 80 days—an unbelievable feat in the time of Jules Verne—we can travel by jet around the world in 80 hours. A missile or spaceship with a man aboard will soon be making the circuit in 80 minutes. Photon propulsion may sail us from Venus to Mars, and nuclear retrorockets may guarantee safe landing on the farthest planet. I'm no pessimist on space travel.

But the world is being shrunk by means other than jets and missiles and communications. One of the biggest problems which we will have to face in the future will be the shrinking of the world's available living space by a population growth which has properly been termed an explosion.

For Old Mother Earth is in the midst of her greatest baby boom. The United Nations population commission now estimates that in 16 years the earth will contain a billion people more than it does today. It believes that the rate of population increase during the second half of the present century will be twice that of the first half. In numbers, the U.N. predicts by the year 1976 a world population of 3,830 million; by the year 2000, a population of 6,280 million. And there is reason to believe that the U.N. forecasts are conservative.

The population explosion creates new pressures and new problems.

It is creating an irrepressible demand for elbow room, for more space, for new land for overcrowded nations. It is creating the same types of pressures which have historically led to the world's great wars.

The problems are magnified by the fact that the greatest population increase is coming in the lesser developed countries—brought about by a spectacular decline in death rates coupled with little change in traditionally high birth rates. The population is growing so fast in countries like China and India that they are unable to develop their economies. They are hard-pressed to maintain even their present low standards of living. Naturally they are looking around at other countries, rich industrial countries with high standards of living. Their leaders are coveting their neighbor's riches.

China by 1975 will have a population of more than 900 million, according to U.N. estimates—more than a quarter of the total world population, nearly 4 times the population of the United States. China's population by 1975 will be more than twice the combined population of the United States and Russia. China is regarded as a satellite of Russia, but by 1975 the satellite, three times as big as its Communist brother, may become the star.

China today has too many people to realize her economic or military potential. But she is apparently bent on converting her weakness into strength by revolutionary economic methods. She is outcommunizing

Russia. By the tightest of controls she is directing her masses into productive channels, trying to avoid the dissipation of scarce capital which would result if these masses were allowed to live on more than a bare subsistence level. She is transforming her excess people into economic betterment by vast schemes of public construction.

If China's population and economic growth continue at their present rates, she obviously will soon become the strongest contender for world leadership. Such a mass of humans, equipped with modern arms and disciplined by a dictatorship, would prove difficult to contain if it were bent on conquest at any cost.

John King Fairbank, professor of history at Harvard, in his book, "The United States and China," says: "As the earth shrinks and the peoples proliferate, we will soon be living on the same planet with a billion Chinese. We have something to think about."

So you can see to what crises the world's population explosion might lead. These are the types of world problems which must be reckoned with by every individual.

But the baby boom has meaning at home. The population of the United States today is 176 million, but by 1967—only a few years away—it is expected to reach 250 million.

Where will these new people be going? Where will they live? And how?

Every time God skims the milk of civilization, He pours the cream over the western side of the bowl. As a region the West, particularly the Far West and those southwestern areas that we refer to fondly as the Spanish borderlands, are growing faster than the rest of the country. Take a look at some figures:

The Bureau of the Census reports that between 1950 and 1958, population in the 11 Western States increased 27.6 percent, while growth for the United States as a whole was 15 percent. Nevada led the national parade with a growth of 66.7 percent. Florida had 60.3 percent, and Delaware and Maryland were in the first 10; but for the West, Arizona had 52.1 percent, California 35.4 percent, Colorado 29.1 percent, Utah 25.5 percent, and New Mexico 23.6 percent. Texas, I am happy to report, ran a little behind New Mexico. Washington and Oregon were just above the national average.

As with the States, so with the cities. Los Angeles has been adding population at the rate of 16,000 per month, adding every year about the equivalent of a city the size of Des Moines, Iowa, or Hartford, Conn., or—to stick with the West—of Spokane, Tucson, El Paso, or Albuquerque.

This stupendous growth is amazing arithmetically, but brings problems that seem to increase in geometric proportion. In Los Angeles alone enough dwelling units were built between 1946 and 1956 to house the combined populations of Philadelphia and Boston, or if you would rather keep your thoughts farther west, enough new houses to take care of the combined populations of Houston, Dallas, Denver, and St. Louis.

Naturally the 86th Congress has to keep looking at population growth and try to determine the problems posed to business and all segments of our economy by this growth. It needs to ask and answer what must be done to meet them.

First of all in your interests are roads. We live in an area of magnificent distances, and when we turn to the trail, it's a long, long trail that winds from Seattle to San Diego or from the Columbia River to the Rio Grande. Through the years we have been learning that if the road job is to be done, the Federal Government must be a partner to the State, the county and even to the city.

That is due not alone to our distances but to the share of land publicly owned within the borders of each of the 11 Western States. Federal and Indian land ownership in Arizona account for 69 percent of its total land area. The Federal Government owns 44.6 percent, or 32,414,635 acres, of the State's total area of 72,688,200 acres. In addition there are 19,344,971 acres of Indian land. None of this acreage is on the tax roll. If Uncle Sam did not help to build roads in Arizona, the task with modern transportation standards would be impossible.

In Nevada, the total area is 70,264,960 acres. The Federal Government owns 61,644,005 acres, or approximately 87.7 percent of the total land area. In addition to this, there are 1,149,700 acres of Indian lands not on the tax roll.

In comparison to these Western States, New York has a total land area of 30,684,160 acres. The total Federal land area is 258,519 acres, or 0.8 percent. Iowa, for instance, has a total area of 35,868,800 with the total Federal holding of 122,244, or a 0.3 percent Federal acreage.

Fortunately, the problem was recognized long ago and a man who helped develop—if he did not invent—modern policy is still Arizona's senior U.S. Senator, CARL HAYDEN. This is to be no historical survey: suffice to say that the original Shackleford proposal recognized the need to apportion Federal aid to highways on the threefold basis of population, area, and mileage of post roads. Such a bill was enacted in 1916, providing a total of $75 million for the next 5 years. That sum, of course, was utterly inadequate and more money was pumped in.

The act itself was amended first to include a larger percentage for areas of unappropriated public lands in the public land States and then by Senator HAYDEN to consider as well untaxed Indian lands. That raised the Federal participation in Arizona from a 50–50 basis to a 72–28 basis, and it helped New Mexico and other States as well.

That was primary Federal aid. In the Hayden-Cartwright Act of 1934, aid to secondary roads was specifically earmarked. More recently we have moved into the more publicized Interstate Highway program where Senator GORE prepared a liberal bill and reported it from the Senate Public Works Committee of which the senior Senator from my State, DENNIS CHAVEZ, is chairman. So the West continues its interest in roads and its reliance on the Federal Government for a large share of funds to do the needed work.

I am sure that you have already heard—or will hear from succeeding speakers—all you want to know about roads, but it seems appropriate to suggest that the rising tide of population plus the factor of more rapid growth in the Western States may make all our present plans and standards inadequate.

We have learned that lesson in our American cities. In 1850 only 15 percent of our population lived in our metropolitan areas; but 65 percent lived there by 1950, and that is where most of our future growth will take place. I have mentioned what it meant to housing in Los Angeles, but there isn't a city in the fast-growing West that will not feel the pinch in its transportation problems.

Who knows what road system you will need through and around your cities? Will you be forced to cut off from traffic the heart of your cities? Or can you plan now to make them usable?

Fort Worth has a plan. It now has a population of about half a million, but expects to double that by 1970. What to do? Someone had an idea.

The Fort Worth plan would set aside 15 city blocks for central shopping and install there stores, shops, banks, restaurants, and theaters. There wouldn't be a single car or truck on the surface of that area. Giant parking garages would be developed at lower levels and moving stairways would bring shoppers to the surface. The idea seems to be to keep cars and trucks out so that people may come in.

Have you an idea for your metropolis? Last week a Texas multimillionaire who had just made a big investment in the future of Albuquerque predicted that that city's present population of around 200,000 would reach 2 million by the year 1970.

Can you imagine a population of that order of magnitude in my home town? Can you dream up a plan to serve downtown Albuquerque in that day and generation? Can you foresee the strain on such narrow streets as Copper, Gold, Silver, and Lead, whose very names remind us of our almost-forgotten mining history? I say it will be a problem to convert the traffic lanes of the old cowtown to the freeways of a metropolitan area of even a half million people, and it can only be done with the help of the Federal Government. We simply cannot find money fast enough to match the growth that we know is ahead. The task of finding it is upon the 86th and succeeding Congresses.

And the school problem is like unto that, where the Government owns large tracts of land but moves in huge numbers of people whose families include children of school age, the problem is now greater than the community can bear. Hence the Congress responded to the situation by passing in 1951 Public Law 815 to provide assistance in construction of facilities in these areas and Public Law 874 to pay part of the operating expenses—laws which have been extended from time to time and are now effective until 1962.

Between 1951 and 1958 under Public Law 815, 24 school districts in New Mexico received $26,720,587. In all, 98 building projects were finished containing 986 classrooms for 27,608 children. During the same years, Arizona received $21,886,553. Nationwide for this fiscal year $50 million is to be spent for school construction and $150 million for maintenance and operation of schools in impacted areas under these laws—and there is still need for vast additional sums for Federal aid to education. Senators and Representatives must try to do this badly needed job in the 86th Congress. But that fight is always a tough one. What will we do when the tidal wave of population finally reaches us?

Schools, roads, and then houses. In Los Angeles County alone building permits issued have exceeded a billion dollars a year since 1950. But the new homes create a long list of necessities—shopping centers, office buildings, drive-in banks, doctors' offices, golf courses and other recreational facilities. The trucking business is bound to be good with all the materials that the new cities will require.

Congress keeps on responding: a highway act for roads, aid to education to provide and maintain schools, housing and home finance for new residences, airport assistance so we can travel and land at jet age speeds, and Hill-Burton money to build hospitals when we become ill. No field of expanded endeavor seems able to keep with the pace unless it has aid from the Central Government.

Most of the new projects require water—as do our new habits of living. Recently an eastern newspaper carried a picture of a southwestern residence development with a swimming pool behind every home. That's a new demand for water and it is growing fast. Air conditioning is another claimant. That is why the Interior and Insular Affairs Committees of Congress have before them so many bills which include domestic water supplies, such as the Arkansas-Fryingpan project of Colorado. Water may be the most difficult to supply of all the new needs of the growing West.

So you might be interested to know that about 10 days ago, the Senate Committee on Interior and Insular Affairs reported out Senate Resolution 43 which contemplates an

exhaustive study of water conditions throughout the United States. We did not concern ourselves with any shortage of water that there might be in the Colorado River and thus bother with a problem that is tied into the lawsuit of *Arizona* v. *California* or in any way involves the claims of the lower basin States against the upper basin States in the Colorado River. We know that under present circumstances there is not enough water in the Colorado River to supply all the people who want to use it, but we also know the problem 20 years from now is to be even more formidable.

Does the 86th Congress merely fold its hands and express its regrets? Not at all. There are several rays of sunshine—and we intend to pursue them all.

First, there is the intriguing promise of atomic energy. We raise water to high temperatures when it is used as a coolant in creating electric current from uranium. We need to raise sea water to high temperatures if it is to be made free of salt. Somewhere, somehow we may learn to coordinate the two processes and obtain an abundant supply of both products.

Second, there is the general program of desalinization of salty and brackish waters, and I was happy to be the author of the bill under which the construction of five large plants can now move ahead. The first site is soon to be selected, and there a plant to remove salt from sea water will be built. It offers much to the West. It could remove from many cities the ceiling on population which limited water supplies now threaten to impose. It could in time assure expanding—almost exploding—Los Angeles an unlimited and eternal supply of good water from the Pacific Ocean. Such a realization might remove California from the more active candidates for water from the Colorado River, could then assure a pleasing outcome of the suit between Arizona and California, and as a final byproduct, let Arizona, California, and Nevada tell the upper Colorado River Basin States that the days of fighting over the water of that river might someday be at an end.

Third, there is the possibility of weather control through the seeding of clouds. Congressman CRAIG HOSMER has been a leader in the current program to establish a cloud-seeding project that might add a million acre-feet of water to the Colorado River, and thereby relieve the shortage in the flow of the river below the estimates upon which the Colorado River compact was based.

Considerable quantities of water are still available in the West to meet its needs for several years to come. However, there may be a rearrangement of priorities now assigned to water use.

Edward A. Ackerman, a scientist and water authority attached to the Carnegie Institution in Washington, in January delivered a paper to a symposium on cloud modification and water resources. In it, he wrote:

"Past western irrigation development usually was undertaken in the absence of other seriously competing demands for water * * * there are signs that this situation is changing."

Mr. Ackerman concludes that there are population and industrial demands upon the West's water supply which may reduce the priority of development of water for irrigation. Domestic and industrial uses may become first and second priorities, and irrigation may be third.

However, the 86th Congress again must move ahead with weather control, with money for the desalinization plants, including one for the arid region of the Southwest, with funds for the Atomic Energy Commission which has already had a "feeler" from California on a possible test plant to combine salinity control with electric power, with approval of projects like the San Luis Dam which ultimately might add substantially to the water supply of southern California cities. This is truly the subject of my talk, "Business and the 86th Congress," because business is dependent for its development and continued growth on the availability of funds and programs that mean new homes, schools, roads, hospitals, airports and an adequate supply of water.

As a closing word, may I suggest that the ability of Congress to meet and solve these problems may be somewhat dependent on business itself. Many groups associate themselves with political endeavor. Business, in my experience, has remained a little aloof. Do you think you should? Do you deeply care who goes to Washington? Do you get pleasure or pain when you see and visit with the man you have helped send to the Senate or the House?

Businessmen can worry less about the tasks of the 86th and succeeding Congress, when—if I may steal a business slogan from my greeting card friend Joyce Hall—"When you care enough to send the very best."

DAV Services in Virginia

EXTENSION OF REMARKS
OF
HON. JOEL T. BROYHILL
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, April 15, 1959

Mr. BROYHILL. Mr. Speaker, an exceptional record of vital rehabilitation services freely extended to thousands of Virginia citizens has recently come to my attention. These splendid humanitarian services are not sufficiently appreciated by those who have benefited thereby, directly and indirectly.

Among the several congressionally chartered veterans' organizations, which have State departments and local chapters in Virginia, is the Disabled American Veterans. The DAV is the only such organization composed exclusively of those Americans who have been either wounded, gassed, injured or disabled by reason of active service in the Armed Forces of the United States, or of some country allied with it, during time of war.

DAV SETUP

Formed in 1920, under the leadership of Judge Robert S. Marx, DAV legislative activities have very substantially benefited every compensated disabled veteran. Its present national commander is another judge, David B. Williams of Concord, Mass. Its national adjutant is John E. Feighner of Cincinnati, Ohio. Its national legislative director is Elmer M. Freudenberger, its national director of claims, Cicero F. Hogan, and its national director of employment relations, John W. Burris—all located at the DAV National Service Headquarters at 1701 18th Street NW., Washington, D.C.

Inasmuch as less than 10 percent of our country's war veterans are receiving monthly disability compensation payments for service-connected disabilities—some 2 million—the DAV can never aspire to become the largest of the several veterans' organizations. Nevertheless, since shortly after its formation in 1920, the DAV National Headquarters, located in Cincinnati, Ohio, has maintained the largest staff, of any veterans' organization, of full-time trained national service officers, 138 of them, who are located in the 63 regional and 3 district offices of the U.S. Veterans' Administration, and in its central office in Washington, D.C.

They there have ready access to the official claim records of those claimants who have given them their powers of attorney. All of them being war-handicapped veterans themselves, these service officers are sympathetic and alert to the problems of other less well-informed claimants.

DAV SERVICES IN VIRGINIA

The DAV maintains a fulltime national service officer in Virginia. He is Mr. Richard Frazee and his office is located in the VA Regional Office, 211 West Campbell Avenue, Roanoke. The department commander is Charles M. Nightingale, 4301 South Eighth Street, Arlington, and the department adjutant is Arnold H. Sells, 819 South Irving Street, Arlington.

There are three VA hospitals in Virginia in each of which the DAV has a nationally authorized VA voluntary service representative. They are as follows: Dr. Peter Leginus at the 2,000 bed neuropsychiatric hospital at Roanoke; Mr. Garland H. Branch of Ellerson, Va., at the 1,100 bed general and medical hospital at Richmond; and, Mr. Tyler Hatchell of Portsmouth, Va., at the 2,225 bed VA center at Kecoughtan.

During the last fiscal year, the VA paid out $95,396,000 for its veteran program in Virginia, including $24,270,430 disability compensation to its 26,687 service disabled veterans. These Federal expenditures in Virginia furnish substantial purchasing power in all communities. Only about 8 percent, 1,935, are members of the 36 DAV chapters in Virginia.

SERVICE ACCOMPLISHMENTS OF THE DAV

This 8 percent record is strange, in view of the very outstanding record of personalized service activities and accomplishments of the DAV national service officers in behalf of Virginia veterans and dependents during the last 10 fiscal years, as revealed by the following statistics:

Claimants contacted (estimated)	40,793
Claims folders reviewed	33,994
Appearances before rating boards	15,671
Compensation increases obtained	1,894
Service connections obtained	694
Nonservice pensions	457
Death benefits obtained	69
Total monetary benefits obtained	$984,997.17

The above figures do not include the accomplishments of other national service officers on duty in the Central Office of the Veterans' Administration, handling appeals and reviews, or in its three district offices, handling death and insurance cases. Over the last 10 years, they reported 83,611 claims handled in such district offices, resulting in monetary benefits of $20,850,335.32, and in the central office they handled 58,282 re-

views and appeals, resulting in monetary benefits of $5,337,389.05. Proportionate additional benefits were thereby obtained for Virginia veterans, their dependents and their survivors.

SERVICES BEYOND STATISTICS

These figures fail properly to paint the picture of the extent and value of the individualized advice, counsel and assistance extended to all of the claimants who have contacted DAV national service officers in person, by telephone and by letter.

Pertinent advice was furnished to all disabled veterans—only about 10 percent of whom were DAV members—their dependents, and others, in response to their varied claims for service connection, disability compensation, medical treatment, hospitalization, prosthetic appliances, vocational training, insurance, death compensation or pension, VA guaranty loans for homes, farms and businesses, etc. Helpful advice was also given as to counseling and placement into suitable useful employment—to utilize their remaining abilities—civil service examinations, appointments, retentions, retirement benefits, and multifarious other problems.

Every claim presents different problems. Too few Americans fully realize that governmental benefits are not automatically awarded to disabled veterans—not given on a silver platter. Frequently, because of lack of official records, death or disappearance of former buddies and associates, lapse of memory with the passage of time, lack of information and experience, proof of the legal service-connection of a disability becomes extremely difficult—too many times impossible.

A VA Claims and Rating Board can obviously not grant favorable action merely based on the opinions, impressions or conclusions of persons who submit notarized affidavits. Specific, detailed, pertinent facts are essential.

The VA, which acts as judge and jury, cannot properly prosecute claims against itself. As the defendant, in effect, the U.S. Veterans' Administration must award the benefits, provided under the laws administered by it, only under certain conditions.

A DAV national service officer can and does advise a claimant precisely why his claims may previously have been denied and then specifies what additional evidence is essential. The claimant must necessarily bear the burden of obtaining such fact-giving affidavit evidence. The experienced national service officer, will, of course, advise him as to its possible improvement, before presenting same to the ajudication agency, in the light of all of the circumstances and facts, and of the pertinent laws, precedents, Regulations and Schedule of Disability Ratings. No DAV national service officer, I feel certain, ever uses his skill, except in behalf of worthy claimants with justifiable claims.

The VA has denied more claims than it has allowed—because most claims are not properly prepared. It is very significant, as pointed out by the DAV acting national director of claims, Chester A. Cash, that a much higher percentage of those claims, which have been prepared and presented with the aid of a DAV national service officer, are eventually favorably acted upon than is the case as to those claimants who have not given their powers of attorney to any such special advocate.

LOSSES BY REVIEWS

Another fact not generally known is that under the overall review of claims, inaugurated by the VA some 4 years ago, the disability compensation payments of about 37,200 veterans have been discontinued, and reduced as to about 27,300 others, at an aggregate loss to them of more than $28 million per year. About 1 percent of such discontinuances and reductions have probably occurred as to disabled veterans in Virginia with a consequent loss of about $28,000 per year.

Most of these unfortunate claimants were not represented by the DAV or by any other veteran organization. Judging by the past, such unfavorable adjudication will occur as to an additional equal number or more during the next 3 years before such review is completed. I urge every disabled veteran in Virginia to give his power of attorney to the national service officer of the DAV, or of some other veteran organization, or of the American Red Cross, just as a protective measure.

The average claimant who receives helpful advice probably does not realize the background of training and experience of a competent and expert national service officer.

COST OF DAV SERVICES

Measured by the DAV's overall costs of about $12,197,600 during a 10-year period, one would find that it has expended about $3.50 for each claim folder reviewed, or about $8.80 for each rating board appearance, or, again, about $22.70 for each favorable award obtained, or about $123 for each service connection obtained, or about $54 for each compensation increase obtained, and has obtained about $14.10 of direct monetary benefits for claimants for each dollar expended by the DAV for its national service officer setup. Moreover, such benefits will generally continue for many years.

METHODS OF PROVIDING SERVICES

Evidently, most claimants are not aware of the fact that the DAV receives no Government subsidy whatsoever. The DAV is enabled to maintain its nationwide staff of expert national service officers primarily because of income from membership dues collected by its local chapters and from the net income of its Idento-Tag—miniature automobile license tags—project, owned by the DAV and operated by its employees, most of whom are disabled veterans, their wives, or their widows, or other handicapped Americans—a rehabilitation project in thus furnishing them with useful employment. Incidentally, without checking as to whether they had previously made a donation, more than 1,400,000 owners of sets of lost keys have received them back from the DAV's Idento-Tag department, 6,571 of whom during the last 8 years were Virginia residents.

Every eligible veteran, by becoming a DAV member, and by explaining these factors to fellow citizens, can help the DAV to procure such much needed public support as will enable it to maintain its invaluable nationwide service setup on a more adequate basis. So much more could be accomplished for distressed disabled veterans, if the DAV could be enabled, financially, to maintain an expert service officer in every one of the 173 VA hospitals.

MEMORIAL HONOR ROLL

During the last 10 years, the DAV has also relied on appropriations from its separately incorporated trustee, the DAV Service Foundation, aggregating $3,300,000 exclusively for salaries to its national service officers. Its reserves having thus been nearly exhausted, the DAV Service Foundation is therefore very much in need of the generous support of all "serviced" claimants, DAV members and other social-minded Americans—by direct donations, by designations in insurance policies, by bequests in wills, by assignments of stocks and bonds and by establishing special types of trust funds.

A special type of memorial trust fund originated about 3 years ago with concerned disabled veteran members of the DAV chapter in Butte, Mont., which established the first Perpetual Rehabilitation Fund of $1,000 with the DAV Service Foundation to which it recently added another $100. Since then, every DAV unit in that State has established such a special memorial trust fund, ranging from $100 to $1,100, equivalent to about $4 per DAV member—an excellent objective for all other States. Benefactors from 29 States have, up to this time, become enrolled on the memorial honor roll.

Inasmuch as only the interest earnings from special donations will be available for appropriation to the DAV for its use in maintaining its National Service Officer program in the State of residence of each such benefactor, this is an excellent objective also for Virginia. Each such special benefactor is enrolled on a permanent memorial honor roll which, updated, is then included in the annual report of the DAV and of its incorporated trustee, the DAV Service Foundation, to the U.S. Congress.

Each claimant who has received any such free rehabilitation service can help to make it possible for the DAV to continue this excellent rehabilitation service for other distressed disabled veterans and their dependents in Virginia by sending in donations to the DAV Service Foundation, 631 Pennsylvania Avenue NW., Washington, D.C. Every such serviced claimant who is eligible can and should also become a DAV member, preferably a life member, for which the total fee is $100—$50 to those born before January 1, 1902, or World War I veterans—payable in installments within 2 full fiscal year periods.

Every American can help to make our Government more representative by being a supporting member of at least one organization which reflects his interests and viewpoints—labor unions, trade associations and various religious, fraternal, and civic associations. All of

America's veterans ought to be members of one or more of the patriotic, service-giving veterans' organizations. All of America's disabled defenders, who are receiving disability compensation, have greatly benefited by their own official voice—the DAV. I consider it a privilege and an honor to belong to the Disabled American Veterans.

Community Enterprise at Grassroots Builds Portland, Oreg., Zoo Railway

EXTENSION OF REMARKS
OF
HON. RICHARD L. NEUBERGER
OF OREGON
IN THE SENATE OF THE UNITED STATES
Wednesday, April 15, 1959

Mr. NEUBERGER. Mr. President, many of us in the Federal Government are continually encouraging action at the grassroots level to combat juvenile delinquency, to provide healthful recreation, and to stimulate interest in scientific and technical devlopments.

All three of these goals have been attained by my home community of Portland, Oreg., in its construction and expansion of the Portland Zoo Railway, which will be the most elaborate and farflung recreation railroad ever built in our land.

The city government, business firms, labor unions, schools, and civic organizations all have cooperated to launch this undertaking. In addition, some 20,000 local people have purchased shares of stock in the enterprise; many of these are children, making an investment for the first time in their lives.

Business Week magazine for March 28, 1959, has published a most comprehensive and thorough description of the history of the Portland Zoo Railway. Furthermore, I myself wrote an article about this extraordinary project for the issue of Railway Progress magazine of January 1958, under the title "Portland Builds a Railroad." The Business Week article is entitled "A Railroad So Popular It Must Expand."

Indeed, expansion has occurred even since the Business Week article was printed. The vast Weyerhaeuser Timber Corp. has agreed to build a fire train for the Portland Zoo Railroad system, which traverses magnificent stands of fir and cedar forests. The Portland Trust Bank has loaned $20,000 to the Portland Zoological Society for enlargement of the railway, and no security was demanded. Charles Francis Adams, president of the bank, has described the action as welcome because his institution desires loans which are good for the customer, good for the community and good for the bank. A loan to the Zoo Railway is in that category.

The 104th Infantry Division, of the U.S. Army Reserves, has agreed to construct two-thirds of a mile of track for the Zoo Railway at the Oregon Centennial Exhibition and Trade Fairgrounds, for this is a prime feature of our State's 100th year. The commander of the division, Brig. Gen. Eugene Cushing, will bring 200 men to tackle the job as a training exercise. General Cushing is arranging for division chaplains to conduct Catholic and Protestant services to be held at the centennial rail track site Sunday, April 19.

Advising and assisting the soldiers in the track laying will be executives of the railroads serving Portland: The Southern Pacific, Northern Pacific, Union Pacific, Great Northern, Spokane, Portland & Seattle Railway, Northern Pacific Terminal Co., and Portland Traction Co. These rail men will be led by John H. Jones, manager of the Northern Pacific Terminal and president of the Portland Zoo Railway.

Assisting also will be members of the Construction and General Laborers' Union, Local 320, and the Brotherhood of Maintenance of Way, AFL–CIO.

Approximately 3,000 crossties have been donated to the Portland Zoo Railway by the Templeton Lumber Co. of Portland, of which Herbert A. Templeton is the president and moving spirit. This was arranged by Bert Thomas, vice president of the Valsetz Lumber Co., a division of the Templeton lumber holdings. They will be loaded in freight cars and hauled without charge to Independence, Oreg. From that point the Portland Zoo Railway will bring them to Portland.

The Oregon Building Congress, a group of contractors, suppliers, labor leaders, architects, engineers, and others interested in the building industry have voted to join with the Portland Zoo Railway in designing and building a 250-foot trestle bridge over a scenic ravine north of the new bear grottoes. This bridge, supported by two large wood arches, will be 40 feet above a series of pools housing waterfowl. The bridge will provide a truly beautiful and spectacular feature of the Portland Zoo Railway route. Completion of the bridge, a part of the Washington Park line, is slated for August 1, 1959.

I have cited all these accomplishments and donations, Mr. President, because they demonstrate what can be attained at the local level by public-spirited people, whether they are in industry and management or in the ranks of trade unions and organized labor.

So that a record may be compiled of the unselfish and altruistic community interest in the Portland Zoo Railway, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the article published in Business Week of March 28, 1959, on this unique project and my own article published approximately 1 year earlier in the pages of Railway Progress on the same general subject.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From Business Week, Mar. 28, 1959]

A RAILROAD SO POPULAR IT MUST EXPAND

From the Aberdeen & Rockfish to the Zug Island Road, it takes 14 columns of fine print to index all the transportation lines whose vital statistics appear in the fat monthly Official Guide of the Railways. Nowhere in the list, though, is the Portland Zoo Railway, despite the fact that in the Portland, Oreg., union station, its emblem enjoys equal prominence with those of the five major railroads serving the city.

The Zooline, a strikingly uncommon carrier that's an exception to almost every contemporary railroad rule, currently traverses half a mile of realistic 30-inch gage track in the new municipal zoo at Portland. More roadbed and rolling stock are soon to come.

OPPOSITES

It sounds slightly Lilliputian, yet in its own small way the Zooline represents an achievement to make the harried brass of the class I roads take note.

While most railroads are disconsolately dropping runs or ripping up track altogether, the Zooline is aggressively laying new iron and ordering new equipment, to add to a system that first went into operation only last June.

Against an earnings picture of the most unmitigated gloom on the grownup roads, the Zooline figured 1958 revenues at $9.70 a mile, though its accounting procedures might not pass muster with an ICC auditor.

While more and more of the rails advertise "freight service only," the Portland Zooline is designed exclusively for the delight of passengers.

PITCHING IN

The effort that went into creating Portland's Zoo Railway had all the community participation of an oldtime small town quilting bee, though Portland, at 404,000 population within the city limits alone, is far out of the quilting bee class. Businessmen donated cash and time, industrialists contributed facilities and manpower, and ordinary citizens even doubled as "gandy dancers" to pound spikes and set rails.

The same spirit is continuing as the line expands and as it ties in with next summer's celebration of the Oregon Centennial, the 100th anniversary of statehood.

HOW IT BEGAN

At the outset, the railroad was only an incidental feature of the plans for Portland's new zoo, for which the city's voters approved a $4 million bond issue in May 1954. The new zoo was to replace a cramped, moth-eaten layout, and mainly because the sponsoring Portland Zoological Society included one or two rail buffs, the budget included $25,000 for a recreational railroad.

From the beginning, perhaps the prime mover has been 53-year-old Edward M. Miller, assistant managing editor of the Oregonian, Portland daily, and a quietly ardent aficionado of the rails.

Miller's first step was to arrange a study of recreational railroads in operation all around the country—from Seattle to Spartanburg, S.C., Sunbury, Pa., and St. Louis. The findings: Most lines were both popular and profitable especially those elaborate enough to appeal to adults as well as children.

WIDENING PLANS

This report contributed to the decision that a $25,000 toy train such as usually featured in zoos just wouldn't do for Portland. Anyway, Miller and cronies felt a bigger layout would be more suitable for the hilly, fir-studded terrain on which the zoo was to be built.

About this time, Miller cautioned the zoo architects that eventually they would be designing the zoo to fit the railroad, rather than vice versa. "They laughed when we first warned them about that," recalls Miller, "but they soon stopped."

BABY AEROTRAIN

After a design competition among Portland architects and engineering firms, rail planners selected a proposal from Northwest Marine Iron Works, a maker of sawmill and heavy machinery and heavy marine engines. Northwest Marine's staff included a mechanical engineer, John Flaschner, with experi-

ence in rail equipment manufacturing in his native Hungary. Flaschner worked up drawings for train roughly half the size of an ordinary passenger train, to run on 30-in.-gage track (standard gage: 56½ in.).

The diesel locomotive was a scaled-down version of General Motors' experimental Aerotrain, and it was to trail four passenger cars topped with clear plastic for unobstructed views. Inside, there would be room for 99 adults or 132 children.

To go along with the train, the zoo architects shuffled bear pits and monkey houses to provide room ultimately for 6,460 feet of right-of-way through the grounds, with tunnels, trestles, stations, a shop, and sidings. All told, train and track, the system would cost $280,000.

HELP WANTED

Northwest Marine agreed to build the train at cost, and a Portland fabricator, Hirschberger Sheet Metal Co., went to work making the locomotive and car bodies.

It was an ambitious program, considering that originally only $25,000 had been allocated for the Zooline. But Miller and Stewart H. Holbrook, Portland author, already had a plan. Forming the Portland Zoo Railway Co., they invited brass of regional railroads to lunch and made their pitch. "Railroads are becoming more and more a legend in the popular mind, less and less a living reality," said Miller. "Why not help us build in Portland a recreational railroad for children which they will never forget?"

Railroad executives are traditionally conservative, but the Portland group was moved by Miller's plea. To work with the Zooline, they tapped Jack H. Jones, manager of Northern Pacific Terminal Co., jointly owned by Northern Pacific, Southern Pacific, and Union Pacific, which runs Portland's passenger station and surrounding yards.

MAN OF ACTION

Jones took over as president of the Zoo Railway. At the time, there was doubt whether the initial stretch of track—half a mile with loops at each end, to make a one-half ride—could be finished in time for the proposed opening in June 1958.

The Terminal Co. shops turned out two 30-inch-gage cars for a work train. Miller and Jones found a 30-inch-gage diesel logging engine rusting in the yard of Portland Machinery Co. With a new cab and a coat of red paint, the diesel became "Casey Pioneer" and started hauling the work train.

Then Jones organized "Gandy Dancer Day," with hundreds of Portlanders volunteering to help lay track. The pace still wasn't fast enough; so crews of real-life gandy dancers quietly appeared.

Jones also recruited other railroad brass to the Zooline. Frank Landsburg, an ICC inspector, became safety director—and, thanks to his official Government inspection, brought a big reduction in liability insurance rates. Other volunteer executives flocked to the Zooline from the Southern Pacific, Union Pacific, Northern Pacific, Great Northern, and Spokane, Portland & Seattle.

MORE TRACK

No sooner was the Zooliner first in operation than attention turned to an extension through virgin timber along steep slopes, with spectacular views, to the city's Washington Park, which adjoins the new zoo tract. There wasn't any money to pay for it, but the Southern Pacific donated 40 engineering man-days to map a route. Then the Spokane, Portland & Seattle provided a detailed engineering study worth $5,000. James Yost, Inc., general contractors, volunteered to do the work for just the cost of labor.

To begin meeting Yost's weekly payroll, the Zooline started issuing stock—at $1 a share, offering as dividend two free rides when the extension was complete. Bartenders in all of Portland's taverns wore engineer's caps and peddled the stock to patrons; schoolchildren canvassed neighborhoods.

FREE BALLAST

The Cinder Hill Co., of Prineville, Oreg., gave 2,500 yards of ballast, which the railroads hauled to Portland free in cars loaded by Prineville and neighboring Redmond children. In return, every youngster in grade schools of the two cities got a free share of Zooline stock.

With all this help the Zooline finished the right-of-way and laid almost 3,700 feet of track on the extension before winter rains halted work.

CENTENNIAL TRAIN

The next scheme was a train for the 100-day Oregon Centennial next summer. At the celebration it would bring revenue to the Zooline; later, the rolling stock could be used on the Washington Park route.

For this train, George Burton, a service-repair supervisor in a Portland radio, TV, and music store and a leader of rail-fan groups, is building a replica of a classic old steam locomotive from authentic drawings. Fellow rail buffs are helping in the labor, and all of Portland's foundries are contributing parts. Five cars similar to those on the first Zooliner are under construction at Northwest Marine Iron Works and Hirschberger.

To cope with an expected flood of passengers, the Zooline plans to put still another train on its home track by summer—this one built around the Casey Pioneer work locomotive. Hirschberger is doing the job for $6,000—"cash when he catches us," says Miller.

BONANZA

Miller is still sketchy about where all the money will come from, but he exudes confidence nonetheless—as well he might, from the results of the original Zooliner's first 80 days of operation last summer.

The figures are such as few professional railroaders ever see: in 80 days 107,000 paying passengers and a net profit of $5.61 per mile on revenues of $21,339. Even though this doesn't take into account capital costs, depreciation, or all the free services, it still gives the Zooline every reason to believe its passenger business is here to stay.

[From Railway Progress, January 1958]

PORTLAND BUILDS A RAILROAD

(By RICHARD L. NEUBERGER)

In his recent autobiography, Bernard M. Baruch, adviser to Presidents, has told how the sight of expresses and fast freights highballing through his native Camden, S.C., invariably instilled in him a youthful desire to be the owner of the Southern Railway.

My own boyhood ambitions followed a more modest scale. Watching Union Pacific, Southern Pacific, and Great Northern Mallets coping with our rugged Oregon mountain grades, I decided that sometime I might qualify to be a brakeman, conductor, or even an engineer.

These yearnings, alas, always remained unrequited. For one reason or another, I never became a railroader. Now, however, there is to be some belated measure of compensation. At the ripe old age of 44, I have been invited to serve on the board of directors of a railroad. Even though it is of only 30-inch gage, the blare of air horns trills in my ears and the smell of diesel fumes twitches my nostrils. Despite the railroad's projected total length of a mere 2½ miles, I already feel the earth quavering to the rumble of its locomotives. Perhaps the personal satisfaction is so great because this railroad will carry the most precious cargo of all—children.

My home city of Portland, Oreg., where I was born and raised, is undertaking to build and operate the most elaborate and picturesque home-sized railroad yet planned anywhere in the United States. It will be part of a brand-new zoo in the city's fir-mantled hills, so our system is officially known as the Portland Zoo Railway Co.

No railroad, large or small, was ever more of a community project. Leading citizens are raising funds for its completion. Railroad management and labor in the Portland area are contributing both work and materials, as well as general operating wisdom and know-how. Manufacturing firms are producing the motive power and rolling stock at cost. This spontaneous voluntary effort has been necessary because Portland, a city of 400,000 residents, is constructing a zoo rail route far more elaborate than that ever attempted by metropolitan centers with 10 or 12 times Portland's population.

To begin with, the 30-inch gage is no toy. Railway Progress has reported that jungle products of India and Ceylon are hauled on some 2,000 miles of actual operating railroads of this slender width. Furthermore, the 2½ miles of Portland Zoo trackage, while no threat to the Pennsylvania or Santa Fe in length, will actually outdistance the only other two major recreational systems in the country which might be considered its rivals—Disneyland, near Los Angeles, and the Detroit Zoo railroad.

The first stage of the Portland Zoo Railway is now nearing completion. This is 1¼ miles of track looping around the new zoo, plus a sweep to be added through primitive forests of conifer trees and up the ramparts of a wooded canyon. As income is collected at the ticket office, another 1¼ miles will be thrust into the most densely timbered solitudes which stockade the city limits of any community in the United States.

The train penetrating these scenic surroundings will be of substantial proportions. The locomotive, patterned generally after General Motors' Aerotrain, will haul three streamlined coaches and a club car in which soft drinks and ice cream can be served. Each car will have a capacity of 24 adults or 32 children. Length of the entire train will be 112 feet, 9 inches. The 24-foot locomotive will weigh 12,000 pounds and develop 140 horsepower. It will be held by a governor to a maximum speed of 15 miles an hour, because some of the track will go over high viaducts or along the sides of steep ravines. Dead-man controls will bring the train to an automatic stop in the event of sudden emergencies.

Perhaps because children all over the State of Oregon are thrilled with the prospective completion of their railroad, high-priced talent has been put at the disposal of the Portland Zoo Railway Co. on either a volunteer or at-cost basis.

Certain unusual aspects of this extraordinary little railroad have required that the train be built locally. Portland's damp climate, refreshed with rainstorms from the Aleutians, called for cars with glass roofs of the vista-dome variety rather than the open-type coaches in vogue at California's sunny amusement parks. The spectacular but hazardous right-of-way dictated a gage wide enough to eliminate dangerous spills. Interviews with small fry ruled out locomotives which looked like steamers. "We want diesel streamliners," said they and it was evident from their tones that anything less would have an adverse influence upon patronage.

So the zoo train is being constructed in Portland, according to these and other special stipulations. An iron works and a sheet-metal company are combining to handle the job on a nonprofit basis. Cost to the zoo fund will be approximately $60,000. If the train were manufactured by Northwest Marine Iron Works and Hirschberger Sheet Metal along conventional fiscal lines, the expenditure would amount to at least $100,000. Locomotive and cars have been designed by a rail enthusiast named John

Flaschner, who fled to America from the tyrants and barbarians invading his native Hungary. In Budapest he had worked as an engineer for a firm building trains for the export market. Rolling stock which took shape on Flaschner's drafting board is still in service on South American and African railroad lines.

With such men as Flaschner placing their talents at the disposal of the little zoo railroad, help began to come from other sources. L. R. Smith, Portland superintendent of the Southern Pacific's extensive operations in Oregon, put one of his regular survey crews to work locating the right of way for the extension through the stately forests surrounding the zoo. This spared the fund of the children's railroad at least $1,500. A manufacturing firm in distant Los Angeles agreed to fabricate the switch frogs for the entire system without any payment at all, which represented a saving of $1,000. Bricklayers from the building trades unions put trowel and mortar to thousands of bricks at the zoo while foregoing their wages, and much of the building material was presented as a gift by local suppliers.

Two men have been principally responsible for organizing this kind of participation. One is J. H. (Jack) Jones, manager of the Northern Pacific Terminal Co., who serves as president of the Zoo Railway. The other is Edward M. Miller, assistant managing editor of the Portland Oregonian, the newspaper which recently won a Pulitzer prize for exposing alleged criminal elements in certain labor unions. Miller, one of the mayor's civic appointees to the Portland Zoo Commission, is a zealous railfan who would rather travel by train than via Cinderella's coach-and-four. Before the first bulldozer ever had cleared ground for a bear pit or tiger grotto, he decided that the majestic terrain was ideal for America's finest recreation railway. To make this possible in spite of the limited population and financial resources of the community, Miller had to enlist an immense quantity of volunteer skills and equipment.

The newspaper executive rallied to his cause Jack Jones and other local railroaders by stressing one theme consistently. "Look," Miller would tell them, "fewer people every year have direct contact with railroads, as travel by airplane and private automobile increases. This means railroads are becoming more and more of a legend in the popular mind, less and less a living reality. Yet trains have great dramatic impact on people. Why not help us build in Portland a recreational railroad for children which they will never forget? It not only will have a profound effect in our own State of Oregon, which is an important source of raw materials to be hauled eastward, but its fame will radiate throughout the land. And the children thus thrilled and entertained will some day be the shippers of this country's freight. * * *"

"I decided Ed Miller was about 200 percent right," said Jack Jones, "and that's why I agreed to become president of the Zoo Railway. I also decided that, if I were the head of a big system myself, I would endow children's lines in zoos and parks all over the United States, with the colors and emblems of my own particular system very much in evidence. What better way to make an impression on the next generation of Americans?"

As head of the Northern Pacific Terminal Co., Jones would have to feature a chameleon's multiple colors to please all his bosses. The system, which operates 100 miles of track in or near Portland's Union Station, is owned jointly by the Union Pacific, Southern Pacific, and Northern Pacific Railroads. When the Portland Zoo picked up $4,000 at the Oregon State Fair in Salem with an exhibition, Jones provided one of his railroad-section gang crews to erect and dismantle the zoo's tents. He also persuaded the Spokane, Portland & Seattle Railway to haul to the fair the first car fabricated for the zoo train.

Another railroad celebrity whom Ed Miller has recruited for the forested zoo system is Stewart H. Holbrook, the noted Oregon author who specializes in books about Americans and American folklore. One of his most heralded volumes, "The Story of American Railroads," has been a persistent seller ever since it was first published in 1946. Holbrook, who will be chairman of the board of the railroad, contemplates an imposing list of officials, ranging from general superintendent to chief of redcaps. These will stem predominantly from the ranks of railway management and labor in Oregon.

Although all of these individuals long ago grew to manhood, they are deriving great nostalgia at present from seeking a name for the zoo train and an official medallion for the zoo railroad. Designer Flaschner favors Bluebird for the domeliner which will swoop through the fir glades. The first medallion featured a jolly elephant in an engineer's visored cap. This drew some frowns from the Democrats on the board of directors, so a frolicking Bengal tiger was substituted instead. "Anyway," rationalized one of the Democrats defensively, "tigers are cousins of cougars, which are indigenous to Oregon, while elephants don't have a solitary kin among the wildlife of our State."

On June 1, 1958, the most lovingly-created zoo train ever to operate in America will make the inaugural pilgrimage over a recreational route without scenic counterpart anywhere in our Nation. Youthful passengers in the club car of the Bluebird will order their first root beers and Eskimo pies. Some lucky youngster will ride the fireman's strategic seat—at an extra cost of $1 from dad's wallet. Small young faces will dot the glass-enclosed vistadomes as the hillsides and evergreens fleet past.

But the real fun will be enjoyed by all of us adults who watch proudly from the station platform.

Two Hundredth Anniversary of the Death of George Frederick Handel

EXTENSION OF REMARKS
OF
HON. EDWARD P. BOLAND
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, April 15, 1959

Mr. BOLAND. Mr. Speaker, German contribution to modern civilization has been great, and innumerable Germans have added immensely to what is commonly called Western civilization. Germans have been particularly outstanding in the sciences, but no less distinguished have they been in the arts, especially in music. And Handel is one of the giants in the world of music.

George Frederick Handel, who died exactly 200 years ago at the ripe age of 74, was the son of a barber-surgeon in Halle, Lower Saxony, who by his unusual talents and through ceaseless industry gained immortal renown as a composer. At the age of 20 he produced his first opera, "Almira," one of a series of great operas culminating in the "Messiah" and "Israel in Egypt" which together have long placed him among the foremost of great composers of his time. Even today he is considered one of the greatest composers of all time.

The celebration of the 200th anniversary of Handel's death evokes many memories, and recalls historic events in German history, but we can hardly forget the importance of current international events connected with Germany. Indeed, the Berlin situation, the even larger issue of German unification, and the matter of strengthening the Western democracies in their fight against Soviet totalitarianism, are issues that the West cannot hope to solve without the wholehearted cooperation of the German people. On this 200th anniversary of Handel's death let us preserve the freedom of West Berlin in a manner demonstrated by President Truman in 1948–49, let us work for a united, free, and democratic Germany, and let us work for closer cooperation among all freedom-loving peoples of Western democracies.

Steps Toward World Order

EXTENSION OF REMARKS
OF
HON. JOHN A. CARROLL
OF COLORADO
IN THE SENATE OF THE UNITED STATES
Wednesday, April 15, 1959

Mr. CARROLL. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an address on the subject "Steps Toward World Order," delivered by the senior Senator from Minnesota [Mr. HUMPHREY] before the University of Virginia Law School, at Charlottesville, Va., on March 12, 1959.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

STEPS TOWARD WORLD ORDER

(Speech by Senator HUBERT H. HUMPHREY before the University of Virginia Law School, Charlottesville, Va., March 12, 1959)

In these dark times when crisis is piled upon crisis, it is easy to lose heart, to give up hope. The Berlin crisis is bristling with complex and knotty problems. It is perhaps the most serious situation we have faced since V–J Day. The Formosan crisis has quieted down, but has not disappeared. And there is always a crisis of one kind or another in the turbulent Middle East.

With every crisis there are dangers and risks. But there are also opportunities and responsibilities. I have not lost hope for a more enduring peace, and I believe the American people have not lost hope. We must keep hope alive. Genuine hope. Not hope based upon wishful thinking, but tempered with a realistic understanding of the world we live in.

A few months ago I was in Moscow and Berlin. It was an unforgettable experience. I have a firsthand knowledge of some of the vexing problems we face. But I have not surrendered the gift of hope which gives men the courage to press on, the vision to see beyond the encircling gloom a better world.

Genuine hope does not permit us to escape the present into some utopian future of our dreams. Genuine hope helps us to come to grips with the present in the name of the future and out of respect for the values of the past. Evil triumphs when good men fail to act.

Tonight I want to talk about some steps we can take toward greater peace and order in the world. I say steps, plural, not one giant step. This may disappoint some of you, but I am convinced that new institutions and laws are not achieved in one giant step. Great preparation and even suffering precedes the birth of new forms, new ways of doing things. History teaches not to expect drastic changes overnight.

The pace of history does not discourage me. If the goal is clear and if we take genuine steps in the right direction, I am confident that our efforts will be rewarded.

The many-faceted challenge of communism today demands bold action to meet the economic, political, and military threat of the Soviet Union and Red China. Only bold steps will be equal to the challenge of the "revolution of rising expectations" in Asia and Africa. Timidity is the counsel of despair.

THE HUNDRED YEARS OF PEACE: 1815–1914

Before I suggest some specific steps toward greater world order, I would like to say a word about a remarkable period of modern history, a period which may hold some lessons for us today. I refer to the century spanned by the end of the War of 1812 to the outbreak of World War I, which some historians have referred to as "the hundred years of peace." More accurately, it was a century when there were no general wars and a considerable degree of world order prevailed. The balance of power among the European states made a measure of stability possible. No single European power could aspire to world domination. Great Britain, with its firm control of the seas, acted as a check on the ambitions of any of the European landpowers.

England was neither strong enough, nor did she aspire to dominate the European continent. She acted as a balance wheel. Through this delicate balance stability was maintained for an entire century.

On the economic side, this century of peace was a great period of industrial development in many parts of the world. International trade was stimulated by the acceptance of the gold standard. And the London capital market provided the funds through which large portions of the world, including these United States, were developed.

The principles of Anglo-Saxon law and political institutions, based upon the concept of public responsibility, spread to the far corners of the earth. Everywhere people were beginning to learn, at least theoretically, the meaning of the democratic principle of government by the consent of the governed.

During this remarkable century wars were limited both geographically and in their political objectives. In this country we had a tragic Civil War. But there was no general war. And no tyrant rose to conquer the world or even any large portion of it.

World War I shattered the hundred years of peace and economic development, and destroyed the fragile and elementary forms of world order created in the 19th century. This order was never really reestablished in the long weekend between Versailles and Pearl Harbor.

What can we learn from this century of peace? Is it too different from our present century to teach us anything? Our times are different, in some ways vastly different. Yet, I believe there are three very important things we can learn from the 100 years of peace:

1. Power must be exercised with responsibility.
2. Peace is possible.
3. Peace must be planned.

First, power must be exercised with responsibility. The key to the 100 years of stability was the responsible exercise of British power. Britain held the balance in Europe and through her navy throughout the world. She carried her power with restraint and with a sense of moral responsibility. She did not seek to enslave or to make the world over in her image. I am not suggesting that her Britannic Majesty was a paragon of virtue, but I am suggesting that Great Britain exercised her decisive power with wisdom and restraint.

The mantle of world leadership which Britain wore in the 19th century has in this century fallen upon our shoulders. The key to peace and order in our century, insofar as we have control over the situation, is the wise and responsible exercise of U.S. power. I am not suggesting for a moment a new imperialism, and American century, but rather a recognition that we should have a sense of responsibility commensurate with our wealth and power. This responsibility, in our interdependent world, must be widely shared, through instruments such as the United Nations, NATO, and other multilateral arrangements in the political, economic, and military spheres.

The destiny of Western civilization and the peace of the world may well depend upon Americas' ability to use her wealth and power not only to defend herself, but to create a world of greater peace and justice for all men.

Second, we must believe that peace is possible. If we believe that peace is not possible, we would be among the most miserable of men. Although we are today challenged by a powerful, committed, and relentless foe and the specter of nuclear destruction hangs menacingly over our heads, I still believe we can avoid war and that peace is possible. I have worked and I will continue to work on this belief.

Third, peace must be planned, worked for, sacrificed for. Peace is not an accident, a gift from the gods or a happenstance. Peace is a difficult goal, an elusive goal. Peace must be waged. We must work for peace even as we keep up our defensive shield. Waging peace is no substitute for an adequate defense posture. Nor is an adequate defense posture a substitute for waging peace. The world of 1959 does not confer upon us the luxury of choosing between waging peace and maintaining our defensive strength. We must do both, and we must do each task with as much imagination, creativity and wisdom as we can muster.

THREE STEPS WE CAN TAKE NOW

There is no magic key—no easy way—to world order, no master plan that will assure us of peace in our time. Perhaps I should amend this statement by saying there is no master plan which lies within the realm of the politically possible. Bismarck once said that "politics is the art of the possible." He was right, although there is room for disagreement on what is in fact possible. You will recall that in one of the Federalist Papers, the writer (I believe it was Madison) said that if all men were angels, then we would not need the checks and balances which the Founding Fathers regarded as essential to sound government. But since men are men and not angels, said Madison, we need the checks and balances which prevent one interest or one branch of government from taking over.

Given a world of imperfect men and nations, I maintain there is no master plan that will end conflicts of interest and erase all hostility. Nevertheless, there are steps, important steps we can take which will move us along on the path to a more secure and peaceful world. These steps will help to accomplish in this century the stability and order which was achieved in the 19th century.

Some of the greatest opportunities lie in the economic realm, especially in the areas of international trade and economic development. We need present-day counterparts to the gold standard which facilitated trade and the London capital market which provided development funds in many areas throughout the world. The International Monetary Fund and GATT (the General Agreement on Trade and Tariffs) are in a real sense the counterpart to the gold standard. The International Bank for Reconstruction (World Bank), the point 4 program, the Columbo plan, and other similar instruments are the counterpart to the London capital market.

In the military sphere NATO and other free world alliances are the counterpart to the balance achieved by British naval power.

I merely mention the economic and military aspects in passing.

I thought I would like to confine my remarks to the political sphere. In the political sphere we can take three positive steps:

1. Work for effective arms control with inspection.
2. Strengthen the United Nations and world law.
3. Make fuller use of the World Court.

1. Work for effective arms control with inspection: Peace and a more stable world order can scarcely be attained if nations are constantly developing postures of hostility toward each other. Demands by one great power that another great power surrender some valuable position, loud and repeated threats of annihilation if demands are not met, all backed up by a feverish race to concoct new weapons and amass them in ever growing stockpiles—these developments do not create an atmosphere conducive to a more just and peaceful international order.

This is why steps toward disarmament now are so important to mankind's hopes for peace. We must act, even if only a small step is possible. The failure to act is to act negatively.

For years the United States and its allies planned and worked for disarmament with grandiose plans which covered the whole range of military defense and that envisaged comprehensive machinery of administration and control. We learned gradually the futility of this approach. We lowered our sights to more realistic goals, and we have now arrived at a point where we are seeking to conclude a first-stage or a partial disarmament agreement. Complete disarmament all at one stroke need not and cannot be obtained. What we should have, and must have, is a limited agreement, that will help deflect the world from its present hazardous course. Once course has been changed, there will be ample time and opportunity to pursue the larger goals toward which we aspire.

The conclusion of an agreement to suspend nuclear weapons tests with inspection, or to install an inspection system to prevent surprise attack in some region of the world would be a small, first-step agreement of great value for initiating a new trend in world affairs. Either one of these agreements would slow down or perhaps even halt the forward momentum of the arms race. Once the fever of competition has been lowered, sanity and reason can then operate more freely in our quest for peace with justice.

Within the past year progress has been made toward conclusion of a first-stage agreement. Negotiations for a ban on nuclear weapons tests have advanced to an extent scarcely hoped for this time a year ago.

Last summer the Soviet Union suddenly accepted our Government's invitation to hold a technical conference on devising methods of inspection in order to guarantee fulfillment of any international agreement for suspending nuclear weapons tests. This conference of scientific experts from the Communist bloc and the prinicipal Western Powers was convened at Geneva. By the end

of last August it issued conclusions concurred in by both sides. This was an unprecedented step in the history of postwar disarmament negotiations. For the first time Soviet and Western representatives had seen eye to eye, and had agreed on the technicial details of an international arms control and inspection system.

It is necessary to recognize what these Geneva conclusions were and were not. They were not in themselves an agreement to suspend nuclear weapons tests. They were, however, an aid, a spur, and a necessary basis for any such future agreement.

Last spring immediately after concluding a very intensive series of nuclear tests, which shot a large barrage of radioactive debris into the atmosphere encircling the globe, the U.S.S.R. announced to the world that she was unilaterally suspending nuclear weapons tests. She further announced that she would continue such a suspension provided the United States and Great Britain, the other two nuclear powers, would do the same. This was a clever maneuver, but it was not clever enough.

The primary aim of this unilateral and conditional suspension was to impress world opinion. To a degree it succeeded. But the more perceptive people around the world knew that the Soviet plan would have resulted in a suspension of tests without effective inspection. Such a suspension would have been worse than no suspension at all, because there would have been no guarantee that one side was not cheating. Under such conditions, fear, suspicion, and tension would have increased and not abated.

The United States wisely pressed ahead with its endeavor to obtain an internationally agreed termination of testing, backed up and safeguarded by an effective inspection system.

Immediately after the close of the Geneva conference of experts, the United States invited the Soviet Union to a political conference. The purpose of the second conference was to work out a test ban which would utilize the technical and scientific foundation reached at Geneva. The United States said she would suspend her tests for 1 year provided the Soviet Union would do the same. This would allow time for the political conference to hammer out an agreement.

The conclusions of the Geneva conference of experts confined themselves strictly to scientific matters of a politically nonsensitive nature. They indicated the number of inspection stations and the kinds of inspection instruments and procedures that should be adopted for an effective control system, but they did not go into such controversial matters as to where the inspection stations should be located, who should man them, or what powers the control administration should exercise. These were questions to be thrashed out at the political conference.

The Geneva political conference on suspending nuclear weapons tests has now been at work for about 4 months. When Mr. George Kennan testified before the Senate Subcommittee on Disarmament early this month, he stressed that one of the main obstacles in the way of an arms understanding with the U.S.S.R. is its philosophy and tradition of secrecy. This has been one of the main stumbling blocks on the road to any reliable arms control agreement in the postwar period, and it is one of the main obstacles to success in the current Geneva negotiations.

To be reliable, arms control inspection must be genuinely international. National self-inspection is not genuine inspection, and self-inspection is essentially what the Soviet Union has been insisting upon at Geneva. Control stations under the Geneva experts plan would be located in each participating country to check on its activities. But the Soviet has been saying, "These control stations must be manned by nationals of the country wherein they are located." Communist Russians would be checking up on Communist Russians, according to this plan, and it is not difficult to see that Americans will not stake their security, or survival, on such paper promises.

The United States and Britain, in contrast, have taken the position that stations should be manned by outside nationalities, so that the resulting surveillance is truly international, mutual and reciprocal. These opposing views on inspection are responsible for the deadlock at the present moment. This is a point on which the Soviet Union must make a substantial concession if there is to be an effective and dependable inspection network.

Another crucial point of issue in the negotiations is the amount of authority that should be vested in the countries administering the control commission. The Soviet Union insists that there should be unanimity among the major powers on the control authority to make major decisions. In other words, the Soviet negotiators want a veto over the control authority. The American and British position, however, is that at least certain important decisions on the functioning of the control mechanism should not be subject to a one-nation veto, but should be reached by a majority vote.

If, for example, the inspection stations recorded an event that might be an underground nuclear test it would be necessary to send inspectors immediately to the location to investigate. "On the spot" inspection of this type is very vital to the effective functioning of the entire control system, otherwise the purpose of inspection could be frustrated and a violator of the agreement might readily escape the consequences of his violation.

The United States says, "This kind of decision cannot be blocked by a veto." The Soviet Union says, "This kind of decision must be subject to a veto, or it is a violation of sovereign rights."

Soviet intransigence is again responsible for the deadlock on this point. Unless the Moscow government modifies this position, it will be impossible to have an effective and dependable inspection system.

The issue of international inspection in the Geneva disarmament negotiations highlights one of the most significant potential contributions of disarmament to the cause of peace and harmony in the world today. If I had to single out any one factor as the main barrier to peace in the world today, I would point my finger at the Iron Curtain, or in other words the barrier of secrecy and isolation which the Soviet Union has erected between its own people and the outside world.

International inspection for suspension of nuclear weapons tests would pierce this barrier in an unprecedented way. The political effect of getting an international authority into the silent and secret land of the Soviets would be inestimable.

I am dedicated to national security. I believe our defenses should be strong in order to back up our international negotiations and commitments. We arm to parley, we develop strength in order to negotiate as well as to deter attack, limited or general.

We must arm and at the same time strive to turn back the tide of fear that is engendered by the mounting arms race. We must make a start somewhere in tearing down the veils of secrecy that breed mistrust and suspicion between the Communist and free worlds. An agreement to end nuclear weapons tests, backed up by an effectively functioning inspection system within the participating nations, would be a significant step in the direction of world peace and order.

2. Strengthen the United Nations. The United Nations is a continuing conference of over 80 sovereign states. It is a limited instrument. But it is a valuable instrument. The United Nations can be used, abused, or ignored by its member states, and it would not be difficult to cite examples of these three attitudes toward it.

I believe the U.N. can be strengthened through a fuller use of its peacemaking and peacekeeping facilities. The member states can make a contribution to greater world order by participating in the long-range economic and humanitarian activities of the U.N. which help to weave the fabric of peace and understanding. I refer to the Children's Fund, the World Health Organization, UNESCO, the U.N. technical assistance program, FAO, and other essentially nonpolitical activities carried on under the aegis of the world organization.

I favor the fullest possible cooperation of our Government with other nations in the great problem of assisting economically the less developed areas of the world.

In the peacekeeping or political sphere, I believe the present U.N. is capable of serving the cause of peace when the nations really want to use it. But there is no way we can force the nations to utilize the U.N. Mrs. Eleanor Roosevelt once said: "The United Nations is not a cure-all. It is only capable of effective action when its members have a will to make it work."

In spite of the Soviet bloc's frequent use of the veto in the Security Council and other obstructive tactics, the U.N. has a solid record of achievement even in the political sphere. Through the U.N., aggression was thrown back in Korea. Through the U.N., Soviet troops were forced to withdraw from Iran. Through the U.N., fighting was stopped in Greece, Indonesia, and the Middle East.

This suggests one possible immediate area where we can strengthen the United Nations. I refer to the U.N. emergency police force now deployed in the Gaza Strip between the United Arab Republic and Israel. This force has limited functions and no one pretends it is powerful enough to hold back a full-scale attack by either side. But it is a beginning, perhaps a symbol of a greater international force which one day may be used to bring stability in trouble areas.

It is difficult to foresee the time when a U.N. force could deal with a situation such as the present Berlin crisis in which the two superpowers are so deeply involved. This could not take place short of a radical change in the nation-state system in which states would have already surrendered their military establishments, the ultimate symbol of their sovereignty.

But, even if a U.N. police force is not capable of dealing with the major security problems in the world today, it is quite possible that a mobile force dispatched to minor trouble spots would be capable of putting out "brush fires" before they blazed into a global conflagration. This would be eminently worth the relatively small investment.

I believe we should also explore the possibility of creating international rules and machinery for the regulation of outer space. In this area the U.N. can also make a contribution.

I have no illusions. I know the U.N. can work effectively on any major security question such as arms control, or regulating outer space only when the Soviet Union is willing to go along with the majority position. And we have no means of forcing the Communist bloc to give in to the majority. But we can try, and in trying we can lay bare the intention of any nation which obstructs the plans of those nations which are genuinely working for greater order and peace. Even if the U.N. serves primarily as a mirror of our divided world, it is performing a valuable function. For without a clear picture of the world situation, we cannot act with political insight or moral wisdom.

3. We should make full use of the International Court of Justice.

One of the most disappointing aspects of the work of the United Nations has been the

International Court of Justice. This Court, established as a forum whereby international disputes would be resolved by law, has had all too little opportunity to fulfill this function. In the 13 years since it was established, the International Court of Justice has in fact decided only 10 cases. I repeat, 10 cases in 13 years.

By any standard, this is somewhat less than an impressive record of accomplishment. Here is a court made up of 15 judges who are each paid $20,000 a year, and yet it has decided less than one case a year.

To me this is indeed tragic. For in this day and age the rule of law in international affairs should be looked upon as one of the main ways of peacefully settling disputes between nations.

The sorry record of the Court is due in large measure to the U.S. refusal to give it full backing and support. The damage was done, I regret to say, by the U.S. Senate when in 1946 it added to the so-called Morse resolution, Senate Resolution 196, which declared our acceptance of the compulsory jurisdiction of the International Court of Justice, six words "as determined by the United States."

In 1945, the United Nations Charter was approved. Chapter XIV of the charter provided for establishment of the International Court of Justice to replace the Permanent Court of International Justice. Under article 93 all members of the United Nations are ipso facto parties to the statute of the International Court of Justice. However, no member nation is bound by compulsory jurisdiction of the Court without a specific declaration accepting such jurisdiction.

Less than half of the 81 member nations of the United Nations have by declaration accepted compulsory jurisdiction of the Court in specified areas of international law stated in the statute of the Court. It is of interest to note that none of the Communist nations in the United Nations—including the Soviet Union—have accepted compulsory jurisdiction of the Court.

Senate Resolution 196, which gave the consent of the Senate to the United States accepting compulsory jurisdiction of the Court, was introduced by the distinguished senior Senator from Oregon [Mr. MORSE], in November of 1945; it was cosponsored by 14 other Senators from both parties.

Hearings were held on Senate Resolution 196 in July of 1946 by a subcommittee of the Foreign Relations Committee. Not a single witness appeared before the subcommittee to oppose the resolution. Moreover, not a single letter or telegram was received in opposition to the resolution.

Against a backdrop of overwhelming public support, the subcommittee decided to report the resolution favorably to the full Foreign Relations Committee with only one minor amendment. On July 24, 1946, by a unanimous vote, the committee reported the resolution to the Senate for favorable action in exactly the form recommended by the subcommittee.

The resolution was considered by the Senate on August 1 and 2; it was approved August 2 by a vote of 62 to 2 and the Senate adjourned sine die some 2 hours later. During consideration of the resolution three amendments were adopted.

The most controversial amendment, offered by Senator Connally, added to paragraph (b) the words "as determined by the United States" to the language of the resolution which excluded from cases on which compulsory jurisdiction would be accepted "matters which are essentially within the domestic jurisdiction of the United States." This amendment was adopted by a vote of 51 to 12.

Many observers at the time felt that this amendment, by reserving to the United States the right to decide whether or not a matter is essentially domestic, rather than having the Court make such determination, demonstrated a lack of confidence on our part in the competence and integrity of the new Court.

Mr. Dean Acheson, who was then Under Secretary of State, in testifying on this resolution expressed the argument against any such reserve clause as follows:

"The rule of law becomes effective to the extent that states agree to submit themselves to the decision of the Court in all cases involving questions of law. It cannot become effective if States may reserve this decision to themselves, regardless of the degree of good faith by which they govern their actions."

The effect of such reserve clauses has been to seriously limit the role of the International Court of Justice in settling international disputes. As I have stated, the Court has decided only 10 cases in 13 years.

I hasten to add that this sorry record is not due to any fault of the Court itself. The 15 judges are competent and qualified men. The Court is ready and willing to aid in the settlement of international disputes. The reason for the ineffectiveness of the Court lies principally in the various reservation clauses contained in the declarations of nations which have accepted the jurisdiction of the Court.

The United States, and in particular the U.S. Senate, cannot escape responsibility for the Court's ineffectiveness.

The distinguished lawyer, Charles S. Rhyne, past president of the American Bar Association, and presently chairman of the Committee on World Peace Through Law of the American Bar Association, in an address delivered only this past Tuesday, March 10, assessed the blame quite candidly when he said:

"I am therefore firmly convinced that one of the major causes for the empty courtroom of the United Nations Court is the Connally reservation which was created by the U.S. Senate, is maintained by the U.S. Senate, and can be removed by the U.S. Senate. * * * Every report I have seen by the many experts who have studied this situation agrees that the Connally reservation has emasculated the usefulness of the Court and rendered it impotent as an instrument for world peace. The cancerous effect of the Senate's action has spread as other nations have copied it; it has an ever-widening scope. The tremendous responsibility of the U.S. Senate for continuing through this reservation to stifle use of the United Nations Court is a most serious one when one considers the value of and need for any mechanism which can aid in preventing war under present world circumstances. The Connally reservation is unsound in principle and effect and should be eliminated."

This is a strong statement indeed. A statment of a highly respected and learned lawyer—a man not given to making reckless or rash statements. Mr. Rhyne is a sound and realistic student of international affairs, and his views cannot be casually dismissed. Mr. Rhyne's forceful address indicates a realization of the peril we face in view of the lethal weapons of mass destruction, and the absolute necessity, in the name of self-preservation, that we bolster the available means of settling disputes by law rather than force.

I believe that the time is long overdue for the Senate to remove this reserve clause in the Morse resolution. It is my intention to offer in the near future a resolution to amend the Morse resolution by deleting from paragraph (b) the words "as determined by the United States."

In the absence of action by the Senate, I fear that the International Court of Justice will remain an ineffective instrument of world peace without authority to dispose of disputes between nations by way of peaceful judicial determination.

It is time that we in the U.S. Senate acted to remove the shackles which restrict the United Nations Court. I hope most earnestly that prompt consideration will be given to the resolution I intend to offer.

CONCLUSION

In conclusion, I return to where I started. I said we must have hope, hope in certain specific small steps we can take in the direction of greater world order. I believe peace is possible, and I believe we must work for it in the small and undramatic ways—through painstaking arms control negotiations, in the day-by-day business of the United Nations, in all those daily acts of fidelity which help create a fabric of peace, justice, and understanding.

Improving State Welfare Programs

EXTENSION OF REMARKS
OF
HON. AIME J. FORAND
OF RHODE ISLAND
IN THE HOUSE OF REPRESENTATIVES
Wednesday, April 15, 1959

Mr. FORAND. Mr. Speaker, although great improvement has been made in the welfare programs in this country during the past quarter century, experience has shown that much more needs to be done, especially in the State programs.

I am today introducing a bill providing for such improvements.

This bill, H.R. 6422, is designed to alleviate the plight of those many families throughout the country who find themselves in need as a result of unemployment and other factors beyond their control and for whom no provision is now made under Federal law. This bill, which would authorize the Federal Government to assist the States in meeting the full range of needs now confronting their public welfare agencies, is similar to bills I have introduced in previous Congresses, but is given a new urgency by the persistence of unemployment currently affecting some 5 million American workers and their families.

This bill, entitled the "Public Welfare Act," incorporates the recommendations of leading national welfare organizations representing both public and voluntary agencies. Taken together with the bill, H.R. 4700, previously introduced by me to extend health benefits to beneficiaries of the old-age, survivors, and disability insurance program and the bill establishing minimum benefit standards in the unemployment insurance program which I am likewise supporting, this bill rounds out the program of immediate improvements in our total social security program urgently necessary to meet the most pressing needs today confronting large segments of our population. As such, the basic provisions in the bill have the support of the American Federation of Labor and Congress of Industrial Organizations; the American Public Welfare Association; the National Association of Social Workers, and other groups representing those affected by our social security measures.

We are rightfully proud of the steady growth in coverage and benefits under

the social insurance aspects of the social security program and the extent to which this has reduced dependence on public assistance among the able-bodied aged, surviving widows, and the older disabled group. Last year improvements were also made in the financing of public assistance and in the child welfare program. But pride in progress cannot be allowed to blind us to the areas of insecurity and hardship that still remain. Extensive and persistent unemployment over the past year has served to remind us of the vulnerability of our working people to the hazards of the modern economy. We must move toward a national policy which, first, reduces the chances of any individual or family in the United States becoming needy but, second, provides its own built-in assurance that if this contingency befalls, provision will be made to meet those needs. This is the purpose of my bill.

Public welfare provides the ultimate protection to individuals under our total system of social security. When all other resources fail, it is to the State and local public welfare agencies that an individual must turn for help. If a worker cannot find a job, when his unemployment insurance rights and savings are exhausted he becomes dependent upon public assistance. If a worker or farmer or small businessman becomes ill, he may find his savings quickly exhausted in heavy medical and living expenses. Then he has no choice but to turn to his State or local public welfare office. But under the present assistance provisions of the Social Security Act the Federal Government takes no responsibility for assisting the public welfare agencies in meeting the needs of people who do not qualify under the four existing categorical programs of old-age assistance, aid to dependent children, aid to the blind, and aid to the permanently and totally disabled. As a result, in most States provision for the needy unemployed is miserably inadequate and even, in some localities, virtually nonexistent. In other States with a heavy incidence of unemployment, funds for the purpose have been repeatedly exhausted despite every effort to make adequate provision. It is self-evident that the States with heavy and persistent unemployment not only have a disproportionate need but are in the worst fiscal position to meet that need from State and local resources.

Unemployment is an attribute of the national economy, and the development of policies to assure individual security is a national responsibility. The Federal Government should not only take steps to prevent unemployment and to assist depressed areas in making needed economic readjustments, but it should also assume its fair share of responsibility in protecting all its people, wherever they may live, against its hazards. The first line of defense is through a strengthened unemployment insurance program; the second is through a strengthened program of public welfare which is the purpose of this bill.

Public welfare, under our Federal system of government, is the primary responsibility of the States and their political subdivision. The grant-in-aid system, which has developed extensively as an instrument of public policy since 1933, is designed to combine the advantages of decentralized administration with the broader financial base of the Federal Government and the need for basic national programs in areas of national concern. My bill, following this extremely successful principle, is designed to give the States the maximum latitude in adapting their own public welfare programs to changing needs. It does not affect the existing provisions of titles I, IV, V, and XIV of the Social Security Act but rather offers the States the option of combining all or part of these specialized public welfare programs for particular groups into a comprehensive program of aid for all needy persons and of needed social services. The administrative and policy advantages of such a simplified plan are obvious, especially to the individual in need of public welfare aid, who today often finds himself bewildered by a variety of agencies, eligibility standards, and requirements. Many State welfare policymakers and administrators would welcome the opportunity to move in this direction but are today prevented by the limitations of Federal law. On the other hand, there is no compulsion upon the States under my proposal to abandon any specialized welfare program which is felt to be serving the best interests of a particular group.

The rapid growth in our social insurance programs has created a substantial change in the character of the public welfare function which has not yet been reflected in changes in Federal and State law. Increasingly, public welfare is being called upon to meet the unusual or unpredictable situation or to provide for needs which have not yet been provided for through social insurance or other preventive measures. Thus, the nature of the public welfare task tends to change in emphasis. Today, for example, many retired OASDI beneficiaries are obliged to turn to public welfare for help when they become ill. But soon it is hoped we can provide hospital and related benefits for these people as a part of the insurance program. No one wants a large public welfare program, but we do want one which is sufficiently flexible and comprehensive to meet actual need as it occurs. The only way to do this is through legislation which provides the machinery, the policies, and the built-in financing provisions to meet such needs whenever they arise. We do not want to be confronted again with the need for emergency legislation as we were in 1933—or even last year, or again this year, with our unemployment insurance program. We want a strong institutional structure that can be quickly adapted to actual needs whether they arise from economic factors, social change, or disaster situations.

The State public welfare agencies have been handicapped in adapting their own programs and in making the best use of their own resources and personnel by the rigid compartmentalization and restrictive scope of Federal aid. This bill proposes to remedy this situation by providing the optional alternative of a single public welfare plan with more adaptable provisions relating to eligibility, financing, and scope of service. In return for this greater flexibility, States are required to provide assistance for all persons who qualify within their own standards of need without arbitrary exclusions such as those based on residence. The bill also recognizes the importance of individual determinations and service as an intrinsic element in all public welfare functions thus making it possible to bring about a closer coordination of all welfare programs in a single public welfare agency. The advantage of such a simplified approach to the person who needs help, to the administrator, and to the public constitutes a major argument for giving early consideration to this proposal.

In the statement which follows a more detailed explanation of the provisions of this bill is given.

First. General: The bill provides a new title XVI for the Social Security Act under which a State could submit a comprehensive public welfare plan for assistance to needy persons and welfare services as defined in the bill. States that wish to do so could continue to operate programs of assistance under the existing provisions to titles I, IV, X, and XIV but the new matching provisions described below are applicable only to title XVI and the usual provision is made to preclude assistance payments to any individual under more than one title of the act. For most States the scope, flexibility, and financial provisions of title XVI would probably prove an inducement to change, but the optional feature would ease the transitional process and make it possible for a State, which wished to retain certain programs—as, for example, aid to the blind—on the present basis, to do so.

Second. Coverage for assistance: This bill makes it possible for a State to receive Federal aid for assistance to any needy person, including those who are in need because of unemployment, and not exclusively for those over 65, blind, permanently, and totally disabled, or those meeting the restrictive definition for aid to dependent children—as at present. Administration by categorical groups would, however, be optional with the States, provided the basis for establishing the categories was reasonable. Assistance could not, however, be paid to persons residing in public institutions other than medical institutions nor to patients in an institution for tuberculosis or mental disease.

Third. Financial ceilings or the maximum average payments subject to Federal aid would be increased to $75 a month for all adults and $50 for all children. Present maxima in old age assistance, aid to the blind, and aid to the permanently and totally disabled are based on an average of $65 a month; in aid to dependent children the present ceiling is an average of $30 for each individual.

Fourth. A new and simplified system of matching would replace the present formulas. Under the proposed formula the total of all assistance payments—

within the average ceilings as shown in 3 above—would receive a 62 percent Federal reimbursement in any State whose average per capita income was the same as that of the United States as a whole. For States above this average the percentage of Federal reimbursement would be proportionately decreased but would in no case fall below 50 percent. For States with a lower than average per capita income the percentage of Federal reimbursement would be proportionately increased but the maximum level of reimbursement would be 80 percent. Under this formula the needy in both the high and low income States would benefit: The former by the higher reimbursable ceilings and the latter by the higher rate of reimbursement.

Fifth. Welfare services provided by the public welfare agency would be subject to the same rate of reimbursement as assistance payments. Increasingly those persons turning to public welfare agencies for aid are those with special needs requiring knowledgeable service for their solution. Such service can often help speed the return of the individual to self-support, secure for him the care he needs from other sources, prevent serious or long-term future difficulties, and reduce the cost to the public of extended dependency. For example: Many people needing medical care or rehabilitative service do not know what provisions are available or how to go about applying for them: Many people are lingering in general or mental hospitals simply because they have no other place to go—and no one to help them find such a place; many people living in areas where their former source of livelihood has ceased to exist need help in moving to areas of new opportunity; many children might be saved from juvenile delinquency or other forms of costly social maladjustment if their parents received helpful guidance at the crucial time or—in cases where substitute family care was necessary—the child welfare services of the public welfare agency could make prompt and adequate provision for their adoptive or foster-care placement. An advantage of this bill to the child welfare program is the fact that it permits child welfare workers to apply assistance funds to the placement of needy children requiring foster care. The grave injustice done to this neediest group of children under the present act, which denies assistance to children not living with a close relative, was pointed out by the welfare report of the Commission on Inter-Governmental Relations.

Sixth. Simplified administration, with consequent benefits to those requiring public welfare aid as well as to those who do its work and pay its cost, is provided in this bill in several ways. Matching on the average of all payments, the optional elimination of categorical administration, and the provision of the same reimbursement formula for all types of aid would permit reduction in paperwork with subsequent reduction in the cost of overhead administration. The bill also requires that the program be administered by a single agency at each level of government. From the point of view of the individual or family requiring help the advantage of a single agency is obvious.

Seventh. Availability of benefits: The bill makes it a condition of the broadened base of Federal financial assistance provided by this new title that its benefits should be available to all qualified persons without residence or citizenship requirements. No public welfare program can be considered to be fulfilling its function as the ultimate guarantee against individual need if it arbitrarily excludes needy persons solely because of their length of residence. The very factors that make it essential for the Federal Government to share the broad public welfare responsibilities of the States make it equally essential that such aid be available to all.

Eighth. The Virgin Islands and Puerto Rico: This bill rights a long-standing injustice toward our fellow American citizens in the Virgin Islands and the Commonwealth of Puerto Rico by extending to these jurisdictions the same program provisions as apply in the States and Territories.

Ninth. Confidential assistance records: This bill restores to all persons receiving assistance under this title the protection formerly required by all titles that the facts concerning their receipt of assistance be treated as confidential information.

Tenth. Personnel training: The bill recognizes the serious shortages in qualified public welfare personnel by providing special financial aid on a continuing basis for training such personnel.

Foreign Languages and the National Interest

EXTENSION OF REMARKS
OF
HON. HUBERT H. HUMPHREY
OF MINNESOTA
IN THE SENATE OF THE UNITED STATES
Wednesday, April 15, 1959

Mr. HUMPHREY. Mr. President, this past week Representative JOHN BRADEMAS of Indiana delivered an address at Valparaiso University entitled "Foreign Languages and the National Interest." The theme of this fine talk was that the lack in our country of adequate foreign language training is hindering our attempts to strengthen the free world and combat the tyrannical aspirations of Soviet communism.

I wish to commend Representative JOHN BRADEMAS for calling attention to what he aptly describes as our language gap. I concur completely with him in advocating greater emphasis on language training. This is a subject in which I have been very much interested.

As chairman of the Subcommittee on Reorganization and International Organizations of the Committee on Government Operations, I have had the opportunity to study foreign language training programs; in particular those conducted by our Federal Government. Only last week I submitted from the Committee on Government Operations a report, Senate Report No. 153, as prepared by my subcommittee, entitled "The Federal Government's Foreign Language Training Programs." In the foreword to this report I stated:

It is time we give full recognition to the indisputable fact that foreign language training is indispensable to our military effort, to our overseas economic programs, and, without question, the key to our ability to win friends throughout the world. It is high time that we do something about it.

I ask unanimous consent, Mr. President, that the thoughtful address of Representative JOHN BRADEMAS, to which I have referred, be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

FOREIGN LANGUAGES AND THE NATIONAL INTEREST

(Text of an address by Representative JOHN BRADEMAS, Third District, Indiana, at the annual spring meeting of the Indiana Foreign Language Teachers Association, Valparaiso University, Valparaiso, Ind., April 11, 1959)

Some years ago I spent several weeks in Mexico where for the first time I had the opportunity to try out my high school Spanish. At one stage of a conversation, I groped for a phrase to indicate that I was, for any one of a number of reasons, embarrassed. Not knowing the exact word, I reached for a cognate and confidently said to my Mexican friends, "Con toda franqueza, estoy embarazado." They shrieked with laughter and amazement.

For the non-Hispanists among you, "embarazado" in Spanish means "with child" and, I need hardly add, is an adjective confined to the feminine gender, i.e., "embarazada."

After an experience like that I require no persuasion of the importance of understanding foreign languages.

CITES INTEREST IN LANGUAGES

I am honored by the opportunity to speak today at the annual spring meeting of the Indiana Foreign Language Teachers Association. There are several reasons I feel at home with members of your organization. Because my father was born in Europe, early in life I became aware that there were languages other than English, although, to my later regret, I did not trouble to take advantage of the opportunity to learn his native tongue, Greek.

My own graduate studies in the modern political history of Spain could not have been completed had I not been able to use my knowledge of Spanish, somewhat improved from the visit to Mexico, to interview Spaniards who had themselves participated in the events I was seeking to analyze.

As your chairman has indicated, I have also been a college teacher and am therefore familiar with some of the problems you face.

It happens, moreover, that I serve on the General Education Subcommittee of the Education and Labor Committee in the House of Representatives and I am, therefore, directly concerned in my legislative duties with the field of education.

The vastly increased interest which Americans are now demonstrating in education at every level is, of course, a source of great encouragement to us all. It is with respect to one of the most significant areas in the field of education that I should like to speak today, the area of foreign languages.

The United States has in the postwar world assumed the awesome and troubling, but

nonetheless indispensable, burden of leadership of the free world against the tyrannical aspirations of Soviet communism. We have undertaken programs of political, military, and economic cooperation with our friends and allies throughout the entire world. Yet we still pursue what I should describe as a semi-isolationist policy when it comes to learning the languages essential to communicating with our friends, understanding the uncommitted peoples of the world, and evaluating the challenges posed by our potential enemies.

THE LANGUAGE GAP

More than 3 million of our citizens are living and working abroad as members of the Armed Forces, the diplomatic corps, and various technical missions engaged in industry. Yet comparatively few of these Americans can speak any language but their own with fluency. It is a simple fact that we are woefully behind the times in learning foreign languages. And there can be little question that the interest of our country suffers, and suffers seriously, because of what, to paraphrase another more controversial aspect of our national security system, might be called our language gap.

U.S. DIPLOMATS LACK LANGUAGES

The problem of the language gap in America is particularly acute in the one spot where it should not be—our diplomatic corps. An Ambassador or consul in a foreign capital is perhaps an exception rather than the rule if he speaks the language of the country to which he is assigned. Gen. Alfred M. Gruenther declared a few weeks ago that, of the 8,000 men and women who recently passed the academic requirements for the Foreign Service Institute of the Department of State, only 300 had a language qualification beyond English. Our embassies and legations are forced to employ thousands of foreign nationals as translators and office staff largely because there are no Americans qualified for these jobs.

I am glad to say that, thanks in part to the criticisms of James Reston, the distinguished correspondent of the New York Times, the Foreign Service Institute has in the last couple of years intensified its efforts to train more of our Foreign Service officers in foreign languages. But there is a long way to go before the United States does an effective job, even for those who are the official representatives of our Government abroad, of bridging this language gap.

"THE UGLY AMERICAN"

In "The Ugly American," that disturbing and challenging novel about Americans stationed abroad, Eugene Burdick and William J. Lederer provide a parable which dramatizes the link between foreign languages and the national interest. In the mythical Asian country of Sarkhan, the Russian Ambassador promises the natives thousands and thousands of tons of rice to stem a local famine. The rice arrives but it is American rice, on each bag of which Sarkhanese Communists have stealthily stenciled in Sarkhanese for each citizen to see and read for himself: "This rice is a gift from Russia."

The Americans take pictures of the distribution of the rice and the smiling faces of the now happy people. There is no comment from any of the Americans present. None of them can read or understand Sarkhanese, and they do not know what is happening.

It would not be difficult to spend the rest of my time here today citing factual, not fictional, examples of how our incompetence in languages has damaged our relations with foreign countries and, by so doing, has worked against the vital interests of the United States. Members of the Indiana Foreign Language Teachers Association, however, do not need to be persuaded of the significant relationship between foreign languages and the national interest.

I do think it would be profitable for us to examine briefly our deficiencies and then ask ourselves what to do about them.

The language gap of which I speak is in large part of our own making. Beginning with World War I, foreign language instruction was systematically discouraged in our public schools, with 22 States passing laws forbidding the teaching of German and other foreign languages. Some shortsighted persons would likewise today impair our national security by insisting that we should not provide for the teaching of Russian in our public schools.

Although advances in aviation and communication in the period between World Wars I and II brought foreign lands closer and closer, Americans have held to the belief that the time spent studying languages could be more profitably employed in other academic endeavors. We are now tasting the fruits of this irresponsible attitude.

FEW U.S. HIGH SCHOOL STUDENTS STUDY LANGUAGES

Today less than 15 percent of our total public high school students are studying a modern foreign language. Of these, only a handful are studying Russian, German, Portuguese, Italian or Chinese. None are learning such strategic world languages as Japanese, Arabic, Hindi, Malay, Bengali, or Ukrainian.

Even if we decided right now to expand substantially the language study opportunities for our young people, it would be impossible to find enough adequately trained teachers. Two years ago the supply of new high school language teachers was over 25 percent short of the demand, and I have no doubt that the current rise in interest in language education has made the shortage of competent teachers still more serious.

Today, partly because of the lack of qualified teachers, less than one half of our public schools are able to offer a course in any modern foreign language. A recent survey showed that only 24 percent of Indiana's schools offer instruction in a modern foreign language.

RUSSIANS EMPHASIZE LANGUAGE TRAINING

Our failings in this area are all the more tragic when they are compared with the achievements of our cold war adversary. On the primary and secondary school level, most Russian students begin language training in the fifth grade and continue language training for 6 years. Before completion of their high school studies they will have spent 660 hours learning another language.

Those Soviet students who go on to college are required to demonstrate foreign language competence in order to get into college and must take at least 2 years of languages while there. The Soviet Union has also developed extensive language training programs for diplomats and for technical people sent abroad with their foreign assistance programs.

U.S. Supreme Court Justice William O. Douglas warned only last month of "the fierce competition from the Russians who have made language one of their great specialities."

"Telugu"—and I am quoting Justice Douglas—"is a language spoken by 33 million people in India. Yet we have not six people who can read a Telugu newspaper. When the Soviet delegate arrives, however, not only he but his staff are versed in Telugu. The Russian foreign language expert is not only the foreign service official but the Soviet technical expert as well. In medicine alone, Russia is turning out many more doctors than she can use at home. These doctors of hers are trained in Asian and African languages as well as in medicine. They are prepared to practice abroad and to spread the gospel of communism. What is true of the Russian doctor is also true of the Russian engineer, agricultural expert, and scientist."

LANGUAGE GAP COMMANDS CONCERN

That the language gap is beginning to command the concern of more and more persons in our country is evidenced by three random articles I have come upon in the last few days. The Laporte Herald-Argus, published just a few miles from where we now meet, said in an editorial last month that "the blithe insistence of Americans doing their stretches of time in distant lands on keeping aloof from the 'natives,' refusing to learn the language, appreciate the customs, or participate as citizens-for-a-time does us irreparable harm, and explains a good deal of the anti-American sentiment in many areas."

The current issue of Women's Day, a magazine sold in many supermarkets, contains a stimulating article entitled, "Why Can't Our Children Speak a Foreign Language?"

John R. Walsh, education writer for the Louisville Times, in a recent report, describes the sweeping plan of Catholic colleges, high schools, and elementary schools in the Louisville area to coordinate language teaching from top to bottom and to place strong emphasis on the elementary level.

PRAISES PROF. WILLIAM RILEY PARKER

I am sure then that there is growing recognition of the serious shortcoming of this country in the development of persons skilled in modern languages and of the fact that this weakness is prejudicial to the best interests of the United States. The next question is: What can we do about it?

The natural resource which can most quickly be utilized is the trained body of language teachers now engaged in teaching. Certainly no one would dispute the proposition that all teachers would benefit by an opportunity to increase their knowledge of the subjects they teach. In an excellent study for UNESCO, entitled "The National Interest and Foreign Languages," Prof. William Riley Parker of the University of Indiana, presently Chief of the Language Development Program in the U.S. Office of Education, cites the example of the language teacher who has only the minimum training required to teach languages and, as a result, has reached the limits of his knowledge after teaching a 2-year course. If we are to give our students competent and extensive training in languages, we must have teachers who know the languages as thoroughly as possible.

Let me pause to pay a word of tribute to Dr. Parker for the splendid work he is doing to remedy the lag in languages we are discussing. All of us in Indiana should be proud of his contributions, and I want to express the hope that all of you who have not already done so will read Dr. Parker's first-class analysis of foreign languages and the national interest.

HAILS NATIONAL DEFENSE EDUCATION ACT

I am very pleased to tell you of a significant effort now under way to attack the basic problem in language development in the United States: the shortage of good language teachers. The National Defense Education Act, passed by the 85th Congress, contains a number of provisions which are evidence of the awareness of Congress of our deplorable backwardness in this field. In fact, the only one of the 10 titles of the act which rode serenely through all the hearings and all the debates was the one dealing with languages.

The National Defense Education Act provides for the establishment of summer foreign language institutes where language teachers may take additional training in the languages they teach. Four institutes have

already been set up for this summer at the Universities of Colorado, Maine, Michigan, and Louisiana State. Because we in Congress last month voted a supplemental appropriation of $75 million for the Defense Education Act, six more institutes will be established this summer. They will accommodate an additional 600 teachers. The institute program should, in its first year of operation, provide 8 weeks of training for 1,000 teachers.

The need for this kind of program and the enthusiastic response on the part of language teachers is demonstrated by the fact that the first institute established—at the University of Colorado—has received applications from every State in the Union at the rate, as of last month, of 100 per day.

For those of you interested in the foreign language institutes, and I hope that includes everyone here, I might say that the program provides a $75 weekly stipend for public school teachers, plus $15 a week for each dependent.

Parenthetically, let me mention a conversation I had in Washington a few days ago with Senator HUBERT H. HUMPHREY, of Minnesota, and Eugene Burdick, both of whom told me of the tragic fact that the Army Language School at Monterey, Calif., a first-class center for the teaching of languages, is operating at less than half capacity.

URGES INCOME TAX DEDUCTION FOR LANGUAGE TEACHER TRAVEL

With the increasing emphasis on teaching students to speak, as well as to read and write foreign languages, I think it might be wise to encourage teachers to increase their knowledge of the spoken language. The best way to achieve this goal is to spend some time living in a foreign country.

I am sure that most of you would be happy indeed to travel abroad, but, as college teachers, you are inhibited by the lack of money. Because I am so deeply convinced of the value of such travel, I am considering the introduction of legislation to permit language teachers a partial income tax deduction for the expenses of trips designed to increase their knowledge of a foreign language.

CITES AREA CENTERS FOR RARE LANGUAGES

The summer institute program represents a very promising start in our efforts to provide this Nation with competent linguists, but it does little to increase the number of trained language teachers or to provide trained linguists, teachers, and teaching materials for the so-called exotic languages, those which are rarely taught in this country.

Our incompetence in the field of the exotic languages is demonstrated by a recent survey made by the American Council of Learned Societies which revealed that at least 50 languages—each of them spoken by more than 2 million people, 14 of them spoken by between 10 and 42 million—are not taught in any American college or university.

The National Defense Education Act does, however, provide a means for attacking our lack of proficiency in the exotic languages. The act provides for the establishment of language area centers for the development of facilities to teach these languages. Let me list the goals of the area center program:

(a) Intensive courses available frequently and at geographically distributed locations.

(b) The production of several complete sets of reliable and effective teaching materials.

(c) Adequate instruction in related area studies.

Some of these language area centers would use existing facilities at colleges and universities. Others would be developed from scratch. The centers would be financed through a system of matching grants. If we can put these centers into operation, we should be able to build up a pool of trained linguists who, in turn, would be available to train more students throughout the Nation. The development of suitable materials would provide insurance should we quickly need large numbers of trained personnel in any specific language.

You will be interested to know that the study conducted by the American Council of Learned Societies showed the languages most needed now by Americans are Arabic, Chinese, French, German, Hindustani, Italian, Japanese, Portuguese, Russian, and Spanish.

One or more area centers will be established for all of these languages except French, German, Italian, and Spanish, which are available at most colleges and universities.

NOTES STUDENT LOANS TO ENCOURAGE TEACHERS

The Defense Education Act also encourages the college student to consider a language-teaching career by providing writeoffs on student loans, granted under the act, to students who subsequently teach in the public schools. The student is allowed to write off 10 percent of his loan for each year that he teaches up to a maximum of 5 years.

The important place given to languages in the National Defense Education Act is, I believe, a symbol of the growing realization among the citizens of the United States of the contribution to our country of your profession. The Indiana Foreign Language Teachers Association is to be congratulated for following the recommendation of the Modern Language Association that each State establish a group to include all teachers of foreign languages in the State. State educational officials will look to organizations like yours for advice and help in putting the foreign-language provisions of the Defense Education Act into practice.

PROPOSES NATIONAL LANGUAGE FOUNDATION

Indeed, I would urge that your organization and others like it consider seriously an effort to create an agency similar to the National Science Foundation for the purpose of marshaling support for the study of foreign languages and cultures. Just as the National Science Foundation is a source of strength for scientific endeavor in our country, so, too, a National Language Foundation could serve as a coordinating agency and rallying point to intensify interest in language education.

It will be 2 or 3 years before we can see evidence of real progress from some of the programs I have discussed. Meanwhile, all across the Nation parents, teachers, and school boards are displaying an awakened interest in language education. Students, housewives, and factory workers are arising with the sun to take Russian on early morning television programs. PTA groups are asking schools to teach Russian or Japanese to their first graders.

This new interest is a splendid example of the capacity of the American people to respond to a challenge. There is, however, a danger that these crash programs will collapse because of an inadequate foundation and the lack of a continuing planned program.

CALLS FOR LANGUAGE TRAINING FROM PRIMARY TO COLLEGE LEVEL

A good deal is said about the advantages of teaching the fundamentals of a foreign language to young children who have the ability to assimilate such knowledge without pain or embarrassment. I believe that we should do all we can to encourage the teaching of languages to children at the primary level, provided that at the same time we prepare advanced training for these students at the secondary and college level.

These primary programs should be carefully planned so that we do not disappoint both the students and their parents by starting on an exciting venture, only to be stopped by the dead end of inadequate preparation.

SUGGESTS FOREIGN-BORN AMERICANS TEACH LANGUAGES

I shall dare to make another suggestion.

There have been many cities and towns ready and willing to begin language instruction in the primary grades, but which were unable to find qualified teachers. This, in many cases, is not because we lack a significant number of competent linguists in this country, but rather because too few of these linguists meet State and local teaching certification requirements.

The suggestion I shall make is not a criticism of our certification requirements, but is rather a commonsense approach to the basic problem: How can we enable more Americans to learn foreign languages in the immediate future?

I would suggest that we make use of the many educated immigrants and foreign nationals now living in the United States who have complete command of their native tongue, who have the intelligence and background to teach these languages, but who may lack the necessary college credits to qualify as teachers.

It would seem quite possible that evening or summer courses could adequately prepare these people to teach languages to primary students, especially since the language teacher could have the aid of the regular classroom teacher. Later these people could be replaced by regularly trained teachers, or, if they wished, could take the courses required by State laws to become fully qualified teachers.

In the meantime, they could be imparting their knowledge of the correct pronunciation, tone, and inflection of their native language to the receptive minds of young students. These students would then be able to take full advantage of advanced courses on the high-school and college level.

URGES IMMIGRANTS TO TEACH THEIR CHILDREN NATIVE TONGUE

Foreign-born Americans and foreign nationals living in our country are an invaluable resource whom we have too long neglected. In this connection, let me say that I believe it is a patriotic duty of American citizens of foreign birth to teach their children a second language. Immigrants should take pride in the fact that they can contribute in this significant way to the security and well-being of their adopted country.

PRAISES CULVER ACADEMY RUSSIAN PROGRAM

Let me take this opportunity to point out that here in Indiana there are many school systems which have already started to improve the teaching of foreign languages. Very near here, for example, the Culver Military Academy has only recently hired a highly qualified language scholar to teach Russian to its students.

Maj. Gen. Delmar T. Spivey, superintendent of the academy, told me that the course was instituted because, "aside from the questions related to communism, when a country is as large in land mass and as populous as Russia is, the impact of its culture on Western civilization will be so great that it is absolutely essential for our citizens to gain a better understanding of this culture."

General Spivey added that he had found it very difficult to find a person competent to teach the Russian courses. I might say that I am glad to see that Saint Mary's College, where I taught for a time, has just begun to offer courses in Russian.

SPEAKING IN STRANGE TONGUES

Russian is but one of the many languages in which this country is deficient. In a world that seems to change overnight—every night—those of us who believe deeply in democracy as the best political expression of the dignity of the individual must speak

clearly to the peoples of the world, millions of whom are now for the first time moving to the stage of human history.

We must, if we are really to be understood by these peoples and to understand them, speak to them in their own language.

This is the fundamental reason we must bridge the language gap.

In the Acts of the Apostles we read of those who were speaking in strange tongues.

The future of free civilization will very largely depend on how well we in America can speak strange tongues and listen to them.

How well we speak and listen depends in turn on how well you, the members of the foreign language profession, teach our young people.

Yours is a high and noble calling and I am confident that you will respond with dedication to its challenges.

Extension of Medical Resources

EXTENSION OF REMARKS
OF
HON. JACOB K. JAVITS
OF NEW YORK
IN THE SENATE OF THE UNITED STATES

Wednesday, April 15, 1959

Mr. JAVITS. On April 5 the Honorable ERNEST GRUENING, U.S. Senator from Alaska, officiated at the dedication of a new library, auditorium, and lounge at the Albert Einstein College of Medicine of Yeshiva University in New York City.

The facilities dedicated were the D. Samuel Gottesman Library, the Mary and Karl Robbins Auditorium, and the Max L. and Sadie Friedman student-faculty lounge, constructed on the campus of the college of medicine. The units, embodying the most modern facilities for medical education, were a medical library with provisions for 200,000 volumes and periodicals; an auditorium seating 838, equipped for closed-circuit color television; and a student-faculty lounge, providing for informal get-togethers of students and faculty.

Speakers at the ceremony, in addition to Senator GRUENING, were Dr. Samuel Belkin, president of Yeshiva University, and former New York State Attorney General Nathaniel L. Goldstein, chairman of the board of overseers of the college of medicine.

Addressing the assemblage of leaders in industry, community affairs, and education, Dr. Belkin declared:

Let there be a friendly rivalry among scientists of different lands for new discoveries against cancer, heart disease, and other dread killers. Let the libraries of the great cities vie with one another on the size and quality of their book collections. Let the major universities of different nations compete in the scope and daring of their educational programs. Let nations be judged on the merits of their medical training and research rather than on the size of their warheads.

In a greater sense and larger measure, we are dedicating ourselves here to the spiritual and democratic concept of the infinite worth and sacredness of the human personality. Because human life is sacred, it is our moral duty to do everything in our power to preserve it.

General Goldstein, referring to the teamwork of scientists and businessmen who had helped create the college of medicine, said:

In the world competition for better health facilities, more educational opportunities, higher standards of scientific achievement, we need fear no nation in the world. A free-enterprise system that can give rise to institutions like the Albert Einstein College of Medicine is its own proof of essential soundness and creativity.

Medical advances in our golden age of science have paradoxically raised alarming new problems in health. With the increase in our population, particularly of the aged, health and disease problems have arisen which call for a far greater tempo in medical education and the numbers of medical researchers, teachers, and physicians.

Mr. President, I ask unanimous consent that the address by the Senator from Alaska be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS OF SENATOR ERNEST GRUENING, OF ALASKA, AT THE DEDICATION OF THE D. SAMUEL GOTTESMAN LIBRARY, MARY AND KARL ROBBINS AUDITORIUM, MAX L. AND SADIE FRIEDMAN STUDENT FACULTY LOUNGE AT THE ALBERT EINSTEIN COLLEGE OF MEDICINE OF YESHIVA UNIVERSITY, APRIL 5, 1959

It is a privilege to participate in any ceremony which further commemorates the name of Albert Einstein, though it is beyond the power of the living to enhance by words the fame of that great man. No posthumous tributes can add one cubit to his stature. He belongs to the ages. In the roster of immortals who have signally advanced the frontiers of knowledge, and whose contributions were milestones in the progress of mankind, only a very few in all recorded history may be deemed comparable: Archimedes, Copernicus, Galileo, Newton, Pasteur, Darwin. But Einstein was not only a great scientist, he was also a great humanitarian—a philanthropist in the generic sense of that word, a lover of his fellow man. He deeply sensed the philosophic import of his cosmic discoveries in physical science. He was keenly aware of their epoch-making impact.

So it is doubly significant and twice just that the college of medicine of Yeshiva University was named after him. For a college of medicine combines, as no other institution could, pure science, of a character which directly benefits both the individual and society, and extension of those benefits with a total disregard of barriers of race, creed, or country. What institution could be nobler in purpose?

I am happy to be here with you at the dedication of three important additions to this already great and prospectively greater and enduring institution—the library, auditorium, and a student and faculty lounge. It is a welcome assignment to bring you the greetings of the 49th State, and as a Member of the U.S. Senate, where Alaska is represented for the first time. Alaska's elevation from territorialism and the recent admission of Hawaii, which followed more or less naturally after Alaska had, so to speak, broken the ice, are important steps forward in the application of that most basic of American principles, the principle of government by consent of the governed.

The Senate is deeply concerned with the problems which this ceremony today signalizes—health, medical education, and research to promote that health. A Senate resolution of the 85th Congress adopted as recently as last August authorizing a complete study of all matters pertaining to international health, research, rehabilitation, and assistance programs, was based on the declared assumption that "mankind's efforts for the conquest of disease have become a matter of ever higher priority in the judgment of the American people and the Congress."

The first of a series of these studies, under the auspices of the Senate Committee on Government Operations of which I am a member, is about to appear and I have been reading the galley proofs thereof. One of the encouraging facts cited in this report is that expenditures for national medical research have risen from $88 million a decade ago to $330 million last year and that the Federal Government's participation in the same period has risen from 32 percent of that total to 56 percent; an increase by Uncle Sam from $28 million a decade ago to $184 million. There is no better test of the Governments's interest in a project than its willingness to appropriate for such project. Here, as in other fields, actions speak louder than words. So the Federal Government's interest is tangible and demonstrable.

In addition, in this, the 86th Congress, another highly important joint resolution, known as the International Health and Medical Research Act of 1959 is slated, I hope, for early action. It is sponsored by Senator LISTER HILL, of Alabama, chairman of the Senate Committee on Labor and Public Welfare—the committee whose jurisdiction includes both education and health.

Cosponsored by 58 Senators, of whom I am happy to be one, this measure is designed to establish the procedures which can mobilize the Nation's health resources so that our scientists can participate effectively in a cooperative effort with the scientists of other countries against the still unconquered diseases that afflict all mankind.

It is scarcely necessary to enumerate these diseases to this assemblage. In 1957 cancer killed one American every 2 minutes. If we project that figure into a rough approximation of its worldwide toll—although we do not have statistics available for the world population—we will discover approximately one cancer fatality every 10 seconds on this planet. Many of the fatalities occur in early adulthood. It is among the premature deaths, among the parents of the young, among the breadwinners, among those still in the prime of life, that are found the great personal tragedies.

Last year diseases of the heart and cardiovascular system accounted for approximately one-half of the total deaths from disease in the United States—some 800,000, and of these more than one-fifth had not reached the age of retirement.

Mental illness which now affects over 10 million Americans and appears to be on the increase, is a vast field only beginning to be explored.

Modern invention, the steadily accelerating tempo of contemporary life, ironically, bring new medical problems. Automobiles on the faster throughways increase the accident rate and require emergency antishock treatment and surgery which were not required in the horse and buggy age. Aviation medicine—to take care of the physiological concomitants of rarefied atmosphere, rapidly changing atmospheric pressures, and other implications of supersonic speeds into space—is upon us. This is a field closely linked with national security and the preservation of the freedom we enjoy.

Radiation from atomic fallout has brought new grave perils, new medical time-bombs, the full import and consequences of which we are not yet wholly aware, except that they present new challenges both to medicine and to statesmanship.

It is the objective of this legislation now before the Congress to sound a call for world cooperation in an organized onslaught against disease and ill health and the resolution has been given an appropriate short title, namely "Health for Peace Act." It asks for an appropriation of $50 million annually. Its passage by the Congress will serve notice to all peoples that the United States desires

worldwide cooperation, not for war among nations, not for mutual destruction of our fellow human beings, but for an all-out war against the common enemy of man. Modern methods of communication and transportation render such cooperations more feasible. As the world has shrunk through the annihilation of distance and reduction of travel time, cooperative effort is not only facilitated but is rendered more obligatory through the rapid spread of infectious diseases which can span continents with a speed heretofore nonexistent.

It is an interesting fact that Senator LISTER HILL, who is responsible for so much good legislation dealing with health, such as the Hill-Burton Hospital Act, is the son of a noted American surgeon, Dr. Luther Hill, who was the first to perform a successful suture of the human heart. He had studied in London under the great Sir Joseph Lister, who introduced aseptic techniques into surgery, and had given his son the name of LISTER.

Likewise I want to bring you the greetings of Alaska, until a few days ago I could have said our youngest State, whose citizens will be keenly interested in this young medical school. At present only 118 physicians are licensed to practice in Alaska, an area one-fifth as large as the 48 States. Vast areas in that great domain lack adequate medical services. This unfortunate condition exists in all but 11 of our largest communities and in the immediate surroundings of certain hospitals established by the U.S. Public Health Service. These hospitals are designed to take care of our native population—"native" being an Alaskan word for people of aboriginal descent, that is, of Indian, Eskimo, or Aleut blood, but, by a curious reverse racial discrimination which we are trying to rectify, these agencies will not treat whites. Large Alaskan regions, the Yukon Basin, many areas both coastal and in the interior, are almost totally lacking in medical services, and many of their people live and die without benefit of therapy. Alaska's crucial needs are best illustrated by giving you these tragic facts:

We have in Alaska the highest recorded rate of eye, ear, nose, and throat infections and their complications, such as mastoiditis.

Although our incidence of tuberculosis has been greatly reduced in recent years from the shocking ratio of nine times what it was in the 48 States 10 years ago, it is still a great and smoldering danger.

Infant mortality is high in rural Alaska, mostly in children less than a year old, and this is largely due to nutritional and hygiene factors.

Dental disease in rural Alaska is extreme and exerts an inevitable adverse influence on general health. Some communities have never had dental care. Instead they have dental caries.

These conditions are the heritage of nearly a century of colonialism. We have liquidated that colonialism on paper, through statehood, but the economic and social consequences of those 92 years of neglect and discrimination remain to be disposed of. And here is a challenge for the forthcoming graduates of this and other medical schools, as well as for our State and Federal authorities.

I am not quite sure why I was so signally honored with the opportunity to dedicate these great new additions to the Einstein College of Medicine. Perhaps an explanation may be found in some personal references. Medicine has played an important part in my life. My father was a practicing physician in New York. He was an oculist and an aurist, probably the last man to practice both these specialties in Manhattan, where, prior to his death in 1914, these two important branches of medicine, as in other metropolitan areas, had come to be separately practiced. My father attained distinction in both, having been elected president of of two societies that, in his lifetime, dealt with each, the American Ophthalmological Society and the American Otological Society. Since his day otology has expanded its domain, laterally and vertically, has annexed the nose and throat, or perhaps better said, has formed a tripartite union with rhinology and laryngology. But in earlier days nose and throat were considered somewhat apart from eye and ear. Fortunately medical disciplines, unlike some labor unions, are not prone to jurisdictional disputes.

So I grew up in a medical atmosphere and, even as a boy, became familiar with the institutions that my father served: The New York Eye and Ear Infirmary, the Mount Sinai Hospital, and the German Hospital, later renamed the Lenox Hill Hospital, in which he successively passed through the various echelons and ultimately became the consulting surgeon in his specialities in these hospitals. While still in school, I watched him perform a mastoid operation at Mount Sinai and remove a cataract at Eye and Ear. My father was once asked what the definition of a consulting surgeon was. In a humorous vein he replied wryly that a consulting surgeon was one who was called in at the last minute to share the blame.

The assumption was inevitable that, as the only son in the family, I would follow in father's footsteps, and I did study medicine and obtained my M.D. at Harvard Medical School. However fascinating the pursuit of medicine, a number of factors led me to the belief that I would be happier in attempting to diagnose and treat the ills of the body politic rather than the ailments of the bodies corporal. So I decided to give up medicine and entered newspaper work, starting as a cub reporter. It was a serious blow to my father. But he became reconciled, after I had become an editorial writer and he found that a number of my editorials were being reprinted in the Journal of the American Medical Association and hailed by its editor as welcome examples of seldom encountered correct comment on medical matters in the daily press of the day.

So my medical education proved of great value in journalism, as it did likewise later in government. In fact, one of my collateral efforts, although I was on what was known as the editorial side of newspapers—as reporter, copy desk editor, rewrite man, editorial writer, city editor and managing editor—was to try to persuade the business office of the newspapers for which I worked to ban medical advertising.

In those days, the first and second decades of the century, advertising of quack doctors and of patent medicines that were guaranteed to cure cancer, tuberculosis, venereal disease, "female troubles" and every known ailment, was carried almost universally in the daily press. The lucrative patent medicine business was exposed by Samuel Hopkins Adams, a great journalist, who died only a few months ago at the age of 88, in a memorable series of articles in Collier's weekly, labeled "The Great American Fraud," subsequently published in book form. The unholy collusion between newspapers and this fraudulent medical advertising he subsequently unmasked in fiction form in a novel called "The Clarion," whose scene was laid in a New York up-State city where some widely publicized patent medicines were manufactured and indeed were one of that community's principal industries. "The Clarion," in the novel, was the name of a locally published daily trying to free itself from that industry's control.

Adam's crusading served to awaken the public conscience and to mobilize public sentiment by making clear that, through the publication of these fraudulent nostrums, newspaper publishers were accessories to the killing of innocent people. I found it helpful to get Samuel Hopkins Adams to come to Boston to address its chamber of commerce and to challenge these derelict publishers in their hometown. It was a bombshell, but it achieved the desired result.

But, before I turn from these personal recollections to the important and stimulating aspects of this occasion, I want to add that my medical education enabled me to help build and develop a school of tropical medicine in Puerto Rico, securing for it from the Federal Government substantial sums which I was dispensing as administrator of an agency known as the Puerto Rico Reconstruction Administration, and, later, to have the school of tropical medicine expanded into the School of Medicine of Puerto Rico.

While in Alaska, my medical education enabled me to work more effectively to create a full-time department of health and to make a start in combating tuberculosis and other endemic diseases there, after a virtually total neglect of public health by the Federal authorities whose responsibility this had been during the first three-quarters of a century of American rule in Alaska.

But, as I have pointed out, Alaska still lacks much that it needs in the way of medical care and health facilities. Within this month, one of my medical friends from Fairbanks was here in the East looking for practitioners for his clinic, and similar shortages exist elsewhere. We know that our medical schools are not graduating the number of physicians who are needed. I am confident that the Einstein College of Medicine will make a major contribution to alleviating that deficiency.

I will not burden you with statistics, but one that is striking is that the medical educational facilities in the United States with 80-odd medical schools have been insufficient to take care of half the applicants or anywhere near the need. The number of these applicants may be expected to increase and in relation to population growth and need the percentage of accepted students to diminish. Hence the great value and importance of the Einstein College of Medicine.

This college emphasizes as no other institution could the international character of science and particularly of medicine. Located in the most cosmopolitan metropolis on earth, with populations of ethnic groups often numerically greater than in the largest cities in the land of their origins, a magnet for the greatest talent, a receptiveness to that talent, regardless of race or creed, it furnishes, in this land of freedom, the ideal center of hospitality for the scientists of lands less free.

Such was Abraham Jacobi, who, imprisoned in Germany for participating in the revolution of 1848, escaped and here in New York established the first pediatric clinic in America. Such was Albert Einstein and countless other physicians and scientists driven from their homeland by the obscurantism and racism of Hitler. Here were welcomed the refugees from Mussolini's Italy, from Franco's Spain. Here are welcome and will be welcomed whatever freedom-loving men and women have defected or will defect from the tyranny of Communist imperialism, or of any other police state.

In this age which has witnessed such a resurgence of nationalism, has seen the erection of barriers to travel and intercourse which a generation ago we believed had been forever outgrown, it is more than ever important to insist upon the international character of the profession of healing. In no arena of human endeavor have the men and women of so many nations contributed as they have to the advancement of medical science.

Hippocrates the Greek, father of medicine; Galen the Roman; Avicenna the Persian were among the pioneers in what was then the art of healing. We need but name a few of the luminaries whose work advanced medicine

into a science to make clear beyond preadventure the international character of medicine.

Vesalius and Leeuwenhoek, from the Netherlands; Arrhenius the Scandinavian; Harvey, Jenner, Bright, and Lister, Englishmen; Pasteur, the Curies, Binet, Charcot, from France; Casal, the Spaniard; Helmholtz, Virchow, Graefe, Roentgen, Koch, Ehrlich, Germans; Mendel and Freud, from Austria; Banting, from Canada; Metchnikoff and Pavlov, from Russia; Noguchi and Takamine, from Japan—these are only a few of a glorious list before we come to the great contributions of our fellow Americans with Jonas Salk and his antipolio vaccine as the latest bright star in the international galaxy. I hesitate to venture into an enumeration of the other stars in the American medical firmament. That would constitute a major address all by itself.

This vast medical center which has arisen from a wasteland in six miraculously short years, the buildings we are today dedicating, were born of a rare teamwork of businessmen and scientists, idealists all, yet practical men and women. These farsighted and public spirited citizens were fired with the vision of a Jewish-sponsored medical school—the first in our Nation's history. It would, they knew, continue the age-old contributions of the Jewish people to the health and welfare of mankind. They helped build this city of training, research, and healing that surrounds us here. They gave freely of their thought, their time, and their money to achieve that great objective.

They hoped, and their hope will be generously fulfilled, to emphasize by this creation that we are well into the golden era of medicine, the rapidity of whose advances must be consonant with the urgency of this age. They want to accelerate the great progress made in recent years—to spare the deaths and personal tragedies that came to many stricken by illnesses for which a few short years later a cure was found. They were aware that in the last 10 years, due largely to the discovery of sulfa drugs and antibiotics, the death rate has declined almost 12 percent. This means that 1,700,000 Americans are alive today who but for medical research would be in their graves.

They knew that surgical techniques had advanced so far that the touch-me-nots of yesteryear now hopefully invite the newer skills of surgeon and anesthetist, which save lives that but a few years ago would have been doomed.

They had seen the passing or great diminution of the infectious diseases that a generation ago swept communities with epidemic virulence. They have seen the incidence and fatality of diphtheria, typhoid fever, scarlet fever, tuberculosis, pneumonia, poliomyelitis, and much else, greatly diminished. They have seen life expectancy steadily increased. But they have also seen cancer and heart disease take their steady, perhaps increasing, toll. They have seen little headway made against crippling arthritis.

So they have deployed the laboratories, the classrooms, the operating rooms, the therapeutic apparatus, the most modern equipment in every sector, to wage a vigorous and unrelenting battle against sickness and premature death.

Adjacent are the thoroughly equipped facilities of the Abraham Jacobi and Nathan Van Etten Hospitals, and now the new D. Samuel Gottesman Library in which are housed some 200,000 volumes, in the expanding and multiplying subsciences together grouped under the all-inclusive title of medical books and publications—these recording the steady advance from conjecture and hypothesis to experiment, to trial and error, to proved experience, to near certainty—the cumulative experience of past and present, the prognosis for a still better future.

This great Mary and Karl Robbins Auditorium, visually linked to vital points in the medical center with its closed-circuit television, its modern equipment for auditory and visual communication, a center for the dissemination of information to medical and lay public alike on prevention and care of disease and on the maintenance of health.

This bright and cheerful lounge named for Max L. and Sadie Friedman, which will serve as a meeting ground for faculty and students and as a place for pleasurable relaxation and social contact.

I would like, in conclusion, if it were not deemed inappropriate, to paraphrase and adapt the immortal words of Abraham Lincoln:

We cannot dedicate these great gifts for the welfare of mankind. The Jewish people, in their unquenched idealism, in their age-long martyrdom, in their unremitting devotion to freedom, in their unceasing quest for the higher and better life, have dedicated these facilities far beyond our poor power to add or detract. The world will little note nor long remember what is said here. But uncounted tens of thousands through the years to come will never forget what will be done here.

Holmes, Sweet Holmes

EXTENSION OF REMARKS
OF
HON. KEN HECHLER
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, April 15, 1959

Mr. HECHLER. Mr. Speaker, the following syndicated column by Holmes Alexander appeared in recent issues of the Parkersburg (W. Va.) News, Charleston (W. Va.) Daily Mail, and many newspapers through the country:

HECHLER PREACHES MUTINY ON THE BOUNTY BUT FINDS HE IS FLOGGING WRONG CULPRIT

(By Holmes Alexander)

WASHINGTON, D.C.—Congressman KEN HECHLER, who represents 10 West Virginia counties in the Ohio River Valley, was preaching mutiny on the bounty. He was telling the House Agriculture Committee that the free food for needy families in his district was not enough and not what the needy people were demanding.

Congressman HECHLER, born on Long Island and brought up in Missouri, is a strolling New Dealer who recently came to West Virginia and won this seat last year in the Democratic landslide. Now he was laying into the Republican Secretary of Agriculture with charges of ignorant indifference to human suffering ("Let 'em eat shrimp cocktails") and was tagging the Republican administration with spending billions for defense and peanuts for tribulation.

Representative HECHLER had it all going his way until some of the senior Democrats pointed out that he was flogging the wrong culprit. It turned out that the bottleneck was not at the Agriculture Department, but down at the West Virginia localities where the food hadn't been requested or hadn't been distributed for lack of funds, organization or manpower. This seems to be true in other States.

You can see what comes next. The Secretary of Agriculture has almost limitless emergency power to declare that a surplus exists in anything which Americans eat, chew, smoke or wear. He then can make this surplus product available to "needy" families. Secretary Benson has done this in record amounts of food and dollars to a record number of Americans who are responding in record volume of complaints about the quantity, quality, and variety.

Next? Well, the trend of legislation in the 86th Congress is to vest more and more authority in federalia. Specifically, it may not be long before the Agriculture Secretary not only assigns food to the needy, but fetches it to the door. And pretty soon, as Congress broadens the definition of "needy," we can expect to find huge areas in the United States where people will learn to sing for their supper while obliging bureaucracies serve it up.

If this seems alien to the American tradition, the reason may be that our legislators are turning to non-American models for social betterment. In a major speech in support of his own area redevelopment bill, which was recently passed by the Senate 49–46, Senator PAUL DOUGLAS told a Friday afternoon Senate audience (about six or eight Senators when I was there) that the nearly $400 million measure for rebuilding rural-urban slums "would not result in a radical new program which has never been tried." Was Mr. DOUGLAS saying that Federal factory-building was an old American usage? Oh, no. "The countries of Western Europe," he went on, "have had similar programs * * * the financing * * * made possible by U.S. foreign aid dollars."

Well, I thought I'd heard everything till now. The DOUGLAS line of reasoning is that the American communities are comparable to the foreign lands which were laid to waste by war and then threatened by Communist overthrow. Great Britain actually went to the halfway house of national socialism and Senator DOUGLAS cited, with seeming approval, the British Distribution of Industry Act, passed in 1945 and extended last year. Under this British law, any community having a high rate of unemployment which is likely to persist would get preferential treatment by the Government. This is legislation which flies in the face of Nature by promoting the preservation of unfit communities. The only foreseeable result would be to perpetuate the obsolete sites where industry and agriculture have failed, and to prevent the natural birth of new cities and farm communities where the future wealth must be created, if at all.

Thus Congressman HECHLER and Senator DOUGLAS are double-teaming, the former to pin down the population of our migratory race with drive-in restaurant service from the Federal granaries, the latter to invest in ghost towns and to make it the business of Congress to prevent (although it won't work) the founding of new Detroits and future Pittsburghs.

There is no denying that the industrial revolution has brought privation and hard luck to many Congressional Districts and States. But this is a modern problem, even futuristic. It won't be solved by imitating the Pharaohs and building pyramids with gang labor in the unproductive desert sands.

Mr. Speaker, I am tickled pink that Mr. Alexander has given me all this free publicity. You know, new Members of Congress sometimes have a hard time trying to convince the folks back home that they are really making a dent on the Washington scene. Statistically, any Member is less than two-tenths percent of the entire membership of Congress, but of course the influence of a freshman Member of the House of Representatives is even less.

When a freshman Member arrives in Washington glowing with the flush of victory, sometimes he feels pretty big. Then comes the big disillusionment

when he is not even recognized by the hotel doorman.

Lucky indeed, then, is the Congressman who incurs the opposition of a columnist—sometimes spelled c-a-l-u-m-n-i-s-t. I am very proud of this column for a number of reasons. I am proud that Mr. Alexander called attention to my efforts to distribute some of our staggering food surpluses to our needy people here in America, for why should there be starvation in the face of bulging granaries? I am proud that Mr. Alexander calls me a "strolling New Dealer"—which is better than being a creeping reactionary. I am proud that he associated me with that noble warrior, Senator PAUL DOUGLAS, who has always been one of my idols in his battles for economic justice. I am proud, too, that all West Virginians will rise up and demonstrate that their land does not consist of the "desert sands," "ghost towns," and "unfit communities" which Mr. Alexander tries to label them.

Mr. Speaker, men in public life must have a good sense of humor. They must be able to laugh at themselves and enjoy it. If it were not for columnists like Holmes Alexander, I would recommend a program which would transport 20 public officials at a time out to be deposited in folding chairs on the rim of the Grand Canyon for 2-hour periods of silent contemplation every now and then. But fortunate we are that we have people like Mr. Alexander in the business.

Now, if someone would just introduce me to Mr. Westbrook Pegler.

New York Chamber of Commerce Week

EXTENSION OF REMARKS
OF
HON. FRANCIS E. DORN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, April 15, 1959

Mr. DORN of New York. Mr. Speaker Governor Rockefeller has proclaimed April 12–19 as Chamber of Commerce Week. Practically all chambers of commerce in the State will present programs designed to highlight the importance of the chamber in the community it serves.

The purpose of Chamber of Commerce Week is to: Create a greater public awareness and need for the chamber. Sometimes the chamber does its job so well that it is taken for granted by both the members and the public.

Give recognition to the chamber's staff and volunteer leaders for constructive participation in community affairs.

Give emphasis to the changing character of the work performed by chamber of commerce managers who are striving to achieve professional stature.

Improve and strengthen relations between the chamber and other organizations and agencies in the community.

Stimulate pride of membership among curent supporters and encourage others to participate in financing the chamber.

Give credit for past achievements and highlight current activities.

In the spirit dictated by the proclamation, I want to congratulate our own Brooklyn Chamber of Commerce for the splendid work they have done and are doing for the citizens and business people of Brooklyn.

Economy in Government

EXTENSION OF REMARKS
OF
HON. LEONARD G. WOLF
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, April 15, 1959

Mr. WOLF. Mr. Speaker, like many of my colleagues I have received scores of letters which say no more than the slogan "balance the budget" or "stop spending." A great historian of the 19th century, Jacob Burckhardt, once said that the 20th century would be the age of the simplifier and the slogan. His prediction has certainly come true. It is not only the totalitarians who have used the slogan and the simplification as a tool to deceive the people. It has also become an advertising and political tool to deceive the people in our society. This has certainly been the case in the present budget conflict.

Eminent economists have pointed out that the present inflation is not an ordinary one. It is not caused by excessive supply of money or greater demand for goods than we are capable of producing. This inflation is a much more subtle one. It is what Gardiner Means calls an administrative inflation. This kind of inflation involves a spiraling in prices in certain basic industries where oligopoly is king. The producers in these industries are noncompetitive. They are able to raise prices at will. They are able to raise prices even though the level of demand for their products has dropped.

In the competitive industries according to the price index from June 1958 through March 1959, there has been somewhat of a stabilization in price. Many economists feel that stability has been achieved because food prices have declined—a decline borne by the farmer in a falling share of the consumers' food dollar—while prices of transportation and medical care have increased.

On the other hand, over this same period of time, wholesale prices of very important groups of oligopoly oriented markets—where the market is controlled by a few great producers—iron and steel, nonferrous metals, hardware, agricultural machinery and equipment, construction and general purpose machinery and equipment, and motor vehicles, have continued to increase. These facts support one interpretation only: The possibilities of further price increase are to be found, if at all, only in the prices of manufactured products that are determined administratively and noncompetitively.

This inflation is the direct result of certain efforts on the part of economic royalists to increase profits to hitherto unbelievable heights, without lowering prices, expanding, or competing. The fact that the national budget is balanced for 1 year on the ledger books will in no way change the action of these men nor will the dollar be worth any more, nor will we have solved our present inflationary problems.

Another part of the Eisenhower economic program is the tight money policies of the Federal Reserve. Theoretically this policy is to discourage spending in the community in order to encourage competition among sellers and lower prices on goods. The results are exactly the opposite. We have had greater unemployment and more business failures than ever before. The reason why prices have climbed steadily is not hard to understand. A small businessman is destroyed by tight money policies. He is unable to compete because he cannot get credit or capital to either expand or stay in business. On the other hand, big business oligopolies are not sensitive to the policies of the Federal Reserve. Companies such as General Motors and Du Pont, have fantastic credit lines and fantastic reserves. Consequently, the upshot of this is that we depress competition and small business while strengthening monopoly and big business. The policies of this administration have made the American Government the prisoner of the big selfish economic interests in this country. Perpetuation of the present policies by the administration will do no more than strangle national growth and increase economic unemployment while raising prices.

Let the record show that I am for economy in Government. I believe that our entire defense budget should be examined. I believe that we are going to have some startling discoveries from the Hébert Subcommittee on Weapons Systems Contracts, and the Price Subcommittee on Manpower Utilization. I firmly believe that closer analysis of our defense budget will eliminate billions in waste.

I submit that we overhaul our farm program. I submit that the greatest spender of them all is Secretary Benson. He has spent over $30 billion of our money to prove a theory that was doomed from the start. Mr. Benson has spent more than the combined total spent by all of his predecessors since the beginning of that office in 1862.

When we talk about budget balancing, we should remember that President Truman balanced the budget 6 years out of his 7 years in office while paying $27 billion on the national debt. Furthermore, President Truman did this while saving Europe from famine and chaos through the Marshall plan, a so-called spending program.

And finally let me state that the House has a long record of showing more concern for a balanced budget than is shown by the President. We may take as examples the years 1954 to 1959, the terms of the 83d, 84th, and 85th Congresses. The reductions for 1954 and 1955 below the President's estimates of appropriations totaled $14.6 billion; for 1956 and 1957, the reductions totaled $2.3 billion;

for 1958 and 1959 the reductions below the President's estimates totaled $5.7 billion. I am sure that the committees and the leadership of this Congress will continue throughout this session and the 1960 session to find more economic and effective ways of putting this Government's resources to use than the methods outlined in the President's budget.

The issues facing this Nation are much graver than this one—especially when we know that the kind of balancing the President calls for will work against the best interests of this Nation while strengthening the hand of the economic royalists.

Address by the Honorable Stuart Symington, U.S. Senator, at the Kansas Democratic Club in Topeka, Kans.

EXTENSION OF REMARKS
OF
HON. NEWELL A. GEORGE
OF KANSAS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, April 15, 1959

Mr. GEORGE. Mr. Speaker, a great address was delivered on the evening of April 11 by Hon. STUART SYMINGTON, U.S. Senator from Missouri, before a dinner meeting of the Kansas Democratic Club at the Municipal Auditorium in Topeka, Kans.

An overflow crowd of 600 heard Senator SYMINGTON and enthusiastically demonstrated their approval of his forceful speech. Seating arrangements were insufficient for nearly 300 who had purchased tickets and were compelled to dine in nearby hotels, most of whom returned and stood in the auditorium during the Senator's address.

Kansas democracy is extremely proud of our neighboring statesman from Missouri, and we hope he will return to the Sunflower State many times in the future and we are certain that he will contribute materially to the great Democratic victory that will be ours in 1960.

Mr. Speaker, I ask that the address of Senator SYMINGTON be inserted in the RECORD and recommend that it be read by all Members of the House:

THE DEMOCRATIC PROGRAM: INVESTMENTS IN THE FUTURE OF AMERICA

It is a real privilege to be here at your annual banquet, and I am very grateful for the honor of being asked to come to Topeka.

This address tonight is not made easier by the distinction of the Democrats who have preceded me. The rollcall of former speakers at this banquet goes all the way back to that great popular leader of democracy, William Jennings Bryan.

It includes such distinguished Americans as Woodrow Wilson, Cordell Hull, and Jouett Shouse; and such good friends as Scott Lucas, Jim Farley, Tom Hennings, and Albert Gore.

In 1951, you were able to hear from that beloved gentleman whose loss we still feel deeply, Alben Barkley.

And in 1957, your speaker was the No. 1 Democrat—not only of my State, but also of the country—Harry S Truman.

Such distinguished predecessors make one humble; but it is comforting to remember you and I are neighbors.

Your State and mine have a common boundary, including a great river, and this boundary gives us common problems.

There was a time, shortly before, during and after the Civil War, when relations between Kansas and Missouri became a little strained. But that is all over now.

In fact, more and more Kansans and Missourians are seeing eye to eye on matters of politics.

The people of both our States have learned that the best way to obtain effective government for all the people is through the Democratic Party.

Look at the Democratic story right here in your great State.

Thirty years ago—even 20 years ago—if anyone had come to Topeka to talk to a Democratic meeting, he might well have talked to an almost empty hall. What a difference today. You have a Democratic Governor. You have three Democratic Congressmen, and last November you almost elected three more.

And let me make this prediction—in 1960 you'll elect not only three more Congressmen, but a United States Senator along with them.

Yes, my Democratic friends, the record shows that you are making Kansas a real two-party State. That is good for you, good for Kansas and good for America.

Much effort on the part of many people has gone into the building up of our party in Kansas.

And one feature stands out. That is the way your magnificent Governor, George Docking, has won the confidence of the citizens of Kansas.

He has placed your government on a basis of good business management, the kind of management so sadly lacking under the Republicans in Washington today.

Governor Docking has practiced sound economy without sacrificing State services. Through his open door policy toward visitors and the press, he has brought your government closer to the people than ever before.

Every Democrat in America is mighty proud of George Docking.

The Democratic Party has also been strengthened by the record of FLOYD BREEDING in Congress; and I am sure it will be strengthened even more by your new Congressmen, NEWELL GEORGE and DENVER HARGIS.

My friends, seven years ago a group of Republicans came here to Kansas to start a "Crusade."

Today the Republican Party in Washington has dropped all pretense of leading any "crusade."

The watchword on the Potomac now is "politics as usual."

Because time is running out on the Republican administration, capable men are becoming steadily harder to find.

Even when they are found, often they are passed over for important public office because they don't have the blessing of the Republican National Committee.

As their time runs out, we find public officials casting around for cushy corporation jobs in the industries they regulate. This practice does not aid their dedication to the public interest.

The result, if not at times chaos, is something pretty close to it.

In fiscal policy, the Republican theme for the next 2 years seems to be a take-off on the old western song: "There's a tax cut in the sky, by and by."

In defense policy, it is another song: "Praise the Lord, but spare the ammunition."

And this Republican administration is the only government in the history of the world which has undertaken to convince the people that they must reduce spending at home while increasing it abroad.

With such policies it is inevitable that the Republicans are approaching the brink of internal chaos among themselves.

Before last fall's elections, a prominent member of the administration wrote a book "A Republican Looks at His Party."

Now we understand he is writing a new one, "A Republican Looks for His Party."

The Republicans are now trying to pull themselves together for the next election—and so they have appointed a large committee whose sole job is to give their party a fresh new image in people's minds.

This phrase "public image" is a bit of Madison Avenue-ese that needs translation into plain English. It means not what you are, but what people think you are.

So the Republicans are trying to find out what will be the best thing for people to think they are. The answer to that is very simple—Democrats.

Any amusement over the plight of the Republican Party, however, should not distract us from where that party has now placed this country.

It takes little vision to realize that the challenge faced today is greater than any ever faced before by the United States.

The philosophy of State supremacy, as expressed in the Communist dictatorship, has declared economic, psychological, sociological, technological, political, and at times military war against us.

A mighty effort is being made to isolate us in a world where lethal weapons can go from continent to continent in less than 30 minutes. Yet our response to this challenge continues to be slow, grumbling, and inadequate.

The same is true here at home. We are not planning adequate education for our children, or proper conservation of our resources, or enough protection for those citizens who have made their contribution and have now reached the evening of their lives. The chief excuse the Republicans give for this drifting, both at home and abroad, is that if we try to do better we will spend ourselves into bankruptcy.

In 1889, for the first time in peacetime, the Congress appropriated a billion dollars. In those days the Speaker of the House was a Republican—Thomas Reed. And when people complained to him about his billion-dollar Congress, Tom Reed said: "Yes; but this is a billion-dollar country." I wish the Republicans today had some of Tom Reed's commonsense.

Measured by our national product, we now have a $450-billion country—the greatest, richest, most resourceful country in the world. We can afford whatever is necessary for the good of America.

We Democrats are labeled "reckless spenders," but this is just another charge not supported by the facts. Between 1947 and 1952 the Democratic administration showed a net surplus of $4 billion. Between the fiscal years of 1954 and 1959 the Republican administration operated at a net deficit of $20 billion. And last year this administration ran up the largest peacetime deficit in our history.

Now there is a significant difference between what the two parties want to spend for. We Democrats want to increase spending for assets—for schools and roads, hospitals and dams, and airports. Based on the record, Republicans have increased spending for interest. Since 1953 the annual interest on the national debt has increased by $1½ billion, and is now the second largest single item in the budget.

They want to save dollars. We do, too; but we also want to save farms and cities and useful lives.

They have adopted the philosophy that high permanent unemployment is now characteristic of capitalism. We want to give

every American who wants to work a chance to work, in order to strengthen the country.

They believe in retrenchment to balance the budget. We believe the way to balance the budget is through the prosperity of full production.

The bills we Democrats are pushing in this Congress—bills for airports, schools, and housing—are not spending bills. They are investment bills—investments in a brighter future for America.

Some people say, "You're right; we do need these projects, but we can't afford them unless we either raise taxes or run a deficit." But if we had today a businesslike administration, we wouldn't have to raise taxes.

You all know my ideas of the billions which could be saved if we started operating our defenses on the basis of progress instead of continuing to let them drift on the basis of tradition.

Now let me give you another interesting case, released recently by the Internal Revenue Service. That Service audited some 36,000 returns of business and professional taxpayers. They found that, if the same kind of audit could be extended to 6,700,000 returns for the same year, the taxable income of these taxpayers would have been increased by 20 percent. And that would have yielded $2.7 billion in additional taxable income. In other words, if we had enforced efficiently the present tax laws, we could have obtained taxes on $2.7 billion more without changing the tax rates at all.

When it took office, this administration fired 3,000 people from the enforcement section of the Internal Revenue Department. What a false sense of economy. Even if the salaries of these 3,000 people averaged $10,000 a year—which they didn't—would the saving of that $30 million justify tax evaders dodging the payment of billions? So you see these poor managers have billions of dollars of additional taxable income available right under their noses if they would only put in good business practices to collect it.

As Americans, we want this tax money and all tax money to be spent for the best possible investments in prosperity and peace. As Kansans and Missourians, we know that one of the most solid of all investments lies in the control of water, primarily flood control.

We all remember the flood on the Kaw and the Missouri in 1951. It cost the Kansas City area alone $1 billion. The tax revenue lost to the Government as a result of that one flood was greater than the entire cost of the projects which could have prevented it.

Despite such occurrences, the present administration refuses to invest in water projects. Projects like those at Lawrence, Fort Scott, Melvern, and Hillsdale are being held up by the sharp budget ax of this Republican administration. The Republican policy toward water resource development seems to be: cut now, suffer later. Water projects are needed also for industrial development. New industries are springing up each day. Factories are looking for good places to locate. A new industry needs space and also needs a steady supply of adequate fresh water.

Kansas has acres of land ready for industrial development. If the abundant water resources you now have were properly utilized so they could go to work for industry, your future prosperity would be placed on a broader, firmer footing.

Now a word about our farm program. It is not necessary to tell a Kansas farmer that our present agriculture program is a mess. He knows it. In the past 6 years, the leaders in the Department of Agriculture have built a record which even they are now ashamed of. They have spent $30 billion of our money on a farm program that just doesn't work. Secretary Ezra Taft Benson has spent more money than all the 14 preceding Secretaries of Agriculture combined. And what has he produced? Low farm prices, high food prices, and a mountain of surplus foods.

Before coming into Government, I was a businessman for a good many years. If any businessman tried to run his plant or office the way the Department of Agriculture has been run for over 6 years, he would go broke. Back in 1952 and 1953, the Eisenhower-Benson crusade was going to get the Government out of farming. Well, let's look at the record. In January of 1953, the Commodity Credit Corporation owned $1 billion of farm commodities. In January of 1959—just 6 years later—that inventory was well over $5 billion. And according to the latest Department of Agriculture report, just released last week, the total investment in farm commodities—inventories and loans—is over $9 billion.

But this is not all, because in his last budget message to Congress, the President admitted that by June of 1960, the total investment would be $10 billion. Based on information presented to the Senate Agriculture Committee, and my own study of the situation, I believe the President much underestimated, and that by June 1960 Government investment in farm commodities will be close to $12 billion. How's that for getting the Government out of farming?

Mr. Benson goes around the country speaking in such great agricultural centers as various city chambers of commerce, complaining about the farm problem. But what plans has he made to solve that problem?

A few weeks ago, when Mr. Benson came before our committee to ask authority to spend more billions, we asked him questions any banker would ask a businessman who requested a loan. I asked him if he had any definite plans to move his gigantic inventory. He conferred with several of his 14 assistants who were back-stopping him at the hearing. Then said he had no definite plans.

I asked him how much inventory he thought he would move this year. He said he did not know.

I asked him how long it would take to move it. He said he didn't know that either.

Mr. Benson should know that his farm program is bankrupt primarily because it is based on the false theory that the way to lower farm production is to reduce farm prices. As millions of farmers and many of us in Congress have insisted for a number of years, this theory just does not work. And here is why. We all know there are fixed costs connected with farming—payments on notes and mortgages, installment payments on equipment, out-of-pocket costs for fertilizer, seed, fuel, and such. In recent years, these costs have been steadily going up. To meet these fixed and out of pocket expenses, and at the same time take care of family expenses, farmers must have a minimum income. That income, of course, is derived from price times volume minus costs.

If your price goes down at the same time your costs go up—and that has been the case in recent years—you have only two choices: increase your volume, or go broke.

In the past 6 years nearly 4 million farm people have been forced off our farms. But the rest of our farmers have taken the other course. They have taken advantage of every new technique of farming to vastly increase their production.

The story on wheat is a typical example. Since 1952, wheat price supports have dropped from $2.20 to $1.80. Has this brought about lower production or expanded consumption? Of course not.

While the price of wheat to farmers has dropped 18 percent since 1952, per capita consumption of wheat has decreased 11 percent. Last year wheat production set an all-time high—nearly 1.5 billion bushels—and this was with some 5 million acres in the soil bank.

In an effort to deal with the wheat situation, the Senate Agriculture Committee asked the Secretary to submit a new wheat bill. He offered two alternative suggestions. One of these was, in effect, no price-support program at all. Under this alternative, wheat price supports would be as low as 75 percent, not of parity, but of the average price during the last 3 years. It is a farce to call this a price support. A price 25 percent below what you have been getting isn't any support. At best, it is a floor with a hole in it.

The ultimate goal of the Eisenhower-Benson wheat plan is to lower prices until "price supports are adapted to feed use relationships." Those are Mr. Benson's own words.

Do you know what the price of wheat would be under such an arrangement?

My good friend, Senator MILT YOUNG, of North Dakota, and I asked the Agriculture Department about this. They finally admitted that, at present corn and feed grain prices, wheat price supports would be between $1.15 and $1.20 a bushel, in order to be at "feed use relationship." Long before the price got that low, thousands of wheat farmers would go broke, and Mr. Benson knows it.

The other alternative wheat plan suggested by the administration would lower prices; and, at the same time, sharply reduce wheat acreage. This is no wheat program. It is just a rehash of the same old Benson policy of economic attrition.

With the cooperation of the farmers of America, we in the Congress plan to write a new farm bill. This bill will include an effective wheat program based on sound economic principles, and on the belief that farm families deserve an opportunity to earn a return on their labor, investment and managerial ability comparable to that earned by other segments of the economy.

Last month we held comprehensive hearings on new wheat legislation; and heard representatives from many of the farm organizations, from the National Association of Wheat Growers, and from others interested in sound new wheat legislation.

There are certain basic requirements which must be included in any sound effective farm program. That program must give the farmer a fair price for his product. It must give farmers the tools whereby they can compete more favorably with the other closely organized segments of the economy. Any sound long-range farm program must be designed to bring farm production more nearly in line with realistic needs—at home and abroad.

It must face up to the gigantic inventory problem. The productive capacity of the American farmer is not an economic curse. It is, and it should be handled as, a blessing. With wise policies, we can use this capacity to further prosperity at home and peace and prosperity abroad.

Millions of our own people in the United States are undernourished. One hundred thousand children in one of our States have only one-third of the calories and proteins they need in their daily diet. Throughout the world, millions suffer from starvation, while the food that could nourish them, stored at a cost the President himself says amounts to a billion dollars a year, wastes away in our storage bins and warehouses.

The people of other nations are like our people. They want peace in the world. They want food and clothing for themselves and their children. If we can move our food inventories to people in need, we will be using our country's greatest blessing to accomplish our country's noblest purpose.

Twice in our history while under Democratic leadership, this Nation has been called

upon to fight for freedom. Today, as Democrats, but primarily as Americans, we demand that our country be made strong enough to preserve our freedom. But this in no way impairs our dedication to peace. In fact, it would further that dedication.

The two greatest charters of peace in our history were drafted by Democrats, the 14 points of Woodrow Wilson and the 4 freedoms of Franklin Roosevelt. Today, we Democrats again advocate the path to peace through a universal disarmament agreement, negotiated from a position of strength.

With firm leadership, we can create an America greater than any we have ever known. With firm leadership we can create the kind of permanent peace our forefathers and our sons dreamed of and died for.

We should dedicate ourselves to creating the kind of permanent peace that would justify our going anywhere in the world and saying with even greater pride, "I am an American."

Inching Along Toward Peace

EXTENSION OF REMARKS

OF

HON. HUBERT H. HUMPHREY

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Wednesday, April 15, 1959

Mr. HUMPHREY. Mr. President, on March 30, during the recent Easter recess, it was my privilege to address the Dade County Bar Association in Miami, Fla. I spoke on the subject of the Berlin crisis and set forth my ideas on the course of action we should follow in order to protect free West Berlin and maintain the peace.

I ask unanimous consent that my address, entitled "Inching Along Toward Peace," be inserted in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

INCHING ALONG TOWARD PEACE

(Address by Senator HUBERT H. HUMPHREY, Democrat, of Minnesota, before Dade County Bar Association, Miami, Fla., March 30, 1959)

We live in a time of continuous crisis. We have been numbed by screaming headlines about Suez, Germany, Baghdad, and Budapest. Now we are in the middle of the Berlin crisis. This is not just another international crisis. It is probably the most serious and fateful problem faced by the United States and the free world since the end of World War II.

We all know what is at stake in Berlin—the two things we value most—peace and freedom. A false move or a serious miscalculation could be the spark that would ignite a nuclear holocaust. If free West Berlin falls, it is not inconceivable that West Germany would eventually follow, and if West Germany falls, the nightmare of a new tyranny would sweep over all of Europe.

Berlin is the focal point in the mighty struggle between Communist tyranny and the free world. The situation is fraught with danger. But I believe that firmness, wisdom, and solidarity with our closest allies will give us the strength we need to meet the challenge posed by Mr. Khrushchev's thinly disguised ultimatum which falls due on May 27.

In my remarks about the seriousness of the Berlin crisis I would like to make a few general observations in the interests of understanding. I do not want to say or do anything that will make the job of the executive branch any more difficult than it now is. In fact, I seriously considered whether I should say anything at all in public on so delicate an issue. I hope my comments will help to clarify the situation in its deepest and broadest aspects.

A sound policy toward the Berlin crisis will require all the patience, understanding, and courage we can muster.

If the American people understand the depth of the crisis I believe they will be willing to pay the price to save West Berlin. We know that peace and freedom are indivisible and that both are at stake in Berlin. And if freedom is snuffed out in Berlin the cause of freedom and justice throughout the world will suffer.

The gravity of the Berlin crisis necessitates that we enter into face-to-face talks with Russian leaders.

In his address to the American people the President rightly insisted on both firmness and our willingness to negotiate—as many of us have been urging. I am gratified that he is now willing to go to the summit.

We must always be ready to undertake any honorable move that will further prospects of peace.

The test of our greatness and leadership is not to be found in the formalities of diplomacy, but, rather, in the sincerity of our purpose. With a large part of the world in the control of dictators, vital decisions will be made by heads of state. To suggest otherwise is to ignore the real facts of political life. Therefore, let us proceed to the summit conference fully prepared with purpose and program, and in unity with our allies. We must do our homework better than we have in the past, and know what we want and what we are going to propose.

The willingness to negotiate is only the beginning, not the end, of a responsible policy toward the German situation. Our major problem now is to develop a viable negotiating posture in concert with Britain, France, and West Germany. To enter into talks with the Russians, either at the foreign ministers' level or heads of state level, ill-prepared or disunited, is to invite humiliation and even disaster.

I want to emphasize to you today my belief that it would be excessively imprudent to hold the proposed summit conference without utilizing the unique facilities of the United Nations.

As we go into the coming summit conference, we need to invoke the moral authority of the purposes and principles embodied in the charter of the United Nations.

And, in my opinion, the best way to do it effectively is to hold the summit conference within the framework of the United Nations.

We can't be part-time members of the U.N. turning to it in desperation at the last moment only after we have bungled efforts to solve the world's problems alone. We can't take an off-again, on-again attitude toward the United Nations, if we want to help keep it an effective force for peace.

When we had a crisis in the Middle East and Russia proposed a summit conference, we insisted that any such conference be held through the United Nations.

Yet now, as we approach a summit conference which all agree is urgent, we seem to have regrettably turned our back on the U.N.—and our back upon our other allies we represent in the occupation of Berlin.

The presence of the Secretary-General at a summit conference would mean the symbolic representation of all the members of the United Nations who may object to four powers presuming to settle an issue which can mean peace or war for the entire world. Peace is the responsibility of all nations.

It is not only the conference itself which should be brought within the framework of the United Nations. There is also the brighter prospect through such a conference of bringing within the framework of the United Nations the administration of any eventual agreement of a safer regime for Berlin. Such a regime might well include a permanent U.N. presence for Berlin.

The United Nations Charter recognizes the role of normal diplomacy, and charges the nations to seek solutions to their problems in the first instance through peaceful means of their own choice.

Nevertheless, the presumption must be that in dealing with general problems which threaten international peace and security, international conferences should be conducted within the framework of the United Nations.

The United Nations offers many advantages for international conferences, whether involving few or many States.

One of the advantages of a conference within the framework of the U.N. is that such a conference has the moral backing of the charter, and would be directed toward objectives compatible with the purposes of the charter.

Our purpose, in any summit conference, would stand that test. It would be Soviet purposes that would become subjected to world scrutiny.

WHAT THE COMMUNISTS WANT

It seems to me that the Soviet Union wants three things in Europe and has created the Berlin crisis as a lever to gain them:

1. The Soviet Union wants the three Western Powers to get out of West Berlin. It ultimately wants the entire city to be under complete Communist control.

2. She wants to use the Berlin crisis to force the Western Powers to negotiate an all-German settlement favorable to the Soviet Union. She prefers a united Germany tied closely to the Communist bloc. She will settle immediately for two Germanies. In other words, the status quo with East Germany the Communist state under firm Soviet control and influence. The least acceptable alternative that the Soviet appears willing to consider is a neutralized and denuclearized Germany which she hopes eventually to swallow up, by one means or another.

3. The Soviet Union sees in the Berlin crisis an opportunity to split the Western alliance. We must never forget that the primary objective of Soviet policy in Europe is to weaken NATO and to divide the United States from her allies. We cannot permit any of these Soviet objectives to be fulfilled. It is inconceivable that we would retreat from West Berlin. To do so would be to forfeit world leadership and in fact to become a second-rate power. I am convinced that the Soviet Union prefers to gain its political objective in Europe without nuclear war, and I know that the United States and our allies want to avoid a nuclear Armageddon.

We should make every effort to avoid getting into a position where we would be required to use force first. I am sure our Government will do everything possible to avoid a provocative or hostile act. We should, however, make it crystal clear that we will not be forced out of Berlin, nor be denied access to or in any way accede to any effort to starve into submision the West Berlin population. It must be clearly understood by Moscow and East Germany that we are prepared to take any action necessary in support of these policies and commitments.

U.S. POLICY OF RESOLUTE FIRMNESS

Last November I stood in West Berin with its able and courageous mayor, Willy Brandt. I vowed then, and I vow today, to support a policy of firmness, to uphold the right of France, Britain, and the United States to maintain garrisons in West Berlin until a legitimate peace treaty is signed.

This is the position and policy of our Government. We can all be grateful that we

do not stand alone. Britain, France, and the 12 other members of the NATO alliance stand with us. We will not surrender. We will not be pushed out.

What does standing firm mean? It does not mean holding fast inflexibility to old positions which have helped to produce the present unhappy stalemate. The real issue, said Walter Lippmann recently, is "whether to stand pat on positions that have become untentable or to move to new positions from which the Western allies can recover the political initiative." Standing firm means that we must match our firmness with imagination, courage, and a willingness to negotiate with the Soviet Union. It means firmness in our fundamental position and flexibility in our strategy and tactics. Standing firm and willingness to negotiate are not, as some people suggest, contradictory policies. They are two elements in any viable policy in the Berlin crisis. We must stand firm in order to negotiate effectively. And we must have solid bases for negotiation if we want to stand firm.

It is imperative that the best minds of our country—those persons qualified as experts on the problems of Central Europe and Germany as well as Soviet policies and tactics—be called upon at once for intensive consultation directed toward policy formulation.

In the weeks between now and May 27, we, in concert with our allies, must explore every possible honorable means that can ease this crisis and point in the direction of a just and equitable settlement.

It is not enough just to negotiate and talk. We must have clearly in mind the objectives we seek, and the means and ways of achieving those objectives without bargaining away the rights of others, or in any way weakening our own security.

I am gratified that our Government is at last taking anew the leadership in preparing for these important conferences.

Yet I would be less than candid if I did not warn the American not to expect quick and easy solutions out of the impending negotiations.

It must constantly be kept in mind that there are no short-time, short-run, immediate answers to these grave, perplexing, long-range problems. Negotiations will require persistent patience. They will require a willingness to endure almost unbelievable, tedious discussions of long duration.

But we must be perpared to negotiate and negotiate as long as there is the slightest prospect of relieving world tension and minimize the danger of war.

The hope of peace and understanding with the Soviet Union is not to be found in political deals.

We cannot leap over our problems and differences.

They must be slowly chipped away, through our contacts in the United Nations, our participations with the Soviet in the U.N. agencies, through our exchange programs, and what we hope will be gradual changes within the Soviet Union.

At best, we will inch along toward peace and understanding.

Let us hope and pray we have the emotional stability and maturity to persevere. And let us hope and pray that no attempts will be made to find quick solutions which will ultimately be regretted because of ill-considered actions or ill-advised consideration.

We know that our national security is not and should not be a partisan matter. But genuine bipartisanship in foreign policy does not mean that the loyal opposition silently acquiesces in all policies advanced by the administration.

The Berlin crisis is both a danger and an opportunity. It is a danger to world peace if we display signs of weakness, indecision, or appeasement. It is an opportunity if we recognize the sharpness of the crisis and proceed to explore every means of peaceful settlement, not only of the Berlin and German situation, but indeed the relationships between the United States, its allies, and the Soviet Union in all of Central Europe. Wise, prudent, and courageous statesmanship is needed now as never before. We must be prepared to follow the course that may be tedious, frustrating, and characterized by insults, threats, and abuses for months to come. The war of nerves has been intensified.

In this struggle, the victory will come to those who clearly understand the relationship between power and principle, maneuver, and objective. We cannot afford to be found wanting in any of these.

Make no mistake about it, a policy of firmness with negotiation is the only policy that will avoid surrender on the one side, and minimize the risks of war on the other.

COOPERATION WITH ALLIES AND RESTRAINT URGED

We must act in harmony with our allies, Britain, France, and West Germany. This means more than coordinating our pronouncements about standing firm. It means hammering out a unified policy and strategy to give us strength for bargaining, and to undergird our determination if negotiation should break down.

If we had worked a bit closer with our allies and had strengthened the consultative process within NATO during the past 5 years, perhaps we would be in a better position than we are today. But let bygones be bygones. If we ever needed the wisdom, strength, and counsel of trusted allies we need them now.

Yes, these are dangerous days and the situation is explosive. But these are also great and challenging days where spiritual and brain power may save us from the dangerous alternative of the use of firepower.

The alternative to war is peace, and it is in the pursuit of peace that we will find our greatness and fulfill our destiny.

Boland Pays Tribute to Secretary Dulles

EXTENSION OF REMARKS

OF

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 15, 1959

Mr. BOLAND. Mr. Speaker, I am saddened to learn of the resignation of Secretary of State Dulles. I am sure that all of the peoples of the free world feel likewise. He had a profound knowledge of world affairs gleaned over a lifetime of study and experience.

In my judgment, he was a great Secretary of State who served in that post during one of the most difficult diplomatic periods in the history of our Nation.

DULLES' CONTRIBUTION TO MAINTENANCE OF WESTERN ALLIANCE

Despite great personal sacrifices, he made exhausting trips throughout the world and successfully matched wits with the Communists. His contribution was immeasurable in keeping the Western Alliance together under the most trying circumstances.

His role was compounded with difficulty because he could place little or no reliance on the words of his Soviet adversaries. Yet he had a sixth sense in anticipating Soviet weakness and he was a master at persuading Western statesmen to stand firm with him on vital issues. His adamant position forced the Soviet to retreat many times.

HE WAS ONE OF THE WORLD'S OUTSTANDING STATESMEN

Mr. Speaker, I am sure that when historians view his tenure in perspective, they will record that Secretary of State Dulles was one of the outstanding statesmen in the fight against the spread of communism.

SENATE

THURSDAY, APRIL 16, 1959

(Legislative day of Wednesday, April 15, 1959)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Thou who art from everlasting to everlasting, and who changeth not, abide with us, even as earth's joys grow dim and its glories pass away.

With tender solicitude, we lift up in our prayer this day a great servant of the State whose iron will, moral standards, and passion for the coronation of righteousness and decency in international affairs, across these critical years, have been a bulwark of our liberties and the voice of our America, as our free land has faced, and faces, ruthless foes bent on her destruction.

As with courage which shames our coward fears and a faith deep-rooted in a religion which is his very life, Thy servant—John Foster Dulles—stands in the valley of the shadow, while the Nation he serves with such devotion and the free world cemented in unity by his wisdom and inflexible exertions lift grateful petitions for the smitten warrior who is facing the unseen with a cheer. May he fear no evil, as Thy rod and Thy staff comfort and sustain him.

And, as with his faith, we face the crisis of the coming days—

God be in our head,
And in our understanding;
God be in our eyes,
And in our looking;
God be in our mouth,
And in our speaking;
God be in our heart,
And in our thinking;
God be at our end,
And at our departing.

In the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading

of the Journal of the proceedings of Wednesday, April 15, 1959, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the following bill and joint resolution, in which it requested the concurrence of the Senate:

H.R. 2228. An act to provide for the acquisition of additional land along the Mount Vernon Memorial Highway in exchange for certain dredging privileges, and for other purposes; and

H.J. Res. 254. Joint resolution to authorize participation by the United States in parliamentary conferences with Canada.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the President pro tempore:

S. 144. An act to modify Reorganization Plan No. 11 of 1939 and Reorganization Plan No. 2 of 1953;

S. 1096. An act to authorize appropriations to the National Aeronautics and Space Administration for salaries and expenses, research and development, construction and equipment, and for other purposes; and

H.J. Res. 336. Joint resolution making a supplemental appropriation for the Department of Labor for the fiscal year 1959, and for other purposes.

HOUSE BILL AND JOINT RESOLUTION REFERRED

The following bill and joint resolution were each read twice by their titles and referred as indicated:

H.R. 2228. An act to provide for the acquisition of additional land along the Mount Vernon Memorial Highway in exchange for certain dredging privileges, and for other purposes; to the Committee on Public Works.

H.J. Res. 254. Joint resolution to authorize participation by the United States in parliamentary conferences with Canada; to the Committee on Foreign Relations.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the following subcommittees were authorized to meet during the session of the Senate today:

The Judiciary Subcommittee of the Committee on the District of Columbia. The Constitutional Amendments Subcommittee of the Committee on the Judiciary. The Antitrust and Monopoly Legislation Subcommittee of the Committee on the Judiciary.

On request of Mr. GOLDWATER, and by unanimous consent, the Subcommittee on Constitutional Rights of the Committee on the Judiciary was authorized to meet during the session of the Senate today.

TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that there may be the usual morning hour for the introduction of bills and the transaction of other routine business, and that statements in connection therewith be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A petition from the Magyar Publishing Co., of New York, N.Y., signed by Dr. Laszlo Ujlaky, president, Stephen Somody, editor, and Geza Korda, associate editor, relating to free elections for the people of Hungary, East Germany, and other slave states of the Soviet empire; to the Committee on Foreign Relations.

By Mrs. SMITH:

A joint resolution of the Legislature of the State of Maine; to the Committee on Armed Services:

"JOINT RESOLUTION MEMORIALIZING CONGRESS TO EQUALIZE RETIREMENT BENEFITS FOR RETIRED MEMBERS OF THE ARMED FORCES WHO RETIRED PRIOR TO JUNE 1, 1958

"We, your memorialists, the Senate and House of Representatives of Maine in the 99th Legislative Session assembled, most respectfully present and petition your honorable body as follows:

" 'Whereas, there is now pending before the Congress of the United States legislation concerning the improvement of benefits for retired members of the United States Armed Forces who retired prior to June 1, 1958; and

" 'Whereas there appears to be no basis for the gross discrimination against retired personnel who retired before June 1, 1958, as they are, by reason of past meritorious services, equally entitled to the increased benefits granted personnel who retire, or have retired, after such date; and

" 'Whereas this false distinction violates the basic precepts of fair play and the circumstances of retirement should not penalize these honorable members of our society, who must meet the present ever-increasing cost of living the same as personnel that retired after June 1, 1958: Now, therefore, be it

" '*Resolved*, That we, the memorialists, recommend to the Congress of the United States that legislation be enacted that will increase the retirement benefits of the retired personnel who retired prior to June 1, 1958, so that they will be treated equally with personnel who retire, or have retired, after such date; and be it further

" '*Resolved*, That a copy of this memorial, duly authenticated by the secretary of state, be immediately transmitted by the secretary of state to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from Maine in the Congress of the United States.'

"CHESTER T. WINSLOW,
"Secretary, Senate.
"HARVEY R. PEASE,
"Clerk, House of Representatives."

RESOLUTION OF SENATE OF ILLINOIS

Mr. DIRKSEN. Mr. President, I present, for appropriate reference, a resolution adopted by the Senate of the 71st General Assembly of the State of Illinois, with regard to unemployment compensation, and the adequacy of the system which prevails in our own State.

There being no objection, the resolution was referred to the Committee on Finance, and, under the rule, ordered to be printed in the RECORD, as follows:

SENATE RESOLUTION 19

Resolved by the senate of the 71st general assembly,

Whereas there is legislation pending in the Congress of the United States, relating to unemployment compensation, which would compel the various States to drastically amend their unemployment compensation laws to conform with Federal standards; and

Whereas Illinois is firmly dedicated to the beliefs that the individual States are best qualified to determine the provisions of their unemployment compensation statutes based upon the economic conditions of the States and the needs of their citizens; and

Whereas the Illinois General Assembly, over the years, has made amendments to the Illinois Unemployment Compensation Act through mutual agreement of a tri-partite board which has provided for equitable treatment of employees and employers and the general assembly is now in session considering further improvements in its unemployment compensation program; and

Whereas the Illinois General Assembly recently enacted legislation to pay extended benefits independently of Federal action and without the use of Federal funds: Now, therefore, be it

Resolved by the Illinois State Senate, That it opposes Federal legislation which would compel the various States to provide minimum unemployment compensation standards in conformity with Federal laws, thus depriving the Illinois General Assembly of its rightful authority and responsibility in such matters; and be it further

Resolved, That a copy of this resolution be sent by the secretary of state to the President of the United States; Secretary of Labor of the United States; Senate minority leader, EVERETT MCKINLEY DIRKSEN; Senator PAUL H. DOUGLAS, and all Members of the U.S. House of Representatives from Illinois.

Adopted by the senate, March 25, 1959.

JOHN WM. CHAPMAN,
President of the Senate.
EDWARD E. FERNANDES,
Secretary of the Senate.

CONCURRENT RESOLUTION OF KANSAS LEGISLATURE

Mr. CARLSON. Mr. President, the Kansas Legislature, which has recently concluded its biennial session, adopted House Concurrent Resolution 31, memorializing the Congress and the President of the United States to safeguard and preserve established State and individual rights to the use of water within the separate States.

The control of water runoff within the State of Kansas is of great importance to the future growth and development of the State.

It is essential that we have an overall program dealing with this problem in cooperation with Federal agencies.

During the past few years, great progress has been made within my State, and I sincerely hope that no decision of the executive or the judicial branches of the Government will interfere with

the continued mutual cooperation in a program which is so vital.

I ask unanimous consent that this resolution be printed in the RECORD and referred to the proper committee.

There being no objection, the concurrent resolution was referred to the Committee on Interior and Insular Affairs and, under the rule, ordered to be printed in the RECORD, as follows:

HOUSE CONCURRENT RESOLUTION 31

Concurrent resolution memorializing the Congress and the President of the United States to safeguard and preserve established State and individual rights to the use of water within the separate States

Whereas despite repeated congressional recognition in many statutes such as the Federal Power Act, and the Water Supply Act of 1958, that the States have and should have the primary interest, a series of judicial decisions in the last decade and a half has undermined the ability of the States to perform their appropriate tasks in this field and has suggested the possibility of unlimited Federal prerogatives concerning water which cast doubt on the basis of vested rights and weakens the ability of the States successfully to coordinate water use; and

Whereas recent opinions and assertions from the U.S. Department of Justice would deprive States and persons of rights which said States and persons previously enjoyed, to regulate and control the use of water in those respective States; and

Whereas said decisions of the Federal courts and opinions and assertions of the U.S. Department of Justice are further a part of a general pattern developing gradually into Federal supremacy and usurpation over water, which, if continued will destroy individual and States rights over water, and substitute in lieu thereof an all-powerful centralized Government control thereover; and

Whereas Kansas and the numerous Federal agencies do now and have always enjoyed a spirit of cooperation in the development of flood control and water resources programs and it is the wish of the people of Kansas that such interest and cooperation be preserved and continue in the future; and

Whereas factors involved in water use development are peculiarly dependent on local geography, climate, and economic needs and are consequently best handled within our Federal system by the State level of government; and

Whereas the traditional role of the States in the administration, conservation, and utilization of their water resources has led in the direction of optimum harmonious development of these water resources; and

Whereas Federal agencies which have complied with State water law in obedience to the expressed intent of Congress have not jeopardized any of the legitimate interests of the Federal Government; and

Whereas doubts raised by these judicial decisions and Department of Justice opinions as to the basis of vested water rights, present and future, and doubts as to the relationships between the Federal and State Governments will, without corrective congressional action, tend to delay much needed water development for an indefinite time and discourage the States in their efforts to make much needed improvements in their facilities for water resources planning and development: Now, therefore, be it

Resolved by the House of Representatives of the State of Kansas, the Senate concurring therein, That the Congress and President of the United States and the Representatives of Kansas in the Congress of the United States be, and they are hereby respectfully urged and requested to take all necessary action to (1) preserve the water rights of the individual and the States and to prevent Federal usurpation of those rights; (2) to see that legislation is initiated and supported to reestablish to the individuals and to the States, the rights taken from them by the Federal courts and the Justice Department; and (3) in every possible way reaffirm, renew, and defend the concepts that water rights are property rights and that these established rights to the use of water, by a State or an individual, should not be taken away without due process of law and adequate compensation. Be it further

Resolved, That the secretary of state be instructed to transmit enrolled copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives of the Congress, to the chairman of the U.S. Senate and House Committees of Interior and Insular Affairs, to U.S. Senator ANDREW F. SCHOEPPEL, to U.S. Senator FRANK CARLSON, and to U.S. Representatives WILLIAM AVERY, NEWELL GEORGE, DENVER HARGIS, ED REES, FLOYD BREEDING, and WINT SMITH.

I hereby certify that the above concurrent resolution originated in the house, and was adopted by that body March 13, 1959.

JOE TAYLOR,
Speaker of the House.
G. E. ANDERSEN,
Chief Clerk of the House.

Adopted by the senate March 21, 1959.

JOSEPH W. HINKLE, Sr.,
President of the Senate.
RALPH E. ZARKER,
Secretary of the Senate.

RESOLUTION OF IRRIGATION COMMITTEE OF MIDDLE RIO GRANDE PUEBLOS, N. MEX.

Mr. CHAVEZ. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted December 19, 1958, by the Irrigation Committee of the Middle Rio Grande Pueblos in New Mexico.

The resolution compliments John Thompson, the project manager, Middle Rio Grande project, Albuquerque, N. Mex., an employee of the Bureau of Reclamation, for his outstanding work.

In this praise, I concur. The chairman of the committee, Diego Abeita, who transmitted the resolution, is an outstanding citizen of New Mexico. He is highly respected by both the Indians and non-Indians and is devoted to the improvement of irrigated farming on the Indian pueblos. He has contributed greatly to his people in the Isleta and other pueblos.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

This resolution was adopted December 19, 1958, by the irrigation committee of the Middle Rio Grande Pueblos, consisting of eight pueblos—Cochiti, Santo Domingo, San Felipe, Santa Ana, Sandia Isleta, Jemez, and Zia—at a regularly called meeting of the committee attended by the governors and their staffs of all of said pueblos, and all of the members of the committee:

"Whereas for years we have watched the work of Mr. John C. Thompson, project manager of Middle Rio Grande project, in rehabilitating the work of the Middle Rio Grande Conservancy District and doing heroic work in salvaging water of the Rio Grande, the lifeline of our people; and

"Whereas in doing this work Mr. Thompson has always patiently listened to the needs and even the demands of our pueblos and, wherever possible, he has done his very best to meet our needs; and

"Whereas under our claim to water rights Mr. Thompson, under direction of the Secretary of the Interior, has stored water for our requirements in El Vado Reservoir and made the water available to us, whenever possible, at the time it was needed; and

"Whereas it has recently come to our attention that our friend, Congressman BEN F. JENSEN, after inspecting the work done by Mr. Thompson and his staff, observed, out of his wide knowledge of all the reclamation projects in the country, that the Middle Rio Grande project is being handled probably better than any other project in the country. Knowing Mr. Thompson and his staff, that is easy to believe; and

"Whereas so many hardworking, thoroughly able and faithful public servants of the United States hardly ever get complimented by those they serve until they drop dead, we feel we should tell Mr. Thompson how we feel: Now, therefore, be it

"Resolved, That we express our sincere appreciation and deep gratitude to Mr. Thompson for the outstanding work he is doing on the Middle Rio Grande project and for what he has done for us, even though he has not given us all we wanted. But even more, we want Mr. Thompson and his staff to know how thankful we are, and the Secretary of the Interior and the other superiors of the project people ought to be, for having such outstanding people do such excellent work; be it further

"Resolved, That a copy of this resolution be sent to all interested parties including Mr. Thompson, the Commissioner of the Bureau of Reclamation, the Regional Director of the Bureau of Reclamation, our congressional delegation, the Secretary of the Interior and, so long as we mentioned him, to the Honorable BEN F. JENSEN."

DIEGO ABEITA,
Isleta Pueblo, Chairman, Irrigation Committee of the Middle Rio Grande Pueblos.

I hereby certify that the above and foregoing is a true and correct copy of a resolution unanimously adopted by the irrigation committee of the Middle Rio Grande pueblos at the time and place shown.

Dated this 18th day of March 1959.

DOMINGO MONTOYA,
Acting Secretary, Irrigation Committee of the Middle Rio Grande Pueblos.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HUMPHREY, from the Committee on Agriculture and Forestry, without amendment:

S. 690. A bill to provide for the increased use of agricultural products for industrial purposes (Rept. No. 193); and

S. 753. A bill to authorize cooperative associations of milk producers to bargain with purchasers singly or in groups, and for other purposes (Rept. No. 192).

By Mr. JOHNSTON of South Carolina, from the Committee on Agriculture and Forestry, with an amendment:

S. 1289. A bill to increase and extend the special milk program for children (Rept. No. 194).

RELEASE OF GOVERNMENT-OWNED COPPER—REPORT OF A COMMITTEE

Mr. GOLDWATER. Mr. President, on behalf of the chairman of the Committee on Interior and Insular Affairs, the Senator from Montana [Mr. MURRAY], I report favorably, without amendment, the resolution (S. Res. 101) opposing the release at the present time of any part of

any Government inventory of copper, and I submit a report (No. 191) thereon. The resolution was unanimously approved by the committee and deals with the release of Government-owned copper at this time.

The PRESIDING OFFICER (Mr. Moss in the chair). The report will be received, and the resolution will be placed on the calendar.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. MANSFIELD. I wish to congratulate the Senator from Arizona for reporting the resolution, which, I understand, was reported unanimously by the Committee on Interior and Insular Affairs. It is an indication of the fact that the committee most closely connected with mining in all its phases is aware of the difficulty which the possibility of the Government stockpile being released imposes upon the copper economy at this time.

I should like to ask the Senator a question. Is it the Senator's understanding that there are three Government stockpiles; that two of them are subject to the will of Congress, so to speak, and that the remaining one is outside that sphere and is subject only to the will of the Administrator of OCDM?

Mr. GOLDWATER. It is my understanding that the Senator is correct in that statement. What concerns us, of course, is the lack of control we have over the administered stockpile. I have been talking about this problem with the White House.

I am sorry I was not on the floor when the Senator made his remarks. At the time I was on the telephone talking with the White House on this problem. I have been informed that Dr. Hoegh released a statement yesterday which, I understand, the Senator from Montana has read into the RECORD. That statement is not conclusive enough to allay the fears of the world copper market. I have been informed by word of mouth that it is not the intention to release any of the copper at the present time. I have asked the White House if it would instruct Mr. Hoegh to make a more definite statement than he has made, so that the world copper markets might not be so frightened, and that thereby a stop be put to the decline in the world price of copper.

Mr. MANSFIELD. I should like to say that I wish the administration, through a spokesman of the OCDM would make a statement more in accord with what the Senator from Arizona said yesterday, namely, that "this copper should be removed to a jurisdiction which would prevent any possibility that it could be dumped on the markets."

The spokesman for the OCDM said yesterday: "We have made no decision to release or offer copper for sale on the open market at this time." It is a very indefinite statement and one which, if allowed to stand, can only bring about a further depreciation in the copper economy and a further depression in prices.

I ask unanimous consent that there be printed in the RECORD at this point an article published in the Daily Metal Reporter entitled "Oppose Release of Copper From Government Stocks," and an article published in the American Metal Market of April 16, 1959, entitled "Possible Copper Sale by Government Puts Market in Turmoil."

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Daily Metal Reporter, Apr. 16, 1959]

OPPOSE RELEASE OF COPPER FROM GOVERNMENT STOCKS—OCDM STUDIES QUESTION; STATE, INTERIOR DEPARTMENTS AND SENATORS HIT MOVE

WASHINGTON.—The State and Interior Departments are said to be up in arms as a result of the decision by the Office of Civil and Defense Mobilization to look into the advisability of liquidating some 130,000 tons of nonstrategic copper that the Government acquired under its floor-price contracts with producers. The GSA lacked funds with which to buy this copper and put it into the stockpile, it is stated here, and hence this metal is available for sale without any authorization by Congress. The State and Interior Departments are said to be carrying the matter to the President who would be in a position to countermand any decisions that the OCDM may be contemplating.

The recommendation that the OCDM liquidate this nonstrategic copper is said to have been made by J. Roy Price, who retired from Union Carbide Co. some years ago where he was in charge of research in the company's plastic department. He was appointed Assistant Director for Resources and Production in the OCDM by President Eisenhower and is on full time with the agency, an official stated.

The OCDM was considering the disposal of the copper in small quantities so that it will not affect the market, a top official of the agency stated. He stressed the fact that no decision has been made as yet, but that the OCDM is reviewing the question because of market conditions. The official said that no decision is likely for a few days.

News of what the OCDM was contemplating touched off a storm of protest on the part of Senators and Congressmen from the mining States.

A group of western Senators called on the administration to deny reports that large stocks of copper will be sold from the Government stockpile.

Senator MANSFIELD, Democrat, of Montana, and seven other Senators introduced in the Senate a resolution declaring it to be the sense of the Senate that release of these stocks would do "incalculable danger to the national security and to the economic well-being of the Nation."

The Montanan, who is the Senate Democratic whip, also revealed that he and the other Senators Tuesday sent a letter to Defense Mobilizer Leo Hoegh protesting the reports.

The letter said the Senators were disturbed by the reports that the Government might sell up to 128,000 short tons from the copper stockpile, and urged Mr. Hoegh to announce immediately that there were no plans to release this tonnage.

Unless this is done, Senator MANSFIELD and his colleagues warned in their letter, a further drop in copper prices is inevitable.

Mr. MANSFIELD told the Senate that he had understood that the recommendation for the sale had been made by a "Mr. Price," who he described as a gentleman living on Long Island and visiting Washington once a week as a Defense Mobilization consultant.

STATE OF CONFUSION IN COPPER

The OCDM report from Washington threw the copper market into a state of confusion. This was especially the case with respect to the commodity exchange where prices at one time were down by as much as 160 points. At the close the prices were 85 to 102 points below Tuesday's close. The turnover was 1,180 lots (29,500 tons).

THE FAT'S IN THE FIRE

In copper circles the feeling prevailed that no matter what the OCDM decision is, the "fat's in the fire" in that it is now common knowledge that there are some 128,000 tons of Government-owned copper overhanging the market which may be released at any time. The immediate effects are likely to be psychological in nature. One will probably be a damper on speculative enthusiasm. Another is the calming if not the elemination of consumers' fears of a copper shortage.

The market already has felt the effects of the Washington report. There was the price slump on the commodity exchange. While custom smelters booked fair-sized orders early in the day at 32 cents a pound, consumers virtually withdrew from the market as buyers in the afternoon. Dealers were unable to interest buyers at 31½ cents a pound f.o.b. refinery.

The large primary producers maintained their price at 31½ cents a pound delivered.

The sales reported for Tuesday amounted to 5,064 tons of which 3,889 tons were for shipment this month, 850 tons for May, 275 tons for June, and 50 tons for September. That brought the sales for April shipment to 90,309 tons, for May to 25,948 tons and for June shipment to 17,616 tons.

SCRAP PRICE DOWN ONE-QUARTER CENT

For the greater part of the afternoon, the custom smelters withdrew from the market as buyers of scrap at any price. Late in the afternoon, two custom smelters reduced their buying price by one-quarter cent a pound to a basis of 25¾ cents for No. 2 heavy copper and wire. One factor continued to stay out of the market as a buyer.

TRADE'S GUESS—NO OCDM SALE

In copper circles the guess was that in view of the political storm that has been raised, the OCDM will probably decide not to liquidate the nonstrategic copper at the present time. There was plenty of criticism, however, not only over the timing of the OCDM contemplated action, but also over the fact that whenever the Government steps into business, it is likely to make a mess of things. The Government had acquired the copper through incentive contracts with high-cost producers whereby it guaranteed to take the metal off their hands at a predetermined floor price if they could not sell the metal in the open market. It was done to stimulate production at a time when the Government thought that the shortage would last for years. Now that the world's output is at a record high level, the Government is planning to sell the copper. In copper circles it was recalled that our Government is now planning to do what the British Ministry did with its stockpiled copper that it released not when there was a shortage but when there appeared to be an oversupply.

EFFECT ON LONDON AWAITED

There was considerable speculation as to what the reaction will be in London to the OCDM news. A further decline on the LME was anticipated.

London prices were down £2 a ton for the day. At the first session the bid for cash and for forward was £236 15s, down £1 15s from Tuesday's close. The sales were 1,700 tons.

At the second call £235 10s was bid for the two positions, a further drop of £1 5s. The sales were 1,000 tons.

[From American Metal Market, Apr. 16, 1959]

POSSIBLE COPPER SALE BY GOVERNMENT PUTS MARKET IN TURMOIL—OCDM DENIES ANY DECISION TO SELL DPA METAL IN OPEN MARKET—NEW YORK FUTURES TUMBLE

NEW YORK, April 15.—The copper market was thrown into a turmoil this morning when Senator MIKE MANSFIELD, Democrat, of Montana, indicated that the Office of Civil and Defense Mobilization intended to authorize the sale of Defense Production Act copper in the open market. The news brought an immediate break in the price-sensitive New York futures market. Quotations tumbled as much as 1.65 cents per pound at one point during the day. Trading volume set an alltime record high of 1,180 lots or 29,500 tons. The news arrived too late to affect values on the London Metal Exchange. But coming as it did on the heels of record-breaking world production figures and rising stocks reported on Tuesday by the Copper Institute, the Washington report changed the whole tenor, of what, until recently has been a shortage-scared domestic market.

OCDM SAYS NO DECISION TAKEN

Later in the day the strong protests of the Western mining Senators over the rumored sale of 128,000 or more tons of Government copper were tempered by an OCDM announcement. A spokesman for the agency in Washington told American Metal Market, "We have made no decision to release or offer copper for sale on the open market at this time.

"The total stockpiles are always being reviewed in respect to defense requirements. This is nothing new insofar as a review is concerned. There has been no determination to dispose of any copper in our Defense Production Act inventories," the spokesman said.

PRECEDENT SET

Government officials pointed to a precedent in the release of copper from DPA inventories which was established during the shortage which developed in 1956 as the result of an industrywide strike. Secretary of Labor Mitchell announced his opposition to the release of copper by the Government during the strike because it would weaken the bargaining position of the workers. Following the strike copper was released on two separate occasions from DPA inventories to meet consumption requirements while the shut down plants were getting back into production.

The copper in Defense Production inventories was acquired as the result of Korean war expansion contracts. It has been accumulating as producers take advantage of the provision in their contracts to "put" copper to the Government.

It was strongly indicated by other Government sources, however, that an action to release copper from DPA account had been under discussion. One official, conversant with these proposals, said that the militant opposition voiced by Senator MANSFIELD and other mining State Senators on Capitol Hill today had put the quietus on further discussion of the release of copper at this time.

PROTEST ON SENATE FLOOR

Nevertheless, the membership of the 86th Congress, under the lash of Senators and Congressmen from copper-producing States, was up in arms in Washington over the report that the Government was about to dispose of its holdings of copper purchased under Defense Product Act authority.

One reliable source on Capitol Hill said the DPA holdings of copper amounted to 128,000 tons, but Senator MIKE MANSFIELD, who took the floor of the Senate early at today's session, said he had been informed that the DPA holdings might amount to as much as 180,000 tons.

The Montana Senator introduced a resolution calling for the Senate to request that any disposition of DPA copper be halted immediately. In addition, his resolution requested that the DPA copper holdings be transferred at once to the national stockpile in order to remove it from any sudden disposition by the General Services Administration at the direction of the Office of Defense Mobilization.

ASKS REMOVAL OF DUMPING THREAT

Senator BARRY GOLDWATER called for nonpartisan support of the Senate on this resolution. He said the DPA copper holdings have been depressing the markets for several years.

"This copper," he said, "should be removed to a jurisdiction which would prevent any possibility that it could be dumped on the market."

The DPA copper holdings have been built up under the Defense Production Act since 1951, when the Congress authorized copper and other metal expansion programs, to meet war time needs. A few of these contracts are still in existence. The copper sold to the Government under these contracts is not made a part of the national stockpile, although some of it could be transferred to the national stockpile under emergency conditions.

TO BE CONSIDERED BY INTERIOR COMMITTEE

Senator MANSFIELD's resolution, which was endorsed by eight other Senators, was introduced with the provision that additional Senators would add their names as sponsors.

Later in the week this resolution will be considered by the Senate Interior Committee, headed by Senator JAMES E. MURRAY, Democratic of Montana, who also was one of the strong endorsers of this legislation.

In the House of Representatives, another bipartisan group of western Congressmen also joined forces today to urge the administration to announce publicly that it has no intention of selling DPA copper.

The western Congressmen and Senators both forwarded letters this morning to Leo A. Hoegh, Director of the Office of Civil and Defense Mobilization.

The consensus of congressional opinion widely expressed today was that, if a sale of surplus copper to industry is carried out, copper prices could well drop to the extreme lows that existed only a year ago.

KNOWN IN ADVANCE?

At that time, with the domestic price around 24 cents per pound, the Senate by a large majority passed legislation which would have authorized the Government to buy 150,000 tons of copper at 27.50 cents per pound as a floor price in support of copper, in order to stop the closing down of copper mines.

However, the Senate bill was defeated in the House. Since that time, the price of copper has risen to the thirties, at levels which made it profitable for the mines to continue operating. Within the last few days copper prices have started skidding, and stocks on hand are increasing. Many Members of Congress today attributed this lowering of prices to the possibility that the U.S. Government was planning to dispose of thousands of tons of copper on the markets.

Senator MANSFIELD and Senator MURRAY, using copies of today's American Metal Market, called attention to a page one story pointing out the break in the copper market.

The resolution introduced by Senator MANSFIELD was expected to bring forth some clarification from OCDM Director Hoegh late today.

PETITIONED BY FABRICATORS

While there was no actual inventory reading available on the amount of copper held under DPA contracts, the best estimate available seemed to be at least 128,000 tons were being held.

Although few believed that the Government planned to sell in the immediate future any copper, there seemed to be authentic reports that small amounts of copper were to be released in response to petitions from copper fabricators, who have protested that the price of copper had risen too high for their production revenues to come out even.

Senator MANSFIELD indicated to the American Metal Market that, as far as he could tell, the pressure brought to bear on the Government to sell some of its copper holdings had been instigated by the copper fabricators.

LONDON DECLINES ON STATISTICAL NEWS

The consternation which greeted the initial news from Washington today was symptomatic of the new uneasiness which has crept into the copper market recently. Foreign mines and refineries are turning out metal at a record rate and there is a feeling in the trade that London prices may decline further until foreign copper can be sold in the U.S. market competitively with the 31½ cents producer quotation, the 1.7 cents import tax notwithstanding. Any release of Government copper would further swell the world supply of red metal and weaken the industry's basic price. The market's psychology apparently has been transformed from fear of strike shortages to the prospect of an oversupply. But strikes remain the incalculable factor in the situation.

The London market reacted unfavorably to the Copper Institute statistics which showed a 17,000-ton increase in foreign stocks in March. Both the spot and three-month quotations declined £3 per ton to finish at £235 10s per ton. A total of 2,700 tons changed hands.

SCRAP CUT ONE-FOURTH CENT

The unfavorable Washington news brought a sell-off in the scrap market. At least one custom smelter was out of the market for part of the day owing to the somewhat confused situation. Later in the day all smelters joined in posting a one-fourth cent reduction in scrap buying prices. This put the published quotation for No. 2 copper scrap at 25¾ cents per pound.

Custom smelters maintained their electrolytic selling price at 32 cents per pound.

FUTURES SLUMP

Futures on the Commodity Exchange opened easier this morning on the statistical news. The Washington development brought a flood of sell orders, but price recovered later with the OCDM announcement.

Mr. MANSFIELD. Mr. President, if the Senator from Arizona will yield further, I should like to say that in yesterday's statement, in submitting the resolution, I had the following to say:

It has been—

That is the copper area—

It has been the most blighted area in the field of unemployment, and the depressed condition has been quite evident until recently. Now we have this attempt by a Mr. Price, who I understand lives on Long Island and visits Washington once a week as a consultant to the Office of Civil and Defense Mobilization, headed by former Gov. Leo Hoegh, of Iowa, to dump Government-owned copper on the domestic market.

I did not wish to speak disparagingly of Mr. Price, but I had just heard his last name mentioned in connection with the rumored copper inventory disposal. I therefore ask unanimous consent, in fairness to Mr. Price, to have printed in

the RECORD at this point a brief biograph of Mr. J. Roy Price, who joined the office of OCDM on December 2, 1958, and is Assistant Director in that organization, and, therefore, presumably, a full-time employee of the Government.

There being no objection, the biographical sketch was ordered to be printed in the RECORD, as follows:

J. ROY PRICE BIOGRAPHY

J. Roy Price, of Manhasset, N.Y., has been Assistant Director of the Office of Civil and Defense Mobilization since September 2, 1958.

Prior to joining the agency, he was associated with Union Carbide Corp. where he has had a long career in the fields of research, development, production, sales, and merchandising.

He is one of the men who conducted the original research in this country on vinyl plastics and later helped organize the firm's plastic division, which later was merged with Bakelite Co., division of Union Carbide Corp.

He served for 2 years on his company's Industrial Fellowship at the Mellon Institute of Industrial Research, University of Pittsburgh.

During World War II, he served as his firm's liaison representative in Washington, D.C., working with the various defense agencies.

Mr. Price was born June 15, 1900, in Mt. Hope, W. Va. He received a Bachelor of Science degree in 1923 from West Virginia Wesleyan College. He later did graduate work at Marshall College and Columbia University. He holds honorary degrees from West Virginia Wesleyan College and Parsons College. After being a teacher of science and school superintendent, he joined Union Carbide Corp. some 30 years ago.

He served as president of the board of education of Manhasset Public Schools, is a member of the board of trustees of West Virginia Wesleyan College and a member of the advisory council of Grinnell College.

He is married and has two children. The family resides in Manhasset, N.Y.

Mr. MANSFIELD. I again thank the Senator from Arizona. I want him to know that I, too, have been in contact with the White House. I talked with Mr. Don Paarlberg today. I have not received any assurance from him that this Government copper inventory will be kept off the market. Therefore, this feeling of uncertainty will continue. Unless something is done soon, the price will be depressed still further.

Mr. GOLDWATER. The White House has been apprised of the situation. I feel certain that efforts are being made to bring about the issuance of a more satisfactory statement. I assure the Senator that I shall follow up my action in that direction.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MURRAY (by request):

S. 1699. A bill to consolidate, revise, and reenact the public land townsite laws; to the Committee on Interior and Insular Affairs.

By Mr. CARLSON:

S. 1700. A bill to permit income derived as an administrator or executor of an estate to be considered as self-employment income for the purpose of the insurance system established by title II of the Social Security Act; to the Committee on Finance.

By Mr. CLARK:

S. 1701. A bill for the relief of Hajime Asato; to the Committee on the Judiciary.

By Mr. WILLIAMS of New Jersey:

S. 1702. A bill for the relief of Franciszek Roszkowski;

S. 1703. A bill for the relief of Raul J. Hermitte and Ginette N. Hermitte;

S. 1704. A bill for the relief of Werner J. Fleischmann;

S. 1705. A bill for the relief of Ivan (John) Persic;

S. 1706. A bill for the relief of Zofia Wieszcek; and

S. 1707. A bill for the relief of Gomes Antonio de Phino; to the Committee on the Judiciary.

By Mr. MAGNUSON:

S. 1708. A bill to authorize the issuance to State defense forces of obsolete supplies and equipment of the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. MAGNUSON (by request):

S. 1709. A bill to amend section 210a(a) and section 210a(b) of part II of the Interstate Commerce Act to deny the granting of temporary operating authority to render common or contract passenger service by motor vehicle if absence of service results from a strike; and

S. 1710. A bill to amend part II of the Interstate Commerce Act in order to provide employee protection in cases involving consolidations, mergers, and other similar situations of passenger motor carriers; to the Committee on Interstate and Foreign Commerce.

By Mr. HUMPHREY (for himself, Mr. CARROLL, Mr. HART, Mr. KENNEDY, Mr. MCCARTHY, Mr. MCGEE, Mr. MONRONEY, Mr. MORSE, Mr. MURRAY, and Mr. WILLIAMS of New Jersey):

S. 1711. A bill to promote the foreign policy of the United States and help to build essential world conditions of peace, by the more effective use of U.S. agricultural commodities for the relief of human hunger, and for promoting economic and social development in less developed countries; to the Committee on Foreign Relations.

(See the remarks of Mr. HUMPHREY when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (by request):

S. 1712. A bill to extend the application of the Motorboat Act of 1940 to certain possessions of the United States; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (for himself and Mr. JACKSON):

S. 1713. A bill to authorize the Secretary of the Interior to modify the works of the Grand Coulee Dam, Columbia Basin project, Wash., and for other purposes; to the Committee on Public Works.

EXTENSION OF MOTORBOAT ACT OF 1940 TO CERTAIN U.S. POSSESSIONS

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to extend the application of the Motorboat Act of 1940 to certain possessions of the United States. I ask unanimous consent that a letter from the Secretary of the Treasury requesting the proposed legislation be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 1712) to extend the application of the Motorboat Act of 1940 to certain possessions of the United States, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The letter presented by Mr. MAGNUSON is as follows:

OFFICE OF THE SECRETARY
OF THE TREASURY,
Washington, April 7, 1959.

THE PRESIDENT OF THE SENATE.

SIR: There is transmitted herewith a draft of a proposed bill "To extend the application of the Motorboat Act of 1940 to certain possessions of the United States."

The purpose of this proposal is to reinstate the applicability of the Motorboat Act of 1940 to certain possessions of the United States, viz, Guam, Virgin Islands, and the Commonwealth of Puerto Rico.

The Motorboat Act of 1940, prior to its amendment by section 6 of the Federal Boating Act of 1958, Public Law 85–911, approved September 2, 1958, was applicable to the Virgin Islands, Guam, and the Commonwealth of Puerto Rico. It is considered essential in the promotion of boating safety in these areas that former conditions be restored.

Motorboats and small motor vessels operating in these areas must now comply with the navigation lights requirements of the International Rules of the Road rather than those prescribed in the Motorboat Act of 1940. This change is confusing and unwarranted. Motorboats operating in these areas need no longer carry a life preserver or other approved lifesaving device for each person on board. This is a regression in the progress made in promotion of safety on the waterways of these areas. It is considered of paramount importance that operators of motorboats carrying passengers for hire in these areas continue to be licensed by the Coast Guard. The carriage of fire prevention and fire extinguishing appliances on board motorboats in these areas should also be continued. The absence of safety legislation applicable to motorboats in these areas will be marked with tragedies unless remedial measures as proposed are quickly taken.

It would be appreciated if you would lay the proposed bill before the Senate. A similar proposed bill has been transmitted to the Speaker of the House of Representatives.

The Department has been advised by the Bureau of the Budget that there is no objection to the submission of this proposed legislation to the Congress.

Very truly yours,

A. GILMORE FLUES,
Acting Secretary of the Treasury.

RELIEF OF CERTAIN ALIENS—AMENDMENT

Mr. CHURCH submitted an amendment, intended to be proposed by him, to the bill (S. 1033) for the relief of certain aliens, which was referred to the Committee on the Judiciary, and ordered to be printed.

ADDITIONAL TIME WITHIN WHICH CERTAIN STATE AGREEMENTS UNDER SECTION 218 OF THE SOCIAL SECURITY ACT MAY BE MODIFIED—AMENDMENTS

Mr. YOUNG of North Dakota submitted amendments, intended to be proposed by him, to the bill (H.R. 213) to provide additional time within which

certain State agreements under section 218 of the Social Security Act may be modified to secure coverage for nonprofessional school district employees, which were ordered to lie on the table and to be printed.

NOMINATION OF MRS. CLARE BOOTHE LUCE TO BE UNITED STATES AMBASSADOR TO BRAZIL

Mr. DIRKSEN. Mr. President, I believe that with propriety, under the rule, I dare allude to the following:

Yesterday there was a meeting of the Foreign Relations Committee, at which time the committee took testimony on the question of the confirmation of the nomination of Clare Boothe Luce to be our Ambassador to Brazil. There seems to have been a rather lively interchange between some of the members of the committee and the nominee. For instance, I notice from the newspapers that there was reference to a speech made by Mrs. Luce in 1952; and it is alleged that in that speech she said:

> For 20 years mortal enemies of our country have been thriving in the organism of the Democratic Party.

Mr. President, I do not believe that sort of thing has any bearing upon Mrs. Luce's competency to be our Ambassador. I do not believe it has any bearing upon her qualifications. There was no impeachment of her service as our Ambassador to Italy. Of course, the statement quoted in the newspapers was actually a political statement in a campaign year.

I would not care to be called to account for some of the things I have said in campaign years. [Laughter.] I recall that when the "Court-packing" bill was before the Senate, at which time I was a Member of the House of Representatives, of course I had no opportunity to vote on that bill; but what I may have said about the President of the United States at that time would go infinitely farther than the imaginative mind of Mrs. Luce could ever have conjured up.

I would not like to be called to account for some of the things I said as a minority Member for 14 years under Democratic administrations, when I assailed "spender-mania" and "squandermania," and when I assailed the New Deal in all its facets, including the reformation and relief and recovery programs.

I would not like to be called to account on a highly sensitive basis for what I had to say about the distinguished "President of Independence" at the time of the seizure of the steel industry. At that time I could scarcely find words in my limited lexicon to pour boiling oil upon him; and if the words I did use were read out of context, I am sure they would sound rather brutal.

Mr. GOLDWATER. Mr. President, will the Senator from Illinois yield to me?

Mr. DIRKSEN. I yield to my distinguished friend.

Mr. GOLDWATER. I am glad my distinguished colleage, the Senator from Illinois, is speaking on this matter, because I, myself, intend to make a few remarks on it; and at this time I am glad to add to what my colleague has said.

One of the Senators who engaged in the interrogation of Mrs. Luce on yesterday was the senior Senator from Oregon [Mr. MORSE]; and if my memory serves me correctly—although it does not have to in this case, because I have before me his printed words, as they were published in the Des Moines Register on January 13, 1946—at one time he said:

> Liberalism is dead in the Democratic Party, and that party has reverted to its traditional role of placing political privilege and corrupt machine politics, a la the Missouri gang, above the general welfare of our people.

I have read the interrogations, as reported in the newspapers, and I do not believe that anything Mrs. Luce is reported to have said can compare in violence with the statement made by the senior Senator from Oregon which I have just quoted.

In fact, if I may refresh the Senator's memory the senior Senator from Oregon [Mr. MORSE] was quoted in the Denver Post of October 30, 1948, as having said:

> World peace is threatened today because two American Presidents—Franklin D. Roosevelt and Harry Truman—circumvented the regular treaty process at Yalta and Potsdam.

I think that is a rather harsh indictment of the President of the United States. I do not think that is any less harsh than saying a President "lied us into war."

I merely wanted to refresh the Senator's memory as to the inconsistency of some of the interrogators, based on the instances I have cited.

Mr. DIRKSEN. As I think of some of the campaign statements I have made—and I think I stand by every one of them, Mr. President—in those days, when in a campaign, we rang all the alliterative changes on "communism and corruption," our statements were pretty tart and pretty testy.

I would say to my distinguished and beloved friend whose desk is across the aisle from mine, and who has a great capacity for bold phrases and a great command of etymology, that he uses phrases which, I should say, develop a million pounds of clout—or, in the jet age, I believe the word "thrust" is used—as, for instance, in the speech he made in Phoenix. That led me to make some remarks on the question of vetoes on the floor. But I know that represented a deep conviction on his part.

I think of some of the statements made about the capacity of our beloved President in the economic and monetary field, such as observations made by our delightful colleague, the Senator from Oklahoma [Mr. KERR]; and I think about the interchanges we have here on budget matters.

I think about all the very sharp and testy observations made by the very distinguished—and, if I did not love him so much, I would say unregenerate—Senator from Missouri [Mr. SYMINGTON], who constantly takes us to task on the question of preparedness, missiles, and all that sort of thing.

So the questioning in the committee to which I have just referred amounts merely to raising a political question which does not go at all to competency or to qualifications. Therefore, I felt the necessity of remarking on that fact, because these matters appear on the front pages of newspapers in other countries besides our own. They could very easily be misinterpreted in Brazil.

Therefore I wished to add my word or two here, in order to make sure, if that can be done, that no misimpressions are carried abroad as a result of the questions which were raised in the committee by the distinguished Senator from Oregon [Mr. MORSE], which were entirely, it seems, in a political vein. I am sorry he is not here, because he has always done me the honor of telling me if he is going to use my name, slightly and affectionately, in vain on the Senate floor.

I am glad that there is only a very, very modest minority that quite follows the judgment of the distinguished Senator from Oregon.

Mr. GOLDWATER. Mr. President, yesterday one of America's most distinguished ladies, Mrs. Clare Boothe Luce, appeared before the Foreign Relations Committee of the Senate to be examined as to her qualifications to be Ambassador to Brazil. The questioning as reported in the Washington Post was, to me, more in the nature of a political field day than it was in the nature of determining this lady's qualifications. I am surprised that people in politics would refer to political speeches of yesterday, or long ago, in an effort to determine a person's ability. For instance, the senior Senator from Oregon [Mr. MORSE] was reported as being critical of a remark Mrs. Luce made to the effect that, "President Roosevelt was the only President that lied us into war." I can remember in the campaign of 1940 that there were references by the candidate, Franklin D. Roosevelt, that American boys would never be sent overseas; and yet, within a few months after the election, American boys were being sent overseas and we were at war. I have heard many politicians and many private citizens accuse President Roosevelt of not having been truthful to the American people in this instance; but for the life of me, I cannot see where this has any bearing on the ability of Mrs. Luce.

If I recall correctly, the senior Senator from Oregon has made many references to the President of the United States, Dwight Eisenhower, that could not be termed complimentary, and certainly, the junior Senator from Arkansas [Mr. FULBRIGHT], the chairman of the Committee on Foreign Relations, has often been critical of the administration; but I call that politics. For an example, the senior Senator from Oregon signed a "declaration of conscience," June 1, 1950, which said in part:

> The Democrat administration has initially created the confusion by its lack of effective leadership—by its complacency to the threat of communism here at home.

The question at point is not that Mrs. Luce engaged in politics during her career, but, Is she qualified to be the Ambassador to Brazil? I have lived all my life on the border of Mexico, and I have traveled extensively in Mexico and other Latin countries, and I think I have an

understanding of what the people of those nations seek in the Americans who not only visit them, but who are sent to represent the United States in an official way. Mrs. Luce has these qualities to an outstanding degree. Her services as Ambassador to Italy have never been criticized, to my knowledge. On the other hand, I have heard nothing but high praise from friends in Italy for the way in which she conducted that office. Mrs. Luce is taking this appointment seriously. She is learning the language of the country. She is learning the customs. She will go to Brazil completely equipped to step into this position and do for this country an outstanding job in representing us and bringing our two countries closer together.

Life presents many peculiar and difficult to understand situations, and, certainly, when the senior Senator from Oregon and the junior Senator from Arkansas, who were leaders in the fight against the late Senator McCarthy, engage in what I believe to be the same tactics they accused Senator McCarthy of using, we find a most incongruous picture.

I hope that the Foreign Relations Committee, in its next meeting with Mrs. Luce, will conduct questioning as to her ability, and not as to her activities as a politician, for if she is to be judged by political remarks, then all of us in politics are open to criticism, because none of us has been pure in our references to opposition parties or candidates during periods of election.

Mr. President——

The PRESIDING OFFICER. The Senator from Arizona.

LEGISLATION IN THE LABOR-MANAGEMENT FIELD

Mr. GOLDWATER. Mr. President, with the Kennedy labor bill reported to the Senate by the committee and the majority report and minority views filed, it now becomes our duty to consider this bill, S. 1555, on its merits as a reform measure in the labor-management field.

The weaknesses and inadequacies of this bill are apparent to the public, have long been apparent to colleagues who recognize the need for truly effective legislation, and now are evidently apparent to its own proponents. This revelation came about as the majority faction of the Labor and Public Welfare Committee decided the no-man's land provision did not meet their own requirements, and they proposed striking that provision from the bill. Sponsors were willing even to report a bill with a void in this area, with the agreement they would accept without reservation the recommendation of the 12-man labor committee panel of experts if this recommendation were made unanimously.

Just yesterday in executive session it was decided that the provisions relating to no-man's land, which would require each State to set up subservient arms of the NLRB which would take their instructions from Washington, really did not solve the problem. But, rather, it would nearly double the present 2-year lag in processing cases before the National Labor Relations Board. When we consider the turmoil caused in a business which has a case before the Board, this provision is certain to increase the number of business failures, and hence increase the unemployment rolls.

In view of this, the committee agreed they would be willing to strike this no-man's land provision should the panel of experts be able to offer any kind of an acceptable substitute next week. In such a rush were they to report some kind of labor bill, regardless of its effectiveness, that they were willing to report a bill void in this important respect in the hope that the panel later would magically produce the wanted solution.

We of the minority have watched the evolution of this bill, and this is just one more example of the slipshod legislative technique and shoddy draftsmanship which characterize this bill.

If there is any doubt about how the public feels about this bill, here is an excerpt from an editorial in the High Bridge, N.J., Gazette, printed on March 5 of this year:

> A vote for the Kennedy bill is an easy out for the nervous lawmaker who, for a number of reasons, may prefer not to irritate the labor bosses, and whose constituents are uninformed or indifferent or both. He can then please the labor barons and pose at the same time as a champion of labor union reform. On the other hand, the conscientious Congressman who realizes what a phony bill this is must be a very brave man to vote against it when there is no hint of support or appreciation from the homefolks. Useful as this bill could be to the union hierarchy—whose "fat cats" will bring every pressure to bear for its passage—it is a disservice to the rank and file union member and an insult to the public at large.

On previous occasions the gimmicks of this bill have been cited. These gimmicks are intended to give the bill a facade of effectiveness, an appearance of dealing with abuses in the labor-management field, and of placing in the hands of union members the rightful control of their organizations. But the bill does nothing of the kind, as has been shown time and again, because of the shallowness and deceptiveness of its language.

To legislate effectively a true labor reform bill, we must first eliminate these gimmicks and write into the bill provisions which truly give the union member protection of his rights as a citizen.

This is only one step toward giving the public the type of legislation they demand.

Second, we must drop the Taft-Hartley amendments which are irrelevant to corruption and racketeering. Amendments to correct these abuses are the substance of a bill which is to be titled a labor-reform bill. Revisions in other areas of the Taft-Hartley law ought rightly to be left to the 12-man panel of labor law experts appointed by the Labor Committee specifically to study this problem.

The final step is the adoption of amendments to correct six glaring loopholes in the Kennedy bill.

They are:

First. Impose fiduciary obligations, enforcible by union members, on the officials of labor unions.

Second. Impose the effective sanctions of denial of tax immunity and of access to the National Labor Relations Board, the National Mediation Board, and so forth, to unions which violate the bill's provisions.

Third. Solve the problems arising out of the no-man's land by permitting the States to exercise jurisdiction in those classes of labor cases which the Federal Labor Board refuses to entertain.

Fourth. Limit organizational and recognition picketing by unions which clearly do not represent a majority of the employees of the picketed employer.

Fifth. Close the loopholes in the present law dealing with secondary boycotts.

Sixth. Limit effectively political expenditures and contributions by labor unions.

It is clear that what is needed, and what the public is insistently demanding, is Federal legislation designed both to assure some minimum measure of internal union democracy and effectively to curb corruption and racketeering which the McClellan committee revealed.

It now becomes our task to piece together effective legislation, salvaging a bill rushed to the Senate in a state of complete unreadiness, and transfusing into it the strength and fiber which its sponsors adamantly refused to accept.

I ask unanimous consent that a number of quotations from editorials across the Nation be printed in the RECORD at this point in my remarks.

There being no objection, the extracts were ordered to be printed in the RECORD, as follows:

EDITORIAL COMMENTS FROM LEADING NEWSPAPERS CONCERNING LABOR REFORM LEGISLATION

Springfield (Mass.) Republican: "There are things in the administration bill which are stronger than any KENNEDY has yet suggested and which are needed."

Tulsa Tribune: "There will be several labor-management reform bills introduced at this session. The first of these is already in. It is Senator KENNEDY's weak-kneed measure. He omitted entirely reference to secondary boycotts, blackmail picketing, Federal Trade Commission regulation of union restraints or the endowment of the Secretary of Labor with power to investigate racketeering cases.

"President Eisenhower's program does not dodge these paramount issues. He proposes bluntly to 'give the Secretary of Labor power to police union fund accounting and require democratic procedure in union operation'; to 'tighten present secondary boycott bans of the Taft-Hartley Act so as to prohibit coercion of employers as well as employees'; to 'prohibit picketing to give a union bargaining rights in cases where employees have indicated they don't want a union.'"

Milwaukee Journal: "The President's 20-point program is remarkable for its restraint.

"But Kennedy needs to be held to his pledge that a second measure incorporating Taft-Hartley changes will be forthcoming. And at minimum, this bill should include the Eisenhower restrictions on picketing, secondary boycotts, and broader powers to the States."

St. Louis Post Dispatch: "The public interest in this affair is an effective but moderate and nonpunitive labor law which includes reasonable restraints on picketing and secondary boycotts as well as rules for funds reporting and union democracy. The

administration bill meets that requirement; the Kennedy bill does not."

Pueblo (Colo.) Chieftain: "Instead of the provision which establishes a new unfair labor practice, which is picketing for the purpose of 'the personal profit or enrichment of any individual by taking or obtaining any money or other thing of value from such employer against his will or with his consent,' the Bureau believes that it is a much broader issue which should prohibit picketing of an employer, whose employees do not wish to join a union, which is commonly disruptive to the business of the employer, but under such pressure forces the employer to give in and sign up whether most of his employees want to or not.

"The Bureau contends that this is compulsion by a minority, or by complete strangers, and not legitimate collective bargaining."

Oakland Tribune:

"Secretary Mitchell has no objection to the two-package approach, as long as one of the packages contains provisions that outlaw secondary boycotts and blackmail picketing, and that there is assurance they will not be sidetracked.

" 'We must demand,' he declared, 'that despite obstacles put in the way by special groups, this session of Congress enact the laws that America needs.'

"It is not an impossible demand. In truth, it is sensible, and is one that must be met. If the contemporary Democratic leadership for any reason fails or refuses to enact such laws, then the American public will have been deprived of protection that it needs and which a big portion wants."

Wall Street Journal:

"The administration submitted a fairly comprehensive bill designed to protect union members from abuse by their own leadership and to protect the public from certain union abuses. It is a much stronger bill than that offered by Democratic Senator KENNEDY.

"The administration's proposals for dealing with abuses such as secondary boycotts and blackmail picketing are necessary not only in themselves. They are also necessary as grim reminders to Congress and the people that the larger problem of union power must be tackled at its sources, including the unions' immunity from laws applied to all other citizens."

Syracuse Herald-Journal:

"His [President Eisenhower's] new labor bill would tighten restraints, for example, on secondary boycotts and blackmail picketing.

"We agree with Secretary of Labor Mitchell. These are cardinal provisions.

"Neither is in the labor-management reform bill introduced January 20 by Senator JOHN F. KENNEDY."

St. Paul Pioneer Press: "President Eisenhower's proposals for new labor legislation are moderate, constructive and not of a punitive nature. His program is mainly intended to protect honest unionism and the public against corruption and racketeering. He also proposes reasonable regulation of secondary boycotts and so-called blackmail picketing."

Wilmington News:

"On the whole, however, the proposals [the administration's] should have considerable appeal to both labor and management.

"This is true because the President has addressed himself primarily to correcting evils and improper practices that should be ended for the good of all concerned. Employers have much to gain if they can deal with honest unions and honest labor leaders—and the unions themselves, officials and members both, have much to gain from the house-cleaning that these reforms would bring about.

"To our mind, the President should be given credit for addressing himself to the main problem confronting the Congress now and coming forward with a program that would have a chance of enactment. Certainly it would, if enacted, go a long way to 'assure the American public that true, responsible collective bargaining can be carried on with full protection to the rights and freedoms of workers, and adequate guarantees of the public interest.' "

Kansas City (Mo.) Star:

"Yet as the administration's labor program emphasizes, there is much more to be done. Particularly has Secretary Mitchell emphasized the practices of the secondary boycott and organizational picketing.

"The administration's one-package labor proposal is a comprehensive plan that would give the Nation the fair and workable labor code it has never had.

"Secretary Mitchell has given no ground in his demand for tight regulation of secondary boycotts and organizational picketing * * *. We see nothing punitive in the amendments but, rather, they recognize the obligations of any segment of the economy, be it labor, business or what have you.

"But we detect a growing demand for public protection. It will have to come eventually. Those who ignore the public interest now, will have to accept responsibility for the failure."

San Francisco Examiner:

"Of the two, the administration bill is preferable.

"The administration bill thus deals with abuses disclosed by the McClellan committee's investigation of labor racketeering.

"In addition, it seeks to improve the legal processes for preventing or adjusting labor disputes.

"It would do all that the Kennedy bill purports to do, and some things besides which the Kennedy bill omits.

"In our opinion, the administration bill is an earnest effort to protect the interests of labor, management, and the public. If it has flaws, let them be developed in honest debate."

Hartford Courant: "There is no doubt that the Eisenhower 20-item program is more comprehensive than that submitted by Mr. KENNEDY."

Beaumont (Tex.) Enterprise: "When one considers the vast and growing power of labor unions and the dagger which that power holds at the economic heart of the Nation when unscrupulous men are in control, he must conclude that Mr. Eisenhower's program is moderate and full reasonable.

"With dangerous characters like James R. Hoffa on the loose, one wonders why the Chief Executive's proposals were not even stronger."

Portland Oregonian: "An amendment (in the administration bill) to the secondary boycott provisions would protect employers and employees not directly involved in a labor dispute. But it would clarify the right of a union to picket farmed out work of struck employers and permit secondary picketing of employees engaged in work at a common construction site with the primary employer, under certain circumstances.

"A second proposal * * * is to prohibit picketing for organizational purposes of an employer who has recognized another union in accordance with law, or where a representation election has been held within the past 12 months, or where 'it cannot be demonstrated that there is a sufficient showing of interest on the part of the employees.'

"The use of pickets for the purposes of union organization where no legitimate labor dispute exists cannot be justified. Similarly, the extension of secondary activities againsst employers and their workers should be clearly banned and the present evastion of the law eliminated."

Plainfield (N.J.) Courier-News: "The Kennedy bills skip over the matter of union secondary boycotts against third-party employers as well as prohibiting picketing where employees have indicated they do not want a union.

"Democrats and Republicans agree that some action should be taken by Congress in an attempt to take the rackets out of the unions.

"The President's message was designed to curb such abuse.

"When, and if, Democratic Members of Congress are faced with a decision on the questions of secondary boycotts and picketing to force union affiliation they should keep one thing in mind. Some of the Democrats in Congress may owe their election in part to union support, but they were elected to represent all of the people."

Springfield (Ohio) News: "Mr. Eisenhower has presented a package that includes other needed changes in the Taft-Hartley law. Most of these proposals should be enacted, too.

"Most important among them are provisions to outlaw organizational picketing and secondary boycotts, and to protect the integrity of long-term contracts that do not carry reopening clauses. Amendments wanted by labor and recognized as fair by the late Senator Robert A. Taft have to do with the non-Communist oath and eligibility of strikers to vote in representation elections."

East Liverpool (Ohio) Review: "The President's recommendations, if adopted outright, would take unionism off the defensive in the United States and give it the status its most farsighted leaders have sought for it—the status it can never enjoy as long as some elements in unionism are admittedly and brazenly dishonest and corrupt."

Rockford Register-Republic: "Labor-reform proposals submitted by President Eisenhower to Congress Wednesday are much more complete and would be far more effective than the piecemeal bill thrown into the hopper last week by Senator JOHN KENNEDY, the Massachusetts Democratic presidential hopeful.

"The real objective of the President's labor proposals is to put a halt to improper practices without imposing arbitrary restrictions or punitive measures on legitimate activities of honest labor and management officials. Mr. Eisenhower's broad program gets to the core of many of the illegal and strong-arm practices of unscrupulous labor leaders.

"Mr. Eisenhower includes some of labor's requests in his proposals.

"In the main, adoption of the President's recommendations would be a long step toward ending the abuses of power and the improper practices which the public demands be outlawed."

Philadelphia Inquirer: "Sincere friends of labor, Democrats as well as Republicans, have spoken out strongly against both secondary boycotts and blackmail picketing. We believe Senator KENNEDY, in Wednesday's committee session, offered no valuable reasons why his bill should not cover this ground.

"Reform legislation should avoid any undue restrictions upon labor and its essential rights. But the need for real, permanent reforms should not be shrugged aside. The administration labor bill faces up squarely to the task of dealing with blackmail picketing and secondary boycotts. The Kennedy bill does not."

Rock Island Argus: "The Eisenhower administration's labor bill is a considerable improvement over the Kennedy bill, formerly known as the Kennedy-Ives bill.

"It goes further in cracking down on union corruption. It sets up no new restrictions on management in regard to spending for employee relations. Its provisions regarding the Taft-Hartley Act are more realistic.

"It would impose tighter restrictions on secondary boycotts—an issue that the Kennedy bill completely overlooks—and bar organizational picketing where employers have rejected a union."

Wilkes-Barre Record: "Eisenhower presents his program as a complete approach to curbing labor-management abuses, including picketing-boycott provisions."

Pittsburgh Post-Gazette: "But there are important dissimilarities. The administration bill provides stiffer penalties. Under it, for example, employers and unions who violate its terms can lose access to the National Labor Relations Board, and a recalcitrant union can lose its privilege of tax exemption. The administration bill, unlike Senator KENNEDY'S, would considerably strengthen the curb on secondary boycotts—on those activities whereby a union in conflict with one employer puts the pressure on other employers who do business with him. And the administration bill would deal far more extensively than Senator KENNEDY'S with so-called blackmail picketing—as, for example, when a union tries to force an employer to recognize it as bargaining agent although another union already holds that right lawfully. Senator KENNEDY would ban such picketing only where the object is to extort money from the employer."

Lancaster (Pa.) New Era: "Both deal with racketeering labor leaders; the Jimmy Hoffas, Dave Becks, and Johnny Dios. The Kennedy bill, for all practical purposes, stops there. The Eisenhower measure goes further. It would deal with such matters as secondary boycotts, blackmail picketing, etc.

"On this point, Senator KENNEDY says 'broad Taft-Hartley revisions * * * should definitely be considered by the Congress this year, and I can definitely assure the Senate that a second labor bill will be reported to the floor this year.'

"Well, if the Senator really means that, why not have him accept the President's proposal, merge them with his own and enact them? As a matter of fact, the administration measure is remarkable for its restraints."

Port Huron (Mich.) Times-Herald: "To the extent that it gets to the heart of the obnoxious union practices and would focus publicity and governmental scrutiny on records, President Eisenhower's labor reform bill demands the attention and support of every Member of Congress.

"Because it demands amendment of the Taft-Hartley law to impose tighter curbs on secondary boycotts and outlawing coercive picketing, the administration measure would provide the best answer so far to the unethical practices of some labor unions.

"We can see no justice in continuing a practice which permits picketing to compel an employer to give union bargaining rights in cases where employees have indicated they don't want a union—that's un-American."

Burlington (Vt.) Free Press: "Senator KENNEDY, of Massachusetts, has dropped the pale Kennedy-Ives labor bill in the hopper again, with a few changes.

"KENNEDY leaves out two vital measures which the Eisenhower administration considers vital to labor reform. It does not outlaw the secondary boycott and blackmail picketing.

"KENNEDY defends his weak bill by saying it deals with racketeering only, using provisions on which everyone can agree, and leaves 'problems of collective bargaining and economic power' for separate consideration."

St. Louis Globe-Democrat:

"Of the two labor law proposals now before Congress, that of President Eisenhower is manifestly better for the Nation's welfare.

"Mr. Eisenhower's plan includes virtually all the corrections envisaged by Senator KENNEDY'S bill against internal union corruption, bribery, and racketeering. And it goes much further.

"The Ike measure also would prohibit secondary boycotts and outlaw blackmail picketing designed to force an employer to deal with a union representing a minority of his employees—or perhaps no employees at all.

"The secondary boycott should have been barred years ago.

"The Eisenhower proposals are far from harsh to labor, much less rigid than demands made by some of the more conservative members of his party.

"Should any labor measure by adopted by this Congress, in event of a radical upset in present outlook, it certainly should be the President's bill. The Kennedy plan would be the mildest of palliatives, more a pandering to labor than a reform to labor law."

Rockford Register-Republican:

"This form of coercive, or racket, picketing has been used to force owners of numerous small businesses to sign contracts with unions when employees showed an interest in being represented by the unions; in some cases, employers who refused to be intimated have been subjected to violence.

"Secretary Mitchell spoke for the administration in calling for an effective labor law this year. Without curbs on secondary boycotts and coercive picketing, a labor bill would not get to the core of the problem. It would be only half a loaf."

Dallas News:

"The Kennedy bill contains more whitewash than cure.

"Recommendations in the President's labor message to Congress go much further. In addition to requiring union funds to be properly recorded and publicized as the Kennedy bill would do, the administration would restrain blackmail picketing and tighten down on the secondary boycott.

"The worst result might be that enactment of the Kennedy measure might deceive the public into thinking that labor abuses had been ended and that the issue could safely be forgotten. The big need is to arouse voters to demand a racket curb with teeth."

Lima (Ohio) News:

"Both have something to say on shakedown and coercive picketing.

"But here it seems probable the administration measure will be stricter and more specific. Also that it will supply much-needed definitions and prohibitions on secondary boycotts."

Wichita Falls (Tex.) Times:

"The Kennedy bill, however, still lacks teeth.

"Witnesses who have appeared before the Senate Labor Subcommittee on the Kennedy bill have voiced two major objections. Its provisions do not adequately protect the right of individual union members to have a say in union affairs, which hints that it still won't hit such targets as the Teamster's Hoffa, and it does not stop practices which have enabled corrupt union leaders to get and retain their positions of dominance—organizational picketing and secondary boycotts.

"At this point, the Kennedy bill seems premature and at best only a start, not the finished product, toward the labor reforms which the findings of the McClellan committee have made urgent."

Washington (Pa.) Observer: "But when union processes, such as picketing and jurisdictional boycotts, are used to throttle business enterprises which are not involved in existing labor disputes, certainly unions are going too far."

Columbus Dispatch: "If the final choice is between the administration and the Kennedy measures—and this would seem to be the case—the administration proposal is much more specific and much fairer to the public at large."

Utica Observer-Dispatch:

"Monitor Smith compared the Kennedy bill to a teapot with a hole in it. It looks attractive but it won't work.

"He said he found rank and file teamsters agreed with him that the Democratic bill fails to take care of the question of reprisals and it permits corrupt labor union leaders to use the most effective weapon they have for corruption and coercion * * *, the recognition of organizational picket lines."

Hudson (Mass.) Sun (under byline of Columnist Ralph Robey): "The administration bill is both a better and a stronger measure. In general it also prohibits wrongdoing within unions, but it goes farther. It also provides controls over secondary boycotts and coercive picketing."

San Diego Union:

"If we are to have labor legislation worthy of the name, the rights of the worker must be protected. He cannot be permitted to be used as an instrument for entrenching and expanding the power of a corrupt labor boss. The secondary boycott and blackmail picketing can be used to force the worker to be an unwilling accessory to extortion.

"The Eisenhower administration has shaped its labor bill to meet these evils. But Senator JOHN F. KENNEDY, Democrat, of Massachusetts, has ignored them in his proposed legislation. Senator KENNEDY'S thesis is that a bill protecting union democracy and touching on procedural reforms within the unions is enough.

"But corruption is much more than an internal affair. It affects the national interest. It will do no good to disclose the symptoms of corruption without striking against the basic causes of it. Secondary boycotts and blackmail picketing have been identified as causes.

"If that is so, they should be eradicated. Organized labor has a responsibility in this, too, and must give its best consideration to the proposed legislation."

Ogden Standard-Examiner: "President Eisenhower demands a ban on blackmail picketing and secondary boycotts in any labor legislation Congress passes. Secretary of Labor James P. Mitchell is backing him up in these demands. They have a tough fight on their hands but they deserve to succeed."

San Diego Tribune:

"The two proposals show their major differences when it comes to outside reforms.

"The administration bill is much broader in this respect. It contains provisions against secondary boycotts and blackmail picketing.

"The Kennedy bill does not touch these problems. The Senator maintains that amendments to the Taft-Hartley Act—the place to get at such matters as picketing and boycotts—ought to be placed in a separate labor reform bill.

"But these are the very abuses about which the public has been aroused by disclosures of the McClellan committee.

"Do-nothing or half measures simply won't do in 1959."

Pensacola Journal:

"It will be remembered that a second labor bill never got through the last session and Secretary Mitchell, therefore, is wise in urging that the pressure be kept on the Democrats not to forget the whole package.

"The public is fed up with many of labor's practices and the Democrats will lose rather than gain support if they fail this time to put through adequate controlling legislation, especially as they have plenty of votes to do so."

Peoria Journal Star:

"The milksop Kennedy-Ervin labor bill sailed through the Senate labor subcommittee yesterday without the prohibitions of blackmail picketing and secondary boycotts which are necessary to any effective labor legislation.

"It will not be satisfactory to the country, nor will it be of any effect in curbing labor abuses, unless the amendments voted down by the subcommittee are added to the bill before it receives final Senate action."

Knoxville Journal:

"As has been pointed out here, even when finally enacted the Kennedy bill will achieve

nothing so far as the public is concerned. The bill has been presented to the country as one which is supposed to protect the money of the union member as well as other rights of the country as a whole.

"The worst thing about it—and undoubtedly this represented KENNEDY's real purpose in offering it—is that its enactment will effectively block all attempts to pass a bill which would really meet the requirements of the country in respect to placing a curb of some kind on union bosses' power. The majority in Congress will take the position that a reform bill has already been placed on the books and no additional legislation is therefore needed."

Bristol (Conn.) Press:

"Secretary of Labor James P. Mitchell has long been on record against any legislation which could be described as punitive toward labor. His record with reputable labor leaders has been a good one.

"Under the circumstances, it might be reasoned that when the Secretary speaks of the type of legislation needed to correct labor abuses that labor leaders might be inclined to side with them convinced that he really has their interests at heart.

"Mitchell is convinced that the Congress must act into law the most just proposals now being considered and he further considers the administration bill as the best that has been offered.

"He has told the Congress that Senators LYNDON JOHNSON and JOHN F. KENNEDY have the votes to do as they wish. No half measures will suffice. Despite obstacles which will be posed by special interests, it is up to Congress to pass the type of legislation that America needs."

Greenville (S.C.) News:

"The administration's offer to accept a two package labor bill this year puts Congress right where it belongs—on the spot.

"Until Secretary of Labor Mitchell made the offer, there seemed a good chance that Congress would put on a repeat performance of last year's fiasco when no labor bill at all was passed. As a result, even the hoodlums infesting the union business escaped punishment.

"This year Senator KENNEDY has announced he will offer again his mild bill. It is on the side of the angels, carrying the stamp of approval of both the AFL–CIO and the NAM. It is aimed only at the hooligans like Jimmy Hoffa and Johnny Dio and the union treasury robbers like Dave Beck who have disgraced the union movement.

"But Secretary Mitchell and several Senate and House Members promise not to rest on that. They will also back legislation aimed at curing other ills flowing from the abuse of union power."

Akron Beacon-Journal:

"'Whatever the packaging, it's the product that counts.'

"With these words Secretary of Labor James P. Mitchell made it clear that the administration won't argue as to whether Congress writes labor legislation in one bill or in two.

"This puts responsibility squarely on the Democratic leadership. There can be no excuse for failing to pass antiracket legislation, which is supposedly favored by almost everyone but which got shunted aside at the last session."

[From the Savannah Morning News, Mar. 27, 1959]

FREE UNION MEMBERS FROM BONDAGE

There's an old joke about the Boy Scout who was asked by his Scoutmaster, "What did you do as your good turn today?"

"I helped an old lady across the street," replied the lad.

"Good for you," said the Scoutmaster.

"Yeah," said the boy. "I had a hard time doing it, too. You see, she didn't want to cross the street."

The story points up the core of the issue involved in labor reform legislation now pending before Congress. Many labor bosses, in the name of doing a good turn, force "help" upon a person who didn't ask for help and compel him to do something he didn't want to do in the first place.

Free workers have every right to organize voluntarily. But no one has the right to force them to organize involuntarily.

While the issue is clouded in many thousands of words, basically it is a question of free voluntary unionism versus slave involuntary unionism.

The Democratic-sponsored Kennedy bill (S. 505) confines its reforms principally to better measures for putting certain crooked labor bosses in jail. It would, however, leave the door wide open for continued coercion in the name of labor. It would, in effect, permit the Boy Scout to qualify for his good turn by dragging the old lady across the street by her gray hair if she refused to come along nicely.

The administration-backed Goldwater bill (S. 748) also provides for better methods of putting the crooks in jail, and it does a more thorough job in this respect than the Kennedy measure. But on the matter of coercion, it provides that the wishes of the old lady be taken into consideration before any good turn is chalked up for the day.

Every evil, every form of labor corruption that has been brought to light by the McClellan committee, may be traced to the source of involuntary unionism. Whether they involved payoffs for insurance, mismanagement of pension funds, bribery for soft contracts, shakedowns of legitimate business for protection, stealing in the form of loans that are never repaid, or any other form of corruption, in every case it was the result of machinations of union bosses individually. In no instance did labor itself—that is the union members—vote to permit these crimes in their name.

The reason is simple—their union membership had little meaning and therefore it engendered little responsibility. Many members never joined, they were signed up when they applied for work. They had about as much say-so about it as about their withholding tax. Often they had less, for Government elections guarantee the right to vote whether your dues are paid or not, and they are held more frequently than some union elections.

A case this week in Miami, Fla., involving the Teamsters, Jimmy Hoffa's notorious racket, is an example. The union bosses sought to bring pressure on an employer by exploiting racial tension—the workers themselves didn't even know what was going on. Had the workers wanted to joint the Teamsters, they could have done so very easily, and they could strike if necessary for concessions from employers. But that isn't the way such unions are run. The union boss deals directly with the employer—the workers are just pawns. If the employer yields, the men don't join, they are signed up whether they want to or not, or fired, and the union begins extracting tribute. Those who protest are advised to make sure their accident insurance is paid up.

Other unions which wear the mantle of respectability are just as guilty. When loopholes in the law permit the bosses to enjoy a guaranteed dues-paying membership, there is no incentive for responsibility to the members. After all—they can't get disgusted and quit, not if they want to eat.

The way to have responsible unions is to make them responsible—to their own members, by emancipating these members from all forms of compulsion. The union bosses are spending millions to defeat legislation that would free their own members from bondage.

Let every provision of the opposing labor reform bills be examined in the light of whether it will increase the influence of union members or union bosses. And let's have the courage to resolve every case in favor of union members.

[From the Palm Beach Post-Times, Apr. 5, 1959]

MAJORITY PARTY

The "majority party" in the United States today is Walter Reuther's COPE—organized labor's Committee on Political Education.

That was the flat statement of U.S. Senator KARL E. MUNDT Republican of South Dakota, before a meeting of the Executives Club of the Palm Beaches here last week. In support of his contention he declared that COPE has more political workers, more publications, and more campaign funds than the other parties combined. And more Members of Congress, he said, are beholden to COPE than to either the Democrats or the Republicans.

Assuming that this is true—and we have no reason to doubt it—whither are we heading?

The present direction, at least, is obviously toward the Socialist-Labor government about which Donald R. Richberg warns in his book on the labor union monopoly. If such an economic dictatorship is achieved, the end is in sight for the constitutional government and constitutional liberties which made America a great Nation.

Already millions of working people are living under a form of dictatorship, imposed on them by a handful of labor bosses who even now are working hard to tighten their grip on their subjects. Their immediate objective toward that end is passage of what purports to be a labor reform bill now before the U.S. Senate—the so-called Kennedy-Ervin bill.

Senator MUNDT termed this a "namby-pamby" piece of legislation which has not a single effective paragraph in it. Ostensibly designed to protect the rights of the individual worker as well as those of the general public, it lacks the basic elements needed to accomplish either objective.

Most glaring deficiencies of the bill are its failure to deal with the two worst racketeering abuses disclosed by the McClellan committee hearings—secondary boycotts and blackmail picketing. It gives the membership no control over strikes, provides no fiduciary relationship between dues-paying members and their fund-handling officials, and ignores the practice of compulsory levies for political purposes.

It does carry a requirement for an honest, secret ballot in electing union officers, but makes no provision for an honest count of the ballots. Neither does it guarantee union members freedom of speech on union matters, equal protection of union rules, the right to a fair trial for alleged infraction of union rules, nor the right to appeal an adverse decision.

It should surprise no one, then, that the Kennedy-Ervin bill has the support of the union bosses. And Senator MUNDT, among others, sees in this fact the measure of the bill's value as a labor reform measure. The big union bosses, need some innocuous piece of legislation which they can sell as a cure for the evils disclosed by the McClellan committee to a public which was aroused, and, for a time at least, was demanding an effective remedy.

Sad to say, even the Florida delegation in Washington has shown a tendency to go along with this legislative farce. When the prototype of the present bill went through the congressional mill last year—the Kennedy-Ives bill—only Representatives HERLONG, HALEY, and CRAMER voted against it. Voting in favor were Senators GEORGE SMATHERS and SPESSARD HOLLAND, and the Representative from our own district, PAUL ROGERS. The bill was defeated in the House, but with the new COPE-stacked Congress,

its successor may be rammed through this year.

If it is, COPE and ADA will have scored a signal victory, and the Democratic and Republican minority parties will have been shoved farther into the background. The powerful labor bosses will have been appeased, political expediency will have been served, and the Reuther forces will have advanced another giant stride toward complete control.

We will let Senator MUNDT ask the pertinent question: "Are we going to face the facts and keep America free—and American?"

NEED OF EXPANDED AIRLINE SERVICE IN KANSAS

Mr. CARLSON. Mr. President, Kansas is greatly in need of expanded airline service. In large areas in my State no present airline service is available. The lack of such service is working to the detriment of many communities in more than half the State.

There is pending before the Civil Aeronautics Board an application for greatly expanded airline service, under docket No. 5482. Extended hearings have been held and I cannot urge too strongly early action on the application.

Yesterday, at Salina, Kans., a meeting was held by representatives from the affected areas, including Great Bend, Hays, Manhattan, Pittsburgh, Goodland, Topeka, Oberlin, Concordia, Beloit, Salina, Emporia, Parsons, Independence, Kansas City, Junction City, and Hill City, who urged immediate action on docket No. 5482.

I ask unanimous consent that the telegram may be made a part of these remarks and printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

SALINA, KANS., *April 16, 1959.*

Hon. FRANK CARLSON,
Senate Office Building,
Washington, D.C.:

The undersigned cities and their respective chambers of commerce meeting in Salina, Kans., this date as Mayors' Committee of the State of Kansas through the auspices and organization of the Kansas State Chamber of Commerce; do hereby jointly and severally protest any further delay or continuance in the Kansas-Oklahoma local service case, docket No. 5482, et al., and respectfully request an early decision therein.

R. E. Morrison, Great Bend; Merle O'Loughlin, Hays; Myron Rooks, Manhattan; James Bevelli, Pittsburg; Selby S. Soward, Goodland; Lawrence R. Smith, Topeka; Marie Engleman, Chairman Joint Cities of Western Kansas—represents 12 western cities; Donald Frederickson, Oberlin; Dean W. Larson, Concordia; Wayne Moran, Beloit; Harold Yeager, Salina; H. E. Hamlin, Emporia; Keeney Charles, Parsons; R. P. Johnson, Independence; Charles F. Arnold, Kansas City; Robert K. Weary, Junction City; Don Fredrickson, Oberlin; Ralph Bethell, Hill City.

FREE WORLD REGRETS DULLES' RESIGNATION

Mr. WILEY. Mr. President, the resignation of Secretary of State John Foster Dulles has sorrowfully stirred the hearts of men, not only in this country, but around the world. At the same time, it has stimulated a reevaluation of his outstanding role as Secretary of State.

The heartfelt regrets expressed by the President, Members of Congress, and other leaders and responsible people in this country and abroad have been multiplied manyfold in other lands. Over all, these illustrate the high esteem and respect which Mr. Dulles' service to his country and to the cause of world peace has engendered in the hearts of mankind.

As could be expected, the single exception is the report of joy in the Communist bloc. However, this too, in its own way, is a tribute to Mr. Dulles' contribution to the cause of peace and freedom—to his stalwart opposition to the efforts of communism to expand its sphere of control and influence.

A major conviction and a realistic one by which Mr. Dulles conducted policies relating to the Communists—which, no doubt, they disliked—was that no agreement with Moscow was worth anything, unless it was self-enforcing.

As we look to the future, we get a better idea of this great man's service to his country if we assess the scope and magnitude of the responsibility which must now fall upon his successor.

Today's newspapers carry tributes to the Secretary's outstanding service to his country, as well as report the sorrow and regret felt around the world at his resignation.

I request unanimous consent to have one such article, by Joseph W. Grigg in today's Washington Post and Times Herald, printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ONLY RED BLOC CHEERED BY NEWS DULLES MUST QUIT STATE DEPARTMENT

(By Joseph W. Grigg)

LONDON, April 15.—America's free world allies expressed shock and sorrow today at the resignation of U.S. Secretary of State John Foster Dulles. The Communist Czech radio applauded the news.

Radio Prague said Dulles' resignation was the "farewell of a typical representative of the outdated and old-fashioned power policy." It was the first comment from behind the Iron Curtain.

Russia's Tass news agency distributed the news of Dulles' resignation without comment. Dulles has been the Kremlin's chief "whipping boy" for years although the campaign of vilification had been somewhat muted since his illness.

UNEXPECTED TRIBUTE

However, an unexpected tribute was paid to Dulles by an unidentified diplomat at the Soviet Embassy in London. "Leaving policies aside, the man's devotion to his principles were indeed admirable," he said.

President Eisenhower's announcement came as a shock, even though it was not unexpected.

This was mixed somewhat with a feeling of relief that the die was finally cast. Some Western officials felt the continued uncertainty about United States policy leadership was a grave weakness for the West.

A saddened Prime Minister Harold Macmillan heard the news a moment before walking with bowed head from his official residence at 10 Downing Street on his way to Parliament.

"This is indeed sad news," he told Commons. "President Eisenhower once referred to Mr. Dulles as a dedicated man. From my long experience of him, I know how true this is."

British Foreign Secretary Selwyn Lloyd expressed "profound regrets at the decision that had to be taken."

French President Charles de Gaulle was meeting with his cabinet in Paris when the news arrived. There was no immediate comment from de Gaulle.

DULLES VIEWED AS SYMBOL

However, Premier Michel Debré, Foreign Secretary Maurice Couve de Murville, and other members of the government lauded Dulles.

"Whatever the differences there has been between the Western Powers, Dulles will remain a symbol because of his courage and fortitude," Debré said.

Couve de Murville said "it is sad news to me, for Mr. Dulles was a personal friend whom I liked and admired very much."

A statement issued by the West German Government at Bonn said Dulles' resignation was a heavy loss not only for the American people but also the whole free world—and especially the German people.

Adenauer, vacationing at Lake Como in Italy, voiced his deepest regrets, according to a spokesman.

German opposition Socialist Deputy Chairman Herbert Wehner expressed sympathy for Dulles in spite of past sharp disagreement with some of his cold war policies.

In London, opposition labor leader Hugh Gaitskell said he sometimes disagreed with Dulles but was sorry to see him resign.

Buckingham Palace said through a spokesman: "Queen Elizabeth will be saddened by the news."

Field Marshal Viscount Montgomery also expressed sorrow and said the West has lost a tower of strength and Britain a great friend.

COMMENT ELSEWHERE

There was this reaction elsewhere:

Rome: Italian Foreign Minister Giuseppe Pella voiced his deep regret.

The Rev. Avery Dulles, a Jesuit in Rome, tonight refused comment.

Vienna: Foreign Minister Leopold Figl said "it is a regrettable fact that Dulles had to decide on his resignation at a time just before important political decisions."

Tokyo: Foreign Minister Aiichiro Fujiyama expressed regret.

The Hague: Netherlands Foreign Minister Joseph M. A. H. Luns said Dulles' resignation is a great loss to the free world.

Barcelona: Turkish Foreign Minister Fatin Rustu Zorlu, visiting Spain, said Dulles "deserves the respect and admiration of all who love liberty." Dulles, he said, "was one of the persons who had contributed the most to the fight for peace."

Ottawa: Prime Minister John Diefenbaker and liberal Opposition Leader Lester B. Pearson expressed regret. Diefenbaker paid tribute to Dulles' dedicated purpose and unchallengeable integrity.

GOVERNMENT RELEASE OF STOCKPILED COPPER

Mr. MANSFIELD. Mr. President, the copper market in London since March 16, only a month ago, has dropped from $0.3240 to $0.2890, a decline in the price of copper of 3½ cents a pound.

On yesterday there was submitted in this body a resolution cosponsored by 20 Senators, asking that the administration not release any of the 128,000 short tons of copper it has in 1 of its 3 stockpiles. In that resolution it is stated:

That it is the sense of the Senate that the best interests of the country, from both

the national security and economic standpoints, will not be served by the release of any part of any governmental inventory of copper at this time, but on the contrary incalculable damage to the national security and the economic well-being of the Nation would result by such action.

Mr. President, for more than 2 years the hard rock mining industry has been in difficult straits. Only in the past 5 or 6 months has there been a comeback of sorts.

This morning I called Mr. Walter Dougherty, the financial secretary of the Butte Miners Union and he informed me that in Butte at the end of March the number of dues-paying miners was 2,376. This is approximately 500 more than the number employed 6 months ago. Mr. Dougherty told me that he did not have the figures of the number of craftsmen working in and around the Butte mines, but it was his understanding that including craftsmen with the miners the total number of those employed was approximately 3,020.

In the southern section of Butte there is a manganese plant but only 3 dues-paying members are working there at the present time, whereas 2 years ago there were in excess of 150 workers.

Mr. President, these facts indicate the difficulty which those of us who come from the hard rock regions confront. Copper, lead, and zinc are the hardest hit of all the metals, and they have been the hardest hit for a long time.

I know the distinguished Presiding Officer of the Senate, our colleague from Utah [Mr. Moss] is well aware of the situation in his own State, as is my colleague the distinguished Senator from Arizona [Mr. GOLDWATER], who had something to say about this matter yesterday.

I should like to point out to the Senate that 2 years ago more than 5,000 men were working in the Butte copper mines. Today, including the craftsmen, only a few more than 3,000 are employed.

If the decline in the price of copper continues—and such decline could be brought about by the release of 128,000 short tons in Government stockpile—it will mean that a depressed condition will become much more depressed. I hope, therefore, that the Office of Civil and Defense Mobilization, under the direction of former Governor Hoegh, of Iowa, will see fit immediately to issue a statement that so far as the Government of the United States is concerned none of the 128,000 short tons in the stockpile will be released, to further depress the domestic economy in this particular field.

I wish to invite the attention of the Senate to the fact that since yesterday copper has dropped another three-fourths cent on the London market. As a result, because of the uncertainty and the possibility that the stockpile may be released in whole or in part, a depressed condition has been created in the industry which will become worse and not better unless and until the situation is brought to a head.

So I ask, in behalf of the people whom I, in part, represent, the copper miners in Butte and in the Rocky Mountain West, that some action be taken by this administration which will afford some stability and a little encouragement to this industry at this time.

This morning I called Don Paarlberg, one of the President's assistants at the White House. Mr. Paarlberg told me that the matter was under discussion but no decision had been reached.

In the interest of all concerned, and especially insofar as our own economy is concerned, I hope that this matter will be settled once and for all.

I also wish to point out in this respect that, though it is only a rumor, it is my understanding, on the basis of a purported statement made by Mr. J. Roy Price, who is an Assistant Director of the Office of Civil and Defense Mobilization, that supposedly contacts of some sort were to have been made with Canada, Mexico, Peru, and Chile, to indicate to them that there was a possibility this was going to be brought about.

Therefore, not only is it important to our domestic economy that the Government's stockpile be maintained and not released, but also it is important in the field of Western Hemispheric relations.

I conclude, Mr. President, by stating once again that this matter, which is so important to the economy of the western area of the country, should be given serious consideration, and, in line with the suggestion made by the Senator from Arizona [Mr. GOLDWATER] on yesterday, that "this copper should be removed to a jurisdiction which would prevent any possibility that it could be dumped on the markets."

In that way we could be sure that the one stockpile over which the Congress has no jurisdiction—as it evidently has no jurisdiction over this stockpile—would be put in one of the other two stockpiles and thereby would be subject to the will and the intent of Congress. In this way we would at least have to be advised of what was going on and then be in a position to do something about it.

ITALIAN DECISION TO ACCEPT IRBM MISSILES

Mr. SALTONSTALL. Mr. President, as a member of the Armed Services Committee, I was glad of the Italian decision to accept IRBM missiles. It deserves to be acknowledged as a gesture commanding respect and appreciation. In fact, Italy was the first country in continental Europe to reach agreement for the stationing of these weapons on its territory for its own as well as for Western defense. As we all know, Great Britain had already done so.

The Italian Government, although aware of the fierce opposition it would have met at the hands of the Communists, persevered in its initiative in the firm belief it would thus serve the interests of its own people as well as the interests of general peace.

I believe that in the face of the violent campaign launched by the Communists against the democratic government of Prime Minister Segni we want to pay our tribute to all freedom-loving Italians.

I am convinced that there is nothing more hypocritical than the intimidating campaign the Communists have been waging for years and that now is being reenacted in Italy. These weapons do not represent a threat against anybody, for they will never be used for aggressive purposes. These weapons, like all the rest of the NATO system, have a purely defensive character.

It is one more move that aims to the strengthening of the free world defenses and represents a bulwark against the aspirations of world domination by international communism.

Like the United States, we know that Italy has long since stated its position in favor of general and controlled disarmament. Italy has also participated in the Geneva talks on prevention of surprise attacks whose progress has been frustrated—as is the case in other fields of disarmament—by the constant Soviet refusal to consent to valid systems of control.

The Communists should be well aware of all this and should exert their pressures on the U.S.S.R. in order to make disarmament possible—not on freedom loving countries.

Mr. President, the governments that have been in power in Italy since World War II have given proof of great insight and political foresight. The decision of Prime Minister Segni's government falls in line with the policies of Western solidarity and courageous and timely sense of responsibility that were first outlined by the late Signor De Gasperi.

For these reasons I join in applauding its initiative, but also emphasize the ever increasing importance that Italy has in world affairs and the wisdom of the Italian Government in international decisions and the value of consultation with them prior to the forthcoming talks between the East and West.

THE INTERNATIONAL COURT OF JUSTICE

Mr. HUMPHREY. Mr. President, I wish to commend Vice President NIXON for his address on Monday evening, April 13, before the Academy of Political Science supporting the proposal that the International Court of Justice be more fully utilized as an effective instrument of world peace.

For many years I have advocated greater reliance on the use of law rather than force to settle international disputes. It is gratifying to see more and more men in public life lending their support to such an idea.

The International Court of Justice as a means of settling disputes between nations was supported by President Truman over 13 years ago. The Court was forcefully and ably backed by the Honorable Dean Acheson in 1946 before the Senate Foreign Relations Committee when he spoke on behalf of President Truman's administration in his role as Under Secretary of State.

The Senate of the United States on August 2, 1946, by a vote of 62 to 2 approved Senate Resolution 196, as introduced by the distinguished senior Senator from Oregon [Mr. MORSE] and declared acceptance by the United States of the jurisdiction of the International

Court of Justice in all legal disputes concerning the interpretation of a treaty and any question of international law.

The resolution quite properly provided that the Court's jurisdiction would not apply to "disputes with regard to matters which are essentially within the domestic jurisdiction of the United States."

An amendment, however, was added on the Senate floor—the so-called Connally amendment—which provided that the United States itself would determine which were domestic disputes and therefore not within the Court's jurisdiction. Similar reserve clauses were later adopted by almost all of the countries which have accepted the Court's jurisdiction. As a result, the International Court of Justice has operated with its hands tied. Since the Court was established in 1945, it has decided only 10 cases.

There is general agreement among students of international law that the Senate's adoption in 1946 of the Connally amendment was one of the major causes for the International Court of Justice being so ineffective. This is what the distinguished lawyer, Charles S. Rhyne, past president of the American Bar Association, and present chairman of the Committee on World Peace Through Law of the American Bar Association said on this point this past March 10:

> I am therefore firmly convinced that one of the major causes for the empty courtroom of the United Nations' Court is the Connally reservation which was created by the U.S. Senate, is maintained by the U.S. Senate, and can be removed by the U.S. Senate.

In order to make the International Court of Justice a more effective instrument of world peace through law, during the past month I submitted a resolution, Senate Resolution 94, which would delete this reserve clause.

I was, therefore, most edified to note the Vice President's assurance in his April 13 address that the administration will in the near future submit to the Congress its recommendations for modification of the reserve clause.

Quite frankly, I have been quite puzzled as to the reason for the administration's delay in submitting such recommendations in view of the President's indication in his state of the Union message that proposals would be forthcoming concerning our relationship to the International Court of Justice.

I have also asked the State Department to give us its observations and views on Senate Resolution 94. Such a statement has not been forthcoming. There has been no indication from the appropriate agencies of the executive branch.

When I submitted my resolution I said:

> I hope the administration will support my resolution. I hope the State Department will come before the Committee on Foreign Relations and in its testimony offer its support to the resolution.

The announcement this week of the administration's interest in the Court gives me reason to believe that perhaps my hopes will prove fruitful. Nothing could please me more. This is an issue which rises above and beyond partisan politics. Efforts to advance the cause of world peace through law demand the support of leaders of both of our great parties united in a common cause on behalf of peace based upon justice.

It is only logical that the United States, which has a Government based upon the rule of law, rather than the rule of men, should take the lead in promoting the International Court of Justice. It is not an accident that none of the Communist countries has ever agreed to submit to the jurisdiction of the Court to settle international disputes.

The time is now at hand for the Senate of the United States to give concrete evidence of our desire for world peace through law by deleting the reserve clause. I may add that it is also late, and time is running out for the executive branch to give us its support and its sense of guidance and direction.

Even if the Soviet Union continues to reject the Court's jurisdiction, our action will indicate to the world which country is for a just peace based upon law and which is not. We have, I submit, Mr. President, nothing to lose and everything to gain. But it will require some executive leadership, and not merely a few paragraphs in the state of the Union message. The resolution is here. What we need now is an indication from the President and the State Department that their interest in it is broader than merely a speech by the Vice President, who gives us his assurance of sincere interest in the question of effective rules of law among the nations of the world.

GOVERNMENT BONDS

Mr. GORE. Mr. President, a considerable number of bonds of the U.S. Government reached alltime lows yesterday. This represents a loss of many millions of dollars to many citizens who bought bonds of their Government in good faith. Victory bonds were selling at a little above 84 yesterday. This trend toward lower Government bond prices has been promoted by policies of our Government. The present situation has been brought about partly by those policies. If they are continued, the consequences will be even more severe than those already apparent, which are severely hurtful.

STATE INCOME TAX ON EARNED INCOME OF NONRESIDENTS

Mr. JAVITS. Mr. President, a subcommitee of the Senate Committee on the Judiciary is presently holding hearings on a proposed constitutional amendment to limit the powers of the States to tax the personal income of nonresidents. I emphasize that it relates to earned income. While these hearings have focused on the situation as it affects the States of New York, New Jersey, and Connecticut, also concerned is every one of 32 States which imposes a similar State income tax. I am therefore raising the issue now to call it to the attention of my colleagues from all these States, as it is important to all of us.

It is a matter in which the decision must finally rest on what is fair and proper to the individual and to the incentive he has to remain at his work, as well as on what is essential to the budgets and financing of so many States.

At the present time 17 States are without an income tax, while 32 States impose such a tax, and every one of the latter taxes the income of nonresidents whose income comes from within such States. The pending constitutional amendment would permit the residents of the 17 States to work in a neighboring State, reap the full benefits of its government, its economy, and its business climate, without making any direct contribution to these factors. Yet their employment opportunities and their earning power are built upon the existence of effective State and local government in the place where they are employed and the manifold levies of government there.

There is little doubt about the legal right of the State where a man works to tax his income. It has been established by Supreme Court decisions, and the present move to deal with the situation by way of a constitutional amendment bears out the legal situation. The witnesses appearing before the subcommittee are addressing themselves to this phase of the problem in an expert manner. I am addressing myself to the moral right—the inherent fairness of imposing such taxes on nonresidents, so that they can carry their share of the load.

Would it not be absurd if a man could get up in the morning, cross a State line to go to work, earn his pay, take his amusement, be protected, and spend most of his waking hours in a State where he does not have his home, and then, by crossing the State line again in the evening, contribute nothing to the operation of the place where he passes most of his life? He certainly should bear the cost for his fair share of the benefits received all day long out of his earnings from the economy of the State where he works. Otherwise, it would be discriminatory against the other citizens of that State.

There is always a claim of inequity in any tax system. In my own State of New York there is a situation covering allowable deductions for residents and nonresidents which has been the basis for much criticism by nonresidents, though there are substantial reasons for this differentiation, and it has been specifically upheld by the Supreme Court. I certainly favor adjustments to meet the criticism so far as possible. However, the way to deal with these problems is not to destroy the power of the State to tax what is legitimately subject to tax. As a matter of fact, Governor Rockefeller, of New York, has taken up this matter with the Governors of the adjacent States of New Jersey and Connecticut, whose citizens are most concerned, in order to work out needed adjustments. The preliminary report on the committee, which was published in December 1958, recommended some revisions on this basis, and the present administration of the State, in the full knowledge that this will have the effect of reducing somewhat the needed State

revenues, will try to negotiate a fair formula.

The principle that such taxation is proper should not be taken away by constitutional amendment, but every effort should be made to make it reasonable and fair. Otherwise, an adverse public opinion could well create receptivity to a restriction on the State power of taxation.

I ask unanimous consent to make a part of my remarks, for the enlightenment of my fellow Members of the Senate, a statement issued by the Honorable Joseph H. Murphy, commissioner of taxation and finance, and president of the New York State Tax Commission, before the Senate Committee on Constitutional Amendments; also a very interesting report made at the special request of the preceding Governor of New York, the Honorable Averell Harriman, which outlines the problem and states various types of adjustments which might be made.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT OF THE HONORABLE JOSEPH H. MURPHY, COMMISSIONER OF TAXATION AND FINANCE, AND PRESIDENT, NEW YORK STATE TAX COMMISSION, BEFORE THE U.S. SENATE SUBCOMMITTEE ON CONSTITUTIONAL AMENDMENTS, WASHINGTON, D.C., APRIL 16, 1959

Mr. Chairman, my name is Joseph H. Murphy, commissioner of taxation and finance and president of the New York State Tax Commission. I have been asked by Gov. Nelson A. Rockefeller to represent him before you.

I should like to thank you, not only on my own behalf but also on behalf of Governor Rockefeller, for this opportunity to present the views of New York State on Senate Joint Resolutions 29 and 67.

As I understand it, Senate Joint Resolution 29 prohibits State taxation of income derived from personal services of nonresidents. Senate Joint Resolution 67 contains a similar prohibition, with certain ramifications not here material.

As Governor Rockefeller has indicated in his letter of April 9, 1959, to the Honorable JACOB K. JAVITS and to the Honorable KENNETH B. KEATING, Members of your honorable body, the State of New York is unalterable opposed to amendments of this nature.

Personal income taxation is a most provocative subject today—regardless of who is affected. We in New York have had considerable reason in recent months to be most sensitive to the implications of any action in this area. In the field of State taxation of nonresidents, we have had the king-size version of a nationwide problem.

State taxation of nonresidents is another of the social and economic problems created by complex metropolitan areas which embrace more than one State. These problems are not new in New York, but they have been greatly magnified in recent years as transportation facilities have been improved, as living standards and incomes have risen, and as the desire for home ownership has been heightened.

It would be a repugnant arrangement, indeed, if Government could decide that individuals must live in the same State from which they derive their livelihood.

Naturally, there has never been any question in this country about the inherent right of a free choice of residence. Nonetheless, problems do arise when the choice is made to reside in a State other than the one of employment. New conditions are created which, at first blush, seem difficult to reconcile with historical concepts of the citizen's relation to his government.

However, a large part of the problem of nonresident taxation, in the public mind, at least, stems from a misunderstanding of the conditions under which a citizen can be subject to taxation by two jurisdictions. This, then, is the framework within which lies the special problem of income taxation of nonresidents.

In New York State the concern of our administration is no different with respect to nonresidents than it is with respect to those who both work and reside within the State. The man who works in New York but takes the ferry home in the evening is every bit as much a part of our community as the man who rides home on the subway. Whether he is a New Jersey machinist working on a missile project on Long Island, a Connecticut stockbroker on Wall Street, or a Vermonter making turbines in Schenectady, his well-being is inextricably tied to that of the State of New York. We are equally indebted to these individuals for their individual productivity, their ingenuity, and industry.

These great indispensable human resources, we believe, must be carefully tended and developed if we are to prosper. Consequently, we can ill afford to antagonize in anyway or to subject to discriminatory taxation any segment of our work force. For above all, our new administration in New York is attempting to implement by direct and practical means the primary goal of maximum progress through economic growth. Any form of repressive taxation can hardly contribute to this progress.

I am sure you are quite aware that we in New York have had to make some hard decisions in the tax field in recent months. We have had to recognize that the economic health of the State is intimately tied to the soundness of its financial condition. This, in turn, requires a tax structure adequate to meet our urgent requirements but carefully designed to minimize interference with economic growth. Nonetheless, the ancient burden of taxation, we feel, cannot be and indeed should not be disguised or sugar coated. It is a bitter medicine, but like all good medicines it should improve the health of the patient.

As we move nearer the goals we have set for ourselves, the obvious rewards will not be confined to those who reside in New York State. You may rest assured that as I am speaking now, the great human and economic resources of the State of New York are being mobilized for this effort.

For the past 40 years of State taxation of personal incomes, there has been virtually constant argument regarding the treatment of nonresidents. There has been much discussion, for example, about the relative priority of tax claims over the income of nonresidents as between the State of residence and the State of employment. Although there is an abundance of strong arguments on both sides of these questions, the basic legal issues have long since been resolved.

In an early and crucial case in this area, Mr. Justice Pitney, in affirming the rights of States to impose an income tax on nonresidents, succinctly stated the essence of the matter—that a State "may levy a duty of like character and not more onerous in its effect upon income accruing to nonresidents from their property or business within the State or their occupation carried on therein.[1]

We in New York, and I believe all the other income tax States, adhere to the belief that the measure of a taxpayer's liability should be the benefits conferred upon him by the taxing jurisdiction. These benefits, I shall attempt to show later, are numerous and extensive with respect to his economic and social welfare.

At the hearings which preceded the adoption of our New York law in 1919, the question of what to do about nonresidents was discussed at great length by the legislators and their staff of experts. They felt that taxing residents only would lead to considerable emigration to neighboring States which had no income tax. In reviewing the deliberations of the legislative committees of that time it is clear that the decision to tax nonresidents was not based primarily on the desire for additional revenue, but rather because it would be the means for discouraging future tax avoidance through emigration. Our experience with taxpayers of all kinds indicates that that conclusion is just as sound 40 years later as it was then.

In recent years there have been countless instances where tax laws in some jurisdictions have given rise to situations in which taxation or some particular feature of it has become one of the major determinants of economic behavior. This is certainly alien to what we in New York feel should be sound tax policy consistent with basic democratic principles. If I were to select one principle of taxation to which we firmly subscribe I would choose this one—that tax laws should be revenue measures, which, in and of themselves, do not introduce artificialities in our business conduct. A corollary, of course, is that tax laws should not be such that they become primary determinants of our behavior in other spheres.

If nonresidents were to be exempted from taxation in New York State and in the 31 other income tax States, I am frankly concerned about the potential extent of social and economic dislocations which may result. Over and above this consideration, the fact would remain that to exempt nonresidents from the income tax in the State in which they are employed would represent a flagrant discrimination against the resident taxpayer who would be paying in full for the many services and functions enjoyed by the nonresident.

Stated briefly, our conviction in this matter is that nonresidents should be taxed because of the various benefits they receive. I am reminded of the opinion in a very old tax case in which the pith of this was very well stated: "The power of taxation, indispensable to the existence of every civilized government, is exercised upon the assumption of an equivalent rendered to the taxpayer in the protection of his person and property, in adding to the value of such property, or in the creation and maintenance of public conveniences in which he shares."[2]

Obviously, under the best of circumstances the value of these public services can only roughly be measured. Many people today tend to overlook these fundamental functions of protection of the person, the enjoyment of life and liberty, the right to acquire and possess property of every kind and to pursue and obtain happiness and safety, subject to reasonable laws. These are the real purposes of government which we should never take for granted. These are among the things we are paying for with taxation.

To be more specific, one can hardly overlook the value to the commuter of the highly efficient but costly system of parkways and expressways in the metropolitan area—or the extensive recreational facilities, State parks and so on, either just north of the New Jersey line or along Long Island Sound convenient to Connecticut—or, in another area, the policing of working conditions by our Labor Department as well as its labor mediation facilities—or, the very recent aids granted to railroads by our 1959 legislature which were designed primarily with the

[1] *Shaffer* v. *Carter* (252 U.S. 37 (1920)).

[2] *Union Refrigerator Transit Co.* v. *Kentucky* (199 U.S. 194, 202 (1905)).

commuter in mind. The list is virtually endless.

I recently read in the press a statement alleged to have been made by one of our nonresidents. He acknowledged that certain services were performed for his convenience—specifically that the streets were paved between Grand Central Terminal and the RCA Building. Now, I think that most nonresidents appreciate that we are furnishing a great deal more than the paving of 10 blocks of streets in New York City.

Aside from the many obvious, direct services performed in New York State, it is very easy to ignore a factor of overriding importance—the economic environment. New York State, by the waving of a magic wand, did not suddenly become a good place to work. Those who derive their livelihood in our State have found a whole social and economic system ready and waiting for them—a system of orderly markets, peace and order, a corps of skilled workers, a vast business apparatus, and an atmosphere conducive to economic progress. All this has been developed by years of careful husbanding of resources by government in an active partnership with private enterprise.

While we feel that we have a fine economic environment at the moment, we feel just as strongly that we have not achieved perfection and that substantial further progress can be and will be made here. The stimulation of the economy with minimal guidance, we feel, must come from our State government. The costs, as well as the rewards, of this great endeavor must be shared by all of the participants. Our great concern now is that these costs be shared fairly. If the costs bear harshly on any sector, we want to know about it and to take corrective action.

At various times in my remarks I have used the expression "favorable business climate." Permit me to tell you what we mean and what we are striving toward. First of all, we believe it means putting government's house in order by operating within a sound budget structure with everyone bearing his fair share of the load. Secondly, we believe it means to provide and guard a free competitive environment in which industry can produce and sell to the direct benefit of owners, management, and employees. Third, we believe it means to create and safeguard a system which encourages the individual to choose the type of employment he prefers and in which he excels; to choose the location in which he will work and the conditions under which he will work. Finally, we believe it means actively to promote the establishment of new enterprises and the expansion of existing facilities in order to produce a maximum of productive and profitable job opportunities.

This is the broad outline of our program in New York State. It is directed toward all who derive their income within New York, and we believe very strongly that all should contribute to the cost of the program.

Because of the widespread interest in the subject, we have developed substantial analyses of data relating to nonresidents subject to our tax. As a group, nonresidents differ materially from residents; not only residents in general but also those who reside in New York City.

To begin with, we have about 190,000 nonresidents subject to our tax, 137,000 from New Jersey, 20,000 from Connecticut, and the remainder scattered throughout the country. In terms of tax liability, nonresidents as a group in 1956, the latest year for which we have complete data, paid a total tax of $33 million—$20 million from residents of New Jersey, $8 million from residents of Connecticut, and the remainder scattered.

To illustrate the differences between residents and nonresidents, the average total income reported by all residents (before deductions and exemptions) was $5,950. Residents of New York City do not differ materially as their average income was $5,953. The New York State income of New Jersey residents, by contrast, averaged $7,022, or 18 percent more than residents; and Connecticut residents $11,434, or 92 percent more than residents. Nonresidents, as a group, had average New York incomes of $7,287, or 22 percent higher than residents.

From another standpoint, a percentage distribution of residents and nonresidents by total income classes makes it abundantly clear that our nonresidents as a whole are far from typical taxpayers. In relative terms, nonresidents have one-sixth more taxpayers with gross incomes between $5,000 and $10,000 than residents; over twice as many between $10,000 and $25,000; almost 50 percent more between $25,000 and $50,000, and two-thirds more with gross incomes in excess of $50,000.

Available statistics indicate that the income of New Jersey residents is slightly less than the income of New York residents on an average and taking both States as a whole. These statistics highlight the more favorable position in which New Jersey residents working in New York find themselves.

As income is generally regarded as a reasonable indication of how much something is worth, let us see what proportion of total income reported in New York State was earned by nonresidents as a group. In our total revenue picture, the $33 million derived from nonresidents represented about 2 percent of New York State's total revenue for 1957–58. However, our studies also indicate that nonresidents received 5.3 percent of all income reported. This means that the nonresident receiving over 5 percent of all income reported within the State of New York pays only 2 percent of the cost of our State government. This impresses us as a fair bargain.

Does it not seem fair that the nonresidents should make a fair contribution for governmental services in return for such obviously favorable conditions? Here we must remember that for the nonresidents these averages are based solely on their incomes reportable to New York State. As the earnings of nonresidents are so high, the amount of "other income", which is not subject to the New York tax, such as dividends, interest, capital gains on securities, rents or other income earned outside New York State, would be significant.

The basis of equity in our method of taxing nonresidents is closely related to this "other income". Since legally we do not and cannot recognize the existence of this income, we have felt that, in general, we cannot recognize these other deductions which, in the main, are of a personal nature and are unconnected with the production of income in New York.

I realize that it is difficult to convince a taxpayer whose entire income is earned in New York that he cannot deduct the property tax or the mortgage interest on his New Jersey home. Yet, if he moved to another location in New Jersey and rented his original home, I believe he would have no difficulty understanding that as we do not tax his rental income, we could not recognize the taxes or any other costs attributable to the rental property.

As a matter of fact, we in New York are sympathetic to this particular problem which the nonresident faces. Under our new tax law, the maximum optional deduction, available to nonresidents as well as residents, was increased from $500 to $1,000. This will have a very beneficial effect on nonresidents earning over $5,000 annually in New York State. It will result in a reduction in taxes for a great many nonresidents.

We are presently exploring the ramifications of allowing the nonresident to prorate his deductions based upon his New York earnings. In doing this, we are motivated by a concern for the wage earner whose sole earnings are derived from New York employment and who does not receive any of the other forms of income which we do not tax. This, in no wise, alters our position that the nonresident has a real and substantial obligation to the State of New York for the extensive benefits he receives in the way of public services, higher pay, and favorable working conditions.

Now, let us approach it from another standpoint. While no precise measurement can ever be made of the value of basic public services to any citizen or any group of citizens, a rough comparison can be made between what the nonresidents pay us under the personal income tax and an approximation of their share of basic costs. Since most of our nonresidents are employed in New York City, for purposes of illustration we can make a crude allocation of their share of the cost of basic governmental services in New York City. As you are probably aware, virtually all the nonresidents employed in New York City are from New Jersey and Connecticut.

Our statistical studies indicate that New Jersey and Connecticut taxpayers constitute 7.2 percent of the total number of taxpayers employed in New York City. It follows then that 7.2 percent would be a rough approximation of the nonresidents' share of basic municipal costs.

During the fiscal year ended June 30, 1958, New York City spent about $427 million on basic services, including only police, fire, sanitation, and the local judicial system. And I must point out here parenthetically, that New York City annually receives hundreds of millions of dollars in the form of financial aid from the State government. If we then apply the 7.2 percent factor to the $427 million spent by New York City, we find that the nonresidents' share of the cost would be approximately $31 million. The $31 million contrasts with $28 million of personal income tax paid by residents of these two States.

This method, of course, assumes an equal sharing of cost on a per capita basis. If we calculated the nonresidents' share on an income basis, that is, relating the total New York income of the New Jersey and Connecticut residents to the total income of all persons in New York City, as shown on our tax returns, the nonresidents' share increases to 9 percent. Applying the 9 percent to the $427 million in cost indicates that the nonresidents' portion of the burden would be over $38 million.

This simple illustration, obviously, does not take into consideration any of the multitude of direct and indirect services and functions of the State Government itself nor does it take into consideration the intangible, but very valuable, feature of favorable economic environment. The fact that the average income of nonresidents is so much higher than that of residents appears to be mighty convincing evidence of just how valuable the environment is. You can readily see that despite the crudeness of these approaches, New York State is certainly not overcharging for all that it provides to the nonresident who is working here. It seems to us that a strong case could be made to the contrary.

Certainly, no income tax law can ever be perfect in design, nor is it possible for a tax law, however carefully designed, to fall with precisely equal weight on all taxpayers in similar circumstances. It does appear, though, that in actual practice the New York State tax approaches this ideal for the vast majority of taxpayers.

Much of the discussion about the problem of the nonresidents reminds me of a conversation I once had with a small industrialist. Several years ago this man located his new plant in a relatively undeveloped area. When he built the plant, real estate taxes were very low. Several years later they were many

times higher, but, you see, shortly after he built his plant, his employees, many coming from distant locations, built homes in the area. Many municipal services were needed and furnished. The community then drew many other industries to it and in a relatively short period, my acquaintance's plant was the center of a full-fledged small industrialized community. Yet in an adjoining township, which remained undeveloped the taxes were still very low.

My acquaintance felt that he had made a very big mistake in building his plant where he did rather than in the adjoining township. The point of my story, gentlemen, is that there are very few, if any, tax havens today. The blessings of growth are numerous but they do carry with them the responsibility of taxation.

It is all too easy to assume that the costs of operating the government of New York State or New York City should be borne entirely by those who live there. However, I do not believe that most nonresidents subscribe to this theory, no matter how pleasant a thought this would be from their viewpoint. If a business is situated in a community, the owner clearly recognizes his social responsibility to pay taxes on the profits of the business to the community in which his business is conducted. I think that most nonresident salary recipients recognize the same responsibility—not that they are philanthropic about it; it is just a hard reality.

Again I should like to thank you, gentlemen, both on my behalf and on behalf of Governor Rockefeller, for this opportunity to present the views of New York State.

DECEMBER 3, 1958.

Hon. AVERELL HARRIMAN,
Governor of the State of New York,
Albany, N.Y.

DEAR GOVERNOR: In January of this year, after a conference among the Governors of New Jersey and Connecticut and yourself, a three-man committee was constituted to examine into the problems raised by the New York tax on income of nonresidents of the State. The Governor of New Jersey designated, as his representative, William E. Warren, Esq., dean of the Columbia University School of Law and a resident of New Jersey. The Governor of Connecticut designated, as his representative, Roswell Magill, Esq., a leading tax law specialist practicing in New York City and a resident of Westport, Conn. You did me the honor of naming me as your representative.

It was understood that the committee would work informally and that each representative would report separately to his principal. The committee was not empowered to take action.

The members of the committee consulted with each other on several occasions. In addition, we received excellent advice from various private citizens. A report of the Federal Bar Association of New York, New Jersey, and Connecticut was particularly helpful. I am informed that Dean Warren and Mr. Magill have already reported informally to their respective principals. My purpose in writing this letter is to render a similar report to you.

THE WORKINGS OF THE NEW YORK TAX

Since 1919, New York State has imposed a tax on certain income of nonresidents of the State. Twenty-eight other States also impose a tax on nonresident income. The New York tax rate is graduated from 2 percent to 7 percent.

The relative burden of the New York State income tax on residents and nonresidents may be summarized as follows:

(a) On the income side, the tax base for nonresidents is much narrower than that for residents. Residents of New York are taxed on income from all sources, including earnings, dividends, interest and other investment income, and gains from the sale of property. Nonresidents, on the other hand, are taxed only on income from New York sources. (A nonresident who works partly within and partly without the State, may allocate his earnings on the basis of the time spent in New York.) This includes primarily earnings within the State. Dividends, interest, and other investment income are not subject to the New York tax, even though the securities are physically located in New York State. Similarly, gains from the sale of intangible property such as securities are not subject to the New York tax in the hands of nonresidents even though physically located in New York State, unless the nonresident is a dealer.

(b) On the exemption side, residents and nonresidents are treated alike. Both are entitled to $1,000 exemption if single, or $2,500 if married, and to $400 for each dependent.

(c) On the deduction side, nonresidents are entitled to less benefits than residents. If a resident chooses to itemize his deductions, he may deduct such items as interest on borrowed money (such as a mortgage on his home), real estate taxes, all charitable contributions, medical expenses and up to $150 of life insurance premiums. A nonresident, however, is limited in his deductions to those items connected with his taxable income from New York sources. He is not permitted to take deductions for the above-mentioned items except with respect to contributions to New York charities. On the other hand, if a taxpayer chooses to take the standard deduction of 10 percent of taxable income, or $500, whichever is less, he may do so whether he is a resident or nonresident of New York.

Finally, the nonresident has his tax initially withheld at the source, that is, by his employer, while the resident does not.

THE BACKGROUND OF THE PROBLEM

Over the years, since the New York tax on nonresidents was first imposed, there have been periodic protests by the residents of the neighboring States. In its most virulent form, this protest is predicated on the assertion that nonresidents should not be taxed at all by New York. The slogan "Taxation Without Representation" is the war cry of these protestants. I believe this shibboleth can be disposed of in short order. First of all, on purely legal grounds, it is without foundation. A tax on the income of nonresidents from sources within the State was specifically held constitutional by the Supreme Court of the United States in 1920 (*Shaffer* v. *Carter*, 252, U.S. 37 (Oklahoma income tax); see also *Travis* v. *Yale & Towne Mfg. Co.*, 252 U.S. 60 (New York income tax)). The Supreme Court reaffirmed its position on this score as late as 1956 in a case specifically involving the applicability of the New York tax to a New Jersey resident (*Goodwin* v. *State Tax Commission*, 352 U.S. 805).

More importantly, however, is the fact that practically every State taxes nonresidents in one form or another. New York residents, for example, pay excise taxes in the adjoining States (such as the gasoline tax) which became part of the general revenues and go to support facilities used by all citizens, resident and nonresident alike. The fact that New York residents have no voice in the selection of the officials who decide to impose such taxes has never been an inhibiting factor. It seems clear that, in a similar fashion, the income tax paid by nonresidents to New York State covers, in part, the cost of facilities and services which these nonresidents use in producing the income subject to tax. These include police and fire protection, improvement and maintenance of toll free roads, streets and sidewalks, street lights, transit facilities subsidized by tax exemption and a myriad of other facilities and services which are taken for granted. It is no answer to say that the income tax is paid to the State and that the facilities and services are provided by the local county and municipal governments. New York State provides substantial financial assistance to these local units so that indirectly, if not directly, the State income tax helps to pay for the cost of these facilities and services.

The more reasonable basis of protest by nonresidents is that they are discriminated against in the matter of deductions. The wage earner who owns a home in New Jersey, and commutes to New York daily, resents the fact that in computing the tax which he must pay to New York on his earnings, he cannot deduct the interest on his mortgage, the real estate taxes on his house, contributions to his local church and charities, doctors' bills, etc. He feels that this is inequitable and that in some fashion he should be able to get the benefit of these items as residents of New York State do.

As reasonable as this position appears to be, it is not without its weaknesses. The nonresident wage earner forgets that only a portion of his income is subject to the New York tax—if he has dividends on stocks or interest on savings bank accounts, he need not report and pay tax on those items. In terms of comparison with the resident who has to pay tax on these items, the nonresident has an advantage. Thus, for example a nonresident who has $6,000 of earnings in New York and $600 of dividend income and utilizes the standard deduction, will pay a tax on only $5,500 (before exemptions), while a resident will pay a tax on $6,100. Nor is this a hypothetical situation. Contrary to what is generally believed, nontaxable income of nonresidents is received by a significant proportion of persons in modest circumstances. Insofar as dividends and interest alone are concerned, 20 percent of the taxpayers with gross income between $5,000 and $6,000 receive such income and among the recipients, it averages $545 a year. At the $10,000 level, 1 out of every 2 taxpayers reports income from dividends and interest of almost $1,500 annually.

Another aspect of the situation which is overlooked is the fact that nonresidents are entitled to the full exemptions even though they are required to report only a portion of their income. Thus, a nonresident married taxpayer with two children who has earnings from within New York State of $10,000, nontaxable income of $1,500, and takes advantage of the standard deduction, will pay tax on only $6,200, while a resident taxpayer will pay tax on $7,700.

The foregoing examples are not intended to imply that nonresidents and residents in the same financial position should necessarily pay the same tax. After all, there are substantial differences in the benefits received by each from governmental services and facilities provided directly or indirectly by New York State. But they do indicate that the alleged discrimination is substantially less than is generally understood.

Finally, the most important weakness in the position of nonresidents who complain about the New York State tax stems from the fact that neither New Jersey nor Connecticut have a State income tax. If our neighboring States imposed an equal or higher tax than New York, their residents would not have to pay any New York income tax. The reason for this is that the New York law provides that a nonresident who is required to pay an income tax is entitled to credit against his New York tax the amount of tax paid to his home State on the income subjected to tax by New York.

I do not conceive it to be within my province to question the system of taxation of our neighboring States. If, for historical reasons or otherwise, New Jersey and Connecticut choose not to raise their revenues

through an income tax, that is their business. I suggest, however, that under such circumstances, the complaints of their residents against New York are less justifiable, particularly where the claim is for complete exemption from the New York tax.

Despite the fact that I believe there is a logical answer to the complaints by the residents of our neighboring States, it nevertheless appears to me that there is sufficient basis to their complaints to justify an examination of various alternative modifications in the New York law. In analyzing these modifications, however, I consider it important that the financial aspects of the situation be taken into account. In this connection, it should be noted that in 1957, New York derived revenue of more than $34 million from the income tax on nonresidents, of which $23 million was paid by New Jersey residents and almost $7 million by Connecticut residents.

ALTERNATIVE MODIFICATIONS AND THEIR FINANCIAL IMPLICATIONS

Perhaps the simplest relief which could be given to nonresidents is in the area of charitable deductions. At present, nonresidents are only permitted to take deductions for contributions to New York charities. As a practical matter, this limitation operates to discriminate against the lower income taxpayer. The high income bracket nonresident has available to him a simple device for avoiding the limitation. He organizes a family foundation as a New York membership corporation and thereby gets a deduction for all his contributions to the foundation. The foundation then distributes the contributions so received to the nonresident's favorite charities within and without New York State. The lower income bracket taxpayer has no such flexibility. His charitable contributions are too small to warrant the effort or expense of a foundation. As a result, he loses the tax benefit of his contributions. It seems to me that this situation should be rectified. The public interest in supporting worthwhile charities does not know State boundaries.

Another item of deduction, which is a source of irritation, involves medical expenses. A nonresident is not permitted to deduct, for New York tax purposes, any such expenses incurred either on behalf of himself or his dependents. This can produce an incongruous situation. A Connecticut resident who works in White Plains, and whose only income is from salary, is in a serious auto accident on his way to work. He runs up substantial medical bills but he derives no tax benefit from paying them. If he lived in Bedford, N.Y., just inside the Connecticut line, he would not have such disadvantage. There is unfairness in such a situation. In both cases, New York derives its revenue based upon the individual's capacity to work. In both cases, that capacity is seriously inhibited. Obviously, the unfairness is considerably less where the accident involves not the taxpayer but one of his dependents whose capacity to work and produce income is not involved. Perhaps an appropriate solution would be to limit the medical expense of a nonresident to those expenses incurred by the taxpayer himself. It is difficult to estimate how much revenue loss would be involved in such a procedure. Available statistics indicate that an allowance to nonresidents of the same benefit from the medical expense deduction as is allowed to residents would cost New York State about $1,300,000 annually. Obviously, the loss from allowing only medical expenses of the taxpayer would be somewhat less.

Still another area which has produced complaints is the deduction of real estate taxes and interest. The nonresident is not permitted such deductions while the resident is. Here the unfairness is not so apparent. The New York resident must report and pay tax on income from all sources. The nonresident, on the other hand, is required to report and pay tax to New York only on income earned in New York. Investment income and income earned outside the State is exempt. Thus, the nonresident has tax-free income which can offset these items which are not deductible. Indeed, if these deductions were permitted, a nonresident who owns and rents property located outside New York and derives income from it would reap an affirmative advantage; he would get the tax benefit from deducting the real estate taxes and the interest on the mortgage against his other income without having to pay tax to New York on the rent. It is true that such an analogy provides little comfort to the nonresident wage earner who lives in his house and pays taxes and mortgage interest on it. Statistics as to the amount of revenue involved in such deductions are not readily available. Nevertheless, it would appear that there are sufficient possibilities of loss of revenue from permitting such deductions to require the conclusion that no change should be made in the present law.

Thus far, I have dealt with the more important specific items of deductions which are desired by nonresidents. Actually, there are a large number of other deductions which are also involved, e.g., life insurance premiums, alimony, a variety of taxes, casualty losses, etc. In my judgment, it would be unwieldy to attempt to deal with each such deduction individually. Several suggestions have been made, however, that the whole area of deductions should be dealt with as a package. Among these are the following:

(a) Nonresidents should be entitled to the benefit of all the deductions presently permitted to residents. If this change were made, it is estimated that the loss of revenue to New York would approximate $4,700,000 annually. This is a substantial figure. In view of the fact that nonresidents are required to report only their income earned in New York and that their income from other sources is not taxed, giving them the full benefit of all deductions would produce an unfair advantage.

(b) Nonresidents should be permitted to get the benefit of all deductions on an allocated basis—namely, that proportion of all deductions which their income taxable by New York bears to their total income from all sources. It is estimated that this proposal would produce a revenue loss of $3,500,000 annually. The proposal of an allocation formula has considerable appeal. The theory behind it is that it causes the nontaxable portion of a nonresident's income to bear a proportionate share of the deductions. Certain administrative difficulties are involved which will be discussed later. On the other hand, there appears to be no sound reason why the benefits of an allocation of deductions should be given to nonresidents, while at the same time permitting them to have the full benefit of exemptions on an unallocated basis. If any modification is to be made along the lines of this proposal, it should provide for an allocation of both exemptions and deductions.

(c) Nonresidents should be permitted to deduct the excess of all deductions over nontaxable income. A variation of this proposal is that nonresidents should be given the option on a lifetime basis of reporting under the present provisions applicable to nonresidents or as a resident taxpayer. This would produce a rather complicated procedure which, as far as can be determined, would not produce substantially greater benefits to nonresidents than a system which permitted nonresidents to get the advantage of all exemptions and deductions on an allocated basis. The estimated revenue loss runs from $2 million to $2,500,000 annually.

(d) Perhaps the most appealing and feasible alternative is the proposal to allocate both exemptions and deductions in the proportion that income taxable in New York State bears to total income from all sources. As has already been pointed out, this would cause each type of income to bear its proportionate share of the tax benefits. There are obvious administrative problems in such a proposal. It will be difficult in many cases for the New York authorities to determine how much nontaxable income a nonresident taxpayer really has. Unless such information is readily made available, there will be no way of knowing whether such income has been required to bear its share of exemptions and deductions. On the other hand, New York has the device of withholding to protect itself against dishonest taxpayers. If the withholding is continued on a rate applicable to gross income earned from sources within New York, nonresidents will, in most cases, have to prove their right to a refund in order to get the benefit of any such change in the law. Nor will this be an undue burden on the nonresident. Usually, requiring him to furnish a copy of his Federal income tax return will provide the necessary information. In some situations, such as income from securities of municipalities of other States, which are subject to New York tax in the hands of a resident but exempt from Federal tax, the Federal return will be incomplete. But the number of these instances should be small. The estimated revenue loss from this proposal is $1,500,000 annually.

It should be noted that this proposal will not mean less New York income tax for all nonresidents. In fact, some nonresidents will receive no benefit—for example, a nonresident who is already getting the full benefit of the $500 standard deduction and does not wish to, or has insufficient expenses to itemize his deductions. Indeed, in some cases, the outside income will offset part of the exemptions which the nonresident is now getting in full and produce a higher tax. However, the principal beneficiaries will be those nonresidents whose income is almost entirely from earnings in New York and who will, by this procedure, be placed on a basis of equality with New York residents similarly situated.

ADMINISTRATION

One final word is in order on the subject of administration. One of the major complaints of nonresidents has been the long delay involved in their obtaining refunds of excess withholding of New York income tax. In many cases, due to expenses or the fact that time spent working outside New York was underestimated, nonresidents are entitled to a refund. Information that has come to my attention indicates that 2 to 3 years can elapse before these refunds are made. It would seem to me that it behooves the New York tax authorities so to organize its administrative procedures that the period required in processing refunds is kept to the minimum. If this were done, an important irritant would be removed and the opposition of nonresidents to the New York income tax might be considerably less.

CONCLUSION

The various component elements of the problem seem clear. A tax on the income derived by nonresidents from sources within the State is clearly constitutional. In the particular case of the New York tax, the basic reason for difficulty stems from the fact that neither New Jersey nor Connecticut impose an income tax. If they did and if the rates approximated the New York rates, New Jersey and Connecticut residents would pay no or very little New York tax. If my analysis were to stop here, I would necessarily have to conclude that no change should be made in the present law.

I believe, however, that the problem cannot be approached from a purely logical, historical, and legal point of view. The New Jerseyite whose only income is his $6,000 salary earned in New York is not impressed by arguments about subsidization of systems of taxation. All he knows is that he has to pay a tax to New York and that he doesn't get the same benefits as the fellow who works at the next desk, has the same income, and lives in New York. He has a feeling of injustice which no amount of theorizing can dispel.

We have moved into a period when good working relations and good feeling among residents of the New York metropolitan area are becoming increasingly important. Common problems of transportation, taxation, health, water, etc., are swiftly making an anachronism of State lines. We need to work closely together with our New Jersey and Connecticut residents. We need to do everything within our power to remove irritants in our relationships and conserve our energies for problems of transcedant importance.

It is not for me to say that, in the face of a possible need to raise taxes, New York should forgo $1,500,000 in revenue, even though it is less than 1 percent of the State budget. On the other hand, it may well be that the future benefits to be derived from financial support by New Jersey and Connecticut for projects essential to the proper development of the New York metropolitan area are sufficiently substantial to justify the removal of an important irritant, even though New York will suffer a small loss in revenue.

Assuming that the loss of $1,500,000 in revenue is appropriate, in light of these considerations, I recommend that nonresidents be given the right to allocate both deductions and exemptions in the proportion that taxable income from New York sources bears to total income from all sources. If this is not feasible, I recommend that nonresidents be given the right to deduct charitable contributions both within and without the State and their own medical expenses within the present overall limits applicable to all taxpayers.

Sincerely,

THEODORE TANNENWALD, Jr.

Mr. JAVITS. Mr. President, I conclude my remarks upon the following note. I deeply believe that this is a problem which ought to be adjusted among the States. I deeply believe that nonresidents should be treated fairly in terms of deductions, but that they should pay an income tax and thereby bear a part of the cost of government. I believe also that we should not have duplicating taxes, that is, taxes on the same income in different States.

Finally, I believe that a drastic constitutional amendment cutting off the right of a State to tax earned income within the State would lead to an appreciable diminution of State income, which would be unfair and discriminatory against the residents of the individual States which levy the income tax.

I express the hope that by exercise of reasonableness as between the States, even to the extent of State compacts, which could then be reviewed by Congress, the need for any Federal intervention beyond that may not occur.

I point out that if the States themselves are reasonable, the problem will be considered as susceptible of a reasonable solution and will not, therefore, arouse that kind of public emotion which would call for some national remedy which might turn out to be unfair to the particular States concerned or, on the other hand, to the individuals concerned.

THE ROLE OF CONGRESS IN THE FIELD OF FOREIGN POLICY

Mr. CHURCH. Mr. President, the distinguished senior Senator from Pennsylvania [Mr. CLARK] has discussed the role of Congress in the field of foreign policy in the current issue of the magazine Frontier. His comments are thoughtful and discerning as he develops his thesis that the Congress has a duty to participate in the formulation of foreign policies. He truly observes that in our democratic society public opinion is eventually the controlling factor in foreign policy. I agree with his statement that Congress can contribute to our foreign policy by mobilizing "American public opinion in support of serious negotiations looking toward a practical solution to the nuclear stalemate and absence of international law and order which today holds all rational minds in the grip of fear."

Mr. President, I ask unanimous consent that the article written by the senior Senator from Pennsylvania be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CONGRESS AND THE WORLD CRISIS

(By Hon. JOSEPH S. CLARK, U.S. Senator from Pennsylvania)

WASHINGTON.—To understand the contribution that Congress can and should make to foreign policy in the next 2 years, it is useful to review briefly the relationship in this field between the President and the Congress.

The powers accorded to the President under the Constitution used to be viewed as giving him almost exclusive control over foreign affairs. In recent years, however, quite apart from considerations of personalities or politics, it has been increasingly evident that the President does not have sufficient authority to control foreign policy without regard to the wishes of the legislative branch. Today, American foreign policy, to a very large extent, depends on military and economic aid, technical assistance, and loans, resources control and trade negotiation, immigration regulations, passport control, propaganda, cultural exchange, and the Military Establishment itself. These require enabling legislation and appropriations. The Congress is now as deeply involved in foreign policy as it is in domestic policy.

Although the Congress has great authority in the field of foreign policy, it is obviously not endowed with sufficient authority to conduct foreign affairs by itself. Moreover, as a practical matter, that would be impossible. The need for cooperation between the executive and legislative branches of the Government, then, is obviously required in foreign policy matters; and a condition of mutual confidence is essential to success.

There has been, throughout our history, an ebb and flow of power into and out of Congress in the field of foreign affairs, depending largely on whether the President is strong or weak. During the incumbency of a weak President, the Congress, and particularly the Senate, tends to reach out for more power in foreign policy matters.

The character and reputation of the Secretary of State are also an important factor in the relationship of the President and Congress to foreign policy. In the early days of the Republic, Secretaries of State tended to be politicians. Most of them had held elective office; many of them went on to become President; Jefferson, Madison, Monroe, John Quincy Adams, Van Buren, and Buchanan. Since the Civil War, no Secretary of State has achieved the Presidency. Yet politicians occasionally still fill that office; recent ones were Charles Evans Hughes, Cordell Hull, and James Byrnes, and their ability to get along with Congress is noteworthy.

The ability to work well with Congress, in fact, is essential to the success of a Secretary of State today. When a Secretary of State has lost the confidence of the Congress, and lost the confidence of many of our allies as well, a very serious condition exists. When, as at present, one party controls the Presidency and another the Congress, the need for bipartisan cooperation, for constant consultation, and a Secretary of State who knows how to work with Congress is especially important. A realistic assessment of existing personal and political factors is, therefore, necessary to an understanding of this subject.

It is no secret that, prior to his unfortunate illness, our present Secretary of State had lost the confidence of many of our allies and many of us in Congress, despite our admiration for his personal courage and tenacity. The President has been satisfied to let Secretary Dulles assume most, if not all of the responsibility for the direction of our foreign affairs. It was obvious that the Congress, and particularly the Democratic majority in Congress, was not content with this state of affairs before the Secretary's illness, and the situation has deteriorated since. As a result, Congress is displaying greater initiative in foreign affairs.

In the past year, a number of things has happened which are indicative of the Senate's impatience with the conduct and state of our foreign relations.

Last July the Senate passed a resolution authorizing the Committee on Foreign Relations to make a complete study of foreign policy.

A special study of the U.S. relations with the other American Republics was similarly authorized following the debacle of the Vice President's visit to Latin America last spring.

THE RELUCTANT ADMINISTRATION

A resolution was passed expressing the sense of the Senate that prompt study should be given to the establishment of an International Development Association as an affiliate of the World Bank to make loans to underdeveloped countries at more liberal terms than are now available, and to permit payment in local revenues. This resolution was the brainchild of Senator A. S. MIKE MONRONEY who managed to get a reluctant administration to accept the validity of the idea.

Eight members of the Senate Foreign Relations Committee sent the President a letter at the conclusion of the last session of Congress urging him to reexamine the mutual security program with a view to redressing the military and economic imbalance of the present program, putting more emphasis on nonmilitary aid. The response to this letter was the recent appointment by the President of a nine-man panel to study our foreign aid program. It is hoped that the 3 military men and the 4 civilians with past Defense Department experience on this panel will be able to give a fair and equitable assessment of the economic as well as the military aspects of foreign aid. But one may be permitted to doubt it.

More recently, Senators ALBERT GORE, Democrat, of Tennessee, FRANK CHURCH, Democrat, of Idaho, and HUBERT HUMPHREY, Democrat, of Minnesota, have suggested methods of making progress in the field of nuclear weapons testing which the administration

had apparently failed to consider seriously, and Senators MANSFIELD, Democrat, of Montana, and DODD, Democrat, of Connecticut, have taken the initiative in suggesting approaches to the Berlin crisis.

Public opinion is eventually the controlling factor in the foreign policy of a democratic society. If, as Vice President NIXON said on more than one occasion during the last election campaign, foreign policy was an issue—and I agree with him that it was—the people of this country are not satisfied with the status quo in our foreign policy either. They want a change, but it is going to be difficult inded to put our policies on a new course with the present leadership of the State Department.

KEY ISOLATIONISTS ARE OUT

Let us consider the effect of last November's election on the role of Congress in foreign affairs. Changes in the composition of the Senate, have in my view, vastly improved that body's potential to contribute to foreign policy. The 86th Congress does not number among its Members Senators Barrett, Bricker, Hoblitzell, Jenner, Knowland, Malone, Martin, Potter, Revercomb, Thye, and Watkins. Eight of these men supported the successful amendment by Senator Knowland to remove the provision included in the mutual security bill, by agreement with the administration, which would have altered the Battle Act so as to authorized the President to permit trade with those Communist satellite countries which show signs of independence from Moscow. Eight of these men opposed Senator KENNEDY's amendment to the mutual security program expressing support for aid to India's 5-year plan. Five of them voted against the 4-year extension of the Reciprocal Trade Agreements Act on final passage. Their successors, in almost all instances, favor a more constructive foreign policy.

In the 86th Congress, by reason of the Democratic sweep, there are three additional Democrats and two fewer Republicans on the Foreign Relations Committee.

Let's look briefly at three of the most sensitive international problem areas—Berlin, the Far East and the Middle East—and attempt to assess what contribution Congress has made and can be considered to make to affect our policies toward these areas.

BERLIN

The impending Berlin crisis, which threatens to be as grave as any faced by the Nation since the end of the Korean War, calls to mind Lincoln's words of 100 years ago:

"The dogmas of the quiet past are inadequate for the stormy present. We must think anew, we must act anew, we must disenthrall ourselves."

It has long been clear that the arrangements governing the city of Berlin since the lifting of the blockade in 1948 are unstable and provisional. Western insistence on reunification by free elections and full Soviet compliance with legal obligations has not changed that essential fact.

The position of this Government to stand firm on Berlin and to maintain all access routes is supported today by all responsible Members of Congress, and by our NATO allies. About this there should be no doubt, because the West has not forgotten that, to borrow a phrase of Carl Sandburg, "Wherever there is freedom there are those who must toil, fight, and sacrifice for it."

But standing fast in Berlin must raise the related question of with what? As the President has recently stated, to fight a ground war in Germany is out of the question. We just don't have adequate converted forces. Moreover, we must never forget that our sole purpose in Germany is to get out eventually under conditions which give the forces of freedom the chance to survive and prosper.

MORE FLEXIBILITY IS NOTED

Recent events indicate that the administration is taking a somewhat less frozen attitude toward the coming talks on the German situation. Indeed, prior to the Secretary's hospitalization, it was announced that we are now willing to meet with representatives of East Germany, Poland and Czechoslovakia as well as the Soviets to discuss a wide range of proposals for a German settlement, including the revised Rapacki plan that calls for linking creation of an atom-free zone with a reduction in conventional arms in the two Germanies, Poland and Czechoslovakia.

Any one who recalls the administration's wounded reaction to Mr. Kenman's "disengagement" proposal in December of 1957 will recognize how far Mr. Dulles has moved.

There is no question in my mind that Congress is partially responsible for this new and more receptive attitude. Persistent voices have been heard in the Senate during the last year or more, prodding the administration to take the initiative in advancing long-range solutions for the Berlin problem. Searching questions have been asked about the necessity of giving nuclear arms to the West Germans, the effects on our security of a "controlled thinning out" of big power forces in both Germanies or more extensive forms of disengagement, and the desirability of countering the flood of Soviet proposals with new and realistic proposals of our own, but at the same time taking steps to bolster our defensive strength.

These questions and many more will be repeated in both Chambers of Congress until satisfactory responses are articulated and carried out by the administration. Members of Congress should be ready to support the President when imminent danger threatens, but we would be derelict in our duties if we failed to participate in the formulation of foreign policies which have a vital bearing on our future and follow closely the implementation of those policies by the Executive.

FAR EAST

One does not have to be a prophet to foretell the likelihood of renewed trouble in the Formosa Strait during the incipiency of the Berlin crisis. Well-known Communist strategy virtually dictates such an occurrence. The Chief of Staff of the Nationalist Chinese has stated that the forces on the mainland opposite Quemoy have increased by 50 percent since the siege last fall.

It is painfully clear that the status quo in the offshore islands must give soon and that present conditions are unsatisfactory. In the weird peace on Monday, war on Tuesday situation that has prevailed in the Quemoy since November, it is the Nationalists who must await the Communists' pleasure as to whether the offshore islands receive 400 to 40,000 shells a day, and it is we who are committed by the administration to take action if the Communists decide at any time to continue their offensive long enough to threaten to overwhelm the defenders.

It is difficult to believe that even the hardiest optimist at Mr. Robertson's Far Eastern desk in the State Department genuinely feels that the smaller islands in the Quemoy island group or the much less defensible nine-island group of the Matsu's can be held against intensive long-sustained bombardment.

In my estimation the current Congress is increasingly aware of the essential untenability of our position in regard to the offshore islands and discontent with Mr. Dulles' handling of the matter.

Last September the President said that "If the bilateral talks between Ambassadors (in Warsaw) do not fully succeed, there is still the hope that the United Nations could exert a peaceful influence on the situation." The Warsaw talks remain deadlocked and peace has not come to the Quemoys, but U.N. assistance has never been sought.

It is not inconceivable that Congress might pass a resolution which, while reiterating the determination to defend Formosa and the Pescadores, expressed the sense of the Senate and the House that the offshore islands dispute should be submitted to the United Nations. The Red Chinese have indicated clearly their distate for U.N. intervention, and the Nationalists probably feel the same way. But is it in the U.S. interest that we should continue to support Chiang alone and without active Allied backing in so untenable a position?

Re-examination and possible repeal of the ambiguous language in the Formosa resolution of January 29, 1955, authorizing the President to use Armed Forces for the "securing and protection of such related positions and territories * * * required or appropriate in assuring the defense of Formosa and the Pescadores" is another possible course of legislative action. This cannot be ruled out in view of Mr. Dulles' continued insistence that our actions in regard to the offshore islands have been taken under the authority of the resolution which he has based on the obvious fiction that the Red attack on these islands is part of and preliminary to an attack on Formosa. It is to be remembered that seven Senators, who are now on the Senate Committee on Foreign Relations, voted against inclusion of the quoted language at the time the resolution was being debated in 1955.

Our policies of nonrecognition of Red China and opposition to its seating in the United Nations are matters within the exclusive jurisdiction of the Executive, but the days when these policies were considered to be beyond criticism by Congress have ended. "We cannot forever ignore 600 million people on the mainland of China," Senator FULBRIGHT, now chairman of the Foreign Relations Committee, stated last August, "but what are we doing to make it possible to deal with them on the best terms possible?" More such questions will be asked.

WHAT MR. DULLES SAID IN 1950

Mr Dulles may even find that the words which he wrote in his book entitled "War or Peace" in 1950 have made some congressional converts:

"I have now come to believe that the United Nations will best serve the cause of peace if its Assembly is representative of what the world actually is, and not merely representative of the parts which we like. Therefore, we ought to be willing that all nations should be members without attempting to appraise closely those which are good and those which are bad. Already that distinction is obliterated by the present membership of the United Nations."

MIDDLE EAST

History's briefest and least eventful military occupation in the Middle East ended last October with withdrawal of our troops from Lebanon and British troops from Jordan, and the basic tensions have only increased.

In Lebanon our summer intervention had the net effect of substituting a pro-Nasser regime for a pro-Western one. Rashib Karami, a rebel when our forces landed in July, is now Prime Minister, and he has publicly stated that he considers Nasser a superman. Camille Chamoun, at whose behest we intervened, has folded his tent * * * and silently stolen away.

In Jordan, plucky King Hussein's life expectancy is briefer than ever, and one wonders whether it is even proper to recall President Eisenhower's proud proclamation in the spring of 1956 that Jordan was vital to American interests. If one assassin's bul-

let found its target, there would be no Jordan, and neither we nor the British will be there to do anything about it.

As for Iraq, the administration has never quite been able to decide whether Kassem is friend or foe, or whether we should lend a helping hand to the Baghdad regime or its many foes. Consequently during a crucial 9 month period in that country's history, we have had no Iraq policy and offered no alternatives to Communist proffers and blandishments.

Elsewhere in the Middle East, rampant Arab nationalism, as typified by Cairo's leader is still the dominant factor; Arab-Israeli hostility is again resulting in border occurrences; the future of oil companies' concessions is more clouded than ever, and corrupt and unrepresentative regimes still make revolution a likelihood in many states.

Clearly, these complex problems defy solution by any unilateral action on the part of the U.S. Government, much less by congressional action. Long-range U.S. policy in the Middle East will not be on a firm foundation until the Executive succeeds in making a clear statement of Western aims, which is based on correct assessment of the true relation between Communist efforts to promote conflict and the social, political, and economic revolutions under way in the underdeveloped areas. We should give frank recognition to the fact that the oil buyer-seller relationship is as essential to the Arabs as to ourselves.

While the initiative in this area rests primarily with the Executive, action might be considered along the following lines by Congress:

1. Increased appropriations to raise the living standards of the Palestinian Arab refugees beyond the mere subsistence level and to promote their resettlement.

2. Reexamination of our present low immigration quotas for Jews and Palestinian Arabs.

3. Exploration of the feasibility of an arms embargo for the entire area to be enforced by the United Nations.

4. Channeling economic aid to specific projects rather than political regimes.

5. Investigation of the adequacy of our area intelligence which seemed so deficient at the time of both Iraq revolutions.

6. Financial backing to establish a pro-Western Arab radio station in the Middle East to counter the "Voice of the Arabs" from Cairo.

7. Consideration of repeal of the so-called Eisenhower doctrine, a hideous mistake for which Senators, including the author, must bear a share of the responsibility. This policy has embarrassed our friends and totally missed the main nationalistic trend of thought in the area. It is not now subscribed to by any State and has not been invoked at any time, even in the Lebanese affair. It has been a cloud to clear thinking.

In these areas and many others Congress can make a substantial contribution to sanity and sound policy. It cannot push water uphill. It cannot fill the vacuum caused by a failure of Executive leadership and, in particular, it cannot prevent those inevitable further disasters which stare us in the face so long as a preoccupied President continues to rely on advisors whose only answer to any new thought is "No."

I would be less than candid if I did not express my own misgivings about the position of the United States during the next 2 years. Our Federal framework of government has put us in an unfortunate position. We must continue until new Executive leadership is forthcoming, to bump along as best we can, developing and advocating new ideas and new policies, voting legislation and appropriations, probably inadequate in amount, for purposes dimly understood, if at all; hoping againsts hope that disaster will not strike until conditions beyond the immediate control of either the Congress or the people of the United States are remedied.

Meanwhile, we will hope to curtail our brinkmanship abroad while, at the same time, offering a friendly hand to the uncommitted countries in the world and a less belligerent, but nonetheless firm, opposition to the expansionist aims of the Communist bloc.

AND WHAT ABOUT DISARMAMENT?

Finally a word about the two most important objectives of our foreign policy, concerning which so much is said and so little done:

First. Nuclear and conventional disarmament;

Second. A revision of the Charter of the United Nations in an effort to achieve world peace through world law.

We agitate ourselves and the rest of the world over the fate of a rocky little island in the mouth of Amoy Harbor, but how much of our real brain power, and how much of our national heart and soul are we putting into a serious effort to win a workable agreement with the Communists at the Geneva talks on the discontinuance of nuclear weapons and the prevention of surprise attacks? How many hours in the last 12 months have the President, the Secretary of State and his principal advisers put into an earnest search for ways and means of achieving reliable disarmament agreements with communism in related areas? How much attention has the State Department given to the hearings of Senator HUMPHREY's Subcommittee on Disarmament? Is anybody in the State Department or the White House thinking hard on the steps which must be taken in the foreseeable future to revitalize the United Nations and bring about world peace through world law if we are not all to be blown to smithereens?

Or are all these matters considered merely the foolish dreams of impractical idealists?

The present Congress, I hope, will explore all these questions.

The Senate majority leader, LYNDON JOHNSON, of Texas, has called for "bold, new, imaginative programs" in the field of foreign affairs. Such programs are, in my judgment, quite literally essential to survival. I hope they will receive the serious attention they deserve at both ends of Pennsylvania Avenue.

The greatest contribution the Congress could make to our foreign policy in the next 2 years would be to mobilize American public opinion in support of serious negotiations looking toward a practical solution to the nuclear stalemate and absence of international law and order which today holds all rational minds in the grip of fear.

SAND DUNES NATIONAL PARK, OREG.

Mr. NEUBERGER. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an informative article from the Oregon Daily Journal, of Portland, of April 13, 1959, written by Roy J. Beadle, editor of the Journal's editorial page. Mr. Beadle's article describes a community meeting held at Reedsport, Oreg., on April 12 to discuss my bill for creation of a national seashore recreation area in the Oregon Dunes, under the U.S. National Park Service.

Mr. Beadle is a responsible journalist, so I call particular attention to his comments concerning the favorable impression made upon the audience by representatives of the National Park Service, when they explained and described the purpose and intention of my bill.

I am grateful to the citizens and to the leaders who participated in this meeting, and for the information of my colleagues, who eventually will consider S. 1526, I ask unanimous consent that Mr. Beadle's article be printed in the body of the RECORD.

Many residents of the area affected by the park proposal have questioned various aspects of the national seashore project, and public meetings which have been held in Reedsport and Florence, Oreg., have served to answer and clarify these questions. I am grateful that the National Park Service has sent to these meetings outstanding staff experts, so that local citizens would have the best possible source of information about plans and policies. Some of the questions and the answers of National Park Service personnel are reviewed in stories written by Mr. Don Tacheron of the Eugene Register-Guard for April 13, 1959. I ask consent that this able reportage be included in the RECORD with my remarks, along with another story from the Coos Bay World, describing other comments at the meeting.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Oregon Journal, Portland, Oreg., Apr. 13, 1959]

OPPOSITION DEVELOPS ON PLAN FOR SAND DUNES NATIONAL PARK

(By Roy J. Beadle)

REEDSPORT.—The proposed national seashore recreation area along the Oregon dunes between Florence and Reedsport is not to be crammed down the throats of the local residents, some 150 people from coastal and Willamette Valley points were told at a show me meeting here Sunday afternoon.

Ben H. Thompson, Washington, D.C., Chief of the Recreation Resources Planning section of the National Park Service, headed a group of Park Service officials who sought to answer the questions in the minds of Reedsport people.

Whatever the opposition among those present, it was orderly and polite. It expressed itself principally in the form of applause for George Harrington, resident forester for the Crown-Zellerback Tahkenitch Lake Tree Farm, who opposed the plan partly on the basis that recreational needs can be met on a State and local basis. The proposed national area would remove 3,000 acres from the tree farm, which is a source of employment and of timber products which the local economy needs, Harrington said.

However, the audience also applauded Martha Ann Platt, of Portland, representing the Oregon Audubon Society and the Mazamas, and Virlis Fisher of Portland and Las Vegas, representing the Mazamas and the Sierra Club, both of whom spoke strongly for the plan. Mrs. Platt said the Park Service can "unlock a whole treasure for you here on the coast." Fisher said the proposal, which is now in the form of a bill introduced by Senator RICHARD L. NEUBERGER, can become "the finest centennial present" Oregon could have.

Park Service representatives were applauded when their entire presentation was completed. They will make a similar presentation tonight at Florence, where opposition is stronger than in Reedsport. Florence residents were at the Reedsport meeting but withheld their questions. Private opinion is that most Reedsport people are favorable to the plan but want many more facts.

Written questions were put by Orin Collier, attorney, representing the Reedsport Chamber of Commerce. They had to do with the effect on the local tax base, the impact on industry, the boundary question, the time needed for development of the area, etc.

Thompson said the Government rarely pays money in lieu of taxes, but the experience in nearly all national park developments is that they stimulate allied business activity so that new taxes more than make up tax losses from property removed from local rolls.

The boundaries will be determined only after negotiation with local interests and other agencies involved, Thompson said. The development itself will come slowly, giving time for local adjustment. Money will not be available to buy all the property at once.

Thompson emphasized that extensive hearings will give ample opportunity for local people to express their views. Although the Park Service survey includes Jessie M. Honeyman State Park in the proposed area, Thompson said the final boundaries need not necessarily include the park. This was in response to a question from William Tugman, publisher of the Port Umpqua Courier and chairman of the advisory committee for the State park department. A State park department official earlier told the Journal his department would not necessarily oppose giving up Honeyman Park if it were thought to be in the public interest.

George Collins, west coast chief of recreational resources planning for the Park Service, cautioned the people not to think so much in terms of immediate results but to remember that the dunes area is a rare combination of life and earth sciences which ought to be preserved for all time.

Herbert Mayer, San Francisco, assistant regional director of the Park Service, spoke of the tremendous pressure from recreationists and asked the people to think big.

William E. Walsh, Coos Bay attorney, who presided, read a telegram from Senator NEUBERGER which said this plan would result in national advertising and publicity which would bring more tourists to the finest seashore in the Nation.

[From the Eugene (Oreg.) Register-Guard, Apr. 13, 1959]

DISCUSSION SESSION HELD AT REEDSPORT ON ISSUES STEMMING FROM PARK PROPOSAL

REEDSPORT.—Local economic considerations dominated a discussion meeting here Sunday when a panel of National Park Service officials answered questions about creation of an Oregon Dunes national seashore.

William Walsh, Coos Bay, moderator, said the meeting was organized by the Reedsport and Florence Chambers of Commerce to get an orderly statement of facts about the seashore proposal.

Attending an afternoon session were about 200 persons. Included were representatives of the Oregon press, the State park dept., the U.S. Forest Service, local timber firms, other State and public agencies and private citizens.

Ben H. Thompson, Chief of Recreation Resources Planning, National Park Service, Washington, D.C., answered the bulk of the questions.

Most of the questions were posed by attorney Orin Collier, spokesman for the Reedsport Chamber of Commerce. They were prepared from lists submitted by the Reedsport and Florence Chambers.

Few questions were asked from the floor. There was no debate on the merits of the park proposal itself. Answers made by members of the Park Service panel, which included a number of technicians from the regional office at San Francisco, stressed these points:

A Park Service recommendation for preservation of the Oregon Dunes area is based on preliminary surveys. No definitive studies have been made of the area, therefore, no definitive answers to local problems can be formulated at this time.

Development of an Oregon Dunes national seashore would be a long-range proposition that would not be crammed down the throats of the people most affected.

Seashore creation would not necessarily hamper industrial developments in communities located nearby.

QUESTIONS ANSWERED

The substance of some of the questions raised and the answers of Park Service officials follow:

Question. If property is removed from the tax roles, what tax offset will be provided for the various tax districts involved?

Answer. There is only one park in the national system for which legislation provided payments in lieu of taxes. Whether Congress would authorize this procedure here cannot be determined at thic time.

Question. What would be the effect on long-term bonded indebtedness already incurred by special tax districts?

Answer. The land does not cease to be productive and in the long run no special tax district should suffer.

BUDGET ISSUE

Question. Would the Park Service help make up for any budget deficit caused by tax loss of property valuation?

Answer. The Park Service has no power to do so.

Question. What is the procedure for land?

Answer. The Park Service would negotiate purchase in the same way as any private individual, on the basis of appraisals by local firms. The service policy is to resort to condemnation only where necessary.

Question. What is the formula for the use of property by life tenants?

Answer. Those who desire, would sell their property subject to a lifetime lease. They would pay no rent but the purchase price would be somewhat lower than in cases of outright sales. They would not be able to transfer the lease but they would be allowed to manage and improve the property as they see fit.

Question. What is the criteria for deciding what businesses would remain inside the national seashore?

Answer. There has been no detailed analysis here. However, general policy is that service businesses would not be permitted inside. Service businesses include such things as service stations and overnight accommodations. Boat rental services and beach buggy operations might be allowed to remain.

DUNE CONTROL

Question. Would the grass-planting program on the dunes be continued?

Answer. The dunes-control program would be continued, perhaps accelerated.

Question. Could water from the dunes be tapped for industrial use outside the preserve boundaries? How close to the boundaries could industry locate?

Answer. Access to water would be no problem. The Park Service does not have anything to say about industry outside its areas.

Question. Would existing roads be acquired? Would free access be maintained?

HIGHWAY QUESTION

Answer. The State would continue to maintain its highways while county roads would be taken over by the Federal Government. There is no charge at Cape Hatteras National Seashore.

Question. What about fishing and hunting?

Answer. The Park Service prefers that there be no deer hunting in a narrow corridor such as this would be. Migratory waterfowl hunting would be managed in accordance with State regulations.

Question. How many persons would the Park Service employ?

Answer. Probably a permanent staff of 5 and seasonal staff of 15 over and above park facilities development personnel.

Question. Would local construction firms be used to build park facilities?

Answer. Contracts would be awarded on a bid basis.

OPINIONS CONSIDERED

Question. To what extent do the desires and opinions of local residents affect a decision on boundaries and creation of the seashore area itself?

Answer. Local opinion is not brushed aside. Congress will not push through a bill over objections of Congressmen from the area involved.

Question. What about funds required?

Answer. A small amount, probably about $20,000, would be required to complete the study. Somewhere around $3 million has been estimated for purchase of privately owned land. Development costs would depend upon the type of facilities.

AREA PROCUREMENT

Question. Would the total seashore area be taken over at one time?

Answer. No. Land would be acquired over a long period of time.

Question. Has a study been made of the local economic problems involved in seashore creation?

Answer. Park Service studies are under way and are expected to be completed some time this year.

Question. Would it be necessary to surrender Honeyman State Park?

Answer. It would not be necessary to transfer the park from State jurisdiction.

A similar discussion meeting is scheduled to be held at Florence at 8 p.m. Monday.

[From the Eugene (Oreg.) Register-Guard, Apr. 13, 1959]

PARK SERVICE OFFICIALS GIVE VIEWS ON CREATING OREGON DUNES NATIONAL SEASHORE

(By Don Tacheron)

REEDSPORT.—Inclusion of an upland area around three fresh water lakes is a fundamental requirement of an Oregon Dunes national seashore.

Creation of such a seashore would probably put more into the economies of nearby cities than it would take out, even if lands now privately owned were removed from the tax rolls.

POSITION OUTLINED

These are the views of National Park Service officials who discussed details of the seashore proposal at a meeting here Sunday.

The Park Service position on the reserve boundary question and its economic implications emerged in a series of answers to questions prepared by the Florence and Reedsport Chambers of Commerce.

"A mere strip of beach is not enough," Herbert Maier, a regional director at the Park Service's San Francisco office, told about 200 persons who attended the meeting.

Noting a phenomenal increase in seashore recreational use since World War II, Maier said that upland area is needed for camping and that a strip of land is needed as a buffer area. He did not expand on these points.

Considerable opposition to the Neuberger-Morse seashore proposal centers on inclusion of land east of Highway 101. Florence area residents are especially concerned about the privately owned and highly developed land around Woahink and Siltcoos Lakes.

LAND SAID RARE

George Collins, regional chief of the Park Service's Division of Recreation Resources Planning, San Francisco, said that the land

area within suggested reserve boundaries represents a rare combination of land forms.

After the meeting Collins told the Register-Guard that there are at least three technical reasons why the Park Service feels inclusion of the lake areas is fundamental in seashore creation and operation.

Of primary importance, he said, is a combination of land forms making preservation of the area important to earth and life sciences. This combination includes three stages of land development ranging from the formative stage along the beach to the relatively young but stable forms of the upland area just east of the lakes. In turn, each stage of land development supports its own distinctive flora and fauna, Collins said.

Secondly, Collins pointed out that the narrow dunes section alone would not lend itself to use by tourists on a year around basis. Prevailing winds would limit the use of the dunes for picnicking. The dunes would not be a desirable location for overnight facilities. Upland areas east of the highway are required for development into campsites, Collins said.

Thirdly, the land immediately east of the highway would undoubtedly be developed commercially if it were not included, Collins said. Such development would not be desirable along the entire length of the seashore boundaries, he added, pointing up the need for what was termed earlier a buffer area.

Economic implications of seashore creation were discussed by Ben H. Thompson, Chief of Recreation Resources Planning, National Park Service, Washington, D.C.

Creation of parks requires some readjustment of local economy, but lands included do not cease to be productive, Thompson suggested.

Thompson stressed that privately owned lands for park developments elsewhere have been acquired over long periods of time. Thus, he implied, removal of property from the tax rolls would be a gradual process depending upon the rate at which funds are made available.

Meanwhile, increased tourist expenditures in the area, would ultimately produce revenues that would offset tax losses, Thompson explained.

Some of those people who sell their property inside the reserve presumably would stay in the area, Thompson said, and new service businesses would be required outside the reserve boundaries, he added.

SPENDING INCREASES

Citing the Great Smoky Mountains National Park, Thompson said that all service facilities are located outside the park. A 1956 survey indicated that 2½ million people spent $28 million for service during the year.

"That unquestionably produced more in local taxes than was ever produced by the land * * * and the same thing is happening again * * *on Hatteras," Thompson said.

The only national seashore created thus far under administration of the Park Service is at Cape Hatteras, N.C. It was authorized by Congress in 1934 and was created by the Secretary of Interior.

Land does not cease to be productive under park development, Thompson said, adding "the park is not a whole in the economy" of the surrounding region.

[From the Eugene (Oreg.) Register-Guard, Apr. 13, 1959]

PAPER FIRMS OPPOSE PARK

REEDSPORT.—Spokesmen for the International Paper Co., Gardiner branch, and the Crown-Zellerbach Corp. said here Sunday that their firms oppose the current proposal for creation of an Oregon Dune national seashore.

The IPC spokesman said that his firm has not yet found out in detail how the proposed seashore would affect its holdings. However, he added, the firm wants to go on record as objecting to the proposal.

As was reported earlier by the Register-Guard, the Crown-Zellerbach Corp. opposes inclusion of any land east of Highway No. 101. About one-third of the firm's Lake Tahwenitch Tree Farm lies within suggested reserve boundaries, the company spokesman said.

Two members of the Oregon Audubon Society, who said they were speaking as individuals, favored the proposal. They were Martha Anne Platte, of Portland, and Virlis Fischer, of Las Vegas, Nev.

Fischer said that in his opinion, passage of this measure would be the finest centennial present the State of Oregon could receive.

Howard Campbell, of Florence, said the Soil Conservation Service of the Department of Agriculture has already developed a plan for preservation of the Oregon Dunes area. He did not amplify this statement.

[From the Coos Bay World, Apr. 13, 1959]

REEDSPORT INDUSTRIES OPPOSE NATIONAL COAST PARK PLAN—FORESTRY FIRM OFFICIALS HIT GOVERNMENT RAIDS

(By Dawn Peseau)

REEDSPORT.—Senator RICHARD NEUBERGER's bill calling for establishment of a national park between the Umpqua and Siuslaw Rivers, including the seashore, dunes, and Sea Lion Caves, was opposed by industrial and other interests here at a mass meeting yesterday.

The meeting in the Reedsport High School cafeteria, attended by several hundred, was orderly; but the conflicts of interest over the park proposal were obvious.

The Lower Umpqua and Florence Chambers of Commerce called the meeting. A battery of National Park Service officials addressed the crowd and answered searching questions afterward.

A. J. Myers, general manager of the Long-Bell division at Gardiner of International Paper Co., submitted a prepared statement of objections from his firm.

George Harrington, resident forester from Crown Zellerbach Corp., read a prepared statement of protest. He cited his company's policy of tree farming in part of the affected area and its practice of making its land available to public recreation.

RAIDS CRITICIZED

The company spokesman criticized raids of Government agencies, urged that the State should decide when land is withdrawn from industry and local taxing units.

The Federal officials were asked about the possibilities of industrial use of the dunes when and if they are included in a park. Pacific Power & Light Co. has been experimenting in the dunes for several years for a possible source of industrial water.

"No," replied the Federal spokesmen. "It should be clearly understood that the United States is not in the business of acquiring national park land for industrial uses. There are ample dunes areas outside the proposed park region."

Deskin Bergey, of Pacific Power & Light Co., attended the meeting.

Other questions voiced through the Lower Umpqua Chamber of Commerce probed the potential effects on schools, port, fire, and other taxing districts. The panel was asked if the Government compensates areas for tax losses.

LOSS OFFSET

Ben H. Thompson, of Washington, D.C., National Chairman of the Recreation Resources Board, replied that loss of tax revenue would be more than offset by increased revenue to the community resulting from the park. But in one instance, he said—Grand Teton National Park—payment in lieu of taxes was made over 20 years to local districts.

Regarding bonded indebtedness of local tax bodies, Thompson said the land would not cease to be productive, that it would be acquired gradually to facilitate adjustments, and that of the proposed area 13.7 percent lies in school districts.

"The national park does not become a hole or a void in the local community," declared Thompson. Structures in the area would be taxable, he added.

William E. Walsh, Coos Bay attorney, moderated the meeting. He read a letter from NEUBERGER commending the public for its interest and assuring that no boundaries would be defined or other action taken without full public hearings. His bill sets a limit of 35,000 acres.

On methods of acquisition, the park experts stated that the Government resorts to condemnation only in extreme cases: to clear title, prevent destructive values, or provide necessary public facilities like roads.

PROCEDURE TOLD

The procedure begins with appraisal by three local appraisers. This is followed by efforts to negotiate with the owner at a fair market price. Acquisition subject to life occupancy of the owner is common practice, said the Government.

But acquisition precludes the right of leaving the property to successors, they stated. Also, business established within the boundaries of the park would find it more profitable to move outside, they said. National park policy is buying out private business.

The panelists said they could not estimate when the park, if approved, might be developed since it depends on appropriation of funds by Congress. They estimated the cost at $3 million.

The park officials were asked why the Federal Government supplements other Federal and State and county park promotion. They replied that these other agencies were doing good work, but an area like a seashore region requires a single-unit overall program rather than piecemeal efforts.

Replying to questions, the panel stated:

The Park Service would take over county roads within the park, but the State would retain its roads. Highway 101 would not become a toll road inside the park.

Park policy permits fishing, but hunting is carefully controlled.

Land ownership in the proposed park is divided thus: Federal, 13,115 acres; State, 522; county, 320; private, 14,963; lakes, 4,250; total, 33,170.

The Park Service representatives, in their preliminary address, described the Neuberger bill as part of Mission 66, a national recreation expansion program now in its third year of study. It was prompted partly by depletion of recreation areas on the east coast.

Among Government officials present were Herbert Maier, assistant regional director of the National Park Service; Thompson; George L. Collins, regional chairman of recreational resources and planning from San Francisco; and State agents.

William Morse represented Senator NEUBERGER.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 1555) to provide for the reporting and disclosure of certain financial transactions and administrative

practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from North Carolina [Mr. ERVIN].

The Chair recognizes the Senator from Arizona.

Mr. GOLDWATER. Mr. President, in the coming days, much will be said, just as much has been said, relative to the disclosures before the McClellan select committee. Much has been written, much is being written, and much will be written about the atrocities and arrogant abuses of power which have been revealed before this committee during the last 2 years. The revelations, the words—written and spoken—go round and round in a repetitious pattern like drops of water in a whirlpool, slowly at first, but faster and faster as they race toward their vortex, the vortex of final conclusion. This conclusion is summed up on one word: power. All of the abuses which have been disclosed both on the side of labor and the side of management have been caused by the excessive and arrogant and even illegitimate use of power. Dr. Sylvester Petro, professor of law at New York University, is one who has studied the entire transcripts of the McClellan hearings and who has written intelligently and revealingly on this subject in his new book "Power Unlimited—Corruption Unlimited."

I shall be referring to Dr. Petro's words throughout this initial speech of mine on the subject, so let me borrow a shocking statement taken from the pages of the McClellan committee and appearing in his book to illustrate at the outset my point that the root—yes, the disease—is power:

Mr. TURNER (a reporter for the Portland Oregonian and a witness before the McClellan labor committee). I mean the members of the [Western Conference of Teamsters] union are scared to death to get out of line.

Chairman MCCLELLAN. They are afraid to tell the truth and to reveal what they know?

Mr. TURNER. Yes, sir.

The CHAIRMAN. Their fear is what?

Mr. TURNER. That their union cards at least will be taken up and they will be out of employment. * * *

Senator MUNDT. To be deprived of their jobs, and they could not support their families?

Mr. TURNER. Yes, sir.

Senator MUNDT. There are other types of retaliation which they fear?

Mr. TURNER. Yes, sir; that union has a history in our State of physical violence to people who disagreed with them.

This, Mr. President, is an example—just one example among hundreds—of the sheer use of power by union bosses which has produced the shocking revelations of the last 2 years.

As I stated at the outset of this discussion, much has been said and certainly much more will be said on the floor of the Senate relative to this situation, but I doubt that we shall hear many references to the real source of trouble. In fact, if one studies S. 1555 one cannot recognize in its language any apprehension of the source of the evils which S. 1555 purportedly attacks. What we are doing with S. 1555, if we give it serious consideration in its present form, is to recognize the symptoms and refuse to deal with the disease. It is exactly as if a doctor told a patient who was suffering from cancer to go home and not worry about it; it is only a tummy ache. What we are saying to the American people as we proceed to consider this bill, reported by the Committee on Labor and Public Welfare, is that there is really no sickness in the union movement; there are only symptoms of sickness. It is in this general attitude that I suggest the Kennedy-Ervin bill approaches the subject.

I submit that the bill introduced does not begin to correct the evils to which it is directed. Because the majority of Americans are alarmed by developments in the labor movement and can see the inevitable results if we in Congress fail to meet the problem squarely and solve it, the matter should be thoroughly discussed and debated.

For a moment, let us look at the problem as a whole. What has caused the shocking situations revealed? Why do we have brutality? Coercion? And violence? With every sign that more is to come? I will tell you, Mr. President, in one word. As we examine the history of our present situation, we find time and again the reflection of power: Unrestrained, irresponsible, unrelenting power sanctioned by law. There is an alarming pattern here. A relatively novel one to the history of this country, because it is exactly the same monster from which our forefathers fled.

Because they knew the meaning of power and its inevitable corollary, corruption, the framers of the Constitution had every intention that the Constitution should be directed against the channeling of power into the hands of any single group or privileged few. Those men fresh from the scene of domination and oppression saw the immediate danger of privileged monopoly.

But what is the trend today? The trend is following a pattern certain to produce monopoly and bigness.

There are three areas in which this is taking place: First, there is Government. Government has become so large today that nearly every move we make is met with Federal regulation. Government after government in the history of this world has fallen because of the concentration of power in a centralized government; and, today, we are witnessing this growth in our own Nation's Capital. It can be successfully argued, Mr. President, in my own opinion, that big government spawns both big business and big labor, and that the three together will constitute a constant danger to our freedoms.

The second area of bigness is business. I may say that the usual explanation of the size of today's corporations is that, through a competitive struggle for survival, they have merged, for technological reasons, into massive combines.

But can the immense size be explained alone in this way? Not at all. There are two factors causing it, but the underlying reason for both is governmental policy. Fiscally, it is explained by two leading economists, Louis O. Kelso and Mortimer J. Adler, who state that in the operation of our great corporations today, the wealth produced by capital is divided by reference to considerations of expediency. Some goes to supplement wages; some, to pay the double tax on wealth produced by capital; some, to provide a major portion of new capital formation.

Corporations are subject to an income tax that is levied only upon the wealth produced by capital. The Federal Government and most States levy such taxes on corporations doing business within their respective borders. Under these tax regulations, however, corporations are not merely permitted indefinitely to plough back the wealth produced by their capital. They are constrained to do so by the effect of the steeply graduated personal income tax on the dividends received by their larger stockholders.

Thus, the structure of our tax system promotes bigness in the size of today's corporations.

As the size of the corporations grows, so grows the size of the unions with which management must deal in the determination of wage rates and benefits to be received by employees. As the unions grow, the trend snowballs for industry-wide bargaining, and this is followed by a greater body of Federal regulations proscribing such bargaining between employers and union representatives.

Government regulations on employee relations impose compliance burdens on today's businessman, such that only the largest can afford the staffs of accountants, lawyers and researchers required to keep abreast of procedures imposed upon them by bureaucratic proclamation. Mr. President, if the businessman attempts to follow the normal course of free enterprise, ignoring government channels, criminal sanctions are soon imposed upon him, and his business is terminated. Thus, Government practice in the employee-relations field encourages large corporations to grow larger.

Now for the third area, the one in which we are now intimately concerned. In contrast to business regulation, through a system of sanctions, our Government has created in the trade-union movement the power and privilege to compel union membership and to regiment employees by economic measures which are irresistible. This power today has the most far-reaching effect. Oddly enough, in this age of vast government and the prolification of laws, we have in labor relations little government and less law. We have, instead, what Professor Petro calls a series of special privileges for abusive and destructive trade union conduct.

He states that:

The superstate has enmeshed honest and productive citizens in a debilitating tangle of contradictory rules and regulations while nourishing the lust of the vicious and the unscrupulous and tolerating their abuses with complacency until they now threaten not only the source which produces them, but also the governmental officials who have been feeding them.

Out of the wilderness of conflicting rules and the jungle of special privilege, the looters and destroyers who figure so largely in the McClellan hearings, have emerged with unlimited economic power and fearful political power. They have made the most of an environment cut to their qualifications.

Thus, in labor relations, freedom has become a fugitive trapped, held by a superstate, while giant unions "slug it out." They are "slugging it out" with big business in the most fearful struggle of our century. Even Jimmy Hoffa has recognized this situation; and I quote from an interview with him, as published in the St. Louis Post-Dispatch:

The future of labor-management relations is big labor and big business, for there is no room for the small business or the small union. That is unfortunate, but true. We have reached the saturation point. Now we have to organize what don't belong to us to stay in business. We are in business to make money—not for profit, we are a nonprofit organization, but to expand. We are out for every quarter we can get.

Mr. President, what will come of this struggle is in our hands here in the Congress now. This conflict of raw power, if left unchecked in its present direction, can only result in having government alone emerge as the sole survivor.

America is in danger. Not alone from the material or military threat of our enemies in Russia, but from one that exists within the boundaries of our country, within the hearts and minds of our people, a weakness reflected in the acceptance of the abuses of power, and a weakness further demonstrated by our inability to face up to the real danger. The Soviet threat is one which need not panic us, so long as we avoid abandonment of our fundamental strength—the principle of freedom under law.

The danger lies in the excessive power and special privileges. All big unions, as they wield the club of economic pressures, exploiting to the limit their privileges, have formed industry-wide monopolies fraught with abuses and corruption so rampant that they portend certain destruction of the trade-union movement, with the attendant handmaiden of disaster for our country.

What has brought this about? The answer lies in the failure of government to control power and corruption. Let me give some examples:

In Nebraska, a small trucking concern owned by a man named Tom Coffee, who refused to deliver his truckers to the Teamsters Union when a form contract was thrown at him by Teamsters agents, was put out of business by secondary boycott. In his testimony before the McClellan committee, Mr. Coffee said:

They were going to organize the men from the top down and they didn't have time to fool with the little companies, such as mine, and I suggested then that we ask the NLRB for an election. They said that they weren't interested in an election and I said that I would insist on an election. They informed me that if I would, that they would stall any election that I might insist on until I was bankrupt anyhow.

True to its word, the Teamsters drove Mr. Coffee out of business. By means of a secondary boycott, supplemented by the use of violence and election-delaying tactics, Mr. Coffee's business was closed out. Mr. Coffee won every step of the way through the NLRB and his case was legally affirmed; but as he put it, "I never lost before a Federal court or before the NLRB, but I lost my business."

The committee agreed that the NLRB's dilatory, slow election processes were fundamentally responsible for Mr. Coffee's ruination. We thus called NLRB Chairman Leedom before the committee, to have him try to explain this. His statement was that the Board's election procedures, like all legal procedures, can always be abused by one who has the intention of delaying decisions, and that although irreparable injury may be incurred, due process does not permit the waiving of rules. He stated:

It looks like redtape to a union or employer who feels frustrated by the delays, but what is one man's redtape is sometimes the other man's due process.

Mr. President, it seems shocking that when our equity courts throughout the Nation stand ready with temporary restraining orders designed precisely to guard against the type of disaster Mr. Coffee suggested, the NLRB, which specializes in such matters, has no such relief to offer. Permitting employers direct access to courts would achieve two worthwhile results: It would prevent the ruination and destruction of threatened businesses, and it would tend to speed up the Board's election processes.

The Teamsters are also active in civic affairs. Let me read to you, Mr. President, an Associated Press dispatch taken from my own Phoenix, Ariz., newspaper, the Republic:

UNION RAPS GIRL SCOUTS

SAN FRANCISCO.—A spokesman for the Teamsters' Bakery Drivers Union says $4,000 in union contributions to the United Crusade will be withheld until the Girl Scouts promise not to sell nonunion cookies.

The United Crusade is a combination of areawide public welfare groups. Union Secretary Wendell Phillips said the union learned that several Girl Scout units in the San Francisco Bay area had ordered cookies from nonunion bakeries in the Midwest. "What we want is a promise that the girls will buy local union-baked cookies in the future," he said.

They are charity minded, Mr. President, as long as they can dictate the terms upon which the charity is to operate.

Mr. President, the 5-year-old Kohler strike furnishes a record of mass picketing, nationwide secondary boycotts, and probably more instances of violence than does any other strike in American history. What was the purpose? The purpose was to force unionism on unwilling employees. In short, here is the picture:

Early in 1954, the United Automobile Workers held a strike election upon a company refusal to accept a compulsory union membership contract. At the time, the Kohler Co. had 3,300 employees; but the vote tally shows that only one-third of them participated in the election. The vote was 1,105 to 104, and the Kohler employees decided to strike. Immediately after the strike was called, the United Automobile Workers set up a mass picket line, forming a human barricade of over 2,000 persons, a great many of whom were United Automobile Workers members who came long distances to participate as part of the United Auto Workers "flying squadron." Entrance into the plant was made impossible, although any worker who wished to do so had a legal right to enter. Many did, in fact, attempt to do so, since nearly two-thirds of the Kohler employees had not participated in the strike vote and were not unwilling captives of the union. Even with the intervention of the police, they were kept out. Nonstrikers were harassed, assaulted, and humiliated. Away from the plant, their home lives were made miserable by threatening phone calls, demonstrations, and vandalism. There were over 800 instances involving beatings, paint bombings, thrown acid, tire slashing, dynamited cars, and other violence.

In describing the union action in the Kohler strike, Donald Rand, an out-of-town international representative, had this to say:

It seems to me that it is almost sinful to have any labor dispute degenerate to the point this one has—where we actually have to wreck the company. That's what we're doing, wrecking the company.

Mr. William Bersch, a nonstriker, testified that John Gunaca, an out-of-town member of the UAW flying squadron of goons, assaulted and beat Bersch's father so badly that he was sent to the hospital, where he stayed for 18 days. Seven times after that he was returned to the hospital, and never fully recovered his health to the day of his death a year later. Mr. Gunaca fled to Michigan, where until recently he avoided extradition and prosecution for his vicious attack.

In another outrageous incident, Mr. Willard Van Ouwerkerk was accosted one night in a tavern during the strike and viciously assaulted, after he had indicated that he did not wish to join the union. Mr. Van Ouwerkerk stands 5 feet 6 inches and weighs 125 pounds. His antagonist, William Vinson, was 27 when he assaulted Van Ouwerkerk, weighed 230 pounds, and was 6 feet 3½ inches tall. Van Ouwerkerk had been hit from behind in the back of the head, knocked down, and kicked. The results were three or four broken ribs and a punctured lung, from which he contracted pneumonia. William Vinson was arrested, tried, and convicted. Subsequently, Mr. Emil Mazey, UAW international secretary-treasurer, made a speech at a union meeting, later broadcast to the Sheboygan radio audience, in which he stated that the judge in the case, Judge Schlicting, was unqualified to serve on the bench in that community. The provocation for this and other attacks upon Judge Schlicting was a comparatively mild 1-to-2-year sentence the judge had imposed upon Vinson for his assault, in spite of the fact that the maximum sentence possible in such a case was 3 years. Vinson actually served only 13 months. In defiance of the court order, Mazey issued a vicious attack upon the

integrity of Judge Schlicting, and imposed a UAW boycott upon the grocery store in which the judge's family had an interest. Unable to withhold comment any longer, several Catholic clergymen in Sheboygan issued a statement in which they pointed out that the attorneys for the convicted man had openly complimented the judge for his fairness during the trial and went on to say:

> The State supreme court denied the convicted man a stay of execution of the sentence. In the face of all these facts, the secretary-treasurer of the UAW–CIO, Emil Mazey, closing his eyes to the fact that the injured man was in danger of dying, accused the judge of bias against organized labor.
>
> He even presumed to question whether the judge is qualified to serve as a judge in this community. He has attacked the integrity of a major court of this country and deserves to be called decisively to task for this insolence.
>
> Lawlessness is the result in any society or community when law and order are disregarded and flouted. It is the beginning of anarchy. Is the secretary-treasurer advocating either one?

Mazey promptly issued a statement in which he declared that these clergymen were not men of integrity themselves. Mr. Mazey, in a later statement before the McClellan committee reiterated his accusation that the clergymen of Sheboygan were not men of integrity. This would indicate that Mr. Mazey now not only is above the law, but he and his union have no respect for the church and the clergy either.

This strike has now gone on over 5 years. It has cost the United Automobile Workers over $13 million. It is the admitted attempt of a gigantic union to break a company, regardless of what it costs in money, men, production, and American honor and prestige. While this has no direct bearing on the subject being discussed, I could not help wondering, when the unemployed march on Washington occurred last week, how much good this 13-plus million dollars would have done those unemployed people had it been applied there, instead of in an attempt to destroy a company and jobs.

The upshot of the violence and intimidation at the Kohler Co. was a complete breakdown of law and order.

Similar occurrences occurred at the Perfect Circle strike in 1955. Between July and October of that year more than 200 instances of violence occurred in the area of struck Perfect Circle plants in Indiana. The climax came on October 5, when a mob, only part of which were strikers, invaded the New Castle plant. The scene was described to the McClellan committee as follows:

Early in the morning, unusual activity was observed to the south and to the west of the plant. As time went on traffic in the area increased out of all proportion to normal conditions, and by 9:30 a.m. the streets were congested for blocks by parked and slowly moving vehicles. Women employees were sent to the cafeteria in the basement of the building. The men gathered in groups and silently watched the activity on the outside. Every person in the plant was extremely apprehensive and in fear of what was to come. As guns were fired as a signal, two groups of the mob, each numbering hundreds, converged on the plant, charged forward, crashing through the gate. While 40 or 50 men started toward the entrances, a mob of 2,000 was gathered outside. A car parked outside the plant area was overturned, just as an employee stepped out on a platform in the northeast corner of the building and fired a 20-gage shotgun, low and in front of the men who were overturning the car, and continued to fire in front of the people who were approaching the plant entrances. At this point firing from the outside began. A woman standing in the window of the shipping room was shot in the upper left leg, the bullet lodging in the bone just below the hip joint. At about the same time one of the supervisors from the Hagerstown plant, standing in the payroll office, was hit in the abdomen by a bullet from the outside that came through the window. While shotgun blasts and rifle fire continued, the demonstrators barraged the plant with stones and other objects for an hour and a half. Nearly all the windows in the office buildings were broken and many cars inside the fence were damaged. A house across the street was demolished.

The mob included a great many people who were not strikers and who were not even New Castle residents. Many were UAW members from more than 20 miles away. The UAW disclaimed all responsibility in connection with these outsiders, as well as any responsibility for the violence. Confronted with this intolerable situation, officials of the UAW said that the union would be willing to go back to peaceful picketing if the management and city and State police would cooperate and stop protecting nonunion workers. They refused to agree to assist in stopping the violence, but said that if management only was allowed to enter the plant the union would agree to peaceful picketing with but five men on the line. This, of course, would mean the closing of the plant. When the Lieutenant Governor stated that declaring martial law would not involve closing the plant, one representative then warned that if the plant operated there could be more violence of the same kind that occurred earlier in the day. Further, he stated that plants at Hagerstown and Richmond could become targets of the same sort of violent demonstration, but disavowed any UAW desire for such violence.

In the Kohler and Perfect Circle strikes and similar cases, there seemed to be a surprising lack of law enforcement and a reluctance on the part of law-enforcement officials to prosecute those responsible for the violence. Often our commitee traced this to the fact that witnesses are often reluctant to testify before courts and juries against the union for fear of reprisal, and that convicting evidence may be nearly impossible to obtain. We on the McClellan committee have noted this to be true in many instances when witnesses willingly gave information in private sessions with investigators, but when called before the commitee took the fifth amendment and refused to give evidence involving unions or union officials.

Another abuse of power is that of forcing employers to organize employees for the union in what is known as organization from the top. A recalcitrant employer can be forced to sign his employees into the organizing union regardless of whether or not they wish to be represented by the union. The stranger picket line is used to bring this result about.

Donald Skaff demonstrated to the McClellan committee how stranger picketing works. The Skaff Co., employing 45 workers, was approached by Teamsters Local Union No. 332 in Flint, Mich. The union presented a collective agreement for the company's signature. In Mr. Skaff's words:

> The overriding theme in the entire incident is that we were prepared to have a vote of the employees involved from the very first day that we were approached by the Teamsters. They were unwilling to have a vote. They wanted to organize from the top and have us sign and not have a vote of the employees.

The union, however, resisted an election because it was evident the Skaff employees did not wish it to represent them. Mr. Skaff was faced with a dilemma. The National Labor Relations Board would not take the case and order an election: The business was too small. On the other hand, the Michigan State Mediation Board could be of assistance in ordering an election only if the union agreed to it. Finally, Mr. Skaff said:

> The Mediation Board recommended that we join the union, since it was simply a case of who was the strongest.

Mr. Skaff decided to fight, and continued to fight even after the union set up its stranger picket line and beset him and his company with violence. He was ultimately forced to give in, however, so strong was the union's power. Three months after Mr. Skaff had refused to sign the coercive agreement he agreed that they were too small, signed the recognition papers, and allowed the company to be organized from the top.

Mr. President, this goes on and on and on. Thousands and thousands of unwilling American employees are signed into union membership against their desires by this tactic of an organization from the top. I suggest that in S. 1555 there is no remedy for this shocking condition.

One case follows another, and the experience of James J. Sporney, manager of the equipment division of Quaker City Motors Parts Co., Philadelphia, is typical. He testified that Bernard J. Marcas, organizing director for the Teamsters Joint Council 1953, had told him that if they did not sign up—

> You will get nothing in. We will close you up first, if you don't sign up. We don't want a vote, we want a contract. I control Philadelphia. The union controls the country.

In another power play, the unions have moved into politics. What this portends for the Nation, if allowed to continue, can easily be seen from the following statement made by James L.

McDevitt, codirector of the Committee on Political Education at a regional meeting of local union officials of New England in Hartford, Conn., on July 19, 1956:

> We are driving to see that every so-called labor leader speaks for what is best for the movement and not what is best for him. We are going to get the labor leaders who differ publicly with the position on candidates and issues already established by the labor movement. Such differings (hurt) the cause. These so-called labor leaders that differ with the movement will be uncovered. We plan to, and we will, publicly and among the rank-and-file, brand them as traitors. That's what they are—traitors—and that's what they will be called—traitors.
>
> We are warning you now, and we are warning all in the future: Do not differ with the movement with respect to issues or candidates. We will not stand for it.

Believe me, Mr. President, this is no idle threat. The means may differ, but they always follow through. Here is an example:

Having been defeated in their election attempts in Arizona last fall, on April 5, the Committee on Political Education held a convention in my State and came up with some interesting plans. They have concluded that our newspapers are biased and prejudiced in their news coverage.

Mr. President, they came to that conclusion because our local newspapers uncovered the fact that the COPE organizer in the southwestern section of the United States had a very interesting jail record. He worked throughout the southwestern area of the United States. When our local newspapers disclosed the fact of the jail record, the Committee on Political Organization decided the newspapers were biased and prejudiced for merely printing the fact that their organizer had spent some time in jail.

Last week, with the Committee on Political Education-supported candidate who ran last fall against our new Republican Governor acting as attorney, corporation papers were quietly filed for a $10.5 million newspaper enterprise. Big plans are underway in Arizona, with compulsory dues money as the propellant.

They approach us in Congress with similar big plans in the form of demands. Just recently AFL–CIO President Meany told us what kind of a labor bill we could pass in a statement before the Building Trades Council. Mr. Meany said that much as labor welcomes a cleanup of corruption, unless the provisions of title VI of the Kennedy-Ervin bill containing the so-called sweeteners were allowed to remain in, this bill would become unpalatable to labor and every effort would be made to assure its defeat.

Mr. President, there is nothing in title VI of the Kennedy-Ervin bill which by the remotest stretch of the imagination relates to anything that has been revealed by the McClellan committee. If Mr. Meany is honest and sincere in his statement about wanting to clean up corruption, he cannot be against the Kennedy bill, against the administration bill, or against the McClellan bill. If he is honest, as I feel he is, I think he will retract that threat to the Congress of the United States.

Such threats to a Congress which is disposed not to incur the displeasure of big labor would carry great weight. I ask my colleagues to ponder for just one moment what the hue and cry would be if either the chamber of commerce or the National Association of Manufacturers attempted to tell the Congress of the United States in such an arrogant fashion what it would stand for or not stand for in the way of legislation.

The Taft-Hartley Act prohibits political activity at the Federal level on the part of unions and corporations alike; yet labor organizations are openly engaged in politics at all levels under the guise of education. Operating under the name of COPE—Committee on Political Education—they move into campaigns, name candidates, dictate platforms, provide political manpower, radio and TV and printed advertising, and trained political directors. In short, they are more concerned today with political activity than they are with the bargaining table. When one considers that the income of labor organizations approaches $700 million this year one can begin to understand the power potential of this group in the area of politics. The power to control the Congress and State houses and legislative bodies—the power to destroy our political philosophies.

Who is responsible for the abuses which the McClellan committee has revealed? It is my firm belief that the responsibility lies in all three branches of our Government, and in their separate ways all three have been equally culpable. The source of the abuses lies in the special privileges which trade unions enjoy and which were granted starting in the early 1930's and which have continued through today.

First, Congress took away the right of every man who is endangered by unlawful conduct to immediate relief in the courts when irreparable injury is threatened. Congress has taken this right away from employers and employees and even the most unlawful conduct, when such conduct involves a union, cannot be enjoined. The Congress has also insured the weakening of employer resistance to even the most corrupt of trade union demands. Congress has denied access to the courts for immediate injunctive relief in two ways. First, for all practical purposes the Norris-La Guardia Act prohibits Federal courts from enjoining any activity in any labor case except violence amounting to civil insurrection. Thus, no employer can go into Federal court and get an immediate injunction against the most damaging picketing or secondary boycott even if it violates the Taft-Hartley Act. He cannot secure injunctive relief against violent union action unless he can prove that the local authorities are unwilling or unable to control the violence. The only injunctive relief available, thus, is usually obtainable only after the damage is done. This usually allows a business to be destroyed before relief is afforded. In the second instance, the Taft-Hartley Act enforcement is assigned exclusively to the National Labor Relations Board. If the National Labor Relations Board and its general counsel refuse to prosecute the case, the employer is simply out of luck. He must take it on the chin. In practice it has been the small employers who have suffered because seldom has National Labor Relations Board action come quickly enough to them to avoid irreparable injury. The Taft-Hartley Act itself has been responsible for some of the abridgements of employee freedom, in spite of the fundamental principle of the Taft-Hartley Act being that of free employee choice. Employees are expressly declared to have the right to join or not to join unions, free of economic or physical coercion by either employers or unions, but Congress explicity permitted unions to impose union-shop contracts upon employers and employees in States where such contracts are not prohibited. Unfortunately, this last act, coupled with the dilatory processes of the National Labor Relations Board and the Supreme Court's preemption doctrine, have blotted out the good intentions of the Taft-Hartley Act.

Thus, in brief, Congress set the stage and rang up the curtain, and handed the executive department its weapons of destruction. Through a series of strained interpretations, the NLRB has sufficiently emasculated the Taft-Hartley Act so that unions today have the very powers of compulsion which Congress had hoped to eliminate by the passage of the act. Here is one good example. In the New York Waldorf-Astoria barber case, the Waldorf-Astoria barbers were compelled to join a union to which they were opposed because the pressure exerted against the management and the immediate employer, the Terminal Barber Shops, was too great. The Teamsters stopped all deliveries, and garbage collections ceased. The hotel management refused to allow the hotel to be shut down merely because of a dispute in the barber's union and informed the barbers that they would have to join. At the hearings it was shown that the NLRB was without any power to afford relief to either the Waldorf Hotel or the small barbers' union, since this was one of the difficult common situs cases.

Professor Petro has offered a workable explanation of how relief might be obtained were we not saddled with the vagaries of NLRB rulings. He states that the difficulty exists only in the minds of the NLRB and its staff, and that the case is not a difficult one at all. The journeymen barbers' picketing was unlawful as addressed to the Waldorf barbers, and it was doubly unlawful inasmuch as it harmed the Waldorf-Astoria Hotel itself, a secondary employer. Furthermore, the Teamsters' refusal to cross the picket line to deliver supplies and pick up garbage, a refusal directed by Teamster officials, was an independent violation of the act. It amounted to inducement of work stoppage by a union in an attempt to make one employer, the trucking company employing the Teamsters, cease dealing with another, the Waldorf-Astoria Hotel. Professor Petro states that it could be demonstrated that

a number of other Taft-Hartley violations occurred in the journeyman barbers' picketing, the accompanying boycott, and the ultimate result. In this instance the violations were ignored, however, and the Board which had been set up to enforce the law with respect to these very types of violations would do nothing about them.

In the third act of this three-ring circus we see the Supreme Court carefully insuring that the constitutional rights taken away by the other branches are laid forever to rest beneath a headstone of a judicial case law. They began by broadening the base upon which the Federal Government could act. Every type of business and every conceivable type of activity became such that it affected interstate commerce. When it came to labor relations, the Court merely expanded this broad doctrine, pronouncing that the States should have no part in deciding the fate of labor cases within their borders.

Once having declared unions and their activities as affecting interstate commerce, they promptly released unions from the restraint of the antitrust law. It gave them the free use of a powerful tool, picketing, under the constitutional free-speech doctrine.

Next, it denied employers and nonunion employees access to State courts by means of the Garner—*Garner* v. *Teamsters Union* (346 U.S. 485 (1953))—and Guss—*Guss* v. *Utah Labor Relations Board* (353 U.S. 1 (1957))—cases conferring exclusive jurisdiction on the Federal board and courts by means of the preemption doctrine.

In this tripartite fashion the trade union movement has been encouraged to amass power, to abuse its privileges, and to dominate the American scene. No wonder we find abuse. Power is abuse. Congress has a job to do. When we Senators assume our positions, we place our hand on the Bible and solemnly swear to uphold and protect the Constitution of the United States against all enemies, foreign and domestic. This oath is not taken capriciously; it is not taken lightly; it is a solemn oath that thousands of people have taken upon entering Congress to protect the basic concepts of their Republic. It is an oath which binds them to the job of seeing to it that the freedoms enunciated by the Bill of Rights and insured by the Constitution will remain forever inviolate. The job of Congress is to defend, preserve and protect our people, not to cower before self-interest. The alternative if we delay longer is degradation and failure. But in spite of this imperative mandate, let us look at what Congress is actually doing. The Senate has just had reported to it in a new version, S. 1555, a slightly amended version of the old Kennedy-Ervin bill. Therefore, I have said before on the floor of this Senate, and I have said in innumerable meetings around the United States, that the Kennedy-Ervin bill does not face up to the fundamental problem, which is a problem of power. If I were to be kind to the proponents of this bill, I would recognize that it has the procedures of a fairly good reporting bill, but I suggest at the same time that reporting will not cure the evils produced by the blatant misuse of power by union leaders as has been disclosed before the McClellan committee. The Kennedy bill naively assumes that by reporting alone, the Secretary of Labor can detect the tyrants in labor and can then subdue them. It assumes that by mere words it can guarantee democratic processes to the union members without giving the union members at the same time any recourse to decisive action should those rights be ignored. It says, in effect by omission, that while clergymen, or the president or vice president of a chamber of commerce, or similar officers of the Red Cross or the YMCA and the YWCA are charged with fiduciary responsibilities, the union leader remains a sancrosanct person above these responsibilities. The McClellan committee in its interim report of last year specifically requested legislation to take care of the no man's land, fiduciary responsibility, and democratic processes. Yet, the Kennedy bill ignores two of those recommendations even though its author signed a report which made those recommendations. The second interim report of the McClellan committee has not yet been published but it is inconceivable to me that this can be released without specific recommendations that secondary boycotts and blackmail picketing be banned. Yet, the Kennedy bill completely avoids these two areas, both of which would be very objectionable to the union bosses.

What we in Congress must awaken to is the fact that freedom is the target of concentrated power. There is no question that trade unions have been scoring bull's-eyes for 30 years and taking away freedom which belongs to all of us and our children. How much more is there available for sacrificial offering? I submit that it may be too late. There is no question, however, that if we have any hope of retaining what little is left, we must deny the special privileges which allow the violence and monopolistic compulsion against union members.

We have reached a point again in our history where we once stood, when the question was asked of men, "Where do you stand, sir?" Do we want a republic whose constitution recognizes that freedom is ours because we are individuals and that freedom comes from God? Do we want a government unfettered by power? Do we want an economic system unfettered by abusive power? Do we want a labor movement with special privileges denied to the rest of our society, the use of which has produced the raw power disclosed before the McClellan committee? The answer, I say to my colleagues, rests in the question, "Where do you stand, sir?" If we remain true to our oath of office, if we believe in the proclamations of freedom and liberty which we make from rostrums across the land, if we believe that power invested in any segment of our population is bad, then I suggest to my colleagues who hear my voice or who read my words that we can demonstrate this by recognizing that in the approach to labor reform, suggested by the Kennedy bill, we find weakness in that it does not approach the disease but only the symptoms. We can recognize that by adding amendments to be proposed by the administration and by the Senator from Arkansas [Mr. McCLELLAN], who probably understands this field better than any of our colleagues, so that this bill can become a stronger bill, a bill which will bring a better sense of security to our American workers, be they members of unions or not, to the American public, and to management.

Many persons, including some of my colleagues, are fearful of the statement "a stronger labor bill." They do not like the expression. I wish to say that in my 7 years as a member of the Committee on Labor and Public Welfare I have never seen one amendment suggested by a Member of the Senate which in any way could hurt an honest labor union. The expression "stronger labor bill" has been given a bad connotation, in effect, by the bosses of labor, who do not wish their present status quo disturbed at all. In addition to that, let me say that nothing which has been suggested in the administration bill, in the McClellan bill, in the Curtis bill, in the Mundt bill, or in the Kennedy bill could in any way be construed by responsible people as being harmful to the labor movement.

Mr. President, if we fail at this crucial point in our history to measure up to our responsibilities as U.S. Senators, then history will judge us for what history will surely record us, as men who were timid when strength and courage were needed.

If, on the other hand, we want our freedom, we must work and sacrifice for it. There can be no compromise. Our Constitution is quite clear, and we either stick by our basic principles or we do not have them. There can be no compromise with those who would destroy us, because time is on their side. There can be no compromise with courage, the courage to stand for principle with strength.

Mr. President, I have a short statement which I intended to make during the morning hour and which, with the permission of the Chair, I should like to make at this time.

The PRESIDING OFFICER. The Senator from Arizona has the floor.

CONTROLLING CORRUPTION IN THE UNIONS

Mr. GOLDWATER. Mr. President, a recent study was conducted by McFadden Publications, Inc., which was published in a printed periodical called "The Wage Earner Forum."

The study, which was completed April 6 and which I have just received, contains the results of interrogation of some 3,000 individuals in occupations which include skilled labor, semiskilled labor, unskilled labor and similar types of workers. The questions asked were directed to the problem, "What the workers want from Congress." The answers elicited in response to questions on labor legislation indicate an overwhelming desire on the part of both union members and nonunion working people for legisla-

tion which will protect them from the type of abuses disclosed by the McClellan committee. Interestingly enough, a great many of these people recognize compulsory unionism as the course of these evils, and hence favor the enactment of right-to-work laws.

Mr. President, I ask unanimous consent that this study be inserted in the body of the RECORD following these remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

CONTROLLING CORRUPTION IN THE UNIONS

American wage earners overwhelmingly favor legislation which will control union corruption.

Question. Do you think Congress should pass laws to control corruption and crooked dealings in the unions?

[In percent]

	All wage earners	Union members	Nonunion
Should	94	93	95
Should not	4	5	3
No opinion	2	2	2
Total	100	100	100

Reasons why workers favor this sort of legislation revolve around the fact that unions need outside help if they are going to clean house and that corruption, communism, and undemocratic ideals do exist in unions and must be weeded out.

"Our unions have too many communistic ideas and rulings." (Union metalworker, Ohio.)

"In unions such as Teamsters, the rank and file need Government help and protection in order to clean house. 'Let George do it,' has brought about the present situation." (Electrical worker, Indiana.)

"It would protect the members' invest- their demands." (Union member, Pennsylvania.)

"I think the undemocratic unions should have guidance." (Member, Mine, Mill & Smelter Workers, Utah.)

"It would protect the members' investments in their trade unions and avoid all the ill feeling toward labor unions." (Member, I.A.M., Colorado.)

REVEALING UNION FINANCIAL RECORDS

A large majority of workers, regardless of union affiliation, feel that the union books should be available for Government inspection. A smaller majority believe that the union financial records should be open even for public inspection.

Question. Do you think unions should be forced to make their financial information available for Government inspection?—for public inspection?

[In percent]

	All wage earners	Union members	Nonunion
For Government inspection:			
Yes	89	88	90
No	4	5	2
No opinion	7	7	8
For public inspection:			
Yes	70	66	75
No	15	18	11
No Opinion	15	16	14

Those who favor opening the financial records to everyone feel that such action would stop corruption in the handling of funds which are, after all, public funds.

"Because they are handling public money." (Nonunion worker, Wisconsin.)

"It would help stop racketeering and make 'em be more honest." (Nonunion worker, Utah.)

"We have a right to know where our money goes—I think." (Auto Mechanic, Alabama.)

"It would help stop corruption." (Nonunion laborer, Indiana.)

Others who favor Government inspection of the records but not public inspection, point out that unions are entitled to as much privacy as businesses.

"It seems a union should have the same protection as business." (Union painter, Illinois.)

"An inspection should be allowed only if there is suspicion of unlawfulness; otherwise it is as private as any business." (Plumber's union member, Georgia.)

RIGHT-TO-WORK LAWS

Only a little more than a third of all wage earners feel that right-to-work laws help the working man while more than two in five think that these laws hurt him. There is a sharp difference in union and nonunion workers' opinions on this subject. More than half of the union workers do not favor right-to-work laws, while more than half of the nonunion workers do favor these laws.

It is interesting that while only 38 percent of all wage earners favor right-to-work laws, 55 percent favor the idea behind these laws—that a company should be permitted to employ a man even though he does not join a union.

Question. Do you think right-to-work laws help or hurt the working man?

[In percent]

	All wage earners	Union members	Nonunion	East	Midwest	South	Far West
Help	38	26	57	46	35	47	24
Hurt	43	58	22	37	46	34	64
No opinion	19	16	21	17	19	19	12
Total	100	100	100	100	100	100	100

Question. Do you think a company should be permitted to employ a man even though he does not want to join the union?

[In percent]

	All wage earners	Union members	Nonunion	East	Midwest	South	Far West
Yes	55	39	79	57	50	67	48
No	40	53	18	38	43	28	47
No opinion	5	8	3	5	7	5	5
Total	100	100	100	100	100	100	100

Those who favor right-to-work laws express opinions similar to these:

"Any man should have the right to work at any job if qualified." (Member Teamsters Union, Illinois.)

"It gives a nonunion worker a chance to jobs that are now closed to him." (Nonunion worker, South Carolina.)

Those who feel right-to-work laws hurt the workingman are more inclined to repeat statements made by union leaders.

"Right to work conditions existed before labor was organized. Sweatshops and poor pay are a few of the things that these laws will bring back." (Plumbers and Steamfitters Union member, Indiana.)

"Because it would kill the unions in a short time." (Carpenter Union member, California.)

The paradoxical position of the wage earner is dramatized by the fact that almost 3 in 10 of the workers who say that right-to-work laws will hurt the workingman also say that companies should be permitted to employ nonunion workers.

	Wage earners who say—	
	Right-to-work laws hurt the workingman	Right-to-work laws help the workingman
Bases	439	377
Companies should be permitted to employ nonunion workers	*Percent* 28	*Percent* 80
Companies should not be permitted to employ nonunion workers	63	18
Have no opinion	9	2

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959

The Senate resumed the consideration of the bill (S. 1555) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes.

Mr. McNAMARA. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McNAMARA. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that Mr. James V. Constantine, Solicitor of the National Labor Relations Board, be permitted to sit on the floor of the Senate during the debate on the labor bill.

Mr. JOHNSON of Texas. I have no objection. It is customary procedure for Members to desire to have technical assistants available, and I assume that that is what the Senator has in mind.

Mr. GOLDWATER. Yesterday, I understand, unanimous consent was granted to permit Professor Cox of Harvard University to assist the Democrat side. I merely wished to have the help of Mr. Constantine, who has sat through all the committee hearings and who is an expert in the field under discussion. He can aid Members on both sides of the aisle who desire to consult him.

Mr. JOHNSON of Texas. The Senator is quite within his rights. I heartily concur in his request.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GOLDWATER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McNAMARA. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF CLARE BOOTHE LUCE TO BE AMBASSADOR TO BRAZIL

Mr. MORSE. Mr. President, I understand that in the morning hour, while I was off the floor and unnotified of their intentions to pay their respects to me, the minority leader, the Senator from Illinois [Mr. DIRKSEN], and the Senator from Arizona [Mr. GOLDWATER] rose to the defense of a fair lady who has been nominated for the position of Ambassador to Brazil.

Apparently they seem to think that we should have a policy of exempting from cross-examination such a fair lady when called before the Foreign Relations Committee. Let me make clear that my cross-examination of her sought to lay a foundation for an evaluation of her diplomatic judgment. At the hearing on the nomination of Mrs. Clare Boothe Luce, I did a little cross-examining which I thought pointed out very clearly her lack of diplomacy and her exceptionally poor judgment. It is my view that if one is to fill a post so vital to the welfare of the Nation as that of Ambassador to Brazil she should possess better qualifications for diplomacy than Mrs. Luce demonstrated in her answer to my questions.

Apparently these two distinguished Republican colleagues of mine, Mr. GOLDWATER and Mr. DIRKSEN, do not believe that speeches which one makes are subject to review when the issue before a committee is whether the nominee has the judgment which one should have in order to fill a diplomatic post. Apparently—to judge from the remarks which have been made on the floor today by Mr. GOLDWATER and Mr. DIRKSEN and I have scanned them—they seem to think that if, in a political campaign, one makes an untruthful statement, it should be excused and no one should comment on it subsequently. They seem to think that if one should ask for documentation in support of statements such as those Mrs. Luce made in the past about President Roosevelt and Truman and Acheson that he is taking advantage of such a fair lady. To the contrary I think we were very fair to give her an opportunity to offer proof if she could in support of her shocking charges.

So when the Senator from Arkansas [Mr. FULBRIGHT], the chairman of the committee, and I quoted to Mrs. Luce past statements of hers, and asked her whether she wished to stand by them, not only did we feel that we were raising matters quite relevant to the issue of the kind of judgment she possesses, but we also performed a service to her, by giving her an opportunity—if she wished to take advantage of it—to document her charges. And when I quoted to her her past statement that President Roosevelt was the only American President who ever "lied us into war," and when I asked her for a documentation of that charge, we were raising a point which, in my judgment, pertained to her judgment and to her qualifications of judgment to fill a post such as the Ambassadorship to Brazil.

Let me say to my good friends, the Senator from Illinois and the Senator from Arizona, that I stand on that examination; and I am satisfied, so far as my vote is concerned; that Mrs. Luce's responses to that examination disqualify her for the post to which she has been nominated. The record shows I told her so; and I told her that I considered her statements—in the absence of any proof—to be subversive. I repeat the charge on the floor of the Senate today. With such a record of false statements on her part I consider her unqualified for any diplomatic post. She would not be the Ambassador to Brazil of just partisan Republicans may I point out to Mr. GOLDWATER and to Mr. DIRKSEN, she would be the Ambassador of all Americans.

Mr. President, I think that when one who was a Member of Congress which she was at the time—has made a statement that a President of our country "lied us into war," and then did not come forward on yesterday with any documentation in support of her statement, the comments I made in regard to her are more than justified.

Then I cited some other statements she made, involving President Truman and Dean Acheson, which in my judgment show a lack of diplomacy and good judgment on her part.

I am not little amused because my friends, the Senator from Illinois and the Senator from Arizona, seem to think that because I have made statements critical of Presidents, statements which I have always backed up with documentation, therefore I should exempt Mrs. Luce from being held responsible for her statements.

I am always willing to assume responsibility for my statements; but, of course, I have never offered myself as a diplomat. I am not a candidate for any diplomatic post. Mrs. Luce is. And, of course, there is also the great difference that when I "take them on," I am ready to offer my proof.

My good friend, the Senator from Arizona [Mr. GOLDWATER], seems to think that there is no criticism among responsible people of Mrs. Luce's record as Ambassador to Italy. To the contrary, there is much criticism of Mrs. Clare Boothe Luce's record as Ambassador to Italy. I brought out that criticism on yesterday, in long cross-examination; and I stand on it. I am satisfied that the record is perfectly clear that she misused the post of Ambassador of the United States to Italy, by intervening in the Italian elections. I do not think there is any doubt about it, and I brought that out in my questioning of her. I sought to find out whether that was going to be her course of action in Brazil, because she is being asked to serve as Ambassador to a nation where the memory of Franklin Roosevelt, the architect of the good neighbor policy, is revered. The good neighbor policy has deteriorated under this administration; but it is a policy which created great and needed good will between the United States and Latin America.

Mr. President, I wish to say—to use a colloquialism—that I believe it is a diplomatic "boner" on the part of the President to send to Brazil, as our Ambassador, a woman who has said that Franklin Roosevelt "lied" the United States into a war, even though she may be the wife of Henry Luce. I think it is a great mistake.

Mr. KEATING. Mr. President, will the Senator from Oregon yield to me?

The PRESIDING OFFICER (Mr. BARTLETT in the chair). Does the Senator from Oregon yield to the Senator from New York?

Mr. MORSE. I am delighted to yield.

Mr. KEATING. The qualifications of Mrs. Luce as prospective Ambassador can be judged, it seems to me, in large part by the service she rendered in the ambassadorial post she held, a respect in which she does differ from the senior Senator from Oregon, who is not now a diplomat, and never has been a diplomat—and I use the official designation.

Mr. MORSE. Or never will pretend to be.

Mr. KEATING. Does not the Senator from Oregon feel that whether or not she in any way had any hand in Italian elections, the result of the Italian elections benefited the free world?

Mr. MORSE. I wish to say to the Senator from New York that for a period of time, as a result of her blunders in Italy, the free world suffered in Italy. The record is perfectly clear that her attempt to bring the Monarchists into power, by supporting the Monarchist wing in Italy, was a disservice to the United States when she was our Ambassador to Italy. I also wish to say to my friend, the Senator from New York, that a "cover-up" job has been done on Clare Boothe Luce in regard to her record as our Ambassador to Italy. I started, on yesterday, to bring that out; and before the vote is taken on the question of confirmation of her nomination, I shall bring more out with regard to the great mistakes she made as our Ambassador to Italy. Now I turn to the next indictment I wish to make in regard to the policy which she and her husband followed in Italy. It relates to their interference with the oil policies of Italy.

Mr. KEATING. Mr. President, will the Senator from Oregon yield further?

Mr. MORSE. In my judgment, there can be no doubt that both Henry Luce and Clare Boothe Luce did what they could to interfere with the Government oil policies of Italy. In view of her record in Italy with regard to intervention in the Italian oil policies, I think it is a great mistake to send such an Ambassador to Brazil, where there is another Government monopoly, and where the oil industry is run by the Government.

Mr. KEATING. Mr. President, will the distinguished Senator from Oregon yield further?

Mr. MORSE. I yield.

Mr. KEATING. The Senator from Oregon is very adroit and agile and able.

But at the moment I am trying to pinpoint the Italian situation and I confine my questions to the Senator from Oregon to Mrs. Luce's service in Italy.

Does not the Senator from Oregon realize that, no matter what Mrs. Luce may have tried to do, or no matter what anyone else may have tried to do, the Monarchist Party in Italy was so small that it could not, under any possible set of facts, ever have gotten into power in Italy?

Mr. MORSE. I brought out at the hearing on yesterday, let me say to my friend, the Senator from New York, that her intervention caused bitter criticism of the United States in Italy, at the time, and resulted in the election of Scelba who was not of the party she was supporting, and that was clear proof of her intervention. What I sought to bring out in the hearings was that she should have kept her hands off of the politics of Italy. I sought to make clear that if she does become our Ambassador to Brazil, it should be with a pledge that she will keep her hands off of politics in Brazil.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. MORSE. I am delighted to yield.

Mr. KEATING. Does not the Senator realize that if those elections, in which the Senator alleges she had some participation, had not gone the way they did, Italy might well have gone Communist?

Mr. MORSE. The Senator from New York misses my point. Italy went the way it did in spite of Mrs. Luce, not because of her. My criticism of her has nothing to do with how the Italian elections went, but that she sought to intervene in the Italian elections, and no American Ambassador should do such a thing.

Mr. KEATING. Does not the Senator realize that the result of those elections was in conformity with the desires of the administration and of the leaders of both political parties in this country?

Mr. MORSE. That has nothing to do with the issue I am raising as to her disqualifications to serve as ambassador because of the fact that she did not maintain a position of neutrality in connection with those elections.

Mr. KEATING. Does not the Senator feel that if she contributed in some manner—in a legitimate manner—to the result of the Italian elections, she was serving our interests and the interests of the free world?

Mr. MORSE. No, not at all. She did not contribute to the winning side. The Monarchists did not win, thank God; and the Communists did not win, thank God.

Mr. KEATING. But the free world won, and the anti-Communists in Italy won.

Mr. MORSE. But she was not supporting the party that won.

Mr. KEATING. If Mrs. Luce contributed to that result, I think she served the interests of the free world.

Mr. MORSE. That is a very interesting commentary by the Senator from New York, if what he means to imply by his remark is that Ambassadors we send abroad should embroil themselves in the elections of the countries to which they are accredited. I simply want to say I reject that idea. I am criticizing Mrs. Luce because she let herself become involved, when she should not have done so.

Mr. KEATING. I have made no such intimation.

Mr. MORSE. I have made my interpretation of the remarks of the Senator from New York. I will let the RECORD speak for itself as to whether reasonable men will come to the conclusion that the Senator is trying to support an Ambassador who did involve herself in an election. I draw the conclusion from the Senator's statement that he thinks it was all right for her to have done so.

Mr. KEATING. In the present state of the world, I would support any Ambassador who, in a legitimate manner, helped to prevent our allies and friends in the free world from going communistic.

Mr. MORSE. The Senator begs the whole question when he says, "in a legitimate manner." I simply say that, if we are going to follow what the Senator from New York has suggested, we ought to announce to the world "We want you to understand that when we send Ambassadors to you we are sending advance campaign managers for the side in your country's political campaigns we want elected." Just make that American policy and then see how many vacant Embassies there will be when we make such an announcement and foreign governments proceed to send our Ambassadors home. It is an untenable suggestion that our Ambassadors have any justification in meddling into the domestic political campaigns of a foreign country.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. JAVITS. I have listened to the Senator from Oregon with some interest. I had not heard the comments of my colleagues from Arizona and Illinois. Mrs. Luce is close to being a constituent of the junior Senator from New York [Mr. KEATING] and myself.

Mr. MORSE. I want to say I admire the chivalry of the Senators from New York [laughter]——

Mr. JAVITS. Some fine things have been done in the name of chivalry——

Mr. MORSE. But we simply have to have a policy in the Senate of passing judgment on the record of nominees.

Mr. JAVITS. I am going to point out the record. That is why I rose. I happened to be in Italy on a number of occasions when Clare Boothe Luce served there, and on a number of occasions since. If we are to evaluate this issue fairly, and throw into the balance what the Senator from Oregon has said about Mrs. Luce—and I think it is fair to mention that—there should also be thrown into the balance these facts: It seems to me that through the ambassadorships of Mrs. Luce and Mr. Zellerbach, two persons whom I happen to know better than one knows most Ambassadors, we have developed a relationship with Italy in which Italy is probably as dependable a member of the NATO alliance as we have in all Western Europe.

If we are going to pass judgment on the question, I think it also is fair to give a very heavy value to the result. Whatever may be the dynamics of the situation, and the Senator from Oregon is at liberty to speak to them, and argue them, and contend for the particular opinion which he espouses, the fact is that during the two tenureships, a relationship has been built up which has made Italy, insofar as the United States is concerned, one of the most dependable allies we have in all of Europe. I think it is only fair to tote up the whole score.

Mr. MORSE. The only difficulty I have with the statement of the Senator from New York is the break in the chain of cause to effect involved in his argument. I do not know what his comments have to do with Mrs. Luce's testimony yesterday. What I am seeking to point out at this point in the debate is I am satisfied that what has developed in Italy has developed in spite of her. In view of the mistakes she made as Ambassador, I think we are very fortunate that the situation has not deteriorated in Italy.

Mr. JAVITS. What I am seeking to point out—and I think it is only fair that we tote up the whole score—is that when a person has a job to do and the end result in respect to that job is good, I think that person is entitled to credit as well as criticism for anything she has done in the job of which the Senator from Oregon disapproves. That is the only point I make.

Mr. MORSE. I merely wish to point out that merely because two facts exist at the same time, it does not necessarily follow that one fact is the cause of the other.

Mr. JAVITS. They should be discussed.

Mr. MORSE. When I am discussing her record as Ambassador to Italy, I am discussing the whole record. I only wish to point out that I think it is a mistake to send to Brazil, where there is a Government oil monopoly, an ambassador whose past record shows the position she takes in regard to such a domestic oil policy as exists in Brazil.

The next point, and the last point, I desire to raise today is that when we come to judge the diplomatic qualifications of a person, we should take his or her total testimony and the responses which are made to questions. We then have to ask ourselves, "Does this person demonstrate sufficient stability, emotionally, and mentally, and does this person demonstrate such a position on issues vital to the welfare of America in any foreign embassy abroad as to justify voting for confirmation of his or her nomination?"

I listened to Mrs. Luce yesterday, and I came to the conclusion that she does not have the mental and emotional stability which I think a good diplomat should have. I only wish to say that the Senator from Arizona, the Senator from Illinois, and now my two good friends, the Senators from New York, have, in my judgment, offered nothing in this

record by way of evidence which would justify my changing the point of view I expressed in the hearing yesterday When this administration nominates a woman for the ambassadorship of Brazil, who has stated, "Franklin Roosevelt is the only President in our history who lied us into war," then I must conclude that in the absence of documentation of proof of that charge, I cannot, in good conscience, vote to confirm the nomination of such a person, and I shall not do so.

Mr. President——

The PRESIDING OFFICER. The Senator from Oregon.

RAILROAD RETIREMENT BILL

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD a statement which I made today as chairman of the Subcommittee on Railroad Retirement of the Senate Committee on Labor and Public Welfare, which is a press release summarizing the bill and announcing that the bill was reported by the full committee this morning by a vote of 14 to 0 with 1 member recorded as "present."

I attach to the release a summary of the committee amendments.

There being no objection, the statement and summary were ordered to be printed in the RECORD, as follows:

MORSE ANNOUNCES LABOR COMMITTEE APPROVAL OF HIS RAILROAD RETIREMENT BILL

Senator WAYNE MORSE, Democrat, of Oregon, today announced that the Senate Committee on Labor and Public Welfare had voted 14 to 0, with one member recorded as present, to report his railroad retirement bill, S. 226, favorably for consideration by the Senate. Senator MORSE is chairman of the subcommittee which considered the bill.

The bill, so reported, conforms closely to S. 1313 passed by the Senate last year, but which died in the House of Representatives.

In announcing the committee action, the senior Oregon Senator expressed real pleasure for the unanimity which prevailed among the committee members.

"It is my sincere hope that there will be early action and full approval of this bill in the Senate because it will strengthen the hands of those in the House of Representatives who are working with us to bring to the retired and unemployed railroad workers of America benefits that are urgently needed in coping with higher living costs," said MORSE.

The principal provisions of the bill are as follows:

1. Retired railway employees and all others receiving retirement benefits will receive approximately a 10-percent increase.

2. This increase, together with the increases approved by the Congress in 1956, necessitates increases in the taxes which finance the Railroad Retirement Fund. The bill, as reported to the Senate, provides for such increases in taxes on a graduated scale to become effective in the calendar month immediately following passage of the bill. The rates would become 6¾ percent immediately and 7¼ percent after December 31, 1961. The tax will be applicable on the first $400 of the monthly earnings.

3. The bill, as reported, calls for increases in unemployment insurance benefits. An employee with between 10 and 15 years of service who has exhausted his rights to unemployment benefits would have his benefit year extended by 13 weeks during which he could receive unemployment benefits. An employee with 15 years of service would have his benefit year extended by 26 weeks. The provision in the bill for the payment of temporary unemployment compensation to employees with less than 10 years of service up to a maximum of 65 days, but not later than April 1, 1959, would be extended to July 1, 1959, in order to conform, as nearly as possible, to the provisions in Public Law 86–7 which was approved March 31, 1959, extending the Temporary Unemployment Compensation Act of 1958 to July 1, 1959.

4. Because of the existing high unemployment rate in the industry and the fact that an extraordinary drain has existed for some months on the unemployment insurance fund, the committee voted authority to the Railroad Retirement Board to borrow from its retirement fund with interest for temporary financing in the event it should become necessary. It also voted an increase in the unemployment tax rate levied upon the carriers to 4 percent, at least until such time as the fund accumulates a sufficient reserve.

SUMMARY OF THE COMMITTEE AMENDMENTS

The bill, S. 226, 86th Congress, is in general the same as the bill, S. 1313, 85th Congress, that was passed by the Senate last August. The committee, after consideration of the bill S. 226, approved the same with the following changes:

(1)(a) The 10-percent increase in retirement and survivor annuities is made effective with respect to annuities accruing for months after the month of enactment of this act. The effective date for the 10-percent increase in pensions is changed accordingly.

(b) The increase in tax rates for Retirement Act purposes, as well as the increase in the taxable and creditable monthly compensation base, is made effective with respect to compensation paid in months after the month of enactment of this act for services rendered after such month.

(c) The increase in lump sum payments is made effective with respect to deaths occurring after the month of enactment of this act.

The effective date with regard to the work restrictions on disability annuitants, and survivor beneficiaries working outside the United States, and the inclusion of social security wages for the purpose of computing survivor benefits, are not changed (effective for calendar years beginning with the calendar year 1959) because they all require computation on an annual basis.

(2) In view of the testimony before this subcommittee that the maximum contribution rate provided in S. 226 of 3½ percent would be inadequate to retain the railroad unemployment insurance account on a sound financial basis, the maximum contribution rate in the newly proposed table for unemployment insurance contributions is changed from 3½ to 4 percent, but this table, as well as the increase in the monthly taxable base from $350 to $400 a month, is made effective with respect to compensation paid in months after the month of enactment of this act for services rendered after such month.

The provisions for increasing and extending benefits under the Unemployment Insurance Act and the effective dates of such increases and extensions are not changed.

(3) In view of the low balance in the railroad unemployment insurance account, a new amendment is added to the Railroad Unemployment Insurance Act which confers upon the Railroad Retirement Board the authority to borrow from the railroad retirement account for the payment of benefits and refunds under the Railroad Unemployment Insurance Act, on a reimbursable, and 3 percent interest, basis.

(4) The provision in the bill for the payment of temporary unemployment compensation to employees with less than 10 years of service up to a maximum of 65 days, but not later than April 1, 1959, is extended to July 1, 1959 in order to conform, as nearly as possible, to the provisions in Public Law 86–7 which was approved March 31, 1959, extending the Temporary Unemployment Compensation Act of 1958 to July 1, 1959.

(5) A technical amendment is added to section 1(k) of the Railroad Unemployment Insurance Act. Under present law, if an individual's base year's earnings are insufficient to make him a qualified employee but for the inclusion of subsidiary remuneration, no day on which he earns such subsidiary remuneration is a day of unemployment although otherwise it may be. In view of the proposed increase in the qualifying earnings from $400 to $500 in the base year, section 1(k) of the Railroad Unemployment Insurance Act is amended by striking out "$400" and inserting in lieu thereof "$500".

(6) An amendment is added incorporating S. 280. This amendment would provide that pensions and annuities under this act would not be considered as income for purposes of the income limitations prescribed by section 422 of the Veterans' Benefits Act of 1957, under which non-service-connected disability pensions are not paid to any "unmarried veteran whose annual income exceeds $1,400, or to any married veteran or any veteran with children whose annual income exceeds $2,700."

NONRESIDENT TAXATION

Mr. KEATING. Mr. President, I ask unanimous consent to have printed in the RECORD the testimony which I gave this morning before the Senate committee dealing with constitutional amendments, with relation to the proposal for a constitutional amendment to prevent any State from imposing an income tax on the residents of other States, including the State represented by the distinguished occupant of the chair, the Senator from New Jersey [Mr. WILLIAMS].

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR KENNETH B. KEATING OF NEW YORK BEFORE THE SUBCOMMITTEE ON CONSTITUTIONAL AMENDMENTS OF THE SENATE COMMITTEE ON THE JUDICIARY ON S.J. RES. 29 AND S.J. RES. 67 RELATING TO THE TAXATION BY STATES OF NONRESIDENTS, THURSDAY, APRIL 16, 1959

Mr. Chairman, I want to thank the committee for this opportunity to appear before you today.

Any proposal to limit the power of the States to tax the personal incomes of nonresidents earned within the State, is of great interest to New York. It is well known that New York derives over $30 million annually in revenue from such taxes, primarily from New Jersey and Connecticut residents who work in New York City and other metropolitan areas. Overall, it is estimated that more than 190,000 persons are in this situation.

Moreover, while the number is small by comparison, thousands of New York residents who live in such border areas as Buffalo and Chatham, as well as in New York City, are in exactly the reverse situation. Their plight, however, while it should not be overlooked, is not as serious. Neither New Jersey or Connecticut have any income tax. And while double withholdings are possible in the case of New York residents who work in Massachusetts and Canada, a full credit is given by New York for the amount of such taxes paid in other States.

The situation in New York I am sure is typical of the situation in many other areas of the country. Rapid means of transporta-

tion have made even the interstate commuter a common national figure. Expansion to the suburbs frequently ignores State lines. The result is a steady flow of people daily spilling over State boundaries.

These conditions are symptomatic of 20th century America. There is no doubt in my mind that the general condition is good and that no State would ever benefit from sealing off its borders to neighboring citizens. At the same time, a certain amount of self-interest is bound to pervade the operations of any governmental unit. What we must guard against is the perversion of self-interest into selfishness. The States must look after their own, but they must not do so in a way which unfairly discriminates against friendly sojourners in their midst.

I recognize the reasonableness of some of the complaints about New York's present tax provisions with respect to nonresidents who work in the State. A nonresident, for example, may not itemize such deductions as medical expenses and out-of-State charitable contributions, which are allowed to New York residents. He cannot deduct the interest on his mortgage and the real estate taxes on his house, as can a New York resident. But these are specific, practical problems which can be dealt with without disregard of the fundamental considerations involved. They are irritants which should be cured, but the cure should not be allowed to destroy the whole system.

The basis for taxation of the income earned within a State by nonresidents has long been recognized.

The first cases sustaining such taxes were *Travis* v. *Yale & Towne Mfg. Co.*, 252 U.S. 60, and *Shaffer* v. *Carte*, 252 U.S. 37, both decided in 1920, which upheld respectively the New York and Oklahoma nonresident income taxes law. The Court pointed out in those cases that the States assume and perform the duty of preserving all persons, property, and business, within their borders and in consequence, must enjoy the power to resort to reasonable forms of taxation to require all such persons and interests to contribute to the expenses of government.

I assure the committee that a New York firehouse will respond to a fire alarm within the State without any preliminary inquiry as to whether the structure on fire is owned by a resident or nonresident. The New York City subways accommodate New Jersey and Bronx commuters on an equal basis. New York's highways, policemen, museums, and other services are available alike to the resident and nonresident within the State. There are no separate seats on the Staten Island ferry for workers who come to New York from out of State and for those who come from its own environs.

The Constitution entitles a nonresident to the privileges and immunities of a citizen, but to no more; not to an entire immunity from taxation, nor to any preferential treatment as compared with resident citizens. The nonresident taxpayer is entitled to protection against discriminatory taxation, but he has no right to be favored by an equally discriminatory exemption.

The Supreme Court said in the Travis and Shaffer cases that any contention that a State is debarred from exacting a share from the production and gainful occupations which borrow on its facilities for the protection and security of property and persons is so wholly inconsistent with fundamental principles as to be self-refuting. I agree fully with that statement.

The Supreme Court has also upheld the provisions of the New York law, which grant to nonresidents deductions less favorable than those extended to residents.[1]

The reasoning of the courts in that case was that the factor of residence had a legitimate connection with the allowance of more liberal deductions and justified classification of deductions founded upon residence. On that basis the Court upheld a denial to nonresidents of deductions for taxes and interest paid on real property located outside the State and such other personal expenses as life insurance premiums and medical costs.

It is not my contention that the existence of the power to tax nonresidents on this basis necessarily requires or justifies its exercise. Abstract legal considerations are not always the best guide to sound intercommunity relationships. The States involved in this problem should do all within their power as sovereign States to rectify any actual abuses which exist.

Governor Rockefeller has only recently announced that he was making the nonresident tax one of his main areas of study this year. He has called upon State officials in New Jersey and Connecticut to comment officially on recommendations which have been made to deal with various alleged inequities. Such local consideration is the proper approach to the matter and should not be handicapped by Federal intervention.

The proposed constitutional amendments would completely overturn a principle of taxation that has been judicially approved for over 40 years. They would, in effect, confer on nonresidents most of the privileges of residents, but exempt them from obligations imposed on the citizens of the State. The inequity of such a result is apparent. Nonresidents who enjoy the advantages of employment and the receipt of income within a State—and who share in the use and enjoyment of the facilities provided by the State—are morally obligated to pay a quid pro quo in the form of a tax on income earned in such State. The denial of this obligation in the case of income taxation would apply with equal force to the refusal of out-of-State residents to pay out-of-State gasoline taxes and tolls—a preposterous proposition.

It is no concern to New York that New Jersey and Connecticut do not choose to tax the income earned within those States by its citizens. But any attempt to give this practice extraterritorial application is of grave concern. The sovereign States must treat all within their midst fairly—but they need not yield their individual rights to desires which run counter to their reasonable interests.

The 31 States which levy income taxes all extend the tax to nonresidents who earn income within the State. Under these circumstances, the only beneficiaries of the proposed amendments will be nonresident workers who live in the minority of States which levy no taxes on personal income. No benefit at all will accrue to residents of income tax States who work and earn their living in States levying no income tax; for in all 31 income taxing States, taxation is levied on the basis of domicile regardless of where the income is earned.

The proposed constitutional amendments would serve the interest of only a minority of the States, would unfairly burden the citizens of the respective States with the cost of services provided to out of staters, would interfere with the sovereign rights of the States, and would repudiate long-established legal principles. Certainly this is too drastic a measure for dealing with whatever specific defects now exist in the respective tax laws. I respectfully urge the committee, therefore, to report the amendments unfavorably.

[1] *Goodwin* v. *State Tax Commision*, 1 N.Y. 2d 680 (1956), appeal dismissed, 352 U.S. 805.

AMERICAN DEMOCRACY VERSUS COMMUNISM

Mr. YARBOROUGH. Mr. President, in order to protect this Nation and help other countries fight against the Godless hordes of communism in the battle for the minds of men, we, as a people, must practice the democracy we preach.

The United States of America is today the hope of the free world. It is the one vehicle with the vigor and the vision to minister to the needs of mankind.

The Old Testament prophet, Micah, said that without vision the people will perish. His message stands before us today—and we must heed it.

We must have the vision to recognize that the world in which we live is in a state of great social, economic and political revolution. We must see that over one-third of the people of the world are hungry and that countless millions live without decent shelter or medical care.

That great American architect of ideas, Thomas Jefferson, noted that all men have the right to life, liberty and the pursuit of happiness. More than a third of the human beings in this world at this very moment are vitally concerned with maintaining just what is encompassed in the first word of that list, life.

In our democracy, we are dedicated to just one thing—the people and their pursuit of happiness. Our interest and concern for people does not stop at our national borders, but it goes wherever the idea of human liberty beats in the hearts of men.

We can whip communism over most of the world simply by practicing the democracy we preach—simply by taking a genuine concern in helping unfortunate people of the world to help themselves.

If as a people we really care, if we go to the bother and expense of furnishing less fortunate peoples the guidance, the technical assistance, the food, the medicine, the support to help them have a decent life, communism cannot win.

Democracy must first give the people of the world the greatest freedoms of all—freedom from hunger, disease, poverty, and ignorance. These are vital milestones on the road to the goal of the democratic nation—permanent peace and prosperity for all people.

Mr. President, Dr. Frank Laubach, a missionary and scholar, has been a leader in the fight against illiteracy, and, through his work to provide the world's peoples with more knowledge on how to help themselves, he has greatly furthered the fight against the evils which plague mankind. Dr. Laubach discussed this fight recently in a very eloquent speech at Waco, Tex. I request unanimous consent to have printed in the RECORD an article from the Texas Observer of April 11, 1959, which gives excerpts from Dr. Laubach's speech under the heading: "We Can Save The World, If We Try."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WE CAN SAVE THE WORLD, IF WE TRY

(The Observer herewith excerpts the remarkable extemporaneous address delivered by Dr. Frank Laubach as a climax of the first annual Texas Conference on Illiteracy, held on the Baylor University campus in Waco April 3–4. Delivered with ringing passion by a man who, after 30 years as a Protestant

missionary, author, and educator ranks as the world's greatest authority on literacy, the speech evoked from Baylor President Dr. W. R. White the response, "I have not been stimulated so in 25 years * * * it has made me ashamed of my colleagues, my country and my life * * * we need to get this before all the students * * * they are the most idealistic * * * the possibilities are staggering."—Editor.)

Those who have seen * * * illiterates change from defeat to a new attitude for themselves and a new vision for their children * * * know why we need a roundup of illiterates in Texas. But it has a wider significance than Texas itself. Dedicating its vast wealth, courage, and vigor, Texas can become a springboard for a drive on illiteracy down through Latin America * * * for the fight against illiteracy, want and poverty which is the very core of the trouble we're in in the world today.

In the free world today, only the people who don't know the facts are free from worry. Under communism is a deep underlying evil. Just as pneumonia is preceded by a common cold, the evil of communism is preceded by something and that something is hunger. There are millions of people in the world today who are obsessed with one question, where can I get something to eat today. There is frustration and hatred of those who are the haves * * * these cause communism. Wherever you find communism breeding today, study the situation and you'll find the evil there, underlying it—hunger, despair, desperation.

And hunger is the result of illiteracy. Hunger befalls people who can't cope with disease which ruins their crops and kills their animals. They don't know scientific farming, they can't plow, they use wretched seeds, they wreck the land and don't know how to use fertilizer. In many of these countries, a small 10 percent of the population mints the money and they keep it. They make the laws to suit themselves. Underneath, the have-nots—they don't have anything. These 9 out of every 10 are illiterates, these 9 out of 10 are desperately hungry.

Another reason for the increasing hunger in the world is the success of preventive medicine, carried abroad by missionary doctors in the last 50 years. Few people realize that one of every five of our missionaries was a doctor or nurse. They have done a wonderful job, stopped one of the greatest scourges the world has ever known, cholera. Why was Africa sparsely settled? Because everybody, animals and men, died of sleeping sickness. But we did not keep the food supply up with the rising population. We didn't teach people how to farm. In the days before we lost China, only 1 out of 1,000 in China was an agricultural missionary. But again before you can end hunger, before you can teach him how to farm, you first must make him literate.

THIS HUGE GAP

Those gospels that we take around the world are full of dynamite. Missionaries are conservative as a rule, but those gospels are not conservative. "I came that you might have a more abundant life." Everything in the New Testament is hope. * * * But the trouble with the world today is we're getting richer while they're getting hungrier. They're seen us, our cars, clothes, the way we live in the hotels in their country—they're just second-rate hotels to us but they're palaces to them—and now they want to be more like us, to have the things we have. And they have a grim determination.

This huge gap * * * broke out in Russia and in China and it turned out to be communism. It broke out because people are hungry. In case nobody's heard of it, I'll tell you what communism is to these people, how it's sold to them. People who have are stealing from those who don't * * * we liquidated them in Russia. When you're hungry, that is a powerful message. China went Communist because she was hungry.

These people know it better than you and I do—the reason they're hungry is because they can't read. They know that and they're crazy to read. In many of these countries, our State Department must go through endless red tape just to get one emissary cleared for entry. But if we write * * * India or Castro or the others involved in illiteracy and ask if they want help in literacy, they always write back, "Yes, we really want your help." The doors are wide open to us, the Government is open to us, the masses are open to us.

The President now has his Food for Peace program. It is all right, it is a stopgap, it gets rid of our surpluses, it will help them, yet I can see the danger of it. It might make paupers out of these people. They don't want to be paupers. They have pride. It might make me feel good to patronize you, but it'd make you feel awful to be humiliated. So are they. The one thing these people, these little people, have is their pride and when they have to accept charity, they just plain don't like it. They have to do it, or starve, but they don't like it.

WHAT THEY WANT

What they want is to know how. What they want is to be able to do it for themselves. What they want is not charity but a chance. What they want is not a coin in the hand but a tool in the hand.

So let's help them, if that's what they want, and the place to begin is literacy. And this is the first literacy conference held in the United States. I wish I could say there had been more but there hasn't, this is the first one, and small though it relatively is to the size of Texas, it is enormously important.

There is a much greater crowd here than we see, there are a billion and a half people, there are three out of every five of the human race. They are determined to no longer be hungry, destitute, down there where they are. They are reaching up their hands, their two hands, one over to us and one over to the Communists.

You say to them "Be careful, those Communists will make slaves of you." They laugh at you. They say, "We're at the bottom now. We never were free. What is this stuff you talk about in America, this freedom? What does it mean? We're hungry. We know what that means."

If we don't help them we lose them * * * a billion and a half people. That vast army that is now determined not to stay down, you can't tell them the Communists are lying. You can't tell them to lie still, because they won't, they will hate you for it.

They are coming up as our friends, if we help them up. If we don't help them up, they are going to come up as Communists and destroy us. If they are your friends, they'll lift this world, along with you, to a new high, and if they are your enemies they may drag the world on their heads, like Samson did, like Hitler did. They'll help destroy us in the process.

That's way this is an important night tonight, far more important than even this great State of Texas. It is an important evening for all mankind. The trouble is our country does not know what I've been telling you. It is very easy to save the world if we undertake it. I was hoping point four would do it, I was glad for what it has done, but I now know it's not enough. And the people in Washington know it perfectly well too. In addition to what the Government has done—so often for selfish reasons, driving shrewd Yankee bargains—we've got to do a deed of compassion, not because we want to help ourselves, but because it's the Christian thing to do, because we ought to have done it long ago, because this thing the Communists want to do, threaten to do, to the world has touched our consciences * * * We were lopsided in our philanthropies * * * well meaning though we were, and we have neglected these poor people.

They've got to have first literacy; then the books that tell them how to help themselves up out of their misery. It's a huge problem. Just this week, I talked to the Ford Foundation about money. You know what they answered? "We've studied that problem, it's too big, we don't have the money to do it and so we're not going to touch it unless we can succeed."

I went to the Rockefeller Foundation, and they said the same thing, "too big for us." I talked to Stanley Kresge, head of the Kresge Foundation, they have about $75 million, and he said, "It's far too big for us." It's too big for government, too big for business, too big for the philanthropies, so nobody is doing it. We are losing the world on the front of literacy and education.

We are holding our own, maybe, on the economic front, but we're losing on the educational front because we haven't yet seen that we have to do that. I for one don't want to spend my money, pour it down a rathole, $40 billion for the military, $3 billion for technical and economic aid, and then lose the world. That's what we are doing.

IS CHRIST PLEASED

So I want to propose tonight one more thing that we've got to do. We've got to mobilize. If in each church, 100 people would form an army of compassion, $1 a week—that would be $5,200 a year and then I'll tell our mission board secretary we want you to send a literacy expert or a journalist who will write the things those people need to help themselves, and an agricultural expert, those are the three main things.

I believe our country is overripe * * * for such an effort. Our people are in a state of frustration and disgust; we don't like to be hated * * * but we don't know what to do. We are ready for the greatest deed of compassion the world ever saw. We reach out there, help those hungry, desperate people up and then Christ will smile. You think your Christ is very pleased with America when America places $21 in church overhead, for her own church expenses, then sends $1 abroad to help save the world? If we asked Christ first do you think he would say put $21 in stained glass windows and in a tower and then send a dollar abroad? The Christ who said, "I am hungry and thirsty and naked and sick and a stranger and you help me when you help them." That's Christianity. The 250,000 churches in America * * * could send an average of one person each abroad * * * and the secular institutions, the PTA, women's clubs, colleges, Rotary * * * could send 250,000 more.

History is going over the Niagara rapidly. I also know America is going to change it. We want a change and we know now we have to do it ourselves Government doing all it will, business doing all it will, philanthropies doing all it will and then the church can send the army that has the love to Christ to teach them to help themselves.

Some of them are good, some of them are bad, but all are frightened. That is why this meeting tonight is not just a nice little thing we are doing. It is a part—true not a very big part yet—but big in potential.

I am telling you the vision that has got me burning up * * * and then this could be one of the most important meetings ever held in Texas because of what happened afterward.

Mr. YARBOROUGH. Mr. President, we have some very expensive programs of military aid. In addition, we have a category with which the American public is not very familiar, called economic

aid in support of military aid. We have the military aid to the foreign countries, economic aid to the foreign countries, the point 4 aid, and in addition the catch-all economic aid in support of military aid. It seems to me the Senate might well look into the waste of American money.

The project to which I have referred is a project sponsored by Dr. Frank Laubach of Baylor University. The purpose is to raise the literacy level of the American people and of people around the world, and it is one which is not a waste of money.

A survey has been conducted in my State, the results of which show that when we consider the real literacy—not merely the ability of a man to sign his name, but rather the ability to read an article and comprehend what is in the article—there are some 800,000 illiterate people in the State, and we are not below the American average in Texas.

Around the world many people are discontented because of their fear of the vague unknown. They do not know how to read or how to understand. This is a great project to teach people how to read and write. It is the most inexpensive of all forms of foreign aid. Its purpose is to give people the use of the written word. The program will have as great an impact upon hundreds of millions of people around the world as did the invention of printing centuries ago in Europe. It is like the invention of movable type. Our people have had the benefit of movable type. Very few people have utilized it.

Prussia was the first country to begin to practice mass education of its people when, under the leadership of an enlightened despot, Frederick the Great, education was made a project of the state. We are the second nation to make an effort to mass educate its people.

The movement started first in the Massachusetts Bay Colony, at the town level. Until the time of the Revolution it was not considered a problem of the entire colony. But in the South individual plantations operated an educational system. In the mid-Atlantic States there was in operation a system of church education, township education, and individual effort. It is sometimes called "no" system, but is really a combination system, using the three different means then known for support of the education of the youth.

Under the leadership of Thomas Jefferson and other Revolutionary leaders, the problem of education began to be recognized as a governmental problem about the time of the Revolution. Even before 1800, North Carolina and one or two other States had established State-supported institutions of higher learning. Massachusetts again led the way with some State support for public schools.

I remember as a boy that when the States began to devote State money to the support of public schools, it was said that that was socialism. It was said, "The States will take away our schools from the towns and cities if we vote State money for the support of schools."

Over the United States it is recognized that we could not have a strong public school system without State support by individual States, and the stimulus of the growth of movements for mass education of all the people.

We are met with terrific competition from abroad. For a long time we led the way in mass education. Our aim was the education of every American boy and girl. Now other countries are proceeding on the basis of the method first devised by Frederick the Great, making mass education a State project.

In Russia it is decreed how long a person shall go to school. The type of work he shall do is based upon mandatory selection, once he is graduated. There are weaknesses in that system, which cannot approach the democratic system, provided we put sinews in our school system and show that we really mean to have a first-class school system, which we do not have in many States. We should put money enough into the system to make it a first-class school system.

The purpose of the program of teaching adults how to read is to make up for deficiencies in the school system in the past generation. A simple method of teaching people to read can be operated at small cost around the world. In my opinion, that is the most important form of foreign aid in which we could engage. We should teach those people to read.

I am very proud that this movement began in my home State. The survey was made there. Techniques are being developed. There are three or four centers. I shall not take the time of the Senate to narrate in detail the educational methods, but they are new, although the ideal is as old as the Old Testament. The prophet Micah said that without vision the people perish. We must have vision. Merely voting to appropriate $4 billion will not win the uncommitted world for democracy. There must be leadership in spirit and in deed. We must give the peoples of the world the benefit of the printed word. We must give them the benefit of the things our ancestors had handed to them four centuries ago in Europe. We must inspire those people with confidence in us, and convince them that we want them to better their way of life. We should be willing to give them books and newspapers to read while we are sending other forms of aid. This form of aid is the inexpensive type.

Mr. McNAMARA. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McNAMARA. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EMPLOYMENT OF ADDITIONAL INTERNAL REVENUE AGENTS

Mr. CLARK. Mr. President, during the course of the year I have had occasion many times to call the attention of the Senate to the possibility of balancing the budget through the closing of tax loopholes. One of the greatest tax loopholes exists because income tax returns are not adequately and properly audited. That is because of the fact, in turn, that there are at the moment approximately 3,000 fewer Internal Revenue agents auditing income tax returns than were engaged in that work at the end of 1952.

Tax chiseling is a problem which I believe Congress must face and solve. If we do so, we will provide one of the best ways of bringing into the Treasury the additional revenue necessary to balance the budget at a higher figure than that recommended by the President of the United States. A very interesting article entitled "The Gentle Art of Tax Avoidance" was published in the April 16 issue of the Reporter magazine. I ask unanimous consent that the article be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE GENTLE ART OF TAX AVOIDANCE

(By John L. Hess)

"I don't feel as though the Government is entitled to anything," said the $25,000-a-year call girl on the Ed Murrow broadcast, "because these men are all legitimate businessmen. They deduct you at the end of the year."

The young lady was of course in error about her tax liability. The Government has no scruples against getting its share of any earned income, including the wages of sin. To be sure, the Supreme Court has ruled that an embezzler is not required to pay a tax on his take because the money isn't really his after all. But an extortionist, it held later, may not make the same defense, nor may a taker of bribes. They've got to pay because, in a manner of speaking, they earned the money. The payer of a bribe, on the other hand, may not deduct it lawfully as a business expense. But the Wall Street Journal has advised in its tax column that corporations can get around that in foreign operations by setting up subsidiaries to handle the payoffs. Recently, moreover, the deduction of kickbacks has been allowed in certain fields where they are regarded as normal business practice. For the distinction between normal and abnormal practices, see your tax lawyer.

The quirks of tax morality would be more amusing but for the fact that taxes of all sorts now take roughly a quarter of the gross national product and are a palpable burden to every citizen. Even so, many State and local governments, not to mention the Federal Government itself, are floundering in budgetary crises. The taxpayer can afford to pay more, one may argue; indeed he must if the Nation is to meet its pressing needs. And yet last November he rejected one-third of the borrowings proposed for local school construction and other projects, and much of the remainder barely squeezed through. The breadwinner-taxpayer-voter is obviously dragging his feet. Of course people have been trying to get out of paying taxes ever since there were any, but something more than a simple reluctance to part with cash is involved in the present difficulties. Resentment at the inequities of the tax burden and contempt for the hypocrisy of the tax laws have become a serious national issue.

EVASION AND AVOIDANCE

That call girl who was unwilling to report her income has at least one thing in common with millions of other citizens who are

rewarded for their services on an individual basis rather than by salary: the Government cannot tax her earnings at the source. The National Bureau of Economic Research has estimated conservatively that 30 percent of the income of private entrepreneurs—doctors, gamblers, lawyers, call girls, butchers, con men, farmers, and freelance writers—is not reported to Uncle Sam. The same applies to 61 percent of interest paid on savings and 13 percent of dividends. But not more than 5 percent of salaries go unreported. Over the years, there have been proposals that income taxes be deducted from interest and dividends at the source, as they are on wages. But the suggestions have never gotten anywhere.

A certified public accountant helping a newspaperman friend prepare his tax return not long ago shook his head pityingly and said, "You chumps on salaries pay all the taxes." He did not mean to imply that the very rich lie in reporting their incomes, their returns are scrutinized too closely for that. But while, in the curious semantics of the tax specialist, the rich do not often evade taxes, they are able to avoid them to a degree only dimly realized by the general public. (Tax evasion, according to the latest practitioners' guide, is doing something that, if you get caught, will mean a fine or jail. Tax avoidance at worst comes to an honest disagreement with the Revenue Commissioner; if you lose, you just pay up what you owe, plus interest.)

In 1929, taxpayers with reported incomes above $100,000 paid two-thirds of total Federal income-tax revenues; in 1956, they paid roughly one-twentieth. For persons earning less than $10,000 the change has been just the reverse; in 1929, they paid less than one-twentieth of the income-tax revenues; in 1956 they paid two-thirds. Nearly five-sixths of the income tax now is levied upon the lowest, or 20 percent, bracket.

It should be emphasized that this extraordinary shift in the tax burden reflects the enormous rise in Government spending and in the numbers and prosperity of people within the below-$10,000 group. But in some measure it also reflects the increasing ability of the upper brackets to avoid taxes, coupled with the inability of the salary earners to evade them since the enactment in 1943 of the law establishing the withholding of 18 percent of taxable income from wages.

Much has been said about confiscatory taxes, and indeed the 91 percent bite listed at the bottom of the tax table is confiscatory. But nobody actually pays 91 percent of income. Fortune magazine has noted that in 1956 the Treasury took only about 37 percent of full incomes above $200,000, where they theoretically enter the 91 percent bracket. "The high-bracket tax situation," Fortune goes on, "has been likened to 'dipping deeply into great incomes with a sieve.' One sophisticated finance officer of a large corporation says he is amazed to hear that anyone pays more than 60 percent of his total income; that anyone who does must do so 'just out of forgetfulness.'"

Of course, a few corporations pay high executives salaries that reach far up into the 91 percent bracket—notably Bethlehem Steel and, in palmier days, the movie industry. But these must be considered harmless status symbols. The real compensation for executives these days lies in such tax-favored income as the expense account, deferred payment plans, pensions, and options to buy company stock at less than the market price.

This last practice has developed a mythology that is accepted chiefly by financial writers and stock-exchange pamphleteers. Stock options are desirable, it is held, to nourish the loyalty of executives. Unfortunately, the reports required by the Securities and Exchange Commission on stock dealings of insiders give the impression that many beneficiaries lose no time in selling the shares thus acquired. A naive RCA stockholder once asked why Chairman David Sarnoff and President Frank Folsom had sold stock granted them under option, at a profit of more than half a million dollars, after holding the shares only the 6 months required to qualify for a long-term capital gain. Sarnoff explained that they had borrowed the money to buy the stock, and had to sell the stock to repay the loan.

Actually, in seeking income other than salary the executive is merely following the curious moral precepts of our tax system, which hold the earnings of work to be inferior to all other sources of income. A married man who makes $10,000 a year on a salaried job has to pay a higher tax than one who stays at home and collects an equal income in dividends and just as much as one who dabbles in real estate or other speculation and clears $20,000 of long-term capital gains. (In fact, the investor and the speculator have many more opportunities to claim business expenses and other legitimate deductions, and almost certainly would pay considerably less.) Furthermore, there is a premium for the man who speculates with other people's money, for he can deduct the interest paid on debt.

THE SWINDLE SHEET

Probably no aspect of our tax mores has received more attention in recent years than the expense account. In the Yale Law Journal last July, V. Henry Rothschild and Rudolf Sobernheim wrote that expense-account spending might be conservatively estimated at $5 billion a year, resulting to a tax loss to the Treasury of from $1 to $2 billion. Regarding the loose use of this money, they commented: "The Treasury is keenly aware of the problem, but its efforts at regulation have met with stubborn resistance, both from the luxury services sustained by the expense account and from the individuals who find the account essential to their accustomed standard of living." Last year the Treasury went so far as to order taxpayers to account for expenses in detail, but it beat an ignominious retreat under a storm of protest.

While the expense account gives many a salesman and junior executive a taste of the high life, it should not be concluded that it has an equalitarian effect. "A physician undoubtedly would be questioned if he chartered a plane for his trip to the A.M.A. convention and used a $300-a-day executive suite at a luxury hotel," U.S. News & World Report has observed. "But the tax agents usually don't bat an eye when a big executive spends on that scale."

Speaking of conventions, it is a poor trade group these days that does not charter a cruise ship to the Caribbean for its annual business meeting. The J. I. Case Co. last winter flew all of its dealers and their wives to the Bahamas to look at its tractors, made in Milwaukee. A doctor with any ingenuity now arranges his European vacation to coincide with a medical meeting.

Many companies award mass vacation trips to their dealers as prizes (cash rebates would be taxable), although more than one dealer has said he would rather take the cash and pay the tax. One, quoted in the Wall Street Journal, grumbled, "Who wants to spend his vacation with a lot of appliance dealers?"

Given the choice between a $10 lunch and a $10 bill, many salesmen would take the money and eat at the Automat—indeed, there is some suspicion that some do just that. But, legally, the expense account does not permit such freedom. It has been observed that it gives the beneficiary a split-level existence: filet mignon on business and hamburger at home. Like other elements of the tax structure, it distorts the way of life of even those who get away with the most.

In one respect, at least, the expense account appears to have elevated our moral standards: a British observer has noted that a businessman used to take his secretary on a trip and say she was his wife; now, he takes his wife and says she is his secretary.

To its defenders, the expense account is a useful way of giving executives a standard of living they otherwise could not achieve under our tax structure. The difficulty here is that the tax benefits are limited rather capriciously to top executives, salesmen, entrepreneurs, and staff members of the advertising, TV, and public-relations fields. The great majority of citizens, who never see the inside of a posh club or sit down front at a hit musical, may feel that they are being discriminated against.

In any case, the thing is clearly getting out of hand when a court will rule, as in one case celebrated among tax practitioners, that the head of a dairy company and his wife might deduct the $17,000 cost of a safari to Africa because of the publicity value to the business. The Yale Law Journal article cited above recommended that misuse of the business-expense deduction be made subject to a cash penalty. But this would hardly stem the tide without a redefinition of misuse.

A straightforward, drastic attack on the disease would be to bar all deductions for entertainment. It also would rule out club dues, town apartments, yachts, hunting lodges, executive dining rooms, and the private use of company cars, with or without chauffeurs. It would limit expenses on the road to a fixed per diem scale, such as some old-fashioned companies still impose on their lower employees. Any luxuries whatever would be considered compensation, and taxable. The increase in revenues would then be applied to reducing tax rates.

The suggestion is offered here without optimism. For one thing, its enactment into law would hit all Congressmen in the pocketbook. For another, it would get the hotel, resort, and entertainment industries up in arms, as did even the Treasury's feeble effort at a checkup last year. (Is it really necessary for the U.S. Treasury to subsidize the Stork Club?) Further, it would seem to threaten the standard of living of hundreds of thousands of businessmen, executives, and salesmen. Doubtless if they had to spend their own money they would not make quite the same splash. But they might drink less and actually live better with lower tax rates and more control over their own money. And outlawing swindle sheets might do wonders for their immortal souls.

BREAD UPON THE WATERS

The erosion of public morality by the tax system is perhaps nowhere more apparent than in the area of charity. Jesus said, "It is more blessed to give than to receive"; nowadays hardly any appeal for a worthy cause fails to add, "and it is tax-deductible, too." More and more, wealthy people are learning that it often actually pays to give.

Let us take a gentleman in the 60 percent tax bracket, who 5 years ago picked up a nice little painting in Paris for $10,000. Today it is worth $20,000. If he were to die owning it, his estate would have to pay an inheritance tax. So he gives the painting to a museum, and deducts the full $20,000 value from his current income. Or he can give the picture in annual installments, according to his tax needs. (A Solomon must have thought that one up.) Or he may deduct one-third of a painting's value by arranging to let a museum have it for 4 months of the year, thus perhaps saving storage and insurance costs while he is away during the summer, and keep it right up on his own wall the rest of the year. Who said you can't eat your cake and have it too?

Similarly, one may give stocks or bonds to a charitable organization or school, deducting a substantial amount from present income but retaining the interest or dividends on the securities for life—and for the lifetime of an heir as well. The Research Institute of America, commending this device to upper-bracket clients, remarks that in this way they may not only increase their after-tax income but also obtain the immediate personal satisfaction and community respect that comes with a present rather than a post-mortem gift.

A number of colleges and church groups have banded together to promote a give-us-the-securities-you-keep-the-income campaign. There is a kind of admirable farsightedness and selflessness about this business of raiding the Treasury today for benefits that only future generations will be able to enjoy. It compensates a little for the national debt that we are leaving to those generations.

Whatever it signifies about human nature, the tax code clearly has been a windfall for philanthropy. According to a study published last month, donations to colleges alone soared from $50 million in the 1943–44 school year to $111 million in 1957–58. Foundations have proliferated like rabbits, and for many of them the chief preoccupation has been how to get rid of money. Organizations have sprung up to combat various diseases (and in at least one case, two organizations are bitterly contesting the same disease and each other). Museums large and small, all over the country, have been enjoying a stream of gifts of works they could never before even dream of owning.

In donating contemporary art, the philanthropist may easily contrive to clear more money than the artist. Recently, the revenue men have been ungraciously demanding evidence of a market value for the gift, but appraisals are still bound to be on the generous side. A whisper is heard of one big taxpayer who made a package deal in a casual conversation over a dinner table. He bought $30,000 worth of art, which was donated to a string of small museums at a valuation upward of $70,000, which he deducted from income at a substantial profit. He never saw the pictures, but he may drop in on one or another museum sometime with a friend to admire his gift and the plaque acknowledging it. No museum has ever listed the Treasury as a codonor.

On the contrary, many institutions have lost all inhibitions about raiding the Government till. A number of charities, for example, employ a direct tax appeal to collect used clothing, cars, furniture, and junk of all kinds, which they sell, well aware that the deduction for tax purposes is far greater than the money they actually receive. One New York clothing chain, noted for its sincere-type advertising, invites taxpayers to turn in their old dinner jackets. The store provides, without charge, a signed appraisal for tax purposes, gives the clothing to charity, and stands quietly available if the taxpayer wants to buy new evening clothes.

The director of a great missionary organization, which ships a great deal of used clothing overseas (though presumably not dinner jackets), was asked the other day how tax avoidance squared with religion. "We are quite sensitive to the problem," he replied. "We live with it every day. And at the end of the year, we get that flood of contributions with carefully worded letters," the accountants having told their clients how much to give to the Lord. He had no proposal for a solution.

A national spokesman for a leading Protestant denomination defended the deduction as a perfectly legitimate decision of society to divert up to 30 percent of income to charity, education, and religion, thus preserving privately directed social activities in the era of the welfare state. (To be sure, those who do not choose to give must assume part of the tax burden of those who do give.) But he was concerned about quite another aspect—the exemption of churches themselves from income, property, and business taxes on nonreligious ventures. A worldly member of his board of trustees, being apprised of this exemption recently, said, "Why, if I had known that a few years ago, we would own the oil industry now." But the churchmen did not want to own the oil industry. Rich men die and leave much of their wealth to churches, he pointed out, "but churches never die—ultimately, they could own everything." Before that happened, he could foresee state intervention.

EVERYBODY'S DOING IT

The social acceptability of raiding the Treasury is demonstrated by a common gimmick in the field of so-called municipal bonds. The billions of interest paid each year by State and local governments are exempt from income tax for the bondholder. This generous (not to say incomprehensible) treatment is accorded by the Federal Government to make it easier and cheaper for the localities to borrow. In gratitude, they frequently conspire with the bond marketers to do the Treasury out of even more tax income.

Thus, a part of the bond issue will carry an abnormally high interest rate, which is offset by a price above the face value of the bond. Now the bond house, or a favored customer who buys such a bond, will report a deductible loss when it comes due, since the face value is less than the price paid for it. Actually, the holder will have received an exorbitant interest payment, entirely exempt from the Federal income tax. The loss is quite fictitious but entirely legal.

The Treasury tried to narrow this loophole by denying the "loss" to dealers who held the bonds themselves for more than a month. But how could it stop a dealer from selling a packet of bonds to another dealer, who might sell him a similar packet?

It would obviously be cheaper as well as more honest for Congress to subsidize directly any activity it wants to help, but it has always found it easier to grant tax exemptions. Exemptions are noticed chiefly by those who take advantage of them; subsidies show up in appropriations. The budget debate rages about deficit spending, never about deficit taxation. Has anybody asked why income tax revenues have failed to grow as fast as income?

The answer is that every time Congress is persuaded to block one unintended loophole, it opens three or four more in order to eliminate inequities—or give someone a tax break. Last year, for example, Congress spurned all efforts to lower taxes as an antirecession measure. Yet Congress also voted a special and rapid depreciation provision for small business that removed huge amounts of income from the tax rolls, eased the deduction of present losses from past years' profits, increased the tax-exempt reserves that corporations may set aside from earnings, made easier the formation of collapsible corporations—a form of alchemy that turns income into capital gains—and approved the formation of new private investment companies that will get both Government subsidies and tax exemptions. And that was a relatively inactive year in the matter of exemptions.

One might suppose that tax practitioners would be the last to object to a system of such wild complexity that the courts themselves are perpetually engaged in wrangles over what it means and a deduction is frequently legal in one judicial district and outlawed in others. But J. S. Seidman, delivering a committee report of the American Institute of CPA's back in 1956, denounced all 1,000 pages of the Federal Tax Code as a crazy quilt of exceptions, exemptions, deductions, and special provisions, many so abstruse that the legislators who adopt them seldom know what they're about.

If 100 special provisions in the code were eliminated, Seidman figured, tax rates could be cut by one-third. The brackets then would run from 13 to 61 percent, instead of from 20 to 91 percent.

One thing virtually all the special provisions have in common is that however reasonable or meritorious they may seem, they help the upper-bracket taxpayer most and do little or nothing for the low-income group. Take the case of the joint return: a man earning a net taxable income of $4,000 saves $40, while one earning $200,000 saves $22,180. And then there is the exemption for interest paid on debt. Here the tax code appears to be saying that only fools pay cash. It favors the mortgagee as against the tenant or the man so old-fashioned as to own his home outright. And people in the upper brackets have found it profitable to borrow money to buy insurance and annuities, the tax deductions on the interest paying much of the cost of the premiums. In effect, Uncle Sam pays their insurance bills.

PITY THE POOR WILDCATTER

The most notorious of the loopholes deliberately created by Congress is the oil-depletion allowance. All business is, of course, permitted to deduct from income the depreciation, or using up, of its assets; in the mineral field this is called depletion. The allowance varies among minerals (even oyster shells are now eligible), but an oil producer may subtract 27.5 percent of his gross income. A well may easily repay its investment within a couple of years, but the allowance goes on as long as it yields oil, which may be for a generation or two. An indication of the sums involved was contained in the report by the Venezuelan Government that its oil industry, largely U.S.-owned, cleared a net income after taxes of $829,500,000 in 1957, a return of 32.5 percent on its investment in a single year.

Practically nobody, even in the financial journals, defends the 27.5 percent depletion rate—except, of course, the oil men themselves. Like so many other advocates of more or less noble causes, they raise the banner of national defense. Only a generous incentive, they argue, will keep the thousands of independent little wildcatters drilling and thus maintain the Nation's oil industry in a posture of readiness. Yet of the $2 billion of depletion claimed in 1953, J. S. Seidman reported, companies with more than $100 million of assets accounted for 63 percent. Companies with less than $100,000 accounted for 4 percent.

Over the years, many a Congressman seeking to strengthen the Government revenues has wistfully eyed the depletion loss. But with both Houses firmly guided by Texans, the fund raisers have been obliged to look elsewhere. On this rock have foundered all proposals for tax relief for lower incomes. The Wall Street Journal once reported that Speaker SAM RAYBURN had been asked how he reconciled his opposition to a tax cut with the Democratic Party platform, which had promised to raise the personal exemption from $600 to $800. Mr. RAYBURN frowned, then chuckled and replied: "I didn't write all that platform myself."

Congress has given to all business a little of the same treatment it has accorded the oil industry by speeding up the period of depreciation. Here as in so many cases, the taxpayer and tax collector play a game of let's pretend. They pretend that a plant, machine, or apartment house wears out in, say 5 or 8 or 20 years, when actually it has a useful life of 15, 20, or 50 years. Each year the owner deducts the fictitious rate of depreciation from income. In theory this merely postpones taxes, since when the item is fully depreciated the deductions halt. But meanwhile the Government loses the

use of the tax money, and must borrow it elsewhere. During and after the Korean war, the privilege of unusually rapid write-offs was extended to roughly $35 billion of investments, some of them connected with defense only by the exercise of a supple imagination. It is estimated that the Treasury lost $3 to $5 billion on this program just in the interest it paid on the money it had to borrow.

But that is by no means the whole story. Once an investment is fully depreciated, it may be sold—frequently, in these inflationary times, at a higher price than was originally paid for it. The original owner then pays, at maximum, a 25 percent capital-gains tax on the profit. The second owner begins to depreciate his purchase all over again—at a higher cost basis. The miracle of the loaves and fishes has been brought up to date.

Years ago some clever chap figured out another amiable fiction that has bled the Treasury out of billions. His client, let us assume, sold turpentine from a large storage tank, which he replenished from time to time. Prices had been rising for years and seemed destined to rise indefinitely. The tax adviser thought it would be helpful, taxwise, if every time his client sold turpentine the very last batch he had bought—and therefore the costliest—happened to come out of the spigot. The profit on the sale thus would be smaller.

This, said a professor later in the Journal of Accountancy, is "an assault on common sense." Physically, it couldn't be done. But in tax accounting, it was done. "My client has some of the oldest turpentine in Georgia," an accountant once told me.

This method of inventory accounting is called LIFO (last in, first out), to distinguish it from FIFO (first in, first out). One oil company told its stockholders that it saved $12 million the year it switched from FIFO to LIFO.

It was a great day in retailing when department stores won the right to apply LIFO to their inventories—preposterous as it may be to assume that stores are keeping goods for years when actually they try to turn over their stocks a dozen times a year. R. H. Macy & Co. even tried to apply LIFO retroactively, and persuaded one court to go along, but lost on an appeal by the Government. Had it won, it is estimated that the department-store industry would have collected a billion dollars in tax refunds.

There is a theoretical drawback to LIFO. If a decline in prices were to set in, LIFO would increase taxable profits rather than decrease them. But in that event, there might not be any profits to pay taxes on anyway, and furthermore, there is little doubt that the Treasury or Congress would permit the taxpayer to switch back to FIFO.

NOW YOU SEE IT

Where taxes are concerned, said Judge Learned Hand in a famous opinion, if it is legal it is not immoral. In fact, the aim of most avoidance devices and tax-relief measures is to conceal the honest origin of funds—that is, to pretend that the taxpayer did not get the money for services rendered. Thus the film star forms a corporation and pretends to be a speculator rather than an actor. An honest profit, like an honest wage, is penalized under the law; hence it must be postponed, renamed, turned into a capital gain, or made to vanish entirely. These goals may be achieved in a number of ways, of which the following are no more than a small sampling:

1. A company or individual may set up a corporation in a tax-free haven abroad, which may keep its profits from exports and other foreign operations intact until the firm is liquidated and the profits brought home as capital gains. A Wall Street Journal reporter recently encountered subsidiaries of many such taxpayers as U.S. Steel and Bethlehem in the sunny Bahamas. Most of them were close-mouthed about what they were doing there.

Within certain limits, one can also organize a separate corporation for each aspect of a business operation, each corporation paying the reduced rate on the first $25,000 of income. Some of the profits may be carried over as reserves until liquidation, when they become capital gains.

2. One may give stock to members of one's family and set up multiple trusts to get out of the high brackets, both in this life and in the hereafter. Through various means, a business may be made to support one's poor relations without the money ever passing through the donor's hands and thus being taxed.

3. As Sylvia Porter advised recently in the New York Post: "Make sure to investigate the possibility of organizing a corporation which elects not to be taxed as a corporation—the so-called pseudo-corporation." Among the many incentives, she points out, is that an owner can become his own employee and set up various fringe benefits, such as pension plans, tax free.

One penalty of doing business under a tax system based on legal fictions is that it becomes difficult to tell what is truth. One company may be reporting a loss and actually be thriving. Another may be reporting a profit but wasting away its assets. Only the expert knows. Keeping two sets of books is no longer evidence of fraud. Some railroads legally keep at least three: one for the ICC and rate proceedings, one for the tax collector, and one for the board of directors to know what's really going on.

What this does to statistics may be imagined. How can one tell whether to buy or sell a stock, whether the money supply should be tightened or eased, whether prices and wages are too low or too high, what the outlook is for sales and for plant investment—in short, what our private and public economic policies should be—if we keep changing the rules to permit the concealment of income from the tax collector? Economic data have far too wide a margin of error to begin with; using them now is like piloting a ship into port at night while somebody keeps shifting the beacons.

In sum, a tax system based on hypocrisy listing unconscionably high levies on upper incomes but actually leaning more and more heavily upon the consumer and salary earner, presents a number of strictly economic problems—as well as the obvious moral ones.

Mr. CLARK. Mr. President, a few days ago 10 other Members of the Senate and I called the attention of the chairman of the subcommittee of the Committee on Appropriations which is dealing with appropriations for the Treasury Department to the desirability of providing a greater number of internal revenue agents to audit Federal income tax returns. Our letter to the chairman, which was made public, resulted in an editorial in the Philadelphia Evening Bulletin, entitled "Myopic Economy." I ask unanimous consent that the editorial may appear in the RECORD at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MYOPIC ECONOMY

When it's a sure thing that $1 will get you $9, it's folly not to invest the $1.

That is the sense of a letter made public by JOSEPH S. CLARK and 10 other U.S. Senators assailing the action of the House in cutting $2.5 million from the appropriation requested by the President for the Internal Revenue Service. The effect of the cut is almost to eliminate plans for expanding the enforcement staff. The 100 new revenue agents wanted could not be hired; other personnel increases would be curtailed.

In this case it doesn't make much sense to applaud the holding down of Federal bureaucracy, for the IRS is the big "money-maker" in the U.S. Government. The Senators point out that during his first year, a new revenue enforcement official is figured to collect $9 that wouldn't otherwise be turned in for every $1 spent to employ him. The ratio has been estimated as high as $20 to $1.

This is a lot more of a "sure thing" than most. On other tax-collecting levels the experience has been corroborated again and again. California hires new auditors for thousands of dollars and rakes in extra millions in its sales tax. Pennsylvania is comparatively stingy in hiring sales tax enforcers, and Pennsylvania's sales tax leakage keeps it running behind estimates.

The Senators' appeal to have the cut restored is well taken and rates support of all honest taxpayers. It is only the chislers who benefit when IRS enforcement is hampered. Cutting off $2.5 million and thereby losing $22.5 million and up isn't economy. It's myopia.

Mr. CLARK. Mr. President, the end result of the two insertions in the RECORD which I have caused to be made is that if the Senate will face the desirability of stopping tax chiseling and stopping tax avoidance, and will provide an adequate number of internal revenue agents for the fiscal year 1960, enormous sums of money will be obtained for the Treasury, which will be of the greatest possible importance in cutting down, if not eliminating, the prospective deficit, and which might, indeed, result in enabling us to make a payment on the national debt.

JOHN FOSTER DULLES

Mr. COOPER. Mr. President, yesterday the people of our country were saddened by the announcement of the President of the United States that the Honorable John Foster Dulles had submitted his resignation as Secretary of State. All of us in the Congress, and peoples throughout this country and the world, hope and fervently pray that his health may be restored.

Mr. Dulles' decision to resign calls to mind his great service to the Nation, and to the cause of freedom. His policies and his decisions were at times the subject of controversy in some quarters of opinion in this and other countries, but that fact does not derogate their soundness and validity. Men of strong convictions and purpose find their views challenged by fleeting and superficial opinion. Mr. Dulles did not create the situations or the difficulty and danger with which he had to deal. Most of the difficult problems, in Europe and in the Pacific area, of which the United States is seized are the unsolved problems of World War II. He did not create the intransigent policies of the Soviet Union but he understood their purpose. It was his firmness in dealing with them, his determination that our country and other free countries should not submit to aggression, and that freedom must survive in the world, which marked in the minds of millions of people in the United States and throughout the world the conviction and principle of his policies.

I had the high privilege of serving with him as a member of the U.S. delegation to the General Assembly of the United Nations in 1950 and 1951. I shall never forget his leadership of the American delegation and, in fact, of the Assembly in 1951, on the fateful issue of the aggression against South Korea by North Korea and Communist China.

After that session he was designated by President Truman to negotiate the peace treaty with Japan, a treaty which has been marked as a model of justice and generosity between victor and vanquished in war.

Again I had the honor to serve under him as Ambassador of the United States to India.

In that position I learned his infinite concern and willingness to hear every point that might be made in the development of association between our country and India.

It has been said, and sometimes critically, that his policies were based upon moral postulates. We should be thankful that this is true. I shall always remember the stand of John Foster Dulles in 1956, at the time of the Suez crisis. He and President Eisenhower took the moral, not difficult position, that the United States could not support the settlement of dispute by force—even of our closest friends. It is one of the magnificent decisions in the history of this country. It was attacked in the Congress. Some of the great leaders of the press were not clear about its meaning at that time. Despite the serious implications of that decision, which was a difficult one for him and for our country, considering our friendship for Britain, France and Israel it was a proper decision, in the light of the moral position of the United States.

The qualities and services of Mr. John Foster Dulles are known to us and to the world. I simply end by saying that his indomitable courage, his selflessness and his intense love and defense of freedom have marked him as a man apart in this generation and, indeed, in the history of our country.

Our country and the free people of the world owe much to Mr. Dulles. We are sad that illness has caused him to lay down his duties, to which he gave full devotion.

Mr. DODD. Mr. President, the tragic news of the worsening illness and the consequent resignation of Secretary Dulles has caused a saddening pause in the Nation and throughout the free world, a pause in which free men ponder his greatness, calculate the cost of his absence, and ask ourselves where we go from here.

For several years Secretary Dulles has been made the principal target for whatever dissatisfaction our free world allies had with the United States. Here at home he has generally been made the butt of any disappointment over world conditions. I recall my own expressions of criticism on particular occasions. But at this hour I am comforted in the knowledge that my criticism never reached—because it was never directed at—his tremendous intellect or his noble heart.

Mr. President, the news of the illness and the resignation of Secretary of State Dulles has brought a realization of his greatness to even his severest critics.

The chief architect of the free world policy of resistance to Communist aggression has stepped down. From the capitals of the world, from the press, from spokesmen of both our political parties, have come a stream of statements that carry the conviction and the sincerity that are so lacking in the ordinary platitudes and perfunctory condolences which are usual at such times.

From London to Ankara, from Stockholm to Bandung, there is solemn recognition that the free world has lost a source of moral strength, of political sagacity, of diplomatic acumen, and of limitless dedication to freedom, that may prove impossible to replace.

For more than 6 years Mr. Dulles has shouldered a burden greater than that which any other American Secretary of State has ever carried. Throughout that period he has been the principal formulator of American policy, as well as the chief negotiator and administrator of that policy.

In an era when other leaders have evaded responsibility, Mr. Dulles has assumed full responsibility, without dodging or flinching.

In an era when, after brief sojourns, other Government officials have seen fit to abandon their posts, to return to the pleasure and profit of private life, Mr. Dulles has enlisted for the duration of his life and his strength.

In an era when public figures have shrunk from criticism and have complained of mistreatment, Mr. Dulles has asked for no immunity, has issued no complaints, has made no apologies.

In an era of petty politics and partisan recriminations, Mr. Dulles has been magnanimous and selfless.

Mr. Dulles' policies were characterized by an insistence upon principle above expediency, by a refusal to barter away freedom anywhere in the world, by a determination to uphold the rights of the United States and of free nations everywhere, by a willingness to face up to the consequences of firmness, and by a confidence in the basic strength of this Nation and in the ultimate triumph of freedom and of the moral law.

In recent months the dawning recognition throughout the free world of his personal stature and of the moral and political soundness of his policies has been a heartening indication that his example will continue to serve us long after his active career has ended.

The genius of our political system is now challenged. To say that the American Government has suffered a staggering loss is merely to say the obvious. What Thomas Jefferson said of Benjamin Franklin can now be said of John Foster Dulles: "He cannot be replaced; he can only be succeeded."

Mr. President, we cannot repair this loss in a week or a month. But we of this Congress and this administration can try to repair the loss by exercising a degree of statesmanship, cooperation, and unity that will assist Mr. Dulles' successor—whoever he may be—to proceed with a boldness, a vigor, and an objectivity born of confidence in the full backing of a united America.

INTERNATIONAL FOOD FOR PEACE ACT OF 1959

Mr. HUMPHREY. Mr. President, on behalf of the Senator from Colorado [Mr. CARROLL], the Senator from Michigan [Mr. HART], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Wyoming [Mr. MCGEE], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Oregon [Mr. MORSE], the Senator from Montana [Mr. MURRAY], the Senator from Wisconsin [Mr. PROXMIRE], the Senator from New Jersey [Mr. WILLIAMS], and myself, I introduce, for appropriate reference, a bill entitled "Food for Peace Act." It is a bill to promote the foreign policy of the United States and help to build essential world conditions of peace, by the more effective use of United States agricultural commodities for the relief of human hunger, and for promoting economic and social development in less developed countries.

The purpose of the Food for Peace Act is to so amend and revise Public Law 480 as to make it a more effective instrument for using U.S. abundance of food and fiber to help build essential world conditions of peace and freedom and thereby strengthen and promote the foreign policies of the United States. It is intended to enable the United States to promote more effectively the economic and social development of friendly nations and to lead the way in cooperation with other nations toward the abolition of human hunger.

A Peace Food Administration would be established—title VII—in the Executive Office of the President, headed by a Peace Food Administrator, to aid the President in carrying out the purposes of the act and also the purpose of section 402 of the Mutual Security Act of 1954, as amended. There would also be created an Interdepartmental Peace Food Policy Committee to advise and consult with the Peace Food Administrator, and also a Peace Food Advisory Committee consisting of representatives of private U.S. groups and organizations.

The act would authorize:

Title I: A 5-year program of local currency sales of U.S. surplus agricultural commodities at a rate of $2 billion a year—as compared with $1½ billion a year under the present Public Law 480;

Title II: Continuation of title II of Public Law 480 to provide emergency assistance, through grants of surplus agricultural commodities, over a period of 5 years at a rate not exceeding $250 million a year, to friendly peoples in meeting famine or other emergency relief requirements; and grants of such commodities to assist friendly nations in establishing, expanding, or carrying out programs for the relief of chronic hunger and malnutrition;

Title III: Continuation of title III of Public Law 480, with minor changes, which provides for, first, use by Federal

agencies in making payment for commodities not produced in the United States; second, barter of surplus agricultural commodities for strategic or other materials; third, grants to public and private agencies for use in the United States in nonprofit school lunch programs, nonprofit summer camps for children, charitable institutions (including hospitals), and assistance to needy persons; and, fourth, grants to nonprofit voluntary agencies for use in the assistance of needy persons outside the United States;

Title IV: A 10-year program of long-term supply contracts for U.S. surplus agricultural commodities with interest not to exceed 2½ percent per year, payment—in dollars, services, strategic or other materials—to be made over a period of 40 years from the date of the last delivery of commodities under the contracts and interest computed from the date of such last delivery;

Title V: Grants of surplus agricultural commodities over a period of 5 years to help food-deficit countries, under agreements, build up and maintain minimum national food reserves—in accordance with the U.S.-sponsored resolution adopted by the United Nations on February 20, 1957;

Title VI: Negotiation of agreements with friendly countries to establish in such countries binational, nonprofit foundations to foster and promote research, education, health and public welfare, and to grant to such foundations unexpended local currencies which accrue to the United States as repayments of principal or payment of interest on local currency loans heretofore made by the United States under Public Law 480 or made hereafter under the Food for Peace Act.

In addition to the foregoing, the Food for Peace Act would authorize a number of additions to the authorized uses, in addition to those in Public Law 480, for local currencies accruing from sales of surplus agricultural commodities under title I. Of these, five would permit the use of such currencies to buttress and extend social and economic development projects and activities of the United Nations Special Fund, the United Nations Food and Agriculture Organization, the World Health Organization, the International Finance Corporation, and an International Development Loan Association if and when such may be established. Others would permit more effective use of such currencies in promoting international educational exchanges; research, educational development, and health and education; and technical assistance. On loans of local currencies for economic development, the act would specify a maximum interest rate of 2½ percent.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD at this point as a part of my remarks, and that the press release issued by my office be also printed in the RECORD at this point as a part of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and press release will be printed in the RECORD, as requested.

The bill (S. 1711) to promote the foreign policy of the United States and help to build essential world conditions of peace, by the more effective use of U.S. agricultural commodities for the relief of human hunger, and for promoting economic and social development in less developed countries, introduced by Mr. HUMPHREY for himself and other Senators, was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Law 480 of the Eighty-third Congress, as amended, is further amended as follows:

(1) The first section (which provides the short title) is amended to read as follows:

"That this Act may be cited as 'The International Food for Peace Act of 1959'."

(2) Section 2 (which consists of a statement of policy) is amended to read as follows:

"CONGRESSIONAL FINDINGS AND POLICY

"SEC. 2. (a) Because of the increased productivity made possible by science and technology, there is now, for the first time in history, no reason in physical scarcity for the continued existence of hunger—anywhere on this earth. It is now possible and practical for mankind to take cooperative steps to abolish human hunger.

"This being so, massive hunger and suffering from want of clothing, existing in the world in the shadow of unused present and potential surpluses of food and fiber, are no longer tolerable, either morally, politically, or economically.

"The Congress, while recognizing the difficult international, political and economic problems that lie between hunger and want of clothing in many parts of the world and food and fiber surpluses in others, declares it to be the policy of the United States to move as rapidly as possible in cooperation with other friendly nations, toward putting its abundance of food and fiber more effectively in the service of human need.

"(b) Peoples who comprise one-third of the human race have in our generation achieved national independence (or are in the process of doing so) and are in revolt against the poverty, ignorance, disease, inferior status, and lack of opportunity which have always been their lot. They are determined to achieve that economic and social development necessary to national dignity and individual well-being. To mobilize their resources with reasonable speed and develop their economies to a point where they are self-propelled and self-sustaining they require substantial outside aid over a considerable period of years. If that aid is adequately forthcoming from the free world, they have a good chance to accomplish their purposes in freedom, remaining a part of the free world and contributing to its strength and well-being. If it is not forthcoming, their alternative is to seek it in the Communist world, and in the process to surrender both personal and national freedom. Deeply aware of and sympathetic with the aspirations of the world's peoples who seek in freedom greater national dignity and individual well-being, the Congress declares it to be the policy of the United States to help them achieve those aspirations. The Congress recognizes that for this purpose a number of different kinds of aid are required, but that among them food and fiber aid is a highly important form and one whose effectiveness can be greatly increased. The Congress declares that the agricultural abundance of the United States is not an embarrassment but a blessing to be used in the service of mankind, that it should be so used to the maximum extent possible, and that if it is so used it can help build essential conditions of world peace and freedom.

"(c) To achieve those larger purposes, the Congress directs that this Act shall be administered (1) so as to help other countries carry forward their own national or regional plans for development in freedom and independence; (2) so as to support the efforts and programs of the United Nations, its specialized agencies and affiliated organizations, and regional organizations of friendly countries, directed toward the same ends; (3) so as to leave wide latitude in working out details of national agreements and projects to United States Chiefs of Missions in negotiations with the governments concerned; and (4) so as to enlist the cooperation of other countries in putting agricultural surpluses more effectively in the service of human need and the economic and social development of less developed countries.

"(d) It is also declared to be the policy of Congress to expand international trade among the United States and friendly nations, to facilitate the convertibility of currency, to promote the economic stability of American agriculture, and the national welfare, to make maximum efficient use of surplus agricultural commodities in furtherance of the foreign policy of the United States, and to stimulate and facilitate the expansion of foreign trade in agricultural commodities produced in the United States by providing a means whereby surplus agricultural commodities in excess of the usual marketings of such commodities may be sold through private trade channels, and foreign currencies accepted in payment thereof. It is further the policy to use foreign currencies which accrue to the United States under this Act to expand international trade, to encourage economic development, to purchase strategic materials, to pay United States obligations abroad, to promote collective strength, and to foster in other ways the foreign policy of the United States."

(3) Section 101 (which relates to the negotiation of agreements) is amended by striking out "and" at the end of paragraph (d), by changing the period at the end of paragraph (e) to a semicolon, and by adding at the end of such section the following new paragraphs:

"(f) seek, insofar as possible, to enter into such agreements for periods in excess of one year; and

"(g) give maximum attention to utilizing the authority and funds provided by this Act to further the economic and social development plans of underdeveloped countries."

(4) Section 103(b) (prescribing limit on appropriations) is amended to read as follows:

"(b) Agreements shall not be entered into under this title during the period beginning July 1, 1959, and ending June 30, 1964, which will call for appropriations to reimburse the Commodity Credit Corporation, pursuant to subsection (a) of this section, in amounts in excess of $2,000,000,000 annually, plus any amount by which agreements entered into in prior years have called or will call for appropriations to reimburse the Commodity Credit Corporation in amounts less than authorized for such prior fiscal years by this Act as in effect during such fiscal years."

(5) Section 103 is further amended by adding at the end thereof the following new subsection:

"(c) In carrying out programs and activities under this title, the President shall, insofar as possible, coordinate such programs and activities with other United States and

international programs and activities directed toward the same end."

(6) Section 104(e) (relating to loans for trade expansion) is amended by striking out "Export-Import Bank for loans mutually agreeable to said bank" and inserting in lieu thereof "United States Development Loan Fund created by title II of chapter II of the Mutual Security Act of 1954, as amended, for loans mutually agreeable to said Fund", and by inserting before the semicolon at the end thereof a colon and the following: "*Provided further*, That funds which have accrued under this section and which are uncommitted may at the discretion of the President, be placed under the administration of the Development Loan Fund".

(7) Section 104(g) (relating to the promotion of trade and economic development) is amended to read as follows:

"(g) For loans and grants to promote multilateral trade and economic development, made through established banking facilities of the friendly nation from which the foreign currency was obtained or in any other manner which the President may deem to be appropriate. Interest on loans made under this subsection shall be at such rate, not to exceed 2½ per centum per annum, as the President shall determine. Strategic materials, services, or foreign currencies may be accepted in payment of such loans;".

(8) Section 104(h) (relating to international educational exchange activities) is amended by striking out the words "in such amounts as may be specified from time to time in appropriation acts" and by striking out the semicolon at the end thereof and inserting in lieu thereof a period and the following: "Such currencies may also be used for making grants to United States nonprofit organizations and institutions for carrying out such exchange of persons projects under this paragraph between the United States and other countries as may be agreed upon between such organizations and institutions and the Secretary of State, but not such grants shall be made to any organization or institution which does not agree to provide the dollar funds which the Secretary of State deems necessary to carry forward agreed projects to a successful conclusion;".

(9) Section 104(k) (relating to scientific activities) is amended by striking out "but no foreign currencies shall be used for the purposes of this subsection (k) unless specific appropriations be made therefor" and inserting in lieu thereof the following: "and to promote and support programs of medical and scientific research, cultural and educational development, health, nutrition, and sanitation".

(10) Section 104(o) (relating to assistance to educational facilities sponsored by United States citizens) is amended by striking out so much thereof as follows the semicolon.

(11) Section 104 (relating to uses of foreign currencies) is amended by inserting after paragraph (o) the following new paragraphs:

"(p) For supporting workshops in American studies or American educational techniques, and supporting chairs in American studies.

"(q) For financing technicians and other personnel of the United Nations Food and Agriculture Organization and World Health Organization (including necessary equipment and supplies) engaged in (i) consulting and advising on, conducting, or administering Government programs designed to relieve chronic hunger and malnutrition, (ii) consulting and advising on programs for the storage, management, and operation of national food reserves, or (iii) training local technical, administrative, and other personnel needed to carry out such programs;

"(r) For financing research, surveys, conferences, publicity, and other activities which the President shall find to be helpful in support of the projected 'Free the World from Hunger' campaign of the United Nations Food and Agriculture Organization; and for such purposes and the purposes of paragraph (q) any currencies of any country available under this Act may be transferred to and used in any other country;

"(s) For financing local currency cost components of projects undertaken by the United Nations Special Fund for which such Fund pays foreign exchange costs;

"(t) For contributions, in addition to United States dollar contributions, to the capital fund of any international development association or organization of which the United States is a member which may be established as an affiliate of the International Bank for Reconstruction and Development for the purpose of making long-term loans for economic development;

"(u) For financing the preparation, distribution, and exhibiting of audio-visual informational and educational materials, including Government materials, abroad;

"(v) For transfer to the International Finance Corporation for the purpose of promoting private investment abroad under such arrangement as may be agreed upon between the President, said Corporation, and the country whose currency is involved;

"(w) For financing the services of technicians, advisers, and administrators who are nationals of any friendly country, which may be needed to further economic and social development programs in other friendly countries;

"(x) For financing relief and rehabilitation projects undertaken following disasters or for assistance to refugees."

(12) Section 104 is further amended by inserting before the period at the end thereof a comma and the following: "and from time to time release for the general purposes of this title funds that may have accrued in excess of prospective needs for payment of United States obligations".

(13) Section 106 (which relates to determination of nations with which agreements shall be negotiated) is amended by striking out the words "Secretary of Agriculture" where they appear the second time and inserting in lieu thereof "President".

(14) Section 107 (which defines "friendly nation") is amended by inserting before the period at the end thereof a colon and the following: "*Provided*, That such term shall not exclude any nation referred to in clause (2) if the President determines that the making and carrying out of agreements with such nation under this Act will be in the interest of attaining the foreign-policy objectives of the United States".

(15) Section 109 (which relates to the duration of the program under title I) is amended by striking out "December 31, 1959" and inserting in lieu thereof "June 30, 1964".

(16) Section 202 (authorizing grants of surplus commodities for famine relief) is amended by striking out "with friendly governments or through voluntary agencies" and inserting in lieu thereof "by or with friendly governments or voluntary relief agencies to carry out the purposes of section 201 and to assist friendly nations in establishing, expanding, or carrying out programs, including programs undertaken with the assistance of experts and technicians of the United Nations Food and Agriculture Organization, and the World Health Organization for the relief of chronic hunger and malnutrition".

(17) Section 203 (which imposes limits on expenditures under title II) is amended by striking out the first sentence and inserting in lieu thereof the following: "Not more than $250,000,000, including the Corporation's investment in the commodities, shall be expanded annually for all such transfers and for other costs authorized by this title."

(18) Section 204 (which relates to the duration of the program under title II) is amended by striking out "December 31, 1959" and inserting in lieu thereof "June 30, 1964".

(19) Section 304(b) (which prohibits certain transactions with the Union of Soviet Socialist Republics and areas dominated or controlled by the Communist regime in China) is amended by striking out "title I or title III" and inserting in lieu thereof "title I, title III, title IV, title V, or title VI".

(20) Title III is further amended by adding at the end thereof a new section as follows:

"SEC. 306. Notwithstanding any other provision of law, the Commodity Credit Corporation is hereby directed—

"(1) to dispose of its stocks of edible oils or products thereof by donation, upon such terms and conditions as the Secretary of Agriculture deems appropriate, to nonprofit voluntary agencies registered with the Department of State, appropriate agencies of the Federal Government or international organizations, for use in the assistance of needy persons outside the United States;

"(2) to purchase for donation as provided above such quantities of edible oils and the products thereof as the Secretary determines will maintain the support level for cottonseed and soybeans without requiring the acquisition of such commodities under the price support program.

Commodity Credit Corporation may incur such additional costs with respect to commodities to be donated hereunder as it is authorized to incur with respect to food commodities disposed of under section 416 of the Agricultural Act of 1949, and may pay ocean freight charges from United States ports to designated ports of entry abroad."

(21) Such Act is further amended by adding at the end thereof the following new titles:

"TITLE IV—LONG TERM SUPPLY CONTRACTS

"SEC. 401. The purpose of this title is to utilize agricultural commodities and the products thereof produced in the United States, including but not limited to agricultural commodities in surplus supply, to assist the economic development of friendly nations by assuring such nations a stable supply of agricultural commodities on long-term credit for domestic consumption during periods of economic development so that the resources and manpower of such nations may be utilized more effectively for industrial and other domestic economic development without jeopardizing meanwhile adequate supplies of agricultural commodities for domestic use.

"SEC. 402. In furtherance of this purpose, the President is authorized to enter into agreements with friendly nations under the terms of which the United States shall undertake to deliver annually (a) certain quantities of wheat, rice, cotton, feed grains, or tobacco, or (b) such other surplus agricultural commodities as may from time to time be available, for periods of not to exceed ten years.

"SEC. 403. Payment for such commodities shall be in dollars or in services or in strategic or other materials of which the United States does not domestically produce its requirements, as the President may from time to time determine, with interest at such rate as the President may determine but not more than 2½ per centum per year. Payment may be made in approximately equal annual amounts over periods of not to exceed forty years from the date of the last delivery of commodities under the agreement and interest shall be computed from the date of such last delivery.

"SEC. 404. Any such agreement shall include the following undertakings on the part of the purchasing nation as conditions of such contract:

"(1) That commodities provided hereunder will not replace any usual imports of

the same or similar commodities by such nation from friendly nations;

"(2) That commodities provided hereunder will be used only for domestic consumption and that none of such commodities will be sold outside the purchasing nation either directly or through replacement of domestic production.

"SEC. 405. In entering into such agreements, the President shall endeavor to reach agreement with other exporting nations of such commodities for their participation in the supply and assistance program herein authorized on a proportionate and equitable basis.

"SEC. 406. In carrying out this title, the provisions of sections 101, 102, 103(a), 106, 107, and 108 of this Act shall be applicable to the extent not inconsistent with this title.

"TITLE V—NATIONAL FOOD RESERVES

"SEC. 501. The President is authorized to implement the resolution adopted by the United Nations on February 20, 1957 (United Nations Resolution 1025 [XI]), which was sponsored by the United States, calling for international cooperation in the establishment of national food reserves by making transfers of surplus agricultural commodities for the purpose of establishing such reserves. The Commodity Credit Corporation shall make available to the President out of its stocks such agricultural commodities as he may request for this purpose.

"SEC. 502. In making transfers under this title, the President may provide for delivery f.o.b. vessels in United States ports and, upon a determination by the President that it is necessary to accomplish the purposes of such resolution, for the payment of ocean freight charges from United States ports to designated ports of entry abroad, and for furnishing of technical and other assistance in providing storage facilities for the food reserves so established.

"SEC. 503. (a) No assistance under this title shall be furnished to any nation or organization of nations unless such nation or organization agrees—

"(1) to use the commodities furnished under this title to establish national food reserves;

"(2) to maintain the food reserves so established at agreed levels;

"(3) to consult with and utilize the services of experts and technicians of the United Nations Food and Agriculture Organization with respect to technical problems of storage, management, and operation of national food reserves;

"(4) to maintain and operate such reserves in such manner that they will not interfere with normal commercial trade of the United States or other friendly nations.

"(b) The President is authorized to make transfers of commodities under title II wherever necessary to replenish reserves which are depleted as a result of famine or other urgent or extraordinary relief requirements.

"SEC. 504. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this title. Sums appropriated for such purpose shall be available to reimburse the Commodity Credit Corporation for the Corporation's investment in commodities transferred hereunder and for all costs referred to in section 103 (a).

"SEC. 505. No grants or other assistance shall be furnished under this title after June 30, 1964.

"TITLE VI—BINATIONAL FOUNDATIONS

"SEC. 601. (a) The President is authorized to negotiate and carry out agreements with friendly nations to provide for the establishment in such countries of nonprofit foundations to foster and promote research, education, health, and public welfare.

"(b) A foundation established under this title shall be under the direction of a board of trustees consisting of—

"(1) a number, to be determined by the agreement between the United States and the country in which the foundation is located, of the nationals of such country appointed by the Government thereof;

"(2) an equal number of nationals of the United States (one of whom shall be the chief of the United States diplomatic mission to such country) appointed by the President; and

"(3) one member, who shall be chairman, who shall be appointed by the Government of such country with the approval of a majority of the members appointed as provided in clauses (1) and (2).

Members of a board of trustees shall serve at the pleasure of the appointing authority, and vacancies shall be filled in the same manner as in the case of the original appointments.

"SEC. 602. Notwithstanding the provisions of section 1415 of the Supplemental Appropriation Act, 1953, or any other provision of law, the President is authorized to grant to any foundation established under this title for use in carrying out the purposes specified in section 601(a) any unexpended local currencies which accrue to the United States, as repayments of principal or payment of interest on loans heretofore or hereafter made by the United States under section 104. Any such currencies may be used for direct expenditure, or may be invested and the proceeds used, for carrying out this title.

"TITLE VII—ADMINISTRATION

"SEC. 701. (a) There is hereby established in the Executive Office of the President an agency to be known as the Peace Food Administration, which shall be headed by a Peace Food Administrator appointed by the President by and with the advice and consent of the Senate. The Peace Food Administrator shall serve at the pleasure of the President and shall receive compensation at the rate of $21,000 per annum.

"(b) (1) The President shall carry out the functions conferred upon him by this Act and section 402 of the Mutual Security Act of 1954, as amended, either directly or through the Peace Food Administrator.

"(2) The President is authorized to transfer to the Peace Food Administrator the functions of any other agency which he determines are related to the functions of, and can be more effectively or economically carried out by, the Peace Food Administrator, together with any personnel or property used primarily in carrying out such functions.

"(c) The Peace Food Administrator is authorized to make such expenditures and appoint and fix the compensation of such personnel as may be necessary to enable him to carry out his functions.

"SEC. 702. (a) There is hereby established a Peace Food Policy Committee which shall consist of an Assistant Secretary, or officer of comparable level, of each of the following departments or agencies: Departments of State, Treasury, Agriculture, Commerce, Health, Education, and Welfare, and the International Cooperation Administration.

"(b) It shall be the duty of the Peace Food Policy Committee to advise and consult with the Peace Food Administrator concerning the administration of this Act. The Committee shall meet from time to time upon request of the Peace Food Administrator and at such other times as it may deem necessary.

"SEC. 703. (a) There is hereby established a Peace Food Advisory Committee which shall consist of representatives of the following and such other groups as the President deems advisable who shall be appointed by the President for terms of two years:

"(1) the major agricultural organizations;

"(2) exporters of food and fiber;

"(3) voluntary agencies such as CARE and church groups;

"(4) educational groups; and

"(5) voluntary health groups.

"(b) It shall be the duty of the Peace Food Advisory Committee to advise and consult with the Peace Food Administrator, and to make such recommendations as it deems advisable, concerning the administration of this Act. The Committee shall meet from time to time upon request of the Peace Food Administrator and at such other times as it may deem necessary. In carrying out its duties under this Act, the Committee shall invite a representative of the United Nations Food and Agriculture Organization to meet with the Committee in order that, through him, the views of other exporting countries might be heard and their interests taken into account.

"(c) Members of the Advisory Committee shall be entitled, while attending meetings of the Committee, to receive compensation at the rate of $50 per diem, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons in the Government service employed intermittently.

"SEC. 704. In negotiating agreements under this Act, the President shall give due consideration to the internal and external political and economic conditions of the countries concerned by drawing upon the appropriate title or titles of this Act in such manner as to carry out more effectively the policy set forth in section 2."

The press release presented by Mr. HUMPHREY is as follows:

SENATOR HUMPHREY PRESENTS CONGRESS WITH BOLD FOOD FOR PEACE PROGRAM

Senator HUBERT H. HUMPHREY, Democrat, of Minnesota, today introduced in the Congress the International Food for Peace Act of 1959, outlining a 5-year program of making wiser use of our agricultural abundance as an effective arm of building conditions for peace in the world.

Cosponsoring the measure with Senator HUMPHREY were: Senators JOHN A. CARROLL, Democrat, of Colorado; PHILIP A. HART, Democrat, of Michigan; JOHN F. KENNEDY, Democrat, of Massachusetts; EUGENE J. MCCARTHY, Democrat, of Minnesota; GALE W. MCGEE, Democrat, of Wyoming; A. S. MIKE MONRONEY, Democrat, of Oklahoma; WAYNE MORSE, Democrat, of Oregon; JAMES E. MURRAY, Democrat, of Montana; and WILLIAM PROXMIRE, Democrat, of Wisconsin.

Senator HUMPHREY declared that the "challenge posed by our unprecedented wealth in a world three-fourths needy and no longer willing to remain so" was one of the "most pressing of the long-range challenges confronting the American people."

"This contrast is most dramatic and immediate in the paradox of leapfrogging food overabundance at home and leapfrogging hungry populations abroad," he declared.

"How absurd if surpluses of vitally needed commodities become minuses in America's ledger—for to have too much and not share is surely far worse, in conscience and practice, than to have too little to begin with.

"Common sense and common decency combine to tell us to use our famed know-how and our vast national energies to work out some way in which our food fortune can become the blessing of all people, and not a symbol of selfishness to God's children elsewhere.

"The whole ethical sweep of our traditions and the imaginative resourcefulness of our ancestors cry out the senselessness of any posture that makes food seem a curse in the midst of want.

"It is in this spirit that we propose today a program which should help to make clear

the concern of Americans for all human beings, and the eagerness of Americans to share their food fortune as a contribution toward the removal of privation and inequity from our midst and in our time," Senator HUMPHREY explained.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the Food for Peace bill lie on the desk through Wednesday of next week, in order to permit other Senators who may wish to join in sponsoring it to do so.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HUMPHREY subsequently said: Mr. President, earlier today, on behalf of myself and a number of other Senators, I introduced for appropriate reference a bill which I believe is far reaching in its scope and purpose and is constructive in its effect.

I speak today concerning one of the most pressing of the long-range challenges confronting the American people; the challenge posed by our unprecedented wealth in a world three-fourths needy and no longer willing to remain so.

This contrast is most dramatic and immediate in the paradox of leapfrogging food overabundance at home in the United States and leapfrogging hungry populations abroad.

How absurd if surpluses of vitally needed commodities become minuses in America's ledger, for to have too much and not share is surely far worse, in conscience and in practice, than to have too little to begin with.

Thus, common sense and common decency combine to tell us to use our famed know-how and our vast national energies to devise ways in which our good fortunes can become the blessing of all people, and not a symbol of selfishness to God's children elsewhere.

The whole ethical sweep of our traditions and the imaginative resourcefulness of our ancestors cry out the senselessness of any posture which makes food seem a curse in the midst of want.

It is, then, in this spirit that we propose today a program which I have called Food for Peace, and which should help to make clear the concern of Americans for all human beings, and the eagerness of Americans to share their good fortune as a contribution toward the removal of privation and inequity from our midst and in our time.

Mr. President, the bill I have introduced for myself and a group of cosponsors is designed to promote the foreign policy of the United States and to help to build essential world conditions of peace, by the more effective use of U.S. agricultural commodities for the relief of human hunger, and for promoting economic and social development in less developed countries.

The bill I have introduced is termed the International Food for Peace Act of 1959. Earlier I had asked permission to have printed in the RECORD a description of the bill, a summary of the bill, and the full text of the bill.

It is a revision, expansion, and extension of Public Law 480—redirecting it more along the lines many of us always intended it to go in the first place.

It is not a hastily designed program. It is the outgrowth of long study and careful research.

I myself have been studying this particular proposal for more than 4 years. It has been my privilege to conduct extensive hearings for at least 2 years in the Committee on Agriculture and Forestry, and for at least 5 years in the Committee on Foreign Relations to conduct hearings and to engage in a discussion and a study of the program known as Public Law 480, which relates to the use of American food and fiber for overseas purposes. Therefore, I feel a rather intimate acquaintance with the food resources of the country and the programing as to their use in our international relations.

"Food for Peace" is not merely a slogan. For the last 4 years I have been devoting much time to studying this concept of using our abundance more wisely as a tool of international policy and international friendship. I have studied the impact overseas, and I have studied the administration of the program here at home.

I have not confined myself to my own observations, but instead have availed myself of the judgment and recommendations of all groups studying this program, as I shall indicate later in these remarks.

A year ago last December, I publicly proposed a broader U.S. Food for Peace program, and suggested that we needed a Peace Food Administrator to make it effective. Ever since then, I have been working out detailed improvements in the Public Law 480 program designed toward that end. Late last fall, after further study and observations abroad, I announced that such a program would be introduced in the 86th Congress.

I traveled into several of the countries of the Near East, southern Europe, and north Africa, studying the use and the application of this program. I did the same thing within the past year in countries in eastern Europe and western Europe. I believe that I, as one Member of the Senate, have attempted to inform myself of the possibilities of the use of food and fiber. In my opinion, more time must be given and a more sincere effort made in an attempt to find the proper methods for more constructive uses of food and fiber.

I was pleased that the President, in his state of the Union message, indicated agreement with my Food for Peace objective; and I was, of course, honored that he had borrowed and used the same terminology. Regrettably, I have seen little evidence since then from the administration of more than lipservice to the objective. They have proposed no program. They have merely called another conference.

As beneficial as that conference may be, we need action—and we have had sufficient time, trial, and study to provide for that action.

That is what I now propose, through combining the best judgments I could obtain from inside and outside the administration.

Before outlining my new proposals, let me review briefly the development and history of what is commonly known today, for the lack of a better name, as Public Law 480.

Five years ago Congress passed and the President signed the original law, otherwise known as the Agricultural Trade Development and Assistance Act of 1954. This law launched the United States upon a course of using American agricultural surpluses for constructive and humanitarian purposes at home and abroad. The law authorized the donation of surplus agricultural commodities to Federal, State, and private agencies for welfare purposes in the United States; it authorized their donation for famine and disaster relief and for welfare purposes abroad; and it authorized their sale to foreign countries for local currencies and their barter for strategic materials. Finally, it authorized the use of the local currencies accruing from Public Law 480 sales abroad for a wide variety of constructive purposes, including the payment of U.S. obligations, the promotion of collective strength, and, most importantly, for loans to and in the countries concerned for economic development.

In the 4½ years which ended last December 31, the programing of surplus agricultural commodities under the three titles of Public Law 480 had reached more than $7½ billion, according to an estimate by the Commodity Credit Corporation.

More than three-fifths of these surplus agricultural commodities valued at a Commodity Credit Corporation cost of more than $4½ billions was sold abroad for local currencies to countries which could not otherwise have bought them, to meet the needs of their people; 6½ percent, valued at nearly half a billion dollars, was donated to foreign governments abroad, for famine and other emergency assistance; 19 percent, valued at nearly $1½ billion, was donated for foreign and domestic relief, through nonprofit voluntary agencies and intergovernmental organizations; and 13 percent, valued at nearly $1 billion, was bartered abroad for strategic materials needed by the United States.

Mr. President, I wish to make it clear that although the total sum of money involved in the past 4½ years—until December 31, 1958—had reached $7,500 million, at the estimated Commodity Credit Corporation cost, that amount also included the storage cost of the materials held by the Commodity Credit Corporation, and it also included the cost of making substantial amounts of those goods available, as I have indicated, for relief and famine-relief purposes. The important point is that $4,500 million worth of those goods was sold, and our country thus obtained currency which it is able to use constructively for its own purposes. That is what I mean when I refer to changing food into money or changing food into economics.

Furthermore, Mr. President, more than $1 billion worth of the food was bartered abroad for strategic materials, which do not waste or spoil—strategic materials which were required for the strategic

stockpiles in our country. So, many times, we actually converted grain into platinum, or grain into diamonds, or grain into strategic ores which were in short supply in our country.

Here is the beginning of a program which truly makes sense, a program to convert the abundance of our farms and the abundance and the productivity of our soil into economic power for our Nation and into uses based on neighborly compassion and humanitarianism on the part of our Nation, and to convert the production of our farms into strategic minerals which are needed by our country, or to convert the production of our farms into currency for the use of our country.

I seek to do even better. The proposal we have before us is designed to profit from this limited experience, to broaden the scope of the program, to enlarge the activities which are permissible under the program, and to put the program on a long-term basis, so that never again shall we hear people complain about such use of one of the bountiful blessings of a divine providence, namely, the abundance of food which we have enjoyed.

Sometimes I wonder what has come over this Nation, that some persons should complain of a God-given gift—namely, food—which is so greatly needed to alleviate hunger and suffering and sickness, or that there should be any hesitation to use this food in ways which will be of help not only to the foreign policy of our country—a use which in itself is most commendable—and not only for the economic development of our Nation and other nations, but also to feed the sick and the hungry and to help the unfortunate. If the purpose of what we seek is thoroughly understood, I believe that every person in the United States will support this endeavor.

Mr. President, it is impossible even to imagine the vast good that has been accomplished under Public Law 480, in terms of relieving basic human want and in helping the less developed countries build up their economies for the satisfaction of the needs of their people. I repeat that the American people have reason to thank God for the great abundance of their soil, and to find deep satisfaction in the knowledge that it is being used for such worthy purposes.

Public Law 480 was first passed, as I have said, in 1954, and each year since it has been renewed, with amendments which have widened its scope. The authority of its titles I and II expires on October 31 of this year. If the most important and valuable features of the Public Law 480 programs are to continue beyond this year, the law must be extended at this session of Congress.

Perhaps to some the motives and the needs behind the passage of the original Public Law 480 were mixed, to say the least; and the same can be said for its annual repassages. For this, no apology whatever is called for.

Agricultural surpluses in the hands of the Commodity Credit Corporation have mounted to very large proportions, and have exercised a depressing effect on domestic farm prices, and have resulted in heavy cash outlays for storage—in fact, about $1 billion a year for storage. What I am suggesting is that we no longer spend the $1 billion a year for storage, but that we spend it to make the food available for use for the benefit of humanity and for the benefit of progress, peace, and justice. I venture to say that not one Member of Congress could justify before his constituents choosing to store food, at an annual cost of $1 billion, and complaining about that, instead of using the food—at the same cost in money—to feed the sick and the hungry and to build a more just society.

We in this country had, therefore, and we still have—a definite, practical, dollar-and-cent interest in protecting our own farm prices and in reducing the amounts of surplus agricultural commodities we hold in storage.

But, as I am sure you agree, Mr. President, this does not cast an unfavorable shadow upon the generosity, the human concern, and the profound wisdom of using these surpluses under Public Law 480 to satisfy human need and to help build an economic foundation for greater peace and security in the world.

The important and the really significant point is that, with the support of the American people, Congress has taken steps toward resolving one of the strangest paradoxes in human history: namely, the existence of hunger, want, and hopelessness in the world, alongside a great volume of existing and potential surpluses of food and fiber which can be used to help meet these needs.

If in the early years of Public Law 480 the motive of self-interest predominated—and I think we might agree that too often it did—it was because there was so little precedent for the use of agricultural surpluses, otherwise than as famine and disaster relief, for constructive purposes. We did not have the experience; it had to be gained. We did not have the techniques; they had to be developed. We did not fully know the potentialities; they had to be learned. Not all had the vision that was needed.

Few there are, I daresay, who in 1954 ventured to think with us that the Public Law 480 program could grow as it has grown in 4½ years, that distant hunger and need could have been found and administered to without interfering with normal U.S. exports or with the normal exports of other countries. Few dared to think that surplus food and fiber, and the local currencies accruing from their sale, would in a few years become a major instrument for promoting economic development abroad, for building conditions conducive to peace, and, thus, for undergirding the foreign policy of the United States.

We have learned much of the potentialities of this instrument; and, as I shall point out in a few minutes, there are many things we should do now, so as to revise Public Law 480 in order to be able to realize its full potential.

Mr. COOPER. Mr. President, will the Senator from Minnesota yield to me?

The PRESIDING OFFICER (Mr. WILLIAMS of New Jersey in the chair). Does the Senator from Minnesota yield to the Senator from Kentucky?

Mr. HUMPHREY. I am happy to yield.

Mr. COOPER. I do not wish to interrupt the Senator's speech. But I should like to make a brief comment on his remarks.

Mr. HUMPHREY. I am delighted to have the Senator from Kentucky do so; he always has worthwhile things to say. I yield.

Mr. COOPER. I thank my colleague.

Mr. President, the Senator from Minnesota is making a very important speech. When Members of the Senate speak on the floor of the Senate on some more controversial aspect of our foreign policy, or our aid program, such speeches attract widespread attention, and attract support or, sometimes, attract opposition. I think the Senator from Minnesota is now discussing one of the most important parts of our aid program, and one of the most important instruments of our foreign policy.

We attach great importance to military programs and economic aid for the industrialization of other nations. But the Senator is talking about a food program—something the United States can do that no other country can, and when he says that food assists the economic growth of newly dependent countries and developing countries he is correct. The first need of all such countries is food and we have the surplus food.

Second, as the Senator has so clearly pointed out, our provision of surplus foods for counterpart funds, enables the governments of other countries to sell the food to their own people, and thus obtain a source of revenue which can be used internally for the industrial development of their countries.

The program has another value. As those countries begin to be industrially developed, the first increases of their workers' earnings go into food and fiber. As a result, the danger of inflation is presented. Additional amounts of food from our country help reduce inflationary pressures, and save for their people their small increases in earnings.

The Senator is correct in saying that the ability of the United States to furnish food to other nations when no other country can do so is a potent instrument of our foreign policy. Russia cannot supply food; the United States can.

Despite all the practical reasons—reasons of policy and reasons of self-interest, I am glad the Senator has pointed out that our willingness to supply our surplus food to the needy peoples of other countries is the best expression of the moral and spiritual interest and heart of the people and Government of our country. I hope I shall have the opportunity to study the bill of the Senator, and hope I may be able to join him in sponsoring it.

Mr. HUMPHREY. I thank the distinguished Senator from Kentucky. Nothing would be more gratifying to the senior Senator from Minnesota than to have the cosponsorship of this measure by the Senator from Kentucky; and nothing is more pleasing to me than his words of helpfulness, consideration, and praise.

Mr. COOPER. I have attended many hearings at which the Senator from Minnesota has testified, not this year, but in 1958 and in 1957. I know that at least in those years the Senator from Minnesota consistently pressed the argument which he is making on the floor of the Senate today.

Mr. HUMPHREY. I thank the Senator from Kentucky. With his usual modesty, he has failed to tell us that he was Ambassador to India, and saw what food can mean in terms of international policy, and also saw what the lack of it can mean in terms of international disaster.

The advice and counsel of the Senator from Kentucky now, as was true in the days when he appeared before our committees to speak in behalf of the use of our food abundance, is always helpful and always most welcome.

Mr. President, as was indicated by the Senator from Kentucky, 2 years ago the chairman of the Committee on Agriculture and Forestry [Mr. ELLENDER] assigned me to make a study, on behalf of the committee, of operations under Public Law 480. The law had been in effect for 3 years, and the committee wished to know what had been accomplished, what more could be accomplished, and what changes, if any, were needed in the law. The study continued throughout most of a year, and included testimony from 71 witnesses taken in 10 days of hearings during June and July of 1957. I then submitted a report to the chairman in February of 1958. Many of the things which I shall say here, and many of the changes in the law which I shall propose today, are the direct outcome of that careful study.

I should like to say that in making our investigation we had the benefit of an excellent previous study, entitled, "Agricultural Surplus Disposal and Foreign Aid," prepared by the National Planning Association, at the request of the Special Senate Committee To Study the Foreign Aid Program, and printed as a committee document in March 1957.

It is a document of the Foreign Relations Committee of the Senate.

Since the completion of my report, two other studies of significance have been made. One is a survey of Public Law 480 operations in six countries made last year by a team of experts, under the guidance and direction of Dr. John H. Davis, then of the Department of Agriculture. This summary report and his memorandum, entitled "Policy Considerations Pertaining to Public Law 480," have been made public by the State Department.

Another study, to which I call attention, was made last year by a team of American businessmen appointed by Mr. James H. Smith, Jr., then Director of the International Cooperation Administration, to make a survey of the accumulation and administration of local currencies. The results of their inquiry, which included extensive field investigation, were submitted to the Director of the International Cooperation Administration on August 5, 1958.

I mention these various studies in order to suggest that Public Law 480 operations have been carefully investigated; that in each of the reports I have mentioned recommendations were made for changes both in the law and in its administration. Insofar as these studies deal with the same aspects of the program, they are, with one or two notable exceptions, in general agreement as to what changes are needed.

The overwhelming testimony of virtually all who have investigated or have been associated with Public Law 480 operations is resoundingly positive. The program has advanced the foreign policy objectives of the United States. The existing defects and inadequacies in the law and its administration can be corrected, with the result that its contribution to our foreign policy objectives can be greatly strengthened.

I wish to add that all the reports to which I have referred have been studied by the cosponsors of this bill for the past 6 or 7 months. Since last summer I and members of my staff have been working on this proposal, and we have had the advice and counsel of prominent economists, persons who are experts in foreign trade matters, who have studied most meticulously and carefully the operations of Public Law 480.

The bill which I have introduced today, on behalf of myself and other Senators, was the product as was indicated earlier not only of months, but of years of study.

The National Planning Association, in the report to which I referred a moment ago, concluded that "our disposal programs have proved useful, and should be continued with certain changes and modifications." The association described our agricultural surpluses, as "an asset of unique value which can be used with increasing effectiveness in the achievement of our general foreign policies if only we recognize more fully the real contribution they can make."

Dr. John H. Davis reported, on the basis of extensive investigation at home and abroad, that: "Public Law 480 was approved in general by all persons interviewed, both American and foreign. It contributes to economic development. It is of political value to governments. Difficulties or objections reported were not associated with a wish to end Public Law 480, but to improve it."

Dr. Davis is a truly eminent public servant who has worked for the Federal Government on several occasions, both in the Department of State and in the Department of Agriculture. He is one of the most highly respected of the experts who have given of their time and talent to our country.

Mr. Davis also stated:

> Four years' experience in Public Law 480 operations has demonstrated that U.S. food and fiber can be used as a positive force in international relations. Of necessity, Public Law 480 operations thus far have been experimental in nature—

I repeat the words "experimental in nature"—

> because little precedent existed to serve as a guide. As would be expected under such circumstance, the program that has evolved has both strong points and weaknesses.
>
> Those responsible for the operations deserve much credit for having made the program as good as it is. The strong points predominate. Nevertheless, the prospect of continuing a large Public Law 480 type program for another 5 years or more makes it important that the U.S. Government remedy the weak points in Public Law 480 operations. To do this, these operations must be reconciled and synchronized with overall agricultural and foreign policies.

Mr. Robert L. Berenson, Mr. William M. Bristol, and Mr. Ralph I. Strauss concluded in their report to the Director of the International Cooperation Administration that Public Law 480 is a valuable tool in fighting the cold war and in assisting our friends and the uncommitted nations, but that it would be even more valuable if needed modifications were made.

I wish to underscore what these three distinguished men have said, namely, that Public Law 480 could be even more valuable if needed modifications were made. This is the conclusion of all persons and groups who have studied the operation of Public Law 480.

Mr. President, the changes, modifications and adjustments proposed in the bill known as the international Food for Peace Act are the modifications and the changes which have been recommended by those who have studied the operations of this program in an objective and unbiased manner.

In my report to the Committee on Agriculture and Forestry it is stated that Public Law 480 "is a valuable instrument of our foreign economic policy, contributing significantly to our foreign policy objectives and making more effective use of an abundant American resource as a force for freedom."

The report also analyzes in detail the changes needed to make it more effective.

A number of amendments have been added to Public Law 480 in its several passages through the Congress, most of them concerning the use of local currencies accruing from sales of agricultural commodities under title I. Also, several amendments have been designed to bring about remedies for a few of the many glaring deficiencies and inadequacies in the administration of the law. However, at no time since its original passage has the Congress taken full account of the many proposals for changes and extensions growing out of experience in operations and out of changing world needs, or made any comprehensive effort to require that in administering the law the Executive shall carry out the true intent of Congress.

The time has now come—after 5 years of Public Law 480 operations—for strengthening the program by correcting its deficiencies and inadequacies. That is the purpose of the "Food for Peace Act" which I today submit for the serious consideration of the Senate—and I trust for affirmative action.

SPIRIT AND PURPOSE OF PROPOSED LAW

The first and by far the most important thing we should seek to do in revising Public Law 480 and transforming it into a Food for Peace Act is to make clear, emphatically, precisely, and beyond all question, the overriding purposes of the act, for virtually all the past shortcomings of Public Law 480 operations have proceeded from differing and

conflicting conceptions as to what those purposes are.

Let us get to the heart of the matter. Are we carrying on a surplus disposal program, or are we carrying on a program for using U.S. agricultural surpluses positively and constructively in the world for the relief of human hunger, for promoting economic and social development in less developed countries, and for serving the foreign policy of the United States by helping to build essential world conditions of peace?

Surplus disposal. To use the term is to insult that half of the people of the world who live in hunger, hopelessness, and despair. America's abundance of food and fiber is a God-given blessing, a tremendous asset to be used to build life and hope, and happiness, a powerful potential asset in the world's struggle for peace and freedom. Yet, the President's top policy committee which coordinates Public Law 480 operations is called the Interagency Committee on Agricultural Surplus Disposal, and there is also an Interagency Staff Committee on Surplus Disposal.

The use of the term itself suggests a great deal of what is wrong with the operations under Public Law 480. It is evidence of the negative attitudes of too many of our public officials who have persistently downgraded the worth of our great food resources and thereby cheapened the spirit behind our willingness to share our abundance. Such attitudes have weakened our bargaining power in negotiating agreements, have generated irritation and ill will in the very countries that need help, and have tended to make the American farmer an object of charity rather than honor him as a producer of wealth at home and abroad. There has been too much of apology and not enough of gratitude on the part of our own officials for our agricultural bounty; and this has contributed in a most important manner to the lack of public appreciation at home and abroad of the tremendous contribution American agriculture is making and can make toward peace and freedom.

The negative attitude of surplus disposal, existing in far too many of our Government offices, is basically responsible for chaotic Public Law 480 administration machinery and procedures; it is basically responsible for the long delays, the irritation, and the ill will which too often attend, quite unnecessarily, the negotiation and carrying out of agreements; and it limits and cancels out far too much of the good that could otherwise be accomplished.

I do not desire to be ungenerous in this matter. It is possible to understand the origins of these negative attitudes without approving of their persistence. There are some who have no patience or true interest in Public Law 480 operations because they disapprove of Government acquisition of agricultural surpluses, and others because they disapprove of surpluses per se and seek to cut back production. I do not propose to challenge their views on surpluses today. It is enough to say now that large surpluses do exist; that the Government has been acquiring large surplus stocks, and that it is likely to continue to acquire them in the future.

We are faced with a fact, not a theory, and, this being the case, it would seem to be incumbent upon all reasonable men to see to it that surplus stocks are used in the most effective and constructive ways possible to further American foreign policy.

Negative attitudes on the part of some persons result more from inattention and thoughtlessness than from design. As I have already indicated, the original Public Law 480 was probably supported by more Members of Congress who conceived of it as surplus disposal than by Members who understood fully its constructive potentialities. But at that time we did not know what we since have learned, namely, that our agricultural surpluses are a powerful instrument for promoting welfare, peace, and freedom on a world scale. Year after year I have seen attitudes change on the Hill. Year after year we have improved and widened and extended Public Law 480, with growing comprehension of its possibilities. Year after year we have tried to convey our growing comprehension to the executive branch, as well as our sense of frustration over its failure to push ahead to realize that potential and administer Public Law 480 with boldness and imagination.

We have made some progress, but we have not made enough.

For these reasons, I am proposing that the revised Public Law 480 be known as the Food for Peace Act; that its statement of purposes be expressed in terms that none can misunderstand, and that that statement be amplified in a preamble which I have included.

I propose a preamble reading as follows:

PREAMBLE

(a) A new fact of history of which full account must now be taken is that because of the increased productivity made possible by science and technology, there is no reason of physical scarcity for the continued existence of hunger—anywhere on this earth. It is now possible and practicable for mankind to take cooperative steps to abolish human hunger.

This being so, massive hunger and suffering from want of clothing, existing in the world in the shadow of unused present and potential surpluses of food and fiber, are no longer tolerable, morally, or politically, or economically.

The Congress, while recognizing the difficult political and economic problems that lie between hunger and want of clothing in many parts of the world and food and fiber surpluses in others, declares it to be the policy of the United States to move as rapidly as possible in cooperation with other friendly nations, toward putting surpluses of food and fiber more effectively in the service of human need.

(b) A second new fact of history of which full account must be taken is that peoples who comprise one-third of the human race have in our generation achieved national independence (or are in the process of doing so) and now, free of outside control, whether colonial or imperialist or Communist, are in full revolt against the poverty, ignorance, disease, inferior status, and lack of opportunity which have always been their lot. They are determined to achieve rapidly that economic and social development necessary to national dignity and individual well-being. To mobilize their resources with reasonable speed and develop their economies to a point where they are self-propelled and self-sustaining they require substantial outside aid over a considerable period of years. If that aid is adequately forthcoming from the free world, they have a good chance to accomplish their purposes in freedom, remaining a part of the free world and contributing to its strength and well-being. If it is not forthcoming, their alternative is to seek it in the Communist world, and in the process to surrender both personal and national freedom and to weaken the free world.

(c) Deeply aware of and sympathetic with the aspirations of the world's peoples who seek in freedom greater national dignity and individual well-being, the Congress declares it to be the policy of the United States to help them achieve these aspirations through rapid economic and social development. The Congress recognizes that for this purpose a number of different kinds of aid are required, but that among them food and fiber aid, through grant or through sale for local currencies, a portion of the local currencies being, in turn, loaned or granted as development aid, is a highly important form and one whose effectiveness can be greatly increased. The Congress declares that the agricultural abundance of the United States is not an embarrassment but a blessing to be used in the service of mankind, that it should be so used to the maximum extent possible, and that if it is so used it can help build essential conditions of world peace and freedom.

(d) To achieve these larger purposes, the Congress directs that this act shall be administered (1) so as to help other countries carry forward their own national or regional plans for development in freedom and independence; (2) so as to support the efforts and programs of the United Nations, its specialized agencies and affiliated organizations, and regional organizations of friendly countries, directed toward the same ends; (3) so as to leave wide latitude in working out details of national agreements and projects to U.S. chiefs of missions in negotiations with the governments concerned; (4) so as to enlist the cooperation of other countries in putting agricultural surpluses more effectively in the service of human need and the economic and social development of less developed countries.

(e) It is also declared to be the policy of the Congress to expand international trade among the United States and friendly nations, to facilitate the convertibility of currency, to promote the economic stability of American agriculture, and the national welfare, to make maximum efficient use of surplus agricultural commodities in furtherance of the foreign policy of the United States, and to stimulate and facilitate the expansion of foreign trade in agricultural commodities produced in the United States by providing a means whereby surplus agricultural commodities in excess of the usual marketings of such commodities may be sold through private trade channels, and foreign currencies accepted in payment thereof. It is further the policy to use foreign currencies which accrue to the United States under this act to expand international trade, to encourage economic development, to purchase strategic materials, to pay U.S. obligations abroad, to promote collective strength, and to foster in other ways the foreign policy of the United States.

SCOPE AND DURATION OF FOOD FOR PEACE ACT

The original Public Law 480 passed in 1954 was a 1-year authorization which, even among its supporters in Congress, was widely considered to be a means of dealing with temporary surplus stocks held by the Commodity Credit Corporation. And without effective challenge to

that assumption, it has been reenacted each year on an annual basis.

Meanwhile, several things have been happening:

First. Our agricultural surpluses have not been decreasing, but increasing.

Second. We are comprehending more fully the fantastic productive potentialities of American agriculture due to the increasing application of science and technology.

Third. The morality of cutting back production arbitrarily while half the world suffers from the misery of hunger has come increasingly into question. More and more the American farmer and the American people as a whole have come to realize that the abundance of our farms is a blessing to be used for humanity's sake rather than as an embarrassing nuisance.

Fourth. The success of Public Law 480 operations, notwithstanding obvious deficiencies in administration, has far exceeded even our hopes of 5 years ago. We have learned, by doing, many of the ways in which food and fiber can be used to build the conditions of peace, and we now see ahead even greater possibilities for good, provided the law is altered to make them possible.

All who have studied Public Law 480 operations, and most of those who have been associated with those operations, agree that the temporary, annual basis of program operations seriously restricts both the volume of American food and fiber that can be used for constructive purposes abroad and the effectiveness with which it can be used to promote economic and social development in friendly nations. They all agree in the emphatic recommendation that the authorization for our programs be extended to cover a period of at least 5 years ahead. With American food and fiber supplies available to them only on a 1-year basis, countries living on the margin of their resources, and planning their use ahead, do not know what they can count on, with the result that their stability is unnecessarily brought into question and their development impeded.

It is impossible, for reasons of time, to enter here into a detailed discussion of the host of reasons, mostly technical in nature, discovered through experience, why 5-year program authorization is necessary. They will, I trust, be discussed in subsequent hearings and debate. But I can assure you, Senators, that they are compelling.

Every one who has studied this program finds it urgently necessary. For example, the basic findings of the John H. Davis report to the Department of State on policy considerations pertaining to Public Law 480 stated as follows:

> The following estimates of U.S. surpluses and of food-fiber need in low-income countries provide the basis for expecting that a Public Law 480-type program will be in operation for at least 5 more years:
>
> 1. From $10 to $13 billion of U.S. farm commodities are almost certain to exist in excess of requirements for domestic use and foreign dollar sales during the next 5 years, according to USDA estimates. This is a conservative figure, based on the assumption that more far-reaching measures than those now in operation will be adopted to bring supply and demand forces into balance.
>
> 2. USDA and ICA estimates indicate that from $10 to $13 billion of U.S. farm commodities can be distributed through Public Law 480-type operations during the next 5 years, without seriously interfering with regular commercial trade.

I am therefore proposing in the Food for Peace Act a 5-year program, and an authorization of $10 billion over the 5 years of sales for local currencies under title I. The present authorization for sales under title I is at the rate of $1½ billion a year. It is only reasonable to expect that with more efficient administration on a 5-year basis an annual rate of $2 billion a year is not in any way excessive.

I want the record to show that every year we spend $1 billion merely for storage. I repeat this, because I want it seared into the mind and heart of every Member of Congress and every citizen of this country. We must choose whether we want to cut down the storage costs or keep them up. One way to cut them down is to utilize the food abundance which we have in the constructive manner which is being herein outlined. I believe that Members of Congress would have a difficult time explaining to their constituents why we continue to pay $1 billion or more a year merely to store food, when we could be reducing the storage costs and using the same food for our purposes of international policy and national security, and for humanitarian reasons.

ADMINISTRATIVE MACHINERY

It is a remarkable and shameful fact that no one is really in charge of the store that sells or otherwise distributes billions of dollars worth of surplus agricultural commodities. There is literally no one in high authority in the entire Government who devotes his full time to the administration of Public Law 480.

By Executive order of the President, the administration of Public Law 480 is in the hands of nine agencies of Government coordinated by two interagency committees.

Here is a program which averages approximately $1½ billion a year. No one is in charge, because of the nature of the Executive order which outlines its administration. There are nine separate agencies involved in the handling of Public Law 480 operations. There are two interagency committees. The International Cooperation Administration, the State Department, the Treasury Department, the Department of Agriculture, the Department of Defense, and other agencies are all involved in the administration of the act. I can think of no business in the world that could be well operated with nine separate bosses and two coordinating committees in charge—if we can call that being in charge. What we are attempting to do is to correct an administrative jungle.

In distributing authority among these agencies the President assigned to the several departments and agencies those aspects of Public Law 480 which are related to the type of work they normally carry on. The result is divided responsibility, overlapping authority, clashing points of view—with many bosses, with loose committee coordination, but with no one guiding hand with authority and power to act decisively.

Policy decisions are made by a six-agency committee chaired by a member of the White House staff. This body is called the Interagency Committee for Surplus Disposal. Its Chairman is Mr. Clarence Francis. Member agencies are the Departments of Agriculture, Commerce, Treasury, State; International Cooperation Administration; and the Bureau of the Budget.

Operational decisions are made by a nine-agency committee chaired by a representative of the Department of Agriculture. This body is called the Interagency Staff Committee. It is headed by the Director of the Department of Agriculture's Foreign Agriculture Service. Other member agencies are the Departments of State, Commerce, Defense, Treasury, International Cooperation Administration, Office of Civilian and Defense Mobilization, Bureau of the Budget, and the U.S. Information Agency.

As head of the Interagency Staff Committee, the Department of Agriculture is responsible for initiating agreements for sale of surpluses for foreign currencies, for seeing that these agreements are pushed through and getting the commodities delivered. The Secretary of Agriculture is also directed to arrange barter transactions through private trade channels.

Though the Department of Agriculture is responsible for initiating agreements, the State Department has final authority in all matters concerning foreign policy, including negotiations for agreements, and has, in effect, veto power over the U.S. Department of Agriculture. The State Department is also responsible for handling the international educational exchange program, financed in part under Public Law 480.

The International Cooperation Administration has charge of foreign currency loans for economic development as a result of Public Law 480 sales, for government-to-government disaster relief grants, and for donations of food and fiber distributed by U.S. voluntary relief agencies functioning overseas.

The Bureau of the Budget is responsible for making allocations of the foreign currencies acquired through sale of food and fiber, and apportioning the currencies to the agencies in Washington which carry out the programs.

The Treasury Department handles regulations governing purchases, custody, deposit, transfer, and sale of foreign currencies.

The Office of Civilian and Defense Mobilization selects the strategic materials to be purchased with food surpluses or currencies obtained from sale of surpluses. The General Services Administration acts as agent for OCDM in the purchasing and handling of strategic materials under the program.

The Department of Defense uses local currencies from the program for purchase of military equipment, materials, and facilities such as housing.

The U.S. Information Agency is in charge of publicizing Public Law 480 activities abroad.

With functions thus distributed, with authority overlapping and conflicting, and with no single high officer having the authority to cut through the administrative jungle, the negotiation of agreements for the sale or use of our surplus agricultural commodities is frequently by a long, complex, and tedious process.

Despite these almost incredible difficulties, a great deal of good has been accomplished. That is primarily because of the dedication of some of the men who have handled this program in the Department of Agriculture and in the State Department. I know these men, and I wish to pay them a sincere tribute. I have in mind Ray Ioanes, who has been a tower of strength, and other men like him.

Without guidance on larger objectives and too often restricted by a narrow view and a negative attitude, the Department of Agriculture drafts not only a proposed sales agreement but also a detailed advisory paper for the conduct of negotiations with the foreign country. This paper is prepared for the guidance of our ambassador. These advisory papers must run the gauntlet of the Interagency Staff Committee on Surplus Disposal which usually insists upon unanimous agreement. Frequently 6 or 8 months of a fiscal year are consumed before our Chiefs of Mission abroad receive the necessary authority and instructions for negotiating an agreement.

Moreover, the instructions which he receives are usually so explicit and detailed as to leave him little if any room for maneuver or negotiation, with the result that he is obliged to consult Washington on every change requested by the other negotiating country. By the time the agreement is finally consummated there may remain only 2 or 3 months of financial authority, under annual extensions of Public Law 480, in which to make shipments and carry out the terms of the agreement.

Virtually all who have studied or been associated with Public Law 480 operations agree that there is urgent need to give strong and authoritative central direction to the program and to tighten up administrative machinery and procedures so as to make possible more rapid and effective progress toward agreed goals. During World War II the President, recognizing the importance of agriculture to the Nation's war objectives, created a War Food Administration separate and distinct from the Department of Agriculture. Today, the need is no less for a Peace Food Administration to make the most constructive possible use of our agriculture as a force for peace and freedom.

Accordingly, in the bill I present today I am proposing the establishment of a Peace Food Administration directly under the President, headed by a Peace Food Administrator who shall have sufficient authority to pull together the now widely dispersed operations under Public Law 480, give them central direction, and weld them into an efficient team moving purposefully toward the program objectives set by Congress. It will be possible for Congress to hold one office responsible, instead of the present impossible task of tracking down administration through the existing administrative jungle.

I say most respectfully and charitably to my colleagues that if they do not believe that is a real task, they should try it for size. It is the kind of sleuthing job which even the FBI might wish to take another look at in terms of whether it would be willing to undertake the operation. It is not that the men who handle the program are not trying to do a good job, for they are trying to do so. I have nothing but praise for the men who are attempting to carry out the purposes of the law as presently written.

What I am concerned about is that for some peculiar reason, in the handling of Public Law 480, we have become the victim of an administrative establishment which by its nature weakens or limits the effectiveness of the program. I see no reason why the Government of the United States should be choked to death by committees. I see no reason why the operation of the program should be stifled by a host of agencies and bureaus and interagency committees and staff committees. It seems to me that we ought to maximize the operations of the program and try to make it as efficient as possible. This is the purpose of the administrative proposals which are now being made.

I am proposing not only that the administration of Public Law 480 be placed under the new Peace Food Administrator, but also section 402 of the Mutual Security Act.

Operations are similar and overlapping, and study has shown that much would be gained by coordinating them.

I am also proposing that an interagency Food Peace Policy Committee be created at the Assistant Secretary level to advise and consult with the Peace Food Administrator, and also a Peace Food Advisory Committee made up of nongovernmental representatives of each of the major farm organizations, food and fiber exporters, representatives of voluntary relief agencies such as CARE and church groups, and representatives of voluntary health groups.

We are confronted by one of the gravest challenges and brightest opportunities in all history, and the use of our agricultural surpluses can be a powerful instrument in helping meet the challenge and realize the opportunity. It is imperative that administration be so organized as to make most effective use of that instrument.

NEW TITLES

In the proposed Food for Peace Act which I submit to you today there are four new titles in addition to the three now in Public Law 480. One concerns administrative machinery which I have already described. I shall now comment briefly upon the other three which would authorize new activities which it is believed woud be useful in accomplishing the purposes of the act.

LOAN PROGRAM

One of these is a new title IV. Public Law 480 at present authorizes sales of surplus agricultural commodities for local currencies, barter for strategic materials, and under certain circumstances for grants. However, it has become increasingly clear that the program would be improved by the addition of authority to make long-term low-interest loans, with deferred payment of interest and principal, to cover purchases of surplus agricultural commodities.

Title IV would provide an additional channel of assistance to developing nations, which in some cases might supplement or be preferable to other methods authorized under this act.

This title authorizes 10-year contracts for the delivery of surplus commodities to friendly nations with credit terms of up to 40 years.

Many countries throughout the world are now engaged in, or entering upon, intensive efforts to develop industry, transportation, electric power, and other similar aspects of their economies. When countries enter upon such periods of intensive industrial development, agricultural production nearly always fails to keep up with domestic demand. This develops because capital and other resources that are concentrated on industrial development are most frequently withdrawn from agriculture, and at the same time that industrial and commercial development takes place, rising consumer income creates a larger demand for agricultural commodities.

A country in this situation needs a source of agricultural commodities on which they can depend during their period of economic development. Their development plans need to be made with full assurance that adequate supplies of food and fiber will be available.

Therefore, this section provides that the President may enter into agreements with friendly nations to deliver annually certain quantities of wheat, rice, cotton, feed grains, or tobacco, or other surplus agricultural commodities as may become available, for periods of not more than 10 years. Payments for these commodities shall be made in dollars or in services or in materials which the United States does not produce domestically in quantities sufficient for our needs. Payment may be made over a period of time not to exceed 40 years from the date of the last delivery of commodities under the agreement, and interest of not more than 2½ percent per year shall be computed from the date of final delivery.

In making such arrangements, it will be agreed that these commodities will not replace any usual imports from friendly nations, but shall be in addition to these imports.

NATIONAL FOOD RESERVES AND RELIEF OF CHRONIC HUNGER

A second new title—title V—would authorize grants of surplus foods, under agreements with friendly countries having chronic or recurring food deficits or widespread malnutrition, for the purpose first, of enabling them to build up and maintain minimum national food reserves; and second, for inaugurating or expanding—with the assistance of FAO technicians and administrators—programs to relieve chronic hunger and malnutrition due to poverty and ignorance.

The subject of food reserve stocks in deficit countries or areas has been studied and discussed intensively for many years in the United Nations, in the United Nations Food and Agriculture Organization, and in many individual countries, including our own. Without adequate food reserves, countries that suffer widely fluctuating crops due to drought or flood, that are remote from the world supplies, and that in any case live on the margin of hunger and their national financial resources, are frequently at the mercy both of the weather and food speculators. The result is frequently, therefore, that the people—quite unnecessarily—suffer misery and death due to sudden famine, before famine relief can arrive, or want due to merciless price gouging.

That the maintenance of minimum food reserves at the proper places is desperately needed, there is no question. The problem is how to do it.

Over the years there have been a number of proposals for the establishment of an international food reserve or world food bank, and these have received the most serious world study and consideration. However, the conclusion was reached in the United Nations Food and Agriculture Organization that given the present stage of our knowledge and experience, the technical and political obstacles to the establishment and operation of an international food reserve were almost insurmountable, and that instead international cooperation to establish and maintain national food reserves in food deficit countries was practical and desirable. Accordingly, at the 1957 session of the United Nations General Assembly I, as a member of the U.S. delegation, introduced on behalf of the U.S. Government a resolution calling for international cooperation in the establishment of national food reserves and for building the necessary storage facilities. This resolution was adopted I believe unanimously. It was supported by the U.S. Government, obviously; otherwise, as a delegate of the U.S. Government to the United Nations, I could not have offered it.

The CONGRESSIONAL RECORD contains information relating to the resolution and the action of our Government. I recall that a statement relating to it was placed in the RECORD, first, by the distinguished junior Senator from Iowa [Mr. MARTIN], and then I placed in the RECORD the exact text of the message of the U.S. Government which it was my privilege to deliver as a delegate to the United Nations in 1957.

Since then the administration has made no move whatever that I have been able to discover to implement its own resolution passed by the United Nations General Assembly.

While there is no excuse for complete inaction, in all fairness it must be said that the administration did not have all of the tools it needed with which to do the job. The financial limitations of the countries which need to build up national food reserves are such that the United Nations Food and Agriculture Organization has concluded as a practical matter that such reserves can be built up only through grants from surplus producing countries rather than through purchases—either for hard currencies or local currencies. Also needed are grants of food surpluses which can be sold to provide the money necessary to build adequate storage facilities.

There are other difficulties. The storage and management of substantial food reserves is a highly technical operation, demanding skills and experience which are in short supply in the needy countries. Moreover, there is some danger that, without a high degree of technical competence and administrative diligence, national reserves, once built up, might either be depleted or used in ways deleterious to normal commercial trade.

These are the reasons, then, for the new title V in the Food for Peace Act which I have today introduced in the Senate.

Under this title, the President is authorized and directed to negotiate agreements with friendly nations or organizations of friendly nations to provide for the grant of specified amounts of CCC holdings of surplus commodities in order to implement the 1957 United Nations resolution, which I have already described. The President is directed to seek and secure commitments from the countries receiving grants for this purpose, to maintain national food reserves at agreed levels, making replacements in such reserves, when necessary, either through commercial purchases or purchases with local currencies from the United States under title I, except that in the case of depletion as a result of famine or disaster the President is authorized to make grants under title II to build the reserves back to the agreed level. The President is also directed to seek and secure commitments that experts and technicians of the United Nations Food and Agriculture Organization shall be engaged to consult and advise on the technical problems of storage and management of national food reserves, and upon the general operation of the national food reserves, with a view to assuring that they shall not interfere with the normal trade of the United States or that of other exporters.

A second part of the proposed new title V authorized the President to negotiate agreements with other countries under which U.S. agricultural surpluses would be made available on a grant basis to aid those countries in inaugurating or expanding—with the assistance of food and agriculture organization technicians and administrators—programs to relieve chronic hunger and malnutrition. This authority, it seems to me, is a highly important addition. Under the present law, grants are available for this purpose to United States voluntary agencies, but their scope of action is necessarily limited.

Furthermore, many countries do not have the technicians and administrators necessary to inaugurate or expand programs for seeking out hidden hunger and ministering to it. The new authority in title V would make it possible for these countries to engage Food and Agriculture Organization technicians and administrators to help them carry on programs to relieve chronic hunger and malnutrition. If we really want to use American food surpluses to help relieve hunger and misery that otherwise go unremedied, this is one of the important ways to do it.

USE OF REPAYMENTS OF INTEREST AND PRINCIPAL ON LOCAL CURRENCY LOANS FOR RESEARCH, EDUCATION, HEALTH, AND PUBLIC WELFARE

The last of the new titles to be discussed is title VI, which I am sure will arouse intense interest and debate, for it faces up to the problem, hitherto neglected in legislation, of what shall be done with the local currencies which are beginning to accumulate as a result of the payment of interest and repayment of principal on local currency loans made under title I. Public Law 480 has been silent on this point, but all who have studied or thought deeply about the programs conducted under this law have recognized that sooner or later the law would have to speak. Now is the time, because the interest and principal repayments are beginning to flow in and will in time become a very serious problem.

Looking ahead, Mr. James H. Smith, Director of the International Cooperation Administration, last year appointed three outstanding American businessmen, whose names I have already mentioned today, to make an exhaustive field survey of this problem. This they did, and on August 5, 1958, they made a report to him entitled "Accumulation and Administration of Local Currencies," which I shall refer to hereafter as the Berenson-Bristol-Strauss report. The report deals with accumulations in general, and only in part with accumulations resulting from repayment of principal and interest on local currency loans. In drafting the new title VI of the Food for Peace Act I have drawn heavily upon their report.

As of December 31, 1958, agreements under title I had been signed with 36 countries covering purchases of our surplus agricultural commodities having a market value of $3,323 million, repayable in local currencies or dollars. In fact, virtually all repayments will be in local currencies. Of this amount, roughly half is scheduled to be loaned back to the governments concerned, and loans totaling $327 million had actually been made. In general, the loans are for 40 years, with interest—if paid in local currency—at 5 percent, prinicpal repayments beginning after 3 years.

As is evident, the problem of what to do with the local currency reflows is only incipient, but it takes no imagination to see that in time, as the program continues, it will become a very serious problem indeed.

In seeking a solution, the first thing to understand is that this local currency is not in itself a resource or a commodity but is merely a claim on the resources of the country of its origin. Only a small part of it is usable to pay for the obligations of the United States, and the remainder—the larger part—is not subject to the unilateral control of the United States but only in agreement with the country concerned. It is useful only in the country of origin.

Our purpose being to help, not weaken, these countries, there are serious disadvantages to our accumulating large holding of their currencies. Depending upon how they are used, they can bring about deflation or inflation. No country would long tolerate our possession of an instrument which could control their destiny. If we should acquire such control, we would offer the Communists a stick with which to beat us over the head unmercifully.

There is no doubt whatever that we must not acquire large holdings of these foreign currencies, but that we must put them to work in the only places where they can work, and that is in the countries of their origin. But how? Assuming that continuation of Public Law 480 sales will continue to provide currencies which can be loaned for economic development, the answer is that local currency reflows can best be used as grants for non-profit-making but socially useful enterprises such as research, health, education, and public welfare.

It has long been recognized that ill-health, malnutrition, and a low level of education, both general education and vocational education, are basic impediments to economic development. Here, then, is an opportunity to help fill one of the necessary gaps and round out our food for peace program.

In the Davis report, the National Planning Association study, and the Berenson-Bristol-Strauss report a strong case is made for grants of local currencies for research, health, education, and public welfare, and in the latter a very strong case is made for the administration of such grant funds by binational foundations established through agreement between governments, but operating in a semi-independent manner.

In the proposed title VI their recommendation is adopted for reflow of funds.

In title VI the President is authorized to negotiate and carry out agreements with friendly nations to provide for the establishment in such countries of nonprofit binational foundations to promote research, education, health, and public welfare. Such foundations shall be under the direction of boards of trustees, the majority of whose members shall be nationals of the host country appointed by its government, and the remainder shall be nationals of the United States appointed by the President of the United States. One of the U.S. members shall be the U.S. Ambassador. The Board of Trustees shall select the officers of the Foundation. The Foundation shall have freedom to use the funds available to them either directly or through investment and use of the proceeds.

The President is authorized by the bill to grant to such foundations, for the purposes specified in this title, local currencies which accrue to the United States as repayments of principal and interest on all local currency loans which have been made by the U.S. Government in the past under Public Law 480 or which may be made in the future under the present act.

NEW USES FOR LOCAL CURRENCIES ACCRUING FROM SALES UNDER TITLE I

Before concluding, I think it may be useful to point out that in the Food for Peace Act it is proposed to authorize a number of new uses, in addition to those already named in section 104 of title I of Public Law 480, for local currencies accruing from sales.

One of these is for loans to promote medical and scientific research, educational development, and health, and education.

A second is for financing the dubbing, showing, and distribution of audiovisual informational and educational materials, including Government materials abroad.

A third is for financing the services of technicians, advisers, and administrators who are citizens of any friendly country and who may be needed to further economic and social development programs in other friendly countries.

Five new additions are designed to authorize the use of local currencies, in agreement with the countries concerned, to permit, to buttress, and to extend social and economic development projects and activities carried on in those countries by the United Nations and its specialized agencies and affiliated organizations: specifically, the United Nations Special Fund, the United Nations Food and Agriculture Organization, the International Finance Corporation, and an International Development Loan Association, if and when such may be established as an affiliate of the World Bank for the purpose of making long-term loans, including local currency loans, for economic development.

To my mind, these five additions, which will tend in some measure to internationalize the use of the foreign currencies accruing from Food for Peace sales, are of the highest importance. I cannot too often repeat that our food and fiber surpluses are a powerful potential instrument for the economic and social development of the less developed countries, and can give rise to exceedingly extensive enterprises. However, if we seek to confine this enterprise into purely bilateral channels, with bilateral controls, we shall not only limit it, but we shall reap discord instead of good will. The United States is strong and it is wise. But it is neither strong enough nor wise enough to bring about alone that tremendous economic and social development which is necessary and possible. For that, the combined efforts of all nations are required, and I do not doubt that in the years immediately ahead we shall see a great burgeoning of projects carried on by and through international organizations. It is of the utmost importance that we equip ourselves to exert our efforts increasingly through international agencies.

In this shrunken world, the growing contrast between greatest wealth and direct need warps our perspective, threatens our survival, and offends our instincts as brothers of all men.

Mr. President, it is imperative that our people, privileged and anesthetized in the illusory fortress of their good fortune, notice the dawn rising even now in the East—a dawn burdened with the historic resentments of 2 billion human beings hungry and hopeless for countless milleniums—a dawn, however, also fresh with the radiance of unbounded opportunity.

Mr. President, let me emphasize that this response to the cries of the hungry abroad does not conflict in any way with our responsibility to see that the hungry and ill clad in this country are cared for. We have not forgotten that we have children here, too, who go to bed hungry at night, that there are needy old people, and people with earning power inadequate to their needs. Today more than 6 million Americans are dependent on public funds for the food they eat.

Certainly, these demands must be met. One first big step would be to use the laws which are already on the books. The Secretary of Agriculture has the authority, and he has the funds—section 32 funds, which year after year he hoards, and turns back to the Treasury—to help these people. If he wished to accept his full responsibility, the people unemployed in West Virginia and Kentucky, in Michigan and Mississippi, and in New Jersey, Maine, and California, could have food to eat.

Mr. President, I am delighted that yesterday it was my privilege to join with the fine and able Senator from Missouri [Mr. SYMINGTON] in presenting to the Senate and to the Congress our food-certificate plan and food-stamp plan to take care of the needy in our own country. How the Congress or this administration could refuse to endorse such a program would be beyond my comprehension.

I repeat that as we plan for the use of our abundance of food in our international relations, let us think also of how we can use our food abundance to take care of those at home who are in need. Indeed, charity begins at home; and now we have provided the administrative machinery for the proper use of food and fiber to relieve human suffering both at home and abroad; and we here in the Congress should respond to the calls for help, to which I have referred, by enacting a realistic food-stamp plan bill that will, at a very small cost, improve the diets and the lives of millions of undernourished, and will do this through the regular channels of trade in a way that will bolster our economy. This will indeed be bread cast upon the waters, for which we can see an immediate return.

But strongly as I support wiser use of our food abundance to feed our own hungry, I am equally concerned about feeding hungry people everywhere.

As I said at the beginning of my remarks, I think the American people are eager, Mr. President, to redeem our heritage and to restore our image.

I think we are ready to cast our bread upon the waters, because we know that is what we would want to have others do for us, were we where they are now. I think we are ready to acknowledge and to rejoice in the fact that God, in the ultimate of His wisdom, has made present imperatives of ancient ethics.

Lately there have been times, Mr. President, when it has not been easy to

remember the authentic America—an America grateful for her bounty, eager to provide shelter to the needy, eager in her generosity—an America whose pocketbook is open, even if Communists do not threaten; an America whose schools are open, even if all her children are not of the same shade; an America whose heart is open to all men, in the humility of her unique opportunity to serve. That is the America that I love.

It is this America that asks patience and understanding from her older brothers across the sea, that finds wisdom in her heritage of diversity, and that asks of others help in finding ways to be of help to others.

And it is this America—too modest to sense yet the power of her unleashed conscience and energies—that must now be roused to the opportunity of the ages; the opportunity of a humanity working together against privation and inequity, and warmed in its labors by the love of the Lord for all his creatures.

Mr. President, it is in that spirit and in that philosophy that this proposed legislation is introduced. To my mind, so far as my work in these legislative halls is concerned, this measure is the most important and the most rewarding of all my endeavors. I believe I speak for the other Senators who have joined me in sponsoring the measure when I say that this proposed legislation represents the kind of constructive good, both in terms of policy and in terms of ideals, that all of us embrace.

FREE IMPORTATION OF ARTICLES FOR EXHIBITION

Mr. JACKSON. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside, and that the Senate proceed to the consideration of Calendar No. 147, House bill 5508.

The PRESIDING OFFICER (Mr. WILLIAMS of New Jersey in the chair). The bill will be read by title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 5508) to provide for the free importation of articles for exhibition at fairs, exhibitions, or expositions, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Washington.

There being no objection, the Senate proceeded to consider the bill.

Mr. JACKSON. Mr. President, this measure provides for permanent legislation permitting the free entry, under bond, of imported articles for exhibition or use at fairs designated by the Secretary of Commerce. The passage of the pending measure would avoid the necessity of adopting special acts each year to deal with individual fairs.

The bill was reported unanimously by the Committee on Finance, and it passed the House unanimously. It has been approved by both sides of the aisle.

The PRESIDING OFFICER. The bill is open to amendment.

If there is no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading, was read the third time, and passed.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959

The Senate resumed the consideration of the bill (S. 1555) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes.

Mr. ERVIN. Mr. President, yesterday I offered an amendment to strike out title VI of Senate bill 1555. I wish to state the reasons why I offered that amendment. If the amendment were adopted, it would strike from the pending bill six nongermane amendments to the Taft-Hartley Act.

I realize that there are certain nongermane amendments to the Taft-Hartley Act in the first title of the bill. It would be my purpose to offer an additional amendment to strike those nongermane amendments to the Taft-Hartley Act from the first title of the bill in the event my amendment striking title VI from the bill should be adopted.

For 2 years I have served upon the Senate Rackets Committee, which has been presided over so ably and courageously by a truly great American, Senator JOHN L. MCCLELLAN. This committee has investigated some 20 unions which act as collective bargaining agents for several million men and women employed in industries affecting interstate commerce.

The testimony taken by the committee has shocked the conscience of the Nation.

This is true because the testimony has made it crystal clear that some or all of the following have occurred upon frequent occasions in some of the unions investigated:

First. Union moneys in enormous amounts have been converted to their own use or that of their cronies by union officers whose duty it was to safeguard them.

Second. Union officers committing such raids upon union treasuries have destroyed union records to conceal their financial misdeeds from union members, income tax authorities, law enforcement officers, and investigating committees.

Third. Union members have been deprived of any real voice in the election of union officers or the management of union affairs by dictatorial activities of union officers, undemocratic regulations, wanton abuse of the trustee process, and even, on occasion, sheer terrorism.

Fourth. Persons convicted and sentenced to prison for armed robbery, burglary, extortion, and other infamous crimes have been placed in positions of authority over honest and law-abiding union members shortly after their release from prison and before they had brought "forth fruits meet for repentance."

Fifth. Union charters have been granted to known racketeers and their associates, who have used them as devices to prey upon the public and helpless workers compelled to earn their bread in the sweat of their brows.

Sixth. Union officers and agents of employers have entered into conspiracies resulting in sweetheart contracts or other arrangements which constituted betrayal of the union members by officers, who were supposed to represent them.

The great majority of union officers do not countenance or tolerate malpractices of these types in the areas in which they have the power to act. Nevertheless, the testimony taken by the Senate Rackets Committee shows that such malpractices are widespread in some segments of the union movement, and that they will undoubtedly continue unless they are outlawed by Congress. After all, John Stuart Mill was right when he said: "Laws and institutions require to be adapted, not to good men, but to bad."

For these reasons, there is a crying need at this hour for congressional action outlawing the malpractices I have enumerated.

It is obvious that if Congress is to do this, it must enact a statute regulating to a limited extent the internal affairs of unions.

Titles I to V, both inclusive, of S. 1555, which is popularly known as the Kennedy-Ervin bill, are well designed to outlaw the malpractices under scrutiny. If it should be enacted into law, the bill would make union officers legally accountable for safeguarding union money, impose criminal penalties upon union officers for willful misuse of union moneys or the willful destruction of union records, bar convicted felons from holding union offices until they have brought "forth fruits meet for repentance," prohibit union officers from arbitrarily using the trustee process, and from conniving with management to the detriment of union members, and secure to dues-paying union members both the right and the power to select the officers and control the affairs of their unions.

In laying stress upon the crying need for legislation outlawing the malpractices enumerated by me, and in pointing out that the first five titles of S. 1555 are well adapted to accomplish this purpose, I do not overlook these two things: First, that industry, labor, and the general public are demanding various changes in the Taft-Hartley Act, which was adopted in 1947 to regulate external relations between industry and labor; and, second, that title VI of S. 1555 contains what I have designated as certain amendments to the Taft-Hartley Act which not germane to the primary objective of the bill as set forth in its first five titles. Indeed, I have been convinced by my own study of the subject and also by testimony presented to the Senate Rackets Committee that it is highly desirable for Congress to change or clarify some of the provisions of the Taft-Hartley Act, including those relating to organizational picketing and secondary boycotts.

While this is true, Congress should not attempt to outlaw malpractices in the internal affairs of unions and to amend the Taft-Hartley Act in one operation or in a single piece of legislation. On the contrary, Congress should do these

jobs one at a time. This is so for these reasons:

First. Malpractices in the internal affairs of unions and problems arising out of the external relations of industry and labor are quite dissimilar in nature, and require quite different legislative treatment. To combine the consideration of such diverse matters is not conducive to sound legislation because it tends to confuse issues and distract legislators.

Second. The passage of needed legislation to outlaw malpractices in the internal affairs of unions ought not to be put in jeopardy by saddling such legislation with unrelated controversies between industry and labor respecting nongermane provisions of the Taft-Hartley Act.

Third. The Taft-Hartley Act is an exceedingly important and intricate law which should not be subjected to indiscriminate amendment on the Senate floor until the proposed changes in it have been adequately studied by the appropriate Senate committee.

For these reasons, I urge that the nongermane amendments to the Taft-Hartley Act embodied in title VI of S. 1555 be stricken out, and that the bill be thus restricted to its primary objective; that is, the outlawing of the malpractices in the internal affairs of unions so clearly revealed by the investigations of the Senate Rackets Committee.

Mr. President, I do not claim to be a prophet or the son of a prophet; nevertheless, it is safe to make this prediction: If the nongermane amendments to the Taft-Hartley Act are stricken out, S. 1555 will pass the Senate by a virtually unanimous vote with a minimum of debate and delay, leaving the Senate free to consider at a subsequent time in a manner consistent with orderly legislative procedure all proposed changes in the Taft-Hartley Act after those changes have been adequately studied by the appropriate Senate committee.

It is likewise safe to make this prediction: If the nongermane amendment to the Taft-Hartley Act are not stricken out, their presence in S. 1555 will constitute an invitation to every Senator to offer upon the Senate floor as amendments to the bill whatever changes in the Taft-Hartley Act he deems desirable. As a consequence, the Senate will be bogged down for days on end in debate upon all the controversial features of the Taft-Hartley Act. This is likely to result either in the defeat of S. 1555 or the mangling of the Taft-Hartley Act. Intricate legislation cannot be properly framed amid heated debate upon a legislative floor.

We cannot justify exposing the provisions of the first five titles of S. 1555 and the Taft-Hartley Act to these alternative perils. The perils are wholly unnecessary because they can be entirely avoided in the first instance by the simple expedient of striking out title VI. Such action should be taken by the Senate at as early a moment as possible.

After this action is taken, the Senate should reject all subsequent attempts to write into S. 1555 any nongermane changes in the Taft-Hartley Act and send the restricted bill without delay to the House, whose concurrence in the action of the Senate would make it reasonably certain that union treasuries will not be pillaged with impunity by their custodians, that unrepentant convicted felons and racketeers will not be given dominion over honest and law-abiding union members, that dictatorial union officers will not be allowed to rob union members of their basic rights by abuse of the trustee process, that corrupt union officers will not be permitted to connive with management to betray the union members they represent, and that union members will possess the power as well as the right to exercise an effective voice in the selection of the officers and the control of the affairs of their unions.

Surely the investigations of the Senate Rackets Committee make it manifest that this is a "consummation devoutly to be wished."

A study of Federal law will show that industry has some substantial safeguards against any possible abuses of the unions under the provisions of the Taft-Hartley Act as it now exists, and that the unions have some substantial protection against abuses on the part of industry under the Taft-Hartley Act as it now exists; but a study of Federal law and the investigations of the Senate Rackets Committee make it crystal clear that the rank and file of union members have no protection of any kind against dictatorial and corrupt officers of unions or against the connivance of management with a corrupt labor leader to deprive them of their rights.

The question which is before the Senate fundamentally is this: Shall the Congress grant protection without delay to the persons in this area of our national life who now have no protection, or shall the Congress jeopardize the right of these persons to protection at the hands of our Government by indulging in a controversy concerning the many controversial features of the Taft-Hartley Act—a course of action which will probably result not only in the denial of any rights to those who now have no protection but also in the mangling of the Taft-Hartley Act itself.

The best way to avoid such a calamity is to adopt my amendment and to confine the pending bill to the regulation of the internal affairs of unions so far as such regulation is required to protect the rights of their members, and at a subsequent period to give the appropriate committee an opportunity to bring forth a bill providing any desirable changes in the Taft-Hartley Act under such circumstances that the proposed amendments can be considered in an adequate manner, and thus free those who are now without protection of the danger that they will receive none at the hands of Congress.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, April 16, 1959, he presented to the President of the United States the following enrolled bills:

S. 144. An act to modify Reorganization Plan No. II of 1939 and Reorganization Plan No. 2 of 1953; and

S. 1096. An act to authorize appropriations to the National Aeronautics and Space Administration for salaries and expenses, research and development, construction and equipment, and for other purposes.

RECESS

The PRESIDING OFFICER. What is the wish of the Senate?

Mr. BEALL. Mr. President, I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 29 minutes p.m.) the Senate took a recess until tomorrow, Friday, April 17, 1959, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

THURSDAY, APRIL 16, 1959

The House met at 12 o'clock noon.

Rev. Charles W. Holland, Jr., B.D., Th.M., pastor, Fountain Memorial Baptist Church, Washington, D.C., offered the following prayer:

In the first book of the Bible 4: 9 we read: *and the Lord said unto Cain, "Where is Abel thy brother?" and he said, "I know not: Am I my brother's keeper?"*

Father-God, Creator of man, help each Congress man and woman in this great body to realize he is his brother's keeper.

As legislation is premeditated in the minds of these servants of the people of these United States, imprint, indelibly, inerasably, inexpungibly, upon each person as he works in this enclosure and the confines of his office the fact that he is his brother's keeper.

We feel, dear Heavenly Father, that if this is kept before our thinking we will see helpful, constructive legislation enacted.

Great Physician, if it is in Thy will, lay Thy hand on the body of Mr. Dulles.

This request I make conscientiously and sincerely in the name of my Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H.J. Res. 336. Joint resolution making a supplemental appropriation for the Department of Labor for the fiscal year 1959, and for other purposes.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1455. An act to authorize the rental of cotton acreage allotments.

The message also announced that the Senate agrees to the amendment of the

House to a bill of the Senate of the following title:

S. 1096. An act to authorize appropriations to the National Aeronautics and Space Administration for salaries and expenses, research and development, construction and equipment, and for other purposes.

UNITED STATES OF AMERICA v. THURMAN A. WHITESIDE ET AL.

The SPEAKER laid before the House the following communication:

APRIL 15, 1959.

The Honorable the SPEAKER,
House of Representatives.

SIR: From the U.S. District Court for the District of Columbia, I have received a subpena duces tecum, directed to me as Clerk of the House of Representatives, to appear before said court as a witness in the case of the *United States* v. *Thurman A. Whiteside, et al.* (No. 856–58), and to bring with me certain and sundry papers therein described in the files of the House of Representatives.

The rules and practice of the House of Representatives indicates that the Clerk may not, either voluntarily or in obedience to a subpena duces tecum, produce such papers without the consent of the House being first obtained. It is further indicated that he may not supply copies of certain of the documents and papers requested without consent.

The subpena in question is herewith, and the matter is presented for such action as the House in its wisdom may see fit to take.

Respectfully yours,

RALPH R. ROBERTS,
Clerk, U.S. House of Representatives.

The SPEAKER. The Clerk will read the subpena.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

Mr. McCORMACK. Will the gentleman withhold that so that I may offer a resolution?

Mr. GROSS. No. Mr. Speaker, I insist on my point of order.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 29]

Andersen, Minn.	Holland	Rhodes, Ariz.
Baring	Huddleston	Rooney
Baumhart	Kearns	Rostenkowski
Blatnik	Keogh	Roush
Bonner	Kowalski	Santangelo
Buckley	Meader	Scott
Carnahan	Merrow	Simpson, Pa.
Cramer	Miller, George P.	Smith, Kans.
Daddario	Mitchell	Stubblefield
Davis, Tenn.	Moeller	Teague, Tex.
Dent	Monagan	Teller
Diggs	Moorhead	Tollefson
Downing	Moulder	Van Pelt
Giaimo	Multer	Weis
Gray	Norblad	Whitener
Griffin	Norrell	Whitten
Harris	Pilcher	Williams
Hechler	Polk	Wilson
Hoffman, Ill.	Powell	Winstead
Holifield	Quigley	Wolf

CV——388

The SPEAKER. On this rollcall 361 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

UNITED STATES OF AMERICA v. THURMAN A. WHITESIDE ET AL.

The SPEAKER. The Clerk will read the subpena.

The Clerk read as follows:

U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA—UNITED STATES OF AMERICA *v.* THURMAN A. WHITESIDE, ET AL., DEFENDANTS.—No. 856–58

To Ralph Roberts, Clerk, U.S. House of Representatives, Washington, D.C.:

You are hereby commanded to appear in the U.S. District Court for the District of Columbia at 3d and Constitution Avenue NW., fourth floor, courtroom 8, in the city of Washington, on the 20th day of April 1959, at 9:45 o'clock a.m., to testify in the case of *United States* v. *Thurman A. Whiteside* and bring with you all records as per the attached list.

A Summary of contents of Harris committee files.

B. Fitzgerald memorandums re Foster trust:

Fitzgerald memo re Foster trust negotiations with Whiteside, March 9, 1956, and telephone conversation with Whiteside March 12, 1956.

Fitzgerald memo re Foster trust, March 28, 1956.

Fitzgerald memo of Foster trust settlement.

C. Harris committee correspondence:

Anderson-Harris letter, February 7, 1958.
Katzentine-Moulder letter, July 24, 1957.
Kefauver-Moulder, June 28, 1957.
Kefauver-Moulder, June 28, 1957.
Kefauver-Harris letter, February 26, 1958.
Kefauver-Harris letter, March 10, 1958.
Mack-Moulder letter, February 8, 1958.
Magnuson-Harris letter, March 5, 1958.
Schoeppel-Harris letter, March 5, 1958.
Scott-Harris letter, February 9, 1958.
Smathers-Harris letter, March 5, 1958.
Steinmeyer-Harris letter, February 27, 1958, with enclosure of papers relating to real estate transaction of Steinmeyer and Mack.

D. Mack bank statements:

Mack deposits in Munsey Trust Co.

Mack: Bank deposits in First National Bank, Fort Lauderdale, July 1, 1955–February 10, 1958.

Mack: Bank records of checks over $200 drawn on First National Bank, Fort Lauderdale, June 30, 1955–October 31, 1957.

E. Katzentine notes, memorandums, conversations:

Katzentine notes on Katzentine's affidavit of February 17, 1957.

Katzentine summary of channel 10 chronology, March 8, 1956.

Katzentine's (?) notes on chronology of channel 10, undated.

Analysis of channel 10 decision (presumably by Katzentine).

Memorandum re McCoaker-Prosser-Merritt-Katzentine conference re desirability of seeking TV station, March 23, 1951.

Katzentine memo on Foster trust negotiation, March 30, 1956.

Katzentine-Joe Adams telephone conversation, April 6, 1956.

Katzentine-Berke conversation, June 11, 1954.

Katzentine-Charlie Johns telephone conversation, April 6, 1956.

Katzentine-Prosser-Scott memorandum, December 1, 1955.

Katzentine memo of Storer-Prosser-Katzentine telephone conversation, December 1, 1952.

Katzentine memo on Whiteside telephone conversation, April 23, 1956.

F. Katzentine correspondence:

Katzentine-Childs letter, May 25, 1956.
Katzentine-Kefauver letter, June 6, 1955.
Katzentine-Kefauver letter, December 27, 1956.
Katzentine-Kefauver letter, January 21, 1957.
Katzentine-Kefauver letter, February 1, 1957.
Katzentine-Kefauver letter, June 4, 1957.
Katzentine-Moulder letter, July 24, 1957, photostat.
Katzentine-Moulder letter, July 24, 1957, carbon.
Katzentine-Porter letter, April 1, 1955.
Katzentine-Porter letter, November 22, 1955.
Katzentine-Porter letter, November 22, 1955.
Katzentine-Porter letter, December 23, 1955.
Katzentine-Porter letter, January 5, 1956.
Katzentine-Porter letter, February 24, 1956.
Katzentine-Porter letter, January 31, 1957.
Katzentine-Porter letter, February 15, 1957.
Katzentine-Porter letter, February 2(?), 1957.
Katzentine-Porter letter, March 7, 1957, with picture of Mrs. Baker and Mrs. Moore.
Holland-Katzentine letter, June 2, 1955.
Miller-Katzentine telegram, October 5, 1955.
Rice-Katzentine letter, November 4, 1955.

G. O'Hara-McLaughlin interviews at the FCC:

O'Hara-McLaughlin memo of interview with Craven, March 13, 1958.
O'Hara-McLaughlin memo of interview with Doerfer, March 13, 1958.
O'Hara-McLaughlin memo of interview with Hyde, March 13, 1958.
O'Hara-McLaughlin memo of interview with Lee, March 13, 1958.

H. Shacklette-Eastland interviews in Miami:

Shacklette-Eastland interview with Carter, January 8, 1958.
Shacklette-Eastland interview with Anderson, January 15, 1958.
Shacklette memo of Baker and Hardy interview, January 17, 1958.
Shacklette-Eastland-O'Hara interview with Mack, January 27, 1958.
Shacklette-Eastland memo of interview with Fuqua, January 13, 1958.
Shacklette memo of interview with Knight, December 21, 1957.
Shacklette interview of Palmer, December 11, 1957.
Shacklette-Eastland memo of interview with Scott, January 16, 1958.
Shacklette-Eastland memo of Sheldon interview, January 14, 1958.
Gloria C. Harkins statement to Shacklette, December 18, 1957.
Robert R. White statement to Shacklette, December 19, 1957.

I. Whiteside-Barber-Mack telephone records:

Summary of telephone calls, Whiteside to Mack.
Summary of telephone calls, Mack to Whiteside.
Summary of telephone calls, Barber to Whiteside.
Summary, Mack-Barber telephone calls to persons other than Whiteside.
Memorandum of transmittal of information re telephone calls.

J. Miscellaneous correspondence:

Barber-Whiteside letter, January 18, 1956.
Carter-FCC, July 18, 1951.
Carter-McDonald letter, January 10, 1955.
Holland-Katzentine letter, June 2, 1955.
Isberg-Pearson letter, January 25, 1957.
Kefauver-Harris letter 3, February 26, 1958.
Kefauver-Harris letter, March 10, 1958.
Kefauver-Katzentine letter, December 20, 1956.
Kefauver-Moulder letter, June 28, 1957.
Miller-Katzentine telegram, October 5, 1955.
Rice-Katzentine letter, November 4, 1955.
Rice-Katzentine letter, November 4, 1955.
Rice-Sullivan letter, October 6, 1955.
Rice-Sullivan letter, October 13, 1955.
Scott-Brown letter, February 14, 1957.
Smathers-Harris letter, March 5, 1958.
Smathers-Wilson letter typed on February 15, 1954, dictated on February 12, 1954.
Sullivan-Kefauver letter, Juy 26, 1955.

K. Miscellaneous memorandums and statements:

American Aviation Daily, February 6, 1957—clipping re Eastern intervention in channel 10 case.
Memorandum re Alterman Transport Lines loan to Mack (probably by Shacklette).
Fitzgerald (FCC) statement of reasons for delay in preparation of draft decision in channel 10 case.
Harkins memo of Sheldon-Katzentine telephone conversation, March 19, 1956.
Harkins, Gloria C., statement to Shacklette, December 18, 1957.
Mack campaigns, contributors.
Rice memorandum re Baker, May 24, 1956.
Summary of travel of Whiteside during 1957.
Memorandum (probably by Shacklette) re Foster trust, March 8, 1956.
White, Robert D., statement to Shacklette, dated June 2, 1955.

L. Berger-Wachtell-Gelman memorandums:

Berger-Gelman memo on review of National Airlines files, January 17, 1958.
Berger-Wachtell interview with Mack on January 14, 1958, dated January 15, 1958.
Berger-Wachtell memo re interview with Mack on January 17, 1958, dated January 20, 1958.
Berger memo re review of materials on file at FCC, dated February 5, 1958.
Wachtell memo re FCC-Miami channel 10 case, dated February 6, 1958 (Wachtell-Eastland interview with Harry Plotkin).
Wachtell memo re FCC-Miami channel 10 case, dated February 7, 1958 (Wachtell-Eastland interview with Paul Porter).
Memo note re Roy Cohn, undated, originator of memo unknown.

This subpena is issued upon application of the defendant.

HARRY M. HULL,
Clerk.
By LAWRENCE PROCTOR,
Deputy Clerk.

APRIL 1959.

ARTHUR HILLAND,
Attorney for Defendant Thurman A. Whiteside.

Mr. McCORMACK. Mr. Speaker, I offer a privileged resolution (H. Res. 246) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Whereas in the case of *United States* v. *Thurman A. Whiteside et al.* (criminal case No. 856–58), pending in the U.S. District Court for the District of Columbia, a subpena duces tecum was issued by the said court and addressed to Ralph R. Roberts, Clerk of the House of Representatives, directing him to appear as a witness before said court at 9:45 antemeridian on the 20th day of April 1959, and to bring with him certain and sundry papers in the possession and under the control of the House of Representatives: Therefore, be it

Resolved, That by the privileges of this House no evidence of a documentary character under the control and in the possession of the House of Representatives can, by the mandate of process of the ordinary courts of justice, be taken from such control or possession but by its permission; be it further

Resolved, That when it appears by the order of the court or of the judge thereof, or of any legal officer charged with the administration of the orders of such court or judge, that documentary evidence in the possession and under the control of the House is needful for use in any court of justice, or before any judge or such legal officer, for the promotion of justice, this House will take such action thereon as will promote the ends of justice consistently with the privileges and rights of this House; be it further

Resolved, That Ralph R. Roberts, Clerk of the House, be authorized to appear at the place and before the court named in the subpena duces tecum before-mentioned, but shall not take with him any papers or documents on file in his office or under his control or in possession of the House of Representatives; be it further

Resolved, That when said court determines upon the materiality and the relevancy of the papers and documents called for in the subpena duces tecum, then the said court, through any of its officers or agents, have full permission to attend with all proper parties to the proceeding and then always at any place under the orders and control of this House and take copies of any documents or papers and the Clerk is authorized to supply certified copies of such documents and papers in possession or control of said Clerk that the court has found to be material and relevant, except minutes and transcripts of executive sessions, and any evidence of witnesses in respect thereto which the court or other proper officer thereof shall desire, so as, however, the possession of said documents and papers by the said Clerk shall not be disturbed, or the same shall not be removed from their place of file or custody under said Clerk; and be it further

Resolved, That a copy of these resolutions be transmitted to the said court as a respectful answer to the subpena aforementioned.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING MILITARY CONSTRUCTION

Mr. THORNBERRY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 245 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5674) to authorize certain construction at military installations, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. THORNBERRY. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN], and, pending that, I yield myself such time as I may consume.

Mr. Chairman, as the reading of the resolution indicates, it makes in order the consideration of H.R. 5674, familiarly known as the military public-works authorization bill.

This is an open rule and provides for 2 hours of general debate.

In appearing before the Committee on Rules, the distinguished gentleman from Georgia [Mr. VINSON], the chairman of the Committee on Armed Services, gave a very detailed and excellent report of what the Committee on Armed Services had done in examining the requests of the Department of Defense for this authorization.

It is my opinion that the committee has done an excellent job. I am convinced from what the distinguished gentleman from Georgia, the chairman of the Committee on Armed Services, presented to the Committee on Rules, and from a careful examination of the report of the committee on H.R. 5674, that this is a well-considered bill and one which has been carefully studied by the Committee on Armed Services.

When the first requests came in from the field offices of the military departments outlining the needs of the various facilities, both in this country and outside this country, they totaled over $4 billion. In turn, they were reduced by the military departments in the Pentagon to $2,130,604,000. A review of the Office of the Assistant Secretary of Defense for Properties and Installations reduced this figure to $1,368,554,000, which was further reduced to $1,299,-297,000 by the Bureau of the Budget.

After the Committee on Armed Services finished with its examination of this request from the Bureau of the Budget and the Department of Defense, the committee further reduced, and it now comes to us $109,247,000 under the budget. The total authorization for new construction called for in titles I, II, and III of this bill amounts to $1,190,-050,000.

Added to this figure should be the amount of $57,128,000 recommended in title V of this bill by the committee for construction of facilities for each of the Reserve components and that for deficiency authorizations of $560,000. This brings the total authorization called for in the bill to $1,251,907,000.

I congratulate the chairman and the members of the Committee on Armed Services for the excellent job it has done. In reporting out H.R. 5674, the committee issued a unanimous report favoring its adoption.

I urge adoption of this resolution.

Mr. ALLEN. Mr. Speaker, I know of no opposition to the consideration of this bill, and I reserve the balance of my time.

Mr. THORNBERRY. Mr. Speaker, I yield 7 minutes to the distinguished ma-

jority leader, the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to speak out of order.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, every one of us are very sorry at the resignation of John Foster Dulles as Secretary of State. John Foster Dulles is a remarkable man, one whom I admire very much. He and I have been sort of kindred spirits in connection with the fundamental problems that confront the world of today. Not that I am associating myself with him from the angle of trying to enhance myself, but it happens that he and I, on fundamental policies concerning our country, looked pretty much eye to eye.

I admired him not only for his great capacity, but for his determination and his strong willpower, and for the great moral courage he has always displayed. Whether one agreed with him or not on every one of his policies, everyone knows that he is a dedicated American and that the policies that he devised or helped to devise he felt were for the best interests of our country. He will go down in history, in my opinion, as one of the outstanding Secretaries of States of our great Nation.

During this trying period in the world's history he has served as a bulwark of strength not only to our country but to the nations of the world who want to be free under their own law. He was always a constant hope to the hundreds of millions of captive citizens or residents of satellite nations who are subject to Communist viciousness and dictatorship but who are hoping for the early return of their liberties and of the independence of their country.

I am glad to note that President Eisenhower will continue to look to him for advice and will continue to consult with him. We all hope that God will shower his blessings upon him and improve his health so that he will be with us for many years to come, and that he will be able to give to President Eisenhower and to our country, in the trying days ahead the benefit of his great capacity, his strength of character, and of his moral courage.

John Foster Dulles knows the Communist mind. He knows the origin of the thinking of the Communists. And, unless one knows the origin of the thinking of the Communists he is going to be deceived by what they say and what they do. John Foster Dulles knows that Communist thinking—and I am talking about the Communists in fact, those in the Kremlin and other Communists in fact—originates in one word.

That word is "hate"—the idea that might is right, the grave is the end, the state is all-powerful, the individual is only a cog in the wheel of state to be used as those in control, the dictator and the clique around him, want to use him.

Unless one understands the origin of the thinking of the Communist mind he will be deceived by what they say and what they do. John Foster Dulles knows the origin of the Communist thinking, the hate that dominates their minds. They are the prisoners of an ideology that emanates from hate, hatred of everything that is contrary to what they want and what they believe in, their false ideology.

I think the finest evidence of John Foster Dulles' greatness is the fact that the Kremlin fears him, because any man the Kremlin fears must possess qualities that are of the highest nature from the angle of those who want freedom under their own law.

I hope the successor of John Foster Dulles, appointed by the President and confirmed by the Senate, will follow the policy of firmness that John Foster Dulles so well exemplified, many times under trying conditions when he was misunderstood. I hope that in the Foreign Ministers meeting we will insist, as the President has said and as John Foster Dulles has so well said, on evidence of progress being made before we enter into the summit meeting, for John Foster Dulles, as I know him and read him, would never stand for a summit meeting at any price. To me, that would be a dangerous role for the free world to follow. I hope our country will adhere to that policy, and I hope his successor, whoever may be appointed, will have the firmness and the moral courage that John Foster Dulles possesses.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Indiana.

Mr. HALLECK. May I commend the majority leader on the very splendid statement he has made. We all realize the sentiment that prompts it. We all realize the admiration and the respect that is involved in what he has just said. It is further evidence of the fact that when matters involving the security of our country, our foreign policy, are before us, there is no center aisle to divide us.

May I say further, Mr. Speaker, that on yesterday on the floor I had a few words to say of respect, admiration, and gratitude for John Foster Dulles, so I shall not say anything further at this time. However, I did want to commend the gentleman on the admirable statement he has just made.

Mr. McCORMACK. I appreciate what my friend has said. What I have said represents not only my own views. I try to be objective-minded. I have watched John Foster Dulles through the years, and my admiration for him has increased and increased. My feeling has progressed from one that was not so favorable to him to one of intense admiration as I have watched the man, as I have analyzed his mind and seen his grim determination and great courage, all for the national interest of our country. So I express not only my own views but I am confident I express those not of Democrats or Republicans in this House but of all of us as Americans.

Mr. THORNBERRY. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

Mr. VINSON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5674) to authorize certain construction at military installations, and for other purposes.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 5674, with Mr. SMITH of Mississippi in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Georgia [Mr. VINSON] will be recognized for 1 hour, and the gentleman from Illinois [Mr. ARENDS] will be recognized for 1 hour.

The Chair recognizes the gentleman from Georgia [Mr. VINSON].

Mr. VINSON. Mr. Chairman, I yield myself such time at I may require.

Mr. VINSON. Mr. Chairman, this bill, H.R. 5674, is known as the military construction authorization bill for fiscal year 1960.

This is strictly an authorization bill.

The grand total of all authorities granted in the bill is $1,251,907,000.

Now, this total is made up of a number of elements and is broken down as follows: Army, $199,045,000; Navy, $182,283,000; Air Force, $808,722,000; Reserve components, $57,128,000; deficiency authorization, $4,729,000.

As I stated a moment ago, the grand total of all these authorities is $1,251,907,000.

Let me call your attention to the fact that these deficiency authorizations, totaling $4.7 million, represents increases in cost for previously authorized projects. Either the original estimate of cost was too low or it is attributable to a rise in cost.

I might say in this connection, I am pleased to draw your attention to the fact that 2 years ago, the deficiency authorization was $183 million. And last year it was $43 million. This indicates that the construction programs being submitted by the Department of Defense are better planned and better thought out than they have been in the past.

RESCISSIONS

Also in the past, there was a great gap between authorizations and appropriations. This the committee felt was unwise. I am happy to report that an automatic repealer provision which we placed in the bill several years ago and which has appeared in it each year since is bringing these authorizations and appropriations into reasonable balance today.

Here is how they line up: Unfunded authorization at the end of fiscal 1957 was almost $2.2 billion. At the end of fiscal 1958, the figure was $1.9 billion. The estimated amount of unfunded authorization at the end of this fiscal year—1959—is about $1 billion.

I am glad to state that the Department estimates that the amount of unfunded authorization which will be available at the end of fiscal year 1960 will be only about $444 million.

APPROPRIATIONS TO BE REQUESTED

For this construction, the Department of Defense is requesting from the Appropriations Committee $1,479 million for the Regular Forces and $61 million for the Reserve construction. This figure, of course, is somewhat larger than the bill and this is explained by the fact that some previous authority is also being funded this year.

Now, this construction bill and the justification for it is, of course, a reflection of the size of our Armed Forces. This year, it is based on 870,000 men in the Army, 864 ships in the Navy, and 102 wings authorized for June 30, 1960, for the Air Force.

Each of the services has its physical plant requirement which, together with the men and the weapons, makes up the total of our defense. The physical plant is an absolutely essential part of the defense structure and it must be improved, added to, and kept modern all of the time.

Now, a bill of this kind has its origin in the requests made by the field establishments of the three services. It is then submitted through channels to the particular military department headquarters in Washington. That department reviews it and it is finally submitted to the Secretary of the military department for his approval. The program then goes to the Secretary of Defense, and specifically to the Assistant Secretary of Defense for Properties and Installations, a position now very competently held by Mr. Floyd S. Bryant.

Mr. Bryant's job is to review and coordinate all of the military construction programs, making certain, for example, that facilities of one service that are not now being used to full capacity be used by another service. This office takes the overall view of the total construction program.

Following this process this year from a dollar standpoint, the picture is this: The field offices of the three departments made requests for construction totaling over $4 billion. This was cut by the military departments themselves to about $2,131 million. Mr. Bryant's office cut this figure to $1,368 million and the review by the Bureau of the Budget resulted in a bill of only $1,299,297,000.

The committee, after its close and detailed scrutiny of the bill by line item, cut $109 million from the program so that the bill which you have before you now represents a total of $1,190,050,000.

All of the figures that I have just given refer to the program for the Regular establishment. The Reserve portion of the bill, which totals about $57 million, remained pretty stable throughout the reviews and I, therefore, have not injected it into this overall picture.

The bill contains almost 2,000 individual line items. These line items are carried in what are called backup books and I have brought one of these books—only one of them—today in order that you can have some idea of the amount of detailed study which goes into one of these bills. This particular book has 347 pages and it is only 1 of 10 books.

I know you realize that it would be impossible for me to go into any great detail with respect to a program of this size within the limitations of time allotted for the consideration of this bill. Indeed, it would take as long for me to explain it in that fashion as it took the committee to study it during its hearings.

Therefore, I will deal with some of the highlights of the program in order to make the general picture clear.

Of the total amount requested, over $400 million, or 31 percent, is in direct support of our ballistic missile programs of the three services. Approximately $266 million, or 20 percent, is for expanding air defense systems; $223 million, or 17 percent, is to support research and development and missile defense; and $110 million, or 10 percent, is to improve the capabilities of the Strategic Air Command.

This does not total 100 percent but gives the major portions of the total bill.

I would also like to describe the highlights of the programs for each of the three military departments. Prior to doing that, however, I would like to point out one important fact which goes directly to the question of construction costs, and that is, that 96 percent of all the construction contracts let by the military departments during fiscal year 1958 were on a bid basis.

The competition is strong and the prospective contractors make the closest possible estimates in order to get the jobs. There is no greater assurance, to my mind, of getting a dollar's worth of construction for a dollar spent than this bid process.

ARMY

Let us look first at the Army program. Almost 30 percent, or $67 million, is for facilities in support of research, development, and test activities of the Nike-Zeus program. Over 21 percent, or almost $50 million, is for the construction of Nike-Hercules, Hawk, and Missile Master facilities in the United States and overseas. The other percentages are all relatively small and I will describe only a few of them.

Six percent, or $14 million, is for maintenance and storage facilities at major existing installations in the United States and overseas. Almost 5 percent is for essential utilities at our major installations within the United States. These utilities include emergency powerplants, heating systems, sewage disposal, storm drainage, roads, and other such items.

Only 4 percent of the Army program is devoted to service clubs, chapels, schools, and other similar facilities.

NAVY

The Navy program has no individual large percentage breakdowns. The largest, as a matter of fact, is 18 percent, or $35 million, to support aircraft carriers of the carrier striking force. Fifteen percent, or almost $30 million, is for barracks and bachelor officers quarters and their allied facilities. Fourteen percent, or almost $28 million, is devoted to missile programs and particularly, those related to the Pacific Missile Range, Point Mugu, Calif.

All of the other percentages are relatively small. Typical of them is $11 million or 6 percent for construction in connection with the eastward extension of the distant early warning line.

AIR FORCE

By far the large portion of the Air Force program is represented by construction in support of ballistic missiles. This comprises 43 percent, or $374 million, of the Air Force total.

Almost 9 percent—or $77 million—is for construction of facilities within the United States to support the Strategic Air Command.

Four percent—or $34 million—relates to construction for fighter interceptor squadrons at bases in and outside the United States.

The next largest percentage is only 3.8 percent—or $44½ million—for work in support of the ballistic missile early warning system.

All the remaining divisions of the program are in the 1 to 3 percent category.

Let me say that in reviewing the requirements of the Air Force, we are trying to take into consideration that in the course of time, manpowered aircraft will gradually fade away like the battleship faded away for the aircraft carrier. It is our hope and expectation that many of these installations can be used in the missile era without requiring any construction of a support or logistic nature.

I might say at this point that all of these breakdowns which I have given are dealt with in very much greater detail in the report. I feel that almost any question which might arise in your mind can find its answer in the report which has numerous headings and clearly understandable divisions.

LAND

Last year when I was presenting this bill, I stated that I was happy to announce that the land acquisition contemplated by the bill was the smallest in many years. This year, I can state that the program is even smaller than last year, totaling only 3,062 acres in fee and 1,302 acres in easements for a total cost of $2,086,000. In this connection, and knowing of the strong interest that we all have in the land holdings of the military departments, I would like to direct your attention to page 30 of the report which deals with this subject in some detail.

From this portion of the report, it is clear that every effort is being made to keep land acquisitions at a minimum while disposing of the maximum amount of defense real estate, consistent, of course, with our continuing needs.

Also, relating to this matter of real estate are some interesting facts set out on page 32 of the report which illustrates how existing installations belonging to one military department are being made available to another military department. You will see several typical recent examples of how well this exchange of properties is working out.

NEW BASES

I am happy to advise again this year that there are no truly new bases in the program. There are, of course, some

new radar stations and similar facilities but no major bases of any kind have been added to the inventory by this bill.

FAMILY HOUSING

The family housing program is progressing in quite satisfactory fashion. Where there were over 50,000 Capehart units last year, there are only 20,676 units this year. And as for appropriated fund housing, where there were 935 last year, there are only 473 this year.

COMMITTEE CHANGES

I mentioned previously the great number of line items in this bill—almost 2,000 of them. The bill which you have before you, of course, is a clean bill with only a few last minute amendments, almost all of which are merely to correct typographical errors.

The bill on which the committee held its hearings, however, was amended in over 70 instances and as I have said, virtually all of these amendments were by way of reductions in the program—over $109 million of them.

RESERVE COMPONENTS

Title V of the bill will provide specific line item project authorization for fiscal year 1960 for each of the Reserve components in the following amounts: Naval and Marine Corps Reserves, $8,300,000; Air Force Reserve, $4,093,000; Air National Guard, $15,536,000; Army Reserve, $20,748,000; Army National Guard, $8,451,000; for a total authorization of $57,128,000.

In addition, this title provides for the correction of deficiencies in cost estimates for several items authorized by the Reserve Forces Facilities Act of 1958—title VI of last year's military construction bill—amounting to $560,000, and for a rescission of $2,022,000 of previous authorization of projects no longer required by the respective Reserve components because of reprograming.

The Department of Defense had requested a total of $56,995,000 of authorization for new projects during fiscal year 1960. The Committee on Armed Services carefully screened these requests in connection with its review of the total requirements of the Reserve forces facilities program and concluded that the requests were well justified and the progress of the entire program satisfactory.

Accordingly the committee approved the entire program requested by the Department of Defense and added two minor additions amounting to $135,000.

The proposed authorization provided for the Reserve components for fiscal year 1960, therefore, is $57,128,000.

CONCLUSION

Now, that is the military construction bill for fiscal year 1960. While I have dealt only with the highlights of the bill, I hope that my remarks coupled with the very detailed report, will give you a picture sufficiently clear to warrant your support of this important legislation.

This bill merely represents one of the three essential elements of our Defense Establishment—construction—the other two, of course, being the men and the equipment.

This bill does nothing more than provide the essential construction items needed to provide a base from which our forces can fight both in this country and overseas.

I have noted the fact that a great many details relating to the program are contained in the report which is available to every Member. The hearings have been printed and are also available. And, of course, they have even greater detail since this year the committee made a special effort to hold most of its hearings in open session. Almost all of the committee's deliberations are contained in the hearing. Only the highly classified details with respect to some of the items were heard in closed session.

Mr. Chairman, if I have not used the time allotted me, 20 minutes, I will be glad to yield to any Member for any question that he may wish to ask.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. VINSON. I yield to the gentleman from Iowa.

Mr. GROSS. I think the gentleman will anticipate my question because I have asked it every year for the last 9 or 10 years. Is there any money in this bill for the Truman Airbase at Grandview, Mo.?

Mr. VINSON. A few years ago, as a result of the constant inquiry by the gentleman and his calling it the Truman Air Force Base, we changed the name, not to mislead him, of course, because that could not be done, nor would we do that, but we felt that we should honor two outstanding officers who made the supreme sacrifice and it is now named after them. This place that used to be referred to in a most inquisitive manner by our able and distinguished colleague from Iowa no longer is known as Grandview, but it is Richards-Gebaur Air Force Base, Mo. Yes; there is some money in this bill for it. The total amount is $866,000.

Mr. GROSS. But the distinguished gentleman from Georgia and the gentleman from Iowa will always remember it as the Truman Airbase.

Mr. VINSON. Yes. And, I want to compliment the gentleman on the scrutiny with which he has always followed this; scrutiny not only with reference to this bill but all other bills that come in the House. I know of no Member that is more diligent in studying legislation closely than my distinguished friend from Iowa.

Mr. GROSS. I thank the gentleman for his remarks and his kindness to me at all times.

Mr. VINSON. I mean every word of it.

Mr. GROSS. One other question. Has the Continental Air Command been moved to the Truman Airbase at Grandview, Mo.?

Mr. VINSON. No; it has not. This is an Air Defense Command base. The Continental Air Command stays at Mitchell Field, N.Y.

Mr. GROSS. I did not think it would ever be moved there.

Mr. CHENOWETH. Mr. Chairman, will the gentleman yield?

Mr. VINSON. I yield to the gentleman from Colorado.

Mr. CHENOWETH. I would like to ask the distinguished chairman of the committee about the item of $10 million for the North American Air Defense Command which was contained in his original bill. I note this item was eliminated in the revised bill.

Mr. VINSON. I will be glad to inform the gentleman and the committee. When that matter was before the committee it had not been specifically located, and we were not warranted in spending money for bases where we do not know where they would be located. So, we hesitated and we did not make any appropriation. Now I understand it has been located. We did not include it in the bill. No doubt it might be considered for insertion after a hearing is had on the other side.

Mr. CHENOWETH. On March 20 it was announced that the new headquarters would be located in Cheyenne Mountain, near Colorado Springs.

Mr. VINSON. That was long after we had concluded our hearings and reported the bill.

Mr. CHENOWETH. The gentleman referred to waiting until the bill is considered in the Senate.

Mr. VINSON. I suggest that would be the proper way to consider the matter. We were not able to consider it because it had not been located.

Mr. CHENOWETH. The gentleman is not opposed to the item, then?

Mr. VINSON. No.

Mr. CHENOWETH. And the only reason it was passed over was because the site had not been announced at the time the hearings were held.

Mr. VINSON. That is right. After the facts are brought out in the Senate, I am sure it will be taken care of.

Mr. CHENOWETH. I thank the gentleman.

Mrs. GRIFFITHS. Mr. Chairman, will the gentleman yield?

Mr. VINSON. I yield to the gentlewoman from Michigan.

Mrs. GRIFFITHS. I would like to ask the gentleman from Georgia if there is money in this bill to change the Nike bases to receive another type of missile.

Mr. VINSON. On that general subject I would like to say this: It is to be expected that as aviation fades away over a period of time—and man-powered aircraft is bound in the course of time to fade away, just like the battleship faded away before the airplane carrier—missiles will come into being. It is to be hoped that practically all of these bases that are now used for man-operated aircraft can be appropriately used without additional expenditure to set them up specifically for missile bases. Did I answer the gentlewoman's question?

Mrs. GRIFFITHS. Is there money in the bill to change the Nike bases to receive another type of missile?

Mr. VINSON. I can recall nothing of that kind.

Mrs. GRIFFITHS. I thank the gentleman.

Mr. VANIK. Mr. Chairman, will the gentleman yield?

Mr. VINSON. I yield to the gentleman from Ohio.

Mr. VANIK. In connection with military construction, to what extent are we using counterpart funds? Are we using them to the fullest extent possible?

Mr. VINSON. Of course, all I know about that is what I read in the papers when Members go abroad. We do not use counterpart funds. We use what is called Commodity Credit Corporation funds.

And that is in the bill with reference to certain construction abroad.

Mr. VANIK. In studying the provisions of the bill that deal with military housing construction abroad——

Mr. VINSON. That is Commodity Credit Corporation.

Mr. VANIK. I see there are limitations on room size and space size with respect to such expenditures that are made out of appropriated funds.

Mr. VINSON. There are appropriated fund houses in this bill. We prescribe how much money is involved and the types of the housing. There are also certain restrictions with reference to Capehart houses, and these appear in the basic Capehart law.

Mr. VANIK. Would that limitation preclude the use of counterpart funds for construction? Would it permit such construction outside of those limitations set forth in this bill?

Mr. VINSON. No; they would not. I do not want the gentleman to confuse his thinking between counterpart funds and Commodity Credit Corporation funds.

Mr. VANIK. I understand the distinction.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. VINSON. I yield to the gentleman.

Mr. GROSS. I am pleased to hear the gentleman call attention to the fact that Public Law 480 funds are being used for defense purposes in foreign countries.

Mr. VINSON. Oh, yes.

Mr. GROSS. Which means inversely that this is another subsidy which should not be charged in full to the farmers of America.

Mr. VINSON. We do a great deal of work abroad through what is known as Commodity Credit Corporation funds.

Mr. TEAGUE of California. Mr. Chairman, will the gentleman yield?

Mr. VINSON. I yield to the gentleman.

Mr. TEAGUE of California. In the Capehart housing field did the committee in any instance deviate from the request or the recommendations of the Department of Defense, or did the committee go along?

Mr. VINSON. Very little change. However, since the committee reported the bill, there have been three bases, but they do not increase the amount of dollars at all. They involve housing at bases that have been cleared by the Budget, and at the proper time I propose to offer an amendment to include these Capehart houses. When the bill was written up, they were not included. These places are 200 units at Quantico, 114 units at Loring Air Force Base, and 600 units at Travis Air Force Base in California.

Mr. TEAGUE of California. I thank the gentleman.

Mr. VINSON. This does not increase the amount of money at all. Everyone understands that every married officer in the service is entitled to a quarters allowance. It averages about $90 a month for all ranks. When they occupy a Capehart unit, or a direct-appropriated house, or any other Government facility, the quarters allowance is withheld. In the last 3 years we have been involved in about 152,000 units. When these houses are all paid for we will recover in the neighborhood of $180 million a year.

Mr. JONES of Missouri. Mr. Chairman, will the gentleman yield?

Mr. VINSON, I yield.

Mr. JONES of Missouri. I should like to ask the distinguished chairman of the committee one thing I do not quite understand. I know what "classified" is, and I can understand why that should be in the bill. But what is the difference between various locations, locations not specified, as compared with classified locations?

Mr. VINSON. I think the question is warranted since these terms could very well cause confusion.

Mr. JONES of Missouri. You have classified set out and I can understand that, but what would be the difference between a various location and a classified location?

Mr. VINSON. There frequently is no difference at all.

Mr. JONES of Missouri. I could not understand. We have three different entries here, and I could not see why you could not call them all classified. I was merely asking why you did not put them all under one group of classified rather than have them put under separate groups. That is what I could not understand.

Mr. VINSON. Generally speaking, "various locations," when so referred to in the Air Force portion of the bill, for example, relate to aircraft control and warning sites throughout the United States. There are a great number of these and many of them involve only minor items of construction. "Classified" installations, of course, speak for themselves. "Locations not specified" appears three times in the bill and relates to the authority that Congress is granting this year, and has granted in the past, for what I will call "emergency" construction. In other words, it is not known at this time how or where the authority would be used. Therefore, the locations are "not specified."

Mr. JONES of Missouri. I thank the gentleman.

Mr. ARENDS. Mr. Chairman, I yield myself such time as I may desire.

Mr. Chairman, the chairman of the committee has given a fine detailed description of what is in H.R. 5674 and the construction items that are contained in it.

First, as the chairman of the committee has indicated, the bill which is before us is to provide construction and other related authority for the military departments within and outside the United States including authority for the construction of facilities for Reserve components. The total sum of the authorization contained in the bill is $1,251,957,000. The Army would be authorized almost $200 million, the Navy some $183 million and the Air Force $811 million, with a total of $57 million for the various units of the Reserve forces.

I want to assure every Member of the House that the committee, during its consideration of this program, has made a detailed examination of the projects which make up the bill and the major programs which they support. We found, during our hearings, that this bill is the result of sound detailed planning in the three military departments. The program was given repeated reviews within each military department, followed by additional reviews within the Office of the Secretary of Defense and the Bureau of the Budget.

We found these reviews to be objective and thorough. As has been stated, the program originally presented by the field offices to the military departments totaled in excess of $4 billion. After review and screening within the military departments, the Office of the Secretary of Defense, and the Bureau of the Budget, this amount was reduced to $1.3 billion.

The committee during its review cut over $109 million from the bill so that the total of the bill as you see it before you today is $1,251,957,000.

The committee found that there has been great improvement in the formulation of military construction programs, and it took particular care to verify that all projects included in this bill were needed to support long-term future military plans and to eliminate items for which a compelling military necessity did not exist.

I think that the whole purpose of the bill could well be expressed by stating that it contains construction which, first, is necessary in the support of new weapons systems and new defense concepts; second, is needed in the augmentation of existing bases to support changes in weapons and operating concepts due to advancing technological development and third, is required to modernize supporting facilities against the ravages of time in order to assure adequate support at a time of urgent or emergency demand.

Needless to say, military construction is the basic support needed for military operations. For many of our major weapons and defense programs, military construction is the initial step in programing and budgetary actions because of long leadtimes necessary to produce completed usable facilities. Also, because of the nature of new weapons systems and operational concepts, base facilities are increasingly becoming an integral part of the weapons systems. This is illustrated in the missile operating forces. Therefore, it is vital that construction be planned and started well in advance, so as to be ready when the new weapons are finished.

It was entirely clear from the testimony taken by the committee during its extended hearings that the basic policy

of the Defense Department continues to have as principal elements, first, the consideration that our primary responsibility is that of protecting the ability of this country to retaliate with large weapons in case of an outbreak of general war; second, but equally pressing, the responsibility to provide a capacity to apply military force promptly in various local conflict areas of the free world, and, third, continuing a strong continental air defense and maintenance of open sealanes. The items in this bill support these policies.

As I stated at the beginning of my remarks, Mr. Chairman, the House has already heard the details of the bill from the chairman of the committee. I hold myself ready, as do all members of the committee, to answer any questions or provide any further information which any Member of the House may wish to have.

I will conclude on the note that the bill is a well-thought-out one, has received the closest study within the military departments, in the Office of the Secretary of Defense, and in the Bureau of the Budget. I think that the cuts made by the committee totaling $109 million speak for themselves.

I urge your support for this bill as a vital link in the total picture of our defense.

Mr. VINSON. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from South Carolina [Mr. RIVERS].

Mr. RIVERS of South Carolina. Mr. Chairman, I rise in support of H.R. 5674, and as chairman of the subcommittee which conducted extensive hearings on the authorization requested in H.R. 5674 for Reserve facility construction wish to take this opportunity to congratulate Mr. VINSON on his very thorough analysis of the bill and also to briefly review that portion of the legislation concerned with Reserve matters.

Title V of H.R. 5674 contained the authorization requested for the construction of new facilities for all of the Reserve components of the Army, Navy, and Air Force.

A total of $57,128,000 of authorization for new projects, including expansions and alterations of existing facilities, has been requested. This total is divided as follows: $20,748,000 for the Army Reserve; $8,451,000 for the Army National Guard; $8,300,000 for the Naval and Marine Corps Reserve; $4,093,000 for the Air Force Reserve, and $15,536,000 for the Air National Guard.

I would like to briefly review the substance of these requests by various components.

ARMY RESERVE

In the case of the Army Reserve, authorization of $20,748,000 proposed for fiscal year 1960 comprises 62 new Army Reserve centers and approximately 75 projects of the nature of additions to present centers. Of the 62 new centers, 52 are the 2 smallest standard sizes—with capacities of 100 and 200 Reservists, respectively, and are proposed for the smaller cities and towns throughout the country. The proposed projects, other than the new centers, are mainly additions of training and vehicle maintenance space which have been found essential to the training program.

ARMY NATIONAL GUARD

For the Army National Guard, the proposed fiscal year 1960 authorization of $8,451,000 comprises 47 new armories and 13 projects for conversion of present armories and 5 nonarmory projects which are maintenance and supply administrative facilities.

NAVAL AND MARINE CORPS RESERVE

Approximately half of the $8.3 million of new project authorization proposal for the Reserve components of the Navy and Marine Corps were for essential additional facilities at established Naval Air Reserve installations which serve both Naval Reserve and Marine Corps Reserve aviation. The remainder is divided almost evenly between the Naval Surface Reserve, for five berthing piers and four training buildings, and the Marine Corps Reserve for five training centers.

AIR FORCE RESERVE

The relatively small request for the Air Force Reserve—$4,093,000—was justified by the Department of Defense as being the result of prior substantial fulfillment of its most urgent requirements and consists of a variety of operational and support facilities at eight locations, four of which are municipal airports and the remainder jointly utilized military airfields.

AIR NATIONAL GUARD

For the Air National Guard, the authorization request of $15,556,000 consists of high-priority requirements for the operation and support of the Air National Guard aircraft at 20 locations; 3 aircraft control and warning facilities, 2 of which are located in the Territory of Hawaii; and site preparation for one new airfield. Of the 20 flying installations 16 are at civil airports and 4 at jointly utilized military airfields.

In summary, it would appear at first blush that the authorization requested for the Army Reserve program of $20,748,000 is disproportionately higher than the amounts requested for the other Reserve components. However, although this authorization for fiscal year 1960 is indeed higher than that requested for the other Reserve components it is not disproportionate since it reflects the fact that the Army Reserve program has to date only achieved 35 percent of its total estimated facilities requirement whereas the Navy has accomplished 47 percent of its requirements, the Air Force Reserve and National Guard approximately 75 percent of its requirements, and the Army National Guard approximately 85 percent of its total estimated requirements.

Thus, the emphasis on Army Reserve facilities is made necessary by the fact that the program is appreciably behind the others in development. This lag in development is directly the result of a lack of Army Reserve personnel prior to 1955. However, since the passage of the Reserve Forces Act of 1955 by the Congress, which was designed to strengthen the Reserve forces of the United States, the strength of the Army Reserve program has increased significantly with the consequent necessity for new facilities not previously required.

In respect to overall estimated requirements of the Reserve facilities program, the Department of Defense has indicated that a total authorization of $1,125 million will be required to provide all the facilities believed necessary for the Reserve components.

Approximately 60 percent of this required authorization amounting to $668 million has already been approved by the Congress and enacted into law.

The current bill will authorize an additional $57,128,000 of authorization thus increasing the percentage of authorization of total estimated requirements to 65 percent.

The balance of 35 percent of future estimated requirements will be met by future legislation and, as witnesses from the Department of Defense have indicated, will be requested by the Department of Defense in amounts necessarily in step with future individual program requirements.

In this connection the committee explored the possibility of accelerating completion of the Reserve forces program by increasing the total dollar authorization for the construction of Reserve facilities during fiscal year 1960. However, after considerable deliberation the committee was of the opinion that the total authorization requested by the Department of Defense was adequate for the program and properly geared to future manpower and training requirements.

Therefore, the committee concluded that any substantial increase in Reserve facilities authorization would be premature and therefore in addition to failing to serve any useful purpose might possibly disrupt the orderly development of the overall Reserve program.

For these reasons the Committee on Armed Services approved the request of the Department of Defense for approximately $57 million of authorization for Reserve facilities construction without making any substantial changes.

I therefore urge unanimous support of this bill, since it will, among other things, permit the continued strengthening of our Reserve forces.

Mr. ARENDS. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. GAVIN].

Mr. GAVIN. Mr. Chairman, at this time I would like to speak about the Army's military public works authorization program.

The survival of this Nation and of the free world demands that we have a means to deter aggression or to defeat it if deterrence fails. Aggression may occur in many forms, from the massive thermonuclear attack on this continent to the peaceful seizure of free government by subversion.

The worldwide threat of aggression has its source in ambitious and ruthless Communist designs to isolate and destroy the United States, the center of free world resistance to Communist world domination. It is backed by the ominous and impressive military power of the Soviet Union, its allies, and its

satellities, built around the largest standing armies in peacetime history and buttressed by a growing capability to deliver long-range nuclear weapons. This great military power casts its foreboding shadow over all Europe and Asia and under this protective cover the Communists have engaged in ceaseless probings to test the will of the free nations to resist. This power has been felt directly or indirectly in most of the 18 military conflicts that have occurred since the end of World War II. In every case the Communists have fought for limited objectives and their threats to world peace have been so indirect and ambiguous as not to provoke a general thermonuclear war. They have advanced by internal subversion and piecemeal military operations based primarily on ground forces.

The Army's construction authorization request for fiscal year 1960, which is contained in title I of H.R. 5674, represents the most modest requirement which could support the Army's missions and responsibilities in these troubled times. This Army request should by no means be construed as representing everything the Army feels that it needs. In truth, it is my understanding that this modest request represents only about one-fifth of what the Army's commanders requested to carry out their assigned missions. These commanders' requests were rigidly screened within the Army before the Army presented its request to the Department of Defense. That agency and the Bureau of the Budget, operating within a prescribed and austere budgetary ceiling, made further reductions in the request so that the amount finally considered by the committee amounted to little more than a half of what the Army considered as their minimal needs.

I do not wish to belabor this point, but I believe it is important to understand that this Army request has been developed and reviewed under a most critical and restrained set of guidelines.

Now, if I may, I would like to recount for you some of the more impressive contributions to our mutual safety which these Army requests will buy for us.

The most important of the Army's tasks today include the maintenance of forces overseas in support of our national policies and international commitments with our allies, furnishing of surface-to-air missile defense for the United States and our forces deployed overseas, and provision of a mobile combat-ready strategic force here in the United States for rapid reinforcement of our deployed forces in time of need.

In carrying out its assigned responsibilities and missions overseas the Army is maintaining 40 percent of its Active Army Forces in various areas of the world. To support these units and their tasks, the Army has allocated, exclusive of surface-to-air missile requirements, some $35.6 million, or 17.8 percent of the total request.

In the field of surface-to-air missile defense the Army has been assigned a broad and vital role in the maintenance of an effective air defense complex which will protect our industrial and population centers as well as our retaliatory forces and the field Army Forces at home and overseas. Effective and efficient fulfillment of this mission is vital to our survival. To reinforce its capabilities in this field the Army has devoted 61.5 percent or $123.1 million of the total authorization requested. A major portion of this requirement is devoted to research, development, and test facilities for the Nike-Zeus antiballistic missile defense system presently under development.

Without detracting from the urgent requirements of our deterrent and defense forces, I would like to mention the increasingly important contribution to the Army's capabilities that are inherent in Army aviation. The Army, within the limitations placed upon it, has developed a family of Army aircraft which fulfills missions of observation, airlift for troops and combat supplies in the battle zone, communications and battlefield surveillance and battlefield casualty evacuation. These missions are separate and distinct from the broader responsibilities of the Air Force. Additionally they are developing and testing new forms of aerial transport, including such projects as tiltwing aircraft and the flying jeep. For support of these activities and to provide the operational and maintenance facilities for aircraft now with the field forces, the Army has apportioned 3.8 percent or $7.7 million of the total requested in this bill.

Now departing for the moment from the military hardware aspects of this request, I want to address myself to another very important segment of this program dealing with the Army's pressing needs for family housing.

With regard to family housing to be authorized by this bill, it should be noted that although the Army has made good progress in providing adequate family housing during the last 3 years, the provision of additional adequate family housing is still one of the most pressing problems facing the military services today. I have taken a personal interest in the provision of family housing for our military people, and feel strongly that the Congress should leave nothing undone to provide satisfactory housing for all of our military families.

This bill provides new authorization for 7,399 units of title VIII Capehart housing, 338 units of appropriated fund housing in areas where Capehart or surplus commodity housing is not feasible, and 557 units of surplus commodity housing. In addition, the bill also provides for the continuation of prior authorization for 234 units of appropriated fund housing. In developing the family housing construction projects in this bill, full consideration was given to the use of available adequate community support and private rental housing.

Let me remind you that the provision of adequate family housing ranks high among the motivating factors for the retention of trained military personnel in the Armed Forces, and in maintaining the high morale so necessary in the world of today.

This military public-works authorization program is only a small supporting authorization for the overall need of the Army. I would like to discuss briefly the crying need for modernization within our Army forces.

The United States emerged from World War II with the best equipped Army in the world. However, our Army has been greatly cut in strength and the majority of its major items of equipment have become obsolescent because of the lack of funds to modernize equipment and to replace wornout equipment. Today there is an urgent need for the modernization of the major items of Army equipment. General Taylor, the Army Chief of Staff, has testified that the limited funds for Army modernization is one of his principal reservations as to the adequacy of the defense budget for fiscal year 1960.

This need arises from two major circumstances: First, the rapid pace of technological advance over the past decade, and, second, the large, well-equipped, and modern ground forces of the Soviet Union and its satellites. Yesterday's weapons are today's second best, and tomorrow they may be obsolete. Recognizing this, the Soviet Union has been continuously modernizing its ground forces since the end of World War II. Their modernization program is the result of a thorough and well-conceived plan carried out without major deviation over the past decade. The program has been supported by a high and stable production rate that permits prompt replacement of normal losses and obsolescence, and transfer of increasing quantities of modern equipment of satellite armies and a smooth transition to wartime production.

The Soviet Army has been able to modernize and expand its weapons inventory. It has sufficient stocks of modern materiel to equip an active force of 175 divisions and to support it indefinitely in combat. Their equipment includes the means for fighting either nuclear or conventional wars anywhere on the Eurasian or Middle East land mass. Quality-wise they about equal our modern equipment; they lag behind us in some items; have drawn even in others; and surpass us in still others. Quantity-wise they overmatch us by a margin of 5 to 1.

Because of high and stable production rates, some major items of Soviet Army equipment have recently entered the second modernization cycle since World War II. For example, medium and heavy tanks, armored personnel carriers, trucks, and rocket launchers are now in the second round of modernization.

In the light of the Soviet progress, which is also being reflected in the growing materiel strength of their satellite countries, it is of paramount importance to modernize the equipment of the U.S. Army as rapidly as feasible. Because of reduced funds, U.S. Army weapons inventories have declined since the end of the Korean war and only limited improvements have been made in its quality.

The Army's concept of a versatile ground force that would be capable of delivering flexible and discriminating firepower upon hostile targets in limited or all-out war was built into its pentomic organization. Units organized under

this concept, if adequately equipped, would comprise a highly mobile, flexible force capable of carrying out combat missions ranging from prompt suppression of local aggression to the conduct of major ground operations in a general thermonuclear war.

The field army of today requires continuous modernization of firepower, mobility, communications, and surveillance equipment, and of logistical support. General Hodes, the Army Commander in Europe, has testified that our ground combat forces urgently need the new medium tank with its heavier gun and diesel engine. They need the Hawk—the homing-all-the-way-killer missile—which can engage and destroy supersonic aircraft whether flying at tree-top level or more than 6 miles above the ground. The Army has developed unmanned drones to obtain information on targets and movements deep within enemy territory and needs these drones so that it can effectively use such weapons as the Sergeant missile. For improved mobility, the Army must have the new M–113 aluminum armored personnel carrier with its greater speed and range. Also needed are greater quantities and improved models of such unglamorous but essential items as graders and bridge-building equipment to support combat operations.

The Army has developed a phased and reasonable plan for the modernization of its major equipment. As its highest priority objective, the Army proposes that equipment be modernized for its active divisions and for high priority reserve units to include sufficient materiel for combat support for the initial period of conflict, plus providing modern materiel in limited quantities to permit the continued training of the remainder of the reserve forces. To meet these objectives would require annual appropriations of about $2.8 billion over a 5-year period. This is approximately double the amount provided in the budget for fiscal year 1960. This increase would provide arms and equipment as modern as those anywhere in the world and in sufficient quantities to allow our Army to carry out its mission in limited or general war as part of our defense team and its partnership with our allies.

We cannot expect that this relatively modest additional investment will permit our small Army by itself to turn back the 175-division Soviet Army. We do not propose to match the Soviet forces quantitatively. A modern Army, together with the great tactical capabilities of our Marine Corps, Navy, and Air Force, and in concert with our allies, can act promptly to suppress limited aggression that might otherwise lead to general war. It can fill a dangerous gap in our diversified deterrent forces upon which we must depend to forestall all kinds of Communist aggression.

If any of my colleagues still feel that there is little need for ground forces in this age of nuclear weapons and jet proplusion, let me refer them to the testimony of our military leaders before Congressional committees. Virtually all our military leaders agree that limited war is the most likely form of future conflict. Both General Taylor and Admiral Burke have warned against overemphasis of the nuclear deterrent at the expense of other means of defense. The President himself has characterized an all-out nuclear war as unthinkable. We expect our allies, with our assistance, to maintain adequate ground forces and to provide modern equipment for them. Can we reasonably expect them to do this when we neglect our own Army? In fact, can we expect our alliances to survive at all in the face of Communist pressure if the only guarantee we can offer them is the assurance that, if the Communists initiate the destruction of Western civilization, we will finish the job.

I have studied the Army's program and I feel that it is incumbent upon this Congress to provide the funds to support it. Our Army must have the best equipment this Nation can produce, thereby demonstrating for those who would destroy our way of life that this Nation is prepared to back up its commitments around the world and to deter or suppress aggression no matter where, when, or in what form its occurs.

Mr. AREND. Mr. Chairman, I yield such time as she may desire to the gentlewoman from New York [Mrs. ST. GEORGE].

Mrs. ST. GEORGE. Mr. Chairman, included in the bill before you is a line item for the construction of 156 family housing quarters at the U.S. Military Academy. I wish to speak in behalf of this project and its necessity for our country. Our first President in his eighth annual message to Congress in 1797 stated:

> The institution of a military academy is also recommended by cogent reasons. However pacific the general policy of a nation may be, it ought never to be without a stock of military knowledge for emergencies * * *. [The art of war] demands much previous study, and * * * [knowledge of that art] * * * in its most improved and perfect state is always of great moment in the security of a nation. * * * For this purpose an academy where a regular course of instruction is given is an * * * expedient which different nations have successfully employed.

I draw from this statement the phrase, "in its most improved and perfect state is always of great moment to the security of a nation," to emphasize that in the art of war, under present interpretation national survival, there is no second best. The item before you for consideration is not merely the construction of housing but is a most important link in the chain of events in the continuing struggle to maintain our position as a first-class power.

You will note that the construction cost of each unit will not exceed $19,800 or a total construction cost of $5,588,000, including costs of the houses, site preparation, paving and outside utilities. At first blush, this seems a costly endeavor indeed. On second look, however, an analysis of the project runs much deeper than these cold statistics indicate. We are faced with the continuing operation of an institution which has become associated over the past half century with the the successful execution of the complicated requirements of two world conflicts and a number of so-called limited engagements. We cannot afford to permit this historical symbol of military leadership to decline in the quality of its mission as the result of a substandard living condition for its instructor personnel. The problem of retaining qualified company grade officers in the Army is a real one. With ever-increasing living costs, a low salaried Army officer finds Army service an ever-increasing financial hardship. If West Point is to continue in the quality of its product, instructor personnel must at least be offered decent living accommodations.

The shortage in housing at the Academy is a serious one. The long range family housing requirement for company grade instructors at the Military Academy is 315 housing units. At present, a great majority of these officers are occupying inadequate quarters. Community support offers only 91 adequate quarters for the entire military complement of the Academy. To assist in alleviating this critical shortage of officer housing at the Academy, the Congress last year in the Military Construction Act of 1958 authorized the construction of 156 units of family quarters for company grade officers under the provisions of title VIII of the National Housing Act, commonly referred to as the Capehart program.

The Chief of Engineers, acting for the Department of the Army, proceeded to develop this authorized housing project, but soon found out that it was impossible to construct the Capehart housing because of cost limitations. It was not possible to construct housing of the authorized space and the desired standards within the statutory limitation for Capehart housing of $16,500 per unit plus offsite utility costs of not to exceed $1,500 per unit. As you know, this $16,500 per unit limitation includes the cost of the house and all utilities within the boundaries of the project.

Various studies were made by the Army and the type of family housing that could be constructed using appropriated funds as an alternative to use of Capehart authorization. This idea was in accordance with the solution which the Congress had provided in other instances where it was impracticable to construct Capehart housing due to cost limitations. Studies considered row type housing, apartment type housing, and multi-family type housing. These studies showed without question that adherence to existing statutory cost limitations for company grade family housing units would result in a unit so small as to be unserviceable to the occupants and unacceptable to the Department of the Army as meeting neither space nor construction standards provided by current criteria. Consequently, the Army decided to request a project for 156 units of company grade quarters, to be constructed with appropriated funds, comparable in size and standards of construction to those constructed elsewhere in the United States under the provision of the Capehart Act. To accomplish this, special

legislation is required to permit the exceeding of the statutory limitation of $15,400 per company grade unit. These units will not exceed the standards being used elsewhere in the United States. It is our hope that housing at West Point will merely be comparable in quality to housing generally provided at other Army installations.

This project for 156 units will consist of duplex and triplex two-story houses. the design for which will provide for reducing costs wherever possible. For example, construction will be concrete slab on grade—with no basement—a dry-wall type of interior construction, and individual hot air heating systems, certainly not the most elaborate of construction. In keeping with the standards desirable at the Military Academy, a national institution, which I am sure all of you will agree should not have its prestige lowered, the only concession proposed to the austere standards of construction is the use of brick exteriors and hardwood flooring.

Construction costs at West Point are considerably higher than the national average. In fact, the costs in that locality are about 10 percent higher than those prevailing in the New York City area and about 25 percent higher than the national average. This high cost is attributed to several reasons which become rather obvious. For example:

Local shortages of skilled labor requires the use of imported labor from distances up to 50 miles.

Coupled with the steep sloping terrain which varies from 10 to 15 percent in grade, rock outcroppings are encountered throughout the site, with the resulting costly site preparation. Blasting and drilling of dense rock is necessary in site and foundation preparations. Trenching through rock will be necessary for the extension of sewer and water lines, and even drilling in rock will be necessary for the extension and placement of the electrical and telephone poles. This work is extremely costly and is estimated to be approximately $1.6 million for clearing and grading of the site.

Water and sewer lines must each be extended for considerable distances to tie into existing systems.

Even the provision of walks, roads, parking and grassed areas which are necessary items in any housing development and cannot be deleted, are costly because of the rock condition.

Collections and disposal of surface runoff with the required storm drainage systems again is a costly item attributed to the rocky terrain.

In addition, the West Point area experiences a short summer construction period resulting in the added costs of winterization of facilities and loss in labor efficiency.

And inasmuch as all of these operations must be accomplished with the minimum interference to the training activities of the Cadet Corps, working and storage areas are somewhat restricted for the construction operations.

Let me again emphasize that it is not intended that these family housing units exceed the standards being used elsewhere in the United States, but that housing at the U.S. Military Academy should be comparable in quality to housing generally provided at other Army installations.

In summary, the basic problem facing us is simply this—the continual growth of our military posture in a time of startling scientific discoveries. Although the pace of our existence has quickened, one of the compelling reasons for the establishment of the Academy still exists. I speak of the "Ominous international political situation" so aptly depicted by Thomas Jefferson in 1801, the year before the establishment of the United States Military Academy. The spirit of Sylvanus Thayer, the father of the Military Academy, continues in the requirement for leadership integrated by excellence of character and excellence of knowledge. We cannot judge this requirement by cold fiscal calculation but must temper our decision to the realization that the quality of the product of the Academy is measured in direct proportion to the quality of the instructors which the Army may assign there.

HOUSING AT WEST POINT

One hundred and fifty-six houses at $19,800 per house, $3,089,000.

Five million five hundred eighty-eight thousand dollars plus includes 156 houses at $19,800 including all collateral costs.

Clearing, $81,000: The housing must be built in a heavily wooded area. Most trees must be removed and the ground otherwise prepared. This explains the unusual clearing cost.

COLLATERAL COSTS

Grading, $1,622,000: This is a large cost item because of the removal of 280,000 cu. yds. of boulder, ledge rock or other material at an estimated unit cost of $5.79 per cu. yd. This is a big cost item but through necessity the housing must be built in an area that is very steeply sloping and very rocky.

Roads, park, and recreational area, $303,000: (a) $57,500, access road exclusive of the shoulder construction; (b) $10,100, shoulder construction; (c) $111,600, interior roads; (d) $43,800, concrete curbs and gutters for roads; (e) $65,000, parking area, 5,460 square yards; (f) $15,000, grading and compacting of the recreational area.

This covers the access road into the housing area, the interior roads which have concrete curbs and gutters, parking areas, and a small amount of grading and compacting for a recreational area.

Drainage, $43,500: This includes normal drainage, storm drainage, ditching, and other drainage items which are the normal requirements for a housing area.

Water lines, $99,000: The water lines are normal in every respect. However, its installation in rock, as is necessary in this instance, causes the total installation cost to be greater.

Sanitary sewer lines, $71,000: These sanitary sewer lines are completely normal but, again, are somewhat more expensive because of the requirement of putting them in rock.

Electrical power and telephone, $187,500: (a) Electrical power, $92,000; (b) telephone, $95,000. These lines are not unusual except in one respect. There is an unusual distance involved because the source of power is a considerable distance away.

Final site improvement, $68,000: This is a normal part of a housing project and is unusual only in that a greater amount of topsoil will have to be imported into the area because of the rocky terrain.

Collateral equipment, $24,000: 156 ranges. Normal cost item.

Total cost, $5,588,000.

Mr. VINSON. Mr. Chairman, I yield such time as he may desire to the gentleman from Illinois [Mr. PRICE].

Mr. PRICE. Mr. Chairman, I wholeheartedly support this bill. Quite naturally I have a very special interest in the Military Air Transport Service since the headquarters of this great organization is located at Scott Air Force Base which is within my congressional district.

Without in any way minimizing the other important authorities granted in this bill, I would like to call special attention to the construction authorizations contained in this bill for a highly important purpose. That purpose is to support the activities of the Military Air Transport Service which performs a vital and indispensable role in support of our strategic and tactical Air Force wartime operations and combat operations of the Army, Navy, and Marines, as well as the performance of military support operations in peacetime.

This bill provides construction authorizations of almost $5 million at MATS bases. An additional $7 million for direct support of MATS also is provided as part of the programs at the bases of other Air Force commands. In addition, authorization is contained in the bill for the construction of 600 units of family housing at 2 MATS bases utilizing private capital under the provisions of Title VIII of the National Housing Act. This construction alone, however, does not give a full picture of the extent of the MATS operations, for MATS operates from many farflung locations covering virtually every area of the world and jointly utilizes facilities at bases of other Air Force commands. The MATS construction authorizations will provide airfield, aircraft maintenance, and terminal facilities, navigational aids and essential personnel support facilities.

The Military Air Transport Service began the second decade of its history on June 1, 1958. Its primary mission is to maintain a state of readiness and capability to provide necessary airlift to meet wartime requirements of the Department of Defense. Although MATS has undergone major internal changes during its first 10 years, this mission has remained unchanged.

MATS is a modern up-to-date system. In the event of aggression, the ready and prompt ability to fulfill its mission may well be a vital factor in our success. Such a concept demands modernization with the latest technological advancements. Ten years of experience in this basic combat mission have enabled MATS to organize, to equip and to keep crews up to date and in step with the times. MATS today is flexible, adaptable, and modern.

MATS, a major Air Force command, was formed by consolidating two wartime air transport agenices—the Air Transport Command and the Naval Air Transport Service. MATS cut its teeth on the famous Berlin airlift. Both Air Force and Navy personnel and aircraft took part in the 14-month Operation Vittles to provide over 2 million tons of food, fuel, and medicine to Berlin and her beleaguered population of 2,500,000 people.

MATS has demonstrated its capabilities in other dramatic airlifts—the Pacific airlift in support of United Nations forces in Korea; the airlift of high-priority cargo and personnel during the construction of Thule Air Base in Greenland; Operation Wounded Warrior; airlift of United Nations troops and equipment to the Suez Canal Zone; and the Hungarian refugee airlift—Operation Safe Haven.

When the Korean war began in the summer of 1950, MATS was delivering approximately 70 tons of cargo to the Far East each month. Within 3 months, MATS transports were delivering up to 106 tons a day into Japan alone. The number of MATS Pacific airlift planes increased from 50 Douglas C–54's to a total of 160 MATS transports, plus 17 supplied by United Nations members and 66 leased from civil airlines. A total of 160,000 tons was airlifted in nearly 35,000 transpacific crossings before the Korean armistice was signed in 1953.

This Pacific airlift proved that air transport into a combat theater is not a one-way proposition. The return airlift was used to bring home combat casualties and other military patients as well as passengers from all services. Ninety percent of all evacuations of Korean wounded was by air. The result: Death rate from wounds was reduced from a World War II figure of 4 percent to lower than 2 percent. Medical air evacuation is now standard procedure.

In 1951 another rigorous test of MATS strategic airlift capability was the movement of personnel and materiel into Thule, Greenland. Moving bulldozers, power shovels, road graders, trucks, fuel, and, in one instance, a heavy crane, MATS demonstrated the potential of airlift into isolated areas. MATS has been credited with advancing the completion date of construction on the far northern base by a full year.

During 1954 MATS flew the longest aerial mercy mission in aviation history. More than 500 French troops wounded at Dien Bien Phu in Indochina were flown three-quarters of the way around the world in Operation Wounded Warrior.

In December 1956, the Hungarian refugee airlift Operation Safe Haven and the airlift of the U.N. police troops headed for the Suez area, once again proved that MATS was organized for D-day readiness. MATS flew 9,700 Hungarian refugees to America, including several thousand passengers carried by civil contract airlines.

MATS was called on to deliver supplies and equipment in support of Operation Deep Freeze—airlift support for Naval Task Force 43 in the Antarctic. Everything from the kitchen sink and a food mixer to a 3-ton Weasel and a 7-ton tractor was dropped at the Antarctic base. Despite some of the worst weather and radio blackout conditions ever recorded, the drops were remarkably successful.

Even more recent dramatic evidence of the importance and readiness of the MATS and the tactical troop carrier forces occurred in the last year during the periods of tension in Taiwan and Lebanon. MATS and troop carrier aircraft moved Army forces and supplies almost overnight during the Lebanon crisis. Within 73 hours after receiving orders to deploy, the first cargo aircraft was unloading its cargo of F–104 fighter planes and their pilots at Taiwan when the Chinese Communists attacked Quemoy last summer. Needless to say, this operation made a good impression on our friends, and perhaps an even stronger impression on the Chinese Communists.

The capability of airlift forces will expand during the coming year as aircraft modernization is applied.

MATS has entered the missile and space age with the latest in transport equipment. In 1948 the fleet was mainly composed of Douglas C–54 aircraft, but Operation Vittles graphically demonstrated the value of larger transports for strategic airlift. Over the years MATS has been gradually replacing obsolete aircraft with new planes designed for greater speed, range, and aircraft load—the Boeing C–97 Stratocruiser in 1949; the Douglas C–124 and R6D in 1951; the Douglas C–118 in 1952; the Lockheed R7V in 1953; the Lockheed C–121 in 1955; and in August 1957 MATS received its first swift, long-range turboprop—the Douglas C–133, which ushered in a new era in oceanic flight. The introduction of a jet cargo aircraft into the MATS force beginning in 1961 will increase total airlift capability.

While the command is perhaps best known for its airlift role, MATS is not solely an air transport organization. There are other equally vital services within MATS—the Air Force technical supporting services:

Air Weather Service—AWS—provides meteorological data on a global scale to U.S. Air Force and Army units. Beginning in 1917 as part of the Signal Corps, AWS now mans hundreds of weather stations in numerous countries throughout the world. A net of weather observation stations, both manned and automatic, is spread throughout the northern hemisphere. Also the Air Weather Service severe weather warning system, developed largely to enable aircraft to be moved from the path of dangerous storms, has been effective, with some adaptations, in warning the civil population of storms. Weather reconnaissance has added much to our knowledge of hurricanes and typhoons.

Airways and Air Communication Service—AACS—transmits this mass of weather data. AACS also operates fixed aeronautical point-to-point and ground-to-air radio stations, airdrome control towers, electronic navigation aids, landline facilities and teletype stations, cryptographic sections and message centers. AACS works in close cooperation, and jointly, with the FAA, in these vital aircraft and airspace control functions.

As the installing and operating agency for the USAF's Global Communications Systems, AACS transmits millions of messages monthly.

Another significant MATS service is STRATCOM, a worldwide communications network installed by AACS.

Air Rescue Service—ARS—is most dramatic of the MATS services. With its motto "That Others May Live," ARS was organized primarily to save the lives of Air Force crews involved in aircraft accidents. ARS humanitarian emergency work ranges around the world, covering both military and civilian crises.

ARS history is crowded with outstanding achievements. In recent months Rescue directed all operations by units of the Department of Defense during the two great New England floods and the floods in California. Rescue also has led the fight against floods in Japan, Italy, England, Holland, Mexico, Costa Rica, and at home in Kansas and Texas.

One of the most decorated and honored units of the Korean conflict was a detachment of the 3d Air Rescue Group, which completed 9,690 rescues within the combat area. Of this total, 996 United Nations personnel were rescued from behind the enemy lines. For this work the men of the 3d Air Rescue Group received the Air Force Association's flight trophy in 1953.

The Air Photographic and Charting Service—APCS—is the youngest member of MATS. Operating photographic and aerial mapping units throughout the world, this organization handles the overall photographic requirements of the Air Force.

MATS has an unparalleled safety record. In fact, military and civilian passengers on MATS scheduled flights are afforded worldwide accident insurance protection at regular commercial airline rates. In 1950 and again in 1954 MATS won the Daedalian Trophy for the lowest Air Force accident rate per 100,000 flying-hours. Transport operations achieved a rate of only two accidents per 100,000 flying-hours in 1954. In 1957 MATS had its lowest accident rate, with and overall rate of 3.9 per 100,000 flight-hours and 1.08 per 100,000 hours in transport operations.

Specialized aircraft development, such safety devices as antiskid brakes and anticollision lights, improvements in navigational aids, communications techniques, and other equipment, have all contributed to this outstanding record.

This is the Military Air Transport Service. Its transport divisions and diversified support services are potent factors in the maintenance of world peace.

Since October 1957 MATS has operated and controlled this vast and important military system from headquarters at Scott Air Force Base, near Belleville, Ill. This is one of the major installations of today's Air Force, and it is the home of other important Air Force activities, in addition to MATS Headquarters. These include a MATS transport squadron, an Air Training Command technical training group, and an Air Force Reserve

troop-carrier squadron. Over 4,000 military personnel are stationed at this base, and it employs about 2,500 civilian workers.

Approximately $59 million have been invested to date for facilities at Scott Air Force Base. Two hundred and fifty-three thousand dollars for additional construction at Scott is contained in the authorization bill under consideration today, and the Air Force plans additional investments in future years to expand and improve the existing facilities.

Mr. VINSON. Mr. Chairman, I yield 5 minutes to the gentleman from West Virginia [Mr. BAILEY].

Mr. BAILEY. Mr. Chairman, what I have to say today I hope will not be considered by the distinguished chairman and the members of the Committee on Armed Services as being criticism. If it is in the nature of criticism, it is constructive criticism. Looking over the proposed expenditures for construction and maintenance, and what have you, I note that little, if any, attention has been given by the committee to favor areas and States within our Nation that have tremendous unemployment at the present time. It is significant that those various States have little, if anything, in this bill that would help the unemployment situation.

I do want to digress long enough to express my thanks to the committee for continuing the appropriation for the only project that West Virginia has in the whole military setup, naval and otherwise. It is a naval installation at Sugar Grove, W. Va. I am deeply thankful that the committee is continuing to provide moneys or authorizing moneys to continue with the construction of this installation.

I might say to my distinguished chairman that after the little hassle we had on the floor here 3 or 4 years ago, I want to again take this opportunity to thank him, because he said then, "If the gentleman from West Virginia will keep quiet, we will give him some kind of an installation," and they did. But, it is only 6 miles from the West Virginia border; nevertheless it is in West Virginia.

I want to take this time to call the attention of the committee to a situation in West Virginia that needs the attention of the Committee on Armed Services. We have, at South Charleston, W. Va., an installation known as the Naval Armor Plate Plant. It was a World War I facility that cost the Government $134 million initially. It lay dormant between World War I and the outbreak of World War II. Then they came along in World War II and expended an additional $50 million for additional buildings. The Carnegie Steel Co. took it over and operated it and made all kinds of war material. We constructed small PT boats there and small destroyers. We manufactured all kinds of small arms; I forget what the bore of the cannons was that were made there. But, after World War II ended again it was revived and some of the buildings used and contracts let for Government production of military and naval equipment. Since the Korean war difficulties arose, it is being maintained by the Federal Government at a tremendous cost.

Inquiry at the Bureau of Naval Operations disclose an annual maintenance and upkeep cost of $535,000, exclusive of salaries of naval personnel. There are 8 naval officers and 306 civilians looking after the maintenance and storage.

We have this situation to contend with. They were so anxious to get that fine location of level land—most of it is as level as the prairie land of Kansas—that they entered into an agreement with the people from whom they bought it that any time they ceased to use it for defense purposes, title would revert back to the people. Here you have millions of dollars of Government money tied up. They do not want to sell it. The fact of the matter is, they cannot sell it. It is costing thousands upon thousands of dollars annually for maintenance purposes, because they keep it ready to go at any time. I am wondering, in view of the unemployment situation we have there, why there is not some activity underway at this time at that particular plant. With that much of a Government investment, why not make some use of this plant?

Mr. VINSON. Mr. Chairman, I yield myself 2 minutes, to answer the gentleman's question.

Mr. Chairman, let me say to my good friend from West Virginia that I am quite familiar with this installation. As a matter of fact, back in 1916 or 1917 I was a member of the Committee on Naval Affairs when we authorized it. Ever since that time I have been resisting various efforts, some led by the community, some led by the State, to dispose of this piece of property. I do not think it should be disposed of. I think it should be utilized. I pledge the gentleman I shall continue to do everything I possibly can, and with his cooperation I hope we may be able to find a way in which it can be utilized, put in operation as an active Government installation.

Mr. BAILEY. I thank the gentleman very much.

Mr. VINSON. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Vermont [Mr. MEYER].

Mr. MEYER. Mr. Chairman, it is absolutely essential that we provide properly for the defense of the United States. That includes the necessary military installations. However, I also feel that it is equally important to the defense of the United States that we properly utilize our dollars and our financial resources. Of course, it is most important that when we spend $3 for defense installations that we do not get only $2 of value. I am sure that the committee has investigated all of these items pretty well, but I should like in connection with one of them to get a little more information. This is in connection with Fort Sill in Oklahoma where they call for operational and training facilities and maintenance facilities in the amount of $5,337,000. I would like to know just what some of the operational and training facilities are.

Mr. VINSON. Mr. Chairman, I am glad to see that the distinguished gentleman from the icebound regions of Vermont has drifted down to Fort Sill in Oklahoma. It is refreshing to get his question, and I am happy to try to give him the full information. This provides an authorization of $5,337,000, and it is broken down in this way: A taxiway, compass swinging base, runway approach lighting, ordnance support battalion facilities for special weapons, three missile ground handling equipment buildings, three missile maintenance equipment shops and facilities.

There are also hardstand, missile maintenance equipment shops and facilities, a motor maintenance shop, and a motor park. Which one of these items is the gentleman inquiring about?

Mr. MEYER. In connection with the expenditure of these funds for these missile installations, will they require the purchase of any additional land in the future?

Mr. VINSON. I am quite familiar with all the land controversy down there. I am glad to say there is nothing in this bill or nothing contemplated in this bill right now with respect to expanding the land facilities at Fort Sill.

Mr. MEYER. I thank the gentleman very much.

Then I want to mention another item. Is there anything in this bill that might arise in the future about the following matter? Up in Vermont on our highest mountain, one of our great scenic areas, Mount Mansfield, there was a demand one time that they would need to use that mountain top for certain installations for observation purposes. When local objections were made, shortly thereafter they said that a new development in the missile field would no longer require the use of this area. Is there anything of that type injected into this bill?

Mr. VINSON. I want to say to my good friend that his question is so detailed I am not in a position to answer it. I just could not answer that kind of question. I know there is nothing in the bill relating to it. Of course, I cannot tell what is going to be running through the minds of the planners in the days to come. I have to deal with it as I come to the bridge. It is not involved in this bill at all now. I am sorry I cannot help the gentleman there today.

Mr. MEYER. I thank the gentleman very much.

Mr. VINSON. Mr. Chairman, I have no further requests for time.

Mr. ARENDS. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, within the last year there has been located in the Arlington Towers Apartments, in Virginia within a stone's throw of the Pentagon, an institution called the Military Training Institute. The contract for the operation of the Military Training Institute was farmed out to a psychology professor who has organized what is called the American Institute for Research.

Mr. VINSON. Let me say to my good friend there is not a line in this bill dealing with that subject. I know what is running through the mind of the gentleman. That is a school where men are trained for military aid work overseas.

Mr. GROSS. The school is designed to instruct officers in the military assistance program overseas.

Mr. VINSON. The State Department has a large voice in that military assistance. There is not a thing in this bill about it.

Mr. GROSS. I am pleased to hear the gentleman say that this bill carries no money for the operation of that Military Training Institute.

Mr. VINSON. When the Foreign Affairs Committee brings in its bill it will have jurisdiction of that. We do not.

Mr. GROSS. I am glad to hear it.

Mr. VINSON. We have enough trouble on our hands without going into that.

Mr. GROSS. I will say to the chairman that I think he could very well look into this kind of operation, where an absentee operator, a psychology professor at Pittsburgh, Pa., gets a cost plus a 6 percent fee contract to operate a military training institute. The function of the Army in peacetime is training. I believe the chairman will agree with me that it is their function in peacetime. Retired military personnel are being used in this school yet this former professor has a cost plus a 6 percent fee for the operation in some of the most expensive property in the District of Columbia area, all at taxpayer expense.

Mr. VINSON. May I say to the distinguished gentleman that I respect his remarks and will transmit them to the proper department. I am grateful to him for bringing it to the attention of the committee.

Mr. GROSS. I think the gentleman can help me with another question: What has been the fate of the San Jacinto Ordnance Depot at Houston, Tex., which was an item quite in controversy here a year ago when a bill similar to this came before the House?

Mr. VINSON. I have a letter from Secretary McElroy dated March 6, 1959. It reads as follows:

THE SECRETARY OF DEFENSE,
Washington, March 6, 1959.

DEAR MR. CHAIRMAN: In accordance with the provisions of section 109, Public Law 85–685, I have had a thorough study made regarding the need for the Department of Defense to retain the San Jacinto Ordnance Depot.

As a result of my review of this study, I find that disposal of the San Jacinto Ordnance Depot and its outloading terminal will not be inimical to the national security. This study has also revealed that there is no need for the construction of a replacement ammunition outloading terminal at Point-Aux-Pins, Ala.

I have advised the Secretary of the Army of my findings and requested him to initiate appropriate action with the General Services Administration for the disposal of the San Jacinto Ordnance Depot in accordance with the provisions of section 109 of Public Law 85–685.

Sincerely,

NEIL MCELROY.

I think this letter answers the inquiry of the gentleman.

Mr. GROSS. I want to thank the gentleman for reading the letter into the RECORD because I have had some difficulty in getting informaion from the Pentagon on this particular subject. So, as I understand it now, this ordnance depot which is probably the best in the United States of America, which has deep sea loading facilities, being located on the ship channel just south of Houston, Tex., whose proud boast is "where 22 railroads meet the sea". In other words, it has easy access to railroad transportation to any point in the continental United States. It offers sea transportation of ammunition anywhere throughout the world, and it is now going to be disposed of.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. VINSON. Mr. Chairman, I yield 2 additional minutes to the gentleman from Iowa.

Mr. ARENDS. Mr. Chairman, I yield 2 additional minutes to the gentleman.

Mr. GROSS. Mr. Chairman, I thank both of my colleagues.

Mr. Chairman, as I was saying, this ordnance depot is now to be disposed of. It is an installation comprising 5,000 acres of land with 18 miles of railroad trackage and with miles upon miles of all-weather roads. Not more than a year ago, we were told that this ordnance depot held nearly 100 thousand tons of ammunition with a value of $120 million and yet, this is to be disposed of. Is that the understanding?

Mr. VINSON. That is the decision of the Secretary based upon the law. I say to my good friend, I have confidence in the judgment of the Secretary. The Secretary was directed to make a study. He did make a study. He appointed qualified people. He advised the Committee on Armed Services that in accordance with the law, he found it was all right to dispose of this installation—even to the extent that there is no need and no necessity of building a comparable one in Alabama.

Mr. GROSS. And, yet, only a year ago, Mr. Chairman—only a year ago—the Department of the Army, this same Defense Department, appeared before the gentleman's committee and said that this ordnance depot must be retained; that it was necessary to the defense and security of this country.

Mr. VINSON. You must bear in mind—and this statement is one that will be made often when it comes to a question of a change of opinion or a change in what we are doing—oftentimes new type of weapons that come into existence change our plans. If I may, I would like to make this statement and I will yield the gentleman additional time, if he wants it, but I pointed out previously that in a great many of these construction programs, millions and millions of dollars today are being spent based upon the use of man-operated airplanes. These in the course of time are going to fade away. We are hoping that when the missile era arrives—and we are getting closer and closer to it every day—that we can utilize some of these facilities that we are providing for today. Now, the same thing applies with reference to ammunition depots. There is no need and no necessity today to honeycomb the Nation with ammunition depots when we know that in the future we will not have to have the type of ammunition that we have to have today.

Mr. GROSS. To me this is a strange proceeding, that this splendid depot in Texas, just south of Houston, Tex., should be the first selected to go, under the conditions set forth.

Mr. VINSON. We have to start somewhere. I have confidence in the judgment of the Secretary of Defense. I am supporting his judgment, and I think he reached the right decision in regard to it.

Mr. ARENDS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Illinois who has fought hard to retain this facility.

Mr. ARENDS. This became quite a controversial question last year in which I took part. Let me say that within the recent year surveys and studies have been made of the whole situation. We will try to find out all the necessary information in the committee later on.

Mr. VINSON. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Georgia.

Mr. VINSON. There was submitted to the Armed Services Committee a few days ago for our consideration what is known as a real estate disposal project. There will again be a vote before this is finally disposed of.

Mr. GROSS. I am sure there will be. And I hope the chairman of the committee will give a full and fair hearing.

Mr. VINSON. I want the committee to understand this: On three separate occasions there has been a yea-and-nay roll call vote. On the first occasion the vote was 202 to 179. On another it was 376 to 2. On the conference report it was 256 to 135. On three separate occasions the issue has been joined and the House has approved of what the Secretary has now done.

The CHAIRMAN. The time of the gentleman has expired.

LAUGHLIN AND GOODFELLOW AIR FORCE BASES

Mr. FISHER. Mr. Chairman, I would like to refer to two Air Force installations which, while not represented by substantial new construction authorization in this bill, are vital installations in the Air Force, serving highly essential functions.

One of these installations is Laughlin Air Force Base, located at Del Rio, Tex. This base was dedicated in 1943 and named in honor of Lt. Jack Thomas Laughlin who was born in Del Rio, Tex., and graduated from the University of Texas. Lieutenant Laughlin served nobly with the Air Corps in defense of his country until he was killed in combat in January 1942 while flying a B–17 mission over Java. He was the first World War II pilot casualty from Del Rio, Tex.

Laughlin Air Force Base now is one of the major installations of the Strategic Air Command. This is a highly appropriate mission for the base following its earlier illustrious accomplishments as an advanced flying school for pilot training. Throughout World War II, Laughlin Air Force Base, then known as Laughlin Army Air Field, trained and sent to war theaters more than 2,200 B–26 pilots. Again, during the Korean conflict, Laughlin Air Force Base played a significant role in the necessarily increased pilot training program by the

conduct of training in transition to the then new jet aircraft and gunnery.

Now as a SAC base, Laughlin is the home and operating base of a strategic reconnaissance wing of the Strategic Air Command. In that capacity, it plays a tremendously important role in the immense capabilities of the Strategic Air Command which today provides the primary deterrence to an aggression against this country.

The deterrent capability of the Strategic Air Command hinges mainly on the ability of SAC to retaliate with overwhelming force and annihilate any aggressor. This capability results from SAC's superior degree of efficiency and readiness which gives it the ability to keep a significant portion of its strike force alive and respond instantly even in the face of a massive surprise attack.

A key element in the attainment and continuance of this vital SAC deterrent capability are the bases in being from which the SAC reconnaissance and bomber units operate. As part of this key element, Laughlin Air Force Base, with its over 3,000 military personnel and 300 civilian employees, is admirably suited for its prominent and important contribution to the defense of our country.

The other installation of which I wish to speak is Goodfellow Air Force Base, which is near San Angelo in Tom Green County, Tex. This base was named for Lt. John J. Goodfellow, Jr., of San Angelo, who was killed in fighter combat in France in 1918.

Goodfellow Air Force Base was initially occupied in 1941 and, except for a brief inactive period following World War II, served until last year in a capacity, similar to Laughlin Air Force Base, of pilot flight training by the Air Training Command. On July 1, 1958, the base was transferred to the jurisdiction of the U.S. Air Force Security Service to use for highly specialized training of personnel who perform extremely essential communications-electronics intelligence and communications security functions in support of Air Force and other defense agency activities. Under its current utilization, over 2,000 military personnel, principally highly specialized technicians, will work or receive training, aided and supported by approximately 400 civilian employees.

In view of the specialized nature and critical importance of the function being performed by Goodfellow Air Force Base, it also takes a rightful place as one of the principal military installations making a vital contribution to national defense.

Though not among the largest installations in the Military Establishment, the nature and importance of the activities performed at Laughlin Air Force Base and Goodfellow Air Force Base, and the high quality of that performance, are such that the people of Texas and the rest of the Nation can be justifiably proud.

Mr. VINSON. I have no further requests for time, Mr. Chairman.

The CHAIRMAN. The Clerk will read the bill.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I

SEC. 101. The Secretary of the Army may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment, for the following projects:

Inside the United States

Technical Services Facilities

(Ordnance Corps)

Aberdeen Proving Ground, Maryland: Training facilities and troop housing, $785,000.

Letterkenny Ordnance Depot, Pennsylvania: Maintenance facilities, $454,000.

Redstone Arsenal, Alabama: Operational facilities, research, development, and test facilities, medical facilities, troop housing, and utilities, $5,387,000.

Savannah Ordnance Depot, Illinois: Supply facilities, $1,160,000.

(Quartermaster Corps)

Fort Lee, Virginia: Training facilities and troop housing, $414,000.

(Chemical Corps)

Fort Detrick, Maryland: Research, development and test facilities, $270,000.

Dugway Proving Ground, Utah: Research, development, and test facilities, operational facilities, and utilities, $532,000.

(Signal Corps)

Fort Huachuca, Arizona: Operational facilities, research, development and test facilities, and utilities, $3,230,000.

(Corps of Engineers)

Fort Belvoir, Virginia: Operational facilities, medical facilities, research, development, and test facilities, and utilities, $1,376,000.

(Transportation Corps)

Fort Eustis, Virginia: Hospital and medical facilities, $4,866,000.

Charleston Transportation Depot, South Carolina: Family housing, $251,000.

(Medical Corps)

Fitzsimons Army Hospital, Colorado: Medical facilities and utilities, $188,000.

Field Forces Facilities

(First Army Area)

Fort Devens, Massachusetts: Training facilities, $59,000.

Fort Dix, New Jersey: Training facilities, $64,000.

(Second Army Area)

A. P. Hill Military Reservation, Virginia: Training facilities, $229,000.

Fort Knox, Kentucky: Training facilities, maintenance facilities, supply facilities, and community facilities, $2,747,000.

Fort Meade, Maryland: Training facilities, medical facilities, and utilities, $2,530,000.

(Third Army Area)

Fort Benning, Georgia: Training facilities and maintenance facilities, $1,090,000.

Fort Bragg, North Carolina: Operational facilities, maintenance facilities, and community facility, $1,228,000.

Fort Campbell, Kentucky: Utilities, $2,300,000.

Fort Rucker, Alabama: Operational and training facilities and supply facilities, $2,662,000.

Fort Stewart, Georgia: Training facilities, $238,000.

(Fourth Army Area)

Fort Bliss, Texas: Operational and training facilities, troop housing, maintenance facilities, supply facilities, administrative facilities, and utilites, $7,260,000.

Fort Sam Houston, Texas: Operational and training facilities and maintenance facilities, $840,000.

Fort Sill, Oklahoma: Operational and training facilities and maintenance facilities, $5,337,000.

(Fifth Army Area)

Fort Leavenworth, Kansas: Utilities, $160,000.

Fort Leonard Wood, Missouri: Operational facilities, medical facilities and utilities, $593,000.

Army Support Center, St. Louis, Missouri: Administrative facilities, $261,000.

(Sixth Army Area)

Fort Ord, California: Supply facilities, $85,000.

Presidio of San Francisco, California: Utilities, $218,000.

(United States Military Academy)

United States Military Academy, West Point, New York: Family housing and utilities, $6,303,000.

(Alaska Command Area)

Fort Greely: Family housing and community facilities, $2,395,000.

Fort Richardson: Training facilities, $321,000.

(Tactical Installations and Support Facilities)

Various locations: Family housing, $1,646,000.

Various locations: Operational facilities, maintenance facilities, supply facilities, medical facilities, administrative facilities, troop housing, community facilities and utilities, $29,026,000.

Outside the United States

(Pacific Command Area)

Helemano, Hawaii: Real estate, $90,000.

Schofield Barracks, Hawaii: Training facilities and community facilities, $1,259,000.

Camp Buckner, Okinawa: Training facilities, $217,000.

Pacific Scatter System: Operational facilities, maintenance facilities, troop housing, and utilities, $3,104,000.

(Caribbean Command Area)

Fort Kobbe, Canal Zone: Training facilities, $228,000.

(European Command Area)

France: Training facilities, $140,000.

Germany: Operational and training facilities, maintenance facilities, supply facilities, community facilities, and utilities, $10,338,000.

Italy: Operational facilities, maintenance facilities, supply facilities, community facilities, troop housing and utilities, $1,973,000.

(Army Security Agency)

Various locations: Administrative facilities, operational facilities, maintenance facilities, troop housing, medical facilities, supply facilities, community facilities, family housing, and utilities, $5,573,000.

(Strategic Army Communications)

Various locations: Operational facilities, community facilities, and utilities, $1,288,000.

SEC. 102. The Secretary of the Army may establish or develop classified military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $83,330,000.

SEC. 103. (a) The Secretary of the Army may establish or develop Army installations and facilities by proceeding with construction made necessary by changes in Army

missions, new weapons developments, new and unforeseen research and development requirements, or improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next military construction authorization Act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $5,000,000: *Provided*, That the Secretary of the Army, or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire as of September 30, 1960, except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to that date.

(b) Section 103 of the Act of August 20, 1958 (72 Stat. 636, 638) is hereby repealed except for those public works projects thereunder concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified prior to the date of enactment of this Act.

SEC. 104. (a) In accordance with the provisions of section 407 of the Act of September 1, 1954 (68 Stat. 1119, 1125), as amended, the Secretary of the Army is authorized to construct, or acquire by lease or otherwise, family housing for occupancy as public quarters and community facilities at the following locations by utilizing foreign currencies acquired pursuant to the provisions of the Agricultural Trade Development and Assistance Act of 1954 (68 Stat. 454) or through other commodity transactions of the Commodity Credit Corporation:

Various locations, France, 400 units.

Army Security Agency, location 12, 157 units, and community facilities.

(b) In accordance with the provisions of title IV of the Housing Amendments of 1955 (69 Stat. 646), as amended, the Secretary of the Army is authorized to construct family housing for occupancy as public quarters at the following locations:

Inside the United States

ARADCOM Tac Sites, 575 units.
Fort Huachuca, Arizona, 200 units.
Fort Eustis, Virginia, 223 units.
Fort Dix, New Jersey, 200 units.
Fort Ritchie, Maryland, 27 units.
Fort Bragg, North Carolina, 367 units.
Fort Bliss, Texas, 1,000 units.
Fort Hood, Texas, 800 units.
Fort Riley, Kansas, 867 units.
Fort Leonard Wood, Missouri, 800 units.
Camp Irwin, California, 140 units.
Fort Ord, California, 500 units.
Fort Knox, Kentucky, 350 units.
Fort Devens, Massachusetts, 1,200 units.

Outside the United States

Camp Losey, Puerto Rico, 150 units.

SEC. 105. (a) Public Law 85–241, as amended, is amended under the heading "CONTINENTAL UNITED STATES", in section 101, as follows:

(1) Under the subheading "TECHNICAL SERVICES FACILITIES (Ordnance Corps)", with respect to Aberdeen Proving Ground, Maryland, strike out "$2,288,000" and insert in place thereof "$2,613,000".

(2) Under the subheading "TECHNICAL SERVICES FACILITIES (Quartermaster Corps)", with respect to New Cumberland General Depot, Pennsylvania, strike out "$464,000" and insert in place thereof "$597,000".

(3) Under the subheading "TECHNICAL SERVICES FACILITIES (Signal Corps)", with respect to Fort Huachuca, Arizona, strike out "$1,936,000" and insert in place thereof "$2,276,000".

(4) Under the subheading "FIELD FORCES FACILITIES (Fifth Army Area)", with respect to Fort Leonard Wood, Missouri, strike out "$4,663,000" and insert in place thereof "$5,051,000".

(b) Public Law 85–241, as amended, is amended by striking out in clause (1) of section 502 the amounts "$116,915,000" and "$294,394,000" and inserting in place thereof "$118,101,000" and "$295,580,000", respectively.

TITLE II

SEC. 201. The Secretary of the Navy may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities and equipment for the following projects:

Inside the United States

Shipyard Facilities

Naval Shipyard, Boston, Massachusetts: Maintenance facilities, $1,422,000.

Naval Shipyard, Brooklyn, New York: Maintenance facilities, $365,000.

David Taylor Model Basin, Carderock, Maryland: Research, development, and test facilities, $318,000.

Naval Shipyard, Long Beach, California: Subsidence protective measures, $500,000.

Naval Submarine Base, New London, Connecticut: Troop housing, utilities, and real estate, $3,146,000.

Naval Shipyard, Portsmouth, New Hampshire: Operational facilities, and maintenance and production facilities, $3,497,000.

Fleet Base Facilities

Naval Station, Newport, Rhode Island: Operational facilities, $7,353,000.

Aviation Facilities

(Naval Air Training Stations)

Naval Auxiliary Air Station, Meridian, Mississippi: Operational and training facilities, supply facilities, and administrative facilities; and, at Outlying Landing Field, Bravo, operational and training facilities, utilities and ground improvements, and real estate, $5,147,000.

Naval Air Station, Pensacola, Florida: Community facilities, $400,000.

Naval Auxiliary Air Station, Whiting Field, Florida: Operational and training facilities, and real estate, $2,811,000.

(Fleet Support Air Stations)

Naval Air Station, Lemoore, California: Operational and training facilities, maintenance facilities, supply facilities, hospital and medical facilities, administrative facilities, troop housing, community facilities, and utilities and ground improvements, $26,897,000.

Naval Air Station, Miramar, California: Operational facilities, $305,000.

Naval Air Station, Oceana, Virginia: Operational facilities, $336,000.

(Marine Corps Air Stations)

Marine Corps Auxiliary Air Station, Beaufort, South Carolina: Operational facilities, $51,000.

Marine Corps Air Station, El Toro, California; Operational facilities, $48,000.

Marine Corps Air Facility, Santa Ana, California: Troop housing, $2,216,000.

Marine Corps Auxiliary Air Station, Yuma, Arizona: Operational and training facilities, maintenance facilities, and troop housing, $3,940,000.

(Special Purpose Air Stations)

Naval Air Facility, Towers Field, Andrews Air Force Base, Camp Springs, Maryland: Operational facilities, maintenance facilities, and troop housing, $1,051,000.

Naval Air Station, Lakehurst, New Jersey: Utilities, $726,000.

Naval Air Station, Patuxent River, Maryland: Operational facilities, and research, development, and test facilities, $1,196,000.

Naval Air Material Center, Philadelphia, Pennsylvania: Research, development, and test facilities, $333,000.

Pacific Missile Range, Point Mugu, California: Operational facilities, maintenance facilities, research, development, and test facilities, supply facilities, medical facilities, administrative facilities, troop housing, community facilities, and utilities and ground improvements; at Point Arguello, maintenance facilities, research development, and test facilities, ammunition storage facilities, troop housing, community facilities, and utilities and ground improvements; and, at various Pacific islands, operational facilities, research, development, and test facilities, and troop housing, $30,050,000.

Supply Facilities

Naval Supply Depot, Bayonne, New Jersey: Administrative facilities, $123,000.

Military Medical Supply Agency, Brooklyn, New York: Administrative facilities, $113,000.

Naval Supply Depot, San Diego, California: Administrative facilities, $100,000.

Marine Corps Facilities

Marine Corps Supply Center, Barstow, California: Utilities, $432,000.

Marine Corps Base, Camp Lejeune, North Carolina: Operational and training facilities, and ammunition storage facilities, $328,000.

Marine Corps Base, Twentynine Palms, California: Operational and training facilities, ammunition storage facilities, and utilities, $1,137,000.

Ordnance Facilities

Naval Propellant Plant, Indian Head, Maryland: Research, development, and test facilities, $972,000.

Service School Facilities

Naval Academy, Annapolis, Maryland: Utilities, $1,025,000.

Naval Communication Training Center, Corry Field, Florida: Operational and training facilities, $1,000,000.

Naval Training Center, Great Lakes, Illinois: Troop housing, and utilities, $4,712,000.

Naval Station, Norfolk, Virginia: Real estate, $81,000.

Naval Training Center, San Diego, California: Utilities, $144,000.

Medical Facilities

Naval Medical Research Laboratory, New London, Connecticut: Medical research facilities, $75,000.

Communication Facilities

Naval Radio Station, Buskin Lake, Kodiak, Alaska: Operational facilities, $84,000.

Naval Security Group Activity, Camp Chiniak, Alaska: Operational facilities, $40,000.

Naval Communication Station, Norfolk, Virginia: Operational facilities, $1,781,000.

Naval Radio Research Station, Sugar Grove, West Virginia: Maintenance facilities, medical facilities, administrative facilities, supply facilities, troop housing, community facilities, and utilities and ground improvements, $3,957,000.

Naval Radio Station, Washington County, Maine: Operational facilities, maintenance facilities, supply facilities, community facilities, administrative facilities, and ground improvements, $3,179,000.

Naval Radio Station, Winter Harbor, Maine: Troop housing, $271,000.

Office of Naval Research Facilities

Naval Research Laboratory, District of Columbia: Research, development, and test facilities, $1,591,000.

Outside the United States

Shipyard Facilities

Naval Ship Repair Facility, Guam, Mariana Islands: Operational facilities, $507,000.

Aviation Facilities

Naval Station, Argentia, Canada: Troop housing and community facilities, $4,133,000.

Naval Air Station, Atsugi, Japan: Operational facilities, $1,640,000.

Naval Station, Bermuda: Troop housing, $295,000.

Naval Air Station, Cubi Point, Luzon, Philippine Islands: Operational facilities, $76,000.

Marine Corps Air Station, Kaneohe Bay, Oahu, Territory of Hawaii: Operational facilities, $47,000.

Naval Station, Roosevelt Roads, Puerto Rico: Operational facilities, hospital and medical facilities, troop housing, community facilities, and utilities and ground improvements, $3,579,000.

Naval Air Station, Rota, Spain: Operational facilities, $11,934,000.

Supply Facilities

Naval Supply Center, Pearl Harbor, Oahu, Territory of Hawaii: Supply facilities, and administrative facilities, $4,796,000.

Communication Facilities

Naval Security Group Activity, Karamursel, Turkey: Utilities, $105,000.

Naval Radio Facility, Londonderry, North Ireland: Troop housing, $267,000.

Naval Radio Station, Lualualei, Oahu, Territory of Hawaii: Utilities and ground improvements, $781,000.

Naval Security Group Activity, Okinawa: Operational facilities, $2,038,000.

Naval Radio Station, Sebana Seca, Puerto Rico: Utilities, $86,000.

Naval Radio Station, Wahiawa, Oahu, Territory of Hawaii: Utilities and ground improvements, $274,000.

Yards and Docks Facilities

Public Works Center, Guam, Mariana Islands: Utilities and ground improvements, and real estate, $10,947,000.

Naval Station, Guantanamo Bay, Cuba: Utilities, $760,000.

SEC. 202. The Secretary of the Navy may establish or develop classified naval installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $21,765,000.

SEC. 203. (a) The Secretary of the Navy may establish or develop Navy installations and facilities by proceeding with construction made necessary by changes in Navy missions, new weapons developments, new and unforeseen research and development requirements, or improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next military construction authorization act would be inconsistent with interest of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $5 million: *Provided*, That the Secretary of the Navy, or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire as of September 30, 1960, except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to that date.

(b) Section 203 of the act of August 20, 1958 (72 Stat. 636, 646) is hereby repealed except for those public works projects thereunder concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified prior to the date of enactment of this act.

SEC. 204. (a) In accordance with the provisions of section 407 of the act of September 1, 1954 (68 Stat. 1119, 1125), as amended, the Secretary of the Navy is authorized to construct, or acquire by lease or otherwise, family housing for occupancy as public quarters and community facilities at the following locations by utilizing foreign currencies acquired pursuant to the provisions of the Agricultural Trade Development and Assistance Act of 1954 (68 Stat. 454) or through other commodity transactions of the Commodity Credit Corporation:

Naval Station, Bermuda, 100 units.

(b) In accordance with the provisions of title IV of the Housing Amendments of 1955 (69 Stat. 646), as amended, the Secretary of the Navy is authorized to construct family housing for occupancy as public quarters at the following locations:

Naval Ammunition Depot, Charleston, South Carolina, 40 units.

Naval Ordnance Test Station, China Lake, California, 500 units.

Naval Auxiliary Air Station, Fallon, Nevada, 106 units.

Naval Air Station, Glynco, Georgia, 225 units.

Naval Station, Key West, Florida, 500 units.

Naval Air Station, Lemoore, California, 500 units.

Naval Auxiliary Air Station, Mayport, Florida, 40 units.

Naval Auxiliary Air Station, Meridian, Mississippi, 320 units.

Naval Auxiliary Air Station, New Iberia, Louisiana, 178 units.

Naval Submarine Base, New London, Connecticut, 500 units.

Naval Station, Newport, Rhode Island, 500 units.

Naval Mine Defense Laboratory, Panama City, Florida, 42 units.

Marine Corps Schools, Quantico, Virginia, 250 units.

Naval Radio Research Station, Sugar Grove, West Virginia, 142 units.

Marine Corps Base, Twentynine Palms, California, 150 units.

Naval Auxiliary Air Station, Whiting Field, Florida, 229 units.

Marine Corps Auxiliary Air Station, Yuma, Arizona, 100 units.

SEC. 205. (a) Public Law 534, Eighty-third Congress, as amended, is amended by striking out in section 202, "$72,785,000", and inserting in place thereof "$72,935,000". (b) Public Law 534, Eighty-third Congress, as amended, is amended by striking out in clause (2) of section 502 the amounts "$72,785,000", and "$212,833,000", and inserting respectively in place thereof "$72,935,000" and "$212,983,000".

SEC. 206. (a) Public Law 968, Eighty-fourth Congress, as amended, is amended under the heading "INSIDE THE UNITED STATES" in section 201, as follows:

(1) Under the subheading "AVIATION FACILITIES (Naval Air Training Stations)", with respect to the Naval Air Station, Memphis, Tennessee, by striking out "$511,000" and inserting in place thereof "$664,000".

(2) Under the subheading "AVIATION FACILITIES (Marine Corps Air Stations)" with respect to the Marine Corps Air Station, Cherry Point, North Carolina, by striking out "$273,000" and inserting in place thereof "$330,000".

(b) Public Law 968, Eighty-fourth Congress, as amended, is amended by striking out in clause (2) of section 402 the amounts "$312,004,000", and "$460,716,000" and inserting respectively in place thereof "$312,214,000", and "$460,926,000".

SEC. 207. (a) Public Law 85-241, as amended, is amended under the heading "INSIDE THE UNITED STATES" in section 201, as follows:

(1) Under the subheading "AVIATION FACILITIES (Marine Corps Air Stations)", with respect to the Marine Corps Air Facility, New River, North Carolina, by striking out "$39,000" and inserting in place thereof "$52,000".

(2) Under the subheading "MARINE CORPS FACILITIES", with respect to the Marine Corps Base, Camp Pendleton, California, by striking out "$1,469,000" and inserting in place thereof "$1,596,000".

(b) Public Law 85-241, as amended, is amended under the heading "OUTSIDE THE UNITED STATES" in section 201 as follows:

Under the subheading "COMMUNICATION FACILITIES" with respect to the Naval Security Group Activity, Istanbul, Turkey, by striking out "$130,000" and inserting in place thereof "$320,000".

(c) Public Law 85-241, as amended, is amended by striking out in clause (2) of section 502 the amounts "$230,356,000", "$48,199,000", and "$337,611,000", and inserting respectively in place thereof "$230,496,000", $48,389,000", and "$337,941,000".

TITLE III

SEC. 301. The Secretary of the Air Force may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or tempoary public works, including site preparation, appurtenances, utilities, and equipment, for the following projects:

Inside the United States

Air Defense Command

Duluth Municipal Airport, Duluth, Minnesota: Operational facilities, maintenance facilities, and community facilities, $766,000.

Geiger Field, Spokane, Washington: Maintenance facilities, $190,000.

Grand Forks Air Force Base, Grand Forks, North Dakota: Training facilities, maintenance facilities, supply facilities, troop housing, and utilities, $2,309,000.

Hamilton Air Force Base, San Rafael, California: Operational facilities, and maintenance facilities, $1,285,000.

K. I. Sawyer Municipal Airport, Marquette, Michigan: Training facilities, maintenance facilities, supply facilities, administrative facilities, community facilities, and troop housing, $2,779,000.

Kingsley Field, Klamath Falls, Oregon: Operational facilities, maintenance facilities, and real estate, $955,000.

Kinross Air Force Base, Sault Sainte Marie, Michigan: Training facilities, maintenance facilities, supply facilities, and troop housing, $1,755,000.

McChord Air Force Base, Tacoma, Washington: Maintenance facilities, and utilities, $523,000.

Minot Air Force Base, Minot, North Dakota: Training facilities, maintenance facilities, supply facilities, troop housing, and utilities, $3,371,000.

Otis Air Force Base, Falmouth, Massachusetts: Operational facilities, maintenance facilities, and supply facilities, $1,078,000.

Oxnard Air Force Base, Camarillo, California: Operational facilities, and real estate, $225,000.

Richards-Gebaur Air Force Base, Kansas City, Missouri: Maintenance facilities, community facilities, and utilities, $866,000.

Selfridge Air Force Base, Mount Clemens, Michigan: Maintenance facilities, $612,000.

Suffolk County Air Force Base, Westhampton Beach, New York: Operational facilities, and real estate, $269,000.

Tyndall Air Force Base, Panama City, Florida: Operational facilities, maintenance facilities, supply facilities, troop housing, and utilities, $4,266,000.

Alaskan Air Command

Eielson Air Force Base, Alaska: Community facilities, and utilities, $1,181,000.

Elmendorf Air Force Base, Alaska: Operational facilities, maintenance facilities, supply facilities, and utilities, $1,150,000.

Galena Airport, Alaska: Ground improvements, $100,000.

King Salmon Airport, Alaska: Supply facilities, and utilities, $1,690,000.

Ladd Air Force Base, Alaska: Maintenance facilities, $250,000.

Various locations, Alaska: Operational and training facilities, community facilities, and utilities, $16,510,000.

Air Materiel Command

Griffis Air Force Base, Rome, New York: Maintenance facilities, and suppdy facilities, $676,000.

Hill Air Force Base, Ogden, Utah: Operational facilities, $341,000.

Kelly Air Force Base, San Antonio, Texas: Operational and training facilities, and utilities, $1,303,000.

McClellan Air Force Base, Sacramento, California: Operational facilities, and supply facilities, $1,548,000.

Olmsted Air Force Base, Middletown, Pennsylvania: Operational facilities, maintenance facilities, supply facilities, medical facilities, and communty facilities, $2,676,000.

Robins Air Force Base, Macon, Georgia: Supply facilities, and troop housing, $900,000.

Tinker Air Force Base, Oklahoma City, Oklahoma: Operational facilities, and maintenance facilities, $1,036,000.

Wright-Patterson Air Force Base, Dayton, Ohio: Research, development, and test facilities, and supply facilities, $12,458,000.

Air Research and Development Command

Arnold Engineering Development Center, Tullahoma, Tennessee: Research, development, and test facilities, and utilities, $5,690,000.

Edwards Air Force Base, Muroc, California: Research, development, and test facilities, and medical facilities, $542,000.

Eglin Air Force Base, Valparaiso, Florida: Operational facilities, maintenance facilities, and research, development, and test facilities, $833,000.

Holloman Air Force Base, Alamogordo, New Mexico: Research, development, and test facilities, and utilities, $909,000.

Laurence G. Hanscom Field, Bedford, Massachusetts: Training facilities, and research, development, and test facilities, $2,258,000.

Patrick Air Force Base, Cocoa, Florida: Operational facilities, research, development, and test facilities, and real estate, $1,822,000.

Sacramento Peak Upper Air Research Site, Alamogordo, New Mexico: Research, development, and test facilities, and utilities, $616,000.

Air Training Command

Amarillo Air Force Base, Amarillo, Texas: Training facilities, maintenance facilities, supply facilities, and utilities, $1,828,000.

James Connally Air Force Base, Waco, Texas: Operational facilities, $216,000.

Lackland Air Force Base, San Antonio, Texas: Training facilities, and utilities, $1,307,000.

Lowry Air Force Base, Denver, Colorado: Operational facilities, $405,000.

Mather Air Force Base, Sacramento, California: Maintenance facilities, supply facilities, and community facilities, $1,598,000.

Perrin Air Force Base, Sherman, Texas: Maintenance facilities, $408,000.

Sheppard Air Force Base, Wichita Falls, Texas: Operational facilities, maintenance facilities, supply facilities, and hospital facilities, $7,741,000.

Vance Air Force Base, Enid, Oklahoma: Operational facilities, $250,000.

Webb Air Force Base, Big Spring, Texas: Operational facilities, maintenance facilities, ground improvements, and real estate, $2,193,000.

Air University

Gunter Air Force Base, Montgomery, Alabama: Administrative facilities, and troop housing, $1,915,000.

Maxwell Air Force Base, Montgomery, Alabama: Operational facilities, $391,000.

Headquarters Command

Andrews Air Force Base, Camp Springs, Maryland: Operational facilities, maintenance facilities, supply facilities, community facilities, utilities, and real estate, $21,357,000.

Military Air Transport Service

Charleston Air Force Base, Charleston, South Carolina: Operational facilities, maintenance facilities, and community facilities, $822,000.

Dover Air Force Base, Dover, Delaware: Operational facilities, maintenance facilities, and utilities, $750,000.

McGuire Air Force Base, Wrightstown, New Jersey: Operational facilities, maintenance facilities, and utilities, $1,083,000.

Scott Air Force Base, Belleville, Illinois: Supply facilities, $253,000.

Strategic Air Command

Barksdale Air Force Base, Shreveport, Louisiana: Maintenance facilities, $110,000.

Beale Air Force Base, Marysville, California: Operational facilities, supply facilities, and ground improvements, $569,000.

Bergstrom Air Force Base, Austin, Texas: Operational facilities, $300,000.

Biggs Air Force Base, El Paso, Texas: Operational facilities, and maintenance facilities, $416,000.

Blytheville Air Force Base, Blytheville, Arkansas: Maintenance facilities, supply facilities, and troop housing, $1,099,000.

Bunker Hill Air Force Base, Peru, Indiana: Operational facilities, maintenance facilities, supply facilities, community facilities, and utilities, $1,725,000.

Carswell Air Force Base, Fort Worth, Texas: Operational facilities, and maintenance facilities, $1,484,000.

Castle Air Force Base, Merced, California: Maintenance facilities, ground improvements, and real estate, $425,000.

Chennault Air Force Base, Lake Charles, Louisiana: Utilities, and ground improvements, $350,000.

Clinton County Air Force Base, Wilmington, Ohio: Hospital facilities, troop housing, community facilities, and utilities, $4,075,000.

Clinton-Sherman Air Force Base, Clinton, Oklahoma: Operational facilities, maintenance facilities, and supply facilities, $621,000.

Columbus Air Force Base, Columbus, Mississippi: Operational facilities, supply facilities, and community facilities, $264,000.

Davis Monthan Air Force Base, Tucson, Arizona: Operational facilities, and maintenance facilities, $895,000.

Dow Air Force Base, Bangor, Maine: Operational facilities, maintenance facilities, and supply facilities, $1,260,000.

Dyess Air Force Base, Abilene, Texas: Operational facilities, $292,000.

Ellsworth, Air Force Base, Rapid City South Dakota: Operational facilities, and maintenance facilities, $1,445,000.

Fairchild Air Force Base, Spokane, Washington: Operational facilities, $158,000.

Forbes Air Force Base, Topeka, Kansas: Operational facilities, $762,000.

Francis E. Warren Air Force Base, Cheyenne, Wyoming: Administrative facilities, troop housing, community facilities and utilities, $1,461,000.

Glasgow Air Force Base, Glasgow, Montana: Operational facilities, maintenance facilities, supply facilities, troop housing, community facilities, and utilities, $3,711,000.

Homestead Air Force Base, Homestead, Florida: Operational facilities, $6,364,000.

Hunter Air Force Base, Savannah, Georgia: Operational facilities, $410,000.

Larson Air Force Base, Moses Lake, Washington: Operational facilities, and supply facilities, $1,036,000.

Lincoln Air Force Base, Lincoln, Nebraska: Maintenance facilities, $164,000.

Little Rock Air Force Base, Little Rock, Arkansas: Operational facilities, $325,000.

Loring Air Force Base, Limestone, Maine: Maintenance facilities, $48,000.

MacDill Air Force Base, Tampa, Florida: Maintenance facilities, and supply facilities, $866,000.

Malmstrom Air Force Base, Great Falls, Montana: Maintenance facilities, $1,066,000.

March Air Force Base, Riverside, California: Operational facilities, $6,052,000.

McConnell Air Force Base, Wichita, Kansas: Operational facilities, and community facilities, $1,039,000.

McCoy Air Force Base, Orlando, Florida: Operational facilities, maintenance facilities, supply facilities, and utilities, $8,402,000.

Mountain Home Air Force Base, Mountain Home, Idaho: Operational facilities, and troop housing, $1,361,000.

Offut Air Force Base, Omaha, Nebraska: Operational facilities, maintenance facilities, and utilities, $1,802,000.

Pease Air Force Base, Portsmouth, New Hampshire: Operational facilities, and maintenance facilities, $542,000.

Plattsburgh Air Force Base, Plattsburgh, New York: Operational facilities, and maintenance facilities, $1,134,000.

Richard Bong Air Force Base, Kansasville, Wisconsin: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, troop housing, community facilities, and utilities, $21,533,000.

Schilling Air Force Base, Salina, Kansas: Operational facilities, $4,147,000.

Turner Air Force Base, Albany, Georgia: Operational facilities, maintenance facilities, and community facilities, $1,505,000.

Vandenberg Air Force Base, Lompoc, California: Operational facilities, and real estate $147,000.

Walker Air Force Base, Roswell, New Mexico: Operational facilities, and ground improvements, $942,000.

Whiteman Air Force Base, Knobnoster, Missouri: Operational facilities, maintenance facilities, and supply facilities, $2,406,000.

Wurtsmith Air Force Base, Oscoda, Michigan: Operational facilities, maintenance facilities, supply facilities, and utilities, $2,484,000.

Tactical Air Command

Cannon Air Force Base, Clovis, New Mexico: Maintenance facilities, $800,000.

England Air Force Base, Alexandria, Louisiana: Operational facilities, maintenance facilities, supply facilities, and utilities, $2,468,000.

George Air Force Base, Victorville, California: Hospital facilities, $2,222,000.

Langley Air Force Base, Hampton, Virginia: Maintenance facilities, $540,000.

Myrtle Beach Air Force Base, Myrtle Beach, South Carolina: Maintenance facilities, $151,000.

Nellis Air Force Base, Las Vegas, Nevada: Operational facilities, and maintenance facilities, $672,000.

Sewart Air Force Base, Smyrna, Tennessee: Maintenance facilities, $3,249,000.

Seymour-Johnson Air Force Base, Goldsboro, North Carolina: Operational and training facilities, maintenance facilities, supply facilities, troop housing, and utilities, $3,150,000.

Shaw Air Force Base, Sumter, South Carolina: Maintenance facilities, $715,000.

Williams Air Force Base, Chandler, Arizona: Operational facilities, and maintenance facilities, $246,000.

Aircraft Control and Warning System

Various locations: Operational facilities, maintenance facilities, supply facilities, medical facilities, administrative facilities, family housing, troop housing, community facilities, utilities, and real estate, $77,405,000.

Outside the United States

Military Air Transport Service

Various locations: Operational facilities, and utilities, $2,249,000.

Pacific Air Forces

Wake Island: Supply facilities, troop housing, community facilities, and utilities, $2,211,000.

Various locations: Operational facilities, maintenance facilities, supply facilities, hospital facilities, medical facilities, troop housing, community facilities, utilities, and ground improvements, $21,352,000.

Strategic Air Command

Andersen Air Force Base, Guam: Supply facilities, and utilities, $374,000.

Ramey Air Force Base, Puerto Rico: Operational facilities, and supply facilities, $1,309,000.

Various locations: Operational facilities, maintenance facilities, supply facilities, troop housing, community facilities, and utilities, $6,996,000.

United States Air Forces in Europe

Various locations: Operational facilities, maintenance facilities, medical facilities, troop housing, community facilities, and utilities, $8,590,000.

United States Security Service

Various locations: Operational facilities, maintenance facilities, supply facilities, troop housing, community facilities, and utilities, $4,908,000.

Special Facilities

Various locations: Operational facilities, $105,000.

Aircraft Control and Warning System

Various locations: Operational facilities, maintenance facilities, supply facilities, medical facilities, administrative facilities, troop housing, community facilities, utilities, and ground improvements, $16,987,000.

SEC. 302. The Secretary of the Air Force may establish or develop classified military installations and facilities for ballistic, strategic, and defense missiles and ballistic missile detection by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $443,541,000.

SEC. 303. (a) The Secretary of the Air Force may establish or develop Air Force installations and facilities by proceeding with construction made necessary by changes in Air Force missions, new weapons developments, new and unforeseen recearch and development requirements, or improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next military construction authorization Act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $15,000,000: *Provided*, That the Secretary of the Air Force, or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire as of September 30, 1960, except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to that date.

(b) Section 303 of the Act of August 20, 1958 (72 Stat. 636, 655) is hereby repealed except for those public works projects thereunder concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified prior to the date of enactment of this Act.

SEC. 304. (a) In accordance with the provisions of section 407 of the Act of September 1, 1954 (68 Stat. 1119, 1125), as amended, the Secretary of the Air Force is authorized to construct, or acquire by lease or otherwise, family housing for occupancy as public quarters and community facilities at the following locations by utilizing foreign currencies acquired pursuant to the provisions of the Agricultural Trade Development and Assistance Act of 1954 (68 Stat. 454), or through other commodity transactions of the Commodity Credit Corporation:

Various locations, France, 300 units.

Alconbury RAF Station, United Kingdom, 203 units and community facilities.

Bentwater RAF Station, United Kingdom, 187 units and community facilities.

Burderop Park Hospital, United Kingdom, 152 units and community facilities.

Croughton RAF Station, United Kingdom, 31 units.

Greenham Common RAF Station, United Kingdom, 135 units.

High Wycombe RAF Station, United Kingdom, 136 units.

Lakenheath-Mildenhall Area, United Kingdom, 468 units and hospital facilities.

Ruislip (West) RAF Station, United Kingdom, community facilities.

Sculthorpe RAF Station, United Kingdom, 61 units and community facilities.

Welford RAF Station, United Kingdom, 31 units.

Wethersfield RAF Station, United Kingdom, community facilities.

Woodbridge RAF Station, United Kingdom, community facilities.

Classified locations, 343 units and community facilities.

(b) In accordance with the provisions of title IV of the Housing Amendments of 1955 (69 Stat. 646), as amended, the Secretary of the Air Force is authorized to construct family housing for occupancy as public quarters at the following locations:

Blytheville Air Force Base, Arkansas, 470 units.

Bunker Hill Air Force Base, Indiana, 300 units.

Charleston Air Force Base, South Carolina, 350 units.

Clinton County Air Force Base, Ohio, 150 units.

Clinton-Sherman Air Force Base, Oklahoma, 300 units.

Columbus Air Force Base, Mississippi, 340 units.

Craig Air Force Base, Alabama, 200 units.

Dover Air Force Base, Delaware, 250 units.

Dow Air Force Base, Maine, 480 units.

Ellsworth Air Force Base, South Dakota, 190 units.

Glasgow Air Force Base, Montana, 500 units.

Grand Forks Air Force Base, North Dakota, 470 units.

Keesler Air Force Base, Mississippi, 240 units.

Kinross Air Force Base, Michigan, 285 units.

K. I. Sawyer Air Force Base, Michigan, 260 units.

Larson Air Force Base, Washington, 330 units.

Laughlin Air Force Base, Texas, 110 units.

Malmstrom Air Force Base, Montana, 560 units.

Mather Air Force Base, California, 230 units.

Minot Air Force Base, North Dakota, 320 units.

Mountain Home Air Force Base, Idaho, 550 units.

Offutt Air Force Base, Nebraska, 300 units.

Perrin Air Force Base, Texas, 260 units.

Vance Air Force Base, Oklahoma, 170 units.

Vandenberg Air Force Base, California, 400 units.

Whiteman Air Force Base, Missouri, 350 units.

Wurtsmith Air Force Base, Michigan, 390 units.

SEC. 305. (a) Public Law 85–241, as amended, is amended, under the heading "OUTSIDE THE UNITED STATES" in section 301 as follows:

Under the subheading "ALASKAN AIR COMMAND", with respect to Ladd Air Force Base, strike out "$1,630,000" and insert in place thereof "$1,895,000."

(b) Public Law 85–241, as amended, is amended by striking out in clause (3) of section 502 the amounts "$160,705,000", and "$607,460,000" and inserting in place thereof "$160,970,000" and "$607,725,000", respectively.

SEC. 306. (a) Public Law 85–685, is amended, under the heading "INSIDE THE UNITED STATES" in section 301 as follows:

Under the subheading "STRATEGIC AIR COMMAND"—

(1) with respect to Malmstrom Air Force Base, Great Falls, Montana, strike out "$1,832,000" and insert in place thereof "$2,182,000".

(2) with respect to Offutt Air Force Base, Omaha, Nebraska, strike out "$3,265,000" and insert in place thereof "$3,890,000".

(3) with respect to Richard Bong Air Force Base, Kansasville, Wisconsin, strike out "$15,552,000" and insert in place thereof "$16,655,000".

(b) Public Law 85–685 is amended by striking out in clause (3) of section 502 the amounts "$452,161,000" and "$952,415,000", inserting in place thereof "$544,239,000" and "$954,493,000", respectively.

TITLE IV

General Provisions

SEC. 401. The Secretary of each military department may proceed to establish or develop installations and facilities under this Act without regard to sections 3648 and 3734 of the Revised Statutes, as amended (31 U.S.C. 529; 40 U.S.C. 259, 267), and sections 4774(d) and 9774(d) of title 10, United States Code. The authority to place permanent or temporary improvements on land includes authority for surveys, administration, overhead, planning, and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes, as amended (40 U.S.C. 255), and even though the land is held temporarily. The authority to acquire real estate or land includes authority to make surveys and to acquire land, and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise.

SEC. 402. There are authorized to be appropriated such sums as may be necessary for the purposes of this Act, but appropriations for public works projects authorized by titles I, II, III, and IV shall not exceed—

(1) for title I: Inside the United States, $86,505,000; outside the United States, $24,210,000; section 102, $83,330,000; section 103, $5,000,000; or a total of $199,045,000.

(2) for title II: Inside the United States, $113,253,000; outside the United States, $42,265,000; section 202, $21,765,000; section 203, $5,000,000; or a total of $182,283,000.

(3) for title III: Inside the United States, $295,100,000; outside the United States,

$65,081,000; section 302, $443,541,000; section 303, $5,000,000; or a total of $808,722,000.

SEC. 403. Any of the amounts named in titles I, II, and III of this Act may, in the discretion of the Secretary concerned, be increased by 5 per centum for projects inside the United States (other than Alaska) and by 10 per centum for projects outside the United States or in Alaska. However, the total cost of all projects in each such title may not be more than the total amount authorized to be appropriated for projects in that title.

SEC. 404. Whenever—

(1) the President determines that compliance with section 2313(b) of title 10, United States Code, for contracts made under this Act for the establishment or development of military installations and facilities in foreign countries would interfere with the carrying out of this Act; and

(2) the Secretary of Defense and the Comptroller General have agreed upon alternative methods of adequately auditing those contracts;

the President may exempt those contracts from the requirements of that section.

SEC. 405. Contracts for construction made by the United States for performance within the United States, its Territories and possessions, under this Act shall be executed under the jurisdiction and supervision of the Corps of Engineers, Department of the Army or the Bureau of Yards and Docks, Department of the Navy, unless the Secretary of Defense determines that because such jurisdiction and supervision is wholly impracticable such contracts should be executed under the jurisdiction and supervision of another Department or Government agency, and shall be awarded, insofar as practicable, on a competitive basis to the lowest responsible bidder, if the national security will not be impaired and the award is consistent with chapter 137 of title 10, United States Code. The Secretaries of the military departments shall report semiannually to the President of the Senate and the Speaker of the House of Representatives with respect to all contracts awarded on other than a competitive basis to the lowest responsible bidder.

SEC. 406. As of July 1, 1960, all authorizations for military public works to be accomplished by the Secretary of a military department in connection with the establishment or development of military installations and facilities, and all authorizations for appropriations therefor, that are contained in Acts approved before August 31, 1957, and not superseded or otherwise modified by a later authorization are repealed, except—

(1) authorizations for public works and for appropriations therefor that are set forth in those Acts in the titles that contain the general provisions;

(2) the authorization for public works projects as to which appropriated funds have been obligated for construction contracts or land acquisitions in whole or in part before July 1, 1960, and authorizations for appropriations therefor;

(3) the authorization for the rental guarantee for family housing in the amount of $100,000,000 that is contained in section 302 of the Act of July 14, 1952 (66 Stat. 606, 622);

(4) the authorization for the development of the Line of Communications, France, in the amount of $10,000,000 that is contained in title I, section 102, of the Act of July 14, 1952 (66 Stat. 606, 609);

(5) the authorization for development of classified facilities in the amount of $6,439,000 that is contained in title I, section 102, of the Act of September 28, 1951 (65 Stat. 336, 343);

(6) the authorization for public works and for the appropriation of funds that are contained in the Act of April 1, 1954 (68 Stat. 47), as amended;

(7) Notwithstanding the provisions of section 507 of the Act of August 20, 1958 (72 Stat. 636, 661), the authorization for:

(a) family housing at a classified installation in the amount of $2,234,000 that is contained in title I, section 101, of the Act of July 15, 1955 (69 Stat. 324, 328);

(b) classified facilities in the amount of $369,000 that is contained in title I, section 102, of the Act of July 15, 1955 (69 Stat. 324, 328);

(c) the United States Army, Europe in the amount of $6,925,000 that is contained in title I section 101, of the Act of Augst 3, 1956 (70 Stat. 991, 994);

(d) the Caribbean Command Area, in the amount of $1,060,000 that is contained in title I, section 101, of the Act of August 3, 1956 (70 Stat. 991, 994);

(e) classified facilities in the amount of $6,300,000 that is contained in title I, section 102, of the Act of August 3, 1956 (70 Stat. 991, 994);

(f) land acquisition and obstruction removal for flight clearance in the amount of $754,000 at various locations that is contained in title II, section 201, under the heading "CONTINENTAL UNITED STATES" and subheading "AVIATION FACILITIES (Special Purpose Air Stations)" of the Act of July 15, 1955 (69 Stat. 324, 332), as amended;

(g) operational facilities in the amount of $700,000 at the Naval Air Station, Jacksonville, Florida that is contained in title II, section 201, under the heading "INSIDE THE UNITED STATES" and subheading "AVIATION FACILITIES (Fleet Support Air Stations)" in the Act of August 3, 1956 (70 Stat. 991, 996), as amended.

(h) the authorization for the construction of family housing contained in the Act of July 15, 1955 (69 Stat. 324), to the extent that section 504 of the Act of August 20, 1958 (72 Stat. 636, 660), made available such authorization for the construction of family housing for the Department of the Army at Carlisle Barracks, Pennsylvania, Fort Benjamin Harrison, Indiana, and Fort Shafter, Hawaii, and for the Department of the Air Force at Sundance, Wyoming, and at four locations outside the United States.

(i) the authorization for the construction of medical facilities in the amount of $5,000,000 for Camp Jackson, South Carolina, that is contained in title I, section 101, of the Act of July 15, 1955 (69 Stat. 324, 326).

SEC. 407. Section 515 of the Act of July 15, 1955 (69 Stat. 324, 352), as amended, is further amended to read as follows:

"SEC. 515. During fiscal years 1959 through and including 1962, the Secretaries of the Army, Navy, and Air Force, respectively, are authorized to lease housing facilities at or near military tactical installations for assignment as public quarters to military personnel and their dependents, if any, without rental charge upon a determination by the Secretary of Defense, or his designee, that there is a lack of adequate housing facilities at or near such military tactical installations. Such housing facilities shall be leased on a family or individual unit basis and not more than seven thousand five hundred of such units may be so leased at any one time. Expenditures for the rental of such housing facilities may be made out of appropriations available for maintenance and operation but may not exceed $150 a month for any such unit."

SEC. 408. Subsection (a) of section 406 of the Act of August 30, 1957 (71 Stat. 531, 556), as amended, is amended to read as follows:

"(a) Notwithstanding the provisions of any other law, and effective July 1, 1958, no family housing units shall be contracted for or acquired at or in support of military installations or activities unless the actual number of units involved has been specifically authorized by an annual military construction authorization Act except (1) housing units acquired pursuant to the provisions of section 404 of the Housing Amendments of 1955; (2) rental guarantee family housing authorized under section 302 of the Act of July 14, 1952 (66 Stat. 606, 622); and (3) housing units leased for terms of one year, whether renewable or not, or for terms of not more than five years pursuant to the provisions of section 2675 of title 10, United States Code."

SEC. 409. Title 10, United States Code, is amended as follows:

(a) Section 4774 is amended by adding the following new subsection at the end thereof:

"(g) Not more than 10 percent of the family quarters constructed from appropriated funds for officers of the Army may be four-bedroom quarters having a net floor area of 1,400 square feet or less for occupancy by officers holding grades below major."

(b) Section 7574 is amended by adding the following new subsection at the end thereof:

"(e) Not more than 10 percent of the family quarters constructed from appropriated funds for officers of the Navy may be four-bedroom quarters having a net floor area of 1,400 square feet or less for occupancy by officers holding grades below lieutenant commander."

(c) Section 9774 is amended by adding the following new subsection at the end thereof:

"(g) Not more than 10 percent of the family quarters constructed from appropriated funds for officers of the Air Force may be four-bedroom quarters having a net floor area of 1,400 square feet or less for occupancy by officers holding grades below major."

SEC. 410. To the extent that any authority provided by the Act of August 20, 1958 (72 Stat. 636), or this Act, for the construction of appropriated fund family housing at locations in foreign countries is not utilized, the construction or acquisition of the number of housing units so authorized may be accomplished at the same locations under the authority of section 407 of the Act of September 1, 1954 (68 Stat. 1119, 1125), as amended.

SEC. 411. None of the authority contained in titles I, II, and III of this Act shall be deemed to authorize any building construction project within the continental United States (other than Alaska) at a unit cost in excess of—

(1) $32 per square foot for cold-storage warehousing;

(2) $6 per square foot for regular warehousing;

(3) $1,850 per man for permanent barracks;

(4) $8,500 per man for bachelor officer quarters; unless the Secretary of Defense determines that, because of special circumstances, application to such project of the limitations on unit costs contained in this section is impracticable.

SEC. 412. Section 4 of the Act of April 3, 1958 (72 Stat. 78) is amended by striking out "$500,000" and inserting in place thereof "$900,000."

SEC. 413. Titles I, II, III, and IV of this Act may be cited as the "Military Construction Act of 1959".

TITLE V

Reserve forces facilities

SEC. 501. Subject to chapter 133 of title 10, United States Code, the Secretary of Defense may establish or develop the following facilities for reserve forces:

(1) For Department of the Army:

Army Reserve

Akron (Number 2), Ohio: Training facilities, $574,000.

Allentown-Bethlehem, Pennsylvania: Training facilities, $302,000.

Anderson, Indiana: Training facilities, $136,000.

Ann Arbor, Michigan: Training facilities, $317,000.

Aurora, Illinois: Training facilities, $302,000.
Bardstown, Kentucky: Training facilities, $160,000.
Beaver Dam, Wisconsin: Training facilities, $176,000.
Bellaire, Ohio: Training facilities, $302,000.
Bloomington, Illinois: Training facilities, $168,000.
Bloomington, Indiana: Training facilities, $302,000.
Bridgeport-Fairfield, Connecticut: Training facilities addition, $64,000.
Bronx, New York: Training facilities, $98,000.
Brownsville, Texas: Training facilities, $152,000.
Butler, Pennsylvania: Training facilities, $136,000.
Champaign, Illinois: Training facilities, $302,000.
Chicago Heights, Illinois: Training facilities, $302,000.
Chico, California: Training facilities, $168,000.
Cumberland, Maryland: Training facilities, $288,000.
Dallas (Number 2), Texas: Training facilities addition, $64,000.
Dayton, Ohio: Training facilities, $48,000.
Delaware, Ohio: Training facilities, $302,000.
Detroit (Number 1), Michigan: Training facilities, $602,000.
Detroit (Number 2), Michigan: Training facilities, $602,000.
Duluth, Minnesota: Training facilities, $317,000.
East Saint Louis, Illinois: Training facilities, $156,000.
El Dorado, Arkansas: Training facilities, $152,000.
Evanston, Illinois: Training facilities, $574,000.
Flint, Michigan: Training facilities, $551,000.
Fort Smith, Arkansas: Training facilities, $152,000.
Fulton, Missouri: Training facilities, $160,000.
Gadsden, Alabama: Training facilities, $144,000.
Galveston, Texas: Training facilities, $152,000.
Gettysburg, Pennsylvania: Training facilities, $168,000.
Glens Falls, New York: Training facilities, $176,000.
Hammond, Indiana: Training facilities, $168,000.
Harrison, Arkansas: Training facilities, $152,000.
Jefferson City, Missouri: Training facilities, $288,000.
Joliet, Illinois: Training facilities, $302,000.
Kankakee, Illinois: Training facilities, $168,000.
La Crosse, Wisconsin: Training facilities, $317,000.
Lafayette, Louisiana: Training facilities, $152,000.
Malone, New York: Training facilities, $176,000.
Mankato, Minnesota: Training facilities, $176,000.
Marion, Ohio: Training facilities, $168,000.
Meadeville, Pennsylvania: Training facilities, $168,000.
Milwaukee (West), Wisconsin: Training facilities, $602,000.
Morristown, New Jersey: Training facilities, $317,000.
Mount Vernon, Ohio: Training facilities, $168,000.
Muncie, Indiana: Training facilities, $168,000.
Muskogee, Oklahoma: Training facilities, $288,000.
New Orleans (Number 1), Louisiana: Training facilities, $520,000.
Odessa, Texas: Training facilities, $152,000.
Okmulgee, Oklahoma: Training facilities, $160,000.
Olean, New York: Training facilities, $176,000.
Oswego, New York: Training facilities, $176,000.
Painesville, Ohio: Training facilities, $168,000.
Pittsburgh (Number 3), Pennsylvania: Training facilities, $574,000.
Purcell, Oklahoma: Training facilities, $160,000.
Rolla, Missouri: Training facilities, $160,000.
Rutland, Vermont: Training facilities, $143,000.
Sacramento, California: Training facilities addition, $61,000.
Saint Cloud, Minnesota: Training facilities, $330,000.
Salem, Oregon: Training facilities, $61,000.
San Antonio (Number 2), Texas: Training facilities, $520,000.
San Diego, California: Training facilities, $526,000.
San Marcos, Texas: Training facilities, $152,000.
Santa Barbara, California: Training facilities, $136,000.
Savannah, Georgia: Training facilities, $259,000.
Springfield, Missouri: Training facilities addition, $73,000.
Uniontown, Pennsylvania: Training facilities, $220,000.
Vallejo, California: Training facilities, $302,000.
Washington, Iowa: Training facilities, $160,000.
Washington, Missouri: Training facilities, $160,000.
Washington, Pennsylvania: Training facilities, $136,000.
Wenatchee, Washington: Training facilities, $168,000.
Westminster, Maryland: Training facilities, $160,000.
Various locations: Training facilities minor additions, $1,788,000.
Land acquisition: Training facilities, $800,000.

Army National Guard of the United States (Armory)

Amsterdam, New York: Training facilities, $55,000.
Anchorage, Alaska: Training facilities, $276,000.
Baltimore (Dundalk), Maryland: Training facilities, $215,000.
Bayamon, Puerto Rico: Training facilities, $150,000.
Beebe, Arkansas: Training facilities, $45,000.
Belen, New Mexico: Training facilities, $57,000.
Benson, North Carolina: Training facilities, $105,000.
Birmingham, Alabama: Training facilities, $160,000.
Buffalo, New York: Training facilities, $75,000.
Butte, Montana: Training facilities, $70,000.
Cape May Court House, New Jersey: Training facilities, $250,000.
Colby, Kansas: Training facilities, $80,000.
Colville, Washington: Training facilities, $150,000.
Dermott, Arkansas: Training facilities, $45,000.
De Witt, Arkansas: Training facilities, $45,000.
Donna, Texas: Training facilities, $99,000.
Dover, New Jersey: Training facilities, $250,000.
Durant, Mississippi: Training facilities, $54,000.
Elizabeth City, North Carolina: Training facilities, $105,000.
Enosburg Falls, Vermont: Training facilities, $169,000.
Farmington, Missouri: Training facilities, $115,000.
Gainesville, Georgia: Training facilities, $90,000.
Greeley, Colorado: Training facilities, $132,000.
Hazen, Arkansas: Training facilities, $45,000.
Heber Springs, Arkansas: Training facilities, $90,000.
Idaho Falls, Idaho: Training facilities, $105,000.
Inman, South Carolina: Training facilities, $99,000.
Iuka, Mississippi: Training facilities, $54,000.
Johnstown, Pennsylvania: Training facilities, $375,000.
Jonesville, South Carolina: Training facilities, $99,000.
Lancaster, Ohio: Training facilities, $160,000.
Leominster, Massachusetts: Training facilities, $200,000.
Milan, Tennessee: Training facilities, $91,000.
Milwaukee, Wisconsin: Training facilities, $235,000.
Mount Olive, North Carolina: Training facilities, $105,000.
New Brockton, Alabama: Training facilities, $70,000.
Olean, New York: Training facilities, $46,000.
Omaha, Nebraska: Training facilities, $450,000.
Oswego, New York: Training facilities, $52,000.
Plentywood, Montana: Training facilities, $63,000.
Ponce, Puerto Rico: Training facilities, $150,000.
Princeton, West Virginia: Training facilities, $60,000.
Quitman, Mississippi: Training facilities, $54,000.
Riverdale, New Jersey: Training facilities, $250,000.
Ronceverte, West Virginia: Training facilities, $54,000.
Roswell, New Mexico: Training facilities, $200,000.
Saint Paul, Minnesota: Training facilities, $565,000.
Salem, Oregon: Training facilities, $160,000.
San German, Puerto Rico: Training facilities, $150,000.
Savannah, Georgia: Training facilities, $600,000.
Silver City, New Mexico: Training facilities, $60,000.
Tomahawk, Wisconsin: Training facilities, $160,000.
Troy, New York: Training facilities, $47,000.
Webb, Mississippi: Training facilities, $54,000.
Various locations: Training facilities minor conversions, $84,000.

Army National Guard of the United States (Nonarmory)

Bismarck, North Dakota: Maintenance facilities, $57,000.
Buckhannon, West Virginia: Administrative and supply facilities, $206,000.
Camp Drum, New York: Maintenance facilities, $308,000.
Hayward, Wisconsin: Maintenance facilities, $52,000.
Jersey City, New Jersey: Maintenance facilities, $49,000.

(2) For Department of the Navy:

Naval Reserve (Aviation)

Naval Air Station (Dobbins Air Force Base), Atlanta, Georgia: Operational facilities, supply facilities, and utilities and ground improvements, $838,000.
Naval Air Station, Dallas, Texas: Operational facilities and supply facilities, $348,000.

Naval Air Station, Glenview, Illinois: Operational facilities, $59,000.

Naval Air Station, Grosse Ile, Michigan: Operational facilities and utilities, $771,000.

Naval Air Station, Los Alamitos, California: Operational facilities, supply facilities, and utilities, $563,000.

Naval Air Station, New Orleans, Louisiana: Supply facilities and maintenance facilities, $178,000.

Naval Air Station, Olathe, Kansas: Operational facilities, $192,000.

Naval Air Station, South Weymouth, Massachusetts: Operational facilities, $76,000.

Naval Air Station, Willow Grove, Pennsylvania: Operational facilities, supply facilities, and medical facilities, $797,000.

Naval Reserve (Surface)

Naval and Marine Corps Reserve Training Center, Beaumont, Texas: Operational facilities, $65,000.

Naval Reserve Electronics Facility, Champaign, Illinois: Training facilities, $70,000.

Naval Reserve Training Center, Cleveland, Ohio: Training facilities, $655,000.

Naval Reserve Training Center, Galveston, Texas: Operational facilities, $204,000.

Naval Reserve Electronics Facility, Kingsville, Texas: Training facilities, $35,000.

Naval Reserve Training Center, New Haven, Connecticut: Operational facilities, $323,000.

Naval and Marine Corps Reserve Training Center, Saint Louis, Missouri: Training facilities, $697,000.

Naval Reserve Training Center, San Diego, California: Operational facilities, $226,000.

Naval Reserve Training Center, Whitestone, New York: Operational facilities, $104,000.

Marine Corps Reserve (Ground)

Marine Corps Reserve Training Center, Chicago, Illinois: Training facilities, $518,000.

Marine Corps Reserve Training Center, Johnson City, Tennessee: Training facilities and land acquisition, $330,000.

Naval and Marine Corps Reserve Training Center, Saint Louis, Missouri: Training facilities, $370,000.

Marine Corps Reserve Training Center, San Rafael, California: Training facilities, $490,000.

Marine Corps Reserve Training Center, Tampa, Florida: Training facilities, $391,000.

(3) For Department of the Air Force:

Air Force Reserve

Bakalar Air Force Base, Columbus, Indiana: Supply facilities and operational facilities, $364,000.

Davis Field, Muskogee, Oklahoma: Troop housing and utilities, $92,000.

Ellington Air Force Base, Houston, Texas: Operational facilities, $823,000.

General Mitchell Field, Milwaukee, Wisconsin: Troop housing, $43,000.

O'Hare International Airport, Chicago, Illinois: Operational facilities, maintenance facilities and utilities, $1,890,000.

Portland International Airport, Portland, Oregon: Operational facilities, $588,000.

Richards-Gebaur Air Force Base, Kansas City, Missouri: Supply facilities, $105,000.

Willow Grove Naval Air Station, Philadelphia, Pennsylvania: Maintenance facilities, supply facilities and troop housing, $188,000.

Air National Guard of the United States

Alpena County Airport, Alpena, Michigan: Operational facilities, $105,000.

New Orleans Naval Air Station, New Orleans, Louisiana: Operational facilities and supply facilities, $274,000.

Baer Field, Fort Wayne, Indiana: Operational facilities, $238,000.

Bethel Air National Guard Base, Bethel, Minnesota: Utilities and ground improvements, $4,963,000.

Buckley Naval Air Station, Denver, Colorado: Operational facilities, $426,000.

Burlington Municipal Airport, Burlington, Vermont: Maintenance facilities, $123,000.

Camp Williams, Camp Douglas, Wisconsin: Operational facilities, $82,000.

Cheyenne Municipal Airport, Cheyenne, Wyoming: Operational facilities, $238,000.

Dow Air Force Base, Bangor, Maine: Maintenance facilities, $123,000.

Geiger Field, Spokane, Washington: Maintenance facilities, $245,000.

Haleakala Aircraft Control and Warning Facility, Maui, Hawaii: Operational facilities, $446,000.

Hancock Field, Syracuse, New York: Operational facilities, $596,000.

Hector Field, Fargo, North Dakota: Operational facilities, $946,000.

Hubbard Field, Reno, Nevada: Operational facilities, $259,000.

Hulman Field, Terre Haute, Indiana: Operational facilities, $238,000.

Kokee Aircraft Control and Warning Facility, Kauai, Hawaii: Operational facilities, $283,000.

Little Rock Air Force Base, Little Rock, Arkansas: Operational facilities, supply facilities and maintenance facilities, $2,323,000.

Memphis Municipal Airport, Memphis, Tennessee: Operational facilities, maintenance facilities and supply facilities, $1,825,000.

Peoria Municipal Airport, Greater Peoria, Illinois: Operational facilities, $192,000.

San Juan International Airport, San Juan, Puerto Rico: Operational facilities and supply facilities, $943,000.

Sioux Falls (Foss Field), Sioux Falls, South Dakota: Maintenance facilities, $123,000.

Springfield Municipal Airport, Springfield, Ohio: Operational facilities, $105,000.

Truax Field, Madison, Wisconsin: Maintenance facilities, $123,000.

Will Rogers Field, Oklahoma City, Oklahoma: Operational facilities, $317,000.

(4) For all reserve components: Facilities made necessary by changes in the assignment of weapons or equipment to reserve forces units, if the Secretary of Defense or his designee determines that deferral of such facilities for inclusion in the next law authorizing appropriations for specific facilities for reserve forces would be inconsistent with the interests of national security and if the Secretary of Defense or his designee notifies the Senate and the House of Representatives immediately upon reaching a final decision to implement, of the nature and estimated cost of any facility to be undertaken under this subsection: *Provided*, That the first sentence of section 2233a of title 10, United States Code, shall not apply to facilities authorized by this subsection.

SEC. 502. (a) Public Law 85–685, is amended under the heading "NAVAL RESERVE (AVIATION)" in clause (1) of section 603 by striking out the following:

"Naval Air Station, Denver, Colorado: Maintenance facilities, utilities, and land acquisition, $652,000."

"Naval Air Station, Niagara Falls, New York: Operational and training facilities, and utilities, $652,000."

(b) Public Law 85–685, is amended under the heading "AIR NATIONAL GUARD OF THE UNITED STATES" in clause (2) of section 603 as follows:

(1) With respect to Barnes Field, Westfield, Massachusetts, strike out "$740,000" and insert in place thereof "$1,030,000".

(2) With respect to various locations: Runway arrestor barriers, strike out "$300,000" and insert in place thereof "$480,000".

(c) Public Law 85–685 is amended under the heading "ARMY RESERVE" in clause (3) of section 603 as follows:

(1) With respect to Canton, Ohio, strike out "$40,000" and insert in place thereof "$61,000".

(2) With respect to Greenwood, South Carolina, strike out "$85,000" and insert in place thereof "$117,000".

(3) With respect to Johnstown, Pennsylvania, strike out "$99,000" and insert in place thereof "$136,000".

(d) Public Law 85–685 is amended under the heading "ARMY NATIONAL GUARD OF THE UNITED STATES (ARMORY)" in clause 3 of section 603 by striking out the following:

"Bethlehem, Pennsylvania: Training facilities, $45,000."

"Carlisle, Pennsylvania: Training facilities, $45,000."

"Chester, Pennsylvania: Training facilities, $206,000."

"Clayton, New Mexico: Training facilities, $57,000."

"Ligonier, Pennsylvania: Training facilities, $45,000."

"Northwest Saint Paul, Minnesota: Training facilities, $130,000."

"Princeton, New Jersey: Training facilities, $175,000."

"Salem, New Jersey: Training facilities, $15,000."

(e) Public Law 85–685 is amended by striking out in clause (1) of section 606 "$11,886,000" and inserting in place thereof "$10,582,000;" and by striking out in clause (2)(b) of section 606 "$11,976,000" and inserting in place thereof "$12,446,000;" and by striking out in clause (3) of section 606 "$28,330,000" and inserting in place thereof "$27,702,000".

SEC. 503. The Secretary of Defense may establish or develop installations and facilities under this title without regard to sections 3648 and 3734 of the Revised Statutes, as amended, and sections 4774(d) and 9774(d) of title 10, United States Code. The authority to place permanent or temporary improvements on land includes authority for surveys, administration, overhead, planning, and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes, as amended, and even though the land is held temporarily. The authority to acquire real estate or land includes authority to make surveys and to acquire land, and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise.

SEC. 504. Appropriations for facilities projects authorized by section 501 for the respective reserve components of the armed forces may not exceed—

(1) for Department of the Army:

(a) Army Reserve, $20,748,000;

(b) Army National Guard of the United States, $8,451,000;

(2) for Department of the Navy: Naval and Marine Corps Reserves, $8,300,000;

(3) for Department of the Air Force:

(a) Air Force Reserve, $4,093,000;

(b) Air National Guard of the United States, $15,536,000.

SEC. 505. Any of the amounts named in section 501 of this Act may, in the discretion of the Secretary of Defense, be increased by 15 per centum, but the total cost for all projects authorized for the Army Reserve, the Army National Guard of the United States, the Naval and Marine Corps Reserves, the Air Force Reserve, and the Air National Guard of the United States, may not exceed the amounts named in clauses (1)(a), (1)(b), (2), (3)(a), and (3)(b) of section 504, respectively.

SEC. 506. This title may be cited as the "Reserve Forces Facilities Act of 1959."

TITLE VI

SEC. 601. The Secretary of the Army is authorized to convey by quitclaim deed to the city of Santa Cruz, California, all the right, title, and interest of the United States in and to four and five-tenths acres of land, more or less, comprising the United States Army Reserve Center Lighthouse Point site and being a part of the lands known as the United States Coast Guard Santa Cruz Light Station, situated on the northerly side of

West Cliff Drive, approximately seven hundred feet south of Pelton Avenue, in the city and county of Santa Cruz, California, and in exchange for said conveyance to accept on behalf of the United States of America from the city of Santa Cruz a deed conveying fee simple title to not less than four acres of land situated within the city of Santa Cruz, California, to be utilized as the site for a United States Army Reserve Center: *Provided*, That the city of Santa Cruz pay to the United States a sum of money representing, in the opinion of the Secretary of the Army, the aggregate of (1) the amount by which the fair market value of the property so conveyed by the Secretary of the Army exceeds the fair market value of the land accepted in exchange therefor; (2) the amount heretofore expended by the Department of the Army in connection with the proposed construction of the United States Army Reserve Center at Lighthouse Point for work and materials which cannot be utilized in connection with the construction of the United States Army Reserve Center on the site to be acquired from the city; and (3) the amount by which the costs for providing adequate foundations, sewer and water facilities, and site preparation for the construction of a United States Army Reserve Center at the site to be acquired from the city exceeds the estimated costs for providing foundations, sewer and water facilities, and site preparation at the Lighthouse Point site.

SEC. 602. The moneys received by the Secretary of the Army under this title shall be covered into the Treasury of the United States as miscellaneous receipts except that any moneys received under section 1(2) and (3) of this title shall be credited to the appropriation to which such costs are charged.

Mr. VINSON (interrupting reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open to amendment at any point in the bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

Committee amendments: Page 2, line 11, strike "Savannah" and insert in lieu thereof "Savanna".

Page 24, line 10, strike "$225,000" and insert in lieu thereof "$255,000".

Page 32, line 12, strike "Offut" and insert in lieu thereof "Offutt".

Page 40, following line 6, insert a new item as follows:

"Moody Air Force Base, Georgia, 200 units."

Page 69, line 6, strike "section 1" and insert in lieu thereof "section 601".

The committee amendments were agreed to.

Mr. VINSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. VINSON: On page 20, line 11, strike "250 units" and insert in lieu thereof "450 units".

On page 40, following line 3, insert:

"Loring Air Force Base, Maine, 114 units."

On page 40, following line 9, insert:

"Travis Air Force Base, California, 600 units."

Mr. VINSON. Mr. Chairman, as I stated to the committee when I was presenting the bill, I offer this amendment.

These Capehart houses have all been approved by the President and would have been in the bill had they been passed on by the Budget prior to the time the Armed Forces Committee reported its bill.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. ARENDS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ARENDS: On page 39, following line 12, insert a new item as follows:

"Chanute Air Force Base, Illinois, 180 units."

Mr. ARENDS. Mr. Chairman, first I would like to say that Chanute Air Force Base is one of the major Air Force technical training schools.

I offer this amendment because the Air Force has a firm provable requirement for an additional 180 family housing units at Chanute Air Force Base.

Chanute is located adjacent to the town of Rantoul, Ill., which has a population—within the commutable area—of approximately 15,000 people.

The Air Force housing requirement is based on the missions at the end of fiscal year 1962. At that time, there will be approximately 600 officers and 5,400 airmen assigned to the base. Of these, 440 officers and 1,920 airmen—total 2,360—personnel will be authorized family housing. In addition, there will be a requirement for approximately 890 junior grade airmen for whom the Air Force is not authorized to provide housing.

Offsetting this requirement are 1,780 available, adequate housing units, consisting of 78 public quarters, 450 Capehart units—under construction—800 Wherry units, and 452 adequate privately owned units. This leaves a deficit of 580 units. Against this deficit the Air Force proposes to construct the 180 additional units.

Construction of the 180 units will provide onbase housing for only 64 percent of the authorized requirement, and will provide adequate housing, including the private rentals, for only 83 percent of those authorized housing.

I want to draw particular attention to the fact that this project has been approved by the Department of Defense and has been certified by the Federal Housing Administration.

Mr. VINSON. Mr. Chairman, I am thoroughly familiar with the amendment offered by the gentleman from Illinois; I have examined it; I am acquainted with the facts. This item is of high priority. They have need for 2,360 units; they have available 1,780 units. There is a deficit of 580 units.

This amendment provides for only 180.

I think we would be warranted in trying to provide more.

I accept the amendment.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. COHELAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COHELAN: Page 11, between lines 12 and 13, under the heading "Fleet Base Facilities", insert:

"Naval Station, Treasure Island, California: Utilities, $701,000".

Page 42, lines 19 and 20, strike "$113,253,000" and insert in lieu thereof "$113,954,000".

Page 42, line 22, strike "$182,283,000" and insert in lieu thereof "$182,984,000".

Mr. COHELAN. Mr. Chairman, the purpose of my amendment is simply stated as being to provide a facility necessary to prevent the discharge in San Francisco Bay of raw, untreated sewage. At the present time naval facilities on Treasure Island and the Yerba Buena Island are discharging raw sewage into the bay.

On October 21, 1954, the California Regional Water Pollution Control Board of Region 2 established a resolution which stated that a condition of pollution and nuisance existed as a result of untreated sewage being discharged into San Francisco Bay from the shore facilities of the U.S. Navy at Treasure Island and Yerba Buena Island.

I would like to point out, Mr. Chairman, that this resolution has the force and effect of law in California. The effect of this disposal into San Francisco Bay today has become increasingly inimical to the welfare of the people of the State of California.

Executive Order No. 10014, dated November 3, 1948, requires cooperation and participation of the Federal Government in local pollution abatement programs. My amendment is in direct consonance with that Executive order and would be a major step forward in correcting a most serious situation in San Francisco Harbor.

It is my understanding that this item, which would cost $701,000, is very high on the Navy's priority list but fell out of the current program which we are considering today at the last moment.

This type of facility is sometimes considered by the military to be less attractive than some operational facilities. While I can understand the views of the military in this respect, I feel that this does constitute a sufficiently important item to warrant the full approval of this House.

Let me repeat, this is a high-priority item in the Navy's own program, but as it fell out of the program this year, so might it fall out again next year in competition with other apparently more attractive military requirements.

I most sincerely urge favorable consideration of this amendment as a truly necessary and even vital requirement for the San Francisco Bay area.

Mr. VINSON. Mr. Chairman, I have had the privilege of examining this amendment. I know it is very high on the priority list and the objective is well founded. No community in America wants raw sewage flowing into its waterways. There is a large naval installation out there at Treasure Island that is polluting the water of San Francisco Bay.

This is an item that would increase the appropriation or authorization by $701,000. We reduced this bill $109 million under the budget estimate. If we accept this amendment then it will bring about a permanent reduction in the authorization to $108,546,000.

We have already done a magnificent job on this bill, so it will not hurt to

accept this amendment providing for $701,000 additional.

Mr. GROSS. Mr. Chairman, I move to strike out the last word.

Mr. GROSS. Mr. Chairman, I do not know whether there is any money in this bill for the Air Force Academy or not.

Mr. VINSON. I can see that the gentleman and I are thinking alike. There is not one dollar in here for the Air Force Academy.

Mr. GROSS. Mr. Chairman, there is an item or two that I think should be called to the attention of the House in connection with what is going on at the Air Force Academy. I find in a report issued by the Comptroller General of the United States in February 1959, which is not too long ago, a statement by a Member of the Senate, to be found in the CONGRESSIONAL RECORD, volume 100, part 2, page 2798, as follows:

> I might say that the top limit of the original appropriation requested was $146 million, and the committee voted to make the top limit $126 million instead of $146 million without serious objection on the part of the Air Force.

Turning to the report that was issued in February of this year by the General Accounting Office we find that the total estimated cost of establishing, constructing, and equipping the Air Force Academy, exclusive of aircraft, is shown on page 18.

I read from the summarization:

> The recorded Air Force cost as adjusted as of August 31, 1958, $176,691,505.
>
> Related costs (Capehart housing and Federal grants for school construction), $20,860,162.
>
> Additional planned requirements (approved and unapproved), $72,261,970.

That is a total of $269,813,637 as compared with the statement to be found in the RECORD on March 8, 1954, of an estimated cost of $126 million.

Now, then, on page 10 of this report from the General Accounting Office I find this:

> The cost of construction items amounting to $3,479,866 was improperly charged to other appropriations. As a result of congressional hearings in June 1958, adjustments were made by the Air Force for $938,068. We intend to inform the Secretary of the Air Force that additional adjustments of $2,541,798 should be made.

And the report goes on to list the adjustments that must be made including $938,068.

Here are a few items:

Removal of slash and debris, $108,064.

Bowling alleys—social center, $94,052.

Bowling alleys—base exchange, $97,160.

Swimming pool dividers, $171,112.

Valet units—cadet quarters, $364,798.

Medicine cabinets—cadet quarters, $102,882.

I do not know what the medicine cabinets are, but I assume they are the kind of cabinets you have in the bathroom in your home or apartment. I do not know what else they could be. But the amount is $102,882.

Now, I wonder when somebody is going to put the brake on this Air Force Academy construction program. Something needs to be done, and badly.

Mr. VINSON. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Georgia.

Mr. VINSON. I am happy to say that we already have put the brakes on. The figure in the organic law was $126 million. By two or three amendments we raised the cost to about $140 million, total construction. And, there is not one dollar in this bill for the Academy. So, we have in that way conformed with the Comptroller's report. I have it here, and I am glad the gentleman is reading it and will continue to read it on some other of there items. It is very illuminating. So, rest assured that there is not one penny in this bill today for the Air Force Academy. The brakes are on now.

Mr. GROSS. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. COHELAN].

The amendment was agreed to.

Mr. GUBSER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. GUBSER: On page 55, after line 7 and before line 8, insert the following:
>
> "San Jose, California: Parking lot and drill grounds, $1."

Mr. VINSON. Mr. Chairman, if the gentleman will yield, I have had the privilege of examining this amendment. It is an exchange of property without cost to the Government; almost to the foot an equal exchange of property. I have no objection to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. GUBSER].

The amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. SMITH of Mississippi, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5674) to authorize certain construction at military installations, and for other purposes, pursuant to House Resolution 245, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. VINSON. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were yeas 379, nays 7, not voting 48, as follows:

[Roll No. 30]

YEAS—379

Abbitt	Denton	Jones, Mo.
Abernethy	Derounian	Judd
Adair	Derwinski	Karsten
Addonizio	Devine	Karth
Albert	Dingell	Kasem
Alexander	Dixon	Kastenmeier
Alford	Dollinger	Kearns
Alger	Donohue	Kee
Allen	Dooley	Keith
Anderson, Mont.	Dorn, N.Y.	Kelly
	Dorn, S.C.	Keogh
Andrews	Dowdy	Kilburn
Anfuso	Downing	Kilday
Arends	Doyle	Kilgore
Ashley	Dulski	King, Calif.
Ashmore	Durham	King, Utah
Aspinall	Dwyer	Kirwan
Auchincloss	Edmondson	Kitchin
Avery	Elliott	Kluczynski
Ayres	Everett	Knox
Bailey	Evins	Kowalski
Baker	Fallon	Lafore
Baldwin	Farbstein	Landrum
Barden	Fascell	Lane
Barr	Feighan	Langen
Barrett	Fenton	Lankford
Barry	Fino	Latta
Bass, N.H.	Fisher	Lennon
Bass, Tenn.	Flood	Lesinski
Bates	Flynn	Levering
Becker	Flynt	Libonati
Beckworth	Fogarty	Lindsay
Belcher	Foley	Lipscomb
Bennett, Fla.	Forand	Loser
Bennett, Mich.	Ford	McCormack
Bentley	Forrester	McCulloch
Berry	Fountain	McDonough
Betts	Frazier	McDowell
Blatnik	Frelinghuysen	McFall
Blitch	Friedel	McGinley
Boggs	Fulton	McGovern
Boland	Gallagher	McIntire
Bolling	Garmatz	McMillan
Bolton	Gary	McSween
Bonner	Gathings	Macdonald
Bosch	Gavin	Machrowicz
Bow	George	Mack, Ill.
Boykin	Glenn	Mack, Wash.
Boyle	Granahan	Madden
Brademas	Grant	Magnuson
Bray	Gray	Mahon
Breeding	Green, Oreg.	Mailliard
Brewster	Green, Pa.	Marshall
Brock	Griffin	Martin
Brooks, La.	Griffiths	Matthews
Brooks, Tex.	Gross	May
Broomfield	Gubser	Meader
Brown, Ga.	Hagen	Metcalf
Brown, Ohio	Haley	Michel
Broyhill	Hall	Miller, Clement W.
Budge	Halleck	
Burdick	Halpern	Miller, N.Y.
Burke, Ky.	Hardy	Milliken
Burke, Mass.	Hargis	Mills
Burleson	Harmon	Minshall
Bush	Harris	Monagan
Byrne, Pa.	Harrison	Montoya
Cahill	Healey	Moore
Canfield	Hébert	Moorhead
Cannon	Hemphill	Morgan
Carter	Henderson	Morris, N. Mex.
Casey	Herlong	Morris, Okla.
Cederberg	Hess	Moss
Chamberlain	Hiestand	Mumma
Chelf	Hoeven	Murphy
Chenoweth	Hoffman, Ill.	Murray
Chiperfield	Hoffman, Mich.	Natcher
Church	Hogan	Nelsen
Clark	Holifield	Nix
Coad	Holt	Norrell
Coffin	Holtzman	O'Brien, Ill.
Cohelan	Horan	O'Brien, N.Y.
Collier	Hosmer	O'Hara, Ill.
Colmer	Huddleston	O'Hara, Mich.
Conte	Hull	O'Neill
Cook	Ikard	Oliver
Cooley	Irwin	Osmers
Corbett	Jarman	Ostertag
Cunningham	Jennings	Passman
Curtin	Jensen	Patman
Curtis, Mass.	Johansen	Pelly
Curtis, Mo.	Johnson, Calif.	Perkins
Dague	Johnson, Colo.	Pfost
Daniels	Johnson, Md.	Philbin
Davis, Ga.	Johnson, Wis.	Pillion
Dawson	Jonas	Pirnie
Delaney	Jones, Ala.	Poage

Poff	Saylor	Thomson, Wyo.
Porter	Schenck	Thornberry
Preston	Scherer	Toll
Price	Schwengel	Tollefson
Prokop	Selden	Trimble
Pucinski	Shelley	Tuck
Quie	Sheppard	Ullman
Rabaut	Shipley	Utt
Rains	Short	Vanik
Randall	Sikes	Van Zandt
Ray	Siler	Vinson
Reece, Tenn.	Simpson, Ill.	Wainwright
Rees, Kans.	Sisk	Wallhauser
Reuss	Slack	Walter
Rhodes, Pa.	Smith, Calif.	Wampler
Riehlman	Smith, Iowa	Watts
Riley	Smith, Kans.	Weaver
Rivers, Alaska	Smith, Miss.	Weis
Rivers, S.C.	Smith, Va.	Westland
Roberts	Spence	Wharton
Robison	Springer	Widnall
Rodino	Staggers	Wier
Rogers, Colo.	Steed	Willis
Rogers, Fla.	Stratton	Withrow
Rogers, Mass.	Taber	Wright
Rogers, Tex.	Taylor	Yates
Rooney	Teague, Calif.	Young
Roosevelt	Thomas	Younger
Rutherford	Thompson, La.	Zablocki
St. George	Thompson, N.J.	Zelenko

NAYS—7

Byrnes, Wis.	Mason	O'Konski
Jackson	Meyer	Sullivan
Laird		

NOT VOTING—48

Anderson, Minn.	Holland	Santangelo
Baring	Merrow	Saund
Baumhart	Miller, George P.	Scott
Bowles	Mitchell	Simpson, Pa.
Brown, Mo.	Moeller	Stubblefield
Buckley	Morrison	Teague, Tex.
Carnahan	Moulder	Teller
Celler	Multer	Thompson, Tex.
Cramer	Norblad	Udall
Daddario	Pilcher	Van Pelt
Davis, Tenn.	Polk	Whitener
Dent	Powell	Whitten
Diggs	Quigley	Williams
Giaimo	Rhodes, Ariz.	Wilson
Hays	Rostenkowski	Winstead
Hechler	Roush	Wolf

So the bill was passed.

The Clerk announced the following pairs:

Mr. Santangelo with Mr. Baumhart.

Mr. Winstead with Mr. Simpson of Pennsylvania.

Mr. Whitten with Mr. Van Pelt.

Mr. Dent with Mr. Wilson.

Mr. Holland with Mr. Norblad.

Mr. Bowles with Mr. Merrow.

Mr. Morrison with Mr. Rhodes of Arizona.

Mr. Carnahan with Mr. Cramer.

Mr. Baring with Mr. Andersen of Minnesota.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. VINSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on this bill.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

PROGRAM

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to proceed for 1 minute in order to inquire of the majority leader as to the program for the balance of this week and for next week.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. McCORMACK. Mr. Speaker, there is no further program for the balance of this week. We are all caught up with rules reported out by the Rules Committee.

As the Rules Committee failed to report out a rule today on the housing bill, we will, of course, have to wait until calm judgment reconsiders and brings out a rule. We are all caught up.

I have no legislative program to announce for next week.

Starting Wednesday evening, of course, begin the holy days of our friends of the Jewish faith. That means there would be legislation only on Monday and Tuesday. So if the Rules Committee should meet Monday—I have no knowledge that they will—but if they should I would feel under all the circumstances that I should not program legislation for next week.

So there is no further program for the rest of the week and there is no program for next week except on Monday the calls of bills on the Consent Calendar and on Tuesday the call of bills on the Private Calendar.

Mr. Speaker, it has been suggested to me, and I think it is a very good one, that we call bills on both the Consent and Private Calendars on Monday next. So if the gentleman from Indiana has no objection, I ask unanimous consent that the call of bills on the Private Calendar for Tuesday next may take place on Monday next.

Mr. HALLECK. Mr. Speaker, I have no objection.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

ADJOURNMENT UNTIL MONDAY NEXT

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

AWARD TO COL. THOMAS J. FLYNN

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PHILBIN. Mr. Speaker, under unanimous consent to revise and extend my remarks, I include therein a recent article from the Gardner (Mass.) News regarding the conferring of the Good Citizenship Award of the Ovila Case Post, VFW, of Gardner, Mass., upon my dear and distinguished friend, Col. Thomas J. Flynn.

I know of no one who is more worthy of this illustrious Good Citizenship Award than Colonel Flynn. His unselfish service has been distributed over many fields of patriotic and civic endeavor. He served in wartime with great distinction in the armed services and achieved high rank in the Army and Reserve.

Colonel Flynn is a courageous fighting man himself and his two fine sons, both graduates of the U.S. Military Academy, are now carrying out his fine example and are serving with great credit in our Armed Forces.

For years he has been an inspiring leader in civic and community movements in Gardner and his constructive work for the business, industrial, and economic interests of that beautiful city is widely hailed by all his fellow citizens.

His contributions in the field of youth activities have been peerless and it is most appropriate that a plaque for outstanding service to the youth of Gardner, the community as a whole, and to the country as a soldier, a citizen, and a newspaperman should be conferred upon him.

It is a real pleasure and privilege for me to congratulate him and his family, and also to thank and commend the officers and members of Ovila Case Post, VFW, for so appropriately conferring this award upon such a sterling American as Colonel Flynn.

Would that the Nation had more leaders and devoted citizens like Colonel Flynn.

[From the Gardner (Mass.) News, Mar. 18, 1959]

GOOD CITIZENSHIP AWARD PRESENTED AT VFW DINNER—MORE THAN 225 ATTEND TESTIMONIAL FOR COL. T. F. FLYNN—LAUDED FOR COMMUNITY EFFORTS

Col. Thomas F. Flynn, dean of Gardner's newspaper reporters, was presented the third annual "Good Citizenship" award last night by the Veterans of Foreign Wars at a testimonial dinner in the VFW quarters on West Street.

An overflow delegation of friends and associates, more than 225 at final count, enjoyed a corned beef and cabbage dinner and speaking program arranged to honor the veteran reporter and sports editor of The Gardner News for his contribution to the civic betterment of, the community through the years.

The guest speaker, former Chief of Police Cyrille LeBlanc, echoed the sentiments of his legion of friends when he stated that the guest of honor was dedicated to every worthy cause which arises in the community.

The presentation of the award, a handsome inscribed plaque, climaxed the speaking segment of the program and was made by VFW post commander Donald J. Casavant.

Ex-Chief LeBlanc, now personnel manager at Harrington Richardson Arms Co., in Worcester, drew on his long personal association and experiences with Colonel Flynn to commend the guest of honor for his service to worthy projects, his assistance to needy students in obtaining scholarship aid, and his participation in both global conflicts as a soldier in World Wars I and II.

Colonel Flynn and former Chief LeBlanc were coauthors of "Gardner in World War II", a history of Gardner's participation in the Second World War complete with pictures and biography of the men and women who served in the armed services.

Colonel Flynn, who has nearly 40 years with The Gardner News as city hall and police beat reporter, responded briefly, thanking the host organization and the committee for their efforts on his behalf.

State VFW Commander Joseph Scerra was the presiding officer. Among the head table guests who spoke briefly were Alfred J. Abbott, editor of The Gardner News; Chief of Police Joseph Renes; Council President Thomas J. Carroll and State Representative Martin H. Walsh, who injected a bit of Irish humor into this St. Patrick's Day party by reading a humorous "letter" from an aunt in Ireland.

Also seated at the head table were past VFW award recipients Hugh Hunter and Philip J. Tarpey, Commander Casavant, National VFW Chaplain Donald Patterson, and the guest of honor's brother, John Flynn of Reading. Called upon to acknowledge introductions were Fire Chief James F. Casavant, Judge M. Alan Moore, Postmaster Oscar R. Anderholm, VFW Quartermaster Adjutant John Powers, former Wildcat athlete Philip J. Tarpey, Jr., and Col. Walter Beaman.

Presenting a highly appropriate background for the head table was a portrait painting of Colonel Flynn in kelly green, an artistic production by Col. William V. Ellis.

Much of the success of the party was due to the excellent work of the committee in charge headed by School Committeeman Eugene T. McCarthy.

Caouette of Ashburnham catered.

IMPORTS CAN SOMETIMES BE DANGEROUS

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PHILBIN. Mr. Speaker, under unanimous consent to revise and extend my remarks, I include therein a very thoughtful and well considered editorial entitled "Foreign Turbines and U.S. Security" which recently appeared in the celebrated Worcester (Mass.) Evening Gazette.

I was very much impressed with this editorial because it is sound, fair, and shows a keen awareness of the serious problems presented to American industries and workers as a result of poorly restricted foreign competition.

It should be obvious to any thinking citizen that considerations of national security and defense must always be paramount.

It should also be obvious, I think, that this Nation with its high wage scales and standards cannot hope, notwithstanding high productivity, to match or successfully compete with the extremely low wage scales and low standards that prevail in some other parts of the world.

Like everything else, this question calls for the application of the rule of reason. Naturally, we wish to promote sound commercial and business relations with other nations of the free world. At the same time, we must recognize that such relations must be predicated on respective national interests and mutual benefits, and cannot be based upon benefits to one side and detriments to the other in bi-lateral or multi-lateral trade.

The American textile industry is a good case in point. This industry has suffered, and is suffering, disastrous results from foreign competition. If the 'peril point' and 'escape clause' provisions of the Reciprocal Trade Treaties were fairly applied, if they were applied at all, it would be possible to avert some of these most unfortunate consequences to our industries and workers.

It does not make sense at all to refuse to utilize or apply existing provisions of law to prevent cutthroat competition and move instead to new proposals like the establishment of quotas or exchange restrictions to accomplish the same result.

I am not opposed to the use of quotas if they can be fairly and constructively applied; in fact, I would favor this additional method. On the other hand, I think it would be well for the executive end of the Government to make full use of existing provisions of law such as the 'peril point' and 'escape clause' provisions of the trade treaties and approve well-considered recommendations of the Tariff Commission promulgated after extensive testimony and long study.

The danger is that the effects of this cutthroat competition, unless it is checked by the action of our own Government, will spread to many other industries and cause additional serious unemployment at a time when our national unemployment rate is already high and seems to be continuing in many industries throughout the Nation, notwithstanding the general prosperity that exists in the country at large.

The Gazette is to be complimented upon the spirit of sanity and soundness which is evident in this constructive editorial and the marked ability with which its views were presented.

[From the Worcester (Mass.) Gazette, Apr. 7, 1957]

FOREIGN TURBINES AND U.S. SECURITY

The Los Angeles Board of Water and Power Commissioners recently asked for bids on two huge turbine generators for a new steam powerplant near Long Beach.

A Swiss firm bid $9,260,000. The lowest American bid was around $15 million. What is more, the American bid contained an escalation clause providing that the bidding price on the first turbine generator could be increased by 30 percent before delivery and the second by 40 percent. This was a hedge against inflation in the costs of materials and labor. The Swiss bid had no such escalation clause.

The Los Angeles board took the Swiss bid.

The same problem applies to hydroelectric turbines. There are five American companies in the field, and they are all consistently underbid by European and Japanese concerns. In several recent cases involving Government orders for turbines, the Office of Civil and Defense Mobilization, acting in the name of national security under section 8 of the Trade Agreements Extension Act of 1958, has instructed the Army engineers to buy American, despite the higher costs.

Such decisions always provoke a storm of argument. The foreign firms who are thus shut out complain that the United States talks free trade but practices protectionism. On the other hand, if a foreign bid is accepted, as in the Los Angeles case, the critics from the other side of the fence say that the national security is threatened. In case of war, they claim, spare parts and maintenance problems could lead to power shutdowns.

Another national security argument—and perhaps a more valid one—holds that the Nation cannot allow its five producers of heavy turbine equipment to close up shop, which, they insist, is inevitable if they are forced to meet Japanese, Swiss, British and West German competition head-on.

It is a mistake to think that there is any easy answer to the problem. Naturally, it is to the interest of the free world, and of the United States, to promote free trade wherever possible. But many believers in free trade concede that heavy capital goods, such as steam and hydroelectric turbine plants, fall into a special category.

In many lines we can compete in the world market. Mass production techniques and labor-saving devices increase per capita output and make it possible for American firms to meet the challenge of the low-wage nations.

But things like turbines cannot be made on a production line. Each one has to be tailored separately, just like a battleship. The opportunity for automation and labor saving devices are very limited. With average hourly earnings in this country averaging more than twice those in Europe, it is obvious that our industries are fatally handicapped whenever they have to use the same number of man-hours as foreign firms do.

This country cannot, of course, embargo foreign manufactures indiscriminately, nor can it cut U.S. wages back to the Japanese level. Foreign imports, besides bringing many important products to our shores and providing our own industries with bracing competition, also are vital to the economies of our friends and allies abroad.

But when there are genuine considerations of national secuirty and defense—as opposed to purely political pressures and specious arguments—the OCDM has the power and the duty to step in.

DANIEL DECATUR EMMETT

Mr. LEVERING. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. LEVERING. Mr. Speaker, in connection with the introduction of my recent bill to honor Daniel Decatur Emmett, the composer of "Dixie," on the 100th anniversary of that composition, I have been heartened at the many expressions of support for my idea to authorize and direct the Postmaster General to issue a special commemorative stamp. Many, many of my colleagues have told me personally that they will support me in this request, and I am hopeful many more will do likewise.

I was interested, as I am sure my colleagues will be, to learn from the newspapers that Walter W. Williams, of Houston, Tex., the last living Civil War soldier, has requested to hear "Dixie" played once more before his death. Mr. Williams is 116 years old and is bedridden.

The Mount Vernon, Ohio, Sons of Veterans Fife and Drum Corps, in which I am proud to be a drummer, soon will make a record of "Dixie," and it will be flown to Houston so that Mr. Williams, who is believed to be on his deathbed, can have his wish fulfilled. Col. W. W.

Dorsey, of Mount Vernon, near which I live, is corps director, and I am happy that he acquiesced at once when the request for the "Dixie" record was made by the Williams family in behalf of the aged Civil War veteran.

Colonel Dorsey will be in Washington Saturday, April 18, 1959, in my office at 324 House Office Building. He is going to present me a copy of a colored photograph of the Sons of Veterans Fife and Drum Corps.

I believe that my colleagues join with me in welcoming Colonel Dorsey to Washington. It is my hope that they also will join with me in supporting my legislation to have the stamp printed in honor of Daniel Decatur Emmett and "Dixie." This request of the last Civil War veteran gives us some indication of what a terriffic indentation this song has had on America in the 100 years of its existence.

THE CHRISTIAN AMENDMENT HOUR

Mr. McINTIRE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. McINTIRE. Mr. Speaker, in conjunction with the Christian amendment resolution today introduced by me to the House of Representatives, I submit for insertion in the CONGRESSIONAL RECORD radio message No. 13, as delivered by the Reverend R. J. G. McKnight, D.D., Ph. D., in behalf of the Christian amendment movement:

"THE TYRANNY OF HUMAN GOVERNMENT APART FROM GOD"

(Radio message by Rev. R. J. G. McKnight, D.D., Ph. D.)

The discussions in this series of broadcasts have been designed to show that, in a nation that is predominantly Christian, the preamble to the Constitution should contain an acknowledgment of the sovereignty of God in all departments of life.

The doctrine of divine sovereignty is the basic concept in the Christian religion.

When a preamble begins: "We the people * * * do ordain and establish," it means nothing more than that it is the will of the people to do the things set forth as the objectives.

But the will of the people may change. For example, it was the will of the people at one time to abolish the liquor traffic. And that was done. A few years later it was the will of the same people to legalize the manufacture and sale of intoxicants. And that was done. It seems to be plain that the will of the people is a very insecure foundation upon which to establish the supreme law of the land. It was the will of the people that Christ should be crucified—"and so Pilate, willing to content the people, * * * delivered Jesus * * * to be crucified."

Surely there must be a standard of morals and an acknowledgment of an overarching authority, to which the will of the people must conform, if there is to be just and lasting government. In our preamble and in our Constitution there is no recognition of God or of the Bible, which contains the divine laws for men and nations.

In the brief time we have let us attempt to discover the danger that lies in such a government.

In the 13th chapter of the Revelation, we are given the picture of human government apart from God. It is a picture of a beast, rising out of the sea. The beast had seven heads; the beast had 10 horns; and on his horns 10 crowns, and on his heads the name of blasphemy. The beast was like a leopard, with feet as the feet of a bear. "His mouth was the mouth of a lion; and the dragon (Satan) gave him his power, and his seat, and great authority. And I saw one of his heads as it were wounded to death; and his deadly wound (death stroke) was healed; and all the world wondered after the beast. And they worshipped the dragon which gave power unto the beast; and they worshipped the beast, saying * * * Who is like unto the beast? who is able to make war with him? * * * And he opened his mouth in blasphemy against God, * * * His name, and His tabernacle. * * * And it was given unto him to make war with the saints, and to overcome them; and power was given him over all kindreds, and tongues, and nations."

That is human government apart from God. That is what it ultimately does.

In the picture the beast is sovereign: he has the emblems of authority. He also has the subtlety of the leopard; the ferocity of the bear; the fearlessness of a lion; and over all his heads the black flag of blasphemy.

It is a portrait of human government apart from God.

It is a picture of man in his self-sufficiency bowing God out of His universe.

John knew the history of the Old Testament. He knew the history of Assyria; the history of Babylon; the history of Medo-Persia; the history of Rome—how well he knew Rome that had banished him to Patmos. In every instance the results of government apart from God were the same: tyranny, intolerance, persecution, and over the whole stretch of human history he could write: semper eadem—always the same.

"But," you say, "that is history—and ancient history at that. That can't go on. Man makes progress in science; in the arts; in government. Man learns how to govern." You remind me that this is 1957 A.D.

But, my friends, it has gone on. It is going on today. Sometimes there is a lull: one of his heads is smitten with a death stroke. But the death wound was healed—and all the world wondered and admired the beast.

The meaning is plain—(1) Assyria suffered a death stroke. Yes, but it was healed immediately. And immediately (2) Babylon came up—the same spirit, same animus, the same mentality—there was no break in the continuity of the beast's dominion. Babylon goes down; (3) the next morning the Medo-Persian is on the throne. The Medo-Persian goes down; (4) Rome comes up. And still the dragon is in charge. Human sovereignty apart from God is something this sinful world adores and will not give it up.

Go back to that fateful day in the court of Pilate and read the record. (John 19: 14–15) And Pilate said unto them, "Shall I crucify your King;" And they answered, "We have no king but Caesar." There is the choice stated plainly. Humanity was offered Christ—King of kings and Lord of lords—and it chose Caesar. And ever since that day God has given unregenerate humanity Caesars. And how has humanity fared under Caesars?

In Eastern Europe today there is Russia, "the bear that walks like a man." Russia for centuries had its Caesar, its "Tzar" or "Czar"—(although "Tzar" or "Czar" was originally a title of Asiatic sovereigns.) But from "Ivan the Terrible"—1533 A.D.—whom the Polish poet has described as "the most finished tyrant known in history" down to the revolt against Czarism of this type, for five hundred years Russia was under the rule of the most frivolous, debauched and merciless rulers of history. Nicholas II was the last Czar.

Then came the revolution in Russia, and Stalin, with his selected corps of murderers, took over and settled in the Kremlin. A new regime. Any improvement? The world has witnessed in our day the ultimate in tyranny, persecution, intolerance and godlessness. (Rev. 13:6) And the beast "opened his mouth in blasphemy against God, to blaspheme His name, and His tabernacle, and them that dwell in heaven."

That is what happens when humanity cries out against the Lord of glory, the King of kings, and says, in so many words: 'We have no king but Caesar." Caesars, Czars, Kaisers—how the world adores totalitarian rulers.

And we see it again in Eastern Europe. The Hohenzollerns built an empire. The Kaiser (there is that name again) built the best political and military machine the world had ever seen. It was ready to operate in 1914. "Der Tag" came in August of that year. But the Reformation had brought Germany to a high position among the nations of Europe. The people believed in God. So the Kaiser had to walk softly. He gave God some recognition. But, as the events proved, the Kaiser ruled with an iron hand. His will was law. His philosophy was: "Ich und Gott."

In 1918 the Kaiser's regime came to an end. There came, as the Apostle John puts it, "a death stroke."

Then came Hitler with his crooked cross. Any improvement? Do we need to describe what the paperhanger dreamed and the depths to which "Der Fuehrer" led humanity?

My friends, a nation, our Nation, any nation without God is doomed. All history testifies to that. Humanity—without a revelation from God, without a friendly relationship to God—is a lost humanity. The problem of government is too great for human minds. Attempts to build a stable world order fail. They come short—and, coming short, they doom billions of men to war, famine, pestilence, and death. And the only alternative is to put our country in right relationship to Christ—the King of kings and Lord of lords. We need the counsel and the aid of the only wise God.

(Revelation 13:18) "Here is wisdom. Let him that hath understanding count the number of the beast: for it is the number of man, and his number is six hundred threescore and six." 666—never 7, which is perfection. Human sovereignty always comes short.

MEANS TO COUNTER A NEW CONCEPT OF WARFARE

The SPEAKER. Under previous order of the House, the gentleman from Florida [Mr. SIKES] is recognized for 30 minutes.

Mr. SIKES. Mr. Speaker, I would like to associate myself with the ideas expressed in your address on the opening day of this session. I am sure every Member of this House agrees with you that we are living in the most dangerous period that civilization has gone through since Jesus walked the shores of Galilee 20 centuries ago. Dangerous and desperate situations require the utmost in human intelligence and effort to solve and allay.

I address myself today to one of these. The subject of psychological, political, and economic—that is, cold—warfare has become a major security issue. It needs to be dealt with more effectively than is now the case, including forthright congressional action. This new

concept of war which we call "cold war" is generally dated by most people back to 1947 or 1948. This is a mistake. Actually Soviet political warfare against this country and the rest of the non-Communist world traces back to March 1919 when the Bolsheviks declared total and unrelenting war on us at the First Congress of the Communist International in Moscow.

At that time Lenin and his associates assured the bourgeois-capitalist world that its days were numbered, and that—

> The victory of proletarian revolution throughout the world is guaranteed. The formation of the International Soviet Republic is approaching [stormy applause].

Soviet conquest of the whole world thus became the pattern long before 1947.

Every subsequent Congress of the Communist International, every writing and speech by any Communist official anywhere, and every Soviet action since that historic declaration of war on the West, has reaffirmed and reiterated this Communist dedication to the total destruction of Western civilization.

This was brought out strikingly during the closing year of World War II. As you all will recall, Russia engaged in a number of puzzlingly unfriendly acts toward this country and our allies, long before the Nazis surrendered. There was the surly refusal to allow our heavily damaged planes after the Ploesti air raid to land on Soviet soil: the refusal to permit American fliers to take lend-lease planes into Russia: the instigation of a Communist mutiny in the Greek Navy at Alexandria, and the insistence that we abandon a loyal and hard-fighting ally, General Mihailovitch and the Chetniks in favor of Tito and his Communist partisans. The list could be extended.

We know that President Roosevelt, shortly before his death, was gravely worried over mounting evidence of Soviet bad faith, and that he had to dispatch a strongly worded protest to Stalin a day or so before he died. All of this occurred while Russia was still eagerly accepting the last of $11 billion worth of lend-lease munitions, supplies and food and anticipating more.

In reverse lend-lease the Soviets ordered their Communist Parties all over the world to resume their revolutionary and subversive activities against the governments of their allies, including ours. They repaid $11 billion of lend-lease with massive espionage, subversion, mutinies, and every conceivable form of political war, while we were both still fighting the Nazis. Had we understood this new type of warfare then, and perceived correctly just what Stalin was up to, we might not today be in our present predicament. We thought in terms of "peace" and "war" based solely on armed conflict. Our national leadership, in the main, failed to understand that warfare had passed into an entirely new and novel plane of action. Had we understood in 1946 just what cold war implied, we would not as readily have permitted China to fall into the Soviet power bloc. And had China not fallen into Red hands we would have been spared the loss of 53,000 American boys in Korea.

The Soviet cold war against this country has contributed to a cost to us of a total of about $70 billion in foreign aid; and combined with the Soviet military threat has caused us to spend some $200 billion in defense since the end of the Korean conflict in 1953. The total cost of the cold war since 1944 will probably exceed $350 billion—all out of American production and labor by way of taxes and resources. Now we have many well-informed people who assure us that the cold war will go on for many years, if not for several decades. The Soviets and Red China have convinced most of our people that they mean business, and that they have the will and ruthlessness to carry on indefinitely, whether we like it or not. That alone is a substantial victory in psychological warfare. It helps to precondition our negotiators into an attitude of defeatism and conciliation at the conference tables.

All of the staggering taxes, all of the burdens of compulsory military service and of military service overseas, all of the dislocation of our normal way of life would be cheerfully accepted, if we had certain evidence that we are winning the cold war. We could even take considerable satisfaction in the knowledge we had stopped Soviet advances and reached a stalemate where neither side could conceivably be sure of ultimate victory, if that were true.

The plain and unpalatable fact, of course, is that we have lost valuable ground. While we stare into space with fascination at sputniks and luniks—the Soviets continue to advance in the Middle East, Africa, and Latin America. In our concern over luniks, space platforms, the race to the moon, ICBM's and all the other latest death-dealing gadgets, we frequently lose sight of successful Soviet political warfare. Perhaps we should give this type of warfare a new name—fourth dimensional warfare—to include all forms of nonmilitary hostility carried on by psychological, economic, political, subversive, propaganda, diplomatic, and other means.

That an enemy nation can be softened, weakened internally, divided, and finally demoralized to a point where military resistance becomes useless, is now generally recognized. That such a trend must be resisted and met with positive countermeasures should be realized with equal certainty.

I contend that the problem of fourth dimensional warfare may be even more important to the survival of this Nation than the proper exploitation and control of atomic energy. President Eisenhower, speaking at Founders' Day ceremonies at Gettysburg College, close to his farm, warned Americans that they needed more understanding of the international facts of today's life.

The deliberations of the National Security Council and the Operations Coordinating Board are, of course, classified. Neither the American people nor Congress are kept advised of even the minor findings, opinions or contemplated guides of action. All of us can understand the necessity of secrecy in planning and operations of such importance. But, the very future and security of this Nation requires a coordinated, comprehensive effort of wide scope and general understanding; a program whose efforts are readily translatable to the public consciousness.

In 1955 General Sarnoff presented the administration with a blueprint for cold war strategy which would take the offensive out of the hands of the Communists and put them on the defensive. It was accepted by public acknowledgment, and given considerable publicity. That is the last we heard of the Sarnoff plan. It was presumably "studied" by some bureaucrat or bureaucrats, duly filed, and quickly forgotten. I use this as an example of official failure to stimulate public interest in this subject.

The Hungarian uprising of October 1956 caught both us and the Russians by surprise. After a few days of uncertainty and apparent beginning of withdrawal of Soviet forces from that heroic country, the U.S.S.R. struck with ruthless and brutal severity. Possibly the men in the Kremlin spotted the fumble on our side and realized we had no plan of action and were prepared to do exactly nothing, except file the usual routine and stilted diplomatic notes. In any event, the revolution cost the lives of 18,000 Hungarian freedom fighters, many of them mere children, and in the eyes of many people throughout the world, it exposed our cold war impotence and lack of prepared plans to take instant advantage of any cracks in the walls of the Kremlin prison house of nations.

Pure Marxism, the secret cause of Communist strength and inflexibility, states that the triumph of world communism is historically inevitable, and all of our best and strongest efforts will in the long run prove unavailing. If we accept this premise—and possibly there are powerful interests in America which secretly do so—then we are left with the alternatives of, first, fighting a rearguard action staving off the inevitable as long as possible and then capitulating; or second, buying time by appeasement and mollification; hoping that somehow world communism will collapse from within and the nightmare vanish of itself by some lucky miracle—the nature of which we cannot yet foresee or safely predict. This latter also skirts the position of containment subscribed to, I am sorry to say, by many of small faith and little intestinal fortitude.

I do not believe that the Soviets are 10 feet tall or that communism is invincible. I prefer to believe that our difficulties in the cold war stem not from Soviet superiority, but from ineptitude on our side or lack of positive effort. We have failed to use the right tactics, right weapons, right strategy or right leadership—or a combination of these.

I say that now is the time for Congress itself to inject new leadership into this problem and to examine every possible facet of the problem of why we are not winning the cold war. This does not mean any "agonizing reappraisal," but a cold-blooded, realistic, bipartisan study of fourth dimensional warfare as practiced by the Communists, as well

as a relentless and thorough probing of all of our past policies, conceptions, and overall strategy. Now I know someone will rise to ask: "Why cannot all this be done by our Foreign Relations Committees or some other standing committee?"

The reply is obvious—new and critical problems require new and critical treatment. Present standing committees on both sides are already overburdened with work. But more important is the fact that cold war, or fourth dimensional warfare, is not entirely a matter of foreign policy, but cuts across several jurisdictions and, as I see it, transcends in importance the respective jurisdictions of existing committees.

With the opening of the atomic age in 1945, Congress realized that a revolutionary new era in science was opening. The Joint Committee on Atomic Energy was created to deal with an entirely new problem. Atomic energy could just as well have been assigned to some already established committee of the House and Senate. Congress wisely decided otherwise. The newly established Space Committee is further endorsement of this policy.

Such a joint committee, rather than infringing on established committee jurisdictions, would act as a coordinating clearinghouse between them on all matters relating to fourth dimensional warfare. As I envision its work, a great deal of the staff's time would be devoted to gathering and coordinating every available scrap of intelligence bearing on the cold war, and presenting it in readily accessible reports to Congress for its guidance and information. The world's acknowledged experts in various forms of political warfare would be heard in open or executive sessions as the national security and interest might determine. Such a joint committee holding hearings on cold war strategy would also dramatize in the public mind that this Congress is fully cognizant of the whole complex problem of cold war and is prepared to do something constructive about it.

TWENTIETH CENTURY TREK: OREGON TRAIL REVISITED

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the gentleman from Oregon [Mr. PORTER] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PORTER. Mr. Speaker, on April 19, the Oregon centennial wagon train embarks on a 2,000-mile trek from Independence, Mo. It is scheduled to reach Independence, Oreg., August 15.

This On to Oregon Cavalcade is part of Oregon's centennial festivities.

Former President Harry Truman recently told Senator RICHARD NEUBERGER and me that he would help start the wagon train on its journey. He will act as honorary trailmaster.

Six Conestoga wagons, made of sturdy oak, and constructed by Roy Brabham, of Eugene, Oreg., will comprise the wagon train. Gordon "Tex" Serpa, of Ashland, Oreg., is wagonmaster for this 130-day reenactment of the first blazing of the Oregon Trail. Conditions of the initial Oregon Trail journey will be followed as nearly as is possible, although the Indians will be friendly and scalping will be kept to a minimum. Twenty-five persons are scheduled to make the trip, I am told.

HONORING OREGON IS THE GOAL

This part of the Oregon centennial celebration is made possible through the efforts and work of many people. Some will work without any credit while others draw praise, but the goal of honoring Oregon is shared enthusiastically by all.

This covered wagon train caravan was initially brought to my attention the fall of 1957 by Mr. Alan Knudtson, of Roseburg, speaking for himself and others. A man of many ideas he and other friends had several years earlier helped stage a race between the Iron Horse and the real horse to point up a slowness in train service through a part of the Fourth Congressional District. The horse very nearly won.

In a letter dated April 12, 1958, Alan told me the centennial commission had given its support to his proposal for a wagon train retracing of the Oregon Trail.

The caravan boosters felt from the beginning that Harry Truman would be the ideal person to help "kick off" the train. He was an authority in the field of history. His home was in Independence, Mo., the starting point of the proposed journey. But first plans for the cross-country trip had to be more firm.

Each month the plans enlarged. The Roseburg Junior Chamber of Commerce worked hard on the program. It received the support of the State junior chamber. More than 70 junior chambers in Oregon were contacted. City and county governments were asked to sponsor wagons. The cost was estimated at $1,650 per wagon.

INTEREST HIGH—MONEY SCARCE

The nonprofit On to Oregon Cavalcade, Inc., working directly with the junior chambers, found many interested cities. They learned that it was not easy to find the financial support. The 1958 start would have to be postponed a year.

The South Lane Stamp Society of Cottage Grove secured a special postal permit for the trek. A special "Oregon Trail Trek" cover was printed. Mr. Ivan C. Hoyer, president of the Stamp Society, directed this phase of the operation.

By August 21, 1958, cavalcade plans were more firm. The group could think seriously of asking President Truman to officiate.

In Eugene, Roy Brabham was busy building three wagons as Christmas 1958 approached. In Independence, Mo., junior chamber of commerce members had been asked to think about plans for a kick-off celebration.

In a December 17, 1958, letter to my office, Knudtson wrote:

> I think the title for Mr. Truman, in the capacity of supreme dignitary of this event, should be "Oregon Centennial Honorary Trail Master."

He said letters had been written by then Gov. Robert Holmes to the Governors of the States through which the Oregon Trail passed and that each of them had sent best wishes and pledged cooperation and support. Bob Holmes' important role had started shortly after January 20, 1958, when I relayed Knudtson's request to him.

"DEAR MR. PRESIDENT—"

Slightly more than 1 year later, on February 20, 1959, Senator RICHARD L. NEUBERGER and I wrote a joint letter to Harry S. Truman at the request of the On to Oregon Cavalcade, Inc.:

FEBRUARY 20, 1959.

Hon. HARRY S. TRUMAN,
Truman Memorial Library,
Independence, Mo.

DEAR MR. PRESIDENT: It is our privilege to request that you be Honorary Trail Master for the Oregon Centennial Wagon Train which will leave Independence, Mo., the morning of Sunday, April 19, 1959.

A special celebration is planned in Independence the afternoon of Saturday, April 18. Oregonians who comprise the On to Oregon Cavalcade, Inc., hope your schedule will permit you to take part in the Saturday program; Sunday too, of course, if possible.

The dedication remarks would be of your own choosing. The six-member wagon train will follow as closely as possible the original Oregon Trail. Festive welcoming ceremonies are being arranged to greet the cavalcade at the end of the trail. The Wagon Train is a unique event planned during the 100th Oregon birthday celebration. We hope you will be able to help us observe the initiation of this 20th century trek.

We are told by those in charge of arrangements that State officials of Missouri, Kansas and Oregon are to be asked to participate in the sendoff. Congressional delegation members will also be invited to attend. Independence Junior Chamber of Commerce members are handling the activities in your city. Mr. Roger Bessmer is chairman. His home telephone number is Clifton 2-9148. His address is 3304 Morton Street.

On behalf of our State and the other members of the Oregon delegation we invite you to take part in our Centennial celebration. Your presence would bring great honor.

Sincerely,

RICHARD L. NEUBERGER,
U.S. Senator,
CHARLES O. POTTER,
Member of Congress.

Mr. Truman replied immediately. His response was a tentative "yes." He added:

> I doubt very much whether I'd be a good trail master, for I was informed by my grandfather that a trail master must be able to pop a 20-foot bullwhip and kill a fly without hurting the animal. I have never had any practice along that line, and I don't know whether I could do it; but if there is anything I can do to help make your start here in Independence agreeable and acceptable I'll be glad to do it.

The gist of his answer was sent to Mr. Richard Carter, of William Dawkins and Associates of Medford, Oreg., a public relations firm which had been hired to help coordinate and promote the wagon

train. It was also sent to the hard-working Roseburg group.

On March 4, 1959, a second letter went out to Independence, Mo. The joint note from Senator NEUBERGER and myself provided Mr. Truman with some new details.

MARCH 4, 1959.

Hon. HARRY S. TRUMAN,
Truman Memorial Library,
Independence, Mo.

DEAR MR. PRESIDENT: Orgonians everywhere join us in hoping that things will work out so that you can help start the Oregon Centennial Wagon Train when it leaves Independence.

Upon request, we advised the Oregon Centennial Commission of your desire to do all you can to help make the Wagon Train start in Independence pleasant and agreeable.

The Commission has been in contact with us almost daily. Today the Commission will announce that you have been invited to be Honorary Trail Master and that you hope things will work out so that you can be present when the cross-country trek starts.

Your immediate consideration of the invitation is certainly appreciated.

We see no reason to believe that you could not put the Trail Master's bullwhip to expert use. In 1948, for example, you were able to rid the United States of a number of pesky flies "without hurting the animal."

Sincerely,

RICHARD L. NEUBERGER,
U.S. Senator.
CHARLES O. PORTER,
Member of Congress.

THE CONFIRMATION

On March 9, 1959, former President Truman confirmed his tentative acceptance.

He wrote:

I have made arrangements with the Oregon Centennial Commission to be here (in Independence, Mo.) on April 18 * * * and I sincerely hope that I won't lose a point with that famous bull whip.

With Mr. Truman will be at least three Governors in the reviewing stand, I am told. They are George Dockins, of Kansas, Ralph Brooks, of Nebraska; and J. J. Hickey, of Wyoming. It is hoped that Oregon's Gov. Mark Hatfield will be present.

I have detailed the story behind the On to Oregon Calvacade because I believe it is in keeping with the vigor, creativity and remarkable perspicacity evidenced by the men and women who settled and built the West.

Under leave to extend my remarks in the RECORD, I want to include an April 8, 1959 story from the Ashland (Oreg.) Tidings, which describes the route to be followed by the train; a March 9, 1959, news release from the Oregon Centennial exposition and International Trade Fair office; and a fine editorial by Forest Amsden, executive editor of the Coos Bay (Oreg.) World, entitled "Matching Oregon's Mountains."

Mr. Amsden discusses the men who came West to settle and build. As we await the Independence festivities this coming weekend, I think it is appropriate his observations be included:

[From the Ashland (Oreg.) Tidings, Apr. 8, 1959]

WAGONS LED BY ASHLANDER READY TO START TREK

PORTLAND.—The crack of a bull whip, a cowboy yell and six lumbering Conestoga wagons will rumble onto the Oregon Trail and head for the Northwest.

This action April 19 will follow a brief ceremony at Independence, Mo., in which former President Truman will receive a lesson in bull whipping from a modern day wagon master, Gordon "Tex" Serpa, 39, Ashland, Oreg.

Amid cheers and good wishes 25 persons will man the wagons and start a 2,000-mile, 130-day reenactment of the Oregon Trail blazing.

The wagons will make up the "On to Oregon Cavalcade" in honor of the 100th birthday of Oregon.

Serpa will take charge with the same military-like authority that the pioneers found necessary.

"We expect many hardships on the trail," Serpa said. The travelers will work in pioneer fashion and eat and sleep in the wagons until they reach their destination, Independence, Oreg.

What dangers will the wagon train encounter? Indians? Coyotes? No. Traffic.

IN RUGGED TERRITORY

The Oregon Trail is now mostly scenic highway where scores of automobiles will whizz by the wagons.

There is some prairie country and old country roads that the wagons will have to negotiate. One stretch, between Independence Rock, Wyo., and Border, Wyo., a trip of some 18 days at their 20-mile per day pace, may show the modern wagon crews some hardships more familiar to the first pioneers.

The area, in part, is a dry, dusty, rocky and barely populated stretch of no man's land.

Water will be carried in canteens with little possibility of a quick refill. At night, as the wagons form a protective circle, the riders will go to the one modern spot of the caravan: A 40-foot semitruck that will follow with food. No chuck wagon. The victuals, however, will be prepared by the group.

To round out the repeat of western lore, a band of real Sioux Indians will "attack" the wagon train near Baynard, Nebr. After the scuffle, a peace pipe ceremony and a buffalo barbecue is scheduled for both whites and Indians.

The wagons, made of sturdy oak, and in the same fashion as they were 100 years ago, were constructed by one of the Northwest's few remaining wagoners, Roy Barbham, 60, Eugene, Oreg. The Oregon Centennial Commission, which allocated $25,000 for the trip, paid $1,650 each for the six wagons.

The trail covers the northwest corner of Missouri, the northeast corner of Kansas, straight through Wyoming and Idaho to Boise, and into Oregon.

When the train reaches The Dalles, Oreg., the wagons will forego the convenience of available modern highways and load onto barges for a trip on the Columbia River as far as possible. This is the way early settlers did it, according to existing records.

The caravan is due at Independence, August 15.

[From Oregon Centennial Exposition]

WAGONS WESTWARD

When an Oregon centennial wagon train rolls out of Independence, Mo., on April 19, on a 2,000-mile journey to the Beaver State, former President Harry S. Truman expects to be on hand to see that the caravan of prairie schooners gets a proper sendoff.

Senator RICHARD L. NEUBERGER, and Congressman CHARLES O. PORTER, of Oregon, made public in Washington Wednesday a letter from Mr. Truman in which he stated that, although he lacks experience as a bullwhip cracker, he will do all he can to help start the wagon train on its journey.

On behalf of Oregon centennial officials, Senator NEUBERGER and Congressman PORTER had requested Mr. Truman to act as honorary trail master for the wagon train.

VERY MUCH INTERESTED

"I am very much interested in that program," Mr. Truman replied, "I sincerely hope it will be possible for me to be present and help with the celebration.

"I doubt very much if I would be a good trail master," he continued. "I was informed by my grandfather that a trail master must be able to pop a 20-foot bullwhip and kill a fly without hurting the animal. I have never had any practice along that line, and I don't know whether I could do it.

"But if there is anything I can do to help make your start here in Independence agreeable and acceptable, I'll be glad to do it."

The 1959 crossing of the Oregon Trail by 30 men, women, and children is expected to focus national attention on centennial celebrations which are in progress throughout Oregon.

The year-long observance will be highlighted by the 100-day Oregon Centennial Exposition and International Trade Fair which opens in Portland on June 10.

TWENTY MILES A DAY

The wagon train, traveling 20 miles a day, is expected to take 130 days to reach Independence, Oreg. The venture is sponsored by the On to Oregon Cavalcade, Inc. The Oregon Centennial Commission has allocated $25,000 to help finance the trip.

Six covered wagons to be used on the trip have been built at Eugene by Roy Barbham. He is one of the few remaining wagon builders in the Pacific Northwest. Each of the wagons will cost $1,650. They will be taken to Independence, by the Union Pacific Railroad without charge.

Dick Smith, of Roseburg, Oreg., president of Oregon Calvacade, Inc., explained that the communities of Independence, Drain, Hillsboro, and Roseburg, and Lane County are sponsoring the wagons. Gordon (Tex) Serpa, Ashland, Oreg., rancher and movie stunt rider, will act as wagon master.

SEMITRAILER DONATED

Serpa explained that many civic and business organizations throughout Oregon are contributing to the wagon train fund. The Oregon trucking associations are donating a 40-foot semitrailer to carry supplies for the modern day pioneers.

Plymouth division of Chrysler Motor Co., has donated a 1959 station wagon for use as a cavalcade press car.

"We anticipate many hardships on the trail," the wagon master declared. "Our people intend as nearly as possible to emulate the pioneers who first made the trip by wagon train to Oregon. They will sleep in their wagons and cook in the open. Those who are making the trip have been carefully selected. They are prepared for a hard journey.

[From the Coos Bay (Oreg.) World, Apr. 6, 1959]

MATCHING OREGON'S MOUNTAINS

Men to match my mountains.
This, Oregon has had. She still does.

But this being the time to turn thoughts backward, we think of the Oregon men who matched her mountains long years past. They were the men, and women, who hewed a civilization out of a wilderness, a civilization founded on acquisitiveness but also born of a dream long dreamt by the American.

One hundred years is a very short time. But the way we measure years, it is a very long time.

The length of that span of years lends a romance to Oregon's pioneer days which the workaday citizens of those probably did not

feel. Yet, they gave us Oregon as we know it today—Oregon with all its faults but more important, with all its virtues and its magnificent present and more magnificent future.

But the future is tomorrow. Today we think of the men and women who gave us the present.

We think of the tiny band of exhausted men, bearing a commission from a now legendary President of the United States, who struggled up rivers and over mountains for more than a year, nearly lost in the American vastness, in order to be the first of their race—and perhaps of any race—to traverse the continent within what would one day be the borders of the United States. RICHARD L. NEUBERGER, the noted Oregon author, has well said there was probably no excitement, no thrill of victory in the history of the Northwest to rival that felt by the men of Merriwether Lewis and William Clark when first they beheld the Pacific's waves breaking across the Columbia bar. How could there have been?

Yet it was only a moment of years after Lewis and Clark abandoned winter quarters at Fort Clatsop and headed back East to civilization before the first wave of immigrants arrived in the Oregon country. These first immigrants made Oregon American and set the stage for one of the most important and most dramatic mass migrations in human history.

There is scarcely an American alive unfamiliar with the Oregon Trail. The mere mention of it stirs up romantic visions of white-canvassed Conestogas lurching through a sea of grass, with rifle-across-arm outrider peeling an eye for hostiles. Generally, such visions do not contain the dust, the heat and sweat, nor the toil. For those who came over the trail, for the countless thousands in the countless thousand wagons, and on foot, some of them, those unromantic features were the only real things of that migration—the toil and sweat and misery, and yes—the dream of the good life to be earned by good work at journey's end.

"Oregon" had a tremendous meaning for those fathers of ours, both the ones who came and those who stayed behind. Oregon was the land of ever-shining mountains and ever-abundant fields, the expansive hope of an expansive land.

There were so many of those immigrants that today there are places in the parched midwestern plains where the ruts, worn deep into the earth by their wagons, are still pointed out to the curious, rubber-tired, air conditioned tourists of today.

Those ruts are sometimes created memorials, and interesting memorials at that. But they are nothing as memorials compared to Oregon itself.

The Civil War and statehood changed all that.

For every pioneer who came horseback, in a wagon, on a boat or who just trudged his way West, there were 100 or more who came on the railroad cars. But even so, these too were pioneers, for they came looking for opportunity and new land and work, and they found plenty of it.

They cleared the land and plowed it up and sowed it. They built roads, railroads and cities. They established logging camps and lumber mills. They fished, banked, baked and taught schools. They spread out eventually from the Williamette Valley Mecca, the original Oregon immigrant attraction, to all corners of the State and of Washington too, which was originally as "Oregon" as Oregon is today.

They were all kinds, these men and women of whom we think today. In the earliest days they were chiefly those shut out by the civilizing industrializing East and old West—that part of the "West" east of the Missouri River—but who still had the scratch to outfit for the long journey, or, lacking resources, set out without. The strong ones made it and they created a State.

Their journey was akin to going to the moon today, although the goal seemed more enticing. Today, when the continent is spanned in 5½ hours, it takes real effort to imagine how far it really was in those days between Independence, Mo., and the Trail's western terminus at The Dalles of the Columbia. Few of those who undertook and completed that trek had illusions about its distance, however. That's why they were a strong people. That is why they built a good country.

They are all gone now, those strong men and women and yet somehow they remain to remind us of a heritage they handed us unasked.

If history is recorded in order to improve the present and the future by example, the history of Oregon's pioneers gives an example of devotion and optimism and work by which we can best continue to build.

We are all pioneers.

None of us will ever traverse a dusty, dangerous Oregon Trail. But in the context of his own time each is tested by conditions, and those with the pioneer spirit will build well for the next 100 years.

Will it that each of us can as much match Oregon's mountains as those who went before.—F. W. A.

INFLATION: HOW TO AVOID IT AND STILL HAVE MAXIMUM EMPLOYMENT AND MAXIMUM PRODUCTION

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. REUSS] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. REUSS. Mr. Speaker, there is growing concern over the perils of inflation in our economy. For example, the April 19 issue of This Week will report that in a poll of the editors of 40 leading newspapers "Control Inflation" was cited as the most urgent national problem by more editors than any other, followed by such issues as national defense and interracial relations. In a survey of 1,500 wage earners polled by MacFadden Publications, Inc., in answer to the question "What single subject do you think is most important for Congress to act on in the coming year?", more selected "Inflation" than any other subject, with unemployment the second most important subject.

So it is entirely appropriate for Congress to reexamine our institutional arrangements critically, and to ask whether they can meet the problem of inflation. Fortunately, the Subcommittee on Executive and Legislative Reorganization of the House Committee on Government Operations, under the able chairmanship of the gentleman from Illinois [Mr. DAWSON], has on March 25–26 and on April 9 held exhaustive hearings upon a number of bills on the subject of inflation, among them H.R. 4870, introduced by me, the Senate version of which, S. 1237, has been introduced by Senator JOSEPH S. CLARK, of Pennsylvania. The subcommittee on April 9 reported out the bill, with amendments. The text of H.R. 6263, the clean bill which incorporates the subcommittee's amendments, and which awaits the action of the full House Committee on Government Operations, follows:

TEXT OF H.R. 6263

A bill to amend the Employment Act of 1946 to provide for its more effective administration, and to bring to bear an informed public opinion upon price and wage increases which threaten economic stability

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Employment Act of 1946 (60 Stat. 23; 15 U.S.C. 1021 and the following), as amended, is amended by adding at the end thereof the following new section:

"SEC. 6. It is the sense of Congress that the President and the Federal Government, in executing this Act, shall give due effect to the following provisions of the Act:

"(a) The provision of section 2 setting forth the goals of maximum employment, production (including the concept of sustained growth), and purchasing power (including the concept of reasonable price stability).

"(b) The provisions of section 3(a) requiring the President to include in each year's Economic Report, in quantitative terms, the levels of employment, production, and purchasing power which he deems 'maximum', and current and foreseable trends.

"(c) The provision of section 3(b) for the discretionary periodic transmittal of supplementary or revised recommendations.

"(d) The provisions of section 3(a)(3) for a review and of sections 3(a)(4) and 3(b) for programs and recommendations, including therein monetary and credit policies to the same extent as all other policies affecting employment, production, and purchasing power: *Provided,* That if the Federal Reserve Board disagrees with the monetary and credit policies included in such program and recommendations, the President in his report to the Congress shall include the Board's views and reasons."

SEC. 2. The Employment Act of 1946 is amended by adding a new section 7 as follows:

"SEC. 7. The President, directly or through any Federal agency he designates, shall hold public hearings concerning (a) price increases, prospective or actual, which in his judgment appears to threaten national economic stability, and (b) wage increases, prospective or actual, and the relationship of the price increases thereto, which the firm involved declares to be a cause of the price increases specified in clause (a) of this section. He shall issue factual summaries of such hearings, and, where he deems it advisable, issue advisory statements."

H.R. 6263 has two sections. Section 1 expresses the sense of Congress that the President and the Federal Government, in executing the Employment Act, should give due effect to certain specified provisions of the act. Section 2 empowers the President, directly or through any agency he designates, to hold public hearings for the purpose of bringing to bear an informed public opinion upon price increases, and associated wage increases, which threaten national economic stability.

SECTION 1—ADMINISTERING THE EMPLOYMENT ACT

The first section of H.R. 6263 underscores certain salutory provisions of the Employment Act of 1946 which have always been implicit in the act, but in recent years have been honored in the

breach by the President and the Council of Economic Advisers. The provisions which it is desired to revivify are four:

REASONABLE PRICE STABILITY

First. The statutory goal of the Employment Act of "maximum purchasing power"—a goal coordinate with maximum employment and maximum production—has until very recently been universally considered to include the concept of reasonable price stability. The first two Chairmen of the Council of Economic Advisers—1947–52—Dr. Edwin G. Nourse and Mr. Leon H. Keyserling, have both testified that during their administration the words "maximum purchasing power" constituted a goal of maintaining reasonable price stability. However, within the past year, leading Administration figures, such as Council of Economic Advisers' Chairman Raymond J. Saulnier, Federal Reserve Board Chairman William M. Martin, and the President himself, have cast doubt that the Employment Act's language really does contain the mandate of reasonable price stability. So the first provision of section 1 explicitly includes the goal of "reasonable price stability" within the act's goals. At the same time, the definition of "maximum production," another of the act's goals, is clarified so as to include the concept of "sustained growth."

STATING QUANTITATIVE GOALS

Second. Section 3(a) of the Employment Act requires the President to include in his Economic Report the levels of employment, production and purchasing power which he deems "maximum," as well as their current and anticipated levels. This congressional mandate was faithfully adhered to by the Executive Branch during the period 1947–52. Since then, however, no serious effort has been made to estimate the levels of employment, production and purchasing power as they are likely to be in the upcoming year, or to project a goal of what they ought to be, in order to be consistent with the act's purposes. The second provision of section 1 of H.R. 6263 indicates that these goals and estimates should be given, in quantitative terms.

SUPPLEMENTARY REPORTS

Third. Section 3(b) of the Employment Act provides for the periodic transmittal of supplementary and revised recommendations, after the January annual economic report. Again, during the period 1947–52, the Executive Branch found it desirable each year to issue a supplementary report in mid-passage. Since 1952, however, the Council of Economic Advisers is heard from in January, but then is heard no more by the Congress. Congress, for example, could be greatly assisted right now by the filing of a supplementary report by the Council of Economic Advisers, in the format prescribed by the Employment Act, with the Joint Economic Committee. Ironically, Chairman Raymond J. Saulnier of the Council of Economic Advisers has a lengthy interview in this week's—April 20—issue of U.S. News & World Report—pages 54 to 61—in which he submits to an across-the-board set of questions on the economic situation ahead of us. If the Chairman of the Council of Economic Advisers can do this for U.S. News, why cannot he do it for the U.S. Congress? The third provision of section 1 hints gently that Congress would like to see this done.

MONETARY AND CREDIT RECOMMENDATIONS

Fourth. The fourth of the 4 provisions of section 1 requires the President to include, both in his review and his recommendations, monetary and credit policies to the same extent as all other economic policies affecting employment, production, and purchasing power. Again, from 1947 to 1952 the Economic Report presented to the Congress and the Nation a truly comprehensive and coordinated economic program which took account of all Federal economic policies, including monetary, and credit policies. The Federal Reserve System, being independent of the Executive, was of course free to disregard such of these policies as it disagreed with. Since 1953, however, the Administration has left monetary and credit policies out of its calculations entirely. As Chairman Saulnier of the CEA testified concerning the 1958 Economic Report:

> In the Economic Report we have expressed no judgments as to the adequacy or inadequacy of credit policy. (Joint Economic Committee hearings on January, 1958, Economic Report of the President, p. 29.)

The January 1959 Economic Report of the President merely states:

> "Responsibility for monetary and credit policies rests with the Federal Reserve authorities which have independent status within the Government" (p. 52).

DR. GERHARD COLM'S TESTIMONY

Dr. Gerhard Colm, Chief Economist of the National Planning Association, in his testimony on April 9 before the Dawson subcommittee, summarized very clearly the need for the four clarifying amendments contained in section 1 of H.R. 6263:

In the first group of interpretive amendments, maximum employment and production is defined so as to include the concept of sustained growth; maximum purchasing power is defined so as to include the concept of reasonable price stability. In my opinion, there cannot be any real question about the validity of these interpretations in the light of the legislative history of the act.

A second interpretive amendment requires the President's economic report to include statements in quantitative terms, of the levels of employment, production, and purchasing power needed to meet the objectives of the act. A review of the debate on the full employment bill of 1945 both by the committees of Congress and by the Congress itself shows that this is the meaning of the legislation as enacted. The Joint Economic Committee has interpreted the act in this way and has provided quantitative statements of the needed levels when the executive branch failed to do so.

As to the third interpretive amendment the Employment Act left it to the discretion of the President to decide when changes in the economic situation called for supplementary reports and revised recommendations. But it was certainly the intent of these provisions that supplementary reports should be prepared in the event of a significant change in economic conditions. For example the Economic Report of January 1958 did not recognize the severity of the recession then underway. Not long thereafter, however, the President found it necessary to recommend and adopt measures in order to counteract the recession. In my opinion this situation warranted a supplementary economic report.

Finally, I also have no doubt that the intent of the Employment Act was to include a review of and recommendations for monetary and credit policies as part of the President's report on national economic policy. As a matter of fact, the first version of the full employment bill of 1945 was criticized because of an overemphasis on Government expenditures as an anticyclical device and a neglect of other devices, particularly monetary policies. The revision in the original language was intended to cover all policies which could affect employment, production, and purchasing power within the specified limitation of the act.

Since the interpretation of the Employment Act has been questioned in these four respects, it would in my opinion be desirable for the Congress to go on record with a clarification of the act.

SECTION 2—FOCUSING PUBLIC ATTENTION ON PRICE-WAGE INCREASES

Section 2 of H.R. 6263 directs the President, directly or through any agency he designates, to hold public hearings in order to focus an informed public opinion on price increases, and associated wage increases, "which appear to threaten national economic stability." The "national economic stability", it is clear from the testimony before the Dawson subcommittee, could be threatened by increases in those concentrated industries which tend to set the pace for the entire economy.

Section 2 contains no sanctions. But the mere fact of holding public hearings would give the public the opportunity to get the true facts concerning the justification for the proposed increases. The President, it is true, is empowered, if he wishes, to issue an advisory statement. But this need not be done, and certainly should not be done, until he has been able to evolve sound criteria for such a judgment. Even though no advisory statement is issued, the public character of the hearing would tend to make both management and labor more aware of the public interest in price stability.

DR. GARDNER MEANS' VIEWS

The kind of inflation which originates in the concentrated sector of the economy, even when there is a deficiency of general demand, and is hence not effectively controllable by monetary and fiscal policies, was well described by Dr. Gardner Means, Consulting Economist, in his testimony before the Dawson subcommittee on March 25:

The great bulk of the wholesale price inflation—from 1953 to 1958—was in the

concentrated industries. Steel alone accounted for nearly a quarter of the rise in the index and the steel and steel using industries accounted for two-thirds of the rise. Each of the administration dominated groups rose substantially. In contrast, the market dominated groups rose substantially. In contrast, the market dominated groups rose little or actually fell in the same period. This is what is meant by an administrative inflation.

Now this type of inflation is in complete contrast with the classical type of inflation such as we had after World War II and in the Korean war. Those inflations were demand inflations in which there was too much money chasing too few goods. As a result of the excess demand, market dominated prices rose first and most while administration dominated price lagged behind. Then, when there was no longer too much money chasing too few goods, market dominated prices dropped back and administration dominated prices continued to rise until a new balance of prices had been established.

The importance of this distinction lies in the fact, now coming to be widely accepted, that while a tight money policy may be able to control a demand inflation, it cannot control an administrative inflation. It has become clear that limiting demand by a tight money policy can create depression and unemployment but administrative inflation continues. Thus, the steel industry last summer raised its prices 3 percent in spite of the fact that its operations were down to 60 percent of capacity and in spite of the great price increases that had already occurred since 1953.

For the immediate problem of achieving full employment without serious administrative inflation, I regard public price hearings and publication of the facts as having an important role to play. I would be very strongly against the adoption of price and wage controls except as a distant and last resort when other measures had failed. But public hearings on prospective or actual price increases—and where necessary wage increases—could serve a very useful purpose where there was serious danger that such increases would threaten the stability of the economy and impede economic recovery. I would not contemplate a large number of hearings in any one year, but I would expect that the relevant data on costs, wages, productivity, and so forth, would allow the public to distinguish between legitimate and nonlegitimate price increases and bring home to those in control in the concentrated industries the policies which would represent responsible behavior toward economic recovery.

GALBRAITH'S TESTIMONY

Prof. John Kenneth Galbraith of Harvard University, in endorsing the price-wage hearings proposal before the subcommittee on March 25, had this to say:

> Now, it will be plain, I think, Mr. Chairman, that if the cause of the inflation is not an excess of demand, then it cannot be remedied by either monetary policy or fiscal policy, the purpose of which is to cut down demand. This seems to me to be the essential ambiguity and error in the present policy of the Government, of the administration.
>
> Although the Federal Reserve authorities have tended to accept administered prices as the cause of the inflation, the remedies have continued to be the cutting back of demand, and we should remind ourselves that when you cut back on demand, you also have the effect of increasing unemployment. This is what a reduction in demand for goods does, and you have some reduction in the rate of growth in the economy, because it is when the economy is pressing on its capacity that firms add to their capacity. When they have idle capacity, they don't feel similarly obliged.
>
> This means that the monetary and fiscal policies largely bypass the problem of the kind of inflation that we have, and by contributing to unemployment and by slowing the rate of growth, we have other effects which we don't want.

Dr. Colm, in his testimony before the subcommittee on April 9, shows the relevance of the price-wage hearings procedure if we are to insure both economic growth and price stability:

> One of the most important tasks of economic policy is to reconcile the principal objectives of the Employment Act, namely the promotion of economic growth and of reasonable price stability under full employment conditions. The legislative proposal before you merits your serious consideration because it comes to grips with this task.

Until a few years ago, some economists still denied that there really are two kinds of inflation. The experience of the recession has demonstrated beyond doubt that in the modern economy prices can rise even when there is a slack in demand. In such a situation the use of monetary policy to combat the price rise would aggravate the slack in demand. That is what actually happened in the fall of 1957.

The price rise in 1957 and 1958 should not have been combated by monetary policy; it should have been combated by other means. A procedure such as that proposed in the bill under consideration could have been of great usefulness in that situation. Not all situations will be so clear cut as that of 1957–58. Often both types of inflation occur at the same time so that several anti-inflation policies will have to be used in combination.

ADMINISTRATIONS ARE INSUFFICIENT

In the face of demand inflation, policies would be needed which curtail demand and/or increase supply. Appeals for self-restraint in buying can at best hold back the price rise only temporarily. A cost-push or administered price inflation, however, requires a variety of other measures. A cost-push or administered price inflation can be mitigated in the longer run by policies which promote competition. However, in the structure of modern business and labor completely competitive conditions cannot be achieved. Neither prices nor wages are wholly determined by the forces of supply and demand. There remains a considerable margin within which prices and wages are determined by deliberate decisions of business managers and the partners in collective barbaining. These deliberate decisions may or may not be most conducive to economic growth and price stability. The question then is how can a policy be achieved which at the same time does justice to the long-range interests of the parties concerned and takes into consideration the national interests of long-term growth and reasonable price stability? Such reconciliation of private and public interests can be achieved if the parties exercise some degree of self-restraint.

As I understand it this proposal does not intend to adopt price or wage controls. Rather, it is designed to put some teeth into the "jawbone" approach to the promotion of self-restraint. The President under this proposal could order that hearings be held on actual or prospective price increase and such wage increases which the firm involved declares would necessitate price increases. The knowledge that hearings may be held and that summary conclusions and advisory statements may be issued would, I believe, add to the self-restraint of both management and labor.

I am aware of the fact that some business organizations and some labor organizations have objected to the proposal. Some people have expressed concern that the holding of hearings on price and wage changes might be only the first step to imposing price and wage controls. They fear that it might serve as the notorious nose of the camel getting into the private business tent. While I do not see that price and wage controls should be a consequence of this proposal, I too believe that no additional measure of Government intervention in the private sphere should be adopted unless the alternatives are even less desirable.

What then are the alternatives? Let me first say that the threat of an imminent runaway inflation is not why I favor this proposal. As a matter of fact, I believe that some of the fears which have been expressed by people inside and outside the Government are grossly exaggerated. In the long-term perspective the recent price increases in the United States have been relatively mild, if we exclude the periods of war and the aftermath of war. I am concerned, however, with the persistency of small price rises, particularly in periods of slack demand. If the Government officially adopts a policy of looking in the other direction whenever prices rise, business, labor, consumers, and investors may anticipate a continuing price rise with the consequence that a small price rise would soon become an inflation spiral.

The use of conventional methods, such as a restrictive monetary policy, to fight such price rises may interfere with the objective of achieving a desirable rate of economic growth. Economic stagnation could result if not economic recession or depressions.

Some may say that since the situation is not yet alarming, we might as well wait until the problem becomes really urgent. My answer is that at this point we may be able to achieve reasonable price stability with mild measures and avoid the necessity of price and wage controls. If the public gets the impression that the Government is not really

serious about keeping prices in line, then the speculative anticipation of further price rises may magnify the problem; in the end this might lead to the necessity of price and wage controls. Thus, it may well be that a proposal such as the one before this committee may be regarded as a measure avoiding rather than leading to price and wage controls. The amendment proposed in H.R. 4870 with proper implementation would in my opinion demonstrate that the Government is concerned with price stability and would thereby have a considerable effect on the behavior of all concerned without necessitating direct controls.

OPPOSITION IS FORMIDABLE

I wish I could report, Mr. Speaker, that practically everybody favors my bill. Actually, I have to admit that almost everybody important is against it. The administration opposes it. The Federal Reserve is against it. The U.S. Chamber of Commerce is against it. The AFL–CIO is against it.

Bernard D. Nossiter, the perceptive economic columnist of the Washington Post, commented upon this in the March 31 issue:

ECONOMIC BLOOMS—STRANGE ALLIANCES SPROUT ON HILL

(By Bernard D. Nossiter)

This is the time of the year when the soft spring mood of love creeps into the strangest quarters. It has inspired the unlikeliest economic and political combinations on Capitol Hill.

Here are two pairs inspired by the great economic debate over what to do about rising prices, high unemployment, and slow economic growth:

1. Last week both the AFL–CIO and the U.S. Chamber of Commerce opposed the same bill in testimony before the House Government Operations Committee. The two big interest groups agreed that the measure in question would be a mistake. This bill would require big industry or big labor to tell a Government body why specific prices and specific wages should be raised.

2. Yesterday some shrewd Hill sources predicted that at least the Democratic majority of the Government Operations Committee would report out just such a bill—one embodying the notification feature of the measure sponsored by Representative HENRY REUSS, Democrat, of Wisconsin, and Senator JOSEPH CLARK, Democrat, of Pennsylvania. And on Thursday, Senator ALEXANDER WILEY, Republican, of Wisconsin, said President Eisenhower correctly recognized that the consumer has a very direct stake in the steel industry's wage-price talks. Moreover, WILEY's remarks were publicized in a statement written by the staff of the Senate minority policy committee.

All this is not spring madness. The big unions and the big corporations, according to some testimony, have a vested interest in rising wages and profit-breeding rising prices. Then both Republicans and Democrats have a vested interest in getting elected, and there are more consumers than there are labor or business leaders.

Hill cynics point out that it is folly to pass any bill opposed by organized business and organized labor. These groups, they say, are articulate and organized. Consumers, of course, are not. However, Hill professionals say that some consumers are writing letters—the pensioners, Government workers, professionals and white-collar workers, groups that have unorganized votes.

Despite the moves toward superunity among labor and business on the crucial matters, there are differences in style.

The chamber is strident. It said this of the Reuss-Clark price-wage notification provision:

"To transfer individual price-wage decisions from impersonal markets to the political arena would signal the end of consumer sovereignty and economic freedom."

The AFL–CIO is subtle. It said this:

"We think this proposal needs more study * * * there are no sanctions in (the) bill. We are not certain how effective such a public hearing procedure could be in the absence of sanctions. We question whether the introduction of wages as a separate issue into such a procedure for public hearings serves any useful purpose."

So, in another subtle thrust, AFL–CIO proposed that the question be studied by the Joint Economic Committee, whose investigation into price-jobs-growth has just started. Interestingly enough, in this committee's first round of hearings it heard from four distinguished witnesses. But unlike the Government Operations Committee, covering the same ground, the Joint Economic Committee had no time, as yet at least, for any of the many economists who favor the Reuss-Clark idea.

All of which probably goes to prove that the course of true love, even in the spring, doesn't always run smoothly.

The Washington Post has summed up the case for the price-wage hearings provision very well in two recent editorials:

[From the Washington Post, Mar. 27, 1959]

THE PRESIDENT ON STEEL

President Eisenhower has followed his economic advisers—and those of the Federal Reserve Board—into vigorous battle on the price issue. In the most forthright and forceful statement he has yet made on the subject, the President has asserted the public interest in the forthcoming steel wage talks, urging both the companies and the unions to forego any steps that might lead to another round of price increases. This is the first time that the President has addressed himself so boldly to a specific inflationary threat arising from the ability of the concentrated industries, like steel, to defy the normal laws of supply and demand. In view of general expectations of another difficult bargaining session and fears of a protracted strike—despite the fact that the steel industry is operating far below capacity—Mr. Eisenhower's warnings are most timely.

A chief difficulty, of course, is that labor and management will interpret the President differently. Wisely the President has not ruled out all concessions to the unions; the general administration view reportedly is that modest wage and other improvements could be absorbed out of the relatively high current earnings of the industry. This of course leaves open to dispute how much the unions can insist upon and still heed the President's injunction. Management, on the other hand, advised against any price increase, undoubtedly will insist that this means no wage improvement either.

Mr. Eisenhower's plea for restraint would be notably reinforced, we believe, if there were some kind of machinery to investigate and state the public case in more detail. For example, there is a wide gulf between union and management claims on how the rates of wage and profit increases in recent years compare, each side arguing that it is being shortchanged. For our part, we are persuaded that earnings have outdistanced wages by quite a margin—but a public, impartial finding on this and other factual aspects of the situation would be most helpful.

It is difficult to understand, therefore, why some administration spokesmen are so cool toward the proposals of Senator CLARK, Representative REUSS and others that would enable the public to get the facts. Perhaps something short of a full-fledged, adversary-type proceeding would suffice, but clearly even the sternest presidential warnings would avail more if set against a detailed factual background. Congress could usefully buttress the President's strong stand on this important question by setting up an appropriate factfinding mechanism.

[From the Washington Post, Apr. 3, 1959]

WHAT OF THE CONSUMER?

It ought to come as no great surprise, we suppose, that spokesmen for both "big labor" and "big business" are opposed to proposals for a Government review of price-wage changes that might have a significant inflationary impact. The fact that neither group wants such a review might in a sense be taken as prima facie evidence of the need for it. In too many wage negotiations since World War II it has appeared that management's attitude was too "easy" and labor's too demanding in relation to normal market and price considerations, each side apparently feeling that the consumer could be stuck for the bill, or most of it, whether he liked it or not. This, at least, has seemed the case in the concentrated industries like steel where prices have spiraled almost steadily despite marked periodic declines in demand.

The difficulties with outright price-wage control are of course so great that only in a war or other extreme emergency should such measures be undertaken. Similarly, extensive Government involvement even in a review and factfinding procedure, relying upon public opinion for "enforcement," would have its pitfalls. Full adversary proceedings, with all the paraphernalia of a "record," of hearings, evidence and cross-examination, might seriously subvert the necessary private bargaining process and also introduce delays that could make the economy sluggish and less responsive to public demands than it sometimes is.

But a limited, public "sampling" of the factors in major wage and price decisions, undertaken as and if needed by a nonpartisan, expert board whose findings could be expeditiously developed and published, might serve a most useful purpose. Whatever such a board might say, labor or management or both would be free to dispute it and to act as each might see fit. But the confused public, unable to reconcile the widely divergent claims of both sides in major contract disputes and important price adjustments, would at least have an independent source of information. In time, a competent factfinding procedure of this kind could come to have a stabilizing effect on both business and labor leadership. The decisions would still lie with the companies and the unions, but a greater capacity to judge their wisdom would become the public's. The consumer might then make his voice heard at the bargaining tables.

UNJUSTIFIABLE RESTRICTIONS ON INFORMATION CONTROLLED BY THE EXECUTIVE BRANCH

The SPEAKER. Under previous order of the House, the gentleman from California [Mr. MOSS] is recognized for 15 minutes.

Mr. MOSS. Mr. Speaker, twice—last Friday and yesterday—the Honorable CLARE HOFFMAN, of Michigan, inaccurately attacked the work which the Special Subcommittee on Government Information is doing to remove unjustifiable restrictions on information controlled by the executive branch and he impugned my motives as chairman of the subcommittee. I now wish to clarify the facts which were so badly twisted by my distinguished colleague from Michigan—facts to which he had ready access as

the minority member of the subcommittee.

First, Mr. Speaker, I would like to comment on a most interesting coincidence. The tenor of the attack by the minority member of the subcommittee, Mr. HOFFMAN, is identical to the tenor of a similarly baseless charge by Mr. Robert Dechert, General Counsel of the Department of Defense. The date of Mr. HOFFMAN'S first attack on the floor of the House of Representatives, April 10, and the date of Mr. Dechert's letter attacking the subcommittee are identical. And both attacks make the same errors.

Mr. Speaker, I would not dream of charging that there was any sort of collusion between these two respected gentlemen. I would never contend that the Republican member of the subcommittee was influenced to make his attack by the Republican General Counsel of the Department of Defense. But both gentlemen contend that the subcommittee's inquiry into the fouled-up security system in the Pentagon benefits the Communists. And both gentlemen—highly intelligent, I am sure; extremely patriotic, I am certain, and well informed if they wished to be—overlook the fact that disrespect in the Pentagon for the information security system is generated by the excessive abuses of the system.

Also, I am somewhat surprised to find two such distinguished and honorable gentlemen adopting the Communist scare technique—a political technique discredited because it has been used so often by those whose arguments are weak and, therefore, they find it more expedient to impugn the motives of those they attack.

Mr. Speaker, I can best answer Mr. HOFFMAN'S attack on the subcommittee's work by putting in this public RECORD the same letter which I sent yesterday to the Secretary of Defense in response to the wholly unwarranted and erroneous charges of Mr. Dechert. In summary, the facts set forth in the letters are these:

On March 30, 1959, the subcommittee asked Secretary of Defense Neil H. McElroy for an explanation of the apparent on-again-off-again secrecy about the use of monkeys in research projects. The subcommittee also asked for an explanation of how the disclosure that monkeys are used in scientific satellites could prejudice the defense interests of the Nation.

On April 10, 1959, Mr. Dechert leveled his attack on the subcommittee, charging that information concerning classified matters has been disclosed by an employee of the Department of Defense, without authority. Mr. Dechert, backed up yesterday by Mr. HOFFMAN, demanded full details on the source of the subcommittee's information which led to the inquiry.

The subcommittee is most happy, in a spirit of cooperation—not, I emphasize in response to Mr. Dechert's demand, but in a spirit of full cooperation—to provide the details of its investigation. The subcommittee's answer to Mr. Dechert's letter, delivered to Secretary McElroy yesterday, provides this information which is, in summary:

First. The initial subcommittee source was a U.S. Air Force official announcement—Washington Post, December 4, 1958—which was expanded by Department of Defense Press Release No. 1230–58—December 3, 1958.

Second. This official information on the use of monkeys in satellites and other scientific research projects was enlarged upon at a public press conference by Mr. Roy W. Johnson, Director of the Department's Advanced Research Projects Agency—December 3, 1958.

Third. Another source of information was a 2-page article written for Life magazine—January 5, 1959—by the Director of the Astronautics Division of the U.S. Navy's Bureau of Ships. This article included pictures and extensive details on space flights of monkeys.

Fourth. When reporters asked information officials at the Wright Air Development Center near Dayton, Ohio, whether monkeys were being readied for space flights, the information officials checked with the Pentagon and were told to keep their mouths shut—December 5, 1958.

Fifth. The New York Times later reported that there was a clampdown on mentioning monkeys in space "because there are some people in this world who get as emotional about monkeys as Americans get about dogs"—December 8, 1958.

Sixth. A Pentagon information official informed the subcommittee of the existence of Assistant Secretary Snyder's classified monkey memorandum—a fact which is not secret since Mr. Dechert has disclosed even the contents of the classified memorandum.

Seventh. In an attempt to clarify this on-again-off-again secrecy which sometimes prohibited even the mention of the word "monkey" and other times permitted Pentagon publicity experts to hippodrome monkey research, the subcommittee telephoned public, nonmilitary research personnel. These contacts included the National Advisory Committee for Rhesus Monkey Requirements, a function of the National Research Council with offices at the National Institutes of Health.

Eighth. Other similar nonmilitary, unclassified sources on the problems of obtaining monkeys for scientific research are the Parke, Davis & Co. laboratory in Detroit, the Eli Lilly & Co. laboratory in Indianapolis, and other pharmaceutical laboratory officials who have discussed the problem with Mr. S. G. Ramachandran, commercial secretary of the Indian Embassy.

Ninth. From such public sources, it can be determined that there was a ban on the shipment of research monkeys from India from February 1958 to June 1958. The ban was imposed after animal protection organizations in the United States and in India—where there is a cult of monkey worshippers—complained to the Indian Government. The ban was lifted after officials of the Indian Government conferred on the humane treatment of research monkeys with representatives of the National Advisory Committee for Rhesus Monkey Requirements. Representatives of the State and Commerce Departments also participated in the meetings.

Mr. Speaker, now that the distinguished gentleman from Michigan and the General Counsel of the Defense Department from Philadelphia have the facts—facts, incidentally, which can be collected by anyone who can read a newspaper and use a telephone directory—I hope they will help me pursue the subcommittee's original request, to quote from the letter of March 30, 1959, for a full explanation of the apparent on-again-off-again secrecy about the use of monkeys in research projects.

If the military security of the United States justifies any control of this type of information, that control should have followed a consistent pattern instead of the highly contradictory pattern detailed by the subcommittee's records.

It might be interesting, Mr. Speaker, to know that out at the Washington Zoo is a cage containing a Macaque monkey, and on the cage is a plaque which reports that this is one of two monkeys sent up in 1952 in an Air Force Aerobee rocket to a height of 200,000 feet into the upper atmosphere from New Mexico. He was subjected to 15 G's pressure on takeoff. He is a gift of Air Research and Development Command, November 1953.

Mr. Speaker, as I stated at the beginning, I have been attacked both by my distinguished colleague [Mr. HOFFMAN] and by a letter from the General Counsel of the Department of Defense. My motives have been impugned. I have been accused of following a pattern which would give aid and comfort to the Communists.

I submit that the ridiculous pattern being pursued by the Defense Department in the hopelessly impossible task of classifying the unclassifiable does far more damage than any policy of open aboveboardness which I have adocated.

I have never advocated, and the gentleman from Michigan has repeatedly heard me reaffirm this in the hearings of the subcommittee, anything but the most stringent security over information which could in any way affect adversely the security of the United States.

Mr. FASCELL. Mr. Speaker, will the gentleman yield?

Mr. MOSS. I am very happy to yield to my distinguished colleague from Florida.

Mr. FASCELL. I gather from the gentleman's statement that the charge has been made that the Subcommittee on Information either sought classified information or declassified information which hitherto had been classified. I am satisfied from the gentleman's statement here of the fact that the information had already been made public long before this issue ever arose. Is that correct? Is that the gentleman's position?

Mr. MOSS. That is the position I have taken. I think the record bears me out.

Mr. FASCELL. As a member of the subcommitee, it has been my understanding that this subcommittee has followed a policy that we have never sought classified information of any kind. Is my understanding correct and is that still the policy of the subcommittee?

Mr. MOSS. That is the policy of the subcommittee.

Mr. FASCELL. Will the gentleman agree with me that the records of this subcommittee in hearings that have been held over many years bear ample proof of the complaints that have been made that there is overclassification of matters which have nothing to do with national defense?

Mr. MOSS. The record will bear it out, and I quoted in my letter yesterday to Secretary McElroy a statement from the Coolidge committee which was appointed by former Secretary of Defense Charles Wilson for the study of this matter. That committee in reporting to us in public hearings made this statement referring to overclassification:

The result is not only that the system fails to supply to the public information which its proper operation would supply, but the system has become so overloaded that proper protection of information which should be protected has suffered. The press regards the stamp of classification with feelings which vary from indifference to active contempt. Within the Department of Defense itself the mass of classified papers has inevitably resulted in a casual attitude toward classified information, at least on the part of many.

That committee was chairmanned by Mr. Charles Coolidge, a distinguished former Assistant Secretary of Defense, and four flag officers of the military services served with him.

Mr. FASCELL. Mr. Speaker, will the gentleman yield further?

Mr. MOSS. I am very pleased to yield further to the gentleman.

Mr. FASCELL. It has been my understanding the gentleman's position is that there has been a great mass of information which is properly classifiable under the President's Executive order in the national interest.

Mr. MOSS. That is correct.

Mr. FASCELL. Will the gentleman yield further?

Mr. MOSS. I am very happy to yield further to the gentleman.

Mr. FASCELL. Does the gentleman agree with me that the great bulk of the investigations which have come about in this subcommittee have resulted naturally, because of the fact that the greatest classification of matters originates within the Defense Department?

Mr. MOSS. That is also correct.

Mr. FASCELL. And it would seem to be at this point they are getting overly sensitive about the whole situation?

Mr. MOSS. I would conclude from this most recent exchange that they are almost dedicated to making it so uncomfortable for those of us on the subcommittee that we will back away from probing their irresponsible actions. And I want to serve notice on them that that I have no intention of doing.

Mr. FASCELL. Will the gentleman yield further?

Mr. MOSS. I yield further to the gentleman.

Mr. FASCELL. I certainly concur with the gentleman. I regret that the Department of Defense has used this issue to make unwarranted charges and impugn the motives of the chairman, because it has been my observation in serving with the gentleman on this subcommittee that he has made a remarkable record and has rendered a great public service to the people of this country in fighting for information which should be made available to the American people.

Mr. MOSS. I thank my colleague for his support. I wish to include in the RECORD the published sources of information to which I referred earlier.

The Washington Post and Times Herald, page A20, December 4, 1958:

The initial launchings will be made primarily to test the vehicle itself, especially its propulsion and guidance. Later satellites will contain biomedical specimens to seek data on environmental conditions which will be useful to the man-in-space program being carried out jointly by ARPA and the National Aeronautics and Space Administration. As part of this program, live animals, including primates, will be carried aloft and their recovery attempted.

The Air Force announced a few days ago that it was readying test animals for space flights, the animals ranging from mice to monkeys large enough to put in a 2-quart jar.

The news release from the Department of Defense, Office of Public Information, Washington, D.C., December 3, 1958:

"PROJECT DISCOVERER" SATELLITE PROGRAM ANNOUNCED BY DEPARTMENT OF DEFENSE

The first attempt to launch a satellite over the Pacific Missile Range will be made late this year or early next year from Vandenberg Air Force Base, Calif., the Department of Defense announced today. This launching will be part of a series—designated "Project Discoverer"—to be carried out by the Department of the Air Force under the direction of the Defense Department's Advanced Research Projects Agency.

The purpose of ARPA's Project Discoverer is to continue development of a number of systems and techniques which will be employed in the operation of space vehicles. Although no precise number of launchings has been scheduled for the project, it is expected a considerable number will be attempted because of the nature and variety of the experiments involved and the fact that the satellites will orbit only for short periods of time.

The initial launching primarily will be to test the vehicle itself, especially its propulsion and guidance. Later, the satellites will contain biomedical specimens to seek data on environmental conditions which will be useful to the man-in-space program being carried out jointly by ARPA and the National Aeronautics and Space Administration. As part of this program, live animals also will be carried aloft and their recovery attempted in order to develop the techniques involved.

The first Discoverer vehicle is a 2-stage rocket. The main stage is a modified Thor IRBM produced by the Douglas Aircraft Co. The second stage is a new vehicle produced by the Lockheed Aircraft Corp. and powered by a Bell-Hustler engine.

The first Discoverer-launched satellites are expected to weigh approximately 1,300 pounds. This includes the weight of the second stage vehicle which will orbit as an integral part of the satellite after burnout. Initial versions of the Discoverer satellite are designed to orbit for short periods of time at relatively low altitude. High altitudes are not possible with the weight-thrust ratio established for the Discoverer.

Much of the data expected to be obtained from project Discoverer, such as results of the biomedical flights, will be of general scientific interest and will be unclassified. Other results which will be highly significant for the development of later systems and techniques for space navigation involve national security and will be classified.

The Dayton Daily News, December 5, 1958, reprinted by the Associated Press, December 14, 1958:

NARY A MOUSE SQUEAK, EITHER—MONKEYS AIN'T TALKING ON SATELLITES

Monkey business at the Wright Air Development center is classified top secret.

About 2 weeks ago when the Daily News heard monkeys might be "in training" for space travel at the base here, a reporter queried public information officials and was told "monkeys are classified."

Then when it was announced Wednesday by the Department of Defense in Washington that the United States will start firing a series of big satellites from California in the next few weeks—and that some will carry mice and monkeys—the queries started over.

Were some of the mice and monkeys involved in the project being trained or tested at WADC's Aero Medical laboratory? And if so, could they meet the press?

"That was a D. of D. (Department of Defense) announcement and not an ARDC (Air Research and Development Command) or a WADC (Wright Air Development Center) announcement," answered a public information officer. "We don't have anything to do with their monkeys."

So what about mice?

"You'll have to talk to the PIO (Public Information Officer) in charge of the Aero Med lab about that."

"We can't talk about anything in that area," reported the second PIO.

Monkeys or mice?

"Either."

"No comment," interjected the first PIO.

Since humans who have been involved in space medicine tests, such as isolation for long periods at the Aero Medical laboratory, have emerged to hold press conferences it didn't appear that a monkey or mouse could say much to endanger national security.

Therefore a call to the Pentagon and to the top echelon of Air Force PIOs was indicated.

At 2:30 p.m. yesterday a general came on the phone. "Monkeys? Mice? I don't know about that situation. I'd better let you talk to our colonel who is in charge of Operation Discoverer." Discoverer is the Defense Department's tag for the project that will send the now-incommunicado monkeys and mice chattering off into space.

"I don't know where they are or if they're classified," the colonel in charge of the project said.

Reminded that most of the space medicine experiments in the past involving human weren't classified and asked how come monkeys might be, the colonel answered: "Well, we've got to think of every little thing, you know."

Well, would he find out about the monkeys and the mice?

"Most certainly will. Most certainly."

Twenty minutes later the phone rang. It was the man everything started with—the first PIO at WADC.

"Had a call from Washington," he said.

So?

"He told me to keep my mouth shut."

So, apparently, will the space-bound monkeys and mice, wherever they may be.

But chattering away right now at the Washington, D.C. zoo are Pat and Mike, two monkeys who rode an Aerobee rocket into space for the Air Force in 1952. It is hoped they won't say anything they shouldn't.

The Dayton Daily News, December 7, 1954:

EVOLUTION REVERSING TREND? WADC HINTED APING FOR SPACE

(By Jack Jones)

If scientists are monkeying around under top secret security wraps at Wright Air Development center, they may be aping what will happen to the first man in space.

The advanced research projects agency announced last week that monkeys will be fired into orbit soon. Some people think the first space passengers are now in training at WADC here.

WADC says the monkey business is classified but does not say why.

Not having access to classified information, and therefore in no position to disclose any valuable secrets to the enemy, the layman may find it interesting to speculate what sort of monkey business WADC scientists might be up to, if they had any monkeys.

It is a matter of public record that Air Force scientists were involved in shooting monkeys and mice into space in Aerobee rockets in 1952.

Then, as now, one of the biggest problems puzzling scientists seemed to be the physiological effects to prolonged weightlessness.

A passenger in an earth satellite would feel no gravity. He wouldn't weigh anything and might tend to float around in his tiny capsule.

This condition has been simulated for short periods—less than a minute—in jet planes. But nobody knows for sure what will happen to the human body under long exposure to zero-g conditions.

Col. John Paul Stapp, head of the WADC's aero medical laboratory, was quoted last spring to the effect that he would want to send up and recover three orbiting satellites containing chimpanzees before he would consider it safe enough to try with a man aboard.

Now it can be assumed that Air Force scientists wouldn't just pick a chimp out of his cage and pop him into a nose cone compartment for his experimental voyage. They would make long and careful preparations so as to gain as much knowledge from each shot as possible.

The researchers would probably want to find out as much as they could about the effects of weightlessness, for one thing.

For this, during the actual satellite firing, they would have tiny wires taped to the animal's skin so his heartbeat, respiration, skin temperature, and other information on his physical condition could be telemetered to the ground.

But to try to determine whether changes in his heartbeat were caused by weightlessness or simply, say, by the feeling of being cooped up in a tiny compartment, the scientists probably would have performed earlier some baseline experiments.

By putting the animal in a tiny, earthbound nose cone, they could check, in the laboratory, what effect close confinement might have.

Similarly, they might well see how the animal reacted to the effects of the "g" forces that would be imposed by the rocket's blastoff. This could be simulated in the WADC centrifuge.

A space traveler is also expected to encounter other unusual conditions. His spaceship may vibrate. It may get very hot—during the blastoff and during the reentry—or very cold during the trip through the airless void beyond the earth's atmosphere.

He may have a limited oxygen supply. Prolonged breathing in the small space capsule could result in high humidity. His supplies of food and drink may have to be small because of space and weight limitations.

Most of these conditions can be simulated in the various climatic and environmental chambers of WADC's Aero Medical Laboratory.

Over the years, scores of volunteer human subjects have undergone tests to show how humans might bear up under these conditions or to discover what protective measures can be taken to insure the human's survival and possibly even his comfort. In these tests, the humans are often "wired" for skin response, just as the animals would be.

It can be expected that "space monkeys" could be put through the same tests in the laboratory.

Effects of the various environments would be determined with as much accuracy as possible to establish the scientists' baselines.

Then when the rockets roar off the pad and through the earth's atmosphere into the silent void of space, whatever different effects are observed via the telemetry channels can be assumed to be the effects of actual space flight.

And the scientists will have taken one more big step toward the goal of putting a human being into space flight.

The Dayton Daily News, December 7, 1958:

AIR FORCE MONKEY BUSINESS FOOLISHLY STAMPED "SECRET"

A picture of monkeys and mice cowering behind a curtain of official secrecy is less amusing than it seems. However trivial, the instance affords one more example of unjustifiable secrecy in conduct of public business.

Experiments with monkeys and mice in test satellite firings or other aspects of space medicine are not news to the enemy. Even if they were, they would scarcely give him any leads that he would not long since have been capable of developing by his own efforts. In information of this sort there is no faintly legitimate element of security.

Yet both local and Pentagon Air Force news sources have clammed up and refused to say whether animals are being used in experiments at the Wright Air Development Center.

Merely adding to the incongruity is the fact that Air Force and WADC information officers clamped down on news which days ago had been announced by Defense Department headquarters. Unfortunately, many areas of information which ought to be open to the public have been surrounded by unbroken walls of security.

Much that Government officials—not always confined to the military—tag with the label of "security" is merely information that might open the way to criticism, embarrassment, or public controversy. But criticism and controversy are the lifeblood of a healthy democracy. They should be abridged only to the extent that is necessary to protect vital military and scientific secrets.

The New York Times, December 8, 1958:

PRIMATESHINES

The art of "Washington Speak," as every ninny knows, lies in never calling a monkey a monkey. When the Defense Department announced last week its latest satellite program—this one to put living creatures in celestial orbit—it explained that the space travelers would be "mice and primates."

Did the Department mean "mice and monkeys"? someone insisted on knowing. "Mice and primates," Defense replied, doggedly.

Later, a loose-talker confided that those "primates" would be "monkeys," all right. Defense would rather not call them monkeys, he explained, because there are some people in this world who get as emotional about monkeys as Americans get about dogs. These people, Defense figures, are apt to complain about maltreating monkeys. Ergo, it will fool them with primates.

CLASSIFIED INFORMATION

The SPEAKER. Under previous order of the House, the gentleman from Michigan [Mr. HOFFMAN] is recognized for 20 minutes.

Mr. HOFFMAN of Michigan. Mr. Speaker, I am still somewhat in doubt as to what is bothering the gentleman from California [Mr. Moss]. Apparently, he claims that I liken some of his methods or thought to those of the Communists. Well, he did the same thing when he said I was using the tactics of the Communists. Of course, neither one of us meant that either had any agreement or like thought with the Communists. Methods are sometimes similar, of course—or something like that. All I can get out of what the gentleman said in the colloquy between himself and the other members of the committee—there are three of us on this committee, the gentleman from California [Mr. Moss], the chairman, the gentleman from Florida [Mr. FASCELL], who is the other member, and I am the Republican member, the only Republican member on the committee. Before I start on this discussion, from my standpoint anyway, I want to say this: I have not made the complaint before, and I would not now had the matter not been brought up in the way that it has. These statements have been issued to the press and have been coming out for something like 2 years. They are issued under the designation of "chairman of the committee." The gentleman from California [Mr. Moss] is chairman and it is his statement, but when it comes out that way, it is charged up sometimes to the whole committee. I do not see these press releases before they are issued—and I am not complaining about it—I do not care—put out all of them that you want to.

Mr. MOSS. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield.

Mr. MOSS. If the gentleman had inquired, he would have found that the story that seemed to disturb the gentleman occurred because of a press release. This committee did not issue a press release which brought about the story reported by the Associated Press.

This committee has followed the practice, wherever we have a complaint, of supplying to the complainant—in this case the Dayton Daily News—a copy of the initial letter of inquiry that was addressed to the governmental agency giving them full opportunity to state their side of the case. The Daily News then determined to release that.

Mr. HOFFMAN of Michigan. Well, I do not care to yield any more on that. What I said was that the press releases go out before I have seen them. Does the gentleman deny that?

Mr. MOSS. Most assuredly.

Mr. HOFFMAN of Michigan. All right. The first I ever saw of them was in the paper, and that is all there is to it. They run that committee. That is

all right. I have no fault to find. I do not care what they put in the paper. I can answer it, especially when it is wrong, as it usually is. I do not know so much about the views of the gentleman from Florida [Mr. FASCELL], but the chairman is thoroughly and honestly convinced that the executive departments are withholding information to which he is entitled and to which the committee and the press are entitled; that they are marking as confidential matter things that are not confidential. And in this last complaint they are inconsistent. At one time they are marking "Confidential" something that is not confidential, like the monkey in the zoo, to which the gentleman referred.

Mr. MOSS. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield.

Mr. MOSS. Is that not the position which the gentleman took himself during the previous two administrations, their withholding on the claim of privilege?

Mr. HOFFMAN of Michigan. Sure. I introduced a bill which passed the House to make the departments give us more information. It is usually so that I and the other fellow are going to cover up our mistakes insofar as we can. The gentleman is not running around advertising his faults, nor am I, nor are the departments. The only place we differ is that under the Constitution certain authority is given to the President. That authority neither the Congress nor the courts have the right to question. If you are in doubt about the soundness of the views I am expressing, I ask you to go back and read the talk which the Speaker and the majority leader made when we had that bill before us at previous times. The Speaker said: "What are you going to do about it? Impeach him"? The only question is the authority of Congress. I have deliberately, when the Navy refused to give me and the committee information which was wanted, suggested to him that our subcommittee and the full committee ask the Congress to vote a citation for contempt, and the Supreme Court will lay down the line. The reply to that was that he thought we could get it in another way, perhaps by holding up appropriations, which perhaps we can. He also said in answer to my question that we have a nuisance value and we could force the department to disclose this information.

As I understand it, the gentleman thinks I challenge his intelligence and his loyalty, or something. I have the greatest admiration for the gentleman, especially for his determination to get something that he wants and he thinks he has a right to. I have been here 24 years, and if I sat down and tried half the night to dig up some ill feeling against some Member on either side, I could not do it.

Now that is a fact, although you may not believe it. I do not know of a Member who has been here since I have, whose integrity, whose patriotism, and whose intelligence I question at all.

We have differences of opinion, the chairman and I, when we get on some of these questions and he may flare up like lightning, but in 5 minutes he is over it and asking: "What do you think about this?" We get along all right.

Just get this into your head: I am not questioning your abililty, your patriotism, your zealousness, your intelligence, nor of your colleague from Florida; I do question this, we disagree and disagree violently on the authority of Congress to inquire of the executive departments of matters under their discretion under the Constitution. Now, there is all there is to it.

Mr. MOSS. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield.

Mr. MOSS. I turned to the RECORD of yesterday and in the place where I looked for enlightment as a result of the gentleman's statement in the REA debate regarding the activities of this committee, the gentleman undertook to discuss the subcommittee yesterday——

Mr. HOFFMAN of Michigan. I know about that.

Mr. MOSS. I enjoyed the gentleman's statement so I looked back there this morning to refresh myself again with his wisdom, but instead of finding the remarks he made in the House yesterday about REA, where the gentleman put himself on record, I found:

> Should congressional policy aid Russia to establish communism throughout the world—Russia's purpose.

Then the gentleman from Michigan goes on and says in substance that because I have urged that we clarify this ridiculous on-again off-again policy about secrecy—the reference to monkeys is a very inconsequential matter; the point at issue is that the same thing is done in every department and agency of the Government.

Mr. HOFFMAN of Michigan. Oh, no.

Mr. MOSS. Now, I am not thick, and I do not think I am overly sensitive, but the gentleman was not trying to compliment me; I am most certain of that.

Mr. HOFFMAN of Michigan. What I tried to say was that it was just tomfoolishness and silly and a waste of public moneys for us here year after year to appropriate billions of dollars in foreign aid, give them military aid, send over technicians, and then to turn around and go along with the demand which the gentleman I understand makes, that we tell them all our secrets. That is the burden of my statement and that is the thing I object to, that is the thing I do not agree with.

Mr. MOSS. Mr. Speaker, will the gentleman yield further?

Mr. HOFFMAN of Michigan. I yield.

Mr. MOSS. The gentleman has been very kind. I merely point out that your judgment or my judgment I am certain would lead to a more consistent policy than has been followed. Here we are starting back again with the Defense Department saying that they are using monkeys for research, and then an inquiry comes to them and the question is asked: "Are you using monkeys for research?" and the response from the Department is: "We cannot talk about that."

Mr. HOFFMAN of Michigan. All right; let us see what this all boils down to. It all boils down to some agency having disseminated a lot of information about monkeys and then afterward saying they could not talk about them. This Mr. Dechert says, or Murray Snyder said they could see the monkey in the Zoo. Then the chairman pops up, chairman of this Committee on Government Information, pops up and asks: "What is this about monkeys? Why did you not tell us about the monkeys?" And it turned out they knew all about the monkeys anyway, but again Dechert says: "We are not going to tell you anything about monkeys."

Mr. MOSS. The chairman did not pop up, but a very respected newspaper being somewhat frustrated because it could not get information——

Mr. HOFFMAN of Michigan. Some reporter could not get all the information he wanted.

Mr. MOSS. I do not know. In connection with the Dayton Ohio Press, the question was asked, What is the story? Is this classified or is it not? We would like to know.

That is all I know about it. I asked Mr. Decker to let us know.

The SPEAKER. The time of the gentleman from Michigan has expired.

(By unanimous consent (at the request of Mr. HOFFMAN of Michigan) he was allowed to proceed for 5 additional minutes.)

Mr. HOFFMAN of Michigan. Mr. Speaker, now he is getting me off. They have reporters over there and information came up. They tell me they have three reporters on your committee?

Mr. MOSS. I have not any on my committee. I am not in the publishing business.

Mr. HOFFMAN of Michigan. You have two members of the press. Did they go up and get paid for speaking? The public has a right to know.

Mr. MOSS. If they did, I do not know. If the gentleman will help me I will find out.

Mr. HOFFMAN of Michigan. The gentleman's complaint, his quarrel, is with Dechert, General Counsel of the Defense Department, is it not? Sure. He does not like Dechert and Dechert does not like him. I do not know how I got into it except I do not believe that a congressional committee knows more about running the Defense Department than does the Defense Department. The gentleman has not any real complaint here because I have never questioned his ability or his intelligence.

Mr. MILLER of New York. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield.

Mr. MILLER of New York. Do I understand the situation to be that a responsible news agency made a complaint to the chairman of the committee concerning the action of an agency of this Government; then the chairman of the committee wrote a letter of inquiry to the agency giving them an opportunity to state their position and before the gentleman from Michigan knew about it or before the agency had an opportunity to respond or to state its defense, that letter of inquiry was in the newspaper?

Mr. HOFFMAN of Michigan. Let the gentleman answer. I do not know. I

do not know what the committee does. They do not tell me. I just go over and help them make up a quorum.

Mr. MOSS. The committee wrote a letter on the 30th of March asking the Department of Defense to state its position. We have always followed the practice of supplying to the person or to the Member of the House, or to the newspaper giving us the complaint a carbon copy of our initial letter of inquiry. The Daily News determined to publish that letter. That was their privilege as it is the privilege of any of your constituents or any other individual, corporate or otherwise, to publish any letter they receive.

Mr. MILLER of New York. Then it was printed in the newspaper before the letter was actually received by the Government department or agency?

Mr. MOSS. That is correct. Not before it was received, some 4 days after it was received.

Mr. MILLER of New York. But before any response was received by the chairman of the committee from the Department?

Mr. MOSS. It has been my experience that it takes anywhere from 4 to 5 weeks or 4 to 5 months to get a response from a department.

Mr. HOFFMAN of Michigan. If the gentleman is interested in how this came about, let me say that the whole business apparently grows out of some complaints by newspapers. The easiest way for newspapers to get and sell news is through a congressional committee. So we had a panel of I have forgotten how many publishers, eminent gentlemen, fine, patriotic citizens all over the country, but they are interested in news. Then after that this big book of questionnaires was sent to the departments. Some answered and some did not.

Now, we have two or three reporters on the committee and they have pals in the news service. Of course they peddle information back and forth—nothing secret, just a matter of good will. These boys want to make news, and I will say this for the chairman of the committee, he sure has got mile after mile of political prestige out of the hearings and it is a wonderful and fine thing. There is a contest between the Department of Defense, I might say, and the chairman of the committee as to who hits the press first. That is laudable, too.

If I were in that situation, I would do the same thing, but not as skillfully as the gentleman from California does.

Mr. MOSS. Mr. Speaker, will the gentleman yield further?

Mr. HOFFMAN of Michigan. I yield.

Mr. MOSS. I would like to make the observation that the gentleman just continue to hope that some day he will be chairman of the committee, if his party is in power, and then he can try to get the good press we have enjoyed. I am very proud of the excellent press the committee has had.

Mr. HOFFMAN of Michigan. Could you add a note in some of your releases saying a good word for me? Well, that is all I care to say on that. If the gentleman feels I have wronged him, hurt his feelings, you write me an apology, and if you do not make it too abusive for some Republicans who might be running against you, I will probably sign it and put it in the RECORD.

The other day I spoke about Inez Robb putting something in the paper about our shortcomings. In referring to the reporters in the gallery, I used the word "sponge." I said they were sponging off the Government. And, in some way, over in my office, apparently, someone thought the word "sponging" did not sound so good, so I left it out. Then two or three reporters came around, two of them, and criticized me for leaving the word out of the RECORD. I would like to make everyone happy. So, they can reinsert the word again if they think it will do any good. Though it carries meaning to which I do not subscribe in this instance. I have no fault to find with the reporters; they are fine young men, especially when they say a good word for us. There was no intention of charging that they did any more chiseling than the average individual, and that is all there was to it. I just wanted them, in view of the usual biannual panning we were getting, to judge Congressmen by the same standard they would like used on themselves. The press the next morning, the Washington Post, which is largely back of this subcommittee on information all the time, tailing it up, printed a list of things that the members of the press did.

The UPI, in the Washington Post and Times Herald, described reporters' perquisites this way:

> Congress provides newsmen covering its activities with work space, typewriters, copy paper, stationery, envelopes, and local telephone service. It also employs attendants to supervise the House and Senate press, radio, and periodical galleries.

Well, that is all right I do not care what they do. But, I want to please them. So, if they wish, they may put in the word "sponge." I cannot see anything particularly wrong about that. Now, if anybody else wants me to apologize, I will be glad to. Not having done anything for which an apology is needed one made will do no harm.

Mr. HOEVEN. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield to the gentleman from Iowa.

Mr. HOEVEN. I have listened attentively to the colloquy between the two gentlemen. It seems to me that we just have had a lot of monkey business.

Mr. HOFFMAN of Michigan. That or "much ado about nothing" or "a mountain out of a mole hill" or "heck to pay and no pitch hot."

JOHN FOSTER DULLES

The SPEAKER. Under previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 5 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I was delighted to hear the distinguished majority leader, the gentleman from Massachusetts [Mr. MCCORMACK], speak in such praise and admiration of our very wonderful Secretary of State, John Foster Dulles. Many times he and I have seen often eye to eye in national defense matters and foreign affairs matters, and I was so glad to hear him say that he had such admiration for our Secretary of State. It has been very interesting to watch and hear various Members of Congress, both in the House and the Senate, change from criticism of the policies of the Secretary of State to great praise of his policies and of the man. I have followed his career for a good many years and I have always had admiration for his integrity and his ability and, of his high moral courage and, of late years, I have had tremendous admiration for the man's extreme courage in spite of the great physical pain that he must have endured. I sympathize very much with our President, President Eisenhower, in not having him entirely as active as he has been for the past years. He has been his right arm and his closest adviser.

And my appreciation goes to Mrs. Dulles, his lovely wife. I have watched her helpfulness and graciousness all these many years, her tireless devotion to him in every thing that he has stood for, always upholding his hand.

Mr. Speaker, I do not believe there is a Member in the House today who does not think constantly of John Foster Dulles, out at the hospital, fighting to regain as much health as he can in order to continue to advise President Eisenhower and the country in our hour of trial.

I am extremely grateful that he and the President have kept our boys from fighting a hot war. The thousands of messages from all over the free world bespeak the gratitude and affection of troubled peoples everywhere. He has done much to prevent the spread of communism everywhere. Every Member of the House joins me in sending him a message of good will, I am sure.

JOHN FOSTER DULLES

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. BARRY] is recognized for 1 minute.

Mr. BARRY. Mr. Speaker, I do not want this day to pass without paying recognition to the greatest Secretary of State of our time, the Honorable John Foster Dulles, whom I knew not only as a statesman but as a friend and acquaintance for over 20 years.

I first knew Mr. Dulles as a devoted servant of the Brick Presbyterian Church in New York City, where he served as trustee for so many years. It was my great good fortune that our paths crossed again in the political arena at the 1948 Republican Convention and, in a later year, he gave me wise personal counsel at the time of the attempted re-creation of the bipartisan foreign policy which followed the death of Senator Arthur Vandenberg.

Mr. Dulles' greatest contribution to mankind has been his steadfast adherence to principles wherein he often stood almost alone, under combined and contrary pressures from within and without the Nation.

It is my belief that Secretary Dulles' inner strength came from devotion to God and love for his fellowman.

CIVIL DEFENSE ALERT, APRIL 17–18

Mr. GLENN. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. HALLECK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. HALLECK. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following instructions from the director of Civil and Defense Mobilization, concerning participation of Federal agency personnel in the Washington area civil defense alert exercises scheduled for April 17 and 18:

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF CIVIL AND DEFENSE MOBILIZATION,
Washington, D.C., April 14, 1959.

To: Heads of All Federal Departments and Agencies.

Subject: Participation of Federal Agency Personnel in the Washington Area Civil Defense Alert Exercise.

The public action phase of the April 17–18, 1959, civil defense alert exercise in the Washington area will occur on April 17.

It is essential to the success of this exercise that Federal agency personnel comply with the local civil defense instructions for response to the public action signals on April 17. Your agency representatives and building wardens have received instructions through the local civil defense staff.

The alert signal will be sounded at 11:30 a.m. The outdoor signal will be a continuous 5-minute sound on sirens.

Official instructions will be broadcast from 11:30 a.m. to 12 noon eastern standard time over the Conelrad AM stations on 640 and 1240 kilocycles.

On the alert signal, Federal employees in the Washington area should not evacuate buildings but should listen to the signal to become familiar with it and pay attention to Conelrad. (An effort should be made to have portable radios available for this purpose.)

The take cover signal will be sounded at 1:30 p.m. The outdoor signal will be a rising and falling sound on sirens for 3 minutes. On this signal Federal employees should proceed to their shelter areas as prescribed in the posted civil defense instructions and in compliance with the directions from their wardens.

With the exception of special arrangements for limited actions to test parts of local emergency plans, public buildings in the District of Columbia area will not be evacuated. The exercise on April 17, however, provides an opportunity for employees of Federal agencies in this area to become familar with the public action signals and the Conelrad program so as to be prepared to react in an emergency.

I will greatly appreciate your cooperation in this matter.

LEO A. HOEGH.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HECHLER (at the request of Mr. ALBERT), for balance of the week, on account of official business.

Mr. STUBBLEFIELD (at the request of Mr. BURKE of Kentucky), for 10 days, on account of illness.

Mr. HOLLAND (at the request of Mr. MCCORMACK), for Wednesday and Thursday, on account of the death of his brother-in-law.

Mr. MOELLER, for today, on account of official business in the District.

Mr. QUIGLEY (at the request of Mr. ALBERT), for Thursday, April 16, 1959, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. COAD, for 15 minutes, on Monday next.

Mr. JOHNSON of Colorado, for 60 minutes, on Monday next.

Mr. FOLEY, for 90 minutes, on Monday next.

Mr. HOFFMAN of Michigan, for 20 minutes, today.

Mrs. ROGERS of Massachusetts, for 5 minutes, today, and 10 minutes on Wednesday next.

Mr. BARRY, for 1 minute, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. FINO and include extraneous matter.

Mr. DAGUE and include extraneous matter.

Mr. JENSEN and include a letter.

Mr. CURTIS of Missouri and include extraneous matter.

Mr. BALDWIN and include extraneous matter.

Mr. SAYLOR in two instances and to include extraneous matter.

(At the request of Mr. MCCORMACK, and to include extraneous matter, the following:)

Mr. NATCHER.

Mr. MACDONALD.

Mr. O'HARA of Illinois.

Mr. GALLAGHER.

Mr. COFFIN.

(At the request of Mr. GLENN, and to include extraneous matter, the following:)

Mr. SCHWENGEL.

Mr. WALLHAUSER.

Mr. HARDY (at the request of Mr. Moss) and to include extraneous matter.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and under the rule, referred as follows:

S. 1455. An act to authorize the rental of cotton acreage allotments; to the Committee on Agriculture.

ENROLLED JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 336. Joint Resolution making a supplemental appropriation for the Department of Labor for the fiscal year 1959, and for other purposes.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 144. An act to modify Reorganization Plan No. 2 of 1939 and Reorganization Plan No. 2 of 1953; and

S. 1096. An act to authorize appropriations to the National Aeronautics and Space Administration for salaries and expenses, research and development, construction and equipment, and for other purposes.

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills and a joint resolution of the House of the following titles:

H.R. 3648. To regulate the handling of student funds in Indian schools operated by the Bureau of Indian Affairs, and for other purposes; and

H.R. 2575. To authorize the appropriation of $500,000 to be spent for the purpose of the III Pan American Games to be held in Chicago, Ill.

H.J. Res. 336. Making a supplemental appropriation for the Department of Labor for the fiscal year 1959.

ADJOURNMENT

Mr. MOSS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 32 minutes p.m.), under its previous order, the House adjourned until Monday, April 20, 1959, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

854. A letter from the Comptroller General of the United States, relative to a review of a number of Department of the Navy installations and the unnecessary costs pertaining thereto relating to civilian employees occupying ungraded positions; to the Committee on Post Office and Civil Service.

855. A letter from the Acting Secretary of the Army, transmitting a draft of proposed legislation entitled "A bill authorizing additional appropriations for prosecution of projects in certain comprehensive river basin plans for flood control, navigation, and other purposes"; to the Committee on Public Works.

856. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a draft of proposed legislation entitled "A bill to authorize appropriations to the National Aeronautics and Space Administration for salaries and expenses, research and development, construction and equipment, and for other purposes"; to the Committee on Science and Astronautics.

857. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation entitled "A bill to amend section 4051 of the Internal Revenue Code of 1954 by defining the term 'sold at retail' for purposes of the application of the retailers taxes imposed under chapter 31 of the code"; to the Committee on Ways and Means.

858. A letter from the executive vice president, National Safety Council, transmitting a report of the audit of the financial transactions of the National Safety Council for the year 1958, pursuant to Public Law 259, 83d Congress; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mrs. PFOST: Committee on Interior and Insular Affairs. H.R. 5488. A bill to revise the boundaries of Wright Brothers National Memorial, N.C., and for other purposes; without amendment (Rept. No. 274). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ABERNETHY:

H.R. 6453. A bill to amend the Soil Bank Act so as to permit surrender and reallocation of acreage allotments; to the Committee on Agriculture.

By Mr. ALEXANDER:

H.R. 6454. A bill to exempt from taxation certain property of the American War Mothers, Inc.; to the Committee on the District of Columbia.

By Mr. BENTLEY:

H.R. 6455. A bill for the establishment of a Commission on the Economic Power of Unions; to the Committee on Education and Labor.

By Mr. BERRY:

H.R. 6456. A bill to amend the act of September 2, 1958 (72 Stat. 1773, Public Law 85–923), concerning payment of debts out of compensation for trust land on the Lower Brule Sioux Reservation taken by the United States; to the Committee on Interior and Insular Affairs.

By Mr. BLATNIK:

H.R. 6457. A bill to provide for the construction, alteration, and acquisition of public buildings of the Federal Government, and for other purposes; to the Committee on Public Works.

By Mr. BURDICK:

H.R. 6458. A bill to amend the Public Health Service Act to protect the public from unsanitary milk and milk products shipped in interstate commerce, without unduly burdening such commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. CHAMBERLAIN:

H.R. 6459. A bill to provide a minimum initial program of tax relief for small business and for persons engaged in small business; to the Committee on Ways and Means.

By Mr. CURTIN:

H.R. 6460. A bill to provide that compensation of an individual for services performed while engaged in commerce, or as an officer or employee of the United States, shall be subject to State and local income taxes only in the State and political subdivision in which such individual is domiciled, and for other purposes; to the Committee on Ways and Means.

By Mr. DAVIS of Georgia:

H.R. 6461. A bill to extend the coverage of military service under the old-age, survivors, and disability insurance system to include inactive duty training; to the Committee on Ways and Means.

By Mr. DOLLINGER:

H.R. 6462. A bill to amend the Trading With the Enemy Act, as amended, so as to provide for certain payments for the relief and rehabilitation of needy victims of Nazi persecution, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ELLIOTT:

H.R. 6463. A bill to provide educational assistance for the children of service men and women who suffer death from a service-connected disability arising out of active military service during the period beginning on February 1, 1955, and ending on June 30, 1963; to the Committee on Veterans' Affairs.

H.R. 6464. A bill to provide readjustment assistance to veterans who serve in the Armed Forces between January 31, 1955, and July 1, 1963; to the Committee on Veterans' Affairs.

By Mr. FARBSTEIN:

H.R. 6465. A bill to authorize appropriations for the Federal-aid primary system of highways for the purpose of equitably reimbursing the States for certain free and toll roads on the National System of Interstate and Defense Highways, and for other purposes; to the Committee on Public Works.

By Mr. FINO:

H.R. 6466. A bill to authorize appropriations for the Federal-aid primary system of highways for the purpose of equitably reimbursing the States for certain free and toll roads on the National System of Interstate and Defense Highways, and for other purposes; to the Committee on Public Works.

By Mr. GUBSER:

H.R. 6467. A bill to amend title II of the U.S. Information and Educational Exchange Act of 1948, to provide transportation expenses for a representative to be sent annually from each American city cooperating in the sister city program of the people-to-people program to the city's affiliated city; to the Committee on Foreign Affairs.

By Mr. HARRIS:

H.R. 6468. A bill to amend section 1(14)(a) of the Interstate Commerce Act, to provide an incentive for construction and maintenance of an adequate national supply of freight cars; to the Committee on Interstate and Foreign Commerce.

H.R. 6469. A bill to amend section 1(15) of the Interstate Commerce Act, so as to aid in alleviating shortages of railroad freight cars during periods of emergency or threatened emergency, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 6470. A bill to amend part III of the Interstate Commerce Act to authorize the Interstate Commerce Commission to revoke, amend, or suspend water carrier certificates or permits under certain conditions; to the Committee on Interstate and Foreign Commerce.

H.R. 6471. A bill to amend sections 318 and 319 of the Communications Act of 1934 to facilitate the construction and operation of stations engaged solely in rebroadcasting signals of broadcasting stations; to the Committee on Interstate and Foreign Commerce.

By Mr. HERLONG:

H.R. 6472. A bill relating to the deduction for income tax purposes of contributions to charitable organizations whose sole purpose is making distributions to other charitable organizations, contributions to which by individuals are deductible within the 30 percent limitation of adjusted gross income; to the Committee on Ways and Means.

By Mr. HOLTZMAN:

H.R. 6473. A bill to authorize appropriations for the Federal-aid primary system of highways for the purpose of equitably reimbursing the States for certain free and toll roads on the National System of Interstate and Defense Highways, and for other purposes; to the Committee on Public Works.

By Mr. IRWIN:

H.R. 6474. A bill to liberalize the tariff laws for works of art and other exhibition material, and for other purposes; to the Committee on Ways and Means.

By Mr. LANE:

H.R. 6475. A bill to amend title 28, entitled "Judiciary and Judicial Procedure," of the United States Code to provide for the defense of suits against Federal employees arising out of their operation of motor vehicles in the scope of their employment, and for other purposes; to the Committee on the Judiciary.

By Mr. METCALF:

H.R. 6476. A bill to authorize assumption by the various States of civil or criminal jurisdiction over cases arising on Indian reservations with the consent of the tribe involved; to permit gradual transfer of such jurisdiction to the States; and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PORTER:

H.R. 6477. A bill to reduce the rate of percentage depletion for oil and gas wells from 27½ percent to 15 percent; to the Committee on Ways and Means.

H.R. 6478. A bill to reimpose the Excess Profits Tax Act of 1950 effective for taxable years ending after June 30, 1959, and beginning before July 1, 1961; to the Committee on Ways and Means.

By Mrs. ST. GEORGE:

H.R. 6479. A bill to provide for the conveyance of certain real property of the United States to the village of Highland Falls, N.Y.; to the Committee on Armed Services.

By Mr. TAYLOR:

H.R. 6480. A bill to authorize appropriations for the Federal-aid primary system of highways for the purpose of equitably reimbursing the States for certain free and toll roads on the National System of Interstate and Defense Highways, and for other purposes; to the Committee on Public Works.

By Mr. THOMSON of Wyoming:

H.R. 6481. A bill to make permanent the provisions of the Sugar Act of 1948; to the Committee on Agriculture.

By Mr. UTT:

H.R. 6482. A bill relating to the credits against the unemployment tax in the case of merged corporations; to the Committee on Ways and Means.

By Mr. VAN ZANDT:

H.R. 6483. A bill to authorize the Secretary of the Navy to construct 100 nuclear-powered attack submarine vessels; to the Committee on Armed Services.

By Mr. ZELENKO:

H.R. 6484. A bill to authorize appropriations for the Federal-aid primary system of highways for the purpose of equitably reimbursing the States for certain free and toll roads on the National System of Interstate and Defense Highways, and for other purposes; to the Committee on Public Works.

By Mr. FRELINGHUYSEN:

H.J. Res. 343. Joint resolution designating the 7-day period beginning on the third Monday in October of each year as Patriotic Education Week; to the Committee on the Judiciary.

By Mr. McINTIRE:

H.J. Res. 344. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. MAILLIARD (by request):

H.J. Res. 345. Joint resolution to authorize the Secretary of Commerce to sell certain war-built vessels; to the Committee on Merchant Marine and Fisheries.

By Mr. RODINO:

H.J. Res. 346. Joint resolution providing for the establishment of the New Jersey Tercentenary Celebration Commission to formulate and implement plans to commemorate the 300th anniversary of the State of New Jersey, and for other purposes; to the Committee on the Judiciary.

By Mr. SIKES:

H. Con. Res. 112. Concurrent resolution establishing a Joint Congressional Committee on Cold War Strategy; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By Mr. FLYNN: Memorial of the Wisconsin Legislature urging the Congress of the United States to assure the designation of a delivery point on the Great Lakes for ships built for the Federal Government in order to provide equality of opportunity to bid for such contracts and further urged Congress to direct contracts for shipbuilding to Wisconsin shipbuilding yards which have a reputation for turning out fine, seaworthy vessels; to the Committee on Merchant Marine and Fisheries.

By Mr. McINTIRE: Memorial of the Senate and House of Representatives of the State of Maine memorializing Congress to equalize retirement benefits for retired members of the Armed Forces who retired prior to June 1, 1958; to the Committee on Armed Services.

By Mr. PRICE: Memorial of the 71st General Assembly, House of Representatives, State of Illinois requesting the Department of the Army to proceed with all possible expedition to appropriate funds to enable a survey for flood control and allied purposes, authorized on July 3, 1958, of the Calumet River Basin; to the Committee on Appropriations.

By the SPEAKER: Memorial of the Legislature of the State of Maine, memorializing the President and the Congress of the United State to equalize retirement benefits for retired members of the Armed Forces who retired prior to June 1, 1958; to the Committee on Armed Services.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARRETT:

H.R. 6485. A bill for the relief of Annibale Cuozzo; to the Committee on the Judiciary.

By Mr. BOYLE:

H.R. 6486. A bill for the relief of Osman Shadi Gunay; to the Committee on the Judiciary.

By Mr. GUBSER:

H.R. 6487. A bill for the relief of Hans-Dieter Siemoneit; to the Committee on the Judiciary.

By Mr. HOLT (by request):

H.R. 6488. A bill for the relief of Maria Kahale de Sami; to the Committee on the Judiciary.

By Mr. KEARNS:

H.R. 6489: A bill for the relief of Aristides Evangelou Katsikes; to the Committee on the Judiciary.

By Mr. LANE:

H.R. 6490. A bill for the relief of Colbert Colgate Held and Charles W. Shellhorn; to the Committee on the Judiciary.

By Mr. SAYLOR:

H.R. 6491. A bill for the relief of Soo Yung Rupert; to the Committee on the Judiciary.

By Mr. SPRINGER:

H.R. 6492. A bill for the relief of Zlata Duhovnik; to the Committee on the Judiciary.

By Mr. STEED:

H.R. 6493. A bill for the relief of Robert Dolton; to the Committee on the Judiciary.

By Mr. WAINWRIGHT:

H.R. 6494. A bill for the relief of Momcilo Bjelanovic; to the Committee on the Judiciary.

H.R. 6495. A bill to admit the vessel *Martha Washington* to American registry and to permit its use in the coastwise trade while it is owned by the Cherry Grove Ferry Corp.; to the Committee on Merchant Marine and Fisheries.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

156. By Mrs. ST. GEORGE: Resolution of the Board of Supervisors of the County of Orange, N.Y., memorializing the Congress of the United States to further suspend the operation of the so-called Byrd amendment to the Federal road program; to the Committee on Public Works.

157. By the SPEAKER: Petition of Eugenio C. Nicolas, Manila, Philippines, relative to war damages payable to the Nicolas Estates; to the Committee on Foreign Affairs.

EXTENSIONS OF REMARKS

This We Owe to Our Country

EXTENSION OF REMARKS
OF
HON. BEN F. JENSEN
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 16, 1959

Mr. JENSEN. Mr. Speaker, under leave to extend my remarks in the RECORD, I include my answer to a letter recently received from Mr. Charles H. Percy, chairman, Republican committee on program and progress:

THIS WE OWE TO OUR COUNTRY

APRIL 9, 1959.

CHARLES H. PERCY,
Chairman, Republican Committee on Program and Progress, Washington, D.C.

DEAR MR. PERCY: I was pleased to have your letter of April 6. It states in part, "it is our belief that your own observations on the following questions would be invaluable to us in our efforts."

Your questions and my answers follow:

1. "What are the enduring principles by which Republicans must guide themselves now and in the future?"

Honest, efficient government. Oppose with all of our might, the wasteful spending of the people's tax dollar.

2. "What, in your opinion, are the chief dogmas we must discard?"

We have already discarded too many Republican dogmas. While those dogmas were operating, we built here the greatest Nation on earth. We must recapture many of those lost Republican dogmas.

3. "Trying to look ahead 10 or 15 years, what are the greatest problems you foresee for the United States and the Republican Party?"

Stay out of war, maintain a balanced budget, and prove to the so-called little fellow that he will suffer first and most from inflation caused by a constant unbalanced budget.

4. "In the same period, what are the greatest opportunities you foresee for the United States and the Republican Party?"

Broad publicity reaching into every home in America, reaffirming the Republican principles of the free private enterprise system for which we firmly stand; invite every loyal American to join hands with us, that they and their children may continue to enjoy the profits and blessings of liberty.

5. "Have you any other observations you think would be helpful to this committee in its attempt to state principles and objectives as well as analyze problems and opportunities?"

Yes, we should employ several of the very best editorial writers to be found. They should be scattered north, south, east, and west; they should take the offensive for our party. Publicize the virtues of individual Republican candidates from the courthouse to the White House, and nail the radicals, labor racketeers, and leftwingers in the opposition party to the mast with no holds barred. Use effective salesmanship for our party first, and then fight the lying opposition with truth and might. This we owe to our country.

Respectfully submitted.

BEN F. JENSEN,
Representative in Congress for the Seventh Iowa District.

A National Lottery

EXTENSION OF REMARKS
OF
HON. PAUL A. FINO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 16, 1959

Mr. FINO. Mr. Speaker, I am happy to note that the people in the State of Oklahoma finally got smart by wiping out hypocrisy after 51 years of prohibition.

The Oklahomans voted to repeal not because they could not get liquor. The bootleggers were there to supply them

with all they could drink. The good citizens of that State decided that as long as people wanted to drink then the best thing to do would be to repeal the law, get rid of the bootleggers and legally tax this thriving industry.

Mr. Speaker, I hope this Congress will also get smart and realize that the urge to gamble is deeply ingrained in human beings and that by proper Government regulations, supervision, and control we can bring into the coffers of our Federal Treasury $10 billion a year in additional revenue.

Mr. Speaker, the enactment of my national lottery bill would not only satisfy the American gambling spirit but would, in addition, wipe out a large segment of our professional gamblers, legally tap a lucrative industry and provide enough money for a badly needed tax cut and reduction of our national debt.

Statement by Hon. Cornelius E. Gallagher, of New Jersey, Before House Ways and Means Committee on Unemployment Compensation, April 15, 1959

EXTENSION OF REMARKS
OF
HON. CORNELIUS E. GALLAGHER
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 16, 1959

Mr. GALLAGHER. Mr. Speaker, under leave, I would like to insert in the RECORD the testimony which I gave yesterday before the House Ways and Means Committee on unemployment compensation:

Mr. Chairman and members of the committee, I am grateful for the committee's kind invitation to appear here today and the opportunity afforded me to express my deep and growing concern over the serious inadequacies in the unemployment compensation programs administered by our States. I have equal concern for the failure of the Federal Government to bring about much needed improvements in this badly neglected area of our economy.

I am heartened by the studied approach the members of this committee have taken to this important problem and I am confident the fruit of its attention to unemployment compensation matters will be a vastly improved program benefiting the millions of American workers who are now, or who may be in the future listed in the unemployed column.

I suggest that the legislative vehicles that will most efficiently and most expeditiously bring about the improved program we are all seeking is H.R. 3563, a bill for which I am privileged to be a cosponsor.

Passage of this bill would not only place the Federal Government in its rightful position of leadership in the field of unemployment compensation by providing for a standardization of State programs and fiscal guarantees, but it would, in addition, eliminate the inadequate provisions of this State's programs.

Most important, passage of H.R. 3563 would bring an end to the Federal Government's patchwork approach to the serious problems stemming from programs which pay the unemployed too little for too short a period.

As you may know, when the unemployment insurance programs were conceived in the depression years of the 1930's, 3 percent of payrolls was agreed upon as a proper rate to finance benefits. Since the very inception of the programs there has been a steady decline in the percent of payroll level to finance benefits.

The unemployment insurance programs were established with a view to paying an unemployed worker approximately 50 percent of his wage loss. In the early years, following the establishment of the program, there was near attainment of this goal.

Today, as this committee well knows, the percentage of loss of income made up by unemployment insurance payments is little over one-third of income lost through unemployment.

Among other shortcomings which H.R. 3563 seeks to overcome is the decline in the benefits received by the unemployed. It stipulates, as you know, benefits of not less than 50 percent of weekly income lost. This is the same goal established in the early thirties and here we are 20 years later still seeking it. I hope, and I am confident, that this time we will make it. However, this will be only if the standard is set by the Federal Government.

I hesitate to discuss provisions of the bill with which I know the members of the committee are thoroughly familiar. I do so only for emphasis in the record of points I consider to be pertinent.

It is most distressing that in this age of jet propulsion we have moved toward improvements in so vital an area of our national economy at a horse and buggy pace. In voting the extension of the Temporary Unemployment Compensation Act recently, we merely made another patchwork effort. The bill now being considered by this committee will bring an end to such crash measures as those the Congress has been compelled to enact in the past to keep our unemployed from near starvation.

We are seeking little more than the standards which were felt necessary when the unemployment compensation program was established more than 20 years ago. We are assuring a uniformity that will be fair to all of our States and work a hardship on none.

H.R. 3563 will take the tangle of State programs, with their great diversity of standards, rates levied, benefits paid, and the duration of payment, and apply a standardized program that will benefit the unemployed workers and give assurance of better protection to the worker who may someday find himself in the ranks of the unemployed.

This bill will go a long way in better equipping the Nation to combat another recession, for by providing sufficient and more realistic benefits there is stimulation of the economy through the maintenance of purchasing power at proper levels.

It is obvious to those familiar with the antiquated provisions of many State programs and the inadequacy of these programs that improvements are long past due. The changes advocated by this administration which would deny Federal leadership in this important field and leave the burden and initiative for improvement with the individual States, offer neither a solution to the problem nor the guidance and support for the States that are found in the bill presently before this committee.

There is, unfortunately, no evidence that unemployment particularly in the more distressed areas, will decline sharply enough in coming months to reach a normal level. Unless the Congress takes action to approve a standard and stabilized program of unemployment compensation, we may expect to be called upon at the next session to apply another patch in the form of further extension of the Temporary Unemployment Compensation Act.

In the Newark, N.J., labor area, which encompasses my own congressional district in Hudson County, unemployment increased by 13,000 in a recent 2-month period and now stands at 8.9 percent of the total labor force. There is a 10-percent increase in unemployment over this same period last year.

These are figures that cause great concern. Ours, like so many others with which the committee is familiar, is a distressed labor market.

The committee is conscious of the interest of our State Governors in this problem. A number of these State executives have called on the Congress to set up minimum standards for all States such as are provided in the bill you are considering.

The distinguished chief executive of my State is one of those so concerned. He has come to Washington at the invitation of the committee to discuss this very important matter. I am privileged to present to you, Mr. Chairman, and the members of the committee, Gov. Robert B. Meyner, of New Jersey.

John Foster Dulles

EXTENSION OF REMARKS
OF
HON. PAUL B. DAGUE
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 16, 1959

Mr. DAGUE. Mr. Speaker, there is not an American today with concern for our relationships on the international scene who has not experienced a benumbing shock as he hears the word that our top diplomat, and one of the greatest international figures of the generation, has been immobilized by a malignant disease.

The tears which our President could barely restrain fill the eyes of all of us who have been unwavering in our support of our great Secretary of State, and as he bows to the inevitability of his Maker's decree our sense of irreparable loss is well nigh overwhelming.

In every public address which I have delivered during the last 4 years I have underscored as heavily as I know how our dependence on this great and dedicated American. And I paid special tribute to his philosophy of "going to the brink" as the only practical summation of the principles of a sound foreign policy that have been enunciated since Theodore Roosevelt's admonition as regards "carrying a big stick."

John Foster Dulles—diplomat, statesman, churchman—a soldier battling in the cold war who has been stricken on the field of battle. Here is a compatriot whose place in the Hall of Heroes is assured and whose place in the hearts of his countrymen will be kept forever warm by an affectionate admiration. May Almighty God in His boundless mercy put His healing hand on our brother and ease his hurt. And may He give us strength to carry on in the spirit of this patriotic American.

The U.S. Army Field Band of Washington, D.C.

EXTENSION OF REMARKS
OF

HON. TORBERT H. MACDONALD

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1959

Mr. MACDONALD. Mr. Speaker, there are many facets to the conduct of our foreign relations, and by no means the least of these is the remarkable manner in which the serviceman overseas represents his country as a citizen-ambassador. Similarly, the commendable efforts abroad, as well as at home, of the superb musical organizations of the Armed Forces is worthy of comment. One such fine group is the United States Army Field Band, commanded and directed by Maj. Chester E. Whiting, who formerly presided over instrumental music in the public schools of Malden, Mass., and a man whom I am proud to call a friend. All the citizens of Malden, which comprises a part of my congressional district, are proud of Major Whiting. Major Whiting and his talented and disciplined bandsmen have extended the friendly hand of American culture and tradition to eager multitudes throughout the world.

Considered by music critics to be one of the most proficient and distinctive musical organizations now appearing before the public, this band has traveled more than a million miles in recent years and is internationally famous as "The Kings of the Highway."

The Army's most-traveled band is composed of more than 100 of the finest musicians in the Army. Several are bandmasters themselves, and a number have played with leading symphonies. More than a dozen have been with the band since it was organized.

The Army Field Band was organized as the Army Ground Forces Band in March 1946, by Major Whiting, commanding officer and conductor since then. Capt. Robert L. Bierly, a native of Clearfield, Pa., has been executive officer and assistant conductor for almost as long. He is a graduate of Ithaca College, New York, and was director of music in Lynchburg, Va., at one time.

The Soldiers Chorus of approximately 30 bandsmen-vocalists is featured on every program. Formed with a nucleus of six musicians in 1947, the chorus is now rated as one of the best male voice groups on the concert stage.

Specialist 7 Eugene W. Coughlin directs the Soldiers Chorus, and is also the band's principal baritone soloist. Before entering military service Coughlin performed with organizations in the Los Angeles, Hollywood and San Francisco Bay areas. He majored in music at Concordia College, Moorhead, Minn., and completed study at the Los Angeles Conservatory of Music.

Paul V. Henry, member of a family long prominent in music circles in New England, is narrator of the U.S. Army Field Band, and is the possessor of a rich baritone voice, well known to millions of concert goers in all 48 States as well as Mexico, Canada, the United Kingdom, and Europe. A native of Malden, Mass., his musical career began as a violin prodigy.

The Army Field Band has criss-crossed the United States each year for the past decade. Concerts have been given in small communities as well as in major cities, bringing the world's great music to audiences in areas never before visited by famous bands. On tour more than 6 months each year, the soldier-bandsmen have appeared in all 48 States as well as in Canada and Mexico.

The band has also made three extensive overseas tours, sponsored by the Department of the Army and the State Department, where, official reports indicate, the Army bandsmen made an important contribution to President Eisenhower's people-to-people program to foster better international good will.

Praised by high Government officials as "America's musical ambassadors," the Army musicians went overseas for the first time in the late summer of 1952. Eight countries in Europe and the United Kingdom were on the itinerary. Major concerts in Great Britain were given at the opening of the Edinburgh music festival, in Royal Festival Hall in London and in Shakespeare Memorial Park at Stratford-on-Avon. In Europe the band performed in the concert hall in Amsterdam, the Luxembourg Gardens in Paris, and the Olympic Stadium in Berlin.

Spanish bull rings, French provincial market halls, Riviera seaside parks, and Scandinavian amphitheaters were crowded with audiences totaling an estimated 350,000 during the 12,000-mile good will tour of Europe in the spring and summer of 1957. Traversing the Continent from Oslo to Seville and from Lisbon to Belgrade, "The Kings of the Highway" played 43 concerts in 12 countries.

It was the first full-strength U.S. service band ever to appear in Yugoslavia, Portugal, Norway, Monaco, and Denmark, and the first to play in Spain since 1929. Highlights of the tour were an audience with Pope Pius XII, a concert at the royal palace for Prince Rainier and Princess Grace of Monaco, and a special performance for the officers and men of Tito's army in Belgrade.

During the spring of 1958, the U.S. Army Field Band made its first tour of Hawaii and the Far East, the first all-airborne trip since it was organized in 1946. The field band played a total of 45 concerts in 41 days.

The 7-week tour opened in Honolulu in May and ended there in mid-June, with 11 concerts presented in the Territory en route to and from the Orient.

During the 27-day tour of Japan, Korea, and Okinawa, the band played in 34 concerts before an estimated total audience of 150,000. In addition, it was reported that upward of 4 million viewed a concert televised nationwide by Station HNK, Tokyo. The next day, in Yokohama, the band received the first standing ovation ever given a visiting musical organization, according to city officials. Following concerts at Camp Zama, the bandsmen were airlifted to Korea.

Nearly 50,000 were entertained by the band at two concerts in Seoul. President Syngman Rhee and Mrs. Rhee as well as Korean Government officials were guests. Performances were also given in Pusan, Inchon, Tongduchon, and Munsan, the last two for U.S. and U.N. troops.

Six concerts in 4 days were played in Okinawa, including performances at the Stillwell Field House and the University of Ryukyus.

Returning to Japan, concerts were presented in Fukuoka, Yawata, Hiroshima, Tokyo, and Nikko. The largest indoor concert crowd of the tour, more than 13,500, attended the Nikko concert and 12,000 had heard an indoor performance in Tokyo the previous day.

The band's repertoire ranges from classical arrangements to popular tunes and novelty numbers, including a drum act which has been praised by professional jugglers as well as musicians. Vocal and instrumental solos are part of all performances. Each program is opened and closed with military marches.

The Army Field Band normally travels in a 10-vehicle motor convoy made up of four large buses, four heavy trucks and two sedans, all painted infantry blue. All equipment needed for a concert is carried and the bandsmen can set up and be ready to play within 30 minutes after arrival at a site.

The Army dress uniforms are worn for all major concerts—blue for fall and winter performances and tropical worsted for spring and summer engagements. Music critics have commented on the crisp appearance of the musicians as "befitting the perfection of the performance."

The primary mission of the Army Field Band is to tour, as directed by the Secretary of the Army, and to present free public concerts as the representative band of the Army, both in the United States and abroad. In carrying out its assignment, Major Whiting estimates the band has entertained approximately 10 million persons, including radio and television audiences, in the past decade.

Major Whiting was assigned by the Army to form the band in 1945, and has been commanding officer and conductor continuously since then. Each member is a top-caliber musician, handpicked by Major Whiting personally.

As a result of the band's outstanding performance, he is recognized as one of the most distinguished conductors in the Armed Forces.

Major Whiting studied at the New England Conservatory of Music, in his home city of Boston, and for more than 35 years has been organizing and conducting Army bands.

In 1923 he was appointed a warrant officer bandmaster by the Governor of Massachusetts to organize and conduct the 110th Cavalry Band of the National Guard. The last mounted band in the Army, it was called into Federal service before this country entered World War

II. Redesignated the 180th Field Artillery Band, it was en route to the South Pacific theater when Pearl Harbor was attacked.

Under Major Whiting's leadership, the bandsmen served in the lines during the battle of Guadalcanal. He then reorganized units into the American Division Band, and took part in operations on other islands. The major served almost 3 years in the South Pacific, and was awarded the Legion of Merit and the Bronze Star Medal.

In the fall of 1944, the Army assigned him to organize and conduct the first combat infantry band. Composed of musicians, who were also combat infantrymen, it toured the Nation during war-bond drives and was known as "The Million Dollar Band." Musicians from this and other wartime bands formed the nucleus of the U.S. Army Ground Forces Band, organized by the major in 1946. This was redesignated the U.S. Army Field Band in 1950.

Major Whiting is well known as a versatile composer of both military march music and popular tunes. The excellence of his concert arrangements has won the band a featured spot at a number of national band clinics. In 1956, the band was awarded the Midwest National Band Clinic's bronze plaque for "music which has been an inspiration to soldier and civilian alike."

The conductor is a member of the American Bandmasters' Association and an honorary member of Phi Beta Mu, national music fraternity. He is the second conductor to be named an honorary lifetime leader of the Zembo Temple Shrine band of Washington, D.C. This distinction is shared with John Philip Sousa. The major is also the only U.S. Army Band director to appear as guest conductor of the famous Guarde Republicaine Band of France.

Corrupting a Nation Through Newsstands and Mail

EXTENSION OF REMARKS
OF
HON. JOHN P. SAYLOR
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 16, 1959

Mr. SAYLOR. Mr. Speaker, the problems of Congress and the executive department become more acute, more complex with each passing year. Today we are confronted with the growing Communist menace, a domestic economy afflicted with persistent unemployment, the conquest of space, radioactive fallout, and a host of other matters that can never be resolved without the assistance of a most sympathetic Providence. We must have God's help in attacking our Nation's difficulties, but we cannot expect it if we overlook considerations that should be as important to us as they are to Him.

One of our responsibilities is to make the laws needed to uphold the highest moral standards, and a vital step in that direction was made last year with the enactment of legislation designed to curb distribution of obscene literature. Law-enforcement agencies, religious leaders, and social agencies have long ago established that indecent literature is a prime influence in the corruption of adolescent character; that it leads to bestiality, perversion, and narcotic addiction. Even in the absence of professional scrutiny and statistical analysis, however, social consequences of permitting lewd photographs and printed materials to be obtainable by juveniles are apparent enough to alarm the most apathetic citizen. Whether, in fact, objectionable items of this kind are distributed for an audience that is either young or old is disgusting enough to rouse every respectable man and woman to take action against the practice.

The bill which we passed to counteract distribution of obscene literature was recently commended by the Catholic Standard, published in the Archdiocese of Washington, which observed that the "New, tougher mail indecency law is working." The newspaper pointed out that a California man and his wife has each been sentenced to 10 years in prison in the first legal action under the law. The couple was charged with sending obsence material from points in California and Oregon to Idaho. Under the new law they were arrested in California on a warrant issued by the U.S. attorney at Boise, Idaho, who previously could have taken no action against the offenders.

This development is most encouraging, yet we obviously have a long way to go to clean up our mails and newsstands. The House has directed its committee to explore the situation as it now exists, and further legislation may be found necessary. The Department of Justice has advised parents and other responsible citizens to get in touch with either the local postmaster or the local FBI agents when suggestive material is found to be entering a locality. Unfortunately, there has been some reluctance on the part of individuals to report such activity, an attitude that has precluded prosecutions similar to the California-Idaho case.

It is my pleasure to report that Johnstown Post 90, Amvets, is intensifying a crusade aimed to cleanup reading material on local newstands. These fighting Americans have no fear of any attempts at retaliation on the part of offenders, and they intend to make reading material safe for youngsters regardless of the tactics of the depraved newsstand operators who for personal gain are willing to corrupt their own neighbor's children. I would suggest that anyone who hesitates reporting a violation of the Federal law on obscene literature to the postmaster or to the FBI merely get in touch with Commander Tom Muldoon. You can be sure that you will get the action that is needed.

The Amvets are to be congratulated on this new patriotic activity. Their example, followed in other communities, can go a long way in wiping out one of the most vicious merchandizing abuses to which a nation can be exposed.

Bill To Exempt All Members of the Armed Forces From the Tax on Transportation of Persons

EXTENSION OF REMARKS
OF
HON. JOHN F. BALDWIN, JR.
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 16, 1959

Mr. BALDWIN. Mr. Speaker, yesterday I introduced in the House of Representatives H.R. 6411 which would exempt all members of the Armed Forces from the tax on transportation of persons. This bill will amend the Internal Revenue Code to remove the discrimination which now exists against the serviceman on furlough who desires to go home by air.

In its present form section 4263(e) of the Internal Revenue Code provides an exemption from the transportation tax for furlough travel by servicemen in uniform provided that the fare paid for such travel is not more than 2.5 cents per mile. This limitation denies servicemen the use of air travel, tax free, since airline fares are higher than 2.5 cents per mile.

There are approximately 1,600,000 servicemen stationed in the United States and the average serviceman is stationed approximately 860 miles from home. These servicemen made, during 1957, approximately 1,200,000 trips home on official leave, furlough or pass. Of this total only 450,000 of such trips were made by air. In view of the substantial distance that the average serviceman is from home, it is obvious that more servicemen would travel by air to their homes were it not for the fact that if they did so they would have to pay not only the higher fare charged by the airlines, but also the transportation tax as well. It is estimated that the average tax payment on furlough and pass travel amounts to about $8 on the round trip. In view of the limited finances of servicemen this is a serious deterrent to their use of air travel.

Since military furloughs and official leaves are frequently of short duration, to require them to travel only by ground transportation, if they are to receive tax exemption, in many cases prevents them from spending their furloughs at home. This is certainly contrary to the public interest and an unwarranted discrimination against servicemen. Many of the men in military service are away from home for the first time. Certainly everything should be done to enable them to return to their homes and spend their furlough time with their families wherever possible. My bill would accomplish this result. It does not involve a substantial amount of revenue. On the basis of the data released by the Department of Defense and studies conducted by the Air Transport Association the total revenue loss which would result from deleting from section 4263(e) of the Internal Revenue Code the 2.5 cents per mile limitation would be approximately $4 million.

Hon. John Foster Dulles

EXTENSION OF REMARKS
OF
HON. GEORGE M. WALLHAUSER
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 16, 1959

Mr. WALLHAUSER. Mr. Speaker, the resignation of Secretary of State John Foster Dulles brings to an end the remarkable public career of a man dedicated to the service of his country, who, because of unusual ability and strength of character, has made an imprint on the pages of our history that will last for all time. His service in the administrations of both political parties is a clear indication of the esteem in which he was held by those in high positions. The citizens of our great Nation will forever be in his debt for his many and positive achievements in our behalf.

A Special Tribute to the Idlers and the U.S. Army Band for Their Wonderful Contribution to the Joint Session of Congress, February 12, 1959, Commemorating the 150th Anniversary of Abraham Lincoln's Birth

EXTENSION OF REMARKS
OF
HON. FRED SCHWENGEL
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 16, 1959

Mr. SCHWENGEL. Mr. Speaker, since the joint session of Congress on February 12, to commemorate the 150th anniversary of Lincoln's birth, I have heard much praise for the quality of the musical portion of that program which did much to establish the proper mood for this historic occasion.

It is in order, therefore, under leave to extend my remarks, to better acquaint you with the artists who performed on that memorable occasion.

Most of us are familiar with the U.S. Army Band. Units of this outstanding organization appear regularly at functions of this type. Their contribution to the joint session was another one of their fine performances under Maj. Hugh Curry. The choice of selections: "Adoration," "Spirit of Independence," "Man of the Hour," and "All-American Soldier" was most appropriate. I commend them for this wonderful music.

Few of us, however, know much about the choral group, the Idlers, so I would like to make a few facts known about these young men.

The vocal portion of the joint session was presented under the supervision of Bandmaster Donald L. Janse, who led the choral program by the 21-member Idlers, as they are most familiarly known.

They are cadets at the Coast Guard Academy in New London, Conn. Their program, as you know, included a medley of Civil War songs and a special rendition of the Gettysburg Address. Peter M. Thall of New London composed the selection of the Gettysburg Address as it was set to music. He was 11 years of age at the time he began the composition.

As performed, it was not pretentious music; however, the solemnity and character of the text had been respected from its musical conception. The setting began with a short canon, which simply stated in all voices, the opening phrase of "Taps." The rendition of other Civil War songs gave additional meaning to the entire ceremony. The Idlers have also appeared on radio and television shows and plans are being made for their renditions to be broadcast this year over Radio Free-Europe as a contribution to the Lincoln Sesquicentennial. Also, a musical program similar to that presented at the joint session was given on the occasion of the Lincoln Sesquicentennial Sabbath program at the Lincoln Museum—Old Ford's Theater—on Monday, February 15, 1959.

Kentucky's No. 1 City

EXTENSION OF REMARKS
OF
HON. WILLIAM H. NATCHER
OF KENTUCKY
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 16, 1959

Mr. NATCHER. Mr. Speaker, for the third consecutive year Franklin, Ky., is the recipient of the annual Kentucky Chamber of Commerce award for civic improvement. Presentation of this award is contingent upon two factors: The winning city must have enhanced its desirability as a place in which to live as well as become more attractive to industry and business.

The friendly city is richly deserving of this honor. Its physical accomplishments during the past year include a new junior high school building, the opening of two industrial plants, Potter & Brumfield and Kendall Polyken, the development of five residential subdivisions, and numerous stores.

In addition, the residents of Simpson County have manifested their understanding of community spirit by exceeding the goal of the United Givers Fund by $2,000 and by approving an alltime record budget for the schools.

The various civic clubs, elected officials, chamber of commerce, Franklin favorite, radio station WFKN, and the Franklin Industrial Board have been instrumental in bringing these accomplishments to pass. These organizations set their course 4 years ago, and they have not deviated from their original goal. And as in all great achievements, the women have proved themselves indispensable. In behalf of the Business and Professional Women's Club, Miss Rowena Sullivan, president, accepted the honor and accompanying check for $1,000.

The primary motivation, the incentive which has inspired the residents of Franklin and Simpson County is not so much the desire to improve the financial standing of the county as to enhance its cultural values and make Franklin a more interesting place in which to live. The retention of her young people, especially the well educated, had become a problem of the first magnitude. In the beginning, a small group of men undertook consideration of this dilemma, but reaction to this movement was favorable, and in short time the project was community property.

Franklin, in most respects, is not unlike many other small towns in Kentucky. But her people possess an invaluable and unmeasurable commodity. They have great pride in their community, and their ambition will not tolerate anything else than the very best for Simpson County.

Mr. Speaker, being recognized as the No. 1 city in Kentucky for 3 successive years is an admirable feat. I feel deeply privileged that I am able to represent Simpson County in the Congress of the United States, and I know that her residents will work to continue Franklin's unparalleled successes.

Planning for Tomorrow's Needs

EXTENSION OF REMARKS
OF
HON. PORTER HARDY, JR.
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 16, 1959

Mr. HARDY. Mr. Speaker, on Saturday, April 11, the Woman's Democratic Club of Norfolk held its annual Jefferson-Jackson Day luncheon. The members and guests of the club were greatly honored by the presence of our charming and able colleague the gentlewoman from Missouri [Mrs. SULLIVAN], who addressed the meeting.

Mrs. SULLIVAN's remarks were not only appropriate to the occasion, but extremely timely, interesting, and thought provoking. I commend the reading of them to my colleagues:

SPEECH MADE BY THE HONORABLE LEONOR K. SULLIVAN AT THE JEFFERSON-JACKSON LUNCHEON GIVEN BY THE WOMEN'S DEMOCRATIC CLUB OF NORFOLK, VA., APRIL 11, 1959

I do not guarantee that the talk you are about to hear will be anything unusual or special, although, of course, I will try to make it interesting if I can—but I cannot guarantee it will be special. On the other hand, the circumstances of my speaking here are a bit special, and you might be interested to know what makes them so.

First of all, I make it a standing rule not to accept speaking invitations of this nature so far removed from my own home district in Missouri. It is not that I am opposed to speaking outside of my district—or outside the House of Representatives. I enjoy occasions of this kind, joining with fellow citizens from other sections of the country to celebrate our mutual admiration for the Democratic Party. But the invitations cascade down upon us in such volume that it is impossible to accept them all and thus the better part of wisdom is to attempt as gracefully as possible to regret them all. And, frankly, my working schedule is so

heavy that I almost have no choice in the matter.

In the 7 years I have been in the Congress I could probably count on one hand the number of such appearances I have made outside my district at other than Democratic national conventions or regional Democratic affairs, including Missouri.

As to this particular weekend, my being here is special in another way: I just returned to Washington a few days ago after 2 weeks in St. Louis. Naturally, I found my desk piled high with urgent problems—including things I could not have worked on while I was in St. Louis even if they had been mailed to me, and other things which I would have worked on in St. Louis except that they arose after it was too late for my office to get them to me by mail. In other words, even though the congressional recess was by no means a vacation—far from it—I returned to Washington to find as many pending problems there for me as if I had been on vacation. You all know what a vacation does to your work schedule—it ruins it. And in my case I'm having all of the headaches of coming back from a vacation without having had the vacation.

Much of that mass of stuff which was smirking up at me from my heaped-up desk is still there and what I have cleared out and taken care of in these last 3 days has more than been replaced by new crises and problems and assignments and urgent pleas of one kind or another. I represent a problem district, you see. Everyone seems to have problems, and most of them seem to think I have a magic wand to solve them all.

All of this is to say that under normal circumstances I would not normally consider coming down to Norfolk, and under the abnormal circumstances of the moment, with such a deskload of postrecess headaches facing me in Washington, I could not possibly consider coming here.

There are two explanations for the special circumstances of my being here, then. One is the high regard in which all of us in the House of Representatives hold your outstanding Congressman, PORTER HARDY—he is one of the most highly respected and effective Members of the House—and one of the most persuasive, too. And when he made a particular point of urging me to attend your Jefferson-Jackson luncheon, I found it extremely difficult to insist it was impossible for me to come. That was reason No. 1.

The other reason involves an even more illustrious Virginian—yes, even more illustrious than PORTER HARDY. I refer to your Thomas Jefferson, whom you join in honoring today along with the man I think of as the Harry Truman of the 1820's, Andy Jackson. I am sure Andy would be pleased if he were alive today to be likened to Harry Truman of my own State of Missouri in attitude and outlook and fierce devotion to the public good, and I know I couldn't say anything more flattering to Mr. Truman than to tell him I had compared him to his own idol of democracy, Jackson.

But Thomas Jefferson is particularly meaningful to us in St. Louis because, frankly, we owe our existence as Americans to him. Your ancestors here in the East fought for your freedom and they had a lot of help from ancestors of present-day midwesterners fighting alongside them. But, unless Jefferson had shown the kind of imagination and boldness we want and expect in our Chief Executives, there is no telling what flag would be flying today over St. Louis, and the whole vast area west of the Mississippi River.

In our most valuable downtown area bordering the Mississippi in what will be our most spectacular river vista—we in St. Louis, with the cooperation of the National Park Service, are building a dramatic memorial to Thomas Jefferson and to the territorial expansion of the United States accomplished through his Louisiana Purchase. This spectacular river park, overlooking the Father of Waters, near the point where Lewis and Clark began their heroic trek through the wilderness vastness, will be one of the truly impressive scenes of our Nation's many breathtaking views when present plans for the Jefferson National Expansion Memorial are completed in 1964, on the 150th anniversary of United States acquisition of the land. Dominating the park will be a huge stainless-steel arch designed by the world-famous architect Saarinen, symbolizing the role of my city as the entrance way to the west, an arc matching in concept the splendor of an America stretching majestically from sea to sea.

We are understandably proud of this joint Federal-local parks program in St. Louis; we are proud to dedicate it to the memory of one of our greatest of all Americans, your fellow Virginian, Thomas Jefferson. For we, too, also revere him. And I feel that in coming to Norfolk to participate in a good Democratic celebration of Jefferson's 216th birthday 2 days early—I think I'm right in my arithmetic that it's 216 years as of next Sunday when Jefferson was born—in any event, in coming into Virginia to talk Democratic politics to Democratic women I feel I am making an appropriate pilgrimage for a St. Louisan.

These, then, are some of the reasons why I have set aside my usual practice and have accepted your warm invitation to come here today. And, now that I am here, I am glad the circumstances were special enough to get me here. For I am enjoying my visit tremendously.

The reference I made a few moments ago to Jefferson's action in acquiring for the United States the vast territories west of the Mississippi is as good a point of reference as any to contrast the difference between political philosophies as represented by our two great political parties.

I understand that here in this area of Virginia the Republican Party is not unknown—although I am sure it is quite ineffective—but at least you do see an occasional Republican and you do have to contend with Republican arguments and Republican propaganda in your campaigns. Therefore, I know you will agree out of personal experience in politics that there are differences—and major ones—between the parties.

Undoubtedly, Jefferson's courage in committing the infant American Republic to an expenditure of such magnitude as $15 million—in a day when a million meant far, far more than billions mean today—was one of the great political decisions of our entire history. I can think of one or two Republican Presidents who might, in similar circumstances, have made a similar decision—but no Republican President that we have known in our time, certainly. How long can a great political party continue to go along without, at least once in 50 years, coming forward with a single political leader to match the political skill and courage of a Teddy Roosevelt? And poor Teddy, as you recall, finally had to give up on the Republican Party himself and start his own third party nearly a half-century ago. Since his day as Chief Executive, the Republicans have elected a number of Presidents—but not a single one of them has made a single dramatic decision of such far-reaching significance to America's future and the world's advancement as almost every Democratic President, at some time in his administration, has made at least once.

Going back—not to ancient history, but to the recent past—we have the examples on the one hand of a Truman galvanizing a disorganized and fearful world into a solid stand against Communist expansion which saved first, Greece and Turkey, and then all of free Europe, and served notice that freedom would not be bargained away or surrendered. No political project in all history has been of more significance than the Truman doctrine and the Marshall plan—the latter conceived by your illustrious Virginia soldier-statesman and put into effect by a courageous President from my State.

Think of the Roosevelt years—of the great decisions—bold, dramatic, incomparable in imagination and in effectiveness. Tomorrow it will be 14 years since Franklin Delano Roosevelt laid down his life for his country and for freedom. As long as any of us shall live who remember that day and that era, we will mourn for and revere him—and feel fortunate in our hearts that we had the privilege to be Americans at a time when his inspiring leadership restored our faith in our country, in our economic system, and, most important, in ourselves.

Woodrow Wilson's widow still lives and thus reminds us—in her occasional participation in Washington in ceremonial or social events—of the Democratic Party's saint-like political philosopher of 1913–20, also a Virginian, who breathed new life into Jeffersonian concepts and who dreamed the dream and saw the vision which today guides free nations everywhere in the pursuit of a secure world in which free peoples can live with their conscience and, yet, with each other.

On the other hand, we have had some Republican Presidents, too, in that period since Teddy Roosevelt left office in 1909. We had a Taft, a Harding, a Coolidge, a Hoover, and now Mr. Eisenhower. Except for the sorry choice out of the smoke-filled room of the Republican Convention of 1920, when Harding was selected, these men have all been regarded as conscientious Presidents, if perhaps inept in the demanding role of the Presidency, that is in the role of leading a dynamic Nation to new greatness.

As Republicans, these men regarded themselves as Presidents in the classic Republican mold of conservatives. And that's all right. But they—including Mr. Eisenhower, practiced their conservatism in the role of conservators—that is, to try to hold tight not only to that of the past which is good but to the status quo, to change nothing, to cling to the past no matter how moth eaten, to trod no new paths or pioneer no new concepts in government.

There are times when the American people think they need that kind of President as a sort of breathing spell from dynamic, dramatic, imaginative government. And of course 1952 and 1956 reflected the yearning for calm, for complacency, after the stress and noisy clashing of the political battles of 20 years and the horror of war.

Consequently, for 6 years we have had a don't rock the boat, don't do anything new, don't worry, don't experiment kind of National Government, and we have stagnated. The American people have now had enough of it—and have repeatedly said so—the most dramatic reiteration coming last November in that simply incredible Democratic sweep. And next year, well, the die is cast.

I have mentioned the Louisiana Purchase several times. Let me ask this—and I believe it is a fair question. Can you imagine our present Republican President and his present and former stand-pat advisers having the decision Jefferson made? I can just imagine the discussion which would have gone on in an Eisenhower Cabinet of 1803.

Mr. Benson would have said that we already had all the farmland we needed on this side of the Mississippi, much of it wild and uninhabited. Who could possibly eat the food grown in the new territories? Mr. HUMPHREY would have said it cost too much to buy the millions of acres of land and would cause inflation which would curl everybody's hair. Mrs. Hobby would have said that the whole idea was just socialism—and who could possibly foresee the use of any such vast territories as the Louisiana

Purchase? We remember her as the lady who could not foresee the almost hysterical demand for Salk vaccine—although now that we have all of it we need, there are still mothers in this country who expose healthy little children to a crippling future by neglect in getting their children inoculated. This is criminal negligence, and a public whipping would hardly be overly severe punishment for any mother who neglects this important duty of protecting her children against polio.

But I digress—I didn't mean to go off on that tangent. But the original fiasco of vaccine distribution under Mrs. Hobby, plus the criminal negligence of those mothers who do not today take advantage of the present availability of the vaccine make me boil in indignation each time I think of it—and nothing reminds me of it so much as mention of the name of our first Secretary of Health, Education, and Welfare. A woman in politics should bring to political life the warmth and humanity which are the greatest contribution to political thinking and governmental affairs that women can make.

In any event, to go back to 1803, I think you will agree with me that if the Eisenhower administration had been in office at the time and had been faced with the decision which confronted Thomas Jefferson, there would have been no Louisiana Purchase. This thought might cause you to lose little sleep, but to us in St. Louis, believe me, the idea is quite intolerable.

Seriously, though, the analogy is politically important, I believe. Under Republican administrations, as we have known them in our lifetimes, our country has been led always on a policy of drift—avoiding hard decisions—floating on a tide of circumstances which seem inevitably to have resulted in economic hardship verging 30 years ago on national bankruptcy. Even today, with so many enthusiastic statistics pouring out of the White House and Commerce Department on production, profits of big corporations, declining unemployment, and so on, the fact remains that we are still deep in an unemployment recession, and the outlook for millions of Americans—particularly for middle-aged workers and for those approaching retirement age—is so grim as to be alarming.

Yet Mr. Eisenhower announces he is very happy over a slightly more than seasonal decline in unemployment, while more than 4 million remain on the unemployment list. And we are told that by October, the number of unemployed might even be down to around 3 million. That is put forward as a statistic to cheer. Actually, it is one to fear.

For we are now turning out everything people want and can afford to buy. We are producing in abundance. Which member of the Eisenhower administration was it who commented during the 1954 recession that freedom is also the right not to have a job—you know, take the bad with the good, keep a stiff-upper-lip and so on. This is Republican dogma, as long as it affects somebody else.

No Democratic administration worthy of the political party label would stand by as complacently and idly as this one is doing in the face of a serious national crisis in employment and in purchasing power.

This Congress, believe me, is not going to accept such supercilious complacency from an administration charged with governing for the good of all Americans.

Congress, under our system, cannot administer national affairs. We cannot name any of the Cabinet officials or administrators; we cannot force the President to do much of anything if he refuses to see the need or act on it. We can provide the tools, we can provide the funds. We can point to the need. We can alert the public to the danger. We can even hobble the administration to keep it from doing terribly wrong things—if we hear about them soon enough. But we cannot as a Congress force affirmative action.

But as a people, we can—all of us insisting on action and making our voices heard. And that must be the role of every forward-looking American—particularly all of us who regard ourselves as Democrats—more particularly all of us who pride ourselves on being Democratic women.

Be a Patricia Henry—and demand that our leaders meet our problems head on. Old Patrick called for liberty; you, his descendants, must call for leadership from a weary and unimaginative national administration.

Mr. Eisenhower could easily find good administrators who can do the job if he wants it done. We have plenty of experienced Democrats who served magnificently in the Roosevelt and Truman administrations who could, with Ike's backing, get our economy off dead center—get Norfolk booming again—and St. Louis—and restore America's greatness and promise.

Mr. Eisenhower has only a little over a year-and-a-half to get things back into shape—or at least to get a good start on restoring real prosperity and confidence to the American economy—before the job will no longer be his.

After that, the problem will be ours. Whether it is handled by an Adlai Stevenson, or a Hubert Humphrey, or a Jack Kennedy, or a Pat Brown, or a Missourian I think a whole lot of, named Stuart Symington—or whoever our nominee is next year—I think I can assure you good Democrats of this fact:

The problems he faces will be met forthrightly and courageously—whatever they are. They will be tackled as a challenge to devise effective solutions, not to merely avoid rocking the boat.

The boat has been rocking—violently at times—in these past 6 years, largely because of the reluctance of the helmsman and the rest of the crew to head into the deep waves and plough through them.

What might have been mere swells on our economic sea have done us irreparable harm year after year because our national administration tried more to avoid them than to overcome them.

Let us look our national problems straight in the eye, whatever they are, size them up, analyze them, and overcome them. Only in that direction lies the progress we seek for our country, and for the free world.

Our party has always—since the days Thomas Jefferson conceived of it and gave it meaning—our party has always stood upright and unafraid against any challenge to America's progress. Our leaders have neither panicked in the face of nor hidden from, challenge. It's true that we do a lot of fighting among ourselves, we Democrats, and for what we often consider good cause. But when it comes to facing unafraid the challenge of tomorrow, we unite and close ranks and move ahead full speed into the thickest of the political fray.

Progress can come to America only in proportion to the willingness of our national leaders to stick their necks out for principle. Jefferson was maligned, abused, despised by the standpatters of his day. Jackson's name was anathema to the same group. Roosevelt was "That man in the White House"—a term spoken with venom and hate. Truman was ridiculed, as no national figure in our time has ever been depreciated and laughed at.

Our next president—whichever Democrat he may be—probably faces similar abuse such as was heaped on the men I have mentioned. That is because he will—whoever he is—if he is a true Democrat, insist on planning for tomorrow's needs rather than yesterday's.

Supported by people like you—by Democrats who want our country to continue to grow and not stagnate—the next president, whichever Democrat he may be out of our abundance of outstanding candidates—will have the opportunity to be a great president.

For that's the only kind we Democrats are used to.

Maine Will Be Host to First International Medical Conference on Mental Retardation

EXTENSION OF REMARKS
OF
HON. FRANK M. COFFIN
OF MAINE
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 16, 1959

Mr. COFFIN. Mr. Speaker, I would like to call the attention of the House to a conference of worldwide importance to be held at Portland, Maine, from July 27 through July 31, 1959. The First International Medical Conference on Mental Retardation will take place during those 5 days and I take deep pride in the fact that leaders in the field of medicine and welfare in the State of Maine have initiated, organized and sponsored this significant meeting which is the first of its kind. I believe it is worthy of the widest possible attention.

Although I have no expert knowledge in this field, I am informed that within the last few years various important conclusions have been reached through research and informal observations of retarded children. The primary objective of the conference is to focus attention on problems that can be attacked scientifically. The participants will be eminent physicians from various parts of the United States, Canada, and Europe. The sponsoring committee, recognizing that the challenge surmounts international differences, is attempting also through proper channels to extend invitations to physicians beyond the Iron Curtain.

Those who are interested in this forthcoming conference may request information from the conference secretary, division of maternal and child health, Statehouse, Augusta, Maine. It is being organized by the Maine chapter of the American Academy of Pediatrics, Pineland Hospital and Training Center, Pownal, Maine; the division of maternal and child health, State department of health and welfare, and the Maine Medical Association.

Peter W. Bowman, M.D., Pownal, Maine is serving as general chairman of the conference. Edmund N. Ervin, M.D., Waterville, is chairman of the liaison committee. He is assisted by C. E. Benda, M.D., Arlington, Mass.; George Stevenson, M.D., New York, N.Y.; J. Rees, M.D., London, England; P. Plum, M.D., Copenhagen, Denmark; G. Frontali, M.D., Rome, Italy; Richard Maseland, M.D., Bethesda, Md. Ella Langer, M.D., Augusta, Maine, is chairman of arrangements and finance.

The program committee, of which Hans V. Mautner, M.D., Pownal, Maine is chairman, comprises Malcolm J. Farrell, M.D., Boston, Mass.; Howard V. Bair, M.D., Parsons, Kans., and Ella Langer, M.D., Augusta, Maine.

The Republic at the Crossroads

EXTENSION OF REMARKS
OF
HON. THOMAS B. CURTIS
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 16, 1959

Mr. CURTIS of Missouri. Mr. Speaker, on April 2, 1959, Representative BRUCE ALGER, of Texas, made a speech in Webster Groves, Mo., "The Republic at the Crossroads." I wish to call his remarks to the attention of my colleagues and they are as follows:

THE REPUBLIC AT THE CROSSROADS

Those present are joined by many not present as I nostalgically review the past which this occasion prompts. This is a wonderful reunion, after 22 years, 10 months, which for me were chronologically: College 4 years; business 1½ years; military service 4½ years; business (including my own) 9 years; and Congress 4 years, a full and varied experience.

Here, in Webster, I learned my lessons. Here I acquired the foundation for the later experiences. I had wonderful youthful years, thanks to the people, schools, and environment, right here. Oddly, as I grow older this becomes more obvious and meaningful to me.

The thanks I would extend to those here, and those not here, will be through whatever effort I can put forth to justify their training, friendship, and help. Sort of in the father-son spirit, "Make the world a little better because you were there." Humbly, but with firm resolve to say thanks, exemplified perhaps by remembering Lincoln, "That we here highly resolve that these dead shall not have died in vain; that this Nation shall have a new birth of freedom; that government of, by, and for the people shall not perish from this earth." I didn't think so much of that in Webster High or in war when I sent a combat buddy's gear home to his family. But I thought of it later, and I do now as a public servant, a Federal Representative, as we tonight reunite for a few moments as old friends—but now, not as youths, but as responsible adults with problems and a government on our hands—our hands. It's our government to preserve for those who follow, and in memory of those who went before.

I'm here because of your Congressman TOM CURTIS, not just to permit myself the pleasure of a wonderful reunion. This is not the gratuitous expression so often heard publicly or the flowery protestations on the floor of the House, as a prelude to destructive attack. For me, this is a token of respect for a hard worker, and I think of the Curtis subcommittee's work on the problem of life insurance taxation, which became a factual textbook underlying the study and hearings for this year's tax bill—a pity more didn't study this document. I predict these views, with TOM's additions this year in the minority views, in which we both joined, will be remembered in the future, becoming increasingly influential. TOM's effectiveness can be measured in committee and floorwork by a few simple examples. The reciprocal trade bill of last year in committee and floorwork shows his guiding hand as he reconciled the conflicting views of both parties and the objections of the protectionists. I say this from a most critical viewpoint myself, as a dissenter to parts of the program. More recently, TOM suggested the airport compromise that joined the existing allotment formula and the lower spending figure—in which Democrats and Republicans then joined. In committee such adjustments are often made through TOM's efforts as in the Mills-Curtis formula for last year's insurance taxation. And I commend TOM for courage—as his championing the facts in the Goldfine issue last year. As many popularly joined the attack like howling wolves, TOM stuck to the facts, reminding the House that regardless of respective sides in the argument, we were violating our own House rules created to prevent character assassination.

TOM's work time and again in the Joint Economic Committee is a guiding force, as in the current study of the 1959 President's Economic Report. It's a pity that the somewhat technical nature of the study of inflation, price stability and maximum employment lacks the glamour and public attention which its importance warrants. You would all enjoy the debate between TOM and several Members on Monday, March 9 (CONGRESSIONAL RECORD). So you see, my visit is actually not a friendship matter, as such, but a matter of respect for and teamwork with a legislator who has courage, ability, and a dedication to principles, which my remarks tonight will, I hope, further explain.

As a small businessman who knew little of the ins and outs of politics, and as a Republican in an overwhelmingly Democrat area, I ran for public office 5 years ago and made but one political promise—that I would measure each piece of legislation by two yardsticks: (1) Is it a function of the Federal Government? (2) Can we afford it?

I promised I'd vote on each proposal according to whether or not it passed those tests, and letting the political chips fall where they might.

Having tried conscientiously to hew to that line for 4 years, a course described by some as political suicide, I was immensely proud when the people of Dallas County, in the biggest offyear turnout on record, roundly endorsed that attitude toward government by returning me for the third time as their Representative in Washington. But did I win the election?

What wins a given election? No one can ever be entirely sure. The time, effort, and money of many dedicated citizens, political amateurs, many of whom were previously unknown to me, won this particular election.

This much I know, and there is no need to kid ourselves about it. Dallas Countians, like others in the South, for the most part regard themselves as Democrats. But conservatives of both parties effectively united to stand behind an unabashedly conservative record in Congress, and they didn't balk at my own avowed Republicanism.

The Republic is at the crossroad. Whether it is to remain the traditional constitutional Republic in a democracy or become a centralized inflated supergovernment, antithetical to the beliefs of our Founding Fathers, which beliefs we have not countermanded, not really, nor do we intend to, I am convinced.

A democracy is government of, by, and for people. The people participate. A republic is representative government, wherein the people are represented by others of their choosing. A representative, then, represents all the people, but is elected by a majority of the voters. Here's one problem—it is not a majority of the people, over half don't participate.

A second problem implicit in our form of government is the assumption of an "informed electorate," that is, that the voters know the issues and problems confronting the Nation and its Government. To the degree they don't, the Government, as in the case of people not voting, is weakened. Using his judgment, the Representative, then, votes, representing his constituents, as he feels the majority of his constituents would, if in his shoes, facing the particular circumstances and facts. That simply is our form of government and the two problems.

We are at the crossroads because a majority don't vote, and those who vote (as well as the others) don't study the issues and aren't informed. The crossroads point which way we'll go—preserve constitutional government or embrace socialism or another ism.

It is now a question of preserving our Nation and its institutions. This is done through political parties. The parties must have sound principles or fail in this task.

It is to that job we must dedicate our principal effort. For, if we fail in it, there will not be much need to worry about elections. And, if we succeed—by awakening the American people to a recognition of their peril—victory at the polls will follow.

We must bring to our task more than just an urge to take power. A political party enters this fray ill-equipped unless it is armed with basic principles—unchanging beliefs so precious they cannot be sacrificed for any political victory. Without such principles, a political party is nothing more than a gathering of office seekers and their friends. Without principles, a political party, in the words of our President, is only a conspiracy to gain power.

I believe the Republican Party, of the two, is the only possible party now to accomplish this objective, as you will see. To me, this assertion isn't blind party loyalty either, by a long shot, but critical appraisal.

It is true that any party representing a broad cross section of the American people will encounter differences of opinion as to details and method. That is true of our party. In fact, I suggest that we Republicans have permitted these differences to become so magnified in our own minds and the public mind that the principles which unite us have been forgotten or ignored. As a result there has been all too much talk about hyphenated Republicans—liberal-Republicans, conservative-Republicans, modern-Republicans. It is time—if we are to face the challenges that confront us—that we start thinking, talking, and acting as Republicans—period.

Let us heed the words of Lincoln when he said: "I'm afraid of the result upon organized action where great results are in view—if any of us allow ourselves to seek out minor or separate points in which there may be differences of views as to policy and right, and let them keep us from uniting in action upon a great principle in a cause on which we all agree."

Let us remember that our strength can stem only from the basic principles which unite us.

These principles are so deep and instinctive that we have unfortunately too often felt it either unnecessary or too difficult to put them into words. But they must be put into words; they must be enunciated over and over again. Our beliefs and principles must be articulated so clearly and forcefully that there can be no doubt as to where we Republicans stand and why.

Let me presume here tonight to make a modest beginning at putting into words what we so deeply and firmly feel.

We believe, we Republicans, that no generation can live solely for itself but rather that it has the heaviest of obligations to preserve the Nation and its institutions, strengthened and improved, for those who follow. We know that our heritage was won only by the sacrifice of those who preceded us. We have the high moral duty to sacrifice, if need be, to preserve and protect it.

We know, as we face the problems inherent in preserving our society, that the right way is not always the easy way, but that we have no choice except to take the hard way if it is, in truth, the right way. We recognize that we will find ourselves frequently bucking the popular tide, for we know, just as surely as the Democrats, that there is little political appeal in self-denial. If we accept the re-

sponsibility of leadership, however, and that is one of the functions of a political party, we must serve as stern guardians of the national common sense.

We accept, as part of the responsibility of leadership, the duty of making clear to the people that the easy way, if it is wrong, leads only to the misery of retraced steps or the finality of disaster. Championing what we believe to be right may at times lose us political battles; but we are supremely confident it is the only way to a clear conscience and ultimate victory.

We believe in a government of laws which have as a principal aim the prevention of the seizure of dominant power by any man, or group of men.

We believe that the political and economic strength of a nation depend upon the genius of its people and that genius cannot flourish wrapped round with the chains of an all-powerful state or an all-powerful minority.

We believe that liberty is man's most precious possession and that it includes the freedom to have an incentive to produce. This has led to our faith in the soundness of an economic system based upon man's universal urge to better his lot. We believe that success, if it is to be the incentive for all, cannot be mocked and scorned and discouraged in an appeal to the envy of others.

We believe in a limited government as the best means of preserving individual freedom and initiative, but this does not bind us to the legitimate needs of our citizens or the challenges which confront our Nation.

We insist, however, that the needs the Federal Government is called upon to meet be real needs which cannot be met by individual initiative or by the unit of government closest to the people, and particularly, that they are not needs manufactured by those looking for special advantage or power.

We believe that the challenges to our Nation's survival can best be met, not through ill-considered actions based on fear or emotion, but by a nation which itself is guided by basic principles, proceeding confidently because it is physically strong, morally right, and carefully prepared.

It is because of these beliefs, these principles, that the Republican Party is called upon by its own conscience to move vigorously to the task of preserving our Nation against the present-day threats to its survival.

In my book there are today three great threats facing us as a people and as a Nation:

The threat of communism.

The threat of inflation.

The threat of new monopolies.

Each must be met head on. Each must be fought relentlessly if what we call the American way of life is to survive.

The first threat is the most dramatic and the most apparent. It stems from the rapid rise of Soviet military and economic power. We have seen the Soviet Union ruthlessly trample on the rights of its people and other nations in its drive to rule the world. By concentrating on the means to produce military power, it has rapidly industrialized its economy and achieved far-reaching scientific advances, a combination which has made it a real threat to world security. We may deplore their methods, but we ignore, at our own peril, the presence of vast military and economic power in the hands of a small group of men imbued with a fanatic belief in the inevitability of communism's world conquest.

The reaction of the Democrats to the more dramatic evidences of Russian military power has been characteristic. Conditioned from habit, their immediate response has been that we outspend the Russians and achieve victory through sheer weight of the American dollar. Democrat spending bills followed quickly in the orbit of the first Russian satellite and every new announcement from the Kremlin quickens their flow.

It would indeed be wonderful if all we had to do to preserve our Nation against the Russian military threat was to turn on a spending spigot. It is not that easy, and the political party which tells the American people that it is, is gambling recklessly with the future of our Nation. If, as a nation, we rely solely on scattering our national wealth to the winds in order to quiet every fear, we can lose this fight before we start.

We cannot meet the Russian military challenge by siphoning off and diluting our available resources, both of brains and materials. Yet, the numerous critics of our defense policies insist, when you put all their charges together, that we engage in just such a scatterbrained effort. The net effect of following the advice of a Symington, Johnson, Anderson, Jackson, or any other Senator or Representative who wants more money for a specific defense need, would be weakness through dissipation of our strength. It would be a defense based not on the best estimates of our National Security Council, the entire intelligence resources of the Nation, and the expert advice of our Joint Chiefs of Staff and our President, but on the worst fears of our most frightened politicians.

What it will take to beat the Russians at this gruesome game is a government and people ready, of course, to sacrifice whatever is needed for our overall superiority, but determined at the same time to proceed only on the basis of sound estimates, rational thinking, and carefully conceived plans which look not just to today but also to tomorrow. This is the hard road, and only a party of principle has the courage to stand up to the fearmongers and tell the American people it is the road we should follow.

It is clear, too, that only a party of principle can furnish the kind of leadership which stands fast against those Democrats who would sacrifice our world position in the face of the potent power of the Soviet Union. When it is all boiled down, the constant carping over the inflexibility of Mr. Dulles, the demands for a new approach to the Soviet Union, and the laments for the lack of viability in our foreign policy are nothing more than a frightened unwillingness to face up to the fact that you can't appease the Russian without losing your shirt in the process. We are confident the American people won't soon again be led down the so-called easy road of appeasement.

The second threat to our security as a nation is the insidious menace of inflation. Our response to inflation is not only significant in its own right but it cannot be divorced from the challenge of the Soviet Union.

No greater test of the principles of the Republican Party can be provided than in the fight against inflation. It cannot be successfully undertaken unless we are willing, as a nation, to think more of the future than of ourselves and to take the hard but right way so that our Nation and its institutions can be preserved.

As we move positively against the threat of inflation, we Republicans are accused of being preoccupied with balanced budgets, of being negative when we oppose unessential spending programs, and of having a narrow bookkeeping attitude toward the problems of our Nation.

I say to you: There can be no more positive programs, for our party or any party, than to try to save this Nation from the disaster which will take place if inflation, through habitual spending beyond our income, becomes the national way of life.

As we oppose programs which individually have vote appeal but which taken together lead swiftly and surely to national bankruptcy, we lay ourselves open, of course, to the demagog's cry. But what we seek is more important than any single spending program. Unless we can maintain the stability of our currency, we will not have the strength to support any governmental program, no matter how desirable—be it for defense, for scientific advance, or for human welfare. Bound up in the fight for a balanced budget is the question of whether our economy will have the strength and stability to maintain us in the battle for survival.

Let it be remembered that we have been living beyond our income in 23 of the last 28 years. The credit of the U.S. Government is at the breaking point.

It is not just the national budget that is involved in the Democrat spending programs. The personal budget of each and every individual and family is involved. An unbalanced national budget means unbalanced family budgets; it means loss of credit, of earnings and savings, insurance, pensions, and annuities. When unbalanced national budgets and inflation become our national way of life, they all go down the drain together.

There is also a moral issue.

The time has come to end the completely immoral practice of passing on to our children the debts we incur for our own immediate benefit. We could at least have respect for the morality of the spenders if they would suggest that this generation pay, through higher taxes, for the cost of the programs they so glibly propose. They lack the courage for that, and in many cases, like the Senators from my State, they not only beguile the people with vast spending programs but promise simultaneous tax reductions. Let us call a spade a spade. Mortgaging our children's future is basically immoral.

There is the question of equity.

The first obligation of government is to treat its citizens equally. There is no equity when a government spends to provide special benefits for some of its citizens, because they are politically powerful, at the expense of all other citizens. But, the inequity is tragically multiplied when a government must borrow and inflate its currency to do so. For inflation does not strike all citizens an even blow; it hits hardest at the weak, the unorganized, at those who lack the means to protect themselves from its subtle and devastating robbery, the widow living on insurance, the aged living on pensions. No government which pretends to serve all the people can retain their confidence if it promotes wholesale inequity by choosing the easy road of unbalanced budgets.

There is the issue of survival.

I have spoken of the military challenge of Soviet Russia and the kind of response we must make to it. Will we have the sheer physical strength for that challenge—no matter how many missiles are on the launching pads—if our underlying base of a sound fiscal structure and a strong economy are rotted away by inflation?

The answer, of course, is "No," but the Soviet challenge is more than military; it is a total challenge on the military, political, economic, and moral fronts. Can the United States meet that total threat with its currency debased, its credit gone, its economy in turmoil, its citizens divided and its morality compromised, if we adopt inflation as a way of life? Of course not.

Politically, can we hold ourselves up to the nations of the world as a shining alternative to communism if we are unable to keep our own house in order, if we display a fatal political weakness in our form of government by casting aside principle for the fatal charms of expediency? How can we be an example to the world if we cannot in times such as these even meet our current needs out of current income?

Can we meet the Communist economic offensive if through inflation we price our

goods out of the world market and if the American dollar becomes a currency to be shunned rather than desired?

And morally, where does this Nation stand as opposed to immoral communism if it succumbs to the immorality of inflation?

Let no man tell you that those who fight against the unbalanced budgets which cause inflation are preoccupied with the mechanics of bookkeeping. We are preoccupied, but our preoccupation consists of the most urgent and positive program this Nation can undertake—the prevention of a national disaster. It is our job as Republicans, as a party of principle, to awaken the Nation to this clear and present danger.

The President has presented the Nation with a balanced plan for security and public welfare. He has presented a plan balanced as to income and expenditures. It is a truly Republican program. It is our job as Republicans to exert every effort to make this plan a reality.

I mentioned earlier that one of the basic principles of the Republican Party is the belief in a government of laws which have as a principal aim the prevention of the seizure of dominant power by any man or group of men. Because of this principle, the Republican Party is called upon to meet the threat of the new monopolies, powerful labor organizations under the domination of a handful of men.

Under Republican leadership, this Nation met the challenge of the seizure of dominant power by a few industrialists and financiers a generation ago. It curbed the power of the trusts when in the public interest it enacted antimonopoly legislation under Republican leadership.

Today similar power rests in the hands of men who dictate the policies of our national labor unions. It consists of vast economic power, the power to cripple an industry or a nation. It is economic power which has reached out so successfully for political power that it has taken over, for all practical purposes, the Democratic Party and now controls the Congress of the United States. It is a combination of economic and political power which threatens the national interest because it is a power which places its own interest above the interest of all citizens.

Curbing the power of the new monopolies will be infinitely more difficult than dealing with the old industrial and financial monopolies, for the new monopolists have wrapped themselves in the cloak of the so-called common man. They have been careful to inculcate the doctrine that their monopoly interest is identical with the interest, not only of union members, but all working men and women. No attempt can be made to curb the power of the new monopolies without incurring their charge that it is a move against the public interest.

But the public—the consuming public—does not benefit from the exercise of naked monopolistic power to raise wages, and hence prices, beyond the level justified by increased productivity—nor from the extortions of a Hoffa made possible by the power his monopoly gives him.

The public—the union worker public—does not benefit when its dues are stolen, or frittered away, or spent for propaganda or political activity against its wishes.

The public—the taxpaying public—does not benefit when the political power of the new monopolies is used to extract special benefits from a pliant Congress or legislature.

The public—the small-business public—does not benefit when its choice, confronted with the overwhelming power of a giant union, is to accede to its demands or go out of business.

The public—the farm public—does not benefit when the new monopolies drive up farm costs far beyond the ability to increase farm prices.

Nor can the public—all of us as free citizens—benefit when dominant political and economic power rests in the hands of a few men, no matter how much they claim to have our best interests at heart.

Let there be no mistake about it. The evils which have arisen because of the emergence of the new monopolies are the result of the power they hold in their hands. We cannot eliminate the evils until we restore the balance of power and to do so, we must curb the powers of the new monopolies even as we protect the very legitimate rights of working men to organize for their own protection and own welfare.

As a party of principle, we cannot dodge this issue. The Democrats must avoid it at the peril of their extinction as a political force. They are incapable of going beyond what the new monopolies will permit, and this consists only of wiping the smudges off from the faces of those union leaders who have gotten dirtiest in their greed for power. It's up to us to take the lead in a sustained effort to curb this threat to the stability of our Nation. It will in the end earn us the gratitude of the vast majority of the American people who, even now, sense the danger involved in letting unbridled monopoly power run loose in our land.

In these great tasks, then, in meeting the Communist threat, in fighting inflation, in curbing the new monopolies, we Republicans have a job to do. At stake is the future of our Nation and the security and happiness of our people.

There is only one way we can go about this task and that is to devote our every resource to it. We cannot succeed, in the face of an overwhelming Democrat majority in the Congress, unless we arouse the American people to the dangers which confront them and unless we imbue them with a belief in the principles we uphold. We must, through them, make it politically impossible, for any party or group, to lead this Nation down the easy road to its downfall.

We need to make our party an effective political organization. We need to enlist in our ranks the millions who believe, as we do, in the principles we uphold. We need the devotion, discipline and dollars without which a party cannot function. We need to tell our story, clearly, unhesitatingly, forcefully so there is no man in this land who does not know our party's principles, program, and goals. We need, in short, to get down to work.

And as we set upon this noble task of saving a nation, should the path look dim, the goal remote and the obstacles insurmountable, we can do no better than take courage from the faith that: "Right makes might, and in that faith let us to the end dare to do our duty as we understand it."

Mandatory Control Program on Residual Oil Imports

EXTENSION OF REMARKS

OF

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 16, 1959

Mr. SAYLOR. Mr. Speaker, from Down East have recently come some exceedingly vehement denunciations of the White House order creating a mandatory control program on residual oil imports. I think it is about time that our friends in New England pursue a more objective and consistent course in our old international trade program. In the first place, it is difficult to understand how a region of the United States that has already experienced very critical fuel shortages because of the unreliability of sea traffic in periods of hostility would object to any program designed to guarantee availability of supplies under similar conditions. The President's proclamation issued on March 10 was prompted because oil imports have so enervated domestic fuel industries as to seriously weaken the mobilization base. The President is aware that a fuel which must be transported over ocean lanes infested with enemy submarines could not be depended upon to run a war machine.

Assuming that those New Englanders protesting the White House order, have forgotten events of not too many years back, I should like to place in the RECORD a number of headlines that appeared in our newspapers during the early part of World War II when tankers coming from ports on the Gulf of Mexico were being intercepted both in the gulf and along the Atlantic seaboard. Here are but a few that I have taken from my files: "U-Boat Torpedoes Tanker Off Jersey"; "Tanker Sunk Off Our Atlantic Coast"; "Florida Crowd Sees U-Boat Sink Ship Off Shore"; "Two Tankers Torpedoed—One Off Jersey Witnessed by Thousands in Resort Towns"; "Allied Tanker Seen in Sinking Condition Off Long Island."

There is the story of what can happen on the high seas in wartime. I might also recall for your benefit that at one time an enemy underwater action was responsible for sinking a tanker within a short distance of New Orleans. In addition, at one time three tankers went down in the immediate vicinity of Dutch West Indies, which happens to be the principal source of the residual oil that moves into our east coast markets at the present time.

Now, how was New England affected by the inability to move oil over the water? As late as the spring of 1943, the fuel shortage impaired normal activity up and down coastal areas from Maine to New York. Earlier, the Petroleum Administrator in Washington warned New England to prepare for the worse. This headline from the New York Times explains the situation: "Ickes Says Worse Situation Is Coming and Asks Conversion to Using Coal." The wisdom of this prediction is confirmed in these 1943 headlines: "Hospital Is Ordered Closed by City To Save on Fuel Oil"; "Stillwater Worsted Mill Closed by Oil Shortage"; "Eight Rhode Island Textile Plants Forced To Close Today"; "Exodus of Labor Threatens Mills in Fuel Oil Crises"; "Fuel Oil Shortage Here To Close 95 Parochial Schools"; "Oil Shortage Forces Two War Plants To Close."

If further evidence is desired, I am sure that the Library of Congress will be happy to make available complete copies of the newspapers carrying these accounts of horror off the Atlantic coast and the subsequent difficulties in fuel-hungry New England.

The almost total destruction of tanker traffic in the early part of the war was effectuated by a nation whose sea forces included 150 submarines. Today, the Russians have a fleet of some 450 underwater craft. No power in world history

has ever had so large a submarine force. Two-thirds of Russia's submarines are long-range ocean patrol types developed after World War II with the aid of German naval designers.

Adm. James S. Russell, Vice Chief of Naval Operations, in speaking before the Military-Industrial Conference in Chicago recently, included this paragraph in his report on Red naval power:

Quantitatively we may expect the Soviet submarine fleet to remain at about its present level; qualitatively, however, the threat to the free world will continue to grow as the older and smaller submarines are phased out of service and the number of new long-range types increases. These long-range submarines pose a threat not only to our vital traffic across the seas, but to our industrial centers as well, for the Soviets have the capability for arming these submarines with missiles and it must be assumed that some are already equipped.

With this knowledge, Mr. Speaker, can anyone here take issue with the President for his action based on the likelihood that foreign oil would be available in wartime? He knows the vital importance of vigorous domestic coal and oil industries. It was his responsibility as Commander in Chief of the Armed Forces to proclaim the oil import order in behalf of America's mobilization program. I am hopeful that there will be no more contesting a decision made in the interests of national safety.

I also remind my colleagues from New England that there is no justifiable reason for your anticipatory fuel problems. These illusions were created even before the mandatory control plan went into operation. The amount of residual oil to be admitted under Presidential order is the same as was imported in 1957, at that time the highest quantity in history and almost equal to the 1958 figure. Thus the deluge may continue its deplorable economic impact on producing regions of the United States, and I assure you that I shall strive for legislation for a further cutback to a place where imports are in line with the tariff and quota protection afforded industries in other areas. Meanwhile, no one should anticipate any scarcity of fuel supplies under the decree. A considerable number of the east coast plants now on residual oil are equipped to convert to coal, which is available in adequate quantities at reasonable prices. Bituminous coal prices at the mine have remained steady for the past decade, and studies by outstanding industrial economists disclose no tendency toward a sharp upward movement over the long term.

I am, of course, conscious of the fact that residual oil has been available to east coast customers at prices slightly below what they would have to pay for coal. The importing companies have captured coal's traditional markets because they are able to adjust prices without any threat to the corporate structure. The profits from the sale of gasoline and the lighter oils are usually adequate to absorb the production and refining costs, so that residual oil is left over to be sold at whatever price will capture the market.

With all of this foreign residual oil—the more than a billion and a quarter barrels of it—that entered the United States in the past 10 years, what have the people of our country gained? What benefit has accrued to the populace of any single State or region? Residual oil cannot be used for heating homes, and you would not be driving any more if you tried putting it into the engine of your car. The big plants and generating stations are principal customers of this fuel. Their use of a foreign commodity in preference to a product of America's mines is certainly not inconsistent with the philosophy expressed by their representatives in Congress. Time after time members of the New England delegation have vociferously denounced trade policies that permit imports to impinge upon business conditions in leather goods, textiles, fish, lumber, bicycles, watches, and products of other New England industries.

This factor should be kept in mind when residual oil imports are under consideration. If our coal miners back in Pennsylvania are deprived of a means of livelihood because of a foreign invasion on their markets, where do we get the purchasing power for the goods that New England manufactures and sells? In my estimation it is about time that Members of Congress from the many areas suffering economically from unfair import competition collaborate on our identical problems. I can assure you that I have always concurred in recommendations to adjust international trade policies in such a way as to safeguard industries in New England, the South, and in other regions. I am convinced that we can get together if we consider the matter on a nationwide scale. Each year a growing number of communities is added to the list of industrial centers paralyzed or severely injured through inequitable import competition. The automobile manufacturers, who formerly led the free trade brigade into Washington when the Reciprocal Trade Agreements Act came up for extension, have been noticeably silent in recent times. There is a definite fear that, unless someone puts the brakes on foreign cars entering this country, the big American jobs are going to get run off the road and unemployment around Detroit will be even worse than has been the case during the past year. Even the big office machine manufacturers, who once were proudly in the president's chair of a leading free trade committee, are beginning to wince when they walk into the Pentagon and see the large number of Olivettis and other foreign-produced typewriters and calculators.

The Presidential order restricting residual oil imports is designed to protect the Nation in emergency periods. It is certainly one executive department order to which no one in this country should object, yet restrictions on oil need to be bolstered considerably, and chances are that any help that we Representatives of fuel-producing districts can get will redound to the benefit of the rest of the country. With unemployment persisting on a high scale, I do not think we can afford to pass up the chance to get our people back to work.

Congressman Boggs Scores Hit in Chicago With Talk on H.R. 5

EXTENSION OF REMARKS
OF
HON. BARRATT O'HARA
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 16, 1959

Mr. O'HARA of Illinois. Mr. Speaker, I am extending my remarks to include a remarkable address by the Honorable HALE BOGGS, our distinguished colleague from Louisiana, at the 22d Chicago World Trade Conference. Congressman BOGGS spoke on the subject of "How To Encourage American Investment Abroad" with especial reference to H.R. 5. From the many letters I am receiving from Chicago I would conclude that few speakers have ever impressed a Chicago audience as did the gentleman from Louisiana on that occasion. The following letter is from Walker B. Davis, counsel of the Chicago Bridge & Iron Co.:

The Chicago Bridge & Iron Co. designs, fabricates, and erects large steel plate structures, such as tanks used for the storage of petroleum products at refineries and bulk stations, as well as tanks and other containers for many other industries. We have done a great deal of work in foreign countries. Sometimes we have furnished the fabricated steel, while in other cases we have erected fabricated steel supplied from outside the United States. We are anxious to continue our foreign operations, and also to expand them, but the tax burden imposed by the Government of the United States on the results of such operations puts us at a competitive disadvantage as compared with foreign contractors. Indeed, these considerations may force us to transfer the conduct of such operations to a subsidiary organized in another country.

I have had the pleasure of meeting Mr. BOGGS and listening to him speak on this subject. I think he knows a great deal about it and, of course, I need not tell you what a fine gentleman he is. Perhaps you will be interested in the enclosed copy of the address he delivered at the 22d Chicago World Trade Conference on February 27. I think it is as good a statement as I have seen of the reasons why this bill should, as I believe, be enacted into law.

Congressman BOGGS' address follows:

HOW TO ENCOURAGE AMERICAN INVESTMENT ABROAD

(Address by Hon. HALE BOGGS, U.S. Congressman from Louisiana, member, Committee on Ways and Means, at the 22d Chicago World Trade Conference, Palmer House, Chicago, February 26–27, 1959; sponsors: Chicago Association of Commerce and Industry and Export Managers Club of Chicago, Inc.)

I was delighted to receive the invitation to address this the 22d Chicago World Trade Conference. I am always glad for an opportunity to come to Chicago. Chicago typifies in so many ways the dynamic industrial, commercial, financial and political leadership which has made America great. I find here so much in common with my own home city of New Orleans. We, too, have problems of slum clearance, rehabilitation of blighted areas, and long-range planning for civic improvements and industrial development. And now Chicago, like New Orleans, is to be a major seaport and center of world trade. As you know, New Orleans is second only to New York in the dollar volume of world trade clearing through its port facilities.

The leadership of the Illinois Congressional Delegation under my esteemed colleague and dear friend on the Committee on Ways and Means, Hon. THOMAS J. O'BRIEN, is so persuasive that I have supported him on most matters in which you are interested—particularly in his valiant fight for increased diversion of water from Lake Michigan.

The spirit of friendly competition which may now develop between the new and expanded port facilities in the Chicago area, and other established centers of world commerce in the United States will be beneficial to all. As reflecting this spirit of friendly competition from New Orleans, I should like to remind you that the Port of New Orleans has maintained in Chicago for several years now an executive general agent, Mr. André Mouton, who holds membership both in the Chicago Association of Commerce and Industry and in the Export Managers Club of Chicago, Inc., the two sponsoring organizations of this World Trade Conference. These two great centers of world commerce, united as they are via the Mississippi River, can provide a firm foundation for the great volume of world trade which I am convinced holds the key to the longer range hopes for peace.

It is difficult to overstate the importance of an expanding volume of world trade to the long range security of the United States and the free world. To me, peace, freedom and world trade are indivisible. World peace hinges on world trade—not a permanent program of foreign aid. And trade can be mutually advantageous over a prolonged period only if all countries have the facilities to produce whatever the combination of their natural resources, the natural capacity of their people, and their available capital will permit.

I am convinced that the people of the United States have about had their fill of what appears to be an endless program of Government economic aid to foreign countries. I find in my travels throughout the world that the really responsible people in recipient countries question the soundness of an aid program on any permanent basis. As a temporary program to insure rapid revival of the economies of Western Europe following World War II, I firmly believe that the Marshall plan may have preserved from Communist unrest a most important part of free world culture.

But it should be apparent to all that something more dynamic and less artificial must now be employed to develop the economic resources of all countries outside the Communist orbit. The last Congress recognized the significance of further expansion of trade by extending the reciprocal trade agreement legislation for another 4 years. It is most encouraging that this program, conceived and inspired by one of the greatest Secretaries of State of all time, Hon. Cordell Hull, has now become truly bipartisan.

President Eisenhower has frequently stated that increased private investment is essential to the economic progress of less developed countries. In his recent budget message the President said:

"The greater share of investment capital and technical ability in the United States and other highly developed countries is to be found in private hands."

Thus far, however, the President in his series of messages to the Congress has failed to recommend any legislation in this area other than expansion of the program of guarantees to American private investors against losses caused by inconvertibility of currencies, expropriation, or war. Unfortunately, the administration still is in the study stage of possibilities for stimulating private investment abroad. As stated in the budget message:

"Studies are being conducted by the Department of State and the Business Advisory Council of the Department of Commerce on ways to increase the role of private investment, management, and technical training abroad."

It has fallen upon the Congress to assume the initiative in this as in many other areas which are vital to the American economy and the peace of the world. I say with some pride, we have a program equal to the task. Last December my Subcommittee on Foreign Trade Policy held a full week of hearings on the future prospects for U.S. private investment abroad. At that time statements were made by more than 50 representatives of agriculture, commerce and industry, and experts from government and academic life.

Most frequently mentioned in the testimony before our subcommittee was the recommendation for changes in the Federal tax structure to enable American private investment to go abroad on a basis competitive with investors from other countries. A number of specific recommendations were made for changes in the treatment of income from foreign sources. From these recommendations I selected those which seemed to have the greatest merit and common support. I have adapted these recommendations to conform with my own views, of course, and included them in a bill which I introduced on the opening day of the 86th Congress. This bill, the Foreign Investment Incentive Tax Act of 1959, will, I believe, encourage a substantial increase in American investment abroad.

The cornerstone of H.R. 5 is the provision for a new class of domestic corporation to conduct the foreign operations of American firms. Known as foreign business corporations, these companies would be permitted to retain the earnings derived from foreign operations for use in the expansion of foreign investment and trade activities without any immediate payment of U.S. tax. They would pay U.S. tax on foreign source income only when it is withdrawn from foreign operation, either by a distribution to shareholders or upon diversion to purposes unrelated to foreign operations. Income from foreign sources will qualify for deferral only if the foreign business corporation derives substantially all of its income from business done outside the United States.

In recent years, in order to compete with British, Canadian, French, or German businessmen, American businessmen have been compelled to seek tax shelter havens in Tangier, Lichtenstein or Panama, et al. Consequently, the proposed deferral of Federal tax burden upon earnings reinvested abroad will result in no significant loss of United States revenue; in fact, one of the witnesses before our committee predicted that, absent a change in Federal tax law during the next 5 years and assuming the world stays prosperous, he has no doubt that there would, at the end of this 5-year period, be little export income on which the United States will collect taxes. I firmly believe that United States businessmen should not be compelled to abandon the American flag when they go abroad: they should not be compelled to organize and operate under foreign flags but, instead, should be encouraged to go abroad and take with them their country's flag—and along with it the great combination of ingenuity, skill and daring that has made our free enterprise system the most dynamic economic system in the world.

You are all familiar with the tax treatment provided since 1942 for Western Hemisphere trade corporations. These corporations have been taxable at a rate 14 percentage points lower than the tax rates applicable to other corporations. These benefits are limited to a corporation which does all of its business in the Western Hemisphere. Section 4 of my bill would extend the same benefits to United States companies doing business in any foreign country if specified conditions as to kind and source of income are met. These qualifications are substantially the same as those now prescribed for Western Hemisphere trade corporations except for an increase from 5 percent to 10 percent in the leeway allowed for incidental income from sources within the United States. Experience has shown that the present 5 percent limitation is too restrictive.

I understand there was some surprise when I included this section in my bill. I have been told that the budgetary facts of life will not permit even the temporary loss of revenue. I am certainly in favor of a balanced budget and shall do all in my power to curtail unnecessary Government expenditures. But I say to you that our chance for a balanced budget will be greater, if we provide encouragement for American business to assume directly more of the risk of economic development in the countries in the free world. Indeed, there is very likely to be a greater tax yield from a 38 percent rate of return on the increased volume of foreign activities of American business than from a 52 percent rate on the more restricted activities under existing law.

The reason for enactment of the Western Hemisphere trade corporation provision in 1942 was that American corporations in South America were placed at a considerable competitive disadvantage with corporations from other countries. Since the same competitive inequity now exists throughout the free world, it is only fair that all U.S. corporations engaged in foreign trade should be treated alike. It is high time that we discard the provincialism which gave rise to this artificial distinction between East and West.

The 14 percentage point tax differential is justified by the same considerations whether the foreign operations be conducted in Pakistan or in Peru—in Burma or in Brazil—in the East Indies or in the West Indies.

One of the most perplexing problems encountered by American corporations which have engaged in foreign trade through subsidiaries organized in a foreign country has been that of shifting capital from a subsidiary in one foreign country to another subsidiary in another country, where the capital can be more effectively utilized. Under existing law it is not possible to make such transfers without recognition of gain or loss unless prior clearance is obtained from the Commissioner of Internal Revenue. Likewise, if the U.S. corporation finds it necessary to transfer appreciated assets to a foreign subsidiary, a taxable gain is recognized unless prior to the transfer the Commissioner looks into the transaction and senses no potential of tax savings.

I understand that some favorable rulings have been issued in some situations, but only after much delay—accompanied with considerable pain and suffering—and frequently on a very arbitrary basis. Section 3 of H.R. 5 would relieve this situation by providing that no advance ruling shall be necessary for property actually used in a trade or business outside the United States, or for stock in a corporation actively engaged in such a trade or business. The elimination of the requirement for advance clearance in such cases will be most beneficial to corporations which have been engaged in foreign trade for a long time; however, it will also afford assurance of companies now entering foreign trade that their capital can be shipped to other areas without arbitrary delays and uncertain tax consequences.

A potentially important technique for fostering private investment in underdeveloped areas is that of tax sparing. Many underdeveloped countries try to attract capital by waiving taxes for a limited period of time upon new enterprises, or upon investments in existing enterprises. However, a program of tax sparing offers no incentive to U.S. companies, for they must pay U.S. taxes on the waived profits. It has been suggested that American companies which accept in good

faith tax waivers extended to them by foreign governments should be deemed to have paid the waived foreign taxes for the purpose of the foreign tax credit provisions of the Revenue Code. The Treasury and State Departments have been much interested in this policy, and have recommended that it be accomplished by tax treaties. While many of these underdeveloped countries are not yet committed to the Soviet bloc, they are readily susceptible to domination by the Soviet bloc if that should appear to them to be their only source of capital. We may alienate otherwise friendly nations by thwarting their efforts to attract American capital by nullifying their tax sparing program with our tax laws. A serious difficulty exists in the efforts to implement tax sparing by tax treaty. Tax sparing by tax treaty circumvents congressional authority in the field of taxation. I prefer a legislative mandate which recognizes incentive tax sparing by foreign countries as taxes paid for the purposes of the U.S. foreign tax credit. Section 6 of the bill provides such a mandate, but the Secretary of State will be authorized to certify unilaterally which foreign tax-sparing legislation will be recognized for U.S. tax purposes. Under this approach the Secretary of State will not be required to negotiate complicated and time-consuming tax treaties. He may, of course, if he deems it a wise policy, negotiate executive agreements with foreign nations in order to obtain reciprocal benefits. On many occasions, this should prove to be an extremely useful instrument in implementing the foreign policy of our country.

Since the foreign tax credit provisions were first introduced into the taxing system, there has been a need for a liberalization of the strict country by country limitation. Equality of treatment has long demanded that each taxpayer have an option to choose between the country by country limitation and an overall limitation in determining his foreign tax credit. I have provided for this liberalization by prescribing an alternative means of computing the maximum amount of credit which can be allowed against the U.S. tax with respect to any taxes due foreign governments. It is only in this manner that the fundamental purpose of the foreign tax credit—the prevention of double taxation of income earned abroad—can truly be achieved.

Section 7 of my bill would correct an inequity in the present law, relating to gain realized by a parent company upon the involuntary conversion of property belonging to a foreign subsidiary. Frequently, a domestic corporation must do business through a subsidiary in a country in which it is either impossible or difficult to secure adequate insurance coverage. In these instances it is a normal practice for the domestic parent corporation to insure the property of the subsidiary doing business in that country. If the property of the foreign subsidiary is destroyed, say by fire or by storm, the domestic parent is required to pay a tax at ordinary income rates on the insurance proceeds received even though it uses these proceeds to replace the lost property. This tax penalty deters investments in foreign countries where this insurance problem exists. There is no justifiable reason for denying the parent corporation the usual nonrecognition of gain upon involuntary conversions of this kind.

I have been much encouraged by the response which has followed my introduction of H.R. 5. Many of you undoubtedly have other equally sound proposals that you feel should be enacted. I am sure you will all recognize that there is a real danger in trying to accomplish too much. Many groups similar to yours have evidenced a genuine interest in this matter and have displayed an understanding of the necessity for the realistic approach which I have taken in this bill. I have been informed that the public advisory groups established by the President in the world trade area can be expected to come forward with constructive recommendation in the tax field. I would hope that these reports may be forthcoming at an early date. In any event, I am encouraged by the fact that the administration in Washington is at least interesting itself in this very vital problem.

Some of the proposals included in H.R. 5 have been discussed for years and have been recommended by careful students of the impact of Federal taxes upon private foreign investment. We have had enough study. Now is the time to put them into effect. The immediate importance of private investment in providing a sound basis for supplementing and replacing foreign economic aid calls for action at this session of Congress. The American people must be given a practical alternative to the indefinite continuation of $1½ to $2 billion a year in appropriation for foreign economic aid and technical development.

The most effective way to carry the message of the American way into the uncommitted countries of the free world is to make available to them private capital and business management, which this country can provide. In the long run we shall not make friends by giving handouts, and we can only teach the dynamic character of the free enterprise system by demonstrating directly how it works. This is a great cause, and I should hope that you might make it your cause.

The final decision on the future of this measure really rests with the business community—alert businessmen such as yourselves—genuinely concerned with private enterprise and with assuring that our foreign economic policy truly reflects the basic principles of our free enterprise system. You are aware of the challenges that confront us. With your support, we can reach our goal.

Thank you.

SENATE

FRIDAY, APRIL 17, 1959

(Legislative day of Wednesday, April 15, 1959)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Rev. Hensel E. Hendrickson, pastor of Kensett Lutheran Parish, Kensett, Iowa, offered the following prayer:

Our Father in Heaven, help us, we beseech Thee, to be aware of Thy abiding presence. The presence that has been revealed to us by Thy Word—that Thou will seek the lost, will bind up the crippled, will strengthen the weak, will watch over the strong, and will feed Thy sheep in justice.

We thank Thee for men who, in gratitude to Thee, fervently believe that the Nation's business should not proceed without prayer to their Heavenly Father. Today, as people in our small world are looking to this Nation for leadership and for kinship, let their eyes focus first on this moment of prayer, its significance to our people, and the cost paid for its preservation.

May we learn to measure our days by the missions being accomplished to Thy glory. As we have been blessed, help us to be a blessing to others, as we seek lost, bind cripples, strengthen weak, watch over strong, and feed Thy sheep in justice. In the name of Jesus Christ. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., April 17, 1959.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. EUGENE J. MCCARTHY, a Senator from the State of Minnesota, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. MCCARTHY thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, April 16, 1959, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed a bill (H.R. 5674) to authorize certain construction at military installations, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 5674) to authorize certain construction at military installations, and for other purposes, was read twice by its title and referred to the Committee on Armed Services.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Judiciary Subcommittee of the Committee on the

District of Columbia was authorized to meet today during the session of the Senate.

TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there may be the usual morning hour for the introduction of bills and the transaction of other routine business, subject to a 3-minute limitation on statements.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, for the information of the Senate, I announce that there are no nominations on the Executive Calendar for today.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following communication and letters, which were referred as indicated:

PROPOSED SUPPLEMENTAL APPROPRIATION, DEPARTMENT OF STATE (S. DOC. NO. 24)

A communication from the President of the United States, transmitting a proposed supplemental appropriation for the fiscal year 1959 in the amount of $500,000 for the Department of State (with an accompanying paper); to the Committee on Appropriations, and ordered to be printed.

APPROPRIATIONS TO NATIONAL AERONAUTICS AND SPACE ADMINISTRATION FOR CERTAIN SALARIES AND EXPENSES

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., transmitting a draft of proposed legislation to authorize appropriations to the National Aeronautics and Space Administration for salaries and expenses, research and development, construction and equipment, and for other purposes (with an accompanying paper); to the Committee on Aeronautical and Space Sciences.

STATISTICAL SUPPLEMENT OF STOCKPILE REPORT

A letter from the Director, Office of Civil and Defense Mobilization, Executive Office of the President, transmitting, pursuant to law, a statistical supplement, stockpile report to the Congress, for the period ended December 31, 1958 (with an accompanying report); to the Committee on Armed Services.

REPORT ON NUMBER OF OFFICERS ASSIGNED TO PERMANENT DUTY AT THE SEAT OF GOVERNMENT

A letter from the Director, Legislative Liaison, Department of the Air Force, reporting, pursuant to law, that, as of March 31, 1959, there was an aggregate of 2,470 officers assigned or detailed to permanent duty in the executive element of the Air Force at the seat of Government; to the Committee on Armed Services.

AMENDMENT OF SECTION 4051, INTERNAL REVENUE CODE OF 1954, RELATING TO DEFINITION OF CERTAIN TERMS

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to amend section 4051 of the Internal Revenue Code of 1954 by defining the term "sold at retail" for purposes of the application of the retailers taxes imposed under chapter 31 of the Code (with an accompanying paper); to the Committee on Finance.

COMMUNICATION FROM CONGRESS OF NICARAGUA

A letter from the Assistant Secretary of State, transmitting, for the information of the Senate, a communication addressed to the Congress of the United States by the Congress of Nicaragua, relating to political affairs in Central and South America (with accompanying papers); to the Committee on Foreign Relations.

REPORT ON COSTS OF CERTAIN NAVAL INSTALLATIONS

A letter from the Comptroller General of the United States, reporting, pursuant to law, on the annual costs of certain naval installations (with accompanying papers); to the Committee on Government Operations.

ASSISTANCE PROGRAM FOR PAKISTAN

A letter from the Acting Director, International Cooperation Administration, transmitting, for the information of the Senate, a letter from that Administration, addressed to the Comptroller General of the United States, relating to the Comptroller's report on the assistance program for Pakistan for the fiscal years 1955 through 1957 (with accompanying papers); to the Committee on Government Operations.

REPORT PRIOR TO RESTORATION OF BALANCES, FOREIGN CLAIMS SETTLEMENT COMMISSION

(A letter from the Chairman, Foreign Claims Settlement Commission of the United States, Washington, D.C., transmitting, pursuant to law, a report prior to restoration of balances, as of March 31, 1959 (with an accompanying report); to the Committee on Government Operations.

COLBERT COLGATE HELD AND CHARLES W. SHELLHORN

A letter from the Acting Secretary of State, transmitting a draft of proposed legislation for the relief of Colbert Colgate Held and Charles W. Shellhorn (with an accompanying paper); to the Committee on the Judiciary.

APPLICATIONS FOR WRITS OF HABEAS CORPUS BY CERTAIN PERSONS

A letter from the Director, Administrative Office of the U.S. Courts, Washington, D.C., transmitting a draft of proposed legislation relating to applications for writs of habeas corpus by persons in custody pursuant to the judgment of a State court (with an accompanying paper); to the Committee on the Judiciary.

AMENDMENT OF BANKRUPTCY ACT, RELATING TO TIME FOR REVIEW OF ORDERS OF REFEREES

A letter from the Director, Administrative Office of the U.S. Courts, Washington, D.C., transmitting a draft of proposed legislation to amend subdivision c of section 39 of the Bankruptcy Act (11 U.S.C. 67c) so as to clarify time for review of orders of referees (with accompanying papers); to the Committee on the Judiciary.

FINANCIAL STATEMENT OF NATIONAL SAFETY COUNCIL

A letter from the Executive Vice President, National Safety Council, Chicago, Ill., transmitting, pursuant to law, a financial statement of that Council, for the year 1958 (with an accompanying statement); to the Committee on the Judiciary.

ADDITIONAL APPROPRIATIONS FOR PROJECTS IN CERTAIN RIVER BASIN PLANS

A letter from the Acting Secretary of the Army, transmitting a draft of proposed legislation authorizing additional appropriations for prosecution of projects in certain comprehensive river basin plans for flood control, navigation and other purposes (with an accompanying paper); to the Committee on Public Works.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of Maine, relating to the equalization of retirement benefits for retired members of the Armed Forces who retired prior to June 1, 1958; to the Committee on Armed Services.

(See the above joint resolution printed in full when presented by Mrs. SMITH on April 16, 1959, p. 6082, CONGRESSIONAL RECORD).

A resolution of the Senate of the State of California; to the Committee on Finance:

"SENATE RESOLUTION 39

"Whereas many thousands of veterans of World War I are in dire circumstances and subjected to the indignity of public charity: Now, therefore, be it

"*Resolved by the Senate of the State of California,* That the Congress of the United States is respectfully memorialized to provide for a World War I pension, and that the senate recommends to the Congress the program approved by the legislative committee of the Veterans of World War I of the United States of America; namely, that such a pension be in the amount of $100 a month to those veterans of World War I who have attained the age of 62 years and whose annual income is not greater than $2,400 without dependents, or $3,800 with dependents, excluding social security or other pensions to which the veteran has contributed; and be it further

"*Resolved,* That the secretary of the senate is hereby directed to prepare and transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

"J. A. BEEK,
"*Secretary of the Senate.*"

A resolution adopted by the Columbus-Phenix City-Fort Benning chapter of the Association of the U.S. Army, favoring the enactment of legislation to provide retired pay for certain members of the uniformed services; to the Committee on Armed Services.

A resolution adopted by the Executive Committee of the American Legion, Department of Pennsylvania, Harrisburg, Pa., relating to world peace; to the Committee on Foreign Relations.

A resolution adopted by the supreme lodge, Order of Sons of Italy in America, at Toronto, Canada, relating to immigration quotas; to the Committee on the Judiciary.

A resolution adopted by T. C. Carter, Post 21, American Legion, Meridian, Miss., favoring the extension of education and training benefits to all veterans who entered military service from February 1, 1955; to the Committee on Labor and Public Welfare.

A resolution adopted by the City Council of the city of Los Angeles, Calif., favoring the enactment of legislation to provide funds for the uninterrupted continuance of construction on the Interstate and Highway Defense System; to the Committee on Public Works.

A resolution adopted by the board of directors of the Pittsburgh Advertising Club, Pittsburgh, Pa., favoring the enactment of legislation which would regulate, rather than prohibit, the advertising rights of the outdoor advertising industry; to the Committee on Public Works.

A resolution adopted by the board of trustees of the town of Gallup, N. Mex., favoring the enactment of legislation to provide appropriations for road-construction work on various Indian reservations; to the Committee on Public Works.

THE LATE SENATOR WILLIAM KERR SCOTT—RESOLUTION OF GENERAL ASSEMBLY OF NORTH CAROLINA

Mr. JORDAN. Mr. President, today is the 63d anniversary of the birth of one of North Carolina's most outstanding native sons, the late William Kerr Scott, who served with distinction as Governor of our State and later as a Member of the U.S. Senate until his untimely death on April 16, 1958.

Yesterday, the General Assembly of North Carolina adopted a resolution honoring the memory of Senator Scott.

On behalf of my colleague, the senior Senator from North Carolina [Mr. ERVIN] and myself, I ask unanimous consent to have printed in the body of the RECORD the text of that resolution, which was drafted by Senator Scott's longtime friend, the Honorable Edwin S. Lanier, the senator from the 16th senatorial district of the State of North Carolina.

There being no objection, the resolution was ordered to lie on the table, and, under the rule, ordered to be printed in the RECORD, as follows:

A JOINT RESOLUTION OF RESPECT TO THE MEMORY OF THE HONORABLE WILLIAM KERR SCOTT, LATE A U.S. SENATOR FOR THE STATE OF NORTH CAROLINA

Whereas a year ago today, a day when the whole land and the skies above were filled with beauty and the new hopes of springtime, the people of North Carolina were shocked and saddened. Word was flashed throughout this State and across the country: "Kerr Scott is dead."

The Members of the U.S. Senate adjourned at once for the day in sorrow and respect for their deceased colleague. All the people in North Carolina, saddened that this man was dead, began to contemplate the brevity of mortal life and to weigh their numerous and lasting debts to this unique man of the soil of Alamance County.

This rugged, granitelike, determined, humorous man—so calm and "old shoe" in his outward manner, yet so dynamic in his energetic spirit—had answered with imagination, vision, and vigor many calls to duty during nearly 40 years of devoted service to the people of North Carolina.

A year ago today, in the later afternoon, from his bed in the Alamance County General Hospital where he had been resting his tired heart, the Squire of Haw River said to "Miss Mary," his devoted and faithful wife, "Tomorrow, you know, will be my 62d birthday. I want you to make 'em let me have some ice cream, a piece of cake, and a chaw of tobacco."

A few minutes later, Kerr Scott—farmer and public servant—always plowing his furrows deep and straight, every trying to help build a better North Carolina, and constantly needling the people of this State with his powerful challenge, "Let's go forward," came quietly to the end of his earthly row.

Throughout his life he was faithful in the worship services of the Hawfields Presbyterian Church of Route 1, Mebane, N.C. He upheld its program of community and social services.

He often said the eternal truth of the New Testament is that men and women should do unto others as they would have others do unto them. His philosophy of life and of government was based on his conviction that what is bad for any large segment of the people is bad for all the people. The first farmer in a hundred years to be elected Governor of North Carolina, he was a daring, progressive leader; an honest and forthright servant of the people; a builder; a democratic Democrat; a fighter for the welfare of the common man; and a true representative of the democratic ideals of Jefferson.

The example of his life, his services to the people, and the people's faith in him earned for him the immortal epitaph, "Devoted husband and father, beloved statesman, friend of mankind, servant of God." Kerr Scott—esse quam videri, to be rather than to seem. Man and motto—the same.

William Kerr Scott, born in the Haw River section of Alamance County, N.C., on April 17, 1896, educated in the Hawfield public schools and North Carolina State College, farmer and dairyman, died April 16, 1958. In succeeding steps he served the people as a private in the field artillery of the U.S. Army in 1918; as Alamance County farm agent; as master of the North Carolina State Grange; as commissioner of agriculture; as officer or board member of many organizations identified with the improvement of rural life; as Governor of North Carolina, 1949–52, and as U.S. Senator from November 2, 1954, until his death.

Whereas the General Assembly of North Carolina wishes to make record of its deep appreciation for the life and public services of William Kerr Scott and its sorrow on account of his death: Now, therefore, be it

Resolved by the Senate of North Carolina, the House of Representatives concurring—

SECTION 1. That in the death of the Honorable William Kerr Scott, North Carolina has lost a loyal son, a great citizen, and a distinguished leader and servant of all its people.

SEC. 2. That by these tokens the General Assembly of North Carolina expresses its genuine sympathy to Mrs. W. Kerr Scott, to her children, and to the brothers and sisters of the late W. Kerr Scott.

SEC. 3. That the general assembly acknowledges North Carolina's debt to Dr. David Leroy Corbitt for his editorship of the "Addresses and Papers of Gov. William Kerr Scott, 1949–53," including therein the biography of Governor Scott by Robert W. Redwine.

SEC. 4. That a copy of this resoltuion, duly certified, be delivered to Mrs. W. Kerr Scott, Route 1, Haw River, N.C.

SEC. 5. That this resolution shall be in full force and effect from and after its adoption.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSTON of South Carolina, for Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

H.R. 1691. An act for the relief of Oliver O. Newsome (Rept. No. 197);

H.R. 2063. An act for the relief of Otis Parks, W. B. Dunbar, and J. C. Dickey (Rept. No. 198);

H.R. 2281. An act to provide for the payment of relocation expenses to Milo G. and Patricia Wingard (Rept. No. 199);

H.R. 2295. An act for the relief of the Sterilon Corp. (Rept. No. 200);

H.R. 2603. An act for the relief of the American Hydrotherm Corp. (Rept. No. 201);

H.R. 2949. An act for the relief of Lois K. Alexander (Rept. No. 202);

H.R. 3095. An act for the relief of Hilary W. Jenkins, Jr. (Rept. No. 203); and

H.R. 3939. An act for the relief of Virginia E. Speer (Rept. No. 204).

REPORTS OF COMMITTEE ON BANKING AND CURRENCY

Mr. ROBERTSON. Mr. President, from the Committee on Banking and Currency, I report favorably, the bill (S. 1062) to amend the Federal Deposit Insurance Act to provide safeguards against mergers and consolidations of banks which might lessen competition unduly or tend unduly to create a monopoly in the field of banking, with an amendment, together with supplemental views, and I submit a report (No. 196) thereon. I also report the bill (S. 1120) to amend section 19 of the Federal Reserve Act with respect to the reserves required to be maintained by member banks of the Federal Reserve System against deposits, with amendments, together with the supplemental views of the Senator from Illinois [Mr. DOUGLAS], and I submit a report (No. 195) thereon. I ask unanimous consent that the reports may be printed, together with the supplemental views, which accompany them.

The ACTING PRESIDENT pro tempore. The reports will be received and printed, as requested by the Senator from Virginia, and the bills will be placed on the calendar.

PARTICIPATION IN THE STRASBOURG CONFERENCE—REPORT OF A COMMITTEE

Mr. FULBRIGHT. Mr. President, from the Committee on Foreign Relations, I report an original concurrent resolution, authorizing participation in the Strasbourg Conference, and I submit a report (No. 205) thereon.

The ACTING PRESIDENT pro tempore. The report will be received, and the concurrent resolution will be placed on the calendar.

The concurrent resolution (S. Con. Res. 23) was placed on the calendar, as follows:

Resolved by the Senate (the House of Representatives concurring), That in response to an invitation received from the President of the Consultative Assembly of the Council of Europe, not to exceed fourteen Members of Congress shall be appointed to meet jointly with representatives of the Consultative Assembly of the Council of Europe at a Second Strasbourg Conference, to be held at a time when the United States Congress is not in session.

SEC. 2. Of the Members of the Congress to be appointed for the purposes of this resolution, the President of the Senate shall appoint seven Members of the Senate, including the chairman of the Senate group, and the Speaker of the House of Representatives shall appoint seven Members of the House of Representatives, including the chairman of the House group. Not more than four of the appointees from each House shall be of the same political party.

SEC. 3. The expenses incurred by Members of the Senate, Members of the House, and staff members designated by the respective chairmen for the purpose of carrying out this concurrent resolution shall not exceed $15,000 for each House and shall be paid from the contingent fund of the House of which they are Members. Payments shall be made upon the submission of vouchers approved by the chairman of the respective Senate or House group.

INTERNATIONAL AGREEMENT FOR SUSPENSION OF NUCLEAR WEAPON TESTS—REPORT OF A COMMITTEE

Mr. HUMPHREY. Mr. President, from the Committee on Foreign Relations, I report favorably, with amendments, the

resolution (S. Res. 96) favoring an international agreement for a suspension of nuclear weapon tests, and I submit a report (No. 206) thereon.

The ACTING PRESIDENT pro tempore. The report will be received, and the resolution will be placed on the calendar.

Mr. HUMPHREY. Mr. President, this is a report relating to the resolution calling upon the nations at Geneva to come to an agreement in the areas of prohibition of nuclear weapons tests, with effective controls and inspections, and other measures of disarmament. It it a great contribution by the United States in seeking a just and enduring peace. I am very grateful the Committee on Foreign Relations has seen fit to report the resolution. I hope it will have the wholehearted and, I trust, the unanimous, support of the U.S. Senate.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce:

Edward B. Brown, and sundry other persons, for appointment in the Coast and Geodetic Survey;

Frederick W. Rix, and sundry other persons, for appointment as warrant officers in the U.S. Coast Guard; and

Robert A. Biller, and sundry other persons, for appointment in the U.S. Coast Guard.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BUSH:

S. 1714. A bill to authorize appropriations for the Federal-aid primary system of highways for the purpose of equitably reimbursing the States for certain free and toll roads on the National System of Interstate and Defense Highways, and for other purposes; to the Committee on Public Works.

(See the remarks of Mr. BUSH when he introduced the above bill, which appear under a separate heading.)

By Mr. MURRAY:

S. 1715. A bill to grant minerals, including oil and gas, on certain lands in the Crow Indian Reservation, Mont., to certain Indians, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MURRAY (for himself and Mr. MANSFIELD):

S. 1716. A bill to amend the Internal Revenue Code of 1954 so as to permit amounts paid for the institutional care of a disabled person to be deducted as a medical expense; to the Committee on Finance.

S. 1717. A bill to authorize assumption by the various States of civil or criminal jurisdiction over cases arising on Indian reservations with the consent of the tribe involved; to permit gradual transfer of such jurisdiction to the States; and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MURRAY (for himself, Mr. MANSFIELD, and Mr. KERR):

S. 1718. A bill to provide a more equitable method for computing the self-employment income of farmers under the Social Security Act for taxable years ending during the period commencing January 1, 1955, and ending December 31, 1959; to the Committee on Finance.

By Mr. COOPER:

S. 1719. A bill for the relief of Lushmon S. Grewal, Jeat S. Grewal, Gurmale S. Grewal, and Tahil S. Grewal; and

S. 1720. A bill for the relief of Perry Lee Gorman; to the Committee on the Judiciary.

By Mr. KEATING:

S. 1721. A bill to amend section 3731 of title 18 of the United States Code relating to appeals by the United States; to the Committee on the Judiciary.

(See the remarks of Mr. KEATING when he introduced the above bill, which appear under a separate heading.)

By Mr. CAPEHART:

S. 1722. A bill to reduce temporarily the production of farm commodities through the storage of surplus acreage, to discontinue certain sales of accumulated surplus stocks of such commodities, and to provide for programs of study and research for the purpose of finding new industrial uses for such commodities, thereby stabilizing prices of agricultural commodities and making possible the discontinuance of price-support payments; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. CAPEHART when he introduced the above bill, which appear under a separate heading.)

By Mr. BARTLETT (for himself and Mr. GRUENING):

S. 1723. A bill to amend the act providing for the leasing of coal lands in Alaska in order to increase the acreage limitation in such act; to the Committee on Interior and Insular Affairs.

By Mr. RANDOLPH:

S. 1724. A bill for the relief of Tse Man Chan;

S. 1725. A bill for the relief of Bart H. Hickman; and

S. 1726. A bill for the relief of Herbert B. Holloway; to the Committee on the Judiciary.

By Mr. CARROLL (by request):

S. 1727. A bill to suspend the requirement for the performance of annual labor on mining claims heretofore located for the development and production of fissionable source material; to the Committee on Interior and Insular Affairs.

By Mr. ELLENDER:

S. 1728. A bill for the relief of George P. E. Caesar, Jr.; to the Committee on the Judiciary.

CONCURRENT RESOLUTION

Mr. FULBRIGHT, from the Committee on Foreign Relations, reported an original concurrent resolution (S. Con Res. 23) authorizing participation in the Strasbourg Conference, which was placed on the Calendar.

(See the above concurrent resolution printed in full where it appears under the heading "Reports of Committees".)

EQUITABLE REIMBURSEMENT TO STATES FOR CERTAIN FREE AND TOLL ROADS

Mr. BUSH. Mr. President, I introduce, for appropriate reference, a bill to authorize appropriations for the Federal-aid primary system of highways, for the purpose of equitably reimbursing the States for certain free and toll roads on the National System of Interstate and Defense Highways. I ask unanimous consent that the bill may lie on the desk until the close of business on Friday, April 24, so that other Senators may join as cosponsors if they so desire.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Connecticut.

The bill (S. 1714) to authorize appropriations for the Federal-aid primary system of highways for the purpose of equitably reimbursing the States for certain free and toll roads on the National System of Interstate and Defense Highways, and for other purposes, introduced by Mr. BUSH, was received, read twice by its title, and referred to the Committee on Public Works.

Mr. BUSH. Mr. President, my bill is a companion measure to House bill 6303, introduced in the House of Representatives by the distinguished chairman of the House Committee on Public Works, the Honorable CHARLES A. BUCKLEY, of New York.

A statement by Representative BUCKLEY in explanation of the bill appears on page 5796 of the CONGRESSIONAL RECORD for April 13, 1959, to which I invite the attention of Senators.

Mr. President, for several years I have urged Congress to do equity to the States which have contributed mileage to the National System of Interstate and Defense Highways, but which have not been reimbursed for their contributions.

The bill I have introduced today represents a refinement of previous bills I have introduced on this subject, the latest being Senate bill 570. Following the same principles, it proposes a practical method of compensating the States and of discharging the obligation of the Federal Government to them.

Mr. President, I ask unanimous consent that, following these remarks, there may be printed in the RECORD the text of the bill and a table showing the proposed reimbursements to the States.

There being no objection, the bill and table were ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Interstate Highway Repayment Act".

SEC. 2. Congress hereby declares that this Act shall be the determination of policy with respect to reimbursement of certain interstate highways referred to in section 114 of the Federal-Aid Highway Act of 1956. This policy is that each State in which a toll or free highway, or portion thereof, the construction of which has been completed since August 7, 1947, or which has been in actual use or under construction by contract, for completion, not later than June 30, 1957, has been included in the National System of Interstate and Defense Highways, is entitled to receive reimbursement for such highway or portion thereof, in accordance with the provisions of this Act and title 23 of the United States Code.

SEC. 3. For the purpose of providing the additional amounts to which the States are entitled under section 132 of title 23 of the United States Code (as added by section 4 of this Act), there is hereby authorized to be appropriated: $225,000,000 per fiscal year for each fiscal year in the period beginning July 1, 1961, and ending June 30, 1966; $275,000,000 per fiscal year for each fiscal year in the period beginning July 1, 1966, and ending June 30, 1971; and $359,120,000 per fiscal year for each fiscal year in the period beginning July 1, 1971, and ending June 30, 1976. These funds shall be appropriated out of general funds in the Treasury not otherwise appropriated and not out of the Highway Trust Fund created by section 209 of the Highway Revenue Act of 1956.

SEC. 4. (a) Chapter 1 of title 23 of the United States Code is amended by adding at the end thereof the following new section:

§ 132. Reimbursement for free and toll highways on Interstate System

"(a) For the purpose of equitably reimbursing each State for any portion of a toll or free highway (1) which is on the Interstate System, and (2) the construction of which has been completed since August 7, 1947, or which has been in actual use or under construction by contract, for completion, awarded not later than June 30, 1957, each such State shall be entitled to receive additional amounts for expenditure for the construction of highways on the Federal-aid primary system.

"(b) Any amount which a State is entitled to receive under subsection (a) of this section—

"(1) shall be in addition to any other amounts authorized for the Federal-aid primary system in such State,

"(2) may be combined with any other amounts authorized for any project in such State which is on the Federal-aid primary system, and

"(3) shall be available for expenditure without limitation on projects in either urban or rural areas."

(b) The table of sections at the beginning of chapter 1 of title 23 of the United States Code is amended by adding at the end thereof the following:

"132. Reimbursement for free and toll highways on Interstate System."

SEC. 5. Section 104 of title 23 of the United States Code is amended by adding at the end thereof the following new subsection:

"(f) This section shall not apply with respect to additional amounts authorized to be received by the States for expenditure on the Federal-aid primary system in accordance with section 132 of this title."

SEC. 6. (a) Chapter 1 of title 23 of the United States Code is amended by inserting immediately after the last sentence of section 104, the following new section:

"§ 104A. Apportionment of additional amounts

"(a) The additional amounts authorized to be received by the States for expenditure on the Federal-aid primary system in accordance with section 132 of this title shall be apportioned in accordance with this section, and shall be apportioned by the Secretary on or before January 1 next preceding the beginning of each fiscal year for which such amounts are so authorized. The Secretary shall certify to each State highway department the amount so apportioned for such State.

"(b) Each State shall receive as its apportionment for each fiscal year the same percentage of the total authorization for such fiscal year as appears opposite its name, as follows:

"STATE	Percentage
Alabama	0.16
Alaska	0
Arizona	.34
Arkansas	.09
California	6.07
Colorado	.40
Connecticut	6.48
Delaware	.73
District of Columbia	.12
Florida	.62
Georgia	.88
Hawaii	0
Idaho	.08
Illinois	9.56
Indiana	3.40
Iowa	.09
Kansas	2.05
Kentucky	.55
Louisiana	.41
Maine	.72
Maryland	3.15
Massachusetts	5.81
Michigan	4.53
Minnesota	.29
Mississippi	.11
Missouri	1.20
Montana	.06
Nebraska	.02
Nevada	.02
New Hampshire	.16
New Jersey	6.96
New Mexico	.11
New York	18.60
North Carolina	.66
North Dakota	.04
Ohio	5.11
Oklahoma	1.81
Oregon	1.54
Pennsylvania	6.68
Puerto Rico	0
Rhode Island	.24
South Carolina	0.07
South Dakota	.09
Tennessee	.10
Texas	3.71
Utah	.09
Vermont	.02
Virginia	2.24
Washington	1.42
West Virginia	2.13
Wisconsin	.14
Wyoming	.14."

(b) The table of sections at the beginning of chapter 1 of title 23 of the United States Code is amended by inserting immediately after

"104. Apportionment."

the following:

"104A. Apportionment of additional amounts."

SEC. 7. Subsection (c) of section 118 of title 23 of the United States Code is amended by striking out "section 104" and inserting in lieu thereof "sections 104 and 104A".

SEC. 8. (a) Subsection (a) of section 120 of title 23 of the United States Code is amended by striking out "subsections (d) and (h)" and inserting in lieu thereof "subsections (d), (h), and (i)".

(b) Section 120 of title 23 of the United States Code is further amended by adding at the end thereof the following new subsection:

"(i) Unless the State elects to pay a share of the cost of any project (including any portion of a project) financed entirely with additional amounts apportioned under section 104A, the Federal share payable on account of such project shall be 100 percent."

SEC. 9. (a) Subsection (a) of section 121 of title 23 of the United States Code is amended by striking out "The Secretary" and inserting in lieu thereof "Except as provided in subsection (f), the Secretary".

(b) Section 121 of title 23 of the United States Code is further amended by adding at the end thereof the following new subsection:

"(f) The Secretary shall, from time to time as the work progresses, and upon the request of the State, make payments to a State for costs of construction incurred by it on a project financed in whole or in part by additional amounts apportioned under section 104A of this title. Each such progress payment shall be made not later than thirty days after the date it is requested by the State. These payments shall at no time exceed the Federal share of the costs of construction incurred to the date of the voucher covering such payment plus the Federal share of the value of the materials which have been stockpiled in the vicinity of such construction in conformity to plans and specifications for the project."

The table presented by Mr. BUSH is as follows:

INTERSTATE HIGHWAY REPAYMENT ACT

Net reimbursement amounts based on 90 percent of depreciated original cost less Federal aid already paid toll and free roads

[Dollar amounts in millions]

State	Miles	Total cost less depreciation	State's share of cost	Less Federal-aid payments already made	Net reimbursable amount	Percent of national total
Alabama	93.3	$18.2	$16.4	$9.7	$6.7	0.16
Alaska						
Arizona	457.9	41.9	39.5	25.0	14.5	.34
Arkansas	52.6	14.0	12.6	8.9	3.7	.09
California	850.2	379.9	348.1	87.5	260.6	6.07
Colorado	272.7	45.8	41.8	24.8	17.0	.40
Connecticut	143.6	326.6	293.9	15.5	278.4	6.48
Delaware	4.1	34.9	31.4		31.4	.73
Florida	97.4	35.5	32.0	5.4	26.6	.62
Georgia	137.6	68.7	61.8	24.2	37.6	.88
Idaho	117.7	11.8	10.9	7.5	3.4	.08
Illinois	549.7	550.1	495.1	84.4	410.7	9.56
Indiana	306.9	180.6	162.5	16.2	146.3	3.40
Iowa	52.1	12.1	10.9	7.0	3.9	.09
Kansas	307.9	109.3	98.4	10.3	88.1	2.05
Kentucky	56.4	37.6	33.8	10.2	23.6	.55
Louisiana	37.8	33.3	30.0	12.6	17.4	.41
Maine	72.9	38.7	34.8	3.7	31.1	.72
Maryland	178.1	165.3	148.8	13.4	135.4	3.15
Massachusetts	152.7	292.0	262.8	13.2	249.6	5.81
Michigan	291.3	283.1	254.8	59.8	195.0	4.53
Minnesota	159.4	25.9	23.3	10.8	12.5	.29
Mississippi	92.5	12.5	11.3	6.6	4.7	.11
Missouri	373.1	113.8	102.4	50.8	51.6	1.20
Montana	206.9	15.0	13.7	11.1	2.6	.06
Nebraska	13.2	1.4	1.2	.5	.7	.02
Nevada	226.9	10.9	10.4	9.7	.7	.02
New Hampshire	24.0	$10.1	$9.1	$2.3	$6.8	0.16
New Jersey	84.2	356.4	320.8	22.0	298.8	6.96
New Mexico	321.5	20.0	18.5	13.7	4.8	.11
New York	568.6	1,036.2	932.6	133.5	799.1	18.60
North Carolina	270.4	58.5	52.7	24.2	28.5	.66
North Dakota	145.4	6.9	6.2	4.5	1.7	.04
Ohio	328.4	300.1	270.1	50.7	219.4	5.11
Oklahoma	251.5	101.8	91.6	13.7	77.9	1.81
Oregon	378.9	106.0	97.9	31.9	66.0	1.54
Pennsylvania	388.2	432.6	389.4	102.4	287.0	6.68
Rhode Island	10.4	19.2	17.3	6.9	10.4	.24
South Carolina	63.1	9.5	8.6	5.4	3.2	.07
South Dakota	137.3	9.8	8.9	5.2	3.7	.09
Tennessee	16.7	14.8	13.3	9.2	4.1	.10
Texas	1,440.6	285.1	256.6	97.7	159.5	3.71
Utah	208.3	18.3	17.4	13.5	3.9	.09
Vermont	7.8	3.2	2.9	1.9	1.0	.02
Virginia	161.8	123.0	110.7	14.5	96.2	2.24
Washington	378.6	90.3	81.9	20.8	61.1	1.42
West Virginia	92.2	105.9	96.1	4.5	91.6	2.13
Wisconsin	62.3	12.7	11.4	5.5	5.9	.14
Wyoming	304.0	23.1	21.5	15.6	5.9	.14
Hawaii						
District of Columbia	4.8	16.2	14.6	9.2	5.4	.12
Puerto Rico						
Total	10,953.9	6,018.6	5,432.7	1,137.1	4,295.6	100.00

AMENDMENT OF SECTION 3731, TITLE 18, UNITED STATES CODE, RELATING TO CERTAIN APPEALS BY THE UNITED STATES

Mr. KEATING. Mr. President, I introduce for appropriate reference a bill to give the United States the right to appeal, in a criminal prosecution, from a decision sustaining a motion to suppress evidence.

It has always been fundamental to our system of law that the accused in criminal proceedings be protected by every procedural safeguard in order to avoid harassment or conviction of innocent persons. At common law the sovereign had no right to appeal in criminal cases, and our Constitution guarantees the accused that he will not be placed in jeopardy more than once.

Over the years it came to be realized, however, that to deny the prosecution the right to appeal from decisions on those motions which in effect enabled the accused to escape without a conclusive trial on the merits greatly hampered the Government in its fight against crime. On the other hand, to allow the Government to appeal in such cases would not deprive the accused of any of the traditional safeguards to which he was entitled.

Congress proceeded with caution, and the resulting legislation—the Criminal Appeals Act, section 3731 of title 18 of the United States Code—confers on the Government carefully defined and limited rights of appeal in criminal cases.

My bill would add to that act the right to appeal to the court of appeals from an order granting a motion to suppress evidence. There is no question that this right is essential to efficient law enforcement; nor can it be argued that it denies the accused any safeguard to which he is entitled.

A prime example of how this weakness in the law can hamstring our enforcement officers is the narcotics case. The Government's whole case normally depends upon proof that the accused was apprehended in possession of illegal narcotics. Rule out the corpus delicti and the case must fail; there is no use in pursuing the matter further—the accused is acquitted without trial. The Government cannot have the determination reviewed, and under the present law the evidence can never be used again.

The same reasoning applies to other serious crimes, such as smuggling, violations of Federal Revenue laws, and very conceivably, to cases involving espionage and sabotage, with respect to which my bill would be effective.

While there have been similar bills introduced both in the House and the Senate from time to time, I feel that this bill meets a most serious law enforcement problem head on, in a simple, straightforward manner and in that respect represents a moderate approach which should be acceptable both to Congress and the courts.

The PRESIDING OFFICER (Mr. HART in the chair). The bill will be received and appropriately referred.

The bill (S. 1721) to amend section 3731 of title 18 of the United States Code relating to appeals by the United States, introduced by Mr. KEATING, was received, read twice by its title, and referred to the Committee on the Judiciary.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959—AMENDMENTS

Mr. GOLDWATER submitted amendments, intended to be proposed by him, to the bill (S. 1555) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes, which were ordered to lie on the table and be printed.

Mr. CURTIS submitted amendments, intended to be proposed by him to Senate bill 1555, supra, which were ordered to lie on the table and to be printed.

Mr. ALLOTT submitted amendments, intended to be proposed by him to Senate bill 1555, supra, which were ordered to lie on the table and to be printed.

Mr. PROUTY submitted amendments, intended to be proposed by him, to Senate bill 1555, supra, which were ordered to lie on the table and to be printed.

Mr. McCLELLAN submitted amendments, intended to be proposed by him, to Senate bill 1555, supra, which were ordered to lie on the table and to be printed.

FOOD STAMP PLAN FOR PERSONS NEEDING PUBLIC ASSISTANCE—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of April 15, 1959, the names of Mr. GRUENING, Mr. RANDOLPH, Mr. MURRAY, and Mr. HART, were added as additional cosponsors of the bill (S. 1686) to provide for the public welfare by authorizing and directing the Secretary of Health, Education, and Welfare to initiate a food certificate program for the benefit of low income and unemployed persons, introduced by Mr. SYMINGTON (for himself and Mr. HUMPHREY), on April 15, 1959.

AUTHORIZATION FOR COMMITTEE ON APPROPRIATIONS TO FILE REPORT DURING RECESS OR ADJOURNMENT

Mr. MANSFIELD. Mr. President, at the request of the chairman of the Appropriations Committee, the distinguished senior Senator from Arizona [Mr. HAYDEN], I ask unanimous consent that during the recess or adjournment of the Senate, he may be allowed to file the report of that committee on the bill (H.R. 5916) making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD.

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. KEFAUVER:

Address delivered by him before the National Independent Dairy Association, at Washington, D.C., on April 14, 1959.

By Mr. MURRAY:

Statement urging Federal aid to education made by Senator RANDOLPH before the Subcommittee on Education of the Committee on Labor and Public Welfare.

Tribute to the late Barrow Lyons, prepared by him.

By Mr. HUMPHREY:

Book review by him entitled "Stevenson on Russia: The Great Battle May Be Economic," published in the Washington Post and Times Herald of March 22, 1959.

Article entitled "A Long Look at China," written by Hon. CHESTER BOWLES, published in the Saturday Evening Post of April 4, 1959.

NOTICE CONCERNING CERTAIN NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. JOHNSTON of South Carolina. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Dale M. Green, of Washington, to be U.S. attorney, eastern district of Washington.

Curtis Clark, of Kentucky, to be U.S. marshal, eastern district of Kentucky.

Lama A. De Munbrun, of Kentucky, to be U.S. marshal, western district of Kentucky.

Joseph Mainelli, of Rhode Island, to be U.S. attorney, district of Rhode Island.

Kenneth C. Raub, of Indiana, to be U.S. attorney, northern district of Indiana.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in this nomination to file with the committee, in writing, on or before Friday, April 24, 1959, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearings which may be scheduled.

NOTICE OF HEARING ON NOMINATIONS OF EXAMINERS IN CHIEF, U.S. PATENT OFFICE

Mr. O'MAHONEY. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Friday, April 24, 1959, at 10 a.m., in room 2228, New Senate Office Building, upon the following nominations: James L. Brewrink, of Maryland; Malcolm F. Bailey, of Maryland; James E. Keely, of Maryland; Joseph C. Manian, of Maryland, to be examiners in chief, U.S. Patent Office.

At the indicated time and place all persons interested in the above nominations may make such representations as may be pertinent. The subcommittee con-

sists of the Senator from South Carolina [Mr. JOHNSTON], the Senator from Michigan [Mr. HART], the Senator from Wisconsin [Mr. WILEY], and myself, as chairman.

NOTICE OF HEARING ON CERTAIN NOMINATIONS BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. O'MAHONEY. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Friday, April 24, 1959, at 10 a.m., in room 2228, New Senate Office Building, upon the following nominations:

Eugene Worley, of Texas, to be chief judge, U.S. Court of Customs and Patent Appeals, vice Noble L. Johnson, retired.

Arthur M. Smith, of Michigan, to be associate judge, U.S. Court of Customs and Patent Appeals, vice Eugene Worley, elevated.

At the indicated time and place all persons interested in the above nominations may make such representations as may be pertinent. The subcommittee consists of the Senator from South Carolina [Mr. JOHNSTON], the Senator from Michigan [Mr. HART], the Senator from Wisconsin [Mr. WILEY], and myself, as chairman.

ACTION NOW CAN STOP INFLATION

Mr. BUSH. Mr. President, in the April 1959 issue of Nation's Business magazine appears an article by Marcus Nadler, professor of finance at the New York University Graduate School of Business and a well known consultant and authority on business finance. The article is entitled "Action Now Can Stop Inflation."

Professor Nadler has presented an excellent summary of the evils of inflation and of the dangers it creates for our economy.

He says that if the Nation wishes to curb the forces of inflation and to assure relative stability in the purchasing power of the dollar, four steps must be taken:

1. The efforts of the President to balance the budget during the next fiscal year must be supported. If defense expenditures must be increased, other expenditures should be lowered.

2. Management and labor must use restraint in forthcoming wage negotiations to prevent a further wage-price spiral.

Wage increases should not exceed the rise in productivity, and the benefits derived from the installation of labor-saving machinery should be shared by labor and management with the consumer.

3. The farm policy must be changed to stop the drain on the public, which now pays taxes to enable the Government to accumulate huge farm surpluses and at the same time pays higher prices for farm products. Moreover, this policy makes more difficult the sale of American agricultural commodities abroad on a commercial basis.

4. The Employment Act of 1946 should be amended to make it the obligation of the Government to strive not only for satisfactory employment conditions but also for maintenance of the integrity of the dollar.

Mr. President, I desire to invite the attention of Senators to a few other especially significant paragraphs of Professor Nadler's article. In describing the deterioration of America's competitive position in world markets, Professor Nadler writes as follows:

The productive facilities of the European countries have been rehabilitated. The new industries are operating with modern labor-saving devices. Mass production is spreading. It will receive a new impetus under the Common Market.

Until recently most European nations were not in a position to export large amounts of machinery, equipment, and other capital goods without long delays in delivery. Now, however, they can compete with us in delivery and quality.

Moreover, wage rates in the leading industrial countries of Europe and in Japan are substantially lower than ours.

As a result, prices of many types of goods are lower than for American products. For example, in the third quarter of 1958 the wholesale price index of machinery and vehicles was 122 for the United States (1953–100), 115 for Great Britain, and only 107 for West Germany.

It is clear, therefore, that creeping inflation in the United States will adversely affect our exports.

American manufacturers will be unable to compete with foreign nations in many lines. Imports will increase and the United States will not be in a position to raise tariffs or to impose import quotas on many types of goods because of the political repercussions abroad. Such a policy could induce some of our allies to seek more trade with the Soviet bloc.

The consequences of these developments will be:

1. Unemployment in industries affected by foreign competition will increase. This is bound to have an adverse impact on general business activity.

2. In the effort to mitigate unemployment, Federal expenditures and budget deficits will be increased.

3. The United States' favorable balance of payments will decline.

4. These combined factors may undermine foreign confidence in the dollar and lead to an outflow of funds and gold.

Should such a situation develop, the United States will face the choice either of devaluing the dollar in relation to other currencies or adopting a policy of austerity to bring costs and prices into line with those of other countries.

Either decision would be exceedingly painful.

Mr. President, I ask unanimous consent that the entire article may be printed in the RECORD following these remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ACTION NOW CAN STOP INFLATION

(By Marcus Nadler)

Creeping inflation is an economic disease. If continued, it will undermine the security of many millions of Americans.

It will deprive the thrifty of their savings. It will create large-scale unemployment and a highly volatile economy. By endangering the integrity of the dollar, it may weaken its position in the financial centers of the world.

Fortunately, the inflation forces are likely to remain dormant for the next few months. Now, therefore, is the time to take the proper steps to prevent a recurrence of this economic menace.

In spite of the rapid business recovery, the economy is still operating below capacity and unemployment is high.

Last year's abundant crops forecast a modest reduction in food prices, the most important element in the consumer price index. Federal Reserve authorities have adopted a policy of moderate credit restraint. The net effect has been that the wholesale price index has remained relatively stable during the past 12 months and the consumer price index has increased more slowly than during the preceding year.

If the Nation wishes to curb the forces of inflation and to assure relative stability in the purchasing power of the dollar, these steps must be taken:

1. The efforts of the President to balance the budget during the next fiscal year must be supported. If defense expenditures must be increased, other expenditures should be lowered.

2. Management and labor must use restraint in forthcoming wage negotiations to prevent a further wage-price spiral.

Wage increases should not exceed the rise in productivity, and the benefits derived from the installation of labor-saving machinery should be shared by labor and management with the consumer.

3. The farm policy must be changed to stop the drain on the public, which now pays taxes to enable the Government to accumulate huge farm surpluses and, at the same time, pays higher prices for farm products. Moreover, this policy makes more difficult the sale of American agricultural commodities abroad on a commercial basis.

4. The Employment Act of 1946 should be amended to make it the obligation of the Government to strive not only for satisfactory employment conditions, but also for maintenance of the integrity of the dollar.

These measures will impose no great hardships on the Nation.

If they are taken in time, the desired results will be achieved and inflation will be checked. If not, the Nation will eventually be forced to impose on itself an austerity program which will be much more painful than the relatively mild remedies now required. The experience of France and other countries which have recently tried to live beyond their means and adopted creeping inflation as a way of life should be a lesson to the United States as to where such a policy leads if it is not checked in time.

These countries provide an effective answer to those who claim that a mild form of inflation such as we have had during the past few years is desirable because it creates favorable business activity, increases employment, and leads to larger profits.

Those who hold this view imply that the United States must choose between mild inflation or large-scale unemployment. They argue that the stability of the dollar is maintained at the cost of the unemployed. Thus, a mild form of inflation fosters economic growth, while attempts to preserve the purchasing power of the dollar would lead to unemployment and economic stagnation. If this were true, the only way out of this dilemma would be to impose price and wage controls, which are not feasible in peacetime.

The problem is not as simple as that. It is highly doubtful whether reasonable price stability must necessarily cause unemployment. On the other hand, if a steady rise in prices is accepted as desirable, the number of individuals affected and the degree of suffering will be much greater than would result from allowing some unemployment.

It will cause such suffering:
By its impact on capital formation.
By contributing to a volatile economy.
By undermining economic security.
By weakening our world position.
By its constant threat of turning into a galloping inflation.

CAPITAL FORMATION

To cite one example of the ravages of inflation: At the end of 1945 individuals held $65 billion of Government obligations. By the end of 1957 these obligations, as measured by the consumer price index, had lost

$23.9 billion in purchasing power. If one considers the vast amounts represented by savings deposits, shares in savings and loan associations, fixed-income-bearing securities, mortgages, pensions and annuities, the losses are multiplied.

Nor is it correct to assume that inflation leads to rapid growth in production and wealth. In current dollars the gross national product increased from $363 billion in 1954 to $453 billion (on an annual basis) in the last quarter of 1958, an increase of 25 percent. In dollars of 1954 purchasing power, however, the gross national product rose only to $408 billion, or 12 percent.

The defenders of creeping inflation, acknowledging that holders of fixed dollar assets suffer, suggest that they be compensated in one form or another. One method, they suggest, would be to include in fixed-income-bearing obligations a clause requiring payments commensurate with the rise in the cost of living, as was done in Finland. Such a provision, however, would create major problems. The Federal Government, the largest single borrower, would not know what its ultimate obligations would be. State and local governments certainly would not tie their obligations to a cost-of-living index. Many corporations would refuse to do so because of the uncertain liabilities involved.

If not checked in time, creeping inflation will also have an adverse effect on the capital market. The supply of long-term funds seeking an outlet in bonds and mortgages will be reduced at a time when the demand for them is likely to grow. With a condition of persistent creeping inflation, individuals will sooner or later realize that investments in fixed-income-bearing securities are not desirable.

Although the income may be absolutely safe, the real value of the investment and the return tends to decrease constantly.

Under such circumstances, individual investors will turn more and more to equities or nonfinancial tangible assets, such as real estate, and less and less to bonds and savings deposits.

The shift of institutional investors, such as pension funds, from bonds to equities is already pronounced. This trend will continue unless the upward movement of commodity prices is halted.

Another effect of inflation will be that insurance companies will press more vigorously for the right to sell variable annuities. If States grant this right, this phase of the insurance business will grow materially, further reducing the availability of funds for fixed-income-bearing securities.

At the same time, the demand for long-term funds will increase because, in the expectation of higher costs, corporations and political entities will try to anticipate their capital needs. The demand for long-term funds will thus tend to exceed the supply.

The commercial banks will not be able to meet the deficiency because under conditions of creeping inflation the Federal Reserve authorities are likely to adopt a policy of active credit restraint to reduce the availability of bank credit.

The effect will be a decline in home construction and public works, and possibly of public utility and other industrial construction.

In time, these factors will lead to a downturn in general business activity.

The impact of creeping inflation was aptly summarized by Ralph A Young, research director of the Board of Governors of the Federal Reserve:

"In the longer run, without a relatively stable price level, it is most unlikely that an orderly economic growth at the maximum sustainable rate would be attainable."

A VOLATILE ECONOMY

Creeping inflation tends to create a highly volatile economy. It brings maladjustments in wages and prices and leads to the adoption of a policy of strong credit restraint and ultimately to a decline in business activity, increased unemployment and reduced profits.

Inflation causes accumulation of inventories, which temporarily stimulates business activity. But the increase in prices of goods and services reduces the purchasing power of those living on fixed incomes. In time, the falling off of consumer buying power and the policy of active credit restriction bring the inventory accumulation to an end. Then liquidation sets in.

This happens at a time when the shortage of long-term funds is decreasing homebuilding, construction of public works and capital expenditures by corporations.

All these factors combined set in motion a sharp drop in business activity.

The first part of the cycle of creeping inflation is completed.

The Government's efforts to prevent the recession from becoming too serious and protracted actually prevent a correction of the maladjustments.

The measures taken by the Government to combat the recession lead to an increase in the public debt. Financed partly through the commercial banks, these result in an increase in the money supply. This in turn revives the fears of inflation and keeps prices from falling. Wages and other costs of production continue to mount.

The larger money supply, the renewed fears of inflation, and the increased government expenditures bring an upturn as business tries to hedge against higher prices by means of anticipatory buying. This upturn accelerates the wage-price spiral and is soon followed by a decline in business activity and another rise in the public debt.

Moreover, the constant rise in costs of production, notably wages, leads to the installation of more labor-saving devices with effects soon felt in the labor market.

Unemployment may, therefore, remain substantial even after business activity is renewed.

ECONOMIC SECURITY

Creeping inflation, if continued, will undermine the economic security of millions. It will reduce the real value of pensions and social security benefits. It will make savings of individuals less valuable in purchasing power and erode the value of life insurance policies and annuities.

So far these adverse effects have brought only mild protest from the people affected.

Within the next decade, however, the number of people aged 65 and more living on savings, pensions, and social security benefits will increase materially. These people are not likely to sit by and see their economic security further undermined without protesting or without bringing political pressure for remedial legislation.

Since private pensions, based on actuarial calculations, cannot easily be increased, the greatest pressure will be on the Federal Government to raise social-security payments and on State and local governments to increase pensions. This may lead to a material increase in social security and local taxes, in turn reducing the take-home pay of employed persons and adding to the tax burden of the employers. Or it may lead to increased Federal and local government expenditures and larger deficits, further feeding the forces of inflation.

Either of these developments is undesirable.

THE DOLLAR'S WORLD POSITION

Recently, most European nations returned to limited convertibility, which means that nonresidents may now convert foreign currencies obtained from current transactions freely into dollars. To maintain convertibility, these countries will have to employ strict fiscal and monetary discipline to prevent inflationary pressures.

Such pressures will lead to a curtailment of exports and an increase in imports. This in turn will result in a loss of gold or dollar reserves which, if not checked in time will force suspension of convertibility and imposition of exchange restrictions. European nations waited a long time before they took this big step toward convertibility.

It may be taken for granted they will do everything in their power to maintain the status of their currencies.

The productive facilities of the European countries have been rehabilitated. The new industries are operating with modern labor-saving devices. Mass production is spreading. It will receive a new impetus under the Common Market.

Until recently most European nations were not in a position to export large amounts of machinery, equipment, and other capital goods without long delays in delivery. Now, however, they can compete with us in delivery and quality.

Moreover, wage rates in the leading industrial countries of Europe and in Japan are substantially lower than ours.

As a result, prices of many types of goods are lower than for American products. For example, in the third quarter of 1958 the wholesale price index of machinery and vehicles was 122 for the United States (1953=100), 115 for Great Britain, and only 107 for West Germany.

It is clear, therefore, that creeping inflation in the United States will adversely affect our exports.

American manufacturers will be unable to compete with foreign nations in many lines. Imports will increase and the United States will not be in a position to raise tariffs or to impose import quotas on many types of goods because of the political repercussions abroad. Such a policy could induce some of our allies to seek more trade with the Soviet bloc.

The consequences of these developments will be:

1. Unemployment in industries affected by foreign competition will increase. This is bound to have an adverse impact on general business activity.

2. In the effort to mitigate unemployment, Federal expenditures and budget deficits will be increased.

3. The United States favorable balance of payments will decline.

4. These combined factors may undermine foreign confidence in the dollar and lead to an outflow of funds and gold.

Should such a situation develop, the United States will face the choice either of devaluing the dollar in relation to other currencies or adopting a policy of austerity to bring costs and prices into line with those of other countries.

Either decision would be exceedingly painful.

GALLOPING INFLATION

Creeping inflation can easily degenerate into galloping inflation. If the purchasing power of the dollar continues to decline and people become convinced that there is no real desire to check the inflationary pressures, they may decide to spend a part of their accumulated savings by anticipating their future needs and wants. Toward the end of November 1958, liquid assets held by the public in the form of currency, bank deposits, shares of savings and loan associations, and "E" savings bonds totaled approximately $322 billion. Even if a moderate portion of this sum were spent, a sharp increase in sales and heavy accumulation of inventories could easily follow.

In short, an inflation boom would be started.

Experience of the past has shown that such booms invariably end in disaster within a relatively short time.

NOMINATION OF MRS. CLARE BOOTHE LUCE TO BE AMBASSADOR TO BRAZIL

Mr. BUSH. Mr. President, yesterday I was absent from the Chamber, because I attended, in Connecticut, the funeral of Mrs. Julia Keeney, of Somersville, a member of the Republican National Committee.

I have noted in the newspapers today that yesterday on the floor of the Senate there was some debate in regard to the nomination of Mrs. Clare Boothe Luce, of Connecticut, to be Ambassador to Brazil. I am sorry I was not in the Chamber at that time, because if I had been here I certainly would have defended the nomination.

I had the honor of escorting Mrs. Luce to the Foreign Relations Committee's hearing only 2 days ago, and at that time I urged very strongly that her nomination be reported favorably to the Senate.

Mrs. Luce is a highly distinguished public servant of the Nation. She served for 4 years in the Congress of the United States; and both in that capacity and in other ways she has shown outstanding ability. She has also shown excellence in the literary world and in the religious world. Finally, she has given outstanding service to the Nation as a diplomat, as our Ambassador to Italy for a period of approximately 4 years. Although there were many persons who doubted that that was a wise appointment, upon the conclusion of her service as Ambassador to Italy it was generally and very widely recognized that she had been a very successful Ambassador—indeed, an excellent one.

In view of her brilliant performance and her outstanding ability, I believe that we are fortunate that the President has nominated her once more to serve in this field—this time to be the Ambassador of our country to Brazil. I am confident she will give an excellent performance there, and I hope the Senate will promptly confirm her nomination.

UNITED STATES FOREIGN POLICY—ADDRESSES BY SENATOR FULBRIGHT AND AN EDITORIAL

Mr. MANSFIELD. Mr. President, yesterday the distinguished chairman of the Senate Foreign Relations Committee, the Senator from Arkansas [Mr. FULBRIGHT], delivered two addresses, one before the American Society of Newspaper Editors, in the city of Washington; and, later in the day, an address at the 10th anniversary banquet of the Reporter magazine, at the Overseas Press Club, in New York City.

I also wish to call attention to an editorial entitled "Nonpartisan Foreign Policy," which appears in today's issue of the Washington Post.

Mr. President, in view of the extreme importance of these two speeches and the valuable advice contained in the editorial published in the Post, I think it behooves the Senate and the entire country to read them with great interest and much care.

Therefore, I ask unanimous consent that the two speeches on the foreign policy, delivered by the distinguished Senator from Arkansas [Mr. FULBRIGHT] the chairman of the Foreign Relations Committee, and the editorial which was published in the Washington Post, be printed at this point in the RECORD.

There being no objection, the addresses and the editorial were ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR J. W. FULBRIGHT, CHAIRMAN, SENATE FOREIGN RELATIONS COMMITTEE, BEFORE THE AMERICAN SOCIETY OF NEWSPAPER EDITORS, WASHINGTON, APRIL 16, 1959

I want to talk to you not so much about our foreign policy, what it is or what it ought to be, as about our attitudes toward foreign policy and how we go about making it. Until we get straightened out on this latter point, we are never going to make much progress with the former one.

We are dealing here with what a former Secretary of State has rightly called "democracy's most difficult problems." They are the problems arising from the extraordinary, the almost incomprehensible, complexity and fragmentation of the democratic decision-making process. We see this process at work every day in a thousand ways, and it is by no means confined to the Federal Government. It involves collective bargaining contracts, decisions of investors, of buyers and sellers, of borrowers and lenders. It involves decisions of local governments as to what teachers salaries they will pay, decisions of industrial managers as to what prices they will charge, decisions of farmers as to what crops they will plant. The sum of all of these decisions, plus thousands of others, equals national policy.

Few of the people participating in making these decisions think of themselves as contributing to national policy. They quite naturally think of themselves only as deciding a limited question, in a limited context, with limited consequences. The result is that the policy which emerges from the sum of these decisions is quite frequently one which nobody has consciously willed.

We have inflation, not because anybody decided it would be a good thing, but because hundreds of thousands of people who bargain over wage rates and prices acted in a way to make wages and prices higher.

We have an inadequate school system, not because anybody is opposed to public education, but because tens of thousands of local governments have preferred to keep tax rates down than to push school budgets up and because too many parents have wanted their children to study baton-twirling instead of algebra.

We have an inadequate foreign policy, not because we want it that way, but because we have not yet brought ourselves to accept the realities of our position in the world and the inseparability of domestic and international policy.

And we have an almost unmanageable governmental machinery, not because anyone deliberately planned it that way, but because millions of individual citizens, exercising their constitutional right to vote, brought about this result. On top of the complex Federal-State system of checks upon the power of the National Government, we presently have the legislative and executive powers controlled by different parties. Such a Government is like having a motorcar with magnificent brakes but no motor.

If I may digress a moment at this point. Realizing the difficulty of moving such a cumbersome machinery, the majority leader of the Senate has endeavored to supply the motive power to get the machinery moving by an unusual display of energy and leadership. To my astonishment he has been vigorously attacked by certain of his colleagues on the grounds that he is at once dictatorial in his methods and too complaisant as regards the Executive. These attacks are unjustified in my opinion. Rather than less, we need more positive and energetic leadership, not only in the legislative branch, but especially in the executive branch of our Government.

In this area we are at an enormous disadvantage vis-a-vis the Soviets. One aspect of this disadvantage is obvious: A monolithic, authoritarian state, such as the Soviet Union, can mesh domestic and international policy much more readily than can a pluralistic, democratic state, such as the United States. This aspect of the disadvantage we can accept; indeed, we have to accept it, because we are simply not willing to pay the price—in terms of individual liberties—that would be required to overcome it.

But there is another aspect of our disadvantage vis-a-vis the Soviets. This one is subtler—at least, equally important—and less acceptable. It is that in the Soviet Union the people who participate in the decision-making process—and they are, of course, only a handful—have a very clear conception of their role in the world. In the United States the people who participate in the decision-making process—and they number literally in the millions—do not have such a conception.

That this is so is really not very surprising. Although individual Americans tend to be gregarious, as a nation we have historically been introverted. For most of our national existence we have been physically remote from the rest of the world, and even now most of us remain psychologically remote. We have had the better part of a continent, rich in resources, to settle and develop. Until recently foreign policy has not seemed important to our survival as it has to the states of Europe.

One consequence of this is that we have never developed the mass interest in diplomacy which one finds in Europe. More importantly, we have never developed a coherent, realistic national point of view toward the world and our place in it.

Historically, our excursions into foreign affairs have been primarily military—painful exercises which were to be gone through as quickly as possible so that we could return to life and business as usual. Even when we are not dealing with strictly military matters, we still use military terms. We talk about the cold war and about psychological warfare in—to use a cliche which I am thoroughly sick of—"the battle for the minds and hearts of men." I suspect that we still tend subconsciously to regard the cold war as an episode rather than an era.

In point of fact, however, the main problem which confronts us today is not a military problem, although the military aspect is of great importance. It is not even an economic and political problem, though this is of even greater importance.

The main problem is a psychological problem within ourselves.

It involves the question of how we are going to adjust ourselves to living in a world in which the only other power of comparable strength is, to put it mildly, unfriendly. Worse, how are we going to adjust ourselves, as we must a few decades hence, to living in a world in which the 600 million—perhaps by then 1 billion—Communist Chinese are a major power? In short, how are we going to get used to the idea that, like most other states of the past, we, too, now have to rely on foreign policy for survival? And how are we going to equip ourselves to do so?

We live in an age of revolution without parallel or precedent. We have said this so often that it has become trite, but we have not grasped the full enormity of its meaning. Disraeli, that wise 19th-century practitioner of diplomacy, said that "revolutions are not to be evaded"—and this one is no exception. It is time we looked it squarely in the face.

This revolution gains added force from its multiple aspects which act and react upon each other. It is compounded of the growth of Soviet power, of nationalism, and an insistent demand for improved living standards in underdeveloped countries, and of a technology which is accelerating at a dizzying pace. The Communists did not start this revolution. They are, in Robert Strausz-Hupe's phrase, "not the makers but the scavengers of revolutions." We would have many of our present problems if the Communists did not exist, but the fact of their existence—and particularly the fact of Soviet power—adds immeasurably to the urgency of our problems.

The urgency has also been greatly increased by the fact that the United States, without willing it and hardly knowing what to do about it, has been thrust inescapably into a position of world leadership. Under the circumstances, we have not done too badly. There is much in the history of the last two decades of which the American people can be justly and humbly proud. But, in Robert Browning's words, "he who did win the war, just earns the right to begin doing well in peace." We have done reasonably well, but not nearly well enough, and we are going to have to do a great deal better.

Before we can start doing very much better, we are going to have to arrive at a much deeper, more thorough-going national agreement about what our real national interests are.

At bottom, it seems to me, these real national interests dictate that we do what we can—and it will usually be marginal at best—to protect the 20th-century revolution in non-Communist Asia, in Africa, and in Latin America from the Communist scavengers. Our interests require that this revolution be given a chance to develop along constructive lines.

In dealing with the free people who are caught up in this revolution, we are going to have to realize that the rich and the powerful may be respected—if they conduct themselves so as to merit respect—but they are rarely loved.

We are going to have to realize that a democratic form of government in a middle-class social order does not clearly and necessarily represent the highest good to several hundred million or more of the people on this planet.

We are going to have to realize that a way of life is not necessarily inferior to ours simply because it is different.

We are going to have to realize that it is perhaps conceivable we can learn something from other people.

In short, we are going to have to grow up—to become more mature, sophisticated, humble, subtle, and wise.

Further, we are also going to have to pay more attention to the foreign policy implications of what we have always heretofore regarded as purely domestic decisions. This is especially the case as regards economic policies in general and the allocation of resources in particular.

Out of our incredibly complicated and fragmented decision-making process, we have got to arrive at some national decisions regarding priorities. If we get the kind of general national agreement that I am talking about, these decisions, I think, will be a good deal easier than they seem to be now. We will, for example, be more nearly ready to sacrifice short-term luxuries for long-term growth. We will be quicker to perceive that a greater investment in education today will give us the skills—particularly the knowledge of history and languages and alien cultures—that we will need to live in the world of tomorrow. We will understand better why it is that the world's biggest creditor Nation must export more capital and import more goods. We might even bring ourselves to put less steel into automobile tail fins and more into school construction.

It is easy for the Soviets to make these kinds of decisions regarding allocation of resources. They do it by fiat. It is difficult for us to make the same kinds of decisions, because although the Government has a role to play, it does not always have the dominant role, and it cannot play any role at all unless it has the support of the people.

I think the American people are capable of making these decisions, but first they have got to understand what needs to be done and why. This is a field in which the press has a great responsibility and so also does the Senate.

All of us, I think, tend to become overly preoccupied with the crises of the moment, currently with Berlin. Now, I do not want to underestimate the gravity of the Berlin crisis; it could well explode into world war III. But world war III could just as well be spawned in any of a dozen other trouble spots.

We are all, of course, interested in short-term policies and in day-to-day operations in situations like that in Berlin. But there is really not very much that either Congress or the press can do in these situations. Aside from the fact that the President has the primary constitutional responsibility, the Senate as a practical matter is very poorly equipped to deal with day-to-day policy-making or to try to outguess the President in this field.

The Senate, however, is very well equipped to deal with the longer-range, more basic questions which I have tried to touch on very briefly and generally. It is to these questions that I intend to devote most of my attention as chairman of the Foreign Relations Committee.

I intend to do so in a thoroughly nonpartisan way. Let me emphasize nonpartisan, and draw a distinction between it and bipartisan. Bipartisanship has been used too frequently to cloak the absence of a fundamental national agreement and to serve as a sort of synthetic substitute for such agreement. When misused in this fashion it can have several pernicious results. Too many people are given a practical veto over policy. There is an inhibition of the kind of free debate out of which a fundamental national agreement emerges. And finally, policy comes to represent the lowest common denominator.

Nonpartisanship does not mean the absence of debate on foreign policy. It does not mean the absence of criticism of those who are making—or not making—foreign policy. What it means is the absence of debate precipitated and carried on with a view to gaining a partisan advantage. It means the absence of criticism motivated by partisan considerations, the kind of reflex criticism in which a Democrat automatically denounces what a Republican has done, and vice versa. Under nonpartisanship, the opposition party supports or opposes the President on the merits of the policies, or lack of them, which he espouses. It does not oppose simply for the sake of opposition.

Significantly, Senator Vandenberg, who was one of the fathers of bipartisanship, did not like the word. He preferred, instead, unpartisanship or nonpartisanship, and so do I.

I do not think it is possible for a democratic country to have a viable, effective policy unless it is founded on the widest possible public discussion. Debate is a necessary ingredient of policymaking.

Out of this kind of debate, there emerges, over the long term the national sense of values which we must have if we are to hold our own in the world—and I hope we can do very much better than simply to hold our own. When we get a proper sense of values, we will not go through such agonizing soul-searching in deciding whether we can or cannot afford some of the things which, in my judgment, we must have. Until we do revise our sense of values, we will never think we can afford to do the things which, in my judgment, we must do if we are to survive as a Nation of free people.

The gravest crisis confronting the Western World today is not in Berlin; it is within ourselves.

What the leaders of the Western nations think they cannot afford, wrote an able observer 2 years ago, "is the political courage to demand of their peoples the sacrifices necessary to protect and promote their interests under the condition of atomic peace. In a word: the deficit is political and moral, not economic and financial."

What Makes U.S. Foreign Policy?

(Address by Senator J. William Fulbright at 10th anniversary banquet of the Reporter magazine, Overseas Press Club, New York City, April 16, 1959)

So many things honored in our time are themselves without honor, that it is all the more pleasurable to join the Overseas Press Club as it gives Max Ascoli the recognition that has long been overdue him.

I know that it sounds incongruous to speak of aristocracy in a democracy. Yet in the exact Greek sense of the word—meaning "the best"—it is very much in place to say that the magazine Max Ascoli built in 10 short years has been a stronghold of aristocratic values in our society. Every issue of the Reporter does something to restore discussion itself to the democratic process. Every issue reenacts in language the tremendous fact that the democratic process is a highly exacting, sometimes comic, sometimes dramatic, but always a supremely demanding experience. I often feel that the contributors to this magazine are regularly summoned by Max Ascoli to take an oath of office, reading to this effect: "I do solemnly swear that in the high cause of democracy, I will uphold, defend, and protect the integrity of the word, and that to the best of my ability, I will use words in such ways that they will stand as one with the things they are meant to describe."

Max Ascoli has himself said of the Reporter that it was an "experiment in adult journalism." I would add that it is an experiment in "unadulterated journalism". For its bite is a solid one. It has no pets and no client interests. It is known as a liberal magazine. But it stands just as ready to make war on the cliches and illusions that sometimes crop up in the liberal camp, as it does when a different order of cliches and illusions crop up in the camp of the mossbacks. It is precisely because it is always prepared to call even its natural friends to task, that it stands almost on a plane of its own in our affections. As friend or as critic, it summons all of us to heed the injunction: "Know thyself". And no injunction could be more pointed for those of us here tonight, whose work it is to keep the people informed of the material facts that bear on their life.

Happy birthday, then, to Max Ascoli, to his wife, Marion, and to the staff of the Reporter. May your readers increase. Happy birthday also to the present readers of the Reporter—some 125,000 of them—who would rather shiver in the icy wind of truth than be warmed by a blanket of rose-colored smog.

Still, I have not come here just to praise the Reporter, or, as it were, to bury it with praise. I have something else on my mind, and the occasion being what it is, this seemed to be a good place to say it. I hasten to add, that my remarks will not be in any way sensational. They will disappoint those who want me to invent for this occasion, new solutions to troubles in Berlin, Tibet,

the Middle East, Africa, Southeast Asia, Latin America, the Formosa Straits—or, to bring the matter very close to home, Little Rock, Ark. I feel that we have had quite enough of speechmaking by public men who invent policies on the spur of the moment, from a misplaced sense of duty—the sense that they owe it to the press—or perhaps to themselves—to be the source of new sensations.

Instead, I would like to explore for a bit the question of what makes U.S. foreign policy—a subject, I hope, of some interest to ourselves and our allies.

Now I confess that when I put this question to myself, that when I thought about it a bit, the answer I came up with appeared in Book 11 of St. Augustine's Confessions. There the author raised the question of what God was doing before He created the heaven and the earth. A possible answer, St. Augustine said, was this: "He was creating a hell for people who pry too deep."

Still, despite the measure of truth in this reply, it is worth while to pry into my question, and for two reasons. First, the answer may shed some light on why we do or don't do some things in this or that particular sector of a troubled world. Second, the challenge inherent in my question is not confined exclusively to America. It was raised for all democracies as far back as 1832 by Alexis de Tocqueville when he wrote:

"Foreign politics demand scarcely any of those qualities which are peculiar to a democracy; they require, on the contrary, the perfect use of almost all those in which it is deficient. * * * [A] democracy can only with great difficulty regulate the details of an important undertaking, persevere in a fixed design, and work out its execution in spite of serious obstacles. In cannot combine its measures with secrecy or await their consequences with patience."

These are qualities, he concluded, that more especially belong to a form of social organization where the government is ruled by one man or a handful of men.

How true is this?

The paradoxical, indeed the frightening fact is that de Tocqueville's comment is a great deal more applicable today than it was when he made it.

Consider what happened between 1783, when we won our independence, and 1853, when the Gadsden Purchase rounded out our present continental limits. All of this territory was acquired by power and diplomacy, by a skillful maneuvering through the maze of European politics. And at the same time, we managed—with the help of the British fleet—to protect a whole series of nationalistic revolutions to the south from the unholy intentions of the Holy Alliance.

Moreover, throughout the whole of this process, while much was done by the action of individual Presidents, a great deal was done as a direct result of congressional action or by the direct play of public pressures, rising from a people whose life was being progressively democratized.

The key point is that the conduct of foreign affairs did not appear to be an elite function, limited to specialists in and around the Executive. Neither the electorate nor the Congress was ever overawed by the Executive claim to exclusive knowledge, or its claim that it would be against the national interest to disclose the facts relevant to a foreign policy decision. Foreign policy was debated in remote frontier outposts as well as in seaboard cities, with a shrewdness and a knowledge of great power rivalries that astonishes any modern reader who browses through the records of these debates preserved in our National Archives.

The stakes of foreign policy in those days were both visible and finite. They meant the difference between having a hostile power on our frontier, or not having one. The contrast with our present circumstances is obvious. The stakes of our foreign policy today are real enough but infinitely more complex. Whereas once upon a time our real national interests were clear and immediate and generally agreed upon, they are so no longer.

They put four hard challenges to the basic workings of our democratic system:

For one thing, if ever the line between domestic and foreign affairs could be drawn, it is now wholly erased. Whether we realize it or not, we can no longer assure ourselves that what we do in one place is unrelated to what we do in a second place; that if we slip domestically, the effect will not be felt abroad—or the other way around. The strength of the American economy, for example, enters directly as a factor in our power to build a versatile military establishment, or to export capital in ways that will contribute to the orderly growth of newly independent peoples. In a reverse view, if those people and their resources, along with those of our European allies should ever be drawn into the Communist orbit, it is difficult to see how we could for long maintain our present economy or, indeed, anything resembling our present way of life.

Second, because America's paramount strength has bested in us the role of leadership for a coalition diplomacy, our executive and legislative organs of government must bear two constituencies in mind. One is the voting constituency from which the chief officers of American Government draw their title of office. The second constituency begins at the 3-mile limit. It is formed by many hundreds of millions of people around the globe who, though they don't cast a single vote in any American election, are vitally affected by the decisions of American lawmakers.

Out of this, there arises a recurrent dilemma. In the event of a conflict of interest between the two constituencies, which one should have a prior claim on the support of the American lawmaker? If the prior claim is that of his nonvoting constituency, then he risks a repudiation by American voters. If the prior claim is that of his voting constituency, then he risks the loss of trust by the nonvoting constituency—whose support he must have if he is to attain what both constituencies want above all other things, namely, the conditions for a just peace.

Third, the very process of coalition diplomacy tends to exercise a gravitational pull that centers the business in the hands of the Executive, and downgrades the role of the Congress and the electorate as direct parties to the affair. For the Congress is simply not structurally equipped to deal simultaneously with all the day to day problems of coalition diplomacy. And the people, for their part are even less well equipped to follow the intricate twists and turns of any contemporary diplomatic transaction.

The fourth difference between the past and present represents so great an intensification of the old problem of amateur-expert relations in government, as to constitute an almost new problem. What I have in mind here, is the fact that many of our leading questions of foreign affairs nowadays, are entwined with infinitely complicated scientific and technological questions. For example, should we or should we not stop the testing of the hydrogen bomb? Should we put more or less effort into missile-launching submarinees or into the support of allied armies? You can search all the great treatises on the American polity from the Federalist papers on forward, and they will not give you a single clue to the right answer. Even that second great source of popular doctrine, "Poor Richard's Almanac," which is so much evoked today, also fails in this respect.

Public ignorance on these new-style political-scientific-military questions is widespread, to put it mildly, and reaches into high places, including the U.S. Senate. It is matched by the respect and awe we hold for the expert practitioners of these new arts—a respect which we do not accord experts in other fields. The economists of this country rarely, if ever, agree on precisely the monetary policy to be followed by the Federal Reserve Board. But this does not in the least inhibit people who don't know the difference between Adam Smith and John Maynard Keynes from expressing the most profound judgments on the matter. Yet these same people are quite willing to leave vastly more important questions to a handful of scientists and military strategists who sharply disagree among themselves.

One reason for this paradox, I suggest, is that whereas the economists carry on their disputes in public, what the military scientists have to say is funneled almost exclusively to the executive, where the cutoff stamp of top secret comes into play. But what is cut off simultaneously, is any real power by the people or the Congress to judge whether the agents of the Executive acted wisely or not on the basis of the word they alone were privileged to hear.

All these new challenges work in their own way to give a new sense of awesome relevance to what De Tocqueville had to say about the inherent difficulties a democracy faces in the conduct of contemporary foreign politics.

There is one more difficulty that deserves mention for it arises, paradoxically, from the effort of a democracy to respond to the new challenge. It has to do with the very nature of bipartisanship—in theory an instrument of national unity but more often in recent practice a gag on legitimate discussion. Time and again we have lately found ourselves in situations where the Executive, consulting itself, has announced a policy. Whereupon the cry goes out that it cannot be debated, since this would show the world that we are divided. What we must do, instead, is to swallow our doubts about the wisdom of the policy. We must rally to the Executive in a great show of national unity. Nor does the matter end there. Later on, when the doubtful wisdom of the policy becomes apparent in the formidable world of actual practice, the members of the opposition party are again silenced. For if they raise their voice, they invite the rebuke: "You voted for that policy when it was sent down here to the Congress. Why are you squawking about it now?"

I am not implying that anything and everything ought to be fair game for partisan politics. Far from it.

Foreign policy ought in fact to be nonpartisan or unpartisan—words which the late Senator Vandenberg preferred to bipartisan. Nonpartisanship means that policies are criticized and debated on their merits, not in a partisan electioneering context.

I would add but one more footnote to this. From what I have been able to judge of America's European allies, the thing they fear most is not a healthy debate conducted by Americans on foreign affairs issues. Their greater fears arise over precipitate announcements of foreign policy which neither Congress nor the country has properly considered.

If the difficulties I have been considering seem more acute in their American context, it is only because the blinding light of attention is focused on America in its role as the mainstay of the Western coalition. But if we shift the spotlight to any of the other leading democracies in this coalition, we get the impression of a single image repeating itself in various degrees, like an object seen in a hall of mirrors.

Today, for example, Europe is caught in the crisis for which the word "Berlin" stands as the graphic symbol. Each nation there looks at its neighbor, and all look at the United States with a sense of wonder whether all will stand together or fall separately in the

event the Soviets mean to breach the peace. Yet on the occasion of the 10th anniversary of NATO recently observed in Washington, I asked myself why it was so necessary for one member after another to assure all the rest that he could be trusted to carry out the purpose of NATO? I asked myself why the speech given by Acting Secretary of State Christian Herter—the speech in which he merely repeated America's 10-year-old commitment to honor its NATO obligations—should have been considered the highlight of the anniversary? And I also wondered why the crisis over Berlin should have so menacing a face, and should have led to an uneasy feeling, which has even been voiced in some quarters, that we have already been defeated on the ground by the Soviets?

By any arithmetic test of potential strength, it is we who should be giving the Soviets sleepless nights and not the other way around. For if the population and the industrial resources of Europe and the United States were really mobilized to act in concert; and if that strength was translated into a military dimension, the aggregate would exceed by far anything the Soviets could muster in the foreseeable future. Think of it. The United States and its NATO allies constitute 433 million people organized in a highly industrialized power complex. The Soviet Union, with its problematic allies in Eastern Europe, can muster only 300 millions. Yet here we are, frightened by the present preponderance of the Soviet strength in conventional arms; and frightened also by the all too exact knowledge that a resort to nuclear arms under conditions of nuclear parity, might result in a dead Europe instead of the live one we all want to preserve.

How have we arrived at this incongruous position? Sometimes I wonder if we have correctly assessed the changed situation that now confronts us. It is true that at the end of the Second World War there may have been opportunity for choice in the methods of our foreign policy. By cold logic we could have taken the imperialist course. We had a monopoly of nuclear weapons. Indeed, we had shown that we were prepared to use them. It is conceivable that we could have pressed this temporary advantage to impose a dictated peace upon the Soviets, forcing their withdrawal within the Soviet perimeter. Instead we chose not to use the nuclear weapon as an instrument of policy, but to work in consort with our allies to build what we hoped would be a more durable peace.

Whatever the choices of the past, today we no longer have any choice. Today the nuclear weapon has no utility as an instrument of foreign policy. It cannot attain the objectives which lie beyond war. It can only ring down the last act curtain for us and our enemies alike.

Then why are we so tentatively committed to the only course that lies open to us? Why do we hesitate before the commitments of manpower and resources that can preserve the balance for the West? Why do we appear listless before a challenge that is so obviously demanding of our greatest energies?

Take the area of military strategy alone. Even before the Soviets attained their present nuclear position, it was perfectly apparent that our own atomic superiority was not a substitute for conventional forces. It was wholly clear that placing our entire reliance on these weapons would one day confront us with the choice of blowing up the world simply to contain the sort of probing operation the Russians use to test our will.

The founders of NATO realize this. Their first plans called for 90-plus divisions. And yet, as the countries of NATO have steadily prospered, their concept of what they can afford to do has steadily narrowed.

What has been missing is not the material capacity to support adequate conventional forces, but the will to do so. Our spirit, on both sides of the Atlantic, has gone soft.

Is it not ironical that the blaze of selfless idealism burned brightest in Europe and in America when the havoc of World War II still met the eye at every turn? In that hour, as I recall it, the cry went out from the best spirits among the victors and the vanquished alike for a new sense of fraternity, and for an end to the national divisions that twice led the flower of European youth to the slaughterhouse. The best spirits of Europe, as I recall, wanted to stand as one family, respecting the cultural diversity of their individual members, but united in the pursuit of a political destiny sought in common by all members.

And is it not ironical that as the rubble was swept from the streets of Europe; and as the signs of a progressively expanding prosperity rose where rubble once had been, the visions of a Europe twice united—within itself, and with its North American offshoot—grew progressively more cloudy? Here was a cause that should have enlisted the concentrated and sustained energies of the leaders and the led on both sides of the Atlantic. Instead, European leaders, fully as much as American leaders, began to think in terms of their voting constituencies, at the expense of their nonvoting constituencies. I deeply regret the recent recriminations between two of our chief NATO allies—recriminations that have been echoed all out of proportion in the popular press. Their differences, I suspect, arise not so much over substantive issues as over a sense of frustration at the lack of an energizing force that will give life to our alliances.

Now it is not my purpose, as the saying goes, to be a prophet of doom and gloom. I am merely saying that the choice facing European democracies was and is just this: Federate or perish. And the task facing America is to so conduct itself, that it will help nurture those tentative roots toward federation like Euratom and the Common Market that have managed to take hold—to nurture them with the object of creating a real European Union. Beyond that, our purpose must be to bring into being that system of interlocking commonwealths—to use Max Ascoli's apt phrase—that can bolster our security.

I know all about the vetoes practical men stand ready to catalog. I heard them in 1945, and the list has not changed one bit today. The only thing that has changed is the urgency of ignoring what practical men have to say. The march of history is fast outstripping us. Europe and America have enormous resources for survival, indeed for the mastery of any challenge hurled our way by the Soviets. But those resources will not be mobilized, they will remain in their present state of disarray, until public men and the publics on both sides of the Atlantic fit those resources into a grand design for closer union. In striving to bring this design to pass in our own time, we may make mistakes; but in striving, we may find our salvation. If we do not strive for it at all, our epitaph will read: "They chose to stand still, and so were lost forever."

[From the Washington Post, Apr. 17, 1959]

NONPARTISAN FOREIGN POLICY

Senator FULBRIGHT has nicely dissected a sacred cow in discussion of foreign affairs. In his address yesterday to the American Society of Newspaper Editors, the new chairman of the Senate Foreign Relations Committee punctured the notion that bipartisanship is the desirable objective in congressional consideration of foreign policy. Rather, said the Akansas Senator, there ought to be nonpartisan evaluation and criticism, meaning honest appraisal without thought of partisan advantage.

This has long needed to be said. True bipartisanship is difficult in a system of divided powers, and almost impossible when the political control of Congress is different from that of the executive branch, which has the responsibility for initiating and executing policy. Too often the ritualistic slogan of bipartisanship has been invoked to quell misgivings, muzzle criticism of mistakes or reduce matters to the lowest common denominator so as to satisfy all but the most extreme elements in either party. This is a semantic perversion of the purpose of consultation.

Whichever party is in control, thoughtful discussion—of existing assumptions as well as new positions—is essential to obtain wholehearted support. The lesson is as applicable to the Democrats as to the Republicans. It means, not license for interminable harangue, but a chance to talk out such issues as Quemoy or Berlin freely, without any inhibition that such discussion will be rocking the boat. As Mr. FULBRIGHT noted, the late Senator Vandenberg, who is often credited as the father of bipartisan foreign policy, preferred the word "nonpartisan." In 1950 Mr. Vandenberg gave a lucid description of what he meant as "a mutual effort, under our indispensable two-party system, to unite our official voice at the water's edge so that America speaks with maximum authority against those who would divide and conquer us and the free world. It does not involve the remotest surrender of free debate in determining our position. On the contrary, frank cooperation and free debate are indispensable to our ultimate unity. In a word, it simply seeks national security ahead of partisan advantage. Every foreign policy must be totally debated and the 'loyal opposition' is under special obligation to see that this occurs."

For the remainder, it is good to know that as chairman Mr. FULBRIGHT intends to focus on the long-range problem of adjustment of American policy and responsibility to the needs of an age of revolution and challenge from the Soviet Union, with especial emphasis on defining national interests and values. Others have spoken similarly of the need to put "less steel into tail fins and more into school construction," but the importance of this kind of philosophical maturity cannot be overstated. We think Mr. FULBRIGHT is entirely right.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. MANSFIELD. I am delighted to yield.

Mr. BUSH. I should like to say that the address to which the Senator from Montana has referred, delivered by the Senator from Arkansas [Mr. FULBRIGHT], before the American Society of Newspaper Editors, was, in my view, excellent. It contained some fine philosophy. I certainly commend it to all Senators for reading. I hope people throughout the United States will read it and realize the truth of what the distinguished Senator from Arkansas has said about what we have got to do if we are really going to face up to our responsibilities, as a world power, in this very dangerous day.

I commend the Senator from Arkansas highly for that speech. The speech was realistic. Often we fail to come to grips with problems which lie closer to home than we like to admit. I commend the Senator for his splendid address.

Mr. MANSFIELD. I appreciate what the Senator from Connecticut has said. I am sure the remarks he has made in support of the statement of the chairman of the Committee on Foreign Relations, which will be incorporated in the RECORD, will carry great weight, not only in the Senate, but throughout the country as well.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield to the Senator from Arkansas.

Mr. FULBRIGHT. I wish to express my appreciation to the Senator from Montana for his remarks and his action in inserting the two items in the RECORD, and also to the Senator from Connecticut for the kind remarks he has made. There is no one I would rather hear make such remarks than the senior Senator from Connecticut.

Mr. President——

The PRESIDING OFFICER. The Senator from Arkansas.

PERSONAL STATEMENT BY SENATOR FULBRIGHT—NOMINATION OF MRS. CLARE BOOTHE LUCE AS AMBASSADOR TO BRAZIL

Mr. FULBRIGHT. Mr. President, I rise to a point of personal privilege, and should like to address myself to it for a few moments.

I regret I was not on the Senate floor yesterday when the junior Senator from Arizona [Mr. GOLDWATER] criticized—unfairly, in my opinion—the conduct of the Committee on Foreign Relations, and particularly of myself and the senior Senator from Oregon [Mr. MORSE], in regard to the hearing on the nomination of Mrs. Clare Boothe Luce to be Ambassador to Brazil. I had received no notice that the Senator from Arizona intended to make the remarks which appear on page 6087 of the RECORD.

I may say I sent notice earlier this morning to the office of the Senator from Arizona, stating I would reply to his criticism; but I have been informed he is out of town, which I regret.

The Senator from Arizona said:

> The senior Senator from Oregon and the junior Senator from Arkansas, who were leaders in the fight against the late Senator McCarthy, engage in what I believe to be the same tactics they accused Senator McCarthy of using.

Mr. President, I resent this comparison of the conduct of the Foreign Relations Committee with the behavior of McCarthy. This raises a very fundamental point; namely, the difference between legitimate criticism of a person's policies and an attack on his motives and his loyalty to his country. The junior Senator from Arizona fails to understand this distinction, just as the late Senator from Wisconsin failed to understand it.

The Senator from Arizona also questioned the pertinence of the inquiries directed to Mrs. Luce. They were, he said, "more in the nature of a political field day than in the nature of determining this lady's qualifications." This statement indicates the Senator fails to understand the nature of the qualifications an Ambassador should have.

The statements about which Mrs. Luce was questioned are directly relevant to the point of her judgment and objectivity. She herself admitted that the language she had used was "very intemperate" and that it was the kind of language "which good taste would prevent or should prevent the private citizen from using." It is quite clear to me—I regret it is not so clear to the Senator from Arizona—that temperateness and good taste are relevant to the qualifications of an Ambassador.

Finally, the Senator from Arizona declared that Mrs. Luce's services as Ambassador to Italy "have never been questioned, to my knowledge." Let me expand the realm of the Senator's knowledge. I ask unanimous consent that there be inserted in the RECORD at this point an article from the Reporter magazine of February 23, 1956, entitled "The Lady of Villa Taverna." I also ask that there be inserted an article from the same magazine of April 2, 1959, entitled "Instead of Orchids."

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Reporter Magazine, Feb. 23, 1956]

THE LADY OF VILLA TAVERNA

(By Claire Sterling and Max Ascoli)

Clare Boothe Luce, U.S. Ambassador to Italy for 3 years, will soon be coming home. She will be returning with the glow of success that usually surrounds this remarkable woman to face a public that has heard more about her than any ambassador in recent American history. She has frequently complained, during these 3 years, that Americans have been told too much about her and not enough, that she has been written about almost always as a woman, rarely as a serious diplomat. Since it is on her record as a diplomat that the public may soon be asked to judge her—for a Senatorship, a Cabinet post, possibly even the Republican Vice Presidential nomination—an account of that record is given here.

THE HARD WAY

The new ambassador got the full Neapolitan treatment for visiting celebrities when she stepped off the gangplank on April 22, 1953—flowers, guitars, boisterous crowds cheering under the warm sun of Naples. The Italian Foreign Ministry gave her an unctuous welcome in Rome. But it was no secret that the Italians resented her appointment.

What bothered the Italians was not simply that she was a woman. Accomplished as she was in many ways, everybody knew that she was coming to Italy not because she was peculiarly qualified for the post but because her husband had contributed powerfully to General Eisenhower's nomination and election.

The appointment, it is said, had been offered first to Henry Luce himself. If he turned it down in favor of his wife, the decision was reached after both had carefully considered her handicaps, which were many. Among them was the fact that she was his wife. While some Italians might cherish the prospect that the three big Luce magazines would acquire a vested interest in featuring Italy, many had qualms. "Luce once adopted China," a reporter in Italy remarked, "and look what happened to China." Apart from that, Mrs. Luce was beautiful—beautiful enough, even at the age of 50, to infuriate other women and embarrass her diplomatic colleagues. It might have been different had she looked like Gertrude Stein.

Also, she was a recently converted Catholic, too unrelaxed for Italy's ancient, comfortable Catholicism, too combative for a population which, if Catholic in religion, has a long tradition of anticlericalism in politics. She was an easy target for the Communists: rich, Republican, well known in leftist circles for "hating communism with an African passion," as Pravda put it—this in a country whose Communist strength represents one-quarter of the voters.

She was to find other handicaps as she went along. Her sharp tongue and wit did not suit her temperamentally for a diplomatic world peopled by the stuffed shirts she had once lampooned in a popular book of that name. Moreover, if she was untrained as a diplomat, she was well trained as a journalist. For a journalist, news has no value until it is published, while for a diplomat it is the other way around. Mrs. Luce is annoyed by the charge that she talks too much. "I don't really talk too much," she says, "but I'm widely misquoted." (Nevertheless, she has talked too much.) Furthermore, her appointment was political in intent as well as origin. Where a professional ambassador might have no greater dream than a bigger and better ambassadorship, her ambition has been frankly to "dramatize the dynamic new Eisenhower administration."

FROM THE MOMENT SHE ARRIVED

She has worked enormously hard, driven, as always, by a determination to prove herself on a man's level. "I come from a world," she had Miriam say in her celebrated Broadway hit, "The Women," "where a woman's got to come out on top—or it's just too damned bad."

She has filled 43 bound volumes with press clippings, some favorable, others not, but all testifying to her tireless energy. She has traveled thousands of miles up and down the peninsula, posed for thousands of photographs, made hundreds of speeches, and entertained almost everybody—not everybody, unfortunately—in the handsome Renaissance residence, Villa Taverna, provided by the U.S. Government. In her first year, more than 7,000 people signed the Villa Taverna's guest book; and during 1955 alone, she received several hundred Members of Congress. (Some might have driven her to despair if they had not provided her with priceless stories for conversational use. One wanted to know how Garibaldi got his elephants across the Alps, another what the Russians were doing behind the Urals, while a third once instructed her secretary to "Call me a plane.")

At times her sense of public relations has been superb. When an Italian LAI plane crashed at Idlewild a few days before she was to go home on leave, she canceled her flight with an American line and booked with LAI. When Prime Minister Alcide De Gasperi died in 1954, she rushed back from a summer vacation in the States for the funeral, causing the British Ambassador grudgingly to do likewise. When the Amalfi coast was struck by a flash flood, she flew to the scene to make a round of the hospitals, beating the President of the Republic by 24 hours.

Millions of Italians have come to know and admire her for these activities. But all this proves how vigorously she has applied herself to her ambassadorial job, not how successful she has been at it.

THE BOLT HAD BEEN SHOT

Mrs. Luce started out without the biggest advantage her predecessors had had; she could not promise the Italians much money. Where the United States had given Italy $2.8 billion in direct economic aid before she came, Italy got a net of $105 million in fiscal 1954, $45 million in 1955, and $5 million in the first quarter of 1956; and where mutual defense assistance offshore-procurement contracts had reached a total of $383 million during her first summer, they had slackened off to $91 million the next year, and $39.5 million the year after.

In effect, this meant a fast passage from proconsular to interallied diplomacy between two nations that in various degrees needed each other. More precisely, it meant trying to convince the Italians, using other means of persuasion than money, to do what the State Department was anxious for them to do: attain political and economic stability,

support the Atlantic Alliance and the European Defense Community, roll back the biggest Communist Party this side of the Iron Curtain. Since most government leaders were already at least verbally inclined to do these things, it meant keeping them on the right path by exerting a discreet influence in Parliament and among the voters. Quite an undertaking for even a seasoned politician-diplomat, irrespective of sex.

THE 1953 ELECTIONS

She began badly. A month after her arrival and 2 weeks before the difficult elections of June 7, 1953, the Communist newspaper L'Unitá triumphantly caught her giving out crucifixes to a group of southern peasants during the inauguration of a land-reform village called La Martella. Crucifixes are customarily distributed in Italy on such occasions, but not by a U.S. Ambassador. A week later she got into worse trouble by saying publicly in Milan that any electoral victory for the extreme right or left would have "grave consequences for the intimate and friendly cooperation between Italy and the United States." Several Italian and American newspapers claimed later that the speech cost the center parties the election.

The charge was unfair. In saying what everyone knew, she probably did not change many votes, let alone the 57,600 by which the government coalition fell short of the total necessary to get the bonus seats the recent election law provided for. But the speech hurt her personally. She was making her maiden address as Ambassador, at a decisive moment in Italian politics, in the most politically literate city in Italy, before people who were waiting for her to fall on her face. (She told an Italian paper recently that she had not written the speech herself and that of the two aides who did, one is now stationed in Singapore and the other in South Korea. The disclosure may help explain away her first big mistake; it has not improved her staff relations.)

The elections that June opened a difficult era in Italy. Under De Gasperi's leadership for the 5 preceding years, the Christian Democrats and their minor partners—Republicans, Social Democrats, Liberals—had governed with a safe majority and comparative stability. After June 7, the center coalition had a margin of 16 seats in the Chamber of Deputies. On the left there was a bloc of 143 Communists and 75 leftwing Socialists. On the right there were 40 Monarchists and 29 Neo-Fascists. Short of holding new elections, which, as De Gasperi said, were "absolutely necessary and utterly impossible," the center parties had a choice of trying to carry on as they were or making a deal with either the left or right. While the politicians debated the question, the country had four different Prime Ministers within 8 months.

The idea of moving to the right, if not all the way to the Fascists then at least as far as their Monarchist allies, was being pushed hard during those months by several influential Italians: Luigi Gedda of Catholic Action; Don Luigi Sturzo, founder of the first Catholic popular party; Giuseppe Pella, who headed a Christian Democratic caretaker Cabinet at the time. The conclusion that a coalition of the right—eventually leading to some sort of constitutional monarchy—would turn popular opinion toward the left was finally reached by the most influential Christian Democratic leaders.

But not by the American Ambassador. She had made up her mind: Only by enlisting the Monarchists and strengthening the right wing of the Christian Democratic Party could Italy ever have a strong, stable government.

Although a newcomer to Italy, Mrs. Luce was neither unsympathetic nor unfamiliar with the outlook of the right. But she only knew the political right in her own country, the Republican Party that had just returned to power, and she had little notion of how weak, Bourbonic, and thoroughly unpopular the Italian right is. It is a haven not only for groups of jittery businessmen and landowners but also for unregenerate feudal barons, as well as former Fascist goons, crackpot young bombthrowers, fetish worshippers who once kidnaped Mussolini's corpse, and sophomoric nationalists who want to retrace the late Duce's military steps over the long African route to Ethiopia. Incidentally, it also includes many who despise Britain and hate the United States.

The Ambassador may not have liked all these people—her anti-Mussolini record was clearly established before the war—but she could never understand why the same reason of expediency that brought the United States to accept Franco as an ally could not apply also to Italian internal politics. Indeed, she had only scorn for those Italian Democrats—and there are many of them—who, if forced to choose between the right and the Communist left, would not hesitate to choose the Communists. Nor could she make out why the mere fact that she dealt with even the least objectionable rightists would render her objectionable herself. Mrs. Luce believed that only a firm anchorage to the right could stop the drift of Italian politics.

DULLES' FOOT

It was primarily in the hope of winning the rightist-nationalist support that Mrs. Luce worked so strenuously all during the summer of 1953 to get a settlement in Trieste. Italy's quarrel with Yugoslavia over this tiny free territory had offered both right and left a chance to discredit the Christian Democrats' Western-minded regime. If Italy were to get at least zone A, which included the port of Trieste, so she argued, the monarchists might be induced to rally around Pella's government.

The solution was announced on October 8, 1953, in the form of a joint American-British declaration giving zone A to Italy and zone B to Yugoslavia. It came after Mrs. Luce had wrangled with the British for months and gone over the State Department's head by sending her husband to the White House 3 days earlier. (The Secretary of State, more interested in Tito's military strength than Italy's political weakness, had said only a month earlier that he was openminded about alternatives to the Big Three's 1948 pledge to give Italy all of Trieste. As Mrs. Luce was to observe after several similar experiences, "Every time I open my mouth, Dulles puts his foot in it.")

The plan might have worked if Marshal Tito had not been left in the dark about it—because of American impatience to make the announcement, according to the British; because of a deliberate British oversight, according to our Ambassador. As it was, Tito moved his troops up to the zone A border and threatened war; Italy replied with angry demonstrations in nearly all its major cities; in Trieste itself, rioting left six dead. It was not until a year later, after Pella had fallen and Mr. Dulles had sent Robert D. Murphy as a special emissary to Rome and Belgrade, that a solution much like the original one was accepted by both sides.

Opinions differ as to how much credit Mrs. Luce deserves for this settlement. There are those, among them the authoritative Corriere della Sera of Milan, who give her most of the credit for the belated agreement. "No one will ever know," said the Corriere when the Italian flag went up over Trieste, "how much Italy owes to this fragile blonde creature." Others, including members of her staff, say that the settlement had been maturing for some years and that the October 8 declaration delayed it, if anything.

Whoever is right, Trieste did not bring the results she had hoped for. In fact, the end of the Trieste crisis deflated the nationalist boom, and from then on the rightists started losing ground. Even before the settlement came, Pella, who was thriving on that boom, had gone so far to the right that all of Italy's democratic forces compelled him to resign. For two things are clear about Italian postwar politics: First, the trend is to the left although not necessarily to the Communist left; second, all attempts to consolidate the right have failed. Unfortunately, the U.S. Ambassador could never quite manage to recognize the leftward trend of Italian politics and come to terms with it.

DIPLOMACY BY PRESS LEAKAGES

It had been a bumpy 8 months for the Ambassador when she came home for her first Christmas holiday, and the stories in the American press soon after she arrived led her into even greater trouble. On January 7, 1954, the New York Herald Tribune reported that the Italian Christian Democrats had actually won the bonus seats in the June elections, as revealed by a recount of most of the million voided ballots. It claimed the Rome politicians would publicly deny the facts, went on to question the constitutionality of all Italian Cabinets since that election, and declared that "Italy is now undergoing a dangerous political crisis which need never have happened." The same story, more or less embroidered with the notion that the Communists would take over in 2 or 3 years, was carried by nearly every major American newspaper, several syndicated columns, Newsweek and Time over the next few weeks, with particular emphasis on the recount (though no recount has been completed, or officially reported.)

There could be no question about the source. Mrs. Luce herself told a press conference in New York that the "democratic and republican forces" in Italy could still stop the Communist Party "when and if they want to," thereby attributing to Italian statesmen like De Gasperi a lack both of vision and of will.

(Almost 3 months later, Mrs. Luce was accused of having inspired all these stories by the progovernment Italian weekly L'Europeo, which published a purported account of her off-the-record talk with Washington correspondents at the Hotel Mayflower on January 5. She denied the account.)

It is hard to see what Mrs. Luce expected to gain from her alarmist campaign. La Stampa described it as a "shock tactic * * * needed by the U.S. Republicans for the forthcoming election" of 1954, and it may have served that purpose. In Italy, however, it caused bedlam. Assuming it were true, for instance, that the Christian Democrats had really won the majority necessary for the bonus seats—a claim never proved—what would they have gotten by holding a complete recount and claiming victory? Probably a civil war, since nothing less would be likely to unseat some 63 leftist Deputies in Parliament at that late date. Assuming also that the Communists were on the verge of power and the center parties were too flabby to hold them back, who would have been likely to gain by the Ambassador's revelations? Only the Communists. Certainly not the Christian Democrats, who, even as Mrs. Luce was talking at the Mayflower, were trying desperately to find a way out of the crisis brought about by Pella's fall.

Pella's resignation caused Mrs. Luce to cut her holiday short by 10 days and return to Rome. Shortly afterward, she invited leaders of the Republican, Social Democratic, Liberal, and Monarchist Parties to Villa Taverna for separate talks on the crisis. She had evidently hoped to line up these parties behind the new Christian Democratic candidate of the Premiership, Interior Minister Amintore Fanfani. The effort not only failed but exposed her to unprecedented attack,

since consultations of this kind are the prerogative of the Italian Chief of State. The Communist leader, Palmiro Togliatti, described Mrs. Luce suavely in Parliament as an "old lady who brings bad luck to everything she touches."

While all this was going on, the New York Times broke the story that the United States had authorized its Ambassador to Italy to cancel all offshore procurement contracts with plants where Communist workers were in the majority, which was the case in most big Italian factories at the time. The announcement caused a furor. A spokesman for CISL, the predominantly Catholic labor federation, described the policy as "brutal blackmail"; the secretary of the other anti-Communist federation, UIL, added. "The point is not to punish workers by denying them work but to encourage them by providing it."

By the time Mario Scelba was confirmed as Prime Minister at the beginning of March 1954, Italo-American relations were scraping bottom. Mrs. Luce had no confidence in the center coalition that Scelba had pulled together again, and Italian politicians were criticizing her so openly that the State Department was reported by one press association as wondering "whether it is in the United States interest to have an Ambassador who is the object of so much public debate."

SCELBA WILL DO

The Scelba experiment, however, opened a better year for Mrs. Luce. With only the most lukewarm support from his own party, Scelba needed a friend badly, and the anti-Communist program he announced the month he became Premier met most of the objections Mrs. Luce had been raising all winter. His cabinet, he said, would crack down on the Communists in the civil service, throw them out of the Government-owned buildings and printing plants, prosecute them for slandering the Government, and curb the Communist-owned or controlled export firms that were trading with Red China. Since the Communists were too solidly embedded in Italy to be dug out so easily, only the easiest parts of this program were ever carried out. But as a token of intentions, the effort was appreciated in our Embassy. Slowly Scelba was gaining favor.

There were other onslaughts against the Communists during that year, which, to say the least, did not displease the Embassy. Prominent among them was a movement called Pace e Libertà (peace and liberty), led by Edgardo Sogno, a Foreign Office official who had been a hero of the resistance. The movement's purpose, as Sogno told the readers of his magazine, was to rally Italians around a national anti-Communist front, and it pursued this aim by publishing a string of shocking revelations about top Communist leaders, offering documentary evidence that many of them were once informers for Mussolini, that party bureaucrats rode to work in expensive custom-built cars, and that Togliatti, among others, kept a concubine draped in costly furs and jewels. The movement, which for a while was quite lively, has now petered out. As Ignazio Silone said: "The question isn't whether party leaders are scoundrels, but whether they are capable and effective scoundrels."

This question reveals why the Communist Party started to show the first signs of an erosion that is still going on. Mrs. Luce feels, and some people agree with her, that the psychological atmosphere created by Scelba, Sogno, and the American Embassy in 1954 was a major factor leading to the Communists' loss of Fiat in March 1955 and most big northern factories thereafter. While all three may have played some part, none of them could even remotely be compared to the part played by the Communists' own leaders, who had pressed too many workers too long to go out on too many protest strikes in obedience to Cominform diktats.

This is not to say that the offshore procurement policy, one of the Ambassador's most publicized endeavors at home, was insignificant. While anti-Communist union leaders have disowned the policy and still don't like it, they admit privately now that by canceling $25 million worth of contracts in two Communist-dominated plants the United States persuaded thousands of Italian workers to vote against the Communist-controlled CGIL (General Confederation of Italian Labor) in order to keep their jobs. Nobody will know until the next elections whether or not the political opinions of these workers have changed.

The ratification early in 1955 of the Paris pacts that replaced the ill-fated EDC was a genuine victory for Mrs. Luce, though it is hardly imaginable that Italy could have held out alone. But the really major achievement of the American Embassy was to have kept Mario Scelba in office 15 months. (One of the more painful things Mrs. Luce has suffered is the ingratitude of the politicians whom sooner or later she has come to befriend. If the Ambassador had not gone far beyond the call of duty to prop him up, Scelba would have fallen months before he did; yet he says now that "after all, a male Ambassador would have been better.")

Scelba's trip to Washington surely contributed to prolong his tenure in office. The invitation was extracted from a State Department made reluctant by its awareness that Scelba's cabinet was begining to spring leaks at every seam. But there was not even a hint of the irrepressible crisis in the American press when the Ambassador started home after Christmas. There has been "a remarkable improvement in the Italian picture" she told reporters. "Now there is a stable government * * * Italy has clarified its whole situation." Three months later, on the eve of Scelba's departure for the United States, he was to be humiliated by the proposal of a parliamentary injunction to limit his actions in the United States, forcing a ninth vote of confidence.

THE OIL LURE

The problem of Italian oil had become a stormy political issue by that time. Promising deposits had been found, first in Sicily, then in the Abruzzi, and an antiquated Fascist law still on the books was keeping most of the oil underground. The draft of a new law, written several years earlier by lawyers of American oil concerns in collaboration with the then Minister of Industry, Malvestiti, which offered considerable advantages to foreign companies, had been bottled up in parliamentary committee; and the group opposing it, led by the head of the state natural-gas monopoly, Enrico Mattei, was becoming stronger with every new sign that the deposits were very substantial indeed.

The American oil companies quarrel with Mattei had taken an ugly turn that summer when Fortune magazine, followed later by Time, pointed a finger at him as the biggest single obstacle to large-scale American investment in Italy. Apart from the merits of the case—and there were many on both sides—the fact that the publisher of Fortune and Time was also the U.S. Ambassador's consort led many Italians to consider this as semiofficial American pressure. They were already suspicious because of persistent rumors leaking from Government headquarters to the effect that the State Department was holding out on any further financial aid to Italy "until this oil business is settled."

Then Mrs. Luce herself entered the picture. Her first statement in the New York Times in January 1955 did not attract much notice. She repeated it in essence a few weeks later, however, in an interview given to Il Globo, the financial daily owned by Confindustria (the Confederation of Italian Manufacturers). Pointing out that "capital comes where the profit is greatest," and that "political security is associated with economic convenience," she went on to say: "Much depends on the oil policy of the Italian Government. It is known that oil investments are a good index of the security and profitable nature of the market. Many private companies can be led to invest their capital here if they see the oil companies doing it."

Her interview brought the long-smoldering dispute to an uproarious blaze. Shortly thereafter the Socialist Party introduced a motion in Parliament requiring Scelba's pledge that he would not discuss oil on his American visit. The motion did not pass. But the Christian Democrats forced the Premier to give Parliament a moral commitment along the same lines. What Scelba talked about in Washington is still, and probably will remain forever, a deep secret, but certainly he kept mum about oil.

As everybody in Italy knew, Scelba had gone to Washington mostly for the ride. He brought back the promise of 10 tons of heavy water for atomic experiment, a routine agreement ending double taxation of American businesses in Italy and vice versa, five honorary degrees, and a model of the Empire State Building in silver. But that was not enough to bring him past the last deadline his party had set; the election of a new chief of state.

THE GRONCHI ENIGMA

The election of Giovanni Gronchi as President of the Republic at the end of last April was the final blow for Scelba, and Mrs. Luce's most bitter personal defeat. As a left-wing Christian Democrat and an uncompromising enemy of Scelba and Fanfani, Gronchi was opposed vigorously by both, and it was partly but not exclusively because these two men opposed him that more than a hundred disaffected Christian Democratic Members of Parliament joined in a weird coalition with the Right and extreme Left to elect him.

Mrs. Luce, who had met Gronchi only once, considered him a pro-Communist who would steer Italy toward a neutralist foreign policy and bring the fellow-traveling Nenni Socialists into the Government. Only from his behavior in office will we ever learn whether, or to what extent, Mrs. Luce's judgment was correct. But certainly her behavior during the presidential contest can scarcely be called correct or wise. The American correspondents who were summoned to lunch at Villa Taverna the day before the fourth and final ballot came away thoroughly persuaded that Gronchi's election would mean disaster.

The same conviction was expressed by Lodovico Benvenuti, then Under Secretary for Foreign Affairs, on whom the Ambassador had evidently borne down with all the influence of the Government she represented. Before the fourth ballot, Benvenuti told a packed and riotous Christian Democratic caucus that Gronchi's election "would end a 10-year friendship with the United States and force the State Department to review Italy's role in the whole network of European defense." An angry roar answered him and on the fourth ballot Gronchi was elected. A prominent Cabinet minister called Gronchi's election "the American Embassy's masterpiece."

The Ambassador was in the diplomatic gallery when the vote on the final ballot was being counted. As it became apparent that Gronchi had won, but before the result was announced, she walked out.

It was 3 weeks before Mrs. Luce paid her first courtesy call on the new President—the British Ambassador had made his the day after the election. In the meantime, the American press showed how deeply her apprehension had affected U.S. reports from Italy. On May 17, the New York Times in a dispatch from Rome said: "Recent political

developments in Italy have convinced U.S. military authorities of the need for a review of Italy's position regarding the West, particularly NATO. * * * The dispatch added: "Doubts about Italy's present attitude have been created by the election of Giovanni Gronchi * * * and by events since. President Gronchi has always inclined toward neutralism and never shown any enthusiasm for the Atlantic Alliance. * * * In his inaugural speech he made no secret of his belief that room should be made in the Government for fellow-traveling leftwing Socialists if not for the Communists themselves." There were not quotes to back up this statement.

On the same day and in the same paper, however, a dispatch from Washington said: "Officials of the State Department * * * saw no particular need for a review of U.S. policy toward Italy"; and the same dispatch quoted a Pentagon spokesman as saying "he had heard nothing suggesting [such] a review."

Several more weeks were to pass before the Times' and other papers' Rome correspondents came around to a more temperate view, and it was 6 months before the State Department in a move toward reconciliation invited the new President to visit America.

Things have changed in Italy since the events of last May. Scelba's successor as Premier, Antonio Segni, is as pro-Western as the Premiers before him. But his relations with the American Embassy are cool, and his Cabinet has come to rely more on leftist support than any in the last 8 years. His two major accomplishments since being sworn in—the establishment of a constitutional court and the reform of the tax system—would have been impossible without Communist and Socialist votes. Embassy officials do not blame Gronchi for this situation, or Segni himself, who is the most moderate of Christian Democratic leftwingers. The responsibility lies mostly with the secretariat of the Christian Democratic Party, which has not yet succeeded in providing the party machine it is supposed to run with adequate discipline, purposefulness, and money.

There is a strange limpness in Italian politics today which affects both the Christian Democrats and the Communists, while the minor parties, right or left of center, are getting increasingly feeble. Among the political leaders the only one whose stock keeps rising is Pietro Nenni, who registers the uninterrupted leftward drift of the nation.

WRONG BETS

This, by and large, is the record of what has happened in Italy in the 3 years since Mrs. Luce arrived to carry out the dynamic policies of the Republican administration.

Of course nothing could be more absurd than to hold Mrs. Luce responsible for everything that has gone wrong with Italian democracy during the last 3 years. She could not have foreseen the weakening of Alcide de Gasperi's hold on his party after the 1953 election, not to speak of his death a year later. Even so, it would have been the better part of wisdom to consider that De Gasperi's matchless skill in keeping an ever-changing, precarious balance within his party as well as within the democratic coalition could some day run into a very serious snag, and that—after all—he was not immortal. And how can Mrs. Luce be blamed for having failed to foresee that the vaunted relaxation of international tension would ultimately, under Communist management, result in a relaxation of tension between the Communist and anti-Communist forces in the internal politics of the major European democracies?

But it is not unfair to hold Mrs. Luce responsible for having stubbornly held her rightward course, and for having guessed wrong too many times. For a politician, that is the capital sin. A politician she was before going to Italy, and a politician she will most probably be again when she comes home. A politician she was in all her persistent concern with Italian domestic affairs. There is nothing reprehensible about this concern: In our day and age a U.S. ambassador must play a sustained yet discreet role in the domestic policies of an allied country. What is reprehensible is to have backed those among the democratic politicians who because of their rightist inclinations were bound to lose ground. Either luck or skill failed Mrs. Luce.

To her credit, she never spared herself, never was slack in her job, never shunned taking chances and assuming responsibilities. She drove herself and her Embassy at a merciless pace, with an energy that few could rival, let alone surpass.

Most of her mistakes came from overdoing, from showing her hand and playing it too heavily in many cases where she might have succeeded had she been firm and discreet. Frequently she chose to be shrill and hard, while she could easily have achieved her goal just by quietly turning on a little bit of that charm with which she is so eminently endowed.

For instance, like many other people, American or non-American, she may have had good reason to dislike "The Blackboard Jungle," and to eliminate that controversial movie from the Venice Film Festival. But this was no excuse for her being so carried away by anger as to tell Ottavio Croze, the director of the festival, that if there was juvenile delinquency in America, it could be blamed largely on narcotics that came from Italy.

On other occasions, she preferred to exhibit a sort of girlish pettiness rather than face with quiet forbearance situations not to her liking. So, for instance, when Eleanor Roosevelt spent 4 days in Rome last spring, the U.S. Ambassador invited about 40 guests to meet her at an elaborate luncheon. All but a few were from the Embassy. Not a single Italian of the many eager to pay their respects to that truly great American woman was invited or, for that matter, offered a chance to meet her.

According to the people present, however, the luncheon turned out to be a triumph for Mrs. Roosevelt. The guests, particularly the younger ones, were so taken with her, so anxious to hear her talk, that the Ambassador had no choice but to let the party go on and on, while looking nervously at her watch.

MR. AND MRS.

Her fretful impatience and poor judgment contributed heavily to the failure of Mrs. Luce's mission to Rome. Perhaps part of the responsibility should go to Mr. Luce, who has spent half his time in Rome, working strenuously to make his wife's mission a success. His circle of friends was made up of the most typical representatives of Italian big business, men who can scarcely voice Italian feelings and needs. As things turned out, it was not advantageous to have two ambassadors for the price of one. Both Mrs. and Mr. Luce found it difficult, if not altogether impossible, to realize—hardened by success as they are—that the fight against communism just cannot be conducted on the Seven Hills the way it is conducted from Rockefeller Center.

In fact, on more than one occasion Mr. Luce did not conceal his dismay at what seemed to him the Vatican's softness toward Italian and international communism. His wife has been more reserved, and has managed to avoid too close contacts with the Catholic hierarchy, as she promised to do before going to Italy. She has been Ambassador to the Italian Republic, not to the Vatican.

At least once her fretfulness got on the nerves of the highest Vatican officials. This was last summer, when that saintly and rather erratic man, Mayor Giorgio La Pira, of Florence, attended the World Mayors' Conference, in Rome. Photographs of Elia Cardinal Dalla Costa, Archbishop of Florence, bowing over the hand of Moscow's mayor, greatly incensed the U.S. Ambassador. She let it be known at the Vatican's Secretariat of State that the Vatican's failure to curb La Pira, whom she held responsible, made the U.S. Ambassador wonder whether the church could still be considered an effective bulwark against communism; perhaps the United States was the only bulwark left. The Papal Secretariat of State did not find this outburst to its liking. The Vatican has lost none of its centuries-old skill in handling its saints, and it knows how to wait for the fall of great empires, be they secular or journalistic.

"THE SNAKE PIT"

Perhaps Mrs. Luce's mission to Rome would have achieved different results if this extraordinary woman whose public relations are usually matchless were equally adept at human relations. She certainly could have made better use of her staff if she had not so overawed the Foreign Service people under her command as to lead too many of them into thinking that the thing to do was to tell her what she wanted to hear. (Her Embassy became known as "the snake pit.")

She might have been spared many costly errors if she had had the patience to listen—particularly to those Italians who are friends of the United States rather than panderers to it. But somehow she has failed to surround herself with a large and representative Italian constituency. She certainly has met many kinds of Italians, but, at least at present, her most familiar milieu is a small coterie of professional wits and punsters. She got bored with the old aristocracy and disillusioned by the many Italian politicians panting after subsidies for their hard-pressed factions or parties. The heavily earnest and moralistic men who are striving to keep some integrity in the maze of Italian politics may occasionally offer pearls of wisdom, but in general they are not fun to be with.

The punsters who have become habitués of the Villa Taverna are fun. They write in a magazine, Il Borghese, that never mentions democracy without a chuckle or a sneer. Their wit, well appreciated not so long ago at the courts of Mussolini and Ciano, has lost none of its sharpness in the change of political régime, and it is not likely to be dulled by moralism ever.

After all, not so long ago Ambassador Luce was a playwright and an editor of Vanity Fair. Political success has not spoiled her wit, just as the passing of time has not altered her looks. She is as sprightly as ever, with a kind of inexhaustible vitality, constantly wound up. There is a sort of a strident, metallic quality about her, revealed in the high pitch of her voice.

Perhaps she has failed in Italy precisely because of her strong points—brightness and shrewdness and dash. The fact is that all these flowers, some bright and innocent, some sweetly poisonous, and all of them beautiful, have been growing on Italian soil for centuries and centuries. In Italy they are a drug on the market.

[From the Reporter magazine, Apr. 2, 1959]

INSTEAD OF ORCHIDS

The nomination of Clare Boothe Luce as Ambassador to Brazil has been hailed by the press as singularly felicitous, and even newspapers occasionally critical of the administration, like the Washington Post, have joined the chorus. For, it is said Mrs. Luce was an extraordinarily successful Ambassador to Italy—a view contested only by those who know the facts.

The facts, unfortunately, are sad. Mrs. Luce, from the moment she arrived in Rome, tackled her job with relentless energy. She was ever-present, even when the presence of the American Ambassador implied some physical danger. She plunged into Italian politics, and made unmistakably clear which politicians she liked and which she didn't. She overacted, overtalked, and oversmiled. She never spared herself in playing her role but missed all the cues.

This was a great pity, for her intentions were of the best. Her two predecessors, James Dunn and Elsworth Bunker, had brought to bear the overwhelming political influence and economic assistance of the United States with consummate skill. They had the actual power of proconsuls but they behaved like Ambassadors. Mrs. Luce, at a time when Italy was fast recovering, chose to behave like a proconsul. The result was that whenever she decided to go all out against a certain politican, that politician was made. Unfortunately, this is the way some politicians were made who are still most powerful in Italy and most inclined to stray from the path of the Atlantic Alliance. We have in mind, of course, men like Enrico Mattei and President Gronchi.

Toward the end of her mission Ambassador Luce was thoroughly worn out. "Worst of all, for a diplomat," as Time reported, "she had become irritable." The cause, Time said, was arsenic fallout. Then the curtain fell on what Broadway calls a turkey.

Now this remarkable woman is being sent to another faction-ridden Latin country. If her Italian record is any guide, she will soon be in Brazilian politics up to the hilt. Next year a president is to be elected and passions already are high in the country of the Western Hemisphere that is second only to us in population and vigor.

In the last issue of the Reporter we published Adolf Berle's review of "New World in the Tropics," by Gilberto Freyre, one of the most eminent sociologists of our times and a true friend of the United States. Freyre is alarmed at the mounting Yankeephobia in Brazil. "It is time now for the United States to have an exceptionally able Ambassador in Rio de Janeiro," he writes.

If the administration is still insistent on paying tribute to Mrs. Henry Luce with ambassadorships rather than with orchids, we don't see why she should not be sent to less critical countries. Given her Roman record, Ambassador Luce might well go to a capital where America's influence is not a major controversial issue, where the political order has been established for centuries, and where American newsmagazines are not taken too seriously.

We would suggest a monarchy for Mrs. Luce, whose court she would greatly adorn. It could be Britain, first and best of all, or, if President Eisenhower doesn't want to go that far, Luxembourg.

Mr. FULBRIGHT. I might add, Mr. President, that the Committee on Foreign Relations has received a considerable volume of correspondence protesting the Luce nomination, some of it on the grounds of her service in Italy. I shall not place this correspondence in the RECORD, because it comes from private individuals, and I do not want to embarrass any of them in any way.

I am not now commenting on the merits of the criticisms which have been directed against Mrs. Luce's service in Rome. I am merely emphasizing the fact that evaluations of her service there were not all paeans of praise, contrary to the statement of the Senator from Arizona.

One of the statements about which the Senator from Oregon and I questioned Mrs. Luce was to the effect that President Franklin Roosevelt had "lied us into war." It happens that Franklin Roosevelt is an extremely popular—even a revered—figure in Latin America. It also happens that among the many allies we had in World War II was Brazil, and Brazil was more than an ally in name. Brazil not only made available important bases bordering on the strategic South Atlantic and the air route to Africa; she also sent a division of troops to Italy to help in that difficult and important campaign. Brazilians, as well as Americans, died in World War II. If the United States was lied into war, then Brazil was lied into war, as well. I expect that many Brazilians, as well as many Americans, will resent that charge. All of this is relevant to Mrs. Luce's qualifications to be Ambassador to Brazil.

In conclusion, Mr. President, I do not consider that either the committee or I went beyond proper bounds in our questioning of Mrs. Luce. I do consider that the Senator from Arizona went beyond proper bounds in his criticism. Rule XIX provides that "no Senator in debate shall, directly or indirectly, by any form of words impute to another Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator."

The Senator from Arizona said the Senator from Oregon and I used the same tactics as the late Senator McCarthy, who was censured by the Senate for conduct unbecoming a Senator. This is the same thing as saying that the Senator from Oregon and I have used tactics unbecoming Senators.

I repeat, I resent this, and I hope that in the future the Senator from Arizona will address his remarks to the merits of issues rather than to the motives of Senators.

STEP-BY-STEP APPROACH TO A CONTROL BAN ON TESTING OF NUCLEAR WEAPONS

Mr. CHURCH. Mr. President, I ask unanimous consent that I may be allowed to proceed for 8 minutes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Idaho? The Chair hears none, and it is so ordered.

Mr. CHURCH. Mr. President, earlier this week, on Monday, the United States, with the support of the United Kingdom, announced a most significant change in our policy concerning the negotiations at Geneva to end nuclear weapons testing. Following an Easter recess, Ambassador James J. Wadsworth, our delegation leader, offered the Soviet Union a step-by-step approach to a control ban on all testing of nuclear weapons.

The first step calls for an internationally controlled suspension of tests in the atmosphere and underwater. It would leave for later the inclusion of underground and high altitude explosions.

Ambassador Wadsworth made it clear to the Soviet Union that the United States preferred an immediate agreement suspending all tests under trustworthy international controls. The step-by-step approach was suggested only because of the adamant Soviet objections to the kind of controls, including on-site inspection, which are reasonably required adequately to detect underground explosions.

In making this proposal, Mr. President, the United States and the United Kingdom have taken the initiative in an effort to break the stalemate at Geneva. The new offer, if accepted, would furnish a start toward a total ban by the agreement to end tests in the atmosphere and underwater. These are the tests causing the fallout which is corrupting the air. A ban upon them can be readily policed under a relatively simple international control and detection system which cannot possibly do any internal mischief within any of the countries concerned. Once established, such a control system would afford the present nuclear powers a functioning apparatus within which to harness the on-coming countries that are fast developing atomic capacities of their own. Moreover, the successful operation of such a control system might easily pave the way for its expansion to embrace a broader test ban encompassing all types of nuclear tests in space and underground.

Mr. President, I congratulate the administration and the State Department for making this proposal. I am gratified that it conforms in almost every detail with the suggestion I made to the State Department last February when I sent to the Acting Secretary of State, Christian A. Herter, a letter on this subject.

I told the Secretary that I hoped the United States would make one final effort to salvage something, for humanity's sake, from the long labors which brought us to the conference tables at Geneva. I said:

As a last resort, in order that the conference might not break up accomplishing nothing, I would strongly urge that the United States make this final proposal: an agreement to suspend all further nuclear tests in the earth's atmosphere, enforced through an international control system sufficient to detect any violations. Such a proposal would exclude, for the present, any agreement involving suspension or control of subterranean or extra-atmospheric nuclear explosions, neither of which contribute to the pollution of the air, the principal cause of so much world concern.

I ask unanimous consent that the full text of my letter be included in the RECORD at this point, along with the Acting Secretary's response of March 4, in which he advises me that the suggestion I have made is under study.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

FEBRUARY 25, 1959.

Hon. CHRISTIAN HERTER,
Acting Secretary of State,
Washington, D.C.

DEAR MR. SECRETARY: The fateful negotiations now in progress in Geneva are being watched by an anxious world. The United States is once again demonstrating its good faith. We properly seek the suspension of all types of nuclear tests under a trustworthy international system of inspection and control.

I address this letter to you out of grave concern that Russia's continued intransigence may soon stalemate the negotiations at Geneva, causing our best efforts there to come to nought.

It is my understanding that the current difficulty at Geneva centers upon the following aspects of the Russian position:

(1) The Soviet demand for reserving a veto power over the operations of the proposed international control commission.

(2) The Soviet insistence that control posts be self-operated, that is, managed by nationals of the governments within whose territories the posts are located.

(3) The Soviet advocacy of procedure that would easily frustrate prompt action by the commission in dispatching inspection teams to make necessary on-the-spot investigations of subterranean disturbances suspected of being nuclear in nature, or of preventing these essential at-site investigations from occurring at all.

Obviously, unless the Russian attitude toward these matters changes, no reliable inspection and control system, capable of policing the suspension of all types of nuclear tests, is possible. Thus the Geneva negotiations are threatened with impending failure, one that might well foreclose our last hope for progress in this critical field.

If the conference fails in its objective to establish a workable international control system that could end all further nuclear tests, the responsibility for that failure will be clearly Russian. But if such an eventuality cannot be avoided, I would hope that the United States might make one final effort to salvage something, for humanity's sake, from the long labors that have brought us to this conference table.

As a last resort, in order that the conference might not break up accomplishing nothing, I would strongly urge that the United States make this final proposal: an agreement to suspend all further nuclear tests in the earth's atmosphere, enforced through an international control system sufficient to detect any violations. Such a proposal would exclude, for the present, any agreement involving suspension or control of subterranean or extra-atmospheric nuclear explosions, neither of which contribute to the pollution of the air, the principal cause of so much world concern.

I would anticipate that certain questions will be raised as to this proposal. Within the context in which I make it, I believe them to be answerable.

For example, it may be urged that, technically speaking, no international control system is required for the detection of atmospheric nuclear explosions. American, English, and Soviet technicians, all functioning at home, may now be able to detect the fact of nuclear explosion anywhere in the atmosphere, and determine much concerning it. Nevertheless, the commencement of an international control system to accomplish this objective is the sine qua non of man's progress toward any feasible disarmament. Broadened nuclear testing controls, to be sought in the future, and eventual inspection for prevention of surprise attack, are but milestones on the road to this goal. It is altogether probable that advancement here will come, if at all, only a step at a time. My proposal would be the first step, and the Geneva Conference may yet constitute the best opportunity left to take it. An international control system which functions, however limited its initial scope might be, is the urgent need.

Another objection to be anticipated is that this proposal is a futile one, in that the Russian behavior at Geneva makes it apparent that the Soviet Union does not really intend to agree to anything acceptable to the United States and Great Britain. It may be urged that the same considerations which have prevented agreement within the framework of existing negotiations would apply equally to my proposal.

This may prove to be the case, but not necessarily so. Soviet spokesmen, from Khrushchev down, have repeatedly expressed their fears and suspicions concerning the movement of foreign inspection personnel within Russia. Under the control system I propose, the necessity for this movement should be largely, if not entirely, eliminated. Fewer control stations would be required, and fewer foreign nationals would need to be stationed in the countries involved. In any event, it would seem that we ought not anticipate failure as a reason for abandonment of new proposals, even before making them.

Finally, it may be urged that the Russians might seize upon such a proposal as evidence to bolster the charge that the United States did not really support an ending of all nuclear tests, and so, somehow, to absolve Russia from their blame for failure to reach agreement. The answer to this, I think, is that the Russians, in any case, will contrive to blame the United States for a breakup of the conference. Whatever occurs, their indictment of us will be artfully drawn and made to sound plausible. In some quarters, they will be believed, regardless of what the truth may be, or what we may say about it. But this prospect should not be permitted to govern our decisions as to the course we must take.

In making these decisions, Mr. Secretary, I am sure you would be the first to agree that we are accountable, in the last analysis, to the trust we hold. It will be upon our conscience always, if we do less than the utmost in our quest to salvage something of value from the conference table at Geneva.

Sincerely,

FRANK CHURCH,
U.S. Senator.

DEPARTMENT OF STATE,
Washington, March 4, 1959.

The Honorable FRANK CHURCH,
U. S. Senate.

DEAR SENATOR CHURCH: Thank you for your thoughtful letter of February 25, 1959, about the Geneva nuclear test negotiations. The support you express for the U.S. position in Geneva is gratifying. We continue to feel, as you do, that we must press the Soviet Union on the control issues you outlined so that we may if at all possible achieve a suspension of all types of nuclear tests under a trustworthy system of international control and inspection.

The Department of State has been giving active consideration to what might be done should it prove, despite all of our efforts, that the Soviet Union will not accept the controls necessary to monitor a complete suspension of nuclear tests. The suggestion you have made, among others, is under study. you will appreciate that many technical factors must be assessed before a final decision can be reached.

In view of your interest in this problem I have asked Mr. Philip J. Farley and members of the Department's disarmament staff to keep you advised of the progress of our consideration of the matter you have raised.

With warmest regards,

Most sincerely,

CHRISTIAN A. HERTER,
Acting Secretary.

Mr. CHURCH. Mr. President, in order to make public the proposal and for the purposes of completing the chronology of events, I also ask unanimous consent that the full text of the address I made to the Senate on March 2, be printed in the RECORD at this point in my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE GENEVA CONFERENCE: A PROPOSAL FOR THE 11TH HOUR

PART I. THE PSYCHOSIS OF CRISIS

Mr. President, the 2 years I have served in the Senate are but a brief interlude in the life of a nation. Yet these years seem a very long time, perhaps because they have been burdened with unrelenting crisis. I came here in the wake of the Suez crisis. It was only being laid to rest, when revolt in Budapest turned our minds to Hungary. We were still tormented by the anguish there when sudden eruption in Iraq spurred us to dispatch our troops to Lebanon, and to switch our attention once again to another crisis in the Middle East. Then, hard upon this anxiety, we were suddenly confronted with a grave new crisis in the Orient, as the Chinese Communists commenced to cannon the offshore islands of Quemoy and Matsu, and the issue of war or peace hung in breathless balance over the Formosan Strait.

This afternoon, Mr. President, we are fixed upon the latest crisis to be provoked by the Communists, one that seems now to involve the fate of Berlin. We stare in cold fascination at the swinging pendulum of the clock that ticks off the hours, moving us ever closer to the 27th day of May, the deadline of the Soviet ultimatum.

Will there be war? we ask. Is this not the same question we asked ourselves, again and again, at Suez, at Lebanon, and at the Straits of Formosa?

Will there be war at Berlin? Only the men in the Kremlin hold the answer. Thus far they have been content with their war of nerves. The instigation of crises has been their method, as we have been catapulted from one to another, around the periphery of the free world. To be sure, 9 years ago the fighting came in Korea, but it was precipitated by Communist China, not the Soviet Union. Russia has not yet ventured a shooting war.

And there is good reason to doubt that Russia intends a shooting war over Berlin. It is much more likely, Mr. President, that somehow the Berlin crisis will abate, and a few months from now our concentration will have been shifted to a newly contrived crisis, possibly in Finland or Iran.

The mischief is that we may become, in our frantic ride from brink to brink, transfixed upon the chasms below, and unmindful of the road ahead. So, I fear, we are about to forsake the conference at Geneva, now approaching its 11th hour. We seem to view Geneva as through the wrong end of a telescope, even as we magnify Berlin. One would think that the cessation of nuclear tests, properly policed, was a matter of distant interest and little consequence to the people of the world.

It is not so.

The conference at Geneva is engaged upon what could easily be the most important work occurring anywhere in the world today or tomorrow.

PART II. GENEVA, THE REASONS FOR HOPE

Last October we went to Geneva in good faith and with stout hope. The prayers of the peaceful have attended our deliberations there, ever since. We went to Geneva to seek an end to all further nuclear tests, through an agreement among the three nuclear powers, the United States, the United Kingdom, and the Soviet Union. The treaty sought had two objectives, tied inseparably together: (1) All signatories would agree to suspend further nuclear tests, within the framework of (2) a trustworthy international system of inspection and control, to safeguard each party against any violation by another.

There were reasons, Mr. President, why we could hold stout hope for success at Geneva. In the first place, the formula for a technically sufficient inspection and control system had been given us. At an earlier conference in Geneva last summer, the scientists and technicians of all three countries had agreed upon the structure of the technical system required. Thus a single blueprint had been furnished in advance.

In the second place, there seemed to be at least one fundamental interest held in common. Americans, Englishmen, and Russians all breathe the same air. Radioactive fallout in the earth's atmosphere is poison for us all. If nuclear tests go on unchecked, the dose will gradually become more lethal. We shared a mutual interest in suspending further national tests, while the establishment of international controls afforded us, at once a method for confining nuclear explosions for peaceful purposes within safe limits, and a functioning apparatus within which to harness other countries, as they developed nuclear capacities of their own.

Finally, we had reason to hope for success at Geneva, because the suspension of nuclear tests appeared to be compatible, if action were taken now, with the national security interests of each of the negotiating powers. The agreement sought would not restrict the continued manufacture or stockpiling of atomic weapons by either side. Since the technology of nuclear weaponry, in the United States and the United Kingdom, on the one hand, and in the Soviet Union, on the other, had reached a state of relative balance, the agreement sought would not jeopardize the military position of any of the signatories, with respect to one another.

These were the compelling reasons, Mr. President, why it looked as though we had at last found common ground, making agreement possible. So we went to Geneva with our hearts full of hope.

PART III. GENEVA, THE REASONS FOR THREATENED FAILURE

Four months have passed. The Geneva Conference is deadlocked. The British Prime Minister, Mr. Macmillan, has gone to the Soviet Union, there to plead with Mr. Khrushchev to end the Russian intransigence that now threatens the conference with impending failure. Our bleak situation, as of now, is well summarized by Mr. Chalmers M. Roberts, in an excellent article that appeared in the Washington Post on Sunday, February 22, 1959. I ask unanimous consent that this article may appear in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"GENEVA TALKS HINGE ON MACMILLAN'S BID

"(By Chalmers M. Roberts)

"The Geneva nuclear test ban negotiations with the Russians are expected to collapse unless British Prime Minister Harold Macmillan can talk Nikita Khrushchev into modifying his demand for a veto.

"Philip J. Farley, special assistant to Secretary of State John Foster Dulles for disarmament and atomic energy, flew to Geneva over the weekend to see whether there was any purpose of keeping the talks going. Macmillan reached Moscow yesterday for his talks with Soviet Premier Khrushchev.

"It is not clear whether President Eisenhower personally has agreed to break off the talks unless there is a last-minute switch in the Soviet position. But those who should know indicated yesterday the United States is ready to recess the talks. For all practical purposes that would kill the test ban negotiations.

"Put onus on Soviets

"American officials have publicly put the onus for the Geneva deadlock on the Soviet Union. In turn, Khrushchev has charged that the United States and Britain want such a free-wheeling inspection and control system that it amounts to espionage inside Russia.

"The test ban talks began October 31 and have been going on ever since except for a Christmas holiday break.

"The United States and Britain have made a number of concessions to the Russians but they have insisted that inspection teams in each nation be composed almost entirely of nationals of other nations. The Russians have offered to have four or five foreign nationals at each station inside the Soviet Union. But they also have demanded what amounts to a veto over the movement of inspection teams which might want to investigate any suspicious activity which could be a clandestine test.

"On Friday the chief Soviet delegate at the Geneva meeting, now in its 14th week, charged the West with misrepresenting Russia's position. The West believes the four or five foreigners proposed by the Russians would be without real authority and could not keep adequate check on the 30 or so Soviet technicians expected to man each control post in the Soviet Union.

"Under renewed attack

"The American test ban offer recently has been under renewed attack within the Eisenhower administration by both Pentagon and Atomic Energy Commission officials. The offer was made by the President over AEC objections last summer on Dulles' advice.

"Dulles and the President took the position that, all political and military factors considered, the United States had to make the offer in part because of the worldwide fear of radioactive fallout. This view has had strong, but not unanimous, support from scientists who believe a test ban actually would be more favorable to the United States because of an American lead in many nuclear weapons developments.

"Dulles rebuffed the renewed AEC attacks prior to his illness. It is widely believed in Washington that with the Secretary out of action there is no powerful figure in the administration to advise the President to keep on negotiating at Geneva. Some officials are worried that a collapse of the talks will enable the Russians to claim, and with considerable success around the world, that the United States was responsible for the failure.

"Gore's proposal

"Senator ALBERT GORE, Democrat, of Tennessee, told Mr. Eisenhower last November that U.S. prestige and responsibility were involved and there was no way that the United States can be disassociated from either the success or failure of the conference. GORE suggested that instead of trying to negotiate a control system, the President announce the unconditional and unilateral cessation of all nuclear tests in the earth's atmosphere for a specified period, say 3 years, and ask other powers to do so. This would permit underground, underwater and outerspace testing.

"Dulles said at that time that the Gore proposal might be taken up if the Geneva negotiations failed. The Gore proposal was criticized, however, on the ground that it would lack the political effect of an inspection agreement which would help break down the Iron Curtain."

Mr. President, when our representatives gathered at Geneva, with those of the United Kingdom and the Soviet Union, they had before them the blueprint for what could readily be made a technically sufficient system for the detection of nuclear explosions.

With this formula on the table before them, their task was to fill in the technical framework with a reliable management to operate the system, so that each party could be adequately safeguarded against covert violations of the suspension agreement.

Any trustworthy system for the detection and control of nuclear tests must meet certain elementary standards. It must be operated by an international commission, that is, by an authority apart from the direction of any one participant. The commission must have the power to man and operate the requisite control stations with qualified personnel who are not subservient to the country within which they may be located, but are accountable only to the commission for which they work. And the inspection teams must have the latitude needed to accomplish their purpose—to monitor the atmosphere and report upon any evidence of nuclear activity, and to move promptly, when directed by the commission to do so, to the site of any seismic disturbance, reasonably suspected of being nuclear in origin.

These are the minimum prerequisites of any trustworthy system for the detection and control of nuclear tests. Without accepting these minimums, there is no control system, not even a shadow of one.

It is because the Soviet Union has thus far indicated an inflexible unwillingness to accept these minimums that the Geneva conference is now threatened with imminent collapse. The Russian delegation has adamantly persisted in the following three positions:

First. They demand a veto power over the operations of the proposed international control commission.

Second. They insist that the requisite control posts be self-operated, that is, dominated by nationals of the countries within which the posts are located.

Third. They call for complicated procedures that would easily frustrate prompt action by the commission in dispatching inspection teams to make necessary on-the-spot investigations of subterranean disturbances suspected of being nuclear in nature, or of preventing these essential at-site investigations from occurring at all.

Obviously, Mr. President, these conditions are as unacceptable as the proffered arguments in defense of them are untenable. One of our negotiators at Geneva, Assistant Secretary of State Philip J. Farley, succinctly outlined the reasonableness of the American position at Geneva, when he testified before the Disarmament Subcommittee of the Senate on January 28, as follows:

"The United States believes that any control system which could be frustrated in its day-to-day operations by the veto power in the hands of a single party would be worse than useless.

"The Soviet position (to man control posts by nationals of the government on whose territory the control posts are located) would amount to self-inspection and as such cannot be the basis for an agreement in which all parties can have confidence.

"Will international inspection groups be organized and ready to move quickly to the site of an event which could be suspected of being an explosion? Or will sending of such a group be subject to weeks of debate and a veto? The Soviet approach would entangle this key provision in miles of red-tape."

As to these issues, Mr. President, there can be no compromise. Suspension of all further nuclear tests, in the air, underground, underwater, and in space, must rest upon a workable system of detection and control in which responsible men, mindful of the mortal stakes, can repose confidence. Unless the Russians recede, the original purpose of the Geneva conference, that of ending all types of further nuclear weapons tests, is not now attainable.

PART IV. GENEVA, A PROPOSAL FOR THE 11TH HOUR

As it has become apparent that the Russians are likely to hold fast to their three tenets at Geneva, it has seemed to many that the conference is doomed. Predictions are that it will break up soon, accomplishing nothing. If this happens, our last best hope for progress in this critical field may well be foreclosed. We are now in the 11th hour at Geneva, a fateful moment for the human race.

Mr. President, even though I share the pessimism that the conference won't achieve its original objective, I do not believe it

necessarily follows that the conference must therefore break up, accomplishing nothing. If we cannot achieve all of our goal, it may still be possible to obtain part of it.

If Geneva is to fail in its objective of creating a broad international control system that could adequately police the suspension of all further nuclear weapons tests, the responsibility for that failure will be clearly Russian. But if such an eventuality cannot be avoided, I would earnestly hope that my country would make one final effort to salvage something of value, for humanity's sake, from the long labors that have brought us to this conference table.

As a last resort, to attempt the avoidance of a total failure, I strongly urge that the United States make this final proposal: An agreement to suspend further nuclear weapons tests in the earth's atmosphere, within the framework of a trustworthy and sufficient international control system, adequate to reliably detect and report any violation. Such a proposal would exclude, for the present, any agreement involving suspension or control of nuclear tests occurring underground, underwater, or in outer space, none of which contribute to the pollution of the air, the grave cause of so much world concern.

Mr. President, last week I discussed this proposal with Mr. William B. Macomber, Jr., Assistant Secretary of State for Congressional Relations, and Mr. Ronald Spiers, Officer in Charge of Disarmament Affairs, who is involved with the Geneva negotiations. At their suggestion, I submitted the proposal, in letter form, to our Acting Secretary of State, Christian Herter, and they were, at that time, informed of my intention to call the proposal to the attention of the Senate from the floor today. I ask unanimous consent that the letter, dated February 25, 1959, be included in the RECORD immediately following the conclusion of my address.

Mr. President, I anticipate that certain objections will at once be raised to my proposal. However, within the context in which I have offered it, I believe them to be answerable.

For example, the scientific fact may be that American, English, and Russian technicians, functioning at home, now are able to detect the fact of nuclear explosion anywhere in the atmosphere, and determine much concerning it. Nevertheless, we must remember that the commencement of an international control system is the sine qua non of man's progress toward any feasible disarmament. Broadened nuclear testing controls, which we might seek in the future, and eventual inspection for prevention of surprise attack, are but milestones on the road to this goal. It is altogether probable that advancement here will come, if at all, only a step at a time. My proposal would be a first step, and the Geneva conference may yet constitute the best opportunity left to take it. An international control system which functions, however limited its initial scope might be, is the urgent need.

Another objection to be anticipated is that this proposal is a futile one, in that the Russian behavior at Geneva makes it apparent that the Soviet Union does not really intend to agree to anything acceptable to the United States and Great Britain. It may be urged that the same considerations, which have prevented agreement within the framework of existing negotiations, would apply equally to my proposal. This may prove to be the case. Indeed, the evidence point very strongly in that direction. But we cannot know that the Russians will reject the proposal, unless and until it is offered and refused.

Throughout the negotiations to date, it is worthwhile to remember that Soviet spokesmen, from Khrushchev down, have repeatedly expressed their fears and suspicions concerning the movement of foreign inspection personnel within Russia. Their characterization of our position, as amounting to a thinly disguised attempt to gain military reconnaissance of their country, is based upon their propaganda specter of teams of technicians scurrying into every corner of their country in the guise of checking seismic disturbances, earthquakes, to see if they are nuclear in origin. This is why they say they want the veto; this is why they say they want the control stations manned with their own people; this is why they say they want our agreement to miles of red tape before inspection teams can move at all.

Under the control system I propose, the necessity for this movement should be largely, if not entirely, eliminated. Fewer control stations would be required, and fewer foreign nationals would need to be stationed in the countries involved.

If the Russians are negotiating in good faith, the lesser control system required to police a suspension of nuclear tests in the atmosphere only, would constitute a refutation of most of the objections they have voiced, since the conference began. It might even serve to allay the unreasoning fears that seem to lurk in the Soviet mind. The Russians were suspicious people long before the Communists achieved ascendency. The czars maintained their own Iron Curtain.

If the Russians are not negotiating in good faith at Geneva, as I strongly suspect may be the case, then what better way to expose their game than by offering them an international inspection and control system that can safely end the slow pollution of the atmosphere, without possibly doing them any internal mischief. By forcing the Russian hand, refusal to accept such a proposal would reveal their hypocrisy before the world.

But it may be urged, Mr. President, that the Russians might seize upon such a proposal as evidence to bolster the charge that the United States did not really support ending of all nuclear tests, but always has wanted tests to continue, thus somehow absolving Russia from blame for the failure to reach agreement. I would give little credence to this argument. As I have already indicated, it seems to me that the proposal I suggest would weaken, not strengthen, the Communist propaganda. In any case, we know that the Russians will contrive to blame the United States for a breakup of the conference. Whatever occurs, their indictment of us will be artfully drawn and made to sound plausible. In some quarters, the Communist story will be believed, regardless of what the truth may be, or what we may say about it. But this prospect should not be permitted to govern our decisions. As to these, we are, in the last analysis, accountable only to the trust we hold.

Mr. President, I have made this proposal, not in the spirit of criticism of the course we have heretofore taken in Geneva, but in support of it. It is meant to be a constructive proposal that cannot possibly jeopardize our present negotiations, but might possibly salvage something of value before they collapse, and we are forced to leave the conference table.

If there are cogent reasons rendering my proposal inadvisable, then I shall want to know what they are. The people, too, are entitled to know what they are. For we may still possess a momentous opportunity at Geneva, fast slipping from our grasp. It may not come again in our time.

Good conscience commands that we do our utmost there.

This is an anxious hour.

Mr. CHURCH. Mr. President, the statement by Ambassador Wadsworth at Geneva, as reported in the press, reflects the fact that the State Department did indeed give my proposal most careful consideration. He recites that our effort at Geneva to make a meaningful start in arms control must not fail; that at Geneva we have an unparalleled opportunity to take an important step toward reduction of international tensions, and that success would open the way for further agreement on substantial disarmament measures.

On March 2, I said on the Senate floor, that—

> It seemed to me that, in what may now be the death agonies of the conference at Geneva, there was an urgent opportunity, which was quite possibly slipping away from us, to achieve a breakthrough at the conference table which would establish an essential first step toward international controls, which must in the future constitute the basis of any progress we can possibly make toward the great goals of prevention of surprise attack and general disarmament.

Ambassador Wadsworth referred to the same three objections I had outlined in my letter to Secretary Herter, and he said that an agreement for controlled cessation of tests within the atmosphere would allow us to postpone, for the time being, some of the obstacles to agreement and still achieve early concrete results.

Mr. President, the truly important thing is that at Geneva and around the world, the impression was growing that the United States in fact did not want an agreement. Men in high station in this country in the Pentagon and the AEC have more and more openly applauded the developments which seemed to doom the conference to failure. Given our country's increasing dependence on nuclear weapons, both for deterrence and defense, they have argued that more tests are needed to refine our atmospheric warheads and to chart new discoveries in antimissilery. The action by the Department of State last Monday affirmed, at a critical time, that the United States does share the worldwide concern about the poisoning of the air; that we have not taken a frozen position at Geneva which would discourage any advance; and that we realize in order to negotiate we must be patient and diligent, seeking agreement in those fields where agreement is feasible, content to make progress in little steps.

It may well be that the Soviets will not accept a properly policed ban on atomospheric tests, but we have now put the proposal to them, and there is at least ground for hope. The fact that atmospheric explosions can be monitored, largely from fixed control stations, eliminating the need for on-site investigations, should alleviate any genuine fears which the Russians may have about roving foreign reconnaissance within their country. On the other hand, if their fears are simulated, what better way could we find to expose them than by offering, as we have, an international detection and control system that can safely end the slow pollution of the atmosphere without possibly doing them any internal mischief?

Mr. President, the day following the State Department's action, the Christian Science Monitor editorially commended this step-by-step plan, and I ask unani-

mous consent that its editorial be printed in the RECORD at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MORE DRIVE FOR A TEST BAN

A new door to negotiations for an atomic test ban has just been opened. On the resumption of the three-power meeting at Geneva the United States, supported by Britain, has put forward a step-by-step plan, starting with tests in the earth's atmosphere. The first response of the Soviet delegation was negative. But the proposal can clarify issues and focus world opinion on obstructive tactics.

The Soviet Union is not the only nation guilty of obstruction. Only a few weeks after this conference began in October, Washington released a report by experts upsetting all calculations for distinguishing underground explosions from earthquakes. At the same time information was available in Washington indicating that modification of detecting devices could offset this difficulty. This information was withheld.

Even so, Moscow has erected most of the barricades against agreement. In two respects particularly its position appears unreasonable: (1) It insists that inspection teams be controlled by nationals of the nation where they are stationed. This amounts to self-inspection. (2) It demands a veto in the international control agency. This means it could block action—as it often has in the United Nations Security Council.

Yet there are persistent reports that the Kremlin really desires a test ban. The main reason is said to be its concern lest many smaller nations obtain bombs. This would greatly multiply the danger of an accident triggering a nuclear war. It is said Moscow would like to head off such a situation, but may stall, using test-ban negotiations for propaganda or as bargaining points at the summit meeting.

But the British and American delegations appear to be freeing the Soviet hand. While preferring an all-out ban, they are willing to put aside sticky questions about detecting underground or outer-space explosions. By confining inspection problems to nuclear detonations in the atmosphere—where detection is easier—such a move could make it harder to raise technical obstacles.

The greatest popular concern about atomic tests arises from their pollution of the atmosphere with radioactive material. Such tests not only produce the main danger from fallout; they are also far more easy to detect than are explosions underground or in outer space. This has led to hope that by limiting a ban to atmospheric tests agreement could be facilitated.

Last November Senator GORE proposed that the United States offer to give up tests in the atmosphere for a specified period—say 3 years—and invite Russia and Britain to work out an agreement. Six weeks ago Senator CHURCH urged a similar plan as an "eleventh-hour" effort to save the Geneva conference, but he proposed to start with an agreement rather than a unilateral ban. This is the plan now offered by the West.

There is some hope that technical improvements in detection—especially by the use of satellites—will ease the stalemate over inspection. But many Americans will be glad to see their Government pressing for at least an end to testing that pollutes the atmosphere—the good air which belongs to all earth's peoples.

Mr. CHURCH. Mr. President, this editorial concludes by saying that many Americans will be glad to see their Government pressing for at least an end to testing which pollutes the atmosphere—the good air which belongs to all earth's peoples.

If the Russians rebuff this proposal and force us to take the grim road back from Geneva, we can now walk that road without shame, knowing that we have done our utmost to avoid it.

NOMINATION OF CLARE BOOTHE LUCE TO BE AMBASSADOR TO BRAZIL

Mr. KEATING. Mr. President, one of the fundamentals of the functioning of the democratic process is that everyone has the right to have opinions about public issues and public servants, and, above all, the right to express such opinions.

Yet the recent attacks on Mrs. Clare Boothe Luce's nomination to be Ambassador to Brazil suggest that there are those among us who would make an exception with regard to the right of opinion and free speech, that exception being anyone who might conceivably be nominated some day to be an Ambassador.

The logical conclusion of this line of thought is that the ideal American representative probably is a political and intellectual cipher.

The attack upon Mrs. Luce is based largely upon the fact that some 15 years ago she made a strongly partisan political speech. She herself has described that speech as intemperate.

Who in this body has the right to cast the first stone in that respect? Does the current uproar mean that anyone with the gumption to take a position, to have opinions strongly held and strongly expressed, is to be forever barred from the service of his or her country in a diplomatic role?

This whole assault is preposterous. No such attack was made when Mrs. Luce's nomination to be Ambassador to Italy was confirmed. At that time her political speech making was of much more recent memory. What is the reason for the attack now, based upon the speeches going back a decade and a half? The timing seems especially peculiar, in view of Mrs. Luce's excellent performance as our Ambassador to Italy. It was fortunate indeed that the United States was represented by this talented Ambassador at such a critical juncture in Italy's history, so fraught with peril not only to that great country, but to the entire world.

I only hope that, in fairness, and in the best interests of our country, this spurious issue will be quickly resolved, to the end that Mrs. Luce can get on with her job in Brazil, and we can get on with our job in the Senate.

GOVERNMENT SPENDING AND INFLATION

Mr. CURTIS. Mr. President, it is my firm belief that those in America who wish to resist inflation and a further increase in our national debt, and to resist continued high spending, are in the majority. They are aware of the terrible consequences which come to a nation whose currency, little by little, but continuously, becomes worth less and less.

Often, however, the conservative people, even though, in my opinion, they are in the majority, do not speak up. One such citizen has done so. I refer to an eminent doctor, Dr. L. D. Moell, of Beatrice, Nebr., who has written me a letter upon the subject. I ask unanimous consent to have the letter printed in the RECORD at this point as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

BEATRICE, NEBR., *April 9, 1959.*

Senator CARL T. CURTIS,
Senate Office Building,
Washington, D.C.

DEAR SENATOR CURTIS: Certainly by merely glancing at my letterhead you have guessed that this is another plea for your efforts in favor of the Keogh bill (H.R. 10). Those who expect to benefit from this bill are not merely a minority seeking an advantage, but rather it is a move by them to become equal citizens with the many who now have tax deferment plans available and we asked to do it on our own, not have Government do it for us.

As a member of the medical profession, I wish to express my disfavor with the Forand bill. There are many provisions at the present time for the care of indigent patients, not the least of which is that time devoted by the physician free of charge to those who need it. The result of the Forand bill would be terrific expense to the Government and cause chaotic congestion in our hospitals. What beneficiary of such a plan could resist the temptation to demand hospitalization for any and all illnesses, since if he were not hospitalized he would stand the cost himself.

I am most deeply concerned however, about a widespread infectious illness which has afflicted our people since 1932. If it were a physical illness the Government would move with haste to stamp it out like the plague. Instead it seems that it is in many ways cultured. The sufferer is easily recognized for his palm is outstretched toward Washington and he is blind to the fact that Uncle Sam has a hand in his hip pocket. The disease "Gimme-itis" can be cured only by a horse-capsule-sized dose of discipline, taken by voters and legislators alike so that they will come to their senses realizing that the U.S. Mint is not a "something for nothing machine," and that bankruptcy is the only end result to continued deficit spending at home, in business, or in government. At autopsy, the true pathology revealed would be a tremendously enlarged organ, "big Government," which, tumorlike, destroys the host. I hope the United States of America does not come to autopsy.

Sincerely,

L. D. MOELL, M. D.

VERRAZANO DAY

Mr. KEATING. Mr. President, April 17, 1959, has been proclaimed by Gov. Nelson A. Rockefeller as Verrazano Day in the State of New York. On this day, the citizens of the Empire State will honor the memory and remarkable achievements of Giovanni da Verrazano, the Italian discoverer and navigator, whose contributions to the early exploration of America were truly monumental.

The illustrious and daring Verrazano was born about 1485 near Florence, Italy. Thus he lived during the rise of European civilization in that fresh and reborn age of vital energy we call the Renaissance. In the 15th Century, the Italians were perhaps the most advanced of all European peoples. With pride in

their nation as being descended from the populus Romanus, Italians found the food necessary to nourish the new creative spirit.

In today's world, as we face new horizons and are confronted with Gargantuan challenges, the extraordinary exploits of this Renaissance Italian appeal strongly to the minds of Americans.

The greatness of Verrazano has been largely overlooked by many people. In this connection, I want to pay special tribute to the Italian Historical Society of America and other groups which have done so much to accord proper recognition to this illustrious Florentine.

It is true little is known of Verrazano's early life. He entered the French maritime service while still in his twenties and served as a corsair in expeditions against Spanish shipping. About the beginning of the 16th Century, he made some trade voyages to the Orient.

In 1522 he captured two ships which Cortes had dispatched, loaded with spoils, from Mexico to Spain. Francis I, the King of France, was so impressed by this valorous accomplishment and the captive treasure from the New World that he placed Verrazano in command of an expedition to America. Ostensibly, Verrazano's mission was to seek a northwest passage to the Orient, but actually, his purpose was to extend the French Empire to the New World.

In 1524 this brave Italian set sail, eventually landing on or near the shore of what is now North Carolina. He then sailed northward along the Atlantic Coast. On this cruise he discovered, on April 17, New York Harbor and Manhattan Island, before sailing to Narragansett Bay and the coasts of Massachusetts and Maine. He then sailed farther north and reached Nova Scotia and Newfoundland. Verrazano's account of his discoveries to the King of France is the first recorded description of the northeast coast of America.

Together with Columbus and Americus Vespucius, Verrazano was thus one of the earliest Italian contributors to American civilization. As everyone knows, there have been many millions more. People of Italian descent have played a continuous and prominent role in the development of our country.

In the 16th and 17th centuries, Italians explored and spread the Gospel in the New World. In Colonial times, Italians were sought as settlers because of their special skills in manufacturing, artisanship, and agriculture. During the independence movement, Phillip Mazzei, a native of Florence, writing under the pen name of "Furioso," contributed a series of widely circulated articles to the Virginia Gazette denouncing the misrule and suppression of liberty by Great Britain.

An Italian painter, Constantino Brumidi, devoted nearly 30 years to creating the historical murals in the rotunda of our Nation's Capitol. An infinite parade of Italian conductors, instrumentalists, and vocalists has enriched the musical culture of the United States. From the very beginnings of our Nation, these Italians were welcomed with open arms so that America might assimilate their culture and emulate their achievements.

Italians settling in this country have shown wellsprings of talent and adaptability. In the free air of the United States, their abilities have been unleashed with an explosive dynamism. Never before has so large a group stepped so quickly into the mainstream of American life. In the span of a single generation, millions of Americans with Italian backgrounds, have come to occupy a position of full equality—and often of eminent distinction—in every field of endeavor.

Mr. President, America is deeply grateful for the contributions which Italians have made to its way of life. Their undeviating devotion to God and country, their boundless energy, their undying vitality, their outstanding artistic attainments, their irrepressible gaiety, and their other very special and unique talents have made the United States a better and happier place for all of us.

Because the intrepid Verrazano was in a very real sense the forerunner of the millions of his countrymen who later followed his route to our shores, it is fitting that we celebrate the anniversary of the day when he first landed here. It would be well for all Americans to study the life of this man and ponder his example of courage and resourcefulness and perseverance, for never was this Nation in greater need of these qualities than today.

COSTLIER FINANCING

Mr. PROXMIRE. Mr. President, the lead story in the Wall Street Journal this morning is extremely significant. It is especially significant to Members of Congress. It points out that interest rates are increasing, and it discusses the impact of the increase in interest rates.

I should like to read very briefly two or three excerpts from that lead article:

Business borrowing costs, already up from the levels of a few months ago, are headed higher still.

"With continued recovery, we're sure to face a growing demand for loans," says a top official of one New York City bank, "and it isn't going to take much growth to bring a general increase in interest rates."

I should like to read what the Wall Street Journal says about the consequences of this increase in interest rates:

The higher rate trend is of broad significance. It's pushing up costs for businessmen and conceivably could deter some plant expansion or inventory rebuilding projects and thus slow recovery. It adds to the already heavy debt-financing problems of the U.S. Treasury, which must refund $27 billion in maturing debt by December, starting with a $4.5 billion job late this month. It means higher mortgage borrowing costs for home buyers. And it could lead to higher borrowing costs for individuals who buy autos, appliances, and other goods on time.

The Wall Street Journal does not point out something which I think is apparent to those who have considered interest rates and their impact on the economy, particularly the devastating effect they have on municipalities and school districts. Meeting the urgent need for building schools, hospitals, streets, and so forth, depends upon borrowing. If interest rates go up, as they have gone up, municipalities are prevented from doing what they should do to serve their citizens and to provide the jobs which are so essential to our economy.

Mr. President, the reason I rise to speak on the issue is that it is not something which has merely happened; it is the result of very careful, thoughtful, and premeditated planning on the part of the Federal Reserve Board. The Board is convinced that higher interest rates will help stem inflation. Mr. President, there is not one iota of evidence that cost of living will go down under present circumstances, if interest rates go up. The Federal Reserve Board, of course, is a creature of Congress, and therefore we have some responsibility for what it does. We have responsibility for the cost consequences that result.

The Wall Street Journal, in another article today reports:

Business recovery, rising interest rates on short-term Treasury bills hint at a new boost in the Federal Reserve's discount rate. The Reserve Board seems sure to move after the next Treasury financings; it may act even sooner.

Mr. President, interest rates, which have been going up rapidly—and only recently we suffered a substantial increase—apparently will go up again if the Federal Reserve Board decides they should go up.

The Wall Street Journal goes on to say:

As for the banks' supply of loanable funds, it is being kept in close check by the Reserve System. The System has accomplished its aim largely by selling Treasury securities; a purchaser of such securities naturally draws funds from a bank to pay for them.

This of course is the Federal Reserve Board's open operation tool which is being used by the Reserve System to tighten credit and make it harder to borrow money and to compel banks to increase their interest rates.

It seems to me that this is a policy on the part of our Federal Reserve Board which is bound to have the effect of retarding and slowing recovery, as the Wall Street Journal points out. In doing this it will prevent employment of some of the 4,300,000 men and women who are out of work.

I ask unanimous consent that the two articles published by the Wall Street Journal, from which I have read extracts, be printed in the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal]

COMPANIES' BANK, BOND BORROWING COSTS RISE; NEW INCREASES LIKELY—TREASURY, MORTGAGE DEMAND HEAVY; FEDERAL RESERVE LIMITS BANKS' FUNDS—BOND MEN TAKE A BEATING

(By Lee Silberman and Patrick Carberry)

NEW YORK.—Business borrowing costs, already up from the levels of a few months ago, are headed higher still.

That's the forecast of bankers and bond dealers here in the Nation's key financial center. New York City banks, including such giants as First National City Bank and Chase Manhattan Bank, account for some 25 percent of all bank loans to business—and their

policies influence banks the Nation over. And it's here that the bulk of all corporate bond borrowing is centered.

"With continued recovery, we're sure to face a growing demand for loans," says a top official of one New York City bank. "And it isn't going to take much growth to bring a general increase in interest rates."

"A corporation that wants to sell any sizable quantity of bonds simply is going to have to offer higher interest rates," says one New York bond underwriter. "There aren't any real amounts of money available at present rates."

SIGNIFICANCE OF THE TREND

The higher rate trend is of broad significance. It's pushing up costs for businessmen and conceivably could deter some plant expansion or inventory rebuilding projects and thus slow recovery. It adds to the already heavy debt financing problems of the U.S. Treasury, which must refund $27 billion in maturing debt by December, starting with a $4.5 billion job late this month. It means higher mortgage borrowing costs for home buyers. And it could lead to higher borrowing costs for individuals who buy autos, appliances, and other goods on time.

A general increase in interest rates on bank loans to business would be touched off by an increase in the prime rate—the rate banks charge the biggest borrowers with the best credit ratings. Rates for all other firms are scaled upward from the prime rate. The most recent change in this key rate came last September, when it was boosted to the present 4-percent level from 3½ percent. (The chart below traces the prime rate since World War II.)

(Chart omitted in RECORD.)

Somewhat ironically, the prospect of still-higher rates looms at a time when business demand for credit is anything but overwhelming. The Federal Reserve Bank of New York, for example, reported yesterday that business loans of major New York City banks so far this year have declined by 2.4 percent to a total of $10.7 billion. And a New York bond dealer comments that corporate bond offerings in the recent past "certainly haven't been particularly heavy."

BEHIND THE PRESSURE

With business demands so far so modest, what's putting upward pressure on interest rates? New York bankers and bond dealers offer a number of explanations:

Demand from homebuyers and the U.S. Treasury is strong and growing; they're competing for the same funds.

Life insurance companies and savings banks, usually heavy purchasers of corporate bonds, are putting more of their money into higher yielding home mortgages.

The Federal Reserve System, worried about the threat of new inflation, is keeping a tight rein on the funds banks have available to lend.

Savings banks and some other savings institutions are gaining new deposits at a slower rate than a year ago. With recovery, individuals appear to be channeling more of their funds into spending and less into savings.

The booming stock market is drawing more funds from individuals which otherwise would have gone into savings institutions or into bonds.

BOND BORROWING COST

There's evidence aplenty of the higher bond borrowing costs—they're already the highest since 1957. Central Power & Light Co., of Corpus Christi, Tex., for example, on Tuesday sold $11 million of 30-year first mortgage bonds at an annual interest cost of 4.645 percent. That compares with the 4.515 percent another electric utility, Ohio Power Co., is paying for the $25 million it raised March 30 through the sale of similarly rated 30-year bonds.

Montana Power Co. on March 24 sold $15 million of bonds to underwriters who resold them to investors at a price to yield 4.43 percent. On the following day, Ohio Edison Co. sold $30 million of bonds, which were reoffered to investors at a price that also yielded 4.43 percent. Recently, however, both issues have been selling on the market at prices to bring purchasers about 4.60 percent.

As for bank loans, the New York Federal Reserve Bank yesterday announced that business loans made by major New York City banks during the first half of March carried an average interest rate of 4.49 percent if the loans were to run a year or longer, compared with 4.39 percent in the comparable period of December and with 4.29 percent in the like 2 weeks of March 1958. On loans for less than a year, the rise was less sharp; last month's figure was 4.22 percent against 4.21 percent in December and 4.20 percent in March 1958.

New York City bankers evidence no alarm over the decline in their business loans since January 1. The chief reason: The first few months of each year normally see a decline in loans. Business concerns usually borrow heavily in the fall for such purposes as financing the movement of crops to market and building up inventories for the Christmas selling season. Early in the following year, they begin repaying these loans.

Then, too, the decline so far this year has been relatively smaller than the decrease in the like 1958 period; this year's 2.4-percent decline compares with a drop of 4 percent in the corresponding period a year ago.

A major factor that's held down bank loans up to now: Corporations during the recession tended to accumulate cash. Uncertain as to the future, they postponed spending on expansion and even maintenance projects. "As a result," says one New York banker, "many corporations have been in such a liquid position that they haven't had to borrow."

Bankers, however, are convinced this situation is about to change. Steel-using industries already are borrowing heavily to build up inventories in anticipation of a possible midyear steel strike. Users of rubber products and aluminum, commodities also threatened by strikes, also are borrowing more heavily.

USING UP INVENTORIES

Such borrowing, of course, will taper off if the strikes materialize—or even if they don't. One way or another, steel, rubber, and aluminum users will be using up their inventories for a time. By the time such borrowing begins to decline, however, bankers believe other loans will be more than taking up the slack.

For one thing, bankers look for a general buildup of inventories, entirely aside from the strike-inspired buying that's now going on. "Companies generally pared their inventories to the bone during the recession," comments one New York banker. "With sales picking up, it's only natural that they would start rebuilding stocks."

Then, too, bankers—as well as bond dealers—look for a growing demand for funds to finance plant expansion. Companies last year cut such outlays to $30.5 billion, down sharply from 1957's total of $37 billion. The Commerce Department and the Securities and Exchange Commission on the basis of surveys report businessmen now intend to spend $31.8 billion on expansion during 1959. If business continues to move upward, of course, it's possible this figure could turn out to be even higher.

A strong upsurge in business demand for funds naturally would add to the pressures already tending to push interest rates upward.

One of the heaviest of these current pressures is the demand for mortgage money. The seasonally-adjusted annual rate of private housing starts last month rose to 1,390,000. That compared with 1,320,000 in February, and was the highest rate for any March since 1950. New homes mean new mortgage loans; the amount of new Government-underwritten home mortgage loans made in January, the latest month for which figures are available, was $700 million, compared with $418 million in January 1958.

"Life insurance companies and savings banks are largely out of the bond market," comments a New York City bond dealer, "because they can get higher yields on other investments, such as mortgages." Mortgage interest rates vary widely—from around 5 percent to well over 6 percent—depending on the type of property and its location. But such rates generally are higher than investors now can get on top-rated corporate bonds.

As for the banks' supply of loanable funds, it is being kept in close check by the Reserve System. The System has accomplished its aim largely by selling Treasury securities; a purchaser of such securities naturally draws funds from a bank to pay for them.

THE BANKS' RESERVES

The effectiveness of the Federal Reserve's measures shows up clearly in the banks' reserve position. They're required to keep on deposit with the System amounts equal to a specified percentage of the deposits on their own books. Through most of the first half of 1958, the System was keeping the banks well supplied with funds in an effort to see to it that the recession was not deepened by tight money. So the banks' reserves on an average day ran about $500 million more than requirements. Recently, by contrast, the banks have had to borrow a total of about $150 million on an average day to bring their reserves up to the required level.

Also tending to limit the supply of funds available to businessmen is a slower rate of gain in savings noted by some savings institutions. Deposits of the Nation's mutual savings banks, for example, rose by $233 million in the first 2 months of 1959 to a total of $33.9 billion. That compared with a $382 million rise in the like 1958 period.

One reason that banks won't hesitate to boost the prime rate when they decide such a move is justified by demand can be gleaned from their earnings statements. With the decline in loans of the past year or so, aggregate New York City bank net operating earnings in each of the past three quarters have slipped below those of the like periods a year earlier.

NEEDED: STABILITY

The bond dealers also have had earnings problems of late, but to correct these the dealers need interest rate stability more than higher rates.

Underwriters, after trying for several days to market bond issues of three utilities, last Tuesday still had substantial amounts of the three issues on their hands. So they abandoned efforts to sell the issues at the original offering prices and let them find their own lower levels on the market. At lower price levels, the effective interest rate is higher. The issues involved were those of Montana Power and Ohio Edison, plus a $7 million offering of Gulf Power Co. bonds. Market specialists estimate the out-of-pocket loss to the underwriters at $125,000, exclusive of expenses and commissions to salesmen.

Despite the interest rate uncertainty, most underwriters are continuing to bid on new bond issues. But failure to win such issues

at the moment may be a bit less disappointing now than it would have been a few months ago. Quips one bond man, in rhyme:

"The prayer to which my heart responds
Is let my bid not win the bonds."

WASHINGTON WIRE—A SPECIAL WEEKLY REPORT FROM THE WALL STREET JOURNAL'S CAPITAL BUREAU

Debt managers head into new troubles. Their breathing spell is over.

The Treasury faces heavy borrowing needs just as interest rates generally are rising (see column 6). The Government must refund $27 billion in maturing debt by December, starting with a $4.5 billion job late this month. Unpredictable cash needs may add to the load. Interest yields nose higher now, especially on longer-term Treasury bonds. Officials fear a new uptrend.

Debt managers shy from any plan to put out a new long-term bond now. A long-term issue would crowd the 4¼ percent interest rate ceiling on bonds of 5 years or more. The Treasury's competition from business for long-term money grows. New credit-curbing moves by the Federal Reserve promise to complicate the debt management job.

Business recovery, rising interest rates on short-term Treasury bills hint at a new boost in the Federal Reserve's discount rate. The Reserve Board seems sure to move after the next Treasury financings; it may act even sooner.

THE BERLIN CRISIS AND THE PATH TO PEACE

Mr. PROXMIRE. Mr. President, recently I read in the newspapers an account of the speech which was delivered by the distinguished senior Senator from Minnesota [Mr. HUMPHREY] at the Westchester County Democratic Committee dinner in New Rochelle, N.Y., on Saturday, April 11. It was a brilliant speech, and I ask unanimous consent that the entire speech may be printed at the conclusion of my remarks.

First, however, I believe it is desirable to reinforce the RECORD by reading the last few lines of the speech, because it is the kind of unusual plea of which the American people should hear more.

Said Senator HUMPHREY:

I think I understand well the Communist threat. I have talked to Khrushchev. I have seen at first hand his vigor, his determination, his ruthlessness. I know the power of totalitarian might. We must never underestimate this massive threat.

More to be feared than Soviet hardness is our own softness.

More to be feared than ruthless Soviet purpose is our aimlessness.

More to be feared than the pernicious appeal of Communist slogans to the disinherited of this earth is our own inability to develop a clear sense of purpose and to give mankind a vision of noble destiny.

I do not believe the pessimists who say that as a people we Americans cannot or will not meet the demands of the present trial of Western civilization.

I do not propose that we chastise the American people.

I propose that we challenge them.

The measure of our responsibility is such that we must act with greatness. No people have ever risen to greatness without being called to greatness.

The tragedy of these years is that the voice that should summon us is silent.

There being no objection, the text of the speech was ordered to be printed in the RECORD, as follows:

THE BERLIN CRISIS AND THE PATH TO PEACE

(Remarks prepared for delivery by Senator HUBERT H. HUMPHREY, of Minnesota, at Westchester County Democratic Committee dinner, Glen Island Casino, New Rochelle, N.Y., Saturday, April 11, 1959)

We now look back on 10 years of cooperation within the NATO alliance, and we look forward to the rapidly advancing climax of the Berlin crisis.

These two—NATO and Berlin—are closely linked together.

The first Berlin crisis of 1948–49 brought the NATO community into being.

The present Berlin crisis tests whether that unique community of nations, conceived in common danger and dedicated to common security, can long endure.

FIRMNESS BEFORE THE SOVIET THREAT

We have learned from hard experience to be firm before the Soviet threat.

We learned much in Greece and Turkey in 1947. And what we learned we put into action when Congress endorsed President Truman's now famous doctrine.

"It must be the policy of the United States," said President Truman 12 years ago, "to support free peoples who are resisting attempted subjugation."

We learned the hard way in Czechoslovakia in 1948 when the Communists overthrew a free government. Then came the blockade of West Berlin. We were threatened. But by now we had learned well that those who do not stand firm will not remain free. We did not withdraw from the beleagured city. For 9 months free Berlin was sustained by an allied air bridge built of ingenuity and daring.

The lessons learned in Czechoslovakia and Berlin made their impact. Joining hands with the free nations of Europe, we created an unprecedented international community. NATO was established in 1949, just 10 years ago. Twelve nations, augmented by three more which joined later, pledged that "an armed attack against one shall be considered an attack against them all."

The community of nations comprising NATO is the core of the Western World. If this community stands firm and united in the cause of freedom and justice, we shall prevail. If it collapses, we shall be in mortal danger.

The Soviets once more are threatening freedom in Berlin. They are probing to see whether that unique and indispensable community which is NATO can indeed endure.

Last November I stood in West Berlin with its able and courageous mayor, Willy Brandt. I vowed then, and I vow today, to support a policy of firmness, to uphold the right of France, Britain, and the United States to maintain garrisons in West Berlin until a legitimate peace treaty is signed.

This is the position and policy of our Government. It is also the position and policy of NATO. We will not surrender. We will not be pushed out.

But firmness before the Soviet threat, though indispensable, is not enough. Firmness alone will not preserve NATO, nor assure the survival of free Berlin.

Our firmness must be matched by our imagination and our willingness to negotiate.

Standing firm and a willingness to negotiate are not, as some suggest, contradictory policies. They are the two elements in any viable policy in the Berlin crisis. We can negotiate successfully only if we are prepared to stand firm. And we can command the political support necessary to a posture of firmness only if our negotiating position is clear, consistent, and realistic.

We may be grateful that this also is the position and the policy of our Government and of NATO. We will stand firm. And we will negotiate.

THE REQUIREMENTS OF NEGOTIATION

It is about negotiation that I want to talk with you for a few minutes tonight. I have frequently said that we must be willing to talk to the Russians wherever and whenever there seems even the faintest hope of advancing the interests of peace and security.

Remember that we negotiated with the Russians on Austria for 10 years. Finally we got a treaty.

Remember that we negotiated with the Communists on Korea for 2 years. In the end we got a cease-fire.

For months we have been negotiating in Geneva on the cessation of nuclear tests. So far, there is no agreement. But we must go on negotiating.

This is what I had in mind when, on March 26, I introduced on the floor of the Senate a resolution which reads in part as follows:

"*Resolved*, That the Senate support the efforts of the United States to continue to negotiate for an international agreement for the suspension of nuclear weapons tests and that it emphatically endorse the principle that an adequate inspection and control system must be a part of any such international agreement."

There is no alternative. We must negotiate on Berlin, on Germany, and on the general question of European security. We must go to the summit, and more than once if that is necessary.

I do not propose to talk tonight about the specific elements of our negotiating position in the forthcoming meetings of the Foreign Ministers of East and West. It would be both presumptuous and indelicate for a member of the legislative branch to speak of such affairs at the very moment that that position is being hammered out by the statesmen of the Western Powers.

But if I do not talk about the specifics, it is appropriate—in fact it is an obligation on all of us—to speak about the broad requirements of a viable negotiating position.

There has been much loose talk about Munich—about the dangers of being taken in by the Russians at the negotiating table.

I do not need to tell this audience that Berlin is not Munich.

To negotiate is not to appease. But we must understand very clearly what makes the difference between legitimate negotiation and inexcusable appeasement. Three requirements must be fulfilled if we are to come to the negotiating table prepared to seek reasonable adjustments without fear of succumbing to unreasonable demands. First, there must be unity of policy within the Western community. Second, we must be militarily prepared. Third, our people must understand the full gravity of the situation we confront. I want to ask you to think with me tonight about each of these requirements.

1. The unity of the Western community

First, the critical importance of unity. At Munich the democracies were not united. They were divided. The United States lived in the never-never land of isolationism. The Low Countries of Europe were neutrals. Britain and France were united, it is true—united in somnambulant apathy, anxious to believe the false promises of the dictators.

Happily, the situation is very different today. Yet there remains much to be done. We have achieved agreement on what we will not do.

We will not get out of Berlin, just because the Russians threaten us.

But negative agreement on what we will not do must now be transmuted into posi-

tive agreement on what we will do—what we will propose, what we will be prepared to give in return for what benefits.

This is our problem and our challenge.

The Western community is composed of free partners. The unity we seek must now be forged from the free give and take among partners in a common enterprise.

We must meet the demand for firmness on the part of nations most exposed to the Soviets—principally the Germans.

We must reconcile this demand for firmness with the opposing demand for flexibility on the part of other nations less exposed—principally the British.

We must understand the French desire for national prestige.

We must remain sensitive to German resistance to policies that appear to demand greater sacrifice of German interests than they do of the interests of the other partners.

We must never forget that all these points of view are legitimate.

The British, through their capable Prime Minister, Mr. MacMillan, demonstrate what we mean when we say that one can explore imaginatively and negotiate constructively while yet remaining firm.

The French, through their dedicated leader General de Gaulle, remind us that the unity we seek must be open enough to honor a genuine sense of national destiny.

The Germans, through the firm leadership of Chancellor Adenauer—who after so many years of invaluable service soon will leave the world of active politics—embody the vital quality of resoluteness.

Some people are distressed about the differences of view among the allies of the Western community. But the free discussion of our differences is a measure of our strength, and not our weakness.

The weak cannot expose their differences without exposing their weakness. So they conceal their differences—and remain weak. I am confident that in the process of reviewing and reconciling our differences we will emerge even stronger.

To achieve a united position among free and diverse peoples demands the utmost in good faith and consultative skill. But I am confident that we will achieve it.

It is quite possible that some of our present differences are the price we must pay for past negligence. We have tended to be fitful, not constant, in our consultations within the Western community. If we had worked a bit closer with our allies and strengthened the consultative process within NATO during the past 5 years, the task of achieving unity would be less difficult today.

Be that as it may, let us now accept the present crisis as an invaluable opportunity to fortify the unity of the Western community of nations. Without that unity, peace and justice surely will not for long endure.

If unity is essential for NATO, it is also essential within the United States. It has never been more important than it is today for the administration to consult with the opposition party and to establish the closest possible working relationship with Congress. Our delegation to the coming Foreign Minister's Conference ought surely to include Senator WILLIAM FULBRIGHT, the respected chairman of the Foreign Relations Committee of the Senate, and Senator ALEXANDER WILEY, ranking Republican member of that committee.

Finally, we should not ignore the importance of achieving unity and support beyond the confines of the NATO community. The United Nations may play a significant role at this point. Let's not hesitate, at the appropriate time, to place our case before this unique international body. The United Nations cannot solve our problems for us. It was never meant to be a substitute for the difficult foreign-policy decisions all governments must make. But it does present many opportunities for the execution of a responsible foreign policy. And no objective is more important than that of mobilizing the support of the many nations that share our concern for security and justice.

2. Military preparedness

The first general requirement for a responsible negotiating position is, then, unity. The second requirement is military preparedness. At Munich, the democracies were unprepared. They had to buy time to rearm. They bought time—with the only currency acceptable to the dictators, appeasement.

Military preparedness is vital. As Carl Sandburg once observed "the cockroach is always wrong when it argues with the chicken." The militarily weak always invite appearsement when they negotiate with the militarily strong.

Once again, our present situation is happily very different from that of the democratic leaders who confronted the Fascists at Munich 21 years ago. Yet there is little cause for complacency. We must put to work immediately the lessons of the Berlin crisis. For this crisis throws a bright light on our military position and shows us that there is much yet to be done.

Last weekend, before the 10th anniversary celebration of the NATO Council, President Eisenhower reviewed the military posture of the Western community. He fortified his optimism with scripture. "When a strong man armed keepeth his palace," quoted the President, "his goods are in peace." But Mr. Eisenhower neglected to complete the quotation which continues, "But when a stronger than he shall come to him, and overcome him, he taketh from him all his armour wherein he trusted and divideth his spoils."

I would suggest that we indulge less in self-congratulation and more in self-examination—and if necessary in self-sacrifice.

Many thoughtful men have been engaged in this critical self-examination. Many of them have concluded that our Defense Establishment is rapidly becoming inadequate in terms of the threat we face. If we allow our armour to become weak we may well suffer the fate of the improvident man of the scriptural story.

It is time we faced resolutely some searching questions.

Are we militarily prepared in relative terms, relative, that is, to present and foreseeable Soviet capabilities? And are we militarily prepared in relevant terms, relevant, that is, to the various military contingencies we may have to face?

Is our strategic force adequate—relative to the Soviets? General Power, head of the Strategic Air Command, said the other day: "I think our deterrent posture is deteriorating." The fact is that unless action is taken now we are going to find ourselves facing the Soviets with an old weapons system, we with our manned bombers, and they with long range missiles.

Is our Military Establishment relevant to the kind of threats we may have to deal with? The fact is that unless action is taken now we will run the risk of short-changing our forces in weapons appropriate to their job. General Lauris Norstad, commander of the North Atlantic Treaty forces, has asked for a new weapons system for NATO. His request has been given vigorous support by the President's distinguished Committee, headed by Mr. William Draper, and commissioned to evaluate our military aid program.

The increase in military assistance is to be primarily for new weapons in the NATO area.

The military balance of terror between East and West is a horrible thing. But this horror is exceeded only by the prospect of an imbalance of terror, an imbalance favoring the Communists. For them the cockroach would indeed find himself arguing with the chicken. To negotiate from military weakness is to invite appeasement.

If the Western community of nations is to endure, we must do what is necessary to maintain military parity with the Soviets—and do it now.

3. Public understanding

The third general requirement for a responsible negotiating position is public understanding. The appeasement of Munich was partly the product of popular misunderstanding. Most people thought that Czechoslovakia was a small, remote country, hardly worth bothering about—certainly not worth fighting over.

In a democracy, responsible policy cannot long maintain itself in times of crisis when the public is misinformed—or even when it is uninformed.

Again our situation today is happily very different from that of Munich. A recent New York Times survey of American opinion reveals serious concern about Berlin. The American people surely are not basically opposed to a responsible policy in the Berlin crisis.

But the Times survey also flashed some danger signals. Thirty-nine percent of the people interviewed did not understand the basic strategic problem we confront in defending free Berlin—the fact that it is located over 100 miles inside of Communist Europe. Right here in the New York area the percentage of uninformed people ran as high as 75 percent. Just as serious, most people were certain that the crisis would pass—that the danger was not great.

I do not believe we are at the brink of war. I too am confident we can contain this crisis. But we shall successfully avoid war and discharge our responsibilities to the people of West Berlin only if we understand the full complexity and precariousness of our situation.

It is not enough that our diplomats understand the problem. Our capacity to cope with the danger we now confront will not depend alone on the wisdom of statesmen meeting in Washington, London, Rome, Paris, and Bonn. It will rest finally on the understanding of the people from whom the statesmen draw their power.

Why do I say this? It is because people who have been given the facts may tend to expect too much, or may mistake legitimate negotiations for appeasement. People who do not know the facts—who do not know, for example, the complexity of the problems we face—may demand what is impossible. They may demand or expect a permanent European settlement with the Russians.

People who have not been fully informed—who do not know, how precarious our situation is—may shout "Munich" if our diplomats begin talking about limited agreements with the Soviets aimed at easing tensions.

It is my firm belief that the administration has not done a good enough job of informing the public in the interests of greater understanding. Now, what specifically are the ingredients of this understanding?

First, we must be openminded and imaginative. We must understand that negotiated agreements designed to reduce the hazards of war are not appeasement unless they alter the status quo to our disadvantage.

Second, we must be patient. We must understand that nothing will be solved overnight, that settlements will in fact take years, and that we face a long road of uncertainty and insecurity.

Third, we must be resolute and willing to sacrifice. We must be willing to spend money—hard-earned money—to do what is necessary to maintain the strength of the western community of nations.

The requirements of the present crisis are high. I came here tonight to speak about Berlin and the prerequisites of effective negotiation. I cannot leave without reminding

you that the imagination, patience and resoluteness, which as a people we must now demonstrate, is necessary at every level in our contest with the Soviets—in aid, in trade, and in appeals to the minds and souls of men and at every point in our contest with the Communist bloc—in Asia, in the Middle East, in Africa, at the U.N.

WE ARE CALLED TO GREATNESS

I think I understand well the Communist threat. I have talked to Khrushchev. I have seen at firsthand his vigor, his determination, his ruthlessness. I know the power of totalitarian might. We must never underestimate this massive threat.

More to be feared than Soviet hardness is our own softness.

More to be feared than ruthless Soviet purpose is our aimlessness.

More to be feared than the pernicious appeal of Communist slogans to the disinherited of this earth is our own inability to develop a clear sense of purpose and to give mankind a vision of a noble destiny.

I do not believe the pessimists who say that as a people we Americans cannot or will not meet the demands of the present trial of Western civilization.

I do not propose that we chastise the American people.

I propose that we challenge them.

The measure of our responsibility is such that we must act with greatness. No people have ever risen to greatness without being called to greatness.

The tragedy of these years is that the voice that should summon us is silent.

NATIONAL YOUTH FITNESS WEEK, 1959

Mr. WILEY. Mr. President, President Eisenhower has taken a constructive action, I believe, by designating May 3 to 9 as National Youth Fitness Week.

The objectives of this special week are: To endeavor to keep our youth fit, mentally, emotionally, spiritually, socially, and physically.

As we know, the President's Council on Youth Fitness works with local communities, through their agencies, organizations, and facilities, to plan and carry out fitness programs for their young people.

We recognize, of course, that the future of America depends upon the youth of today.

Consequently, providing ever-better opportunity for our youth, first, to develop their innate talents; second, to prepare for the responsibilities of adulthood, as individuals and as citizens; third, to be imbued with high principles, aspirations, and ideals; fourth, to be well trained vocationally, so as to experience personal growth, as well as make a maximum contribution to our social, economic, and cultural life; and fifth, to gain the overall capability and maturity that will be needed to meet the challenges of tomorrow.

The President's Council on Youth Fitness, of course, serves to generally direct this fine program. However, the major responsibility for effective planning and achievement in this field lies with local civic-minded individuals, groups, organizations, associations, and community leaders.

Recognizing the merits of a specially designated National Youth Fitness Week, I request unanimous consent to have the proclamation by President Eisenhower printed at this point in the RECORD.

There being no objection, the proclamation was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE.

NATIONAL YOUTH FITNESS WEEK, 1959—A PROCLAMATION BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

Whereas the ongoing strength of our Nation depends upon the health of our young people; and

Whereas we must always strive to improve the fitness of our youth by determined and coordinated efforts; and

Whereas, in this challenging world, it is essential that our young people recognize their obligation to themselves, to their families, and to the Nation, to endeavor to keep themselves mentally, emotionally, spiritually, socially, and physically fit; and

Whereas the President's Council on Youth Fitness has recommended that a National Youth Fitness Week be designated:

Now, therefore, I, Dwight D. Eisenhower, President of the United States of America, do hereby proclaim the week beginning May 3, 1959, as National Youth Fitness Week.

I request officials of the Government, and I urge parents, young people, and interested local and national organizations, to use all appropriate means during that week to promote programs and activities demonstrating the importance of youth fitness to the end that we may assure the continuing strength and well-being of our people.

In witness whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the city of Washington this 31st day of January 1959 and of the independence of the United States of America the one hundred and eighty-third.

DWIGHT D. EISENHOWER.

By the President:

JOHN FOSTER DULLES,
Secretary of State.

THE VICE PRESIDENT'S VISIT TO MOSCOW TO OPEN AMERICAN NATIONAL EXPOSITION

Mr. WILEY. Mr. President, I am delighted to learn of the decision to have the Vice President go to Moscow to open the American exhibit at the national exposition in July.

The trip by the Vice President will, I hope, shed new light on East-West relations, on obstacles to solving problems, and possibly provide new approaches for easing international tensions.

In our dedicated efforts to find ways and means for lessening the dangers of a missile-nuclear war that could destroy vast portions of the world, we do indeed need to be willing to leave our homeground occasionally—if this will serve the cause of peace.

During his tenure of office, the Vice President has served effectively and admirably as an envoy of good will for our country.

We recall, of course, that there have been circumstances, which were beyond his control, involving unfortunate incidents.

Over all, however, he has distinguished himself by realistic, intelligent statesmanlike efforts to establish stronger relationships with friendly countries and a better understanding of problems with other nations.

The Moscow exhibit, itself, scheduled to open on July 25, has been designed, of course, to convey a better understanding of our economic, social, and cultural life to the Russian people. The display will include, among other things, films, publications, art exhibits, and displays in science, technology, research, education, labor productivity, health, social services, agriculture, and other exhibits of our progress.

The objectives are to present to the Russian people an idea of how Americans work, live, play, and participate in community and national life.

The designation of the Vice President to open the U.S. exhibit in Moscow on July 25, I believe, greatly enhances the chances of its success, and may, perhaps, contribute further to a solution of East-West problems.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed. The Chair lays before the Senate the unfinished business, which will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1555) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). Without objection, it is so ordered.

RURAL ELECTRIFICATION PUERTO RICO

Mr. DWORSHAK. Mr. President, I have just returned from a brief trip to Puerto Rico, where I was pleased to represent the Senate Appropriations Subcommittee on Agriculture at an official ceremony sponsored by the Commonwealth to dedicate unit No. 2 of the south coast steam electric station at Ponce-Guayanilla road. The first unit in this plant was placed in operation in February 1958. The second unit was dedicated on April 16, 1959. It is an installation which includes a combustion engineering boiler rated at 475,000 pounds of steam an hour, and a turbogenerator having a rating of 44,000 kilowatts and a maximum capacity of 56,000 kilowatts.

This new unit will serve more than 50,000 rural customers in Puerto Rico. It has been financed through loans granted by the Rural Electrification Administration of the U.S. Department of Agriculture, as were the rural electrification extensions which serve these

customers. The new addition has been installed under the management of Mr. S. L. Descartes, executive director of the Puerto Rico Water Resources Authority.

Because of the importance of this development to the economy of the island, the water resources authority arranged a seminar on rural electrification with an appropriate program. Officials who have supervised the water power program in the island presented informative addresses, carefully detailing rural electrification during the past 43 years. Speakers included Rafael R. Ramirez, head of the power division; S. L. Descartes, executive director; Pablo Vazquez Calcerrada, executive director, social programs administration; Victor M. Cataldo, head of power utilization.

The history of rural electrification in the United States was described by several speakers on the seminar program, including David A. Hamil, Administrator, REA; Gen. Herbert D. Vogel, Chairman, Board of Directors, TVA; Herman D. Plavnick, Assistant to the General Counsel, U.S. Department of Agriculture; Milton Chase, Assistant Chief, Electric Engineering Division, REA; W. H. Eastman, Director, Southeast Area REA; and Clyde T. Ellis, general manager, National Rural Electric Cooperative Association.

Several official representatives were present from pan-American countries. They participated in the seminar and reported on some of the problems which they have encountered in rural electrification in their respective countries.

Mr. President, I had not visited Puerto Rico since January 1, 1949, when I attended the first inauguration of the Honorable Luis Muñoz Marín, the first elected Governor of the Commonwealth.

During the past decade, remarkable progress has been made in the island's industrial, agricultural, and business development. I was profoundly impressed by the exceptional improvement in living conditions, the removal of slum areas, and the modernization of agriculture. Recalling some of the observations I made a decade ago in the island's rural areas, I was very happy to observe the drastic transformation which is taking place. In driving many miles and in flying over some of the more inaccessible areas, I was impressed by the progress in agriculture. This includes the use of irrigation in some of the arid sections and the development of dairying, which we observed at the Lajas Agricultural Experimental Substation.

Our Government has provided valuable cooperation and financial assistance to the Commonwealth, and it is most encouraging to note that substantial progress has resulted from capable and effective leadership on the island.

Mr. President, one of the most interesting addresses during the seminar was the report on "The Rural Electrification Program in the United States," made by Administrator Hamil, of REA. I ask unanimous consent to have excerpts from Mr. Hamil's address printed in the RECORD following my remarks.

There being no objection, the excerpts from the address were ordered to be printed in the RECORD, as follows:

THE RURAL ELECTRIFICATION PROGRAM IN THE UNITED STATES

A generation is a brief span of time in the history of a national program. Yet in slightly more than a generation rural electrification in the United States has become a reality. It is indeed one of the outstanding social and economic developments in American agriculture of the 20th century. Together with farm mechanization employing tractors and other machines, and the agricultural sciences, rural electrification has brought about profound changes in farm living and in the productive capacity of the American farm.

Mechanization and electrification have come so swiftly that many do not realize how great a change has come about. It is by no means a stretch of the imagination to say that electricity and mechanization mean as much to rural areas as the assembly line, production control and automation mean to industry.

A visitor to the United States is usually impressed by the distances between farms. These distances were for many years barriers to electrified farming, for they meant a correspondingly high investment in electric facilities. The size of that investment discouraged many existing power suppliers from extending service into the countryside.

Largely for this reason, most early rural electric lines in the United States were extensions of urban systems, reaching out for a few miles from the cities and larger towns. Consequently, as late as 1935, electricity had been brought to only about 1 farm in 10. This compared unfavorably with some other parts of the world, even after allowing for the great distances between our farms.

In the depression year of 1935, our Federal Government became interested in rural electrification as a means of stimulating employment and providing a useful public service. Unserved farmers and other rural people of course supplied the impetus. After much discussion of various ways of inaugurating such a program within the framework of our system of free enterprise, it was decided that a Federal loan program was the most acceptable and promised the best results. The decision was followed by an Executive order creating the Rural Electrification Administration in May 1935. The following year the Congress of the United States enacted the Rural Electrification Act, which gave statutory status to the new agency.

That Act is the foundation of the rural electrification program of the United States as it is today. Under this Act, the Federal Government, acting through the Rural Electrification Administration, makes long-term, self-liquidating loans available to farmer-owned cooperatives, to electric companies and to public agencies. They, in turn, construct and operate the rural distribution facilities.

When this program first began, it was believed that existing suppliers would outnumber other participants. However, as it turned out, farmer-owned cooperatives make up the bulk of REA electric borrowers. The cooperative emerged as a local answer to a tough local situation—the lack of electric power and the lack of interest on the part of existing power suppliers in providing it. Farmer joined with farmer specifically for the purpose of organizing a cooperative. They did this in the face of the fact that many power suppliers at that time deemed the risks too high to justify any considerable extensions of their lines into outlying rural regions.

Many people still believe that because the Federal Government is the lender, it also operates the rural electric facilities it finances. This may seem like a logical conclusion. However, it is not so in actual practice. Electric cooperatives are privately owned enterprises organized under applicable State laws. So far as the Federal Government is concerned, they are subject only to such controls as are designed to protect the security of the Government loan. The cooperatives make their own operating decisions and hire their own managers and other employees. The rural people taking part in this program point to their systems as examples of a highly successful combination of Federal activity and free private enterprise. Independence is a virtue of farmers everywhere. The American farmer is no exception. The farmers who organized and operate the REA-financed systems are proud of the independence of their systems. I can assure you that they want no undue interference in the affairs of their organizations.

This joint effort by private enterprise and the Government has proved to be highly successful. Whereas only 10.9 percent of our farms were electrified in 1935, about 96 percent are electrified today. REA-financed systems serve slightly more than 50 percent of these electrified farms. The electric companies serve the bulk of the remainder, and some are served by municipalities and other public bodies.

When REA was established, many predicted that the farmer would use electricity only sparingly, to light his home and barn and to run a few household appliances. How wrong they were. Farmers are using electricity in more than 400 different ways, and new uses are being discovered every day. Farm consumption has risen year by year. During the past decade it more than doubled. The average farm on REA-financed lines consumed about 318 kilowatt-hours a month in 1958.

This high consumption did not occur overnight. Farm use of electricity rose slowly during the early years of the program. The American farmer and his family were not familiar with electric power. This early period served to introduce electricity to the farmer. They were feeling their way at first. Gradually, as they learned how to apply electricity to more and more farm tasks, their consumption of power began to rise. After this tryout period, the demand for power on the farm rose sharply year by year.

As a Colorado rancher, I am always interested in the stories of farmers all over the country, what they are doing with electricity on their farms, and what it means to them. Such stories come into the Rural Electrification Administration by the score.

An Iowa farmer tells us that electricity makes it possible for two men on his farm to do what four used to do—and with a reduction in operating costs. His corn averages around 100 bushels to the acre and requires a lot of handling. A 50-foot grain elevator powered by a 5-horsepower motor gets it into the bin without manual labor. One day he moved 400 bushels of grain from one bin to another, cleaned the grain, and filled the first bin. It took 20 minutes, and cost him a nickel.

With infrared heat lamps available for pig brooding, it is possible to have pigs farrowed earlier, while the weather is still cold, and to cut pig losses, which is another step toward greater efficiency and considerably lower per unit costs.

Electricity is an important ingredient in one Pennsylvania grower's production of certified seed. He uses 50 electric motors, ranging from one-twelfth to 7½ horsepower, in drying, handling, cleaning, treating, and bagging his valuable crop. During 1956 this farmer averaged 2,500 kilowatt-hours per month for farm and home jobs.

Electricity costing $56 enables a Kentucky farmer to pump irrigation water that increases his income from corn, tobacco, and beans by $1,000 a year.

The all-electric farmhouse also has made its appearance, in which the cooking is electric, the refrigeration is electric, and even

heating is electric. You know, in most of the continental United States we do have to provide our own heat.

In some types of agriculture, notably, stock feeding, dairying, and poultry raising electricity has taken over so many manual chores that the operation has been called push-button farming by the magazine editors. We feel, however, that the application of electricity to farm chores has just begun.

Since 1935, REA has made loans to 1,050 organizations for the provision of electric service in rural areas. The loans amount to $3.8 billion. Of the borrowers, 950 are the farmer-owned type; 76 are the public-owned type; and 24 are electric power companies. The loans were made to finance service for more than 5 million consumers from 1.4 million miles of line. The typical REA electric borrower serves about 3,700 consumers and operates approximately 1,300 miles of line. It has received $2.9 million in loans.

REA makes loans for generating plants and transmission systems in instances where it can be shown that either a power shortage exists or a more economical operation will result. At present, 76 borrowers generate all or part of their power requirements. They operate 150 generating plants with a nameplate capacity of 1,013,115 kilowatts. However, borrowers generate only about 15 percent of their power needs. They buy 51 percent of their power from commercial utilities and the remainder is purchased from Federal and other public agencies.

Borrowers are paying an average price of 7.1 mills a kilowatt-hour for their power at wholesale. Rural consumers on REA financed lines paid an average of 2.6 cents a kilowatt-hour. Both prices are the lowest since REA was established.

An important development of the past few years in connection with generation and transmission is the growth of interconnection and integration of various power systems involving various types of ownership.

For a number of years, the electric companies of the United State have been engaged in varying degrees in joint planning for interchange of power. All of these arrangements had as their objective to improve service and reduce costs for the consumer. This is brought about by several factors—reduced investment in generation and transmission facilities, including especially the smaller percentage invested in standby equipment; reduced operating costs by better utilization of more efficient units and cheaper fuel; and reduced demand requirements due to diversity of daily and seasonal peaks of rural and other loads.

To an ever-increasing extent, the REA-financed systems are participating in such arrangements—with each other, with the Federal hydroelectric facilities and with the electric companies. Through such arrangements, we get maximum value out of our hydro developments because they are firmed up with the steam plants of the REA borrowers or the companies. Also, the rural systems have a market for their surplus power at off-peak times and can readily get peaking-power through interchange.

Among requirements of the loan agreement between the Government and the systems are that loan funds be used for the purpose intended; that construction meet acceptable standards; that rates be such as to pay all costs of operation and provide funds to meet payments of principal and interest as they fall due; and that service be extended to all in the area who want it where it is economically feasible. This latter is the area coverage principle, one of the cornerstones of rural electrification in the United States. Under this principle, the test is not whether an individual line or section will be self-supporting but whether the entire system is feasible as a whole.

REA borrowers have established a repayment record that has few equals in the history of American banking. They have returned to the Government $1.1 billion in principal and interest, including over $140 million in advance of due dates. Only 1 of our 986 active electric borrowers is overdue more than 30 days in payments amounting to $91,102. This excellent record is a high tribute to the integrity and efficiency of the people who organized and operate the REA-financed systems.

The rural electrification program has passed through what can be called its first stage. The goal of this stage was to make electric power available to unserved rural persons. It is now available; the backbone of a vast electric system to serve rural America is constructed. The unelectrified farm is very much in the minority today in the United States—a minority of about 4 percent. We shall continue to make every effort to get electricity to these still unserved farms. Many of them are located in remote places and present a hard problem. I am confident, however, that farms of this type in areas served by REA borrowers will be reached.

The end of the pioneering stage brought about a sharp shift in emphasis. Today the big task facing our rural systems is to provide enough power to meet a constantly rising rural demand and to operate their facilities on an efficient basis. As a consequence, a larger portion of REA loan funds has, in recent years, been going to finance facilities to increase the capacity of existing systems and to provide new power sources. The year 1958 is a good example of this trend. In that year, more than 55 percent of our loans went to finance system improvements and new distribution facilities. About 43 percent went for new generation and transmission facilities. The remainder financed consumer facilities.

Characteristics of the rural electric system in the United States are changing. This is reflected in the increasing number of nonfarm consumers being connected. Although in numbers of consumers, the program is still a farm program, the percentage of nonfarm consumers is rising. Last year the rural systems served about 2.5 million farms and an estimated 2 million nonfarm establishments. The latter included nonfarm residences and commercial and industrial enterprises. The systems are adding new consumers at the rate of about 120,000 a year, and about 75 percent of these new consumers are nonfarm establishments. It is anticipated that the number of nonfarm consumers on REA-financed lines will outnumber farm consumers within the next 5 to 10 years. Already the nonfarm consumers account for more than half of the total power load on the systems and they will undoubtedly account for a larger proportion of total power sales in the future.

In the United States many people are leaving the cities to live in the country. Modern highways have brought the rural countryside and the cities closer together. A new type of rural consumer, the wage earner who commutes daily to a job in a nearby town or city, has become a familiar figure in many areas served by REA borrowers.

The future of rural electrification gives promise of great opportunities ahead for REA borrowers, but it poses serious challenges, too. As the number of consumers climb and as they demand better and better service, rural utilities must supply the kind of professional management that a modern utility requires. Their engineering plans must look far into the future, for they must have the plant that it takes to supply consumers with all the electricity they want, no matter how high that demand climbs.

Based on their fine record of accomplishment over the past 24 years, we are confident that the REA borrowers will meet these challenges and make the most of the new opportunities for service.

RESOLUTION OPPOSING RELEASE OF ANY GOVERNMENT INVENTORY OF COPPER

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business, H.R. 3293, Calendar No. 145, be laid aside temporarily and that the Senate proceed to the consideration of Calendar No. 181, Senate Resolution 101.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. Res. 101) opposing the release at the present time of any part of any Government inventory of copper.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to the consideration of the resolution.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that articles and editorials published in the Daily Metal Reporter of April 17, 1959, and in various other journals be printed at this point in the RECORD.

There being no objection, the articles and editorials were ordered to be printed in the RECORD, as follows:

[From the Daily Metal Reporter, Apr. 17, 1959]

GOVERNMENT'S PENNYWISE, POUND FOOLISH COPPER POLICY

Pennywise and pound foolish, probably best describes the U.S. Government's copper policy, if those Washington officials who handle copper for the Government can be said to have a policy.

If the plan to sell 128,000 tons of nonstrategic copper over which the OCDM has jurisdiction was designed to bring in revenue to the Treasury, it was ill conceived and shortsighted and that is being very charitable to those who concocted the plan. If those in the OCDM and in any other Government agency that had a hand in this planning, were at all conversant with the copper market, they would have known that the mere announcement of the Government's intention to liquidate some of its holdings would have a depressing effect not only on the domestic but on the world's price of copper. Copper is an international commodity and what effects the domestic market has its repercussions in all centers of the world where copper is produced or sold. We say that the mere announcement of the Government's intentions was bound to have a depressing influence, and the actual offer of a tonnage for sale by the Government could cause prices to fall sharply. This is not mere surmise.

Early this month there were rumors that the Government planned to release copper. Prior to these rumors, the price of copper on the London Metal Exchange was £251 a long ton or about 31.37½ cents a pound. That was on April 6. The rumor reached London on April 9 and the price on the London Metal Exchange dropped £4 10s a ton, or about one-half cent a pound.

Once a rumor gets started there is no stopping it and not only does it gain momentum but it is likely to become greatly exaggerated. When it was found that there was substance to the rumor, the price in London on April 16 dropped to £229 15s a long ton, or approximately to 28.75 cents a pound. In other words, in a matter of about 7 business days, the London price dropped about 2.62½ cents a pound. What are the consequences?

If the Government had actually proceeded to sell its nonstrategic copper, it is a reason-

able assumption that the price could easily have dropped to 30 cents a pound, even if the first batch that was offered for sale was only 10,000 tons. On a sale of 10,000 tons the Government probably could have realized $6 million. And, were the Government to continue offering more copper for sale, there is no telling how low the price might go.

We wonder if the Government officials who conceived the brilliant plan to liquidate some of the Government's copper holdings are cognizant of the fact that the Government still has outstanding floor price contracts with producers that obligate the Government to take in about 10,000 to 12,000 tons of copper each month if the price should drop to about 27½ cents a pound. The Government would be selling a tonnage with one hand and taking in an even larger tonnage with the other.

But what about the effect on the world copper-producing industry? In the first quarter of the current year the world's deliveries of copper to consumers amounted to 763,000 tons, according to figures compiled by the Copper Institute. This is at the rate of about 3,050,000 tons of copper a year. The drop of 2.62½ cents a pound in the London price referred to previously, on sales of 3,050,000 tons a year, would entail a loss on sales of approximately $162 million a year. The loss in taxes to the Chilean Government alone would probably be approximately $20 million a year, let alone the losses to other producing countries such as Rhodesia, Peru, the Belgian Congo, and to others.

The Government has already done a great deal of harm to the copper market, harm that cannot be fully repaired, because, as long as these 128,000 tons overhang the market, there will be the continued uncertainty as to when they are likely to be offered for sale. No matter what safeguards the Government may devise so as not to hurt the market, they are not likely to prove effective.

There is one thing that the Government can do, if it really wants to undo the damage that it has inflicted, and that is to take these 128,000 tons of copper out of the hands of the OCDM and place them in the permanent or supplementary stockpile. Once this copper is in the stockpile, then, according to the Stockpile Law 520, it cannot be released except by Presidential decree during a period of national emergency or, in times of peace, by congressional approval.

The copper industry has too much at stake to allow this copper to hang like Damocles' sword over the market. It's up to the Government to remove it and do so quickly.

[From American Metal Market, Apr. 17, 1959]

PROPOSED SALE OF COPPER ORIGINATED AT WHITE HOUSE—BUDGET HASSLE, INFLATION BEHIND PLAN TO DISPOSE OF DPA METAL—STRONG SENATE OPPOSITION

WASHINGTON, April 16.—The proposed sale of copper from the Defense Production Act stocks, which was stymied by Senate opposition yesterday, originated in the White House and was part of a plan to liquidate a number of surplus commodities in order to balance the budget, American Metal Market learned from informed sources in the administration today.

In addition to copper, other commodities accumulated by the Commodity Credit Corporation, were scheduled for disposal.

Government officials who were in on the discussions said today that they were convinced that the proposed sale of copper was inexpertly handled.

They said that if congressional leaders had been consulted beforehand and shown that the disposal of copper and other commodities would be conducted in an orderly manner, the plan might have received approval on the Hill.

An entirely new disposal plan had been developed and would have been announced today, had not the decision been withheld as a result of congressional opposition.

BALANCE THE BUDGET

The liquidation of copper and other stocks held by the Government was designed (1) as an anti-inflation measure and (2) to help balance the budget.

It was not immediately determined whether the plan was one of the recommendations which may have been submitted to the President by the Committee on Inflation and Economic Growth, set up 2 months ago by the President and headed by Vice President NIXON.

Officials who were in on the discussions said that the proposed sale of copper did not draw opposition from the Department of Labor in the present instance. When it was proposed in 1956 that copper be sold from DPA account, to replenish industry stocks during a strike, Secretary of Labor Mitchell objected on the ground it would weaken the position of labor at the bargaining table.

The plan for the sale of copper on the open market would have been an orderly disposal with a minimum impact on the market, Government sources said today.

SENATE COMMITTEE ACTS

Meanwhile the Senate Interior Committee today moved swiftly to close the door on any disposition of copper held by the General Services Administration under Defense Product Act authority.

The committee voted out a resolution calling on the Office of Civilian and Defense Mobilization to direct GSA not to sell any of its DPA copper holdings. However, the approved resolution did not request that the DPA copper be place in the national stockpile, as was indicated yesterday when Senators JAMES E. MURRAY, chairman of the committee, and MIKE MANSFIELD introduced the resolution.

Subsequently the OCDM said it was actively reviewing the copper situation and indicated there was some likelihood that DPA copper holdings might be sold on the domestic markets in small quantities over a long period of time.

The OCDM supervises the Government's DPA holdings in metals which have been purchased under expansion contracts signed since 1951 as a wartime buildup.

The OCDM has the authority to dispose of these materials if they become surplus to the Government's goals for supplying U.S. industry during a national emergency.

Last year the OCDM revised its stockpile objectives from a 5-year emergency stockpile to a 3-year emergency holding.

However, the Government was still obligated under its DPA contract to continue buying copper and some other metals.

PREVENTED BREAK IN MARKET

The Senators and Congressmen who yesterday attacked the Government for considering disposal of copper on the domestic markets by the Government agencies openly declared today that they felt their prompt action had prevented the disposal of this copper which they believed would have resulted in breaking the market in that commodity.

GSA is believed to have on hand up to 128,000 short tons of copper in its DPA holdings.

BORROWING AUTHORITY NEEDED

The copper controversy which broke out yesterday on both floors of the Congress may also have been the result of a calculated political move in the struggle between the administration and the Congress over money.

The GSA is said to be short of money to pay its "put" right obligations to copper and aluminum producers who have been selling stocks of these and other metals to the Government under Defense Production Act contracts signed in the Korean war era when metals expansion was considered essential.

ODM and GSA must go before Congress this year to raise funds to cover such metal as may be put under these contracts. The Congress already has indicated it would not approve authorizing this money on a borrowing authority basis, which would place the money borrowed from the Treasury outside the obligations of the Federal budget.

ODM has been warned that it must seek the funds through regular appropriation channels, and this must be done in the near future.

The storm brewed yesterday in Congress by the possibility of the Government selling copper certainly must be interpreted as a warning that the Nation's industry would resist strongly such sales, to say nothing of the violent reaction that took place on Capitol Hill.

The fact is that the time is nearly due for the Federal agencies involved to come before Congress to seek, among other moneys, what they believe they will need to meet their "put" rights in fiscal 1960, and these "put" rights still involve copper.

INDUSTRY UNCERTAINTY—LONDON SAGS

NEW YORK, April 16.—The industry's reaction to OCDM's noncommittal stand on the possible sale of DPA copper has been universally hostile. The mushroom cloud of uncertainty cast over the market by the Washington developments has brought weakness to most prices. An exception is the 31½ cents primary producer quotation which is well sustained by heavy consumer demand.

In the key London Metal Exchange market today, quotations tumbled by the equivalent of three-fourths cent per pound at the first call. They steadied at the second call so that both spot and 3 months prices finished at £229 15s. per ton. This was a net decline from Wednesday of £5 15s. Trading was heavy with 5,700 tons changing hands.

Comment from London noted a weakness in the 32 cents U.S. custom smelter price as well as a dormant demand for copper in Europe.

Trade quarters calculated that today's closing price in London means that foreign copper can be delivered in the United States competitively with the 32 cents smelter quotations.

BELGIAN PRICE CUT MORE THAN A CENT

Following the heavy decline in the London market, the big Belgian Congo producer, Union Miniere du Haut Katanga, has reduced its electrolytic copper price to 33 Belgian francs per kilo. This is equivalent to 29.95 cents per pound, f.a.s. New York, a reduction of 1.12½ cents.

SMELTERS QUIET—SCRAP CUT ONE-HALF CENT

Custom smelters who were finding a receptive market for copper at 32 cents prior to the Washington news, cannot dispose of metal so readily now. One smelter today was able to report only a small sale and commented that buying interest was very limited.

In merchant circles it was reported that business was active at 31½ cents per pound.

Custom smelters this morning reduced their buying prices for scrap by one-half cent to the basis of 25¼ cents per pound for No. 2 copper scrap. Dealers say they are uncertain and nervous about the price outlook.

FUTURES FIRMER

Following the violent reaction of the New York futures market to Wednesday's news from Washington, today saw some recovery in prices on Comex. Closing quotations were up by 13 to 40 points from the previous day, although they were lower at the opening. A total of 686 lots or 17,150 tons was traded.

BRASS, BRONZE INGOTS DOWN 1 CENT

Following the lower prices paid for scrap, a leading maker of brass and bronze ingots in the East today reduced the selling price on all grades of ingot by a flat 1 cent per pound. Other firms followed.

A Chicago report indicated that Midwest ingot makers joined in the price reduction.

[From the Wall Street Journal, Apr. 17, 1959]

ADMINISTRATION DOES NOT INTEND DUMPING COPPER, GOLDWATER STATES

WASHINGTON.—Senator GOLDWATER, Republican, of Arizona, reported that the administration has no intention of dumping large amounts of stockpiled copper on the market but instead is trying to find a way to get rid of a little bit at a time.

Mr. GOLDWATER's statement came after the Senate Interior Committee hurried through a resolution expressing Senate opposition to rumored reports that the Office of Civil and Defense Mobilization may sell up to 128,000 short tons from the copper stockpile. The resolution, piloted by Assistant Democratic Leader MANSFIELD, of Montana, is slated for early Senate approval.

The OCDM, which administers the Government's stockpile, said Wednesday it is actively reviewing the copper decision and may make a decision on disposal later this week.

Mr. GOLDWATER, a high ranking member of the Interior Committee, told a reporter that he will seek a firm commitment from the administration that it plans no action which would depress the copper market. "I got the impression that they do not plan anything more than a very gradual disposal," he added.

The Senate resolution contends that release of the copper stocks would do "incalculable danger to the national security and to the economic well-being of the Nation."

OCDM can dispose of any stockpiled material surplus to Government needs. Officials of the agency have revealed that such a surplus exists in copper because of a change in the stockpile objective last year from one designed to meet 5-year emergencies to one aimed at meeting a 3-year war situation.

COPPER MARKET JITTERY

NEW YORK.—The markets for copper yesterday continued jittery, reflecting further the uncertainties created by word the Government is considering releasing copper for sale from its stockpile.

Copper price movements mostly were on the downward side again, with the London price breaking about three-quarters of a cent a pound to the equivalent of about 28.75 cents asked on the London Metal Exchange for immediate delivery metal. This was in addition to a three-eighths of a cent drop there on Wednesday.

Industry men noted that at the current London quotation it now becomes more profitable to sell foreign metal in the United States than to European consumers based on current quotations, even after payment of the 1.7 cents a pound U.S. import tax. The U.S. producer price is 31½ cents a pound, and the U.S. custom smelter quotation is 32 cents a pound.

Custom smelters cut their buying price for scrap copper one-half cent, putting No. 2 copper wire scrap at 25¼ cents a pound. This is equal to about 30¾ cents a pound for refined copper processed from the material and ready for shipment 3 months from now.

The big Belgian Congo copper producer, Union Miniere du Haut Katanga, cut its price by 1⅛ cents a pound to 29.95 cents a pound at New York and Antwerp. The New York price does not include the 1.7 cents U.S. copper import tax.

Opening call—London Metal Exchange prices, Apr. 17, 1959

Metals	Pound rate	United States	Up
Copper:			
Electric—Spot:			
Bid	£234.5	$29.46	£4.10
Asked	234.15	29.53	4.15
Electric—3 months:			
Bid	234.10	29.50	4.15
Asked	235.	29.56	5.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 101) was agreed to, as follows:

Resolved, That it is the sense of the Senate that the best interests of the country, from both the national security and economic standpoints, will not be served by the release of any part of any governmental inventory of copper at this time, but on the contrary incalculable damage to the national security and the economic well-being of the Nation would result by such action.

The preamble was agreed to.

STRATEGY FOR SURVIVAL—ADDRESS BY SENATOR JACKSON

Mr. MANSFIELD. Mr. President, yesterday the distinguished junior Senator from Washington [Mr. JACKSON] addressed the National War College on the need for a clear and goal-directed national strategy for victory in the contest with world communism.

His address deserves the widest possible study. It deals with one of the most critical problems facing this Nation. The Senator from Washington not only makes the case that we cannot win the cold war without a strategy for winning, but he offers constructive suggestions to remedy the situation.

I am glad the Senator from Washington is not letting the matter rest here, but that he will follow through on it in the Committee on Government Operations.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the complete text of the speech entitled "How Shall We Forge a Strategy for Survival?" delivered by the junior Senator from Washington before the National War College on April 16, 1959.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

HOW SHALL WE FORGE A STRATEGY FOR SURVIVAL?

(By Senator HENRY M. JACKSON, of Washington)

Admiral Ammun, General Mundy, faculty, members of the National War College, and Industrial College of the Armed Forces, I am honored to have this opportunity to talk to you again. I thoroughly enjoy these occasions—above all the question period which follows this opening statement. So I will immediately get down to the presentation of my theme.

The central issue of our time is this: Can a free society so organize its human and material resources as to outperform totalitarianism? Can a free people continue to identify new problems in the world and in space—and respond, in time, with new ideas? I think you would agree with me that the answer to these two questions is now in doubt.

Only 1 out of every 16 people in the world is an American. We occupy only 7 percent of the earth's land. Yet we carry the major burden of creating a world environment in which the democratic experiment can survive and prosper.

In performing this task, a host of new problems crowd upon us: the rising nationalisms in former colonial areas, the mounting pace of technology, exploding population growth, atomic weapons in the hands of more and more states. And complicating all of them is the increasing severity of the Sino-Soviet challenge.

The danger of a shooting war is clear.

We should expand military programs to develop the strength we need to win any war that might be forced upon us. We ought—and I use the word deliberately, for it is fundamentally a moral issue—we ought to do whatever is necessary to win and hold a decisive lead in the race for new weapons systems. And, together with our allies, we ought to develop strength adequate to protect the free world with limited means against limited aggression.

It is absurd to say that we cannot afford to do these things. We cannot afford not to do them.

Could there have been anything more unimaginative than the defense budget ceiling of $14 billion in 1950—just before the Korean attack? In 3 years we had to treble our defense program, and we have maintained it at substantially that level ever since. Now even a $40 to $41 billion defense program isn't enough.

Yet our leadership has reverted to the arbitrary budget ceiling—an ideal device to obscure the real requirements of survival.

It is high time that we ceased being victims of a budgetary fetish. We should determine our defense needs in the light of the threat. Then we must find economically sound ways to meet those needs—by expanding our economy, and, if necessary, by providing more funds through additional taxes.

But today I wish to speak of the perils of the cold war. If we do what we ought to do militarily, we may not have a big shooting war. In that case, the decisive struggle of our time will be fought on the battleground of the cold war. And that is precisely the battleground where Premier Khrushchev thinks he can beat us, plans to beat us, and will beat us unless we get to work.

What is this cold war all about? It is a war to determine what kind of world system is to be created on this planet, a Communist world system or a world system in which free institutions can survive and flourish.

By outperforming us in one field after another, the Communists plan to demonstrate that their system represents the inevitable wave of the future, and that our friends and allies have no realistic alternative except to join forces with them.

Loss of the cold war could be as final, and fatal, as defeat in an all-out war. And now we are losing the cold war, when we could be winning it.

Our own power as against that of the Communist bloc is in decline. We are losing ground in one field after another—military power, economic strength, scientific capability, political influence, and psychological impact. We are going downhill at an accelerating rate—which is the normal way of going downhill. And if that is a joke, it is a grim one.

The results of a continuation of this decline can be predicted with almost mathematical accuracy. The combination of growing Communist power and weakening American power will produce a chain reaction of defeats for the free world. Finally, as the culmination of retreat, after retreat, after

retreat, we will stand at bay—isolated and desperate.

There is no lack of good ideas as to what we have to do to reverse the tide of events. Over and over again lecturers here at the War College have said what we should do:

We should move faster to the invulnerable military deterrent, the Minuteman, and the Polaris missile system.

We should expand our economy at an annual rate of 5 or 6 percent, not 1 or 2 percent.

We should strengthen education across the board, especially in the sciences and foreign languages, but being careful not to neglect the social sciences, which are, so to speak, the sciences of the cold war.

We should increase our technical cooperation and development loan programs.

We should make a dramatic demonstration of our power to help the economically impoverished countries, and underwrite India's historic development program.

We should rally more of our best brains into public service.

We should be doing all these things—and many others.

Committee after committee has proposed programs to fortify our position in the cold war. Indeed, for every new crisis we seem to get a new committee.

It is a formidable succession—for example, the Finletter Committee, the Gray Committee, the Paley Commission, the Sarnoff Commission, the President's Committee on Scientists and Engineers, Citizens Advisers on Mutual Security, the Gaither Committee, the Draper Committee, the Boechenstein Committee—not to mention the Committee on Economic Development and the study groups of the Rockefeller Brothers Fund.

Over and over again these committees warn that we are losing the cold war. Over and over again they recommend policies to stem the tide.

Their reports are not refuted. But neither are they acted upon. They are simply referred to some other committee for study. After a decent interval, they are moved to some file drawer in the Pentagon or the State Department, there to await eventual transport to the National Archives and Records at Eighth Street and Pennsylvania Avenue NW.

And of what value are all the good ideas if nothing ever comes of them?

The truth is we know pretty well what we should do. The tragedy is we have not done it, we are not doing it, and we show few signs of doing it.

Why are the American people failing to pull themselves together and act on the good ideas available? What is missing?

Certainly we do not lack a worthy cause—freedom. Certainly we do not lack the capacity for hard work—that is our tradition. Certainly we do not lack material resources—we have plenty of them and we could easily have more. Certainly we do not lack brainpower—we have an abundance of that.

What seems most to be missing is a coherent and purposeful national program that sets forth in simple terms what we have to do to survive, and why.

In wartime, there is a basic strategy to defeat the enemy. Our leaders know, and our people know, what they are trying to do, and what is demanded of them. This makes possible the marvelous unity and energy of wartime.

We have no comparable strategy for the cold war. Our leaders do not know, and the people surely do not know, what our purposes are and how we propose to achieve them. The harsh tasks of the cold war are glossed over with soothing cliches and platitudes. Our people are never told what is required of them. The Congress is presented with only bits and pieces of policies—that give us no clear idea of what the executive branch is really trying to accomplish. And how can one expect to win any struggle unless one has a strategy for victory?

In this respect, the British in the 19th century were far ahead of us. The British leaders knew what they were doing and how they intended to do it. They were running a great empire and they had to maintain the freedom of the seas. Their people understood what was required—they were indoctrinated in their duties from the cradle. Everyone knew the importance of a good education, the need to train for posts throughout the Empire, the indispensability of a strong navy, and the significance of free trade.

During the 19th century the British people showed extraordinary energy and sustained a prodigious national effort.

By contrast, we seem to manage only sporadic effort. Comes a crisis we may arouse ourselves to take emergency action. We appoint a Science Adviser to the President, we rush wheat to India, we improvise an airlift to Lebanon, we consent to a summit meeting.

But at no time are the vital energies of our people fully engaged. At no time are our people shown the whole package of effort that is needed. At no time are the tasks of the cold war presented in terms that are meaningful to men at the work bench, to shopkeepers, to children in school, and to housewives.

In short—we do not have a national strategy that elicits the interest, support and continuity of effort necessary for survival.

How can we get that kind of a national strategy?

More dynamic leadership would, of course, help. There is no substitute for brains and firm direction of Government policy.

For example, when General Marshall reached the conclusion that we had to do something about Europe's economic plight in 1947, there was little problem in mobilizing talented people and public support to translate this idea into the highly successful European recovery program.

But it is not a satisfactory system that is completely dependent upon the personality of a single leader—or a handful of leaders. The stakes are too great for us to bank on the all-pervasive wisdom of our top leadership. We should have sound methods for preparing a national strategy—that will strengthen the hand of our leaders whatever their caliber, and make even an excellent leader that much more effective.

If we could get top-level officials to stay longer on the job, of course that would help.

I trust we can make some progress in this field, but we cannot expect spectacular results. A rapid turnover in top-level people is not simply the mark of the present administration. It has been true of every administration in recent times.

One thing I am sure would help—better machinery for policymaking.

Organization by itself cannot assure a strategy for victory in the cold war. But good organization can help, and poor organization can and does hurt. Let's face it: we are poorly organized.

Also, unlike some problems that confront us, that of organization is within the power of the Congress to tackle.

We now have an enormous executive branch and elaborate policy mechanisms: The Office of the President, the Cabinet, the National Security Council, and its two subsidiaries, the Operations Coordinating Board and the Planning Board. We have the Joint Chiefs of Staffs, the Office of the Secretary of Defense, the Office of the Secretary of State—departmental planning staffs, and hundreds of advisory boards, steering groups, interdepartmental committees, and special Presidential committees like the Draper Committee.

Yet this modern Hydra, with nine times nine heads, fails to produce what we need.

According to the chart it does the job:

The Planning Board of the National Security Council plans and proposes new policies and programs. These go for consideration to the heads of Departments who are members of the National Security Council. An agreed paper is approved by the National Security Council—which serves as an advisory board for the President. The President decides. The policy is then implemented under the watchful eye of the Operations Coordinating Board. And the President has a clear and consistent policy to spell out for the American people.

The procedure is pretty as a picture—and that is what it is, a pretty picture on an organization chart. It has little or nothing to do with reality.

First, the NSC is not and by its nature cannot be an effective planning agency, except in the most Olympian sense.

The President may and should make the most basic strategic decisions—such as the decision in 1941 to defeat Germany first and Japan second. In making such decisions the President no doubt needs the advice and counsel of an agency like the NSC. But neither the President nor the NSC and its Planning Board can make the detailed plans necessary to give effect to the basic strategic decisions. Planning of this sort requires the knowledge and experience of the expert, and also the resources and the environment of the Department having the main responsibility for the operations being planned. It is only in the Department concerned that the necessary conditions for extended creative planning work can be provided. And of course there must be cross-contacts and cross-stimuli between experts in the several Departments, at the level where planning is done.

The proper role of the NSC is to criticize and evaluate departmental planning and proposals in light of the knowledge, interests, and possibly conflicting policies of other Departments. In this way what we call a coordinated view may be developed, and such a view may be very helpful to the President in making a clear determination of the Executive will.

If, however, the official views of other departments are expressed at the planning stage, as they will be if planning is undertaken at the NSC level, compromise and departmental jockeying begin too early. The result is that clear and purposeful planning becomes almost impossible. The effort to make the NSC a planning agency, therefore, has been a serious mistake in my view.

Second, and again in the nature of things, top level officers cannot thoroughly consider or think deeply about plans. They need to be confronted with the specific issues which grow out of an effort to harmonize a new policy with other policies. The so-called planning board can be very helpful by identifying such conflicts, defining them sharply, and presenting the distilled issues to the top level for decision. This is an essential function—but it is not the first step in policy planning and should not be mixed up with the first step.

You know the typical week in the life of a Cabinet officer—seven formal speeches, seven informal speeches, seven hearings on the Hill, seven official cocktail parties, seven command dinner engagements. It is a schedule which leaves no time for the kind of reflection essential to creative planning. What they can do, should do, must do—and all that they should be asked to do—is to pass judgment on sharply defined policy issues.

Of course Cabinet members have the obligation to encourage and back the officers in their department who are charged with policy planning. The responsibility of the policy

planner should run clearly to his departmental head. In this way staff planning can be geared into line decisions—and the authority of the departmental head can support and strengthen the hand of the planner.

But I am convinced that we will never get the kind of policy planning we need if we expect the top level officers to participate actively in the planning process. They simply do not have the time, and in any event they rarely have the outlook or the talents of the good planner. They cannot explore issues deeply and systematically. They cannot argue the advantages and disadvantages at length in the kind of give-and-take essential if one is to reach a solid understanding with others on points of agreement and disagreement.

Third, and largely for these reasons, a plan originating in the NSC will almost inevitably possess a fatal flaw; namely, a lack of internal consistency.

Good plans must be coherent; they must have sharp edges, for their purpose is to cut through a problem; their various elements must be harmonious and self-supporting. They must have the kind of logic, or, if you prefer, the kind of thematic unity which grows out of the uncompromising and uncompromised efforts of a creative mind. Compromise must come, but it should come after the planning process has been completed and as an adjustment of conflicts between a coherent plan and other coherent plans.

As you well know, NSC papers are in the end the result of compromises between different departments. That is as it must be. The question is: What should the NSC seek to compromise? My answer is that the NSC should be presented with the most sharply defined policy issues and choices, not with papers which have already lost their cutting edge by a process of compromise at lower levels. When compromise begins at the planning stage, the issues which come to the NSC have already lost their sharpness, clarity, and bite. The paper which is already inoffensive to every department may be easily approved, but it is also useless.

In short, plans which do not lead to sharp disputes at the NSC level are not good plans; they do not present the kind of issues which the top level ought to be called upon to decide in this hard slugging contest between the Sino-Soviet bloc and ourselves.

There is, I submit, a role for both chiefs and Indians, and only confusion can result when the Indians try to do the work of compromise which is the job of chiefs.

As it now functions, the NSC is a dangerously misleading facade. The American people and even the Congress get the impression that when the Council meets, fresh and unambiguous strategies are decided upon. This is not the case, though it ought to be the case. The NSC spends most of its time readying papers that mean all things to all men.

An NSC paper is commonly so ambiguous and so general that the issues must all be renegotiated when the situation to which it was supposed to apply actually arises. By that time it is too late to take anything but emergency action.

Fourth, national decisionmaking, as a result, becomes in fact a series of ad hoc, spur of the moment, crash actions.

Because the NSC does not really produce strategy, the handling of day-to-day problems is necessarily left to the Departments concerned. Each goes its own way because purposeful, hard-driving, goal-directed strategy, which alone can give a cutting edge to day-to-day tactical operations, is lacking.

Henry Kissinger has well described the kind of strategy which is the product of this process: "It is as if in commissioning a painting, a patron would ask one artist to draw the face, another the body, another the hands, and still another the feet, simply because each artist is particularly good in one category." It is small wonder that the meaning of the whole is obscured both to the participants and to the public.

Indeed, and this is perhaps the most serious criticism, our present NSC system actually stultifies true creative effort in the executive branch.

Because planning is supposed to take place at the NSC level, the Departments are relieved of responsibility for identifying upcoming problems and for generating new ideas and are even discouraged from trying. The Indians are supposed merely to carry out existing policy, not to propose new policy. The result is that a vast reservoir of talent goes largely untapped.

Creative thought generally springs from daily concern with real problems, from the efforts of operators to operate. The new idea seldom comes from the man who turns his mind to a problem now and then; it comes from the man who is trying to lick a problem and finds that he can't lick it with the tools he has.

The present NSC process, furthermore, has reduced the cross-contacts and cross-stimuli between the Departments and services at the level where planning and operating take place or should take place.

One reason for this is that, in principle, no contacts are needed if policy planning is reserved to higher levels, and the lower levels are supposed to restrict themselves to carrying out instructions. Another reason may be that when planning is reserved to the highest levels, each Department considers that it must prepare to fight a battle in the NSC for its special point of view. It, therefore, mobilizes itself for making its case in a manner that will support and show off the departmental viewpoint to the best advantage. Contacts with other Departments are discouraged because they might provide them with arguments with which to rebut the views of one's own Department.

The bankruptcy of the present NSC technique is dramatized by the administration's increasing reliance on distinguished citizens committees both to review past policies and also to recommend future action—the Gaither Committee, the Draper Committee, the Boechenstein Committee—and so on. These committees may come up with excellent ideas—though this is probably the exception, not the rule. But few of the ideas are used.

Once such a temporary committee has presented its report, it is obviously in a poor position to fight its suggestions through to a decision. And the fresher its ideas, the greater the need for a hard fight to overcome vested interests in current policy. The fate of the Gaither report is a classic case in point.

The sum of the matter is this: Our governmental processes do not produce clearly defined and purposeful strategy for the cold war. Rather they typically issue in endless debate as ot whether a given set of circumstances is in fact a problem—until a crisis removes all doubt, and at the same time removes the possibility of effective action.

I grant that the cold war challenges our organizational ability to the limit. Yet think back to what we accomplished in World War II. With the stimulus of war, we put together a clearly defined national program of requirements and priorities. Then we set national goals to meet them. And we exerted the needed effort. Between 1940 and 1944 we increased the real value of our gross national product by 55 percent, and while putting 11 million men into uniform and sending them all over the world, we were still able to increase the real consumption of goods and services by about 11 percent during that period.

Or think back to Korea. Between 1950 and 1953 we increased the real value of our gross national product by 16 percent, and while multiplying defense expenditures threefold, we increased the real consumption of goods and services by about 8 percent.

Can we organize such an effort without the stimulus of war? This is the hard problem of our time. Can a free society successfully organize itself to plan and carry out a national strategy for victory in the cold war?

I recently proposed to my colleagues in Congress that we make a full-dress study of this problem, with public hearings and a formal report. This would be the first congressional review of Government methods for formulating national policy in the cold war. The study would be conducted in a nonpartisan manner. We would not be interested in destructive criticism but in constructive help.

The general questions that need consideration run something like this:

1. What is the present structure for formulating national policy?
2. What is it supposed to accomplish?
3. Is it doing it?
4. In what areas are there grave shortcomings?
5. Why is this the case?
6. What improvements should be made?

We need to find out why critical issues constantly fail to rise to the level of national decision—in time. Experts down the line often see an issue, debate it, and write a paper about it, then the problem gets lost on its tortuous movement upwards through the layers of bureaucracy.

Over and over again, vital questions never get before top officials in such a way that those officials have to face them, take responsibility for them, and decide them one way or the other.

Might there be some way in effect to force top-level response to specific ideas and issues? For example, why did it take a letter from the Congress as late as 1955 to induce the President to receive his first full-scale briefing on the status of our ballistic missile program?

In addition, we should ask this kind of question:

1. Does a case history of NSC 68 reveal useful lessons for the future? This paper, which proposed a major defense buildup, was worked out in 1949–50, before the Korean attack, but it was signed by President Truman only after the attack. To my knowledge it is the first comprehensive statement of a national strategy.

2. Did the NSC fully consider the psychological impact of permitting the Russians to register scientific firsts in the intercontinental ballistic missile, in orbiting a satellite, and in sending a rocket beyond the moon? Was a decision taken that these scientific firsts did not matter?

I know there are some people who believe these scientific firsts do not matter. I think they are 100 percent wrong. The psychological impact of being the first to put a man on the moon cannot be underestimated. It will make an enormous difference to the in-between world and to the Russians as well—if they do it first. It will even give us cause to doubt our own abilities.

3. Has the NSC considered and decided whether or not to make it a goal of national policy to substantially increase our gross national product—say from 1 or 2 percent to 5 or 6 percent?

The difference between a 3-percent and a 5-percent rate is staggering. In 10 years—one short decade—our economy could turn out an extra $630 billion if we could step up our rate of growth from 3 percent to 5 percent.

If this goal has not been considered, who in the Government prepares the alternative policy recommendations on this problem? And who actually makes the decision?

4. Has the NSC prepared a paper analyzing the implications of an arbitrary defense

budget ceiling both for our defense program and for the strength of our political and diplomatic hand?

5. How much consideration has been given to the implications of the use of nuclear weapons in limited war? How has this matter been presented to the President?

6. Has the NSC prepared a paper analyzing the alternative ways this country could support and finance an increased defense program? Has such a paper been discussed by the Cabinet?

7. Has the NSC considered the relation of our present output of scientists and engineers to the future needs of defense and welfare, and made alternative recommendations to the President?

At this point, you could legitimately ask what constructive remedies the Congress can hope to recommend?

I believe there are at least two main areas where Congress could made helpful proposals:

In the first place, better ways can be found to stimulate deep, sustained, creative thinking about the whole range of problems facing our Nation and society.

In this connection several possibilities suggest themselves.

Policy planning staffs could be set up in each main Department, with a position, role, and prestige like that of the policy planning staff in the State Department in the Truman administration.

Continuing staff relations could be organized between Defense and State, with the inclusion of other Departments as occasion warranted. These might center in joint meetings between departmental policy planning staffs, or the directors of policy planning.

Continuing cross contacts could and should be organized at other levels, like that between State and the Joint Chiefs of Staff during the Korean war.

The equivalent of a RAND organization might be organized for the executive branch, perhaps responsible to the Secretary of State.

An equivalent of a permanent Gaither committee could be organized in the form of an Academy of National Policy, outside the Government, but with access to classified information. The academy could draw on experts in defense, in the sciences, social sciences, and humanities, and on leaders from private life. Insofar as possible the academy's reports would be made public, as part of a continuing effort to develop an informed public opinion. In addition, the academy could also prepare confidential reports for use of the Government.

Unlike the Gaither and similar temporary committees, a permanent center would have a chance to build a reputation and tradition for responsible and helpful reports.

Second, better methods can be found to formulate and carry out a clearly defined and purposeful national program at the Presidential level.

Here again several possibilities suggest themselves:

The task of the NSC staff could be redefined as the identification and clarification of policy choices for the President and his principal advisers. Its purpose would not be to reach ambiguous compromises, but to sharpen policy choices in order to assist the President and the NSC to see the issues clearly and thus to decide them intelligently. This change would recognize, in organizational terms, that the proper role of the President and his advisers is to make choices between clearly stated and sharply defined proposals.

The central role of the Secretary of State could be affirmed by giving him primary responsibility for the initial presentation to the council of the NSC papers in which policy choices are defined.

The NSC staff could be reorganized, and composed of the heads of the departmental policy planning staffs, responsible to their department chiefs. That kind of a staff would be better prepared to define issues and thus to prepare the way for intelligent decisionmaking at the top level than the present staff which is responsible to an independent director.

In short, NSC staff papers could be shaped to force the careful weighing of alternative courses of action by NSC members, and to force the chiefs of departments and the President to make the choices between alternatives that they should make.

Let me say at this point we could develop excellent machinery and come up with all kinds of fine proposals—but if these proposals never reach the top level for decision, then we would be no better off than at present. We would be right back with the Gaither report. I am not sure what the full answer is. As I have indicated, this aspect of the problem must be thoroughly considered by our congressional inquiry. I am sure, however, of what we need and are looking for—a national policymaking system that by its nature gets critical issues, sharply defined, up to the highest level where a conclusion can be reached on them—in good time.

Finally, given the kind of national strategy I have been talking about, the Operations Coordinating Board would come into its own. There is a need for such an agency. The committee headed by William Jackson, way back in 1953, had a good idea. But the coordination of operations presupposes a guiding national strategy and the Operations Coordinating Board cannot coordinate because this precondition is lacking. It cannot direct until it receives strategic directives. It cannot wield the baton because there is no orchestra, only a collection of anarchic musicians each playing his own hot licks on his own instrument with his own music.

Of course, a new and better organization of itself is not going to be the whole answer. At best, organization can only help.

You know well enough how much we need vigorous and creative national leadership. Most of you know from personal experience the importance in high places of a hospitality to ideas. And there must be a recognition of the fundamental problem.

Perhaps I am wrong, but I think our fundamental problem is that we do not have a national strategy for victory in the contest with world communism.

At this point in our history, I believe there is no more important contribution that the Senate could make than to prod, poke, and irritate the executive branch into developing such a strategy and organizing our Government for that task.

And I do know this, and with the immodesty becoming a Senator I will assert it with all the force I have: without such a clear strategy, it will prove increasingly difficult to get the public and congressional support that is the essential underpinning of the adequate, purposeful, continuing action on which victory in the cold war depends.

It is far more difficult to generate the enthusiasm for the long drawnout efforts of the cold war than for the dramatic clashes of a hot war. It is on this fact that Mr. Khrushchev is heavily banking. All the more important, therefore, is the formulation of a clear and understandable strategy for victory.

In conclusion, let me just say this: We fail to act on the good ideas available. We fritter away our strength on secondary matters. We fiddle trifling tunes while the world burns. But back of all that—still the true glory of a free society is its central conviction: The world can be made a decent place to live in—a world of peace, material well being, justice, and freedom—a world in which no individual is lost and none is forgotten.

Free men are the real champions of the future. We are the bearers of the truly revolutionary idea of our age—that the quest for human welfare and the quest for human liberty are one and the same quest.

The truth is that to every threat of defeat there has always come the resolute response of freemen: "It shall not be."

This can be so again, as we in our time bend our efforts to building the decent world for which we stand—knowing that humanity's hope depends upon it.

AGRICULTURAL ACT OF 1959

Mr. CAPEHART. Mr. President, many very important matters come before the Senate and House of Representatives. For example, today Mr. Castro is in Washington. His visit is important. At the moment, a number of luncheons are being held. Among the very important matters we have to consider is the foreign situation.

However, Mr. President, the subject I wish to discuss today, and in connection with which I shall introduce a bill, is, in my opinion, more important, or possibly it is the most important issue facing the Congress.

At this point let me say that last evening I mailed to each Member of the Senate and to each Member of the House of Representatives a copy of the remarks I shall make today, together with a complete analysis of the bill I shall introduce.

Mr. President, two groups are looking to us to solve the farm problem. When I say they are looking to "us," I mean they are looking to the Congress of the United States, because only the Congress can change existing laws, enact new laws, appropriate money, and give direction to the Secretary of Agriculture and to the President of the United States.

The two groups which are looking to us to do this are the taxpayers generally, and the farmers, specifically. The problem is serious for both of them. It is serious for the taxpayers because this year the cost of operating the Department of Agriculture will amount to more than $6 billion. I repeat, Mr. President, that the cost will be in excess of $6 billion.

The problem is very serious so far as the farmers are concerned because farm commodity prices are far too low in relation to production costs. I wish to repeat, Mr. President, that today farm commodity prices are much too low in relation to production costs.

Let me give an example of how serious this matter is. It is almost unbelievable, but it is true, that this year the cost of operating the Department of Agriculture, for all purposes, is estimated to be approximately $6,500 million. Yet the estimated net income of all American farmers for this year is a little more than $13 billion. Those facts ought to attract the attention of every Member of the Senate. In my opinion, those facts are much more important than the visit of Mr. Castro. Our Government, through the Department of Agriculture, is spending $6,500 million for all the purposes of the Department of Agriculture. Not all of that amount is for price supports, but the great majority of it is. Yet, as I have said, the net income of all American farmers is a little more than $13 billion. In other words, the Department of Agriculture is spending half as much

money as the total net income of all American farmers; and I believe there are in excess of 5 million of them.

Another shocking fact is that the Government owns more than $9 billion worth of farm commodities, and the amount will increase to in excess of $10 billion worth before the end of this year. Those who are much closer to the situation than I am and are much better informed on these matters than I am say that if something is not done about existing laws and existing administration and unless some appropriate action is taken, the value of the farm commodities the Government will own will rise to possibly $11 billion, $12 billion, $13 billion, $14 billion, or $15 billion.

Mr. President, what is the problem? It is the low prices for farm commodities, because if there were not low prices for farm commodities, it would not be necessary for us to have any Federal legislation at all on this subject. If there had not been low prices for farm commodities in 1938, a price support law would not have been enacted at that time. If there had not been low prices for farm commodities in the 1920's, when, I believe, the first Federal legislation in this field was enacted, that action would not have been necessary.

So the problem is what to do about the low prices for farm commodities. Certainly there is no lack of production, and certainly there is no problem in regard to the quality of production, because the American farmers are producing huge quantities, and the quality is excellent.

Mr. President, what causes the problem? What has caused the low prices for farm commodities? I think the low prices have been caused by overproduction; and I think everyone agrees on this one point. Or, to state the matter in another way, the problem is due to underconsumption or lack of markets. So the trouble is either underconsumption or lack of markets or overproduction; all three of them mean the same thing.

There is another reason for the problem; and it should not be overlooked, because it constitutes a very serious contributor to the problem—namely, governmental laws, rules, regulations, and administration of the laws.

Mr. President, what did the Congress do about this problem? Possibly the Congress is responsible for the situation, because Congress has been passing laws in this field for many, many years.

We could forget the problem, or we could say there is no problem. We could repeal all such laws, and we could let the law of supply and demand prevail. In fact, I have heard many persons say that should be done; among others, I have heard Senators and Representatives say it should be done; and I, myself, have given a great deal of thought to that suggestion.

But when we consider and study that proposal, we come up against a stone wall: namely, the fact that the Government has on hand $9 billion worth of farm commodities, and soon will have $10 billion worth of them, and during the present calendar year has a contract with the farmers to support the prices of corn, wheat, and other farm commodities. So it would not be simple to repeal these laws.

Mr. MUNDT. Mr. President, will the Senator from Indiana yield to me?

Mr. CAPEHART. I yield.

Mr. MUNDT. Another difficulty, as the Senator from Indiana well knows—because for a long time he has been a careful student of this problem—is that to repeal all these laws and to let the law of supply and demand operate would be one thing, if we were living in an economy in which other segments of the economy followed that formula; but we cannot escape the fact that we are living in an economy in which the farmer is compelled to pay for the things he buys in conformity with restrictions and regulations which are replete in our economy, as it functions today. The farmer is a great consumer. Consequently, a wage-hour contract which is legitimatized and legalized by law has its impact upon the farmer. Similarly, the minimum wage law has its impact upon the farmer. Each of the various regulations by the Interstate Commerce Commission of the transportation rates has its impact upon agriculture, as does the fact that the Government has adopted, as standard operating procedure, the provision of grants in aid, subsidies, and floors or guaranteed returns for manufacturers who have military equipment contracts or contracts with the U.S. Maritime Commission or contracts to supply the aviation needs of the Government.

So it is somewhat unrealistic to say that, "After all, a laissez faire economy might have its merits, and we will try it out on the farmers." But it cannot be done in an era and in an economy in which other segments are undergirded, reinforced, and supported by Government grants and aid by way of legislation. As a consequence, national legislature must find some way to enact legislation which will protect the farmer and promote his interests in a period when other segments of our economy, almost without exception, have Federal agencies, commissions, boards, guarantees, and aids protecting them in their places in the economy.

Mr. CAPEHART. I thank the Senator from South Dakota. There is no question that what he has said is correct. We must do something, and do it quickly, because the problem will not solve itself.

Let me give the Senate another startling statistical fact, at this point, because I think it is a good place to do so when I make the statement that the problem is not going to solve itself.

Since 1933 the American taxpayers have put up $30 billion to support farm prices; and $15 billion of that amount has been spent in the past 6 years. The other $15 billion was spent in 21 years. That is proof positive that, from the taxpayer's standpoint, the situation is becoming progressively worse.

I do not believe the taxpayers would object to the expenditure of the $30 billion, or the $15 billion in the past 6 years, had the expenditures accomplished the purpose for which they were intended, namely, the maintenance of fair prices for agricultural commodities. But the program has not brought about that result. The situation is that the taxpayer is putting up vast sums of money for a program which is not working, and the farmers are not deriving any benefit from it. As I have said, this problem will not solve itself, and I think we may as well make up our minds to that fact.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. YOUNG of North Dakota. Does the Senator believe lowering price supports would help solve the problem? We have been lowering them every year for several years, and it seems to me conditions are growing worse all the time. Does the Senator agree?

Mr. CAPEHART. I certainly agree that, to the extent the system we have been using is not working, farm prices are no higher than they were years ago. I certainly agree that has been the end result.

Mr. YOUNG of North Dakota. Our largest surpluses are in commodities for which price supports have been lowered the most, such as wheat and corn.

Mr. CAPEHART. I think that is correct.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. CURTIS. I commend the Senator from Indiana for the work he has done in the field of agricultural legislation. It seems to me we must ever be mindful of the fact that agriculture has changed in recent years. I refer to the high cost of operating farms, which is reflected not only in what might be termed inflation, but by the fact that the methods of farming have changed.

There was a time when, if a farmer had a poor crop or had received exceedingly low prices, he worked all year for nothing. But, as one Nebraska farmer pointed out to me, in these days by the time he has repaired his expensive machinery and purchased certified seed, fertilizer, tractor fuel, and all the other items of cash expense, it has cost him $7,000 in a certain year to find out he has not made any profit.

A quarter of a century ago the picture was different. The farmer would have worked all year for nothing, but his cash outlay would not have been so great. Consequently, the actual net income of the farmers is too low; and when I refer to the farmers, I mean families that live on the farms and whose sole business is farming. The very purpose of the agricultural program is to increase the income of the farmers.

I especially wish to commend the distinguished Senator from Indiana for including in his bill a measure which passed the Senate last year—and a similar bill has already been reported by the Committee on Agriculture and Forestry—dealing with new industrial uses for farm products. I believe there are very real possibilities in that field. It is the one ray of hope we have of increasing the consumption of agricultural products. I commend the Senator from Indiana for including in his measure the

section dealing with new industrial uses for farm products.

Mr. CAPEHART. Mr. President, I said a moment ago that we must do something, and that we must do it quickly. I have suggested a three-point program. Senators may disagree with parts of it, or perhaps disagree with all of it. But if Senators do disagree with parts of it or all of it, I ask them to offer a program of their own for solving the problem, or to offer amendments to my suggestions, because I think the situation has reached such a point that we must take some legislative action.

I have no particular pride of authorship. I am interested principally in one thing, namely, my desire to help solve this most troublesome and expensive problem. I know there is enough intelligence and experience in the U.S. Congress and the administration either to alleviate or greatly improve the farm situation, if we will only seriously and intelligently undertake it.

I shall now give the ideas, in brief, covered by the bill which will shortly be introduced.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. MUNDT. Before we come to the Senator's constructive suggestions—which I may say I am eager to hear—I think it should be pointed out that, with respect to the figures quoted a moment ago, $30 billion in all, and $15 billion in the past 6 years.

Mr. CAPEHART. I said the Federal Government had spent $30 billion since 1933 in supporting farm prices.

Mr. MUNDT. And $15 billion in the past 6 years.

Mr. CAPEHART. Fifteen billion dollars in the past 6 years and fifteen billion dollars in the first 21 years.

Mr. MUNDT. I think it should be pointed out in both instances that those amounts do not represent a net expenditure. Perhaps we should think of the expenditures as being within the framework of a program in which the Federal Government has devoted that many billions of dollars to the price-support program; but, of course, substantial sums can be, have been and will continue to be recaptured as a result, for example, of the operations of Public Law 480, and some of the expenditures should be charged to it. Some of the money has been devoted to loans. In addition, of course, at the present time the Commodity Credit Corporation has a very sizable inventory of farm commodities which are not going to be a total loss. We are hopeful, if the Senator's new farm bill, or any farm bill, or a particular development, will raise farm prices, the losses to the Commodity Credit Corporation may be even more substantially minimized.

Mr. CAPEHART. There can be no question that some of the inventories on hand will offset some of the expenditures; but the fact remains that the American taxpayers have put up $30 billion. We may get some of it back. I hope we will. There is a sizable stockpile in existence at the moment.

Mr. MUNDT. I merely wanted to be sure that no city slicker or slick magazine reporter would say that all this money had been put into the agricultural economy or funneled out to the farmers, because substantial amounts of it will be recaptured, and, furthermore, not a very large percentage of the expenditures has ended up in the pockets of the farmers.

Mr. CAPEHART. The unfortunate situation is not the fault of the farmer. It is not the fault of the taxpayer. It is simply the fault of the law and the way the law works, since it has not accomplished the purpose for which it was intended.

From the very beginning the farm law was designed to raise farmer's prices in the open market so that the prices would be satisfactory. The law has not worked that way at all.

The only time when the Federal Government or the taxpayer has to spend any money under a price support policy is when the market price is lower than the support price and the farmer delivers his product to the Government instead of to the open market.

Mr. MUNDT. The Senator is exactly correct. Consequently, if in our collective judgment we can find a way to increase the prices received by the farmers, we will immediately reduce or eliminate the drain upon the taxpayers and the Government.

Mr. CAPEHART. Let us put it this way: We have $9 billion worth of commodities on hand now.

Mr. MUNDT. That is correct.

Mr. CAPEHART. At the time the Government took possession of those commodities from the farmers, if the free market price had been higher than the support price the Government would not have taken 1 penny's worth.

Mr. MUNDT. The Senator is exactly correct.

Mr. CAPEHART. The purpose of the program from the beginning—and it ought to be the purpose today—has been to do those things which would keep the market price above the support price. Even then the market price has to be a satisfactory price, in line with parity, taking into consideration the prices the farmer has to pay for what he buys.

Mr. MUNDT. Our program should be tailored to the goal of channeling to the farmer a payment for the product he raises, rather than having so much of the money spent in storage charges. The money goes to the terminal elevator or the warehousemen, who receive legitimate pay, but this process adds up to tremendous amounts for the storing of surplus grains which the Government would not own if we could figure out a program to provide for the farmer himself the parity level prices to which he is entitled.

Mr. CAPEHART. We either ought to give the farmers and the taxpayers a "run for their money" with a program and laws which will work, or the Government should get completely out of the farming business by repealing the applicable laws and letting the farmer run his own business. We ought to do one or the other.

Mr. President, I should like briefly to present the ideas I have in mind which are covered by the bill which will be shortly introduced. At this point, I introduce, for appropriate reference, a bill to be known as the Agricultural Act of 1959. I ask unanimous consent that a detailed summary of the bill, and the bill itself, be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the summary and bill will be printed in the RECORD.

The bill (S. 1722) to reduce temporarily the production of farm commodities through the storage of surplus acreage, to discontinue certain sales of accumulated surplus stocks of such commodities, and to provide for programs of study and research for the purpose of finding new industrial uses for such commodities, thereby stabilizing prices of agricultural commodities and making possible the discontinuance of price support payments, introduced by Mr. CAPEHART, was received, read twice by its title and referred to the Committee on Agriculture and Forestry.

Mr. CAPEHART. Mr. President, I ask unanimous consent that a detailed summary of the bill and the bill itself be printed in the RECORD.

There being no objection, the summary and bill were ordered to be printed in the RECORD, as follows:

SUMMARY OF BILL TO REDUCE TEMPORARILY THE PRODUCTION OF FARM COMMODITIES, ETC.

TITLE I—ACREAGE STORAGE

Section 101: Amends the Agricultural Act of 1956 by adding subtitle D, "Acreage Storage Program."

Section 130: Authorizes the Secretary of Agriculture during the period immediately following the passage of the bill to and including June 30, 1960, to enter into contracts, as follows:

(a) For a period of 5 years.

(b) Acreage must have been devoted during at least 3 of the past 5 years to the production of wheat, corn, oats, barley, rye, grain sorghum, clover, rice, cotton, tobacco, peanuts, or soybeans.

(c) Producer is allowed:

(A) Forty acres, plus.

(B) Half of the remaining eligible acres.

(d) Twenty-five dollars per acre per year payable semiannually.

(e) Cannot be grazed or farmed.

(f) Makes inapplicable certain existing provisions, relating to the conservation reserve program which are inconsistent with the purposes of the acreage storage program.

Section 131: Annual expenditure not to exceed $1 billion. Applications for contracts will be considered on a first come first served basis.

Section 132:

(a) Permits a producer to cancel existing contracts under acreage reserve program in order to participate in this program.

(b) Establishes the formula under which the producer can qualify for a transfer to the new program from the acreage reserve program in the event his land has been out of production for more than 2 years.

Section 133: Establishes the crop taken out of production as the crop to which the land was devoted in the year immediately preceding the first year of participation.

Section 134: Explains that the new bill does not supersede or modify provisions of subtitle B.

TITLE II

Section 201:

(a) Commodity Credit Corporation may not dispose of any commodity to which it has or hereafter takes title, except:

(b) Lists exceptions permitting President to dispose of commodities, as follows:

(1) Donation or sale for disaster relief.

(2) Sale or barter (including Public Law 480).

(3) Donation to school lunch programs.

(4) National stockpile.

(5) Donation or sale for research.

(6) Sale for new or byproduct uses.

(7) Donation or sale for national emergency.

(8) Sales at not less than current parity price plus reasonable carrying charges whenever the President determines it necessary to prevent hardship.

(9) Donations to penal institutions.

(10) Sales for export.

(11) Dispositions in order to prevent waste, to needy persons, Bureau of Indian Affairs, nonprofit organizations, etc.

(12) Sales for the purpose of rotating stocks.

(c) Strategic materials acquired by Commodity Credit Corporation.

TITLE III

Section 301: Congressional declarations and findings:

(a) Farms have capacity to produce more than can profitably be marketed.

(b) A prosperous agricultural economy is necessary to the national welfare.

(c) High productive capacity maintenance is necessary for national defense and security.

(d) Basic agricultural research is essential in any long-range program.

(e) Research programs will increase the potential for providing markets for larger production and stability of prices.

(f) Provides for the use of the Departments of Agriculture and Commerce, universities, research institutions, private firms, both domestic and foreign, as well as the creation of pilot plants and other research and development facilities.

(g) Provides for the enlargement of farm income while reducing costs of surplus handling and storage to the Government.

(h) Provides for the disposition of portions of the surplus by Commodity Credit Corporation through industrial channels.

Section 302: Establishes the Agricultural Research and Industrial Administration as an agency within the Department of Agriculture. Provides for an Administrator serving for a term of 6 years at $20,000 per annum under the control of the Secretary of Agriculture.

Section 303: Creates the positions of three Deputy Administrators at a grade of GS–18 and provides for other necessary personnel.

Section 304: Authorizes the agency to coordinate its activities with other Federal and State governmental units as well as other public and private research and production organizations, by:

(a) Making use of the facilities of Government agencies as well as other private institutions.

(b) Grants to educational institutions for period not to exceed 5 years.

(c) Contracting with foreign individuals, associations, and organizations pursuant to Public Law 480, utilizing foreign currencies and otherwise.

(d) To make contracts or cooperative arrangements under the provisions of sections 10(a) and 205 of the act of August 14, 1946 (7 U.S.C. 4271, 1624).

(e) Extending suitable incentives to farmers and others.

(f) Directing Commodity Credit Corporation to permit use of its stocks for such purposes.

(g) To make contracts and leases for the private operation of property transferred from another Government agency.

(h) To make loans and grants for the acquisition of necessary facilities.

(i) Provide for inventions and patents produced hereunder.

(j) To grant exclusive licenses with or without the payment of royalties for the use of patents.

(k) To pay incentive awards.

(l) To test production procedures on a commercial basis.

Section 305: To provide graduate scholarships and fellowships.

Section 306: To authorize transfer of any useful Government-owned facility to the agency, subject to the approval of the Bureau of the Budget.

Section 307: Defines "agricultural products" and "farm and forest products."

Section 308: Administrator is to make annual reports to Congress.

Section 309: Authorities under this title are in addition to authorities available under existing law.

Section 310: Appropriation.

S. 1722

A bill to reduce temporarily the production of farm commodities through the storage of surplus acreage, to discontinue certain sales of accumulated surplus stocks of such commodities, and to provide for programs of study and research for the purpose of finding new industrial uses for such commodities, thereby stabilizing prices of agricultural commodities and making possible the discontinuance of price support payments

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Agricultural Act of 1959".

TITLE I—ACREAGE STORAGE

SEC. 101. The Agricultural Act of 1956 is amended by adding at the end of title I thereof a new subtitle as follows:

"Subtitle D—Acreage storage program

"Terms and conditions

"SEC. 130. In order further to effectuate the purposes of this title, the Secretary is authorized, during the period ending June 30, 1960, to enter into contracts with producers for the storage of surplus farm acreage. Such contracts shall be entered into in accordance with and shall be subject to the provisions of subtitle B, except that—

"(a) The period covered by any such contract shall be five years;

"(b) The acreage covered by any such contract shall be acreage which has been devoted (or deemed under section 132(b) to have been devoted) during at least three of the five years immediately preceding the year in which the contract is entered into to the production of one or more of the following crops: Wheat, corn, oats, barley, rye, grain sorghum, clover, rice, cotton, tobacco, peanuts, soy beans.

"(c) The acreage covered by a contract or contracts with any producer shall not exceed (A) 40 acres plus (B) a number of acres equal to one-half the remaining acreage, if any, of such producer which is eligible under paragraph (b) to be covered by such contract.

"(d) Compensation to producers entering into such contracts shall be at the rate of $25 per acre per year, and shall be payable semiannually, the first such payment to cover, and be made at the end of, the six-month's period immediately following the date the contract is entered into, or the date of completion of the harvesting of any crop from the acreage covered by the contract, whichever is later.

"(e) The producer shall agree not to graze any acreage established in protective vegetative cover during the life of the contract except pursuant to the provisions of section 103(a)(3) hereof.

"(f) The provisions of section 107(c), 108, and 109 of subtitle B shall not be applicable with respect to contracts under this subtitle.

"Expenditures

"SEC. 131. Contracts shall not be entered into under this subtitle which will call for an annual expenditure in excess of $1,000,000,000. In the event applications are received for contracts under this subtitle which would result in expenditures in excess of such amount, the Secretary shall consider and act upon such applications in the order in which they are received.

"Existing Contracts

"SEC. 132. (a) Upon request of a producer, the Secretary shall terminate the provisions of any contract entered into under subtitle B with respect to any acreage in order to enable such producer to enter into a contract covering such acreage under this subtitle.

"(b) For the purpose of this subtitle (1) any acreage withdrawn from cultivation for any year for the purposes of the acreage reserve program under subtitle A shall be deemed to have been devoted during such year to the production of the commodity with respect to which it was withdrawn from cultivation under such program, and (2) any acreage withdrawn from cultivation for any year for the purposes of the conservation reserve program under subtitle B shall be deemed to have been devoted for such year to the production of the commodity produced on such acreage during the year preceding the first year in which it was so wtihdrawn from cultivation.

"Effect on Acreage Allotments

"SEC. 133. For the purpose of establishing future State, county, and farm acreage allotments under the Agricultural Adjustment Act of 1938, as amended, acreage covered by a contract under this subtitle shall be deemed for each year during the period of such contract to have been devoted to the production of any commodity produced thereon during three of the five years immediately preceding the first year for which it is so covered.

"Provision Not to Affect Conservation Reserve Program

"SEC. 134. Nothing in this subtitle shall be construed to supersede or modify the provisions of subtitle B except insofar as such provisions relate to contracts entered into under this subtitle."

TITLE II—RESTRICTIONS ON DISPOSAL OF GOVERNMENT-OWNED COMMODITIES

SEC. 201. (a) Notwithstanding any other provision of law, no agricultural commodities, title to which has been or is hereafter acquired by the Commodity Credit Corporation, shall be sold or otherwise disposed of, except as provided in subsection (b).

(b) Commodities referred to in subsection (a) may be disposed of, in accordance with directions of the President, as follows:

(1) Donation, sale, or other disposition for disaster or other relief purposes outside the United States pursuant to and subject to the limitations of title II of the Agricultural Trade Development and Assistance Act of 1954:

(2) Sale or barter (including barter for strategic materials) to develop new or expanded markets for American agricultural commodities, including but not limited to disposition pursuant to and subject to the limitations of title I of the Agricultural Trade Development and Assistance Act of 1954;

(3) Donation to school-lunch programs;

(4) Transfer to the national stockpile established pursuant to the Act of June 7,

1939, as amended (50 U.S.C. 98–98h), without reimbursement from funds appropriated for the purposes of that Act;

(5) Donation, sale, or other disposition for research, experimental, or educational purposes;

(6) Sale for new or byproduct uses;

(7) Donation, sale, or other disposition for disaster relief purposes in the United States or to meet any national emergency declared by the President;

(8) Sales at not less than the current parity price for such commodity, plus reasonable carrying charges, whenever the President determines that because of a shortage of the commodity such sale is necessary to prevent hardship;

(9) Donations to penal and correctional institutions in accordance with section 210 of the Agricultural Act of 1956.

(10) Sales for export;

(11) Dispositions authorized by section 416 of the Agricultural Act of 1949; and

(12) Sales for the purpose of rotating stocks or consolidating inventories, any such sale to be offset by purchase of the same commodity in a substantially equivalent quantity or of a substantially equivalent value.

(c) Strategic materials acquired by the Commodity Credit Corporation under paragraph (2) of subsection (b) shall be transferred to the national stockpile established pursuant to the Act of June 7, 1939, as amended, or to the supplemental stockpile established by section 104(b) of the Agricultural Trade Development and Assistance Act of 1954, and the Commodity Credit Corporation shall be reimbursed for the value of the commodities bartered for such strategic materials from funds appropriated pursuant to section 8 of such Act of June 7, 1939, as amended. For the purpose of such reimbursement, the value of any commodity so bartered shall be the lower of the domestic market price or the Commodity Credit Corporation's investment therein as of the date of such barter, as determined by the Secretary of Agriculture. In order to make payment to the Commodity Credit Corporation for any commodities so transferred to the national stockpile or the supplemental stockpile, there are hereby authorized to be appropriated amounts equal to the value of any commodities so transferred. The value of any commodity so transferred, for the purpose of this section, shall be the lower of the domestic market price or the Commodity Credit Corporation's investment therein as of the date of transfer to the stockpile, as determined by the Secretary of Agriculture.

TITLE III—DEVELOPMENT OF INDUSTRIAL USES

SEC. 301. The Congress of the United States hereby makes the following declarations and findings concerning the development of new and improved uses for farm products, new crops to replace those now in surplus, and the disposal of surplus commodities owned by the Government:

(a) Farms in the United States have a capacity to produce more farm products than can now be marketed at prices that will return sufficient incomes to farmers to maintain an efficient and progressive agricultural industry.

(b) A prosperous agriculture will contribute immensely to national welfare by efficient production of needed food, feed, and fiber, by provision of raw materials for the transportation and processing industries, by purchases of production supplies, and by its contribution to maintenance of a balanced and high-level national economy.

(c) National defense and security interests of the United States require protection of agricultural resources against deterioration and the maintenance of high productive capacity in order to meet possible emergency needs of the United States and other friendly nations.

(d) Basic research in agricultural products and their uses is essential in any long-range program of benefit to agriculture.

(e) Research programs to develop new and improved uses for farm products and new farm products have potentialities for providing outlets for a larger volume of farm production and greater stability of the prices of farm commodities.

(f) Public and private research agencies, including the Departments of Agriculture and Commerce, and land-grant colleges, other universities and research institutions, as well as private firms, can and should be utilized for an all-out attack on development of new and improved uses, and new and extended markets and outlets for farm products and byproducts. Research, pilot plant, development and trial commercialization work and corollary economic and related studies should be devoted to the expansion of industrial uses for agricultural commodities in surplus and to any food and feed uses and replacement crops that can make substantial contributions toward the solution of the surplus problem. Facilities should be established as needed to permit adequate experimentation and testing, and production and market development, of promising new uses and new products.

(g) Development of new and improved industrial and other uses of farm products and new farm products and new and extended markets and outlets for farm products and byproducts will enlarge income opportunities for farmers. It also will reduce Government costs for acquisition, storage, and ultimate disposition of commodities now in surplus.

(h) Disposition of a portion of the surplus stocks of the Commodity Credit Corporation through industrial channels for new or byproduct uses, so that the carryover of any commodity beyond the needs of the Nation can be reduced, will have a stabilizing effect on the market prices for farm commodities.

SEC. 302. There is created and established in the Department of Agriculture an agency of the United States to be known as the Agricultural Research and Industrial Administration, all of the powers of which shall be exercised by an Administrator, under the general direction and supervision of the Secretary of Agriculture, who shall be appointed by the President, by and with the advice and consent of the Senate, for a term of 6 years and who shall receive basic compensation at the rate of $20,000 per annum. The duties of this agency shall be to coordinate and expedite efforts to develop, through research, new industrial uses, and increased use under existing processes, of agricultural products; to develop new replacement crops; and to reduce the stocks of commodities owned by the Commodity Credit Corporation.

SEC. 303. The positions of three Deputy Administrators of the agency shall be in grade GS–18 of the General Schedule established by the Classification Act of 1949, as amended. Such positions shall be in addition to the number of positions authorized to be placed in such grade by section 505 (b) of such Act. The agency is authorized to fix the compensation, notwithstanding other provisions of law, for not more than ten positions which require the services of especially qualified scientific or professional personnel: *Provided*, That the rates of basic compensation for positions established pursuant to this provision shall not exceed the maximum payable under the Act of August 1, 1947 (61 Stat. 715), as amended and supplemented. The agency may appoint and fix the compensation of any technically qualified person, firm, or organization by contract or otherwise on a temporary basis and for a term not to exceed 6 months in any fiscal year to perform research, technical, or other special services, without regard to the civil service laws or the Classification Act of 1949, as amended.

SEC. 304. The agency shall have power and authority, within the limits of the funds made available to it, to coordinate and expedite activities toward research, pilot plant, development, trial commercialization and industrial uses, with Federal and State Governments, educational institutions, private research organizations, trade associations, individuals and industrial corporations in expanding the industrial utilization of the products of farm and forest and the development of new crops. In the discharge of these duties, the agency is empowered to:

(a) Make use of the facilities of the Department of Agriculture and other Federal departments and agencies, land-grant institutions, and experiment stations. The agency shall utilize existing facilities owned or controlled by the Federal Government to the greatest extent practicable, including pilot plants, regional laboratories and other facilities and equipment, and is authorized to utilize authority now available to the Secretary of Agriculture under existing law;

(b) To make grants, for periods not to exceed five years duration, to State agricultural experiment stations, colleges, universities, and other research institutions and individuals;

(c) Contract with foreign individuals, organizations, institutions of learning, or private corporations where payment can be made in foreign currency accumulated under Public Law 480, Eighty-third Congress. The agency is hereby authorized to utilize such foreign currencies notwithstanding other provisions of law requiring reimbursement;

(d) To make contracts or cooperative arrangements in the manner provided by sections 10(a) and 205 of the Act of August 14, 1946 (7 U.S.C. 427i, 1624), including contracts and agreements providing for the commercialization, market acceptance, and the economic feasibility of industrial utilization in the competitive market for agricultural products and processes with respect thereto;

(e) Extend suitable incentives to farmers or to industry to hasten the establishment of a new crop or of a new industrial use, where such appear likely to lead to durable additional markets;

(f) Direct the Commodity Credit Corporation to make delivery of any of its stocks of commodities to agencies of the Govenment, persons, or corporations designated by the agency where such stocks are to be used for (A) research, (B) pilot plant operation, (C) trial commercialization, (D) export of manufactured products, or (E) new or byproduct uses. The Commodity Credit Corporation, with respect to commodities thus requisitioned by the agency, shall pay necessary handling and delivery charges to the destination directed by the agency. Such sums of money as the agency shall receive, if any, on such transfers of commodities, shall be turned over to the Commodity Credit Corporation;

(g) To make contracts or leases for the private operation of any property or facilities transferred from another Government agency pursuant to this title or other legislative authority;

(h) To make loans or grants to those with whom contracts or other arrangements are entered into, for the purpose of providing assistance in the acquisition or expansion of facilities and equipment for research or development activities;

(i) Provide in all contracts for the disposition of inventions produced thereunder in a manner calculated to protect the public interest and the equities of the individual or organization with which the contract or other arrangement is executed: *Provided, however*, That nothing herein shall be construed to authorize the agency to enter into any contractural or other arrangement inconsistent with any provision of law affecting the issuance or use of patents;

(j) To grant exclusive licenses with or without payment of royalty for a fixed period of not to exceed five years for the use of patents under the control of the Department of Agriculture;

(k) To pay incentive awards to private citizens for suitable and acceptable suggestions to implement the program established by this title, such payments to be made in accordance with previously published rules stating the amounts of, criteria for determining, and subjects of such awards; and

(l) To test production procedures on a commercial basis, maintain and operate manufacturing facilities where necessary to prove the commercial feasibility of volume production, and to build, purchase, or lease plant facilities, or necessary equipment suitable for manufacturing needs.

SEC. 305. The agency may provide graduate scholarships and fellowships and for this purpose may make grants to individuals: *Provided*, That such individuals agree to pursue courses in an accredited college or university in the United States leading to a degree or degrees in a science or field of study having application in agricultural research: *Provided further*, That the initial grants in any one year may be made to individuals to attend any one institution in a number not exceeding 1 per centum of the student body.

SEC. 306. Notwithstanding any other provision of law, any Government agency holding any Government-owned facility useful in the program authorized by this title is authorized to transfer such facility to the agency, for use in the program, if requested to do so by the agency, provided such transfer has the approval of the Director of the Bureau of the Budget. The agency is authorized to exercise, with respect to the facilities transferred, all of the authority vested in the agencies transferring such facilities. At the time of such transfer, funds and personnel related to the operation or administration of such facilities, shall, with the approval of the Director of the Bureau of the Budget, also be transferred to the agency.

SEC. 307. The terms "agricultural products" and "farm and forest products" as used in this title shall have the same meaning as the term "agricultural products" in section 207 of the Act of August 14, 1946 (7 U.S.C. 1626).

SEC. 308. The Administrator shall present annually to the Congress not later than the 20th day of January in each year a full report of his activities under this title.

SEC. 309. The authorities under this title are in addition to and not in substitution for authorities otherwise available under existing law.

SEC. 310. There is hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this title.

Mr. CAPEHART. Mr. President, we should make this bill the starting point from which we can get the best ideas of all interested persons.

I confess that I have changed some of my ideas on this subject because I believe present conditions, experience, and the end results of our present and past laws and policies, have failed to accomplish the purpose for which they were intended; namely, to increase farm prices and get the taxpayer out of the farming business. My question to all Senators is, Will they change their opinions? It never injures anyone to admit he may be wrong once in a while. I find, with respect to the farm problems, that many are unwilling to admit they may have been wrong in respect to some of the things they have advocated.

The purpose of the three-point program which is covered by the bill I have introduced today is as follows:

First. To reduce the number of tilled acres by approximately 20 percent until, by research utilization, we can find new and increased uses in industry for farm commodities and new and expanded markets, and until our population increase has a greater impact on total food consumption.

In other words, one purpose is to reduce production until the time when, through research, we can find new uses for farm products in industry, and new markets, and until the population can help absorb the large production of which American farmers are capable.

If Senators can tell me any other way in the world to solve the farm problem without bankrupting the taxpayers, I shall be glad to listen.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. COOPER. I know the Senator introduced a bill in past years, and I think this year, to establish an agency for research into the industrial uses of farm commodities. I know several years ago either the President of the United States or the Secretary of Agriculture—I do not now remember which—appointed an outstanding group of men to make studies in this field, and recommendations were made by that group.

Many of us have supported the Senator's bill to provide research into the industrial uses of agricultural commodities, so I should like to ask the Senator, is anything being done about that matter?

Mr. CAPEHART. Mr. President, the answer is "No," I presume. However, the Senator will remember, of course, that last year the Senate passed a research bill. I am incorporating that bill as a part of the omnibus bill. My bill was passed last year by a vote of 82 to 0, but because of a lack of time it was not passed by the House.

Mr. COOPER. I know the Department of Agriculture has certain programs for research into the industrial uses of agricultural commodities. I know the land-grant colleges study the matter. Is there any strong and coordinated program?

Mr. CAPEHART. The answer is "No." Nobody is "crashing" the program. Nobody is pushing the program with all he has at his command. There are not sufficient funds in the Department to do that, and new legislation is needed. The bill I have introduced today will give the Department the necessary legislation. The bill introduced today includes the same bill the Senate passed a year ago.

Mr. COOPER. I join with the Senator. I do not care to interrupt him, but I should like to say that the chief source of income and the chief interest in my own State, which is a State neighboring Indiana, is agriculture. I am very much interested in the proposal of the Senator from Indiana. I think it is good for the Senator to make this creative effort toward a farm program. I have not studied it fully, but I am glad to have the Senator put forth this effort.

Mr. CAPEHART. I appreciate the remarks of the able Senator from Kentucky.

I will say again, as I have previously stated, the solution of the farm problem will require the wisdom of all Senators, of all Representatives, and of the administration. By introducing the bill I am not trying to suggest the ultimate answer, but to provide a starting point. We must get started, because conditions will grow worse instead of better. It is well for us to face the issue, and that I am trying to do. My object is to impress upon the majority of the Congress, to impress upon our friends who control the committees and who control both Houses of Congress, that a solution of the problem is their responsibility, as well as the responsibility of the minority.

I now will state the second of the points to which I was referring.

Second. To increase the purchasing power of our farms through higher commodity prices.

Third. Last, but not least, to reduce the taxpayers' load by greatly reducing the cost, looking to getting the Government and the taxpayer in a few years completely out of the farm business.

Senators will agree that these are the ultimate objectives of any sound farm program.

In other words, a farm program which does not accomplish the three objectives I have enumerated is simply not a sound program.

The question is, What is the best way to get the job done? As I have said, my bill proposes for the consideration of Senators a three-point program:

First. Take out of production 40 million acres of land producing those crops now covered by existing price-support legislation and pay the owners thereof $25 an acre. This would not in any way affect the present soil-bank conservation reserve program.

Second. Do a real "crash" job under proper Government financing of a vast research program to discover and develop new uses in industry for everyday products of the American farm.

Mr. SCHOEPPEL. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. SCHOEPPEL. I note what the distinguished Senator from Indiana has had to say about the figure of $20 an acre. I am sure the Senator will agree with me that there has been much criticism all over the country of what is known as the soil bank program.

In connection with the figure of $20 an acre, I assume that what the Senator contemplates would be done, if this measure were passed, would be that the acreage which goes into that kind of program, at that figure or some other commensurate figure, would be acreage actually devoted to the production of the crops which are under the support programs today. I mean by that, not the marginal land, not the poorest land, but land actually devoted to the production of crops. The operation of the law would have to be policed or administered to the point where only the land with the best production, or average good production, would be taken out of production.

Mr. CAPEHART. The able Senator from Kansas is 100 percent correct. However, the figure is $25 and not $20.

The weakness of the present conservation program is that it takes out of production marginal acres, grass lands, and pasture, and not necessarily acres which have been producing corn, wheat, sorghum grains, cotton, and the other commodities which go to make up the surplus which is so troublesome.

Under this proposal no land could be put in the storage reserve except acres which, during 3 of the past 5 years, were producing corn, cotton, wheat, soybeans, and other commodities the prices of which we are supporting, which support is costing the taxpayers money. If we take such acres out of production, we can accomplish something. We do not accomplish anything in particular, so far as conservation is concerned, if we take out of production grass land, hay land, or marginal land. That has been the weakness of the present system. It has not taken out of production land which was contributing to the surplus. Under my proposal only land which was contributing to the surplus would be taken out of production.

Mr. SCHOEPPEL. Mr. President, will the Senator further yield?

Mr. CAPEHART. I yield.

Mr. SCHOEPPEL. I agree thoroughly with what the Senator has to say about the type of land which should be taken out of production. I appreciate the opportunity which I have had of discussing with the distinguished Senator from Indiana his approach to the overall problem. I realize, as he does, that something must be done. We must wrestle with the program.

Let me point out to the Senator something of which I know he is aware, but which I should like to have in the RECORD. In my section of the country, Kansas, especially in the western portion of my State, and in areas such as eastern Colorado, the Dakotas, and a number of other States, there is in operation what is known as the summer fallow program. The land is put into production every other year, after it has been cultivated; and thus the moisture is stored.

The distinguished Senator from Indiana points out the provision taking into consideration the average of 3 of the past 5 years. Some relationship would have to be worked out, so that those in the agricultural sections of the country who are following the summer fallowing practice would be protected.

Mr. CAPEHART. The Senator is correct.

Mr. SCHOEPPEL. I assume the Senator has made provision for such protection?

Mr. CAPEHART. I believe that taking into consideration the average of 3 of the past 5 years would accomplish that purpose. If it would not, some other figure could be used. I agree with the Senator that such a situation should be covered.

Mr. SCHOEPPEL. I was happy to cosponsor with the Senator his agricultural bill, which, as was pointed out by the distinguished Senator from Kentucky [Mr. COOPER] a few moments ago, dealt with the research phase of agricultural production, and industrial uses of agricultural products which might be affected as the result of various and sundry approaches. I am glad to note that the Senator is including that feature in his bill, notwithstanding the fact that only yesterday or the day before there was reported from the Committee on Agriculture and Forestry a research or industrial-use bill. I think that is identical to the bill which the Senator from Indiana and many others of us cosponsored last year.

Mr. CAPEHART. That is correct. I cover that subject a little later in my statement.

It will be remembered that 3 or 4 years ago the Senate passed a measure directing the President to establish a commission to study the problem. The President did so. The Commission reported back to the Congress. As a result of that report legislation was introduced by many of us. The Senate Committee on Agriculture and Forestry reported a bill last year and the Senate passed the bill by a vote of 82 to 0. My present proposal is exactly the same as that contained in the bill which we passed last year. The bill was the result of the contribution which many of us made, including the able Senator from Kentucky [Mr. COOPER] and the able Senator from Kansas [Mr. SCHOEPPEL].

The third point of the program is—

Freeze the Government's stockpile of commodities, sometimes more commonly referred to as surplus, except for sales made under Public Law 480, exports, the school lunch program, distribution to the needy throughout the United States and the world, and other exceptions covered by the present law. However, the most important part of the freeze is denying the Government the right to sell in the domestic market at a price less than 100 percent of parity and then only after a finding by the President that an emergency exists or that hardships may result because of a shortage of any given commodity in the stockpile.

This is what one will discover if he will analyze existing laws and the regulations promulgated by the Department of Agriculture:

Mr. Benson, the Secretary of Agriculture, has what he calls a flexible price support system, under which he has been reducing price supports. Yet we have a law which says to the Secretary of Agriculture that he may not sell in the domestic market any of the $9 billion worth of commodities which we have on hand, except at 5 percent above the support price—not 5 percent above parity, not 5 percent above 90 percent of parity, as many people advocate, but 5 percent above the existing support price, which means that the lower the Secretary places the support prices, when he gets ready to sell from the stockpile he can sell only at 5 percent above the support prices.

At the moment wheat is being supported at 75 percent of parity. Therefore the Secretary can sell from the stockpile at 80 percent of parity, plus a small handling charge.

I wish every Senator were present in the Chamber today, and I wish everyone in the United States could understand and be as firmly convinced as I am, that the policy of setting a ceiling on the sale at 5 percent above the support prices is tantamount to establishing the farmer's market price. Let us see if I am not correct.

For example, today the Government has 753 million bushels of wheat in stock, meaning that it owns that many bushels. It has physical possession of the wheat.

There are loans outstanding on another 533 million bushels. If the market price is lower than the support price, when the time comes for the farmers to deliver the grain, the Government will receive the grain and put it into the stockpile. If it receives all of it—which possibly may not happen—the Government will own about 1,300 million bushels of wheat. There are only 1,600 million bushels of wheat in the United States. That is what we call the visible supply. That is all there is. The Government owns or controls 1,300 million bushels of it. Of that amount, 300 million bushels are in the hands of private enterprises—the flour mills, the food mills, and also on the farms. Therefore, the visible supply which the Government does not control directly is about 300 million bushels. Therefore, if something happened to the billion bushels of wheat, leaving only 300 million bushels of wheat in the United States, wheat would go up in price.

However, the Government owns 1,300 million bushels of wheat, and there is a law on the books which provides that it must be sold at 5 percent above the existing support price. Therefore, why should a private enterpriser pay any more than 5 percent above 75 percent of parity? He knows where it is and he can get it at any time he wants to get it. There is no particular reason why he should buy it. In many instances the Government is paying the private enterprisers to store the wheat, corn, and other products, in their elevators, paying them 1 cent a bushel per month for corn, plus 7 cents a bushel to move it in and out. That amounts to 19 cents a bushel for the first year. The wheat is stored with the private enterprisers.

The law provides that anyone can buy the wheat at any time he wishes to do so at 5 percent above the support price. In the case of wheat, that is 80 percent of parity at this time.

I am thoroughly convinced that that has a tendency to hold the price down. Under the proposed legislation I have introduced today it is provided that wheat and the other commodities may not be sold for less than 100 percent of parity, except when there is an emergency, and the President makes a finding to that effect.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. CASE of South Dakota. I wish to join in commending the able Senator from Indiana for addressing himself to this very important problem. The remarks which he has made with respect to the market price of the visible supply point up to me the importance of the suggestion I made in my bill, S. 946, which provides that when land is taken out of production the rent on the land is to be paid with the commodities on

hand, instead of with dollars. It also points up the fact that in order to induce farmers to take a commodity they must be given a 10-percent bonus. It is my feeling that, with the finding of new uses and the elimination of certain acres from production, it is necessary to do something to get rid of the stock on hand. So long as we have that visible supply, it will have a depressing effect on the market. I believe that a large part of that stock could be used to pay the rental charges for the land taken out of production. In that way we could work on the problem from both ends; we could stop new production and we could reduce the surplus stock. Then we could get off on an even keel.

Mr. CAPEHART. Mr. President, what I have said about wheat applies also to corn, soybeans, and to any other crop in the stockpile, because the law provides that they cannot be sold except at 5 percent above the existing support price. That is what we must keep in mind—it is the existing support price which is involved. It is my position that that law is keeping farm prices down. If we do not do anything else, we should change the law which prevents sales from the stockpile at less than 100 percent of parity. We have already adopted the principle, because we have provided that these commodities must be sold at 5 percent above the existing support prices. That provision has the tendency to set the market price.

Now, let us take these one by one, examine the reasoning behind each, and suggest the details of their operation.

ACREAGE STORAGE PLAN

To be eligible for inclusion in the acreage storage plan at $25 an acre, it would be required that land must have been planted for at least 3 of the last 5 years in wheat, corn, cotton, soybeans, oats, barley, rye, sorghum grains, rice, peanuts, tobacco, or clover, these, with the exception of clover, being the commodities under existing law that are covered by price supports.

These contracts would run for a period of 5 years.

Such a program has an obvious purpose of taking out of production enough land to reduce the costly overproduction which we all agree is the basic problem at the moment. The ultimate purpose, of course, would be to bring the production more nearly in line with the demand, thereby increasing farm prices through the law of supply and demand and eliminating the necessity for our costly price support program. The total of the tillable land in the United States growing the above-mentioned price support crops, except clover, was approximately 240 million acres last year.

There are more tillable acres than that, because there are grass lands, hay lands, and so forth. However I am talking about the acres on which are grown the commodities we are supporting with price supports.

Therefore, one can readily see that my proposal would eliminate from production only acres which have been producing commodities that have proven to be the most troublesome as far as overproduction is concerned and the commodities that are in the Government's stockpile or surplus pile at the moment.

This program eliminates the possibility of any farmer renting to the Government land, grass land, timber land or hay land. In other words, the sole purpose of this bill is to reduce the production of those crops or commodities which have been contributing to our costly program.

Now, frankly, on a long-range basis I do not like this kind of plan because I believe the only ultimate solution of our problem is the eventual cultivation of every tillable acre of land on every farm in the United States.

Frankly, at the moment this is not possible because to do so would only add to the more than $9 billion of surplus which now hangs over the farm market and costs the taxpayers a billion dollars a year for interest and storage alone.

INDUSTRIAL USES THE REAL ANSWER

That brings me to the section of the bill which calls for new uses for farm products.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. COOPER. Would the program the Senator suggests, for a storage reserve, be an optional program for farmers, or would it be a compulsory program?

Mr. CAPEHART. It would be an optional program.

Mr. COOPER. As the Senator knows, the major commodity in my State is tobacco. For the past 3 years the production of burley tobacco in the United States has been actually less than the consumption. It would be assumed that with respect to commodities the consumption of which exceeds the production, there would not be the same necessity for the withdrawal of acreage as there would be with respect to other crops. However, the other part of the Senator's program, with respect to what to do with the surpluses which are now held by the Government, would, of course, be applicable to any commodity which was in surplus so far as storage was concerned, as I understand.

Mr. CAPEHART. The Senator is correct. The purpose of it is to take out of production acres on which are grown the crops which are contributing to the surpluses, and which are supported by Government price supports. That practice is costing the taxpayers a great deal of money. At the same time, in my opinion, it is depressing the farmers' prices. Of course, if there is no overproduction of tobacco, then the market price is up to a satisfactory point.

Much as I dislike basically the program to reduce production, I see it as the only answer until the Congress and the administraiton wake up to the realization that the ultimate answer to the farm problem is a vast research program to discover and develop new uses in industry of the everyday products of the American farm.

Many Members of Congress, including myself, have been for many years trying to get started what we called a crash program in finding new uses for farm products in industry and new markets.

I introduced such a bill on March 21, 1956, and again on January 17, 1957, as well as having introduced it earlier in this session on February 19, 1959. Many other Senators and Congressmen have similar bills to accomplish the same purpose.

I said before that my proposal is exactly the same as the resolution adopted by the Senate last year, calling upon the President to appoint a commission to study the question of finding new uses for farm products in industry and new markets. This Commission made its report on April 17, 1957.

The Senate Committee on Agriculture and Forestry, using this report as a yardstick, together with the bills introduced by the Senator from Nebraska [Mr. CURTIS], the Senator from South Carolina [Mr. JOHNSTON] and by me, in each case with cosponsors, reported a bill favorably to the Senate on July 2, 1958. This bill passed the Senate on July 29, 1958, by a vote of 82 to 0. It died in the House due to early adjournment after it arrived there. Therefore, in this bill, title III, on finding new uses for farm products in industry and new markets, is an exact copy, word for word, of the bill passed by the Senate at the last session by a unanimous vote. Since there was no controversy in the Senate over that bill, the exact language of it has been included in this new proposal.

It is my best judgment that if we in Congress will face up to its responsibility and pass such a measure, the effect within a relatively short time will be to create such a terrific new demand for farm products that the country can completely do away with the costly measures by which production is now controlled and huge surpluses are piled up.

Properly conceived and dramatized, such a program would, in my opinion, make it possible to begin to reduce the amount of land which agricultural economics now dictate must be taken out of production.

I have said in the Senate many times, and I repeat it now: The only real and final answer to the farm problem is the discovery and development of new markets and new industrial uses for the production of American farms.

Industry spends billions for research to develop new products. Industry has in fact developed a great many products which have robbed the American farm of some of its markets.

But the American farmer has nobody to do this for him. It thus becomes an obligation of the Government.

I shall not speak any further about the portion of the bill relating to industrial uses of agricultural products, because I understand that in the last few days the Committee on Agriculture and Forestry unanimously reported to the Senate a bill covering that feature of my bill, or my suggestion.

FREEZING THE SURPLUS

Another vital section of the bill provides for the freezing of the surplus. Freezing the surplus means to take it completely off the market except by the methods under which it may be disposed of by the Department of Agriculture under certain conditions and to certain

organizations and groups, among them being Public Law 480, exports, the school lunch program, and other means described in the bill and described heretofore.

I understand that two bills have been introduced in the Senate in the last few days, one relating to food for peace, the other to a food stamp plan. If the Senate should pass those two bills, they likewise would provide exceptions to the stockpiling of commodities. But the surplus would be frozen for all practical purposes. It would not be sold in the domestic market except at 100 percent of parity.

One other method of disposing of commodities in the surplus under the bill is for the President, if he finds that there is a real shortage of any commodity which is unduly raising the price or creating a hardship, to direct the Secretary of Agriculture to sell any commodity at 100 percent parity. Parity in this instance means the parity established by the Agricultural Adjustment Act of 1938.

Those who have studied this problem are convinced, as I am, that the effect on farm prices of applying the simple surplus freeze method would be considerable. Farm prices certainly would rise as a result. They could not help doing so. If the support price were at 100 percent or 90 percent of parity, that would be one thing. But the lower the support prices are made under existing law, since sales must be made at 5 percent above the support price, the lower the prices in the free market will be. They cannot help being lower. That is 100 percent true, so long as there is a surplus.

The purpose of lowering support prices is to save the taxpayers' money, on the basis that if the Government is to buy the surplus, it will cost the taxpayers less to buy it at 75 percent of parity than at 80 percent or 90 percent of parity. But to date the support prices have failed, because surpluses, instead of becoming smaller, have been growing larger, while the free market price is getting very little, if any, higher. It may be higher on some items, but on others it is not.

Mr. JOHNSTON of South Carolina. As a member of the Committee on Agriculture and Forestry, I have studied these matters to some extent, because day after day we hold hearings on agricultural subjects.

I agree with the Senator from Indiana that something must be done to raise the parity price and to provide strict controls. Some persons would have low parity prices and would almost turn production loose. I can see how the plan which the Senator from Indiana is proposing might serve a very good purpose, so far as it concerns the amount of the surplus which is used in the United States.

Mr. CAPEHART. My bill freezes the surplus and provides that it can be sold in the free market in the United States only at 100 percent of parity.

Mr. JOHNSTON of South Carolina. That is correct. In other words, whatever is used in the United States is subject to 100 percent of parity.

Mr. CAPEHART. If it were sold from the stockpile.

Mr. JOHNSTON of South Carolina. I also agree with the Senator's statement that when the parity price is made higher, the price which the farmer receives also will be higher.

Mr. CAPEHART. That is correct. That is the purpose of the bill.

Mr. JOHNSTON of South Carolina. We must all admit that farmers are in a very precarious economic condition at present, and we all realize that Congress must do something to protect them.

I think the Senator from Indiana will agree with me that it is necessary also to find other uses for agricultural products than obtained at present. The Committee on Agriculture and Forestry has reported a bill which I introduced looking to an investigation into this subject. I think the Senator from Indiana introduced a somewhat similar bill in the past. The enactment of such bills would do much good. It is imperative that more uses for agricultural products be found in order to dispose of the surpluses. If a small amount of money is spent to conduct such an investigation, other uses for agricultural products will be found, and thereby the surpluses will be reduced.

The Senator from Indiana and I may be working from different angles, but we are seeking to achieve the same end. I am sure our efforts will do much toward reducing agricultural surpluses, will increase the price level of farm products, and will ease the farmer's high cost of living. I believe that the entire United States will benefit if something is done along these lines.

Mr. CAPEHART. I thank the able Senator from South Carolina for his constructive contribution to the discussion.

Mr. President, let me list what we now have in surplus and under loan: Cotton, 8 million bales; wheat, 1,300 million bushels; corn, 1,500 million bushels; tobacco, 924 million pounds; grain sorghum, 200 million hundredweight; barley, 69 million bushels; rice, 6 million hundredweight; soybeans, 12 million bushels; butter, 44½ million pounds; rosin, 262 million pounds; oats, 25 million bushels; dried milk, 116½ million pounds.

Under the present law, the Secretary of Agriculture may dispose of surpluses at 5 percent above the existing support price of a given commodity. For example, the support price at the moment on wheat is 75 percent. This means that under existing law, rules, and regulations, wheat can be sold by the Commodity Credit Corporation at 80 percent of parity, plus a small handling charge. This, in my opinion, removes the incentive for a prospective buyer to go into the market to purchase the commodity, because he knows that anytime he wants it he can get all he wants from the Government for only 5 percent above the existing support prices, which I believe we will all agree are low at the moment.

This arrangement, in my opinion, creates a situation under which the support price certainly influences, if not altogether controls, the market price. I believe Senators will agree with me that this is wrong. Obviously it would have the effect of increasing the farmers' prices. Let me cite an example. The existing visible supply of wheat in the United States is about 1,500 million bushels. Of this amount, the Government has in storage or under loan about 1,286 million bushels. That means that there is available for the market from other than Government sources only 254 million bushels, about a 5 months' supply.

Senators can imagine what the price of wheat would be if there were actually avaliable only 254 million bushels. Here is a concrete example of the depressing effect suffered by the farmer from the overhanging available surplus.

In fixing the support price for wheat, the Secretary of Agriculture is now required by law to take into consideration the wheat held in Government surplus storage or under loan.

Mr. President, farm prices are too low. The farmer receives less than 4 cents out of every dollar of the national income, while the wage earner receives 71 cents.

The history of support prices is that they fix the market price, usually at a lower range. Manifestly this is so, otherwise there would be no commodities in surplus. Low support prices keep the farmer's price down, and he is forced to sell to the Government.

Since 1933 the cost of trying to stabilize farm prices has been $30 billion, $15 billion of which has been spent in the last 6 years, and $15 billion in the preceding years.

CORN

We leave the corn law as it is. Corn growers voted against any acreage controls. They are now guaranteed a support price of $1.12, regardless of the amount of corn they grow.

Corn growers will be permitted to come in under the acreage storage, but otherwise they will operate under the same system in vogue now. Mr. President, there are about 4,800,000 farms in the Nation. This, however, does not portray their full economic reach. On the prosperity of the farm depends the entire rural and semiurban community surrounding it. The stores of our small cities, the railroads, the trucks, the farm implement and fertilizer people, those who sell goods to the farmer—all of them depend upon the prosperity of the farms. There is no end to our farm economy. It pervades all segments of our life. It is basic to the livelihood of all of us.

I have made the statement that the corn law will be allowed to remain as it is. The reason is that there is no possibility of changing it this year. The Government has a contract with the farmers. The farmers voted in a referendum to have the Government take action which is being taken; namely, that there will be no acreage controls, while corn will be supported—at least in my State—at $1.12 a bushel.

Mr. President, such a program as I have proposed, or any other good farm program, should accomplish these things:

First. Eventually get the Government and taxpayers completely out of the farming business.

Second. Permit, after a short time, farmers to run their farms as they think best.

Third. Reduce the cost during the year 1960 very materially, and thereafter substantially because there should be no necessity for placing any commodity in Government warehouses.

Fourth. Increase the farmers' prices in the free market to the parity concept.

I believe the bill will go a long way toward accomplishing these purposes. The Nation has a farm problem which is troublesome not only to the taxpayers, but also to the farmers. The problem will not solve itself; Congress will have to solve it. I think there will be an uprising on the part of the taxpayers in general and the farmers in particular if Congress does not solve it, and if the cost of living generally rises, while prices for farm products stay where they are or go lower.

I call attention again to the statement I made earlier, namely, that the Department of Agriculture is spending for all purposes—not exclusively for price supports—about $6,500 million; yet the net income of all the American farmers is only a little more than $13 billion. So the matter is serious.

I think it is more serious than many of the other problems we are considering and working on. As I have already stated, I believe it is much more serious than the visit of Mr. Castro or many of the other matters which we consider and work on and check on at great length.

Talk about balancing the budget. Talk about inflation. Here we find that only one department of the Government is spending $6,500 million a year, and since 1933 that Department has spent $30 billion, and in the past 6 years that one department of our Government has spent $15 billion.

If we wish to reduce taxes and if we wish to balance the budget, let us get down to the business of writing good, sane, sound farm legislation which will do this job properly.

Mr. ALLOTT. Mr. President, will the distinguished Senator from Indiana yield to me?

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair). Does the Senator from Indiana yield to the Senator from Colorado?

Mr. CAPEHART. I am glad to yield.

Mr. ALLOTT. Mr. President, I have had an opportunity to talk several times to the distinguished Senator from Indiana about this subject. I have studied his bill, and also read the prepared text of his remarks.

Although any legislation on this subject is bound to raise certain questions, I believe that certain of the things he has said need to be emphasized.

The first is of course that the cost of the present program is not alone a cost to the United States Government. Certainly it is ridiculous for the Government to engage in, and to continue, a program which costs half as much as the total income of all those who are participating in the industry which is affected. In other words, the Government is spending approximately $6,500 million annually, through the Department of Agriculture, whereas we can expect, at best, that the farmers of the Nation will have a net annual income of approximately $13 billion.

I have long contended, and I still believe implicitly, that we need to get the farm economy back into the hands of the farmers. One of the steps which might be taken in that connection is, of course, to make increased use of marketing cooperatives.

However, in this case nothing is truer than the fact that we shall never have fair farm legislation so long as we have legislation which is based upon the so-called six basic commodities. That plan has never proven itself, and it never will.

I think the Senator from Indiana has made a very great contribution, in showing that under the practice of our Government—not only under rigid supports, but also under flexible supports—when the Government makes loans on a farm commodity, in the event the price of the commodity does not exceed parity or the percentage of parity which has been fixed, the Government takes over the commodity, and puts it into warehouses, and then can sell it at 105 percent, not of parity, but of the support price. With our right hand we are trying to raise the prices of farm commodities, while with our left hand we have built in an absolute barrier to the raising of the price of a single farm commodity.

Mr. President, the contribution of the Senator from Indiana in this respect—and I refer to his earnest endeavor to get us to realize how fallacious and how screwball such a plan is—is worth all the labor and all the effort he has devoted to it.

I also realize, if the Senator from Indiana will indulge me further—that unless the Congress faces up to its responsibility in this connection and takes some action in regard to a farm program, the weight of the farm program itself will defeat it; and when the well-being of all the farmers of the Nation—and the farm population amounts to 13 million—is destroyed, the result will be to tear down and destroy one of the greatest supports of the heavy industries of the Nation. Certainly we cannot afford to allow the agricultural economy to go down the drain. But, by the same token, we cannot permit another year to pass without doing something about the farm program.

There may be those who say that the program my colleague proposes is audacious. Certainly there are parts of it about which I have reservations. But the Congress this year must do something audacious and something courageous about this problem because anything the Congress does this year cannot be effective until next year. Otherwise, the farm economy of the country will collapse, and will leave 13 million people stranded economically on the fields and the streets—not to mention the millions of small towns which are dependent upon the agricultural economy. Of this I am sure; and I pay my tribute to the Senator from Indiana for the great work he has done on this problem.

Regardless of whether the Committee on Agriculture and Forestry adopts the program the Senator from Indiana is proposing, certainly that committee should adopt some program of this sort or should make a realistic approach to such a program, because we can no longer afford to fiddle with the welfare of so many million Americans.

Mr. CAPEHART. Mr. President, I thank the able Senator from Colorado for his most constructive contribution.

I wish to say that the sale of farm commodities at 5 percent above existing support prices is required by law, which the Secretary of Agriculture cannot change; neither can the President change it. Only the Congress can change the law.

When I talk to people about the farm problem, I am amazed to find that so many of them have an idea that the problem is solving itself.

Mr. President, in the course of my remarks today, I have been careful not to indulge in criticism of anyone. I have not criticized either the Democratic Party or the Republican Party; I have entirely avoided personalities. I have consistently endeavored to be factual.

However, Mr. President, I wish to say that as a result of speeches the Secretary of Agriculture makes and as a result of a lack of action on the part of the Congress, many persons have the idea that the farm situation is getting better, whereas the facts show that just the opposite is the case. Actually, the situation is getting worse, rather than better.

When those who live in the cities say to me, "This whole business is being solved now by the low support prices and similar things," I do not think they realize that the present program is costing billions and billions of dollars—in fact, much more than it has ever cost before. I do not think they realize that the stockpile of agricultural commodities is constantly enlarging; and neither do I think they realize that the Department of Agriculture, through the appropriations made by the Congress—for the Department cannot spend money unless the Congress first appropriates it—is today spending half as much as the total net income of all American farmers.

It seems to me that too many persons are sticking their heads into the sand, and are not being realistic about this matter.

However, Mr. President, in the final analysis the responsibility is that of the Congress.

On the other hand, in this connection I am not excusing the administration, I believe the administration also should be giving us suggestions about how to solve the problem, and should be asking Congress to do certain things in that connection, because the administration has all the facts and all the figures, and knows in what direction the farm situation is developing. It has this responsibility. The Congress also has a responsibility. All I am trying to do today, and all I am trying to do by introducing this bill, is to obtain some action, and to induce the Congress, if it will, to use my bill, or some other bill—I care not which—as a starting point for getting action. If we do not do so, I think we

shall be severely criticized, and rightly so, in years to come.

In closing, I wish to say unless we take some appropriate action the amount of surplus commodities will increase to $10, $11, $12, $13, or $14 billion. The net income of the American farmers is possibly going to become less. It is getting no better. The only thing which might save the farmers would be a severe drought. For the failure to solve the problem, what a penalty would be imposed by severe drought which would prevent farmers from growing crops for 1, 2, or 3 years, and deprive them of any income. That could solve the problem, but I do not think it is going to happen.

Mr. DWORSHAK. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. DWORSHAK. I believe the senior Senator from Indiana has rendered outstanding service in calling to the attention of the Senate the importance of wholesale cooperation in assailing some of the problems confronting agriculture today. Does not the Senator deplore the tendency of the involvement of agricultural problems in partisanship and efforts to make a political football out of them, instead of trying to solve the problems so we can stabilize the situation?

Mr. CAPEHART. Yes. Agricultural problems have affected the national economy to the point where no one ought to play politics with them.

Mr. DWORSHAK. Does the Senator believe there has been some effort along that line?

Mr. CAPEHART. Yes, I am afraid there has been; and I feel it ought not to be done, because the problem is too serious, from the standpoint alone of the taxpayers, aside from that of the farmers, because their income is so low. The problem is very serious from the standpoint of the cost to the taxpayer, as well as from the standpoint of the farmer, whose prices are too low.

Mr. DWORSHAK. Does the Senator from Indiana agree that by pursuing the political aspects of this controversy, there is ever present the possibility that we may be undermining agriculture, with devastating effect on our general economy? That would be a real tragedy to our country, would it not?

Mr. CAPEHART. There can be no question that it would be a real tragedy.

I should like to emphasize one other point. The farmers are not to blame. Many persons say, "You are subsidizing the farmer," as if the farmer was getting rich as a result of the farm program. The total net income of farmers is below $13 billion. The farmer does not like to be placed under a Federal program. He would much prefer to have the Government get completely out of the farming business and that he be permitted to run his farm as he sees fit, and sell his products in the open market at a price which would be profitable to him. Congress ought to devise a program which looks to that end. The way the situation is now, just the opposite is true. For example, only today I had a man say to me, "The best thing you can do is repeal all the farm laws." I would agree with him provided something could be done with the surplus stockpile of $9 billion. The Government has contracts with farmers which will run throughout this calendar year. Those contracts cannot be repealed. The earliest we could legislate in that regard would be in the early part of the next year. All the farm laws could be repealed and the Government would not have to enter into any contracts with the farmers. But contracts are in existence for the remainder of 1959, and there is in existence a stockpile of $9 billion worth of surplus commodities. What is to be done with them?

Mr. DWORSHAK. Does the Senator from Indiana believe that, while there is a tendency of farmers to hold the Republican executive branch responsible for the failure to solve some of these problems, at the same time farmers, through their national organizations, are holding the legislative branch equally responsible and accountable for the failure to meet this serious challenge?

Mr. CAPEHART. There can be no question that the solution of the problems is the responsibility of the Congress. Only the Congress can change the law. Let us consider what I think is the worst situation of all. There is a law which provides that farm commodities in the stockpile can be sold only at 5 percent above the existing support price. That is the law, and it ought to be changed. In fact, my honest belief is the Senate ought to quickly adopt a resolution on Monday, when it next convenes, changing that section of the law, so the change could be put into effect immediately. I think if the law were changed, it would immediately raise farmers' prices.

Do we realize what it would mean to the American taxpayers if the market price of corn, wheat, cotton, and other commodities was above the support price? Let me show how much money it would save the taxpayers if the market price were higher than the support price, so that farmers would not be delivering their commodities to the Commodity Credit Corporation. I am about to give the amounts and the names of commodities from the list of commodities on which the Government has issued loans, and as to which the Government has said to the farmer, "If, when your loan comes due, the market price is lower than the support price, you can deliver the commodities to us and we will pay your loan off."

Let me give a little idea of how the bill introduced today will save the American taxpayers money in the next few months, and how much money it will save them, if the bill will do the things we believe it can and will do.

In the case of cotton there are under loan 6,447,558 bales of upland cotton, at a total cost of $1,101 million-plus.

There are 533 million-plus bushels of wheat on loan, at a cost of $978 million-plus.

There are on loan 924 million-plus pounds of tobacco, at a cost of $599 million-plus.

There are 427 million-plus bushels of corn on loan, at a cost of $523 million-plus.

There are 146 million-plus hundredweight of grain sorghums on loan, at a cost of $276 million-plus.

With respect to other commodities, which I shall not name individually, there are loans of $497 million-plus.

The total amount of the loans is $3,977,848,262—a little less than $4 billion.

If the market prices farmers received were to go above the level of the support prices, and the farmers sold their products in the free market at prices above the support prices, the taxpayers would have nearly $4 billion of their money saved.

That is what the cost will amount to if the farmers deliver the commodities I have mentioned. They may not; but they have the right to do so. If only the great majority of them delivered those commodities, and if the market price was lower than the support price, that is the amount which would be involved. So, Mr. and Mrs. Taxpayer, you get an idea what it would mean to you if we could find a way to keep the market price above the support price, and if we could eliminate the roadblocks which have a tendency to pull down market prices.

Mr. President, this is a matter in which city people ought to be as much interested as farmers.

Mr. President, I ask unanimous consent to have printed in the RECORD the U.S. Department of Agriculture bulletin issued on April 1, 1959, entitled "Status of the CCC Price Support Programs as of February 28," which gives all the figures I have been reading into the RECORD on numerous occasions.

There being no objection, the bulletin was ordered to be printed in the RECORD, as follows:

STATUS OF CCC PRICE-SUPPORT PROGRAMS AS OF FEBRUARY 28

The U.S. Department of Agriculture reported today that as of February 28, investment of the Commodity Credit Corporation in price-support programs amounted to $9,089,475,000—made up of loans outstanding of $3,977,848,000 (including $706,779,450 of loans financed by lending agencies), and the cost value of inventories $5,111,627,000.

As of February 28, 1958, the investment was $7,317,819,000, of which loans outstanding amounted to $2,427,782,000 and inventories $4,890,037,000.

Price-support operations in five commodities accounted for the bulk of the February 28, 1959, loan total, as follows:

Cotton, upland, 6,447,558 bales	$1,101,695,551
Wheat, 533,444,796 bushels	978,879,790
Tobacco, 924,451,817 pounds	599,437,828
Corn, 427,271,926 bushels	523,818,948
Grain sorghum, 146,188,894 hundredweight	276,081,784
Other	497,934,361
Total	3,977,848,262

(Included under "other" were loans on extra long staple cotton, cottonseed, barley, dry edible beans, flaxseed, oats, rice, rye, soybeans, honey, peanuts, and tung oil, the largest being $249,699,676 on soybeans.)

Major items in the inventory of CCC as of February 28 were:

Wheat, 753,509,376 bushels	$2,144,139,573
Corn, 1,144,121,938 bushels	2,014,653,082
Grain sorghum, 156,295,221 hundredweight	410,507,557
Cotton, upland, 1,411,576 bales	205,573,504
Barley, 69,340,032 bushels	84,175,653
Rice, rough and milled, 6,268,394 hundredweight	54,366,420
Strategic materials	36,503,561
Soybeans, 12,152,353 bushels	28,286,736
Butter, 44,408,334 pounds	26,331,946
Rosin, 262,185,642 pounds	20,797,740
Oats, 25,394,135 bushels	19,491,597
Dried milk, 116,467,411 pounds	18,000,609
Cotton, extra long staple, 32,307 bales	9,461,956
Other	39,336,835
Total	5,111,626,769

(Other items in inventory include cheese, dry edible beans, cornmeal, flaxseed, rye, wheat flour, gum turpentine, tobacco, crude cottonseed oil, refined cottonseed oil, peanuts, and tung oil, the largest of which was tobacco, with a cost value of $7,643,455.)

Net realized program loss on price-support operations for the 8 months ended February 28, 1959, totaled $491,848,510. For the same period last year the comparable loss was $712,922,765, and for the fiscal year ended June 30, 1958, the program loss on price-support operations totaled $1,006,548,967.

Price-support operations of CCC are financed in large part, though not completely, by borrowings. CCC is authorized by statute to borrow money as needed, but as of February 28 total borrowings could not at any time exceed in the aggregate $14.5 billion.

CCC reserves a sufficient amount of this borrowing authority to purchase at any time all loans and other obligations held by lending agencies under the Corporation's programs. As of February 28, CCC had in use $13,940,832,000 of this authority; actual borrowings amounted to $13,233 million, and obligations to purchase loans financed by lending agencies amounted to $707,832,000. This left a statutory borrowing authority of $559,168,000.

Loans and inventory figures covered in this release do not include purchase agreements which provide for purchase by CCC of stipulated quantities of price-support commodities if offered by producers at the end of the loan period. These purchase agreements entered into on 1958 crops through February 28, 1959, had an estimated total value of $190,989,000. Purchase agreements entered into on 1957 crops through February 28, 1958, had an estimated total value of $196,363,000.

Price support extended (total loans made plus direct purchases plus purchase agreements entered into) on 1958 crops alone through February 28, 1959, amounted to $3,$774,812,633, compared with $2,285,399,931 on 1957 crops through February 28, 1958.

MOVEMENT INTO AND OUT OF CCC'S PRICE-SUPPORT INVENTORY

Commodities purchased or otherwise acquired by CCC in February had a cost value of $46,683,571, bringing the total for the first 8 months of the 1959 fiscal year to $924,578,797. For the same 8 months' period a year earlier purchases and acquisitions amounted to $1,585,303,427.

Movement of commodities out of CCC's inventories in February totaled $194,754,936 cost value basis, making a fiscal year 1959 total through February of $1,679,469,171. The out-movement in the first 8 months of fiscal year 1958 totaled $2,491,786,929.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959

The Senate resumed the consideration of the bill (S. 1555) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with request to the election of officers of labor organizations, and for other purposes.

Mr. HUMPHREY obtained the floor.

Mr. ALLOTT. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. BARTLETT in the chair). Does the Senator from Minnesota yield to the Senator from Colorado?

Mr. HUMPHREY. I yield to the Senator from Colorado, provided I do not lose my right to the floor, and I ask unanimous consent that I may do so.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Minnesota? The Chair hears none, and it is so ordered.

Mr. ALLOTT. Mr. President, I express my appreciation to the Senator from Minnesota.

Mr. President, my fear that the American public will not comprehend the action we are taking in the matter of labor legislation has mounted day by day, amendment by amendment. The committee bill is 59 pages long and already some 100 amendments are contemplated. I feel sure that there are those among us, despite our prolonged attention to this subject, who do not completely understand every facet of its complicated nature.

Mr. President, it is time the American people understand what we are trying to do in the labor field. They know of the horrors and the filth uncovered by investigation, but they are completely at sea when this jungle of words is thrust before them.

My own views on labor legislation are well known—the Kennedy bill does not go to the real roots of the problem. It seems quite possible that we will so become involved in semantics and minute points of law we will lose sight of the forest for the trees.

Mr. President, we owe a compact, workable measure to the millions of honest, sincere union members who want help, guidance, and clarification of labor legislation. And I fully realize that some of the points in the bill, and many of the proposed amendments, are designed to provide just that.

However, if this debate does reach a stage of complete confusion and bewilderment to the public, I am considering offering as an amendment a very simple, substitute bill. I acknowledge that under normal procedure, such a substitute should be presented first to the hard-working Committee on Labor and Public Welfare. Yet, this subject has been studied and restudied so much that no apologies would be needed.

Mr. President, every poll which I have seen indicates one paramount desire on the part of union members: They want to be able to run their own unions. They want an end to the plundering by that unscrupulous handful with whom we have become disgustingly familiar.

The honest backbone of the American labor force wants the tools with which they can accomplish this need. What is required is that we act simply, in understandable language and in the spirit of fair play:

First. Guarantee democratic operation of unions by requiring honest and secret balloting.

Second. Require responsibility to union members by those who handle their money by imposing the same duties and penalties upon them as upon any other person to whom money is entrusted.

Third. Provide protection for union members and the public against hoodlumism and strong-arm tactics through a clear and positive law against secondary boycotting and blackmail picketing.

Mr. President, I wish to say again that these three points will constitute a bill which I plan to offer in the event the debate of next week dissolves into "t" crossing and "i" dotting; into a debate which can produce only incomprehensible, ineffectual legislation. It is my intent that the public shall know what we are doing. But most of all, our intent must be understood clearly by those outlaw bums who, through their isolated tactics, have cast a shadow on the great American labor movement, and the millions of great Americans who are a part of it.

Mr. President, I send an amendment to the desk for printing. I plan to call up the amendment next week.

The PRESIDING OFFICER. Without objection, the amendment will be printed and will lie on the table.

Mr. ALLOTT. Mr. President, I express my appreciation to the distinguished Senator from Minnesota for his never-failing courtesy in yielding.

Mr. HUMPHREY. I thank the Senator. I am always happy to accommodate a friend.

Mr. CURTIS. Mr. President, will the distinguished Senator from Minnesota yield to me?

Mr. HUMPHREY. Mr. President, I ask unanimous consent that I may yield to the Senator from Nebraska without losing my right to the floor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Minnesota? The Chair hears none, and it is so ordered.

Mr. CURTIS. Mr. President, I offer, for printing, a series of amendments on behalf of my colleague, the Senator from Arizona [Mr. GOLDWATER], and two amendments on behalf of myself, to the pending bill, S. 1555.

The PRESIDING OFFICER. Without objection, the amendments will be received and printed and will lie on the table.

Mr. CURTIS. I thank the distinguished Senator from Minnesota.

GOVERNMENT EGG BUYING

Mr. HUMPHREY. Mr. President, I am very happy today to invite attention to the fact that Secretary of Agriculture Benson finally has stepped up Government egg buying, using section 32 funds

for a surplus removal program, as authorized by law.

As Senators know, I have been insisting since the 2d of April that the Secretary take action to lessen the severity of the break in egg prices. While a purchase program placed into action promptly upon notice of the break in egg prices would have been more effective, in this case the saying "better late than never" is certainly true. It is my sincere hope that this action will strengthen prices received by egg producers everywhere and stop the present sales at prices which are far below the cost of production.

I ask unanimous consent that the announcement of the USDA surplus disposal program be printed in the RECORD at this point in my remarks.

There being no objection, the announcement was ordered to be printed in the RECORD, as follows:

USDA ANNOUNCES SURPLUS REMOVAL PROGRAM FOR EGGS; COMPLETE SCHOOL-LUNCH PURCHASES

USDA announced today its intentions to make weekly purchases of dried-egg solids with section 32 funds. This will be in addition to the approximate $14 million already spent in purchasing eggs for the school-lunch program. Egg prices have fallen to relatively low levels in recent weeks and the action announced today is being taken in an effort to stabilize and strengthen prices to producers.

At the same time, the Department announced the completion of a program of purchasing dried whole egg solids for use in the national school-lunch program. Funds for this program were transferred by Congress from section 32.

A total of 652,500 pounds was purchased this week, at a cost of $678,000. Total purchases for the program, which began on October 16, 1958, come to approximately 12 million pounds, and total expenditures of about $14 million. Prices paid this week ranged from $1.0278 to $1.0498 per pound, and offers were accepted from all seven bidders.

Most egg solids to be purchased under the section 32 surplus removal program will be distributed to needy persons, and the balance to welfare institutions. They will supplement the other foods now being donated by the Department and distributed by State agencies to needy people.

First offerings under the section 32 program will be due on April 22, at 1 p.m. and purchases will be made weekly thereafter. The quantities to be purchased weekly will depend upon offering prices in relation to prevailing producer prices. Continuation of the program will depend upon general market demands as reflected in producer prices in the weeks ahead.

Purchases in No. 10 tin cans will be limited to approximately 1 million pounds per month for distribution to institutions. The balance of purchases will be required to be packed in No. 2½ consumer size cans (13 ounces) for distribution to needy families.

The announcement of the new program will be mailed to the trade this week. Inquiries regarding the program should be sent to the Director, Poultry Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington 25, D.C.

Delivery under the awards that follow will be during the May 1 to May 16, 1959, period.

Mr. HUMPHREY. Mr. President, the sorry spectacle of the past few weeks points up a basic weakness in the poultry and egg industry of this country. Secretary Benson, as he speaks before various nonfarmer groups throughout the country, keeps repeating that agricultural commodities which have not been under mandatory price supports have not been in price trouble. Let me underscore the fact that there is no mandatory price-support program for poultry and eggs, and the producers are in real trouble.

A Government surplus-disposal program can bring temporary relief, but it cannot discharge the Government's full responsibility to this important agricultural industry.

The Senate Agriculture and Forestry Committee should undertake a full study of the poultry and egg industry to discover the causes for the evident economic imbalance and to explore possible corrective action.

To emphasize that this is no sudden, temporary price crisis for egg producers, I desire to read a telegram I received today from Dr. Irving Berger, acting president of the U.S. Poultry & Egg Producers Association:

MAYS LANDING, N.J.,
April 16, 1959.

Senator HUBERT HUMPHREY,
Washington, D.C.:

Thousands of families of poultry farmers are in economic jeopardy striving for their daily bread. The situation is so acute that their capital investment on which tens of thousands of people are depending for a living is being destroyed. Should they further swell the ranks of the unemployed? The commercial egg producer has contributed his energy and ingenuity to the national well-being of the consumer economy through the tremendous efficiencies developed since 1941 which are over 100 percent. If the egg production today would have followed the same pattern as it did up to 1940 it would have cost the consumer an additional million dollars to purchase a dozen eggs in the market. If agriculture would have kept pace with other phases of the economy there would have been a 20 percent increase in egg prices instead of a decrease of 20 percent. Egg prices have dropped to a low of 20 cents national average with the acknowledged national cost of production of 33 cents to 37 cents average resulting in the egg producer actually subsidizing the consumer to the extent of $60 million a month. He cannot further subsidize the consumer market at the cost of his own economic destruction. Without immediate alleviation of the situation it will cripple a sizable segment of our economy.

It behooves upon the Senate Agricultural Committee to rescue the commercial family egg producer. You are the heart and core of their survival.

Dr. IRVING BERGER,
Acting President, United States Poultry and Egg Producers Association, Inc.

Mr. President, I can say to Dr. Berger that we have finally been able to get some action. Three days ago I addressed the Senate with regard to this particular problem, placing in the RECORD my letter of April 2, my telegram, and my subsequent letter to the Secretary of Agriculture. I am pleased to note that, at long last, a response has come forth, and it is favorable.

The Secretary and the Department of Agriculture have acted. I may add that in the meantime in the State of Minnesota literally hundreds of thousands of dollars of cash income have been lost—money which would have been spent in the retail establishments and service institutions of our State. In a sense, the egg producer is the cash customer. The farmer with 100, 200, or 300 hens, who takes his eggs to market every day or every week, represents a sizable share of what we call cash income in agricultural production.

Let us hope that we shall not be faced with a situation like this again without some remedial action. I am happy to note that the announcement of the first purchase has already boosted the price for the producer. I said this would happen.

There are certain things which we know about agriculture. One of the things we know is that when the Department of Agriculture indicates its willingness to step in and firm up a market, the free market price of the commodity involved immediately reacts favorably. This has happened again.

It is regrettable that Congress must assume the responsibility of doing the job of administration. Our job should be that of legislation, and it should be the responsibility of the Department to utilize the law which we have given to the executive branch to effectuate policies laid down by the Congress.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield to the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. Is it not also true that we find the same condition to exist in the administration of the laws placed on the statute books with regard to many other farm commodities? Practically the same situation existed in regard to the poultry industry before Christmas.

Mr. HUMPHREY. The Senator is absolutely correct.

Mr. JOHNSTON of South Carolina. We had to jack up the Department in order to get it to do something to save the poultry industry.

Mr. HUMPHREY. The Senator is correct.

Quite frankly, the delay in Government purchases or Government orders with respect to perishable commodities not only costs the producers in Minnesota hundreds of thousands of dollars, and, on a national scale, millions of dollars of lost income; but it costs the Federal Treasury great losses. Folks simply do not have the money with which to pay taxes. They do not have the income upon which they could pay taxes.

Remember, Mr. President, the funds which are used are not taxpayers' funds. They are what we call tariff and import funds. They are funds which go into what are called section 32 funds, which represent collections made upon certain imports into this country—tariff funds which go into a special fund for the purchase of agricultural commodities.

Mr. JOHNSTON of South Carolina. Is it not also true that the Department cannot justly claim that it does not receive sufficient funds for investigation? We have given the Department many additional employees, and hundreds of thousands of dollars more with which to work.

Mr. HUMPHREY. The Senator is absolutely correct. The number of employees has increased by from 20,000 to 25,000, and the amount of money available is rather substantial. It is so substantial that many of us hesitate even to mention it. It is well over $5 billion.

I thank the Senator from South Carolina, who has always championed the cause of the family farmer, and of economic justice for American agriculture. We are very fortunate that he serves on the Committee on Agriculture and Forestry, and not only takes an interest in the crops and production characteristic of his section of the country, but has a national vision, and exhibits an interest in and concern for the well being of our farm population in every State of the Union and every part of this great Nation.

Mr. JOHNSTON of South Carolina. I thank the Senator from Minnesota for his remarks concerning me.

A few days ago, when I had occasion to speak to representatives of the press, I made the statement concerning the Senator from Minnesota that if there were on the Committee on Agriculture and Forestry a few more Senators such as the Senator from Minnesota, we could put Mr. Benson in his place. I know that the farmers would be in far better condition than that in which they find themselves today.

Mr. HUMPHREY. I thank the Senator. That is great praise from a fine and good man.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959

The Senate resumed the consideration of the bill (S. 1555) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes.

Mr. HUMPHREY. Mr. President, the bill pending before the Senate is S. 1555. It is known technically as the Labor-Management Reporting and Disclosure Act of 1959. It is known to the American public essentially as the Kennedy bill.

Mr. President, I wish to speak briefly on S. 1555, the Labor-Management Reporting and Disclosure Act of 1959, which is presently before the Senate.

I consider it an honor to be a cosponsor on this important measure, which is designed to eradicate the abuses which have come to light in the labor-management field. The bipartisan support which this bill received in the Committee on Labor and Public Welfare attests to the widespread conviction that this is a sound and fair proposal.

To the members of the committee who have worked so long and hard on this measure, we owe a vote of thanks. Few bills have received as thorough study and consideration as has S. 1555. At this time I wish to pay special tribute to the junior Senator from Massachusets [Mr. KENNEDY], as chief sponsor of the bill. For many, many months he has devoted his energies, time and talents to the development of a sound and practical bill. He has quite properly gained a reputation as being one of the foremost students of labor legislation in the Congress. This is a great honor and one which is richly deserved.

S. 1555 is a carefully considered measure to aid in the elimination of corrupt practices in the labor-management field while at the same time avoiding the danger of jeopardizing the effectiveness of the American trade-union movement in representing the working men and women of our land.

In reporting S. 1555, the Committee on Labor and Public Welfare emphasizes a very important point which should be kept in mind during this debate:

> The overwhelming majority (of unions) are honestly and democratically run. In providing remedies for existing evils the Senate should be careful neither to undermine self-government within the labor movement nor to weaken unions in their role as the bargaining representatives of employees.

In this connection, Mr. President, I should like to pay a tribute to the dedicated efforts of the leadership of the AFL–CIO to maintain the traditional high standards and principles of the American labor movement. The AFL–CIO has given more than mere lipservice. Its adoption of a rigid code of ethics and its ouster of those international unions which have betrayed their sacred trust took great courage.

The AFL–CIO has further demonstrated its sincere devotion to a dedicated labor movement by its endorsement and active support for the reform legislation presently before the Senate.

I might add that it is a rather unique situation when we see groups which are being regulated come before a Senate committee and, out of a sense of fairness and justice and dedication to the public interest, ask that legislation designed to regulate them be adopted. I do not recall any such development when holding companies were being regulated, when the stock market was being regulated, and when some of the great utilities were being regulated.

As the committee in its report also points out, in the instances of corruption which have been revealed, not only unions but also management has been involved. The hearings by the Committee on Improper Activities in the Labor or Management Field under the able chairmanship of the senior Senator from Arkansas [Mr. MCCLELLAN] have uncovered numerous instances of employers having made payments to unethical union officials at the expense of their own employees. The so-called middlemen have also been used by certain employers as an undercover device to defeat legitimate union campaigns. Evidence has also come to light of employer payments to informers for the purpose of supplying information on union activities.

The Committee on Labor and Public Welfare in preparing S. 1555 has quite properly recognized the fact that the labor movement does not have a monopoly on original sin. To correct the unethical practices of certain employers the bill provides management reporting requirements and prohibits illicit payments by employers and by middlemen for the purpose of interfering with union organizing efforts and collective-bargaining agreements.

I have, quite frankly, been disappointed that organizations representing management have not shown greater concern over such unethical practices of certain employers—thank goodness only a few. I am also disappointed that management spokesmen have refused to support S. 1555 and have opposed provisions in the bill which seek to deal with management abuses.

It is my sincere hope that the Senate will approve S. 1555 and that it will soon be enacted. It would be, in my opinion, a tragedy if we did not take advantage of the present opportunity to enact reform legislation.

In fact, we have a political and moral obligation to do so. If we fail to act it will be a victory for those in the labor-management field who have betrayed American working people and the public at large for their own selfish advantage.

I know that there are those in the Congress who sincerely disagree with certain provisions of S. 1555, and there are those who feel that this bill does not go far enough. The important thing to keep in mind, however, is that S. 1555 does represent a meaningful long stride forward. In any meaningful legislation no one is ever completely satisfied. Yet the need for reform legislation is too great and important to permit its defeat due to the opposition of those who are not completely satisfied. I hope this will not prove to be the case.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. HUMPHREY. I am glad to yield to the distinguished Senator from Oregon.

Mr. NEUBERGER. I wish to say to the Senator from Minnesota that he is making a very able speech. I wish particularly to voice my concurrence with him when he points out that we should make a beginning in this very important field. I agree with him that S. 1555 is not a perfect bill. Nevertheless, it represents the viewpoint of numerous able and outstanding members of the Committee on Labor and Public Welfare who have carefully studied the problem and who feel that the bill represents a good start in solving the problem.

It is interesting to note that there are many people who wish to begin with a perfect bill in this field. Yet I doubt that any proposed legislation was perfect when it started through Congress. If I am not mistaken, the Constitution of the United States, not long after its adoption, had to be amended 10 times in order to protect the basic liberties of the American people.

It is very easy for some persons to say, "Unless the proposed legislation is perfect, it should be voted down." I am always reminded of a story which was told in Oregon by one of the greatest Senators in the history of our State, the late Charles L. McNary, who for many years was the Republican leader of the Senate. When speaking about people who would never go along with anything unless every "i" were dotted and every

"t" were crossed precisely in a proposal, Senator McNary said it reminded him of some little children in a classroom. The teacher said, "All of you who want to go to heaven raise your hand." Every child in the class raised his hand except one little boy. The teacher looked at him, singled him out with her eyes, and said, "Johnny, don't you want to go to heaven?"

The little boy replied, "Yes, but not with that bunch of fellows," pointing to the rest of the class.

It is true that some sincere people single out every possible objection or omission with respect to proposed legislation. It seems to me that if we are to make a beginning in the field of protecting union democracy and safeguarding the funds of the working people who pay dues to a labor union, we will be able later to make such changes by way of amendments as may prove to be necessary. This can follow the tested method of trial and error.

I also wish to say to the distinguished senior Senator from Minnesota—and I believe he will agree with me—that there are some people who would like to see labor so straitjacketed that it could not function at all. I was particularly struck that way last year when an amendment was offered on the floor of the Senate to provide that officials of labor unions should be subject to frequent recall elections. Yet U.S. Senators, who can send our men to Iwo Jima or Korea to risk their lives in defense of his country, are not now subject to recall. Those people ask for a higher degree of democracy in labor unions than is asked of Members of the U.S. Senate or of Members of the House or of the President of the United States, who hold sovereign control over every resident of the United States.

It seems to me a little bit inconsistent to propose that an official of a labor union should be subject to recall, lest democracy be endangered in the labor union, but that U.S. Senators should not be subject to recall. I believe we must keep this whole subject in proper perspective. I share the views the Senator from Minnesota is expressing in his very fine speech today. I agree that we must give financial protection to the people who pay dues and that we must safeguard union funds, and must also see to it that union elections are held in accordance with democratic principles, free from coercion. That does not mean that we must have an absolutely letter-perfect bill—and that if we do not have such a letter-perfect bill—we should not pass any bill at all. I again commend the distinguished Senator from Minnesota for the excellent speech he is making on this subject.

Mr. HUMPHREY. I thank the distinguished Senator from Oregon. His sentiments and observations are mine also. He has stated concisely and succinctly the philosophy which should guide us in voting on the many amendments which will be offered to the bill. We are taking a very substantial forward step with the proposed legislation. It is one which will keep us in stride with the needs and necessities of the labor-management picture.

I should like now to address myself to one of the several amendments intended to be proposed by the junior Senator from Arizona [Mr. GOLDWATER] and which is presently lying on the table. I refer to the amendment to extend the secondary boycott provisions of the National Labor Relations Act—4–15–59–C. I stress the word "extend," Mr. President, for this is a practice which has been regulated since 1947.

Mr. President, I do not discuss these features of the National Labor Relations Act without at least a working knowledge of the law. I served on the Committee on Labor and Public Welfare for 4 years. It was my privilege during those 4 years to be chairman of the Subcommittee on Labor-Management Relations. I participated in the debates relating to the Taft-Hartley law, the effort to repeal it, and the effort to amend it. In fact, it was my privilege to work side by side with the late Senator from Ohio, the very distinguished and honored Member of the Senate, Robert A. Taft, in proposing two amendments to the Taft-Hartley law, which were adopted. One of those amendments will be attempted to be repealed at this time. But I hope we shall not go backward in this debate. I refer to the amendment relating to the preelection rights of the building trades. That was the Taft-Humphrey amendment to the National Labor Relations Act—the so-called Taft-Hartley law. It is a good amendment. I might add that if we had at that time the distinguished leader of the Republican ranks, the late Senator from Ohio, Mr. Taft, and the then junior Senator from Minnesota working together and agreeing on an amendment to the Taft-Hartley law, it must have had some substance and some worthwhile aspects, because Senator Taft and I did not always see eye to eye on some of the labor-management problems.

Congress in the National Labor Relations Act enacted stringent curbs on secondary boycotts. And the National Labor Relations Board is administering the secondary boycott prohibitions—section 8(b)(4)—with a zeal which resolves few doubts in favor of the legitimacy of any questioned activity. So much so that the courts of appeals have frequently reversed the Board for going too far. The Court of Appeals for the District of Columbia Circuit, for example, this past January set aside a Board order based on an alleged violation of section 8(b)(4) because in prohibiting the picketing in that case the Board was prohibiting, not a secondary boycott, but primary picketing. The Board had failed, said the court, "to preserve 'the right of labor organizations to bring pressure to bear on offending employers in primary labor disputes.'"

The Board failed to heed the admonition of the Supreme Court that section 8(b)(4) must be interpreted to harmonize "the dual congressional objectives of preserving the right of labor organizations to bring pressure to bear on offending employers in primary labor disputes and of shielding unoffending employers and others from pressures in controversies not their own"—*N.L.R.B. v. Denver Bldg. & Const. Trades Council*, 341 U.S. 675, 692.

This proposed amendment—the one I referred to earlier, offered by the junior Senator from Arizona [Mr. GOLDWATER]—deals then with an activity which is already regulated and regulated plentifully. The effect of this existing regulation bears remembering. Broadly speaking, when a union has a dispute with company A concerning the conditions of employment at its plant, the union may not call out the employees of company B on strike, it may not picket the premises of company B to induce its employees to strike, and it may not induce even a refusal to work limited to not handling the products of company A. These means of bringing pressure on company A through company B are prohibited by law. And these are prohibited even though company A is paying substandard wages which are depressing and undermining the union standards throughout the industry. The sweatshop employer, no less than any other, in present law is protected. When Congress enacted section 8(b)(4) it embraced the premise that no distinction can be drawn between "good secondary boycotts and bad secondary boycotts"—CONGRESSIONAL RECORD, volume 93, part 3, page 4198.

It is proposed now, however, that it be declared an unfair labor practice to threaten, coerce, or restrain any person to engage in a boycott. But, it will be said, all that is prohibited is the threat, not persuasion. The fact is, however, that there is no meaningful line between the two, in this field at least. That is, there is no meaningful line which I think a legislative body can develop in theory. Any meaningful line would have to be determined in a court of law in light of the situation.

For example, suppose a union agent tells an employer, "We are having a strike at company A. Cooperate with us by not buying his goods until the strike is over." This is clearly persuasion. Suppose the union agent adds: "We have always gotten along well together. We want to be able to continue to do so. Do you think it would be wise for you to jeopardize our good relations by continuing to buy company A's products?" The question now is, Has persuasion passed to a veiled threat? Suppose the union agent goes on to say, "We realize that, because you have been barely able to get by, you have not complied strictly with our agreement but we have been willing to close our eyes to it. But our eyes will not remain closed if you don't stop buying company A's products." The question is, Is this an open threat?

At present, "a union is free to approach an employer to persuade him to engage in a boycott, so long as it refrains from the specifically prohibited means of coercion through inducement of employees." (*Local 1976, United Brotherhood of Carpenters* v. *N. L. R. B.*, 357 U.S. 93, 99.) This is nothing that can or should be changed by statute, as I indicated earlier. If an employer-customer continues to buy the product of the struck employer, he helps that

struck employer; if an employer-customer discontinues buying the product of the struck employer, he helps the union. But whatever he does he unavoidably helps one side or another. Surely the union must remain free to persuade the customer to help it, just as the struck employer is free to persuade the customer to continue to buy his product. This is but the exercise of free speech on both sides of the controversy.

It does not appear wise to me to enact by what might be called legislative determination this slippery line between threats and persuasion. Nor is there any need to do so. Actually, I am afraid this kind of amendment will confuse the situation, which throughout the years has been clarified by court interpretation. The actual act of calling the employees of the neutral employer out on strike, or the actual act of picketing his premises to induce the employees to strike, is now forbidden. It is, therefore, just idle talk to threaten to do either.

Just as we allow free speech to an employer in persuading his employees not to join a union—that is provided for in the Taft-Hartley law—so must we allow free speech to the union.

Furthermore, the proposed amendment is not even limited to a threat to strike or to induce a strike; it extends to any threat. But if the prohibited act is confined to a strike or inducement to strike, why should the prohibited threat extend beyond that?

The amendment is not limited only to threats. It also prohibits the union to coerce, or restrain.

By the way, those words sound pretty ugly until we start to examine them in the light of the law and in the light of actual labor-management practice.

At present a union may distribute leaflets at the premises of a neutral employer to persuade consumers not to buy the product of the struck employer. That is the law at the present time. If the persuasion is successful the neutral loses sales. Does this constitute restraint and coercion of the neutral employer? Under present law, it does not; but if the amendment shall be adopted, it will be necessary to go through a whole series of court actions again, and no one in the labor-management picture will know for many years where he stands. As a matter of fact, some of the amendments I have examined lend themselves not to labor-management peace, not to labor-management stability, but to labor-management instability and to confusion confounded. I suggest that rather than try to add to the troubles and the complexity of the law, we should try to simplify matters and learn how to utilize the law which we have, where that law is just and equitable.

The Board has indeed held that to place an employer on a "We Do Not Patronize" list is to restrain and coerce him. The Court of Appeals for the Ninth Circuit set aside the Board's determination and pointed out that the union's conduct was "within the general area of protection of the first amendment guaranteeing free speech." (*NLRB* v. *IAM, Local 942*, C.A. 9, No. 15, 814, February 4, 1959, sl. op. p. 6.)

I fear that this proposal may well invade this area. I ask the Senate to hold with Chief Justice Stone that the "publication, unaccompanied by violence, of a notice that the employer is unfair to organized labor and requesting the public not to patronize him is an exercise of the right of free speech guaranteed by the first amendment which cannot be made unlawful by act of Congress."

The citation is a familiar one to lawyers and even to some of us laymen: *United States* v. *Hutcheson*, 312 U.S. 219, 243.

To distribute leaflets at the premises of a neutral employer to persuade customers not to buy a struck product is one form of consumer appeal. To peacefully picket the customer entrances, with a placard asking that the struck product not be bought, is another form. I fear that consumer picketing may also be the target of the words "coerce, or restrain." I fear that, in addition to the existing foreclosure of the union on strike from making any effective appeal to the employees of the so-called neutral employer, the union by this amendment is now to be effectively sealed off from even an appeal to the consumers.

The National Labor Relations Act makes it an unfair labor practice for a union "to engage in, or to induce or encourage the employees of any employer to engage in, a strike or a concerted refusal" to work. That is the law, and it is applied and upheld. But the amendment proposed by the Senator from Arizona [Mr. GOLDWATER] would change the words "employees of any employer" to "any individual employed by any person," and would delete the word "concerted."

This change may have as one purpose to forbid inducement of even a single employee acting alone to stop working for his neutral employer. Three courts of appeals have already construed the existing language to reach this result. And the inducement of a single employee's refusal to work at a neutral employer's premises is hardly substantial enough to be worth considering.

But I fear that more than appears at first glance is involved in this proposal.

At first glance, a layman would be inclined to conclude that the amendment was quite reasonable. It is when we consider the amendment within the framework of existing law, and when we consider its application by means of the National Labor Relations Board, and, consequently, by means of court interpretations and decisions, that we realize that there would be trouble.

As it now stands, section 8(b)(4) does not prohibit appeals or requests directed to supervisory or managerial employees, because these individuals are not employees within the statutory definition. But they are surely individuals; and to substitute the word "individual" for the word "employees" would place requests and appeals to them within the prohibition of the law. For example, an appeal to a supervisor to decline to accept a shipment from a struck employer is inducement of "any individual employed by any person" to engage in a "refusal" to work.

If this is the effect of the proposal, its adoption would completely isolate the union from any effective approach to the neutral employer, to persuade him or to encourage him to cooperate with the union by declining to do business with the struck employer, for the supervisors are the arms and legs of management. They are management on the job. The normal and natural approach to the neutral employer is through his supervisory and managerial personnel present on the job. Therefore, to prohibit the union from approaching them would be to cut off the union from its normal channels of communication. It would be a mockery to say that the union is free to persuade a neutral employer to assist it, but to deny the union access to the employer's supervisory and managerial staff. Especially is this so in the case of a corporate employer, who can act only through his supervisors and managers. How high in the corporation's officialdom would a union have to go before it could find a corporate agent with whom it would be safe to talk?

This is not defined in the amendment. It would have to come under some board or some judicial definition or interpretation. It would require action by the National Labor Relations Board, and, of course, such action would undoubtedly be appealed, and then there would be a whole series of court decisions as to the meaning of the word "individual", as contrasted to the statutory meaning of the word "employee." We have a complete interpretation of the meaning of the word "employee"; but we do not have such an interpretation of the meaning of the word "individual", as it applies to labor-management relations. I realize that these points may seem to amount to splitting hairs; but they indicate the problems involved in connection with such matters in labor-management relations.

I have given considerable attention to this proposed amendment, which is both technical and complicated. I have considered this matter carefully, because during my years of service on the Committee on Labor and Public Welfare I handled a number of such matters, and this is one about which I have at least a layman's working knowledge. When I considered the amendment, I said to myself, "This can lead to all kinds of trouble."

Mr. President, if the records of the Senate Committee on Labor and Public Welfare are examined, it will be found that this subject was discussed at length, several years running; and at no time was there a majority of the committee—in fact, not even close to a majority—who felt that any extension or expansion of the secondary boycott provision should be agreed to.

One last word, and I shall have said enough to show the effects of this proposed amendment. It purports to say that a secondary employer who performs the "farmed out" work of a struck employer is not entitled to the sheltered status of the neutral. He may be struck and picketed just as the primary employer is himself. This adds nothing to section 8(b)(4). As the section now stands, it does not protect a neutral em-

ployer who does the primary employer's work. In other words, the present law cannot be avoided by farming out the work of the struck plant. This matter is presently taken care of. As I have said, the applicable section of the Taft-Hartley law, as it now stands, does not protect a neutral employer who does the primary employer's work; and no amendment is needed for this.

But there is a very real danger that the amendment, far from confirming the present interpretation of section 8(b)(4) in this respect, would, in fact, detract from it, for the amendment would, according to my observations, permit a strike against the secondary employer only when he "has contracted or agreed with" a struck employer to do the latter's work. But, as the matter now stands, such a strike is permissible, whether or not there is a contract or an agreement, just so long as the secondary employer is actually doing struck work.

Here, again, Mr. President, we get into legalisms. In other words, has there been a formal agreement or an oral or a written contract? If there has been, then, under the proposed amendment, such protection of a neutral employer would be removed. But under present law that precise definition is not required. In other words, as I have pointed out, present law says such a strike is permissible, regardless of whether there is a contract or agreement, just so long as the secondary employer is actually doing struck work. As the leading case states, the secondary employers are not protected "whether or not the primary employer makes any direct arrangement with the secondary employers providing the services." (*N.L.R.B.* v. *Business Machine Board*, 228 F. 2d 553, 559 (C. A. 2), cert. denied, 351 U.S. 962.) Furthermore, the amendment pertains only to "any strike against, or refusal to perform services for," the secondary employer. Surely it must also be permissible to picket the secondary employer or otherwise to induce his employees to strike.

Section 8(b)(4) of the National Labor Relations Act, as it now stands, is an effective curb on secondary boycotts. I am quite sure that the Congress feels that it has been an effective curb on secondary boycotts.

One of the real justifications for the Taft-Hartley Act, in the view of those who favored it, was the efficacy and the adequacy of the so-called secondary-boycott provisions of that law. It was around those provisions that the defenders of the Taft-Hartley Act rallied. But now we see that these provisions are supposed to be even further extended—or further confounded, I may say. It has already taken us 10 years to get them untangled. But after having had 10 years in which to obtain working decisions and working, practical arrangements in regard to what is known as the secondary boycott and in regard to how the provisions of section 8(b)(4) are to be applied to practical situations, now it is proposed that the Congress adopt an amendment to rewrite the language. Well, Mr. President, many a season and many a year will pass, if that amendment is adopted, before an employer or a union will know what the meaning of the law is. The legal officers will have to do their work; the National Labor Relations Board will have to interpret the language—because the language of a law means little or nothing until it is interpreted; and, after the National Labor Relations Board has interpreted the meaning of the words "coerce" or "threaten" or "force" or "restrain," the courts will, in turn, have to decide how those words apply to the cases in question.

Mr. President, legislation to extend or to expand the curb on secondary boycotts, as provided in the amendment we have been discussing, is, in my judgment, both unnecessary and potentially harmful, for the extensions invade, first, the areas of free speech; second, the rightful access of a union to persuade employers; and, third, the rightful enlistment by a union of consumer support.

In conclusion, Mr. President, I reiterate my hope that the Senate will pass the Labor-Management Reporting and Disclosure Act of 1959. The Senate had before it a similar bill a year ago. I voted for it then. I desire to register my vote for the pending bill now. I believe the Senate Committee on Labor and Public Welfare has done a very, very good job. We have watched this proposed legislation develop for months. A tremendous amount of testimony has been developed, and much staff and senatorial work has been done to make the bill a legislative reality.

It is a sound and a good proposal. It is a significant move forward, and one which merits bipartisan support. I hope the support will not only be bipartisan, but that the bill will be overwhelmingly supported by both parties.

I hope S. 1555 will not become burdened down with modifications, deletions, and additions, through floor amendments, so as to jeopardize its passage entirely. To me this would be a grave mistake, which we would long regret.

It is my feeling that the amendments which needed to be in this bill have already been included. The Committee on Labor and Public Welfare did not deny anyone the opportunity to be heard. Anyone who had a constructive proposal, or any other kind of proposal, could well have offered it to the Committee on Labor and Public Welfare; and members of the committee, who are experienced in this kind of legislation, would have considered it, and, if it had had merit, it could well have been included in the bill now before the Senate.

I shall encourage one and all to vote for S. 1555 as reported by the committee. It has my wholehearted support and assistance.

WASTE IN THE ADMINISTRATION'S SURPLUS PROPERTY DISPOSAL PROGRAM, WITH SPECIAL REFERENCE TO CARPENTERSVILLE, ILL.

Mr. DOUGLAS. Mr. President, for some time I have been critical of what I believe is excessive fat and waste in the procurement policies of the military services.

As of June 30, 1958, the Department of Defense had on hand over $29 billion in real property and $119 billion in personal property. These statistics and totals are given in a very accurate study by the House Committee on Government Operations of the 85th Congress, on page 65. Of this enormous total, $44 billion was in the supply system inventory, locked up in warehouses here and abroad.

When these figures are examined more closely, as they are in the report, on page 98 and following, it is seen that of the $44 billion in the supply system inventory, only $27 billion are for peacetime operating needs and for the additional supplies which are adjudged necessary for our Armed Forces in time of war. The remaining $17 billion is in excess stocks. This is admitted by the Defense Department to be in excess of both war and peacetime needs. This is a shocking total.

It has been my contention that by drawing down on these excess supplies, the military departments could save $2 to $3 billion in the fiscal year 1960 budget. These funds could then be used to increase our existing and potential supplies of missiles and to keep the Army and Marine Corps combat troops at the number which Congress has authorized, and for which it has appropriated, and which the President has failed to carry out.

WASTE IN SURPLUS DISPOSAL

My suspicions that there is great waste in the procurement and use of these vast military supplies have been fortified by some specific events in my own State in recent months. The Chicago Sun Times, and their able reporter, Mr. Richard Lewis, have uncovered a scandalous situation with respect to the handling of surplus property at Carpentersville, Ill.

What happened in my own State was this: Hundreds of thousands of dollars of so-called Federal surplus property was donated by the Federal Government to the State of Illinois, ostensibly for the use of schools, nonprofit hospitals, and civil defense.

Equipment included cranes, tractors, trucks, road graders, flashlights, penpoints, stop watches, parkas, beds, load-lifting machines, loaders, chain hoists, compressors, motors, generators, lathes, mill machines, road rollers, ditching machines, grinders, pumps, portable powerplants, typewriters, desks, paper, adding machines, binoculars, beds, steel cabinets, wool cloth, searchlights, athletic equipment, including track shoes—and it would be interesting to note for what purpose track shoes were regarded as combat equipment—telescopes, barber kits, gasoline pumps, swivel chairs—I know a swivel chair is a very important item of military equipment—stamping pads, card files, and even a calculating machine to add up all the excess property.

SHOULD THESE ITEMS BE SURPLUS?

Let me say that my first objection to this is that there certainly seem to be items among those which the Federal Government has declared as surplus for which the Federal Government should be able to find more useful purposes. I doubt that some of them were actual surplus. I suspect that the Government is

buying similar or like equipment to be used in other places, and I think there is tremendous waste in a procurement system in which so many items of these kinds could conceivably be declared surplus items.

In fact, while the administration was disposing of a bus to the State of Illinois, it was asking in the current budget for over $3 million net, after trade-ins, with which to purchase no less than 787 new buses. The figures for this item can be found on page 535 of the budget for 1959 and 1960, Item M60, Department of Defense.

Of course, the Government has also been purchasing additional typewriters, steel cabinets, wool cloth, and many other items it was disposing of so lavishly; although I grant it is quite possible that they were not buying addition track shoes for combat purposes.

After receiving these hundreds of thousands of dollars of Federal surplus items, the State government then distributed them. This was done by the State superintendent of public instruction, Mr. Vernon L. Nickell, whose administration was already scandal-ridden by his handling of surplus foods for the school lunch program.

SMALL TOWN GOT $400,000 OF SURPLUS ITEMS

The new scandal is what happened to the items which were distributed to Carpentersville, Ill. This is a village of about 12,000 people near Elgin and about 40 miles west of Chicago. The Civil Defense Corps of this small city of Carpentersville, Ill., was issued Federal surplus property valued at no less than $345,733.85. This village of 12,000 people received, in fact, more surplus property for civil defense purposes than the Chicago board of education received during the entire school year 1957 and 1958 for a city of 3.75 million people.

It is, of course, suspicious when a small city can receive such huge amounts of so-called Federal surplus items, many of which would hardly seem to be related to civil defense and many of which one would think the military services of the United States would need, or, if their procurement policies were proper, should never have been declared surplus in the first place.

However, not only has the Federal Government given to the State vast quantities of items which one doubts are surplus, or if they are surplus, which should never have been surplus if proper procedures had been followed; and not only has the State of Illinois and the former superintendent of schools distributed almost $400,000 of such surpluses to one village of 12,000 people; but in addition to all this, vast quantities of the surplus stocks distributed to Carpentersville have ended up free of charge in the yards of a private excavating and earthmoving company which is the prime contractor for a multimillion-dollar housing development in the area.

ITEMS PRIVATE CONTRACTOR RECEIVED

I point out that among the so-called surplus items which ended up in the yards of the private contractor and which apparently were used by that firm were:

First. A 3,000-pound fork lift which had cost the U.S. Air Force $3,645. It was turned over to the Carpentersville Civil Defense Corp. for $50.

Second. A model P. & H. crane, with a U.S. Army Corps of Engineers acquisition cost of $27,888. This cost Carpentersville $200. It was being used by the private contractor.

Third. A boom crane shovel, which had cost the Corps of Engineers $32,733. Carpentersville got it from the State for $200.

Fourth. A 15-ton dump truck which cost the Air Force $18,200. It was sold to Carpentersville for $200.

Fifth. A GMC compressor truck which had cost the Army $2,114.

I ask unanimous consent that an article by Mr. Lewis, together with an editorial from the Chicago Sun-Times, be printed in the RECORD at this point.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

[From the Chicago Sun-Times, Mar. 31, 1959]

CIVIL DEFENSE EQUIPMENT WINDS UP IN PRIVATE USE

(By Richard Lewis)

The Sun-Times has uncovered instances in which Federal surplus property, intended for use by the State and local agencies, has wound up in private hands.

Involved is property valued by the United States at more than $500,000.

The equipment, including huge earthmoving and construction machines, was donated to the State by the U.S. Department of Health, Education, and Welfare.

MACHINERY TRACED

Under Federal regulations, it was to be distributed to schools, nonprofit hospitals, and civil defense by the State Agency for Surplus Property, now under Governor Stratton's control.

The Sun-Times has found that U.S. surplus machinery costing more than $100,000 is now in the yards of a Kane County contracting firm, which has been using it for months.

The machinery is part of a mountainous load of Federal surplus valued at $345,733.85 and acquired in 1 year from the State by the Carpentersville Civil Defense Corps.

Carpentersville, a village of about 12,000 in Kane County near Elgin, received more U.S. surplus equipment (in terms of U.S. valuation) during 1957–58 than the Chicago Board of Education.

The only cost charged by the State for the equipment, consisting of about 2,000 items, was $7,811.50 in handling charges. Of this, $962.81 remains unpaid to the State agency, its records show.

The private contracting firm that got the use of much of the equipment is Steffan Bros. of Carpentersville, prime contractor for the multimillion-dollar Meadowdale development in the Fox River Valley.

The development includes a 4,000-home housing project, a giant shopping center and an auto race track 40 miles northwest of Chicago. The developer is Leonard W. Besinger & Associates, Carpentersville.

ARRANGEMENT EXPLAINED

Ed Steffan, president of Steffan Bros., said he was using cranes, trucks, tractors, and other Federal surplus in his business as the result of a verbal agreement with the Carpentersville Civil Defense Corps.

The arrangement, he said, provided that Steffan Bros. would maintain the equipment against the day when disaster might strike the village. Then it would be made immediately available to civil defense, he said.

"We've just spent about $2,000 putting new gears in that crane out back," Steffan said. He pointed to a U.S. surplus crane with an acquisition cost of $27,000, which the Carpentersville civil defense had picked up from the State for $200.

"We feel we ought to get some use out of it," Steffan said. "If you don't keep this machinery operating, it simply deteriorates."

INTERLOCKING INTEREST

Steffan said he does all the excavating for the Meadowdale development—which is beginning to rival Park Forest in size as a community created by a single developer.

He said the developer, Besinger & Associates, has a financial interest in his firm.

Leonard W. Besinger, head of Besinger & Associates, could not be reached for comment by the Sun-Times. His son, Leonard Jr., an associate in the firm, said he understood "we have an interest" in Steffan Bros.

FEDERAL INVESTIGATION

The Sun-Times found that Federal authorities are investigating the disposition of this and other Federal surplus costing $400,000.

Approximately 2,600 items of U.S. surplus donated to the State and distributed by the State agency for surplus property are involved.

The equipment ranges from cranes, tractors, trucks, road graders and a bus to flashlights, penpoints, stopwatches, parkas, and beds.

Until last January 1, the State surplus property agency had been operating under the supervision of Vernon L. Nickell, former State superintendent of public instruction, whose term expired January 12.

(Nickell figured in a Sun-Times investigation of overcharges in the distribution of U.S. surplus food donated to the State by the U.S. Agriculture Department for schools and State welfare institutions.)

AGENCY TRANSFERRED

Both the distribution of surplus equipment and of surplus food were under Nickell's administration. Twelve days before Nickell, a Republican, surrendered the office to his Democratic successor, George T. Wilkins, Governor Stratton transferred the agency and all of its records to his department of finance. He left food distribution in Wilkins' hands.

The Sun-Times has learned that the State agency's operations had been under scrutiny since last July by the U.S. Department of Health, Education, and Welfare, the U.S. Office of Defense and Civilian Mobilization, and even the Illinois State police.

It also learned that various transactions involved have been called to the attention of U.S. Attorney Robert Tieken and State's Attorney Benjamin S. Adamowski.

This situation came to light when the Sun-Times examined the surplus agency's records in Springfield after discovering that thousands of dollars' worth of Federal surplus equipment had been delivered to private contractors after being distributed by the State.

Governor Stratton's office said the Governor had no comment on the surplus property situation.

The most interesting aspects of the surplus property situation were found in Carpentersville.

BEGAN IN 1957

The village's record draw of surplus appears to have begun July 1, 1957, when Douglas C. Scott, a mail carrier in the Carpentersville post office, was appointed village civil defense director and authorized to obtain surplus property from the State by J. L. Homer, executive officer of the Illinois Civil Defense Agency.

Shortly after receiving the authorization, Scott began acquiring the surplus from the Illinois State Fairgrounds and a private warehouse where the State agency stored the equipment and from the U.S. Engineer depot in Granite City.

Some of the equipment consisted of load-lifting machines, cranes, trucks, tractors, loaders, chain hoists, compressors, motors, generators, lathes, a mill machine, a drilling machine, a welding machine, a road roller, a ditching machine, a grinder, a road scraper, pumps, a portable powerplant and even a 29-passenger bus.

ITEMS LISTED

In addition, the Carpentersville Civil Defense Corps received typewriters, desks, paper, adding machines, binoculars, beds, steel cabinets (in 372 sections), wool cloth (145 yards of it), parkas, flashlights, searchlights, athletic equipment, including track shoes, telescopes, barber kits, gasoline pumps, a swivel chair, stamping pads (40), card files and other items, including a calculating machine to tote it all up.

These items were shipped to Carpentersville between July 1, 1957, and July 28, 1958.

The Sun-Times found the following items in the yards of Steffan Bros., excavating and earth-moving contractors:

1. A 3,000-pound forklift, which had cost the U.S. Air Force $3,645. State records show it was turned over to the Carpentersville Civil Defense Corp., August 27, 1957, for $50.

2. A model P. & H. crane, with a U.S. Army Corps of Engineers acquisition cost of $27,880. Carpentersville got it from the State for $200 September 25, 1957. This piece of equipment was being used by Steffan Bros. in a gravel pit at Carpentersville last Friday.

3. A boom crane shovel, which had cost the Corps of Engineers $32,733. Carpentersville got it from the State for $200 February 14, 1958.

4. A 15-ton dump truck, which had cost the Air Force $18,200. Carpentersville got it from the State for $200 January 27, 1958.

This equipment currently is in use by Steffan Bros. in the gravel pit. Friday afternoon, the crane was loading aggregate into the truck.

5. A GMC compressor truck, which had cost the Army $2,114. It was parked in the contractor's yards.

OPERATIONAL READINESS

State records show this equipment was donated to the Carpentersville Civil Defense Corps for the purposes of "operational readiness" and "training."

Records of the Illinois Civil Defense Agency fail to show that the Carpentersville corps has ever held an exercise.

In addition, the Sun-Times found another crane, an aggregate loader, a 5-ton cargo truck, and other equipment bearing U.S. markings parked in the contractor's yards.

VISIT SPRINGFIELD

Steffan said that Scott, the village's first civil defense director, had frequently flown to Springfield to get the equipment in an airplane owned by the Besinger firm.

Steffan said Scott was accompanied by David Hoppe, a cement contractor associated with the Besinger firm and Steffan Bros. in the Meadowdale development.

Steffan admitted that some of the surplus equipment had been used in the development of the Meadowdale International Raceways, an auto track on Illinois 31 near Dundee, the Meadowdale shopping center and the Meadowdale housing development.

"We needed every piece of equipment we could get," Steffan said. "There's never enough when you're building what amounts to a new city.

"The equipment is and always has been instantly available in the event of a disaster."

Scott confirmed Steffan's account of how the surplus equipment came to be used by a private contractor.

Scott said he had quit as the village mail carrier and has engaged in a business venture, which he declined to describe.

He said he was accompanied by representatives of Steffan Bros. as well as by Hoppe on his trips to Springfield to equip the Civil Defense Corps.

Asked why he had acquired such a large volume of equipment, which had cost the United States more than $345,000, Scott said:

"I wanted to make Carpentersville the best-equipped civil defense force in this area.

"You see, Carpentersville is very strategic. It lies between two target cities, Rockford and Chicago. In the event of a disaster, if one of these cities was hit, we could get this stuff moving either way.

"It was a good plan and the State civil defense people approved it."

Scott said that the plan was coming along nicely as voluminous stores of surplus rolled into Carpentersville until he found that Steffan Bros. was using the stuff outside the village limits.

Scott said that when he protested, he was fired as civil-defense director by "hizzoner, the mayor."

The mayor is Colin Livingston, president of the Carpentersville Village Board of Trustees.

CONCEALS REASONS

Livingston said there were specific reasons for firing Scott, but he declined to discuss them.

He said that he appointed Hoppe, the cement contractor, as Scott's successor.

State records show that Hoppe continued acquiring surplus equipment for the State.

But Hoppe told the Sun-Times that although the mayor appointed him, "I was taken off before I was sworn in."

Asked who removed him as civil defense director, Hoppe said: "The mayor did."

WHO'S DIRECTOR NOW?

Asked how he acquired surplus for the Carpentersville civil defense corps if he had never legally been the village's civil-defense director, Hoppe declined to comment.

He also refused to comment on Steffan's assertion that Hoppe had gone to Springfield with Scott to pick up surplus.

Who is civil defense director of Carpentersville in charge of equipment costing $345,000?

Mayor Livingston wasn't sure.

"If anyone is," he said, "I guess I am. But I'm not doing anything about it."

[From the Chicago Sun-Times, Apr. 2, 1959]

THE CARPENTERSVILLE SCANDAL

Eight months ago the Federal Government learned that U.S. surplus machinery worth thousands of dollars had been turned over by the Illinois town of Carpentersville to a private contractor. The Carpentersville Civil Defense Corps had turned over trucks, tractors, cranes, and other propety to Steffan Bros., a prime contractor for the multi-million-dollar Meadowdale shopping and housing development in the Fox River Valley.

A Government inspector's report filed at that time said there appeared to be "implications of fraud and misuse of Government property" involved.

There was some newspaper publicity at the time and the general public might have assumed that action had been taken by State, local, or Federal authorities.

The fact is, however, that nothing was done about correcting the situation. The contractor continued to use public property for a private use. He did not even pay a rental fee. Not until the Chicago Sun-Times, after its own extensive investigation, printed a news story by Richard Lewis, with pictures of the machinery still being used, did any official step in and correct the misuse of public property.

The story appeared on our front page Tuesday. That same day Frank O. Starr, regional director of the Office of Civilian Defense Mobilization at Battle Creek, Mich., moved to repossess the machinery. He said that Carpentersville had been suspended from the surplus-property program last July 24.

This case is another good example of the manner in which a free and energetic press must continuously ride herd on public officials in the public interest.

We do not know, of course, whether there would have been action in the Carpentersville case if we had not published the current facts about it. But it seems to us that 8 months is a long time for repossession of the equipment to be started. There are plenty of questions that should be answered by all public officials involved.

Last July 28, Robert M. Woodward, State civil defense director, said he had ordered the equipment impounded. He said he had requested an investigation by the Federal Bureau of Investigation, the U.S. attorney for the northern district of Illinois, the chief investigator for the State's attorney general, the Illinois Department of Public Safety, and the State's attorney of Kane County.

Woodward says he was told that U.S. Attorney Robert Tieken advised against repossessing the equipment because it would interfere with investigation by the FBI. Tieken, to the contrary, says he told Woodward to go ahead and repossess the machinery.

Buck-passing of this sort and the entire disposition of surplus property by the agency that Governor Stratton recently transferred to his own control are proper subjects, we believe, for a legislative investigation such as has been proposed by Majority Leader William G. Clark, Democrat of Chicago.

SERIOUS QUESTIONS RAISED

Mr. DOUGLAS. Mr. President, this is a scandalous situation.

First. Why should such valuable property be declared surplus in the first place? What kind of procurement policies do we have when such things as forklift trucks, cranes, dump trucks, compressor trucks, as well as buses, typewriters, lathes, and hundreds of other items are sold for less than 1 cent on the dollar at the same time that our military services are buying similar items for 100 cents on the dollar.

Second. Why should it be virtually given by the State to small communities for so-called civil defense activities? Is it not absurd that a village of 12,000 should receive almost $400,000 worth of equipment for civil defense purposes?

Third. How is it that much of this valuable property ends up in the hands of a private contractor?

Fourth. Why is it that no action was taken on this matter during the period of 8 months from the time the Federal Government first learned that these supplies were in the hands of private contractors, and after a Government inspector's report stated that there appeared to be "implications of fraud and misuse of Government property" involved. The reasons for this delay should be probed.

These are serious questions which need serious answers. There are real questions about waste in our procurement and surplus disposal policies, and about misuse of such items by the officials of the State of Illinois, and about

possible fraud and waste on the part of numerous individuals, both at the local and State level.

GOVERNMENT COULD SAVE MILLIONS

I repeat what I have said on numerous previous occasions. There are so many instances of obvious waste and misuse of our military items, and so many valuable items which are declared surplus and sold for only a few cents on the dollar—and in this case for much less than that—and so many instances of windfall gains by a few people who happen to be on the inside of these deals, that I believe the Federal Government must lose several billions of dollars a year on such activities. I believe that with more care, better planning, and some willingness on the part of the Defense Department, the Budget Bureau, and the President himself, to act on these matters, we could save the Federal Government as much as $2 or $3 billions. This then could be used to buy more missiles and to keep our combat troops at existing strength. Possibly a little of the money could be used to balance the budget.

COMPTROLLER GENERAL SHOULD INVESTIGATE

As a result of all this, I have addressed a letter to the Comptroller General asking that he determine to what extent the military departments have been purchasing similar or exact items which they have, at the same time, declared to be surplus. I have furthermore sent to him a partial list of the items which were obtained as surplus by the State of Illinois civil defense agency authorities and by the civil defense groups at Carpentersville, Ill.

I now publicly ask the Comptroller General to conduct a searching and relentless investigation of the disposal of Government property in general and of the Carpentersville and allied situations in particular.

HENRY CLAY AND THE MOVEMENT FOR INDEPENDENCE IN VENEZUELA

Mr. COOPER. Mr. President, several days ago I was pleased and honored to receive an invitation from representatives of Americans, resident in Venezuela, asking me to speak in Caracas this Sunday, April 19, on the 149th anniversary of the commencement of the struggle of the Venezuelan people for independence. I was asked to discuss the efforts of a great Kentuckian, Henry Clay, whose birthday was last Sunday, April 12, in connection with the revolution of the Venezuelan people. I was extremely sorry that I could not accept the invitation, but I wish to speak briefly today about the influence of Henry Clay, upon the movement in Latin America toward independence, over 100 years ago.

Mr. President, I take great pleasure in saluting the Venezuelan people as they celebrate the anniversary of the beginning of their independence movement. The years of our generation are in some ways reminiscent of the early years of the preceding century, when we were seeking to develop and preserve our republican form of government, and the struggling Latin American colonies were seeking to win their freedom. Then as now, authoritarian governments covered wide areas of the globe. Then, the concepts of democratic government were new and threatened with engulfment, as they are in some parts of the world today. Now they are assailed by methods total in their scope—ideological, economic and military. But consistently throughout this time of striving, the world has looked with hope and confidence to Latin America.

For all of us who believe in freedom and democracy, its reemergence in Venezuela and other Latin-American countries is a victory in which all who love liberty can share.

Nearly 150 years ago, a great Kentucky statesman, Henry Clay, made common cause with fighters for South American liberation—with great leaders such as Simon Bolivar, Francisco de Miranda, and the peoples who followed them with courage From the young Republic to the north, Henry Clay's voice in the House of Representatives in May of 1818 was the first to speak out strongly with encouragement and sympathy for the struggling and emerging Latin American countries. In Spain and Europe as well, it is said, his words burst like a clap of thunder from the skies.

The vision of Henry Clay—the vision of the common cause of Latin America and the United States—is as worthy today as it was then. Our friendship, growing from the same experience and traditions of freedom, should be nourished and made to live again in its finest form, for we have much to bind us together: Belief in human rights, ideals of democratic government, and of social and economic justice.

Venezuela is vitally reaffirming these beliefs in its present political life. In doing so it strengthens the fabric of our inter-American life. And it is on the basis of our democratic faith of action and helpfulness to each other that the peoples of this hemisphere can make the most effective contribution to world order, freedom, and peace.

Perhaps I can do no better than to quote from Henry Clay himself, who in referring to South America, said in a memorable speech in the Congress on May 24, 1818:

> Within this vast region we behold the most sublime and interesting objects of creation; the loftiest mountains, the most majestic rivers in the world; the richest mines of precious metals, and the choicest productions of the earth. We behold there a spectacle still more interesting and sublime—the glorious spectacle of 18 millions of people struggling to burst their chains and be free. * * * We perceive that nature has, as it were, ordained that this people and this country shall ultimately constitute several different nations. * * * I am persuaded that independence has struck deep root.
>
> When I contemplate (this) glorious struggle * * * I think I behold (my) brother rising, by the power and energy of his fine native genius, to the manly rank which nature, and nature's God, intended for him.

I like very much the sentiment he then expressed—one based on the necessity of mutual respect and equality. Henry Clay said:

> Anxious as I am that they should be free governments, we have no right to prescribe for them. They are, and ought to be, the sole judges for themselves. But I am strongly inclined to believe that they will in most if not all parts of their country, establish free governments. * * * They will establish their independence, and secure the enjoyment of those rights and blessings which rightfully belong to them.

I am very hopeful that, as we consider our present relations with the countries of Latin America, the encouragement which Henry Clay gave to Venezuela and Latin America at the beginning of their revolution and struggle for independence, and the wise advice he gave our country, will again animate our relations and our peoples. If it does, I am confident that our relationships with Latin America will continue to grow in strength, in respect, and true friendship.

Mr. President, I desire to discuss another subject.

The PRESIDING OFFICER. The Senator from Kentucky has the floor.

DISTRIBUTION OF SURPLUS FOOD TO NEEDY FAMILIES

Mr. COOPER. Mr. President, I am delighted that the Department of Agriculture has decided to buy dried eggs for distribution to needy families in Kentucky and other States.

I very much appreciate this action of Secretary of Agriculture Ezra Taft Benson, which was announced late yesterday. I am sure that many families in the distressed Kentucky areas, which I visited again only last week, will be deeply grateful.

I hope this policy will be continued and extended so that some of the other foods beyond the very limited kinds in Government-owned stocks may also be made available. Thousands of hungry families in eastern Kentucky and other States desperately need a better variety of food and a more nearly adequate minimum diet.

Since last fall, I have repeatedly urged the Secretary of Agriculture to take immediate steps to make additional kinds of food available to needy persons. I made that effort in conferences with the Secretary of Agriculture, and in many letters which I wrote to the Department of Agriculture.

On January 17, I introduced a bill, S. 489, to provide additional kinds of food through the Department of Agriculture's food distribution program, and to require that first consideration in food disposal programs be given to needy families in our own country. In my remarks on the Senate floor at that time, and on several occasions since, I asked that dried eggs, as well as such things as dried beans, cooking oil, potatoes, and perhaps some fresh vegetables and fruits, and possibly some meats, be distributed.

I am happy to note that the action of the Department follows almost exactly the course I have urged for nearly 6 months. That is, section 32 funds available under an existing appropriation will be utilized in order to supply additional food to needy families—just as has been done in the past for schoolchildren under the school lunch program.

It has been my contention all along, in discussions with the Secretary of Agri-

culture and other officials, that the Department already had authority under section 32 to provide foods in addition to those limited kinds now in Government stocks, such as cornmeal, flour, rice, and dried milk. Now that this authority has been recognized, and again used, I think it is clear that there can be justified hope that other foods may be added when market conditions warrant this action.

Of course, under the law, one purpose of the Department's action is to help stabilize and strengthen prices to egg producers. I recognize that encouraging stable markets is an essential feature of the existing authority, and point out that my bill rested on this established principle, that I did not contemplate a general welfare or relief-type program under the Department of Agriculture.

I understand that, assuming the egg market does not rise rapidly, consumer-size cans of dried eggs will move into distribution channels within 4 to 6 weeks, after weekly purchases have begun, and the eggs processed.

I say again that I consider this an important step forward in recognizing the human problems in seriously distressed areas, and the need of hungry people in our own country. I know the Secretary's action will be welcomed by thousands of families, who through no fault of their own now must depend largely on this source of food.

I call attention also to my recent statement in the Senate urging the establishment of a home-garden program for needy families. In eastern Kentucky and elsewhere, I am sure that many families, with a little encouragement and help, can do a great deal to raise their own fresh vegetables—just as was done during World War II under the victory garden program.

I wish to commend the Department for its recognition of the problem and its action in meeting human needs which still exist in our own country.

Now, Mr. President, with all the great problems we discuss in the Senate, I am sure that discussion about dried eggs, potatoes, and beans, or about home vegetable gardens, may seem to many as not involving matters of large moment. But I say that it is a matter of large moment, of importance to the thousands of families now absolutely dependent, or subsisting in large measure on food from surplus Government stocks because they are out of work.

Mr. President, I do not wish to labor this problem. However, for 6 months I have urged before the Secretary of Agriculture that, at a time when many areas of our country are enjoying the greatest prosperity they have ever known, the very fact that there is such great wealth in the country among many people, and because there is this prosperity in the land, we should have compassion on, and consideration for, the hundreds of thousands of people who do not have enough food day by day.

I consider it a large matter indeed. I am glad that I can speak for a few minutes about such things as dried eggs, potatoes, and beans. I earnestly hope that the Secretary of Agriculture and the agricultural committees of the House and Senate will take any other action needed.

I hope that within a few days we will see more and more of the surplus foods of the country channeled to the needy families in my own State and in other States, who desperately need those foods.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959

The Senate resumed the consideration of the bill (S. 1555) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes.

Mr. MOSS. Mr. President, I rise in support of S. 1555, the "Labor-Management Reporting and Disclosure Act of 1959."

This bill is both nonpartisan and bipartisan. It is reasonable and fair. I am convinced that it will be an effective instrument for dealing with the problems of corruption, gangsterism, and internal union abuses which shocked the conscience of the country when they were brought to light in recent congressional investigations, including those of the Senate select committee, headed by the Senator from Arkansas [Mr. MCCLELLAN].

The proposed "Labor-Management Reporting and Disclosure Act of 1959" is nonpartisan in the sense that it represents the work of experts both in and out of Congress and from the ranks of labor and industry. Although the bill would impose detailed reporting requirements on unions and would require them to conform to certain standards in connection with the imposition and maintenance of trusteeships and the election and removal of officers, the bill has the support of the principal labor organizations, particularly those affiliated with the American Federation of Labor and the Congress of Industrial Organizations. This support is not given because labor believes the bill to be a weak or ineffective measure to control internal union affairs and financial activities, but because the labor movement is as concerned as are other segments of our society in eradicating from the labor-management field those who are contributing to delinquency in labor management relations by engaging in and encouraging corrupt practices and undemocratic behavior.

Labor leaders, as well as the rank and file of the membership of labor organizations, are just as anxious that this bill be passed as is the average citizen.

On the management side, many spokesmen have expressed their opposition to the bill, claiming, on the one hand, that it imposes unfair and too rigorous reporting requirements on employers, and on the other hand, that it does not impose sufficient restrictions on unions. Nevertheless, there are many in management who support S. 1555 because they know that this bill presents the only feasible opportunity at this time to do something constructive and wholesome about the problems of corruption and other abuses in the labor and management field. I think it would be unfortunate to reject it because some people believe it is not strong enough, and run the risk of not passing a labor reform bill at all.

Senate bill 1555 is substantially the same as the Kennedy-Ives bill which the Senate passed by an overwhelming vote a year ago. Following the defeat of that bill by the House of Representatives, however, the bill's provisions were obviously carefully scrutinized to eliminate defects which had been revealed during Senate consideration last year and improve and strengthen its provisions. Following further hearings on the bill before the Labor Subcommittee of the Senate Committee on Labor and Public Welfare, both the subcommittee and the full committee went over the bill, line by line, and again made changes to improve the bill and make its provisions more workable and effective. The distinguished Senator from Massachusetts [Mr. KENNEDY] tells us that the committee, in executive session, considered more than 150 amendments and adopted 46 of these amendments. Plainly, this bill is nonpartisan in character and is the product of expert draftsmanship and careful congressional consideration.

I want to disgress briefly to commend the committee and its staff members for the tremendous job they have done. I know how many hours of exacting work went into the measure which is before us today. I pay tribute to their ernestness and diligence.

The bill is also bipartisan as well as nonpartisan legislation. The principal sponsors of labor-management reform legislation during the last session of Congress came from both sides of the aisle, and were led on this side of the aisle by the Senator from Massachusetts, and on the other side of the aisle by former Senator Irving Ives of New York.

While the Kennedy-Ervin bill had no sponsors from the other side of the aisle as it was originally introduced, it is once again a bipartisan measure as it comes before the Senate today. In the process of consideration of the bill in committee, changes were made upon the basis of which two of our colleagues on the other side of the aisle, namely the Senator from Kentucky [Mr. COOPER] and the Senator from New York [Mr. JAVITS], who are members of the committee, have added their names to the list of sponsors of the proposed legislation.

I emphasize the bipartisan sponsorship of this bill because there are all too many persons who want to use it for political purposes rather than to achieve feasible and effective measures to deal with corruption and other abuses it undertakes to correct. Although it is undoubtedly true that politics brought each one of us to this body, it seems to me to be essential that we must deal with these important problems in both a nonpartisan and bipartisan fashion.

Mr. President, Senate bill 1555 was reported by a vote of 13 to 2, with minority views by the Senator from Illinois [Mr. DIRKSEN] and the Senator from Arizona [Mr. GOLDWATER] and supplemental and

individual views by Senators COOPER, JAVITS, and PROUTY. I am convinced that anyone who reads the report and these views can come to no other conclusion than that the bill avoids extremes and is fair to labor unions and their members, as well as to employers and the middlemen whom many of them employ.

The bill relies heavily on the theory that if the internal procedures and financial transactions of unions and employers and their officers and representatives are made public, union members and public opinion will compel the elimination of improper and unethical practices. In my judgment, this is a sound and constructive theory. The same principle was embodied in the Welfare and Pension Plans Disclosure Act which was enacted by the Congress last year to deal with serious problems and abuses, involving in some instances millions of dollars, which had arisen in connection with the administration of employee health, welfare, and pension plans.

Disclosures before the McClellan committee indicate that most union members and their leaders have a high sense of responsibility for the conduct of the affairs of their organizations and the expenditure of their unions' funds. They strive to avoid becoming enmeshed in conflict of interest transactions involving their unions. It is unfortunate that some union leaders have not been faithful to their trust and that legislation is needed to clean up corruption. The reporting requirements which the bill imposes on unions and their officers and employees are well adopted to expose abuses to the light of day where they can be effectively dealt with by the members.

It is also important, I think, that the Senate keep in mind that, as the Committee on Labor and Public Welfare has pointed out in its report:

> There are important sections of management that refused to recognize that the employees have a right to form and join unions without interference and to enjoy freely the right to bargain collectively with their employer concerning their wages, working conditions, and other conditions of employment. The hearings of the McClellan committee have shown that employers have often cooperated with and even aided crooks and racketeers in the labor movement at the expense of their own employees. They have employed so-called middlemen to organize no-union committees and engage in other activities to prevent union organization among their employees. They have financed community campaigns to defeat union organization. They have employed investigators and informers to report on the organizing efforts of employees and unions.

I agree wholeheartedly with the committee that it is "essential that any legislation which purports to drive corruption and improper activities out of labor-management relations should contain provisions dealing effectively with these problems." The reporting provisions of the bill which apply to employers and others acting for them are designed to bring and keep their antiunion activities in the open.

The bill's reporting requirements are supplemented by provisions assuring union members an opportunity at periodic intervals and by secret ballot to pass judgment on the conduct of their officers and to elect others to replace those who have been guilty of improper conduct.

In addition, the bill makes it a criminal offense for union officers or employees, or for employers or their middlemen, to do certain things. While bribery and extortion, shakedowns, and payoffs are already criminal offenses under the laws of most of the States, the Federal criminal penalties provided for in Senate bill 1555 will contribute important additional sanctions in support of the reporting requirements of the bill.

Some persons, many of whom are well-intentioned, believe that Senate bill 1555 is not sufficiently tough in dealing with the racketeering and wrongdoing brought to light by the McClellan committee. I am receiving mail in this vein, and I imagine that most other Senators are also.

The bill undoubtedly could be made much tougher. If all we are concerned about is the abuses which have been found in labor-management relations, perhaps the most effective way to abolish them would be to abolish labor-management relations. I do not believe, however, that any responsible person seriously contends that labor unions ought to be abolished, or that all plants and enterprises should be turned over to the employees to be run by them without any interference from the owners.

In devising legislation to deal with corruption and improper practices, the problem is to decide where the line should be drawn between conduct which ought to be permissible and conduct which ought to be prohibited. It is also imperative that the legislation deal precisely with the abuses it is designed to deal with and not with problems involving entirely different considerations.

The Committee on Labor and Public Welfare has recognized that there are problems in the field of labor-management relations which require legislative action, as well as in the field of labor and management reform. It has established a special panel of experts representing industry, labor, and the public to recommend changes in the Taft-Hartley Act which have become necessary because of developments in labor-management relations since the passage of that act. This panel will submit a report to the Committee on Labor and Public Welfare, and presumably that committee will draft proposed legislation based on those recommendations. In these circumstances, provisions which would make substantial changes in the present relationships between management and labor have no place in Senate bill 1555. The bill is designed to deal with corruption and undemocratic practices. It is not intended to write a new balance in labor-management relations.

I think it is worth calling to the attention of the Senate the fact that although labor unions have fought long and vigorously for the repeal of State right-to-work laws or for amendment of the Taft-Hartley Act to prohibit State right-to-work laws, the AFL–CIO has not pressed for the repeal of section 14(b) of the act in this bill. This is particularly noteworthy, since in the last general election five States rejected right-to-work laws by large majorities.

As a labor-management reform bill, S. 1555 will, I am convinced, be a strong and effective weapon in curbing corruption and promoting union democracy internally. Let me list some of the criminal penalties which the bill would impose:

First. In connection with the reporting requirements applicable to unions, union officers and employees, employers and their middlemen, the bill makes it a crime to fail to make reports or file false reports or make false entries in or destroy books and records on which such reports are based

Second. The bill prohibits persons who have been convicted of certain crimes from holding union office or employment within 5 years of having served any part of a prison term as a result of such conviction.

Third. The bill prohibits unions from paying the legal fees or fines of any person indicted or convicted of a violation of the bill.

Fourth. The bill prohibits so-called "shakedown" picketing.

Fifth. The bill bans the demand and acceptance by unions or union representatives of payments from interstate truckers of improper loading or unloading fees.

Sixth. The bill makes the embezzlement of union funds a Federal crime punishable by a fine up to $10,000 or imprisonment of not more than 5 years, or both.

In addition, the bill allows members of a local union which has been placed in trusteeship to obtain court review of the propriety of continuing the trusteeship for a period of longer than 18 months. Union members may also petition the Secretary of Labor to set in motion procedures whereby the validity of a union election can be determined in appropriate court proceedings or a union officer guilty of serious misconduct can be removed from office.

These provisions, I submit, are strong, effective, and wholesome. Their enactment would represent a major attack upon the abuses brought to light by the recent investigations. It would establish the principle of democracy in unions, and set up standards of honesty and fair play. It would help put the Jimmy Hoffas in the labor movement out of business.

Before concluding, I should like to say a word about union leadership in Utah. I am proud of the type of men who are heading the labor union movement in my State. With few exceptions, they were born and bred in Utah, and are among our most substantial citizens. These men are well informed and vigorous leaders.

Mr. President, I support the committee in its request that the bill not be amended to an unrecognizable form which could not be enacted. We have here a broadly accepted, workable measure. There is every reason to believe it can be passed by both Houses. The measure is not perfect—no one contends that it is—but its enactment would be a

major advance in correcting abuses in the labor-management field.

We are all aware, I am sure, that the corruption and undemocratic practices which have been brought to light in the labor movement have long beeen recognized by those within, as well as those outside, the labor movement. The AFL–CIO has placed itself on record as firmly committed to the ouster of crooks and racketeers from the labor movement.

It is my hope that Senate bill 1555 will pass the Senate in substantially the same form in which it has been reported from the Committee on Labor and Public Welfare.

Mr. KUCHEL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. McCARTHY in the chair). Without objection, it is so ordered.

Mr. LONG. Mr. President, this Congress must enact legislation to prevent corruption and racketeering in the labor unions and on the part of those in management who aid and abet such practices. The abuses revealed by the McClellan committee have demonstrated conclusively that legislation in this field is long overdue. A failure to enact such legislation at this time would be a grave blow to our democratic process and to our Nation's economic well-being.

There are two distinct areas which govern the activities of labor unions and management in which Congress has both the power and the duty to act. The first of these areas is the subject of the great majority of the provisions of the bill we are now considering. It is the field of abuses in the internal affairs of unions and in certain management activities. These practices are simply the actions of corrupt labor leaders and corrupt businessmen.

The second area which Congress must regulate concerns labor-management relations covered under the Taft-Hartley Act.

If we are to be able to agree on the exact changes we should make in present law in these two areas, I feel very strongly that we must separate one of them from the other, and must attack them one at a time.

All of us are well aware of the years of frustration we have experienced in attempting to reform labor-management practices. In my 10 years of service in the Senate I have seen two major labor bills pass the Senate, only to die in the House; and I have seen President Eisenhower's recommendations for legislation in this field killed in the Senate by a motion to return the bill to committee.

Last year, the labor reform bill was actually supported by the better elements of the union movement; yet the bill failed to be enacted into law. The bill contained certain relatively minor changes in the Taft-Hartley law which were advocated by labor—modifications which had even been approved by the late Senator Taft. These amendments drew objections from employer groups, who urged Congress to kill the whole bill, rather than accept the objectionable features. The bill died in the House, after it had passed the Senate by a vote of 88 to 1.

This experience was typical of congressional failures in the labor-reform field during the 10 years that I have been a Member of this body. In view of these frustrating failures in the past to legislate effectively, I am persuaded that we shall achieve more by making a step-by-step approach, rather than by attempting to write a bill to remedy all the evils at one time.

The issue is so complex, is subject to so many ramifications and technicalities, and is subject to so much emotional prejudice and to diametrically opposed opinions, that an effort to bite off too much at one time inevitably leads to complete frustration. If we are to enact any legislation at all in this field—and I repeat that it is imperative that we do enact legislation in this field—we must do so by taking one step at a time. We must do so carefully, after great deliberation, after an opportunity for all sides to present their viewpoints, and by making a constructive approach, keeping in mind at all times the ultimate welfare of our great country.

The distinguished junior Senator from Massachusetts [Mr. KENNEDY], as chairman of the Labor Subcommittee of the Senate Labor and Public Welfare Committee, has had a major share in the drafting of the proposed legislation now before us. He has stated that, as soon as is practicable, the Labor and Public Welfare Committee will report to the Senate proposed legislation which will correct defects in the Taft-Hartley Act. With this assurance, we can safely leave to a later date reconsideration of that proposed legislation.

As all of us know, a blue ribbon advisory panel, composed of eminent academicians, legal experts, and those with both management and union experience, is making a careful study, for the purpose of suggesting revisions to the Taft-Hartley Act. Before I would feel that I could vote with complete confidence on proposed amendments to this legislation, which for the past 12 years has been our basic law regulating labor-management relations, I would like to have a great deal of time to study the arguments, pro and con, in regard to each aspect of these matters. The floor of the U.S. Senate is not the proper place to draft such far-reaching legislation. We must have the benefit of careful study and long deliberation by the appropriate Senate committees.

For example, the question of secondary boycotts is a tremendously complicated one. Management groups, by and large, feel that the secondary boycott is, unequivocally, an evil. Unions, on the other hand, feel that without the secondary boycott, as a weapon to offset economic weapons possessed by management, they would be severely handicapped in their efforts to improve the lot of the workingman.

Fair and well-conducted committee hearings and a carefully studied committee report should clear up many of our disagreements on this subject. I would very much dislike to have a vote taken on this matter without the benefit of the safeguards inherent in our deliberative legislative processes.

The question of legislation to curb corruption and racketeering in the labor-management field has been given exhaustive study by the Senate Labor and Public Welfare Committee. Over 2,300 pages of testimony comprise the public hearings on this subject. The committee has spent many hours in careful deliberation, in going over the bill line by line. Although there are still in my mind questions about certain provisions of the bill, and although I plan to follow very closely the arguments presented by my colleagues in regard to proposed amendments, I am convinced that this bill is a carefully drafted piece of proposed legislation. I am convinced that it would go a long way toward correcting the sorry record of gross violations of trust witnessed by the American people in following the McClellan committee hearings.

However, it cannot be said that the same exhaustive study has been given to the question of amending the Taft-Hartley Act; and I do not feel that Congress should legislate in this field before giving the same careful consideration to any proposed changes in this law.

I much prefer to approach the subject of labor legislation through the method of thorough and comprehensive committee study. Any other approach would not fulfill our obligation to the American people.

Furthermore, any other method of attack upon these difficult problems would inevitably fail, resulting only in wasted time. As we have had in previous Congresses, again we would have what amounts to much ado about nothing.

The bill now before the Senate, while it basically confines itself to correcting improper activities in labor and management practices, such as corruption, undemocratic procedures, conflicts of interests, and unethical practices, has one section devoted to amendments to the Taft-Hartley Act. While these amendments are largely technical in nature, and most of them are fairly noncontroversial, it is my feeling that to be completely honest and to completely separate the field of improper activities from the field of the external relations between industry and labor, we must remove all Taft-Hartley amendments from this bill.

I intend to vote to strike out the Taft-Hartley amendments which are contained in title VI of this bill.

Evils arising from the internal operation of unions are entirely separate problems from those arising from union and management disagreements, and they require separate legislative consideration. The attempt to consider these separate fields in one piece of legislation would serve only to make the enactment of any legislation more difficult.

In the last Congress, the Senate passed by an almost unanimous vote a bill very similar to S. 1555. No one of the Senators now serving who was in the previous Congress voted against that

bill. If the Taft-Hartley amendments are stricken from the measure, it is a bill upon which we can readily agree.

I have been urged by extremists on both sides of this question to support legislation going far beyond anything that it is possible the Congress would approve. There are a minority of union leaders who do not want any reform legislation. There are businessmen who would like to have this bill crucify the labor union movement. Many of these persons say this bill does not go far enough. They would like to have the revelations of embezzlement, fraud, illegal elections, connivance, murder, arson, and other malpractices revealed by the McClellan committee, made the basis for legislation drafted to cripple labor unions.

I say, unequivocally, that I will not support such an extreme position.

I am prepared to vote to outlaw corruption in labor and management, but I am not willing to vote for ill-considered proposals to crucify labor under the guise of reform.

The middle road between the extremists on both sides is frequently the best road for us to travel. We should seek to curb corruption and racketeering. We should seek to give the rank-and-file union member a greater opportunity to participate in his union activities and to make his voice heard in union leadership councils. We should make it tougher for crooked union officials to steal from their members.

At the same time, let us remember that the great majority of labor leaders and union members are honest, hard-working American citizens. They are no better or no worse than the rest of us. They support the effort of the Congress to oust racketeers and gangsters from positions of power and responsibility in their organizations.

Senate bill 1555 with the proposed amendments to the Taft-Hartley Act stricken from the bill, is a measure the American people should be able to support wholeheartedly and in unison.

Mr. KUCHEL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECESS TO MONDAY

Mr. SPARKMAN. Mr. President, I move that the Senate stand in recess——

Mr. KUCHEL. Mr. President, will the Senator withhold the motion in order to permit me to ask a question?

Mr. SPARKMAN. I withhold the motion.

Mr. KUCHEL. I have just been informed that the Republican conference of Senators will be held Monday morning at 10 o'clock. Is there a possibility that the leadership might give consideration to convening at noon rather than earlier?

Mr. SPARKMAN. I was about to move that the Senate take a recess until 11 o'clock a.m., on Monday.

If the acting minority leader will withhold his question for a moment, we shall try to consult with the majority leader. It had been the plan to take a recess until 11 a.m. on Monday. It may be possible to change the time of meeting to 12 o'clock noon. We should like to check with the majority leader first.

Of course, the acting minority leader is fully familiar with the unanimous-consent agreement relating to Monday. If the time of meeting is postponed until 12 o'clock noon, that will probably mean that the Senate will be in session a little late that evening, because, as I recall, 6 hours of general debate are provided for under the unanimous-consent agreement, after morning business is concluded.

So if the Senate meets at 12 o'clock noon and morning business is concluded by 1 o'clock, 6 hours of debate will bring us up to 7 o'clock, at the very minimum, in the absence of quorum calls and other delays.

Mr. President, I move that the Senate stand in recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 4 o'clock and 40 minutes p.m.) the Senate took a recess until Monday, April 20, 1959, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate April 17 (legislative day of April 15), 1959:

FEDERAL COMMUNICATIONS COMMISSION

Rosel H. Hyde, of Idaho, to be a member of the Federal Communications Commission for a term of 7 years from July 1, 1959. (Reappointment.)

U.S. TARIFF COMMISSION

Joseph E. Talbot, of Connecticut, to be a member of the U.S. Tariff Commission for the term expiring June 16, 1965. (Reappointment.)

SECURITY AND EXCHANGE COMMISSION

Earl Freeman Hastings, of Arizona, to be a member of the Securities and Exchange Commission for the term expiring June 5, 1964. (Reappointment.)

FEDERAL HOME LOAN BANK BOARD

William J. Hallahan, of Maryland, to be a member of the Federal Home Loan Bank Board for a term of 4 years expiring June 30, 1963. (Reappointment.)

PUBLIC HEALTH SERVICE

The following candidates for personnel action in the Regular Corps of the Public Health Service subject to qualifications therefor as provided by law and regulations:

I. FOR APPOINTMENT

To be senior surgeon

O. David Garvin

To be assistant sanitary engineer

Norman J. Petersen

II. FOR PERMANENT PROMOTION

To be senior assistant dental surgeon

Thomas E. McClellan

To be pharmacist

Philbrook H. Knight

IN THE ARMY

Lt. Gen. Clarence S. Irvine, 296A (major general, Regular Air Force), U.S. Air Force, to be placed on the retired list in the grade of lieutenant general under the provisions of section 8962, title 10 of the United States Code.

The following-named officers for temporary appointment in the Army of the United States to the grades indicated under the provisions of title 10, United States Code, sections 3442 and 3447:

To be major general

Brig. Gen. John Frank Ruggles, O18596, Army of the United States (colonel, U.S. Army).

Brig. Gen. Philip Henry Draper, Jr., O17543, U.S. Army.

Brig. Gen. Teddy Hollis Sanford, O29893, Army of the United States (colonel, U.S. Army).

To be brigadier general

Col. Achilles Lacy Tynes, O18916, Medical Corps, U.S. Army.

Col. Allen Fraser Clark, Jr., O18669, U.S. Army.

Col. William Bing Kunzig, O18825, U.S. Army.

Col. Ashton Herbert Manhart, O18773, U.S. Army.

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

John E. Stallings, Cuba, Ala., in place of Earline Jarman, retired.

ARIZONA

Gertrude Schilleman, Camp Verde, Ariz., in place of P. R. Hollamon, resigned.

CALIFORNIA

Eugene E. Bullock, Inglewood, Calif., in place of T. E. Trulove, retired.

Max A. Swaney, Lucerne, Calif., in place of A. L. Quigley, retired.

Allen O. Peterson, Perris, Calif., in place of G. R. Saunders, transferred.

George G. Hollis, Jr., Sun Valley, Calif., in place of Fred Jacobsen, retired.

Alfred J. Iller, Jr., Warner Springs, Calif., in place of M. H. Moest, resigned.

Evelyn V. Roseberry, Winters, Calif., in place of C. A. Graf, retired.

COLORADO

Howard W. Cross, Grand Junction, Colo., in place of R. T. Ellington, retired.

CONNECTICUT

Herbert R. Trolle, Springdale, Conn., in place of J. H. Fahey, retired.

Peter A. Koops, Thomaston, Conn., in place of M. T. Doyle, retired.

FLORIDA

Harlow J. Schutt, Boynton Beach, Fla., in place of E. S. Pierce, retired.

J. D. Catrett, Eagle Lake, Fla., in place of R. M. Coburn, resigned.

Gordon J. Burris, Sebring, Fla., in place of R. N. Durrance, retired.

GEORGIA

Amie F. Gray, Union City, Ga., in place of E. S. Barrett, retired.

IDAHO

Charles W. Choules, Hagerman, Idaho, in place of A. I. Dennis, retired.

ILLINOIS

Wilbur J. Molck, Anchor, Ill., in place of J. W. Martens, retired.

Eloise M. Barton, Greenfield, Ill., in place of Harley Gustine, retired.

Joseph P. Kucinick, Livingston, Ill., in place of Mike Kopuster, resigned.

Leo M. Rettig, Milan, Ill., in place of M. R. Wilson, retired.

Forrest E. Laird, Milford, Ill., in place of R. F. Miller, resigned.

INDIANA

Arthur R. Wilkerson, Commiskey, Ind., in place of Fred Corbin, Jr., resigned.

Alexander L. Zivich, East Chicago, Ind., in place of F. S. Dubczak, deceased.
Lloyd Goodwin, Edwardsport, Ind., in place of M. F. Shepard, retired.
J. Clyde Garretson, Roanoke, Ind., in place of H. G. Shearer, deceased.

IOWA

R. Garth Mann, Dallas Center, Iowa, in place of L. E. Myers, resigned.
James C. Overholtzer, Grand River, Iowa, in place of A. A. Daughton, retired.
E. Glenn Kennedy, Lewis, Iowa, in place of H. W. Cohrs, resigned.
Delmar Armstrong, Pomeroy, Iowa, in place of C. E. Hudson, retired.

KANSAS

Lynn C. Hill, Goddard, Kans., in place of M. E. Carpenter, retired.
Alvin E. Scranton, Hill City, Kans., in place of Marie Mildrexter, resigned.
Robert L. Roberts, Kansas City, Kans., in place of J. F. Coyle, deceased.
John W. Walker, Udall, Kans., in place of W. H. Lawrence, transferred.

KENTUCKY

William Clyde Sanders, Burnside, Ky., in place of V. L. Stigall, removed.
Perry M. Day, California, Ky., in place of C. F. Nordwick, retired.
Elizabeth G. Keeling, Willisburg, Ky., in place of C. R. Ash, transferred.

MASSACHUSETTS

Glyndywr Oldfield, Avon, Mass., in place of F. H. Nolan, retired.
Raymond W. Wilson, Charlemont, Mass., in place of W. E. Hallahan, retired.
Daniel F. McAuliffe, Holden, Mass., in place of J. C. Kelleher, retired.
Edward R. O'Hara, West Peabody, Mass., in place of R. M. Durkee, retired.

MICHIGAN

Kenneth S. King, Cassopolis, Mich., in place of O. J. Breece, retired.
Oscar A. Ohman, Gladstone, Mich., in place of B. R. Micks, retired.
Evelyn A. Greenwood, Croswell, Mich., in place of A. V. Morgan, transferred.
Carl T. Redding, North Adams, Mich., in place of B. F. Taylor, retired.
Ernest L. Hofacker, Otsego, Mich., in place of E. H. Snow, retired.
Albert W. Balfour, St. Clair, Mich., in place of J. C. Chamberlin, retired.

MINNESOTA

W. Stanley Sevaldson, Albert Lea, Minn., in place of H. C. Day, retired.
Henry J. Maertens, Wabasso, Minn., in place of T. C. Franta, resigned.

MISSISSIPPI

Tommy V. Dillard, Stonewall, Miss., in place of A. F. Zachry, retired.

MISSOURI

Joseph E. McDowell, Herculaneum, Mo., in place of R. G. Simpson, resigned.
Victor R. Munzlinger, Monticello, Mo., in place of R. L. West, retired.
James F. Barham, Portageville, Mo., in place of E. S. Workman, resigned.
Isaac McKay, Steele, Mo., in place of J. O. Weaver, resigned.

MONTANA

Helen C. Heringer, Lambert, Mont., in place of A. H. Klempel, resigned.

NEBRASKA

Harlan F. Zimmerman, Nelson, Nebr., in place of O. C. Myers, retired.

NEW JERSEY

Edna J. Grisso, Cedar Brook, N.J., in place of M. E. O'Rourke, retired.
John J. Gearhart, Convent Station, N.J., in place of M. M. McKenna, removed.
Mary L. Wuest, Mount Royal, N.J., in place of S. J. Billig, deceased.
Helen E. Carty, New Gretna, N.J., in place of N. P. Maurer, resigned.
Jesse W. Landon, White House Station, N.J., in place of W. W. Lance, retired.

NEW YORK

Alfred F. Cook, Baldwin, N.Y., in place of J. V. Mahony, retired.
Jesse T. Van Doren, Chaumont, N.Y., in place of H. G. Shepard, retired.
John A. Dilg, Jr., Hewlett, N.Y., in place of A. C. Longworth, retired.
George J. Schneider, Jr., Mill Neck, N.Y., in place of F. J. Donnelly, retired.
Francis P. Secor, Otego, N.Y., in place of R. A. Southard, declined.
Angeline M. Rose, Roosevelt, N.Y., in place of O. L. Healy, deceased.
Alda M. Decker, Tahawus, N.Y., in place of D. O. Miller, resigned.

NORTH CAROLINA

William R. Burleson, Marion, N.C., in place of J. A. Finley, deceased.
Charles M. Taylor, Winnabow, N.C., in place of J. J. Henry, resigned.

OHIO

Richard E. Hasenflue, Birmingham, Ohio, in place of L. A. Andrews, retired.
Raymond V. Korby, Burton, Ohio, in place of E. H. Lillibridge, retired.
Walter A. Luse, Loudonville, Ohio, in place of J. F. Church, deceased.
George E. Pfeil, Mount Sterling, Ohio, in place of J. L. Bricker, transferred.
Ralph C. Hershberger, Shanesville, Ohio, in place of E. C. Shie, retired.
Elsie L. Bitner, Vandalia, Ohio, in place of R. W. Beverley, deceased.

OKLAHOMA

Ida M. Doyle, Redrock, Okla., in place of J. B. Searle, retired.

OREGON

Juanita L. Hagen, Government Camp, Oreg., in place of O. T. Brunner, resigned.

PENNSYLVANIA

Gerald C. Stough, Grapeville, Pa., in place of H. W. Stough, retired.
Steve Olen, Lyndora, Pa., in place of M. S. Karlitsky, removed.
Ernest H. Wiltrout, Maxatawny, Pa., in place of W. H. Fegely, retired.
Steward H. Hartman, Mechanicsburg, Pa., in place of G. C. Dietz, transferred.
Jack Thomas Beck, Jr., Monessen, Pa., in place of E. F. Januszewski, retired.
Robert W. Stahl, Mount Pleasant, Pa., in place of Clark Queer, resigned.
Lester I. Heist, Robesonia, Pa., in place of B. M. Kintzer, retired.
Matthew Spiranac, Smock, Pa., in place of Bessie Havlichek, retired.

RHODE ISLAND

Raymond A. Piccolo, Bradford, R.I., in place of T. F. Eldridge, deceased.

SOUTH CAROLINA

Marguerite B. Carr, Meggett, S.C., in place of L. B. O'Conner, retired.
Hugh Morgan, Jr., Yemassee, S.C., in place of J. L. Sheppard, removed.

SOUTH DAKOTA

Ray H. Woods, Colome, S. Dak., in place of J. R. Knapp, retired.
Bertel W. Bertelson, Marvin, S. Dak., in place of M. P. Dunlop, removed.
John K. Farmen, Veblen, S. Dak., in place of A. A. Twite, transferred.

TENNESSEE

Howard F. Newell, Harrison, Tenn., in place of L. G. Wilson, resigned.

TEXAS

Harold S. Roberts, Andrews, Tex., in place of M. M. Burkett, retired.
Esma A. Kingston, Fluvanna, Tex., in place of J. M. Sims, resigned.
Clyde T. Hull, Milford, Tex., in place of L. A. Wright, retired.
Cecil A. McFarlin, Valley View, Tex., in place of O. L. Lowry, retired.

UTAH

Lorenzo Hawkins, Blanding, Utah, in place of D. J. Black, resigned.

VERMONT

Wilson L. Grant, Chelsea, Vt., in place of A. H. Bailey, deceased.

VIRGINIA

A. Lee Williams, Clover, Va., in place of W. E. Crews, transferred.
Evelyn H. Morgan, Green Bay, Va., in place of R. H. Morgan, deceased.

WASHINGTON

Kenneth G. Draper, Palouse, Wash., in place of W. A. Young, removed.

WEST VIRGINIA

Frances D. Rowe, Wolf Summit, W. Va., in place of J. L. Gerrard, resigned.

EXTENSIONS OF REMARKS

Address by Hon. Estes Kefauver, of Tennessee, Before the National Independent Dairy Association

EXTENSION OF REMARKS
OF
HON. ESTES KEFAUVER
OF TENNESSEE
IN THE SENATE OF THE UNITED STATES
Friday, April 17, 1959

Mr. KEFAUVER. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a speech which I delivered last Tuesday before the National Independent Dairy Association, at its meeting in Washington, D.C.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

ADDRESS OF SENATOR ESTES KEFAUVER, DEMOCRAT, OF TENNESSEE, BEFORE NATIONAL INDEPENDENT DAIRY ASSOCIATION, WASHINGTON, D.C., APRIL 14, 1959

In asking me to come here today and talk to you, Mr. Daniel, your executive secretary and general counsel, told me that the meeting would mark the second birthday of the National Independent Dairy Association. I eagerly accepted because, as I told him, I had always liked lusty and growing youngsters and that I had also always liked birthday parties.

Mr. Daniel is an old friend of mine. He is a native Tennessean, an excellent lawyer, and well qualified by education and experience to serve you. He is a real fighter, and small businessmen need real fighters.

I want to congratulate all of you on the magnificent progress you have made in such a short time. It speaks volumes for the management of independent dairies, for their objectives, and for their leaders. In the true spirit of the occasion, I most sincerely wish for you many happy returns of the day.

That this day will return most happily many, many times seems almost certain. Small businessmen in your industry, as in others, need to speak with the full power of all of their voices. You are that voice. That voice must speak not only with power but also with knowledge, with dignity, and with the public interest as a guide. Your voice has spoken in such a way. Continue as you have begun, and the years will not only add to your age but also to the respect in which you are held.

The unfair methods of competition and monopolistic practices prevalent in your industry, which you so diligently strive to remove, are fairly representative of those which continue to undermine the structure of the competitive system generally.

Such methods and practices, both as they prevail in your industry and in industry generally are, therefore, the concern of the Senate Judiciary Subcommittee on Antitrust and Monopoly, of which I have the honor of being chairman.

This subcommittee operates under a Senate resolution which authorizes it "to make a complete, comprehensive, and continuing study and investigation of the antitrust and antimonopoly laws of the United States and their administration, interpretation, operation, enforcement, and effect, and to determine and from time to time redetermine the nature and extent of any legislation which may be necessary or desirable for (1) clarification of existing law to eliminate conflicts and uncertainties where necessary; (2) improvement of the administration and enforcement of existing laws; (3) supplementation of existing law to provide any additional substantive, procedural, or organizational legislation which may be needed for the attainment of the fundamental objects of the laws and the efficient administration and enforcement thereof."

It was under this charter that in March 1958 the Antitrust Subcommittee made an investigation of milk marketing by the Adams Dairies in Missouri, Illinois, and Kentucky. The results of that investigation are contained in a report of the subcommittee dated November 15, 1958, entitled "Case Study of Incipient Monopoly in Milk Distribution."

The Adams companies sell milk to Safeway Stores, Inc., the Great Atlantic & Pacific Tea Co., and Kroger Co., and in concert with these three great chain organizations, Adams worked in various communities to capture the market.

The five main characteristics which made the Adams scheme of operation profitable to the two dairy companies and which were ardently supported by the chains were listed as follows:

1. An enforced differential between home delivery and chainstore sale.
2. A guaranteed markup to the chains.
3. The use of promotions to reduce the price.
4. The preference given to Adams by chains in display space and promotions.
5. Promotional allowances given to the chains.

The effect of these practices was to relegate the local dairies to supplying the ever-diminishing home delivery market and serving as secondary suppliers to those retailers which still suffered them.

The subcommittee noted that the effects of the Adams program "may have been to restrain trade or tend to monopoly and should be considered in the light of the Sherman Act, the Federal Trade Commission Act, and the Clayton Act, as amended by the Robinson-Patman Act."

Regarding the Sherman Act, the subcommittee stated that the evidence leaves the impression that Adams and the chains, acting in concert, used their position to impose on local markets by such area price discriminations a price structure injurious to competition and affording a continuing market advantage over others. In this connection, the applicability of section 5 of the Federal Trade Commission Act should also be considered as well as the Clayton Act because of price discriminations and payments for promotional service involved in the Adams operations.

Stating that the record was being sent to both the Federal Trade Commission and the Department of Justice, the report concluded that a failure by these agencies to find any violation of existing laws would suggest that such laws are ineffective. Neither agency has yet reported that it has found any violation.

I am satisfied that many small businessmen, including some of you, are convinced that existing antitrust laws are inadequate both from the point of view of their coverage or interpretation and of their enforcement. The Antitrust Subcommittee is trying to do something about both of these aspects of the problem. As an example, I should like to tell you briefly what it is trying to do about price discriminations, one of the monopolistic practices present in the Adams case and which I know you are trying to destroy.

I refer, of course, to S. 11 which I introduced in the 84th and 85th Congresses and which I have again introduced in this, the 86th Congress, on behalf of myself and several colleagues.

This bill would amend the Robinson-Patman Act, enacted in 1936 to amend section 2 of the Clayton Antitrust Act which became law in 1914. In each of these three Congresses Representative WRIGHT PATMAN, of Texas, coauthor of the Robinson-Patman Act and a lifelong friend of small business, introduced a similar bill (H.R. 11) in the House of Representatives. By a special provision in the bill the existing law applicable to freight absorption is not altered or affected.

Briefly, the bill would change the statute as interpreted by the Supreme Court by providing that meeting in good faith the equally low price of a competitor is not a defense to price discriminations which are affirmatively proved by the Government to have the probable effect in any line of commerce of substantially lessening competition or tending to create a monopoly. Such meeting of a competitor's price would, however, continue to be an absolute defense to any price discrimination which was proved to have only the probable effect of injuring competition among competitors. The basic thought underlying the bill is that price discriminations which substantially lessen competition or tend to create a monopoly are as detrimental to the public interest when accomplished in good faith as they are when done in bad faith.

The problem of price discrimination is not new, but on the contrary is quite old. In economic theory and in observed business conduct, price discrimination is evidence of the existence and exercise of some degree of monopoly power. Prohibition of price discrimination in rate making was one of the necessary basic provisions of the first railroad regulatory statutes in 1887. Price discrimination was also a favorite weapon of the early trusts at which the Sherman Antitrust Act of 1890 was directed. The Sherman Act only became operative, however, when monopoly had been attained, and for that reason in 1914 Congress passed the Clayton Act, in section 2 of which it was sought to outlaw price discrimination before its anticompetitive effects were so serious as to bring the practice within the Sherman Act.

Section 2 of the Clayton Act prohibited discriminations in price in interstate sales of like goods where the probable effect in any line of commerce was (1) substantially to lessen competition, or (2) to tend to create a monopoly. The same section, however, provided that certain price discriminations were not prohibited and among them were these made in good faith to meet competition and those on account of differences in quantity.

Efforts of the Federal Trade Commission to enforce section 2 of the Clayton Act turned out to be almost wholly ineffectual. One difficulty was that price discriminations which hurt only one or a few competing purchasers were held not to threaten substantial lessening of competition in a line of commerce. A second was that any difference in quantity was held to justify any difference in price even though there was no corresponding difference in the seller's costs. Finally, and of paramount importance, meeting of competition in good faith was so broadly interpreted as to be readily demonstrable, with the result that the exemption it provided was virtually as broad as the prohibition.

With an antiprice discrimination statute full of loopholes, the practice of price discrimination thrived as did its beneficiaries. Investigations by both the Federal Trade Commission and congressional committees showed, for example, that large chains not only paid prices materially lower than their small retail competitors but sometimes even lower than wholesalers. As a result the giant retailers prospered at the expense of their smaller rivals to the extent that during a relatively few years their sales increased from less than 2 percent to more than 25 percent of total retail sales.

The public interest demanded that something be done, and in response Congress in 1936 enacted the Robinson-Patman amendment to eliminate the defects in the antiprice discrimination section of the Clayton Act. The amended statute retained, of course, the prohibition of price discriminations where the effect in any line of commerce may be substantially to lessen competition or tend to create a monopoly, but it went further and also condemned price discriminations where the effect may be to injure competition with the seller, or the favored buyer, or the customers of either of them. Thus the law was amended so that individual competitors as component elements of a line of commerce were protected as well as the line of commerce itself. The old provision which wholly exempted discriminations on account of quantity was changed so as to permit differentials on account of quantity to the extent of the actual savings in cost to the seller. In this manner efficiency properly became the basis of quantity differentials.

Most importantly relevant to this discussion, section 2 of the Clayton Act as amended by the Robinson-Patman Act no longer exempted discriminations in price made in good faith to meet competition. The amendment introduced a new subsection 2(b) which provided that the seller could show that his lower price was made in good faith to meet the equally low price of a competitor merely for the purpose of rebutting the preliminary or prima facie case made against the seller by the Commission.

The meaning and effect of this change with respect to meeting competition is made clear by its legislative history. The Robinson-Patman Act was the product of a conference committee of the Senate and the House which reconciled the differences between the Robinson bill as passed by the Senate and the Patman bill as passed by the House. When introduced, neither of these bills even made any reference to meeting competition, but as passed by the Senate the Robinson bill contained the old exemption, and as passed by the House the Patman bill contained a section similar to the one finally adopted. In conference, the old exemption in the Senate bill was rejected, and the House version was approved in the language in which it was finally enacted. Referring to the old exemption incorporated in the

Senate bill, the report of the House conferees stated:

"This language is found in existing law, and in the opinion of the conferees is one of the obstacles to enforcement of the present Clayton Act. The Senate receded and the language is stricken. A provision relating to the question of meeting competition, intended to operate only as a rule of evidence in a proceeding before the Federal Trade Commission, is included in subsection (b)."

Referring to the new language, a report submitted by the chairman of the House conferees stated:

"It is to be noted, however, that this does not set up meeting of competition as an absolute bar to a charge of discrimination under the bill. It merely permits it to be shown in evidence. This provision is entirely procedural. It does not determine substantive rights, liabilities, and duties. They are fixed in the other provisions of the bill. * * * If this proviso were construed to permit the showing of a competing offer as an absolute bar to liability for discrimination, then it would nullify the act entirely at the very inception of its enforcement."

In 1945 the Supreme Court in the well-known Staley case had its first opportunity to interpret the meeting-competition proviso of the Robinson-Patman Act. In that case the Court affirmed a decision of the Federal Trade Commission which rejected the defense of meeting competition, and in doing so seemed quite clearly to indicate that the amendment had secured the results which Congress intended. This is the language the Court used:

"It will be noted that the defense that the pricing discriminations were made in order to meet competition is, under the statute, a matter of rebutting 'the Commission's prima facie case.' Prior to the Robinson-Patman amendments, section 2 of the Clayton Act provided that nothing contained in it 'shall prevent' discriminations in price 'made in good faith to meet competition.' The change in language of this exception was for the purpose of making the defense a matter of evidence in each case, raising a question of fact as to whether the competition justified the discrimination."

Despite this encouraging development in 1945, the law with respect to meeting competition as a defense to price discrimination is now back where it was prior to the enactment of the Robinson-Patman Act. For in 1951 the Supreme Court held in the Standard of Indiana case that the Federal Trade Commission was wrong in rejecting Standard's defense of meeting competition even where it had been shown that the discriminations had a substantially adverse competitive effect among distributors. Once again, then, meeting competition became an absolute defense to discriminations in price regardless of the magnitude of their anticompetitive effects among retailers and wholesalers. Moreover, the doctrine of the Standard of Indiana case seems to have been extended in subsequent decisions by lower Federal courts to the extent that it now appears likely that even the limitations indicated by the Supreme Court are of little if any substance.

As a result of these decisions, the Robinson-Patman Act has been seriously weakened. It now affords no real protection to competition at the wholesaler or retailer levels. The public interest in protecting competition at all levels has been subordinated to the individual manufacturer's or seller's private interest. The act has become largely a declaration of the right of sellers to discriminate in price to accommodate large buyers even though the injury to small buyers is so serious that competition in their line of commerce may be substantially lessened.

The public interest again demands that something be done to repair the damage. S. 11 is a moderate effort to do just that. The bill restricts but does not eliminate the availability of the defense of meeting in good faith the equally low price of a competitor. Where it is shown that the discriminations may merely injure competition between individual competitors, the defense continues to be absolute. Where, however, it is shown that the discriminations are so serious that their effect in any line of commerce may be substantially to lessen competition or tend to create a monopoly, the defense is eliminated.

Hence, if S. 11 becomes law a seller who finds it desirable to lower his price to one customer in order to meet in good faith the equally low price of a competitor may not have to lower his price to all competing customers or even to any of them in order to avoid an unlawful price discrimination. It is enough that he lower his price only to the extent necessary to prevent substantial lessening of competition or tendency to create a monopoly and not to the extent necessary to prevent injury to competition. The significance of this difference is that, under the bill, such a seller would not be obliged to lower his price to a customer like the one who sought damages from his supplier in a recent case. In that case the court held that the small discrimination complained of could not have substantially lessened competition or tended to create a monopoly, as was alleged, but at most could only have injured competition between the complaining customers and his competitors, as was not alleged.

S. 11 should be especially welcomed by manufacturers who see a threat to themselves in the establishment and growth of large and powerful buyers. Without the bill, suppliers, under the guise of meeting competition, will continue to vie with each other to satisfy the voracious and insatiable demands of large buyers for preferential prices. This implies not only the sacrifice of the many small buyers but the suppliers dependence upon the few mass buyers.

Much has been said both by and on behalf of management about the difficulties of making decisions to comply with S. 11. I am confident that any such difficulties have been magnified by posing hypothetical situations which include imaginary horrors. True, S. 11 does not define with mathematical precision the white area in which meeting competition is a defense and the black area in which it is not, for precision of that kind is not possible in a moderate approach. It can exist only where there is either complete prohibition or unrestrained permission.

Being moderate in its approach, S. 11 naturally contains a small gray area where the white meets the black. To businessmen who are heedless, if there are any, this gray area will present no problem—they will view it as white and assume unnecessary risks. To businessmen who are timid, if there are any, this gray area will likewise present no problem—they will see it as black and accept needless restrictions. To businessmen who are prudent, as if there are any who are not, the shaded area will also present no problem—in the light of the facts in each case they will see a line running through it which will be drawn by their willingness to resolve any doubt by what they know to be the public interest. Just as it is easy to distinguish between being stumbled over and being kicked, so it should not be difficult to differentiate a price discrimination which may economically maim the many small merchants from one which will clearly fall short of having that result.

In the 84th Congress the measure passed the House by a vote of 393 to 3 but was not considered by the Senate because it was caught in the rush of the closing days of the session when unanimous consent was required to bring it up.

In the 85th Congress the bill was reported to the Senate in modified form, but the Senate adjourned without having taken any action.

In the present Congress hearings have again been held on the bill, and the record is being prepared for the printer. We were fortunate in having your counsel, Mr. Daniel, testify on your behalf at these hearings in favor of the bill. The support of this organization was indeed welcome, and your position was forcibly presented by Mr. Daniel.

Above all else, we must not get discouraged in this battle for the preservation of our free competitive system, for it surely will be a never-ending one. With your help and support, and the assistance of all of the other good people in all industries and in all parts of the country, much can be accomplished.

Thank you for being so kind as to let me be your guest.

Federal Aid to Education

EXTENSION OF REMARKS
OF
HON. JAMES E. MURRAY
OF MONTANA
IN THE SENATE OF THE UNITED STATES
Friday, April 17, 1959

Mr. MURRAY. Mr. President, on Monday, April 13, my distinguished colleague, the Senator from West Virginia [Mr. RANDOLPH], appeared before the Subcommittee on Education of the Committee on Labor and Public Welfare, of which I have the privilege of serving as chairman. Although I was unable to be present at that session, I have had the opportunity to read his statement; and I believe it is one of the best and most eloquent arguments for Federal aid to education which has been presented.

I ask unanimous consent that the full text of the Senator's statement be printed in the RECORD, so that all my colleagues will have the opportunity to read it. I congratulate my colleague from West Virginia on the cogency and eloquence of his presentation.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR JENNINGS RANDOLPH, DEMOCRAT, OF WEST VIRGINIA, BEFORE SUBCOMMITTEE ON EDUCATION, UNITED STATES SENATE COMMITTEE ON LABOR AND PUBLIC WELFARE, ON S. 2, A BILL TO PROVIDE FINANCIAL ASSISTANCE FOR THE SUPPORT OF PUBLIC SCHOOLS BY APPROPRIATING FUNDS TO THE STATES TO BE USED FOR CONSTRUCTING SCHOOL FACILITIES AND FOR TEACHERS' SALARIES

Mr. RANDOLPH. Mr. Chairman, I appreciate this opportunity to come before you and your subcommittee to testify on the school support bill. You are to be commended, sir, for your persistent and devoted efforts in introducing this measure, and I am pleased to have been one of its early cosponsors.

Before discussing the evidence which substantiates the critical need for this legislation, I would like, Mr. Chairman, to address my comment to a point which has been raised by its opponents.

I refer to the often-voiced fear of Federal control, which follows inevitably—it is supposed—upon Federal aid to education. We

are all aware of the importance of the American custom of local responsibility and control of public education. But let us at least be clear in our understanding of the origins and the reasons for this tradition. Let us not be confused by the invocations of the rhetoric of the Founding Fathers, or raising the spectre of an omnivorous and power-hungry Federal police state.

Without going into historical detail we can acknowledge that the practice of local support for public education has been one of the fundamental marks of the American system from its outset. But let us also acknowledge that this practice was not based upon any hallowed principle of democratic idealism, but rather on the simple and understandable resistance of the citizens of one community to paying taxes for the education of the children of another.

The struggle for universal public education in America was not won overnight. The merchant and propertied classes resisted strongly the economic, political, and social ferment we associate with the Jacksonian period, and the chief tribute they won from the champions of public education was the principle of local support of the schools. The principle was thus motivated by self-interest as well as idealism.

But this is not to condemn it. Within the context of an agrarian society, a loose Federal structure, and the sectional jealousies and rivalries of the individual States, such a point of view is easily understandable. But, Mr. Chairman, it is important, when we listen today to the critics of Federal aid to public schools invoke some supposedly time-honored American tradition, to know that that tradition has nothing to do with the fear of Federal control.

On the contrary, in the field of higher education the practice of Federal support is almost as old as our tax-supported universities themselves. Three years from now the great land-grant colleges and universities of America will celebrate the centennial of the Morrill Act, which set aside Federal lands for the support of agricultural and engineering colleges. In 1862 Congress passed this epoch-making act, which for the first time established the policy of Federal aid, not only to the newer States but to the older ones as well—offering each State the proceeds from the sale of 30,000 acres of Federal land for each Member of its congressional delegation. The sole measure of Federal control in these colleges has been the supervision of the Reserve Officers' Training Corps established therein—hardly an example of a burgeoning police power of the national state.

In recent decades the Federal Government has entered the field of education in a variety of ways—the public schools built by the WPA in the 1930's, the tuition-payment program of the GI bill, and the grants-in-aid and the underwriting of research programs at many of our colleges and universities—in none of these has the Federal Government encroached upon the control of local authorities.

The threat of Federal control, Mr. Chairman, is a myth, and the fear of it is spun from fantasy and a misreading of our history.

The question, therefore, is not whether or not we shall have Federal control—but whether we shall have Federal aid—and if so, how much, what direction it will take, and how best to utilize it in a coherent manner to lift our public school system to the level that a thriving democracy demands and one that our young people deserve.

Senate bill 2 offers a significant contribution in alleviating two of the most critical problems in the educational scene—the inadequacy of teachers' salaries and the shortage of classroom space.

Let me refer first to the long-range problem of the shortage of classroom space. The figure of 142,000—reperesenting our present classroom shortage—has been repeated so frequently in recent discussions that we are likely to overlook the more enduring features of our problem.

For example, from 1780 to 1955 our population grew from 40 million to 165 million. During this same period, while our general population increased 4 times, our public school population increased approximately 80 times.

Under our present rate of population development the bulge of the future will press even more heavily on our already burdened facilities. The elementary school enrollment of 22 million of last year will rise to about 34 million by 1960–61. By 1969 our high schools will be flooded with 50 to 70 percent more students than they can now handle. By 1975 our colleges and universities will face a doubling and in some cases a tripling of enrollment. Now these are only the bare bones of statistics that comprise one aspect of the problem. There are others.

For one, there is the problem borne of the mobility of our society. We are a people on the go—34 million of us change our address every year, and there are long-term currents of movement to the North and West. Thus, the effects of education offered in a given school may be registered in a State far removed from where the education was acquired.

The quality of education in the United States is therefore a national issue, rather than a merely local one. And yet it is the only national problem that we have not attempted to solve on a national basis.

Let us turn now to a consideration of the shortage and recruitment of teachers. It is authoritatively estimated that in order to maintain the present student-teacher ratio, between one-third and one-half of all 4-year college graduates would have to enter school teaching in the next decade. Since only one out of five college graduates customarily enters school teaching, one can appreciate the magnitude of the problem involved.

Not only is the number of teachers inadequate, but the preparation of many of the present teachers is in need of improvement. According to the National Education Association, 33 precent of our elementary schoolteachers do not hold A.B. degrees, and more than 21 percent of all public schoolteachers have less than 4 years of college. A similar condition prevails, according to the NEA, at the college and university level, with the holders of doctor's degrees among full-time teachers having decreased by 25 percent since 1953–54.

The reasons are apparent: business industry, and government are out-bidding the teaching profession for the talents of many of its best qualified and most able men and women. Nor is it small wonder, when one observes that the average State salary of classroom teachers ranges from a high of $6,400 to a low of $3,070 per year. While in my own State of West Virginia the beginning salary for a teacher with a master's degree is $3,060.

Now admittedly, we cannot reward, and I do not believe the American teacher expects to be rewarded, with the chauffeur and summer homes that we are told some of his and her Russian counterparts have at present. But we can and we must reward our teachers with salaries more consistent with their professional status and their dedication of purpose. The necessity for many of our teachers to have part-time supplementary jobs is, to put it in its mildest terms, inconsistent with the responsibility that a democratic society has placed upon them. Our teachers' salaries can and must be raised immediately and substantially if we are to attract able young men and women and retain those we have.

According to the Rockefeller Report, we spent, in 1955, a total of just under $14 billion for public and private education at all levels—slightly more than we spent last year on alcohol and cosmetics. Against a gross national product of $391 billion for that year our expenditures for formal education amounted to 3.6 percent. The same source estimates that by 1967 the increased demands that I referred to earlier will require an expenditure of $30 billion, or 5 percent of an estimated gross national product of $600 billion.

Such a sharp rise in expenditures calls for a determined departure from traditional methods of school financing. Historically, Americans have preferred to finance their schools at the local and State levels. But there has already been a shift of responsibility from the local and to the State level. In 1930 under 17 percent of the cost was borne by the State. In 1954 this had more than doubled to over 37 percent.

However, local and State tax systems in many instances are not adequate to the tasks, partly because they depend so heavily on the real property tax—where everywhere lags behind rising incomes and the increased cost of education, and partly because local and State governments are reluctant to raise taxes and thereby place their communities in an unfavorable competitive position with other States.

The problem is especially acute in such a State as West Virginia and some of the Southern States where great inequalities exist in the income of different school districts. And the same condition exists on a higher level in terms of the difference between the States in per capita income and the relative proportion of the tax dollar spent on education.

West Virginia, for example, with a per capita income in 1957 of only $1,480, was spending $218 a year for every child in school. From the total State revenues of $285,996,653 the school received over 36 percent, leaving less than two thirds of every tax dollar for all the other State governmental services combined. Thus, if we were to try to match the per capita dollar expenditures of such States as New York or California we would more than exhaust our total revenue on schools alone.

According to figures compiled by the National Education Association, the average per pupil expenditure among the individual States ranges from a high of $535 a year to a low of $164, with a national average of $340 per pupil.

This gross disparity in expenditure between our richest and our poorest States can be rectified only with Federal aid. For, to illustrate again by reference to my own State of West Virginia—even with proposed new tax levies and a statewide reappraisal of property, our school revenue per pupil would still be more than $60 below the national average and approximately $175 below that of New York State. Mr. Chairman, I reiterate, these inequities can be redressed only with Federal assistance. Let us not be deluded by the ideas of a century ago—ideas which at that time had some validity. For we are no longer a loose federation of quasi-independent States. We are a Nation of highly mobile people, a Nation in which the welfare of one section is inextricably involved with that of all. And as a Nation we have only one future—a future that will in substantial measure be determined by the degree of our devotion to the cause of strengthening our system of public education.

None of us is so naive as to believe that money alone will solve a deep-seated and pervasive cultural problem such as this. But the extent to which we will apply our financial resources is in part a measure of our purpose in other respects as well.

It is not encouraging, therefore, to note that we spend almost as much on alcohol and

cosmetics and more than twice as much on advertising as we do on education.

Such a disparity would indicate that as a society we are in need of fundamental and soul-searching reevaluation of our aims and values. And it is one of the sadder ironies of our time that this reexamination of education in a democracy has gained national support largely because of the educational achievements of a police state. As Dr. Robert Hutchins recently stated:

"History will smile sardonically at the spectacle of this great country getting interested, slightly and temporarily, in education only because of the technical achievements of Russia, and then being able to act as a nation by assimilating education to the cold war and calling an education bill a defense act.

"We might as well make up our minds to it. If our hopes of democracy are to be realized, every citizen of this country is going to have to be educated to the limit of his capacity. And I don't mean trained, amused, exercised, accommodated, or adjusted. I mean that his intellectual power must be developed."

In closing, Mr. Chairman, I would suggest—in keeping with the tenor of Dr. Hutchins' remarks—that we approach our duty here, not in the spirit of a cold war with Russia, but in the spirit of fulfilling our own destiny as a democracy.

This means that the fundamental issue in education as in government today is no less than the assessment of the basic values of a democratic society. The making of the image of what we want to be, the determination of the kind of greatness we hope to achieve—these are the choices that confront us now.

The kind of greatness that we produce in the years ahead will be nurtured by the values that we as a society cherish and transmit, in large measure, through our formal education system. And if we fail now, Mr. Chairman, to supply the means for the best system possible our children and grandchildren will have little cause to be grateful to us.

At the foundation of our values is the principle which more than any other distinguishes American culture from the older cultures of Europe and from the new totalitarian societies; that is, the extent to which we are guided by our faith in the dignity and integrity of the individual. This is the faith which states that man should live in the light of reason, be free to exercise his own moral choice, and develop to the full the latent possibilities within him.

As this faith is translated into the practical problems of our school system it presents a double-barreled challenge—the challenge of maintaining equality of opportunity for all while, at the same time, stressing the achievement of excellence for those capable of it. The challenge is to maintain both quantity and quality in education—to expand the one and improve the other.

Many people of late—laymen as well as professional educators—have posed the problem in terms of a choice between quantity and quality, a choice between equality and excellence.

I say that we have no choice. We must, if we would survive, have both.

We must have a generally informed citizenry capable of making intelligent decisions on matters of the public good. And we must have the highly trained specialists as well as the men and women of broad-gage learning that our modern, complex society demands. This is the chief problem in the field of education before us.

The early and unanimous endorsement of S. 2 by this subcommittee, Mr. Chairman, will help significantly in providing the means to solve this problem. We must have an educational program to match our times.

A Long Look at China

EXTENSION OF REMARKS

OF

HON. HUBERT H. HUMPHREY

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Friday, April 17, 1959

Mr. HUMPHREY. Mr. President, there is a great deal of concern in this country about the Communist economic offensive. Sometimes we think of Communist economic power exclusively in terms of the Soviet Union. Any calculations which leave out the tremendous actual and potential economic power of Red China are misleading and can be dangerous.

This point is well brought out in an excellent article by Representative CHESTER BOWLES, entitled "A Long Look at China," which appeared in the April 4, 1959, issue of the Saturday Evening Post.

I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A LONG LOOK AT CHINA

(By CHESTER BOWLES)

"China—there lies a sleeping giant. Let him sleep for when he wakes he shall shake the world."—Napoleon Bonaparte.

On April 20, 1958, in the province of Hunan, the Communist Chinese Government launched the world's first effort to establish pure communism on a nationwide scale.

The commune that was established there was to be the first of many similar organizations which would harness the energies of every man, woman, and child in rural China to the total service of the state.

It was named Weihsing, the Chinese word for sputnik, and Mao Tse-tung, chairman of the Chinese People's Republic, confidently stated that it carried potentialities for tomorrow's world as explosive as the Soviet thrust into outer space.

Four months later, on August 6, Radio Peiping announced that the first stage of this extraordinary program had been completed. More than 500 million individuals belonging to 120 million households and representing 99 percent of the population of rural China had been organized into 26,000 communes.

"The attainment of communism in China," the announcement triumphantly concluded "is no longer a remote future event."

But in China, as elsewhere, old ways die slowly. On December 18, Radio Peking admitted that orders had been given to slow down the pace of rural regimentation. A breathing spell was needed, it was said, so that "alien class elements" could be purged, "skeptics and doubters" convinced, and local party leaders rid of their tendency to see "only things, not men."

The announcement added that Mao Tse-tung had asked to be freed from his post of national chairman so that he could "concentrate his energies on dealing with the direction of policy" and devote more time to his writings on Communist theory. His request had been granted. Mao would, of course, continue in his key post as head of the Chinese Communist Party.

This succession of announcements set off a whirl of speculation in the world capitals. Belgrade wondered if Mao's resignation might be due to differences with Khrushchev. New Delhi hoped that the slowdown in rural regimentation might indicate a new moderation in Peking. Nationalist leaders in Taipei even suggested that civil war on the mainland might be in the offing.

But those who study Chinese Communist economic and political policy most objectively were inclined to dismiss such explanations as products of wishful thinking. In their view the two central questions posed by recent swings of the political pendulum inside China go far deeper:

1. Can Communist economics, which forged Russia into a modern industrial state in two generations, succeed in Asia, or do the totally different conditions which exist there doom Asian communism to failure?

2. Whether or not this program succeeds, what role is the "New China" likely to play in our future and Asia's?

These questions deserve urgent and thoughtful consideration by American policy makers of both parties. On their answers may depend in large measure the nature of tomorrow's world.

The one-fourth of mankind who live in China are among the toughest, hardest-working people on earth. By the time this year's American high-school graduates reach their thirtieth birthdays, China's population will have soared to 900 million men, women, and children.

Since the 1920's, most Americans have tended consistently to misjudge the strength, competence, and durability of the Chinese Communist leaders who now rule this vast expanse of land and people, an error which may be explained by our bitter disapproval of their policies.

In the first years following Chiang Kai-shek's retreat to Formosa in 1949 we looked on the new government in Peking as no more and no less than one more backward satellite of the Soviet Union.

When Red China began to emerge as a world force in its own right, our official pronouncements patronizingly promoted its government to the rank of junior partner in the Communist hierarchy.

Recently some American observers have veered to the other extreme. When reports indicated that it was Mao's influence, in 1958, that caused Nikita Khrushchev to take a tougher position in foreign affairs, they insisted that here was proof positive that the Chinese tail was now wagging the Soviet dog.

The actual relationship between Moscow and Peking remains obscure. We can assume that the balance of influence between the two is in flux, with each partner forced in various ways to accommodate itself somewhat to the ambitions and fears of the other.

But here is the important point: Moscow and Peking view our fast-changing world from rather different perspectives, and these differences may grow.

The men in the Kremlin rule a nation blessed with plenty of living space, plenty of natural as well as human resources and—they think—plenty of time.

Their military might, industrial power, and political influence have been growing with spectacular speed. They assume that Soviet power plus Communist ideology will ultimately add up to world domination.

Their task, as they see it, is to ride and exploit the revolutionary wave which they believe constitutes the future. They have Lenin's assurance that history is on their side, and they can see no reason to take chances.

In contrast, the Chinese Communists face appalling problems, which are now testing their political and economic theories under the most difficult conceivable conditions.

If the Peking government goes through with its present plan for rapid industrialization on the Soviet model, it may place an impossible burden on the rural Chinese economy, which must feed 650 million people and provide surplus agricultural products to help pay for critically needed imports.

If it seeks to encourage increased food production by appeasing the peasants, it will almost certainly be forced to abandon its Communist political objectives.

This, in a nutshell, is Peking's ultimate dilemma.

The system of pulling a whole nation up by its bootstraps, which worked in Russia at such heavy cost, may fail in China because the conditions there are almost totally different. The most important of these differences relate to land, food, and people.

The Soviet Union sprawls for nearly 10,000 miles across two continents. Like our American West, the vast, rich expanse beyond the Urals was opened up only in the last 200 years. It is still largely underdeveloped.

Before the coming of the Communists the Russian people had rarely known hunger. Indeed, before the outbreak of World War I Czarist Russia exported some 10 million tons of wheat each year.

Yet, even with this massive, built-in agricultural advantage, the Soviet experiment nearly collapsed during the 1930's for lack of food. If we are to understand the problems now facing the Communist regime in China, we must understand the reasons for this narrowly averted disaster.

During his early struggle for full control of the Kremlin, Stalin continued Lenin's relatively benevolent policies toward the peasants. With total political power securely in his hands, Stalin then turned to the speedy industrialization of the Soviet Union. This, he saw, would require the diversion of enormous quantities of food to the cities to feed the growing industrial population.

In a non-Communist country as potentially rich as Russia, this extra food production could be secured by offering the incentive of higher prices for agricultural produce and a corresponding improvement in rural living standards. But Stalin knew that he could not offer the Russian peasants this special measure of economic freedom without undermining the iron political discipline demanded by the revolution.

He responded to this dilemma with characteristic ruthlessness. Boldly scrapping Lenin's promises of independent land ownership and increasing opportunity for each peasant family, Stalin moved to mobilize all of rural Russia along tightly regimented political lines.

By the late 1930's almost every peasant family in Russia had been pressed into collective farms. All farm machinery was pooled. The number of dairy and meat animals was drastically reduced to save more grain for human consumption. Tightly administered controls forced the shipment of more and more agricultural produce to the cities. Although total farm production declined, the percentage reaching the industrial workers increased.

The short-term result of Stalin's rural program was an eruption into violence and repression without precedent in human history. The peasants resisted and were brutally crushed. Apparently reliable reports indicated that nearly 10 million died and millions more were shipped to Siberia. In a land with an unlimited agricultural potential, food production dwindled and the already meager living standards dropped abruptly.

For more than 20 years the Russian peasants were badgered and terrorized to increase their production. By setting low prices on agricultural products at the farm and charging high prices in the government-owned retail stores, huge profits were extracted from the peasants to produce more and still more capital for the rapid growth of industry.

Only a very small investment was made in rural development, and consumer goods were almost nonexistent. The Soviet Union lived precariously on its built-in food surplus, created not by communism but by nature.

In long-term results, however, this fantastic gamble paid off. Although the cost in human misery was staggering, Stalin's determination and the limitless potential of the Russian land enabled the Soviet Government to create a powerful industrial state in less than two generations.

Since World War II the annual rate of Soviet economic growth has been double our own. Only now, after 30 years of ruthless exploitation, are the first economic benefits beginning to trickle down to the patient Soviet peasants whose forced sacrifices made industrialization possible.

Now it is this Stalinist program that the Peking Government adopted as a blueprint for China's development. In doing so, under the infinitely more difficult Chinese conditions, it embarked on what is by all odds the most daring economic and political gamble of all time.

Mao, like Lenin, had based his revolution on the most dramatic promise that can be offered to any peasant people: "Down with the landlords. Land to the tiller." But when the time was ripe, Mao, like Stalin, did not hesitate to repudiate this promise and to press China's peasants into an economic and political system that had no place for private land ownership.

In 1954, after long, careful preparation, a program of complete rural collectivization was announced. By 1957 practically all Chinese rural families had been organized into 740,000 collectives.

Then, in 1958, Mao, as we have seen, went one giant step further. Henceforth all farm collectives, rural industry and local militia would be consolidated into communes. This was a step so breathtakingly radical and ruthless that even Stalin had not dared to attempt it.

The objective was the total mobilization of 500 million villagers into a massive human work force, the destruction of the family as a social unit and the substitution of a new disciplined loyalty to the Communist state.

Every able-bodied man and woman worker was assigned to the fields, to irrigation projects, to the small decentralized factories and blast furnaces. The organization was along military lines so that work squads, platoons, companies and battalions could be transformed overnight into military cadres.

Every hour of each individual's day was rigidly supervised. Children were to be brought up in common nurseries, workers fed in great central messhalls and the old and infirm assigned to what are described as "happiness homes."

Previous to its December 18 announcement of a slowdown in the organization of this fantastic program, the Peking Government had credited it with huge increases in agricultural production and rural development.

The 1958 cotton crop and the early rice crop are said to be double that of 1957. The wheat crop is up 67 percent. Hundreds of thousands of work teams laboring from dawn to dusk were reported to have opened up 69 million acres to new irrigation. This is fifty times the irrigated areas of America's biggest river project, Grand Coulee, and six times that of India's spectacular Bhakra-Nangal on the Sutlej River in the Punjab.

This, boasted Peking, is only the beginning of an irrigation program that will set the stage for further enormous increases in agricultural production in the next few years. Next on the development agenda is the harnessing of the wild, wasted waters of the Yangtze itself.

To what extent can we separate fact from propaganda? Does the December 18 announcement indicate that the system of tightly organized communes will be abandoned? Or does it suggest no more than a cautious pause for breath-catching in the "great leap forward" toward the total regimentation of Chinese society?

No one can doubt that the 10,000-word announcement, which took 4 hours and 10 minutes to read over Radio Peking, indicates formidable opposition among China's 500,000,000 villagers.

Although it was stoutly maintained that there is to be no reversal in the program itself, some wage incentives were admitted to be necessary to encourage "labor enthusiasm." Fears that all private property was to be immediately surrendered must, it was said, be dispelled.

Every worker should be assured 8 hours' sleep, with 4 hours' freedom for relaxation and meals, leaving 12 hours for work and study except at times of harvest.

Henceforth communal mess halls and children's nurseries must be better run. Parents should be allowed to take their children home occasionally. In building "residential quarters," space should be provided "suited to the living together of men and women and the aged and young of each family."

Although this suggests that the Peking Government has run into difficulty, it would be wishful thinking to assume that a change of direction is in the making. The goals of the commune program have been sturdily reemphasized. The stress is on the need for a somewhat slower pace to educate the laggards and to restrain certain overeager comrades.

The leaders of Communist China know that the success or failure of their efforts will be determined largely in the villages. Although the difficulties are admittedly great, they may argue persuasively that here at least they are far more experienced than were their Soviet counterparts.

The Russian Revolution was made by only 200,000 party members. They were mostly intellectuals and workers with their roots in the cities. Lenin's announcement of "all land to the tiller," skillfully timed to climax the revolutionary upheaval in Moscow and Leningrad, secured the cooperation of the Russian peasants. But they were never made to feel a part of the movement itself.

The Chinese Revolution, on the other hand, has always been deeply rooted in the villages. The 5 million party members who organized the countryside as a prelude to the advance of the Red armies have now grown to 13 million, and most of them are of peasant stock. Under the direction of this rural-oriented Communist leadership and subleadership, many of China's 1 million villages have already known two decades of evolving discipline.

Out of this intensive rural experience have evolved certain strong social and political appeals which have been tested and perfected under varying conditions. With these techniques the Communist leaders believe they can maintain a revolutionary enthusiasm which will carry China through this perilous period of development and create the capital for rapid industrialization.

In place of the uncertain but highly personal security rooted in close family relationships and ancient religious dogma, they have substituted a system that provides a dreary day-to-day sustenance in return for unswerving subservience to the will of the central government.

In place of the traditional economic incentive of increased consumer goods, they have substituted festivals, complete with booming brass gongs and sputtering firecrackers, dances, parades and mass condemnation of "enemies of the people."

Millions of official loudspeakers, supplemented by constant "study meetings," goad the people to greater effort, often by fanning the flames of external conflict. In this process the United States serves as a special target for vituperation unmatched even in this age of international mudslinging.

When the occasion calls for it, the Kremlin can muster thousands of angry demonstrators against the West. But the Peking government can produce millions, as the Middle East and Quemoy crises demonstrated.

"All of China boils with wrath," proclaimed Radio Peking when the U.S. Marines landed in Lebanon.

"I will send all my six sons to the front again," a ——— "democratic mother" is reported to have said.

"Americans take care," warned a scientist in Canton, "or you will have your brains bashed out."

In Fukien, the province directly across the Formosa Strait from the Nationalist-held island, the peasants are said to have "pledged themselves to outstrip last year's production as a concrete contribution to helping our army units liberate Formosa."

A succesesful revolution generates its own initial enthusiasm. Through the expert use of radio, the printed word and mass organization the Chinese Revolution has surpassed most others. But the Chinese Communist leaders face an infinitely greater task, and human nature being what it is, a diet of promises, parades and propaganda, no matter how skillfully administered, ultimately may prove inadequate.

What then can be said about Chinese claims of record-breaking crops already achieved through China's "4-year campaign of suffering to build a glorious future"?

Agricultural experts who know Asia best reject the 1958 production figures as substantially beyond agricultural experience anywhere in the world. Sizable increases have undoubtedly been achieved, and more will follow.

But even with the most favorable weather and the near-total mobilization of human energies, food production in China, as elsewhere, faces certain harsh realities which cannot be exorcised by Communist slogans. The chief obstacle to the success of her effort is China's vast population, growing at the rate of 16 million souls each year and crowded into her enormous but limited land area.

The present average is less than 2 acres for each rural family. With the exception of a few western areas, most of China's readily arable land is now under intensive cultivation. New acreage even there can be brought under cultivation only at a very high cost.

The fact that the people are already living largely on rice, wheat, and vegetables means that there is little grain to be saved by reducing livestock consumption, as Stalin did. Furthermore, output per acre is already high. Long before China succumbed to communism the peasants were using better seeds, more abundant natural fertilizers, and more skilled planting and harvesting techniques than in almost any other underdeveloped country except Egypt.

Although Japanese output per acre has been almost twice as great, these levels appear beyond China's reach in the foreseeable future. Each Japanese peasant family has the incentive of working its own small farm. Equally important, the Japanese peasant can buy ample supplies of commercial fertilizers on easy credit.

If the Chinese peasants could match the Japanese use of nearly half a ton of fertilizer per acre annually, they could boost their output substantially. The massive Hwai and Yangtze River irrigation programs could increase it still further. But the building of a chemical industry that could provide fertilizer in any such quantity does not appear in the cards, even with substantial help from the U.S.S.R.

These, then, are the harsh social and economic realities of China's rural economy which must be considered side by side with Peiping's boasts of a steel industry that will soon outproduce that of the United Kingdom, of endlessly expanding coal production, booming hydroelectric development, and fast-spreading new railroad systems.

If this extraordinary totalitarian experiment succeeds in spite of these obstacles, the world Communist movement will almost certainly be centered in a vital new China, with one-fourth the world's population on a rapidly developing industrial base. Unless there is an unforseen change in Chinese attitudes toward the people of America and Europe such a development would be ominous.

But what is the most likely course of events in Asia if this breathtaking gamble fails to pay off? There are at least three possibilities on which we may speculate.

First, under such circumstances it is barely conceivable that the Peiping Government would modify its external policies and become gradually easier to live with. It is not essential that each country produce all its own food. Britain, the Netherlands, and Japan are among the many crowded nations with high living standards which import a major part of their food requirements. A more moderate Chinese leadership, confronted with increasing difficulty in feeding its people and eager for a period of peace, could trade its manufactured goods for rice and wheat grown elsewhere.

But such a change appears unlikely. The "New China" is driven by a doctrinaire nationalism, fiercely intent on economic self-sufficiency. As her leaders consider China's vast and rapidly growing population insecurely based on limited land resources, they may be expected to look beyond China's borders for new areas which can be brought under their control.

Second, a possible solution lies in the Soviet Union itself. With a population one-third that of China, the U.S.S.R. has twice her land area. In theory, a decision by the Kremlin to allow the comradely sharing of her eastern lands with Chinese colonizers would allow China's rapid industrialization to proceed on schedule. The resulting economic, political, and military colossus would include nearly one-third of the world's populatiion. Stretching in one unbroken, tightly controlled Communist federation from Berlin to Canton, it offers a chilling prospect.

Fortunately, there are some formidable physical, nationalistic, and human obstacles in the way of its fulfillment. The limitations of climate and water, for instance, make Siberian agriculture a season-to-season gamble. An even greater barrier is the national pride and security of the Soviet Union itself. Economic and political integration on a scale sufficient to solve China's land hunger would be a giant step toward Chinese domination of the Soviet Union, the Communist movement, and, ultimately, of the world itself. The men in the Kremlin could scarcely be expected to welcome such a development.

Finally, there remains a third possibility. The Chinese Communist leaders may look increasingly toward Southeast Asia as the solution to their economic and political dilemma. In terms of China's long cultural history, most of this area is newly colonized land and relatively underdeveloped. It is also fertile land, blessed, by and large, with rich soil, ample rainfall, and a warm, year-round sun that normally assures two crops annually.

Although some areas, such as Java, are greatly overpopulated, nearby Sumatra could absorb 40 million to 50 million more people. Burma could support far more than its present population. So could the Philippines, South Vietnam, Cambodia, Laos, Thailand, and Malaya.

If the Chinese leadership decides further to increase its pressure into these lush lands to the south, it will be a case of history repeating itself. Down through the centuries Chinese dynasties in their glittering imperial court in Peking sent their emissaries to demand tribute from southeast Asian princes.

In periods of aggressive strength, Chinese emperors sometimes sought to buttress this big-brother relationship both by extensive trade relations and military expeditions southward. Chinese influence was particularly strong in Vietnam, where Chinese-satellite states existed for centuries. If the Ming emperors in the mid-15th century had not pulled back from the beginnings of an unprecedented national program of naval and maritime expansion, southeast Asia might today be part of China.

Meanwhile, modern China appears already to be on the move. The Communist successors to the emperors of Peking are reasserting their traditional role in this area. Chinese trade to southeast Asia is being increased substantially. In 1949, Chinese exports were almost nonexistent. By 1955 they had risen to $209 million. In 1958 they were $309 million.

India's trade in southeast Asia has been cut nearly 40 percent by these new Chinese exports. Great Britain's has also been seriously hurt. Japanese goods are being undersold 10 to 15 percent in countries on which Tokyo has been counting as an essential market and source of raw materials.

Ironically, most Chinese exports into southeast Asia are the very consumer goods which the Peking Government denies its own people. A British bicycle in Kuala Lumpur costs $35. The Chinese equivalent, which sells for $70 in Peking—more than a year's average income—costs the Malayans only $14.

Although these exports fell abruptly early this year, it seems likely that the flow will again be resumed. Some observers speculate that the interruption was due to the need to meet overdue payments to the Soviet Government for heavy machinery delivered to China early in 1958.

At the same time, Peking has been stepping up its effort to win the political allegiance of the 13 million Chinese who live in the larger southeast Asian cities and who retain close cultural and linguistic ties with the Chinese heartland. Chinese maps, inherited, so Peking says, from Chiang Kai-shek, still proclaim Chinese sovereignty over sizable border sections of Burma, Bhutan, and India. Radio Peking regularly asserts Chinese superiority over all foreign barbarians.

Regardless of the success or failure of China's experiment in pure communism, it is apparent that an explosive new force is being generated in Asia which will exert increasing influence on the world power balance.

The means by which we can help blunt this force and lay the basis for orderly and peaceful relationships are beyond the scope of this article. A few brief observations, however, may be in order:

1. Communist China will be with us for the foreseeable future. It is wishful thinking to assume that it will vanish conveniently in a peasant uprising.

2. Although the entrance of this dynamic new element into the world stage creates profound difficulties for us, it also constitutes a potential threat to the Soviet Union. The ultimate effect on relations between Moscow and Peking is impossible to foresee.

3. In order to cope effectively with the challenge, we Americans sorely need a long-term perspective and long-term plans to go with it. These plans should be rooted in the realities of Asian attitudes, economics, politics, and geography. Expedient, crisis-to-crisis moves based on the illusion of American military omnipotence will almost certainly fail.

4. The principles and techniques which will work best in Southeast Asia should be fundamental to American policy throughout the underdeveloped continents. These may include a more careful selection of the men and women to represent us abroad, a revamped economic-aid program, less emphasis on regimes and more on people, some such device as a World Food Bank to distribute surplus food more effectively and a program to help stabilize the prices of raw materials.

5. Although most Southeastern Asian governments are frail and uncertain, they are increasingly aware of the danger of Chinese aggression and the brutality of Communist techniques. It is particularly reassuring that this awareness is spreading to India, which centuries ago provided the principal counterforce to Chinese expansion into Southeast Asia and may conceivably play this role in the future.

6. Once we begin to act positively within the economic and political framework of the American revolutionary tradition, we will elicit a heart-warming response from non-Communist peoples throughout the world.

In these next decisive years an awakened America, prepared to look the facts about modern Asia squarely in the face, can play a vital role in stopping the spread of communism without war. Thoughtful men in Asia, Africa, Latin America, and Europe fervently hope that we will play it.

Friends and Enemies—Book Review of Adlai Stevenson's Report on Russia

EXTENSION OF REMARKS
OF
HON. HUBERT H. HUMPHREY
OF MINNESOTA
IN THE SENATE OF THE UNITED STATES
Friday, April 17, 1959

Mr. HUMPHREY. Mr. President, in addition to my remarks on the article by Mr. Bowles I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a book review I was privileged to write on the book entitled "Friends and Enemies," written by Adlai Stevenson, the review being entitled "Stevenson on Russia: The Great Battle May Be Economic," published in the Washington Post and Times Herald of March 22, 1959.

There being no objection, the book review was ordered to be printed in the RECORD, as follows:

STEVENSON ON RUSSIA: THE GREAT BATTLE MAY BE ECONOMIC

(Reviewed by HUBERT H. HUMPHREY)

(Senator HUMPHREY's own visit to Russia, and his interview with Khrushchev, made news last December.)

("Friends and Enemies: What I Learned in Russia," by Adlai Stevenson; Harper.)

Any report from Governor Stevenson of his visit to the Soviet Union is to be welcomed. This slim volume summarizing a series of articles which appeared immediately following Governor Stevenson's return to the United States should be must reading—especially for those of us with responsibility in the field of American foreign policy. I read the original articles with keen interest and am delighted that they are now available in this permanent form.

Mr. Stevenson's book stresses the warmth and friendliness of the Soviet people and the startling paradox of the Soviet leaders who exhibit public wrath against the United States and private cordiality to visitors from America.

In his introduction, Mr. Stevenson raises some important questions: Why shouldn't we trade with the Soviets? Why shouldn't we help them to improve their living standards? The inferred answer is that a Soviet nation with a high living standard may be a more peacefully inclined power.

These questions also reflect his conviction that it is the economic battlefield that may well be decisive in the world struggle. He dramatically underlines the success of the Soviet economic-political offensive in the underdeveloped countries.

Russia, he says, has a great attraction for other poor nations, because as a poor nation it has pulled itself up by its own bootstraps. He points out that the Russian offensive in these decisive areas employs many techniques: cutting prices to get foreign exchange and to capture markets, bartering, purchasing commodities which other countries desperately want to sell, lending money at long-term, low-interest rates, and constructing industrial plants. And—this is important—providing technicians who speak the languages and live humbly like the local people.

Every thoughtful American should reflect on Governor Stevenson's conclusion that the West could go the way of the Athenian democracy in its long struggle with Sparta when an infinitely superior civilization went under, because it lacked the self-discipline to survive. Is the United States today, asks Stevenson, so preoccupied with the military struggle that we have forgotten the values upon which our country is founded?

Stevenson hopes that we will be willing to change our habits, our political behavior and to replace our complacency with a new sense of urgency. And, so do I. Stevenson's book should be of great help in convincing the leadership of America that the time is very late, the adversary is formidable, and things are not going to get better automatically. His wise and humane approach to the problems of foreign policy is a good example of what American leadership should be.

He believes, and I believe, that our leadership must learn more understanding of the deep human suffering and the vigorous human aspirations that underlie the social and political unheavals now rocking the world—as well as more understanding of the truly magnificent human and economic resources of our Nation which could be employed in more constructive and meaningful policies in the have-not areas in the world.

Tribute to the Late Barrow Lyons

EXTENSION OF REMARKS
OF
HON. JAMES E. MURRAY
OF MONTANA
IN THE SENATE OF THE UNITED STATES
Friday, April 17, 1959

Mr. MURRAY. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement I have prepared in tribute to the late Barrow Lyons, who passed away on April 5 at his home.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

When Barrow Lyons passed away in his home at 3 a.m., April 5, the people of this country and the Capitol Hill community lost a selfless crusader for humanity and democracy. He was an effective crusader without fanaticism, a fighter without hate.

A rounded man with interests in literature, music, and philosophy, Barrow Lyons in recent years devoted himself especially to the conservation of the natural resources of the United States. He believed unshakably that the natural resources of the United States should belong to all the people of this Nation rather than to a self-appointed few. His book, "Tomorrow's Birthright," published in 1955, remains one of the outstanding studies of the resource problem.

Mr. Lyons had a long and distinguished career as a newspaperman. He worked on such great dailies as the New York Times, the Christian Science Monitor, the Baltimore Sun, and many others. As a science reporter for the Associated Press, as financial editor of the New York World Telegram, as business editor of Newsweek, and as a writer for many other magazines, he brought to bear a scholarly interest in fact with the quick perception of the reporter and the ability to analyze and describe in crisp, concise prose.

In 1938 he came to Washington as a financial economist for the Securities and Exchange Commission to prepare a massive study of the financing of small business from the time of the Revolution to the present century. He served also with the Temporary National Economic Committee.

Later Mr. Lyons became an information specialist with the War Production Board. In 1944 he moved over to become the chief of information for the Bureau of Reclamation. It was in this position that his interest in and knowledge of "tomorrow's birthright" deepened. He retired from Government service in 1952, but continued to write voluminously on economic, political, and resource affairs.

Throughout his years in Washington, Barrow Lyons was well known to dozens of Senators and Congressmen, many of whom sought his advice. He was respected and liked by his newspaper colleagues. He was also known widely in the cooperative movement throughout the Nation. He was an active, effective member of many organizations, ranging from the Cosmos Club and the National Press Club to the National Grange, the Cooperative Forum, the Electric Consumers' Information Committee, and American Newspaper Guild.

Although he had been suffering from heart trouble for several years, Mr. Lyons remained always ready to lend his amazingly youthful vigor to a humane cause, large or small. Typically, during the last few weeks of his life, he was spearheading an effort to organize a memorial service for his friend, the late Tom Stokes, the renowned columnist who, like Mr. Lyons, was concerned over the depletion of our natural wealth.

The world has no shortage of cause supporters. It was Barrow Lyons' quiet distinction that he remained doggedly independent and courageous without bluster, bluff, or sham. He never let his interest in one goal blind him to the significance of others. Thus, although he is most closely identified with conservation and public power, Barrow Lyons also worked without fanfare for election reform, for aid to small business, for decent unionism. He never made a nickel out of his services; he never sought remuneration. He was sophisticated, but in 69 years he never grew cynical.

Beyond this, Barrow Lyons never grew inconsiderate of human beings because of a preoccupation with humanity. His generosity of spirit, his twinkling humor, his thoughtfulness, and his literal love for his fellow men affected—and bettered—all those who knew him. More than anything else, this is the birthright he leaves to tomorrow.

SENATE

MONDAY, APRIL 20, 1959

(Legislative day of Wednesday, April 15, 1959)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Thy voice, O God, is calling
Its summons unto men;
As once Thou spake in Zion,
So now it speaks again.

To this anguished generation we hear Thy voice saying in all the woe of Thy world—

I hear My people crying
In cot and mine and slum;
No field or mart is silent,
No city street is dumb.

I see My people falling
In darkness and despair.
Whom shall I send to shatter
The fetters which they bear?

We heed, O Lord, Thy summons,
And answer: Here are we.
Send us upon Thine errand,
Let us Thy servants be.

Our strength is dust and ashes,
Our years a passing hour;
But Thou canst use our weakness
To magnify Thy power.

From ease and plenty save us;
From pride of place absolve;
Purge us of low desire;
Lift us to high resolve.

Take us, and make us holy;
Teach us Thy will and way.
Speak, and, behold: we answer;
Command, and we obey.

And Thine shall be the kingdom, and the power and the glory. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Friday, April 17, 1959, was dispensed with.

REPORT OF COMMITTEE ON APPROPRIATIONS SUBMITTED DURING RECESS

Pursuant to the order of the Senate of April 17, 1959,

Mr. HAYDEN, from the Committee on Appropriations, reported favorably, with amendments, on April 18, 1959, the bill (H.R. 5916) making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes, and submitted a report (No. 207) thereon.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Subcommittee on the Judiciary of the Committee on the District of Columbia was authorized to meet during the session of the Senate today.

TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that there be the usual morning hour for the transaction of routine business, with statements limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to consider executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The VICE PRESIDENT. If there be no reports of committees, the nominations on the calendar will be stated.

U.S. COAST GUARD

The Chief Clerk proceeded to read sundry nominations in the U.S. Coast Guard.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Coast Guard nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the Coast Guard nominations will be considered en bloc; and, without objection, they are approved.

COAST AND GEODETIC SURVEY

The Chief Clerk proceeded to read sundry nominations in the Coast and Geodetic Survey.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of all these nominations.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT ON LIQUIDATION OPERATIONS, BUSINESS AND DISASTER LOANS OF RECONSTRUCTION FINANCE CORPORATION

A letter from the Administrator, Small Business Administration, Washington, D.C., transmitting, pursuant to law, a report on liquidation operations, business and disaster loans of the Reconstruction Finance Corporation, for the quarterly period ended December 31, 1958 (with an accompanying report); to the Committee on Banking and Currency.

PROJECT PROPOSAL UNDER SMALL RECLAMATION PROJECTS ACT OF 1956

A letter from the Assistant Secretary of the Interior, reporting, pursuant to law, that the Haights Creek Irrigation Co., of Kaysville, Utah, had applied for a loan of $214,000 for project works estimated to cost $228,000; to the Committee on Interior and Insular Affairs.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law pertaining to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the House of Representatives of the State of Missouri; to the Committee on Finance:

"HOUSE RESOLUTION 138

"Resolution memorializing the Congress of the United States to establish a sliding scale tariff on lead imports for the purpose of combating excessive foreign imports on the market

"Whereas the excess of foreign imports flooding the lead market has driven prices down and reduced the demand for domestically produced lead; and

"Whereas the lead industry, as a result, is in severe financial difficulties which will necessitate curtailment of operations unless the Government provides some effective aid; and

"Whereas, one company has been forced to borrow $20 million to carry its inventories and to help develop lower cost sources of lead and as of February has gone on a 4-day week in the six southeast Missouri counties where the company operates; and

"Whereas, the quotas which were imposed on lead imports have been ineffective to control the situation and contain loopholes which are being exploited to the detriment of the domestic industry: Now, therefore, be it

"*Resolved*, That the Missouri House of Representatives in its 70th General Assembly request of the Congress of the United States that it enact legislation establishing a sliding scale tariff on lead imports; and be it further

"*Resolved,* That the clerk of the house be instructed to send copies of this memorial to the President of the U.S. Senate, to the Speaker of the U.S. House of Representatives, and to the Missouri Members of the House and Senate."

A concurrent resolution of the Legislature of the State of New Hampshire; to the Committee on the Judiciary:

"CONCURRENT RESOLUTION MEMORIALIZING CONGRESS TO CALL A CONVENTION TO PROPOSE A CONSTITUTIONAL AMENDMENT TO PROHIBIT THE STATES FROM LEVYING TAXES UPON THE INCOMES OF NONRESIDENTS

"Whereas, several States levy an income tax at the source which is enforced against the incomes of nonresidents derived from employment in said States; and

"Whereas residents of other States are employed in States having such taxes and are being subjected to such tax; and

"Whereas it is highly unjust, inequitable, and discriminatory that such nonresidents be compelled to contribute through said tax to the support of the government of States in which they have no voice, and from which they receive little benefit, the same being a clear case of taxation without representation and contrary to all the principles upon which the American system of government is founded: Now, therefore, be it

"*Resolved by the senate with the house of representatives concurring,* That the General Court of the State of New Hampshire, being the legislature of said State, hereby makes application that the Congress, acting in conformity with article V of the Constitution of the United States, call a convention for proposing amendments to said Constitution; and particularly for proposing an amendment in substantially the following form:

" 'No State shall make or enforce any law to lay or collect any tax on the income derived from wages, salaries, professional fees, and other amounts received as compensation for personal services actually rendered, of any natural person who is not a resident of that State;' further

"*Resolved,* That the secretary of state transmit a copy of this concurrent resolution to the President of the Senate and to the Speaker of the House of Representatives of the Congress of the United States and two copies to the secretary of state of each State of the Union with a request that he lay one of such copies before each branch of the legislature of his State, and that he further transmit copies hereof to the members of the New Hampshire delegation in Congress.

"STEWART LAMPREY,
"*Speaker of the House of Representatives.*
"NORMAN G. PACKARD,
"*President of the Senate.*
"WESLEY LOWELL,
"*Governor.*

"April 8, 1959.
"Attest:
"HARRY E. JACKSON,
"*Secretary of State.*"

JOHN FOSTER DULLES—CONCURRENT RESOLUTION OF NEW YORK LEGISLATURE

Mr. KEATING. Mr. President, the Legislature of the State of New York recently adopted a concurrent resolution expressing the gratitude of the people of the State of New York to the Honorable John Foster Dulles.

Because this concurrent resolution expresses so well many of the feelings with respect to Mr. Dulles that are in the hearts of all Americans, I ask unanimous consent that the concurrent resolution be published in the RECORD, and appropriately referred.

There being no objection, the concurrent resolution was referred to the Committee on Foreign Relations, and, under the rule, ordered to be printed in the RECORD, as follows:

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY EXPRESSING THE GRATITUDE OF THE PEOPLE OF THE STATE OF NEW YORK TO JOHN FOSTER DULLES

Whereas the Honorable John Foster Dulles, the Secretary of State of the United States of America, has dedicated and devoted the extraordinary span of his great career of public service to the quest for peace and freedom; and

Whereas his distinguished service in the area of foreign affairs and international diplomacy has benefited and will continue to benefit not only the people of the United States of America but all of mankind and humanity; and

Whereas his determination and zeal in attaining the goal of enduring peace, with honor and justice, first found official expression and recognition when he participated in the Hague Peace Conference in 1907, the first great 20th century conference designed to substitute reason for violence as the arbiter of international differences; and

Whereas he was an adviser to the American delegation at the Versailles Peace Conference in 1919, which gave creation to President Wilson's magnificent concept of an international association of the world's nations, to act in concert in abandoning war as an instrument of resolving disputes between nations; and

Whereas working with the Secretary of State, Cordell Hull, he symbolized the determination of the people of the United States for a bipartisan foreign policy during World War II and later during the critical early years of the cold war; and

Whereas by appointment of President Truman, he was a member of the U.S. delegation at San Francisco in 1945, when most of the governments of the world again created an international organization to enforce and preserve peace; and he represented the United States in the United Nations' General Assembly for several years, and was acting chairman of the U.S. delegation at the General Assembly at Paris in 1948; and

Whereas he served as an advisor to the Secretary of State of the United States at crucial meetings of the major powers' foreign ministers, at London in 1945 and 1947, at Moscow in 1947 and at Paris in 1949; and

Whereas in 1951 he negotiated the peace treaty with the Empire of Japan, an historic agreement under which the peoples of the western free world live in peaceful understanding and amicable relations with a former enemy people who are now staunch allies on the side against evil and darkness; and

Whereas his long service enabled him to bring a valuable continuity to the Office of Secretary of State when President Eisenhower entrusted to him the grave responsibility of conducting our Nation's foreign policy—a responsibility second only to the President's in assuring the survival of freedom; and

Whereas as Secretary of State, he has made lasting contributions to the cause of peace with honor and justice, by policies firm in fundamentals but flexible in execution, enabling our Nation to exert a decisive and timely positive influence in international affairs; and

Whereas as Secretary of State, he has been instrumental in the development of policy and formulation of action which ended fighting in Korea; enabled our country to effect termination of hostilities in Indo-China, without military involvement; forestalled a Communist invasion across the Formosa Strait; and, by resolute and courageous decision in answer to an appeal by the Government of Lebanon, prevented the Mideast from becoming a Communist crossroads; and

Whereas by his personal dedication, devotion and integrity, and his unflagging zeal and vigor in carrying on this career-long mission for peace, he has kindled in all Americans a deeper understanding and appreciation of their country's responsibility and role in preserving and safeguarding peace, freedom, and justice throughout the world; and

Whereas no American in this century has served our country so long and so effectively, in this crucial area in which war and peace are suspended in balance, or has given his high office such dimensions in distinction; and

Whereas John Foster Dulles is an illustrious son of the State of New York, which he ably represented in the Senate of the United States: Now, therefore, be it

Resolved (if the senate, assembly, concur), That the Legislature of the State of New York express to John Foster Dulles, on behalf of the people of the State of New York, deep gratitude for his statesmanship and contributions to the cause of peace and honor and prayerful wishes for a complete recovery of his health and an early return to active service in the cause to which he has dedicated his life; and be it further

Resolved (if the senate, assembly, concur), that a copy of this resolution be forwarded to the Honorable John Foster Dulles at Washington, D.C.

MULTIPLE TAXATION—RESOLUTION OF CHELSEA, MASS., CHAMBER OF COMMERCE

Mr. SALTONSTALL. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution for the purpose of calling the attention of Senators and the country to a problem caused by the recent Supreme Court decisions permitting State taxation of the net income of businesses engaged in interstate commerce. These cases were *Northwestern States Portland Cement Company* v. *State of Minnesota,* No. 12, October term, 1958, and *T. V. Williams, State Revenue Commissioner* v. *Stockham Valves and Fittings, Inc.,* No. 33, October term, 1958, both decided February 24, 1959.

The possibility of multiple taxation and the increased complexities of collection are alarming the business community, particularly small business concerns. Their apprehension is well expressed in a resolution just forwarded to me by H. M. Davis on behalf of the board of directors of the Chelsea, Mass., Chamber of Commerce. They have done a great service by calling our attention to this problem.

The Senate Committee on Small Business is studying this question and its first public hearing has been held. It is my hope that the Committee will be able to make recommendations which will encourage small business, strengthen our economy and protect interstate commerce from an unfair burden of taxation.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION OF BOARD OF DIRECTORS, CHELSEA (MASS.) CHAMBER OF COMMERCE

Whereas the Supreme Court of the United States has recently ruled that corporations doing business in interstate commerce are subject to income tax in the various States to which they ship merchandise.

Therefore, the board of directors of the Chelsea Chamber of Commerce, believing that the cost of complying with this law will prove to be excessive and burdensome; that, in many cases, particularly with small manufacturers, these costs will be greater than the taxes involved; that because each State will have its own rate and governing rules, an individual study of the law of each State will be required, entailing excessive labor and expense, has passed the following resolution: Be it

Resolved by the board of directors of the Chelsea Chamber of Commerce, in meeting assembled on March 18, That this ruling creates an excessive burden and expense on interstate commerce; and be it further

Resolved, That a copy of this resolution be sent to the press, the Chamber of Commerce of the United States and to our Senators and Representatives in Congress.

AIRLINE SERVICE IN KANSAS—RESOLUTION OF MAYORS' COMMITTEE OF KANSAS

Mr. SCHOEPPEL. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted by the mayors' committee of the State of Kansas requesting appropriate action in expediting the final decision in the Kansas-Oklahoma Local Service Case, docket No. 5482 and others. The docket referred to pertains to expanded airline service in Kansas. The lack of airline service there has been a detriment to more than half the communities in my State.

The resolution to which I refer is signed by mayors or representatives of Great Bend, Parsons, Salina, Pittsburg, Hays, Independence, Emporia, Goodland, Manhattan, Kansas City, Junction City, Topeka, Concordia, Oberlin, Hill City, Beloit, and 12 municipalities grouped together as joint cities of western Kansas and eastern Colorado.

This resolution was adopted April 15, 1959, the same date on which I telegraphed Ross Beach, president of the Kansas State Chamber of Commerce, suggesting that he and the mayors of Kansas could be of tremendous help in crystallizing and focusing attention on the State's need for improved air service. The following day I received a telegram advising me of the group's protest against any further delay or continuance in the case of docket No. 5482. Today I received a copy of the resolution.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION RELATING TO AIR SERVICE IN KANSAS

Whereas air service to cities in Kansas has deteriorated in recent years with terminations of service by trunkline carriers to the point that we now have but one certificated trunkline stop in the State of Kansas; and

Whereas Kansas now shows on the map as a virtual blank as far as certificated local carrier air service is concerned; and

Whereas the proceeding known as the Kansas-Oklahoma Local Service Case, docket No. 5482 et al., was instituted over a year ago; hearings therein began on July 15, 1958, but were not concluded until January 8, 1959; and the filing date for briefs to the examiner has been extended repeatedly to May 1, 1959, with a further application for extension pending; and

Whereas in the meantime applications for temporary exemptions to permit interim service have been denied; and

Whereas this lack of acceptable airline service is greatly damaging to our local economies and is thus detrimental to the economy of the entire State: Now, therefore, be it

Resolved by the Mayors' Committee of the State of Kansas, assembled in Salina, Kans., on April 15, 1959, That the Civil Aeronautics Board be urged to expedite the proceeding known as the Kansas-Oklahoma Local Service Case, docket No. 5482 et al., and arrive at an early decision approving service to the cities in Kansas and Oklahoma; and be it further

Resolved, That the mayors' committee of the State of Kansas on behalf of the undersigned representatives of 28 cities and Chambers of commerce, representing all 6 congressional districts be instructed to forward a copy of this resolution to each member of the Civil Aeronautics Board, to the hearing examiner and bureau counsel and to all Kansas, Oklahoma, Nebraska, Colorado, and Missouri Senators and Representatives in Congress; to the Governor of the State of Kansas and the Governor of the State of Oklahoma; to the Kansas State Chamber of Commerce and the Kansas Industrial Development Commission, together with a request that each such official or agency take appropriate action in order to expedite the final decision in the Kansas-Oklahoma Service Case.

Adopted this 15th day of April 1959.

R. E. Morrison, Great Bend, Kans.; H. Jaeger, Salina, Kans.; Merle O'Loughlin, Hays, Kans.; H. E. Hamlin, Emporia, Kans.; Myron Rooks, Manhattan, Kans.; Robert K. Weary, Junction City, Kans.; Kenen Charles, Parsons, Kans.; James A. Sevelli, Pittsburg, Kans.; R. P. Johnson, Independence, Kans.; Selby Howard, Goodland, Kans.; Charles F. Arnold, Kansas City, Kans.; Lawrence. R Finch, Topeka, Kans., Chairman Aviation Commission of Topeka, Kans.

Joint cities of western Kansas and eastern Colorado; Hill City, Kans., Norton, Kans., Oberlin, Kans., Atwood, Kans., Phillipsburg, Kans., Smith Center, Kans., Mankato, Kans., Beloit, Kans., Concordia, Kans., Clay Center, Kans., Russell, Kans., Pratt, Kans., Burlington, Colo., Yuma, Colo., Fort Morgan, Colo., McCook, Nebr.

MARIE ENGLEMAN,
Chairman.
WAYNE I. MORAN,
Beloit, Kans.
DONALD J. FRECLUCHON,
Oberlin.
DEAN W. LARSON,
Concordia.
RALPH C. BETHELL,
Mayor, Hill City.

RESOLUTIONS OF ORGANIZATIONS OF STATE OF NEW YORK

Mr. JAVITS. Mr. President, I present, for appropriate reference, sundry resolutions adopted by organizations of the State of New York. I ask unanimous consent that the resolutions be printed in the RECORD.

There being no objection, the resolutions were received, appropriately referred, and ordered to be printed in the RECORD, as follows:

To the Committee on Appropriations:

"RESOLUTION BY SPECIAL COMMITTEE ON TAXES AND GOVERNMENTAL ECONOMY

"Whereas drastic reduction in the expenditures of the agencies of the Federal Government is the principal means whereby inflation can be curbed; and

"Whereas expenditures for domestic programs, meritorious though they may be, must, in good judgment, be limited if the United States of America must continue its vast expenditures for defense purposes and economic and military aid to allied and neutral countries throughout the world: Be it

"*Resolved,* That the New York Board of Trade call upon its representatives in the Congress to vote in opposition to any measures which would extend Federal expenditures beyond the limits imposed by the budget submitted to the Congress by the President.

"Adopted by the board of directors of the New York Board of Trade, Inc., meeting in session regularly assembled on this 7th day of April 1959."

To the Committee on Foreign Relations:

"Assembled on the 5th day of April 1959 at the Polish National Home in Manhattan, N. Y., the delegates of the 15th annual meeting of downstate New York division of the Polish American Congress, representing over 600,000 American citizens of Polish lineage, resolve the following:

"1. We hail with extreme pleasure the statement contained in President Eisenhower's declaration announced yesterday in historical Gettysburg, to the effect that there will be no so-called appeasement or capitulation to totalitarian communism in connection with the prevailing world situation and the critical issue of Berlin.

"2. We voice the gratification of Americans of Polish descent from downstate New York and welcome the stand adopted by the Department of State with regard to recognition of the Polish western frontier along the Oder and Neisse Rivers. We are happy to note that a similar and absolutely positive attitude to the same problem was expressed by the French President de Gaulle. We consequently endorse the decisions of the national executive body of the Polish American Congress who had submitted our joint demands in a memorandum to the Assistant Secretary of State Kohler and to Senator FULBRIGHT, chairman of the Senate Foreign Relations Committee, on March 16, 1959. We are pleased to acknowledge that the many years' efforts and manifestations on the part of Americans of Polish descent affiliated with the Polish American Congress, who strove for recognition by the United States of the above-mentioned frontier are finally bearing fruit.

"3. We also fully endorse the request of the national Polish American Congress calling for adequate economic aid to the people of Poland by the United States. In particular, we join the declaration made by the national Polish American Congress which was unanimously approved at their meeting in Washington on March 17, 1959, and called for 'such an economic aid to Poland by the United States as would relieve the plight of the people of Poland and would enable them to at least partially improve their economic situation.'

"4. We call upon our members and on all Americans of Polish extraction to follow a straightforward course on the problem of aid to Poland and consequently urge them to continue sending individual relief parcels to

their nearest in Poland. This becomes imperative in the face of the recent decision by the American Relief for Poland organization and the latter's inability to carry on individual aid to the Poles in their native land. Individual relief should be continued until the situation of our countrymen in Poland is improved.

"5. Like the national Polish American Congress, we express our appreciation to the Polish American Immigration and Relief Committee, Inc., for its appropriate and, what is most important, its effective protection of Polish escapees against the arbitrary verdicts of deportation from the United States to Poland. Like the national Polish American Congress, we take this opportunity to pledge full support to the Polish American Immigration and Relief Committee, Inc., and we appeal to the large masses of Americans of Polish descent to lend full assistance to that institution which takes care of the Polish refugees and escapees and which deserves to be upheld.

"6. We reiterate the ideological principles professed by the Polish American Congress since its foundation 15 years ago in Buffalo. In particular, we call attention to the fact that apart from the subject of recognition of the Polish western frontier along the Oder and Neisse Rivers by the United States and the Western Powers, there remains the unfilled prerequisite of withdrawal of Soviet troops to prewar boundaries as of September 1, 1939, and restoration to Poland of her eastern lands robbed by Soviet Russia. There is also the unimplemented provision calling for free unfettered elections to be held in all the central and eastern European countries enslaved by Moscow, and finally nonadmission of the present arrangement as being permanent in said countries, briefly—opposition to the stabilization of their present status quo spelling slavery.

"7. We assert jointly with all the Polish independence movement and the well-informed part of the American public that the Communist Party in Poland and the Warsaw regime established by them, in spite of its name of "People's Democracy" is neither a democracy nor does it represent the Polish people. Furthermore, we declare that in spite of the milder course adopted by the present regime in Poland as compared to the ruthless ruling methods of its predecessors during the Stalin era, it is still alien to the Polish people by its nature and its spirit. Hence, taking in consideration the existing state of affairs and with full understanding of the problem involved, we pay high tribute to the people of Poland who are forced to live under a foreign system imposed upon them, while they display a splendid spirit of unshakable loyalty to their true ideals.

"8. We express our firm belief that a stepped-up activity on the part of all individual members of the Polish American Congress toward a realization of our goals specified above, will strengthen our internal unity and resistance to the attempts of our totalitarian enemies in their endeavor to penetrate our ranks by means of the well-known method of infiltration, so as to undermine our peaceful existence. Our assembly feels that such an intensified activity of the Polish American Congress will contribute to bolstering of the U.S. defense against Communist aggression and will also increase our share of contribution to our common American heritage.

"Resolution committee:

"IGNATIUS MORAWSKI,
"Chairman.
"Dr. LEOPOLD OBIEREK,
"JAN TRZASKA,
"Members.

"Convention officers:

"JUDGE WALTER J. BAYER,
"Chairman.
"WLADYSLAW BORZECKI,
"Secretary."

"WORLD COURT RESOLUTION

"Whereas a determined effort is being made to induce the Senate of the United States to expand the powers of the World Court by vesting in the World Court the authority to decide what American cases before it constitute international disputes subject to the World Court jurisdiction and which cases are domestic in nature to be left for American courts; and

"Whereas the retention of the power to determine such vital questions by the American Government was a specific condition imposed by the Senate in accepting the jurisdiction of the World Court in purely international disputes; and

"Whereas the removal of such conditions by the Senate would seriously impair the sovereignty of the United States and vest in an essentially foreign tribunal a potential power over purely domestic matters involving the basic rights of American citizens should such foreign court so determine; and

"Whereas the recent decisions of the Supreme Court of the United States which is composed entirely of American citizens have been seriously attacked by American jurists of the highest stature as improper exercise of judicial power under the American Constitution indicating the tremendous possibilities of the invasion of the rights of American citizens through an excessive exercise of power by the World Court; and

"Whereas such impairment of American sovereignty can well serve as a stepping stone to complete world government by those groups endeavoring to propel the American Nation into such alien control: Now, therefore, be it

"Resolved, That the legislative committee of the Republican Committee of One Hundred hereby requests the Senate of the United States to reject emphatically all efforts aimed at impairing the sovereignty of the United States through abandoning the present power of the American Government to limit the jurisdiction of the World Court to purely international affairs.

"ELIZABETH S. COWLES,
"Legislative Chairman."

The Committee on Interstate and Foreign Commerce:

"RESOLUTION 37-D

"Whereas an agency of our Federal Government has recently awarded a contract for a large steam turbine generator to a foreign firm; and

"Whereas many of the employees of the Schenectady plant of the General Electric Co. are residents of Rensselaer County; and

"Whereas the economy of the county and of all other areas adjacent to Schenectady have been adversely affected by the aforesaid award, and would be adversely affected by any future awards of this nature; and

"Whereas the defense effort and capability of our country will be deterred by any future awards of this nature: Therefore be it

"Resolved, That it is the opinion of the Rensselaer County Board of Supervisors that appropriate legislation be adopted whereby agencies of our Federal Government would be required to confine the award of contracts to domestic firms when such action will be to the best interests of the economy and defense of our country, and be it further

"Resolved, That the clerk of the board of supervisors be and he is hereby directed to forward copies of this resolution to Hon. Dwight D. Eisenhower, President of the United States; Senator Jacob Javits, Senator Kenneth Keating, Congressman Dean P. Taylor, and Congressman Leo O'Brien."

To the Committee on Public Works:

"RESOLUTION 59: CONTINUATION OF FEDERAL PROJECTS URGED

"Whereas our future economic development and growth within the State and Nation depend in large measure on the continuous modernization and improvement of our connecting highway systems; and

"Whereas it now appears that a deficit of approximately $241 million looms in the Federal highway trust fund, beginning July 1, 1959: Now, therefore, be it

"Resolved, That Congress be memorialized to face this critical financial situation affecting our Federal and interstate highway programs and take such action as to provide for a continuation of progress already made in this field, as well as to stimulate the economy in various economically depressed areas; and be it further

"Resolved, That copies of this resolution be transmitted to our representatives in Congress."

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

H.R. 1411. An act for the relief of T. V. Cashen (Rept. No. 208);

H.R. 2099. An act to provide for a posthumous cash award in recognition of the scientific contributions in the field of electronic ordnance made by the late Paul M. Tedder (Rept. No. 209);

H.R. 2975. An act to validate payments of certain quarters allowances made in good faith, and pursuant to agreements by authorized officials, to employees of the Department of the Navy, but which were subsequently determined to be inconsistent with applicable regulations (Rept. No. 210);

H.R. 4121. An act for the relief of certain members of the Armed Forces of the United States, or their survivors, who were captured and held as prisoners of war in the Korean hostilities (Rept. No. 211); and

H.R. 4615. An act to relieve certain members and former members of the naval service of liability to reimburse the United States for the value of transportation requests erroneously furnished to them by the United States and for other purposes (Rept. No. 212).

By Mr. STENNIS, from the Committee on Aeronautical and Space Sciences, without amendment:

H.R. 4913. An act to amend the National Aeronautics and Space Act of 1958 to authorize the National Aeronautics and Space Administration to lease buildings in the District of Columbia for its use (Rept. No. 213).

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. JOHNSTON of South Carolina, from the Joint Select Committee on the Disposition of Papers in the Executive Department, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States that appeared to have no permanent value or historical interest, submitted a report thereon, pursuant to law.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McGEE:

S. 1729. A bill to provide for the establishment of a national cemetery in the State of Wyoming; to the Committee on Interior and Insular Affairs.

S. 1730. A bill for the relief of the estate of George E. Williams; to the Committee on the Judiciary.

By Mr. BEALL:

S. 1731. A bill for the relief of Pacifico A. Tenorio; to the Committee on the Judiciary.

By Mr. ALLOTT (for himself and Mr. CARROLL):

S. 1732. A bill to approve a contract with the Conejos Water Conservancy District, Colo., to ratify its execution and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MAGNUSON (by request):

S. 1733. A bill to amend subsection (b) of section 309 of the Communications Act of 1934, as amended;

S. 1734. A bill to amend section 409(c) of the Communications Act of 1934, as amended, with respect to presentations in any case of adjudication which has been designated for a hearing by the Federal Communications Commission;

S. 1735. A bill to repeal the honorarium provision in subsection (b) of section 4 of the Communications Act of 1934, as amended;

S. 1736. A bill to amend the Communications Act of 1934, as amended, by eliminating the requirement of an oath or affirmation on certain documents filed with the Federal Communications Commission;

S. 1737. A bill to authorize the imposition of forfeitures for certain violations of the rules and regulations of the Federal Communications Commission in the common carrier and safety and special fields;

S. 1738. A bill to amend section 5(c) of the Communications Act of 1934, as amended, to redefine the duties and functions of the review staff;

S. 1739. A bill to amend the Communications Act of 1934 in order to authorize the licensing of certain rebroadcasting stations constructed without a permit under such act;

S. 1740. A bill to amend section 202(b) of the Communications Act of 1934 in order to expand the Federal Communications Commission's regulatory authority under such section;

S. 1741. A bill to amend the Communications Act of 1934 with respect to the requirements for operating transmitting apparatus; and

S. 1742. A bill to amend the Federal Trade Commission Act so as to prohibit certain practices in commerce by any manufacturer or producer who distributes his product in commerce through his own retail outlets, direct to consumers and also through other retail outlets; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bills, which appear under separate headings.)

By Mr. JAVITS (for himself, Mr. COOPER, and Mr. MURRAY):

S. 1743. A bill to promote an increasing flow of private capital from the United States into economically sound enterprises in other areas of the world, to enlist an ever-increasing number of individual private investors in this undertaking, to promote world peace through the expansion of mutual economic interests, to reduce gradually the need for U.S. foreign public investments and grants, to establish a World Development Corporation, and for other related purposes; to the Committee on Banking and Currency.

(See the remarks of Mr. JAVITS when he introduced the above bill, which appear under a separate heading.)

By Mr. CASE of New Jersey:

S.J. Res. 91. Joint resolution designating the 7-day period beginning on the third Monday in October of each year as Patriotic Education Week; to the Committee on the Judiciary.

(See the remarks of Mr. CASE of New Jersey when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. ENGLE:

S.J. Res. 92. Joint resolution to amend section 84(a)(2) of title 28 of the United States Code; to the Committee on the Judiciary.

CONCURRENT RESOLUTION

Mr. McGEE (for himself and Senators MANSFIELD, MOSS, HARTKE, MAGNUSON, CLARK, DOUGLAS, GRUENING, HART, JAVITS, KENNEDY, RANDOLPH, MURRAY, MCCARTHY, NEUBERGER, SPARKMAN, HUMPHREY, YARBOROUGH, WILEY, KEFAUVER, MORSE, HENNINGS, CARROLL, YOUNG of OHIO, JORDAN, CANNON, MCNAMARA, WILLIAMS of New Jersey, and CHAVEZ) submitted a concurrent resolution (S. Con. Res. 24) encouraging the development outside the continental United States of international educational programs, which was referred to the Committee on Foreign Relations.

(See the above concurrent resolution printed in full when submitted by Mr. McGEE, which appears under a separate heading.)

PROPOSED LEGISLATION TO AMEND COMMUNICATIONS ACT OF 1934

Mr. MAGNUSON. Mr. President, by request of the Federal Communications Commission, I introduce, for appropriate reference, a series of nine bills to amend the Communications Act of 1934. I ask unanimous consent that the letters and explanations accompanying these bills may be printed in the RECORD.

The VICE PRESIDENT. The bills will be received and appropriately referred; and, without objection, the explanation or letter accompanying each bill, will be printed in the RECORD.

The bills, introduced by Mr. MAGNUSON, by request, were received, read twice by their titles, and referred to the Committee on Interstate and Foreign Commerce, as follows:

S. 1733. A bill to amend subsection (b) of section 309 of the Communications Act of 1934, as amended.

(The explanation accompanying Senate bill 1733 is as follows:)

EXPLANATION OF FEDERAL COMMUNICATIONS COMMISSION WITH RESPECT TO ITS SUGGESTED AMENDMENT TO SECTION 309(B) OF THE COMMUNICATIONS ACT OF 1934, AS AMENDED (47 U.S.C. 309(B))

Section 309(b) of the Communications Act of 1934, as amended (47 U.S.C. 309(b)), requires in part that, before any application for a radio authorization is designated for a hearing, the Federal Communications Commission shall notify the applicant and other known parties in interest of the grounds and reasons why the Commission is unable to make the finding specified in subsection (a) of section 309 that the public interest, convenience, and necessity would be served by the grant of the application. Such notice must also advise the applicant and known parties in interest of all objections made to the application as well as the source and nature of the objections. The purpose of the notice is to afford the applicant an opportunity to correct deficiencies in his application and thus avoid the necessity for a hearing. Rarely does the response to the section 309(b) notice obviate the necessity for a hearing, and, in view of the impact of the notice requirement upon the processing of applications, the Commission urges that the requirement for a prehearing notice be eliminated entirely.

As a result of the 309(b) notice requirement, each application which cannot be granted without hearing is processed at least twice: once completely in connection with the preparation of the 309(b) notice, and again at least in part when a reply is received from the applicant. The extent of the second processing will vary dependent upon the number of deficiencies cited in the notice and the nature of the amendments filed in response. The filing of a conflicting application between the time of issuing the section 309(b) notice and the reprocessing requires another 309(b) notice and an additional processing of the old application. A second 309(b) notice is also required if the reply or amendment induced by the first notice raises a new question. Thus, the requirement for a 309(b) notice, even if there are no further complications that require a second notice, adds at least 2 months to the time for processing an application, including the time spent in the preparation of the notice, the time for reply, the lag before the application is reached for reprocessing, and the actual reprocessing. If complications result from this delay, the processing time for the application is increased still more. In some cases as much as a year has elapsed between the issuance of the first 309(b) notice and the issuance of the hearing order. Indeed, the 309(b) notice requirement has been the largest single contributing factor in the buildup of the huge backlog of standard broadcast applications.

In many cases the only reason why an application cannot be granted without hearing is because a mutually exclusive application is pending. In many other cases the only reason is interference with an existing station or stations. In such cases, and in fact in most all cases, the applicant knows, or should know, the nature of the objections to his application, so that a 309(b) notice serves no useful purpose. Inasmuch as section 309(b) notices are now required in more than 80 percent of the standard broadcast applications, the impact upon the Commission's workload is apparent.

Thus, the Commission's proposed amendment eliminates the requirement in the statute for a prehearing notice to the applicant and known parties in interest before an application is designated for hearing but retains the present provisions of the statute that the hearing issues must be stated with particularity. Inasmuch as under the Commission's procedures an applicant may amend his application after designation for hearing and petition for reconsideration and grant without hearing, the deletion of the requirement of a prehearing notice would have little impact in those few cases where the reply to a prehearing notice would obviate the necessity for a hearing.

S. 1734. A bill to amend section 409(c) of the Communications Act of 1934, as amended, with respect to presentations in any case of adjudication which has been designated for a hearing by the Federal Communications Commission.

(The letter accompanying Senate bill 1734 is as follows:)

FEDERAL COMMUNICATIONS COMMISSION,
Washington, D.C., March 19, 1959.

THE VICE PRESIDENT,
U.S. Senate
Washington, D.C.

DEAR MR. VICE PRESIDENT: The Commission has adopted as a part of its legislative program for the 86th Congress a proposal to amend section 409(c)(2) of the Communications Act of 1934, as amended (47 U.S.C. 409(c)(2) to prohibit any person (except to the extent required for the disposition of ex parte matters as authorized by law), directly or indirectly, from making a presentation to the commissioners unless upon

notice and opportunity for all parties to participate.

Accordingly, there are enclosed six copies of our draft bill on this subject and six copies of an explanatory statement with reference thereto.

The consideration by the Senate of the proposed amendment to the Communications Act of 1934 would be greatly appreciated. The Commission would be most happy to furnish any additional information that may be desired by the Senate or by the committee to which this proposal is referred.

We have been advised by the Bureau of the Budget that there is no objection to the presentation of the draft bill to the Congress for its consideration.

Sincerely yours,

JOHN C. DOERFER,
Chairman.

EXPLANATION OF PROPOSED AMENDMENT TO SECTION 409(c)(2) OF THE COMMUNICATIONS ACT OF 1934, AS AMENDED (47 U.S.C. 409(c)(2))

Under the provisions of paragraph (2) of subsection (c) of section 409 of the Communications Act of 1934, as amended (47 U.S.C. 409(c)(2)), in any case of adjudication which has been designated for a hearing by the Commission, no person who has participated in the presentation or preparation for presentation with respect to such case before an examiner or the Commission, and no member of the Office of the General Counsel, or the Office of the Chief Engineer, shall (except to the extent required for the disposition of ex parte matters as authorized by law) make any additional presentation therein unless upon notice and opportunity for all parties to participate.

The objective of the proposed amendment is to clarify the present section 409(c)(2) as it does not contain an explicit statutory prohibition against any other person, not identified as above, making a presentation to an examiner or a commissioner in such a case after it has been designated for a hearing; nor is there a specific statutory requirement that any such other person shall give notice of his presentation so as to afford an opportunity for all parties in the case to participate. The attached amendment is designed to correct these omissions in the statute.

The proposed amendment also provides that its terms shall not prevent consultations in such cases among the commissioners, their assistants, and the review staff.

S. 1735. A bill to repeal the honorarium provision in subsection (b) of section 4 of the Communications Act of 1934, as amended.

(The letter accompanying Senate bill 1735 is as follows:)

FEDERAL COMMUNICATIONS COMMISSION,
Washington, D.C., March 19, 1959.

THE VICE PRESIDENT,
U.S. Senate, Washington, D.C.

DEAR MR. VICE PRESIDENT: The Commission has adopted as a part of its legislative program for the 86th Congress a proposal to amend subsection (b) of section 4 of the Communications Act of 1934, as amended (47 U.S.C. 154(b)) to eliminate the provision under which a Commissioner may accept an honorarium for the presentation or delivery of publications or papers.

Accordingly, there are enclosed six copies of our draft bill on this subject and six copies of an explanatory statement with reference thereto.

The considerations by the Senate of the proposed amendment to the Communications Act of 1934 would be greatly appreciated. The Commission would be most happy to furnish any additional information that may be desired by the Senate or by the committee to which this proposal is referred.

We have been advised by the Bureau of the Budget that there is no objection to the presentation of the draft bill to the Congress for its consideration.

Sincerely yours,

JOHN C. DOERFER,
Chairman.

EXPLANATION OF PROPOSED AMENDMENT TO SUBSECTION (B) OF SECTION 4 OF THE COMMUNICATIONS ACT OF 1934, 47 UNITED STATES CODE 154(B), 86TH CONGRESS

The Communications Act Amendments, 1952, relaxed a prohibition against Commissioners engaging in any other business, vocation, profession, or employment by providing that this prohibition should not apply to the presentation or delivery of publications or papers for which a reasonable honorarium or compensation may be accepted. 47 U.S.C. 154(b)) The Commission feels that the reasons which led to the adoption of this exemption are outweighed by the ambiguities as to its extent and coverage, and it accordingly recommends its repeal.

S. 1736. A bill to amend the Communications Act of 1934, as amended, by eliminating the requirement of an oath or affirmation on certain documents filed with the Federal Communications Commission.

(The letter accompanying Senate bill 1736, is as follows:)

FEDERAL COMMUNICATIONS COMMISSION,
Washington, D.C., March 11, 1959.

THE VICE PRESIDENT,
U.S. Senate, Washington, D. C.

DEAR MR. VICE PRESIDENT: The Commission has adopted as a part of its legislative program for the 86th Congress a proposal to eliminate the requirement of an oath or affirmation on certain documents filed with the Commission as provided in sections 219, 308, and 319 of the Communications Act of 1934, as amended (47 U.S.C. 219, 308, and 319).

The Commission's draft bill to accomplish the foregoing objective was submitted to the Bureau of the Budget for its consideration. We have now been advised by that Bureau that there is no objection to the presentation of the draft bill to the Congress for its consideration.

Accordingly, there are enclosed six copies of our draft bill on this subject and six copies of an explanatory statement with reference thereto.

The consideration by the Senate of the proposed amendment to the Communications Act of 1934, would be greatly appreciated. The Commission would be most happy to furnish any additional information that may be desired by the Senate or by the committee to which this proposal is referred.

Sincerely yours,

JOHN C. DOERFER,
Chairman.

EXPLANATION OF PROPOSED AMENDMENTS TO THE COMMUNICATIONS ACT OF 1934, AS AMENDED, ELIMINATING THE REQUIREMENT OF AN OATH OR AFFIRMATION ON CERTAIN REPORTS AND APPLICATION FORMS SUBMITTED TO THE FEDERAL COMMUNICATIONS COMMISSION (47 U.S.C. 219, 308, AND 319)

The Federal Communications Commission recommends to the Congress the consideration of legislation to amend sections 219, 308, and 319 of the Communications Act of 1934, as amended, so as to eliminate the requirement of an oath or affirmation on certain reports and application forms submitted to the Commission pursuant to said sections. Affected would be annual and other reports of common carriers required under section 219, and applications for construction permits, station licenses, or modifications or renewals thereof under sections 308 and 319.

As a substitute for the oath or affirmation on Commission forms, where presently required, it is proposed to provide thereon a warning similar to the following:

"Willful false statements on this form can be punished by fine or imprisonment. United States Code, title 18, section 1001."

Such section provides that whoever makes any false or fraudulent statements or representations concerning any matter within the jurisdiction of any department or agency of the United States shall be punished by a fine of not more than $10,000 or imprisoned for not more than 5 years, or both. In addition, the Communications Act provides in section 312(a) that a station license or construction permit may be revoked for false statements knowingly made in an application or in any statement of fact which may be required under section 308.

The requirement of an oath or affirmation on certain reports and application forms submitted to the Commission imposed a burden on the public, and also on the Commission in those instances where the applicant omits the required oath or affirmation. In such cases the workload of the Commission is increased to the extent necessary to return reports or application forms for the required verification. This slows up the consideration by the Commission of the matters involved and the processing of applications. Inconvenience and delay to the public result.

The Commission feels, therefore, that the elimination of the oath or affirmation requirements would not adversely affect its interest in view of the aforementioned provisions of the United States Code and the Communications Act, and accordingly urges the enactment of the proposed legislation.

S. 1737. A bill to authorize the imposition of forfeitures for certain violations of the rules and regulations of the Federal Communications Commission in the common carrier and safety and special fields.

(The explanation accompanying Senate bill 1737 is as follows:)

EXPLANATION OF PROPOSED AMENDMENT TO TITLE V OF COMMUNICATIONS ACT OF 1934, AS AMENDED, TO AUTHORIZE THE FEDERAL COMMUNICATIONS COMMISSION TO IMPOSE FORFEITURES IN CASES OF VIOLATION OF CERTAIN RULES AND REGULATIONS BY RADIO STATIONS IN THE NONBROADCAST SERVICES

The attached legislative proposal amends title V of the Communications Act of 1934, as amended, by adding at the end thereof a new section 508. Its purpose is to grant to the Federal Communications Commission authority to impose monetary forfeitures for violations of certain of its rules and regulations relating to radio stations in the common carrier and safety and special fields. This proposal also provides for remission or mitigation by the Commission of such forfeitures by an appropriate amendment to section 504(b) of the Communications Act. (47 U.S.C. 504(b).)

The need for this legislation is emphasized by the rapid and phenomenal expansion in the nonbroadcast radio service since World War II due in large measure to the development of new equipment and the utilization of new portions of the frequency spectrum. Many small companies have been licensed to operate radio stations as specialized common carriers; a still greater expansion has taken place in what are known as the safety and special radio services where radio is employed for numerous diverse purposes by large groups of users such as the maritime and aviation interests, police and fire departments, electric and gas companies, forestry agencies, taxicab companies, highway, truck, and bus companies, etc.

As of September 30, 1958, the number of radio stations (computed on the basis of call letters assigned) in the safety and special radio services alone had risen to 457,124. This represents an increase of several hundred percent over the stations which had

been authorized in these services as of June 30, 1946.

In the number of small boats equipped for radiotelephone communications, there has been an increase of approximately 400 percent (from 18,140 to 70,911) for the period 1949 to 1959. One of the most serious enforcement problems confronting the Commission results from the chaotic conditions existing on the small boat radiotelephone frequencies between 2 and 3 megacycles. In areas where there are concentrations of these boats, the misuse of the distress frequency has prevented the transmission of emergency messages to the Coast Guard. Normal enforcement methods such as issuances of rule violation notices and suspension of operator licenses have only been partially successful. During the first quarter of the fiscal year 1959, a total of 558 small boat radio stations were inspected. There were 371 violation notices issued as the result of noncompliance with the Commission's regulations. In addition, 159, or 28 percent, were found to be operating without authority from the Commission. Since inspection of 558 vessels is a very limited sampling of 70,000 boats licensed by the Commission, it is evident that disregard for the Commission's regulations is widespread. These statistics emphasize the inadequacy of the Commission's available enforcement tools in coping with this situation.

One result of the extensive increase in licensed stations in recent years has been a marked increase in the number of violations of the Commission's technical rules and regulations. This is particularly true in some of the newer private services where radio is not the principal activity of the licensee but is utilized as an adjunct to his primary business activities, and the station operators are accordingly less concerned with the necessity for adhering to the technical rules governing the use of radio. Most of the offenses are, taken individually, of a comparatively minor nature. Collectively, however, because of their number and variety they represent a very real menace to the orderly use of the radio spectrum and to efficient regulation by the Commission. In addition, these violations result in a serious menace to life and property in those services, such as maritime and aviation, where radio serves as a vital and necessary safety device.

The Commission has found that its existing sanctions are inadequate to handle the situation which confronts it. These existing sanctions, such as criminal penalties, revocation of licenses, and issuance of cease and desist orders, are normally too drastic for the relatively minor types of offenses involved, and too cumbersome and time-consuming considering the multitude of violations that occur. In aggravated cases these more drastic sanctions are, of course, available for use. However, the Commission is reluctant in any event to take action which will result in depriving a licensee of radio when it is being used for safety purposes, such as on an aircraft or a ship.

Congress has recognized the need for this type of forfeiture authority and has given it to various Government agencies. Thus, Congress has made a broad provision for civil penalties for violations of the Civil Aeronautics Act and certain regulations issued under that act (49 U.S.C. 62). And see, also, title 8, United States Code, section 1321 et seq. (aliens and nationality); title 46, United States Code, section 526 (o) and (p) (motorboats); title 49, United States Code, section 181(b) (aircraft); title 49, United States Code, section 322(h) (motor carriers); and title 49, United States Code, section 621 (inland waterways and air carriers). Moreover, Congress has already given such authority to the Federal Communications Commission, with respect to common carriers under title II of the Communications Act of 1934, as amended, and also as to those ships which are required to carry radio equipment pursuant to the provisions of part II and part III of title III of that act. (47 U.S.C., 351–364 and 381–336.)

The proposal provides that forfeiture liability shall attach only for a willful, negligent, or repeated violation of the provisions enumerated in the new section 508 to be added to the Communications Act. It further fixes a maximum forfeiture liability of $100 for the violation of the provisions of any one paragraph of the proposed section 508 and an overall maximum liability of $500 for all violations of such section occurring within 90 days prior to the date a notice of apparent liability is sent. The Commission is required to give a notice of apparent liability to such person or send it to him by registered mail and to set forth therein facts which indicate apparent liability. The person so notified of apparent liability is given the right to show cause in writing why he should not be held liable and to request a personal interview with an official of the Commission at the field office of the Commission nearest to that person's place of residence.

Procedural safeguards are available to a person charged with forfeiture liability. Not only has he the right, under section 5(d) of the Communications Act (47 U.S.C. 155(d)) to request a review of Commission action taken, but by the extension to the new proposal of the remission and mitigation provisions of section 504(b) of the Communications Act (47 U.S.C. 504(b)) he is afforded a further opportunity to show cause why he should not be held liable. Should such person refuse to pay the amount of a forfeiture as finally determined, he could, by such refusal, cause the United States, if it so elects, to institute a civil suit against him, as provided in sec. 504(a) of the Communications Act (47 U.S.C. 504(a)) thereby further contesting the validity of the asserted forfeiture liability. Thus, adequate safeguards would be available for the protection of the legal rights of a person against whom a forfeiture liability is asserted.

S. 1738. A bill to amend section 5(c) of the Communications Act of 1934, as amended, to redefine the duties and functions of the review staff.

(The explanation accompanying Senate bill 1738 is as follows:)

EXPLANATION OF PROPOSED AMENDMENT TO SUBSECTION (c) OF SECTION 5 OF THE COMMUNICATIONS ACT OF 1934, AS AMENDED (47 U.S.C. 155(c)

The purpose of the proposed amendment to section 5(c) of the Communications Act is to afford the Commission greater discretion in the utilization of the review staff provided for by that section. This would be accomplished without allowing recommendations to be made concerning the final disposition of any adjudicatory proceeding, for final decisions in adjudicatory matters would continue to be prepared in accordance with the specific directions of the Commission. The suggested changes to 5(c) would be accomplished by deleting the fourth sentence of the present section and substituting the proposed new language.

The principal advantage of the amendment would be to expedite the disposition of adjudicatory cases by permitting the professional staff of opinions and review to assist the Commission more fully than at present on those matters which do not involve final disposition thus allowing the Commissioners to concentrate their attention on the important questions of policy, law, and fact coming before them. This would be accomplished by permitting the review staff to advise the Commission on the disposition of interlocutory matters and to prepare legal and factual analysis for the Commission's assistance in all adjudicatory matters. In connection with the changes affecting interlocutory questions, it is believed that the amendment would be administratively beneficial by contributing to the more expeditious handling of these matters.

STATEMENT OF COMMISSIONER ROBERT T. BARTLEY

In my opinion, the Commission's proposal to amend section 5(c) of the Communications Act of 1934 would still limit the assistance of the review staff to a far greater degree than is either necessary or desirable. It should be borne in mind that this staff has the sole function of assisting the Commission in adjudicatory cases and that it is directly responsible to the Commisisoners—it does not investigate, it does not prosecute. To deprive the Commission of the full assistance of which this staff is capable is both wasteful and inefficient. To permit this staff to assist the Commission fully in its decisional process would not in any way deprive any party to a case of any inherent right and could contribute to speedier action.

Therefore, I do not agree with the second sentence of the Commission's proposed bill.

STATEMENT OF COMMISSIONER FREDERICK W. FORD

I believe that section 5(c) is unduly restrictive, unnecessary, and should be repealed. Section 5(c) of the Administrative Procedure Act relating to the separation of functions of the staff, contains all of the safeguards required.

S. 1739. A bill to amend the Communications Act of 1934 in order to authorize the licensing of certain rebroadcasting stations constructed without a permit under such act.

(The letter accompanying Senate bill 1739 is as follows:)

FEDERAL COMMUNICATIONS COMMISSION,
Washington, D.C., April 13, 1959.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Interstate and Foreign Commerce, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: As you are aware, in numerous small communities and outlying areas beyond the direct range of television broadcast stations, television programs are made available to local residents by means of small low-powered repeaters. These devices, located at favorable reception points on hills or mountains, pick up television signals from distant stations, amplify them and retransmit them to nearby home receivers which are unable to obtain satisfactory direct reception.

Hitherto, the Commission, cognizant of certain potentials VHF repeaters have for interference to each other and for interference to other broadcast and nonbroadcast services, has confined the authorization of repeater devices to so-called translators operating in the UHF band. UHF translators offer several distinct advantages, both as to the limitation of interference and as to the range of useful service of good grade.

Prior to and during the pendency of lengthy proceedings devoted to a study of conditions under which it might be desirable to authorize repeaters in the VHF band, numerous VHF repeaters have been installed, without FCC authorization. The Commission has direct knowledge of over 300, and it has been estimated that the total number is substantially greater. In December 1958, the Commission announced the conclusion, to which it had come at that time, that the advantages of UHF translators so outweighed the considerations favoring the authorization of VHF repeaters, that it would be in the public interest to confine repeaters to the UHF band.

Since that time, however, the Commission has had the matter under continuing review, and has received additional field data which indicate that, under certain conditions, VHF

repeater operations may be conducted with less actual interference to other signals than had previously been calculated. Aware of the useful purpose served by these devices, and taking into account the investments made in those which have been installed, the Commission is now of the opinion that, if the Communications Act is appropriately amended, VHF repeaters could be licensed under conditions which will insure due protection to other users of the radio spectrum including aerial navigation services.

Under a longstanding construction by the Federal Communications Commission of section 319 of the Communications Act of 1934, as amended, which has been upheld by the United States Court of Appeals for the District of Columbia Circuit, the Commission is prohibited (with minor exceptions not relevant here) from authorizing the use of facilities for the broadcasting of signals by radio if such facilities were constructed prior to the grant of a construction permit therefor (WJIV, Inc., 231 F. 2d, 725; 97 U.S. Appeals D.C. 391).

Accordingly the Commission is separately recommending that section 319(d) of the Communications Act of 1934 be amended to permit the Commission to grant licenses to stations already constructed if they are engaged solely in rebroadcasting signals, if such stations were constructed on or before January 1, 1959, and if the Commission finds that the public interest, convenience, and necessity would be served thereby.

In addition the Commission is separately recommending the amendment of section 318 of the act to clarify the statutory requirements concerning the operation of equipment (operator requirements) used for the broadcasting of signals by radio, including television repeater equipment. The text of the proposed amendments and accompanying explanations are enclosed with this letter.

Our study of the interference problem posed by the use of repeaters in the VHF band indicates the potential of interference to the following services: to other VHF repeaters, to the reception of TV programs by regular television broadcast stations operating in the VHF band, to FM radio broadcast stations, and to nonbroadcast services, such as public safety (police and forestry) services using frequencies between television channels 4 and 5 and to the operation of the aerial navigation services employing radio fan markers on 75 megacycles, also between channels 4 and 5. Taking all of these considerations into account the Commission believes that the following minimum requirements should be imposed upon the operation of VHF repeaters:

(a) Transmission of the rebroadcast signals on a channel other than the channel on which the signal is received.

(b) Maximum power output limited to no more than 1 watt.

(c) Facilities for on and off remote control.

(d) The selection of transmitting frequency, appropriate minimum mileage separation from cochannel transmitters of regular television broadcast stations (still to be determined), and such other operating conditions as may be needed to insure reasonable protection to regular broadcast and nonbroadcast services.

VHF repeaters would, in addition, come within the provisions of section 325(a) of the Communications Act requiring the permission of the originating station for the rebroadcast of programs.

In order to afford ample opportunity for the modification of existing VHF repeaters which do not at present meet the foregoing requirements the Commission contemplates allowing a reasonable period—up to 1 year—to bring existing VHF repeaters into conformity with these requirements.

Exceptionally, however, the Commission feels that in order to minimize any possible hazard to aerial navigation it is desirable to take early steps toward the elimination of the operations on channels 4 and 5 of VHF repeaters or boosters which retransmit on the same channel as the incoming signal. The object would be to eliminate the possibility of such a VHF repeater receiving, amplifying, and transmitting signals of aerial fan markers operating on 75 megacycles, with the possible result that an aircraft pilot might be misled as to his true position. While the possibilities of this occurring appear relatively remote, and while it would require a combination of circumstances in addition to the retransmission of the fan marker signal to create a serious hazard, the Commission believes that the earliest possible elimination from channels 4 and 5 of VHF repeaters which transmit on the incoming frequency is highly desirable. Although our information is not complete, such data as are available indicate that probably fewer than 5 percent of all existing VHF repeaters would fall into this category.

If any additional comments or information are desired, would you kindly let us know?

By direction of the Commission.

JOHN C. DOERFER,
Chairman.

EXPLANATION OF PROPOSED AMENDMENT TO SECTION 319(D) OF THE COMMUNICATIONS ACT OF 1934 (47 U.S.C. 319(D))

The development of television service throughout the United States has been hampered by the fact that in general the signals travel in a line of sight pattern. As a result, in mountainous terrain there are some valleys where a signal is not obtainable by ordinary home equipment and some of the communities are too small to support their own station.

The Commission has been endeavoring to work out a satisfactory plan for authorizing service to these isolated areas. In the meantime some communities have devised their own systems. Under the Communications Act of 1934, however, the Commission is prohibited from issuing licenses for facilities if those facilities have been constructed before the Commission granted a construction permit (47 U.S.C. 319(d)).

In addition to the engineering problems involved as to just what system would probably be best and therefore appropriately authorized, there were considerable doubts as to the legal authority of the Commission over small local facilities relaying signals from larger stations. Concurrently with the litigation testing the Commission's legal authority, the Commission was making an effort to work out a satisfactory plan for service to these smaller communities. Under these circumstances the Commission feels that a fair amount of liberality is indicated in permitting the authorization now of facilities constructed when the ultimate jurisdiction of the Commission and the terms under which it might grant licenses were in a state of flux.

Accordingly the Commission recommends that section 319(d) of the Communications Act of 1934 be amended to permit the Commission to grant licenses to stations already constructed if they are engaged solely in rebroadcasting signals, if such stations were constructed on or before January 1, 1959, and if the Commission finds that the public interest, convenience, and necessity would be served thereby.

S. 1740. A bill to amend section 202(b) of the Communications Act of 1934 in order to expand the Federal Communication Commission's regulatory authority under such section.

(The explanation accompanying Senate bill 1740 is as follows:)

EXPLANATION OF PROPOSED AMENDMENT OF SECTION 202(B) OF THE COMMUNICATIONS ACT OF 1934, AS AMENDED (47 U.S.C. 202(B))

The purpose of the proposed amendment is to give the Federal Communications Commission legislative authority to regulate charges and services of common carriers for the use of microwave and other point-to-point radio circuits along with the use of wires in chain broadcasting or incidental to radio communication of any kind. The Commission's present authority in this respect is now confined by section 202(b) of the act to the use of wires for such purposes.

Since the enactment of the Communications Act in 1934, there have been technical developments in the use of microwave and other high frequencies that have led to the increasing use of point-to-point radio as a substitute for and a supplement to the use of wires in chain broadcasting. At the present time such point-to-point radio is widely used by common carriers in providing circuits for network broadcasting, studio-to-transmitter links, and remote pickup and control circuits for various types of radio stations. Had such facilities been perfected and in wide use in 1934 when the Communications Act was adopted, it is reasonable to believe that Congress would have included authority for their regulation also in subsection (b) of section 202 of that act. Said subsection (b) was a new provision in radio law that was incorporated in the Communications Act of 1934, "to make doubly sure that charges for wires in connection with chain broadcasting are within the jurisdiction of the Commission." (See the remarks of Representative RAYBURN in the House of Representatives on June 2, 1934, in opening the debate in the House on S. 3285, the Communications Act of 1934, 78 CONGRESSIONAL RECORD 10313.)

The Commission interpreted this section in 1936 in Capital City Telephone Co. (3 FCC 189) in connection with a claim of that company for exemption from certain regulatory requirements as a connecting carrier under section 2(b)(2) of the Communications Act (47 U.S.C. 152(b)(2)). The company was at the time furnishing to a radio station certain wire lines for broadcasting purposes, which lines were located wholly within the State of Missouri. The Commission held that Congress, in enacting section 202(b), had clothed the Commission with jurisdiction over charges and services for wire lines used in chain broadcasting and other radio communication, even though the wires themselves were wholly within a State, since the complete transmission, wire and radio, was an interstate communication.

Although under section 202(b) it would appear that the Commission's jurisdiction in this field is limited to regulation of charges and services for the use of wires alone, certain carriers have continued to file tariffs with the Commission governing this service, whether by wire or radio. The proposed amendment will remove any question as to the Commission's regulatory authority over such charges insofar as radio facilities are concerned.

The proposed amendment is, therefore, recommended because of the increasing use of such radio facilities interchangeably with wire service in providing network service and control circuits furnished by common carriers to broadcasters and other radio users. It is further recommended as necessary and desirable because such amendment will give a clear statutory direction to the Federal Comunications Commission of its responsibility in this field.

S. 1741. A bill to amend the Communications Act of 1934 with respect to the requirements for operating transmitting apparatus.

(The explanation accompanying Senate bill 1741 is as follows:)

EXPLANATION OF PROPOSED AMENDMENT TO SECTION 318 OF THE COMMUNICATIONS ACT OF 1934, AS AMENDED

The Communications Act of 1934, as amended, now provides in section 318 that the actual operation of transmitting equip-

ment licensed under the act should be carried on only by persons holding an operator's license issued under the act. The Commission is given discretion to waive that requirement except for certain named categories. In recent years the art of transmitting has advanced tremendously and the Commission believes that it should have greater statutory latitude as to the requirements for operators of transmitting equipment engaged in broadcasting. For instance, at present there may be an inference in section 318 that the operator be in personal attendance, whereas in some situations the Commission believes that it is enough for the operator to turn the equipment on, have it operated under his general control but not be in personal attendance. This situation is particularly true of transmitters engaged solely in rebroadcasting, such as the so-called boosters in smaller communities in mountainous terrain, especially out west.

Accordingly, the Commission recommends that section 318 of the Communications Act be amended to remove the explicit requirement that transmitting equipment of broadcast stations be operated by licensed operators.

AMENDMENT OF FEDERAL TRADE COMMISSION ACT, RELATING TO PROHIBITION OF CERTAIN PRACTICES IN COMMERCE

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the Federal Trade Commission Act so as to prohibit certain practices in commerce by any manufacturer or producer who distributes his product in commerce through his own retail outlets, direct to consumers and also through other retail outlets.

I am introducing this bill at the request of the National Federation of Independent Business. George J. Burger, vice president of the federation, advises me that a poll of the national membership of the federation, which comprises more than 125,000 independent establishments, showed that 86 percent favored this proposal, 11 percent opposed, 3 percent did not vote.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1742) to amend the Federal Trade Commission Act so as to prohibit certain practices in commerce by any manufacturer or producer who distributes his product in commerce through his own retail outlets, direct to consumers and also through other retail outlets, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

PATRIOTIC EDUCATION WEEK

Mr. CASE of New Jersey. Mr. President, I introduce, for appropriate reference, a joint resolution designating the 7-day period beginning on the third Monday of October of each year as Patriotic Education Week. This joint resolution is a companion to House Joint Resolution 343, which was introduced in the House of Representatives on April 16 by the able Representative from the Fifth Congressional District of New Jersey, PETER FRELINGHUYSEN, JR.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 91) designating the 7-day period beginning on the third Monday in October of each year as Patriotic Education Week, introduced by Mr. CASE of New Jersey, was received, read twice by its title, and referred to the Committee on the Judiciary.

DEVELOPMENT OF INTERNATIONAL EDUCATIONAL PROGRAMS OUTSIDE CONTINENTAL UNITED STATES

Mr. McGEE. Mr. President, on behalf of myself and Senators MANSFIELD, MOSS, HARTKE, MAGNUSON, CLARK, DOUGLAS, GRUENING, HART, JAVITS, KENNEDY, RANDOLPH, MURRAY, MCCARTHY, NEUBERGER, SPARKMAN, HUMPHREY, YARBOROUGH, WILEY, KEFAUVER, MORSE, HENNINGS, CARROLL, YOUNG of Ohio, JORDAN, CANNON, MCNAMARA, WILLIAMS of New Jersey, and CHAVEZ, I submit, for appropriate reference, a concurrent resolution, the purpose of which is to encourage the development of colleges and other technical institutions of higher learning outside the continental United States. Representative BYRON JOHNSON, of Colorado, is today submitting a similar concurrent resolution in the House of Representatives.

It has been our feeling that in our programs in the field of international education, while through the Fulbright program, the exchange of students, and other programs, we have greatly aided the understanding of people, we can do much more.

A good many of our students are reluctant to come back home after participating in such programs. They find studying abroad very much to their liking. On the other hand, the number of students who can be brought to the United States for technical training is obviously limited. We know, too, that the patience of the people of the world is not very great. For better or worse, they are moving rapidly. One of the best ways to grapple with the problem of human impatience is to speed up the educative process in their lands. For that reason, it is believed that if we could encourage, through the use of foreign currencies, and through the United Nations organization itself, the development in other countries, of institutions of higher learning, such as teachers' colleges, for example, we could facilitate the achievement of the end without too much disorder.

The foreign policy of the United States has for some time suffered criticism for being directed toward the maintenance of an unsatisfactory status quo. Administration measures have often seemed to be motivated only by the desire to "counterpunch." The dramatic changes which are taking place throughout the world have made this method bankrupt. It is not enough merely to counterpunch, and it is up to the majority in this session of Congress to provide the administration and the Nation with the new leadership which is so necessary if the United States is to play a constructive role in the great events of the future.

The McGee-Johnson concurrent resolution is an attempt to seize the initiative in an especially critical area of world affairs. Its sponsors feel it has the following points in its favor:

First. It calls upon the United Nations to develop the detailed plan upon which this international education program would be built. In this way, it will be possible for the nations which make up this organization to work together, and the program developed will be free of the stigma of having been "Made in America."

Second. The concurrent resolution provides for the use of the inconvertible foreign currencies which are piling up in various countries of the world from appropriations made for other purposes. It should be possible to use these currencies for a constructive program, and their use would avoid, we hope, at least the immediate necessity for direct appropriations.

Third. The present method of bringing students from underdeveloped areas to study and receive training in this and other Western nations often fails in its purpose either because the student wishes to stay here when his training is completed, or because he has serious trouble adjusting to living and working conditions in his native country when he returns to put his training to use. These difficulties could be avoided by training the needed engineers, teachers, and other professional personnel required for these areas in regional schools closer to their homes.

Fourth. The presence of qualified technical and professional faculties in these areas, conducting and directing scholarly research, would provide a source of consultation and assistance on technical aid and other projects. It would also make possible a more objective and constructive appraisal of such things as project loan proposals.

Fifth. Since the areas of the world which do not now have adequate systems of primary and secondary education cannot be expected to develop them without large numbers of qualified teachers, and since these areas cannot be expected to develop strong economies without competent professional people in other fields, the time is now ripe for the development of an international educational program which is acceptable because sponsored and planned by the United Nations, and which is feasible because of the willingness of Congress to propose it and to accept a reasonable share of the cost of bringing it to fruition.

For these reasons, I submit the concurrent resolution, and I ask unanimous consent that it may lie on the desk through April 24, in order to give other Senators an opportunity to cosponsor it.

The VICE PRESIDENT. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 24) was referred to the Committee on Foreign Relations, as follows:

Whereas the United States has benefited greatly from the exchange of students between our own country and other countries through the Fulbright Acts and Smith-Mundt Acts; and

Whereas, the other nations of the world have in recent years experienced remarkable growth in the number of persons trained

through the operations of these and similar programs; and

Whereas, increasing the level of education and attainment of the peoples of the world is the most productive investment that the nations of the world can make for the well-being of all mankind; and

Whereas, international educational programs enhance international understanding and thereby promote the cause of peace; and

Whereas, the cause of peace can be served by increasing cooperation among peoples of other nations in the pursuit of educational attainment; and

Whereas, many nations or regions of the world not now possessing universities, colleges and technical institutes are now on the threshold of readiness to create and operate such universities, colleges and technical institutes: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress of the United States hereby expresses its interest in encouraging the development outside continental United States of international educational programs, both graduate, including regional graduate schools, and undergraduate, including teachers colleges, technical institutes, as well as other colleges and universities; and be it further

Resolved, That the Congress hereby recommends that the U.S. Government encourage the United Nations Organization through its special fund or otherwise to undertake to develop a plan for international educational cooperation that would best serve the needs of the several member countries, as well as the cause of world peace and international economic and social development; and be it further

Resolved, That the Congress hereby expresses its willingness to accept a reasonable share of the cost of bringing into operation certain aspects of such a plan through the use of foreign currencies available for these uses, or otherwise as may prove suitable and desirable.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959—AMENDMENTS

Mr. GOLDWATER submitted amendments, intended to be proposed by him, to the bill S. 1555) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes, which were ordered to lie on the table and to be printed.

Mr. PROUTY submitted amendments, intended to be proposed by him, to Senate bill 1555, supra, which were ordered to lie on the table and to be printed.

Mr. HOLLAND submitted amendments, intended to be proposed by him to Senate bill 1555, supra, which were ordered to lie on the table and to be printed.

Mr. McCLELLAN submitted amendments, intended to be proposed by him, to Senate bill 1555, supra, which were ordered to lie on the table and to be printed.

Mr. CASE of New Jersey. Mr. President, I submit an amendment, intended to be proposed by me to Senate bill 1555, and ask that it be printed and lie on the table.

Senate bill 1555, as reported, permits the Secretary of Labor to exempt unions of less than 200 members and gross annual receipts of less than $20,000 from its financial reporting requirements. Secretary of Labor Mitchell has opposed this exemption, pointing out that all union members should have governmental protection of union funds, regardless of whether they are part of a small or a large union.

The Secretary pointed out that in the disclosures of the McClellan committee "some of the very difficult problems" and "some of the messier situations arose in these small unions." He emphasized that some of the most corrupt unions, such as the Johnnie Dio paper locals, could, under some future Secretary of Labor, evade the financial reporting requirements.

The argument has been made that these reporting requirements would be burdensome to the smaller union; but the bill already contains a provision giving the Secretary of Labor ample authority to prescribe simplified reports for small unions and small employers where more detailed reports would be burdensome.

My amendment would close a significant loophole in the effective protection of union members and the general public. I believe all union members should be given equal treatment under the law.

The VICE PRESIDENT. The amendment will be received, printed, and lie on the table.

PAY AND CLASSIFICATION SYSTEM FOR EMPLOYEES OF SENATORS—ADDITIONAL COSPONSOR OF RESOLUTION

Under authority of the order of the Senate of April 15, 1959, the name of Senator BUSH was added as an additional cosponsor of the resolution (S. Res. 102) directing the Committee on Rules and Administration to report a pay and classification system for employees of Senators, submitted by Mr. NEUBERGER (for himself, Mr. CARROLL, Mr. DOUGLAS, and Mr. HUMPHREY) on April 15, 1959.

NOTICE OF HEARING ON NOMINATION OF GEORGE M. JOHNSON TO BE A MEMBER OF THE CIVIL RIGHTS COMMISSION

Mr. MANSFIELD. Mr. President, on behalf of the senior Senator from Missouri [Mr. HENNINGS], I announce that the Subcommittee on Constitutional Rights of the Committee on the Judiciary will conduct a hearing on the nomination of George M. Johnson, of California, vice Ernest J. Wilkins, deceased, to be a member of the Civil Rights Commission, at 10 a.m., Tuesday, April 21, 1959, in room 1202, New Senate Office Building, Washington, D.C.

Public announcement of this hearing was made last week during the subcommittee's hearings on pending Federal civil rights legislation.

NOTICE OF HEARINGS ON BILLS TO STRENGTHEN ANTISUBVERSIVE LEGISLATION

Mr. DODD. Mr. President, I wish to remind the Senate that some of the most important legislative proposals which this Congress will consider will be the subject of hearings scheduled to begin today.

These are the 12 or more bills designed to strengthen antisubversive legislation, principally by remedying certain defects which the Supreme Court has indicated in a number of decisions during recent years.

As I have previously informed Senators, I have been asked by the Senator from Mississippi [Mr. EASTLAND], chairman of the Judiciary Committee and of its Subcommittee on Internal Security, to preside over these hearings. I do not feel, therefore, that I should express my own views as to the language of any of these proposals.

However, I wish to point out to my colleagues that if the Congress desires, as it has so often indicated during the past two decades, to protect the Government of this Nation, and, indeed, the people of the United States, against the obvious efforts of the Communist conspiracy to destroy the one and enslave the other, as it has in the case of other nations and peoples, then it is necessary to make sure that the necessary legislation be adequate and effective. This I understand to be the purpose of the bills to be considered, and it certainly will be the purpose of the committee in conducting these hearings.

Preparation of legislation of this type and of this importance to the whole Nation is not, in my view, the responsibility of one Member or of one subcommittee or of one committee, but should be the result of consultation among all Members of the Congress, with the best advice that can be enlisted from students of the problems at issue.

It is for this purpose that I am drawing attention again today to the fact that hearings will begin at 1:30 p.m. today. They will be held in the Judiciary Committee chamber, room 2228, New Senate Office Building. In all probability, these hearings will run a week or 10 days; then we must close the record in order to get on with the legislative process.

The subcommittee is desirous of giving every consideration to the convenience of Senators and others who wish to testify on these bills and, therefore, would appreciate as much advance notice as possible. Prepared statements may be submitted at any time before the hearings are closed, but the Senate rules require that a witness who desires to testify from a prepared statement must submit the statement 24 hours in advance of his appearance.

This hearing will consider all antisubversion legislation assigned to the subcommittee. The bills so assigned at this time are:

S. 3, by the Senator from Arkansas [Mr. MCCLELLAN] and others, to establish rules of interpretation governing the effect of acts of Congress on State laws,

S. 294, by the Senator from New Hampshire [Mr. BRIDGES] and others, to amend title 18, United States Code, to authorize the enforcement of State statutes prescribing criminal penalties for subversive activities.

S. 527, by the Senator from New York [Mr. KEATING] and others, to amend section 2385 of title 18 of the United States Code to define the term "organize" as used in that section.

S. 1646, by the Senator from Mississippi [Mr. EASTLAND], relating to espionage and censorship.

Also the several bills introduced by the Senator from Mississippi [Mr. EASTLAND] to carry into effect recommendations of the American Bar Association for strengthening antisubversive legislation:

S. 1299, to protect the effectiveness of State antisubversive laws against unintended Federal preemption.

S. 1300, to define the term "organize" as used in the Smith Act.

S. 1301, to make full disclosure respecting loyalty to the United States a condition of Government employment.

S. 1302, to amend sections 241 and 242 of the Immigration and Nationality Act to provide protection against the subversive activities of certain aliens.

S. 1303, to amend the Immigration and Nationality Act with respect to travel in time of war or national emergency and passport procedures.

S. 1304, to broaden the application of the Summary Suspension Act of 1950.

S. 1305, to amend section 2385 of title 18 of the United States Code to make it a crime intentionally to advocate the violent overthrow of the Government of the United States or to teach the necessity, desirability, or duty of seeking to bring about such overthrow.

And the following bills which have passed the House:

H.R. 1992, to repeal section 791 of title 18, United States Code, so as to extend the application of chapter 37, title 18, relating to espionage and censorship.

H.R. 2369, to define "organize" as used in the Smith Act.

NEEDED: A SOMETHING-FOR-SOMETHING PROGRAM

Mr. BRIDGES. Mr. President, the 86th Congress has been in session for a little more than 3 months. In that time, on three occasions, we have faced clear-cut decisions on matters affecting the Federal budget—the housing bill, the airports bill, and the depressed areas bill.

The paramount domestic issue of the day involves the Federal budget. It is discouraging to observe, therefore, that on these three major tests thus far, the Congress has gone beyond the spending requests of the administration and has upset the proposed balanced budget.

The importance of greater fiscal responsibility in these times cannot be overemphasized. In all my nearly 23 years as a U.S. Senator, there has never been a time such as today when the need for such responsibility has been so great.

THE FALSE SOMETHING-FOR-NOTHING THEORY

The basic problem before us here in the United States—as around the world—is the false fancy that government can give its individual citizens vast benefits at little or no cost.

This is the something-for-nothing theory. It takes the form of demands that every legislator bring home more than his State sent to Washington in the form of taxes.

There is a growing awareness among the public, I believe, that this something-for-nothing theory is a hollow one.

More and more people realize that mounting government costs will result either in a crushing burden of direct taxes or, if legislators are unwilling to impose the necessary direct taxes, in the more insidious indirect tax of inflation via deficit financing.

It is increasingly hazardous for those who believe in spending and more spending to ridicule the administration's attempts to keep Federal revenues within shouting distance of Federal expenditures.

Something for nothing is neither good mathematics nor good morals. I believe the time is fast approaching when it is not good politics either.

"ROBBING PAUL TO PAY PAUL"

Apparently, we shall soon be asked to vote for Federal aid to education, because, the argument runs, "poor" people in rural areas cannot stand the cost of good schools, and must have help from urban areas such as Detroit, Philadelphia, and Los Angeles.

But we have just finished passing bills for Federal aid for airports, urban renewal, and depressed areas to help such cities as, apparently, the same Detroit, Philadelphia, and Los Angeles, and others which are too "poor" to pay this cost, which now will be paid by the suddenly better-off farmers and small town citizens from the rural areas.

When the process is complete, and everyone gets through paying for what the Government has done for everyone else, we will face a rising tax burden or a widening deficit, or both.

In other words, it is quite clear that we very quickly exhaust the possibilities of robbing Peter to pay Paul, and end up robbing Paul to pay Paul.

NEW HAMPSHIRE IS LOSER

The State of New Hampshire is a consistent loser in this futile process.

Under most education proposals—and I use this only as an example—we would be taxed more than the benefits we would receive. For example, under one important education proposal, New Hampshire would, in effect, be taxed by about $531,000 a year more than the amount of Federal benefits we would receive.

Under the depressed areas proposal, we would pay for subsidies designed to lure away our own industries to other areas. There are no depressed areas whatever in the State of New Hampshire, I am happy to say.

We have little stake in urban renewal, slum clearance, or public housing. But with all our sister States we would have to help foot the bill of Federal programs in these and other fields.

We in New Hampshire are vitally concerned with human needs both within our State and throughout the country. But let us meet these needs as they come up, at the level of responsibility closest to the need—whether it be through individuals or private enterprise or local or State governments.

Let us not assume that the existence of a need automatically produces a responsibility of the Federal Government. Often that responsibility is best met by some other agency.

The Federal Treasury has no mysterious pipeline to some inexhaustible flow of funds from the moon.

Federal welfare measures must be paid in one way or another—either by direct taxes or by the subtle but cruel indirect tax of inflation which results when we spend, but fail to tax ourselves sufficiently, and thus resort to deficits.

Government has no magic resources. It can furnish people only what it has first taken away from people.

In short, there is no such thing as something for nothing.

The degree to which we have let ourselves think that human welfare can be met only by steadily rising drains on the U.S. Treasury—which means the American public—is remarkable.

THE GROWTH OF SOCIAL WELFARE

The Roosevelt administration in its first two terms spent a great deal of money on social welfare, but these expenditures were modest indeed when placed alongside the amounts flowing out in more recent years.

In 1935, Federal outlays for welfare programs were only $2 billion. Even by 1945, at the end of the war, annual welfare expenditures were only $2,272 million. But in 1950 the dollar figure rose to nearly $7 billion—a threefold increase in 5 years. By 1955, we were spending $12 billion on social welfare programs. In the year just concluded, the total had continued its dizzying ascent to $18 billion. In 1960, according to budget estimates, Federal social welfare spending will top $21 billion.

The rising tide of social welfare expenditures is shocking because it has taken place in the full prosperity of these postwar years.

In the face of record levels of production and income, improved well-being for all our people, and expanding capacity of individuals to meet their own needs, there can be no justification for such a meteoric rise in Government welfare programs.

FACTS WHICH STARTLE TAXPAYERS

If $10 million had been paid out each year from the birth of Christ down through the ages to 1960, less money would have been paid out than will be paid out this year alone.

In 1 year we are spending more on Federal welfare programs than on the purchase of aircraft, missiles, ships, and other military equipment for the Defense Department.

We are spending four times as much on Federal welfare programs as we are

spending for research and development which are so vital to our national security and strength.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a table which shows the rising levels of Federal social welfare expenditures.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

[Millions of dollars]

Year	Total	Direct payments	Welfare agencies
1935	2,942	2,863	79
1940	3,195	2,976	219
1945	2,272	1,814	458
1950	6,994	5,040	1,954
1955	12,210	10,421	1,789
1960 (estimated)	21,546	18,939	2,607

EXPENSES DOUBLED SINCE 1950

Mr. BRIDGES. Mr. President, of course, we all recognize that the depression of the thirties generated a great expansion in the role of the Federal Government. We know that World War II required huge outlays in Federal funds.

But it is surprising to note that since 1950, the expenditures of the Federal Government have literally doubled again.

In the fiscal year 1950, Federal budget expenditures were $39,617,000,000. In the current fiscal year, less than 10 years later, Federal budget expenditures are estimated at $80,871,000,000.

If the efforts of the administration are not frustrated by overzealous spenders, the present level may be somewhat reduced in the next fiscal year.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a table which shows the rise in Federal budget expenditures since World War II.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Federal budget expenditures, 1946–59

[Millions of dollars]

Fiscal year	Total	Major national security	Other
1946	60,448	43,207	17,241
1947	39,032	14,372	24,660
1948	33,069	11,771	22,298
1949	39,507	12,907	26,600
1950	39,617	13,009	26,608
1951	44,058	22,444	21,614
1952	65,408	43,976	21,432
1953	74,274	50,363	23,911
1954	67,772	46,904	20,868
1955	64,570	40,626	23,944
1956	66,540	40,641	25,899
1957	69,433	43,270	26,163
1958	71,936	44,142	27,794
1959	80,871	46,120	34,751

Mr. BRIDGES. Mr. President, the ideas for new spending proposals continue to pour forth.

Last year, congressional action led to a veto by the President of an airports bill of $437 million, a depressed areas bill of $280 million, and a rivers and harbors bill of $191 million.

This year in the Senate we have already passed a $465 million airports bill, a $390 million depressed areas bill, and a housing bill which exceeds by more than $1 billion the administration's determination of housing needs.

More legislation is waiting in the wings—a multibillion dollar education program, for example, a $1 billion community facilities bill, and others.

THE ARGUMENTS FOR SPENDING

Those who adhere to the "something-for-nothing" theory advance a barrage of arguments to justify their position. Most of these arguments are transparent and are easily recognized for what they are. I should like to single out three specific arguments which we often hear:

First. That we must raise Federal spending, to promote more rapid economic growth.

Second. That we must raise Federal spending because a strong defense is more important than a balanced budget.

Third. That we must raise Federal spending because, after all, most of the programs under consideration will not affect this year's budget or the budget for fiscal year 1960.

These are arguments which have a somewhat plausible, but shallow, ring. Indeed, most of those who make these arguments, I am sure, do so in all sincerity.

WHY ARGUMENTS DO NOT HOLD WATER

In my judgment, however, these are not valid arguments; and I intend to show why.

First, there is the argument that we must raise Federal spending, to promote more rapid economic growth.

Of course, I am in favor of economic growth. I know of no Senator who is not proud of the vigorous economic growth for which America is famous. Our free economic system has made possible a great rise in living standards for the many.

But I want our growth to continue in terms of real productive power, and not simply in terms of more money spending and inflation. The growth of the United States should be a vast broadening and deepening of the economic base, a general lifting of living standards—not a hothouse inflationary spurt which cannot be sustained.

If we want real economic growth, let us recognize that it is going to come from private-capital formation, investment in new and more efficient work-saving machines, and more productive organization of labor. Simply spending more at the Federal Government level may raise total output on a one-shot basis, but it will not accelerate economic growth.

It is pointless to try by artificial means to force a progress that is really hindered by the very means to which we are asked to turn.

EXAMPLE OF THE THEATER SEAT CUSHIONS

In effect, such spending measures—now for one purpose, now for another—constitute a hurried attempt to supply cushions to a few in the theater so they can see over the heads of the people in front of them, and then, to supply more cushions to the people in back of them. But this scheme can look pretty dubious when everyone is supplied with a cushion.

Second, there is the argument that a strong defense is more important than a balanced budget.

This is a false issue. Of course, national security is more important than any other objective. But if we need to spend more on national security, then we can afford to pay the full cost in direct taxes. The alternative is to pay the price in the hidden tax of inflation—the cruelest, most regressive of government taxes. If we want to balance the budget, we must do so at whatever level is dictated by the needs of the times—the real needs, not all the fancied needs and inflated demands on the Treasury which every special pleader may think of.

Some of those who would jack up defense spending overnight show no genuine understanding of defense problems. They would have us spend billions on some types of missiles which could be outmoded overnight by the advance of military technology even before production was fully completed. In modern preparedness, one of the first requirements is to keep up with the rapid pace of weapons research. Billions spent on arms which will be obsolete in a matter of months are billions wasted.

NO CONFLICT BETWEEN BALANCED BUDGET AND DEFENSE

There is no conflict between a balanced budget and adequate national security. The American people can afford adequate national security. The American people can face up to their own defense needs, whatever they may be; but the American people can also face up to the need for fiscal responsibility at a time of rising prosperity. In fact, I believe that the American people will insist that our political leaders face up to the requirements of fiscal integrity—which at this time means a balanced budget.

There can be no real national security without fiscal stability.

Our need is for a modern and ready defense—strong in defense of our homeland, and strong in the power to retaliate against any aggressor.

The administration's defense budget was designed to represent what we need for adequate national security. It is also consistent with a balanced over-all Federal budget. There is no conflict between these objectives. On the contrary, they are mutually complementary objectives; one is essential to the other.

THE DISTURBING ARGUMENT ADVANCED BY SPENDERS

Finally, the most disturbing argument now gaining currency is that we should pay no attention to Federal spending programs if they do not directly affect this year's budget or the budget for fiscal year 1960.

Let us take a close look at this argument.

Earlier in the year we considered urban renewal legislation. We were confronted with many proposals for committing the Federal Government to literally billions of dollars for 6-year or 10-year programs. In these proposals, actual spending would not have taken place, in some cases, for from 15 to 20 years.

Yet some proponents actually contended that because these proposals did not involve spending in this fiscal year, we did not need to consider the impact on the budget. The argument was made that the need for fiscal restraint did not apply to these proposals.

Mr. President, I am not against urban renewal, per se. But if urban renewal spending is worthwhile, we should be quite willing to tax ourselves for the full cost. If we are going to undertake such vast programs, we should be willing to face up to the costs.

Last year, when the President vetoed an area redevelopment bill, the claim was made that the administration could not object to the dollars involved because they had not yet been appropriated.

The irony is that when we start paying these multi-billion-dollar bills 2 or 3 or 5 or 10 years hence, all of the same proponents will stand around and will say, "We can't cut the budget here. The money was committed years ago. There is nothing we can do about it now."

In other words, the argument is that we should ignore the budgetary impact of these delayed spending programs now—and we should also ignore their budgetary impact later. In brief, this means we would never face up to the cost of these programs.

There are in the 1959 budget and in the 1960 budget, spending items which flow out of legislation passed in earlier years.

Does anyone suggest that now, when the money is being paid out, we should go back and should reconsider the legislation enacted by an earlier Congress, and perhaps should repeal or alter it? Hardly.

The time to weigh the merits and demerits of any proposal for Federal spending is, primarily, at the time when the basic legislation is being considered. It is obvious which time is more feasible. It is next to impossible to discuss fully the pros and cons of spending on a program which is set up and running. The time to consider the pros and cons is when we set up any new program. That is the time to weigh fully and wisely the benefits and costs of any new programs. If we really believe that the benefits outweigh the costs, why should we fear a close look at the costs as well as the benefits?

A FOUR-POINT SOMETHING-FOR-SOMETHING PROGRAM

Mr. President, I propose a four-point something-for-something program. I propose that we specifically reject the theory of something-for-nothing. I propose that we pursue, instead, the far more rewarding, more genuine course of something-for-something. I think this is what the American people want.

First, let us frankly acknowledge that the Federal Government is not financially ready to underwrite any and all welfare measures which the minds of 98 Senators and 436 Members of the House of Representatives may dream up. We have limited resources. Existing sources of revenue do not provide us with any surplus with which to launch vast new programs. This is obviously not the time to pile new taxes on the burden already imposed on our people, nor is it the time to run a deficit, just as the economy is surging forward in a wave of expansion. So let us face the fact that Federal resources are limited.

Second, let us, then, recognize that we can undertake Federal spending only for items which clearly yield benefits that outweigh the costs. We must undertake items only of the highest priority.

Third, let us stop the efforts to sneak through vast spending measures without due consideration to the costs involved, in an effort to make political "quick tricks." We cannot continue to punch holes in the administration's narrowly balanced budget and siphon off $465 million here, $2.7 billion there, and $390 million there. We must stop committing ourselves for dollars we have not got, for things we do not need or for things which ought to be paid for by those who use them, through the free market mechanism.

Fourth, and finally, let us reconstruct our thinking on a something-for-something basis.

We need to recognize that we cannot undertake new programs without cost, expecting some theoretical few to foot the bill.

Instead, we must have bold, forward-looking public policies.

This is the only soundly rewarding course, as well as the only one which serves the interests of the many, and to which the great majority of our people will give their full support.

Mr. President——

The VICE PRESIDENT. The Senator from New Hampshire.

NOMINATION OF LEWIS L. STRAUSS TO BE SECRETARY OF COMMERCE

Mr. BRIDGES. Mr. President, on October 24, last year, President Eisenhower sent to the Senate the nomination of the Honorable Lewis L. Strauss to serve as our Secretary of Commerce.

The selection of Mr. Strauss was warmly approved by our people throughout the country. There was no question of the intent of the overwhelming membership of the Senate. It was to confirm Mr. Strauss' appointment with the due deliberation and dignity befitting his high qualifications and his already brilliant record in behalf of our Nation.

Mr. Strauss' entire life is a record of patriotism and devotion to the security and progress of America.

He began public service as an assistant to Herbert Hoover, in World War I. He possesses a total service of 32 years as an officer in the Naval Reserve, retiring with the rank of rear admiral.

Mr. Strauss has served in assignments of great importance under three Presidents, and all three have praised his great ability and dedication in carrying forward the duties placed upon him.

TWO MOMENTOUS DECISIONS

He was a special assistant in the Navy Department, under Mr. Roosevelt. He was appointed by Mr. Truman to be a member of the first Atomic Energy Commission; and in the period that followed, Mr. Strauss brought about two momentous decisions that proved vital to the security of the United States. The first was the establishment of the long-range detection system which first warned us, in 1949, that the Soviet Union had achieved atomic-weapon capability.

The second was our determination to go ahead with the development of workable hydrogen bombs. He fought for the latter decision, in the face of very great opposition. Looking back, now, at the Soviet Union's rapid progress in this field, the American people know that our early movement into hydrogen weapons has preserved peace in the world.

In more recent years, as Chairman of the Atomic Energy Commission, under President Eisenhower, Mr. Strauss has made historic contributions both to our security and to the peaceful use of atoms for the advancement of mankind.

His many other responses to calls for unselfish public service, his long background of business experience, and his deep integrity are well known to the Senate and to the American people.

In view of all these facts, I have been shocked and saddened more than I can say by the manner in which action to confirm his appointment has been conducted.

I think it unnecessary to state that I have always held deep respect for the way in which the U.S. Senate carries on its business. The traditional honor and dignity and probity of this body are sources of great pride and great inspiration.

HIGHLY DECORATED

I am definitely disturbed in the action of those who have been party to delaying the confirmation of this Cabinet appointment for months; and particularly concerning a man who in 1948 was awarded the Medal of Freedom; who holds the Navy Distinguished Service Medal; who has been awarded the Legion of Merit, and a Gold Star in place of a second award, and the Army's Oak Leaf Cluster in place of a third medal—these among other decorations.

It is a perfectly legitimate and necessary function of the Senate to inquire into the experience, the record and basic opinions of men nominated to high public office. But we should not let this deteriorate into a campaign to impugn the proven integrity of a distinguished citizen, or to embarrass and harass him.

ACTION NOW, NECESSARY AND VITAL

It is highly important that action be taken in the Strauss nomination, not alone for the dignity of the Senate, but so that fair treatment will be accorded Mr. Strauss in reasonably quick time.

It is important because our Nation is engaged in a critical economic war declared upon us by the Communist leadership. The Department of Commerce must play a vital part in maintaining our supremacy in this conflict.

Lewis Strauss has demonstrated amply his deep awareness and understanding of the Communist threat, and, more important, his ability to generate effective measures to deal with it.

He must be permitted, at once, to enter into this great, challenging task without

harassment, and with the renewed assurance of the full confidence of the American people as expressed in the confidence and cooperation of the Senate.

Let us meet our responsibility.

Let us proceed promptly to confirm the President's nomination of Lewis Strauss as Secretary of Commerce, and wish him Godspeed in his work.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield to the Senator from New Mexico.

Mr. CHAVEZ. Will the Senator from New Hampshire tell me what the status of the nomination is? Is it still in committee?

Mr. BRIDGES. It is still in committee and still being considered by the committee, and has been for some time.

Mr. CHAVEZ. I hope the committee will see fit to report the nomination to the Senate, recommending the confirmation of the nomination, because as one Senator, I am ready to vote for him right now.

Mr. BRIDGES. I appreciate what the distinguished Senator from New Mexico has said. I think that the action of the committee on the nomination should be speedily reported and action taken by the Senate.

Mr. SCHOEPPEL subsequently said: Mr. President, this morning on the Senate floor the distinguished Senator from New Hampshire [Mr. BRIDGES] made some remarks for the RECORD with reference to the confirmation of the nomination of Admiral Strauss. I wish to associate myself with the remarks of the distinguished Senator from New Hampshire in that regard. It is my hope that expedited hearings on this important nomination will be had.

The hearings will start tomorrow morning at 10:30, and I hope they will be expedited.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. SCHOEPPEL. I am glad to yield.

Mr. BRIDGES. I am happy to hear what the distinguished Senator from Kansas has said about the hearings starting tomorrow morning, and his expectation that the hearings will be expedited.

The Senator from Kansas is one of the most able and forthright Members of this body, and his observation on this subject is reassuring. Does the Senator from Kansas have any idea as to exactly when we may expect action?

Mr. SCHOEPPEL. Since we have a positive date set for the hearings with regard to the nomination of Admiral Strauss, which will start tomorrow morning at 10:30, I am hopeful that, consistent with the work in the Senate, there will be expedited consideration. Certainly that is the hope of the minority, and I have every reason to believe it is the hope of many Members of the majority.

Mr. BRIDGES. This morning I was very happy to hear the distinguished Senator from New Mexico [Mr. CHAVEZ] join with the Senator from New Hampshire in urging early and favorable action on the confirmation of the nomination of Mr. Strauss. I have also been told, informally, of similar expressions on the part of many distinguished Senators on the other side of the aisle. I sincerely hope the committee will take action soon, that they will report the nomination favorably, and that the Senate will soon have an opportunity to vote for confirmation.

Mr. SCHOEPPEL. Certainly it will be the responsibility and the desire of the Senator from Kansas to do everything possible to expedite the hearings.

WAGE NEGOTIATIONS IN THE STEEL INDUSTRY

Mr. BRIDGES. Mr. President, wage negotiations in the steel industry this summer are fraught with implications for the public interest. Mr. David J. McDonald, president of the United Steelworkers, has announced that he intends to demand a $1 billion wage increase from the steel companies. The inflationary potential of such a demand is not hard to see.

We have long ago learned that massive wage increases in an industry like steel do not come out of profits. Instead, to the extent that wage increases outrun productivity improvements, the added cost is reflected in higher prices for steel and for the multitude of products in which steel is an important component.

Furthermore, it is well known that steel wage negotiations serve as the pattern for similar if not identical increases in many other industries.

No one is against wage increases—wage increases which can be paid out of the great technological advances and improvements in productivity which American industry generates each year—but when highly powerful unions are in a position to negotiate wage increases which far exceed such improvements, no one gains anything.

The result is simply inflation, with its ruinous effects on those least able to protect themselves, and ultimately with adverse effects on the purchasing power of the wages of steelworkers themselves.

Mr. President, I ask unanimous consent to have printed in the RECORD an editorial which appeared in the Evening Star on April 13. This editorial sheds light on one important ramification of the forthcoming steel negotiations. It points out that, if Mr. McDonald failed to use his enormous power to secure a hefty wage increase, he would lose favor with the membership.

And he would be succeeded by someone who would be demanding a two-billion instead of a one-billion package.

The problem, then, is the power which now lies in the hands of unions such as the United Steelworkers. The remedy must come through legislation. In short, it is the responsibility of Congress.

As the Evening Star points out:

But when this country embarked a little more than 2 decades ago on its program to build up and strengthen the unions it succeeded beyond expectations. It created the most powerful single mechanism in our economy, a mechanism which survives only by demanding—and getting—an ever-larger slice of the total pie. The Government created this mechanism and only the Government can restrain it.

The VICE PRESIDENT. Is there objection to the unanimous consent request?

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

STEEL INDUSTRY APPEAL

Assuming its good faith, which may be assuming too much, the steel industry's no-wage-boost appeal ignores one of the salient facts of union political life. And this, simply stated, is that David J. McDonald, president of the United Steelworkers, would put his neck in the noose if he agreed to abandon higher wage demands for the coming year. Mr. McDonald is not going to hang himself in this fashion, and the steel industry knows it.

Why can't Mr. McDonald forgo a wage increase? The steelworkers are among the highest paid in the country. Although the industry is operating at near capacity many steelworkers are unemployed. High costs and foreign competition threaten the jobs of still more union members. Yet the union is talking about a billion dollar hike in the wage package. We do not believe that this makes sense from any point of view. Yet Mr. McDonald rejects the industry appeal "out of hand," and serves notice that wage demands will be pressed.

The reason, or at least one important reason, is obvious enough. Two years ago Mr. McDonald was up for reelection as union president. An unknown opponent came charging out of nowhere to challenge him, the challenge being predicated on a promise to get more for the steelworkers. To everyone's amazement, this challenger received about one-third of the vote. If Mr. McDonald, especially in response to an industry appeal, were to drop his wage demands he would be signing his own death warrant as union president. And he would be succeeded by someone who would be demanding a two-billion instead of a one-billion package.

This is a fact of union life which is ignored by the industry's appeal and by such things as Mr. Eisenhower's exhortations to hold the line. In the interest of the Nation, the line ought to be held—there is no doubt on that score. But when this country embarked a little more than two decades ago on its program to build up and strengthen the unions it succeeded beyond expectations. It created the most powerful single mechanism in our economy, a mechanism which survives only by demanding—and getting—an ever-larger slice of the total pie. The Government created this mechanism and only the Government can restrain it. There is no use appealing to the Mr. McDonalds of the union movement. Even if they wanted to, they couldn't apply the brakes and still survive.

HOW FAST "SHOULD" THE UNITED STATES GROW?

Mr. BRIDGES. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial which appeared in Fortune magazine for April 1959. The editorial is entitled, "How Fast 'Should' the United States Grow?"

Mr. President, the subject of economic growth has been widely discussed in recent months.

In this country we have enjoyed a fabulous growth in productive capacity and in living standards for all our people. I believe that in much of the recent discussions of growth, we tend to forget what the basis of the great economic growth which we have experienced in the

past is, namely, the vigor of our free-enterprise system.

As this Fortune editorial points out, many advocates of more and more Government spending are arguing that we should try to achieve a rate of economic growth of 5 percent a year. The Fortune editorial points out:

The major defect of the 5 percent dogma, by contrast, is that it would defeat its own ends by trying to do too much too soon.

The trouble with the 5 percenters' case is not that too much growth is harmful; quite the contrary is true. The more our productive capacity expands, the better able we are to meet our defense requirements and still enjoy a high and rising standard of living.

The trouble with the 5 percenters' case is not in the goal but the means. More Government spending will not necessarily expand our economic pace; it could merely divert our growth from private to public spending.

To get more rapid economic growth, we need to encourage more private capital formation. We need to accelerate industrial technology. We need inducements for massive investment in new machines and equipment by private industry.

Mr. President, I am confident that in the future we will continue to enjoy great economic gains as we have in the past.

The VICE PRESIDENT. Is there objection to the request of the Senator from New Hampshire?

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

HOW FAST "SHOULD" THE UNITED STATES GROW?

As Soviet power and audacity mount and the cold war warms up to yet another boiling point in Berlin, the growth potential of the American economy is seen more clearly than ever as one of the controlling forces of world politics. The expansion of the U.S. economy, precisely because of the much publicized (if much exaggerated) expansion of the Soviet economy, is not merely a warm subject among marketing men and economists but a burning public issue. So great are the dynamics of growth that a single percentage point in the U.S. growth rate can make a $75 billion difference, 10 years from now, in the country's economic and military power.

From the fog of argument about how fast the U.S. economy can—or should—grow, there have emerged several distinct points of view, the most sensational of which is what might be called the 5 percent school of thought. This school has looked at all "the things that must be done"—the rising needs of defense, education, roads, health, the reduction of unemployment, etc.—and has come to the conclusion that the needs can be met only if the U.S. economy expands at 5 percent a year. Probably the most articulate of the new five percenters is Leon Keyserling, Chairman of the Council on Economic Advisers under Harry Truman. But the 5 percent doctrine also turns up with increasing regularity in the rhetoric of union leaders and Democratic Congressmen. And the Republicans are not immune to its heady appeal. One of the premises of last year's Rockefeller Report on the future of the U.S. economy was that the country ought to grow by 5 percent a year.

At the other end of the spectrum is a school that is allowing itself to be labeled "3 percenters." The 3 percenters include a number of bankers and businessmen and some economists. Their leader, to judge from some of his comments on economics, is none other than the President. These generally conservative people correctly identify 5 percent with galloping inflation, and in several other respects have a good deal of wisdom on their side.

Their great error, however, is that they so often accept debate on just the terms that the 5 percenters wish, as though the only alternative to a forced 5 percent was a natural 3 percent. It is true that the long-term growth rate of the U.S. economy, averaged out over the past 50 years, has been about 3 percent. But a more significant fact is that the postwar growth rate of the U.S. economy has averaged almost 4 percent. And the postwar period, which now extends over 13 years, can no longer be dismissed as some brief aberration.

THE POWER OF 4.25

Elsewhere in this issue "The Good Uses of $750 Billion," page 104, Fortune argues that the U.S. economy can grow by a little more than 4 percent a year during the 1960's, or by 50 percent for the decade as a whole. These figures were not pulled out of a hat. The growth of any country's total production is a function of its labor force and productivity. Because the U.S. labor force will be growing faster in the 1960's than it has in several decades, man-hours worked can increase at about 1.25 percent a year—despite a shorter workweek and "frictional" unemployment. Productivity has been rising at 3 percent a year since World War II, and in the coming age of research and automation, should do at least as well. All this should add up to a national growth rate of 4.25 percent a year.

The United States that emerges from such an analysis is a land of collossal attainments and potentialities; college enrollments will increase by 50 percent by the end of the decade, with nearly half the young people of college age in college (only a third of the youth in the Soviet Union finish 10 years of school). Just by 1965 the country could increase its defense effort by about 25 percent, capital investment by about 50 percent, and consumption by about 20 percent. The U.S. economy, in short, is in a position to assume enormous military and investment burdens and still provide a swiftly rising standard of living.

TOO MUCH TOO SOON

The major defect of the 5 percent dogma, by contrast, is that it would defeat its own ends by trying to do too much too soon. The Five Percenters do not propose to squeeze any more man-hours out of the labor force than the 1.25 percent a year increase already projected. Thus the only way they can raise the country's overall growth rate to 5 percent is to force the rate of productivity increase up from the 3 percent that seems to be assured to the unnaturally high rate of 4 percent. And how could this be accomplished? Only by Government policies that would encourage (and subsidize) a vastly higher rate of capital investment than normal market considerations dictate.

Since normal market forces already promise a very high level of capital investment in the 1960's, a Government effort to jack up this level by as much as one-third would put a very heavy burden on consumption. Even if GNP expands by only 4 or 4.2 percent a year, the country's capital needs, as the accompanying article points out, will retard the growth of consumption for a few years. But if GNP is to expand at 5 percent, consumption per capita could be allowed no rise during the next 3 or 4 years. Such a totalitarian-style distortion of balanced growth probably could be achieved by sacrificing the incentives that stimulate natural balanced growth—i.e., with the Nation on a basis of limited mobilization. Partly because the price of capital goods is rising faster than other prices, moreover, only a powerful economic authority could prevent galloping inflation—and because inflation would be an easy way of disguising the declining value of real incomes, it is doubtful whether any administration would be able to resist it.

TOO LITTLE TOO LATE

The case against a 3 percent growth rate can be put briefly. Since man-hours will be increasing at about 1.25 percent a year, productivity would need to rise by less than 2 percent a year to make total national output rise by 3 percent. But all the evidence strongly suggests that productivity will continue to rise by at least 3 percent a year. If so, the only way the country could end up with an overall growth rate of 3 percent would be to accept no increase in the size of the labor force—i.e., to accept colossal increases in unemployment throughout the 1960's. This would be at least as unnatural as anything the forced-growth school is proposing, and so of course would be unthinkable as a national policy.

THE OPTIMUM IS POSSIBLE

The optimum rate of increase, the 4-plus rate, is, as we have indicated, a realistic estimate based on forces now operating in the economy. This does not mean it can come about wholly by itself. Certainly the prospect of achieving it deserves at least as much attention from the Government as the importunities of most lobbyists. But it may need nothing more from Washington than a few strokes of conservative Government policy. Since capital investment and defense together will probably have to grow a little faster than the rest of the economy in the first half of the 1960's, the Government's general policy for the 1960's should be framed to this end—i.e., to restrain a little the growth of consumption in favor of savings and capital investment.

During the next year or so, however, inflation will probably not be the chief obstacle in the way of realizing an optimum growth rate. More important is a growing manpower problem. Unemployment stands at more than 6 percent of the labor force, instead of the "normal" 4 percent, and this just as the labor force is beginning to come into its phase of rapid growth; productivity, still recovering from its recession setback, is rising at an abnormally high rate. For the time being, therefore, severe credit restrictions (especially if combined, as a few of the doughtiest inflation-fighters have proposed, with sizable Federal budget surpluses) may not add up to the best medicine for the country. Such preventives need to be used very gradually, as events dictate.

A 4 percent growth rate, of course, is not ordained by Heaven. Any number of circumstances may arise to reduce the rate somewhat—or, what is just more possible, to increase it a little. But the United States can realize its immense potentialities, without coercion or distortion, if it neither underestimates its powers nor tries to push them too hard.

SANCTUARY IN THE UNITED STATES FOR DALAI LAMA

Mr. NEUBERGER. Mr. President, America has a long and honorable history of offering asylum to the victims of persecution, aggression, and tyranny. It may be that the Dalai Lama of Tibet will not want to depart from the continent of Asia, where his destiny has been forged. But should there be any desire on his part to live in the Western World, I urge our Government to make available to him a refuge and sanctuary in the United States from the ruthless descent

of the Chinese Communists on his little mountain kingdom.

All too infrequently of late have we been identified with the fate of those who are the targets of tyranny, and this is an opportunity for us to cement our ties with one whose people have suffered cruelly at the hands of the Communist invaders. Our record with respect to admitting Hungarian refugees is one which is more comprised—alas—of words than deeds, so the Tibetan tragedy may be a further opportunity, although, of course, with only a handful of people involved so far as flight from their homeland is concerned.

Mr. President I believe the CONGRESSIONAL RECORD should contain the statement of the Dalai Lama regarding the broken promises and shattered pledges made by the Chinese Reds, as a warning to other lands which might put faith in such blandishments, and I ask unanimous consent that the Dalai Lama's statement appear in the RECORD. This is the version which was published in the New York Times of April 19, 1959, as translated via the services of the Reuters News Agency from Tezpur, in India.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

TEXT OF STATEMENT ISSUED BY DALAI LAMA

TEZPUR, INDIA, April 18.—Following is the official translation of the text of a statement issued today on behalf of the Dalai Lama on his arrival here:

"It has always been accepted that the Tibetan people are different from the Han people of China.

"There has always been a strong desire for independence on the part of the Tibetan people. Throughout history this has been asserted on numerous occasions.

"Sometimes the Chinese Government has imposed their suzerainty on Tibet, and at other times Tibet has functioned as an independent country.

"In any event, at all times, even when the suzerainty of China was imposed, Tibet remained autonomous in control of its internal affairs.

"In 1951, under pressure of the Chinese Government, 17-point agreement was made between China and Tibet. In that agreement the suzerainty of China was accepted as there was no alternative left to the Tibetans.

"AUTONOMY PLEDGE CITED

"But even in the agreement it was stated that Tibet would enjoy full autonomy. Though the control of external events was to be in the hands of the Chinese Government it was agreed that there would be no interference by the Chinese Government with the Tibetan religion and customs and her internal administration.

"In fact, after the occupation of Tibet by the Chinese armies, the Tibetan Government did not enjoy any measure of autonomy, even in internal matters, and the Chinese Government exercised full powers in Tibetan affairs.

"In 1956 a preparatory committee was set up for Tibet with the Dalai Lama as chairman and the Panchen Lama as vice chairman and General Chang Kuo-hua as the representative of the Chinese Government.

"In practice even this body had little power and decisions in all important matters were taken by the Chinese authorities.

"The Dalai Lama and his Government tried their best to adhere to the 17-point agreement, but the interference of the Chinese authorities persisted. By the end of 1955 a struggle had started in the Kham Province and this assumed serious proportions in 1956. In the consequential struggle the Chinese armed forces destroyed a large number of monasteries.

"LAMAS ARE KILLED

"Many lamas were killed and a large number of monks and officials were taken and employed on the construction of roads in China, and as the interference in the exercise of religious freedom increased the relation of Tibetans with China became openly strained from the early part of February 1959.

"The Dalai Lama had agreed a month in advance to attend a cultural show in the Chinese headquarters and the date was suddenly fixed for the 10th of March. The people of Lhasa became apprehensive that some harm might be done to the Dalai Lama and as a result about 10,000 people gathered around the Dalai Lama's summer palace at Norbulingka and physically prevented the Dalai Lama from attending the function.

"Thereafter the people themselves decided to raise a bodyguard for the protection of the Dalai Lama. Large crowds of Tibetans went about the streets of Lhasa demonstrating against the Chinese rule in Tibet. Two days later thousands of Tibetan women held demonstrations protesting against the Chinese authority.

"In spite of this demonstration from the people, the Dalai Lama and his Government endeavored to maintain friendly relations with the Chinese and tried to carry out negotiations with the Chinese representatives as to how best to bring about peace in Tibet and assuage the people's anxiety.

"While these negotiations were being carried out reinforcements arrived to strengthen the Chinese garrisons in Lhasa and Tibet.

"On the 17th of March two or three mortar shells were fired in the direction of the Norbulingka palace. Fortunately the shells fell in a nearby pond.

"After this the advisers became alive to the danger to the person of the Dalai Lama and in those difficult circumstances it become imperative for the Dalai Lama, the menbers of his family and his high officials to leave Lhasa. The Dalai Lama would like to state categorically that he left Lhasa and Tibet and came on to India of his own free will and not under duress.

"It was due to the loyalty and affectionate support of his people that the Dalai Lama was able to find his way through a route which is quite arduous.

"The route which the Dalai Lama took involved crossing the Kyi Chu and the Tsangpo (Brahmaputra) Rivers and making his way through the Lhoka area, Yarlung Valley, and Tsona Dzong before reaching the Indian frontier at Kanzey Mane, near to Chuthangmu.

"TWO EMISSARIES SENT

"On March 29, 1959, the Dalai Lama sent two emissaries to cross the Indo-Tibetan border, requesting the Government of India's permission to enter India and seek asylum there.

"The Dalai Lama is extremely grateful to the people and Government of India for their spontaneous and generous welcome as well as the asylum granted to him and his followers. India and Tibet have religious, cultural, and trade links over a thousand years and for Tibetans it has always been the land of enlightenment, having given birth to the Lord Buddha.

"The Dalai Lama is deeply touched by the kind greetings extended to him on his safe arrival in India by the Prime Minister, Mr. Jawaharlal Nehru, and his colleagues in the Government of India. The Dalai Lama has already sent a reply to this message of greetings.

"Ever since the Dalai Lama entered India at Kanzey Mane near Chuthangmu he has experienced in full measure the respect and hospitality extended to him by the people of the Kameng frontier division of the North East Frontier Agency, and the Dalai Lama would like to state how the Government of India's officers posted there had spared no effort in making his stay and journey through this extremely well-administered part of India as comfortable as possible.

"FUTURE TO BE WEIGHED

"The Dalai Lama will now be proceeding to Mussoorie, which he hopes to reach in the next few days. The Dalai Lama will give thought to his future plans and if necessary give expression to them as soon as he has had a chance to rest and reflect on recent events.

"His country and people have passed through an extremely difficult period and all that the Dalai Lama wishes to say at the moment is to express his sincere regret at the tragedy which has overtaken Tibet and to fervently hope that these troubles will be over soon without any more bloodshed.

"As Dalai Lama and spiritual head of all Buddhists in Tibet, his foremost concern is the well-being of his people and in insuring the perpetual flourishing of his sacred religion and the freedom of his country.

"While expressing once again thankfulness at his safe arrival in India, the Dalai Lama would like to take this opportunity to communicate to all his friends, well-wishers, and devotees in India and abroad his sincere gratitude for many messages of sympathies and concern with which they have flooded him."

POSITIVE STEPS IN FOREIGN POLICY

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed in the body of the RECORD at this point an extremely able and provocative address delivered by the distinguished majority leader of the Senate [Mr. JOHNSON] before the Women's National Press Club banquet for the American Society of Newspaper Editors, at Washington, D.C., on April 16, 1959.

The address contains several important suggestions for improving our relations with nations abroad, in a positive and effective way. I am particularly interested in his proposals in regard to a university at Hawaii to serve as a link between Asia and the United States. I am hopeful that this address will receive the wide attention it deserves.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

POSITIVE STEPS IN FOREIGN POLICY

(Address by Senate Democratic Leader LYNDON B. JOHNSON of Texas, before the Women's National Press Club banquet for the American Society of Newspaper Editors, Washington, D.C., April 16, 1959)

Madam Chairman, Mr. Ambassador, distinguished editors, ladies, and gentlemen, throughout our national experience, the month of April has been a month of history for Americans.

Our Congress met for the first time in April 180 years ago. General Washington was inaugurated as President in the same month.

Ninety-four years ago yesterday, Lincoln died here in Washington. And 14 years ago last Sunday, Franklin D. Roosevelt passed away at Warm Springs.

Our Civil War began in April 1861—and ended in April 1865. Fifty-two years later, in April of 1917, a man from the South, Woodrow Wilson, asked the United States to enter the war to make the world safe for democracy. And in April of 1945, men met

at San Francisco to unite nations in the quest for world peace.

But of all our April anniversaries, the one which most directly affects our generation is the one which passes with the least notice. It comes next Wednesday when we enter the 13th year of the cold war.

It was on the 22d of April 1947, that the Senate approved legislation to implement the Truman doctrine. That was our official recognition of the situation into which Soviet communism had plunged the world.

My assignment tonight is to speak on positive aspects of foreign policy. I am joined in this assignment by a man who has made as many positive contributions to a stable and free world as any other—Ambassador Carlos Romulo.

STRONGHOLDS OF FREEDOM

The cold war has been on our part essentially a defensive struggle. We are attempting to hold fast the strongholds of freedom against the aggressions of communism. In that sense, our position at times has seemed negative.

But it is impossible to discuss positive aspects—or any other aspects—of foreign policy today except against the background of the cold war. It is the compelling fact of our day.

Although our position has been defensive, it has been imaginative and bold.

INITIATIVE AND FAITH

We have shown initiative—as in the Marshall plan, the Truman doctrine, point 4, and NATO. We have displayed courage—as in Iran, the Berlin airlift, Korea, and Lebanon. We have exhibited good faith—as in our dealings with nations we could have held as colonies.

But to a great extent, our policies have been motivated by sheer reaction to the probing thrusts of Soviet communism into the free world. And because of that motivation, we have tended to forget what should be the true moral basis of our policy.

There has been a tendency to say that we send food to India because we want to win that nation over to our side.

There has been a disposition to say that we send technicians to Southeast Asia because we want to halt the spread of communism.

IGNOBLE MOTIVES AND NOBLE DEEDS

There has been a readiness to exchange students with Europe because we wish to spread our ideas.

We have been ascribing ignoble motives to noble deeds. And in doing so, we have given the world the impression that we are bidding for friendship as traders bid for a sack of wheat.

Such an impression is an open invitation for those whose friendship we seek to shop around and see what the man on the other side of the street is willing to offer.

I think it is about time for us to change not our policy but our attitudes. I think it is about time for us to start proceeding on the assumption that we do things not because they are expedient but because they are right.

If we send food to India, we should do so because people are hungry and we have a surplus.

If we send technicians to Southeast Asia, we should do so because people need help and we have the necessary skills.

If we exchange students with Europe, we should do so because we wish to exchange knowledge.

A HANDSHAKE, NOT A TIP

The world wants America to reach out its hand for a handshake, not to leave a tip. That is the kind of America we must be.

It is fashionable, in discussing foreign policy, to call for bold, new ideas. Such ideas are always welcome—although we must never confuse mere novelty with real merit. But I suspect our problems will be solved eventually by the vigorous and imaginative application of policies we already have in force. Some of them date back for many years.

In another April, 69 years ago, there was formed in this hemisphere the International Union of American Republics. Our Secretary of State, addressing that convention, expressed our purposes this way:

"We believe that a spirit of justice, of common and equal interests between the American States, will leave no room for an artificial balance of power like unto that which has led to wars abroad and drenched Europe in blood."

This concept applies to our times and our challenges today.

JUSTICE AMONG NATIONS

We do not seek anything in this world other than justice among nations. We are not setting as our goal a precarious balance of power which will maintain not peace but a fearful and uneasy stalemate.

We must rest the alliance of free men on a common interest in mankind's well-being rather than on the common bond of fear.

Our country will soon enter important conferences which may settle the destiny of the world. We are entering those conferences, unfortunately, without the services of a great and dedicated American who has borne the foreign policy burden for many years.

It is conceivable that those conferences will settle many problems. It is to be hoped that they will relax some of the tensions which now threaten to blow the world apart.

But even if those conferences should settle all questions of armaments, past treaties and boundaries—and as reasonable men we know this is doubtful—we would still be faced by a Communist challenge vital to our survival.

THE TWOFOLD CHALLENGE

The challenge is twofold: the economic challenge of trade and the moral challenge of understanding the people of the earth who remain outside the struggle of East and West.

Khrushchev has boasted that the Soviet Union will destroy us in economic competition. Khrushchev is no idle braggart.

And the Soviets have been working for years among the uncommitted people of the earth. It would be foolish to pretend that their work has not been effective.

To meet the challenge of trade will not be easy. It will require first exploration of the thinking of our fellow free nations to determine what steps can be taken to bring about economic unity.

To meet the challenge of human understanding, however, will be far more difficult than meeting the challenge of trade. For too many years, we have neglected the simple things that would break down the barriers between ourselves and people who should be our friends.

LANGUAGE BARRIERS

For example, languages spoken by hundreds of millions of people all over the earth are hardly known in our land. The official languages of nations like the Union of South Africa, Korea, the Philippines, Pakistan and others are taught nowhere in the United States.

Our printing presses produce nothing that most of the world's population can read.

There are intellectual walls which must be broken down if we are to have mutual understanding. And there are ways of breaking down those walls.

Why don't we foster truly international centers of learning where the world's best and most mature minds can meet and exchange ideas?

We have the facilities; we have the scholars; we even have the sites.

We have recently taken an historic step in the development of our Nation. A group of mid-Pacific islands will soon share all the rights and responsibilities of the other 49 States in the Union.

The Hawaiian Islands lie astride the trade routes of the Pacific. Many of the people have close ties to the countries of the Far East. They enjoy the advantages of a university of stature and prestige.

AN INTERNATIONAL UNIVERSITY

Why do we not establish in Hawaii an international university as a meeting place for the intellectuals of the East and the West?

Why do we not seek to attract scholars and students alike from both the Orient and the Occident?

Hawaii could be the place at which professors from Harvard, Chicago, California, and all our great universities could meet with the learned men of Tokyo, Manila, Indonesia, Southeast Asia, India and Pakistan.

The great teachers of Asia could impart their learning to students from the West. And professors from the Western Hemisphere could lay before students of Asia the knowledge that has been gained in our part of the world.

In Hawaii, barriers of language would evaporate rapidly. People would gain new understanding and new respect for each other. And the intellectual association would benefit all mankind.

This is a concept which I have discussed many times with the distinguished and able Delegate from Hawaii, JOHN BURNS. It is a concept which we could put into actuality at a fraction of the cost of the weapons which we now ship to other nations of the world.

A PRACTICAL IDEA

That this is a practical idea has been demonstrated already by the University of Puerto Rico.

Under the American flag, and the wise leadership of Muñoz-Marín, the University of Puerto Rico has been building a bridge of understanding between us and the people of Latin America. A door to mutual understanding has been opened.

We have learned of the vital importance of the rich Spanish cultural heritage. And the Latin Americans have learned the truth about our hearts and our souls.

The University of Puerto Rico has been such a tremendous success that it has led the Senator from Montana, MIKE MANSFIELD, and the Senator from Florida, GEORGE SMATHERS, to propose a University of the Americas. And it is an idea which has great appeal.

Hawaii, a bright, new star in our flag, could also become a bridge spanning the Pacific.

We must not underestimate the importance of this bridge. The Communists long ago realized that the destiny of mankind could be settled in Asia. Leon Trotsky, the Bolshevik theoretician, said: "The road to Paris and London might lead through Kabul, Calcutta, and Bombay."

COMMUNIST CONQUEST

The Communists exiled and assassinated Leon Trotsky. But they did not exile this idea. And one of the greatest single blows that has ever been dealt against the free world was the Communist conquest of 650 million Chinese—who are gaining at the rate of 13 million people a year.

Compared to the people of Asia, our population is a drop in the bucket. There are 400 million Indians increasing at the rate of 7 million a year. Eighty million people inhabit the Indonesian chain. When these are added to the millions of Japan, Korea, southeast Asia and the Middle East, totaling 1,500 million, this means our 175 million is a very small minority in this world.

THE CHALLENGE BEFORE US

For the challenges before us, we need both new ideas and old boldness. But our future

lies not in the multiplicity of ideas but in singleness of purpose.

That singleness of purpose must be dedication to the concept that this can be a better and freer world for all the nations.

That is not a goal which can be achieved in one night or by one idea or even by one policy. But it is a goal which is attainable if America assumes not just the political and military but the moral leadership which should be ours.

JOHN TATSEY ACQUIRES NATIONAL REPUTATION

Mr. MANSFIELD. Mr. President, on several occasions I have inserted in the CONGRESSIONAL RECORD a series of news columns written by one of the most unique and clever journalists of our time. As many of my colleagues in the Senate will realize, I am referring to my close friend, John Tatsey, Blackfeet Indian Reservation policeman-columnist at Heart Butte, Mont.

John Tatsey writes with his own style and his columns are full of life and human interest. Recently John has received considerable acclaim and has built up a fan club in all corners of the Nation and it is composed of many notables.

Former President Harry S. Truman recently wrote me stating that Tatsey's articles "are some of the best I've ever read," comparing them to Mark Twain's announcement for President. Secretary of the Interior Fred Seaton is familiar with John Tatsey's work, and I know that Tatsey has many followers here on Capitol Hill. In addition, last week's issue of Time carries a story on Tatsey.

The April 12 issue of the Great Falls Tribune, Great Falls, Mont., carries an entertaining feature story on "Montana's Modern Day Will Rogers" by Bill James, which I know every CONGRESSIONAL RECORD reader will not want to miss.

Mr. President, I ask unanimous consent to have this article printed in the RECORD at the conclusion of my remarks.

I also ask unanimous consent to have printed at the conclusion of my remarks five of the latest news columns by John Tatsey which appeared in the Glacier Reporter.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Great Falls Tribune, Apr. 12, 1959]

BLACKFEET COLUMNIST ACQUIRING NATIONAL REPUTATION

(By Bill James)

HEART BUTTE.—John Tatsey, Blackfeet Indian Reservation policeman-columnist, has a way with words—the Tatsey way.

Tatsey handles words with as deft a Tatsey touch as he guides reservation friends into Browning or Heart Butte jails when they drink too liberally of the cup that cheers.

Although the 65-year-old Tatsey, whose Indian name is "Weasel Necklace," ignores commonly accepted rules of grammar, spelling and punctuation, his highly individual style of writing his "Heart Butte News" column has been receiving considerable national attention.

Senator MIKE MANSFIELD, a devoted Tatsey fan who describes the Indian columnist as "Montana's Modern Day Will Rogers," has enjoyed many a laugh when reading Tatsey's columns and has had several of them reprinted in the CONGRESSIONAL RECORD.

Harry S. Truman, former President of the United States, is another Tatsey fan. The ex-President wrote to Senator MANSFIELD, saying Tatsey's articles "are some of the best I've ever seen."

"Have not seen anything I enjoyed more since I read Mark Twain's announcement for President," Truman added.

When Interior Secretary Fred Seaton met Tatsey at a Browning program, he joked that Tatsey received more space in the CONGRESSIONAL RECORD than did the Secretary of State.

The current issue of Time Magazine carries a story about Tatsey. The Associated Press distributed a long feature story about Tatsey to newspapers in all parts of the Nation.

Tatsey, a good-natured man who looks younger than 65, writes his column for the Glacier Reporter but it is reprinted often in other publications. Mel Ruder, publisher-editor of the Hungry Horse News at Columbia Falls, frequently reprints Tatsey's column through a friendly agreement with the Glacier Reporter.

Dorothy Johnson, nationally known author who edits the "Montana Fourth Estate," publication of the Montana Press Association, is an ardent admirer of Tatsey and reprints choice gems of Tatsey humor. The Plentywood Herald reprints some Tatsey columns.

Other papers have asked Tatsey to write for them but he has declined to broaden his journalistic field.

"Lucky to write what I do now," he exclaims with a broad smile. His dark brown eyes reflect warmth and alertness as he casually runs a strong hand through his black hair, generously streaked with grey strands, and talks about letters and wires he has received about his writing.

"They come from all over—from Florida to California," he smiles. "Never answer. I don't know what would happen so to stay out of trouble I never write," he states.

Tatsey, a sturdy man who admits his 178 pounds is too heavy for his 5-foot 8-inch frame, admits that he writes more for the love of being a Heart Butte correspondent than for the money he receives for his newspaper stint.

Tatsey isn't sure how much money he gets from writing his weekly column.

"It's snoose money," he smiles. He has been chewing snuff since he was a boy. He doesn't pay too much attention to the money he gets from writing but points out he gets from $9 to $12 every few months from the Glacier Reporter and about $6 or $7 every few months from the Hungry Horse News.

Sometimes, he skips writing a column. During the hunting season, he takes hunting trips and occasionally guides a group of eastern friends on a trip so he is forced to forget his column for a while. When that happens, readers write and sometimes wire to find out what has happened.

Followers of Tatsey's columns are particularly fond of frequent items about activities of Stoles Head Carrier.

Some samples of his accounts of Stoles Head Carrier follow:

"Stoles Head Carrier went to Valier and got some guts or entrails and when he got home he had to cross a bridge, he slip and fell but still had guts."

"Stoles Head Carrier had a long rest and the first nice day he got George Running Wolf to take him to Valier to get repairs for his car and George had to leave him there because he could not load him in the car. So Stoles will be on the road soon."

"Tatsey was out hunting Monday morning where he saw something moving around so he waited till Joe Running Crane come up. By then we saw horses and we saw Stoles Head Carrier crawling around on hands and knees eating huckle berries. He did not see any game and come home just when the storm hit. Next day he went to town and was having a high old time from one bar to another."

"Stoles Head Carrier was around Conrad picking rock and someone started to bring him home and was lost in Valier and have not heard anything of him. Sure miss him at Heart Butte."

Tatsey says readers always ask what is wrong if he fails to mention Stoles Head Carrier in a column.

"When he behaves himself I got nothing on him," Tatsey explains.

Tatsey acknowledges he is fond of his friend, Head Carrier, a man of about 50 who weighs close to 300 pounds.

"Stoles has a good sense of humor and laughs about the things I write about him," Tatsey says. "It's true when I write about him so what can he do?" he asks seriously.

Tatsey says Stoles kids him too and that there is a give-and-take arrangement about kidding.

When Tatsey mentioned in his column Senator MANSFIELD had asked to meet him, Dorothy Johnson reprinted the column in "Montana Fourth Estate" with this note: "Some people would be knocked off their feet at being invited to meet a U.S. Senator at the Senator's specific request, but with Tatsey this incident has to take its turn after deer hunting, lost horses, potato picking, and tooth pulling."

Writing about his meeting with Senator MANSFIELD, Tatsey told about being called early to be in Browning, adding, "When Senator MANSFIELD came Mr. and Mrs. Tatsey had a picture taken with him. MIKE had his medicine pipe with him but did not offer Tatsey a peace smoke so Tatsey did not take him into the tribe or give him his Indian name but still we meet and made friends."

Tatsey said he has a high degree of respect for his friend, Senator MANSFIELD. In a recent column, Tatsey wrote:

"There was the Wolf Point Herald paper drifted in the Blackfeet Reservation and there were statements in it where the Sioux and Assiniboines are fighting over their tribal councilmen and some of our Democrats in the District of Columbia. We would not want to see our good friend, MIKE MANSFIELD, scalped. Better get a short haircut."

At times, Tatsey gives his Heart Butte readers a bit of advice like this: "There have been a tooth puller at Heart Butte the past week taking care of bad, bad teeth. Remember Heart Butte people there is some elk meat coming this winter and might be tough."

Tatsey keeps track of vital statistics in this manner:

"Mrs. Louise Old Rock has been buried at Heart Butte Cemetery. She passed away last Saturday morning at Blackfeet Hospital.

"Mrs. Lizzie Roundman passed away some time Saturday night and will be buried at Heart Butte. She leaves three sons and six daughters."

Social happenings receive this treatment:

"Mr. and Mrs. George Duck Head are visiting Mrs. Maggie Spotted Eagle for the weekend."

But items that stir the most comments are ones like these:

"A young man became a single guy last fall and last week he took a notion to use the old Indian custom of paying for a wife, he offered two cows but the mother said she would think it over.

"Vick Gregory the teacher left for Missoula Tuesday where he will get married and bring her back to Heart Butte.

"Two weeks ago four airmen came to Heart Butte for a stick game. They played couple of hours and when one got up he stopped, his outer overalls were around his ankles and he was hobbled with them. Good thing he had double pants on but he did not know what happened."

Tatsey doesn't hesitate to name names when he reports happenings at Heart Butte.

Writing about a Heart Butte man, he said the fellow visited a tavern for a few hours while his wife was waiting outside in the car. He said when the man came out "he had a young Browning girl and stopped at a corner and put his arms around her when his wife told him we are ready to go, he froze there for a minute."

Duties of a policeman are never far from Tatsey's mind. For instance, he mentioned in one column a Heart Butte man who "was picked up Sunday night back of George Whippert place where he was hung up by one leg on a barbed wire fence. More fences would help the police."

Tatsey's special brand of reservation humor is making his columns conversation pieces and collectors' items. For instance, he wrote about an elderly Indian who "was coming out of the tribal store with a bag of meat and bread when a young lady came and took the bag and told him that she would go home with him and cook and feed him. She walked so fast he could not keep up."

Or, his story about an Indian who was "a little intoxicated" last week. "He was all alone around the house. Tatsey was watching him with a field glass. Pretty soon he wheeled out a bicycle and put it on a little hill and got on and went down and took a spill. He left the bike there."

Then, Tatsey writes about a Heart Butte citizen who went out one morning with two buckets after water. "He never came back so one of his daughters went down to see what happened. The buckets were there but no father. He was already in Valier; he went after something stronger than white tail water."

Tatsey doesn't mind giving a friend a pat on the back. An example: "John Beaver from upper Big Badger had a party at Mike Swims Under place when the spud pickers came back. Mike played the fiddle and Beaver picked on the guitar so when you want a musician get Beaver."

Tatsey's career as a columnist began about 4 years ago when the publisher of the Glacier Reporter suggested that Tatsey was in an excellent position to write the Heart Butte column because he was one of the respected leaders and oldest residents in addition to being a policeman.

The policeman agreed to try writing. His columns became successful almost instantly in the Heart Butte area and with the 1,200 subscribers of the Glacier Reporter.

His position as a policeman has had a tendency to keep griping to a low murmur—and vigorous protests few and far between. The column added to his high standing in the community.

Naturally, there have been some complaints but Tatsey doesn't worry about them.

"I tell them what's what and that's all," he explains. "I tell them I write only what's true."

While a few complain about what he writes, the most complaints come from people who say they don't see their names in the paper often enough. Many friends volunteer choice bits of news about their neighbors and practically all of the Heart Butte area residents take pride in his writing. (Heart Butte was credited with a population of 100 in the 1950 census but Tatsey says there are about 250 to 300 families with a population of about 1,000 in the area.)

Milo K. Fields, publisher-editor of the Glacier Reporter, is proud of his star columnist and likes him personally.

"When I first came here 3 years ago after buying the paper, I was scared to death about his writing," Fields admits.

Fields pointed out that many Heart Butte people come to the Reporter's office every week to buy the paper so they can read Tatsey's column.

Explaining that he doesn't edit Tatsey's writing, except at rare times when the meaning isn't clear, Fields said "the secret of it is leaving it natural."

When readers appear at the Reporter office to complain about something Tatsey wrote, Fields refers them to Tatsey.

"Tatsey says they just don't defy his authority," the editor added.

Blackfeet tribal officials follow his column and get many laughs from it.

"I have always wondered how the world he gets away with all he does," one tribal council official laughed. "I wouldn't last overnight if I wrote that about them; I'd be scalped."

The official explained that Heart Butte is a closely knit community that would permit a respected oldtimer and leader like Tatsey to write lightly about it but would bitterly resent it if any outsider did the same.

Tatsey, born on his father's ranch near Heart Butte, says he is all Indian but that his father was a Canadian Blood Indian and his mother a Blackfeet.

He attended the Holy Family Mission School about 15 miles south of Browning.

"I got up to the seventh grade before I started to work for the Reclamation Service," he recalls. He helped put in irrigation ditches, driving mules pulling scrapers and other work around the irrigation project.

Tatsey has had a great deal of ranch experience. He and his son, Peter, are partners in a cattle ranch near Heart Butte. Tatsey has title to 320 acres of patent land and leases about 1,800 acres from individual landowners. His son leases land in addition to that his father has. The partners now have about 100 head of Hereford cattle and Peter also has about 200 sheep.

There are two Tatsey children living—Peter and a daughter, Mrs. Roy Doore of Browning. One son, Joseph, was killed in the South Pacific in 1943. An infantryman, Joseph was at Pearl Harbor when the Japanese opened the war.

Mrs. Tatsey, whose mother was a Sioux and her father Spanish-Mexican, wears the long braids of the older Indian women. An alert woman, Belle Tatsey is a warmhearted and genial lady with poise and an excellent sense of humor.

Tatsey, who is paid $300 each month for his policeman's duties, has been on the force steadily since 1950 but was a policeman off and on for a few years before 1950.

The Tatseys are popular in the Heart Butte area and frequently have visitors even before they are awake.

"They build a fire for us and put the coffee on," Mrs. Tatsey explains. "We always have someone visiting us," he adds proudly.

Friends of Tatsey say it is funny to see him bring a carload of friends from Heart Butte to Browning and then arrest them after they live it up too much in the bars.

Tatsey admits that looks funny but he points out there is a practical side involved. If he didn't give them rides, they would get to Browning another way, do as much drinking and then get in more serious trouble than they do when he books them at the jail for a short stay.

Mrs. Tatsey comments that it's real funny to hear a group of Indians sing when Tatsey takes them to Browning to stand trial.

"Some sing in English and some in Indian and then they argue which singing is best," she says. "I tell them just to be quiet when we are in town."

"Tatsey knows how to handle people," Fields says. "I have seen him take an Indian twice as big as he is and walk him down the sidewalk. And when John told the fellow to walk lively, the man would."

"Tatsey has guts," his friends proudly state. They tell about the time FBI agents and deputy sheriffs were keeping a wary watch on a house where they had cornered a man who had shot and killed another Indian. Tatsey drove up and walked calmly to the house, opened the door, and walked in. A few moments later, he appeared with the murderer, who, fortunately, had been asleep with three guns concealed in the bed.

A man who speaks on a higher plane than he writes, Tatsey reads magazines and the Great Falls newspapers. He likes to read the Official Detective magazine even though his granchildren say he should read the Bible more.

"Official Detective helps on my police work," Tatsey explains. "It gives me ideas on law enforcement."

Tatsey is deeply sympathetic about the plight of the Blackfeet. He thinks the thing needed most on the reservation is a housing program to furnish homes for young people.

"Too many are crowded into small homes," he says.

Then there is a desperate need for some industry on or near the reservation, he believes.

"There just aren't jobs for the people, and that is a hopeless condition for the young, especially, to be in," he contends. "The Federal Government don't help the Indians much," he said, referring to the money the Government spends on foreign aid.

Discussing the Government's resettlement program for Indians, Tatsey points out it isn't too good for the Blackfeet.

"The Indians don't stay resettled, because they are not used to cities and long for the country," he says. "The resettlement program works better with mixed bloods than with fullboods," he adds.

Tatsey would like to see a small sawmill started on the reservation so the men could saw timber to build the homes that are needed so badly.

The average Indian on the reservation doesn't think much about the danger of an atomic or hydrogen war, Tatsey said, explaining, "They don't read too much and they think about today, not about a war ahead. I tell them they should read to find out more but they don't do it."

The affable Tatsey smiles and said, "Oh, yes," when asked if he enjoyed writing—which he does by pen on any kind of paper available since he does not type. Saying it takes him about half an hour to write a column, Tatsey doesn't know whether he would like to be a full-time writer.

"Well, when I run out of a job, I might," he said.

He likes Senator MANSFIELD'S description of him as "Montana's modern day Will Rogers."

"I read about that Rogers fellow in Grit magazine and think he was pretty good. I'd like to team up with that man if he was alive," the Heart Butte sage remarked.

[From the Glacier Reporter, Feb. 12, 1959]

HEART BUTTE NEWS

(By John Tatsey)

Last week's blizzard was really felt by the people the day the payment was made. The storm put a little relief on the police force.

Mrs. Maggie Marceau was rushed to the hospital last Sunday when she had a sudden gallstone attack.

Duffy Comes at Night, son of Mr. and Mrs. George Comes at Night, arrived last Saturday from New York. Expected to be home for a while.

The funeral of baby New Breast was held Saturday at the Heart Butte Cemetery.

Mr. Richard Gregory, the teacher at Heart Butte, made a trip to Missoula on business. Returned Sunday.

Mr. and Mrs. Peter Tatsey motored to Cut Bank Monday where Peter got his license for his cars and a generator so he will have lights till some time when the REA has time to set poles.

George Wippert drove to Valier last week and got himself light fixtures and wire so he

will have good lights for stick games and good coffee.

The little story about our Governor having some difficulty over his future mansion: The Blackfeet have a little hard time with funds to get by through the last quarter of the winter, but whenever they make up their minds they will try something to fill their promise. They would sure want to give a new tepee. If they cannot buy the goods, there are enough elk hides to make his office and living quarters fair, Governor, anyhow.

There was some disturbance around Mr. Bobick home at the square. One evening someone was making a lot of noise outside so he grabbed his shotgun and hollered out the window get the h___ away, but found out it was Mrs. Bob Englement playing with her little girl on a snowbank.

Stoles has been in Browning since the per capita payment and has changed quarters. He was seen sleeping in the Yegan lobby where he is not crowded by prisoners.

Joe Running Crane went after water the other morning. When he dip the bucket he slipped and fell in and cut his forehead on the ice. Came in the house, his wife bandaged his head then he went out and started his car and went and stuck his fingers near the fanbelt and nearly cut two fingers off. He will know better next time.

This is all true happenings only with a little joke to finish off with. Be good sports be with you next week.

[From the Glacier Reporter, Mar. 26, 1959]

HEART BUTTE NEWS

(By John Tatsey)

The news from Heart Butte was late for print so will gather some happenings from last week. There was not much of anything but should have some good stuff as the weather gets better.

O. E. Boggs was a visitor from down Shelby way last week; everyone surprised to see him show up around; he left here a few years ago.

Swede Aubert was here on the 10th of this month giving commodities and this week he was here issuing blankets.

Robert Kirkland was a visitor at the Tatsey quarters last Tuesday on an investigation case.

Albert Spearson is out around checking on Old Peoples Home for repairs and additions.

Most everyone received blankets and were glad to get them even if the weather warmed; there is another winter coming.

Mr. and Mrs. Roy Doore motored to Great Falls Monday where Mrs. Doore attended a Stanley Products meeting.

The recruiting officer from Great Falls was here Monday signing boys for the Armed Forces; boys will be leaving for Butte next week for their examinations.

Perry Spotted Eagle, Vincent New Robe, Fredie Old Rock were picked up by Tatsey on warrants for not paying their fines when they promised to get out and get the fine money. Boys, better settle with James H. Walters; you may need a room sometime.

Last week Chief Big Eagle went out one morning with two buckets after water; he never came back so one of his daughters went down to see what happened; the buckets were there but no Big Eagle. He was already in Valier; he went after something stronger than white tail water.

Stoles has been going to town but awful careful what he does.

The Heart Butte Trapper has returned to Heart Butte and has started his traplines; first night two beaver.

Peter H. Tatsey went to Fisher Flats and bought some alfalfa hay for lambing use; and also the cattle are calving; has new calves, lost one.

[From the Glacier Reporter, Apr. 2, 1959]

HEART BUTTE NEWS

(By John Tatsey)

Easter Sunday was a big day at Heart Butte. People came from different parts for church.

Albert Spearson the carpenter on old folks home has finished several homes so far and Earl Olinger had the contract of remodeling the jail and is now ready to accommodate the boys.

Tatsey the police was in Browning when the $25 payment was made. It sure was a mob. There was a young lady who was pushed around and when she finally got in she did not have any shoes and another girl got in but her coat got caught in the door. She just walked out of it and got her $25.

Stoles Head Carrier came to town day before the payment and spent his time at J. H. Walters' place 'till after the payment was over so he did not get in on the other guys treat.

The roads department have started working on the Old Agency-Heart Butte road so it won't be so rough.

The sheepman Larson of Big Badger sheared his sheep last week. Lucky the weather is good.

The piece in the Tribune last week when there was an item on John Tatsey and who ever wrote it did a good job with one or two errors but it still made John feel like somebody. Thanks.

John Tail Feathers came home last Saturday from Great Falls where he had his feet taken off at the Columbus hospital and is now at the Blackfeet hospital.

Mrs. Francis Spotted Eagle has been brought back from Great Falls where she went under operation and is now at the Blackfeet hospital.

Oliver Marceau, Perry Spotted Eagle, Mr. and Mrs. Fred Marceau were jailed last week for disturbing peace at Heart Butte.

[From the Glacier Reporter, Apr. 14, 1959]

HEART BUTTE NEWS

(By John Tatsey)

Sam New Breast and John Tatsey were sent to Missoula last Friday where they attended the meetings of other tribes. Meetings were interesting of different speeches made.

Tatsey was welcomed by the University staff, and Tatsey felt that he knew these people a long time. Meet a lot of friends through the items which he writes from Heart Butte. There were a few from other reservations who came. James Sweeney and wife were from Wolf Point and Henry Archdale and Leslie Four Star from Frazer. There were more Flat Heads dressed Indian costumes and danced different ceremonial dances.

New Breast and Tatsey returned home Sunday night. They enjoyed a fine trip. There was a barbeque elk so that sure hit the spot on the part of the Indians. Real good meal.

Heart Butte people got bad when the police was gone Saturday and Sunday but nothing hurt.

Mr. and Mrs. G. G. Kipp of Old Agency drove to Missoula and returned Sunday.

Mr. and Mrs. James H. Walters motored to Hot Springs where Jim bathed on Sunday afternoon and got home OK.

These are some happenings that came out from Browning last week. There is a little change in the give-me-a-dime business. They kiss you for a dime although these are men that are doing the kissing.

There was a man on the street last week. He got angry at a turtle and chased it across the street but could not catch up to it.

Stole Head Carrier went hunting last Saturday and came out with some elk. Wonder how he got it. Stoles has been wearing a red sweater with three white stripes. One for being a good talker, one for being a good border at Good Talker, and one for being a good border at James Walters. The third will have to ask where.

Sam New Breast went to Helena Wednesday for a church gathering.

Sam Spotted Eagle and family are motoring to Helena to be there Thursday for the church convention.

There has been a lot of talking and taking of pictures of your Heart Butte reporter so there should be some understanding. There were pictures in the Tribune which every one wanted in the Sunday paper just to see and read what Tatsey looked like and what he had to say in the Tribune.

Joe Running Crane said someone was riding around Four Horn Lake and saw some trout swimming along the edge of the lake when the lead fish came out of the water and asked this rider if Joe Day Rider and Dan Boss Ribs were still living.

[From the Glacier Reporter, Apr. 16, 1959]

JOHN TATSEY, INDIAN REPORTER

The national publicity our Heart Butte reporter, John Tatsey, has been getting lately is enough to make any newspaper man or writer jealous. Few, if any, journalists have several times been given three or four pages in the CONGRESSIONAL RECORD, space in Time magazine, and four pictorial pages in a magazine section of a large daily, not to mention many writeups in any number of weekly papers that reprint his column.

Usually such publicity is given only to those persons of prominent or outstanding character, or those who are noted for their exceptional accomplishments. So, why not John Tatsey? John is a man of outstanding character, rare ability, and probably the best known weekly columnist in these United States.

Tatsey ponders somewhat bewilderedly over all of this publicity, which has not changed his good-humored style of writing in the least, and only comments, "Don't the rest of the people know that the Indians read and write now days?"

"I write because I like it," John continues, "and I tell the truth about what I know. Indians are naturally happy people and they like to kid each other. I do a little kidding by writing about my friends, all in fun, and nobody gets hurt."

Tatsey's main philosophy is a good joke, written or spoken. "If I can make someone else smile or laugh, I figure it helps everyone," he comments. "If a fellow gets drunk or gets arrested, it's his own fault and he should expect to be kidded about it."

John has many ways of expressing his humor, sometimes in form of a warning. For instance, when he has to escort one of his problem friends to Jimmy Walters' boardinghouse (tribal jail) he often laughingly tells them he is taking them to the best first-class hotel in town, but they must keep the room clean because they may be back there the next night.

Jimmy's hotel is one of John's main subjects of pen. "And why not?" John emphasizes. "Jimmy has more customers every night than all the rest of the hotels put together. He runs a good boardinghouse and the customers can always find some of their friends there to visit with. It's the only place in the world like it. Everything is strictly personal, even the service. You do everything personally."

"You know, it's too bad they can't print 'smoke signals,' I could really tell them some hot news," John laughs.

That is John Tatsey, and that is the way he writes. He calls his shots, names the ball. And who can argue against the truth?

A PROGRAM FOR THE NATIONAL FORESTS

Mr. MANSFIELD. Mr. President, recently I suggested to the Senate a program for the national forests sent to the Congress by the Secretary of Agriculture be referred to both the Senate Committee on Interior and Insular Affairs and the Committee on Agriculture and Forestry. In some quarters this report is being heralded as a great achievement on the part of Secretary Benson. It is a great achievement but I am inclined to think that the Secretary knows that the course for him to follow has been well charted for him. He did not need to "break new ground," as Gifford Pinchot said in describing his efforts to create and develop our national forests system.

Secretary Benson has received numerous urgings from the senior Senator from Montana [Mr. MURRAY] and many other Senators to present this long-range program. In 1956, the senior Senator from Montana requested that this program be developed. He reiterated his request again in June of 1958 with a special committee print on "Full Development of Our Public Resources." Again in July of last year under the leadership of the senior Senator from Montana, the Montana delegation had the Forest Service regional office in Missoula prepare a special study on the full development of Montana's forest resources. That report was published as a Senate document in January of this year. I ask unanimous consent that at this point in my remarks an editorial from the Great Falls Tribune, entitled "A Program for Vast Growth of Forest Products Industry," be printed in the RECORD.

In his customary quiet manner, the senior Senator from Montana has provided not only leadership but catalytic action which has propelled Secretary Benson to bring forth this long overdue but well-conceived program for our national forests. Because these forests are so important to our Nation and so vital to the development of the West, it is my hope that the Congress will give full and careful consideration to his recommendations. For my own part, I intend to be guided by Secretary Benson's own words, which I quote:

> Legislative authorities for the recommended program are generally adequate * * * appropriation requests to implement the program will be submitted to the Congress in future years in connection with budget presentations after due consideration of the overall physical needs and resources of the Federal Government.

It is my view that we cannot delay putting this program into effect and that it should receive careful consideration by the Appropriations Committee, with the thought in mind that selected programs which are inadequately financed under this year's budget be given reasonable increases.

It is my hope that the Senate Interior and Insular Affairs Committee will proceed as it has in the past in its efforts to seek improvements of all the programs on the national forests created from the public domain. It is also my hope that the Senate Committee on Agriculture and Forestry will give consideration to the problems of the eastern forests other than those created from the public domain. Between the efforts of these two great committees, the Congress should be able to arrive at a determination of the steps which are needed for full water, forest, range, recreation and mineral development of our national forests.

As a westerner, I am keenly aware of the role the national forests are going to play in our future development. The senior Senator from Montana has long supplied leadership in securing recognition of this role. I congratulate him on his achievements, past and prospective.

I ask unanimous consent that there may be included in the RECORD as a part of my remarks an editorial from the Great Falls, Mont., Tribune of February 5, 1959.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A PROGRAM FOR VAST GROWTH OF FOREST PRODUCTS INDUSTRY

There perhaps is no field of potential development in Montana that offers more favorable possibilities for profitable expansion than that based on our forest resources. That situation gives prime importance to a long-time program sponsored by Montana's congressional delegation to open the way for a statewide growth in this category.

Productive possibilities were inventoried last summer by Regional Forester Charles L. Tebbe and are set forth in a 40-page report under the title: "Full Use and Development, Timber Resources of Montana."

Sparked by favorable markets, modern processing methods and new timber uses, Montana's forests are already a highly important factor in our expanding economy. According to the Forest Service survey, they are providing some 8,000 full-time jobs, representing $40 million in annual payroll, in primary production of timber products. That includes the processing necessary to convert the timber into products for the wholesale market, such as dry-surfaced lumber and dimension, pulpwood or pulp, power poles, posts and Christmas trees. Another 1,600 full-time jobs—some $8 million a year in wages—are derived from additional processing of wood in Montana. That is exclusive of about 1,100 Federal, State and private foresters and their employees who are paid nearly $7 million a year.

But, according to the study, these same forests could provide for triple the number of full-time jobs, and triple the present payroll in primary production. Secondary expansion could boost the total annual payroll to more than a quarter of a billion dollars.

The main initial requirement for starting this expansion snowball is construction of adequate roads to open these forest resources to use.

Montanans in Congress and others from States of extensive forest acreage are properly pressing for a speed-up in the program for constructing such roads.

This program would pay big dividends. It would not denude the forests because the Forest Service is charged with the responsibility of seeing that it is carried forward on a sustained growth basis.

DEVELOPMENT OF FORT CLATSOP NATIONAL MEMORIAL IN OREGON

Mr. NEUBERGER. Mr. President, a most comprehensive and thorough report on the progress of development of the Fort Clatsop National Memorial was given to the 12th annual Pacific Northwest History Conference in Portland, Oreg., by Dr. John Hussey, historian of the National Park Service in the Pacific seaboard area.

Dr. Hussey's information is most encouraging to those of us who successfully sponsored the Fort Clatsop legislation in the 85th Congress. Fort Clatsop is located near Astoria, Oreg.

I ask unanimous consent that an article from the Oregonian of April 13, 1959, entitled "Fort Clatsop Monument Project Faces Two-Year Land Acquisition Period," be printed in the CONGRESSIONAL RECORD. I want to add my own thought that I have been very favorably impressed with the businesslike approach of Dr. Hussey and other officials of the National Park Service to this great historic commemoration connected with the immortal expedition of Meriwether Lewis and William Clark.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FORT CLATSOP MONUMENT PROJECT FACES 2-YEAR LAND ACQUISITION PERIOD

(By John Bailey)

Completion of Fort Clatsop at Astoria as a national historical monument will come within 2 years after necessary land is acquired, a representative of the National Park Service told the 12th annual Pacific Northwest History Conference in Portland Saturday.

Final day of the conference's session brought talks by prominent Northwest historians and was highlighted Saturday night by a fashion show of authentic Indian costumes and authentic Indian dances.

In a business session, Sigfried Rolland, professor of history at the University of Idaho, was retained as chairman of the conference; Thomas Vaughan, director of the Oregon Historical Society, was reelected to the executive committee, and Bruce LeRoy, director of the Washington State Historical Society, was named secretary-treasurer.

Outlining future plans of the National Park Service in the Northwest, Dr. John Hussey of San Francisco stressed proposed improvement of the Fort Clatsop monument. Members of the Oregon Historical Society sponsored the historical conference's fifth annual spring history forum here Thursday, Friday, and Saturday in the Multnomah Hotel.

LAND NEEDED

Dr. Hussey said acquisition of land is all that stands in the way of completing the monument, and he said it will be finished within 2 years after the land is obtained.

The speaker said the Park Service found that residential building was encroaching on the area needed for the monument and the agency recommended its area be increased to 125 acres.

Designated boundaries of the monument approved March 27 by the Secretary of the Interior included that acreage, and Clatsop County officials have agreed to relocate a county road which presently interferes with development plans, he said.

Plans call for re-creating the historic scene which served as the winter camp of Lewis and Clark in the winter of 1805 and 1806, and construction of a visitors' center and parking lot. With completion of the project, visitors will be able to walk the same trail to the river which was used by Lewis and Clark more than 150 years ago, he said.

He urged history teachers to make use of the monument as an aid in teaching by making field trips to the site with students.

EXPLANATION FURNISHED

Dr. Hussey said the National Park Service is obligated not only to preserve and re-create the past but to explain events which took place there.

"It is a source of history without which we can't write about history and can't understand it," he said. "It has the power to make the past come alive."

Also on National Park Service drawing boards for further development are the Sitka National Monument in Alaska, the Whitman Monument near Walla Walla, Wash., Fort Vancouver, and lava beds near Klamath Falls.

Dr. Hussey explained that appropriations for monument development formerly were on the hit-or-miss basis which did not always provide sufficient funds for proposed projects. Present proposals will be made possible through Mission 66, which provides for preparation of areas under national park supervision for some 80 million visitors by 1966.

Supplementing Dr. Hussey's remarks was William Everhart, also of San Francisco, who explained that the Park Service is conducting an extensive study for possible historical monuments and recently has completed a report on the route of the Lewis and Clark expedition to Fort Clatsop.

Other speakers during the conference's afternoon session were Dr. Erna Gunther, of the Washington State Museum in Seattle, who discussed "Captain George Vancouver in the Washington Country," and Mrs. Hazel Mills, Oregon State Library, who gave a biography of Frances Fuller Victor, Oregon historian.

Don Willner, Portland attorney who served as chairman of a legislative interim committee on migratory labor in Oregon, compared the migrants of today to those 100 years ago when pioneers moved into the Oregon country.

He said pioneers faced unlimited opportunities in a land of plenty while the migrants of today face a lifetime of want. Willner said the committee found that average wage of the migrant laborers is $32 a week for head of the family or $80 for the entire family, a total of about $1,000 a year.

Climaxing the 3-day forum was presentation of native Indian costumes of Pacific Northwest tribes by Dr. Gunther held in conjunction with authentic dances of the Kwakuitl culture presented by the Holm Dancers of Seattle.

RESIGNATION OF SECRETARY OF STATE JOHN FOSTER DULLES

Mr. SALTONSTALL. Mr. President, the resignation of Secretary of State Dulles is now official.

Last year I wrote a guest column for the late Tom Stokes. I used it to express my respect and admiration for the manner in which Mr. Dulles conducted his office. During the past year his record is one of even greater achievement. My sentiments for that work only emphasize what I said a year ago. For this reason I ask unanimous consent to have printed in the RECORD as a part of these remarks so much of the article referred to as applies to Mr. Dulles and his work.

We can be truly thankful that we have had in the office of Secretary of State a man so dedicated and so able as John Foster Dulles. His resignation is a loss to every American and, in fact, to the entire free world. Though he will be sorely missed, he is being succeeded by a man whom I know to be able, well-informed and patriotic, the Honorable Christian A. Herter.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DULLES' DEDICATION TO NATION: SECRETARY'S STEADFASTNESS IS CALLED BENEFIT TO UNITED STATES AND OBSTACLE TO FOE

(EDITOR'S NOTE.—This is another in the Statesmen's Series of columns being written by distinguished personages in the Government, national affairs, business, and the military for Thomas L. Stokes, who is seriously ill.)

(By Hon. LEVERETT SALTONSTALL, U.S. Senator from Massachusetts)

Since the beginning of our Nation, courage and fortitude have been hallmarks of America and the American way of life. Our cities, towns and farms were carved out of a wilderness; our Government was created out of a fight for freedom.

We have had to have strong leaders to guide us during the growth of our Nation. Courage and determination are, therefore, among the most priceless qualities of our heritage and of those who serve our country. These qualities have very much distinguished our present Secretary of State.

The primary duty of a Secretary of State is to advance the interests of our country around the world, protect American citizens and their interests in other countries and to do his utmost to keep peace. Secretary John Foster Dulles has done just that.

He has always worked primarily to promote the security of the United States and the cause of peace. He has indeed devoted his entire life to advancing the interests of our Nation in international affairs. Without his guidance of these tremendous international problems, we might well have suffered many more setbacks and achieved much less in our cold war struggles.

President Eisenhower's policies with Mr. Dulles' advice and guidance have kept us out of war without sacrificing our principles and without compromising the objectives which we seek. Although from day to day we cannot be sure that we are free from the threat of aggression, we have maintained under this leadership peace without compromise.

But whether we agree with Mr. Dulles' policies or not, I think all of us must agree on one thing—he has been determined in his beliefs, steadfast in his devotion to America's peaceful objectives. He has stood firm for the principles he knows to be in the best interests of the United States.

He has been bitterly attacked here at home by those who disagree with his handling of our international problems. At one time he was sharply criticized for his statement that our Nation was on the brink of war; yet at the same time he is criticized for giving way in the face of the Communist aggression.

He is attacked for failing to inject any daring new ideas into our foreign policy, yet he is criticized for his personal visits with heads of state all over the world—a Dulles innovation. He is attacked for refusing to accede to the futile gestures offered by the Russians with respect to a summit conference; he is criticized for not being more vigorous in demanding the return of American citizens held by the Communists and in the same breath he has been criticized for not permitting Americans to travel in those areas where the Communists have been known to seize visitors from the Western World.

His steadfastness in the face of bitter attacks has repeatedly paid off in advancing U.S. interests throughout the world. He stood fast when the last stronghold of Nationalist China stood in the shadow of the Communist tyrant—Formosa was saved. His firmness in the face of the crises in Vietnam and the Middle East has proved to be insurmountable to the Communists.

The recent SEATO meetings in Manila have indicated an unusual singleness of purpose among its member nations. After the first day of meetings, when all of the speakers joined to voice a common anti-Communist purpose, the Soviets renewed their propaganda barrage against Mr. Dulles.

These characteristics of Mr. Dulles have been particularly manifest in his stand on the Russian urgings for a summit meeting. He has been firm in his insistence that all preparatory steps must be concluded before any such conference is held.

He and the President want to insure that a summit conference has a chance for real progress toward the achievement of world peace and that it is not merely a spectacular vehicle for Communist propaganda. At the same time we certainly will not close any avenue, no matter how difficult the task may be, to achieve world peace. But we must not be deluded into a summit conference which because of lack of adequate preparation can only result in an opportunity for increased Russian propaganda.

Mr. Dulles has negotiated more with the Russians than has any other living American. Thus his judgment as to the conditions under which negotiations will best serve the interests of the free world is of utmost importance, not alone to us but also to our allies.

Since the retirement of Winston Churchill, Mr. Dulles has become the No. 1 target of Communist attacks. More propaganda has been directed against him by the Soviets than against any other living person.

This is a tribute to his courage and to his effectiveness as a negotiator with the Russians during the past decade; his only sin is his dedication to America and the principles we stand for. For this I commend him; he deserves the support of all Americans.

A REPORT BY HON. AVERELL HARRIMAN FROM INDIA AND PAKISTAN

Mr. FULBRIGHT. Mr. President, following the elections in New York last fall, Gov. Averell Harriman, who has devoted many full and useful years in the service of our country, did not choose a life of easy retirement. In a move which typifies his great energy and his devotion to his country, Governor Harriman went to India and Pakistan for first-hand observations of developments in one of the troubled areas of the world.

Governor Harriman reported his visit to the American people through a series of articles written for the North American Newspaper Alliance and published throughout this country and in many foreign newspapers.

Governor Harriman's articles are so informative that I believe most Senators will wish to read them. I ask unanimous consent that they be printed in the body of the CONGRESSIONAL RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

A REPORT FROM INDIA AND PAKISTAN

(By Averell Harriman)

ARTICLE I. HARRIMAN, ON TOUR, FINDS INDIA AWARE OF RED CHINA'S MENACE

NEW DELHI, INDIA.—The best news out of India today is that her leaders are finally aware of the menace of Communist China.

Impressed by communism's achievements but repelled by its methods, they are now

facing up to the fact that the world's most populous democracy is in crucial competition with the world's most populous dictatorship. Either they or the Chinese will become the model for Asia's awakening peoples.

This has been the underlying theme in all the talks I have had this past week with India's top leaders, including Prime Minister Jawaharlal Nehru, as well as local officials. The Chinese, once hailed as partners in Asia's struggle against colonialism, are now beginning to be regarded with apprehension as rivals in a race to improve the living standards of half the people of earth. As director of India's Institute of Population Studies wrote last month, "Before we realize what is happening, Red China may be breathing down our neck."

Concern about China is not often expressed publicly—although Mr. Nehru did refer to it in November as an army camp—but this is because India's official policy, though dedicated to democracy, is one of nonalinement in the cold war. Privately, government officials at many echelons cite China and its commune system as a reason for spurring the realization of their second 5-year plan as well as carefully preparing for the third 5-year plan starting in 1961.

"We have awakened our people's expectations," I was told by a young man in charge of a community development project. "They are becoming impatient. And if we do not satisfy their expectations, they will be attracted by the achievements of our neighbor to the north."

He did not need to add that if India's 400 million people ever followed China's Communist example, the rest of Asia would soon follow suit.

New sense of urgency

This sense of urgency in the competition is not only something new in India (it was not so long ago that Mr. Nehru expressed fraternal praise of Communist China), but it is one of several factors that have gradually mellowed Indian attitudes toward the United States. After a week in the country, I fully agree with India's Ambassador to Washington, who recently said that "our relations have never been better." The expressions of friendliness toward the United States that I have heard everywhere are a welcome contrast to the criticism and even suspicion that an American could expect to encounter a few years ago.

What has happened is that India's leaders, increasingly aware of their identity with the democratic world, are today less inclined to find fault with every aspect of our sometimes misguided foreign policy.

Four factors for change

I think there are at least four factors—apart from the concern over China—that have softened Indian feelings about the United States in the last 2 or 3 years:

First, we have been fortunate in that our two Ambassadors during this period—JOHN SHERMAN COOPER and Ellsworth Bunker—are the kind of men Indians like and respect.

Second, there have been fewer careless statements out of Washington—such as Secretary of State Dulles' ill-considered remark about Goa. [In December 1955, Secretary Dulles and the Portuguese Foreign Minister issued a statement referring to "Portugal's provinces in the Far East." The Indian Government interpreted this as meaning the United States supported Portugal's claim that Goa, a settlement on the West Coast of the Indian subcontinent, is a province of Portugal. The Indian position is that Goa is a colony held by force. Officially, the United States position on Goa has always been neutral.]

And there is a more understanding attitude by our press of India's problems and sensitivities. At the same time, first hand reports by Indian visitors to the United States have helped dispel some of the myths about United States materialism.

Third, the Soviet Union's brutal intervention in Hungary—and the murder of Imre Nagy—shocked many Indians into realizing what Soviet colonialism means.

Fourth, our relatively modest but timely economic aid—mostly loans with no strings attached—has favorably impressed Indian leaders who were formerly suspicious of our motives.

Perhaps I should also mention that after 12 years of independence, India's leaders are more sure of themselves (and therefore less sensitive to criticism) and better able to appreciate their friends in the West now that time has cooled the left-over passions of colonial days.

Problems India faces

With this new political maturity has come the realization that Americans, more than most people, are in a position to understand what Nehru this month called the "tremendous adventure" of building up a new nation by democratic means.

But these first, encouraging impressions of a country I had not seen since 1946—the year before independence—should not obscure the fact that India is beset by social, economic and political problems that fairly stagger the imagination. This is a nation where four out of five people can still not read or write.

It is a country short of technicians, short of capital, short of nearly everything except people. And people are increasing about half as fast again as food production; despite Government-backed program of birth control, there are 6 million more Indians to be fed, housed, clothed, and employed every year.

That is why India is a nation desperately in need of assistance if her tremendous adventure is not to end in tremendous tragedy. In her race with Communist China, which has received massive Soviet aid topped by a 5-billion-ruble loan this month, India has certain advantages—vigorous and determined leadership, a well-trained civil service, world-renowned scientists, a good railroad system, and a fledgling industrial base, undamaged by war, on which to build.

Her big disadvantage is that the democratic methods of education and persuasion are not as quick as those of a ruthless dictatorship in achieving the spectacular production increases that Asians are being told to expect.

India's progress is steady and impressive. Thanks to the community development program, life in one-half of the nation's 500,000 villages is brighter after many years of darkness. But the ambitious goals of the second 5-year plan are not being met, and the third will flounder without substantial injections of foreign capital.

As Vice President Sarvepalli Radhakrishan told me, "We are moving in the right direction, but our pace is far too slow."

In the coming weeks, I intend to study India's manifold problems at close range on a tour that will take me from the high Himalayas down to the southern state of Kerala, where the Communists have come to power by exploiting the discontent of a suddenly impatient people.

ARTICLE II. SOVIET SUCCESSES IN INDIA STRESSED DESCRIBING BIG CONSTRUCTION EFFORT, HARRIMAN SAYS RUSSIANS GET HEADLINES

BHILAI, INDIA.—In less than 2 years, a task force of Russian engineers in pith helmets and khaki workclothes has helped transform this dot on the map of central India from a drowsy cluster of huts to a booming industrial community of 65,000 steel and construction workers.

They are assisting in the construction of a steel mill that is already producing pig iron and that by 1961 will have a capacity of a million tons of steel, or one-sixth of the nation's planned output.

To make this project possible, the Soviet Government loaned India about half the total cost—$140 million (at 2½ percent interest)—for the purchase of Russian equipment, and sent in 800 engineers and technicians who knew from experience at home or in China how to put up a modern steel plant from scratch.

As in China, these Russians have not tried to run the show; instead, they act as advisers and instructors to the Indian staff officially in charge. The result has been a smooth-working partnership based on mutual respect.

I talked at length with both Indians and Russians. The latter, with their wives and children, now number some 1,500. Relations seemed cordial but not intimate. (There is not much socializing.) These conscientious Russians were frankly homesick—they don't care for the hot climate—and eager to get on with the job. But they and the Indians shared a mutual enthusiasm for "our steel mill" that transcended differences in political ideology.

Soviet aid is conspicuous

Bhilai is a vivid symbol of India's determination to industrialize as rapidly as possible. It is also a symbol of Russia's decision to participate in India's development in a spectacular way. Although Soviet aid to India so far amounts to less than one-fifth of America's $1,600 million worth of grants and credits, they are selecting projects, like Bhilai, that make headlines.

For example, the quiet and continuing efforts of U.S. agricultural experts to increase food production never receive the kind of publicity that the Russians get each time an Indian official cuts a ribbon to dedicate one of their new blast furnaces.

American aid is certainly appreciated by India's top leaders—who know how our shipments of food grains averted hunger and a serious inflation last year—but its impact on the people can be judged by recent public opinion polls that show a considerable number of Indians now think their biggest benefactor is the Soviet Union.

It can be argued that India is trying to do too much too soon, and that the emphasis right now should be less on building steel mills that employ relatively few people and more on increasing food production. The per capita daily calorie intake is only about 1,800. This is far too little, particularly in a nation where machines have not yet replaced muscles. And the population is growing at the rate of 6 million a year.

Steel is a symbol

But the argument is academic. The decision has been taken by India's planners to develop heavy industry. Two good crops a few years ago may have led them to understand the food problem, but in any case it would have been hard to resist the glamour of steel—which has become a symbol of economic independence in underdeveloped countries.

Thus, thanks to the Bhilai project, to two other government plants going up with British and German help and to the expansion of the great Tata works and other privately owned mills, India will soon be able to boast of a 6 million-ton-a-year steel industry, evenly divided between the private and public sectors.

For those who deduce from official statements that India is heading toward full nationalization, I might add that 90 percent of the industrial output outside of public utilities is still in private hands.

The men in charge of planning India's economic future told me that home-produced steel was essential for general industrial development and much-needed jobs for the millions of chronically unemployed. For instance, steel produced at Bhilai will be

cheaper than imported steel and will save India $150 a ton in scarce foreign exchange.

As for food production, they point out that, with steel and heavy industry, India can build more fertilizer plants like the one I saw at Sindri, which already furnishes one-third of the Nation's present minimum needs.

Nineteen sixty breakthrough

India now requires a million additional tons of food grains each year—or $100 million worth of imports—just to take care of her population increase. They estimate that these requirements can be more than met by building a $44 million fertilizer plant each year for the next 5 years.

The goal of the planners is to achieve a breakthrough by the end of the third 5-year plan in 1966 that will not only double India's average per capita annual income of $56, but transform India, in Nehru's phrase, "from an underdeveloped to a self-supporting nation"—that is, a prospering nation capable of obtaining its foreign exchange through trade and normal channels of credit and investment.

The 5-year plans may be overambitious; the second one is already running about 15 percent behind schedule. But you cannot blame those responsible for India's future for setting their sights high, and keeping them high. The plans not only spell out the kind of progress India's people are demanding from their government, but also give them something to look forward to.

Already, after only 12 years of independence, you can see everywhere that India's 400 million people are astir. In the villages, the dedication of the young community development officials is inspiring; and the new brick construction rising among the mud huts is a sign that farmers, no longer under the landlord's yoke, are developing a feeling of ownership and self-reliance.

Touring the Damodar Valley in eastern India, the source of 90 percent of the nation's coking coal, I was much impressed by the new dams and factories that are creating power, jobs, flood control and tillable land affecting millions of people. (Also impressive are the modern housing projects being erected by both private and public enterprises.) This Indian version of our TVA is costing $250 million, but like its American model it will prove to be a priceless investment.

Meanwhile, it is no secret that India is desperately short of foreign exchange to tide her over the critical few years until the breakthrough.

Capital is hard to raise in a country where fewer than 500,000 families have taxable incomes above $600 a year, and where 200 million live on no more than 10 cents a day. Capital has little chance to accumulate. In spite of that, most of the cost of the new development comes from Indian resources.

I asked India's top economic experts what they would need in loans from all countries to fulfill their plans. Estimates varied from $2 billion to $4 billion, spread over the third 5-year plan—preferably in long-term credits to make possible the import of required capital goods. (I am inclined to believe the higher figure is closer to the need, if only because pride and enthusiasm tend to make the experts underestimate their nation's problems.)

This is a lot of money. But it is still only 10 to 20 percent of the plan's projected costs. And with neighboring—and competitive—Red China, making its "great leap forward" through regimentation and the help of Soviet loans, India cannot afford to be leisurely about the future.

How far is the Soviet Union prepared to underwrite India's development as well? I hear it is negotiating to build plants to make heavy machinery, optical glass, and pharmaceuticals in different parts of India, just as it is now building Bhilai, and it expects to reap dividends of good will for itself and prestige for the Indian Communist Party.

This is the sort of competition the West is up against in India. Our disadvantage is the same as India's disadvantage vis-a-vis China: Democracies cannot move as swiftly (or as ruthlessly) as dictatorships.

When the Kremlin leaders were told by the Indian Ambassador that India had to have wheat to avert a famine in 1951, they were loading grain ships within 48 hours; our Government had been "studying" the question for months.

The fact that we later sent India 20 times as much wheat as did the Russians is not generally understood; they got the headlines.

India is a nation on the march. No visitor can fail to be impressed by the zeal with which her leaders are trying to overcome staggering economic and social problems. But zeal alone is not enough, for India's economy is like a plane taking off from a newly built runway—it can't afford to lose momentum or altitude.

ARTICLE III. HARRIMAN WARNS ON REDS IN INDIA, BUT SAYS REGIME IN KERALA MAY YET PROVE SPUR TO CAUSE OF DEMOCRACY

TRIVANDRUM, INDIA.—You don't have to be here long to find out that tropical little Kerala is in many ways unique among India's 14 states. It is first in population density (more than 1,000 people per square mile); first in literacy (more than 50 percent); first in the proportion of Christians (one-third since St. Thomas came here to spread the gospel in A.D. 52), and first in unemployment (1,600,000 out of a population of 13 million). Most important, it is also the first Indian state to have elected a Communist government.

Whether or not it will be the last to do so depends upon a number of factors: the kind of record the Communists make while they are in office; the extent to which the democratic parties face up to the Communist internal political threat, and the ability of the National Government to satisfy the expectations of India's 400 million people during the next few years.

Kerala's Communists were voted into power in 1957 with 35 percent of the vote against a divided and inept opposition. People were fed up with a succession of do-nothing or alleged corrupt administrations and dissatisfied because land reform had not been carried out. Many decided the Communists should be given a chance to deliver on their promises to get things done better and differently.

Comparisons with Europe

So I came down here both to see how they are doing and to learn whether they are any different from the Communists I knew in Europe and the Soviet Union.

It is immediately obvious that they are the same breed, taking their lead from Moscow. At first they tried rough tactics, intimidating their opponents and calling a political strike against the tea planters. Since this almost led to intervention by the Central Government—which is authorized by the Constitution to safeguard civil liberties—they have lately been behaving more carefully.

Today, Kerala's press is free—and 75 percent anti-Communist; the judges on the high court—to whom anyone may appeal—are appointed from New Delhi. But it is clear that the Communists are only biding time.

This emerged in the course of a revealing talk I had with Communist Chief Minister E. M. S. Namboodiripad. He had just returned from Moscow, where he was an important member of the Indian delegation to the 21st party congress. (In China, I am told, they already talk of the "two Indias"—Nehru's and Namboodiripad's.) I found him affable but evasive. Each time I asked him why India's Communists did not press harder for a Soviet pattern of society—such as Chinese-style communes—he would reply, "not yet" or "not under the present circumstances."

Finally I suggested that India's democratic Constitution might be an obstacle. He agreed. So I pressed him: Would India's Communists change the Constitution and transform India into a true, tough people's democracy if they ever got the chance? Mr. Namboodiripad smiled broadly.

"Look at it this way," he said. "If a Hindu believes he will be reincarnated in his next life as a dog—does that mean he should start barking now?"

Kerala's Communists are not barking yet, but they are busy digging in, supporting the Communist labor unions, building a network of party workers that already reaches into most of Kerala's 30,000 villages.

Unable so far to fulfill their campaign promises—such as a 25-percent wage increase—they hope to win a decisive majority in the 1962 elections by means of a disciplined organization able to dispense patronage and favors, old-fashioned Tammany style, where they will do the most good.

What are their changes of holding Kerala and perhaps winning control of some other states? I think there are grounds for concern. It's true that the myth of Communist efficiency has been exploded here. Kerala's chronic food shortage and unemployment problems remain unsolved. Many people are disillusioned.

Many have grievances

University students, plantation workers, and educators all have grievances against the administration—the latter because of a new law giving the state greater control over private schools.

Nevertheless, I think it would be a mistake to underestimate the party's organizational efforts. More than 60,000 party members—many of them on a monthly payroll—are hard at work every day convincing people that this is their government. Party leaders are more accessible to the people than their predecessors and live more simply.

Although it is conceded they are personally honest, there are indications they are building up a substantial party war chest through manipulation of government contracts. They are also promoting farm and labor cooperatives to which contracts are given without competitive bids. They take credit for land reform. And when things go wrong they can always blame the Central Government in New Delhi.

Opinions differ as to the outcome of Kerala's next elections in 1962. Congress and Praja Socialist Party leaders, now ready to work together, believe they could upset the Communists' two-seat majority in the Assembly if the vote took place this year. But many fear that 3 more years of Communist entrenchment will make their job harder.

Meanwhile, the Communists told me they expected not only to hold Kerala but hoped to take over two or three other states.

Thanks to well-trained leaders and ample funds, their trade unions are growing in strength and influence at the expense of non-Communist labor groups, and if India's economy falters, the Communists are in a position to benefit from popular discontent.

Dangers recognized

Fortunately, India's leaders are aware of the dangers. Prime Minister Jawaharlal Nehru himself is urging the Congress Party not to be complacent after 12 years in office—to press on with land reform, service cooperatives, local industries and community development programs.

There are strong factors working to reinforce democracy in India. The benefits of its 5-year plans are generally affecting more and more people; and I believe there is an

increasing awareness, particularly among intellectuals, that communism is the real enemy of India's democratic institutions.

In the long run, the Kerala experience may well prove to have been of value in stimulating India's democratic forces to greater efforts to preserve the freedoms and independence that India has so recently won.

ARTICLE IV. FOREIGN AID HELD CRUCIAL TO INDIA

NEW DELHI, INDIA.—At 69, Jawaharlal Nehru is, as ever, a man with a purpose. After devoting so many years of his life—including 13 in British jails—to securing India's political independence, his ambition today is to lead his country to what he calls economic independence. He hopes this will be accomplished during India's third 5-year plan, ending in 1966. And he has put aside any thoughts of retiring—even briefly—as he had proposed to do last year.

He told me this during our last talk together before I left India. I found his knowledge of even the details of India's economy impressive in a man burdened with so many responsibilities. And he does not underestimate India's enormous problems. As he remarked, "It takes an elephant a long time to get up."

There is no doubt that Nehru would welcome substantial U.S. aid to put the Indian elephant on its feet—that is, to make it possible to plan ahead with assurance for the third plan. But he is a proud man who does not like to ask directly for help. To my question about India's need, he replied, "A little foreign aid will only keep us where we are. To be really effective, foreign loans—from all sources—must be sufficient to get our economy off the ground. Now that we have built a sound base, we must make our economy dynamic and self-generating so that further expansion can come from our own resources."

Nehru calls himself a Socialist. But, as I observed, he is on record as saying that the state, which already wields great political power, should not also concentrate too much economic power in its hands. So I asked him about the future of private enterprise in India's planned economy. He replied that he was in favor of as much decentralization as possible, and that private industry could and should play an important part in the nation's development.

And what if the 5-year plans do not succeed? Would the Indian people turn to communism?

"Our people who vote Communist do so because they are disgruntled," he said. "So we must succeed."

Nehru prefers affirmative way

I told him that I had read his speeches and statements to intellectual groups in India stressing the basic difference between the Communist and democratic philosophies. But I wondered why he did not do more to explain to the mass of voters the real objectives of communism.

"It is not the Indian way," he said. "My attacking communism would do more harm than good. We must be affirmative. We must emphasize the human values of a free society and show our people what can be accomplished under democracy."

I leave India reassured that democracy is secure so long as Nehru is its leader. His power with the masses rests on an inspirational as well as a political foundation. He is trusted and revered as Gandhi's successor. But what will happen when he, too, goes?

Some Indians I have met believe that his absence would actually strengthen Indian democracy by releasing the energies of men whose initiative is overshadowed by Nehru's domination of all aspects of government policy. Others say that Nehru's leadership is essential for the next few years to prevent conservative elements taking over the Congress party and slowing down the pace of the decisive third 5-year plan.

But I have found general agreement that democracy would survive Nehru. There are other men capable of taking over the reins.

India has four big problems

What really counts is whether the nation's economy develops fast enough to satisfy popular expectations. And right now, India faces four major problems, all of them interrelated:

The first is food. To provide adequate food for its growing population, India needs to increase its annual production of food grains from less than 70 million to at least 100 million tons by 1966. But to achieve this, the Government must not only teach farmers how to produce more but provide them with incentives so that they will want to produce more. These include price supports, better marketing and storage facilities, adequate credit, and better transportation. All this will require substantial investment, along with more fertilizer plants and irrigation, reclamation and flood control projects.

The second problem is employment. Tens of millions of people both in cities and villages are either unemployed or underemployed. To provide jobs for them, there is a need to stimulate both handicraft and small industries capable of making everything from cotton cloth to bicycles. These will also fill increasing demands for consumer goods and reduce India's dependence on imports. But this, too, will require investment as well as training.

Third, there is the growing political influence of the Communist Party. Though still small, with only 10 percent of the vote in 1957, it is the most disciplined and best organized opposition to the ruling Congress Party, and it capitalizes on popular discontent and lethargy among Congress leaders as well as in the labor unions. The lesson of Kerala State, where voters decided to give the Communists a chance to run things, may cause the Congress and Socialists Parties to bestir themselves. But the essential insurance against communism is social and economic progress. Democracy is safe if farmers get security of land tenure and incentive to produce, and if the "educated unemployed" of the cities no longer feel cheated by a society as yet unable to use their skills.

Finally, basic to all these problems is India's need of foreign exchange to buy the equipment and the materials for this rapid and revolutionary transition from an underdeveloped to a self-generating economy by 1966.

This need is estimated as between $500 million and $1 billion a year. Here is where the United States and other industrial nations can help with long-term loans which will permit India to go forward with confidence. As a Nation, we have already invested $1,600 million in India's future. Now that we know it has been well used, the decision facing us today is whether we are prepared to do our share to help India finish the job.

As part of this investment, we should spend more money on our information program. The entire U.S. Information Service budget for India is only $2,500,000 a year at a time when the Russians are spending at least this on publications alone. Our American representatives and technical advisers are doing a first rate job in India, but we need to expand our exchange program so that more Indian leaders and opinion makers can see America at first hand. (Those who come—and only 20 leader grants were available last year—invariably return impressed with what they have seen.) We need more up-to-date documentary films to reach a people still 80 percent illiterate. We cannot depend on Hollywood films to tell the real American story, for too many convey a distorted and unattractive image.

Leaders dedicated

One cannot travel from one end of India to the other, as I have for the past month, without being deeply impressed by the dedication of its leaders to the same principles of freedom and democracy to which we subscribe. Their policy of nonalinement is one that we should try to understand, remembering that for 150 years after independence we tried to isolate ourselves from the world's conflicts.

What happens in India is important to free men everywhere because the course of events in Asia will be decisively affected by India's ability to make democracy work in a revolutionary climate. Can it provide the food, the jobs, and the hopes for a better life that an awakened continent is demanding? And can it provide these things and freedom too? If not, there is little doubt that Asia will turn impatiently to Red China and accept regimentation as the only way to get things done.

The stakes are high in India today, but so is the price of failure.

Nehru hopeful for summit conference

In my discussion with Nehru we covered a wide range of world problems, including Canadian Liberal Leader Lester Pearson's suggestion that he, Nehru, call a summit conference. He replied that he didn't see how he could be helpful, but that he hoped a summit conference would take place. It was his opinion that Khrushchev definitely wanted to relieve tensions and find a way toward a reduction in armaments.

ARTICLE V. HARRIMAN URGES U.S. SHIFT IN ASIA

KARACHI, PAKISTAN.—In India I was asked the same question again and again: "Why are you sending Pakistan arms which will be used against us?" Now in Pakistan I get a completely different question: "We are your allies by treaty. Why do you send uncommitted India economic aid that helps them strengthen their army and threaten us?"

The Indian argument is that our military assistance to Pakistan, a member of SEATO and the Baghdad Pact, has forced them to divert badly needed resources to nearly double their military expenditures and thus indirectly offset the benefits of our aid. They claim that Pakistan is politically too unstable to be trusted not to attack.

The Pakistani fear is based on the widespread belief that India maintains its much larger army in order to dominate Moslem Pakistan. As a group of Pakistani newspapermen told me candidly: "We are your allies against communism, but the reason we need American weapons is to defend ourselves against India.

Both sides stress arms

This mutual fear and suspicion have led to heavy military expenditures in both of these hard-pressed countries. Two-thirds of the Pakistan national government's revenue now goes for military expenditures. This is why some $900 million in U.S. aid—mostly grants and not counting military hardware—has gone largely to the military establishment rather than economic growth. And it has deeply disturbed India.

Since the assassination of Prime Minister Liaqat Ali Khan in 1951, Pakistan's problems have been aggravated by a succession of ineffectual governments. This led to a bloodless coup last October which set up a military dictatorship headed by Gen. Mohammad Ayub Khan. Although it is early yet to tell whether the new regime can carry out all its plans, I believe there is good reason for hoping that Pakistan may at last be on the road to political stability, economic progress and eventual democracy.

One reason for optimism is the personality of General Ayub himself. I found him an energetic, well-informed man, dedicated to

improving the life of his people. Ruling under martial law, one of his first moves was to put a stop to the graft and corruption which had long infested Pakistan's bureaucracy. He is also beginning to carry out a long talked of program to build decent housing for the 500,000 refugees now living in squalid hovels in Karachi. There is a new public sense of purpose and respect for government among Pakistan's 86 million people.

Ayub for democracy

In explaining the events that led to his seizure of power last fall, General Ayub told me, "It was not a question of dictatorship versus democracy, but of survival." So far, he considers his government's most important achievement has been to institute long delayed land reforms in West Pakistan which will free millions of farmers from the domination of feudal landlords and thus destroy the latter's political domination.

"This will make it possible to establish a democracy," he stated. I asked him how long it would take Pakistan to develop democratic institutions. He said that within 2 to 2½ years he hoped to have a constitution prepared by a commission to submit for popular ratification. He added that it should be modeled on ours, rather than the British, with a president with broad powers and a fixed term. But he thought, as do others in Asia, that election of top officials by direct popular vote is unrealistic in a young nation three-quarters illiterate; he suggested the possibility of a representative system of elections whereby the national executive and legislative officials would be chosen by locally-elected bodies—in effect, electoral colleges.

Problem of river waters

General Ayub made it plain that he believes Pakistan's overriding problem is India and that the essential first step in neighborly relations would be a settlement of the river waters question. This involves six rivers, three of which flow into west Pakistan from India. The Indian program for irrigation, by diverting water from presently irrigated lands, would strangle Pakistan. Until this issue is settled, Pakistan will continue to distrust India and rely on military strength.

Always in the background is the deadlocked dispute over the status of Kashmir. And then, there are minor border disputes still causing loss of life by military action on both sides. But General Ayub indicated that agreement on the river waters would end the most immediate threat, and other negotiations might follow. "We would gladly be reasonable if the Indians were," he told me, and suggested that the two countries might reduce their military expenditures and ultimately think in terms of common defense instead of defense against each other.

Coming from Pakistan's strong man, this attitude is a new and hopeful sign in a depressing situation. Unlike his predecessors, who often played on popular emotions to consolidate their power, General Ayub appears to be a man with the strength and self-assurance to be moderate. This year, for example, he became the first Pakistani leader to attend the annual celebration of India's national holiday at the Indian High Commission in Karachi. This gesture was favorably noted in New Delhi; it made it easier for Nehru to quiet the uproar in India this month when the new bilateral defense pact between Pakistan and the United States was signed.

The importance of better relations between these two countries, linked together by so much history, cannot be overestimated. They need to trade with each other. (For example, Pakistan should be obtaining more Indian coal instead of going as far afield as Poland and China; and India needs Pakistan jute to keep its mills going.) As partners in the struggle for independence against British rule, they should now be partners in building up their countries and in preserving their freedom against the new colonialism of their Communist neighbors across the Himalayas.

Unhappily, U.S. policies have aggravated rather than eased the situation, and contributed to an arms race detrimental to both countries. In emphasizing the military, the Eisenhower administration has failed to appreciate the urgency of economic progress as democracy's best defense against Communist subversion in this area.

Right now, both sides think we should get tough with the other. The Indians want us to stop arms shipments to Pakistan. And, as one Pakistani told me, "American economic assistance to India should not only have strings attached, but a rope; not another penny until India settles its differences with your ally, Pakistan."

Need to ease tensions

It seems to me that all our efforts should be directed to reducing tensions between India and Pakistan, without antagonizing either side.

The most urgent problem is the issue of the river waters. During the past several years proposals have been made by the World Bank to help finance a canal construction program which would tie the six rivers together in such a way and under such agreements that both countries would get adequate water for their irrigation projets. But there are still disagreements about certain aspects of this program.

A settlement of this question, so vital to life in large areas of both countries, particularly Pakistan, would certainly relieve tensions and form a basis for future settlement of other disputes. After my talks in New Delhi and Karachi, I am satisfied that this is the year in which an agreement can be achieved. As friends of both India and Pakistan, our influence and help can play a decisive role.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959

Mr. GOLDWATER. Mr. President, the Kennedy-Ervin so-called labor reform bill has been before the Senate only a few days, but the press of America has already recognized its deficiencies. Newspaper after newspaper has commented on the deficiencies of this approach, and I ask unanimous consent that several of these comments be printed in the RECORD at this point in my remarks.

There being no objection, the articles and editorials were ordered to be printed in the RECORD, as follows:

[From the Phoenix (Ariz.) Republic, Mar. 28, 1959]

HALFWAY LABOR REFORM

On January 28 President Eisenhower sent Congress a message regarding proposed labor laws. He recommended legislation aimed at protecting union members as well as the public from unscrupulous union officials. This week, before adjourning for the Easter recess, the Senate Labor Committee approved a Democratic measure designed to protect rank-and-file union members. But the committee refused to sponsor the Republican-backed measures that would protect the public as well. Senator GOLDWATER was one of the minority members who refused to sign the committee report, and he will join Senator DIRKSEN, Republican, of Illinois, in a minority report.

Thus the stage has been set for a knock-down and drag-out fight on the floor of the Senate when it reconvenes in about 10 days. The fight will not be over the so-called Kennedy bill, supported by everyone except a few union goons. The fight will be over the extension of labor reform measures to the broader field of protecting the public.

The Kennedy bill requires unions to make financial reports, to hold elections by secret ballots, to limit the terms of officers, to prohibit criminals from holding union offices, to limit an international union trusteeship to 18 months, and to ban picketing for purposes of extortion.

Most unions already have secret ballots, limited terms, etc. But the McClellan committee hearings found some in which officers were elected by a show of hands, assuring the victory to the candidate with the strongest arm. The hearings uncovered unions in which officers held office virtually for life, never being forced to run in an election.

In some cases international trusteeships of supposedly corrupt locals had existed for years without check.

Other unions had used millions of dollars in pension funds without making reports. Confirmed convicts were presidents of locals which had to pay dues to support their bosses in the flesh pots of Miami. All of these things are admittedly bad. The Kennedy bill may not cure them, but its provisions will give the rank-and-file union members the tools with which they can clean house if they wish to do so. The honest labor leaders support the Kennedy bill. So do President Eisenhower, Secretary of Labor Mitchell, Senator Goldwater, and the Republican Party.

But if Congress passes only the Kennedy bill it will be stopping half-way down the road to labor law reform. To travel the other half of the distance will require enactment of the provisions in the Goldwater bill, which would accomplish three major objectives.

First, it would strengthen existing laws on secondary boycotts by preventing coercion against an employer who is not directly engaged in a strike. Second, it would prevent "blackmail picketing," in cases where an employer already has recognized one union, or a representation election has been held in the past year, or when the picketing union cannot show that the employees it seeks to represent are interested in joining. Finally, in the so-called no man's land of industrial disputes, the Goldwater bill would permit the NLRB to decline cases it considers unimportant and would permit the States to assume jurisdiction in these cases.

Senator Kennedy agrees that there may be merit in some of these provisions, but he doesn't want to get them mixed up with the "democratization" legislation that his committee has approved. Most labor leaders simply don't want the Goldwater bill at all, since it would cut down their freedom of action in secondary boycotts, jurisdictional disputes, etc. So the Democratic bloc in Congress talks of passing the Kennedy bill now and getting to the Goldwater bill later. Most realists agree that if the two bills don't go together, the Goldwater amendments will be lost in the shuffle.

The post-Easter floor fight should be sharp and decisive. It will prove whether organized labor actually controls a majority of the votes in the Upper House. If the Goldwater amendments are killed, you will know that Reuther, Meany, et al., are calling the shots in the Senate.

[From the Evansville (Ind.) Press, Mar. 12, 1959]

BILL OF PARTICULARS

Members of the Senate Labor Committee are working on legislation to curb the labor rackets exposed by the McClellan investiga-

tion. So far, the action does not point toward a very strong bill.

The reluctance of the Democrats on the committee, under pressure from the union lobby, to write a tight law is frightening, in view of the McClellan disclosures. Surely they can hear what Senator JOHN L. MCCLELLAN, chairman of the investigating committee, has been saying.

Just this week, in a New York speech, the Senator spelled out a bill of particulars in support of stronger measures he himself has proposed to correct the abuses revealed by his long inquiry.

"The instability or lack of integrity prevalent today in labor-management relations in this country is appalling," he said.

In the investigation "we have had to deal constantly with people of low character or no character at all." Of 1,200 witnesses so far summoned, more than 200 ducked behind the fifth amendment for fear of incriminating themselves. The evils which have been exposed, he said, "are outrageously cruel, corrupt, and contemptible."

"No legitimate union, properly administered by honest and decent officials, would be penalized to any extent or degree whatsoever," the Senator said. "If these provisions are enacted into law, however, the power and opportunity of crooked labor bosses and criminal elements to continue the abuse and exploitation of union members and working people in this country will be substantially curbed and reduced."

That's the issue: Whether union members and their families, the public, and decent union officials will be protected; or whether, by not passing such measures, Congress continues to protect the mobsters, thieves, extortionists, and murderers exposed by the McClellan committee.

How can any honest and decent union official, or Senators of like attributes, hesitate about on which side they stand?

[From the Roanoke (Va.) Times, Mar. 14, 1959]

THE PUBLIC INTEREST COMES FIRST

President Meany of the AFL–CIO has denounced the Eisenhower administration's labor reform bill as stupid and antilabor. In testimony before the House Labor Subcommittee, he contended the administration bill represents a deliberate attempt to obscure the issues.

Mr. Meany favors—with some reservations—the Kennedy-Ervin bill introduced in the Senate. This deals mainly with protection of union funds and other safeguards against racketeering. The administration measure has similar provisions, but it would deal more severely with blackmail picketing. It proposes to ban picketing of a plant in the absence of evidence of sufficient interest in union membership among employees.

But there is a much more significant difference between the bills. This has to do with secondary boycotts. Despite the prohibition of the Taft-Hartley Act, it is possible for a union to force employers with whom it has no dispute to stop doing business with a concern against whom it has called a strike. The administration bill seeks to close Taft-Hartley loopholes which permit this abuse of union power; the Kennedy-Ervin measure would make no change in the existing Taft-Hartley provision.

The power to shut down businesses having no quarrel with a union in order to compel another business to bow to union demands has been used frequently to paralyze a whole industry or a whole section of the country. Under no circumstances can such monopoly power in the hands of labor leaders be defended as in the public interest. The public welfare must take precedence over union interest. To claim that legislation aimed at preserving that principle is antiunion is simply befogging the issue.

[From the Oakhurst (N.J.) Home News, Mar. 19, 1959]

WISHY-WASHY LABOR LAW

A new labor bill offered to Congress is practically the twin brother of the Kennedy-Ives bill of last session. The measure was pushed through the Senate on a hurry-up basis which allowed no time or opportunity for incentive hearings or consideration. It then was defeated in the House—for the simple reason that it just wasn't capable of doing the needed job.

There are good things in the currently proposed measure, just as there were in its predecessor. But the good is heavily outweighed by the negative aspect. To take one example, it would do nothing about two of the worst labor abuses perpetrated on business and the public—secondary boycotts and blackmail picketing.

Newspapers throughout the country are now asking for a stronger bill. An interesting instance is provided by the Richmond Times-Dispatch. The leading southern paper editorially rebuked the House for voting down the Kennedy-Ives bill, on the grounds that any law was better than none. But now it takes a different view. It calls the proposed law wishy-washy, and says: "This year the need to halt the inflationary wage-price spiral is even more urgent. The threat of sympathy strikes and secondary boycotts carries the full weight not only of the striking union, but also the threat inherent in the 16 million membership of the full AFL-CIO syndicate. Therein lies the greatest danger of union monopoly.

"The right to unionize, to bargain collectively and to strike locally should not be impaired (so long as public welfare and national security are not endangered). But unless the threat of nationwide strikes in key industries is removed, the inflationary trend cannot be checked."

The country has the right to a labor law which will protect the legitimate interest of us all, including union members. The Congress has the responsibility to pass such a law.

[From the Washington Daily News, Apr. 17, 1959]

THE HALFWAY DEAL

It is our considered opinion that the majority of union bosses is opposed to any new laws in the labor field. But most of them publicly have accepted a minimum of reform legislation as the best device for fending off sterner measures.

As the Senate begins debate on this issue, the pattern is apparent. It is this: To pass what the union bosses will accept, but no more.

The Senate Labor Committee was completely in hand in this respect. It voted, 13 to 2, to report the Kennedy bill, which the union bosses have endorsed. It rejected all stiffening amendments.

Now the strategic excuses are being offered.

The Labor Committee report said only a few unions have been involved in the abuses exposed by the Senate's own special investigators for the McClellan committee.

Senator KENNEDY said any tougher legislation might lead to no legislation at all. It was he, too, who advised against any Federal laws against arson, assault or other violence—this, he said, being a responsibility of the States.

These things do not agree with the report of Senator MCCLELLAN, who has been in charge of the labor rackets investigation more than 2 years.

He said crookedness was prevalent. The list of crimes against union members and against the public fills volumes of testimony.

These crimes are no less vicious because they were not committed by honest union leaders. The reforms are not aimed at such people—they are aimed at the mobsters, thieves, extortionists and even murderers Senator MCCLELLAN has been exposing.

And why is it local law enforcement machinery has not been adequate against crimes committed in the name of labor unions? It is because Congress by law has given them a power and a sanctity not enjoyed by other segments of society.

The abuses the MCCLELLAN committee has revealed were made possible by the privileges, without safeguards, which Congress bestowed indiscriminately on union bosses—by law. No halfway propositions can undo this damage.

[From the Washington Evening Star, Apr. 17, 1959]

LINES DRAWN FOR BATTLE

Against a background of bitterly contradictory assertions and the unusual spectacle of cosponsors of the pending legislation being in disagreement, the Senate has plunged into the controversial issue of labor reform.

First major test on the subject will come early next week when the Chamber will vote on an amendment offered by Senator ERVIN, North Carolina Democrat and cosponsor, to delete from the bill a section containing labor-approved revisions of the Taft-Hartley Act. The disputed section, title VI, would permit displaced strikers to vote in representation elections and would loosen regulations on building trades unions. President Meany of the AFL–CIO already has threatened that the federation will oppose the bill if title VI is eliminated. Senator KENNEDY, Massachusetts Democrat and original sponsor of the legislation, has warned that any revision on the floor poses a grave risk of killing all prospect for reform action.

Along with this controversy within controversy, there is the broader dispute on whether the pending measure offers any effective reform at all. Mr. KENNEDY says it will do the job and that if passed "the Jimmy Hoffas and their ilk will be on the way out." Senator GOLDWATER, Arizona Republican, describes the Kennedy bill as completely inadequate and has offered an analysis critical of virtually every section. Senator MCCLELLAN, Arkansas Democrat whose special committee has uncovered some of the worst of the corrupt union practices, has offered five proposals—not in the Kennedy bill—which he says represent "the minimum that is required to provide an adequate legislative remedy for conditions that now prevail." Among the McClellan recommendations are prohibitions against secondary boycotts and blackmail picketing—two high-priority recommendations in the administration's labor reform program.

It is obvious that the political power of labor is apt to be the determining factor in whether there is to be reform legislation this year, and, if so, what its final shape will be. In the long term, however, labor's special interests are inextricably related to the general welfare rather than to the corrupt designs of those whom Senator MCCLELLAN has described as brutal, cynical men to whom unionism means only a royal road to personal riches and power. Whether in one legislative package or more, Congress should find the courage to serve these real interests.

[From the Boston Herald, Apr. 13, 1959]

HIS REFORM BILL QUESTIONED: KENNEDY RISKS BEING BEHOLDEN TO LABOR

(By Holmes Alexander)

WASHINGTON, D.C.—Senator JACK KENNEDY, front runner for the Democratic presidential nomination, owes his early lead to energy and a winning personality. But the way things are going, he could find himself more beholden to the American labor movement

than a successful candidate in America ought to be.

The prospects of three other presidential possibilities have been recently explored in this place. RICHARD NIXON's forte is experience and an open record; STUART SYMINGTON's is a proved ability in business management and labor relations; LYNDON JOHNSON's is leadership and parliamentary skill. But KENNEDY stands out as the favorite of the AFL–CIO, the spokesman for pro-labor legislation, and the gadfly of the pro-business opposition.

FRIENDLY WARNING

All this is confusing and unfortunate. Senator KENNEDY is not a laborite or a leftist. Nothing about him deserves the Republican epithets of "radical"—meaning in NIXON's language, an extremist. But it may be—and this is written in friendship and warning—that KENNEDY and his backers don't realize how far toward the precipice the Senator's labor reform bill (S. 505) is taking them.

The Senator, for example, has been forced by competition to take a position which opposes making union officers criminally responsible for misusing union funds. True, the Kennedy bill does not blacklist "fiduciary responsibility," which is the legal phrase. But of the four principal labor reform bills now before Congress, only the Kennedy bill fails to include a fiduciary provision.

The Kennedy bill is much softer than its three competitors in the matter of financial disclosure by union officers. The Kennedy measure relies on criminal procedures, while the Goldwater-administration bill (S. 748) would provide actions of disapproval by the Labor Department and the National Labor Relations Board. Two other bills by Senator MCCLELLAN (S. 1137) and Congressman BARDEN (H.R. 4473) go still further. They require that the union financial reports be certified by a certified public accountant.

KENNEDY's bill includes a difficult legal obstacle for the removal of a union officer by vote of the union members. There is a "show cause" phrase in the Kennedy bill which is significantly left out of the bill by MCCLELLAN, whose committee has interviewed so many slippery characters. Again, the Kennedy bill is unlike the bills by GOLDWATER, MCCLELLAN, and BARDEN in the matter of protecting union members from threats and violence by union officers and goons.

FOR FEDERAL SWAP

The Kennedy bill tends to federalize jurisdiction over labor affairs which now lie in the no-man's land between Washington and the States. Two of the other three bills favor States rights when in doubt and the fourth bill does not take up the subject. The Kennedy bill deals very gingerly with labor picketing and deals not at all with secondary boycotts, two matters on which the AFL–CIO is very touchy.

In virtually every case KENNEDY does what the labor leaders desire, or will tolerate, and what the business community regards as undesirable and often intolerable. This may not be so bad. Labor is entitled to liberal champions in Congress, but there is reason to feel that some of the KENNEDY positions are harmful not merely to business, but to the public interests. This appears to be true in places where the Kennedy bill fails to go as far in protective language as the McClellan bill.

THE POLITICAL SCENE: CONGRESS WON'T HALT UNION CRIME

(By David Lawrence)

WASHINGTON.—The American people may not realize it yet, but the Congress isn't going to do anything at this session that really will put an end to the racketeering in labor unions. This is already conceded privately by the leaders on both sides.

Actually, none of the proposed measures, even if passed, would eliminate the corruption that has been exposed at the hearings conducted by Senator MCCLELLAN and his committee.

One of the most significant comments has just come from George Meany, president of the AFL–CIO. In an interview in the current issue of Dun's Review and Modern Industry, Mr. Meany pointed out that the unions alone cannot stop the abuses. Here is an excerpt:

Question. Do you believe that the labor legislation now pending in the Congress will provide adequate power to curb these abuses?

Answer. Adequate power? Frankly, these abuses could not be stopped by the unions alone. The trade-union movement is trying to do what it can in this field. We think we have some moral responsibility to do this. But the AFL–CIO has no legal responsibility to curb corruption in union locals. We aren't a law-enforcement agency, and we don't have the power of subpena. We couldn't possibly call a trade-union official before our council and say, "We are suspicious; we don't like the way things are going." Certainly, we would not hesitate to take action where we had proof of wrongdoing or corruption. But we must have the proof, and we haven't got the machinery to go out and make these investigations.

So, to answer your question, we don't feel that the requirements of the Kennedy-Ervin bill would eliminate corruption. We do think it would curb some of these people because they will have to report all their financial transactions. We think the Kennedy-Ervin bill is a step in the right direction, but the real problem of corruption is the failure of the law enforcement authorities to act. The jukebox and coin-machine business points it up quite clearly. Here's one of our big industries, in the billion-dollar class, and it's honeycombed with gangsters and thugs operating with the connivance of greedy businessmen and with the cognizance of the law enforcement authorities.

"It is quite obvious that the real answer to corruption, whether in unions or anywhere else, is better law enforcement. Nobody runs to the American Bankers Association every time a cashier defaults or somebody on the inside robs a bank—they expect the local district attorney to handle that. When companies engage in business frauds, nobody runs to the chamber of commerce or the National Association of Manufacturers and says, 'What are you going to do about law enforcement?' No, they expect the local district attorney to do it."

This correspondent read the foregoing quotation to Senator MCCLELLAN and asked him for his opinion on it. The Arkansas Senator said:

"They say they do not have the power, and that is correct. They can't stop a Hoffa. That's why laws are needed. If they had the power, and would be diligent in exercising it, we probably wouldn't need additional laws, or so many laws. But they cannot deal with people like Hoffa, and it's imperative that we enact laws to at least curb—you never completely prevent crime of any kind."

Question. "I wonder why the local district attorneys haven't done more on this?"

Answer. "I think the simple answer to that is, politics. They control—just like they control an industry or control an operation. They have the political power where they control often the people in public office."

Question. "You mean the unions do?"

Answer. "Sure. Or the union racketeers—that element in them. There's no question about that."

All this points up to the fact that labor unions are not at all analogous to trade associations or groups of businesses. The labor unions have a monopoly power. They get it out of existing laws and also out of the refusal of Congress to include labor unions as within the jurisdiction of antimonopoly or antitrust laws.

Labor unions have not only a monopoly power in being able to fix wages in an entire industry, but they have a monopoly power with respect to memberships. In some lines, they can prevent an applicant from getting a job. They can force a member out of a union through various devices and deprive him of his means of livelihood. This type of potential coercion makes it difficult for anyone who is aware of corruption to give testimony to the law enforcement authorities for fear of punishment by union officials. No such power over the individual is held by any other trade organization or private association of any kind.

Obviously, it is the duty of States to preserve order and punish crimes within their borders. But when wrongdoing is of an interstate character—and virtually all the unions have been placed under interstate commerce by acts of Congress and by judicial decisions—it would appear that ultimately Federal legislation will be necessary. In fact, Congress enacted several years ago the first of its antiracketeering statutes, and these have never been held to be an improper exercise of Federal authority.

[From the Washington Courthouse (Ohio) Record-Herald, Mar. 23, 1959]

PRESENT LABOR BILLS IGNORING REAL EVILS

People of almost every community in the country have a decided interest in what transpires in this session of Congress with reference to labor bills—particularly in regard to the monopolistic power of the big union labor organizations.

Two labor bills are now before Congress. One is the administration's bill, the other is known as the Kennedy-Ives bill which was defeated by the House of Representatives last year.

The primary purpose of these two proposals before Congress at this time seems to be to protect the rank-and-file union membership from corrupt union officials. The sordid revelations produced by the McClellan committee's investigations into labor racketeering have demonstrated a crying need for that, even though this touches only a part of the labor trouble.

The other side, one of vital and perhaps even more importance in the long view, was recently dealt with by Henry Hazlitt in one of his Newsweek columns. He writes: "The two labor bills * * * merely serve to deflect public attention away from the real evils of uncurbed union power. They seem to be drafted mainly on the assumption that labor bosses can do no wrong except to union members. The plight of nonunion workers, employers, and the consuming public is largely ignored. The central evils of legalized violence and monopolistic compulsion are left untouched."

The general public, which more and more has been noting the extremes to which various big labor leaders have been going, undoubtedly is inclined to agree with Mr. Hazlitt when he adds that "real steps to reform would be amendment of the Taft-Hartley Act to remove the exclusive bargaining powers granted to unions, and to prohibit all devices that tie employment to union membership."

In other words, if every form of corruption, dishonesty, and unethical practices within the unions disappeared tomorrow, and if all union affairs were administered on a level of unquestioned purity with reference to leaders' treatment of union members, really important abuses would remain.

Union monopoly and the union power to coerce and dictate, are left untouched by the proposed laws. No law in this connection, is now before Congress which pays more than feeble lipservice to the real public interest.

Years ago when that sort of thing was happening in big business with its monopolistic activities, corrective legislation was speedily passed to curtail abuses. Why should the now powerful labor organizations not be treated in the same manner for the sake of public welfare?

LOCAL INITIATIVE AND PRIVATE ENTERPRISE IS REVITALIZING ROCHESTER, N.Y.

Mr. KEATING. Mr. President, one of the growing challenges confronting our Nation is that of the future of our urban centers. The increasing demand for services by city dwellers, their increasing cost, and the decay of many downtown areas across the land, have posed tremendous problems for our larger cities. The reaction to such situations has varied from place to place.

Some cities have turned immediately to the Federal Government for assistance. Others have taken the view that State governments should do whatever rebuilding is needed. Finally, a great many cities have decided that this is a problem they themselves must face squarely; that this is a challenge which must be answered by local leadership, local financing, and local action.

A splendid case in point is Rochester, N.Y. In the post-World War II years the city has taken a number of progressive steps to revitalize its downtown area, to eradicate slums and architectural decay, and rebuild a city of which all residents can be proud.

It is important to note that the already outstanding results are largely the product of local leadership and funds and increasingly vigorous support from private enterprise sources. Enlightened cooperation of all parties concerned, based on voluntary compliance and good, plain, hard work, has paid rich dividends.

The city's downtown is now literally a place reborn, a showplace other cities of our Nation could well study and emulate. My hat is off to the governmental and civic leaders who have produced this modern-day miracle. They have demonstrated that not all the answers to local problems must be sought in Albany or Washington.

The story of Rochester's rehabilitation program was graphically outlined recently by Robert P. Aex, the city's city manager, and one of the stalwarts in this surge of progress. In an article published in the March issue of New York State Taxpayer, he tells something of the ingredients which went into this successful municipal improvement program. It is fitting that Mr. Aex's remarks should be printed in this publication, for its sponsor, the Citizens Public Expenditure Survey, has long stood in the forefront of efforts to limit extravagance in government spending and insure that each taxpayer receives the maximum benefits for his tax contributions. I ask unanimous consent that this article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ROCHESTER CITY MANAGER TRACES STEPS IN DOWNTOWN REHABILITATION PROGRAM

(By Robert P. Aex, city manager of Rochester)

Rochester, the third largest city in New York State, is a typical eastern city which has grown old and has been showing the signs of old age. The community was settled almost 150 years ago, and Rochester became an incorporated city 125 years ago.

According to Blake McKelvey, city historian, the rapidity of Rochester's growth in the 1820's made it America's first boomtown. The blooming gardens, attractive cottages and pretentious mansions in Rochester in post-Civil War days attracted many visitors.

By 1890, visitors were displaying even a greater interest in the remarkably simple Kodak of the Eastman Kodak Co. By the turn of the century, Rochester was known as the Kodak city.

After 100 years of prosperous growth and development, Rochester decided it needed modernization. Ten years ago, the city undertook the most ambitious public improvement in its history. This program was aimed at modernizing municipal service and encouraging private enterprise to act in a downtown redevelopment program.

ARTERIAL HIGHWAYS

The construction of new arterial highways has been authorized each year since 1950. Rochester's arterial highway program includes the construction of an inner loop which circles the central downtown business district and an outer loop which circles the city. Connecting links between the inner loop and the outer loop complete the plan for a new arterial highway system to serve the city and the metropolitan area.

OFFSTREET PARKING

The population in the metropolitan area extends far beyond the reaches of the public transit system. Therefore, the municipal improvement program for revitalizing the downtown area includes the construction of places for people to park their cars after they have used the new highways to get downtown.

Modern parking accommodations in the form of parking ramps today provide deluxe parking service at reasonable rates. Rates are as low as 5 cents per hour.

One parking ramp, a 523-car, eight-level unit, handled 65,000 cars in the 4 weeks between Thanksgiving and Christmas 1958. Every car contained a shopper because long-term parking is prohibited.

CIVIC CENTER

In July 1954, the governments of the city of Rochester and the county of Monroe approved a site in the downtown area for a proposed city-county civic center in an area of the city which had deteriorated in recent years.

The completion of the Civic Center which is already under construction, will bring the units of city and county government together in one place and will greatly aid and improve the administration of local government for both the city and the county.

REHABILITATION

The rehabilitation of individual homes, old streets, and even whole sections of the city was undertaken by the city's rehabilitation commission in 1955. A hygiene of housing ordinance was adopted and residential rehabilitation throughout the city has progressed at a rapid rate.

The key to the rehabilitation program is voluntary compliance by landlords, but the housing ordinance has teeth in it which can be used when necessary. In 1957, Rochester was selected as one of the nine cities in the United States with a most outstanding rehabilitation program, and it received a Home Achievement Award from Look magazine.

Rochester's downtown redevelopment program is based upon the belief that private enterprise must play the major role in the demolition of old structures and the building of new ones. The municipal improvement program, ambitious as it is would never be sufficient to do the job. Even with State and Federal aid, there would not be enough local tax resources to underwrite such a program.

Slowly, but steadily, private enterprise has responded. New buildings have been constructed in the downtown area, and old buildings have been remodeled and restored.

MIDTOWN PLAZA PROJECT

On September 26, 1958, local newspapers announced a private enterprise project called Midtown Plaza (see October 1958 Taxpayer). It is geared toward revitalizing downtown Rochester and checking the decentralization of shopping. Midtown Plaza is unique in that it is basically an urban renewal project by private enterprise without government subsidy.

The project anticipates the expansion of the present McCurdy & Co. and B. Forman Co. retail stores, 25 or 30 new retail shops, an 18-story office building and a bus terminal. All this is to be designed, constructed and financed by private enterprise. All land required for the shopping plaza has been acquired by the private interests.

The city's cooperation in the Midtown project has been carefully studied. The municipal investment in the construction of streets, relocation of water lines and sewers, and an underground garage has been evaluated as "self-liquidating."

NEW HOTEL

On January 10, 1959, the Hotel Corp. of America announced its intention to construct a new $6 million hotel in Rochester.

The additional revenue in taxes which the city government, the city schools and the county government will receive from the private construction in Midtown Plaza and the new hotel removes all doubt as to whether the municipal projects, undertaken in cooperation with the private Midtown Plaza project, will be self-liquidating.

When the proposed new hotel was announced, Mayor Peter Barry said, "The announcement of a new hotel of a different type for downtown Rochester is exactly the type of result for which we have been working. It is this sort of private investment and renewal of our commercial area which we feel will bring about a literal rebirth of Rochester's downtown.

THE BYELORUSSIAN NATIONAL REPUBLIC

Mr. DIRKSEN. Mr. President, on the 25th of March 1918, there came into being a free republic known as the Byelorussian National Republic. Its life was very, very short indeed. It was then consolidated and incorporated in the Soviet Union.

The arrival of March 25 each year does call attention to and does bring to mind the rich contributions which the citizens of Byelorussian descent in this country have made to the cultural heritage of this Republic. Here, as elsewhere, they have striven to keep alive their traditions and their unquenchable love of

freedom; and in doing so they have contributed greatly to the lives of all Americans.

Mr. President——

The VICE PRESIDENT. The Senator from Illinois.

CHRISTIAN ARCHIBALD HERTER

Mr. DIRKSEN. Mr. President, I should like to say a word about the new Secretary of State, Christian Archibald Herter.

The new Secretary of State is 64. He was born on March 28, 1895. At his birth, Grover Cleveland was in the White House and Adlai Stevension, Sr., presided over the Senate. Mr. Herter was born in Paris. Both his father and mother were artists. He received his preparatory education in France and returned to the United States to graduate from Harvard cum laude in 1915.

His ambition was to be an architect. He abandoned his course and joined the Foreign Service as an Embassy attaché in Berlin in 1916.

Being too tall for his weight, he was rejected for military service in World War I and became a special assistant in the State Department in 1917.

Few persons have had such a variety of experience to equip them for the duties which Chris Herter is now called upon to assume.

He negotiated a prisoner-of-war agreement with Germany after World War I. He was Secretary to our Peace Mission in Paris in 1918–19. In 1919, he became Secretary to the American Relief Administration under Herbert Hoover. He became Executive Secretary of the European Relief Council. He fought communism with food for refugees and prisoners of war. When Herbert Hoover became Secretary of Commerce in 1921, Chris Herter was chosen as his assistant.

For a number of years he was a publisher, editor, and lecturer, and lectured at Harvard on international relations in 1929 and 1930.

In 1931, public service claimed him again.

For 12 years, he served in the Massachusetts General Court or Assembly and was selected speaker of the house for 4 years. Then came four terms in Congress. In his first election he won by 2,900; in his fourth election, he won by 67,000. I served with Chris Herter in the House.

In 1947, Chris Herter proposed to Congress a Select Committee on European Aid to get first-hand information on the proposal of General Marshall, then Secretary of State for a Marshall plan. I saw Chris Herter's work in Europe and can testify to the skillful approach he made to this problem. I was chairman of a committee in Europe at the time.

From Congress, Chris Herter went to the governorship of Massachusetts for two terms. Thereafter he came to Washington as Under Secretary of State and took over those duties in February of 1957.

He is the father of 4 children, the grandfather of 12, and holds honorary degrees from 16 universities.

Many Members of the Senate served with Chris Herter when he was in the House of Representatives. This we know of him: He is a scholar. He is thorough. He has the background and talent for his new responsibilities. He possesses that most uncommon of all virtues, common sense. He is a dedicated patriot. He is friendly. He has moral courage and he will serve honorably and with distinction in the finest tradition of those who have preceded him as Secretaries of State, from Thomas Jefferson to John Foster Dulles.

JOHN FOSTER DULLES

Mr. WILEY. Mr. President, when I heard of Secretary Dulles' resignation and the appointment of Mr. Herter, I issued a news release in relation to Mr. Herter. As has been stated, he is a man of character and ability. This he demonstrated in the House of Representatives and as Governor of a great State. He demonstrated it again, sitting at the feet of one of the greatest men America has produced, John Foster Dulles.

An editorial entitled "A Fighter for Freedom Retires," was published in Business Week of April 18, 1959. It reads in part as follows:

> With the resignation of Secretary of State John Foster Dulles, the free world has lost the invaluable services of one of its most powerful and effective advocates. His task, as he saw it, was to preserve peace and freedom in the world. And to that high purpose, Dulles selflessly devoted his vast knowledge and boundless energy.

I ask that the entire editorial be printed in the RECORD at this point as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A FIGHTER FOR FREEDOM RETIRES

With the resignation of Secretary of State John Foster Dulles, the free world has lost the invaluable services of one of its most powerful and effective advocates. His task, as he saw it, was to preserve peace and freedom in the world. And to that high purpose, Dulles selflessly devoted his vast knowledge and boundless energy.

Although controversy raged about him much of the time, he pursued his labors with the calm, relentless air of a man who had dedicated himself to a just cause and intended to follow the path of duty wherever it might lead. It was this quality, no less than his exacting mind and wide experience in foreign affairs, that gave him the unchallenged leadership of the West in the worldwide struggle against Communist expansion.

Dulles has never faltered in his belief that the free world must meet Soviet aggression with boldness and courage, that appeasement would only increase the danger of war. From his knowledge of the origins of World Wars I and II, he derived a strong conviction that the Communists must never be left in any doubt about our capacity, and our will, to meet any outright aggression with force.

His formulation of this policy frequently frightened the timid and less farsighted. His phrase "massive retaliation" aroused a furor at home and abroad among many who failed to realize that Dulles was talking the only language the Communists could understand. When he frankly said that in dealing with such a foe we had to be ready to go to the brink of war, his enemies used the epithet "brinkmanship" in an effort to tear him down. Yet, today, it is generally recognized that Communist ambitions can be held in check only by our retailiatory power and by our determination to use it as a last resort rather than to surrender our principles.

For all his toughness, Dulles has never been a warmonger. At least once, in his early days in office, the idea of preventive war was presented to him as a possible answer to the Soviet menace. He rejected such a course as repugnant to the whole American tradition. He has been convinced that if the United States maintained both its power and its principles, we could win the East-West struggle without subjecting the world to a holocaust. And his record proves what a master he was in the difficult art of keeping an appropriate balance between power and principle—the two essential attributes of an effective foreign policy in a democratic nation.

If Dulles often seemed rigid in his diplomatic approach, it was not because he was inflexible, as so often charged. In beginning to prepare the U.S. position on Berlin, just before he was stricken down, he showed himself ready for a flexible approach to Soviet demands—one that would allow for the power realities in Berlin and still preserve basic Western rights there.

Like many another American Secretary of States before him, Dulles has had to bear the slings and arrows of partisan attack at home. From abroad he has had to meet a constant stream of poisonous propaganda from the foe and more than a few malicious barbs from our allies. Fortunately, he always has had the unfailing support of President Eisenhower. And though he may have been prone to run a one-man show at the State Department, he also has had the loyal support of an able group of assistants.

Perhaps the most extraordinary tribute to Dulles came when the nature of his illness was revealed some 2 months ago. Almost overnight his detractors began to speak and write of him as an "indispensable man."

To serve his country and his fellow men everywhere, Dulles has given of his strength without stint. He has earned the respect and gratitude of all Americans. He has set a standard of devotion to duty and high principle that will be an inspiration for those who must now take up the unfinished business of securing peace and freedom in the world.

THE PASSING OF AN ERA IN AMERICAN HISTORY—DEATH OF CHIEF TOMMY THOMPSON

Mr. NEUBERGER. Mr. President, Chief Tommy Thompson of the Wy'am Indian tribe was born 5 years before statehood was achieved by my home State in 1859. During the 105 years of his life, Chief Tommy Thompson saw the culture of his people run the full course from the primitive to the present day. He did not approve of all that he saw. He disliked many of the changes from tribal ways.

Chief Tommy also was an outspoken protector of his people's treaty rights. He opposed to the end the loss of fishing rights at Celilo Falls on the Columbia River, where the Dalles Dam flooded out an ancient fishing site. Members of his tribe will long remember his efforts on their behalf. And others who knew of his devotion to his position as tribal Indian chief will long respect the manner in which he discharged those responsibilities.

I ask consent to have printed in the body of the RECORD some informative editorials and news stories from Oregon newspapers about the death of Chief Tommy Thompson.

The editorials are from the Journal of Portland and the Statesman of Salem; the articles are written by Mrs. Ann Sullivan for the Oregonian, of Portland, and by Robert C. Hall, of Hood River, for the Journal. They fill in background on an epoch now closing in the annals of the Oregon country.

There being no objection, the editorials and news stories were ordered to be printed in the RECORD, as follows:

[From the Salem Statesman, Apr. 15, 1959]

DEATH OF AN INDIAN CHIEF

Tommy Thompson filled the role of Indian chief, an authentic one too, for many decades, but at last, at age 104, he was called to the "happy fishing grounds" where fat salmon fresh from the sea are not cut off by white men's nets or dams—or laws. Chief Tommy was head of the small band of Wy'am Indians who clustered at Celilo Falls on the Columbia, falls now smothered by the impounded waters of the Columbia.

Chief Tommy was born on the banks of the great river of the West and died at nearby Hood River. He will be buried in the Indian cemetery on the bluffs overlooking the river where, in his lifetime, he saw railroads come, and highways with fast automobiles, saw giant man-guided birds fly in the airway of the Gorge and stubby tugs dragging barges replace the steamers *Bailey Gatzert* and *T. J. Potter*. He saw, in short, the passing of the pioneer stage of the white race in the Northwest and the ushering in of the industrial age, saw the accomodation of the Indians, painful and slow, to the white men's ways. In time his title of chief became honorary as the diminishing tribal authority passed to tribal councils; but he was venerated by the tribesmen for his title and his years and his loyalty to his band. They will accord him honors deriving from old custom in the funeral ceremonies attending his interment.

[From the Oregonian, Apr. 15, 1959]

INDIAN DRUMS, VOICES PAY HOMAGE TO CHIEF TOMMY THOMPSON

(By Ann Sullivan)

Indians from many places in the Northwest, particularly Warm Springs and Yakima, have gathered at Celilo Falls to pay homage to beloved old Tommy Kuni Thompson, the last of the hereditary chiefs in Oregon. He died Sunday at Hood River.

The colorful centenarian, who was believed to be almost 105, was carried from the Anderson Mortuary in Hood River early Tuesday evening, dressed in pure white new buckskins, devoid of ornament.

He was taken in darkness past the gleaming, whirring massiveness of the Dalles Dam which he bitterly opposed and which in life he had declined to look at. His body, wrapped in some 10 fine Pendleton blankets was placed on top of his handsome, ornate beaded chieftain's trappings in a cedar coffin. They go with him to a world beyond with which he had long communicated through his holy bird, Pi-a-toot Ka-ke-a.

The bronze dove, a gift of the U.S. Army Engineers, is a replica of the little wooden bird which Tommy Kuni ("he who is full of knowledge") carved when he became chief of the Wy'ams about the time he was full grown. The bird customarily was mounted on his La-wit, or prayer pole in front of the long house of the old Celilo village. It always faced east—to the sun.

When the sun rose so that the shadow of the bird fell on the ground through the eastward opening of the long house, it was always time for the annual spring salmon festival, a time of rejoicing for the Indians, for the return of the bountiful food fish to spawn up the river.

It is almost that time now, but there has been no announcement of a festival, for gone are the ages-old fishing grounds.

Until midnight Tuesday, relatives and friends of the old chief gathered around his body in its casket in the new long house, thrumming drums and chanting Indian songs in his honor, recounting his bravery and wonderful things he was in life.

The large cedar casket was made by hand—as Chief Tommy had requested—by some of the Indians at Warm Springs. It was trucked to Celilo Tuesday, and the chief's body placed in it. The outside is varnished, and inside it is painted a sky blue—"when the dawn and the sun meet together."

The chief's widow, tiny Flora Thompson, who is about 60 years old (she married him about 10 years ago), helped dress him at the funeral home Tuesday.

She said that his fine, eagle feathered headdress will stay behind him, and that the only symbol of his chieftainship will be a single eagle feather in his hand.

The Indians at the funeral which is called "ni-cha-tut," had a snack supper at midnight and retired to rest until Wednesday morning, when they will again take up their homage.

This time the chanting and the drums will go on throughout the night, with the burial scheduled as near dawn as possible, as the chief had wished.

Mrs. Thompson said that it might not be until 8 or 9 a.m. because of difficulty of traversing the distance to the little old cemetery long used by the Celilos on the bluff overlooking the river. Railroad excavation long ago wiped out the road, so the National Guard has volunteered the use of heavy vehicles to traverse the neighboring farmer's land to reach the cemetery.

[From the Oregon Journal, Apr. 15, 1959]

CHIEF TOMMY'S MEMORY A REPROACH

Chief Tommy Thompson of the Wy'am Indians was born in a tepee by the roaring waters of Celilo Falls.

For more than a century he lived within earshort of the sound. The roar has disappeared with the drowning of the Celilo rocks by the Dalles Dam pool. Now Chief Tommy has gone, at age 105, his last few years spent, sadly, in a nursing home.

His memory must always be a reproach to the white man. He saw the coming of the white settlers and the transition of a raw frontier into what we call civilization. He became a friend of the whites, but never did he accept their ways.

He resisted to the end the loss of the Celilo fishing rocks, which destroyed forever the colorful way of life of his people.

He did not consider money a substitute for salmon, and he refused personally to accept the pay offered each member of his tribe by the Federal Government for the loss of the fishing rights. Neither he nor anyone in his tribe participated in the agreement which signed away those rights, for his people's ancient claim was vague and hard to prove. "I have not signatured away my salmon," he was fond of saying.

Chief Tommy's body, wrapped in robes made especially for him and lying in a casket hewn from a single cedar log, will rest on the high shore of the Columbia near where he lived out his years.

The spot will be remembered not only by the people of his vanishing tribe but by many white persons who were his special friends and who vainly championed his cause.

Many other whites accept the inevitability of the great hydroelectric development at The Dalles but are a little uneasy in their consciences over the memory of what it did to Chief Tommy and his people.

They are not helped by the further knowledge that the overall record of the white men's dealings with the Indians over the decades is not one of which to be proud.

[From the Oregon Journal Apr. 14, 1959]

PLANS FOR INDIAN CHIEF TOMMY THOMPSON'S FUNERAL REVEALED; ANCIENT TRIBAL RIGHTS, SAD CHANTS DUE IN ALL-NIGHT WY'AM RITUAL

(By Bob C. Hall)

HOOD RIVER, April 14.—Chief Tommy Thompson, last of the great Columbia River chiefs, died Sunday night at his home near Celilo, the Indian fishing village on the Columbia where his tribe had lived for centuries. His family said he was close to 105 years of age.

The old chief of the Wy'am Indians (popularly called the Celilo Tribe after the steam boat *Celilo* that plied the river to that port of call) spanned a century of Oregon history. The ceremonials to be held over his body Tuesday and Wednesday nights will follow, to the letter, the rites which he himself had presided over, since the late 19th century.

Only a few whites will be among the Wy'am people to gather at "the long house" where Chief Thompson presided over the affairs of his people as they skewered and later netted the mighty salmon that traversed the Celilo cataracts.

Now the Dalles Dam has buried that world-famed tourist site, the railroads and highways have all but obliterated the historic Wy'am village there. But the long house still stands, and there the dead chief will receive the final tribute from his people.

Clad in white buckskin, the traditional attire for a dead chief on his way to the hereafter, with three eagle feathers in his hand, Chief Thompson is to lie in state today, while family and friends gather for the all-night ritual.

Then, circling the big cedar casket one by one, the tribe will chant their individual eulogies—a symbol of their friendship as they walk him to paradise. Each chanter steps out to let the next one step in after a brief "walk" so that only the dead chief travels all the way. The others move away lest they, too, be taken into the hereafter.

Wednesday night the tribe will carry their dead chief to the burial ground that lays on the windblown bluff high above the Celilo village. Ironically, they may have to ask a white man's permission to reach their cemetery. The old access road was ruined by white man's construction and the only route now passes through a farmer's private land.

Among the mourners will be the white woman who is closer to the tribe than any other nontribe member. She is Martha Ferguson McKeown, Willamette University graduate and teacher at Hood River's Wy'east High School. Mrs. McKeown and her late husband, Archie, spent several years before his death photographing and recording the peculiar life of the Celilo fishing Indians.

Out of that research has come two remarkable children's books, alternate pages of Mrs. McKeown's writings and Mr. McKeown's black and white photographs. The second of these, "Come to Our Salmon Feast," was released to the public by publishers Binfords & Mort, Portland, last week.

Mrs. McKeown, now an adopted daughter of Chief Thompson, and virtually his guardian in recent years, says the old chief was delighted with the new book, which she read to him last week. The book takes its title from a custom Chief Thompson had made a moral obligation, almost to his undoing.

Says Mrs. McKeown, "You see, when the original treaty, allowing the Wy'am to fish the Celilo Rapids, was signed by the participating tribes—Chief Thompson did not

sign the agreement—he was told that the people were his responsibility and that he had to provide for them.

"So each year he held a giant feast just after the peak of the salmon fishing season. Then, with he and his family occupying the choicest fishing rock at Celilo, the fish were easy to come by and the feast was always a great event of the year.

"But lately, with the rapids gone—under the Dalles Dam Reservoir—it had practically ruined him to provide all that fish—yet he kept at it, insisting that this was his obligation."

Such an adherence to tradition was the dominating feature of Chief Thompson's life—a life which saw the final days of Indian glory in Oregon and ended in virtual slavery to the conquering whites.

A young boy when the first Indian treaties were signed, Chief Thompson grew up among a tribe that never fought the white man, served as scouts for the soldiers quartered at Fort Dalles.

His uncle, Chief Stoecketti, was killed on a scouting mission. Young Kuni took over the chief's role, then, later changed his name to Tommy Thompson after the explorer David Thompson. In his way he showed his intent to live peaceably beside the ancient fishing grounds, among the new white settlers.

But Indian treaties were, it seemed to the chief, made to be broken. The first Indian treaty of 1855 drew out the boundaries of Indian fishing rights. Another treaty in 1865 limited them still, and taught the Wy'am's a lesson in white diplomacy. As payment for the rights, the Government sent a trader named Huntington to pay off the Indians in blankets.

Huntington promptly cut the blankets in four pieces, gave a "blanket" to each family and made off with the remainder of the material.

In discussion with the Army Engineers over use of the Celilo area for the burgeoning plans of river development and dam construction, Chief Thompson was passively exasperating.

Says his biographer, Mrs. McKeown:

"You see, Chief Tommy believed the fish and the river came from his gods, and were never to be discussed in any way other than that he learned from his elders. So he would speak of them only in Wy'am language.

"Well, the engineers usually had no interpreter who could handle the language well and the discussions usually broke down with the engineers representatives exasperated with the chief and the chief usually indifferent to the whole thing."

But the ways of the whites, says Mrs. McKeown, were too devious for Chief Thompson. Agreements with other tribes who claimed a share of the Celilo fishery were produced as evidence of the Indians' willingness to give up their rights there. Claims Mrs. McKeown, the Wy'ams never signed a paper that they believed would deprive them of their fishery. She also notes that Government payments were made to the Nez Perce Indians for the Celilo fishery, despite the fact that the Nez Perce were never known to have fished there.

Finally, his people under Government supervision, and himself an old relic of a bygone era, Chief Thompson kept his tribal ways only to himself. In 1955, with proper facilities for his care lacking at Celilo, the tribe appealed to Mrs. McKeown for help. She secured lodging for him at Hanby's rest home in Hood River, where he spent the last 3 years of his life.

True to his heritage he requested—and got—a room with two windows facing east so that he could pray to his gods in the morning sky.

Sunday night the old half-blind chief died. He had seen the white man come, had watched a century of white man's progress in the Columbia Gorge. Sam Hill, the famed railroader, had brought royalty to visit the proud leader of the Wy'ams.

Monday night, they wrapped him in a new blanket, carried him to a Hood River funeral home. From the Warm Springs Indian Reservation came the great cedar casket that has waited for the chief. His wife, Flora Cushinway Thompson, his daughter, Ida Winookie, his son and probable heir to the chiefhood, Henry Thompson, will take him to his beloved long house today.

Tonight, the ancient Wy'am chant will rumble from the throats of his tribe, float out over the gorge hillside to the silent lake where, preceding Chief Thompson, the Celilo rapids were buried 2 years ago.

The PRESIDING OFFICER [Mr. McGEE in the chair]. Is there further morning business? If not, morning business is concluded.

ORDER FOR MEETING AT 11 O'CLOCK TOMORROW MORNING

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today it stand in adjournment until 11 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM FOR DEBATE ON LABOR BILL—NOTICE THAT SENATE WILL CONVENE AT 10:30 A.M. ON WEDNESDAY

Mr. JOHNSON of Texas. Mr. President, I announce that we shall have at least an hour and a half of discussion on the Ervin amendment tomorrow before we vote on it. I make the announcement so that Senators may make their plans accordingly. After the Senate meets at 11 o'clock tomorrow morning, we shall have the usual morning hour, to be followed by a quorum call. We shall then have at least an hour and a half of discussion on the Ervin amendment and, following a quorum call, we shall proceed to vote on the amendment.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I have discussed with the distinguished ranking minority member of the Committee on Labor and Public Welfare, the Senator from Arizona [Mr. GOLDWATER] and the distinguished chairman of the subcommittee, the author of the bill, the Senator from Massachusetts [Mr. KENNEDY], the question of procedure during the consideration of the bill and the matter of convenience in connection with arranging the sessions of the Senate.

We plan to meet at 11 o'clock tomorrow. After the usual morning hour we shall have at least an hour and a half of discussion on the Ervin amendment. Then we will vote on the Ervin amendment. We may have other votes tomorrow afternoon. We cannot be sure, however.

We hope to be able to meet on Wednesday at 10:30 a.m., and stay in session rather late, perhaps until 7:30 that evening. It may be that we shall be able to dispose of the bill without having night sessions, but we shall not be able to be sure about that until we get further along with the discussion of the bill. At least we plan to remain in session from 10:30 in the morning to 7:30 in the evening, until we can determine what progress we are making. If it is necessary to have longer sessions to dispose of the bill this week, we can announce them later in the week.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 1555) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from North Carolina [Mr. ERVIN] to strike out title VI. The Chair calls attention to the fact that the unanimous consent agreement to limit the time of debate on the amendment becomes effective at this time.

Mr. RANDOLPH. Mr. President——

Mr. JOHNSON of Texas. Mr. President, I yield 15 minutes to the Senator from West Virginia.

Mr. RANDOLPH. Mr. President, I rise in support of S. 1555, the Labor-Management Reporting and Disclosure Act of 1959.

In preface to my comments I wish to make clear that I harbor bias neither for labor nor management. I refuse alike to be stampeded by proponents of punitive legislation or to be lulled into complacency by advocates of the status quo.

The public interest will not best be served by our submitting here to those who would seek to weaken, cripple, or destroy a free trade union movement. Nor will the public welfare be advanced by our catering to those who would wink at labor abuses and thereby permit the vast majority of honest labor to be brought under a cloud of suspicion and the rightful prerogatives of honest management to be endangered or submerged.

We are confronted at this time with the duty of legislating on certain aspects of one of the main institutions of modern America. Like other American institutions, the trade union movement has grown well beyond the assumptions of its early intimate and fraternal organization. Like other organizations in business, industry, and government also, some unions have become large, imper-

sonal, and bureaucratic systems in which the interests of the individual members have ofttimes become lost, and the members themselves have occasionally become apathetic in fulfilling their responsibilities toward union control.

Within the power vacuum that has thus developed, there have arisen—as the investigations of the McClellan committee have so pointedly revealed—men in both labor and management who have exploited the situation to their own selfish and sometimes corrupt interests.

This has resulted in what the Senator from Massachusetts [Mr. KENNEDY], the chief sponsor of the bill, has delineated as abuses of power on the part of both labor and management to the detriment of the welfare of employees, employers, and the public.

The purpose of the measure is, therefore, to correct the conditions which have led to such abuses, and further, in the words of Mr. George Meany, president of the AFL–CIO, to "aid the American trade union movement to maintain free, democratic, and responsible trade unions, cleansed of the crooks and racketeers who have preyed upon some unions and upon segments of some of the unions."

It is my earnest conviction, Mr. President—and I speak as a cosponsor of the bill and as a member of both the Subcommittee on Labor which conducted the hearings and the parent Committee on Labor and Public Welfare—that S. 1555 represents a forthright and well-considered advance in the directions indicated by the able junior Senator from Massachusetts [Mr. KENNEDY] and by Mr. Meany.

This effort is not designed, as some would have it, to legislate in the broad field of labor-management relations. That task is for another time and another bill. The floor of the Senate is not the most appropriate place to introduce too many amendments which may succeed only in defeating the equally urgent but more limited aims of the pending bill.

In this respect, I wish to refer to comments from a recent statement by Prof. Archibald Cox, of Harvard Law School. Professor Cox, a specialist in the field of labor-management law, was chairman of the group of experts who worked with the committee staff in drafting the original Kennedy-Ives bill, and he is a member of the group currently studying the entire Taft-Hartley Act. He, therefore, speaks with some considerable authority in this field.

In the opinion of Professor Cox—and in the opinions of the majority of the members of the Committee on Labor and Public Welfare—the issues of internal union reform and labor-management relations are different issues which should be dealt with separately. To quote Professor Cox:

> The two subjects ought to be handled separately * * * for a number of reasons. In the first place, the two subject matters are analytically distinct. Union reform has to do with the relationship between the organization or the officialdom and the members. Labor-management relations, of course, has to do with union organization, how collective bargaining works, and ultimately, with the balance of power between management and labor. And to mix the two, I submit, simply causes confusion.
>
> Second, the need for internal reforms should not be made the occasion for enacting repressive measures. We cannot protect union members against financial dishonesty or guarantee internal democracy by weakening the bargaining power of the unions. In presenting reform measures, one of the very important things psychologically—one of the important things in terms of the way employees will react to it—is to make plain that legislation directed at reform is not concerned with weakening the union.

I point out in this respect, Mr. President, the inconsistency of those who seek to remove title VI from the bill as being irrelevant, and yet insist on amending S. 1555 to include provisions against organizational picketing and secondary boycotting.

Not only were the provisions of title VI also in the Kennedy-Ives legislation which passed this body last year by a vote of 88 to 1, but none of the provisions in this section of the bill touches upon the basic power relationships of labor and management. In addition, each of the proposals of title VI has been thoroughly deliberated upon and examined in committee hearings and consequently has been narrowed in its meaning and implications.

While many citizens advocate the need for legislation regarding organizational picketing and the use of the secondary boycott, there remains a wide diversity of opinion on these subjects. In addition, legislation on both issues deals with the fundamental balance of power between labor and management and should properly be advanced only after adequate hearings and preparation. The Republic will not be endangered, Mr. President, if the Senate delays passage on these matters until it is more fully informed.

Leaving aside, therefore, the broad issues of labor-management relations, and turning to the problems of internal union reforms, Senate bill 1555 is a realistic and carefully studied legislative proposal.

It is a proper bill because it is directed toward implementing the four remaining legislative recommendations of the first interim report of the McClellan committee: First, to regulate and control union funds; second, to insure union democracy; third, to curb employer uses of middlemen in labor-management disputes; fourth, to eliminate the ambiguity of the no man's land between State and Federal authority. The junior Senator from Massachusetts [Mr. KENNEDY] noted on the floor of this body last Wednesday, April 15, 45 specific provisions of the bill which would implement the recommendations of the McClellan committee.

Mr. President, at this point I turn aside to say that constantly we hear that the recommendations from within the McClellan committee, the findings of that group, and the work it has done are not reflected in Senate bill 1555. Mr. President, I repeat that 45 specific provisions of Senate bill 1555 would implement the recommendations which have come to us from the McClellan committee.

Furthermore—and I believe this fact needs to be emphasized, in the light of some of the proposals which have been offered and which will be suggested—the pending measure remains true to the traditional Anglo-Saxon and American concept of justice, in that it places criminal sanctions and penalties where they belong—namely, upon the individual wrongdoer among labor and management officials, rather than upon the rank and file of union or labor movement members.

The Senate is no forum in which to traffic with the mystic concept of collective guilt which would penalize the entire union membership for the wrongdoing of one or a few of its officials. To depart from the ancient principle of justice of individual responsibility and individual guilt is to contravene one of the basic assumptions of a democratic philosophy.

Mr. President, on April 7 there was held, in Parkersburg, W. Va., an election for the mayor of that city. There were 25,546 men and women eligible to vote; they were registered as eligible to ballot in that specific election. Of that total, 10,344 actually cast their ballots. In other words, 60 out of every 100 eligible voters in that election failed to use that franchise of freedom, which was not only an opportunity, but also was a responsibility under our system of government. I say to them—because I believe this is perhaps an appropriate place to say it—that we can drift or, in fact, we can dive into a dictatorship in this country. We can lose democracy by default. I believe we forfeit our freedoms when we, as American citizens, fail to exercise the responsibility of the American ballot.

I tell this story for a very definite reason—namely, because today we are faced, perhaps more than ever before, with a desire on the part of some of us to continue the dignity of the individual. On the other hand, we have bigness all about us—bigness in government, bigness in industry, bigness in labor. Bigness is a part of our American life. Yet I wish to see to it that the individual is not lost in the shuffle.

So, Mr. President, I think it important to note that, in preparing this proposed legislation, we have maintained the ancient principle of justice, of individual responsibility and individual guilt; and this is one of the assumptions of our philosophy in which most Americans believe.

This is also a well-considered bill, Mr. President—indeed, one of the most thoroughly considered in which it has been my privilege to participate. As has been observed before, the 1958 version was passed here by a vote of 88 to 1; it was then further improved by redrafting, before being introduced in the present session. And after another series of exhaustive hearings—bringing the total testimony on the measure to more than 2,300 pages—it was further perfected by the Senate Labor Committee with 46 amendments, and was reported by a vote of 13 to 2, in which process it acquired additional cosponsorship of a bipartisan nature from the senior Senator from Kentucky [Mr. COOPER] and the senior

Senator from New York [Mr. JAVITS]. Their own supplemental views are worth quoting at this point, for I believe they concisely express the basic achievements of the bill in its improved version:

It establishes as law the principles of democracy in unions; it adapts to their internal administration the standard of honesty and fair play which are basic to our society; and it provides for conditions which should make for integrity in the relations between unions and representatives of management.

The bill is, of course, not entirely satisfactory to everyone, and is perhaps not even perfectly satisfactory to any member of the committee. We believe, however, that it is a wholesome and substantial contribution to the law at this time which is practical and represents material progress.

The PRESIDING OFFICER (Mr. MCGEE in the chair). The time yielded to the Senator from West Virginia has expired.

Mr. RANDOLPH. Mr. President, I should like to be allowed an additional 5 minutes.

Mr. MANSFIELD. Mr. President, I yield an additional 5 minutes to the Senator from West Virginia.

Mr. RANDOLPH. I thank the Senator from Montana.

The PRESIDING OFFICER. The Senator from West Virginia is recognized for an additional 5 minutes.

Mr. RANDOLPH. Mr. President, I devoutly hope that our action will not be restricted due to differences; that we shall ask questions, not in terms of whether a particular policy will circumscribe the power of labor, but, rather, whether it is in the best national interests, as well as in labor's legitimate self-interests.

This is only an instance, however, of the need to avoid the general tendency of interpreting public problems in terms of opposite solutions. Our political discourse and, hence, the solutions to political questions are too often restricted by the use of polar or opposite terms—liberal and conservative, radical and reactionary, labor and management, farmer and consumer, socialist and capitalist, and so forth. The list could be extended. And all of us are familiar with the old platitude, "There are two sides to every question."

Such a polarizing of public problems, however, falsifies the realities of our national life. There are, in fact, as many sides to every question as there are parties or interests involved. And the great genius of the democratic process is that it offers a wider variety of solutions than can be encompassed by mere opposites.

Politics in a democracy is the art of the possible—the art of compromise and conciliation. Webster defines "compromise" as "a settlement by arbitration or by consent reached by mutual concessions." This definition offers us a clue as to how all of us can make worthwhile contributions in the arena of public affairs. Labor-management relations, no less than the life of business and commerce, is in large measure a matter of offering mutual concessions, of arriving at a compromise of interests whereby each party gains some needed satisfaction.

Finally, Mr. President, the main provisions of the pending proposal have the endorsement of an overwhelming number of responsible labor leaders throughout the country, most of whom are equally as concerned and anxious as are we to rid the union movement of the influence of racketeers within its ranks. Representative of the views of such leaders is the statement of Mr. George M. Harrison, grand president of the Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express, and Station Employees, who stated in testimony his belief that:

It is entirely possible to have a strong and effective labor-management reform bill which will forcibly attack such corruption and racketeering as have infiltrated the labor movement, without at the same time sacrificing existing union customs, traditions, and constitutional provisions which have long been recognized as honest, ethical, and democratic and completely compatible with the standard of conduct implicit in this legislation.

In closing, Mr. President, I reiterate that S. 1555 is the product of lengthy and judicious deliberations. The Senate Labor and Public Welfare Committee heard testimony from the leaders of both interested parties—labor and management—and from disinterested experts identified neither with labor nor management. Many proposals were heard and considered by the members of the committee, and the bill in its present form is the product of the combined judgment of the committee on a vote of 13 to 2. It is my hope, therefore, that the Senate will pass S. 1555 substantially in its present form, and not be led into vain and futile efforts to realine the entire balance of power of labor and management at this time.

We owe it to the overwhelming mass of honest men and women of American labor to assist them in achieving the same basic principles in the union movement that we adhere to in the larger national community as a whole. We owe no less to the American public. This, I believe, S. 1555 will help bring about, and for this reason it has my support.

I remember when, in the 1920's in West Virginia, we had armed guards in the mining camps who worked against giving men the opportunity for collective bargaining, and even to achieve the standards of fair practice within unions. I recall that in the coal fields of West Virginia loyal labor was crucified on the cross of long hours and short pay and inadequate health conditions under which men would toil.

Those conditions were apparent to men and women who studied such circumstances in West Virginia. I remember the advances which have been wrought. I remember the programs which have been placed in State and Federal law, which have changed to a very considerable degree—to an almost entire degree—the situations of which I have spoken. I believed it was necessary for labor organizations to be treated fairly, and I believe labor must continue to be given its rightful recognition. In 1959 the Senate has, in its individual and collective membership, the responsibility of correcting, insofar as possible, the defects within the labor leadership which have arisen.

We can do that, Mr. President, without punitive action, without destroying the strength of individual members within a union, or the union movement itself.

ADDRESS BY SENATOR MOSS BEFORE NATIONAL CIVIL LIBERTIES CLEARING HOUSE

Mr. MANSFIELD. Mr. President, I yield myself half a minute.

The PRESIDING OFFICER (Mr. KENNEDY in the chair). The Senator from Montana is recognized for half a minute.

Mr. MANSFIELD. On April 17, 1959, at a luncheon meeting at the Sheraton-Carlton Hotel in Washington, D.C., the distinguished junior Senator from Utah [Mr. Moss] delivered an address before the National Civil Liberties Clearing House. I ask unanimous consent to have printed in the RECORD the address delivered by the Senator from Utah.

The PRESIDING OFFICER. Without obection, it is so ordered.

Mr. MANSFIELD. I would call to the attention of the Senate the fact that the Senator from Utah, like the distinguished majority leader, the Senator from Texas [Mr. JOHNSON], indicates that what he wants in the field of civil rights is the attainable, and not the unattainable. I quote from a portion of his speech, as follows:

The question to be decided this year then, is this: In the light of current conditions, what should be our program? Shall we vote for and attempt to pass and be counted in favor of, legislation that we know will not pass? Or shall we attempt a program that will do some things that very much need doing, and that we can, in all probability, get done?

I hope that all of us in the Senate, regardless of our position on the question of civil rights, will read what the distinguished Senator from Utah pointed out, because it is worthwhile.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS OF SENATOR FRANK E. MOSS, DEMOCRAT, OF UTAH, BEFORE THE 11TH ANNUAL CONFERENCE, NATIONAL CIVIL LIBERTIES CLEARING HOUSE, APRIL 17, 1959, HOTEL SHERATON-CARLTON, WASHINGTON, D.C.

I deem it a compliment, I am sure, to be invited to discuss "Congress and Civil Rights" before a group as representative and as well informed as you who are participating in this conference of the National Civil Liberties Clearing House.

Of the attributes which give meaning to the term "American" none are more important than those which allow every citizen the same treatment before the law, and the same opportunities for advancement, culture and recognition, as those allowed any other.

This is the reason that I found it such a thrill to vote for the admission of Hawaii as our 50th State. For Hawaii today—more than any other section of our country—represents this American ideal of a commonwealth built by citizens who may differ in almost every possible way but who are bound together by a common regard for political liberty.

As a newcomer to Congress, and representing a State which, in its modern history, has not had civil rights as a major issue, one fact about "Congress and Civil Rights" seems more significant to me than any other. (I say "modern history" because Utahans once had the problem in its most acute form. The territory was settled by those who were driven from their homes because of religious beliefs, and there was a time, before statehood, when the right of the majority to control elections was circumvented by a Washington-appointed judiciary.)

But that was long ago, and today the most significant fact to me about Congress and civil rights is that the Civil Rights Act of 1957 is the first legislation on this subject to pass the U.S. Senate since Reconstruction.

The House of Representatives has passed numerous measures, of course, on lynching, poll taxes, and other subjects, and the Senate has conducted some historic debates on them. But the sectional makeup of the Senate has always asserted itself to bar legislation that seriously challenged the prerogatives of officials of the several States.

Many felt that this Congress would be different. Perhaps it was optimism generated by the defeat of many members of the so-called Old Guard. Perhaps it was misreading the results; perhaps just wishful thinking—but it was widely believed that the feeling for civil rights legislation was now so strong that the liberals of both parties would challenge the leadership of the Senate on this issue. It was even predicted that that ancient ornament of the Senate—the filibuster—would be cast aside to make way for the new era.

The vote this year on rule 22 quickly dispelled that illusion. Looking at history, it must be apparent that whatever is done by Congress on civil rights depends on what is satisfactory to the Senate. Therefore, my very short and incomplete analysis of the proposals before Congress will be limited to what is before the Senate.

On the basis of the persons or groups sponsoring them, there are four general types of bills: First, the administration bills, one introduced by Senator GOLDWATER, the rest by Senator DIRKSEN, the minority leader; second, the Johnson bills, introduced by the majority leader; third, the Douglas bills, introduced by Senator DOUGLAS, the Democrat who was a leader in the fight on rule 22; and fourth, what I will call the Javits-Keating bills, introduced by the New York Republicans.

As you know, many of these bills contain provisions, or parts of provisions, or ideas, from other bills and groups of bills.

As far as content goes, which I think is the most useful division for our purpose today, let's divide the proposals in two groups, putting in the first group those which seem to have the support of all shades of opinion.

This first group has three main points. The first is the extension of the term, or of the time to report, of the present Civil Rights Commission. Second are various provisions to strengthen the laws against terrorism, intimidation and destruction of property.

One of the Dirksen bills, for example, punishes interstate flight to avoid prosecution for destruction of educational and religious structures. A very similar provision is in one of Senator KEATING'S bills. Title IV of Senator JOHNSON'S bill makes it a crime to transport or possess explosives for the purpose of intimidation or wrongful destruction, and permits the FBI to investigate, and to cooperate with State authorities, in cases of destruction of buildings by explosives.

The third idea is to strengthen the Attorney General's hand in compelling preservation and disclosure of voting records.

This first group of bills, then, contains three ideas that are rather generally agreed upon, and can most likely be passed. To repeat, they are (1) extending the life of the Civil Rights Commission; (2) strengthening the laws against terrorism; and (3) preserving and disclosing Federal election records.

The second group of bills includes provisions which have historically failed to pass; which would make the Justice Department, one way or another, responsible for deciding whether local officials are violating the 14th amendment, and would obligate the Attorney General to take action to compel compliance.

Senator DOUGLAS, for example, would authorize the Secretary of HEW to approve, and if necessary, prepare plans to carry out desegregation, and would require the Attorney General to enforce the plans if local official did not.

Senator JAVITS would authorize the Attorney General to institute civil injunctive proceedings against local officials who deprive citizens of their rights under the 14th amendment.

And there are many other proposals in this second group. But they all have one thing in common—they would make it the obligation of the Federal Government to take over if the States, in the opinion of Federal officials, failed to guarantee to citizens their rights.

And this, of course, is the point where the Senate has historically refused to move. It was just this provision—to allow the Attorney General to institute civil suits—that was taken out of the Civil Rights Act of 1957.

The question to be decided this year then, is this: In the light of current conditions, what should be our program? Should we vote for and attempt to pass and be counted in favor of, legislation that we know will not pass? Or shall we attempt a program that will do some things that very much need doing, and that we can, in all probability, get done?

Our ultimate purpose always must be to end discrimination as rapidly as possible. And the long history of the civil rights struggle has shown the futility of the belief that education alone can or will accomplish our purpose. Important as education is, it must be bolstered by firm legal action.

Our immediate purpose then should be to develop that program that will move us furthest along the road in the immediate future.

It would be a tragic mistake, in my opinion, to discuss any congressional program for civil rights other than in the light of the great school desegregation program now being carried out. The collapse of massive resistance in Virginia, and the subsequent more realistic efforts of Governor Almond and the legislature to meet the problems of that collapse, signals the beginning of the end of legal segregation, although we must realize that unofficial segregation, through private schools may continue for some time. Surely this is a great victory in our struggle.

And any action Congress takes must—it seems to me—help, not hinder, this desegregation process. The Civil Rights Commission should finish its job, and give to the Congress and the country the benefit of its findings.

Those officials who are fighting terrorism, and those individuals who must face terrorism to stand for their rights, are entitled to the strongest measures we can pass to help them.

Standing up to be counted has value. And the great congressional debates have served to dramatize the denials of civil rights and to arouse America's conscience.

But it may be that this year our attempt should be a unified one to consolidate our gains, to pass those items for which we have the votes, and to lay the groundwork for a further congressional assault on denials of rights through the 14th amendment. To move forward, even though slightly, advances the cause.

Such a period of consolidation must of course be temporary and of short duration.

And it should be fully utilized to advance the cause of civil rights everywhere on a local and State basis. The focus of national attention will be on the South, on the Negro, and on desegregation. But civil rights gains need to be made in every State in the Union and for every minority whose national origin makes it the victim of discrimination.

And every local improvement will be reflected in Congress, and particularly where it is needed most in Congress—the Senate. And every State advance will bring nearer the day when Congress will enact a complete civil rights law.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield to the distinguished minority leader.

Mr. DIRKSEN. Politics has been defined as the art of the possible. One might, in the light of what has been stated, say it is also the art of the attainable. I think we can proceed as practical persons by subscribing to that thesis.

Mr. MANSFIELD. I am sure we can. Like the distinguished minority leader, I anticipate we will be able to come up with a satisfactory, reasonable civil rights bill at this session.

TRIBUTES TO SECRETARY OF STATE JOHN FOSTER DULLES

Mr. NEUBERGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield time to the Senator from Oregon?

Mr. MANSFIELD. How much time does the Senator from Oregon desire?

Mr. NEUBERGER. About 30 seconds.

Mr. MANSFIELD. I yield 1 minute to the Senator from Oregon.

Mr. NEUBERGER. Mr. President, determined dedication to the service of his country will always be recognized as the outstanding characteristic of John Foster Dulles. This untiring devotion to a lifetime cause undoubtedly was a major factor in his ultimate but difficult decision to retire as Secretary of State. His personality did not nurture a withdrawal from active participation in service to his Government. In John Foster Dulles, our Nation will always have an example of a man whose high sense of duty transcended his personal welfare. This viewpoint is reflected in newspaper editorials which appeared in the State of Oregon, in the Oregonian on April 16, and in the Coos Bay World on April 14. I ask unanimous consent to have these editorial tributes to John Foster Dulles printed in the RECORD.

There being no objection, the tributes were ordered to be printed in the RECORD, as follows:

[From the Coos Bay (Oreg.) World, Apr. 14, 1959]

LIFETIME OF SERVICE IS SUM

State Secretary John Foster Dulles' resignation from the Cabinet is now a foregone conclusion by those who saw the indomitable but ailing man on his return to Washington for further checkups of his progress in his battle against cancer.

Whether or not Mr. Dulles has decided to resign is a moot point. The decision, an inexorable one, seems to have been made for him.

Thus an astonishing career of work and faith is at an end. It is one of those sad times, even for those who have been frequent critics of Secretary Dulles' actions and motivations.

Whether or not one has agreed with Mr. Dulles' results in his 6½ years as chief Cabinet officer for President Eisenhower, it is impossible to deny the glittering nature of the man's personality, the force with which he has advocated the U.S. case before the rest of the world and—going beyond his tenure as Secretary of State—the whole lifetime of service and good works which he has stored up for the credit side of his own life's final ledger.

The Secretary's faults, which are naturally overlooked at a time like this, probably resulted from the same singlemindedness which drove him onward to the pinnacle of his lifelong ambitions. It is so with all of us; faults and assets are hopelessly intermingled and it is sometimes impossible to tell them apart.

No one can assess a man's career from such a short distance in time. But it is likely that if John Foster Dulles' career is ever satisfactorily summed, the word "service" will be heavily emphasized. (F. W. A.)

[From the Oregonian, Portland, Oreg., Apr. 16, 1959]

HE STOOD FAST

The enforced retirement of John Foster Dulles from the office of Secretary of State must come as unwelcome news even to his detractors. For in a real sense he was the embodiment of U.S. foreign policy, a man triply armored against assaults from home and abroad by a vast experience, a flinty determination, and the unquestioned confidence of the President of the United States. His loss will be sorely felt in these next few months of negotiation on the German question.

Yet there could be no other decision. Mr. Dulles had failed to respond, as before, to treatment for cancer. He is no longer physically capable of filling a post which, by his interpretation, is one of the most rigorous in the Government.

It is said in Washington that he prevailed on the President to announce his retirement earlier than Mr. Eisenhower had intended, because Mr. Dulles was well aware that an unsympathetic interpretation might be put on his seeming to hold to his high post although incapacitated. His extreme devotion to and immersion in his work, which could have led to such a conception, have been both strength and weakness. He gave himself, body and mind, to the chief stewardship of U.S. foreign affairs. He gave the appearance of carrying his office with him and of remaining remote from his staff of experts in Washington, D.C., and the other capitals of the world.

His single-purposed intensity sometimes led to unhappy consequences. He was not, in his approach to his job, a profound man. He was a doer, with the creed that it was better to do or say anything at all than to do or say nothing.

Naturally, this led to much criticism, from Americans and from our allies—a good part of it merited. His phrase "massive retaliation" did not stand up under analysis. Nor did his published reference to risking war at the brink. But, on balance, the Dulles works are remarkably impressive. One thing rides above all: He stood fast. He did not bend to the political winds at home or rebukes from abroad. He was a persistent, positive force in a job where those qualities have often been lacking.

It is too early, of course, to say whether the Dulles steel has solved any of our major problems. But it is something to say that he took his stand and held it—and the failure to do just that has been in his lifetime the West's greatest failure in world affairs. Whatever the eventual settlement on Quemoy, the United States stood firm and thereby (by the testimony here last week of Rear Adm. Samuel Eliot Morison) has won new respect throughout Asia. Whatever future events may be in the Middle East, in Germany or elsewhere over the globe, Mr. Dulles can be proud of the decisive role he played in these areas.

Now there will be a new Secretary of State—and the sooner the better. Whoever he may be, he will have at least one advantage in a very difficult situation: He will have the vigorous and living example of a truly dedicated predecessor.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959

The Senate resumed the consideration of the bill (S. 1555) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes.

Mr. ERVIN rose.

The PRESIDING OFFICER. Does the Senator from North Carolina seek recognition? Does the Senator from Montana yield time to the Senator from North Carolina?

Mr. ERVIN. Mr. President, I wish to have the floor in my own right.

Mr. MANSFIELD. Mr. President, will the Senator from North Carolina yield so that I may suggest the absence of a quorum, without his losing the floor or any time being taken out of the time allocated?

Mr. ERVIN. I yield with that understanding.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request? The Chair hears none, and it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ERVIN. Mr. President, I yield myself 30 minutes.

Mr. GOLDWATER. Mr. President, will the Senator yield to me?

Mr. ERVIN. I am delighted to yield to the distinguished Senator from Arizona.

Mr. GOLDWATER. Mr. President, I send to the desk three amendments to the pending bill, S. 1555, and ask that they be printed and lie on the table.

The PRESIDING OFFICER. The amendments will be received, printed, and lie on the table.

Mr. ERVIN. Mr. President, before I address myself to the pending amendment, I send forward two amendments to other portions of the bill and ask that they be printed at this point in the RECORD, and also that they be printed and lie on the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The first amendment submitted by Mr. ERVIN was to delete section 112.

The second amendment was to amend section 601 by adding at the end thereof an additional subsection (C) reading as follows:

Neither this section nor any other provision of this act or the Labor-Management Relations Act of 1947 shall operate to deprive any employee, employer, labor organization, or other person of any right or remedy under any State law in any case not covered by the provisions of this act or the Labor-Management Relations Act of 1947.

Mr. ERVIN. Mr. President, as one who has had the privilege of serving on the so-called Senate Rackets Committee for more than 2 years, I feel that there is a crying need for immediate remedial legislation in the field of the relation between unions and union officers on the one hand, and rank-and-file union members on the other.

In common with other members of the Senate Rackets Committee, other Members of Congress, and the public generally, I have been astounded by the virtually unbelievable conditions which the investigations of this committee have revealed with respect to certain unions. I believe that such conditions are exceptional, but I am also convinced from the 17,000 or 18,000 pages of testimony taken before the Senate Rackets Committee that the conditions are sufficiently widespread as to demand the enactment by the Congress of legislation which will put an end to malpractices in the internal affairs of labor unions.

I was much impressed by the wisdom of the statement made by Prof. Archibald Cox, of the Harvard Law School, a specialist in the field of labor law, when the Kennedy-Ives bill was in process of formation during the previous session of Congress. Professor Cox pointed out:

The central problems of labor policy today concern the relationship between union officials and rank-and-file members. They cover five areas: (1) The handling of union finances; (2) conflicts of interest; i.e., the use of union office for personal profit; (3) the use of international trusteeships to take over the affairs of a local union; (4) union elections; and (5) protection of the worker's interest in union membership. In my opinion, the committee would do well to concentrate on these five areas without opening up a host of controversial amendments to the National Labor Relations Act.

That was the statement of Professor Cox before the Senate Committee on Labor and Public Welfare when that committee was in process of drafting the Kennedy-Ives bill.

My amendment, which is now pending before the Senate, is designed to do exactly what Professor Cox said the Congress should do in this field. I maintain that the wisest course of action which could possibly be followed by the Congress in connection with the pending legislation would be, first, to adopt my amendment to strike from the bill title VI; second, thereafter to refuse to write into the bill any amendments dealing with the area covered by the Taft-Hartley Act.

As the able and distinguished Senator from West Virginia [Mr. RANDOLPH] stated a moment ago, two fields are involved. One is the field of labor reform, which is concerned with malpractices in

the field of internal affairs of unions. That field is adequately dealt with in the first five titles of Senate bill 1555.

The other field, which is now covered by the Taft-Hartley Act, is the field of the external relations of industry on the one hand and the unions on the other. The two fields are distinct from each other. They demand different legislative treatment; and in my judgment it would be unwise to attempt to combine in a single bill provisions dealing with both these fields.

I was very much interested in the Kennedy-Ives bill at the previous session of Congress. I made the point then which I am trying to make now, that we should remove from the bill all provisions dealing with nongermane amendments to the Taft-Hartley Act, and leave them for later consideration in a separate bill.

The investigations conducted by the McClellan committee show the absolute need for legislation to protect a group of American citizens who now have no protection whatever. I refer to the rank-and-file union members who have the misfortune to hold membership in unions which are controlled by dictatorial union officers, in some instances, and by corrupt union officers in other instances. They have no protection under Federal law, and in many cases they have no protection under State law, because local officials in some places do not seem to be concerned about the wrongs inflicted upon these unfortunate union members.

The investigations of the McClellan committee also show the need for some legislation in the field now covered by the Taft-Hartley Act. I favor legislation in the instances disclosed by the investigations of the McClellan committee, where it appears that there is a need for legislation in the field of the Taft-Hartley Act.

We have found that some unions have virtually ceased making bona fide efforts to persuade those who labor to join them. Instead of seeking by persuasion to induce workers to believe that their interests lie in joining them, these particular unions throw picket lines around plants and, in many cases, even hire persons who are not union members to walk in the picket lines. Their object is to force the managements of the plants being picketed to coerce their employees to join such unions, regardless of the wishes of such employees. According to my way of thinking, that is an interference with and a denial of the basic rights of those who work in the plants which are picketed. The investigations of the McClellan committee show a crying need for regulation of this organizational picketing.

The investigations also show that in some instances the secondary boycott device has been abused with the result of absolutely wrecking and destroying the business of innocent persons who were not parties to the labor dispute and had no connection whatever with it. They have had their businesses destroyed, not because the unions had any complaint against them, but only because the unions wanted to practice indirect economic coercion upon certain other employers.

Therefore, I say there is need for a clarification of the law affecting secondary boycotts; indeed, there is a crying need for such legislation. It is almost as great as the crying need for legislation in the field of labor reform.

There is a difference, however, which prompts me to put the case of labor reform ahead of necessary changes in the field of the Taft-Hartley Act. The difference is that under the Taft-Hartley Act as it now exists unions have substantial protection against abuses on the part of management, and management has substantial protection against abuses on the part of unions. But rank-and-file-union members, who have the misfortune to belong to unions controlled by officers who are dictatorial or corrupt, have no protection whatever.

When the Kennedy-Ives bill was pending before the Senate last year, I made this statement:

> I should like to confine the bill to the first five titles, which provide remedies to prevent abuses toward the rank and file of labor members in their democratic rights as members of local unions, those abuses which result in the misuse of union funds, and those abuses illustrated by the sweetheart contracts between union leaders and management. Therefore, I would vote for an amendment to strike out title 6 entirely and to restrict the bill solely to those matters investigated by the McClellan committee. That action would result in a bill for which every man who believes in honesty and square dealing * * * could vote without misgivings.

I am satisfied that if the course which I then advocated had been pursued, we would have had on the statute books of the Nation for many months now gone the salient features of the first five titles of the Kennedy-Ives bill, which are in large part similar to the first five titles of Senate bill 1555.

When the Kennedy-Ives bill was before the Senate at the last session, I made this statement:

> I used to read Aesop's Fables. In Aesop's Fables there is a story about a dog which started across a foot log with a bone in its mouth. The dog saw his reflection and the reflection of the bone he was carrying in the creek. Being anxious to get the bone he thought he saw in the creek, he opened his mouth to grab that bone, and lost the bone he had. That is precisely what is going to happen with respect to this bill if we load the bill down with a lot of amendments which are not germane to the restricted field covered by the first five titles.

Mr. President, I believe that we are in danger of doing exactly the same thing in respect to the pending bill by retaining in the bill title VI and section 112 of title I which undertakes to change the provisions of the Taft-Hartley Act relating to the anti-Communist oath.

When the Kennedy-Ives bill was before the Senate last year I also said:

> Mr. President, the lot of a legislator is not always a happy one. Many times he is compelled to vote against proposed legislation which he favors. Insofar as I am concerned, that is true in respect to the amendment submitted by the able and distinguished senior Senator from Florida. I am strongly in favor of the enactment of a law which will carry out the objective of his amendment. But * * * Mr. President, if the bill * * * is used by us as a vehicle for a consideration of all the changes which Senators think should be made in the Taft-Hartley Act, we would make it certain, insofar as this session of Congress is concerned, that the labors of the McClellan select committee have been in vain. Undoubtedly there are many areas in which the Taft-Hartley Act should be amended; and it should be amended in the area to which the amendment of the able and distinguished senior Senator from Florida applies. * * * It is better to do one job at a time. It is much better for the Senate to pass a law which the overwhelming majority of the Members of Congress * * * will support, than it is to propose to that law amendments which will make it virtually certain that no legislation in this field will be enacted at this session.

On another occasion when amendments designed to eliminate the so-called no man's land in the field of labor law were being discussed, I again pleaded with the Senate in this way:

> Let us do one job at a time.

Again, on another occasion when the Senate was considering amendments relating to secondary boycotts, I said:

> I wish to reiterate that if we use the pending bill as a vehicle for either weakening or strengthening the provisions of the Taft-Hartley law, we shall insure that there will be no labor legislation in this session of Congress.

We are likewise confronted at this time by two alternatives. The first is to strip from the bill amendments to the Taft-Hartley Act not germane to the primary object of the bill, which is to prevent improper practices in the internal affairs of unions. That is one alternative. If we should take that course, which is the object of the pending amendment, then the Senate would pass the bill with a minimum of debate and delay, and in all probability the House would do the same. We could then turn our attention in an adequate fashion to the consideration of the whole Taft-Hartley law.

But if we allow any nongermane Taft-Hartley provisions to remain in the bill we invite every Senator who has any idea of how the Taft-Hartley Act should be amended to offer his amendments. Indeed, we invite all the people of America, all the business interests of the country, and everybody else concerned, to insist on the inclusion of Taft-Hartley amendments in the bill.

If we leave the bill open for the rewriting of the Taft-Hartley Act on the floor of the Senate we are likely to end either with no legislation whatever to protect the rank-and-file members of certain unions who have had their rights so much abused by the men who were supposed to look after their interests, or we will mangle the Taft-Hartley Act.

Mr. KENNEDY. Mr. President, I yield myself 5 minutes to engage in a discussion with the Senator from North Carolina.

First, I appreciate the position which the Senator has taken. He is a cosponsor of the bill and has been a member of the McClellan committee since its inception. He is vitally interested in the reform sections of the so-called Kennedy-Ervin bill. I know that his interest in seeking to strike out title VI is based only on the fact that he feels its presence in the bill imperils the bill's passage by both the Senate and the House and its signature by the President.

My reasons for opposing the amendment are somewhat similar to the reasons for which the Senator from North Carolina proposes the amendment. I stated about a month ago that I would join with the Senator from North Carolina in seeking to strike out title VI if I believed that its presence in the bill imperiled the chances for the passage of the bill. As of today—my view may change as the debate proceeds—I do not think its presence imperils the passage of the bill. In fact, I have some reason to believe that its presence will help the bill to sail through both the Senate and the House and toward signature by the President.

In title VI there are six amendments to the Taft-Hartley law. The first is the no man's land amendment, one of the five original recommendations of the McClellan committee. I think it was first included at the instance of former Senator Ives, who was quite concerned about the problem. It was one of the five basic recommendations of the committee in its first annual report. So this part of title VI is quite germane. Even though we may not have arrived at a happy solution to the problem, nevertheless the problem deserves consideration in the bill because of the position which the McClellan committee took.

As to the problem of construction trades, the Senator from North Carolina is aware of the fact that when a labor bill was introduced in March of last year, it contained no section dealing with any amendments to the Taft-Hartley law; the bill was confined to the recommendations of the McClellan committee.

When the debate on the pension and welfare bill took place in the Senate in April, two amendments were offered to that bill. One, which was offered by the Senator from Illinois [Mr. DIRKSEN], contained a provision dealing with economic strikers, which is now in title VI. The other amendment dealt with the building trades. It was offered by former Senator Smith of New Jersey, who was the ranking Republican member of the Committee on Labor and Public Welfare.

When an arrangement was made whereby in return for defeating those amendments as a part of the pension and welfare bill, we would commit ourselves to reporting a bill to the Senate by June 15, Senator Smith of New Jersey rose to ask if we would consider as a part of the agreement the administration's recommendations regarding the Taft-Hartley amendments. In order to prevent the pension bill from being loaded down with completely ungermane amendments, I made a commitment that we would consider those amendments as well as the actual reform provisions.

So the genesis of those provisions is in the administration's recommendations and in the commitment I made on the floor of the Senate to former Senator Smith of New Jersey.

We did consider those recommendations along with the reform measures. They were acted on favorably by the committee and were reported to the Senate. They were submitted to yea and nay votes, and all of them were agreed to by the Senate, in some cases by a unanimous vote, and in other cases by a vote of two to one.

Again this year, Secretary of Labor Mitchell, when he came before our committee, recommended all of these provisions. Although they may be somewhat different in language, they are a part of the administration's program. Most of them have been endorsed by the Senate by a rather large vote, and by a rather large vote in the committee. If accepted, I believe they will help the passage of the bill in the House of Representatives.

For that reason, while what the Senator from North Carolina has said is quite effective and deserves careful consideration, yet in my judgment, the provisions of title VI will help the bill toward its ultimate passage, rather than hinder it. That is the reason why we were going ahead with what I know the Senator from North Carolina quite responsibly feels is a somewhat dangerous course. But that is the reason for the course. That is the reason why, as of today, I feel we should proceed with these amendments to the Taft-Hartley law in the bill.

Mr. ERVIN. Title VI contains six amendments which deal with the Taft-Hartley Act. Only two of them were adopted by the Senate at its last session as parts of the Kennedy-Ives bill; namely, section 602, which is in the same form in which it passed the Senate in the Kennedy-Ives bill——

Mr. KENNEDY. It was agreed to by a vote of 60 to 29.

Mr. ERVIN. Yes. It is in the same condition in which it appeared in Senate bill 505 as originally introduced.

The other provision which passed the Senate in the Kennedy-Ives bill, and which was in Senate bill 505 when it was originally introduced, is found in section 603. That is the section which makes so-called economic strikers eligible to vote in representation elections held during a labor controversy.

Section 605 in the pending bill, which is the so-called quickie election provision, has never passed the Senate, a somewhat similar quickie election provision in the Kennedy-Ives bill was actually struck out by the Senate. This particular section 605 was not adopted by the Senate last year, and was not in Senate bill 505 when it was introduced.

Another section which has been added by the committee is section 606. This, in my judgment, is the only noncontroversial proposal for the amendment of the Taft-Hartley Act. That section merely provides that the President may appoint an acting general counsel when there is no regular general counsel.

Another amendment which was added by the committee is section 604, which provides that the term "supervisor"—

shall not be construed to include service assistants in the communication industry.

I think that amendment and the one relating to the no man's land in the field of labor law, as reported by the committee, should be eliminated—I started to say on their merits—but I will say, instead, on their demerits.

When the no man's land provision was adopted by the Senate last year, and when it was incorporated in the original bill this year, it was very simple and direct. It provided that the National Labor Relations Board should take jurisdiction of all controversies arising under the Taft-Hartley Act.

It contained a provision, however, to the effect that wherever a State had established an agency, under State law, which conformed to the Taft-Hartley Act, the National Labor Relations Board could cede to such State agency the enforcement of the Taft-Hartley Act in instances, when the impact of the alleged controversy on interstate commerce was not substantial.

Before I discuss the no man's land provision in the pending bill, I wish to commend the committee for its hard work. In particular, I wish to commend the very able and distinguished junior Senator from Massachusetts [Mr. KENNEDY]. I have never known a Member of the Senate to work harder on any matter than the junior Senator from Massachusetts has worked on this, not only during the present session, but also during the last session.

Mr. KENNEDY. I thank the Senator from North Carolina.

Mr. ERVIN. And I wish to commend him for his study, his courage, and the high degree of intelligence he has brought to this task.

I wish to say that I think the provisions of the first 5 titles are as fine as can be devised to deal with malpractices in the internal affairs of unions; and I like the approach of these titles better than that of other measures, because, as the able Senator from West Virginia [Mr. RANDOLPH] said a few moments ago, these titles go along with the Anglo-Saxon principle of justice, in that they visit the consequences of their sins upon the sinners, rather than upon the innocent.

But I think the no man's land provision as reported by the committee should be stricken out on its demerits; and the same statement applies to the provision about supervisors in the communications industry.

The Taft-Hartley Act has always proceeded on the theory that it is a general law, and that whether a particular person is to be regarded as a supervisor is to be determined by the uniform definition contained in the law applying to all industries.

But section 604 contains the provision that the term "supervisor"—

shall not be construed to include service assistants in the communications industry.

No definition of "service assistants" is to be found in the act. Apparently that is a title which is assigned to certain persons by the communications industry; and if that industry were to change the title of such persons, we might wind up by finding that for all practical purposes the telephone industry or some other communications industry had amended an act of Congress.

Mr. KENNEDY. Mr. President, will the Senator from North Carolina yield?

The PRESIDING OFFICER (Mr. RANDOLPH in the chair). Does the Senator from North Carolina yield to the Senator from Massachusetts?

Mr. ERVIN. I yield.

Mr. KENNEDY. On the point of whether these amendments should be included in the bill, let me say that I am not sure that I agree with the Senator's count of what was done last year and what was done this year.

The no-man's-land amendment is now in somewhat different form than its form of last year, when it was approved by the Senate when it passed the McClellan bill.

The construction-trades amendment is the same as the amendment which was adopted by the Senate last year by a vote of 60 to 29.

In regard to the economic strikers' provision, we have included language identical to that suggested by the Senator from Mississippi [Mr. STENNIS], which was adopted unanimously by the Senate on a voice vote.

In the case of the supervisors, the Senator from North Carolina will remember that the language the bill contained last year—and I was never completely happy about it—was adopted by the Senate by a vote of 47 to 38.

In order to perfect the legislative provisions in regard to the definition of supervisors, we confined this language to a small segment of the communications industry. Ninety-five percent of the service assistants are now in a union organization; but there has been some feeling that the Board should change the previous interpretations, which have caused considerable difficulty within the communications industry.

Those we are discussing are the ones at the telephone company to whom we talk when we cannot get a particular telephone number. Then we ask for the supervisor; and the supervisor then comes to the telephone. She is a telephone operator; she is not a supervisor in the sense of being one who has to do with the disciplining of employees. In short, she is not a supervisor in the traditional sense.

I repeat that 95 percent of the supervisors are now in a union organization. We are not attempting to disturb the existing pattern.

This amendment is greatly improved over the corresponding provision of last year's bill; and I think this amendment is not greatly controversial, although some may disagree.

In the case of the prehearing elections amendment, let me state that the sponsor is the distinguished Senator from North Carolina [Mr. ERVIN]. He will remember that in his very fine remarks in regard to the Coffee case, he criticized the Board for not having taken quick enough action—with the result that Mr. Coffee was put out of business. As a result of that statement by the Senator from North Carolina, which I thought was effective, and also as a result of a recommendation by Mr. Leedom, of the Board, it was felt that there should be swifter procedure in such elections, rather than have either the union or management draw out the case so long so that either one would be ruined financially.

The prehearing election amendment, which I believe is quite adequately safeguarded now, and is better than the administration language we had at first, was recommended by the administration to deal with cases similar to the Coffee case, which was considered by the McClellan committee; and I think the amendment will accomplish a good deal to speed up the procedures of the Board. I think this amendment comes under the general purposes for which the McClellan committee was established.

Mr. ERVIN. Mr. President, I deny that this section harmonizes with what I said in that case. Instead, it is exactly the opposite. In that case the validity of the election was challenged after the election was held.

As a matter of fact, this provision of the pending bill will permit the very thing that happened in the Coffee case.

The PRESIDING OFFICER. The time the Senator from North Carolina has yielded to himself has expired.

Mr. ERVIN. Mr. President, I yield myself an additional 10 minutes.

The PRESIDING OFFICER. The Senator from North Carolina is recognized for an additional 10 minutes.

Mr. ERVIN. Mr. President, this provision of the bill would allow the election to be held first, and thereafter the validity of the election could be considered and determined. I think that is what occurred in the Coffee case, in which an election was held, but the votes were not allowed to be counted for several months.

Under this provision of the pending bill, the election would be held and then there would be a decision as to whether the election should have been held in the first place. I believe it would be better to decide that question in advance.

Mr. KENNEDY. In connection with this point, let me quote from a statement by the Senator from North Carolina [Mr. ERVIN] himself:

> But it seems to me as if Congress is going to have to step in and pass some kind of a law to give a man a right of action, where any party takes and maliciously abuses the adjudicatory processes under the National Labor Relations Board.

We are attempting to get at the following: If a union is the bargaining union for a thousand persons, and if there is a question as to whether 50 of them should be permitted to vote in an election, it is possible for the employer or the union to drag out the case for month after month, while the Board considers whether those persons should be permitted to vote.

We propose that, after due notice to both parties, the election be held. It might be that the union would win the election by 850 votes to 50 votes; so it would make no particular difference whether the 50 in question were held to be in the bargaining union.

That is why we believe this provision will speed up the procedures of the National Labor Relations Board, but will not lessen the legitimate rights of either the union or the management.

Mr. ERVIN. This language is an improvement over that contained in the Kennedy-Ives bill, in that this language does include some safeguards which were not included in the similar provision of the Kennedy-Ives bill.

On the other hand, this provision will permit a repetition of what happened in the Coffee case, where an election was held in January, but it took until April to decide whether the election was valid although only a half dozen votes were involved. Matters of this nature ought to be determined before an election is held.

Mr. GOLDWATER. Mr. President, will the Senator from North Carolina yield to me?

Mr. ERVIN. I yield.

Mr. GOLDWATER. I should be glad to yield myself time from the time available——

Mr. ERVIN. I yield to the Senator from Arizona whatever time he may require.

Mr. GOLDWATER. I thank the Senator from North Carolina.

Mr. President, I think the colloquy we have just heard points up very adequately why the amendment of the distinguished Senator from North Carolina should receive adequate and favorable consideration.

At the outset, I wish to point out that I have said, right along, that we should deal only with Taft-Hartley Act amendments which would apply to discrepancies and wrongdoings which have been disclosed by the McClellan committee.

At one time or another I suggested to various Members on the Democratic side of the aisle that we specifically confine the Taft-Hartley Act amendments to those areas.

I cannot quite agree with my good friend, the Senator from Massachusetts [Mr. KENNEDY], when he says these amendments are not controversial. In many respects these are the same amendments which were so controversial last year, and which I think was the reason why the bill was not passed last year by the House of Representatives.

I should like to see the Taft-Hartley amendments include the field of secondary boycotts and picketing, and I am hopeful amendments to that effect will prevail.

I have said that without such amendments this cannot be meaningful legislation. The subject which was just discussed, namely, supervisors, is a good example of what my concern is. By no stretch of the imagination has the McClellan committee disclosed any need for changing the description of supervisor. In fact, if the Senator will read the hearings of last year, he will find very little testimony on that subject was taken. As I recall, it was confined to 200 words on the National Labor Relations Board side, and about 1,200 words on the side of one of the members of the committee.

If the supervisor clause remains in the bill, even if modified—and I may say it has been modified to a very marked degree—there is a question in my mind as to what effect there will be on the small telephone companies, which may not employ a person designated as a supervisor, but such an employee in a small telephone company may become subject to our labor laws whereas he is not now subject to them.

Mr. ERVIN. Does not the Senator think my point valid on that question? It is this: If we are going to amend the Taft-Hartley Act, amendments to it should provide definitions which will apply, generally, instead of relating to a particular position in a particular industry. The industry in question may change the title of that position.

Mr. GOLDWATER. I agree with the Senator, but my fear is that if now, for the first time, we pick out a specific industry and change the definition of the duties of a member of that industry to entitle him to the benefits under this act, it is not beyond reason to assume that next year we may be asked to make a change here, there, and every other place in the field, and we may wind up with such a condition that the only individuals in a company who will not be covered by the act will be the president and the vice president. The labor organization might slowly take over the prerogatives of management, which I am convinced no thinking labor leader wants to have happen. My basic fear is not so much over what we are asked to do in this instance; it is what we might be doing by way of precedent that concerns me. As I have said many times before, in this body and other places, I feel the secondary boycott ban and the ban on blackmail picketing should be a part of the Taft-Hartley amendments. It is difficult for me to understand why the distinguished chairman of the subcommittee would leave these two items out when they are applicable to the situations disclosed by the McClellan committee.

Mr. KENNEDY. Mr. President, will the Senator from North Carolina yield?

Mr. ERVIN. I yield.

Mr. KENNEDY. It is because I think the subjects are so extremely complicated and so extremely controversial that, if added to this bill, the odds would be against the bill's ever reaching the President's desk. That is why I am opposed to such an amendment. In the amendments the Senator has drawn dealing with picketing and boycott, he has not included amendments identical with what the administration amendments proposed.

Mr. GOLDWATER. I agree.

Mr. KENNEDY. When a member of the committee offers amendments on the floor which are not the same as the ones he offered some time ago, it indicates how difficult it is to write such amendments.

Mr. GOLDWATER. The Senator is aware of the fact that after the majority had agreed on a no man's land procedure, at the next meeting the Members disagreed. I do not say this subject is noncontroversial. I say all amendments to the Taft-Hartley Act, in both the administration's proposal and the Kennedy bill, are controversial. If we are to have a controversy, why not go ahead and have a little more extended controversy, and include the two fields which I feel must be covered if we are to enact effective legislation?

I am not afraid of any argument which may come up on the floor of the Senate about secondary boycotting and picketing. If we could have some kind of unanimous-consent agreement that there would be no other field explored in the Taft-Hartley law, I would be perfectly willing to join in such an agreement; but I do not feel we can pass meaningful legislation without covering those two fields.

Mr. KENNEDY. In other words, if title VI had been stricken out, the Senator from Arizona would agree to putting aside boycotting and picketing amendments.

Mr. GOLDWATER. If we had agreed to strike title VI, I would be agreeable to limiting the field only to boycotts and picketing.

Mr. KENNEDY. If we could have stricken out title VI, the Senator would have agreed to what?

Mr. GOLDWATER. That if we could have had a general agreement or a unanimous-consent agreement that title VI would be stricken, I would be willing to agree that the only fields in the Taft-Hartley law to be covered would be boycott and picketing.

Mr. KENNEDY. I do not see how the Senator from Arizona can be a successful businessman. That is one of the worst deals I have ever heard of. When I say something is noncontroversial, I always exempt the Senator from Arizona. What I mean is that the Republican leadership on the other side of the aisle is in agreement.

The PRESIDING OFFICER (Mr. MANSFIELD in the chair). The time of the Senator has expired.

Mr. GOLDWATER. I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Arizona has no time to yield.

Mr. GOLDWATER. I said I was in a rather embarrassing position of borrowing time from the Senator.

The PRESIDING OFFICER. Are the Senator from North Carolina and the Senator from Massachusetts willing to yield 5 minutes each to the Senator from Arizona?

Mr. KENNEDY. Yes.

Mr. ERVIN. Yes.

Mr. GOLDWATER. Mr. President, I was hoping the Senator from Massachusetts would agree to a unanimous-consent agreement whereby we could get to the fields of secondary boycott and picketing, and, with that exception, forget all about title VI. I assure him the question would be much less controversial than he thinks it would be.

I do not want to take any more time of my friend from North Carolina. I will speak to this subject later, if I can find time to do so. Possibly my friend from Massachusetts will yield me time.

Mr. KENNEDY. Yes; I shall be glad to yield the Senator time.

Mr. GOLDWATER. I do not want to elaborate on the subject now.

In closing my discussion, I feel that if we act in the field of the Taft-Hartley law and do not include secondary boycott and picketing, we are really undercutting the so-called blue ribbon committee which the Senator from Massachusetts and I selected, and which is busily engaged in drawing up their recommendations in the Taft-Hartley field. We are taking up recommendations in the Taft-Hartley field which have not been based on any disclosure at all by the McClellan hearings, and we are leaving out legislation in the field of secondary boycott and picketing, without which I do not think we can in truth say to the American people, "Here is a labor reform bill."

Mr. ERVIN. Mr. President, I have a proposition I will make to every Member of the Senate. If the Senate will adopt my amendment and thus strike out the nongermane Taft-Hartley amendments, as it ought to do, I will enter into a gentleman's agreement to join Senators in voting down every other nongermane Taft-Hartley amendment to the pending bill, including the ones I think ought to be made law. I am willing to do that and take a chance on their being embodied in a later bill. That procedure would afford me great relief, because it would result in giving protection to the members of unions now controlled by dictatorial or corrupt officers—men who now have no protection.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. ERVIN. Yes; I am glad to yield to the distinguished Senator from Arkansas, who has done such a fine job as head of the McClellan committee.

Mr. McCLELLAN. I thank the Senator, who is also on the committee, and whose services on that committee have contributed greatly to the disclosures which have been made by the committee.

Mr. President, I wish to endorse what I understood the distinguished Senator to say with reference to the Taft-Hartley Act amendments. At the time I introduced S. 1137, I stated on the floor of the Senate that it did not deal with any Taft-Hartley amendments or revision.

I said at that time, Mr. President, that since the revision of the Taft-Hartley Act was highly controversial and since no one could maintain that some reform legislation was not needed in connection with corruption, the internal operation of unions, and their administration, I felt we should concentrate on that matter and get as good a bill as we could get to deal with that matter alone, later bringing in at the present session of Congress a separate bill which would provide a vehicle for offering amendments any Senator might have in mind to revise the Taft-Hartley Act.

I endorse what the able Senator from North Carolina has said. I should be happy to join with him in that regard, but I point out that there are only two real Taft-Hartley Act amendments which I think anyone would argue about in connection with the bill under consideration. One of them is not in title VI. One of them is subsection (3) on page 25, dealing with the shakedown picketing.

My understanding is that the Hobbs Act already covers that matter with a much heavier penalty than would be provided by the proposed legislation.

The PRESIDING OFFICER (Mr. MANSFIELD in the chair). The time of the Senator from North Carolina has again expired.

Mr. ERVIN. Mr. President, I yield 3 minutes to the Senator from Arkansas.

Mr. McCLELLAN. The Justice Department is greatly concerned about what we are proposing to do to the Hobbs Act, which provides a penalty for extortion up to as high as 20 years imprisonment, whereas the bill under consideration would reduce the penalty, as I recall, to 1 year. That is a serious matter.

An attempt, which really amounts to nothing, is made to deal with the no man's land problem in title VI. If Senators agreed to eliminate title VI, I would agree not to offer to the bill under consideration any amendments for the revision of the Taft-Hartley Act.

I maintain the duty would then devolve upon the Committee on Labor and Public Welfare to report a bill dealing with the revision of the Taft-Hartley Act in the present session of Congress. Then we could fight out these controversial matters. I would not wish to jeopardize the enactment in some form or another, of the bill presently under consideration, for I believe we all agree the bill should be passed and passed immediately.

Mr. ERVIN. I rejoice in the fact that the position of the Senator from Arkansas with regard to the wise course to pursue under present circumstances conforms to my views. As I understand it, the Senator agrees with me that if we strike out all nongermane Taft-Hartley Act amendments and other amendments not germane to the primary objective of this particular bill, and refuse to consider any more such amendments, we can get speedy passage of the bill to cover this field, but that we are likely not to get any legislation passed if we try to mix all these things up together.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. McCLELLAN. There is some danger—I do not know how great it is, and no one can foretell—that we may finally get no legislation, as happened last year.

With the convictions I have, I certainly cannot remain silent on this floor and let title VI and the other provision to which I have referred stay in the bill without offering amendments which I think are important in the field of revision of the Taft-Hartley Act. If one amendment goes in, others are bound to be offered.

Mr. ERVIN. That is the point I have been trying to make. So long as any nongermane amendments to the Taft-Hartley Act remain in the bill, there is an invitation to every Member of the Senate to offer such amendments as he thinks ought to be made to the Taft-Hartley Act, and each Senator is perfectly justified in taking that position, because he might well come to the conclusion that this will be the only opportunity he will have to accomplish that end.

Mr. PROUTY. Mr. President, will the Senator yield?

Mr. ERVIN. I yield to the Senator from Vermont.

The PRESIDING OFFICER. The time of the Senator from North Carolina has again expired.

Mr. ERVIN. How much time have I used, Mr. President; or, how much of my time has been used?

The PRESIDING OFFICER. The Senator from North Carolina has 132 minutes remaining. The Senator has used 48 minutes.

Mr. PROUTY. Mr. President, will the Senator from Massachusetts yield some time to me?

Mr. KENNEDY. Mr. President, I yield 5 minutes to the Senator from Vermont.

Mr. PROUTY. That will be sufficient.

The PRESIDING OFFICER. The Senator from Vermont is recognized for 5 minutes.

Mr. PROUTY. I should like to ask the distinguished Senator from North Carolina a question with regard to the threats which are reported to have been made by certain prominent labor leaders, who were quoted as saying, in effect, that in the event title VI were stricken from the bill they would work actively against passage of the bill as a whole. Does the distinguished Senator think that is a matter to which we should give some thought?

Mr. ERVIN. I can answer only for myself. I do not succumb to threats.

I cannot really think that the leaders of organized labor are so short of statesmanship as to oppose the passage of this bill merely because they cannot get some amendments to the Taft-Hartley Act written into it. Surely they will not oppose a bill which prohibits taking unrepentant convicted felons out of penitentiaries and placing them in positions of authority over honest union men, as was done in a number of instances, as shown by the McClellan committee investigation.

I cannot really believe the leaders of organized labor will take the position that we should pass no legislation to prevent corrupt union leaders from plundering the treasuries of unions.

I cannot really believe that labor leaders would oppose passage of legislation which would give the rank-and-file members of unions a voice in their own affairs in unions in which they have been long denied such voice. The investigations of the select committee revealed one union in which over 50 percent of the dues-paying members did not have a right to vote, under the union's constitution. I cannot really believe any responsible American labor leader would adopt such a shortsighted policy.

Mr. PROUTY. I certainly hope the Senator is correct in that assumption.

Mr. ERVIN. After all, so far as I am concerned, I am going to try to have enacted legislation which will serve what I conceive to be the best interests of the American people. By reason of my service on the Senate Rackets Committee, I am convinced the first five titles of the pending bill, with the exception of the amendments which do not relate to the field of internal affairs of unions, ought to be made law just as speedily as possible. Certainly that is an event which will happen if we strike out all nongermane amendments to the Taft-Hartley Act, and refuse to allow any more to be written into the bill under consideration.

Mr. PROUTY. Assuming that the amendment offered by the Senator from North Carolina is agreed to, can either the Senator from North Carolina or the junior Senator from Massachusetts, with some degree of assurance, make any statement as to when action will be taken on a bill to amend the Taft-Hartley Act?

Mr. ERVIN. I regret very much that I cannot answer the question of the able and distinguished Senator from Vermont. I am not a member of the Senate Committee on Labor and Public Welfare.

Mr. PROUTY. I am a member of the committee, and I have no idea when such an action would be forthcoming. I believe the commission which was appointed is supposed to report sometime around the first of June. Obviously, since the proposed legislation would be very controversial, it would be considered at great length by the subcommittee and by the full committee. I think we can definitely say no legislation of that character will be enacted at the present session of Congress, and perhaps not next year.

Mr. ERVIN. Mr. President, I desire to speak to that point very briefly. We have two alternatives if we retain nongermane Taft-Hartley amendments in the bill. One is to enact no legislation. The other is to mangle the Taft-Hartley Act.

In my native county of Burke many years ago there was a bricklayer named John Watts. He took a notion that he was called to preach. His skill as a bricklayer was considerable, but his knowledge of theology was otherwise.

One of his neighbors who was named Job Hicks happened to go by the little country church where John was preaching one Sunday afternoon. Job Hicks had had several drinks of Burke County corn, which is alleged to be a very potent beverage. As Job staggered by the church, he saw John up in the pulpit attempting to expound the scriptures. Job staggered up the aisle, grabbed John by the coat collar, dragged him to the door of the church, and threw him out.

Job was subsequently tried and convicted for disturbing a religious meeting. He was convicted by a jury. When Judge Robinson, the presiding judge, called Job up for sentence, he said, with a very stern countenance, "Now, Job, when you were guilty of this violent conduct on a Sabbath day, you must have been so drunk as not to realize what you were doing." Job Hicks replied, "Your Honor, it is true I had had several drinks. But I would not want Your Honor to think I was so drunk that I could stand by and see the word of the Lord 'mummicked up' like that without doing something about it."

If we try to rewrite the Taft-Hartley law on the floor of the Senate, the Taft-Hartley law will be "mummicked up." It would be "mummicked up" by the so-called no man's land provision reported by the committee. Under this provision the National Labor Relations Board would delegate to an agency created by a State the power to enforce Federal law, if the State agency were authorized by the State law to accept the delegated power. The State agency would then become an agent of the Federal Government instead of an agent of the State for the purpose of the Taft-Hartley Act.

The PRESIDING OFFICER. The time of the Senator from North Carolina has expired.

Mr. ERVIN. I yield myself 5 additional minutes. Under this provision, any orders which the State agency issues could be enforced only by the National Labor Relations Board, and could be enforced only in the Federal courts. There is not a State agency in the United States which would have the power, under State law, to enter into any such agreement with the National Labor Relations Board. There is not a State that would be willing to have its State agencies robbed of the power, under State law, to resort to State courts.

Then there is the provision that the State agency which is established by the State to give protection to its citizens may not even seek temporary preventive relief without the consent of the National Labor Relations Board. This would mean "mummicking up" the no-man's-land provision, which was originally in the bill. I do not believe that there is a State in the country which has a statute on its books authorizing any State agency to convert itself into such a helpless tribunal.

This proposal proves what I have been saying, namely, that if we attempt to write Taft-Hartley amendments into this bill while we are primarily concerned with malpractice in the internal affairs of unions, we are in danger of obtaining no legislation on the one hand or mangling Taft-Hartley Act on the other.

So the question before us is simply this: Shall we strike out the nongermane Taft-Hartley amendments and pass a bill to give protection to persons who now have no protection under existing law or at the hands of existing enforcement agencies?

Mr. PROUTY. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. PROUTY. I agree completely with the Senator with respect to his comments on the so-called no-man's-land provision in the present bill. I think it is meaningless, impracticable, and impossible of administration. But I believe that there is an approach which would relieve the situation to some extent. I have several amendments directed to that end. I think they give proper consideration to the question, and if they are properly explained and understood, we can remedy that situation to some degree now. I think it is vitally important to the small businessman and the small union that they have relief in this field, which relief is not available to them under present law.

Mr. ERVIN. What the Senator says emphasizes the point I have been trying to make. It is a disgrace to our country when people suffer wrongs, and are denied any remedy for such wrongs. We should make a conscientious effort to correct the situation which exists in this field. I think it can best be done by considering those questions in a separate bill, rather than in a bill which deals primarily with other things.

Mr. McCLELLAN. Mr. President, will the Senator yield 1 minute to me?

Mr. ERVIN. I yield 1 minute to the Senator from Arkansas.

Mr. McCLELLAN. I do not believe I stated a moment ago—but I will restate it for the RECORD if I did—that if title VI remains in the bill, and if the section relating to shakedown picketing, as it is commonly known, remains in the bill, I propose to offer four amendments, all in the nature of bills which I have previously introduced, and which are now before the Committee on Labor and Public Welfare.

One amendment would deal with picketing, so as to make recognition and organizational picketing unlawful. Therein lies the great power of the Teamsters, the Hoffas, and their element. They can place a picket line around a small business and cut off its supplies. The small businessman must either join a union or go out of business.

I propose to offer an amendment regarding the so-called no man's land which will have meaning, and which will require the National Labor Relations Board to say what it will take jurisdiction of, and what it will not take jurisdiction of. It would place the jurisdiction in the State courts and State agencies, where it belongs.

We have a preemption problem. If the Taft-Hartley law preempts the States, then, as the distinguished Senator from North Carolina has pointed out, we should not have a board which will say, "Although we could take jurisdiction, we will not. Therefore we are going to leave without a remedy someone who has been greatly wronged." If the Board is to say that, then Congress has the duty of placing the power back in the State agency, where it belongs.

The PRESIDING OFFICER. The time of the Senator from Arkansas has expired.

Mr. McCLELLAN. Mr. President, will the Senator from North Carolina yield me 1 minute more?

Mr. ERVIN. I yield 1 minute more to the Senator from Arkansas.

Mr. McCLELLAN. Then I propose to offer an amendment relating to the secondary boycott, to strengthen the law so as to prevent any union official from saying to a customer of a manufacturer a thousand miles away from the scene of the dispute, "You can no longer handle the products of that manufacturer," and place a picket line around his establishment. It would prevent any union official from saying to such a businessman, "If you handle the products of a certain manufacturer, we will picket your place and shut off your supplies, and embarrass customers who come here to deal with you."

Fourth, I propose to outlaw the so-called hot cargo contracts. I think they are absolutely wrong, and should not be tolerated in a free society and a free economy.

Those are the proposals I intend to offer if title VI remains in the bill, and if the picketing provision remains in it.

Mr. ERVIN. I yield 5 minutes to the able and distinguished senior Senator from Florida [Mr. HOLLAND].

Mr. HOLLAND. I thank the Senator from North Carolina.

I warmly thank the Senator from Arkansas for his announced intention, in the event title VI is not eliminated, as I hope it will be, and the other provision which he has mentioned is not eliminated, to offer some really meaningful amendments to the Taft-Hartley Act. He will have the support of at least one other Senator, the Senator from Florida.

I believe that the bill, insofar as its puny attempts to amend the Taft-Hartley Act are concerned, is contemptuous of the hard work of the committee which the Senator from Arkansas has so ably headed, and from which he has brought forth so many findings in which the people are interested. The bill is contemptuous of the attitude of the good people of the Nation, including millions who are within the labor organizations, and who know perfectly well that changes should be made for their protection, as well as for the protection of the general public.

I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks Senate bill 1386, introduced by the distinguished Senator from Arkansas, which he expects to propose as an amendment in this debate, on the subject of requiring the National Labor Relations Board to indicate promptly what it does not intend to take jurisdiction of, and allowing the States to take jurisdiction in those fields.

There being no objection, the bill (S. 1386) to amend the National Labor Relations Act so as to permit the exercise by the States of jurisdiction over labor disputes to which such act applies but over which the National Labor Relations Board does not exercise jurisdiction, was ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 14 of the National Labor Relations Act, as amended, is amended by adding at the end thereof a new subsection as follows:

"(c)(1) Within thirty days after the date of enactment of this subsection, the Board shall clearly establish and publish, by rule or otherwise, such limitations on its exercise of jurisdiction as it proposes to observe for the purpose of excluding from its jurisdiction those labor disputes which, in the opinion of the Board, do not have sufficient effect on commerce to warrant the exercise of its jurisdiction.

"(2) The Board in the same manner may establish and publish modifications of such limitations on its exercise of jurisdiction as it has established pursuant to paragraph (1), but no such modification shall have the effect of staying or otherwise affecting any proceeding duly instituted before any appropriate court or agency of any State or Territory (including the Commonwealth of Puerto Rico, Guam, and the Virgin Islands) prior to the expiration of thirty days' publication of such modification.

"(3) In any case or class of cases involving a labor dispute or labor disputes which the Board, pursuant to paragraphs (1) and (2), has excluded from its exercise of jurisdiction, or in any case in which the Board is precluded from exercising jurisdiction because of the failure of a labor organization to file any report or other data as required by law, no court or agency of any State or Territory (including the Commonwealth of Puerto Rico, Guam, and the Virgin Islands) shall be precluded from asserting jurisdiction by vir-

tue of the fact that such case or class of cases involves a labor dispute or labor disputes affecting commerce.

"(4) Any person may petition the Board for a determination as to whether a particular case involving a labor dispute falls within the limitations on its exercise of jurisdiction established pursuant to paragraphs (1) and (2). Notice of such petition and its contents shall be given contemporaneously by the petitioner to any known interested person or his representative, and such notice shall have the effect of staying any proceeding to which the petition refers explicitly, and to which both petitioner and any person or persons given such notice are the parties. Any person given notice may file an answer with the Board not later than ten days after receiving such notice. The Board's determination, unless arbitrary, shall be final and binding upon the petitioner and upon all parties notified by petitioner as provided in this paragraph. If the Board should make no determination within thirty days after the filing of the initial petition, it shall be presumed that the Board has determined to be outside its jurisdiction any case to which the petition explicitly refers, and to which petitioner and any person or persons given appropriate notice are the parties."

SEC. 2. Section 10(a) of the National Labor Relations Act, as amended, is amended by repealing the proviso thereto.

Mr. HOLLAND. I am also deeply concerned about another subject matter, namely, the attitude of the National Labor Relations Board toward the hotels of the Nation. The hotels in my own State and in every other State are independent enterprises, in the main; enterprises which are intrastate in character; enterprises which, because of their great variety of character, are entitled to much latitude in solving their own problems.

It is clear to me that, in the original enactment of the Taft-Hartley law, it was made plain, by the record of the debate in that particular controversy, that hotels were not to be included. I believe that from the standpoint of legislative history, that debate still controls. It is still in the legislative record of the Taft-Hartley Act.

I wish to place in the RECORD certain quotations showing how clearly it was indicated that hotels were not intended to be included. I read from the CONGRESSIONAL RECORD, volume 95, part 9, page 12471. Senator Taft said:

In recent years we have seen a growing tendency on the part of the administrative agencies to extend their jurisdiction in fields previously reserved for State action. Merely because a local retail or service industry receives merchandise which has crossed State lines, it does not follow, in my opinion, that the local enterprise is one which affects interstate commerce. A hotel performs its services within four walls. It ships nothing into commerce. It produces no goods for commerce. In my opinion that act was never intended to cover the hotel industry.

Senator Pepper, formerly my distinguished colleague, and certainly an able advocate of the labor cause, then asked this question of Senator Taft:

Would the statement just made by the able Senator from Ohio apply equally to resort hotels, as well as commercial hotels, serving the general public?

The answer of Senator Taft was:

I do not believe that the act was ever intended to cover any part of the hotel industry, as we know it, whether we are considering resort hotels or the more common commercial hotel found in both cities and small towns. At least, I am sure that such was never my intention.

Mr. President, only one question was presented in the recent Supreme Court case—in the case of Hotel Employees Local 255 against the National Labor Relations Board—and that was whether the Board—the NLRB—could decline to assert jurisdiction solely on the basis of a longstanding policy, and the Court decided that single question in the negative.

It is inconceivable to me how this could be interpreted to require the NLRB to take jurisdiction over labor disputes in the hotel industry.

I hope that it will be made abundantly clear in the course of this debate, as it was then, that it is not the intention of Congress to assert Federal jurisdiction over purely intrastate businesses such as the hotel business.

So far as I am concerned, I stand ready to support the amendment of the Senator from Arkansas [Mr. MCCLELLAN] on this subject matter, and any other proposal which makes it clear that intrastate business is not being brought under the jurisdiction of NLRB.

Mr. DOUGLAS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. HOLLAND. I have already agreed to yield first to the Senator from Louisiana.

The PRESIDING OFFICER. In order that we may have control of the time, does the Senator from North Carolina [Mr. ERVIN] yield additional time to the Senator from Florida?

Mr. ERVIN. I yield 4 additional minutes to the Senator from Florida.

Mr. HOLLAND. I yield to the Senator from Louisiana.

Mr. ELLENDER. Mr. President, I wish to join my good friend from Florida in asserting that it was never the intention under the Taft-Hartley Act to include hotels.

As some Senators may recall, I served on the Committee on Labor and Public Welfare until I surrendered my position on that committee to accept membership on the Senate Committee on Appropriations. I held hearings for almost 6 years for the Committee on Labor and Public Welfare before the Taft-Hartley Act was enacted into law. I also served on the conference committee which drafted the Taft-Hartley Act in its present form. At no time was it the intention to incorporate hotels under the Taft-Hartley Act. As a matter of fact, the question came up often, and we just as often determined that hotels should remain outside the Board's jurisdiction.

As the distinguished Senator from Florida has pointed out, certainly a man like Senator Taft, who was a great lawyer, as well as the former colleague of the Senator from Florida, Senator Pepper, elicited the facts as they have been stated; namely, that it was never the intention of those who fostered the Taft-Hartley Act to include hotels, which are purely intrastate businesses.

I compliment my good friend from Florida on bringing this matter up. I am hopeful that with respect to hotels those who are now in charge of the bill will take the same position which was taken when the original Taft-Hartley Act was first discussed on the floor of the Senate.

In this connection, I might state that I have read with interest the Supreme Court decision which supposedly has stripped the NLRB of its authority to decline to entertain hotel cases. As I understand that brief opinion, it merely states that the Board cannot refuse to include the hotel industry within its jurisdiction solely on the basis of longstanding policy.

Let me emphasize again that I believe the legislative history of the Taft-Hartley Act is replete with evidence that it was never the intent of Congress to bring hotels within the coverage of the act. However, above and beyond that, I most respectfully submit that the Supreme Court was 100 percent wrong in its interpretation of the law, and the opinion it rendered. However, I think it is important to recognize that there is nothing in the Court's opinion which compels the Board to refuse to entertain hotel suits on grounds other than longstanding policy.

Now, the hotel case referred to cites as authority an earlier case, involving the issue of whether the Board must take jurisdiction over employees of a labor union, when such union is acting as an employer. In my opinion, the Court's reference to that case as grounds for its decision in the hotel case is entirely incorrect. In *Office Employees* v. *Labor Board* (353 U.S. 313), the Court found, and I quote:

This is particularly true when we consider the pointed language of the Congress—repeted in Taft-Hartley in 1947—that unions shall not be excluded when acting as employers.

In other words, in that case, specific language of the act denied the union the immunity from Taft-Hartley jurisdiction which it was claiming. In the hotel workers case, not only is the act silent, but the legislative history demonstrates conclusively that the Congress intended to exempt hotels from its operation.

Frankly, I am of the opinion that even section 601 of the pending bill does not, of necessity, bring hotels within the purview of the Board. It refers only to the fact that the Board should exercise its jurisdiction to the full extent permitted by the commerce clause. For my own part, I have extreme difficulty in believing that such purely intrastate operations as hotels could, by any stretch of this imagination, be construed to be in interstate commerce.

I am most hopeful, Mr. President, that the Senators handling this bill will take a reasonable position on this matter, and that they will hew to the line adopted by those of us who worked so long and hard on Taft-Hartley, namely, that hotels should not be subjected to NLRB jurisdiction.

Mr. HOLLAND. I thank the Senator from Louisiana.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. DOUGLAS. Do I understand my good friend from Florida to contend that the Miami hotels are primarily intrastate in character and do not get a large proportion of their patronage from outside Florida?

I have had the privilege of visiting Miami only once. However, it seems to me that the overwhelming number of people who go to the hotels in Miami come from New York and from Chicago and from other places outside of Florida.

Every Sunday I read in the New York Times several pages of advertisements by Miami hotels trying to induce well-to-do New Yorkers to come to the bright sunshine of Florida and to leave their money there. Do I understand the Senator from Florida to say that the Miami hotels are primarily patronized by Floridians?

Mr. HOLLAND. I did not make that statement. I shall never make that statement. We are happy to have a place where citizens from Illinois and from other States like to visit.

However, I am happy always to depend upon the RECORD for the intent of Congress in the passage of legislation. I note that my former colleague, Senator Pepper, who certainly is as liberal as the distinguished Senator from Illinois, and certainly is as much interested in the labor union cause as is the distinguished Senator from Illinois, was not satisfied by the earlier answer of Senator Taft, which I have already quoted, and therefore asked this question of Senator Taft:

> Would the statement just made by the able Senator from Ohio apply equally to resort hotels, as well as commercial hotels, serving the general public?

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ERVIN. I yield 3 additional minutes to the Senator from Florida.

Mr. DOUGLAS. May I ask another question?

Mr. HOLLAND. I shall yield again after I have finished answering the Senator's observation. My feeling is that there could not have been made a clearer case for the exemption of hotels generally, and resort hotels also, from the coverage of the Taft-Hartley Act.

When I saw that the present Supreme Court, which is always anxious to extend Federal jurisdiction into every conceivable corner, had again avoided ruling on that question in the recent case, I was even surer than I was before that no justification exists for the extension of jurisdiction of the NLRB to hotels generally. The Court narrowed the question to the one question which I have already read into the RECORD; namely, can the National Labor Relations Board decline to assert jurisdiction solely on the basis of longstanding policy, and the Court very weakly said it could not. That is very different from a ruling that the NLRB had to take jurisdiction over hotels.

Mr. DOUGLAS. Mr. President, will the Senator yield for a statement?

Mr. HOLLAND. I yield for a question.

Mr. DOUGLAS. Preparatory to the question let me say that the Senator from Florida has now retreated from his contention that the Florida hotels are primarily engaged in intrastate business. He has apparently implicitly conceded that they are engaged in interstate business.

Mr. HOLLAND. Mr. President, I invoke the rule. The Senator from Illinois is making a statement. He is not asking a question. I may say, however, that I have not retreated an inch. I still stand by the statement, clearly made in the RECORD during the earlier debate by Senator Taft, who certainly should have known something about his own act, to the effect that hotels do business within their four walls and render services on the spot, and that they are not engaged in interstate business; therefore the National Labor Relations Board was to have no jurisdiction over them.

Mr. DOUGLAS. Mr. President, will the Senator yield for a question?

Mr. HOLLAND. I am glad to yield to the Senator for a question.

Mr. DOUGLAS. Is the Senator from Florida aware of the fact that the Taft-Hartley law was merely an amendment to the earlier Wagner Act, passed in 1935, and that the main jurisdiction of the National Labor Relations Board was mapped out by the Wagner Act, and that, excellent Senators as Senator Pepper and Senator Taft were, they were not in the Senate at the time when the Wagner Act was passed, and therefore their ex post facto interpretations do not constitute legislative history? Is the Senator aware of that fact?

Mr. HOLLAND. The Senator from Florida is not aware of it.

The PRESIDING OFFICER. The 3 additional minutes yielded to the Senator from Florida have expired.

Mr. ERVIN. I yield 1 additional minute to the Senator from Florida.

Mr. HOLLAND. The Senator from Florida is aware of the fact that the contents of the Taft-Hartley Act are quite able to stand alone. The Senator from Florida participated in the debate.

The record of the debate will show that the Senator from Florida and the Senator from Ohio were the last two speakers before the final vote was had on that bill.

Unfortunately, the Senator from Illinois was not present at that time. If he had been present I believe he would have been better educated as to what was intended by the Senate and by Congress in the passage of that bill. It was never intended—as was so clearly shown by the record in many places—to extend coverage to intrastate businesses. It was never intended to cover hotels, because it was clearly observed by the leaders on both sides in the debate—the ranking Republican, Senator Taft, chairman of the Labor Committee, and the ranking Democrat on the committee, Senator Pepper—that no hotels of any sort were intended to be covered by the act.

The PRESIDING OFFICER. The time of the Senator from Florida has again expired.

Mr. CURTIS subsequently said: Mr. President, I ask unanimous consent to have printed in the RECORD, following the colloquy between the distinguished Senator from Florida [Mr. HOLLAND], the distinguished Senator from Louisiana [Mr. ELLENDER], and the distinguished Senator from Illinois [Mr. DOUGLAS], concerning the jurisdiction of the National Labor Relations Board, a statement by me.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CURTIS

I should like to state that I feel that decisions of the Supreme Court during the past 4 or 5 years have definitely beclouded the power of State courts to act in labor disputes, and legislation, I feel, is definitely needed to clarify this area. However, I feel that the courts have left the Board very broad discretion in deciding its own jurisdiction. I think that the cases have uniformly held that the Board can decline to exercise jurisdiction over disputes which, in its opinion, do not have a sufficient impact on commerce to warrant the exercise of jurisdiction. The courts have permitted the Board to decline to take cases both on an ad hoc basis and by the use of jurisdictional minimums under which the Board excluded cases involving business establishments having a dollar volume below a stated figure.

So far as I know, the courts have placed only two limitations upon the discretion of the Board in fixing its jurisdiction. In one of these cases, the Office Workers Union case, the Supreme Court held that the Board could not refuse to exercise jurisdiction where the employer was a labor union, since the Taft-Hartley Act specifically indicated that Congress intended the Board to treat unions as employers where they acted in that capacity. In other words, the Court stated that the Board has no discretion to decline a case when such decision flew directly in the face of the specific language of of the statute.

The second limitation imposed by the courts on the Board's discretion was included in the hotel workers case, where the Court stated that the Board could not refuse to exercise jurisdiction on the sole ground of a long-standing policy. I think it should be obvious to all that no administrative body can base any decision solely on a long-standing policy; that it must have some valid reasons to support a policy. As a matter of fact, in the hotel workers case the Board had based its decision upon reasons that it had previously cited in two other cases. The Supreme Court was not asked to pass upon the validity of the reasons cited by the Board in these cases. It was merely asked to rule on a single question of whether the Board could refuse to exercise jurisdiction on the sole ground of a longstanding policy, and the Supreme Court replied in the negative. It remanded the case to the district court for further proceedings, and placed but a single limitation upon the Board's discretion. As the distinguished Senator from Florida pointed out, the district court judge clearly understood the Supreme Court's decision, and the order he entered permits the National Labor Relations Board to decline to exercise jurisdiction over all hotels as a class, so long as the Board has any reason for doing so other than a long-standing policy unsupported by fact or reason.

Since the Board stated that it was issuing jurisdictional standards for hotels because

of the Supreme Court's decision, it is obvious the Board misunderstands the Court. Therefore, it may be necessary for Congress to make it crystal clear that Congress intends the Board to devote its energies to labor disputes which have a substantial impact on interstate commerce, by giving it clearcut discretion to decline to exercise jurisdiction over purely local establishments such as hotels.

In his testimony before the Senate Labor Committee, just a month or two ago, Chairman Leedom referred to the tremendous backlog of cases now confronting the Board. He stated that this backlog arose simply because there are not enough hours in the day for the five Board members to weigh carefully all the facts in these difficult and complicated cases, to arrive at a proper decision, and to write opinions explaining such decisions. In view of this, it surprises me that the Board would voluntarily undertake to extend the use of its facilities to purely local establishments that have not heretofore been subject to the Board's jurisdiction. As a matter of fact, I wrote the Chairman a second letter February 4, in which I expressed the view that a careful study of the November 24 decision by the Supreme Court should dispel the delusion that the decision impaired the Board's discretionary powers.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed, without amendment, the joint resolution (S.J. Res. 19) authorizing the Architect of the Capitol to present to the Senators and Representative in the Congress from the State of Alaska the official flag of the United States bearing 49 stars which is first flown over the west front of the United States Capitol.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H.R. 2589) for the relief of Elizabeth Lucie Leon (also known as Lucie Noel).

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H. R. 5508) to provide for the free importation of articles for exhibition at fairs, exhibitions, or expositions, and for other purposes, and it was signed by the Vice President.

Mr. GOLDWATER. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time for the quorum call be not charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, I yield, from my time, a half hour to the junior Senator from Pennsylvania.

MUTUAL SECURITY BUILDS FOR PEACE

Mr. SCOTT. Mr. President, this is a momentous occasion for me, as it would be for anyone to address this great body on a subject of major importance. It is natural that I should have given long and careful thought to the choice of a subject that would be fitting for such an occasion. I sought to select a topic of more than transitory concern to our Nation. I wanted also to discuss a subject on which there was a need for greater public understanding, in the hope that I might be able to add some degree of enlightenment on a matter of conspicuous importance to all Americans. It has occurred to me that one subject above all others which fits these standards is the position of the United States in the world community, as expressed in our role in the collective security system and the mutual security program which provides its strength.

THE PERSPECTIVE OF HISTORY

It is sometimes useful in considering contemporary events to try to visualize how they would appear to some one looking back on them from some point in the future. I believe that if we had the power to look back at ourselves a decade or a century from now, we would be able to see with greater clarity that this period in our national life is a historic time of testing—a testing of our moral fiber, our foresight, and wisdom as we face the gravest threat to our existence. To a large degree, these national qualities can be measured by our attitude toward our allies and the other free countries that share our danger and that look to us for leadership. The great issue is will our response today be mean spirited, petty, selfish, or will it be with mature determination to grapple energetically with the force arrayed against us? Will we give the free world confidence in our resolve to meet and surmount the dangers that confront us? Or will it be retreat, step by step, blindly clutching our material possessions of today and giving no heed to tomorrow?

Unless above himself he can project
himself, how mean a thing is man.

THE MEASURE OF LEADERSHIP: OUR MUTUAL SECURITY PROGRAM

In a unique way, the action which we take on the mutual security program each year is the gage of our readiness to move forward decisively in a role we have no choice but to assume—the leadership of the free world in its resistance to Communist aggression and in the dramatic struggle of its less industrialized members to provide a better life for their peoples.

COLLECTIVE SECURITY AND THE MUTUAL SECURITY PROGRAM

The United States has progressed far since the Second World War in assuming the initiative and instilling courage in the other nations which stand firmly beside us against the Soviet threat. In working together, we and our friends have evolved a system of collective security symbolized in a series of treaties—NATO, SEATO, the Rio Pact, ANZUS, the Baghdad Pact, the bilateral agreements with Korea, Free China, and Japan. But these treaties in themselves are only shields of paper. If they are to have meaning, we must turn them into shields of steel, welded of men and arms and economic strength. Through the mutual security program, we add our share of the ingredients to the collective security system we have created to produce free world defenses that are an alloy of toughness and resilience.

Without the money, modern arms, commodities, and economic progress which are needed to build the security of the free world, our common defense agreements would be little more than monuments of good intentions. The armies that would stand between our own shores and Communist military might would be pitifully outmatched. The societies of strategic nations would be easy marks for Communist infiltration and economic penetration.

It seems wholly logical to me that when we share a common danger with other nations, we should band together to protect ourselves. Through the sharing of common danger in the past, we have become more alert to the unpredictable tests the future may present.

The sword must pass through fire, ere it
can yield, fit instrument for man to wield.

It seems logical, therefore, that in mutuality of purpose we should help each other to achieve essential defensive strength. This is what we do through the mutual security program. It is astonishing to me that some people should see this program as wasteful, inefficient, hostile to our own interests; that it is a giveaway. What do we give, if it not be strength? What do we get if it not be greater strength? My own conviction, built up through careful study of the mutual security program during my terms of service in the other House, is that this program is an essential, primary tool of our collective security policy.

Mutual security has its roots in the Marshall plan of 1948, implemented by the 80th Congress; the North Atlantic Treaty of 1949; and the mutual defense assistance program of the same year for provision of arms and training to our European allies. Today, this defense-assistance program is an integral part of a coherent program of mutual security. It is the means by which we contribute our share of the common effort to buttress the strength of NATO and our other defense agreements.

Let us examine what we are being asked to contribute as our share. The President has proposed that we provide $1.6 billion of new appropriations for military assistance to our NATO allies and to other nations.

Let us examine what our allies are contributing to this effort. During the whole course of the military-assistance program from 1950 through 1959, the defense expenditures of our allies totaled $141 billion—more than six times our own expenditures of $22 billion in this common enterprise. During the calendar year 1958, our allies contributed $19 billion of their own money to support the forces we are now being asked to

help to the total of $1.6 billion. They have made available to us, for our own forces, 250 bases in strategic locations. They provide 5 million men in the common defense, 14,000 jets, 24,000 combat vessels.

Let us think back on the occasions when the Soviet and Chinese Communists have sought to test our resolution and our strength. Let us think of the relentless pressure of Soviet and Chinese communism as it probes, first at one place, then at another, searching for a weak point in the barricade against its expansion: Greece, Iran, Korea, Berlin—first in 1949, and now again—Malaya, the Philippines, Indochina, the Middle East, the Formosa Straits. We may be thankful that we have helped arm these free world forces. We may be thankful, for example, that we are able, through the military-assistance program, to equip South Korean forces to defend the armed boundary against communism, without having to face the alternative of massive increases in our own forces in Korea, or reductions in our defenses to the extent of inviting a new Communist attack.

We may be thankful that because of the military equipment and training we provided Nationalist China, that nation was able to stand off the military might of Communist China in the battle over Quemoy—that the Nationalists, with American equipment and American training, were able to shoot down Communist Chinese aircraft in a ratio of 8 to 1. We may be particularly thankful that because local free world forces were able to contain this Communist attack, it did not break out into a major holocaust.

NATO IN THE NUCLEAR AGE

I point to the NATO area as another example of the success of collective security. Recently, the foreign ministers of the NATO countries joined in Washington to observe the 10th anniversary of that historic step. What have we accomplished? Through NATO's deterrent effect, peace has been preserved in Europe, and not an inch of European territory has since come under Soviet domination. Communist strength and influence in almost every NATO country have steadily declined. NATO in Europe have been modernized and built up from fewer than 20 ground divisions in 1950, to 100 active and reserve divisions today; from fewer than 1,000 aircraft, to 5,000 planes today, with 160 air bases available to NATO forces; and from 400 ships, to 1,700 combat vessels in today's fleets.

The firm position which we and our European allies are now taking in the present Berlin crisis is possible only because of the economic and military strength and the popular morale the Marshall plan and the military assistance program have helped create in Europe.

Today, with most of the NATO countries in good economic health, our support consists in large measure of assistance in modernization, including missiles to provide the allied command in Europe with capacity for atomic retaliation. We have much to show for the past 10 years; but we must continue to encourage and help our NATO allies in keeping their forces up-to-date, if the gains of the past are to be consolidated and projected into the future. I can think of nothing more dangerous than to adopt the attitude that because we have entered the nuclear era, we can neglect the forces in Europe that bar the way to 175 Red divisions. We cannot allow NATO defense to deteriorate or become obsolete while Soviet forces that face them are being equipped with the most modern products of Communist military technology.

The Congress is being asked, this year, to make nearly $43 billion available for our Armed Forces and for other defense purposes. This is a tremendous sum, but one well within our capacity to bear, when we set opposite it the towering threat to our lives, to our children, and to our freedom.

ADVICE FROM MILITARY STRATEGISTS

One fact that never ceases to amaze me is how we are heedful of the advice of our military leaders and experts in the expenditure of immense sums in the regular military budget, but we reject, or at least question, the same leaders' judgment when they offer the most potent arguments in favor of the military-assistance program, which is an integral part of our overall security plan. Mr. President, listen to the testimony of the Secretary of Defense before a committee of Congress this year:

> In my judgment it would be shortsighted indeed if this Nation spent over $40 billion in its own Military Establishment and then declined to spend the much smaller sums needed to maintain and modernize the forces of our allies which are essential to our whole defensive concept, and without which our own military expenditures would have to be enormously increased.

This is what we have been told by General Twining, Chairman of the Joint Chiefs of Staff:

> Without our military assistance program, the United States would require more men under arms both at home and overseas. If we were to maintain forces sufficient to match the Communist bloc in military strength or resources at points of possible aggression around the world, the cost to the United States would be far in excess of the $22 billion furnished under the military assistance program and the $141 billion spent by our allies during the years 1950 and 1958.

Last year, when General Twining was asked by a Member of Congress whether it was more important to restore the cuts in the mutual security program or to increase the regular defense budget, he replied that these dollars would better be spent in the defense of the Nation by putting them into mutual security. The chiefs of the individual military services endorsed his view.

Finally, the President himself declared, in his message to Congress, last month:

> Dollar for dollar, our expenditures for the mutual security program after we have once achieved a reasonable military posture for ourselves, will buy more security than far greater additional expenditures for our own forces.

DRAPER REPORT: DEFENSE IN DEPTH

Last summer, several members of the Foreign Relations Committee addressed to the President a thoughtful letter in which they expressed fear that we were overemphasizing military assistance at the expense of economic aid and technical assistance. Recognizing the legitimate concern that perhaps we were putting too much faith in building up military forces, and were neglecting the economic side, the President appointed a group of outstanding private citizens to study the question. Seven members were civilians with long experience in national and foreign affairs, three of them were eminent men who had retired from the military service. This group—the Draper Committee—was born in an atmosphere of doubt and questioning of the value of the military program. Yet the conclusion of the Draper Committee, based on a deep and thorough analysis of the program, and supplemented by study of the operation of the program in each geographic area, is that the spending on military assistance cannot be less than in recent years. Let me quote from one section of the Draper Committee's report:

> The free world's far flung defense perimeter is manned jointly by allied and U.S. forces and extends through Middle Europe, the Middle East, and around the rim of Asia to the Northern Pacific. The weapons for the allied forces defending this perimeter have very largely been furnished by our military assistance program. It is a very wide area important to our security. The nations of this area, without our help cannot defend it. Together we do have the strength. Within this perimeter are the homelands of our friends and allies and the means by which we together can maintain mutual bases, room for maneuver, defense in depth, and unrestricted use of the seas. This forward area, manned largely by allied forces, defends a complex of dispersed air bases which materially strengthen the effectiveness of our strategic deterrent. If strong and well armed forces hold these perimeter positions, then, in the event of local aggression, our friends, our allies, and we ourselves gain time for reinforcement, and equally important, for political action. These forces in being, give the free world advantages should war come; but more importantly, they represent a major deterrent to aggression and an opportunity through negotiation to avoid war itself. Also, the capacity of these forward allied forces to meet limited attack, as recently demonstrated at Quemoy, provides another and much more acceptable alternative than surrender or resort to atomic war.

The vigorous report of this eminently qualified committee convinces me even more strongly, if possible, than I was before, that the proposals made by the President are the minimum we may adopt with safety to our Nation. The President now has under careful consideration the recommendation of this select committee for an increase this coming fiscal year for appropriations for the military phases of the mutual security program. In view of the evidence, there seems no reasonable doubt that the increase in strength recommended by the committee is needed; and if the President, after careful examination of the recommendations, in the light of his great knowledge, considers that additional appropriations should be made available for fiscal year 1960, I, for one, will rely on his judgment as to timing.

I do not want to see taxes raised. I do not want an increase in the number of inductions of young Americans into the Armed Forces. Therefore, I plan to support in full measure the President's request for military assistance funds. The alternative is a defense budget increased by many times the $1.6 billion he has asked for this purpose, plus a heavier burden of military conscription and other costs of a semimobilized state that cannot be measured in dollars. Let others advocate such onerous alternates, if so minded. I cannot subscribe to it.

ECONOMIC STRENGTH—DEFENSE SUPPORT

Thus far I have spoken primarily of the military strength of our allies. We know that it is inseparable from their economic strength, and I turn now to a discussion of these vital elements of our mutual security program which are directed toward the creation of economic strength in the free world.

Twelve of the nations cooperating with us in collective security provide 3 million armed forces, nearly one-half of the total of the free world. Without exception, these nations form a belt on the southern and eastern boundaries of the Communist bloc. They are prime targets of the Communists. The risk of their geographic positions is heightened by the weakness or strain on the limited resources of their economies caused by their heavy military commitments in the free world interest.

It would be foolhardy indeed to overlook the economic health of these countries—Korea, free China, Vietnam, Iran, Turkey, Greece, Spain, and the others—in our preoccupation with the importance of their military contributions. We do not overlook it. Through economic assistance in the defense support category of the mutual security program, we enable them to maintain these needed forces without endangering their political and economic stability.

The President has asked the Congress to authorize and appropriate $835 million for defense support. I am convinced that this is a most reasonable cost for the tremendous benefit we gain in the strength of our worldwide security position.

The alternative to providing defense support, as the President has requested, and the military contribution it sustains is either a crumbling of free world defenses under Soviet pressure or the direct provision by the United States, at an incalculably higher cost, of the military force to hold the line against the enormous military power of the Communist bloc.

MUTUAL SECURITY AND ECONOMIC PROGRESS

The arguments that spur us to vote for the President's program of military assistance and defense support are so compelling that I wonder why it is necessary to repeat them year after year. We are in effect buying essential military protection at bargain rates. The arguments for economic development aid to our free world partners and other friendly nations may be somewhat more subtle, but are no less compelling. Looking back 10 or 50 years from now, we may speak of the great decision to help underdeveloped nations achieve progress somewhat as we now view the Monroe Doctrine—a policy showing foreknowledge of our long-term interests and with lasting implications for the fabric of our international relations. We have already come to view the Marshall plan in this light.

THE CHALLENGE IN ASIA AND AFRICA

It may well be that 10 or 50 years will see the blossoming of the new nations of Africa and Asia as they burst forth to take their place in the modern world. How will our Nation be looked upon then? Will we be the last surviving remnant of a decadent civilization exposed on every side to a totalitarian host? Or will we be regarded as the mature sister state that, in its wisdom, has shown the way for these new nations to develop in peace and freedom—to its own advantage and their endless profit?

Since World War II, 21 nations, 700 million people, a quarter of the globe, have achieved independence. By far the great majority of the nations has adopted a democratic, representative form of government. This did not come about by accident. The writings and examples of Washington, Jefferson, and Lincoln had important influences on the new leaders of these nations. The democratic principles, economic institutions, and material well being that have brought us to world leadership exert a powerful attraction to their peoples in their struggle for true independence and economic progress.

Is it possible that we would ignore these natural bonds between us and the new nations; that we would refuse to heed their urgent cries for economic assistance—capital and skills—and leave a void that can only benefit the Communists?

THE PRICE OF ECONOMIC GROWTH UNDER COMMUNISM

The leaders of the Soviet Union and Communist China see in the impatient demands for progress by these people an historical opportunity. In one hand, they hold out the example of progress under communism—their great leap forward. In the other, they hold out the enticement of economic aid. In 1958 the tempo of the economic offensive increased to $1 billion in aid agreements with free world countries. This includes $175 million for development projects in Egypt plus $100 million for the Aswan Dam, $100 million to Argentina, mostly for petroleum development, $225 million to Indonesia—I may add, parenthetically, that is an amount exactly equal to that which the President has requested for the Development Loan Fund—$120 million to Iraq for arms, $40 million to Ceylon, $41 million to Yemen, and many smaller agreements with other countries.

Let us not underestimate the appeal of the example of progress under the Communist economic system and the magnet of aid offers. We are competing for the hearts and minds of people who will no longer tolerate incomes of less than $100 a year, life expectancies half of our own, and a bleak future for their children. If they do not move forward under moderate leadership within the democratic framework they have chosen, they will be easy prey to Communist agitators in their midst, aggravated by the entanglements of Communist aid. These people are told by Communist propagandists that the Red remedy will cure their economic ills. What it really offers is growth under forced draft, greater sacrifice and misery for people already hungry and ragged; a new form of bondage for people who have just learned freedom.

Our answer to this should be the promise of cooperation between nations, help by the most advanced to the least advanced nations, growth in human dignity and individual liberty. The mutual security program should be our message assuring these people that we want to give them this choice. I have no doubt that they will choose the free world way.

CAPITAL—THE DEVELOPMENT LOAN FUND

Let me examine briefly what the President is asking us to approve for economic development purposes within the total requested for mutual security. First, there is the Development Loan Fund, which symbolizes the shift in policy from grants to aid on a long-term basis with repayment tailored to suit the individual abilities of the borrowing countries. Senators will recall that the President requested $2 billion over a 3-year period when the Development Loan Fund was proposed in 1957. Actually, in the first 2 years of its operation, Congress appropriated a total of $700 million. Implied in congressional action on the President's request was the feeling that the Loan Fund, although arising in part from a recommendation by Congress, was, after all, a new departure and should be operated on a trial basis at first.

The record of the Fund during its first 2 years of operation has been impressive. Nearly $3 billion in firm proposals have been received. Effectively, all the capital available has been committed in sound loans to more than 30 countries. Nearly $1.5 billion of proposals are still under consideration.

There is now before the Committee on Appropriations of the Senate a proposal by the President to provide a supplemental appropriation of $225 million to keep the Loan Fund in business until fiscal year 1960 funds give it new working capital. The proposal will soon come before the whole Senate with the recommendation of the Appropriations Committee. I urge my colleagues on the committee and on the floor to support this key measure. It is a nonpartisan matter. Our action will be watched by our friends and by our adversaries. They will see it as a signal of our intentions, of our determination to be steadfast in our help to new nations in their struggle to provide their people with a decent life.

We are being asked this year, in addition to the supplemental appropriation, to provide additional capital of $700 million for the Fund to be available starting in fiscal year 1960. It seems to me that this is not an excessive amount in view of the record the Fund has established in its first 2 years of operation and when we remember that it is the ultimate source of development capital that the underdeveloped nations have to turn to.

EXPORTING SKILLS

The second item for economic development that we are asked to approve is technical assistance in the amount of $211 million. This program—point 4—has proved its effectiveness over the years. Now, the increasing abilities of the underdeveloped countries to absorb technical assistance more effectively, the improved availability of American technicians, the importance of increasing our help to our Latin American neighbors, and the developing nations of Asia and Africa, have led the President to ask for an increase in funds for this program by fiscal year 1960. I think we should provide this increment in technical cooperation because, within the limit at which this assistance can be absorbed and supplied, it is one of the most efficient—and relatively one of the cheapest—ways that we can stimulate economic progress in the underdeveloped countries.

MEETING SPECIAL NEEDS

The third category of the mutual security program that contributes to economic development is special assistance. The underlying purpose of special assistance is to achieve particular objectives of American foreign policy in the countries we help. It may be illuminating simply to read from a list of these countries to explain the need for this form of aid:

First. Libya: A newly independent nation striving for a viable economy and accepting the burden and risk of a key American airbase on its soil.

Second. Jordan: An impoverished nation under a most courageous leader which is supporting a heavy burden of military forces essential to its survival as an independent nation.

Third. Afghanistan: A nation which must have help from us to avoid total dependence on the Soviets as it fights poverty and backwardness.

Fourth. West Berlin: The symbol of freedom inside the Iron Curtain that must have our support.

Fifth. Morocco: Another newly independent nation struggling for economic progress and on whose territory we have airbases of great value to our own and free world security.

Sixth. Tunisia and Sudan: Countries whose continued independence and freedom of action are in our national interest.

The PRESIDING OFFICER. The time of the Senator from Pennsylvania has expired.

Mr. MANSFIELD. Mr. President, how much more time does the Senator desire?

Mr. SCOTT. I think 10 additional minutes, or 8 additional minutes, will be sufficient.

Mr. MANSFIELD. Mr. President, I yield 10 minutes additional to the Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for an additional 10 minutes.

Mr. SCOTT. I thank the Senator from Montana.

FIGHTING DISEASE

I should mention here a new program proposed this year for financing from special assistance funds that could have profound implications for the future health and well-being of the people we seek to help. The success of the malaria eradication program in its third year has brought within sight the virtual removal of this worst of all killers. I have seen this program in action in Nepal and have been greatly impressed. Building on that program we now plan to undertake initial investigations looking toward community water supply programs as a means to conquer waterborne diseases. It will attack on a new front in the war against preventable diseases, a war which can be waged at relatively low cost, which produces immediate economic gains in terms of human output and responds to the Biblical challenge in the second chapter of Genesis.

COST OF MUTUAL SECURITY

The total the President is asking for economic development assistance this year, the Development Loan Fund, technical cooperation, and special assistance, comes to $1.2 billion. What kind of Americans are we if we tell ourselves that we are too poor to set aside from our material consumption this amount that helps to insure our future safety and assures the less advanced peoples that we stand behind them in their struggle for a better life? We are being asked to provide two-fifths of 1 percent of our national income for this purpose, at a time when our standard of living is rising at a rate of 4 percent a year. The President has declared:

> We could be the wealthiest and most mighty Nation and still lose the battle of the world if we do not help our world neighbors protect their freedom and advance their social and economic progress. * * * It is not the goal of the American people that the United States should be the richest Nation in the graveyard of history.

If America's security were unrelated to the fate of Indonesia or Tunisia, if we could safely remain indifferent when economic collapse led to a Communist takeover in Pakistan or India or Iran, if our bases in Spain or Libya were not essential for retaliatory striking power, if Turkey or South Korea could maintain powerful armies in the free world interest without economic support, if our industrial and military production could continue without strategic materials from abroad, then perhaps the objections to the cost of this program might have merit.

The fact is that Communist aggression is not limited to a single weapon or to an unambiguous full scale attack. Communism employs whatever means will advance its ends. The threat of economic penetration is today more immediate and potentially almost as great as the threat of intercontinental missiles. The mutual security program is our shield against the forms of Communist imperialism which cannot be met by direct force. It is our primary defense against subversion and against a shift in the balance of power. It gives hope and confidence to the newly free peoples of the world in our determination to support their progress.

I know there are those who feel that as a Nation we have no moral responsibility for the economic welfare of the rest of the world, or who feel that the problem is so vast and our help relatively so puny that it is a hopeless undertaking.

I deplore the reasoning of those who point to this program as an alternative to domestic spending and demand that we "choose which programs we are for." These are people who would pluck the tailfeathers of the Great Bald Eagle to line the nests of their local pet projects.

We must be above preoccupation merely with post offices, dams, irrigation systems, how tall the corn grows and whether the parity is as high as an elephant's eye. This may be the last time to reflect on the grim and sobering prospect of what will confront us if for lack of an adequate mutual security program, there come a day where there be no post offices or dams or gently-waving corn.

Such attitudes are out of keeping with our national tradition and character. Our Nation stands for the dignity and worth of the individual, for progress in liberty for all of mankind, for moral law. We are firm in the belief that man, unfettered, can triumph over obstacles, however huge, that confront him. By helping others who have learned these concepts from us and who seek to apply them to achieve a better life, we reaffirm our own faith in the principles that brought us the blessings and freedom we enjoy today.

Mr. President, I yield back the remainder of my time, and I thank the acting majority leader for his courtesy in yielding to me.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959

The Senate resumed the consideration of the bill (S. 1555) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes.

Mr. ERVIN. Mr. President, I yield 45 minutes to the distinguished Senator from South Dakota [Mr. MUNDT].

Mr. MUNDT. Mr. President, the Senate is now engaged in a debate on what is likely to be the most important legislation which it will be our privilege to consider during the 86th Congress. No legislation in the past decade has so totally captured the interest and conscientious attention of the American public as has the legislative subject matter currently before this great deliberative body.

Many individuals closely associated and intimately acquainted with labor-management relations in the United States have recognized for a considerable time the essential need for expansion and modification of the Federal statutes dealing with labor-management relations. But it was not until the hearings and investigations conducted by the

McClellan rackets committee that the general public became thoroughly acquainted and aware of the widespread corruption and racketeering which exists in the labor-management field. I have served on the McClellan committee since its creation, and I am currently serving as the vice chairman of that committee. I entered my duties as a member of the McClellan committee with complete objectivity and as somewhat of a novitiate in the field of labor relations. I have been profoundly shocked by the disclosures of corruption, violence, union-boss autocracy, and racketeerism which have been made before the McClellan committee.

I daresay there is not a Member of Congress who has not spoken out in disgust against the multitude of evils which have come to light during the more than 24 months of hearings and investigations. We failed dismally in the 85th Congress to enact effective labor reform legislation. The Senate came to bat twice, and in both instances it struck out; so did the House. We failed dismally to do the job required to meet the problems specifically defined and disclosed by our investigation.

We, the Members of Congress, have told our fellow citizens that we are going to do something in the 86th Congress to rid this Nation of the evils disclosed by the McClellan committee. We have announced to our constituents that the 86th Congress will secure the rights and protect the interests of the individual members of America's labor unions. Our people have listened with solemnity to these exhortations of their elected representatives. They have reacted in a manner consistent with our grand American tradition. The citizenry of this Nation has issued a mandate to Congress, commanding us to enact effective labor reform legislation.

No mandate from the public has ever been clearer or more authoritative in its terms. The American public has directed us to enact legislation which will do a thorough job of cleaning up the ugly mess revealed by the rackets committee investigations. The people that we represent do not want legislative circumlocution. They want laws passed in the labor-management field which strike at the fundamental evils in this area. The American public is earneastly desirous of legislation which will in fact curb the dishonest, unethical, and autocratic actions of men like Hoffa, Beck, Maloney, Shefferman, Mazey, and Reuther. Our fellow citizens want legislation which will effectively protect the rights and interests of men like Tom Coffey, Roy Underwood, Desmond Berry, and Peter Batalias. They want no legislative artifices, which merely claim to accomplish these things—they want the "real McCoy" and they want it enacted by the 86th Congress. The American taxpayer has spent well over $1 million in paying the expenses of the McClellan committee investigations. He is entitled to some dividends and some legislative returns on that investment.

Certainly the bill currently before us, S. 1555, does not satisfy the terms of the mandate issued to Congress by the American public. The committee bill is a masterpiece of oversight, expediency, and inadequacy. Its proponents, both senatorial and professorial, extravagantly claim that S. 1555 will put Hoffa out of business. I cannot for the life of me see what provisions in S. 1555 are going to delimit the freewheeling activities of labor leaders like James R. Hoffa, unless it is hoped that Hoffa will somehow be rendered less effective by a severe case of writer's cramp, resulting from the reporting requirements of this bill. I will eagerly wager a South Dakota T-bone steak against a Boston scrod that S. 1555, if enacted, will not even slow down Mr. Hoffa, much less put him out of business. One does not have to be a Boston lawyer, a Cambridge professor, or a Secretary of Labor, to spot the many weaknesses, inadequacies, and omissions of this legislative attempt at labor reform, if it is not materially amended.

Mr. President, I take this opportunity to commend the junior Senator from Arizona [Mr. GOLDWATER], the distinguished minority leader [Mr. DIRKSEN], and the minority counsel of the Labor and Public Welfare Committee, Mike Bernstein, for the outstanding statement of minority views which they have prepared on S. 1555. I commend this report to the attention of the country and of all of my colleagues. It is a comprehensive and searching legal analysis of the weaknesses, omissions, and loopholes of the committee bill.

I regret that only 45,000 copies of the daily CONGRESSIONAL RECORD are published and distributed to American taxpayers. I wish that 45 million copies of the daily CONGRESSIONAL RECORD, recording the debates and the votes on this important measure, were available, so that all our constituents, all members of labor unions, and all interested citizens could have the benefit of reading the debates, evaluating the arguments, monitoring the votes which are cast, and reading the minority views, which so clearly point out the obvious weaknesses in S. 1555, as reported from the committee by a divided vote.

An objective study of the minority report and appendix B cannot fail to convince the reader that S. 1555 simply cannot accomplish the broad reforms, so proudly claimed by its proponents. An objective reading of the minority report indicates with eloquent clarity that S. 1555 is akin to the proverbial "boy sent out to do a man's job."

Mr. President, it is indeed dismaying to me, as the vice chairman of the McClellan investigating committee to note the apparent and substantial disregard by the drafters of S. 1555 of the findings and recommendations made by the McClellan committee, after the expenditure of more than a million dollars of the taxpayers' funds and after more than 24 months of careful deliberations and almost constant hearings and investigative activity.

I am equally dismayed and appalled when I observe the casual recognition given by the majority members of the Committee on Labor and Public Welfare to the legislative proposals for labor reform which have been presented by the Senator from Arkansas [Mr. MCCLELLAN] the able and energetic chairman of the Senate rackets committee.

With all due respect to my colleagues in the majority, who serve on the Senate Labor Committee, I doubt that there is any person currently serving in Congress who is better acquainted than is JOHN MCCLELLAN with factual elements of corruption and racketeerism in the labor-management field.

For the past 2 years the Senator from Arkansas has devoted his time and effort unstintingly to directing the vast investigative efforts which have provided the factual foundation for the proposed legislation we are currently considering. As a matter of fact, it is the record of these investigations which bring the proposed legislation before us in the first instance.

Consequently, it is strange, indeed, and it is almost startling, that the majority has not seen fit to use to the fullest measure the counsel and advice of the Senator from Arkansas. I regret that the McClellan recommendations have been ignored in the drafting of S. 1555. I am sure that during the debate the distinguished Senator from Arkansas will participate actively in the full discussion. His observations should be of real value in the formulation of effective labor legislation. I regret that the committee bill was not sufficiently and effectively strengthened in the committee deliberations, so that he would have found it a reflection of his efforts, and not have found it necessary to prepare and submit a substitute, which is now before us, carrying the name of the Senator from Arkansas.

Mr. President, the proposed legislation which we are being asked by the majority to pass has received the warm endorsement of the overlords of the AFL–CIO. Let us never forget that these are the same men who a year ago told us that organized labor was fully capable of cleaning its own house without any assistance from Congress and without any new legislation.

These are the same men who by the actions of their ethical practices committee apparently continue to tolerate the abuses and corruption so abundantly existent in the International Union of Operating Engineers, for example. These are the same men who have demanded the title VI provisions of S. 1555, weakening rather than strengthening the Taft-Hartley Act, as the "quid pro quo" for their much-sought-after support.

Mr. President, these are the same men who, according to the proponents of S. 1555, will be controlled and regulated in their union-officer capacities by the various provisions of S. 1555.

I am frankly distrustful of labor reform legislation which is endorsed by the very men whose activities it purports to control. I would have been no less distrustful of the effectiveness of the Sherman Antitrust Act had it received the warm endorsement of the big business barons of the 1890's. However, it is not the endorsement of the AFL–CIO officialdom which causes my disenchantment with S. 1555 in its present form.

My reasons for opposing the proposed legislation in its present form stem from the many substantial and obvious weaknesses of S. 1555, when the bill is related to the problem defined by our investigating committee.

It seems to me to be crystal clear that if Congress is to legislate on the basis of the evidence produced by our investigating committee, and is to solve the problems which were disclosed thereby, we should certainly try to eliminate the problems which give birth to the concept of passing labor reform legislation. A careful analysis of S. 1555 convinces me that the bill in its present form fails miserably to meet that challenge.

Mr. President, I do not intend to discuss all the weaknesses and omissions of S. 1555, for I am confident that all the aspects of the majority's failure to report strong and effective labor legislation will be thoroughly aired during the cause of this great debate, and during the consideration of the 50 to 100 amendments which apparently have been or will be offered to the basic bill.

I would, however, like to discuss a few specific aspects of the bill which particularly disturb me, and which I think should be brought to the attention of the Senate and the American people.

Mr. President, I first invite the attention of the Senate to title III of the committee bill. That title deals with union elections. I am particularly interested in the union election provisions, for little progress can be made in setting things right in the house of labor if rank and file members are not allowed the basic American privilege of choosing, in an atmosphere of honesty, secrecy, and fairness, the individuals who will represent their interests in negotiations with management.

I have given serious thought to the implementation of basic safeguards for the voting rights of union members in union elections, so as to safeguard voting rights which our investigating committee clearly has shown are being flagrantly violated in many unions at the present time.

On February 6 of this year I introduced S. 1002, a major portion of which was dedicated to the establishment of procedures which would workably realistically, and effectively safeguard the voting rights of the rank-and-file members of organized labor.

I appeared before the Labor Subcommittee on March 9 of this year and discussed in considerable detail the election provisions of S. 1002. These recommendations were apparently given short shrift by the majority membership of the committee. That would not disturb me if the majority had improved the title III provisions of the Kennedy bill with safeguards of their own. Minor changes have been made, but nothing of substance has been done to improve this important area of the bill. Section 301 of the committee bill is in the main a compound of worthy but totally ineffectual generalities about democracy in union elections. With the exception of 3 or 4 standards established for union elections, I daresay, it would be virtually impossible to violate section 301, as presently found in the committee bill.

Let us look, for example, at the safeguards provided in section 301 for the nomination of candidates. Senate bill 1555 requires that "a reasonable opportunity shall be given for the nomination of candidates." Such broadly phrased requirements are valueless in the event of an election contest, for from an evidentiary standpoint they are not susceptible to the requirements of judicial proof. What, for instance, is "a reasonable opportunity"? I can conceive of a number of sets of factual circumstances which might be determined by a court as reasonable because of the difficulties involved in proving a violation of a general statutory requirement. However, with clearly defined nominating provisions required in the law, these same circumstances could easily be proven to be clearly violative of the statutory standards and to be patently abusive of individual rights.

Let us consider a union of 1,000 members, having a quorum provision allowing official business to be conducted in the presence of 8 members—and such provisions do exist in labor union constitutions today. Or even suppose it is a union having a quorum provision calling for 5 or 10 percent of the membership to be present. The union secretary, representing the incumbent officers, either announces at a union meeting or posts on the union hall bulletin board a notice that nominations will be received at the next union meeting. The incumbent officers then get their cronies together and hold a summary nominating session at the next union meeting. Certainly such practices must be recognized as discriminative, but I doubt that in a court of law such practices could be shown to be less than reasonable under the general provisions of S. 1555. Glittering generalities such as this amount to little more than window dressing, and are utterly worthless so far as securing the rights of the individual members is concerned.

I intend to offer as an amendment at a later point in the debate the nominating procedures contained in S. 1002, which I earlier recommended to the Subcommittee on Labor. The nominating provisions of S. 1002 establish a clearly defined procedure, employing a nomination petition, which must be signed by a minimum of 2 percent of the members in good standing. A specific 60-day period is defined for the filing of nominations with certain dates set forth for the opening and closing of nominations. The secretary of the labor organization is designated to receive the petitions, and he is required to acknowledge the receipt of such petitions by a signed statement provided to the nominee. This latter requirement protects against a dishonest secretary, who might otherwise be tempted to eliminate prospective candidates through destroying their nominating petitions. When one investigates existing union-governing documents, and finds unions with quorum provisions requiring only seven or eight members to conduct official business, the need for uniform and well-defined nominating procedures becomes immediately apparent. I sincerely hope the Senate will act to improve the committee bill in this important area.

I further recommended to the Subcommittee on Labor that the provisions of section I(a) (5) of S. 1002 be incorporated in any labor bill reported by that subcommittee. This subsection of my bill provided for the creation of a membership election committee to be established by the written designation of the various certified candidates for union office. The committee so established would be given full power and authority for the conduct of the election, including the counting of the ballots and the certification of the results. Such a committee would insure every candidate for union office that he would be represented officially during the entire course of the election, especially during the crucial period when the votes were being counted. No "shenanigans" could occur without the victimized candidate being fully advised by his representative, so that he could initiate election contest proceedings.

In brief, my bill provides for candidates for union office precisely the same safeguards which every Member of the U.S. Senate insists upon and enjoys for himself. I see no reason why candidates for office in unions and members of labor unions should not be assured of the same kind of protection for honest elections as both we and our constitutents insist upon in the various States which we represent.

As a further protection my bill specifically prohibits union officers, employees, or candidates from serving on the election committee. This is to safeguard against incidents like those which occurred in the San Francisco local of the Operating Engineers, when Victor Swanson, an incumbent international vice president and candidate for reelection, actively participated in a phony count of union ballots.

Apparently this recommendation of mine must have received at least casual attention from the majority members, for they improved the Kennedy bill slightly by the inclusion at the top of page 36 of the following language:

> Adequate election safeguards to insure a fair count of the ballots shall be provided, including the right of any candidate to have an observer at the polls and at the counting of the ballots.

Once again my friends across the aisle chose to employ the "broad brush" legislative approach to deal with a vital safeguard in union election procedures. Such general provisions are immediately vulnerable to manipulation and contrivance by powerful and dishonest union bosses. The general requirement in S. 1555 accords no official status to the observer at polls and includes no proscription of union officers or candidates from being present and active participants at the counting of the ballots of a union election in which the rank and file members may be attempting to depose a wily operator like Joey Fay or Johnny Dio. I am confident that a majority of the Members of the Senate will see the vital need for greater specificity

and definition in legislating safeguards and standards for union officer elections. I intend to offer as an amendment to S. 1555 the election-committee requirements contained in S. 1002.

It seems, Mr. President, that the drafters of title III of S. 1555 were unable to strike a happy medium in their legislative styling of the requirement and standards for union elections. On the one hand, as I have just discussed, title III fails, due to the extreme breadth and overly general nature of some of its requirements. On the other hand, title III has failed to provide adequate protection due to the fact that other of its provisions suffer from too much detail. In these latter cases, the drafters of S. 1555 have used what might be referred to as the "giveth and taketh away" legislative approach. They "giveth" protection to union members in one breath by the inclusion of a necessary prohibition or requirement; then in the next breath they "taketh away" with an ancillary provision, which destroys the effect of the safeguard initially established.

A classic example of the "giveth and taketh away" approach is found in subsection (d) of section 301. At one point in subsection (d) the drafters have provided that not less than 15 days prior to an election, official notification of the election will be mailed to each member at his last-known home address. This is an excellent requirement, and had the drafters been able to restrain themselves and stop right there, everything would have been just fine. But, alas, "the drafter giveth and the drafter taketh away," for then a restrictive proviso was added to exclude notification by mail if the election date is specified in the constitution and bylaws of the labor organization. The elimination of direct notice to union members as to the date, time, and place of elections denies to them a privilege accorded by law to every corporation stockholder in America.

Mr. President, I understand that during the executive consideration of the bill by the Committee on Labor and Public Welfare, the able junior Senator from Vermont [Mr. PROUTY] offered an amendment to strike the aforementioned restrictive proviso. The Senator from Vermont felt as do I that union officials should not be relieved of the responsibility of notifying members as to election dates under any circumstances; however, the Prouty amendment was defeated on a straight party-line vote.

I certainly hope the Senator from Vermont will offer an amendment on the floor of the Senate to the same effect. For I do not think that an amendment providing such a basic American safeguard as election notification should be scuttled by the dark of the moon in the sequestered atmosphere of an executive committee session. I feel that the American public deserves to have this issue discussed on the floor of the Senate in open session, where the position of every elected representative will be clearly delineated.

Let us now look further to another of the "giveth and taketh away" provisions of title III.

I invite the attention of the Senate to subsection (f) of section 301. Initially this subsection prohibits the use of dues or assessment-derived union funds and any employer-derived funds to promote the candidacy of any person seeking union office. This provision might not go far enough, in that it does nothing to restrict indirect raids on the union treasury, as in the case of the UAW flower funds; but at least it would protect against direct raids on the union treasury, and in so doing it is a major step in the right direction. However, once again the ebullient drafters of Senate bill 1555 could not stem their legislative outpourings, and with an additional brief stroke of the legislative stylus they undid all of the good previously done, for in the last three lines of subsection (f) the initial restrictions are hedged by allowing dues-derived and assessment-derived union funds to be used for "factual statements of issues". The inclusion of the four fateful words "factual statements of issues" utterly destroys all of the protection to union members and union funds which were established in the opening lines of subsection (f). So, although the preface is perfect, the provisions of this part of the bill walk backward, instead of forward, from the standpoint of assuring clean democracy in labor unions.

Mr. President, what is the meaning of this nebulous phraseology? Who is to say that a particular campaign brochure or pamphlet is or is not a "factual statement of the issues". Mr. President, all of us in the Senate are knowledgeable and experienced veterans of the political battlefields and arenas. Is there among us one who, in utmost sincerity, thinks that it is realistically or practically possible to present, in the heat and tumult of a campaign, a statement of the issues which is totally objective, without bias or shading to either side? I think experience has taught all of us that total objectivity in an election campaign, be it State, county, municipal or union, is rarely, if ever, attainable.

Some of the most devastating campaign literature I have ever read has been presented in the format of a "factual statement of the issues"; but beneath the "factual" facade one finds a subtly expressed and artistically shaded partisan message. Is not the "factual statement of the issues" technique frequently employed by the political brain-trusters which Walter Reuther has drawn together in his Committee on Political Education? Is that not what we read in C.O.P.E.; as it moves stealthily more and more into the partisan political field? Did not David McDonald successfully campaign for reelection as international president of the Steelworkers Union by making a series of "factual" presentations of the issues involved in the campaign, financed by the dues of the union members, some of whom were endeavoring to elect an opponent who was running for that office?

Mr. President, this innocent appearing language, which has been included in the committee bill, will, if anything, worsen—I repeat, Mr. President, it will worsen—conditions in union elections; it will worsen the situation from the standpoint of protecting the union members against being propagandized by means of the expenditure of their own funds. This language has the effect of giving a congressional license to the use of union funds for campaigning done under the guise of "a factual statement of the issues."

I do not know who is the author of those four words; but I am convinced that unless the Senate eliminates those four words, it will do new damage to the desires of millions of fine American men and women in the trade-union movement who are endeavoring to enjoy the privilege and the practice of self-determination.

I cannot believe that this Congress or any Congress wishes to place itself in the position of granting such a license to union officers. Consequently, I intend to offer an amendment striking these four innocent-appearing words from section 301(f).

I shall now conclude my criticsm of the inadequacies of title III of the committee bill with a brief discussion of one further "giveth and taketh away" provision that is contained in Senate bill 1555. I refer specifically to section 305(a). In this subsection the committee has wisely provided that individuals convicted and imprisoned for an enumerated group of felonies will not be allowed to serve as an officer or executive employee of a labor organization, unless their citizenship rights have been fully restored, or unless the Secretary of Labor, based on an administrative hearing, has determined that the service of such individual in an officer or employee capacity is not contrary to the spirit of this act. Had the drafters of Senate bill 1555 seen fit to have stopped at this point, I would have no quarrel with the provisions of this subsection. I believe that individuals formerly convicted of felonies, who are making an honest and sincere attempt at reform, should be given encouragement by society. I do not believe that these individuals should be permanently deprived of their right to assume a responsible position in society, providing they have the necessary capabilities. I shall be perfectly satisfied to drop the barrier to union office and responsible union employment in the case of those whose conduct since conviction has merited restoration of their citizenship rights. I shall not interpose objection to allowing a convicted felon to serve as a union officer or employee, if he can prove to the satisfaction of the Secretary of Labor that he has reformed and is walking in the paths of righteousness. But the drafters of Senate bill 1555 were not satisfied to lower the bar on the basis of existing State and Federal law or on the basis of an administrative hearing. No, Mr. President; they had to establish an additional, and totally arbitrary, basis for allowing convicted felons to legally assume union office. The committee bill drafters included a little proviso, beginning in line 12, on

page 42, which has the effect of removing all the restrictions previously established, if—of all things—the convicted felon has been out of prison for 5 years.

Mr. President, the woods are rather full of convicted felons who have been out of prison for 5 years, and have been in trouble almost incessantly ever since, but, because of skilled lawyers, are able to keep themselves from being put back into the penitentiary, while they drag the determination procedures through the interminable delays of our court system. Mr. President, as the author of the amendment on the floor of the Senate—and let me point out that the amendment was adopted by a yea-and-nay vote and, as I recall, the vote was unanimous, when, a year ago, we added this protection to the Kennedy-Ives bill—I certainly deplore the attempt to sabotage our provision now, by providing that such a person can qualify if he has reformed; in other words, that he can qualify if, for the past 5 years, he has stayed out of jail. We are all too well acquainted with the series of witnesses, the fifth amendment, dark glasses boys, appearing before our committee, who kept out of jail for a long while by ducking and dodging evidence and carrying their appeals to one appellate court after another.

Mr. President, the reformation of men convicted of felonious crime cannot be judged on the basis of some arbitrary chronological yardstick. Some men will start down the road to reform 60 seconds after they have committed the felony; others, unfortunately, may fritter away a lifetime with criminal involvements. Mr. President, I have witnessed the testimony of Joe Fay, Johnny Dio, and other convicted felons, who have appeared before the McClellan rackets committee. Their actions since their departure from prison certainly indicate that their future connection with the labor movement would not be in the best interests of the rank and file members or the general public. I regret that the committee drafters saw fit to place an arbitrary 5-year limitation on the proscription of felons serving in union office or union executive employment, thus, in fact, taking out many of the teeth of the Mundt amendment adopted by the Senate unanimously a year ago. I am unalterably opposed to such an unrealistic limitation, and, at the appropriate time, I shall move to have it stricken from the bill.

Mr. President, before leaving the discussion of union officer elections and democratic procedures in labor organization, I desire to express my disappointment at the failure of the committee bill sponsors to include safeguards for strike authorizations. Second only in importance to leadership selection is the vital determination to strike or not to strike. The right to strike is, indeed, a valuable right of organized labor, and I certainly would not want Congress to legislate in such a way that the effectiveness of this right as a tool of collective bargaining would be in any way diminished. But the right to strike should be exercised with intelligence, and no strike should ever be called, in my opinion, which does not clearly represent the majority judgment of the individuals who will have to participate in it. It seems to me the right to strike should be exercised to advance the best interests of the members of a union, and never simply to advance the interests of a union boss.

Unfortunately, Mr. President, all too many unions do not require a vote of the membership to be taken before the calling of a strike. A study conducted by the Department of Labor in early 1954 indicated that of 112 international-union constitutions analyzed, only 63 contained provisions requiring a strike vote in the locals. This means that 49 international unions, representing nearly 5.8 million members, allowed strike authorizations without a democratic determination by the members affected. The strike determination is the single most important economic decision made by a labor organization, and I do not think such determinations should be arrived at capriciously or arbitrarily by a handful of union leaders and international representatives. They should be arrived at by the men whose families are going to suffer if a strike is unnecessarily called or prolonged, and union members should be given a full and democratic opportunity to participate in such an important economic decision, meaning so much to themselves and to their families.

The opponents of Federal statutes, requiring democratic votes to be taken before a strike is called, continually cite the experience under section 8 of the Smith-Connally Act as proof that prestrike votes are of no material value. It is pointed out by the prestrike vote opponents that in over 96 percent of the cases where votes were taken under the Smith-Connally Act, the members voted to strike in support of their leadership's desires. I do not think the Smith-Connally experience is at all a fair test of the effectiveness of prestrike votes, for a careful reading of that act indicates clearly that the union members were in no way confronted with the contingency of unemployment and loss of pay.

Mr. President, I make this latter contention based on the powers granted the National War Labor Board in section 7 of the Smith-Connally Act and the statutory terms under which these powers were to be invoked. Section 7 granted the power to the National War Labor Board to conduct a hearing on the merits of any labor dispute which the U.S. Conciliation Service certified might lead to substantial interference with the war effort, and could not be settled by collective bargaining or conciliation. Section 7 further granted the Board the power to decide the dispute and provide, by order, the wages, hours, and all other conditions of employment at issue in the dispute. The bill was properly devised so the war effort could proceed unabated, and it is no fair test to relate the experiences of that war effort to what might happen if democratic strike provisions, written into a peacetime measure, could operate.

Certainly, Mr. President, any labor dispute and attendant negotiations which had deteriorated to the point that a strike was imminent would be of the very type and nature which the Conciliation Service would certify to the Board. Once the dispute was before the Board, it would be decided and settled in such a manner as to insure that there would be no work stoppages. I contend, Mr. President, that workers and their leaders were aware of the fact that the Conciliation Service, working in wartime, in conjunction with the War Labor Board, would do everything within the realm of reason to prevent a work stoppage. They knew that they had nothing to lose by voting to strike, for there was virtually no likelihood that such a decision would result in their being "out on the bricks," with the resultant loss of wages. I vigorously contend, therefore, that the prestrike vote experience under the provisions of the Smith-Connally Act is a poorly cited example and deserves little or no recognition, as we relate this problem to the present time operations of our economic system.

I sincerely doubt that there is a rank and file union member in America who would object to Congress legislating so as to guarantee him the full right to participate in a strike determination by democratic secret ballot.

Senate bill 1002, my own labor bill, which I discussed before the Committee on Labor and Public Welfare of the Senate, establishes a formula of democratic procedures for obtaining strike authorizations. I may well determine to offer those provisions from S. 1002 as an amendment to improve and strengthen S. 1555, as the debate on this measure proceeds.

The PRESIDING OFFICER. The time of the Senator from South Dakota has expired.

Mr. MUNDT. May I have 10 additional minutes?

Mr. KENNEDY. I yield 10 minutes to the Senator from South Dakota.

The PRESIDING OFFICER. The Senator from South Dakota is recognized for an additional 10 minutes.

Mr. MUNDT. As the vice chairman of the Senate Rackets Committee, I would be gravely remiss if I did not comment briefly on the failure to include in S. 1555 Taft-Hartley amendments which are germane to the findings of the Rackets Committee. I refer, of course, to amendments tightening the secondary boycott language and prohibiting blackmail picketing. Mr. President, the McClellan committee, in the past 15 to 25 months has conducted extensive hearings on the subject of secondary boycotts and blackmail and stranger picketing. These hearings have made it abundantly clear that these two coercive techniques are the most devastating levers used by corrupt union officials to extort money from small employers and to force employees to join specific unions against their will.

Witness after witness after witness, both from the ranks of labor and management, have said, under oath, that legislation illegalizing blackmail picketing would have prevented the kind of abuses which they were called upon to testify before the committee.

The evidence before the McClellan committee is voluminous and dramatic in support of corrective legislation with respect to secondary boycotts and certain types of coercive picketing. I can-

not understand why the sponsors of S. 1555 are reluctant to legislate in this field. They tell us that the inclusion of such Taft-Hartley changes might seriously endanger passage of any labor reform legislation. This statement would seem to beg the question, "Whose support of labor reform legislation will be lost by the inclusion of these Taft-Hartley amendments, which are germane to the McClellan committee investigations?" Certainly the inclusion of such amendments will not cause a loss of support among the minority members in the Senate. Certainly the inclusion of such amendments will not cause a loss of support from the distinguished chairman of the Rackets Committee, the Senator from Arkansas [Mr. MCCLELLAN] who has already introduced bills providing for the needed corrective legislation, and who, during the course of my speech this afternoon, has offered a series of additional amendments to deal with specific deficiencies in the Kennedy-Ervin bill. This would seem to indicate that if passage of labor reform legislation is to be endangered by the inclusion of these two much needed Taft-Hartley amendments that the opposition must necessarily come from among the sponsors of S. 1555. Mr. President, let us not have vagueness and evasiveness on this issue. If there be opponents to these beneficial changes in the Taft-Hartley Act, let them clearly assert their position, and their reasons, instead of skirting the issue with grim predictions that all labor legislation might be lost if these amendments are included.

We are told additionally that amendments to the Taft-Hartley Act should be the subject of further study, and accordingly the leadership of the Labor and Public Welfare Committee has created a blue ribbon panel of experts to study needed changes in the Taft-Hartley Act. Mr. President, all well and good, but if the Taft-Hartley amendments indicated by and related to the McClellan committee investigations are to be subjected to expert examination, why then are not the nongermane amendments contained in title VI of the S. 1555 worthy of further study by these same experts? The reason for this inconsistency of treatment is not entirely clear. The title VI amendments would seem to undercut the work to be done by the blue ribbon panel established by the majority. Perhaps, Mr. President, the exclusion of the title VI amendments, which were in the main requested by the officialdom of the AFL–CIO, would also endanger the passage of any labor reform legislation. I will leave this question to be answered by the majority sponsors of S. 1555.

Mr. President, I shall vote for the Ervin proposal to strike title VI from the bill so that all Taft-Hartley amendments may be considered by the so-called blue ribbon panel of experts. If consistency is to rule, if hypocrisy is to be eliminated, I assume we should place all Taft-Hartley Act amendments in the same category, and I assume the chairman of the Senate Committee on Labor and Education and the Senator from Massachusetts [Mr. KENNEDY], and their fellow committee members will also vote for the Ervin amendment to strike title VI from the bill so that all Taft-Hartley amendments may be eliminated from this bill, which we should then proceed to perfect and make it a realistic and effective labor-reform bill, for the establishment of democratic rights in labor unions.

However, Mr. President, should the Ervin amendment fail, I shall then support the substitute to title VI to be offered by the Senator from Illinois [Mr. DIRKSEN] at a later date, since if we are to include Taft-Hartley amendments in this bill, I much prefer that approach to what is presently included in title VI. In addition, Mr. President, if the Ervin amendment fails, if the Senate decides it desires to include Taft-Hartley amendments in the bill, if the Senate decides the blue ribbon panel of experts can be trusted only with certain categories of amendments and not with others, if we are going to legislate for the whole field, and if we are not going to await the results of the panel findings, then, Mr. President, there are other corrective amendments which may well be proposed and which I shall probably support. However, it remains my conviction that in this measure we should concentrate in evolving legislation which will provide a real bill of rights for union members, which will give them the necessary democratic tools to run their own unions, and which will safeguard honest working men and women and the general public against the type of abuses which have been disclosed by our McClellan investigating committee.

Mr. President, in the consideration of this proposed legislation I devoutly hope the Members of the Senate will assume their full responsibilities as legislators as we vote on amendment after amendment. I hope we shall not see repeated what occurred a year ago, when Senator after Senator stood up to say, "I favor this proposal or that proposal and I think it is a good idea, but I do not want to vote on it now; I want to vote upon it at a later date."

Mr. President, this is the later date. Now is the time. Nobody seriously believes we are going to pass a second labor bill in the present session. I hope we will study, analyze and deliberate on this measure until it has been improved to the greatest possible degree, so that the outcome will be legislation of which every member of the United States can be justifiably proud. Personally, I favor limiting this legislation to the enactment of completely effective labor reform legislation which really corrects the abuses disclosed by our committee and which will give rank-and-file union members the democratic tools and the legislative provisions required to protect their freedoms and to promote their interests. For that reason I shall vote for the Erwin amendment to strike title III from the bill.

The PRESIDING OFFICER. The time of the Senator from South Dakota has expired.

AMENDMENT OF FEDERAL AIRPORT ACT

The PRESIDING OFFICER (Mr. MCCARTHY in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 1) to amend the Federal Airport Act in order to extend the time for making grants under the provisions of such act, and for other purposes, which was to strike out all after the enacting clause and insert:

That section 5(a) of the Federal Airport Act, as amended (49 U.S.C. 1104(a)), is amended to read as follows:

"(a) For the purpose of carrying out this Act with respect to projects in the several States, there is authorized to be obligated by the execution of grant agreements pursuant to section 12 of this Act the sum of $40,000,000 for the fiscal year ending June 30, 1956, and the sum of $60,000,000 for each of the fiscal years ending June 30, 1957, June 30, 1958, and June 30, 1959, and the sum of $62,100,000 for each of the fiscal years ending June 30, 1960, June 30, 1961, June 30, 1962, and June 30, 1963. Each such authorized amount shall become available for obligation beginning July 1 of the fiscal year for which it is authorized, and shall continue to be so available until so obligated."

SEC. 2. Section 5(b) of the Federal Airport Act, as amended (49 U.S.C. 1104(b)), is amended to read as follows:

"(b) For the purpose of carrying out this Act with respect to projects in Puerto Rico and the Virgin Islands, there is authorized to be obligated by the execution of grant agreements pursuant to section 12 of this Act the sum of $2,500,000 for the fiscal year ending June 30, 1956, and the sum of $3,000,000 for each of the fiscal years ending June 30, 1957, June 30, 1958, and June 30, 1959, and the sum of $900,000 for each of the fiscal years ending June 30, 1960, June 30, 1961, June 30, 1962, and June 30, 1963. Each such authorized amount shall become available for obligation beginning July 1 of the fiscal year for which it is authorized, and shall continue to be so available until so obligated. Of the sum of $900,000 authorized by this subsection for the fiscal year ending June 30, 1960, and for each of the following fiscal years, the sum of $600,000 shall be available for projects in Puerto Rico and the sum of $300,000 shall be available for projects in the Virgin Islands."

SEC. 3. Section 5 of the Federal Airport Act, as amended (49 U.S.C. 1104), is amended by adding at the end thereof the following new subsection:

"ADDITIONAL DISCRETIONARY FUND

"(e) In addition to the sums authorized in subsections (a) and (b) of this section, the Administrator is authorized to obligate in his discretion the sum of $20,000,000 for the fiscal year ending June 30, 1961, and the sum of $15,000,000 for the fiscal year ending June 30, 1962, and the sum of $10,000,000 for the fiscal year ending June 30, 1963, which sums shall be available to pay the United States share of costs of any approved project, and shall be administered as a separate fund without regard to the provisions of section 6 of this Act. Each of the sums authorized to be obligated under this subsection shall become available for obligation beginning July 1 of the fiscal year for which it is so authorized, and shall continue to be so available until so obligated."

SEC. 4. (a) Section 6 of the Federal Airport Act, as amended (49 U.S.C. 1105), is amended as follows:

(1) Strike out the second sentence of subsection (a) and insert in lieu thereof the following: "Each amount so apportioned for a State shall, during the fiscal year for which it was first authorized to be obligated and the

fiscal year immediately following, be available only for grants for approved projects located in that State, or sponsored by that State or some public agency thereof but located in an adjoining State, and thereafter any portion of such amount which remains unobligated shall be transferred to and become part of the discretionary fund provided for by subsection (b)."

(2) Strike out subsection (c).

(b) Notwithstanding the amendments made by subsection (a) of this section, if prior to the date of the enactment of this Act a reapportionment was made to a State under section 6(c) of the Federal Airport Act, as heretofore in effect, and the fiscal year for which the reapportionment was made has not expired, any unobligated portion of the amount so reapportioned to such State shall remain available for obligation, only for grants for approved projects located in that State, or sponsored by that State or some public agency thereof but located in an adjoining State, until the end of such fiscal year, but any portion of such amount which still remains unobligated at the expiration of such fiscal year shall be transferred to and become a part of the discretionary fund provided for by section 6(b) of such Act.

SEC. 5. Section 10 of the Federal Airport Act, as amended (49 U.S.C. 1109), is amended by inserting immediately after subsection (c) the following new subsection:

"FACILITIES USED FOR UNITED STATES ACTIVITIES

"(d) Notwithstanding any other provision of this Act, to the extent that the project costs of an approved project represent the costs of constructing, altering, or repairing that portion of any airport building required to house air traffic control activities, weather reporting activities, communications activities related to air traffic control, or any other activity of the United States with respect to which the Administrator determines that it is in the best interest of the Government to provide facilities therefor, the United States share shall be not to exceed 100 per centum of the allowable costs of such facilities. The United States share shall not include any amount attributable to the cost of constructing, altering, or repairing any other portion of an airport building, or any amount attributable to that part of a project intended for use as a passenger automobile parking facility."

SEC. 6. Section 4 of the Federal Airport Act, as amended (49 U.S.C. 1103), is amended by inserting "(a)" after "SEC. 4." and by adding a subsection to read as follows:

"(b) It shall be the duty of the Administrator to make public by January 1 of each year the proposed program of airport development intended to be undertaken during the fiscal year next ensuing."

SEC. 7. (a) Section 2(a) of the Federal Airport Act, as amended (49 U.S. C. 1101(a)), is amended as follows:

(1) In paragraph (7), strike out "the Territory of Alaska, the Territory of Hawaii, or Puerto Rico and the Virgin Islands" and insert "Puerto Rico, or the Virgin Islands".

(2) Amend paragraph (12) to read as follows:

"(12) 'State' means a State of the United States, the District of Columbia, or the Territory of Hawaii."

(b) Section 3(a) of such Act, as amended (49 U.S.C. 1102(a)), is amended as follows:

(1) In the first sentence, strike out "the Territory of Alaska,".

(2) In the third sentence, strike out "the Territories, and".

(c) Section 7 of such Act, as amended (49 U.S.C. 1106), is amended as follows:

(1) Strike out "in the Territory of Alaska, in the Territory of Hawaii, or".

(2) Amend the section heading to read as follows: "AVAILABILITY OF FUNDS FOR PROJECTS IN PUERTO RICO AND THE VIRGIN ISLANDS".

(d) Section 9(c) of such Act, as amended (49 U.S.C. 1108(c)), is amended by striking out "the Territory of Alaska, the Territory of Hawaii, Puerto Rico and" and inserting "Puerto Rico or".

(e) Section 10(c) of such Act, as amended (49 U.S.C. 1109(c)), is amended as follows:

(1) Strike out "the Territory of Alaska and".

(2) Amend the subsection heading to read as follows: "Projects in the Virgin Islands".

SEC. 8. The amendments made by this Act shall not apply with respect to projects for which amounts have been obligated by the execution of grant agreements before July 1, 1959, or the date of the enactment of this Act, whichever is the later date, and, with respect to such projects, the Federal Airport Act shall continue to apply as if this Act had not been enacted.

Mr. MAGNUSON. Mr. President, I move that the Senate disagree to the amendment of the House, ask a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. MAGNUSON, Mr. MONRONEY, Mr. SMATHERS, Mr. SCHOEPPEL, and Mr. COTTON conferees on the part of the Senate.

STUDY OF DEVELOPMENT AND COORDINATION OF WATER RESOURCES

Mr. JOHNSON of Texas. Mr. President, I understand there are no other speakers who desire to address the Senate at this time. I therefore ask unanimous consent that the Senate proceed to the consideration of Calendar No. 178, Senate Resolution 48, and that the time consumed be not charged to either side.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. Res. 48) establishing a committee to study the matter of the development and coordination of water resources.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the resolution (S. Res. 48) establishing a committee to study the matter of the development and coordination of water resources, which had been reported from the Committee on Interior and Insular Affairs with amendments, and subsequently reported from the Committee on Rules and Administration with additional amendments.

The amendments of the Committee on Interior and Insular Affairs were:

On page 2, line 1, after the word "a", to insert "select"; on page 3, line 7, after the name "Works", to strike out "and"; in line 9, after the name "Commerce", to insert "and two members of the Committee on Agriculture and Forestry; all said members to be designated by the chairmen of the respective committees. The committee shall be designated 'The Senate Interim Select Committee on National Water Resources'."; after line 21, to insert:

(d) The chairman shall be chosen by the members at the first meeting.

On page 4, line 13, after the word "evaporation", to insert "and evapotranspiration"; on page 5, line 3, after the word "purpose", to insert a colon and *"Provided, however,* That no such contract shall become effective until submitted to the members of the special committee and approved by a majority vote thereof."; in line 12, after "January 31,", to strike out "1961" and insert "1960"; in line 15, after the word "exceed", to insert "$175,000"; and, in line 17, after the word "committee", to strike out "The chairman may designate one or more members who may act for him for the purpose of this resolution."

The additional amendments of the Committee on Rules and Administration were:

On page 3, at the beginning of line 8, to strike out "two" and insert "three"; in line 9, after the word "and", in the amendment of the Committee on Interior and Insular Affairs, to strike out "two" and insert "three"; in line 11, after the word "committees", in the amendment of the Committee on Interior and Insular Affairs, to insert a comma and "at least one member designated from each of the above committees being selected from the minority membership thereof"; at the beginning of line 15, in the amendment of the Committee on Interior and Insular Affairs, to strike out "Interim"; and, in line 20, after "(c)", to strike out "five" and insert "six" so as to make the resolution read:

Resolved, That there shall be established a select committee which shall make exhaustive studies of the extent to which water resources activities in the United States are related to the national interest, and the extent and character of water resource activities, both governmental and nongovernmental, that can be expected to be required to provide the quantity and quality of water for use by the population, agriculture, and industry between the present time and 1980, along with suitable provision for related recreational and fish and wildlife values, to the end that such studies and the recommendations based thereon may be available to the Senate in considering water resources policies for the future.

SEC. 2. (a) The committee shall be composed of three members of the Committee on Interior and Insular Affairs, three members of the Committee on Public Works, three members of the Committee on Interstate and Foreign Commerce, and three members of the Committee on Agriculture and Forestry; all said members to be designated by the chairmen of the respective committees, at least one member designated from each of the above committees being selected from the minority membership thereof. The committee shall be designated "The Senate Select Committee on National Water Resources".

(b) Any vacancy in the membership of the committee shall not affect its powers, and any vacancy in the membership of the committee shall be filled in the same manner as provided for determining the original membership.

(c) Six members of the committee shall constitute a quorum.

(d) The chairman shall be chosen by the members at the first meeting.

SEC. 3. The committee shall, without limiting the scope of the study hereby authorized, direct its attention to the following matters:

(a) The character and extent of water resources projects that will be needed to be

in operation between the present time and 1980 in order to supply the water use requirements of population, agriculture, and industry, including but not limited to navigation development and hydroelectric power generation, and with appropriate provision for flood control, and the realization of recreational and wildlife values.

(b) The character of legislation that may encourage the adoption of new technical methods and improved process for increasing the usefulness of available water resources, including but not limited to weather modification, evaporation and evapo-transpiration reduction, desalination of saline and brackish waters, seepage control, waste-water salvage, and the application of nuclear energy.

SEC. 4. The committee shall transmit to the Senate not later than January 31, 1961, the results of the study herein authorized together with such recommendations as may at that time be found desirable.

SEC. 5. In the conduct of this study full use shall be made of the experience, knowledge, and advice of private organizations, schools, institutions, and individuals. The committee may divide the work among such groups and institutions as it may deem appropriate and may enter into contracts for this purpose: *Provided, however,* That no such contract shall become effective until submitted to the members of the special committee and approved by a majority vote thereof. Full use shall be made of studies and plans prepared by executive agencies, and such agencies are requested to give the committee or any of its authorized study groups or consultants such assistance as may be required.

SEC. 6. (a) For the purpose of this resolution, the committee is authorized to employ on a temporary basis through January 31, 1960, such technical, clerical, or other assistants, experts, and consultants as it deems desirable. The expenses of the committee under this resolution, which shall not exceed $175,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(b) For the purposes of this resolution, the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, so sit and act at such places and times, to require, by subpena or otherwise, the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems desirable. The committee shall cease to exist at the close of business on January 31, 1961.

Mr. MANSFIELD. Mr. President, Senate Resolution 48 establishes a Select Committee on National Water Resources. Favorable reports on the resolution with perfecting amendments have been made by the Committee on Interior and Insular Affairs and by the Committee on Rules and Administration. No objection has been expressed to the resolution as amended and a considerable number of Senators have spoken in support of it.

The work which is to be done by this temporary committee is of vital importance to the entire Nation. In the West, almost from the time of first settlement, we have recognized that adequate supplies of water are indispensable for satistory livelihood. As the Western States have matured, their population has progressively increased, cities and communities have grown, and the economy has diversified from its beginnings of a thinly settled livestock and grain economy. This growth has brought prosperity, but we have learned that it also has greatly intensified dependence on water supplies. Many western communities know that the next two decades will be a time of crisis for them—a time for decision whether they are to continue to grow in population and prosperity or whether the shortage of water will create an impassable barrier to the future. In the next two decades western communities must find how they can develop their full potential within the narrow limits of the water supplies available to them.

Dependence on water supplies is now recognized as nationwide. From every section of the United States, we receive requests for consideration of their water problems, many of which are similar to the long-standing western problem of inadequate water supplies. Many of the problems arise from degraded water quality, with pollution by industrial wastes as a major cause. At the same time, floods still are an annually recurring disaster; demonstrating the extent of flood-control work which remains to be done. In the field of navigation, we recognize that we are far behind modern requirements, and far behind the economic transportation requirements of the inland areas.

Solutions to these problems which are brought to us in Congress and urged upon us in person as we travel about the country, are vital to the welfare of virtually every community throughout the United States. The solution to these problems is essential to the maintenance of the living standards which characterize America. In truth, the solution to these widespread water problems is essential to the maintenance of the high levels of industrial production needed for economic strength and national security.

Because of the basic importance of these water problems, Congress must, of course, respond to the needs as they arise. We cannot afford to let any area run short of the water which it needs for its full development.

But immediately, in the Congress, in each of the States, and in virtually every community, questions arise as to how much water is needed, what projects will be required to supply it, and how much will they cost? From available data, it is clear that the requirements for water will greatly increase between now and 1980. Estimates by technical experts place this increase at somewhere between 50 and 250 percent more water than is now used. It seems probable that even such great increases can be supplied, but only by very careful and thorough coordination of the uses and the engineering plans.

It is clear also that in order to supply the amounts of water, of acceptable quality, by the time they will be needed many of the water development programs must be started soon.

It is important, too, that adequate attention be given, at all stages of these programs, to recreation and fish and wildlife needs. These activities depend on water just as much as does industry, and they daily are becoming more important in the life of our people.

Senate resolution 48 will bring together the basic information on what is needed in the field of water resources. It will provide for securing the thinking of technical experts and qualified laymen as to the best ways to proceed. The select committee will report on these matters by January 1961, and it will submit to the Senate its recommendations on them.

Mr. President, I feel that I need hardly urge the importance of this task. I do urge that the Senate agree to the resolution so that the select committee can make a prompt start on the large and important task assigned to it.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. GOLDWATER. I congratulate the distinguished Senator from Montana for having submitted this resolution. I thank my colleagues on the Senate Committee on Interior and Insular Affairs for having unanimously reported it.

We in the West have grown up with the knowledge that water is valuable. To us in the West water is as precious as gold. It has been only in recent years that residents of New York City, for example, have become aware of the keen shortage of water which they face. It has been only in recent years that Senators from Eastern States have shown any interest in reclamation. It will be recalled that in the Committee on Interior and Insular Affairs, during the discussion of the Small Projects Act, many Senators from Eastern States who never before had expressed interest in reclamation suddenly realized that there is a shortage of water for farming and domestic purposes, in the East as well as in the Middle West. So we westerners no longer are the only ones who know what drought means. We are not the only ones who know what dry rivers look like. We are not the only ones who know about depleted lakes and springs. We are now joined by people from all over the United States.

I conclude my remarks, now that the distinguished Senator from New Mexico [Mr. ANDERSON] has arrived, by saying that I hope the work of the committee will proceed immediately, and that it will be productive. It is becoming more and more apparent to those of us in the West that this is a problem of the entire Nation, to be solved by a nationwide effort.

Mr. MANSFIELD. Mr. President, I thank the distinguished Senator from Arizona, who has always been a friend to the conservation and development of water supplies. People living in the semiarid areas are now showing friendship for those who live outside those areas, because of the great need inherent in this problem.

I am happy to see the distinguished majority leader [Mr. JOHNSON] in the Chamber. He has contributed a great deal to this particular proposal.

I note also the presence of the distinguished minority leader [Mr. DIRKSEN], who, as the result of a trip to Montana some years ago when we were both in the House of Representatives, became interested in the problems of reclamation in the semiarid States, and has been a consistent friend ever since.

I am also glad to see present the distinguished Senator from New York [Mr. JAVITS]. Not so many years ago, as the Senator from Arizona has pointed out, there was a shortage of water in the Croton Reservoir, I believe, supplying New York City. I bring that subject to the attention of the Senate to show that this is not solely a western problem. It is a nationwide problem; and unless we get busy on it very soon it will be difficult to meet, and we shall be faced with difficulties which will be very expensive to overcome.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. JOHNSON of Texas. I commend and congratulate my distinguished friend the majority whip for bringing this resolution to the floor of the Senate.

I participated in a meeting with the Senators from Montana [Mr. MANSFIELD and Mr. MURRAY], the Senator from New Mexico [Mr. ANDERSON], and a number of other Western Senators, at which time this resolution was originally considered. As the record will show it is their leadership along with the active support of a number of other Western Senators which provided us with this vehicle for examining America's water resources problems now and for the years to come. The list of those who have lent their support to this resolution is long, but I should like to commend particularly the National Reclamation Association, which under the guidance of its president, my good friend, Guy C. Jackson, of Anahuac, Tex., was particularly active in behalf of this resolution before the Senate Interior Committee.

The Nation in recent years has become more and more aware that the conservation, control, and development of water resources is a matter of critical national concern. I may say that we in the Southwest have known this for some time. Only recently a prolonged and devastating drought has ended in Texas. Now we see reports that the Northern Plains States are suffering from a severe shortage of water. Even in many parts of the humid East the critical nature of the problem is now recognized. While water conservation used to be considered to be almost exclusively a Western problem, the critical line has moved progressively east from the 98th meridian until now the problem is clearly one of nationwide significance.

Although this is a nationwide problem, we have not brought our full abilities to bear on its solution. And we are going to have to do just that. The most conservative estimate we have tells us that by 1980 our expanding population and industry will require at least a 50-percent increase in available water supplies.

How are we going to secure this increase? How can we best undertake a general offensive in this area? What are the relative responsibilities of the States, the National Government, and private enterprise? What are the proper roles of each of the various governmental agencies? A report of this committee should give us and the States we represent in the Senate valuable guidance in resolving these important policy questions.

I believe that the adoption of this resolution today will be one of the most constructive things the Senate has done this year. I am happy that the committee unanimously reported the resolution. I believe the Senate will unanimously agree to it.

Again I commend my friend the Senator from Montana [Mr. MANSFIELD] for the constructive contribution he has made in the solution of the water problem.

Mr. MANSFIELD. I thank my friend from Texas.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement by the distinguished Senator from Utah [Mr. Moss] on Senate Resolution 48.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MOSS

I desire to endorse and support Senate Resolution 48, to establish a Select Committee on Water Resources. The studies and recommendations to be provided pursuant to the resolution are, I am convinced, essential to proper fullfilment of the responsibilities of the Senate, and they are basic to providing for the welfare of the Nation and its economic development and security.

First, I wish to commend the sponsor of the resolution, the distinguished junior Senator from Montana [Mr. MANSFIELD] and the cosponsor, his distinguished senior colleague [Mr. MURRAY]. Their leadership in formulating the resolution and in bringing before the Senate a practical and effective method for dealing with water problems is an outstanding service. As I shall mention in a moment, this is extremely valuable to my own State of Utah, as well as to all our neighboring States in the West.

An able report (S. Rept. No. 145) on the resolution was presented to the Senate by the distinguished junior Senator from New Mexico [Mr. ANDERSON] on behalf of the Committee on Interior and Insular Affairs, on which I am privileged to serve. I fully subscribe to that report, and I commend the junior Senator from New Mexico for the clear and concise statement of the need for the studies and recommendations. That report makes three points very clear:

1. Expanding population, agriculture, and industry will require in the next 20 years use of water somewhere between 50 and 250 percent more than present use.

2. Right now, most of the water that is immediately available and inexpensive is already in use; this means that these increased uses will have to be supplied through programs for maximum conservation, development, and coordination of existing resources, plus a bold approach to new methods such as desalting brackish waters and evaporation reduction.

3. Such water programs must be undertaken well in advance of the time when the water will be needed, because it takes 10 to 15 years or longer to bring such programs into production. That means that many of these projects should be started soon in order to meet the 1980 requirements.

This hits right to the heart of the problems of my home State. Utah is a rapidly growing State. Our population in 1950 was about 690,000, and according to the conservative estimates of the Stanford Research Institute, by 1975 the population will be about 1¼ million—an 80-percent increase. Of course, we in Utah welcome this growth. It is, in a sense, peopling the desert to which our forebears dedicated themselves when they emigrated to Deseret 100 years ago. This growth results from our prospering economy, and, in turn, this growth generates further prosperity.

But while we welcome and rejoice in these prospects of Utah's growth, we also are alarmed. People, and the agriculture and industries that support them, must have water. More people means more water. Do we have the water to match the growing population and industry of our State of Utah? Will we be able to provide the increase in Utah water supplies to match the 80 percent increase in population?

Let me say here that I am confident that Utah will find ways in which to meet its water supply problems. After all, that is the history of Utah since the pioneers descended Emigration Canyon and diverted City Creek for the irrigation of their potato planting. But although I am confident that we will solve our water supply problem, I also am alarmed at the tremendous size of the task, and the closeness of 1975 and 1980 when population is expected to be almost double the present.

This, it seems to me, is perhaps the greatest challenge that we face today, and it is one for which we must immediately marshal all our abilities and resources. For this reason, I say again that the facts and recommendations of the Select Committee on Water Resources will present are valuable and vital to my State of Utah.

I have spoken of Utah because I know that State, and because it is close to my heart. But Utah is just an example of each of the 50 States of the Nation. Each of them, though in varying ways, faces water supply crises in the coming years. In some States, the approaching crisis is like Utah's—short water supplies. Other States face appalling problems of water pollution—water supplies rendered unfit for human or even industrial use because of accumulating contamination. Other areas still are subject to devastating floods, and, as one counts the roster of the States, so one enumerates problems that must be solved—and solved soon—to keep us with our growing country.

How must we, as a nation, go about this? What part will best be done by individual private citizens and local communities, what part will best be done by the States? What part must be undertaken by the Federal Government? How much will be the cost of these necessary measures? Can we afford such expenditures? Let me say here that I believe that as a nation we cannot afford to run short of water, and that we must find ways by which to provide needed water projects, and to meet the costs involved.

These grave problems are brought to focus by means of Senate Resolution 48. This will help us in the Senate, and equally it will help the people and the officials in our home States by supplying the best information that is available.

I urge the prompt adoption of Senate Resolution 48, and I commend the sponsors and the able junior Senator from New Mexico [Mr. ANDERSON] who has submitted the excellent report on the resolution.

Mr. DIRKSEN. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. Sometimes we get the strange idea that water is only a western problem. If anyone takes the trouble to visit the Middle West, in the river basins themselves, and discover how many communities have run out of water, and what an amazing recession there has been in the water supply in the heartland of the country, he will discover that we have an abiding interest in the question, no less than that of the Western States.

I commend the distinguished Senator from Montana for the action contemplated in the resolution.

Mr. MANSFIELD. I thank the Senator.

Mr MANSFIELD subsequently said: Mr. President, I ask unanimous consent that prior to the agreement to Senate Resolution 48, there be printed in the RECORD excerpts from the report issued by the Committee on Interior and Insular Affairs, and its subcommittee under the chairmanship of the Senator from New Mexico [Mr. ANDERSON], and also from the report issued by the Committee on Rules and Administration, under the chairmanship of the Senator from Missouri [Mr. HENNINGS].

There being no objection, the excerpts from the reports were ordered to be printed in the RECORD, as follows:

PURPOSE OF THE RESOLUTION

The purpose of the resolution is to provide the Senate with factual analyses and objective recommendations that it can use in taking legislative action on water resource programs.

Water resource problem

Throughout the country, there is grave concern regarding the adequacy of the Nation's water resources in relation to prospective requirements. This concern arises from recognition that water use will increase greatly during the next 20 years because of the rapidly expanding population, along with even greater expansion of industrial and agricultural production.

Adequate supplies of water of suitable quality are essential to maintain desirable living conditions and necessary levels of industrial and agricultural production. Water is essential for human consumption and community uses. Agriculture, especially irrigation farming, is equally dependent on having large quantities of water for crop production, and industry now uses about as much water as does irrigation agriculture. Industrial uses of water include its direct incorporation in the industrial product, and also many indirect uses such as cooling and washing, and the production of boiler steam. Stored and flowing water is, of course, the basis of other essential elements of the economy such as hydroelectric power generation and navigation. Likewise, increasing public participation in recreation and wildlife activities calls for consideration of the dependence on water for public enjoyment of these resources.

Water for these many uses often is taken for granted, and generally little thought is given to how great is our dependence on water for every activity of daily life. However, occasional catastrophes such as sustained droughts provide sharp warnings that water supplies are not available automatically, and that careful and thorough advance preparations must be made to assure enough water when it is needed. In recent years, several of the large metropolitan areas have experienced water shortages during which the residents were on limited water rations, and the industries were tightly restricted in water use. Along with these dramatic incidents, even more alarming warnings come from the widespread lowering of ground water levels in virtually every section of the country. This is the danger sign that water use is out of balance wtih the annual water income.

Increased use of water in the coming years is a certainty, and it is certain also that the increase will be very large. Two principal factors cause this, one factor being the increase in population, the other factor being increase in average water use per person. Estimates of future population and future per capita water use vary within rather wide limits, but all of them confirm the gravity of the problem. A conservative estimate of the water required by 1980 is based on an assumed population of about 210 million and only moderate increase in per capita use, but even this estimate calls for a 50-percent increase in the water supplies available. Other estimates by highly qualified experts indicate that by 1980 the increase in water requirements may be in the order of 250 percent.

Will there be enough water to meet these requirements? The Chief Hydrologist of the Geographical Survey has said: "As matters stand now, most water that is immediately available and inexpensive to use at each individual point is in use already." This means that the additional water required to supply the increased uses will have to be provided through conservation and development of water resources, and through improved coordination of the prospective uses.

There are many opportunities for increasing the supplies of water for the increased future uses. Substantial increase of water uses can be provided through conservation by means of storage and regulation of flows, and through other works for river regulation. There are also several challenging opportunities to expand the amounts of the usable supplies by new technologies for desalinization of brackish and saline waters, reduction of losses due to evaporation and evapotranspiration, seepage control, wastewater salvage, and similar applications of recent technical advances.

Such water development programs, however, must be undertaken far in advance of the requirements for the water. Even relatively small water projects take 10 to 15 years for planning and construction, and most projects that would provide substantial quantities of water take correspondingly longer time. This indicates that the projects and other measures needed to meet the 1980 requirements for water should be started in the very near future.

NEEDED INFORMATION

Water resource matters have been considered by the Senate since its resolution in the Ninth Congress calling for a program of improvement of the internal waterways. Consistently since that time, the Congress has taken the initiative in recognizing and responding to the water needs of the Nation and of local communities. By 1825, Congress established a general policy of Federal improvement of rivers and harbors, and this policy was perfected and enlarged in the succeeding years. An important milestone was the Reclamation Act of 1902, and another one was the Flood Control Act of 1917 which was further perfected by the Flood Control Act of 1936. A program for control of stream pollution, similarly, has developed pursuant to the congressional authorizations beginning with the 1937 act and perfected in the 1948 act.

While it thus is clear that the Congress recognizes and responds to water resource problems, the rapid upward spiral of water needs multiplies the water problems that confront the Congress. Increases in water requirements of the magnitude that are now in prospect will involve significantly increased costs, and often may involve choice among alternative plans that have markedly different costs and benefits. For these reasons, almost every water matter that is before the Congress raises such questions as:

"How much water development is needed?" and

"What level of water development costs is justified?"

Since 1949, four Presidential commissions and an advisory committee of Cabinet members have made major studies of water resource problems. The reports of these studies have been forwarded to the Congress and they provide much useful information. These reports, however, have not been accompanied by legislative recommendations of the President, and no proposals based on these studies of water resource problems have been transmitted to the Congress in a form that could be considered for legislative action.

Four resolutions of the Senate (S. Res. 84–281, S. Res. 85–148, S. Res. 85–248, and S. Res. 85–299) express its concern for full conservation, development, and utilization of the Nation's land and water resources, and they call for programs commensurate with national requirements.

The factual analyses to be secured by this resolution will provide the basis for determining what programs and other measures, both public and private, are requisite to assure that available water resources will meet requirements between now and 1980. This factual material will relate water requirements to anticipated levels of population and production increases, and will outline in general terms the scope and character of public and private activities needed to fulfill those requirements.

Coordinated approach

The various uses of water are interrelated. In any area, the uses for municipalities, agriculture, navigation, hydroelectric power generation, pollution abatement, recreation, and many other potential uses of the same stream may be complementary or they may be competitive. Because of this interrelation of water uses, it is necessary in any examination of future water requirements to consider water use in its entirety.

Conservation and development activities are similarly interrelated. For example, the operations of storage reservoirs, conveyance channels, ground water pumping, and watershed treatments affect each other. Pollution, both organic and inorganic, is becoming a major problem in many areas, and withdrawals, discharges, and impoundments have important relations to water quality. These facts emphasize the need for coordinated examination of water resource program goals.

WATER RESOURCES COMMITTEE

The subject matter of the needed analyses falls within the jurisdiction of four standing committees of the Senate. These are the Committees on Interior and Insular Affairs, on Public Works, on Interstate and Foreign Commerce, and on Agriculture and Forestry. In order to secure comprehensive and coordinated examination, the resolution provides for a temporary special committee to be composed of members of those four standing committees to be designated by their respective chairmen. This select committee will be of limited duration terminating on January 31, 1961, by which time it is to report its findings and recommendations. Being a study committee, it would not, of course, impinge on the legislative functions and responsibilities of the standing committees whose jurisdiction under rule XXV is unaffected.

Committee program

The resolution calls for recommendations based on studies regarding:

(a) The character and extent of water resource programs that will be needed between now and 1980; and

(b) The character of legislation that will encourage new methods for increasing water supplies.

In order to be useful to the Senate, the committee's report should respond specifically and factually to questions about water resource programs such as:

(1) How much water development is needed?

(2) When is it needed?

(3) Where is it needed?

(4) What should be the pattern of water development?

(5) What levels of cost and expenditures are justifiable for future water development?

The resolution provides less than 2 years in which the select committee is to prepare its report on these and equally difficult questions. This is an extremely short time in view of the complexity of the subject and the great number of important issues that are involved. Fortunately, however, for a good many years Federal and State technical agencies have assembled the basic technical data on water resources and water uses. During the first year of its operation, the select committee should, therefore, be able to compile those facts in relation to the questions it will consider.

Two important gaps will need to be filled before this material will be useful in formulating the committee recommendations:

(1) It will be necessary to develop guides as to what amounts of water will be required in relation to various levels of population and economic activity. Stated in time periods and by geographic areas, these requirements will indicate the goals of water resource development programs.

(2) The second gap to be filled is to provide guides as to the economic limits for water development—that is, what costs per acre-foot are economically justified for water for various uses, and how much expenditure of public and private funds can be economically justified for water programs.

Another phase of the committee's program under this resolution will be concerned with new methods for development of water supplies. This is the phase of the study that has to do with desalinization, evaporation reduction, induced precipitation, and like processes. In this field, the committee should bring together the judgment of competent technical experts regarding the possibilities of the various new methods and, to the extent possible, estimates should be sought of the probable amounts of water yield and the probable cost ranges of the various methods. The views and experience of technical and industrial experts should be analyzed to bring out any suggestions regarding legislative means for encouraging new methods for water resource development.

Fund requirements

Because of the diversity of specialized technical material that will have to be analyzed for consideration by the committee, and also because of its temporary character, the needed factual and analytical studies can probably be secured best by placing principal reliance on existing technical organizations rather than by employment of a large committee staff. To this end, the resolution provides that the committee shall make full use of private organizations, schools, institutions, and individuals, as well as the studies and plans of Federal and State agencies. In addition to securing the cooperation of the agencies of the executive branch, the committee should seek to avail itself of the knowledge and information about water resources and water problems that each of the States develops through appropriate State officials. In addition, it is expected that the committee will utilize research contracts with State colleges and universities, and the research institutions, and that the major share of the funds requested will be used on such contracts. A limited number of leading authorities in the field of water resources should be available from time to time for consultation and roundtable discussions.

On this basis, it is anticipated that the committee will require only a very small professional staff of two or three persons to coordinate and interpret the research for the committee.

Other committee expenses relate mainly to the conduct of hearings in Washington and in the field. These hearings will be for the purpose of securing informed public expression regarding the substantive content of the factual analyses as they become available. Consideration by the committee of such public expression will aid it in the formulation of its report and recommendations.

Funds required for these purposes are estimated to be $175,000 for the period ending January 31, 1960. In accordance with the rules, this amount includes the full costs of study contracts that will extend beyond that date, all of which must be authorized before such contracts can be executed.

According to present information, only a much smaller amount is expected to be required for the final 12-month period of the committee's work.

HEARING ON THE RESOLUTION

A hearing on the resolution was held before the Subcommittee on Irrigation and Reclamation on March 17, 1959. Witnesses in support of the resolution included the sponsors, the junior Senator from Montana [Mr. MANSFIELD], and the cosponsor, the senior Senator from Montana [Mr. MURRAY]. Other Senators also appeared in support of the resolution, as did also the representative of the National Reclamation Association. The record of the hearing has been printed.

OBJECTIVES OF THE PROPOSED STUDY

It is believed that the results and recommendations reached by the select committee will be of considerable assistance to the Senate in determining future water resources policies. The factual analyses and conclusions can guide legislative action on future water resources programs.

Additional information relative to the proposed investigation is contained in letters to Senator THOMAS C. HENNINGS, JR., chairman, Committee on Rules and Administration, from Senator JAMES E. MURRAY, chairman, Committee on Interior and Insular Affairs, and letters transmitted by him from Senator CLINTON P. ANDERSON and Senator Senator GALE W. MCGEE, which letters and accompanying budget are as follows:

U.S. SENATE,
COMMITTEE ON INTERIOR AND
INSULAR AFFAIRS,
March 24, 1959.

Hon. THOMAS C. HENNINGS, Jr.,
Chairman, Committee on Rules and Administration, U.S. Senate, Washington, D.C.

MY DEAR MR. CHAIRMAN: At its meeting on March 24, 1959, the Committee on Interior and Insular Affairs voted to report to the Senate, Senate Resolution 48, to establish a select committee on water resources. As approved by the committee, Senate Resolution 48 authorizes the expenditure of $175,000 for the work of the select committee.

In the attached letter, Senator ANDERSON, chairman of the Subcommittee on Irrigation and Reclamation, sets forth the purpose of the anticipated expenditures along with the budget details tabulated in the customary form. Senator ANDERSON'S letter is fully supported by the action of this committee, and I recommend that your committee act on it favorably. Because of the limited time available to the committee in relation to the large and complex task assigned to it, I hope that an early report by your committee will make it possible for the select committee to start on this soon

Sincerely yours,

JAMES E. MURRAY,
Chairman.

U.S. SENATE,
COMMITTEE ON INTERIOR
AND INSULAR AFFAIRS,
March 24, 1959.

Hon. JAMES E. MURRAY,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: At its meeting on March 24, 1959, the Committee on Interior and Insular Affairs voted to report to the Senate, Senate Resolution 48, to establish a select committee on water resources. As approved by the committee, Senate Resolution 48 authorizes the expenditure of $175,000 for the work of the select committee to January 31, 1960. As requested by the Committee on Rules and Administration, this letter briefly explains the purpose of the anticipated expenditures together with the budget details in the standard form of tabulation. I recommend that this letter be transmitted to the Committee on Rules and Administration.

As stated in Senate Resolution 48, the purpose of the work on the Committee on Water Resources is to provide information and recommendations to the Senate relative to water resource programs. Throughout the country there is grave concern regarding the adequacy of the Nation's water resources in relation to prospective requirements. This concern arises from recognition that water uses will increase greatly during the next 20 years because of the rapidly expanding population along with even greater expansion of industrial and agricultural production.

The gravity of the water resources situation is brought to focus by the fact that at the present time most of the water that is available and inexpensive to use is in use already. The next 20 years' national growth will, however, require increases in water uses estimated to be from 50 percent to 250 percent greater than present uses.

Significant or persistent water shortages would severely retard national growth by limiting economic production, and it might also endanger living standards and health conditions. This is because supplies of water of suitable quality are essential for every phase of the economy. They are essential for human and community uses, for agriculture, especially irrigation farming, and in about equal volume for the many direct and indirect industrial uses. Maintenance of water resources, is of course, vital to navigation and hydroelectric power generation that have such important functions in almost every section of this country. Adequate water supplies are indispensable for most forms of wildlife and recreational activities in which there is increasing public participation.

Water for these many uses is often taken for granted, but drought years and falling groundwater levels give us sharp warning that water supplies are not available automatically. Thorough advance preparations must be made to assure that there will be enough water of acceptable quality when it is needed. We know from experience that such advance preparations take 10 to 15 years for even relatively small projects. Much longer time is required to develop the larger projects to supply any substantial increase in usable water. This indicates that the projects and other measures needed to meet the 1980 water requirements should be started in the very near future.

There are many opportunities for increasing supplies of usable water. It can be accomplished by further storage of streamflows and other works for river regulation. There are also challenging opportunities in the application of new technologies for desalinization of saline and brackish waters, reduction of evaporation losses, induced precipitation, seepage control, waste-water salvage and similar methods.

Increases in water requirements of the magnitude that are in prospect will involve significantly increased costs, and often they may involve the choice among alternative plans with markedly different costs and benefits. For these reasons, although the Congress consistently has recognized and responded to water needs of the Nation and of local communities, it is now confronted with questions as to how much water development is needed and what level of costs is justified.

Four Presidential commissions and a committee of Cabinet members have made major studies of water resource problems

since 1949. The reports of these studies provide much useful information, but they have not been in a form for legislative action, and they have not been accompanied by any legislative recommendations of the President. Four recent resolutions of the Senate express its concern for full conservation, development, and utilization of the Nation's land and water resources, and call for programs commensurate with national requirements. The factual analyses to be secured pursuant to Senate Resolution 48 will provide the basis for determining what programs and other measures, both public and private, are requisite to assure that available water resources will meet requirements between now and 1980.

The subject matter of the needed analyses falls within the jurisdiction of four standing committees of the Senate: The Committees on Interior and Insular Affairs, Public Works, Interstate and Foreign Commerce, and Agriculture and Forestry. In order to secure comprehensive and coordinated examination, the resolution provides for a temporary special committee to be composed of members of those four standing committees. This select committee will be of limited duration terminating on January 31, 1961, by which time it is to report its findings and recommendations. Being a study committee, it would not impinge on the legislative functions of the standing committees.

The resolution calls for recommendations based on studies regarding (a) the character and extent of water resource programs that will be needed between now and 1980; and (b) the character of legislation that will encourage new methods for increasing water supplies.

In order to be useful to the Senate, the committee's report should respond specifically and factually to questions about water resource programs such as (1) how much water development is needed, (2) when is it needed, (3) where is it needed, (4) what should be the pattern of water development, (5) what levels of cost and expenditures are justifiable for future water development.

Fortunately, for a good many years Federal and State technical agencies have assembled the basic technical data on water resources and water uses. During the first year of its operation, the select committee should therefore be able to compile many of the facts pertinent to these questions.

Two important gaps will need to be filled before this material will be useful in formulating the committee recommendations:

1. It will be necessary to develop guides as to what amounts of water will be required in relation to various levels of population and economic activity. Stated in time periods and by geographic areas, these requirements will indicate the goals of water resource development programs.

2. The second gap to be filled is to provide guides as to the economic limits for water development; that is, what costs per acre-foot are economically justified for water for various uses, and how much expenditure of public and private funds can be economically justified for water programs.

Another phase of the committee's program under this resolution will be concerned with new methods for development of water supplies. This is the phase of the study that has to do with desalinization, evaporation reduction, induced precipitation, and like processes. In this field, the committee should bring together the judgment of competent technical experts regarding the possibilities of the various new methods and, to the extent possible, estimates should be sought of the probable amounts of water yield and the probable cost ranges of the various methods. The views and experience of technical and industrial experts should be analyzed to bring out any suggestions regarding legislative means for encouraging new methods for water resource development.

Because of the diversity of specialized technical material that will have to be analyzed for consideration by the committee, and also because of its temporary character, the needed factual and analytical studies can probably be secured best by placing principal reliance on existing technical organizations rather than by employment of a large committee staff. To this end, the resolution provides that the committee shall make full use of private organizations, schools, institutions, and individuals, as well as the studies and plans of Federal and State agencies. In addition to securing the cooperation of the agencies of the executive branch, the committee should seek to avail itself of the knowledge and information about water resources and water problems that each of the States develops through appropriate State officials. In addition, it is expected that the committee will utilize research contracts with State colleges and universities, and with research institutions, and the major share of the funds requested will be used for such contracts. A limited number of leading authorities in the field of water resources should be available from time to time for consultation and roundtable discussions.

On this basis, it is expected that the committee will require only a very small professional staff of two or three persons to coordinate and interpret the research for the committee.

Other committee expenses relate mainly to the conduct of hearings in Washington and in the field. These hearings will be for the purpose of securing informed public expression regarding the substantive content of the factual analyses as they become available. Consideration by the committee of such public expression will aid it in the formulation of its report and recommendations.

Funds required for these purposes are estimated to be $175,000 for the period ending January 31, 1960. In accordance with the rules, this amount includes the full costs of study contracts that will extend beyond that date, all of which must be authorized before such contracts can be executed.

According to present information, only a much smaller amount is expected to be required for the final 12-month period of the committee's work.

Attached is a tabulation of the estimated budget to January 31, 1960.

Because of the nonpartisan character of this inquiry into water resource requirements, and to avoid unnecessary expenditure, the budget for the committee does not provide separate minority counsel. If, however, the Rules Committee feels that direct minority representation is essential, this would require a somewhat larger staff and as a result, the funds to be allowed might need to be increased.

If desired by the Committee on Rules and Administration, I shall be very glad to appear before it in support of the budget.

Sincerely yours,

CLINTON P. ANDERSON,
U.S. Senator.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

Mr. ANDERSON. Mr. President, on page 5, line 5, in the amendment of the Committee on Interior and Insular Affairs, I offer an amendment, after the words "of the" to strike out "special" and insert "select".

In other places throughout the resolution, the correction was made but at this point it was missed in some way.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Mexico to the amendment of the Committee on Interior and Insular Affairs.

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

The PRESIDING OFFICER. Without objection, the remaining amendments of the Committee on Interior and Insular Affairs, and the amendments of the Committee on Rules and Administration are agreed to en bloc.

The resolution, as amended, was agreed to.

The preamble was agreed to.

The title was amended so as to read: "Resolution establishing a select committee to study the matter of the development and coordination of water resources."

Mr. JOHNSON of Texas. Mr. President, I move that the Senate reconsider the vote by which the resolution was agreed to.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to reconsider was laid on the table.

Mr. ANDERSON. Mr. President, I ask unanimous consent that a statement which I have prepared may be printed in the RECORD at this point as a part of my remarks. I do so in order to pay tribute to the able Senator from Montana and his colleagues, who have done a fine piece of work.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR ANDERSON RELATIVE TO SENATE RESOLUTION 48, TO ESTABLISH A SELECT COMMITTEE ON NATIONAL WATER RESOURCES

Senate Resolution 48, to establish a Select Committee on National Water Resources, is now before the Senate with perfecting amendments and a favorable report by the Committee on Rules and Administration. It was my privilege to present the favorable report on the resolution for the Committee on Interior and Insular Affairs.

Before discussing the resolution, I wish to give recognition to its sponsor, the junior Senator from Montana [Mr. MANSFIELD] and the cosponsor, his senior colleague from Montana [Mr. MURRAY]. I know that I speak for a great number of the other Senators—probably all of them—in expressing appreciation to the authors of the resolution for the keen and broad-visioned leadership that they provide in water resource matters. Their sponsorship of this resolution is another demonstration of that leadership. The resolution brings to focus the immediacy and the urgency of the nationwide water problem. Senate Resolution 48, furthermore, provides the Senate with a practical and feasible means for coming to grips with the water problem and with the responsibilities of the Senate for water resource development.

Nationally, our water problems are now more critical than they have ever been before, and we know that they will increase in gravity in the coming years. I say this because increased use of water in the coming years is a certainty, and it is certain also that the increase will be very large. Two principal factors cause this, one factor being the increase in population, the other factor being increase in average water use per person. Estimates of future population and

future per capita water use vary within rather wide limits, but all of them confirm the gravity of the problem. A conservative estimate of the water required by 1980 is based on the assumed population of about 210 million and only moderate increase in per capita use, but even this estimate calls for a 50-percent increase in the water supplies available. Other estimates by highly qualified experts indicate that by 1980 the increase in water requirements may be in the order of 250 percent.

In discussing water supplies and requirements, I am reminded again of a startling demonstration of how our new standards of living create increased water requirements. I commented recently about a magazine illustration of a new real estate development of the moderate-price range of homes. This picture shows several square blocks of homes and, on both sides of the street every house has its own private swimming pool. Private residence swimming pools, I am told, on the average, use about 90,000 gallons of water—that is, approximately three times the average capacity. And swimming pools are now being installed in this country at the rate of about 50,000 to 60,000 new private pools per year.

I do not mean to suggest that swimming pools by themselves are a major factor in water problems—although in certain communities they have placed a terrific stress on the municipal water supply facilities. What I am pointing out is that not only is the U.S. population increasing, but also all of our municipal and industrial developments are taking far more water.

There is a significant article on the front page of the Wall Street Journal for Friday, April 10, 1959. I quote just two sentences from that article:

"If the current (population) growth curve continues, asserts the Census Bureau, the United States will contain 260 million people by 1980. That would be a leap of 84 million from today's tally and more than double the increase in any similar past period."

That same Wall Street Journal reminds us of the data that technical men have already presented about the increased rate of per capita use. At the beginning of the century, daily per capita use (including industrial use) was about 530 gallons; by 1950 this average had risen to 1,340 gallons, and the estimate for 1970 is 1,950 gallons per capita per day.

Will there be enough water to meet these requirements? The Chief Hydrologist of the Geological Survey has said: "As matters stand now, most water that is immediately available and inexpensive to use at each individual point is in use already." This means that the additional water required to supply the increased uses will have to be provided through conservation and development of water resources, and through improved coordination of the prospective uses.

There are many opportunities for increasing the supplies of water for the increased future uses. Substantial increase of water uses can be provided through conservation by means of storage and regulation of flows, and through other works for river regulation. There are also several challenging opportunities to expand the amounts of the usable supplies by new technologies for desalinization of brackish and saline waters, reduction of losses due to evaporation and evapo-transpiration, seepage control, wastewater salvage, and similar applications of recent technical advances.

Such water development programs, however, must be undertaken far in advance of the requirements for the water. Even relatively small water projects take 10 to 15 years for planning and construction, and most projects that would provide substantial quantities of water take correspondingly longer time. This indicates that the projects and other measures needed to meet the 1980 requirements for water should be started in the very near future.

A great share of the responsibility for meeting the future water needs of the country is squarely on the Congress. To intelligently fulfill this obligation we must have a great deal of information concerning our present situation and our future needs that we do not have now.

It is the purpose of Senate Resolution 48 to provide this much needed information. We will get the required information if the authority is granted to proceed with the studies proposed by this resolution.

WORLD DEVELOPMENT CORPORATION

Mr. JAVITS. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York wish to speak on the labor bill?

Mr. JAVITS. No. I intend to speak on another subject.

Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JAVITS. Is time limited on a matter other than the labor bill? I seek recognition on another subject than the pending measure.

Mr. JOHNSON of Texas. Mr. President, I yield 10 minutes to the Senator from New York.

Mr. JAVITS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JAVITS. Is the time controlled upon subjects other than the labor bill?

The PRESIDING OFFICER. It is not.

Mr. JAVITS. I seek recognition upon another subject.

I have been yielded 10 minutes, and I shall use it.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. JAVITS. I thank my colleague, the majority leader.

I am introducing for appropriate reference, on behalf of the Senator from Kentucky [Mr. COOPER], the Senator from Montana [Mr. MURRAY], and myself, a bill to establish a World Development Corporation for the purpose of stimulating free world economic growth by increasing materially the amount of private capital which flows from the United States and other industrial nations into the less developed areas of the non-Communist world.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1743) to promote an increasing flow of private capital from the United States into economically sound enterprises in other areas of the world, to enlist an ever-increasing number of individual private investors in this undertaking, to promote world peace through the expansion of mutual economic interests, to reduce gradually the need for U.S. foreign public investments and grants, to establish a World Development Corporation, and for other related purposes, introduced by Mr. JAVITS (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Banking and Currency.

Mr. JAVITS. Mr. President, people like myself and many of my colleagues feel that upon the United States will rest the responsibility whether, through the use of capital and credit, we can help to bring about higher standards of living, especially in the free world, upon which will depend our success as the free world's leader, and the success of the forces of freedom, as against the competing forces of communism, which assure the underdeveloped areas that the best way whereby to bring themselves abreast of the modern world is by doing it under the Communist system.

In the areas of the world where the two systems are in direct competition, as they are in Communist China and in India, this becomes a seriously pertinent question and, indeed, the whole question of survival of free institutions in the world. The idea of a World Development Corporation is one way by which we are seeking to do what can be done on a continuing operating basis with the aid of what the free world knows the best, and that is with the aid of individuals and voluntary investments.

Operating as a worldwide equity investment agency, the World Development Corporation would obtain capital funds for investment overseas in private businesses and economic development projects primarily through the sale of stock at $5 a share to millions of small investors with a long-range objective of $15 billion of purchased invested capital.

The basic plan for the World Development Corporation has been developed by Benjamin A. Javits, lawyer and economist, with the assistance of Leon H. Keyserling, consulting economist and former Chairman of the President's Council on Economic Advisers.

Benjamin Javits, who is my brother, is the author of several articles and books on the subject of peace through investment, and in 1958 he traveled extensively in Europe and Asia to gain support for a World Development Corporation from leaders in government, finance and investment, international economics, business, labor, and other branches of economic activity.

Right now, as we marshal the economic, spiritual, and political resources which must be brought to bear by the United States in meeting the Communists' massive cold war offensive, we must devise a meaningful role in this grim struggle which can be played by the average citizen. The World Development Corporation is the kind of provocative, stimulating proposal which may well prove, at least in part, the solution to this vital, yet perplexing problem of giving our people a direct sense of participation in developing opportunities for the people of the world and countering the Soviet threat.

In dramatic, realistic terms, the Corporation would offer an individual even in the lower income brackets an opportunity to buy a share in world peace—to invest in the future of his family, his country, and the democratic way of life through investing in the steady, yet peaceful, economic growth and expansion of under-

developed areas in Latin America, Africa, and Asia.

As citizens of the leading nation of the free world, we are well aware of the tremendous social and economic gains which have paralleled the development of our highly industrialized, private enterprise economy. Such firsthand knowledge is not possessed by the head of a family in Ceylon, Paraguay, or India where the average lifespan is 43 years or less and the per capita income rarely exceeds $100 annually. It is this man, and millions more like him who are the prime targets of the Communist bloc nations' brand of economic warfare which has already earmarked about $1.7 billion in economic aid alone to underdeveloped areas in the last 4 years.

I should like to emphasize at this point that Communist China within the past few years has advanced about $120 million out of its straitened economy for the purpose of foreign economic assistance.

It is apparent that the United States will have to sustain a high level of economic aid to these areas through such instruments as the Development Loan Fund for several years to come, and in all probability it may be necessary, if we are to do the job necessary to be done to double such aid from nearly $1 billion annually to $2 billion a year in the next 5 years. However, we need not commit ourselves to a fiscal race with the Russians in which we match Federal dollars against rubles in the field of foreign economic aid, not if we will only capitalize on an alternative which no totalitarian Communist regime can enlist—private capital.

Presuming that a World Development Corporation is in operation and our Federal outlays for oversea economic assistance is doubled by 1964, it is not illogical to predict that in public and private funds combined, our foreign economic activity will amount to about $7 billion a year—or almost twice the present rate of economic aid and new direct private investment.

The achievement of this interim 5-year goal—during which our net outflow of private oversea investment would increase from about $3 billion annually to more than $5 billion—should create the foundation and instrumentalities for a greatly enlarged long-range economic development program, with the importance of the private dollar overseas in underdeveloped areas steadily outstripping that of the public tax dollar. While the Federal outlay remains around the $2 billion mark, the net outflow of private investment should eventually increase to about $13 billion annually. Of that amount, about $6 billion would flow through customary channels, responsive to the stimulative effect of $2 billion a year of public investment, and more importantly, responsive to the effect of about $7 billion a year of private investment through the World Development Corporation. At that point, the ratio between direct private investment and public outflow would be about 6½ to 1, compared with the present ratio of about 2½ to 3 to 1.

By projecting overseas the uniquely successful blend of private and public efforts which is so basic a characteristic of the U.S. economic system, we can prove to the people of underdeveloped areas that a vital economy can produce far more under freedom than a totalitarian economy can under the push-botton economic and political control of dictatorship. With U.S. private investment stimulating a total economic assistance level approaching $15 billion a year, the cost to the U.S.S.R. of competing would be fantastically high. In attempting to keep pace, the Communist bloc nations would almost certainly endanger their ambitious plans for industrial expansion and better living standards now being highly publicized to the threadbare populations in their own countries.

The fact remains, however, that we are now at the eleventh hour of need for searching out workable methods to expand private overseas investment and that until quite recently the whole project suffered from gross neglect. Last year, Congress enacted an amendment, which I had the honor to sponsor, to the Mutual Security Act of 1958 authorizing the State Department to prepare a special report on the role of private enterprise in advancing the foreign policy objectives of the United States. The study, made by Ralph Strauss of New York as Director under the authority of Under Secretary of State Douglas Dillon, was issued earlier this month under the title "Expanding Private Investment for Free World Economic Growth." It clearly envisions the need and the practicality of the approach utilized by the World Development Corporation.

In advocating the establishment of international development investment companies, the study outlines their functions which include setting up a mechanism which would accumulate private U.S. capital for investment abroad in partnership with local business, providing a private financing source from which new or expanding private enterprises in less developed countries could turn for management help, providing a private contact point in the United States where businessmen overseas can apply for private U.S. capital or technical assistance, and creating private U.S. organizations which have a strong business incentive to search out and develop private investment opportunities in the less developed countries. In essence, the proposed World Development Corporation encompasses these objectives and functions within its overall framework.

The question may be asked why should we have a World Development Corporation? The endeavor would be to get the Corporation off the ground by having the Federal Government subscribe for $500 million of the special class B stock, which would be retired out of the investment by private individuals in class A stock, expected to attain the figure of $15 billion, as I have described it. In that way there would not be a Government corporation, but a private corporation.

During the initial period the Corporation's management would comprise a Board of Directors and 21 members, consisting of a President and Executive Vice President appointed by the President of the United States and 9 members appointed from private life by the President of the United States, and additional members as I have outlined in my summary. When the Government finally got out of the business, the Board of Directors would be expected to represent the most outstanding financial and development organizations in all the free world.

It is time that Americans stopped apologizing for the profit motive which underlies our entire business system. We should turn our commercial genius to the task of merchandising the tool kit of private enterprise made up of capital, know-how, individual initiative, and resourcefulness so that it will appeal to almost a billion people who live in areas with per capita living standards now at fantastically low levels, as the most dynamic, most practical way of achieving a better life while preserving free institutions. Toward that objective, a proposal like the World Development Corporation merits the most serious consideration.

Mr. President, actually billions of dollars worth of securities are traded every day on the New York Stock Exchange. Yet think of the concern with which the appropriation of $225 million or $700 million for the Development Loan Fund is regarded by the Senate or the other body. I emphasize that fact to show that the tremendous resource of private investment, which is the dominant characteristic of the economic system of the United States, must somehow be enlisted in the tremendous effort which we must make, for we must utilize money and credit, while the Communists seek to utilize force and iron discipline by totalitarian government. In this competition we cannot stint with our weapons any more than they are stinting with theirs. We will not be fighting this battle effectively unless we throw into the balance the resources of our private economic system, primarily the private investment system.

Mr. President, I ask unanimous consent that an explanation of the bill may be printed at this point in the RECORD.

There being no objection, the explanation was ordered to be printed in the RECORD, as follows:

SUMMARY OF BILL TO ESTABLISH WORLD DEVELOPMENT CORPORATION

GENERAL PURPOSES

The general purposes of the bill, as stated in its opening language, are: "to promote an increasing flow of private capital from the United States into economically sound enterprises in other areas of the world, to enlist an ever-increasing number of individual private investors in this undertaking, to promote world peace through the expansion of mutual economic interests, to reduce gradually the need for U.S. public investments and grants overseas, to establish a World Development Corporation, and for other related purposes."

MAIN FEATURES OF THE BILL

(1) A World Development Corporation is proposed as an American corporation. Its major purpose, as a worldwide equity investment agency, would be to make available funds of a private capital nature to assist in the financing of economic development projects and private business in countries other than the United States, deemed to con-

tribute to the sound economic development of the country in which the project is located. As a necessary condition of such funds, the Corporation would have to find that such project met sound economic criteria, had been undertaken after consultation with the country in which the project would be located, and that funds from other sources would not flow readily to accomplish the same purposes.

In support of this major purpose, the World Development Corporation would also be authorized, as an investment trust, to purchase minor stock interests in domestic and foreign corporations engaged in overseas development activity already in being under effective management. In further support of its major purpose, the Corporation would also be empowered to insure upon payments of appropriate premiums, to the degree found actuarially sound and in accord with the general purposes of the Corporation, a reasonable annual rate of return on the outstanding investment of any private investor in a project eligible for basic financial assistance by the Corporation.

(2) The Corporation would obtain capital funds for its operation basically by offering its class B stock for public sale, predominantly to small investors, at a price yielding $5 per share to the Corporation. Not more than 500 million shares of this type of stock, totaling $2½ billion, could be sold in any 1 year, and not more than 3 billion shares could be sold in the aggregate under the provisions of the bill. This would result ultimately in a maximum of $15 billion worth of class B stock.

(3) To provide initial and temporary capital funds for its operations, the Corporation would be authorized to issue class A stock of a hundred shares of par value of $1 million per share, totaling $100 million. This class A stock would be subscribed to by the U.S. Government through the Secretary of the Treasury. The Corporation would also be authorized to obtain initial and temporary capital funds for its operations by issuing obligations to the U.S. Treasury, or by issuing obligations guaranteed by the Treasury. Such obligations would be authorized to be issued only during the first 6 years of the life of the Corporation, could not be issued in excess of $500 million in any 1 year, nor could the total amount outstanding in the form of such obligations exceed $2 billion at any time. Such obligations would be interest bearing.

(4) The bill contains various provisions for the application of the proceeds of the sale of the class B stock to the retirement of the class A stock, which would have to be retired in full in 6 years or less, and also to the retirement in full of the other obligations referred to just above, preferably within 6 years but in any event within 26 years of the initial issue.

(5) So long as any class A stock remained outstanding, the Corporation would be an independent agency of the United States, and such class A stock would be the only stock of the Corporation having any voting power so long as any of it remained outstanding. During this period, the Corporation's management would consist of a Board of Directors of 21 members, consisting of a President and Executive Vice President appointed by the President of the United States, and 9 members appointed from private life by the President of the United States, all with the advice and consent of the Senate; 6 members appointed by the President of the United States from various U.S. agencies concerned with international economic development; and the Secretaries of State, Treasury, Commerce, and Labor, serving ex officio. Upon final retirement of the class A stock within 6 years or sooner, and upon retirement of a sufficient amount (as determined by the Secretary of the Treasury) of the obligations issued to or guaranteed by the U.S. Treasury, the exclusive voting power of the Corporation vested in its class A stock would be transferred to the class B stock. At this stage, further legislation would be proposed, in order that the Corporation subsequently would function under private ownership and management.

CESSATION OF ATMOSPHERIC NUCLEAR TESTS

Mr. MANSFIELD. Mr. President, I yield 7 minutes to the Senator from Tennessee.

Mr. GORE. Mr. President, I wish to commend President Eisenhower for the use of the prestige and initiative of the Office of the President in urging the Premier of Russia, Mr. Khrushchev, to accept the treaty proposal of the United States and Great Britain that all atmospheric nuclear tests be stopped, and that this proposal be regarded as a step toward the international control of nuclear weapons tests.

It is, according to the scientists, from tests within the atmosphere of the earth that the health hazard of radioactive contamination of the air comes. Therefore, it is imperative that this goal be achieved, and the accomplishment of this goal would be far preferable to the failure of the conference in Geneva.

In the capacity of Senate adviser to the conference, I was informed 1 week ago of this letter. According to the wire services, the existence of the letter was revealed by the Soviets in Geneva today. This is a matter of sufficient importance to require and justify the full and active personal attention of the President—which I know it has had—and it is a matter of sufficient significance to justify the full, active, and personal intervention by the President, with the full power and prestige of the Office of the Presidency, with the head of state of the Soviet Union.

I am glad that the President has used this direct approach. Once again, as I did 1 week ago today on the floor of the Senate, I plead with the Soviet leaders to accept this proposal on the part of the U.S. Government as one which is made in good faith and in the interest of humanity. I believe this is an achievable goal which could be a major first step on the road to better international understanding and peace.

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. CHURCH. I join with the Senator from Tennessee in expressing my appreciation of the fact that the President of the United States has added his personal endorsement to the proposal which was made to the Soviet Union a week ago that the United States and the United Kingdom would be agreeable to a ban on atmospheric tests of nuclear weapons. By lending the great prestige and importance of his Office to this proposal, the President has demonstrated the importance which the United States has attached to the necessity of reaching a successful and fair agreement at the Geneva Conference. The President's personal endorsement of the proposal means that it is no tactical maneuver calculated to give us some transient advantage at the conference table, but is a serious proposition, earnestly made.

I am gratified that the President has gone directly to Mr. Khrushchev with it. He has plainly put it up to the Soviet leader himself to throw the door open to an agreement which can end the poisoning of the air by fallout, without jeopardy, real or fancied, to any country concerned.

Six weeks ago, on the floor of the Senate, I urged that this course be taken at Geneva. A few days ago I had occasion to place in the RECORD a chronology of events leading up to the decision to submit this proposal to the Soviet Union, a proposal which was labeled as a major change of policy in the position of the United States and the United Kingdom. Since that time, two items published in two of Idaho's leading newspapers have come to my attention. They illustrate the extent to which the press is contributing to the growing awareness and interest of the people in developments at Geneva. The first is an article published by the Caldwell Times and announces the latest proposal of our Government. The other item is an editorial comment on the proposal, published in the Lewiston Morning Tribune. I ask unanimous consent that the article and editorial be printed at this point in the RECORD.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

UNITED STATES PRESENTS CHURCH PLAN ON NUCLEAR TEST CONTROL—RUSSIAN REACTION NEGATIVE ON SURFACE EXPLOSION BAN

[From the Caldwell (Idaho) Times, Apr. 13, 1959]

GENEVA.—The United States and Britain asked the Soviet Union today to agree to a prompt controlled suspension of nuclear weapons tests on or near the surface of the earth—leaving the problem of other types of blasts for later negotiations. Informants said the proposal provided for splitting up the test suspension problem. It was advanced as the three-power talks resumed after an Easter recess. The new U.S. proposal was in line with the plan recently presented in the U.S. Senate by Senator FRANK CHURCH.

First Soviet reaction was reported to be negative. Under the new Western plan, agreement would be reached at once on banning surface and atomic nuclear tests—the ones which cause dangerous radioactive fallout.

Such an agreement would not cover very high altitude and underground atomic and hydrogen weapons blasts. Such explosions—difficult to police in any event—could be covered in some subsequent agreement reached after the first problem had been solved, in line with Senator CHURCH's plan.

U.S. Ambassador James J. Wadsworth and British Minister of State David Ormsby-Gore proposed dividing the nuclear problem into two parts with the idea of getting quick agreement on the types of tests easiest to detect. The ending of such tests also would avoid any health hazards to the world's population.

The sources pointed out that the United States and Britain would prefer an agreement covering the entire range of tests. But the Western powers recognized that this conference, which began its deliberations on October 31, now was bogged down on East-West differences about controls.

Presumably the limited agreement now suggested as a first step would require less elaborate policing arrangements than a total

ban. The Western powers, however, want foolproof controls built into any type of agreement they sign.

The plan would ban all tests at or near ground level, which cause dangerous fallout. It would permit high altitude and deep underground blasts, which Western experts contend produce no harmful results.

Judging from the line taken in a Soviet Foreign Ministry statement Sunday, the Soviet position has not changed since the conference recessed March 19 for Easter after 5 futile months of talking.

The Soviets clearly still want a veto over any inspection and control machinery established to enforce a test ban.

Officials in Washington said that if underground and high altitude tests were exempted from the ban, adequate inspection measures might be easier to agree on. Prohibition of lower-level blasts could be more readily enforced, they said, because the fallout produced in such tests makes them much more easily detectable.

[From the Lewiston (Idaho) Morning Tribune, Apr. 14, 1959]

THE CHURCH PLAN GOES TO SOVIETS

The proposal by the United States and Britain yesterday to ban testing of nuclear weapons in the earth's atmosphere was an encouraging one—even though the first Russian reaction was to reject it.

The Western appeal called upon the Soviet Union to agree to stop testing nuclear weapons on or near the surface of the earth. These are the explosions which pollute the earth's atmosphere with radioactive fallout. They also are the explosions which are easiest to detect.

The West therefore asked the Soviet Union to agree to a suspension of tests of nuclear explosions in the atmosphere, leaving for later consideration the vexing issue of what to do about underground, underwater, and outer space explosions.

Soviet Delegate Semyon Tsarapkin's initial reaction to the Western proposal at three-power talks at Geneva was negative. "It is not acceptable," he declared. "We have got to stop everything."

However, the Soviet Union will be under considerable pressure from world opinion to weigh carefully this plan to salvage some measure of agreement from the deadlocked conference on control of nuclear weapons. If the Russians summarily reject a plan to stop the test explosions which are the easiest to detect and which cause radioactive fallout endangering the world's health, then the evidence will be pretty conclusive that they do not really want to stop testing at all. Their propaganda position in the world will be weak indeed if they reject a proposal as reasonable as this one.

Idaho citizens have particular reason to be proud of the West's latest compromise plan, incidentally, because it originally was proposed in the Senate by Senator FRANK CHURCH, Democrat, of Idaho.

More than a month go, CHURCH said in a Senate speech:

"As a last resort, to attempt the avoidance of total failure, I strongly urge that the United States make this final proposal: An agreement to suspend further nuclear weapons tests in the earth's atmosphere, within the framework of a trustworthy and sufficient international control system, adequate to reliably detect and report any violation. Such a proposal would exclude for the present any agreement involving suspension or control of nuclear tests occurring underground, underwater, or in outer space, none of which contribute to the pollution of the air, the grave cause of so much concern."

Interestingly enough, only two Idaho newspapers, the Caldwell Times and this one, paid any editorial attention at the time to CHURCH's proposal. His plan won considerably more notice, however, from newspapers and magazines of a national character—a coincidence which is rather familiar by now to Idaho's junior Senator. And it now appears that his idea was good enough to convince the Governments of the United States and Britain, even if it did not impress some of his fellow Idahoans. The big question now, of course, is whether it can convince the Russians.

While the first Soviet reaction was negative, there is still grounds for hope that the Western proposal will win approval. The Geneva Conference has been under way since last October 31. It has been deadlocked for months now on the adamant positions of Russia and the West. Russia insists that all nuclear testing should be outlawed immediately by a simple declaration of the nations involved that they will go and test no more. The United States and Britain insist that bans on testing must be accompanied by an adequate inspection system to prevent cheating. The Russians reply that an inspection arrangement would open their homeland to a network of spies probing into Soviet secrets under the guise of inspections. The West answers that it would be absurd to ban nuclear testing without safeguards to assure compliance.

If one could assume that both the Soviet and Western positions were sincere, the plan now proposed should be welcomed by both camps. It would stop the testing of nuclear weapons in the earth's atmosphere, where the world's health is threatened. It would eliminate the need for an elaborate inspection system, because explosions in the atmosphere already can be detected easily. Yet, it would assure that the rest of the world would have more to rely upon than a Soviet scrap of paper in return for a decision to stop the testing of nuclear weapons.

The question of testing above and below the earth's atmosphere would not be resolved by this plan, of course, and it would be much better to agree on a method to ban all nuclear tests if such an agreement were at all possible.

The evidence of the Geneva Conference thus far makes it clear beyond question that such an inclusive agreement is not possible, however. The issue now is whether the biggest nuclear evil can be controlled while the nations continue to search for machinery to cope with the lesser ones. The West has submitted a constructive and hopeful plan to bring tremendous progress out of hopeless deadlock. The Soviet Union should ponder carefully indeed before wrecking the conference finally with a rejection.

Mr. CHURCH. Mr. President, I commend the distinguished Senator from Tennessee for the great interest he has shown in this field, for the imaginative leadership which he has given and which has done so much to stimulate new thought in what must be regarded as humanity's effort to clean the air from the corruption which is growing each day due to the continued explosions of nuclear bombs in the atmosphere.

Mr. GORE. Mr. President, I am grateful to the distinguished junior Senator from Idaho and I wish to commend him for his able efforts in this field. His efforts, like those of the junior Senator from Tennessee and those of other Senators of both parties, and like the effort of the administration, are nonpartisan in nature. This is truly a field in which public servants can and must strive with all good will.

Mr. President, in the unfortunate event that the Soviets refuse to accept this step-by-step approach, then I hope President Eisenhower will continue to give this matter his active personal attention; that he will act unilaterally; that he will direct—and will so announce to the world—that the United States stop all atmospheric tests for a given period of time—say, 3 years—as a further demonstration of America's concern with this matter; and that he will give further invitation to the Soviets to join in such a stoppage and to join in a treaty to make the stoppage permanent.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an editorial entitled "Test Bans and Law," which was published in the Chattanooga Times.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

TEST BANS AND THE LAW

"It is not acceptable. We have got to stop everything."

This same Soviet song, verse into the hundreds of thousands, on the latest U.S. atom test proposal illustrates again the prospects for meaningful settlements with Moscow.

Acting on a new plan given important and effective impetus by Senator ALBERT GORE, of Tennessee, Washington has now offered to suspend all nuclear testing on the ground and 30 miles up into the air. It is further indicated that this country will ban such tests indefinitely whatever the Russians do, in a move fully sanctioned in the Defense Department and calculated to show the world once again our good faith in the quest for peace. It would ease the way for further agreements on underground and outer space tests.

Also importantly, this plan apparently would not necessarily involve the stationing of inspection teams on Soviet soil. Testing points on ships at sea and elsewhere could be employed to see whether the agreement was being kept.

The Soviet veto over such inspection teams has stalled the discussions in Geneva since last October. Soviet refusal to provide adequate guarantees against breach of disarmament pacts has blocked progress now for more than a decade.

But the reaction of the Soviet delegate—"not acceptable"—was immediate in Geneva.

Not only did that reaction darken the cloud over the negotiations to start May 11 at the foreign ministers' level between the Big Four Powers.

It left little doubt as to what the Soviet attitude would be toward Vice President NIXON's idea, also newly broached and important, of working toward an agreement to submit any future east-west disputes to the International Court of Justice.

U.S. agreements to abide by World Court decisions on major issues, whether or not Russia does the same, as some groups have urged, is an entirely different matter. But some way must be found to strengthen the Court's role.

The Justices of the International Court are paid $24,000 a year, tax free. In the past 13 years the Court has disposed of 10 cases (while the U.S. Supreme Court was handling 13,000). It is the least used and to date the least effective agency of the United Nations.

But experience, including that in the $1.3 million U.S. claim over the shooting down of an unarmed plane in the Sea of Japan, in which the Soviet Union declined the Court's jurisdiction, holds little or no promise of progress.

Still, we must keep trying. Many may have wondered why a matter of this import was raised by the Vice President rather than the President, with his added international prestige. But it is one more message to the

world that is likely to show that Soviet protestations and Soviet deeds are not the same thing.

ADJOURNMENT UNTIL TOMORROW, AT 11 A.M.

Mr. DIRKSEN. Mr. President, pursuant to the order which was entered earlier today, I move that the Senate now stand in adjournment until tomorrow, at 11 a.m.

The motion was agreed to; and (at 5 o'clock and 2 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Tuesday, April 21, 1959, at 11 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate April 20 (legislative day of April 15), 1959:

SECRETARY OF STATE

Christian A. Herter, of Massachusetts, to be Secretary of State.

UNITED NATIONS

Harold M. Randall, of Iowa, a Foreign Service officer of class 1, to be the representative of the United States of America to the eighth session of the Economic Commission for Latin America of the Economic and Social Council of the United Nations.

U.S. DISTRICT JUDGE

John R. Bartels, of New York, to be U.S. district judge for the eastern district of New York, vice Robert A. Inch, retired.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 20 (legislative day of April 15), 1959:

U.S. COAST GUARD

The following-named persons to be chief warrant officers, W–2, in the U.S. Coast Guard:

Frederick W. Rix
Joseph C. Chighizola
Loyd R. Smith
Joseph E. Franken
George M. P. Young
James W. Johns
Isadore L. Souza
Carl L. Smith
Bernhart A. Wicks
Frank N. Campagna
Earl W. C. Harris
William R. Hendricks, Jr.
Leonard E. Tarvers
Samuel N. Low
Max Trepeta
Sherwood N. Patrick
Albert N. Dill
Kenneth N. Black
James L. Cropper
Newton P. Caddell, Jr.
Wayne R. Glenny
Lee D. Wooden
Louis L. Bayers
John H. Bunting
John H. Westbury
John G. Schwelm
Harold R. Dycus
Arthur E. Vincent
Howell M. Joynes, Jr.
Lester H. Green
Eugene B. Cox
Charles W. Wicks
Joseph J. Zagiba
John T. Renfroe
John H. Bettis, Jr.
Albert V. Carver
Mack E. McGuffin
Hubert F. Midgett
Hull O. L. Tanner
John E. Simpson
Oscar A. Erickson
Claude A. Broadus
Robert L. Walters
Edward T. Lowe
Ernest N. Yaroch
Duane A. Force
Ernest G. Crispi
Stephen T. Watson
John W. Schiffbauer
Lawrence A. Taylor
Russell R. Hickman
Arnold S. Knudsen
Joseph C. Gimbl
Wilton A. Hockenberry
Dallas W. Palmer

The following-named person to be lieutenant in the U.S. Coast Guard:

David C. Klingensmith

The following-named persons to be lieutenants (junior grade) in the U.S. Coast Guard:

Robert A. Biller
Robert R. Tutt
Robert J. Ketchel
Thomas W. Kirkpatrick
Walter W. White
Wesley Goodwin
William M. Devlin
Michael Abarbanell
William F. Roland
Donald L. Prince
Donald L. Frantz
Ronald C. Kollmeyer
Basil D. Harrington
Donald T. Campbell
Floyd D. Hunter
Richard E. Sardeson
George F. Viveiros, Jr.
Kennard M. Palfrey, Jr.
William G. Hicks
John N. MacDonald
Clifton R. Smith
Norman B. Lynch
Norman E. Cutts
Barry C. Roberts
Robert G. McMahan
Bruce L. Solomon
William F. Merlin
Thomas P. Schaefer
Robert Gillespie
James Weiskittel
Donald M. Taub
Richard D. Olsen
Bruce J. Kichline
Don S. Bellis
Charles W. Faircloth
Lynn N. Hein
Arthur K. Hounslea
Neal H. B. Benjamin
Raymond E. Womack
Arthur H. Wagner
James E. Rivard, Jr.
LeRoy C. Melberg, Jr.
William M. Flanders
John G. Stanley
William B. Mohin
Lawrence F. Bond
James A. Granger
Earl L. Sullivan, Jr.
Kirk R. Kellogg
George L. Rettie
Richard I. Rybacki
Laurence C. Kindbom
Joseph H. Wubbold III
William J. Brogdon, Jr.
David A. Sumi
Charles E. Moorhead Jr.
Arnold Swagerty
Richard J. Kyte
James I. McLeaish
Bruce S. Gathy
John D. Basque
Paul T. Thevenin
Robert L. Bristol
Lawrence J. O'Pezio
James J. Rooney III
Brinton R. Shannon
Roger P. Hartgen
Ernest G. Marsh
George R. Oberholtzer
Joseph F. Smith
Vernon C. Jones
Alan C. Dempsey
John E. DeCarteret
Gilbert E. Brown, Jr.
Parker D. Morris
John L. Callahan
Gilbert L. Aumon
Ernest C. Allen
Robert E. McKew
Richard A. Blackford
Robert I. Plattus
Edward J. Quinn
Paul D. Henneberry
John R. Ehrmann
Benjamin K. Schaeffer

The following-named persons to be ensigns in the U.S. Coast Guard:

Albert Jeremiah Allison III
Roger Allan Andersen
Richard Lee Andrews
Clarence Clyde Atkins, Jr.
Ronald Glenn Barnes
Anthony Christopher Beardsley
Richard Harry Beiter
Stanley Edward Bielski
Jason Michael Bowen
Robert David Brown
Peter Arnold Bunch
Garret Thayer Bush III
John Dominic Campbell
Edmond Gaines Case
James Alexander Chappell
James William Coste, Jr.
John Ernst Cummings
Thomas Joseph Cunningham
John Deck III
William Michael Devereaux
John Richard Edwards
James Edward Foels
Richard Willis Folker
Gerald Ray Foster
Dean Allen Frankenhauser
David Robert Garner
John William Gerometta
Jack Carroll Goldthorpe
William Bayard Hewitt
James Gerald Heydenreich
Donald Leo Hoffer
John Terrence Howell
William Burgess Howland
Frank James Iarossi
Robert Joe Imbrie
John Edward Irwin
John William Klotz
Otto Robert Kossmann
George Eric Krietemeyer
Edouard Wilfred LaCroix, Jr.
Peter Christian Fabricius Lauridsen, Jr.
William Philip Leahy, Jr.
Charles Stanley Loosmore
Thomas Frank Marucci
Stephen Jay Thomas Masse
James Lane McDonald
Garald Henry McManus
Robert Fritz Melsheimer
Lawrence Eric Meyer
James Wesley Miller II
Donald Leslie Millroy
Charles Stanley Mincks
Ronald Francis Miscavich
James Terrence Montonye
Thomas Norman Morrow, Jr.
Harold Fredrick Norton, Jr.
Frank Walfir Olson
Paul Edward Pakos
Bruce Albert Patterson
David Lemar Pepple
Roland Marion Polant
Geoffrey Thomas Potter
Bryson Smith Randolph
Robert Reynard
Walter Scott Rich
Frank John Ropiak, Jr.
Ralph Daniel Sanford
William Nolden Schobert
Gerald William Seelman
Robert Edward Shenkle
Andrew Harley Sims, Jr.
Joel Douglas Sipes
Bruce Clayton Skinner
Robert Howard Thornton
Joseph Edward Vorbach
William George Walker
Paul Andrew Welling
Robert Russell Wells
Floyd William White, Jr.
Robert Bruce Workman, Jr.

The following-named persons to be chief warrant officers, W–3, in the U.S. Coast Guard:

Joseph R. Rowland, Jr.
Richard F. Goward
Kenneth M. Lumsden

The following-named persons to be chief warrant officers, W–2, in the U.S. Coast Guard:

Robert E. Gardner
Clayton W. Collins, Jr.
Ralph G. Isacson
Joseph J. Bookout
Maynard J. Fontaine
Richard D. Mellette
Eugene L. Davis
Dewey F. Barfield
Frank J. Diersen
Kenneth L. Heinzen
Howard Janke
Fleming C. Walker
Harry W. Perdue
Bill M. Aldridge
Alfred E. Sporl
Aubrey R. Patten
Walter Hamilton
Billy G. Read
Emmerson E. Chambers
William E. White
Kenneth G. Robertson
James G. Wilcox, Jr.
Robert J. Descoteaux
William W. Thurmond
Thomas M. Hall, Jr.
Neal G. Nelson
John P. Sanken, Jr.
Robert Casper
Arthur W. Lee
Earle K. Hand
Benjamin A. Ramsey
John W. Colton
Harold W. Doan
Raymond W. Willcox
Edgar S. Hutchinson
Frank H. Steinheiser
David A. Corey
John B. Thwing, Jr.
Kenneth E. White
Raymond H. Mathison
Richard A. Schnase
Richard G. Nelson
Edward L. Bailey
Charles W. Mason
John F. Curry
Peter D. Corson
William R. Lipham
Axel J. Hagstrom
David L. Abbott
John H. Hancock, Jr.
Francis M. Coonrod, Jr.
Donald L. Alsup
Cyril D. Maxwell
Julian W. Howell
Charles T. Silk
John F. Sutton
Norvon B. Freeland
John M. Cogan
Dale R. Foster
Robert Burke
Gordon H. Dickman
Albert L. Olsen, Jr.
Carl L. Lane
James H. Scott
Donald L. Sherman
William Senn
Milton J. Stewart
Delmar F. Smith
Johnnie Cox
George F. Garvy
Harold E. Geck
Robert E. LaRose
Robert E. Nielsen
Daniel E. Baumbaugh
Leon D. Lawson
Charles F. Gailey, Jr.
Bruce S. Little
John O. Leatherwood, Jr.
Hodges S. Gallop, Jr.
David W. Irons
Patrick M. Shellito
Wilfred E. Cobb, Jr.
Charlie R. Polly
Eugene D. Gray
Lee J. Kelley
Everett G. Walters

COAST AND GEODETIC SURVEY

Subject to qualifications provided by law, the following for permanent appointment

to the grades indicated in the Coast and Geodetic Survey:

To be captains

Edward B. Brown	Edmund L. Jones
John C. Ellerbe	Kenneth S. Ulm
James C. Tison, Jr.	

To be commanders

Francis X. Popper	Marvin T. Paulson
Howard S. Cole	V. Ralph Sobieralski
Raymond M. Stone	Lorne G. Taylor
Lorin F. Woodcock	

To be lieutenant commanders

Arthur R. Benton, Jr.	Roger F. Lanier
Eugene A. Taylor	John B. Watkins, Jr.
William D. Barbee	Jack E. Guth
Herbert R. Lippold, Jr.	Robert E. Williams

To be lieutenant

Lavon L. Posey

To be lieutenants (junior grade)

John J. McCoy	Sidney C. Miller
Vello Kiisk	Duane L. Georgeson
Loyd D. Thurman	Gerald D. Bradford
Philip Rotondo	Wesley P. James
Roy W. Entz	Mart Kask
Robert W. Franklin	Ronald M. Buffington
Ben Frank Worsham III	Morris J. Rothenberg
Bobby S. Woodruff	Bobby W. Jester

To be ensigns

Richard F. Dudley	Robert L. Sandquist
Thomas B. Fox	Raymond L. Speer
Renworth R. Floyd	Larry L. Wilkerson
William L. Hart	

HOUSE OF REPRESENTATIVES

MONDAY, APRIL 20, 1959

The House met at 12 o'clock noon.

Rev. Robert A. Holland, B.D., pastor, Willoughby Baptist Church, Willoughby, Ohio, offered the following prayer:

God's word says according to the prophet Isaiah: *And thine ears shall hear a word behind thee, saying, This is the way, walk ye in it, when ye turn to the right hand, and when ye turn to the left.* (Isaiah 30: 21.)

Our God and Father, as we bow ourselves before Thee, we pray Thy infinite love and wisdom upon each Member of this august body. May they be dedicated to serve the people of this Nation which Thou hast caused to grow and prosper. Let each individual search the deep recesses of his heart, and with the heart under the leadership of Thy holy spirit may Thy servants seek what is right. May they with courage discharge that sacred duty for the good of all mankind that Thy holy name might be glorified.

We pray for the President of the United States and for all men who serve with him in places of authority. May it please Thee to govern their heart and life in such a manner as to assure justice and peace among all nations until Thy kingdom is come, and all creatures bow down together to Thy kingship.

We thank Thee, O God, for Thy Son Jesus and for Thy grace that allows us communication with Thee. Forgive us our sins and lead us into ways of righteousness we ask through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Thursday, April 16, 1959, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed, without amendment, a bill of the House of the following title:

H.R. 5508. An act to provide for the free importation of articles for exhibition at fairs, exhibitions, or expositions, and for other purposes.

ELIZABETH LUCIE LEON

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 2589) for the relief of Elizabeth Lucie Leon (also known as Lucie Noel), with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the Senate amendment, as follows:

Line 8, after "naturalization" insert "and to be naturalized".

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

INTERNATIONAL FOOD-FOR-PEACE BILL OF 1959

Mr. JOHNSON of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. JOHNSON of Wisconsin. Mr. Speaker, America's abundant farm production can be a tremendous blessing to a hungry world. It has long been my belief that we can win more friends with our food than with all the guns and planes we could possibly send overseas. If we can figure out ways to send rockets to the moon, we should be able to find ways of getting our surplus food to hungry people without interfering with the normal channels of trade.

As for the expense of a food diplomacy program, it now costs well over a million dollars a day just to pay storage costs on our present surpluses. And they are not doing us or anybody else any good in a warehouse.

Morally, we cannot justify letting this food lie in storage when three-quarters of the world is in need. Economically, we cannot afford to make whipping boys of our Nation's farmers just because they are doing such an effective job of food production. In times of war, they are hailed as heroes for their herculean efforts along this line. It is hardly fair to condemn them for continuing to improve their farming techniques. As anyone who is familiar with farming knows, farm production cannot be turned off and on like a hot-water faucet.

Today, I am introducing an international food for peace bill which is designed to implement the foreign policy of the United States and build toward world peace by the more effective use of our agricultural commodities for relief of human hunger and for the economic and social development of needy countries around the world. This bill is a revision, expansion, and extension of Public Law 480, which has served a good purpose but which needs to be broadened and redirected.

One of the weaknesses of Public Law 480 is that its various programs have been parceled out to nine agencies of the Government, coordinated by two interagency committees. No one in high authority in the Government devotes full time to the administration of what is, in effect, a store which sells or otherwise distributes $1.5 billion worth of surplus agricultural commodities a year. Obviously, this situation has resulted in a veritable administrative jungle that hampers the rapid and efficient handling of the program.

My bill would eliminate the problem by establishing a Peace Food Administration directly under the President. It would be headed by a Peace Food Administrator who would have the authority to pull together the now widely scattered operations under Public Law 480 and weld them into an efficient operating unit. Effective administration is the key to success of this or any other program.

Senator HUBERT HUMPHREY, of Minnesota, has introduced an international food for peace bill in the Senate, and I am happy to join the Senator by sponsoring this companion bill in the House. His complete and comprehensive analysis of the need for and provisions of the proposed legislation can be found on pages 6119 through 6131 of the April 16 CONGRESSIONAL RECORD. Both Senator HUMPHREY and I agree that we in the United States should count our abundance of food as one of our choicest blessings. And it is a blessing which we cannot in good conscience refuse to share with the less lucky peoples of the world.

A NEW LOOK AT INFLATION

Mr. WEAVER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. WEAVER. Mr. Speaker, these days everybody is talking inflation, although recent opinion surveys show that the average person is pretty mixed up on just what the word means. Up in the Congress we have a wide range of studies being conducted by various committees, seeking to discover cause, effect, and cure.

The President has put in motion two broad studies: The Cabinet Committee on Price Stability for Economic Growth, headed by Vice President NIXON, and a committee on Government Activities Affecting Prices and Costs, headed by Dr. Raymond Saulnier, Chairman of the Council of Economic Advisers.

On top of all this Government activity and interest, the unions, corporations, trade associations, college professors, and economic foundations are busily pursuing the problem and issuing

pamphlets and speeches. Activities of all these groups are reported in the press and on the air, and argued back and forth by business commentators. They are further chronicled in speeches and statements printed in the CONGRESSIONAL RECORD. Is it any wonder the average citizen—worker, consumer, and stockholder alike—is confused?

In all this welter of activity—some of it based upon new theories, such as Dr. Gardiner Means' "administered price" concept, but much of it based upon well-grounded economic approaches—very little seems to have been contributed to basic facts.

For this reason, two independent studies conducted in recent months by the National Industrial Conference Board and the private economic study organization known as Econometric Specialists, Inc., are worth reviewing for the record. They bring into focus a very important aspect of the problem of inflation: The division of national income between workers and people whose savings provide the tools for production.

The Industrial Conference Board inquiry shows that after exclusion of all taxes labor gets 83.2 cents out of every dollar of income generated in the national economy, while property claims 16.8 cents. The Econometric project used a different approach but obtained substantially similar findings. This study places labor's share at 76 to 85 percent.

Both studies were based on the 1954 census, the last year for which the required figures were available.

The Conference Board study first calculated labor claims for the national economy as a whole. Separate computations were made for each of eight selected commodities to show the labor-cost constituent in their selling price: an automobile, a pound of beef, a bus ride from New York to Boston; a pack of regular cigarettes, a gallon of regular gasoline, a man's business shirt, a pair of man's work shoes, and a ton of steel.

For the national economy, after elimination of all taxes, the board summarized its findings in a table, based on sales value, which shows labor getting from 71.4 to 82.17 percent of the total.

Labor and property claims (after taxes) as shares of total private claims on sales value

	Labor claims	Property claims
	Percent	*Percent*
Automobile	80.1	19.9
Beef	71.4	28.6
Bus ride	87.2	12.8
Cigarettes	78.6	21.4
Gasoline	79.7	20.3
Man's shirt	80.4	19.6
Man's work shoes	74.8	25.3
Ton of steel	82.17	17.22

Econometric Specialists, Inc., traced total labor content in value of production for the six product groupings of carbon steel, machinery, motor vehicles, paper and paperboard, textiles, and residential housing.

Total labor content in value of production

	Percent
Carbon steel	76
Machinery	81
Motor vehicles	79
Paper and paperboard products	77
Textiles	85
Residential housing	84

The data provided by these two independent studies deserve nationwide attention on at least four counts:

First, the close agreement between the surveys; second, the industries and products analyzed represent basic operations that should give a valid indication of trends throughout the economy; third, the organizations conducting the research are noted for their objectivity and integrity; and fourth, these are the most authoritative figures recently available to show the share of the national income going to labor.

We ought to take a good look at studies such as these, for they tend to put this whole question of inflation into the clearest perspective yet. They help to place in proper position the chicken and the egg, as between wage costs and price increases. The conclusion seems almost inescapable that because they are so large a part of the total, rising labor costs must, in the long run, end up in rising prices.

These figures point simultaneously to the relatively small margin of total costs that represents the return to property. They show how deeply any significant increase in labor's share of the sales value of output would cut into the small margin of income that is now left for meeting property claims—for expanding the Nation's productive resources.

The records of past decades show quite clearly that it is in periods of good profits and peak capital investment by industry that industrial workers have enjoyed highest employment levels and wages.

CUMULATIVE LABOR COSTS

We are familiar with the term "spiraling prices," and perhaps we can summon up a picture of how price increases affect creeping inflation. But these two new studies are like a spotlight, enabling us to visualize also the part that cumulative labor costs play in the price of the final product.

In order to understand how labor costs account for such a large share of the national income, it must be remembered that purchases flow in our complex economy from original sources of raw materials to the final finished product.

As the flow of materials moves along, labor—and labor costs—are steadily being applied to it. In addition to labor costs involved in the manufacturing processes, there are also the labor costs of transportation, of packaging, of wholesaling, and finally, of retailing.

But how many consumers realize that $300 paid for a refrigerator, for instance is made up chiefly of payroll costs accumulated along the complex route of production and distribution?

The steel in the refrigerator, for example, was sold for around $17 when it left the mill. For a $3,000 automobile the required steel costs about $290. These prices at the steel mill, in turn, include labor costs as their chief component—costs incurred not only in the mill, but all the way back to the mines.

NEED FOR HIGHER PRODUCTIVITY

The United States faces grave problems as the result of misunderstanding about labor costs and productivity.

To the extent that higher wage payments have been accompanied by increased productivity, they have helped to advance the country's living standards. But, the important fact is that wage increases have gone far ahead of productivity increases. Government data show that in manufacturing industry as a whole, average hourly earnings—not including wage supplements—increased by 60 percent in the 10 years 1947–56 while productivity rose by only 45 percent.

No one really gains from such inflationary wage increases. The housewife in the home of the wage earner soon finds that the newborn increase in the family's pay envelope has evaporated in higher living costs. The hardest blow is suffered by millions of others whose incomes have not gone up—the people on salaries, fixed incomes, and pensions.

CONSUMERS SQUEEZED BY LABOR COSTS

It hardly needs repeating that as productive efficiency increases, a share of these productivity gains should always be passed on to consumers in lower prices. But this becomes impossible when labor costs sop up all the productivity gains and much more besides.

What has been happening all across this country is symbolized by these facts in the steel industry: labor costs increased by 75 percent in the 1947–56 period, while productivity was increased by an estimated 29 percent, according to latest available BLS data.

All of this is reflected in the declining purchasing power of the consumer's dollar. The 100-cent dollar of 1940 was worth 63 cents in 1947 and by mid-1958 was worth only 49 cents.

FACTS TO BE REMEMBERED

The papers are full of talk about the negotiations in the steel industry. The Government is pressuring both management and labor for a settlement that will not be inflationary—that means a wage increase moderate enough not to affect prices. But who can say whether that is possible. If a product costs more, it usually ends up selling for more.

It would be well, however, for all concerned—unions, management, consumers and Government to understand three key facts underlined by the conference board and econometric studies:

First. Labor claims in 1954 accounted for 83 percent of all claims—excluding taxes—against the national output;

Second. Any new round of wage increases in a basic industry rapidly fans out through the economy by touching off demands for matching increases all along the line—in manufacturing, transportation and distribution;

Third. Each such "round" in a basic industry, and the spreading wave of

matching increases in all other industries will have clearly predictable results when not accompanied by equal increases in productivity. The increased wage bills simply force inflationary price increases everywhere along the line—in production, transportation, and distribution.

Since labor unions are subject to little control or regulation, labor leaders have it in their power either to weaken or to strengthen the national economy, according to what course of action they choose.

Companies that are forced by added labor and other costs to ask for price increases in order to stay in business find themselves under two natural restrictions. Of these, competition is the first; the second is consumer ability or willingness to pay the advancing costs.

Squeezed between these disciplines, many companies have been quite unable in recent years to cover all their increasing wage costs by adequate price rises. The evidence is in their declining profit ratios. The steel industry, for instance, has managed to match its prewar ratio on sales—8.1 percent in 1940—in only 1 year of the postwar inflation spiral.

For all manufacturing industry the ratio of profits to sales has declined from 7 percent in 1948 to 4.8 percent in 1957, according to the Securities and Exchange Commission.

One of the most dangerous consequences of inflationary wage increases—one which saps the growth power of the entire American economy—is depletion of the margin of capital available for investment in tools to increase productivity.

The importance to our economic welfare of replacement and development of tools cannot be ignored. Without the tools we now have—using only obsolete tools like those of eastern Asia—we should see our level of productivity drop to an insignificant fraction of today's.

And how were our modern tools developed? Through invention and improvement on invention, made possible in the United States by our free enterprise system of risk capital—capital accumulated a little at a time from savings and the profits of previous ventures.

Without the chance to accumulate these amounts we would still have an oxcart economy; the hand plow would still be used on our farms. We would be living much as our ancestors did—in times before the improvement, replacement, and development of tools brought this Nation, by good use of venture capital, to living standards we take for granted today.

GOVERNMENT CONTROLS?

One alternative to our system of risk capital does exist: Capital investment by Government, under stern political controls. Either by direct taxation or by inflation, Government would raise the required funds. But the experience of many countries with political control of industry shows the unfortunate results of political management over economic enterprise. It invariably leads to problems still greater than those it was supposed to solve.

Our American economy has flourished as the purchasing power and living standards of the people have advanced, and everyone today surely believes in the highest possible wage levels. But wage increases which overleap productivity and bring on further inflation are an attack on the welfare of all.

I should like to insert in the RECORD at this point outlines of the studies by both the National Industrial Conference Board and Econometric Specialists, Inc.:

NATIONAL INDUSTRIAL CONFERENCE BOARD—THE RELATIVE SIZE OF LABOR CLAIMS, PROPERTY CLAIMS, AND TAX CLAIMS, NATIONALLY AND IN SELECTED COMMODITIES

EXPLANATION OF THE STUDY

In this study, definitions of labor claims, property claims, and tax claims are defined as follows:

Labor claims: payments to individuals in return for services rendered. These include all wages, salaries and supplements paid by corporate profits, earnings on the investment agricultural enterprises and governments. Also included are imputed labor payments to the self-employed. Not included are government and business transfer payments—such as unemployment insurance payments, or cancellations of bad debts—which are income to the recipient, but are not paid in return for services performed. From this total are deducted the personal income taxes falling on labor incomes.

Property claims: payments to individuals and businesses (corporate and unincorporated) in return for the use of existing tangible and liquid assets. These include corporate profits, earnings on the investment of unincorporated enterprises, interest payments to individuals and rental income of individuals. From this total are deducted the personal and corporate taxes falling on property incomes.

Tax claims: include all direct taxes on the incomes of individuals and corporations, and all indirect taxes, of Federal, State and local governments. In general, taxes which do not arise as a result of current production and trade—capital gains taxes, estate taxes, gift taxes—are not included.

In general, the procedure for allocation of claims against total national output took the form of a series of adjustments to the statistics of the Department of Commerce on national income by distributive shares.

(a) The national income account treats the income of unincorporated business and farm enterprises as a distinct classification of income; in the Conference Board report, the wage, property, and tax components of this income are identified.

(b) The national income total is reported before deduction of all direct taxes. While the corporate tax burden is shown as a separate component, there is no identification of the personal tax burden in the national income figures. The Conference Board study segregates the tax portion of corporate incomes, and extracts personal taxes from labor and property claims.

(c) The national income account excludes two money flows which are claims against the national product—namely, capital consumption allowances and indirect business taxes. The Conference Board study includes indirect business taxes as tax claims, and segregates the labor, property, and tax claims embedded in capital consumption allowances.

The study finds that in 1954 total claims against gross national product were divided as follows: labor claims, 63.1 percent; property claims, 12.7 percent; and tax claims, 24.2 percent. The distribution of all private claims—that is, all claims excluding tax claims—was as follows: labor claims, 83.2 percent; and property claims, 16.8 percent.

With respect to allocations of claims for individual commodities, the procedure was to identify the margins, after materials cost, which are available for distribution to labor, to the owners of the capital employed, and to government in the form of direct and indirect taxes. These distributions of claims for each margin were then summed to arrive at the distribution of total claims.

The Board study deals with the final sale value of each commodity—that is, the retail value—in all cases except steel bars, where the mill price was used. The study calculates the distribution of claims for each commodity as among labor, property, and tax claims; it also calculates the distribution of all private claims—that is, all claims excluding tax claims. Only the latter set of distributions is reproduced here.

ECONOMETRIC SPECIALISTS, INC.—THE RELATIVE SIZE OF LABOR CLAIMS, PROPERTY CLAIMS, AND TAX CLAIMS, NATIONALLY AND IN SELECTED COMMODITIES

EXPLANATION OF THE STUDY

The purpose of this study was to ascertain the relative importance of labor cost, direct and indirect, in the value of production of six representative industries: carbon steel, machinery, motor vehicles, paper, textiles, and residential housing.

The proportion of direct labor cost in the value of production is relatively easy of identification and is often included in the annual reports of leading companies. However, what was sought in this inquiry was the full labor content of a typical motor vehicle, a typical machine, a typical residential dwelling, and so on. By labor cost is meant the payment both of wages and salaries as well as social security, pensions, and other wage benefits.

The inquiry was directed mainly to the other major cost elements in production, to find the labor content in each. Thus, each industry consumes a certain amount of raw materials, fuels, semifinished goods and various kinds of services in the manufacture of its product. In addition, each industry lays aside sums for depreciation to pay for the capital consumed in the production process. Moreover, each industry must pay taxes to local, State, and Federal Governments. Each of these cost elements in the value of the finished product have been examined for their labor content. In these instances the labor content is indirect, but exists nonetheless.

The study was therefore divided into four stages, of which the second required the largest amount of analysis.

1. The first phase was concerned with ascertaining the direct labor cost in each of the six industries.

2. The second and major phase was directed to tracing the labor component of the materials used in producing the six products being investigated back to the earliest supplying stage; i.e., the manufacture of fuels and power for use in the production process. Here were estimated the labor components of all materials used in production of each of these products.

3. The third phase dealt with the estimated labor component of depreciation in each of the six industries. In addition, it established estimates of the labor component of indirect depreciation considered as part of the cost of materials purchased by each of the six industries.

4. The fourth phase made estimates of the labor component of all taxes paid to Federal, State, and local governments. This consisted in determining the relative portion of these taxes distributed as wages and salaries to Government workers, and in estimated

indirect labor component of goods and services purchased by these three levels of government.

The final answer for each of the six products thus includes (1) an allocation of some part of the cost of materials for the production of motor vehicles, machinery, etc., the indirect labor; (2) the further allocation of some part of depreciation cost—which in effect is payment for past purchases of goods and services having a labor component—to indirect labor; and (3) the allocation of some part of taxes paid by each industry to indirect labor.

Steel industry's rate of return on sales

Year	Return on sales	Year	Return on sales
	Percent		*Percent*
1940	8.1	1949	7.2
1941	6.0	1950	8.1
1942	3.3	1951	5.8
1943	2.8	1952	5.0
1944	2.7	1953	5.6
1945	3.1	1954	6.1
1946	5.5	1955	7.9
1947	6.2	1956	7.3
1948	6.7	1957	7.3

Source: Annual Statistical Reports, American Iron and Steel Institute.

DECENTRALIZATION PROGRAM—WRIGHT-PATTERSON AIR FORCE BASE, OHIO

Mr. SCHENCK. Mr. Speaker, I ask unanimous consent that the special order just granted to me be vacated, and that I have permission to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. SCHENCK. Mr. Speaker, it will be recalled that on April 8 I called attention of the Members of the House to information I had received regarding the intention of the USAF to move management of various rocket programs from WPAFB, near Dayton, Ohio, to Edwards Air Force Base in California, and requested appropriate committees of the House to make a proper inquiry into this matter.

Permit me to again refer to my comments on April 8, Mr. Speaker, when I specifically pointed out that "I have no selfish motives in opposing such a move but do so only in the interest of national defense."

Mr. Speaker, when I was home during the Easter recess of the Congress, I was deeply impressed by the widespread concern of people generally relative to the adequacy and needs of our defense forces to provide for our national safety and welfare. I was just as deeply impressed, Mr. Speaker, with the complete confidence expressed by thoughtful people throughout the Third District of Ohio in the understanding, knowledge, and expertness of President Eisenhower in all such matters. These people are perfectly willing to accept the President's judgment as to the kind, size, extent, and direction of our defense forces.

Thinking people also realize, Mr. Speaker, that with the ever-changing complexity of technological improvements in weapons and weapon systems costs are inevitably higher. They have expressed their willingness, Mr. Speaker, to bear these high defense costs, but they also insist, and rightly so, I feel, that every effort must be made to secure the greatest possible efficiency in the expenditure of defense funds and that waste be reduced wherever it can be found.

This, Mr. Speaker, is the entire basis for my calling attention to the proposed move of the management of the rocket programs from Wright Air Development Command located at WPAFB to Edwards Air Force Base. I brought my remarks to the attention of the Honorable CARL VINSON, chairman, House Committee on Armed Services. Chairman VINSON, in accordance with his deep personal interest in all such matters, and in accordance with his always complete readiness to cooperate with all other Members of the House in all proper matters, gave this question his immediate attention and wrote to me under date of April 11. Chairman VINSON's letter said, in part:

> I am today making inquiry of the Air Force concerning this matter, requesting that a full explanation be made to me. As soon as I have received the report I will again contact you.

Mr. Speaker, under date of April 16, 1959, Jack Jones, staff writer for the Dayton Daily News, wrote a very revealing story which was published in the Dayton Daily News of that date. Under unanimous consent, I include this story as written by Mr. Jones as a part of these remarks:

ROCKET UNIT TO TAKE OFF

Employees in the rocket division of Wright Air Development Center's propulsion laboratory have been notified that their jobs are being transferred away from Wright-Patterson Air Force Base, it was learned today. Meanwhile WADC officials said they had received no official word on the status of the reported move.

WADC officials less than 2 weeks ago had denied that there were any plans for moving the rocket research group from the base here. Then a week ago, they admitted that plans were in the talking stage at Air Research and Development Command Headquarters at Andrews AFB, Md. It is expected that the unit will be transferred to Edwards AFB, Calif. Reports are that some 200 of the laboratory's 700 employees may be affected.

Mr. Speaker, I have known Jack Jones for many years and know him to be a very able reporter and one who bases his stories on the facts as he is able to learn them.

I am shocked and disturbed by the contents of this story, Mr. Speaker, because of the apparent unconcern of topside brass for either efficiency or costs.

These rocket programs, Mr. Speaker, I am told by knowledgeable people, are of tremendous importance in the overall interest of our national security. Any interruption in their management and production, it appears, could cause serious concern. Also the uprooting of highly trained scientific personnel could easily cause these people to seek other employment where their residence would not be so likely to be changed for some whim. Not only is this unnecessary delay and interruption of such programs of vital concern, but increased costs will most surely result. This has happened, Mr. Speaker, according the best information I have been able to obtain, on numerous programs where similar changes have been ordered. Thus it seems to me, Mr. Speaker, that those in positions of responsibility in the Department of Defense should be required to completely justify their actions before the appropriate committees of the Congress, including the Committee on Armed Services and the Committee on Appropriations before any such contemplated changes are consumated. All of us, Mr. Speaker, are being constantly urged by well informed citizens to reduce the cost of our Federal Government where such savings can be made without adversely affecting our national safety and essential services. This cannot be done, Mr. Speaker, if the Congress constantly yields to the apparently insatiable demands of an always expanding Federal bureaucracy.

It is my firm conviction, Mr. Speaker, that each and every one of us must make every effort to insist upon efficiency and economy in each and every operation of our Federal Government. This is important not only in the interest of our national safety and security during these times of worldwide tensions, but it is also important to the future economic stability of our Nation.

It is my earnest hope, Mr. Speaker, that those in charge of our military programs as well as those in charge of our civilian service programs which are almost without number, will somehow achieve an awareness of their responsibilities and will consider the welfare of our entire Nation above any personal desire for position or power. We, as Members of the Congress, Mr. Speaker, owe our most sincere, continuing and earnest efforts, not only to our constituents and the entire Nation, but to the generations yet unborn to the end that this Nation will continue to be the greatest place in the world in which to live and a Nation where the freedoms that have been won at such high cost will continue through time and future. It is also my hope, Mr. Speaker, that the incident to which these remarks are addressed along with any future similar ideas will be given the most thorough and proper consideration by the appropriate committees, Members of the Congress, and all officials in positions of Federal responsibility.

COMMITTEE ON THE JUDICIARY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may sit during general debate this week.

The SPEAKER. Is there objection?

There was no objection.

SPECIAL ORDER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the special order granted to the gentleman from Pennsylvania [Mr. DENT] for tomorrow may be transferred to Tuesday, April 28.

The SPEAKER. Is there objection?

There was no objection.

THE LATE ANTHONY P. DEMMA

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, the House of Representatives, and particularly its press gallery, lost a most valuable public servant during the past year.

Anthony P. Demma, a gentleman of deep faiths, known to many of us as "Tony," died last October 3 after a brief and unexpected illness. Had he lived, he would have been 61 years old today.

Tony Demma had been assistant superintendent of the press gallery since 1934. He had been a fixture in the gallery since 1912 and had acquired a circle of friends of whom anyone could be proud. He was plain "Tony" to everyone who knew him, including Presidents Taft, Wilson, Hoover, Harding, Coolidge, Roosevelt, and Truman. He attended to the professional and personal needs of our friends in the press gallery with zeal and efficiency.

Tony Demma was only 10 years old when he got the smell of printer's ink as a copy boy for the old Washington Times. Subsequently he worked for the United Press, the Baltimore Sun, and Western Union, acquiring a firsthand knowledge of the newspaper profession. His "firsts" on the news wires included Woodrow Wilson's "war message" in April 1917, and the drawing of the first draft number by Secretary of War Newton D. Baker in World War I.

He was an ardent sportsman, his first love being baseball. He played with and managed the press gallery ball teams in their annual games with the congressional teams.

We who knew him miss Tony and his cheerful presence. Not often does a man of such character, such energy and such devotion to duty come along.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the calendar.

CENTENNIAL OF THE ESTABLISHMENT OF LAND-GRANT COLLEGES AND STATE UNIVERSITIES

The Clerk called the bill (H.R. 4012) to provide for the centennial celebration of the establishment of the land-grant colleges and State universities and the establishment of the Department of Agriculture, and for related purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, reserving the right to object, I would like to ask a member of the committee several questions concerning proposed amendments. May we have the proposed amendments discussed in connection with the intention, if the bill is considered and the amendments offered?

Mr. KASTENMEIER. Mr. Speaker, the proposed amendments cover a limit on the appropriations which may not be exceeded. They will include the traveling and other expenses of this Commission as far as the appropriation is concerned.

Mr. FORD. In other words, there will be a total ceiling available or authorized for this ceremony of $200,000?

Mr. KASTENMEIER. Yes, sir.

Mr. FORD. Can there be a clear understanding with the proponents of this legislation that the $200,000 is to be the total amount, with no second request thereafter?

Mr. KASTENMEIER. That is correct.

Mr. FORD. May we understand also that if this legislation is approved with the amendments that all expenses incurred will be handled out of the $200,000, and I refer to all Federal expenses, of course.

Mr. KASTENMEIER. Yes. All such expenses would be paid out of these funds.

Mr. FORD. There would be no burden placed on the individual departments that do cooperate?

Mr. KASTENMEIER. No, except to this extent, and I read from a letter written by the Department of Agriculture:

In view of the widespread interest in and significance of the centennial celebrations throughout the country, it is anticipated that various entities will participate in the celebrations, including civic bodies, interested farm and educational organizations, and individuals, as well as State and Federal governmental agencies.

To that extent the Department of Agriculture, for example, will participate in the project, and it will do so through the use of its regular resources and facilities and as a part of its functional responsibilities.

Mr. FORD. These amendments will be offered if the bill is considered?

Mr. KASTENMEIER. Yes.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Iowa.

Mr. GROSS. I thought this was a $100,000 appropriation. Is it a $200,000 appropriation?

Mr. KASTENMEIER. It is $200,000.

Mr. FORD. It is a $200,000 authorization.

Mr. KASTENMEIER. It is an authorization, and that is the top limit.

Mr. GROSS. Then is it broken down into $100,000 for one purpose and $100,000 for another purpose? What is the story?

Mr. KASTENMEIER. No.

Mr. GROSS. It is a total authorization of $200,000?

Mr. KASTENMEIER. The gentleman is correct.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Whereas May 15, 1962, marks the centennial of legislation establishing the United States Department of Agriculture; and

Whereas July 2, 1962, marks the centennial of legislation providing for the establishment of the national system of land-grant colleges and State universities; and

Whereas American agriculture is basic to our free economy, and

Whereas the research, service, and educational work of the United States Department of Agriculture has over the years resulted in great benefits to the American people through increased efficiency in the production, utilization, and marketing of agriculture products essential to the health and welfare of our people and through the promotion of a sound and prosperous agriculture and rural life indispensable to the maintenance of maximum employment and national prosperity; and

Whereas the national system of land-grant colleges and universities, has fully justified the hope of its founders and now contributes annually more than half the Nation's trained scientists and nearly half the Regular and Reserve officers for its defense forces, and enrolls approximately one-fifth of all students in degree-granting colleges of the Nation; and

Whereas the United States Department of Agriculture and the land-grant colleges and State universities have historically maintained, and currently maintain, close cooperative relationships; and

Whereas it is appropriate that there be national recognition of and participation in the celebrations of the centennial of these two historic Acts of Congress jointly and separately by the Department of Agriculture and the American Association of Land-Grant Colleges and State Universities: Therefore

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is deemed fitting and proper to commemorate the one hundredth anniversary of the establishment of the land-grant college system by the first Morrill Act, approved July 2, 1862, granting public lands to the States and Territories in support of colleges to emphasize branches of learning relating to agriculture and mechanical arts including other scientific and classical studies and military tactics, and the one hundredth anniversary of the Act of May 15, 1862, establishing the United States Department of Agriculture, and in addition to celebrate jointly such anniversaries of these events.

SEC. 2. There is hereby authorized to be established a commission to be known as the "Commission for the Commemoration of the One Hundredth Anniversary of the Enactment of Legislation for the Establishment of the Land-Grant Colleges and State Universities and for the Founding of the United States Department of Agriculture" (hereinafter referred to as the "Commission") which shall be composed of the following:

The President of the United States, the Vice President of the United States, the Speaker of the House of Representatives, the Secretary of Agriculture, and the president of the American Association of Land-Grant Colleges and State Universities, as honorary members.

Four Senators to be designated by the President of the Senate, and four Representatives to be designated by the Speaker of the House of Representatives.

The Secretary of Defense, the Secretary of Health, Education, and Welfare, appropriate representatives of the United States Department of Agriculture and the Association of Land-Grant Colleges and State Universities.

Such other persons as may be designated by the President of the United States after consideration of such recommendation as may be made by the United States Departments of Agriculture, Defense, and Health, Education, and Welfare; the American Association of Land-Grant Colleges and State Universities; the United States Conference of Governors; the Association of State Commissioners, Directors, and Secretaries of Agriculture; the Association of Governing Boards of State Universities and Allied Institutions; farm organizations; and other interested organizations.

The Chairman and Vice Chairman of the Commission shall be designated by the President. The Commission shall take office as of July 1, 1959.

SEC. 3. There shall be an Executive Committee for the Commission to carry out the

functions of the Commission under its general direction. The Executive Committee shall be composed of the following from among the members of the Commission: two Senators designated by the President of the Senate, two Representatives designated by the Speaker of the House of Representatives, and eleven persons designated by the President of the United States, as follows: one representative of the United States Department of Agriculture, one representative of the Department of Defense, one representative of the United States Department of Health, Education, and Welfare, one representative of the American Association of Land-Grant Colleges and State Universities, one representative of the Association of State Commissioners, Directors, and Secretaries of Agriculture, one representative of the Association of Governing Boards of State Universities and Allied Institutions, and five others.

SEC. 4. It shall be the function of the Commission to coordinate and approve suitable plans for celebrating the one hundredth anniversary of the enactment of the Land-Grant College Act, the establishment of the United States Department of Agriculture, and, in addition, the joint observance of such anniversaries of these events. The Commission shall give due consideration to any plan or plans which may be submitted to it, and shall, to the extent feasible, coordinate its plans with related plans of States and local and civic bodies.

SEC. 5. It is the desire of the Congress that the Commission shall do all things fitting and proper to give support and coordination to the commemoration activities anticipated by this Act, including cooperation with States, local and civic bodies, and interested organizations in appropriate local celebrations, and participation in regional and national celebrations.

SEC. 6. The Commission in carrying out the purposes of this Act is authorized to—

(a) accept donations of money and property;

(b) employ, without regard to the civil service laws or the Classification Act of 1949, such employees as may be necessary;

(c) accept and utilize services of voluntary and uncompensated personnel and pay such personnel when engaged in the work of the Commission necessary travel and subsistence expenses, or in the alternate, transportation and not to exceed $25 per diem in lieu of subsistence;

(d) cooperate with public or private organizations, or individuals;

(e) accept from Federal agencies and the American Association of Land-Grant Colleges and State Universities their services and assistance with or without reimbursement to them;

(f) provide Federal agencies and the American Association of Land-Grant Colleges and State Universities with assistance through grants or otherwise in relation to their planned activities; and

(g) without regard to the laws and procedures applicable to Federal agencies, procure supplies, services, and property, make contracts and exercise those powers that are necessary to enable it to carry out the purpose of this Act.

SEC. 7. Appropriate bodies of the States and the legislatures of such States are hereby encouraged to make provision for and carry out such programs within such States as will implement the commemoration activities anticipated by this Act, and also to participate in regional and national celebrations. States are likewise urged and requested to furnish to the Commission any plans or proposals they may have in connection with the commemoration of the founding of the land-grant colleges or the United States Department of Agriculture, and to cooperate with the Commission in carrying out national and regional celebrations.

SEC. 8. Members of the Commission and of the Executive Committee shall serve without compensation but may be reimbursed for expenses incurred by them in carrying out the duties of the Commission or Executive Committee or in the alternate they may receive their transportation and not to exceed $25 per diem in lieu of subsistence. Service as a member of the Commission or Executive Committee shall in no way interfere with payment of the regular compensation of any officer of the United States, and applicable appropriations pursuant to which such officers are employed shall be available for travel and other expenses incurred by them in carrying out the duties of the Commission or Executive Committee.

SEC. 9. Service of an individual as a member of the Commission or Executive Committee or employment of an individual by the Commission in a technical or professional field, on a part-time or full-time basis, shall not be considered as service or employment bringing such individual within the provisions of sections 281, 283, 284, 434, or 1914 of title 18 of the United States Code, or section 190 of the Revised Statutes (5 U.S.C. 99).

SEC. 10. The Commission shall make a final report to the Congress on or before June 30, 1963, and make such interim reports as it may deem proper.

SEC. 11. The Secretary of Agriculture is authorized and directed to prepare plans for the appropriate commemorative celebration of the founding of the United States Department of Agriculture and to join in celebrating the centenary of the founding of the land-grant colleges and State universities. The Secretaries of Defense and Health, Education, and Welfare are authorized and directed to prepare plans for cooperation with the American Association of Land-Grant Colleges and State Universities. Such plans shall be submitted to the Commission for approval and coordination with other plans. Within the scope of any plans approved by the Commission, and with its advice and consultation, the Secretaries of Agriculture, Defense, and Health, Education, and Welfare are authorized and directed to carry out such plans, in cooperation, to the extent feasible, with appropriate bodies of the States.

All agencies of the Federal Government are authorized to participate in celebrations pursuant to this Act. For the purposes of this section Federal agencies are authorized to utilize funds and authorities otherwise available to them. The Secretary of Agriculture may also utilize applicable authorities made available to the Commission under section 6 hereof.

SEC. 12. The American Association of Land-Grant Colleges and States Universities and the individual member institutions are encouraged to prepare and submit to the Commission plans for commemoration celebrations as contemplated by this Act. Member institutions receiving benefits under the Second Morrill Act, as amended (7 U.S.C. 321–328), section 22 of the Bankhead-Jones Act (7 U.S.C. 329), the Smith-Lever Act, as amended (7 U.S.C. 341–348), or the Hatch Act, as amended (7 U.S.C. 361a–361i), are authorized to utilize such funds in preparing such plans and in carrying out plans approved by the Commission.

SEC. 13. Any revenue accruing to the Commission from the carrying out of this Act may be merged with appropriations made to the Commission for use in covering the costs arising hereunder. Any unexpended balances of funds upon the termination of the Commission shall revert to the general funds of the Treasury. All property of the Commission remaining shall be deemed surplus property.

SEC. 14. For the purposes of the Act the word "State" includes Territories, the District of Columbia and Puerto Rico.

SEC. 15. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, to be available until expended.

SEC. 16. Except as prescribed in section 2 hereof, the authorizations of this Act shall become effective immediately, and shall terminate June 30, 1963.

Mr. KASTENMEIER. Mr. Speaker, I offer some committee amendments.

The Clerk read as follows:

Page 7, line 24, after the word "States" strike out ", and applicable appropriations pursuant to which such officers are employed shall be available for travel and other expenses incurred by them in carrying out the duties of the Commission or Executive Committee".

Page 10, line 10, following the word "sums," insert "not to exceed $200,000".

Page 10, line 10, strike out the words "provisions of this Act" and insert "purposes and functions of the Commission and Executive Committee".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. KASTENMEIER. Mr. Speaker, I ask unanimous consent to insert in the RECORD at this point the letter of the Department of Agriculture previously referred to, dated April 14, 1959.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The letter referred to follows:

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, April 14, 1959.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives.

DEAR CONGRESSMAN CELLER: On January 29, 1959, this Department transmitted to the Congress proposed legislation for centennial celebrations of the establishment of this Department and the land-grant colleges and State universities. The proposal was introduced as H.R. 4012 and reported favorably by your committee.

In view of questions recently raised on the floor of the House during consideration of the Consent Calendar, we should like to make clear that the $200,000 authorization would be for the expenses of the Commission and would not include expenses of the cooperating agencies.

In view of the widespread interest in and significance of the centennial celebrations throughout the country, it is anticipated that various entities will participate in the celebrations, including civic bodies, interested farm and educational organizations, and individuals, as well as State and Federal governmental agencies. To the extent that the Department of Agriculture, for example, will participate in the project, it will do so through the use of its regular resources and facilities and as a part of its functional responsibilities.

The work of the Commission will be to coordinate the efforts of the cooperating entities and to arrange for proper and well-balanced participation by the groups involved. We believe the Commission will make the project more meaningful, more efficient, and more economical.

Sincerely yours,

E. L. PETERSON,
Assistant Secretary.

PRIVATE CALENDAR

The SPEAKER. Under previous order of the House, the bills on the Private Calendar will be called.

MRS ELBA HAVERSTICK CASH

The Clerk called the first bill on the Private Calendar, H.R. 1434, for the relief of Mrs. Elba Haverstick Cash.

Mr. AVERY. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

THOMAS A. HOWE

The Clerk called the bill (H.R. 1601) for the relief of Thomas A. Howe.

Mr. AVERY. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

DR. GORDON D. HOOPLE ET AL.

The Clerk called the bill (H.R. 3825) for the relief of Dr. Gordon D. Hoople, Dr. David W. Brewer, and the estate of the late Dr. Irl H. Blaisdell.

There being no objection the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Doctor Gordon D. Hoople, Syracuse, New York, the sum of $1,774; to Doctor David W. Brewer, Syracuse, New York, the sum of $20; and to the estate of the late Doctor Irl H. Blaisdell, Syracuse, New York, the sum of $170. The payment of such sums shall be in full settlement of all claims of Doctor Gordon D. Hoople, Doctor David W. Brewer, and the late Doctor Irl H. Blaisdell against the United States for payment of the unpaid accounts for medical treatment and services rendered veterans from 1946 through 1952: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOSE SANTIAGO SAVEDRA CALZA

The Clerk called the bill (H.R. 3817) for the relief of Jose Santiago Savedra Calza.

Mr. CONTE. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

NORTH COUNTIES HYDRO-ELECTRIC CO.

The Clerk called House Resolution 189, providing for sending the bill (H.R. 5093) for the relief of North Counties Hydro-Electric Co. and accompanying papers to the Court of Claims.

Mr. CONTE. Mr. Speaker, I ask unanimous consent that House Resolution 189 be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

JOHN F. CARMODY

The Clerk called the bill (H.R. 2100) for the relief of John F. Carmody.

There being no objection the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John F. Carmody, of Moberly, Missouri, the sum of $1,020. The payment of such sum shall be in full settlement of all claims against the United States of the said John F. Carmody arising out of a contract with the Secretary of Agriculture for cost-sharing under subtitle B (conservation reserve program) of the Soil Bank Act with respect to a dam constructed in 1957 on a farm operated by the said John F. Carmody in Randolph County, Missouri: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike out "$1,020" and insert "$595."

Page 2, line 3, strike out "in excess of 10 per centum thereof."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RELIEF OF CERTAIN ALIENS

The Clerk called House Joint Resolution 322 for the relief of certain aliens.

There being no objection, the Clerk read the House joint resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Jimmy Ines, Claudio Diaz Torres, and Emily Elkas Batrie shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fees: *Provided,* That the admission of the said Claudio Diaz Torres shall be under such conditions and controls as the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare may deem necessary to impose: *Provided further,* That, unless the said Claudio Diaz Torres is entitled to care under chapter 55, title 10, United States Code, a suitable and proper bond or undertaking, approved by the Attorney General be deposited as prescribed by section 213 of the Immigration and Nationality Act.

SEC. 2. For the purposes of the Immigration and Nationality Act, Eva Bromberger, Mrs. Chi-Wen Liu (nee Hsu Dzon-Tsung), Mrs. Soledad C. Upton, Wilhelmina C. Brady, Mary Ray, Eduardo Mausisa, Francisca Mortell Grepo, Ella Mathez, Karl Johan Sell, and Juana Domenech shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fees: *Provided,* That the admission of the said Francisca Mortell Grepo and the said Juana Domenech shall be under such conditions and controls as the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare may deem necessary to impose: *Provided further,* That, unless the said Francisca Mortell Grepo and the said Juana Domenech are entitled to care under chapter 55, title 10, United States Code, suitable and proper bonds or undertakings, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act. Upon the granting of permanent residence to each alien as provided for in this section of this Act, if such alien was classifiable as a quota immigrant at the time of the enactment of this Act, the Secretary of State shall instruct the proper quota-control officer to reduce by one the quota for the quota area to which the alien is chargeable for the first year that such quota is available.

SEC. 3. The Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bonds which may have issued in the cases of Moises Garza Barriga, Androula G. Kyriacou, and Francisco Gomez-Olvera; *Provided,* That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act in the case of Androula G. Kyriacou. From and after the date of the enactment of this Act, the said Moises Garza Barriga, Androula G. Kyriacou, and Francisco Gomez-Olvera shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued.

SEC. 4. For the purposes of the Immigration and Nationality Act, Roderick Joseph Grant, also known as Robert Grant shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 1, 1927, upon payment of the required visa fee.

SEC. 5. For the purposes of the Immigration and Nationality Act, Lum Sum Git, also known as George Git Lum, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 1, 1932, upon payment of the required visa fee.

With the following committee amendments:

On page 3, line 17, after the name "Kyriacou", change the period to a colon and add the following proviso: *"Provided further,* That, unless Francisco Gomez-Olvera is entitled to care under chapter 55, title 10, United States Code, a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by

section 213 of the Immigration and Nationality Act, and the said Francisco Gomez-Olvera may be permitted to remain in the United States under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health Education, and Welfare, may deem necessary to impose."

On page 4, after line 7, insert the following: "Upon the granting of permanent residence to such alien as provided for in this section of this Act, the Secretary of State shall instruct the proper quota-control officer to reduce by one the quota for the quota area to which the alien is chargeable for the first year that such quota is available."

The committee amendments were agreed to.

The House joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FACILITATING ADMISSION OF CERTAIN ALIENS

The Clerk called the resolution (H.J. Res. 323) to facilitate the admission into the United States of certain aliens.

There being no objection, the Clerk read the resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Manda Wilkinson, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Ray L. Wilkinson, citizens of the United States: *Provided,* That the natural parents of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

SEC. 2. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, Maria Veresan shall be held and considered to be the minor alien child of Mr. Gus Kosta Veresan, a citizen of the United States.

SEC. 3. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Alfredo A. Guinitaran, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Lope Guinitaran, citizens of the United States: *Provided,* That the natural parents of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

SEC. 4. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, Adela A. Nones shall be held and considered to be the minor alien child of Benito O. Nones, a citizen of the United States. Notwithstanding the provision of section 212(a)(6) of the Immigration and Nationality Act, the said Adela A. Nones may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such Act, under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided,* That unless the beneficiary is entitled to care under chapter 55, title 10, United States Code, a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act: *Provided further,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act.

SEC. 5. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, Carmela DeBono shall be held and considered to be the minor alien child of Charles DeBono, a citizen of the United States.

SEC. 6. For the purposes of the Immigration and Nationality Act, Lee Kuhn Wui shall be deemed to be a nonquota immigrant.

SEC. 7. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Lambrini Georgia Mellas, shall be held and considered to be the natural-born alien child of Mr. and Mrs. George P. Mellas, citizens of the United States: *Provided,* That the natural parents of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

SEC. 8. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, Josefina Formalejo shall be held and considered to be the natural-born alien minor child of Bernardino P. Formalejo, a citizen of the United States.

SEC. 9. For the purposes of sections 203(a)(3) and 205 of the Immigration and Nationality Act, Giovanni Moschella shall be held and considered to be the minor alien child of Pietro Moschella, a lawfully resident alien of the United States: *Provided,* That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act.

SEC. 10. For the purposes of section 101(a)(27(A) and 205 of the Immigration and Nationality Act, Ilda Mato Martinez shall be held and considered to be the natural-born alien minor child of Mr. and Mrs. George Mato Martinez, citizens of the United States: *Provided,* That the natural parents of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

SEC. 11. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor children, Mary Stathocopoulos and Evangelia Stathacopoulos, shall be held and considered to be the natural-born alien children of Mrs. Eva Poulous, a citizen of the United States: *Provided,* That the natural parents of the beneficiary shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

SEC. 12. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, Chang Wah Cheung shall be held and considered to be the minor alien child of Chang Ting Yen, a citizen of the United States.

SEC. 13. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, Sheung Jeung shall be held and considered to be the minor alien child of Jeung Gim, a citizen of the United States.

SEC. 14. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Stjepan Sternberger (Srecko Ljubicic) shall be held and considered to be the natural-born alien child of Mr. and Mrs. John Sternberger.

SEC. 15. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, Yoko Kawamura shall be held and considered to be the natural-born alien minor child of Mr. and Mrs. Donat Beland, citizens of the United States.

SEC. 16. For the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Maria Giorgia Rotolo, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Joseph Sinatra, citizens of the United States: *Provided,* That the natural parents of the beneficiary shall not by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

SEC. 17. For the purposes of the Immigration and Nationality Act, Makoto Yabusaki shall be deemed to be a nonquota immigrant.

With the following committee amendment:

On page 5, line 25, strike out the name "Maria Giorgia Rotolo," and substitute the name "Maria Giorgia Rotolo Sinatra,".

The committee amendment was agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WAIVING CERTAIN PROVISIONS OF THE IMMIGRATION AND NATIONALITY ACT

The Clerk called the resolution (H.J. Res. 324) to waive certain provisions of section 212(a) of the Immigration and Nationality Act in behalf of certain aliens.

There being no objection, the Clerk read the resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provision of section 212(a)(6) of the Immigration and Nationality Act, Viktors Neimanis may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of such Act, under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare may deem necessary to impose: *Provided,* That, unless the beneficiary is entitled to care under chapter 55, title 10, United States Code, a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act.

SEC. 2. Notwithstanding the provision of section 212(a)(9) of the Immigration and Nationality Act, Alan Doctors and George Maurice De Neef may be issued visas and admitted to the United States for permanent residence if they are found to be otherwise admissible under the provisions of that Act.

SEC. 3. Notwithstanding the provision of section 212(a)(3) of the Immigration and Nationality Act, Mrs. Loo Shee Yee, also known as Low Shee, may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such Act, under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided,* That, unless the beneficiary is entitled to care under chapter 55, title 10, United States Code, a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act.

SEC. 4. The exemptions provided for in this Act shall apply only to grounds for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this Act.

With the following committee amendments:

After the enacting clause strike out section 1 of the joint resolution beginning on page 1, line 3, through line 4 on page 2.

On page 2, line 5, strike out "SEC. 2. Notwithstanding" and substitute in lieu thereof the following: "That, notwithstanding".

On page 2, line 11, strike out "SEC. 3." and substitute "SEC. 2.".

On page 3, line 1, strike out "SEC. 4." and substitute "SEC. 3."

The committee amendments were agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

"HOW OUR LAWS ARE MADE"

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 95 and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That the brochure entitled "How Our Laws Are Made," by Doctor Charles J. Zinn, law revision counsel of the House of Representatives Committee on the Judiciary, as set out in House Document 451 of the Eighty-fourth Congress, be printed as a House document, with emendations by the author and with a foreword by Honorable Edwin E. Willis; and that there be printed one hundred and thirty-two thousand additional copies to be prorated to the Members of the House of Representatives for a period of ninety days after which the unused balance shall revert to the Committee on the Judiciary.

Mr. SCHENCK. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from Ohio.

Mr. SCHENCK. Mr. Speaker, I hope the gentleman from Ohio will explain to the House that these resolutions we are about to consider were unanimously approved both by the Subcommittee on Printing and by the full Committee on House Administration.

Mr. HAYS. That is true. There was no disagreement on any of the resolutions which we are about to call up.

The SPEAKER. The question is on the concurrent resolution.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

"THE NEXT TEN YEARS IN SPACE, 1959–1969"

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 157 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That there be printed as a House document the staff report entitled "The Next Ten Years in Space, 1959–1969" (heretofore printed as a committee print for the use of the Select Committee on Astronautics and Space Exploration of the House of Representatives), and there shall be printed for the use of the Committee on Science and Astronautics of the House of Representatives fifteen thousand additional copies of such House document.

With the following committee amendment:

On page 1, line 7, strike out "fifteen" and insert "ten".

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

"COMMITTEE ON UN-AMERICAN ACTIVITIES — WHAT IT IS — WHAT IT DOES"

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 168 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the publication entitled "Committee on Un-American Activities—What It Is—What It Does" prepared by the Committee on Un-American Activities, House of Representatives, Eighty-fifth Congress, second session, be printed as a House document; and that there be printed forty thousand additional copies of this document for the use of said committee.

The resolution was agreed to.

A motion to reconsider was laid on the table.

"PATTERNS OF COMMUNIST ESPIONAGE"

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 169 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the publication entitled "Patterns of Communist Espionage", prepared by the Committee on Un-American Activities, House of Representatives, Eighty-fifth Congress, second session, be printed as a House document; and that there be printed ten thousand additional copies of this document for the use of said committee.

The resolution was agreed to.

A motion to reconsider was laid on the table.

"ORGANIZED COMMUNISM IN THE UNITED STATES (REVISED)"

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 170 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That there be printed for the use of the Committee on Un-American Activities six thousand additional copies of House Report Numbered 1724, Eighty-fifth Congress, second session, entitled "Organized Communism in the United States (Revised)."

Mr. WALTER. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from Pennsylvania.

Mr. WALTER. I would like to take this opportunity to thank the gentleman from Ohio for the continued interest which he has displayed in the very difficult task that the Committee on Un-American Activities has in supplying the information that is sought from all sources. The gentleman has been most helpful.

Mr. HAYS. I thank the gentleman.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from Iowa.

Mr. GROSS. What is it that is proposed to be printed here? Can we not have some explanation?

Mr. HAYS. This particular resolution, House Resolution 170, authorizes the printing of 6,000 copies of House Report No. 1724 of the 85th Congress entitled "Organized Communism in the United States (Revised)."

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

U.S. CAPITOL PAGE SCHOOL

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 177 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That there shall be printed two thousand five hundred copies of the publication entitled "United States Capitol Page School," of which one thousand five hundred shall be for the use of the Doorkeeper of the House, and one thousand for the use of the Sergeant at Arms of the Senate.

With the following committee amendments:

On page 1, line 1, strike out "two thousand five hundred" and insert "four thousand."

Page 1, line 3, strike out "one thousand five hundred" and insert "three thousand."

The committee amendments were agreed to.

Mr. HAYS. I would just like to say that the reason for this committee amendment increasing the number was because we found that by doing this we could avoid going back to the House in about a year and a half or so to request additional copies. By doing it this way we can save probably $500 by printing a sufficient number now instead of doing it every year and a half.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

"PRICE DISCRIMINATION IN THE DISTRIBUTION OF DAIRY PRODUCTS"

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 194 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That there be printed for the use of the Select Committee on Small Business, five thousand additional copies of the report entitled, "Price Discrimination in the Distribution of Dairy Products", House Report Numbered 2713, Eighty-fifth Congress.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I yield to the gentleman.

Mr. GROSS. What is this?

Mr. HAYS. This report is one from the Committee on Small Business entitled "Price Discrimination in Distribution of Dairy Products."

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

REPORT ENTITLED "U.S. FOREIGN AID, ITS PURPOSES," ETC.

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 201 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That the report prepared by the Legislative Reference Service, Library of Congress, entitled "United States Foreign Aid, Its Purposes, Scope, Administration, and Related Information", dated February 27, 1959, be printed as a House document; and that there be printed three thousand additional copies for the use of the House of Representatives.

With the following committee amendment:

Page 1, line 5, strike "three" and insert "ten".

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I yield to the gentleman.

Mr. GROSS. Is this "for" or "agin" foreign aid—this document?

Mr. HAYS. Mr. Speaker, I would say to the gentleman that the committee thrashed this matter out pretty conclusively and we considered it to be a very objective document. I would say from my own observation that if it leans in either direction; it probably leans slightly against it, although I think it is very important. The reason I am for it is because it has in it a supply of information that I have never seen or been able to get gathered together in any one place before, relating to the amounts that we have contributed to various countries over the years and the various types of foreign aid.

Mr. GROSS. This is not that document that was printed last year with questions and self-serving answers by the Department of State?

Mr. HAYS. No; this was printed at the request of the gentleman from California [Mr. LIPSCOMB] and a group of his colleagues, to give them information which would guide them in their consideration of foreign aid legislation. They thought it was worthwhile and asked to have it printed. The committee evaluated it and thought it would be valuable to the membership.

Mr. GROSS. I thank the gentleman.

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON UN-AMERICAN ACTIVITIES

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration I call up House Resolution 228 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That there be printed for the use of the Committee on Un-American Activities ten thousand additional copies of House Report Numbered 187, current session, entitled "Annual Report for the Year 1958".

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON WAYS AND MEANS

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration I call up House Resolution 232 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That there be printed for the use of the Committee on Ways and Means, House of Representatives, four thousand additional copies of the hearings entitled "Mineral Treatment Processes for Percentage Depletion Purposes".

The resolution was agreed to.

A motion to reconsider was laid on the table.

PRESENTATION OF OFFICIAL FLAG OF THE UNITED STATES BEARING 49 STARS

Mr. RIVERS of Alaska. Mr. Speaker, I ask unanimous consent for the immediate consideration of Senate Joint Resolution 19.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Clerk read the joint resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Architect of the Capitol is hereby authorized and directed to present to the Senators and Representative in Congress from the State of Alaska the official flag of the United States bearing forty-nine stars which is first flown over the west front of the United States Capitol, for presentation by such Senators and Representatives to the Governor of Alaska.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADJOURNMENT UNTIL THURSDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Thursday next.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

HON. CHRISTIAN HERTER

Mr. WALTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WALTER. Mr. Speaker, the news of the resignation of Secretary of State, John Foster Dulles, saddened me, as I know it did all of us. When I first heard the announcement, immediately after my return from Geneva, where I had the honor to serve as a member of the 10th meeting of the Council of the Intergovernmental Committee for European Migration, I also felt a sense of trepidation concerning the future course and conduct of our foreign policy. That has been allayed by the announcement of the appointment of Christian Herter as Mr. Dulles' successor.

In years past we have grown accustomed to the continuous vaporings of the chorus of Dulles detractors—both domestic and foreign. I do not know what actuated them or caused them to persist in their attempts to undermine our Secretary of State and the conduct of our foreign policy. But how their tune has changed now that they know that almighty providence has caused the target of their attacks to lay down his heavy burden. Not in my memory, Mr. Speaker, do I recall such a complete about-face on the part of the newspaper and radio pundits—both here and abroad—in so short a time in their evaluation of a man and the policies he espoused.

Perhaps we should be charitable and compare these critics to the resentful child who chafed under the benign discipline of a devoted parent and then awoke to the frightening realization that the source of his irritation had been removed by the intervention of providence and that he now was on his own in a cruel and hostile world.

One of the charges most frequently leveled at Secretary Dulles by his detractors was that he was not popular abroad. I say again, Mr. Speaker, as I said some time ago in this Chamber, that when we evaluate the competence of a Secretary of State in proportion to his popularity abroad we will indeed be setting up the most dangerous, the most unrealistic of criteria. Paraphrasing Desdemona, I say now, as I said then, of Mr. Dulles: "I love him for the enemies he has made."

John Foster Dulles is a man of prodigious courage and determination who can face unflinchingly physical suffering. However, the mental torment of being unable to see through his policies or to participate in the crucial negotiations immediately ahead and his concern for the security and welfare of our Nation in the parlous times which face us must be for him a heavy burden indeed.

Few men in the history of our Nation have been such consummate practitioners of the art of diplomacy as Secretary Dulles. Few, if indeed any, have, through resolute determination, prophetic foresight, penetrating analysis and rigid adherence to the natural law been able to follow so unswervingly a

predetermined course or to achieve so large a measure of their objective.

There are international politicians—I would not, Mr. Speaker, call them statesmen—who contend that in the relations between powers there is no morality; that the only law is self-interest, and that whatever any government, whether dictatorship or democracy, determines is in its own self-interest is indeed moral. Such a course of action, predicated on subjective norms and self-interest, must lead inevitably to a clash of nations, which may vary in degree from a cold war to a nuclear holocaust. Repeatedly in his public utterances Secretary Dulles proclaimed as the only true norm for the conduct of nations the rule of law; the objective, immutable norm of the moral law of man predicated upon the natural law of God. We shall see no true peace on earth until nations accept and abide by this principle. If he rendered no other single service to the comity of international relations, this contribution alone would entitle John Foster Dulles to be remembered as long as nations exist.

I feel a deep personal sadness at Secretary Dulles' misfortune as any of us would feel for a friend whom we greatly admire. I pray God that He may spare to us this great, this good and courageous, this deeply religious man for many years to come. His advice and counsel can be invaluable to any President or any administration. I also hope, Mr. Speaker, that he may be spared to write his memoirs, to fill the gaps of history and to pass on to future generations of Americans his great wisdom and knowledge concerning the conduct of foreign affairs and the practice of the art of diplomacy.

Mr. Speaker, I am certain that those of our colleagues who had the pleasure of serving in this body with Christian Herter share my pleasure and satisfaction in knowing that he has been appointed to the great office of Secretary of State of the United States at this most crucial moment.

Mr. Herter has proved himself in many fields. Since his early youth he has had a keen and continuing interest in foreign affairs. He knows and is liked by people, as is evidenced by the fact that he served in the 78th, 79th, 80th, 81st, and 82d Congresses. Subsequently he was chosen by the people of Massachusetts as the chief executive of that great Commonwealth. He is forceful; he is a leader and he can project his personality and his thoughts. But also he is kind, courteous, accommodating and respectful of the opinions of others. He can and will represent us well at the international conference tables. His background, experience and achievements preeminently qualify him for the great responsibilities which now face him.

It is with pleasure that I remember my service on the Select Committee on Foreign Aid of the 80th Congress, on which I served with Governor Herter. In later years that group came to be popularly known as the Herter Committee. I like to believe that that group was, in a measure, instrumental in having the Congress adopt the first and succeeding Marshall plans, the Truman doctrine and other measures which stopped the onward rush of communism in Europe and restored to a position of economic independence the free countries of the European Continent. I have seen with my own eyes, year by year, the results of those programs in Europe and I am keenly aware of the contribution which they have made to NATO and to the defense of the West. I also like to believe that we can, to a degree, share with President Truman and his great Secretary of State, General Marshall, the credit for the vision which inspired these programs. Certainly, Christian Herter was one of the principal architects of this edifice of defense. I salute him for his leadership and his foresight.

Mr. Speaker, I read with interest the remarks of some of the distinguished leaders of my party in the other body, when the appointment of Christian Herter as Secretary of State first was thought likely. They commended his qualifications for this high office and offered nonpartisan support. I think that we, too, believe that partisan politics should stop at the water's edge. I hope that I speak for my colleagues in promising Chris Herter the same nonpartisan support which was accorded his predecessor. I firmly believe that he will have the trust, the support and the prayers of all patriotic Americans as he now assumes the heavy burdens so recently and so tragically relinquished by Secretary Dulles and moves forward to the difficult days ahead. I wish him success in all he undertakes.

HELPING DEPENDENT CHILDREN OF AN UNEMPLOYED FATHER

Mr. REUSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. REUSS. Mr. Speaker, I have today introduced an amendment to the Social Security Act which would broaden the Federal grant-in-aid program to provide assistance to needy children when the father is unemployed.

The amendment takes the form of a very simple change in section 406(a) of the Social Security Act. By adding the word "unemployment" in this section, State welfare agencies would be able to modify their existing State aid to dependent children programs to extend aid to families with children when the father was unemployed.

At the present time, Federal funds are available to the States under the aid to dependent children program only when a child is needy due to the "death, continued absence from the home, or physical or mental incapacity" of a parent—section 406(a) of the Social Security Act. As a result, the law places a premium on desertion. If, when a father is unemployed, and he needs public assistance, he cannot receive it in some localities—unless he deserts his family. When he deserts, his family can become eligible for Aid to Dependent Children.

Nobody knows, of course, how many such forced desertions occur, because when the mother applies for aid to dependent children the father has already left the family and it is then impossible to find out what motivated his action. But we can be reasonably certain that the Federal law, in its present form, puts pressure on the father to desert if he wishes to see his children and wife fed and sheltered. It necessitates that the father face the dilemma—stay with his family and perhaps all starve—or desert and give them a meager assistance until he can find a job elsewhere and come back for them or bring them to his new location.

Whatever may be the cost, I do not believe it is sound public policy for our Federal legislation to encourage, accept, or condone desertion. Consequently, I shall press for favorable action for my amendment and I earnestly solicit the support of members of the Committee on Ways and Means for my amendment.

Every State in the Union has an aid to dependent children program which is receiving Federal grants-in-aid under title IV of the Social Security Act. In January 1959 the average monthly payment per recipient was only $28.35—less than a dollar per day. Each State is free to decide the amount to be paid to the recipients and the standards to be set. But the Federal law determines the scope of coverage. This is something we can and must correct in the Federal law.

Numerous organizations have urged the Congress to broaden the coverage of the Aid to Dependent Children program. Among those advocating such a change are the American Public Welfare Association, the National Association of Social Workers, the AFL–CIO, the American Parents' Committee, and other organizations interested in children and families.

I particularly wish to cite two goals stated by the American Public Welfare Association in its "Federal Legislative Objectives—1959." These seem to me to be a sound basis for evaluating and supporting my amendment. Here is what the APWA says:

> Public welfare programs should provide effective services to all who require them including financial assistance and preventive, protective, and rehabilitative services, and these services should be available to all persons without regard to residence, settlement, or citizenship requirements;
>
> Democracy has a special obligation to assure to all the Nation's children full and equitable opportunity for family life, healthy growth, and maximum utilization of their potentialities.

Our present Aid to Dependent Children program does not accord with these objectives. We should not be content to allow the situation to remain the way it is. We need a change in the scope of the program.

As a member of the Intergovernmental Relations Subcommittee of the

Committee on Government Operations, I had the opportunity to study State programs of public assistance. I came to the conclusion, from our studies, that both our unemployment insurance and public assistance programs need strengthening. The experience during the recession confirms this.

The amendment I have introduced would help the States to be in a better position to meet unemployment when it occurs. But even more so, it would be another step in the direction of helping "to maintain and strengthen family life." This objective was written into the Aid to Dependent Children provisions of the Social Security Act by Congress in 1956 in sections 401, 402(a)(11) and 403(a)(2). My amendment will help carry out this objective by keeping families together and helping them to get back on their feet when unemployment is a cause of need.

Mr. President, I believe it would be desirable to broaden the Aid to Dependent Children program so that any needy child could be given assistance in his own home. As a step in this direction, we should broaden the program now to include unemployment as an eligibility condition. We should give the States the opportunity to do so now while the lessons of the recession are still fresh in our mind.

From information received from State welfare directors, I believe that many States could take advantage of my amendment immediately without any further State legislation. Other States are eager and willing to do so as soon as the Federal law is changed.

Congress should take prompt action on this important matter.

WELFARE AND RECREATION AGENCIES SHOULD BE ELIGIBLE FOR FEDERAL SURPLUS PROPERTY

Mr. McGOVERN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. McGOVERN. Mr. Speaker, the disposal of surplus property to medical institutions, health centers, schools, colleges, and related organizations has proven of enormous benefit to institutions in South Dakota as well as throughout the country. Good use has been made of this property, especially by our schools and colleges. During the past year, about 80 percent of all surplus personal property was distributed to schools, about 10 percent to hospital and health facilities, and 10 percent for civil defense purposes.

The present Federal Property and Administrative Act of 1949 should be amended, however, to include worthy welfare and recreational agencies. These agencies which deal specifically with our aged, our young people, and our needy are doing a tremendous job—generally with very limited funds. They need this property and can put it to good use in the building of a stronger America.

The proposed bill would broaden eligibility to include agencies such as the Salvation Army, YMCA, YWCA, Travelers Aid, and other similar organizations. The bill insures that only tax-supported or tax-exempt welfare or recreational agencies would be eligible for this property. A tax-exempt voluntary agency would have to have a license from a State standard-setting agency, or receive funds through a State or local community fund, or be affiliated with or a part of a national standard-setting organization.

The bill has grown out of recommendations drawn up by a national welfare assembly committee, which included members drawn from American Foundation for the Blind, Child Welfare League of America, Council of Jewish Federations and Welfare Funds, Council on Social Work Education, Girl Scouts, National Council of Churches of Christ in America, National Federation of Settlements and Neighborhood Centers, National Jewish Welfare Board, National Recreational Association, Salvation Army, United Community Funds and Councils, Young Men's Christian Association, and Young Women's Christian Association. In addition, the following organizations have expressed their interest in this subject: American Hearing Society, Board of Hospitals and Homes of the Methodist Church, National Catholic Community Service, the United HIAS Service.

Mr. Speaker, I am today introducing legislation to amend the Federal Property and Administrative Services Act of 1949 to authorize the disposal of surplus property to certain welfare agencies. Similar legislation has previously been introduced by Senator KEATING of New York and Senator WILEY of Wisconsin.

FOOD FOR PEACE ACT OF 1959

Mr. McGOVERN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. McGOVERN. Mr. Speaker, during the 6 years that I have been active in public life there is no theme that I have discussed so frequently as the necessity of using our agricultural abundance more effectively in feeding the hungry both at home and abroad.

It has always seemed strange to me for men to talk about "burdensome surpluses" of food in a world where most of the people do not have enough to eat.

For the past 2,000 years the world has been ennobled by the philosophy that out of our abundance we should feed the hungry and clothe the naked. This philosophy is not only good religious doctrine, it is sound economics and good politics.

At a time when we are engaged in a global competition with another way of life, it is all the more urgent that we use our resources to move the world toward peace and security. The only war that Americans seek is the war against hunger, poverty, and disease. A powerful instrument in that war is the abundant production of the American farmer. Instead of regarding our agricultural productivity as a curse, we should move with greater vision and compassion to convert it to the tremendous asset that it actually is. Instead of hiding our talent in the ground or letting it deterioriate in storage bins at public expense, let us move boldly into a comprehensive food for peace program.

On January 29 of this year I introduced House Concurrent Resolution 60 expressing the sense of the Congress that "the American people must more fully and completely employ the plentiful resources of the American farmer to enhance the standard of living throughout the free world and to bolster the political and economic stability of those nations which have embarked upon programs of economic construction."

The text of that resolution reads as follows:

Whereas the abundance of food and fiber produced by the American farmer is the marvel of the world; and

Whereas most of the people of the world are undernourished; and

Whereas the American people historically have been concerned with the well-being of other peoples; and

Whereas in many nations of the free world vital economic development programs are retarded and political stability is threatened by an inadequate supply of food; and

Whereas the remarkable bounty of the free American farmer has resulted in accumulations of farm commodities for which there is insufficient domestic demand; and

Whereas the Congress seeks to reduce unnecessary expenditures, including, where possible, those for commodity storage and for foreign assistance; and

Whereas the Soviet bloc has publicly challenged the United States and her allies to economic competition in demonstrating before the world the viability of their respective economic systems: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that an agricultural abundance is one of America's greatest assets for raising living standards and promoting peace and stability in the free world; and that Congress favors action to resolve the paradox of American agricultural surpluses and world food needs by more fully utilizing the resources of the American farmer as an integral part of the United States' foreign assistance program.

SEC. 2. This concurrent resolution may be cited as the "Food for Peace Resolution."

I am today introducing a comprehensive legislative proposal to put the above resolution into operation.

My bill, which may be cited as "The Food for Peace Act" is similar to legislation being sponsored by Senator HUMPHREY in the other body.

The basic provisions of the act are the following:

TITLE I

The $1½ billion annual sales of farm surplus for foreign currencies would be increased to $2 billion annually and would be extended for 5 years.

TITLE II

The Public Law 480 title II provision of surplus food grants to meet famine or emergency conditions abroad would be extended for 5 years. Food grants to assist friendly countries in the relief of chronic hunger are also provided.

TITLE III

Continuation of title III of Public Law 480 including encouragement of church and other voluntary groups that have been distributing surplus food stocks to needy persons overseas. This section provides for, first, use by Federal agencies of local currencies derived from surplus commodity sales to purchase commodities not produced in the United States; second, barter of surplus agricultural commodities for strategic or other materials; third, grants of surplus farm stocks to public and private agencies for use in the United States in nonprofit school lunch programs, nonprofit summer camps for children, charitable institutions including hospitals, and assistance to needy persons; and fourth, grants to nonprofit voluntary agencies for use in the assistance of needy persons outside the United States.

TITLE IV

A 10-year program of long-term supply contracts for U.S. surplus agricultural commodities that would be financed with low-cost loans extending up to 40 years and at interest rates not exceeding 2½ percent. The borrowing countries would be permitted to retire the loans in dollars, services, or needed materials.

TITLE V

Grants of surplus agricultural commodities over a period of 5 years to help food-deficit countries, under agreements, build up and maintain minimum national food reserves—in accordance with the United States-sponsored resolution adopted by the United Nations on February 20, 1957.

TITLE VI

Negotiation of agreements with friendly countries to establish in such countries binational, nonprofit foundations to foster and promote research, education, health and public welfare, and to grant to such foundations unexpended local currencies which accrue to the United States as repayments of principal or payment of interest on local currency loans heretofore made by the United States under Public Law 480 or made hereafter under the Food for Peace Act.

TITLE VII

A Peace Food Administration would be established in the Executive Office of the President, headed by a Peace Food Administrator, to aid the President in carrying out the purposes of the act and also the purpose of section 402 of the Mutual Security Act of 1954, as amended. There would also be created an Interdepartmental Peace Food Policy Committee to advise and consult with the Peace Food Administrator, and also a Peace Food Advisory Committee consisting of representatives of private U.S. groups and organizations.

In addition to the foregoing, the Food for Peace Act would authorize a number of additions to the authorized uses, in addition to those in Public Law 480, for local currencies accruing from sales of surplus agricultural commodities under title I. Of these, five would permit the use of such currencies to buttress and extend social and economic development projects and activities of the United Nations Special Fund, the United Nations Food and Agriculture Organization, the World Health Organization, the International Finance Corporation, and an International Development Loan Association if and when such may be established. Others would permit more effective use of such currencies in promoting international educational exchanges; research, educational development, and health and education; and technical assistance. On loans of local currencies for economic development, the act would specify a maximum interest rate of 2½ percent.

Mr. Speaker, under unanimous consent I include the text of the bill at this point in the RECORD:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Law 480 of the Eighty-third Congress, as amended, is further amended as follows:

(1) The first section (which provides the short title) is amended to read as follows:

"That this Act may be cited as 'The International Food for Peace Act of 1959'."

(2) Section 2 (which consists of a statement of policy) is amended to read as follows:

"CONGRESSIONAL FINDINGS AND POLICY

"SEC. 2. (a) Because of the increased productivity made possible by science and technology, there is now, for the first time in history, no reason in physical scarcity for the continued existence of hunger—anywhere on this earth. It is now possible and practical for mankind to take cooperative steps to abolish human hunger.

"This being so, massive hunger and suffering from want of clothing, existing in the world in the shadow of unused present and potential surpluses of food and fiber, are no longer tolerable, either morally, politically, or economically.

"The Congress, while recognizing the difficult international, political, and economic problems that lie between hunger and want of clothing in many parts of the world and food and fiber surpluses in others, declares it to be the policy of the United States to move as rapidly as possible in cooperation with other friendly nations, toward putting its abundance of food and fiber more effectively in the service of human need.

"(b) Peoples who comprise one-third of the human race have in our generation achieved national independence (or are in the process of doing so) and are in revolt against the poverty, ignorance, disease, inferior status, and lack of opportunity which have always been their lot. They are determined to achieve that economic and social development necessary to national dignity and individual well-being. To mobilize their resources with reasonable speed and develop their economies to a point where they are self-propelled and self-sustaining they require substantial outside aid over a considerable period of years. If that aid is adequately forthcoming from the free world, they have a good chance to accomplish their purposes in freedom, remaining a part of the free world and contributing to its strength and well-being. If it is not forthcoming, their alternative is to seek it in the Communist world, and in the process to surrender both personal and national freedom. Deeply aware of and sympathetic with the aspirations of the world's peoples who seek in freedom greater national dignity and individual well-being, the Congress declares it to be the policy of the United States to help them achieve those aspirations. The Congress recognizes that for this purpose a number of different kinds of aid are required, but that among them food and fiber aid is a highly important form and one whose effectiveness can be greatly increased. The Congress declares that the agricultural abundance of the United States is not an embarrassment but a blessing to be used in the service of mankind, that it should be so used to the maximum extent possible, and that if it is so used it can help build essential conditions of world peace and freedom.

"(c) To achieve those larger purposes, the Congress directs that this Act shall be administered (1) so as to help other countries carry forward their own national or regional plans for development in freedom and independence; (2) so as to support the efforts and programs of the United Nations, its specialized agencies and affiliated organizations, and regional organizations of friendly countries, directed toward the same ends; (3) so as to leave wide latitude in working out details of national agreements and projects to United States Chiefs of Missions in negotiations with the governments concerned; and (4) so as to enlist the cooperation of other countries in putting agricultural surpluses more effectively in the service of human need and the economic and social development of less developed countries.

"(d) It is also declared to be the policy of Congress to expand international trade among the United States and friendly nations, to facilitate the convertibility of currency, to promote the economic stability of American agriculture, and the national welfare, to make maximum efficient use of surplus agricultural commodities in furtherance of the foreign policy of the United States, and to stimulate and facilitate the expansion of foreign trade in agricultural commodities produced in the United States by providing a means whereby surplus agricultural commodities in excess of the usual marketings of such commodities may be sold through private trade channels, and foreign currencies accepted in payment thereof. It is further the policy to use foreign currencies which accrue to the United States under this Act to expand international trade, to encourage economic development, to purchase strategic materials, to pay United States obligations abroad, to promote collective strength, and to foster in other ways the foreign policy of the United States."

(3) Section 101 (which relates to the negotiation of agreements) is amended by striking out "and" at the end of paragraph (d), by changing the period at the end of paragraph (e) to a semicolon, and by adding at the end of such section the following new paragraphs:

"(f) seek, insofar as possible, to enter into such agreements for periods in excess of one year; and

"(g) give maximum attention to utilizing the authority and funds provided by this Act to further the economic and social development plans of underdeveloped countries."

(4) Section 103(b) (prescribing limit on appropriations) is amended to read as follows:

"(b) Agreements shall not be entered into under this title during the period beginning July 1, 1959, and ending June 30, 1964, which will call for appropriations to reimburse the Commodity Credit Corporation, pursuant to subsection (a) of this section, in amounts in excess or $2,000,000,000 annually, plus any amount by which agreements entered into in prior years have called or will call for appropriations to reimburse the Commodity Credit Corporation in amounts less than authorized for such prior fiscal years by this Act as in effect during such fiscal years."

(5) Section 103 is further amended by adding at the end thereof the following new subsection:

"(c) In carrying out programs and activities under this title, the President shall, insofar as possible, coordinate such programs

and activities with other United States and international programs and activities directed toward the same end."

(6) Section 104(e) (relating to loans for trade expansion) is amended by striking out "Export-Import Bank for loans mutually agreeable to said bank" and inserting in lieu thereof "United States Development Loan Fund created by title II of chapter II of the Mutual Security Act of 1954, as amended, for loans mutually agreeable to said Fund", and by inserting before the semicolon at the end thereof a colon and the following: *"Provided further,* That funds which have accrued under this section and which are uncommitted may at the discretion of the President, be placed under the administration of the Development Loan Fund".

(7) Section 104(g) (relating to the promotion of trade and economic development) is amended to read as follows:

"(g) For loans and grants to promote multilateral trade and economic development, made through established banking facilities of the friendly nation from which the foreign currency was obtained or in any other manner which the President may deem to be appropriate. Interest on loans made under this subsection shall be at such rate, not to exceed 2½ per centum per annum, as the President shall determine. Strategic materials, services, or foreign currencies may be accepted in payment of such loans;".

(8) Section 104(h) (relating to international educational exchange activities) is amended by striking out the words "in such amounts as may be specified from time to time in appropriation acts" and by striking out the semicolon at the end thereof and inserting in lieu thereof a period and the following: "Such currencies may also be used for making grants to United States nonprofit organizations and institutions for carrying out such exchange of persons projects under this paragraph between the United States and other countries as may be agreed upon between such organizations and institutions and the Secretary of State, but no such grants shall be made to any organization or institution which does not agree to provide the dollar funds which the Secretary of State deems necessary to carry forward agreed projects to a successful conclusion;".

(9) Section 104(k) (relating to scientific activities) is amended by striking out "but no foreign currencies shall be used for the purposes of this subsection (k) unless specific appropriations be made therefor" and inserting in lieu thereof the following: "and to promote and support programs of medical and scientific research, cultural and educational development, health, nutrition, and sanitation".

(10) Section 104(o) (relating to assistance to educational facilities sponsored by United States citizens) is amended by striking out so much thereof as follows the semicolon.

(11) Section 104 (relating to uses of foreign currencies) is amended by inserting after paragraph (o) the following new paragraphs:

"(p) For supporting workshops in American studies or American educational techniques, and supporting chairs in American studies.

"(q) For financing technicians and other personnel of the United Nations Food and Agriculture Organization and World Health Organization (including necessary equipment and supplies) engaged in (i) consulting and advising on, conducting, or administering Government programs designed to relieve chronic hunger and malnutrition, (ii) consulting and advising on programs for the storage, management, and operation of national food reserves, or (iii) training local technical, administrative, and other personnel needed to carry out such programs;

"(r) For financing research, surveys, conferences, publicity, and other activities which the President shall find to be helpful in support of the projected 'Free the World from Hunger' campaign of the United Nations Food and Agriculture Organization; and for such purposes and the purposes of paragraph (q) any currencies of any country available under this Act may be transferred to and used in any other country;

"(s) For financing local currency cost components of projects undertaken by the United Nations Special Fund for which such Fund pays foreign exchange costs;

"(t) For contributions, in addition to United States dollar contributions, to the capital fund of any international development association or organization of which the United States is a member which may be established as an affiliate of the International Bank for Reconstruction and Development for the purpose of making long-term loans for economic development;

"(u) For financing the preparation, distribution, and exhibiting of audio-visual informational and educational materials, including Government materials, abroad;

"(v) For transfer to the International Finance Corporation for the purpose of promoting private investment abroad under such arrangement as may be agreed upon between the President, said Corporation, and the country whose currency is involved;

"(w) For financing the services of technicians, advisers, and administrators who are nationals of any friendly country, which may be needed to further economic and social development programs in other friendly countries;

"(x) For financing relief and rehabilitation projects undertaken following disasters or for assistance to refugees."

(12) Section 104 is further amended by inserting before the period at the end thereof a comma and the following: "and from time to time release for the general purposes of this title funds that may have accrued in excess of prospective needs for payment of United States obligations".

(13) Section 106 (which relates to determination of nations with which agreements shall be negotiated) is amended by striking out the words "Secretary of Agriculture" where they appear the second time and inserting in lieu thereof "President".

(14) Section 107 (which defines "friendly nation") is amended by inserting before the period at the end thereof a colon and the following: *"Provided,* That such term shall not exclude any nation referred to in clause (2) if the President determines that the making and carrying out of agreements with such nation under this Act will be in the interest of attaining the foreign-policy objectives of the United States".

(15) Section 109 (which relates to the duration of the program under title I) is amended by striking out "December 31, 1959" and inserting in lieu thereof "June 30, 1964".

(16) Section 202 (authorizing grants of surplus commodities for famine relief) is amended by striking out "with friendly governments or through voluntary agencies" and inserting in lieu thereof "by or with friendly governments or voluntary relief agencies to carry out the purposes of section 201 and to assist friendly nations in establishing, expanding, or carrying out programs, including programs undertaken with the assistance of experts and technicians of the United Nations Food and Agriculture Organization, and the World Health Organization for the relief of chronic hunger and malnutrition".

(17) Section 203 (which imposes limits on expenditures under title II) is amended by striking out the first sentence and inserting in lieu thereof the following: "Not more than $250,000,000, including the Corporation's investment in the commodities, shall be expanded annually for all such transfers and for other costs authorized by this title."

(18) Section 204 (which relates to the duration of the program under title II) is amended by striking out "December 31, 1959" and inserting in lieu thereof "June 30, 1964".

(19) Section 304(b) (which prohibits certain transactions with the Union of Soviet Socialist Republics and areas dominated or controlled by the Communist regime in China) is amended by striking out "title I or title III" and inserting in lieu thereof "title I, title III, title IV, title V, or title VI".

(20) Title III is further amended by adding at the end thereof a new section as follows:

"SEC. 306. Notwithstanding any other provision of law, the Commodity Credit Corporation is hereby directed—

"(1) to dispose of its stocks of edible oils or products thereof by donation, upon such terms and conditions as the Secretary of Agriculture deems appropriate, to nonprofit voluntary agencies registered with the Department of State, appropriate agencies of the Federal Government or international organizations, for use in the assistance of needy persons outside the United States;

"(2) to purchase for donation as provided above such quantities of edible oils and the products thereof as the Secretary determines will maintain the support level for cottonseed and soybeans without requiring the acquisition of such commodities under the price support program.

Commodity Credit Corporation may incur such additional costs with respect to commodities to be donated hereunder as it is authorized to incur with respect to food commodities disposed of under section 416 of the Agricultural Act of 1949, and may pay ocean freight charges from United States ports to designated ports of entry abroad."

(21) Such Act is further amended by adding at the end thereof the following new titles:

"TITLE IV—LONG TERM SUPPLY CONTRACTS

"SEC. 401. The purpose of this title is to utilize agricultural commodities and the products thereof produced in the United States, including but not limited to agricultural commodities in surplus supply, to assist the economic development of friendly nations by assuring such nations a stable supply of agricultural commodities on long-term credit for domestic consumption during periods of economic development so that the resources and manpower of such nations may be utilized more effectively for industrial and other domestic economic development without jeopardizing meanwhile adequate supplies of agricultural commodities for domestic use.

"SEC. 402. In furtherance of this purpose, the President is authorized to enter into agreements with friendly nations under the terms of which the United States shall undertake to deliver annually (a) certain quantities of wheat, rice, cotton, feed grains, or tobacco, or (b) such other surplus agricultural commodities as may from time to time be available, for periods of not to exceed ten years.

"SEC. 403. Payment for such commodities shall be in dollars or in services or in strategic or other materials of which the United States does not domestically produce its requirements, as the President may from time to time determine, with interest at such rate as the President may determine but not more than 2½ per centum per year. Payment may be made in approximately equal annual amounts over periods of not to exceed forty years from the date of the last delivery of commodities under the agreement and interest shall be computed from the date of such last delivery.

"SEC. 404. Any such agreement shall include the following undertakings on the part of the purchasing nation as conditions of such contract:

"(1) That commodities provided hereunder will not replace any usual imports of the same or similar commodities by such nation from friendly nations;

"(2) That commodities provided hereunder will be used only for domestic consumption and that none of such commodities will be sold outside the purchasing nation either directly or through replacement of domestic production.

"SEC. 405. In entering into such agreements, the President shall endeavor to reach agreement with other exporting nations of such commodities for their participation in the supply and assistance program herein authorized on a proportionate and equitable basis.

"SEC. 406. In carrying out this title, the provisions of sections 101, 102, 103(a), 106, 107, and 108 of this Act shall be applicable to the extent not inconsistent with this title.

"TITLE V—NATIONAL FOOD RESERVES

"SEC. 501. The President is authorized to implement the resolution adopted by the United Nations on February 20, 1957 (United Nations Resolution 1025 [XI]), which was sponsored by the United States, calling for international cooperation in the establishment of national food reserves by making transfers of surplus agricultural commodities for the purpose of establishing such reserves. The Commodity Credit Corporation shall make available to the President out of its stocks such agricultural commodities as he may request for this purpose.

"SEC. 502. In making transfers under this title, the President may provide for delivery f.o.b. vessels in United States ports and, upon a determination by the President that it is necessary to accomplish the purposes of such resolution, for the payment of ocean freight charges from United States ports to designated ports of entry abroad, and for furnishing of technical and other assistance in providing storage facilities for the food reserves so established.

"SEC. 503. (a) No assistance under this title shall be furnished to any nation or organization of nations unless such nation or organization agrees—

"(1) to use the commodities furnished under this title to establish national food reserves;

"(2) to maintain the food reserves so established at agreed levels;

"(3) to consult with and utilize the services of experts and technicians of the United Nations Food and Agriculture Organization with respect to technical problems of storage, management, and operation of national food reserves;

"(4) to maintain and operate such reserves in such manner that they will not interfere with normal commercial trade of the United States or other friendly nations.

"(b) The President is authorized to make transfers of commodities under title II wherever necessary to replenish reserves which are depleted as a result of famine or other urgent or extraordinary relief requirements.

"SEC. 504. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this title. Sums appropriated for such purpose shall be available to reimburse the Commodity Credit Corporation for the Corporation's investment in commodities transferred herunder and for all costs referred to in section 103(a).

"SEC. 505. No grants or other assistance shall be furnished under this title after June 30, 1964.

"TITLE VI—BINATIONAL FOUNDATIONS

"SEC. 601. (a) The President is authorized to negotiate and carry out agreements with friendly nations to provide for the establishment in such countries of nonprofit foundations to foster and promote research, education, health, and public welfare.

"(b) A foundation established under this title shall be under the direction of a board of trustees consisting of—

"(1) a number, to be determined by the agreement between the United States and the country in which the foundation is located, of the nationals of such country appointed by the government thereof.

"(2) an equal number of nationals of the United States (one of whom shall be the chief of the United States diplomatic mission to such country) appointed by the President; and

"(3) one member, who shall be chairman, who shall be appointed by the Government of such country with the approval of a majority of the members appointed as provided in clauses (1) and (2).

Members of a board of trustees shall serve at the pleasure of the appointing authority, and vacancies shall be filled in the same manner as in the case of the original appointments.

"SEC. 602. Notwithstanding the provisions of section 1415 of the Supplemental Appropriation Act, 1953, or any other provision of law, the President is authorized to grant to any foundation established under this title for use in carrying out the purposes specified in section 601(a) any unexpended local currencies which accrue to the United States, as repayments of principal or payment of interest on loans heretofore or hereafter made by the United States under section 104. Any such currencies may be used for direct expenditure, or may be invested and the proceeds used, for carrying out this title.

"TITLE VII—ADMINISTRATION

"SEC. 701. (a) There is hereby established in the Executive Office of the President an agency to be known as the Peace Food Administration, which shall be headed by a Peace Food Administrator appointed by the President by and with the advice and consent of the Senate. The Peace Food Administrator shall serve at the pleasure of the President and shall receive compensation at the rate of $21,000 per annum.

"(b) (1) The President shall carry out the functions conferred upon him by this Act and section 402 of the Mutual Security Act of 1954, as amended, either directly or through the Peace Food Administrator.

"(2) The President is authorized to transfer to the Peace Food Administrator the functions of any other agency which he determines are related to the functions of, and can be more effectively or economically carried out by, the Peace Food Administrator, together with any personnel or property used primarily in carrying out such functions.

"(c) The Peace Food Administrator is authorized to make such expenditures and appoint and fix the compensation of such personnel as may be necessary to enable him to carry out his functions.

"SEC. 702. (a) There is hereby established a Peace Food Policy Committee which shall consist of an Assistant Secretary, or officer of comparable level, of each of the following departments or agencies: Departments of State; Treasury; Agriculture; Commerce; Health, Education, and Welfare, and the International Cooperation Administration.

"(b) It shall be the duty of the Peace Food Policy Committee to advise and consult with the Peace Food Administrator concerning the administration of this Act. The Committee shall meet from time to time upon request of the Peace Food Administrator and at such other times as it may deem necessary.

"SEC. 703. (a) There is hereby established a Peace Food Advisory Committee which shall consist of representatives of the following and such other groups as the President deems advisable who shall be appointed by the President for terms of two years:

"(1) the major agricultural organizations;

"(2) exporters of food and fiber;

"(3) voluntary agencies such as CARE and church groups;

"(4) educational groups; and

"(5) voluntary health groups.

"(b) It shall be the duty of the Peace Food Advisory Committee to advise and consult with the Peace Food Administrator, and to make such recommendations as it deems advisable, concerning the administration of this Act. The Committee shall meet from time to time upon request of the Peace Food Administrator and at such other times as it may deem necessary. In carrying out its duties under this Act, the Committee shall invite a representative of the United Nations Food and Agriculture Organization to meet with the Committee in order that, through him, the views of other exporting countries might be heard and their interests taken into account.

"(c) Members of the Advisory Committee shall be entitled, while attending meetings of the Committee, to receive compensation at the rate of $50 per diem, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons in the Government service employed intermittently.

"SEC. 704. In negotiating agreements under this Act, the President shall give due consideration to the internal and external political and economic conditions of the countries concerned by drawing upon the appropriate title or titles of this Act in such manner as to carry out more effectively the policy set forth in section 2."

NEW DIRECTIONS FOR FOREIGN ECONOMIC AID

The SPEAKER. Under previous order of the House, the gentleman from Connecticut [Mr. BOWLES] is recognized for 90 minutes.

Mr. BOWLES. Mr. Speaker, few subjects on the minds of the American people and the agenda of Congress are as important as foreign aid. And probably on no subject is there so much disagreement, misunderstanding, and frustration.

There have always been a number of hard-core opponents of foreign aid in the Congress. This year, as in the past, they will oppose the mutual security bill with vigor and skill.

What I find much more disturbing is the opposition of old friends of the program who are deeply concerned over the direction in which it has been moving.

When we add the frustration in this body created by threats of Presidential vetoes of such domestic programs as schools, area development, housing, and urban renewal—programs which many of us believe to be essential to the well-being of our own country—the danger of deep and dangerous retaliatory cuts in foreign aid becomes apparent.

Mr. Speaker, I believe that those of us who have supported this program from the beginning, and who believe that it is even more vitally needed today, have a special responsibility to explore the reasons for the present confusion and opposition and to propose positive steps that Congress can take to help clear the air.

I speak as such a supporter, who intends to vote for the full amount requested by the President.

WORKED WITH PROGRAM

I also speak from 14 years of varied experience in the planning and administrating of foreign aid programs both for the United Nations and our own Government.

As the U.S. Stabilization Director at the war's end, I was concerned with the planning of our relief food shipments to Europe and Asia.

As a U.S. delegate to the first UNESCO Conference in Paris in 1946, I participated in planning the initial programs of this new agency.

As special consultant to the Secretary General of the United Nations in 1947 and 1948, I surveyed and reported on United Nations child welfare assistance programs in France, Italy, Poland, Hungary, and Czechoslovakia.

As U.S. Ambassador to India and Nepal in 1951–53, I had direct responsibility for staffing, planning, and administering our own first major Point 4 effort. This included the launching of the world's first major community development program, a program that now embraces 320,000 Indian villages and 180 million people.

Since leaving India, Mr. Speaker, I have had continuing first-hand opportunities to study American and United Nations aid programs in Pakistan, Afghanistan, Vietnam, Burma, Indonesia, Thailand, Formosa, Korea, the Philippines, Ethiopia, and in several African countries and territories south of the Sahara.

I have seen the near miracles that can be accomplished in the villages when the right amount of technical assistance is fruitfully combined with small amounts of capital and the active, energetic participation of the local inhabitants.

I have seen the democratic lift, purpose, and pride that new industries, improved transportation, and expanding hydroelectric power can give to old societies.

I have also seen what can happen in terms of waste and frustration when American aid is spent in the wrong place, in the wrong way, and for the wrong reasons.

PROBLEMS INFINITELY COMPLEX

Experiences of this kind are bound to give any observer a profound awareness of the enormous complexities with which our foreign aid administrators must contend day after day. Intricate and delicate problems must be weighed and balanced. Assorted pressures of many kinds require the utmost in tact and perseverance.

May I add that my criticisms are not intended for any individual. I have developed the greatest respect and admiration for many of the hard-working and dedicated public servants who have administered our aid programs through the years. Mr. C. Douglas Dillon, Under Secretary of State, who now has general supervision over these programs, in particular is a man of unique competence and ability.

ERRORS WELL KNOWN

The fact remains that errors of omission and commission in our foreign aid programs are substantial and they have been well publicized. No doubt they will again be stressed with vigor in the coming debates.

Yet when our oratory has died away, this overall aid effort will remain absolutely and urgently essential to America's immediate and long-range interests and to our hopes of building a lasting peace. We simply cannot afford to carve up the aid program; much less can we afford to abandon it.

What we must do is to introduce standards that will help assure more realistic planning and administration, and at the same time frankly explain to the American people why foreign aid is needed, what it can do, and, equally important, what it cannot do.

Ultimately, Mr. Speaker, we shall need a better balance among various aid programs and perhaps additional international machinery. I merely refer in passing to certain developments which I should like to see happen but which I shall not discuss today.

For instance, I would prefer that a larger proportion of our technical assistance be channeled through the United Nations technical assistance program than is presently the case.

I would like to see Senator MONRONEY's proposal for an International Development Association given more serious consideration.

In our own mutual security program I would feel happier if we could separate economic from military assistance completely.

Finally, I would advocate more emphasis on long-term loan commitments to encourage more efficient planning and to discourage waste.

No man with a realistic appreciation of the circumstances of the moment, both in the administration and in the Congress, will feel there is a possibility for major thoroughgoing revision of the mutual security legislation this year.

Most of the suggestions I have just mentioned are unlikely to receive effective consideration during the present session of Congress. But this does not mean that we are powerless between now and adjournment to compel less expediency, less waste, less confusion, and, consequently, better performance.

FOUR CHANGES NEEDED

As a contribution to this essential, immediate strengthening of the program, I suggest the following four changes in the present legislation, which I believe it would be practicable to make in the mutual security authorization legislation this year:

First. A revised statement of the purposes of our aid legislation, which more positively reflects America's true, long-range objectives in world affairs.

Second. A set of standards that will help channel military assistance to those nations which have genuine need for such assistance to deter Communist aggression, and which will discourage arms shipments to countries where such shipments lead to internal instability and regional conflicts.

Third. A set of standards which will give high priority for technical assistance and development loans to nations which will demonstrate a willingness to sacrifice in their own behalf and whose governments are so organized that they can use our help with a minimum of waste.

Fourth. An increase in the Development Loan Fund to $1 billion annually. The additional $300 million can, I believe, be saved by a reasonable application of the standards I have suggested above.

I. NEEDED: A NEW STATEMENT OF PURPOSE

Mr. Speaker, I shall explain as briefly as I can the reasons for each of these proposals.

One of the principal reasons why we now face grave difficulties in securing adequate funds for foreign aid is the failure of the administration to explain honestly and frankly why it is so urgently needed.

Thus a reluctant Congress has been asked each year to support this effort for a variety of expedient reasons calculated to frighten or woo us into favorable, last-minute, emergency action.

Because many of these official reasons have turned out to be superficial and unrealistic, the American people have become increasingly confused and the Congress increasingly impatient.

I know of no greater tribute to our national intelligence than the public opinion polls which consistently show that nearly 70 percent of all Americans strongly support the foreign aid program in spite of their Government's failure to spell out its true, long-range objectives.

The official purposes which are now most often advanced for foreign aid are inadequate for several reasons.

They fail to do justice to America's real goals in world affairs.

They fail to appeal to the common concern for the dignity of man which we share with people all over the non-Communist world.

And they fail to take into account the intelligence and decency of the American people themselves.

A PREMIUM ON COMMUNISTS

The preamble to the Mutual Security Act now implies that it is "the policy of the United States to continue" the aid program only "as long as (the Communist) danger * * * persists."

Thus, for purposes of qualifying for American dollars, we have officially turned communism into a natural resource like oil or uranium. In the marketplace of the cold war, a noisy Communist minority has become worth its weight in gold.

The apocryphal account of a Monacan Foreign Minister's visit to Washington to secure $10 million in aid is well known in every world capital.

The arrangement was ready to be signed and sealed, so the story goes, when the American negotiator turned to the Monacan official and casually remarked: "I understand you have been having fearful trouble recently with your Communist agitators."

The Foreign Minister proudly replied that Monaco was almost free of Commu-

nists. The startled American official shook his head sadly. "Congress," he said, "will never stand for a grant of $10 million to a country with no Communists."

The disheartened Monacan official returned home by way of Paris and, as a last resort, called on the French Foreign Minister. After explaining his predicament, he asked if it might not be possible to borrow a few angry, window-breaking French Communists to help bolster Monaco's application for American aid.

His French counterpart looked at him soberly. "My friend," he finally said, "I am afraid we must refuse. Although France is anxious to be a good neighbor, we need every single Communist that we have."

As long as the preamble of the Mutual Security Act reads as it now reads, Communist agitators may logically say to their Asian, African, and Latin American audiences: "The Soviet Union offers you loans and technicians to speed your economic development. For this you are grateful.

"But should you not be equally grateful to Moscow for the aid you get from Washington?

"In their own official statement of purpose at the beginning of their mutual security legislation, the Americans frankly state that if they were not so frightened of us Communists, they would give you nothing."

CAN WE BUY FRIENDS?

Another supporting reason for the foreign aid program, which is often officially offered in discreet, off-the-record talks, is its alleged usefulness in buying majority support for our policies in the United Nations General Assembly.

But Mr. Speaker, is this second reason any more valid than the first?

Suppose a wealthy man came to live in a typical American community to finance a series of community improvements in return for public acceptance of his political views. Would not most upstanding, civic-minded people urge him to take his benefactions elsewhere?

Can we expect the proud new nations of Asia and Africa, and the older nations of Europe and Latin America to react differently?

WELL-FED COMMUNISTS?

A third mistaken argument for foreign assistance is that communism appeals only to hungry people. "Just fill everyone's stomach with rice," we sometimes hear, "and that will be the end of communism in the underdeveloped world."

This view reflects a massive lack of understanding of the Communist appeal and indeed of human nature. Frustrations which grow from injustice and the absence of a sense of belonging are far stronger motivations toward communism than pure hunger.

Indeed, if an Asian, African, or Latin American government is content to give its people food while refusing them the right to till their own land and to work democratically with their neighbors in creating better communities, the government may end up with a better fed, and therefore more dangerous, Communist minority than it had in the first place.

OUR EARLIER VISION

The objectives of American assistance have not always been advanced in such negative terms.

Consider, for instance, the breadth and vision of President Roosevelt's eloquent appeal to Congress and the American people in behalf of lend-lease in 1941, of Secretary Marshall's historic speech in 1947 at Harvard boldly spelling out the partnership relationships of the Marshall plan, of President Truman's Point 4 statement in his 1949 inaugural message proposing economic aid and technical assistance to the new underdeveloped nations.

In each case the objectives were magnificently positive, practical, and within our democratic tradition.

Nor did we rely alone on the eloquence of our Presidents and Secretaries of State to present America's true objectives to the world.

Year after year the Congress of the United States specifically wrote them into the preambles and statements of purpose of our foreign aid legislation.

For example, in the Foreign Assistance Act of 1948 the 80th Congress called for steps designed to strengthen "the principles of individual liberty, free institutions, and genuine independence, based upon a strong production effort, the expansion of foreign trade, the creation and maintenance of internal financial stability, and the development of economic cooperation."

In the Foreign Economic Assistance Act of 1950 the 81st Congress said:

> The peoples of the United States and other nations have a common interest in the freedom and in the economic and social progress of all peoples.
>
> The efforts of the peoples living in economically underdeveloped areas of the world to realize their full capabilities and to develop the resources of the lands in which they live can be furthered through the cooperative endeavor of all nations to exchange technical knowledge and skills and to encourage the flow of investment capital.
>
> It is declared to be the policy of the United States to aid the efforts of the peoples of economically underdeveloped areas to develop their resources and improve their working and living conditions by encouraging the exchange of technical knowledge and skills and the flow of investment capital to countries which provide conditions under which such technical assistance and capital can effectively and constructively contribute to raising standards of living, creating new sources of wealth, increasing productivity, and expanding purchasing power.
>
> It is further declared to be the policy of the United States that in order to achieve the most effective utilization of the resources of the United States, private and public, which are or may be available for aid in the development of economically underdeveloped areas, agencies of the U.S. Government, in reviewing requests of foreign governments for aid for such purposes, shall take into consideration whether the assistance applied for is an appropriate part of a program reasonably designed to contribute to the balanced and integrated development of the country or area concerned.

Against this background, Mr. Speaker, the 1954 statement of purpose retained in this year's bill, appears unworthy of us. Its implied motivations are negative, expedient, and unrealistic.

In this critical period in history, I believe we should stop underestimating the American people. It is time to put aside the sales gimmicks and to do what needs to be done for the right reasons.

WHY IS FOREIGN AID REALLY NEEDED?

The reasons why the mutual security legislation is essential to America's objectives can be simply stated:

In the last 15 years a political and economic revolution of extraordinary dimensions has swept Asia, Africa, and Latin America.

Seven-hundred million people have won their freedom from colonial rule. In spite of lack of capital, of technicians, and of administrative skills, they and their contemporaries in other underdeveloped nations are now working impatiently to grow more food, create new industries, and build a better future for their people.

The resulting situation is politically explosive for two reasons:

First. The utter poverty and slow pace of change in much of Asia, Africa, and of Latin America, contrasts sharply with the extraordinary wealth and economic growth of the privileged peoples of Western Europe, Canada, and the United States. This creates envy and frustration.

Second. Communism now offers the underdeveloped continents, not only the glittering Soviet example of a modern industrial nation created out of chaos in two generations, but substantial capital and large numbers of skilled technicians with which to make a similar transition. This offers harried new nationalist leaders a tempting shortcut.

Is it surprising, Mr. Speaker, to find the Soviet leaders now fishing in the politically troubled waters of Asia, Africa, and Latin America with such effectiveness?

SOVIET OBJECTIVE

The Kremlin's primary objective in its efforts toward world domination is to split the Western World with its 600 million highly skilled and industrialized people. This calls for the ultimate separation of Western Europe from America.

For nearly a generation the Soviet Union has been pursuing this objective by two different but related tactics.

First. Direct action against our NATO alliance such as the effort made in the late 1940's and in the present Soviet-generated crisis over Berlin.

Second. A flanking attack through the churning continents of Asia, Africa, and Latin America which contain the raw materials on which Europe's prosperity depends and where revolutionary change is now the order of the day.

Forty years ago Lenin said, "The road to Paris lies through Calcutta and Peiping." He believed that control over a sizable fraction of the resources of these rich continents would enable the world Communist movement eventually to break the back of heavily industrialized Europe.

Fortunately for the world Stalin lacked the capital, technicians, and understanding of peasant Asia to follow this approach effectively. But Khrushchev has the resources and the astuteness that

Stalin lacked, and he is now using them both with vigor and skill.

WHAT DOES AMERICA WANT?

We have no desire to control the nations or the resources of Asia, Africa, and Latin America. We seek no satellites. We have no wish to impose our ways on others.

Indeed our own Nation was born in revolution and since our earliest days we have associated ourselves with the efforts of people everywhere to gain and maintain their freedom, and to create their own futures in their own way.

Thomas Jefferson once said that the "American Revolution is intended for all mankind."

Tom Paine spoke of the small spark kindled in America that could never be extinguished.

George Washington believed that the freedom of the world was "finally staked on the experiment attributed to the American people and remarked that he felt irresistibly excited whenever in any country I see an oppressed people unfurl the banner of freedom."

The American Revolution, Abraham Lincoln said, would eventually ease the lot of people on a great portion of the globe.

Moreover, America's role of leader in mankind's struggle for freedom was accepted and understood far beyond our shores. As he watched the new countries of Latin America throw off colonial rule with American assistance after the Napoleonic Wars, Austrian Foreign Minister Metternich complained that America is constantly "fostering revolutions wherever they show themselves, regretting those that fail, and extending a helping hand to those which succeed."

Our major purpose now as then is to encourage free peoples to stand on their own feet, to make their own choices, to defend themselves against overt aggression, and to create economic and political conditions under which the principles of liberty and human dignity can take root, grow, and ultimately flourish.

Our global objective remains what it was in Jefferson's time: a world of peace in which all men may have the opportunity to develop freely and independently within the framework of their own cultures, religions, and national capabilities.

That, Mr. Speaker, is why we need the Mutual Security Act now and that is why we will continue to need similar legislation for many years to come.

TIME TO DEFINE OUR OBJECTIVES

The time has come to give the American people and the world a positive indication that the objectives of our mutual security program are worthy of our historic political convictions and of our democratic beliefs.

In the absence of strong Administration leadership, the Congress cannot rewrite our foreign aid program as I believe it should be rewritten. But we can, if we will, give the program an identity and purpose that not only fits the urgency and the nature of our times but which also reflects the true, long-range, global objectives of the American people.

Mr. Speaker, my first proposal in regard to this year's mutual security bill is that we clearly spell out these objectives. I have indicated the directions in which such new language should point.

II. WHO SHOULD HAVE MILITARY AID?

Mr. Speaker, I shall now turn to my second proposed change.

I am impatient, and I believe others here are too, with the present wasteful, and often ineffective, methods of allocating some of our military assistance. In many cases we have inadvertently created situations which have played into the hands of the Communists and increased their influence.

I realize, of course, that in certain areas which are clearly threatened by Communist aggression, military considerations often must take precedence, at least for the short haul. Western Europe, Greece, Turkey, Yugoslavia, Korea, Formosa, and Vietnam, are all cases in point. Here substantial American military assistance remains absolutely essential.

But in two whole continents—South America and Africa, and in much of the vast arc of Asia that stretches from Lebanon to Manila—the principal threat to world peace comes not from Soviet tanks and jets but from economic strangulation, injustice, and human frustration.

AIDING DICTATORS

In these areas, haphazard shipments of American military equipment seldom coincide with our long-term security interests, much less with those of the people in the country concerned.

Such military assistance given on an expedient basis is almost invariably self-defeating. It adds to internal economic strains. It diverts internal efforts from constructive development. It paves the way for palace revolutions. In some cases it ties our prestige and our influence to the dubious tenure of dictatorships which are sooner or later destined to be swept aside.

Military assistance injected into these surging continents may be particularly harmful if it is given without proper regard for regional political considerations. By disrupting the delicate balance of power between a recipient nation and its non-Communist neighbors, indiscriminate arms shipments jeopardize the military and political stability of the entire area.

Internal economic factors must also be taken into account. I know of no more effective way to undermine a wobbly new government than to burden it unnecessarily with an excessive military load that prevents its leaders from focusing their attention on essential tasks like growing rice, driving out malaria and building schools, clinics, and roads.

The more arms we pour into such situations, the more we inflate the power of the military, the easier it is for ambitious officers to seize power and the further we stray from our essential democratic purposes.

Mr. Speaker, for all of these reasons, I believe it is essential that we reconsider on a country-by-country basis the effectiveness of our military assistance program.

We must determine precisely where we are heading with our military aid programs in Asia, Africa, and Latin America and establish more realistic standards for the granting of such assistance.

I do not propose that we recklessly repudiate old arrangements. But I believe we should insist that they be shaped to new objectives and that new agreements which fail to meet these standards should be ruled out.

III. STANDARDS FOR ECONOMIC AID

Let me now consider, Mr. Speaker, the need for a more realistic approach to the distribution of economic assistance.

Why is it that a dam can be built and operated with great success in one country, while in another country a similar dam is a miserable failure?

Why is it that modern equipment can make a vital contribution to increasing agricultural and small industrial productivity in the villages of some countries while similar machinery sent to other countries lies rusting on the docks?

DIFFERENCES AMONG RECIPIENTS

In most cases it reflects basic differences between the countries and the governments in question—differences which we have often lamentably failed to take into account.

The underdeveloped countries of the world fall into many categories.

The most favorable opportunities for American assistance exist in those countries which are not only determined to build solid economic and social foundations, but which also have the built-in capacity to implement their plans.

In such countries, which unhappily are too few in number, we should be prepared to make bolder and longer term investments of our capital and our skills.

At the other extreme are those nations which, because of lack of leadership, of administrative experience, or of courage to put through essential reforms, are clearly incapable of meeting the minimum practical requirements of rapid economic development under present conditions.

In such countries, experience demonstrates that long-term loans or investment grants for general economic development are wasteful and foolhardy.

Any effort to force the pace beyond their capacity to use the funds effectively will almost certainly fail, and failure will lead to frustration on our part and bitterness on theirs.

Between these extremes there are many variations which will require judgment and understanding.

Mr. Speaker, I suggest the following five standards to measure the capacity of each country to use our long-term economic development assistance. I believe they are both practical and urgently necessary.

FIVE STANDARDS FOR JUDGMENT

First. The most important standard for granting American economic loans and other assistance should be that of self-sacrifice.

To become eligible for substantial long-term assistance, a nation should

demonstrate that it is making a substantial effort to finance its own national development from its own resources.

Evidence of this willingness for self-sacrifice should include a reasonably effective program of national taxation based on individual ability to pay, controls over the importation of luxuries and nonessentials which otherwise rapidly eat up foreign exchange, and a determined and continuing effort to assure the maximum number of peasant families ownership of their own land.

Second. To qualify for major American investment assistance, an underdeveloped nation should have put together a practical, comprehensive set of economic objectives and itemized the allocation of all available resources to achieve those objectives.

This assures that important tasks will be given priority, that the development program will be relevantly related to private and public income, and that the need for international help will be more accurately assessed.

If there is already a significant private business sector, it should be considered side by side in such a plan with Government-sponsored agricultural power and transportation projects in formulating the national development scheme.

Third. A qualifying country should have a reasonably substantial, competent, and graft-free civil service. Without able technicians, tax collectors, and administrators, large amounts of investment capital cannot be used to economic advantage.

Fourth. In order to qualify for long-term investment assistance, a country should also have a relatively stable government with popular roots.

Our democratic tradition makes most Americans unsympathetic to authoritarian governments of whatever persuasion. But this does not mean, Mr. Speaker, that our aid should be restricted to parliamentary democracies modeled on the West.

Indeed, we must face the fact that most of the new nations of Asia and Africa, over the long haul, may consider our own institutions unsuitable. Of these the least likely to succeed are those whose power is based on the shifting loyalties of feudal landlords and moneylenders.

By forgoing the support of both the middle-class center and the non-Communist left, such governments open the door wide for the Communists to pose as reformers and to press for united fronts. When we support such governments and they fall, our prestige and influence may tumble down with them.

Ataturk, who ruled Turkey for nearly a generation, was a dictator of the non-Communist left. We could not always endorse his methods. But since his government was rooted in popular support, he was able to put through vitally needed reforms, encourage the participation of his people, and lay the foundation for increasing democracy. Such a government deserves our help.

Fifth. Finally, in granting economic assistance, a country's political importance must be taken into account. This will be measured by its population, the size of its territory, its resources, its influence, and its location.

A WORD ABOUT INDIA

Although my purpose here today is to stress general principles and not their specific application, I may say parenthetically that the Republic of India, measured against the five standards I have listed, qualifies in special degree for sustained, expanded American economic aid.

With her 400 million people and her vast natural resources, India is not just "another underdeveloped country." It is a continent comparable in size and potential political influence to Europe.

The population of India nearly equals that of Africa and South America combined. In a single Indian State, Uttar Pradesh, there are more people than in Italy, France, or the United Kingdom.

Through its tough-minded tax system and equally tough controls on luxury imports, India has demonstrated its willingness to make major sacrifices in its own behalf.

India inherited an outstanding British-trained civil service, the most efficient in all Asia, and it has kept that service at a high degree of competence.

India has completed one 5-year plan and is now halfway through her second. A third, for which American, British, German, and Canadian assistance is sorely needed, is now in process of debate and discussion.

Finally, India stands today as the one political and economic alternative to China in Asia. If the Indian democratic experiment fails, whatever long-range hope may exist for freedom in the vast arc between Tokyo and Casablanca, falls with it.

On the basis of these practical considerations, I believe that India should be assured the intensive long-term investment and technical support needed to meet its economic development objectives.

Such countries as Pakistan, the Philippines, Formosa, Vietnam, Israel, Ghana, Tunisia, Chile, Costa Rica and several others could also meet the standards I have in mind.

As the capacity of still other countries approaches these criteria, and we see that more long-term aid there can be put to effective use, they should receive similar assistance from us.

MORE LIMITED HELP FOR OTHERS

Countries which are unable to meet meet minimum development standards should tactfully be told that they cannot expect investment assistance from us until they have created their own internal basis for successful growth.

Most emphatically, Mr. Speaker, this does not mean that we should turn our backs on them. On the contrary, there is much that we can and should continue to do to help.

We should offer to assist them in the creation of a comprehensive economic development plan which enables them to use their own resources to the best possible advantage.

We should help provide tax experts, engineering survey teams, and other technicians to create a workable administrative base.

We should encourage them to place import controls on luxury imports purchased for their wealthy upper class so that their scarce foreign exchange can be used for the essentials needed by the people.

We should urge them to inaugurate land reforms and suggest expert advisers to help them. In Japan and Formosa American Government experts took the lead in promoting a program of private land ownership that has helped the peasants in these two countries set records both for agricultural productivity and for the expansion of rural democracy.

More specifically and immediately we can help these nations to finance individual projects that are worthwhile in their own right, that are not dependent on the economy of the country as a whole, and that are clearly in the people's interest.

An example might be a modern hospital in the national capital with training facilities for doctors and nurses and an outpatient clinic system for the villages; or an expanded and improved university or agricultural experiment college.

SOME FLEXIBILITY NEEDED

I recognize the fact that some form of economic aid—officially called "defense support" or "special assistance"—is needed for straight political purposes, for compensatory economic reasons, to backstop miltiary aid, or as an expedient rental fee for the use of a military base.

But I submit, Mr. Speaker, that in recent years such aid has been unduly expanded.

Mutual security implies a partnership. It can and must be a two-way street. Yet over and over again we have been pressured into giving millions to governments to pay for the use of airbases designed to prevent their own destruction as well as ours.

American representatives abroad can and must make greater progress in placing our mutual security efforts in the military field on a true partnership basis.

LESSONS FROM IRAQ

My criticisms of the planning and administration of many of our foreign aid programs involve both military and economic assistance. Iraq provides a case in point. A brief review of developments there illustrates the need for a more realistic and less military-oriented approach.

On several occasions in 1953 and 1954 Nasser requested arms from the United States. This assistance was wisely refused, largely on the grounds that it would disrupt the balance of power with Israel, and thereby increase the danger of a clash between these neighboring nations.

However, in the spring of 1954, the administration agreed to send military aid to Iraq, which not only threatened the destruction of Israel, but which also was in direct conflict with Egypt for the leadership of the Arab bloc.

The Egyptians protested on the ground that this assistance represented a deliberate American effort to split the

Arab world, and that it ignored Egypt's interests. These protests were disregarded.

In February 1955, the Baghdad Pact was set up to add the military "weight" of Iraq, Iran, and Pakistan to that of Turkey. Its stated purpose was to deter Soviet military aggression toward the Persian Gulf.

In the spring of that year the Congress was informed that the northern tier added greatly to the security of the region from communism invasion and that under our ally, Nuri es-Said, Iraq was the "keystone of the central arch."

However, Nuri himself declared repeatedly that the pact was directed primarily against Israel. Asked why the Western Powers were supplying Iraq with such vast quanties of arms if, as he claimed, Iraq had undertaken no obligations toward the West, Nuri reportedly threw up his hands and laughed: "Who knows? Maybe they're mad."

In Cairo, other Arab leaders did not fail to recognize that the Baghdad Pact called for much more substantial American arms shipments to Iraq. After his protests over these shipments had again been rejected, Nasser announced in November that Egypt had negotiated a military agreement with the Soviet Union.

These were not the only factors in this cause-and-effect relationship, to be sure. But these events were part of a chain of events that led to Nasser's seizure of the canal and ended with the British-French-Israel attack on Egypt.

ECONOMIC AID TO IRAQ

During this period, substantial American economic and technical assistance was also flowing to Iraq. Those responsible for administering this program reported to Congress that this help, together with the oil revenues available from the Iraqi Government, seemed to assure Iraq's economic success.

However, little effort was made to see that the people of Iraq benefited directly from our joint efforts. Thus the new irrigation programs, while vastly increasing the income of the landlords, brought only minor gains to the cultivators.

Iraq's gross national product rose rapidly. But because luxury imports were not curbed, because progressive tax programs were not introduced, and because land reforms were postponed, the increasing income served only to expand further the already explosive gap between rich and poor.

As I wrote in a book in 1957:

> Iraq is richly endowed with oil to provide foreign exchange, with the great Tigris and Euphrates Rivers to provide irrigation water, and with ample land. Able engineers and technicians, well supplied with capital, are now working vigorously to develop these resources.
>
> But engineering miracles will not in themselves create a happy orderly society. Most of the Iraqi land is in the hands of a relatively few politically powerful landlords.
>
> Unless there are sweeping changes in land ownership, plus rural extension programs to supply improved seeds, tools and credit, the newly created income will go largely to this fortunate minority, while the bitterness and frustration of the villages increase.

In the summer of 1958, the situation blew up and Colonel Kassim's government took power. Since then Communist influence has gained steadily and qualified observers now believe that Iraq is gradually moving into a situation where Soviet control will be inevitable.

Here, Mr. Speaker, we have an example of what happens to our interests when we overlook the political, economic and local realities in quest of a nebulous military security. In this case, as in others, we helped thereby to open the doors to the very forces which we have sought to contain.

In the streets of Baghdad, Communist-led mobs now shout insults at our representatives. American military equipment which we gave Iraq to oppose Communist aggression may ultimately be used by the Communists themselves against our friends the Israelis, our allies the Turks, or even ourselves.

I may add, Mr. Speaker, that there may be other equally calamitous case histories unless we soon bring our passion for military answers to complex political situations under better control.

NEED FOR TACT AND FLEXIBILITY

The Iraq example and others raise an obvious further question. What about the effect of the standards which I have proposed on the leaders of unprepared nations whose good will is essential to us?

Will the system which I have proposed be construed and resented as political interference by nations which fail to qualify?

If we were to use our aid to pressure such nations into following our lead in the cold war, resentment would be inevitable. But is it unreasonable for the American people, who themselves pay such heavy taxes, to ask that their assistance be efficiently and honestly used?

My experience in Asia and Africa leads me to believe that the principles which I have proposed will be readily accepted, provided they are presented by tactful American negotiators, supported by a firm congressional mandate.

Indeed, I am confident that most governments can be persuaded that these criteria are essential in their own long-range interests. Many of them will welcome such standards as a lever with which to persuade reactionary elements within their own countries to cease blocking constructive reforms.

Therefore I propose that the mutual security bill should clearly outline the basis on which we intend our technical assistance and development loans to be distributed.

ONE BILLION FOR DLF

My final proposal, Mr. Speaker, involves the allocation of funds within the mutual security budget.

Although military assistance to nations which have genuine need for it must be maintained and even increased, the standards which I have suggested should result in military aid reductions in other areas.

My proposed standards for the distribution of economic aid will result in additional savings. In anticipation of such savings, and even without them, I strongly urge that the authorization for the Development Loan Fund be increased from the $700 million requested to $1 billion for fiscal year 1960.

The Development Loan Fund may well become the most creative and effective foreign policy instrument that we have organized in recent years. It is soundly conceived and is being administered with increasing competence and sensitivity.

The $700 million requested this year for the Development Loan Fund is clearly inadequate in terms of our national objectives. This figure could easily be raised to $1 billion within the present budgetary confines of the $3.9 billion mutual security request.

In my earlier remarks I have suggested how the $300 million difference could be saved from other aspects of this program. But whether this extra $300 million is derived inside or outside the program, it is clear that we can both afford it and ought to provide it.

NOT A PARTISAN QUESTION

Mr. Speaker, in offering these criticisms and observations, I would like to emphasize that I do not imply that our difficulties started with the election of 1952. On the contrary, many of the mistakes to which I refer were begun under the previous administration of which I was a part.

There are champions of foreign aid in the administration and in the Republican Party in Congress who are as anxious as any of us to place this essential program on a more solid foundation. Some of its influential and effective opponents, moreover, are to be found among my Democratic colleagues.

But regardless of party affiliations, I believe that the time has come for friends of this program to say bluntly in public what they have been saying in private, and to call on the Congress and the administration to make the beginnings at least of a fresh start.

If the new direction and emphasis which I have proposed is accepted by the Congress, we will demonstrate to the world that our mutual security program is more than a temporary cold war gambit, and that we have embarked on a determined, long-range program designed to give men everywhere the opportunity to live under governments of their own choosing in a world of increasing prosperity and peace.

It will curb wasteful and politically disrupting shipments of American military equipment to countries which are not under direct threat from Communist aggression.

It will help establish priorities in our economic aid allocations so that those governments and people best able to use our assistance in a fruitful and beneficial way will receive the first consideration.

It will put other governments on notice that major additional help from the United States awaits their own willingness to sacrifice as others are sacrificing in terms of internal taxes, luxury import controls, land reforms, careful economic planning and personnel training.

It will also indicate that vital though we know the foreign aid program to be, the Congress does not regard it as a

cure-all ointment to be applied indiscriminately to all international pains and bruises, no matter what kind or how severe.

Most important of all, Mr. Speaker, it will indicate the Congress of the United States is in a mood for changes in the basic legislation, that we are convinced that an intelligent overhaul of this program is long overdue, and that at the next session we will welcome a redirection of the present program by those responsible for its administration.

Mr. UDALL. Mr. Speaker, will the gentleman yield?

Mr. BOWLES. I yield to the gentleman from Arizona.

Mr. UDALL. I would like to commend our colleague from Connecticut for what I consider a most distinguished speech. In fact, I have not listened to a speech in this field which represented the scholarship and penetrating insight and first-hand consideration that the gentleman has brought here today. I commend him for giving his colleagues the benefit of his great wisdom.

Mr. BOWLES. I thank the gentleman.

Mr. UDALL. To be more specific, when the gentleman was discussing India, having served as Ambassador there, I wonder if he would care to elaborate on what he feels an adequate program would be today for India, with particular reference perhaps to the proposals which have been initiated in the other body by the Senators from Kentucky and Massachusetts.

Mr. BOWLES. In April 1961 India will complete its second 5-year plan of economic development. They are now begining to put together their third 5-year plan.

This is likely to be a very ambitious plan. It will include more river valley developments, irrigation, building of roads, stimulating new industries, and the extension of their rural community development program, which already includes 320,000 Indian villages out of a total of nearly 600,000, some 190 million people.

I may add parenthetically that the basis and many of the techniques of that particular program were borrowed from our own rural extension programs here in America.

Under this plan many thousands of dedicated, competent, well trained young men work in the villages to introduce better seeds, better methods of planting and plowing, new means of keeping their water pure and clean, and, above all, of stimulating the villages to build their own schools, their own roads.

The Indian Government's extension workers do not say: "We will build you a new school or a road." They say, "Your rice will soon be harvested. How many of you will be willing then to give part of your extra time to building a new school for your children, or a road so that when a child is sick a doctor may be brought in?"

This program does not come from the top down. It is a grass roots effort out of the villages where 80 percent of the people live. If we calculate the direct contribution of the villagers on the basis of only 20 cents for a day's work, it totals in a year more than $300 million. They actually put in more each year than the Government itself does.

In the third 5-year plan the Indian Government wants to expand this effort until it stretches clear across India.

The other objectives of the Indian third 5-year plan are not yet established. When they are established many Americans will say that they are too ambitious, that India is biting off more than it can chew.

However, we should remember that these goals will be dictated, not by us, nor even by the Indians, but by the extraordinary economic drive that is under way in Communist China. If India is to remain free it must meet this challenge.

I do not mean to say that India must match China in statistical accomplishment. Doubtless, totalitarian China will be able to do certain things that democratic India cannot do.

But India must at least be able to point to comparable progress. She must be able at the very least to say: "China may have more steel mills. But in India we have good new mills, too, and we are making considerable economic progress. Most important, we are accomplishing these things in a free society under a democratic constitution, and with due regard for human dignity. In India, unlike China, we have progress and freedom, too."

Thus in a sense it will be the dynamic pace of the Chinese Communist development that sets the goals of India's 5-year plan. And we should never forget that if India loses in its competitive effort free Asia will be disheartened and the whole world will lose.

Mr. EVINS. Mr. Speaker, will the gentleman yield?

Mr. BOWLES. I yield to the gentleman from Tennessee.

Mr. EVINS. I think we are all seriously concerned with doing the right thing about this program. I have listened to the gentleman with a greal deal of interest, and I am sure we all welcome constructive suggestions as to how the program could be improved.

When the development loan matter came before the appropriations committee, as the gentleman knows, the subcommittee only approved $100 million of the $250 million requested, because beginning on July 1 they were going to ask for $700 million more. When the full committee heard all of the debate on both sides, the majority of the full committee was convinced that the $100 million which the subcommittee had approved was not needed at this time.

I may say that, in my judgment, one of the reasons why this program has been delayed or slowed was not because we did not want to do the right thing but because a lot of the Members gained the impression that this involved a lot of soft loans, that they had written to all the countries over the world requesting them: Send us your letters, send us your requests as to what you need.

When those letters came in it was stated that the total of these amounts would be required immediately. Beside the Development Loan Fund, the gentleman, of course, is aware of the fact that since World War II when all of these programs I am speaking about began, $82 billion has been expended and authorized through the various loan and grant programs to foreign nations and, as the gentleman I am sure knows, there are some seven agencies of Government making grants and loans in various fields of foreign aid. There is the Export-Import Bank, there is the International Monetary Fund, there is the International Cooperation Administration, there is the mutual security program among others. The Development Loan Fund is another. I do not recall all seven of them at the moment. But, these are some of the agencies of Government that are making grants and loans in the foreign aid program.

I want to say for the RECORD that I represent the Cordell Hull district of Tennessee in Congress, and I do not consider myself an isolationist. I was here when the program was started, but when it was started it was said to be a temporary program. Now, some 12 years later, the President has recommended a 10-year permanent program. I think it is time that there be a real analysis of the program, to determine where we are going. There is need for a genuine reappraisal of the entire foreign aid program, and I trust the gentleman from Connecticut [Mr. BOWLES] and the members of his committee will address themselves to this task. I believe in some areas the programs are necessary and essential, but how much and to what extent is another question. I commend the gentleman for addressing himself to the need for reforms and improvements, in these aid programs. His experience in this field gives him special qualifications to point out needed improvements. Personally I have supported aspects of the program in the past. I have taken the position that since we need an insurance program the payments should be reduced as much as possible. Will the gentleman express himself—and I am sure he is capable—as to some of the areas in which improvements in this program can be made?

Mr. BOWLES. I think the gentleman and I would be able to agree on some points at least. First of all, the question of consolidation of some of our aid efforts; I hope that in the next year we may begin to bring some of these programs into closer coordination.

Several different proposals have already been made, and I think more should be encouraged. I would like to see a committee set up inside or outside Congress to consider what as a practical matter we can do to eliminate some of the overlapping responsibilities and report to the next Congress. I think this would be most helpful.

Mr. EVINS. Mr. Speaker, if the gentleman will yield further, I would think that it would be opportune to make that study now. Why postpone it for another year and put it off for another year? When we have need for development of projects in our own country, they are subject to rigid cost-benefit formulas. We are advised by the Budget Bureau and the administration "they must be deferred, they must be postponed, they are not essential at all," but programs overseas, are immediately approved and they

are not required to come up to any cost-benefit formula. If the Congress cuts the foreign aid program just the least bit, we are attacked as being irresponsible in our actions, and if we spend on programs which are desirable for our own country we are attacked as spenders.

So, Mr. Speaker, I think that it is time that the Congress exercise its own judgments in these matters. Again, I should like to commend the gentleman from Connecticut for the fine contribution he is making in this important field.

Mr. BOWLES. I strongly agree. I would like to say that I have been talking about these needs for a long time. But I was elected to Congress only last November and this is the first opportunity I have had to speak here about it.

Mr. EVINS. I would like to say that I think the gentleman is making a distinct and very meritorious contribution, and I commend him for his fine efforts.

Mr. BOWLES. I thank the gentleman. I have been pressing for administrative consolidation and for cutting out waste in this urgently necessary effort for a very long time.

But I do not think that the Development Loan Fund as it now stands is sufficient for its task; I believe it needs a really adequate budget and it will need it for many years to come. We have been told by some members of both Democratic and Republican administrations that this program will be needed only for a year or 2 or 3, and this has caused both confusion and frustration here in Congress and indeed throughout the world.

This effort is a long-term proposition. The new nations of Asia and Africa and the older nations of Latin America are waking up to the possibilities of a better life. Yet they do not have the capital or the technicians to do what they must do.

Modern communications spreads the news to the most remote villages of all the remarkable new things that man can accomplish—greater rice output, the miracles of medicine, of education, of industry.

The Soviet Union says to the people of these underdeveloped continents: "Only 2 generations ago we, too, were sunk in poverty. But look at us now. Through Communist techniques we have quickly become the world's second most powerful industrial nation. We have the capital and the technicians to make your efforts easier. We want to help."

This is the Kremlin's siren song, and it is effective.

Let us consider for a moment the British in the days of their greatness when their Pax Britannica brought reasonable peace to the world—although not necessarily freedom.

In those days the British exported every year nearly 10 percent of their gross national product. That is a vast amount of money. If we exported capital on that basis today, it would mean $40 to $50 billion of private and Government capital going abroad each year.

But economically and politically we now live in a different world. The British had no income tax, no corporation tax. Therefore, private savings could easily carry almost the entire load of capital investment abroad.

The British also faced a relatively secure world. The British Navy, the British Army and colonial controls saw to that.

May I remind the House that foreign equipment and military technicians such as Lafayette and Von Steuben helped bring us victory in our Revolutionary War, that British and Continental European capital amounting to billions of dollars helped in the 19th century to build our railroads and our industry; and that foreign technicians such as Einstein, Fermi, and Bohr recently helped us to harness the atom.

We are now moving into a period which is infinitely more explosive and more demanding. Private American capital can play a major role abroad, and I think we should encourage our industrial leaders to do more. But there are strict limits due to the pressure of our modern tax system on the one hand, and the relatively unstable political conditions which investors now face abroad, on the other. So not unnaturally many American industrialists are reluctant to invest their money with the old assurances of the British.

Therefore, our American Government must carry a heavy load of responsibility for action.

We have this program on the books today. It is my guess that we are going to be voting for it or voting against it 10 years from today.

This is going to be a long-range effort whether we like it that way or not. We are living in a world that is not suddenly going to become orderly and self-sufficient.

Yet there is every reason for us to have confidence in what we can do. We have all seen the miracles that were accomplished, in Europe through the Marshall plan. Who would have dreamed of the remarkable developments that were made possible by our vision and capital in Europe?

Averell Harriman, who had much to do with the Marshall plan and who is just back from India, told me recently that he thought within 6 or 7 or 8 years India could generate enough of her own capital to supply the essential bloodstream of new investment from savings within India. That sounds optimistic, but I believe he may be right.

Mr. JOHNSON of Colorado. Mr. Speaker, will the gentleman yield?

Mr. BOWLES. I yield to the gentleman from Colorado.

Mr. JOHNSON of Colorado. The gentleman may be interested to know that about 10 years ago, I was on a program at the University of Colorado campus in Boulder, where we were discussing the new Marshall plan and point 4 programs which were just going into effect. The discussion was around the question of how rapidly could this job be done. A gentleman who had already had some work overseas having to do with technical assistance and economic development took the floor at the end of the discussion and said that he was pleased to see the enthusiasm that was present there. But he thought that we should disabuse ourselves of the notion that this could be done in any 4-year period. He said that he hoped he would find as much enthusiasm at the end of 15 years after that time, because he said by that time we would just about be started on the task, it was that monumental. I think the American people need to understand the task in those terms.

I think the gentleman has made a fine contribution and I thank him for it. I invite his attention and the attention of the House to the resolution calling for international education cooperation, which I expect to present this afternoon.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. BOWLES. I yield to the gentleman from Minnesota.

Mr. JUDD. Mr. Speaker, I want to commend the gentleman from Connecticut for his statement, for the insight, the balance, and the sound judgment that he has exhibited. Particularly I want to express appreciation that he has emphasized one of the things that I have tried to stress all these years and which needs reemphasis, with new voices, namely: We in the West have tended, in my opinion, to concentrate too much in this program on the material side of it; the calories, the guns, the power-plants, the dollars, and so forth. We have given too little attention to the fact that these folks are also human beings, with some desires that material things will not satisfy.

We have done a wonderful job with the tangibles; we have not been sufficiently sensitive to the intangibles. The gentleman has pointed that out.

Some of these peoples have worked for decades and even for centuries to get their national independence, freedom from foreign control. Just the feeling that this is at last their own country, is very precious to them. Sometimes in our very zeal to help them—what I call the imperialism of efficiency—we crowd them too much. We push them along faster than they want to or can go; we make them wonder whether after all they are masters in their own house. And a resentment sometimes develops that defeats our common purpose. It may seem to us like lack of appreciation on their part, but that is not the true explanation.

We see the people want to be free, to be apart; and we are doing our best to help them become free. But that is only half of what they want. The minute they are free, they want to be together, to belong, to be important, to be needed, to be appreciated, to be able to contribute more themselves. They want to have a sense that they are doing something important for us as well as we for them. Too often we give the impression of working for them at their problems, instead of with them at problems of concern to us all.

Sometimes we give the impression that we think we know better than they do what is best for them in their own country. Even if, because of our wider experience, we sometimes do know better how to meet a given problem, we sometimes do it in a highhanded way, without intending to do so, that alienates them. It is no use making them

fatter, stronger, or richer if we alienate them in the process.

The gentleman has emphasized that point so well today, because of his recognition that in the end it is what people think, not how much they have to eat, that determines where they will be in this world struggle.

We cannot overemphasize the importance of getting away from our usual emphasis on the quantity of our aid. People ask, "How much money shall we have in the mutual security program this year?" The more important thing is not how much is given, but how it is given; not the amount but the manner of the aid.

The world struggle is like a great election campaign. The peoples of the world are choosing sides. For which side, the free world or the Communist world, are they going to vote? In some election campaigns you may be able to win some votes here or there by passing out gifts; but in the end you get elected or defeated by what the people think of you. That depends on whether what you present appeals to them as a program that offers dignity and hope and mutual respect, for the future, not just material benefits.

If the gentleman will permit me to add an additional comment, the greatest paradox of the 20th century to me is this, that we in the West whose magnificent material achievements are the result, we believe, of certain basic spiritual values—and I mean spiritual in the broad sense of things of the spirit—have nevertheless managed to get ourselves before much of the world as if we cared only or largely about material things—food, guns, and dollars. In contrast, the Communists, who deny even the existence of spiritual values, have nevertheless skillfully managed in many parts of the world to get themselves before the people there as if they are the ones who care most about the thing of the spirit, the dignity, the equality of status, the comradeship, the relaxation of tensions, the sense of belonging, that human beings hunger for everywhere.

We have so much better a cause than the Communists but we have not done anything like as good a job of presenting it as the cause deserves.

We generally go into a country, look around and ask, How much do they need? The answer to that is astronomical.

A second question is more important, and the gentleman has mentioned it, How much can they effectively use?

A third question is even more important: How much can they self-respectingly receive, and in what manner can we best give it?

If we would always study the second and third of those questions, not just how much do they need, we would have a better program. I think it could be somewhat smaller than it is but size is not the chief essential. We have got ourselves into a position where if we try to change the program, in these directions, the bureaucracy already set up resists—as happens in all Government agencies. It is easier to go along in the established pattern. Because one country needs a certain emphasis or kind of program, the agencies tend to give that kind of program to all other countries. The gentleman has seen countries, and so have I, where we had a hundred projects in operation, different kinds of projects. They were needed in some big country. But in some little country with different problems, perhaps only 5 main projects or 10, were essential to its future; yet because a pattern has been developed for the big ones, the form or routine is followed everyhere else. We give them all the full treatment.

I am glad to welcome the gentleman from Connecticut on our committee to help it redefine in ways that are fresh and appealing the basic objectives the Congress had had all along.

The gentleman and I will probably not agree on all the details, of course, but the kind of statement he has made is the sort that we need to have made more often and by persons who are responsible, if we are to have a program that is alive, flexible, imaginative, and adjusted to the needs of individual countries.

Congress also has to do some reevaluating of its own role in formulating and supporting the program as well as the executive agencies that carry it on. What we face is obviously a long-range problem. How in the world do you handle a long-range problem with a short-range program? Can it be expected to succeed too well when Congress appropriates a year at a time? I often think of it this way: When Pearl Harbor came, did we declare war for just 1 year, and at the end of that year, debate for 2 months or so whether we were going to fight a second year? No; we just declared war. Everybody knew that we were going to stay in that war until we won it. We did not freeze the conduct of the war. We could adjust or modify it as circumstances indicated. But we committed ourselves to carry on to victory, however long it might take. Now, we have never done that with this program. We just say, "We will go ahead for another year and then we will decide about the following year." It never gets a chance to get its roots down firmly. We pull them up to see how they are doing. How can our partners go all out when they do not know what to count on from us?

My friend, the gentleman from Tennessee, has objected that mutual security was intended to be a temporary program. Well, I remember that the farm price-support program began as a temporary short-range program, too; but we have it now nearly 20 years later.

The program for our own American Indians began about 175 years ago, I guess; but we all know we are going to continue to have it until we get the problem solved.

We must carry on this program not because we like it, but because of the nature of the task ahead of us. There is a world in turmoil and it needs more than anything else the kind of strength and leadership this country and its people are in a better position to give than any other country or people. We have to stay with it, modifying it as we go along and adjusting it to changing situations, until the threat is removed. We have to do that not primarily for the sake of other peoples but in order to have a world in which we ourselves can live in decency and security.

Mr. BOWLES. I thank the gentleman. And I would like to say this. If both political parties here in Congress, and also the administration would take the position that the gentleman from Minnesota has suggested we take, with our emphasis squarely on relating the traditional purposes of American democracy to today's world, I would feel infinitely more confident of the future.

Our relationship with other human beings must be on the basis of mutual respect for their cultures, their judgments, and their opinions. If only we could be guided by such basic human considerations in our world affairs we Americans would gain a power thereby that would be greater in some ways even than our missiles and bombs.

If we cannot soon come to terms with the human race, if we cannot build solid bridges of human understanding with other peoples—at least those outside the Communist world—we will become constantly more isolated as a rich, resented minority in a world that is struggling for survival.

Mr. JUDD. Mr. Speaker, will the gentleman yield further?

Mr. BOWLES. I am glad to yield to my colleague.

Mr. JUDD. I think sometimes the key word to describe the attitude that we are trying to achieve abroad is confidence. To come back to the election simile—people vote for the man in whom they have confidence. The people in the world will vote for us if they have confidence in us. They will vote for others if they do not have confidence in us. It is not primarily confidence in our power; they all know our power. But confidence in our character, confidence that we will use our power with wisdom and sensitiveness and steadfastness.

There are five "p's," it seems to me, that ought to be the basis of our policy. The first is power—moral, military, and economic power. But power in support of what? Power in support of principles—our historic principles to which the gentleman referred earlier. Both Mr. Nasser and Mr. Sukarno told our subcommittee when we visited their countries several years ago, "Why, we are only trying to do in our country precisely what you did when you were under a colonial power. You fought a war against it to gain your freedom. The inspiration for our revolution comes out of your own revolutionary history." That is unquestionably the truth.

So the first two "p's" are power in support of our historic principles. Then power in support of pledges—our honorable commitments—and in support of peoples, free peoples. And then we need a fifth "p," that is patience. It takes time and patience to work it all out. If we will keep these five "p's" constantly before us, I am sure such a program gives greater hope of success in getting through the nightmare of tension, frustration, fear and uncertainty in which

we are now living than any other kind of program can offer.

Mr. BOWLES. You are entirely right. If one thinks of power only in terms of military power, how do we explain Gandhi?

Gandhi succeeded in pushing the British out of India. Yet did not have a single flattop aircraft carrier; he commanded no atomic artillery or armored divisions; he had no navy and no tanks. But Gandhi had powerful ideas, so that when the British gave India independence they gave it in an atmosphere of good will and mutual respect which Gandhi largely made possible.

I do not suggest that Gandhi's way could have succeeded against the Nazis or the Communists. They would have crushed him like an ant. But nevertheless it was an exciting testimony to the power of faith and dignity in a world that has come to devalue such influences on human behavior.

Mr. WIER. Mr. Speaker, will the gentleman yield?

Mr. BOWLES. I yield to the gentleman from Minnesota.

Mr. WIER. I think I ought to make known that on Saturday evening last I had the happy and pleasant experience of being in an audience which the gentleman addressed in the city of Minneapolis, numbering about 1,500, where I heard much of what you have said here today. Your message to the people of Minneapolis and throughout the State was well received, as I am sure you realize.

I had the same experience as my colleague from Tennessee had. When I came here in 1948 I came here very much in support of the then Marshall plan. I think one of the greatest administrators of this plan that we had during the life of foreign aid was one that was most unfortunately lost in an airplane accident in Iran. I refer to Dr. Henry Bennett of Oklahoma.

He was a master in this field of endeavor on the needs of the countries in the development of the program. For 6 years I supported this program in its entirety. I subscribed to it. During the last few years I have lost some of my former confidence, because of the mistakes and other misgivings in addition to the waste in the military program and the technical help offer of this country. It has rather discouraged me so that you will probably find me voting for amendments to the foreign aid program, as I did last year. But in the final result I will vote for the program.

I do not think this program has any place for military aid. That should go through the Military and Defense Department appropriation bill. Where we have provided military help for what we thought was our friends, in foreign countries, in which those very arms and military hardware were the base upon which a new dictatorship and overthrow of the friendly government happened. The latest was Iraq. Before that Pakistan, Egypt, and Burma, and other countries. We have had the experience of finding military arms that we thought would help and preserve and develop our so-called friends there, used to overthrow the government we thought was our friend.

I have a very diversified district in the State of Minnesota. Congressman JUDD and I split Minneapolis. I have one side of the river and he has the other. In Minneapolis my support of foreign aid is well received, but when I get out into my rural counties then I find considerable opposition to my support of foreign aid. There are reasons for that—a number of them.

I want to say that insofar as the State of Minnesota is concerned, our university has made a great study of whether Minnesota benefits by this program or whether it is a costly program for the taxpayers. The University of Minnesota a couple of years ago developed a statewide survey to determine, if possible, whether or not the State of Minnesota benefited or was hurt by both foreign aid and foreign trade and I may say the findings were favorable. However, I do, today find I have division in my district; the urban friendly, and the rural unfriendly. As a matter of fact, they refer to it as a rathole. So I do hope that the gentleman from Connecticut, along with other members of the Foreign Affairs Committee can come up with some revision of the loose operation and what I term very much waste.

I want to congratulate the gentleman for what he said in the city of Minneapolis on Saturday night. I think he delivered a fine message and an able message.

Mr. BOWLES. I thank the gentleman. I might add one thing. Over a period of the next 10 years I think the American farmer will become one of our greatest internationalists. There is no way that America can solve its agricultural marketing except in terms of world markets. I believe that many of your friends in Minnesota will be applauding you in the coming years for continuing to give your support to the foreign aid program.

Mr. WIER. We will have to get a new Secretary of Agriculture.

Mr. GEORGE. Mr. Speaker, will the gentleman yield?

Mr. BOWLES. I yield to the gentleman from Kansas.

Mr. GEORGE. I want to congratulate the gentleman upon the address he has made. I am inclined to agree with the gentleman from Tennessee and the gentleman from Minnesota that it is high time something was done with our foreign aid. In fact, I think it detected a little contradiction in your own address. If I am not mistaken, the gentleman began by stating he was going to support the program in its entire amount. I do not want to be alined as an opponent to the mutual security program at all, but, if I am not mistaken, the gentleman also said that there is enough extravagance and waste to be cut out of our foreign aid program to give more and more millions to the development loan program. If that is true, why would it not be possible to cut the amount of foreign aid in the other branches?

Mr. BOWLES. In my opinion the Development Loan Fund is inadequate for its task; indeed it is nowhere near adequate.

This is a truly constructive program. Indeed it is the one area of effort where we still have the initiative in our dealings with the world and we must see that we keep and extend that initiative.

I believe that the standards which I have suggested for the allocation of military and economic assistance can enable us to save as much as $300 million. If we add this sum to the Development Loan Fund I am confident that it will be spent with much greater effect

We cannot be precise, Congress cannot administer such a program. We can only except the administrators and the Executive to live up to the policy terms we lay down.

The development loan program should be extended and expanded. I would like, as the gentleman from Minnesota [Mr. JUDD] suggested, to see it authorized over several years so that better planning may become possible.

How could General Motors, for instance, plan its next year's operation with no idea of how much capital it is going to have? Any long-range development program requires some knowledge of what resources will be available.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. BOWLES. I yield to the distinguished gentleman from New York.

Mr. CELLER. I was not present during all of the gentleman's address. I am sure I missed a great deal by not being here.

I would like to get the gentleman's point of view similar to the one expressed by him with me over a telecast last week concerning aid to India. The gentleman has served with great distinction as out Ambassador to India and Nepal. I think it would be well for him to dwell for a few moments on the need for aid to the great subcontinent of India. I would like to get the gentleman's views on that matter too.

Mr. BOWLES. The gentleman will find in the RECORD that I have already commented rather fully on India and its 5-year plan and I have suggested things that I believe should be done.

I might add briefly that in my opinion India is the key to a free and independent Asia. If India fails to reach her democratic objectives there will be little hope that other nations less well endowed with resources and leadership will succeed.

We must see that India has the resources with which to succeed and thereby to prove to the people of Asia and Africa that freedom and democracy are practical effective means of getting things done.

Mr. NELSEN. Mr. Speaker, will the gentleman yield?

Mr. BOWLES. I yield to the gentleman from Minnesota.

Mr. NELSEN. First, I wish to thank the gentleman for the very fine remarks he has made relative to this program. I would like to call attention to a poll that we took in my district, which is predominantly rural. We sent out 38,000 letters with questions relative to this program and we find a large percentage, better than 50 percent—I think

around 60 percent—of the farm people favor the program along the lines that the gentleman has suggested. They look with great favor and hope to the possibility of the disposal of our surplus farm products worldwide.

I thank the gentleman for the manner in which he has made his presentation. It certainly demonstrates a uniformity of thinking and the kind of thinking we are going to need if we are going to effect a climate worldwide that will bring about world peace.

Mr. BOWLES. I thank the gentleman. I may add that I wrote Dr. Gallup recently, and asked him if he had made any polls as to where this program stood with the American people. He sent me one made a year ago that indicated, as I remember it, that 69 percent favored the full amount, without any cuts at all.

Yet, over and over again, we hear it stated right here in this body that the American people are against this effort to build a more secure and productive world. The people who are against it may write most of the letters. But I know that tens of millions of thoughtful people who apparently do not write enough letters, are heart and soul for it.

And, if only we would place this program within the familiar framework of traditional American democratic purposes and intent we will enable the American people to understand it much better and its support will grow and they will be proud of it.

Mr. MEYER. Mr. Speaker, will the gentleman yield?

Mr. BOWLES. I yield to the gentleman from Vermont.

Mr. MEYER. I would like to compliment the gentleman particularly for his very skillful and diplomatic presentation of a rather touchy subject. He has used the surgeon's scalpel when most of us would maybe use the meat ax. I think he has performed a particularly valuable service in indicating that the American way is not necessarily just the way that shows fear of communism or a policy of negativism and containment, but he has indicated, I believe, quite clearly that there is a positive approach; that we should reexamine our foreign policy and our mutual security program, taking out things in it that are either wasteful or improperly in it; reexamine the values of technical assistance and economic aid that will help the people of other nations help themselves and so join with us in a common effort. I believe that he has clearly indicated that in this field we require political leadership; not military leadership alone, but we need political leadership in which the opinions of the military leadership are considered and all other opinions are considered in stating our foreign policy, in determining what we will do with our mutual security program. And, I believe that he has also performed another valuable service in indicating that the Members of Congress and the American people can be perfectly loyal in having what might even be a loyal opposition approach; that this is perfectly possible and perfectly good and perfectly wise. I think most of all that we need to find a different way than we have been following in the past if we are going to solve this problem of peace or war and to prevent the horrors of a nuclear war; to develop the efforts of the United Nations; to work out some system of international law and order. And, I want to compliment my colleague from Connecticut for the very excellent presentation he has made and for calling our attention to a problem that must be solved.

Mr. BOWLES. I thank the gentleman.

Mr. GEORGE. Mr. Speaker, if the gentleman will yield further, I want to say that I do agree with you on your thought that the emphasis should be placed on long-term loans and technical assistance. I am wondering whether you believe that what we have done in the way of foreign aid across the board has been publicized sufficiently in foreign countries.

Mr. BOWLES. I really feel that in almost all countries the extent of our help is pretty well understood.

But, let me go back, if I may, to the very point that I have been trying to make throughout this statement. People who seek thanks and gratitude for their good deeds rarely succeed in getting it. If we constantly wonder whether we have been thanked enough, we will not be thanked as much as people in their hearts are inclined to thank us. That is human nature.

In India—and I know this is true in other countries—the more modest we are, the more we understate our contribution and build up their own, the more appreciation they will feel and express.

Many times I was publicly, and privately thanked in India for what America has done. And I always replied and I meant it deeply: "If you succeed in demonstrating that democracy really works in India, if you can prove to the new nations of the world that these same ideals of freedom are workable in your country, it is we who will be grateful to you, because you will have given new meaning and conviction to the great truths on which my country has been based. So, please do not thank us. Our gratitude should go to you."

If we approach our relations with the recipient countries on the basis of such mutual respect we will make far more friends than if we wave the American flag every time we hand somebody a dish of rice or a new plow.

In the past we have boasted too much, and so we have sometimes lost the respect and understanding we have wanted to win.

Mr. GIAIMO. Mr. Speaker, will the gentleman yield?

Mr. BOWLES. I yield to the gentleman from Connecticut.

Mr. GIAIMO. I should like to commend and thank my good friend and fellow resident from Connecticut for his usually fine understanding of these problems which confront us in the world and for his dedicated attempts to offer solutions and suggestions as to some of these problems involved. Concerning this question of gratitude from other peoples and countries where we lend or grant these many billions of dollars under this foreign aid program, I wonder if part of the reason for the fact that there is a lack of gratitude or even an indication in many areas of anti-Americanism, when we are trying to develop friendships, is the failure on our part to accomplish one of the objectives which the gentleman mentioned earlier, that is, to understand different cultures and different traditions of peoples and countries. I believe that this is particularly true in many instances on the part of American tourists to other countries and on the part of many American representatives and officials who visit these countries.

Would the gentleman care to comment on the lack of understanding of the cultures and traditions which differ from ours?

Mr. BOWLES. Mr. Speaker, I think my friend from Connecticut has brought up a very fundamental point.

In many parts of the world we are in trouble today, not because we have failed to do enough, but rather because we have done it in the wrong way. For instance, I wonder if what Latin America wants more from us than anything else is not mutual respect, a greater sense of partnership; a feeling that we truly respect them, for their culture and their great accomplishments?

Of course, this largely gets back to the people we send overseas. We must find more Americans ready to serve our country abroad who feel these things deeply, who can express them and live them. And I might add that their wives should understand them, too, because one who does understand these American principles and objectives can be of enormous assistance; and vice versa.

I believe that we must be much more careful in the selection of many of our people for service abroad and in their training of them and orientation. We must also encourage them to go out to the villages where most of the people live, and to understand the problems there, and to spend less time in the nations' capitals.

Mr. CARNAHAN. Mr. Speaker, will the gentleman yield?

Mr. BOWLES. I yield to the gentleman from Missouri.

Mr. CARNAHAN. Mr. Speaker, I want to commend the gentleman for the statement he has made and for the excellent replies he has made to the questions that have been put to him. I feel that his explanation should help the membership as well as the people in the country better to understand the foreign aid and mutual security program.

Mr. BOWLES. I thank the gentleman.

Mr. DADDARIO. Mr. Speaker, will the gentleman yield?

Mr. BOWLES. I yield to my colleague.

Mr. DADDARIO. We in Connecticut for a long time have followed very carefully and conscientiously the career of the distinguished gentleman from Connecticut [Mr. BOWLES]. He has demonstrated today a penetrating knowledge of his subject.

Mr. Speaker, the gentleman from Connecticut has suggested a program with

five standards. One of them is a willingness on the part of a country to make sacrifices on its own behalf. He has suggested a most important feature of our mutual security program should be to take into consideration the kind of assistance and the way we give it.

If we apply that to the mutual security program, and I believe we should, how does it fit this situation? I understand the intention this year is to withdraw from Israel the direct aid provisions of the program and to confine its assistance to the Development Loan Fund which the gentleman has mentioned today, and which is very much restricted in amount. May I ask the gentleman if he does not think that Israel should be included in the direct grants program? Does he not feel that a program which has achieved a marked degree of success should be continued to the point of certainty? In an area as volatile as that in which Israel finds itself, should we not be certain that we have reached a successful conclusion before withdrawing from the challenge which faces us?

Mr. BOWLES. I am grateful to my friend from Hartford and I agree with him. The apparent cutback in aid to Israel under the mutual security program is disturbing to many of us.

I know of no nation that more clearly fits the standards which I have proposed for the allocation of economic assistance. Israel is a symbol of what a free people can achieve.

I am confident that this question will be fully explored in the Foreign Affairs Committee and consideration given to special language in the committee report designed to correct this situation.

The SPEAKER pro tempore (Mr. HARDY). The time of the gentleman from Connecticut [Mr. BOWLES] has expired.

EXTENDING THE VOTE TO CHILDREN BETWEEN 12 AND 21

Mr. WILSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. WILSON. Mr. Speaker, in accordance with the request just received from a group of my younger constituents, I am bringing up the subject of extending the vote to children between the ages of 12 and 21. It is unusual when youngsters of doll-playing and kite-flying age take time out from their busy day to show an interest in the affairs of their Government. While we do not expect an immediate and overwhelming acceptance of the proposal they are advocating, I think it only fair to let my colleagues and the people of our country know of their interest. Under unanimous consent, I ask that their letter be included as a portion of my remarks in the body of the RECORD.

SAN DIEGO, CALIF., *November 11, 1958.*

DEAR CONGRESS: We think that the children between 12 and 21 should be able to vote, also.

It would give more of an opportunity to give their opinion. We are of age 9–11 and can see the difficulties, but we can also see the advantages.

At the next Congress meeting we would appreciate it if you would bring it up.

Thank you.

Stephen Lambert, Mark Lieb, Steve de la Torre, Peter Swenson, Phillip Bonwell, John Hubbard, Jimmy Wylie, Dave Crane, Mark Schulte, Del Renken, Frank Marino, Linda Barrows, Varonica Lieb, Charles R. Nielsen, Tom Lieb, David Ming, Philip Evans, Jerry Ryan, Jeffrey Lee, Timothy Wooten, Bob Wooten, James Brickey, John Torgeson, Larry Barrows, David Barrows, Christopher Lieb.

THE FARM SITUATION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Iowa [Mr. COAD] is recognized for 15 minutes.

Mr. COAD. Mr. Speaker, there is no domestic problem as great or as complex as the farm problem. As a representative of one of the Nation's finest agricultural districts and as a member of the House Committee on Agriculture, the farm problem is uppermost in my mind. However, a person does not need to be on the Agriculture Committee or even from a farm district to realize the devastating effect which the present agricultural crisis is having on our economy. All one has to do is get the record out and study it over even in a casual manner to discover that many of the economic ills affecting our entire Nation's economy can be traced back to the farm situation. We have millions of unemployed today, the most of which could be put to work producing the things which farmers want and which farmers need to buy if the farmers had the money with which to buy them. Not only would the farmers be buying if they had the money, but they would start a chain reaction and the entire economy would be benefited.

The overlying problem facing agriculture is lack of price for the commodities produced, overproduction of commodities already in surplus, a great expense to the taxpayer for storage costs, and in general a demoralized condition which has been enhanced and even instigated by bumbling adminstration practices which appear to have only the end result of completely destroying the farm program.

But, Mr. Speaker, it is obvious that the farmer must have a program to assist him to organize to compete to obtain a price, and effect production limitations. We are all idealists to the extent that we should like to see the farmer able to operate strictly on the law of supply and demand. But we are also realists to the extent that we know that with so many millions of farmers they are unable to organize to effectively stabilize either price or the amount of production.

A quick rundown of some of the important statistics regarding the farm situation point most graphically what I am saying.

First. On an average our farmers are receiving only about 80 percent of a fair price for their commodities.

Second. There is about a $9 billion surplus of farm commodities.

Third. The Department of Agriculture is already predicting that about all of those commodities in surplus will be increased this crop year.

It has been estimated that the average yearly loss of income for our farmers from 1951 through 1957 in the State of Iowa alone has been over $1 billion. This is an alarming fact, Mr. Speaker. According to these figures, during the past 7 years we would have had over $7 billion in Iowa which now is forever lost. Other States in the Midwest have suffered proportionately.

It seems that the American farmer has been singled out for special "surplus price depressing" treatment. According to Assistant Secretary of Defense Perkins McGuire, who appeared before the House Appropriations Committee, the armed services have $60 billion worth of surplus equipment that is in warehouses right now. For the most part these are usable items and they are increasing this stockpile at the rate of $9 billion a year. There are other stockpiles but we have had the wisdom in industrial circles to keep these stockpiles off the market—and we do not even talk about them being a threat to the market; therefore they don't affect the price. But it seems there are spokesmen who, in fact, should be talking in favor of the welfare of the farmers of our Nation but who continually inflict the fact of commodity surpluses upon the minds of the people so that surpluses have become the greatest bogey to farm prices of all time.

There are also official spokesmen who continually tell our farm people to give up and get off the farm. Let it become big business. Let it become a harsh, cruel commercial enterprise and forget the type of living one finds on the farms.

There are those who have espoused a philosophy, and I regret that much of it has been enacted into law, that if the price is low enough, then our farmers will plant something on which the price is higher. But, Mr. Speaker, the farmer is unable to find commodities today where there is a decent price at all, let alone a higher price. We are witnessing today the distressing fact that this philosophy is a total failure. There is no wisdom at all in forcing our farmers to produce themselves into bankruptcy. We are losing farm families, and the farmland is going into larger operations. These are the facts—it is happening in Iowa—it is happening in every State of the Union.

I have worked on this problem, I have thought on this problem, I have studied this problem perhaps more than any other one single problem in all my life. And after serious deliberation I am thoroughly convinced that our farm people want a farm program which is sensible and one which will do the job of getting prices up off the floor and one which will get production back on an orderly basis. I am convinced that our farmers want only a fair share and I am certain that our city citizens want our farmers to have a fair share. But more than this, I know our farm people well enough to

know that they do not want the people in towns to carry a high burden of taxation and pay prices out of reason for food and food products. On both sides there is great desire for fairness and fairness is all that I or anyone else can rightly ask.

What we need and must have, Mr. Speaker, is a farm program which will give a fair price for farm commodities, which will reduce the surplus, which will take fewer tax dollars and which, while doing this will give all our people an adequate diet at a reasonable price. This is the kind of plan I have been working on and one which I intend soon to introduce in bill form. Let me outline some of the features of the bill which I hope to have ready in a matter of just a few days.

First. Under the provisions of this plan the farmer will place 10 percent of his tillable acres in a conservation base on which he would receive no Government pay at all. He would idle these acres as his contribution to cut down production. He would even seed down these acres without cost to the Government.

Second. Each producer will place 25 percent of the remaining tillable acres in the conservation base for which he would receive a payment in kind of surplus crops. The payment in kind would be at a rate of two-thirds of the regular per-acre yield of the farm on which the acres are placed in the conservation base. You see here we will be making the surplus pay itself out of its own problem.

Third. On the remaining acres—which are in fact 67½ percent of the original total—the farmer can plant anything he wants to plant just so long as he does not plant any one crop on more than 50 percent of the total cultivated acres. This gives the farmer the freedom to plant what, where, and when he wants to plant. On these crops the producer qualifies for 90 percent of price supports.

Fourth. There is, under this plan, a $10,000 limit for any one producer for price-support loans.

Fifth. Producers with farms of 30 acres or less can enter or remain out of the program at their option.

Sixth. Those producers violating the provisions of the program will be subject to a penalty of $10 per acre for each of the first 5 acres and $50 per acre for each acre in violation over 5.

Seventh. The Commodity Credit Corporation, when selling surplus commodities for any reason, will be required to purchase equal amounts on the market to place back in storage, in order to stabilize the market unless the price on the commodity sold in the first place is 90 percent of parity or over.

Eighth. This program will be voted by all the producers of wheat, corn, oats, barley, rye, flax, sorghum grains, soybeans, and rice.

Ninth. Tobacco, peanuts, wool, sugar beets, and cotton are not included in this program and the acreage of these commodities is not included in the tillable acreage of this program.

So, in brief, the program does this:

First. It cuts production with the farmer contributing 10 percent of his total tillable acreage. The surplus will pay for more acres placed in the conservation base.

Second. Surpluses will be held off the market unless the price is right.

Third. The farmer will have freedom to plant the crops he wants to plant.

Fourth. This plan will help those who need the help—our family farmers.

Fifth. The price will be raised more by the cutting down of production but also by price supports.

Mr. Speaker, this is a plan which is sensible, which will not be costly, and which will go a long way in solving some of the most complex problems facing America today on the domestic front. I invite consideration and discussion on this subject. I plan to make further remarks about this proposal when the bill is actually ready for introduction.

Mr. BROCK. Mr. Speaker, will the gentleman yield?

Mr. COAD. I yield to the gentleman from Nebraska.

Mr. BROCK. I want to compliment the distinguished gentleman from Iowa for his very forceful and intelligent statement. I would like to associate myself with those remarks. I have recently noticed a poll taken by the National Farm magazine, wherein they stated that farmers want no controls whatsoever. However, before coming to Congress in this session I spent 28 years as a farmer. I served as president of the Corn Belt Livestock Feeders Association, which embraces all States from Pennsylvania to Colorado. I believe I know the thoughts of the farmers. The farmer does not want to produce and place his products in surplus. Now the farmer is willing to take a leaf from the pages of General Motors. General Motors does not produce Chevrolets by the thousands and tell their dealers to sell them at whatever they can receive for them. I believe the farmer is willing to produce for the market and is anxious to produce for the market.

I noticed in your No. 1 statement—and I am sure the farmers would agree in this—that they take 10 percent of their tillable acres and do not receive one cent of Government funds. I am sure that if this program is presented to the farmers they will wholeheartedly back that program.

When the distinguished gentleman from Iowa introduces his bill, I would be most happy to introduce a companion bill.

Mr. COAD. I can assure the gentleman he will be afforded that opportunity, and I appreciate his remarks.

Mr. WOLF. Mr. Speaker, will the gentleman yield?

Mr. COAD. I yield to the gentleman from Iowa.

Mr. WOLF. I would like to associate myself with the gentleman's remarks. I would like to say that we in Iowa are proud of the leadership you have given the State of Iowa in the Committee on Agriculture. Certainly your remarks have been thoughts in my mind. I have one regret, however—that we have to think in terms of curtailing production. It appears we are going to have to think seriously in this direction, too; but we also must seek ways to use the food that we have to feed the hungry people around the world.

I want to congratulate the gentleman in presenting this sensible program, and I hope he will continue to study it further.

Mr. COAD. I thank the gentleman from Iowa [Mr. WOLF] who knows that I have been interested in a food for peace program for a long time which would take a great amount of our surplus agricultural commodities and put them to a most worthwhile use. As I am sure all will agree the only real reason we have a surplus is that we have not been sufficiently wise or have not planned well enough to make worldwide distribution of what we have by way of food products. When we get our distribution management geared in a proper manner I am sure that our food supplies will be used for food everywhere as they should be.

Mr. ROOSEVELT. Mr. Speaker, the gentleman from Iowa certainly deserves praise for meeting the need for a constructure farm program. It is easy enough to criticize Secretary Benson and the Republican administration, but we do not fulfill our obligations unless we come forward with constructive proposals of our own.

The gentleman from Iowa has promised to expand further upon his basic ideas. I shall look forward to this and would hope that he will include in his remarks two things of great interest to those of us in urban areas who recognize the importance of relative prosperity for the agricultural population of our country, and who, at the same time, wish to protect our constituents from rising food prices.

First, I trust the gentleman from Iowa will give us an analysis of the effect, in his estimate, of the proposals he is making, on food prices to the consumer.

And second, that he discuss whether or not it would be advisable for this Congress to initiate a searching inquiry into the spread between the prices received by farmers and the prices paid by consumers. The Committee on Agriculture has conducted, in the past, investigations which resulted in the conclusion that an excessive spread did exist. It would seem high time that we find out why and what should be done about it.

May I again offer my congratulations to the gentleman from Iowa [Mr. COAD], for his constructive and able leadership in one of our country's most pressing problems.

Mr. COAD. I thank my friend from California, and wish to assure him that I will endeavor to cover the points he has raised when I address the House next Monday on this general subject.

The SPEAKER. The time of the gentleman from Iowa has expired.

Mr. COAD. Mr. Speaker, I ask unanimous consent that all Members may have permission to revise and extend their remarks following my address.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

INTERNATIONAL EDUCATIONAL COOPERATION

The SPEAKER. Under previous order of the House, the gentleman from Colorado [Mr. JOHNSON] is recognized for 60 minutes.

Mr. JOHNSON of Colorado. Mr. Speaker, I am today introducing a concurrent resolution jointly with 31 other Members of the House and 29 Members of the Senate, who are joining the junior Senator from Wyoming, Senator MCGEE. This resolution calls for the development and carrying forward of an expanded program of international educational cooperation.

In light of the excellent statement made in this House earlier today by the Member from Connecticut [Mr. BOWLES] and the discussion that took place, I think it especially appropriate that we place this resolution before the House on this day.

This concurrent resolution calls for the development and carrying forward of an expanded program of international educational cooperation. It calls upon our Government to encourage the United Nations to develop a plan for international educational cooperation that would best serve the needs of the several member countries as well as the cause of world peace and international economic and social development.

It recognizes that this Government possesses substantial sums of foreign currencies which can be used to finance such a program and in effect offers to do so. Actually, we currently possess almost $2 billion in such currencies and if any of the food for peace resolutions become effective or if Public Law 480 is extended, we can expect to accumulate even more.

An educational program of substantial magnitude could be operated using perhaps only 5 percent of these amounts.

The United States has been the beneficiary of a tremendous amount of good will from the Fulbright and Smith-Mundt acts now in operation. Individually these are precedents for this resolution. Similarly, Great Britain has over many years benefited immensely from the good will arising out of the Rhodes scholarships, as Rhodes scholars now serving in the House and Senate could easily attest.

The tragic fact is that many of the other countries of the world have lived in substantial isolation. The countries of Southeast Asia have not enjoyed long and abiding relationships at the cultural and educational level. Indeed, they have had only a minimum of trade relation with each other.

International educational centers in this area would provide a continuing focus of experience for people of neighboring lands. These contacts are free and productive both ways.

Over the years patterns of international cooperation should surely be expected to emerge from such centers. Similarly, the people of the African countries have not enjoyed traffic or contact with each other except to a very limited extent along the fringes.

The development of regional educational centers within this area should be of great benefit toward peaceful development of Africa.

No doubt countries in South and Central America would also welcome the opportunity, within the framework of United Nations planning and support, for creating suitable educational institutions. Anything we can do to help neighbors to know each other within the context of a free and cooperative experience will be most beneficial.

The only time that I have seen Arabs and Israeli in a mood to discuss common problems of the human race in a cooperative spirit was within the context of a group of foreign students exchanging views under educational sponsorship.

Incidentally, this suggests the Middle East as another area in which wider contact under international auspices between citizens of neighboring countries could be productive of a more peaceful development.

So much for the background and philosophy of the resolution, Mr. Speaker.

Let me take just a moment to explain the immediate event which prompts the formation of this resolution. Some of the Members may have noticed the communique from the Council of SEATO—South East Asia Treaty Organization—which appeared in the New York Times on Saturday, April 11.

Mr. Speaker, I ask unanimous consent to insert the full text of the communique at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The communique is as follows:

SEATO COUNCIL'S COMMUNIQUE

The fifth meeting of the SEATO Council was held in Wellington from April 8–10, 1959, under the chairmanship of the New Zealand Prime Minister and Minister of External Affairs, the Right Honorable Walter Nash.

The Council is conscious that the security of any one region is linked with that of other areas of the world and that therefore it cannot effectively discharge its responsibilities without taking account of major developments elsewhere.

It accordingly attaches special importance to its annual exchange of views on the general international situation. This year's discussion was considered by Council members to have been extremely valuable. Its freedom and frankness reflect the atmosphere of full confidence and mutual understanding which exist among its members.

SARASIN COMMENDED

The Council discussed reports and recommendations by the Council representatives, the military advisers and the Secretary General, and in the light of them gave directions with regard to the activities of the organization in the coming year. The Council commended the effective work of the Secretary General, Nai Pote Sarasin, and his staff.

The members of SEATO reaffirm their undertaking in article 1 of the Manila treaty to seek the settlement of international disputes by peaceful means, and to refrain in their international relations from the threat or use of force in any manner inconsistent with the purposes of the United Nations.

The members of SEATO reemphasized their common determination to resist aggression. They are convinced that SEATO is providing an effective deterrent to aggression and is demonstrating the value of a collective security organization established in accordance with the Charter of the United Nations.

CONFIDENCE INCREASED

They noted that since the establishment of SEATO 4 years ago no aggression against the treaty area has been attempted. Confidence and stability have noticeably increased. This is in marked contrast to the threatening situation which existed when SEATO was formed in September 1954, and is ample evidence of the steadying influence of the alliance.

However, during the past year, developments in the Taiwan Straits of Formosa and elsewhere have demonstrated that the Communists are still prepared to pursue their objectives by violence up to the point where they encounter firm resistance.

Despite the continuing possibility of open aggression, the principal threat to the security and independence of the treaty area now is being presented in more indirect forms. These call for imaginative and varied countermeasures.

Mobility and flexibility have long been characteristic of the SEATO alliance. Similar qualities are being developed in response to the diverse nature of the Communist challenge.

The Council members are aware of the opportunities afforded for subversive activities in situations where basic problems of hunger, lack of opportunity and underdevelopment remain unsolved.

In these circumstances not only ceaseless vigilance, but also positive measures, are the price of freedom.

So far SEATO has done much to publicize and expose throughout the treaty area the objectives toward which subversion is directed and the methods by which it operates.

The SEATO Council remains conscious of continuing danger and has agreed that during the coming year arrangements should be made for the further strengthening of this aspect of SEATO's work. For example, it is proposed that a meeting of experts on countersubversion should be held in Pakistan.

ECONOMIC AND SOCIAL ACTION

The Council members recognize the needs for continuing action in the economic and social spheres.

Under article 3, SEATO members are pledged to cooperate in the economic field. During the last 4 years considerable progress has been made in the development of economic measures in consonance with treaty objectives.

THE PROBLEM OF POVERTY

It was recognized that the raising of living standards and the provision of opportunity for advancement are important to the security of the area. It was agreed that poverty and underdevelopment are problems affecting several countries in the area and must be dealt with on the broadest possible basis. Account was taken of the substantial volume of aid already afforded under the Colombo plan, United Nations, and bilateral programs.

Special attention is paid by SEATO to questions arising out of treaty commitments. These include shortages of skilled labor, strains resulting from defense preparedness and the needs of underdeveloped areas.

Several multilateral economic activities directed toward solving the above problems now are gaining momentum. A number of skilled labor projects have been started and the SEATO Graduate School of Engineering in Bangkok is scheduled to open in September of this year. With reference to the lat-

ter program, additional substantial offers of assistance were accepted with pleasure by the Council.

RURAL CENTERS FORMED

On the initiative of Thailand, the Council representatives were instructed to study the feasibility of setting up in the Asian member countries rural development centers equipped to give vocational guidance and to advise the population on ways and means to improve their livelihood, health, and education and information facilities.

The Council welcomed and approved a U.S. proposal to initiate a special project in cholera research and invited member governments to participate in this project. The Council believes that it would be useful to undertake a concentrated program aiming at assisting in the better control and if possible the eradication of the scourge of cholera.

SEATO is concerned with the study of the effects of Communist economic activities in the treaty area. While the expansion of legitimate trade by all countries of the world is to be encouraged, it is in the interests of international order that where the Communist economic activity is clearly dictated by political motives this should be identified and exposed.

CULTURAL PROJECTS

The Council approved the outlines of a long-term program of multilateral cultural projects which will supplement the substantial bilateral contacts which already exist. Special importance was placed upon the continuance of the award of scholarships, professorships, fellowships, and traveling lectureships in member countries and upon the holding of a conference of leaders of universities.

The Council believes that the present programs have been conspicuously successful and indicate that diversity of culture and tradition can in fact enrich mutual understanding and trust.

The Council noted with special pleasure the progress toward self-government and independence being made in territories administered by member countries. This constitutes a practical example of the manner in which the principles of the Pacific Charter are being fulfilled by member countries.

It illustrates that SEATO's concern for stability and security is no barrier to action by its members to promote political progress and social change.

TIBETAN SITUATION NOTED

The Council noted the stark contrast between these developments and the situation in Tibet and other areas subject to Communist domination.

As members of the free-world community, the members of SEATO share the general concern at developments in Tibet and the widely expressed abhorrence of the violent and oppressive measures employed against the Tibetan people.

The Council noted the report of the Secretary General on his visits to NATO and Baghdad Pact headquarters. They agreed that there was value in the maintenance of contacts of this nature with other collective security organizations faced with similar tasks and problems.

In noting and approving reports of the military advisers and their recommendations for future activities, the Council reaffirmed the necessity for continued planning of defensive measures against possible aggression directed at the treaty area.

During the year Brig. L. W. Thornton of New Zealand assumed the post of Chief of the SEATO Military Planning Office. The Council commended the work done under his leadership which has proved the value of this central and permanent planning machinery.

Further military exercises were held during the past year. All were of a defensive and training character and forces or observers of all member nations participated. Exercises of this nature have special value in improving coordination and the level of training. In the event of the need to resist aggression, SEATO's effectiveness must depend on the ability of its forces to operate together in combination. It was accordingly agreed to continue the program of military exercises during the coming year.

BUDGET PLAN APPROVED

The Council approved budget estimates for the year 1959–60 of $896,860 covering the costs of civil and military headquarters and the various programs undertaken by the organization.

The Council accepted with pleasure an invitation extended by the U.S. Government to hold its next meeting in Washington in 1960.

Members of the Council joined in expressing their regret that illness had prevented the United States Secretary of State, Mr. John Foster Dulles, from attending this fifth meeting. Tributes were paid to the special and long-standing association of Mr. Dulles with the establishment and work of SEATO, and a message of sympathy was sent to him by the Chairman on the Council's behalf. A similar message was sent to Mr. Felixberto Serrano, the Secretary of Foreign Affairs of the Philippines, who had also been prevented by illness from attending the meeting.

The Council expressed its gratitude to the New Zealand Government and the people of Wellington for their hospitality and welcome, and its appreciation of the efficient arrangements made for the conference. The meeting closed with a warm vote of thanks to the Chairman, the Right Honorable Walter Nash.

Mr. JOHNSON of Colorado. Mr. Speaker, the communique includes the following paragraphs which I should like to read here:

The Council members recognize the needs for continuing action in the economic and social spheres.

Under article 3 SEATO members are pledged to cooperate in the economic field. During the last 4 years considerable progress has been made in the development of economic measures in consonance with treaty objectives.

THE PROBLEM OF POVERTY

It was recognized that the raising of living standards and the provision of opportunity for advancement are important to the security of the area. It was agreed that poverty and underdevelopment are problems affecting several countries in the area and must be dealt with on the broadest possible basis. Account was taken of the substantial volume of aid already afforded under the Colombo Plan; United Nations and bilateral programs.

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The Council believes that the present programs have been conspicuously successful and indicate that diversity of culture and tradition can in fact enrich mutual understanding and trust.

Now, I read at so great length because the graduate school of engineering scheduled to open in Bangkok in September this year is actually being developed under a contract with Colorado State University at Fort Collins in my district.

The director of research of the university visited with me upon his recent return from Bangkok. He reported the great enthusiasm with which the countries of Southeast Asia were welcoming the creation of this graduate school of engineering.

As we talked the matter over, it seemed obvious that this kind of thing should be expanded. There is need for more than graduate engineers. We need teachers colleges to provide the personnel who can train the ordinary citizens in literacy and bring them through elementary and secondary education.

We need to provide a broader base of prospective students for colleges and universities. Many of the smaller nations do not have an adequate base of population or resources to undertake the full range of collegiate and university development.

Regional centers are thus the most practical means as well as the most economic means of providing centers especially for advanced study.

In the week since this resolution was first drafted, I have been pleased at the immediate favorable response it has received. This year is an unusually favorable year within which to take this step forward. Indeed, I feel if we wait much longer, it may be too late.

In light of the discussion earlier this afternoon about the attitude of the American people, I should like to digress for just a moment.

May I call to the attention of the Members of the House the attitudes expressed by a number of persons in the Denver metropolitan area who have taken part in the program "Great Decisions."

Some 600 discussion groups involving some 6,000 persons over a 9-week period discussed the great decisions which face this Nation. Under recent date the director of the Social Science Foundation of the University of Denver. Dr. C. Dale Fuller, sent me a summary of the opinion ballots.

I shall ask unanimous consent to extend in the RECORD the ballot and responses from the adult vote of some 1,700

persons, because I think Members will be interested in the substantial unanimity among informed citizens from all walks of life with respect to decisions we are here called upon to make.

May I at this point simply recite two or three of the significant points of agreement?

In relation to our Western allies, for example, the voters voted 86 percent for bolder policies to solve economic and social problems in the underdeveloped areas.

Some 88 percent said in relation to the non-Communist underdeveloped world that we should place less emphasis on building the military capacities of the underdeveloped allies and more on their economic and social development.

With respect to the Middle East, 82 percent agreed that the United States has a moral and ethical responsibility to help people of that region realize their aspirations for better health, working and living conditions, and that our help should depend upon the willingness of local leaders to cooperate and commit their own resources.

With respect to Latin America, 79 percent called for the United States to improve educational systems.

With respect to world economic programs, 79 percent would have the United States provide more scholarships to students from underdeveloped areas.

With respect to our general approach to problems of the technological age, 96 percent said the United States should share its scientific and technological skills more extensively with the rest of the world and try to benefit from the knowledge of other advanced nations.

Mr. Speaker, I ask unanimous consent that the opinion ballot be printed in full as part of my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The matter referred to follows:

OPINION BALLOT

(The great decisions of U.S. foreign policy must, under our democratic system, be made by the people. What basic directions do you believe U.S. policy should follow? And what specific policies—now being debated—do you support or reject? Discuss the facts, make up your mind and make your opinion count.)

(1,690 adult votes in Colorado)

FACT SHEET NO. 2

Section I. Basic approaches to U.S. policy in a divided world

1. Which of the following possibilities, in your opinion, does the United States need to take into account in building a realistic, long-term foreign policy? (Check all choices you agree with, avoiding contradictions. If you are uncertain, or feel you do not have enough evidence to answer "yes" or "no," check the "can't answer" box):

Cold war, in one form or another, will probably continue for some time to come.

(a) Yes, 99 percent.
(b) No.
(c) Can't answer.

Conflicts in interests among non-Communist nations will probably be with us for some time to come.

(d) Yes, 99 percent.
(e) No.
(f) Can't answer.

Communist influence in the world can be "contained" by a system of military alliances.

(g) Yes, 13 percent.
(h) No, 66 percent.
(i) Can't answer, 21 percent.

Continued negotiation on cold war issues is desirable.

(j) Yes, 79 percent.
(k) No.
(l) Can't answer.

Other non-Communist nations have the right to independent and even neutral cold war foreign policies.

(m) Yes, 89 percent.
(n) No, 1 percent.
(o) Can't answer, 1 percent.

A strong and well-coordinated Western alliance is essential to U.S. security.

(p) Yes, 80 percent.
(q) No, 1 percent.
(r) Can't answer, 1 percent.

The people and resources of the non-Communist underdeveloped world are vital to U.S. security.

(s) Yes, 89 percent.
(t) No, 1 percent.
(u) Can't answer, 1 percent.

Section II. U.S. policies in a divided world

2. On the basis of the above assumptions what U.S. policies would deal most effectively with a divided world? (Check all choices you agree with, avoiding contradictions):

In relation to our Western allies:

(a) Closer coordination of cold war political and military policies, 80 percent.

(b) Closer coordination of economic policies, 80 percent.

(c) More U.S. independence in foreign policy, 10 percent.

(d) Depend less on allies and concentrate on building U.S. economic and military power, 8 percent.

(e) Bolder policies to help solve economic and social problems in the underdeveloped world, 86 percent.

(f) More flexibility in dealing with the Communist powers, 45 percent.

(g) Refuse to be concerned with "competition" from the Communist powers, 8 percent.

In relation to the non-Communist and underdeveloped world:

(h) Attempt to enlarge the anti-Communist alliance system to include more nations on the borders of the Communist world, 38 percent.

(i) Attempt to persuade the rest of the non-Communist world to adopt firm anti-Communist policies, 37 percent.

(j) Place less emphasis on building the military capacities of underdeveloped allies and more on their economic and social development, 88 percent.

(k) Invest in greatly expanded trade and economic growth throughout the non-Communist world, 72 percent.

FACT SHEET NO. 3

Section I. Basic approaches to U.S. policy toward the Communist powers

1. Which of the following possibilities, in your opinion, does the United States need to take into account in building a realistic, long-term foreign policy? (Check all choices you agree with, avoiding contradictions. If you are uncertain, or feel you do not have enough evidence to answer "yes" or "no" check "can't answer"):

It is possible for Communist societies to match the West in technology, production and satisfaction of consumer wants.

(a) Yes, 91 percent.
(b) No, 8 percent.
(c) Can't answer, 1 percent.

A serious conflict in national interests, between the Soviet Union and Communist China, is possible.

(d) Yes, 89 percent.
(e) No, 5 percent.
(f) Can't answer, 6 percent.

Further revolutions in satellite Europe are possible.

(g) Yes, 78 percent.
(h) No, 8 percent.
(i) Can't answer, 9 percent.

An "evolution" of Communist society, leading toward greater personal freedom, is possible at least in the Soviet Union.

(j) Yes, 83 percent.
(k) No, 10 percent.
(l) Can't answer, 6 percent.

As the Communist states grow in economic power we can expect greater cold war emphasis on economic competition.

(m) Yes, 94 percent.
(n) No, 1 percent.
(o) Can't answer, 4 percent.

All-out war with the Communist powers is always a possibility for which the West must be prepared.

(p) Yes, 84 percent.
(q) No, 5 percent.
(r) Can't answer, 7 percent.

The West can best prevent the further spread of communism through adequate military preparedness.

(s) Yes, 23 percent.
(t) No, 59 percent.
(u) Can't answer, 15 percent.

All-out war is unlikely; United States must concentrate on world economic and social development.

(v) Yes, 65 percent.
(w) No, 16 percent.
(x) Can't answer, 13 percent.

Section II. Specific U.S. policies to deal with the Communist powers

2. Which of the following policies (proposed and in effect) deal realistically with the Communist powers? (Check all choices you agree with, avoiding contradictions):

(a) Western embargo on trade in strategic materials with the Communist bloc, 53 percent.

(b) U.S. total embargo on trade with Communist China, 21 percent.

(c) Concentration of U.S. foreign aid in countries which are U.S. military allies, 28 percent.

(d) U.S. commitments to reduce trade barriers and expand trade in the non-Communist world, 83 percent.

(e) U.S. military and economic assistance to Yugoslavia, 49 percent.

(f) U.S. economic assistance to Poland, 51 percent.

(g) U.S. refusal to have full diplomatic relations with Communist Albania, Bulgaria, China, Hungary, and Rumania, 18 percent.

(h) Present level of U.S. information programs overseas, 28 percent.

(i) U.S. assumption that communism in its present form is a passing phase, 11 percent.

FACT SHEET NO 4

Section I. Basic U.S. approaches to the Middle East

1. Which (if any) of the following principles would serve as a realistic basis for U.S. policy toward the Middle East? Note that most of these statements do not necessarily contradict each other. If you cannot answer "yes" or "no," are uncertain or feel you have insufficient information, check the "can't answer" box:

United States has a moral and ethical responsibility to help people of the region realize their aspirations for better health, working and living conditions.

(a) Yes, 82 percent.
(b) No, 7 percent.
(c) Can't answer, 5 percent.

United States help in social and economic development of the area should depend on the willingness of local leaders to cooperate and commit their own resources.

(d) Yes, 74 percent.
(e) No, 6 percent.
(f) Can't answer, 8 percent.

United States should recognize that Arab nationalism is a legitimate force in the area, and we should try to accommodate our policies to this force.

(g) Yes, 86 percent.
(h) No, 3 percent.
(i) Can't answer, 8 percent.

United States should not be so deeply involved as it is in Arab politics and rivalries of the Middle East.

(j) Yes, 37 percent.
(k) No, 28 percent.
(l) Can't answer, 35 percent.

Because of our commitments and strategic interests (Israel, Turkey, Iran, Baghdad Pact, oil, military bases, etc.) the United States cannot avoid an active role in the politics of the area.

(m) Yes, 63 percent.
(n) No, 16 percent.
(o) Can't answer, 21 percent.

2. On which (if any) of the following principles should the United States base its policies toward communism in the Middle East? If you cannot answer "yes" or "no," are uncertain or feel you have insufficient information, check the "can't answer" box:

Supply military and/or economic assistance to any Middle Eastern government which is threatened by aggression from international communism and which requests such assistance (Eisenhower doctrine).

(a) Yes, 71 percent.
(b) No, 12 percent.
(c) Can't answer, 17 percent.

Provide military and/or economic assistance to any Middle Eastern government which is threatened, if the threat comes in part from the outside ("indirect aggression") and if help is requested (as in Lebanon).

(d) Yes, 58 percent.
(e) No, 15 percent.
(f) Can't answer, 27 percent.

Take no military action in what are purely conflicts between Arab governments or between factions within Arab countries.

(g) Yes, 68 percent.
(h) No, 11 percent.
(i) Can't answer, 13 percent.

Recognize the Soviet Union's legitimate interest in affairs on its own borders.

(j) Yes, 79 percent.
(k) No, 5 percent.
(l) Can't answer, 11 percent.

Try to neutralize Soviet influence in the Middle East by working more effectively with new forces and new Arab leadership.

(m) Yes, 81 percent.
(n) No, 2 percent.
(o) Can't answer, 11 percent.

Try to neutralize big power conflicts in the area by bringing the U.N. more into Middle Eastern affairs.

(p) Yes, 90 percent.
(q) No, 1 percent.
(r) Can't answer, 3 percent.

Section II. Specific policy proposals for the Middle East

3. Which—if any—of the following policy proposals, now under discussion in Washington, would you be willing to support? (Check only those proposals you favor:)

(a) Try to restore normal pre-Suez relations with Nasser, including resumption of full economic aid program for Egypt, 43 percent.

(b) Try to work with any Arab leader who respects U.S. interests, 53 percent.

(c) Make no changes in present U.S. aid program in Middle East unless and until Arab States take the initiative in a regional development program, 23 percent.

(d) Participate financially in any Arab-sponsored development bank or institution that is set up on a sound basis, 67 percent.

(e) Continue U.S. aid and technical assistance programs country by country, 73 percent.

(f) Offer firm military guarantees to Israel to help defend its borders against possible Arab attack, 19 percent.

(g) Offer firm military guarantees to Jordan against possible attack from other Arab States, 16 percent.

(h) Attempt to reach agreement with the Soviet Union to band further arms shipments, from any sources, to the Middle East, 63 percent.

(i) Counteract anti-Western, anti-U.S. radio propaganda in the Middle East by expanding U.S. information activities, 77 percent.

(j) Press in the U.N. for an expanded permanent U.N. police force in the area to help keep peace on the borders and to monitor radio propaganda and other forms of "indirect aggression" against the independence of Arab States, 73 percent.

FACT SHEET NO. 5

OPINION BALLOT

Section I. Basic approaches to U.S. policy in Latin America

1. In U.S. global foreign policy Latin America should receive:

(a) Higher priority than it has in the past, 75 percent.

(b) Lower priority than in the past, 1 percent.

(c) About the same priority as in the past, 9 percent.

(d) Other, 5 percent.

2. The United States should adopt the following approaches to long-range economic, social, and political development in Latin America (check statements or choices you agree with, making sure your answers do not contradict each other):

(a) United States should approach Latin American development problems on a regional basis, 52 percent.

(b) United States should deal with Latin American problems on a country by country, rather than on a regional basis, 29 percent.

(c) United States should help solve the most urgent problems, as they crop up from year to year, 16 percent; or,

(d) United States should commit itself to long-term programs to help solve basic regional development problems, 68 percent.

(e) United States should feel free to intervene on the side of democratic forces trying to overthrow totalitarian governments, 16 percent; or,

(f) United States should keep hands off internal Latin American politics, 59 percent.

Section II. Specific U.S. policies toward Latin America

3. Which internal Latin American problems are important enough for the United States to act on? (Check problems which, in your opinion, call for U.S. assistance):

(a) Improving educational systems, 79 percent.

(b) Encouraging development of democratic governments, 56 percent.

(c) Speeding up internal economic development, 51 percent.

(d) Diversifying internal economic development, 59 percent.

(e) Controlling disease and providing better health and sanitation facilities, 61 percent.

(f) Promoting greater U.S. private investment in internal economies, 49 percent.

(g) None, 0.009 percent.

(h) Other, 7 percent.

4. Which (if any) of the following policy proposals, already under discussion in Washington, would you be willing to support? (Check those you agree with, making sure your answers do not contradict each other):

(a) Try to find long-range answers to the commodity price problem by joining with other surplus-producing nations in joint studies, 75 percent.

(b) Stabilize U.S. imports of Latin American basic commodities by guaranteeing purchases and stockpiling at U.S. expense when necessary, 13 percent.

(c) Restrict U.S. imports of Latin American commodities which might damage U.S. producers (such as lead, zinc, oil, etc.), 12 percent.

(d) Protect U.S. producers with Federal subsidies, but avoid restrictions on basic imports from Latin America, 15 percent.

(e) Expand present U.S. economic and technical assistance programs in Latin America, 68 percent.

(f) Undertake a greatly expanded program of regional economic development involving long-term commitments and low-interest loans, 50 percent.

(g) Explore the possibilities of a regional (hemispheric) tariff and trade agreement to reduce trade barriers, stimulate regional trade, and stabilize prices, 63 percent.

(h) Reduce or discontinue U.S. military assistance to dictators, 67 percent.

(i) Give preferential treatment to democratic regimes in aid programs, 42 percent.

(j) Deemphasize Government aid and leave more of the job of Latin American economic development to private enterprise, 19 percent.

(k) Expand cultural and student exchange programs and encourage the study of Latin American languages and cultures in U.S. schools, 84 percent.

FACT SHEET NO. 6

Section I. Basic U.S. approaches to world economic problems

1. How can the United States deal realistically with the world economic revolution? (Indicate whether you agree or disagree with the following statements. If you are uncertain or feel you do not have enough information to answer "yes" or "no" check "can't answer":

United States needs to be concerned with economic development in only those countries which are important U.S. customers, or supply us with essential raw materials.

(a) Yes, 7 percent.
(b) No, 84 percent.
(c) Can't answer, 4 percent.

Long-term U.S. economic growth requires a healthy and growing world economy.

(d) Yes, 94 percent.
(e) No, 1 percent.
(f) Can't answer, 2 percent.

Economic growth in the rest of the world should be based on private and not Government investments.

(g) Yes, 24 percent.
(h) No, 43 percent.
(i) Can't answer, 13 percent.

U.S. economy can afford a larger Government investment in economic growth of the rest of the world than we are now making.

(j) Yes, 53 percent.
(k) No, 22 percent.
(l) Can't answer, 15 percent.

Reasonable U.S. trade policies and modest increases in foreign economic aid are not enough; a "crash" program is called for.

(m) Yes, 26 percent.
(n) No, 36 percent.
(o) Can't answer, 24 percent.

Section II. Specific U.S. foreign economic policies

2. Which of the following policy proposals, now being debated in Washington, will you support? (Check only those proposals you favor):

(a) Expand U.S. economic aid program (loans and grants), 34 percent.

(b) Reduce foreign grants but expand long-term, low-interest loans, 59 percent.

(c) Expand U.S. technical assistance programs (skills and know-how), 89 percent.

(d) Channel more U.S. aid through U.N., 66 percent.

(e) Continue to give bulk of U.S. economic aid to underdeveloped allies, 34 percent.

(f) Place less emphasis on military aid to underdeveloped world, 75 percent.

(g) Take lead among industrialized democracies in a massive development program—economic and social—in non-Communist underdeveloped world, 69 percent.

(h) Through U.S. Government lending agencies, invest in more major public works in underdeveloped world (dams, irrigation, etc.), 67 percent.

(i) Take the lead in setting up regional development institutions in partnership with underdeveloped nations, 69 percent.

(j) Provide more U.S. scholarships to students from underdeveloped world, 79 percent.

(k) Encourage and provide incentives for more U.S private investment overseas, 64 percent.

(l) Set up agency to coordinate U.S. Government and U.S. private investments overseas for maximum effectiveness, 59 percent.

(m) Make no major changes in current U.S. foreign aid programs, 5 percent.

(n) Insist that other industrialized nations pay larger share of the foreign aid burden, 31 percent.

(o) Take the lead in a worldwide reduction of tariffs, 54 percent.

(p) Join other surplus-producing nations (both developed and underdeveloped) in an effort to stabilize prices, prevent unfair competition, and promote new markets for such troublesome commodities as coffee, cotton, wheat, lead, tin, zinc, etc., 75 percent.

(q) Use U.S. economic power to compete with the Soviet Union in the foreign aid field; offer any non-Communist underdeveloped nation lower interest loans at better terms, on worthwhile development projects, 43 percent.

(r) Refuse U.S. aid to any nation receiving significant amounts of Soviet aid, 12 percent.

(s) Eliminate restrictions on U.S. trade with Communist powers, 20 percent.

FACT SHEET NO. 7

Section I. General approach to problems of the technological age

1. Which—if any—of the following principles should guide U.S. policies in the age of technology? (Indicate whether you agree or disagree with the following statements. If you are uncertain or feel you do not have enough information to answer "yes" or "no," check the "can't answer" box):

The military implications of modern technology are too complicated for ordinary citizens to understand; decisions in this area should be left to Government experts.

(a) Yes, 44 percent.

(b) No, 49 percent.

(c) Can't answer, 16 percent.

Under no circumstances should the United States permit the Communist nations to outdistance us in scope and quality of technology—either military or peaceful.

(d) Yes, 51 percent.

(e) No, 22 percent.

(f) Can't answer, 20 percent.

United States as a nation should invest more heavily in bringing the benefits of modern science and technology to our own citizens—medicine, transportation, power, etc.

(g) Yes, 72 percent.

(h) No, 16 percent.

(i) Can't answer, 8 percent.

United States should share its scientific and technological skills more extensively with the rest of the world and should try to benefit from the knoweldge of other advanced nations.

(j) Yes, 96 percent.

(k) No, 5 percent.

(l) Can't answer, 2 percent.

There is a clear need for more information to be made available to and for more understanding by the general public of the problems and opportunities of the technological revolution.

(m) Yes, 96 percent.

(n) No, 1 percent.

(o) Can't answer, 1 percent.

Section II. Specific U.S. policies to deal with problems of the technological age

2. Which of the following policy proposals, now being debated, do you favor? (Check only those proposals you are willing to support):

(a) United States should agree to a ban on testing nuclear weapons which cause a significant amount of radioactive fallout, without waiting for an enforcible control system, 39 percent.

(b) United States must continue some nuclear weapons research until an effective control system is installed, 67 percent.

(c) U.S. policymakers should give highest priority to plans for an effective nuclear test ban and arms control system, 67 percent.

(d) United States should not give up its atomic weapons under any circumstances. 27 percent.

United States should step up its peaceful atomic development at home through:

(e) Greater effort by Federal Government, 56 percent.

(f) Greater effort by private industry, 84 percent.

United States should make a greater contribution to peaceful atomic development in the rest of the world through:

(g) Direct negotiation with nations concerned, 22 percent.

(h) U.N. International Atomic Energy Agency, 30 percent.

United States should make every effort, including making more funds available, to insure the American educational system is equal to the Nation's needs, through:

(i) Increased Federal aid to public schools and universities, 65 percent.

(j) Public aid to private schools and universities, 25 percent.

(k) Greater State and community effort, 84 percent.

Mr. JOHNSON of Colorado. Mr. Speaker, let me now summarize the case for this resolution.

THE CASE FOR AN INTERNATIONAL EDUCATION PLAN WITH UNITED NATIONS SUPPORT

First. The United States has been spending substantial sums to bring foreign students to these shores. This has done a great deal to build bonds of friendship between the United States and citizens of other countries. International educational centers cooperatively sponsored, internationally staffed, with an international student body, located in those regions of the world which do not now have adequate educational institutions, could similarly promote peace among the nations in these regions.

Second. The dollars we might spend to help underwrite a portion of the initial cost would be multiplied many times in the local and regional support for the program, and more people would be educated for the same number of dollars.

Third. Higher education ultimately depends upon an adequate base of elementary and secondary education. Teacher training institutions are vitally necessary to help build this base.

Fourth. The time is now ripe for the creation on an international or regional basis of teachers colleges, other colleges, universities, technical institutions, and graduate schools. The personnel who have been trained since the war offer a broad base of prospective faculty, and international institutions would attract competent faculty from other areas to help in the initiation and development of such schools.

Fifth. Unless international encouragement and support are given in the formative stages of the coming development, we can expect nationalist systems to be developed in many small nations that may be professionally inadequate, and new seedbeds of strident and virulent nationalism will be planted. U.S. cooperation through the United Nations at this point may have a profound influence on the future of Africa, the Middle East, and Southern Asia. If we wait much longer, the opportunity may pass, never to come again.

Sixth. At present, United States loan agencies and United Nations lending agencies and technical assistance agencies are often operating in the dark, or at best in dim light, in many areas. Requests for project loans from across the earth come before committees of these organizations.

If they could secure the benefit of independent objective appraisal of priorities and significance from disinterested scholars and technicians living in and familiar with the regions directly concerned, the effectiveness of these programs would be multiplied many fold.

Moreover, conduct of scholarly research and education within these regions would lead to development of more significant and reasonable proposals. International educational institutions would thus offer tremendous help in the technical assistance and economic development program.

Moreover, they would provide a base of personnel trained in and familiar with the area to help in the carrying forward of these programs.

Seventh. Present methods of training students from underdeveloped areas is subject to certain significant criticisms. Some of the students sent abroad by their countries under cooperative programs become too enamored of the host country. As a result they seek to migrate to the host country, or they have a difficult problem of readjustment in their native country upon return.

Moreover, these students become attached to agencies headed by persons who may have lacked the overseas training. On-the-job tensions have been created because the staff appeared to know more than the boss.

Perhaps more of the leaders should be brought for training overseas in their special areas of interest, while more of the junior staff receive their technical training in regional schools closer to home. This would avoid some of the difficulties that have been observed.

Eighth. The United States is accumulating from appropriations made for other purposes large sums of foreign currencies in various parts of the world. Implementation of the program this resolution calls for would not necessarily require any new funds to be appropriated from the Treasury. Rather, we might spend currencies we own in a way which would do no harm, but great good for all concerned.

Ninth. The resolution proposes that the United States ask the United Nations to develop the detailed plan for an international education program. This way the host and contributing countries would all be a part of the planning operation. We would be planning with and not just planning for people. The plan

would be free from the taint of being "Made in America." Passage of this resolution through the Congress would be a great stimulus to the education of the peoples of the world. It would be evidence that we wish to work cooperatively and harmoniously in furthering the cause of international education and understanding.

We cannot expect peace to break out like the dawn of the morning sun rising against the eastern shore. But we can hope to build the edifice of peace brick by brick and block by block. Passage of this resolution should be a most significant addition to the edifice of peace.

In a world hungry for education, our positive offer to lend tangible aid to this noble purpose should prove of inestimable worth.

Mr. REUSS. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Colorado. I yield to the gentleman from Wisconsin.

Mr. REUSS. I want to congratulate the gentleman from Colorado [Mr. JOHNSON] on his really creative contribution to our foreign policy this afternoon.

A year or two ago when I was out with the International Cooperation Subcommittee in the Far East and particularly in Cambodia, one of the things that impressed me most was some of the very modest United Nations educational missions in which we happily participated, if only in a modest way.

I got the clear impression that if there is one thing for which the people of the underdeveloped regions really hunger and thirst it is the advancement of human endeavor and the beginnings of education.

As the gentleman has correctly said, these things come much more graciously if they have an international flavor to them. I think the gentleman's resolution is well thought out, and I hope it will attract the widest kind of support.

Again I congratulate the gentleman.

Mr. JOHNSON of Colorado. I thank the gentleman. I would note in passing that education is the one thing you can give away without losing. In sharing educational cooperation with other nations, we should also have much to learn.

Mrs. GREEN of Oregon. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Colorado. I yield.

Mrs. GREEN of Oregon. Mr. Speaker, I share the views just expressed. Certainly ideas are still the most powerful of all missiles. I am sure the resolution which has been introduced and the program the gentleman has outlined will go a long way toward helping us to reach a better understanding between countries.

It certainly would be instrumental in helping to reduce world tensions. It seems to me also it might help us to find other than H-bomb answers to the world conflict.

Mr. Speaker, as I have had previous occasion to say, it still seems apparent to me that ideas are the most potent of missiles. The combined blast and heat and radiation of a dozen H-bombs is not as devastating, nor as determinative of the history of humanity as is the light of one great idea. The Scripture from which we seek and receive inspiration tells us, "You shall seek the truth and the truth shall make you free." How better can we seek the truth; how better serve the truth; how better spread the truth of the justice of our way of life than through a program such as the distinguished and able gentleman from Colorado has today suggested. How better can we use the counterpart funds which are available for such a program. These counterpart funds are now available. They are now put to a number of uses, some of which are not notably contributory to better international understanding.

Mr. Speaker, the absolute essential of any relaxation of international tensions and, which is even more immediate, the absolute essential of any continued international cooperation even among those nations now committed to the defense of freedom, is international understanding. Knowledge of what we stand for is our best source of support for our goals abroad. We have, in the past, sometimes demonstrated a positive genius for putting our worst face forward for the inspection of our potential friends. If the proposal originally sponsored by the gentleman from Colorado is adopted—a proposal, Mr. Speaker, which I am proud to cosponsor—we will have made measurable headway against the strong currents of mistrust and misunderstanding which now threaten to run our ship of state on the rocks of world disaster.

It is possible, as the gentleman from Colorado suggests, that this program might require an initial appropriation. It is equally possible that such a program might be fundable entirely from the existing counterpart funds available to us. In any event, Mr. Speaker, as an alternative to war, as a possible preventive action against the holocaust which we have the power to initiate, but not the power to survive, it is worth every cent it might cost. The cost of this program, Mr. Speaker, like the cost of every bit of the vast mutual security program, is a tiny fraction of the cost of world war III—a cost each of us will pay in terms of death—our own and our children's.

I share with the gentleman from Colorado the deep conviction that no wiser and no more beneficial use could be made of the counterpart funds than in this international education program. I congratulate the gentleman on his leadership in this respect.

Mr. JOHNSON of Colorado. I thank the gentlewoman.

Mr. COAD. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Colorado. I yield.

Mr. COAD. As the gentleman from Colorado knows, I have joined with him in the introduction of this resolution. I wish to congratulate him on his presentation here and on his leadership in this very valuable and very worthwhile program.

I think it is certainly necessary in today's world that we extend not only our military might, but that we extend more importantly the might and power of ideas and ideals.

Mr. ROOSEVELT. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Colorado. I yield.

Mr. ROOSEVELT. Mr. Speaker, I want to congratulate the gentleman also on his resolution, and I am very happy to have been able to join him in introducing this resolution. I think one of the most significant things in the day and times in which we are living is that much of our leadership fail to provide the kind of constructive and imaginative new ideas that the gentleman's resolution calls for.

It seems to me, too, that we have failed as a part of our national policy to make the greatest use of the machinery of the United Nations. In the proposals which the gentleman has outlined so well, it seems to me we would take advantage of the fact that this machinery does exist.

Because of the tensions that are so prevalent in the world today, if we are not imaginative enough to turn our thoughts, especially through the medium of education, to rally the people of the world and the forces of the world against the basic ideas of totalitarianism and behind the basic ideas of freedom and justice as they are exemplified in democracy, then in the end we must lose the fight.

I believe the fight can be won, and I believe the fight will be won if ideas such as the gentleman has expressed and brought forth here today can be implemented and dramatized in such a manner so that they will receive the support not only of our own people but the support of the vast majority of the still free people of the world. Again, I congratulate the gentleman with all my heart.

Mr. JOHNSON of Colorado. I thank the gentleman. From all that I have been able to observe, enthusiasm for this kind of thing around the world will be immediate and great. I am optimistic that this program has found its day, and that today is the day.

Mr. WOLF. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Colorado. I yield.

Mr. WOLF. Mr. Speaker, I want to congratulate my colleague, the gentleman from Colorado, my good friend, Mr. JOHNSON. A long time ago at my grandmother's knee, she told me that knowledge is the key to the universe.

I think the eloquent expressions that have been made here today prove our desire to help to make this a reality in many parts of the world. I am glad my distinguished friend has presented his resolution and I am happy to say I am one of those who is with him in this proposal.

Mr. JOHNSON of Colorado. I welcome the gentleman as a cosponsor.

Mr. RIVERS of Alaska. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Colorado. I yield.

Mr. RIVERS of Alaska. Mr. Speaker, I wish to associate myself with my colleague, the gentleman from Colorado [Mr. JOHNSON]. I, too, have joined in introducing this resolution.

I would like to emphasize a little more the point made by the gentleman from Oregon about the use of counterpart funds. Not so long ago I was talking with a representative of the Department of Agriculture who made no less than a trip around the world talking to the

leaders of the various countries, mostly underdeveloped countries, in regard to whether they might not carry on and find the needed scientists over there to carry out a supplemental program and pay these people with counterpart funds.

The gentleman's idea is to utilize the resources lying dormant and which are only good in the particular countries which have issued this particular money.

So I commend the gentleman for a most constructive effort, and I am happy to be joined in this effort with the gentleman from Colorado.

Mr. JOHNSON of Colorado. I thank the gentleman. Let me speak further about the question of the costs.

For example, it costs $30,000 to $35,000 to bring a foreign student to this country and maintain him through a 4-year college course and get him back home again. The same amount of money being spent overseas would probably finance 10 students.

More than that, the amount of money which I would envision Congress providing through counterpart funds would be only a fraction of the total amount which would be spent by the cooperating countries in such a program.

Therefore, whatever dollars we made available would be multiplied manyfold as those countries gained interest in and enthusiasm for the program.

That is why I was so happy to see the SEATO communique, which confirmed what my friend told me to be the reaction in Southeast Asia. Not everyone graduated is an engineer, and we should be cooperating over a wider area.

This investment will simply be using part of the investment we have already made in acquiring counterpart funds.

We could not spent a hundred million dollars in this purpose in the next year if we wanted to. This program requires but a small amount of money, yet it is tremendously rich in its significance.

Mr. GEORGE. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Colorado. I yield to the gentleman from Kansas.

Mr. GEORGE. I want to congratulate the gentleman from Colorado. I am wondering if it might not be possible to have some of the extravagance cut out in our foreign policy.

One of the things that comes to my mind is our development in foreign countries. Our diplomats are not able to speak the language of those countries. It seems to me if this program is in effect it might iron out some of those difficulties.

Mr. JOHNSON of Colorado. I thank the gentleman for his observations. There is no question but that if our lending and technical assistance agencies would have had faculties and a student body familiar with the areas where these programs operate, much of the waste now observed would have been eliminated. Necessarily, under the actual circumstances, there was much waste.

In the long run this program should certainly do much to help reduce that, and to render the programs far more effective. I am hopeful that we will be planting seeds which will bear much fruit within the countries themselves, and that there will be less pressure upon us to provide funds.

Mr. GEORGE. May I say I am proud to join the gentleman.

Mr. JOHNSON of Colorado. I thank the gentleman.

Mr. BURNS of Hawaii. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Colorado. I yield.

Mr. BURNS of Hawaii. I want to join with those who are complimenting the gentleman for his distinguished contribution to the thinking of this Congress and the United States. I had the pleasure to cosponsor the resolution with him. I pointed out during the consideration of the Hawaii statehood matter that in the people of Hawaii we have had a competent resource, particularly in this field of which the gentleman is speaking, the educational field, and in the developing of an understanding which comes about by the mutuality of interests.

I was this morning advised, for example, that one of my constituents, Mr. James S. Miyake, had been appointed executive director of the National Educational Foundation in Bangkok for 1959.

The University of Hawaii has been a center through which many of these foreign students have graduated or have matriculated. In this connection I would like to point out that the distinguished, very able, and most knowledgeable Senate majority leader, LYNDON JOHNSON, on Friday gave a speech which touches upon the point raised by the gentleman today, and also points raised by the gentleman from Connecticut [Mr. BOWLES] in his speech earlier this afternoon.

Mr. Speaker, I ask unanimous consent that the speech referred to be printed at this point in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

(The matter referred to is as follows:)

POSITIVE STEPS IN FOREIGN POLICY

(Address by Senate Democratic Leader LYNDON B. JOHNSON before the Women's National Press Club banquet for the American Society of Newspaper Editors, Washington, D.C., April 16, 1959)

Madam Chairman, Mr. Ambassador, distinguished editors, ladies and gentlemen, throughout our national experience, the month of April has been a month of history for Americans.

Our Congress met for the first time in April 180 years ago. General Washington was inaugurated as President in the same month.

Ninety-four years ago yesterday, Lincoln died here in Washington. And 14 years ago last Sunday, Franklin D. Roosevelt passed away at Warm Springs.

Our Civil War began in April 1861—and ended in April 1865. Fifty-two years later, in April of 1917, a man from the South, Woodrow Wilson, asked the United States to enter the war to make the world safe for democracy. And in April of 1945, men met at San Francisco to unite nations in the quest for world peace.

But of all our April anniversaries, the one which most directly affects our generation is the one which passes with the least notice. It comes next Wednesday when we enter the 13th year of the cold war.

It was on the 22d of April 1947 that the Senate approved legislation to implement the Truman doctrine. That was our official recognition of the situation into which Soviet communism had plunged the world.

My assignment tonight is to speak on positive aspects of foreign policy. I am joined in this assignment by a man who has made as many positive contributions to a stable and free world as any other—Ambassador Carlos Romulo.

STRONGHOLDS OF FREEDOM

The cold war has been on our part essentially a defensive struggle. We are attempting to hold fast the strongholds of freedom against the aggressions of communism. In that sense, our position at times has seemed negative.

But it is impossible to discuss positive aspects—or any other aspects—of foreign policy today except against the background of the cold war. It is the compelling fact of our day.

Although our position has been defensive, it has been imaginative and bold.

INITIATIVE AND GOOD FAITH

We have shown initiative—as in the Marshall plan, the Truman doctrine, point 4, and NATO. We have displayed courage—as in Iran, the Berlin airlift, Korea, and Lebanon. We have exhibited good faith—as in our dealings with nations we could have held as colonies.

But to a great extent, our polices have been motivated by sheer reaction to the probing thrusts of Soviet communism into the free world. And because of that motivation, we have tended to forget what should be the true moral basis of our policy.

There has been a tendency to say that we send food to India because we want to win that nation over to our side.

There has been a disposition to say that we send technicians to southeast Asia because we want to halt the spread of communism.

IGNOBLE MOTIVES AND NOBLE DEEDS

There has been a readiness to exchange students with Europe because we wish to spread our ideas.

We have been ascribing ignoble motives to noble deeds. And in doing so, we have given the world the impression that we are bidding for friendship as traders bid for a sack of wheat.

Such an impression is an open invitation for those whose friendship we seek to shop around and see what the man on the other side of the street is willing to offer.

I think it is about time for us to change not our policy but our attitudes. I think it is about time for us to start proceeding on the assumption that we do things not because they are expedient but because they are right.

If we send food to India, we should do so because people are hungry and we have a surplus.

If we send technicians to southeast Asia, we should do so because people need help and we have the necessary skills.

If we exchange students with Europe, we should do so because we wish to exchange knowledge.

A HANDSHAKE, NOT A TIP

The world wants America to reach out its hand for a handshake, not to leave a tip. That is the kind of America we must be.

It is fashionable, in discussing foreign policy, to call for bold, new ideas. Such ideas are always welcome—although we must never confuse mere novelty with real merit. But I suspect our problems will be solved eventually by the vigorous and imaginative application of policies we already have in force. Some of them date back for many years.

In another April, 69 years ago, there was formed in this hemisphere the International Union of American Republics. Our Secre-

tary of State, addressing that convention, expressed our purposes this way:

"We believe that a spirit of justice, of common and equal interests between the American States, will leave no room for an artificial balance of power like unto that which has led to wars abroad and drenched Europe in blood."

This concept applies to our times and our challenges today.

JUSTICE AMONG NATIONS

We do not seek anything in this world other than justice among nations. We are not setting as our goal a precarious balance of power which will maintain not peace but a fearful and uneasy stalemate.

We must rest the alliance of freemen on a common interest in mankind's well-being rather than on the common bond of fear.

Our country will soon enter important conferences which may settle the destiny of the world. We are entering those conferences, unfortunately, without the services of a great and dedicated American who has borne the foreign policy burden for many years.

It is conceivable that those conferences will settle many problems. It is to be hoped that they will relax some of the tensions which now threaten to blow the world apart.

But even if those conferences should settle all questions of armaments, past treaties and boundaries—and as reasonable men we know this is doubtful—we should still be faced by a Communist challenge vital to our survival.

THE TWOFOLD CHALLENGE

The challenge is twofold: the economic challenge of trade and the moral challenge of understanding the people of the earth who remain outside the struggle of East and West.

Khrushchev has boasted that the Soviet Union will destroy us in economic competition. Khrushchev is no idle braggart.

And the Soviets have been working for years among the uncommitted people of the earth. It would be foolish to pretend that their work has not been effective.

To meet the challenge of trade will not be easy. It will require first exploration of the thinking of our fellow free nations to determine what steps can be taken to bring about economic unity.

To meet the challenge of human understanding, however, will be far more difficult than meeting the challenge of trade. For too many years, we have neglected the simple things that would break down the barriers between ourselves and the people who should be our friends.

LANGUAGE BARRIERS

For example, languages spoken by hundreds of millions of people all over the earth are hardly known in our land. The official languages of nations like the Union of South Africa, Korea, the Philippines, Pakistan, and others, are taught nowhere in the United States.

Our printing presses produce nothing that most of the world's population can read.

There are intellectual walls which must be broken down if we are to have mutual understanding. And there are ways of breaking down those walls.

Why don't we foster truly international centers of learning where the world's best and most mature minds can meet and exchange ideas?

We have the facilities; we have the scholars; we even have the sites.

We have recently taken an historic step in the development of our Nation. A group of mid-Pacific islands will soon share all the rights and responsibilities of the other 49 States in the Union.

The Hawaiian Islands lie astride the trade routes of the Pacific. Many of the people have close ties to the countries of the Far East. They enjoy the advantages of a university of stature and prestige.

AN INTERNATIONAL UNIVERSITY

Why do we not establish in Hawaii an international university as a meeting place for the intellectuals of the East and the West?

Why do we not seek to attract scholars and students alike from both the Orient and the Occident?

Hawaii could be the place at which professors from Harvard, Chicago, California, and all our great universities could meet with the learned men of Tokyo, Manila, Indonesia, Southeast Asia, India, and Pakistan.

The great teachers of Asia could impart their learning to students from the West. And professors from the Western Hemisphere could lay before students of Asia the knowledge that has been gained in our part of the world.

In Hawaii, barriers of language would evaporate rapidly. People would gain new understanding and new respect for each other. And the intellectual association would benefit all mankind.

This is a concept which I have discussed many times with the distinguished and able Delegate from Hawaii, John Burns. It is a concept which we could put into actuality at a fraction of the cost of the weapons which we now ship to other nations of the world.

A PRACTICAL IDEA

That this is a practical idea has been demonstrated already by the University of Puerto Rico.

Under the American flag, and the wise leadership of Muñoz-Marín, the University of Puerto Rico has been building a bridge of understanding between us and the people of Latin America. A door to mutual understanding has been opened.

We have learned of the vital importance of the rich Spanish cultural heritage. And the Latin Americans have learned the truth about our hearts and our souls.

The University of Puerto Rico has been such a tremendous success that it has led the Senator from Montana, MIKE MANSFIELD, and the Senator from Florida, GEORGE SMATHERS, to propose a University of the Americas. And it is an idea which has great appeal.

Hawaii, a bright, new star in our flag, could also become a bridge spanning the Pacific.

We must not underestimate the importance of this bridge. The Communists long ago realized that the destiny of mankind could be settled in Asia. Leon Trotsky, the Bolshevik theoretician, said:

"The road to Paris and London might lead through Kabul, Calcutta, and Bombay."

COMMUNIST CONQUEST

The Communists exiled and assassinated Leon Trotsky. But they did not exile this idea. And one of the greatest single blows that has ever been dealt against the free world was the Communist conquest of 650 million Chinese—who are gaining at the rate of 13 million people a year.

Compared to the people of Asia, our population is a drop in the bucket. There are 400 million Indians increasing at the rate of 7 million a year. Eighty million people inhabit the Indonesian chain. When these are added to the millions of Japan, Korea, southeast Asia and the Middle East, totaling 1,500 million, this means our 175 million is a very small minority in this world.

THE CHALLENGE BEFORE US

For the challenges before us, we need both new ideas and old boldness. But our future lies not in the multiplicity of ideas but in singleness of purpose.

That singleness of purpose must be dedication to the concept that this can be a better and freer world for all the nations.

That is not a goal which can be achieved in one night or by one idea or even by one policy. But it is a goal which is attainable if America assumes not just the political and military but the moral leadership which should be ours.

Mr. BURNS of Hawaii. I thank the gentleman for allowing me this opportunity of presenting this speech of the distinguished majority leader of the Senate, and for contributing in a small way to the program he advocates.

Mr. JOHNSON of Colorado. I thank the gentleman. Certainly an International Educational Institution in Hawaii would be a wonderful setting in which Asians could learn more about America under conditions which would make transition easier. I believe that could be done under the wording of my resolution, and it is thoroughly in keeping with the purpose.

Mr. BURNS of Hawaii. I think they mutually support each other.

Mr. JOHNSON of Colorado. Mr. Speaker, at this point I wish to include a copy of the concurrent resolution to which I referred:

Whereas the United States has benefited greatly from the exchange of students between our own country and other countries through the Fulbright Acts and Smith-Mundt Acts; and

Whereas the other nations of the world have in recent years experienced remarkable growth in the number of persons trained through the operations of these and similar programs; and

Whereas increasing the level of education and attainment of the peoples of the world is the most productive investment that the nations of the world can make for the well-being of all mankind; and

Whereas international educational programs enhance international understanding and thereby promote the cause of peace; and

Whereas the cause of peace can be served by increasing cooperation among peoples of other nations in the pursuit of educational attainment; and

Whereas many nations or regions of the world not now possessing universities, colleges, and technical institutes are now on the threshold of readiness to create and operate such universities, colleges, and technical institutes: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress of the United States hereby expresses its interest in encouraging the development of international educational programs, both graduate, including regional graduate schools, and undergraduate, including teachers colleges, technical institutes, as well as other colleges and universities; and be it further

Resolved, That the Congress hereby recommends that the U.S. Government encourage the United Nations organization through its special fund or otherwise to undertake to develop a plan for international educational cooperation that would best serve the needs of the several member countries, as well as the cause of world peace and international economic and social development; and be it further

Resolved, That the Congress hereby expresses its willingness to accept a reasonable share of the cost of bringing into operation certain aspects of such a plan through the use of foreign currencies available for these uses, or otherwise as may prove suitable and desirable.

Mr. JOHNSON of Colorado. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include the full text of a resolution and other extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. JOHNSON of Colorado. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may have permission to extend their remarks on this topic at this point in the RECORD.

The SPEAKER pro tempore (Mr. EDMONDSON). Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. HECHLER. Mr. Speaker, I want to concur heartily with the excellent presentation put forward in support of this bill by the able gentlemen who are cosponsoring this measure. I believe that they have shown effectively how this resolution can shore up America's participation in international cooperative educational plans and correct some of the flaws which have become apparent in the instrumentation of these otherwise praiseworthy ventures.

The establishment of the international education centers contemplated by this resolution would indeed keep students from underdeveloped countries from becoming "to enamoured of the host country," as my distinguished cosponsor, the gentleman from Colorado, so wisely put it. It also would be an effective force in uprooting the seeds of nationalism that all too often are planted in the universities of underprivileged countries which have contained their educational efforts to their own frontiers.

But while these benefits would accrue to America's favor in helping to remove the "Made in U.S.A." label from some of our cooperative plans, I would like to state that I seriously believe that another great benefit for Americans would evolve from the participation of our own students in this program.

For one thing, Americans training with foreign students under existing programs have always shared the burden—even as these foreign students have—of being either vastly in the majority or vastly in the minority. In our own schools, where foreign students comprise perhaps 3 percent of the student body, the American student has had little chance for ample contact, on both the informal academic and the social levels, that is so necessary for real understanding of our guests.

Conversely, when the American student ventures abroad to study, he finds the situation reversed—and perhaps even intensified by the auro of glamor—often coupled with distrust—which seems to surround the postwar American wherever he goes.

There certainly would be much to be said for a program such as would be provided by the fulfillment of this resolution. This program would export our innocents abroad, where they could participate as a small percentage of a student body that would consist of no dominant national group. I believe that they would return matured by informal debate, hardened by coequal social contact, and much better prepared to advise their fellow Americans of the harsh realities in the world as it exists beyond our shores.

I feel that the implementation of the terms of this resolution would be of infinite benefit to our own students who venture into the rough-and-tumble of an international student body, as well as providing the many benefits which my worthy colleagues have mentioned before me.

HOME RULE FOR THE DISTRICT OF COLUMBIA

The SPEAKER pro tempore (Mr. EDMONDSON). Under previous order of the House, the gentleman from Maryland [Mr. FOLEY] is recognized for 90 minutes.

Mr. FOLEY. Mr. Speaker, I have requested time today to discuss the vital question of home rule for the District of Columbia. Several distinguished Members of this House have made valuable comments on legislation to effectuate home rule for the District of Columbia on previous occasions. I have, myself, alluded to my own deep convictions in this matter and indicated my immediate interest in home rule on this floor earlier in the session. I wish to amplify my earlier remarks today.

Along with many of my colleagues in the House of Representatives, I am an attorney. As a lawyer, I am inclined to be interested in precedents when it comes to solving problems. I think it might be very helpful in considering home rule for Washington to look for a moment at the past. What has history indicated in this connection? What experience of the past can we draw upon in our deliberations on this problem today?

Along with others in this House, I have introduced legislation to provide home rule for the District. It would establish a territorial form of government for Washington. It is an agreed bill to the extent that it has broad bipartisan support and approval from the White House.

However, this proposal is conceived by some people as a radically new departure from established institutions. The fact is, of course, that it is not new. The District of Columbia enjoyed self-government until 1874, and for several of those early years operated under a territorial form of government not unlike the one proposed in the present legislation.

The historical facts may be well known, but they are worth reciting for purposes of refreshment and illustration. The establishment of a Federal district was provided for in the United States Constitution. In 1790 and 1791, the Congress passed acts establishing the District of Columbia, which at that time included area ceded by the States of Maryland and Virginia. Maryland ceded the incorporated town of Georgetown and portions of Montgomery and Prince Georges Counties. The territory included in the Virginia cession included the county and city of Alexandria.

The cession laws of Maryland and Virginia provided that the areas ceded should function under the respective State laws until Congress could set up a government. Finally, in 1802, Congress granted the city of Washington its first charter which incorporated the area and divided it into three wards. The structure of the government of Washington in that first charter included a council of 12 members elected annually by the qualified voters in the city. The elected 12 selected 5 from among them to serve as a second chamber. The mayor was appointed annually by the President of the United States. In 1804 the composition of both houses of the council was changed to nine, and was altered again in 1812 when provision was made for the election of the mayor by the council. In 1820 the charter of Washington was revised to require the biennial election of the mayor by the people, and the government of the city remained in substantially this form until the 1870's.

An instructive event took place with respect to the District in 1846. In that year, Congress received petitions urging the retrocession of the county and city of Alexandria to Virginia. The area ceded by Virginia had not been used by the Federal Government for public buildings up to that time. But more important, we are told, the Virginia populace felt prejudiced in that they had been disenfranchised except for local suffrage. Thus, late in 1846 Congress gave Alexandria city and county back to Virginia.

On February 21, 1871, Congress reorganized the government of the District of Columbia. It established institutions similar to those provided for U.S. territories. The entire District was created a municipal corporation, and executive authority was vested in a Governor appointed by the President. Legislative power was vested in a legislative assembly composed of a council and a house of delegates, the council appointed by the President and the house of delegates elected by the people. The Governor had the veto power, which could be overriden by a two-thirds vote of the assembly. The legislative assembly had a broad grant of power to deal with matters in the District, but all acts of the assembly were at all times subject to repeal or modification by the Congress of the United States.

The territorial government established for the District of Columbia barely had a chance to breathe life before it was struck down by its enemies. The Board of Public Works established in the act providing for a territorial form of government came under heavy criticism, and financial difficulties as a result of the panic of 1873 gave opponents of the new government an opportunity to bury it.

The law of 1871 provided for a delegate from the District of Columbia to the House of Representatives. For 4 years Washington citizens had their own elected Representative to the United States Congress. His name was Norton P. Chipman. Though his service in these hallowed Halls was short, Norton

Chipman served his District well at a time when it was under severe attack. His classic defense of territorial government in the District of Columbia is to be found in the official records of the 42d Congress of the United States. He took the floor of this House on May 27, 1872, to defend free government in his city. He opened his remarks by saying that—

The relation of the District toward the National Government has not changed; in no one particular is the national property affected by it. Congress retains the power to annul any of the acts of our legislature, or to wipe out the local government utterly, as it did in abolishing the charters of our cities in establishing the new government.

Not a foot of the national property is subject to taxation or placed under the slightest control of the local government, except that the control of the streets and avenues was by the act turned over to the Board of Public Works as the agent of the National Government. Instead of going to Congress, as we heretofore did, for general legislation of a local character, Congress relieved itself by creating a Legislative Assembly with delegated powers, and authorized it to create such officers and pass such laws, with certain exceptions, as were necessary to operate the new government.

Congressional opponents of the new government for Washington were severely critical of the Board of Public Works, and claimed that the new government was opposed by a thousand citizens. Norton Chipman, in his pungent and flowing oratorical style, defended the city against these critics. Let me illustrate from his speech the character of his defense:

Our organic act became a law in February 1871, and early in March the Governor, Board of Public Works, and other appointive officers were qualified. They began at once to organize the new government, so that at the expiration of the old charter, which by the act was to take place on the 1st of June, there should be no interregnum and no lack of power to carry on the necessary functions of the new government. * * * Meanwhile the Board of Public Works was devising a plan of improvements embracing the whole District of Columbia. * * * The plans were completed and the general outline approved by members of the advisory board. They involved an expenditure of about $6 million, one-third of which being paid by the property abutting on the streets, left $4 million to be raised by the legislature.

Immediately upon the organization of the legislature the Governor sent in a message to that body submitting the plans and suggesting a loan of $4 million by creating a bonded debt to run for 20 years payable by a sinking fund. This bold innovation upon the old-fashioned way of raising money from year to year, and expending it without plan or purpose, startled the "one thousand citizens," who, according to my colleague, embody all the wisdom and virtue the District possesses, and they organized to put down this reckless encroachment upon ancient custom and upon this annihilation of the delights of fogyism.

The effort to defeat the legislation was unsuccessful, but the "one thousand" were able to get work on the public improvements stopped by means of a court order.

The legislature, not disposed to surrender the rights and interests of 130,000 citizens to the whims and prejudices of 1,000, passed another four million loan act to be submitted to the people. This passed August 19, 1871. * * *

Then began one of the most relentless and bitter attacks that ever disgraced a community. These 1,000; aping New York and thereby seeking also to throw around the canvass the infamy of the New York Tammany ring, organized a committee of 70. Some respectable names were put forward as officers of the Citizens Association, and other decent people consented to go on the committee of 70, but the dirty, disgraceful work was performed by men who had neither social, business, nor official standing in the community.

A libelous sheet was started called the Citizen, and was supported by the money of persons who had not the courage to be responsible for its management. Every issue of the paper was full of abuse * * * but its editor was wholly irresponsible, and as exempt from suit as any other sewer pipe in the city. If he had been a heap of dung he could not have been more pestiferous.

The result was that when the vote came the 1,000 citizens and a few recruits making 1,213 voted against the loan, and 14,760 voted for it.

But the opponents of the city's financial policies continued working against the policies of the new government, and, according to Norton Chipman, succeeded in seriously undermining the credit of city bonds.

These 1,000 citizens, having lost a free election, petitioned the Congress. A subsequent congressional investigation was unfavorable, and, finally, in 1874, Congress abolished the territorial form of government for the District of Columbia and substituted rule by three Commissioners appointed by the President.

Mr. Speaker, I have recited these historical facts to show that the efforts to establish home rule for the District of Columbia under our bill is nothing more than to re-create the form of government which Norton Chipman defended so eloquently on May 27, 1872. Nearly a million people live in the 69 square miles of Washington, the Capital of a Nation which has consistently reaffirmed its belief in the principle of self-government.

We have lately conferred first-class citizenship upon our brothers in Alaska and Hawaii. Yet at our very doorstep a million of our people are still second-class citizens. We can do no less than to give them the franchise, and to permit them to manage their purely local affairs through their own representatives.

Mrs. DWYER. Mr. Speaker, will the gentleman yield?

Mr. FOLEY. I yield to the gentlewoman from New Jersey.

Mrs. DWYER. Mr. Speaker, it is instructive to note that Senator HARTKE, the new chairman of the Senate District Judiciary Subcommittee, took little more than 3 months from the day Congress convened to begin Senate hearings on home rule for Washington, D.C. They began on April 15.

But we have yet to hear a similar announcement from the District of Columbia Committee in this body, although there are at least 24 home-rule bills before it. As a matter of fact, Mr. Speaker, our committee has failed to report a bill on any of the four occasions in the last 10 years when Senate-approved bills were referred to it.

There may be a good deal to say for due deliberation, Mr. Speaker, but by the same token there is a good deal to be said against deliberate delay—which seems to be the situation when it comes to home rule for the District. This delay deliberately ignores the wishes of the 24 home rule bill sponsors; it ignores the District Commissioners who emphasized their support for home rule by placing it first on their list of 34 legislative proposals to the 86th Congress in their annual state of District message; it ignores the great majority of our American people who feel that the people of Washington have every right to govern themselves; and, of course, it ignores the platforms of both major political parties.

While we continue to delay, Mr. Speaker, we must recognize the consequences of our failure to leave the business of running the municipal government to the residents, property owners, and taxpayers of the District of Columbia—the city's true body politic. Without a doubt one serious consequence is that the National Government becomes responsible for doing the local work of the District government.

Mr. WIER. Mr. Speaker, will the gentleman yield?

Mr. FOLEY. I yield to the gentleman from Minnesota.

Mr. WIER. I am very happy to hear the gentlewoman's last comment. I was elected to Congress in 1948. When I came here I did not anticipate that I would be acting as alderman for the city of Washington, but that is what happened to me. I have been on the Committee on the District of Columbia for 4 years. I know every Member of Congress ought to know that those of us who serve on the District Committee have many more important responsibilities here in the Congress than trying to administer the minor affairs of the District of Columbia in every legislative field. I do not believe I was sent here to spend half a morning on school board affairs, police affairs, public works affairs, and so forth. So I join with the gentleman from Maryland and the gentlewoman from New Jersey in hoping that I will live long enough so that someday I shall see the House Committee on the District of Columbia report out some type of home-rule bill for the District.

Mrs. DWYER. I thank the gentleman. I was just ready to develop what the gentleman had to say.

It's a job we did not campaign for, Mr. Speaker, but the fact remains that every time we win election to Congress we also win a second victory—a seat on the "city council" of Washington, D.C.

This is no little job. The Legislative Reference Service estimated that it takes Congress "some 6,000 man-hours of time and $2 million per session" to manage District affairs.

In the course of 6,000 hours of council meetings this session, Mr. Speaker, we shall have to decide whether "meter-maids" are the answer to parking-meter problems. And we must weigh the advantages of adding $4,000 worth of fender piling at the end of pier No. 5—which, by way of identification, is now being used by the city fireboat.

When we have those matters settled, we must consider the problem of a defective heating system at the morgue, and the question of how much money to spend for Watergate concerts next year. In addition, Appropriation Committee hearings contain 1,000 more pages of other details in city administration—details that the people of Pittsburgh, Boise, Atlanta, Elizabeth, N.J., and every other American city, except Washington, take care of for themselves.

Home rule would go a long way toward restoring true city government and self determination to the people of Washington, and it would throw all of us out of a city council seat we have no business holding in the first place.

We have had 10 years and more of due deliberation, Mr. Speaker. Let us not delay any longer. Let us act on home rule now.

Mr. UDALL. Mr. Speaker, will the gentleman yield?

Mr. FOLEY. I yield to the gentleman from Arizona.

Mr. UDALL. It is a pleasure to join in this discussion and I commend both the gentleman from Maryland and the gentlewoman from New Jersey on their very pointed and persuasive remarks. I can heartily say with the great majority of our colleagues here that we have been elected to the House, and that is the important thing.

Mr. Speaker, before I make my own brief remarks, I ask unanimous consent that the delegate from Hawaii [Mr. BURNS] may extend his remarks in the RECORD at this point.

The SPEAKER pro tempore (Mr. EDMONDSON). Without objection, it is so ordered.

There was no objection.

Mr. BURNS of Hawaii. Mr. Speaker, I am indeed happy to join with the distinguished gentleman from Maryland [Mr. FOLEY], in his endeavor on behalf of the restoration of self-government for the people of the District of Columbia. I do not intend to speak on the merits of any particular legislation. I do want, on behalf of my constituents who have been so recently so fairly treated by the American people and their representatives, the 86th Congress, to express the support of Hawaii of the legitimate aspirations of fellow Americans for the right to run their own affairs.

Writing of his investigation into the American Revolution, Alexis de Toqueville said:

> Municipal institutions constitute the strength of free nations. A nation may establish a system of free government but without municipal institutions it cannot have the spirit of liberty.

An essential element of the American way of life has been the spirit of liberty which has manifested itself in so many ways to the benefit of our social, economic, and political institutions. Americans must preserve this spirit of liberty they are most fortunate to enjoy as a result of the vision and practical effort of their forefathers.

Our recognition of its source should strengthen our determination to examine and reexamine our institutions to make certain that we maintain and develop the forms of government by which it is developed. This calls for self-government at the level of peoples' living together in a community. With this in mind, reasonable men can agree on legislation by which this purpose can be accomplished.

Mr. UDALL. Mr. Speaker, it seems to me that the argument for home rule for the District of Columbia is so overpowering that there really is no answer. Indeed, I consider it significant that those, whoever they may be on either side of the aisle who are opposed to home rule, are not here to participate in this discussion today.

Certainly, the 85th Congress and its successor the 86th Congress, which is now in session, have shown remarkable concern for the rights of self-government for citizens of our great Nation. The fact that we did act, after a period of over 40 years to enlarge the Union from 48 States to 49 States and now again we have brought in not only another State, but an area which is more than 2,000 miles from the mainland of this continent, indicates a broadening interest and concern in the Congress and in the country in the right of people to work out their own destiny. Yet, ironically, it is here at the very seat of government and in the very shadow of the Capitol that we do not permit self-government. As one who has spent many, many hours not in considering the minor affairs of the Capital, but in studying the subject of American education and of the things to be done, it has been my experience in the past that every time we come to the floor with an education bill, the cry is raised about Federal control of schools. Well, it flabbergasted me to find out within the past week how the school board of the District of Columbia is constituted and how the members of the school board get office. Since we have not given these nearly a million people the right to elect a school board, the way they do in every other community in the United States, how then is their school board selected? This is very fascinating when you consider the way the cry of Federal control and Federal dictation of schools goes up. They are appointed by the Federal judges.

This is a very anomalous situation—and I am not saying the Federal judges have not done a pretty good job because I think the school board's record is good. It is astounding to think that in the United States of America today something that is as close to the people as a school board which makes school policy, appoints schoolteachers and school administrators, and makes determinations on important matters with regard to the education of the young, that this is dictated—and I do not think that any other word is quite appropriate because we have reposed the authority there—and the authority to select school board members resides strictly in Federal hands. So this Federal control of schools, which so many people are concerned about when it comes to aid-to-education legislation apparently does not concern them at all, when it comes down to the problem of the schools of the people who live within a stone's throw of the Capitol.

Therefore, it seems to me the time has come, if we really believe in States' rights—which properly defined is local self-government really—and if we really believe in the basic, democratic idea that people at every level of society shall have, insofar as is possible, the right to work out their own will and their own destiny—then the time has come to grant home rule to the District of Columbia.

Unless I mistake the temper of the House and the temper of this Congress, I think that this Congress will put another feather in its cap in addition to the one we have for our action with regard to Hawaii and that we will—I hope before this session is concluded—see home rule granted to the District of Columbia.

Mr. LINDSAY. Mr. Speaker, will the gentleman yield?

Mr. FOLEY. I yield to the gentleman from New York.

Mr. LINDSAY. I would like to compliment the gentleman from Maryland, the gentlewoman from New Jersey, and the gentleman from California on their remarks on this all-important subject. I am not a member of the District of Columbia Committee, yet I have followed this subject more or less closely for some years in the past.

Prior to the time I came to Congress I was a resident of the District of Columbia in a different capacity. I wondered at that time why it was that citizens of this District were denied the power and the right and authority to take care of their own housekeeping problems. I continue to wonder why. Now, as a Member of Congress I assume it my privilege to at least say a few words which I hope will do something to encourage the leadership of the House to see to it that this measure is brought to the floor for debate.

This is the fifth time in 10 years that a Senate-passed bill to provide home rule for the District has been before us, and yet in all this time the House has not had an opportunity to debate or vote on the issue. Surely, it seems to me, 10 years is long enough to keep this measure from coming to the floor. There have not been any hearings on this side of Capitol Hill on home rule during all this period. It is very likely that there are votes in the membership sufficient to pass this measure on the floor. I cannot be sure, because we never have had a chance to vote on it, but certainly there is a majority that believes in democratic principles, and that home rule should at least have a hearing and a vote. The basic issue is whether this body is master of its own house.

I do not think this home rule question should be left unanswered any longer. We should have an opportunity to have a hearing and discuss it and have fair debate on the floor within the very near future. The wishes of the people of this community for home rule have been stultified for many years. No one as yet has been able to persuade me that there is any reason why we should not have complete confidence in the capacity of these people to deal autonomously with strictly local matters, primarily affecting their own community.

Mr. JOHNSON of Colorado. Mr. Speaker, will the gentleman yield?

Mr. FOLEY. I yield.

Mr. JOHNSON of Colorado. I am happy to join in cosponsoring a bill for home rule, and I welcome the remarks which the gentleman from Maryland [Mr. FOLEY] has made.

Some years ago I was a resident of the District of Columbia and I have some sympathy in the wishes of the voteless residents who live here. Now I live in a suburban area and I find myself on the city council of this city, and that seems an anomalous situation.

Certainly the people here may think we are not disposed to consider this proposition. If the Congress can complete the job, as we have done with Hawaii and Alaska, and can demonstrate that we can plead in both Houses for home rule for the District of Columbia, then we should be a little more proud to be Members of Congress.

I thank the gentleman.

Mr. FOLEY. I thank the gentleman from Colorado.

Mr. WIDNALL. Mr. Speaker, will the gentleman yield?

Mr. FOLEY. I yield to the gentleman from New Jersey.

Mr. WIDNALL. Mr. Speaker, I, too, would like to join in complimenting the gentleman from Maryland, who has just spoken in favor of a home rule bill for the District of Columbia. When I first became a Member of Congress in 1950 I found that this was a problem that had confronted the country for many, years before. It interested me to the extent that I introduced a bill at that time providing for a measure of home rule for the people of Washington. It seems to me that a hydrogen bomb or atomic weapon is something of a holding weapon. We are not doing anything at all to capture the minds of the people of the free world or the world behind the iron curtain. We handicap ourselves immeasurably, for it is known throughout the world that we do not have enough confidence in our own people to give the franchise to those who live in our Capital City. It is a national disgrace that this privilege has not been granted up to now.

The votes on the Alaskan statehood and the Hawaii statehood bill, as has been very ably pointed out by two of the previous speakers, seem to indicate a growing up for the United States and for its people in the Congress. The bills as they were debated in the Congress during the present session, it seems to me, were debated without bias, without prejudice and the rancor and feeling that had taken place in previous years, which indicates that there is a growing understanding and a better understanding of our problems and what should be done with respect to our own people.

Mr. Speaker, it seems to me about time that the forces of moderation and compromise gain some voice in this House on the issue of home rule for the District of Columbia.

Now we have a bill before us that represents a conscientious and generous attempt to find a moderate, middle ground solution to this problem, one that concedes as much to any legitimate objection as can be conceded and still make some progress on this problem. Many of those who support the Multer-Springer Bill, as introduced by members of the District Committee and many other members of both parties, have made a sacrifice of their own preferences to do so. Many would prefer a bill that went much farther in granting suffrage to the District.

In spite of their feelings, these Members of the House have endorsed this legislation as a middle-ground measure which attempts to meet reasonable fears and objections. They are willing to engage in the kind of conciliation that is necessary in a democratic system. But they expect opponents to be reasonable, too.

This bill has every possible protection of the national interest and of Congress' power to supervise the government of the District. It provides for a Governor nominated by the President and confirmed by the Senate who obviously will have a strong sense of his responsibility to Congress and the Nation. It provides not one but two vetoes over the actions of the legislative assembly. The President can veto the actions of the local government. Congress itself, at any time, can veto the actions of the local government. Congress will continue to have the control and influence that goes with annual appropriation of the Federal contribution to the District. And finally, it is obvious that if the local government is unsatisfactory, Congress can always undo what it has done and return to congressional government.

I hope that will never happen. With all the safeguards in this bill, I cannot conceive that it could be necessary. This is a far greater retention of control than is exercised over any State capital by the legislature, or over foreign capitals by their governments. Other cities flourish with far more local control—flourish, I am bound to say, a great deal better than the District does under congressional government.

What more can reasonable men ask? What possible real danger can be seen in such a system?

I think it is time that this House demonstrated its willingness to consider with an open mind the restoration of democracy to our Capital City. After these many years of delay, we are entitled to ask a reasonable opportunity to debate and vote on this bill. There is no excuse for further delay in holding hearings on home rule legislation and I think we should get on with it. Lets have some hearings on this matter now.

Mr. DEROUNIAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DEROUNIAN. Mr. Speaker, for some time I have been watching with interest the game being played in this House on the subject of self-government for the District of Columbia. The cynical observer of our political system might find it amusing. I do not and I do not think many Americans do. Most Americans respect our system of government. They believe in majority rule under the Constitution. They believe that committees of this House are its agents, not its masters. So they cannot find this game very amusing.

Control of the committees, the procedure and the policy of this House supposedly rests with the majority and the opposition party is in the majority. They, like the Republican Party, supposedly endorse home rule for the District. But in fact, control, procedure and policy on this issue apparently do not rest with the majority.

The game is a simple one. Supposedly, both parties are committed to home rule for the District of Columbia. But nothing ever happens. I believe a majority of the House wants to enact home rule.

And so, while the majority party that is supposed to control the House sits back and submits, we see the same old game. Year after year, there are the same vague reports of hearings to be held on home rule—maybe—sometime. We Republicans cannot compel action. But we are prepared to honor our party's pledge and our President's recommendation and to pass home rule.

It is really up to the Democrats. They have control of the House, not we. They control the committees, appoint the committee chairmen. If their party pledge is to be honored, they will have to take the steps to do so.

Mr. Speaker, home rule has been solemnly endorsed as part of the official program of both parties. A large number of members of both parties want a chance to enact this legislation. Many Members, including members of the District Committee, have sponsored the bill and have asked for early hearings. The Senate is about to give its approval to home rule for the fifth time in 10 years. Is it going to die in this House again, without hearings or consideration, for the fifth time in 10 years, in spite of the desire of many members that, at least, it have its day in court?

I put the question squarely to the majority party in this House, which has the authority and the responsibility to answer these questions. Are we going to get prompt hearings? Are we going to have a chance to vote on this bill?

I will await with interest the outcome of this game.

I do know that the issue has been stalled, evaded, obscured and just plain blocked, year after year. We hear the same old mock-solemn worries about constitutionality, even though home rule has been proved constitutional by everyone from the Founding Fathers to the present Supreme Court. The same old talk about more urgent and more important legislation to be considered first. The same old talk about the serious legislative problems to be solved—although the Senate has solved them time after time and no one can tell us what they are. Just why is it that problems that do not exist on the other side of the Capitol suddenly appear when the bills get over here?

I am no prophet, but it is easy to predict where the game goes from here. The chairman of the committee says there will be hearings—but not for a

while yet. The subcommittee chairman has not heard that he is going to hold hearings—he has not made any plans and he has other bills scheduled. So the buckpassing and the stalling go on. Hearings will be put off as long as possible. Maybe, eventually, we will get a day or two of perfunctory hearings when it is too late to do anything about it. Then, if the managers of the game have their way, the thing will die there. I challenge anyone to dispute this statement—as history, as present fact, or as prediction.

Mr. Speaker, I would like to be proven a poor prophet on this issue. I would like to believe that those few who are in the saddle on this issue are not going to play this cynical game again this year. But there is nothing I or my party can do about it. The Republicans do not control this House or its committees.

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that all Members of the House who desire to do so may have permission to extend their remarks on the subject just discussed at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, I commend the distinguished gentleman from Maryland [Mr. FOLEY] for bringing to the attention of the House the matter of self-government for the District of Columbia. In so doing he has rendered a service to his country the more significant because at a time when we are seeking the friendship of peoples in awakening lands who desire for themselves the right of self-determination it is difficult for them to understand why in the United States we deny the exercise of the right of self-determination to our fellow Americans who live closest to our National Capitol. I have supported home rule for the District of Columbia in all the Congresses of which I have been a Member. I confidently expect that from the 86th Congress will come the legislation that so long has been demanded by every rule of decency and every precept of democracy. But we cannot be halted by a roadblock.

Those who have seemed determined to deny this House an opportunity to consider self-government for the District have told us that the Nation's Capital is too important to turn over to local control. They tell us the national interest demands the careful, wise guidance of Congress, with its national point-of-view.

This is an argument that has no basis in reality. In the first place, nobody wants Congress to give up its power. Under the Constitution Congress must and will, with any form of government, retain ultimate control. It will have the final voice on policy. It will have all the power it needs to insure that the national capital is governed according to the national interest.

In the second place, self-government for the District will enable Congress to do a better job of supervision. Congress does not govern the District now. Two of its Committees do. Even they do not have the time to do the kind of job they would wish. Frequently Members have to be drafted to serve and frequently they get off at the first opportunity. In the other body, one able member of the Committee quit this year and another who had served on the House District Committee served public notice that he would not go on the District Committee in the other body.

Congressional government of the District just does not interest the members of Congress. When the District appropriations bill was on the floor recently, only 28 members found the time and had the interest to show up to vote. In contrast, when there was threatened a bad financial mess, hundreds of local citizens turned out for hearings on the appropriations bill in the Committee of the other body. They filled every chair and overflowed a large hearing room. That is the kind of public interest that is necessary for the efficient functioning of representative government.

We have waited long enough—too long. Sentiment in this House overwhelmingly supports prompt hearings and action on home rule legislation. I join respectfully but emphatically with the many Members who are requesting the District Committee to act without further delay.

"WASHINGTON WINDOW"

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Georgia [Mr. FORRESTER] is recognized for 20 minutes.

Mr. FORRESTER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. FORRESTER. Mr. Speaker, the Cordele Dispatch, a daily newspaper published at Cordele, Ga., in its edition of April 15, 1959, page 8, has an article entitled "Washington Window," by Lyle C. Wilson, United Press International, and the following was contained therein:

THE POLITICAL UNDERTOW

U.S. Communists are ballyhooing a Youth March on Washington timed for next Saturday, April 18. It will be a propaganda protest march in behalf of further Federal action on civil rights for Negroes. The demonstrators will march by bus from cities as distant as Chicago, according to the Sunday Worker, publication of the Communist Party, U.S.A. The marchers probably will peacefully picket the White House, a well tested propaganda tactic. A delegation will seek audience with President Eisenhower and fail, a sure fire publicity gimmick.

The information from "Washington Window" being of interest to me, I asked the Library of Congress to furnish me with the Sunday Worker, publications of the Communist Party, U.S.A., for April, and the Sunday, April 5, 1959, issue carried on page 2 thereof the following:

APRIL 18 YOUTH MARCH WIDENS CALL FOR RIGHTS

(By T. R. Bassett)

The April 18 youth march on Washington which started out as an action for speedy integration of the schools has been broadened out to a march for the total victory of equal rights for all. The new call released by the march committee declared, "We won't take no for an answer."

In Chicago a spokesman for the local organizing body announced that 40,000 signatures on the petition to the President had been turned in to headquarters and another 40,000 had been collected but were not yet brought in.

Three hundred young people in Chicago have already announced they intend to participate in the march.

A. Philip Randolph, march chairman, said that 14 members of the Puerto Rican House of Representatives had signed the petition.

Randolph said the youth marchers will call upon all Americans to join in a great campaign for civil rights legislation covering every aspect of life, including unemployment and housing as well as education.

He saw the action as the beginning of a national crusade demanding the passage by Congress of the Douglas-Celler-Javits-Powell civil rights bill. He termed the measures submitted by Senator LYNDON JOHNSON and the White House totally inadequate.

He attacked conditional agreements with Dixiecrats and Dixiecrat inspired civil rights legislation.

An estimated 20,000 marchers, Negro and white, will converge on Washington April 18.

Randolph predicted that the signatures collected will be more than doubled.

The White House, leaders of the youth march said last week, had assured them by letter that the President would meet a representative delegation of Negro and white students who will present the petitions. During a similar march last October 25, a youth delegation was rebuffed at the White House gates.

The special statement issued last week said in part:

"We march—

"For the traditional rights of free speech, of suffrage, of due process, of equal protection under the law.

"In protest against these vicious attacks [on the Supreme Court] and call upon these executive and legislative branches to back up the Supreme Court.

"To pass the Douglas-Celler-Javits-Powell bill.

"To protest minority rule in Congress.

"To confront the President directly with the conviction of young people that he must use all of his powers to bring about the speedy integration of the schools.

"To demand for every American, every single right guaranteed by the Constitution, political, civil, and social.

A rally of youth is scheduled by the Chicago sponsoring committee on Sunday, April 11, 2 to 6 p.m., at the Packing Center, 4859 South Wabash.

Petitions have been circulated in Hyde Park, Du Sable, and Dunbar High Schools, and the committee is awaiting permission from the board of education to circulate them throughout the school system. Individual supporters of the march report excellent response from Negro and white students as well as teachers to request all signatures.

Delegations from the University of Chicago, Roosevelt University, Wheaton College, and Chicago Teachers College are already organized, it was announced.

Steel union locals, dining car employees, sleeping car porters, packing, auto, and retail clerks union locals, as well as many churches have given support to the march.

Detroit: The reports here are that two busloads of Detroit youth are going to Washington April 18.

Carrying a coffin with the slogan "Segregation must die too," the Negro and white youth staged a "drum up" march last Saturday for the April 18 event.

The young marchers walked slowly from Grand Circus Park down Woodland Avenue, the city's main thoroughfare to city hall and from there to the Detroit Board of Education to protest segregation in Detroit schools.

A preparations committee of more than 50 youth, Negro and white, meets Monday nights at the Peoples Church, Woodward at Pingree Avenue where petitions are turned in.

Berkeley, Calif.: A bay area committee has been formed to support the April youth march. Among sponsors are labor leaders, entertainers, ministers, educators, and leaders in the Negro community.

The Evening Star, Washington, D.C., Wednesday, April 15, 1959, issue, page B–7, carried the following article:

FIFTEEN THOUSAND TO MARCH TO PROMOTE LAWS FOR INTEGRATION

More than 15,000 white and colored persons will meet here Saturday on behalf of school integration and civil rights legislation.

The group has scheduled a march from Seventh Street and Madison Drive on the Mall to the Washington Monument and then south to the Sylvan Theater. The march is to begin at 2 p.m. Saturday and the mass meeting at the theater is scheduled from 3:15 to 5 p.m.

Citations for contributions to the cause of integration will be presented to Ralph McGill, editor of the Atlanta Constitution; Mrs. Daisy Bates, the Rev. Martin Luther King, Jackie Robinson, Harry Golden, Harry Belafonte, Lillian Smith, Sidney Poitier, Roy Wilkins and the Rev. Gardner Taylor.

The 1959 Youth March for Integrated Schools will bring petitions here, signed by citizens throughout the country, calling for "speedy integration of schools throughout the United States."

The march was initiated at a meeting of more than 10,000 young people here last October 25. It will signal the beginning of a national campaign for immediate school integration and the passage of the Douglas civil rights bill.

The Albany Herald, daily newspaper published in Albany, Ga., April 17, 1959, issue, carried a UPI story as follows:

NAACP TO HOLD YOUTH RALLY IN WASHINGTON

WASHINGTON.—The National Association for the Advancement of Colored People will hold its annual youth rally here Saturday with 15,000 to 20,000 youngsters expected to participate.

The NAACP said delegates would march from their downtown headquarters to a theater for a mass meeting. Speakers will include the Rev. Martin Luther King, leader of a civil rights movement at Montgomery, Ala., and LeRoy Wilkins, NAACP executive secretary.

Of course, the Saturday referred to in the last quoted article was April 18, and the rally referred to therein was undoubtedly the same rally referred to in the Sunday Worker.

In the article of April 15 appearing in the Washington Evening Star, the name of Ralph McGill, editor of the Atlanta Constitution, led all of the rest of the persons to receive a citation for contributions to the cause of integration, even ahead of Rev. Martin Luther King, Daisy Bates and Jackie Robinson.

Down in Georgia, Mr. McGill has vigorously denied doing anything to contribute to the cause of integration. Nevertheless, many in Georgia believe that Mr. McGill is and has been an integrationist and believes that the group knew what they were doing when they decided he should have a citation.

SMALL BUSINESS TAX REFORM AND REVISION

Mr. CURTIN. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. MCCULLOCH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MCCULLOCH. Mr. Speaker, my colleagues, Mr. MOORE, of West Virginia, Mr. AVERY, of Kansas, Mr. SMITH, of California, Mr. ROBISON, of New York, Mr. QUIE, of Minnesota, and I, members of the House Small Business Committee, have introduced identical small business tax reform bills.

Our present small tax reform bill contains provisions which were included in legislation which we introduced on March 6, 1957, in the 1st session of the 85th Congress.

Our previous bill contained 11 reform adjustments amending the Internal Revenue Code, 3 of which were enacted by the 85th Congress. Therefore, our present bill includes proposed amendments to the Internal Revenue Code not previously enacted, all in the interest of small business tax reform.

The three amendments referred to above were included in Public Law 866, 85th Congress, 2d session, and were as follows:

First. Allows investors who lose money in small-business ventures to write off their losses against ordinary income up to $25,000 a year—$50,000 in the case of a joint return by husband and wife.

Second. Allows small corporations with, say 10 or fewer stockholders the option of being taxed as if they were partnerships.

Third. Allows payment of estate taxes attributable to ownership in a closely held business over a period of 10 years.

Public Law 866 of the 85th Congress also made adjustments in the operating loss carryback and provided for an increase of the minimum accumulated earnings credit. In addition, Public Law 866 makes an allowance which increases first-year depreciation or credit on the first $10,000 invested in depreciable tangible property, either new or used. In the case of a joint return of husband and wife the allowance is increased to $20,000. Within the foregoing limitations, the amendment permits a 20-percent allowance in the year of acquisition, in addition to depreciating the remaining 80 percent under existing schedules.

Our bill—H.R. 562, and the following, of the 85th Congress—would have allowed rapid tax amortization over a 5-year period. As we pointed out at the time, smaller concerns received little benefit under the rapid amortization program during the World War II or the Korean war periods. However, since this program has declined in use, we are more in favor of measures which will permit funds to be plowed back into the business.

TAX REFORM AND REVISION FOR SMALL BUSINESS IS NEEDED—NOT TAX RELIEF

The fundamental principle which motivates us in introducing tax legislation is reform and revision of certain sections of the Internal Revenue Code in the interest of small business. We do not and cannot conceive lasting benefit from mere tax relief. We do not even like the term "tax relief." Small business is not a mendicant but represents the broad base on which our entire business economy rests. The latent strength of our small business economy of today is the assurance of a vigorous and healthy business economy in the tomorrows to come.

Unless we are willing to face up to the responsibility of providing the means by which our small business institutions may grow and expand on a sound, constructive basis, we will reach these tomorrows with a faltering business structure. This, our enemies, current and potential, desires above all else. A strong America is the keystone of a free world.

GROWTH, EXPANSION, AND MODERNIZATION

In the bill which we introduced on March 7, 1957, the emphasis was placed on the ability of small business to plow back earnings into the business for growth, expansion and modernization. Section 2 of that bill and section 2 of our present bill would permit small business concerns to deduct against ordinary income up to a total of $33,500 for the expansion or modernization of small business facilities.

Many bills have been introduced incorporating this principle since the introduction of our bill in the early days of the 85th Congress. The most popular limitation seems to be $30,000. We do not quarrel with this or any similar figure so long as the basic principle is maintained in any legislation which in the future may be enacted.

Our bill incorporates an allowable deduction at different taxable income levels up to a maximum taxable income of $150,000. This is because it is our conviction that the greatest incentives should be provided at the lower taxable income levels. The smaller the concern the greater the difficulty in finding a way to plow back earnings into the business. Moreover, the smaller the earnings may be in a business and assuming a sound, well managed business operation, the greater the difficulty in securing equity financing and long-term loans. Therefore, the only realistic solution and the most needed tax reform for small business is the ability to plow earnings directly back into the business. Small business cannot depend on tax relief or fringe benefits such as is included in Public Law 866 of the 85th Congress for either equity or working capital.

SMALL BUSINESS TAX POLICY

Credit and equity capital are necessary collateral requirements for business health and prosperity, but the ability of a business once established to plow back earnings is the one component which is absolutely necessary for a well balanced financial business structure. Unless we

can remove the impediments which prevent earnings from being plowed back into the business and which are basically responsible for the lack of credit and capital, for increased mergers, for many small business failures, impediments which retard small business growth and expansion, we shall have failed in our objectives.

In broadening the tax base by permitting small concerns adequate plowback provisions our revenue would be increased in a relatively short period of time because of the earning capacity which would be added to our taxable structure. In a previous statement we made this point:

> It is sometimes alleged that the loss of revenue, which immediate tax reductions might cause, would weaken the fiscal program of the Nation. We believe, however, that the encouragement of opportunity and expansion for small business, which carefully considered tax reform would bring about, would have beneficial ramifications throughout our economy. We believe the result would create sufficient new wealth through increased productivity and employment and that a generally broadened tax base would inevitably follow. Thus, in approving needed tax revision, we would be insulating our free enterprise system against the corrosive damage of this mobilization era and, at the same time, creating a climate for increased employment and productivity, which are the conditions essential to the functioning of our system of taxation and our fiscal policy.

Some of the points which should be included in any consideration of small business tax policy are:

First. Recognition of the importance of small and new businesses and a tax policy which encourages freedom of entry into business.

Second. Recognition of the necessity for a tax system which will stimulate incentive and provide growth and one which will not penalize either large or small firms.

Third. Recognition of the importance of a tax structure which has a minimum impact on the competitive relations of large and small firms. This is a necessary corollary to our free-enterprise system.

Fourth. Recognition that the tax problem is the basic financial problem of most well-managed small business concerns. One problem of small and medium sized concerns in financing is the inability to float equity issues or to borrow in the most fruitful money markets.

Fifth. Recognition that the inherent difficulty of small and medium sized business concerns in growth, expansion, and modernization is the inability to plow earnings back into the business.

Sixth. Recognition that product diversification enjoyed by larger concerns in the manufacturing and processing industries enables such concerns to grow at a pace which smaller concerns cannot match.

Earnings of small and medium sized concerns have a tendency to fluctuate more, year in and year out, than larger businesses. In a period of rising prosperity these concerns accelerate their profit take rapidly. In declining periods the descent to a break even or loss position is reached more quickly by most small concerns, particularly in the field of manufacturing and processing. Therefore, adequate reserves can only be built up in rising markets and then only if the tax system will permit the accumulation of such reserves.

Neither large nor small business should be looked upon as tax targets to produce a given amount of revenues. Business as a whole, for tax purposes, should not be taxed on the basis that certain earnings—past and prospective—will yield a certain number of dollars. Rather, the effect of taxes on earnings as well as the effect on future taxes should be considered. The question might well be asked: Will these proposed tax rates stifle and retard business so that in effect the tax base will shrink and decrease revenue or will these tax rates encourage business to grow and expand their markets and, thereby broaden the tax base and in effect increase revenue?

We have come to the time or we are approaching the time when all Federal income taxes demand revision. There must be a limitation in both corporate and individual tax rates which precludes the confiscatory aspects now present in parts of our tax structure.

Because of the large Federal debt, the necessity for continued large expenditures for national defense and for many other reasons in connection with our Federal Government, the tax bill will be large for a long time to come. Reductions will occur through careful budgetary management. However, in full recognition of these facts, it is all the more reason that we should constantly strive to bring more and more equity into our income tax structure.

The gentleman from Missouri [Mr. CURTIS] stated in separate views on the Small Tax Revision Act of 1958—House Report No. 2198, 85th Congress, 2d session—on July 16, 1958:

> This bill is called a tax-revision bill to avoid argument about the equities of where tax relief should be applied. However, the bill has been deprived of its revision features; the philosophy that calls for tax revision for small business has been eliminated and we have only a shell which covers pure and simple tax relief.
>
> The Federal tax levy on earnings which is the basic source of financing for the growth of small business lies at the base of the increased number of uneconomic mergers and acquisitions of small businesses. Good economic and good social policy call for a healthy climate for small business and an opportunity to compete economically with the bigger competitor. No one benefits when business becomes highly concentrated.
>
> It is this situation that calls for tax revision in the area of small business. If the theory is right, tax revision to remove these uneconomic barriers to growth would produce revenue gain, not losses. It would be tax relief only in the sense that uneconomic barriers to growth embedded in the tax system were being removed.

We agree with Mr. CURTIS, a distinguished member of the Ways and Means Committee, and we have made similar comment many times in discussing tax revision and reform for small business. We further agree with Mr. CURTIS that "certainly the hand-to-mouth procedures we are following today are full of errors. The Treasury estimates of anticipated revenues have been notoriously inaccurate over a period of years." This statement pointed up a fact that we have stressed on many occasions, namely, that too often tax reform and revision is put aside because of two primary excuses—first, loss of revenue, and, second, difficulty of administration.

We have also previously stated for the record our agreement with the conclusions of a report issued December 27, 1955, by the Subcommittee on Tax Policy of the Joint Economic Committee which made a comprehensive study under the chairmanship of the present distinguished chairman of the Ways and Means Committee, Mr. MILLS, of Arkansas. In this report the subcommittee said:

> Federal tax policy in the future should protect the competitive position of small and new businesses by providing adequate tax offsets to business risks and by gearing the structure of tax rates to any differential barriers to acquiring the financial resources required for their growth and development.

The report also stated without equivocation that:

> Federal tax policy should protect and promote an atmosphere favorable for small and new businesses.

We believe that one of the most important reasons for small business tax reform and revision, which will provide the means and incentives for growth and modernization, is the socialistic clamor for nationalization of industries. Unless we broaden the base and provide for the growth of small and medium sized businesses we shall inevitably be confronted with a greater merger problem than we now have. We do not believe that we should allow our tax structure to encourage mergers and consolidations which will eventually decrease the number of our industrial concerns to a minimum. In other words, we believe there are many industrial endeavors which require a large operation and, therefore, we do not intend to convey the idea that we are against big business as such. We do wish to point out, however, that bigness is something on which Congress should keep a watchful eye. We should do this with the thought in mind that we do not intend to allow the day to come when all business and industry will be cartelized to the total disadvantage of the utimate consumer.

After all in framing our antitrust laws and in framing all legislation, including tax legislation, we must keep in mind the burden we share in common. We must always keep in mind the welfare and the protection of the individual ultimate consumer, those who in the final analysis pay the total tax bill.

FAMILY SIZE FARMS

In our present bill and in previous tax measures which we have introduced we gave recongition to the fact that modern farming is a business. Small farmers, whether they own the farms or farm in the capacity of renters or tenants, encounter similar problems to those which confront small businessmen. Modern farming requires modern machinery. The advance in technology has had the same impact on agricultural pursuits as it has in the manufacturing, proc-

essing or extraction industries. The equipment used in farming operations is expensive and the useful life of modern farming equipment is perhaps even less than in many other industries.

The farm plant requires more and better buildings than was the case before the age of machinery. All these considerations serve to emphasize the fact that family-size farms and farmers need exactly the same tax reform and revision that is needed by small business. The ability to plow back earnings is an absolute essential if we are to retain the very desirable family enterprise in our agricultural economy.

Thus, we include farms and farmers in our bill in consideration of the vital role of this way of life in our Nation.

EXPLANATION OF BILL

In brief, the purposes of the bill are spelled out in section I as follows:

To provide for growth, expansion, and modernization for small and independent business enterprises engaged in trade or commerce;

To permit individuals and partnerships filing income tax returns for small and independent businesses engaged in trade or commerce to revoke an election to be taxed as a corporation; to provide a normal tax rate of 20 percent for taxable years after June 30, 1959, and to increase the surtax exemption;

To provide a growth, expansion, and modernization exemption on net taxable earnings for small and independent businesses engaged in trade or commerce;

To liberalize the income tax treatment of losses incurred through loans to small and independent business enterprises engaged in trade or commerce;

To provide small and independent business an exemption for goodwill in the determination of the value of an estate;

To provide family-sized farmers and others engaged in agricultural pursuits an exemption for the improvement, modernization and renewal of buildings or equipment used in the production, care, and marketing of farm products; and

To provide family-sized farms, whether or not such farms are owned in fee or occupied by renters or tenants, an exemption for the improvement, modernization, and renewal of buildings or equipment used in the production, care, and marketing of the products of such farms.

DEDUCTION FOR EXPANSION OR MODERNIZATION OF SMALL BUSINESS ENTERPRISE

Section 2, probably the most important section of the bill, would permit small firms to take varying exemptions on their taxable income for plant expansion, modernization, and improvement. This section would permit the small operator earning less than $150,000 a year to "treat expenditures which are paid or incurred by him during the taxable year for the construction, reconstruction, erection, installation, improvement, or acquisition of any facility, land building, machinery or equipment, or any part thereof, used in the trade or business as expenses which are not chargeable to capital account."

Designed to provide the greatest incentive to small firms with relatively low taxable income, this section provides for the following table of deductions:

If the small firm's taxable income is not over $10,000, it may deduct for modernization and expansion purposes up to 50 percent of its taxable income; from $10,000 to $25,000, it may deduct $5,000 plus 40 percent of the excess of taxable income over $10,000; from $25,000 to $50,000, it may deduct $11,000 plus 30 percent of the excess over $25,000; from $50,000 to $100,000, it may deduct $18,500 plus 20 percent of the excess over $50,000; from $100,000 to $150,000, it may deduct $28,500 plus 10 percent of the excess over $100,000.

REDUCTION IN CORPORATE NORMAL TAX

Section 3 would reduce the normal corporate tax rate from the present 30 percent to 20 percent. Based on the premise that the corporate normal tax should be low, this section aims at increasing the resistance of small firms to sell out or to merge with their larger competitors, encouraging them to adopt the corporate form of doing business, and lessening their burden of obtaining working capital.

INCREASE IN CORPORATE SURTAX EXEMPTION

Section 4 would exempt firms earning up to $150,000 a year from the 22 percent corporate surtaxes now applicable to companies earning about $25,000. To offset the loss of revenue from this increased exemption, additional revenue could be obtained by increasing surtax rates at levels above $150,000.

ELECTION OF INDIVIDUALS AND PARTNERSHIPS TO BE TAXED AS CORPORATIONS

Section 5 would permit small firms to elect to be taxed either as a small business or as a corporation so that decisions whether to incorporate will be made on factors other than taxes. This section would particularly benefit small firms having stockholders with modest incomes.

LOANS TO SMALL BUSINESS ENTERPRISES

Section 6 would provide an incentive for persons to lend to small firms by provding them with more liberal treatment for losses on bad debts than the law presently allows. This section would stimulate the flow of private individual loans to small firms by permitting persons to charge off a bad debt against ordinary income.

DEPRECIATION OF USED PROPERTY

Section 7 would provide small firms with accelerated depreciation on their purchases of used equipment or property. This section would particularly aid small firms which are often forced to start in business by buying an old building, used machinery, or used display equipment.

EXEMPTION FOR GOODWILL IN DETERMINING GROSS ESTATE

Section 8 would provide an exemption from estate taxes for the so-called goodwill of a firm as an incentive to its owners to continue the business after the death of one of its leading figures. The law at present allows the Internal Revenue Service to include the value of goodwill in computing estate taxes.

The full text of our bill follows:

A BILL TO AMEND THE INTERNAL REVENUE CODE TO ASSIST SMALL AND INDEPENDENT BUSINESS, AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DECLARATION OF PURPOSE AND POLICY.

It is hereby declared to be the policy of the Congress, and the purpose of this Act—

to provide for growth, expansion, and modernization for small and independent business enterprises engaged in trade or commerce;

to permit individuals and partnerships filing income tax returns for small and independent businesses engaged in trade or commerce to revoke an election to be taxed as a corporation;

to provide a normal tax rate of 20 percent for taxable years after June 30, 1959, and to increase the surtax exemption;

to provide a growth, expansion, and modernization exemption on net taxable earnings for small and independent businesses engaged in trade or commerce;

to liberalize the income tax treatment of losses incurred through loans to small and independent business enterprises engaged in trade or commerce;

to provide small and independent business an exemption for goodwill in the determination of the value of an estate;

to provide family-sized farmers and others engaged in agricultural pursuits an exemption for the improvement, modernization, and renewal of buildings or equipment used in the production, care, and marketing of farm products; and

to provide family-sized farms, whether or not such farms are owned in fee or occupied by renters or tenants, an exemption for the improvement, modernization, and renewal of buildings or equipment used in the production, care, and marketing of the products of such farms.

SEC. 2. DEDUCTION FOR EXPANSION OR MODERNIZATION OF SMALL BUSINESS ENTERPRISE

(a) ALLOWANCE.—Part VI of subchapter B of chapter 1 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new section:

"SEC. 180. EXPANSION OR MODERNIZATION OF SMALL BUSINESS FACILITIES

"(a) DEDUCTIBLE EXPENDITURES.—If the taxable income of any person engaged in trade or business does not exceed $150,000 for the taxable year, such person may treat expenditures which are paid or incurred by him during the taxable year for the construction, reconstruction, erection, installation, improvement, or acquisition of any facility, land, building, machinery, or equipment, or any part thereof, used in the trade or business as expenses which are not chargeable to capital account to the extent that such expenditures do not exceed the limit determined under the following table:

"If the taxable income is:	The limit is:
Not over $10,000	50 percent of taxable income.
Over $10,000 but not over $25,000	$5,000, plus 40 percent of excess of taxable income over $10,000.
Over $25,000 but not over $50,000	$11,000, plus 30 percent of excess of taxable income over $25,000.
Over $50,000 but not over $100,000	$18,500, plus 20 percent of excess over $50,000.
Over $100,000 but not over $150,000	$28,500, plus 10 percent of excess over $100,000.

The expenditures so treated shall be allowed as a deduction.

"(b) Limitations.—

"(1) Subsection (a) shall not apply to any corporation which, directly or indirectly, controls, is controlled by, or is under common control with, any other corporation at any time during the taxable year, unless the combined taxable income of all such companies under common control does not exceed $150,000.

"(2) Subsection (a) shall not apply to any partnership which, directly or indirectly, controls, is controlled by, or is under common control with, any other partnership at any time during the taxable year, unless the combined taxable income of all such partnerships under common control does not exceed $150,000.

"(3) Subsection (a) shall not apply to any amount paid or incurred which is allowable as a deduction without regard to this section, and shall apply only with respect to expenditures for construction, reconstruction, erection, installation, or improvement, of any facility, land, building, machinery, or equipment, or part thereof, begun and completed, or acquired, during the period consisting of the taxable year and the preceding taxable year.

"(c) TAXABLE INCOME DEFINED.—For purposes of this section, the term 'taxable income,' means taxable income computed without regard to this section."

(b) TECHNICAL AMENDMENT.—The table of sections for such part VI is amended by adding at the end thereof the following:

"SEC. 180. EXPANSION OR MODERNIZATION OF SMALL BUSINESS FACILITIES."

(c) ADJUSTMENTS TO BASIS OF PROPERTY.—Section 1016(a) of such Code (relating to adjustments to basis of property) is amended by inserting after paragraph (16) the following new paragraph:

"(17) for amounts allowed as deductions under section 180 (relating to expansion or modernization of small business facilities);".

(d) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 1958.

SEC. 3. REDUCTION IN CORPORATE NORMAL TAX.

Section 11(b)(2) of the Internal Revenue Code of 1954 (relating to corporate normal tax for taxable years beginning after June 30, 1959) is amended by striking out "25 percent of the taxable income" and inserting in lieu thereof "20 percent of the taxable income".

SEC. 4. INCREASE IN CORPORATE SURTAX EXEMPTION

(a) INCREASE IN EXEMPTION.—Section 11(c) of the Internal Revenue Code of 1954 (relating to corporate surtax) is amended by striking out "$25,000" and inserting in lieu thereof "$150,000."

(b) TECHNICAL AMENDMENTS.—

(1) Section 12(7) of such Code (cross references relating to tax on corporations) is amended by striking out "$25,000" and inserting in lieu thereof "$150,000."

(2) Section 1551 of such Code (relating to disallowance of surtax exemption, etc.) is amended by striking out "$25,000" and inserting in lieu thereof "$150,000," and by striking out "such exemption or credit" and inserting in lieu thereof "the exemption from surtax provided in section 11(c) or the securing of such credit."

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to taxable years beginning after June 30, 1959. In the case of a taxable year beginning before July 1, 1959, and ending after June 30, 1959, the amendment made by subsection (a) of this section shall apply in the same manner as provided in section 21 of the Internal Revenue Code of 1954 with respect to changes in a rate of tax.

SEC. 5. ELECTION OF INDIVIDUALS AND PARTNERSHIPS TO BE TAXED AS CORPORATIONS.

Section 1361(e) of the Internal Revenue Code of 1954 (relating to irrevocability of elections of partnerships and individuals to be taxed as domestic corporations) is amended by adding after paragraph (2) thereof the following: "Notwithstanding the preceding sentence, an election described in subsection (a) may be revoked, in accordance with regulations prescribed by the Secretary or his delegate, with respect to taxable years following the fourth or any subsequent taxable year to which such election applies."

SEC. 6. LOANS TO SMALL BUSINESS ENTERPRISES.

(a) ALLOWANCE OF LOSSES AND BAD DEBTS AS DEDUCTIONS FROM ORDINARY INCOME.—Part VI of subchapter B of chapter 1 of the Internal Revenue Code of 1954 is amended by inserting after section 166 the following new section:

"SEC. 166A. LOSSES OF INDIVIDUALS ON LOANS TO SMALL BUSINESS ENTERPRISES.

"(a) LOSSES ON DEBTS EVIDENCED BY SECURITIES.—If an individual sustains a loss from the sale or other disposition or from the worthlessness, of a debt evidenced by a security of a corporation which is a small business enterprise, then for purposes of this subtitle such loss shall not be considered as a loss from the sale or exchange of a capital asset.

"(b) BAD DEBTS.—Section 166(d) (relating to nonbusiness debts) shall not apply in the case of an individual if the debt was created by reason of a loan by such individual to a small business enterprise. For purposes of section 166 (other than subsection (d)), a payment by an individual in discharge of part or all of his obligation as a guarantor, endorser, or indemnitor of an obligation of a small business enterprise created by reason of a loan to such enterprise by another individual shall be treated as a debt becoming worthless at the time of such payment.

"(c) NET OPERATING LOSS DEDUCTION.—For purposes of section 172(d)(4) (relating to limitation on nonbusiness deductions of taxpayers other than corporations for purposes of the net operating loss deduction) any deduction in respect of which subsection (a) or (b) of this section applies shall be treated as attributable to a trade or business of the taxpayer.

"(d) DEFINITIONS.—For purposes of this section—

"(1) The term 'debt evidenced by a security' means only a bond, debenture, note, or certificate, or other evidence of indebtedness, issued by a corporation with interest coupons or in registered form.

"(2) The term 'small business enterprise' means any trade or business carried on by an individual, partnership, or corporation if the total assets held (at the time the security is acquired or the loan is made) by such individual, partnership, or corporation for trade or business purposes does not exceed $250,000; but such term does not include any corporation the stock of which is owned (directly or indirectly) by or for more than 10 individuals."

(b) TECHNICAL AMENDMENT.—The table of sections for such part VI is amended by inserting

"SEC. 166A. LOSSES OF INDIVIDUALS ON LOANS TO SMALL BUSINESS ENTERPRISES."

immediately below

"SEC. 166. Bad debts."

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to taxable years beginning after December 31, 1958.

SEC. 7. DEPRECIATION OF USED PROPERTY.

(a) Section 167(c) of the Internal Revenue Code of 1954 (relating to limitations on use of certain methods and rates of depreciation) is amended—

(1) by striking out the period at the end of paragraph (2) and inserting in lieu thereof ", or": and

(2) by adding at the end thereof the following:

"(3) acquired after December 31, 1958, if the original use of such property does not commence with the taxpayer, and the use of such property by the taxpayer commences after such date.

Paragraph (3) shall apply to property acquired in any taxable year only to the extent that the basis of such property (determined as of the close of the day of its acquisition), when added to the basis of all other property described in such paragraph (determined as of the close of the day of its acquisition), which is acquired by the taxpayer during the same taxable year, does not exceed $50,000."

(b) The amendments made by this section shall apply to taxable years beginning after December 31, 1958.

SEC. 8. EXEMPTION FOR GOODWILL IN DETERMINING GROSS ESTATE

(a) ALLOWANCE OF EXEMPTION.—Part III of subchapter A of chapter 11 of the Internal Revenue Code of 1954 (relating to gross estate of citizens or residents of the United States) is amended by adding at the end thereof the following new section:

"SEC. 2045. GOODWILL.

"In determining the value of any interest of the decedent in any trade or business carried on by the decedent, by a partnership of which he was a partner, or by a corporation stock of which was owned (directly or indirectly) by or for not more than 10 individuals (including the decedent), the goodwill of such trade or business shall be excluded. The amount excluded from the gross estate by reason of the preceding sentence shall not exceed $100,000."

(b) TECHNICAL AMENDMENT.—The table of sections for such part III is amended by adding at the end thereof the following:

"SEC. 2045. GOODWILL."

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply only with respect to estates of decedents dying after the date of the enactment of this act.

"WHY ARE YOU SAVING?"

Mr. CURTIN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. MICHEL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MICHEL. Mr. Speaker, it may be a bit old fashioned, but shortly after graduation from college I embarked upon a program which I thought would provide for my security in later years. I used, as a basis for my program, insurance, for with four children it was imperative that there be adequate protection for my wife and children.

With each new spin in the inflationary spiral I have been forced to reassess my program from time to time and adjust it upward, for what I planned to have set aside in retirement benefits

dollarwise will not give me at some future date what I thought I would have 10 years ago. It follows that if we experience the same degree of inflation in the next 10 years I will have to go still further by way of adjusting my program upward, and I am wondering if the end is ever in sight or whether I will ever be able to catch up.

In the Chicago Tribune Sunday edition of April 19 there appeared a front page editorial, which I should like to have reprinted at this point in the RECORD, entitled, "Why Are You Saving?" The tone of the editorial struck a responsive chord with me and I recommend it as good reading for every American.

WHY ARE YOU SAVING?

Are you saving for your old age?

Why, for heaven's sake?

It may seem a silly question. If you are going to quit work, you certainly have to have something put by against the day that the paychecks stop. What else can you do if you want to retire?

You can't do anything, of course. You are in the same fix as the man who was warned that the roulette wheel he was playing was crooked. He knew it, but it was the only roulette wheel in town.

Anybody who saves today for some future period is putting his dollars on the crooked roulette wheel of inflation. The people to whom he intrusts his money—insurance company, stockbroker, pension trustee, the Social Security Administrator—aren't the crooked croupiers. They are honest. Every dollar you give them you will get back, with interest.

It isn't until you start to spend the money you saved that you find the wheel was crooked. If we take the experience of the last 20 years as a guide, the dollar you put away today will be worth less than 50 cents, at today's prices, when you spend it 20 years from now.

Suppose you put a dollar away 20 years ago, in 1939. Applied to your living expenses today it would buy only 48 cents as much as it would have when you saved it.

That is the ground on which inflation hurts us all. We may think that a little inflation is something nice—so long as we keep working. We like to see our pay go up. If we buy stocks, we like to see them go up.

If we are farmers, we like the Government to support prices—buy our crops at far higher prices than they command in a free market. If we are businessmen, we like the orders that come from foreign aid and the vast military spending.

In short, we all like the effects of inflation—which all of these practices cause—even if we do think that inflation itself is a nasty word.

But sooner or later ninety-nine out of a hundred of us are caught in the same box. We want to retire. Whatever provision we have made for retirement, we are going to find that continuing inflation slashes the value—the purchasing power—of what we have saved. We have about half as much to live on as we thought we would have when we put the money away.

So we buy equities—common stocks that increase in price as the dollar slips in value. People are buying equities like mad. They have boosted their prices to the point where they yield, at the current market, 3.3 percent a year. Government bonds yield around 4 percent. Insurance against inflation—against being paid off in dollars—costs you a fifth of earnings on your investment, beyond which you also assume the risk that the stock may not earn a dividend some year.

There is just one way out of the box, one way to insure that the money you put away for old age will support you when you retire. That is to stop inflation.

UNION BACKING AT THE POLLS

Mr. CURTIN. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. BROOMFIELD] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BROOMFIELD. Mr. Speaker, an article by Congressional Quarterly which appeared in the Detroit Free Press on April 14, 1959, casts some rather revealing looks at union funds and their uses during the last general election. There is little argument with the fact that the amounts listed by unions do not truly reflect the total amount of union participation in the last election. But they give those of us in Congress an indication of what is happening in our campaigns. It is going to be interesting to note the way that these Members of Congress vote on matters affecting labor unions and the positions of these unions on various national issues.

WHAT LABOR SPENT IN 1958 ELECTIONS—WHO THE UNIONS BACKED AT POLLS WITH DOLLARS

WASHINGTON.—When a Democrat needs money for a campaign these days, he is likely to find labor unions in a better position to help him than his own party committees.

That seems to have been the case in 1958, at least.

A Congressional Quarterly survey, completed Monday, shows labor unions spent more money on the last election than the Democratic National Committee and its adjuncts in the House and Senate campaign.

The survey, which may throw some light on the continuing controversy over labor's influence in politics, shows that union funds reached at least 233 candidates for Congress in 46 of the 49 States in 1958. Of these candidates, 152 were elected.

The only States that did not find a place on labor's list were Arkansas, New Hampshire, and South Carolina.

Indications are that Republicans received the benefit of only 1 or 2 percent of the money laid out by the unions.

Unions cannot legally spend any money from their treasuries in connection with Federal elections. They are barred from using members' dues for partisan purposes, just as corporations are denied the right to tap their stockholders' equity to make political contributions.

But the unions can and do ask their members to contribute money voluntarily to political funds. These voluntary dollars make up labor's campaign war chest, from which the needs of friendly candidates are supplied.

How important the labor war chest has become is indicated by a few comparisons.

Thirty-two of organized labor's political committees reported spending a total of $1,828,777 on the 1958 campaign.

That was relatively small potatoes compared to the $4,657,652 campaign outlay reported by 14 Republican committees.

But it exceeded the $1,702,605 spending by seven Democratic committees on the 1958 campaign. The combined Democratic-labor total fell about $1.2 million short of reported GOP outlays.

Actually, of course, Republican, Democratic, and labor figures are all misleadingly small. The only political committees that have to report to the House are those that operate in more than one State.

Political groups whose activities are limited to a single State, city, or district do not have to report, although some do so voluntarily. Thus, accurate figures on all campaign spending—National, State, and local—are impossible to obtain.

But the figures reported by the big multistate committees indicate pretty clearly that in 1958, for the first time, organized labor plunked more money into the Democratic campaign kitty than the national Democratic committees themselves did.

Total spending of the Democratic, national, senatorial, congressional committees was $1,340,636.

The big five of organized labor alone spent a nearly equal amount—$1,333,181.

The AFL–CIO Committee on Political Education reported expenditures of $709,813.

Walter P. Reuther's UAW reported money in three separate political accounts, but the net expenditures were computed at $243,790.

David J. McDonald's United Steelworkers said it spent $192,136 on politics.

David Dubinsky's International Ladies' Garment Workers Union chipped in $107-716.

And the Machinists, headed by Albert J. Hayes, spent $79,726.

The 27 other labor committees that reported in Washington chipped in lesser amounts to bring the total up to $1,828,777.

Two of the best-known unions—the Teamsters and the United Mine Workers—did not file political spending reports at all. Spokesmen told Congressional Quarterly their contributions were made at the State and local level, where they do not have to be reported in Washington.

The men who handle labor's big political money are shrewd investors.

In 1958 they put the biggest stakes on 10 Democratic senatorial hopefuls and saw all but one of them come through to victory.

The lone disappointment was former Gov. George M. Leader, Democrat, who had $16,000 of union members' money riding with him in his unsuccessful Pennsylvania Senate race.

The biggest supplies of cash were earmarked for Leader and these other Democrats:

1. Senator WILLIAM PROXMIRE, Wisconsin, $25,625.

2. Senator CLAIR ENGLE, California, $24,-950.

3. Senator HARRISON A. WILLIAMS, New Jersey, $20,900.

4. Senator THOMAS J. DODD, Connecticut, $19,400.

5 and 6. Senators ROBERT C. BYRD and JENNINGS RANDOLPH, $19,000 each for the twin races in West Virginia.

7. Senator ERNEST GRUENING, Alaska, $16,750.

8. Senator PHILIP A. HART, Michigan, $16,600.

9. Senator GALE MCGEE, Wyoming, $15,500.

The analysis indicates clearly that labor's political braintrusting is willing to gamble heavily with the membership's voluntary dollars when they think a long-shot has a chance to win.

PROXMIRE was the only holdover Senator on the list of the top 10 recipients of union support, and his race was regarded as the toughest any Democratic incumbent faced.

The other nine all had strenuous contests against substantial opponents. Yet, all but Leader won. Seven of the winners took over Republican seats.

At the same time, it appears that the union men did not waste much money currying favor with Democrats who were assured of victory.

Where Gruening was given $16,750 for his nip-and-tuck race against Republican Mike Stepovich in Alaska, no money at all was reported earmarked for his colleague and running-mate Senator E. L. (BOB) BARTLETT (Democrat, Alaska), who stands equally high in labor's estimation. The reason: BARTLETT had only token opposition.

A check for $2,500 from the COPE to aid the campaign of Senator JOHN F. KENNEDY, Democrat, Massachusetts, was canceled when Massachusetts labor leaders informed national headquarters KENNEDY "didn't need the money."

Despite this hardheaded attitude, union leaders found reason to earmark some funds for all but 6 of the 36 Democratic candidates for the Senate in 1958.

Those who apparently did not share in the largesse were: Bartlett; Raymond G. Vendsel, the Democratic nominee in North Dakota; and four Southerners, Senators Spessard L. Holland, Florida, John C. Stennis, Mississippi, B. Everett Jordan, North Carolina, and Harry Flood Byrd, Virginia.

Republicans, on the other hand, found it very hard to pry open labor's pocketbook. Only $13,850 of union's reported total spending of $1,828,777 was earmarked for Republican candidates.

Senator WILLIAM LANGER, Republican, North Dakota, who votes more often with the Democrats than with his own party, was down for a total of $7,000 from COPE and the Steelworkers.

The Steelworkers earmarked $1,000 for ex-California Republican Gov. Goodwin J. Knight but reported contributing twice that much to Democratic Senator CLAIR ENGLE, who defeated him in the Senate race.

In House races, three contributions to Republicans were listed by the unions:

1. Representative JOHN B. BENNETT, Michigan, $3,000 from Railway Labor's Political League.

2. Representative GORDON CANFIELD, New Jersey, $750 from the Steelworkers and $500 from the International Ladies' Garment Worker's Union.

3. Representative THOMAS M. PELLY, Washington, $450 from Railway Labor's Political League.

4. Representative THOR C. TOLLEFSON, Washington, $400 from the National Maritime Union.

5. Ex-Representative Albert P. Morano, Connecticut, $250 from the Machinists.

6. Grover Cantrell, a union official who ran unsuccessfully against Representative BRUCE ALGER (Republican, Texas) in the primary, $500 from the Communications Workers.

UNIONS PUT UP $16,600 FOR HART

WASHINGTON.—Organized labor earmarked $50,141 for the 1958 election in Michigan, Congressional Quarterly reported Saturday.

The figure was disclosed by a careful search through the official reports of 32 labor political committees filed with the Clerk of the House of Representatives.

Reports were filed by most of the politically active labor internationals, but their State and local affiliates are not required to file in Washington and only a few did so voluntarily.

Of the $50,141 reported spent in Michigan on the 1958 campaign, $24,170 went to Democratic candidates and committees and $3,000 to Republicans.

The remaining $22,971 was sent to local labor committees and others to be spent by them.

Individual candidates identified in the Labor Committee reports and the sums reported sent to each were:

Senate—PHILIP A. HART (Democrat), House—Thaddeus M. Machrowicz, $750; Robert G. Hall, $250; Don Hayworth, $1,750; James G. O'Hara, $1,500; Charles C. Diggs, Jr., $250; Louis C. Rabaut, $250; John D. Dingell, $250; John Lesinski, $500; Martha W. Griffiths, $1,000; Leslie H. Hudson, $740, all Democrats, and John B. Bennett, $3,000, a Republican.

Only Hudson, Hayworth, and Hall failed to win their elections.

JOHN FOSTER DULLES

Mr. ADAIR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ADAIR. Mr. Speaker, as so many others have done throughout the world, I want to express my admiration for the great work that has been done by Mr. John Foster Dulles. At the same time it is certainly my present wish and prayer that he may speedily recover from his affliction. Also that he may soon be able to take again a more active part in the affairs of our Government and in the efforts to preserve an honorable international peace. Through the years that I have known him, my own admiration for Mr. Dulles has steadily increased. I have observed the training, experience, and dedication which he has brought to his Office as Secretary of State of the United States. Certainly all Americans know that no task was ever too arduous, no journey too long, no conferences too difficult for Mr. Dulles to undertake. He had a calm, logical type of mind—one in which his legal training and background was frequently apparent. When answering questions or making decisions, he was prone to deliberate briefly, obviously turning over all considerations in his mind before stating the conclusions that he reached. By doing this he avoided the situation in which public figures too often find themselves. That is, where conclusions are uttered in haste and later have to be retracted or modified. He was a realist in international affairs. In seeking to solve problems which confronted him, he would take into account all the factors that would play a part in the decision. In this connection he also understood the influences and the considerations which were in the minds of the foreign statesmen with whom he was dealing. Because of this ability on his part, the negotiations in which he participated very frequently reached more fruitful conclusions.

But I think of all the characteristics he had, the one which I respect the most was his courage and his willingness "to stand up and be counted." This was particularly apparent in his dealings with the Communists. He knew that it was of no use to give in to their demands and when he was sure he was right, he stood his ground. This perhaps more than any other one thing that he did while he was Secretary of State helped to preserve peace in the world. Here was a man representing a country that desired not a foot of land belonging to any other nation, but a man dedicated to the preservation of the rights of men and the protection of the freedoms of nations. This courage and willingness to take a stand was sometimes called inflexibility, but I think it was not so much that as it was the understanding that one who represented this Nation of ours must be willing to take positions which would be for the best interest of our country and at the same time, of course, for the best interest of free men everywhere.

Through the years that he has been Secretary of State, he has been a tower of strength for the entire free world. We are grateful for what he has done and I repeat, we sincerely hope that his health may improve and that he may have a long time in which to enjoy the rest and relaxation he has so richly earned.

PRESERVING GETTYSBURG BATTLEFIELD AS SACRED NATIONAL SHRINE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Pennsylvania [Mr. QUIGLEY] is recognized for 45 minutes.

Mr. QUIGLEY. Mr. Speaker, last Monday evening I had occasion to speak to the Rotary Club of Gettysburg, Pa., and through it to deliver a message to the entire Gettysburg community.

At this time I would like to share that message with the Members of Congress and through them to deliver it to the larger nationwide audience which, I believe, the subject under discussion deserves. That subject is the preservation of the Gettysburg battlefield as a sacred national shrine.

On March 24, the House of Representatives considered and passed the 1960 appropriation for the Department of the Interior. During the debate on that measure I noted with regret that the Appropriations Committee had seen fit to delete from the bill the request of the National Park Service for money to be used for the acquisition of additional Civil War battlefield lands. My particular concern in this regard arose from the fact that a considerable portion of the money was earmarked for the purchase of some 600 additional acres within and adjoining the present battlefield area at Gettysburg.

I would like at this time to highlight the basis for my concern, to point up the problem which faces Gettysburg and the Congress, and why I think it is an important problem and, finally, I would like to suggest what I believe to be a workable solution.

The problem facing Gettysburg is this: The Federal Government presently owns some 2,800 acres of the soil on which the historic battle was fought. From the beginning the basic objective of the Congress in authorizing the acquisition of this land was to preserve it as it was when the battle took place. To a considerable extent this objective has been achieved. However, this success is explained only in part by the efforts and the acquisitions by the Federal Government. The very nature of the land involved has had much to do with the results achieved. A substantial portion of

the battle was waged over what was then pretty good farmland. It still is. And for this reason, rather than because of anything the Federal Government might have done, it is not surprising that much of this soil is still being tilled as it was 96 years ago. Other parts of the battle involved impossibly rocky terrain not fit for agricultural or, for that matter, any other use. The passage of time has not made these rocky ways any more usable and so they have remained pretty much intact and undisturbed since those 3 days in July of 1863.

However, as anyone who even approaches Gettysburg can testify, the objective of preserving the battlefield area has been something less than a complete success. This is true for a variety of reasons; some valid, some not. Certainly No. 1 among the valid reasons is the inevitability of growth. When history met at its crossroads Gettysburg was a pretty small town with a population of not too much in excess of 2,000. Without, I trust, offending local pride I think it must be said that Gettysburg is still a small town. But in 1959 it is some four times larger than it was in 1863. This growth could not and did not take place without in some way disturbing the battlefield.

Almost from the day the guns went silent, certainly since the day when Lincoln spoke his immortal words, Gettysburg has been an American tourist mecca. At first the growth in tourism was relatively slow and confined to relatives of those who had fought here, and to students of the battle. However, with the advent of the automobile Gettysburg became accessible to every American with an urge to travel. The result has been that tourism is and has been the town's biggest industry for many years. Some three-quarters of a million people now visit Gettysburg annually. Most of these visitors have to be fed. A considerable number of them have to be housed. If Gettysburg failed to meet these needs it would rightly be criticized. Yet these needs cannot be met adequately and well without a certain amount of commercialism happening. This commercialism has, of course, caused the appearance of the town and the area to change from the way it was back in 1863.

Unfortunately the adverse results of the inevitable growth and necessary commercialization have been greater than it should have been because it has been allowed to happen without planning or an overall sense of direction. Despite this, much of the growth has been highly desirable. Unfortunately, in some instances much was left to be desired and in at least a few cases what has happened could only be deplored. Under these circumstances the only thing that the Federal Government could do to carry out its original purpose of preserving the battlefield area was to acquire more and more land.

However, there are some pretty obvious drawbacks to this land acquisition approach. In the first place, from the point of view of the Federal Government it is frightfully expensive and gets more so every year. In the second place, it is only partially effective. It is just not possible even for the Federal Government to buy up every last foot of ground on which every soldier set foot, in or on his way to and from the battle. Yet, at the very point where the Government stops buying there is nothing to prevent the erection of the most desecrating honky-tonk joints imaginable.

Nor do all the disadvantages of the land acquisition program run in the direction of the Federal Government. It is true that every time the Park Service acquires additional land it takes money out of the Federal Treasury but it also—indirectly—takes money out of the coffers of the local governments as well. This is so because the moment Uncle Sam takes title to the land it becomes tax exempt, and thereafter the local taxing authorities are denied forever the revenue which had come from that land as long as it was privately owned.

This tax-exempt status has created quite a problem in Adams County and especially so in Cumberland Township. The great bulk of the battlefield lies in Cumberland Township and just about all of the 2,762 acres which the Federal Government now owns, as well as the 600 additional acres it proposes to acquire, lies within this township. Needless to say, the Federal land acquisition program has a tremendous impact on local governmental units like Cumberland Township which is struggling to meet the evergrowing demands for better schools and better roads and all the other services the people are now demanding.

At this point, Mr. Speaker, one might very well ask two pointed questions. First, if the National Park's land acquisition program has such obvious drawbacks for both the Federal and local governments, was not the House of Representatives, by its vote on March 24, right in calling a halt to it? Secondly, if I am so aware of these defects why did I bother to raise my lonesome voice of protest against the House action?

Depite the shortcomings and defects in the program I believe the House was wrong in rejecting it and I will tell you why.

In my judgment the House acted as it did for three reasons. First, there was the general acceptance of the idea that the Federal Government already had enough land at Gettysburg. Second, there was a feeling that you never could buy enough battlefield lands to satisfy the cravings of the Civil War enthusiasts. Third, and the most important reason, was the balanced budget psychosis which is currently haunting the Congress of the United States.

If I am any judge of why the House voted as it did, I am convinced that many of the Members said to themselves, "All right, if the President is really serious about this balanced budget, let us show him that, like charity, balanced budgets begin at home. What better way can we strike a telling blow for economy in Government than by publicly slashing from the President's budget more than a million dollars, most of which was earmarked for spending right in the President's backyard." This, in my judgment, is why the House acted as it did.

I, too, am interested in a balanced budget but I cannot agree that the approach of the House in this instance is the sound way to reach a worthwhile goal.

As to the other arguments, while I am willing to concede that not even Uncle Sam would be rich enough to buy all the land at all the battlefields which many of the Civil War enthusiasts want, I very strongly disagree with those who contend that the Federal Government already has enough land at Gettysburg.

In the first place, Gettysburg just is not any battlefield of any war. It is not even just any battlefield of the Civil War. Gettysburg is Gettysburg: the site of one of the truly decisive battles in the whole of history. At Gettysburg the future of this country came to the crossroads. Here brave men fought and died not only that this Nation might live but to resolve how it would live.

In the second place, the Federal Government does not yet have enough property at Gettysburg because only by means of Federal acquisition can certain unfortunate errors of the past be deleted and their desecrating presence be removed from this hallowed ground. This is why, in my judgment, the action of the House was in error and this is why I trust the Senate will act otherwise.

But even if the Senate and ultimately the whole Congress and the President provide the money to acquire these additional lands, the problem is not solved. At Gettysburg it is not only necessary to correct past errors, it is essential that future ones be avoided.

To this latter end I have a very positive answer: Zoning.

I am happy to report that I have already discussed this idea of zoning with representatives of Cumberland Township and the National Park Service. I am even happier to be able to report that in each instance the suggestion was met with a most favorable reaction.

Here is exactly what I would like to see happen. And I told this to the Gettysburg community. I would hope that with a minimum of delay the supervisors of Cumberland Township would enact into law an ordinance which provides for zoning of the battlefield area and territory adjacent thereto which has been approved by the National Park Service.

In return for this effort at the local level—and I am sufficiently close to the political scene to be fully aware that the enactment of an effective zoning law can require a tremendous effort and sometimes even real courage—I would propose the following quid pro quo from the Federal Government. Henceforth, the National Park Service would agree to share with Cumberland Township, with the Cumberland Township School District and with Adams County, the three local taxing authorities, a portion of the rents collected from the leasing of federally owned land within the battlefield area.

This plan would operate roughly as follows: At the present time if the National Park Service acquires a farm which is valued at, say, $50,000, the

owner is paid full value for his property. Before he sold to the Federal Government that owner was paying local taxes in the amount, let us assume, of $250 annually. After the sale, as I have already noted, no local taxes are paid. And this is true despite the fact that very often the Park Service will lease back the farm to the former owner or lease it to a new tenant who agrees to operate the farm under conditions specified by the Park Service.

Let us suppose that in our illustrated situation the former owner continues to operate the farm under a lease which requires him to pay the Federal Government an annual rental of $1,000. Thus we end up with this situation. On the one hand the former owner has $50,000 in the bank and he is still operating the farm. On the other hand the Federal Government has title to the land plus the assurance that the property will at no time in the future be used for any unauthorized purpose and in addition $1,000 goes into the Federal Treasury each year the property is rented. In sharp contrast to the former owner-present operator and Uncle Sam, the poor local taxing authorities—the township, the school district, and the county—end up with nothing.

Under my scheme the annual rental on the farm would be increased by $250—the amount formerly paid in local taxes—and this additional sum which the Federal Government collects would be turned over to the local government units to be divided among them on the same ratio as they share in the total of all other local taxes collected.

Such a proposal would certainly help the local governments involved. It would mean no loss of revenue to the Federal Government because it would still receive the same amount of rent it collected formerly. Not only would it not cost the Federal Government money, it would save it substantial amounts because with that zoning ordinance on the books the need for purchasing additional lands would be greatly reduced.

The increased cost involved would fall upon the National Park Service's tenants. Now I recognize that it might be somewhat impolitic for me to suggest that the additional burden be placed on some of my constituents but I dare to do it because we are faced with a problem which cries for a solution; and also because I have every reason to believe that in the past the Park Service has tended to charge rentals which were most reasonable. Even with the increased rental which I am suggesting most of the farms would still be real bargains and in great demand.

Now I recognize that making this plan a reality is going to take a lot of doing. There's bound to be opposition to any zoning proposal. There always is. My rental sharing plan would require the cooperation of three local governments and at least two different departments of the Federal Government and getting such cooperation can be no mean assignment. In addition, it is my judgment that such a rental sharing plan could only be put into operation with the approval of Congress. I trust you will understand if I am a little hesitant to predict what the Congress might do.

But I think that the kind of doing it will take is well worth the effort because failure to find a workable solution means the ultimate desecration of the Gettysburg battlefield as a sacred national shrine. In this effort I call upon the Gettysburg community for your help.

Certainly it was not necessary for me to point out to them, the business and professional leaders of the community, that in Gettysburg they are blessed with something unique. Its very presence, however, presents certain very real problems. Failure to face up to these problems in the past has caused them to get worse. Unless they are faced soon it may be too late. The goose may gouge itself to death and with its passing go all the golden eggs.

Mr. Speaker, it is fashionable to criticize people for always looking to the Federal Government for help. I do not know whether such criticism is always valid but it certainly is popular. Right now Gettysburg is looking to the Federal Government for help and unless the temper of the Congress changes radically in a very short time, I believe that Gettysburg will look to Washington in vain. The Lord helps those who help themselves. I have a feeling Congress might be inclined to do the same. If the people of Greater Gettysburg—especially the people in the borough of Gettysburg and in Cumberland Township—will move forward on a program such as I have just suggested I am confident that the current negative attitude in Congress could change sharply.

If Gettysburg fails to act and in turn the Congress fails to act then, frankly, I look forward to 1963 and Gettysburg with grave misgivings. Because, as I have noted during the floor debate on March 24, I am afraid that by then, when the spotlight of the Nation and the world is focused on Gettysburg to commemorate the 100th anniversary of the battle, we will discover too late and to our sorrow that the second battle of Gettysburg—the fight to prevent the desecration of this sacred monument by unwarranted commercialization—already has been lost.

Mr. SCHWENGEL. Mr. Speaker, will the gentleman yield?

Mr. QUIGLEY. I yield to the gentleman from Iowa.

Mr. SCHWENGEL. Mr. Speaker, I should like to commend the gentleman for his excellent statement on the problem that exists at Gettysburg. As a member of the Civil War Centennial Commission I can assure the gentleman that there is a feeling in the Commission and among the Commission members it is, I am quite sure, unanimous, and also among those who have been designated as advisory members of the Commission, that we ought to do something now to preserve the great heritage that exists at Gettysburg. The gentleman stated very well, it seems to me, that Gettysburg was not just another battle. It is the crossroads. It is where the destiny of our country was determined, and we ought to do all we can to preserve it. I recall on one side of the Archives Building is a statement "What is past is prologue," in other words, that the heritage of the past brings forth the future. And, in my opinion, here at Gettysburg we have one of the great heritages and great historic centers of our Nation. I am very glad that the gentleman has explored different possibilities of solution of this problem and that he has taken it up with the people of the community. I want to assure the gentleman as one Member of the Congress on this side that I will do everything I can to help bring about a reversion of the position of the Congress so that we can preserve this valuable site and move forward to make it a more attractive site than it is now.

Mr. QUIGLEY. I thank the gentleman for his remarks. I hope and trust that the Congress of the United States in its ultimate wisdom will reverse the position it took here on March 24. However, as I pointed out, even if it does, this will only serve to correct past mistakes. I do believe and I trust that I will convince the people in the Gettysburg area that as far as the future is concerned, that future is very much in their own hands. The Congress of the United States cannot forever and everlastingly come in with hundreds of thousands and millions of dollars to buy up more and more land. Money is needed, in my judgment, primarily to correct the errors of the past. But, I am convinced that the only ultimate solution of the problem, however much the Members of the Congress might wish it to be otherwise, must come from the people at the local level. It is my hope that they will recognize this and that they will act and act quickly. So quickly, in fact, that the Congress of the United States, having seen how they have acted and how they have reacted to the challenge, will, in turn, reverse its decision and make the money available to the National Park Service. In the end, through the cooperation of all the government units affected, local, State, and National, we hope we will succeed in doing what I believe every Member of the Congress wants to see done, that is, to preserve the Gettysburg battlefield as one of the Nation's true monuments, which is, after all, what it is.

Mr. SCHWENGEL. Mr. Speaker, if the gentleman will yield further, I was interested in the gentleman's proposition to have a portion of the rent assigned to replace taxes. Now, I have a lot of Federal property in my district, and I recognize the problem that it has created. So, I am sympathetic with this problem, and I am wondering if we can handle this and not disturb all the other arrangements similar to this that have been made with public bodies. In other words, would your proposition be constitutional?

Mr. QUIGLEY. To the best of my knowledge, it would be. I know of one instance involving one national park, Jackson Hole or the Grand Teton, I believe, where an arrangement, not quite identical but with similarities to what I am suggesting here, was enacted by the Congress. This, I believe, happened back in 1950. While I confess I have not

made an exhaustive study of the problem, my initial judgment is that there is no constitutional question involved here.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. MULTER (at the request of Mr. DADDARIO), for the balance of the week, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. FORRESTER, for 20 minutes, today, and to revise and extend his remarks and include extraneous matter.

Mr. WOLF, for 90 minutes, on Monday next.

Mr. SCHENCK, for 30 minutes, today.

Mr. COAD, for 60 minutes, on Monday, next.

Mrs. DWYER (at the request of Mr. CURTIN), for 15 minutes, on April 23.

Mr. QUIGLEY (at the request of Mr. GEORGE), for 45 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. WOLF and to include extraneous matter.

Mr. HUDDLESTON and to include extraneous matter.

Mr. MASON and include a broadcast on the Manion Forum of Social Security.

Mr. HOSMER in two instances and include extraneous matter.

Mr. O'KONSKI in two instances.

(At the request of Mr. CURTIN, and to include extraneous matter, the following:)

Mr. ALGER.

Mr. VAN ZANDT.

(At the request of Mr. GEORGE, and to include extraneous matter, the following:)

Mr. MULTER.

Mr. RODINO.

Mr. HECHLER.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 5508. An act to provide for the free importation of articles for exhibition at fairs, exhibitions, or expositions, and for other purposes.

ADJOURNMENT

Mr. GEORGE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 55 minutes p.m.), under its previous order, the House adjourned until Thursday, April 23, 1959, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred, as follows:

859. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated March 5, 1959, submitting a report, together with accompanying papers and an illustration, on a review of reports on Menominee Harbor and River, Mich. and Wis., requested by the Committees on Public Works, U.S. Senate and House of Representatives, adopted January 28, 1955, and June 29, 1955 (H. Doc. No. 113); to the Committee on Public Works and ordered to be printed with an illustration.

860. A letter from the Director, Office of Civil and Defense Mobilization, Executive Office of the President, transmitting a copy of No. 2 of the Statistical Supplement, Stockpile Report to the Congress, for the period ending December 31, 1958, pursuant to Public Law 520, 79th Congress; to the Committee on Armed Services.

861. A letter from the Administrator, Small Business Administration, transmitting the Quarterly Report on the Liquidation Operations of Business and Disaster Loans of the Reconstruction Finance Corporation for the Period Ending December 31, 1958, pursuant to the provisions of the Reconstruction Finance Corporation Liquidation Act, as amended (67 Stat. 230), and Reorganization Plan No. 1 of 1957 (22 F.R. 4633); to the Committee on Banking and Currency.

862. A letter from the Acting Director, International Cooperation Administration, transmitting a copy of reply to the Comptroller General of the United States relating to the General Accounting Office report on their examination of the assistance program for Pakistan for the fiscal years 1955 through 1957, as administered by the International Cooperation Administration under the mutual security program; to the Committee on Government Operations.

863. A letter from the Chairman, Foreign Claims Settlement Commission of the United States, transmitting a report prior to restoration of balances as of March 31, 1959, pursuant to Public Law 798, 84th Congress; to the Committee on Government Operations.

864. A letter from the Director, Administrative Office, U.S. Courts, transmitting a draft of proposed legislation entitled "A bill to amend subdivision c of section 39 of the Bankruptcy Act (11 U.S.C. 67c) so as to clarify time for review of orders of referees"; to the Committee on the Judiciary.

865. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to Public Law 863, 80th Congress; to the Committee on the Judiciary.

866. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a copy of the order suspending deportation in the case of Angelina Diaz De Hernandez, A–2561599, pursuant to the Immigration and Nationality Act of 1952; to the Committee on the Judiciary.

867. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated March 3, 1959, submitting a report, together with accompanying papers and illustrations, on a letter report on Pine Island Bayou, Tex., authorized by the River and Harbor Act approved March 2, 1959; to the Committee on Public Works.

868. A communication from the President of the United States, transmitting proposed supplemental appropriations for the fiscal year 1959 in the amount of $45 million for the National Aeronautics and Space Administration (H. Doc. No. 114); to the Committee on Appropriations and ordered to be printed.

869. A letter from the Comptroller General of the United States transmitting a report on the examination of the pricing of certain Department of the Navy contracts with the Air Arm Division, Westinghouse Electric Corp., Baltimore, Md.; to the Committee on Government Operations.

870. A letter from the Assistant Secretary of the Interior, relative to the receipt of a project proposal relating to the Haights Creek Irrigation Co., of Kaysville, Utah, having applied for a loan of $214,000 on a project estimated to cost $228,000, pursuant to section 10 of the Small Reclamation Projects Act of 1956; to the Committee on Interior and Insular Affairs.

871. A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation entitled "A bill to amend title 10, United States Code, to revise certain provisions relating to the promotion and involuntary retirement of officers of the Regular components of the Armed Forces"; to the Committee on Armed Services.

872. A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation entitled "A bill to authorize certain generals of the Army to accept and wear decorations, orders, medals, presents, and other things tendered them by foreign governments"; to the Committee on Foreign Affairs.

873. A letter from the Comptroller General of the United States, transmitting a report on the limited review of selected offshore procurement contracts awarded and administered by the Directorate of Procurement and Production, Air Materiel Force, European area, in fiscal years 1954, 1955, and 1956; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 5460. A bill to donate to the Pueblo of Isleta certain Federal property in the State of New Mexico; without amendment (Rept. No. 275). Referred to the Committee of the Whole House on the state of the Union.

Mr. HAYS: Committee on House Administration. House Concurrent Resolution 95. Concurrent resolution authorizing reprinting of House Document 451 of the 84th Congress; without amendment (Rept. No. 276). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Resolution 157. Resolution authorizing the printing as a House document of the staff report entitled "The Next Ten Years in Space, 1959–69"; with amendment (Rept. No. 277). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Resolution 168. Resolution to print as a House document the publication "Committee on Un-American Activities—What It is—What It Does," and to provide for the printing of additional copies; without amendment (Rept. No. 278). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Resolution 169. Resolution to print as a House document the publication "Patterns of Espionage" and to provide for the printing of additional copies; without amendment (Rept. No. 279). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Resolution 170. Resolution authorizing the printing of additional

copies of House Report No. 1724, 85th Congress, 2d session; without amendment (Rept. No. 280). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Resolution 177. Resolution authorizing the printing of the publication "U.S. Capitol Page School"; with amendment (Rept. No. 281). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Resolution 194. Resolution providing for printing additional copies of House Report No. 2713, 85th Congress; without amendment (Rept. No. 282). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Resolution 201. Resolution authorizing the printing of a report entitled "U.S. Foreign Aid, Its Purposes, Scope, Administration, and Related Information"; with amendment (Rept. No. 283). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Resolution 228. Resolution authorizing the printing of additional copies of House Report No. 187, current session; without amendment (Rept. No. 284). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Resolution 232. Resolution providing for printing additional copies of the hearings entitled "Mineral Treatment Processes for Percentage Depletion Purposes"; without amendment (Rept. No. 285). Ordered to be printed.

Mr. JONES of Missouri: Committee on House Administration. Senate Joint Resolution 19. Joint resolution authorizing the Architect of the Capitol to present to the Senators and Representative in the Congress from the State of Alaska the official flag of the United States bearing 49 stars which is first flown over the west front of the U.S. Capitol; without amendment (Rept. No. 286). Ordered to be printed.

Mr. COOLEY: Committee on Agriculture. H.R. 6353. A bill to amend the Federal Farm Loan Act to transfer responsibility for making appraisals from the Farm Credit Administration to the Federal land banks, and for other purposes; without amendment (Rept. No. 287). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMPSON of New Jersey: Joint Committee on the Disposition of Executive Papers. House Report No. 288. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. BONNER:

H.R. 6496. A bill to extend the application of the Motorboat Act of 1940 to certain possession of the United States; to the Committee on Merchant Marine and Fisheries.

H.R. 6497. A bill to amend the Canal Zone Act by the addition of provisions relative to the certification of public accountants and the regulation of their practice; to the Committee on Merchant Marine and Fisheries.

By Mr. BURDICK:

H.R. 6498. A bill to amend the act of September 2, 1958 (72 Stat. 1762, Public Law 85–915), concerning payment of debts out of compensation for trust land on the Standing Rock Sioux Reservation taken by the United States; to the Committee on Interior and Insular Affairs.

By Mr. McGOVERN:

H.R. 6499. A bill to amend the Federal Property and Administrative Services Act of 1949 to authorize the disposal of surplus property to certain welfare agencies; to the Committee on Government Operations.

By Mr. SIKES:

H.R. 6500. A bill to amend Public Law 85–818; to the Committee on Armed Services.

By Mr. McCULLOCH:

H.R. 6501. A bill to amend the Internal Revenue Code to assist small and independent business, and for other purposes; to the Committee on Ways and Means.

By Mr. MOORE:

H.R. 6502. A bill to amend the Internal Revenue Code to assist small and independent business, and for other purposes; to the Committee on Ways and Means.

By Mr. AVERY:

H.R. 6503. A bill to amend the Internal Revenue Code to assist small and independent business, and for other purposes; to the Committee on Ways and Means.

By Mr. SMITH of California:

H.R. 6504. A bill to amend the Internal Revenue Code to assist small and independent business, and for other purposes; to the Committee on Ways and Means.

By Mr. ROBISON:

H.R. 6505. A bill to amend the Internal Revenue Code to assist small and independent business, and for other purposes; to the Committee on Ways and Means.

By Mr. QUIE:

H.R. 6506. A bill to amend the Internal Revenue Code to assist small and independent business, and for other purposes; to the Committee on Ways and Means.

By Mr. O'NEILL:

H.R. 6507. A bill to amend the public assistance provisions of the Social Security Act so as to enable States to establish more adequate general assistance programs; to the Committee on Ways and Means.

By Mr. ANDERSON of Montana:

H.R. 6508. A bill to grant minerals, including oil and gas, on certain lands in the Crow Indian Reservation, Mont., to certain Indians, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BARRY:

H.R. 6509. A bill to authorize appropriations for the Federal-aid primary system of highways for the purpose of equitably reimbursing the States for certain free and toll roads on the National System of Interstate and Defense Highways, and for other purposes; to the Committee on Public Works.

By Mr. BONNER:

H.R. 6510. A bill to provide a flexible rate of interest for Government financing under the Merchant Marine Act, 1936, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. BROOKS of Louisiana:

H.R. 6511. A bill to repeal the excise tax on amounts paid for communication services or facilities; to the Committee on Ways and Means.

H.R. 6512. A bill to authorize appropriations to the National Aeronautics and Space Administration for salaries and expenses, research and development, construction and equipment, and for other purposes; to the Committee on Science and Astronautics.

By Mr. BROOMFIELD:

H.R. 6513. A bill to amend the Social Security Act to reduce, for purposes of old-age and survivors insurance benefits, the age requirements from age 65 to 60; to the Committee on Ways and Means.

H.R. 6514. A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide that accumulated sick leave be credited to retirement fund; to the Committee on Post Office and Civil Service.

By Mr. BUDGE:

H.R. 6515. A bill to maintain the domestic cobalt industry by increasing certain rates of duty and thereby decrease the dependence of the United States on foreign sources for this vital strategic and critical metal; to the Committee on Ways and Means.

By Mr. CHENOWETH:

H.R. 6516. A bill to approve a contract with the Conejas Water Conservancy District, Colo., to ratify its execution, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mrs. CHURCH:

H.R. 6517. A bill to authorize the establishment of the Indiana Dunes National Monument; to the Committee on Interior and Insular Affairs.

By Mr. COFFIN:

H.R. 6518. A bill to amend section 161, title 35, United States Code, with respect to patents for plants; to the Committee on the Judiciary.

By Mr. DINGELL:

H.R. 6519. A bill to amend the War Claims Act of 1948 to provide for the payment of benefits under such act to certain citizens and permanent residents of the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. FLYNN:

H.R. 6520. A bill to amend title II of the Social Security Act to increase all benefits thereunder by 10 percent and to provide that full benefits (when based on attainment of retirement age) will be payable to both men and women at age 60, and for other purposes; to the Committee on Ways and Means.

By Mr. FULTON:

H.R. 6521. A bill to amend chapter 15 of title 38, United States Code, to provide for payment of a pension of $100 per month to World War I veterans who have attained the age of 60 years; to the Committee on Veterans' Affairs.

By Mr. GRIFFIN:

H.R. 6522. A bill to provide for the use of surplus agricultural commodities as emergency feed for wildlife in certain cases; to the Committee on Banking and Currency.

By Mr. HALEY (by request):

H.R. 6523. A bill to add certain public lands in California to the Pala Indian Reservation, the Pauma Indian Reservation, and the Cleveland National Forest, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HALPERN:

H.R. 6524. A bill to amend the Internal Revenue Code of 1954 to provide a deduction from gross income for the expenses incurred by a disabled person in traveling to and from work, and to provide additional personal exemptions for taxpayers, spouses, and dependents who are disabled; to the Committee on Ways and Means.

By Mr. HORAN:

H.R. 6525. A bill to authorize the Secretary of the Interior to modify the works of the Grand Coulee Dam, Columbia Basin project, Washington, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. JOHNSON of Wisconsin:

H.R. 6526. A bill to promote the foreign policy of the United States and help to build essential world conditions of peace, by the more effective use of U.S. agricultural commodities for the relief of human hunger, and for promoting economic and social development in less developed countries; to the Committee on Agriculture.

By Mr. LAIRD:

H.R. 6527. A bill to provide for the issuance of a postage stamp in commemoration of the birth of Jesus Christ; to the Committee on Post Office and Civil Service.

By Mr. LOSER:

H.R. 6528. A bill to change the name of Kentucky Lake to Kentucky-Tennessee Lake; to the Committee on Public Works.

By Mr. McGOVERN:

H.R. 6529. A bill to amend the act of September 2, 1958 (72 Stat. 1766, Public Law 85–916), concerning payment of debts out of compensation for trust land on the Crow Creek Sioux Reservation taken by the United States; to the Committee on Interior and Insular Affairs.

H.R. 6530. A bill to promote the foreign policy of the United States and help to build

essential world conditions of peace, by the more effective use of U.S. agricultural commodities for the relief of human hunger, and for promoting economic and social development in less developed countries; to the Committee on Agriculture.

By Mrs. MAY:

H.R. 6531. A bill to authorize the Secretary of the Interior to modify the works of the Grand Coulee Dam, Columbia Basin project, Washington, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. METCALF:

H.R. 6532. A bill to amend the public assistance provisions of the Social Security Act to provide that the value of restricted Indian lands shall not be taken into account in determining the need of any Indian for such assistance; to the Committee on Ways and Means.

By Mr. MICHEL:

H.R. 6533. A bill to amend the Agricultural Act of 1949 (7 U.S.C. 1421) with respect to restrictions on sales by the Commodity Credit Corporation; to the Committee on Agriculture.

By Mr. NELSEN:

H.R. 6534. A bill to provide that certain aircraft may travel between the United States and Canada and between the United States and Mexico without requiring the owners or operators thereof to reimburse the United States for extra compensation paid customs officers and employees; to the Committee on Ways and Means.

By Mr. REUSS:

H.R. 6535. A bill to amend title IV of the Social Security Act to authorize Federal assistance, under the program of aid to dependent children, for children whose father is unemployed as well as for those whose father is dead, disabled, or absent from home; to the Committee on Ways and Means.

By Mr. ROGERS of Florida:

H.R. 6536. A bill to amend section 106 of title 38, United States Code, to provide veterans' benefits for individuals who served as contract surgeons during World War I; to the Committee on Veterans' Affairs.

H.R. 6537. A bill to provide for the denial of passports to persons knowingly engaged in activities intended to further the international Communist movement; to the Committee on Foreign Affairs.

H.R. 6538. A bill to amend title II of the Social Security Act to increase from $1,200 to $3,600 the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. VAN ZANDT:

H.R. 6539. A bill to amend the act of December 18, 1942 (relating to research for utilization of coal), to authorize the Secretary of the Interior to make a certain contract or contracts for research and to make certain grants to the State of Pennsylvania; to the Committee on Interior and Insular Affairs.

By Mr. BREEDING:

H.R. 6540. A bill granting the consent of Congress to the States of Kansas and Nebraska to negotiate and enter into a compact relating to the apportionment of the waters of the Big Blue River and its tributaries as they affect such States; to the Committee on Interior and Insular Affairs.

By Mr. HARRIS:

H.R. 6541. A bill to amend section 208(c) of the Interstate Commerce Act, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. McINTIRE:

H.J. Res. 347. Joint resolution proposing an amendment to the Constitution prohibiting a State from taxing certain income of a nonresident; to the Committee on the Judiciary.

By Mr. VAN PELT:

H.J. Res. 348. Joint resolution to authorize the Secretary of Commerce to sell certain war-built vessels; to the Committee on Merchant Marine and Fisheries.

By Mr. JOHNSON of Colorado:

H. Con. Res. 113. Concurrent resolution providing for the development through the United Nations of international educational programs; to the Committee on Foreign Affairs.

By Mr. ANDERSON of Montana:

H. Con. Res. 114. Concurrent resolution providing for the development through the United Nations of international educational programs; to the Committee on Foreign Affairs.

By Mr. ASHLEY:

H. Con. Res. 115. Concurrent resolution providing for the development through the United Nations of international educational programs; to the Committee on Foreign Affairs.

By Mr. BREEDING:

H. Con. Res. 116. Concurrent resolution providing for the development through the United Nations of international educational programs; to the Committee on Foreign Affairs.

By Mr. BURDICK:

H. Con. Res. 117. Concurrent resolution providing for the development through the United Nations of international educational programs; to the Committee on Foreign Affairs.

By Mr. BURNS of Hawaii:

H. Con. Res. 118. Concurrent resolution providing for the development through the United Nations of international educational programs; to the Committee on Foreign Affairs.

By Mr. CARTER:

H. Con. Res. 119. Concurrent resolution providing for the development through the United Nations of international educational programs; to the Committee on Foreign Affairs.

By Mr. COAD:

H. Con. Res. 120. Concurrent resolution providing for the development through the United Nations of international educational programs; to the Committee on Foreign Affairs.

By Mr. FOLEY:

H. Con. Res. 121. Concurrent resolution providing for the development through the United Nations of international educational programs; to the Committee on Foreign Affairs.

By Mr. FULTON:

H. Con. Res. 122. Concurrent resolution providing for the development through the United Nations of international educational programs; to the Committee on Foreign Affairs.

By Mr. GEORGE:

H. Con. Res. 123. Concurrent resolution providing for the development through the United Nations of international educational programs; to the Committee on Foreign Affairs.

By Mrs. GREEN of Oregon:

H. Con. Res. 124. Concurrent resolution providing for the development through the United Nations of international educational programs; to the Committee on Foreign Affairs.

By Mr. HALPERN:

H. Con. Res. 125. Concurrent resolution providing for the development through the United Nations of international educational programs; to the Committee on Foreign Affairs.

By Mr. HECHLER:

H. Con. Res. 126. Concurrent resolution providing for the development through the United Nations of international educational programs; to the Committee on Foreign Affairs.

By Mr. HOLIFIELD:

H. Con. Res. 127. Concurrent resolution providing for the development through the United Nations of international educational programs; to the Committee on Foreign Affairs.

By Mr. IRWIN:

H. Con. Res. 128. Concurrent resolution providing for the development through the United Nations of international educational programs; to the Committee on Foreign Affairs.

By Mr. KARTH:

H. Con. Res. 129. Concurrent resolution providing for the development through the United Nations of international educational programs; to the Committee on Foreign Affairs.

By Mr. KASEM:

H. Con. Res. 130. Concurrent resolution providing for the development through the United Nations of international educational programs; to the Committee on Foreign Affairs.

By Mr. KASTENMEIER:

H. Con. Res. 131. Concurrent resolution providing for the development through the United Nations of international educational programs; to the Committee on Foreign Affairs.

By Mr. McGINLEY:

H. Con. Res. 132. Concurrent resolution providing for the development through the United Nations of international educational programs; to the Committee on Foreign Affairs.

By Mr. McGOVERN:

H. Con. Res. 133. Concurrent resolution providing for the development through the United Nations of international educational programs; to the Committee on Foreign Affairs.

By Mr. MEYER:

H. Con. Res. 134. Concurrent resolution providing for the development through the United Nations of international educational programs; to the Committee on Foreign Affairs.

By Mr. MOELLER:

H. Con. Res. 135. Concurrent resolution providing for the development through the United Nations of international educational programs; to the Committee on Foreign Affairs.

By Mr. MOORHEAD:

H. Con. Res. 136. Concurrent resolution providing for the development through the United Nations of international educational programs; to the Committee on Foreign Affairs.

By Mr. O'HARA of Illinois:

H. Con. Res. 137. Concurrent resolution providing for the development through the United Nations of international educational programs; to the Committee on Foreign Affairs.

By Mr. PORTER:

H. Con. Res. 138. Concurrent resolution providing for the development through the United Nations of international educational programs; to the Committee on Foreign Affairs.

By Mr. QUIGLEY:

H. Con. Res. 139. Concurrent resolution providing for the development through the United Nations of international educational programs; to the Committee on Foreign Affairs.

By Mr. RHODES of Pennsylvania:

H. Con. Res. 140. Concurrent resolution providing for the development through the United Nations of international educational programs; to the Committee on Foreign Affairs.

By Mr. RIVERS of Alaska:

H. Con. Res. 141. Concurrent resolution providing for the development through the United Nations of international educational programs; to the Committee on Foreign Affairs.

By Mr. ROOSEVELT:

H. Con. Res. 142. Concurrent resolution providing for the development through the United Nations of international educational programs; to the Committee on Foreign Affairs.

By Mr. TELLER:
H. Con. Res. 143. Concurrent resolution providing for the development through the United Nations of international educational programs; to the Committee on Foreign Affairs.

By Mr. WOLF:
H. Con. Res. 144. Concurrent resolution providing for the development through the United Nations of international educational programs; to the Committee on Foreign Affairs.

By Mr. HIESTAND:
H. Con. Res. 145. Concurrent resolution providing for an investigation of mental health programs which are being promoted; to the Committee on Rules.

By Mr. MORGAN:
H. Con. Res. 146. Concurrent resolution calling for a convention of delegates from the NATO countries to explore methods of achieving more effective and democratic unity in advancing their common interest; to the Committee on Foreign Affairs.

By Mr. McCORMACK:
H. Res. 247. Resolution to authorize printing additional copies of House Document 57 (86th Cong.); to the Committee on House Administration.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By Mr. FLYNN: Memorial of the Wisconsin Legislature memorializing the Congress of the United States to take steps to acquire, establish, and develop a Kettle Moraine National Park in Wisconsin to properly commemorate the glacial age; to the Committee on Interior and Insular Affairs.

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to World War I veterans' pension; to the Committee on Veterans' Affairs.

Also, memorial of the Legislature of the State of Missouri, memorializing the President and the Congress of the United States to establish a sliding scale tariff on lead imports for the purpose of combating excessive foreign imports on the market; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of South Carolina, memorializing the President and the Congress of the United States to safeguard and preserve established State and individual rights to the use of water within the separate States; to the Committee on Interior and Insular Affairs.

Also, memorial of the Legislature of the State of Washington, memorializing the President and the Congress of the United States to make provision now for the inclusion of the convertible features during the initial construction of the new atomic reactor at Hanford; to the Joint Committee on Atomic Energy.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLATNIK:
H.R. 6542. A bill for the relief of Tomislav Mrvica; to the Committee on the Judiciary.

By Mr. HAGEN:
H.R. 6543. A bill for the relief of Edward M. Thompson; to the Committee on the Judiciary.

By Mr. HALPERN:
H.R. 6544. A bill for the relief of Mrs. Yen Fue; to the Committee on the Judiciary.

H.R. 6545. A bill for the relief of George Vargha (known as George Gracza) and his wife Joyce Mary Vargha (known as Joyce Mary Gracza); to the Committee on the Judiciary.

By Mr. KIRWAN:
H.R. 6546. A bill for the relief of Nancy Mae Floor; to the Committee on the Judiciary.

By Mr. McFALL:
H.R. 6547. A bill for the relief of Manuel Cardoso, Jr.; to the Committee on the Judiciary.

By Mr. MARTIN:
H.R. 6548. A bill for the relief of John S. Cardoso; to the Committee on the Judiciary.

By Mr. TEAGUE of California:
H.R. 6549. A bill for the relief of Dominador D. Galdo; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

158. By Mr. GROSS: Petition of 485 citizens of Waterloo, Iowa, urging that the burden of Government expenditures be reduced to the lowest practicable level and that a program of tax reform be instituted which would result, over a reasonable period of time and on an orderly basis, in a tax-rate structure—particularly in regard to the Federal income tax—which would be moderate at all levels and permit the maximum development of the Nation's economic potential. Petitions are herewith submitted by James Fox, president of the Waterloo Junior Chamber of Commerce, in connection with the organization's project tax reform; to the Committee on Ways and Means.

159. By the SPEAKER: Petition of the clerk, Orange County Board of Supervisors, Goshen, N.Y., petitioning consideration of their resolution with reference to requesting suspension of the operation of the so-called Byrd amendment to the Federal road program; to the Committee on Public Works.

160. Also, petition of Edmond P. Egan, Schenectady, N.Y., relative to a redress of grievance against the Department of Justice, Secretary of the Navy, Civil Service Commission, and the Secretary of Defense; to the Committee on the Judiciary.

Questions Dictator Castro Did Not Answer

EXTENSION OF REMARKS
OF
HON. ALVIN E. O'KONSKI
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Monday, April 20, 1959

Mr. O'KONSKI. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following questions not answered by Fidel Castro:

First. You said that in case of war between the United States and Communist Russia, Cuba should remain neutral. Do you not think that such an attitude would work in Russia's favor?

Second. The Communist newspaper, Hoy, is now being printed in Havana on presses that you confiscated from their legal owners. Is your Government leasing these presses to the Communists, or did you sell them outright, or did you maybe give them to them?

Third. Former President Figuero, of Costa Rica, said in a speech in Cuba, that in the event of war, Latin American countries should support the United States. Why did you disagree publicly with Figuero on this point?

Fourth. People of the United States have always been friendly toward Cuba. The U.S. Government made absolutely no effort to intervene in your revolution. Why did you say you were ready to kill 200,000 gringos if the United States stepped in to protect American lives and property they own in Cuba?

Fifth. You have said publicly that news agencies, newspapers, and magazines have lied about you and your Government publicly. Would you be specific just who lied?

Sixth. Is it true that unemployment has increased to an alarming degree since you took over the Government in Cuba? Unemployment in private enterprise as well as government agency unemployment?

Seventh. By the way, why did you recently suspend 2,500 schoolteachers?

Eighth. When you attacked army barracks in Santa Ana and were captured and then sentenced to 15 years in prison, Batista, then the head of the Cuban Government, let you out in about a year and a half. Since you have become President of Cuba, why do you not follow the same policies? Or do you find it easier to shoot your prisoners? Is it probably cheaper?

Ninth. You have been looked upon as a fighter in favor of a democracy, and antidictatorship man. Why then do you give orders to your courts, and even ask reversals of decisions from "not guilty" to the "death sentence"? Is that democratic?

Tenth. In the famous trial of the 43 Air Force pilots which took place in Santiago, is it true that they were acquitted and that you showed your disapproval, and that therefore the attorneys were expelled from the courtroom and detained? Among them a lawyer who once defended you?

Is it not a fact that as a result of your orders, a new tribunal was formed under the supervision of your brother, Raul, and that he took the position of the district attorney, as well as the defense minister, and that he then accused his lawyers of being Batista sympathizers?

Eleventh. Is it not also true that these acquitted persons were tried all over again and the majority of them sentenced to 30 years at hard labor?

Twelfth. During the dictatorship which you fought against, the embassies in Havana had no trouble whatsoever in getting out of the country, those persons who took refuge in them? Why is there such a great contrast between what went on under Batista and what goes on today, regarding the right of refuge and asylum?

Thirteenth. You have said that the executions in Cuba would not exceed more than 400—yet there are well over 500 already, and 5,000 are still awaiting trial? Do you think such blood baths,

and such purges are becoming to a democratic government that professes love for humanity?

Fourteenth. Is it not true that your mother, Mrs. Lina Ruz Castro—your own mother—has said that during the Batista government she not only had personal guaranty of safety, but that her home and family properties were also protected? Would this policy not be better than the one your government presently engages in?

Verrazzano Day

EXTENSION OF REMARKS
OF
HON. ABRAHAM J. MULTER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, April 20, 1959

Mr. MULTER. Mr. Speaker, 435 years ago, on April 17, 1524, the first white man entered New York Bay and discovered Manhattan Island.

This man was the great Italian navigator and explorer, Giovanni da Verrazzano; a man whose name should rank with those of Columbus, Vespucci, and Magellan, but who instead, has been largely forgotten and ignored. He is rarely, if ever, mentioned in the textbooks and his history is only known to a few scholars. Yet, the fact remains that, 85 years before Henry Hudson and 96 years before the *Mayflower* pilgrims, Verrazzano had come to these shores, explored them carefully, and told Europe about them.

Giovanni da Verrazzano was born near Florence about 1485. His family was engaged in the trading of spices, silk, and other precious commodities from the Orient. Quite early in life Giovanni acquired his geographical and nautical knowledge in Egypt and Syria. He made his first trip to the New World in 1508 at the age of 23. Some years later he attracted the attention of the King of France who decided to send Verrazzano to discover a northwest passage to Asia. In January 1524, therefore, the navigator set sail on the 100-ton, 3-masted *Dauphine*. More than 3 months later he landed on the coast of North Carolina and named the new continent Francesca, after the King. He then proceeded northward as far as Newfoundland. En route the *Dauphine* anchored in New York Bay and was greeted by a group of surprised Indians whom Verrazzano described as agreeable, friendly, and pleasant. Unfortunately, the stay was cut short by an unfavorable wind, but not before New York was given its first name of Angoulgeme. A few years after this historic expedition Verrazzano, while exploring new lands, was captured by the natives and killed.

The contributions of Verrazzano to American history are many. He was the first man to chart and name the harbors, bays, capes, and islands that he discovered, thus opening the path to other voyagers who have come to these shores in ever-growing numbers since then. The principal merit of this great Italian, however, stems from the fact that he was the first European to sail to our shores with the express purpose of exploring them. His voyage has been called one of the most scientific and purposeful of all those made in the 16th century and his report of the voyage one of the most accurate of those written at that time.

Thus Verrazzano Day should serve to keep awake the appreciation and knowledge of our great historical heritage and as a reminder of the cultural relations between the Old and New Worlds that had their beginnings with the famous Florentine explorer, Giovanni da Verrazzano. It should also serve as just one more reminder of the great contributions made by the Italians to these United States.

From Verrazzano and Columbus down through the ages to La Guardia and Fermi the Italians have left their mark on American history and culture.

Dr. Warren Tracy and Coe College Library

EXTENSION OF REMARKS
OF
HON. LEONARD G. WOLF
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Monday, April 20, 1959

Mr. WOLF. Mr. Speaker, as the National Library Week draws to a close, I would like to salute the Stewart Memorial Library, which is a part of Coe College, one of the truly fine liberal arts colleges in my district.

The library, a gift of the late Col. Robert W. Stewart, has recently undergone a facility expansion and physical improvement program. The program, which amounted to $37,763, includes a new lighting system, new stacks and study areas, and new draperies. Other improvements for the library include a microfilm and microcard reader and a verifax photo copier.

This fine progress in the Coe College Library can be attributed to the untiring work of Dr. Warren Tracy, and his fine staff. The staff includes Mrs. Warren Tracy, reference librarian; Mrs. Fred C. Fisher, Jr., and Mrs. Freda Chambers, circulation librarians; Mrs. Donald Stonemen, cataloger, and part-time student workers.

Dr. Tracy, who is now in his fifth year as head librarian, has done a remarkable job of rebuilding the library. With a few grants, and many long hours of work by Dr. Tracy, the library collection now includes 65,000 volumes and 280 periodicals—some dating before the 1900's. Under his leadership exhibits of wider cultural and artistic scope are going to be sponsored by the library similar to the current one; the Gertrude Stein exhibit.

It must be remembered that the universities with their large libraries are not fully responsible for the cultural growth of a city. But rather it is the small liberal arts college libraries, with their small staffs, that have taken the cultural lead in the cities. These staffs, such as the one Dr. Tracy heads, have made the growth of their libraries a very personal one in which the entire city has benefited.

It is indeed an honor to give particular recognition to Dr. Warren Tracy and Coe College for their fine contribution to the liberal arts college library and to their city of Cedar Rapids.

Toll Charges for the St. Lawrence Seaway Are Grossly Inadequate and Once Again the American Taxpayer Is Headed for Another Multi-Million-Dollar Ride

EXTENSION OF REMARKS
OF
HON. JAMES E. VAN ZANDT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Monday, April 20, 1959

Mr. VAN ZANDT. Mr. Speaker, recently, it was announced that the United States and Canada had formally set the tolls which ships will be charged to use the St. Lawrence Seaway when it opens late in April. The tolls as announced for moving the length of the entire Seaway from Montreal to Lake Erie will be 6 cents on each ton of a ship's official weight plus 42 cents for each ton of bulk cargo or 95 cents a ton on general cargo.

In my opinion, these tolls will prove to be grossly inadequate and once again the poor taxpayer will be taken for another multi-million-dollar ride. The public who today pays for practically all of the costs of maintaining our entire system of inland waterways, is probably getting used to paying and paying for facilities which benefit only a handful. But that doesn't make it right.

It is inconceivable how the St. Lawrence Seaway Development Corporation, the American principal in drafting the tolls, can accomplish with the announced tolls the mandate of the Congress which is self-liquidation within 50 years of the $128 million cost. It is going to be utterly impossible to follow this mandate with inadequate toll charges which are based on highly speculative volumes and an estimate of prospective traffic volume which exceeds the practical capacity of the facilities soon to be opened.

In addition to the provisions of law regarding self-liquidation through toll revenues, there were important economic considerations which Congress must have certainly recognized when it was decided that tolls would be charged. One of the most important of these considerations was the Seaway's effect on the overall costs and adequacy of the Nation's transportation system. Unless the Seaway is fully self-supporting, with no element of subsidy to the users, it cannot possibly contribute to the true economy of the whole transportation picture. In a competitive transportation situation, inadequate tolls are going to

create uneconomic transportation patterns by shifting traffic from less costly methods to the more costly, subsidized method.

These inadequate toll charges which will not cover full costs place the railroads on a standby basis. This consequence will be all the more serious and disruptive because the Seaway is only a part-time transportation facility, whereas the Nation for its commerce and defense requires dependable transportation services in both summer and winter. The Nation's transportation requirements for defense obviously do not cease with the close of the navigation season, nor does its commerce hibernate.

Subsidizing the Seaway, through inadequate tolls, further aggravate these factors of instability, with seasonal disturbances of employment. This is in direct conflict with existing aims of national policy to encourage stability of employment conditions in the United States and in its several industries, including the railroads.

To arrive at the charges just announced, the Seaway Corporation, in estimating the annual tonnage that the Seaway could handle, is as far off first base as were the cost estimates presented in 1954 to the Congress to gain approval of the project. The cost estimates have now proven to be unrealistic and it is just a matter of time before there will be two outs. The official estimate of the annual capacity of the Seaway has been for some time 50 million tons—and now a Seaway official has said that it may reach 75 million tons. All I can say about both of these estimates is: fantastic. And I will tell you why.

The main purpose in deepening the St. Lawrence was to encourage oceangoing vessels having a draft of 27 feet or less to serve inland ports on the Great Lakes. In order to reach those ports, these ships must pass through the only connecting link between Lake Ontario and Lake Erie, the Welland Canal.

The capacity of the Welland Canal has generally been recognized as the critical limiting factor governing the volume of traffic that can move through the Seaway. It is amazing to me why the U.S. Tolls Committee in its report of last June said nothing about this very vital matter although a press release accompanying the report mentioned a maximum tonnage of cargo of 60 million tons at Welland. There was absolutely no explanation of how the figure, which of course is totally unrealistic, was picked out of thin air.

The records show that the peak traffic volume through the Welland Canal was 23 million tons in 1956. While I realize that the deepening of the canal and the Seaway to allow passage of ships having drafts up to 27 feet will mean that ships with greater tonnage capacity will use the facilities, it is utterly ridiculous to assume that the tonnage capacity at Welland will ever within the forseeable future reach 60 million tons a year. This, believe it or not, is more than 2½ times the traffic which has ever passed through the canal in 1 year.

Gentlemen, you must understand that the agreed-upon tolls were set using this fantastic tonnage capacity as a starting point and I am sure you are wondering how the Government is ever going to recoup its investment. You can stop wondering because there is not one chance in a thousand that it will.

How am I going to tell my friends back in Altoona, Pa., where the only water we have is Brush Run, which is deep enough for canoes after the rainy season, that they are going to help pay for the deficit which the Government faces because of inadequate tolls for the Seaway? They already know they are helping to contribute close to $40 million each year just to maintain navigation on our inland waterways system and many more millions to improve it. Soon they will be asked to help defray the costs of the Seaway.

And what about the Great Lakes, the nearest of which is almost 200 miles from my district. In a recent statement, commenting on the fact that the imposition of any tolls on the Seaway constituted a distinct threat to the economic well-being of the Great Lakes area, Adm. Lyndon Spencer, president of the Lake Carriers' Association, said:

> The Great Lakes are a natural highway for moving grain from western growing centers to eastern consuming centers.

Certainly the Great Lakes are a natural highway that no ships could use unless harbors were deepened, locks maintained, and channels dredged. Do you know how much the Government has spent to date on this natural highway—more than $500 million of your money and mine.

Many people have said that the recession caused most of the unemployment in the railroad industry that exists today. Perhaps it caused some layoffs, but to me a principal cause has and will continue to be the Government's subsidizing the water carriers. This must be curtailed.

But let us get back to the Welland Canal and its capacity. I wonder if the Development Corporation when it suggested the tolls which are supposed to cover the costs of the Seaway understood what the workable capacity of Welland meant. Certainly much more is involved than figuring the maximum number of lockages that can be performed per day and multiplying by the number of days in the navigation season to obtain a total of physical capacity in lockages. If they made this kind of mathematical caper, we are in for trouble.

In determining tonnage capacity, allowances should have been made for interruptions because of adverse weather and accidents. More important still is the fact that the traffic will not flow with uniform regularity all hours of the day, in all days of the peak month, in all months of the navigation season, or from one navigation season to another. These variations of traffic have a pronounced downward effect upon the practical capacity of the canal and should have been used as a basis in formulating toll levels to cover costs.

Available data clearly show that traffic at Welland is not evenly spaced throughout the navigation season, but starts off slowly, rises to a summer peak, and tapers off with the approach of cold weather. Therefore, any calculation of Welland's capacity that treats every day or month of the navigation season as equivalent is certain to involve substantial error and cannot represent the effective capacity.

So it is also with respect to year-to-year variations in traffic resulting from fluctuations in the general economy. This simply means that the top capacity of Welland, whatever it may be, will not be used every year, owing to business fluctuations affecting such major commodities as ore, grain, coal, as well as others. On the average, over a period of years, it is unlikely for this reason that the full annual capacity of Welland would be used to a greater extent than 90 percent, since the capacity cannot be exceeded but utilization will frequently fall below it. Over the 10 years from 1948 through 1957, for example, the volume of bulk freight on the Great Lakes ranged from a high of 200 million tons in 1953 to a low of 151 million tons in 1954. A realistic determination of toll levels should have taken these cyclical fluctuations into account.

Summing up all of these pertinent considerations, and giving them a realistic evaluation, points out clearly that the effective capacity of Welland cannot exceed 40 million tons and will be less than that year in and year out. This would allow for a maximum of 7,200 transits, with more large vessels than have used the canal up to now and fewer possibilities than in the past for multiple transits. It also allows for greater average cargo tonnage per vessel transited, but there appears to be no reason to assume that the average cargo tons per transit will exceed 5,500 tons at any time in the foreseeable future, which is more than twice as great as the average in recent years. There will be very probably some larger vessels, but there will also continue to be many small ones and empty ones to keep the average size of the vessels from soaring as the unrestrained optimists have led us to believe.

I am sure that if you agree with my analysis of the cargo tonnage capacity of Welland, which I think is very realistic, it goes without saying that the 40 million ton figure provides the top limit of tonnage that should have been taken as a basis for determining appropriate tolls for the St. Lawrence Seaway and for Welland.

Unfortunately for the taxpayer, the Tolls Committee in recognition of the functional relationship between the St. Lawrence and the Welland Canal has set the maximum seaway traffic at 50 million tons compared with 60 million tons for Welland. The difference of 10 million tons is principally accounted for by interlake traffic which does not use the St. Lawrence River. Very probably this interlake traffic will expand and further reduce the remaining seaway traffic potential as affected by Welland.

Since my analysis shows that the Tolls Committee has overestimated the Welland capacity by at least 20 million tons, it has likewise overestimated the available traffic potential of the Seaway in the St. Lawrence by at least the same amount. Hence, the maximum traffic for

the Seaway will be no more than 30 million tons instead of 50 million tons. This means that the Seaway revenues as calculated by the Tolls Committee on the basis of the agreed upon tolls will suffice to cover only 60 percent of the Seaway costs, thus falling far short of the requirements of law with respect to self-liquidation.

It is indeed unfortunate that those responsible for setting the tolls did not fully take into account a realistic tonnage capacity for Welland. If they had it would have been clear that considerably higher tolls were necessary to effect self-liquidation within the required period. I am sure the higher tolls would not have discouraged ships from using the Seaway because traffic that will become firmly attached to this route as the most advantageous means of transportation can afford to pay full-cost tolls. I can see no need to offer a bargain variety of tolls for traffic which can be realistically expected to develop for the Seaway on an economic basis. And yet, this is what has been done as the Seaway prepares to open for its navigation season.

Although the law states that a review of the situation must be made before July 1, 1964, this is much too long to wait if we are ever going to rectify the mistakes that have already been made. I therefore strongly urge that the St. Lawrence Seaway Development Corporation should insist that, after the close of the navigation season in 1960, a review of the toll charges be made to determine how much the tolls should be raised. After two full seasons, sufficient statistics should have been developed which will show whether we are collecting enough to cover our costs. I am sure these figures when they are made public, will show the absolute necessity for making an upward readjustment of tolls for the Seaway and the canal.

Social Security Makes Nickel-Shooter of Ponzi

EXTENSION OF REMARKS

OF

HON. NOAH M. MASON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1959

Mr. MASON. Mr. Speaker, under unanimous consent to extend my own remarks I submit the following broadcast I made over the Manion Forum Network on Sunday evening, April 12, 1959, when discussing the inequities and faults of our present old age security insurance system. I do so principally for the enlightenment and edification of the many new Members of Congress.

SOCIAL SECURITY MAKES NICKEL-SHOOTER OF PONZI

Dean MANION. I think it was Mark Twain who first said that everybody talks about the weather but nobody does anything about it. With our social security system, it is just the opposite. Everybody pays for it, but practically nobody talks about it.

The clever Washington bureaucrats who manage the involved, inexplicable mishmash, known as the Federal social security system, have made it into a political sacred cow. No matter where it roams, what it does, or how precariously it teeters on the brink of bankruptcy, no politician who equates his own chances for reelection with the public interest will dare to remonstrate.

In the handbook of practical politics, it says that all the ambitious Congressman is supposed to do about social security is to raise the benefits and spread the coverage. If he should happen to question the obvious vandalism of thus burning the taxpayer's candle at both ends, he will be deluged with vituperation as a calloused enemy of our needy old people.

Fortunately, there are a few Congressmen in Washington who do not quail before the menacing public relations octopus of the Federal Department of Health, Education, and Welfare, and who thus dare to tell the awful truth about our present social security system.

I have one of these courageous Congressmen with me at this microphone now. Representative NOAH MORGAN MASON, of Illinois, has been a Member of Congress for 20 years. His firmly established reputation for honest, enlightened statesmanship enabled him to throw away the political handbook years ago. I am sure you will agree that his candor is refreshing and that his logic is irrefutable.

Here is my greatly respected friend, Congressman MASON.

Congressman MASON. Thank you, Dean Manion, for those kind words of introduction. I am both honored and delighted to be given this opportunity to speak to your Sunday evening radio audience on the subject of social security. It is a difficult subject to understand or to explain.

Our present social security setup is unsound, inequitable and dishonest. The Brookings Institution, one of the best research organizations in the United States today, after a careful and exhaustive study, recommended that our social security setup be scrapped, abandoned, and that a pay-as-you-go social security program be established in its place.

I agree with that recommendation. If it were adopted and carried out, it would mean, as the Brookings Institution expresses it: "Our generation would care for its own old people and trust future generations to do likewise."

In 1950, after 3½ months of exhaustive hearings before the Ways and Means Committee, I was one of the three members of that committee who voted "no" on a bill that proposed to expand the coverage of social security and to increase the benefits. I was also 1 of 14 House Members to vote "no" on the final passage of that bill in the House.

Since then, I have opposed every attempt to expand our social security program, to increase its benefits, or to increase the social security tax rates. Yet, I am heartily in favor of a sound, liberal social security program to take care of our needy old people.

UNSOUND, DISHONEST, INEQUITABLE

The overwhelming weight of the evidence gathered during the 3½ months of public hearings in 1950 was to the effect that our present social security setup was unsound, dishonest, and inequitable, that it was "a Ponzi-type shell game," sold to the American people, by F.D.R. and his New Deal associates, as a plan to provide security in their old age.

It is an insurance program which if practiced by any insurance company today would land every director and every official of that company in the penitentiary for misuse or misappropriation of trust funds.

The present social security program is characterized in a report of the Brookings Institution as a plan whereby "we (the present generation) do the promising; you (all future generations) do the paying." That is an accurate picture of our present social security program.

The following social security facts bear out these contentions; they cannot be ignored:

First. When the social security law was adopted in 1934, it provided that all money collected in social security taxes should be dumped into the Federal Treasury and that such cash could be used for the general expenditures of the Government, placing Government I O U's or bonds into the social security fund in lieu of the cash as a bookkeeping arrangement. That provision is still in the law.

Second. Under the law, some $50 billion has been collected in social security taxes, but less than half that amount has been paid out in benefits. The balance—all spent for the general expenditures of the Government—is a debt that has been placed upon the backs of future generations.

Taxing American workers to get money to pay social security benefits to the workers upon retirement, then spending half the money collected for other purposes is neither fair nor equitable.

Third. Our social security program, since its inception, has been used for political purposes by both parties. In election years, benefits have been increased to attract votes for the party in power, thereby making the social security fund actuarily unsound.

Then, in the off-election year, the social security tax rates have been increased to try to get the fund back on an actuarily sound basis. (If that is not playing politics with the welfare of our retired old people, I do not know what is.)

Fourth. The original purpose of the social security program was to establish a floor of security under the low-income worker for support in his old age. He was then expected to build upon that floor added security by buying insurance, by establishing a savings account, or by making investments with his extra cash.

To make this possible, a tax was levied only upon the first $2,000 of the worker's income. Today, we levy a tax upon the first $4,800 of the worker's income, leaving little if any cash for the taxpayer to invest for himself.

We have entirely forgotten the original purpose of social security. Today, Uncle Sam acts as though the worker is not capable of spending his own money wisely, for security in his old age; therefore, the Government must do it for him.

SHOULD BE ON PAY-AS-YOU-GO BASIS

These facts—and they are facts—added to the evidence given in the public hearings in 1950, convince me that we should, without further delay, adopt the social security recommendations of the Brookings Institution and place the social security program upon a cash basis—a pay-as-you-go basis.

If we did that, it would eliminate the present yearly $500 million interest charge upon our fictitious social security fund—which will soon become a $1 billion interest charge.

It also would do away with all need for reserves, all need for level premiums, all need for costly and elaborate bookkeeping systems, all need for the present heavy administrative costs of social security, and it would make possible the payment of more liberal social security benefits to our retired old people in the lower income brackets. That in itself would be well worthwhile.

To demonstrate how unsound and dishonest our present social security program is, I offer the following hypothetical case:

John Smith decides to establish his own social security program, so he deducts a certain percent of each pay check he receives

and places the cash regularly in his safe deposit box. After doing this for several years and having thus set aside, say, $5,000, to insure security in his old age, John Smith starts to spend each month more than he earns—as Uncle Sam does now.

Then, John Smith hits upon the plan of taking a certain amount of cash out of his lockbox each month to spend, placing in the box, in lieu of the cash extracted, promissory notes to himself. If John Smith keeps this up, when he retires he will have only promissory notes to himself to live on—which he has no way of changing into cash for groceries.

That is exactly what Uncle Sam is doing with the social security tax receipts—the only difference being that Uncle Sam has the general taxing power to invoke in order to change his I O U's into cash to meet his future social security obligations.

But, that means of course new taxes, additional taxes, to meet obligations that are supposed to have been paid for already by the beneficiaries.

I wonder if that scheme of taxing the children and grandchildren of the social security beneficiary for something he and his employer are supposed to have paid for can be called anything but dishonest and immoral, a Ponzi-type shell game that has been sold to the American taxpayer as a plan to provide security in his old age.

For years I have been working in Congress, not to abolish social security, as some people would have you believe, but rather to place our social security program upon a sound basis, a cash basis, a pay-as-you-go basis, collecting each year just the amount of social security taxes needed to pay the benefits due that year for the support of our retired old people.

In that way—paraphrasing the words of the Brookings Institution report—we (the present generation) would take care of our own old people, and you (all future generations) would be expected to do likewise. To my mind, that would be the sensible thing to do in connection with our social security problem.

Dean MANION. Thank you, Congressman NOAH MASON. Now, my friends, do you see any reason why the irrefutable truth that Congressman MASON has just spoken should not be brought to the millions who are now being ruthlessly taxed under the false pretense that they are thus providing for their old age?

We must take care of our needy old people and that is the very reason why the present so-called social security system, which is merely taxation with misrepresentation, should be changed for something that will do the necessary job.

Send Congressman MASON'S speech to your Congressman. Ask him to give you his frank opinion on the merits of what Congressman MASON has suggested.

Lewis L. Strauss

EXTENSION OF REMARKS
OF
HON. CRAIG HOSMER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, April 20, 1959

Mr. HOSMER. Mr. Speaker, one of the most honorable gentlemen, courageous and patriotic men, able and dedicated public servants it has been my privilege to know is Lewis L. Strauss. He is gentle; he is kind; he is humble; he possesses the quality of greatness that in our history such rare men as he have given as a heritage to the Nation. At the moment he is enduring a prolonged and difficult personal trial. It is good that those who know, admire, and respect him speak words of encouragement at this time.

Anniversary of Lincoln's West Virginia Statehood Proclamation

EXTENSION OF REMARKS
OF
HON. KEN HECHLER
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Monday, April 20, 1959

Mr. HECHLER. Mr. Speaker, today is an important date in the history of my home State of West Virginia. On this date 96 years ago, the Great Emancipator, President Abraham Lincoln, signed the proclamation that designated West Virginia a new State.

The actual admission of West Virginia into the Union came 60 days later, on June 20, 1863, under the terms of President Lincoln's proclamation. This latter date is celebrated as West Virginia Day in our State, but the confirmation of its entry into the Union occurred on April 20.

President Lincoln, sorely beset by the crushing burden of wartime leadership, probably had little time to reflect on the consequences and importance of his action. But there is little doubt that the formation of this new State was widely acclaimed. The courageous stand against slavery—and particularly against being drawn into war with the indissoluble Union—which the hardy and independent mountain folk had taken was thus rewarded with status as a free and equal State, and deservedly so.

It is an oversimplification, however, to say that the western counties broke away from the mother State over the issue of slavery alone. This was a contributing factor, but not the only one by any means.

There had long been sentiment for the creation of a separate State west of the crest of the Appalachians.

Geographically, the mountaineers who settled the slopes and valleys of West Virginia were much closer to their neighbors in the Ohio Valley than to other sections.

By sentiment, too, the western Virginian belonged with his hardy counterparts in Kentucky and Ohio. The mountaineer, struggling to forge a better life for his family amid the towering, forbidding mountains, felt that the voice of the mountain dweller—then as today—was not always heard.

Thus, we can see that in many respects—in fact, in almost all respects—the stage was set for West Virginia statehood long before the slave issue set the Nation aflame. There had been repeated efforts to form a separate State long before the war triggered the final break.

West Virginia has come a long way since then. Vast deposits of untold mineral wealth have poured from her mountains, particularly in the unbelievably rich coalfields to the south. Chemical, glass and steel manufacturers have chosen the many resources of the State in the manufacture of their products. Her forests are still undepleted, although millions of feet of timber have been taken from her majestic hills.

This growth might have been slowed, might possibly never have attained its present stature at all, had not President Lincoln determined to permit this economic entity to become a separate State 96 years ago today.

Today, the State of West Virginia already is making forward-looking plans for its centennial, 4 years hence in 1963. Already, elaborate preparations are being made to pay fitting tribute to a great State entering its second century. Realistic and thoughtful planning is being done in regard to West Virginia's future, in an attempt to assure that the second century will be even greater in achievement than the first.

It is only fitting that we pause, as these many preparations gain momentum, to pay tribute to the great American who affixed his signature to the document that proclaimed West Virginia's birth, during the year that marks the 150th anniversary of his birth.

Under unanimous consent I at this point insert the text of Abraham Lincoln's proclamation of April 20, 1863:

PROCLAMATION ADMITTING WEST VIRGINIA INTO THE UNION, APRIL 20, 1863, BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

Whereas by the act of Congress approved the 31st day of December last, the State of West Virginia was declared to be one of the United States of America, and was admitted into the Union on an equal footing with the original States in all respects whatever, upon the condition that certain changes should be duly made in the proposed constitution for that State; and

Whereas proof of a compliance with that condition, as required by the second section of the act aforesaid, has been submitted to me:

Now, therefore, be it known that I, Abraham Lincoln, President of the United States, do hereby, in pursuance of the act of Congress aforesaid, declare and proclaim that the said act shall take effect and be in force from and after 60 days from the date hereof.

In witness whereof, I have hereunto set my hand, and caused the seal of the United States to be affixed.

Done at the city of Washington, this 20th day of April, in the year of our Lord, one thousand eight hundred and sixty-three, and of the independence of the United States the 87th.

ABRAHAM LINCOLN.

By the President:
WILLIAM H. SEWARD,
Secretary of State.

District Home Rule

EXTENSION OF REMARKS
OF
HON. ALVIN E. O'KONSKI
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Monday, April 20, 1959

Mr. O'KONSKI. Mr. Speaker, in his famous Cataline oration, that great

Roman statesman, Cicero, spoke seven words which legions of schoolboys over the intervening centuries have committed to memory. These words are:

Quo usque tandem abutere, Catalina, patientia nostra.

How long, oh Cataline, will you abuse our patience?

The sense of frustration which Cicero expressed in the Roman Senate is one that we experience from time to time in this modern forum of representative government.

It is one that aptly describes my personal sentiments when I contemplate the situation of home-rule legislation in this body today. After years of study and despite the broad support for this bill, we have, at this hour, gotten exactly nowhere in obtaining consideration of the bill by the District Committee.

It is not as if this legislation were new or revolutionary. This home-rule bill has passed the Senate four times in the last five Congresses. It is presently being heard by the Senate District Committee.

It is not that there is no interest in the bill. Twenty-three Members of this House, of both parties, have introduced the legislation.

It is not that the bill has no urgency attached to it. The president of the District Commissioners has characterized it as the most important piece of legislation affecting the District before the Congress.

Nor can one say that there is little sentiment in favor of home rule in the District itself. In the District Democratic primary of 1956, nearly 80 percent of the voters expressed their support. Similarly, in a recent Republican mail poll, two-thirds were for it.

No, it is not lack of support, lack of interest or lack of importance that have stalled action. It is because there is wide support and interest—because the majority of the Members of this House are anxious to vote in favor of home-rule legislation—that the legislative process has been obstructed. Such obstructionism abuses our patience. How long will it last?

Washington Report

EXTENSION OF REMARKS

OF

HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1959

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following newsletter of April 18, 1959:

WASHINGTON REPORT

(By Congressman BRUCE ALGER, Fifth District, Texas, April 18, 1959)

Cherry blossoms amid balmy weather, snow, and bright 80-degree sunshine, in that order, make a strange week—but that's spring in Washington. Visitors are everywhere, enjoying sightseeing. Republican women from Dallas, Tex., and the Nation are here, holding their annual conference. It's a compliment to Congressmen to have visitors from home who will take the time to observe the legislative process. A Congressman's job would be better understood if constituents could see the committee work, where hearings are held and legislation fashioned. Then, the floor work in the House, and finally the endless office routine of correspondence over the problems of constituents. Frequently, all activities are simultaneous.

The Federal Government has grown so large in recent years it is now likely that legislation suffers from a lack of study by the Congressmen, who are besieged with countless other duties. Worse yet, this fact will go unrecognized so that Government getting out of hand will not be blamed on the right cause, namely, too little time to do too many things. Other charges will be made, and more legislation devised to correct legislation. Meanwhile, the water is muddied further by political parties that choose up sides with too hasty study of the facts. Only as a result of careful study of alternatives can the successful solutions to today's problems be found. Often, the obvious is most difficult to see. (Item: A Member sent a package of sightsavers made in his district to each Congressman saying, "We are entering that period of the session when budget figures will be flying fast and furiously. I trust these will assist you in seeing the figures more clearly.")

The military construction bill totaled $1,251 million for defense construction, $131 million of which is outside the United States and $548 million approximately is classified (secret). The bill includes such items as operational and training facilities, maintenance, research and development and test, hospital and medical facilities, housing, utilities and real estate. Texas' part is $28 million, including $348,000 for Dallas' Naval Air Station and $64,000 for the Army Reserve Center.

The military is big business in this Nation, even in this relatively small construction end. In fact, defense expenditures are so great and so integral a part of this Nation's economy, I wonder what would happen if Russia actually wanted peace, and we were suddenly faced with disarmament and demilitarizing. Could a nation of free people and business rooted in free enterprise survive competitively, as compared to the regimented societies of totalitarian states where people can be ordered about? Here's one to think about.

The Bob Taft Memorial Carillon Tower symbolizes the side of America that everyone can cherish and in remembering try to emulate, thanking God for the opportunity and freedom to do so. At the dedication these qualities came to the forefront, and refreshingly, without apology. Bob Taft laid down principles and then followed them, even when odds were great, when pressures against him were almost unbearable. Ambition and power were sacrificed when he relinquished seniority privileges to join another committee to write a labor law, which he reasoned then was the Nation's great need. Conscience was his guide, not political popularity. And when it came time to die, knowing this in advance, he met this without missing a stride. As he told Herbert Hoover, who urged him to go to the hospital, "My friend, you know what is the matter with me. I am going to die with my boots on." Here's American manhood at its best. As Mr. Hoover said, "In the belfry of this monument there is a magnificent carillon. When these great bells ring out, it will be a summons to integrity and courage." Congressmen should hear and heed these bells. Bob Taft's memory will help all Americans.

Our Secretary of State, John Foster Dulles, was resoundingly praised in the House when his retirement from office was announced. I wondered why he couldn't have received some of this praise earlier when instead his critics were denouncing him, chiefly for his unyielding firmness toward Russia. Like Taft, he may be appreciated more in the future, when those who counseled him to give in to Russia are long forgotten.

Why are so many of our greatest and strongest men removed from the scene when they are so badly needed? Lincoln, Taft, Senate Chaplain Peter Marshall, to name only three of the many. An even heavier load is distributed among those who remain. In this world we have a big job to do for ourselves, our children, and future generations. To this task we had better dedicate ourselves.

Remembering Taft's beliefs in the role of Federal Government would be so helpful today. For example: "This was the way America was built up. The only way to resume progress is to assure people again that Government will not interfere with their normal and reasonable efforts to make a living; that Government will not take away from them the profit which they make; that reasonable success will receive the recognition it deserves."

International Aspects of Education

EXTENSION OF REMARKS

OF

HON. GEORGE HUDDLESTON, JR.

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1959

Mr. HUDDLESTON. Mr. Speaker, in the March 12 issue of the County Herald, the journal of the Jefferson County (Ala.) Teachers Association, there was published an article which I prepared for this periodical entitled "International Aspects of Education." With the thought that the article might be of interest to the Members of Congress, I am pleased to insert same herewith in the CONGRESSIONAL RECORD:

INTERNATIONAL ASPECTS OF EDUCATION

We tend, so very often, to think about education in terms of the local viewpoint only. When education is mentioned our thoughts run straight to underpaid teachers, to crowded classrooms, to inadequate counseling and guidance for students, to the current American debate between the progressive educationists and the neoorthodox three R's supporters, and the question of whether Johnny and Janie can read. It is all well and good that we should indeed think first in terms of local education, for it is, obviously, on the local front that our efforts in behalf of better educational systems and methods and facilities have the most effect. Or I should say, it is on the city and county and State educational levels that we can most readily tell whether our efforts are having any effect whatsoever.

In any case, it is natural to consider education to be an immediate and intimate concern. What subject is there that receives more comment in the discussion of local affairs than this? Indeed, all of us talk about education and its needs, many of us worry about the problem, and a lot of us even try to do something about it.

Nevertheless, even if it is well and good and natural to think on education from the standpoint of what it means to Birmingham or Graysville or Shades Mountain, to Jefferson or Lamar or Baldwin Counties, or to the State of Alabama, I think we are detracting from the significance of the word if we do not extend our concept and consideration of education to an international scope.

How trite it must seem to you to read that your Congressman says that "the world is growing smaller each day" and that "today's foreigners are tomorrow's neighbors." And yet, how true. Is there anyone who has failed to be awed by the fact that jet planes and, more frightening, intercontinental ballistic missiles have stretched the meaning of "proximity" to include the entire world; distance is now so relative a term that it is measured in minutes and hours and only very rarely still in miles.

"Fly to Atlanta in 31 minutes," invites a local airline office. By the time most of you straighten up your desks at the end of the day, gather up your papers to grade and that complicated old Register to work on, and finally arrive home, the business executive who left Birmingham by plane at 3 p.m. is halfway to Washington. And on Saturday, if you are able to indulge yourselves and sleep 'til noon, do you realiez that the tourist who boarded the jet airliner in New York at 6:30 a.m.—the time you ordinarily have to get up—is now almost able to see the West England shore?

In saying that the world is becoming evermore smaller, we actually should be able to mean that our own private worlds are being enlarged. This brings us rather abruptly to one of the main points I am trying to make: education, as we look at it in and from Alabama, is, like travel, today necessarily considered universal in breadth. What we are doing in our local schools should not be automatically divorced from what the rest of the world is attempting to do in and through its educational institutions.

And yet there arises at this point a rather stinging question. If science and research and advanced knowledge—if education, in its broadest sense—have brought the nations of the world so close together, in the connotation that distance barriers have been broken down, what have science and technical skills and general education done to bring those human beings affected by this collapse of isolating geographical boundaries closer together from a different and more important standpoint?

How ironic it is that in an age when it is proclaimed that the moon is shortly to be visited by man, said man cannot seem to bridge the cultural gap between himself and people of the next hemisphere. How ironic that in an age when the suggestion that we may soon have to deal with Martians is not always made jestingly, Americans cannot not only not deal successfully and peacefully with the Russians who are their earthly enemies, but cannot even understand and deal with their longtime friends and neighbors in Latin America without great difficulty and many unnecessary misunderstandings.

I now proceed to answer part of that stinging question of what is being done in the field of education to narrow the cultural distances that still cause us to be in large measure intellectually confined to our own backyards. I will attempt to give only part of the answer because there is another part, even the most vital part, of the question that you yourselves must provide the answer to, and that is this: whatever we have done and are doing educationally to bring mankind on earth closer together in understanding and mutual appreciation, is it the right thing and have we done enough of it?

Perhaps my giving one answer to the question will enable you to consider more intelligently what your completing answer shall be. It is my hope that this is the case.

What America has done in international education is, quite naturally, largely synonymous with what the U.S. Government has done. By far the largest programs of international educational exchange are supported, totally or in part, by the Federal Government. But as these programs are based on the approval and support of the electorate, the Government's efforts in this field can, without stretching the point excessively, be equated with the efforts of the American people.

It was in connection with President Roosevelt's good neighbor policy with Latin America that the U.S. Government made its first significant commitment in the field of international education. A year after the Convention for the Promotion of Inter-American Cultural Relations had met in Buenos Aires in 1936, the Congress of the United States gave statutory authority for a broad program of exchange of persons betwen the United States and other American Republics to the end of extending scientific, technical, and general cultural relations with these countries.

The Second World War interrupted continuing development of such programs. It was that war, however, which was surely the most singularly shocking factor in our final realization that international cultural and educational exchanges were vitally necessary if peace was to prevail, however shakily, in the world. Thus it was that at the end of the war the U.S. Congress overwhelmingly approved a measure introduced by Senator WILLIAM FULBRIGHT, of Arkansas, to use some of the currencies and credits of other countries acquired by the United States through the sale of surplus property abroad for educational purposes. Two years later, in 1948, the United States Informational and Educational Exchange Act (often called the Smith-Mundt Act) authorized a worldwide program of broad purposes. Its intent was to "enable the Government of the United States to promote a better understanding of the United States in other countries, and to increase the mutual understanding between the people of the United States and the people of other countries," by providing for "an educational service to cooperate with other nations in (a) the interchange of persons, knowledge, and skills; (b) the rendering of technical and other services; and (c) the interchange of developments in the field of education, the arts, and sciences."

In addition, several other acts of Congress have provided for particular and distinctive educational exchanges with specific countries; such agreements exist with Finland and India, for example.

Aside from the international educational exchange programs which are operated mainly under the Fulbright and Smith-Mundt Acts by the Department of State, there are two other principal programs that relate to higher education. One is the program of educational activities of the International Cooperation Administration (ICA) which includes mainly the technical cooperation program authorized by the Mutual Security Act of 1954. The other is the basic program of the U.S. Information Agency (USIA) which is largely educational in nature and includes distinctly educational pursuits and aids.

There are some programs of international exchange on the secondary school level that are partially supported by the Government and I shall shortly deal with them and raise the question of whether they should receive extended support.

To summarize briefly the differences between the main programs related to higher education in general, the primary objective of the Smith-Mundt and the Fulbright programs is to increase international understanding to understanding abroad of the United States, its culture, and its foreign policy. This is done by sending American grantees abroad and bringing foreign nationals to this country, keeping this prime objective in mind. The specific educational or technical activities of the individuals involved in this program are of secondary interest.

In the ICA program, in contrast, the primary objective is to increase some specific technical competence abroad with specific ICA-sponsored projects. For example, prior to the building of a dam in Iran using joint American and Iranian funds, U.S. technicians are selected and sent overseas and/or Iranian engineers are brought to this country with the objective of accomplishing a particular technical-educational aim relative to the project.

The USIA has a multipurposed and broad-ranged field of activity. Through their offices located in principal foreign cities, they disseminate general information about the United States to anyone who requests it. Aside from sponsoring regular programs, such as providing public libraries where foreigners can obtain copies of every important American literary work, the USIA cooperates with American teacher-grantees by providing them background information for lectures, films on various aspects of our country, and such free souvenirs as maps of the United States to be distributed. They are also called upon to provide similar information to such study groups, civic organizations, and particular individuals as request them in those areas where there are offices of the Agency. There is no doubt that the USIA activity of supplying millions of dollars worth of American texts to foreign universities and secondary schools markedly affects instruction in these educational institutions, and this is particularly true in the underdeveloped countries.

Under the Fulbright Act of 1946, particular bilateral arrangements were authorized between the United States and individual nations. Made through the executive branch of the Government, these agreements provide for the exchange of persons for educational purposes. By the present time, 39 countries have concluded agreements with the United States to participate in this program. This program also permits granting of scholarships to foreign nationals to study in American-sponsored schools abroad. In the first year of its implemented existence (1948), the act saw an exchange of some 237 persons. This number has increased steadily, with the increased number of bilateral agreements involved, until by 1957 there were some 6,000 participants in the program that year. About one-third of these were Americans who went abroad to study at the university or graduate level, to teach on secondary or university level, to engage in particular research projects, to act as consultants to foreign governments or organizations, or to lecture before general audiences on topics of current interest. The remaining two-thirds of the participants were foreign nationals who engaged generally in the same type activities in this country.

Under the Smith-Mundt Act, which calls for exchange of persons for the same type purpose but promotes more specifically programs sponsored by academic institutions, libraries, nonprofit organizations, and business and industrial organizations, the number of persons participating each year has also grown to about 6,000 in the past few years. Under both the Smith-Mundt Act and the Fulbright Act, over 50,000 persons have participated in this international educational exchange.

The total cost of the two programs has grown to almost $25 million per annum, but it is well to remember that this is in large measure provided by what amounts to interest on wartime loans to foreign nations and by the sale of surplus property in foreign countries claimed by the United States as partial payment of debts owed to our Government by those countries.

There are several other programs carried on by the Government that should be mentioned. One of these is the cultural presentations staff, established by Congress in 1954 at the request of the President, which has

undertaken a program to assist cultural and athletic groups with foreign tours. This proved to be such a successful venture that 2 years after the program was set up by Congress on an emergency basis, it was made into a continuing activity by that body in an act approved August 1, 1956. Under the auspices of this program, over 2,500 American artists and athletes have performed in over 90 foreign countries.

This activity, along with special ones like our presentations at the recent World's Fair at Brussels, may not in the strictest sense deal with education. But it does, after all, educate those who view the presentations, of whatever nature, in the ways of American culture and tradition, and does so in a manner that perhaps cannot be equaled in any other way.

One of the most recent developments in the area of educational and cultural exchanges was the recent agreement between our Government and the U.S.S.R. to swap movies, radio, and television broadcasts, and magazines as well as exchange professors and graduate students for a period of 2 years, beginning in January 1958. Other exchanges are to take place between athletic teams and outstanding entertainment groups and artists. The most significant venture on the part of the United States under this agreement is the upcoming merchandise fair our Government is sponsoring in Moscow to show off our outstanding peaceable commodities, commonplace to us but which the average Russian will surely look on in wonder. Who can doubt whether this will make for good propaganda for our Nation in Russia?

In other areas of student exchange outside the Fulbright and Smith-Mundt Acts, the State Department also makes a contribution. Each year for the past several years, the Department has given grants-in-aid to such groups as the American Field Service. This is the largest of 5 privately sponsored organizations that promotes the exchange of students on the high school level. It is this program which perhaps presents the most interesting aspect of international education to you, for foreign exchange students are currently placed in several schools in Birmingham, Jefferson County, and Alabama. Perhaps you know first hand how very much one student from Norway or France or Germany can do to increase your students' interest in that country and to increase even community interest in learning about social and educational practices of foreign countries. Even a spark of such interest, when kindled by an interesting personality in the form of an exchange student, can result in solid friendships and greater mutual appreciation.

And I think I should mention that even a more important result of having exchange students in our high schools is that our young Americans take another look at our own culture and our own institutions in order better to answer the questions put to them by the "foreigner"; they know that for him it is not just an academic question, as is the case when a teacher poses it and already knows the book answer, but an innocent and sincere one that demands a thoughtful reply.

This program of high school student exchanges reached a number of 1,500 participants in 1958. They came from 38 countries. The Government subsidy of this program, in the form of grants-in-aid from the Department of State amounted to $125,000 in that year, a very small sum compared to the amounts spent in connection with exchanges on the university and higher educational levels. I wonder if it is your experience that this program is sufficently worthwhile to be enlarged and to receive greater Government support?

To refer again to the program affecting higher education, a recent survey was made by the U.S. Advisory Commission of Educational Exchange of the views of college presidents whose institutions were involved in student and teacher international exchanges. These men indicated their belief that the program has benefited higher education in several particular ways. One was that the caliber of the foreign scholarship winners to the United States was so superior that it enabled admissions officers to set up proper criteria for admitting other foreign students who wish to study independently. Another was that foreign students make important contributions to academic and community life especially through the interpretation of their cultures to the American people. They further said that presence of foreign students on the campus stimulates among the student body and faculty an increased interest in foreign affairs, and this is particularly true as regards those individuals who do not specialize in foreign languages or international affairs.

That the effect of those who have studied or taught abroad is beneficial to the institution to which an individual returns in the United States is, I think, almost universally true. There can be no question that foreign study is an immense boon to language teachers.

And finally, in most instances, those Americans who go abroad to teach, study, lecture, or engage in research, are generally successful in presenting the American way of life, the American culture, and the American viewpoint.

It will perhaps be of particular interest to you to have the report of a friend of mine recently returned from a year's study in Europe that even regional American cultures and traditions are appreciated by the European student of America. He states that one of the most popular courses taught at the University of Strasbourg, by an American Fulbright professor of English, was on the works of Mark Twain. Thus a greater understanding of America and Americans was gained by analyzing a particular region during a particular period. This should be reassuring to those of us who are concerned lest our friends across the seas think of us in terms of Brooklyn accents and Hollywood riches.

There have, of course, been areas of dissatisfaction with these programs. Foreign students complain sometimes that they have not been able to get the type of education for which they came here. Some have manifested a general inability to adjust appropriately to the American system of education which differs so widely from their own. Likewise, Americans gone abroad to study or teach often find that language barriers and local social customs sometimes make it extremely difficult to become sufficiently acquainted with the local populace to do any educating along the general lines proposed as the main point of the program, that is, the familiarization of foreign friends with the American culture and viewpoint.

One of these difficulties, it might be mentioned here, is the result of our all too meager emphasis on foreign languages in secondary and higher education. It is to be hoped this situation will shortly be ameliorated.

Such then is the general picture of the program of international education currently being carried on by the U.S. Government. It is not by any means the complete picture, but perhaps it will suffice to stir your thoughts and inquiries on the subject. I insist again that it is indeed important that you and I, along with those who are perhaps not so intimately connected with education, do take time to consider the subject from an international viewpoint.

Those who are today's students are tomorrow's teachers of men; and if there is a student or a potential student in any part of the world who is today denied access to the light of truth, it may well be he who helps bring darkness on the world tomorrow.

U.S.S. "Bryce Canyon": U.S. Good Will

EXTENSION OF REMARKS

OF

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1959

Mr. HOSMER. Mr. Speaker, one of the most effective instruments for creating goodwill abroad for the United States of America has come to be the officers and men of the U.S. Navy. Wherever they travel the wearers of our naval uniform regard gaining respect and friendship for our country as important a part of the duty to which they have devoted themselves as manning and fighting their ships if ever needs be.

Officers and men of the U.S.S. *Bryce Canyon,* homeported at Long Beach, Calif., and now serving in the Philippines, are typical of Americans in uniform doubling as people-to-people ambassadors of goodwill.

Recently, within little more than a week's period, several fine gestures of friendship to the people of the Philippines were signalled from the *Bryce Canyon.*

The ship established a $500 scholarship trust fund to provide a young Filipino of Olongapo with a year's instruction at the Feati Institute of Technology in Manila.

In announcing the scholarship, Capt. E. H. Steinmetz, USN, commanding officer of the destroyer tender, said:

Our officers and men raised the funds to provide an opportunity for a particularly deserving young man of Olongapo to further his education in the industrial arts field. The young man to be selected must have a demonstrated aptitude and capability for training in the industrial arts, must be of excellent character and moral integrity, must be financially unable to continue his education without assistance and must not be directly related to any active or retired U.S. Armed Forces personnel.

The *Bryce Canyon* spends most of her time in port at Subic Bay—

Captain Steinmetz explained—

and in appreciation of the very good relations we enjoy with the Philippine citizens of Olongapo we wanted to offer some needy young man with ability the chance to go to college. We wanted to demonstrate our thanks to his townspeople for their many kindnesses to us.

Just a few days earlier 11 officers and men of the *Bryce Canyon* had gone ashore on a mission of mercy. A 38-year-old woman lay dying in the Olongapo Hospital suffering from severe anemia, jaundice, and a severe gall bladder condition. The hospital had no blood bank and only a limited blood supply. The woman required a pint of blood a day if she was to live.

No call went out, no one requested any blood, but the word leaked back to the *Bryce Canyon* that someone needed help. True to their ship's motto, "Always ready," the crewmen literally rushed to the hospital and gave 11 pints of healthy blood.

Grateful for the blood donations, the doctors served, to the surprise and pleasure of the donors, two rounds of local Philippine Island beer stating: "Beer is the best medicine for rebuilding the red blood corpuscles."

The woman's condition is still uncertain, but the Filipino doctors believe she will live, and the men of the *Bryce Canyon* have given their stamp of approval to Filipino blood-building techniques.

This act, in its turn, was preceded only a few days by a visit of several officers and men of the *Bryce Canyon* to a nearby pigmy village to donate over 150 pounds of food to its people.

The pigmies, called Negritos in the Philippines, are a very poor people and make their livelihood selling bows and arrows as souvenirs in the town of Olongapo. In the days of old they were a savage headhunting tribe but civilization has slowly caught up with and passed them. They live in the hills near the Subic Bay Naval Base, in bamboo huts.

Among the food given the pigmies was dry milk. This was the first time the pigmies had seen milk of such a dry consistency but after shown how to mix the milk they expressed their amazement and gratitude for the food.

Meanwhile, being constructed aboard the *Bryce Canyon* is a giant flagpole for the Philippine Boy Scout camp at Manila, which will be the site of the World Boy Scout Jamboree beginning July 17.

These are but examples of the kind spirit of America exhibited by the many ships and many men of the U.S. Navy in many lands throughout the world. To them all, a grateful Nation says, "Well done, U.S. Navy."

State Taxation of Nonresidents

EXTENSION OF REMARKS
OF

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 20, 1959

Mr. RODINO. Mr. Speaker, under leave to extend my remarks in the CONGRESSIONAL RECORD, I wish to include the following statement which I made before the Senate subcommittee conducting hearings on the problems of State taxation of nonresidents:

STATEMENT OF CONGRESSMAN RODINO ON SENATE JOINT RESOLUTIONS 29 AND 67 RELATING TO CONSTITUTIONAL AMENDMENTS ON STATE TAXATION OF NONRESIDENTS

Mr. Chairman, I wish to thank the subcommittee for permitting me to make this statement concerning the problems covered by Senate Joint Resolutions 29 and 67 prohibiting or limiting the States in the taxing of incomes of nonresidents. Being a Representative in Congress from New Jersey, I am intimately and deeply concerned with this taxing problem. My own feeling in the matter results from the present discriminatory practice of New York in its taxation of New Jersey residents.

As you doubtless will recall, the legislature of New Jersey in 1957 adopted a resolution, Senate Concurrent Resolution 40, petitioning the Congress of the United States to adopt a constitutional amendment which would prohibit States from taxing the income of nonresidents. As a result of that petition, I sponsored in the 85th Congress House Joint Resolution 497. Simultaneously 12 bills similar to my own were introduced in Congress, principally from Members representing districts in the States of New Jersey and Connecticut. About a month after the legislature of New Jersey petitioned Congress, the State of Connecticut also petitioned the Congress (S.J. Res. 9) asking that the Congress convene a Constitutional Convention for the purpose of amending the Constitution to prohibit States from taxing the income of nonresidents.

At my request, the chairman of the House Committee on the Judiciary caused a preliminary study to be made of the issues involved in this problem. A memorandum, containing the arguments pro and con, was prepared by one of the counsel of the House Committee on the Judiciary in collaboration with the American Law Section of the Library of Congress, and dated February 13, 1958—a year and 2 months ago—which I wish to submit for the subcommittee's record. (Document attached to end of statement.)

To my mind, the most effective way to deal with this problem of discriminatory taxation is a constitutional amendment eliminating the power. However, such a solution would be most difficult to accomplish since 31 States presently tax the in-State incomes of nonresidents and the membership of Congress from those States would be reluctant to go along with such legislation. In addition, the approach would require a two-thirds vote of each House of Congress and ratification by the legislatures of three-fourths of the States. It is unlikely that the taxing States would ratify the proposed change.

Perhaps it is appropriate at this point to mention that the major concern of the 31 taxing States has not been whether nonresidents should be exempted or given equitable tax deductions but rather how best to protect their own residents from double taxation on out-of-State income.

The authority of a State to impose a taxation on income earned within the State by a nonresident was declared over 40 years ago by the decisions in *Shaffer* v. *Carter* (252 U.S. 37 (1920)) and *Travis* v. *Yale and Towne Mfg. Co.* (252 U.S. 60 (1920)).

Last year, after the preliminary studies were made, it seemed wiser, in view of the obstacles presented by the Constitutional amendment approach, to intensify efforts at the State level for the negotiation with New York for more equitable tax treatment of New Jersey residents.

Presently, a resident of New York may deduct from gross income such items as municipal taxes on his residence property, sales taxes, mortgage and personal loans, medical expenses within specified limits, premiums on hospitalization insurance, and gifts for charitable, religious and benevolent purposes.

A nonresident on the other hand may deduct from his taxable gross income in New York only an amount equal to 10 percent of such gross income or $500 whichever is less. While he may itemize his deductions, he may claim only those expenditures incurred in the production of income in New York, and such items as gifts to charitable, religious and benevolent corporations, if organized or operated under the laws of New York.

From an equitable point it seems to many of us that the nonresident taxpayer should be permitted to claim as deductions not only those expenses incurred arising in New York but also, on an apportionment basis, those deductions ordinarily allowed resident taxpayers.

In an effort to broaden deductions conferences were held among Governors Meyner of New Jersey, Harriman of New York, and Ribicoff of Connecticut.

Among other things, a Commission on Out-of-State Taxation of New Jersey Residents was created under Senate Concurrent Resolution 25 (1957) by the New Jersey Legislatures. Also, a study was made by Mr. Theodore Tannenwald, Jr. for Governor Harriman of New York in which he recommended enlarging certain deductions for out-of-State residents who must pay New York State taxes on personal income.

As disclosed in the newspapers of recent dates, New York did revise its tax laws but the only gain nonresidents received is a change in the flat sum they may claim in lieu of itemized deductions. Under New York's new law, this is raised from $500 to $1,000. The revision will not change the fact that the nonresident will pay considerably more tax than the resident with the same income, despite the fact that the nonresident is ineligible for many of that State's services.

According to latest figures, over 137,000 New Jersey residents working in New York are paying more than $20 million yearly to New York; Connecticut residents pay over 8 million.

When the 86th Congress convened in January, I reintroduced my bills. They are now designated House Joint Resolution 68 and H.R. 4174. House Joint Resolution 68 calls for a constitutional amendment; H.R. 4174 an interstate compact. To date, five methods have been suggested for dealing with the problem:

1. Constitutional amendment proposed by Congress, prohibiting State taxation of nonresident incomes.

2. Constitutional convention to prohibit State taxation of nonresident incomes.

3. An interstate compact permitting uniform tax treatment of all nonresidents through State agreement.

4. A national or uniform reciprocal law not to discriminate between residents and nonresidents in the levying and collection of taxes.

5. Federal preemption through the interstate commerce clause.

The first method enumerated above is the subject matter of the bills now before the subcommittee.

The State of Connecticut has asked for a constitutional convention under the second method of approach. This ostensibly could take the matter out of the hands of Congress and place it before a convention. However, there has not been a constitutional convention in the 169 years of our existence and, besides, 33 States must ask for it before one is in order.

So far as I know, the interstate compact approach was first suggested on June 3, 1958, at a hearing in Trenton, N.J., before the Commission on Out of State Taxation of New Jersey residents. In substance, the compact would grant the States the power to enter into agreements looking toward uniform tax treatment of nonresidents. It may be argued by some that such an approach is unnecessary since the States now have the power to enter into such agreements. While this is doubtless true, I nonetheless feel that a compact arrangement could have salutary effect because it would permit the States to make binding agreements containing penalty and other provisions. In the event of a breach of the agreement by one of the participating States, remedies, if it were so provided in the agreement, could be brought in our courts.

The fourth suggested approach concerns a national uniform law. As you know, we have many laws which are not Federal laws in the sense that they are enacted by Congress but are nevertheless national in scope in that they can affect all of the several

States. Some of these laws are the Uniform Negotiable Instruments Act, the uniform extradition laws, and the uniform reciprocal enforcement of support laws. These laws come about by the drafting of so-called model acts which contain standard provisions and which are submitted to the States for adoption by the State legislatures and, of course, are binding on all States which adopt them. In the past such laws have been drafted by the Council of State Governments and by the American Law Institute. Certainly, it is within the realm of possibility that these organizations working singly or in conjunction with each other, and with agencies of the Federal Government and/or the Congress, could promulgate a model act for uniform tax treatment of nonresidents with strong enforcement provisions so that the States would be required to give full credence to its provisions.

The fifth suggestion, and one which in my opinion offers the best approach, is a Federal preemption law. Congress has plenary powers over interstate commerce. In some areas it exercises exclusive and absolute control; in others it shares concurrent jurisdiction with the States, and in still other areas it permits the States to occupy the field alone. It is my understanding that Congress under its interstate commerce power could deny to the States the right to tax the incomes of nonresidents where the organizations that employ them are engaged, either in whole or in part, in interstate commerce. It may be that the States should be denied this power of taxation absolutely. It may be that they should be denied it only in certain areas. I feel that this preemption approach merits serious study, looking toward Federal legislation which would restrict the States in this area of taxation so as to guarantee to nonresidents fair and equitable treatment.

As you know, the Supreme Court recently handed down a decision holding, in line with its decision some 40 years earlier, that States may tax the incomes of foreign corporations on activities within the taxing State which are exclusively in furtherance of interstate commerce. (*Northwestern States Portland Cement Co.* v. *Minnesota.*) I have been advised that the Senate Small Business Committee and the House Committee on the Judiciary, among others, have this decision under study.

Mr. Chairman, this problem is not confined to New York, New Jersey, or Connecticut or to any one region of the United States but is national in scope and effect. It affects all 49 States. It affects not only Minnesota in the northwestern part of our country, but it affects Georgia in the South. In recent months, newspapers have carried accounts of difficulties between Maryland and Virginia; Idaho and North Dakota have a similar problem. Pennsylvania and Delaware, as well as New Jersey and the city of Philadelphia, are also engaged in controversy concerning the taxation of nonresidents.

Mr. Chairman, the unfair and discriminatory actions now being imposed upon some of our citizens simply because their employment requires them to cross State lines must cease. If the States are unwilling to work the problem out at the State level through agreements, compacts, uniform laws, or otherwise, then the Federal Government, through its powers of preemption or by constitutional amendment, should bring about that which the States refuse or are incapable of accomplishing.

ARGUMENTS PRO AND CON ON PROPOSED CONSTITUTIONAL AMENDMENT TO PROHIBIT STATES FROM LEVYING INCOME TAXES ON NONRESIDENTS (H.J. RES. 497, 85TH CONG.)

PRO

In legal theory the income tax is considered to be a levy against the person, not against property or the process which creates the income. (Taxes (1955) 33: 375.) Being a personal tax it should be levied by the State of residence which provides protection and services to its inhabitants and to their property.

It is incorrect to contend that the nonresident receives the same benefits from the taxing State as do residents thereof. The nonresident does not avail himself of schools, hospitals, and kindred services that are afforded in the taxing State.

To require a nonresident to pay a contribution toward the expenses of a State in which he happens to earn money is to require him to pay something which in public policy and according to right and justice he does not owe.

It is also contrary to the theory of State income tax that a tax should be levied on nonresidents in respect of any income they derive from property owned or business conducted in the State which imposes said tax. The tax is justified as a payment for personal benefits which residents of a State derive from the government under which they are domiciled, and should not apply to nonresidents, who must be presumed to be taxed (and are taxed through various other forms of taxation) for such benefits in the State where they live. Any attempt to impose the tax upon income received by nonresidents from property situated, or business carried on, within the State changes the character of the tax and converts it into a payment, not for personal benefits derived by residents, but for benefits of a totally different nature such as business benefits, etc. These objections are not to be interpreted as meaning that a State cannot levy a tax for such benefits, but merely that it should not do so in the form of a personal income tax.

The contributions and services rendered by a multitude of nonresidents to the general business prosperty and productiveness of a State seeking to impose the income tax largely outweigh an expenses of police protection afforded by the latter State.

Only by adoption of a constitutional amendment will it be possible to end once and for all the inequities which result when the taxing State denies to nonresidents the same measure of deductions as it accords to residents. Litigation to remove this inequity having been unsuccessful, the proposed amendment alone can be depended upon to effect a much-needed reform (*Charles Goodwin, Jr.* v. *New York State Tax Commission* ((1955) 146 NYS 2d 172; (1956) 1. N.Y. 2d 680; appeal dismissed (1956) 352 U.S. 805)).

Thus a nonresident earning the same salary as a resident is denied the privilege extended to the latter of claiming deductions for sums contributed to his church, for taxes paid on his residence, for medical expenses or for premiums paid for hospitalization insurance, for interest accruing on mortgages or other evidences of indebtedness, or for capital losses incurred. The nonresident cannot take deductions for any of these outlays for the reason that they do not represent expenditures incurred in the taxing State or borne as part of the cost of earning income therein. As a consequence, a nonresident whose only source of income is his salary earned in the taxing State is compelled to pay a higher tax thereon than a resident of said State receiving the same amount of income.

The need for the proposed amendment is not avoided by suggesting that inequities resulting from the taxation of nonresidents can be eliminated by the uniform levy by all States of income taxes applicable to incomes of both nonresidents and residents. States whose citizens are unjustly treated by the tax laws of neighboring States are under no obligation to submit to dictation by the latter and to emulate the latter in the matter of tax legislation. Moreover, discrimination inflicted upon nonresidents by one State is not to be corrected by the adoption of retaliatory legislation by other States.

Justification of the proposed amendment is not refuted by contending that discriminatory State taxation of the income of nonresidents has been judicially sustained for almost 40 years. The Supreme Court expressed its approval of such practice at a time when State income taxes virtually were a rarity. Upon reconsideration of such discriminatory taxation today, the Court might well be expected to reach a result in harmony with the spirit of the proposed amendment.

By refusing to grant to nonresidents the same measure of deductions which they extend to their own inhabitants the States levying taxes on personal income in effect are erecting discriminatory barriers to the free movement of citizens across State lines which the framers of the Constitution sought to guarantee through the privileges and immunities clause of article 4 of the Constitution. Through discrimination in the measure of deductions, taxing States are making it impossible for out-of-State workers to obtain employment on the same terms of net remuneration as are available to their residents.

CON

Inasmuch as virtually all of the 31 States levying income taxes extend the same to nonresidents, the only beneficiaries of the proposed amendment will be the nonresidents from the minority of States which levy no taxes on personal income. No comparable benefit will accrue to residents of income tax States who work and earn their living in States levying no income tax; for such residents are taxed by the State of their domicile on their entire income from whatever source received.

The proposed amendment is contrary to the spirit of the privileges and immunities clause of article 4 of the Constitution; for it would confer on nonresident employees most of the privileges of residents but exempt them from obligations borne by the latter.

Nonresidents who enjoy the advantages of employment and the receipt of income within a State are morally as well as legally obligated to pay a quid pro quo in the form of a tax on income earned in such State.

In subjecting nonresidents to income taxes the States are applying the same rule as is contained in the Federal income tax law pursuant to which nonresident aliens and foreigners are taxed on income from sources within the United States.

The proposed amendment would adversely affect those States which, by reason of being highly industrialized or constituting financial centers, serve as a source of livelihood for thousands of out-of-State commuters.

Inasmuch as the principal grievance assigned in support of the proposed amendment arises not out of the levy of an income tax on nonresidents but from alleged inequities in the deductions available respectively to residents and nonresidents, it is clear that the remedy sought to be invoked is in excess of that required. Mere amendment of State income tax legislation is primarily needed and this can be achieved through negotiations at the State level, rather than by utilization of the difficult to obtain process of constitutional amendment.

Thus defenses offered in support of this amendment would be eliminated if States taxing the income of nonresidents would permit the latter to claim deductions in the same ratio as their income received in the taxing State bears to their total income received from all sources. Under this statutory change, nonresidents earning their entire income in the taxing State would be eligible to claim all of the deductions hitherto extended only to residents. Moreover, it has been estimated that the States effecting such amendment of their income tax laws would suffer no appreciable loss of revenue.

The taxing States do not levy, as they do in the case of their own residents, on the entire income of nonresidents. It is, therefore, entirely appropriate and equitable for these States to withhold from nonresidents the same measure of deductions as are accorded to residents. The validity of this distinction in the measure of deductions granted has been upheld by the courts (*Chas. Goodwin, Jr.* v. *New York State Tax Commission* ((1955) 146 N.Y.S. 2d 172; (1956) 1 N.Y. 2d 680; appeals dismissed (1956) 352 U.S. 805)).

If State A imposes no tax on the income of its own residents, why should the latter, who carry on their business or earn their livelihood in State B in competition with citizens of State B, be exempt from taxation on income by State B? To erect such exemption into a general rule would result not only to the disadvantage of citizens of State B but would encourage every citizen of State B who desired to escape taxes to transfer his legal residence to a country home in State A.

Irrespective of his place of domicile the owner of income-producing property or the recipient of income within a State has the right to call upon the government of that State for protection of his rights. Accordingly, he is under a corresponding obligation to pay taxes, including income taxes, to defray the cost of such protection.

In seeking to recover revenues lost by adoption of the proposed amendment States might be encouraged to levy novel taxes on business establishments which would have the effect of discouraging them from hiring out-of-State employees.

Of the 31 States levying taxes on personal income all but 2 grant their residents a credit for taxes levied on them as nonresidents by other States. Hence the burden alleged to be produced by multiple taxation is grossly exaggerated.

For almost 40 years collection of State income taxes from nonresidents has been sustained as constitutional (*Travis* v. *Yale and Towne Mfg. Co.* (1920) 252 U.S. 60)). The proposed amendment thus would overturn a mode of taxation that has met the test of time.

SENATE

TUESDAY, APRIL 21, 1959

The Senate met at 11 o'clock a.m.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father God, with soiled face and hands unclean with the dust of earthly toil, in this moment of communion with the unseen, we would come to the crystal waters of Thy restoring grace.

As those set aside to prescribe for the ills of an ailing social order, we pray that Thou will first cleanse our own souls from moral pollution and mental darkness.

In a world where the worst wars constantly against the best, open our eyes to invisible allies which fight by the side of those who keep step with the drumbeat of Thy will—invincible forces which at last will bend and break the spears of evil.

When the sadness of the world creeps into our own eyes, and we are plagued with our own inadequacy for these violent times which try and test our souls, stand Thou in splendor before us like the light, like love all lovely, like the morning which slays the shadows.

We ask it in the name of that One whose life is the light of the world. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Monday, April 20, 1959, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H.R. 2100. An act for the relief of John F. Carmody;

H.R. 3825. An act for the relief of Dr. Gordon D. Hoople, Dr. David W. Brewer, and the estate of the late Dr. Irl H. Blaisdell;

H.R. 4012. An act to provide for the centennial celebration of the establishment of the land-grant colleges and State universities and the establishment of the Department of Agriculture, and for related purposes;

H.J. Res. 322. Joint resolution for the relief of certain aliens;

H.J. Res. 323. Joint resolution to facilitate the admission into the United States of certain aliens; and

H.J. Res. 324. Joint resolution to waive certain provisions of section 212(a) of the Immigration and Nationality Act in behalf of certain aliens.

The message also announced that the House had agreed to a concurrent resolution (H. Con. Res. 95) authorizing reprinting of House Document 451 of the 84th Congress, in which it requested the concurrence of the Senate.

HOUSE BILLS AND JOINT RESOLUTIONS REFERRED

The following bills and joint resolutions were severally read twice by their titles and referred to the Committee on the Judiciary:

H.R. 2100. An act for the relief of John F. Carmody;

H.R. 3825. An act for the relief of Dr. Gordon D. Hoople, Dr. David W. Brewer, and the estate of the late Dr. Irl H. Blaisdell;

H.R. 4012. An act to provide for the centennial celebration of the establishment of the land-grant colleges and State universities and the establishment of the Department of Agriculture, and for related purposes;

H.J. Res. 322. Joint resolution for the relief of certain aliens;

H.J. Res. 323. Joint resolution to facilitate the admission into the United States of certain aliens; and

H.J. Res. 324. Joint resolution to waive certain provisions of section 212(a) of the Immigration and Nationality Act in behalf of certain aliens.

HOUSE CONCURRENT RESOLUTION REFERRED

The concurrent resolution (H. Con. Res. 95) authorizing reprinting of House Document 451 of the 84th Congress was referred to the Committee on Rules and Administration, as follows:

Resolved by the House of Representatives (the Senate concurring), That the brochure entitled "How Our Laws Are Made," by Doctor Charles J. Zinn, law revision counsel of the House of Representatives Committee on the Judiciary, as set out in House Document 451 of the Eighty-fourth Congress, be printed as a House document, with emendations by the author and with a foreword by Honorable EDWIN E. WILLIS; and that there be printed one hundred and thirty-two thousand additional copies to be prorated to the Members of the House of Representatives for a period of ninety days after which the unused balance shall revert to the Committee on the Judiciary.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the following committees and subcommittees were authorized to meet during the session of the Senate today:

The Foreign Relations Committee.

The Committee on Finance.

The Business and Commerce Subcommittee of the Committee on the District of Columbia.

The Insurance Subcommittee of the Committee on Post Office and Civil Service.

TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, under the rule, there will be the usual morning hour for the transaction of routine business; and I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT ON THE 1958 REVISION OF EAST-WEST TRADE CONTROLS

A letter from the Under Secretary for Economic Affairs, Department of State, transmitting, pursuant to law, a report on the 1958 Revision of East-West Trade Controls (with an accompanying report); to the Committee on Foreign Relations.

REPORT ON EXAMINATION OF PRICING OF DEPARTMENT OF NAVY CONTRACTS WITH WESTINGHOUSE ELECTRIC CORP.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the examination of pricing of Department of the Navy contracts with Air Arm Division, Westinghouse Electric Corp., Baltimore, Md., dated April 1959 (with an accompanying report); to the Committee on Government Operations.

PETITIONS AND MEMORIALS

Petitions, and so forth, were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution adopted by the East Texas Chamber of Commerce, Longview, Tex., favoring a balanced Federal budget; to the Committee on Appropriations.

CONCURRENT RESOLUTIONS OF SOUTH CAROLINA LEGISLATURE

Mr. JOHNSTON of South Carolina. Mr. President, on behalf of my colleague, the junior Senator from South Carolina [Mr. THURMOND], and myself, I present two concurrent resolutions of the South Carolina Legislature. I ask unanimous consent that they be printed in the RECORD, and appropriately referred.

There being no objection, the concurrent resolutions were received, appropriately referred, and, under the rule, ordered to be printed in the RECORD, as follows:

To the Committee on Armed Services:

"CONCURRENT RESOLUTION PROTESTING ANY REDUCTION IN THE STRENGTH OF THE ARMED FORCES OF THE UNITED STATES AND ALSO PROTESTING ANY APPEASEMENT OF THE RUSSIANS BY THE UNITED STATES LEADING TO THE WITHDRAWAL OF OUR FORCES FROM WEST BERLIN

"Whereas it is the sense of this body that U.S. Government is contemplating a reduction in the U.S. Army of one division, a reduction in the combat strength of the U.S. Marine Corps of 12½ percent, and also reduction in the strength of the U.S. Navy and the U.S. Air Force; and

"Whereas it is the sense of this body that such reductions would seriously imperil the national security of the United States, particularly in view of the Soviet deadline of May 27 for withdrawal of our Armed Forces from West Berlin: Now, therefore, be it

"Resolved by the house of representatives, the senate concurring, That this body is unalterably opposed to any further reduction in the Armed Forces of the United States at the present time. It is the belief of this body that the people of South Carolina and of the United States do not favor appeasement of the Russians in any manner whatsoever, particularly in regard to any appeasement which would lead to Soviet control of West Berlin; be it further

"Resolved, That copies of this resolution be forwarded to the Members of the congressional delegation of the State of South Carolina, to the President, the Secretary of State and the Secretary of Defense of the United States of America."

State of South Carolina, in the house of representatives, Columbia, S.C., April 17, 1959.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the South Carolina House of Representatives and concurred in by the senate.

INEZ WATSON,
Clerk of the House.

To the Committee on Interior and Insular Affairs:

"CONCURRENT RESOLUTION MEMORIALIZING THE CONGRESS AND PRESIDENT OF THE UNITED STATES TO SAFEGUARD AND PRESERVE ESTABLISHED STATE AND INDIVIDUAL RIGHTS TO THE USE OF WATER WITHIN THE SEPARATE STATES

"Whereas recent decisions from the Federal courts and recent rulings from the U.S. Department of Justice have deprived States, and persons, of rights which the States and persons previously enjoyed in regulating and controlling the use of the water in the respective States; and

"Whereas these decisions and rulings are a part of a general pattern developing gradually into Federal supremacy and usurpation over water which, if continued, will destroy individual and States' rights over water and substitute in lieu thereof an all-powerful centralized government control: Now therefore, be it

"Resolved by the house of representatives, the senate concurring, That the President and the Congress of the United States be, and they are hereby, urged and requested to take all necessary action: (1) Preserve the water rights of the individual and of the States and prevent Federal usurpation of those rights; (2) see that legislation is initiated and supported to return to the individuals and to the States the rights taken from them by the Federal courts and the Justice Department; and (3) in every way possible reaffirm, renew, and defend the concepts that water rights are property rights and that these established rights, to the use of water, by a State and an individual, should not be taken away without due process of law and adequate compensation; be it further

"Resolved, That certified copies of the above be promptly transmitted to the President and Vice President of the United States, Speaker of the House of Representatives of the Congress, chairman of the U.S. Senate and House Committees of Interior and Insular Affairs, U.S. Senator OLIN D. JOHNSTON, U.S. Senator J. STROM THURMOND, U.S. Representative WILLIAM JENNINGS BRYAN DORN, U.S. Representative ROBERT T. ASHMORE, U.S. Representative ROBERT W. HEMPHILL, U.S. Representative JOHN L. MCMILLAN, U.S. Representative L. MENDEL RIVERS, and U.S. Representative JOHN J. RILEY."

State of South Carolina, in the house of representatives, Columbia, S.C., April 17, 1959.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the South Carolina house of representatives and concurred in by the senate.

[SEAL] INEZ WATSON,
Clerk of the House.

The VICE PRESIDENT laid before the Senate a concurrent resolution of the Legislature of the State of South Carolina, identical with the foregoing, which was referred to the Committee on Interior and Insular Affairs.

JOINT RESOLUTION OF OREGON LEGISLATURE

Mr. MORSE. Mr. President, I have received a letter from the Honorable Robert B. Duncan, Speaker of the House of Representatives of the State of Oregon, in which he advises me he has the honor to transmit House Joint Memorial 7, urging that efforts be made toward the enactment of legislation by Congress to aid in the construction of a suitable Champoeg Memorial by the National Park Service and the maintenance of the same as a national monument.

Mr. President, I ask unanimous consent that House Joint Memorial 7 of the Oregon Legislature be printed in the RECORD.

There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

ENROLLED HOUSE JOINT MEMORIAL 7

To the Honorable Fred A. Seaton, Secretary of the Interior, and the Honorable Senate and House of Representatives of the United States of America, in Congress assembled:

We, your memorialists, the 50th Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

"Whereas at Champoeg, Oreg., on the bank of the Willamette River, the State of Oregon now has a small tract of land purchased as a nucleus of a memorial to the pioneers who established at that spot the first orderly government in what is now the State of Oregon, a memorial that should become the shrine of the great northwest territory which was then embraced within the Oregon country, such territory embracing what now constitutes the present States of Oregon, Washington, and Idaho, and that part of the States of Montana and Wyoming lying west of the summit of the Rocky Mountains, and containing over 300,000 square miles; and

"Whereas in 1929 the Oregon Legislature passed Senate Joint Resolution 24 memorializing the Congress to establish Champoeg as a national shrine, and the Advisory Board to the National Park Service in response thereto made a report in 1939 declaring that Champoeg possessed exceptional value as commemorating and illustrating the history of the United States and the Secretary of the Interior thereupon designated Champoeg Park as a site of national historical significance: Now, therefore, be it

"Resolved by the House of Representatives of the State of Oregon, the Senate jointly concurring therein, That the people of the State of Oregon approve this recognition by the Federal Government of the importance of Champoeg and urge upon their Senators and Representatives and the Secretary of the Interior that efforts be made toward the enactment of legislation by Congress to aid in the construction of a suitable Champoeg memorial by the National Park Service and the maintenance of the same as a national monument; and be it further

"Resolved, That copies of this memorial be sent to the President of the United States, the Secretary of the Interior and to all Members of the Oregon congressional delegation."

Adopted by house March 27, 1959.

RUTH E. RENFROE,
Chief Clerk of House.
ROBERT B. DUNCAN,
Speaker of House.

Adopted by senate April 3, 1959.

WALTER J. PEARSON,
President of Senate.

RESOLUTION OF REPUBLICAN WOMEN'S CLUB OF CANTON, N.Y.

Mr. JAVITS. Mr. President, I present a resolution adopted by the Republican Women's Club, of Canton, N.Y., supporting the President's proposal to balance the budget and to apply any surplus to the retirement of the national debt. I ask unanimous consent that the resolution may be printed in the RECORD.

There being no objection, the resolution was referred to the Committee on Appropriations, and ordered to be printed in the RECORD, as follows:

RESOLUTION OF REPUBLICAN WOMEN'S CLUB, OF CANTON, N.Y.

At the April 7 meeting of the Republican Women's Club, of Canton, N.Y., a resolution was voted upon and unanimously passed as follows:

Resolved, That the Republican Women's Club, of Canton, N.Y., go on record in support of President Eisenhower's proposal to balance the budget and to apply any surplus to retirement of the national debt;

Resolved further, That the Republican Women's Club, of Canton, N.Y., assure our representatives on the Federal and State levels of our active support in their effort to reduce Government spending and balance the budget.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce, with amendments:

S. 498. A bill to extend the life of the Alaska International Rail and Highway Commission (Rept. No. 214).

By Mr. O'MAHONEY, from the Committee on the Judiciary, with amendments:

S. 1315. A bill for the incorporation of the Blue Star Mothers of America, Inc. (Rept. No. 215).

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

Christian A. Herter, of Massachusetts, to be Secretary of State.

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. PROXMIRE:

S. 1744. A bill for the relief of Ali Mohammed Ayesh; and

S. 1745. A bill for the relief of Oshkosh Parking, Inc.; to the Committee on the Judiciary.

By Mr. JAVITS:

S. 1746. A bill for the relief of Ciro Picardi; to the Committee on the Judiciary.

By Mr. KUCHEL (for himself and Mr. ENGLE):

S. 1747. A bill to create a new and separate judicial district in California and to create a new division for the northern district in said State; to the Committee on the Judiciary.

By Mr. ELLENDER (by request):

S. 1748. A bill to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. CURTIS:

S. 1749. A bill to encourage the use of Government-owned surplus agricultural commodities for research and development of new industrial uses of such commodities; to the Committee on Agriculture and Forestry.

S. 1750. A bill to amend the Internal Revenue Code of 1954 to permit amortization over a 60-month period of facilities to produce new industrial products derived from certain agricultural commodities; to the Committee on Finance.

By Mr. O'MAHONEY (for himself and Mr. MCGEE):

S. 1751. A bill to place in trust status certain lands on the Wind River Indian Reservation in Wyoming; to the Committee on Interior and Insular Affairs.

By Mr. LANGER:

S. 1752. A bill for the relief of Stamatina Kalpaka;

S. 1753. A bill for the relief of James Foote, George Foote, and Charles Bearstail;

S. 1754. A bill for the relief of Alice P. Stenborg; and

S. 1755. A bill for the relief of Jane Jast Delorme; to the Committee on the Judiciary.

S. 1756. A bill to amend section 3951 of the Revised Statutes so as to authorize the payment of additional compensation to the holders of contracts for carrying the mails, who incur additional costs because of increased prices or because of road conditions due to unfavorable weather; to the Committee on Post Office and Civil Service.

By Mr. LANGER (for himself and Mr. YOUNG of North Dakota):

S. 1757. A bill to modify the general comprehensive plan for flood control and other purposes in the Missouri River Basin in order to provide for certain payments to the cities of Mandan and Bismarck, N. Dak.; to the Committee on Public Works.

By Mr. CHAVEZ:

S. 1758. A bill for the relief of Joana Krasnauskiene; to the Committee on the Judiciary.

By Mr. YOUNG of North Dakota:

S. 1759. A bill to amend section 125 of the Soil Bank Act which prohibits the production of certain crops on Government-owned lands; to the Committee on Agriculture and Forestry.

By Mr. YOUNG of North Dakota (for himself and Mr. LANGER):

S. 1760. A bill to provide that the United States shall return to the former owners oil and gas rights in certain lands acquired for the Garrison Dam and Reservoir project, North Dakota; to the Committee on Public Works.

By Mr. MUNDT:

S. 1761. A bill to amend the Agricultural Act of 1949 (7 U.S.C. 1421) with respect to restrictions on sales by the Commodity Credit Corporation; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. MUNDT when he introduced the above bill, which appear under a separate heading.)

By Mr. EASTLAND:

S. 1762. A bill for the relief of Mrs. Seto Shun Yee;

S. 1763. A bill for the relief of Capt. Wilford W. Horne; and

S. 1764. A bill to extend the Federal Tort Claims Act to members of the National Guard when engaged in training duty under Federal law, and for other purposes; to the Committee on the Judiciary.

By Mrs. SMITH:

S. 1765. A bill to authorize and direct the Tresaury to cause the vessel *Edith Q.*, owned by James O. Quinn, of Sunset, Maine, to be documented as a vessel of the United States with full coastwise privileges; to the Committee on Interstate and Foreign Commerce.

By Mr. CLARK:

S. 1766. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit the donation and other disposal of property to tax-supported public recreation agencies; to the Committee on Government Operations.

(See the remarks of Mr. CLARK when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey:

S. 1767. A bill for the relief of Polivos Stamatakos; to the Committee on the Judiciary.

By Mr. CHAVEZ:

S. 1768. A bill for the relief of San Han Ming; to the Committee on the Judiciary.

RESOLUTIONS

Mr. PROXMIRE submitted a resolution (S. Res. 105) directing a study of the private investment of American capital abroad, which was referred to the Committee on Banking and Currency.

(See the above resolution printed in full when submitted by Mr. PROXMIRE, which appears under a separate heading.)

Mr. JAVITS submitted a resolution (S. Res. 106) expressing the sense of the Senate that the people of all Ireland should have an opportunity to express their will for union by an election under the auspices of a U.N. Commission, which was referred to the Committee on Foreign Relations.

(See the above resolution printed in full when submitted by Mr. JAVITS, which appears under a separate heading.)

ARCHIE L. DICKSON, JR.—REFERENCE OF BILL TO COURT OF CLAIMS

Mr. EASTLAND submitted the following resolution (S. Res. 107); which was referred to the Committee on the Judiciary:

Resolved, That the bill (S. 1651) entitled "A bill for the relief of Archie L. Dickson, Jr.," now pending in the Senate, together with all the accompanying papers, is hereby referred to the Court of Claims; and the court shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28 of the United States Code and report to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States and the amount, if any, legally or equitable due from the United States to the claimant.

AMENDMENT OF AGRICULTURAL ACT OF 1949, RELATING TO RESTRICTIONS ON SALES BY COMMODITY CREDIT CORPORATION

Mr. MUNDT. Mr. President, I introduce for appropriate reference a bill which in my opinion will assist in bringing to the farmer a better price for the crops which he raises and can sell on the open market.

This bill will raise the percent from 5 percent to 15 percent above the support price at which the Commodity Credit Corporation must sell the basic agriculture products which they have in storage. In my opinion this will provide more room for the traders to operate in and will result in their buying more of the basic products on the open market at better prices. This should create a more competitive market for farm products thus bringing increased income to the farmer.

It should also reduce substantially the amount of basic agriculture crops which the Commodity Credit Corporation now takes under its loan program. This—in

turn—should result in a considerable savings of the taxpayers money now being used for storage rentals.

I hope this proposed legislation will receive early consideration in the committee and the Senate so that it can become effective before harvest time 1959.

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). The bill will be received and appropriately referred.

The bill (S. 1761) to amend the Agricultural Act of 1949 (7 U.S.C. 1421) with respect to restrictions on sales by the Commodity Credit Corporation, introduced by Mr. MUNDT, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

USE OF SURPLUS FEDERAL PROPERTY BY PUBLIC RECREATION AGENCIES

Mr. CLARK. Mr. President, I introduce, for appropriate reference, a bill to permit the use of surplus Federal property by public recreation agencies.

Pennsylvania has a park expansion program which has attracted nationwide attention. There are 66 State parks now in operation. Five more are under construction, and several more are on the drawing boards. Particular emphasis is being placed on constructing new parks near the State's population centers. We have the second most heavily used State park system in the Nation, second only to New York, and we have 148 State forest recreation areas, a number second only to Oregon.

In carrying out this remarkable program, the opportunity to obtain surplus Federal property would be extremely helpful. Under the Clarke-McNary Act, we have authority to obtain such equipment for our fire-fighting activities, which protect 15 million acres of forest. The bill which I am introducing today would extend this authority to equipment for other recreational purposes, and would mean much to carrying out our park expansion program with all possible speed.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1766) to amend the Federal Property and Administrative Services Act of 1949 to permit the donation and other disposal of property to tax-supported public recreation agencies, introduced by Mr. CLARK, was received, read twice by its title, and referred to the Committee on Government Operations.

STUDY OF PRIVATE INVESTMENT OF AMERICAN CAPITAL ABROAD

Mr. PROXMIRE. Mr. President, I submit, for appropriate reference, a resolution providing for an investigation of the consequences of the investment of American private capital abroad.

This would be an investigation recognizing the many massive values of the investment of American capital abroad, but determined to get the facts of some of the very grave problems it provokes.

Frankly, this investigation has been inspired by a series of recent reports that there have been heavy and substantially increasing purchases by American companies of foreign plants. In at least two industries vital to employment in my State—machine tools and tractors—American companies have recently in effect transferred part of their production from Wisconsin to foreign countries. Obviously this means that jobs formerly held by Wisconsin workingmen are now held by working people in other countries. In the case of a single Wisconsin company it seems that the 40 percent of production that used to go into export is now being produced in a foreign factory, with a loss of more than 2,000 Wisconsin jobs.

Although recently about 75,000 people have been out of work in Wisconsin, our unemployment problem has been less serious than that in some other States.

But, Mr. President, reliable reports indicate that this export of American jobs has just begun. The combination of available American capital, American automation and know-how, fused with lower foreign wages, is not only cutting a terrible swath in the export market for American factories; it is beginning to cost them some of their domestic U.S. markets.

I recognize, Mr. President, that there is much to be said in favor of investment of American private capital abroad. It is to the great interest of America, and indeed the free world, to assist the other countries of the free world to grow stronger economically. Unquestionably this investment is accomplishing that objective. It is doing so at no cost to the American taxpayer. And to date the cost of building up the economies of our friends throughout the world by Government appropriations has been immensely costly in American taxes, and promises to continue to be for some time in the future. Just as I favor Government loans to foreign countries over grants, I emphatically prefer private capital investment to Government investment. It is more efficient. It is subject to the iron discipline of the profit system, so it will not be wasteful.

Mr. President, this is exactly the kind of clash between competing values and interests that can best be settled by getting all the facts. Congress should find a way to encourage private American investment abroad while providing some kind of proper safeguards for American jobs.

It is for this reason, Mr. President, I today propose a Senate investigation of the full consequences of the investment of American capital abroad. Because this is an inquiry that might very seriously affect our monetary policy as well as our tax, tariff, labor, regulatory, and foreign policies, I have proposed that the Banking and Currency Committee conduct the investigation.

Mr. President, a number of exceedingly thoughtful reports and analyses have been made on this situation. The Wall Street Journal has carried two unusually comprehensive stories; one featured the machine tool industry and one tractors. Both of these articles do a first class job of setting forth the burdens and benefits of this development, and I ask unanimous consent that they be printed in the RECORD following my remarks. One is from the March 17 issue; the second appeared just last Monday, April 20.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibits 1 and 2.)

Mr. PROXMIRE. Mr. President, a recent article in the Foreign Commerce Weekly shows how American companies have been setting themselves up inside the European Common Market in growing numbers; and I ask unanimous consent that appropriate excerpts from this article be printed in the RECORD following my remarks also.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 3.)

Mr. PROXMIRE. Mr. President, in the April 6 issue of the Washington Post, Harold Dorsey writes an excellent, compact analysis of this problem, and I ask unanimous consent that this article be printed in the RECORD. A March 26 lead editorial in the Wall Street Journal vigorously expresses the viewpoint that this trend to invest American capital abroad emphasizes the importance of price stability in America. I ask unanimous consent that this editorial also be printed in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibits 4 and 5.)

EXHIBIT 1

[From the Wall Street Journal, Mar. 19, 1959]

MACHINE TOOL TACTICS—MORE MAKERS BUY INTO FOREIGN FIRMS AS HIGH PRICES SLOW THEIR SALES—OTHER U.S. PRODUCERS AGREE TO IMPORT EUROPEAN TOOLS; COMMON MARKET IS A SPUR—AUTO, AIR FORCE BUYING LAGS

(By Harlan Byrne)

Sundstrand Machine Tool Co., of Rockford, Ill., soon will anounce purchase of a controlling interest in a French tool company. The French firm will be expanded to turn out Sundstrand tools for the European market.

Later this month, a freighter bearing 50 English-made engine lathes, a basic machine tool, will dock in New York City. Oddly enough, the shipment, worth about $300,000, will be addressed to an American firm that also makes lathes. The firm—Clearing Machine Corp., of Chicago, a division of U.S. Industries, Inc.—will sell the English lathes in this country and expects to import many more.

These divergent moves have one thing in common. They're both symptomatic of the growing inability of U.S. machine tools—and many other manufactured goods, for that matter—to compete pricewise with foreign-made products. A major reason is fairly well known: Labor costs in the United States are higher—they're two to four times those of Europe, the area providing the tool makers' heaviest competition.

Several industries, such as textiles and electrical equipment, have been complaining of growing competition from imports for years. But imports' impact more recently has been spreading to automobiles, steel, and a number of other industries. Ernest R. Breech, chairman of Ford Motor Co., recently declared that swift industrial development and cost advantages in foreign countries are threatening both the oversea and domestic markets of American industry.

COMMON MARKETS IMPACT

Machine tool builders are losing ground steadily in foreign markets—so far a mere

foretaste of a drastic setback they foresee in a few years. The European Common Market, for instance, is a major worry. The market nations—France, Germany, Italy, Belgium, The Netherlands, and Luxembourg—plan progressively to eliminate tariff barriers among themselves, but to maintain a common tariff front against other nations. This will make it easier for West Germany to sell machine tools in France, for instance, but relatively more difficult for a U.S. firm to do so.

Growing numbers of American firms are trying to regain lost business, and to head off future losses, by producing machine tools abroad, either by purchasing foreign companies or by setting up new plants overseas.

"There are so many Americans running around over there, the sale prices on European firms are going sky-high," grumbles one Ohio machine-tool maker. So far, he has resisted the urge to go deeply into overseas manufacturing. Reportedly, one U.S. company recently backed away from an acquisition in Europe because of the high asking price.

Meantime, imported tools flowing into the United States account for a growing share of domestic sales. Often, they undersell U.S. machines by 25 percent to 40 percent. For example, one type of small American lathe, without electrical apparatus, carries a list price of $5,145. It faces competition from a comparable English lathe that sells in this country for about $3,600.

EIGHT THOUSAND DOLLARS VERSUS ELEVEN THOUSAND DOLLARS

Francis J. Trecker, president of Kearney & Trecker Corp. of Milwaukee, says a small-size West German milling machine is coming into the United States for $8,000, compared with $11,000-or-so for its American counterpart. The competition is equally severe for American tools selling in foreign markets.

Some toolmen loudly complain the rising tide of imports ultimately will cripple American machine tool building capacity. The National Machine Tool Builders Association even now is gathering data for a possible drive in Washington for higher tariffs, a stronger "Buy America" Act or both.

Present tariffs have little effect on imports; the 25 percent to 40 percent price advantage enjoyed by foreign tools takes into account current tariffs, which average about 15 percent. The Buy American Act as it now stands provides that the Government, in buying for its own needs, must purchase U.S.-produced goods if the price of the domestic product is no more than 6 percent above the price of a comparable import. This act obviously is of little help to U.S. machine-tool builders now.

U.S. machine-tool builders, however, are not of one mind on tariffs. Some of the bigger companies, as they push into foreign operations themselves, are tending more and more toward freer trade. But most of the U.S. firms are relatively small and have neither the inclination nor the funds to get into overseas production; this group tends to be highly protectionist.

Especially alarming to this group is talk—to date that's all it is—that American producers setting up shop abroad before long may begin selling in this country the tools they make overseas.

"We would do that only as a last resort," claims an executive of one Cincinnati tool builder which recently completed a new plant in England. Executives of other tool firms involved in foreign manufacturing say they have no such plans, but infer it could happen later. Another Ohioan, whose firm manufactures tools abroad, but has no intention of shipping any back to the United States, says privately, "It will be a sad day for the machine-tool industry when American firms start selling their own foreign-made tools in the United States." But such sentiments aren't stopping toolmakers from importing products of foreign firms.

The U.S. toolmakers' price problem has been growing in the past decade, the average price of American-made tools has doubled.

"It looks as if we're pricing ourselves out of world markets," says Donald H. McIver, vice president of Detroit's Ex-Cell-O Corp. It's a comment being heard over and over nowadays.

True, the trade woes of machine tool men are not unique, as executives in such major fields as steel, electrical equipment, and textiles will testify. But in few basic industries is the trouble more acute. It's especially painful now because tool demand in this country, overall, is less than half what it was at peacetime high 3 years ago. And domestic prospects are far from bright at the moment.

While most industries have begun to climb out of the recession, machine tool demand has risen only slightly in recent months, following a 2-year-long tumble. The industry is shipping tools now at only about 30 percent of capacity.

To be sure, the industry is relatively small in comparison with autos or steel, having a capacity to turn out about $1.2 billion of tools annually. But it's a key industry, for machine tools are the muscles of manufacturing. Just about every product involves the use of a machine tool in its manufacture or delivery.

For instance, they make the working parts of household conveniences such as the telephone, television, radio, washing machine, refrigerator, and vacuum cleaner. Autos, locomotives, airplanes, and missiles require machine tools. On factory production lines, these power-driven tools, in a variety of types, perform basic metal cutting and shaping tasks—boring, grinding, turning, milling, planing, shearing, or stamping away at raw metal.

A few statistics show the impact of foreign competition. Prior to World War II, imports were insignificant. Five years ago, they were less than 3 percent of domestic shipments, after deducting exports. In 1958, they rose to nearly 7 percent and the ratio is expected to rise henceforth.

DOLLAR VOLUME DECLINES

Actually, dollar volume of imports last year declined to an estimated $30 million, from around $37 million in 1957, but the drop was less than 20 percent, compared with a slump of more than 50 percent in domestic shipments, from $972 million to $447 million.

The record year for imports was 1952, when pellmell Korean war buying brought on shortages, attracting a $49 million flood of foreign tools. "Tool buyers took anything they could get their hands on in those days," recalls Ludlow King, executive vice president of the National Machine Tool Builders Association in Cleveland. But by 1955, imports had slipped back to $16 million. They jumped 50 percent both in 1956 and 1957.

Before World War II and in the early postwar years, U.S. toolmen on the average rang up about 25 percent of their total sales in the export market. In recent years, exports have dwindled to about 10 percent of the total, and further erosion is expected. For some companies, exports have nearly evaporated.

Mr. Trecker says that in the late 1930's around 40 percent of Kearney & Trecker's volume was exports, compared with around 2 percent or 3 percent now. "It's getting to be absolutely impossible to sell in foreign markets unless you have a foreign plant," he says.

"As recently as 10 years ago, about one-fourth of our volume was exports," relates K. M. Allen, executive vice president of Rockford Machine Tool Co. "Now it's down to 5 percent or less." Mr. Allen is one of the Yanks who recently has been touring Europe, not merely to see the sights. "We're not big enough to build our own plant, but we would like to buy a controlling interest in a small firm," he says.

TOP PAY: 70 CENTS AN HOUR

In England, Mr. Allen was "amazed" to find the top pay for machinists in a new American-owned plant was 70 cents an hour, compared with an average of about $2.60 or more in the United States. "You can buy iron in England for 8½ cents a pound, compared with 20 cents here," he adds.

Manufacture of American tools abroad is not new, of course. For years, a number of U.S. companies have had some of their tool lines made in Europe, through licensees. And a handful of firms, such as Cincinnati Milling Machine Co. and the La Pointe Machine Tool Co. of Hudson, Mass., have had their own overseas plants. But by U.S. standards the plants were small. Within the past 3 years, American tool men have stepped up overseas manufacturing. They've either expanded or built their own plants, or bought into existing firms.

Item: Last July, Kearney & Trecker acquired a controlling interest in a big English firm, C.V.A. Jigs, Moulds & Tools, Ltd. The English firm presently employs 2,300, while Kearney & Trecker, ironically, is down to 1,300 workers, from 3,000 about 2 years ago.

Item: Ex-Cell-O recently broke ground near Eislingen, West Germany, for a new machine-tool plant. The new plant will house expanded operations of a firm acquired last September. The company was Werkzeugmaschinenfabrik Geoppingen G.M.B.H., a maker of lathes and planers. The name has been changed to Ex-Cell-O G.M.B.H. "Higher costs forced us overseas," is the laconic explanation of Mr. McIver, the Ex-Cell-O vice president.

Item: Landis Tool Co., of Waynesboro, Pa., last fall bought out John Lund Co., Ltd., of Keighley, England.

Item: Last year, 126-year-old Brown & Sharpe Manufacturing Co., Providence, R.I., put in operation a new plant in Plymouth, England. "During many years before the war, exports were as much as 30 percent of our business," recalls Henry S. Sharpe, Jr., president. "Now they're below 10 percent. You have to make many of your tools abroad nowadays if you're going to be represented in foreign markets."

Item: Cincinnati Milling 2 years ago expanded its English plant and now ponders expansion of its 4-year-old plant in Holland. And other U.S. toolmakers reportedly will be announcing foreign ventures this year.

JOINING FORCES

In addition, more and more firms are looking for tieups to sell and manufacture foreign tools in this country. Most imported tools are sold through established U.S. distributors, who usually handle a number of American lines, too. But, more and more, the toolmakers themselves are joining forces with foreigners.

The import agreement made by Clearing Machine Corp. appears to be precedent-setting in size and portent.

Clearing Machine signed the sales pact with T. S. Harrison & Sons, Ltd., Heckmondwike, England. The Harrison lathes will be sold in the United States and Mexico by Clearing's sales staff, for a percentage of the selling price. The lathes are smaller than the ones made by Clearing. In short, the Chicago firm decided the easiest way to expand its line was to sell the Harrison lathes.

"We think this deal will shake some of our buddies in the machine tool business down to their heels," comments a spokesman. "Actually, it should start a trend. We think a lot of people have been waiting around for an American tool builder to break the ice." The spokesman plainly leaves the impression

the firm expects to push the imported tools vigorously.

For the future, significantly, Clearing and Harrison are planning to team up on new designs for machine tools. The newer tools would be built in England and shipped into the United States.

Another midwestern tool executive concedes his firm may be forced into a similar transaction. "Unless our business improves a lot, we may have to line up with a foreign firm on an import deal," he says. H. Ezra Eberhardt, chairman of Gould & Eberhardt, Inc., Irvington, N.J., says his firm soon will announce an agreement involving a foreign tool linkup, although he declines to specify whether it will be an import or export arrangement.

Regarding the Clearing-Harrison alliance, still another Midwesterner comments: "It's wrong, as far as I'm concerned, for a domestic builder to import the products of a foreign builder."

In various types of recent agreements, several small U.S. firms have arranged to make or sell foreign tools in this country. In most cases, however, the number of tools involved so far is small. The companies include Fellows Gear Shaper Co., Springfield, Vt., and Cone Automatic Machine Co., Inc., Windsor, Vt.

Fortunately for the big majority of U.S. tool companies, imports so far have been concentrated heavily in a few lines of tools. Chiefly, imports have been small sizes of engine lathes, radial drills, shapers, and milling and grinding machines. In 1957, for example, lathes accounted for more than 20 percent of total imports.

THE LARGER LINES

In the larger, more complicated tool lines, American machines still are preferred because of higher and more accurate production capability, it's generally acknowledged. This includes the types of high speed tools that are used in mass production of major automotive components, such as engine blocks and transmission housings. But the Europeans have been narrowing the technical gap on larger tools in recent years, American producers concede. And more competition is implied for the future.

World War II, of course, destroyed much of the prewar European machine tool capacity, particularly in Germany. After the war, European tool men were pressed to meet demand in their own countries. U.S. firms stepped in to fill many of these needs, just as they had done extensively before the war. But as Europeans have recovered from the war and expanded, they've gained a clear-cut advantage, largely because of the cost-price upswing in this country.

There's no question the foreign trade pinch would be less painful if domestic demand were more robust. At the moment, the majority of U.S. tool executives can see little more than a modest recovery for the remainder of this year.

To see what's happened, take a close look at statistics of the National Machine Tool Builders Association, covering the metal cutting segment of the industry. The other segment is metal forming. But statistics on the forming end of the business have been compiled for only 2 years.

Beginning in the last half of 1955 and extending through the early part of 1957, incoming orders for metal-cutting tools rolled in at a record peacetime rate. Orders totaled $927 million for the year 1955, followed by $924 million in 1956. The following year they fell to $520 million. Last year they plunged to around $281 million, the lowest since 1949. Many companies report their incoming orders in 1958 were the lowest since before World War II.

COMING FROM LOW LEVEL

For 1959, the majority of toolmen see little more than a 25-percent gain in new orders. And while 25 percent sounds like a big gain, it's coming from a low level.

"If you're operating at only 25 percent of capacity and have a 50-percent stepup, for example, you still would be operating only at 37½ percent of capacity," comments an officer of Giddings & Lewis Machine Tool Co., Fond du Lac, Wis.

Why the slow recovery? There are a number of reasons. For example, in late 1955 and early 1956, the auto companies went on a tool-buying spree. Reportedly they placed close to $500 million in new orders in a 6-month period.

The auto companies now are buying new tools in comparatively small volume. "Detroit is dead compared with 3 years ago," observes one Illinois toolbuilder. One reason: The auto companies in the past year have resorted increasingly to rebuilding of older tools to meet some of their requirements for new production facilities.

Toolmen say that the big majority of retooling done by General Motors Corp., Ford Motor Co., and Chrysler Corp. for the new small cars has consisted of rebuilding older machines. The auto companies either do the work themselves or, more often, give the business to a machine-tool company at half or less the price of a comparable new tool.

AIR FORCE CUTS BUYING

Also, during the tool-buying spree of 1955 and 1956, the Air Force was a big buyer of large machines for turning out aircraft components. In early 1955 and 1956, the Air Force placed something like $150 million of orders, it is estimated. But now the Air Force is buying few tools. Missiles are replacing aircraft. Production still is relatively low and requires more metal fabrication than it does metal cutting and forming, for example.

Other metalworking manufacturers generally were buying tools for expansion at a fast pace in 1955 and 1956. Now they have excess capacity. There's no evidence yet that manufacturers generally will embark on another major round of expansion—and thus tool buying—before 1960.

"Recovery in the machine-tool business has a long way to go," sums up Frederick V. Geier, Cincinnati Milling Machine chairman.

EXHIBIT 2

[From the Wall Street Journal, Apr. 20, 1959]

TRAVELING TRACTORS—PRODUCERS SPUR IMPORTS FROM THEIR FOREIGN PLANTS, CITE SAVINGS—HARVESTER GETS FIRST UNITS—OLIVER SEEKS FOREIGN TIE—CASE EXPANDS IN FRANCE—THE UAW STARTS TO WORRY

(By John F. Lawrence)

At a pier in Jacksonville, a crew of husky Negro stevedores was busy a few days ago unloading a shipment of bright red farm tractors from the hold of the British freighter, *Manchester Merchant*.

This work scene in the warm Florida sunshine went practically unnoticed. The shipment was small—only 12 tractors. And the big farm equipment factories in the North were busy with their own affairs turning out a heavy flow of equipment for farm needs this summer.

These 12 tractors, however, have a special significance. They are the first farm machines that International Harvester Co., the world's largest maker of such equipment, has imported from abroad. The company will bring in 300 more between now and summer—all made in Harvester's factories overseas. And that's just the start, company officials predict.

A GROWING CROWD

Harvester is not alone in this endeavor. Ford Motor Co.'s tractor division and Massey-Ferguson, Ltd., of Toronto already are active importers. And now three other major farm equipment companies are considering similar steps. J. I. Case Co., the big Racine, Wis., producer, probably will be next to take the plunge. Both Oliver Corp., of Chicago, and Minneapolis-Moline Co., Minneapolis, have executives abroad scouting the prospects.

It's a quiet trend, so far; total imports last year were only $23 million, compared to total U.S. production of farm equipment of $1.5 billion. But it holds dramatic possibilities, particularly for American farmers who might expect to gain some of the purchasing economies from low-cost European tractor production that buyers of small foreign cars now enjoy.

Already, a few farmers are beginning to gloat over the bargains they've gotten. "I figure I saved about $1,000 over U.S.-made models," says Paul H. Betts of Kewanee, Ill., who bought a $3,100 imported Fordson tractor a while back.

SOME WILL LOSE

The import possibilities aren't nearly as pleasant for the 100,000 workers in America's farm equipment factories. Imports last year were up 77 percent from 1957 and were nearly six times as large as in 1952. It is estimated that 1,500 more men would have been needed in factories here if the machinery imported in 1958 had been produced in the United States.

"It's the company's (International Harvester) obligation to keep all the employment in this country it can," snaps Tony D'Allesandro, president of United Auto Workers' Local 1307 at Harvester's big West Pullman tractor parts plant in Chicago. His chief, UAW Vice President Duane "Pat" Greathouse, talks of the need of a "comprehensive study of the import problem" and mentions tariffs as a possibility. (Farm equipment now comes in duty free.)

Much lower labor costs abroad, of course, provide the main impetus for the import surge. Hourly wage rates in European farm machinery factories are as much as 74 percent below those here. Harvester, for example, pays 82 cents an hour in Great Britain, 67 cents in Germany, and 64 cents in France. It pays $2.59 in the United States. In addition, Harvester's British employees work a 44-hour week compared with the standard American 40-hour week. Harvester says fringe benefits also are lower at its foreign plants.

EFFECTS ON SUPPLIERS

For American companies with factories abroad, any increase in imported farm machinery will probably consist of shifting orders and production from one plant to another. But the impact on companies without extensive foreign operations may be much more severe. Also, there is the possibility of less business for U.S. producers of steel, castings, paint, and the dozens of other components which go into farm tool assemblies.

The tractors being brought in this year by American companies are not directly competitive with U.S. models, being either smaller or larger than their American counterparts, much as General Motors Vauxhalls and Opels have little similarity to Pontiacs and Buicks. But if the expected economies of foreign production prove out, there is nothing to prevent the European factories of U.S. companies from switching to tractor models identical with those now being made in the United States. At the present stage, in fact, tractor imports bear a marked similarity to the foreign-car situation of 5 years ago, when import volume was only about 30,000 cars a year. Since then car imports have gained substantially every year and are expected to reach nearly 500,000—hardly a reassuring comparison for America firsters in the tractor business.

International Harvester's plan of operation is to concentrate on selling its imported tractors in the Southeast at first and then broaden the program to other parts of the country. Tractors probably won't be the only machines involved. "I think you'll see

other items coming in," says Mark V. Keeler, farm-equipment vice president. Already plans are being considered for hay balers from the company's French plant and grain planters from its Swedish factory.

J. I. Case's energetic president, Marc B. Rojtman, says: "There's a strong possibility we'll import a small diesel tractor; we'll certainly make the decision by yearend." Case is boosting the annual capacity of its French plant to 12,000 units from 5,000, partly to take care of this possible export volume to the United States. This will double the French factory's current 1,100 employment. Case's payroll in the United States at the moment is about 14,000, in comparison.

Ford started importing tractors in 1953 with a large diesel model manufactured in the firm's English factory. Late last year Ford began bringing in a second diesel model, smaller than the original. It expects its imports, as a result, to climb from the 2,860 units brought in last year.

Oliver Corp. is studying the possibilities of a joint venture with a foreign firm to produce Oliver equipment for import into the United States. Minneapolis-Moline, on the other hand, is involved in a search for low-priced foreign component parts. "We've studied world purchasing for 4 years, but we're just now getting serious," says M-M's president, J. Russell Duncan.

Canadian-based Massey-Ferguson and its major U.S. subsidiary, Massey-Ferguson, Inc., in Racine, probably are furthest along in international procurement practices. "We're working toward a worldwide network of integrated manufacturing facilities that will enable us to produce whatever we need wherever we can do it most economically," explains Albert A. Thornbrough, president, from his Toronto office.

Example: The company buys a transmission from its plant in France and a rear axle from one in England for a tractor it turns out in Detroit.

TWO ABSTAINERS

Of the Nation's eight major producers, accounting for 60 percent of domestic sales of machinery to farmers, only Allis-Chalmers Manufacturing Co., Milwaukee, and Deere & Co., in Moline Ill., insist they aren't giving any consideration to importing farm equipment. But Deere which with Harvester sits atop the heap in U.S. sales, is expanding a 2-year-old German operation. It denies intentions of aiming shipments this way but one outside company supplier insists, "I'll give you odds that's part of their purpose."

Even small implement makers are interested. The head of one Missouri concern reports he's already buying 40 percent of his heavy chain needs, used in the tractor hitches on implements, in West Germany. And he confides, "I'm working on a deal to make a license arrangement with a foreign firm to sell my equipment overseas." He could, if competition forced it, turn to importing his own products from this foreign concern, he says.

There's evidence, too, of increased competition from machinery bearing truly foreign trademarks. David Brown, Ltd., of London has sold about 200 tractors through a west coast distributor in the last 5 years. Now it plans to step up sales efforts. The distributor, Tap Equipment Co., of Los Angeles, plans to increase total dealerships in four Far Western States to 50 from a current 15 by yearend.

What sort of savings are possible with foreign production? Harvester figures its imported diesel tractor, priced at $2,802, would cost U.S. farmers as much as $3,350 if it were made here, assuming the tooling were available.

"We pay more for tires overseas," says Jack L. Camp, Harvester vice president of foreign operations, "and there's little overall savings in other materials. The difference is all in wages." There is less automatic machinery in the company's English plant, so 14 percent more manhours of labors are needed for each tractor, but, even at that, total labor cost per unit is about 60 percent less than in the United States. It costs roughly $150 each to ship the tractors across the Atlantic.

EVEN LARGER SAVINGS

Cost advantages of the French hay baler which the company may introduce here look even more promising; $600 vs. $1,800 (after tooling up expenses in the United States).

Because of high gasoline costs in Europe, diesel-powered equipment is about all that is sold farmers there. This produces high volume—and low costs—on diesel engine parts in which U.S. manufacturers are increasingly interested. Minneapolis-Moline, looking for fuel pumping mechanisms for its domestic diesel tractors, thinks it can achieve savings of 30 percent under U.S. prices by buying abroad.

But price alone isn't the reason for the American companies' increasing stake in European production. Since the devastation of World War II, the market for farm machines abroad has increased year by year. U.S. companies have supplied this growing market both by exporting from American factories and setting up new factories abroad. Recently, export volume has been slipping: From $516 million in 1956, to $510 million in 1957 and $435 million last year. But sales from U.S. plants overseas have more than made up for this loss.

AN UNBROKEN RECORD

"We haven't missed once in the last decade in recording a 5 percent annual gain in overall foreign operations, despite the drop in the export portion," enthuses Harvester's Mr. Camp. The company last year produced 80 percent as many tractors overseas as it did in the United States. The total was under 10 percent in 1949, "and you could have put our 1939 production in your right eye," he says.

Actually, as its name indicates, International Harvester has produced some farm machinery abroad since the present firm was organized in 1902. But up to World War II, much of the equipment made abroad was not produced here. "It was geared to the needs of particular countries—a mower suited to the speed of a camel," a Harvester official explains. Harvester served foreign markets for tractors by exporting machines produced here.

But at the end of World War II there was a severe dollar shortage abroad and foreign nations were also trying to get on a self-sustaining basis. So they set up import restrictions. "It was a case of produce abroad or walk away from the business entirely," the Harvester official explains. The competitive advantage of producing abroad and shipping to the United States only now is becoming apparent, he adds.

Meanwhile the domestic industry has actually shrunk in size since the postwar tractor buying spree that saw more than 600,000 units move to farmers in 1951. Even an improved year in 1958 left tractor production at just 234,000 units. Trade officials figure industry tractor capacity is under 500,000 units a year now.

To get an idea how important foreign plants of U.S. concerns are in the world market, the top three Western Hemisphere firms in foreign tractor production, namely Massey-Ferguson, Ford, and Harvester, turned out about 182,400 tractors last year in England, France, and Germany. That's 53 percent of the 342,000 tractors produced by all companies, foreign and United States combined, in those key nations.

WORLD PRODUCTION

Figures on world farm tractor production are scarce. But Harvester, which is forming a worldwide statistics-gathering group within the company to serve its expanding international interests, makes these production estimates by major country (tractors provide the biggest single chunk of farm equipment sales):

Country:	*1958 production in units*
United States	234,000
Great Britain	140,600
West Germany	118,900
France	83,000
Italy	15,000
Sweden	8,000
Austria	5,000
Argentina	4,500
Canada	4,200
Australia	2,000
Yugoslavia	2,000
Total	617,200

(Production in the Soviet Union is unknown.)

One thing that has slowed development of foreign farm machinery concerns is that European farms, by and large, have remained small. The horse-drawn plow, an unusual sight on the Iowa countryside, is commonplace abroad. "The Continent hasn't produced bigger units needed for the bigger farms in volume," explains Harvester's Mr. Keeler. He figures they'll soon begin to, now that export markets are opening in Africa and South America.

With nearly half its capacity abroad, it's natural Harvester and others in the trade would find at least a few of their foreign products suitable for U.S. consumption.

Take the case of Ford. Until recently it had no domestic diesel tractor to offer. But farmers were clamoring for the huskier diesel engines, using cheaper diesel oil instead of gasoline, to pull bigger plows around their expanded acreages. The easy answer: Bring in an already successful overseas model.

A SMALLER RUNT

Or consider Harvester's plans. The runt of its domestic diesel line is a 53-horsepower, $4,400 unit. But some farmers seek a smaller one. So the company turned abroad. "It would cost us $35 million in tooling alone to start fresh and equip a production line for the unit here," says Vice President Keeler. It's costing nothing in tooling to import the item from England, he adds.

"Instead of picking the best city in the country in which to make a product, it's a case now of picking the best city in the world," sums up this official.

Planning production operations on a worldwide basis "avoids duplication and triplication of effort," observes Massey-Ferguson President Thornbrough. "I think you'll see more companies thinking in these terms," he adds.

The technique won't be limited to just the farm equipment industry, says Mr. Rojtman of J. I. Case, currently traveling abroad for the second time in 2 months. "The trend will cover 35 percent of all U.S. industry," he predicts.

Rising imports present some problems to the farm machinery trade. For one thing it appears certain to cut into sales of U.S.-made equipment, at least temporarily. Until 2 years ago Massey-Ferguson imported a tractor but then quit and turned to components instead. "The tractor was competing with existing Detroit capacity," explains Mr. Thornbrough. "That's the problem some of these others are going to run into," he warns.

NEW PRODUCTS

Some U.S. producers are by no means convinced the trend to importing from their foreign plants will be self-destructive in the long run. "We'd hardly let any U.S. facilities stand idle," declares tall, distinguished Brooks McCormick, Harvester executive vice

president. "We'd use the plant to develop a new product," he explains.

"We may lose volume in some items where the biggest volumes are overseas," adds this official. But he reasons buying more from the overseas plants should spur trade in both directions, especially stimulating sales of items in which the United States continues to have the volume and the technological edge. "There'll be a lot of whooping and hollering down in Washington about the trend in the short run," he concludes, "but in the long run it's the salvation of our country."

U.S. automation still generally outpaces that of overseas plants in the industry. Consider, for example, that a Harvester tractor made in England takes 224 hours of labor. The same tractor made here takes only 197 hours. Partly this is because cheaper labor puts less pressure on the British plant operators to add more automatic equipment. The result is some items made in big quantity here still can be made more economically than the same item made at a low volume and hence high per-unit cost abroad.

EXHIBIT 3

[From Foreign Commerce Weekly, Apr. 6, 1959]

U.S. INDUSTRY SHOWS INTEREST

U.S. industry is also showing considerable interest in Common Market developments. Firms engaging in exports to the area, as well as those with subsidiaries in the Common Market are assessing their competitive position. Some firms are planning to shift from exporting to the area to production within it; others are modifying or consolidating their facilities already located there. Apart from firms with wide European experience, many U.S. companies to whom Western Europe has previously been only of marginal interest are now thinking in terms of subsidiaries within the area or of licensing arrangements with existing Common Market firms.

Some Netherlands statistics show the trend of recent U.S. investments in the Netherlands. The average annual number of U.S. firms establishing new branches in the Netherlands was seven in the 1955–57 period. However, 23 new U.S. firms established themselves in that country in 1958 after the Common Market had come into existence. According to a large Netherlands bank, 47 foreign firms established in the Netherlands in that year, compared with a maximum annual figure of 20 for the preceding 4 years. Similar figures are not yet available for any of the other Common Market countries. Although Holland, for many years, has made particular efforts to attract U.S. investment, it may be assumed that a similar situation prevails in most other Common Market countries and that the influx of U.S. investment there also has been considerable.

Following are a few examples of publicized actions by U.S. industry indicating the type of planning to participate in the Common Market which is being undertaken on a wide scale: Agreements were concluded between several French companies and Westinghouse International in the field of nuclear energy. Underwood Corp. established the firm of Underwood Italiana for producing office machines. Excello Corp. acquired the German firm Goppingen to manufacture machine tools. Other recent actions taken by U.S. firms include the acquisition of a calculating machine company in Germany by Smith-Corona Marchant, a licensing agreement between General Motors and a Belgian firm for the production of diesel engines, the establishment of a plant for production of orlon fiber by Du Pont in the Netherlands and another plant for the production of paints in Belgium, the acquisition of an interest in the Simca works in France by the Chrysler Corp. the acquisition by Container Corp. of America of a majority interest in a German paper manufacturing company, and the establishment of a cardboard firm by the same U.S. company in another German location.

In all, recent developments indicate investment in the Common Market is accelerating and that U.S. companies account for a considerable share of this new investment.

EXHIBIT 4

[From the Washington Post and Times Herald, Apr. 6, 1959]

EXPORT OF VENTURE CAPITAL WILL GROW

(By Harold B. Dorsey)

An article in the latest issue of Foreign Commerce Weekly (Department of Commerce) reports that American businesses are setting themselves up inside the six-nation European Common Market in growing numbers. Some of these companies which have been making goods in this country and exporting them to Europe are planning to shift their production to Europe. Many other companies with little previous interest in Europe are now thinking in terms of subsidiaries within the area or licensing arrangements with existing firms there.

A dispatch from Frankfurt, Germany, last week reports that United States brokers have recently been buying a large number of shares of German companies in the West German stock market, causing some rather sharp gains in the prices of those stocks.

A group of about 70 Wall Street investment analysts went to Europe last week for a tour of about 3 weeks to explore the clues which suggest that the growth prospects of some of the foreign companies may be more attractive than their American counterparts.

The United Nations economic commission for Europe released a report last week which recommended a more vigorous expansion of business activity in the area. The report said that there were many favorable factors in Europe's present economic situation to encourage governments to adopt policies more propitious to business expansion. The improvement in the international financial liquidity position of most Western European countries was noted.

The Commission of the European Economic Community (EEC), the executive administrative body for the European Common Market, reported last week that the initial lowering of tariffs and enlargement of import quotas put into effect at the start of this year may increase French trade with other community members by 15 percent and that of Germany, Italy, and the Benelux countries (Belgium, the Netherlands and Luxembourg) from 3 percent to 5 percent. The ultimate objective of the European Common Market is the elimination of trade barriers between the subject countries so that there will finally develop a mass market consisting of the total population of these six countries, about 160 million people.

The U.N.'s economic commission in a review of developments in Russia and Eastern Europe last year pointed out that total output of goods and services in that area appeared to have increased by about 6 percent to 9 percent. Industry continued to expand at about the same rate as during 1957. The report attributed the continued rapid growth of Communist industrial production to a more intensive use of capital and to a rise in labor productivity.

Other foreign comment suggests that some of America's traditional Allies are complaining about a return of U.S. attitudes toward protectionism, while still extolling the virtues of free trade. Switzerland interprets our attitude toward Swiss watch imports as verging on the unfriendly; Canada is justifiably upset by our arbitrary restrictions against imports of her lead, zinc and oil; Britain thinks it unfair that we should reject her bids to supply this country with electric power generating equipment at prices very substantially below those of the lowest U.S. producer; Venezuela is certainly not very happy about our restrictions on the import of Venezuelan oil; nor can Japan completely understand the restrictions which we have placed on our imports of Japanese textiles.

The foregoing recent observations have one thing in common; they all suggest that very considerable success has attended the postwar efforts of the United States to restore the economies of war-riddled Europe and to build up the economies of some of the underdeveloped nations. From the humane viewpoint and from the international political viewpoint, our Government and our entire body of taxpayers are entitled to a feeling of gratification for the achievement. This does not necessarily mean that further economic aid should be suspended. That question involves matters that are not germane to this particular discussion.

But the facts of the current economic condition do present problems for the business analyst in his diagnosis of the American economy. Highly skilled investment managers, as noted above, are beginning to give tangible financial support to the prospect that industrial growth trends in Western Europe in the next 5 years are likely to be superior to our own. That does not necessarily mean that our own trends will be negative; it primarily reflects the fact that the European countries will be progressing from a lower base than ours and therefore they can more easily record a better year-to-year growth on a percentage basis. The latter is the factor that is of keen interest to the astute investment manager in his constant search for the best possible growth in the earnings of his investments.

It seems likely that there will be a larger export of American venture capital—the kind of capital that has been most responsible for this country's superior progress in the standard of living throughout most of our history. It must be admitted that our national policies in the past decade or so have discouraged the profitable functioning of venture capital, so the foreign fields may appear to be relatively greener.

It would seem that the international condition indicated by some of the foregoing observations should be taken into serious consideration by those who may influence domestic business conditions, primarily the leadership of business, labor, and government. Certainly, it is a fact that the status of our import and export relationships is far less favorable to our employment and business activity today than it has been throughout the entire postwar period. It is reasonable to presume that this significant change should call for some alteration in the determination of our business, labor, and government policies.

EXHIBIT 5

[From the Wall Street Journal, Mar. 26, 1959]

OUT OF REASON'S MARKET

Some American machine toolmakers are buying foreign companies to produce and sell both abroad and in the United States, and this trend is expected to grow. The reason is that the U.S.-made products are running into increasing price competition trouble with foreign-made products.

Steelmakers will try to counter union demands this spring with the argument, among others, that higher prices may mean more imports from abroad and fewer jobs for American steelworkers. And in point of fact, steel imports have been rising and exports declining.

Automakers are finding that while imports from abroad continue to mount, their own

overseas sales are sliding in about the same proportion.

In all these examples—and others could easily be cited—is a common thread: U.S. products are pricing themselves out of world markets. This is one of the important things that is going to be studied by Vice President NIXON's new Cabinet Committee on Price Stability for Economic Growth.

Now the immediate significance of the pricing-out-of-the-market trend can doubtless be exaggerated. But it is happening, and there is little reason to suppose it will not become a problem of serious proportions unless something is done. So the question is: What should be done?

The protectionists have a ready answer; they are already mounting, through their numerous spokesmen, a campaign to build a higher wall of tariffs, quotas, and other restrictive devices around American industry. There are many things that can be said about this point of view—that it forces the consumer to pay higher prices than he otherwise would have to; that to try to protect some American firms is automatically unfair to others.

But for the present discussion, perhaps the most useful thing to say about the protectionist answer is that it does not come to grips with the problem. The protectionists say the trouble is that foreign wage rates are usually lower than American. U.S. productive efficiency, however, has long been able to more than compensate for that cost disadvantage; the unarguable fact is that the United States has been highly successful in competing against foreigners both on its home ground and theirs.

That this country is now showing signs, in some fields, of losing out, suggests that rising wages and prices are beginning to outrun the compensating power of American efficiency. In the case of American machine tools, the average price has doubled in the past decade, which naturally reflects mounting wage costs. But then the question must be posed, How is it possible for such increases to have occurred?

A considerable part of the answer is the fact of Government-induced inflation. Some people talk as though inflation were at the most a future threat, but of course we have been having inflation right along—a lot of it up until about 1951, less since. From inflation spring the wage increases that exceed productivity gains and the consequent price rises now beginning to play hob with our competitive ability. In short, the inflation we have permitted through years of Federal red ink is starting to catch up with us in world markets.

Now protectionism is plainly no answer to inflation; indeed, it is a self-defeating notion. If we cut off our international trade, we will likely spur inflation without saving our domestic industry, which will simply become higher cost, less efficient and less competitive.

Equally clearly, one might think, more inflation cannot be a solution of inflation. Yet today many in Congress are in effect saying just that. They are trying to keep the Government on the path of heavy inflationary deficits because they profess to think that is the path to economic growth. Unhappily it is the way not to sound economic growth, but to economic contraction and eventually to finance collapse.

The way to deal with inflation is to stop inflating. What is beginning to happen to our international trade is one more sharp warning that the time to stop is long past and we had better not wait much longer.

The American people ought to consider that warning before they let either the protectionists or the inflationists price them out of reason's market.

The PRESIDING OFFICER. The resolution will be received and appropriately referred.

The resolution (S. Res. 105) was referred to the Committee on Banking and Currency, as follows:

Resolved, That the Committee on Banking and Currency, or any duly authorized subcommittee thereof, is authorized and directed to make a full and complete study and investigation of the private investment of American capital abroad with a view to determining the extent of such investment; the changes which have occurred therein in recent years; the effect of such investment on domestic industries in terms of employment, profits, and markets; and the effect of such investment on the economies of foreign countries. In the conduct of such study and investigation the committee shall consider the effect on such investment of existing tax, tariff, monetary, labor, and other regulatory policies of the Federal Government. The committee shall report to the Senate at the earliest practicable date the results of its study and investigation, together with such recommendations as it may deem advisable.

UNIFICATION OF IRELAND—ELECTION BY PEOPLE OF ALL IRELAND

Mr. JAVITS. Mr. President, on behalf of myself, and Senators DODD, KEATING, and WILLIAMS of New Jersey, I submit, for appropriate reference, a resolution requestiong that an election be held in all Ireland under United Nations auspices at which the people of Eire and Northern Ireland would vote on the question of Irish unification.

Traditionally, the United States has tried to help peoples who are seeking unification or a legitimate expression of their desire for self-determination as they see it. Incorporated in the charter of the League of Nations, expressly reaffirmed by the United States and Great Britain in their signing of the Atlantic Charter, and set forth as a fundamental principle of the United Nations Charter now upheld by 81 nations, the doctrine of self-determination of peoples was integrated into 20th century foreign policy by President Woodrow Wilson in his historic Fourteen Points issued in 1917.

Since then, the application of this principle in the form of plebiscites held under the auspices of the League of Nations or the United Nations has led to the peaceful resolution of at least half a dozen separate disputes of grave international concern. The situation in Ireland today, which periodically erupts into violence and bloodshed, is certainly deserving of no less fundamental a solution in the interests of international peace and security. Partition was effected in 1920 when 6 of the 9 counties in Ulster were separated from the other 26 counties and became Northern Ireland.

The authority under which the United Nations could act to hold elections in Ireland is found in article 11 of the Charter. It states that the General Assembly "may discuss any question relating to the maintenance of international peace and security * * * and may make recommendations with regard to any such question to the state or states concerned or to the Security Council or to both." In addition, article 35 should be invoked, which allows a state to bring a dispute to the attention of the United Nations "if it accepts in advance for the purposes of the dispute the obligations of pacific settlement provided in the Charter."

The text of my resolution is as follows:

That it is the sense of the Senate of the United States that the maintenance of international peace and security requires settlement of the question of the unification of Ireland and that the people of all Ireland, including the people of Eire and the people of Northern Ireland, should have a free opportunity to express their will for union and that this be attained by an election of the people of all Ireland under the auspices of a United Nations Commission for Ireland, to be designated by the General Assembly pursuant to Articles 11 and 35 of the Charter, which shall establish the terms and conditions of such election.

THE PRESIDING OFFICER. The resolution will be received and appropriately referred.

The resolution (S. Res. 106) was referred to the Committee on Foreign Relations.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959—AMENDMENTS

Mr. CASE of South Dakota submitted an amendment, intended to be proposed by him, to the bill (S. 1555) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes, which was ordered to lie on the table and to be printed.

Mr. DODD submitted amendments, intended to be proposed by him, to Senate bill 1555, supra, which were ordered to lie on the table and to be printed.

Mr. KENNEDY submitted an amendment, intended to be proposed by him to Senate bill 1555, supra, which was ordered to lie on the table and to be printed.

Mr. MUNDT submitted amendments, intended to be proposed by him, to Senate bill 1555, supra, which were ordered to lie on the table and to be printed.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. BRIDGES:

Address on the subject "Today's Challenge, and How To Meet It," delivered by Postmaster General Arthur E. Summerfield, at the annual dinner of the Merchants and Manufacturers Association in Los Angeles, Calif., April 17, 1959.

NOTICE CONCERNING CERTAIN NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Robert S. Rizley, of Oklahoma, to be U.S. attorney for the northern district of

Oklahoma, for the term of 4 years, vice B. Hayden Crawford, resigned.

S. Hazard Gillespie, Jr., of New York, to be U.S. attorney for the southern district of New York, for the term of 4 years, vice Paul W. Williams, resigned.

On behalf of the Committee on the Judiciary notice is hereby given to all persons interested in the above nominations to file with the committee, in writing, on or before Tuesday, April 28, 1959, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

NOTICE OF HEARING ON NOMINATION OF LESTER L. CECIL, TO BE U.S. CIRCUIT JUDGE FOR THE SIXTH CIRCUIT

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for 10:30 a.m., Tuesday, April 28, 1959, in Room 2228, New Senate Office Building, upon the nomination of Lester L. Cecil, of Ohio, to be U.S. circuit judge for the sixth circuit, vice Potter Stewart, elevated.

At the indicated time and place all persons interested in the above nomination may may make such representations as may be pertinent. The subcommittee consists of the Senator from South Carolina [Mr. JOHNSTON], the Senator from Nebraska [Mr. HRUSKA], and myself, as chairman.

THE KENNEDY-ERVIN LABOR REFORM BILL

Mr. GOLDWATER. Mr. President, as we continue debating the demerits of the Kennedy-Ervin bill, the press of the country continues to become more aware of the deficiencies of that piece of proposed legislation.

I have in my hand an article from the New York Herald Tribune of April 16, under the headline "McCLELLAN for Stiffer Kennedy Bill."

Because the articles, editorials, and so on, on this subject are so pertinent to the matter we are discussing in the Senate, I ask unanimous consent that a number of them be printed in the RECORD at this point in my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Herald Tribune, Apr. 16, 1959]

McCLELLAN FOR STIFFER KENNEDY BILL—ASSERTS LABOR CAN'T CLEAN ITS OWN HOUSE

Senator JOHN L. McCLELLAN, Democrat, of Arkansas, said here last night he is willing to have his union-reform bills considered as amendments to the Kennedy-Ervin bill, on which debate began yesterday in the Senate. He called his five bills "the minimum that is required to provide an adequate legislative remedy for conditions that now prevail."

Senator McCLELLAN, who flew to New York in the evening to speak at the annual dinner of the Brand Names Foundation, said that labor cannot clean its own house of brutal, cynical men to whom unionism means only a royal road to personal riches and power. The Senator, chairman of the Senate Rackets Committee, declared that the remedy will have to be provided by strong and effective legislation.

The first of Senator McCLELLAN's bills would provide minimum ethical standards for unions, require reports on financial and administrative affairs and compel secret ballots in union elections. It would give union members whose rights had been violated an opportunity for judicial or administrative hearings.

FIVE YEARS IN PRISON

Among its penalties, the bill would impose $10,000 fines and 5 years in prison for using force to prevent the use of any rights granted to union members in the bill.

The four other bills would require the National Labor Relations Board to surrender certain jurisdictions to the States; outlaw hot cargo clauses; prevent secondary boycott, and prevent picketing aimed either at extracting payoffs from an employer at forcing an employer to place his workers in a union against their will.

"Some will charge," the Senator said, "that these measures are too drastic; that they are punitive and restrictive. I submit they are not drastic, they are preventive; they are not punitive, they are protective; and they restrict and prohibit only that which is criminal or improper."

[From the New York Journal American, Apr. 7, 1959]

LABOR NEEDS HELP IN CLEANING HOUSE

(By George E. Sokolsky)

The head of a labor union, under our laws and practices, is an exceptional person who has a legitimate right, under the National Labor Relations Act, to control the lives, social status, and liberties of other human beings. He is not a Government official, but he can, in a particular industry, decide on a man's right to work. He can make men rich or poor or even beggar them. He is the master of an enormous treasury, often running into hundreds of millions of dollars, and is accountable legally to no one for its management. His income taxes are not subject to the same kind of investigation as are those of other citizens because labor union funds are not subject to taxation or investigation, except if a congressional committee makes an investigation which is usually spasmodic and limited.

The various proposals to correct this condition and to remove an elite from American life are not very serious in this direction. Senator JOHN KENNEDY'S proposals for the rectification of the errors of the Roosevelt and Truman administrations seem to be an effort to run interference for the labor leaders. Secretary of Labor Mitchell's efforts are not much better.

I note that a bill has been introduced in the Legislature of the State of North Dakota which hits one nail on the head, namely, gangster control of labor unions, which reads:

"No person who has been convicted of any crime involving moral turpitude or of a felony, excepting traffic violations, shall serve in any official capacity or as any officer in any labor union or labor organization in this State. No such person, nor any labor union or labor organization in which he is an officer shall be qualified to act as a bargaining agent or representative for employees in this State. Such disqualification shall terminate whenever such officer is removed or resigns as an officer in such labor union or labor organization."

Such provisions in Federal or State laws would eliminate one group of difficult persons in the labor union setup, namely, the gangster and racketeer. But it does not solve the whole problem, which is that bossing a labor union is a profitable business.

RACKETEERS SEE A BUCK

The gangster and racketeer moved into organized labor shortly after prohibition because he recognized it as good business. It was much like the Sicilian padrone system, the boss, in effect, renting men's time for a wage for the worker and a consideration for himself. Long before Lepke organized Murder, Inc., for instance, he had organized a goon squad in the garment industries, sometimes working for bosses, sometimes for unions, sometimes for combinations of bosses and unions to keep competitors out of business. This trafficking in murder, arson, etc., was particularly notable during the deep depression years and continued after Lepke and his partner, Gurrah, were deprived of their lives by an ungrateful State which did not appreciate their services. (Gurrah died in Sing Sing.)

The gangster muscled into the labor movement, organizing new unions, particularly in the CIO which in its early stages used anyone who was willing to serve. A startling combination came into existence among Communists and the mob, as it is often called. This group developed great power in the labor movement, particularly among the Teamsters.

Various efforts have been made by the older and more respectable labor leaders to rid themselves of gangsters and racketeers but it has not been easy. One cannot call a man a gangster, a racketeer, a member of the Mafia unless the law does it first and in many places in this country, the mob owns the law. The association of mobsters and politicians inside and outside the labor movement has been a deep peril not only to organized labor but to the United States.

It would be to the greatest advantage to organized labor if the mob were taken out of it, but organized labor cannot clean its own house, as the expression goes, for two reasons: One, because the mob has lots of votes; and secondly, because few men who lead unions have not at some stage laid themselves open to attack for the same things that the newer and less respectable leaders are now doing. The job must be done from the outside, but it must be done impartially. Making one man the goat, as for instance, picking Jimmy Hoffa as the one, outstanding bad boy, will not do the job.

[From the Boston Herald, Apr. 14, 1959]

NO ACTION AT THIS SESSION SEEN TO END LABOR RACKETS

(By David Lawrence)

WASHINGTON.—The American people may not realize it yet, but the Congress isn't going to do anything at this session that really will put an end to the racketeering in labor unions. This is already conceded privately by the leaders on both sides.

Actually, none of the proposed measures, even if passed, would eliminate the corruption that has been exposed at the hearings conducted by Senator McCLELLAN and his committee.

One of the most significant comments has just come from George Meany, president of the AFL–CIO. In an interview in the current issue of Dun's Review and Modern Industry, Meany pointed out that the unions alone cannot stop the abuses. Here is an excerpt:

Question. "Do you believe that labor legislation now pending in the Congress will provide adequate power to curb these abuses?"

NO LEGAL POWER

Answer. "Adequate power? Frankly, these abuses could not be stopped by the unions alone. The trade-union movement is trying

to do what it can in this field. We think we have some moral responsibility to do this. But the AFL–CIO has no legal responsibility to curb corruption in union locals. We aren't a law-enforcement agency, and we don't have the power of subpena. We couldn't possibly call a trade-union official before our council and say "We are suspicious; we don't like the way things are going.' Certainly we would not hesitate to take action where we had proof of wrongdoing or corruption. But we must have the proof, and we haven't got the machinery to go out and make these investigations.

"So, to answer your question, we don't feel that the requirements of the Kennedy-Ervin bill would eliminate corruption. We do think it would curb some of these people because they will have to report all their financial transactions. We think the Kennedy-Ervin bill is a step in the right direction, but the real problem of corruption is the failure of the law-enforcement authorities to act."

CITES RACKETEERS

"The jukebox and coin-machine business points it up quite clearly. Here's one of our big industries, in the billion-dollar class, and it's honeycombed with gangsters and thugs operating with the connivance of greedy businessmen and with the cognizance of the law enforcement authorities.

"It is quite obvious that the real answer to corruption, whether in unions or anywhere else, is better law enforcement. Nobody runs to the American Bankers Association every time a cashier defaults or somebody on the inside robs a bank—they expect the local district attorney to handle that. When companies engage in business frauds, nobody runs to the chamber of commerce or the National Association of Manufacturers and says, 'What are you going to do about law enforcement?' No, they expect the local district attorney to do it."

CAN'T STOP HOFFA

This correspondent read the foregoing quotation to MCCLELLAN and asked him for his opinion on it. The Arkansas Senator said:

"They say they do not have the power, and that is correct. They can't stop a Hoffa. That's why laws are needed. If they had the power, and would be diligent in exercising it, we probably wouldn't need additional laws, or so many laws. But they cannot deal with people like Hoffa, and it's imperative that we enact laws to at least curb—you never completely prevent—crime of any kind."

Question. "I wonder why the local district attorneys haven't done more on this?"

Answer. "I think the simple answer to that is politics. They control—just like they control an industry or control an operation. They have the political power where they control often the people in public office."

Question. "You mean the unions do?"

Answer. "Sure. Or the union racketeers—that element in them. There's no question about that."

All this points up to the fact that labor unions are not at all analogous to trade associations or groups of businesses. The labor unions have a monopoly power. They get it out of existing laws and also out of the refusal of Congress to include labor unions as within the jurisdiction of anti-monopoly or antitrust laws.

[From the Miami Herald, Mar. 27, 1959]

CONGRESS AND THE TEAMSTER MESS—TALK, TALK, BUT NO ACTION

Since 1957 when it opened for business, the Senate Rackets Committee has taken thousands of hours of testimony and has heard hundreds of witnesses, most of them from the lowest rungs of humanity.

Nothing the committee has heard, however, more nearly scoured the bottom of social depravity than the Teamster Union scheme to exploit race feeling in the Miami area.

According to a letter reputedly written by a local Teamster official, Negro union members and their families were to be paraded in a new white housing section.

Ostensibly, one family would seek to buy a house. The expected turndown would then produce a suit and a row in the courts because the mortgages are federally guaranteed.

But the hidden purpose, as our David Kraslow reports from Washington, is to bludgeon a big Miami builder into using union-delivered cement.

Anyone who exploits racial feeling in such a manner deserves the contempt of all races and groups. This area of group relations is extremely sensitive. Men of good will, including many union leaders themselves, are bending every effort to reduce tensions and combat race baiting.

The man behind this scheme heard himself described as one of the "sorriest crumbs with which humanity was ever infested." The words are those of committee chairman, JOHN MCCLELLAN, who has asked for an investigation of the incident by the Justice Department and the Civil Rights Commission.

But words and investigations hardly faze the subjects of what Senator MCCLELLAN once described as Jimmy Hoffa's hoodlum empire.

Only laws, strictly enforced, are of any real use.

As we said, the rackets investigation got going in 1957.

In nearly 2 years of testimony, the Senate committee has produced every manner of sensation. Congressional Quarterly Almanac puts it this way: "The investigators have turned up all the essential ingredients of a Mickey Spillane thriller—human torch, woman scorned, disappearing attorney, gargantuan witness, blonde mankiller, hot jewels, and repeated reference to people in high places."

And hear us—it has turned up everything but a labor law that would protect decent unionists and all the rest of us from labor racketeers.

The last Congress spent 8 months chewing over the Kennedy-Ives anticorruption bill—a puny thing at best—and quite without any labor reform legislation.

On Wednesday the Senate Labor Committee approved without major change another Kennedy bill. Missing was a ban on secondary boycotts, the very tactic involved in the Miami Teamsters' proposed excursion into race baiting.

Congress is at home for the Easter recess.

Will it hear from the people?

Their swelling voice could be its master in this sorry mess.

MAJOR THREATS TO 1960 BUDGET

Mr. BRIDGES. Mr. President, I ask unanimous consent to have inserted in the body of the RECORD a most informative analysis prepared by Mr. Maurice H. Stans, Director of the Bureau of the Budget.

At this approximate halfway point in our legislative session, it seems to me most timely to bear in mind Mr. Stans' thoughtful analysis. In bringing these figures to the attention of my colleagues, I feel that I have served the purpose of not letting them go uninformed concerning the budgetary effect of various legislative proposals.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

Major threats to 1960 budget

[In billions]

		Budget effect
Budget surplus		$0.1
Failure to adopt revenue proposals:		
Motor fuel tax	−$0.2	
Airways user tax	−.1	
Postal rates	−.4	
Adoption of unbudgeted proposals:		
Housing Act (S. 57, as reported by House committee)	−.4	
Veterans loans (H.R. 2256)	−.2	
Tax reductions (Simpson-Keogh bill)	−.4	
Veterans pensions (Teague proposal?)	−.2	
Aid to education (Murray-Metcalf bill)	−1.1	
Aid to airports (S. 1), area assistance (S. 722), and other	−.1	
		−3.1
Total (deficit)		−3.0
Not evaluated above:		
Higher interest rates		?
Appropriations committee reductions or increases (including Defense appropriations)		?

MAJOR LEGISLATIVE THREATS TO BUDGET

Budget expenditure effect

[In millions]

	1960	1961	Subsequent years	Total effect (where applicable) or 5-year effect
Housing Act (S. 57, as reported by House committee) 1960 includes effect of prohibition of bond-mortgage exchange included in House report. All figures exclude effect of repayments.	$442	$112	$3,956	$4,510
Veterans' loans (H.R. 2256) As passed by the House.	200	100	-------	300
Veterans' pensions (Teague proposal?) Possible liberalization veterans pensions along lines discussed by Representative TEAGUE.	200	250	800	1,250
Aid to airports (S. 1) As passed by the Senate.	5	30	340	375
Area assistance (S. 722, Douglas bill)	35	93	372	500
Aid to education (Murray-Metcalf bill)	1,100	2,100	12,300	15,500

Factors affecting 1961 expenditures

[In billions]

	Budget effect
Built-in increases:	
Interest	$0.3
CCC and conservation reserve	.3
Mutual security (mostly Development Loan Fund)	.3
Veterans pensions	.1
Construction	.2
Space program (NASA)	.2
Defense education	.1
Aviation program (FAA)	.2
Urban renewal and public housing (existing legislation)	.2
Other	.2
	$2.1
Normal decreases:	
Veterans readjustment benefits	−.1
Other	−.1
	−.2

Factors affecting 1961 expenditures—Con.

[In billions]

	Budget effect	
Carryover from 1960 threats:		
Failure of higher postal rates and gas tax	1.2	
Housing, aid to airports, etc	.6	
Aid to education (Murray-Metcalf bill)	2.1	
		3.9
Increase in expenditures		5.8
1960 estimate		77.0
Expenditure level indicated [1]		82.8
Revenue losses in 1961 threatened:		
Tax reductions (Simpson-Keogh bill)		.4
Airways user tax		.1
Total		.5
[1] Not evaluated above:		
Changes in level of Defense expenditures		?
Long-range program reductions		?
New public works starts		?
Any program increases or new programs		?

The PRESIDING OFFICER. Is there further morning business?

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEPARTMENT OF COMMERCE REPORT ON RESPONSES TO BUSINESS QUESTIONNAIRE REGARDING PRIVATE INVESTMENT ABROAD

Mr. JAVITS. Mr. President, the Department of Commerce is today submitting to every Member a very important report, to which I wish to invite the attention of Senators. The report is entitled "Responses To Business Questionnaire Regarding Private Investment Abroad," prepared by the Assistant Secretary for International Affairs of the U.S. Chamber of Commerce.

This report analyzes the reasons why American business believes it will or will not invest overseas. The answers were obtained in order to support the study made by the Department of State, or under its auspices under section 413(c) of the Mutual Security Act. The study was actually directed by Ralph Strauss, of New York. It related to the extent to which the foreign policy of the United States should be supported by the private economic system. The report was issued on April 1, but the responses of 1,000 American businessmen, which were used as the basis for the report, are now printed in the document to which I have referred. They prove to be equally important, for this reason:

It is now clear that the Soviets have undertaken a major economic offensive against the free world. When we talk about the fact that we are being distracted by Berlin from looking to the Middle East and Iraq, we should also remember that we should not allow ourselves to be distracted by Berlin from the real economic war being waged upon us, not only in the field of aid, which is itself very important, because the Soviet Union and Communist China are now putting out appreciable amounts of foreign aid, in a governmental sense, but also in the field of trade, especially as regards raiding the free world markets for basic commodities, such as residual fuel oil, aluminum, and tin.

This operation can be more destructive, in terms of the cold war, than the hydrogen bomb, in terms of a hot war. The danger is that our attention is diverted from the real peril, and we look at something else the Soviets want us to look at, such as Berlin.

It seems clear to me, and it is being made clearer to many of us as we read the press items, including those relating to the address by Mr. Hoffman to the International Chamber of Commerce, the address by Secretary Anderson in New York, and recent addresses by Vice President NIXON and other authorities, that the private credit and investment system of the United States must be relied upon primarily to do the job which needs to be done. Today we are investing overseas about $3.1 billion net, annually. The total stands at $28 billion.

As revealed by the questionnaire to which I urgently invite the attention of every Senator, business looks to the Federal Government, not for direct financial participation as a means of reducing the risks of trade and investment in the underdeveloped countries—though in many cases business finds guarantees and similar techniques useful—but the major thing for which business looks to the Federal Government is increased promotion and protection of our investments in foreign countries, improved information service, and, very important, equitable tax treatment.

There is quite a conflict in the Government between the Treasury Department and the Department of State. Upon another occasion I shall address myself in great detail to that conflict.

Finally, business is interested in the expansion of investment guarantees, such as those now in the Mutual Security Act. Our objective must be to at least double United States private investment. Businessmen themselves, by answers to the questionnaire to which I have referred, have shown us one of the ways by which to accomplish that purpose.

I hope Senators will pay very serious attention to this extremely important document.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. BUSH. I commend the Senator very heartily for his remarks concerning foreign economic policy, and for bringing that subject to the attention of the Senate, which he did a week or so ago. On the Senator's advice I obtained a copy of the fine report by the Department of State and studied it. I believe that in that report, as the Senator says, there are some very sound recommendations for the promotion of trade, and particularly the promotion of American investment abroad, which, as the Senator from New York says, would be very helpful in our world relationships, particularly in the cold economic war which is so troublesome to us.

Mr. JAVITS. I am very grateful to my colleague, who is himself a leader in the investment world. He has always ben very helpful in this effort.

Mr. President——

The PRESIDING OFFICER. The Senator from New York.

DRUG ADDICTS AND CRIME

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an article entitled "Drug Addicts and Crime," written by Edward T. Mancuso and published in the February 1959 issue of Frontier magazine.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DRUG ADDICTS AND CRIME: A STUDENT OF THE PROBLEM SUGGESTS A NEW APPROACH

(By Edward T. Mancuso)

For almost a half century, State and Federal laws, primarily punitive in their impact, have failed to solve the narcotic problem. Much of our frustration with respect to this social dilemma stems from the inability of those most concerned in trying to find a solution to the problem, to make a true evaluation of its nature and extent.

The nonaddicted seller is the person who must assume primary responsibility for the existence of this problem. It is because of his greed and avarice that the cancerous-like affliction of addiction to narcotics has extended its tentacles into the very vitals of the body politic. The problem of the nonaddicted seller, not unlike that of any ordinary criminal, stems from a flagrant disregard of the moral and legal obligations which the individual owes to society as an entirety. His abject thinking leads him to the conclusion that he need not cooperate with, but may, and must, do everything to destroy the moral fiber of society. He is a true criminal and should be treated as such. The extent to which he should be punished is a matter that I am willing to leave to the legislature and the judiciary.

The pusher constitutes a group more numerous than the nonaddicted seller. The pusher is a sort of hybrid, being both a seller and a user. His activity as a seller, experience has proved, is geared to a necessity created by his own addiction. Punitive action standing alone is not the solution to his problem. Action which seeks to punish the pusher by confining him in jail results only in a temporary alleviation of the sociological problem created by his unfortunate existence. However, such punitive action completely ignores his psychological and physiological problems, which spring into being as a result of his dependency on drugs. Accordingly, it seems to me, that some plan must be devised wherein greater attention is given to the alleviation of the physical and mental problems which beset the pusher.

Perhaps the most difficult aspect of the total problem is the drug addict—a poor unfortunate soul who for one reason or the other too numerous to mention or outline here—has developed a dependency on drugs. The best available figures—estimates only—indicate the existence of more than 60,000 known addicts in the United States; how many more there may be no one really knows. Nevertheless, the 60,000 figure creates some cause for alarm. There is even greater cause for alarm when one realizes that the habit in America frequently begins in adolescence or the early twenties, and dwindles out in the mid-forties, thus the active stages of the habit cover the most

productive years of the victim's life and society is to that extent deprived of any worthwhile contributions which he might make during that period. In California in 1957, 80 percent of males convicted for narcotic violations were under 35 years of age. (Bureau of Criminal Statistics, Department of Justice, State of California.)

PROPAGANDA BY THE POLICE

Purely aside from the seriousness of the problem of addiction, society has intentionally been misled by self-serving law-enforcement officials with respect to the true implications of the problem. The general population, victims of today's mass media of communication, has been induced to believe that narcotics, per se, precipitate all sorts of wierd, bizarre, and evil responses on the part of its victims. This propaganda, emanating from law enforcement agencies and uninformed politicians, is definitely untrue. The truth is that narcotics induce a state of lethargy in their users, a sort of supine, detached mood that makes them totally oblivious either to the advantages or disadvantages of their environment. A jolt of heroin, in its initial impact, has the effect of suspending the user in an ethereal world between the real and the imaginary. It is a gross inversion of fact to say that the addict, while under the influence of narcotics, is propelled toward violence, theft, and criminal acts in general. It is significant that the Bureau of Criminal Statistics reports:

"Very few addicts were among those committed to prison for sex offenses, assault, or homicide."

With the problem thus clearly delineated, many suggestions have emerged as to its solution. On the one hand there is that school of thought whose chief exponents are such distinguished men as Narcotics Commissioner Harry J. Anslinger and Judge Samuel S. Leibowitz, who advocate stronger punitive measures as the only solution to the problem. They argue that the only way to dry up the narcotic traffic is to confine all narcotic addicts.

On the other hand, there is the second school of thought espoused by such distinguished men as Senator JACOB K. JAVITS, New York City's Chief Magistrate John M. Murtagh and a host of psychologists, sociologists and physicians who feel that a medical approach should be made to the problem and that addicts should be provided free, or at a nominal cost, dosages to satisfy their craving.

Statistics seem to indicate the conclusion that in those areas in which a get tough policy has been followed the problem has been ostensibly lessened but this by no means indicates that it has been eliminated in these areas.

Those who advocate stricter law enforcement and stiffer sentences for the addict and addict-peddler fail to face up to one inevitable fact and that is that the narcotic addict as such is incurable and so long as he is on the street the problem is a simple one of demand and supply. The addict, of necessity, demands drugs to satisfy his acquired tolerance and the seller, irrespective of legal restrictions, will seek to supply that demand. One obvious answer to the problem, according to the advocates of punitive measures, is to confine all addicts or junkies for the rest of their lives.

In the United States today, we are filling our jails with addicts and addict-peddlers and spending close to $100 million annually on the National, State, and local level in apprehending and confining these people who are treated as criminals.

MEDICAL TREATMENT PROPOSED

It is a rare occasion where you hear of the supplier being apprehended or taken into custody. By simply treating the addict as a medical problem, rather than treating him as a criminal, we would thereby take all of the profit out of drugs, destroy the market for the supplier, and ease our crowded jail problem at the same time. This money that is now being spent to apprehend and confine the addict and addict-peddler could then be diverted to apprehending actual criminals, or for other social purposes for the benefit of the community as a whole.

The attitudes with respect to narcotic use and subsequent addiction depend to a large extent upon religion, economics, class consciousness, ethics, group morality, availability of drugs, and other factors, all of which tend to influence the acceptance or rejection of particular drugs.

In the United States people look upon opiate users as lazy, shiftless, and unreliable. On the other hand, people like the concept of aggressiveness and look upon vigorous, ambitious, go-getters as real he-men, and alcohol, which emphasizes such qualities, is socially acceptable today.

However, alcohol, unlike narcotics, is linked with crimes of violence, automobile accidents, and a host of other social problems all of which can be said to be the direct result of alcoholic consumption. Nevertheless, the alcoholic is being looked upon as a sick person, whereas the narcotic addict is still treated as a criminal.

THE PROBLEM IN OTHER COUNTRIES

Great Britain and other European countries look upon drug addiction as a medical problem and keep it primarily in the hands of the physician.

What is even more significant, European users add to the crime problem in only a minor way, and the illicit traffic there is feeble compared to ours. Almost all English addicts are reported to be over 30 years old, while 80 percent of ours in California are under 35. In England, addicts are known, registered, and productive citizens of the community. Medical men are more and more inclined toward the view that drug addiction is a disease or a symptom of a disturbed or abnormal personality that requires drugs in order to be able to cope with life.

What then is the solution to this perplexing problem? It seems simple enough if society and the legislators will stop confusing sickness with sin and creating crime where crime does not exist.

It is obvious that to find the solution to drug addiction requires some basic research. The Council on Mental Health of the American Medical Association, in conjunction with the American Bar Association, recently suggested that a limited experiment be devised which would test directly the hypothesis that clinics, if given a fair trial, would eliminate the illicit traffic and reduce drug addiction. I subscribe 100 percent to this approach. It is said that such an experimental clinic will provide data on the best methods of dealing with narcotic addicts outside institutional walls and will contribute greatly to the ultimate solution of this problem; that it will throw considerable light on causative factors in drug addiction and help in formulation of professional programs. It could also provide indispensable data on the procedures and techniques for dealing with addicts which could be used by the individual physicians in the smaller communities which cannot support public health clinics.

A study of the cured and rehabilitated addicts should also be made in order to determine how and why men and women conquer the drug habit, as well as how and why they become addicted in the first instance.

Finally, the experimental clinic approach affords an opportunity for new insight into what is admittedly a difficult problem. It is a middle-of-the-road approach which takes leave of the dogmatic and ofttimes oppressive punitive approach and, at the same time, refuses to embrace the concept that all punitive measures should be scrapped in favor of free clinics. In short, the experimental clinic method seeks for, instead of assuming, a solution. The data acquired from such clinics could very well serve as the basis of a broad educational program, emphasizing the harmful effects of the use of narcotics by our adolescent groups.

Mr. JAVITS. Mr. President, on a Sunday in March, 200 men, women, and children quietly paraded through New York City in a demonstration asking for help. They sought medical aid for the narcotics addicts of the city of New York.

Based on an estimate of 21,000 known addicts in the United States, there are nearly 10,000 in the New York metropolitan area. Projected from an estimate—equally reliable—of 60,000 known addicts in the United States, there must be many more than 10,000 in the New York City area. At least 2,700 of them are under the age of 21. Yet, according to the New York State Bureau of Narcotics Control, there are no hospital beds for the adult addicts who ask for help and there are only 200 beds for the juvenile addicts. The nearest narcotics hospital is the Federal establishment at Lexington, Ky., 600 miles away.

The quiet parade in New York served as an eloquent reminder of the desperate needs of a group of people who are considered as medical cases in other societies but for whose apprehension and confinement treating them unhappily as criminals the United States spends close to $100 million annually. The demonstration ended with the singing of a hymn.

Mr. President, on February 4, I introduced for myself and Senator KEATING a bill (S. 927) for the establishment of a narcotics hospital in New York State, to be jointly operated by the Federal Government, the State of New York and neighboring States that wish to participate. This bill is similar to one which Senator Ives and I introduced in 1958. Representatives ANFUSO and HALPERN have put forward identical legislation in the House.

The establishment of such a hospital would represent an attempt at coping with the problem of narcotics addiction by going to its medical and psychological roots. The article by Edward T. Mancuso, public defender in the city and county of San Francisco, published in the February issue of Frontier, clearly and concisely states some of the reasons why such an attempt should be made.

This is one of our most serious and frustrating problems. My colleague [Mr. KEATING] and I are urging, through a bill, that a new narcotics facility be opened in the city of New York. I invite my colleagues' attention to the article which I have inserted in the RECORD by way of bearing out the urgent character of the problem in the metropolitan area, which I have the honor, in part, to represent.

A BRIGHT ECONOMIC FUTURE WITHOUT INFLATION

Mr. BUSH. Mr. President, I ask unanimous consent to have printed in the RECORD following these remarks an address delivered by Secretary of the

Treasury Robert B. Anderson, at an Associated Press luncheon, in New York City on April 20, 1959.

In this memorable address, which I believe is one of the best the Secretary has made, he points out very definitely that this country can have a bright economic future without inflation.

He also says that this country cannot have an enduring bright economic future with inflation, and he makes a very sound and convincing argument on those points, in connection with which he gives us 13 commandments, which he calls guiding principles, which he believes should be a part of our basic thinking in connection with this entire very serious problem.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS BY TREASURY SECRETARY ROBERT B. ANDERSON AT ASSOCIATED PRESS LUNCHEON, WALDORF ASTORIA HOTEL, NEW YORK CITY, MONDAY, APRIL 20, 1959

This country can have a bright economic future; it can have it without inflation.

This country cannot have an enduring bright economic future with inflation.

This is a principal tenet of my belief. It is a faith I should like to examine with you in historic perspective and as a basis for future real growth in our Nation.

Demosthenes once said: "The time for extracting a lesson from history is ever at hand for them who are wise." Surely the world has never been in greater need of wisdom than now.

The history of every nation is in fact the fruition of the lives and beliefs and ideas of men. Almost 500 years before the birth of Christ, another great leader of the Greek people urged his fellow citizens to "remember that prosperity can be only for the free, and that freedom is the sure possession of those alone who have courage to defend it."

We are dedicated to security that we may preserve freedom. Long-term security must rely on sound economic growth to support it. Should we impair either military security or economic growth in our efforts to achieve both, we shall have failed in our trust.

The story of a nation's downturn has been in one way or another the chronicle of its unwillingness to face reality. Time and again, the choice has been made of an apparent easy way out. People have been misled by a seeming innovation in government or finance, by a misguided leader, or simply through accepting the notion that undesirable developments are inevitable. They have listened to promises that unromantic hard work can be done away with and that difficult problems can be pushed aside.

Where have these choices led?

There is no lack of answers.

Rome is a classic example. But we need not go that far back in history. One has only to look at what happened in Germany after the downfall of the Kaiser. One has only to look at the economic problems which have faced some other European countries—not newcomers to democracy—in recent years.

In the rest of the world, too, are countries which in their efforts to effect rapid economic changes have sacrificed financial soundness. In these countries we may see the dramatic symbols—impressive installations, public works, large buildings. But meanwhile, in all too many instances, the standard of living for the average man has remained low. Prices have gone up. Disease is a scourge. Job opportunities and job security are lacking. The savings which could lead to a better use of both resources and labor sometimes are not forthcoming.

In the United States we have an abundance of resources, skilled manpower, technological capacity. These are vital. But we must relate them to the well-being of people.

We are dedicated to maximum employment. We are equally dedicated to growth in real terms. We are determined to maintain a free economy. These goals are consistent with and contribute to each other.

Every economy is an exercise in change.

Growth is the process of the development and expansion of economic segments. Each day sees a new horizon of accomplishment; tomorrow it becomes a part of our economic fabric. The process takes place when there is a climate of confidence—where there is free play for initiative and incentive. The foundation is the willingness of people to save and invest; the ambition of workers for self-betterment that flows from the right to choose occupations and to bargain for a fair share of the product.

The factor of competition provides a basic insurance against exploitation. It is a motivating drive toward making the best use of new inventions and new processes. It lies at the root of satisfying real demands with the goods and services people want and will work to acquire.

Growth in a competitive society is historically uneven. Members of the same industry tend to expand or contract at the same time in order to maintain competitive positions. There are frequent shifts in geographical areas of operations that bring additional dislocations. In any given period, differing industries may be exhibiting very different patterns of growth or decline.

When a pattern of expansion or retraction becomes general in a number of industries and interests, the economy is characterized by inflationary or recessionary trends.

It is a task of Government to minimize the impact of such adjustments on the individual, the community, and the Nation. It is our task to prevent a spiraling effect in either direction. To this end, we have established certain stabilizers in our Government. We must have an awareness of—and a readiness to use—all of the instrumentalities of Government to prevent undesirable cumulative effects and to soften the impact on every segment of society. We must strive continually to reduce the levels of unemployment.

The utilization of these instrumentalities available to us, however, must be judged in the context of both the short- and long-range effects.

We must remember that although the Government has a number of responsibilities when the economy moves too far in either direction, we are essentially a nation of private, competitive enterprise. The course our economy will pursue is finally determined by the multitudes who engage in every phase of productive activity and of consumption.

The Government taxes and spends and, therefore, plays an important role in the economy. Its influence is felt both through direct demand for goods and services and through the effect of Government requirements on the amounts available for other consumers to buy. However, measured against the scale of national earnings and national consumption, the Government role is not the primary one.

The rate of our growth and the development of our capacity to meet the expanding demands of our economy as a whole are still essentially anchored to the growth and the development of private business and industry.

In considering the task which this imposes on our free enterprise system, I should like to suggest certain guiding principles which I believe should be a part of our basic thinking.

1. We must realize that long-term economic growth in real terms can be achieved not with, but only without, inflation.

2. We must strive for an achievable rate of relatively constant growth—not a succession of sharp ups and downs.

3. We must not, as we come out of a recession, seek to force the economy into a quick boom which can later injure our long-run capacity to produce.

4. We must put major reliance upon the private sector of the economy to increase production.

5. We must give maximum free rein to incentives to save, to work, to produce, to invest.

6. We must maintain the priceless incentive of confidence in the value of money.

7. We must achieve a budget that is in balance or better during periods of high-level activity.

8. We must be willing to seek out the impediments to growth in our economy whether these are found in traditional business practices, in organized labor, in Government subsidy programs, or in any other area.

9. We must encourage the inventiveness and research necessary for new products, new jobs, and improved living standards in a growing economy.

10. We must accept the imposition of discipline and prudent responsibility.

11. We must not passively allow either inflation or deflation to run its course.

12. We must—and by "we" I mean businessmen, workers, investors, and not only officials of Government—make our day-to-day decisions with the welfare of the whole in mind, and not merely the advantage of the moment for some narrow segment.

13. Finally, we must have confidence—and this confidence I have deep faith is well justified—that the American people are wise enough and perceptive enough to support the principles which can leave for your children and mine an America not ravaged by economic turmoil, but full of strength and growth and hope.

In sharp contrast to these principles, we are hearing talk today on what I believe to be some false assumptions.

One of them is that "a little inflation is good for economic growth."

So long as our aim is to increase real wages and real goods and services, I do not believe that any characteristic which could contribute to the debasement of the currency is a desirable ingredient in our economy.

Concern about price inflation during periods of rapid peacetime growth is a relatively new phenomenon. Most of the price inflation in our history has been the accompaniment or the aftermath of war. During the previous century, price inflation was associated with the War of 1812, the banking and credit inflation of the 1830's, and the Civil War. In this century, it has been associated with World War I, World War II, and the Korean war.

Apart from these temporary periods, our great economic growth since the beginning of the 19th century frequently has occurred against the background of a general downtrend in prices. This was particularly marked in the late 1800's. But it has been evident also in this century.

From 1910 to 1915, for example, manufacturing production increased 30 percent while prices showed a moderate decline. During the decade of the 1920's we had one of the most notable periods of sustained economic growth in the history of our country prior to World War II, with national output rising 50 percent in 8 years. Yet this decade was characterized by remarkable price stability. Between 1951 and 1955, a period again characterized by relative stability in the broad indexes of wholesale and consumer prices, we reached the most prosperous levels attained in our economy up to that time.

It is not only our experience of the recent and war-remote past that demonstrates growth goes hand in hand with stable prices.

Any realistic appraisal of continuing instability, with the speculation and the waste that inflation produces, makes it quite clear that this is not the way to attain steady and enduring growth.

Then, too, the judgments of businessmen and investors would be distorted and create maladjustments which could finally result in serious fluctuations in the economy. Also, of course, if serious inflation occurs, public opinion may well demand Government controls over almost every facet of our lives.

I am confident that this Nation is not now going to adopt a philosophy that inflation is a necessary part of the price of progress. For in addition to what it does to our economic structure, inflation exacts a penalty that would be levied on the pocketbook of every American. It would fall with the most hardship on the wage earner, the self-employed, the teachers, the holders of insurance policies, depositors in savings associations, parents trying to provide for their children's education, those on social security, and others like them. The rich and those with the capacity for self-protection would suffer least.

Such a doctrine I reject.

Another false assumption we hear discussed is that deficit financing has little to do with inflation.

The fact is that when the Government has to borrow from commercial banks, as is often the case in times of high business activity, such borrowing adds to the money supply by the amount of the borrowing and so increases inflationary pressures. Continued deficits are bound to add to monetary inflation. They are bound to have the same effect, over a period of time, as a resort to printing press money.

Today, our gross national product for the first quarter on an annual basis is $465 billion. Personal income for the first quarter stood at an annual rate of almost $366 billion. Corporate profits for the first quarter of this year are at an alltime high. The Federal Reserve Board index of industrial production has reached 147—another alltime high.

If in a period like this we say to ourselves and to the world that we cannot live within our means, everyone has the right to ask: When do you expect to do so?

Finally, one hears from time to time that the efforts to balance the budget are without hope. This assumption I also reject.

On the revenue side, we estimated our revenue in January to be $77 billion. Today, I believe there is even more evidence to support this estimate than there was last January.

The level of expenditures as submitted in the January budget continues to be sound. I believe that there will be a great deal more said about how we divide the Government's income in the fiscal year 1960 than there will be about how much more than our income we as a nation are willing to spend.

I have this judgment because I believe that the American people have shown and are showing their determination to pursue prudent policies that help avoid dangerous pressures for either inflation or deflation.

In a free economy, we can never wholly eliminate the incidence of inflationary pressures during some periods and recessionary pressures during others. The problem is to walk the narrow path which allows neither to become dominant, to maintain the capacity and the willingness to exercise flexibility and reversibility, and to constantly pursue the sound objective of maximum employment, reasonable growth, and freedom of economic activity.

Recession must not be allowed to develop in a cumulative downward spiral of declining wages and profits, reduced buying, and curtailed employment. These factors, if unimpeded, feed upon each other. Monetary policy, our fiscal system, the utilization of unemployment compensation, and other resources at the command of the Government must be wisely administered in terms of both the short and the long run.

By the same token, we must maintain a constant awareness of the dangers of inflation during the upward swing of the cycle. However unpopular, we must be willing to exercise at such a time the restraints which changes in monetary controls, Government fiscal policy, and the maintenance of budgetary surpluses can bring about.

We must remember that what we are trying to protect is our way of life. This protection cannot be accomplished by having absolute controls over prices, wages, salaries, choice of occupation, right to expand, and similar activities of a free society. If we resort to such controls we surrender many of our freedoms and threaten others.

In a competitive economy which is going to have its adjustments from time to time, how then are we going to assure national security and at the same time pursue a long-range policy of economic soundness and the furtherance of human welfare?

The administration is determined to do this, first, by adopting policies which give primary call on our resources and our output to maintaining the physical security of the United States. The determination of what this involves must be made by the one man who has the responsibility for a comprehensive view of the total national effort—the President.

After that, we must determine how much of our resources we can afford to give to promoting growth and a rising standard of living, not neglecting the need for a surplus of revenues over expenditures which can be used for debt reduction. We cannot expect such a surplus during periods of readjustment such as we experienced in 1958. But a surplus should be part of our fiscal program during periods of high and rising business activity. If it is not—if instead we adopt the philosophy that at no time in our history is anything more required of us than barely breaking even—we begin to cast reasonable doubt upon our willingness to accept the responsibilities which are ours.

To ignore the obligation of paying off some part of our debt during prosperous times is contrary to all of our American traditions of good faith and performance. Failure to reduce our debt when we can means passing on the problems of the debt to another generation, which we have no moral right to do. It also means foregoing the restraining effect of budget surpluses on the inflationary pressures that historically exist during periods of high activity. Budget surpluses are effective weapons in our arsenal; we cannot afford to ignore them.

The whole world is watching us closely. The countries who are new to democracy, in particular, are observing very carefully the extent to which we practice what we preach. On my trip to and from New Delhi last fall, for the annual meetings of the International Bank and Monetary Fund, I was impressed to discover how well informed foreign officials are about even the details of our fiscal attitudes and position.

As we face the problems of our day, we have the comforting realization that we have recently been able to achieve—not without effort—a rather high degree of price stability. The value of the dollar has not decreased in 12 months. The all-commodity index of wholesale prices has been substantially level. We have a substantial amount of unused capacity in basic industries.

Nevertheless, I must repeat that in a free economy there is never a complete absence of the inflationary or deflationary threat.

There are those who say that in this period of stability no voice should be raised about the dangers of inflation. There are those who say that the realities of the moment should shield us from the disturbing prospects of what future inflation might produce. There are those who say that if we warn against future dangers we are contributors to the inflationary process.

What would they have us do? Would they have us ignore the future consequences of what we now propose or do? Such a doctrine must be alien to those of you who have the responsibility of keeping the Nation informed as to the problems of today and equally alert to the problems of tomorrow.

As publishers and editors of the great newspapers of our Nation, you have more than a working familiarity with the difficulties and dangers involved in Government financing. By giving expression in realistic perspective to the whole panorama of viewpoints on these complex and unromantic areas of the news, you can help millions of Americans obtain a much-needed insight into the nature of our financial responsibilities as a nation.

The Treasury is willing and anxious to give all the help it can in supplying the facts. It is obvious, however, that we must refrain from making public information which is confidential under law, as well as giving out information which would be inappropriate in light of a pending financing or information which might improperly serve to promote speculation in any market. Within these limits we do make information available to the maximum limit.

The fact that fiscal matters are little understood—even by some rather prominent and otherwise well-informed people—was brought home to me one day when a visitor in my office remarked: "You talk of the dangers of monetization of the debt, Mr. Secretary. You know I just don't believe there is such a danger. Probably because I don't quite understand what monetization means."

I said this to my visitor: "Now suppose I wanted to write checks of $100 million starting tomorrow morning, but the Treasury was out of money. If I called up a bank and said, 'Will you loan me $100 million at 3½ percent for 6 months if I send you over a note to that effect,' the banker would probably say, 'Yes, I will.' "

"Where would he get the $100 million with which to credit the account of the U.S. Treasury? Would he take it from the account of someone else? No, certainly not. He would merely create that much money, subject to reserve requirements, by crediting our account in that sum and accepting the Government's note as an asset. When I had finished writing checks for $100 million the operation would have added that sum to the money supply. Now certainly that approaches the same degree of monetization as if I had called down to the Bureau of Engraving and Printing and said, 'Please print me up $100 million worth of greenbacks which I can pay out tomorrow.' "

At this point my visitor broke in to say, "Oh, I would be against printing those greenbacks."

There are many lessons to be learned from the history—and particularly from the history of man's struggle to achieve and maintain human freedom. But one lesson stands out: Each generation must have the wisdom, the courage, and the toughness to accept the responsibilities which are uniquely theirs. If they do not—if difficult problems are pushed aside—the generations that follow will surely pay the price.

Alfred North Whitehead has said that every epoch has its character determined by the way its population reacts to the material events they encounter. They may rise to greatness—or they may collapse.

In writing of the Greeks and Romans, one of our greatest classical scholars summed up their story as follows: "In the end, more than they wanted freedom, they wanted security, a comfortable life, and they lost all—security and comfort and freedom. * * * When the Athenians finally

wanted, not to give to the society, but the society to give to them, when the freedom they wished most for was freedom from responsibility, then Athens ceased to be free and was never free again."

Let us remember.

Let us remember, too, George Washington's admonition to the new American Republic. Liberty and self-government, he said, are "finally staked on the experiment entrusted to the hands of the American people."

The stark truth of Washington's statement is being underscored almost every day by events in the headlines. The imperialist programs of the Communist dictatorships represent the greatest challenge to freedom which the world has ever known. The success or failure of that challenge depends very largely on the choices of the American people. Our country will make the right choice; our freedom will be preserved.

RELEASE OF STOCKPILED COPPER

Mr. MURRAY. Mr. President, last Friday the Senate very wisely, by unanimous vote, adopted a resolution expressing its disapproval of a contemplated move by the Office of Civil and Defense Mobilization to release stockpiled copper to the fabricating trade.

Subsequently, the Director of OCDM has publicly promised, and I quote him, "to exercise great care that our actions do not disrupt the market or adversely affect the industry involved."

In a thought-provoking editorial with the headline "The Copper Fiasco," the American Metal Market today observed:

> What happened in Washington last week should put us to work devising better machinery for handling copper than has yet been prescribed.

The editorial also points out "the American public has rightly been reluctant to have the Government operating in the market," and had the contemplated action been taken that is exactly what would have happened—the Government would have been operating in the market.

I ask unanimous consent that the editorial be printed in the body of the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE COPPER FIASCO

Time has repeatedly shown that one of the great weaknesses of representative government is the reluctance of legislatures and administrations to spell out essential but controversial procedures when to do so would risk a degree of unpopularity. One might even go further and say that the reluctance sometimes grows out of nervousness on the part of officials over possible resentment, when what is contemplated might not cause resentment at all.

This rather ridiculous situation was brought home last week when it became known that certain bureau officials had been quietly giving serious consideration to the sale of some 128,000 tons of copper, acquired under the still-uncompleted contracts made with copper producers as inducements to expand our copper production at the time of the Korean crisis.

As any neophyte in politics could have foretold, the idea, when it became known, immediately provoked loud outcries from congressional representatives of mining States. These, we may rest assured, were mere whispers to what would have been heard had sales taken place before the Senators and Congressmen got wind of what was going on, and they will still be like whispers if the bureaus persist despite the clearly established opposition which exists "on the Hill" and in the trade. All this is because we have lacked the foresight clearly to "lay down the law."

A more unhappy choice than copper could not have been selected for this action. Of all basic metals, copper is among the most volatile pricewise. It is common knowledge that leaders of the industry were already rightly concerned over the harm done their business by frequent wide and unpredictable price swings. This sensitiveness has been in marked contrast with the stability of the metal's chief rival, aluminum. For the bureaus to have given serious consideration to the sale of large stocks was certain to have caused pronounced jitters in a market which, only a few months ago, was so much in the doldrums that the Senate approved absorbing 150,000 tons for the stockpile, and which is only now about regaining its equilibrium. The proposal was certain to have "upset the applecart" and provoked the comment that "the matter had been inexpertly handled."

But, of course, merely to criticize this blooper falls far short of providing the serious consideration which the situation deserves. The American public has rightly been reluctant to have the Government "operating" in the market. For that very good reason, it was provided, when the stockpiling of materials was authorized, that only the President could release materials in time of emergency, and only Congress in time of peace. These provisions apply only to materials formally incorporated into the stockpile; large quantities of materials—like the 128,000 tons of copper are, however, owned by the Government outside the stockpile, and, as this incident demonstrates, have been left as loose ends. Why don't we face that issue?

The locking up of all such materials in the stockpile is not necessarily the only solution, or even the best that could be devised. Paradoxically, the tin industry has pointed the way to what might well be a much better approach. What has been done by other nations for tin, might well be considered by us not only for copper, but for other accumulated stocks. We say paradoxically because, while the United States has entered into international agreements on wheat and sugar, it has refused to be a party to the international tin agreement, although we are by far the largest consumer (and stockpiler) of tin in the world. Nevertheless, we may well learn from the operation of that agreement how best to meet the problems of what to do with our enormous quantities of other materials, problems which are only now beginning to bother us.

The tin agreement has the great merit of establishing beforehand the precise price levels at which accumulated stocks may and must be offered for sale. No one anywhere need by surprised to encounter offerings of tin from the "buffer stock" if the price for the metal reaches and rises above certain prespecified levels. This is in marked contrast with what the bureau officials were planning to do with copper, as well as with the complete insulation of such inventories in the strategic stockpile, as proposed by some who understandably disagree with the possible surreptitious feeding of stocks to the market at whatever levels bureau heads might choose. Rather than not establishing whether the markets would, or would not, be called upon to absorb any part of Government stocks, a procedure modeled on that for tin, would give advance notice of offerings, and the levels at which they could be made.

Let it be recalled that excessively high prices are as bad for copper as they are for any other commodity. We know the pressure to which the Government has been subjected to support copper when large surpluses have coincided with low prices. We know the absurd heights reached in 1956 following the absorption of 100,000 tons of Chilean copper in 1954. We can imagine what the price would be today if, last year, we had absorbed another 150,000 tons as proposed by the Senate. The one way to avoid the boom that would insure a following bust would be to serve notice of the availability of Government owned materials at levels which are obviously excessive. Stocks so liquidated would thus serve a doubly useful purpose. What happened in Washington last week should put us to work devising better machinery for handling copper than has yet been prescribed. One fiasco should be enough.

The PRESIDING OFFICER. Is there further morning business? If not——

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Is there further morning business? If not, morning business is closed. The Chair lays before the Senate the unfinished business, which is S. 1555.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959

The Senate resumed the consideration of the bill (S. 1555) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from North Carolina [Mr. ERVIN], striking out title VI in the bill.

The Senator from North Carolina has 1 hour and 7 minutes remaining for debate, and the majority leader has 1 hour and 22 minutes remaining in opposition to the amendment.

Mr. ERVIN. Mr. President, I yield 10 minutes to the distinguished junior Senator from Arizona.

Mr. GOLDWATER. Mr. President, I rise to support the amendment offered by the Senator from North Carolina [Mr. ERVIN]. I wish briefly to explain my reason for so doing. I would have preferred to have an opportunity to vote on title V of the administration's bill, S. 748, which includes Taft-Hartley Act amendments, and which also includes practically all the Taft-Hartley amendments contained in title VI of the pending bill. In addition to those contained in title VI, there is also a prohibition against secondary boycotts and against blackmail or recognition picketing.

Mr. President, my chief concern with the deficiencies of title VI of the pending bill rests on the fact that the amendments proposed by title VI do not touch upon these very important fields. The

amendments ignore these fields completely.

If the Ervin amendment should prevail, I suggest that the Senate would then be in a mood to vote no Taft-Hartley Act amendments at this time. We could then proceed with the admonitions of the blue ribbon committee, at a time when they were ready to suggest to the Committee on Labor and Public Welfare amendments to the Taft-Hartley Act, and enter the very important and controversial field of Taft-Hartley Act amendments separately.

If the Ervin amendment shall be defeated, I am afraid we will be here for a long, long time, because such action will open the door to all conceivable amendments to the Taft-Hartley Act. I am certain that controversial fields such as section 14(b) will be gone into. I am sure that amendments will be proposed in the utility fields. I can very well imagine spending days and days on this one title, namely, title VI.

I said yesterday that I would be perfectly willing to consider only two amendments to the Taft-Hartley Act, namely, amendments dealing with the boycott and picketing fields, and excluding everything else from consideration until a later time. Of course, we were not able to come to any agreement on such a proposal.

If we were able to follow that course, I am sure we would be able to vote such amendments up or down, and then, by agreement, not go into any other areas of the Taft-Hartley Act until such time as the blue ribbon committee has reported, and we would then be able to act intelligently.

Mr. President, I feel very strongly about the need for a prohibition against secondary boycotts and recognition picketing. If my tally of the possible vote on the Ervin amendment means anything, the vast majority of the members of the McClellan committee will go along with the Ervin amendment. I am not certain as to how the distinguished junior Senator from Massachusetts [Mr. KENNEDY] will vote, but I feel relatively sure that he might leave us on this proposal. However, to me the prospect is an indication that the Senators who have been very closely associated with this problem for the past 2 years recognize that every effective labor reform bill must go into the areas of secondary boycotts and blackmail picketing.

Mr. President, there appeared before our committee Mr. Godfrey P. Schmidt, one of the three court-appointed monitors of the Teamsters Union, and in a letter addressed to the distinguished junior Senator from Massachusetts [Mr. KENNEDY], and entered as a part of his testimony, Mr. Schmidt made a statement in regard to these two fields which I should like to read to my colleagues. It is particularly important because it comes from a man who lives with the the problem day after day. I quote paragraph 3 from Mr. Schmidt's letter:

> 3. From my conversations with rank and file workers, I am persuaded that they are as convinced as I am that no labor reform can be effectuated unless recognitional and organizational picketing is banned. Your prohibition of blackmail picketing is completely inadequate. In the first place, it neglects the rather obvious fact that your proposed section 8(b)7 (p. 48 of your bill) could very easily be evaded. In the second place, your language makes enforcement all but impossible. I see no reason why the coercive thrust of the picket line should be permitted to be used to prevent free choice of bargaining agents, which is supposed to be central to the labor relations policy of this country. When you questioned me on this point you were concerned with the plight of Puerto Rican workers who were being exploited by employers by means of low wages and bad working conditions. So am I. But such situations are far more rare, in my opinion, than the situation with which I am concerned, namely: the repeated instances of back-door agreements between corrupt or dictatorial labor leaders and employers, both of whom turn their backs on employees' wishes. Moreover, the case of the exploited worker can easily be handled by the traditional organizational methods which have made unionism great for many years past.

He went on further in his letter to discuss other points. However, I feel that the most pertinent point, next to what he says about picketing, is the one dealing with the need for regulation in the field of secondary boycotts.

I should like to read the fourth paragraph of the letter to which I have already referred. It is a short one:

> 4. Since the irresponsible power of labor leaders needs curbing (it is this power which gives them the opportunity to play dictator), secondary boycotts, which is a source of this power, must be limited. (The original intention of those who framed the Taft-Hartley law has been betrayed or frustrated by a whole series of Board and court decisions.) I think the administration bill's provisions in this respect should be incorporated in your bill. With growing impertinence, labor leaders dragoon neutrals into participation in their labor disputes. We need the rational limitation which the administration bill provides. I am not impressed by the argument that corrupt practices should be remedied by one bill and labor relations by another bill. What you must strike at is the source of untrammeled power exercised by labor leaders. You must submit that power to reasonable and civilized regulation. Most of the corrupt practices revealed by the McClellan committee have been made possible, against the wishes of the decent rank and file majority, precisely because union leaders have held at the head of the worker several cocked guns: (a) compulsory unionism without any effective intraunion bill of rights; (b) organizational and recognitional picketing; and (c) the secondary boycott bloated to the unconscionable grab for power now permitted by the Board and the courts.

Mr. President, it will be necessary for us to come to grips with this problem sooner or later. If the Kennedy-Ervin bill is passed in substantially the form it now is, it will not deal with this problem. It will only mean that the American people will be hoodwinked once again. Sooner or later they will get wise to us in the Congress and will demand that we get at the root of the problem which is found in the operations of certain labor unions today.

Godfrey Schmidt hit the nail on the head when he said the problem was power. If anyone were to ask me to reduce the 2 years of hearings and the millions of words spoken in them to one word, it would say: Power.

When we are getting only at the symptoms of the disease, and not reaching the disease itself, I suggest that we are not doing a complete job; we are neglecting our responsibilities as U.S. Senators, not only to ourselves and to the Constitution, but, most importantly, to the American people.

If the Ervin amendment prevails, I should say, as I said before, that it is an indication that the Senate is not desirous at this time of discussing any other Taft-Hartley amendments.

If the Ervin amendment fails, then I feel, as I said before, that Taft-Hartley amendments will come flowing in like the sunshine does in my native State of Arizona; they will be all over the place. We must deal with the weapons which have been placed in the hands of Jimmy Hoffa. We must take his guns away, or they will remain cocked at the heads of working people, at the heads of small businessmen, at the heads of the public—yes, and I might suggest at the heads of the union movement itself; because the American people, in spite of what Congress fails to do, will not continue to allow this abusive use of power in the United States. Power in the hands of the corporations was curbed when it got too strong. It was curbed when it got too big in areas of government. Sooner or later, because it is getting too big, the power of labor unions will likewise be curbed.

I shall not detain the Senate too long in this discussion. I believe everyone knows how I feel about this matter. I have served on the McClellan committee since the day it first went into operation. I have attended as many of its meetings as I could attend. I have read the transcript of those hearings which I could not attend. I am convinced beyond any question in my mind that if we do not approach the field of secondary boycotts and picketing, we shall not have a workable labor reform bill.

I shall vote for the Ervin amendment for two reasons: First, in the hope that the Ervin amendment, if it prevails, will admonish the Senate: Let us wait for the recommendations of the blue ribbon committee. I went along with the junior Senator from Massachusetts [Mr. KENNEDY] on the creation of the blue ribbon committee. I think they are carefully picked men. They are tops in their field; they have represented labor, management, and the public. They still do. I should like to wait to see what they suggest before we move into the field of amending the Taft-Hartley law. I had hoped the distinguished junior Senator from Massachusetts would join me in that desire and express to the Senate the view that we should not now consider amending the Taft-Hartley law.

The PRESIDING OFFICER. The time of the Senator from Arizona has expired.

Mr. ERVIN. I yield 2 additional minutes to the Senator from Arizona.

Mr. GOLDWATER. I was in the process of rather wishfully hoping that the Senator from Massachusetts might proceed a little further in the reasoning which he and I have followed to some degree, namely, that action on Taft-Hartley amendments be deferred until such time as we can hear from the blue ribbon committee; or, in the absence of

that, that he heed my once again made plea that we consider only the areas of secondary boycotts and picketing. If he would agree to do that, I would agree to drop title VI and title V. I do not expect him to do that, but I wanted to go on record as having made that proposal.

I intend to vote for the amendment offered by the distinguished Senator from North Carolina. I hope many of my colleagues will join with me in doing so.

Mr. KENNEDY. I yield myself 1 minute.

I appreciate the proposal made by the Senator from Arizona. It is, of course, a proposal to trade an apple for an orchard. He is not giving away anything in which he is interested. We have in the bill title VI, which has been carefully thought out. The Senator from Arizona wants us to strike out title VI and consider only two items—boycotts and picketing.

It seems to me that the position which some Senators have taken, which is to strike out title VI and not make any adjustments of the Taft-Hartley Act has the virtue of consistency. It is my understanding that that is the position which the Senator from North Carolina has taken.

If we do not strike out title VI, I understand amendments will be offered to the Taft-Hartley act, and that such amendments will be carefully debated. But the position of the Senator from Arizona is that he wants to have title VI stricken out, and then to open up Taft-Hartley act, particularly the provisions relating to boycotting and picketing. I do not understand how Senators on this side of the aisle could be expected to accept that viewpoint.

Mr. GOLDWATER. I made two proposals. One was to go along with the plan we have discussed while waiting for the suggestions of the blue ribbon committee. In view of the fact that that committee is approaching some conclusions, we might wait for them and come to some type of agreement, such as we had last year, when, by arrangements made between the Senator from Massachusetts and the majority leader, a positive date was set when a bill would be before the Senate. As I recall, that date was June 12.

If we could discuss some such arrangement as that, I am sure Senators would be perfectly willing to drop their insistence on title V, title VI, secondary boycotts and picketing.

I say let us wait. It might be another 2 months; it might be, as I suggested to the Senator from Massachusetts, in the next session. I am not in such a rush that I want to hurry the blue ribbon committee. So my proposals were really two in number.

What I am really attempting to do is to forestall long debate and arguments on the floor, which I feel certain will ensue, when amendment after amendment is offered to the Taft-Hartley law, and we start to do again precisely what the Senator from Massachusetts has objected to many times, namely, write a labor bill on the floor of the Senate without benefit of hearings. That is my concern in the matter.

It might not sound consistent with my desires to go into the fields of secondary boycotts and picketing; but if I could have the assurance of the chairman of my subcommittee that we would have that backed up by a day positive, and that backed up in turn by the majority leader, I think we could come to a very quick and happy solution of the matter. If the Senator from Massachusetts would like to entertain such a suggestion, not on the time of the Senate—we could retire to the cloakroom—I should be very happy to discuss it further with him.

Mr. KENNEDY. Mr. President, I yield myself 1 minute.

I said to the blue ribbon committee, when it was created, that it was my intention to press for action on their report as soon as it was filed. That is still my intention. I myself am committed to report a second bill to the Senate. I will make every effort to do so. I am delighted that the Senator from Arizona feels the same way. I do not believe we have finished the whole job of labor-management reform by this one bill.

I think we have done the job of reform fairly well. But other things must be dealt with; and I hope it will be possible for the Committee on Labor and Public Welfare to report another bill to the Senate, certainly in this Congress, if not at this session, which will deal with the overall problems which have arisen during the 12 years the Taft-Hartley Act has been in effect.

Mr. GOLDWATER. Will the Senator from Massachusetts agree with me that we might reach a positive approach to this matter? What I am trying to reach, by means of this exchange, is an agreement or understanding that, following the vote on the Ervin amendment—and I sincerely hope the Ervin amendment will be adopted—all amendments dealing with the Taft-Hartley Act shall be considered in a separate bill, to be brought before the Senate later at this session, and thus have the Senate act at this time on all the other parts of the pending bill which both the Senator from Massachusetts and I agree must be enacted.

Mr. KENNEDY. Of course I am not in a position to bind the Committee on Labor and Public Welfare; neither am I able to bind the Labor Subcommittee. As my colleague realizes, there is no previous-question rule or rule of germaneness; and thus it is never possible for the chairman to make a commitment, for the subcommittee, that no amendments to the Taft-Hartley Act will be dealt with at this time.

But as chairman of the Subcommittee on Labor, I will say that it is my firm intention, in order to keep faith with the blue ribbon committee, to bring to the floor of the Senate, as soon as the hearings have been held, proposed legislation which will deal with the overall problems of the Taft-Hartley Act. That is my hope, and I will do all I can to achieve such an end.

Mr. GOLDWATER. Last year, through the combined efforts of the Senator from Massachusetts and the majority leader, the senior Senator from Texas [Mr. JOHNSON] we got the labor bill on the floor of the Senate. I feel certain that if, somehow, in the next few minutes or few hours the Senator from Texas [Mr. JOHNSON], the Senator from Massachusetts [Mr. KENNEDY], the Senator from North Carolina [Mr. ERVIN], and possibly the Senator from Arkansas [Mr. MCCLELLAN]—and I would be perfectly willing to make myself a party to the meeting—got together, we might come to a conclusion which would, in effect, remove the roadblock from in front of this bill.

Mr. KENNEDY. If the Senator from Arizona was then convinced that such a second bill could be gotten through this Congress, would he then vote against the boycott and picketing amendments which have been proposed?

Mr. GOLDWATER. So far as I know, they are not now before the Senate. I have not seen them. So I am not in a position to say whether I would or would not.

But I will say that if we could decide on a positive date, I would be very, very generous in my attitude in regard to my present position, because what I want to have happen is exactly what the Senator from Massachusetts desires—namely, a workable, honest labor-reform bill.

What disturbs me is to hear my own colleagues who have joined with the Senator from Massachusetts and other colleagues all over this floor say, "Well, this bill does not go far enough; we know that. But it is a step in the right direction."

The problem now before us is one of such monstrous proportions that I believe we need to deal with it by more than one step. If we could act later in the field of amending the Taft-Hartley Act, and could do so in an atmosphere different from the present one, so that we would then deal with proposals which the blue-ribbon committee itself either might have proposed or might not have proposed—I refer to highly controversial proposals which, if acted on in connection with the pending bill, would delay for 2 or 3 weeks our action on it—I would go along with such a suggestion.

Mr. KENNEDY. The Senator from Arizona is the ranking minority member of the Committee on Labor and Public Welfare. I think both of us will use our best efforts to bring such a bill to the floor during this Congress.

Mr. GOLDWATER. Then I hope we can reach a conclusion to drop from consideration in connection with the pending measure all proposed amendments to the Taft-Hartley Act, and to let them wait until the blue ribbon committee reports.

Mr. ERVIN. Mr. President, I wish to thank the able and distinguished Senator from Arizona [Mr. GOLDWATER] for his very valuable contributions to the debate on this amendment.

Before I yield time to the able and distinguished junior Senator from Idaho [Mr. CHURCH], I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GRUENING in the chair). Does the Senator from North Carolina realize that if he now suggests the absence of a quorum, the time required for the quorum call will have to be charged to the time available to his side?

Mr. ERVIN. Yes.

The PRESIDING OFFICER. Very well.

The absence of a quorum has been suggested; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ERVIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ERVIN. Mr. President, I yield 15 minutes to the able and distinguished junior Senator from Idaho [Mr. CHURCH].

The PRESIDING OFFICER. The Senator from Idaho is recognized for 15 minutes.

Mr. CHURCH. I thank the Senator from North Carolina.

Mr. President, legislative issues are seldom as simple and uncomplicated as we would like them to be. In the pending bill and in the amendments which have been offered, or will be offered to it these issues assume an undue confusion.

A Senator's record, in the common acceptance of that term, namely, his votes on controversial legislation, can readily be distorted to a public which has been taught to look for the slogan issue, the capsule news, and the key vote.

So it is with the bill before us. I am aware that this explanation of my reasons for supporting the pending amendment will be little heeded or remembered. But I have received many communications, including a fistful of telegrams which have come this morning from union leaders in Idaho, adverse to the pending amendment. So I feel obliged to make public my conclusions with respect to the pending amendment and the other major amendments anticipated.

Mr. President, I hardly need to say that I am a friend and supporter of organized labor. The rank and file of labor is the rank and file of America; and the leaders of organized labor, with few exceptions, seek progress, prosperity, and peace for our Nation, as honorably and devotedly as do any leaders of industry, agriculture, or government. So I have never hesitated to support organized labor when I felt it to be right. Likewise, I shall never hesitate to oppose organized labor when I feel it to be wrong.

With these considerations in mind, I wish to state briefly the position I shall take with respect to the pending measure.

As a member of the Select Committee on Improper Activities in the Labor or Management Field, I feel a special responsibility to urge the Senate to take effective action now, in the interest of management and labor, and most especially in the public interest, to purge the labor movement of an alien, malign, and parasitic infestation.

Under the able chairmanship of the distinguished senior Senator from Arkansas [Mr. MCCLELLAN], this committee has systematically exposed the sordid facts of corruption, racketeering, and unbridled personal power in the Teamsters' Union and in certain other parts of the labor movement. Month after month I have sat with the committee, assisting in the interrogation of a parade of gangsters, thugs, and hoodlums—and their victims—who have been called to testify before us. Many of these racketeers are feasting upon the earnings of honest working men and women. The exposure of these robber barons was long overdue, and I am proud to have had a role to play in exposing them.

Clearly something must be done. Last year, with only one dissenting vote, the Senate passed a measure which, in its collective judgment, would have helped to correct many evils exposed by the select committee. But that bill failed to pass the House of Representatives. Now the Labor and Public Welfare Committee has again reported a bill which reflects a thorough review of the select committee's hearings and findings and contains carefully drawn provisions to help free the labor movement from sinister underworld influences. It is an antiracketeering, not an antilabor, bill. Insofar as it deals with racketeering, I believe it will do much good. I have cosponsored it, and I intend to support it.

While there is very wide agreement about the provisions of the bill aimed at the racketeers, many of the amendments which have been proposed to the pending measure are highly complex and controversial. Because I feel strongly that the urgent need is to pass a measure which can be approved in the other body and become law at this session, I do not anticipate that I will support amendments which may compromise that objective.

When the Senate has passed its judgment upon an antiracketeering bill, I hope it will turn to a consideration of needed revisions in our basic laws governing the relations between labor and management. The Taft-Hartley Act has not been amended in its major features since its enactment in 1947. Time and experience under the act have shown that changes are needed. This is, however, an exceedingly complex and a highly difficult field. I expect the Labor and Public Welfare Committee to hold appropriate hearings to avail itself of the most expert advice and to report to the Senate its recommendations for revisions of the present Labor-Management Relations Act. Only in this manner, it seems to me, can the Senate discharge its responsibility to deal constructively with these sensitive problems. Therefore, I will oppose any attempt hastily to engraft upon the antiracketeering bill now before us amendments, whether they seem good or bad, which are foreign to its clearly defined objectives. To do so would increase the risk that no bill at all will get through both Houses of Congress.

This might create a political issue, as, I might say, an effort was made to create one in the last session; but certainly it would not cure the malignancy which now afflicts the labor movement. For my part, I prefer to work for sound and constructive legislation in both fields.

This brings me to a consideration of the special problem posed by the Ervin amendment to strike title VI from the bill. This title contains a number of amendments to the Taft-Hartley Act. It is significant, I think, that these amendments do not bear directly upon the problem of racketeering. It is significant also that most of them have been long urged, and are now welcomed, by the principal spokesmen for organized labor. Finally, it is significant that the bill contains none of the amendments to the Taft-Hartley Act which are opposed by organized labor.

I do not say that these amendments are wrong, nor that in a proper place I would not support them, but I can find no escape from the proposition that they do not belong in this bill. It is an antiracketeering bill; they do not deal with racketeering. If they are in fact noncontroversial, they can be offered separately, and readily passed by both Houses of Congress. If in fact they are controversial, this is not the place or the time to consider them. The distinguished Senator from Massachusetts has stated that changes in the basic laws relating to labor-management relations are needed; that the Labor Committee has obtained the services of a panel of distinguished experts to assist it in the preparation of legislation to accomplish these changes, and that we may expect the results of these labors to be presented to the Senate at a later date. I have every confidence that this will be done, and I believe that it is in the context of such a later bill that the Senate should deal generally with amendments to the Taft-Hartley Act which are not related to our present objective—purging labor of racketeers.

Mr. President, I believe the position I am taking is fair to labor, that it is fair to management, and that it is in the public interest. Senators know that other major changes to the Taft-Hartley Act will be offered as amendments to this bill. I expect to vote against them—and I expect to do this even though some amendments are offered which, on their merits, I would approve. I will do this because I think there must be a clear separation between antiracketeering legislation, on the one hand, and modifications of the Taft-Hartley Act, on the other, if we are to deal constructively with either group of problems. For this same reason, I shall vote for the Ervin amendment to strike from the pending bill the title VI amendments to the Taft-Hartley Act.

Mr. President, I shall say one thing more, and I shall try to speak plainly. If I understand correctly the temper of the country, it would be well to avoid the pitfalls which lie in the path of this antiracketeering bill. The McClellan committee has been exposing intolerable conditions for 2½ years. The racketeers have got to go. If it is true that most responsible labor leaders are willing to accept the degree of public control over union affairs which this bill entails, I say this is precisely what the public has a right to expect of them. It is the public interest which has been violated. That the violators are few in number and enemies alike of the public at large and honest workingmen, is all the more reason for responsible labor leaders to sup-

port this bill. Every day that passes without action here in the Congress strengthens the hand of those who would club to death our free, democratic labor unions on the pretext of exterminating racketeers. If this bill fails to pass, with or without title VI, I hope its death may never be laid at the door of responsible labor leaders, lest it one day be said of them: "They have sown the wind, and they shall reap the whirlwind."

Mr. President, I yield back to the distinguished Senator from North Carolina my remaining time.

Mr. ERVIN. Mr. President, I wish to thank the able and distinguished junior Senator from Idaho for his magnificent contribution to this debate. As a member of the Senate Rackets Committee and as a cosponsor of the pending bill, he has rendered a signal service to all the American people.

Mr. WILEY. Mr. President, will the Senator yield, so that I may make some insertions in the RECORD?

Mr. ERVIN. Mr. President, I ask unanimous consent that the time to be used by the able and distinguished Senator from Wisconsin not be charged against the time of those advocating the amendment.

The PRESIDING OFFICER. Is there objection to the request of the Senator from North Carolina?

Mr. KUCHEL. Mr. President, I ask unanimous consent that the distinguished senior Senator from Wisconsin [Mr. WILEY] be permitted to address the Senate without the time being charged to either side.

The PRESIDING OFFICER. Is there objection to the request of the Senator from California? The Chair hears none, and it is so ordered.

INVEST-IN-AMERICA WEEK—AMERICA'S FIFTH ANNUAL CELEBRATION

Mr. WILEY. Mr. President, the traditional initiative and resourcefulness which were characteristic of the Founding Fathers of this great Nation are still an important part of the life of the American people today. In no segment of our economic and social life is this fact more nearly true than in the field of competitive enterprise; for it is here that the continued supply of the public's funds is absolutely essential—with sound investments in jobs, in savings, homes, insurance, and in sound securities.

Next Sunday, April 26, will be observed all over the United States as the opening date for the nationwide observance of the Fifth Annual Invest-in-America Week. This year the occasion will have particular significance; for, since last year's celebration of the Fourth Annual Invest-in-America Week, the overall economy of our country has happily experienced a marked upsurge from the problems of a period of discouraging recession. With characteristic optimism, the American people rolled up their sleeves and went to work; earnings and savings were invested to the benefit of hundreds of thousands of citizens, with the result that the American competitive system has produced the highest standard of living in history.

The objectives of the National Invest-in-America Committee, Inc., with headquarters in Philadelphia, is best summed up in the statement of its principles:

> The American competitive enterprise system was founded on the work and savings of the people and has produced the highest standard of living in history. Our people, of their own free will, have made all forms of investment from Government bonds to venture capital for new enterprise. Competitive enterprise is dependent on the continued supply of these funds, which benefit consumers, workers, and the national interest; as well as investors. Investing in America has helped make our country great. This idea needs to be brought home to all the people—men, women, and schoolchildren.

The outstanding work of this committee was recognized last year by President Eisenhower's message to the chairman of the Washington Invest-in-America Committee, in which he said:

> The annual observance of Invest-in America Week is a good time to reaffirm our belief in the power of work, savings and investments to create new business and better job opportunities for all our citizens. With effort and enterprise we will continue to advance the economic growth of our land. Congratulations to those engaged in making known the fullest meaning of Invest-in-America Week.

I have been pleased on several occasions to commend the national sponsors of Invest-in-America Week, along with all the many local groups throughout the land, as well as to invite the attention of my colleagues to the important way in which we can keep America strong by keeping our economy growing. I was happy to call attention to the third annual observance in March 1957, as recorded in the CONGRESSIONAL RECORD, volume 103, part 3, page 3668; and then again to comment on the fourth celebration of Invest-in-America Week on April 29, 1958, as recorded in the CONGRESSIONAL RECORD, volume 104, part 6, page 7570. At the close of that week, it was my pleasure to be the host at a reception in the old Supreme Court chamber, in the Capitol, honoring the national Invest-in-America officers and Washington Invest-in-America Committee members. Present were many of my colleagues in the Senate and House of Representatives, as well as leaders of the executive agencies in the Government and local business and civic leaders. Among the speakers at this reception were Julian Baird, Under Secretary of the Treasury; Edward Gadsby, Chairman of the Securities and Exchange Commission; Albert Cole, Administrator of the Housing and Home Finance Agency; Frederic Potts, of Philadelphia, chairman of the board of the National Invest-in-America Committee; and Barnum Colton, president of the National Bank of Washington and chairman of the Capital Invest-in-America group.

Next Monday, April 27, there will be a kickoff luncheon here in our Nation's Capital initiating the fifth annual celebration of Invest-in-America activities. Again it will be my pleasure to welcome fellow Senators and Representatives and to greet members of the National Invest-in-America Committee and local leaders in business and in the executive branch. At this luncheon there will be addresses by outstanding individuals, who will dramatize the principles of this constructive program and will stimulate interest in year-round activities.

Mr. President, the Invest-in-America program has ably demonstrated that it is a solid growth enterprise. In less than a decade, the organization—which was originally inspired by an editorial in the Investment Dealer's Digest in 1949—has taken root and grown steadily to the point that some 207 communities in the United States and the Hawaiian Islands participated last spring in Invest-in-America activities. In my own State of Wisconsin, Mayor Frank Zeidler officially opened Invest-in-America Week with a proclamation which stated, in part:

> By an adequate and intelligent program of personal savings and investment, each of us will be able to add immeasurably to our own personal welfare by stimulating production of wealth and hence prosperity for our Nation.

All over the State there was generous support from its businesses; and radio, press, TV, posters, and lobby exhibits carried the message to citizens of the Badger State.

This year, in order to expand Invest-in-America activities in Wisconsin, there was organized a State Committee composed of representatives from the Wisconsin Bankers Association, Wisconsin Manufacturers Association, the Wisconsin Chamber of Commerce, insurance companies, and investment brokers. Named chairman of the State Invest-in-America Committee was Mr. Roth S. Schleck, an able and industrious vice president of the First Wisconsin National Bank, in Milwaukee. At the conclusion of my statement, I ask that there be printed in the RECORD a letter I recently received from Mr. Schleck, together with a listing of the members of the Wisconsin Invest-in-America Committee.

In order to build a bigger and better future for America, it is necessary that the savings of the American people, in the form of retained earnings of corporations, as well as individual savings, provide the capital. A million new jobs a year call for at least $14,000 of new capital investment per job; which means $14 billion a year. And at least another $20 billion will be needed to maintain the plants and machinery providing the 66 million present jobs. America's future is worth working for because the past has shown that no other economic and political system produces the blessings we enjoy. In the words of one of the slogans of Invest-in-America: "Let every proud American become a missionary for the principle of a free America. Tell the world, 'I am a capitalist. I invest in America.' "

I send to the desk several items. The first is an article from a recent issue of the Milwaukee Journal which points up the steps being taken in Wisconsin toward observance of the fifth annual Invest-in-America Week. The second item is the previously-mentioned communication received from Mr. Roth Schleck, together with a listing of the Wisconsin Invest-in-America Committee. The third item is an outstanding

article by Mr. Robert M. Joline, who is on the board of State governors for the National League of Insured Savings Associations, entitled "Why You Should Support the Invest-in-America Program"; as printed in the National Savings and Loan Journal. And finally, as an indication of the high caliber of citizen on the National Invest-in-America Committee, I also include a listing of the officers and board of governors of this fine organization for 1959; together with a listing of the cities which are charter members of Invest-in-America. I ask unanimous consent that these items be printed at this point in the RECORD.

There being no objection, the articles, letters, and lists were ordered to be printed in the RECORD, as follows:

[From the Milwaukee Journal]

INVEST-IN-AMERICA GROUP PLANS STATE-WIDE EFFORT

Wisconsin observance of "Invest-in-America week," a Nationwide program which has received scant attention outside Milwaukee in previous years, will be cultivated more extensively in 1959 and future years.

That was the agreement reached Thursday at a meeting here of a newly formed Wisconsin Invest-in-America week committee. Composed of leading representatives of the securities business, banking and insurance, the committee elected officers at a Wisconsin club meeting.

Roth S. Schleck, a vice president of the First Wisconsin National Bank of Milwaukee, was elected chairman. James A. Swoboda, resident partner in Paine, Webber, Jackson & Curtis, Milwaukee, was chosen secretary, and J. Victor Loewi, president of Loewi & Co., Inc., Milwaukee, was named treasurer.

THEY HAVE A STAKE

The week will be observed nationally April 26 through May 2. Schleck pointed out that it is not a 1-week promotion of investment but is chiefly an educational effort and a rededication to the purpose of the week: To help Americans understand how their earnings and savings can be put to work for their own best advantage.

"Many people don't realize they have a stake in the capitalistic system, such as represented in a pension fund," Schleck noted.

Swoboda emphasized that the week was not "and should not become self-serving for the financial institutions; that it should adhere to the broad objectives of the program."

Community committees in Milwaukee and other State cities will plan programs calling attention to the week. While these may not reach desired stature this year, they will lay a foundation for improved observances in future years, Schleck said.

FIRST WISCONSIN NATIONAL BANK,
Milwaukee, Wis., March 24, 1959.

Senator ALEXANDER WILEY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: Because of your interest in the purpose of Invest-in-America which you so ably demonstrated in your statement to the Senate last year, I believe you will be pleased to know that, in order to expand our activities in this State, we have organized a State committee composed of representatives from the Wisconsin Bankers Association, Wisconsin Manufacturers Association, the Wisconsin Chamber of Commerce, insurance companies, and investment brokers.

At the initial meeting of this committee, held last Thursday, the 19th, the preliminary plans were formulated for the observance of the 1959 Invest-in-America Week in Stevens Point, Janesville, Madison, Green Bay, Oshkosh, Fond du Lac, and Milwaukee.

Your continued support and recommendation would be invaluable to this program, and very much welcomed and appreciated. We know, from your work in behalf of sound investments, that you realize fully the importance of bringing this message to the American people.

Two newspaper clippings and a list of the committee members are enclosed for your information.

Sincerely,

ROTH S. SCHLECK,
State Committee Chairman,
Invest-in-America.

MEMBERS OF THE WISCONSIN "INVEST-IN-AMERICA WEEK" COMMITTEE

Clarence A. Bickel, partner, Robert W. Baird & Co., 110 East Wisconsin Avenue, Milwaukee, Wis., representing investment broker.

Carl A. Biederman, president, Oshkosh National Bank, Oshkosh, Wis., representing Wisconsin Bankers Association.

Robert E. Busbey, treasurer, Hardware Mutuals, Stevens Point, Wis., representing insurance.

John C. DeMaster, assistant vice president, Citizens Bank of Sheboygan, Sheboygan, Wis., representing Wisconsin Bankers Association.

Bruce M. Jeffris, president, the Parker Pen Co., Janesville, Wis., representing Wisconsin Manufacturers Association.

Walter Jensen, president, First Bank of Grantsburg, Grantsburg, Wis., representing Wisconsin Bankers Association.

Joseph T. Johnson, president, the Milwaukee Co., 207 E. Michigan Street, Milwaukee, Wis., representing investment broker.

L. J. Larson, president, National Guardian Life Insurance Co., 142 East Gilman Street, Madison, Wis., representing insurance.

J. Victor Loewi, president, Loewi & Co., Inc., 225 East Mason Street, Milwaukee, Wis., representing investment broker.

Andre J. Perry, president, First National Bank, Fond du Lac, Wis., representing Wisconsin State Chamber of Commerce.

Roth S. Schleck, vice president, First Wisconsin National Bank, Milwaukee, Wis., representing Wisconsin Bankers Association.

James A. Swoboda, resident partner, Paine, Webber, Jackson & Curtis, 605 North Broadway, Milwaukee, Wis., representing investment broker.

Robert E. Dineen, vice president, Northwestern Mutual Life Ins. Co., Milwaukee, Wis., representing insurance.

The following officers were elected at the meeting held March 19, 1959: Chairman, Roth S. Schleck; secretary, James A. Swoboda; treasurer, J. Victor Loewi.

WHY YOU SHOULD SUPPORT THE INVEST-IN-AMERICA PROGRAM

(By Robert M. Joline, National League Governor for Pennsylvania)

Invest-in-America is an effective means of bringing home to every American that our way of life—the free competitive enterprise system—provides the highest living standard the world has ever known.

Through Invest-in-America's continuous educational program more people are learning that, when a person opens a savings account, buys a home or a life insurance policy, owns a Government bond or share of stock, he becomes a part of the great American capitalist system.

Since its beginning in 1949, the Invest-in-America effort has grown to where communities in nearly every State and Hawaii now participate in activities designed to make us more aware of the role savers and investors play in assuring the abundant life we enjoy.

Invest-in-America Week, to be observed April 26 through May 2, is the big stimulant to year-round activities. In 1958, over 200 cities from coast-to-coast conducted appropriate observances to remind Americans that it takes investment in jobs, savings, insurance, homes, and securities to keep our Nation strong.

In Philadelphia, where the Invest-in-America activities originated, our Federal Savings & Loan Group has taken an active part in this development by giving time and thought and contributing funds. Our group's participation in Invest-in-America Week has been reflected, too, in cooperative newspaper advertising, in the sponsorship of radio-television information panels, in office windows and counter poster displays, and in other ways calculated to reach the public.

All business, and the savings and loan business in particular, should take advantage of every opportunity to combat economic illiteracy and help broaden understanding of the saving-investing process.

The Invest-in-America movement presents such an opportunity for constructive action. Savings and loan people in all parts of the country should further the effort by stimulating interest in Invest-in-America Week and assisting in observances this year. Our people will discover additional advantages in a coordinated effort with chambers of commerce, stock exchanges, junior achievement, industry, school systems, banks, securities firms, and insurance organizations.

Our own experience in Philadelphia strongly indicates that the spreading Invest-in-America philosophy helps more and more Americans to understand better the workings of our economy—an economy that draws its strength from the private accumulation of capital.

The goal of the National Invest-in-America Committee, Inc., with headquarters in Philadelphia, is to broaden the observance to more communities and to utilize more fully the support which can be rallied from groups like ours, groups which share our concern in conveying to the public this vital message.

The committee's objective is best summed up in the following statement of principles:

"The American competitive enterprise was founded on the work and savings of the people and has produced the highest standard of living in history. Our people of their own free will have made all forms of investment from Government bonds to venture capital for free enterprise.

"Competitive enterprise is dependent on the continued supply of these funds which benefit consumers, workers, and the national interest as well as investors. Investing in America has helped make our country great."

The need for the Invest-in-America movement is just as urgent as when the first local programs were begun 10 years ago. Progress has been made, but basic misunderstanding of our economic system still exists.

In pointing out that every American is an investor, that savings and investment are the life stream of competitive enterprise and the source of more and better jobs for Americans, we are performing a service for not only contemporary America but for those to whom we must pass our Nation's affairs in years to come.

Invest-in-America is most important because it deals with fundamentals that everybody should understand. It has excellent slogans: "Money at work means men at work," "Invest in America for more and better jobs," and "Finance is the life stream of competitive enterprise." Now that is language that is concise, that people know and understand. In supporting a program which will teach people to save and shoulder their responsibilities, we stand to accomplish a great deal.

If the idea can be impressed upon each person that he is a part of our economy, it will be a factor for his own good and for the good of the Nation.

There are a number of useful tools available to help do the job. Through I-in-A national and local committee activities peo-

ple get simple facts about the role of saving and investment in providing jobs. A colorful information kit is made available by the National Invest-in-America Committee to local committees, press, radio and television stations, and to private companies. In each kit are newspaper advertisements, color poster and window streamer, I-in-A messages which can be broadcast over office communications systems or posted on employee bulletin boards, a sticker and emblem, illustrated brochures and other material.

Savings and loan leaders in Philadelphia and other cities are joining forces with the financial, business, and industrial community to promote Invest-in-America Week. Talks by recognized civic and business leaders are featured. Radio, television, newspapers, and magazines carry the I-in-A message to millions of individuals. Company publications, billboards, street banners and posters hail Invest-in-America Week. Schools, churches, youth groups, service clubs, and civic organizations take part in this outstanding event. During Invest-in-America Week every citizen is encouraged to recount for himself the benefits that are his because he is an American.

Every person in a job and everyone with savings invested in a home or business has a need to protect his job and his investment. If an increasing proportion of our neighbors can be interested in the ownership of a home or some share of business, there will automatically be created a force whose interest will more nearly coincide with the interest of the financial and industrial community. The more and wider the savings—and the investments of savings in homes and in the businesses and enterprises of America—the greater will be our security.

What better investment is there for savings and loan businessmen, from a monetary point of view, than to participate in the Invest-in-America program and to push it year round? I am certain they will find it as rewarding as I have found it. And I am sure that everyone else who has been connected with Invest-in-America has found this to have been a satisfying experience.

THE NATIONAL INVEST-IN-AMERICA COMMITTEE, INC.

Chairman; National Invest-in-America Week, April 27 to May 3, 1958, Walker L. Cisler, president, the Detroit Edison Co.

Past National Chairmen: 1957, T. S. Petersen, president, Standard Oil Co. of California; 1956, R. G. Rincliffe, president, Philadelphia Electric Co.; 1955, Reese H. Taylor, president, Union Oil Co. of California.

Frederic A. Potts, chairman of the board, J. Earle Jardine, Jr., vice chairman of the board; Walter A. Schmidt, chairman executive committee; Rudolf F. Vogeler, secretary; Alexander Biddle, treasurer; Mrs. Kathryn M. Duffy, executive secretary.

Regional chairmen: East, J. Whitney Bunting; central, John Latshaw; West, Daniel J. Cullen.

BOARD OF GOVERNORS

Frederic A. Potts, chairman, president, the Philadelphia National Bank.

J. Earle Jardine, Jr., vice chairman, Wm. R. Staats & Co., Los Angeles.

Walter A. Schmidt, chairman executive committee, Schmidt, Poole, Roberts & Parke, Philadelphia.

Rudolf F. Vogeler, secretary, Drexel Institute of Technology, Philadelphia.

Alexander Biddle, treasurer, executive vice president, Philadelphia-Baltimore Stock Exchange.

Samuel R. Rosenbaum, counsel, impartial trustee, music performance trust fund, American Phonograph Industry, Philadelphia.

James B. Black, president, Pacific Gas & Electric Co., San Francisco.

John F. Bunn, Jr., Bioren & Co., Philadelphia.

J. Whitney Bunting, consultant-educational research, General Electric Co., New York.

Daniel J. Cullen, Walston & Co., San Francisco.

Robert W. Dowling, president, R. W. Dowling Realty Corp., New York.

Wilfred D. Gillen, president, the Bell Telephone Co. of Pennsylvania, Philadelphia.

Lee S. Harris, Jr., Frank G. Binswanger, Inc., Philadelphia.

Dr. Louis P. Hoyer, former superintendent of schools, Philadelphia Pa.

John Latshaw, E. F. Hutton & Co., Kansas City.

Ruddick C. Lawrence, vice president, public relations, New York Stock Exchange, New York.

Howard C. Petersen, president, Fidelity-Philadelphia Trust Co., Philadelphia.

Mrs. Mary G. Roebling, president, Trenton Trust Co., Trenton.

Eliot H. Sharp, Investment Dealers' Digest, New York.

C. A. Sienkiewicz, president, Central-Penn National Bank, Philadelphia.

Edward Starr, Jr., Drexel & Co., Philadelphia.

Reese H. Taylor, president, Union Oil Co. of California, Los Angeles.

Franklyn Waltman, director of public relations, Sun Oil Co., Philadelphia.

T. Johnson Ward, Merrill Lynch, Pierce, Fenner & Smith, Philadelphia.

Phelps Witter, Dean Witter & Co., Los Angeles.

Chartered cities: Atlanta, Ga.; Atlantic City, N.J.; Charlotte, N.C.; Dallas, Tex.; Denver, Colo.; Detroit, Mich.; East Orange, N.J.; El Paso, Tex.; Fresno, Calif.; Houston, Tex.; Kansas City, Mo.; Lincoln, Nebr.; Los Angeles, Calif.; Milwaukee, Wis.; Minneapolis, Minn.; Modesto, Calif.; New York, N.Y.; Norfolk, Va.; Oklahoma City, Okla.; Omaha, Nebr.; Philadelphia, Pa.; Pittsburgh, Pa.; Providence, R.I.; Red Bank, N.J.; Richmond, Va.; San Antonio, Tex.; San Diego, Calif.; San Francisco, Calif.; Savannah, Ga.; St. Louis, Mo.; Topeka, Kans.; Trenton, N.J.; Tulsa, Okla.; Washington, D.C.; West Palm Beach, Fla.; Wichita, Kans.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959

The Senate resumed the consideration of the bill (S. 1555) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes.

Mr. KENNEDY. Mr. President, I yield 15 minutes to the Senator from New York [Mr. JAVITS].

The PRESIDING OFFICER. The Senator from New York is recognized for 15 minutes.

Mr. JAVITS. Mr. President, I shall vote against striking title VI from the bill. Fundamentally, my reason is that the Taft-Hartley law amendments which are to be made are desirable, are generally agreed upon, or are of a character which should be generally agreed upon, and should be made now while we have the bill before us, rather than later.

I have been listening to the debate with great interest, this morning particularly, and I find that the opposition to including title VI in the bill is not substantive, as we lawyers say, but is climatic. In other words, what is alleged is that there will be a climate created around the bill which will induce other Taft-Hartley Act amendments to come forward, whereas if we strike title VI there will be no such climate.

Mr. President, with all due respect to my colleagues, I say that is an unsubstantial argument. Indeed, I do not think it makes any sense at all, for the reason that there is no rule of germaneness. Any Senator can offer an amendment to the Taft-Hartley Act if he wants to do so. He can talk about it for as long as he desires. He can press for a vote. If it appears that he has sufficient support, he can ask for a yea-and-nay vote.

It will make no difference whether we strike title VI. One hundred and thirty-five amendments have been printed, Mr. President, and there is nothing on earth to prevent every one of the Senators who has amendments from offering every one of them, whether we strike title VI or not.

I respectfully submit that even if we strike title VI, we will not inhibit any Senator, except those who have spoken to the subject, and they are relatively a small number.

What are the reasons for including title VI in the bill? One reason for including it is that it deals right now, instead of 6 or 8 months or a year from now, with some very essential matters upon which there is or should be general agreement, and it does not take anything away from the present law, but adds things which are not now in it.

Mr. President, let us evaluate the situation in terms of the facts. First, title VI deals with the no-man's land. Right now the no-man's land is vacant, and there is nothing filling it in whatever. At least in title VI there is an attempt to have a little fill-in; that is, by providing for agreements between the National Labor Relations Board and those States—of which there are 12—which have labor relations laws themselves. That would not take anything away from the law now. It would not compromise the position of those who think the National Labor Relations Board ought to have labor relations matters in its complete control, or of those who think some questions should go to the State courts and to the State agencies administering their own laws.

Such a procedure would keep the fundamental situation as it is now, but would allow a little more amplitude, and let more States get into the situation, in order to cut down the caseload. I ask Senators, what is wrong with that?

The second provision is with regard to the building and construction workers. Everyone agrees on that matter. At least, everyone has said so time and time again. We cannot apply the Taft-Hartley law to the building and construction field. We all know the law is not being applied in that field, and we might as well recognize the fact in the law. This is an essential amendment, and the sooner we adopt it the better.

Third, there is an attempt to deal with voting in representation cases of economic strikers. The sole question is one of whether economic strikers shall be

entitled to vote in representation elections, or whether only those who filled the jobs in a strike shall be entitled to vote.

Mr. President, the President of the United States and most of the people of the country have generally concluded that economic strikers ought to be entitled to vote, and the sooner we make such provision the better in terms of labor peace and the freedom of the workingmen themselves.

Mr. CASE of South Dakota. Mr. President, will the Senator yield for a question?

Mr. JAVITS. I yield.

Mr. CASE of South Dakota. Will the Senator define what he means by economic strikers?

Mr. JAVITS. I will. Economic strikers are the strikers who engage in a strike which is for union organization, or which is for better terms and conditions or in connection with negotiation of a new union contract when the previous contract has expired. This does not refer to a striker who, because of unfair labor practices on the part of the employer, is entitled by law to reinstatement.

That is what I mean by an economic striker.

Mr. President, I point out there is a great area of agreement between the prounion people and the President of the United States, representing a sort of the middle-of-the-road attitude in this matter, and I think perhaps the best we can say is that those who feel there should be particularly restrictive laws on unions are the only ones who might raise a question about it.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. JAVITS. I yield.

Mr. LAUSCHE. Has the Senator from New York given any consideration to what the situation would be when the economic strikers had been away from their work, let us say, for a year and had been replaced by new workers? How could the question ever be resolved with regard to who should be the bargaining agent for the workers? On the one hand we would have those who had taken the place of the economic strikers, and on the other hand we would have the economic strikers. How would the question be resolved, and how long would the economic striker be vested with the right to vote on an equal basis with the worker?

Mr. JAVITS. I should like to enlist the privilege with my colleague of separating the two questions. The first question is, shall they be permitted to vote; and, if so, how? The second question is, for how long?

With respect to the first question, the National Labor Relations Board has decided it. That was the situation under the Wagner Act. The economic strikers and the replacements both vote. The aggregate vote, depending upon the majority, will determine the representation. Both classes vote, not one to the exclusion of the other, but both vote.

The second question, as to how long this right shall persist is a difficult one. It troubles me, too. I think ultimately we may be receptive to some limitation of time, but the problem of time has not arisen practically. What has happened practically is that when an unreasonable time has elapsed, people float away, and as a practical matter, are not sufficiently interested to come forward and vote.

Quite apart from that, I agree with the Senator that there should be some consideration of the time factor. But I point out that it is not such an urgent problem that it cannot be dealt with in subsequent legislation, when we have the benefit of expert advice. In the meantime, this provision seems adequate, because it allows both the economic striker and the one who has filled his job to vote. I respectfully submit, as a matter of judgment, based upon all aspects of the question, that we can go ahead and enact such a provision now, even though we may reach the point, on the basis of technical advice, when we shall wish to establish a limit, as a protection, on the time within which an economic striker may be on strike and nevertheless vote.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. LAUSCHE. I am glad the Senator from New York agrees with me that the question of the length of time during which the so-called economic striker shall be entitled to vote is one which should have attention.

Mr. JAVITS. Definitely.

Mr. LAUSCHE. My own view is that the question could have been taken care of in committee if there had been a desire to do so. I take it that the failure to place a time limitation on how long the right to vote shall continue is an indication that the committee did not deal with the question adequately.

Mr. JAVITS. I do not quite agree. I think the committee was dealing with a state of facts, on the record, which indicated that the time factor was not an actual problem. But I agree that it should be taken care of in late legislation. I do not believe that the failure to do so here and now means a material imperfection in this particular provision.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. CASE of South Dakota. The reason I asked the distinguished Senator from New York to define an economic striker was the concern I have in the very point which has been raised by the distinguished Senator from Ohio. I think we can agree—at least I agree—that if we deny the right to vote to the economic strikers, we effectually defeat the right to strike.

I believe everyone would have to admit that if one loses his right to vote by engaging in a concerted stoppage of work, the right to strike has been effectively curtailed, crippled, and defeated.

We have recognized the right to strike. The act itself provides that that right shall be preserved; and we should not permit it to be defeated.

However, I think the time within which the right to vote may be exercised is a substantive matter. I wish the committee had dealt with it. I think the least that should be done is to prescribe powers for the National Labor Relations Board to fix a time. Otherwise chaos and confusion would result, and there might be a lopsided situation in which people who had left the job many months previously might outnumber those who were carrying on.

I do not want them to forfeit the right to vote too soon; but, I think there should be a time limit, and in the absence of any specific provision in the act it should be clear that the National Labor Relations Board itself should have the right, by regulation, to prescribe the time within which the voting right may be exercised.

Mr. JAVITS. It is not an actual problem, but I agree that in view of the possibilities, it is a question with which it is desirable to deal. The fact that it is not dealt with in the bill does not constitute such an imperfection in this particular provision as to warrant discarding it, because the provision could be amended on the floor of the Senate, if we felt strongly enough about it, not as a reason for striking down the whole of title VI. That is the point I am making.

We have covered "the no man's land" provision, the building and construction industry, and voting by economic strikers. There are three other matters. There is the question of supervisors, which is practically unaffected, except for a group of people in the telephone business who were unfairly placed in the supervisors category, directly responsible to management. The bill started by transferring a considerable number of superivsors from the management category into the labor category, but that provision was abandoned in committee, which I think is a change very much for the better.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. LAUSCHE. I had some difficulty in reconciling my thinking to the proposal of picking out one special class of employees and specifically declaring that they shall not be considered as supervisors. I suggest that we are entering into a dangerous field when, by category and classification, we begin exempting classes, instead of dealing with the subject on the basis of a general definition or general principle. I should like to hear the Senator's comment on that subject.

Mr. JAVITS. I believe that when we have a specific situation it is susceptible to this kind of treatment. Congress has the right to establish a special category. We are doing it with respect to building construction workers.

I believe the theory behind the provision with respect to these particular supervisors is that it is generally accepted that an exception should be made, and that it was pretty well agreed that it should be made, based upon the facts.

I do not believe that we must necessarily have generic legislation. Often we must legislate rather specifically, when the facts require it. I believe that the whole justification for the particular approach in this provision is the fac-

tual justification. The committee, by a very large majority, considering that subject in and of itself, was satisfied that an exception should be made in this instance.

To summarize, I do not quarrel with the Senator. I believe that, generally speaking, legislation should be generic; but I point out that in the interest of trying to retain the Taft-Hartley amendments only where it was generally agreed that the shoe was pinching, this one was included, based upon facts, and not upon argument or principle.

Mr. LAUSCHE. My own view is that we are definitely entering into the field of trying to legislate by class. We say that this particular type of employee connected with the telephone industry shall not be considered a supervisory employee. It is my understanding that the bill has no definition of the type of work this particular group is doing.

Let me repeat, that class legislation is not sound. When we enact class legislation for this group of 20,000, later other classes will come forward and ask that they be covered specifically rather than by general law.

The PRESIDING OFFICER. The time of the Senator from New York has expired.

Mr. KENNEDY. Mr. President, I yield 5 minutes more to the Senator from New York.

Mr. JAVITS. Again I point out that I am only arguing for the proposition that we do not need to topple the entire structure of title VI in order to work our will on some individual imperfections which may exist. Fundamentally, it is desirable to include the provision because it covers some things which very urgently need to be covered.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. JAVITS. Will the Senator from Massachusetts yield to me 2 additional minutes? Of course, I yield to the Senator from North Carolina.

Mr. KENNEDY. I yield 2 additional minutes to the Senator from New York.

Mr. ERVIN. Does the Senator believe that if we wish to bring in service assistants in the communications industry, we ought not to exclude persons doing exactly the same work in other industries, and therefore that we should have a general definition to include everyone, instead of covering persons on the basis of the title given them by their employers?

Mr. JAVITS. I cannot agree with that argument, because I think the entire justification is necessarily a factual one. The end sought by this particular provision in title VI is only to cover that for which we have a factual basis. We do not have a factual basis for making the provision generic, so we confine it to this particular place, where, as I stated a moment ago, the shoe is pinching.

Mr. ERVIN. If the Senator will yield further, I should like to ask him what would happen to these laws if the communications industry changed the title of the position.

Mr. JAVITS. I do not believe it is a matter purely of title. I believe there is a basis for a particular kind of activity. If the activity should be eliminated, the law would be obsolescent. I might say that the statute books are full of laws which are obsolescent. Such laws go back to the first laws which were enacted in 1789. Most laws on the statute books are no longer applicable. Some of them are laws dealing with runaway horses. They are no longer in use. I do not believe the point the Senator makes in that regard proves anything.

Mr. ERVIN. I will yield 1 more minute to the Senator from New York to permit him to answer this further question. Would not the enactment of the provision to which we are referring put the communications industry in the position of amending an act of Congress?

Mr. JAVITS. No, I do not believe so; any more than acts of Congress were especially amended when horsecars were eliminated from the streets of our cities. They were eliminated from the street on which I was born in New York City. The horsecar companies were probably regulated by some very complicated charter regulations in the city of New York and in the State of New York.

The fifth point contained in title VI has to do with prehearing elections. It deals with cutting down the workload of the National Labor Relations Board. The so-called McKinsey committee efficiency experts, reported that the NLRB workload might be cut down by as much as one-half by the adoption of the suggested procedure.

The last provision would provide for a temporary General Counsel of the National Labor Relations Board. I do not believe there is any dispute about that.

To sum up the argument for title VI, it seems to me that the whole objection to the enactment of title VI is based on the belief that labor may like it. Is that an argument for voting against it? Are we going to vote against a proposal because it may be favored by some persons? If we are to do that, we will be following a standard which could easily destroy us. Some day we may be passing legislation which labor does not like, but which management likes. Shall we vote against a provision merely because labor may like it, particularly when every Senator is given an opportunity to offer any amendment he wishes to offer? I do not intend to vote on any such basis.

Mr. President, the bill does something more than legislate in the fields covered by title VI. It establishes as law the principle of democracy in unions. It adapts to their internal administration the standards of honesty and fair play which are basic to our society. It provides for conditions which would make for integrity in the relations between unions and representatives of management. This, coupled with such Taft-Hartley law amendments which at least would be a partial answer to some problems, gives us a bill worth enacting into law.

The difficulty of adopting any amendments to the Taft-Hartley law for more than a decade—only one amendment to it has been adopted in that time—should certainly convince us that to seek a set of full and finished amendments in this one bill is to seek the impossible, or, what is more likely, to attain nothing because either side seeks everything.

The subject of organizational picketing, which some persons like to call blackmail picketing—I do not know why they call it that, except to tag it with a name, because certainly it does not get down to the substance of the subject—involves questions which are fundamental to the operation of unions.

Mr. President, there is a great newspaper in my home town, the New York Times, which has objectively analyzed the pending bill. It comes to this conclusion:

> But the public interest, and labor's too, clearly calls for the passage of S. 1555. Its defeat would set labor reform back on its heels in the present session of Congress. It would be a calamity for the Senate to turn it down merely because it doesn't go far enough.

After pointing out title VI of the bill as highly controversial, it adds:

> Even at that, the opposition has been focused here, too, not so much on what is in the bill as what has been left out.

I come back to the point that the opposition, when it is boiled down, is primarily based on the contention that labor may like the bill. What is wrong with that? Labor has been living for 12 years with the Taft-Hartley Act, which it does not like. Suppose Congress could do something that it did like. Would that be wrong or bad or any reason for defeating the proposed legislation? I do not believe so. Therefore, I hope that the Ervin amendment will be rejected. I yield back the remainder of my time.

Mr. KENNEDY. May I ask the Presiding Officer how much time remains in favor of the amendment and how much in opposition to the amendment?

The PRESIDING OFFICER. Forty-eight minutes remain in opposition.

Mr. KENNEDY. How much time remains for the proponents?

The PRESIDING OFFICER. Thirty-eight minutes remain for the proponents.

Mr. KENNEDY. I wish to congratulate the Senator from New York for his very effective presentation in delineating the real issues involved in the Senate's consideration of title VI of the bill.

Mr. JAVITS. I thank the Senator.

Mr. KENNEDY. I yield 10 minutes to the Senator from Kentucky.

Mr. COOPER. Mr. President, I will vote against the amendment of the senior Senator from North Carolina [Mr. ERVIN], which would strike from the bill title VI, dealing with the Taft-Hartley Act in several particulars. As a member of the Committee on Labor and Public Welfare I wish to explain my reasons. First, I take this position because the amendments to the Taft-Hartley Act contained in title VI, concerning "no-man's land," the building construction industry, prehearing elections, and economic strikers, were very thoroughly considered by the Committee on Labor and Public Welfare. The committee held extensive hearings on these subjects in 1958, and again this year. Last year all the amendments were approved by the Committee on Labor and Public Welfare in substantially the same form

and were a part of title VI of the Kennedy-Ives bill, S. 3974, which, after debate, was passed by the Senate by a vote of 88 to 1.

Furthermore, the Senate should keep in mind that the President of the United States and the Secretary of Labor have recommended that action be taken in these very fields; title V of the administration, bill S. 748, which, I understand, will be offered, contains amendments dealing with every one of these subjects, although the approach is different in certain respects.

Actually, the proposal of the administration bill which would give economic strikers the right to vote is in the exact language contained in title VI of the bill before us.

What I have said about the thorough consideration by the committee of title VI and its support in principle by the administration does not mean that when specific amendments are offered to the various sections of title VI that Members of the Senate are bound by the committee's view. For myself I wish to say that when we come to the section dealing with no man's land I shall vote to amend that section, and, if necessary, I will offer an amendment to it. If the amendment of the Senator from North Carolina fails, as I believe it should, we shall have the chance to consider each section of title VI separately on its merits and, in my opinion, that is the proper way—the only way—we can proceed in this highly technical field. Every one of the amendments to the Taft-Hartley Act, with the exception of section 606, which the Senator from New York [Mr. JAVITS] has mentioned, and which was unanimously adopted by the members of the Committee on Labor and Public Welfare, has been thoroughly considered and debated by the committee and on the Senate floor last year.

There is no reason for postponing votes on the sections which are included in title VI of the Kennedy-Ervin bill.

As amendments arise, there will be an opportunity to express my views on specific amendments. But at this time I wish to make a general comment on the bill itself. At the outset of this debate, it is being said that unless title VI of the bill is further amended, particularly as regards picketing and secondary boycotts, we will be passing an ineffective bill that is a hoax and against the public interest. It is said on the floor of the Senate, and I am deluged with telegrams from employers and others making the same statements.

I appreciate and want the views of everyone, but I disagree categorically with their view that the bill is without value. I will not discuss the different titles in detail. They have been analyzed by the chief sponsor of the bill, and they will be discussed further during the debate. Briefly, title I deals with the reporting and disclosure of the financial transactions of unions, and prescribes severe penalties against union officials for wrongdoing against their members.

Title II limits the assumption of trusteeship and the control by national or international organizations over a local or a subordinate union, and prescribes means by which a local union can assert its freedom.

Title III insures larger democratic procedures in the internal affairs of a union. These ends have been demanded by the public for years, and surely their accomplishment by the Congress, will not render them "valueless," "ineffective," and a "hoax" as is now claimed. If no additions are made to this bill, and if it be passed, it will mark substantial progress in insuring democratic procedures in unions, and against wrongdoing by corrupt union officials.

Many of the present Members of the Senate were in Congress at the time the Taft-Hartley Act was passed. I was in the Congress and voted for the bill. Those who remember the debate and all of us who have served on the Committee on Labor and Public Welfare know the fixed positions that labor and management take on amendments relating to the Taft-Hartley Act, and, in truth, on nearly every phase of labor-management relations. Yet as Members of the Senate we are not bound by those fixed positions: We are here to exercise our judgment—taking into consideration the public interest, as well as their claims.

There are great interests involved in the bill. The bill affects the delicate economic relationship between labor and management. It is human in its implications because it deals with the welfare of millions of union members. It deals also with the public interest.

In addition to the holding of hearings, the committee spent 3 weeks in executive discussion of the bill, section by section. The bill was improved. I pay tribute to my colleagues in the minority, for we strengthened and improved many sections and I congratulate the junior Senator from Massachusetts [Mr. KENNEDY], for his objectivity and his fairness in the consideration of the bill, and his leadership in its development.

As the Senator from New York [Mr. JAVITS] has said, the bill is now being judged by some, not upon what is in it, but upon the provisions not included in the bill. We will debate them as they arise. But the fact that they are not in now, or may not be included later, does not mean the bill is ineffective. Let us remember that 88 Members of the Senate voted for it last year.

So far as I am concerned, after weeks of discussion of the bill in committee, I reject, categorically, the statement that the bill does not mark any progress in the important field with which it deals.

Mr. ERVIN. Mr. President, I yield 5 minutes to the distinguished Senator from Ohio.

Mr. LAUSCHE. Mr. President, last year, when the Kennedy-Ives bill was before the Senate, I joined in sponsoring an amendment offered by the Senator from Arkansas [Mr. MCCLELLAN] which providing for the striking of title VI from the bill. That was the final title. I did so because I believed, first, that the last title of the bill would impair the possibility of the passage of the bill. Second, I did so because I thought that the items contained in title VI were controversial. Third, I cosponsored the amendment because I felt that if title VI were to be included in the Taft-Hartley Act, the Senate should have given consideration to the proposal banning blackmail picketing and secondary boycotts.

It is said by the opponents of the Ervin amendment that all the items in title VI are noncontroversial. Therefore, I put this proposition: Under title VI the building crafts unions will practically be exempted from the provisions of the Taft-Hartley Act. An employer or a contractor will be permitted to enter into a bargaining contract with a union even though no one is working for that contractor. In other words, the contractor and the union agent will be able to make a collective bargaining agreement without the consent of any future or existing workers. I submit that that is the antithesis of liberty and freedom in this country.

If I am a carpenter or a plumber or a tinner or a plasterer, shall I not have the right to speak up concerning who is to represent me in the bargaining process? It cannot be controverted that under this provision the contractor and the union agent can make an agreement without any consent from the workers.

To point out the evil of the provision, I call attention to the provisions contained in the original bill of the administration. Secretary of Labor Mitchell sent a letter to the committee holding hearings on the bill. He recommended this prehire provision, but the Secretary of Labor had a love for liberty which was deep enough to enable him to say:

> No certification would be made under this amendment if there was no history of collective bargaining relationship between the union and the employer prior to the current agreement or if there was an allegation and the Board found that a substantial number of employees in the unit in question asserted that the union was not designated or selected as bargaining agent by a majority of such employees.

The language recommended by the Secretary of Labor was intended to protect the liberty of the worker. But that recommendation was audaciously and bluntly rejected.

I think that in the final analysis, the welfare of the American laboring man depends upon the preservation for him of his liberties. When we pretend that we are giving him something by taking away from someone else the liberty which belongs to him, I submit we are giving him a toxin rather than a tonic.

Liberties have not been taken away at one fell swoop; they have been whittled away under the pretense that good was being done while liberty was denied.

I should like to say one further word on the subject of class legislation. I am a lawyer.

The PRESIDING OFFICER (Mr. HART in the chair). The time yielded to the Senator from Ohio has expired.

Mr. ERVIN. Mr. President, I yield an additional 5 minutes to the Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio is recognized for an additional 5 minutes.

Mr. LAUSCHE. I thank the Senator from North Carolina.

Mr. President, I once served on the bench. As a judge, I had situations of this type come before me; and other judges have been confronted with similar situations. When a judge examines a law, and finds that it was written for a special, small class, the first thing he asks is, "How is it possible? How can the legislative branch write special legislation for a special class, when many other classes which fall into the same general category have not been dealt with?"

I submit that there is grave question about the constitutionality of this proposal, when the Congress of the Nation attempts to write a law which, in effect, will provide for the exemption of one small class of 24,000 workers among 60 million workers. Such action simply is not logical and is not compatible with the sound drafting of laws.

Mr. President, I shall vote for the Ervin amendment because in my opinion the view that the provisions of title VI are not controversial amounts to wishful thinking, not judgment based on sound reasoning. Some have wished to take the view that such provisions are noncontroversial; and thus there are some who favor the inclusion of those provisions in the bill.

Mr. President, if we are to deal with the Taft-Hartley Act, let us deal with it fully. If we are not going to deal with it fully, then let us deal only with matters which relate to the internal management of the unions.

Those are my views; and I am glad to say to the Senator from North Carolina that I am happy to support his amendment.

Mr. ERVIN. Mr. President, I yield 5 minutes to the able and distinguished Senator from Florida [Mr. SMATHERS].

The PRESIDING OFFICER (Mr. HART in the chair). The Senator from Florida is recognized for 5 minutes.

Mr. SMATHERS. Mr. President, in the last Congress it was my conviction that a great step forward was taken by the Senate when it acted to curb irregular practices and to eliminate the racketeering element in unions, in order to protect the rank-and-file union members. That proposed legislation dealt solely with the field of the internal affairs of unions. Unfortunately, that measure was not passed by the House of Representatives.

This year, Mr. President, a labor-reform bill is again before us. The first five titles of the bill deal with relationships between unions and union officers, on the one hand, and the rank-and-file union members, on the other. These five titles deal solely with labor reform in the field of the internal affairs of unions.

On the other hand, title VI of the bill consists of proposed amendments of the Taft-Hartley Act—a field separate and distinct from the area with which the first five titles of the bill are concerned.

Title VI relates to the external affairs of unions, and extends the jurisdiction of unions into areas in which they have never had jurisdiction before. In my opinion, these matters are not adequately dealt with by the present provisions of the bill.

As the bill now stands, it includes only provisions which are favorable and acceptable to the unions. The bill as it now stands does not constitute a forthright approach to the many problems which affect not only labor and management, but also the public interest.

Congress must, therefore, of necessity deal with the many problems in the field of unions and their relationship to the general public, and certainly must deal with them adequately at a future time.

Because of the inadequate treatment of the many problems in the field of labor-management relations and the relationship of the unions to the public, it seems to me that title VI should be deleted from the pending bill, and the bill confined chiefly to dealing with the internal affairs of unions, their officers, and the responsibility of both to the rank-and-file union members. This is an essential first step which must be taken if progress to eliminate union abuses is to be made. I share the opinion that it would be a mistake for the Congress to attempt to deal with both of these fields in this one piece of proposed legislation.

As we observe from reading page 5 of the committee's report, the committee itself has recognized the necessity of giving consideration to the enactment of separate legislation in regard to the labor-management field, and has appointed a panel of experts to advise it on appropriate modifications of existing law. There is an indication that the committee will move as soon as practicable into this area of legislative revision.

If the Committee on Labor and Public Welfare itself has recognized that the bill as it now stands attempts to deal with two different fields, and that it attempts to deal with only one of them—namely, labor-union reforms—with apparent adequacy, why, then, should amendments to the Taft-Hartley Act be proposed separately and distinctly from the provisions which deal with labor-union reform? I think that appears to be like offering a piece of candy to a sick child, in order to get him to take the necessary medicine which is vital to his own health.

Mr. President, I will support the Ervin amendment to delete title VI from the pending bill, for the reason that I believe the bill should be confined to what must necessarily come first—namely, labor-union reform legislation, to eliminate graft, corruption, abuse, and other irregularities of unions and union officers, and to afford substantial protection to the rank-and-file union members. I believe that is the proper approach to the problem which is facing us.

Mr. President, if the Ervin amendment to delete title VI of the bill is not adopted, then I propose to support amendments, which I understand will be offered by the able Senator from Arkansas, and possibly by other Senators, which go further into the entire labor-management field, and particularly have reference to ways and means of tightening up the provisions with respect to secondary boycotts, organizational picketing, and proposed legislation designed to eliminate the so-called "hot cargo" practices which now are being indulged in.

I think the general public expects us to divide this problem into those two parts, as originally intended, and first to clean up the unions and eliminate corruption from them—although, of course, such conditions exist only in some unions, and are not found in all unions. I believe the Kennedy-Ervin bill does a good job in that field.

But when the pending bill reaches into the area of the union's relationship with the general public, and only halfheartedly deals with that subject, and does not face up to the pressing problems which have been so vividly demonstrated in the course of the hearings held by the McClellan committee, there is a failure to do the necessary job; and I think if we favor such an approach, we fail to do our duty.

Therefore, Mr. President, if the Ervin amendment to delete title 6 of this measure is not adopted, I will support amendments which will be offered in order to give meaningful effect to the handling of problems in the labor-management field.

There is just one other point I would like to bring out if we are to legislate here on the floor of the Congress Taft-Hartley amendments.

Under the act as I have always understood it, certain exemptions are permitted seasonable industries, and those in existence which have little or no effect on interstate commerce. I refer to the seafood industry, itinerant agricultural workers and the hotel industry in my own State. There are efforts to exert National Labor Relations Board jurisdiction over these industries. It is clear that their primary activities are intrastate and most certainly these exemptions should be continued. I intend to support amendments to achieve this objective also.

Matters dealing with amendments to the Taft-Hartley Act relate not only to unions, but management, and in particular the public interest. Consideration of the amendments should not deal only with labor or management. They should take into consideration the primary objective of adequately protecting the public interest. This is a field which should be considered separately from the pending bill.

It is my firm conviction that if anything is to be achieved at all in labor union reform, we must confine ourselves to the first five titles of the pending bill.

I sincerely trust that the Senate will adopt his course of action.

Mr. LAUSCHE. Mr. President, will the Senator from Florida yield to me?

The PRESIDING OFFICER (Mr. DODD in the chair). The time yielded to the Senator from Florida has expired.

Mr. ERVIN. Mr. President, I yield 1 additional minute to the Senator from Florida.

The PRESIDING OFFICER. The Senator from Florida is recognized for an additional minute.

Mr. SMATHERS. I thank the Senator from North Carolina.

I yield to the Senator from Ohio.

Mr. LAUSCHE. Will the Senator from Florida elaborate on what he had in mind when he said the proposed solution appears to him to be similar to offering a piece of candy in order to obtain acceptance of what is good, whereas without

the offering of the candy, what is good will not be taken?

Mr. SMATHERS. In reply, let me say to the Senator from Ohio that the general appearance of the bill in its present form is that in order to get the unions—that is to say, the union heads, possibly not the union members—to go along with this bill, which is necessary medicine which most of them agree they need to take, we have to give them a "piece of candy." Apparently that is the view of the Committee on Labor and Public Welfare.

Certainly that is what title VI of the pending bill—just a piece of candy which actually we should not have to give them, because I think the McClellan committee hearings have amply demonstrated that graft and corruption do exist in some unions and should be eliminated from them. So certainly it should not be necessary to give candy to any union, in order to get them to agree they will stop cheating their own members.

Furthermore, Mr. President, let me say——

The PRESIDING OFFICER. The additional time yielded to the Senator from Florida has expired.

Mr. ERVIN. Mr. President, I yield an additional minute to the Senator from Florida.

The PRESIDING OFFICER. The Senator from Florida is recognized for 1 additional minute.

Mr. SMATHERS. I thank the Senator from North Carolina.

Mr. President, I was about to say that I do not believe we should have to offer people an inducement, to get them to agree to stop taking money which does not belong to them or to agree that they will bring into the unions the democracy and the democratic practices which they should have had right along, or to get them to agree to stop indulging in gangster practices in dealing with their own members. In short, I do not believe we should have to give people candy in order to get them to agree to do what is right. They should be willing to say that they want to bring honesty and cleanliness into their own unions; and I am sure that there are many of them who do.

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum, with the understanding that the time will not be taken from either side.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONFIRMATION OF NOMINATION OF CHRISTIAN A. HERTER TO BE SECRETARY OF STATE

As in executive session,

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that, notwithstanding the unanimous-consent agreement under which the Senate is operating, the Senate proceed to the consideration of the nomination of the distinguished Christian A. Herter to be Secretary of State, and that it be in order to consider this nomination, notwithstanding the fact that the nomination has not appeared on the calendar and the calendar has not been printed.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

The clerk will state the nomination.

The Chief Clerk read the nomination of Christian A. Herter, of Massachusetts, to be Secretary of State.

Mr. JOHNSON of Texas. Mr. President, I shall be very brief, because we expect to vote shortly on the pending amendment, but I should like to have the distinguished chairman of the Committee on Foreign Relations make a statement to the Senate preceding action on the nomination of Mr. Herter to be Secretary of State.

The President of the United States has named Christian A. Herter to be Secretary of State. Most of the Members of the Congress know Mr. Herter well. Most Senators knew Mr. Herter as a Member of the House of Representatives, as Governor of Massachusetts, and as Under Secretary of State. The fact is, Mr. President, that Mr. Herter shortly will be the Secretary of State, and we want the entire Nation to know that we are united behind him. I think the quicker the Senate acts on this nomination the better.

I am informed that the Committee on Foreign Relations, which is presided over by the able Senator from Arkansas [Mr. FULBRIGHT], very carefully considered the nomination, and recommended that the Senate confirm it. I should like to have the Senator from Arkansas make a brief statement before action is taken by the entire body.

Mr. FULBRIGHT. Mr. President, I am very happy that the majority leader has called up the nomination. The Committee on Foreign Relations heard Mr. Herter this morning, and after the public meeting, in an executive session the committee voted unanimously to suspend its own 6-day rule, which normally requires that a nomination lie over 6 days. The committee then unanimously ordered the nomination to be favorably reported to the Senate.

I shall be very brief in discussing the nominee himself. I have known Mr. Herter quite well for a number of years. We both became Members of the House of Representatives in 1943, but Mr. Herter's public career goes back much further than that. He really became a member of the Department of State in the capacity of an attaché of our Embassy in Berlin in 1919, I believe it was, shortly after World War I. He is in the real sense of the word a career member of the Department of State. He has been in and out of the Department in various capacities.

Mr. Herter served 10 years as a Member of the House of Representatives, and he also served as Governor of the State of Massachusetts.

He lived for several years in his youth in France, where he, of course, learned to speak French. He also speaks German.

I would say that this man is qualified to be the leader of the Department of State in nearly every respect I can think of.

Furthermore, we have observed Mr. Herter as the Under Secretary of State. He is a man of unquestioned integrity, of ability, and, I am sure, of good judgment. I believe we were quite fortunate in having someone thoroughly familiar with the business of the Department of State in all of its aspects ready, willing, and able to take over the arduous duties which illness has forced Secretary Dulles to relinquish. We are very fortunate indeed, and I hope the Senate will proceed to confirm the nomination.

Mr SALTONSTALL and Mr. MANSFIELD addressed the Chair.

Mr. FULBRIGHT. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. I thank the Senator from Arkansas.

I simply wish to substantiate what I have heard the Senator from Arkansas say. I have worked with Mr. Herter in the State government of Massachusetts and in the Federal Government when he was an official of it, and I was an official of the State government, and vice versa. I have been a friend of his since college days. I know him to be a man of integrity, of character, of imagination, and of independent judgment. I am confident that he will make a good Secretary of State and will be a real Secretary of State in his own name, promoting the ideas he thinks will be for the best interests of our country.

I thank the Senator from Arkansas for yielding to me to make this statement.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield to the Senator from Montana.

Mr. MANSFIELD. I wish to join the distinguished chairman of the Committee on Foreign Relations, the distinguished majority leader, the distinguished senior Senator from Massachusetts, the distinguished minority leader, and other Senators who may speak on the nomination, recently unanimously approved by the Committee on Foreign Relations, of Mr. Christian A. Herter to be Secretary of State.

I should like to ask the Senator from Arkansas if it is usual to waive the 6-day rule.

Mr. FULBRIGHT. It is not usual. I think it is most unusual, and it is done only in cases when we feel not only that the nominee has unquestioned capacity and qualifications, but also that very unusual circumstances demand prompt action. I have seen it done very seldom, indeed, and I do not think it ought to be done very often. In this case, the committee felt the circumstances I have mentioned were sufficiently important to warrant the action.

Mr. MANSFIELD. I agree with the Senator, and I reiterate that the approval of the Foreign Relations Committee on this nomination was unanimous. We would like to see the nomination confirmed by the Senate this afternoon, so that Mr. Herter will have all the assurance and confidence that we, his former colleagues in both Houses

of Congress, can give him in this time of great need.

I am happy this nomination has been brought to the attention of the Senate this afternoon by the distinguished majority leader, and we are indebted to him for the remarks he has made as to the unity of the legislative branch of the Government in this particular instance.

Mr. JOHNSON of Texas. Mr. President, I quite agree with what the distinguished majority whip has said. I want not only Mr. Herter to know, but I want the world to know, that this Nation is united behind the Secretary of State whose nomination is about to be confirmed.

Mr. DIRKSEN. Mr. President, yesterday I made a bit of a statement on the Senate floor in behalf of the new Secretary of State, Christian A. Herter. I think perhaps that statement deserves a little amplification.

Very often we deal with personalities in Government concerning whom we have a rather general and somewhat amorphous idea as to who they are and what they have done. So I think always a little factual recital can be helpful.

I served with Christian Herter for four terms in the House of Representatives, and I came to know him quite well. I took the trouble to look up his background a little, so that I would be adequately fortified with information.

Mr. Herter is 64 years old, if anyone is interested in his age. He is a man of family, with four children.

I doubt whether one could point a finger at any other individual in the United States today who has had such a rounded background in the whole field of foreign affairs and in so many facets of that field.

Christian Herter was born in Paris. His father and mother, interestingly enough, were artists. He came back to the United States and graduated from Harvard cum laude, having in mind that he was going to become an architect. He quickly abandoned that ambition in 1916, and took an assignment in the foreign field, at Berlin. From then on he has been more or less identified, one way and another, with the whole field of international relations.

There have come to him, of course, certain respites, such as when he was a member of the Massachusetts Legislature. He was speaker for 4 years, as I recall. He served four terms in the Congress. He served two terms as Governor of Massachusetts. Then he came to Washington as Under Secretary of State.

Administratively, legislatively, and in other fields, including publishing as an editor, and as a lecturer on international relations at Harvard, he has had a rounded experience indeed.

Mr. President, I deplore, a little, some of the speculation I have seen editorially about some delay, and whether it impaired the prestige of Mr. Herter. I do not believe it did. I do not see how it could possibly impair his prestige. I am sensible of the fact that time is of the essence, for as Mr. Herter goes abroad we want to be sure he carries the full prestige of the office to which he has been nominated by the President of the United States.

I express my personal gratitude to the Committee on Foreign Relations. It was generous indeed to waive the customary time limit which generally affects nominations, so that this nomination could be confirmed by the Senate without delay.

I also express to the majority leader our gratitude for interposing this matter in the middle of consideration of the bill which is presently before the Senate.

Mr. FULBRIGHT. Mr. President, I thank the Senator from Illinois for his remarks. Inasmuch as he has undertaken to relate the facts, let me say that we developed the facts a short time ago in the committee. I believe that, in addition to his 4 children, Mr. Herter has some 10 grandchildren.

Mr. DIRKSEN. Twelve.

Mr. FULBRIGHT. And I believe he served five terms in the House instead of four. He served for 10 years, did he not?

Mr. DIRKSEN. I thought it was 8.

Mr. FULBRIGHT. I merely wished to keep the record straight.

What the Senator has said emphasizes the fact that we have before us the nomination of a man with a very distinguished public record, which has been before us all. One of the reasons why we could proceed so quickly to dispose of the nomination was that his record was so well known.

Mr. JOHNSON of Texas. Mr. President, whether the Secretary served four or five terms in the House is not important. What is important is that every man who served with him has the highest respect for him. We all know him as a good man, a kindly man, an able man, who puts the interests of his country first in every instance.

Mr. DIRKSEN. Mr. President, I never like to be shortchanged in connection with my term of service. When I am introduced and the introducer says that I served six terms in the House when I served eight, I feel like making a correction.

The esteemed Senator from Massachusetts [Mr. SALTONSTALL] advises me that Mr. Herter served five terms in the House. I am delighted to make the correction.

In further amplification, I was abroad at the time Christian Herter was there with a subcommittee of the House gathering facts and data to implement what became known as the Marshall plan. I was the chairman of a committee of 10 members of the House Appropriations Committee and 10 members of the Armed Services Committee. I saw his work in Europe. I can testify to his resourcefulness, his skill, his thoroughness, and the scholarly way in which he approached that effort.

That rounds out the background for his present responsibility.

Mr. CASE of South Dakota. Mr. President, it was my privilege to serve in the House of Representatives with Christian Herter, and also to serve under his chairmanship as head of the Select Committee on Foreign Aid, which went to Europe in the fall of 1947. That is the committee to which the distinguished minority leader has just alluded. It became known, not as the Select Committee on Foreign Aid, but as the Herter committee, because of the impress of his personality, his true qualities of leadership, and his ability at organization. Those of us who were privileged to serve on the Select Committee on Foreign Aid, known as the Herter committee, soon were disabused of the idea that that was an ordinary committee going to Europe on a junket, or anything of that kind. It was my privilege to be designated by Chairman Herter as the chairman of the Subcommittee for Germany and Austria.

I was given a number of books and pamphlets which I was expected to study during the time we were crossing the ocean. The first day after we got our sealegs we found that the committee was expected to meet every morning for 2 hours to consider the presentation of material with respect to the particular countries to which we were assigned.

Not only on our trip going over were we so briefed, so to speak, but on the return trip we were expected to assemble each day, and each subcommittee made a report upon the particular country which he visited.

The Herter committee spent some 6 weeks on that trip. For 5 weeks I was in Germany and Austria. Mr. Herter, as chairman of the full committee, not merely started with us on our study in Germany, but he visited us when we went to Prague. He was at all times the real chairman of the committee.

I wish to put this word into the RECORD because I can speak from experience on the particular assignment in connection with which Mr. Herter won his spurs, so to speak, in the field of international recognition.

I have always counted it a privilege to have served on that committee under his leadership, because it retained the respect and recognition of the people of Europe, as well as the people at home. It laid the foundation for the consideration of the so-called Marshall plan.

The late Dr. Eaton was for many years the chairman of the Committee on Foreign Affairs of the House of Representatives. We were given to understand that the select committee was to be a working committee. Chris Herter made it a working committee, a productive committee, and he attained recognition in the field of European affairs which stands him in good stead at this time.

Personally, I feel that the work of the committee was not merely a reflection of his ability, but that it provided him also with a background of the problems of Central Europe, which qualifies him for this important position of responsibilty at this time.

I commend the leadership and the Committee on Foreign Relations for bringing the nomination to the floor of the Senate for prompt action.

Mr. KEFAUVER. Mr. President, I wish to join in expressing appreciation of the fact that the committee has reported the nomination in such short order, and that the 6-day rule is to be waived.

I also had the privilege of serving with Mr. Herter in the House of Representatives. I am sure that every man who served with him and who knew of his work in the House of Representatives respects him for his ability, his courage, and his intelligence. I believe that Mr. Herter will enter upon the duties of this office with the confidence and support not only of Members of the Senate who served with him in the House, but of all Members of Congress.

To my mind, Mr. Herter has handled himself with dignity, honor, and intelligence during the time he has been Under Secretary of State. I believe he has the capacity and the ability properly and effectively to represent our Government at this very important and delicate time.

Mr. KEATING. Mr. President, having served with Chris Herter in the House of Representatives, and having had a close working arrangement with him in connection with a number of matters during his tenure as Under Secretary, I have no doubt that he will be an outstanding Secretary of State. His broad experience in foreign affairs, his harmonious working relationships with Members of both Houses of Congress, and the universal respect which we and the country hold for him assure his success. I am confident that he will carry forward with vigor and intelligence the foreign policy of firmness and strength which has characterized the tenure of his predecessor, and which is so necessary to preserve the peace of the world.

I commend the majority leader and the members of the Committee on Foreign Relations for the expedition with which they have brought this nomination before us.

Mr. JACKSON. Mr. President, like many of my colleagues in this body I, too, have had the honor of serving in the House of Representatives with the distinguished Secretary of State.

Mr. Herter is a man with long experience in the field of foreign relations, dating back to World War I. He played a very important role in the crucial postwar period.

During my service with him in the House of Representatives I had the privilege of serving on some of the committees on which he was active.

Mr. Herter is a man of good judgment and keen intellect. I think he is indeed possessed of the qualities which will make him a great Secretary of State.

I believe that he enters upon this office with the strong bipartisan support of Members of both the House and Senate. This is particularly true of those of us who have had an opportunity to know him and his family over the years, and to appreciate his outstanding qualities. I wish him well. I know that the other Members of the Senate will give him the kind of support he needs in this great hour of trial for our country.

Mr. CARLSON. Mr. President, first I wish to commend the majority leader and the minority leader and the Senate itself for granting unanimous consent for immediate action on the confirmation of the nomination of Christian Herter to be Secretary of State.

I also wish to commend the chairman of the Committee on Foreign Relations, the Senator from Arkansas [Mr. FULBRIGHT], who this morning was very helpful in securing the waiver, at least for the present, of the 6-day rule of the committee, which would have held up the nomination for 6 days.

Our action should demonstrate to our Nation and to the world that Congress can act with haste if it must and when it is in the interest of our national welfare. I believe that the action which is being taken by the Senate today will mean much by way of strengthening our position among the other nations of the earth. It will be most helpful to the new Secretary of State in carrying out the policies of the administration.

It was my privilege to serve, along with many other Members of the Senate, with Christian Herter when he was a Member of the House of Representatives. I know him personally. His many years of service in dealing with international affairs give him every qualication for this important place. He will deal with firmness but at the same time not be so inflexible as not to see the others' problems.

It is a pleasure to urge the Senate to approve this nomination by a unanimous vote.

Mr. KUCHEL. Mr. President, in the action which the Senate is about to take and in the deliberate and efficient speed by which it undertakes now to discharge its constitutional responsibility by approving Christian Herter as American Secretary of State, there is, I believe, a good augury for America and, beyond that, for the cause of freedom in the world.

The President of the United States has nominated Christian Herter to be Secretary of State. A good many Members of the Congress have served with him in public capacities during the past many years. To find now, in a Senate in which the majority of the Members have a different partisan faith from that of the administration, a very great, indeed, I believe, unanimous approval, which is about to be given to this nomination of the President, must spotlight the fact that here is an able American patriot whose voice in questions of foreign policy will be the unequivocating voice of the people and the Government of the United States. That will be a comfort to our free friends wherever they may be. It will also make unmistakably clear to the nations on the other side of the Iron Curtain that America is united in its peoples and its labors, as the President has so often said, for peace with justice in this melancholy and war-weary world. We, all of us, wish for Mr. Herter every success, and we offer him all cooperation.

I am glad to join my able colleague, the minority leader, in congratulating the Senator from Arkansas [Mr. FULBRIGHT] and the distinguished majority leader, the Senator from Texas [Mr. JOHNSON], for the speed and the efficiency by which they have now presented to the Senate the question of the constitutional approval of America's foreign policy spokesman. This is a good moment in the Senate. Here is a united labor for America, free from partisan concern.

Mr. HOLLAND. Mr. President, the time is critical. The meeting of the foreign ministers will begin within a few days. The Summit meeting, which may follow, would come shortly thereafter.

The problems in the field of international relations are grave. I believe that the Senate very properly is yielding to the unanimous request of the Committee on Foreign Relations and its Chairman that the nomination be taken up without delay and that its confirmation should follow in the shortest period of time possible.

I am certainly one of those who is fond of Mr. Herter, and I wish for him the very best of success as he approaches the terrific responsibilities which confront him. I believe that the action being taken today should show beyond any cavil that he has the backing and good wishes and confidence of the people of the United States. Certainly he has my confidence and will have strong and sympathetic support.

However, Mr. President, we would be unrealistic if we did not give attention to the note which I am about to voice. There are a large number of people in my State—and they are very fine people who have nothing at all against Mr. Herter personally, and have so expressed themselves by their letters and telegrams to me—who are fearful as to whether he has the resolution, the firmness, and the completely unyielding quality on matters of high principle affecting our Nation and the other freedom-loving nations of the earth, which he must possess and which he must show by his actions if he is to fully meet the very grave responsibility now about to be entrusted to him.

The RECORD ought to show that there is this large group of good people in our Nation who will undoubtedly wish him well and who undoubtedly like him personally, but who still have reservations as to his resolution and his fortitude—as to his sturdiness and his willingness to stand up under fire, and as to his firmness under all kinds of wearing conditions which he will face in the difficult negotiations he is about to undertake.

Mr. President, I am sure I voice the hopes and prayers of the people I have mentioned that he will live up splendidly to the very great test which he faces. I certainly hope so, Mr. President. However, I believe that we would be derelict in our duty if we did not show in these proceedings, in this debate, that there is this one lingering feeling, which it is hoped Mr. Herter will accept as a challenge—and I believe he will do just that—to show the utmost resolution and the utmost firmness and the utmost unwillingness to yield on matters of high principle as he undertakes the tremendous task which now confronts him.

Mr. BRIDGES. Mr. President, I wish to add a word in support of the confirmation of the nomination of the distinguished former Governor of Massachusetts to be the Secretary of State. The position of Secretary of State is probably one of the highest and most important offices not only in this country but in the

whole free world. It is, therefore, necessary that we approach the filling of that office with the utmost care. I know that the President of the United States, in his concern for our country and for the free world, feels he has made an excellent choice in picking a man who is familiar with what has been going on in every corner of the earth.

Some persons have said that they do not know whether Chris Herter will be sufficiently firm. I believe that the man who was engaged in feeding hungry people in Europe after World War II, and who has served with John Foster Dulles, particularly during the past trying months, has assimilated some of the thoughts and some of the strong, positive feelings held by John Foster Dulles.

Regardless of who we are, we must say today that Mr. Dulles has been an outstanding Secretary of State. In my judgment, he will be remembered, as history is written, as one of our truly great Secretaries of State.

I believe Chris Herter will be a good successor and will maintain the firm position of Mr. Dulles. If he does not, I will be one of the first to criticize him. But I have faith that he will perform his duties well in behalf of this country and the entire free world. I am happy to support the confirmation of his nomination.

Mr. NEUBERGER. Mr. President, very early in World War II at the start of 1942, President Roosevelt asked Archibald MacLeish, who was then the Librarian of Congress, to call together a group of writers to advise on governmental policies in the field of information. I served for 2 or 3 months in that agency before I entered the military service.

At that time I shared a very small cubicle or office with Christian A. Herter, who was likewise a member of that group. I know Mr. Herter personally, although I have never been associated with him in any other official capacity except that. I have a very high opinion of his qualifications—his character, intellect, integrity, and ability. I think he will need all those sterling qualities now.

I wish I knew more about diplomacy and international relations. I imagine it is very easy to be Secretary of State of the United States so long as our country is the top power or the so-called top dog in the world. But I think it must be a great deal more difficult to be the American Secretary of State when this country is no longer absolutely supreme militarily in the world.

At the recent Gridiron Club dinner, a number of songs were sung by the correspondents who took part in the skits on that occasion. I do not remember precisely the words of one of the songs, but the gist of it was that the United States no longer is the supreme power or top dog on our planet.

If the theme of that song be true—and perhaps it may be—I think we are imposing on Mr. Herter a more difficult task as Secretary of State than many of his many predecessors have faced. When the United States no longer has as its own the ultimate weapon, our Secretary of State is called upon to be far more adroit, far more informed, and far more patient, and perhaps even to submit to more intense political criticism at home.

I simply say that Mr. Herter deserves all our cooperation, all our backing, all our support, and all our understanding, so that we will not be tempted to engage in any reckless political criticisms of him when things do not seem to be going too well. I have the feeling that in the years immediately ahead, with Russia already emerging from medievalism and Red China just beginning to cast aside peasantry and to also enter the industrial age, any man who serves as our Secretary of State, whether he be a Republican or a Democrat, will need all our understanding and cooperation and patience.

Mr. DIRKSEN. Mr. President, it is highly gratifying to hear, from both sides of the aisle, these testimonials and tributes to a great American. Once more, I express my gratitude to the majority leader.

I respectfully suggest to him, if he does not already have it in mind, that perhaps we may have a yea-and-nay vote on the confirmation of the nomination.

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays on the confirmation of the nomination of Mr. Herter to be Secretary of State.

The yeas and nays were ordered.

Mr. MORSE. Mr. President, I wish to speak in my own right and in my own time on the nomination of Mr. Herter.

It was my pleasure this morning to second the motion in the Committee on Foreign Relations to recommend to the Senate the setting aside or the suspension for this occasion of the so-called 6-day rule on nominations. Although as an ordinary practice I regard the rule as sound, I think its suspension on this occasion is justifiable, and I said so this morning in committee, because I believe it would be very much misunderstood throughout the world if the nomination of the Secretary of State were not acted upon today.

In my opinion it is very important that clear notice be served to the world that we are pleased to confirm in his position a new Secretary of State, whose nomination was made necessary because of the tragic illness of Secretary John Foster Dulles. But, as I pointed out in the committee this morning in a public hearing, and made clear to my colleagues also in an executive session, I consider it to be very important that in carrying out the duty of the Senate, under the advice and consent clause of the Constitution, a record should be made with the nominee on the great, broad problems and foreign policies themselves which so vitally concern the American people, and which are so closely related to the destiny of this Republic.

SENATE MUST FULFILL ITS FOREIGN POLICY RESPONSIBILITIES

As I made clear to Secretary Herter this morning, I congratulate him on the opportunity for the performance of great public service which is now his. But Congress needs to keep in mind at all times that it, too, has very definite responsibilities in connection with the formulation of foreign policy. Also, any administration, of any party, at anytime, needs to keep that constitutional fact in mind.

Our Founding Fathers, for example, made very clear their intention to have Congress play a part in the formulation of foreign policy, when they vested in Congress the power to declare war. Of course, the events of foreign policy can present a factual situation which may necessitate a declaration of war. They are of such a nature that too frequently they can develop into an engulfment of the Nation by a failure on the part of the administration at any given time to keep the American people fully informed, at least through their elected representatives in Congress, of the facts about world affairs which are threatening the peace.

So, in my examination of Mr. Herter this morning I considered it to be my duty, under the advice and consent clause of the Constitution, to discuss with him some of the great policy questions with which I think the Nation is confronted in the field of foreign policy. I did so because in the past, in executive sessions of the Committee on Foreign Relations, I was not happy with the position which Mr. Herter took concerning one of those major problems. But he satisfied me today by a forthright discussion of some facets of the problems I raised in executive session some time ago. He took a position today which I could strongly support.

GREAT ISSUES FOR THE SECRETARY

For the record, and possibly by way of notice for future reference, I wish to comment on one or two of those policies, because I think any Secretary of State, at the time of the confirmation of his nomination, is entitled to have anyone in the confirming body make his record on any reservations he may have as to the policies in the the field of foreign relations of the administration of which the nominee is a part. So I raised with the Secretary this morning, and raise with the Senate this afternoon, what I consider to be the greatest moral issue facing mankind. In my opinion, it is the greatest moral issue facing my country. After all, we have to examine our historic responsibilities as a nation toward the great problem of trying to keep the peace, or more properly, to win the peace, because the peace has yet to be won.

I have been concerned, and still am very much concerned, about the attitude of many persons in high places in our government, both in the military and in the civil administration, concerning a nuclear war. As a member of the Foreign Relations Committee, I have been very much concerned about some of the implications from the testimony given in executive session by some military officials and by some civilians who have administrative responsiblities in the Defense Establishment. Their statements have caused me to become fearful that there are in high places in our government some who have not given sufficient thought to the disastrous effects of a preventive war, in view of the fact that a preventive war would be as devastating to mankind as an

aggressive war. Therefore, I have been, and still am, greatly concerned about the policy of the government in respect to doing everything possible to reach some kind of a world understanding which will make a nuclear war impossible.

As I pointed out this morning, in my examination of Mr. Herter, once mankind became aware—many years ago, in the time of the First World War—of the devastating effects of poison gas, all the nations agreed that poison gas would not be used; and it has not been used. But the disastrous effects upon mankind of a nuclear war would be of such far greater magnitude than the effects of poison gas as almost to defy the imagination.

I believe that anything we can do to further an international agreement, understanding, or commitment that a nuclear war will not be engaged in will be the greatest service to moral values our generation can perform.

EFFECTS OF NUCLEAR WAR

As has been indicated to us, and as I repeated today in the course of the examination of Mr. Herter, a substantial body of scientific opinion holds that if Russia and the United States were to let loose on the earth all the nuclear power now in storage—and it seems to me that if a nuclear war ever started, that is exactly what we would have to expect would happen—the radiation effects would do irreparable harm and damage to all forms of life in large areas of the world—certainly to most of Russia, to all of Europe, to all of the United States, to all of Canada, to much of the northern tier of the countries of Latin America, and to the eastern tier of the countries of Asia—and the radiation would linger for as long as several thousand years. It is horrible to contemplate such a result; and, in my opinion, it raises, very directly and inescapably, a moral issue.

So, Mr. President, I do not believe that any country has the moral right to engage in a nuclear war. That is why I believe it is so important for those who are in charge of the foreign policy of our country, particularly the President and the Secretary of State, in their administrative capacities—and their obligations in the field of foreign policy are administrative—to make clear to the American people, and to the people of all the world, that we are desirous at all times of finding solutions to the issues between nations that threaten nuclear war.

Until some better vehicle or instrumentality can be devised, Mr. President, I shall continue to take the position—as I emphasized this morning in my discussion with Mr. Herter—that our country should make greater use than it has been making of the procedures of the United Nations. One of my criticisms of American foreign policy is that on too many occasions, on too many issues, the United States has been guilty of circumventing the United Nations, and time and time again has acted outside that organization, on issues which carried the potentiality of a threat to peace in the world. Without a machinery for settling disputes, nations will rely upon their own force of arms to settle them.

So this morning I expressed to the new Secretary of State my prayerful hope that under his administration there will be a greater use of the procedures of the United Nations.

Mr. President, a few weeks ago I was somewhat concerned about what Mr. Herter's position would be in case an aggressive course of action occurred in Berlin, and in case some airplanes were shot down there. In that case, would our country then proceed, on the basis of the belief that that was an act of war, as I believe it would be, to initiate a nuclear war?

I was very much concerned because some of our high military leaders left in my mind no room for doubt that such was their own position. I realize that that would be the reflex action of any of us, and especially of our military forces, for it would be only human to react in that way. But, Mr. President, because there is that great danger, I believe it most important—as I suggested today to the newly appointed Secretary of State—that we now draw the rest of the world in with us in discussion of the Berlin crisis, because that crisis is now the problem of every nation in the world. It is not only the problem of Russia, the United States, Great Britain, France, and the two Germanys. It is the problem of all the peoples of the world, including those in countries which did not enter into any agreement, as Russia, the United States, France, and Great Britain did, in respect to the occupation of Berlin.

UNITED NATIONS MUST TAKE CONTROL OF PEACE-THREATENING ISSUES

Mr. President, I believe we have reached such a time in history that when any specific issue arising between two or more nations in fact threatens the peace of the world, the party disputants cannot take the position that they, and they alone, have the sovereign right to seek to solve that problem by war, or even by negotiations between them outside the United Nations.

That is why I repeat on the floor of the Senate this afternoon, as I expressed it to the Secretary this morning, my hope that there will be some change in our policy—good precedent has been established for it, I recognize, but I think there is a need for a change of policy—so that we will urge the conduct of high level negotiations under the canopy and jurisdiction of the United Nations.

It is not a satisfactory anwser to me, I say most respectfully, for Mr. Herter to say, as he did this morning, it is his understanding that the Secretary General of the United Nations will be available, and his good offices will be available—he said he did not know whether in an official or an unofficial capacity—in connection with the negotiations which he said will take place in the near future.

Mr. President, the Secretary General of the United Nations should be an official part of those negotiations, and the negotiations should be conducted under the official sanction of the United Nations, and the procedures within the charter for such a course of action, if the nations of the world have the will to follow that procedure. Maybe they will not want to, but I surmise that if this great Republic, dedicated to peace as it is, would lead the world by a proposal to have the United Nations exercise its official auspices over those negotiations, most of the world would support the proposal.

One of the reasons why I stress that point so much, and I did it this morning, and shall do so time and time again, Mr. President, is that I am convinced it offers the best, if not the only, hope for permanent peace. One of the reasons why I continually stress the use of the peaceful procedures of the United Nations before the fact, before we are forced into making an instantaneous decision as to whether we will have to start dropping bombs, is that I think the use of those peaceful procedures will have a very salutary effect on the party disputants.

Do not forget, Mr. President, that the American leaders are human, too, and the same blood chemistry runs through the physiology of Americans as runs through the physiology of Russians, Germans, Englishmen, and Frenchmen. What we need are checks also on emotional dangers in foreign relations, and the procedures of the United Nations, I think, are very effective checks.

Therefore, I hope Mr. Herter will demonstrate flexibility and dedication to the application of the rules of reason in international negotiations, so we can constantly keep Russia on the defensive before the bar of world opinion in respect to the question to be put to the world, "Who is it that seeks the peace, and who is it that jeopardizes it?"

The sad fact is—we do not like to hear it, but it is true—that whenever information goes out to the world that there are those in officialdom in the United States who are even indicating that we might lead the world into preventive war by using nuclear bombs, then millions of people say, "Do we not have cause to fear the United States as much as Russia, because they are the two powers—Russia and the United States—that even seem to consider the possibility of settling the differences between them by the use of nuclear bombs?"

Mr. President, such a course of action would be immoral, whether it were followed by my country or Russia, or both. I was very much pleased to hear Mr. Herter restate, as we carried on a colloquy this morning in the Foreign Relations Committee, what I was satisfied was his own philosophy in regard to the desirability of trying to reach some agreement in the whole field of disarmament in respect to nuclear weapons. Of course, the discussion needs to be extended to all other weapons, too, because before it is too late, the American people ought to recognize we cannot win a nuclear war. We can only defeat Russia in one; but in defeating Russia, we would also defeat ourselves, because of the horrendous damage which would be done to us for decades and decades to come.

CONGRESS MUST BE KEPT INFORMED

There are two other points I wish to cover briefly, Mr. President, in making my record in regard to this nomination. I wish to say from the floor of the Senate this afternoon that I hope Mr. Herter will deal openly with the Congress of the United States; that Mr. Herter will recognize the desirability—yes, the right—of the Congress, the constitutionally elected representatives of the people of the Nation, to full information in regard to the development of policies which may create international crises for the United States.

I hope, Mr. President, that never again will we find ourselves in the situation in which we found ourselves at the time of the Lebanon crisis, when there was an administration conference with congressional leaders held at the White House. An oversight was committed in failing to tell the congressional leaders, at the very moment they sat in the White House, that the Marines were already on their way to Lebanon.

That occurrence came as a great shock to me, Mr. President, but the record is clear it was the fact. I brought that fact out, as the transcript of record of the Foreign Relations Committee will show.

I hope, Mr. President, never again will we in the United States be subjected to that kind of government by secrecy because the elected representatives of the American people are entitled to know, before the fact, foreign policy developments which, if they go awry, might put us in a position in the Senate of being called upon to support a resolution of a declaration of war.

It needs to be said over and over again that we do not countenance the opinion, which is all too prevalent, that because of the way wars are now waged the war clause of the Constitution of the United States has become an empty phrase, and that we can expect the Congress to find itself in a position of being asked to declare war after war exists.

I hope our Secretary of State will have a high appreciation of what I consider to be the responsibility of the Executive to keep the Congress informed before the fact.

In recent years, as I have stood at times, with a minority on the floor of the Senate on some foreign policy questions, I have been told in the cloakroom there was nothing my colleagues could do about the situation because "the fat is in the fire." The argument is made that "the fat is in the fire," and therefore we have to support the administration. I think that rests upon a great fallacy. What it rests upon is a failure of an administration to keep us advised beforehand so that our advice and consent could be given beforehand.

Let me cite, for example, Mr. President, the Formosa doctrine and the Eisenhower doctrine in the Middle East. I know that in some instances there were colleagues who disapproved of both doctrines, but who felt they should vote for them because "the fat is in the fire."

Mr. President, the "fat in the fire" argument simply is a demonstration of a fact that in the United States in recent years—and it is not limited to a Republican administration, although I think there has been a great acceleration of this policy under the present administration—both the Congress and the people have had concealed from them facts about their foreign policy which they ought to have known, so that this body could properly give its advice and consent to the Government in respect to foreign policy.

I say to Mr. Herter from this desk today that I am pleased to vote for the confirmation of his nomination, but I trust that he will develop a flexible program; that he will urge a cessation of a policy which has circumvented the United Nations time and time again; that he will recognize the responsibilities of Congress in the field of foreign policy; and that he will appreciate the fact that the war clause of the Constitution represents one of the solemn obligations of the Congress of the United States, and that to exercise our duties under it we are entitled to be informed long before a crisis reaches the point when it may become necessary to declare war.

RULE OF LAW MUST BE FURTHERED

Lastly, Mr. President, I sincerely hope the new Secretary of State will start recommending the use of the judicial processes of the United Nations Charter. I was delighted the other day to read that the Vice President of the United States has discovered that the United Nations Charter contains many provisions for the use of judicial processes. It was a pleasure to read of the speech of the Vice President in support of a greater use of what is known as the rule of law in the field of international relations. I always welcome "Johnny come latelys," if they will only come. I do not know where the Vice President has been since 1945, because since 1945 there has been a group of us in the Senate who have been urging a greater use of the rule of law by both Democratic and Republican administrations.

Mr. President, this great principle is nonpartisan if there was ever a nonpartisan principle.

I hope that Mr. Herter will give the very studious consideration of which I know him to be capable to those provisions of the United Nations Charter such as article 96, which provides for the General Assembly to call upon the World Court, for instance, for an advisory opinion. It is sad to note in the history of my country that we have yet to propose such a resolution to the General Assembly of the United Nations in connection with any one of the major issues which have threatened the peace of the world, which issues have of course involved questions of international law.

I felt that these statements should be made today, as a new Secretary of State takes office, because the course of action the United States follows in the field of foreign policy during the tenure of the new Secretary of State may well determine the difference between a nuclear war, with the resulting destruction of American and Russian civilizations, and progress toward the establishment of permanent peace on the face of the earth by a recognition, that rules of reason and not threats of force ought to be the controlling feature of America's foreign policy.

Mr. JAVITS. Mr. President, I shall be very brief. I wanted the privilege of saying a word in connection with the confirmation of the nomination of Christian Herter to be Secretary of State.

I had the honor of sitting next to Mr. Herter for 6 years, and I mean exactly next to him, as a member of the Committee on Foreign Affairs of the other body. It is rare that one can speak of a public official in such a high office in such personal terms.

Mr. President, I believe the President of the United States, in terms of fitness by training, by temperament, and by ideology has made an unparalleled choice, of a man to undertake the particular task which will challenge Mr. Herter.

As my distinguished colleague from Oregon [Mr. MORSE] has said, the new Secretary of State will hold in his hands, perhaps, even the issue of our own survival. Be it said in fairness to Christian Herter that if our fate depends on him, it will be secure. He is a man of luminous mind, of high character, of vast experience in the diplomatic field, and of burning faith in freedom.

Let no one be deceived by his quiet exterior. He is a man of great determination, of real depth, and of tremendous conviction. Though he will speak softly—which, incidentally, could be a very good thing—he will move inexorably toward what ought to be our proper goal.

Mr. President, I believe Mr. Herter will utilize the United Nations fully. I believe he will make a very great effort to utilize the private economic system of the United States fully. I believe this represents one of the greatest lacks in all our foreign policy and one of the greatest examples of how we try to fight great battles with a minimum of our strength.

I believe also that he will give great consideration to the rule of law, as outlined by Mr. Charles Rhyne, the former president of the American Bar Association, and by Vice President NIXON in terms of the various media for that purpose which are available, including the International Court of Justice.

Finally, in personal terms, I think we shall see the State Department operating as a team. I do not believe that Secretary Herter is quite the virtuoso, in terms of the operation of the State Department, that the previous Secretary was. We all understand the strength, power, and talents of John Foster Dulles. They were unique with him.

I believe Mr. Herter brings to the task another talent, the talent of being able to captain, lead, and inspire a very effective team. I believe we shall hear again from the Policy Planning Staff of the Department of State, which I believe represents an extremely important aid to American foreign policy.

In short, while I have no rose tinted glasses with respect to any appointment as difficult and trying as this, I believe

Secretary Herter's appointment is most auspicious for our country and for the cause of freedom in the world. I think the Russians will learn to count with him as effectively as they learned to count with John Foster Dulles.

I believe I have a right to say this, based upon the long and extremely sentimental—to me—attachment for and personal cooperation with Secretary Herter.

Mr. GORE. Mr. President, it was my privilege to serve in the House of Representatives with Representative Christian Herter, of Massachusetts. He was outstanding in many respects. Among other things, he headed a subcommittee which made one of the most constructive contributions which I witnessed during 14 years of service in that body. It was to a significant degree due to the work of the Herter committee that the Marshall plan was adopted.

During our service together he won my unstinted confidence. I have watched his work in the State Department. That confidence has in no way been impaired.

It is with pleasure that I rise to give this testimony to my colleagues in the Senate of my respect for, confidence in, and support of the man whose nomination is before us for confirmation, Mr. Christian A. Herter.

Mr. CASE of New Jersey. Mr. President, too often men in public life are taken at the value they place upon themselves publicly. In the case of Secretary Herter we find a refreshing exception. This is a man whose gentleness and consideration for others may have led some to think of him as a person somewhat lacking in firmness, or in that degree of self-confidence which someone in a position so difficult and important as the one he is about to undertake must have.

Any such judgment would be a gross mistake. I am sure that no one who knows Christian Herter will ever for a moment make it.

Like so many of my colleagues in the Senate, I served with him for a number of years in the House. Our offices were adjoining for most of that time. Our friendship was close, as was our association in the work of the House of Representatives.

All that history need not be repeated. It has been gone into in detail, as it should have been.

This is a man whose upbringing and whose whole adult life seem to have been directed to the job which he now undertakes. As we wish him well, all of us who know him so well are happy that he is to succeed another great American in one of the most difficult jobs in the world today.

Mr. RANDOLPH. Mr. President, Christian Herter will be a worthy successor to Secretary Dulles.

It was my privilege to know him well when we served as colleagues in the U.S. House of Representatives. We sat on committees together. His career as a legislator and later as Governor of Massachusetts was one of devoted service.

He has a great capacity, he possesses a keen mind and he has an overriding passion to serve his country. I am personally gratified that Americans and the peoples of the free world will have the valuable qualities of his leadership.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Christian A. Herter of Massachusetts to be Secretary of State? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Minnesota [Mr. HUMPHREY] and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

I also announce that the Senator from Delaware [Mr. FREAR] and the Senator from Rhode Island [Mr. GREEN] are absent because of illness.

I further announce that, if present and voting, the Senator from Delaware [Mr. FREAR], the Senator from Rhode Island [Mr. GREEN], the Senator from Minnesota [Mr. HUMPHREY], and the Senator from Missouri [Mr. SYMINGTON] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. SCHOEPPEL] is detained on official business. If present and voting he would vote "yea."

The result was announced—yeas 93, nays 0, as follows:

YEAS—93

Aiken	Ervin	Mansfield
Allott	Fulbright	Martin
Anderson	Goldwater	Monroney
Bartlett	Gore	Morse
Beall	Gruening	Morton
Bennett	Hart	Moss
Bible	Hartke	Mundt
Bridges	Hayden	Murray
Bush	Hennings	Muskie
Butler	Hickenlooper	Neuberger
Byrd, Va.	Hill	O'Mahoney
Byrd, W. Va.	Holland	Pastore
Cannon	Hruska	Prouty
Capehart	Jackson	Proxmire
Carlson	Javits	Randolph
Carroll	Johnson, Tex.	Robertson
Case, N.J.	Johnston, S.C.	Russell
Case, S. Dak.	Jordan	Saltonstall
Chavez	Keating	Scott
Church	Kefauver	Smathers
Clark	Kennedy	Smith
Cooper	Kerr	Sparkman
Cotton	Kuchel	Stennis
Curtis	Langer	Talmadge
Dirksen	Lausche	Thurmond
Dodd	Long	Wiley
Douglas	McCarthy	Williams, N.J.
Dworshak	McClellan	Williams, Del.
Eastland	McGee	Yarborough
Ellender	McNamara	Young, N. Dak.
Engle	Magnuson	Young, Ohio

NOT VOTING—5

Frear	Humphrey	Symington
Green	Schoeppel	

So the nomination of Christian A. Herter to be Secretary of State was confirmed.

The PRESIDING OFFICER. Without objection, the President will be notified of the confirmation of the nomination.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Without objection, the Senate will resume the consideration of legislative business.

WHEAT SURPLUSES

Mr. KEATING. Mr. President, the piling up of huge agricultural surpluses at great cost to the Government is a matter of deep concern to all of us. Recent figures indicate that the wheat surpluses will reach the outstanding figure of $3 billion worth.

The New York Times of last Sunday published a very interesting article, which is a little bit dreary in reading because it is filled with statistics, but it is an article which I think would bear reading by all of us who are greatly concerned with the problems faced by the Department of Agriculture and by us in Congress. I therefore ask unanimous consent to have the article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

U.S. WHEAT GLUT EXPECTED TO RISE—BUMPER 1958 AND 1959 CROPS LIKELY TO PUSH CARRYOVER TO NEW RECORD LEVELS—GOVERNMENT DISTURBED—IT HAS ABOUT 3 BILLIONS INVESTED IN THE GRAIN—NEW PROGRAM SOUGHT

(By J. H. Carmical)

The surplus wheat problem, with which Washington has been wrestling for years, promises to become more aggravated with the harvest of this year's crop. As a result, Congress may make some changes in the Government's wheat program at the present session.

Despite the expenditure of several billion dollars by the Government, the wheat surplus on July 1 will reach a new high of about 1,250 million bushels, of which some 90 percent will be held by the Government.

The carryover of wheat from previous crops reached a peak of 1,036,178,000 bushels on July 1, 1955. By restricting acreage and spending large sums to stimulate export sales, the Government reduced the surplus gradually to 880,600,000 bushels at the start of this season last July 1.

Last year's record harvest of 1,462 million bushels changed the picture drastically. Although both domestic consumption and exports of wheat this season have been high, indications are that the 1958 crop was about 380 million bushels more than the demand. This means that the carryover on July 1 will be that much greater than a year earlier.

The Department of Agriculture recently forecast this year's winter wheat crop at 966,236,000 bushels. Such a harvest would be sharply below the record of 1,179,924,000 bushels last year. But it would exceed the average of the last 10 years by some 150 million bushels.

ESTIMATE DUE LATER

The first estimate of the spring crop will not be issued until later. However, the spring crop normally is about one-fourth of the winter crop. Hence, a total wheat crop this year of a bit more than 1,200 million bushels seems in prospect.

This year's wheat acreage is much larger than that in 1958, when a sizable part of the land previously sown to wheat was put into the temporary soil bank. For this reason, generally favorable weather conditions in the next 2 or 3 months could result in an actual yield considerably above the present estimate.

On the basis of this estimate, the 1959 crop probably will result in a further sizable increase in carryover on July 1, 1960.

Domestic consumption of wheat next season is expected to be a few million bushels more than the 619 million bushels this season, probably amounting to about 625 million bushels. Exports are expected to be about 400 million bushels, some 60 million below this season's level.

With domestic consumption and exports expected to reach about 1,025 million bushels next season, the carryover on July 1, 1960, probably will be some 175 million bushels above the record level due next July 1.

The surplus problem is disturbing to Washington because the Government must buy the excess supplies of any crop. This year's crop is being supported at $1.81 a bushel on

the farm, compared with $1.82 for the 1958 crop and $2 for that produced in 1957.

Indications are that the Government has some $3 billion invested in wheat. On April 3, the noncommitted inventory of the Commodity Credit Corporation, the Government's price-support agency, was 716,500,000 bushels of wheat. In addition, it had made loans on 607,238,000 bushels from last year's crop, of which 41,500,000 had been redeemed, leaving the net stock at 565,738,000 bushels.

With the export demand in April, May, and June expected to be about 125 million bushels, some of this net stock will be sold. But at the end of this season, the total holdings of the Government are expected to be some 1,150 million bushels. This would leave the free supply of wheat from previous crops on July 1 at about 100 million bushels.

How to dispose of this huge surplus, the largest ever held by this or any other Government, poses a knotty problem. International trade in wheat now is about 1,100 million bushels a season. United States exports this season, which are expected to reach 460 million bushels, are considered a fair share of the world market, particularly since Canada and some other exporting nations have large surpluses.

PEAK EXPORT SUPPLIES

It is estimated that the world's exportable supplies are the highest on record. This stems from the bumper crops generally raised by the exporting nations last year. Because of the vigorous competition for export outlets, the price of wheat generally is at the lowest level since the Korean War. Thus, it is held doubtful that further price concessions would greatly stimulate sales.

Several other exporting nations are objecting to the tactics the U.S. Government is using to sell wheat abroad. It is asserted that because of the foreign aid and other programs only 15 to 20 percent of the wheat sold abroad by the United States is sold in the regular commercial way, including wheat sold under Federal subsidy payments.

Government officials and farm leaders generally feel that the wheat program has failed. Many are striving for new legislation.

Generally, it is held that the present support price, although much lower than that of a few years ago, is at a level that encourages maximum production and discourages the use of wheat as a livestock feed. Also, it is held that to continue trying to dispose of excess supplies in the export market by direct subsidies, barter transactions, foreign currency sales and outright donations not only would be costly, but would not solve the problem.

NEW PLAN POSSIBLE

Because of the dissatisfaction with the present program Congress may come up with a new plan at this session. President Eisenhower has called on Congress to junk the present program, and his Secretary of Agriculture, Ezra T. Benson, is plugging for a new setup.

Generally, Mr. Benson would like a program that would base the support price on the market price for the 3 preceding years and that would provide some relaxation in acreage controls.

Once the price supports fell to a level that would make wheat competitive with other feed grains, which would result in greater consumption of wheat, it is said that acreage controls could be scrapped.

If some such plan is not evolved, Mr. Benson believes that there should be a drastic reduction in the national acreage allotment in order to bring production down to a level that would permit an easing of the surplus burden.

Generally, it is considered likely that Congress will pass some wheat legislation at this session, but it is too early to predict the character of the legislation or whether it will be approved by President Eisenhower.

NORTH DAKOTA'S WHEAT

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the body of the RECORD, following the remarks of the Senator from New York [Mr. KEATING], a GTA Daily Radio Roundup of April 14, 1959.

There being no objection, the Daily Radio Roundup was ordered to be printed in the RECORD, as follows:

GTA DAILY RADIO ROUNDUP, TUESDAY, APRIL 14, 1959

North Dakota, where the Nation's finest wheat is grown, is caught in an acreage squeeze. So are other traditional good wheat areas of the country. The situation isn't understood very well except by the farmers who are being administered out of their acreage allotments.

Veteran North Dakota Senator MILTON YOUNG explains what is happening, in a recent newsletter that is of interest to all wheatgrowers. What's happening in North Dakota is typical.

Senator YOUNG says that North Dakota's planted wheat acreage has dropped from about 10 million acres in 1939 down to 6.5 million in 1958 because quotas have been cut.

At the same time, wheat production in the noncommercial wheat areas of the United States has increased. These areas get better yields and often a better price because they are closer to market. Of course, the wheat is inferior in quality.

Any farmer anywhere can plant and sell up to 15 acres of wheat without coming under acreage allotment and marketing quota laws. He can grow up to 30 acres if he feeds it right on his own farm.

But when Uncle Sam figures out total U.S. wheat acreage he has to count in these small plots and because total acreage is set at 55 million acres somebody has to give up acres. So far it's been subtracted from the commercial areas like North Dakota where the land is particularly suited to wheat production. And that is a situation that needs correcting.

Oddly enough, Senator YOUNG says, foreign people have a strong preference for soft wheat. Producers of soft wheat have done much more to sell their wheat abroad than producers of hard, high protein wheat. They have practically no surplus problem, and much more favorable cash prices. On February 19, 1959, the price support at Portland, Oreg., for soft wheat was $2.05 and the cash price $2.18. The price support at Baltimore for soft red winter wheat was $2.26 and the cash price $2.20. At Minneapolis the support price for No. 1 Dark Northern Spring Wheat was $2.20 and the cash price $2.08.

On top of that, Senator YOUNG says, North Dakota and the upper Midwest have lost their once-good market for feed grains in the New England States. The support price for oats at Crosby, N. Dak., this year will be approximately 38 cents a bushel, and the freight rate to Boston is 45 cents, or more than the price of the oats. Most of New England's feed grains are now obtained from States that are closer and consequently, have cheaper freight rates, and from Canada, which has subsidized export freight rates.

So these things add up to a squeeze on our upper Midwest farmers. But at the same time they are expanding into the livestock business. According to Senator YOUNG they can produce a pound of beef or pork cheaper than it can be done in Iowa or Illinois. And here again the co-ops are moving to give the farmers the kind of top service they need. That's why GTA is in the feed business in a big way. It is not only manufacturing and supplying top quality feeds, but using homegrown grains at home.. This is a double-barreled saving for farmers.

But that's the job co-ops were cut out to do—to serve the farmers in every way possible—GTA, the co-op way.

TEENAGE TRAFFIC SAFETY CONFERENCE

Mr. LANGER. Mr. President, the matter of traffic safety and traffic education in the United States is one of the most serious problems that confronts our people today.

Over 40,000 people die each year as a result of traffic accidents. Untold misery and millions of dollars are lost because of reckless, careless, and inconsiderate driving on the part of many automobile drivers.

The District Commissioners' Traffic Coordinating Committee and the Metropolitan Traffic Area Council have been conducting an energetic campaign of traffic safety and traffic education. Yesterday, Gen. A. C. Welling, Engineer Commissioner, met with religious leaders of the four major faiths, Protestant, Catholic, Greek Orthodox, and Jew, to discuss a religious weekend in traffic safety education, preceding the Memorial Day weekend, which has been a time so destructive in the matter of traffic fatalities and accidents.

From the third issue of the District of Columbia Traffic Safety Reporter, edited by Anthony L. Ellison, there appears an interesting editorial on the plight of a pedestrian in Washington traffic. It also contains an interesting article on the District of Columbia teenage traffic safety conference, in which they recommend a 12-point safety program to the District Commissioners. It is gratifying to note that in this era of concern for juvenile delinquency, we find on the constructive side teenagers who so capably concern themselves with traffic problems.

Mr. President, I bring these items to the attention of the Members of Congress for their information, and for the guidance of those interested in traffic safety in other parts of the country. I ask unanimous consent that the article and editorial be printed in the CONGRESSIONAL RECORD.

There being no objection, the editorial and article were ordered to be printed in the RECORD, as follows:

A bantam rooster was scratching around in the stall of a large percheron horse. When the horse got restless and started moving around, the rooster looked up at the horse and said, "We'd better be careful, brother, or we're liable to step on one another's toes."

This story reminds us of the plight of the harried pedestrian in Washington traffic. Of course, the pedestrian has "rights" in traffic but he must make very certain they do not become his last "rites."

In a recent editorial entitled "Unsafe Safety Zone", the Washington Evening Star said:

"The alarming increase in deaths and injuries among Washington's pedestrians calls for a crackdown on those responsible. Crosswalks are supposed to be safety zones for persons crossing the streets, but an analysis of this year's accidents has revealed that they are far from safe for pedestrians. * * * Since pedestrians by law are supposed to have the right of way in crosswalks, motorists must shoulder the major part of the blame for the increase in deaths in 1959. * * * The proposal that motorists

arrested for inflicting injuries on pedestrians be prohibited from forfeiting collateral—as they are permitted to do in many cases now—is a good first step toward better enforcement."

In the meantime, can't we motorists be more tolerant of the pedestrian? Sure, he has his faults * * * but are they crimes punishable by death?

Some 150 high school delegates to the sixth annual District of Columbia teenage traffic safety conference on March 25 presented a 12-point safety program to the District Commissioners.

The young delegates heard Congressman WALTER E. ROGERS, Democrat, of Texas tell them: "You have the whole world in your hands."

Representative ROGERS, who has been a member of the House of Representatives subcommittee considering traffic safety since its inception, emphasized that young drivers can point the way to the solution of America's monumental traffic accident problem.

Under the chairmanship of Raymond Kemp of Gonzaga High School, the student delegates considered and proposed 12 steps toward accident prevention in the District of Columbia. They recommended:

1. That the Department of Motor Vehicles take steps to help organize a permanent District of Columbia teenage traffic safety council.

2. That greater interest in traffic safety be promoted among the various Parent-Teacher Associations and that the PTA's in turn cooperate with the student bodies of their respective schools.

3. That the driver's permit be renewed only after comprehensive reexamination.

4. That further research be carried out to develop more effective methods of testing driver attitudes and emotional stability, which are important in traffic accident prevention.

5. That the District Government forbid the sale of alcoholic beverages to persons under the age of 21 and that particular emphasis be placed on the effects of driving after drinking in both the driver education course and the general high school curriculum.

6. That all persons convicted of driving under the influence of alcohol be required by law to attend a special course on the effects of alcohol on driving ability.

7. That the driver education course be required of all persons under 18 years of age before they are licensed to drive.

8. That qualitative standards for instruction in commercial driving schools be established and regulated by the District government.

9. That more rigid and comprehensive written and road tests be required in driver licensing.

10. That the Metropolitan Police Department enforce pedestrian regulations more rigidly.

11. That "walk" and "don't walk" traffic signs be placed at additional strategic intersections in the city.

12. That additional traffic safety posters be placed at strategic street locations, particularly at uncontrolled intersections.

Following the conference, Lt. Col. Jess P. Unger, Assistant Engineer Commissioner, announced that the 12 conference recommendations will be distributed to the District Department heads concerned and then discussed at a future meeting of the Commissioners' Traffic Coordinating Committee, of which he is chairman.

"I was most impressed by the serious attitude of these young people in discussing the traffic problem and I feel that their recommendations are worthy of equally serious consideration by us," he said.

Represented at the conference were some 25 public, parochial, and private senior high schools located in Washington.

District of Columbia Commissioners, Robert E. McLaughlin, David B. Karrick, and Brig. Gen. Alvin C. Welling; Deputy Superintendent of Schools Lawson J. Cantrell; Msgr. Thomas W. Lyons, Assistant Archdiocesan Director of Education, and George A. England, Director of Motor Vehicles, greeted the delegates at the opening of the conference.

The morning session featured group discussions on youth organizations, driving attitudes, physical fitness for driving, traffic laws, driver education and pedestrian safety.

Chairmen of the student group discussions were: Dick Fitzgerald, Gonzaga; Elmer Holt, Wilson; Raymond Kemp, Gonzaga; Patricia Norgorden, Anacostia; Jim Gildea, Gonzaga; and Joan Wallace, Immaculate Conception.

THE HEALTH FOR PEACE BILL

Mr. LANGER. Mr. President, as one of the cosponsors of the health for peace bill, I urge the Members of Congress to give serious consideration to its passage.

This bill has 59 cosponsors from both sides of the aisle, and its purpose is to create a new impetus to medical research. A very excellent analysis of the scientific teamwork behind the health for peace bill was written by Howard A. Rusk, M.D., associate editor of the New York Times, which I ask unanimous consent to have printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AN ANALYSIS OF SCIENTIFIC TEAMWORK BEHIND THE HEALTH FOR PEACE BILLS

(By Howard A. Rusk, M.D.)

Last Monday Senator LISTER HILL, Democrat, of Alabama, reintroduced in the Senate his bill to expand U.S. support of international medical research. In a strong show of bipartisan support, 59 of Senator HILL's colleagues joined him in cosponsoring the legislation.

Representative JOHN FOGARTY, Democrat, of Rhode Island, has also reintroduced a similar bill in the House of Representatives.

This legislation, known popularly as the health for peace bill, would create within the National Institutes of Health a new National Institute of International Medical Research with an annual appropriation of $50 million.

These funds would be used to encourage and support research and the exchange of information on research, the training of research personnel and the improvement of research facilities throughout the world.

The bill would authorize grants to support such activities ranging from research in basic science to research in rehabilitation. Grants could be made to foreign and American universities and research organizations and to voluntary and governmental international agencies such as the World Health Organization.

Under the plan, a National Advisory Council for International Medical Research, composed of nongovernmental leaders, would establish policies, make recommendations and approve grants and loans under the program.

COUNCILS WOULD ADVISE

The existing specialized advisory councils on heart, cancer, arthritis and metabolic diseases, neurological diseases and blindness, vocational rehabilitation, and similar specialized fields would advise the new National Advisory Council for International Medical Research on specific projects within their particular area of interest and competence.

The program would not replace any of our current programs of multilateral international health activities through the World Health Organization or UNICEF or any of our bilateral activities conducted through the International Cooperation Administration.

Nor would it supplant the research programs being conducted through the International Cooperation Administration.

Nor would it supplant the research programs being conducted in the United States through the National Institutes of Health. It would enhance these activities and at the same time provide a mechanism and funds for uniting science throughout the world in a greatly expanded global attack on disease and disability.

The key factor in grants from the new National Institute for International Medical Research over and above the usual criteria applied to research projects, would be their international implications.

Although there are innumerable corollary values in Senator HILL's proposal, it is based primarily on recognition of the fact that medical research is so highly complex and interrelated that victory over any disease or disability can be achieved only through the research results of many scientists throughout the world.

FULL OF EXAMPLES

The history of medicine is replete with examples of this.

It was a Dutch scientist in 1676 who first revealed the world of micro-organisms. An English physician, Edward Jenner, who observed in 1796 that vaccination prevented smallpox, provided the basis for modern immunological concepts.

Iwanowski, a Russian, identified the first virus in 1892. Two Canadians, Sir Frederick Banting and Charles Best, were the first to isolate insulin in 1921.

The Spanish neuronanatomist, Santiago Ramon y Cajal, and the Italian histologist, Camillo Golgi, shared the Nobel Prize in 1906 for their work on the structure of the nervous system. The list goes on and on—penicillin from England, cortisone from the United States, rauwolfia from India, sulfonamides from Germany.

The health for peace bill is a direct outgrowth of the proposals of President Eisenhower in his 1958 state of the Union message for a science for peace plan to attain a good life for all. As the first step in such a plan, President Eisenhower at that time invited the Soviet Union to join in the current 5-year program for the global eradication of malaria.

The President then stated our willingness to pool our efforts with the Russians in other campaigns against cancer and heart disease and the other scourges of mankind. "If the people can get together on such projects," he said, "is it not possible that we could then go on a full-scale cooperative program of science for peace?"

DISCUSSED IN MOSCOW

It was to discuss the proposals for a greatly expanded international medical research program that Senator HUBERT HUMPHREY, Democrat, of Minnesota, went to Moscow in early December for his now famous 8-hour interview with Soviet Premier Nikita S. Khrushchev. The first 2 hours of the interview were spent discussing international medical research.

In a statement issued in Moscow after the interview, Senator HUMPHREY reported the Soviet Premier had given enthusiastic approval to the proposal.

He said further: "During my interview with the Premier, I had noted that areas of disagreement between our respective foreign policies remain broad and deep. It does not appear that, for a considerable time, these differences will be resolved. In the meantime, we need to learn how to work together, and the best place to start is in the nonpolitical area. The world is hungry for some evidence of effective Soviet-American collaboration. One of the best areas in which to start is in the field of health."

The fact that 59 other Senators joined with Senator HILL in cosponsoring his health for peace bill indicates that a majority of the Senate agree with the statement of Senator HUMPHREY on the need for such a program and with Senator HILL that his proposals would help meet that need.

They realize that not only will such a program improve international understanding but also may well provide a breakthrough on the killing and crippling diseases that plague mankind.

Every citizen in the United States has a personal stake in this program.

The enthusiastic congressional support of the health for peace bill gives dimension and significance to the aphorism of the late Sir William Osler, who once said: "The great republic of medicine knows and has known no national boundaries."

Mr. LANGER. Mr. President, Dr. Rusk appeared before the Senate Committee on Labor and Public Welfare on Tuesday, February 24, giving a valuable testimony in support of this measure. I should like to quote a portion of his remarks, as follows:

The International Health and Medical Research Act of 1959 is essentially a humanitarian program directed toward a global assault on mankind's most important enemies—disease and disability. But it has tremendous political implications for its rehabilitation aspects emphasize our belief in the United States of America that man's mission on earth is to heal and not to hurt, to build and not to destroy.

It is most significant that when your chairman, Senator HILL, introduced the International Health and Medical Research Act of 1959, 59 of you gentlemen here and your colleagues in the Senate joined him in cosponsoring this important legislation. Today there is widespread interest and support of this legislation in all walks of life in the United States. The people of the United States have demonstrated, through their willingness to contribute both tax and voluntary funds, their firm belief in the value of research in health, medicine, and rehabilitation. Most, I am confident, will also agree that while we and the rest of the world are spending billions of dollars for research for instruments of death and destruction in our struggle for survival, we should spend a few millions positively on promoting health, happiness and human understanding in our struggle for peace.

Over 300 years ago an English philosopher once said, "If every man would but mend a man, the world would all be mended." The International Health and Medical Research Act of 1959 is a significant step toward this goal.

AWARD TO THE A. W. LUCAS CO.

Mr. LANGER. Mr. President, this past week I had the pleasure of visiting with a very fine and distinguished citizen of North Dakota, my good friend Hon. R. Fay Brown, of the A. W. Lucas Co., department store, Bismarck, N. Dak., who had just returned from New York City to accept on behalf of the company the award for being named the Brand Name Retailer of the Year, of department stores in class II category for this award.

Mr. President, that is quite an honor for North Dakota, since the A. W. Lucas Co. was voted the best in the Nation. While in New York, Mr. Brown visited with the Honorable Henry Abt, president of the Brand Names Foundation, and Fred Newell, Jr., director of the retail relations, who have done so much in bringing brand names of products before the people of America.

Mr. President, not only is Mr. Brown a prominent member and manager of the A. W. Lucas Co. which won this outstanding award, but he has been, for a number of years, a very fine member of the House of Representatives of the North Dakota State Legislature.

I offer my congratulations to R. Fay Brown and the A. W. Lucas Co. for receiving this fine award of the Brand Name Retailer of the Year.

I ask unanimous consent that an article in the Bismarck Capital of March 20, 1959, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LUCAS, CORWIN'S SCORE IN NATIONAL RETAIL CONTEST

A. W. Lucas Co. in Bismarck was notified this week of winning the Nation's highest retail award, Brand Name Retailer of the Year for 1958 in the Brand Names Foundation's department stores—class II category.

Corwin Churchill Motors, Inc., also won national recognition in receiving a certificate of distinction in the automobile dealers category.

Both stores received notification by telegraph from the foundation. Eli Torrance of Lucas Co., and Charles J. Whittey, of Corwin-Churchill, will receive the awards during a dinner in the grand ballroom of the Waldorf-Astoria Hotel April 15.

The banquet will be attended by more than 1,500 business and civic leaders, climaxing Brand Names Week, April 12–19.

Winners are chosen by a panel of judges composed of the top award winners of the previous year.

To select the winners, the panel examined comprehensive presentations of their 1958 activities submitted by more than 550 retailers who had been selected as finalists and given an opportunity to compete for the awards. Finalists were screened from 49 States, District of Columbia, Hawaii, and Canada.

In judging, the panel's decisions were made primarily on the firm's 1958 brand advertising and promotional campaigns, as well as their education of customers and personnel about the basic policy of featuring manufacturers' advertised brands.

R. Fay Brown, manager of the A. W. Lucas Co., said Tuesday that this is the fifth—and highest—Brand Names award won by the A. W. Lucas Co. since the firm won a certificate of distinction in 1948. Since then it has won two second place and two third place awards in its class, he said.

The winning merchants, their families, and business associates will be honored during a 3-day celebration in New York City, April 13, 14, and 15, by civic officials, brand manufacturers, publications, and trade associations.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959

The Senate resumed the consideration of the bill (S. 1555) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes.

Mr. MANSFIELD. Mr. President, after consultation with the minority leader, who in turn had consultations with the distinguished Senators from North Carolina and Massachusetts, I ask unanimous consent that the time on the Ervin amendment be limited to 20 minutes, 10 minutes to each side.

Mr. DIRKSEN. Mr. President, reserving the right to object, but only for the purpose of inquiry, it is my understanding that there are no more speeches to be made on this side of the aisle on the Ervin amendment. I have been informed that the distinguished Senator from North Carolina has 10 minutes, and the Senator from Massachusetts has 10 minutes, one to speak on one side of the question, and one on the other side.

After consultation with the Senator from Arizona, so far as I know this arrangement will be agreeable. So at the end of 20 minutes there will be a vote on the Ervin amendment to strike title VI from the bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

Mr. DIRKSEN. I withdraw my objection.

The PRESIDING OFFICER. The Chair hears no objection, and the agreement is entered.

Mr. ERVIN. Mr. President, I shall be brief. I hope Senators will remain in the Chamber to hear what I shall say in behalf of the amendment and what the Senator from Massachusetts will say in opposition to the amendment.

As a member of the McClellan committee, I have been astounded by the revelations of conditions which exist in what I believe to be a minority of the unions of the Nation. Nevertheless, those unions represent several million persons who are employed in industries affecting commerce within the meaning of the Taft-Hartley Act. We have found that custodians of union treasuries have taken enormous sums of money from those treasuries in order to enrich themselves and their cronies. After robbing the treasuries, the custodians have destroyed the financial records of those unions in order that their misdeeds might be concealed from the members, law-enforcement officers, and tax authorities.

Furthermore, custodians of union treasuries have taken vast sums of money from those treasuries and devoted them to purposes which had no connection with the objectives of the unions to which the moneys belonged. For example, in one instance more than $60,000 was extracted from a union treasury to pay for the defense of a union officer who misused his union office to extort money from others in order to enrich himself personally. The union in question had no legal interest whatever in his defense.

In addition to malpractices of this nature, the committee found that in a number of unions investigated by it the rank-and-file members had no more voice in their affairs than do the subjects of totalitarian dictators. We found that in many instances the members of the unions had been robbed of any voice

whatever in the management of the affairs of their unions or in the selection of their officers.

The committee found an unbelievable condition to exist in the largest union in the United States, the Teamsters, whose membership totals 1,500,000. Men who had been convicted of armed robbery, of burglary, of extortion, and other serious crimes had been given positions of authority over the honest rank and file members of that union right after their release from prison and before they had indicated any repentance of their crimes. That condition existed not only in the Teamsters Union but also in a number of other unions which were investigated.

The first five titles of the bill are adequately adapted to prevent or punish these malpractices upon rank and file union members, my amendment proposes to strike out provisions relating to the Taft-Hartley Act which have no connection whatever with these malpractices in the internal affairs of unions.

When the Kennedy-Ives bill was before the Senate last year, the Senate passed that bill with some nongermane Taft-Hartley amendments attached, two of which are retained in the bill now before the Senate. In my judgment, the Kennedy-Ives bill was defeated in the House last summer because the bill included nongermane amendments to the Taft-Hartley Act. The bill now before the Senate is likewise saddled with six nongermane amendments to the Taft-Hartley Act, which arouse unnecessary opposition to it.

Why should the right of rank and file union members to get relief from such internal malpractices as have been disclosed by the McClellan committee be jeopardized by including in the bill amendments which have no relationship whatever to the main objective of the bill, which is to prevent or punish such malpractices?

The purpose of my amendment is to strike out the nongermane Taft-Hartley amendments, which stir up unnecessary opposition to the bill. There are no proposals for amendment of the Taft-Hartley law which are noncontroversial, because industry, on the one hand, and labor, on the other hand, have been arguing about virtually all the provisions of the Taft-Hartley law since 1947, when it was enacted.

Let us remove from the pending bill the Taft-Hartley provisions. Let us make this bill for the protection of those who have no protection: the rank and file of union members who have the misfortune to hold membership in unions which are dominated by either dictatorial officers or corrupt officers.

The committee found, in addition, that on occasions corrupt union leaders and equally corrupt management had entered into agreements under which the union leaders had "sold down the river" those whom they were supposed to represent. The bill contains adequate provisions to correct that practice and put an end to it.

Let us not jeopardize the right of the rank and file of labor by saddling the bill with numerous nongermane amendments to the Taft-Hartley Act. If that is done, we shall be endangering the passage of the bill. We shall be making it certain that the Taft-Hartley Act will be mangled on the floor of the Senate and the floor of the House.

It is significant that six members of the McClellan committee have spoken on the bill. Five of the six have advocated the adoption of my amendment, because they are convinced that it is not wise to endanger the passage of a bill protecting rank and file union members who now have no protection, merely to secure the adoption of a few partial amendments to the Taft-Hartley Act. The Senate Labor and Public Welfare Committee has created an outstanding advisory body consisting of 12 persons, 3 of whom represent labor, 3 of whom represent management, and 6 of whom represent the general public. That body is to study the entire field of the Taft-Hartley Act and make recommendations to the Senate Committee on Labor and Public Welfare concerning amendments which should be made to the act. Why not leave all questions arising under the Taft-Hartley law which are not germane to the major purpose of the pending bill to the consideration of the special advisory body of experts and the Senate Committee on Labor and Public Welfare for further study, instead of acting on them in piecemeal fashion such as is proposed in title VI?

To create an advisory body composed of 12 outstanding experts in this field for a complete study of the Taft-Hartley Act, and then to undertake to make changes in the Taft-Hartley Act without waiting for that committee to study the subject and report on it, is about as wise as calling for a physician to come and treat a person for some ailment, and then have the person undertake to treat himself for the ailment while the physician is en route to the person's house for that purpose.

The rank-and-file members of unions controlled by dictatorial union officers or by corrupt union officers are entitled to immediate relief. If we saddle the bill with nongermane amendments to the Taft-Hartley Act, we shall jeopardize the prospect of their securing that relief.

On the contrary, Mr. President, if my amendment is adopted and if all nongermane Taft-Hartley amendments are excluded from the bill, Congress will be able to pass the bill with a minimum of delay, and speedily make it law.

Then the special advisory body and the Senate Committee on Labor and Public Welfare can study the entire Taft-Hartley Act field, and a proper bill can be brought forth to deal with it in an adequate manner. It seems to me that is the sensible thing to do. As I have said, any other course will confront us with the danger of one or the other of two unpleasant alternatives: Either to have no legislation at all, as happened last year; or to have a Taft-Hartley Act which will be considerably mangled because it will be rewritten upon the floor of the Congress, rather than in committee. For these reasons, I urge the Senate to adopt my amendment.

Mr. KENNEDY. Mr. President, I rise in opposition to the amendment of the Senator from North Carolina.

I shall briefly explain why the provisions of title VI are included in the bill.

When the bill was originally introduced, last year, it contained only the first five titles of the bill which now is before us.

The sixth title, which deals with changes in the Taft-Hartley Act, was not in the original bill. But when the Secretary of Labor, Mr. Mitchell, came before the committee, in making his original recommendations he suggested that we cover all the points which now are covered by title VI.

When the pension and welfare bill was before the Senate in April 1958, and when the committee agreed that it would report a reform bill, Senator Smith of New Jersey, then the ranking Republican member of the committee, insisted on including, as a part of the agreement, an understanding that we would also consider including in the bill the changes in the Taft-Hartley Act the Secretary of Labor had recommended. We agreed to do so; and in committee we agreed to report the bill in much the same form as that of the bill which now is before the Senate.

In January of this year, the Secretary of Labor, Mr. Mitchell, testified before the Senate Committee on Labor and Public Welfare, and again recommended that these provisions be included in the bill. So when I say that this title of the bill is not controversial, I mean that it is not controversial as between the Secretary of Labor and the majority of the membership of the Senate Committee on Labor and Public Welfare.

Title VI contains six general provisions.

The first deals with the "no man's land." The fact is that the "no man's land" provisions are wholly germane to the bill, and constituted the fifth recommendation of the McClellan committee, in its first annual report. The Senate should deal with the question of the "no man's land"; and it is dealt with by section 601 of this bill, under the umbrella and in the context of dealing with the recommendations of the McClellan committee.

However, if the Senate were to adopt the amendment of the Senator from North Carolina [Mr. ERVIN], this part of title VI would be stricken out.

The second section of title VI relates to the building and construction trades. This part of title VI is in somewhat different form from the recommendation made last year by the Secretary of Labor. The corresponding proposal last year was adopted by the Senate by a vote of 60 to 29.

This section of title VI is substantially the same as a bill introduced in 1951 by Senators Taft, Nixon, Humphrey, and Cain, and passed by the Senate on May 12, 1952. It is substantially the same as an amendment adopted by the Senate in 1954 by a voice vote at a time when the Senate was in the control of the Republican Members; and the amendment was offered by Senator Smith of New

Jersey, then the ranking Republican member of the Committee on Labor and Public Welfare. This matter is one which we have been considering for 8 years. The practices dealt with by this part of title VI have exposed the building and construction industry to all kinds of corruption and back-door deals. Last year the Senate agreed, by a vote of 2 to 1, to deal with this matter. I believe, as Senator Taft and others did many years ago, that action should be taken to adjust the Taft-Hartley Act to the peculiar conditions in the construction industry.

The third section of title VI relates to economic strikers. It relates to a 1947 amendment to the Taft-Hartley Act, which inserted certain language in section 9(c)(3). In the 1952 campaign, President Eisenhower himself spoke against that "union busting" provision; and in a special labor message in 1954, the President recommended that a change be made in the provision.

The difficulty which this amendment is designed to rectify occurs when employees go on strike, and the company undertakes to employ replacements, and is able to resume normal production, by using a number of new employees, as well as certain of the returned strikers. Under such circumstances the union is virtually deprived of any bargaining power; and if a representation election is held the union loses, because it is not likely that the replacement workers will vote for the union. This amendment would permit the NLRB to decide when and under what circumstances it would be desirable for economic strikers to vote.

So this proposed amendment, which previously was unanimously adopted by the Senate, on the suggestion of the junior Senator from Mississippi [Mr. STENNIS], deals with a problem which for the past several years has been the subject of a considerable amount of consideration by the President of the United States and by a number of others.

The next part of title VI deals with prehearing elections. This is a provision which was before the Senate in different form last year. This matter was brought up this year as a result of a number of cases which demonstrated the desirability of instituting such prehearing elections. One of the outstanding examples was the Coffey Transfer Co. case, which was brought before the McClellan committee.

Furthermore, during the year 1958, a firm of management consultants—McKinsey & Co.—was retained by the National Labor Relations Board to survey its internal procedures; and that firm of consultants issued a report which incorporated certain recommendations, including reinstitution of the prehearing election.

In the Coffey Transfer case, the election was delayed for so long that finally it became apparent that the union would drive Mr. Coffey out of business. Finally, Mr. Coffey was driven out of business.

As a result of many experiences of that sort, the National Labor Relations Board has indicated that this is one of the most important provisions which could be adopted in order to speed up the procedures of the Board and in order to do equity to both labor and management. I believe that after considering the matter the Senate will agree that the adoption of this provision is long overdue. I point out that this provision has the recommendation and the support of the Chairman of the National Labor Relations Board, Mr. Leedom, who on several occasions has stated, before the committee, that this provision will speed the procedures of the Board.

The next provision of title VI deals with the so-called service assistants in the communications industry. A redefinition of the term "supervisor" was adopted by the Senate last year by a vote of 47 to 36. That provision was not a very satisfactory one, and our committee has now rewritten it restricting its impact very considerably. As rewritten, it deals only with a relatively small number of employees who should not be included in the term "supervisor" but who under certain recent decisions of the Board are in danger of being removed from bargaining units in which they are now included.

The next part of title VI would permit the President to designate an officer or employee of the general counsel's office to serve as an acting general counsel of the National Labor Relations Board. This provision is simply a housekeeping one. There is some precedent for it, and I believe it is in the public interest.

Mr. Presdent, in my opinion, those provisions of title VI will aid in getting a labor reform bill enacted this year. If I thought otherwise, I would vote against title VI.

However, the bill faces a difficult time on the floor of the Senate and in the other body. I believe title VI will help secure favorable action on the bill. I believe that all these provisions of title VI are important.

Therefore, much as I admire the Senator from North Carolina [Mr. ERVIN], and much as I appreciate his very considerable help in connection with the bill, I hope his amendment will be rejected.

Mr. President, I yield back the remainder of the time under my control.

Mr. ERVIN. Mr. President, I yield back the remainder of my time.

Mr. JOHNSON of Texas. Mr. President, has all remaining time been yielded back?

The PRESIDING OFFICER (Mr. DODD in the chair). That is correct.

The question is on agreeing to the amendment of the Senator from North Carolina [Mr. ERVIN]. On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Minnesota [Mr. HUMPHREY] and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

I also announce that the Senator from Delaware [Mr. FREAR] and the Senator from Rhode Island [Mr. GREEN] are absent because of illness.

I further announce that, if present and voting, the Senator from Rhode Island [Mr. GREEN] and the Senator from Minnesota [Mr. HUMPHREY] would each vote "nay."

On this vote, the Senator from Delaware [Mr. FREAR] is paired with the Senator from Missouri [Mr. SYMINGTON].

If present and voting the Senator from Delaware would vote "yea" and the Senator from Missouri would vote "nay."

The result was announced—yeas 27, nays 67, as follows:

YEAS—27

Bennett	Goldwater	Proxmire
Butler	Hickenlooper	Robertson
Byrd, Va.	Holland	Russell
Carlson	Hruska	Schoeppel
Church	Jordan	Smathers
Curtis	Lausche	Stennis
Eastland	McClellan	Talmadge
Ervin	Martin	Thurmond
Fulbright	Mundt	Williams, Del.

NAYS—67

Aiken	Engle	Mansfield
Allott	Gore	Monroney
Anderson	Gruening	Morse
Bartlett	Hart	Morton
Beall	Hartke	Moss
Bible	Hayden	Murray
Bridges	Hennings	Muskie
Bush	Hill	Neuberger
Byrd, W. Va.	Jackson	O'Mahoney
Cannon	Javits	Pastore
Capehart	Johnson, Tex.	Prouty
Carroll	Johnston, S.C.	Randolph
Case, N.J.	Keating	Saltonstall
Case, S. Dak.	Kefauver	Scott
Chavez	Kennedy	Smith
Clark	Kerr	Sparkman
Cooper	Kuchel	Wiley
Cotton	Langer	Williams, N.J.
Dirksen	Long	Yarborough
Dodd	McCarthy	Young, N. Dak.
Douglas	McGee	Young, Ohio
Dworshak	McNamara	
Ellender	Magnuson	

NOT VOTING—4

Frear	Humphrey	Symington
Green		

So Mr. ERVIN's amendment was rejected.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. DIRKSEN. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Illinois [Mr. DIRKSEN] to lay on the table the motion of the Senator from Montana [Mr. MANSFIELD] to reconsider.

The motion to lay on the table was agreed to.

Mr. DIRKSEN. Mr. President, I call up an amendment in the nature of a substitute for all of title VI, on which the Senate just voted. Instead of having the substitute amendment read at length, I ask unanimous consent that it be stated by title and printed in the RECORD, and then I will make a brief explanation, because I doubt whether a long-winded speech on my part is necessary.

The PRESIDING OFFICER. The amendment will be stated in brief by the clerk.

The LEGISLATIVE CLERK. It is proposed to strike out title VI, which begins on line 14, page 54, and ends on line 25, page 59, and to insert in lieu thereof a new title VI.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Illinois that

the reading of the amendment be dispensed with and that the amendment be printed in the RECORD?

There being no objection, Mr. DIRKSEN'S amendment was ordered to be printed in the RECORD, as follows:

TITLE V—LABOR-MANAGEMENT RELATIONS

SEC. 501. (a) Section 3(a) of the National Labor Relations Act, as amended, is amended by adding after the period at the end thereof the following: "Not more than three members of the Board shall be members of the same political party."

(b) Section 3(d) of the National Labor Relations Act, as amended, is amended by adding after the period at the end thereof the following language: "In case of a vacancy in the office of the General Counsel the President shall designate the officer or employee who shall serve as General Counsel during such vacancy."

SEC. 502. (a) Section 6 of the National Labor Relations Act, as amended, is redesignated "6(a)" and is further amended by adding at the end thereof the following new subsection (b):

"(b) (1) The Board, in its discretion, may, by rule or otherwise, decline to assert jurisdiction over any labor dispute where, in the opinion of the Board, the effect of such labor dispute on commerce is not sufficiently substantial to warrant the exercise of its jurisdiction.

"(2) Nothing in this Act shall be deemed to prevent or bar any agency or the courts of any State or Territory (including the Commonwealth of Puerto Rico, Guam, and the Virgin Islands), from assuming and asserting jurisdiction over labor disputes over which the Board declines, pursuant to paragraph (1) of this subsection, to assert jurisdiction."

SEC. 503. (a) Section 8(b)(4) of the National Labor Relations Act, as amended, is amended to read as follows:

"(4)(i) to engage in, or to induce or encourage any individual employed by any person engaged in commerce or in an industry affecting commerce to engage in, a strike or a refusal in the course of his employment to use, manufacture, process, transport, or otherwise handle or work on any goods, articles, materials, or commodities or to perform any services; or

"(ii) to threaten, coerce, or restrain any person engaged in commerce or in an industry affecting commerce.

where an object thereof is: (A) forcing or requiring any employer or self-employed person to join any labor or employer organization; (B) forcing or requiring any person to cease, or to agree to cease, using, selling, handling, transporting, or otherwise dealing in the products of any other producer, processor, or manufacturer, or to cease, or to agree to cease, doing business with any other person, or forcing or requiring any other employer to recognize or bargain with a labor organization as the representative of his employees unless such labor organization has been certified as the representative of such employees under the provisions of section 9; (C) forcing or requiring any employer to recognize or bargain with a particular labor organization as the representative of his employees if another labor organization has been certified as the representative of such employees under the provisions of section 9; (D) forcing or requiring any employer to assign particular work to employees in a particular labor organization or in a particular trade, craft, or class rather than to employees in another labor organization or in another trade, craft, or class, unless such employer is failing to conform to an order or certification of the Board determining the bargaining representative for employees performing such work: *Provided*, That nothing contained in this subsection (b) shall be construed to make unlawful a refusal by any person to enter upon the premises of any employer (other than his own employer), if the employees of such employer are engaged in a strike ratified or approved by a representative of such employees whom such employer is required to recognize under this Act: *Provided further*, That nothing contained in clause (B) of this paragraph (4) shall be construed to make unlawful where not otherwise unlawful (i) any strike against, or refusal to perform services for, any person who has contracted or agreed with an employer to perform for such employer work which he is unable to perform because his employees are engaged in a strike not unlawful under this Act; or (ii) any strike or refusal to perform services at the site of the construction, alteration, painting, or repair of a building, structure, or other work and directed at any of several employers who are in the construction industry and are jointly engaged as joint venturers or in the relationship of contractors and subcontractors in such construction, alteration, painting, or repair at such site, and there is a labor dispute, not unlawful under this Act or in violation of an existing collective bargaining contract, relating to the wages, hours, or other working conditions of employees employed at such site by any of such employers."

(b) Section 303(a) of the Labor Management Relations Act, 1947, as amended, is amended to read as follows:

"(a) It shall be unlawful, for the purpose of this section only, in an industry or activity affecting commerce, for any labor organization to engage in any activity or conduct defined as an unfair labor practice in section 8(b)(4) of the National Labor Relations Act, as amended."

SEC. 504. (a) Subsection (b) of section 8 of the National Labor Relations Act, as amended, is amended by striking out the word "and" at the end of paragraph (5), by striking out the period at the end of paragraph (6), and inserting in lieu thereof a semicolon and the word "and", and by adding a new paragraph as follows:

"(7) to picket or cause to be picketed, or threaten to picket or cause to be picketed, any employer with the object of forcing or requiring an employer to recognize or bargain with a labor organization as the representative of his employees, or forcing or requiring the employees of an employer to accept or select such labor organization as their collective bargaining representative:

"(A) where the employer has recognized in accordance with this Act any other labor organization and a question concerning representation may not appropriately be raised under section 9(c) of this Act; or

"(B) where within the preceding twelve months a valid election under section 9(c) of this Act has been conducted; or

"(C) where the labor organization cannot establish that there is a sufficient interest on the part of the employees in having such labor organization represent them for collective bargaining purposes; or

"(D) where such picketing has been engaged in for a reasonable period of time and at the expiration of such period an election under section 9(c) has not been conducted.

"(E) Nothing in this paragraph (7) shall be construed to permit any act which would otherwise be an unfair labor practice under this section 8."

(b) Subsection (1) of section 10 of such Act is amended by striking out the first sentence and substituting in lieu thereof the following: "Whenever it is charged that any person has engaged in an unfair labor practice within the meaning of paragraph (4)(A), (B), or (C), or paragraph (7) of section 8(b), the preliminary investigation of such charge shall be made forthwith and given priority over all other cases except cases of like character in the office where it is filed or to which it is referred."

SEC. 505. Section 8(d) of such Act is amended by striking out all of the language after the colon at the end of paragraph (4) and in lieu thereof inserting the following: "The duties imposed upon employers, employees, and labor organizations by paragraphs (2), (3), and (4) shall become inapplicable upon an intervening certification of the Board under which the labor organization or individual, which is a party to the contract, has been superseded as or ceased to be the representative of the employees subject to the provisions of section 9(a), and the duties so imposed shall not be construed as requiring either party to a contract for a fixed period to discuss or agree to any modification of the terms and conditions of employment whether or not embodied in such contract, if such modification is to become effective before such terms and conditions can be reopened under the provisions of the contract. Any employee who engages in a strike within the sixty-day period specified in this subsection shall lose his status as an employee of the employer engaged in the particular labor dispute, for the purposes of sections 8, 9, and 10 of this Act, as amended, but such loss of status for such employee shall terminate if and when he is reemployed by such employer."

SEC. 506. (a) Section 9(c)(1) of the National Labor Relations Act, as amended, is amended by inserting the word "or" after the semicolon at the end of clause (B) and adding a new clause "(C)" as follows:

"(C) by an employer primarily engaged in the building and construction industry and a labor organization acting in behalf of employees engaged (or who, upon their employment, will be engaged) in the building and construction industry, asserting that such employer recognizes such labor organization as the representative defined in section 9(a) and has entered into a collective bargaining agreement with such labor organization;".

(b) Such subsection is further amended by inserting a colon before the period at the end thereof and adding the following language: "*Provided*, That the Board may, without prior thereto having conducted an election by secret ballot, certify a labor organization referred to in clause (C) of this paragraph as the exclusive representative of employees of an employer referred to in said clause (C) in such unit as the Board may find is appropriate for the purposes of collective bargaining with respect to rates of pay, wages, hours, and other conditions of employment: *Provided further*, That the preceding proviso shall not apply where there is no history of a collective bargaining relationship between the petitioning employer and labor organization prior to the current agreement or an employee or group of employees or any individual or labor organization acting in their behalf allege, and the Board finds, that a substantial number of employees presently employed by the employer in the bargaining unit assert that the labor organization is not a representative as defined in section 9(a)."

SEC. 507. Section 9(c)(3) of the National Labor Relations Act, as amended, is amended by striking out all of the second sentence thereof.

SEC. 508. Section 9(c)(4) of the National Labor Relations Act, as amended, is amended to read as follows:

"(4) Nothing in this section shall be construed to prohibit the Board from conducting elections prior to hearing where the Board finds no substantial objection to such proceeding is being made or the waiving of hearings by stipulation for the purpose of a consent election in conformity with the regulations and rules of decision of the Board."

SEC. 509. No provision of this title shall be deemed to make an unfair labor practice any act which was performed prior to the effective date of this title which did not constitute an unfair labor practice prior thereto.

SEC. 510. The amendments made by this title shall take effect sixty days after the date of the enactment of this Act.

Mr. McCLELLAN. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield to the distinguished Senator from Arkansas.

Mr. McCLELLAN. Mr. President, I should like to inquire if the proposed substitute amendment, just called up, has been printed, so that we may have copies of it to follow?

Mr. DIRKSEN. Mr. President, the substitute amendment contains nearly all of title V in Senate bill 748, which was the administration bill and which was under consideration by the committee. The only change is that the section relating to the Communist affidavit has been stricken because it is treated elsewhere in the bill now under consideration. Other than that, the substitute contains all of title V of Senate bill 748. I think copies of that bill are available. If not, they can be made available.

Mr. McCLELLAN. What is the number of the bill?

Mr. DIRKSEN. Senate bill 748, which was introduced by the Senator from Arizona [Mr. GOLDWATER] and other Senators.

Mr. McCLELLAN. The Senator refers to title V of that bill?

Mr. DIRKSEN. Yes; to title V.

Mr. McCLELLAN. If we have before us title V of S. 748 we can follow the Senator in his discussion?

Mr. DIRKSEN. That is correct.

Mr. KUCHEL. Mr. President, may we have order so that we can hear the Senators?

The PRESIDING OFFICER. The Senate will be in order.

Mr. DIRKSEN. Mr. President, I suggest that the staff provide copies of S. 748 to Members of the Senate.

Mr. President, I ask for the yeas and nays on the substitute amendment.

The yeas and nays were ordered.

Mr. DIRKSEN. Mr. President, I will briefly run through the items in the substitute amendment, and I shall try to make the explanation as plain as possible.

The first provision in the substitute amendment relates to the vacancy in the Office of the General Counsel. As the matter stands now, there is difficulty, and sometimes the Board has been immobilized for a certain length of time because unless there was action on the nomination of a successor when the General Counsel resigned, the office was vacant. Since the office was clothed with specific authority that caused some difficulty. Therefore, the provision in the substitute amendment is that the President may designate an officer or employee to serve as General Counsel during any vacancy.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MUNDT. Will the Senator tell us from what page he is reading?

Mr. DIRKSEN. I am reading from subsection (b) on page 58 of Senate bill 748.

Mr. MUNDT. I thank the Senator. The amendment is not printed, and this will give us a chance to follow the explanation of the Senator.

Mr. DIRKSEN. Mr. President, the second item in the substitute amendment relates to the so-called no man's land difficulty we have encountered under the National Labor Relations Board, which was so freely and generously ventilated in connection with the discussion of the labor bill last year.

The matter crystallized somewhat because of the case in Utah of a small blueprinting company which really did not have a sufficient number of employees to affect commerce, and the National Labor Relations Board refused to take jurisdiction of the case. It was a good deal like the fellow up in Tewksbury, Mass., who at a ripe old age passed away. He went to Heaven and St. Peter said, "You can't stay here." Then he went down below, and the Devil said, "Sorry, you can't stay here." Then, with some frustration, the old gentleman said, "What will I do?" and the Devil said, "You will have to go back to Tewksbury."

The situation which confronted that little company was that the National Labor Relations Board would not take jurisdiction, and the State administrative authorities and courts could not take jurisdiction. That is what we have referred to as no man's land. The situation was left dangling in the air, without a remedy against those who were causing the difficulty in the business.

The substitute contains a provision to the effect that the Labor Board may relinquish jurisdiction if it so decides, for the very reason that commerce has not been substantially burdened. But on the other hand, if the Board does not assume jurisdiction, it will not prevent the State courts and the State administrative bodies from asserting and assuming jurisdiction.

I believe that the essential difference between the substitute and the pending bill, Senate 1555, lies in the fact that under the pending Kennedy-Ervin bill the Board could permit States to assume jurisdiction, but only with respect to administrative agencies, and not the courts of the State. Actually the administrative agencies would become agents of the Board for the purpose of applying the provisions of the Taft-Hartley Act.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. McCLELLAN. Did the committee ascertain how many States have agencies which could function in that field? Are there any?

Mr. DIRKSEN. I think there are 12.

Mr. McCLELLAN. Twelve out of fifty States?

Mr. DIRKSEN. Yes.

Mr. McCLELLAN. So there are still some 38 States which could not obtain any relief at all under the pending bill.

Mr. DIRKSEN. That is correct; and that is the reason why this substitute provides that a case may go to any agency or any court of any State or Territory.

Mr. McCLELLAN. What is the Board required to do? What affirmative action is the Board required to take, so that we may know when jurisdiction goes to the States, and when the Board retains jurisdiction?

Mr. DIRKSEN. If the Board declines jurisdiction, the substitute provides that nothing in the law shall prevent any agency or any court in the State from assuming jurisdiction.

Mr. McCLELLAN. When a client seeks counsel from his attorney, how is the attorney to know whether the Board will accept or decline jurisdiction?

Mr. DIRKSEN. The Board can either make a specific finding in a specific case, or it can make a rule, above which it will assume jurisdiction, and below which it will not assume jurisdiction.

Mr. McCLELLAN. The determination is still left dangling. The amendment does not require the Board to act.

Mr. DIRKSEN. We leave it within the discretion of the Board.

Mr. McCLELLAN. That is what is wrong now. The Board can now take jurisdiction or not take jurisdiction, according to its discretion; and, in effect, we have a no man's land, in which there are grievous wrongs and no remedy under American jurisprudence as of this time.

Mr. DIRKSEN. I can only answer that by saying that if we try to apply a very rigid rule it will probably offer more difficulty than preserving the latitude which this language provides. The language of the substitute provides that the Board, in its discretion, may, by rule or otherwise, decline to assert jurisdiction over any labor dispute. So a legal representative would certainly be advised; and I think some latitude and flexibility is far more desirable than trying to apply an inflexible rule.

Mr. McCLELLAN. Let us assume that a labor dispute has just arisen. A client goes to his attorney and inquires about it. The attorney says, "I do not know whether the Board will assert jurisdiction or not. We will submit the case to the Board, and let the Board decide whether to take jurisdiction or not." Is that correct?

Mr. DIRKSEN. That is correct.

Mr. McCLELLAN. Does not the Senator think it would be better practice to require the Board to prescribe a rule containing criteria for the determination of the question as to whether or not it will take jurisdiction, so that every case would not have to come before it?

Mr. DIRKSEN. I think the answer is that the number of cases involved in which commerce is not actually burdened is so great that we might just as well leave the decision to the discretion of the Board, rather than to draw a line and say, "This is the dividing line."

Mr. McCLELLAN. The amendment is vague. A board with experience which this Board has had over the years the law has been in effect should be able to draw a line and say, "Beyond this line we are not going to take jurisdiction. We will leave it to the States."

I have an amendment which I shall propose if some other disposition is not made of the question. My amendment would require the Board to do exactly what I have described. Then, if there were doubt as to whether the Board would decline jurisdicition, by a general rule or by a specific rule, so that people might know in advance, a case could be submitted, and within 30 days the Board would have to pass upon it. Why cannot the Board make a rule at least defining a great area of these cases, so that everyone who has a grievance, or who has been wronged, will not have to go to the National Labor Relations Board in order to determine where his rights are and how to proceed?

Mr. DIRKSEN. I can see that point of view. This difficulty is easily cured, because if we say that the Board shall make a rule, instead of using the language of the substitute, which provides that the Board may make a rule, I think that meets the objection advanced by the distinguished Senator from Arkansas. I still am inclined toward the flexible side, because I believe the workload upon the Board today is such that the Board will issue a rule in due course to meet the volume of work with which it is confronted.

Mr. McCLELLAN. I suggest that the Board could lighten its workload to a great degree by making one rule to give guidance, instead of making a rule in every case that comes before it.

Mr. DIRKSEN. The Chairman of the Board was before us, and we heard a great deal of testimony. I was disposed to go along with the flexible proposal, rather than to write the word "shall" into the law.

Mr. McCLELLAN. I should like to vote for this amendment if I could not obtain approval of my own amendment, which I think is preferable. But I am in the position of considering this provision along with several other provisions, and I am not sure that I can vote for it. I think the substitute is a great deal better than what is in the bill. What is in the bill does absolutely nothing, and only confounds and confuses that which is more complex than man can understand.

Mr. DIRKSEN. I share the feeling of the distinguished Senator from Arkansas. I thought this provision was far preferable.

Mr. MUNDT. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield.

Mr. MUNDT. I can confirm what the Senator from Illinois has stated. The language of the substitute seems to me to be a great improvement over what is in the bill.

I am inclined to the view of the Senator from Arkansas. I should like to see criteria established, and as many cases as possible settled by rule of law rather than by rule of men. Perhaps we cannot do it at this time, but I would prefer to see the law a little more specific, and not have so much discretion in the Board, primarily because of the workload the Board carries.

I believe the Senator will tell us as he goes along the differences between his amendment and title VI, which was just approved. Am I correct in saying that, with the exception of the section dealing with supervisors, everything contained in title VI is contained in the Senator's substitute, and that, in addition, he has made a few other proposed corrections?

Mr. DIRKSEN. The Senator is correct.

If Senators will bear with me, I am watching the clock. A group of witnesses are waiting in the committee room in the New Senate Office Building, and I promised to be there and hear them at half past 3. That is the reason why I tried to skeletonize these remarks.

As soon as the distinguished Senator from Arizona returns he will amplify every one of the items in the substitute now pending. If the distinguished Senator will bear with me until I dispose of the out-of-town witnesses, I should like to allude to the other items in the substitute.

Mr. MUNDT. A plea for brevity on the part of any Senator is so rare that I am delighted to yield.

Mr. DIRKSEN. I am very grateful to the Senator.

The first item deals with a vacancy in the office of General Counsel.

The second item in the substitute deals with the so-called no man's land cases.

The third item deals with the secondary boycott. We could be here for a long time discussing that subject. The boycott provision has been very carefully drawn. It is complete. I think it is adequately safeguarded. It has the approval of the Secretary of Labor. It represents the administration's viewpoint; and I think it is infinitely preferable to the inadequate provision carried in Senate bill 1555.

The fourth item deals with so-called recognition, organizational, or blackmail picketing. It is set forth on the bottom of page 61 of the substitute, S. 748. I believe it all properly set forth here. I believe all the safeguards are there. In addition, it is a picketing proposal with some teeth. I believe the great interest of the people of the country, over and above any other situation or proposal we could make with respect to the bill, relates to so-called organizational picketing.

Mr. MUNDT. Mr. President, does this section also have the approval of the Secretary of Labor and the administration?

Mr. DIRKSEN. It is the administration's bill and the administration's proposal.

The next part deals with prehiring agreements. I remember that 2 years ago, when Mr. Richard Gray, the head of the Carpenters Union, came to the reception room with the General Counsel of the Department of Labor, they presented to us a proposal on the so-called prehiring agreements in the construction industry.

They said, "This is what we want." I talked to them myself. I believe other Senators did likewise. What is carried in the substitute follows literally what we had agreed upon 2 years ago. Our proposal is superior to what is in the Kennedy bill, in the sense that there are safeguards contained in our proposal with respect to the prehiring agreements in the construction industry.

The first of these safeguards, of course, provides that there can be no strike to force employees. There has to be some bargaining history behind any kind of agreement such as that. It is not possible to subject a small number of employees to the pressures which are involved here. It carries out pretty well the understanding we had 2 years ago. With these safeguards, it is, in my judgment, far preferable to what has been reported by the committee.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. SALTONSTALL. The safeguards to which the Senator refers are safeguards for the employees? Is that correct?

Mr. DIRKSEN. For the employees; yes.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. DIRKSEN. Will the Senator forbear for a moment? I shall be happy to yield to him later.

Mr. LAUSCHE. Certainly.

Mr. DIRKSEN. The next item deals with so-called economic strikers. This is the proposal which was sent to Congress by the administration 2 years ago. It received its impetus from the situation which developed in the O'Sullivan Heel Co. case in Winchester, Va. The strikers in that plant were replaced one by one by management. As a result, under the Taft-Hartley Act, they lost their right to vote in a bargaining or representation election.

My proposal would safeguard the right of workers to strike. Therefore the proposal is called the economic strikers' amendment. I offered this amendment on the floor of the Senate when the labor bill was before the Senate last year. There is a comparable proposal in the Kennedy-Ervin bill.

With the exception of the provision on page 65, dealing with elections befor hearings, where there is no substantial issue involved, these are the items in the substitute: First, to make provision for filling a vacancy in the office of the general counsel of NLRB, and to provide that the President can do that; second, to deal adequately with no man's land cases; third, to deal effectively with secondary boycotts; fourth, to deal with organizational picketing; fifth, to deal with so-called prehiring agreements in the construction industry, with further safeguards.

In substance and in essence that is the substitute which is presented to the Senate today.

Most of the items I have mentioned have had considerable attention in committee and have been discussed at length back and forth. Therefore I commend the substitute in place of title VI now

contained in the Kennedy bill. Title VI in the pending bill, in my humble and considered judgment, is inadequate to the purposes for which it was designed.

Mr. McCLELLAN and Mr. LAUSCHE addressed the Chair.

Mr. DIRKSEN. I shall yield first to the Senator from Arkansas, and then to the Senator from Ohio.

Mr. McCLELLAN. I have only one question. I believe the Senator has spoken of five or six items.

Mr. DIRKSEN. Actually, there are six items. One is of a minor character.

Mr. McCLELLAN. One is of a minor character, but altogether there are six items involved here.

Mr. DIRKSEN. That is correct.

Mr. McCLELLAN. I am inclined, in principle, to support some of the proposals advocated by the Senator from Illinois. However, certainly it would be easier for me to make up my mind and give favorable consideration to some of the proposals, and actually support some of the provisions, if they were submitted separately? When they are all put into one bundle, it is a different matter entirely. The Senator has said that the committee has given study to these matters. Some of us have not had the time or the opportunity to go into these points. The Senator may be satisfied. Nevertheless, it is very difficult to legislate in this important field by taking a whole package of proposals at one time. Some of them I would support in principle and would probably vote for. However, to know exactly what we are doing, I would appreciate it very much—and I know the Senator would get better consideration—if he could offer the amendments one at a time, and permit us to vote them up or down on the merits as each amendment is considered.

Mr. DIRKSEN. I should like to answer my distinguished friend from Arkansas in this way: I realize that there is a single-package approach and that there is a two-package approach to the bill. The theory of the Ervin amendment in connection with title VI was to strike out title VI and most of the references to the Taft-Hartley Act, in the hope that subsequently the Senate would consider another labor bill dealing essentially with amendments to the Taft-Hartley Act. Of course, all of that is conditioned on certain imponderables. First there would have to be a bill dealing with the items which engross our attention as amendments to the Taft-Hartley Act. Second, hearings would have to be held by a subcommittee. Third, the matter would have to go to the full committee. Fourth, a bill would have to be reported to the Senate for the calendar. Fifth, it would be necessary to get an order before the bill could be considered.

Mr. McCLELLAN. Mr. President, will the Senator yield on that point?

Mr. DIRKSEN. The longer I serve in the Senate the deeper my conviction becomes as to the unpredictability of the legislative future. There can be no assurance from my distinguished friend from Massachusetts [Mr. KENNEDY] that there will be a bill and that there will be hearings held by the subcommittee. There can be no assurance that a bill will be reported by the subcommittee to the full committee. There can be no assurance that it will be reported by the full committee. There can be no assurance that, if the bill were placed on the Senate Calendar, it would be possible to get an order for its consideration. Therefore any objection on the call of the calendar would stop the bill. I prefer, in the month of April 1959, when half the session is already over, to have an opportunity to vote on and to present the administration's viewpoint on secondary boycotts, on picketing, and on the other items which are presently covered by the substitute. I am not insensible of the fact that pinpointed amendments can sometimes get better attention than amendments put into one package, as we have in the substitute.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. McCLELLAN. I understand the situation. I know it is possible to offer amendments. The only thing I was saying was that I thought we could give better consideration to the amendments, if the Senator is sincere in wanting them adopted, if he were to present them one at a time on their merits, instead of lumping them together in one package. I do not know whether I could vote for all of them; but, I know that I could vote for some parts of the Senator's proposals if they were separated and I had the opportunity to pick out what is good in my judgment and eliminate the other parts.

The Senator said that the committee has studied these matters. The committee has studied the subject sufficiently to report title VI.

I see no reason why there should be the delay the Senator fears. We could go back to the committee and in 30 minutes return with title VI and could vote it up or down. There is no necessity at all for delay. I am sure that if the two leaders agreed, it could be done, and no one could stop it. It is as simple at that.

Mr. DIRKSEN. I must respectfully submit one modification of the statement made by the Senator from Arkansas. When he says the committee reported the bill, essentially that is correct. But the junior Senator from Illinois, who is on the committee, did not vote to report the bill; he voted "no" on that question. That is the reason why he is offering a substitute which he believes is far more adequate to solve the problems which confront the country today in the labor field.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. LAUSCHE. Am I correct in my understanding that last year the administration in its bill recommended provisions which would deal, first, with blackmail picketing; second, with secondary boycotting; and third, with prehiring arrangements in the building and construction industry?

Mr. DIRKSEN. Yes; either last year or the year before, or even the year before that, because it is necessary to go back and pick up the stitches to ascertain all the recommendations which the President has made to Congress from time to time—to get the whole package of recommendations which were made in every one of those fields.

Mr. LAUSCHE. Are the recommendations made by the President and the Secretary of Labor contained in the amendment offered by the Senator from Illinois?

Mr. DIRKSEN. Yes; title V, S. 748. It has been called the administration bill. It was the other major bill in addition to S. 505, introduced by the distinguished Senator from Massachusetts [Mr. KENNEDY]. It was later, however, that we had before us the bill introduced by the distinguished Senator from Arkansas [Mr. McCLELLAN].

I may say, simply to make certain that the record is complete, that the bill proposed by the Senator from Arkansas was introduced after the subcommittee hearings were over. We recognized that we were running into an impasse. So I think it was generally agreed in the subcommittee that, first at last, we might just as well act in the full commitee to consider these amendments.

I thought the distinguished Senator from Arkansas [Mr. McCLELLAN], who has done such a capital job as chairman of the Rackets Investigating Committee, was entitled to be heard, even though the hearings had been closed. So one afternoon he had abundant opportunity to present his case. This was true also of the distinguished Senator from South Dakota [Mr. MUNDT] and the distinguished Senator from Nebraska [Mr. CURTIS].

So at long last, before the committee concluded its deliberations on the bill, all those Senators had the opportunity to present the matters which they wanted to have considered in connection with the bill.

Mr. LAUSCHE. Am I correct in understanding that the bill recommended by the committee rejected the administration's request for a law to deal with blackmail picketing, and secondary boycotts, but that it accepted the President's recommendation on prehiring agreements in the building crafts work, though it diluted that recommendation by eliminating from it the proviso that a union and a contractor might enter into a collective bargaining agreement without the consent of the workers, provided there had been a previous history between the contractor and the union, and provided also that if the workers believed that the union was not representing them, the workers had the right to appeal to the Labor Board?

Mr. DIRKSEN. The distinguished Senator from Ohio is so apt in choosing the right word. When he said those proposals in the pending bill were diluted, he was quite right. I think in a word that expresses the whole business pretty well.

Mr. LAUSCHE. In my opinion, the three recommendations made by the

President were vital. The first, prohibiting blackmail picketing, and the second, prohibiting secondary boycotts, were rejected outright. The third recommendation of importance, dealing with prehiring agreements, was accepted, but was diluted to the point where the protection of the liberty of the worker was completely eliminated by the abrogation of the proviso that only when there is a previous history between the union and the contractor may the pre-hiring agreement be made.

Mr. DIRKSEN. The distinguished Senator from Ohio presents the case pretty well.

Mr. LAUSCHE. I think he presents it very well. [Laughter.]

Mr. DIRKSEN. Mr. President, I desire to yield the floor and to return to the wars later, as soon as I have concluded with the witnesses at a hearing concerning two judgeships for the State of Illinois.

SUSPENSION OF ATMOSPHERIC NUCLEAR TESTS

Mr. CASE of South Dakota. Mr. President, on the basis of a memorandum circulated by the U.S.S.R. group at the spring council meeting of the Interparliamentary Union at Nice, France, the week after Easter, Premier Khrushchev should accept the proposal made by President Eisenhower to take a "first step" on the suspension of nuclear weapons tests in the atmosphere.

As one of the delegates named by the Senate, it was my privilege to attend the council meeting of the Interparliamentary Union.

I have in my hand a memorandum which was circulated by the Soviet group at the committee meeting on the reduction of armaments. In the memorandum, the Soviet Union asserted its desire for a radical solution of the disarmament problem, but maintained that their efforts to reach a comprehensive agreement have invariably come up against a barrier of reservations and objections on the part of the United States, British, and other governments which are parties to military coalitions, such as NATO, SEATO, or the Baghdad Pact. After making that statement, the U.S.S.R. memorandum says:

> Under those circumstances, the way out of the situation would be to solve the disarmament problem gradually, step by step, beginning with the more pressing issues.

Having said that, and having proposed a step-by-step solution, taking up the most pressing issue first, the Soviet memorandum then went on to discuss the cessation of atomic and hydrogen weapons tests as the most important initial step.

In their presentation in this 9-page memorandum, the U.S.S.R. reflected either a misunderstanding or a misinterpretation of the United States-United Kingdom position. It seemed for a time that this statement had a certain propaganda effect, for the representatives of some of the smaller countries were impressed, perhaps, by the claim of the U.S.S.R. memorandum that we were imposing demands concerning control over the implementation which, in effect, would be a system of espionage. The language of the memorandum is that the United States and Britain are also putting forward such demands concerning control over the implementation of a treaty on the discontinuance of tests as are clearly unacceptable to the Soviet Union.

Here is the sentence in which the U.S.S.R. completely misrepresented the position of the United States and the United Kingdom:

> The Western Powers want detection posts to be staffed exclusively with foreign personnel. They want to bring about a situation in which the control committee to which these posts are to be subordinated can be a mechanical majority of votes cast by Western representatives—a virtual veto—impose decisions affecting the security of the Soviet Union. To meet those claims would mean for the Soviet Union to agree to the establishment on its soil of a full-fledged intelligence network of the Western Powers.

Mr. President, that was so clearly a misstatement of the United Kingdom-United States position that I undertook to answer it in detail. At the committee meeting with me was Dr. Walter Stoessel, Jr., of the U.S. Embassy in Paris. I asked Dr. Stoessel to give me a memorandum which provided our precise position with respect to the control posts; and I quoted in detail from it, to show that actually the United States and the United Kingdom have not asked that the detection posts be staffed exclusively with foreign personnel, but, on the contrary, that the proposal called for a control team of three parts. One part would be composed of technicians and supervisors who would be from the two countries of the three nuclear powers that did not include the country that was under inspection or under control—that is to say, in the U.S.S.R., the first one-third of the supervisory technicians would be composed of nationals of the United States and the United Kingdom. If, on the other hand, the control posts were in the United Kingdom, then the first one-third would be composed of nationals of the United States and the U.S.S.R.; and if the control team were in the United States, the first one-third of the control team would be supplied by the United Kingdom and the U.S.S.R.

The second one-third in each case would be an international group not representative of any of the three nuclear powers, but, rather, composed of representatives selected by the countries which were without nuclear capability.

The final one-third of the control teams would be composed of nationals of the host country. They would be the service personnel; and in that case it was thought by the United States and by the United Kingdom's representatives at Geneva satisfactory to use nationals of the host country which was under inspection.

So I tried to make clear that that was the actual position of the United Kingdom and the United States; namely, that we wanted the detection posts to be staffed exclusively with foreign personnel—and not as stated by the U.S.S.R. The latter interpretation was not the correct one. On the contrary, I pointed out that the system of inspection proposed by the U.S.S.R. would have amounted to self-inspection—inspection by teams composed of nationals of the country under inspection, so to speak. Obviously, that would not be satisfactory and would not be a guarantee of proper control. I think I made the point sufficiently clear, because my argument on that point was not rebutted by the Russian delegate or by the Polish delegate who spoke subsequently.

The second misrepresentation or source of confusion as a result of the Soviet memorandum at that Interparliamentary Union meeting was created by the Soviet memorandum statement that—

> The Western Powers insist on suspending nuclear weapon tests only for 1 year. The suspension of tests for so brief a period is needed for a study of the results of the explosions already carried out and for the preparation of a new series of tests. That is why the Soviet Government considers the Western Powers' proposal for the suspension of nuclear tests for 1 year unacceptable.

I had to point out, Mr. President, that there, again, was a misunderstanding or misinterpretation of the position of the United States and the United Kingdom. The Soviets were trying to make capital of their claim that they wanted to put an end forever to nuclear tests. I reminded them that at the outset of their memorandum they had said the way out of the situation would be to solve the disarmament problem gradually, step by step. So I pointed out that in proposing a 1-year suspension, we were taking that logical, step-by-step approach; and that in proposing the suspension for 1 year, it was as a means of getting something started. I also pointed out that that was not intended to provide a period for study of the results of the explosions and for the preparation of a new series of tests, but, rather, that it was in order that we might see whether or not effective controls were actually provided.

Again, it was in order to refer to some documentary material. The Interparliamentary Union maintains a permanently staffed Bureau, which had prepared, for the consideration of the delegates to the Council meeting, a résumé by the Interparliamentary Union's Bureau, there was a quotation from the August 22 statement of the British and American Governments in terms of the United Kingdom's note that we would—

> be prepared to refrain from nuclear tests for successive periods of 1 year, provided satisfactory progress was made toward the installation of effective systems of international control.

So, again, we sought to clear away the confusion which had been created by the Soviet memorandum, and to make clear that what the United States and the United Kingdom were seeking to accomplish was a step-by-step suspension of nuclear tests, and a step-by-step ap-

proach to the entire problem of reduction of armaments.

I have reason to believe that that effort met with favorable results. The comment on my remarks at the committee meeting that afternoon was commendatory. We met in a subcommittee session that evening, and drafted a resolution which, on the following morning, was unanimously adopted for referral back to the Council, and, in turn, to the conference of the Interparliamentary Union which is to be held at Warsaw next September. The draft of that resolution was based upon a revision of one submitted by the British group and another one submitted by the Polish group.

At this time, I wish to read the draft resolution which is to be submitted by the drafting committee to the committee on reduction of armaments. It reads as follows:

INTERPARLIAMENTARY UNION, NICE, MARCH 31 TO APRIL 5, 1959—GENERAL AND REGIONAL MEASURES WHICH COULD CONTRIBUTE TOWARD A SOLUTION OF THE DISARMAMENT PROBLEM

The 48th Interparliamentary Conference,

Conscious of the urgent need to put a halt to the armaments race and motivated by a sincere desire to preserve world peace and work together to achieve comprehensive disarmament by progressive stages;

Considering the disastrous economic, social, and political consequences of the armaments race and the urgent need therefore to pursue the objective of comprehensive disarmament through the prohibition of international agreements of the manufacture and use of all nuclear and other weapons of mass destruction, and the gradual reduction of Armed Forces and conventional armaments;

Recognizing that such an agreement must ultimately depend on the willingness of all nations to accept a fully effective system of international inspection and control,

Urges that efforts to reach a general disarmament agreement be continued;

Calls for acceleration in the progress already achieved to this end during the negotiations at Geneva for a treaty to end nuclear weapons tests under proper control;

Notes with approval the agreement recently expressed by the heads of the Soviet and United Kingdom Governments that, in conjunction with necessary progress toward a satisfactory overall political settlement, further study could usefully be made of the possibilities of increasing security by some method of limitation of forces and weapons, both conventional and nuclear, in an agreed area of Europe;

Expresses satisfaction at the prospect of early discussion and negotiation on these vital questions at the Foreign Ministers' level, later to be followed by a meeting of the heads of governments.

That is section A of the draft resolution as it was worked out by the drafting committee of the Subcommittee on Reduction of Armaments at the council meeting in Nice from March 31 to April 5, 1959.

There was also a section B, to which I shall invite special attention. Before doing so, however, I wish to say a few words of comment about section A. In the paragraph referring to progress on overall political settlements, it was my suggestion that the word "necessary" be inserted before the word "progress." That suggestion met with favor by the several delegates, and was agreed to. I suggested the word "necessary" in order that the resolution might be consistent with the position the United States was taking—that there should be some necessary progress at the foreign ministers level before a meeting was held by the heads of government.

I am pleased to say that the delegates at the IPU council meeting agreed to the inclusion of the word "necessary" before the word "progress," so the implication would be that there would have to be necessary progress at the preliminary meetings before the summit meetings of the heads of government.

Part B of the resolution as submitted to the council for further reference to the conference deals with the beneficial use of outer space for peaceful purposes. The American delegation to the Nice council took with it a draft of a resolution prepared by staff members of the Senate Committee on Aeronautical and Space Sciences. The draft as presented was somewhat longer than was appropriate to the format of the draft resolutions being used by the IPU, but the draft committee adopted the major purpose and major provision of the resolution which we took from the Senate Committee on Aeronautical and Space Sciences. It reads as follows:

The 48th Inter-Parliamentary Conference,

Recognizing that the new dimension of outer space can be used for peaceful purposes for the benefit of all mankind or for military weapons more destructive than any man has ever known,

Conscious that the first space activities developed under the aegis of the International Geophysical Year are an outstanding example of international cooperation among the scientists of 66 nations,

Urges that national groups of the Inter-Parliamentary Union should direct efforts within their parliaments conducive to the settlement of international problems of outer space in the context of general disarmament and the development of potential outer space benefits for humanity.

The acceptance by the drafting committee of this resolution, which was the proposal of the U.S. group, is a noteworthy step forward, it seems to me. At the time the atomic bomb and the hydrogen bomb were first developed, if the nations could have agreed that the use of nuclear materials would be devoted to the benefit of humanity for constructive purposes, the history of the past several years might have been somewhat different.

I personally suggest that the Senate and the House of Representatives of the Congress of the United States should not lose sight of the fact that the IPU meeting in Warsaw in September will be considering this resolution, which was proposed by the U.S. group and which provides that the potential outer space benefits be developed for humanity, and that the first space activities developed under the aegis of the International Geophysical Year be regarded as an outstanding example of international cooperation, and thereby provide a suggestion as to how we might proceed in considering the problems which will arise.

In concluding my remarks before the armaments committee, I pointed out that our proposals were definitely in keeping with the Soviet statement that the way to proceed or to progress was to solve a problem gradually, step by step, beginning with the more pressing issues.

So today I would say to Premier Khrushchev that President Eisenhower's letter of April 13 is in harmony with the idea of a step-by-step approach. On that basis, the Premier should accept the proposal made in the President's letter.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield to the Senator from Colorado.

Mr. ALLOTT. I should like to compliment the Senator from South Dakota on his statement, and also to compliment him and the members of the committee who recently conferred in Nice and who probably will confer at the Interparliamentary Union meeting to be held in Warsaw this year.

I wish to call the attention of my colleagues in the Senate to the fact that here lies one of the greatest potential organizations—one in which the United States has participated for many years—for the solution, not only of worldwide problems in connection with peace, but of many problems which daily beset us in that area.

I hope every Member of the Senate will read the remarks of the Senator from South Dakota, and particularly the recommendation made by our delegates at Nice.

Mr. CASE of South Dakota. I deeply appreciate the kind remarks of the Senator from Colorado.

SMALL COMPANIES ENGAGED IN STEEL PRODUCTION

Mr. ALLOTT. Mr. President, it was with great interest that I read, in the March 20 edition of the American Metal Market, that nearly half the companies engaged in the steel industry are comparatively small businesses. The table of figures accompanying this thorough article gives an excellent picture of our American steel industry, and depicts the surprisingly large part played by smaller firms.

Too often we are led to believe that the steel industry is a field for giants only. There is no doubt of the tremendous importance of the large steel firms in shaping the course of our economic stream. But it should not be overlooked that 40 percent of the companies which comprise the steel industry are actually companies having less than 100,000 tons annual ingot capacity.

Mr. President, I ask unanimous consent that portions of a highly informative article by Freeman Bishop be printed in the RECORD at this point in my remarks.

There being no objection, the extracts were ordered to be printed in the RECORD, as follows:

SMALL FIRMS HAVE BIG PLACE IN STEEL COMPANY RANKING

NEW YORK, March 19.—Steel, popularly regarded as an industry of giants, is actually

composed 40 percent of companies having each less than 100,000 tons annual ingot capacity. Another 35 percent of the companies have between 100,000 and 1 million tons of yearly capacity, while 20 companies, or less than 25 percent of the 82 ingot producers, have each in excess of 1 million tons annual capacity.

These significant facts are revealed today in the American Metal Market's annual ranking of steel producers according to size of their tonnages. The table appears on page 12.

SMALL BUSINESS

In addition to the 82 companies whose ingot capacities are reported by the American Iron and Steel Institute, about 180 steel companies are nonintegrated—produce no steel in molten form but buy semifinished forms, such as billets, skelp, wire rods or hot rolled strip in coils, to run down into finished products. Most of these 180 also would rank as small business. If these 180 are added to the 33 small producers (less than 100,000 tons each) it becomes evident that three-quarters of the total of about 260 steel companies in the United States would be classified as small.

THREE NEW PRODUCERS

Of the 33 small ingot producers, 13 are new since World War II while three are new ingot producers within the past year. Some of the oldest and best known tool and specialty steel companies are included in the ranks of these small tonnage producers. In sales dollars they would probably rank higher.

Although these 33 companies, many of which do not produce in a year the equivalent steel tonnage contained in one ordinary office building, make up 40 percent of the number of ingot producers, their aggregate capacity is a shade less than 1 percent of the industry's total. What they lack in avoirdupois is counterbalanced by the strategic importance of their specialties, which occupy an important place in the American economy. It is significant that they have a high rate of survival.

Nearly all of the companies in the 33 group are equipped with electric furnaces only. Quite a few of them are located away from large steel centers.

MIDDLE HAS VARIETY

The middle group of 29 companies, 35.4 percent of the ingot producers by number, accounts for 7.9 percent of total steel capacity. Running all the way from a trifle over 100,000 tons annual capacity to just a little short of 1 million, these companies are of a great variety in the nature of equipment and products. Four of them are integrated, being producers of pig iron as well as steel, though the characteristic of the group is semi-integration, with a mixture of open hearth, and electric furnaces. Some of the best-known names in alloy steel are in this group, although a number also are primarily producers of carbon steel.

Rank and growth of steel companies

[Compiled by American Metal Market. Capacities of steel-producing furnaces in thousands of net tons as reported by American Iron & Steel Institute]

Standing in 1959		1958 [1]	Furnace types	Jan. 1, 1945	Jan. 1, 1958	Jan. 1, 1959	Post-war percent gain
1	United States Steel Corp	------	A	32,307.0	40,212.0	41,916.0	29.7
2	Bethlehem Steel Corp	------	A	12,900.0	23,000.0	23,000.0	78.3
3	Republic Steel Corp	------	A	9,791.0	12,242.0	12,742.0	30.1
4	Jones & Laughlin Steel Corp	------	A [2]	5,194.0	7,500.0	8,000.0	54.0
5	National Steel Corp	------	C	3,900.0	6,800.0	7,000.0	79.4
6	Youngstown Sheet & Tube Co	------	B	4,002.0	6,500.0	6,750.0	68.6
7	Inland Steel Co	(8)	B	3,400.0	5,800.0	6,500.0	91.2
8	Armco Steel (including National Supply)	(7)	D	3,432.0	6,396.2	6,400.0	86.4
9	Kaiser Steel Corp	(14)	B [2]	750.0	1,536.0	2,933.0	291.0
10	Colorado Fuel & Iron Corp	(9)	B	1,705.0	2,836.5	2,836.5	66.3
11	Wheeling Steel Corp	(10)	C	1,960.0	2,400.0	2,400.0	22.4
12	McLouth Steel Corp [3]	(13)	F [3]	(4)	1,574.0	2,040.0	------
13	Ford Motor Co	(12)	D	967.4	1,898.6	1,898.6	96.2
14	Sharon Steel Co	(11)	D	636.0	1,989.0	1,861.0	192.6
15	Pittsburgh Steel Corp	(17)	B	1,072.0	1,416.0	1,560.0	45.5
16	Detroit Steel Corp. [5]	(15)	B	(4)	1,500.0	1,500.0	------
17	Granite City Steel Co	(18)	B	703.2	1,200.0	1,440.0	104.7
18	Crucible Steel Co. of America	(16)	D	1,507.7	1,424.5	1,431.2	−5.1
19	International Harvester Co	------	B	900.0	1,200.0	1,200.0	33.3
20	Acme Steel Co	(28)	H [2]	413.1	608.0	1,059.8	156.5
21	Lukens Steel Co	(24)	H	624.0	750.0	930.0	49.0
22	Allegheny Ludlum Steel Corp	(21)	H	460.4	864.2	864.2	87.8
23	Barium Steel Corp	(20)	D	567.4	846.8	846.8	40.9
24	Northwestern Steel & Wire Co	(22)	E	321.0	825.0	825.0	157.0
25	Alan Wood Steel Co	(23)	B	550.0	800.0	800.0	45.4
26	Lone Star Steel Co	(27)	B	§	660.0	800.0	------
27	Timken Roller Bearing Co	(25)	E	547.2	700.0	700.0	27.9
28	Copperweld Steel Co	(26)	E	321.4	660.0	660.0	105.3
29	Laclede Steel Co	------	G	326.0	600.0	600.0	81.0
30	Universal-Cyclops (Empire Reeves)	------	H	402.6	570.2	577.4	43.4
31	Keystone Steel & Wire Co	------	G	302.4	450.0	475.0	57.0
32	Continental Steel Corp	------	G	364.0	420.0	420.0	15.3
33	Atlantic Steel Co	------	H	154.0	400.0	400.0	159.7
34	Erie Forge & Steel Corp	------	H	129.0	234.0	284.0	120.1
35	H. K. Porter Co	(39)	E	94.6	208.6	234.6	148.0
36	Babcock & Wilcox Co	(35)	E	50.4	229.5	229.5	355.3
37	Jessop Steel Co. (including Green River)	(36)	E	50.0	218.9	218.9	337.8
38	Pacific States Steel Corp	(37)	G	88.8	216.0	216.0	143.2
39	Heppenstall Co	(38)	H	562.0	213.3	213.3	−62.1
40	Baldwin-Lima-Hamilton Corp	------	H	170.0	188.7	188.7	11.0
41	Carpenter Steel Co. [3]	(42)	E	263.2	170.6	171.5	−34.9
42	Mesta Machine Co	(41)	H	105.0	171.0	171.0	62.8
43	Oregon Steel Mills	(44)	E	60.0	150.0	150.0	150.0
44	Louis Berkman Co. [6] (Ohio River)	(45)	B	126.0	136.1	136.1	8.2
45	Texas Steel Co	(46)	E	22.3	132.4	132.4	493.7
46	Edgewater Steel Co	(47)	G	140.2	117.6	117.6	−16.4
47	Alco Products Co	(48)	H	181.0	104.5	108.6	−40.0
48	Isaacson Iron Works	(49)	E	104.4	102.0	102.0	−2.3
49	Harrisburg Steel Co. (Harsco)	(50)	G	100.8	100.8	100.8	0
50	Washburn Wire Co	(51)	G	60.0	93.0	93.0	55.0
51	A. M. Byers Co. [7]	(52)	E	150.0	90.0	90.0	−40.0
52	Merritt-Chapman & Scott Corp. [8]	(53)	F	(4)	90.0	90.0	93.2
53	R. G. Le Tourneau, Inc	(54)	E	(4)	90.0	90.0	------
54	Industrial Forge & Steel, Inc	------	G	50.0	84.0	84.0	68.0
55	Eastern Stainless Steel Corp	------	E	(4)	80.0	80.0	------
56	Judson Steel Corp	------	G	76.5	76.5	76.5	0
57	Southern Electric Steel Co	(58)	E	(4)	66.0	66.0	------
58	Borg-Warner Corp	(43)	E	24.0	164.0	64.0	166.6
59	Western Rolling Mills Division	------	E	(4)	----------	60.0	------
60	Cameron Iron Works, Inc	(59)	E	(4)	58.8	58.8	------
61	Northwest Steel Rolling Mills	(60)	E	32.4	53.0	53.0	63.5
62	Southwest Steel Rolling Mills	------	E	(4)	45.0	45.0	------
63	Mississippi Steel Corp	------	E	(4)	45.0	45.0	------
64	Florida Steel Corp	------	E	(4)	----------	43.0	------
65	Vanadium-Alloys Steel Co. [9]	(64)	E	18.9	42.0	42.0	122.2
66	Knoxville Iron Co	(65)	E	38.0	38.0	38.0	0
67	Joslyn Manufacturing and Supply Co	(66)	E	37.5	37.5	37.5	0
68	Kilby Steel Co	(67)	E	74.4	34.0	34.0	−54.3
69	A. Finkl & Sons, Inc	(68)	E	(4)	33.6	33.6	------
70	Wickwire Bros	(69)	E	38.0	32.2	32.4	½14.7
71	National Forge & Ordnance Co	------	E	25.0	25.0	25.0	0
72	Union Electric Steel Corp	(70)	E	25.2	25.0	25.0	−0.7
73	Roanoke Electric Steel Corp	(72)	E	(4)	25.0	25.0	------
74	Latrobe Steel Co	(73)	E	12.0	24.0	24.0	100.0
75	Simonds Saw & Steel Co	------	E	21.6	21.6	21.6	0
76	American Compressed Steel Corp	(74)	E	(4)	21.6	21.6	------
77	Braeburn Alloy Steel Corp	(76)	E	20.7	20.7	20.7	0
78	Firth Sterling, Inc	(77)	E	17.5	20.0	20.0	14.3
79	Cabot Shops, Inc	------	E	12.0	14.5	16.2	35.0
80	Pencoyd Steel & Forge Corp	------	E	(4)	----------	15.6	------
81	Newport News Shipbuilding	(78)	E	7.5	15.0	15.0	100.0
82	Columbia Tool Steel Co	(80)	E	6.6	6.6	6.6	0
	Total	------		95,505.3	140,742.6	147,633.6	54.4

Symbols — Types of furnaces operated by each company

A Blast furnace, open hearth, Bessemer, electric.
B Blast furnace, open hearth.
C Blast furnace, open hearth, Bessemer.
D Blast furnace, open hearth, electric.
E Electric only.
F Blast furnace and electric.
G Open hearth only.
H Open hearth and electric.

[1] Where changes in rank occurred this year, 1958 rank is shown in parenthesis.
[2] Oxygen converters in addition to other kinds.
[3] Carpenter Steel acquired control of Northeastern Steel in 1957, reducing latter's capacity to 84,000 tons in electric furnaces; latter as Stanley Works in 1945 had 188,300 tons capacity (included above in Carpenter, 1945).
[4] Companies not producing ingot steel in 1945.
[5] Detroit Steel not an ingot producer in 1945; its plant at Portsmouth, Ohio, with 1945 capacity of 616,000 tons was then included in Wheeling Steel Corp.
[6] Berkman plant in 1945 was part of Follansbee Steel.
[7] Byers in addition to steel, produces mainly wrought iron.
[8] Now Milton Steel Products only.
[9] Includes Colonial Steel.

NOTE.—The 1945 total above includes a practically negligible tonnage of capacity in companies no longer active as steel producers. Where companies have combined since 1945, combined capacity of constituent units is generally shown for 1945.

Changes in 1958: Armco now includes National Supply, whose capacity is included with Armco for all years above; Empire Steel acquired by Universal-Cyclops and combined capacity shown for all years; Industrial Forge was spun off from Barium Steel and capacities adjusted for all years in both.

New in 1959 list: Florida Steel; Pencoyd Steel & Forge; and Western Rolling Mills division of Yuba Consolidated Industries, Inc.

DANGERS OF INFLATION—WORK OF SENATOR KEFAUVER AND SUBCOMMITTEE ON ANTITRUST AND MONOPOLY

Mr. CARROLL. Mr. President, for almost 2 years the able and courageous senior Senator from Tennessee [Mr. KEFAUVER] has carried on a one-man campaign as chairman of the Antitrust and Monopoly Subcommittee of the Senate Committee on the Judiciary to inform and alert the Nation to the danger of inflation and the steady rise in the cost of living.

Not only freshman Members of Congress, but all of us, can profit by the splendid example set by the patient, intelligent, searching investigation conducted by the Senator from Tennessee in this complex economic field.

As a member of the Antimonopoly Subcommittee, I heartily endorse the comments of Milton Britten on this subject. Mr. Britten's keen understanding and penetrating analysis should be read by all of us.

As in the Dixon-Yates case, the determination and devotion of the Senator from Tennessee scores again in the public interest. The people of Tennessee must be proud of such an illustrious son.

Mr. President, I ask unanimous consent to have printed in the RECORD the very excellent article written by Milton Britten.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AS IN DIXON-YATES CASE, KEFAUVER BEGINS TO WIN FRIENDS ON STEEL ISSUE

(By Milton Britten)

WASHINGTON.—Senator ESTES KEFAUVER could write a good "How To —" book for freshmen Members of Congress on a subject that offers real challenge.

The subject: "How to get public support on an issue so murky and complex that it has no apparent popular appeal."

From personal experience KEFAUVER could include in this book a chapter on how, once you've got some public support, you can even get your opponents on your side.

He did it most notably in the Dixon-Yates case, a knotty, involved contract between the Government and a utilities combine to introduce private power into the TVA area.

Before he got through probing this contract the term "Dixon-Yates" was a Republican liability and the contract was repudiated by the very administration that made it.

He seems about to do it again. A Kefauver campaign that started 2 years ago as little more than a whisper will head toward a roaring climax here April 22.

That's when labor and management leaders of the steel industry will be among witnesses testifying before Kefauver's Antimonopoly Subcommittee on a pending bill that would require big industry to give prior notice of price increases.

But it's inevitable that KEFAUVER and his colleagues will grill steel's management-labor chiefs about what KEFAUVER, almost singlehandedly, built into a national issue—the inflationary dangers of a steel price boost.

MODEST START IN 1957

KEFAUVER got started on his campaign in July 1957, right after the steel companies announced a $6 a ton price boost. When he opened his "administered price" hearings, few except economists knew what administered prices were, let alone their impact on the economy.

There was plenty of elbowroom at the press table as administered prices were identified for the record as those established by the managers of big, concentrated industries, like steel, rather than by laws of supply and demand in the marketplace.

KEFAUVER called in the Nation's top economists, labor and management representatives of the steel and auto industries. He seldom got a big press out of the hearings. The vast majority of his Republican Senate colleagues greeted his inquiries with a hush. The ranking Republican committeeman, Senator EVERETT DIRKSEN of Illinois was consistently critical.

DAILY SPEECH IN SENATE

Last summer, with the threat of another steel price boost KEFAUVER really turned the heat on. From June 13 to July 1, rumored date of the price increase, he spoke daily in the Senate of the threat to the American consumer of a steel price boost. The price of everything from bobby pins to baby buggies would go up, he warned.

He wired and wrote the President three times, urging Ike to call a White House conference of labor-management leaders in steel and use his influence to hold the wage-price line in this key industry. Ike declined. But KEFAUVER was gaining support from a number of Democratic Senators for his fight. And the press began carrying more extensive reports on the problem.

The steel industry, ignoring Ike's plea for labor-management statemanship, soon thereafter increased prices $4.50 a ton. KEFAUVER, noting that this would cost direct buyers of steel $285 million and the ultimate consumers many times that amount, called new hearings.

GETS COLD SHOULDERS, BUT—

With the coming of the new Congress he proposed that the industry hold the price line. Labor, he proposed, should gear any wage increase demands to increases in productivity. Management ignored the suggestion, Dave MacDonald, the steelworkers' chief, told him to mind his own business.

KEFAUVER retorted this was the public's business. The press coverage was substantial. President Eisenhower in his last news conference warned the industry that its forthcoming negotiations must be handled "in such a way that the price is not compelled to go up."

Senator ALEXANDER WILEY, Republican, of Wisconsin, a member of KEFAUVER'S subcommittee, made a floor speech taking KEFAUVER'S tack that "if the consumer pays the increase, it is part of his business." His remarks were broadcast in a press release by the Republican Policy Committee, suggesting that KEFAUVER now is to get substantial support from the other side of the aisle.

The industry's 3-year contract with the steelworkers ends in June. The industry has credited past price boosts with increased wage demands, which the union disputes. The outcome of new negotiations is now of lively bipartisan concern.

KEFAUVER'S formula of lots of digging, patience and persistence, has focused wide public attention on administered prices in steel and the danger of an increase. It's likely that there'll be less elbowroom at the press tables April 22 than there was when ESTES first started his inquiry 2 years ago.

ADDRESS BY CHESTER BOWLES—WILL FOREIGN POLICY BE DECISIVE IN 1960?

Mr. McCARTHY. Mr. President——

The PRESIDING OFFICER (Mr. MUSKIE in the chair). The Senator from Minnesota.

Mr. McCARTHY. Last week the Minnesota Democratic-Farmer-Labor Party held its annual Jefferson-Jackson Day dinner. We were privileged to have as our principal speaker the distinguished Member of Congress from Connecticut, the Honorable CHESTER BOWLES.

Representative BOWLES, our former Ambassador to India, spoke of the great need for a creative foreign policy.

I ask unanimous consent that the address delivered by him be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

WILL FOREIGN POLICY BE DECISIVE IN 1960?

(Speech by Hon. CHESTER BOWLES, of Connecticut, at Jefferson-Jackson Day dinner, Minnesota Democratic-Farmer-Labor Party, Minneapolis, Minn., April 18, 1959)

Governor Freeman, Senator Humphrey, Senator McCarthy, my fellow Democrats of Minnesota, ladies and gentlemen: Every spring about this time we Democrats pause to pay homage to Jefferson and Jackson.

And where is our great liberal tradition more vigorously reflected in belief and action than on the home ground of the Democratic-Farmer-Labor Party of Minnesota?

Where else in the country today can you find such a rich mine of dedicated enthusiasm, intellectual vigor, political success, and solid meaningful accomplishment as your wonderful Democratic-Farmer-Labor Party has produced in Hubert Humphrey, Eugene McCarthy, and Orville Freeman?

Such an abundance of talents is rarely bestowed on a single political party in a single generation in a single American State. You Minnesotans are thrice blessed, and so is the country, because of you.

LOOKING TO 1960

Whatever happens and whoever wins in 1960, there are few qualified observers who would not agree on one thing: What this country needs most is not a good 5-cent cigar, nor even a good $10 golf lesson, but a new creativeness in the conduct of our affairs both at home and abroad.

I suppose from the earliest days of our political history successive generations have soberly described the coming national election as the most important ever held. This time, I am deeply convinced, we can say it and prove it.

Consider how our world has been turned upside down in the last 14 years.

In the background, casting a pall over all that we say and do, is the danger of a nuclear war. Technology presses relentlessly toward the development and dispersal of new weapons of terror, with the danger of miscalculation and accident increasing day by day.

To intensify the world's state of nerves, new brink-of-war crises erupt with each season of the year—Suez and Quemoy, Lebanon and now Berlin.

In the meantime, a billion and a half people in Asia, Africa, and Latin America are striving impatiently to create new societies or to reaffirm old ones.

Their task has been made all the more complex by new technical developments in agriculture, public health, engineering, and communications which have created new hopes and expectations in remote villages everywhere on earth, and created them far faster than they can be satisfied.

Thus the contrast continues to grow between the rich, prosperous Western nations and the world's three underdeveloped continents where 70 percent of mankind now live. The explosiveness of this contrast is underscored by the fact that the richer

West is largely white and the poorer Asians, Africans, and Latin Americans are largely colored.

Thrusting powerfully toward the center of the world stage is the Soviet Union with an economy that is now expanding nearly three times as fast as ours and with more than double our output of technical and professional men.

Certainly no generation of Americans ever faced a challenge of such sweep and magnitude.

Yet most of us are hardly aware of its dimensions, let alone of its implications. Indeed, the Eisenhower administration often acts as if the challenge itself would quietly go away if only we could learn to be more patient.

The result has been a massive negativism in foreign affairs which has positioned us in situation after situation as grim-faced supporters of the status quo. Thus the initiative today lies in the Kremlin.

CAN DEMOCRATS MEASURE UP?

What about us Democrats? Can we as a party lay honest claim to greater sense of direction? Do the American people understand what our position is?

As we Democrats look toward the election in 1960, we see much to bolster our political confidence. Many of us have been persuaded that continuing unemployment, low farm income, high interest rates, lack of administration concern for schools and housing, will in themselves assure the election of a Democratic President.

But in all honesty and with all personal respect, I must challenge the view of those who believe we can afford as a party to ignore the continued dangerous drift in world affairs.

If the present situation persists, I believe that there is an odds-on chance that the Democrats will again organize the Congress in January 1961. But I also believe that we may inaugurate another Republican President on the Capitol steps.

As I see it, the election in 1960 of another Democratic Congress and another Republican President would be disastrous. It would mean four and probably eight more years of divided government, and that is not the way our American Government is supposed to work.

I have the highest personal regard and admiration for the Democratic leaders of the present Congress who have conducted themselves so ably and responsibly under the most trying of circumstances. But we simply cannot afford, for another Presidential term, a continuation of our present hyphenated national responsibility with the inevitable political buck-passing which flows from it.

With even the most competent and patriotic leadership, a government so completely checked and so tightly balanced will continue to find it difficult if not impossible to provide the sharp, clear, and bold policies that are now required of us.

FOREIGN POLICY ISSUE

Let me explain why I believe our continued failure as a party to think through the fundamental questions involving America's relations with the world may cost us the White House in 1960.

Basically I think that the American people look on the election of a Congress and a President in quite different ways. When we cast our vote for a Senator or a Congressman it is usually the questions that most directly affect social security, wages, prices, employment, and profits which presumably carry the greatest weight.

When we choose a President to direct American policy in this troubled, difficult world, it is quite another matter.

Indeed, in four of the last five presidential elections, foreign policy has played a dominant role.

This role may not have been fully reflected in the campaign oratory. But deep in the subconscious and unspoken attitudes of the voters, I believe that it was the overriding issue of war and peace that largely determined their selection.

Let us look briefly at the record:

In 1940 F.D.R. faced the handicap of the anti-third term tradition. His opponent was far and away the most appealing candidate that the Republican Party had nominated since 1916. Had 1940 been a normal election year, there was an excellent chance that Roosevelt would have lost and Willkie would have won.

Instead, in the spring of 1940, the eyes of American voters were suddenly focused upon the Nazi conquest of France and the imminent threat to Britain. The need for continued, vigorous, experienced American leadership to preserve freedom in the world became obvious, and the voters acted accordingly.

The election of 1944 was again dominated by President Roosevelt's wartime leadership and his imaginative initiative for peace.

In 1948, such domestic issues as high prices, lack of housing and farm problems were the overriding issues in President Truman's sensational reelection bid.

But few would deny, least of all Mr. Truman, himself, that his election received an important assist from his remarkable foreign policy achievements: the Truman doctrine, the Marshall Plan, and the formulation of NATO.

In 1952, an appealing Republican newcomer to the political scene was in a position to capitalize on his experience in a wide variety of foreign assignments. The Eisenhower foreign policy image proved to be an effective one, especially when bolstered by spurious public relations appeals such as "I shall go to Korea" and "the Democrats get us into wars; the Republicans get us out of them."

In 1956, President Eisenhower was presented as the patient negotiator at the Geneva summit meeting, the sturdy wartime leader whose energies were now devoted to peace. This image appeared so formidable that many Democrats more or less surrendered the foreign policy arguments to the Republicans without challenge.

PEOPLE DOUBLY WORRIED NOW

Today, the dangers of the cold war impasse are even more in people's minds than they were then. Thus I believe that a decisive number of American voters in 1960 will again support the candidate who, according to their informed or intuitive judgment, best understands what must be done to prevent a nuclear catastrophe.

I am convinced, therefore, that unless the Democratic Party not only picks the right candidate but affirmatively identifies itself with a more positive and creative approach to world problems, we will fail once again to elect a President.

In spite of the outspoken and imaginative foreign policy proposals of such individuals as Bill Fulbright, Adlai Stevenson, Hubert Humphrey, Jack Kennedy, Mike Mansfield, Stuart Symington, and a few others, I sense a deep public uneasiness over the absence of an identifiable, predictable, realistic Democratic Party approach to the major issues of foreign affairs.

If I am correct, and if we cannot reverse the situation, this uneasiness may decisively undercut the efforts of our Presidential candidate no matter how personally qualified on foreign affairs he himself may be.

Of course I will be reminded by many of my Democratic colleagues that only the executive branch of our Government can create and conduct foreign policy. That is true.

Yet rightly or wrongly, the voters are going to expect from us in the opposition party much clearer signals in the foreign policy field than we are now giving them.

FOREIGN POLICY IS COMPLEX

Why is it that over the last 6 years we Democrats have made disturbingly little progress in developing a constructive and reasonably cohesive party position in foreign affairs?

I believe that there are a variety of reasons. Let me suggest a few:

1. Many of our party managers remain convinced that most people are not interested in anything but the bread and butter issues of their daily lives.

They may be right when they say that this explains the election of Democratic Congresses in the last three congressional elections. But Presidential ballots are almost certain to be marked on broader grounds.

2. There is the natural fear of dividing our party ranks on intricate foreign policy questions. We all know that there are differences of opinion inside the Democratic Party and that recognition of these differences tends to neutralize our internal foreign policy discussions.

3. There are practical difficulties in responsibly fulfilling the role of a loyal opposition on foreign policy matters without undermining an administration which must make the final decisions.

Thus, when no particular crisis has been at hand, most Democrats have been inclined to take the line of least resistance and leave foreign policy questions to the administration, the editorial writers, and the TV and radio commentators.

4. Many Democratic Party spokesmen, inside and outside public office, have become deeply aware of the complexity of foreign policy, and this inclines them to shy away from it.

Thus, when the Quemoy crisis hit the headlines, many Democratic Congressmen felt instinctively that the administration's position was at best weak and at worst dangerously wrong.

When they said so, they were castigated as appeasers ready to run away from Communists under fire. When they switched uncertainly to support the administration's policy, they were challenged with equal vigor by others who demanded: "Then this means that you are ready to invite a nuclear war over two rocky islands off the China coast that no one has ever heard of?"

This persuaded many Democrats that the safest issues were the homespun ones such as highways, housing, and social security. Here, at least, they felt themselves to be on safe and familiar political ground.

5. Recently, the very stagnation of our economy has impelled many Democrats in Washington to wonder if we may not have to sacrifice doing the right things abroad because the administration will not let us do the right things at home.

CONGRESSIONAL DEMOCRATS FRUSTRATED

Threatened Presidential vetoes of the very legislation on which many of us were elected last fall—extended unemployment benefits, school and hospital construction, area redevelopment, urban renewal, higher farm income, small business legislation, and all the rest—leads to congressional frustration and uncertainty.

Thus many Democrats in Congress are tempted to take out on the foreign-aid program their pent-up disappointments over domestic legislation. The result is an unbecoming flirtation with isolationism which is beginning to affect some of the ablest and most respected leaders in our party.

Last month the Democratic-controlled House Appropriations Committee voted to kill essential economic development abroad. Right now many observers believe we will be

lucky to get a clear Democratic majority in Congress for an adequate mutual security bill.

Our frustrations are both human and understandable. But their political implications, I submit, are serious.

We are faced with the belief of many Democrats that the easiest course is to leave the perplexing problems of foreign policy to the Republicans until we are back in power. If we as a party pursue this inclination much further, it may keep us from returning to power.

Our predicament becomes even clearer when we realize that the two most likely Republican Presidential candidates have already established themselves as men of considerable interest and vision in foreign policy. Both, obviously, recognize its political importance and intend to make it the primary basis for their appeal in 1960.

In July Mr. NIXON will be off to Moscow. Will Mr. Rockefeller be far behind?

Thus, the election of a Democratic President in 1960 may hinge on our ability between now and our convention in July 1960 to create a more positive and persuasive image of our party's approach to foreign policy. As we move to meet this challenge, we have two major advantages.

TWO DEMOCRATIC ADVANTAGES

First, on the great world issues of the day, I believe that 80 percent of our party, nearly 100 percent of the independent floating vote, and even a substantial percentage of Republicans are now ready to respond to imaginative foreign policy leadership.

Second, in the creation of foreign policy, the Democratic Party has the unique advantage of an incomparable liberal heritage which is readily understandable throughout the world.

The impact which the Democratic Party stamped on the history of the last century and a half has grown from its role as a party of the people.

In our years of greatness we have been true to that image, and the people of America and the people of the world have responded.

Jefferson never forgot that his own strength, and the only possible foundation for his country's lasting strength, lay with and among the people.

He knew that for a time the people might be fooled and misled. He knew that political lapses and detours were inevitable. But he had supreme faith in the ability of people to affect their own destiny.

His election in 1800 meant that democracy was henceforth to be the basis of American life. His opponents failed to understand this at the time, and that was the chief measure of difference between them and him.

Jefferson clearly recognized this difference. "Men are naturally divided into two parties," he said. "One, those who fear and distrust the people, and wish to draw all powers from them into the hands of the higher classes. Two, those who identify themselves with the people, have confidence in them, cherish and consider them as the most honest and safe depositary of the public interest."

It was the Democratic Party, concluded Jefferson, that was to stand for equal rights for all and special privileges for none.

Consider the burning concern for the interests of the people contained in Jackson's veto message on the U.S. bank bill:

"When laws make the rich richer * * * the humbler members of society—the farmers, mechanics, and laborers who have neither the time nor the means of securing like favors to themselves—have the right to complain of the injustice of their Government."

Jacksonian Democracy made certain that the "humbler members of society" would always find their home in the Democratic Party as long as that party remained true to its traditions.

For generations, these homely but powerful sentiments have remained the chief measure of difference between America's two great parties. And today that difference has become of supreme importance in the relative ability of the two parties to formulate and conduct American foreign policy.

"All eyes are opening to the rights of man," Jefferson asserted 2 weeks before his death. "The light of science has already laid open to every view the palpable truth that the mass of mankind have not been born with saddles on their backs, nor a favored few booted and spurred, ready to ride them."

"The American Revolution," he added, "was intended for all mankind."

Much of the world is now swept up in this revolution. The Burmese delegate to the U.N. put the Jeffersonian proposition quite precisely in a speech in New York earlier this month.

"The West likes to think and speak of the Atlantic community as the heart of the free world," he said, "but to most of the earth's population it seems less the free world than just the rich world. What is more disturbing from the point of view of the West is that all the current trends show it becoming a smaller and smaller minority getting relatively richer and richer.

"The prosperous Atlantic countries today are in a position resembling that of the aristocrats of Europe at the close of the 18th century," the Burmese delegate continued. "They had served a useful purpose, but new and powerful classes were swelling up below them.

"Some aristocrats, like the French, met the challenge head on, and perished. Some, like the British, found they had much in common with their rivals and so survived, first as leaders and later as equal partners."

WHERE WE NOW STAND

Now let us look at the world in this perspective.

At this midpoint in the 20th century, America, the oldest practicing democracy in the world, has become an aristocrat among nations. Our enormous comparative wealth has increasingly separated us from mankind and now threatens to blind us to the hopes and objectives of more than half the human race.

Can we reasonably expect a Republican administration—even if it were led by a genuine liberal such as Nelson Rockefeller—to reverse this situation?

Republican politicians have never really understood the aspirations, fears, and frustrations of the people of Detroit, Pittsburgh, or Minneapolis. How, then, can they be expected to understand those of the people who live in New Delhi, Tokyo, or Accra?

How can Republican planners, satisfied with our present slow-paced progress, appreciate the explosive impatience of Asian, African, and Latin American leaders attempting to ride a revolutionary wave?

How can a Republican administration, which seeks to hamstring TVA and which cannot find room in its budget for adequate unemployment compensation, schools, housing, and city planning, come to grips with the urgent development problems of the underdeveloped world?

How can the ideological descendants of those who denounced Jefferson and Jackson as radicals in their lifetimes, reach out with sympathy and understanding to the new leaders of Asia, Africa, and Latin America who know that the enduring liberal principles of Jefferson and Jackson are now the only alternatives to communism?

It is this total lack of orientation, this failure to understand that people and ideas are the primary forces that shape history, which explains the administration's blind negativism in East Asia, its lack of understanding of the importance of South Asia, its utter failure in the Middle East, its confusion in Africa and Latin America, and its wavering course of action in Europe.

The Republican Party as it now exists is an unlikely instrument for the task of forging the worldwide democratic counterrevolution which is so urgently needed.

What then about us Democrats?

What approach can we support as a party that will enable America to move out of its present defensive and negative rut?

Expressed in political terms, how can we give the voters a sense of confidence and trust in our capacity to lead America and the world responsibly and imaginatively toward peace?

Clearly our role is not simply one of opposition. We must not be drawn into reckless criticism.

But neither should we continue to be pressured or wooed into an ineffective me-too-ism.

As Senator FULBRIGHT recently said: "Bipartisanship, in theory an instrument of national unity, has in practice often been used as a gag on legitimate discussion. * * *

"Time and time again," he continued, "we have found ourselves in situations where the administration, after carefully consulting itself, has announced a policy. Whereupon the cry goes out that right or wrong it cannot be debated, since this would show the world that we are divided."

In 1950 Senator Vandenberg himself said: "Every foreign policy question must be totally debated * * * and the loyal opposition has a special obligation to see that this occurs."

When the administration is wrong, we Democrats should say so, and offer sober, realistic alternatives. When the administration is right, we should offer our support generously and wholeheartedly.

RESPECT FOR PEOPLE

Our built-in advantage as Democrats lies, as we have seen, in our greater understanding of and respect for people as individuals, wherever they may be, and regardless of their race, their creed, or their color.

Our liberal heritage gives us not only the necessary framework but provides us with a sense of direction. It also gives us an effective yardstick with which to measure day-to-day policies against long-term global objectives.

Those objectives must be clearly, unequivocally and persuasively stated and restated: A world at peace, with increasing national self-determination, economic growth, and social dignity for all men everywhere.

Every thoughtful man knows that the present peace by terror cannot last indefinitely. If there is to be a real peace, we must find the means to break loose from the sterile and infinitely dangerous impasse into which the cold war has forced us.

Unhappily, however, the cold war will not disappear for the asking. It was created by Soviet pressures for world domination. It can be eased only as these pressures are eased and diverted.

What kinds of policies from us are most likely to help accomplish this result?

WHAT WE CAN DO

As long as the Soviet Union refuses to negotiate a disarmament agreement with meaningful safeguards, a powerful American military apparatus is essential. Indeed, it may be necessary further to bolster our defenses if we are to convince the Soviet Union that it cannot win the arms race.

But we must recognize military power for what it is: An essential barrier to direct Communist aggression. For the long haul the most important question is what we do or fail to do behind that barrier.

In order to achieve its objective of world dominance, the Kremlin must first split the 600 million skilled, highly industrialized part of the West. This means separating America from Europe.

The most direct approach to this objective is a frontal threat to European security, relying in the last analysis on Soviet military might. We now see this tactic at work again in the Berlin crisis.

But there is a second Soviet tactic which the administration has failed adequately to take into account.

Lenin once said that the road to Paris lies through Peiping and Calcutta. He believed that if communism could secure control of even an important fraction of the Asian and African raw materials on which heavily industrialized Europe depends, America could be isolated and eventually brought to terms.

Khrushchev is now pursuing both of these tactics simultaneously with great skill and determination and with a steadily increasing supply of capital and technicians for export to the underdeveloped continents.

In dealing with this challenge, our historic Democratic Party dedication to human dignity—our concern for man—can provide us with a useful guide to action.

It will warn us, for instance, against trading the status quo in Berlin for the status quo in Poland, Hungary, and Czechoslovakia. If such a deal is presented to us in the coming months as an "American diplomatic victory," let us recognize it for what it is—no more or no less than an expedient, naked sellout of the 120 million people of Eastern Europe.

It will lead us to insist on more sensitive and better trained representatives in our far-flung foreign operation—representatives who will spend more time in the villages and less on the diplomatic cocktail circuit.

It will cause us to press for information programs that reflect the true America, with both its strength and imperfections which we are struggling to correct—instead of the synthetic, unreal, perfectionized image we have so often arrogantly presented to the world.

It will lead us to suggest an expanded and improved economic aid program; not to buy allies or even solely to stop communism, but because we believe in man's right to live and prosper under governments of his own choosing; that is all men, not simply Europeans and Americans.

It will enable us to see the critical importance of an adequate military defense to protect our freedom and to insist that we get that defense. But it will never allow us to forget that our enduring objective is to help create societies worthy of freedom.

It will encourage us to persevere in any negotiations with the Soviet Union at any level that offers the slightest hope for a relaxation of the arms race, but to insist hardheadedly on effective inspection safeguards.

It will lead us to place a higher value on person-to-person contacts in all parts of the world, because we know that individual Americans are best able to explain to others what America is all about and thereby to give the lie to Communist propaganda.

It will make us forego arrogant, patronizing talk of America as a self-appointed leader of the free world, because we know that in a truly free world leadership cannot be imposed or bought, and that our efforts to assume it create resentment.

It will encourage us to look on our agricultural plenty as one of America's greatest assets, and to propose imaginative new techniques that will enable us to distribute a major part of it each year to an undernourished world, not to purchase subservience, but in the interests of peace and brotherhood.

It will serve to remind us that we, ourselves, were born in revolution and that those who now seek to discard colonial rule, ready or unready for self-government as they may be, are walking in our footsteps.

It will underscore the fact that in our strivings for national security, democratic America seeks not satellites but partners.

HOPE FOR PEACE

I deeply believe that out of such convictions and actions, rooted as they are in an understanding and respect for our fellowmen, a revitalized Democratic Party can create a new basis for America's relations with mankind.

I believe that we can bring America into direct, creative communication with the great movements which are sweeping Asia, Africa, and Latin America; movements that are impatient of the past, eager for the future, opposed to any ideology which denies the dignity of man; yet confused, frustrated, and looking for political shortcuts.

Many Democratic leaders are already speaking out as Jefferson and Jackson would have us do, and none more earnestly, more thoughtfully, or more persuasively than your own HUBERT HUMPHREY.

But others hold back, wondering about our proper tactics, uncertain of our real objectives and hopeful that administration errors and valid domestic political appeals will suffice to pull our party through.

I emphasize that these other appeals are valid. In nothing I have said do I mean to imply that the broad domestic issues with which our party is identified should in any way be subordinated or neglected.

I am merely insisting that alone they are not enough, and that to rely on them exclusively for a Democratic White House victory in 1960, is wishful thinking.

May I add that it is also profoundly unworthy of the party of Jefferson and Jackson.

America's progress from decade to decade has never been reflected by a steadily rising curve. Rather it has come in a series of bold forward surges interspersed by periods of apathy, inaction, and breath catching.

Invariably when the time has come to move forward again, it has been Democratic Party leaders from Jefferson to Truman who have caught the vision, set the goals, blown the bugles, and led the charge.

In the 1930's the Democratic Party, under Franklin Roosevelt, carried America to a new peak of greatness. In dealing with the threat to postwar Europe, we responded again.

Since 1953 a Republican administration at a great crisis point in history has been content to protect past gains and to preserve wherever it can a status quo which most of mankind no longer considers adequate.

Now we Democrats face our historically familiar responsibility: To reassess America's objectives in the framework of a new challenge, and to refocus our liberal traditions on a world that offers infinitely greater possibilities than anything our fathers knew.

Jefferson believed that the American Revolution was intended for all mankind. Let us hope that in January 1961 a Democratic President and a Democratic Congress will have earned the opportunity to prove that he was right.

REPLY TO ATTACKS ON MICHIGAN

Mr. McNAMARA. Mr. President, my distinguished colleague, the junior Senator from Michigan [Mr. HART], recently addressed the Women's National Democratic Club. The subject of his address was the falsity of the attack that has been waged against the State of Michigan.

This speech summarized the myths that have arisen about the present economic and political climate in Michigan, and presented a systematic, documented reply to each of these distorted charges. I ask unanimous consent that my colleague's remarks be printed in the RECORD.

NOTES FROM REMARKS BY SENATOR PHILIP A. HART, OF MICHIGAN, AT MICHIGAN-WISCONSIN LUNCHEON, WOMEN'S NATIONAL DEMOCRATIC CLUB, WASHINGTON, D.C., APRIL 16, 1959

The following are some of the myths and facts about political exchanges in the State of Michigan that have attracted nationwide attention.

Senator PHILIP A. HART said in presenting this summation: "Let no one mistake this for another chapter in an old debate about who hit what.

"The truth is that all of the people of Michigan hope that this book is now ended. My comments today have the sole purpose of pointing up what efforts designed to achieve short-term political advantage can do to the long-term political interests of a State.

"Here are some myths about Michigan that have been made prominent, and some independent evaluation of the facts:

"The myth (from the U.S. News & World Report article 'A Welfare State Runs Into Trouble,' Feb. 13, 1959): 'All these problems have combined to add to the State's financial worries. New business enterprises are slow to come to Michigan.'

"The fact (Ann Arbor News, Mar. 5, 1959): 'Consumers Power Co. said it will spend $117,800,000 this year as part of a $575 million gas and electric service expansion program over the next 5 years.

" 'Other expansion projects of Ford Motor Co. and Michigan Consolidated Gas Co. call for the expenditure of $69 million this year. Also announced was an expansion program in the Muskegon area by Brunswick-Balke-Collender which will add 600 workers.

" 'Ford is going to spend $35 million improving its steel manufacturing plant in Dearborn. The program is expected to extend into 1962.'

"The myth (U.S. News & World Report, February 13, 1959): One reason frequently cited by some businessmen for this decline in jobs is that the State has an unfavorable climate for attracting and holding private business and industry. All through the State government, businessmen say, they run into an attitude of hostility."

"The fact (Detroit Times, March 23, 1959): If Michigan has lost its dynamic aggressiveness—if Michigan's economic glories are all of the past and none lie ahead, someone should tell the big three of the automobile world which has invested in excess of $3½ billion in Michigan facilities since 1950."

"The myth (from the Republican National Committee publication Battleline, an article entitled 'The Welfare State Hits Bottom,' March 4, 1959, picks up much of the same material used in the U.S. News & World Report article): 'With the the political backing and guidance of Walter Reuther, Williams has jumped the State's overall annual spending from about $500 million to over $1 billion. And budget balancing has been scrapped in favor of more and more deficit spending.

" 'The result of these disastrous economic policies, which some Democrats would adopt for the Federal Government, has been fiscal catastrophe. Michigan, one of the

wealthiest of States, has a State government which is stone cold broke.'

"The fact: Commenting on this charge which first appeared in the U.S. News & World Report article, the Detroit Times, March 22, 1959, said:

" 'Then look a few pages farther back in the same issue of the same publication.

" 'Without reference to Michigan it discloses that State spending—for all States—now totals more than five times as much as it did in 1946.

" 'And it says: "Put your finger anywhere on a map of the United States, and odds are that you'll find a State in serious financial difficulty'."

"The myth (Senator DIRKSEN, April 8, 1959, CONGRESSIONAL RECORD): "I am advised, Mr. President, that the favorite beverage nowadays in some of the better emporiums in Michigan is a delightful little concoction known as Michigan on the rocks."

"The fact: The most recent comparative figures for State spending and debt have just been released by the U.S. Department of Commerce. This report shows that Mr. DIRKSEN's State ranks 13th highest in the Nation and that Michigan follows behind after 10 other States (24th). It shows further that Illinois, like nearly half the other States, is considerably above the national average with a net long-term per capita debt of $277.09, while Michigan's per capita average is only $220.24. The national average for the States is $274.45.

"The myth (Chicago Tribune, February 25, 1959): "He (Williams) wants a personal income tax, a corporation tax, a tax on financial institutions and an increase in the State's constitutional debt limit."

"The fact: Robert P. Briggs, executive vice president of the Michigan Consumers Power Co. (Jackson, Mich., Citizen-Patriot, April 4, 1959) had this to say about the present tax system:

" 'He said that * * * he was shocked at how regressive the present tax structure is.

" 'Persons with income between $2,000 and $3,000 pay 12 cents State and local tax on the dollar * * * while those in the $7,000 to $12,000 bracket pay 6 cents on the dollar.

" 'A sales tax would only magnify this problem.'

"The myth: Secretary of the Interior, Fred Seaton, at Gettysburg, Pa., on April 3, 1959, said:

" 'What has really happened in Michigan is that for to long the present was allowed to cannibalize the future.'

"The fact (Detroit Times, March 23, 1959): 'Michigan's population is growing faster than any other State's except California and Florida * * * Michigan contributes more of its tax revenues to higher education than any other State in the Union, a point that must appeal to new settlers in the State.'

"The myth: Senator BARRY GOLDWATER in a Lincoln Day speech at Saginaw, Mich., on February 9, 1959, said:

" 'What is wrong with this State is not economic, it is political. * * *

" 'It is because the Democrat Party in your State is a shell—merely a label—taken over by a special interest. That special interest is the United Automobile Workers. And I am not referring to the rank-and-file union members. I am referirng to a few politically ambitious union leaders, men with a Socialist background. * * *

" 'His is the hidden hand behind the policies in the State of Michigan which have brought this great industrial State to its knees, on the verge of bankruptcy.

" 'The stranglehold of the labor politicians on the State of Michigan is a well-known fact to businessmen across the country.'

"The fact ('The Commentator,' an article by W. K. Kelsey in the Detroit News, February 11, 1959): 'Everybody familiar with the history of Michigan during the past decade knows that the hidden hand of Mr. Reuther and the stranglehold of the labor politicians have not controlled six Republican legislatures, which with the connivance of stupid voters, have brought Michigan to its present condition of silly impotence.

" 'Williams was first elected Governor in 1948. At the same time the people chose a legislature whose senate consisted of 9 Democrats and 23 Republicans, and whose house stood 39 Democrats to 61 Republicans.

" 'The tale was repeated in 1950, except that the Democratic Governor had the backing of only 7 Democrats in the senate and 34 in the house. Again in 1952 the Democrats had little to say; they gained one senator but no representatives.

" 'Is anyone silly enough to believe that in those 6 years, when both houses were firmly held by the Republicans, Governor Williams and Walter Reuther had their way with the legislature? If they did, theirs was one of the most remarkable conjuring tricks in all history.'

"The myth (Battle Line, Republican National Committee, March 4, 1959, 'The Welfare State Hits Bottom'): 'Any American confused over who is right—the President or his free-spending critics—can resolve the issue by studying Michigan which has been run the past 10 years by Gov. G. Mennen Williams as a sort of model ADA–UAW State.'

"The fact: Commenting on the fact that the No. 1 indictment of Michigan is that it is a welfare state, the Detroit Times, March 22, 1959, assembled these interesting facts of what is being spent by State and local governments in various States for institutional and noninstitutional aid for the needy:

" 'Welfare costs each Michigan citizen $16.30.

" 'It costs each Ohio citizen $17.71.

" 'In Arkansas—where some businessmen dream of finding respite from the welfare state, it was $19.17. * * *

" 'In California—where they are so shocked over Michigan's plight—the welfare costs for each citizen is $29.19.

" 'And in Oklahoma it is $47.73.'

"The myth: Again, in the Saginaw Lincoln Day speech by Senator BARRY GOLDWATER, February 9, 1959:

" 'We have seen that the Michigan predicament is very real and that there is a widespread conviction in the rest of the country that Michigan is no longer a good place in which to expand or to enter with a new manufacturing business.'

"The fact: The U.S. Department of Commerce, September 1958, in a brochure entitled 'Area Development Bulletin' measures variations in industrial growth by States on the basis of value added by manufacture, 1947–56.

"The average value added in all States was 88 percent.

"Value added in Michigan was 106 percent. Only one other northern industrial State was higher than Michigan, and that was Ohio, with 108 percent.

"The myth (Fred A. Seaton, Secretary of Interior, Gettysburg, April 3, 1959): 'In Michigan, a political force under a professedly liberal banner has for a decade avoided the hard realities of the management of the State's finances and relied heavily on deficit financing. As a result, the Governor of Michigan is presently known far and wide as a dealer in deficits.'

"The fact: 33 days after assuming office, the Governor of Michigan sent to the Republican-controlled legislature on February 2, 1949, a tax message calling for tax levies to close the gap between expenditures and revenues.

"It is a fact that over the period of Governor Williams' incumbency, the Republican legislature has appropriated 99 percent of the requested expenditures by the Governor, but it has failed to heed his continuing call to close the revenue gap in tax messages of March 15, 1950; March 9, 1951; January 10, 1952; February 10, 1953; January 27, 1955; February 7, 1956; February 22, 1957; and January 21, 1958."

Mr. McNAMARA. Mr. President, one of the most repeated charges that has been leveled at Michigan in recent months is that the present State administration, allegedly under the sinister hand of some labor leaders, has turned Michigan into a so-called welfare state. It may well be that there are such States in this Nation. I would assume that one could classify such States on the basis of what they spend for government.

I now ask unanimous consent that the table to which I now refer be inserted at the conclusion of my remarks. It is a table prepared by the Congressional Quarterly, from figures gathered by the Census Bureau, and was printed in the April 19, 1959, issue of the Washington Post and Times Herald. The table sets forth what the several States and the District of Columbia spend, per capita, for government.

I hope that all of my colleagues will read this table with the same interest as I did. A careful reading might serve, at least, to give some pause to those who have attacked Michigan as a welfare state.

They might note, as I did, that Michigan stands 15th among the States in per capita governmental expenditure. They might note that Arizona stands 12th, for instance, and I am sure that no electer representative of the people of Arizona would care to have his State characterized as a welfare state. The same holds true for the elected officials of the other 13 States which stand ahead of Michigan in per capita governmental expenditure.

If the per capita State expenditure for all government is not conclusive evidence as to what kind of government is now enjoyed in Michigan, let me cite the rank of Michigan in per capita expenditure for public welfare. This figure, perhaps better than any other, should indicate which States can be classified as welfare states.

The table indicates that Michigan stands 34th in the Nation. Again, I am sure that the Representatives of Arizona, which stands 23d, would not want to be classified as Representatives of a welfare state, nor would the Representatives of the 32 other States which outrank Michigan.

Mr. President, it is time that these truths about Michigan replaced the lies and slanders that irresponsible persons have cast against my State.

One newspaper that has done a remarkable job in setting forth the truth is the Detroit Times, which recently published a series of articles entitled "The Real Truth About Michigan."

I commend these articles to all of my colleagues who have found themselves wittingly or unwittingly repeating these falsehoods. All the articles can be found in recent issues of the CONGRESSIONAL RECORD.

The Detroit Times, however, has continued its public service to the people of Michigan by summarizing the articles in a full-page advertisement.

This advertisement appeared in Monday's New York Times, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the table and articles presented by Senator MCNAMARA were ordered to be printed in the RECORD, as follows:

What the States spend per capita

State	Per capita amounts [1]							State rank according to per capita amount of—						
	All general expenditure	Expenditure for selected functions						All general expenditure	Expenditure for selected functions					
		Education, total [2]	State institutions of higher education	Local schools	Highways	Public welfare	Health and hospitals		Education, total [2]	State institutions of higher education	Local schools	Highways	Public welfare	Health and hospitals
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
Continental United States	$237.35	$83.00	$11.50	$69.60	$45.79	$19.94	$18.80	(3)	(3)	(3)	(3)	(3)	(3)	(3)
Median State	236.81	80.87	12.08	66.12	50.00	17.71	16.03	(3)	(3)	(3)	(3)	(3)	(3)	(3)
Alabama	178.06	56.32	9.12	45.07	43.48	23.04	11.01	42	45	34	46	33	8	44
Arizona	272.98	114.39	22.27	88.42	50.33	17.81	12.00	12	3	7	3	24	23	41
Arkansas	147.56	52.32	10.73	39.78	34.19	19.17	10.34	49	47	26	49	42	18	46
California	321.20	119.39	19.16	98.22	46.48	29.19	24.02	4	2	12	1	29	7	7
Colorado	281.07	102.42	24.22	75.88	53.82	44.51	16.95	9	9	2	13	20	3	22
Connecticut	324.63	94.39	8.22	82.21	106.69	17.51	22.99	3	14	40	6	1	27	10
Delaware	243.42	97.20	14.47	75.74	52.52	12.94	17.35	21	12	22	14	22	43	19
District of Columbia	225.82	47.34	(3)	47.34	19.31	14.21	35.75	31	49	(3)	45	49	41	1
Florida	235.95	71.02	9.81	58.56	48.73	16.69	19.44	27	33	30	35	26	32	13
Georgia	185.86	68.23	7.62	58.15	31.44	20.62	19.27	41	36	43	36	46	16	15
Idaho	233.27	81.62	13.69	65.93	59.88	17.17	16.03	28	24	23	26	13	29	25
Illinois	227.73	78.01	9.51	67.51	43.88	16.32	17.75	30	30	33	21	31	33	17
Indiana	206.75	89.58	22.28	66.12	37.26	11.91	16.37	35	17	5	25	39	46	23
Iowa	236.05	91.94	18.16	71.60	65.41	21.09	14.09	26	15	15	18	11	13	34
Kansas	272.79	91.51	17.14	72.94	82.40	22.32	17.21	13	16	18	16	4	9	20
Kentucky	154.18	55.55	7.88	42.09	34.12	16.97	9.93	47	46	42	47	43	31	47
Louisiana	276.55	86.49	14.70	67.15	50.00	45.82	16.26	11	20	21	22	25	2	24
Maine	209.66	64.07	8.55	52.76	57.85	19.10	13.33	33	41	36	41	15	19	37
Maryland	240.35	78.08	9.55	67.11	55.40	9.52	20.12	24	29	32	23	17	48	12
Massachusetts	292.39	70.41	3.24	65.37	61.46	31.13	30.57	6	35	48	27	12	4	4
Michigan	262.81	105.71	24.73	79.45	47.34	16.30	24.12	15	5	1	11	28	34	6
Minnesota	256.70	100.63	18.75	80.63	53.45	21.34	23.45	17	11	14	9	21	12	8
Mississippi	151.84	51.31	8.25	40.07	38.85	17.69	10.61	48	48	39	48	36	26	45
Missouri	196.78	65.82	6.32	58.58	38.23	30.00	14.26	38	39	44	34	38	6	31
Montana	281.73	101.34	20.13	79.01	79.02	20.81	13.07	8	10	8	12	5	15	38
Nebraska	202.39	78.24	15.07	60.79	51.20	13.50	14.13	37	28	20	33	23	42	33
Nevada	367.71	95.13	18.15	74.97	89.14	15.26	31.07	1	13	16	15	3	38	3
New Hampshire	242.87	72.32	12.39	56.45	73.57	16.28	23.42	22	32	24	38	9	36	9
New Jersey	236.81	78.82	6.17	71.68	38.71	10.15	18.91	25	27	45	17	37	47	16
New Mexico	278.37	109.46	23.52	82.15	66.65	20.25	17.18	10	4	3	7	10	17	21
New York	296.05	88.85	3.51	83.90	38.97	22.04	32.30	5	18	47	5	35	10	2
North Carolina	161.79	65.35	9.68	54.27	33.85	12.00	12.73	44	40	31	40	44	45	39
North Dakota	258.67	82.13	18.82	61.44	73.77	16.27	13.58	16	23	13	32	8	37	36
Ohio	222.91	80.87	8.87	71.13	45.76	17.71	14.92	32	25	35	19	30	24	28
Oklahoma	248.57	88.49	19.83	67.08	54.00	46.37	11.69	19	19	9	24	19	1	42
Oregon	271.69	105.36	19.27	83.91	58.00	18.76	15.94	14	6	11	4	14	20	26
Pennsylvania	196.48	70.74	4.62	62.79	32.55	14.22	14.89	39	34	46	31	45	40	29
Rhode Island	209.16	60.92	7.89	49.75	36.42	21.74	17.65	34	43	41	43	40	11	18
South Carolina	154.82	67.16	8.31	57.22	25.33	12.61	14.16	45	38	38	37	48	44	32
South Dakota	244.69	85.38	18.00	65.33	78.84	16.30	8.06	20	22	17	28	6	35	49
Tennessee	163.70	58.90	8.37	48.98	35.29	14.72	14.60	43	44	37	44	41	39	30
Texas	203.81	80.51	10.53	69.11	43.86	17.05	11.36	36	26	28	20	32	30	43
Utah	232.40	105.05	22.51	79.94	41.17	18.45	12.62	29	7	4	10	34	22	40
Vermont	249.22	85.45	17.01	64.21	74.66	21.04	15.39	18	21	19	30	7	14	27
Virginia	187.22	67.96	10.40	55.39	47.73	6.77	13.82	40	37	29	39	27	49	35
Washington	286.20	102.90	19.33	81.97	57.25	30.36	22.57	7	8	10	8	16	5	11
West Virginia	154.81	63.27	10.61	51.24	30.11	17.71	9.18	46	42	27	42	47	25	48
Wisconsin	242.83	78.00	11.77	64.27	54.07	18.49	19.39	23	31	25	29	18	21	14
Wyoming	328.49	119.87	22.28	94.41	92.80	17.33	24.98	2	1	6	2	2	28	5

[1] Computation based on estimated population as of July 1, 1957.
[2] Including amounts for "Other education," not shown separately.
[3] Not applicable.

In our awesome contemplation of the $77 billion Federal budget, we are likely to overlook the fact that State and local governments now cost more than $50 billion a year. The above chart showing State spending on a per capita basis was prepared by Congressional Quarterly from Census Bureau figures for the fiscal year 1957, ending June 30, 1957, the latest full-year figures available. It shows, for instance, that Nevada spent the most per citizen ($367) and Arkansas the least ($147); that California spent the most for schools ($98 per capita) and Arkansas the least ($39); that Connecticut spent the most for highways ($106) and South Carolina the least ($25); that Oklahoma spent the most for such public welfare as aid to the poor and blind ($46) and Virginia the least ($6); that New York spent the most for hospitals and other health services ($32) and South Dakota the least ($8).

THE REAL TRUTH ABOUT MICHIGAN

First, let us say this.

We are very, very fond of the State of Michigan. The entire State. Its forests. Its lakes. Its rivers. Its wildlife. Its farmlands. Its industry. Its people.

When we hear too many negative comments about it—and, in recent months, there have been plenty—we figure that those who are making them either don't know what they're talking about or that they have an ax to grind.

Don't misunderstand us.

There are definitely negative things that can be said about the State, but, of late, there has been a rash of completely negative comments. And, in our book, all bad is as erroneous as all good.

With this in mind, we called together six of our writers on the Detroit Times and asked them to report the real truth about Michigan, as they saw it. We asked them to report on labor, industry, the tax structure, research, every facet of Michigan life that has been given a negative image lately.

Here is what they said:

WELFARE STATE?—UNFAIR TAXES?

John Creecy started the series of articles by zeroing in on two of the most prominent anti-Michigan allegations. Regarding the welfare state accusation, Creecy pointed out that—if this meant public welfare: institutional and noninstitutional aid to the needy:

"A new U.S. census report shows what this cost—in terms of both State and local taxes—for each Michigan citizen * * * and for the citizens of every other State.

"Welfare cost each Michigan citizen $16.30.

"It cost each Ohio citizen $17.71.

"It cost each Arkansas citizen $19.17.

"In California * * * the welfare cost for each citizen is $29.19.

"And in Oklahoma it is $47.73. * * *

"Among all the States Michigan ranked 34th in this respect."

Regarding the tax structure, Creecy again compared Michigan to other States. He reported that the average California citizen pays $237.87 in State and local levies, according to the latest census study.

"In New York the average citizen pays $229.31.

"In Wisconsin * * * it's $184.47.

"Michigan? It's $181.13 per citizen. We rank 12th among the States in this regard. When taxes are considered as a percentage of personal means we rank 31st."

INDUSTRIAL WITHDRAWAL?

James Boynton, Detroit Times financial editor, found that nothing could be further from the truth. As examples of current investment by industry, he singled out such examples:

"Ann Arbor: Where Parke Davis & Co. and the Bendix Aviation Corp. are building multimillion-dollar research laboratories. And where Hoover Ball & Bearing Co. and Buhr Machine Co. have just completed big new plants.

"Ecorse: Where the Great Lakes Steel Division of National Steel Corp. will spend $100 million constructing a new mill.

"Kalamazoo: Where the Upjohn Co. has commenced a $12 million expansion program, including what probably will be the biggest office building in the State outside Detroit. Also where the Checker Cab Manufacturing Co. is investing $5 million in capital costs in connection with production of its new passenger car.

"Grand Rapids: Where the Bissell Carpet Sweeper Co., Lear, Inc., and Blanding Paper Products are expanding to take advantage of being in the midst of the Great Lakes market.

"Muskegon: Where Brunswick-Balke-Collender is pouring several millions of dollars into a brand new pin-setter manufacturing plant.

"Detroit: Where Detroit Edison is embarked on a $3 billion 5-year expansion program, with $68 million to be spent this year; Michigan Bell Telephone Co. is expanding at the rate of $75 million a year; Michigan Consolidated Gas Co. recently announced it would spend $30 million in addition to another $20 million for its new office building in the civic center; Consumers Power Co. this year will make the largest capital expenditures in its territory—$117½ million; General Telephone Co. is spending $12.8 million on 1959 expansion."

REUTHERISM?

Jack Crellin, Detroit Times labor editor, quoted UAW President Walter P. Reuther as saying employers who claim they are moving out of Michigan to escape high wage rates are whistling in the dark.

"The small guy," said Reuther, "might be able to hide out for a while in a corner of Arkansas, but eventually his plant is going to be organized and he is going to have to pay a living wage. * * *

"Ford plants," continued Reuther, "pay the same rate for the same work regardless of where they are located in this country. The differential between General Motors plants is only a matter of pennies."

DOES REUTHER CONTROL GOVERNOR WILLIAMS?

"Nothing could be more ludicrous," said Reuther.

"I actually see him only three or four times a year and then on a public platform. I have never sought to influence him and he has never sought my advice.

"I think if anyone can control a person in public office he isn't worthy of holding the office. If I thought I could control 'Soapy' Williams I would be opposed to him."

AUTOMOTIVE MIGRATION?

Tom Kleene, Detroit Times automotive editor, reported that "most of the qualifications that made Michigan the center of automotive production in the industry's infancy remain.

"Added to these are many new ones, and the greatest is the all-important fact that the industry now is here. A mass flight would be about as practical for the automotive industry as moving the entire Government structure and its buildings out of Washington, D.C. * * *

"Actually the process of decentralization is almost as old as the industry itself. * * * Henry Ford realized the advantage of locating an assembly plant near the consumer soon after his company went into mass production. The result was that at one time in the early 1920's the Ford Motor Co. had nearly twice as many assembly plants as it now has. * * *

"Chrysler Corp. states that * * * in considering specific sites, it looks for an area capable of supplying the plant personnel of the type needed within a 30-mile radius.

"Next comes consideration of such things as zoning ordinances, land costs, type of soil, accessibility to railroads and trunk highways, availability of water, sanitary, and drainage systems, electricity and gas, and terrain which will not require costly grading.

"Chrysler reports that when a plant is lured into a community by such inducements as free land the result, in most cases, is not a happy situation either for the community or for the company concerned."

Kleene pointed out that for new capital expenditures for the industry's greatest 3-year expansion boom (prepared for 1954, 1955, and 1956, by the Bureau of the Census): "Of a total investment of $3,272 million * * * $1,282 million was spent in Michigan, or almost 40 percent of the total."

He concluded: "Actually, the present spreading out of the automobile industry from the focal point of Detroit reflects the optimism of the manufacturers over the future market which—indirectly at least—makes this area's insurance policy all the more secure."

LACK OF PROGRESS?

Will Hardy, Detroit Times economics writer, reminded readers that "oft forgotten is the precept that American communities are built around their transportation systems.

"When water transport was the only means of mass movement of materials, our Nation's first great cities were port cities.

"In the late 1800's and early 1900's, railroads spurred the growth of inland cities.

"Then came the automotive revolution, and highways brought new growth to hitherto remote areas and added to the transportation complex of the cities.

"Detroit and Michigan, ahead in automobiles, jumped ahead of the Nation in highways.

"Now, with the air age blending into the space age, Detroit has soared ahead with dramatic development of the Detroit Metropolitan Airport, the jewel of the Nation's newest and foremost landing fields, for jet-powered transport planes."

He further pointed out that "meanwhile in roads, Michigan is making a fantastic investment to keep cars and trucks moving freely. * * * When the current highway construction is completed in 1962 * * * 900 miles of expressways will connect all Michigan cities with population of more than 50,000 and will provide through routes interconnecting 95 percent of the State's population and 90 percent of the industries."

RESEARCH?

Jack Pickering, Detroit Times science writer, reported that the University of Michigan ranks third in the United States, exceeded only by Massachusetts Institute of Technology and California, in defense projects being handled for the Government. And the automobile industry has spent many hundreds of millions for research centers in Detroit and Michigan.

IN SUMMARY

John Creecy concluded the series of Times articles with an overall report on the industrial climate of Michigan. He quotes William Haber, noted professor of economics at the University of Michigan, as saying:

"Assuming high levels of employment nationally one can be decidedly optimistic about Michigan's economic outlook. * * *

"Population growth by itself does not generate jobs. It provides, however, a sound basis for economic growth. * * *

"There is no exodus of industry out of Michigan. There are more manufacturing plants operating in the State than there were in 1949 or 1953.

"And even the automobile companies, while they are now building elsewhere, have made substantial investments and expansion in their Detroit and other Michigan facilities in the postwar period.

"We are in an industrial redevelopment program. The resources promise its success once we pursue it with the vigor which has made Michigan a great industrial State."

As Creecy points out, industry in Michigan has spent $110 million for expansion, a jump of nearly $30 million from the 1957 figure. The total outranked every State except Texas, New Jersey, and Illinois. Thus, Michigan ranked fourth in industrial construction in 1958.

PHIL F. DE BEAUBIEN,
Publisher, the Detroit Times.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959

The Senate resumed the consideration of the bill (S. 1555) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes.

Mr. GOLDWATER. Mr. President, I suggest the absence of a quorum.

Mr. KUCHEL. Mr. President, will the Senator withhold his suggestion a moment.

The PRESIDING OFFICER (Mr. McCARTHY in the chair). Does the Senator withhold his request?

Mr. GOLDWATER. I withhold my suggestion of the absence of a quorum.

Mr. KUCHEL. Mr. President, I am in a quandary about the pending amendment. It is long. It is technical. It is frightfully involved. It is difficult to read, let alone understand. I listened to the able senior Senator from Arkansas [Mr. McCLELLAN] earlier this afternoon, who said that he believed some parts of the amendment would improve the bill while other parts of it would not. Thus the Senator suggested that different segments of the pending amendment ought to be offered separately. I agree with the Senator from Arkansas. I think the several parts should be offered separately, so that we can pass judgment on them separately and vote on them separately. That is in the interest of good procedure.

I am prepared, Mr. President, after a reading of the text of the pending substitute amendment to support unequivocally some of the sections of the amendment. With respect to other sections, I desire to ask some questions. Possibly I shall offer language which in my judgment would improve the sections about which I have some question.

Therefore, I should like to make my position crystal clear. I feel compelled, Mr. President, to vote against the substitute amendment in its present "package" form. Having said that, I wish to iterate a part of what I hope will be presented to me tomorrow in a form which I can approve by my vote.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield to the able Senator from Massachusetts.

Mr. KENNEDY. Is the Senator aware of the fact that if the amendment were agreed to it would mean that all amendments dealing with secondary boycotts, prehiring agreements, picketing, and so forth, would be in the third degree; and that it would be impossible for any Member of the Senate to offer any amendment dealing with any of those subjects if the substitute amendment were agreed to in its present form?

Mr. KUCHEL. I am not aware of that. Is that the parliamentary situation?

Mr. KENNEDY. That is the parliamentary situation. If the substitute amendment of the Senator from Illinois were agreed to, it would then become impossible to deal with any of these subjects, which involve the most sensitive and delicate areas of labor relations.

Mr. KUCHEL. So that there may be no misunderstanding, Mr. President, since my able friend from Massachusetts has raised a very important question, will the Chair officially state what the parliamentary situation would be, in view of what the able Senator has suggested?

The PRESIDING OFFICER. The Chair will inform the Senator from California that if the amendment were agreed to as a substitute for title VI, the action would be binding upon the Senate, and specific provisions of the amendment could be reached only indirectly; so the statement of the Senator from Massachusetts is essentially correct.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield to my colleague from New York.

Mr. KEATING. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KEATING. Do I correctly understand that if the substitute amendment were agreed to it would then not be open to any further amendment?

The PRESIDING OFFICER. The language per se would not be open to amendment.

Mr. KEATING. A further parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator will state it.

Mr. KEATING. The only way by which an amendment to the pending substitute amendment could be considered would be by offering such an amendment prior to action on the Dirksen amendment?

The PRESIDING OFFICER. That is essentially correct.

Mr. KEATING. Mr. President, a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KEATING. If an amendment to the Dirksen amendment were to be offered, since the yeas and nays have been ordered on the Dirksen amendment, could the yeas and nays be ordered on an amendment to the Dirksen amendment?

The PRESIDING OFFICER. If the Senate agrees, the yeas and nays can be ordered on any amendment.

Mr. CASE of South Dakota. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from South Dakota?

Mr. KUCHEL. Mr. President, I yield to my friend, the able Senator from South Dakota for the purpose of making a parliamentary inquiry.

Mr. CASE of South Dakota. The Senator from California has raised the possibility of adopting portions of the so-called Dirksen substitute amendment. Is it not correct to state that that could be done by any Senator's offering portions of the amendment, if he so desired, as perfecting amendments to the original text of the bill, to be voted upon before the substitute amendment is voted on?

The PRESIDING OFFICER. Title VI is open to perfecting amendments now.

Mr. CASE of South Dakota. Yes. And title VI could be perfected prior to a vote on the Dirksen substitute amendment, which is essentially a motion to strike and to insert.

The PRESIDING OFFICER. The Senator is correct. If the Dirksen substitute amendment for title VI were agreed to, then there would be difficulty in offering amendments.

Mr. CASE of South Dakota. The Dirksen amendment itself could not be later amended, once it had been agreed to, but it would be possible for an amendment to be offered as a perfecting amendment to the main bill. It would be possible also for an amendment to be offered to the Dirksen amendment, which would put it in both places.

The PRESIDING OFFICER. It is in order to amend the Dirksen amendment now by perfecting amendments.

Mr. CASE of South Dakota. Yes. While the Dirksen amendment is pending, perfecting amendments could be offered to the original bill before the Senate. In fact, the Dirksen substitute amendment could be offered piecemeal until it was all incorporated in the text of the original bill, prior to the vote on the Dirksen amendment, if that were so desired.

The PRESIDING OFFICER. Only with respect to title VI.

Mr. CASE of South Dakota. Yes; as to title VI.

The PRESIDING OFFICER. That is correct.

Mr. KUCHEL. Mr. President——

The PRESIDING OFFICER. The Senator from California has the floor.

Mr. GOLDWATER rose.

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Arizona?

Mr. GOLDWATER. Mr. President, I was waiting for the Senator from California to conclude.

The PRESIDING OFFICER. The Senator from California has the floor.

Mr. KUCHEL. Mr. President, I am not alone in the questions which occur to me with respect to the substitute "package" amendment. On some parts of the amendment it is relatively easy to reach a conclusion. One provision of the substitute amendment, for example, simply states:

> In case of a vacancy in the office of the General Counsel the President shall designate the officer or employee who shall serve as General Counsel during such vacancy.

That is easy to vote up or down. I am for that. It seems to me no Member of the Senate should have any question about it.

However, then the proposal becomes a little more difficult. Then we come to the provision dealing with the "no man's land," which is a complex State-Federal jurisdictional question. It may be that the language in the bill on that subject is effective. It may be that the Members of the committee who heard the subject discussed will give us the benefit of their views pro and con, so that those of us who are not Members of the Committee on Labor and Public Welfare will have the opportunity to make a decision. I hope this may be the case.

Then we come to the most involved questions of all, those which deal with such problems as so-called organizational picketing. Let there be no mistake. So far as I am concerned, Mr. President, we need legislation in this field. If the employees in a given business determine that they do not want to belong to a union, I think the public interest clearly requires that there should not be any right to picket that business the very next day. There should be some type of reasonable limitation upon the right to picket. Apparently that is what is sought in a portion of the amendment, but in some other of the language on this part of the substitute is awkward, beclouded and, I think, ought to be deleted.

We come to some language which requires cross-examination and discussion. We ought to be the beneficiaries of the pros and cons in this debate, as to what is meant by such language as is found on page 62, in connection with this picketing proposal:

> Where the labor organization cannot establish that there is a sufficient interest on the part of the employees in having such labor organization represent them for collective bargaining purposes—

"Cannot establish" where? Before whom? Under what circumstances? Those are questions which must be answered before we are prepared intelligently to vote on this proposal.

I reiterate that I believe that much in the substitute is good, but I will not vote for all of it, because I still question some of it.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that debate on the Dirksen amendment and all amendments thereto be limited to 2 hours, to be equally controlled by the author of the amendment [Mr. DIRKSEN] and the majority leader.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

Mr. ALLOTT. Mr. President, reserving the right to object, I should like to inquire of the majority leader if he meant by his request that the total debate on the amendment and all perfecting amendments would be 2 hours, or whether he meant that limitation to apply only to the Dirksen amendment and to each of the amendments to it?

Mr. JOHNSON of Texas. The proposed limitation is 2 hours. I have con-

sulted with the Senator from Illinois [Mr. DIRKSEN] and the Senator from Arizona [Mr. GOLDWATER], the ranking minority member of the committee——

Mr. ALLOTT. I withdraw my objection.

Mr. GOLDWATER. Mr. President, the very question to which the senior Senator from California addressed himself is already proposed to be taken care of by an amendment of my friend from New York [Mr. KEATING]. As ranking member of the committee, I find no objection to it. I am certain the Senator from Illinois will accept it. It relates to a point which, in the debate in the committee, brought forth much comment, and there was much effort on our part to improve it.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

Mr. KUCHEL. Mr. President, reserving the right to object, under the unanimous-consent proposal would it be in order for any of our colleagues to offer perfecting amendments?

Mr. JOHNSON of Texas. It would.

Mr. KUCHEL. I have no objection.

Mr. CASE of South Dakota. Mr. President, reserving the right to object for the purpose of obtaining a clarification, what would be the time allotted in the case of a perfecting amendment offered to the main bill, in advance of voting on the Dirksen amendment?

Mr. JOHNSON of Texas. There would be such time as Senators who control the time desired to allot.

Mr. CASE of South Dakota. Would that time come out of the 2 hours?

Mr. JOHNSON of Texas. The proposed limitation relates to the Dirksen amendment and all amendments thereto.

Mr. CASE of South Dakota. A perfecting amendment to the bill itself would be in order, would it not? That would not be an amendment to the Dirksen amendment.

Mr. JOHNSON of Texas. I am proposing a limitation of time only on the Dirksen amendment and any amendment thereto. Any time allotted would come out of the 2 hours. The time would be controlled by the Senator from Illinois [Mr. DIRKSEN] on one side and the majority leader on the other.

Mr. CASE of South Dakota. As I understood the request presented, it dealt with the Dirksen amendment and any amendments thereto. An amendment to title VI of the bill would not come in that category.

Mr. JOHNSON of Texas. My purpose was to permit Senators to know with some degree of accuracy when the vote on the Dirksen amendment would be taken, which would be not more than 2 hours from now. Some time will be yielded back. The opponents of the Dirksen amendment tell me that they will use only a few minutes.

Mr. CASE of South Dakota. It seems to me that the time might be somewhat restricted.

Mr. JOHNSON of Texas. I will let the request apply to the Dirksen amendment and all amendments thereto, and to any amendment which might perhaps be offered to the bill. Would that meet the Senator's objection?

Mr. GOLDWATER. Mr. President, is it not possible to have perfecting amendments to the body of the bill offered at some other time?

Mr. JOHNSON of Texas. They could be.

Mr. GOLDWATER. We are discussing an amendment relating to one particular title.

Mr. CASE of South Dakota. Mr. President, my understanding is that the term "perfecting amendments" relates only to perfecting amendments to the title proposed to be stricken by the Dirksen amendment.

Mr. JOHNSON of Texas. If my request is not clear, I shall be glad to modify it.

I ask unanimous consent of the Senate that there be not to exceed 2 hours debate on the Dirksen amendment and all amendments thereto, or in connection therewith, or perfecting amendments to the bill——

Mr. CASE of South Dakota. I would have to object to such a limitation.

Mr. JOHNSON of Texas. How would the Senator like to have the agreement worded?

Mr. CASE of South Dakota. For example, if the Senator from California should wish to insure consideration of a portion of the Dirksen amendment as a perfecting amendment to the bill, and he preferred to vote for the perfecting amendment as such, he should have the right to do so.

Mr. JOHNSON of Texas. He would have.

Mr. CASE of South Dakota. Debate and such a presentation should not have to come out of 1 hour of time.

Mr. JOHNSON of Texas. We have canvassed as many Members as possible. We have learned that the opponents will not consume an hour. Senators desire to make other plans and attend other meetings. It would be desirable if we could obtain a time limitation satisfactory to Senators. Some Senator may have an amendment about which I know nothing. I have talked with the Senator from Illinois [Mr. DIRKSEN], the Senator from South Dakota [Mr. MUNDT], the Senator from Arizona [Mr. GOLDWATER], and the Senator from Massachusetts [Mr. KENNEDY]. I have talked with the Senator from New York [Mr. KEATING]. The Senator from California [Mr. KUCHEL] has no objection. I shall be glad to modify the request so as to include language satisfactory to the Senator from South Dakota, if possible.

Mr. CASE of South Dakota. Is it proposed to proceed with the 2 hours of debate tonight?

Mr. JOHNSON of Texas. Yes. The Senator from Massachusetts [Mr. KENNEDY] says he will use only 5 or 10 minutes of his hour. The Senator from South Dakota [Mr. MUNDT] desires 5 minutes. The Senator from Arizona [Mr. GOLDWATER] desires 20 or 25 minutes.

Mr. CASE of South Dakota. It is not particularly important so far as I am concerned, but it so happens that the junior Senator from South Dakota has an engagement to speak down town at a District Bar group meeting tonight, and he would like to keep that engagement.

Mr. JOHNSON of Texas. If we can obtain the proposed agreement, the Senator can keep his engagement. He could keep an engagement in New York.

Mr. CASE of South Dakota. I should like to offer an amendment it it seems propitious, dealing with a sentence proposed to be stricken in title VI, before we proceed to a final vote on the Dirksen amendment.

Mr. JOHNSON of Texas. I think there would be time for that purpose, even if all the time were used. I am sure that the opponents will not use all of their time. The debate should be concluded by 6:30 or 6:35.

Mr. CASE of South Dakota. Reading between the lines, it would appear that there is no great prospect of the Dirksen amendment being agreed to, because I do not believe that such a complicated amendment will be accepted, in the present temper of the Senate, with an hour's debate. In view of that fact, and the fact that if the Dirksen amendment is not agreed to, title VI will still be subject to amendment, I withdraw my amendment.

Mr. McCLELLAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McCLELLAN. If the pending amendment, the Dirksen substitute for title VI, is rejected, title VI will then be open to amendment, will it not?

The PRESIDING OFFICER. The Senator is correct.

Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

The unanimous-consent agreement as entered was subsequently reduced to writing, as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That during the consideration of the bill S. 1555, the so-called Labor bill, further debate on the amendment offered by the Senator from Illinois [Mr. DIRKSEN] striking title VI and substituting language therefor and any amendment thereto, shall be limited to 2 hours to be equally divided and controlled by the proponent thereof and the majority leader.

Mr. GOLDWATER. Mr. President——

The PRESIDING OFFICER. All time is controlled by the majority leader, the Senator from Texas [Mr. JOHNSON] and the minority leader or any Senator designated by him.

Mr. GOLDWATER. Mr. President, I yield myself 30 minutes.

I may answer some of my colleagues' fears by stating that if the pending amendment prevails, there will be no need further to amend title VI, and no need for further Taft-Hartley amendments.

I may add further for the comfort of my colleagues that Senators who voted for the Ervin amendment can certainly have no qualms in voting for the pending amendment, because most of us, I am sure, voted for the Ervin amendment in the belief that without provisions concerning secondary boycotts and picketing, title VI is valueless, and that we would like to consider Taft-Hartley amendments at a later date.

Senators who voted against the Ervin amendment in the hope of having some vehicle to which to attach Taft-Hartley amendments will have such a vehicle in the substitute for title VI. In addition, the amendments in which they are interested are included in the substitute for title VI. Every amendment to the Taft-Hartley Act which was contained in title VI, with the exception of that relating to supervisors, is included in the Dirksen substitute for title VI.

In addition to that, there are secondary boycott and picketing prohibitions.

I voted for the Ervin amendment for the reasons I have stated. Now that title VI is a part of the Kennedy-Ervin bill, I have no qualms at all in proceeding to support title V of the administration bill.

The Senator from North Carolina [Mr. ERVIN] would strike out the provisions of title VI because he considers that amendments to the Taft-Hartley Act are "nongermane" to the purpose of the proposed legislation, which he describes as being to "outlaw malpractices in the internal affairs of unions."

The administration bill has a broader purpose, namely, to curb the improper practices in the labor and management fields revealed by the Senate select committee, and in this respect many of its Taft-Hartley Act amendments are not only germane, but also essential. In this respect, the present provisions of title VI are totally ineffective.

Title VI completely ignores the need to protect employers and employees from recognition or organizational picketing which coerces employees in the exercise of their rights under section 7 of the National Labor Relations Act. Title VI ignores the need to make more effective the secondary boycott provisions of the National Labor Relations Act—to eliminate loopholes which enable neutral employers and employees to be dragged into labor disputes not of their making and which enlarge the area of industrial dispute. Title VI fails to deal with the pressing jurisdictional no man's land in an effective and realistic manner. Without effective provisions in these three areas—secondary boycotts, coercive organizational and recognition picketing, and the no man's land—this proposed legislation will fail to meet the needs demonstrated by the hearings of the select committee.

Corruption in unions and in labor-management relations exists, Mr. President, because corrupt elements have infiltrated into this area. The racketeers who have forced their way into unions did not do so because of any desire to improve the conditions of workers. They were drawn into labor organizations not merely by the possibilities presented by unguarded union treasuries but because certain union activities could be perverted for racketeering, for extorting money, and inducing bribe payments from fearful or corrupt employers. These activities are also the principal causes of labor violence, to which criminal elements have lent their muscle.

The activities to which I refer are coercive organizational and recognition picketing and secondary boycotts. Any program which does not try to eliminate the opportunities for corruption presented by these activities cannot be considered as effectively and fully dealing with improper practices in the field of labor-management relations.

The McClellan committee has heard a great deal of testimony as to how certain unions, particularly the Teamsters, have taken advantage of the inadequacies of the present secondary boycott provisions of the National Labor Relations Act to force employers to cease doing business with other employers of whom the union disapproves. Yet S. 1555 does nothing to correct these inadequacies.

When the Taft-Hartley Act was enacted in 1947, it was the intent of Congress to do away with secondary boycotts. Evidently Congress at that time overlooked some important fact situations leading to secondary boycotts—at least the Board and the courts consider that we did—and these have been seized upon by those intent upon circumventing the law to achieve objectives otherwise prohibited by the act.

The biggest loophole in the present law is that it does not prohibit a union from using direct pressures upon an employer with the object of forcing him to cease using the products of, or to cease doing business with, another person. If this objective is contrary to public policy, which it is, it is no less contrary to public policy to achieve it through one means rather than another.

Threats of a strike or picketing made directly to an employer can be as effective as the strike or the picketing itself. In this way an employer may be coerced into entering into or living up to hot-cargo agreements, which are standard in Teamster contracts, under which his employees do not have to handle or work on goods produced or handled by another employer who happens to be in disfavor with the union. Under the law a union may not enforce such an agreement by inducing the employees to refuse to perform services. The agreement can be just as effectively enforced, however, by coercion of the employer, which is permitted under the present law.

The present secondary boycott provisions of the act also give no protection to railroads or agricultural enterprises since they are excluded from the term "employer" as defined in the act. Thus, unions which have stopped railroad employees, agricultural workers, and municipal employees from their normal activities in order to retaliate against some other employer have been immune from the act.

The present law also permits the Teamsters Union to appeal to individual truckdrivers to refuse to deliver goods to any establishment, as well as to appeal to other individual union men such as repairmen, and maintenance men, to refuse service, with impunity. Since the appeal or threat is directed to the individual truckdriver and helper or repairman, there is no inducement of a concerted refusal to perform services.

Under this amendment section 8(b)(4) of the act would be amended to make it an unfair labor practice for a union or its agents "to threaten, coerce, or restrain any person engaged in commerce or in an industry affecting commerce" where an object is to force or require that person to cease, or "to agree to cease," doing business with another person. This clause will reach coercive activity directed not only to the employer himself but to any person acting as his agent, such as supervisory and managerial personnel. By adding the words "or to agree to cease" to section 8(b)(4) the amendment would preclude unions from coercing employers to accept hot-cargo contract provisions against their will.

The word "person" is used in the proposed amendment to the secondary boycott provision rather than "employer," in order to extend the protection of the secondary boycott provisions of the act to public employers, railroads, or agricultural enterprises without subjecting them to other provisions of the act. Under the amendment it would also be an unfair labor practice for a union or its agents "to induce or encourage any individual employed by any person engaged in commerce" to engage in a strike or refusal to perform services for the proscribed object. The omission of the word "concerted" is intended to reach inducements to refuse services directed at a single employee of a secondary employer, the cumulative effect of which is no less effective than a concerted refusal in stopping the flow of supplies to a store or factory.

Section 8(b)(4) would also be amended to make it clear that the secondary boycott provisions do not proscribe certain activities which should not be considered to be in the category of secondary boycotts. One of these is union activity affecting a secondary employer who is engaged with the primary employer in work on the same construction site. The other is secondary activity against employers who assist a primary employer in breaking a lawful strike by performing struck work which has been farmed out to him by the primary employer. Although some courts have held that a union may exert economic pressure on the secondary employer who is handling such farmed out struck work, this amendment will write this principle expressly into the statute.

The amendment which I offer would also deal in forthright fashion with the other major abuse which S. 1555 does not now reach, namely, the use of picket lines to force unwilling employees to join a union which they do not want, or to force an employer into recognizing a union against the wishes of his employees. The select committee received considerable testimony as to how such picket lines inflicted so much economic damage on small companies that they were compelled, in order to stay in business, to recognize unions which represented only a small minority or none of their employees. The coercive effect of this picketing on the employees frequently forces them to sign up with an unwanted union if they do not wish their means of livelihood endangered by the employer's declining business.

One of the conclusions of the select committee, stated in its interim report,

was that the "weapon of organizational picketing has been abused" by its use "without the consent of the employees of the picketed plant and before some or any of them have indicated a desire to join the union in question." In testimony before the Subcommittee on Labor, Prof. Godfrey P. Schmidt, one of the members of the teamsters' board of monitors, stated that from "conversations with rank and file workers, I am persuaded that they are as convinced as I am that no labor reform can be effectuated unless recognition and organizational picketing is banned."

Under this amendment these forms of picketing would be curtailed without interfering with legitimate union activity. It would be an unfair labor practice for a union to picket, or to threaten to picket, an employer, except under certain specific conditions, when the object is to force or require the employer to recognize it, or the employees to accept or select it, as a bargaining representative. Thus picketing for such an object would be prohibited.

Mr. President, I believe the distinguished junior Senator from New York [Mr. KEATING] has a very well drafted amendment to meet the objections which the Senator from California noticed and which have been noticed before. I will yield to the Senator from New York if he desires to offer the amendment.

Mr. KEATING. I thank the Senator from Arizona.

Mr. President, I offer an amendment on page 62, line 10, of S. 748, which is the Dirksen amendment.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 62, line 10, of Mr. DIRKSEN'S amendment, beginning with the colon, it is proposed to strike out through line 20 and in lieu thereof insert the following:

(B) an election has been held under section 9(c) within the preceding twelve-month period and no labor organization has been certified as the representative of such employees, or (C) a petition has been filed under section 9(c)(1)(A) by another labor organization or under section 9(c)(1)(B) by such employer, and such petition is pending before the Board.

On page 62, line 21, redesignate subsection E as subsection D.

Mr. KEATING. Mr. President, the amendment would limit racketeering, blackmail types of organizational picketing, or whatever one chooses to call it, to specific cases, such as where another union has been selected or the employees of the plant have voted for no union, or when a petition is pending by either a union or an employer in a plant which was affected. It would strike out that provision of the picketing amendment which appears to be so general in its language that it seems to me to be open to objection.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. KEATING. I yield.

Mr. McCLELLAN. Does the Senator from New York provide in his amendment, or does the substitute amendment provide, together with his amendment, for picketing when a majority of the employees of the plant have petitioned their employer to recognize the union?

Mr. KEATING. In such a case, if the members of another union had filed a petition or if the employer had filed a petition, picketing would not be allowed.

Mr. McCLELLAN. That is a matter for the Labor Relations Board. I have an amendment which I shall offer if something else is not adopted to block it, which would delay the recognition of organizational picketing for 1 year after there had been an election and the employees had rejected a union, or unless a majority of the employees had petitioned their employer for a union.

I am opposed to organizational picketing. I think it is a form of economic coercion which ought to be outlawed. I think it is completely wrong.

But I think the minute a majority of the employees decide they want a union, they are entitled to have it. Although they may have rejected a union within a year's time in an election, if subsequently, within a year's time thereafter, a majority of them petition their employer for the recognition of a certain union to be their bargaining representative, then I think they should have the right to picket.

Mr. KEATING. I judge from what the Senator from Arkansas has said that my amendment does not go as far in one respect, in barring organizational picketing, as does his amendment, but perhaps my amendment goes further in another respect.

Mr. McCLELLAN. Yes.

Mr. KEATING. We are dealing now with the Dirksen amendment. I feel that my amendment improves the Dirksen amendment, in that it strikes out section (c), which provides: "Where the labor organization cannot establish that there is a sufficient interest on the part of the employees in having such labor organization represent them for collective bargaining purposes."

I am worried about that language as being rather indefinite and rather difficult to assess. My amendment would limit the bar on this type of picketing to three types of cases: First, when the employer of the plant which it is sought to picket has already recognized, in accordance with the provisions of law, another labor organization; second, where within the past 12 months there has been a valid election in the plant, and the employees voted to have no union; third, where either the labor organization or the employer in the plant which is sought to be picketed has filed a petition for election, and the petition is pending. In those three instances, it seems clear to me that there should be no picketing of the plant.

Mr. McCLELLAN. I think I am in full agreement with the general objective of the amendment offered by the Senator from New York. I simply go one step further and provide that if and when a majority of the employees actually petition their employer for the recognition of a union, and if the employer does not, within 5 days, respond to the request of the majority, they shall have the right to picket.

Mr. KEATING. I think that is perhaps true. I think I might be able to support the amendment of the Senator from Arkansas at the proper time.

Mr. McCLELLAN. As we move along, I am trying to get an understanding of the different views, so that we may correlate them and get some good amendments to the bill.

Mr. KEATING. The purpose of my amendment is to make clear and precise the instances in which picketing is not allowed. After all, picketing, indeed, all forms of organizational picketing, are pretty well recognized and cannot be interfered with when they are conducted in a legitimate manner. What is sought to be eliminated by my amendment is what might be termed racket or illegitimate picketing, or a type of picketing which should not be recognized. I feel that this amendment will improve the language of that particular section.

Mr. GOLDWATER. Mr. President, in our discussions in the committee, the language "sufficient interest" and "a reasonable period of time" generated quite a bit of questioning. While we were discussing the administration's proposal, which contains this language, we were seriously inclined toward changing it. I am very happy, representing the junior Senator from Illinois [Mr. DIRKSEN], to accept the amendment offered by the Senator from New York.

Mr. KENNEDY. Mr. President, am I to understand that the Senator from Arizona is accepting the amendment on behalf of the Senator from Illinois?

Mr. GOLDWATER. Yes. The amendment of the Senator from New York is offered to the amendment of the Senator from Illinois; it does not bear on the bill directly.

Mr. KENNEDY. If an employer recognized a Johnny Dio union without an election having been held to choose a union for the purposes of collective bargaining with the employer, what remedy could the AFL–CIO take in order to picket that employer as being unfair to labor, under such an amendment as has been offered?

Mr. KEATING. If the employer has previously recognized in accordance with the National Labor Relations Act, a legitimate labor organization, then an outside labor organization could not picket his plant.

Mr. KENNEDY. In other words, in the case to which we have referred, it would be very possible for an employer to recognize Mr. Dio as the bargaining agent for the employees, without the holding of an election; and then the AFL–CIO, which now is attempting to work against sweetheart contracts in New York, would be limited in what it could do. It would have to take up the matter in a proceeding before the National Labor Relations Board, which would take from 2 to 3 years.

Mr. KEATING. My answer is that in this proposed legislation there should be provisions for dealing separately with "sweetheart" contracts. I do not think this is the appropriate bill in which to deal with that problem.

Mr. KENNEDY. But the Senator would be denying to labor a legitimate

right, without in any sense limiting an employer in shopping around for a union which would give him a "sweetheart" contract.

In the bill we have prohibited employer payoffs to union leaders; but there is no way by which we can prevent an employer from making with a union an arrangement which would enable the employer to undersell—through low wages—legitimate employers who were paying decent union wages.

Of course, it is quite proper to tie this provision to the Dirksen amendment; but I still point out to the Senate that this would mean that all other amendments in regard to picketing, as well as in regard to prehiring, and so forth, would be in the third degree; and there are a number of other amendments which I would wish to propose to the Dirksen amendment before it comes to a vote.

Mr. KEATING. There are other amendments of that sort which I should like to see made to the Dirksen amendment; but we are taking these up one at a time; and I believe this one improves the Dirksen amendment.

The situation to which the Senator from Massachusetts has referred sounds to me as if it would constitute an unfair labor practice—if there were such an agreement between an employer and a racket union; and I believe the union would have a perfect right to picket against an unfair labor practice.

This provision would not interfere with picketing against an unfair labor practice, as described by the Senator from Massachusetts.

Mr. KENNEDY. Unfortunately, it takes from 2 to 3 years for the National Labor Relations Board to determine whether an unfair labor practice has been engaged in.

I would think that, under various decisions of the Board, it might hold that the union was picketing for recognition; and, therefore, the language proposed by the Senator from New York would prohibit the union from carrying on picketing under those conditions.

Mr. KEATING. Certainly the language of the amendment offered to the Dirksen amendment improves the language of the existing antipicketing provision, because it makes it definite.

The Senator from Massachusetts may be opposed to any antipicketing provision of any kind; but, in my judgment, this provision does improve the present rather unprecise language of this picketing provision.

The PRESIDING OFFICER (Mr. BARTLETT in the chair). The question is on agreeing to the amendment of the Senator from New York [Mr. KEATING] to the amendment of the Senator from Illinois [Mr. DIRKSEN].

The amendment to the amendment was agreed to.

Mr. KENNEDY. Mr. President, I did not think the Senate had to vote on the amendment to the amendment, because the Senator from Arizona had accepted it.

Mr. GOLDWATER. I did not think so, either.

The PRESIDING OFFICER. The yeas and nays have been ordered on the Dirksen amendment; and therefore it cannot be modified or changed, except by unanimous consent or by amendment by way of motion.

Mr. KENNEDY. As I understand, the vote just taken was on the amendment of the Senator from New York [Mr. KEATING], which the Senator from Arizona [Mr. GOLDWATER], on behalf of the Senator from Illinois [Mr. DIRKSEN], had already accepted as an amendment to the Dirksen amendment.

The PRESIDING OFFICER. It could not be accepted, except by unanimous consent, inasmuch as the yeas and nays had previously been ordered on the question of agreeing to the Dirksen amendment.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that it be accepted.

The PRESIDING OFFICER. The Keating amendment to the Dirksen amendment has, by motion, already been agreed to.

Mr. KUCHEL. Mr. President, what is there to prevent our taking a voice vote, and in that way adopting the amendment to the amendment?

Mr. GOLDWATER. That has been done. The Chair was referring to the parliamentary rule that, after the yeas and nays have been ordered on the question of agreeing to an amendment, it can be modified only by unanimous consent.

Mr. President, I ask that the Chair clarify the situation as regards the time remaining to each side, in view of the time which in the last few minutes has been used by the Senator from Massachusetts, because our side has only 1 hour and his side has only 1 hour; and I would not wish to transgress on the time available to Senators who are about to enter the Chamber.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the time I have used in questioning the Senator from New York be charged to the time available to me, rather than to the time available to the Senator from Arizona. I believe I used about 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GOLDWATER. Mr. President, this proposal does not affect picketing against employer unfair labor practices. It would not prevent a legitimate union from bona fide picketing against an employer who had entered into a "sweetheart contract" or who utilized "sweatshop labor." It would not bar organizational or recognition picketing, for example, if the incumbent union was a minority union—that is, a union which has not been designated as bargaining representative by an uncoerced majority of the employees. Such a union would not be recognized in accordance with the act. Nor would it bar such picketing if the incumbent union, first, was dominated or assisted by the employer, in violation of the act, second, had established its majority status by fraudulent means, third, had an existing contract which contained an illegal union security provision, or fourth, had a contract which had been in effect for more than 2 years.

Senate bill 1555 attempts to deal with abuses of the picket line by amending section 302 of the National Labor Relations Act only to make so-called "extortion" picketing unlawful—in this case, a misdemeanor. This limited provision does not begin to reach the real problem. The conduct which it prescribes is already subject to criminal penalties as a felony under the Hobbs Act. In addition to its failure to reach the real problem area of coercive picketing, this provision of the bill so cuts across the provisions of the Hobbs Act that it could limit the effectiveness of that act.

With respect to the no man's land problem, this bill completely ignores the select committee's recommendation that—

> Any State or Territory should be authorized to assume and assert jurisdiction over labor disputes over which the Board declines jurisdiction.

The amendment which I offer would carry out that recommendation.

This amendment would specifically authorize the Board to decline jurisdiction over cases which, in its opinion, do not sufficiently affect commerce to warrant the exercise of its jurisdiction. This is a discretionary power which the Board has been exercising during its entire history, under both the Wagner Act and the Taft-Hartley Act. The provisions of the amendment, therefore, would write into the statute an existing implicit power, and would not mean any change in practice.

The amendment, as recommended by the McClellan committee, would authorize the States to assume and assert jurisdiction over cases over which the Board declines to assert jurisdiction. Prior to the Supreme Court's decision in the Guss case, the agencies and courts assumed that they had this authority, and they asserted jurisdiction over such cases. The effect of the amendment, therefore, is to make legal what many thought was legal until the Supreme Court decided otherwise.

The present provision in the bill which purports to deal with the no man's land would, in my opinion, have the same effect as the provision in the Kennedy-Ervin bill, as introduced, which would have required the National Labor Relations Board to assert jurisdiction over all disputes arising under the act. Any realist knows that it is simply not practical for the Board to attempt to assert jurisdiction over the full reach of the act—over the countless numbers of disputes in small establishments, which may technically affect commerce, but which are primarily local. To do so would so increase the Board's caseload, and therefore the period of time required to dispose of cases, as to render the Board's processes ineffectual.

The provision in Senate bill 1555 attempts to meet these objections by permitting the Board to delegate its jurisdiction to State agencies, but in such a manner as to make the State agency a mere arm of the Board in the administration of the Federal law. The implication is that by entering into such agreements the Board will be able to relieve itself of the burden which would be imposed by asserting jurisdiction over essentially local cases which do not significantly affect commerce. It is ex-

tremely doubtful, however, that the authority given the Board to delegate its jurisdiction can be utilized. Only eight States have a State agency with which the Board could enter into an agreement, and it is doubtful that any one of these agencies presently has authority to enter into the sort of agreement authorized by S. 1555.

Even if enactment of implementing legislation by several of the States made it possible for the Board to enter into a few scattered agreements, there would be no overall reduction in the amount of work to be done by the Board. In its strenuous efforts to make any State agency which enters into such an agreement completely subservient to the Board, S. 1555 requires that processes and orders issued by the State agency be enforced by the Board. A refusal by the State agency to issue a complaint on an unfair labor practice charge or proceed with a petition for representation would be appealable to the Board. The appellate and policing burden placed on the Board by any agreement would probably offset any reduction in workload otherwise accomplished by the agreement.

This amendment would substitute for the present provisions of S. 1555, permitting prehire agreements in the construction industry, the administration's proposal, which would permit, under appropriate circumstances, the certification of building trades unions as bargaining representatives without a prior hearing.

This proposal would require a joint petition by the employer and union involved asserting present recognition of the union by the employer as the bargaining representative of his employees and the existence of a collective bargaining agreement between them. A history of a collective bargaining relationship between the union and the employer prior to the current agreement would be required. Certification under this proposal would not be available if the Board found that a substantial number of the employees in the unit in question asserted that the union was not designated or selected as bargaining agent by a majority of such employees.

It has long been recognized that the hiring practices and collective bargaining relationships in the construction industry are unlike those in manufacturing and in other service industries, and are difficult to accommodate under the representation procedures of the National Labor Relations Act. These procedures were designed to deal with employment relationships which are of some permanence, and they have proved ineffective where, as in the construction industry, the employment is casual and intermittent and the employee may be employed by several employers within a short period of time. Proposals have been made from time to time to amend the act so as to enable the construction industry's labor relations to come into conformity with the representation provisions of the act.

The present proposal provides a means whereby construction unions may acquire Board certification as exclusive bargaining representatives. There are several advantages accruing to a union as the result of Board certification. Conversely, there are disadvantages resulting from lack of certification—disadvantages which construction unions have suffered only because the employment patterns in their industry made certification impossible under the existing provisions of the act.

The effect of this proposal would be to protect voluntary collective bargaining relationships established in good faith without governmental intervention. The proposal protects the right of the employees to be free of coercion in the selection of their own bargaining representatives; the will of the employees in this respect would be required to be evidenced by a history of prior collective bargaining between the union and the employer and by an absence of substantial objection on the part of the employees in the bargaining unit to certification of the union.

The present provision of S. 1555 with respect to prehire agreements in the construction industries, I submit, goes beyond what is needed to place building trades unions on an equal basis, under the act, with unions in other industries. Under these provisions, employers and unions in the construction industry would be permitted to enter into collective bargaining contracts before any of the employees were ever hired, and consequently before the wishes of the yet-to-be-hired employees concerning their representation were ascertained. S. 1555 would permit such contracts to provide for 7-day union shops. It would expressly sanction, for the construction industry, hiring practices and contract provisions which have been subject to extensive litigation before the Labor Board and the courts.

Mr. President, it seems to me that we should not place the unions in the building and construction field in a position of special privilege, at the expense of the employees in that industry. We should not specifically legalize certain hiring arrangements in that industry while the legality of such arrangement in other industries remains subject to administrative and judicial determination.

What we should do, Mr. President, is to create the conditions and procedures whereby all parties in the construction industry can, as far as practicable, enjoy the same rights and privileges that have long been regarded as a matter of course in the other industries. The amendment I offer would do this by allowing the Labor Board to issue certifications in that industry without the requirement of elections, which as a practical matter cannot be held, but with safeguards to ensure that only unions which are the representatives of the employees affected receive the benefit of such certifications. Such certifications would benefit all parties concerned, since a certification is, under most circumstances, conclusively established for a period of a year. The unions, the employers, and the employees are usually insulated against the unstabilizing effects of rival union raiding for that period, and picketing for recognition by rival unions is prohibited by the law. These benefits are enjoyed by unions, employers, and employees in the other industries covered by the Taft-Hartley law; and by enacting this amendment we can create equal rights throughout these industries, rather than replace one inequality with another one.

The PRESIDING OFFICER (Mr. BARTLETT in the chair). Will the Senator suspend? The 30 minutes the Senator from Arizona has yielded to himself have expired.

Mr. GOLDWATER. I yield myself another 10 minutes.

Mr. KUCHEL. Mr. President, will the Senator yield for a question on this subject?

Mr. GOLDWATER. Yes.

Mr. KUCHEL. I read, at the bottom of page 64, line 20——

Mr. GOLDWATER. Where is the Senator reading from? Is he reading from the text of S. 748?

Mr. KUCHEL. Yes, S. 748, at page 64, line 20, the new language which is suggested:

Provided, That the Board may, without prior thereto having conducted an election by secret ballot, certify a labor organization referred to in clause (C) of this paragraph as the exclusive representative of employees of an employer referred to in said clause (C) in such unit as the Board may find is appropriate for the purposes of collective bargaining with respect to rate of pay, wages, hours, and other conditions of employment * * *

I think I understand that language, and, like my friend from Arizona, I think I favor it, but here is my question: What does the following language mean? I read it:

Provided further, That the preceding proviso shall not apply where there is no history of a collective bargaining relationship between the petitioning employer and labor organization prior to the current agreement or an employee or group of employees or any individual or labor organization acting in their behalf allege, and the Board finds, that a substantial number of employees presently employed by the employer in the bargaining unit assert that the labor organization is not a representative as defined in section 9(a).

Will the Senator discuss the reasons back of the language relating to no prior history, and so forth?

Mr. GOLDWATER. The object is the protection of the worker. It would be wrong, in our estimation, for a union to bargain with a contractor, let us say, without any prior history. The rights of a worker might be excluded. Let us not use the word "exclude." The rights of a worker might be overlooked or destroyed. If there were allowed in the construction trade a hiring hall, which many feel is necessary to the proper operation of that industry—and I shall not argue against that point—we should protect, as much as we can, those who are members of a union, and exclude, let us say, favoritism of a union member over a nonunion member.

Mr. KUCHEL. Let us consider one of the great reclamation projects in the West, for example, one of the great construction projects on the upper Colorado or one of the great reclamation projects in California which my friend helps me to obtain for my State. Sometimes, in order to have sufficient business organization borrowing authority, and the

like, it is oftentimes necessary for several contractors to join together for a particular project, and thus to become a new employing unit. If that were so, then there would be no history of bargaining.

Mr. GOLDWATER. Oh, yes. I will say that we in Arizona sometimes look generously upon people who want to work on our projects, but at times we do not like the people who want to take our water but still want to work.

The situation the Senator describes would be taken care of, because each contractor or subcontractor would deal with his separate union or unions.

Mr. KUCHEL. Where does the language say that?

Mr. GOLDWATER. That is the interpretation. It is not spelled out in each case, but I think the act itself is very plain.

Mr. KUCHEL. The words on lines 4 and 5, I will say to my friend, are "there is no history of a collective bargaining relationship between the petitioning employer."

Mr. GOLDWATER. That is correct. The language does not say "contract," it says "relationship." In other words, this language is to protect the employee on the job. The employer or the contractor cannot engage nonunion employees if they have a history of a bargaining relationship. The language does not mean there must be a contract. The language means that contractor X at some time must have bargained with or done business with union Y. This would apply to all contractors, whether they be prime contractors or subcontractors.

Mr. KUCHEL. I think what the Senator says is helpful for the legislative history, but I must say that when the words "the petitioning employer" are used, on page 65, line 5, they could very well mean a business unit which was brand new, which had never engaged in any relationship or bargaining with any labor organization whatsoever prior to that time.

I think what the Senator has said in answering these questions is an indication that, in the Senator's judgment, when the words "the petitioning employer" are used, they apply to those situations in which a business unit is created from several others, some of which may have had a history of bargaining relationships.

Mr. GOLDWATER. That is correct. The language would apply even down to the subcontractors. It is quite difficult to imagine contractors or subcontractors being in such a position, because most of them have at some time done business with a union. What we are trying to prevent is damage to the rights and privilege of the workers, either employed or seeking employment.

Mr. KUCHEL. I will say to my friend—and I am relying on an extremely faulty memory—some of the associated general contractors from the State, I, in part represent, discussed that very point a couple of years ago in the testimony they gave. As I was reading this rather lengthy amendment over quickly, this was an item I thought I should ask the Senator to discuss.

Mr. GOLDWATER. I will say to my friend from California that I participated in the original discussions of the proposal in 1953 and 1954, which were attended in part by the late Senator Taft. During those meetings, we had before us the largest contractors of the country and representatives of the large construction unions. This particular problem was discussed specifically.

Mr. KUCHEL. Yes.

Mr. GOLDWATER. This provision merits some study by the Senator from California, because in my opinion the theatrical unions are affected in a like way; and I believe the maritime unions are, also, so far as the 7-day clause is concerned.

This amendment contains a provision, not present in title VI of S. 1555, which makes it clear that a party to a contract may not be required to bargain during the life of the contract with respect to any condition of employment. This is designed to correct interpretations of the present law under which, upon a demand of either party to a contract, the other party may be compelled to bargain with respect to terms and conditions not expressly covered by the contract.

This proposal would promote stability in collective bargaining. It would remove an element of uncertainty in the contractual relationship which detracts from industrial harmony.

A provision of the proposed amendment would require the National Labor Relations Board to be bipartisan. It would provide that no more than three members could be affiliated with the same political party.

This is a customary requirement in the composition of regulatory agencies; it is a part of the basic laws of agencies such as the Federal Communications Commission, the Federal Power Commission, the Federal Trade Commission, and the Civil Aeronautics Board. The Civil Service Commission, which compares with the Board in that it deals with employee relations, is required to be bipartisan in its composition. There is no reason for considering the Board differently in this respect.

The amendment contains a provision which would eliminate the statutory bar against voting in representation elections by replaced economic strikers. Title VI of S. 1555 contains a similar provision.

Both the amendment and title VI contain provisions, in different phraseology, authorizing the Board to conduct prehearing representation elections.

This amendment and the present title VI both contain provisions authorizing the President to designate an Acting General Counsel of the Board in the event of a vacancy in that office which cannot quickly be filled. Here again, the language of the provision in the present title VI is acceptable as a substitute for mine, if it is so desired.

Mr. President, I do not think that these differing amendments of the Taft-Hartley Act are nongermane to the pending legislation. On the contrary, certain amendments to the act are essential if the legislation is to be effective. Any legislation which fails to amend the Taft-Hartley Act so as to tighten the secondary boycott provisions, to eliminate blackmail picketing, and effectively to deal with the "no man's land" problem is no more than a half measure.

Mr. President, these amendments of the Taft-Hartley Act are eminently germane but let us have amendments which will help carry out the task of cleaning out corruption and racketeering in labor-management relations.

Mr. President, we should substitute for title VI of the pending bill as a package the administration proposals of title V of S. 748. We will be doing the constructive thing by accepting this amendment, because the administration proposals, for the reasons I have stated, are far preferable to the provisions of title VI.

The motion to strike out title VI was made because its provisions are considered only sweeteners to induce hurried passage of the bill. Title V of S. 748, on the other hand, is a fair and balanced program to assure true labor reform.

In closing, Mr. President, I should like to remind my Republican colleagues that what I have been proposing this afternoon, and what the distinguished Senator from Illinois, the minority leader, has proposed in the way of a substitute, is the language of the administration's bill. I repeat what I said at the start: If a Senator voted against the Ervin amendment he can vote for this amendment, and if he voted for the Ervin amendment he can vote for this amendment, in good conscience.

Mr. KENNEDY. Mr. President, how much time does the Senator from Arizona have remaining?

The PRESIDING OFFICER. The time allotted to the Senator from Arizona has expired.

Mr. KENNEDY. And we have 57 minutes remaining?

Mr. GOLDWATER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. GOLDWATER. Has all my time expired? I do not believe I have used all my time.

The PRESIDING OFFICER. The Senator is correct. On the Dirksen amendment the Senator has an additional 20 minutes remaining.

Mr. KENNEDY. Mr. President, I am prepared, if it is agreeable to the Senator from Arizona, to yield back all but 5 minutes of our time, if the Senator from Arizona will do the same, if we may have a quorum call without the time being charged to either side.

Mr. GOLDWATER. The only objection the junior Senator from Arizona would have to that suggestion is that the Senator from South Dakota [Mr. MUNDT] wanted to address himself to this subject. I think he wanted 10 minutes.

Mr. KENNEDY. Is the Senator from South Dakota prepared to speak now?

Mr. GOLDWATER. I cannot speak for him. I have not seen him for about an hour. I think we can find him.

Mr. KENNEDY. Mr. President I ask unanimous consent that I may suggest

the absence of a quorum and that the time taken to call the roll not be charged to either side.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Massachusetts? The Chair hears none, and it is so ordered.

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MUNDT. Mr. President, I send to the desk four amendments, proposed in my Senate speech yesterday, which, in my opinion, are imperative to correct certain inadequacies and deficiencies in the so-called Kennedy-Ervin bill.

The PRESIDING OFFICER. The amendments will be printed and will lie on the table.

Mr. MUNDT. Mr. President, I yield myself 10 minutes, if I have such authority.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. KENNEDY. What is the question?

Mr. MUNDT. I am trying to establish that I have 10 minutes. I will take it from the time allotted to the Senator from Illinois [Mr. DIRKSEN].

Mr. KENNEDY. Very well.

Mr. MUNDT. Mr. President, yesterday in discussing the pending labor legislation, and specifically the Ervin amendment, I urged that the Senate vote for the Ervin amendment to strike title VI, because it seemed to me that our major responsibility was to write labor reform legislation, devoid of extraneous material, and adequately written to provide the necessary correctives for the type of abuses being exposed by the McClellan committee. I wanted this to be essentially a bill to correct the abuses disclosed by our Senate Labor Rackets Committee.

However, the Senate has overwhelmingly voted to keep title VI in the bill. That means that we now have before us, for the remainder of the debate, the whole gamut of problems confronting the labor-management situation.

As I have stated, there were certain phases of title VI which I thought were good legislation, which I am happy to support, although I feel that by cluttering up the labor reform legislation by the extraneous items now in the bill, we tend to defeat the major purpose and the major responsibility of the Senate in dealing with racketeerism, corruption, and arrogant power in the labor union movement.

That, however, is a part of the debate which has been decided by a yea-and-nay vote. Consequently, since we are to consider Taft-Hartley amendments, and since we are to consider amendments which are not germane to the problems of corruption and racketeerism, I speak in support of the Dirksen substitute, because it seems to me that in several ways it is a better approach and a better piece of legislation than is title VI.

In addition to the fact that by the decision of the Senate title VI is taken out of the jurisdiction of the blue ribbon panel which presumably will study and report on the Taft-Hartley amendments, it seems to me that this diversionary approach now places before us the heavy responsibility of determining just what Taft-Hartley amendments are necessary to improve the labor movement.

It seems to me that the provision dealing with the judicial "no man's land," as it is found in the Dirksen substitute, is far superior to the committee provisions, because it gives definite jurisdiction to the State courts and the State labor boards in those cases in which the NLRB fails or refuses to assert jurisdiction.

In other words, it preserves the rights of States, the autonomy of States, and moves further in the direction of clearing up the no man's land instead of perpetuating it merely by presenting another decision to be made by the National Labor Relations Board, which is already overcrowded with work and overloaded with decisions which it has difficulty in reaching.

The Kennedy-Ervin provision in title VI would eliminate State courts so far as concerns hearing any labor cases, and would require instead the establishment of State labor boards to operate under Federal mandates. Only 12 of the 50 States in the Union now have such boards. Consequently the proposed legislation would be effective in only 12 States, unless, by Federal coercion and compulsion, other States were compelled to do something which, in their own good judgment, they have not done heretofore, namely, to create State labor boards.

The Dirksen substitute provides in the no man's land provision that State courts shall have jurisdiction, and that if the National Labor Relations Board fails to act the authority shifts to the State, where it can be implemented in conformity with the desires and attitudes of the citizens of our respective States.

The administration provision, as exemplified in the Dirksen substitute with regard to the no man's land, is in line with recommendations made by the McClellan committee in its interim report of a year ago. It is also in line with the recommendations of the Secretary of Labor, Mr. Mitchell. I feel it should be substituted for the language in title VI of the Kennedy-Ervin bill.

Mr. President, I also favor the Dirksen substitute approach dealing with prehire agreements in the building-construction trades. The Dirksen substitute requires that a history of collective bargaining between the employer and the union be present before the certification requirements of the Taft-Hartley Act may be ignored. It also provides for greater protection to the union members against job-referral discrimination.

The whole subject of prehire agreements is one in which there is considerable controversy and considerable misunderstanding. Some building-trade unions feel this is very important to the success and protection of their members. Some contractors and builders are of that opinion also, while others definitely hold the contrary point of view. However, if we are to follow the philosophy which, in my opinion, should govern our decisions in this legislative approach to meet the problems disclosed by the McClellan hearings, we should keep in mind constantly the desires, the freedom, and the independence of the trade-union members, and to give these trade-union members the maximum protection, and to provide that protection as well to the employer and to the general public. It seems to me obvious that the proposal for the prehire agreements as incorporated in the Dirksen substitute is an optimum approach as compared with the manner in which it is handled in title VI in the bill now before us. The Dirksen approach protects the rights of workers; the Kennedy-Ervin approach protects the powers of labor leaders.

The Dirksen substitute will continue in force the standards and criteria established by the National Labor Relations Board in the Pacific Mountain case for union hiring halls in the building and construction trades. On the other hand, the committee bill has the effect of overruling this protective decision of the Board.

Secondly, Mr. President, as one who voted for the Ervin proposal to strike title VI from the bill, so that we could have a clean piece of proposed legislation dealing with the establishment of democratic rights and the protective action required to eliminate racketeerism and corruption from labor unions, and who now finds himself, as do other Senators, dealing with the whole pattern of performance insofar as labor-management relations are concerned, I urge strongly now that we accept the Dirksen substitute. It does those things which are desired to be done in an optimum manner.

It does them in the manner recommended as appropriate by the Secretary of Labor, Mr. Mitchell.

In addition, it deals with two important factors entirely overlooked by title VI as it is now before us. It does something effective from the standpoint of blackmail picketing. Over and over again, before our committee, witness after witness has said if there were a Federal law effectively administered against blackmail picketing, we could eliminate much of the source of corruption and of abuse of power. In addition, we would take away the opportunity of a corrupt labor boss or, at times, a racketeer masquerading as a labor boss, from holding a loaded pistol at the head, sometimes of an employer and sometimes of the employees, to coerce human beings to do things against their will, by the utilization of blackmail picketing.

The provisions contained in the Dirksen substitute provide adequately for a continuation of picketing when it has to do with the legitimate aspirations of men and women to become union members and to develop for themselves a union contract with an employer.

The second big loophole which is plugged by the Dirksen proposal, as

against the deficiencies which are contained in the provisions of title VI in the bill, is the fact that it does something in the field of secondary boycotts. In a reasonable and rational manner it gives the employers and employees alike protection against the promiscuous use of secondary boycotts.

It seems to me that if we are to legislate at all in the general field of labor legislation the Senate would be notoriously derelict in its responsibilities if it eliminated action in the two fields where, after 24 months of expensive investigation, the evidence is clear that corrective legislation of that kind is required.

The PRESIDING OFFICER. The 10 minutes of the Senator from South Dakota have expired.

Mr. MUNDT. Very well. I conclude by urging my colleagues to support the Dirksen substitute for title VI, inasmuch as we have now decided to enter into the activities of general labor legislation.

Mr. GOLDWATER. Mr. President, I yield 1 minute to the Senator from Nebraska.

Mr. CURTIS. Mr. President, I offer an amendment to the Dirksen substitute for title VI. I send it to the desk and ask unanimous consent that the reading of the amendment be waived and that it may be printed in the RECORD at this point.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The amendment, offered by Mr. CURTIS, is as follows:

On page 65, between lines 11 and 12 of the bill S. 748, it is proposed to insert the following new subsection:

"(c) Nothing contained in the foregoing subsections shall be construed as authorizing the execution or application of agreements requiring membership in a labor organization as a condition of employment in any State or Territory in which such execution or application is prohibited by State or Territorial law."

Mr. CURTIS. Mr. President, my amendment lifts language from the Kennedy bill and places it in the Dirksen substitute. That language protects State right-to-work laws. I am wondering whether, without further discussion, the distinguished Senator from Arizona would accept my proposal as an amendment to the Dirksen substitute. The language is contained in the committee bill. I wonder whether he will accept it in connection with the substitute.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that I may be allowed to accept the amendment to the substitute, proposed by the Senator from Nebraska.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

VALUE OF U.S. BONDS

Mr. GORE. Mr. President——

Mr. KENNEDY. Mr. President, I yield such time as the Senator from Tennessee may require.

Mr. GORE. Mr. President, on yesterday the market value of U.S. Government bonds experienced a further sharp decline. Twenty-one issues hit new lows for the year and many of them represented alltime lows. Two and one-half percent bonds were bid at 83 30/32.

Mr. President, the bond prices as quoted on the New York market yesterday reflect billions of dollars of losses to those who hold these bonds. The total par value of outstanding marketable bonds is $84.19 billion. On the basis of bid prices quoted in today's issue of the New York Times, the market value of these bonds as of yesterday was $76.98 billion, which is $7,207,000,000 below par.

Those who purchased these bonds at par value were purchasing a solemn obligation of the United States, and thereby expressing their faith in the credit of the United States. The enormous losses reflected in the current market value of these bonds are due in large measure to the monetary and credit policies which have been followed by the administration.

Already during this month, the month of April, holders of Government bonds have lost an additional $350 million. These are further losses on the market since March 31.

Mr. President, this is a serious matter. Only 3 weeks ago, on the floor of the Senate, I warned the Senate, the country, and the Government that, unless the policies were altered and unless action to remedy the damaging situation were taken, we could expect further depreciation and further devaluation of the bonds of the U.S. Government. We are experiencing such devaluation almost daily. Yesterday, 21 issues sold at lows for the year, many of them at lows for all history.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959

The Senate resumed the consideration of the bill (S. 1555) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Illinois [Mr. DIRKSEN] as amended.

Mr. KENNEDY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, I yield myself 3 minutes. I am opposed to the amendment offered by the Senator from Illinois. It is an extremely far-reaching amendment. If it were adopted, it would be impossible for any Senator to offer amendments dealing with picketing, secondary boycotts, no man's land, prehiring agreements, or the building trades, all of which are extremely controversial and should be the subject of individual action by individual Senators.

If the amendment of the Senator from Illinois were agreed to such amendments as I have indicated would then be in the third degree and thus the Senator from Arkansas [Mr. MCCLELLAN] and other Senators would be precluded from offering amendments which are the result of long preparation.

I point to two amendments which I think indicate the careful consideration which this matter should have. The amendment offered by the Senator from Illinois, as I understand, repeals the Denver Building case. If adopted, it would permit picketing to be practiced on a site against nonunion persons being hired. That in itself is an extremely substantial amendment, one which I am certain Senators would want to consider very carefully. It is not a part of our bill. We do not go that far in relaxing the picketing sections of the Taft-Hartley Act.

Second, the committee has rewritten the section with respect to prehearing elections. The amendment offered by the Senator from Illinois does not provide for at least 30 days in which both parties can present their viewpoints. A request might be made for an election, such as occurred in the days right after World War II, and the election might be held in 2, 3, or 4 days, a so-called quickie election. We requested the representatives of the chamber of commerce to rewrite that section so as to provide for a hearing by the National Labor Relations Board, and that there should be at least a 30-day interval between the request for an election and the holding of the election. That is denied in the amendment offered by the Senator from Illinois.

The amendment of the Senator from Illinois would make all other amendments to those categories amendments in the third degree and out of order, although they deal with subjects which have far-reaching effects.

I hope the Senate will decide to consider such amendments one by one on their merits, rather than by having them all lumped together.

Mr. DIRKSEN. Mr. President, I yield myself not to exceed 3 minutes. Let me make three answers to the distinguished Senator from Massachusetts.

First, in connection with his expression of solicitude about organizational picketing and secondary boycotts, proposals on those matters were presented in the committee, and all of them were rejected. We can well understand that the Senator from Massachusetts will be against every one of those amendments if they are offered individually.

Second, I answer the Senator from Massachusetts by saying that all the recitals he has made are covered by the substitute, including provision to fill vacancies in the office of the General Counsel of the National Labor Relations Board; secondary boycotting; prehiring agreements so far as the construction industry is concerned, and organizational picketing. Everything of that nature is contained in the amendment in the nature of a substitute. So if the substi-

tute is adopted, obviously we will have in the bill those proposals which have the greatest appeal to the country and on which Senators have received a great amount of mail over a long period of time.

The third answer I make is that the administration bill was carefully prepared over a long period of time by experts in the Department of Labor. It has the approval and the sanction of the Secretary of Labor and the President of the United States. It is the administration bill and was introduced as such. Let no one for a moment think there will be any relenting in the effort to knock down every amendment dealing with these great challenges on the labor front, notably blackmail picketing, secondary boycotts, and the other items which are contained in the amendment.

If Senators want all these items in one package, here it is. It represents the viewpoint of the present administration. With that statement, I am content to rest my case.

Mr. KENNEDY. Mr. President, I am prepared to yield back the remainder of my time if the Senator from Illinois will yield back the remainder of his time.

Mr. DIRKSEN. I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the amendment of the Senator from Illinois in the nature of a substitute, as amended. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CAPEHART (when his name was called). On this vote I have a pair with the senior Senator from Minnesota [Mr. HUMPHREY]. If he were present and voting, he would vote "nay"; if I were permitted to vote, I would vote "yea." Therefore I withhold my vote.

The Chief Clerk resumed and concluded the call of the roll.

Mr. MANSFIELD. I announce that the Senator from Pennsylvania [Mr. CLARK], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

I also announce that the Senator from Delaware [Mr. FREAR] and the Senator from Rhode Island [Mr. GREEN] are absent because of illness.

I further announce that, if present and voting, the Senator from Pennsylvania [Mr. CLARK], the Senator from Rhode Island [Mr. GREEN], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Missouri [Mr. SYMINGTON] would each vote "nay."

The result was announced—yeas 24, nays 67, as follows:

YEAS—24

Allott	Cotton	Lausche
Beall	Curtis	Martin
Bennett	Dirksen	Morton
Bridges	Dworshak	Mundt
Bush	Eastland	Prouty
Butler	Goldwater	Saltonstall
Carlson	Hickenlooper	Schoeppel
Case, S. Dak.	Hruska	Williams, Del.

NAYS—67

Aiken	Bartlett	Byrd, Va.
Anderson	Bible	Byrd, W. Va.
Cannon	Javits	Muskie
Carroll	Johnson, Tex.	Neuberger
Case, N.J.	Johnston, S.C.	Pastore
Chavez	Jordan	Proxmire
Church	Keating	Randolph
Cooper	Kefauver	Robertson
Dodd	Kennedy	Russell
Douglas	Kerr	Scott
Ellender	Kuchel	Smathers
Engle	Langer	Smith
Ervin	Long	Sparkman
Fulbright	Magnuson	Stennis
Gore	Mansfield	Talmadge
Gruening	McCarthy	Thurmond
Hart	McClellan	Wiley
Hartke	McGee	Williams, N.J.
Hayden	McNamara	Yarborough
Hennings	Monroney	Young, N. Dak.
Hill	Morse	Young, Ohio
Holland	Moss	
Jackson	Murray	

NOT VOTING—7

Capehart	Green	Symington
Clark	Humphrey	
Frear	O'Mahoney	

So, Mr. DIRKSEN'S amendment, as amended, was rejected.

Mr. KENNEDY. Mr. President, I move that the vote by which the amendment of the Senator from Illinois [Mr. DIRKSEN] was rejected be reconsidered.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The motion to reconsider was laid on the table.

Mr. JOHNSON of Texas. Mr. President, I yield to the Senator from Washington [Mr. MAGNUSON].

REPEAL OF TRANSPORTATION TAX SOUGHT

Mr. MAGNUSON. Mr. President, the leadership furnished by the Senate during the 85th Congress in effecting the repeal of the 3-percent tax on transportation of goods is well remembered.

Remembered as well is the Senate's vote to terminate the 10-percent tax on domestic transportation of individuals. Unfortunately, the repeal of this tax was lost in conference.

Now comes a reminder from the American Automobile Association pointing out how essential it is that this tax be repealed as well.

I ask unanimous consent to have printed in the RECORD at this point a recent news release issued by the AAA.

There being no objection, the news release was ordered to be printed in the RECORD, as follows:

AAA LAUDS SMATHERS' TAX REPEAL MEASURE

WASHINGTON, D.C., April 8.—Reaffirming its long-established policy opposing Federal taxes on the travel of persons, the American Automobile Association's executive committee, convening at Miami Beach yesterday, lauded Florida Senator GEORGE SMATHERS for his efforts to obtain congressional repeal of the 10-percent domestic transportation tax.

SMATHERS recently introduced a bill (S. 5) calling for repeal of the levy which he termed "regressive, discriminatory, and outdated." The tax produces approximately $220 million annually for the Federal Treasury.

Commenting on the measure, AAA President Frederick T. McGuire, Jr., of Cleveland, said:

"AAA believes that any tax on travel not only is a deterrent to travel, but an unreasonable levy on the users of common carriers. The 10-percent tax on transportation tickets was imposed during the war for the purpose of discouraging civilian use of the carriers so that they could be utilized to the maximum degree for the benefit of the war effort. The necessity for the tax no longer prevails."

McGuire added that Senator SMATHERS' bill, while having some feature of a tax relief measure, has as its primary purpose the strengthening of the Nation's transportation economy.

"Since the tax is deductible as a business expense," McGuire stated, "it reduces taxable income. In this sense, the existing tax is self-defeating as a source of Federal revenue. It is paradoxical that we should continue a tax designed to discourage travel at the same time we are seeking means of strengthening our economy and encouraging expansion of our national transportation system."

THE AMERICAN MERCHANT MARINE

Mr. MAGNUSON. Mr. President, the American Merchant Marine, in company with the shipping of all the world, is having its troubles. Foreign trade is down, and cargoes are scarce. World tonnage is far in excess of current needs. As a result, freight rates are down to the point where U.S. flag vessels find it difficult, if not actually impossible, to be competitive.

To cap it all, certain shipping conference agreements, under which our shipping has been able to work cooperatively with their foreign competitors, have been questioned by the Supreme Court. The problems thus created must be resolved before temporary "status quo" legislation enacted last year expires on June 30, 1960.

It is a matter of urgent importance to the great maritime industry of our country, one that merits the most thorough attention of all Members of this body.

I ask unanimous consent that a statement prepared by me be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MAGNUSON

I refer to the question of steamship conference dual rate agreements, concerning which concurrent studies are being conducted by the House Judiciary Committee and the House Committee on Merchant Marine and Fisheries. The Senate Interstate and Foreign Commerce Committee is actively following these hearings, and will start its own hearings when they will serve a constructive purpose.

The term "dual rates" refers to contractual agreements between the steamship conferences and exporters of this and other lands, under the terms of which a lower freight rate is made available to shippers who agree to use, and do so use, conference vessels exclusively.

This system has been known as dual rate, contract-noncontract, shipper's rate agreement, etc. But whatever the name, it is an exclusive patronage plan whereby the shipper, who agrees to ship exclusively on the conference serving a particular trade route, benefits from a lower freight rate. This enables the conference carriers to arrange their schedules and plan their sailings so as to avoid a concentration of tonnage capacity at the peak season and little or no tonnage at all when cargo availability is lower. One of the real benefits of this system is to the smaller shipper whose cargoes may not arrive at dockside when there is the peak tonnage available. The conference system guarantees him service when

the amount of his cargo would not justify an independent operation continuing.

Dual rate and conference systems tend to flatten out rates to a point where they are constant over periods of peak tonnage and low tonnage. This is confirmed by the experience prior to the act of 1916 and in the Japanese-Atlantic Conference since the Supreme Court held that dual-rate illegal. In each case there were enormous rate vacillations, demoralizing to both carriers and shippers.

These conference agreements have been authorized by statute since 1916. They were written into law by the Congress, after a thorough study by a special House committee established for the purpose. They were authorized on the ground that they afforded the only feasible basis upon which vessels of various nations, competing on particular trade routes, could avoid the recurring freight rate wars that had plagued the maritime industry throughout the years.

The Merchant Marine Act of 1916 specifically provides that the Federal Maritime authorities may by order disapprove, cancel, or modify such conference agreements, but when and as long as they are approved the agreements are excepted from certain antitrust statutes.

On May 19, 1958, however, the United States Supreme Court, by majority opinion, declared illegal the dual-rate system of the Japan-Atlantic and Gulf Freight Conference, finding that this particular agreement was a predatory device aimed at a particular competitor. A dissenting opinion said the practical effect of the decision was to hold all dual-rate systems illegal.

Between them, the Court opinions cast doubt on the legality of all such conference agreements. As a result, and because of the vital importance to United States shipping of some method of achieving stability in ocean freight rates, the 85th Congress approved legislation to declare legal until June 30, 1960, the conference dual-rate agreements then in force. This was done to preserve the status quo while opportunity is afforded for study and possible resolution of the problem.

The current investigations of steamship conference policies, including dual rates, is long overdue. It has been more than 40 years since Congress has looked searchingly into operations in this highly competitive sphere. Few areas of law have gone this long without check or revision. I hope that when the Senate does consider the matter there will be full understanding of the complexities inherent in these cooperative efforts on the international level.

Whatever the merits of the cases for and against the continued operation of the dual-rate system, I request the Senators to keep informed as much as possible; for we will in the not too distant future be called upon to decide this highly important question, affecting trade and commerce as well as defense and foreign relations.

The carriage of oceanborne commerce is an industry characterized by a very high capital investment, large fixed operating costs, and the obligations and responsibilities of the common carrier. There is, in addition, intense competition fired by easy market access and an oversupply of carrying capacity.

When the Senate Interstate and Foreign Commerce Committee studies the dual-rate system, we will concern ourselves with concrete facts and documented economic surveys based on logic and free of the emotions frequently attendant on a study of such great significance in the transportation field. Our aim is to preserve rate stability and service frequency with whatever wise limitations and regulations are dictated by the past experience of shippers, carriers and consumers.

EVENING SCHEDULES FOR INFORMATIVE PROGRAMS

Mr. MAGNUSON. Mr. President, two informative programs, well known to the American public, "The American Forum of the Air" and "Youth Wants to Know," have had evening schedules this season.

This has made both programs available to a larger potential audience than was possible when they were telecast Sunday afternoon in previous seasons.

Westinghouse Broadcasting Co. and Theodore Granik have worked to make this possible.

Westinghouse has recorded by video tape both "The American Forum of the Air" and "Youth Wants to Know," distributing them to television stations throughout the Nation so that they could be seen regularly, on a once-a-month basis.

Several of the Members of the Senate have already appeared in this new series. The Senator from Oregon [Mr. MORSE] and the Senator from Arizona [Mr. GOLDWATER] opened the new series, discussing the need for labor legislation, and during the past week the Senator from New York [Mr. JAVITS] and the Senator from Georgia [Mr. TALMADGE] discussed the controversial civil rights proposals pending before the Senate. On "Youth Wants to Know" the guest was a member of the Senate Foreign Relations Committee, the Senator from Minnesota [Mr. HUMPHREY], who was questioned by high school students regarding his recent trip to the Soviet Union.

Evidence of the acceptability of this new scheduling is presented in a recent article in Radio-Television Daily, in a story entitled "WBC Will Syndicate Granik Taped Shows." I ask unanimous consent that this article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WBC WILL SYNDICATE GRANIK TAPED SHOWS

The two 30-minute programs, "American Forum of the Air" and "Youth Wants To Know," will be placed in videotape syndication for TV stations across the country later this month by the Westinghouse Broadcasting Co., it was announced yesterday by Donald H. McGannon, president.

Both programs, as well as a radio version of "American Forum of the Air," are being produced by WBC in cooperation with Theodore Granik, founder of both programs. They will be aired by WBC stations with the first "American Forum of the Air," scheduled for presentation sometime during the week of February 23, which thereafter will alternate the first and third week of each month with "Youth Wants To Know."

A separate half-hour presentation of "Forum" will also be carried by WBC radio stations on a 52-week basis beginning the first of March. This, too, will be syndicated to radio stations from coast to coast.

PRIME NIGHT SHOWS

WBC will place all programs in prime evening times, between 7:30 and 10 p.m.

In addition special report programs on major contemporary problems on the American scene, with a combination of both discussion and documentary-type formats, will be offered twice a year by each of the TV programs. At present, these are not included in syndication plans but they are likely to be in the future.

One of the factors behind the program projects, Mr. McGannon said, was a growing appetite by Americans for information and background in the crucial issues of the day. Such programing "will achieve a service beyond the present accomplishments of the networks and broadcasters."

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959

The Senate resumed the consideration of the bill (S. 1555) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes.

Mr. JOHNSON of Texas. Mr. President, I will say to Senators that the Senate will stay in session long enough to accommodate any Senator who has any statement he cares to make for the RECORD, but we do not expect any more record votes or any votes of any kind this evening.

Mr. President——

The PRESIDING OFFICER. The Senator from Texas.

ORDER FOR ADJOURNMENT TO 11 A.M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its deliberations today it stand in adjournment until 11 o'clock a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I announce that it may be necessary to have an evening session tomorrow. I should like all Senators to be on notice.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959

The Senate resumed the consideration of the bill (S. 1555) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes.

Mr. GOLDWATER. Mr. President, I call up my amendment 4–17–59–BB and ask that it be made the pending question.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 51, between lines 11 and 12, it is proposed to add the following new subsection:

( ) "Officer" of a labor organization means any constitutional officer, any member of a board, council, committee, or other body authorized to exercise governing or executive functions with respect to such labor organization, or any official or employee of a labor organization, regardless of how selected, who exercises or is authorized to exercise any governing or executive functions in such labor organization, and includes, but is not limited to, organizers, business agents, re-

gional directors, managers, and trustees of subordinate labor organizations as well as officials designated as or performing the functions of president, vice president, secretary, and treasurer of a labor organization.

Mr. GOLDWATER. Mr. President, I do not desire to have the Senate take action on the amendment tonight, but I will hold it for action in the morning.

Mr. President, I have a statement to make on behalf of the Senator from Nebraska [Mr. CURTIS].

The Senator from Nebraska wishes to announce that he will join with the Senator from Arkansas [Mr. MCCLELLAN] in offering his amendment to outlaw secondary boycotts, which is amendment 4–17–59–C; and that he will also join with the Senator from Arkansas in offering his amendment relating to hot cargo, 4–17–59–D, and his amendment on organizational picketing, 4–17–59–A; and that the Senator from Nebraska will not offer his amendments on the same subjects.

TIMBER SET-ASIDES FOR SMALL BUSINESS

Mr. MORSE. Mr. President, I have just received a copy of a letter which Wendell Barnes, Administrator of the Small Business Administration, sent to the Portland Oregonian.

On March 22, that newspaper published an article which, in the judgment of Mr. Barnes, and in mine, too, contained numerous inaccuracies. The article questioned whether the several Government agencies involved in assuring that small business receives a fair share of Federal timber were dedicated to carrying out the spirit and intent of the law as enacted by the Congress. The Oregonian article made a very serious charge when it said, in effect, that the agencies who administer Government timber and the Small Business Administration do not want to administer the law.

I ask unanimous consent that Administrator Barnes' excellent letter of April 3 and the Oregonian newspaper story of March 22, which prompted the Barnes letter, be made a part of the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. MORSE. Mr. President, I would only add this point: The Small Business Administration, in my judgment, is proceeding both carefully and wisely to apply to the sale of Government timber the same principles which have been so helpful over the last few years to small businesses engaged in selling their products to the Government.

There is no great mystery nor any need for confusion in the timber set-aside program. It can be well carried out, in my judgment, if the agencies involved make the proper adjustments necessary to recognize the peculiar problems of each agency. In my opinion, a number of people who really are speaking for big business have been attempting to cloud the issue on timber set-asides. It is their desire that the small businessman be forced to close down. If we close the door to the small businessman, whether it be in the timber industry or the automobile industry, not only will the American people suffer, but the entire concept of the free enterprise system will be in jeopardy.

For my own part, I intend to do all that I can to help maintain the small businessman. I am delighted that Administrator Barnes is also proceeding with this particular job in accordance with the law and in a reasonable and effective manner.

EXHIBIT 1

SMALL BUSINESS ADMINISTRATION,
Washington, D.C., April 3, 1959.

Mr. JOHN L. DENNY,
Business Editor, the Oregonian,
Portland, Oreg.

DEAR MR. DENNY: An article under your byline, entitled "Morse Plan Seeks To Reserve Timber Sales for Small Firms," which appeared in the Oregonian on March 22, 1959, has been brought to my attention.

Like all other newspapers in the United States, I am sure the Oregonian is interested in reporting facts, and that it only prints factual data as submitted to it. Apparently the source of your information for the above-mentioned article either deliberately or through error, gave you some completely inaccurate information concerning the Small Business Administration. I should like to point out these inaccuracies in your article.

First, you say that "right now nobody seems to want it [the Morse amendment]—not the agencies who administer Government timber, the Small Business Administration, or the forest industries, big and small." We believe that small companies are entitled to a fair share of the timber disposed of by the Federal Government.

Second, you say that "confusion was compounded when the Small Business Administration set out to determine what is 'small business.' At first, it was proposed that limits be placed at firms with 10 to 20 employees. This was boosted to 250 employees and a regulation issued to that effect. Later this was changed to 100 employees, where it now stands." This statement is completely inaccurate and misleading. The Small Business Administration never suggested a limitation of "10 to 20 employees." Furthermore, we did not issue a regulation defining small business in this industry as one employing 250 or less employees. We published a proposed regulation in the Federal Register, utilizing a figure of 250 employees as being the proposed line of demarcation between large and small business, and requested comments. We also submitted this proposed regulation for comment to timber associations, timber operators, Members of Congress, the Forestry Service, and the Interior Department. A majority of the comments received indicated that our proposed figure of 250 employees was too high and that a figure of 100 employees would be more realistic. This figure of 100 employees was adopted with the concurrence of the Forestry Service. There has been no "confusion" in connection with this program; we do not intend to "hire a police force" to enforce the operation of this program, and we do not intend to "attempt to control the market for set-aside logs with price-ceiling regulations."

We have proceeded in an orderly manner to implement this amendment to our act. All of our actions have been fully coordinated with the Forestry Service and the Interior Department. Our set-aside program is not unilateral. Any set-aside initiated by SBA must be concurred in by the Forestry Service or the Interior Department, as the case may be. I know of no actions taken to date which would produce the dire results predicted in your article.

In all fairness, I think your paper should give the same credence to this letter as you gave to the person or persons who supplied the information for your article, and that you should give this program a chance to operate before passing judgment.

Sincerely yours,

WENDELL B. BARNES,
Administrator.

[From the Oregonian, Mar. 22, 1959]

MORSE PLAN SEEKS TO RESERVE TIMBER SALES FOR SMALL FIRMS

(By John L. Denny)

The public forests and forest industries of the Pacific Northwest will be the guinea pigs in a new attempt to regulate the economic laws of supply and demand.

This one will be a program to reserve a portion of Government timber for sale to small business operators, as required under the so-called Morse amendment to the Small Business Act.

It's scheduled to get its first trial not long after a March 27 meeting here of representatives of the three agencies involved—the Small Business Administration, the Forest Service and the Bureau of Land Management.

PLAN NOT LIKED

Right now, nobody seems to want it—not the agencies who administer Government timber, the SBA or the forest industries, big and small.

Leonard B. Netzorg, whose Western Forest Industries Association is considered the spokesman for the "small" timber operator, expressed his opposition this way:

"We have a philosophical queasiness about adding one more agency with authority to decide who can stay in business."

It has been marked by controversy, complications and confusion from the start, when Senator WAYNE MORSE introduced the set-aside provision as a floor amendment to the Small Business Act of 1958. Netzorg's group opposed it, but Senator MORSE, attributing the opposition to the wrong organization, fired a blast at W. D. Hagenstein of the Industrial Forestry Association, which is regarded as spokesman for "big" timber interests.

The IFA, mindful of the sacred cow nature of small business and which has firms of all sizes among its membership, has taken no public position on the matter.

Confusion was compounded when the SBA set out to determine what is small business. At first it was proposed that limits be placed at firms with 10 to 20 employees. This was boosted to 250 employees, and a regulation issued to that effect. Later this was changed to 100 employees, where it now stands.

Another and still unresolved question is: How much timber should be reserved and set aside for purchase by small business? Shall the amount of the set-aside be determined on a historical basis? What area should be used—the entire region, a forest, a working circle?

SALES SHARE EYED

It has been brought out that if a moving average "historical basis" is used to determine how much timber should be set aside for small business, then the set-asides will grow progressively larger. Small timber operators have been and probably will continue to buy timber at Government sales and purchases at regular sales plus those at the set-aside sales would increase any base figures used to determine the small business share.

The SBA would have to hire a forest police force to enforce one regulation the agency had proposed to include in the set-aside program. This was an attempt to regulate customers of small operators, by requiring that logs cut by small business buyers could be sold only to small business manufacturers. But the SBA apparently

has given up on this one, after it was pointed out set-aside timber buyers would have no market for their pulp logs. There are no small business pulp and paper operators.

COMPETITORS VIEWED

Some industry members believe that the set-aside plan, in its practical application, will be of little benefit to small mill operators. They believe independent loggers will bid in most of the timber at the small business sales, and proceed to cut the timber and sell the logs for the best price they can get. In most cases the high bidder won't be a small mill operator. He can't compete with the larger integrated operator who has a barker, chipper, sawmill and veneer plant, and can afford to pay more for his logs because of higher utilization.

The SBA could, of course, attempt to control the market for set-aside logs with price ceiling regulations.

If the program succeeds in diverting a substantial volume of Government timber into small lumber mills, it will deal a serious setback to forest utilization and to the economy of the State, in the view of David Mason, widely known consulting forester.

Mason ticked off a dozen adverse effects of the program. It would, he said, reduce employment, because small mills employ fewer workers per 1,000 feet of logs processed than do larger, more integrated operations.

Reducing competition for Government timber, Mason pointed out, will reduce income of Oregon counties, who share in the receipts of Forest Service and O. & C. timber sales.

It will work against intensive utilization of timber, he said, since most smaller mills can't afford the investment in a barker and chipper.

The Morse amendment, Mason declared, can be called a law against a favorable business climate in Oregon, against sustained yield management of private timberland, and against the slow cutting of timber.

Other industry members viewed the program of giving limited utilization small operators exclusive purchase rights on Government timber as being the same as subsidizing submarginal agriculture.

ARE THE PUBLIC LANDS REALLY PUBLIC?

Mr. NEUBERGER. Mr. President, the U.S. Government has continued in public ownership two substantial land holdings for use and enjoyment of our people—the 470 million acres of public lands under the Bureau of Land Management in the Department of the Interior and the 188 million acres of national forest lands in the Department of Agriculture.

Federal officials charged with administering these lands call these areas multiple-use lands where wood production, water development, grazing, mining, hunting, fishing, and other outdoor recreation can go on side by side. But, Mr. President, full, complete multiple use is not now possible. Use by the public and management by the Government require ready and proper access to these lands. The problem of providing access to national forests and other publicly owned tracts is especially acute in Western States where a checkerboard pattern of land ownership intermingles private and Federal holdings. Today the Federal Government is not the master of all its domain. Private interests sometimes completely bar the public from these lands. In other cases private interests dictate the terms and conditions under which the general public can go on to Federal lands. In some cases private interests may retard development of these Federal lands.

The Department of Agriculture's Forest Service has applied its authorities so as to grant ingress and egress to Federal land to an adjacent private land owner despite the fact that this party refuses the Government the reciprocal right to reach its own land. Under such policy the Government lacks the right to insure that the public can get to its own resources—or that the Government can properly develop these resources for the people.

NO ACCESS MEANS NO TIMBER SALES

A recent staff study of national forest timber sales by the Senate Interior Committee showed that in the States of Oregon and Washington over 1 billion board-feet of planned timber sales were delayed or unmade in a recent period due to lack of access—lack of rights-of-way. There are many additional billions of board-feet of timber thus tied up.

Millions of dollars of revenue have been lost to the Government—opportunities for timber cutting and real multiple-use development are stalled by a lack of access.

In many other areas, according to a separate report by the Oregon State Game Commission, thousands of acres of national forests are locked up by timber and grazing interests from the hunter and fisherman.

On the Upper Deschutes River, national forest lands are barred by roads closed on private lands. On the Wallowa-Whitman Forest one landowner is actually reported to charge a fee for access to 9,500 acres of federally owned national forest.

On the lands administered by the Bureau of Land Management, a somewhat similar situation exists. Deer and grouse hunting areas, fishing streams and lakes on Federal land are barred to the sportsmen. In the Steens Mountain area, 236,800 acres of Bureau of Land Management lands are reported closed by private interests. On the O. & C. lands, logging goes forward while public access for sportsmen is often barred.

NO KING'S LANDS IN THE UNITED STATES

Mr. President, in England the people were barred from enjoying or using the King's forest. Here we have the reverse developing, some of the national forest and range is barred to the people—not by the Government but by a few of the people who live around the forest and range.

The Senator from Montana [Mr. MURRAY], chairman of the Interior and Insular Affairs Committee, has told me that he is concerned by the factual information revealed by preliminary studies in Oregon and Colorado.

He is in agreement with my request that there should be a staff study made to reveal the full dimensions of the problem. We need to know how many acres of Federal land are blocked from reasonable access. I am sure that all true conservationists, whether they be stockmen, timbermen, hunters, fishermen, or campers will be pleased to know that this problem is going to receive attention.

I should like to emphasize, so that this subject is kept in perspective, that the best unofficial estimate of Federal lands where access is not available is that the total may approximate the 14 million in national forest wilderness acres. This is an intriguing observation. The most vocal opposition to the wilderness bill has come from timber and grazing people. It will indeed be interesting to see whether some of those who have been most vocal against a wilderness bill are among those who are trying to make private reserves out of public forest and range.

SPORTSMEN MUST HEED PRIVATE RIGHTS

I do want to have it fully understood by all concerned that the problem which confronts us has two sides. The conduct of hunters, fishermen, and campers has not always been above reproach. On occasions, thoughtless persons have cut private fences, shot livestock, damaged water supplies, and started forest fires. These actions have often motivated public land livestock permittees to close their own lands and in the process to seal off valuable public lands.

Similarly, some interests have often felt that the less public use of nearby national forests, the less would be the chance of catastrophic forest fires. They have sealed off public lands along with their own.

On the other hand, many, many private owners whose lands abut public forest and range have opened not only their lands but have helped to open public land for full use and enjoyment.

The right to control trespass is basic to the concept of private land ownership. It is a right which is free from governmental interference, except through due process of law. Our review of access problems will respect this right. However, when private land ownership benefits by values derived from its adjacency to public lands, then arrangements are justified for reciprocal access. Because of the ever-increasing pressure to use public lands, we cannot permit vast areas to remain as islands of inaccessibility.

In the consideration of the basic problem I am sure the committee staff will recognize all of these factors. As a Senator with a deep interest in this problem I can assure both those who wish our forest and range open, as well as those who have been keeping parts of public land closed, that I—and I am sure the other members of the committee—will proceed carefully and judiciously.

PUBLIC LANDS MUST NOT BE BARRICADED

The first thing before us is to obtain the factual situation, and I am assured that this work will proceed rapidly. It must be determined whether existing laws provide Federal agencies with adequate means of assuring access, whether this authority is fully utilized, and whether additional congressional action is advisable.

Needless locking up of public lands by private parties who have land adjacent to our public forest and range must not be permitted. Congress recently took action to stop excessive military public land withdrawal. It is my hope that the way in which this problem was approached will be the model used for our study of this matter.

Congressional consideration of this problem will be of material assistance to the National Outdoor Recreation Resources Review Commission where we are about to start a detailed inquiry into recreational needs. Outdoor recreation on public lands requires that the lands be open. The Senator from Montana [Mr. MURRAY] has advised me that particular attention will be given to assisting the Commission in evaluating the amount of recreational use and values that may be involved.

Finally I would say the constructive suggestion of all interested groups will be welcomed by the Senate Interior and Insular Affairs Committee so that we may obtain the benefit of well-considered views on reasonable and fair solutions.

I ask unanimous consent to have printed with my remarks an article entitled: "The Problem of Access to Public Lands," which was published in the January 15, 1959, issue of Conservation News of the National Wildlife Federation; and a report from the bulletin of the Wildlife Management Institute of January 16, 1959, entitled "Free Access to Public Lands Blocked."

There being no objection, the article and report were ordered to be printed in the RECORD, as follows:

THE PROBLEM OF ACCESS TO PUBLIC LANDS

Something of a furor was raised in central Oregon this past fall over advertised plans of a group of ranchers to permit deer hunting on a fee basis over some 1 million acres of land. Many sportsmen's groups and the Oregon Game Commission went on record in opposition to the system, partly because it failed to recognize the right of all citizens to share equally in utilization of the State's wildlife resources and, in addition, because some public lands in Federal ownership were interspersed among the privately owned territory being advertised for fee hunting.

Reports indicate the fee-hunting plan was something less than a spectacular financial success, yet the incident does serve to point up a major problem—right of the public to enjoy access to, and use of, public lands for lawful recreational purposes.

The situation, largely concentrated in the 11 Western States but applicable to some degree all over the Nation, perhaps is best illustrated in Colorado. A survey just completed by the game and fish department and submitted to a State legislature interim committee reveals that 1½ million acres of public land in Colorado is controlled by private interests: farmers and ranchers, lumbering and mining companies, resorts and even municipalities. Members of the public can reach this land only by going across private property (sometimes for a fee, sometimes free, sometimes access is totally denied) or by detouring around at a considerable distance. Some Federal property is completely encircled by private holdings.

The final report covered 149 separate areas in 28 Colorado counties. The total public acreage controlled by private groups came to 1,462,738 acres or 12.7 percent of the total public land area in the counties surveyed. From another angle, the study involved 10,788,402 acres, or 78.7 percent of Colorado's national forests. Of this total, 80 percent (8,695,357 acres) was considered to provide good hunting and/or fishing. There were 120 separate areas where the public was denied access to 1,038,190 national forest acres, or 12.1 percent of the total.

Public land access problems in Colorado are applicable, to a considerable extent, throughout the West.

In all, the Federal Government has some 406 million acres of land exclusive of extensive holdings in Alaska. This huge area is broken down for administration into: National forests, 161 million acres; national parks and monuments, 17 million acres; national wildlife refuges, 10 million acres; military reservations, 25 million acres; and public domain, including grazing districts, 193 million acres. National forests, administered by the U.S. Forest Service, Department of Agriculture, are dedicated to multiple use, including recreations such as hunting and fishing. National parks, administered by the National Park Service, Department of the Interior, are dedicated to recreational and educational use, except hunting. National refuges, administered by the U.S. Fish and Wildlife Service, Interior Department, are dedicated to the preservation of wildlife and some provide recreational possibilities, including hunting and fishing. Military reservations are administered by the Department of Defense and offer limited public recreational opportunities, including hunting and fishing, depending upon the type of basic activity and national security. Public domain, administered by the Bureau of Land Management, Interior Department, comprises the Federal properties which were left after the other lands were withdrawn for special uses.

The public access problem primarily concerns national forests and public domain lands. Each type of land has its own particular problems.

Speaking in generalities, many national forests are located in scenic but rugged mountain territory. Public domain lands constitute desert lands, plateaus, mountains, and odds and ends of Federal real estate, including huge tracts in Alaska.

Public domain property perhaps offers the most acute access problems. Whereas national forests were usually withdrawn or purchased in blocks, they are somewhat more easily administered than the public domain properties which often are widely scattered among more valuable land which was homesteaded, mined or claimed for other purposes. Many public domain lands are rocky outcroppings, canyons and gulches or other unwatered areas of little or no value.

Access to public domain land and national forests is a thorny problem. The areas are so widely scattered and isolated that it is uneconomical to mark boundaries or to fence the properties. Even though State wildlife agencies are providing access to some areas, all cannot be opened in this manner. The Federal agencies understandably are reluctant to resort to condemnation procedures to insure public access to public property but this approach may, in the final determination, offer the only possibility. The Federal Range Code prohibits interference with licensed hunters or fishermen to enter, and to hunt and fish on the Federal range covered by such license or permit but many access roads are on private lands.

Admittedly, hunters and fishermen sometimes create damage and dismay for private landowners, but there also is another side to the coin. Denying entry prevents application of good wildlife management practices. It does not allow for proper harvest of such big game animals as deer and elk. When these animals come down to lowlands during the winter, they damage both public and private lands and, by their excessive numbers, create added problems.

Another problem resulting from denied access is one common to all posted property. Whenever hunting and fishing areas are withdrawn from use, greater and greater demands are made upon those still open. In some parts of the West the hunting and fishing pressures for certain forms of wildlife are not so great that, if scattered equally over larger areas, they would be harmful. The concentration problem, however, becomes more acute each time another area is blocked out from proper use.

As an expanding population gains more and more leisure time, increased demands will be made for recreational areas as well as for livestock. Problems of conflict over use of public lands are bound to result. Perhaps the time has come for a reappraisal of public benefits to be derived from public lands and the administration of these properties. Such a reappraisal may reveal the need for basic land-use law revisions.

FREE ACCESS TO PUBLIC LANDS BLOCKED

Nearly 10 percent of the public lands in Colorado is unavailable to hunters, fishermen, and other recreationists, according to the Wildlife Management Institute.

A State fish and game department report being studied by a special committee of the Colorado Legislature shows that persons wishing to recreate on about 1½ million acres of public lands in 28 counties either are denied access or must pay a fee before crossing the intervening private holdings. Entry to the huge acreage is blocked by 233 farmers, ranchers, municipalities, and mining and timber groups.

The report is complete in detail. It names those who deny access and gives the location of the contested public lands and the acreages involved. It is evident that sportsmen are being deprived of access to some of the State's best hunting and fishing areas. What's more startling, of course, is the revelation that the public is being refused and, in some cases, actually is being forced to pay a fee in order to use its own property.

The Colorado report undoubtedly will stimulate similar inquiries in other western public land States. National forests and public domain lands provide unparalleled big game hunting opportunity in the West, and sportsmen will want to make sure that unnatural restrictions do not hamper their historic use of those lands. The main philosophy of the Colorado report is not to force access to public lands but rather to point out the magnitude of the problem and to provide a factual basis for its equitable solution.

The report has another interesting aspect. Some of those who block hunting access have, over the years, submitted one or more claims to the game department for payment for loss of hay to deer and elk. Although sportsmen are not given the opportunity to harvest the big game, the Department is expected to pay damages caused by the overabundant animals. Some of the claims have amounted to $4,500. They are being paid with money taken from the hunters' license fees.

CHRISTIAN A. HERTER, SECRETARY OF STATE

Mr. COOPER. Mr. President, the unanimous approval by the Senate today of the nomination of Mr. Herter to be Secretary of State bespeaks the confidence of this body in Christian Herter.

I know it is a confidence which is shared by the Nation.

I am glad I had the opportunity to vote for the confirmation of the nomination of Mr. Herter. My confidence in Christian Herter is solidly based on his long experience in national and international affairs, on his courage, on his good judgment, and on his fine qualities of mind and heart.

I am sure also that the approval which has been given today will be more than justified by the actions of Mr. Herter in his new position of Secretary of State, and that he will, in the new opportunity afforded him render the same great service and show the same devotion to our country he has heretofore demonstrated.

ADJOURNMENT TO 11 A.M. TOMORROW

Mr. ANDERSON. Mr. President, pursuant to the order previously entered, I move that the Senate adjourn until 11 o'clock tomorrow.

The motion was agreed to; and (at 6 o'clock and 28 minutes p.m.), in accordance with the order previously entered, the Senate adjourned until tomorrow, Wednesday, April 22, 1959, at 11 o'clock a.m.

CONFIRMATION

Executive nomination confirmed by the Senate April 21, 1959:

DEPARTMENT OF STATE

Christian A. Herter, of Massachusetts, to be Secretary of State.

EXTENSIONS OF REMARKS

Today's Challenge, and How To Meet It

EXTENSION OF REMARKS
OF
HON. STYLES BRIDGES
OF NEW HAMPSHIRE
IN THE SENATE OF THE UNITED STATES
Tuesday, April 21, 1959

Mr. BRIDGES. Mr. President, on April 17, 1959, there was a speech given by the Honorable Arthur E. Summerfield, Postmaster General of the United States, before the Los Angeles Merchants and Manufacturers Association dinner, entitled "Today's Challenge, and How To Meet It."

Mr. Summerfield, in this speech highlights the Communist threat to our national safety and our battle against inflation. It was an outstanding address and deserves to be called to the attention of every Member of the Congress and every citizen of our country; therefore I ask unanimous consent to have it printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

TODAY'S CHALLENGE, AND HOW TO MEET IT

(Address by Hon. Arthur E. Summerfield, Postmaster General of the United States, before the annual dinner of the Los Angeles Merchants and Manufacturers Association, Los Angeles, Calif., April 17, 1959)

It is always a great pleasure for me to be in Los Angeles.

I am always inspired by the vitality of this great city—and, indeed, of all California and the Pacific coast.

All my life, I have thrilled to the story of the winning of the West.

It is one of the great adventures of all mankind—the westward sweep of the pioneers, the gold rush, the pony express, the constant blazing of new frontiers.

I stand in awe of the courage and strength and faith of the Americans who lived this tremendous story.

Nothing could stop them from gaining the better life they saw for themselves and their children.

They left a magnificent heritage for you—for all Americans—to ponder and to uphold.

California today is a monument to their vision.

You are on the way to becoming our most populous State.

You have assumed great responsibility in economic and political leadership.

You face opportunities that are virtually unlimited in scope.

But this you also know—that the very essence of real opportunity is challenge.

And because the meeting of today's challenge is so fundamental to the progress you would make—so basic to the ends we must achieve as a nation—I am deeply anxious to talk with you about it.

I want to bring to you, tonight, a clear picture of the urgent nature of the challenge we face, and how we can meet it.

I want to speak to you—not only as your Postmaster General, but as a member of President Eisenhower's Cabinet and a member of the President's Cabinet Committee on Price Stability for Economic Growth.

I come with firsthand knowledge of the problems facing our Nation, and the steps your Government is taking to solve them.

But I come with more than a report.

My purpose, above all, is to talk with you about action.

For, my friends, we are at an extremely crucial stage in the progress of America.

We have a choice of paths to follow.

We have momentous decisions to make.

The ultimate responsibility for these decisions is with the American people.

And I am confident that, if the people apply their real genius, and determination, and devotion—the final decisions will be the right decisions.

There are four specific problems I should like to discuss—and then, if I may, I should like to suggest the vital part you can play in meeting each of them.

They are:

1. The Communist threat to our national safety.

2. Our battle against inflation.

3. The destructive monopoly power of a group of union leaders.

4. The urgent necessity for tax reform.

All of these, of course, are interrelated.

Our national defense depends upon a strong economy—and our economy is acutely responsive to what we do about inflation, about production costs and prices, and about taxation.

The Communist challenge is many sided.

It is military, political, spiritual and economic.

We and our allies have steadily rebuffed the military and political threats.

Wherever the Communists have probed, they have found us standing firm.

At Lebanon, in the China Sea, in the unity of our NATO alliance—and now in the Berlin issue—we have met the challenge with unmistakable evidence of the strength of our purpose.

We shall continue to keep our military power equal to any test.

Our overall might in planes, missiles, ships, and other equipment, must always be capable of deterring, and if ever necessary, defeating, any attack upon us.

We shall continue to meet the Soviet political challenge.

We shall lead the way in exploring every avenue of reasonable hope for justly solving the issues that divide the world.

In the battle of spiritual values, we cannot lose so long as we preserve the freedom and moral strength on which our way of life is built.

The Soviets know all this very well.

Why, then, are they confident of ultimate victory?

Because they are concentrating on all-out economic war—and they believe they can defeat us in such a war without risking their own total destruction.

They intend to become the world's one first-class economic power, forcing us into second-class status. And for us, such an outcome would be just as tragic as nuclear devastation.

Today we are well in front. But they believe we have not the system or the will to maintain our economic strength and growth.

They expect our economy to explode, while theirs continues to grow.

My friends, let me emphasize that we dare not look lightly on their great expectations.

For here we do indeed stand at the crossroads of decision.

The soundness of our economy is threatened by deadly forces that have wrecked other nations in the past.

They are the forces of inflation and onerous taxation—and we are not yet united as a people to overcome them.

I suggest to you that there is urgent reason for us to do so.

As Allen Dulles, Director of the Central Intelligence Agency, said recently:

"If they, the Soviets, succeed and we fail, it will only be because of our complacency and because they have devoted a far greater share of their power, skill, and resources to our destruction than we have been willing to dedicate to our own preservation."

Let us look at some basic facts about inflation.

I am sure we all agree on what inflation is—and what it does.

Certainly we have had ample opportunity, over 20 years, to see it in action.

To most Americans, inflation means higher costs of living.

It means more and more struggle to try to make ends meet.

We have inflation when the cost of what we buy keeps rising while the value of the dollars we have to buy it with keeps dropping.

Since 1939, our cost of living has more than doubled.

The value of our dollar has dropped until the 100-cent dollar of 1939 is now worth just 48 cents.

How much lower would you say we dare to let it go?

Inflation feeds on the income and the savings of every individual, every enterprise, in America.

It eats away the savings we cherish for our family's security.

It robs us of the real value of the dollars we earn.

It destroys the will to work and the desire to save.

I suspect almost everyone in this room knows of someone whose savings, or insurance, or social security—carefully nurtured through half a lifetime—now is tragically inadequate to meet his needs.

As President Eisenhower has put it:

"Inflation is not a Robin Hood, taking from the rich to give to the poor. Rather, it deals most cruelly with those who can least protect themselves. It strikes hardest those millions of our citizens whose incomes do not quickly rise with the cost of living. When prices soar, the pensioner and the widow see their security undermined; the man of thrift sees his savings melt away; the white collar worker, the minister, and the teacher see their standards of living dragged down."

As businessmen and community leaders, you are only too well aware of what inflation brings in rising costs and stifling taxes.

And, finally, I would point out that the problem affects, in equal measure, the cost of maintaining the operations of your Government.

Now, what are we doing to meet this deadly force?

We are waging a battle, led by the President of the United States, which in the past year has succeeded in bringing the rise in the cost of living under control.

We are fighting to accomplish the stability of the dollar we must have to go forward soundly.

We are striving to continue our economic growth at the rate of which we are capable, with its expanding opportunity for every citizen.

But we are also facing tremendous pressures for a resumption of the inflationary process.

They are vast pressures for extravagant Government spending, and for a sharp new uptrend in the spiral of wages and prices.

Amazingly, the spending pressures are actually being led by some of the leaders of Congress—and of some State administrations.

They are practicing government by pressure group rather than government for the people.

And they will only be dissuaded by public opinion strong enough to impress its will upon them.

For this reason, it is vitally important for our people to understand some plain, straight facts.

Government, in our system, is constituted to serve the people. It must meet all the legitimate needs of its citizens.

It must do all it can for the good of the people, within the means the people are willing and able to provide.

But there are those in and out of Government who stoutly observe that we are a big nation of great wealth—and, therefore, we should put no limit to what we do in public projects—whether or not the people are able to pay the bills.

Nothing could be more crassly misleading—for the fact is, the people have no choice.

Who else will pay?

The Government has no wealth of its own. It is the agency of the people.

And when it spends more than it collects in taxes, every citizen has to pay the excess, in one way or another.

If it is not in higher taxes, then it is in suffering the inflation that deficit financing by any government inevitably brings.

Inflation itself is an invisible tax.

It is a tax without exemptions—a tax on the income of the poor in the same rate as on the incomes of the more well to do.

It is a severe tax on the savings of the thrifty.

It is, in the end, the highest and the cruelest tax of all.

If there is one thing that history has made frighteningly clear—it is that continued deficit financing by a government degrades the value of its money and spreads inflation ever further and deeper through the economy of its people. The ultimate result is collapse.

Great students of economics tell us the decline and fall of the Roman Empire was due principally to the confusion and upheaval of inflation.

We all know what happened when Germany accepted inflation as a national policy after World War I.

In 1923, 42 billion marks were required to buy 1 cent in American exchange.

Simple commodities of daily life cost trillions of marks—if you could get them at all.

And the way was open for a demagogue such as Adolf Hitler to lead that country into the tragedy of World War II.

These are but a few of the examples that stand out on the open book.

But they go unheeded by the many Members of Congress and the State administrations that are pushing vast spending schemes—schemes that far exceed the budgets available to pay for them.

More than 7,000 bills have been introduced in this session of the 86th Congress.

Only a small handful of these are major measures of broad national interest.

The vast majority would provide benefits of one kind or another to individuals or groups.

And in no case are new taxes proposed to offset them.

Their backers are encouraged by the fact that the majority of the present spending Congress is committed to Federal spending—and to deficit financing—as an economic policy.

Chairman BYRD of the Senate Finance Committee has noted, with alarm, that the effects of that policy already are plain.

The Senate, he reports, has voted to increase President Eisenhower's budget proposals by 24 percent, and the House has voted increases averaging 12 percent.

These increases represent billions of dollars.

Let us now discuss the third problem we face—the effect of the huge economic power exercised by union monopoly leaders.

This is a power that ranks among the highest accumulations of vested interest to be found in history.

It is a monopoly that draws upon huge financial resources—that permits a few perennial leaders to spend millions of dollars of dues money for political purposes, exactly as the leaders see fit, with no choice given the men and women who pay the dues.

It is a power capable of imposing at will an ever-rising cost of living upon our people.

There is no question but what the legitimate function of every labor leader is to ask for—to negotiate for—higher wages.

This is a rightful purpose of union leadership.

I myself worked at a factory job as a young man—and I know very well that one of my goals was higher wages.

I have always been, and will always be, in favor of a responsible union movement.

But union members, with all other Americans, have every reason to insist that their leaders, as well as the leaders in management, exercise a high order of statesmanship.

It is up to union leaders to recognize that if they use their monopoly power to force wage increases and employee benefits too high—they bring about fewer jobs and greater unemployment—and thereby miserably fail in their duty to their members.

By forcing wage increases which far outrun increases in productivity, labor leaders can set the spiral of wage-price inflation going again.

Once launched in the basic industries, the inflationary wave will sweep out through all manufacturing, transportation, distribution, every part of the economy.

Why do excessive wage costs have such powerful impact?

Because, after exclusion of all taxes, up to 83 percent of all income generated in the national economy goes to payment of labor.

For a $3,000 automobile, for example, the required steel costs about $290—and even this price at the steel mill, in turn, includes labor cost as its main component.

What this means is that an unearned rise in employment costs has four times as much inflationary effect as a corresponding rise in all the remaining costs of production put together.

With this in mind, let us note that 154 major wage contracts come up for negotiation this year—including the steel industry, with its nearly 1 million workers.

The cumulative effect of excessive wage-cost increases on this scale I leave to your imagination. There would be no way to describe it other than to call it a national calamity.

Everyone would suffer.

The blow, as we have noted, would fall hardest on the millions whose incomes have not gone up—the people on salaries, fixed incomes, and pensions.

But let no one assume that he would escape—least of all the wage earner himself.

He would soon find that the new-won increase had evaporated in higher living costs.

Worse, he could find that even his job is gone because the product he makes has been priced out of the market—no longer able to compete effectively at home or abroad.

And this, ladies and gentlemen, is no idle speculation.

The time when we were virtually the only country able to meet the great world demand for many types of finished goods is over.

The productive ability of most industrial nations is greater than ever before.

Competition is in full swing.

And today, we are seeing a rising number of American goods being priced out of the foreign markets.

The American producer, with his sharply increasing differential in wage costs, is simply unable to compete.

Nor is this a minor factor in our employment picture.

The estimate is that our export trade sustains four and one-half million jobs in America.

Let us ask this question of those who would continue to push excessive wage costs:

How many of these jobs—how many hundreds of thousands—how many millions—will be lost if we persist in making our goods so costly they have no chance to compete.

Indeed, let us ask another question:

How is it that foreign industries can make some of the products in which we are most efficient, ship those products thousands of miles to our own markets, and sell them at a price so low that we can no longer compete, even here at home.

Such is the growing situation in which our wage-cost inflation is placing us.

We are told, for example, that the Japanese have bought scrap metal here on the West Coast, carried it back to their mills, processed it into finished products, returned them back across the Pacific Ocean, and still undersold American producers by as much as $29 a ton.

We should, and do, look to the increasing of job opportunities here at home through the expansion of our production capacity.

We should take every step to encourage, not sap, the growth-power of industry and business.

But we can hardly say we are giving full encouragement if we permit wage-push inflation that deprives our industry of adequate earnings to plow back into new products, equipment, and plants.

Every thinking American, I believe, will agree that the decline has gone far enough when the ratio of profits to sales, after taxes, for all industry, drops from 7 percent in 1948 to 4.8 percent in 1958.

Especially is this true when we recognize the burden our taxation is placing on the accumulation of capital for investment.

It is the same burden being imposed on the personal incentive and earning power of every citizen.

The tax foundation tells us the average earner of $4,500 a year works 22 days each month.

Seven days of this total—nearly one-third of his working time—is taken from his income in taxes.

And as he may succeed in building his income, he can look forward to the tax chunk becoming larger.

We need to relieve this stifling tax load being carried by the individual citizen and by our business system.

Our great Nation has been built on the motivation of high levels of individual achievement.

We have encouraged, with material reward, each citizen to perform to the best of his capacity.

Even the Soviets have taken note of this advantage.

Russia, despite its Communist doctrine, now offers high incentives for outstanding individual performance in industry, science, and other areas of its society.

Consider, against this, the fact that we have been moving in the direction of destroying incentive.

Through taxation, we have steadily compressed the reward for doing something as opposed to doing little, or doing nothing.

Our population is growing rapidly.

Business can create new jobs to meet this growth only as billions of dollars are invested in new tools and capacity.

Now, where is this money to come from?

Today, Federal taxes alone can take more than half of many companies' net income.

Then follow State and local taxes.

There are over 100,000 taxing authorities in our country.

Their weight can literally crush the ability of business to meet its job-creating capital needs.

Our present tax structure is seriously outdated.

It is a set of laws reflecting largely the conditions of the past, especially World War II, when the goal was the confiscation of war profits, not the building of a sound peacetime economy.

A sensible, equitable, dynamic tax program is needed in its place.

Such a program will keep total revenues up, not by taxing away incentive and means of growth, but by steadily increasing the tax base.

These problems I have discussed this evening can be clearly stated.

But how clearly do we see the answers that can be given to them.

This is our task.

And I believe we cannot emphasize too heavily the answers that are being provided by our national leadership, and by leaders in many States.

These answers add up to a program of full employment with stable prices and tax reform—a program offering greater opportunity for every American.

It is because we have pursued such a program that our economy has bounded back from the recession to a dynamic new level.

The signposts are clearly visible and our program is well under way.

First of all, we have a sound and sensible philosophy of government.

We have adopted fiscal policies that are sound and productive and set realistic budgets.

We are meeting the full needs of our defense program.

We are meeting all the legitimate needs of our people.

We have refused to give away taxpayer money to nonessential projects, lavish spending schemes, and welfare state activities intended to curry favor with special groups rather than to meet the needs of all the people.

We are attempting to operate the Government on a pay-as-you-go basis, thereby avoiding the fatalistic deficit philosophy so easy to get into but so desperately hard to

We are encouraging a higher order of statesmanship in union-management wage negotiations.

We are bringing public opinion to bear so that union leaders consider the real welfare of their members and the Nation rather than striving to outdo each other in wringing inflationary wage packages from industry.

We want adequate laws to control abuses of union leader monopoly power.

Such laws were established for business, correctly and firmly, when some businessmen abused the public trust in years past.

We want to give union members their rights to pass on the action of their leaders and the use of their dues.

And finally, we intend to push forward as rapidly as we can to achieve a progressive tax program.

I believe that heartening progress is being made in all these areas.

The sound fiscal program of the President with his insistence upon balancing the budget, is rapidly gaining wide support.

We are giving utmost attention to the development of aggressive programs to help prevent the resurgence of inflation, with its higher costs of living.

Toward this end, the work of the Cabinet Committee on Price Stability for Economic Growth is under way.

The committee, as you know, is headed by one of California's great sons, who is serving our Nation so ably—Vice President RICHARD NIXON.

I am proud to be a member of this group.

In the wage-price area, we can only hope that the statesmanship we so urgently desire will be forthcoming.

It is not immediately apparent in the announced intentions of demands we have seen.

It is clear that union members themselves want responsible union leadership—responsible to their welfare, and to the national welfare.

With the great majority of the public at large, they want laws that will help to assure responsible leadership.

In regard to taxation, we are working to carry forward a program of tax reform and reduction.

The President's stress on a balanced budget is related directly to this goal.

Steps in the right direction already have been taken with the Revenue Act of 1954.

The time is approaching for another bold and imaginative breakthrough on tax policy that will benefit and encourage all taxpayers—large and small.

Obviously, this program cannot call for immediate and sharp reduction in all income tax rates.

It calls for gradual reform.

And it calls for equitable reduction for all taxpayers.

Its goal includes corresponding cuts in capital gains, estate, gift and excise taxes.

It provides for job-creating reductions of business tax rates—and realistic depreciation provisions.

In short, the objective must be a completely organized and integrated tax program that will meet the real needs of our entire economy.

The public, more and more, is rallying behind the President, who is fighting to maintain a balanced budget, to achieve tax reform, and to bring under control the extravagances and excesses that feed inflation.

But let me not overstate this premise.

The battle is far from won.

The special interests bent on spending, taxing, and deficit financing still are riding high—still have the ears of the majority of our Federal legislators and State administrations.

Washington is swarming with representatives of the special interest groups.

Each is concerned with favoring legislation for his pet project.

The fight for fiscal sanity is being waged by the President, members of his administration, and some Members of the Congress.

It is this group, almost alone, that is bearing the brunt of the battle.

The leftwing economists, the welfare-State plotters, the racketeering union bosses, and their minions of do-gooders and political captives are using every kind of vicious attack to break this firm stand.

Washington is the ground from which they launch their tirades, and their slogans claiming "neglect of the jobless," "favoritism to big business," "inadequate defenses," "obsession with the budget," and the like.

They are making an all-out attack on the free-enterprise system, and they have many camp followers in the legislative halls—some deliberately—others without knowing the effects of their misguided efforts.

My appeal to you tonight, and to the American people, is to join this battle to meet this challenge.

Remember that, in the struggle with Russia, we are strong militarily—we are strong politically—we are strong spiritually.

We must continue to strengthen ourselves economically.

We can no more appease inflation than we can appease Soviet aggression.

I believe we shall continue to build the strongest, freest way of life the world will know.

But I also believe that, to do so, America must maintain a sound economic philosophy, and sound policies firmly based on that philosophy.

We must never accept the premise that our basic problems cannot be solved.

Inflation, deficits, high costs of living, and oppressive taxation all are manmade.

So, too, is the destructive monopoly power of union leaders.

There is nothing sacred about them.

By attacking these problems with intelligence, determination, and perseverance, we shall overcome them.

May there be a reassertion—by all of us—of the courage and strength and faith of the Americans who opened the great West.

I am confident that the business and community leadership of the west coast, which is so well represented here tonight, will play a vital part in keeping our free enterprise system strong.

As civic leaders in a key city and State, your views and actions are vitally important—to your own progress, to your State, and to the Nation.

This is why I am deeply impressed by the emphasis your association places on employee communications.

Employees want information on which to base their decisions.

And they want fair and honest information.

I have always felt that businessmen should provide their employees with the facts about

the issues that affect the ability of the business to compete, to advance, and to grow.

For these are the factors that determine the rewards and the opportunities for the employees themselves.

Perhaps too many businessmen are failing to meet this responsibility, to the detriment of their employees, their stockholders, as well as themselves.

I would ask you to give this your deepest thought.

Are businesmen and civic leaders doing enough to help provide the facts to everyone associated with them—employees, stockholders, community neighbors, and voting citizens.

Is any competition more important than the competition to determine how soundly this Nation is to conduct its economic affairs.

Is any problem more important.

I would dare to suggest that you assess what you are doing individually.

If you believe that we must attack the causes of inflation and onerous taxation firmly and intelligently—if you believe union monopoly power must be curbed—ask yourself if you are doing all you can to support that belief.

Your belief in America can be effective only as you let it be known.

I urge you to take your place among those who will speak, work, and fight for sound policies and a stronger America in the years before us.

There is nothing more important to you, your family, your future, and your Nation than that you take your stand now.

Speak up—let your representatives in Congress know what you think.

Let them know you understand that a Government big enough to do everything for its citizens from cradle to grave is also big enough to take everything from them in taxes.

Every businessman must understand that the political party of his choice is what he makes it—either by his participation or lack of participation in its affairs and in its choice of candidates.

Unless responsible citizens, especially business leaders, devote more of their time and effort and organizing ability—as well as their money—to unselfish politics, directed to the greatest common good, government by pressure groups will continue to grow.

Only by universal participation can we be sure that the Government will serve all the people—not some special interest—and assure the greatest opportunities for all our citizens.

My friends—this is the banner of true liberalism.

Advancing under it, we shall meet the Communist economic challenge as surely as we shall meet the military and political challenge.

We shall constantly move forward into the golden era of unlimited opportunity that lies ahead.

We shall preserve the great free and growing economy which is the foundation of all our freedoms—our security—our prosperity—and our future, in a strong, free, and better world.

SENATE

WEDNESDAY, APRIL 22, 1959

The Senate met at 11 o'clock a.m.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

God of our fathers, grateful for our heritage of freedom, we acknowledge the clear vision of our God-fearing forefathers who, when they had broken the unjust chains of tyranny, refused to accept the coercive reins of even a benevolent government, but who set the rights of all the people above the powers of governors and made them but the servants of freemen.

As soldiers of the common good deliver us from any thought or action which is treason against the freedom wrought for us by those who kneeled around the cradle of our state.

Give truth to our words, sincerity to our hearts, and courage to our deeds in these times that are testing, as by fire, the treasure bequeathed to us.

So may we in our day make patriotism beautiful with loyalty and dedication to this free land of our love and prayer. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, April 21, 1959, was dispensed with.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. SYMINGTON, and by unanimous consent, the Subcommittee on Governmental Organization for Space Activities of the Committee on Aeronautical and Space Sciences was authorized to sit during the session of the Senate today.

On request of Mr. ELLENDER, and by unanimous consent, the Senate Committee on Agriculture was authorized to sit during the session of the Senate today.

On request of Mr. JORDAN, and by unanimous consent, the Post Office Subcommittee of the Committee on Post Office and Civil Service was authorized to sit during the session of the Senate today.

On request of Mr. BYRD of Virginia, and by unanimous consent, the Finance Committee was authorized to sit during the session of the Senate today.

TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, under the rule there will be the usual morning hour for the transaction of routine business; and I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

AUTHORIZATION FOR SECRETARY OF AGRICULTURE TO GRANT CERTAIN EASEMENTS OVER NATIONAL FOREST LANDS

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to authorize the Secretary of Agriculture to grant easements for rights-of-way over national forest lands and other lands under the jurisdiction of the Department of Agriculture, and for other purposes (with an accompanying paper); to the Committee on Agriculture and Forestry.

PROMOTION AND INVOLUNTARY RETIREMENT OF CERTAIN OFFICERS OF ARMED FORCES

A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, to revise certain provisions relating to the promotion and involuntary retirement of officers of the regular components of the Armed Forces (with accompanying papers); to the Committee on Armed Services.

AUTHORIZATION FOR CERTAIN GENERALS TO ACCEPT AND WEAR DECORATIONS

A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to authorize certain generals of the Army to accept and wear decorations, orders, medals, presents, and other things tendered them by foreign governments (with an accompanying paper); to the Committee on Foreign Relations.

REPORT ON REVIEW OF BUREAU OF FEDERAL CREDIT UNIONS

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of Bureau of Federal Credit Unions, Social Security Administration, Department of Health, Education, and Welfare, June 1958 (with an accompanying report); to the Committee on Government Operations.

REPORT ON EXAMINATION OF ADMINISTRATION OF MAJOR SUBCONTRACTS UNDER DEPARTMENT OF THE NAVY

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the examination of administration of major subcontracts under Department of the Navy Contract No. a(s)56–719–f, with Philco Corp., Philadelphia, Pa., dated April 1959 (with an accompanying report); to the Committee on Government Operations.

REPORT ON LIMITED REVIEW OF SELECTED OFFSHORE PROCUREMENT CONTRACTS

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the limited review of selected offshore procurement contracts, Air Materiel Force, European area, fiscal years 1954–56 (with an accompanying report); to the Committee on Government Operations.

SUPPLEMENTATION OF FEDERAL RECLAMATION LAWS

A letter from the Under Secretary of the Interior, transmitting a draft of proposed legislation to supplement the Federal reclamation laws (with an accompanying paper); to the Committee on Interior and Insular Affairs.

AMENDMENT OF FOREIGN AGENTS REGISTRATION ACT OF 1938

A letter from the Attorney General, transmitting a draft of proposed legislation to amend sections 1 and 3 of the Foreign Agents Registration Act of 1938, as amended (with an accompanying paper); to the Committee on the Judiciary.

ALBERT E. SHERRON

A letter from the Acting Secretary of the Army, transmitting a draft of proposed legislation for the relief of Albert E. Sherron (with an accompanying paper); to the Committee on the Judiciary.

ROBERT N. ANTHONY

A letter from the Acting Secretary of the Army, transmitting a draft of proposed legislation for the relief of Robert N. Anthony (with an accompanying paper); to the Committee on the Judiciary.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law pertaining to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

SUSPENSION OF DEPORTATION OF ALIENS—WITHDRAWAL OF NAMES

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, withdrawing the names of Oi Nin Au, also known as Gim Hing Au, Lee Hung Ock, and Loy or Lew Him from reports heretofore transmitted to the Senate, relating to aliens whose deportation has been suspended; to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A joint resolution of the Legislature of the State of Colorado; to the Committee on Finance:

"HOUSE JOINT MEMORIAL 10

"Joint memorial memorializing the Congress of the United States and urging amendment of Federal law governing old-age assistance, to the end that recipients of awards may accept employment and retain the remuneration received therefrom up to $600 annually without penalty or reduction of old-age assistance awards

"Whereas under Federal law, recipients of old-age assistance are not permitted to engage in remunerative work without suffering a reduction in their assistance awards equal to the amount earned; and

"Whereas this provision of Federal law destroys incentive and for many recipients results unnecessarily in a state of enforced idleness; and

"Whereas work, measured to a person's physical and mental ability sustains vigor and self-respect and enjoyment of life; and

"Whereas there are many types of services which can be performed as well or better by persons of advanced years; and

"Whereas such continued activity is recognized as a bulwark against the onset of degenerative mental and physical disorders: Now, therefore, be it

"Resolved by the House of Representatives of the 42d General Assembly of the State of Colorado, the Senate concurring herein, That the general assembly hereby petitions the Members of the Congress of the United States to amend existing old-age assistance laws to enable recipients to accept employment and retain the compensation derived therefrom up to $600 annually, without loss of, or deductions from their awards; and be it further

"Resolved, That copies of this memorial be transmitted to the President of the United States, the President of the Senate of the United States, the Speaker of the House of Representatives of the United States, and Members of Congress from the State of Colorado.

"CHARLES R. CONKLIN,
"Speaker of the House of Representatives.
"ROBERT S. EBERHARDT,
"Chief Clerk of the House of Representatives.
"ROBERT L. KNOUS,
"President of the Senate.
"LUCILE L. SHUSTER,
"Secretary of the Senate."

A resolution of the Senate of the State of Washington; to the Joint Committee on Atomic Energy:

"Whereas Congress, at the request of the Department of Defense, has authorized the construction of a new nuclear reactor for the production of plutonium at the Hanford atomic products operation; and

"Whereas such a reactor generates a tremendous amount of energy which, in previous reactor designs, has been wasted as heat dissipated in the Columbia River; and

"Whereas this waste energy can be converted to usable electricity; and

"Whereas Congress has authorized design and engineering studies for making this new reactor eventually convertible to the production of electricity as a byproduct, but has not provided for the inclusion of these features in the construction of the reactor at the present time; and

"Whereas the immediate future will bring a need for more electrical power in the Northwest; and

"Whereas the Hanford operation itself consumes some 300,000 kilowatts of power from our Northwest power pool; and

"Whereas by the addition of these dual purpose facilities this new reactor could produce up to 700,000 kilowatts of firm power, thereby enabling the Hanford plant not only to release for domestic and industrial purposes the power it now consumes from our local sources, but enabling it also to add almost the equivalent of another Bonneville Dam to the Northwest power pool; and

"Whereas the inclusion of the convertible features in the initial stage of the reactor would save more than $10 million: Now, therefore, be it

"Resolved, That the senate does hereby respectfully request Congress to make provision now for the inclusion of the convertible features during the initial construction of the new atomic reactor at Hanford; and be it further

"Resolved, That a copy of this resolution be transmitted to the President of the U.S. Senate, to the Speaker of the U.S. House of Representatives, and to every member of the congressional delegation of the State of Washington.

"WARD BOWDEN,
"Secretary of the Senate."

A concurrent resolution of the Legislature of the Territory of Hawaii; to the Committee on Interior and Insular Affairs:

"HOUSE CONCURRENT RESOLUTION 51

"Concurrent resolution preserving for posterity the definition of Aloha given at Kawaiahao Church on the 13th day of March 1959, during services of thanksgiving for the granting of statehood to Hawaii

"Whereas the achievement of the long sought goal of statehood for Hawaii was brought to pass on the 12th day of March in the year 1959 by the memorable action of the 86th Congress of the United States of America which granted to Hawaii the right to be admitted to the Union on an equal footing with the other 49 members of the constellation of States; and

"Whereas on the following day citizens of Hawaii from all walks of life and from all races and religions gathered together for a service of thanksgiving and spiritual rededication to our one Nation, under God, indivisible, at historic Kawaiahao Church in Honolulu; and

"Whereas at that service of thanksgiving within those hallowed walls where so much of Hawaii's history, both temporal and spiritual, has been unfolded, the Reverend Dr. Abraham Kahikina Akaka, pastor of Kawaiahao Church, delivered an inspiring explanation of the spirit of Aloha which will serve as a source of inspiration to unborn generations of the State of Hawaii: Now, therefore, be it

"Resolved by the House of Representatives of the 30th Legislature of the Territory of Hawaii, the Senate concurring, That the following words of the Reverend Akaka defining Aloha which were delivered on the 13th day of March in the year 1959 at historic Kawaiahao Church during services of thanksgiving for the achievement of statehood for Hawaii be and hereby are preserved for posterity:

" 'We do not understand the meaning of Aloha until we realize its foundation in the power of God at work in the world. Since the coming of our missionaries in 1820, the name for God to our people has been Aloha. One of the first sentences I learned from my mother in my childhood was this from Holy Scripture: "Aloha ke akua." In other words, Aloha is God, Aloha is the power of God seeking to unite what is separated in the world—the power that unites heart with heart, soul with soul, life with life, culture with culture, race with race, nation with nation. It is the power that can reunite where quarrel has brought separation; it is the power that reunites a man with himself when he has become separated from the image of God within.

" 'Thus when a people or a person live in the spirit of Aloha, they live in the spirit of God. And among such a people whose lives so affirm their inner being, we see the working of the Scripture: "All things work together for good to them who love God. * * * From the Aloha of God came his Son that we might have life and that we might have it more abundantly."

" 'Aloha consists of a new attitude of heart, above negativism and legalism. It is the unconditional desire to promote the true good of other people in a friendly spirit, out of a sense of kinship. Aloha seeks to do good to a person, with no conditions attached. We do not do good only to those who do good to us. One of the sweetest things about the love and Aloha of God is that it welcomes the stranger and seeks his good. A person who has the spirit of Aloha loves even when the love is not returned. And such is the love of God.

" 'This is the meaning of Aloha. I feel especially grateful that the discovery and development of our islands long ago was not couched in the context of an imperialistic and exploitive national power, but in the context of Aloha. There is a very deep correlation between the charter under which the missionaries came—namely, "to preach the Gospel of Jesus Christ, to cover these islands with productive green fields, and to lift the people to a high state of civilization"—correlation between this fact, and the fact that Hawaii is not one of the trouble spots in the world today. Aloha does not exploit a people and keep them in ignorance and subservience. Rather it shares the sorrows and joys of people; it seeks to promote the true good of others.

" 'Today, one of the deepest needs of mankind is the need to feel a sense of kinship one with another. Truly all mankind belongs together, for from the very beginning—all mankind has been called into being, nourished, watched over by the love of God who is Aloha. The real Golden Rule is Aloha. This is the way of life we must affirm.

" 'Let us affirm ever what we really are—for Aloha is the spirit of God at work in you and in me and in the world, uniting what is separated, overcoming darkness and death, bringing new light and life to all who sit in the darkness of fear and the shadow of death, guiding the feet of mankind into the way of peace.

" 'Thus may our becoming a State mean to our Nation and world, and may it reaffirm that which was planted in us 139 years ago on this ground: "Fear not, for behold I bring you good tidings of great joy, which shall be to all people" '; and be it further

"*Resolved*, That duly authenticated copies of this concurrent resolution be delivered to the Reverend Dr. Abraham Kahikina Akaka, to the Public Archives of the Territory, to the President of the United States, the President of the Senate and the Speaker of the House of Representatives of the U.S. Congress, to the National Archives and to the U.S. Information Agency.

"_____ _____,
"*Speaker, House of Representatives.*
"_____ _____,
"*Clerk, House of Representatives.*
"_____ _____,
"*President of the Senate.*
"_____ _____,
"*Clerk of the Senate.*"

The memorial of H. Joseph Mahoney, of Bronxville, N.Y., remonstrating against the adoption of the resolution (S. Res. 94) relating to the recognition of the jurisdiction of the International Court of Justice in certain legal disputes hereafter arising; to the Committee on Foreign Relations.

The petition of William E. Buffalino, Detroit, Mich., praying for a redress of grievances; to the Committee on the Judiciary.

RESOLUTIONS OF GENERAL ASSEMBLY OF RHODE ISLAND

Mr. PASTORE. Mr. President, on behalf of myself and the senior Senator from Rhode Island [Mr. GREEN], I present, for appropriate reference, two resolutions adopted by the Rhode Island General Assembly at its January 1959 session.

The first resolution memorializes the Congress of the United States to enact legislation to provide for a regional national cemetery in the State of Rhode Island.

The second resolution memorializes the Congress and particularly the Senators and Representatives from Rhode Island in Congress, asking each to work for legislation increasing the minimum wage from $1 to $1.25 an hour.

There being no objection, the resolutions were received, appropriately referred and, under the rule, ordered to be printed in the RECORD, as follows:

To the Committee on Interior and Insular Affairs:

"SENATE RESOLUTION 18

"Resolution memorializing the Congress of the United States to enact legislation to provide for a regional national cemetery in the State of Rhode Island

"Whereas many of the fallen heroes who have lost their lives in the defense of human rights and liberties have not been interred in national cemeteries because of the great distance to be travelled by their loved ones in visiting their resting places; and

"Whereas it is fitting that those who have made the supreme sacrifice be properly interred and recognized; and

"Whereas the need for establishing national cemeteries on a regional basis has now become apparent; and

"Whereas it is proper that such a cemetery be established in the State of Rhode Island, the early exponent of freedom in the New World, preferably in the George Washington Memorial Reservation in the town of Glocester: Now, therefore, be it

"*Resolved*, That the Senators and Representatives from Rhode Island in the Congress of the United States are earnestly requested to use their best efforts to cause the introduction and passage of legislation to have a national cemetery established in the State of Rhode Island for the interment of any veteran of any of the wars in which the United States has been or in the future may be engaged; and be it further

"*Resolved*, That duly certified copies of this resolution be transmitted forthwith by the secretary of state to each of the Senators and Representatives from Rhode Island in the Congress of the United States."

To the Committee on Labor and Public Welfare:

"HOUSE RESOLUTION 1249

"Resolution memorializing Congress, and particularly the Senators and Representatives from Rhode Island in Congress, asking each to work for legislation increasing the minimum wage from $1 to $1.25 an hour

"Whereas in Washington there has been proposed by 3 Senators and 1 House Member an increase in the minimum wage from $1 to $1.25 an hour and extension of wage-hour law coverage to 7 million more workers were proposed by 3 Senators and 1 House Member; and

"Whereas the proposed legislation would repeal a 1949 amendment which restricted the coverage of the wage-hour laws to employees of producers of goods in interstate commerce and of others whose operations are closely related and directly essential to such production; and

"Whereas another proposal would extend the wage-hour coverage to several enterprises not now covered but still subject to the Board jurisdiction of the National Labor Relations Board; and

"Whereas a third proposal would eliminate certain exemptions from the wage-hour coverage, such as some local transportation and communication services, and specified retail establishments; and

"Whereas the sponsors said their legislation will be so written as to exempt explicitly the so-called ma and pa family-operated enterprises: Now, therefore, be it

"*Resolved*, That the members of the Rhode Island General Assembly now go on record as supporting such proposed legislation, requesting the Senators and Representatives from Rhode Island to use their best efforts to have this proposal enacted into legislation; and be it further

"*Resolved*, That the secretary of state be and he is hereby authorized to transmit duly certified copies of this resolution to the Senators and Representatives from Rhode Island in the Congress of the United States."

RESOLUTION OF HAWAIIAN HOUSE OF REPRESENTATIVES

Mr. CHURCH. Mr. President, I am sure that few people were happier than the distinguished junior Senator from Alaska [Mr. GRUENING] when Hawaii became the 50th State.

Hawaii is well aware that ERNEST GRUENING worked diligently and long for her interest. In token of this, I ask unanimous consent to have printed in the RECORD a resolution adopted by the House of Representatives of the Hawaiian Territorial Legislature, which expresses the heartwarming appreciation of the islands for the service rendered in the cause of statehood by this great Senator and citizen.

There being no objection, the resolution was ordered to lie on the table, and, under the rule, to be printed in the RECORD, as follows:

HOUSE RESOLUTION 61

Whereas the hopes and aspirations of the people of Hawaii for equal rights and privileges with all other citizens of the United States have been realized by the passage of the bill admitting the State of Hawaii into the Union; and

Whereas it is particularly appropriate that special thanks be given to those members of the Congress of the United States whose patient and tireless personal efforts on behalf of the people of Hawaii brought about the eventual fulfillment of these hopes; Now therefore, be it

Resolved by the House of Representatives of the 30th Legislature of the Territory of Hawaii, That the special thanks and fondest Aloha of the people of Hawaii be and they are hereby given to Senator ERNEST GRUENING, of the great State of Alaska, for his patient, forceful and untiring efforts on their behalf to attain for them full and equal rights and privileges with all other citizens of the United States by the granting of statehood to Hawaii; and be it further

Resolved, That a duly certified copy of this resolution be sent forthwith to the Honorable ERNEST GRUENING.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ENGLE, from the Committee on Interstate and Foreign Commerce, with amendments:

S. 1434. A bill to amend title XI of the Merchant Marine Act, 1936, as amended, with respect to insurance of ship mortgages, and for other purposes (Rept. No. 216).

By Mr. AIKEN, from the Committee on Foreign Relations, with amendments:

H.J. Res. 254. Joint resolution to authorize participation by the United States in parliamentary conferences with Canada (Rept. No. 217).

EXECUTIVE REPORT OF A COMMITTEE

The following executive report of a committee was submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations, without reservation:

Executive A, 86th Congress, 1st session. A treaty of amity, economic relations, and consular rights between the President of the United States of America and the Sultan of Muscat and Oman and dependencies, together with a protocol relating thereto, signed at Salalah on December 20, 1958 (Executive Rept. No. 1).

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and by unanimous consent, the second time, and referred as follows:

By Mr. MAGNUSON (by request):

S. 1769. A bill to authorize the Secretary of Commerce to sell certain war-built vessels; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appear under a separate heading.)

By Mr. COTTON:

S. 1770. A bill to amend title VI of the Public Health Service Act, as amended, in order to make certain clinics in rural areas eligible for Federal aid to diagnostic or treatment centers; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. COTTON when he introduced the above bill, which appear under a separate heading.)

By Mr. TALMADGE (for himself, Mr. YOUNG of Ohio, and Mr. JOHNSTON of South Carolina):

S. 1771. A bill to assist producers of milk to obtain a fair and reasonable price for their milk production and to provide for more stable milk prices, and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. TALMADGE when he introduced the above bill, which appear under a separate heading.)

By Mr. BUTLER:

S. 1772. A bill for the relief of Bernard P. Oxman; and

S. 1773. A bill for the relief of Alan Alfred Coleman; to the Committee on the Judiciary.

By Mr. LANGER:

S. 1774. A bill to amend section 2421 of title 18 of the United States Code; to the Committee on the Judiciary.

S. 1775. A bill to reduce the compensation and clerk hire allowances of Members of Congress and the Vice President; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. LANGER when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. KEATING:

S.J. Res. 93. Joint resolution designating the first Sunday of June of each year as "Shut-Ins' Day"; to the Committee on the Judiciary.

(See the remarks of Mr. KEATING when he introduced the above joint resolution, which appear under a separate heading.)

AUTHORITY TO SELL CERTAIN WAR-BUILT VESSELS

Mr. MAGNUSON. Mr. President, by request I introduce for appropriate reference a bill to authorize the Secretary of Commerce to designate and sell up to eight C–4 type war-built vessels from the National Defense Reserve Fleet, for use in the expanding domestic trade with our newest State, Hawaii.

Senators will recall that during the 85th Congress our committee considered some 20 or more bills and resolutions to authorize the sale of war-built vessels to various countries or nationals thereof. Due to the depression in the maritime industry resulting from the general lessening of world trade and the overtonnaging of world trade routes by new vessel construction throughout the world, the pressure for purchase of the vessels lapsed, and the sales legislation was not pushed to enactment.

Following extended hearings on the sales proposals, however, the Committee on Interstate and Foreign Commerce reported out a bill that would have given the Secretary of Commerce, under certain definite restrictions, the authority to dispose of, or to scrap, certain of the reserve fleet vessels which the Defense Department no longer considered strategic.

In its report the committee stated "that the time was rapidly approaching when decision had to be made with regard to the disposition, or updating, of our rapidly deteriorating reserve fleet."

The arguments advanced in support of the bill now being introduced are, first, that additional cargo-carrying capacity of a special type is now needed to service adequately the growing trade between the west coast and Hawaii; and, second, that sale of these vessels for use in this unsubsidized domestic trade will result in the updating and modernizing of the vessels involved. This will, of course, redound to the national advantage, particularly should the vessels ever be needed for military purposes in an emergency.

Under the provisions of the bill, the purchaser of a vessel would be required to spend not less than $3 million to convert it into a container-type vessel, the work to be done in a shipyard of the United States.

This would create employment for the shipyards and their suppliers, provide seagoing jobs for additional seamen, and would render usable vessels that now are deteriorating from lack of use, and insure their maintenance in a continuous state of readiness for national defense purposes if needed.

An interesting method of disposal would be provided under the bill in that the Secretary of Commerce would be authorized to sell the vessels at public auction, for cash, to the highest bidder. An upset, or base, price would be set by the Secretary, below which no bids would be given consideration.

Public hearings will be held on the bill, at which the need for the vessels in the particular trade, the upset prices to be set, and all other provisions of the bill will be subject to closest scrutiny. In addition, the bill provides that the contract of sale covering each vessel would contain such additional conditions as the Secretary of Commerce deems necessary to protect the interest of the United States.

The PRESIDING OFFICER (Mr. MUSKIE in the chair). The bill will be received and appropriately referred.

The bill (S. 1769) to authorize the Secretary of Commerce to sell certain war-built vessels, introduced by Mr. MAGNUSON (by request), was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

AMENDMENT OF PUBLIC HEALTH SERVICE ACT RELATING TO ELIGIBILITY OF CERTAIN CLINICS FOR FEDERAL AID

Mr. COTTON. Mr. President, I introduce for appropriate reference a bill to amend title VI of the Public Health Service Act, as amended, in order to make certain clinics in rural areas eligible for Federal aid to diagnostic or treatment centers.

I ask unanimous consent to have a statement explaining the bill incorporated in the RECORD as a part of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The bill (S. 1770) to amend title VI of the Public Health Service Act, as amended, in order to make certain clinics in rural areas eligible for Federal aid to diagnostic or treatment centers, introduced by Mr. COTTON, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

The statement presented by Mr. COTTON is as follows:

STATEMENT BY SENATOR COTTON

Since 1946, the Federal Government has been authorized to carry some of the financial load for the construction of hospitals and other health facilities, under the Federal Hospital Survey and Construction Act, popularly known as the Hill-Burton Act.

The act is popular, beneficial, and generally successful. However, I believe it has a major weakness which should be corrected without further delay.

The provisions of the act discriminate, unintentionally but effectively, against rural areas of the country.

The 54 million Americans who live in the rural areas and small towns are entitled to as much consideration for their health requirements as those who live in the big cities. In fact, the rural communities often have a greater shortage of health facilities, and need more help in securing them.

Federal assistance for hospital construction can be given only if the facilities are administered by a public authority, such as a State, city, or town, or if the facilities are owned and operated by a nonprofit private association or corporation, like a hospital. These restrictions have greatly hampered attempts to construct much needed diagnostic and treatment clinics in rural areas because (1) rural communities are often at the full limit of their public debt ceilings and cannot advance the money necessary for such clinics, and (2) private nonprofit associations and corporations are unwilling to accept complete ownership and operation of rural clinics, because of the considerable financial and legal responsibilities this entails. The result, therefore, has been that rural inhabitants in great need of local health facilities and willing to share in the cost of construction have been unable to obtain sponsors, and unable to qualify for Federal assistance under the Hill-Burton Act.

The bill I am proposing would amend the Hill-Burton Act to broaden its application so Federal funds might be used to assist rural communities to construct diagnostic and treatment clinics. The bill will do this by eliminating the present provision that only public authorities or nonprofit private associations or corporations which own and operate such clinics are to receive Hill-Burton funds. Thus, the bill would allow any private nonprofit association or corporation to obtain Hill-Burton funds on a matching basis without having to own outright or operate the facility to be constructed.

The bill contains additional safeguards to insure against abuse of its provisions. It limits the amount of Federal assistance to $25,000, it specifies that only areas with populations not exceeding 15,000 people are eligible for the aid, and it also specifies that such facilities are to be constructed with Hill-Burton funds only if they will provide services not otherwise available in the area.

The basic purpose of the bill is to aid in providing day-to-day medical facilities for people in rural areas. This means we must attract young, well-trained physicians to the area, and in order to attract them, we must have a clinic in which they can practice. By the time a doctor finishes his medical training he is broke, his parents are broke, and his total assets may not exceed a new bride and an old car. Is it any wonder that he is not interested in moving out into a community of 800 or 900 people and borrowing anywhere from $20,000 to $50,000 to set up a facility in which he can practice when all of this is available to him in large cities without any investment on his part? The bill will give rural communities a chance to cope with such a situation.

If enacted, the bill would greatly benefit the Nation by enabling more rural communities to acquire the health facilities which they badly need and are entitled to have. The greatest asset of any nation is good health. We must make certain that our citizens everywhere—in the cities and towns and on the farms—are not denied easily accessible modern facilities for the protection of their health.

STABILIZATION OF MILK PRICES

Mr. TALMADGE. Mr. President, a severe and unfair financial hardship is being worked upon the milk producers of the Nation by the present contract procedures through which the Federal Government purchases milk for its military installations and other facilities.

The Government takes bids for its milk supplies through distributors, without regard to the production costs of the producers. Consequently, the distributors bid solely on the basis of whatever prices are necessary to obtain the Government contracts; and, after first deducting their own costs and profits, the distributors dictate to the producer a price on a take-it-or-leave-it basis.

As a result, milk is being sold on Federal reservations at prices well below the prevailing retail level, and the dairy farmer is being forced to sell his milk to the Federal Government at a loss, which, inasmuch as he is a taxpaying citizen, amounts to double taxation and a subsidization of the Government.

This deplorable and discriminatory situation was well described in a recent statement by the Georgia Farm Bureau Federation; and I ask unanimous consent, Mr. President, that the text of that statement be printed herewith in the RECORD as a portion of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

This petition by the Georgia Farm Bureau to the American Farm Bureau Federation, for their help, concerns prices paid to milk-producing farmers under Government contracts throughout the entire United States and does not pertain to any particular State or area.

The present system of the Government, in buying a tremendous volume of milk has, over a period of time, and under its peculiar conditions, caused the price paid to the producing farmer to be hammered down and depressed to such an extent that the proceeds received by the producing farmer under a Government contract are far below those received from the prevailing price from the consuming public, the most accepted rule as a fair price for any commodity.

The price of such Government milk usually is dictated by the price of excess milk, or manufacturing grade milk, sometimes far below the standards of both quality and health deserved and demanded by the Government. Assuming that Government personnel deserves the best, along with the consuming public, the milk producer is put in position of producing a superior product at a very inferior price. Thus the farmer is selling to the Government at a financial loss.

Being taxpaying citizens of the United States, the producing farmer is placed in the position of paying double taxation, amounting to a subsidization of the U.S. Government, and this position is certainly contrary to the intention and principles established by a Democratic Government in doing business with other industries furnishing materials or services to the U.S. Government.

Since practically all Government contracts for the purchase of any material, or service is designed to guarantee a minimum wage for labor, it is contended by the milk-producing farmer that his monetary return from his salable product amounts to his wage, and, as such, his return should amount to that of the prevailing price paid by the general public.

This sad plight of the producing farmer has been depreciated by the milk distributor, or dealer, who controls the disposition, and price of the farmer's product, with or without the consent of the producing farmer. Under such dictation the milk distributor always takes care of his financial undertaking, but without regard for the welfare of the farmer who produces the commodity involved in the transaction.

Thus the producing farmer is caught in the financial squeeze between the efforts of the Government to buy milk at the cheapest possible price and the negotiations of the milk distributor.

These principles of buying milk have not only worked a financial hardship on the milk producer, but has also caused very bad public relations between the general consumer and the milk industry through the misunderstanding as to how the industry was able to sell to the Government at a vastly reduced price as compared to the price offered the public. Public relations of the industry have been further damaged by the Government personnel buying milk from a Government commissary on behalf of friends and neighbors of the consuming public.

Damaged public relations, through misunderstanding caused by practices of our Government, cannot be tolerated as it only encourages the use of synthetic or artificial products detrimental to the farmer producing the pure and natural products of the soil.

Mr. TALMADGE. Mr. President, I do not believe the people of the United States expect the dairy farmers to have to sell their milk to the Federal Government at a loss. It seems only reasonable to me that a Nation which can afford to spend an average of $5 billion a year for foreign aid can likewise afford to pay its dairy farmers a fair price for their milk.

To remedy this situation, Mr. President, on behalf of myself, the Senator from Ohio [Mr. YOUNG], and the Senator from South Carolina [Mr. JOHNSTON], I introduce a bill to require that the Federal Government make its milk purchases at not less than the prevailing retail price paid to producers in the area where the consuming installation is located.

Mr. President, I ask unanimous consent that the bill be referred to the Committee on Agriculture and Forestry, and that its text be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1771) to assist producers of milk to obtain a fair and reasonable price for their milk production and to provide for more stable milk prices, and for other purposes, introduced by Mr. TALMADGE (for himself, Mr. YOUNG of Ohio, and Mr. JOHNSTON of South Carolina), was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) notwithstanding any other provision of law, any contract entered into by the United States and a distributor of milk for the supplying of milk to a designated installation or facility of the Federal Government shall provide (1) that the price paid by the distributor to the producers of the milk delivered under any such contract shall be not less than the prevailing price paid to producers of milk in the area in which such installation or facility is located (hereinafter referred to as "minimum price"), and (2) that the price paid by the United States to the distributor under any such contract shall be an amount equal to not less than the minimum price paid to producers of milk in the area in which such installation or facility is located, plus the cost of the distributor of processing such milk and delivering such milk to such installation or facility. The distributor's cost of processing and delivering shall be determined on the basis of the most recent certified cost record of the distributor, and any other evidence which tends to establish the most recent cost of the distributor that may be available. Each such contract entered into by the United States and a distributor shall specify separately in its terms the minimum price to be paid by the distributor to the producers of the milk delivered under such contract and the cost to the distributor for processing and delivering such milk.

(b) Notwithstanding the provisions of subsection (a), in any case in which the milk supplied to an installation or facility of the Federal Government is milk produced outside the area in which such installation or facility is located, the minimum price to be paid by a distributor to producers of milk for milk supplied under any contract described in subsection (a) may be reduced by the cost of any transportation of the milk in bulk necessitated by reason of such milk having been produced outside the area in which such installation or facility is located. Any such reduction in the minimum price to be paid to producers of milk shall be limited to transportation costs incurred in transporting the milk in bulk form prior to processing for delivery by, or for, the distributor. No reduction in the minimum price to be paid by the distributor to producers of milk under any contract described in subsection (a) shall be made for any transportation costs incurred after the processing of the milk. The minimum price to be paid to producers of milk by a distributor under the terms of any such contract shall not be reduced on account of any costs incurred by the distributor after the milk has been processed.

(c) The minimum price to be paid by a distributor to producers of milk delivered under any contract described in subsection (a) shall, in the case of any installation or facility of the Federal Government which is not located in an area as defined in this Act, be determined by the commissioner of agriculture or other comparable official of the State in which such installation or facility is located.

SEC. 2. (a) No contract for the supplying of milk to an installation or facility of the Federal Government shall be entered into unless the distributor agrees to make available for inspection by appropriate officers and employees of the United States such records of the distributor as may be necessary for the purpose of effecting the provisions of this Act.

(b) Any information relating to the cost operations of a distributor which is made available pursuant to this Act to officers and employees of the United States shall be confidential; and, except as provided by regulation of the department or agency for which such officer or employee works, no officer or employee of the United States shall disclose any such information made available by any

such distributor. Any officer or employee of the United States who discloses any such information in violation of the regulations of the department or agency for which he works shall be dismissed from his office or employment.

SEC. 3. The provisions of this Act shall not apply to contracts for supplying milk to installations and facilities of the Federal Government outside the United States.

SEC. 4. As used in this Act—

(1) The term "milk" shall mean the clean lacteal secretion obtained by the complete milking of one, or more, healthy cows properly fed and kept under sanitary conditions specified for such milk in the area of delivery and containing not less than 8¼ per centum solids, not fat, and not less than 3¾ per centum butterfat, and containing bacteria not in excess of the quantity specified for such milk in the area of delivery of the designated installation or facility of the Federal Government. Such term shall include milk known in various localities as "class I", "approved", or "grade A fluid milk", or grades of like quality.

(2) "Distributor" means an individual, partnership, corporation, cooperative association, or any other business unit engaged in the handling of milk.

(3) "Area" means any area designated or specified for the regulation of milk pursuant to State law or regulation, or a Federal milk marketing order issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended.

(4) The term "bulk milk" shall mean milk prior to processing in containers of not less than ten gallons.

(5) The term "processing" shall mean any change in the physical or chemical structure of milk after milking, such as pasteurization, standardization, separation, bottling or other processes necessary or common to the usual delivery of milk for human consumption.

REDUCTION OF CERTAIN SALARIES IN LEGISLATIVE BRANCH

Mr. LANGER. Mr. President, on Tuesday April 7, I said on the floor of the Senate that the "cancer of inflation is eating away the people's substance." At that time, I called upon the President to lead the way in economy in the Executive Offices and that the Members of Congress should follow his example and reduce their salaries and office expenses in the same proportion that the President reduces his office expenses.

As I stated in that speech of April 7, we have been witnessing the spectacle of labor demanding and getting wage increases while at the same time industry utilizing these wage increases to demand increased consumer prices. This is indeed the vicious circle of inflation on inflation.

On at least two occasions within the last month, President Eisenhower has called upon both labor and industry to assist him in forestalling the upward turn in prices, yet today you can pick up a newspaper and read the unending demands of steel companies requesting steel unions not to seek wage increases and in turn the steel unions asking the major steel companies not to increase the price of steel, but to increase wages.

Mr. President, it is alarming to note that since World War II, we have seen 12 increases in the price of steel and 11 increases in wages, but the steel companies and the steel unions blame each other for this constant increase in prices and wages. Unfortunately, it is the farmer who buys farm machinery, the consumer who buys automobiles, appliances, and other articles containing metals, the people who live on social security, pensions, stable salaries and the like, are those who are confronted with higher prices and higher living costs who must pay because of this vicious inflationary spiral.

I know that under the Constitution of the United States, Congress cannot pass legislation reducing the salary of the President of the United States during his term in office, but there is nothing that will prevent the President from voluntarily cutting his salary 15 percent.

Today I am introducing a bill to cut the salaries of the Vice President, the Speaker of the House, the U.S. Senators and Representatives by 15 percent.

The time to reduce the appropriations for the Executive Offices of the President is when the matter comes before the Senate Appropriations Committee and before the Senate, at which time I shall ask that they be reduced 10 percent.

However, today I am asking Congress to reduce by 10 percent the amount alloted for the operation of the offices of the Members of Congress.

As I stated previously, Congress should authorize billions for defense but not one cent for waste. All this running hog-wild with the taxpayers' money simply must be stopped. It is just a question of whether we, the officials duly elected by the people, have the stamina, the strength and the nerve to cut our own operating expenses and lead the country to a sensible state of economizing without adversely affecting the economy and the security of our Nation.

Mr. President, the people want a balanced budget and they want economy in Government. I have been trying to urge this since this session in Congress began. I hope that Congress will act effectively in economizing in Government and balancing the budget.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1775) to reduce the compensation and clerk hire allowance of Members of Congress and the Vice President, introduced by Mr. LANGER, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

DESIGNATION OF FIRST SUNDAY OF JUNE OF EACH YEAR AS "SHUT-INS' DAY"

Mr. KEATING. Mr. President, convinced as we are of the strength, vigor, and prosperity of our country, I fear we may take too lightly the challenge expressed by Judge Jerome Frank, when he said "The test of the moral quality of a civilization is its treatment of the weak and powerless."

It is thus in behalf of our countrymen who are sick, handicapped and afflicted, that I introduce, for appropriate reference, a joint resolution which designates the first Sunday in June of each year as "Shut-Ins' Day." I hope that on this day we shall all make special effort to honor the magnificent courage which these people are demonstrating each day of their lives. Not only can we honor their courage, but also their achievements, which are of great significance, especially in view of the enormous difficulties which they must constantly overcome.

Each of us can pay tribute to the shut-in in his own way—by personal visit, a small gift or message. The President of the United States would take the lead in the commemoration of this day by issuing a proclamation providing for the display of the flag on all Government buildings and urging the people to participate in observance of the day.

Worthwhile efforts are already being made to encourage the sick and disabled in overcoming their handicaps. Shut-in clubs and social service organizations throughout the country have taken up their cause. My home city of Rochester, N.Y., has been a pioneer and leader in such efforts. In addition to the dedicated service of such groups, however, much can still be done. The magnitude of the problem is too great to be handled by a few people.

It should come as no surprise that we in America have literally millions of shut-ins among us. A survey by the Public Health Service covering the civilian non-institutional population indicated that in 1957 about 2 percent of the national population had trouble getting around alone, 1 percent could not get around at all alone, and 1 percent were confined to their households. These percentages would, of course, be considerably higher if persons in institutions were also included. Our older people number especially high among the shut-ins. About three-quarters of a million people over 65 are confined to their homes. Younger people are also affected, however. Nearly one-half million people under age 45 are confined to home or cannot get around alone.

Medical research is now making it possible for many more persons to avoid being afflicted with disabling diseases, and to restore many of those who are afflicted to good health. In the State of New York, for example, there were only 101 cases of paralytic polio in 1957 as compared to the 1,376 case average for the 3 years prior to the first use of the Salk vaccine. Similar, though less spectacular, advances have been made in combating other diseases.

Being realistic, however, I know it will be many long years before New York, or the United States at large, will have solved all of its major health problems. Furthermore, a large segment of our population must live with their handicaps here and now. In their behalf, then, and in support of the great work being done by our many shut-in groups and societies, I urge Congress to enact this joint resolution, which will bring friendship, kindness, and a new spark of happiness into the lives of so many Americans. I ask unanimous consent that the joint resolution be printed in the RECORD.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without ob-

jection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 93) designating the first Sunday of June each year as Shut-Ins' Day, introduced by Mr. KEATING, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Whereas the movement to encourage friendship for the sick and shut-ins is being sponsored by shut-in clubs and through programs of other organizations; and

Whereas this movement has served thousands of sick, physically handicapped, and afflicted shut-ins in the homes, hospitals, and institutions for the disabled throughout the United States by encouraging them to overcome their handicaps in times of distress and discouragement; and

Whereas there are now many heroic veterans of our wars who are shut-ins because of the wounds which they have suffered in battle for their country; and

Whereas, through this movement, neighbors and friends have been encouraged to do acts of kindness which have alleviated human suffering and brought spiritual uplift to shut-ins in moments of stress and futility: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the first Sunday of June of each year is hereby designated as "Shut-Ins' Day", and the President of the United States is authorized and requested to issue annually a proclamation calling upon officials of the Government to display the flag of the United States on all Government buildings on such day and urging the people to observe the day by remembering the sick and disabled through personal visits, flowers or other gifts, messages, or other acts of kindness.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959—AMENDMENTS

Mr. McCLELLAN submitted amendments, intended to be proposed by him, to the bill (S. 1555) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes, which were ordered to lie on the table and to be printed.

Mr. ALLOTT submitted an amendment, intended to be proposed by him, to Senate bill 1555, supra, which was ordered to lie on the table and to be printed.

ASSISTANCE TO STATES IN WILDLIFE RESTORATION—ADDITIONAL COSPONSOR OF BILL

Mr. WILEY. Mr. President, it is a pleasure for me to announce that the junior Senator from Michigan [Mr. HART] joins me as a cosponsor of the bill (S. 1021) to amend the act providing aid for the States in wildlife restoration projects, with respect to the apportionment of such aid. I ask unanimous consent that his name be listed as a cosponsor of Senate bill 1021 when it next is printed.

The PRESIDING OFFICER. Without objection, it is so ordered.

INTERNATIONAL FOOD FOR PEACE ACT OF 1959—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of April 16, 1959, the names of Senators CHURCH, NEUBERGER, CLARK, MANSFIELD, HENNINGS, and SYMINGTON were added as additional cosponsors of the bill (S. 1711) to promote the foreign policy of the United States and help to build essential world conditions of peace, by the more effective use of United States agricultural commodities for the relief of human hunger, and for promoting economic and social development in less developed countries, introduced by Mr. HUMPHREY (for himself, Mr. CARROLL, Mr. HART, Mr. KENNEDY, Mr. McCARTHY, Mr. McGEE, Mr. MONRONEY, Mr. MORSE, Mr. MURRAY, and Mr. WILLIAMS of New Jersey), on April 16, 1959.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mr. MURRAY:

Address delivered by Senator Moss at the Jefferson-Jackson Day banquet at Conrad, Mont., on March 31, 1959.

By Mr. YARBOROUGH:

Several articles from the Army Times recommending extension of GI law benefits to Korean veterans.

NOTICE OF HEARING ON SECRECY AND SCIENCE BY SUBCOMMITTEE ON CONSTITUTIONAL RIGHTS

Mr. HENNINGS. Mr. President, I wish to announce, as chairman of the Subcommittee on Constitutional Rights of the Committee on the Judiciary, that the subcommittee has scheduled a public hearing on the subject of "Secrecy and Science" on Tuesday, April 28, 1959, in room 1202 of the New Senate Office Building, Washington, D.C.

This hearing will deal with a subject with which the Constitutional Rights Subcommittee has long been concerned, the effect of undue secrecy on scientific development and progress in the United States. The subcommittee has been attempting to obtain the views of scientists throughout the country on this vitally important subject, and has scheduled this particular hearing in order to hear Dr. Arthur H. Compton, Nobel prize-winning physicist from Washington University in St. Louis, Mo., while he is in Washington, D.C.

THE COMMISSIONER OF THE BUREAU OF RECLAMATION

Mr. JOHNSON of Texas. Mr. President, on Friday, May 1, the Bureau of Reclamation will have a new Commissioner.

W. A. Dexheimer, after 6 years as Commissioner will resign as of that date; and the President has announced as his successor the present Associate Commissioner, Floyd E. Dominy.

For his untiring efforts to improve Federal-State relationships and thereby open the way to greater cooperation in the development of our water resources, we owe a debt of gratitude to Commissioner Dexheimer.

I, personally, am grateful to the Commissioner for the aggressive manner in which he has conducted, through reclamation field offices in Texas and particularly through my very able friend, Harry P. Burleigh, a series of broad studies relating to water supply and water requirements. Harry Burleigh has devoted his great abilities to developing a comprehensive water program for my State and has directed this work in the finest traditions of the Reclamation Bureau.

These studies, conducted under the name of the gulf basins project, were instigated at my request. The purpose was to determine as quickly as possible the true role that water supply must play in the years ahead and the manner in which the Federal Government can most effectively aid in attaining full development of water resources.

The significance of these studies was quickly grasped by Mr. Dexheimer, and the Bureau of Reclamation has prosecuted them with great vigor.

This information will now become the cornerstone of further work by the U.S. Study Commission for Texas Rivers, an agency created during the last session of Congress.

In the light of a long and meritorious career with the Bureau of Reclamation, we are sorry to see Commissioner Dexheimer leave, but we can appreciate his desire to seek new fields of endeavor.

It is fortunate that a career employee of the Bureau of Reclamation will become the new Commissioner.

As a county agent in Wyoming in the drought days of the 1930's, Associate Commissioner Dominy learned early the importance of water resource development. A veteran of 25 years of Federal service, he associated himself with the Bureau of Reclamation as a land development specialist in 1946; and since that time he has risen rapidly through the ranks.

Because of wide interest in the important position he will assume, I ask unanimous consent to have printed in the RECORD an Associated Press dispatch which details the background and experience of Commissioner-elect Dominy.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Daily Sentinel, Apr. 12, 1959]

AGRICULTURAL AGENT DOMINY MAKES GOOD

(By W. Joynes MacFarlan)

WASHINGTON.—Back in 1936, Floyd E. Dominy was a county agricultural agent in Wyoming when he sparkplugged a water conservation program.

Today, Dominy credits grasping that opportunity with starting him on the way to becoming the next Federal Reclamation Commissioner.

Dominy takes over May 1 as boss of the Interior Department's Reclamation Bureau, which is seeking $251 million from Congress to finance its operations for the next fiscal year. He says he plans no major policy changes.

Dominy already is widely known in western reclamation work because of his service with the Bureau since 1946. This has included

being an assistant and then associate commissioner.

He is not an engineer but says his background fully qualifies him for the post to which President Eisenhower appointed him last week. Engineers will continue to make engineering decisions for the Bureau, he adds.

"My background in agricultural land use and water conservation certainly qualifies me to assume direction of a western resource development agency," Dominy told reporters.

"The purpose of reclamation," he said, "is to develop water resources of the arid and semiarid West for the benefit of the West and the Nation.

"I have been identified with that kind of work since I got out of school."

Dominy, a 49-year-old Republican, will succeed Wilbur A. Dexheimer, who told Eisenhower he was resigning for personal reasons. Dexheimer was a career Government engineer before becoming Commissioner in 1953.

Dominy learned of his promotion last week an hour and a half after it was announced by the White House. His boss and sponsor, Secretary of the Interior Fred A. Seaton, notified Dominy by phone. Dominy was in New Mexico on an inspection trip at the time.

Recalling his start in the water conservation field as county agricultural agent in Campbell County, Wyo., Dominy said:

"I grasped the opportunity in the fall of 1936, when I saw in the new range conservation program announced that September not only a way to conserve water but a way to provide a lot of people with jobs in those depression times.

"We went right to work while others thought it was too late to do anything that winter. We built 300 dams that first year to create stock water ponds. That was more dams in that county than were built altogether in several States."

The program led to Dominy's becoming field agent for the Western Division of the Agricultural Adjustment Administration in 1938.

During World War II, Dominy served as an official of the Office of Inter-American Affairs and as a naval military government staff officer on Pacific islands reoccupied by Allied Forces.

Dominy is a native of Hastings, Nebr., which is also Seaton's hometown. But Dominy made it clear he feels his appointment was not based on hometown considerations.

"I never met Secretary Seaton until he was here as a Senator," Dominy said.

Dominy has another close tie to Hastings. He married the former Alice Criswell of Hastings on December 23, 1929.

After attending Hastings College for 2 years, Dominy said his wife enrolled at the University of Wyoming. He received his degree in 1932 and began his professional career as a vocational agriculture teacher in Hillsdale, Wyo.

TIGHT MONEY RUNS RIOT

Mr. PROXMIRE. Mr. President, on Monday of this week I warned that interest rates, which already have been shoved up very rapidly by the Federal Reserve Board, are going higher. In last night's Washington Star, Sylvia Porter, in an article entitled "'Tight Money' Coming Again," further confirmed my prediction that hard money is going to get even harder.

Miss Porter nails this down by writing:

These are not casual forecasts. What is to happen is now being foretold in the Treasury securities market—the market in which the Treasury borrows the money it needs to pay off maturing I O U's and to cover its current deficit. This market is the bellwether of all the markets, the place where experts seek clues to trend in borrowing, interest rates, etc.

And Miss Porter calls attention to the fantastic rise of 90-day loans from 1⅛ percent, a year ago, to 3⅛ percent, today—a virtual trebling in the cost of 90 day money; and a rise from 1½ percent to 3⅞ percent in 1-year money—an increase of more than 150 percent since a year ago. This is hard money run riot; and the experts tell us it is going to get worse.

Mr. President this is cruel, selective, premeditated inflation with a vengeance. It enormously increases the cost of automobiles, and especially the cost of homes, because both of these are bought on time, and interest is a principal element of their cost. It vastly increases the cost of hospitals and schools, because these necessarily are financed over a period of many years, and interest is by far the biggest single cost factor involved. This premeditated increase in the cost of money hits the small businessman and the farmer right between the eyes, for both of them must borrow heavily in order to survive. And this high interest-rate policy hits the taxpayer especially hard. The cost of servicing the national debt is becoming second only to the cost of defense, in its burden of the Federal budget, and has increased far more rapidly—by 20 percent—than any other expenditure in the President's budget. The local taxpayer is forced to pay more, too, because of the increased financing cost of every street or building the local government constructs.

But most cruelly of all, Mr. President, hard money keeps the unemployed out of work. Fewer homes will be built. Fewer automobiles will be manufactured. Fewer appliances will be sold and fabricated. What does this development mean, if it does not mean fewer jobs?

Mr. President, I recognize that the governors of the Federal Reserve Board are sincere, honest men of solid reputation. But I think the fact shout out that they are wrong. The Board is a creature of Congress, and we have clear responsibility to call on the Board for a full explanation to prove that, in fact, this tough, hard-money policy does hold down the overall cost of living, in view of the huge increase in the cost of all the things that are purchased with borrowed money.

Mr. President, I ask unanimous consent that the article by Sylvia Porter be printed at this point in the RECORD.

There being no objection, the article was ordered printed in the RECORD, as follows:

"TIGHT MONEY" COMING AGAIN

(By Sylvia Porter)

It will be more expensive to borrow money for your business or your home or other personal activities this fall than this spring.

The probability is that within a few months interest rates will be the highest in more than a quarter century.

The likelihood is that the Federal Reserve System soon will turn the credit screws again, act deliberately to cut down the supply of money in the banks available for loans.

The outlook is for a new phase of "tight money" as the business resurgence continues and the supply of money is curtailed while demands for credit climb on all sides.

These are not casual forecasts. What is to happen is now being foretold in the Treasury securities market—the market in which the Treasury borrows the money it needs to pay off maturing I O U's and to cover its current deficit.

MARKET IS BELLWETHER

This market is the bellwether of all the markets, the place where experts seek clues to trends in borrowing, interest rates, etc. When, for instance, the Treasury finds it harder and more expensive to borrow money, it means other borrowers, big and little, are going to find it harder and more expensive, to borrow, too.

And right now the Treasury is finding it more difficult to get cash and more costly to borrow.

Today the Treasury is paying 3⅛ percent for 90-day loans against 1⅛ percent a year ago. Today it is paying 3⅞ percent for 1-year money against under 1½ percent for identical loans in April 1958. Today the going rate to the Treasury for 5-year loans is over 4 percent; a year ago the rate was under 2½ percent.

At these prices, the Treasury can borrow, but investors aren't eager to lend to the Government. And for two vital reasons.

On one hand, the strong business upswing so clearly under way now makes it certain that demands for loans are going to swell.

The boom in homebuilding assures a record demand for mortgage money. The spurt in retail sales will force businessmen to borrow to restock their shelves with goods. The decisions of corporations to increase their spending for plants and equipment signal a rising demand for capital to finance the plants and equipment. The revival in the auto market means more loans on autos. The comeback in sales of appliances, furniture, etc., spells more demand for all sorts of installment loans. States and cities are borrowing all-time peak amounts. And the Government is competing heavily and constantly for cash as well.

FEDERAL RESERVE SYSTEM IS DETERMINED

On the other hand, the Federal Reserve System—which controls the supply and cost of credit in the United States—is determined not to expand the supply of money enough to cover all demands. For the Federal Reserve is convinced that if all who want to borrow can get loans easily and cheaply, inflation-breeding forces will be encouraged, and we'll take off on a new inflation spree.

In its dedicated effort to use every weapon at its command to curb inflation the Federal Reserve is likely to begin expanding its operations to "mop up" funds in the banking system.

It is also likely to raise again the rate it charges member banks for loans—the discount rate—and thus spur banks to raise the rates charged on loans to you. Since last June, the Federal Reserve has boosted its own loan rate three times to a current level of 3 percent; a fourth increase may come almost any time.

On Monday, May 4, the Treasury will tap its market for $4.5 billion to pay off some maturing I O U's. It'll pay one of the highest rates since the thirties for the cash. Then the signal of what is to come will be apparent to all.

IS UNITED STATES PRICING ITSELF OUT OF MARKETS?

Mr. PROXMIRE. Mr. President, yesterday I submitted a resolution calling for an investigation of the consequences of the vast increase in the investment of American capital abroad. While I expressed enthusiastic approval of such investments' excellent effect in building

up the economies of our friends, I pointed out the serious cost of fusing American capital, automation, and know-how with low foreign wage rates in exporting American jobs.

The April 27 issue of U.S. News & World Report carries an unusually well-documented study of a closely related problem, entitled "Is United States Pricing Itself Out of Markets?" Mr. President, because this excellent article supplements the heavy documentation I incorporated into the RECORD yesterday in support of my resolution, I ask unanimous consent to have it printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From U.S. News & World Report]

IS UNITED STATES PRICING ITSELF OUT OF MARKETS?—THE FACTS ABOUT INDUSTRIES HURT BY GOODS FROM ABROAD

(Many stories are told of goods from abroad pouring into the United States, taking jobs from workers. What is there to these stories? Where is industry being hurt? How can foreign industry undersell industries of the United States? Examine deeply, and you find that foreign competition—important for those affected—is growing, but is not yet a national problem. Lower wages are part of the story. Rising efficiency of industry abroad is another part. Result: An ability to undersell U.S. products in many American markets. Out of it all are coming pockets of unemployed in some industries, some communities.)

In industry after industry and community after community, goods coming from abroad take on real meaning. They are translated into lost markets and into little pockets of unemployed.

For the most part, the communities and the companies affected are small. Often they do not seem important in the broad scale of business. Yet to the individuals and communities involved the effect of imports is proving real.

To find out what is happening, U.S. News & World Report looked into many reports of lost markets and of competition that American businessmen could not meet. Over and over again, investigation revealed that rising wage costs and other expenses in this country, plus new equipment and growing efficiency abroad combined to cause trouble for the U.S. industry.

As the rest of the world modernizes its industry and develops skilled and lower-priced labor, the problems grow for more and more U.S. businessmen.

Examples that follow give you a picture of what now is happening.

NAILS

A company in Peoria, Ill., has a wage cost of more than $2.90 an hour in making eight-penny nails which it sells for $9.80 per 100 pounds in carload lots. Similar nails from a German plant that has wage costs of around 90 cents an hour are offered in New Orleans, duty paid, at $7.90 per 100 pounds and can be delivered in Peoria for $8.35. Nails made in Japan by workers who get 40 cents an hour are offered in New York at $7.45 per 100 pounds and can be delivered in Peoria for $8.52.

Imports of nails supply more than one-third of the U.S. market, and are more than 50 times as great as exports of nails.

BARBED WIRE

Barbed wire is an American invention, produced for many years both by big steel companies and by a number of smaller companies around the country. But, last year, a little more than one out of every two rolls of barbed wire sold in this country were made in foreign mills by foreign workers using foreign steel. Imports amounted to more than 50 times exports.

This explains why: A jobber in Dayton, Ohio, for example, can buy a ton of barbed wire made in Germany for $40 less than similar wire made in nearby Cleveland, where steel wages are roughly three times as high.

The industry estimates that the excess of imports over exports equaled, in terms of man-hours required to produce the barbed wire, about 650 full-time jobs. There is no tariff on imports of barbed wire.

BICYCLES

American manufacturers of bicycles have made a mild comeback against their foreign competition. In the past 3 years they have increased their share of the U.S. market from a low of 60 percent to 71.8 percent. How did they do it?

"We import chains, brakes, spokes, tires, and saddles and combine them with American-made frames and rims," one industry official explained. "We've cut our prices so that the industry averages only 2 percent return on gross sales. Our wage costs are about $2.30 an hour, compared with 60 to 70 cents in Germany and a little higher in Great Britain. We can't offset the difference by improved machinery and methods. There's nothing open to us in the technique of building bikes that's not open to the world."

SEWING MACHINES

Most of the business of producing sewing machines for American homes has gone to foreign factories. Singer is the only major manufacturer that still makes sewing machines in the United States.

White, traditionally No. 2 in the field, gave up trying to produce in this country late in 1957, after 80 years, and now has its machines made in Japan. It couldn't meet the low prices of imports with machines made in its U.S. plants. Now the company charges $225 for a machine that an official says would have to be priced at $325 if made in the United States.

A trend that worries American industry: In markets abroad, U.S. purchases are rising faster than sales

[In billions]

	1953	1954	1955	1956	1957	1958
U.S. exports of manufactured goods	$7.4	$7.4	$8.0	$9.3	$10.4	$9.4
U.S. imports of manufactured goods	2.2	2.2	2.6	3.2	3.5	3.9

In 1953–58 period imports went up 77 percent and exports went up 27 percent.

STEEL FLATWARE

About 5 years ago, companies that manufacture knives, forks, and spoons made of stainless steel began to get stiff competition from imports—particularly from Japan. Their average price per dozen pieces was $1.91, and the price on Japanese imports was $1.15 a dozen. Imports took 8 percent of the market.

By last year, U.S. manufacturers had raised their price to $2.32 a dozen to cover increased costs of labor and materials. The price on Japanese imports had dropped to 84 cents a dozen. And 38 percent of the stainless steel flatware sold in this country last year was made in foreign factories—mainly in Japan, where wage costs in the industry are about 22 cents an hour compared with $2.13 in U.S. plants.

In that 5-year period, four companies went out of business, industry employment dropped from 3,100 to about 2,400. An official of International Silver Co., at Meriden, Conn., estimates that firm's layoffs due to declining production of stainless steel flatware is costing the community $5 million a year in lost buying power. Meriden is one of the areas designated by the Labor Department as having "a substantial labor surplus."

TYPEWRITERS

Five years ago, one out of every seven portable typewriters sold in this country was made overseas. Now it's 3 out of every 10. The answer is the price. A typical portable produced by a well-known American manufacturer sells for $79. You can get one that is almost identical, made in West Germany, for $69.

One American company now makes all its portables, both for oversea markets and sales in the United States, in a European plant, and all its office typewriters in a plant in this country. Another assembles its typewriters in this country largely using parts made in its European plants.

There also are steady increases in imports of calculating machines and other types of business machines—with many coming from oversea plants of American companies. One company makes identical machines in the United States and in Germany. It pays an average of $2.25 an hour to workers in its American plant, less than 60 cents an hour to its workers in Germany.

"We're being forced into setting up oversea plants, where labor costs are lower, in order to compete with foreign companies," says an official of one firm.

FISHING TACKLE

The manufacture of fishing tacke is not a large industry, but it is important to a company such as Lionel Corp. of New York, better known for its model electric trains. Lionel lost $469,000 last year, mainly because of competition of imports with its own Airex Division's line of fishing tackle.

"We're going to take a chance on the rest of 1959," says Lawrence Cowen, president, "but, if the situation doesn't improve, we will ship Airex's tools, dies, jigs, and fixtures abroad and manufacture outside the United States. Believe me, it's not a happy prospect, but we may have to do it if we want to continue that part of our business."

Mr. Cowen explains that on items where production is highly mechanized, such as tracks for model trains, Lionel has no trouble meeting foreign competition. "But, the moment you have to use a considerable amount of labor," he says, "then the lower wages in other countries give them a big advantage."

JEWELED WATCHES

One of the better-known watches made in America used to be the Waltham, manufactured in a big plant at Waltham, Mass. Now, three-fourths of the plant is leased out, the remaining fourth used by the Waltham Precision Instrument Co., which makes such things as gyroscopes, precision parts, and electronic instruments—but no watches. The Waltham Watch Co., an offshoot of the old firm, uses leased space in New York to assemble watches imported from abroad.

Three companies still produce jeweled watches in the United States—Elgin, Bulova, and Hamilton—but all of them also import part of the watches they sell. Bulova has a plant in Switzerland, and Hamilton and Elgin plan factories there. Hamilton has licensed a Japanese firm to make Hamilton-type watches—for sale in Japan at the start, then in world markets, and ultimately in the United States.

More than four out of five jeweled watches sold in this country are manufactured abroad.

CLOCKS

The Washington telephone directory has a listing for the "Clock and Watch Manufacturers Association of America." A call to that number brings the information that the association is folding up. Companies that still are making clocks and lower-priced watches say that, because of competition

from imports, they can no longer afford a trade association.

One of the companies in this industry is E. Ingraham & Co., which as recently as 1956 employed 1,800 people in its clock and watch operations. Now, according to Robert E. Cooper, president, it has only 1,200—a drop of one-third. Ingraham's plant is in Bristol, Conn., which is officially listed as an area of substantial labor surplus.

Another surplus-labor area is New Haven, Conn. Its industries include New Haven Clock & Watch Co., which once had 2,000 employees, now is down to 325.

General Time Corporation, a giant in the industry, had a substantial dip in profits last year but managed to do better than most of its competitors. General Time produces most of the clocks and watches it sells in the United States in a plant in Illinois, but has factories in South America, Canada, and Scotland to manufacture for its sales abroad.

CLOTHESPINS

Ten years ago there were 13 plants around the country manufacturing clothespins. Now there are six. The seven others closed. They were unable to meet the competition of imported spring clothespins selling for as little as $3.85 a case, compared to $6.30 for similar pins made in U.S. factories.

One of these plants had been a major employer for many years in Richwood, W. Va., a city of 5,300. When the plant closed early last year, 200 people were thrown out of work, "and 150 are still unemployed," according to Mayor Keith Jarvis. Collections from a sales tax dropped 20 percent.

"It changed us from a city with a fair state of business to a depressed area," says Mayor Jarvis. "In a large city that wouldn't be many people, but that payroll meant very much to Richwood."

WOOLEN GLOVES

The manufacture of knit gloves is a small industry made up of small companies. Back in 1947, there were 44 factories making woolen gloves. They employed 5,000 workers, and produced more than 95 percent of the woolen gloves sold in the United States.

Now, three out of every five pairs of woolen gloves sold in this country are imported, mostly from Japan and Hong Kong. The U.S. industry is down to 16 companies, employs fewer than 2,000 workers. Much of the industry is located in Gloversville, N.Y., and its employment there has dropped from 900 to fewer than 500. Gloversville is officially listed by the Labor Department as an area of "substantial labor surplus."

HARDWOOD PLYWOOD

After two decades of manufacturing hardwood plywood, the Coastal Manufacturing Co. last December closed its plant in Denmark, S.C., a town of 3,500. Jobs were lost by 120 employees of the mill and 30 workers employed by contractors supplying logs to the mill. The community lost the company's $115,000 a week in wages and purchases.

"Imports have squeezed all the profit out of the business," comments Robert Zeigler, president and one of the three stockholders of the company. "We'd have been better off if we had closed a couple of years ago."

The plywood plant in South Carolina is one of more than 20 that have closed during the past 6 years during which imports mainly from Japan, have risen from 10 percent of the U.S. market to more than 53 percent. An official of one company estimates job losses in the industry at more than 11,000. An example of import competition, he says, is a price of 7 cents a square food delivered for a type of plywood his company has to sell for 17½ cents.

DINNERWARE

One of the largest U.S. manufacturers of dinnerware is the Homer Laughlin China Co., of Newell, W. Va. The company used to have 4,500 employes. Now it has 1,500, and is operating at 50 percent of capacity.

Laughlin, even so, has done better than a dozen of its competitors, who have gone out of business in the last 5 years in the face of rising imports of foreign dishes—mainly Japanese dinnerware priced at about half what the U.S. makers must charge.

"There has been a great mechanization of plants in the past 15 years," says J. M. Wells, Sr., general manager of the firm. "We think we have changed all the jobs it is possible to change to get greater mechanization and efficiency. But our labor cost is still about 65 percent of our selling price—we have been forced to pass along the savings in lower prices to meet import competition."

CAMERAS

More and more, you see imported cameras being offered for sale, or find American cameras equipped with attachments made abroad—such as flash guns and exposure meters. Government figures for 1958 reflect the trend. Imports of still cameras and parts totaled $20.7 million, exports only $5.8 million. For lenses, imports were $4.3 million, exports, $1.6 million.

But there is another side to the story. If you include all photographic products such as film, movie cameras, and equipment, and other products, you find exports totaled $90 million, imports $46.6 million.

WOOLEN FABRICS

Since late last year, more than 200 workers have been laid off at the Charlottesville Woolen Mills in Charlottesville, Va. Fewer than a dozen are left. The company is going out of business after 91 years, unable to continue making woolens at prices that will compete with foreign imports.

The average age of the laid-off workers is more than 50 years. Most have spent all their working years with the company, and some are of the second and third generations of their families to be employed at the mill. A typical comment of older workers leaving the plant for the last time: "I'm too old to be able to find another job, too young to get social security." Lost pay of these workers, $650,000 a year.

The Charlottesville workers are among more than a third of a million who have lost their jobs in the textile industry since World War II, and the mill is one of more than 700 that have been liquidated. The industry has had other serious problems besides foreign competition, but imports have played a big part.

Statistics on woolen fabrics for apparel, 1958 compared with 1957: Production by U.S. mills, down 6 percent; imports, up 7 percent. Exports? "We have practically no exports—our goods cost too much to compete in world markets," explained one industry official.

COTTON CLOTH

American manufacturers of cotton cloth breathed a little easier in 1957 when Japan voluntarily adopted a quota on exports of cotton goods to the United States. Total imports that year dropped to 122 million square yards from 188 million the year before, and U.S. exports rose to 548 million from 507 million in 1956 .

But last year two things happened to change the situation. First, shipments to the United States from Hong Kong and other areas outside Japan rose sharply, and imports jumped to 143 million square yards. Second, Communist China suddenly exported some 500 million square yards of cotton cloth at prices so low they apparently were set without regard for cost. U.S. exports dipped to 501 million.

"This not only hurt our exports but caused the Japanese to need more than ever to export to us," commented one American textile official.

Compared with 1953, the 1958 figures showed this: exports, down 19 percent; imports, up 123 percent.

AUTOMOBILE TIRES

The demand for automobile tires is increasing about twice as fast in other parts of the free world as in the United States, traditionally an exporter of tires. U.S. companies will help supply this rising foreign demand, but this does not mean exports from American factories will rise proportionately

For example, the Goodyear Tire & Rubber Co. reports it is expanding plants in 10 of the 20 countries in which it has factories, and will build a new plant costing $7 million in France. Some of the other big companies have similar plans for stepping up their overseas operations.

American imports of automobile tires are principally in smaller sizes for use on foreign cars. A sizable proportion of these imported tires come from overseas plants owned by U.S. companies.

AUTOMOBILES

Four years ago, the United States was exporting more than four times as many automobiles as it was importing. Now imports are running four times exports.

What does this mean in terms of jobs?

There is no way of figuring exactly, but it is possible to get a rough idea.

In both the first quarter of 1955 and the first quarter of this year, the industry's output of cars and trucks combined was about 26 per 10 employees. On this basis, employment in building cars and trucks for export is down by 17,000, while imports have risen by the equivalent of 55,000 jobs—a total of 72,000 fewer jobs.

Total employment in the auto industry is about 155,000 lower than it was 4 years ago. Except for the change in the import-and-export situation, employment would have been down by only 83,000 jobs.

Those calculations are approximate, and do not make allowance for the fact that the smaller imported cars may require fewer man-hours to build. But the estimates do give some idea of what the increase in imports and decline in exports mean in terms of jobs.

The Auto Story: Imports growing, exports slowing

	1953	1954	1955	1956	1957	1958
Autos bought from other countries	29,505	34,555	57,115	107,675	259,343	431,608
U.S. cars sold to other countries	186,262	206,544	254,336	197,708	160,632	125,834

Source: U.S. Department of Commerce; Automobile Manufacturers Association.

TRANSISTOR RADIOS

Walk into practically any store that sells radios, and you will find transistor portables bearing well-known American brands and, alongside them, imported sets that you can buy for $10 to $15 less. What you see is a situation that has the electronic industry worried, although transistor portable amount to only a tiny fraction of its output.

Transistor radios from Japan have taken over almost half the U.S. market for such sets. The Electronic Industry Association is looking into the effect of these imports on U.S. producers of transistors, which also are used in military weapons and equipment. The worry is whether these transistor manufacturers will be able to maintain their pro-

duction facilities and continue research if they lose their civilian business.

The problem is not as serious for companies that make sets. One U.S. firm has arranged to bring in transistor portables from Japan to sell as part of its own line, and several others are considering importing sets or parts from Japan.

TURBINE GENERATORS

National defense was the main issue raised in the controversy over the decision of the Tennessee Valley Authority to buy a huge steam-turbine generator from a British company that underbid two U.S. firms by several million dollars. But there was another angle that was of special interest to workers in four U.S. cities—jobs created in the building of the turbine generator.

Man-hour estimates by the American firms that bid on the project, Westinghouse Electric Corp. and General Electric Co., figure out to about 350 full-time jobs for 2 years on direct production and 700 or more other jobs connected with the project. The Westinghouse plants for manufacturing such equipment are in East Pittsburgh and Lester, Pa. General Electric's are at Schenectady, NY., and Fitchburg, Mass. All are in depressed areas, officially classified by the U.S. Labor Department as areas with "substantial" labor surpluses.

The two firms said that, with English wage rates only about 37 percent of those in the United States for such work, they could not match the British bid. They argued that U.S. equipment should be bought, nonetheless, because foreign-made equipment would be difficult to repair or replace in time of war. The TVA disagreed, and turned down their protest.

Imports of manufactured goods, as accompanying charts show, are relatively few compared with exports of U.S. manufactured goods to markets abroad. Yet the trend is toward a rise of imports from abroad and a decline of exports from the United States to nations abroad.

Industry in other nations, in the years since the war, has modernized and learned American ways. And, while costs of production have been rising in the United States, such costs in many other countries have been rising less rapidly—at least for steel, machinery, and some other types of goods that are being imported into the United States in increasing amounts.

The U.S. producers trying to meet this competition have two alternatives if they want to stay in business: Turn to more automation, using fewer people, or shift production overseas.

MILITARY SERVICES SEEKING HALF MILLION POUNDS OF BUTTER FROM COMMERCIAL SOURCES AT THE SAME TIME COMMODITY CREDIT CORPORATION HAS 17 MILLION POUNDS OF BUTTER IN SURPLUS

EXCESSIVE SURPLUS ITEMS

Mr. DOUGLAS. Mr. President, for some time I have been pointing out what appears to be a great degree of fat and waste in the procurement system of the military forces. The most recent overall survey by the House Committee on Government Operations indicated that the military services had more than $44 billion worth of property in the supply system inventories. Of this amount, $14.5 billion was needed for peacetime operating purposes, and another $12.1 billion was set aside for the mobilization reserve. Thus, a total of about $27 billion of the $44 billion was needed for the peacetime forces, and to go to war tomorrow morning, if necessary, while the remaining $17 billion was in the form of excess or surplus supplies. It has been my contention that by drawing down on these surplus items, the military forces could save from $2 to $3 billion in the fiscal year 1960, and that these funds could be used, instead, for the procurement of missiles and to keep the combat troops of the Army and Marine Corps at the full strength which Congress has authorized, but which the President has refused to carry out, on the ground of lack of funds.

MILITARY PROCURES ITEMS SIMILAR TO THOSE DECLARED SURPLUS

I have also complained that the military forces seem to be buying items which are exactly alike or similar to items which they are at the same time selling as surplus items or which have found their way into the surplus items which have been distributed to communities through the civil defense program. On the floor of the Senate, last Friday, I gave several examples of this practice. The fact that the procurement programs of the Government are wasteful was brought forcefully to my attention again, today.

FRESH BUTTER FOR THE MILITARY

Each day, the Department of Commerce publishes a synopsis of the items which various military and civilian agencies propose to procure for government use. I hold in my hand the synopsis for April 17. The synopsis of such items on which the Army was seeking bids on April 17, 1959, included the following item:

Butter, fresh: 538,440 pounds—NIP 1355–59Q—NIP opening April 23, 1959.

This item was being sought by the Chicago Military Subsistence Market Center, at 226 West Jackson Boulevard, Chicago, Ill., which procures large quantities of food for the military forces. The Army was seeking bids—which are to be opened tomorrow—for the supply of these half million pounds of butter.

CCC HAS 17 MILLION POUNDS OF SURPLUS BUTTER

My suspicions that the left hand of our Government does not know what the right hand is doing are verified by the fact that as of April 3—the latest date for which figures are available—the Commodity Credit Corporation had on hand some 17 million pounds of surplus butter.

This surplus butter is stored at various points around the country, including the Middle West. It is good, fresh butter which is kept under refrigeration; it cost our Government approximately 59 cents per pound—or over $10 million—to procure; and it also costs our Government further amounts to store.

While our supplies of surplus butter are relatively low, when compared with the supplies of surplus corn, cotton, wheat, rice, grain sorghums, and other items, I see no reason why the Army in Chicago should be advertising for some 538,440 pounds of fresh butter at the very time that we had—according to the latest available figure—some 17 million pounds of butter in surplus.

This, Mr. President, is yet another example of the kind of waste which could be avoided if our procurement system were better organized and if our procurement officials were more vigorous in seeking opportunities to procure surplus items from the supplies of existing Government agencies and departments.

Mr. President, from time to time I intend to bring to the attention of the Senate similar examples of waste and extravagance in the conduct of this administration.

ADDRESS BY SENATOR TALMADGE TO THE DAUGHTERS OF THE AMERICAN REVOLUTION

Mr. RUSSELL. Mr. President, last night the Daughters of the American Revolution, who are holding their annual meeting here in Constitution Hall, heard an outstanding address by my distinguished colleague and friend, Senator TALMADGE.

His remarks were a somber warning to all of us to take stock of how far our Nation has drifted away from the lofty principles and solid concepts upon which it was established. The Senator from Georgia aptly points out that if the Founding Fathers could return today, they would hardly recognize the ingenious system of government they devised in 1788.

The Senator concluded his remarks with a ringing call to the American people to demand a return to the basic constitutional precepts that have made us a strong Nation and a free people.

There is much food for thought for all of us in the Senator's forthright remarks. I commend him for them, and ask unanimous consent that they be printed at this point in the body of the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

NATION IN GREAT NEED OF ORGANIZATIONS PLEDGED TO UPHOLD OUR FORM OF GOVERNMENT

The following is text of remarks of U.S. Senator HERMAN E. TALMADGE, of Georgia, in delivering the principal address of the national defense program of the 1959 Continental Congress of the National Society of the Daughters of the American Revolution held in Constitution Hall in Washington, D.C. He was invited to speak by Mrs. Ray L. Erb, chairman of the society's national defense committee.

Mrs. Groves, Mrs. Erb, distinguished guests, and members of the National Society of the Daughters of the American Revolution, to have this opportunity to meet with your great organization is an honor for which I am deeply and humbly grateful.

I always have been an admirer of the loyalty and patriotism of the dedicated women of America who comprise the National Society of the Daughters of the American Revolution.

I always have subscribed to the fundamental principles of constitutional government and individual liberty which you Daughters of the American Revolution espouse so ably and vigorously.

I always have advocated the positive and dynamic approach to the preservation of our American heritage and institutions which your organization has championed from its inception.

Therefore, I take particular pleasure in having this occasion to salute you for all you have done and to urge that you redouble your efforts in the future.

Never in the history of our Nation have we stood in so great need of organizations and individuals pledged to uphold our form of government and the ideals in which it has its basis.

Never in the history of our Nation have there been so many who are working to destroy it and so few who are fighting to save it.

It is both frightening and heart-rending to sit in the Congress of the United States and witness the actions of those who, with apparent unconcern for the consequences, are spending us into bankruptcy and voting us into dictatorship.

It is even more alarming and discouraging to realize from the lack of public outcry that the masses of the American people either are unaware of what is taking place or are too apathetic or preoccupied to care.

When political advantage becomes more important than the public interest as the criterion by which our national policy is formulated, it is a distressing and lamentable commentary upon our national values.

And when those who speak out in defense of our American heritage find it necessary in turn to defend themselves against attacks made and asperisions cast upon their motives, it is a shameful and disgraceful reflection upon the vitality of our freedom and institutions.

The situation prompts one to reflect upon the disconcerting parallel between what is happening to our country and what the distinguished 19th century British historian, Lord Macaulay, predicted would happen to it.

Lord Macaulay did not believe in our democratic institutions.

He said they would sooner or later destroy liberty, or civilization, or both and he ventured, in a letter written in 1857 to an American correspondent, Henry S. Randall, that they would be the downfall of the United States during the course of the 20th century.

This, in part, is what he wrote:

"It is quite plain that your Government will never be able to restrain a distressed and discontented majority. For with you the majority is the Government, and has the rich, who are always a minority, absolutely at its mercy. * * * I seriously apprehend that you will, in some such season of adversity as I have described, do things which will prevent prosperity from returning; that you will act like people who should, in a year of scarcity, devour all the seed corn, and thus make the next year a year, not of scarcity but of absolute famine. There will be, I fear, spoliation. The spoliation will increase the distress. The distress will produce fresh spoliation. There is nothing to stop you. Your Constitution is all sail and no anchor. As I said before, when a society has entered on this downward progress, either civilization or liberty must perish. Either some Caesar or Napoleon will seize the reins of government with a strong hand; or your Republic will be as fearfully plundered and laid waste by barbarians in the 20th century as the Roman Empire was in the 5th—with this difference, that the Huns and Vandals, who ravaged the Roman Empire, came from without, and that your Huns and Vandals will have been engendered within your own country by your own institutions."

Translating Lord Macaulay's vivid symbolism drawn from the past into contemporary counterparts, it is not too difficult to identify the Huns and Vandals of today who are doing exactly what he prophesied.

They are the welfare staters who believe that Government should be all things to all men and do all things for all men.

They are the economic planners who believe that Government finance is merely a matter of printing more money.

They are the social schemers who believe that all society should be pressed into the same mold and reduced to the lowest common denominator.

They are the Government centralists who believe that the affairs of all citizens can be regulated better by a national bureaucracy than by the people themselves.

They are the judicial supremists who believe that laws should be made by the decree of Federal judges rather than the vote of the people's elected representatives.

They are the one worlders who believe the world should be made over in our image with Uncle Sam footing the bill.

And just as surely as the Huns and Vandals sacked Rome fifteen hundred years ago, so will these latter-day spoliators destroy our Government and our country with it unless their aims are thwarted and their hands are stayed.

Lord Macaulay's fears for our future, as events are proving, were well founded; but the reasons which he assigned for his conclusions have turned out to be somewhat wide of the mark.

No one would minimize the dangers to liberty inherent in unbridled majority rule. The tyranny of majorities is well documented throughout the pages of history. It was a subject which had the attention of our Founding Fathers and it has been a matter of concern to all responsible leaders since the beginning of our Republic.

However, the responsibility for our present course as a nation rests not with an unchecked majority but rather with militantly vocal minorities which represent themselves as the majority.

No one would contend that our Constitution is a perfect instrument. Every period of our history has brought to light some defect or oversight in its provisions. Its framers recognized that problem in providing specific machinery for its amendment.

However, the cause of our present situation is not any inadequacy of the Constitution to impose sufficient restraint but rather the failure of the various branches of the Government to abide by the limits of its checks and balances.

If the founders of our country could return today, they would find it virtually impossible to recognize their handiwork.

Instead of a nation in which government at all levels is the least government necessary to do for the people what the people cannot do for themselves, they would find a nation saddled with an ever-encroaching Federal bureaucracy which is steadily embracing more and more affairs traditionally and constitutionally regarded as local affairs and personal matters.

Instead of a nation which respects the rights and integrity of other nations and demands that it be accorded the same respect, they would find a nation which takes the position that it is always right and everyone else is always wrong and which, in so doing, seeks to substitute words for wisdom, dollars for deeds and bluster for good faith.

Instead of a nation dedicated to faith in God and the right of the individual to achieve his highest destiny under God consistent with the right of every other individual to do the same, they would find a nation which has built unto itself false gods of creature comforts and has become so engrossed in an all-consuming quest for security that it has forgotten the words of the psalmist that "blessed is the nation whose God is the Lord."

In the light of what they would find, I do not think they would be surprised to learn that, as a result, our enemies depict us throughout the world as a nation of neurotic, meddling busybodies who attempt to buy what we are unable to earn and to preach what we ourselves are unwilling to practice.

In the light of what they would find, I do not think they would be surprised to learn that, as a result, we are burdened with a tax load which borders on confiscation and a national debt which has mortgaged future generations and that government by laws enacted by the elected representatives of the people has given way to government by Executive order, judicial edict, and Federal bayonet.

In the light of what they would find, I do not think they would be surprised to learn that, as a result, we have become a nation plagued by stomach ulcers and heart attacks in which personal debt and national crime have reached all-time records and the Golden Rule is something which is used only to print on advertising rulers.

As a matter of fact, it is quite likely that they would detect a definite parallel between conditions as they now exist and those which they enumerated in the Declaration of Independence as justifying the formation of a new nation.

As a few examples of those similarities:

The Declaration of Independence charged that the King of England had "erected a multitude of new offices, and sent hither swarms of officers to harass our people, and eat out their substance."

Today we have a Federal Establishment so large that an organization manual of 791 pages is required to explain the functions of its various agencies and a budget of 1,027 pages is necessary to record the funds needed to finance its operation.

The Declaration of Independence charged that the King of England had "kept among us, in times of peace, standing armies, without the consent of our legislatures."

Less than 2 years ago the President of the United States sent elite paratroopers into a sovereign State to force a new social order on its people at bayonet point and has indicated that he will not hesitate to repeat the performance in the future.

The Declaration of Independence charged that the King of England had subjected the people "to a jurisdiction foreign to our Constitution, and unacknowledged by our laws."

Since May 17, 1954, the Supreme Court of the United States has deprived the States and their citizens of their right to manage their own local institutions and to run their own local affairs despite the clear provisions of the 9th and 10th amendments to the contrary and the fact that Congress has passed no law on the subject.

The Declaration of Independence charged the King of England with "cutting off our trade with all parts of the world."

The United States now possesses an unmanageable $9-billion-plus agricultural surplus because the Department of State has taken the position that to sell American agricultural commodities competitively on the world markets might make some neutralist or Communist nation mad wtih us.

The Declaration of Independence charged the King of England with "imposing taxes on us without our consent."

Since World War II the American people not only have borne the world's heaviest tax burden but even worse have been subjected to a taxing scheme whereby the Federal Government takes its percentage of individual income before it reaches the hands of the taxpayer.

The Declaration of Independence charged the King of England with "depriving us, in many cases, of the benefits of trial by jury."

In 1957 the 85th Congress passed a misnamed "Civil Rights Act" which authorized Federal judges appointed for life to sentence American citizens to fines up to $300 and jail terms as long as 45 days without benefit of trial by jury.

In those as in the other comparable situations which could be cited, the facts today support the same accusation against our governing authorities as those of 1776 supported against the King of England—that of "abolishing our most valuable laws and altering fundamentally the forms of our governments."

The words of George Washington and Thomas Jefferson are indicative of what their reactions would be to the conditions existing in 20th-century America.

It was Washington who declared in his Farewell Address:

"If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation."

It was Jefferson who stated in a letter to William Ludlow:

"I think we have more machinery of government than is necessary, too many parasites living on the labor of the industrious"—

And who declared in 1801:

"The will of the people is the only legitimate foundation of any government, and to protect its free expression should be our first object."

Now, as in 1776, the "long train of abuses and usurpations" can be traced to the failure or refusal of the Central Government to be limited in authority to deriving—in the words of the Declaration of Independence—its "just powers from the consent of the governed."

That is the anchor of our form of government which Lord Macaulay failed to recognize and take into account.

That is the anchor on which we must rely if we are to prevent our Ship of State from being wrecked on the rocks of bankruptcy and totalitarianism or engulfed by the waves of inflation and anarchy.

The one characteristic which sets the Constitution of the United States apart as unique among articles of government is that it has its basis in what was so aptly termed by George Washington as "the right of the people to make and to alter their constitutions of government."

The strength from which our Constitution derives its perpetuity is found in its first three words: "We, the people."

It was the people of the United States who ordained the Constitution of the United States to form a more perfect union, to establish justice and to insure domestic tranquility.

It was the people of the United States who established the Constitution of the United States to provide for the common defense, to promote the general welfare and to secure the blessings of liberty to themselves and their posterity.

It was the people of the United States who initiated the Government of the United States through the Constitution of the United States and who, thus, are the source and repository of all its powers.

And it is the people of the United States themselves who must rescue the Government which their forefathers initiated and the Constitution which they ordained and established if the future of our Nation is not to be the fate predicted for it by its detractors.

Since we, the people, are the Constiution, it is up to us to defend it as we would defend ourselves.

The Constitution can only be as strong as are the people it protects and can only withstand the assaults made against it to the degree that it is supported and upheld by the general public.

The point was perhaps most effectively expressed by Daniel Webster when he declared:

"Hold on, my friends, to the Constitution of the United States of America and to the republic for which it stands. Nothing shall ruin the country if the people themselves will undertake its safety, and nothing can save it if they leave that safety in any hand but their own."

Thus it is clear that the essence of our concept of constitutional government is, as stated in the Declaration of Independence, that it derives its "just powers from the consent of the governed."

It is not an oversimplification to state that all of the serious problems which confront us—with the one exception of the external menace of international communism—are the direct result of the failure of those in responsible position of leadership in all three branches of the Federal Government to take into account the fact that governmental programs and policies to be implemented successfully must square with the "consent of the governed."

It is true as we have seen that policies and programs can be initiated and sometimes even carried out without the "consent of the governed" but ultimately, as always has been the case in our national life to date, when the will of the people has been asserted it has overwhelmed the efforts of those who sought to frustrate or circumvent it.

All of which brings us to the question: Why have the American people countenanced the trends and events which are so rapidly carrying our Nation down the road to economic ruin, state socialism, totalitarian government, and worse?

The answer, I think, embraces several factors.

In the first place, the great masses of the American public are unorganized and leaderless. They do not have the machinery of the tightly-knit pressure groups or the resources of the partisanly-motivated minorities for making themselves vocal and their convictions felt.

In the second place, the rank and file of our country's populace are confused about the issues. Bombarded day after day by the sloganeers and propagandists of our mass communication media, they find themselves incapable of distinguishing definitively between what is fact and what is fiction.

And, in the third place, the majority of the citizenry of the United States are too comfortable and complacent to become exorcised about things which do not touch their everyday lives. Only in those areas where usurpation and depression have awakened people to the realities of our plight are Americans yet fully aware of all the dire implications of our current situation.

However, it would be a terrible mistake for us to view these facts as anything but a challenge. Instead of despairing we should take our cue from our Founding Fathers who put their faith in the desire and willingness of the masses, once acquainted with the facts, to demand that our national house be set in order.

I, for one, am convinced that the majority of the American people do not approve of the current philosophy of government being pursued by the United States.

To the contrary the mail which I receive from all sections of the Nation indicates to me that the average citizen is gravely concerned about the present course of our Nation and the consequences of following it to its ultimate conclusion.

I am convinced that the overwhelming majority of the American people want to see the Federal budget balanced and the Nation's economy stabilized.

I am convinced that the overwhelming majority of the American people want the United States to cease doing for people in other countries what it either is unable or unwilling to do for our own citizens here at home.

I am convinced that the overwhelming majority of the American people want the Federal Government to confine its activities to those areas reserved to it by the Constitution and leave the management of all other affairs to local people on the local level.

I am convinced that the American people want above all else for the United States to be made militarily and economically secure and for themselves to be left alone to run their own affairs and enjoy the fruits of their own labors.

The advocates of our present course maintain there is no alternative.

I emphatically reject that philosophy of fatalism.

There is an alternative to a foreign policy based upon the inevitability of world conflict.

There is an alternative to a domestic policy based upon the regimentation of people and resources.

There is an alternative to a personal philosophy based upon physical existence as an end unto itself.

That alternative is simply expressed in the development of an America so strong militarily, economically, and spiritually that any nation choosing to attack us invites not retaliation but annihilation.

And it is an alternative which can be realized only in a return to the principles of individual freedom, free enterprise economy, and government on all levels which is the servant, not the master, of the people.

Our present course offers only one of three ultimate conclusions: conquest from without, collapse from within, or development here in the United States of a totalitarian government as reprehensible as that which exists in the Soviet Union.

It is incomprehensible to me that free men and women living in a free society will choose to wait supinely for either of the first two consequences or to countenance passively the implementation of the latter.

I choose rather to believe with Thomas Jefferson that:

"The people may be misled or deceived for a time, but where the avenues of truth are open there men will learn to reject what is false and harmful. Where the people are well informed, they can be trusted with their own Government; whenever things get so far wrong as to attract public notice they may be relied upon to set them to rights."

I do not think I am wrong when I say that I detect throughout the Nation a growing awakening to the dangers inherent in our country's present policies and a swelling voice for a recognition of the lessons of the past through a return to the fundamentals of constitutional, republican government.

In a constitutional republic such as ours, the masses may not be immediately articulate, but once given leaders and leadership they are swift in making their wishes felt and known.

It is up to us who are aware of the threat to our liberty and institutions to see that the masses are informed of the facts of their peril and are given the leadership to make themselves heard here in Washington.

The outcome of our struggle to preserve individual freedom and constitutional government in this country will depend largely upon how strongly we feel about it and how hard we are willing to work to defend it.

It is not a job which either you or I can do alone.

But, by the same token, it is not a job which you and I can leave to someone else and seriously expect to get it done.

It is not a job which can be done by making speeches and passing resolutions.

Rather it is a job which must be done in the Halls of Congress, through the mails and at the ballot boxes.

To do the job the Daughters of the American Revolution and like organizations must descend on Congress with the same militancy and vociferousness with which the enemies of our American way of life pursue their ends.

To do the job the citizens of America must swamp their Senators and Congressmen with their letters, telegrams, and telephone calls.

To do the job the voters of America must insist upon clear-cut choices at the polls and cast an avalanche of ballots for the candidates who take their stand on the side of Government by the consent of the governed.

Nothing short of such drastic action will ever convince those in positions of responsibility that the partisan aims of pressure groups which they now are serving do not represent the thoughts and wishes of the masses of the American people.

If all of us will but put our efforts where our beliefs are, I am convinced that a public expression can be obtained and that expression will be to give Congress a mandate to reverse the course which threatens the destruction of our cherished form of government.

The world's greatest living statesman, Sir Winston Churchill, in his famed "Iron Curtain" address delivered 13 years ago at Fulton, Mo., gave words to our common duty when he declared:

"We must never cease to proclaim in fearless tones the great principles of freedom and the rights of man, which are the joint inheritance of the English-speaking world and which, through Magna Carta, the Bill of Rights, the habeas corpus, trial by jury, and the English common law, find their most famous expression in the Declaration of Independence."

Our heritage as free Americans is that our Government's foundations rest upon the will of the people.

It is a heritage of which we are proud and which the entire world respects.

It is a heritage to which this Nation must adhere if our form of government and way of life is to be passed uncompromised to our children and their children after them.

It is a heritage which is to be put to an acid test in the issues now confronting our Nation.

You and I—and all Americans who cherish that heritage—have our work cut out for us if we are to protect and preserve it.

If we fail or falter in our clear duty to do so, we will deserve the fate which Lord Macaulay almost 100 years ago predicted would be ours within our lifetimes.

I thank you.

SURVIVAL OF COLUMBIA FISHERY REQUIRES INTENSIFIED RESEARCH PROGRAM BEFORE NEZ PERCE DAM SHOULD BE AUTHORIZED

Mr. NEUBERGER. Mr. President, plans for development of the water resources of the Middle Snake River have presented the Pacific Northwest region with a complex issue of conservation policy. The Snake and its tributaries offer great potential for construction of dams to provide power, flood control, irrigation, and navigation benefits. But the Snake and its mountain-born tributaries—the Salmon, Clearwater, and Imnaha—also serve as the main street for migratory Chinook salmon and steelhead which spawn in our region's upland headwaters.

Thus, a conflict has arisen over utilization of this great natural resource. Proposals for damming the Snake River bring into sharp focus the difference of opinion over dam construction in this stretch of the Columbia River Basin. I think that survival of the fishery which has occupied these waters since the beginning of time deserves top consideration in any plans for using the vast potential for power and flood-control storage. That is why I have sought the assistance of the Bureau of the Budget, Corps of Engineers, and Department of the Interior in implementing a program of fishery research designed to determine whether fish-passage facilities can be constructed in Middle Snake dams to assure the perpetuation of the migratory fish runs. This must be accomplished first before any dams, Federal or private, are approved in the Middle Snake. I have issued a statement setting forth my views in detail about the proposed Middle Snake River projects, and I ask consent to have those comments printed in the RECORD.

I desire to emphasize very strongly that I am opposed to authorization of any high barricade below the mouth of the Salmon River, with its great salmon-spawning grounds, until we have definite assurance from authoritative fishery biologists that migratory salmon can be passed safely both upstream and downstream past a barrier of such proportions.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR RICHARD L. NEUBERGER

The Hell's Canyon Association has adopted a resolution favoring authorization of the Nez Perce Dam, with actual construction to be deferred until the fish-passage problem is solved.

On April 15 Senator MORSE introduced this resolution into the pages of the CONGRESSIONAL RECORD with his endorsement.

I have been asked my stand on the proposal.

I am opposed to any authorization of Nez Perce Dam, provisional or otherwise, at this time.

In my opinion, the first step toward Middle Snake River development requires financing of an accelerated Columbia Basin Fish Research program as approved by Federal and State agencies of the Pacific Northwest region. Until this basic research is accomplished no one can forecast eventual solution of fish-passage problems involved in Middle Snake dams or prospect for rehabilitation of migratory fish. The section of the Middle Snake and its tributaries where fish problems are involved should be left open until research discloses a basis for judging possible construction.

This applies equally to the proposed Federal Nez Perce project and Pacific Northwest Power Corp.'s High Mountain Sheep-Lower Canyon proposal. It must be kept in mind that High Mountain Sheep Dam is tied in with the Lower Canyon project at the mouth of Idaho's Salmon River. This would be equally as disastrous as Nez Perce to the sanctity of the vital Salmon River spawning grounds.

No project blocking fish spawning should be permitted until conclusions are available from the fish research program. I have had a favorable conference with officials of the Budget Bureau, Corps of Engineers and Department of Interior on financing such research. The 1960 budget contains nearly $200,00 for this purpose and another $85,000 was recently allocated from Saltonstall-Kennedy funds for study of problems in moving fish around power dams. Through united effort I think we can obtain the balance of funds required to launch vastly-expanded research. This would be the proper schedule for advancing development of the Middle Snake.

We have repeatedly been advised by the Nation's leading fish biologists that no feasible plan has yet been proven for passing fish over a barrier as high as Nez Perce Dam would be. The U.S. Fish and Wildlife Service opposes Nez Perce Dam.

Furthermore, some 60 percent of the valuable spring Chinook salmon migrations of the Columbia River system spawn above Nez Perce Dam. The entire commercial and sports fishery could be wiped out if these migrations cannot pass such a barrier, either upstream or downstream.

Provisional authorization of Nez Perce Dam would be unprecedented. One might just as logically have supported FPC licensing of Brownlee Dam, subject to solving the private-utility problem; or have supported authorization of Bruces Eddy Dam, subject to solving the elk and wildlife problem; or have supported authorization of Echo Park Dam, subject to solving the National Park problem.

In my opinion, our remaining salmon fisheries deserve full and proper protection. They will not be receiving that protection if Nez Perce Dam is authorized prior to a genuine demonstration that major fish runs can survive a dam of these proportions.

Most of the great conservation organizations backed the bill for a high Hells Canyon Dam. They did so, in many instances, after we had assured them that there would be no support for Nez Perce or other barriers which could wipe out valuable migratory salmon fisheries. I intend to abide by such a promise.

CORWIN CHURCHILL MOTORS, INC., AND CHARLES J. WHITTEY

Mr. LANGER. Mr. President, yesterday I stated on the floor of the Senate that the A. W. Lucas Co. was named "the brand name retailer of the year" of department stores in class II category for this award, and that the Honorable R. Fay Brown went to New York to receive the award on behalf of the company.

I also had inserted in the RECORD an article from the Bismarck Capital, March 20, 1959, which stated that the A. W. Lucas Co. won the "brand name retailer of the year" award and also that Corwin Churchill Motors, Inc., won national recognition in receiving a certificate of distinction in the automobile dealers category.

As I extended congratulations to the A. W. Lucas Co. and Hon. R. Fay Brown, today I wish to extend congratulations to the Honorable Charles J. Whittey and the Corwin Churchill Motors, Inc., for having won national recognition in receiving this certificate of distinction. It is nice to know that the North Dakota businessmen are considered tops in the Nation.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. KUCHEL in the chair). The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

Without objection, the Chair lays before the Senate the pending business, which will be stated by title.

The CHIEF CLERK. A bill (S. 1555) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes.

NOMINATION OF CLARE BOOTHE LUCE TO BE AMBASSADOR TO BRAZIL

Mr. DODD. Mr. President, I wish to speak today in support of the nomination of Mrs. Clare Boothe Luce as Ambassador to Brazil. And I wish also to comment on certain statements that have been made against that nomination, statements made before the Foreign Relations Committee on April 15, and on the floor of the Senate last week.

An Ambassador is essentially a personal representative of the President and the Secretary of State. President Roosevelt used to refer to "my ambassadors"; and, technically and historically, he was correct. An Ambassador is essentially a creature of the President, an extension of himself, who serves as his eyes and ears, as his informant, as his spokesman, and as the implementer of his policies in a given country.

Over the years the duties of Ambassadors have expanded greatly. Today's Ambassador is the administrator of a large organization and of many important programs. Today's Ambassador must deal in public relations, in ideological warfare, and in politics of the most complex sort. But an Ambassador nevertheless remains essentially the personal representative of the President. And the Senate has always been understandably reluctant to thwart the wish of any President in this regard.

The Senate, of course, must pass upon the qualifications of an ambassadorial appointee as part of its constitutional responsibility. We set up certain yardsticks and general qualifications. But Senate rejection of a Presidential appointee could only be justly based on the gravest of reasons.

I do not know Mrs. Luce well. I believe I have talked with her only once in my life, and then for only a few minutes. But though I have not known her personally, I have known her through her deeds, through her writings, and through the praise of many who know her and who admire her achievements.

Three Premiers of Italy, DeGasperi, Pella, and Scelba, have told me of their admiration for her performance as Ambassador to that country, when I asked them individually about her while visiting Italy on more than one occasion.

In my judgment Mrs. Luce's qualifications are impressive, and no argument of decisive weight has been made against her.

She is a woman of high intelligence. She is a student of foreign affairs.

She is an articulate, a gracious, and a dynamic representative of the American people.

She has had broad experience in important governmental positions.

She has demonstrated a real sense of personal dedication and a determination to master the exacting requirements in the fields of language, history and the other studies required for successful diplomatic representation.

She is a person of excellent character, and one who is held high in the esteem of her own countrymen and, it is no exaggeration to say, in the esteem of other peoples of the world.

I have studied her testimony before the Senate Foreign Relations Committee on April 15 and was favorably impressed with it, insofar as it pertained to her diplomatic duties. I was also favorably impressed with her obvious composure, her presence of mind, and the quality of her responses during a particularly trying cross-examination, in response to a line of questioning that she had no reason to expect, or to be prepared for.

In my judgment, and I think in the judgment of the majority of Senators, she has passed with flying colors all the reasonable tests by which an Ambassadorial nominee should be judged.

But Mrs. Luce is apparently being judged by additional standards—standards which I do not think are appropriate, and which, if they should be established as precedents, would have very dangerous consequences for the future.

There have been introduced as evidence against her fitness for this post partisan statements made by her concerning President Roosevelt and President Truman. On the basis of these statements, and Mrs. Luce's failure to retract them, at least one Senator has announced that he could not vote for the confirmation of her nomination.

Mrs. Luce's charges that President Roosevelt lied us into war and that President Truman was the hand picked candidate of the big city bosses were, in my judgment, intemperate and unjustified statements which went far beyond the limits of fair campaign tactics.

But a few regrettable and unfortunate remarks, made during the heat of hotly contested political campaigns, should not weigh more heavily in the balance than a life of brilliant achievement and a career of devoted service to the welfare of this country.

To oppose her confirmation on this ground would bring us face to face with an important and far-reaching question. To oppose her for this cause is to decree that those who must engage in the rough and tumble of political campaigns, and who at some time or other indulge in oversimplified, or intemperate, or unjustified statements, are forever disqualified from holding high diplomatic posts, however impressive their attainment may be.

We could not do this without foreclosing the field of diplomacy to almost all who engage in political life.

Nor can we set ourselves up as the final judges of the truthfulness of a person or a political party, and demand as a condition of confirmation that nominees recant any past statements with which we happen to disagree.

We cannot do this without establishing a requirement of omniscience that few, if any, could satisfy.

Mrs. Luce has apologized for the intemperate language in which her remarks about President Roosevelt and President Truman were couched, but she has refused to repudiate the basic sentiments underlying those statements.

While I certainly disagree with the point of view she expressed then, and restated during the committee hearings of last week, I believe that she is entitled to her convictions as to the failings of Democratic Presidents.

We cannot disqualify people as untruthful people because they take a position violently antagonistic to our own position.

We who deal in the field of political opinion, we who contend in the arena of unproved ideas, cannot apply severe and rigid standards of truth and falsehood to the statements of those with whom we disagree.

When dealing in opinion and speculation we must usually wait for the verdict of history to determine whether our view was wise or foolish, right or wrong. We can only say what we think to be true and hope to be true. We ought to assume that others are motivated by the best of intentions and hope that they will attribute the same motives to us. And so it should be with Mrs. Luce.

At the committee hearings on April 15, Mrs. Luce was challenged to bring forth documentation of her statements about President Roosevelt and President Truman. I understand that she has since offered some.

There are few positions or causes so discredited that a host of documentation cannot be introduced in their favor. I am sure that Mrs. Luce—and I say this frankly—can summon forth a great deal of support and documentation for her views, support with which I disagree, and documentation which I could not accept.

But all this proves is that there is no final, definitive documentation to prove or disprove expressions of political opinion upon political issues of great moment.

The same charges Mrs. Luce made against President Roosevelt were made against Woodrow Wilson, against William McKinley, against Abraham Lincoln, and against James K. Polk.

The documentation on both sides of each of these older disputes continues to grow; and we may expect a century of conflicting historical opinions on the acts and motives of President Roosevelt.

The age which produced the statements we are discussing was an age of political rancor and bitterness. Our reaction to the depression at home and to

the emergence of nazism and communism abroad gave rise to a host of errors, and a legion of false prophets.

The mistakes which were made by the America Firsters and the Communist fronters, which interestingly seem now to have been forgotten and forgiven, were far more serious than the errors attributed to Mrs. Luce.

After forgetting and forgiving mistaken views that almost cost us our freedom and our security, I ask, shall we draw the line now and point the finger at Mrs. Luce for a few ill-considered and ill-tempered campaign accusations? I hope that we shall not.

A second argument against Mrs. Luce's confirmation is the charge that she interfered in Italian domestic elections by stating this country's opposition to extreme rightist or extreme leftist parties during the Italian elections.

Mrs. Luce has insisted that she was merely stating the official policy of the State Department and the long-standing policy of the Nation. She stated that her predecessor, Ambassador Dunn, had taken the same position in previous elections much more vigorously and forcefully.

Mrs. Luce's statement that the United States could not extend the same cooperation to a Fascist or Communist government that it does to a democratic government strikes me as sound and right, and I accept Premier DeGasperi's statement that it had no harmful effect on the Italian election.

It has been said that Mrs. Luce prejudiced American relations with Italy by indulging in a personal oil policy opposed to the public development of Italian oil resources. Here, again, Mrs. Luce replies that she was only carrying out the policy of the President and of the State Department.

The very fact that Mrs. Luce has been nominated serves as convincing evidence to me that she was in both instances merely carrying out the policy of her Government.

If Ambassador Luce had attempted to influence an election in violation of the wishes of her superiors, if she had pursued her own personal oil policy—one which differed from official American policy—then there would certainly be grave doubts as to her fitness for an Ambassadorial post.

But it should be clear to all that her nomination would not be before the Senate today if the President and Secretary of State did not place the highest value upon her service in Italy and did not have the utmost confidence in her judgment and in her strict adherence to the policies and procedures established by her superiors.

That being the case, surely we cannot in justice oppose Mrs. Luce, whether or not we agree with those policies.

We cannot indict the performance of any Ambassador who carries out the policies of the State Department, merely because we disagree with those policies. To do so is to forget that it is the President's policy, not ours, that an Ambassador is charged with carrying out.

I do not believe that we reflect credit on our Democratic Party when we interpose partisan standards and tests of political conformity in the way of a Republican President's choice for his personal representative.

I am happy and proud to say that throughout the years since 1953 while we have been the opposition party in Congress, we have in large measure avoided the harassment and the partisan recriminations that so often were visited upon the previous administration of a Democratic President to the great disservice to our country.

I think our course of behavior has helped to earn the confidence of the people which our party now enjoys. I hope that we will not squander that confidence and dilute that reservoir of good will by indulging in petty and acrimonious attacks on qualified and deserving Presidential appointees.

I believe we render a disservice to the United States when, without just cause, we subject the nominee for a high diplomatic post to the type of attack that might send any Ambassador to a foreign land under a cloud of suspicion, under an implication that he carries less than the full confidence and backing of the American Government and people.

Therefore, I hope that my colleagues in the Senate will vote the prompt confirmation of Mrs. Luce as our next Ambassador to Brazil.

She will bring to that post all of the great ability, the vast energy, and the personal dedication that have marked her brilliant career in private and public life.

She will bring to that post broad experience in political and human affairs as well as a personal charm and graciousness, and a compassionate insight into the problems of other peoples that marked her distinguished career as Ambassador to Italy.

The splendid example of Clare Boothe Luce has opened wider and wider opportunities for women in public life, and the whole Nation is the better for it.

Mr. President, our relationship with our South American friends has entered a difficult period. There is therefore a special need for ambassadors in this area of the world who possess the rare qualities so often demonstrated by Mrs. Luce. I heartily support her nomination for the post of Ambassador to Brazil; and it is my hope that it will be favorably reported by the Foreign Relations Committee and promptly confirmed by the Senate.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. DODD. I am happy to yield to my distinguished senior colleague.

Mr. BUSH. I rise to congratulate my colleague from Connecticut upon the fine address he has made concerning the appointment of Clare Boothe Luce to be Ambassador to Brazil.

I especially commend him for his analysis of what an Ambassador is and what he should be, and what the attitude of the Senate should be with respect to its constitutional duties by way of consideration and confirmation of the nomination of an appointed Ambassador. The Senator has made a very fine analysis of that subject, and one which should be called to the attention of all Senators from time to time.

Secondly, I think my colleague has made an excellent appraisal of Mrs. Luce's personality. I endorse all he has said on that subject; and I say this in the light of an acquaintance with the lady of many years' standing. I feel that my able colleague from Connecticut has very properly appraised the lady's qualifications for this very important post.

Finally, let me say that I think it is unfortunate that any particular issue has been raised with respect to the appointment of Mrs. Luce at this time. I do not believe that anything adverse to her has been proved. After all, her nomination as Ambassador to Italy was confirmed by the Senate in 1953. Following that, she made a very distinguished record as Ambassador.

Her nomination would never have been sent to the Senate at this time by the President and the State Department had there been any doubt that she had been an excellent Ambassador during the years she served as such in Italy. Still since every cloud seems to have a silver lining, I think we can say that this discussion may have served some useful purpose, in that it has brought forth statements such as the distinguished junior Senator from Connecticut has made on the floor of the Senate, and statements in the press and elsewhere, which I hope have confirmed in the public mind the excellence of this appointment.

In conclusion, I thank my friend for giving me the opportunity to comment, and to congratulate him upon his speech.

Mr. DODD. I am very grateful to my distinguished senior colleague for his remarks.

I am greatly interested in the welfare of my party, but I have never believed in personal attacks on members of the opposition party. I think it is an indication of political maturity and good taste to refrain from that sort of thing, particularly with respect to an ambassadorial appointee to an important post such as that to Brazil. I would not want her to go there if there were any doubt in the minds of the people of that great country as to whether she had the full confidence and support of the American people.

Mr. KEATING. Mr. President, will the distinguished Senator from Connecticut yield to me?

Mr. DODD. I am very happy to yield.

Mr. KEATING. First, I wish to congratulate the distinguished Senator from Connecticut, not only upon his remarks relating to this particular appointee, but also for the general guideline which he has so eloquently laid down, and which should measure our responsibilities in determining whether a nomination should be confirmed.

I think the speech which the Senator from Connecticut has made could well serve as a document for all of us to ponder, no matter what administration might be in power.

The first attack upon the qualifications of Mrs. Luce had to do with the performance of her duties as Ambassador to Italy. She served in that capacity

for nearly 4 years, and established a record of which this country can justly be proud.

During her tour of duty as Ambassador relations between the United States and Italy became increasingly close. We all know the many ties of blood and culture which link our two countries; and it is greatly to Mrs. Luce's credit that those ties were strengthened and solidified.

Today, more than ever, Italy is a stanch, loyal ally and friend within NATO. For that, a full measure of credit should be extended to the work performed by Mrs. Luce.

She traveled extensively throughout Italy, and had a deep knowledge and understanding of the country and its people. Wherever she went, even in the most remote parts of the land, she was greeted with admiration and respect. I have traveled in remote parts of Italy, and wherever I traveled I have heard people speak of Mrs. Luce with affection. She was well received by the people not only because she was the American Ambassador, but also because she was intimately acquainted with their hopes, their problems, and their every-day activities.

She was beloved by her staff, and universally respected. She is a hard and tireless worker, and was closely connected with the multiple activities of her important Embassy. Her associates soon came to know that she was a working Ambassador, a person who had come to do a real job.

One of the major achievements of postwar diplomacy was the settlement in October 1954 of the deep-seated trouble between Italy and Yugoslavia over Trieste. This problem had all but ruptured relations between Italy and Yugoslavia and had a most adverse effect on Italy's relations with its Atlantic friends. Mrs. Luce quickly came to realize that unless this problem could be settled, and settled soon, Italy would not be able to make its full contribution to Western strength in the face of potential Soviet aggression. With persuasion, with tenacity and perseverance, she untiringly guided this question toward negotiation and final settlement. What had seemed the impossible had been achieved, and to Mrs. Luce must be given an important share of the credit. She had shown herself to be a diplomat's diplomat.

Ambassador Luce's stanch and unyielding opposition to communism in any and all its forms is too well known to bear mention of it here. That it was also well known in Italy was amply attested to by the attacks, the often vicious, scurrilous charges which were frequently hurled at her by the Communists and the fellow travelers. The Communists and their allies denounced her and her works in parliament, in the public squares, in the press, or wherever they could.

But the Italian Government and the vast majority of the Italian people thought differently of Mrs. Luce. Her departure from Italy was the cause of much sorrow. Having come to her post in an atmosphere of doubt that she, a woman, was capable of doing the job, she left at the end of her tour in an atmosphere of confidence, respect, and strength. The Italian Government tendered its highest decoration to her; from humble, unknown people in all parts of Italy came tokens of affection and esteem.

In this country her record of achievement did not pass unnoticed. In addition to commendations from President Eisenhower and Secretary Dulles, Mrs. Luce also received numerous civic awards for her contributions in the field of diplomacy.

She is a tried diplomat. She can be expected to continue the significant work which she has heretofore performed for her country.

The other objection which has been made to Mrs. Luce was referred to by me the other day in my few remarks having to do with her statements in the heat of political campaigns relating to former Democratic Presidents. I believe the distinguished Senator from Connecticut has put this subject in proper perspective. I have raised the question as to how many Members of the Senate might be disqualified from assuming an ambassadorial post on that basis. I could think of several, if they were held too closely to their statements on the hustings.

I can think, for instance, of former President Harry S. Truman, whom I would be happy to support for ambassador to several countries I might mention—not all, but several countries. In several countries he could serve our country with distinction. It would be difficult, and quite unrepeatable here in the Senate, to recount the remarks which he made about the junior Senator from New York in the last campaign in the State of New York. He did it, however, in the heat of a campaign. He knew that the junior Senator from New York bore him no malice, nor does he today. We must learn to forgive and forget statements which are made in the heat of political campaigns, as the Senator from Connecticut has so beautifully brought out in his fine speech today.

I do not mean to endeavor to influence the Secretary of State in suggesting the name of former President Truman as an ambassador. I use his name simply as an illustration in reverse of what the Senator from Connecticut has so wisely said today. It is an illustration in reverse which might be considered to carry this thought even farther than has been advanced by the Senator from Connecticut.

Therefore I repeat that the Senator from Connecticut has shown a definitely statesmanlike attitude in the position he has taken with regard to the nomination of Mrs. Luce. I hope her nomination will be confirmed by the Senate by a very large vote, and promptly, so that she may get on with the work, which is so badly needed, in the friendly country, our neighbor to the south, to which she has been designated to serve as our Ambasador.

Mr. DODD. I am very grateful to my friend, the very able and distinguished Senator from New York, for what he has said about Mrs. Luce and for his kind and generous remarks about me. As he was speaking, it occurred to me that involved in this question is something else which is worth considering. I have not had an opportunity to think about it deeply, and therefore I am not prepared to speak at length or well on it.

The Senator has referred to the fact that former President Truman criticized him severely in the course of his last campaign. That fact is relevant to the subject we are discussing, namely, politics. As I understand, politics, by its very nature, requires oversimplification. As a rule, a politician who spoke like a diplomat would never be elected to the Senate, in my judgment; and a diplomat who spoke like a politician could not be a diplomat.

Sometimes a person possesses unique qualities and talents which make it possible for him to be both at different times in his career. The Senator from New York made me think of our distinguished colleague from Kentucky [Mr. COOPER], who has been both a diplomat and a politician. I know he was a great diplomat but he certainly must have been a good politician too, to be elected as a Republican Senator in Kentucky.

That is a rare quality among us. It is, however, something we should bear in mind. That is why I sought the opportunity to speak today. I am sorry the senior Senator from Oregon [Mr. MORSE], whom I admire very much, is not in the Chamber. I sent him a copy of my speech, as I did to other Senators who have spoken on the subject. I believe that is the right course to follow here.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. KEATING. I agree with everything the Senator from Connecticut has said, except that I am not at all certain the combination of qualities which he mentioned is rare in the Senate. I can think of a great many Members of this body who have campaigned just as hard as I know the Senator from Kentucky [Mr. COOPER] must have campaigned, but who in a diplomatic post would understand that their functions were different from those of a U.S. Senator.

I share the political observations of the Senator from Connecticut, but I hope that by the use of the word "rare" he does not in any way prejudice the opportunities afforded to Members of this body to serve as Ambassadors if that great challenge should ever be presented to them.

Mr. DODD. Of course I do not. Perhaps "rare" was too strong an expression; perhaps I should have said "unusual." In any event, I thought the point was worth noting.

Mr. President, this is an important subject. I have thought seriously about it. I did not make my speech lightly. Mrs. Luce lives in my State. She is a member of the opposition party. She is a woman of great influence, and is widely respected.

The thought occurred to me: What would I have done? I do not pretend to advise other Senators how they should act. Perhaps it is good to talk about this matter a little. Suppose someone comes before us as an ambassadorial nominee, concerning whom I have received complaints. I think I would

write to the nominee and say, "I have received complaints. I would like to have you give me an answer to them in writing."

After I received the answer, if I were not satisfied with it, I think I would then say to the chairman of the Committee on Foreign Relations: "I have received these complaints. I have asked the nominee to give me an answer, which he has done. But I am not satisfied with the answer. However, I am conscious of the fact that this person may go to such and such a country as our Ambassador. I think we should have an executive session in which I can pose these complaints and fully and freely inquire about the nominee's views and more specifically receive his answers."

I know the junior Senator from New York and many other Members of this body besides myself have deplored public hearings in which private citizens are called before congressional committees and are badgered and dragged around, causing unfavorable publicity to attach to them. Here is a place to apply the policy which we share, and as to which I think, with respect to diplomatic appointments, we should be more careful than we are in some other areas of investigation. If we have received a complaint which we are not certain is justified, then I think, with respect to nominations for diplomatic appointments, the matters should be aired in executive session first.

Although I believe the Senate will confirm the nomination of Mrs. Luce—and I believe it should—already her high reputation as a diplomat has been injured to some extent in Brazil. I hope that if any injury has been done, it is small, because the nature of the inquiry which took place in the Committee on Foreign Relations was personal and did not relate to her ability to be our Ambassador to Brazil. I hope we can get away from such considerations. I hope we can get away from merely political inquiries. I hope we can conduct ourselves better with respect to diplomatic field. This does not mean that we need to give up or sacrifice in any way a vigorous ability to contend about issues; it simply means with respect to persons and their reputation and standing at home and abroad that we should be more careful, courteous, and considerate in the interest of the people of this country and in the interest of our neighbors.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. KUCHEL. I think yesterday's action by the Senate, when the nomination of Secretary of State Herter was confirmed with a convincing unanimity, represented a very splendid hour in this body. I congratulate the junior Senator from Connecticut for his forthrightness in speaking out today on the nomination of a very gallant, talented, and distinguished American woman whom the President has seen fit, for the second time, to nominate to be the representative of our country abroad.

This is not the first time in the few years I have sat in the Senate when some Senators have objected to ambassadorial nominations of President Eisenhower. In the first few months of my tenure, some of my colleagues on the Republican side of the aisle saw fit to object and object violently to a distinguished American whom the President had nominated to represent our country in Moscow. But when the roll was called, the nomination of Ambassador Bohlen was confirmed—and confirmed overwhelmingly.

I have no doubt that what the able junior Senator from Connecticut, a Democrat, has said concerning this nominee of the President of the United States, who is a Republican, will be the overwhelming position of the Senate, and that once again the Senate will have demonstrated to the American people, and, beyond them to the world, that in the realm of foreign relations, partisanship is not the rule.

The old shibboleth still obtains: Politics in America stops at the water's edge.

Mr. DODD. I thank my very good and distinguished friend, the Senator from California, for his kind remarks.

A BRIGHT ECONOMIC FUTURE WITHOUT INFLATION

Mr. BUSH. Mr. President, yesterday I placed in the RECORD a speech which Secretary of the Treasury Robert Anderson had made in New York City the day before.

The Wall Street Journal of today has published two editorials which emphasize the important significance of some of the points which Secretary Anderson made in his very able speech.

For the information of Senators and all others who read the RECORD, I ask unanimous consent that the two editorials be printed at this point in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

THE LONELY VOICE

It is impossible to read Treasury Secretary Anderson's speech, parts of which we print on this page today, without a sense of the man's deep convictions. Also it is difficult to put up a logical quarrel with what he says.

Yet the ironic fact is that this voice of sanity is all but alone and is little heeded in this supposedly practical Nation. Even his own administration is not fully following his counsel. As for those who control Congress, many of them deny what he sees as the realities of our time and busy themselves with the propagation of untruths.

Some of the more glaring of these untruths Mr. Anderson calmly and rationally exposes. They constitute the heart of the spenders' case in their current battle against balacing the budget in the next fiscal year and future years.

One is the notion that a little inflation is good for economic growth. This, as the Secretary suggests, is absurd on the face of it, for inflation distorts the economic structure and "exacts a penalty that would be levied on the pocketbook" of every American. "So long as our aim is to increase real wages and real goods and services, I do not believe that any characteristic (inflation) which could contribute to the debasement of the currency is a desirable ingredient in our economy."

A related false assumption Mr. Anderson tackles is that Federal deficit financing has little to do with inflation. "The fact," he observes, "is that when the Government has to borrow from commercial banks * * * such borrowing adds to the money supply * * * and increases inflationary pressures. Continued deficits are bound to add to monetary inflation." And he notes that this type of financing is almost the same in effect as if the Treasury were out of money and "I called down to the Bureau of Engraving and Printing and said, 'Please print me up $100 million (or whatever) worth of greenbacks'."

The truth being thus available, why do so many deny it? There is undoubtedly a good deal of confusion in the minds of some politicians, economists and people generally about the nature and effects of inflation. And because inflation at the moment seems dormant, it is comfortable to forget the future consequences of what the spenders are trying to do now.

But beyond that stands the unhappy fact that many politicians believe they have a vested interest in inflation or in the things they cannot do without inflation. They believe their political existence rests on a constant proliferation of Federal handouts to all and sundry. Since at the same time they judge it not politically astute to require more taxes—that would show the people the enormous cost of the largess—they choose the easy way of inflationary deficits. And inflation itself can for a while create a boom, deceiving people into thinking they are experiencing sound economic growth.

For such reasons inflation all too often seems politically irresistible. Unfortunately there are also politicians who see in inflation a means to still other ends—to the direct Government controls through which, as Mr. Anderson warns, we would be forced to surrender many of our freedoms.

The political explanations for the addiction to inflation do not, however, make inflation's evils any less. In this country the sum of political conflict in the past has generally been responsible Government; the danger today, greatly aggravated by the great growth of the size and power of Government, is that we may be letting politicians abdicate their responsibilities. And, in Mr. Anderson's words, unless each generation has the wisdom, courage and toughness to accept the responsibilities which are uniquely its own, "the generations that follow will surely and inevitably pay the price."

It must be more than a little frustrating for Secretary Anderson as he pursues his lonely endeavor of talking sense at a time when many will not listen. But we hope he continues to do so every chance he gets, for there is still no way to check the spread of untruth except by the truth.

PAYMENT TOO LONG DEFERRED

In the same speech Mr. Anderson says it would be immoral to postpone payments on the national debt in times of prosperity like the present.

This forceful comment is especially needed right now, when the debt seems headed toward the fantastic figure of $300 billion or more and when such basic values as thrift and fiscal morality are under concerted attack. Still, the practical prospects for debt reduction in the near future are hardly promising.

Even if Congress were to approve President Eisenhower's fiscal 1960 budget as submitted, the surplus would be less than $100 million, which is far too small to make any but a token cut in a debt of this magnitude. And anyway, the dominant faction in Congress seems determined to unbalance the budget, stockpiling still more deficit and debt to fuel still more inflation.

It is clear, then, that the administration has not done as much as it should have to provide for debt reduction, and that a great many members of Congress have simply lost touch with the realities of national finance.

So the importance of achieving a balanced 1960 budget, even with a microscopic surplus, is not that it would work any wonders; rather, it would be a holding operation and a sign that Congress was coming to its senses. Thereafter it would be up to the Executive and Congress to make sharp reductions in Government spending, so that it would be possible to run sizable surpluses and achieve significant cuts in both the debt and the oppressive level of taxation.

Somehow this is what has got to be done. And that is why the budget issue could mark a turning point in our national life. Mr. Anderson has stated the issue plainly: Either we return to the precepts of financial discipline, or we abandon ourselves to the ruinous immorality of inflation.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting nominations was communicated to the Senate by Mr. Ratchford, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The PRESIDING OFFICER (Mr. MUSKIE in the chair) laid before the Senate a message from the President of the United States submitting sundry nominations, which was referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959

The Senate resumed the consideration of the bill (S. 1555) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Arizona [Mr. GOLDWATER].

Mr. GOLDWATER. Mr. President, I should like to have the attention of the junior Senator from Massachusetts [Mr. KENNEDY]. I wish to ask whether overnight he has had an opportunity to study my amendment, and I wish to know whether he has reached a decision to accept it or to propose to it an amendwhich could be accepted.

Mr. KENNEDY. The first part of the amendment is satisfactory. I wish to study a little more the effect of the part which reads as follows: "any member of a board, council, committee or other body authorized to exercise governing or executive functions," and so forth.

Is the Senator from Arizona calling up the amendment at this time?

Mr. GOLDWATER. I shall discuss it briefly; or, if the Senator from Massachusetts has decided to accept the amendment, I shall merely request that my statement on the amendment be printed at this point in the RECORD.

Mr. KENNEDY. I should like to study the amendment in a little more detail.

Mr. GOLDWATER. Very well.

Mr. President, let me state that I have had placed on the desk of each Senator a brief statement entitled "Definition of Union Officer."

Mr. President, this amendment, which is identified as "4-17-59—BB, would insert on page 51, between lines 11 and 12, the following new subsection:

( ) "Officer" of a labor organization means any constitutional officer, any member of a board, council, committee, or other body authorized to exercise governing or executive functions with respect to such labor organization, or any official or employee of a labor organization, regardless of how selected, who exercises or is authorized to exercise any governing or executive functions in such labor organization, and includes, but is not limited to, organizers, business agents, regional directors, managers, and trustees of subordinate labor organizations as well as officials designated as or performing the functions of president, vice president, secretary, and treasurer of a labor organization.

Mr. President, on the desk of each of my colleagues is a statement which I wish to read. It is brief, and is as follows:

DEFINITION OF UNION "OFFICER"

Sec. 501(k): This amendment adds a new subsection to the committee bill providing a definition of the term "officer."

The U.S. Supreme Court has held that a union's "officers" are only those officials of the union who are so designated by the union's constitution, regardless of the function that the official performs. Further, it is the established doctrine of the National Labor Relations Board, uniformly upheld by court decisions, that a labor union can satisfy all the requirements of the definition of "labor organization" contained in the Taft-Hartley Act without having a single officer.

The committee bill repeatedly uses the terms "officer" and "employee" of a labor union, without defining these terms. However, the prohibition in the committee bill against having ex-convicts hold union office extends not only to service as an "officer" but also to director, trustee, member of an executive board or similar governing body, business agent, manager, organizer, or other employee of a labor union. It is clear, therefore, that the term "officer" as used in the committee bill does not include any of these officials.

This amendment defines the term union "officer" to mean the president, vice president, secretary, treasurer and also includes within its meaning any officials and employees who perform the function of an officer regardless of the manner in which they are selected. Included in the definition of union "officer" would be those officials or employees who serve as a member of a board, council, committee, or other body authorized to exercise governing or executive functions with respect to such union, organizer, business agent, regional director, manager, and trustee of a subordinate local union.

Unless this amendment is adopted, the sanctions and prohibitions directed against union "officers" will apply only to the "officers," if any, so designated in the union constitution.

Mr. President, throughout the committee bill, there are repeated references to the term "officer," and yet the bill fails to include a definition of a union officer.

Why is it so important for the bill to contain a definition of union officer? The U.S. Supreme Court has held that a union's officers are only those officials of the union who are so designated by the union's constitution, regardless of the function the official performs. Further, it is the established doctrine of the National Labor Relations Board, uniformly upheld by court decisions, that a labor union can satisfy all the requirements of the definition of labor organization contained in the Taft-Hartley Act without having a single officer. It can deal with an employer concerning grievances, labor disputes, wages, rates of pay, hours, or other terms or conditions of employment without having a president, or a secretary, or a treasurer, or any other officer. In other words, a group of employees, as a result of a purely informal, almost casual, discussion at lunch, can decide to ask their employer for a raise, or a holiday, or an improvement in the heating system, or to correct a grievance. They have no formal or permanent organization, no constitution, no bylaws—and no officers. Nevertheless, they are a labor organization, not only under the Taft-Hartley Act, but under the committee bill as well.

The sanctions contained in the committee bill against union officers for failure to file required information or for violating other provisions of the bill are exclusively criminal, subjecting the officer to imprisonment or a fine or both. If a union were to rewrite its constitution to designate only the president, for example, as an officer, all other officials of the union even though they may perform the functions of officers, would not be subjected to these criminal sanctions, since they are not designated as officers by the union constitution, and hence are not officers under the decision of the Supreme Court. Thus, in the absence of a definition of union officer, the only sanctions against misbehaving union officials in the committee bill are in large measure rendered a nullity.

If we go through the various titles of the committee bill it becomes plain how the lack of a union officer definition would allow the crooks, racketeers, and goons in the union movement to continue their nefarious activities without the slightest fear that the committee bill will put them out of business, as its sponsors have proclaimed.

Section 102 requires every officer of a union to file with the Secretary a report listing and describing any benefit that the officer received from six different conflicts of interest in which the officer may be involved. As will be pointed out later in this debate, this does not cover every type of conflict of interest in which an officer may be involved. Failure to file the required information is made a crime. But if the union constitution, for example, designates only the president as its officer, or, as could conceivably happen, does not designate any officers at all, each and every official of the union, regardless of the fact that they actually perform the functions of an officer, would not be required to report their conflicts of interest under the committee bill. However, if the amendment defining union officer is adopted, the crooks and racketeers who perform the functions of officers would be compelled to report on their conflicts of interest or else be in violation of the bill. Naturally, the provisions of the committee bill requiring the preservation of the books and

records on which the conflict of interest reports are based would not apply to these officials, since they would not be officers within the meaning of the bill, and therefore would not have to report in the first place.

Section 107(a) prohibits a union from making any loans to any of its officers which result in a total indebtedness to the union on the part of the officer in excess of $1,500. Similarly, this provision places no burden upon those officials not designated as officers by the constitution. The union can lend them unlimited sums of money without in any way violating this provision of the committee bill. Resorting to the loan type of operation for bleeding the union treasury dry is a favorite device of the racketeer. Many illustrations of this type of operation have been uncovered during the McClellan committee investigations. Unless a definition of union officer is added to the bill, this type of dishonesty will continue unabated.

Section 109 makes it a Federal crime for any person to embezzle the assets of a union of which he is an officer. Such officer, upon conviction, may be sued by a union member in order to recover the embezzled union funds. Now, if the constitution designates the president only, for example, as a union officer, the whole section would be inapplicable to all the other officials of the union, even if they perform the functions of officers but are not designated as such by the union constitution. This means that the treasurer of a union, not being an officer since he is not so designated by the union constitution, could actually embezzle money from the union treasury and escape the criminal penalties of this section. Furthermore, since he is not an officer, no suit may be brought by a union member to recover the funds stolen by him. As far as the committee bill is concerned, this official would go scot free. Fortunately, our amendment adopted in committee preserves State remedies in this field. Save for that, the committee bill, lacking a definition of union officer, would have punched a gaping loophole in our criminal statutes against embezzlement. As it now reads, the committee bill's provision is meaningless.

Section 112 requires every officer of a union and every employer to file a non-Communist affidavit with the Secretary. The committee bill repeals the non-Communist oath provision in the Taft-Hartley Act and requires every employee, as well as every officer of a labor union, to file a non-Communist affidavit as part of the reporting requirements. This provision takes us back to where we started. The Supreme Court decision holding that the term "officers" includes only those officials who are so designated by the union constitution, was handed down in a case involving a union official who had not filed a non-Communist affidavit. Since the official was not designated an "officer" in the union constitution, the Supreme Court held that he was not an "officer" and therefore did not have to file the affidavit. So once again, the committee bill, by failing to define the term "officer," now lets Communist union officials, as well as crooks and racketeers, off the hook where those officials are not designated as officers in the union constitution.

Nor is the trusteeship title of the committee bill any more free of this fatal officer ailment, which can so easily be cured by the adoption of my amendment defining the term "officer." Section 201(a) requires trusteeship reports to be signed by the parent union president, treasurer, or corresponding principal officers, as well as the trustees. Here it is not enough that we do not know or cannot ascertain who is an officer; we now do not know who is a corresponding principal officer. If the union has a president and treasurer, then they must sign the trusteeship report. However, if the union does not have a president and a treasurer—and bear in mind that it is established Board doctrine that a union does not have to have any officers—then the corresponding principal officers must sign the report. If the union constitution does not designate any officers, who is there to sign the trusteeship report? Recognizing that the committee bill lacked a definition of officer, we pressed for, and obtained in committee, an amendment requiring that the trustees of the subordinate union must sign the report in order to insure the signing of the report by at least someone in authority.

If the lack of a definition of union officer has wreaked havoc with the reporting and trusteeship titles of the committee bill, it reaches the apex of its destructive powers when we arrive at the election title.

This title sets forth requirements imposed upon unions with respect to the election and removal of officers. What officers are to be elected and what officers are to be removed? Only those officers who are so designated by the union constitution. For example, a local union constitution specifies a single officer, the president. His election to and removal from office must take place in accordance with the requirements of this title. But the election and removal of all other officials of the union, even though they may perform the functions of officers, are not subject to the provisions of the committee bill. It is readily apparent that, once again, the lack of a definition of union officer in the committee bill comes like a breath of fresh spring air to the crooks, racketeers and mobsters who have infested the union movement. They were told that this bill would drive them out of the unions once and for all. But their old friends, the lack of a definition of a union officer, has saved the day for them.

One very interesting point is raised in the election section—section 305(a)(b)—prohibiting persons, convicted of certain crimes or violations of the reporting and trusteeship titles, from holding union office.

Suddenly the committee bill becomes very specific. The prohibition extends not only to service as an officer but also to service in the positions of director, trustee, member of the executive board or similar governing body, business agent, manager, or organizer. If, as the proponents of the committee bill tell us, there is no need for a definition of union "officer," then why is it necessary to spell out each and every official position in the section prohibiting criminals to hold union office. Mere consistency would dictate that these same official positions should be spelled out elsewhere in the committee bill. By citing all these official positions, in addition to the term "officer," the proponents of the committee bill leave no doubt in my mind that they too recognize that officials of a union, although performing the functions of officer, may not be officers unless so designated by the union constitution.

One final point should bear discussion. In various sections of the committee bill we find the terms "constitutional officer," "corresponding principal officers," and "principal financial officer." These terms make it doubly confusing for anyone to comprehend the committee bill. Do the proponents of the committee bill mean that there are two or three or four types of officers? Are the officers who have to report under the conflict of interest section the same as the constitutional officers which the union must list in its report under section 101(a)? And if they are not the same, how do they differ? These are questions which only the proponents of the committee bill can answer.

Mr. President, it is, I believe, perfectly clear that this bill suffers from many serious defects, the lack of a definition of union officer being one of the most important. I urge the Senate to adopt this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Arizona.

The amendment was agreed to.

Mr. GOLDWATER. Mr. President, I suggest the absence of a quorum. I want to see how long this victory lasts.

The PRESIDING OFFICER. The Senator from Arizona suggests the absence of a quorum. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GOLDWATER. Mr. President, the amendment I had offered was voted upon by two Members. I should like to glory in a victory, but not one of that rather dubious nature. Therefore, I ask that the Senate reconsider the vote by which the amendment was agreed to.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. GOLDWATER. I am happy to yield.

Mr. BUSH. Is the Senator asking unanimous consent that the Senate reconsider the vote?

Mr. GOLDWATER. I ask unanimous consent that the Senate reconsider the vote.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arizona? The Chair hears none, and it is so ordered.

Mr. KENNEDY. Mr. President, I express my appreciation to the Senator from Arizona.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Arizona [Mr. GOLDWATER].

Mr. KENNEDY. Mr. President, I should like to ask the Senator from Arizona, briefly, what the effect of his amendment would be.

Mr. GOLDWATER. I am sorry the chairman of the subcommittee was not present when I presented my statement. The effect would be to define "officer." There is no definition of "officer" in the bill. The Supreme Court has held that union officers are only those officials of the union who are designated by the union's constitution, regardless of the functions which any particular official performs.

Moreover, it is the established doctrine of the National Labor Relations Board, formally upheld by the courts, that a labor union can satisfy all the requirements of the definition of "labor organization" contained in the Taft-Hartley Act, without having a single officer.

I may say to my friend from Massachusetts that the committee bill repeatedly uses the term "officer" or "employee," but there is no definition of the term "officer" anywhere in the bill. There is one section which applies to criminals holding office, and the offices which criminals may not hold are listed.

I merely wish to bring the bill into consistency, and eliminate a major source of loopholes which I feel exists in the bill by reason of its failure to define "officer."

Mr. KENNEDY. I think the problem is that we do not know whether the effect of the Senator's amendment would be to require the various personages named in the amendment to be subject to election.

Mr. GOLDWATER. No. That requirement applies only to constitutional officers. We propose to retain the language in the bill, but we wish to define the term "officer." Every other term used in the bill is defined.

Mr. KENNEDY. How does the Senator define "officer"? Is a member of all the governing bodies and executive committees an officer?

Mr. GOLDWATER. The ones I have listed in the amendment are president, vice president, trustees, organizers, and so forth. They do not have to be elected, unless the constitution so provides. We do not propose to change that portion of the bill. What we are trying to do is to define the term "officer," so that when the bill mentions "officer" we shall know what is meant.

Under the Taft-Hartley Act and under the rulings of the courts, the Senator and I might go to lunch and decide to bargain with our employer, assuming that we were not working for the Federal Government. We would be a "labor organization." We would have no officers, but under the law we would be a labor organization. As a labor organization we would not have to report to the Secretary of Labor under the provisions of the Senator's bill.

Mr. KENNEDY. As I understand the Senator's amendment, it would define the term "officer." Is that correct?

Mr. GOLDWATER. Let me read the amendment:

( ) "Officer" of a labor organization means any constitutional officer, any member of a board, council, committee, or other body authorized to exercise governing or executive functions with respect to such labor organization, or any official or employee of a labor organization, regardless of how selected, who exercises or is authorized to exercise any governing or executive functions in such labor organization, and includes, but is not limited to, organizers, business agents, regional directors, managers, and trustees of subordinate labor organizations as well as officials designated as or performing the functions of president, vice president, secretary, and treasurer of a labor organization.

Mr. KENNEDY. I invite the attention of the Senator to section 112, on page 29 of the bill, in regard to non-Communist affidavits. Would that mean that all the persons the Senator has enumerated would have to file a non-Communist affidavit?

Mr. GOLDWATER. We could make an exception. Under the language of the Senator's bill, I am afraid there could be unions with respect to which there would be no requirement to sign a non-Communist oath.

Mr. KENNEDY. Does the Senator think there would be difficulty in determining who was an officer and who was an employee?

Mr. GOLDWATER. With respect to the non-Communist oath, in the Coca-Cola case the Court held that the union in question not having designated any officer, even though there were those performing the functions of officers, therefore the union did not have to file a non-Communist oath.

Mr. KENNEDY. Mr. President, I send to the desk an amendment in the nature of a substitute for the amendment of the Senator from Arizona, and ask that it be stated.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The LEGISLATIVE CLERK. On page 51, between lines 11 and 12, it is proposed to insert the following:

(R) "Officer" of a labor organization means any constitutional officer or in the absence of constitutional officers any persons performing the functions of a president, vice president, and secretary-treasurer of a labor organization.

Mr. KENNEDY. Mr. President, I hope the substitute will meet the problem which concerns the Senator from Arizona. It would be possible to remove from that category someone who was really a governing figure in a union, and who was performing the functions of president, vice president, secretary, or treasurer, by redefining his title under the provisions of the act.

I believe the point the Senator has brought out is important, but I believe that his amendment is too broad. The substitute provides that the person performing the particular functions, as well as the person named in the constitution, shall be covered by the act.

The Senator and I perhaps disagree as to how far definitions should go. I believe that the substitute meets the problem involved in the Coca-Cola case. It would be an improvement in the present pending bill. Even though we do not go as far as the Senator would like to go, he might be willing to accept the substitute. I do not believe that the language the Senator proposes would be suitable.

Mr. GOLDWATER. Let me say to the Senator that section 305(b), on page 43 of the committee bill, very completely spells out what I am trying to spell out. Let me read:

(b) No person who, after a hearing on a written record, is determined by the Secretary to have failed to file any information required by title I or title II, after written notice by the Secretary directing him to file and no person who has been convicted of any violation of title I or title II shall serve as an officer, director, trustee, member of any executive board or similar governing body, business agent, international representative, manager, paid organizer, or other paid employee of a labor organization engaged in an industry affecting commerce for a period of 5 years after such determination by the Secretary or such conviction. No labor organization or officer thereof shall knowingly permit any person to assume or hold any office or paid position in violation of this subsection.

I cannot find any consistency between the attitude of the Senator in wanting to be broad in the definition of "officer" and his desire to be extremely explicit and definite in section 305(b), when we are talking about criminals.

The Senator knows full well that we have found abundant evidence in the McClellan committee of wrongdoing on the part of organizers and international representatives, business agents, and so forth.

If we do not close the loopholes, unions can crawl through them by the constitutional means recognized by the Supreme Court. I merely wish to tighten the provisions of the bill. I feel that if we accept the Senator's substitute for my amendment, and include only constitutional officers, and, specifically, president, vice president, secretary, and treasurer, we leave the next echelon of officials free to do anything they wish to do.

Mr. KENNEDY. I do not agree with the Senator. I think they are covered, either as officers, or those performing the functions of officers, or as employees.

Mr. GOLDWATER. I cannot agree with the Senator, because there is no definition of "cfficer" in the bill. Every other term is described and defined. We do not quite fully describe the term "labor organization." We will get to that in a later amendment. "Employees" and others are defined. Why can we not include a definition of "officer" such as my amendment suggests?

Let us be complete about it. In the McClellan committee investigations we found more wrongdoing among business agents, organizers, and international representatives than we found among presidents, vice presidents, and treasurers. I believe that without this amendment, as I have worded it, the bill will be full of loopholes through which these people will conveniently and quickly be able to crawl. I am ready to vote on the amendment. First I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Fulbright	Monroney
Allott	Goldwater	Morse
Anderson	Gore	Morton
Bartlett	Gruening	Moss
Beall	Hart	Mundt
Bennett	Hartke	Murray
Bible	Hayden	Muskie
Bridges	Hennings	Neuberger
Bush	Hickenlooper	O'Mahoney
Butler	Hill	Pastore
Byrd, Va.	Holland	Prouty
Byrd, W. Va.	Hruska	Proxmire
Cannon	Jackson	Randolph
Capehart	Javits	Robertson
Carlson	Johnson, Tex.	Russell
Carroll	Johnston, S.C.	Saltonstall
Case, N.J.	Jordan	Schoeppel
Case, S. Dak.	Keating	Scott
Chavez	Kefauver	Smathers
Church	Kennedy	Smith
Clark	Kerr	Sparkman
Cooper	Kuchel	Stennis
Cotton	Langer	Symington
Curtis	Lausche	Talmadge
Dirksen	Long	Thurmond
Dodd	McCarthy	Wiley
Douglas	McClellan	Williams, N.J.
Dworshak	McGee	Williams, Del.
Eastland	McNamara	Yarborough
Ellender	Magnuson	Young, N. Dak.
Engle	Mansfield	Young, Ohio
Ervin	Martin	

Mr. MANSFIELD. I announce that the Senator from Minnesota [Mr. HUMPHREY] is absent on official business.

I also announce that the Senator from Delaware [Mr. FREAR] and the Senator from Rhode Island [Mr. GREEN] are absent because of illness.

The PRESIDING OFFICER. A quorum is present.

Mr. GOLDWATER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Arizona will state it.

Mr. GOLDWATER. What is the question before the Senate?

The PRESIDING OFFICER. The question is on agreeing to the amendment, in the nature of a substitute, offered by the Senator from Massachusetts [Mr. KENNEDY] to the amendment of the Senator from Arizona.

Mr. GOLDWATER. I ask for the yeas and nays on the Kennedy amendment to my amendment.

The yeas and nays were ordered.

Mr. GOLDWATER. Mr. President, I oppose the Kennedy amendment to my amendment. I do not believe it closes the loopholes which now exist in the committee bill.

The amendment of the Senator from Massachusetts would not require business agents, organizers, international representatives, members of executive boards or councils, or trustees of locals, to comply with many of the provisions of the bill. It is among that group in the labor unions that most of the bad acting was found. There has not been too much trouble with presidents, vice presidents, and treasurers of locals. The trouble has been found in the lower ranks, among the persons whom I have mentioned, persons who would be exempt under the Kennedy amendment to my amendment.

The Senator from Massachusetts has offered an amendment which reads, in part:

"Officer" of a labor organization means any constitutional officer—

The Supreme Court of the United States has held that the constitution of a labor organization does not have to name an officer; that a labor organization does not have to have officers at all.

The amendment of the Senator from Massachusetts continues—

or, in the absence of constitutional officers, any persons performing the functions.

Yet in the bill there is no definition of "functions" or no reference to "functions."

I feel, therefore, that the Kennedy amendment to my amendment is completely inadequate. It would not close the loopholes which I have disclosed exist in S. 1555 at present. I urge that the Senate vote against the Kennedy amendment. Then I shall ask for a yea-and-nay vote on my amendment, which I feel will completely close the loopholes in the Kennedy bill.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. KEATING. Is it not true that the Kennedy substitute would not, in fact, add anything to the definition of "officers," in that it does not meet the problem which has been raised by the Senator from Arizona, namely, that any union could simply, by its constitution, provide for either one officer or no officer, and thereby escape all the provisions of the bill?

Will the Senator from Arizona address himself to that question?

Mr. GOLDWATER. I certainly agree with the Senator's contention.

The substitute proposed by the Senator from Massachusetts [Mr. KENNEDY] would require, as a maximum, only three officers—namely, president, vice president, and secretary-treasurer. There might be four officers; but, as the substitute has been worded by the Senator from Massachusetts, it calls for only three.

Mr. KEATING. Mr. President, if the Senator from Arizona will yield further, let me call his attention to the fact that New York State has enacted the first law of its kind, I believe, which safeguards union funds and eliminates financial abuses, whether practiced by labor or management. Among the definitions included in that law are those of "officer" and "agent"; and all the way through that law we find references to "officers" and "agents."

However, the bill now before the Senate, as I understand, refers only to "officers," and does not use the word "agent." Is that correct?

Mr. GOLDWATER. The Senator from New York is absolutely correct. Furthermore, although the pending bill refers to "officer," it does not include a definition of "officer."

Mr. KEATING. The New York State statute defines "officer" as any person holding or in fact performing or authorized to perform the functions of an office named or described in the constitution, charter, articles of incorporation, articles of association, or bylaws of a labor organization or employer organization.

The New York State law then defines "agent" as any person, other than an attorney engaged in the practice of law, who represents or is authorized to represent a labor organization or employer organization, wholly or with others, in its dealings with employers, employees, members, employer organizations, labor organizations, or other persons, regardless of whether his relationship to the labor organization or employer organization is that of an independent contractor or employee.

If the pending bill included a provision sufficiently broad to cover all those categories, then I take it the Senator from Arizona would not object to the bill.

Mr. GOLDWATER. I would not object too strenuously. I believe that in the Federal law we should perhaps go a little further than the New York State law goes—and let me say that I have great admiration for the State of New York for passing that law. I believe the Federal law should spell out the definition of these officers, and should define the word "officer" in line with the language of my amendment.

I do not believe it sufficient merely to use the words, as the Senator from Massachusetts [Mr. KENNEDY] would suggest, "a constitutional officer," because in the Coca-Cola case the Supreme Court held that a union constitution does not have to have "officers" spelled out in it. In fact, under the law a union organization needs no officers to exercise its prerogatives.

Furthermore, if we adopt the language of the Kennedy substitute, we adopt the words "in the absence of constitutional officers, any persons performing the functions of a president" and so forth.

Well, Mr. President, what are the functions of a president? What are the functions of a vice president, a secretary, or a treasurer? I think we have those functions in mind; but they are not spelled out. Furthermore, in the McClellan committee hearings we found that many of the union presidents, vice presidents, secretaries, and treasurers were doing things that would not be the function of the president, the vice president, the secretary, or the treasurer of any corporation with which I am connected.

So I believe it necessary that the Senate adopt the language I have proposed.

Mr. KEATING. Furthermore, under the substitute proposed by the Senator from Massachusetts [Mr. KENNEDY] for the amendment of the Senator from Arizona, if the union constitution provided for a single officer, he would be the only one who would be covered by the bill; and it would be only in the absence of such a provision that the bill would cover three officers.

Mr. GOLDWATER. The Senator from New York is absolutely correct.

Mr. KEATING. Would not that result in a possible loophole for an ill-intentioned union that desired to do improper things? Would not that be a definite loophole—when the union simply named one officer, and then had the improper activities conducted by one of the unnamed officers?

Mr. GOLDWATER. That is the type of loophole I have described, which exists

under the titles of the pending bill, S. 1555.

Mr. KEATING. It seems to me that the amendment of the Senator from Arizona is sound and should be adopted.

Mr. MUNDT. Mr. President, will the Senator from Arizona yield to me?

Mr. GOLDWATER. I yield.

Mr. MUNDT. Under the Kennedy substitute, would business agents be covered by the bill?

Mr. GOLDWATER. No.

Mr. MUNDT. As the Senator realizes, as a member of the McClellan committee, and as is realized by every American who has even a casual acquaintance with the evils which have been disclosed by the McClellan investigating committee, a great many of these problems involve the business agents. So, if we exempt the business agents, we might just as well forget about any reform legislation whatsoever. The notorious man by the name of Baker, who appeared before our committee, and then took the fifth amendment, and then took recourse to going to a hospital, because of either real or imaginary ills, and has never returned from the hospital, is a business agent. In case after case after case, the worst thugs or crooks were business agents. So there is no use in attempting to accomplish any of these reforms if we exempt business agents, and say that they are not included in the correctives to be provided by the bill.

Mr. DIRKSEN. Mr. President, will the Senator from Arizona yield to me?

Mr. GOLDWATER. I yield.

Mr. DIRKSEN. The bill contains a title which deals with trusteeships. Would a trustee who was designated for a subordinate labor union be an officer under the proposal of the Senator from Massachusetts [Mr. KENNEDY]?

Mr. GOLDWATER. No.

Mr. DIRKSEN. But I think it vital that such a person be designated an officer, under the provisions of the bill, because such a person performs many functions on the basis of having been designated by the parent body. Yet he would have no responsibility as an officer unless he was included in the definition of officer.

Mr. GOLDWATER. That is correct.

Mr. President, the substitute would not include organizers, business agents, regional directors, managers, and trustees of subordinate labor organizations, as well as officials designated as or performing the functions of president, vice president, secretary, and treasurer of a labor organization.

In section 102(a) of the bill, which deals with conflict of interest, those who are required to report are only union officers and union employees; and officers need not be union employees. So this proposal is gimmicked in such a way that there is a hole which is so large that all of Jimmy Hoffa's Teamsters could be driven through it.

Mr. ALLOTT. Mr. President, will the Senator from Arizona yield to me?

Mr. GOLDWATER. I am glad to yield.

Mr. ALLOTT. Is it not a fact that the Kennedy substitute is so worded that a union would need only select or elect the officers named in the substitute, or even only the one officer; and then it could name countless numbers of others to serve in any capacities desired, or they could be called anything that was desired, and in that way they would be able to violate the law with immunity?

Mr. GOLDWATER. It is my understanding that what the Senator from Colorado has said is absolutely correct.

Mr. ALLOTT. Is it not true that the proposed Kennedy substitute would not include trustees named by a union itself under section 302(c) of the Taft-Hartley Act, which, as the Senator from Arizona recalls, is the section which provides for the joint administration of benefit and welfare funds? Thus, the section would not cover such trustees, even though they had been named by the union itself.

Mr. GOLDWATER. Not unless they were designated as an officer, as my amendment intends.

Under the language of the Kennedy substitute, they would not be officers, and would not have to report.

Mr. ALLOTT. Not unless they happened to fall within the specific category he has named.

Mr. GOLDWATER. Yes, or unless they were provided for by the union's constitution; and we cannot require union constitutions to provide for that.

Mr. President, I have nothing more to say on this subject.

I urge the Senate to reject the Kennedy substitute, and later to adopt my amendment.

Mr. KENNEDY. Mr. President, I believe that the Senator from Arizona unknowingly has really misstated the record in answering the questions of the Senator from New York and in answering the questions of other Senators.

The bill clearly covers, in its key provisions, such as the conflict-of-interest provision, officers and employees of a union.

In order to take care of any question which might be raised by the Coca-Cola Co. case, we have offered a substitute which provides that officers, those performing the function of officers or employees, shall be covered by the key sections of this bill. I do not know of anyone else in organized labor who should be covered by the bill.

Business agents—and this point was raised by one of the Members of the Senate—are employees of unions, and are covered by the section on conflict of interest.

I do not think it in the national interest to compel every supervisor, foreman, and all others of that sort who are employed by every corporation in the country to sign a non-Communist affidavit; but that would be the effect of the amendment of the Senator from Arizona.

All of those who are named in his amendment would be subject to all the provisions of the bill, and would have to sign, for example, all the non-Communist affidavits. If that is done, I shall also insist that every supervisor of every corporation in the Nation also be required to sign a non-Communist affidavit, and also that every foreman sign one; and in that way we could simply bury Washington in paper, if that is the Senator's idea.

Mr. MUNDT. Mr. President, will the Senator from Massachusetts yield?

Mr. KENNEDY. No; I wish to finish my statement.

Let me go through the bill section by section where references to "officers" are made.

On page 9, section 102, in which the conflict of interests is dealt with, the language reads:

> Every officer of a labor organization engaged in an industry affecting commerce, and every employee of such a labor organization * * * who receives wages, salary, expenses or other allowances in excess of $5,000 * * * shall file with the Secretary a signed report.

Relating to the conflict of interest.

The substitute would add an additional definition which I am not sure is necessary, but I am glad the Senator has brought up the question. The substitute provides that every officer or one who performs the functions of a president, vice president, or secretary-treasurer shall make such a report. I do not think that leaves out anyone.

Let us go to the next section which relates to the question. That is found on page 25, line 7:

> It shall be unlawful for any labor organization, or for any person acting as an officer, agent, representative, or employee of such labor organization, to demand or accept from the operator of any motor vehicle.

This language deals with a fee for unloading. It seems to me that section is very clear.

Let us proceed to page 35 of the bill, which deals with elections. I read from line 4, section 301:

> Every national or international labor organization engaged in an industry affecting commerce, except a federation of national or international labor organizations, shall elect the officers named in its constitution and the members of its executive board or similar governing body.

If the substitute is adopted, it would make the definition extremely clear and precise. I would not want named all the persons enumerated in the amendment of the Senator from Arizona, which would be unnecessary and not called for in view of the extremely generous language which is proposed defining those officers.

The next section of the bill to which I call attention appears on page 36, line 5:

> Officers of intermediate bodies, such as general committees, system boards, joint boards, joint councils, or other associations of labor organizations as defined, shall be elected.

Once again, that is an extremely generous definition of those who ought to be elected by secret ballot.

Lastly, on page 53, line 9 of the bill, appears the following language:

> It shall be unlawful for any labor organization, its officers, agents, representatives, or employees, to fine, suspend, expel, or otherwise discipline any of its members for exercising any right to which he is entitled under the provisions of this Act.

I am aware of the problem with which the Senator from Arizona is concerned, but I must say I think we have dealt completely and effectively with all the persons who should be dealt with in this section. If the amendment of the

Senator from Arizona should be adopted, the bill would have to be rewritten from top to bottom. I think those who are officers of a union or exercising the functions of officers or those who are acting in an executive capacity are dealt with in my proposal. I hope my amendment will be adopted, and that the amendment of the Senator from Arizona will be rejected.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. GOLDWATER. Why is it, that when the Senator gets into the criminal sections of the bill, he is very specific in spelling out who can and who cannot be employed by a union? I refer to section 305(b):

> No person who, after a hearing on a written record, is determined by the Secretary to have failed to file any information required by title I or title II, after written notice by the Secretary directing him to file and no person who has been convicted of any violation of title I or title II shall serve as an officer, director, trustee, member of any executive board or similar governing body, business agent, international representative, manager, paid organizer, or other paid employee of a labor organization—

And so on and so on. When the bill is so specific in that regard, why can it not be specific in defining "officer," which definition does not exist in the bill?

Mr. KENNEDY. I am delighted to answer. We have covered the definition of "officers" and "employees." We do not mean every employee in every labor organization shall be subject to the very sharp prohibition against being employed by a labor organization if he has been convicted of a felony. Therefore, we have referred to those who, in the public interest, should be denied employment in a labor organization; but we do not exempt anyone.

We use the term "officers" and "employees" in relation to conflict of interest. It seems to me that is an extremely broad inclusion. We do not want to say that no labor organization shall hire as an employee any one who has been convicted of a felony, but that he shall be prohibited from employment in certain definite, sensitive categories. That is the reason this language is used.

Mr. GOLDWATER. The Senator referred to the fact that throughout the bill reference is made to officers and employees. I agree with him, but there is no definition of "officer." The Supreme Court has held that union constitutions do not have to name officers. I do not see how we are going to plug that loophole if a union does not have an officer, or has merely one officer. An officer does not have to be an employee of the union.

Mr. KENNEDY. Let me say I think the Senator from Arizona has performed a service in bringing this matter to the attention of the Senate. In order that no question can be raised, we say "officers or those performing the functions of officers or employees." I think that definition is all inclusive.

Mr. GOLDWATER. Where is there to be found in the bill a description of the functions of a president, vice president, and so forth?

Mr. KENNEDY. I do not think there will be any difficulty on the part of the National Labor Relations Board or of the Secretary in determining who is an officer or who is performing the functions of an officer or employee. We assume that men who are reasonable and intelligent can make a perfectly clear determination as to who those persons are. The Secretary is empowered to issue regulations in this field.

In my opinion, I think the Senator's amendment goes far beyond dealing with what may be a real problem. I think we have dealt with the problem of the Coca-Cola case, if that is the concern of the Senator from Arizona. The Senator is going away beyond that problem and making many persons in various organizations subject to many requirements, and I do not think it is necessary to set them out.

Mr. President, I have presented my case.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield to the Senator from Arkansas.

Mr. McCLELLAN. I should like to engage the attention of both the Senator from Arizona and the Senator from Massachusetts. Under the bill of the Senator from Massachusetts and the amendment of the Senator from Arizona, would an organizer be an officer?

Mr. KENNEDY. No; an organizer would be an employee, unless the organizer was performing the functions of an officer.

Mr. McCLELLAN. Does an organizer perform the functions of an officer? It was brought out before our committee that sometimes a president is in fact nothing, and that a business organizer sometimes runs the show.

Mr. KENNEDY. In that case he is an officer or is performing the functions of an officer or is an employee. I think he comes within one of those categories.

Mr. McCLELLAN. That is the question in which I am interested. I do not care if the Goldwater amendment, as such, is adopted. I want to determine whether the substitute of the Senator from Massachusetts actually includes persons who exercise authority, power, and influence in the execution of the policies, affairs, and administration of a union.

Mr. KENNEDY. No.

Mr. McCLELLAN. If that be so, then I think the language is sufficient. But if the substitute does not include those persons, there should be a clarification and a definition of what an officer is.

Mr. KENNEDY. In order to establish such legislative history as it is possible to establish, I wish to say categorically it does. It seems to me the definition we have proposed completely meets the problem of those who do not hold the constitutional position of officer, but who assume directorship or leadership in an organization. It is the intention of the substitute to deal with that problem. Those who have to do with the function of the organization in an administrative or executive capacity are included. In my opinion, there can be no question about that.

Mr. McCLELLAN. Mr. President, will the Senator yield further?

Mr. KENNEDY. I yield.

Mr. McCLELLAN. The term "officer of a labor organization" means any constitutional officer. That would include those who are actually named in the constitution of the organization, I take it.

Mr. KENNEDY. The Senator is correct.

Mr. McCLELLAN. Whoever is named in the constitution—the president, vice president, and secretary-treasurer—would be included in the Senator's definition.

Mr. KENNEDY. The Senator is correct.

Mr. McCLELLAN. Then it is said, "or in the absence of constitutional officers." I would strike that provision, if we want to be all inclusive. We should strike that provision and simply say, "or any persons performing the functions of the president, vice president, and secretary-treasurer of a labor organization." If we say "in the absence of" it would be necessary to put in only one name and the whole amendment would be ineffective.

Mr. GOLDWATER. That is correct.

Mr. McCLELLAN. There is no question about it. When it is stated, "in the absence of," it means the absence of the constitutional naming of officers. There is no reason we should squabble about this matter. We can draft language to do what apparently all of us want to do.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. HOLLAND. I have listened carefully to what the Senator has said. I think the Senator is trying to do what I would regard, at least, the right thing to do in this matter; which is to make the penalty statutes and other provisions apply to the officers or to the persons who are exercising the functions of officers.

I think the point just made by the Senator from Arkansas is a sound one, namely, that the substitute, as worded, would limit its application to anyone other than the charter or constitutional officers in the case or cases where the constitutional officers were absent.

Mr. KENNEDY. I will say to the Senator, I think he is quite correct.

Mr. President, I ask unanimous consent that I may strike out of the amendment, after the words "constitutional officer," the term "or in the absence of constitutional officers" and substitute the word "and," which would make the amendment read:

> "Officer" of a labor organization means any constitutional officer and any persons performing the functions of a president, vice president, and secretary-treasurer of a labor organization.

Mr. GOLDWATER. Mr. President, will the Senator yield at that point?

Mr. KENNEDY. I yield.

Mr. GOLDWATER. Even with the correction made, there are not included the very persons the McClellan committee has shown to be the worst actors in the labor movement. It would be possible to have a maximum of three officers under the proposed language.

Mr. KENNEDY. I will say to the Senator——

Mr. GOLDWATER. Please let me finish. The language does not include an organizer, international representative, and other persons acting for the union, and they are the ones who are usually elected officers of the union.

Mr. KENNEDY. If the Senator will permit me to reply, we do use the term "every officer and employee." The men the Senator just named are employees.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. GOLDWATER. No, they are not necessarily employees. I want to make clear that those men do not have to be employees in order to occupy those positions. In fact, in the course of the McClellan committee hearings we have found dozens of cases where such men are not related to the union but are performing the functions, if we want to use that word.

Mr. HOLLAND. Mr. President, will the Senator from Massachusetts permit me to address a question to the Senator from Arizona?

Mr. KENNEDY. I yield.

Mr. HOLLAND. First, I will say I completely accept and approve of the philosophy of the Senator from Arizona in offering the amendment. I believe that statement can be made with reference to the Senator from Massachusetts, for I think he also completely approves it, if I have understood his statement.

It seems to me that such sections as section 305, which applies to the service of convicted persons within the official personnel or the group of critical employees of a union organization, are ample in their designation of individuals. For instance, that particular section describes as those who are affected:

> An officer, director, trustee, member of any executive board or similar governing body, business agent, manager, organizer, or other employee of a labor organization (other than an employee performing exclusively clerical or custodial duties).

It seems to me that is about as general and as broad as anyone could ask.

The question I desire to address to the distinguished Senator from Arizona is this: Are there any other provisions with regard to applying penalties and restrictions because of an improper record or improper conduct on the part of individuals, to which the Senator can direct our attention, in which the wording is not sufficiently explicit to cover all the classifications of both officers and critical employees who should be included within such provisions?

Mr. GOLDWATER. Yes. I refer to the sections covering trusteeships and conflicts of interest.

Mr. HOLLAND. What section is that?

Mr. GOLDWATER. Section 102(a), beginning at the bottom of page 8.

Mr. KENNEDY. That is the conflict of interest section.

Mr. GOLDWATER. That is correct. The conflict of interest section is one.

The conflict of interest section requires reporting, but does not require it of the men the Senator has mentioned as being included in section 305. In other words, a part of my argument is that if the Senator from Massachusetts is willing to be explicit in section 305(b) he should be willing to be explicit throughout the bill.

We are talking about section 102(a), the conflict of interest section.

Mr. HOLLAND. Will the Senator state again the subsection to which he has referred?

Mr. GOLDWATER. I have just referred to section 102(a), which begins at the bottom of page 8 and continues on the top of page 9. It is the conflict of interest section.

Mr. HOLLAND. That refers to "every officer" and "every employee of such a labor organization"——

Mr. GOLDWATER. The Senator is correct.

Mr. HOLLAND. "Who received wages, salary," and so forth "in excess of $5,000." Does the Senator think that wording is not sufficiently broad?

Mr. GOLDWATER. I certainly do. In addition, we have learned of many instances in which these hoodlums have been paid less than $5,000. That in itself would prove the language would provide another loophole.

It is not enough to say:

> Every officer of a labor organization engaged in an industry affecting commerce, and every employee of such a labor organization.

My argument is that the Supreme Court has held the constitution of a union does not have to make any provision for officers. A labor organization can be a labor organization without having a president or any other officer. A labor organization which wanted to do so could operate without officers and would not have to report under the provisions of section 102(a). However, if we include, as my amendment provides, a definition of "officer" in the bill, then we would cover the entire bill and not simply section 305(b).

Mr. HOLLAND. Is there another section to which the Senator wishes to invite the attention of the Senate?

Mr. GOLDWATER. I refer the Senator to section 107, beginning at the bottom of page 19, of the bill. This section covers loans. It says:

> No labor organization engaged in an industry affecting commerce shall make directly or indirectly any loan or loans to any officer or employee of such organization which results in a total indebtedness on the part of such officer or employee to the labor organization in excess of $1,500.

Again, we could have the hypothetical union without an officer. Loans could be made to members, who might be assumed to be the heads of a group or to be performing some function in the organization, yet they would not have to report under the bill. Again, an officer does not have to be an employee.

Mr. HOLLAND. Does the Senator mean he thinks that provision should be extended to include the members also?

Mr. GOLDWATER. No; not the members. There is another provision in the bill which refers to members and, I think, refers to loans up to $250. That is a reporting requirement in the bill.

Mr. HOLLAND. Does the Senator wish to refer to another section he feels is in the same category?

Mr. GOLDWATER. Yes. I refer the Senator to page 21, section 109(b), which reads:

> When any officer or employee of any labor organization has been convicted of embezzling, stealing, or unlawfully and willfully abstracting or converting to his own use or the use of another any money or property of the labor organization in violation of the provisions of subsection (a), and the labor organization or its governing board or officers refuse or fail to sue to recover such money or property or the value of the same within six calendar months after being requested to do so by any member of the labor organization, any member of the labor organization may sue the convicted officer or employee—

And so forth. Again, who is an officer? We could have a hypothetical union, without an officer. We could have a union with one officer provided under the constitution, as called for in the Kennedy substitute, or we could have three officers, required, in the absence of a constitutional officer, in the Kennedy amendment.

Some one else would be performing the functions of responsibility of an officer, and would not have to make a report. But in the absence of a definition of "officer" it is my belief that none of the reporting sections have any validity, because unions could be so organized as to get completely around them.

Mr. HOLLAND. Are not all the various individuals listed in the Senator's amendment, other than officers, included within the scope of the word "employee"?

Mr. GOLDWATER. No; not unless they are on the payroll. We found case after case in the McClellan committee hearings in which they were not on the payroll. An officer does not have to be an employee. An officer can be from another union, as we found in the most recent hearings. An officer does not even have to be related to the union actively. In many cases officers are not even members.

Mr. HOLLAND. Does the Senator have other sections in mind?

Mr. GOLDWATER. I refer the Senator to page 30, section 201, the trusteeship section. Trustees, under the Kennedy substitute, would not be officers. Nor would it be necessary for them to be officers, unless the constitution so provided.

Again, the constitution does not have to name any officer; but in the absence of them the Kennedy substitute would provide for the president, vice president, and secretary-treasurer; and yet the trustee, the man who is responsible for the union, who is actually operating the union while it is under trusteeship, would not have to make reports.

Mr. HOLLAND. I thank the Senator from Arizona. I was impressed, above all, by the comment made by the Senator from Massachusetts [Mr. KENNEDY] to the effect that certain sections, including, for example, the non-Communist oath section, would be made to apply, in the event the amendment of the Senator from Arizona was adopted, much more generally, much more widely,

and to a much larger group of individuals than is intended by the act. Does the Senator wish to comment upon that particular situation?

Mr. GOLDWATER. There was almost complete unanimity in the committee in favor of removing the non-Communist oath entirely, and not making it apply to either labor or management. I subscribed to that proposal. However, it did not prevail in committee, and probably would not prevail on the floor of the Senate.

I would be willing to accept amendatory language which would exclude those persons from signing a non-Communist oath, if the non-Communist oath provision remains a part of Senate bill 1555. On the other hand, if the Senator from Massachusetts wishes to do so, I am perfectly willing to extend the non-Communist oath requirement to superintendents, foremen, and so forth, on down the line. I do not believe that anyone who is a real American would object to signing a non-Communist oath.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. KENNEDY. Will the Senator give an example of a case in which a man was not a member of a union, and would not be covered? The Senator stated that many cases were disclosed in the McClellan committee hearings in which persons exercised this kind of power without being members of unions. However, such a person would be subject to the provisions of the Senator's proposal.

Mr. GOLDWATER. One example is sufficient. I cite the case of Mr. Baker, who was operating as an organizer. If I remember correctly, he did not belong to any particular union.

The last case of which I have knowledge was the one involving the feather business in Chicago. We found a man who was not in the union, but who was controlling the union.

Mr. KENNEDY. No doubt Baker was on the payroll of the Teamsters Union as an organizer.

Mr. GOLDWATER. If the Senator wishes specific cases, I can submit them. I have a book full of them.

Mr. KENNEDY. I say most respectfully that I do not know what the Senator is concerned about, because it seems to me that the persons we are talking about, whom we wish to reach, are either officers, performing the functions of officers, or are employees. The Senator says that the McClellan committee hearings revealed that many persons were outside that category. As an example he cites Mr. Baker, who was an employee of the Teamsters Union.

Mr. GOLDWATER. I cannot remember the name of the man involved in the last case to which I refer. He was not officially connected with the union, yet he controlled several unions in Chicago. The case involved feather merchants.

Mr. KENNEDY. Let us be more specific. What was his function? Who was he? What was his relationship to the union?

Mr. GOLDWATER. He had no relationship to the union.

Mr. KENNEDY. He was not a member of any union?

Mr. GOLDWATER. He was a member of the Teamsters Union, but he controlled locals other than his own. All the locals in the community were beholden to him. A union not related to the Teamsters, but connected with the feather business, came under his control. I forget his name.

Mr. KENNEDY. What was his position in the Teamsters Union?

Mr. GOLDWATER. The Senator sat through the hearings, as I did.

Let me cite one further example, that of Frank Brewster.

Mr. KENNEDY. Frank Brewster was a member of the Western Conference of Teamsters, and he was a vice president of the Teamsters Union. He would be definitely an officer. He would be completely covered by the language of the bill.

Mr. GOLDWATER. Under the terms of the Senator's bill, the Western Conference of Teamsters would not be a labor organization. That is another subject which we expect to discuss.

Mr. KENNEDY. The Senator is wholly inaccurate. I shall be glad to read our definition of a labor organization. We discussed this question on the floor of the Senate last year. According to the language on page 51, line 5, among other things—

> A labor organization engaged in an industry affecting commerce—
>
> Includes a labor organization which—
>
> (5) is a conference, joint board, joint council, or other association or aggregation of labor organizations, as heretofore defined, subordinate to a national or international labor organization other than a State or local central body.

The Senator has cited the example of Mr. Baker, who was an employee. He has cited the example of Mr. Brewster, who was an officer; and he has cited the example of an unnamed man operating among certain feather merchants.

Mr. GOLDWATER. If the Senator wishes, I shall bring to the floor of the Senate the 40 volumes of McClellan committee hearings, and refresh his memory as to these cases.

The Senator has gotten completely away from the point. For some reason or other he does not wish to include in the bill the very people who have caused the trouble, the very level of people who have been causing the trouble, according to the evidence before the McClellan committee. Those people are not included in the Senator's bill, or in his substitute for my amendment. That is the whole case.

Mr. KENNEDY. The Senator and I differ in that regard.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. JAVITS. It seems to me that what we are trying to reach is a union official, rather than an officer, who is exercising the governing authority, even though he does not preside over meetings, as would a president or vice president, does not have financial records, as a secretary-treasurer would have, and does not have administrative or membership records, as would a secretary.

I do not believe that we differ in intention. I suggest that the change which the Senator from Massachusetts is willing to make go a little further, by adding, at the end of the category he has now written, the words "or exercising governing or executive functions therein." If we did that, we would include anyone, regardless of whether he qualifies, in ultimate effect or in name, as an officer, such as a president, vice president, secretary-treasurer, or secretary. It would include everyone who actually exercises any governing or executive functions.

Let us analyze the situation for a moment. First, the only thing that would be affected would be the non-Communist affidavit. Perhaps more persons would have to file a non-Communist affidavit. I do not believe there is anything wrong with that, if, in the ultimate end, we are trying to reach those who really control the unions, and exercise governing or executive functions, although I must say I agree with my other colleagues, that we would rather have the power exercised completely. We wish to deal with the man who controls the union, whether or not he performs the functions of an officer.

The only other complication that might ensue is with respect to the question of elections. I have asked the staff which handled the bill regarding that point. This is an important point for the purpose of the legislative record. The staff confirms my view that, notwithstanding the definition of the word "officer" now in the bill, it would not be necessary to elect all these people, under the terms of the bill, and that the election is confined to constitutional officers, which is another legal definition, not this one.

Hence I believe that the Senator from Massachusetts might well accept this point, in order to satisfy the Senator from Arizona, if it will—and I hope it will—and thus meet the criteria which have been established in the McClellan committee hearings, without materially jeopardizing the bill and causing it to break down because of administrative difficulties or because of the proliferation of some papers which must be signed. I hope the Senator will give sympathetic consideration to this suggestion.

Mr. GOLDWATER. What we are trying to do is to reach the people who are actually running the union.

Mr. JAVITS. Yes.

Mr. GOLDWATER. Would it not be better to provide "any person who performs the functions of president, vice president, secretary-treasurer, and any other executive or governing functions of a labor organization"?

Mr. JAVITS. I would not use the word "any." I did not want to use either "any" or "material." I would prefer to state simply "performs executive or governing functions."

Mr. GOLDWATER. I wonder whether the Senator from Massachusetts would accept the language suggested by the Senator from New York.

Mr. KENNEDY. I know the Senator from North Carolina wishes to speak. We would like to examine the proposed language further, to determine whether it is too far-reaching.

Mr. ERVIN. Mr. President, the distinguished junior Senator from Arizona has rendered a signal service to the Senate in calling attention to this problem, because of the danger of a court giving a strained construction to the term "officer" if no further definition is provided.

I believe, however, that the amendment as modified by the distinguished Senator from Massachusetts [Mr. KENNEDY] affords a complete answer to the problem, because it covers any person performing the functions of an executive officer. I am very much impressed by the breadth of the definition of those who are covered by the act in most cases and also by the specific nature of the definition dealing with those rendered ineligible for positions of authority by reason of their criminal records.

The bill before us is an extremely broad bill. Most of its provisions apply not only to those who are officers of unions but also to those who are employees of unions. It provides in most cases that the provisions would apply not only to officers, but to employees, except those who are acting in a custodial or clerical capacity. The relating to officers and employers words are about as broad as they can be made. They are not even restricted to employees who are exercising the powers of an agent. On the contrary, anyone who is acting on behalf of a union is included, except those who are discharging custodial or clerical duties. Where a distinction is necessary as in the case of those who have a record of criminal convictions, the bill is specific in pointing out those in exact terms it includes.

It seems to me that the amendment offered by the able and distinguished Senator from Massachusetts meets in full measure the problem to which our attention has been called by the able and distinguished junior Senator from Arizona.

While I am on the floor, I should like to commend both the junior Senator from Massachusetts and the junior Senator from Arizona for the untiring zeal and industry which they have devoted to the consideration of this proposed legislation. Both of them deserve the thanks of the Senate for their work.

Mr. KENNEDY. I wish to read the language which, I understand, the Senator from New York is suggesting:

> Except in section 112, the term "officer" means any constitutional officer, and any person authorized to perform the functions of president, vice president, secretary-treasurer, or other executive or governing functions of a labor organization.

Mr. JAVITS. That sounds all right to me.

Mr. ALLOTT. Mr. President, before a vote is had on the amendment, I believe there is one hole in the form in which the amendment is now written. It states, "president, vice president, secretary-treasurer." Under the decision of the Supreme Court, a conviction under section 302(c) has been set aside because, the Supreme Court has said, a trustee, even though elected by the union, is not an official of the union. Therefore, I would suggest, if the Supreme Court should be called upon to interpret this language, it would strictly apply it to a secretary-treasurer, and would not apply it to a secretary or a treasurer individually. I would therefore suggest that in the language we provide for "president, vice president, secretary, treasurer," and so forth. This would meet the objection I have in mind.

Mr. KENNEDY. The Senator suggests "secretary-treasurer, or secretary"?

Mr. ALLOTT. No; "secretary, treasurer."

Mr. KENNEDY. The Senator suggests: "president, vice president, secretary, treasurer, or other executive or governing functions," and so forth?

Mr. ALLOTT. Yes.

Mr. GOLDWATER. May we have that read again?

Mr. KENNEDY. Mr. President, I send the amendment to the desk and I ask that it be read. I also ask unanimous consent that the order for the yeas and nays on my amendment may be rescinded and that my substitute may be withdrawn. On behalf of myself and the Senator from New York [Mr. JAVITS] and the Senator from Arizona [Mr. GOLDWATER], I offer an amendment as a substitute.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Massachusetts?

Mr. GOLDWATER. I should be very glad to have that done, as we have now solved the problem which my amendment was intended to solve. Therefore I withdraw my amendment in favor of the amendment suggested by the Senator from New York [Mr. JAVITS] and the Senator from Massachusetts [Mr. KENNEDY], and which I am glad to cosponsor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Massachusetts? Without objection, it is so ordered. The amendment now offered by the Senator from Massachusetts will be stated.

The LEGISLATIVE CLERK. On page 51, between lines 11 and 12, it is proposed to insert the following:

> (k) Except in section 112 the term "officer" means any constitutional officer, and any person authorized to perform the functions of president, vice president, secretary, treasurer, or other executive or governing functions of a labor organization.

The PRESIDING OFFICER. Without objection, the order for the yeas and nays is rescinded, and the amendment is withdrawn.

The question is on agreeing to the amendment, as modified, offered by the Senator from Massachusetts.

The amendment, as modified, was agreed to.

Mr. KENNEDY. Mr. President, I move that the vote by which the amendment, as modified, was agreed to be reconsidered.

Mr. GORE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. GOLDWATER. Mr. President, I thank the Senator from Massachusetts for his cooperation in this matter. I think that if we continue to act in the same spirit, in an effort to get our work done without acrimony and with pleasantness all around, we will end with a much better bill than we have now.

Mr. KENNEDY. I thank the Senator from Arizona and the Senator from New York.

Mr. McCLELLAN obtained the floor.

Mr. LONG. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield, without losing my right to the floor.

Mr. LONG. Mr. President, I ask unanimous consent that there may be a quorum call without prejudice to the right of the Senator from Arkansas to hold the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. McCLELLAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. Moss in the chair). Without objection, it is so ordered.

Mr. McCLELLAN. Mr. President, on the 19th day of February, I introduced S. 1137, a bill carefully considered and designed to provide effective remedies for some of the perversion of decent unionism and flagrant exploitations and abuses that have been exposed by more than 1,200 witnesses who have appeared and testified before the Senate select committee of which I am chairman.

Subsequently, Mr. President, on March 12, I introduced four more bills—S. 1384, S. 1385, S. 1386, and S. 1387. These four bills deal with important revisions in the Taft-Hartley law, and are designed to prohibit organizational and recognitional picketing, secondary boycotts, hot cargo contracts, and the no man's land problem. The latter four measures I intend to offer as separate amendments to the pending bill.

Mr. President, at this point I may say, although I think the RECORD is already clear about it, it is not by choice that I have adopted the procedure I shall follow in offering certain amendments to the pending bill. I took the position in the beginning, and at the time the several bills on this subject were introduced, that the better legislative procedure would be to strike from S. 1555 all provisions dealing with amendments to the Taft-Hartley Act, particularly title VI of the bill. That issue was resolved yesterday on the floor of the Senate by a substantial vote. Title VI remains in the bill. Title VI deals with revisions of the Taft-Hartley law. Therefore, Mr. President, all Members of the Senate who have ideas about how the Taft-Hartley law should be revised are invited to offer amendments to the bill for that purpose.

It was my considered judgment that it would be better for the Congress to consider only the first five titles of the bill, or a bill dealing with corruption and

maladministration in union affairs. That is the most pressing and vital issue in the labor-management relations field at this time. Corruption wholesale is being perpetrated, maladministration and mismanagement are taking place to such an extent that in some places human beings are being virtually enslaved; and it is compelling that Congress take notice of the fact.

Rather than try to load the bill down with controversial issues, I thought the Senate should adhere to the original purpose of the bill, and try to enact legislation dealing with the problems to which I have referred; and then later consider separate legislation designed to revise the Taft-Hartley law, take up all controversial issues with respect to its revision, resolve them on their merits, and pass judgment on them according to the wishes of the majority. Unhappily, that was not done.

Whether the retention of title VI and the Taft-Hartley revisions it contains, and such amendments in that area as may now be added to the bill, will jeopardize the final passage of the bill, I do not know. But those who favor amendments or revision of the Taft-Hartley Act have no alternative but to seek to have adopted amendments which they think important when the occasion is offered for revision of the Taft-Hartley law.

It will not be the first amendment I shall offer to the bill, but the second or certainly the third amendment will be to revise certain sections or provisions of the Taft-Hartley law.

I shall either offer S. 1137—which is the original bill I introduced—as an amendment in the nature of a substitute for all of S. 1555, or I shall offer substantial provisions of S. 1137 as amendments in the nature of substitutes for certain sections and provisions of S. 1555. I shall also offer other amendments that I deem necessary to make S. 1555 a strong and effective piece of legislation, one that will get results and do the job that is needed, or as much of it as it is possible to get done by the will, consent, and approval of the U.S. Senate.

Mr. President, I am in an unhappy situation. I had hoped that the bill reported by the Committee on Labor and Public Welfare would be such a bill as I could support enthusiastically, without qualification or reservation. I had hoped it would not be necessary for me to offer any amendments to it which went beyond technical revisions. I had hoped amendments would not have to be offered to deal with the substance and effectiveness of the proposed legislation. Unhappily, in my humble judgment, there is not before the Senate a bill we can accept without trying our best to amend it in some vital particulars.

I have said that I believed the bill was inadequate in some areas. I find the views I hold are shared by many, many persons throughout this country. I base that statement on the letters I am receiving daily and constantly, which state in effect, "Please do something to strengthen the Kennedy bill. Please offer and fight for your own bill or bills to deal with this problem."

It would have been a matter of personal pleasure, indeed, and I would have much preferred, to defend every title, every section, and every provision of the pending bill. I would have been happy to say that it needed no strengthening and needed no revision. I would have been happy to say, "Let us forget about amending it. Let us pass it, make it law, make it effective, and get results." But when I received letters, telegrams, and telephone calls urging that the pending measure be strengthened, I had to remind those from other States who contacted me that I could not have my bills passed, that I could not amend the pending bill, that I could not fight their battles alone, and that I would have to have the help of their Senators, if I was to be successful.

There is another reason why I am taking the position I am asuming today. I have occupied a position in the Senate which carries with it what I consider to be a great honor; that is, to be the chairman of a select committee which was created more than 2 years ago and given an assignment, a duty to perform, a mission to carry out for this great body, namely, to inquire into the criminal actions and improper practices which might be going on in labor-management relations.

For some 26 months the committee has functioned, and it is functioning in the 27th month. I believe the committee has functioned effectively. I know it has functioned constantly. I doubt if in the entire history of our Government any committee has ever worked harder and produced more in the same length of time that this committee has been in existence. Certainly credit is due to the Members who compose the committee, who have in the performance of their duty been called upon to do more than perform merely the ordinary duties associated with the office of a Senator of the United States.

The evidence is recorded in many volumes of testimony. I think there are now about 45 volumes of public hearings. After hearing more than 1,200 witnesses, I believe I can say to the Senate and to the country today that the committee has produced a record, which it has brought to the Senate and to the entire Congress, and which gives the facts and the information the Congress wanted and needed so that it might be informed as to what is happening, and so that it might become acquainted with the conditions which prevail in order to legislate intelligently to remedy and to correct conditions, where such correction was indicated by the facts.

Mr. President, I say—and I say it without fear of successful challenge—that if the Senate does not now and if the Congress does not now meet its responsibility to deal with this problem effectively and to enact legislation which will get results—if it does not do it, and if it will not do it on the basis of the record the select committee has presented to the Senate—then it will not do it if we double the record. The record is available. If we do not pass appropriate legislation, and if the changes which are needed and required are not provided, I do not believe it can ever be said it is the fault of the select committee for not bringing to the Congress the information Congress needed.

Yes, Mr. President, for more than 2 years members of the select committee, Members of Congress, and the citizens of this country generally have been shocked and nauseated by the disclosures of impositions and abuses which have been perpetrated upon the working people of many of our States by the thugs who have muscled into positions of power in labor unions and who masquerade as labor leaders and as friends of working people. The forms these impositions and abuses have taken are now familiar to all of us by countless repetitions such as: The capture or purchase of local unions; the denial of democratic processes in the unions; the denial of freedom of speech and freedom of assembly by union members; the denial of the right to vote and to have any voice in the selection of officers; the denial of a voice in the formulation and adoption of policies; brutal, physical violence, vandalism, instilled fear, and economic coercion, used to silence objectors; the use in some instances of union funds to corrupt public officials; the direct extortion of money from small businessmen, who are peculiarly vulnerable to racket union shakedown tactics; the looting of union treasuries and welfare funds; the use of trusteeships for power purposes; forcible top-down organization by compelling employers to violate the legal and moral rights of their employees by delivering them under contract to the unions without their knowledge in many instances, and in others against their will and without their consent; the appointment of known criminals and unreformed convicts to positions of trust and authority over rank-and-file union members; or some combination of any or all of these practices. What I have named are not isolated instances.

Mr. President, I do not want anything in this RECORD to reflect that it is my view at all that all unions are "crooked" or that all labor leaders are "crooked." I am confident the great majority of them are honest, dedicated persons. But, Mr. President, the great majority of American citizens are also honest, dedicated persons; and yet we have laws for the protection of our people. We need in this instance laws to correct some of the conditions to which I have just referred.

The select committee's hearing record is replete with many and varied forms of such improper acts, improprieties, and even crimes against rank-and-file union members.

Yes, I think it can be said without successful challenge that two main facts emerge from the voluminous record the select committee has compiled: almost invariably the abuses, the compulsions, thievery, thuggery, skulduggery, and sometimes skull-splitting tactics are practiced against workers—certainly more often than against employers—and the arbitrary powers over workers thus acquired by such tactics almost invariably are used, or misused, for personal

aggrandizement, power, and personal enrichment.

Some of the so-called unions that resort to such acts are, in fact, more like businesses operated for private profit rather than unions for the benefit and welfare of the workers. The profit is made and goes into the hands of individuals by the ruthless exploitation of workers and by the cynical perversion of unionism. Thus, the only resemblance between such corrupt unions and decent legitimate unions is that both are treated alike by the law; both have the same exemptions and privileges under the law; and both have the same unrestrained tremendous powers.

Most unions use these powers with propriety, or at least measures of restraint, but some do not. But it is the possession and the present lack of adequate regulation of these powers which invites corruption and which makes the union movement attractive in some instances and profitable for exploitation by the racketeers, the corrupt, and the unscrupulous.

No one knows how many thousands or even millions of workers are the victims of such exploitation or how many more workers may readily become victimized if effective laws are not passed to prevent it. Mark this well, however; no one is immune. The invasion of unionism by thugs and hoodlums has gone much further and is more extensive than we may think.

The Senate select committee has barely scratched the surface.

Sometimes we hear comments to the effect that the Senate select committee has looked into only about a dozen unions; that there are several hundred unions in the country, and therefore this is a small matter. That is true with respect to the number of unions, but again I assert that no doubt the great majority of unions and union leaders are honest and dedicated, but the largest and most powerful union in the country today, the one which is seeking more and more power, power paramount over that of Government itself, is beyond all doubt corrupt. There can be no question about that. More than 1½ million persons are members. Practically all of them are honest, decent citizens; but they are in a vise, and must have some relief.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. ERVIN. I do not wish to interrupt if the Senator prefers not to have me do so.

Mr. McCLELLAN. It is perfectly agreeable to me.

Mr. ERVIN. I ask the Senator if the select committee did not find that in one case a man who had served a term in the Federal penitentiary at Leavenworth for impersonating a Federal officer, and who afterward had been involved in an armed robbery and had been sentenced to a term of not less than 10 nor more than 25 years in the Ohio State prison for such armed robbery, was taken out of the prison on parole, and almost immediately given a position as a business agent of a union which had been placed in trusteeship.

Mr. McCLELLAN. Yes. The Senator has referred to one instance. That is one of the outstanding cases, but there are a number of similar instances.

Mr. ERVIN. I ask the Senator if the evidence did not further disclose that after this convicted armed robber had been placed in control, as the business agent, of the affairs of this local of the Teamsters' Union, a complaint was made to the Teamsters' Union by a number of businessmen to the effect that this man was practicing extortion upon them; that they asked the then president of the conference of the Teamsters' Union to conduct an investigation; and that the president of the conference of the Teamsters called in the convicted armed robber whom he had placed in a position of authority and asked him whether he was guilty of the charge or not; and when the convicted armed robber said he was not guilty the president of the conference of the Teamsters dismissed the subject from his mind without any further investigation, and without even having the courtesy to reply to the persons who had made the charge against his appointee?

Mr. McCLELLAN. I do not recall how he may have responded to those who made the complaint, but I remember that Mr. Hoffa said, "I called him in and asked him if he had done it, and he said 'No,' and that was the end of it."

Mr. ERVIN. I ask the Senator further if it is not true that the nephew of this particular convicted armed robber was a man who became known last August as the human torch.

Mr. McCLELLAN. He and his brother, or uncle, were both taken out of prison.

Mr. ERVIN. By reason of his tragic death, resulting from an explosion while he was preparing to blow up a dry cleaning establishment, the nephew became known as the Human Torch. I ask the Senator if the evidence taken before our committee did not show that this person, the Human Torch, who had been sentenced to prison for various offenses shortly after being discharged from prison, was placed in a like position of authority in charge of another of the Teamster locals by the present president of the Teamsters' Union, Mr. Hoffa?

Mr. McCLELLAN. I believe that the man who became known as the Human Torch—I believe his name was Keirsdorf—and his uncle were both taken out of prison, paroled, and given official positions in the union, one of them immediately, as I recall, and the other shortly afterward.

Mr. ERVIN. As the Senator stated a moment ago, we found case after case of men who had been sent to prison for such serious crimes as armed robbery, burglary, extortion, and the like, subsequently being given positions of authority over honest and law-abiding, rank-and-file members of unions.

Mr. McCLELLAN. We found that to be true in many instances—so many that it is absolutely shocking to people who have any regard for decency and for the rights of human beings.

Mr. ERVIN. I thank the Senator from Arkansas.

Mr. McCLELLAN. I thank the distinguished Senator from North Carolina, who is a member of the Senate select committee.

The situation is sickening. It is almost impossible to believe that some of these things are happening in America.

A moment ago I stated that the Senate select committee had barely scratched the surface. For every case that has been investigated, there are literally hundreds of complaints that the committee has not had the time and the resources to touch. They still come in. A number of them are individual cases, but others involve whole unions. Notwithstanding the fact that during the 27 months since the committee was created it has held approximately 250 days of public hearings, it has been impossible for the committee to process all the complaints. We shall never be able to get around to all of them.

We do know, however, that every worker in the country is a potential victim; every union man who is not protected by effective law which he can use against beatings and tortures and job loss as reprisals for assembling, for speaking up in meetings, for making inquiry about the financial affairs or other actions of his union or its governing body is a potential victim; every citizen of the Nation is a victim to a degree of the consequences of the spread of corruption; and the most tragic potential victim of all is the honest, decent, idealistic union movement itself. For these there is a Gresham's law of people and the bad will drive out the good if the incentive is there for the bad to move in.

A little later, at the conclusion of my remarks, I shall invite attention to some headlines in today's newspapers which will substantiate and point up effectively the conditions to which I have referred.

The workers of our country, indeed, all the people of our country, are looking to us for relief. They are looking to us in the Congress to do something about this evil, and they are looking to us for relief from the evils associated with these parasites upon unionism.

They are entitled to effective relief. If we give these evils only superficial treatment and do not apply an adequate remedy as the chosen representatives of the American people, we will have been derelict in duty and failed in our responsibility. They have a right to expect, and we are under obligation to produce, something better than the illusory word "reform" as a cure for the ills that we know exist.

Mr. President, I do not believe that racketeering, corruption, abuse of power, and other improper practices on the part of some labor organizations can be, or will ever be, prevented until and unless the Congress of the United States has the wisdom and the courage to enact laws prescribing minimum standards of democratic process and conduct for the administration of internal union affairs. I mean by that, Mr. President, that the Congress should prescribe and define by law what the rights of union members are, place in them by democratic process the power to secure those rights, and protect them in their efforts to do so

from reprisals of any kind from their would-be exploiters, manipulators, and bosses. Without such protection, other provisions of law may be of little benefit and meaningless. Without such protection in the exercise of his legitimate rights, the records of our committee's investigations show over and over again that a rank-and-file member dare not risk any opposition to a corrupt or autocratic leadership. If he does so, he may be beaten, his family threatened, his property destroyed or damaged, and he may be forced out of his job—all of these can happen and have happened.

Having these things in mind, Mr. President, I introduced S. 1137 to provide a bill of rights for working people—for union members. If this bill should be enacted into law, it would bring to the conduct of union affairs and to union members the reality of some of the freedoms from oppression that we enjoy as citizens by virtue of the Constitution of the United States, which incidentally does not make an exception for union members.

Sometimes the question is asked, "Why should we enact legislation protecting such rights for union members and not for members of any other organization?" I think the answer is twofold. In the first place, the justification and certainly the desirability for unionization is the fact that the individual worker in an industrial economy has little or no power, when he stands alone, to deal effectively with his corporate employer. It is through unionization and bargaining collectively that he is able to make himself heard at the bargaining table. It seems clear, therefore, that this justification becomes meaningless when the individual worker is just as helpless within his union as he was within his industry, when the tyranny of the all-powerful corporate employer is replaced by the tyranny of the all-powerful labor boss. The worker loses either way.

Second, I deem it appropriate that we insure by law internal democracy in unions and provide for proper protection of union members and their rights, because unions themselves exist and operate under powers and protection conferred by the Federal Government in a unique manner and to an unequal degree. Once a union has been certified by the National Labor Relations Board, for example, the employer is compelled to bargain with that union as the exclusive representative of all the workers within the bargaining union, irrespective of whether they are members of the union or not. If unions are to have such federally bestowed, tremendous powers in industrial government, they should be compelled by law to represent their members in accordance with democratic principles and to accord to them the basic rights of liberty, freedom, and justice.

Union members are supposed to be free men too, and they are entitled to legislative protection from autocratic rule, from personal violence, from corruption, and from threats and intimidation intended to deprive them of those rights to which they are justly entitled.

If they are protected by law, as I propose that we do, then no longer will a man have to cringe in terror because he may have spoken a word that offended a petty tyrant, or because he asked the wrong question, or because he wants to know where his dues money went.

Mr. President, one of the most salutary effects of S. 1137 would be its effect upon the quality of union leadership. The strongest support for the provision of S. 1137, and particularly the bill of rights provisions, should come from decent traditional union leaders. It will protect them from the assaults of those who would capture their unions. And I may say, Mr. President, that if present trends are not checked and if powers now in the hands of such men as Hoffa and his ilk, are not restrained—make no mistake about it—the day is swiftly approaching when that group and that element will gobble up decent unionism in this country, and the Meanys and others whom we respect and whom we feel represent the best in unionism today will be supplanted by the Hoffas, the Brennans, the Duoguardias, and men of their stripe.

When that day comes, Mr. President—and I say this in all seriousness and solemnity—we will not be here on the floor of the Senate debating whether we will provide the individual working dues-paying members with a bill of rights; when that day comes, Mr. President, we will not be here debating any issue with respect to the rights of the laboring man; those rights will have already been destroyed, and it will be too late.

Before I conclude my remarks I shall show the Senate cumulative proof to support exactly what I am saying. I am warning, with all the force at my command, my colleagues and the country that we are in danger from within from the elements about which I speak today.

In many instances the temptation of the privilege to compel men to yield him unrestrained power and personal riches attracts to the unions a certain kind of officer—the boss type. The prosaic processes of persuasion and service have little or no appeal to such a man. Why do hoodlums and racketeers and the criminal element of the type I have indicated infiltrate unions? Why do they do it? There is something there which is attractive to them. What is it? It is power. What is it? It is the opportunity to get rich by the exploitation of other men. That is what it is. We are either going to deal with it now, or, if we fail to deal with it effectively, we are not meeting our responsibility.

The type of person I have referred to has no concern for the workingman. That type of person exploits the workingman. Some of these "bosses" have businesses of their own. They threaten strikes.

That is the kind of person against whom we propose to legislate; not the good union leader; not the good union officers. Certainly if we do not legislate against the good ones, we must legislate against the bad ones, the ones who have the tendency or the temptation to commit crimes.

I believe it reasonable to expect that the removal of temptation, the ending of autocratic rule by placing the ultimate power in the hands of the members, where it rightfully belongs, so that they may be ruled by their free consent, may bring about a regeneration of union leadership. I believe the unions should be returned to those whom they were designed to serve; they should not be left in the hands of those who act as masters. The unions must be returned to their members, to whom they rightfully belong.

I do not believe that unions in our society are supposed to be, or that they should be, permitted to be the masters of the members. Unions should be the servants.

Our basic labor policy is grounded in freedom of choice. In it we sought to make effective full freedom of association, with the right assured to associate or not to associate, to participate in collective action, or not to participate, according to the free decision of each individual for himself, without either restraint or coercion from any source. That, Mr. President, is a sound policy. It is a policy that represents the rights of men and respects the dignity of man. In my judgment it is the only policy consistent with a free society.

I feel very strongly, Mr. President, that "compulsion"—one of the ugliest words of our language—is a subversion of that policy. To the extent that it is permitted to be an element of the relationship between union leaders and union members, it is a denial of basic freedoms.

I am convinced, Mr. President, based upon the observations I have made and the knowledge I have gained as chairman of the select committee that S. 1555 does not adequately meet the needs of union members for the protection of their rights. It does not afford adequate sanctuary to the exploited and the oppressed. I propose, therefore, Mr. President, to offer some strong amendments—amendments that will be in the interest primarily of workers—of union members and for their protection; amendments designed to insure greater integrity in the administration and management of union affairs. I know there are those among my colleagues who honestly think that S. 1555 is a bad bill. If they think so, then I ask that they join with me to make it a good bill. I know, too, there are those of my colleagues who honestly believe that S. 1555 is a good bill. I ask them also to join with me in these strengthening amendments so as to make it a better bill. Where the provisions of the bill make empty gestures or indulge in pleasant platitudes, let us supply amendments having words and provisions which will give this measure real force and meaning, which will make it an instrument of vitality and effectiveness—one to which decent unionism can repair, and one of which the hoodlums, racketeers, and exploiters will despair.

Mr. President, I have pointed out some of the dangers which loom large before us. I call attention to the headlines in the right-hand column of today's issue of the Wall Street Journal. I have always defended the great majority of unions and union members, including their leaders; but I warn them

that they are in danger of losing that which they cherish and that which is precious to them. They ought to be joining in this fight today, urging us to pass an effective bill.

I do not propose, knowingly, to offer any amendment to the bill which I think would jeopardize, unduly restrain, retard, or hinder the progress, survival, and functioning of honest, decent unions designed to serve the workers. But I say we cannot leave unlimited and unrestricted power in the hands of the leaders, however much a great majority of them may use it wisely, because there are those in the labor movement who will not use power wisely, but will use it for the purposes of oppression, self-aggrandizement, and self-enrichment, and for the exploitation of the very people whom it is their right and duty to serve and to protect.

Senators have heard before Mr. Hoffa's threat of what he plans to do. Look at these headlines from the Wall Street Journal: "Hoffa's Combine: He Quietly, Informally Builds Potent Alliance of Transport Unions."

That is the threat he makes. Senators have heard before that he plans to form an association or a combination of all the transportation workers in the country. Into what? Into a force and a power. Who will exercise that force? Who proposes to use that power? Who will be the head of such an amalgamation? It will be Hoffa and his crony, with whom he proposes to make this alinement—Bridges, from the west coast, or someone like him—or a combination of them.

Where is the danger? I shall not take the time to read all the article, but it is spelled out on two pages.

Mr. President, I ask unanimous consent that the entire article be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. ERVIN. Mr. President, will the Senator yield for a question?

Mr. McCLELLAN. I yield.

Mr. ERVIN. Does not the evidence which has been presented to the McClellan committee justify drawing the inference that James R. Hoffa, the present president of the Teamsters' Union, has more actual power today than any other man in the United States, except perhaps the President of the United States?

Mr. McCLELLAN. If he gets the power which he is seeking; if he achieves an amalgamation or establishes what he calls a conference—I care not what he names it—if he gets control of all the unions in the transportation industry in this country, he can have the Government at his mercy, and he will have it at his mercy. The Government will have to do his bidding; otherwise commerce will be stifled and industrial plants will be shut down. Someone has said he could starve a city in a few days. Is he making progress? Certainly. He blabbed his mouth, and said what he was going to do; but there was so much resentment throughout the country that he has quieted down.

But if this report of what he is doing is more than half true—and I have reason to know that it is more than half true—he has already formed an alliance or some kind of agreement with the Western Conference of Teamsters and Harry Bridges and his crowd.

Mr. President, someone has said, "You do not expect him to call a nationwide transportation strike and close down everything, do you?"

No; I would not ordinarily expect him to operate in that way. But they will play one section against another and one industry against another and one transportation power and force against another.

If he can compel the longshoremen on the east coast and those on the west coast and the workers in the airplane industry and in the trucking industry and all the others to join in the movement, who will tell me that he cannot have the economy of the Nation in his grip, to do as he pleases with it? That is the danger.

Mr. President, the danger does not come from good union members. Again I say that the Meanys and the others who today represent the best in unionism ought to be pleading with us at this very time to pass laws to deal with these matters.

Some Senators say, "Oh, well, the A.F. of L.–CIO has a code of ethics, and I do not want to criticize the bill that is before us." I am not doing so, Mr. President; it contains some good provisions. All it needs is some strengthening in certain areas, in order to make it a good and an effective bill. It will not reach all the areas I am talking about now; we shall have to deal with them on another day. But the bill will go a long way toward doing that.

But what does Mr. Hoffa care about a code of ethics? How much respect has he shown for the code of ethics of A. F of L.–CIO? It is a good code. I think we could endorse everything in it and its principle and its purpose and its objective. I have no criticism of it. But what did Mr. Hoffa think of it? Today there are a million and a half people under his domination. What does he think of that code?

In this bill we are stating that it is in the national interest for unions to develop codes of ethics on a voluntary basis. Mr. President, do you think Mr. Hoffa will pay any attention to that? Would you like to be under a code of ethics which he would formulate and under which he would operate? Based on the record, I certainly would not. That indicates how serious this matter is.

I said that I was not going to read all the article to which I have referred. Instead, I requested that it be printed in the RECORD at the conclusion of my remarks, and it will appear there.

At this point I wish to call attention to another article which appears in one of today's newspapers. Certainly it did not appear there by my design. I had not planned it; I had not thought of it; and I did not know it was going to be published. But on the second page of today's issue of the Washington Post what do we find? We find an article which refers to the fellow—Harry Bridges—with whom Hoffa has already formed some kind of alliance in the Western Conference of Teamsters.

I read from the article:

BRIDGES, COMMITTEE WRANGLE FOR 4 HOURS

Harry Bridges and the House Un-American Activities Committee wrangled for 4 hours yesterday in what set out to be a discussion of passports.

Among other things, the west coast dock workers' boss refused under the fifth amendment to state whether he was a Communist.

The article also states that he would not state whether he had gone under an assumed name.

Mr. President, just think of the many workingmen who are under the control and under the leadership and under the domination of men like that.

All my colleagues should sit on the committee with us and should see the slackers who take the fifth amendment when questioned about their stewardship for the workingmen who sweat to earn the dues they pay to these unions.

We ask them, "Do you honestly believe that if you gave a truthful answer to that question, the truth might tend to incriminate you?" They reply, "Yes."

Those are the persons we are legislating against—not the Meanys, not those who want to do right, and who are trying to lead a decent labor movement.

Mr. President, I say to you that, in my judgment, if we do not legislate as we should, the day will come when Mr. Meany and the others like him will be begging us to do something in this field.

Mr. President, do you know what the next step is, and where we shall have to go if the proposals I have made and those which I intend to make—and I regard them as the very minimum—are not put into effect? Do you know the next step that will have to be taken in order to control the Hoffas? We shall have to put the transportation unions of the country under the antitrust law; that is the only power we have left to control them.

Hoffa has said the Government cannot stop him. Mr. President, I ask my colleagues whether they are going to take that. I am not.

Mr. President, I may never come back to the U.S. Senate. The task I have been called upon to undertake has not been a pleasant one. But I would be untrue to my ideals, I would be unfaithful to the trust which has been reposed in me, I would be false and untrue to my conscience, I would be derelict in the performance of my duty, and I would give evidence of lack of courage—certainly lack of political courage—if I did not stand here today and fight and hope and pray that this great body and the Members of the other House will rise to the challenge which confronts America and, without reserve and without timidity, will strike a blow against corruption and thievery and oppression and exploitation of human beings who have to belong to unions in order to hold jobs and earn a livelihood for themselves and for their families.

Certainly this bill will do some good. But it can be made more effective, and

thus do much greater good. That is what I am pleading for.

Mr. ERVIN. Mr. President, will the Senator from Arkansas yield to me?

Mr. McCLELLAN. I am happy to yield to my distinguished friend.

Mr. ERVIN. Mr. President, I should like to ask the Senator from Arkansas a question: For more than 2 years, have not persons who occupy positions of authority in the unions which the committee has investigated come before the committee by the scores and testified, under oath, to the committee that they could not disclose to the committee anything they had done as officials of their respective unions, without incriminating themselves in the violation of some criminal law?

Mr. McCLELLAN. Yes; that is true.

Mr. President, out of the 1,250—in round numbers—witnesses who have appeared before the commitee, 237, I believe, according to the last count—that number can vary by half a dozen either way—took the fifth amendment. I know that sometimes we are criticized for bringing them before the committee and for asking them questions. But, Mr. President, merely because a witness is going to take the fifth amendment, should he be immune from questioning about affairs so important and so vital to society, to politics, and to government? Let me say that sometimes—whether they realize it or not—they reveal much more, by cloaking themselves with the fifth amendment robe, than they would reveal even if they would answer the questions.

Mr. ERVIN. Mr. President, will the Senator from Arkansas yield to me for a statement?

Mr. McCLELLAN. I am glad to yield.

Mr. ERVIN. I should like to say that I have now lived a long time, and during my life I have been privileged to witness the conduct of many persons under many circumstances. I should like to bear witness to the fact that I have never known any human being to exhibit more moral and political courage than that which has been exhibited by the able and distinguished senior Senator from Arkansas [Mr. McCLELLAN], as chairman of the Senate select committee.

Mr. McCLELLAN. I thank my colleague; I thank him very much. It has not been a pleasant task. I only hope that I have in no way failed my colleagues in this body, all of whom I cherish and appreciate. Above all, I hope I have not failed my country in trying to meet and discharge the responsibilities of my position.

I can say for everyone who has served on the committee that it is only natural, as we know, to have different viewpoints; but everyone who has served on the committee, those now on the committee and those who may have retired from the committee for one reason or another, have been very, very kind to the chairman. They have been cooperative. They have been helpful. They have been sympathetic. They have been understanding.

Let me say to my colleagues with emphasis that fortunately for us, for them, and for the country, we were able to assemble a marvelous staff, employees who were trustworthy, who were industrious, who were loyal to their country, who worked long hours, when the Senator and I were sometimes at home asleep, digging out and getting the facts to inform Senators, so we might know how to legislate to deal with the evils we have uncovered.

Mr. President, I now call up my amendment numbered——

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. McCLELLAN. I am happy to yield.

Mr. LAUSCHE. I feel I would be delinquent unless I expressed my gratitude to the Senator from Arkansas for the very forceful argument which he has made in the Senate today. I have no question that, in the pursuit of the assignment which was given to him, he has had in mind solely the service he could render to his country and his fellow men. I pay my respects to him, in the firm belief that he has approached his responsibilities courageously.

As for ourselves, I think we shall be betraying the expectations of the people of our country unless we rise to the occasion and enact legislation which will adequately cope with the disclosures made by the McClellan committee through its investigation. There will be nothing worse we can do than to concede, by the enactment of inadequate legislation, that the Senate of the United States does not have the power and the courage to speak up, and if we thus admit that there is a power more potent than the Government itself dictating what we may do.

I do not want to be a party to the enactment of legislation for which I had to obtain the consent of powerful economic leaders in this country. I will vote for that measure which I believe is right. I am not willing to join in bringing odium upon this dignified body by saying that I will vote only for a legislative proposal to which consent has been given—not by the people, but by powerful economic leaders who threaten Members of the Senate with destruction politically unless they follow their dictates.

Thanks very much to you, Senator McCLELLAN. Whether you go down to defeat or not because of what you are espousing, time will make you big. It will make you big because you have been courageous and have not succumbed to political expediency. You have stood by what is morally right, even though it is disadvantageous to you.

Mr. McCLELLAN. I thank my distinguished friend from Ohio. Everything complimentary he has said about me I accept in the name of each member of the committee. JOHN McCLELLAN could not do anything, the committee could not do anything, unless we worked together, trying to put the interest and the welfare of our country first, making allowances for the different viewpoints which men have in dealing with the important affairs of life.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield to the Senator from Arizona.

Mr. GOLDWATER. It has been my happy privilege during my 7 years in the U.S. Senate to have served on two select committees with the distinguished Senator from Arkansas [Mr. McCLELLAN]. The first was the one created to investigate campaigning and lobbying, and the other, of course, is the famous McClellan committee investigating labor and management practices.

I would be remiss in my duty to my conscience today if I did not tell my colleagues of my high opinion of Senator McCLELLAN. He has had two difficult jobs in a row. He has applied himself assiduously—I may say completely—to those responsibilities. He has worked far harder than has any other chairman with whom I have come in contact. I cannot recall one meeting of either of the two committees I have named when the Senator from Arkansas was not in attendance. I think he has attended every meeting of the McClellan rackets committee. He stands today on the floor of the Senate as an authority in the field we have been investigating, knowing more about it than do any of the others of us.

I join the Senator from Arkansas in paying tribute to the staff of the committee. It has as efficient a staff as I have come in contact with in the Senate. It is made up of capable, hard-working persons.

When the Senator from Arkansas expresses a doubt whether he has discharged his duties to his country in his position as a U.S. Senator, let me, as one Senator, say he has fulfilled his obligations completely; and now the weight of responsibility is on his colleagues, and not on the Senator from Arkansas. Whether the Senate passes a meaningful, workable labor bill is not up to the Senator from Arkansas; it is up to every Member of this body.

If we obey the admonition from the lips of George Meany that there are certain limitations and bounds to the kind of legislation he will accept, then I think we have reached a sad day in American history. If, instead, we listen to the arguments on the floor of the Senate, pro and con, and vote for what we believe will be the most effective legislation in the field, then as U.S. Senators we shall have discharged our duties to the people of the country.

As a Member of this body, I am very proud we have a man like Senator McCLELLAN serving in the Senate.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. McCLELLAN. Yes.

Mr. CURTIS. I join the distinguished Senator from Arizona in paying tribute to the chairman of the committee, the Senator from Arkansas [Mr. McCLELLAN]. So often it happens that visitors will attend a session of the labor rackets committee and, upon leaving, will say, "How can you stand this day after day?"

I think that is significant of the difficult task which the Senator from Arkansas [Mr. McCLELLAN] has performed. He has been present at and has

presided over almost every session of the committee. He has been patient with all. He has given of his time and talents far beyond the demands of serving the economy and the welfare of the State of Arkansas. That service he has rendered well, but he has, in addition, rendered a service to the entire country. He has pointed up a series of problems which, if not corrected, will lead to a gangster economy in this country and will add to the inflationary trends, pushing the public interest far into the background.

The Senator from Arkansas today and in the days which will follow, as we consider the bill, will be offering amendments which are the result of mature deliberation. They are the result of listening to the testimony not merely of one side but of all sides to these controversies. Mr. President, I hope that everyone who believes in law and order and who believes in the right of working people to run their own unions, manage their own affairs, and have possession of their own property will support the Senator from Arkansas on the amendments he will offer.

I am grateful for the position the Senator from Arkansas has taken with respect to this proposed legislation.

Mr. McCLELLAN. I thank my colleague.

Mr. BRIDGES. Mr. President, will the distinguished Senator yield to me?

Mr. McCLELLAN. I am happy to yield.

Mr. BRIDGES. I desire to join with others of my colleagues in paying tribute to the distinguished Senator from Arkansas [Mr. McCLELLAN] who is a truly great and courageous American. In the conducting of his hearings during the past several years he has rendered an inestimable public service, and has made an invaluable contribution to his country. I hope the Senator's recommendations in the labor-management field will receive the thoughtful consideration and support of the Senate.

I regret I was unable to be present to hear all of the Senator's forthright and outstanding speech. At this time I want to compliment him for making available the enormous amount of evidence that has been acquired through the efforts of his committee, which he has so ably and conscientiously chairmaned. This information, judiciously used, can result in the enactment of legislation that will be equitable to labor, management, and the general public. To that end, the efforts of the senior Senator from Arkansas have been devoted, and I compliment him.

Mr. McCLELLAN. I thank my friend from New Hampshire.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. McCLELLAN. I am happy to yield.

Mr. ALLOTT. Mr. President, I know the modest approach the Senator from Arkansas has, and I am aware that these words of praise must embarrass him; yet I cannot, personally, let this opportunity pass without paying my respect to him for two things: first, for the great work he has performed as chairman of the select committee; and, second, for the magnificent address he has delivered today upon the floor of the Senate. It has been my privilege to sit in the Chamber and hear every word of his address, and I have never been more moved since I have been a Member of this body than I was while listening to him. I was particularly impressed by his statement, so well expressed, that those of us who are concerned about this matter are not interested in punitive measures against good labor organizations or good labor leaders, but rather are concerned that unless we provide curbs and, unless we write meaningful legislation, not only will the rights of the workingmen be adversely affected, or perhaps even destroyed, in the next few years, but also perhaps the whole economy and all of America will be adversely affected.

I think the Senator from Arkansas has rendered one of the greatest services to the Senate that any man can ever expect to render in a lifetime.

Mr. McCLELLAN. I thank my friend. I know that his remarks are far more complimentary than I deserve. I have simply, with my colleagues, labored in the vineyard of duty as I saw it. I am hopeful our labors will not have been in vain.

Mr. President, some reference has been made to politics. I did not relish this job when I took it. I realized there was a job which needed to be done. But I assure Senators that when I accepted the appointment and when I became the chairman of the select committee I was under no illusions whatsoever about the political implications or the dangers which were inherent in trying to perform the service. I put my head on the political block then. I am not going to remove it now. If my conscience tells me that we need to do this thing this way, that way, or some other way, with all deference and after giving due consideration to the counsel of my colleagues and others who are interested and who perhaps know more about the matter than I do, I am going to offer the amendments and do what I think is right and necessary in the interest of the people of the country and particularly of the workers.

I start today, Mr. President, by offering my first amendment. I call up my amendment "4–20–59–M." The amendment has some minor modifications, and I am not sure the copy at the desk has the modifications, so I send to the desk the amendment as modified.

Mr. President, I ask unanimous consent that the amendment may be reported by title, because I am sure Senators are familiar with it. It is printed and on the desk, and I intend to read most of the amendment myself.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arkansas? The Chair hears none, and it is so ordered.

The LEGISLATIVE CLERK. It is proposed, on page 5, between lines 6 and 7, to insert title I—Bill of Rights of Members of Labor Organizations.

Mr. McCLELLAN. Mr. President, I ask unanimous consent that the amendment be printed in the RECORD.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arkansas?

There being no objection, Mr. McCLELLAN's amendment was ordered to be printed in the RECORD, as follows:

On page 5, between lines 6 and 7, insert the following:

"TITLE I—BILL OF RIGHTS OF MEMBERS OF LABOR ORGANIZATIONS

"SEC. 101. (a)(1) EQUAL RIGHTS.—Every member of a labor organization engaged in an industry affecting commerce shall have equal rights and privileges within such organization, including identical voting rights and equal protection of its rules and regulations.

"(2) FREEDOM OF SPEECH.—Every member of any such labor organization shall have the right to express any views, arguments, or opinions regarding any matter respecting such organization or its officers, agents, or representatives, and to disseminate such views, arguments, or opinions either orally or in printed, graphic, or visual form without being subject to penalty, discipline, or interference of any kind by such organization.

"(3) FREEDOM OF ASSEMBLY.—Every member of any such labor organization shall have the right to meet and assemble freely with any other members for the purpose of exchanging views and reaching decisions with respect to any matters pertaining to such organization or its officers, agents, or representatives, without being subject to penalty, discipline, or interference of any kind by such organization.

"(4) FREEDOM FROM ARBITRARY FINANCIAL EXACTIONS.—(A) The rates of dues and initiation fees payable by members of any such labor organization in effect on the effective date of this subsection shall not be changed, and no new or additional dues or initiation fees shall be imposed and no special or general assessment shall be levied upon such members, except upon (i) majority vote by secret ballot of the members present at a general membership meeting held after not less than fifteen days' written notice to each member at his last known address, or by majority vote of the membership by referendum conducted upon such notice by secret ballot through the mails, in the case of a local labor organization, (ii) majority vote of the delegates present at a general meeting of duly chosen delegates held after not less than thirty days' written notice to the principal office of each local or constituent labor organization entitled to such notice, in the case of a national or international labor organization.

"(B) The initiation fee, in the case of any individual seeking to become a member of such organization, shall not be in excess of 75 per centum of the amount of the prevailing weekly wage payable to individuals in the same category of employment as such person, as of the time such fee is imposed, in the vicinity of such bargaining unit.

"(5) PROTECTION OF THE RIGHT TO SUE.—No such labor organization shall limit the right of any member or officer thereof to institute an action in any court, or in a proceeding before any administrative agency, irrespective of whether or not the labor organization or its officers are named as defendants or respondents in such action or proceeding, or the right of any member or officer of such labor organization to appear as a witness in any judicial, administrative, or legislative proceeding, or to petition any legislature or to communicate with any legislator: *Provided*, That any such member or officer may be required to exhaust reasonable hearing procedures within such organization, not requiring longer than three

months to final decision, before instituting legal or administrative proceedings against such organization or any officer thereof.

"(6) SAFEGUARDS AGAINST IMPROPER DISCIPLINARY ACTION.—No member of any such labor organization may be fined, suspended, expelled, or otherwise disciplined by such organization or any officer thereof except for breach of a published written rule of such organization which is not inconsistent with any of the provisions of this title. Disciplinary action may not be taken unless such member has been (A) served with a written copy of the provisions of the constitution and bylaws or other governing charter of such organization which contains a listing of the rights and safeguards afforded him pursuant to this title with respect to the conditions under which disciplinary action may be taken; (B) served with written specific charges; (C) given a reasonable time to prepare his defense; (D) afford a full and fair hearing; and (E) afforded final review on a written transcript of the hearing, by an impartial person or persons (i) agreed to by such organization and the accused, or (ii) designated by an independent arbitration or mediation association or board.

"(7) INSPECTION OF MEMBERSHIP LISTS.—Any candidate for office in any such labor organization or his agent shall have the right to inspect and reproduce, for purposes relating to his candidacy, a list of the names and last known addresses of all members of such organization. Such list shall be maintained at the principal place of business of such organization by a designated official thereof.

"(b) Any provision of the constitution and bylaws or other governing charter of any labor organization engaged in an industry affecting commerce which is inconsistent with the provisions of this section shall be of no force or effect.

"SEC. 102. Any officer or agent of any such labor organization who, through use or abuse of authority, or through failure to discharge the duties of his office, or otherwise, willfully interferes with or prevents, or attempts to interfere with or prevent, the exercise by any member of a right to which such member is entitled under the provisions of section 101 shall be fined not more than $10,000 or imprisoned for not more than two years, or both.

"SEC. 103. The Secretary, whenever it shall appear that any person has violated or is about to violate any of the provisions of this title, may bring an action in a district court or other court of the United States for such relief as may be appropriate including, but without limitation, injunctions to restrain any such violations and to compel compliance with this title. Any such action against a labor organization may be brought in the United States District Court for the District of Columbia or in the district court or other court of the United States where the violation occurred or is about to occur.

"SEC. 104. The provisions of this title shall become applicable—

"(1) ninety days after the date of enactment of this Act in the case of a labor organization whose constitution and bylaws can lawfully be modified or amended by action of its constitutional officers, governing body, or membership; or

"(2) where such modification can only be made by a constitutional convention of the labor organization, (A) ten days after the holding of the next such convention held after the date of enactment of this Act, or (B) two years, in the case of a national or international labor organization, or (C) one year, in the case of a local labor organization, after the date of enactment of this Act, whichever is sooner."

Redesignate titles I to VI as II to VII, respectively, and renumber sections and references thereto accordingly.

On page 49, before the period in line 19 insert a comma and the following: "or because of exclusion or expulsion from a labor organization in any manner or for any reason inconsistent with the requirements of this Act."

On page 51, between lines 11 and 12, insert the following:

"(k) 'Member' or 'Member in good standing' when used in reference to a labor organization, includes any person who has fulfilled or tendered the lawful requirements for membership in such organization, and who neither has voluntarily withdrawn from membership nor has been expelled or suspended from membership after appropriate proceedings consistent with lawful provisions of the constitution, bylaws, or other governing charter of such organization."

Mr. BUTLER. Mr. President, will the Senator yield so that I may ask for the yeas and nays on his amendment?

Mr. McCLELLAN. I am happy to yield.

Mr. BUTLER. Mr. President, I ask for the yeas and nays on the McClellan amendment.

The yeas and nays were ordered.

Mr. BUTLER. Mr. President, will the Senator yield for a brief observation?

Mr. McCLELLAN. I am happy to yield.

Mr. BUTLER. It has never been my privilege to serve with the distinguished Senator from Arkansas on either of the committees mentioned, but I want to congratulate the Senator for the high integrity and the great courage he has displayed throughout the hearings and on the floor today. I assure the Senator from Arkansas I believe, as he does, that what he proposes is necessary for the good of the country, and I intend to back him to the fullest.

Mr. McCLELLAN. I thank my friend. I am very happy to have his support, and I appreciate his complimentary references to the work I have tried to do.

Mr. President, I testified before the Committee on Labor and Public Welfare generally, though not with respect to any particular bill, when the subject of this proposal was before the committee. I testified without any prepared remarks, because I did not have time to prepare them. At that time I made the statement, "I believe that if you would give to the individual members of the unions the tools with which to do it, they would pretty well clean house themselves."

If we want fewer laws—and want to need fewer laws—providing regulation in this field, we should start with the basic things. We should give union members their inherent constitutional rights, and we should make those rights apply to union membership as well as to other affairs of life. We should protect the union members in those rights. By so doing we will be giving them the tools they can use themselves. That is all I propose to do by this amendment.

I am no authority on labor legislation. I am sure, as has been observed in this instance, that it is hardly possible to offer an amendment which may not need some perfection. Upon that score, if any perfecting is needed, I shall be happy to accept it. What I wish to emphasize as I present this amendment are the basic principles which are involved. I ask my colleagues to join me in enacting legislation which will accomplish what the amendment provides.

The first part of the amendment reads:

TITLE I—BILL OF RIGHTS OF MEMBERS OF LABOR ORGANIZATIONS

SEC. 101. (a)(1) EQUAL RIGHTS.—Every member of a labor organization engaged in an industry affecting commerce shall have equal rights and privileges within such organization, including identical voting rights and equal protection of its rules and regulations.

The select committee found time and again the denial of the right to vote, the denial of the right to work, the denial of the right to have a voice, the denial of the basic human rights on which our very freedom was founded.

The next paragraph is headed "Freedom of Speech." It reads as follows:

(2) FREEDOM OF SPEECH.—Every member of any such labor organization shall have the right to express any views, arguments, or opinions regarding any matter respecting such organization or its officers, agents, or representatives, and to disseminate such views, arguments, or opinions either orally or in printed, graphic, or visual form, without being subject to penalty, discipline, or interference of any kind by such organization.

Before I conclude my remarks upon this amendment I shall read some of the things for which union members can be punished arbitrarily without a trial. Those are some of the evils we are seeking to correct.

One may ask, "Are union members ever interfered with?" Yes, they are. Union officers send to other places and bring in thugs and hoodlums. If a union member undertakes to speak, or to try to obtain the floor, they move over toward him and say, "Be quiet, Bud. You are out of order." And he had better be quiet, too. They mean business.

Mr. CURTIS. Mr. President, will the distinguished Senator yield on that point?

Mr. McCLELLAN. I am happy to yield.

Mr. CURTIS. What the Senator says is very true. It was proved over and over again in the hearings of the select committee.

It might also be pointed out that union members called as witnesses before our committee and placed under oath have, on several occasions, given evidence of being actually afraid of the consequences ensuing upon what they said under oath before a public body such as our committee. Is not that true?

Mr. McCLELLAN. They are afraid of reprisals against them. Two waitresses from Chicago testified that it required 6 months to get a job. Union officials go around and interfere. They say to a prospective employer, "If you hire this person, you will have labor trouble." They cannot come here and tell the truth without risking reprisals.

This provision is for the benefit of the working people, the people from whom some of these parasites draw the lifeblood which courses through their veins.

Mr. CURTIS. I think it is also safe to say that there have been witnesses who have taken the fifth amendment and have stated that they declined to testify on the ground that it might tend

to incriminate them, when they did so for the protection of a higher union boss. Such witnesses have been branded in the public press, and by their fellows, as takers of the fifth amendment, when they have been unwilling takers of the fifth amendment.

Mr. McCLELLAN. That is true. That applies not only to union officials, but it applies in business. Sometimes a conspiracy becomes so involved and so corrupt that those concerned with it take the fifth amendment.

Senators would be surprised by some of the cases. They would not believe that such things could occur. However, the evidence shows what the abuse of power is doing in America. Such power must be curbed.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. CLARK. First, I believe every American appreciates the extraordinary service which the distinguished Senator from Arkansas has rendered in connection with the so-called Senate labor rackets committee. I believe every Member of the Senate must take very seriously, indeed, the advice he gives us on the entire subject.

I am in accord with the principle that a bill of rights for members of a labor organization would be a good thing. I have not yet made up my mind how I shall vote on the pending amendment. I am concerned that the draftsmanship of this amendment may unwittingly lend itself to just the opposite of what is intended.

There are restrictions which cause me to be a little worried as to whether the amendment will really have the effect we want it to have. In particular, I invite the Senators' attention to subsection 6 of section 101, which appears on page 4 of the proposed amendment, under the title "Safeguards Against Improper Disciplinary Action."

It occurred to me, as I read that provision, that we are, perhaps, building up a procedure and a bureaucracy all out of proportion to what we are trying to do.

For example, assume that a certain union member gets drunk and makes a public nuisance of himself in such a way as to bring the union into disrepute. Perhaps union officers would fine him $10. Under the provisions of the proposed amendment, he must be served with a written copy of the provisions of the constitution and bylaws or other governing charter of such organization. He must be served with a copy of written specific charges, given a reasonable time to prepare his defense, awarded a full and fair hearing, and afforded final review on a written transcript of the hearing by an impartial person or persons.

All this sounds as though he were to be indicted for a serious crime. I wonder if it would not be adequate protection if we required that the individual be served with the charges, given a reasonable time to prepare his defense, and afforded a full and fair hearing.

This is an example of what concerns me in connection with carrying out in practice the safeguards which I agree with the Senator are needed. There ought to be a bill of rights for union labor.

Mr. McCLELLAN. If a man is fined under the civil law for being drunk, he can require a bill of charges against him, and he can have a jury of his peers pass upon his guilt or innocence. There is a great deal more involved than a $10 fine, if union officials can expel a member from the lodge and keep him from working.

They can do that and have done it in many cases. I do not say that being drunk would be called improper conduct or a reflection upon the union. However, many of the charges, in my judgment, have been trumped up charges. Those accused are helpless. They would have to go before whom? They would have to go before the executive board or the executive committee. That board or committee would be appointed by whom? It would be appointed by the ones who make the charges.

What we are trying to do is to protect a man from being arbitrarily disciplined without a fair hearing and without the right to protect his livelihood. That is what it amounts to.

Mr. CLARK. Mr. President, will the Senator yield further?

Mr. McCLELLAN. I yield.

Mr. CLARK. I thank the Senator for his explanation. I shall certainly listen with interest to the comments of the sponsor of the amendment. It may be that the Senator is correct, that we must be as elaborate as he suggests in order to provide effective relief.

Mr. McCLELLAN. I may say that it is not half so elaborate as the provision in the amendment which the Senate adopted yesterday dealing with the no-man's land situation. That is an involved subject if I ever heard of one.

Mr. CLARK. The no-man's land situation is a very difficult one to deal with.

Mr. McCLELLAN. Certainly.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. MORSE. I merely wish to say that with the no-man's land provision it was my intention to protect States rights.

Mr. McCLELLAN. I will help the Senator do that. I believe my proposed amendment will do what should be done without any quibbling, and I hope the Senator from Oregon will support it.

I do not wish to take too much time, and I do not wish to refuse to yield to any Senator who desires to ask me questions, but if I can pursue this subject for a few minutes, I will be able to conclude very shortly. I have discussed freedom of speech.

Next is freedom of assembly:

(3) FREEDOM OF ASSEMBLY.—Every member of any such labor organization shall have the right to meet and assemble freely with any other members for the purpose of exchanging views and reaching decisions with respect to any matters pertaining to such organization or its officers, agents, or representatives, without being subject to penalty, discipline, or interference of any kind by such organization.

That gives union members the right to assemble in groups, if they like, and to visit their neighbors and to discuss union affairs, and to say what they think, or perhaps discuss what should be done to straighten out union affairs, or perhaps discuss the promotion of a union movement, or perhaps a policy in which they believe. They would be able to do all of that without being punished for doing it, as is actually happening today.

The next is freedom from arbitrary financial exactions:

(4) FREEDOM FROM ARBITRARY FINANCIAL EXACTIONS.—(A) The rates of dues and initiation fees payable by members of any such labor organization in effect on the effective date of this subsection shall not be changed, and no new or additional dues or initiation fees shall be imposed and no special or general assessment shall be levied upon such members, except upon (i) majority vote by secret ballot of the members present at a general membership meeting held after not less than fifteen days' written notice to each member at his last known address, or by majority vote of the membership by referendum conducted upon such notice by secret ballot through the mails, in the case of a local labor organization, (ii) majority vote of the delegates present at a general meeting of duly chosen delegates held after not less than thirty days' written notice to the principal office of each local or constituent labor organization entitled to such notice, in the case of a national or international labor organization.

In other words, the dues or the initiation fees cannot be increased, as they have been in certain instances. For example, if certain jobs come along, the initiation fees are hiked up. Some of the new members get the new jobs, and the old members who have been members for a long time, get no assignment to work. That has happened in my State, and it is happening in other States, too. It is not right; it is wrong.

The next item I cover is the protection of the right to sue:

(5) PROTECTION OF THE RIGHT TO SUE.—No such labor organization shall limit the right of any member or officer thereof to institute an action in any court, or in a proceeding before any administrative agency, irrespective of whether or not the labor organization or its officers are named as defendants or respondents in such action or proceeding, or the right of any member or officer of such labor organization to appear as a witness in any judicial, administrative, or legislative proceeding, or to petition any legislature or to communicate with any legislator: *Provided*, That any such member or officer may be required to exhaust reasonable hearing procedures within such organization, not requiring longer than 3 months to final decision, before instituting legal or administrative proceedings against such organization or any officer thereof.

The section I discussed previously with the Senator from Pennsylvania safeguards union members against improper disciplinary action. We prescribe a procedure under which a union member who pays his dues, before he can be expelled or punished, is protected. I wish Senators to listen to what a member of some unions can be expelled for or punished for. How would Senators like to be tried under such a general policy as I am about to read, without any specifications, before a board or a committee appointed by the officers who make the accusation? The material I am about to read has been prepared by the Commerce Clearing House, Labor Research Staff, and it states that good standing in a union can

be lost for a variety of reasons. I am not now speaking about my own findings. I am not talking about what the select committee has found. All this can be substantiated by the information we have in our possession. The report states:

Good standing in a union can be lost for a variety of reasons so broad or vague and uncertain as to be subject to abuse and discriminatory application.

The report goes on to show that under some union constitutions a union has the power to suspend or expel a member on such grounds as "engaging in conduct unbecoming a union member."

What does that mean? It is not necessary to spell out the accusation. Those in control of the union can say, "We mean you got drunk," or they can say, "You did thus and so," or "failing to give full cooperation to a union committee."

What does that mean? I do not always give full cooperation to some of the committees on which I serve. I sometimes express a little opposition. Why should not union members have the right to object now and then. Why must they keep silent? Must they keep silent or be expelled? Or "criticizing union officials."

The officials can say to a member, "You had better not criticize a union official. You dare not criticize him. If you do, you can be expelled." No wonder they get by stealing so much from their fellow members. Or "questioning the motives or questioning the integrity of an officer or a member of a committee."

In other words, a union member dare not question the integrity of an officer. In some unions, if a member does that, he can be expelled.

I say we must give the members of the union the tools with which the unions can be given back to them.

That is not all, Mr. President. Another ground for disciplining or expelling a member is "circulating matter calculated to harm or defame or injure a fellow member."

Another one is "applying for the position of another union man in office."

A member had better not do that. The officers have squatters' rights. Members had better not offer any competition. They had better not seek election. They had better not aspire to the presidency or the secretaryship, or they will be expelled or disciplined.

Another is "using profane language."

I wonder how many would remain in office if they could be expelled for using profane language. "Engaging in personal arguments."

Members cannot even engage in personal arguments without being subjected to the danger of expulsion.

These are not my findings, but the findings of the Commerce Clearing House in its labor research report of 1959.

This is how the union members would be protected. I read from my amendment and I ask Senators to listen to what I read:

SEC. 102. Any officer or agent or any such labor organization who—

through use or abuse of authority, or through failure to discharge the duties of his office, or otherwise, willfully interferes with or prevents, or attempts to interfere with or prevent, the exercise by any member of a right to which such member is entitled under the provisions of section 101 shall be fined not more than $10,000 or imprisoned for not more than two years, or both.

The next section provides that the Secretary of Labor, when he thinks a violation of these rights is being committed by the union, or is about to be committed, should have the right to go to court to seek to enjoin the union from committing such wrongs.

I call attention to the penalty section, section 506. What I propose to do implements this section. The section reads:

It shall be unlawful for any labor organization, its officers, agents, representatives, or employees to fine, suspend, expel, or otherwise discipline any of its members for exercising any right to which he is entitled under the provisions of this Act.

All I want to have is to have the rights defined, so that there will be no mistake about what is meant. It is understood that the worker has certain rights. We recognize that they can be abused. Let us define those rights; let us say what they are, just as the rights of the American people are set forth in the Bill of Rights of the Constitution of the United States. Then we will know exactly what the rights are.

Listen to the next subsection:

(b) It shall be unlawful for any person through the use of force or violence, or threat of the use of force or violence, or by economic reprisal or threat thereof, to restrain, coerce, or intimidate, or attempt to restrain, coerce, or intimidate any member of a labor organization for the purpose of interfering with or preventing the exercising by such member of any right to which he is entitled under the provisions of this Act.

Again, let us define what is meant. The penalty is set forth, but the definition of the rights is vague and uncertain. The rights which I desire to have spelled out in the bill are not now defined in the bill. Such rights are basic. They ought to be basic to every person, and they are, under the Constitution of the United States.

The next provision reads:

(c) Any person who shall willfully violate the provisions of this section shall be fined not more than $10,000 or imprisoned for not more than 2 years, or both.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. MUNDT. First, I commend the distinguished Senator from Arkansas, the hard-working, well-informed chairman of our investigating subcommittee, for offering this amendment, which he refers to as a bill of rights for members of labor organizations. It seems to me this is a direction in which Congress might very well move. We are interested in preserving the functions of labor unions from the standpoint of their capacity to serve the working men and women of the Nation, rather than to devise legislation which will protect labor leaders in certain vested interests which they have.

I call especial attention to the section on page 3: "Protection of the right to sue." That is a great American right which citizens outside of unions always have. I am certain the chairman of our committee will recall the testimony of Roy Underwood, who appeared as a witness before our committee. Roy Underwood was the president of Local 542 of the Operating Engineers, a union, incidentally, which was under the stewardship of Joe E. Fay until 1948. That particular local, under the direction of Roy Underwood, initiated an action against William Maloney. Mr. Maloney at that time had intervened against the local in the effort which the local was making to negotiate a better wage contract for its employees.

For this action on the part of William Maloney, as an international officer, in trying to circumvent freedom of speech on the part of the local, Mr. Underwood initiated an action at law. What happened? Because of Mr. Underwood's action, he was charged by the union and later expelled from it by the executive board of the international. Underwood, according to the testimony, had been fighting the corrupt elements in the Operating Engineers Union for 2 years. Two weeks ago, in a period of frustration, this unfortunate man committed suicide.

It seems to me that we are certainly on the right track when we guarantee to the new Roy Underwoods, the present-day leaders of labor, who want to have honesty in their union, the right to sue and to bring into court the persons who are divesting them and their unions of their funds and their right to American citizenship.

I think this is a most important contribution to the rights of union members in America.

Mr. McCLELLAN. I thank the distinguished Senator from South Dakota, who serves so ably on the committee with the rest of us who have been trying to meet our responsibilities and to fulfill the assignment given us by this great body.

Mr. President, I conclude by saying again that I think we ought to start with the union man, with the worker, and to relieve him from the oppression which has been thrust upon him in some places. We should restore to him his rights. We should vest in him again the power to do something to protect his rights. We must give him the authority again to run his own union. We must pass a law, such as the measure now proposed, which will enable him to prevent usurpation by would-be exploiters. Let us start to help the worker.

I offer this amendment with the support, I hope, of Senators on both sides of the aisle. I may not succeed. The amendment may be defeated. If the amendment shall be defeated, and if I go down in this fight, the workers of America who are being exploited today will go down with me. But they will not go down with my vote.

Mr. PROUTY. Mr. President, I commend the Senator from Arkansas [Mr. McCLELLAN] for the great work he has done in this field. I call particular attention to the provisions which make membership lists available to the members of a local who are in good standing. I was successful in the committee in having an amendment adopted which provided for that. Later on it was reconsidered and was modified.

My amendment provided that any member in good standing who was a candidate for office should have access to the membership list at least 30 days prior to the election. That amendment was adopted. Later it was reconsidered, and the bill now contains language that virtually makes the incumbent union officers the campaign managers of any opponent within the union. How ridiculous can we get in that respect?

The language at the bottom of page 35 of the bill reads:

Such labor organization and its officers shall not discriminate in favor of or against any candidate with respect to the use of lists of members and shall comply with all reasonable requests of any candidate to distribute by mail or otherwise—

That is, distribute the literature of an opponent—

at the candidate's expense campaign literature in aid of such person's candidacy to all members in good standing of such labor organization.

Then the bill provides:

Such moneys of a labor organization may be utilized for notices, factual statements of issues—

I wish to stress the words "factual statements of issues." In other words, an incumbent officer can send out any material he wishes to, at union expense, under the guise that it is a "factual statement of issues."

Furthermore, the bill does not contain any requirement that a union shall notify its members about when an election will be held. The bill requires that 15 days' notice of an election shall be given—

unless the election is held at the regular time specified in the constitution and bylaws of such organization on file with the Secretary of Labor.

But, Mr. President, when such elections are held at intervals of anywhere from 1 year to 3 years, is it likely that a union member will remember the date and the time for the holding of the election, unless he receives a notice in advance of the election?

The argument against giving such a notice is that it might fall into the hands of unscrupulous employers or into the hands of rival labor unions. If such a notice can be used by them to the disadvantage of the union members, then what is the purpose of the bill, anyway? The purpose of the bill is to protect the rights of the average union member.

I commend the Senator from Arkansas very highly for his bill of rights statement. I think it is a splendid document. I have not had a chance to analyze it thoroughly, but I certainly agree that much of what is included in the amendment is worthy of the consideration of the Senate.

Mr. McCLELLAN. I thank the able Senator from Vermont. I take it that he agrees with me in principle, in purpose, and in objective.

Mr. JAVITS. Mr. President, will the Senator from Arkansas yield to me?

The PRESIDING OFFICER (Mr. RANDOLPH in the chair). Does the Senator from Arkansas yield to the Senator from New York?

Mr. McCLELLAN. I am happy to yield.

Mr. JAVITS. Mr. President, I was much impressed with the Senator's testimony before our committee; and I, myself, explored the idea of a bill of rights. In fact, I proposed one during the committee's consideration of the bill.

The one I proposed was essentially declaratory of existing law, and proposed a statement, in simple terms, of the rights of union members and of their rights under the Kennedy-Ervin bill; but both concepts were declaratory of existing law.

By way of to some extent meeting that suggestion, there was included in the pending bill section 508, with which I am sure my colleague, the Senator from Arkansas, is familiar. It appears on page 54, in lines 3 to 7, and reads as follows:

SEC. 508. Every labor organization required to comply with the provisions of this act shall inform all of its members concerning the provisions of the act and the rights guaranteed members thereunder in a manner prescribed by the Secretary.

That was essentially the disposition, on a compromise, of my proposed bill of rights, which I shall be more than happy to make available to the Senate.

What puzzles me about this matter—and let me say that, like the Senator from Pennsylvania [Mr. CLARK], I approach it with an open mind and with a feeling for it, because I think there is a very desirable field for such a bill of rights—is whether such a bill of rights shall contain substantive law, which the Senator from Arkansas has included in his amendment; and, second, shall we do so without having a body of hearings expressly directed to such substantive law?

I wish to make my question very precise, because I may say that I, together with all my colleagues, I believe, have a very enormous respect for the work the Senator from Arkansas has done and for the beating he has taken and for the great service he has rendered to all of us by his efforts.

For example, he has included a provision which limits the amount of initiation fees. All of us know the excesses which have been practiced in connection with initiation fees.

The Senator from Arkansas has also included a provision, for example, in regard to a set way of providing due process in the event of disciplinary action; and he has also included a provision in regard to membership lists, to which my colleague has just referred, and which has been a very hotly debated question.

For example, I call attention to the provision at the top of page 4 of his amendment; I refer to the provision in regard to the right to sue. That provision imposes a limit of 3 months on proceedings within a union before there is a final decision, as the statutory waiting period which is considered reasonable.

I ask my colleague, in a true spirit of inquiry, whether he believes we have enough factual backing for these specific legislative proposals in his amendment, in order to justify them; or whether we might be better off if we were to consider a bill of rights in terms of the declarations of existing law, as well as in terms of the declarations of whatever provisions we include in the pending bill?

Mr. McCLELLAN. Mr. President, I may say to my friend that a bill of rights in some form was before the Senate when it extensively debated the other labor bill last year. I said that the labor union members should be given just laws, and then they will do the necessary job themselves. I did not ask the committee for this. But the committee has pursued it. I hoped the committee would pursue it further.

I do not care to argue about whether the period of time should be 3 months, 4 months, or 6 months; but certainly some date must be set. I want the date that is set to be a reasonable and proper one; but I do not want the period which is prescribed to be so arbitrarily long that it will deny union members what they are entitled to, and will cause them to wait an unjust length of time, and thus will amount to obstruction, rather than the provision of a proper opportunity for them to exercise their rights.

I care not whether the period provided for is 3 months, 4 months, or 6 months. Let the Senate provide whatever is needed.

But merely because all Senators do not agree as to whether the period shall be 3 months, 4 months, or 6 months, or simply because Senators say they are not sure, is no justification for saying that the Senate should do nothing about the matter. If the Senate were to take that attitude, no legislation in this field would ever be enacted, for certainly we can always argue about any legislative proposals.

But in this case the danger is very much greater than most Senators realize. A movement is under way. The Hoffa element, the criminals, the syndicated crime crowd, are taking over, and are making a vehicle out of the labor union movement; and Hoffa is glad to have them do so, for he knows how to operate with them. It takes something like that, it seems, in many instances, in order for such a person to be eligible to obtain an appointment from him to a high position.

Mr. JAVITS. Mr. President, will the Senator from Arkansas yield further to me?

Mr. McCLELLAN. I am very happy to yield.

Mr. JAVITS. I know—because we have been through the bill quite exhaustively—that the pending bill itself contains a good many provisions in regard to internal union democracy, criminals holding office, and so forth. I believe it would be only fair to the sponsor of the bill to let him dig into that field.

My purpose in holding this colloquy with the Senator is to have the Senate deal with the question of principles.

I think I have the Senator's answer—namely, that if substantive law is included in the bill, each of us must pass on it in accordance with his own conscience, but that the committee had every opportunity, if it chose to do so, at the hearings, to go into the angles of substantive law.

Mr. McCLELLAN. Indeed so; and obviously we give the union members some rights in the bill, because we insert in the bill a criminal penalty in the case of those who violate the rights given the union members. I simply propose that we define and describe those rights, which are basic, and which every citizen of the country is entitled to. I believe we should elucidate on this point.

Mr. JAVITS. I thank the Senator from Arkansas.

Mr. McCLELLAN. Mr. President, I yield the floor.

EXHIBIT 1

[From the Wall Street Journal, Apr. 22, 1959]

HOFFA'S COMBINE: HE QUIETLY, INFORMALLY BUILDS POTENT ALLIANCE OF TRANSPORT UNIONS—TEAMSTER AND MARITIME UNITS ARE CORE—FLIGHT ENGINEERS FRIENDLY, RAIL UNIONS SHY—WHAT WILL AFL–CIO DO?

(By Roscoe Born)

WASHINGTON.—The grand alliance of transportation unions that Teamster President James R. Hoffa proclaimed last year, then appeared to abandon after outcries of alarm, has quietly become an all-but-accomplished fact.

Largely unnoticed, Mr. Hoffa and key collaborators have put together basic pieces of the combine—enough of them to indicate that an unprecedented Teamster-led monopoly is taking shape. The transport combine will have greater power to bargain, to organize, and to strike than do its unions operating on their own. Whether or not this power is ever called into full play—as, say, in a national transportation strike—the mere fact of its existence will make the combine formidable for employers and for the public at large.

Here's the status of the assembly operation so far:

Mr. Hoffa's own truckdrivers are now firmly linked with longshoremen and seamen's unions on both coasts. These allies include Joe Curran's AFL–CIO National Maritime Union, with 40,000 members sailing out of Atlantic and Pacific coast ports, as well as the Great Lakes; Harry Bridges' independent International Longshoremen's and Warehousemen's Union, numbering 70,000 dockworkers and warehousemen on the Pacific Coast and in Hawaii; and Capt. William Bradley's independent International Longshoremen's Association, with 52,000 dockhands on the Atlantic coast.

ANOTHER UNION BOXED IN

Another dock union, holding sway on the increasingly important Great Lakes, is boxed into the point where it may have to join the Hoffa league or be squeezed out of business.

Mr. Hoffa has built a strong tie with one air transport union, the 5,000-man Flight Engineers, and is flirting with the airline stewardesses' union; he also has tasted success in a drive to enlist in the Teamsters the men who work in and around the Nation's biggest airports.

And within 2 years, one top truck union strategist predicts, the growing power of this combine will attract at least some of the standoffish railroad brotherhoods—despite the rail unions' steadfast denials. "They know there's not a ghost of a chance that we'd go along with them," insists one railroad union official.

What has developed so far may not be a complete conference on transportation unity on the 50-union scale envisioned last year, but it's close enough to convince Mr. Hoffa that success can't elude him.

"We already have the nucleus set up with the Teamsters and the maritime unions," he declares. "Eventually, the others—including rail and air—will see the advantages of this cooperation and they'll want in, too. It may never be formally proclaimed the way conference on transportation unity was announced last year, but it will exist and will be just as effective as what we had planned for the conference on transportation unity." Although Mr. Hoffa had first mentioned the idea of an alliance of transportation unions some months earlier—in mid-1957—congressional and AFL–CIO reaction to last July's formal conference on transportation unity announcement was so violent that he backed off.

HOFFA SCOFFS AT NATIONAL TIEUP

Even now, without the railroad unions, the combined power of the unions already allied is enough to halt the flow of much of the Nation's commerce if they all decided to strike simultaneously. If the combine reaches full flower, this paralytic power would become complete. Mr. Hoffa naturally scoffs at any such possibility: "Talk of a national transportation tieup is nonsense," he snaps. The Teamster chief argues such a step would be self-destructive, figuring Congress would ram through legislation to stop the strike.

As a practical matter, anyway, Mr. Hoffa and his allies expect to achieve their ends without having to resort to such extremes. Local or regional tieups would be more likely. The combine might, say, close down the port of New York or cut off supplies to the island of Puerto Rico to back up demands of one union. Or it might merely move against a single employer group at a time in any one area. "The only way to win a strike," contends the Teamster chief, "is to shut one group down and let potential competitors operate."

As of now, the transport unions' capacity for united strike action is limited; because contracts expire on varying dates, the unions can't all walk out at once without risking costly lawsuits. But most of them can and will refuse under contract provisions, to cross other transport unions' picket lines. And the wealthy Teamsters can extend financial help to less prosperous striking unions. Furthermore, the transport unions are working toward common contract expiration dates, which would make simultaneous strike action possible.

Such strategy aims basically, of course, to strengthen union hands at the bargaining table. The Teamsters already are mapping joint bargaining strategy with friendly dock unions; each knows in advance what the other will demand from employers that two or more of them deal with. While the transport combine may never adopt a complete uniform slate of contract goals, Mr. Hoffa can at least be expected to work out common demands for fringe benefits such as pensions, and to stand firm against contract proposals he considers too gentle. And the allies will work to minimize the impact of automation on transport unions notably in warehouses and on the waterfront.

"Full coordination of bargaining demands is a good, sound policy and essential to the well-being of all our members," says Teddy Gleason, general organizer of the International Longshoremen's Association, after a visit to Harry Bridges' west coast dock union.

More effective organizing is another target of the combine. "We'll work to eliminate jurisdictional problems," asserts Mr. Hoffa. As a clue to what may be in store, it's noteworthy that the Teamsters already are collaborating with the ILA and the National Maritime Union to sign up workers along the Canadian side of the St. Lawrence Seaway.

These varied goals may lead the transport unions to a more formal organization than now is envisioned. A Teamster official says the combine will be interested in legislation, as well as bargaining and organizing. "If we're going into these matters," he adds, "that means we'll have to set up a research department. And if we're going to have that, we'll have to have a per capita tax from each union."

Mr. Hoffa's recent gains have been achieved in relative silence, thus avoiding the uproar that greeted his proclamation of a permanent conference on transportation unity last July. So violent was the reaction then—both in Congress and in the AFL–CIO—that Mr. Hoffa never held a heralded meeting of an estimated 50 union presidents to perfect his conference on transportation unity.

QUIETLY RESUMED WORKING

Then, while the epidemic of Hoffaphobia died down, the persistent little Teamster leader started working more quietly toward the same goal. Just the other day, when he met in New York with 13 other union chiefs, notably bosses of dock and seamen's unions, there were earnest denials that transportation unity was afoot. But as Mr. Hoffa left the meeting, one of his top aides whispered, "There's your conference on transportation unity," and Jimmy grinned in agreement.

The current steps toward a transport combine, however quietly and informally taken, seem likely sooner or later to kick up a storm on Capitol Hill, just as last summer's announcement of the original plan did—especially since the plan then and now includes Mr. Bridges, leftwing leader of the west coast longshoremen.

At that time Senator EASTLAND, Mississippi Democrat, who heads the Senate Internal Security Subcommittee, called such an alliance a "threat to national security." Arkansas' Democratic Senator McCLELLAN, chairman of the Special Senate Investigating Committee, declared "the welding of Hoffa's powers with those inherent in these other organizations has grave implications for the destiny of our national economy." Chimed in GOP Representative HOFFMAN from Mr. Hoffa's home State of Michigan: "If such a federation calls a strike they could starve us into submission in 6 days."

Also incensed was the AFL–CIO. Only months earlier it had expelled the Teamsters on grounds of corruption. The old AFL had kicked out the International Longshoremen's Association in 1953 as a gangster-dominated union and the old CIO booted Harry Bridges' union in 1950 as Communist-dominated.

MEANY'S ORDER

The presence of the Teamsters and the ILA in the group's list of sponsors "could very well be the start of what you might call a birds-of-a-feather federation," Mr. Meany declared. What was worse, to federation officials, was the fact that AFL–CIO unions—including that of Joe Curran, National Maritime Union president and a vice president of the AFL–CIO—were joining up. Mr. Meany and his colleagues promptly ordered all federation affiliates to cancel formal pacts with expelled unions.

Then something happened to brighten Mr. Hoffa's hopes. Last December, Mr. Curran of the NMU, and Mr. Hall, president of the rival Seafarers' International Union, forgot a lengthy feud in order to promote a 4-day worldwide boycott by many transport unions of ships flying flags of convenience. These are U.S.-owned vessels sailing under flags of Panama, Liberia, Honduras, and Costa Rica to avoid high labor costs and taxes in the United States. Labor officials say the boycott tied up 160 vessels in 19 ports, but really effective only in the United States where Mr. Hoffa's Teamsters cooperated.

More cooperation grew out of this 4-day effort. The following month, Mr. Hall and Mr. Curran signed a formal peace treaty end-

ing their feud. Both agreed to drop lawsuits, charges of unfair labor practices, and other disputes. It was Mr. Hoffa who, his aides claim, helped bring the rivals together.

Other Hoffa efforts began to bear fruit. On the west coast, the Teamsters and Mr. Bridges' International Longshoremen and Warehousemens' Union, also foes for many years, joined hands. They set up a permanent committee of five members from each union to bring jurisdictional peace and cooperate on common problems.

Mr. Hoffa's chief of staff, Harold J. Gibbons, meanwhile went to London for conferences with officials of the International Transport Workers Federation, an organization maintained by unions in 62 nations. Mr. Gibbons carried assurances that the Teamsters would cooperate again in any new boycott of convenience ships. A week later, Mr. Hall and Mr. Curran went to London, too, to work on the boycott plans. It's expected now that the unions will select two shipping companies as sample targets and apply a permanent boycott.

It was new boycott plans that drew Mr. Hoffa and other transport union chiefs to New York earlier this month. There officials of 14 unions set up a steering committee to cooperate on any problems that confront the participating unions.

"Right now, it's just the boycott," says one union official who attended the meeting. "But it's easy to see what's on their minds. They pop up with stuff about automation and jurisdiction."

Among those at the meeting was Larry Long, president of the International Brotherhood of Longshoremen, a dock union created by the AFL to compete with the expelled International Longshoremen's Association. Though the IBL and the ILA have been enemies from the start, their leaders met on friendly terms, and some maritime union officials think a pact between them is sure to come.

SEAWAY BRINGS CHALLENGE

Mr. Long's union dominates Great Lakes docks, but with the opening of the St. Lawrence Seaway faces a possible challenge from the ILA. The east coast union has contracts with some employers who expect to move inland along the Seaway. They'll bring ILA contracts with them, labor sources note. With Mr. Hoffa backing Captain Bradley's ILA, the inland dock union would be hard pressed to hold ground.

"Long either goes along with the new group, or he gets shut out," a Teamster official forecasts.

While Mr. Hoffa has been working out ties with sea and dock unions, he has been solidifying his relations with the Flight Engineers. When the engineers engaged Eastern Air Lines in a long strike late last year, they found the Teamsters willing to post collateral for a $200,000 loan to keep them going. The loan has been repaid now, and the Flight Engineers feel deeply grateful.

"We're not about to break with the Teamsters," confides one Flight Engineer official. "We have no place else to go. The federation isn't too interested in us."

Still unsettled is the Flight Engineer feud with the Air Line Pilots' Association over which union gets jurisdiction over the third crewman in jet aircraft cabins. Engineers believe this fight threatens the existance of their union, and that the federation has refused to act to protect their jurisdiction. If the Flight Engineers should strike again over this issue, they believe pilots may try to keep the airliners flying without engineers.

"We might need the Teamsters again," says an Engineer source, recalling that truck union officials were prepared last December to halt deliveries of fuel and other supplies to Engineer-struck airlines.

AID PACT STILL IN EFFECT

Still in effect, despite AFL–CIO orders, is a mutual assistance pact between the Flight Engineers and the Teamsters; it rather vaguely promises aid by each union to the other in any emergency. An Engineer source says: "The idea of further association with the Teamsters certainly isn't repugnant to us." Teamster officials predict the Engineers may join the transport combine, and one Engineer privately agrees—even if the alliance includes Harry Bridges.

"We couldn't say we're willing to accept the Teamsters but not their friends," he reasons. "We have to buy the whole package."

With the Flight Engineers in the transport league, it wouldn't be necessary to get the pilots' union, Mr. Hoffa's advisors figure. But the Teamsters are definitely eyeing a dissident segment of the pilots' union, the Air Line Stewards' and Stewardesses' Association. At the recent convention of the association in Chicago, the truck union's Mr. Gibbons was a convention-long observer and "he wasn't there just because he likes pretty girls," one labor official notes.

To help entrench his strength in the air transport field, Mr. Hoffa is pushing a drive to sign up workers in and around the airports in 22 big cities. The Teamster chief says air freight is about to blossom into a real competitor of surface shipping, and therefore the Teamsters can't ignore the airlines.

In February, Mr. Hoffa won his first round in this campaign. Pan American World Airways' stock clerks voted nearly two to one in favor of the Teamsters in an election conducted by the National Mediation Board. Teamsters thus won the right to represent 861 Pan Am employees who handle freight the airline hauls.

This still leaves the rail unions outside the Hoffa sphere, and one railway labor source insists: "Among our chiefs there isn't one that would lean that way at the present time." After reflecting a bit, he adds: "Times do change, but I just can't see our people going into any transportation council."

Nonetheless, Teamsters claim economic necessity will force some railroad unions into the alliance eventually, possibly within 2 years. According to Teamster reasoning, railroads must offer lower rates to compete with other forms of transport, notably St. Lawrence Seaway shipping, and so must try harder to keep labor costs down. That pressure will make railroad workers more interested in a broader base of bargaining strength, Teamsters contend. They point to a recent request by railroads that train unions accept a 15-cent hourly pay cut in new contracts to be negotiated by November 1. The unions were expecting to win 12 percent wage increases.

It's worth noting, too, that the railroad unions' total membership has been declining in recent years. And railroads are gradually diversifying into other forms of transportation, notably trucking and pipeline operations, in which nonrail unions have long since staked out jurisdictional claims. As a possible basis for coalition, the Teamsters already negotiate with many of the same employers that railroad brotherhoods deal with; the Hoffa union represents drivers for the trucking subsidiaries of the Santa Fe, New York Central, and Pennsylvania Railroads, to name just a few.

How will George Meany and the AFL–CIO react to the developing transport combine? Some transportation unionists argue it doesn't make any difference what the federation says now. Some unions with Teamster pacts ignored last summer's AFL–CIO edict to cancel them, they say, and the federation hasn't done anything more about it. Joe Curran, whose participation in Mr. Hoffa's CTU prompted the federation order, is still consorting with Teamsters. And now he's been joined by Mr. Hall, who is president of the AFL–CIO maritime trades department, as well as president of his own seafarers' union. So far, this fraternization with banished unions hasn't brought any new blast from Mr. Meany.

On the other hand, Mr. Meany made such a point of outlawing pacts with expelled unions that he can hardly ignore these new developments, some federation officials say. The issue undoubtedly will come up at the next AFL–CIO executive council meeting in Washington May 18. At that time, too, the council may consider whether to readmit the expelled ILA. If the longshore union is welcomed back, after trafficking with Mr. Hoffa, it would be taken as a sign that the AFL–CIO no longer objects to such behavior.

Mr. JOHNSON of Texas. Mr. President, I wonder whether we shall be able to obtain a unanimous-consent agreement. I am informed that some exploratory conferences have been held.

I ask unanimous consent that the vote on the pending amendment and all amendments thereto be taken in 2 hours, with 1 hour to be under the control of the Senator from Arkansas [Mr. McCLELLAN] and the other hour to be under the control of the majority leader.

The PRESIDING OFFICER. Is there objection to the proposed unanimous-consent agreement?

Mr. McCLELLAN. Mr. President, reserving the right to object, let me point out that I have been on the floor, speaking, for probably 2 hours or longer; and I have not had an opportunity to confer with other Senators who may be interested in this amendment. I should like to have such an opportunity, at least, before I agree to such a proposal.

Mr. JOHNSON of Texas. I shall be glad to have the Senator from Arkansas do so. I was informed that he was agreeable to what I have proposed, and that the ranking minority member of the committee was agreeable to it, and that the Senator from Illinois was agreeable to it.

Mr. McCLELLAN. I simply do not wish to have debate cut off at the moment.

Mr. JOHNSON of Texas. Mr. President, if there are other Senators who desire to speak, of course I shall be glad to have them do so.

Mr. McCLELLAN. Mr. President, reserving the right to object, let me say that if I may have a few minutes in which to consider this matter, in a little while I shall try to ascertain whether there is some arrangement on which we can agree.

The PRESIDING OFFICER. Objection is heard to the proposed agreement.

Mr. KENNEDY. Mr. President, I rise in opposition to the amendment of the Senator from Arkansas. First of all, I wish to join my associates in paying tribute to him as chairman of the so-called McClellan committee. If it were not for the Senator from Arkansas, this proposed legislation would not now be on the floor of the Senate.

The question is whether the bill of rights which the Senator from Arkansas has suggested can best be secured by existing State law, by the provisions of the pending bill, and by Taft-Hartley law which is now in effect.

The amendment of the Senator from Arkansas, as I understand it, would provide for six basic rights:

First. Equal rights within an organization.

Second. Freedom of speech.

Third. Freedom of assembly.

Fourth. Freedom from arbitrary financial exactions.

Fifth. Protection of the right to sue.

Sixth. Safeguards against improper disciplinary action.

The amendment also provides that the Secretary of Labor shall have the right to institute suits in order to protect those rights.

My objection to the amendment is not that I think the union members should not be provided with these rights. My objection is that I think members of unions are provided those rights more satisfactorily by present State law, by the provisions of the bill, and by the Taft-Hartley Act.

I say that because I think the amendment raises the question of preemption. In other words, if the proposal were enacted, the present rather exhaustive remedies provided under the common law of the various States might be wiped out, and only the rights suggested by the Senator from Arkansas would then be available to union members.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. KUCHEL. I wonder if that argument, which I think ought to be considered by the Senate, might be met on the part of the Senator from Arkansas by his agreeing to accept an unquestioned amendment with respect to a denial of preemption. I think what the Senator from Massachusetts has said must be considered.

Mr. McCLELLAN and Mr. HOLLAND addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Massachusetts yield; and, if so, to whom?

Mr. KENNEDY. I yield first to the Senator from Arkansas. Then I shall be happy to yield to the Senator from Florida.

Mr. McCLELLAN. Mr. President, I wanted to make a statement, for the information of all Senators, that I submitted an amendment this afternoon which will take care of that situation. The amendment is at the desk now. I do not know what the number of it is, but it will be printed.

Mr. KUCHEL. But does not the leadership want this amendment disposed of tonight?

Mr. McCLELLAN. I said an amendment to the bill.

Mr. KUCHEL. Not an amendment to this amendment?

Mr. McCLELLAN. It is not an amendment to this amendment. I did not know the Senator from Massachusetts had offered an amendment.

Mr. KENNEDY. I had not.

Mr. KUCHEL. The Senator from Massachusetts had offered the argument that the amendment of the Senator from Arkansas might be interpreted as preempting the field.

Mr. McCLELLAN. That is what the Senator from Massachusetts said.

Mr. KUCHEL. Is the Senator from Arkansas in a position to advise the Senate whether he would meet that argument by appropriate amendatory language in his amendment?

Mr. McCLELLAN. Without conceding the validity of the argument, I had proposed to meet that question by an amendment I submitted this afternoon. If the pending amendment is adopted, that amendment will be brought up.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. KENNEDY. I now yield to the Senator from Florida.

Mr. HOLLAND. If I may have the attention also of the Senator from Arkansas, it seems to me section 507 of the bill we are considering amply carries out the suggestion of the Senator from California and the wishes of the Senator from Arkansas and the Senator from Massachusetts in the field of criminal law. That provision, appearing on pages 53 and 54 of the bill, reads:

> Nothing in this act shall be construed to impair or diminish the authority of any State, as that term is used in section 501(a), to enact or enforce its own criminal laws.

It would seem to me, therefore, the problem would be restricted to that of making sure that other rights and remedies, except those in the field of criminal law should be protected by a provision such as that the Senator from Arkansas has announced it is his intention to offer. Does the Senator from Massachusetts agree with me?

Mr. KENNEDY. I think the Senator is correct, although the section which he has read, on pages 53 and 54 of the bill, refers to criminal law, and the body of law to which I referred goes beyond that.

Mr. HOLLAND. I understand, but I was trying to bring to the attention of all concerned that the point which was raised by the Senator from California should be made as to fields other than criminal law, since that field seems to have been preserved from preemption by the terms of section 507, which I have just read into the RECORD.

Mr. KENNEDY. I would think that in order to prevent this amendment from preempting the field, certainly additional language would be required either in the bill or in the amendment of the Senator from Arkansas.

Mr. HOLLAND. But that language could be restricted to fields other than the field of criminal law.

Mr. KENNEDY. That is correct.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield to the Senator from Pennsylvania.

Mr. CLARK. In reference to the question which the Senator from California has raised, and with which I find myself in agreement, if we are going to meet the question of preemption entirely, not merely in the criminal law, the pending amendment should be amended, and we should not leave the remedy to some other amendment which may be offered at a later date. I must say the Senator from Massachusetts has made a good point.

Mr. KENNEDY. I thank the Senator from Pennsylvania.

I have several other reasons why I think the Senate should consider the amendment carefully before it adopts it. The description of the amendment as a bill of rights makes it extremely attractive. I think we should make sure that we shall be better off after the amendment is adopted than we are today. I call attention to page 4 of the amendment of the Senator from Arkansas, under the heading, "Safeguards Against Improper Disciplinary Action," which, beginning on line 8, reads:

> No member of any such labor organization may be fined, suspended, expelled, or otherwise disciplined by such organization or any officer thereof except for breach of a published written rule of such organization which is not inconsistent with any of the provisions of this title.

It seems to me it would be possible for a labor union to pass, by majority vote, a provision or a rule which would provide that any member who testified in a State legislature against a law could be subject to discipline by the union, or any member who worked in a political campaign against the position which the majority of the union had taken in a vote could also be subject to discipline.

Unless there were some changes in the doctrine of preemption, the present very adequate provisions of State law which protect members would be preempted.

The fact is that freedom of speech is restricted in lines 4, 5, and 6, of page 3 of the amendment to the following:

> Every member of any such labor organization shall have the right to express any views, arguments, or opinions regarding any matter respecting such organization or its officers, agents, or representatives.

It seems to me the provision of State law in regard to protecting, for example, the rights of a member of a union—to testify in the State of Pennsylvania, for example, I will say to the Senator from Pennsylvania—are far more satisfactory and inclusive than is any right which is guaranteed to a union member in the bill.

I shall read from the case of Spayd against Ringing Rock Lodge, in the State of Pennsylvania, which concerns the Ringing Rock Lodge No. 665 of the Brotherhood of Railroad Trainmen, who expelled a member of their lodge for testifying in the State legislature against legislation which the union favored. The court had this to say, and this is law, and the precedent which governs:

> The rights above noted cannot lawfully be infringed, even momentarily, by individuals, any more than by the State itself (*United States* v. *Cruikshank*, 92 U.S. 542, 23 L.Ed. 588); and least of all can they be breached by corporations and unincorporated associations, which function solely by grace of the State, and the supervision and control of which are specifically vested in courts of equity by the act of June 16, 1836 (Public Law 784, sec. 13, par. 5; Pa. St. 1920, sec. 4562). We have often said that the by-laws, rules, and regulations of these artificial bodies will be enforced only when they are reasonable (*Lynn* v. *Freemansburg Bldg., etc., Assoc.*, 117 Pa. 1, 11, 11A.537, and 2 Am. St. Rep. 639; *Hibernia Fire Engine Co.* v. *Com.*,

93 Pa. 264, 269; *Evans* v. *Philadelphia Club*, 50 Pa. 107, 115; *Com.* v. *Detwiller*, 131 Pa. 614, 634, 18A.990, 992, 7 L.R.A. 357, 360; *Arbour* v. *Pittsburgh Produce Trade Association*, 44 Pa. Super. 240, 250); and they never can be adjudged reasonable when, as here, they would compel the citizen to lose his property rights in accumulated assets, or forgo the exercise of other rights which are constitutionally inviolable. Defendant lodge is part of a beneficial organization, and there is a finding that plaintiff has a substantial property interest therein. Under these circumstances, it will not do to say that he can freely regain full liberty of action, at any time, by disassociating himself from the order; but, even if he could, the rule, as construed by defendants, would still be discountenanced and void in law.

The point of the matter is, if the Members of the Senate will examine the laws, the States have provided broad protections for members of voluntary organizations. I consider those protections to be broader than the provisions of the amendment offered by the Senator from Arkansas.

Mr. CLARK and Mr. CURTIS addressed the Chair.

Mr. KENNEDY. I yield first to the Senator from Pennsylvania, and then I will yield to the Senator from Nebraska.

Mr. CLARK. Mr. President, I thank the Senator for yielding to me.

The argument of the Senator from Massachusetts is persuasive, but I wonder if the Senator can tell us what was the relief sought in the Pennsylvania case and what was the relief granted? My own fear is that the law of my State, not being everything one could wish, in some instances, tends to protect property rights substantially more fully than it tends to protect human rights.

Mr. KENNEDY. I will say to the Senator that in this case the expulsion of the member from the union was set aside, and those in control of the union were compelled to accept him back into the union.

Mr. President, I now yield to the Senator from Nebraska.

Mr. CURTIS. Mr. President, I should like to point out to the Senator that the McClellan committee took testimony in reference to a case in Pennsylvania, wherein a union member went to a union meeting and spoke in opposition to the crowd in control. When that member left the meeting, he was unmercifully beaten on an elevator. Some "goons" took possession of the elevator and made the man go up and down on it. He almost lost his eyesight. He was suffering from cancer when he testified, which might have been related to that incident. After being released by the doctor, he took his complaint to a magistrate in the State of Pennsylvania, and the magistrate dismissed the case, saying, "That is just a union brawl, and we do not get into them."

I for one am going to vote to give these men a right to go into the U.S. courts.

Mr. KENNEDY. I will say, Mr. President, that in my opinion, the argument made is really not a valid one. The Senator is not pretending to say, I hope, that it is not against the law in the State of Pennsylvania or in the State of Nebraska or in any other State to beat up a man. That is against the law today. If "goons" can beat a man up for exercising his rights under State law, so they could under the Federal law. The point of the matter is that there is protection by law, even if the local officials will not meet their responsibility.

The Senator would not be filling a vacuum in this case by suggesting that these men are not protected. I cannot help it and the Senator cannot help it—and it is not the responsibility of the Senate—if the responsible law officials of a given area are so "gutless" that they will not give the man protection.

Mr. HOLLAND and Mr. CURTIS addressed the Chair.

Mr. KENNEDY. I yield first to the Senator from Florida.

Mr. HOLLAND. I thank the Senator from Massachusetts.

I agree with the Senator from Massachusetts on the first part of the premise, for I am sure no Senator would want to take away from any labor-union member, or from labor-union members as a group, as defined in the bill, residing in any State, any rights or protections they have under the laws of the State.

Is it not true that a plenary provision guarding against preemption, such as suggested by the Senator from Arkansas, would completely guard against any such surrender of rights? Would it not make clear that all rights—and the rights may vary in the different States—would be preserved, but, at the same time, a field would be created, without fear of preemption, under which by Federal law, passed by the Congress, there would be protections provided more sweeping than those provided in at least several of the States?

I am sure the Members of the Senate want to protect the members of labor unions.

Mr. KENNEDY. Which would govern, the Federal or the State law? In a case where a member's rights were in question in regard to freedom of assembly, or in regard to an election, which law would govern?

Mr. HOLLAND. I would say that both rights would prevail, that both courts would be available, and both remedies would be available. Any plenary provision against preemption would certainly preserve States' rights as they are, and it would, at the same time, create a new body of effective Federal law.

Mr. KENNEDY. In that case, there would be three protections.

Mr. HOLLAND. If I may conclude the statement—and I apologize for taking so long—there is nothing new in the idea of concurrent legislation or concurrent protection of rights, whether it be on the basis of private rights or on the basis of criminal law. It seems to me that the Senate, confronted with the great body of evidence, taken so ably by the distinguished Senator from Arkansas and by his distinguished associates, including the Senator from Massachusetts, and confronted by a clear showing of all the abuses which have taken place, notwithstanding undoubtedly good provisions in State laws in various States, and perhaps in all States, should realize there are rights which need to be protected. We should want—and I believe the Senate will show it wants—to protect more fully rights which frequently have been abused and violated under the conditions which now prevail.

Mr. KENNEDY. It seems to me the question before us involves a burden of evidence upon the Members of the Senate who support the bill to show that there are adequate remedies today available in all these areas.

In my opinion, the proposed legislation is somewhat confining. In the case I mentioned there would be three remedies. One would be provided under the bill, when the Secretary of Labor could set the election aside because there was not freedom for the members to participate fairly in the election.

There would also be a Federal remedy and a local remedy in some cases conflicting.

I will say to the Senator that I am not sure he would accept the general thesis that all rights of all citizens of the United States which may be denied should be carried to the courts by a Federal official, either the Attorney General or the Secretary of Labor. Does the Senator agree to that?

Mr. HOLLAND. I certainly would agree with the distinguished Senator from Massachusetts but I do not think the distinguished Senator would disagree with me when I say that the actions and the findings of the McClellan committee have shown beyond any peradventure of doubt that there are a tremendous number of abuses of private rights now being perpetrated and that there is a need for giving greater protection against violations of those rights. Does not the Senator feel that way about it?

Mr. KENNEDY. I will say to the Senator that I am not convinced he accepts the general thesis that the Federal Government should protect private rights and be the party to initiate proceedings in courts in all cases when private rights may be denied and when there may be ample evidence that such private rights are denied.

We had a long debate on this whole question with regard to title III of the civil rights bill and whether the Attorney General would be the proper person to initiate suits on behalf of individuals throughout the country. It seems to me that serves as a quite comparable example and precedent.

Mr. HOLLAND. Mr. President, will the Senator yield for one more observation?

Mr. KENNEDY. I yield.

Mr. HOLLAND. It seems to me that the bill so ably supported by the distinguished Senator from Massachusetts demonstrates that he recognizes the need for the protection of the rights now being violated. The Senator provides for that in section 506 (a) and (b) of his bill, and, insofar as it goes, I approve of it.

The question which the distinguished Senator from Arkansas has raised—and I think he has raised it soundly—is that the findings of his committee and the evidence which has been brought out by

that committee, and which has shocked the Nation, have shown abuses of private rights and abuses of individuals in many other fields than those now mentioned in the bill. The Senator from Florida feels that in order to do a full job we have to go a great deal farther than is provided in the bill. I should like to know how the Senator from Massachusetts feels about that.

Mr. KENNEDY. Does the Senator from Florida accept the general thesis that on occasions when evidence can be obtained that private citizens find it difficult to obtain justice by themselves in the State courts, the Federal Government, the Attorney General, or the Secretary of Labor should prosecute such cases?

Mr. HOLLAND. I do not wish to be other than responsive but my feeling is that there is a field which certainly calls for enactment of some Federal law.

My feeling also is that there is a showing that State law is inadequate. The State of New York, by the enactment a few days ago of an act in this very field, has shown that its legislature has all the facts. I am sure that is largely the result of the findings and activities of the McClellan committee. There is something that appeals to it as requiring State action to protect further private rights than those which are protected under present law.

I cannot feel that the distinguished Senator can argue very strongly against the proposition that additional Federal protection is needed, when he has written into his bill, under sections 506 (a) and (b) strong criminal provisions, culminating in subsection (c), which applies a fine of $10,000 or imprisonment for not more than 2 years, or both, for the abuse and violation of rights recognized by the bill, but which have not been recognized heretofore by Federal law.

The whole question between the distinguished Senator and myself is whether his bill goes far enough. It is my distinct feeling—and it was my feeling last year when this question was debated on the floor of the Senate—that the bill does not go far enough. If necessary, I could relate several things which happened in the course of a campaign which I conducted last year, in which I was approached by many labor union members who felt that they were extremely ill-treated, and I agree with them. They made it clear that they were not being protected by State law in my State, or by existing Federal law.

We want to go further than the distinguished Senator has suggested. I pay tribute to him for going as far as he has gone. I am sure he feels that that is as far as he should go. I am also sure that there is a field for disagreement on this subject.

I believe the Senator from Arkansas is exactly correct when he says that we should go further in declaring the existence of rights in this field which may not be abused or violated without the offenders getting into difficulty.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. McCLELLAN. The Senator from Massachusetts has provided, in section 506, for penalties for violation of the rights mentioned in the bill.

Mr. KENNEDY. The Senator is correct.

Mr. McCLELLAN. Has the Senator preempted the State courts in the protection of those rights, which he seeks to protect by criminal penalty?

Mr. KENNEDY. We have not, but there is a great deal of difference between the rights we have sought to guarantee and the rights which the Senator mentions, in the entire field of the Bill of Rights

Mr. McCLELLAN. If the Senator's bill does not cover such rights, I am glad to have that information. They are basic.

Mr. KENNEDY. The point is that I think they are adequately covered by State law, by the Taft-Hartley Act, or by the bill.

Mr. McCLELLAN. I suggest at this point that the Senator read subparagraph 5 on page 3, under the heading "Protection of the Right To Sue." Does not that cover what the Senator has been discussing? Does not the amendment I have offered cover the situation in Pennsylvania which has been mentioned?

Mr. KENNEDY. I will give the Senator an answer after I have dealt with subparagraph 4. I wish to go through the various paragraphs one by one. Subparagraph 4 is headed "Freedom From Arbitrary Financial Exactions." Every Member of the Senate feels that such freedom should be guaranteed. As a matter of fact, it is guaranteed by the Taft-Hartley Act. I read from section 8(b)5 of the Taft-Hartley law:

(b) It shall be an unfair labor practice for a labor organization or its agents—

* * * * *

(5) To require of employees covered by an agreement authorized under subsection (a) (3) the payment, as a condition precedent to becoming a member of such organization, of a fee in an amount which the Board finds excessive or discriminatory under all the circumstances.

If Members of the Senate will go through the so-called Bill of Rights section by section, they will find that such rights are dealt with more effectively under State law, under the Taft-Hartley Act, or under the pending bill. It is not that we seek to deny freedom of speech to union members. The fact is that the basic principle is that if this amendment is adopted, I believe that rights which have been guaranteed by the States over a long period of time will be limited.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. MORSE. I have a few questions to ask the chairman of the subcommittee, for purposes of clarification, in order to make a legislative record on the bill.

As I understand the chairman of the subcommittee, he takes the position that the McClellan amendment is not necessary. Is that one of the positions the Senator takes?

Mr. KENNEDY. The Senator from Oregon is correct.

Mr. MORSE. And that in his opinion it is not necessary for at least the following reasons: First, that the objectives of the amendment are now adequately covered by State law, and it is up to the local jurisdictions to guarantee the rights of citizens under State laws. Is that the Senator's position?

Mr. KENNEDY. The Senator is correct.

Mr. MORSE. Second, the amendment is not necessary because the chairman takes the position that if we enact the Kennedy-Ervin bill in its present form, and give a trial to the democratic procedures included in that bill, we shall discover that many of the problems which worry the Senator from Arkansas and others who wish to adopt this type of amendment would vanish, because we think we have in the bill the procedural safeguards which will have the result, in instances in which that situation does not now exist, of returning control of the unions to the membership of the unions, and taking the control, in such instances as that situation exists, away from racketeers and men who have betrayed their public trust with respect to the public and members of the unions.

Mr. KENNEDY. The Senator is correct.

Mr. MORSE. In the third place, the chairman of the subcommittee feels that this amendment is not necessary because already, under the Taft-Hartley law, which was just quoted by the Senator from Massachusetts, there is adequate protection if the States, in turn, will carry out the provisions of the Taft-Hartley law in this particular field.

Mr. KENNEDY. The Senator is correct.

Mr. MORSE. Lastly, do I correctly understand my chairman to say, in effect, that he thinks the McClellan amendment is unnecessary because in the Kennedy-Ervin bill we would give such authority to the Secretary of Labor as to make him, shall I say, for want of a better term, somewhat of a surveillance officer over unions; that under the terms of our bill he will be effective in eliminating from union practices some of the very abuses which our friend from Arkansas has in mind, which he thinks require his amendment in order to eliminate, whereas we say, "Let us try the procedure we have proposed to see if it works. We think it will work successfully." Is that the position of the chairman?

Mr. KENNEDY. The Senator is correct.

Mr. MORSE. As the chairman knows, time and time again in the committee I have taken the position, under his leadership, that we have the duty in this session of Congress to come forward with a bill which will contain the minimum checks which the Federal Government ought always to try to impose when in the opinion of the Federal Government they are necessary to eliminate abuses; but that under our Federal system we should bear in mind that the Federal Government should adopt a policy of exercising only the minimum checks, and should not proceed, in any field, to enact laws so broad in scope that, in effect, they constitute a superseding of State jurisdiction and State obligation, to the end of weakening our system of

Government, under which we look to the States, after all, to handle local problems in the first instance. Does the Senator share that point of view?

Mr. KENNEDY. Yes.

Mr. MORSE. Therefore, in the bill we have tried to avoid the inclusion of sections in which Congress would make the Secretary of Labor its agent and have him determine for the unions their constitutional provisions and their by-law provisions, and, in effect, run the internal affairs of the unions; rather, we seek to guarantee by law that the membership of the local unions will have the right and authority to function as democratic members of a voluntary organization known as a labor organization. We should not go so far as is proposed by the McClellan amendment and other amendments which are being offered to the bill, which would make Congress a constitutional convention for the free labor movement in the United States. Does the Senator share my point of view?

Mr. KENNEDY. I do.

Mr. MORSE. For that reason I shall support the position of the Senator from Massachusetts and shall vote against the McClellan amendment.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. CARROLL. I am very much interested in the Senator's comment on section 103; which reads:

SEC. 103. The Secretary—

I assume that here is meant the Secretary of Labor.

Mr. KENNEDY. Yes.

Mr. CARROLL. I read:

SEC. 103. The Secretary, whenever it shall appear that any person has violated or is about to violate any of the provisions in this title, may bring an action in a district court or other court of the United States—

When any such action as is here described is brought, who represents the Secretary of Labor?

Mr. KENNEDY. The Attorney General.

Mr. CARROLL. The Attorney General of the United States?

Mr. KENNEDY. Yes.

Mr. CARROLL. Then if we now agree to this amendment we are conferring a power on the Secretary of Labor and the Attorney General of the United States to institute suits in behalf of private plaintiffs—

for such relief as may be appropriate, including, but without limitation, injunctions to restrain any such violation—

And so forth. I thought we crossed that bridge 2 years ago. I remember the great debate on the floor of the Senate about instituting the supposedly new device of injunction proceedings without a jury trial. Here I find a provision in the McClellan amendment offered to a bill not dealing with constitutional democracy, not dealing with political democracy, but dealing with economic democracy. I wonder why proponents of this amendment were unwilling to accept a parallel remedy to enforce the most basic constitutional rights of citizens.

I was very much interested in the comments of the distinguished Senator from Massachusetts. I had missed the full import of this important provision of the amendment. May I ask the Senator if I have overstated the case?

Mr. KENNEDY. The Senator from Colorado has stated the case much more precisely than I did. As one who voted for the jury trial amendment, embodying title IV of the civil rights bill of 2 years ago, I believe it is a matter which should be given careful consideration by all Members of the Senate. Now it is proposed to repose in the Attorney General the power to obtain injunctions against any citizen of the United States, to protect any rights of the 15 million union members in the country, but we would not provide jury trials in suits affecting the exercise of those broad rights.

Mr. CARROLL. They are economic rights, as I have said. They arise from economic problems and deal with economic democracy. They are not constitutional rights arising under the 14th amendment, dealing with political democracy.

Mr. KENNEDY. The Senator is correct.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. LAUSCHE. The Senator from Massachusetts has expressed the fear that if the McClellan amendment is adopted the Federal Government will have preempted the field of enforcement, and thus will have excluded the States from entering it.

Mr. KENNEDY. There is a danger of that, I said.

Mr. LAUSCHE. Yes. Is not that fear also applicable to the bill which the Senator from Massachusetts has reported?

Mr. KENNEDY. I do not believe so.

Mr. LAUSCHE. What is the distinction? Why should the McClellan substitute be subject to attack on the ground that it has preempted a field, and why should the bill reported by the Senator from Massachusetts be not subject to the same fear?

Mr. KENNEDY. Because I believe we have established certain precise rights. In the case of elections we preempt action for the Federal Government after the election is held. A suit may be filed in a State court prior to an election. The Federal Government takes preemption after an election. We have attempted to exercise Federal rights in those areas where the Federal Government can best do the job, and have attempted to provide for State preemption in the areas where the State can do it best. I cannot give a better example than to cite the procedure followed in the case of union elections. Prior to the day of an election an individual can sue in a State. The day after an election the Secretary of Labor assumes jurisdiction.

Mr. LAUSCHE. Under section 507 of the bill reported by the Senator from Massachusetts an attempt is made to negate preemption by the Federal Government by specifically stating that the enforcement of State criminal laws shall not be impeded by the passage of the bill.

Mr. KENNEDY. Yes.

Mr. LAUSCHE. There is nothing in section 507 which negates the preemption on civil rights.

Mr. KENNEDY. That is correct.

Mr. LAUSCHE. The Senator from Massachusetts makes an attack upon the amendment offered by the Senator from Arkansas on the ground that it would preempt jurisdiction on civil rights, but does not concede that the bill of the Senator from Massachusetts equally would preempt jurisdiction on civil rights.

Mr. KENNEDY. The reason I do not concede it is that it does not do so. In the areas where the Federal Government should assume jurisdiction, the Federal Government assumes jurisdiction and preempts the field. In the areas where we do not believe the Federal Government should assume jurisdiction, and where the States can do the job better, the bill quite clearly does not preempt that field for the Federal Government.

Mr. LAUSCHE. The Senator from Arkansas states that his amendment will not preempt the field. To safeguard the matter he has offered an amendment which would definitely preclude preemption. I respectfully submit that neither the Senator from Ohio nor the Senator from Massachusetts nor the Senator from Arkansas can predict what the Supreme Court will say has been or has not been preempted.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. McCLELLAN. I am trying to hurry along, because I know an attempt is being made to get a unanimous consent agreement. I should like first to decide whether to offer an amendment and then agree to limit the time for debate and get a vote.

The Senator from Massachusetts says that I want to make something a Federal crime which is already covered by State law. I call the attention of my friend to his bill on the subject of embezzlement of union funds. I do not know of a State in the Union which does not make a crime of embezzlement of union funds. I do not know of a State in the Union which does not make a crime of embezzlement.

My friend from Massachusetts attempts to reenact State laws in section 109 of the bill, which provides:

Any person who embezzles, steals, or unlawfully and willingly abstracts or converts to his own use—

And so forth. Every State in the Union has a criminal statute on embezzlement. Why can we not also make the other crimes Federal crimes, inasmuch as we are dealing with Federal legislation in the labor union area? My friend suggests that we would weaken the bill by doing that. I should like to call the Senator's attention to the section on page 25 of the bill dealing with picketing. We already have on the books the Hobbs Act, which deals with extortion. It provides for a penalty of 20 years in jail. The Senator now proposes to reduce the penalty for the same crime to 2 years. The Attorney General has stated that the bill would make this crime a misdemeanor, punishable by imprisonment for not more than 2 years, and a fine of not more

than $10,000. Under the Hobbs Act, the penalty is imprisonment for 20 years. The Attorney General also points out that all States now have laws regarding extortion.

Mr. KENNEDY. I shall be glad to answer the Senator from Arkansas. The embezzlement section was put in the bill last year, and wisely so, on the suggestion of the Senator from Arkansas. I think it is effective to have both State and Federal statutes apply. We do not preempt the criminal laws of States. I am appreciative of the fact that the Senator from Arkansas last year persuaded us to make embezzlement of union funds a Federal crime.

The second point I wish to answer is with regard to the Hobbs Act. That question has been before us in the same language for 15 months. The Department of Justice, 2 days ago, decided that such a provision might weaken the effect of the Hobbs Act.

The reason it was put in was that there is some question in the minds of many lawyers whether the Hobbs Act operates if there is no violence. So in order to make certain that it would cover peaceful picketing, even for lawful purposes, this section was included in order to take care of the question raised by the Department of Justice.

Yesterday I sent to the desk an amendment making the crime a misdemeanor, and reducing the penalty from 10 years to 5 years. However, it does not affect the argument against preemption.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. HOLLAND. Has not the Senator from Massachusetts given us a perfect illustration of the existence, under his bill, of a concurrent jurisdictional matter, in which both the State and Federal Governments would be given authority to deal with a bad situation? The Senator does not seem to be disturbed by that fact, but is satisfied with his provision against preemption, with which I, too, am satisfied.

How does the Senator differentiate between that action as suggested by him and the broader action as suggested by the Senator from Arkansas, in the event the conscience of the Senate determines, as I think it will, that the evidence taken by the McClellan committee points to the necessity for correcting a great many abuses not corrected by the Senator's bill.

Mr. KENNEDY. We make a crime of embezzlement both on the local basis and the Federal basis. This is a quite precise crime. There is no difficulty in defining it. We are talking about a broad area of major rights, stretching over six areas of human action. That raises in a different way the question of preemption or the question of embezzlement.

Speaking about consistency, I stood on the floor of the Senate and voted for jury trials in all cases of injunction with respect to voting rights. Yet the amendment of the Senator from Arkansas would deny the right of jury trial in all cases involving the rights of millions of Americans if the Secretary of Labor gets an injunction. I do not see how any Senator who voted for the right of jury trial in voting cases can deny the right of all these citizens to a jury trial.

As to those who voted against the right of the Attorney General to seek injunctions in cases, as the Senator from Colorado has said, involving rights under the Constitution, I fail to see how they can consistently turn over to the Attorney General the power to use the injunctive process in cases involving all the rights in this broad area.

Mr. HOLLAND. I say there is a considerable difference, because this is a field in which the evidence before the Senate and before the people—and it has shocked the people—shows clearly that individuals at the lowest possible level have been imposed upon by organizations created and largely functioning under Federal law.

In the field of public schools, we are talking about something as to which the States have the right to exert the power. We are talking about a field completely different from the one in which the labor unions of the Nation have been governed by Federal legislation, which in too many instances has become exclusive in its operation.

Mr. CARROLL. Mr. President, will the Senator from Massachusetts yield?

Mr. KENNEDY. I yield.

Mr. CARROLL. I was one of the advocates of part 3 in the fight for a sound civil rights bill in 1957. I believe the Attorney General should have the right to intervene. I believe the Attorney General should have the right to go to court on questions involving the right to vote, and to represent the people in a Federal court.

I am not so much worried about granting this authority to the Secretary of Labor, but I do want to read and consider this language about equal rights:

> Every member of a labor organization engaged in an industry affecting commerce shall have equal rights and privileges within such organization, including identical voting rights and equal protection of its rules and regulations.

Let us take up those points one by one. What is wrong with this provision? Why should we not vote for it. Suppose there were only that one section of the amendment and we gave to the Secretary of Labor the right to call upon the Attorney General to go into Federal court to protect those fundamental rights. I ask this question in all sincerity, because many Senators who voted for part 3 of the civil rights bill have asked themselves the question. Now we ask it on this item. Is the doctrine of preemption involved in it? If so, how?

Mr. KENNEDY. Probably the only weakness in this section, but it is an important one—involves putting the Secretary of Labor into the adjustment of matters such as equal rights and privileges within a labor organization. I should think that would involve the Secretary of Labor in criminal offense procedures, seniority disputes, and any other matter as to which any member of a union may feel he has been discriminated against by union officers or his employer while he was a member of a union.

My own feeling is that these are matters with which the union can deal better, on the assumption, as we have heard it said frequently, that there are honest people in the unions.

I am reluctant to have the Secretary of Labor and the Attorney General become involved in all matters which may be considered when we talk about equal protection of rules and regulations and equal rights and privileges. That is my only objection to this section. If the Senate wants to adopt it, I am sure it is a section which, while it may make the Secretary of Labor extremely busy, will not cause undue hardship on anyone but him.

Mr. CARROLL. As a member of the Committee on the Judiciary, I ask the Senator from Massachusetts a question. The thought occurs to me that the Federal court dockets are clogged today. There is a great clamor to have 40 or 50 new judges appointed. To load upon the courts the great burden which could result from enacting this amendment is something to which serious thought should be given, should it not?

The first section of the bill, section 101, provides that every member of a labor organization shall have equal rights. Does every member have a forum today to enforce his equal rights?

Mr. KENNEDY. Yes.

Mr. CARROLL. What forum does he have today?

Mr. KENNEDY. In order to enforce his rights?

Mr. CARROLL. Yes.

Mr. KENNEDY. I should say, first, that he has the procedures of his union. If they are denied to him, I think the court decisions—and I have a great many of them here; in fact——

Mr. CARROLL. What court decisions? Decisions of State courts?

Mr. KENNEDY. Yes, State courts. I quote Prof. Clyde W. Summers, of the Yale Law School, probably the outstanding authority in the country on union discipline. In an article published in the Harvard Law Review for May 1951, Professor Summers said:

> The courts have reciprocated by looking with a jaundiced eye upon all discipline which restricts the member's freedom to use the judicial process and, in these flagrant cases, have freely protected the individual member from discipline. Even in more doubtful cases in which members have sought to enjoin the levying of assessments or the calling of strikes on the claim that the union action was unconstitutional or illegal, the courts have also given full protection.

Professor Summers then cites numerous cases in which the civil courts have protected political activities outside unions, political activities inside unions, suits against unions, dual unionism, and so forth.

I suggest that any Senator who is concerned about whether there have been voluminous laws and decisions in the States which have the force of precedent should look at the cases which are included in this article, which show the broad protections which are given to union members by State courts for any breach of their right to speak, against being expelled from unions, and against excessive fines.

Mr. CARROLL. Does it include freedom of assembly?

Mr. KENNEDY. It includes freedom of assembly.

Mr. CARROLL. Is it the opinion of the Senator from Massachusetts that present State and Federal laws are adequate and that the pending bill is adequate to protect the rights of working people?

Mr. KENNEDY. Except in one particular, namely, that of guaranteeing that every member of a union shall have the right to vote in a secret election, after due notice, and that everyone who is a candidate for officer of a union shall have the right to name a teller. When unfairness is committed in an election, the Secretary of Labor shall have the right to set the election aside. I do not think State law provides adequate remedies in this field, whereas the bill does.

When unfairness is committed in an election, the bill provides that the Secretary of Labor shall have the right to set the election aside. I do not think State laws provide adequate remedies in that field; and, for that reason, this bill does.

Mr. CARROLL. I understand that the Senator from Massachusetts [Mr. KENNEDY] and the Senator from North Carolina [Mr. ERVIN] have in their bill provisions which are corrective.

Mr. KENNEDY. That is correct; in the provisions on voting rights, for instance, on page 36, in lines 1 and 2.

Mr. CARROLL. I thank the Senator from Massachusetts.

Mr. HOLLAND. Mr. President, will the Senator from Massachusetts yield?

Mr. KENNEDY. I yield.

Mr. HOLLAND. I have noted that the Senator from Massachusetts has included in his bill, on page 23, in section 110(c), language similar to that the Senator from Arkansas has suggested in his amendment on the question of the bringing of injunction suits by the Secretary of Labor.

I read from the Senator's bill:

(c) The Secretary, whenever it shall appear that any person has violated or is about to violate any of the provisions of this title, or any rule or regulation of the Secretary promulgated hereunder, may bring an action in a district court or other court of the United States for such relief as may be appropriate including, but without limitation, injunctions to restrain any such violations and to compel compliance with this title, and with rules and regulations issued thereunder. Any such action against a labor organization may be brought in the United States District Court for the District of Columbia or in the district court or other court of the United States where the violation occurred.

As a matter of fact, the Senator's own words go a great deal farther than the words suggested by the Senator from Arkansas, except as to the field of coverage. As to the field of coverage, the Senator's bill is more limited. But the Senator from Massachusetts includes in his bill not only a provision for an injunction to enforce the provisions of the bill, but also a provision to enforce "any rule or regulation of the Secretary promulgated hereunder."

So it seems to me that the entire question here, again, is one of degree and of how much territory shall be covered.

I believe the Senate certainly has knowledge of the fact that there have been serious abuses and serious violations of the individual rights and destruction of the individual property rights, and even of the right to live, of members of unions, and that those matters have not been adequately dealt with in the State courts. So I believe that a provision for the creation of a concurrent remedy to deal with those matters adequately, under Federal law, should not be too difficult for the Senator from Massachusetts to accept, because, as I have pointed out, in his own bill he has included exactly the same language in the case of enforcement of the rules of the Secretary of Labor, in addition to the rules set forth in the bill.

Mr. KENNEDY. I shall be glad to answer.

Mr. HOLLAND. I shall be glad to have the Senator from Massachusetts do so.

Mr. KENNEDY. What we are dealing with on page 23, in subsection (c) is that the Secretary shall have the right to obtain an injunction to compel people to file—which is entirely different from securing injunctions for the protection of private rights in these various fields. I think there is a good deal of difference.

I will say to the Senator from Florida—because in my opinion no one has more courage than does he—that, as he knows, he was particularly interested, as I was, in protecting the civil rights of people in connection with the jury-trial provision. So, when he has examined with care this problem, which relates to another area, I believe he will feel that what is left in title IV, in connection with the protection of jury trials, is sufficient; and I believe that he, himself, will feel that consistency should be followed and should guide his conduct.

Mr. HOLLAND. Mr. President, if the Senator from Massachusetts will yield further, let me ask whether he will propose an amendment to protect jury trial rights in connection with the injunction suits for which he has made provision in his bill?

Mr. KENNEDY. There seems to me to be no comparison between giving the Secretary of Labor the power to obtain an injunction, in order to cause a union officer to file a report under this title—which is all this title does—and requiring the Secretary of Labor to enforce all the so-called bill of rights, on a private basis, all over the country, by private suits, in fact. I do not see the comparison between giving the Secretary of Labor the power to compel a union officer to make a financial report or giving the Secretary of Labor the power to obtain an injunction if such an officer does not do so, and having the Secretary of Labor initiate suits on behalf of 15 million Americans, potentially, in this whole variety of areas. The two seem to me to be quite different.

Mr. HOLLAND. It seems to me that the Senator's provision applies to an election.

Mr. KENNEDY. No; it does not. We are talking about the first title.

Mr. HOLLAND. Furthermore, it seems to me to be very clear, again, that the question is one of degree.

I do not believe that the Senator from Massachusetts would seriously on the floor of the Senate take the position that the hearings held by the McClellan committee have not disclosed with complete clarity that the State laws are not adequate and have not been proven adequate to take care of the many abuses which have existed.

The very fact that the Senator from Massachusetts proposes a remedy and a change and the setting up of Federal procedures shows that he himself has come to that conclusion. So I hope he will be patient enough to bear with some of us who would go further than he would, because we feel that the remedy he proposes does not begin to deal with the enormity of the situation which has been disclosed by the McClellan committee.

Mr. KENNEDY. Mr. President, I yield the floor.

Mr. DIRKSEN. Mr. President, I should like to yield to the Senator from Arkansas [Mr. MCCLELLAN], first of all to ascertain whether he is going to offer his amendment to the pending amendment, and second, to ascertain whether at this time we can contrive to arrive at a limitation on debate on the pending question.

Mr. MCCLELLAN. Mr. President, at this very time I am trying to obtain the floor for that purpose; and then I shall agree to a limitation on the time available for debate—if the Senator from Illinois will yield to me for that purpose.

Mr. DIRKSEN. I yield for that purpose.

Mr. MCCLELLAN. Mr. President, I submit a modification of my amendment, and I send the modification to the desk. It reads as follows:

Except as explicitly provided to the contrary, nothing in this Act shall reduce or limit the responsibilities of any labor organization or any officer, agent, or other representative of a labor organization, or of any trust in which a labor organization is interested, under any other Federal law or under the laws of any State, and except as explicitly provided to the contrary, nothing in this Act shall take away any right or bar any remedy to which members of a labor organization are entitled under such other Federal law or law of any State.

The PRESIDING OFFICER. Inasmuch as the yeas and nays have already been ordered on the question of agreeing to the pending amendment, it can be modified at this time only by unanimous consent.

Is there objection? The Chair hears none. Without objection, the amendment is modified accordingly.

Mr. MCCLELLAN. Mr. President, now I am glad to agree to a time certain for the vote to be taken.

Mr. JOHNSON of Texas. Mr. President, I now ask unanimous consent that the vote on the pending amendment and any amendments thereto begin at 6 o'clock, and that the time between now and 6 o'clock be equally divided, and be controlled, respectively, by the Senator

from Arkansas [Mr. McCLELLAN], and the Senator from Massachusetts [Mr. KENNEDY].

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. ALLOTT. Mr. President, I should like to take a few moments to discuss some of the questions which have been debated during the last few minutes.

First, let me say that I believe we must ask ourselves what are the issues we are considering.

While discussing legislation of this type, Mr. President, it is very easy, in this legalistic complex, to get away from the excellent and the stirring presentation the Senator from Arkansas [Mr. McCLELLAN] made this afternoon.

The answer simply is that our legal processes have broken down in respect to enforcement of the rights which human beings are guaranteed, not only by the Constitution of the United States, but which I personally believe every human being is guaranteed by God.

A few minutes ago, the Senator from Oregon stated that the purpose of the bill is to put into effect certain minimum legislation. Mr. President, as one who has supported all the civil rights bills proposed during my tenure of office, I wish to state that in the field of personal rights there can be no minimum legislation.

The amendment of the Senator from Arkansas guarantees several rights, but today every one of those rights is either implicitly or impliedly guaranteed to each citizen by the constitution of his own State and by the Constitution of the United States. I am sure the Senator from Massachusetts will agree as to that.

Then, Mr. President, why are we considering the enactment of such legislation? We are doing so because we believe that the disclosures before the McClellan committee have shown the Senate and the people of the United States that there is within the labor movement—no matter whether confined to a small portion of it or not—a cancerous growth which ultimately can destroy the labor movement and perhaps ultimately can destroy the economy of our country. I have read in the newspapers that one union official said he would honor boycotts in this country by workers of Russia. That statement is typical of the attitude which has developed in the illegal area of trade unionism.

I would not willingly or knowingly stand on the floor of the Senate and seek to take away from any laboring man any one of the privileges which gives him the right to continue to bargain collectively or freely. Nor would I knowingly take one step back to the coercive situation in which workers found themselves 30 years ago.

So when we talk about minimum laws, let it be clear it is not my purpose to help enact any minimum laws with respect to any human or personal rights. Human rights and economic rights cannot be separated, because all economic rights lead back to personal rights.

Mr. President, the Senator from Massachusetts has quoted a legal authority from Yale. There is no doubt that many of such cases have been decided by State courts. There is no doubt that many such cases have been decided by the Federal courts. The Senator was referring to cases which were decided. I hope that by so citing the cases, he is not trying to hold them up as an example of the law enforcement we have had in this country with respect to human rights. If he is, I wonder what he and the McClellan committee have been doing during the past 2 years. I know they have been working. I know they, including the Senator from Massachusetts, have worked under great trial and tribulation.

In my opinion, we must adopt this amendment. As the Senator has created in his own bill, a coexisting State and Federal jurisdiction, so the Senate must create coexisting State and Federal rights. I intend to support the amendment of the Senator from Arkansas.

Mr. GOLDWATER. Mr. President, will the Senator from Arkansas yield me 5 minutes?

Mr. McCLELLAN. I am very glad to yield 5 minutes to the Senator from Arizona.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). The Senator from Arizona is recognized for 5 minutes.

Mr. GOLDWATER. Mr. President, I think we could find in the history of our Constitution and the Bill of Rights precedent for what we are confronted with today. It will be recalled that when the Constitution was written and completed, the Founding Fathers who wrote that document said, "In the future there may come a time in our history when people may not recognize the rights they have." So they prepared the first 10 amendments to the Constitution, and those amendments are known as the Bill of Rights.

I suggest to my colleagues we are in very much the same position. In the past 50 years laws have been written to protect the rights of the working people of the United States. Now we have reached a point where we need to spell out those rights and incorporate them in what we may call a bill of rights, just as the Senator from Arkansas has called his amendment a bill of rights for members of labor organizations.

Mr. President, far better than I can express the thought are the words of Mr. Godfrey P. Schmidt, who was one of the three court-appointed monitors named to clean up the Teamsters Union. He is a professor of constitutional law at Fordham University. I should like to read into the RECORD, in support of the McClellan suggestion of a bill of rights, a part of the letter which Mr. Schmidt wrote to the Senator from Massachusetts [Mr. KENNEDY] on February 9, 1959, which letter was made a part of the hearings. Mr. Schmidt wrote in part:

> One of the most rampant abuses of power in the labor movement, consists in the practice of visiting reprisals upon union members and officials who dare to exercise free speech in opposition to the wishes of the programs of powerful labor leaders. The Wagner Act long ago forbade reprisals by employers against workers who indulged in concerted activities. The measures of proof in such cases is a fair preponderance of the evidence. The labor boards have, with great solicitude, pursued employers who make use of reprisals against workers. The law should forbid the much more ruthless and extensive reprisals by labor leaders against the rank-and-file members and officers. The boards should use the same meticulous solicitude to prevent this type tyranny (which is breeding a dangerous servility in rank-and-file members) as it has used to punish employer tyranny. It is no answer to say (as I think Professor Cox said) that we have criminal laws on our books to prevent and to punish threats and coercion. Such laws are usually inefficacious for the purpose I have in mind; because their measure of proof is proof beyond a reasonable doubt. Threats and coercion have become so commonplace and widespread in the union movement as to suggest Fascist oppression and a faceless way of life for the rank-and-file worker. You asked me why the Teamsters membership have not risen up to oust the criminals from their union and to purge it of corrupt practices.

The PRESIDING OFFICER. The time of the Senator from Arizona has expired.

Mr. GOLDWATER. May I have 3 more minutes?

Mr. McCLELLAN. I yield 3 more minutes to the Senator from Arizona.

The PRESIDING OFFICER. The Senator from Arizona is recognized for 3 additional minutes.

Mr. GOLDWATER. I continue to read from the letter:

> Any rank-and-file member (who will talk frankly and courageously and who has not been brainwashed by the ceaseless union-leader propaganda) can give you the answer. He is afraid to protest. He is afraid to stand up and say what is on his mind in a union hall. If he does, he incurs the peril of personal violence, of threats, and of a whole series of pressures ranging from frankly brutal to hypocritically subtle. He has been given no indication by Congress, the courts, and the law enforcement agencies that he has much of a chance to come off successfully if he enter the unequaled struggle against labor leaders. The latter have unlimited expense accounts, large union treasuries which they use as their own facilities, competent and often devious lawyers, paid out of union treasuries, a horde of actual or potential investigators and goon squads to take care of the more recalcitrant cases. The worker stands alone against and unprotected from the union boss who is often feared more than any company boss. He must depend upon free legal advice given sporadically, or he must pay his own legal bills. The point is that a new unfair labor practice of labor leaders should be defined for the purpose of guaranteeing workers free speech and a bill of rights and freedom from reprisals when their views collide with those of their leaders. Your bill would, I think, be unacceptable and inefficient precisely because it fails to take care of this most important abuse.

In closing, I will say Mr. Schmidt was referring to the original Kennedy-Ervin, bill, the language of which is contained in the new version, S. 1555.

I agree completely with the chairman of the rackets committee that a bill of rights is needed. I think it is long overdue. I think it is time the American Congress stood on its feet and had the courage to protect the rights of American workers and to stop the kicking around of workingmen by the union bosses.

Mr. ERVIN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arkansas yield time to the Senator from North Carolina?

Mr. ERVIN. I merely wanted to ask the Senator from Arkansas a question.

Mr. McCLELLAN. Yes; I yield time to the Senator from North Carolina.

Mr. ERVIN. Knowing of the Senator's interest in protecting the right of trial by jury in criminal contempt cases, I wonder if the Senator will agree to modify his amendment by including, at the end of line 5, on page 6, the following language——

Mr. McCLELLAN. I wonder if the Senator will submit the language to me? I will consider it, and see what can be worked out, without using any more of my time now.

Mr. ERVIN. Since this is in my own handwriting and I write so poorly, perhaps I had better read it privately to the Senator.

Mr. McCLELLAN. Very well.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Arkansas [Mr. McCLELLAN].

Mr. GOLDWATER. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time taken to call the roll not be charged to either side.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arizona? The Chair hears none, and it is so ordered.

Mr. GOLDWATER. I suggest the absence of a quorum because no speaker seems to be available at the moment.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McCLELLAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MUNDT. Mr. President——

The PRESIDING OFFICER. Does any Senator yield time to the Senator from South Dakota?

Mr. McCLELLAN. Mr. President, I yield 2 minutes to the distinguished Senator from South Dakota.

Mr. MUNDT. I thank the Senator.

I simply want to use this time, Mr. President, to say that I am sure any Senator who heard the stirring, persuasive, and factual presentation of the Senator from Arkansas [Mr. McCLELLAN] as to the necessity for guaranteeing these democratic rights to the rank and file members of trade unions, who have found these American privileges denied them, will feel impelled to vote for the proposal.

I also wish to say, in response to the statement by the Senator from Massachusetts [Mr. KENNEDY], who quoted from a very eminent college professor of Yale University, who wrote an article pointing out that there were many laws and many provisions protecting trade union members in their rights, that this undoubtedly is accurate and is a beautiful theory, but for more than 24 months our committee has been investigating violations which occur under the laws and rules which now prevail. Man after man has been before the committee to complain about the fact that he has been intimidated, that he has been beaten up, that there has been violence against his property or against his person, and so on, simply because there is not now adequate protection in the law, either at the State level or the Federal level.

I recall three badly beaten up members of the Maritime Union who came to my office one day for the precise purpose of asking to be placed under a Federal subpena. I said, "Why do you want this? Do you want to testify before the committee?"

They said, "No; we do not want to testify before the committee, but we are trying to throw out some crooked officers of our local at the docks. Every time we go to a meetinghall or go out on the docks we get beaten up. That happened two nights before. We heard the chairman of your committee on television the other day, when he said to witnesses, 'If you are being intimidated, if you come forward we will put you under a subpoena for a while and you can report back to us anybody who is trying to take recriminatory action against you.' If we can get protection of that kind by Federal subpoena or from the FBI, we can campaign among our fellow union members and we can win the election against the crooks."

The PRESIDING OFFICER. The time of the Senator from South Dakota has expired.

Mr. MUNDT. Mr. President, may I ask the Senator to grant me 1 additional minute?

Mr. McCLELLAN. I yield 1 additional minute.

Mr. MUNDT. I said, "Of course, we cannot give you a Federal subpena for that purpose, but I admire your courage and I admire your Americanism in trying to carry your position to your fellow union members."

If we had a Federal law containing the provision which is under consideration, I seriously doubt, in the first place, that those men would have been beaten up, but if they had been beaten up they would have had recourse to the courts, for protection of their rights as Americans, and they could have campaigned within their own union for a cause which or for a candidate who they felt would be to the best interest of the union members.

Certainly if the Senate is interested in doing something to protect the rights and privileges of the rank and file duespaying members of American unions we can do it now, on the yea and nay vote, by supporting the McClellan amendment.

Mr. McCLELLAN. Mr. President, does the Senator from Massachusetts desire to use some of his time?

Mr. KENNEDY. Mr. President do I correctly understand that I have a half hour remaining.

The PRESIDING OFFICER. The Chair did not hear the Senator from Massachusetts.

Mr. KENNEDY. Will the Presiding Officer inform me how much time I have remaining?

The PRESIDING OFFICER. The Senator from Massachusetts has 27 minutes remaining.

Mr. KENNEDY. How much time does the Senator from Arkansas have remaining?

The PRESIDING OFFICER. The Senator from Arkansas has 10 minutes remaining.

Mr. KENNEDY. I would be prepared to yield back all of my time but 10 minutes, if that is agreeable. Then the Senator and I would each have 10 minutes.

Mr. McCLELLAN. I have two requests for time. One of them I will not be able to accommodate. I wanted to yield 4 minutes to the Senator from Illinois [Mr. DIRKSEN].

Mr. KENNEDY. I will yield 4 minutes of my time.

Mr. DIRKSEN. The Senator from Vermont [Mr. PROUTY] would like to have 10 minutes.

Mr. KENNEDY. Mr. President, I cannot yield back any of my time. The Senator from South Carolina [Mr. THURMOND] would like to have 10 minutes; the Senator from Vermont [Mr. PROUTY] would like to have 10 minutes; the Senator from Illinois [Mr. DIRKSEN] would like to have 4 or 5 minutes; the Senator from New York would like to have 3 or 4 minutes; and I would like to have about 5 minutes. I am prepared to yield 10 minutes to the Senator from South Carolina [Mr. THURMOND], and I will yield 10 minutes to the Senator from Vermont [Mr. PROUTY].

Mr. PROUTY. I thank the Senator. Ten minutes will be sufficient.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. PROUTY. Mr. President, I offer an amendment to the amendment.

The PRESIDING OFFICER. The amendment to the amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. It is proposed, on page 5, line 18, to strike out the words "section 101" and to insert in lieu thereof "this act."

Mr. HOLLAND. Mr. President, a point of order. Is this an amendment to the McClellan amendment, which is pending, or an amendment to the bill?

Mr. PROUTY. It is an amendment to the McClellan amendment.

Mr. HOLLAND. Mr. President, is the amendment in order?

The PRESIDING OFFICER. The amendment is in order and to it the limitation of debate is applicable, the time being given on the McClellan amendment.

Mr. PROUTY. Mr. President, section 506 as it is now written makes it unlawful to fine, suspend, or expel a union member for exercising any right to which he is entitled under this act or to restrain, coerce, or intimidate him through the use of force or violence.

However, the bill does not make it unlawful to deny a member's rights simply by ignoring them or in any other manner which does not involve the threat of or the use of force or violence or a fine

or some other disciplinary action against the member.

Section 301 of the act gives certain rights to union members with regard to the conduct of elections. Section 301(b) provides, for example, that the union "shall comply with all reasonable requests of any candidate to distribute by mail or otherwise, at the candidate's expense, campaign literature in aid of such person's candidacy." This section also provides that election safeguards to assure a fair count of the ballots shall be provided and section 301(d) gives every member the right to vote for and to support or be a candidate for union office. There is no penalty, however, for any union officer, for example, who ignores these rights. If the candidate makes a request to have his campaign literature distributed and a union officer refuses to do so, no penalty is provided as the bill is now written. The same is true of a union officer who refuses to provide adequate election safeguards. Such acts are not unlawful unless the union member was fined or disciplined or was threatened with violence, or violence was used against him.

The bill now contains a gap which would permit union officers to ignore a member's rights as created by this bill. It is the purpose of my amendment to close this gap and make such action unlawful.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Vermont [Mr. PROUTY] to the amendment of the Senator from Arkansas [Mr. MCCLELLAN].

Mr. McCLELLAN. Mr. President, may I examine the amendment while some other Senator is speaking?

Mr. DIRKSEN. Mr. President, how much time did the Senator from Vermont use?

Mr. McCLELLAN. Mr. President, I yield 4 minutes to the distinguished Senator from Illinois.

Mr. DIRKSEN. I do not see my distinguished compatriot from Massachusetts [Mr. KENNEDY] in the Chamber.

Mr. McCLELLAN. He said he would yield some time to the Senator.

Mr. DIRKSEN. Mr. President, I address these remarks very specially to the distinguished Senator from Massachusetts [Mr. KENNEDY].

When all is said and done, life is a compensatory thing; and that is true both with respect to government and every other institution in the country. Everything is on a quid pro quo basis.

Long ago, under the Wagner Act, we conferred certain rights and privileges upon labor organizations. That act has been amended from time to time.

Subsequently we enacted the Taft-Hartley Act. We provided tax exemptions for labor organizations; and the people, speaking through their elected representatives, are entitled to something in return.

What shall that something be? First of all, it must be equality, if the symbolism and the hope of this country stand for anything. That subject is treated in the first part of the McClellan so-called bill of rights.

The second item is free speech. I heard my distinguished friend from Massachusetts speak about free speech, but I shall never forget the occasion when two of my old high school classmates who were members of a union back home had to sneak into my home on a Sunday night and tell me what was going on in their own local.

When I asked, "Why don't you get up on your hind legs and speak your piece?" they answered, "Yes; and have something happen to us?"

I am not so naive as to believe that free speech is so easily attained in some of these organizations unless it is vouchsafed and safeguarded by something in Federal law.

We talk about exactions, heavy penalties, and impositions. I know of a local in Chicago—and I know it out of the mouth of the business agent himself, when he came to Washington—which put the initiatory fee and the dues so high that no one could get into the union.

Those are not abstract, academic things. They are practical matters. I have had to live with them, and I know something about them.

We talk about the right to sue. Unless it is safeguarded in every possible way, an element of timidity enters into the situation; and unless union members feel pretty sure of their ground, they will not resort to the courts to obtain enforcement of their rights.

We talk about discipline in unions. I remember a meeting which occurred on a Sunday morning. A small group got together and held a meeting. The union involved was a large local. This group did not like the president, and they suspended him for 99 years.

Long before the McClellan committee, I was familiar with a good many of these racketeering practices. In my humble judgment there is no other answer for them except the thesis which was laid down by the distinguished Senator from Arkansas [Mr. MCCLELLAN] when he appeared before the subcommittee on the labor-management reform bill. The hearings had closed nearly 2 weeks before his bill was introduced. I insisted to the chairman that he be heard, and the hearings were reopened. The distinguished Senator from Arkansas came before the subcommittee and made his statement.

He started from the broad premise that unless certain rights are safeguarded in the beginning, and the cleansing process takes place before the mischief is done, almost everything we do in the enforcement field will be in vain. I concur in that thesis. I share the conviction of the Senator from Arkansas, which has been built over a long period of time—225 days of hearings, at which more than 1,200 witnesses were heard. If the distinguished Senator from Arkansas is not familiar with what is going on, no other Member of this body is.

I believe that his thesis is correct. I think it is sound. I thought perhaps the chairman of the subcommittee would accept this bill of rights. I could not imagine that it would not be accepted. It may have had some imperfections in it, but it should have been accepted, because I cannot conceive that the Senate will vote to turn aside that which seems so basic, so fundamental, and so elemental.

Mr. CLARK. Mr. President, I yield myself one minute, to ask the Senator from Illinois a question, if he will bear with me.

Is it not true that the Secretary of Labor, before the House committee opposed a bill of rights?

Mr. DIRKSEN. I do not know what the Secretary opposed before the House committee. I did not hear him oppose any bill of rights on this side.

Mr. CLARK. It is my understanding that the Secretary of Labor does not desire a bill of rights in this legislation. I ask the minority leader to correct me if I am incorrect.

Mr. DIRKSEN. I think it can safely be said that the Secretary of Labor wants an adequate bill. That is the reason why I offered the substitute for title VI yesterday; but it could command only 24 votes out of a total of 98.

The PRESIDING OFFICER. The Chair would like to inquire from whose time the Senator from Pennsylvania yielded himself some time to speak?

Mr. CLARK. The Senator from Massachusetts has asked me to represent him during his brief absence from the Chamber. I should like to inquire whether any other Senators desire some time to speak. The Senator from Massachusetts has indicated that the Senator from Vermont [Mr. PROUTY] desires some time. Are there any other Senators who desire some time to be yielded to them by the Senator from Massachusetts?

Mr. GORE. I desire some time on an unrelated subject.

Mr. CLARK. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator from Massachusetts has 22 minutes remaining.

Mr. CLARK. Has a unanimous-consent agreement been entered that the Senate will vote at 6 o'clock?

The PRESIDING OFFICER. The vote will be taken at 6 o'clock.

Mr. JAVITS. Mr. President, will the Senator yield me 3 minutes?

Mr. CLARK. I yield 3 minutes to the Senator from New York.

Mr. JAVITS. Every Senator knows that this is a very difficult vote. The Senator from Arkansas has conducted exhaustive hearings and has put us everlastingly in his debt with the truly consequential work he has done for the country. We have said it many times.

It would be very easy to vote for his amendment. I would not be frank if I did not say that I should like very much to do so. However, I cannot do so as a lawyer. I believe my colleagues are entitled to know why I cannot vote for the amendment.

One point which has not been discussed at all is that we are dealing with a criminal statute. Section 102 of the amendment provides for a fine of $10,000 and imprisonment for not more than 2 years, or either.

Labor leaders are not popular in this country; and deservedly, Mr. President,

some of them are unpopular. It is a fact, however, that before I, a lawyer, vote for a criminal statute I must be satisfied that I can in conscience vote for it. The section I have referred to, section 102 in the amendment, provides:

> Any officer or agent of any such labor organization, who, through use or abuse of authority—

And so forth. This could involve the taking of no action at all, no operative cause whatever. Use or abuse of what? We find, for example, this language:

> Any officer or agent of any such labor organization who, through use or abuse of authority * * * willfully interferes with—

The word "interferes" is used. Then on page 2, lines 4 and 5, the reference is to the expression of "any views, arguments, or opinions, regarding any matter," and so forth.

Suppose the presiding officer said to a union member, "Sit down, and await your turn." Is that to be made a felony?

I point out also that on page 4, line 22, provision is made for a written transcript of the hearing, by an impartial person or persons. Who? Appointed by whom? Passed on by what? Is a union officer to be at the risk of going before a jury because a jury is finally to decide that a person was or was not impartial? In addition to criminal penalties there is included the provision for injunction suits for 16 million people who would be subject to the law.

Mr. President, this is another labor bill entirely. It is not the Kennedy-Ervin labor bill. It is the labor bill of the distinguished Senator from Arkansas [Mr. McCLELLAN].

It is an attractive provision, as I said. I submitted a bill of rights myself. I believe that one is needed. However, I believe what is needed is one that is declaratory of law not one which makes law. What we have before us is a totally new labor bill. I would not be true to my oath as a Senator if I voted for it, attractive as it is and much as I should like to vote for it. However, I cannot vote for it because my conscience will not permit me to do so.

Mr. CLARK. Mr. President, I yield a half minute to the Senator from Vermont.

Mr. PROUTY. Mr. President, I ask unanimous consent to withdraw the amendment which I have offered to the McClellan amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. CLARK. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum without the time being charged to either side. Several Senators who desire to speak are not present in the Chamber.

Mr. McCLELLAN. I shall certainly not object if I can have 3 or 4 minutes in which to reply after all the speeches have been concluded. I believe, as the sponsor of the amendment, I should have the privilege of closing the debate.

Mr. CLARK. The Senator still has 5 minutes, I believe.

The PRESIDING OFFICER. The Chair must inform the Senators that the unanimous-consent agreement provides that a vote shall be taken at 6 o'clock.

Mr. CLARK. Is that agreement subject to change by unanimous consent?

The PRESIDING OFFICER. It is subject to change by unanimous consent; yes.

Mr. CLARK. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum, and that the time for the quorum call be not charged to the time on either sides, to permit a vote to be taken perhaps 2 or 3 minutes after 6 o'clock.

Mr. JAVITS. Mr. President, reserving the right to object, I am under a time limitation, and I should not like to have the time extended for more than 5 minutes.

Mr. KENNEDY. How much time remains to the opposition?

The PRESIDING OFFICER. Fifteen minutes in all remain.

Mr. McCLELLAN. Mr. President, has the unanimous-consent request been withdrawn?

Mr. CLARK. I should like to explain to the Senator from Massachusetts, who has returned to the Chamber, that no speakers were available on the floor, and I have asked unanimous consent that I may suggest the absence of a quorum. I now withdraw that unanimous-consent request and yield to the Senator from Massachusetts [Mr. KENNEDY].

Mr. KENNEDY. How much time remains in opposition to the amendment?

The PRESIDING OFFICER. Fourteen minutes remain for debate. The Chair is obliged to inform the Senator from Massachusetts and the Senator from Arkansas that only 14 minutes remain before 6 o'clock. Therefore provision should be made to divide the remaining time.

Mr. KENNEDY. Does the Chair state that 14 minutes in all remain?

The PRESIDING OFFICER. Yes.

Mr. McCLELLAN. I shall be glad to take 4 minutes and permit the Senator from Massachusetts to use the remaining 10 minutes.

Mr. KENNEDY. Mr. President, I ask unanimous consent that we have a quorum call, with the time not charged to either side, so that Members of the Senate may hear the discussion during the last few minutes. This is a very important amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. KUCHEL. Mr. President, what does that request mean? Does it mean that we will vote 14 minutes from now, plus the time it takes to call the quorum?

Mr. KENNEDY. Yes.

The PRESIDING OFFICER. Without objection, it is so ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, I oppose this amendment. I have five reasons why I think the amendment is either poorly drafted or poorly conceived or will give less protection to union members than the present State laws or Federal laws provide.

First, on page 5, line 1, under the heading "Inspection of Membership Lists," the amendment provides that lists of members of the union shall open to inspection to anyone—to a Communist cell, to a group of dissident employees, to an unfavorable employer.

A union is a militant organization. It must be, for the protection of the rights of its members. I think it is highly unfair and unreasonable, in order to protect the rights of members, to provide that the lists of 15 million union members shall be made public.

In the bill itself we protect this basic principle by providing that in an election every candidate for election shall have the right to have his election material mailed out 30 days before the election, and that if the union refuses to comply with that provision, the Secretary of Labor shall set the election aside. It seems to me that that protects the rights of union members.

We also protect the right of the union to preserve its lists inviolate.

Second, I invite attention to page 4, section 6, "Safeguards Against Improper Disciplinary Action." Beginning on line 8, we read:

> No member of any such labor organization may be fined, suspended, expelled, or otherwise disciplined by such organization or any officer thereof except for breach of a published written rule of such organization which is not inconsistent with any of the provisions of this title.

In the case of Mr. Smith, in Tennessee, the Teamster official who bribed a judge, unless there were a specific prohibition against bribery of judicial officers written into the constitution of the union, then no union could take disciplinary action against officer or member guilty of bribery.

If a union officer were guilty of rape, unless a prohibition against rape were written into the union constitution, the union would be prohibited from taking any disciplinary action against an officer or member who committed such a crime.

It seems to me that we can trust union officers to run their affairs better than that.

I invite the attention of the Senate to the amendment's provisions which would have to be complied with by any union when it wished to take disciplinary action against any member—for instance, if it wished to fine a member $5 for late payment of dues. The amendment provides that disciplinary action may not be taken unless such a member has been served with a written copy of the provisions of the constitution and bylaws, and so forth, and unless he has been served with written specific charges, and has been given a reasonable time to prepare his defense, and has been afforded a full and fair hearing, and has been afforded final review on a written transcript of the hearing, and so forth. Those provisions would have to be complied with in the case of every union disciplinary action, regardless of its seriousness; and there would have to be a written transcript and a paid arbitrator—who might cost

the union $150 a day. If such provisions do not constitute action by the Federal Government in reaching its hands into the disciplinary action of a union, and in doing so in a completely unnecessary way, I think it would be difficult to find language that would go farther in that respect.

Last of all, I point out that the pending amendment would give the Secretary of Labor power, through the Attorney General, to obtain injunctions against any personage in the Nation, on behalf of any of the 15 million union members who might feel that their rights had been abused.

I think any Member of the Senate who voted for the protection of jury trial rights and for the protection of the other civil rights of Americans would find it difficult to vote for section 103 of the amendment, in its present form.

Furthermore, Mr. President, let me say to the Senate that as a result of the modification of the amendment which was submitted a few minutes ago by the Senator from Arkansas, the amendment as it now stands would upset the carefully prepared provisions in regard to secret elections and trusteeships, as those provisions now appear in the bill.

Therefore, on every count—despite the fact that I know the Senator from Arkansas wishes to do the right thing and wishes to provide proper protection for union members, I believe that his amendment is badly drawn; and if his amendment were to be adopted, union members would have fewer rights, rather than more rights.

Mr. McCLELLAN. Mr. President, does any time remain under the control of the opponents of the amendment? If so, I should like to have them use it now. I have only 4 minutes remaining.

The PRESIDING OFFICER. Five minutes remain under the control of the opponents of the amendment.

Mr. McCLELLAN. Then I ask that they now use the remainder of the time available to them. Thereafter, I wish to speak.

Mr. KENNEDY. Mr. President, I yield back the remainder of the time available to our side.

Mr. McCLELLAN. Mr. President, some of the arguments I have listened to this afternoon have been backed up by or have been based on less than the basis or backing up of any of the other many arguments I have heard during my 16 or 17 years of service in this Chamber.

We propose that the Secretary of Labor be allowed to obtain injunctions in order to prevent the doing of injustice to the dues-paying members of unions; but some Senators say that will be awful and will be making the Secretary an agent of the Congress. However, the same Senators include similar provisions in two sections of their own bill. We have copied word for word two sections of their own bill, down to the point of the injunction provision.

Why is it wrong to obtain an injunction to protect the rights of such workers? Why is it wrong to give the Secretary the right to bring a suit to secure an injunction to enforce the rules he makes? Is it better legislation and sounder legislation to state what the rights of such persons are, and then not give the Secretary the right to enforce them?

But if we do provide for enforcing them, and if this provision applies to union members, but does not give some benefit to a union boss, then some Senators condemn us.

I say that the union members have rights; and tonight we shall either protect them by legislative means, or Senators will vote against every dues-paying union member in the country who tonight is being exploited and abused. Senators must take their choice; no other issue is now before us.

Senators can argue about technicalities, including some I heard mentioned a moment ago; but let me say that never before have I heard so ridiculous an argument by one who has so much intelligence.

The distinguished Senator from New York said he could not vote for the amendment because his conscience would not let him do so. What is bothering his conscience, Mr. President? When we propose that if union members are being dealt with for some misconduct, and if some disciplinary action is being taken, they be given a right to have their case heard by an impartial person or persons, the Senator from New York says his conscience will not let him vote for such a provision because it is indefinite.

Listen to the next part of the amendment, Mr. President:

(i) agreed to by such organization and the accused, or (ii) designated by an independent arbitration or mediation association or board.

Mr. President, how can we arrive at a better way to be fair and to obtain honest adjudications than by having two men agree to let a third man settle their differences.

If such a provision is wrong, if it is an imposition, if it is unjust to union members, let Senators vote against it. But in dealing with such matters, I should like to find a more honest and a fairer way than to give the union and the accused the right to select the jury. That is what we do all the time.

The PRESIDING OFFICER. The time available to the Senator from Arkansas has expired.

Mr. McCLELLAN. Mr. President, I hope my amendment will be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified, of the Senator from Arkansas [Mr. McCLELLAN].

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Is there objection? The Chair hears none; and the clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Bible	Cannon
Allott	Bridges	Capehart
Anderson	Bush	Carlson
Bartlett	Butler	Carroll
Beall	Byrd, Va.	Case, N.J.
Bennett	Byrd, W. Va.	Case, S. Dak.
Chavez	Jackson	Murray
Church	Javits	Muskie
Clark	Johnson, Tex.	Neuberger
Cooper	Johnston, S.C.	O'Mahoney
Cotton	Jordan	Pastore
Curtis	Keating	Prouty
Dirksen	Kefauver	Proxmire
Dodd	Kennedy	Randolph
Dworshak	Kerr	Russell
Eastland	Kuchel	Saltonstall
Ellender	Langer	Schoeppel
Engle	Lausche	Scott
Ervin	Long	Smathers
Fulbright	Magnuson	Smith
Goldwater	Mansfield	Sparkman
Gore	Martin	Stennis
Gruening	McCarthy	Symington
Hart	McClellan	Talmadge
Hartke	McGee	Thurmond
Hayden	McNamara	Wiley
Hennings	Monroney	Williams, N.J.
Hickenlooper	Morse	Williams, Del.
Hill	Morton	Yarborough
Holland	Moss	Young, N. Dak.
Hruska	Mundt	Young, Ohio

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the amendment offered by the Senator from Arkansas, as modified. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Illinois [Mr. DOUGLAS], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Virginia [Mr. ROBERTSON] are absent on official business.

I also announce that the Senator from Delaware [Mr. FREAR] and the Senator from Rhode Island [Mr. GREEN] are absent because of illness.

I further announce that, if present and voting, the Senator from Rhode Island [Mr. GREEN] and the Senator from Minnesota [Mr. HUMPHREY] would each vote "nay."

On this vote, the Senator from Illinois [Mr. DOUGLAS] is paired with the Senator from Virginia [Mr. ROBERTSON]. If present and voting, the Senator from Illinois would vote "nay" and the Senator from Virginia would vote "yea."

The result was announced—yeas 47, nays 46, as follows:

YEAS—47

Aiken	Dirksen	Morton
Allott	Dodd	Mundt
Beall	Dworshak	Prouty
Bennett	Eastland	Russell
Bridges	Ervin	Saltonstall
Bush	Fulbright	Schoeppel
Butler	Goldwater	Scott
Byrd, Va.	Hickenlooper	Smathers
Capehart	Holland	Smith
Carlson	Hruska	Stennis
Case, N.J.	Jordan	Talmadge
Case, S. Dak.	Keating	Thurmond
Chavez	Kuchel	Wiley
Cooper	Lausche	Williams, Del.
Cotton	McClellan	Young, N. Dak.
Curtis	Martin	

NAYS—46

Anderson	Hill	Morse
Bartlett	Jackson	Moss
Bible	Javits	Murray
Byrd, W. Va.	Johnson, Tex.	Muskie
Cannon	Johnston, S.C.	Neuberger
Carroll	Kefauver	O'Mahoney
Church	Kennedy	Pastore
Clark	Kerr	Proxmire
Ellender	Langer	Randolph
Engle	Long	Sparkman
Gore	McCarthy	Symington
Gruening	McGee	Williams, N.J.
Hart	McNamara	Yarborough
Hartke	Magnuson	Young, Ohio
Hayden	Mansfield	
Hennings	Monroney	

NOT VOTING—5

Douglas	Green	Robertson
Frear	Humphrey	

So Mr. McCLELLAN's amendment, as modified, was agreed to.

Mr. DIRKSEN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. GOLDWATER, Mr. BRIDGES, and other Senators addressed the Chair.

The VICE PRESIDENT. The Senator from Arizona is recognized.

Mr. GOLDWATER. I move to lay that motion on the table.

Mr. KENNEDY. Mr. President——

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Arizona [Mr. GOLDWATER] to lay on the table the motion of the Senator from Illinois [Mr. DIRKSEN] to reconsider.

Mr. KENNEDY. Mr. President, on this question I ask for the yeas and nays.

The yeas and nays were ordered.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Arizona to lay on the table the motion of the Senator from Illinois to reconsider. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Minnesota [Mr. HUMPHREY], the Senator from North Carolina [Mr. JORDAN], the Senator from Montana [Mr. MURRAY], and the Senator from Virginia [Mr. ROBERTSON] are absent on official business.

I also announce that the Senator from Delaware [Mr. FREAR] and the Senator from Rhode Island [Mr. GREEN] are absent because of illness.

On this vote the Senator from Illinois [Mr. DOUGLAS] is paired with the Senator from North Carolina [Mr. JORDAN]. If present and voting, the Senator from Illinois would vote "nay" and the Senator from North Carolina would vote "yea."

On this vote, the Senator from Rhode Island [Mr. GREEN] is paired with the Senator from Mississippi [Mr. EASTLAND]. If present and voting, the Senator from Rhode Island would vote "nay" and the Senator from Mississippi would vote "yea."

On this vote, the Senator from Montana [Mr. MURRAY] is paired with the Senator from Virginia [Mr. ROBERTSON]. If present and voting, the Senator from Montana would vote "nay" and the Senator from Virginia would vote "yea."

I further announce that, if present and voting, the Senator from Minnesota [Mr. HUMPHREY] would vote "nay."

The yeas and nays resulted: yeas 45, nays 45, as follows:

YEAS—45

Aiken	Curtis	Morton
Allott	Dirksen	Mundt
Beall	Dodd	Prouty
Bennett	Dworshak	Russell
Bridges	Ervin	Saltonstall
Bush	Fulbright	Schoeppel
Butler	Goldwater	Scott
Byrd, Va.	Hickenlooper	Smathers
Capehart	Holland	Smith
Carlson	Hruska	Stennis
Case, N.J.	Keating	Talmadge
Case, S. Dak.	Kuchel	Thurmond
Chavez	Lausche	Wiley
Cooper	McClellan	Williams, Del.
Cotton	Martin	Young, N. Dak.

NAYS—45

Anderson	Hennings	Mansfield
Bartlett	Hill	Monroney
Bible	Jackson	Morse
Byrd, W. Va.	Javits	Moss
Cannon	Johnson, Tex.	Muskie
Carroll	Johnston, S.C.	Neuberger
Church	Kefauver	O'Mahoney
Clark	Kennedy	Pastore
Ellender	Kerr	Proxmire
Engle	Langer	Randolph
Gore	Long	Sparkman
Gruening	McCarthy	Symington
Hart	McGee	Williams, N.J.
Hartke	McNamara	Yarborough
Hayden	Magnuson	Young, Ohio

NOT VOTING—8

Douglas	Green	Murray
Eastland	Humphrey	Robertson
Frear	Jordan	

The VICE PRESIDENT. On this vote the yeas are 45, and the nays 45. There being a tie vote, the Chair votes "yea"; and the motion of the Senator from Arizona [Mr. GOLDWATER] is agreed to.

ADJOURNMENT UNTIL 10 O'CLOCK A.M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, I move that the Senate stand in adjournment until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 6 o'clock and 40 minutes p.m.) the Senate adjourned until tomorrow, Thursday, April 23, 1959, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate April 22, 1959:

IN THE ARMY

The following-named officers to be placed on the retired list in the grade indicated under the provisions of title 10, United States Code, section 3962:

To be generals

Gen. Williston Birkhimer Palmer, O12246, Army of the United States (major general, U.S. Army).

Gen. Cortlandt Van Rensselaer Schuyler, O14905, Army of the United States (major general, U.S. Army).

The following-named officers under the provisions of title 10, United States Code, section 3066, to be assigned to positions of importance and responsibility designated by the President under subsection (a) of section 3066, in rank as follows:

Lt. Gen. Carter Bowie Magruder, O15155, Army of the United States (major general, U.S. Army) in the rank of general.

Lt. Gen. Charles Day Palmer, O15519, Army of the United States (major general, U.S. Army) in the rank of general.

EXTENSIONS OF REMARKS

Extension of GI Law Benefits to Korean Veterans

EXTENSION OF REMARKS

OF

HON. RALPH W. YARBOROUGH

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Wednesday, April 22, 1959

Mr. YARBOROUGH. Mr. President, the Senate Veterans' Affairs Subcommittee was told recently that the educational training provided by the GI bills for World War II and the Korean conflict not only strengthened the productive power of our Nation, but enabled the veterans to earn more money, and, the witness added, "On the basis of additional income taxes which our Government collects on this added earning power, the cost of veterans education is paying better returns than any security listed on the New York Stock Exchange. Further, those added income tax payments will continue and will probably increase over the years."

Support for my proposal to extend the benefits of the Korean GI bill is coming in from a wide variety of quarters. I am pleased to say a great many people agree with me that this measure would be an investment in the future of our country.

Mr. President, I ask unanimous consent to have printed in the RECORD a group of articles from Army Times for April 4, 1959.

The first article, written by Larry Carney, was published under the headline "Four Educators Back GI and Korea Bills."

The second article was published under the heading "Hill Told 4-Year College Course Is About Finished."

The heading on the third article reads "GI, Korea Bills Necessary, Educators Report to Hill."

The fourth article was headed "Outdo Non-Veterans Scholastically—Vets Do Well in College, Survey Shows."

The final article was headed "Senator SPARKMAN Backs GI Bill."

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

FOUR EDUCATORS BACK GI AND KOREAN BILLS

(By Larry Carney)

WASHINGTON. — Four leading educators spoke out last week against any reduction in the benefit formula of the proposed new cold war GI bill to make it more acceptable to budget cutters in Congress. In testimony before the Senate Veterans' Affairs Subcommittee, headed by Senator RALPH D. YARBOROUGH, Democrat, of Texas, the college administrators enthusiastically endorsed proposals to extend GI bill benefits to post-Korean ex-GI's.

Appearing before the subcommittee were Dr. Price Ashton, president of Ranger Junior College, Ranger, Tex.; Dr. Malcolm M. Willey, vice president, Minnesota University; Dr. Clarence B. Hilberry, president, Wayne State University; and Dr. Robert G. Bernreuter, dean of admissions, Pennsylvania State University.

At last week's hearings, Dr. Ashton told the subcommittee he felt the opinion of most

educators in his State was that the World War II and Korean GI bills should definitely be extended. Amounts now paid are too low, he said, and if the amounts are reduced it would make it practically impossible for veterans with families to go to college.

The educational allowances proposed in the Yarborough measure "do not grant the same degree of economic assistance to today's veteran as these same dollar amounts did for the Korean veterans," Dr. Hilberry told the subcommittee. "Living costs have increased since 1952."

Hilberry is chairman of the Michigan Council of State College Presidents. He said he had conferred with the presidents of eight other State-supported institutions which make up the council and was presenting their ideas as well.

He added that costs have increased to the veteran and as a result, the sum that a veteran will receive under the proposed cold war bill will support a smaller portion of his education than it did 7 years ago.

Dr. Bernreuter said he was afraid that if the monthly formula was reduced veteran students would "have to supplement their incomes" with outside employment.

He said this would show up in their academic achievements. "Instead of being better students than the nonveterans, the general effect would be to make them poorer students than the nonveterans."

Bernreuter said that Penn State's policy of giving preference to veterans is based upon the results of research studies contrasting the accomplishments of veterans with nonveterans. He said that "a study which we have just completed shows that veterans at Penn State make better scholastic records than nonveterans."

He added veterans were more inclined to finish their education and were involved in fewer disciplinary incidents on the campus.

YARBOROUGH, in his opening remarks, said the big question before the subcommittee was whether some or all of the readjustment benefits granted to veterans of War II and the Korea conflict should be made available to the thousands of young Americans, who, because of the compulsory draft law, are required to serve in the Armed Forces during the cold war.

The Texas lawmaker said there is an urgent need to restore to our young citizen soldiers at least a portion of the opportunities lost by military service, particularly in the cases of lost educational opportunities.

He also urged passage of his bill for post-Korea orphans, saying * * * "It is only just and right that educational benefits be provided for children who find themselves fatherless because their parents were under legal compulsion to serve in our Armed Forces."

Other hearings will be conducted shortly after Congress' Easter recess. At that time the Senator plans to call to the rostrum other educators and officials of the Veterans' Administration, Defense Department, Budget Bureau, and the various veterans' organizations.

YARBOROUGH said he is hopeful that a readjustment bill for post-Korea veterans can be enacted by Congress at a very early date, so that eligible ex-GI's can resume their educational careers at the beginning of the next school semester.

The principal feature of YARBOROUGH's proposal to extend the GI bill is the provision which will continue the educational portions of the Korea measure. The cutoff date for the Korea bill was January 31, 1955. The Yarborough measure would extend the rights through July 1, 1963.

The bill provides 1½ days of schooling for each day of active service for veterans who served honorably 90 days or more.

The bill also provides vocational rehabilitation for disabled veterans, and extends eligibility for home and farm loan guarantees.

In addition, the proposed measure would authorize mustering out pay of $100 per person for domestic or foreign service for veterans honorably discharged after the date of its enactment.

Under the peacetime war orphans' measure, each surviving child would be entitled to educational assistance up to 36 months, or to the equivalent in on-the-job training.

HILL TOLD 4-YEAR COLLEGE COURSE IS ABOUT FINISHED

WASHINGTON.—A Senate veterans affairs subcommittee was told last week that the days of the 4-year college curriculum is about over. Four of the country's leading educators blamed this situation on the rapid missile-age expansions in the various technical and scientific fields.

Dr. Clarence B. Hilberry, president of Wayne State University, told the subcommittee, "it has been a long time since anyone finished engineering school in 4 years." He said that as a matter of fact, it hasn't happened for a long time even though we still call our courses full-year courses.

The Detroit educator said that many 4-year courses are becoming 5-year programs. The latest to join the list is pharmacy. These programs are not changing at just one school but at all the schools across the country, Hilberry said.

Many ex-GIs in school now under the Korea bill are not going to finish their curricula in the 4 years they are given school assistance by Uncle Sam.

"A great many of them are going to have to find the resources somewhere to continue for a 5th, 6th, and 7th year," Hilberry said, "before they have the masters' degrees and the doctorates which are required in their respective fields."

Dr. Malcolm W. Willey, academic vice president at the University of Minnesota, brought out statistics to prove that few students receive the baccalaureate degree in 4 years.

His figures show that nearly 70 percent of the students at Minnesota require more time than the traditional 4 years to obtain their first degree.

Willey said the figure was 71 percent in the school's College of Agriculture, Forestry, and Home Economics; 77 percent in technology; 61 percent in business, and 73 percent in education. He said that in Minnesota's College of Science, Literature, and the Arts, the number was 58 percent.

Willey said these figures indicate that one cannot assume that because a student enters college at 18 he will have completed his degree requirements by 22—the age at which he is likely to be called up under selective service.

He said this point "bulwarks the interruption-of-education argument, which is a valid one."

GI, KOREA BILLS NECESSARY EDUCATORS REPORT TO HILL

Four of the Nation's leading educators told a Senate Veterans' Affairs Subcommittee last week that an extension of the GI bill to cold war ex-GIs was vital to our national security.

They said the War II and Korea bills have more than proved their investment through higher national income and better trained scholars and technicians.

A condensed version of the testimony follows:

"STATEMENT OF ROBERT G. BERNREUTER, DEAN OF ADMISSIONS AND SPECIAL ASSISTANT FOR STUDENT AFFAIRS, THE PENNSYLVANIA STATE UNIVERSITY, UNIVERSITY PARK, PA.

As the admissions officer for the Pennsylvania State University, it is my responsibility to enroll a total of 6,700 new undergraduate students for the fall semester of 1959. In doing so, I will give preference to those students who have served on active duty in the Armed Forces. This policy of giving preference to a veteran is not based, to any significant degree, upon sentimentality. Even though I am myself a veteran of War II and have personal sympathy with the problems confronting the young veteran, I do not give preference to veterans for sentimental reasons. Nor am I giving preference to them because of the nostalgic memories of those professors who remember with pleasure the days immediately following War II when a large proportion of all their students were veterans who enlivened their classes with their alert minds and their pointed questions. They enjoyed teaching such classes.

"The policy of giving preference to veterans is based upon the results of research studies contrasting the accomplishments of veterans with nonveterans.

"A study which we have just completed shows that veterans make better scholastic records than do nonveterans. Last semester at Penn State, the average grade earned by the male nonveteran student was a C. The average grade made by a male veteran student was a C+. The proportion of nonveterans who were dismissed for poor scholarship was twice as large as the proportion of veterans.

Another indication of the extent to which the veterans make better used of their opportunities is shown in the percentage of students who quit before graduating. Among those who were admitted last year as freshmen, more than one-third of the nonveterans quit. Among the veterans, less than one-fourth did not return. Proportionally approximately 1½ times as many nonveterans quit as was true of the veterans.

"Still another reason for preferring veterans has been found through a study of the disciplinary actions the university has had to take involving undergraduate students. Out of 1,587 veterans, only 4 were involved in disciplinary actions. This is approximately 1 out of each 400 veterans. This is a clear demonstration of the reason why the dean of men at our university, who is responsible for the discipline of men students, prefers to have us enroll veterans.

"The dean of men has also provided evidence which shows that veterans more frequently possess the desirable attributes which we seek to develop in our students.

"Each year the male students who reside in our residence halls are evaluated with regard to their personal adjustments, their maturity, the leadership qualities that they show, the seriousness of their attitudes toward their studies, and their ability to get along with other students.

"The veterans consistently receive higher ratings in these desirable attributes than do the students who have not had military experience.

"Each year the dean of men chooses a group of male students to act as residence hall counselors. In choosing such counselors from among those students who apply in large numbers each year he chooses those who show the greatest degree of maturity and seriousness of purpose and the ability to assume responsibility. He has not consciously given preference to men with military experience.

"Nevertheless, when he made a tally, at my request, he found that of the 36 students now employed as counselors 32 of them are veterans.

"Only four nonveterans were able to meet the standards set by his office for the position of residence hall counselor.

"It is now clear that veterans have shown themselves to be better students than nonveterans through their more serious application to their studies, through their earning of higher grades, through their smaller dropout rates, through their better discipline, through their better citizenship, and through their increased ability to assume responsibility.

"STATEMENT OF CLARENCE B. HILBERRY, PRESIDENT OF WAYNE STATE UNIVERSITY AND CHAIRMAN OF THE MICHIGAN COUNCIL OF STATE COLLEGE PRESIDENTS

"I would like to make several comments about the value of the bills now before you. First, the educational benefits are particularly valuable, since they permit a wide range of choice by the individual veteran among the various educational opportunities that are most likely to be of value to him.

"These opportunities range from advanced professional and scholarly study to on-the-job training in applied skills.

"Secondly—and I want to stress this point—the proposed legislation, in the judgment of nearly all of us in higher education wisely provides for the payment of benefits directly to the individual veteran.

"The veteran then attends the school or college of his choice. Since our experience across the country appears to be so uniformly favorable, I want to endorse strongly the provisions of the legislation for direct payment to the veteran.

"A third point. The educational allowances proposed in these bills do not grant the same degree of economic assistance to today's veterans as these same dollar amounts did for the Korean veteran.

"Living costs have increased since 1952 and therefore dormitory charges, rental for housing, and expenses for board, tuition, supplies and equipment have also increased in cost to the student. As a result, the sum that a veteran will receive under this bill will support a smaller portion of his educational costs than it did 7 years ago. These increases in costs are clear in our own recent experience at Wayne State University.

"A number of justifiable requests for loans have been made by students attending the university under Public Law 550. Such requests were apparently unnecessary only a few years ago.

"In conclusion, I would like to say that in our experience in public higher education in Michigan we have found that the educational benefits provided veterans have made possible educational opportunities for a large number of very able young men who otherwise would not have beeen able to attend a college or university.

"The bills before you will constitute, I believe, a positive contribution to the total education needs of our Nation. They incorporate the essential principle of direct payment to veterans. The level of allowance though not equal to preceding allowances is substantial. Additional needs of men in this group might perhaps better be met by increasing the loan funds available under the National Defense Education Act.

"STATEMENT OF DR. MALCOLM M. WILLEY, ACADEMIC VICE PRESIDENT, UNIVERSITY OF MINNESOTA

"My experience convinces me that the earlier GI bills did contribute fundamentally to national welfare, for there is no doubt that they made it possible for, and encouraged, larger numbers of men to obtain college training.

"The students thus stimulated to seek training and enabled to complete it, our University of Minnesota figures show, have fallen heavily in agriculture, in education, in business, and in technology—as well as in the specialities of the liberal arts college.

"No one can question the importance of doing everything we can to further the training of specialized personnel. For several years I served as a member of General Hershey's Selective Service Advisory Committee on Specialized Personnel, which was basically concerned with the need for more manpower.

"I also served as a member of the Commission on Human Resources and Advanced Training which made one of the most comprehensive studies yet undertaken on our country's human resources and their utilization.

"The so-called GI bills have made an immeasurable contrrbution in meeting the needs these two reports so sharply outlined.

"One cannot say that all of these students would have failed to go on to college training had there been no veterans legislation. But we can testify that a large percentage of these students are drawn from the economically less advantaged families of Minnesota, and we can assume that an appreciable number of them would not have had the resources to enter upon or complete a college education.

"We do know that a higher percentage of these students have gone further with their education and have finished it, than otherwise would be true.

"I might add, too, that the cost of going to college is rising like everything else. At Minnesota we are confronting further tuition raises. Each such increase makes it more difficult, to the point of impossibility, for some young men and women to enter or stay in college.

"The figures I quoted earlier on loan experience indicate that this is so. For one group at least, the GI assistance has served to offset in some measure these problems the students face with rising costs.

"We also know that any break in the educational career of a student, whether for health, financial, or military reasons, reduces definitely the chances that the student will complete his college work. For this reason the break associated with military service can well be the factor that results in failure to complete an education.

"It is my experience, based on contact with students, that the GI privileges have been a compensating factor that has induced students to return to college, following interruption.

"With respect to this matter of interruption, it is sometimes argued that students who graduate from high school at 18 can essentially complete their college education before military service since selective service calls do not come on the average until age 22.

"This might be true if all students did, in fact, enter college at 18 and continued without interruption to the baccalaureate degree, Our experience at Minnesota, where we have studied this question, shows that students in large numbers do not receive the baccalaureate degree in a nominal 4 years.

"Indeed, specific data reveal that in our college of agriculture, forestry, and home economics more than 71 percent of the students take more than the customary 4 years to the baccalaureate degree; in technology more than 77 percent; in business more than 61 percent; and in education 73 percent. In our college of science, literature, and the arts the figure is over 58 percent; and for the university as a whole, 69 percent of the recipients of the first degree take more than the normal, traditional time in school. Another observation can be made bearing on the age-range of our undergraduate students.

"The average age of a Minnesota freshman at matriculation is approximatley 18 and only 33 percent of the freshmen complete requirements for a degree within 4 years after starting, or by the age of 22. Many reasons account for this, including the introduction of 5-year curricula which are increasing, as well as general enrichment of the individual's curriculum.

"I cite these figures to indicate that one cannot assume that because a student enters college at 18 he will have completed his requirements by 22, the age at which he is likely to be called up under selective service. This point bulwarks the interruption of education argument, which is a valid one.

"STATEMENT OF DR. PRICE ASHTON, PRESIDENT OF RANGER JUNIOR COLLEGE, RANGER, TEX.

"I would like to speak and say at this time that the educational institutions in our State are highly in favor of the extension of benefits to veterans of the cold-war category.

"My experience with veterans under Public Laws 346 and 550 has been very gratifying.

"In the Association of Texas Colleges and the Southern Association many surveys have been made, and we have found that the veterans of War II and Korea have all tended to increase the level of education rather than to diminish it.

"At the same time we have encountered many problems with veterans simply because they are more mature.

"For that reason, we feel that we should provide benefits to the peacetime veteran because his problems are as great as a veteran of the Korean war in finishing his education. Oftentimes they have families, even dependents, and the requirements are as great or greater than they have been in the last 6 or 7 years. Expenses are higher.

"The colleges and universities in our State can take care of the veterans and do it adequately.

"We would like to see sufficient money provided by this Congress to make it a positive solution to the problem of the veteran to attend university or college.

"We have had various programs at our college in particular to try to take care of some of the financial difficulties that arise from a veteran coming out and not having adequate money to attend the college or university of his choice.

"I think generally the families of these veterans are particularly interested in having something to offer the veteran when he comes out of the service.

"Even though he serves stateside, or on foreign duty they realize that he (veteran) has a period of readjustment that will be difficult for him when he comes out into civilian life. For that reason they are particularly concerned with this legislation, and many of them express themselves along those lines.

"They feel as if it is one of the greatest pieces of legislation that has been offered in many years.

"I know in California—and I talked to many educators out there—that they have had like experiences on the quality and standard of grades and the improvement of the general attitude, disciplinary conditions of our colleges and universities through these veterans.

"I would like here to congratulate the veterans of the Korea and World War II conflicts, those who have participated in the program, because they have been a group to congratulate, and it has been very gratifying."

OUTDO NONVETERANS SCHOLASTICALLY—VETS DO WELL IN COLLEGE, SURVEY SHOWS

WASHINGTON.—Ex-GI's fare better scholastically in college than nonveterans, a recently completed survey at Pennsylvania State University revealed. Dr. Robert G. Bernreuter, dean of admission for Penn State, told a Senate Veterans' Affairs Subcommittee last week that nonveterans averaged "C" last semester at State while the average for male veterans was "C-plus." He was one of four educators that testified in favor of extending GI bill benefits to cold war ex-GI's.

He said the proportion of nonveterans "who were dismissed for poor scholarship was twice as large as the proportion of veterans."

Bernreuter said the study also revealed that less veterans quit before graduating than nonveterans. He said that more than one-third of the nonveterans who enrolled as freshmen last year did not return this semester. Among the veterans, less than one-fourth did not return.

Another part of the survey shows that ex-GI's get into less trouble than nonveterans. Out of 1,587 veterans at Penn State last semester only 4 were involved in disciplinary actions. This is approximately 1 out

of each 400 veterans. The nonveteran ratio is 1 out of 84.

The Penn State educator said this comparison "is a clear demonstration of the reason why the dean of men at our university, who is responsible for the discipline of men students, prefers to have us enroll students."

He said that the dean of men "has also provided evidence which shows that veterans more frequently possess the desirable attributes which we seek to develop in our students."

Each year the University chooses a group of male students to act as residence hall counselors. It chooses those who show the greatest degree of maturity and seriousness of purpose, and the ability to assume responsibility, Bernreuter said.

He pointed out that the dean while "not consciously" giving preference to men with military service found that of the 36 students now employed as counselors, 32 of them are veterans.

"It is now clear," Bernreuter added, "that veterans have shown themselves to be better students than nonveterans through their more serious application to their studies, through their earning of higher grades, through their smaller dropout rates, through their better discipline, through their better citizenship and through their increased ability to assume responsibility."

Penn State's preference for veteran students is based upon the results of research studies, not sentiment. Bernreuter said many professors have "nostalgic memories" of the days immediately following War II when a large proportion of all their students were veterans who enlivened their classes with their alert minds and their pointed questions.

The professors enjoyed teaching such classes and the Penn State survey bears that out.

SENATOR SPARKMAN BACKS GI BILL

The following message is typical of the interest legislators are showing in the cold war GI bill. It was broadcast over 12 Alabama radio stations by Senator JOHN S. SPARKMAN, of Alabama, last weekend:

"This is your Senator, JOHN SPARKMAN. Today I want to talk with you about legislation of interest to Alabama's 348,000 veterans of World War II and the Korean war, as well as those veterans who have served since those wars.

"Of special interest to these veterans who have served since that time is the fact that the Senate Committee on Labor and Public Welfare is beginning hearings on legislation that I am sponsoring which would extend the benefits of the GI bill to these veterans. More than 20,000 Alabama veterans would benefit immediately under my bill, with the total reaching 90,000 by 1965.

"I am sponsoring this bill because it would be an incentive for young men to volunteer for service in the Armed Forces and because it is only fair to provide veterans serving now some of the benefits for their service to their country and for the loss of time from civilian pursuits.

"I have no hesitancy about supporting an extension of this bill—and that's what it is. The program is in effect now for all veterans who entered service after January 31, 1955. What it has done for the War II and Korea soldiers it can well do for our soldiers who have entered service since that date.

"This GI bill is in no sense a gift to its recipients. It is a well-earned reward for a well-done job. I feel that the program should continue as long as we continue to draft the youth of our Nation away from their normal civilian pursuits.

"A total of 7.8 million War II veterans took on-the-job training. Education under the GI bill went to many men and women who otherwise could not have afforded it. This education produced 440,000 engineers; 238,000 teachers; 168,000 doctors and dentists; 112,000 scientists; 105,000 lawyers, and 93,000 social scientists and economists.

"Think what a stockpile of needed professional and technical people this program has afforded for these times when we need them so badly. Nearly 230,000 Alabamians were educated and trained following War II and the Korean war.

"The Veterans' Administration expects that by 1970 veterans will have paid back, through the medium of extra income taxes, the cost of the education that was borne by the Government.

"Another bill that I am sponsoring would give veterans of War II and the Korean war who have lost their national service life insurance a chance to reinstate it.

"Veterans would be given a 1-year period in which to file. The cost of this program to the taxpayer would be nothing. All administrative costs would be borne by the policyholder. This bill is pending before the Senate Finance Committee. A similar measure passed the Senate last year as an amendment to another bill, but was omitted by the Senate-House conference committee.

"When War II and Korea war veterans were separated from service they had the option either to keep or to cancel their national service life insurance. Many chose to cancel because of financial difficulties, or simply because it was easy to do so. I remember my own experience from War I. The pay for the premium on my insurance was simply taken out of my check each month. Well, when I was discharged, naturally I just didn't continue to pay. I had the opportunity to renew it under an act passed by Congress some years after that. I renewed it and I'm carrying it today. I believe the veteran of our War II and Korean war ought to be given the same opportunity.

"I wish I could talk to you about other legislation I am sponsoring but I must sign off."

Jefferson-Jackson Day Address by Hon. Frank E. Moss, of Utah

EXTENSION OF REMARKS
OF
HON. JAMES E. MURRAY
OF MONTANA
IN THE SENATE OF THE UNITED STATES
Wednesday, April 22, 1959

Mr. MURRAY. Mr. President, on March 31 our able and distinguished colleague from Utah [Mr. Moss] addressed the Jefferson-Jackson Day banquet at Conrad, Mont.

I ask unanimous consent that his address on that occasion be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS OF SENATOR FRANK E. MOSS, DEMOCRAT, UTAH, BEFORE THE JEFFERSON-JACKSON DAY BANQUET AT CONRAD, MONT.

Certainly it is a real distinction to be invited to address a group of dedicated Democrats on the day they honor such party stalwarts as Thomas Jefferson and Andrew Jackson. And I am fully aware that in Conrad, Mont., I am among very good Democrats indeed—members of the party who are effective as well as loyal—who give foot service as well as lip service. Pondereille County (Ponderay) is famous for the size of its Democratic turnouts at party functions, like Jefferson-Jackson dinners, and at the polls.

I am happy to see and great you all and to visit again with those you have chosen to lead you in party affairs. In mentioning some, I realize that many more remain unmentioned; and that, in this type of activity, it is the work of every individual and the carrying of every district that makes it possible to keep the party going and gives people like me the opportunity of serving my State in Washington.

You all realize, I am sure, the pleasure it gives me to see again, even for a short time, the grandeur of the mountains and plains, the lakes and waterfalls, of the West. And to visit in Montana, a state that is linked to my own bonds of friendship and mutual interest, and also with a common pioneering tradition, and by many of your people being descendants of early Utah Mormon pioneer families.

I appreciate the confidence of Congressman ANDERSON in inviting a freshman Senator to address the big celebration in his home town. And I learned coming in tonight that the Congressman is one of those somewhat unusual men who can carry his home town in an election. I am told that ROY ANDERSON has always been a leader, and I believe it, because I can tell you that he has certainly shown that leadership in Washington in every way—from being an officer in the Thursday Morning Prayer Breakfast Group to outstanding work for the Hawaii statehood bill in the House Committee on Interior and Insular Affairs. As a major general in the Army Reserve, Congressman ANDERSON is the highest ranking Reserve officer in the Congress. As every one in my audience knows, he commands the 96th Infantry Division, of which there are many units in Utah; and we have many mutual friends in that organization. Fortunately, he has been assigned to the Armed Services Committee, where his experience can be used to best advantage in helping to guide our defense program during these critical times. On the Interior Committee, Congressman ANDERSON has rendered yeoman service in Indian matters. Our Indian brethren appreciate his sympathetic and constructive interest in their problems.

For a new Senator, Washington has many surprises, most of them pleasant. My biggest surprise, however—and I think I can claim an exclusive on this one—was to be asked to address Lincoln Day as well as Jefferson-Jackson dinners. One of the first pieces of mail I opened was from Republican National Chairman Mead Alcorn, requesting my preferences as to places to deliver Lincoln Day speeches.

And actually, I should like the opportunity of talking to a Republican Lincoln Day audience. They might not like what they heard, but I could tell them some things they don't hear often enough and that they ought to know. For one thing, I could quote them words of Lincoln that the Republicans don't use very often. For example, Lincoln said: "The dogmas of the quiet past are inadequate to the stormy present * * * as our case is new, so we must think anew and act anew." How many Republican Lincoln Day speakers quoted that this year? Or were they talking about the balanced budget and that alone? Our revered Civil War President also said: "There are already among us those who, if the Union be preserved, will live to see it contain 250 millions of population. The struggle of today is not altogether for today; it is for a vast future also." Lincoln thought and planned not only for the present but for the great future which he saw for America.

And it is no accident that those we honor today predate Lincoln by many years; and no accident that our party is so much older than the Republican Party. For, if there is any organization or institution, it is just this ability to think anew and act anew when conditions require it.

I object to conservatives wrapping themselves in the mantle of Jefferson as much as I do the mantle of Lincoln. The conservatives of Jefferson's day were not those one thing that is necessary to the survival of

who signed the Declaration of Independence or helped construct and obtain ratification of the Constitution.

Let the standpatters read this, inscribed on a panel of the Memorial Room of the Jefferson Memorial. I quote: "I am not an advocate for frequent changes in laws and constitutions. But laws and institutions must go hand in hand with the progress of the human mind. As that becomes more developed, more enlightened, as new discoveries are made, new truths discovered and manners and opinions change; with the change of circumstances, institutions must advance also to keep pace with the times."

What conservative standpat Republican of that day or this day would have had the courage and vision to obtain the Louisiana Purchase and secure to America in her infancy the great State of Montana and all of her sister States down river to the gulf?

Jefferson was a man of action and courage; but, above all, a man of vision. Because of these, I am happy to count myself a Jeffersonian Democrat and to point to the distinguished Senators from Montana as worthy successors to the Jeffersonian tradition.

As the experienced and respected chairman of the Senate Committee on Interior and Insular Affairs, JAMES E. MURRAY, stands today as the most powerful individual in America influencing the development of water resources. I am most grateful for the opportunity of serving with him on the committee. I also wish to acknowledge his personal friendship and encouragement. Before the session, when I visited Washington to make plans for the beginning, it was Senator MURRAY who made my task much easier by making available the use of his office and facilities.

And we are all aware of the outstanding contribution to the leadership of the U.S. Senate made by MIKE MANSFIELD, and of the meaning to the West of that leadership. Senator MANSFIELD is the Democratic Party whip, or assistant leader. He is a leader on the Foreign Affairs Committee. I point out further that the policy of MANSFIELD, that all Senators must have membership on important committees, has greatly benefited our section; and, at the same time increased the contribution that new Members can make to the work of the Senate. So successful has been this policy in fact, that public approval, plus the nudge given by the electorate last fall, has forced the Republican leadership to adopt a similar one.

And wouldn't the growing political power of the West have delighted Andrew Jackson. Old Hickory was the first western President, coming from what was to easterners the frontier—Tennessee. And however different the backgrounds of Jefferson, the Virginia intellectual, and Jackson, the Tennessee warrior, may have been, their basic political philosophy was in agreement on one most important point—that the Government of this Republic belonged to all the people.

The Western Conference of Democratic Senators now includes the States of Alaska, Oklahoma, and Texas, and shortly Hawaii. We include 23 of the 28 Senators from the West; and when Hawaii's 2 Democratic Senators are elected, we shall be 25 of 30 Senators. Not only do we have numbers, but we have leadership as well.

Speaking of the election, one of the most interesting features to me is the reaction of the Republicans to their defeat.

To go back just a few years, about the time General Eisenhower emerged as the man who might restore the Republican presidential dynasty, professional advertising and public relations men were brought into political campaigns as never before. Often to their surprise, these gentlemen were presented as able to put vote getting on a scientific basis.

If they could sell soap or automobiles, it was said, why not candidates? And why not? What was forgotten is that the same brand of soap or the same make of car is not always the most popular; or, to put it another way, advertising men, like the rest of us, have their failures as well as their successes.

But the Eisenhower campaigns were certainly successful, and the Republican leadership had their big contributors, the rank and file, and themselves, sold on the fact that this was the answer.

So their reaction to the defeat of 1958 is that something went wrong with the sales talk. What they need, the newspapers report, is a new image. Not new candidates. Not a new program. Above all, not new ideas. Just a new image—a new front to present to the voters.

While the Republicans are searching for their new image—something that will make Senator GOLDWATER and Governor Rockefeller look good together—we Democrats have more serious business to attend to. It is up to us to supply the deficiencies in Republican thinking, in Republican programs, and, as far as Congress can, in Republican leadership. We promised the voters action. Let's see how we are producing on that promise.

The Easter recess is the close of the first phase of a session of Congress. Newspaper commentators in Washington are saying that no Congress has done more in this short time than has this one.

Normally, at this stage, no major bills have been acted on; legislation is in the drafting stage or in committee. But we went to the country last fall with a program, and we are enacting it. Here are some of the things the Senate has done:

We have passed a housing bill to bring closer our goal of a decent home for every American.

We have passed airport legislation to prepare America for the jet age in transportation.

We have started a nationwide program to put depressed areas back on their feet.

We have added another great Western State—Hawaii—to the Union.

We have moved ahead in clearing the Nation's slum areas and helping urban renewal.

And, as always, we have stood with the administration on vital matters of foreign policy, even while disagreeing with the White House on many points of national defense.

Much remains to be done, and we are working on many other problems.

The Montana delegation is leading the fight to develop a farm program that will insure the prosperous continuance of the family size farm and provide the farmer with a fair share of the national income. And one which, if properly administered, will eventually cost the taxpayer less money. I am disturbed at the growing resentment of consumer groups at the cost and ineffectiveness of our present program. This cost is being used to separate the farmer and the farm program from necessary labor support.

Another vital program is that of education. The administration continues to do everything possible to put this on an "every locality for itself" basis, even advocating eliminating Federal contributions to areas having unusual educational demands due to Federal projects.

I am happy to be supporting Senator MURRAY and your distinguished First District Congressman, LEE METCALF, as a cosponsor of their bill to provide some degree of equalization of education on a national basis. While the control and administration of education may be a local function, the quality of education, in times like these, is very much a matter of national concern. We cannot maintain our military position or our economic position without an adequate program. And equalization of opportunity is a vital part of such a program.

Both Utah and Montana have State equalization programs. We have long recognized the folly of allowing educational opportunity to depend on the amount of taxable property that happens to fall in a particular school district. Both Utah and Montana educate large numbers of children who leave the States as soon as they are through with school and ready to become taxpayers. And our equalization programs have not meant centralized State control. What we have done in our States we can—and should—do in the Nation.

But of major importance to the West, I think, and of vital importance to the Nation, is the matter of the preservation and development of our natural resources, and of our most important resource—water.

Certainly it is not necessary for me to convince a Montana audience that we need to conserve our water and other resources. But we still have a big job to do in this field—let's make no mistake about that. And we westerners must continue to take the lead in showing why it is in the interest of all America to develop these resources. And as Democrats we must make the Nation see that we are going to get full development only with a Democrat in the White House.

It is true that we are beginning to recognize that water conservation is a national, not a local, problem. As our water table falls, our demand increases. Today we are using about 240 billion gallons a day. By 1975, if our 175 million population grows to 225 million as expected, even our present rate of consumption would strain our resources. But our rising standard of living requires much more water per capita both for personal and home use and for industrial expansion. It is expected that by 1975 we will need 350 billion gallons a day, or more than a 90 percent increase over the amount used in 1950.

Preservation of water resources is one of the principal items claiming the attention of the Congress, and the Western Conference of Democratic Senators is actively working on a commission to survey the Nation's needs. Already, we look upon resource development as an investment—not as an expense. We must make all our people see the problem in these terms.

One change that might help and an idea that is getting some attention in Washington these days, is a more businesslike accounting system for the Government. The plan is to separate, as businesses do, items that represent capital investments and self-liquidating projects from expenditures for regular expense items. It might be that defense items could be placed in still a third category. This would make discussion of budget items more specific and enable us to comprehend this complicated subject more clearly. It is hoped that it would promote greater public understanding and interest in the Government's fiscal affairs.

One of the problems of Utah and the Upper Colorado River Basin States is to assure adequate appropriations to push ahead on the great upper Colorado River project. A whole speech could easily be devoted to the history, the features, and the benefits of the upper Colorado storage project that is now under way. It is an example of the work that is necessary and the time that often must be expended to get these projects going.

For more than 50 years this project has been in mind. Some land withdrawals were made as early as 1904.

The project, when completed, will develop an area of 100,000 square miles. It will consist of four large mainstream dams, one on the Green River on the Utah-Wyoming border, one on the Colorado on the Arizona-Utah border, one on the San Juan in New Mexico, and one on the Gunnison River in Colorado.

It provides a true basinwide approach to the development of the water and power resources. A basin fund is created as a master account in the U.S. Treasury. This account will receive all funds appropriated by Congress for the project and all revenue collected from irrigation, power, and municipal water sales, or other sources.

After payment of interest, operation, and maintenance costs, the revenues will be allocated on a percentage basis to the four States and will be used for participating projects in the State.

The project will add 1 million kilowatts to upper basin power capacity; 132,360 acres of new land will come under irrigation, and 234,000 acres will receive supplemental water.

One of the most interesting aspects of one of the projects, not yet started, is that it will provide a means of raising the standard of living of America's largest Indian tribe—the Navahos. The Navajo Dam, in Arizona, will provide water largely for the use of these people, who need rehabilitation so much.

More than 200 different minerals are found in the Colorado Basin area, and the project will provide the water and power necessary for their full and economic development.

The great Glen Canyon and Flaming Gorge Dams now under construction will allow the upper basin States to store sufficient water so that the commitment to the lower basin States will be in storage and will allow much water now going down the Colorado into the Gulf of Mexico to be diverted to irrigation.

This is a self-sufficient project. Every cent the Treasury pays out will be returned with interest. It is an investment in America's future.

Great recreation areas will be opened up, not only for scenic boating, fishing, etc., but the area will develop greatly in such items as bird refuges, for ducks and other migratory birds.

Our problems are your problems—because all America is one, indissoluble—in building upper Colorado and thus building our country; just as your problems are our problems—in building your great Missouri Basin and northwest projects.

The Yellowtail Dam on the Bighorn River, Missouri River Basin project was authorized in 1944; the right-of-way problem on Indian lands was settled in the last session of Congress. But the project cannot be begun until it is put in the budget. But the administration has not submitted a budget request because of its "no new starts" policy. That great dam would have storage capacity of 1,080,000 acre feet, powerplant capacity of 200,000 kilowatts, and annual generation of 597 million kilowatts per hour. Both Montana and Wyoming would benefit and grow, and so would America. This would be an investment in the future of America.

What I have said about Yellowtail applies to Clark Canyon Dam, the east branch unit of the Missouri Basin project, and the Beaverhead River in the southwestern part of your great State. There is no money in the President's budget for these needed projects, and the administration's policy of "no new starts" would doom them. However, you can count on your Democratic Congressmen and Senators to fight for these western development projects.

But theirs is a greater reason than recreation or economic benefit and comforts to our people for the development of our natural resources. That reason is national survival.

During a hundred and fifty years of our history, our isolated position behind the oceans made us invulnerable to powerful surprise attack. And our great productive machine made it possible for us to get ready, with ample time, after an attack. Today we are minutes away from Moscow via missiles. In our life time this profound change has occurred, the details of which we are all too painfully familiar. We are aware that the Soviet Union increased its territory and expanded its world influence since World War II, but even more ominous for the future is the fact that the backward nations are beginning to use the productive methods developed by the West; and, as they do, their enormously greater populations are beginning to tell against us. We must be ready in armament, and we must grow industrially and economically.

The men in the Kremlin know what kind of world they want it to be 20 years from now. They boldly plan for that world and channel their resources, their educational facilities, and their diplomatic maneuvers to making it that kind of world.

If we are to win in this kind of struggle, we must decide what kind of world we want it to be 20 years from now. And within the framework of democratic individual liberty, make the necessary effort to create that kind of world.

In Washington today we hear the refrain: "How much does it cost?" "Can we afford to keep ahead?" Let us remind ourselves that those, like Jefferson, who signed the Declaration of Independence, did not count the cost. They had lived under tyranny. They wanted freedom.

Now maybe I have analyzed our situation all wrong, but I don't think so. But if I am right in thinking that we must have farsightedness, courage, decisiveness, leadership in the period ahead, I believe that is calling for a Democrat in the White House. Our party has provided vision and decision in times of crisis before. With the challenge that lies ahead, I am proud that our party can put forward so many men of capacity, experience, and vigor as candidates for the Presidency.

Unlike the opposition, which is restricted to one rather tarnished heir apparent and one glittering but politically untried challenger, we can offer veterans of the political wars from every section of the Nation. Our party has, in short, what the Nation needs and the opposition lacks—leadership.

Let us raise our eyes to America's horizons of tomorrow. Let us look ahead not only 1 year or 10 years, but 50 years and 100 years. Let us build an America and a world in which free men live and prosper. Let us seize the opportunities for leadership which are ours.

These are the tenets and the vision of Jefferson and Jackson; the tenets and vision of the Democratic Party today.

SENATE

THURSDAY, APRIL 23, 1959

The Senate met at 10 o'clock a.m.

Rev. Frederick T. Moffatt, D.D., pastor, First Baptist Church, Frankfort, Ky., offered the following prayer:

O God, our help in ages past, our hope for years to come, our shelter from the stormy blast, and our eternal home:

In Thee we live and move and have our being.

We thank Thee, O God, for this the loan of another day. May we use it wisely and well.

We pray the blessings of God upon the President and the Presiding Officer and the Members of the Senate. Bless the homes from whence they come.

Help all of us to remember that it is righteousness that exalteth a nation.

May Thy will be done, and may Thy kingdom come. In the name of the Father, Son, and Holy Ghost. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., April 23, 1959.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. GALE W. MCGEE, a Senator from the State of Wyoming, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. McGEE thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, April 22, 1959, was dispensed with.

MESSAGE FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that, on April 22, 1959, the President had approved and signed the act (S. 1096) to authorize appropriations to the National Aeronautics and Space Administration for salaries and expenses, research and development, construction and equipment, and for other purposes.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the following committees and subcommittees were authorized to meet today during the session of the Senate:

The Finance Committee;

The Insurance Subcommittee of the Committee on Post Office and Civil Service;

The Governmental Organization for Space Activities Subcommittee of the Committee on Aeronautical and Space Sciences.

The Foreign Relations Committee; and

The Antitrust and Monopoly Subcommittee of the Committee on the Judiciary.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule, there will be the usual morning hour for the transaction of routine business; and I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE PROGRAM—ORDER TO CONVENE AT 10 A.M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, I announce that there is a treaty on the Executive Calendar, and we expect to have the Senate take a yea-and-nay vote on the question of ratifying it. We shall give the Senate due notice prior to that time.

We also expect to have the calendar called at an early date; and I should like to have the aides on both sides of the aisle inform the review committees or calendar committees, so they will be prepared.

We expect to follow the pending labor bill with the supplemental appropriation bill.

Hearings have been completed on the District of Columbia appropriation bill.

In addition, we expect to bring up by motion, at an early date, the railroad retirement bill.

I anticipate that unless action on the pending labor bill is concluded soon, we shall have evening sessions for the remainder of the week, lasting until late in the evening, possibly as late as 11 or 11:30 o'clock.

We hope to have the sessions convene at 10 a.m. for the remainder of the week.

Mr. President, I ask unanimous consent that at the conclusion of the session today, the Senate adjourn until 10 a.m. tomorrow.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I should like to have all Members of the Senate know that in the event the Senate has not concluded its action on the labor bill by Saturday, we expect to have a Saturday session. I hope all Senators will adjust their calendars accordingly.

This week it has been necessary to end the daily sessions at relatively early hours, because of engagements which certain Senators had made. I hope that if any of them have made engagements for the remainder of the week or for next week, about which we do not know, and which involve a number of Senators, they will inform the leadership, so we may attempt to plan to suit their convenience.

This afternoon the International Chamber of Commerce will be addressed by the President of the United States, and a panel of distinguished Senators will appear before the meeting. I have discussed with the able Senator from Kentucky [Mr. COOPER] and the able Senator from Arkansas [Mr. FULBRIGHT], the chairman of the Foreign Relations Committee, what plans we should work out in an attempt to accommodate our colleagues and to show respect to the President and to suit the requests of the International Chamber of Commerce. Therefore, we have agreed that today, between the hours of 2:45 and 4:15 p.m., no yea-and-nay votes will be taken. In other words, from a quarter of 3 until a quarter past 4, no roll call vote will be had; at that time there will be an hour and a half during which no yea-and-nay votes will be taken.

Otherwise, we expect and we anticipate yea-and-nay votes at any time until 11 o'clock this evening.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON COOPERATION WITH MEXICO IN CONTROL AND ERADICATION OF FOOT-AND-MOUTH DISEASE

A letter from the Assistant Secretary of Agriculture, reporting, pursuant to law, that there were no significant developments to report for the month of March 1959, relating to the cooperative program of the United States with Mexico for the control and eradication of foot-and-mouth disease; to the Committee on Agriculture and Forestry.

AMENDMENT OF TITLE 10, UNITED STATES CODE, RELATING TO RESERVE COMMISSIONED OFFICERS OF ARMED FORCES

A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, with respect to Reserve commissioned officers of the Armed Forces (with accompanying papers); to the Committee on Armed Services.

EXTENSION OF AUTHORITY FOR ENLISTMENT OF ALIENS IN REGULAR ARMY

A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to extend the authority for the enlistment of aliens in the Regular Army (with an accompanying paper); to the Committee on Armed Services.

AUDIT REPORT ON PANAMA CANAL COMPANY AND CANAL ZONE GOVERNMENT

A letter from the Comptroller General of the United States, transmitting an audit report on the Panama Canal Company and Canal Zone Government, fiscal year 1958 (with an accompanying report); to the Committee on Government Operations.

CONVEYANCE OF CERTAIN SCHOOL PROPERTIES TO LOCAL SCHOOL DISTRICTS OR PUBLIC AGENCIES

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to amend the act of June 4, 1953 (67 Stat. 41), entitled "An act to authorize the Secretary of the Interior, or his authorized representative, to convey certain school properties to local school districts or public agencies (with an accompanying paper); to the Committee on Interior and Insular Affairs.

DONATION OF CERTAIN LAND TO CONFEDERATED TRIBES OF WARM SPRINGS RESERVATION, OREG.

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to donate to the Confederated Tribes of the Warm Springs Reservation, Oreg., approximately 48.89 acres of Federal land (with an accompanying paper); to the Committee on Interior and Insular Affairs.

PROPOSED STATUTORY AMENDMENTS RELATING TO COMMUNITY ANTENNA TELEVISION SYSTEMS

A letter from the Chairman, Federal Communications Commission, Washington, D.C., transmitting a draft of proposed amendments to sections 3 and 325(a) and proposed new section 330 of the Communications Act of 1934, as amended (47 U.S.C. 153, 325(a) and 330) (with accompanying papers); to the Committee on Interstate and Foreign Commerce.

CREW LEADER REGISTRATION ACT OF 1959

A letter from the Secretary of Labor, transmitting a draft of proposed legislation to provide for the registration of crew leaders in interstate agricultural employment, and for other purposes (with accompanying papers); to the Committee on Labor and Public Welfare.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of Alaska; to the Committee on Finance:

"HOUSE JOINT MEMORIAL 24

"TO THE HONORABLE JOHN FOSTER DULLES, SECRETARY OF STATE; THE HONORABLE LEWIS L. STRAUSS, SECRETARY OF COMMERCE; THE HONORABLE RICHARD NIXON, PRESIDENT OF THE SENATE; THE HONORABLE SAM RAYBURN, SPEAKER OF THE HOUSE OF REPRESENTATIVES; THE HONORABLE E. L. BARTLETT AND THE HONORABLE ERNEST GRUENING, SENATORS FROM ALASKA; AND THE HONORABLE RALPH J. RIVERS, REPRESENTATIVE FROM ALASKA:

"Your memorialist, the Legislature of the State of Alaska in first legislature, first session assembled respectfully submits that—

"Whereas the pulp industry is at present investing heavily in Alaska, building mills and utilizing Alaska resources and labor; and

"Whereas the State of Alaska has actively promoted the development of the pulp industry and plans to continue such promotion; and

"Whereas Alaska has the vast timber resources necessary to the growth of an active and profitable pulp industry; and

"Whereas the development of such an industry over the years would contribute greatly to the economic growth of this State and the Nation; and

"Whereas there are indications that certain Russian interests have placed Russian pulp on the American market and plan to steadily increase the amount of such foreign pulp to be sold in America; and

"Whereas this Russian pulp is being placed on the American market at prices much lower than either American or Canadian current rates; and

"Whereas at the present time the pulp market is a buyer's market, with the North American demand falling behind the capacity of the producers; and

"Whereas there is no U.S. tariff on the importation of foreign pulp:

"Now, therefore, your memorialist urges that immediate action be taken, either by Federal legislation or other appropriate means, to effectively limit the importation of foreign pulp products at prices below the North American competitive level.

"Passed by the house March 17, 1959.

"WARREN A. TAYLOR,
"Speaker of the House.

"Attest:

"ESTHER REED,
"Chief Clerk of the House.

"Passed by the senate April 4, 1959.

"WILLIAM E. BELTZ,
"President of the Senate.

"Attest:

"KATHERINE T. ALEXANDER,
"Secretary of the Senate.

"Certified true, full, and correct.

"ESTHER REED,
"Chief Clerk of the House."

The petition of Irving Brant, of Washington, D.C., relating to the voting status of residents of the District of Columbia; to the Committee on the Judiciary.

RESOLUTION OF 1959 CURED CANCER CONGRESS OF AMERICAN CANCER SOCIETY

Mr. HILL. Mr. President, I am sure many Members of the Senate will recall that on April 1st last year we had the privilege and pleasure of welcoming to the Senate a group of men, women and children who are living testimony of the great progress that has been made in the control of cancer during the past decade. These good people from all parts of the United States visited the Senate as the first Cured Cancer Congress of the American Cancer Society. It was an inspiring and thrilling experience for us.

The second annual Cured Cancer Congress was held in Washington on March 30th and 31st of this year, while Congress was in Easter recess.

I am honored to have been presented the following resolution adopted by the 1959 Cured Cancer Congress by Joseph E. Cook, chairman of the Congress, and am happy to present the resolution to the Senate at this time. I ask unanimous consent that the resolution be embodied in the RECORD at this point.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas more than 800,000 men, women, and children in the United States have now been cured of cancer; and

Whereas 75,000 Americans died needlessly during those same 12 months despite the fact that the medical knowledge to save them did and does exist; and another 75,000 Americans will die needlessly in the next 12 months unless they receive early and adequate treatment; and

Whereas more than 40 million of our fellow citizens will eventually develop cancer, unless the disease is quickly curbed: Therefore be it

Resolved, That the Cured Cancer Congress of the American Cancer Society duly assembled in its second annual session, express appreciation of the life-saving research achievements of the National Cancer Institute and urge the Senate and the House of Representatives of the United States to approve an appropriation of at least $85 million for the National Cancer Institute to enable it to continue and expand its vastly important research activities, in the fiscal year starting June 30, 1959; and further

Resolved, That the Cured Cancer Congress endorse the Health for Peace Act to create a National Institute of International Medical Research with funds to encourage and support research and the exchange of information on research, the training of research personnel, and the improvement of research facilities throughout the world; and further

Resolved, That each and every Member of the U.S. Congress be urged to see that he and his family have a complete annual checkup for cancer, and that each Member give full support to the American Cancer Society's 1959 cancer crusade in the State he represents to the end that no life shall be lost needlessly to cancer in the coming year; and further

Resolved, That a delegate to this congress deliver this resolution to Senator LISTER HILL for presentation to the Senate.

RESOLUTION OF BOARD OF SUPERVISORS OF DUTCHESS COUNTY, N.Y.

Mr. JAVITS. Mr. President, I present for appropriate reference, a resolution adopted by the Board of Supervisors of Dutchess County, N.Y., relating to the proposed reduction of beds at the Castle Point Veterans' Hospital, in the State of New York. I ask unanimous consent that the resolution may be printed in the RECORD.

There being no objection, the resolution was referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

RESOLUTION 71, OF BOARD OF SUPERVISORS OF DUTCHESS COUNTY, N.Y., RE VETERANS' ADMINISTRATION

Whereas the Veterans' Administration has maintained a hospital at Castle Point, N.Y., for the care of tubercular veterans for the past 35 years; and

Whereas through improvement in tuberculosis treatment, the caseload of patients has in the past and is presently diminishing, with the result that the 512 bed Castle Point Veterans' Hospital is now utilizing only 270 beds; 230 for tubercular patients and 40 for general medical and surgical patients; and

Whereas the Veterans' Administration as of July 1, 1959 contemplates reducing the number of available beds by an additional 40; 30 for TB patients and 10 for general medical and surgical patients; and

Whereas the Veterans' Administration is contemplating a further reduction of beds as of July, 1960; and

Whereas veterans from the Mid-Hudson area must now be hospitalized in VA facilities in Albany and New York, where admittance waiting lists generally prevail, rather than at a VA hospital closer to home; and

Whereas the Administrator of Veterans' Affairs has the authority to allocate and relocate the 125,000 beds for veterans in VA facilities, and

Whereas there is a constant demand for hospitalization of veterans from the Mid-Hudson area for general medical and surgical care: Now, therefore, be it

Resolved, That the Board of Supervisors of Dutchess County go on record as urging the Administrator of Veterans' Affairs, and such other Government officials as are deemed necessary, to allocate at least 75 to 100 beds for veteran patients needing general medical and surgical treatment at the Castle Point facility thereby eliminating the needless delay in securing admittance in the Albany or New York VA hospitals and providing immediate hospital treatment for eligible veterans needing such hospital care. And the clerk of the board of supervisors is hereby instructed to forward certified copies of this resolution to the following named officials:

1. William S. Middleton, M.D., Chief Medical Director, Department of Medicine and Surgery, Veterans' Administration, Washington, D.C.

2. Hon. Sumner G. Whittier, Administrator of Veterans' Affairs, Veterans' Administration, Washington, D.C.

3. Hon. OLIN E. TEAGUE, chairman, House Committee on Veterans' Affairs, House of Representatives, Washington, D.C.

4. Senator JACOB J. JAVITS.

5. Senator KENNETH KEATING.

6. Representative J. ERNEST WHARTON.

Resolution adopted.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. BRIDGES, from the Committee on Armed Services, without amendment:

H.R. 7. An act to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and provide certain services to the Boy Scouts of America for use at the fifth national jamboree of the Boy Scouts of America, and for other purposes (Rept. No. 218); and

H.R. 296. An act to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and to provide transportation and other services to the Boy Scouts of America in connection with the world jamboree of Boy Scouts to be held in the Philippines in 1959; and for other purposes (Rept. No. 219).

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. RUSSELL, from the Committee on Armed Services:

Maj. Gen. Leonard Dudley Heaton, Medical Corps, U.S. Army, for appointment as the Surgeon General, U.S. Army.

By Mr. SYMINGTON, from the Committee on Armed Services:

Gen. Maxwell Davenport Taylor, Army of the United States (major general, U.S. Army), to be placed on the retired list in the grade of general;

Lt. Gen. James Dunne O'Connell, Army of the United States (major general, U.S. Army), to be placed on the retired list in the grade of lieutenant general;

Maj. Gen. Ralph Thomas Nelson, Army of the United States (brigadier general, U.S. Army), for appointment as Chief Signal Officer, U.S. Army, and as major general in the Regular Army of the United States;

Maj. Gen. Bernard A. Schriever, Regular Air Force, to be assigned to positions of importance and responsibility designated by the President in the rank of lieutenant general;

Vice Adm. John M. Will, U.S. Navy, to be placed on the retired list in the grade of vice admiral; and

Rear Adm. Roy A. Gano, U.S. Navy, for commands and other duties determined by the President, in the grade of vice admiral while so serving.

By Mr. JACKSON, from the Committee on Armed Services:

Rear Adm. John T. Hayward, U.S. Navy, for commands and other duties determined by the President, in the grade of vice admiral while so serving.

By Mr. SALTONSTALL, from the Committee on Armed Services:

Gen. Nathan F. Twining, U.S. Air Force, to be reappointed as Chairman of the Joint Chiefs of Staff;

Adm. Arleigh A. Burke, U.S. Navy, to be reappointed as Chief of Naval Operations;

Gen. Thomas D. White, U.S. Air Force, to be reappointed as Chief of Staff of the Air Force; and

Gen. Lyman L. Lemnitzer, U.S. Army, to be appointed as Chief of Staff of the Army, vice Gen. Maxwell D. Taylor, U.S. Army.

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

Mrs. Clare Boothe Luce, of Connecticut, to be Ambassador Extraordinary and Plenipotentiary to Brazil, vice Ellis O. Briggs.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NEUBERGER:

S. 1776. A bill to authorize an appropriation to each State of an amount equal to 5 percent of the individual income taxes collected in such State during each fiscal year; to the Committee on Finance.

(See the remarks of Mr. NEUBERGER when he introduced the above bill, which appear under a separate heading.)

By Mr. CLARK (for himself and Mr. JAVITS):

S. 1777. A bill to authorize assistance under the Small Business Act to small-business concerns displaced as a result of urban renewal activities under the Housing Act of 1949; to the Committee on Banking and Currency.

(See the remarks of Mr. CLARK when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS (for himself and Mr. KEATING):

S. 1778. A bill to provide for the registration of crew leaders in interstate agricultural employment, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. JAVITS when he introduced the above bill, which appear under a separate heading.)

By Mr. BYRD of West Virginia (for himself and Mr. RANDOLPH):

S. 1779. A bill to provide for the encouragement of economic redevelopment in communities depressed by chronic unemployment; to the Committee on Banking and Currency.

By Mr. RANDOLPH (for himself and Mr. BYRD of West Virginia):

S. 1780. A bill to authorize the acquisition of land for expansion of the Grafton National Cemetery; to the Committee on Interior and Insular Affairs.

By Mr. MAGNUSON:

S. 1781. A bill to provide for cooperative unit programs of research education, and demonstration between the Federal Government of the United States, colleges and universities, the several States and Territories, and private organizations, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MURRAY:

S. 1782. A bill to provide for the comprehensive operation of hydroelectric power resources of the United States, and for other purposes; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. MURRAY when he introduced the above bill, which appear under a separate heading.)

By Mr. McCARTHY:

S. 1783. A bill to amend sections 1231, 272, and 631 of the Internal Revenue Code of 1954 with respect to iron ore royalties; to the Committee on Finance.

By Mr. GREEN:

S. 1784. A bill relating to the classification of certain articles as braids under paragraph 1529 (a) of the Tariff Act of 1930; to the Committee on Finance.

By Mr. ROBERTSON:

S. 1785. A bill to designate the dam and reservoir to be constructed on the Pound River near Bartlick, Dickenson County, Va., as the "John W. Flannagan Dam and Reservoir"; to the Committee on Public Works.

By Mr. SPARKMAN:

S. 1786. A bill to amend the Federal Credit Union Act; to the Committee on Banking and Currency.

(See the remarks of Mr. SPARKMAN when he introduced the above bill, which appear under a separate heading.)

By Mr. CAPEHART (for himself and Mr. HARTKE):

S. 1787. A bill to protect consumers and others against misbranding, false advertising, and false invoicing of decorative hardwood or imitation hardwood products; to the Committee on Interstate and Foreign Commerce.

CONCURRENT RESOLUTION

Mr. CLARK (for himself and other Senators) submitted a concurrent resolution (S. Con. Res. 25) providing for the strengthening of the United Nations to promote world peace through world law, which was referred to the Committee on Foreign Relations.

(See the above concurrent resolution printed in full when submitted by Mr. CLARK, which appears under a separate heading.)

REBATE OF PORTION OF INCOME TAXES COLLECTED FROM EACH STATE

Mr. NEUBERGER. Mr. President, I am about to introduce a bill, and I ask unanimous consent that I may speak on it in excess of the 3 minutes allowed under the order which has been entered.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Oregon? The Chair hears none, and the Senator may proceed.

FEDERAL INCOME TAX REBATE WOULD HELP THE STATES FINANCE FAIRLY AND EFFECTIVELY EXPANDED SERVICES

Mr. NEUBERGER. Mr. President, many of the States of our Nation confront a grave and growing financial crisis. I now introduce for appropriate reference a bill which is designed to aid the States in meeting this situation. My bill provides for an annual rebate by the Federal Government to each State in an amount equal to 5 percent of the individual income taxes collected within that State.

My bill recognizes:

First. The requirement of the States for additional revenue to support expansion of existing services and creation of new programs to meet current and projected need.

Second. The special political and legal difficulties which face State officials seeking to obtain revenues adequate to sustain the optimum level of expenditures.

Third. The ability of the Federal Government to tax more effectively and more equitably than the individual State governments.

Fourth. The desirability of providing the States with a Federal grant which offers certainty of revenue and insures autonomy in expenditure.

STATES FACE FINANCIAL CRISIS

Mr. President, newspaper and periodical columns remind us daily of the extent and magnitude of the financial problem of the States. A recent news story in a daily newspaper in my State effectively summarizes the plight of the States. I ask unanimous consent that an article headlined "States Swim in Red Ink," which appeared in the March 30, 1959, issue of the Oregonian of Portland, Oreg., appear at this point in my remarks, together with a table prepared for me by the Library of Congress showing the relationship between the relative wealth of the people of the individual States and the burden of taxes collected for maintenance of the State and local government.

There being no objection, the article and the table were ordered to be printed in the RECORD, as follows:

[From the Oregonian, Mar. 30, 1958]

STATES SWIM IN RED INK—EXPLODING GROWTH BLAMED FOR DEFICITS

(By Nicholas Shuman)

CHICAGO.—The 49 States—like Big Daddy in Washington—are up to their elbows in rising bills. At least 10 of them, as a matter of fact, are over their heads.

According to the Federation of Tax Administrators, red ink this year is pouring over:

Michigan, $111 million; Pennsylvania, $100 million; California, $68 million; Texas, $65 million; Washington, $46 million.

There are others—including tiny Vermont and Delaware—and most of those that don't have deficits are on the brink.

Total spending by State governments in the current fiscal year stands at $25 billion.

The tax administrators said that State budgets have been climbing at the rate of 10 percent a year since 1953—and they expect about the same in the new fiscal year.

What's behind it? The recession? Welfare statism?

The federation puts most of the blame on America's exploding population—more people needing more State services.

But isn't the taxpaying population also rising?

Yes; but not in the same proportion The big explosion is under age 21 (the people who need schools and teachers) and over age 65 (the people who most often need public welfare assistance).

LOW BIRTH RATE FACTOR

The rise in the population, in between—the breadwinners and taxpayers—is disproportionately low because of the low birth rate during the depression years.

Culprit No. 2, according to the federation, is the inflation, which keeps the cost of things the States buy running ahead of incoming revenues.

Lesser roles are given to new or wider spending and to the recession.

The increase in State services has been fairly minor, according to a spokesman for the tax administrators. And tax revenues for all States rose 2.6 percent even in recession 1958 (although welfare spending rose, too).

State spending is increasing the most, obviously, in the field of education.

HIGHWAYS DRAIN

Next to the schools, highways are taking most funds. One reason for this jump is that States must match $9 in Federal funds with $1 of their own to qualify under the Federal Highway Act of 1956 to build a big interstate road network.

Elsewhere, States are increasing their spending on care for the mentally ill and on wages for their payrollers to keep up with wages in industry.

Of the 43 States where legislatures so far have convened, higher taxes have been called for in at least 28, according to the federation.

NO ROOM FOR NOVELTIES

Where will the money come from? Are the Governors coming up with any novel tax schemes?

No, there isn't any room for novelties. "We're already taxing everything," said a federation spokesman.

More money is being squeezed out of the tried-and-true fields of sales, income, tobacco, gasoline, and vehicle taxes. Where the taxes exist, they are being boosted. Where they don't, they are being enacted.

Thirty States now have taxes on individual incomes and 35 States have corporation income taxes. Illinois has neither.

In a fourth of the States where tax increases are being asked, raises in the levies on gasoline and motor vehicles have been proposed.

In only one State has a tax reduction been suggested. That's Kansas, where Gov. George Docking cut the budget by $7 million and asked for a sales tax reduction from 2½ to 2 percent.

Other States in financial vigor are Indiana ($35 million surplus) and New Jersey ($15,300,000).

What's their magic?

Kansas, Indiana, and New Jersey all adopted major tax increases last year or the year before.

The rest of the Union still has its castor oil on the table.

Percentage of per capita personal income devoted to payment of State and local taxes in 1957, by State [1]

State	Per capita				State and local tax revenue as a percent of personal income	State	Per capita				State and local tax revenue as a percent of personal income
	Personal income	State tax revenue	Local tax revenue	State and local tax revenue			Personal income	State tax revenue	Local tax revenue	State and local tax revenue	
Alabama	$1,324	$72.63	$28.31	$100.94	7.6	Nevada	$2,423	$134.61	$94.63	$229.24	9.5
Arizona	1,750	99.28	70.57	169.85	9.7	New Hampshire	1,862	58.06	94.13	152.19	8.2
Arkansas	1,151	70.37	30.03	100.40	8.7	New Jersey	2,504	49.98	124.21	174.19	7.0
California	2,523	117.96	119.92	237.88	9.4	New Mexico	1,686	119.45	38.10	157.55	9.9
Colorado	1,996	92.15	96.56	188.71	9.5	New York	2,578	89.20	140.11	229.31	8.3
Connecticut	2,821	100.32	104.45	204.77	7.3	North Carolina	1,317	82.69	29.86	112.55	8.5
Delaware	2,740	102.97	32.38	135.37	4.9	North Dakota	1,435	80.23	86.42	166.65	11.6
Florida	1,836	89.24	70.21	159.45	8.7	Ohio	2,255	73.51	79.47	152.98	6.8
Georgia	1,431	83.40	40.53	123.93	8.7	Oklahoma	1,619	104.43	49.28	153.71	9.5
Idaho	1,630	78.63	76.37	155.00	9.5	Oregon	1,914	111.30	89.38	200.68	10.5
Illinois	2,447	71.22	108.26	179.48	7.3	Pennsylvania	2,112	89.47	71.51	160.98	7.6
Indiana	2,010	66.15	75.53	141.68	7.0	Rhode Island	1,990	72.99	78.83	151.82	7.6
Iowa	1,806	89.08	87.25	176.33	9.8	South Carolina	1,180	77.85	26.03	103.88	8.8
Kansas	1,787	75.26	100.99	176.25	9.9	South Dakota	1,531	61.56	103.27	164.83	10.8
Kentucky	1,372	66.10	41.26	107.36	7.8	Tennessee	1,383	78.10	40.02	118.12	8.5
Louisiana	1,566	121.63	41.35	162.98	10.4	Texas	1,791	71.81	65.20	137.01	7.6
Maine	1,663	75.15	79.41	154.56	9.3	Utah	1,694	91.37	71.35	162.72	9.6
Maryland	2,156	86.58	71.44	158.02	7.3	Vermont	1,665	94.37	83.01	177.38	10.7
Massachusetts	2,335	85.68	124.52	210.20	9.0	Virginia	1,660	82.53	49.09	131.62	7.9
Michigan	2,141	100.13	81.00	181.13	8.5	Washington	2,128	130.26	57.89	188.15	8.8
Minnesota	1,850	88.17	91.54	179.71	9.7	West Virginia	1,554	79.03	33.05	112.08	7.2
Mississippi	958	74.11	34.47	108.58	11.0	Wisconsin	1,920	92.19	92.01	184.20	9.6
Missouri	1,940	62.80	67.69	130.49	6.7	Wyoming	2,038	105.68	86.11	191.79	9.4
Montana	1,896	78.44	109.34	187.78	9.9						
Nebraska	1,818	51.28	89.44	140.72	7.7	Total or average	1,858	86.33	83.81	169.14	9.1

[1] Personal income figures are for the calendar year 1957. Statistics on State and local tax revenues are on a fiscal year basis.

Sources: U.S. Department of Commerce, Bureau of the Census. "State and Local Government Finances in 1957." Series G-CGA-No. 8, February 1959, pp. 16, 28-76. U.S. Department of Commerce, Office of Business Economics. "U.S. Income and Output." Supplement to the Survey of Current Business. November 1958, pp. 158-159.

Compiled by Raymond M. Wiggs, analyst in industrial organization and corporation finance, Economics Division, the Legislative Reference Service, the Library of Congress, April 9, 1959.

Mr. NEUBERGER. Mr. President, what are the major difficulties which face our State governments as they attempt to solve the revenue expenditures dilemma?

Some of these problems are inherent in the nature of the Federal system.

First. Unlike the Federal Government, the taxing jurisdiction of a State government is not synonymous with the economic area which affects it. Industry, transportation facilities, and services do not necessarily respect State boundaries. The result is frequently interstate jurisdictional conflict or failure to realize deserved revenue.

Second. The freedom of State residents to relocate imposes a certain constraint upon State governments. The mobility of persons and firms inhibits use of the taxing power.

Third. State governments cannot operate in isolation. Because of the relative ease with which persons and industries may move from one area to another, one State is vitally affected by the tax program of another. Interstate competition for new residents and new industry is often made, however fallaciously, the key issue in State revenue debates.

Fourth. While implementation of economic stabilization and resource distribution policies are of vital importance to the States, they have little power to handle this responsibility of government by themselves.

THE STATES NOT POLITICAL ENTITY

The States are fragments of the Union. The States are not a political entity to be placed in juxtaposition to the Federal Government. They are 49 separate entities.

The States have no control over the money market; they are only passive participants in the sale of Government securities.

Political barriers frequently prevent continuity of action, even within a single State. Short terms of many elected officials, obsolete constitutional and statutory restrictions on taxing and borrowing powers of State legislatures, brief biennial sessions, failure to reapportion, all operate to hinder effective long-range action.

Fifth. The intertwining of State and local financial questions results in problems of separation of revenue sources and division of functions.

Sixth. The fiscal capacity of individual States bears no direct relationship to need, although there is often a definite inverse correlation.

Other problems which loom large in State government are the result of factors peculiar to this decade.

POPULATION GROWTH ADDS COST

First. An expanding population is rapidly forcing an increasing outlay merely to maintain the status quo in terms of service. For instance, capital construction, curtailed during World War II, has not yet caught up with the need for physical facilities. In 1946, public-school enrollment was 23.3 million; by 1956 the figure was 31 million; and it is predicted that another 13 or 14 million children will be enrolled by 1965. Motor-vehicle registrations were 34 million in 1946; in 1956 they reached 64 million; and an estimated 80 million vehicles will be on the road in 1964.

Second. The taxpaying population increase in many States is not keeping pace with the general population rise. The results of the baby boom and the increase in the proportion of people 65 years of age and older, due to increased longevity, has fostered an enlargement of the class of persons who require services, such as schools and health care, but who do not bear a full taxload.

I ask unanimous consent that a chart illustrating these two facts be printed in the RECORD at this point.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

Population of the United States 1946 and 1956

Year	Population	Ages 5 to 17	Age 65 and over
1946 (thousands)	140,054	28,934	10,375
1956 (thousands)	167,259	38,683	14,407
Percent increase 1956 and 1946	19.4	33.7	38.9

Source: U.S. Bureau of the Census.

Mr. NEUBERGER. Third, Mr. President, rising prices have forced up the cost of providing present State services. The prices of goods and services purchased by State and local governments have risen more than have the prices of other goods and services. I ask unanimous consent that a chart prepared by Tax Foundation, Inc., which indicates this relationship, be included in the RECORD at this point in my remarks.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

Selected price indexes relevant to State and local government expenditures, selected calendar years 1940–57

[1947=100]

Year	Consumer Price Index	U.S. Department of Commerce implicit price deflators for GNP [1]					
		Total gross national product	Government purchases of goods and services			Gross Government product [2]	Gross private product [3]
			Total	Federal	State and local		
1940	62.7	58.6	58.5	55.9	60.7	59.9	58.5
1946	87.3	89.5	91.0	92.2	88.8	91.9	89.2
1948	107.6	105.5	104.9	100.8	110.8	104.5	105.6
1950	107.6	107.7	111.3	108.0	115.3	115.0	107.2
1952	118.8	117.6	122.3	119.0	130.6	124.7	117.0
1954	120.2	119.9	125.2	119.2	137.3	134.1	118.6
1956	121.7	124.9	136.3	129.9	146.6	150.2	122.9
1957	125.7	129.6	142.5	135.1	154.4	158.1	127.4

[1] The "implicit price deflators" are obtained by dividing the current dollar GNP series by the corresponding constant dollar series. The constant dollar series are obtained by deflating detailed components by appropriate price indexes and adding the deflated component figures.
[2] Compensation of general government employees.
[3] Gross national product less compensation of general government employees.

Source: U.S. Department of Commerce, Department of Labor, and Council of Economic Advisers.

Mr. NEUBERGER. Fourth, Mr. President, changes in social conditions and public attitudes toward them has caused the creation of new programs designed to meet the new needs.

Fifth. The recession has placed a heavy burden on many States as they seek to care for those most heavily hit by the economic decline, while at the same time the States are suffering a decrease in revenue receipts, due to the loss of earning power by many residents.

Sixth. National revenue requirements have placed a dual Federal-State demand on certain subjects of taxation. Furthermore, matching grants to the States have tended to encourage earmarking by the States, to the detriment of rational allocation of resources.

Mr. President, the bill I introduce today is no panacea. As a former State legislator, I fully recognize that no single program could possibly deal with all the complexities involved in the 12 factors I have cited. In many cases, solutions can be reached only through the machinery of State and local government. In other instances, national needs make mandatory specific programs initiated by the Federal Government.

PROPOSAL PROVIDES EXPENDITURE FREEDOM

Although my bill does not provide a final answer, I believe it would effectively aid in solving some of these problems by making available to the States revenues realized through progressive taxation to be utilized in providing needed public services. A block grant such as I propose offers the advantages of assured revenue availability and guaranteed independence in expenditure. It would free the States, to an important extent, from apprehension that some other, economically competitive neighbor State might attract wealth by means of regressive taxation and skimpy social-service budgets.

Mr. President, in the past 6 years we have heard repeated expressions by the administration of its desire to abandon Federal responsibilities to the States. These statements are always accompanied by exhortations to the States to assume the functions discarded by the Federal Government and the assertion that Federal taxes would be reduced more than States taxes would be raised. When we get down to cases, it is always the Federal programs in the fields of human welfare and social needs which would be abandoned to the States, and rarely those which are of financial importance to business and industry.

PRESIDENT OVERLOOKS VITAL FACTS

The viewpoint which President Eisenhower and members of his administration have so frequently emphasized fails to considers two vital facts:

First. The States, when looked at collectively, in contradistinction to the Federal Government, cannot assume responsibility for social programs to relieve the Federal Government of that responsibility. Each individual State may or may not do so. The alternative to having the Congress enact a program of national significance is, not to have it enacted by some mythical substitute called the States, but to have it enacted by 49 separate State legislatures, each of which is far more vulnerable to the pressures of the special economic interests within itself than is the National Congress.

Second. Even if all States were to agree on identical goals, the fiscal resources and capacity of the several States often make it impossible for them to carry out, uniformly and successfully, functions which may be important to the whole Nation. Within any one State, each proposed increase in the budget for new or improved programs of social progress is certain to be met with the scare cry that business and industry are being driven to other States which subordinate such programs to fiscal conservatism and economy.

STATES NEED NEW REVENUE SOURCE

I submit that an important step in the solution of the financial problems presently confronting our State governments is to give all States a new source of revenue which each may use for any governmental purpose of its choice. Abandonment of Federal revenues along with Federal responsibilities would only be a backward step in meeting this challenge to the States to assume new programs and to meet enlarged demands in connection with existing services.

The Federal Government has a responsibility to adopt particular programs designed to deal with nationwide problems which affect the operation of State and local governments, with their widely varying needs and fiscal capacity. These include programs to implement policies of full employment, maximum economic growth, and price stability.

But if we are to maintain the effectiveness of our State governments, I think that we must simultaneously move in the direction of assisting the States to realize needed general revenue.

Today, there is in existence good precedent which the President and the Congress can study in considering my bill. Other countries with Federal forms of government confront the same conditions which we do, such as the absorption of revenue by growing national needs and the wide disparity among the fiscal resources left to local government.

CANADA SUPPLIES EXAMPLE

Thus, Canada since World War II has had a system of tax rebates from the national government to the governments of the several provinces. Known as tax-rental agreements, the Canadian system offers these tax rebates to individual provinces, in return for their giving up to the national government certain sources of taxation. Australia, which also has a Federal Government, has met the problem similarly.

These systems are different from my proposal, which is simpler. It involves no shift of wealth among the States. I propose no limitation whatever on the freedom of action of the individual States. Each may maintain whatever tax structures it desires. It may use the additional revenue for any public purpose its legislature may wish. My purpose is exclusively to strengthen, not to impair, the role of the States in meeting the needs of modern governments. But the Canadian tax-rebate system might well be studied as a precedent for what can be done with tax transfers to solve the fiscal problems of modern governments of divided sovereignty.

In conclusion, Mr. President, I ask unanimous consent that there be printed at the end of my remarks the text of my bill, together with a memorandum prepared by Raymond E. Manning, senior specialist in taxation of the Library of Congress, concerning the constitutionality of my proposal.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill and memorandum will be printed in the RECORD.

The bill (S. 1776) to authorize an appropriation to each State of an amount

equal to 5 percent of the individual income taxes collected in such State during each fiscal year, introduced by Mr. NEUBERGER, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, for the fiscal year beginning July 1, 1960, and for each fiscal year thereafter, to each State an amount equal to 5 per centum of the individual income taxes (computed as provided in this Act) collected within such State during the preceding fiscal year.

SEC. 2. (a) The Secretary of the Treasury shall, on or before October 1, 1960, and on or before October 1 of each succeeding year, pay to each State the amount authorized to be appropriated to such State pursuant to the first section of this Act.

(b) Payments to the States under subsection (a) shall be made on the basis of amounts of individual income taxes collected in the various internal revenue districts. The principal revenue officer for each internal revenue district shall report to the Secretary, in such manner and at such times as the Secretary shall prescribe, such information as the Secretary finds necessary to enable him to make payments under subsection (a).

SEC. 3. For purposes of this Act, the amount of individual income taxes collected within a State during any fiscal year is an amount equal to—

(a) the total amount of individual income taxes collected in the internal revenue district or districts in such State during such fiscal year, less

(b) the total amount of credits, refunds, and abatements allowed or paid in such internal revenue district or districts with respect to overpayments of individual income taxes during such fiscal year.

SEC. 4. For purposes of this Act—

(a) The term "individual income taxes" means—

(1) the tax on the income of individuals imposed by chapter 1 of the Internal Revenue Code of 1954;

(2) the tax on the income of nonresident alien individuals and certain partnerships imposed by chapter 3 of such Code; and

(3) the tax on the wages of individuals imposed by chapter 24 of such Code.

(b) The term "State" means the various States, the Territories of the United States, and the District of Columbia.

The memorandum presented by Mr. NEUBERGER is as follows:

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE,
Washington, D.C., January 2, 1957.

To: Hon. RICHARD L. NEUBERGER.
From: Raymond E. Manning, senior specialist in taxation.
Subject: Sharing of Federal income tax with States.

This is in response to questions 1 and 5 of your memorandum of November 20, re sharing of Federal income-tax collections with the States.

1. Constitutionality of sharing arrangement: Question 1 asked for a statement on the constitutionality of a statute turning over Federal tax revenues to State governments without any limitation on the purposes for which the money may be used and without any Federal control over its spending. The quick answer is that no basis is believed to exist for a successful challenge of any such statute. This position would seem to be doubly sure if: (1) All collections from the income tax continues to be paid into the general fund; and (2) a separate statute makes provision for a periodic payment to each State, the payment to be measured by Federal income-tax collections therein.

PERTINENT CONSTITUTIONAL PROVISIONS

There is no pertinent provision in the Constitution which precisely lays down the scope of, or limitations on, the power of Congress to appropriate funds. However, any examination of the appropriating power requires consideration of article 1, section 8, clause 1, and article 1, section 9, clause 7.

The first of these empowers Congress " * * * to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States * * *." The second provides that "No money shall be drawn from the Treasury, but in consequence of appropriations made by law * * *."

The possible application of the first is developed later; the application of the second can have no pertinency here so long as the money paid to the States is made pursuant to an appropriation enacted by Congress.

STATUTORY PRECEDENTS

Over the years, Congress has by numerous statutes appropriated sums of money to be distributed among the States to be used by them for purposes specified in the enacting statute. None of these statutes has ever been successfully challenged. In fact, the Supreme Court has held that neither an individual nor a State had a sufficient interest to challenge the constitutionality of such a statute, *Forthingham* v. *Mellon*, and *Massachusetts* v. *Mellon* (262 U.S. 447 (1923)).

In addition to this type of statute Congress has for several years directed that funds equal to revenues from certain taxes shall be made available to the States for designated purposes; e. g., proceeds of excise tax on firearms, shells, and cartridges to be used for wildlife restoration (U.S.C., title 16, sec. 669–669j), and excise tax on fishing rods, creels, etc., for fish restoration and management projects (U.S.C., title 16, sec. 777–777k). And during 1956, the Congress directed the creation of a trust fund of amounts equivalent to collections of gasoline and certain other taxes on motor vehicles, the proceeds to be used for Federal highway aid (act of June 29, 1956, Public 627, sec. 209).

A limited search, however, has developed, no instance of a Federal appropriation for distribution among the States for any purpose the States may determine. Perhaps the most analogous instance was the distribution in 1836 and 1837 of the surplus in the United States Treasury. The authorizing statute, act of June 23, 1836, did not in so many words actually appropriate the money to the States, but in effect this was the result. The act in its own words provided for the deposit of the surplus with the States in proportion to representation in Congress, and contain a provision for its repayment to the Treasury on demand, but the result was the same as an outright gift. Apparently no court case was instituted to challenge the statute.

Note may also be taken of certain Federal taxes collected in U.S. possessions and paid into the treasuries of those possessions. For example, receipts from the processing tax on coconut oil produced in American Samoa and Guam (and also in the Philippines prior to 1946) are paid into the respective treasuries (I.R.C., sec. 7654). After operating revenues are deducted, the revenues from U.S. custom duties, taxes, and fees collected in Puerto Rico and the Virgin Islands are transferred to the treasuries of those possessions (e.g., I.R.C., secs. 7651–7652; U.S.C., title 48, secs. 734, 740, 1401c). Additional provisions relate to taxes on certain drugs (I.R.C., secs. 4735, 4762).

PERTINENT COURT DECISIONS

It may be said at the outset that no act of Congress appropriating funds to the States has ever been held unconstitutional. However, the Supreme Court in the Butler case passing upon the Agricultural Adjustment Act of 1933, made several pertinent observations. The act, it will be remembered, authorized the Secretary of Agriculture to enter into adjustment agreements with farmers for the reduction of acreage of certain basic agricultural commodities, and imposed so-called processing taxes the proceeds of which were made available for the payment to farmers of benefits under the agreements.

The Court held the act unconstitutional on the ground (among others) that it was not a valid exercise of the Federal spending power under the general welfare clause since the act, although providing for agreements voluntary in form, was an attempt to coerce through economic pressure, and, even if not coercive, was at best a scheme for purchasing with Federal funds submission to Federal regulation of a subject reserved to the States. *U.S.* v. *Butler* (297 U.S. 1). The decision then pointed out—and it is this that is particularly relevant—the power of Congress to authorize expenditures impliedly conferred by the general welfare clause, is not limited by the direct grants of legislative power found in other clauses of the Constitution, but is limited in that Congress is required to act merely in furtherance of general or national purpose as distinguished from particular or local purpose.

The limiting words of the Supreme Court in the Butler case are about as strict as may reasonably be expected from the present or a future Supreme Court. In fact, there are those who consider that that decision has in effect been largely overruled, or at least reduced to narrow proportions, e.g. *Steward Machine Co.* v. *Davis* (301 U.S. 508 (1937)) sustaining the tax on employers to provide unemployment benefits.

One also finds such broad language as that rendered in a Federal district court decision declaring that the purpose of congressional appropriations, and the terms and conditions under which they are made, is a matter solely in the hands of Congress, and it is the explicit duty of the executive branch to comply therewith, and any attempt by the judicial branch to interfere therewith would be a plain invasion of the constitutional power of Congress. *Spaulding* v. *Douglas Aircraft Co.* (60 F. Supp. 985, affirmed 154 F. 2d 419).

As applied to the tax on coconut oil coming from the Philippines, question was raised concerning the validity of the tax. The Supreme Court in upholding the tax, *Cincinnati Soap* v. *United States* (301 U.S. 308 (1937)), said:

"It [the tax] is said to be bad because it is earmarked and devoted from its inception to a specific purpose. But if the tax, qua tax, be good, as we hold it is, and the purpose specified be one which would sustain a subsequent and separate appropriation made out of the general funds of the Treasury, neither is made invalid by being bound to the other in the same act of legislation. The only concern which we have in that aspect of the matter is to determine whether the purpose specified is one for which Congress can make an appropriation without violating the fundamental law. If Congress, for reasons deemed by it to be satisfactory, chose to adopt the quantum of receipts from this particular tax as the measure of the appropriation, we perceive no valid basis for challenging its power to do so."

CONCLUSION

In the light of the various decisions and long established Federal practice, the only way that a statute such as that contem-

plated is likely to be held unconstitutional would be to find that such an appropriation did not provide for the "general welfare." To requote the language of the Cincinnati Soap case, "The only concern which we have * * * is to determine whether the purpose specified is one for which Congress can make an appropriation without violating the fundamental law." Further, implicit in continuance of our Federal form of Government is continuance of strong and financially sound States. It can be argued with considerable force that the Federal Government—because of its "usurpation" of available revenue sources—has virtually closed the door to any successful major levy on these same sources by the States. It seems logical therefore to suppose that the Federal Government could so adjust its own rates that the States could share in the collections of the income or any other Federal tax. It would be extremely difficult to show that any such sharing violated our "fundamental law" or was contrary to the "general welfare" when its very purpose is the preservation of the Union which the Constitution established.

Finally, it may be noted that although numerous persons and organizations have proposed the sharing of revenues from certain taxes with the States, none of the proposals examined has considered the existence of any constitutional problem. Similarly, opponents of such sharing have based their opposition on other than constitutional grounds.

5. Payments by Federal Governments to States similar to payments under Canadian tax-rental agreements: There are numerous instances of Federal grants to States, but the most significant comparison with the Canadian system is to be found in Australia. There the Commonwealth, since 1942, has been the sole income-tax levying authority. Prior to that time, each State and the Commonwealth imposed its own income tax. It had been suggested in 1940 that the States, as a war emergency measure, should vacate the income-tax field in favor of the Commonwealth, but no action resulted. In 1942, the Commonwealth offered to make annual reimbursements to the States if they would cease to levy their own income tax, but the offer was rejected. The Commonwealth, notwithstanding State objection, enacted the necessary legislation effectively eliminating the States from the income tax and providing substitute reimbursements. The High Court of Australia upheld the act as constitutional. The original legislation was due to expire on June 30, 1946, but the Commonwealth announced its intention to continue it. However, as a result of conferences between Commonwealth and State representatives, a new formula of reimbursements—based largely on population factors—was written into the legislation. In addition, each year since 1949–50, special financial assistance grants have been made by the Commonwealth to supplement the tax reimbursements. The total budget estimates for tax reimbursements for fiscal 1957 amount to £153.6 million ($342.5 million), while other payments amount to £88.2 million ($196.7 million); the total is thus £241.8 million ($539.2 million).

The Australian system has been described as "less successful" than that in Canada, and has given rise to "most unfortunate" political consequences. In 1952, the Commonwealth actually indicated that it favored the restoration of the taxing powers to the States, but a conference to work out plans resulted in a deadlock.

ASSISTANCE TO SMALL-BUSINESS CONCERNS DISPLACED BY URBAN RENEWAL ACTIVITIES

Mr. CLARK. Mr. President, on behalf of the senior Senator from New York [Mr. JAVITS] and myself, I introduce, for appropriate reference, a bill to authorize disaster loans under the Small Business Act for small businesses which are displaced by urban renewal.

Congress has already recognized the plight of businessmen who are forced out of their establishments as a result of action by their communities to assemble land for redevelopment purposes.

As the Housing Act now stands, a relocation allowance of $2,500 is authorized. In S. 57, which passed the Senate in February, this amount was increased to $3,000.

But it is generally recognized that in many cases relocation costs considerably more than this amount. It takes a long time for a business to accumulate in a new location the goodwill it may have built up over the years in its original location.

Our bill proposes that the disaster loan provisions of the Small Business Act be made available to such establishments. This would permit loans to be made at low rates of interest to enable displaced businesses to reestablish themselves.

It seems logical that businesses displaced by urban renewal should be given the same treatment as those displaced by flood or other disaster. From the standpoint of the businessman, the consequences are about the same. In either case, his business is "washed out" and he must start over again.

I note that the distinguished senior Senator from Minnesota [Mr. HUMPHREY], has introduced a similar bill, S. 1340, which would make the same provisions available to businesses displaced by the highway program. Our bill may be considered a companion measure to his proposal.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1777) to authorize assistance under the Small Business Act to small-business concerns displaced as a result of urban renewal activities under the Housing Act of 1949, introduced by Mr. CLARK (for himself and Mr. JAVITS), was received, read twice by its title, and referred to the Committee on Banking and Currency.

CREW LEADER REGISTRATION ACT OF 1959

Mr. JAVITS. Mr. President, on behalf of myself, and my distinguished colleague, the junior Senator from New York [Mr. KEATING], I introduce, for appropriate reference, a bill to require the compulsory registration of crew leaders who deal with the estimated 850,000 migratory agricultural workers in the United States. This administration measure, called the Crew Leader Registration Act of 1959, provides that any person who, for a fee, engages in recruiting, hiring, or transporting of three or more migrant workers for interstate agricultural employment must obtain a certificate of registration from the Secretary of Labor, subject to renewal every year.

The U.S. Department of Labor, which drafted this measure, reports there is increasing evidence that the channels of interstate commerce are being used by irresponsible crew leaders to spread the exploitation and abuse of our migratory agricultural workers, more than 400,000 of whom are of U.S. origin, including over 20,000 from Puerto Rico, while most of the remaining number are from Mexico and the British West Indies. Since these workers are very often dependent upon their crew leaders for transportation, employment, and adequate housing—and frequently receive their pay, which ranges between 40 cents and $1 an hour in most States, from these leaders—the desirability of making arrangements between crew chiefs and their crews a matter of record is obvious.

According to the President's Commission on Migratory Labor, where there are abuses, the most common ones practiced by crew leaders include failure to pay workers the full amount received from a farmer for their labor, charging a crew for transporting them to a job although the farmer himself is actually assuming that cost, loaning money to crew members at exorbitant rates of interest, and renting living quarters and similar facilities to the workers where, in reality, the expense is being assumed by the employer.

Under the terms of the Crew Leader Registration Act of 1959, every effort would be made to curb such exploitation by requiring that the approximately 10,000 crew leaders involved in migratory agricultural employment file information covering conduct and methods of operation on the job, their financial responsibility, transportation, wage arrangements, housing, and other working conditions concerning migrant workers in each crew, as required by the Secretary of Labor.

The Secretary may refuse to issue, may suspend, revoke, or refuse to renew a registration certificate on the ground that the crew leader has been convicted of a felony, been guilty of misrepresentation in application for a certificate, knowingly given false information to his crew concerning conditions of employment, failed to comply with the reported working arrangement for the crew, or failed to comply with the act or any regulations issued under it. Any willful violator of the act is guilty of a misdemeanor and is subject to a fine of $500, or imprisonment for a period of not more than 6 months, or both.

Migrant workers are the subject of deep concern of employers as well as all people in the United States. This administration measure is the result of very thorough research on the subject. I hope very much that the bill may have favorable and early action by the Committee on Labor and Public Welfare, as well as by the Senate.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1778) to provide for the registration of crew leaders in interstate agricultural employment, and for other purposes, introduced by Mr. JAVITS (for himself and Mr. KEATING), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

COMPREHENSIVE OPERATION OF HYDROELECTRIC POWER RESOURCES

Mr. MURRAY. Mr. President, I introduce, for appropriate reference, a bill to provide for the comprehensive operation of hydroelectric power resources of the United States.

The bill is in two sections. The first section provides for a number of changes in the Federal Power Act. It looks to coordinated operation of federally owned hydroelectric facilities with like facilities owned by public or private interests. Section 2 repeals subsection (f) of section 10 of the Federal Power Act as well as other acts or parts of acts which may be in conflict with the bill.

I hope that the committee to which the bill is referred will hold hearings at which all of the ramifications of the measure will be clearly brought out so that the country may know what is involved in this legislation. Doubtless amendments will be suggested that will further clarify the situation.

I ask unanimous consent to have printed in the RECORD the text of the bill, and a section-by-section analysis, prepared by me.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill and section-by-section analysis will be printed in the RECORD.

The bill (S. 1782) to provide for the comprehensive operation of hydroelectric power resources of the United States, and for other purposes, introduced by Mr. MURRAY, was received, read twice by its title, referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That the following new section be added to the Federal Power Act:

"SEC. 31. (a) Whenever any hydroelectric facility owned by the Federal Government or by non-Federal interests is or will be benefited as a result of the construction, operation, or maintenance of any water-control facility, the parties owning or operating any of such Federal or non-Federal facilities may enter into an agreement or agreements, which shall be subject to approval by the Commission, for the coordinated operation of such facilities through regulation of reservoir releases, and the transfer, exchange, or sale of energy to provide power benefits at each party's power developments within the coordinated operation. All such agreements shall satisfy and discharge any and all obligations, as to the parties to such agreements, which would otherwise apply pursuant to the terms of subsection (b) of this section.

"(b) Whenever the owner or operator of any water-control facility owned by the Federal Government or by any non-Federal interest has assured the owner or owners of any hydroelectric facility or facilities owned by the Federal Government or any non-Federal interest that it will reasonably coordinate the operation of its facility so as to produce the optimum amount of firm energy for itself and all downstream owners of hydroelectric facilities, the Commission, after notice to the Federal or non-Federal agencies operating all such facilities, and after opportunity for hearing, shall determine and fix a reasonable and equitable annual charge which shall be paid to the owner of such water-control facility and which payment may, by agreement of the affected owners, be paid in power, energy, money, or in some of each; such annual charge to be apportioned among all parties in proportion to the additional amount of firm energy that each hydroelectric facility at site of the water-control facility and downstream from the water-control facility can produce as a result of coordinated operation, including storage releases; firm energy as used in this section means the amount of energy a hydroelectric facility is capable of producing with the full release of the stored water and such coordination of operations, assuming streamflows of a river basin equivalent to those experienced in the historical period of streamflows producing the minimum amount of energy: *Provided,* That in the event the Commission shall determine that, under operating conditions in a particular river basin, the use of hydroelectric facilities is primarily for peaking service, or for producing energy other than firm energy, then the Commission shall, in lieu of coordinated operation, after notice and opportunity for hearing, in the light of all the circumstances, including all benefits furnished by any facility to any other facility, whether upstream or downstream, determine and fix a reasonable and equitable annual charge to be paid to the owner of each facility furnishing such benefit by the owner of each facility receiving such benefits: *And provided further,* That in no case shall the resultant charge to any facility exceed the value of the benefits realized by such facility. In determining such annual charge, the Commission shall include, among other things, such part of the fixed annual costs of the facility furnishing the benefit, and of the annual operating and maintenance cost of such facility (including land rentals and similar charges) as the Commission may deem equitable, and where applicable, the Commission shall consider any costs incurred by the owners of the water-control facility and of downstream facilities for energy required to maintain firm energy: *Provided,* That the annual charges provided for in this subsection (b) shall not apply with respect to such of the affected owners as have entered into and are parties to a valid and subsisting agreement or agreements, subject to the provisions of subsection (a) of this section, for the coordinated operation of their respective facilities, reservoirs, or other water-control facilities referred to in this subsection.

"(c) The owner or operator of a water control facility will be considered to have assured the owner or owners of a hydroelectric facility or facilities that it will reasonably coordinate the operations of its facility within the meaning of subsection (b) of this section if such owner or operator files with the Commission at any time after the effective date of this Act a commitment commencing at the beginning of the following drawdown period of the water control facility involved and extending for a period of not less than five years to operate such facility on a coordinated basis in accordance with subsection (b); and on the filing of such commitment the provisions of this section shall become binding upon all interested parties, as of the date of such filing unless the Commission shall, within six months after the date of such filing, after notice and opportunity for hearing, disapprove the proposed coordination; provided further that such commitment may be extended for successive periods of one year by written notice filed with the Commission at least two years prior to the date on which it would otherwise expire.

"(d) In the event that an operator of a water control facility so operates as part of a coordination operation under subsection (b) of this section in such a manner as to result in a detriment to the owner of a hydroelectric facility, the Commission, after notice and opportunity for hearing, shall allow to the owner of the hydroelectric facility suffering the detriment such offset charges assessed under subsection (b) of this section as the Commission shall determine to be equitable, which offset shall be charged against the operator of the water control facility and such charge shall be included in the annual charge to be paid to the owner of the water control facility by the owners of all hydroelectric facilities in the coordinated operation. In the event the operator of a water control facility not operating as part of a coordination agreement or plan under subsections (a) or (b) of this section so operates as to unlawfully interfere with the natural flow of the river or to interfere with the storage releases of a water control facility upstream which have been released in accordance with a coordination agreement or coordinated plan pursuant to subsection (a) or (b) of this section and such interference results in a detriment to the owner of a downstream hydroelectric facility, the Commission, after notice and opportunity for hearing, shall determine and fix a reasonable and equitable charge which shall be paid to the owner of such hydroelectric facility by the owner of the water control facility creating the detriment.

"(e) Annual charges under subsections (b) and (d) of this section may be readjusted by the Commission, on its own motion or the motion of any interested person or organization and after notice and opportunity for hearing, at any time that changed conditions may so warrant.

"(f) All charges collected for the benefits provided by any facility owned by the United States shall constitute revenues of the facility providing the benefit and such revenues shall be disposed of in accordance with any provisions of law applicable thereto.

"(g) All parties affected by any determination under subsection (b) or (d) of this section (except any agency of the United States) shall bear a reasonable share of the cost to the Commission of making the determination, and all such parties shall pay their share of such cost, as fixed by the Commission, into the Treasury of the United States for credit to miscellaneous receipts: *Provided,* That in fixing the reasonable share of the cost each party is required to pay by this subsection (g), the Commission shall apportion the total cost among all parties, including Federal agencies affected, notwithstanding the fact that no payment into the Treasury is required to be made by such Federal agencies.

"(h) Appropriations or other funds available for operation of the facility concerned shall be available to pay the annual or other charges or costs that may be assessed against or payable by the United States, or any agency thereof, pursuant to the provisions of this section.

"(i) No party receiving a notice under subsection (b) or (d) of this section shall be required to pay annual charges under this section for benefits received prior to the effective date of this section or be required to pay annual charges under this section for benefits received more than 5 years prior to the date on which the Commission gives notice to such party as provided in subsection (b) or (d) hereof; nor shall any party receiving a notice under subsection (b) or (d) of this section be required to pay to any non-Federal interest annual charges under this section if it is paying or is required to pay similar charges under State law."

SEC. 2. Subsection (f) of section 10 of the Federal Power Act (16 U.S.C., sec. 803(f)) and all other acts or parts of acts in conflict with the provisions of this act are hereby repealed and the following subsections of said section 10 are redesignated accordingly: *Provided, however,* That nothing contained in this act shall in any manner affect any

right or obligation which vested or accrued prior to the effective date of this act.

The section-by-section analysis presented by Mr. MURRAY is as follows:

SECTION-BY-SECTION ANALYSIS OF S. 1782

For clarity the changes are presented by Federal Power Act section designations.

SECTION 1 OF THE BILL

Section 31(a) authorizes voluntary agreements between various owners of water control facilities and hydroelectric facilities when there is a benefit that is, or may be, gained by operating such various facilities in a coordinated manner. The Federal Government as well as any other owners of such facilities are authorized to negotiate such operating agreements. All such agreements are subject to approval by the Federal Power Commission.

The subsection authorizes such agreements to regulate reservoir releases and transfer, exchange, or sell energy among the parties for the benefit of each party. The execution and approval of such agreements would excuse the parties from any other obligation to pay for headwater benefits as required by later sections of the bill. Such agreements are purely voluntary and no one can be bound unless they agree to the terms of the contract. Such an agreement would not excuse the obligation to make any payment called for under the present section 10(f) of the Federal Power Act up to the effective date of the bill.

(b) This subsection establishes the procedure to be followed only in the event that voluntary agreements as authorized by subsection (a) cannot be negotiated. Federal and non-Federal projects are subject to its terms.

An owner or operator of a water control facility (typically, a reservoir) may declare his intention to operate his reservoir in such a manner as to provide the optimum amount of firm energy for the group composed of himself and all downstream hydroelectric facilities. The procedure for declaring such intention is set out later in the bill and such reservoir owner is required to file a plan for such method of operation. If the operating plan is found to be reasonable, then each downstream beneficiary becomes obligated to pay his equitable portion for the benefits conferred by such reservoir. If such reservoir owner does not submit a reasonable operating plan or does not submit any plan at all to operate for the mutual benefit of the whole group, then such resorvoir owner is not entitled to any payment at all for headwater benefits.

Once a plan for coordinated operation is found to be reasonable the Commission will determine a reasonable and equitable annual charge which will be paid to the reservoir owner and will also apportion such charge among all beneficiaries in proportion to the additional amount of firm energy that each beneficiary can produce as a result of the coordinated operation. The amount of such annual charge to be paid by a particular beneficiary is further limited to the value of the benefits realized by such facility. Thus the total amount to be paid to any reservoir owner is limited to an equitable portion of the fixed costs and operating costs of the reservoir, and the amount that will be paid by a particular beneficiary is limited by the value of the benefits he receives. All determinations to be made by the Commission will be made after notice and opportunity for hearing.

The subsection sets forth, without limitation, some of the costs an equitable portion of which will be included in computing the annual charge to be paid to reservoir owners. The costs are the fixed annual costs of the reservoir, the annual operating and maintenance costs of the reservoir (including land rentals and similar charges) and costs incurred by reservoir owners and downstream owners for energy which they require to maintain the firm energy level allowed by the coordination plan.

A proviso in the subsection establishes rules for the payment of headwater benefits in the event that hydroelectric facilities in a particular river basin are used primarily for peaking service or secondary energy rather than for the production of firm energy. Under such conditions, coordinated operation will not be a condition precedent to payment for headwater benefits; on the contrary, an equitable charge will be assessed, based on whatever benefits are conferred.

Taking this proviso together with the rest of the subsection, it means as follows: If coordinated operation can reasonably produce additional firm energy, then a reservoir owner must operate his reservoir in coordination with downstream plants in order to qualify himself to receive any payment for headwater benefits. If the physical circumstances in an area indicate that the hydroelectric facilities are used primarily for a purpose other than the production of firm energy, then the reservoir owner is entitled to equitable payments for headwater benefits without the necessity of coordinating his operation with those below him.

The subsection defines "firm energy" as that term is used in the bill. The subsection provides that payments required by the bill may, by agreement of the affected owners, be paid in power, energy, money, or in any combination of those media.

(c) This subsection sets forth the procedure for establishing a coordination plan under subsection (b) if negotiations for a voluntary agreement under subsection (a) have failed. In order to qualify himself for any payment under subsection (b) a reservoir owner or operator must file a commitment to operate his storage facility on a coordinated basis with all facilities downstream from him. The commitment must be filed with the Commission prior to the commencement of the storage control period of the water control facility involved and it must commit the reservoir owner to so operate for a period of not less than 5 years. Anyone affected by the coordinated commitment may object to such a commitment. Affected parties will be entitled to argue, among other things, that the area does not lend itself to coordination for firm power production and is thus within the first proviso of subsection (b) or that the coordination plan to which the reservoir owner seeks to commit himself, is unreasonable in one or more particulars.

If the Commission does not disapprove the proposed coordination within 6 months after the date of filing the commitment, the reservoir owner will have satisfied the requirement for assurance to downstream owners as set forth in subsection (b). The reservoir owner will thus have qualified himself to receive payments for headwater benefits and will have obligated himself to operate on a coordinated basis in order to produce the optimum amount of firm energy that can be produced by the group composed of the reservoir owner and all downstream owners.

(d) This subsection is composed of two separate matters, each described in a sentence. The first sentences relates to a situation where the owner of a facility is a party to, and bound by, a coordination plan under subsection (b). If such a facility is operated in a manner which results in a detriment to any other facility within the coordination plan, then the Commission shall allow to the injured owner, an equitable offset against the charges assessed to him under subsection (b) and the Commission shall include such offset in computing the annual charge to be paid to the reservoir owner and apportioned among downstream parties.

The second sentence of the subsection relates to a water control facility which is not part of a coordination agreement or plan under subsection (a) or (b). If such an owner operates his facility so as unlawfully to interfere with the natural flow of the river or to interfere with storage releases which have been released from upstream in accordance with a coordination agreement or plan and if such interference results in a detriment to a downstream facility, the Commission, after notice and opportunity for hearing, will fix a reasonable and equitable charge to be paid to the injured party by the owner creating the injury. This portion of subsection (d) allows the Commission to determine and assess damages caused by interference with coordinated operation or with natural stream flow.

(e) This subsection provides that charges which are established by the Commission may be readjusted by the Commission on its own motion or the motion of any interested party at any time that changed conditions so warrant. Notice and opportunity for hearing are required for any such readjustment.

(f) Subsection (f) provides that sums collected by the United States under this bill will be revenues of the facility providing the benefit and be disposed of in accordance with all applicable provisions of law.

(g) This subsection states that all affected parties shall pay their reasonable share of the Commission's costs in making its determinations and that a reasonable portion of such costs will be allocated to the United States if it be an affected party although no cash need be paid by agencies of the United States.

(h) Subsection (h) provides that appropriations or other funds which are available for the operation of any affected Federal facility shall be available to pay such costs or charges as may be assessed against the United States.

(i) This subsection states that no party will be required to pay annual charges under section 31 of the bill for benefits received prior to the effective date of the section. Also, no one would be required to pay such charges under section 31 for benefits received more than 5 years prior to the date on which the Commission gives notice to a party under subsections (b) or (d). Thus, the provisions of section 31 do not operate retroactively. On the other hand, the Commission and reservoir owners are encouraged to proceed as fast as possible in making the necessary determinations under the bill because assessments will be limited to the period of not more than 5 years prior to the time that the Commission institutes its proceeding.

This subsection also provides that a party is excused from paying annual charges to any non-Federal interest if they are already required to pay similar charges under State law. This provision is intended to prevent double assessments against owners, particularly in Wisconsin, who are already subjected to charges for improvements maintained by the State.

SECTION 2

Section 2 of the bill repeals subsection (f) of section 10 of the Federal Power Act and includes a general repealer of other acts or parts of acts which may be in conflict with the bill. However, the section also provides that nothing in the bill shall excuse or otherwise affect any obligation which may have accrued under section 10(f) or in any other manner prior to the effective date of the new law. Any obligation which, as of the effective date of the new law, has been assessed or is awaiting computation and assessment under prior law remains collectible.

AMENDMENT OF FEDERAL CREDIT UNION ACT

Mr. SPARKMAN. Mr. President, I introduce for appropriate reference, a

bill to amend the Federal Credit Union Act.

This bill includes a number of changes which have been recommended by those interested in the credit union movement. I ask unanimous consent that a summary of these proposed changes be printed in the RECORD.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the summary will be printed in the RECORD.

The bill (S.1786) to amend the Federal Credit Union Act, introduced by Mr. SPARKMAN, was received, read twice by its title, and referred to the Committee on Banking and Currency.

The summary presented by Mr. SPARKMAN is as follows:

SUMMARY OF CHANGES PROPOSED IN FEDERAL CREDIT UNION ACT

This bill would:

1. Provide for the chartering of Federal central credit unions with a field of membership of Federal and State chartered credit unions, and directors and committee members of such credit unions within a well-defined geographical area.

2. Increase loan maturity limit from 3 to 5 years.

3. Increase signature loan limit from $400 to $1,000.

4. Permit appointment by the credit committee of one or more loan officers to approve loans up to the unsecured limit, or in excess of such limit if the excess is fully secured by unpledged shares.

5. Permit loans to directors and committee members up to the amount of their shareholdings in the credit union plus the total unencumbered and unpledged shareholdings in the credit union of any member pledged as security for the obligation of such director or committee member.

6. Permit investment by Federal credit unions in the shares of central credit unions.

7. Permit the charging of a reasonable fee for the cashing or selling of checks.

8. Provide for appointment of the supervisory committee by the president, one of whom may be a director other than the treasurer; such appointment subject to ratification by the board.

9. Provide for one or more vice presidents.

10. Change position called "clerk" to that of "secretary."

11. Prohibit compensation to any director, committee member or officer other than the treasurer for services rendered as such.

12. Permit appointment by the board of a membership chairman to act upon applications for membership within limitations prescribed by the board.

13. Authorize board to compensate necessary clerical and auditing assistance (requested by the supervisory committee) and loan officers (appointed by the credit committee).

14. Provide for declaration of dividends by the board of directors.

15. Permit annual or semiannual dividends as the bylaws of each credit union may provide.

16. Provide for review of an expulsion of a credit union member (if requested by such member) by the Director of the Bureau of Federal Credit Unions.[1]

17. Permit dividend credit for a month on shares which are or become fully paid up during the first 5 days of that month.

18. Permit allocation of space in Federal buildings to credit unions having a membership composed at least 95 percent of persons who are either presently Federal employees or are retired employees and members of their families.

19. Expand act to apply to the several States, the District of Columbia, the several Territories and the several possessions of the United States, the Panama Canal Zone and the Commonwealth of Puerto Rico.

20. Include provision for conversion from Federal to State charter and vice versa.

21. Include Bureau of Federal Credit Unions under provisions of Administrative Procedure Act.

22. Make robbery of a Federal credit union a crime under Federal statute.

23. Modify various sections of the act for the purposes of modernization and clarification, without making substantive changes.[1]

[1] Not included in H.R. 5777 and identical bills.

WORLD PEACE THROUGH WORLD LAW

Mr. CLARK. Mr. President, I ask unanimous consent that I may be permitted to proceed for not more than 5 minutes.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Senator from Pennsylvania may proceed.

Mr. CLARK. Mr. President, on behalf of Senators HUMPHREY, CARROLL, CHURCH, JAVITS, KEFAUVER, KENNEDY, MCGEE, MORSE, MOSS, NEUBERGER, PROXMIRE, SYMINGTON, GRUENING, and myself, I submit for appropriate referral, a concurrent resolution providing for the strengthening of the United Nations to promote world peace through world law.

Identical concurrent resolutions are being submitted in the House of Representatives today by Representative CHARLES O. PORTER, of Oregon, and a substantial number of Members of the other body who share my concern, and that of my colleagues who are cosponsoring this concurrent resolution, with the problem of advancing the cause of world peace through world law before the delicate balance of terror is shattered and we find ourselves embarked on world war III and the destruction of Western civilization.

It has been clear for some time that more vigorous efforts should be made by our Government and, indeed, by all the governments of the free Western World and of the uncommitted world as well, to making a start towards substituting world law for the present reliance on armed force which endangers world peace. This movement has been supported in part, at least, in a recent address by the Vice President of the United States. It also has received the support of the American Bar Association and of many other civic organizations.

I suggest, Mr. President, that the Congress should urge the executive arm of our Government to move forward at a high level with steps intended to put the United States firmly on record in support of world peace through world law. It is clear that pious resolutions will not do the job. The practical way to advance this cause is through appropriate changes in the United Nations Charter.

The United States supported a resolution approved by the United Nations in 1955 calling for a "general conference to review the charter at an appropriate time." A U.N. Committee on Arrangements will meet in the summer of 1959 to determine whether to recommend to the fall session of the U.N. General Assembly that a charter review conference be convened.

I have been informed that the former leadership in the State Department was giving no special consideration to the substantive issues of charter review and was planning to take a position against the calling of a review conference at the coming meeting on the U.N. Committee on Arrangements.

This matter has already been held in abeyance for too long without constructive action. We must not let pass the opportunity presented by the meeting of the U.N. Committee to be held this summer to bring about a start toward the development of a system of world law.

The purpose of the concurrent resolution is to express the sense of the Congress that the U.S. position in the forthcoming meeting of the Committee on Arrangements for a conference for the purpose of reviewing the charter should be that the Committee recommends to the next session of the U.N. General Assembly that a charter review conference be held within 1 year following the action of the Assembly on the recommendation of the Committee. The concurrent resolution further requests the President to initiate high level studies in the executive branch of the Government to determine what changes should be made in the Charter of the United Nations and the charters of other international organizations to which the United States is a party, to promote a just and lasting peace through the development of enforcible world law.

Mr. President, I feel confident this is a field in which Congress can and should take the initiative. I am hopeful that the new leadership in the State Department will look with favor on this move. For that reason I submit the concurrent resolution to which I have referred; and I now ask unanimous consent to have the concurrent resolution lie on the desk for a period of 1 week in order that other Members of the Senate who are in accord with our position may have an opportunity to join as cosponsors.

The ACTING PRESIDENT pro tempore. The concurrent resolution will be received and appropriately referred; and, without objection, the resolution will lie on the table 1 week, as requested by the Senator from Pennsylvania.

The concurrent resolution (S. Con. Res. 25), submitted by Mr. CLARK (for himself and other Senators), was referred to the Committee on Foreign Relations, as follows:

Whereas the basic purpose of the foreign policy of the United States is to achieve a just and lasting peace; and

Whereas there can be no such peace without the development of enforceable world law; and

Whereas peace does not rest on law today but on the delicate balance of terror of armed force; and

Whereas the United Nations and other international organizations constitute an important influence for peace and need to be strengthened to achieve the rule of law in international relations; and

Whereas the United Nations General Assembly at its tenth session resolved that "a

general conference to review the Charter shall be held at an appropriate time"; and appointed a "committee consisting of all the members of the United Nations to consider, in consultation with the Secretary General, the question of fixing a time and place for the conference, and its organization and procedures;" and

Whereas the United Nations General Assembly at its twelfth session resolved "to keep in being the Committee on Arrangements for a conference for the purpose of reviewing the Charter, * * * and to request the Committee to report, with recommendations, to the General Assembly not later than at its fourteenth session;" and

Whereas the said Committee is scheduled to meet in the summer of 1959 in advance of the fourteenth session of the General Assembly to be convened in New York in September of 1959: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the United States position at the forthcoming meeting of the Committee on Arrangements for a conference for the purpose of reviewing the Charter, should be that the Committee recommends to the fourteenth session of the United Nations General Assembly that a charter review conference be held within 1 year following the action of the Assembly on the recommendation of the Committee.

SEC. 2. The President is hereby requested to initiate high-level studies in the executive branch of the Government to determine what changes should be made in the Charter of the United Nations, and the charters of other international organizations to which the United States is a party, to promote a just and lasting peace through the development of enforceable world law. The President is further requested to report to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives, within 6 months after the date of approval of this resolution, the results of such studies.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959—AMENDMENT

Mr. MCCARTHY submitted an amendment, intended to be proposed by him, to the bill (S. 1555) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes, which was ordered to lie on the table and to be printed.

PARTICIPATION IN STRASBOURG CONFERENCE—REFERENCE OF CONCURRENT RESOLUTION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Calendar No 196, Senate Concurrent Resolution 23, authorizing participation in the Strasbourg Conference, be referred to the Committee on Rules and Administration for consideration. This request is made with the knowledge of the chairman of the Foreign Relations Committee and in accordance with the advice rendered by the parliamentarian.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. CLARK:

Address delivered by Senator SYMINGTON before Democratic City Committee of Philadelphia, Pa., on April 21, 1959.

By Mr. BYRD of West Virginia:

Address delivered by Senator YARBOROUGH at the Texas Classroom Teachers Association annual convention banquet, Dallas, Tex., April 18, 1959.

NOTICE OF HEARING ON NOMINATIONS OF LEWIS W. DOUGLAS AND MARK A. MAY TO BE MEMBERS OF U.S. ADVISORY COMMISSION ON INFORMATION

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that the Senate today received the nominations of Lewis W. Douglas, of Arizona, and Mark A. May, of Connecticut, both reappointments, to be members of the U.S. Advisory Commission on Information for terms expiring January 27, 1962, and until their successors have been appointed and qualified.

In accordance with the committee rule, the pending nominations may not be considered prior to the expiration of 6 days.

BRISTOL BAY (ALASKA) RED SALMON INDUSTRY

Mr. BARTLETT. Mr. President, the people of Alaska are gravely concerned, as the people of the entire Nation should be, with the threatened extinction of the Bristol Bay red salmon fishery. This has been the greatest red salmon fishery in the world. It has provided food for many; employment for thousands; and millions of dollars have been invested.

In 1952 we entered into a treaty with Canada and Japan. Under the terms of that treaty, Japan agreed not to fish for salmon east of a designated line. So far as can be determined, the Japanese have faithfully adhered to the treaty provisions in that respect.

Little was known then about the migrating habits of these salmon, but the considered judgment of American fishery scientists was that very few Alaska-spawned salmon would be found west of the treaty line. This proved to be an erroneous judgment of the first magnitude. Year after year since then, according to the best evidence available, the Japanese have been taking millions of salmon which were spawned in Alaska streams entering Bristol Bay. Many of these fish were immature.

The Japanese use nets which are strung out for miles. These nets, being of much finer mesh than Americans are permitted to use in their shore-based fishery, catch fish of all sizes. Americans are not permitted to fish for salmon on the high seas. The result of all this has been a steadily diminishing pack of salmon in Bristol Bay. This has dealt a blow to investment capital.

More importantly, it has put fishermen and cannery workers out of employment. Virtually the entire population of Bristol Bay is dependent for their livelihood upon fishing operations of one kind or another. Three times in recent years President Eisenhower has been forced to declare Bristol Bay a disaster area.

The treaty contains provisions for redesignating the fishing boundary. But unanimity is required to make any change, and the Japanese have refused to agree to this urgently needed revision.

Now Secretary of the Interior Seaton has stated that, in the interests of conservation, he will be required to close Bristol Bay to commercial fishing in 1959. Perhaps even today Secretary Seaton will announce the regulations closing the bay to all American fishing.

The effect of this will be devastating. Thousands of Alaskans will be thrown out of work, and will have no other work to turn to. And other American citizens who customarily have gone to Bristol Bay from other States for the fishing season will likewise be denied employment.

Inevitably, conservation measures of this type will fail. All they will insure is another season, or a few more seasons, of fishing for the Japanese on the high seas. Then all of the salmon will be gone. There will be no more. The greatest red salmon fishery in the world will have been destroyed by man.

This need not happen. It can be avoided. It can be prevented by prompt action now.

In an editorial which appeared recently in the Anchorage, Alaska, Daily News, it was suggested that "only the Secretary of State himself can save the Bristol Bay red salmon from extinction." With that conclusion I agree.

We of the Alaska congressional delegation, joined by like-minded conservationists in Congress from the Pacific coast particularly, have urged time and time again that negotiations be conducted promptly on the highest level. This resource must be saved.

Mr. President, I ask unanimous consent to have the editorial referred to printed in the RECORD immediately following my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ONLY HIGHEST AUTHORITY CAN SAVE BRISTOL BAY

The closure of Bristol Bay to fishing indicates that the American State Department has waited too long and has done too little to get at the source of the trouble there. It is now perfectly obvious that the high seas fishing by the Japanese has done more harm than all the Bering Sea inshore fishermen, than all the seals, sea lions, and other enemies of the salmon in 50 years.

Prior to 1953, when the Japanese high seas fishing fleet, under protection of the peace treaty, expanded its encroachment to the waters just off Bristol Bay about 4,000 American fishermen and allied workers were engaged in the Bristol Bay fishing industry each season.

Prior to the Japanese entry into the North Pacific the 10-year average fish pack in the bay area was 917,000 cases. These would be worth $30 million on today's market. Even

the curtailed pack of 1958 amounted to 433,000 cases.

The 1959 pack will be zero.

Meanwhile, our nice friends across the Pacific packed 1,061,307 cases in 1957, which was worth $37 million.

And here is an interesting sidelight on the Japanese pack. According to our scientists the Japanese caught 19,822,000 salmon to put up that size pack. By American standards this number of fish should have produced over 1,650,000 cases, indicating beyond a doubt that the Japanese are not only catching our salmon, but subjecting the runs to terrific waste by using immature fish.

Thus the Japanese are not only catching the salmon that rightfully belong to us but are jeopardizing the perpetuation of the entire species of Pacific red salmon. Someday there will be none.

Legislation to place huge tariffs against Japanese caught salmon is not the answer.

The answer lies in reopening negotiations with the Japanese at the highest level in Washington.

A recent letter from the New England Fish Co. of Seattle points this out very succinctly in a paragraph in which it is asked:

"Is our status with our friends among the free nations such that we cannot settle a matter such as this on a basis that would carry out the spirit and intent of the international convention for high seas fisheries for the north Pacific Ocean? The Japanese action is a flagrant violation of that spirit and intent."

This is too true.

Only the Secretary of State himself can save the Bristol Bay red salmon from extinction.

ACCOMPLISHMENTS OF ALASKA LEGISLATURE

Mr. BARTLETT. Mr. President, many of my colleagues in the Senate and in the House will remember the very effective testimony given on several occasions in favor of statehood before committees on either side of the Capitol by Mrs. Mildred R. Hermann, of Juneau. Mrs. Hermann was as effective a witness for statehood as ever came down from Alaska, and she was the star whenever she took the witness chair.

Mrs. Hermann, who is one of the few women attorneys in Alaska, has been writing a column for several Alaska newspapers describing the activities of the first Alaska State Legislature, which adjourned only last week.

In a column which was printed in the Fairbanks (Alaska) Daily News-Miner for April 20, Mrs. Hermann evaluated the accomplishments and failures of this first session. She found it, on balance, to be a highly productive session.

I ask unanimous consent to have printed in the RECORD, immediately following my remarks, Mrs. Hermann's postsession column.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HIGHLIGHTING THE LEGISLATURE

Time to evaluate!

Time to evalute. Was it a good legislature?

On the whole, yes. We found the manner in which much of the business was done, in wide variance from the traditional democratic processes.

But the results cannot be gainsaid. These achievements stand out as tributes to a job well done:

1. It passed a reorganization bill setting up the executive department of state government. This was a stupendous task. No such responsibility ever before confronted any first State legislature. It was accomplished in spite of almost overwhelming pressures from established agencies, boards, and commissions. The vote for the legislation was almost unanimous. By this action the first State legislature rightly takes its place with the delegates of the Constitutional convention who wrote and agreed upon the executive section. In a true sense the legislators too are the founding fathers of the 49th State.

2. It passed legislation setting up a judiciary system for the new State that may well become the model for the other 48 States of the country. A few other States have established similar judicial systems. It was left to the newest State to establish what political scientists and government experts have pronounced the best State court system of them all. In this achievement also is implemented the system set up in the constitution.

3. It set up a balanced budget for the first year of statehood. We could be wrong but we do not believe another State in the Union has a balanced budget. Furthermore, Alaska's budget was balanced without decreasing the essential services that her citizens have a right to expect.

4. It levied no new taxes. We take a special pleasure in saying, "I told you so," on that one.

Before a half dozen congressional committees, dozens of civic organizations and everyone we could get to listen, we have again and again asserted that statehood could be financed within the framework of the tax structure we had as a territory. It has been done for this first year of statehood.

On the basis of these four accomplishments alone the first State legislature is entitled to take a bow. It faced up to a stupendous responsibility. It met the challenge of that responsibility. It had problems that could not be foreseen. A sick Governor, a demanding public, some internal strife and lack of liaison between the two houses. There was lack of experienced members in the house. Only 9 out of 40 members had had previous legislative experience. The other 31 had to learn from the ground up. The important fact is that they did learn, in time to be an effective force in the legislature. They will do better when they come back next January.

It would be folly to claim perfection for the legislature. It made many mistakes. We have previously pointed these out. We deplored its tendency toward extravagant salaries. We regretted its subservience to labor lobbyists—or any lobbyists. We think too much legislating was done by caucus. We feel too much reliance was placed on committee reports. We felt greater thought should have been given by the rank-and-file membership to such measures as the general appropriation bill. The casual way in which almost 30 million dollars of taxpayer money was appropriated, we found actually shocking. If there was a treasury watchdog he slept in his kennel throughout the session.

We did not like some of the bills which were enacted into law. We foresee obstacles to Alaska's development in the new ESC bill—a measure on which labor lobbyists really cracked the whip. But we balance against this the fact that very generally the legislature stood firm against the pressure of lobbying by industry, by fishermen and sportsmen's organizations and by the biggest and most amateurish lobby of all, the education lobby.

And so by a preponderance of evidence we find that when all the tangible results are added up, it was a good legislature. Its errors in judgment can be corrected at subsequent sessions. The things it left undone can be done next January, but it has given Alaska a firm basis on which to start statehood.

And for that, we believe, history will accord it due acclaim.

SENATOR WILEY AND FOREIGN POLICY

Mr. MANSFIELD. Mr. President, in the April 22, 1959, issue of the Christian Science Monitor there appears an article written by Courtney Sheldon, entitled "A Senatorial View of Foreign Policy." It is the result of a Capital interview with the distinguished senior Senator from Wisconsin [Mr. WILEY].

Mr. President, no Senator, whether he be a Democrat or a Republican, has been more wholeheartedly in support of the administration's foreign policy—whether the administration was Democratic or Republican—than has the distinguished ranking member of the Senate Committee on Foreign Relations on the minority side, the senior Senator from Wisconsin. The Senator, who at one time was chairman of the Senate Foreign Relations Committee, when the Republicans were in control of this body, has, in my opinion, followed in the footsteps of the late, great Senator Arthur Vandenberg, of Michigan. He has been consistent and constructive; and, because of the many contributions he has made to a bipartisan, or, if you will, a nonpartisan, view on foreign policy, I ask unanimous consent that the news story be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A SENATORIAL VIEW OF FOREIGN POLICY

(By Courtney Sheldon)

WASHINGTON.—Senator ALEXANDER WILEY, of Wisconsin, ranking Republican on the powerful Senate Foreign Relations Committee and a long-time supporter of internationalist foreign policy:

Observes that "Recent events seem to indicate things are not going so well between Mao and Khrushchev; that the Kremlin is using the recent Tibet episode as a basis for informing some of its people lying close to China that this is what could happen to them one of these days."

Can "visualize a summit conference where the sky is the limit. * * * We could take the offensive and ask Russia to give up its so-called colonies. * * * It might have some resounding effects."

This is how the veteran midwestern Senator with an impressive accumulation of political know-how, and a record of loyalty to President Eisenhower's internationalist foreign policy, made his points in an interview in his Senate office:

"With the resignation of Mr. Dulles, does it look to you, Senator WILEY, as if President Eisenhower will be any more active in the formulation of foreign policy?"

"I think events since Mr. Dulles' sickness indicate clearly that the President is taking a larger and, let us say, a broader view of his activities and is relying more on his own ability to handle these problems."

"Apparently Mr. Dulles didn't rely as much on the State Department staff as other Secretaries have and presumably as much as Mr. Herter will. Is this, in your opinion, going to result in some modification in foreign policy?"

"I'm satisfied that we will continue pursuing our basic objectives. Now, whether there will be modification in details, that

will depend not so much on our approach as upon the approach of the fellow whom we are dealing with—for instance, Khrushchev. What's going to be his attitude at these conferences that come up?"

"On the immediate crisis in Berlin, do you favor standing firmly by the status quo, or do you think that some change in policy is in order?"

"Well, again it is a question of what can be arrived at. It isn't for me to tell the executive branch of this Government what it should do.

"The only thing I want to say is that Berlin is just an incident in this troubled world. While we are thinking about Berlin the Kremlin is over there taking over Iraq and penetrating Africa. Every day they are having young Africans shunted up to Moscow and infiltrating them with their Communist Marxist concepts."

"Why do you think Mr. Khrushchev stirred up the Berlin crisis at this particular time?"

"Well, there are two explanations. First, there is the old philosophy that when you are having trouble at home you stir up things abroad. That's been the practice of dictators.

"The other is that he is, of course, conscious of history. Russia has been invaded and they can't forget what Hitler did to them. We can't overlook what you call the human factors, the hates, the distrusts of people. And, of course, there has been and will continue to be the economic factors where there is the race for markets."

"Generally speaking, what about the advisability of summit conferences?"

"There is always a possibility that lightning will strike Khrushchev—by that I mean that reason, judgment, might enter into his thinking.

"On the other hand it seems to be the general conclusions of those who analyze such things that when the Russians say they are going to take over the world, that the Marxist philosophy is going to become the dominant basis for world thinking, every step they take is part of a long-planned campaign."

"On the question of a summit conference, would you favor holding one with a wide-open agenda, if necessary, or would you require that we wait until the foreign ministers found enough common ground to indicate there would be definite agreements coming from a summit meeting?"

"That is a function of the executive department. I can visualize a summit conference where the sky is the limit. In such a setting we could take the offensive and ask Russia to give up its so-called colonies, the countries it has taken over. In other words, we could have a three-ring circus on practically every subject. It might have some resounding effects in the world."

"Now, do you think there is any merit in the members of the Foreign Relations Committee, yourself as the senior Republican and Senator FULBRIGHT as the chairman, being part of any summit delegation?"

"Well, in the history of this country, there have been two lines of thought on that subject. The one is that when it is an executive function, the executive should handle it. The other is that because this situation is so tremendously significant and involves the welfare of 175 million people it would be well to have some observers along, if you want to call them that, or advisers, such as you have mentioned."

"Have there been any feelers from the administration along this line?"

"I know of none."

"It doesn't appear that Congress will go along with the President in full on the mutual security program. Does it look that way to you?"

"No, I can't say that. There's considerable disagreement on military items. But, in my judgment, the amount spent on military aid is the most essential part of that program to keep the balloon from going up.

"There are those who want to put everything into economic aid. Well, economic aid, or if you want to call it something else, is all right, but when a person is sick you had better diagnose his situation. You want to see just what is needed and not generalize the picture."

"How serious do you regard the Communist threat in the Middle East, principally in Iraq?"

"The taking of Iraq is a very, very serious thing. What the Kremlin wants is the oil in the Mideast. It wants also a land route to Africa. Fortunately Nasser has got his dander up and maybe he will stand as a barrier in part."

"Finally, on the Far East, do you favor more or less sitting tight on our present policy there, or do you feel that there might be something done now while there is a lull on the Quemoy-Matsu front, so the same problem won't arise again?"

"I don't think there is anything in the Eastern picture that indicates there is a solution to that problem. What has happened in Tibet clearly put Mao Tse-tung in the doghouse with a lot of people who heretofore thought China should be admitted to the United Nations. The situation there is serious and we can expect anytime a repetition of what happened in Matsu and Quemoy.

"But, recent events seem to indicate things are not going so well between Mao and Khrushchev; that the Kremlin is using the recent Tibet episode as a basis for informing some of its people lying close to China that this is what could happen to them one of these days. There is lots of land there.

"The fact of the matter is that part of it now occupied by the Russians was at one time in the possession of the Chinese people; that several centuries ago they were pushed out by the Muscovites."

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959

Mr. GOLDWATER. Mr. President, during the course of the debate on the labor reform bill, I have been introducing into the RECORD various editorials and columns appearing in newspapers around the country concerning the measure. Today I have two such items to offer for the RECORD, and I ask unanimous consent that they be printed in the RECORD at this point in my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Chicago Sunday Tribune, Apr. 12, 1959]

FEDERAL LAW IS URGED ON RACKET PICKETING

(By William Clark)

Summary report of an interview:

New Federal legislation is necessary to protect small business against racket picketing.

(Racket picketing is a term applied frequently to (1) organizational picketing in which a union places pickets around a company to persuade employees inside to join, and (2) recognition picketing in which a company is picketed to coerce the employer into recognizing it as bargaining agent by forcing his employees to join the union.)

There is no remedy, now, at the State level because even the smallest manufacturer these days is considered to be engaged in interstate commerce. And a half dozen years ago the Supreme Court of the United States, in overruling a State court injunction in a picketing case, held that the Federal Government had preempted the whole field of labor relations in the Taft-Hartley and other laws.

MOST OTHER BILLS INEFFECTIVE

Moreover, of the various pieces of labor legislation before the current Congress, only the Barden bill attacks the problem of racket picketing effectively.

The interview which produced these assertions was with James L. Donnelly, executive vice president of the Illinois Manufacturers' Association and John Harrington, associate counsel for the association.

The interview was promoted by the recent stand against a teamsters union local taken by Advance Metal Moulding Co., Addison. The president of the company, John Piepel, refused to force his 38 production and maintenance employees to join the union despite picketing which shut off deliveries to the plant.

The pickets were withdrawn from Advance after Piepel's stand was publicized. Left unanswered, however, was the question of whether there is legal defense against organizational and recognition picketing—in effect, picketing by strangers when there is no dispute between an employer and employees.

DOUBT LEGAL DEFENSE

According to Donnelly and Harrington the existence of any such a defense at present is doubtful. Organization and recognition picketing do not come under the mandatory provisions of the Taft-Hartley law as do secondary boycotts and some jurisdictional strikes.

If an employer is hit by organization or recognition picketing, he may be able to get a ruling that it is an unfair labor practice and he may not. And if he does, it may only be after a lapse of several weeks of picket-enforced idleness which a small firm simply cannot afford.

The Barden bill would place organization and recognition picketing under the law's mandatory provisions. That is, when such picketing occurred it would be mandatory for the general counsel of the National Labor Relations Board to apply for an injunction to stop it.

A few years ago a seed company reached that time of the year when it had to deliver its seed to farmers or suffer a fatal financial setback, Harrington recalled.

A Teamsters Union local threw up pickets to enforce its demand that it be recognized as bargaining agent for the employees. The employer signed within 15 minutes after the pickets stopped his deliveries.

"In my own experience, all of the recognition and organization picketing we've encountered in the last 5 years has been by Teamsters Union locals," Harrington said.

LOSE ELECTIONS, HE SAYS

He speculated that unions resort to such picketing because they have been losing too many employee elections conducted under normal circumstances since the McClellan committee began its investigation of labor racketeering.

Of the other labor bills under study in Congress, Donnelly described the Kennedy bill as "mild reform legislation which would not in any real sense get at the basic causes of union corruption and abuses."

He said the administration (Goldwater) bill is better, but "has appeasement features and reflects to some extent the administration's naive effort to woo labor leaders."

[From the Oakland Tribune, Apr. 10, 1959]

NEW SENATE LABOR BILL BASED ON FINDINGS OF RACKETS INVESTIGATORS

Now is the time that people who have views on proposals for labor legislation, soon to be considered by Congress, to make those views known to the men who represent them in Washington. If there are any who have not

formed an opinion on the various offerings, we recommend the measures which bear the name of Senator JOHN L. MCCLELLAN.

Senator MCCLELLAN, because of his direction of the Senate investigation into labor organizations and rackets, has not only produced evidence of unholy alliances and operations all along the line. He has also acquired a personal knowledge of the actual situation.

The measures he proposes for correcting the evils his committee has revealed are for that purpose alone. They do not aim at political benefit. They are not designed to be approved by or opposed by either labor or management. They are designed strictly to meet the demands and the needs for proper, sufficiently rigid and not totally lacking, controls that protect the public interest.

The McClellan program would require all unions to include in their constitutions and bylaws, provisions guaranteeing equal rights of members, freedom of speech and assembly, safeguards against arbitrary disciplinary action, the right to inspect membership lists, secret ballots, limits on terms of officers, bonding of all officers handling funds and regular meetings.

They provide for public financial reporting, the banning of secondary boycotts and organizational picketing, outlaw the hot cargo clause in contracts, and permit States to take action when the NLRB declines to intervene.

There is nothing there that an honest and conscientious labor leader or member of the rank and file should consider unjust. Suitable penalties are provided for violations.

The measures proposed by the administration and that offered by Senator JOHN KENNEDY each fall short of the protection for the public and the rank and file offered in the McClellan program.

So, now is the time for the public to recall the headlines that have over the months in the past 2 years stemmed from the exposures of a wide range of thievery, racketeering, physical violence, and other malpractices, and let Washington know how it feels about it.

Mr. GOLDWATER. Mr. President, I have in my hand a resolution which was adopted by the Senate of the State of Texas, senate resolution 424, on April 22, 1959, signed by the president of the senate, and carrying the seal of the State of Texas. The resolution in effect denounces the contents of the Kennedy bill, and lauds the principle expressed in the McClellan bills.

I ask unanimous consent that the resolution be printed in the body of the RECORD at this point in my remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

SENATE RESOLUTION 424

Whereas the Kennedy bill purports to be legislation designed for the best interest of the general public in the protection of the workingman from the influence of corrupt unions, but in fact the bill is couched in such language as perverts the true intention of the principles ostensibly expressed; and

Whereas the Kennedy bill preempts the field of activities of the various States of the Union and is an infringement of the rights of the State and is usurping sovereignty of Texas, as well as other States of the Union, particularly in that the law, as proposed, fails to preserve the remedies under State law to the individual members of the organizations purposely regulated by, and coming within the purview of said proposed law; and

Whereas the Senate of the State of Texas, by this means, expresses its concern for the welfare of the people of the State of Texas: Now, therefore, be it

Resolved, That the Senate of the State of Texas oppose the invasion of its rights, and that the Congress of the United States substitute the principles expressed in the McClellan recommendations in lieu of the Kennedy bill; and be it further

Resolved, That a copy of this resolution be sent to the U.S. Senators and Congressmen from Texas.

[SEAL]

BEN RAMSEY,
President of the Senate.
CHARLES SCHNABEL,
Secretary of the Senate.

THE GREENBRIER HOTEL, WHITE SULPHUR SPRINGS, W. VA.

Mr. BYRD of West Virginia. Mr. President, I should like to take this occasion to invite attention to a famous West Virginia resort institution which is older than my State, almost as old as our Nation, and which, for more than a century, has been a haven of relaxation for the leaders of this Republic.

I am referring, of course, to the stately, magnificent Greenbrier Hotel at White Sulphur Springs, only a few hours removed from this Capital City of Washington, D.C.

Since the year of 1749, when King George of England granted a patent right to one Nathan Carpenter regarding that lovely valley surrounding a bubbling sulfur spring in the gentle Allegheny Mountains, what pleasurable respite has that spot brought to generations of men, wearied from seeking solutions to the problems of state and business.

Here in the southern tip of my Mountain State, our Nation's leaders found a retreat, a spot generously endowed not only by Mother Nature, but also with the ingenuity of men born to the traditions of hospitality, knowing in the ways of creating true comfort. Here, those who have charted the course of our country found, and are still finding, a spot which could give them new perspective, where they could meet with other men seeking answers to the same questions, where they could discuss with or without the formality of the conference table the problems of the day, whether the day be 1820, 1920, or this morning.

Mr. President, the history of the Greenbrier at White Sulphur Springs is studded with the names of the country's most illustrious men. Here Henry Clay, a frequent visitor, met with Rufus Choate, of Massachusetts, Thomas Corwin, of Ohio, William C. Rives, of Virginia, and Millard Fillmore, of New York, to plan the strategy of the Whig Party. Here Daniel Webster delighted to come, for his favorite "corn dodgers" were a specialty of the kitchen.

Here Andrew Jackson, the first of the 14 Presidents who have visited the Springs, set up his summer White House. Here Van Buren called a conference with his Secretary of War and other statesmen when the banks of the country discontinued specie payment in 1837. Here John Tyler honeymooned with the beautiful Virginia belle, Julia Gardiner. Here Franklin Pierce arrived in a Concord coach drawn by six white horses with plumes on their heads. Here Fillmore, Taylor, and Buchanan also were part of the Greenbrier's ante bellum history.

During the Civil War, the predecessor of today's Greenbrier, the Old White, showed no favoritism, but harbored both northern and southern troops, depending upon the tide of battle.

It was to White Sulphur Springs that Gen. Robert E. Lee came in 1867 to discuss with Beauregard, Johnston, Hood, and ex-President Jefferson Davis the conditions of the South and to attempt to bring back to life the war-torn land. At virtually the same time, President Ulysses S. Grant also paid a visit to the resort. Then in 1868 the White Sulphur Manifesto was signed. Engineered by Gen. W. S. Rosecrans, Minister to Mexico, and written by A. H. H. Stuart, it was a summation of all General Lee had been pleading with his countrymen to do—to conciliate vengeful elements in the North, to accept defeat, and to appeal for justice.

Here Senator Henry Gassaway Davis of West Virginia was officially notified by Representative John Sharp Williams of Mississippi that he was the nominee of the Democratic Party for the Vice Presidency of the United States in 1904. Here William Howard Taft campaigned at a barbecue. Arthur, Harrison, and Wilson each added his presence, too, to the delightful company which has been enjoyed down through the years at White Sulphur Springs. When President Eisenhower wanted to have a neighborly talk with the Prime Minister of Canada and the President of Mexico, he invited them to the Greenbrier, where the historic three-country conference was held in 1956.

There is probably no resort in the United States richer in political, historical, and cultural tradition than the Greenbrier at White Sulphur Springs, W. Va. No other resort has served its country so well. During World War II, our soldiers were restored to health there, as the Greenbrier served as the Ashford General Hospital.

Untold thousands of our citizens have journeyed to this small corner of West Virginia to find the perfect elements to renew their spirits. They, like the 14 American Presidents and hundreds of other American leaders who have visited White Sulphur Springs, have found this princely spa a stimulating environment for relaxation. We could learn much about the growth of our country if the old oaks standing near the White Sulphur Springs could talk, for its existence as a resort virtually spans the national existence of our country. What interesting opportunity for reflection its sylvan scenes provide.

Mr. President, as a West Virginian, I am proud for this opportunity to pay tribute to this Edenic landmark of American history, which remains fully active in our national life today.

NATIONAL HOSPITAL WEEK, MAY 10–16, 1959

Mr. HILL. Mr. President, about this time each year our country's great vol-

untary hospital system sponsors an annual national open house, inviting all our citizens to celebrate the role of our community hospitals in their daily lives.

I should like to direct attention at this time to the observance of National Hospital Week sponsored by the American Hospital Association, which will be observed this year from May 10 to May 16.

I have long felt that we will have made a giant step toward enduring world peace when all men share the hope of health and physical well-being to at least the same degree as we today share fear and subservience to the specter of nuclear war. When this time comes, man no longer will heed those who seek to turn the unhappiness, the physical and mental discontent of others to their own selfish purposes.

But so long as fear rules, as long as its exploiters have an audience among the unhealthy and unhappy peoples, we in this Nation must look upon health as equally important to national security as are our atomic engines of destruction. For it is upon our collective vitality and strength that the security of this Nation today depends fully as much as upon atomic weapons. Health is our greatest resource. Nothing enhances national security more than the strength, self-reliance, and happiness that come to people who are assured of physical well-being for themselves and their children. Nothing can sap a nation's strength—the strength within her people—faster than the menace of disease and debility.

The chosen theme of this year's National Hospital Week is "More Roads to Recovery"—a particularly appropriate theme when one considers the constantly expanding services our hospitals are providing to bring us all longer life and better health. All of us here need no reminding of the tremendous progress of medicine in recent years. It is a progress which has created a new world of health. Millions are alive today only because of modern medicine. Two decades have been added to the average life span since 1910. Hospitals today have become more and more the centers of new life, new hope, and new strength.

Good medical care and its indispensable component, good hospital care, are now true necessities for modern living. Increasingly, the roads to recovery from illness and injury are centering in the hospital. Responsibility for carrying out the disciplined teamwork of many skilled professional and technical workers is centered in the hospital.

It is in today's hospital that the skilled hands and costly tools are in constant readiness to serve 24 hours a day, 7 days a week, around the year. Our hospitals must always be prepared to meet the unpredictable need, whether for the patient already under care or individual emergencies, or for community disasters.

The emergency entrance of our community hospital is a door that is always open. The smallest, simplest hospital today offers services—roads to recovery—that were unknown in even the great medical centers of yesterday and hospital services are steadily becoming more comprehensive. In 1946, there were 4,400 short-term hospitals—only 53 percent of these had electrocardiographs. By 1957, there were 5,300 short-term hospitals and 92 percent had these essential medical tools, basic for evaluating a heart condition.

But figures never tell the full story of the increased services today's hospital affords our people. Back of the services and behind complicated health machinery stand the dedicated men and women. Today's hospital combines the skill of the physician, nurse, pathologist, radiologist, therapist, laboratory technician, and a host of other medical specialists who give themselves to the service of their fellow man.

If our hospitals are to keep open the many roads to recovery they offer today, they must have continued and increasing support from the public they serve. In an era of explosive growth, our hospitals must depend as never before upon community understanding and community support if comprehensive services of high quality are to be made available to all the people.

How fitting and proper it is that the Nation should set aside a time in which to observe the importance to our people of today's American hospital.

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is concluded.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CONTRACT WITH ARISTOTELES ONASSIS FOR CONSTRUCTION OF TANKERS

Mr. WILLIAMS of Delaware. Mr. President, today I wish to discuss a contract which has just been negotiated by the Maritime Administration and Mr. Aristoteles S. Onassis, a Greek shipowner, and one which I definitely consider not to be in the best interests of the American taxpayers.

In the Wall Street Journal of Friday, April 10, 1959, the Maritime Administration is quoted as stating that they have just signed an agreement with Mr. Onassis to build three tankers at a cost of $51,300,000.

Under the agreement, these tankers are to be built at the Bethlehem Steel Co.'s Quincy, Mass., yard. Two of the tankers will be 46,000 deadweight tons, costing $12,650,000 each, and the third will be 106,800 deadweight tons, costing $26 million.

My criticism of this contract is based upon two points:

First, it represents another $8 million windfall for Mr. Onassis.

Second, Government money is being used to guarantee a mortgage representing 87½ percent of the construction costs of three ships which are being built by a wholly-owned foreign company.

I will discuss the $8 million windfall later, but first, I wish to establish the ownership of Victory Carriers, Inc., the Onassis company which has just signed the contract with the Maritime Administration.

The Maritime Administration in signing this contract attempts to justify its decision as being in the best interests of the American taxpayers by emphasizing that the three tankers will be operated by American citizens under the American flag.

Two years ago when discussions by the Maritime Administration and Mr. Onassis were being held in connection with this same contract, I raised the question with the Administration as to whether or not if the contract were completed the U.S. Government would be required to underwrite a part of the construction costs, either in the form of construction differential subsidies or in the form of a Government guarantee of the mortgage, and I was given this written assurance:

> There has been no financial assistance granted by the Maritime Administration in connection with the construction of the three new tankers by Victory Carriers, Inc., either in the form of construction differential subsidy, or insured mortgage guarantee, or other forms of Government aid.

Now that the contract has definitely been signed, however, we are advised that notwithstanding this assurance the Government will be required to underwrite 87½ percent of the construction costs of the three tankers.

These three tankers under the newly negotiated contract will be constructed by the Victory Carriers, Inc. This company is a corporation chartered under the laws of the State of Delaware with an authorized capitalization of 2,000 shares of no-par-value stock. This stock has all been issued and is owned entirely by the United States Petroleum Carriers, Inc.

It is true that the officers and directors of Victory Carriers, Inc., are listed as being American citizens, but these men are mere figureheads. They do not own a single share of stock in the company.

The officers and directors of Victory Carriers, Inc., are as follows: Granville Conway, president and director; Nicolas Cokkinis, vice president and director; Peter Spalding, vice president; Thomas R. Lincoln, vice president; Charles S. Cunningham, director; John C. Griswold, director; and Edmond J. Moran, director.

It is absurd to claim that these men control a company in which they own no stock, nor do these officers and directors own any stock in the parent company, the United States Petroleum Carriers, Inc.

The United States Petroleum Carriers, Inc., which owns Victory Carriers, Inc., is another Delaware corporation, with an authorized capital of 1,000 shares no-par-value stock.

Of this stock, 750 shares are held in a trust fund established for the benefit of Mr. Onassis' children. This trust was

established under an agreement dated August 10, 1956, between Aristoteles S. Onassis, an Argentine citizen, and the Grace National Bank of New York City, with the bank acting as trustee.

In anticipation of the need to establish an American identity to some of his companies and thereby qualify for U. S. Government aid, Mr. Onassis arranged that his two children be born in this country. This had the effect of giving dual citizenship to the children by virtue of the fact that a person born in this country automatically has a right upon reaching the age of maturity to claim American citizenship regardless of the citizenship of his parents.

These two children, who are beneficiaries of the trust established by Mr. Onassis and financed with some of his earlier windfall profits, are presently at ages ranging from 8 to 11. They are naturally being kept with their parents, whose present residence is Bern, Switzerland.

With their father a Greek presently living in Europe but maintaining citizenship in Argentina, what assurance can we possibly have that these children will claim American citizenship upon reaching the age of maturity rather than adopting the citizenship of their father?

Certainly it is a very loose thread upon which the Maritime Administration hangs its claim that these ships are financed through an American owned company because the children's trust fund owns 750 shares of stock in that company. This is particularly true when we consider that the remaining 250 shares are owned by another foreign company of Mr. Onassis, the Sociedad Industrial Maritima Financiera Ariona, Panama S.A. This Panamanian corporation in turn is owned and controlled by Mr. Aristoteles S. Onassis, registered as an Argentine citizen, and Messrs. N. Konialides, another Argentine citizen, and C. Konialides, listed as an Uruguayan citizen.

Yet this is the company which the Maritime Administration describes as being under the control of American citizens, and this is the company that under this recently proposed contract will get an 87½-percent mortgage guarantee on the construction costs on the building of three tankers.

When Congress passed the law establishing the authority whereby the Maritime Administration could guarantee up to 87½ percent of the construction costs of new tankers, it was done with the definite understanding that all ships constructed under this Government guarantee would be not only controlled but also owned by citizens of the United States of America.

This precaution was taken on the basis that should an emergency develop whereby our Government would need these tankers they would be at the disposal of our country.

Certainly, there can be no assurance that this Greek shipowner who has transferred his own citizenship throughout the world, based upon where he could get the most favorable tax consideration, would have any love or loyalty to the United States of America. It is perfectly ridiculous to find that our Government is putting up seven-eighths of the construction costs of the ships foreign owned and controlled, and it is even more ridiculous to find it giving him another $8 million windfall to sign the contract.

This is particularly hard to understand when we find that the past record of Mr. Onassis' dealing with the Government of the United States of America has been far from satisfactory.

This is not the first time that serious questions have been raised in Congress as to the special treatment which the Maritime Administration and the other departments of the Government have extended to this individual.

With the true ownership of the company now established, I will discuss the $8 million windfall for Mr. Onassis as contained in this same agreement; however, in order to show this $8 million windfall it will be necessary to go back a couple of years and first discuss a $20 million windfall which had been approved for this same company. The $8 million windfall involved in this contract is a part of the $20 million arrangement.

Early in 1957, the attention of the Congress was called to the fact that special permission had been given by the Maritime Administration whereby Mr. Onassis and his companies would be permitted to transfer 14 ships—12 tankers and 2 Liberty cargo ships—from the American flag to a flag of foreign registry.

These 14 ships had been purchased from our Government about 8 years previously at very low prices in relationship to world market valuations on the basis that they wold be kept and operated under the American flag.

This ruling or approval by the Maritime Administration to transfer these vessels from the American flag to foreign registry automatically increased their value over $20 million based upon figures supplied by the Maritime Administration itself at the time of the transfer.

This was a $20 million windfall for one decision coming from the Maritime Administration of the Department of Commerce and was denounced as such at that time by other Members of Congress as well as by me.

The reason these 14 vessels had a substantially lower valuation when operated under the American flag is that the operators were required to pay American standard of wages. When transferred to foreign registry, their seamen could be hired at much lower wages and the operator would be free to charge the maximum rates, subject only to competitive conditions. With a shortage in shipping on world basis, the earning power was substantially greater under a foreign flag.

Another incentive to increase the valuation under foreign registry is that the owners would not be subject to American taxes.

At this point it should be noted that just a few months prior to this favorable ruling by the Maritime Administration, permitting Mr. Onassis to transfer these 14 ships to foreign registry, Congress had rejected legislation to do the same thing. We rejected the proposed legislation on the basis that these vessels had been sold at greatly reduced prices with the proviso that they be kept under the American flag and to reverse this now would result in large windfall profits for the owners. Had there been no objection to these vessels being placed under foreign flag, the Government should have sold them accordingly and reaped the additional price for the taxpayers.

At this point, I ask unanimous consent to incorporate in the RECORD a table showing the cost of the 12 tankers when constructed new and the net sales price received by the Government when sold to Mr. Onassis' companies:

There being no objection, the table was ordered to be printed in the RECORD, as follows:

[Attachment No. 2 to letter to Senator JOHN J. WILLIAMS]

Statement showing date of construction, construction cost, sales price, and other data with respect to certain vessels now owned by United States, Petroleum Carriers or Victory Carriers, Inc., or U.S. affiliated companies

Name of ship and company to which sold by USMC]	Type	Date of construction	Construction cost	Date of title transfer	Statutory sales price	Class allowance	Net sales price
American Marine Corp.: [1]							
Battle Rock	T-2 tanker [1]	Mar. 30, 1944	$3, 210, 851	Mar. 29, 1948	$1, 601. 211. 86	$23, 218. 00	$1, 577, 993. 86
Camp Nananu	do	May 26, 1944	2, 819, 618	Mar. 26, 1948	1, 617, 822. 50	39, 538. 00	1, 578, 284. 50
Stony Point	do	Apr. 18, 1943	4, 065, 683	Apr. 14, 1948	1, 505, 352. 00	23, 150. 00	1, 482, 202. 00
(Now owned by United States Petroleum Carriers).							
American Republics Corp.: [1]							
Federal	do	Dec. 10, 1944	3, 132, 554	May 4, 1948	1, 674, 701. 24	95, 051. 18	1, 579, 650. 06
Republic	do	July 31, 1944	3, 325, 139	Apr. 30, 1948	1, 626, 404. 85	58, 306. 00	1, 568, 098. 85
(Now owned by Trafalgar Steamship Corp.).							
Pacific Tankers, Inc. (now Western Tankers, Inc.):							
McKittrick Hills	do	Dec. 15, 1944	3, 083, 473	Mar. 16, 1948	1, 690, 094. 67	38, 140. 00	1, 651, 954. 67
Montebello Hills	do	Nov. 22, 1944	3, 170, 005	Feb. 27, 1948	1, 687, 692. 28	26, 770. 00	1, 660, 922. 28

See footnote at end of table.

[Attachment No. 2 to letter to Senator JOHN J. WILLIAMS]

Statement showing date of construction, construction cost, sales price, and other data with respect to certain vessels now owned by United States, Petroleum Carriers or Victory Carriers, Inc., or U.S. affiliated companies—Continued

Name of ship and company to which sold by USMC	Type	Date of construction	Construction cost	Date of title transfer	Statutory sales price	Class allowance	Net sales price
U.S. Petroleum Carriers:							
Arickaree	T-2tanker [1]	Mar. 11, 1943	$4,770,279	Apr. 2, 1948	$1,505,352.00	$66,474.00	$1,438,878.00
Fort Bridger	do	July 29, 1944	4,083,653	Feb. 26, 1948	1,601,490.36	19,090.25	1,582,400.11
Lake George	do	Sept. 18, 1943	2,778,490	Mar. 18, 1948	1,550,549.35	116,978.00	1,433,571.35
Victory Carriers, Inc.:							
Lewis Emery, Jr.	Liberty dry cargo (EC2-S-C1).	Oct. 25, 1943	1,685,682	Feb. 26, 1951	544,506.00	74,725.00	469,781.00
Heywood Broun	do	Sept. 15, 1943	1,642,115	Feb. 24, 1951	544,506.00	73,474.00	471,032.00
Union Sulphur Co.: [1] *Wm. A. M. Burden* (Now owned by Western Tankers, Inc.)	T-2 tanker	May 7, 1943	4,019,376	Mar. 2, 1948	1,505,352.00	86,238.50	1,419,113.50
Western Tankers, Inc.: [2] *Olympic Games*	Tanker, of 18,151 deadweight tons.	[3]	[4]	[4]	[4]	[4]	[4]

[1] These companies not affiliated with any of the so-called ONASSIS companies.
[2] This vessel was built in the United States for foreign-flag ownership, operation, for one of the foreign corporations of the Onassis group. In 1950, this vessel was documented under U.S. laws, pursuant to a condition of the approval granted by the Maritime Administration to the transfer to foreign ownership and registry of the damaged T-2 tanker *Herman F. Whilton*.
[3] 1948, Sparrows Point, Md.
[4] No data, see footnote 2.

Mr. WILLIAMS. Mr. President, next I ask unanimous consent to incorporate in the RECORD an excerpt from a letter dated April 9, 1957, signed by Mr. Clarence G. Morse, Maritime Administrator, in which he gives the value of these same 12 ships in world market prices at the time the ruling granting the transfer was approved.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Under foreign registry the estimated valuation, on a restricted basis, of the 14 vessels will be: $3,400,000 for each T-2 tanker, and the *Olympic Games*, and $1,500,000 for each of the Liberty dry cargo vessels. However, these ships are not eligible for resale except with prior Maritime Administration approval.

Mr. WILLIAMS. Mr. President, the complete letter from which this excerpt was taken was incorporated in the CONGRESSIONAL RECORD, volume 104, part 9, pages 11307–11308.

It was based upon these two reports from the Maritime Administration that the $20 million windfall was computed.

When this ruling was approved in 1957, thereby making possible this $20 million windfall, the Maritime Administration attempted to justify it on the assumption that Mr. Onassis, through the Victory Carriers, Inc., was to construct three tankers of the same description as involved in the present contract. These tankers were to be constructed in American shipyards and operated under American ownership, and the tankers were to be constructed by Mr. Onassis' company without the benefit of any Government guarantees or subsidies. Furthermore, as a part of the earlier agreement which the Maritime Administration obtained in exchange for their favorable ruling, the contract carried the proviso that in the event that Mr. Onassis failed to build the ships as agreed upon, he would forfeit $8 million to the U.S. Government.

The Maritime Administration emphasized three points when defending their earlier contract of 2 years ago with Mr. Onassis:

First. That the tankers were being build without any Government assistance.

Second. They will be controlled by American owned companies.

Third. As a protection to the American taxpayers in the event that the contract were forfeited, the Government could collect $8 million in cash forfeit from Mr. Onassis.

Now what happened?

After Mr. Onassis got his favorable ruling he did not build the tankers as agreed. The Government filed suit to collect the $8 million forfeiture. The Government also asked the Federal district court to order a forfeiture of the 14 ships and the recovery of 18 months of profits under the foreign registry.

Before these cases were decided, the Maritime Administration and Mr. Onassis resumed negotiations on another contract to build the same three ships but on different terms. Under the new agreement the following terms were stated:

First. The Government drops its claim for the $8 million forfeit which Mr. Onassis owed under the previous unfilled agreement. This, in effect, is an $8 million gift to Mr. Onassis and eliminates the possibility of the Government ever recovering any of the $20 million windfall.

Second. The Government drops its suit in the Federal district courts, in which it had requested the courts to order the forfeiture of the 14 ships and the recovery of 18 months of profit under the foreign registry.

Third. The Government will guarantee a mortgage up to 87½ percent of the construction costs of the vessels.

Last, but far from least, we cannot overlook the fact that all of this series of convenient arrangements was negotiated between a Government agency and a company which is controlled by citizens of foreign nationalities.

Mr. GOLDWATER. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. DODD in the chair). Without objection, it is so ordered.

Mr. GOLDWATER. Mr. President, has morning business been concluded?

The PRESIDING OFFICER. Morning business has been concluded.

Mr. GOLDWATER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. GOLDWATER. What is the pending question before the Senate?

The PRESIDING OFFICER. There is no pending business. The unfinished business will not be laid before the Senate under the rule until 12 o'clock, but may be taken up earlier either on motion or by unanimous consent.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that the Presiding Officer may lay before the Senate the pending business.

The PRESIDING OFFICER. Without objection, the Chair lays before the Senate the pending business.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959

The Senate resumed the consideration of the bill (S. 1555) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes.

Mr. GOLDWATER. Mr. President, I call up my amendment numbered 4–17–59–JJ and ask that it be made the pending question.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 50, line 5 through line 11 it is proposed to strike out all of subsection (h) and insert in lieu thereof the following:

"Labor organization" means a labor organization engaged in activities affecting commerce and includes any labor union or any organization of any kind, or any agency or employee representation committee, association, group, or plan, so engaged, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor

disputes, wages, rates of pay, hours of employment, conditions of work, or other matters incidental to employment relationships, and includes further any conference, joint board, joint council, or other local, State, regional, national, or international organization or association composed of representatives of such labor organizations or in which such labor organizations are associated or with which they are affiliated.

Mr. GOLDWATER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GOLDWATER. Mr. President, my amendment applies to the definition of "labor organization" which appears on page 50 of Senate bill 1555.

I have had placed on the desks of my colleagues a paragraph or two outlining what would be the result of such action. I shall read the statement.

The amendment would modify the definition of a "labor organization" contained in the committee bill. The committee bill, as in both the Wagner and Taft-Hartley Acts, defines a "labor organization" as one in which employees participate and which exists for the purpose, in whole or in part, of engaging in collective bargaining. Conferences, such as the Western Conference of Teamsters, formerly headed by the notorious Frank Brewster, joint boards, and councils are not composed of employees and do not engage in collective bargaining. The committee bill's definition thus does not include any conference, joint board, joint council, or other association or aggregation of representatives of labor unions, thus freeing them from the sanctions, prohibitions, and other requirements of the bill.

This amendment includes in the definition of "labor organization" such conferences, joint boards, councils, and other associations of representatives of labor unions in order to bring them under the committee bill.

Mr. President, some of the most sordid testimony brought to light during the McClellan committee investigations centered around the improper activities and dealings of Frank Brewster, the former head of the Western Conference of Teamsters. Brewster's misappropriation of union funds for his own personal use and enjoyment was spelled out in detail before that committee. His purchase of a racing stable, complete with trainers and stable boys paid for with union funds, illustrates the shocking disregard the crooks, racketeers, and other parasites in the union ranks have for the funds entrusted to their care by union members. What is of great concern, Mr. President, is the fact that the committee bill does not even cover the Western Conference of Teamsters and so the activities of the Frank Brewsters can go on uncontrolled and unrestrained.

The reason for this loophole afforded to the Western Conference of Teamsters and others is that the committee bill defines a "labor organization" as one in which employees participate and which exists in whole or in part for the purpose of engaging in collective bargaining. Obviously, since a conference or joint board is not made up of employees and does not engage in collective bargaining, it is not a labor organization within the meaning of the committee bill.

We have Mr. Brewster's own word before the McClellan committee that the Western Conference of Teamsters is not a labor organization within the meaning of the Taft-Hartley Act. Brewster was asked by a member of the committee whether the Western Conference had complied with section 9 (f) and (g) of the Taft-Hartley Act, requiring unions to file organization and financial statements with the Secretary of Labor and whether he had filed a non-Communist affidavit. He readily admitted that neither he nor his organization had ever filed these statements and affidavit, and, furthermore, were not required to do so, since the Western Conference of Teamsters is not a labor organization within the meaning of the Taft-Hartley Act.

Unless this amendment is adopted, Mr. President, some of the most corrupt and racket-infested unions can continue to prey upon honest and decent dues-paying union members completely free from the criminal sanctions and prohibitions contained in the committee bill.

Mr. President, I understand that my good friend from Massachusetts feels some legal questions are raised by the amendment with respect to the interpretation of the language in the bill. His staff and my staff have been trying to draft some language which would be acceptable to the chairman. I wonder whether that has been accomplished.

Mr. KENNEDY. We have come to an agreement, and what we have evolved is a substitute for the language of the Senator's amendment. I believe it accomplishes what should be done. I believe it will be satisfactory to a majority of the committee. I shall read the proposed amendment and then send it to the desk.

On page 50, at the end of line 11, we propose to strike out the period and add the following language: "and any conference, joint board, joint council, or other association or aggregation of labor organizations other than a State federation or central labor council or an association formed to carry on educational activity or to represent its members before any judicial, administrative, or legislative body."

Mr. GOLDWATER. The only question I have—and I will not press the point—is with respect to a central labor council. We have had very little experience with these groups. In fact, we have had some detailed knowledge with respect to only one of them. The Senator from Massachusetts may recall this instance. It concerns the Wayne County Central Council of Michigan, a group which an investigation made by the Select Committee To Investigate Campaign and Lobbying Activities, disclosed was actively engaged in politics. Inasmuch as union dues money was used to support the central council, I am wondering if we would be wise in requiring that they not report. They are excluded in the amendment the Senator suggests. As I say, I shall not press the point, because we do not know a great deal about these organizations. However, it seems to me there would be a possible loophole created if we allowed a group supported with union dues money to spend the money and not report it.

Mr. KENNEDY. I believe the language which the two staffs have worked out will cover such organizations as councils and joint boards, which properly should be covered. I hope we can go ahead on this matter, because I believe sufficient protection is given to the public interest in the form the language of the proposed amendment has been drawn.

Mr. GOLDWATER. Our staffs have worked on it. I am happy that the Senator from Massachusetts, with his usual understanding, has seen fit to go along. It is an improvement in the bill, and I am willing to accept it.

Mr. KENNEDY. Mr. President, I send my substitute for the Goldwater amendment to the desk and ask that it be read.

The PRESIDING OFFICER (Mr. GRUENING in the chair). The amendment will be stated.

The CHIEF CLERK. On page 50, at the end of line 11, it is proposed to strike the period and insert the following: "and any conference, joint board, joint council, or other association or aggregation of labor organizations other than a State federation or central labor council or an association formed to carry on educational activity or to represent its members before any judicial, administrative, or legislative body."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Massachusetts [Mr. KENNEDY] to the amendment offered by the Senator from Arizona [Mr. GOLDWATER].

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Arizona, as amended.

The amendment, as amended, was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. McCLELLAN. Mr. President, I call up my amendment identified as 4–20–59–R.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 12, line 2, beginning with the word "shall", it is proposed to strike out all through line 5 and insert in lieu thereof "who makes or agrees to make—".

On page 12, line 19, to strike out ", during the fiscal year,".

On page 13, lines 11 and 12, to strike out "or any promise or agreement therefor,".

On page 14, line 4, to strike out the period and insert in lieu thereof a comma.

On page 14, between lines 4 and 5, to insert the following: "shall file with the

Secretary within thirty days after making or agreeing to make such payment or expenditure a report signed by its president and treasurer or corresponding principal showing in detail the date and amount of each such payment or expenditure and the name, address, and position, if any, in any firm or labor organization of the person to whom it was made, and a full explanation of the circumstances of all such payments or expenditures, including the terms of any agreement or understanding pursuant to which they were made."

On page 15, line 20, to insert "or agreed to make" after "made".

Mr. McCLELLAN. Mr. President, this is what I regard as a strengthening amendment for the further protection of unions and working people. In the course of the investigation, the select committee found flagrant instances concerning the employment of what are known as labor consultants or middlemen. Some of the tactics they have used, some of the expenditures they have made, and some of the courses they have followed have not been, in my judgment, consistent with proper practices and activities in labor-management relations.

I call attention to the fact that in the bill as it is now written, the report which is required by the employer with respect to the employment of consultants or middlemen would not have to be made by the corporation or management interests which employed the middlemen or consultants until after the end of the employer's so-called calendar year for reporting. An agreement might well be made during one calendar year, and the payment of compensation to the middlemen might be made some time in the following year. Thus, whatever he is doing, whatever he is employed to do, whatever moneys are being paid to him or are promised to be paid to him, or any evil, if there is any evil, in his relationship to the employer for the purpose for which he is employed, does not become exposed until after the end of the calendar year or until after the end of the time when all the acts may have been perpetrated; and whatever knowledge of them came to the workers or to the labor organization would be of no benefit to them whatsoever, because it would already be an accomplished fact.

What is proposed by the amendment is that, instead of requiring the employer to file his report with respect to expenditures or the promise to make such expenditures, he must file such a report within 30 days after the expenditures are made or after it has been agreed to make them. Thus, when such an arrangement has been entered into, the unions and the employees will have the opportunity to have knowledge of it 30 days after the arrangement has been made, not a year later, or in some instances, perhaps, 2 years later, when it has become too late for the information to be of any value or to do any good.

I think this is a strengthening amendment, one which will be of benefit, beyond doubt. If the substance of the legislation in this area has any real benefit to offer at all, this amendment will insure greater benefit. Considering the protection and service which the provision in the bill is intended to afford, if the reporting as required by the amendment I have offered is done, rather than as is now provided in the bill, the real benefits and fruits of the legislation will inure to the benefit of the labor organization and its members.

Mr. President, I ask to modify my amendment as follows:

On page 14, line 8, strike out "file annually" and insert in lieu thereof: "within 30 days after the undertaking or agreeing to undertake such activities."

I submit that the amendment, as modified, is in line with the general purposes I have sought to achieve in the proposed legislation, namely, to make use of the very best language possible in order to afford the protections in the areas in which it has been found that conditions which need to be remedied prevail. I think that if the employer is to be permitted to employ consultants—and he certainly should be permitted to employ them—when he employs them for the purpose set forth in section 103 of the bill, knowledge of such employment should come to public attention at the time or shortly thereafter—within 30 days thereafter—rather than a year afterward, or even longer. I submit that the amendment is one which has real merit and should be adopted.

Mr. KENNEDY. Mr. President, as I understand, instead of the employer having to report whatever payments he makes to the middlemen annually, he will submit to the Secretary of Labor a report every time such a payment is made. In other words, if he employs a consultant on a retainer basis and is paying him every month, he will submit his report to the Secretary of Labor on that basis. Is that the purpose of the amendment?

Mr. McCLELLAN. No. If he has made an agreement to pay a stipulated fee or a stipulated salary at the time the agreement is made, it is the purpose of my statement to have him report that fact within 30 days.

Mr. KENNEDY. I should like to ask the Senator concerning the words "any expenditure" on page 12, line 19. In other words, under the language of the Senator's amendment, an employer would have to make a report every time he has paid a bill.

Mr. McCLELLAN. The intention is to publish the information within 30 days of the time the payment is made or at the time the agreement is made to make the payment.

Mr. KENNEDY. A number of these payments are legal, as the Senator knows. As I understand the amendment, it is proposed to ask every employer who has a labor consultant on his payroll or who is working for him on some matter which is legal under the Taft-Hartley Act and under the bill, to file with the Secretary of Labor a report giving the amount and the purposes thereof every time he makes a commitment with a labor relations consultant and agrees to employ him.

Mr. McCLELLAN. No, it is not the intention to have him file a report every time he makes an agreement or a payment. I think the Senator will agree with me that if the information and the arrangements can be made known to the public or to those who are interested and affected before the work is completed, then the information may serve a useful purpose. But if we waited until a year afterward, and then had a report submitted, no information would be available until after the proceeding was all over.

Mr. KENNEDY. A member of the staff suggests that what we are concerned about is the question of the frequency of the reporting.

Mr. McCLELLAN. Yes; but that is not the purpose. If some revision of the amendment is needed, in order to make certain about that point, very well.

But I believe the Senator from Massachusetts will agree with me that if the information were not made available at the time of the happening, it would probably be of little value a year later. That is the point.

Mr. KENNEDY. Mr. President, it seems to me that the purpose of the amendment is fine.

Mr. McCLELLAN. I thank the Senator from Massachusetts.

Mr. KENNEDY. However, it will be sufficiently difficult to administer the act, with thousands of reports coming in. We do not want to require them to be made on a monthly or a bimonthly basis, because then the administrative problem would be insuperable.

I am concerned with the frequency of the reports. It would be possible for a perfectly legal arrangement to be made between a middleman and an employer; but we would not wish to require, by means of this amendment, that every time the employer made a legal payment of a bill, it would be necessary for him to file a report.

I wonder whether we may have a quorum call at this time, in order that we may study this matter a little further.

Mr. McCLELLAN. Certainly.

Let me state that I offer the amendment in all good faith.

Mr. KENNEDY. I understand.

Mr. McCLELLAN. I offer the amendment because I honestly believe that if the information were not supplied until a year later, it would then be of little or no value.

So I believe the amendment is a very constructive one.

Mr. KENNEDY. Mr. President, with the agreement of the Senator from Arkansas, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GRUENING in the chair). The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment, as modified, offered by the Senator from Arkansas [Mr. McCLELLAN].

Mr. JOHNSON of Texas. Mr. President, I had hoped that Senators who are interested in the bill, especially those

who are interested in amending it—there are some 100 amendments at the desk—would be prepared to call up some amendment or discuss some amendment, so that the Senate might vote on it, rather than to spend the day having quorum calls.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified, offered by the Senator from Arkansas. [Putting the question.]

Mr. JOHNSON of Texas. Mr. President, I am informed that a new version of the amendment, as modified, offered by the Senator from Arkansas, is now being prepared. Apparently no other Senator wishes to call up an amendment at this time. Embarrassing though it is, I shall again suggest the absence of a quorum. I hope it will be possible to have the language of the amendments to be offered in such shape that they will be ready to be called up.

Mr. KENNEDY. Mr. President, it would be extremely helpful to the members of the committee and the committee staff if we could have some idea of the order in which, for example, the next three or four amendments will be called up. This will prevent our slowing up the work of the Senate. The amendments are extremely complicated. An amendment offered by the Senator from Arizona [Mr. GOLDWATER] was rewritten and a substitute offered. It was finally accepted after a period of 45 minutes. Since numerous amendments are at the desk, it would help us if we could have advance knowledge of the order in which they will be called up.

Mr. JOHNSON of Texas. I have consulted with the Senator from Arizona. He is temporarily detained. His staff is attempting to weed out amendments which they think it may not be necessary to call up. The Senator from Arizona will notify us as soon as possible of the disposition which has been made of those amendments. I will also explore with him the possibility of indicating which amendments he desires to call up next. In the meantime, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. Presirent, I am informed that the Senator from Arkansas is now ready to proceed. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCLELLAN. Mr. President, I ask unanimous consent to substitute for the amendment which I originally offered a substitute amendment as revised and redrafted. I ask for the immediate consideration of this amendment as a substitute for the amendment originally offered.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The legislative clerk read the amendment as follows:

On page 12, line 6 through 18, strike out subdivision (1) and renumber subdivision (2) as subdivision (1).

On page 13, lines 10 through 24, strike out subdivision (3) and renumber subdivision (4) as subdivision (3).

On page 14, between lines 4 and 5, insert the following new subsection:

"(b) Every employer engaged in an industry affecting commerce who makes or agrees to make—

"(1) Any agreement or arrangement with a labor relations consultant or other independent contractor by which such person undertakes activities where an object thereof, directly or indirectly, is to persuade employees to exercise or not to exercise, or persuade employees as to the manner of exercising, the rights to organize and bargain collectively through representatives of their own choosing, or undertakes to supply such employer with information concerning the activities of employees or a labor organization in connection with a labor dispute, except information for use solely in conjunction with a judicial, administrative, or arbitral proceeding;

"(2) Any payment or loan, direct or indirect, of any money or other thing of value, or any promise or agreement therefor, to any labor organization or any officer or employee of any labor organization except (i) payments pursuant to a collective bargaining agreement the terms of which have been fully disclosed to the employees in the bargaining unit, (ii) compensation paid to an officer or employee of a labor organization for, or by reason of, his services as an employee of such employer, (iii) payments or loans made by any national or State bank, credit union, insurance company, savings and loan association, or other credit institution, and (iv) payments of the kind referred to in section 302(c) of the Labor-Management Relations Act, 1947, as amended; shall file with the Secretary within 30 days after such agreement or payment a report signed by its president and treasurer or corresponding principal officers describing such agreement in detail and showing the date and amount of each payment or expenditure, made or to be made, and the name, address and position, if any, in any firm or labor organization of the person to whom it was made, together with a full explanation of the circumstances of all such payments or expenditures."

On page 14, line 5, reletter subsection (b) as subsection (c) and reletter the following subsections and references to subsections.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified, offered by the Senator from Arkansas [Mr. McCLELLAN].

Mr. McCLELLAN. Mr. President, so far as I know, the staff representing the distinguished Senator from Massachusetts, and my assistant, have now prepared the amendment in such form as to do what both the distinguished Senator from Massachusetts and I think should be done in the area covered by the amendment. The amendment is satisfactory to me; I hope it is satisfactory to the Senator from Massachusetts.

Mr. KENNEDY. Mr. President, the effect of the amendment is to provide that when a legal payment is made, and a report is required at the time an agreement is made—the language is quite precise in this respect—it is then necessary for the employer to make a report to the Secretary of Labor.

When an agreement which is legal under the Taft-Hartley Act and under this act and under other laws is made with a labor-relations consultant, he shall file the report on an annual basis. I think that meets the problem which has been suggested by the Senator from Arkansas; and, on the other hand, it maintains orderly processes and easier administration of the act.

So I hope the amendment in its present form will be accepted.

The PRESIDING OFFICER. The question is on agreeing to the modified amendment of the Senator from Arkansas [Mr. McCLELLAN].

The amendment, as modified, was agreed to.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DODD. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 36, it is proposed to strike out lines 24 and 25.

On page 37, in line 1, it is proposed to strike out the first three words.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Connecticut [Mr. DODD].

Mr. DODD. Mr. President, this amendment has to do with the giving of written notice to the members of unions to advise and notify them when an election is to be held.

The bill as it now stands, as I understand, does not require that written notice be given, provided the constitution of the union sets forth the time and place of the annual or biennial election.

By means of this amendment, I am trying to make certain that every union member will receive a written notice at least 15 days before an election is to be held. Many union members drive trucks or are on the road or are otherwise busily occupied in their various activities, and do not follow closely the constitutions of their own locals. It would be better if they did; but the reality of the matter is that they do not. In the economy of time, perhaps they cannot.

So I think it very little to require that a union mail a postal-card notice 15 days before an election of officers is to be held, to remind the membership and to notify the membership that the election is to be held. That is not asking very much.

I have heard it stated that the basis for objection to the amendment is that it will be costly and therefore burdensome to require a union to mail such a notice to its members. But that argument is not impressive to me.

Most unions are not large. The few unions that are very large also have very large treasuries. So the cost of mailing a notice of this kind to the members would not seem to me to be at all burdensome.

Therefore, I urge my colleagues to vote for adoption of the amendment.

Mr. SMATHERS. Mr. President, will the Senator from Connecticut yield to me?

Mr. DODD. I am happy to yield to the distinguished Senator from Florida.

Mr. SMATHERS. Is it not a fact that most business and professional organizations and, in fact, most organizations of other types follow the practice of mailing to their members notices of elections?

Mr. DODD. Yes. I know that I receive notices from the few organizations in which I hold membership. I think that is done almost universally, except in the case of some labor organizations. I am frank to say, with reference to some of them, that I believe they do not mail such notices because they do not want their members to know when the election will be held.

Mr. SMATHERS. Is it not also a fact that most religious organizations which are preparing to hold elections, notify their members of the time and place of the election?

Mr. DODD. Yes; that is a common courtesy in the case of most organizations.

Mr. SMATHERS. I do not believe that any organization which wanted to hold a full, democratic election could in good conscience resist this amendment.

Mr. DODD. Yes; I fully agree. I cannot understand the resistance to the amendment, on the flimsy basis that to comply with it would cost a few dollars.

Mr. KENNEDY. Mr. President, I think the Senator from Connecticut has brought up an important point. An amendment similar to the one he has proposed was considered by the committee. Finally the amendment was withdrawn.

I have alternative language which I hope the Senator from Connecticut will find of some benefit.

As the bill now stands, a notice must be mailed to every member of a union, unless the date for the election is formally fixed publicly in the union's constitution. It seems to me that if it is set forth in the union's constitution, that would make unnecessary the rather heavy bill for mailing such notices, because every member who participates in a union, and who is likely to participate in an election, will certainly know the date of the election, if it is formally set forth in the union's constitution, and if the union's constitution, along with the bylaws, is available to all the members.

But in the cases in which the union's constitution does not do that, the union will have the obligation of mailing such notices.

I should like to see how that plan will work. I believe the bill is quite adequate in providing remedies for improper elections.

I wish to explain to the Senator from Connecticut—because I know of his experience in some of these fields—that I believe the committee has dealt with the problem in a harmonious and satisfactory way; and I think the vote finally taken in the committee on the provision on this point which the committee had before it was unanimous.

Mr. DODD. But I do not think it is adequate; that is precisely why I have offered this amendment.

I have read that provision of the bill; and the Senator from Massachusetts has stated it accurately and clearly. His point is that in the case of organizations which have constitutions in which the election date is stated, there will be no need, under the bill as it now stands, to have such notices mailed to the members.

But, as I have already stated, the reality of the situation is that most of the members of unions do not carefully examine their unions' constitutions and do not study such matters. So a brief notice on a 2-cent postcard will take care of this matter; and the total cost will be only a few dollars.

Mr. NEUBERGER. The notice will require a 3-cent postal card. [Laughter.]

Mr. DODD. Very well; a 3-cent postal card.

Certainly it does not make sense to me that the big, powerful labor organizations should resist so simple, decent, and honest a proposal—namely, to require that a postal-card notice be mailed to each of the members, to inform them when the election will be held.

Mr. SMATHERS. Mr. President, will the Senator from Connecticut yield again to me?

Mr. DODD. I yield.

Mr. SMATHERS. Most Senators belong to the American Legion, the Veterans of Foreign Wars, or similar organizations; but I venture to state that not one of them knows when the next election of the organizations to which he belongs will be held. In fact, I doubt that many Senators even know when their church's next election will be held. That does not mean they are not interested in the elections; it simply means they do not keep in mind the election dates.

Most organizations send election notices to their members, to notify them when the elections are to be held.

So I firmly believe in this amendment.

Mr. PROUTY. Mr. President, will the Senator from Connecticut yield to me?

Mr. DODD. I am glad to yield.

Mr. PROUTY. Mr. President, I am very happy to support the amendment which has been submitted by the Senator from Connecticut. I have a similar amendment at the desk. I was also successful, in committee, in having that provision included in the bill. It was approved, as I suggested yesterday, but was reconsidered later. Still later it was modified in such a way as to be meaningless insofar as union members themselves are concerned.

As the Senator has very ably pointed out, realizing these elections are held anywhere from 1 to 2 to 3 years, I think it is improbable that the average member of a labor union will remember the date specified in the bylaws or constitution, if, indeed, he ever has had an opportunity to read them. We know that some of the more unscrupulous labor leaders have made a practice of keeping this information from their members in order that they may continue to dominate the affairs of unions, and particularly to keep themselves in positions of power.

I think it is an amendment which by all means should be adopted.

Mr. DODD. I thank the Senator from Vermont.

Mr. KENNEDY. Let me point out that, as there are 16 million union members, a cost of $480,000 for mailing notices would be involved, which I think is a substantial amount. If first class or certified mail were used, of course, the cost would be substantially higher.

There is no evidence that the so-called big union bosses oppose the amendment. We considered the proposal quite carefully in committee. We thought, both by way of fairness and equity, it would be desirable to adopt language unanimously by Members on both sides. The language in the bill was ultimately accepted.

It seems to me that the bill as it is provides strong protection for union members. Under the bill, there must be elections for officers in national or international unions at least once every 5 years, and every 3 years in local unions. If members of unions are so out of touch with their unions that they must have their attention called to the dates of election, I am not so sure they would participate, anyway. However, I have no strong feeling on the amendment. If the Senator wants to have a voice vote on the amendment, after a quorum call, it is satisfactory with me.

Mr. DODD. Mr. President, I merely want to say we know that in some unions there has been a planned effort to keep members from attending a meeting at which elections will take place. That is a matter of record. If there were only one such case, it would be enough for the Senate to be concerned about it.

I think, by requiring notice, the amendment is one step, and a proper one, which would make it more difficult for anyone who has an idea of cheating members of their right to vote for their officers.

Mr. DIRKSEN. Mr. President, I was going to say I hope our distinguished friend from Massachusetts will accept the amendment. I would be most reluctant first to have a quorum call and then a yea and nay vote.

Mr. KENNEDY. I think it would be well for all Senators to be notified prior to a vote on the amendment. I do not think the amendment should be adopted without notice to all Senators, after the committee unanimously adopted language on this subject.

Mr. PROUTY. Mr. President, if the Senator will yield, I think the Senator from Massachusetts may be in error. I believe I was opposed to the committee's proposal.

Mr. KENNEDY. As I recall, the Senator from Vermont was the one who originally offered the amendment. Then the amendment was reconsidered. Subsequently, in modified form, it was adopted by voice vote. I was under the impression that there was no opposition, but I am glad to correct the record.

Mr. PROUTY. It was on the second occasion that I agreed to the modification, but I do not think I did on the third occasion.

Mr. KENNEDY. I am glad to correct the record.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Connecticut [Mr. DODD].

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment of the Senator from Connecticut [Mr. DODD].

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. GOLDWATER. Mr. President, I call up my amendment identified as "4–15–59–R," and ask that it be read.

The PRESIDING OFFICER. The amendment of the Senator from Arizona will be stated.

The LEGISLATIVE CLERK. It is proposed, on page 8, line 1, to strike out all of subsection (c) and insert in lieu thereof the following:

(c) Every labor organization required to submit a report under this title shall make available copies of such reports to each of its members and shall permit such members to examine the books, records, and accounts of such transactions as were or may be necessary to prepare or verify the reports required by section 101. The Secretary shall by regulation prescribe the form and manner for making such reports available to such members, and the time, place, circumstances, and conditions under which such books, records, and accounts may be examined by such members.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Arizona [Mr. GOLDWATER].

Mr. GOLDWATER. Mr. President, I am having distributed to my colleagues a brief outline of what the amendment would do.

I ask unanimous consent that the explanation be printed in the RECORD.

There being no objection, the explanation was ordered to be printed in the RECORD, as follows:

UNION MEMBERS' ACCESS TO BASIC RECORDS

Amendment 4–15–59–R requires the union to make copies of the reports available to each individual member and to permit the members to examine the basic records upon which the report is based. The Secretary is given the authority to issue regulations governing the time, place, etc., whereby such records may be examined by the members.

The committee bill only requires the union to make the information required to be contained in the report available to all the members of the union. But unless the union member has access to the basic books and records on which the report is based, he is not in a position to determine the truth or falsity of the report filed by the union.

The only person authorized under the bill to inspect the basic books and records is the Secretary of Labor. With literally thousands of union reports streaming in on him, the only way that he can determine the truth or falsity of these reports is to resort to a spot check of some of them.

If the membership were able to compare the basic records with the filed report, erroneous and inaccurate statements could readily be discovered and such information transmitted to the Secretary in order to enjoin a violation which has occurred or is about to occur.

Mr. GOLDWATER. Mr. President, this amendment would require the union to make copies of the reports available to each of the members and permit the members to examine the basic records upon which the report is based. The Secretary would be given the authority to issue regulations governing the time, place, and so forth, whereby such records may be examined by the members.

The committee bill purports to insure honesty in union officials by requiring the union to make the report available to all the members. But does it? Let us see how this provision works out in actual practice. The union files the reports and gives copies to all its members. The member reads the report and comes across a particular statement about which he has some doubt. He goes to the union headquarters and demands to see the records upon which the report is based, in order to satisfy his doubt. The union officer refuses to let him see the basic records. Does the union violate the law? Not if the committee bill is enacted. The union officer is perfectly within his rights to refuse a member access to the basic records, according to the committee bill. Once the union made a copy of the report available to the member, it satisfied the requirement of the committee bill.

Obviously, the committee bill provision is a farce. The only person authorized under the bill to inspect the basic books and records is the Secretary of Labor. With literally thousands of union reports streaming in on him, the only way he can determine the truth or falsity of these reports is to resort to a "spot check" of some of them. This is indeed a sloppy approach, but it is the only course available to the Secretary. If the membership were able to compare the basic records with the filed report, erroneous and inaccurate statements could soon be discovered and such information transmitted to the Secretary. Unfortunately, the committee bill does not so provide, and once again a "gimmick" in the committee bill would thwart the membership in its right to full and complete knowledge concerning its union.

The only argument which has been voiced against this amendment is that it could lead to harassment of the union and its officers by malcontents and those who are interested only in overturning the incumbent leadership. This argument is specious. The amendment would give the Secretary the authority to issue regulations governing the time, place, circumstances, and conditions under which the members may inspect the basic records.

Second, why so much concern about the union and its officers? How about a little concern for the members who, incidentally, own the union? Are not their rights to be protected equally as much as those of the union? Is the whole purpose or plan of this proposed legislation to protect the union, or is it to ferret out corrupt and racketeering union bosses by enabling the members to know what is going on in their union? Should not a union member, whose right to a job may depend upon membership in a union, be given at least the same right as a stockholder of a corporation?

These questions, of course, must be answered in the affirmative.

Mr. President, I do not know whether the distinguished Senator from Massachusetts [Mr. KENNEDY] has had a chance to read this amendment. If he has, I would appreciate having his comments on it.

Mr. KENNEDY. Mr. President, I am strongly opposed to the amendment. The amendment was discussed in the committee.

Under the provisions of the bill presently under consideration labor unions would be required to make reports in such detail as the Secretary of Labor requested, and the Secretary of Labor would be authorized to make available to the members of the unions, in such form as he felt desirable, such information as was submitted to him. But the purpose of the amendment, as I understand it, would be to make available upon request the books and any other information which a union member might desire. Is that correct?

Mr. GOLDWATER. It would not be upon request. It would be under circumstances and regulations to be prescribed by the Secretary of Labor.

Under my proposed amendment, the information would be made available to the union members under certain regulations. The records from which the reports were submitted to the Secretary of Labor would be made available.

It is my contention that there is no way for the union membership to know whether the reports are accurate unless the records are available. The union member must depend upon acceptance or rejection of the report by the Secretary of Labor.

If the union member had the right, as a stockholder does, to go to the books, that in itself, I think, would tend to curb the racketeering and the misuse of the money, practices about which we learned in the McClellan committee hearings.

Mr. KENNEDY. I will ask the Senator if, under his amendment, it would be compulsory for the Secretary of Labor to issue a regulation which would give these powers to the union members, or whether it would be a matter of discretion with the Secretary.

Mr. GOLDWATER. Under my amendment, the word "shall" is used. The word "may" is not used; it is "shall".

Mr. KENNEDY. In other words, it would change the situation quite substantially from the provision in the bill under consideration. It would give the right to every union member to examine in detail the records, books, financial statements, checkbooks, and all the details of the union's operations, when the member willed it.

Mr. GOLDWATER. Under circumstances to be prescribed by the Secretary of Labor. I think the Secretary of Labor could well provide regulations which would prevent the capricious use of such

a right. The regulations could be written to prevent what the Senator expresses concern about—malcontents who simply want to harass union officials.

I am not fearful that union officials will be harassed. I am fearful that reports can be made to the Secretary of Labor, and that in the course of perhaps a year the Secretary of Labor will find something wrong with them, but that it will take another period of time, possibly another year, for the Justice Department to go into the matter, and about 2 years after the horse has run down the road with a load of money on his back the barn door would be closed.

I should like to make it possible for a union member who believes something is wrong with the bookkeeping, or that something is wrong with the operations of the union, to have access to the books. Then if the union member can prove to the Secretary of Labor there is something going on in the union which should not be happening, the Secretary of Labor could step in more quickly to put a stop to it than he could under the provisions of the bill under consideration.

Mr. KENNEDY. Let me ask the Senator if it is true that a shareholder of a corporation is permitted to examine the books, simply because he possesses a share of stock of a corporation.

Mr. GOLDWATER. Every union officer I know of—or, to put it another way, with whom I have come in contact—who negotiates, owns at least a share of stock in the company with which he negotiates, for the very purpose of looking at the records.

I do not think we can in this case make a direct comparison between a corporation and a union. Let us compare the union with the American Legion, or some organization for the mutual benefit of its members. That is what a union organization really is. Certainly in organizations such as that the members have access to the books at any time, and to the detail in the books.

In a corporation, one of the reasons why a stockholder does not have access in every case to the details, such as the checkbooks, et cetera, is that it would result in the giving away of corporate secrets. There is no profit-making included in the union organization, so there is no danger of giving any secrets away.

We want the member of the union to know where his money is going. The union member pays so much money a month in the form of dues and assessments. He does not expect to get anything back in the way of monetary return, but he wants to feel that the money is being used for proper purposes, and honestly. If the union member has any reason to suspect some wrongdoing, I think, since he belongs to what we call a voluntary organization, I do not agree with that terminology, but if we accept the voluntary approach, he has, or should have, the right to look at the books and records.

Mr. KENNEDY. Mr. President, I oppose this amendment very strongly. On page 8, line 1, of the bill we find the following subsection:

(c) Every labor organization required to submit a report under this title shall make available the information required to be contained in such report to all of its members in such form and manner as the Secretary shall by regulation prescribe.

In order really to protect the interest of union members in a genuine way, the bill provides for very full reporting of all financial transactions of the union. The reports would be made to the Secretary of Labor. They would be sworn to. If information were omitted or misstated, that would constitute a crime. The Secretary must make the information available to union members in the way he thinks best to carry out the purposes of the act.

The Senator from Arizona would change all that, and provide that every union member—some of whom may be engaged in harassing activities, or may be extremely interested on behalf of employers, shall have the right to examine all the files and data of a union.

A union is not the American Legion. It is organized for the purpose of protecting the economic rights of its members. It is given special privileges and rights by the Federal Government, and certain duties are imposed upon it.

I would object to a corporation being compelled to give to every shareholder a list of all its customers and the prices it is quoting, and all the letters of information it receives on any matter in any of the books of the corporation.

This provision and the bill itself protect the rights of union members in a far more satisfactory and genuine manner than would the amendment of the Senator from Arizona. In my opinion his amendment would open up opportunities for harassment, and in some cases the disintegration of unions. In my opinion it is not intended to protect the financial rights of responsible union members.

I hope the amendment will be rejected. If necessary I shall ask for the yeas and nays on this amendment, because I think it is basic.

Mr. GOLDWATER. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. ALLOTT. Mr. President, will the Senator from Massachusetts yield for a question?

Mr. KENNEDY. I yield.

Mr. ALLOTT. I have listened to what the Senator has just said. I wonder if he is implying in his remarks that the stockholders of corporation do not have the right to examine the books of the corporation. I must admit that my own experience in this particular field is somewhat limited. I have had only one case on the subject in my life, but, as I have always understood the general rule of the law with respect to examination, the only limitation the court places upon it is that it must be reasonable—reasonable as to frequency, and reasonable as to the place and hour of such examination.

Can the Senator enlighten me on that question?

Mr. KENNEDY. I do not agree that there is any law—at least that I know of; certainly not the Securities and Exchange Act or any other Federal law—vesting in the shareholders of a corporation the right to examine all the financial records, books, and raw material which may enter into the preparation of such books.

Mr. ALLOTT. I referred to the books of a corporation. The way the Senator is presenting the case, it seems to me to change the law as I have always understood it. My understanding is that a stockholder does have the right to examine the books. That is the reason for the many suits which have been brought from time to time for the purpose of enforcing that right.

The only thing I wish to be sure of—and perhaps other Members of the Senate are more completely advised on this subject than either the Senator from Massachusetts or myself, and perhaps they can inform us—is that the right of examination is guaranteed. As I have always understood the law, it is the basic right of stockholders to examine the books.

Mr. KENNEDY. The amendment provides:

Every labor organization required to submit a report under this title shall make available copies of such reports to each of its members and shall permit such members to examine the books, records, and accounts of such transactions as were or may be necessary to prepare or verify the reports required by section 101.

If I were a shareholder in a corporation or a policyholder in an insurance company, I would not be permitted to examine all the books, records, and memoranda which might enter into the preparation of the profit-and-loss sheet, including discounts and other information. I do not know of any Federal law which grants such a right. I do not agree with the amendment. It seems to me that the bill itself makes available to the members in a responsible way the necessary information. Therefore, I am opposed to the amendment.

Mr. GOLDWATER. Mr. President, I point out that the language of my amendment is very clear:

Every labor organization required to submit a report under this title shall make available copies of such reports to each of its members—

Up to that point we do not disagree with the Senator from Massachusetts. The amendment goes on to say:

and shall permit such members to examine the books, records, and accounts of such transactions as were or may be necessary to prepare or verify the reports required by section 101.

Then the language prescribes what the Secretary shall do.

I invite the attention of the Senator to the fact that when we are talking about a corporate body, we are talking about a body in which a person can invest or not, according to his will. When we are talking about a union, in many cases we are talking about an organization to which a man must belong in order to work.

We have two different situations. First, if a man believes that a corporation is not producing enough for the investor or doing enough for the stockholder, he can sell his shares and get out. In the case of a union, a man must belong to the union in order to work. If

he withdraws from the union, in effect, he is quitting his job. He must look elsewhere for work in the town where he lives, or leave town to find employment somewhere else.

The provisions of Senate bill 1555 are fine so far as they go. The reports are made to the Secretary of Labor. They are made at the end of the fiscal year, or at such other times as he may prescribe, under regulations promulgated by the Secretary of Labor. Thousands of reports will be submitted. In the course of the following year or two the reports will be examined. As such reports are submitted by individual unions, there may be members of unions who will say to themselves, "There is something wrong about this report. I have a copy of the report sent to the Secretary of Labor. I do not think the report is right."

What can he do under the provisions of the Senator's bill? He must wait until the Secretary of Labor finds something wrong with the report—if he does—and then go through the processes of the Attorney General's office.

The only result of the enactment of my amendment would be to allow the member, under regulations prescribed by the Secretary of Labor, to examine the books. If he can say to the Secretary of Labor, "Look here, Mr. Secretary, the statement contained in this report is wrong. I have looked at the books. This is what is wrong." If he can prove it, he obtains quick access to the Secretary of Labor and to corrective action pertaining to his own union.

I cannot understand why, in a bill purporting to protect labor union members, we are unwilling to give them the right to examine the books. We are not talking about a profitmaking organization. We are not talking about an organization which has many expenses, a large staff, and operates as a corporate or business structure.

We are talking about an organization set up ostensibly to do one thing, that is, to bargain for better wages, hours, and working conditions. The man who must pay his dues in order to keep his job should have the basic right to know how his money is being spent—not from a report submitted by the head of the union to the Secretary of Labor, and subsequently to the member. If at any time during the year he suspects that there is something wrong with the report, he should be able to make application to the Secretary of Labor and have access to the books.

Mr. President, I do not care to labor the point further. The amendment is obviously needed, in view of the conditions disclosed in the McClellan committee hearings.

Mr. President, unless the Senator from Massachusetts has something further to say, I suggest the absence of a quorum in order that the amendment may be explained to a greater number of Senators than are present at the moment.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MUSKIE in the chair). Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, on behalf of the distinguished minority leader and myself, I submit the following unanimous-consent agreement proposal:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That, effective on the adoption of this order, during the further consideration of the bill S. 1555, the Labor-Management Reporting and Disclosure Act of 1959, debate on any amendment, and any amendment thereto, or motion, or appeal, except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided,* That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further,* That no amendment that is not germane to the provisions of the said bill shall be received except those amendments now pending at the desk.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 3 hours, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided,* That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

The PRESIDING OFFICER. Is there objection to the proposed agreement? The Chair hears none, and the agreement is entered.

Mr. JOHNSON of Texas. Mr. President, many Senators have withdrawn many amendments which they have had printed. We are very hopeful that votes will be taken almost each hour during the day. We plan to have the Senate remain in session until at least 11 p.m. this evening. I wish all Senators to be on notice.

An order has been entered to have the Senate convene on tomorrow at 10 a.m. We are hopeful that we shall be able to complete our action on the bill this week. Of course, if we take final action on it by Friday, we shall not hold a Saturday session. If we do not take final action on the bill by Friday, we shall have a Saturday session.

Mr. DIRKSEN. Mr. President, will the Senator from Texas yield to me?

Mr. JOHNSON of Texas. I yield.

Mr. DIRKSEN. So far as I know, at least half of the amendments have already been dealt with; and we are reasonably sure that at least half of the amendments which now are at the desk, and thus are covered by the agreement which has been entered, will not be called up. So I believe there is some likelihood that final action on the bill will be taken before Saturday.

Mr. JOHNSON of Texas. I believe that is the case.

Mr. President, I hope Senators will pay close attention, and will be prepared for yea-and-nay votes, because several yea-and-nay votes will be taken this afternoon; and it requires considerable time to prolong such votes until Senators who may have left the Chamber can return from downtown. We shall be voting on amendments both today and tomorrow.

Mr. DIRKSEN. Is it proposed that today's session shall last until a rather late hour tonight?

Mr. JOHNSON of Texas. Yes, until 11 o'clock.

The PRESIDING OFFICER. The question is on agreeing to the amendment lettered "R" of the Senator from Arizona [Mr. GOLDWATER]. On this question the yeas and nays have been ordered.

Mr. GOLDWATER. Mr. President, I wish to propose a modification of my amendment; and I ask the Senator from Massachusetts to listen to my reading of the modification. I believe the modification will be acceptable to him.

The PRESIDING OFFICER. What time does the Senator from Arizona yield to himself?

Mr. GOLDWATER. I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Arizona is recognized for 5 minutes.

Mr. GOLDWATER. Mr. President, to my amendment which is identified as "4–15–59–R," as it is now at the desk, I would add, in line 3, after the word "members", the words "for proper cause"; and on page 2, in line 2, after the word "the", I would add the word "cause." If those modifications are made, the amendment as thus modified will then read as follows:

Every labor organization required to submit a report under this title shall make available copies of such reports to each of its members and shall permit such members for proper cause to examine the books, records, and accounts of such transactions as were or may be necessary to prepare or verify the reports required by section 101. The Secretary shall by regulation prescribe the cause, form, and manner for making such reports available to such members, and the time, place, circumstances, and conditions under which such books, records, and accounts may be examined by such members.

Mr. President, I ask unanimous consent that this modification may be made in my amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none; and the amendment is modified as requested.

Mr. GOLDWATER. Mr. President, let me ask my friend, the Senator from Massachusetts, whether he will accept the amendment, as modified.

Mr. KENNEDY. Yes; I accept the modified amendment. It seems to me that when the amendment, as modified, is read in conjunction with subsection 101(c), of title I, on page 8 of the bill, the amendment will be found to be in the public interest.

I express appreciation to the Senator from Arizona for adjusting his amendment, and I also express appreciation to the Senator from New York [Mr. JAVITS].

Mr. GOLDWATER. Mr. President, I believe that the yeas and nays have been ordered on the question of agreeing to my amendment. I ask unanimous consent that that order be rescinded.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. JAVITS. Mr. President, will the Senator from Arizona yield to me?

Mr. GOLDWATER. I yield.

Mr. JAVITS. I think this is an excellent solution of the matter, because it equates the rights of the union members with the rights of corporate stockholders, and it prevents a proliferation of the inspection. I believe the amendment is acceptable, because it would prevent vexatious forays into the unions' books.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified, of the Senator from Arizona [Mr. GOLDWATER].

The amendment, as modified, was agreed to.

Mr. GOLDWATER. Mr. President, I wish to thank the distinguished Senator from Massachusetts [Mr. KENNEDY] and the distinguished Senator from New York [Mr. JAVITS] for their help in preparing this amendment.

Again I say that if we continue in this friendly spirit, I am sure the bill will be improved hour by hour.

Mr. KENNEDY. I say to the Senator from Arizona that there is no telling what might happen. [Laughter.]

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. McCLELLAN. Mr. President, I call up my amendments identified as "4–22–59–E."

The PRESIDING OFFICER. The amendments of the Senator from Arkansas will be stated.

The LEGISLATIVE CLERK. It is proposed on page 54, between lines 7 and 8, to insert the following new section:

SEC. 509. Every officer, agent, or other representative of a labor organization engaged in an industry affecting commerce, or of a trust in which such organization is interested, shall, with respect to any money or other property in his custody or possession by virtue of his position as such officer, agent, or representative, have a relationship of trust to any such labor organization and the members thereof, or to any such trust and the beneficiaries thereof, and shall be responsible in a fiduciary capacity for such money or other property, notwithstanding any grant of authority purporting to exempt him from such responsibility.

On page 54, line 8, to strike out "SEC. 509" and insert in lieu thereof "SEC. 510."

On page 51, between lines 11 and 12, to insert the following new subsection:

(k) "Trust in which a labor organization is interested" means a trust or other fund or organization (A) which was created or established by a labor organization, or one or more of the trustees or one or more members of the governing body of which is selected or appointed by a labor organization, and (B) a primary purpose of which is to provide benefits for the members of such labor organization or their beneficiaries.

The PRESIDING OFFICER. How much time does the Senator from Arkansas yield to himself?

Mr. McCLELLAN. Do I now have 30 minutes?

The PRESIDING OFFICER. Yes.

Mr. McCLELLAN. I yield myself 5 minutes. I may want a little more than that.

The PRESIDING OFFICER. The Senator is recognized for 5 minutes.

Mr. McCLELLAN. Mr. President, in the course of the long series of hearings which the select committee conducted, relating to the serious misuse of funds, misappropriation of funds, looting of union treasuries, and so forth, we found in too many instances that corrupt labor officials regard a union treasury as something to be used for their own personal privilege and an opportunity to pilfer union funds almost at will. I do not believe present laws are adequate to deal with such abuses.

On page 3, subsection (c) of the bill, in one policy section, I find this language:

It is declared to be the policy of the United States to advance the objectives and protect the national interests referred to in subsection (a), and correct the evils referred to in subsection (b) by—

Then is listed (1). On page 4, as No. (2), is found the following language:

encouraging the faithful observance of fiduciary responsibilities by officers and representatives of labor organizations through a requirement—

Mr. President, this is a policy in the national interest—

through a requirement that such officers and representatives shall file reports, which shall be public information, on transactions in which there may be a conflict—

And so forth. In other words, the only parts of the bill which apply directly to fiduciary responsibility are those sections of the bill in which it is required that where there is a conflict of interest the conflict of interest must be reported.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. SCOTT. Do I understand correctly the Senator is saying that although a declaration of policy is contained in the bill, there is nothing now in the bill to implement such policy with respect to the fiduciary relationship except by the provision relating to conflict of interests?

Mr. McCLELLAN. There should be a declaration as a matter of law. The bill points in the right direction, but the bill does not travel far enough.

Mr. SCOTT. In other words, the bill contains a pious expression of wishful thinking as to what ought to be done, but the bill does not implement it. As I understand the Senator's amendment, it would implement that policy as to certain fiduciary positions.

Mr. McCLELLAN. It should be provided as a matter of law that such officers will be acting in a fiduciary capacity. That is true of officers of other institutions who act as trustees or handle money in trust, or are considered fiduciaries by reason of being officers who handle money. But in the bill a declaration of policy is made that it is in the national interest. I simply say it ought to be provided in the bill that such officers have fiduciary responsibility.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. CURTIS. Could it not be truthfully said that this amendment is wholly for the benefit of union members?

Mr. McCLELLAN. It is absolutely for the protection of union funds.

Mr. CURTIS. Which belong to the members.

Mr. McCLELLAN. Yes; the union funds and the trustee funds.

Mr. CURTIS. And in no sense does the amendment deprive any worker of any right whatsoever, but, as a matter of fact, increases his right.

Mr. McCLELLAN. It simply imposes on the officer the responsibility which is imposed on every other officer who handles money transactions.

Mr. CURTIS. And makes him realize that the money belongs to others and that he is handling it in trust.

Mr. McCLELLAN. That is correct. In the select committee we found many instances of violations of that trust. Probably the most flagrant instance was the Beck situation. Instead of assuming his responsibility and the obligation to handle union money as if it belonged to the union, he simply handled it for his own personal profit and gain. In other words, he pilfered nearly $400,000 of union funds, as we discovered.

Mr. CURTIS. Mr. President, will the Senator yield further?

The PRESIDING OFFICER. The time of the Senator from Arkansas has expired.

Mr. McCLELLAN. I yield myself 2 more minutes.

The PRESIDING OFFICER. The Senator from Arkansas is recognized for 2 additional minutes.

Mr. CURTIS. We uncovered a number of instances wherein union funds and profits were handled by corrupt officers, just as though they had a proprietary interest in the money.

Mr. McCLELLAN. Yes.

Mr. CURTIS. That situation obtained in some of the Johnny Dio unions in New York. It also was true of the operating engineers in San Francisco. In a number of cases individuals handled union money without regard to who owned the money.

Mr. McCLELLAN. Yes. I may remind my distinguished colleague—and I say this for the information of all Senators—that the Teamsters' Union in St. Louis was bought out and paid off. The officers were, in effect, bought out, and the union was turned over to the person who is there now, Gibbons. How was that money obtained? The retirement pay money was used.

Mr. CURTIS. Or severance pay.

Mr. McCLELLAN. Yes. The retirement or severance pay money was given to the officers who were bought out.

I do not think the union members, the working people, pay their dues in the unions for that sort of manipulation. If we establish a fiduciary responsibility under the law, I do not think union officers could perpetrate such acts.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. McCLELLAN. I am happy to yield to the distinguished Senator from New York.

Mr. JAVITS. The matter of the fiduciary relationship underwent study in the committee. I have an amendment on the desk to deal with the subject in a somewhat broader context. I should like

to develop the subject with the Senator from Arkansas, who has had a great deal of experience with the problem.

It seems to me the proposal which the Senator has made is a fine one, and I am in favor of it, but I do not think it fully meets the situation. We also have the problem of a union official who invests in a business in which his own people are employed.

The PRESIDING OFFICER. The additional time of the Senator from Arkansas has expired.

Mr. McCLELLAN. Mr. President, I yield myself 1 additional minute.

Mr. JAVITS. We have a problem, perhaps, with regard to buying into a competing business. There are problems of getting money from somebody else to do a favor, for which the union member has a right to an accounting.

Even if we adopt the amendment which has been proposed, to which I have no objection, would it not be better to try, even after that, to find some formula, which I am endeavoring to work out, with which to deal with the whole fiduciary relationship, especially in terms of a remedy?

Once fiduciary responsibility is stated it will soak up all the common law, all the State law, and all the Federal law. Really, what we need in the bill, to give it teeth, as we did in the New York bill, which is a good model, is some remedy.

I ask the Senator if he does not feel that notwithstanding the adoption of the pending amendment we must go still further to try to cast a net for the whole fiduciary responsibility problem?

Mr. McCLELLAN. Yes; I do. Frankly, I think the union member should be given a right to sue for recovery. I have another amendment along that line.

Mr. JAVITS. Perhaps the Senator from Arkansas and I can get together on this matter.

Mr. McCLELLAN. I would be happy to join with the Senator, and I would be happy to support an amendment which he may sponsor to do exactly that.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. McCLELLAN. I am happy to yield.

The PRESIDING OFFICER. The additional time of the Senator from Arkansas has expired.

Mr. ALLOTT. As the Senator knows, I also have an amendment at the desk on this subject.

Mr. McCLELLAN. Mr. President, I yield myself 2 more minutes.

The PRESIDING OFFICER. The Senator from Arkansas is recognized for 2 minutes additional.

Mr. ALLOTT. I also have an amendment at the desk on this subject. I have tried to approach it from another way, by asserting what is the fiduciary responsibility. I hope, in the offering of other amendments and in the conference the Senator from Arkansas will have with the Senator from New York that I may have an opportunity to get together with the Senators, to spell out the rights we expect to retain for the union membership under the fiduciary responsibility provisions.

Mr. McCLELLAN. I would be happy to work with the distinguished Senator, and with the Senator from New York.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield so that I may ask for the yeas and nays on the amendment?

Mr. McCLELLAN. I would be happy to have the yeas and nays, unless the amendment is accepted.

Mr. WILLIAMS of Delaware. Mr. President, I ask for the yeas and nays on the amendment of the Senator from Arkansas.

Mr. ERVIN. Mr. President, will the Senator from Massachusetts yield me some time so that I may ask some questions?

Mr. KENNEDY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KENNEDY. Would I be permitted, before the request is acted upon, to ask the Senator from Arkansas a question?

Mr. McCLELLAN. Let us wait a few minutes about the request for the yeas and nays.

Mr. WILLIAMS of Delaware. Very well. What was the decision? Were the yeas and nays ordered?

The PRESIDING OFFICER. The yeas and nays have not been ordered yet.

Mr. KENNEDY. Mr. President, I yield 10 minutes to the Senator from North Carolina [Mr. ERVIN].

The PRESIDING OFFICER. The additional time of the Senator from Arkansas has expired.

Mr. ERVIN. Mr. President, I should like to have some clarification as to exactly what obligation the amendment seeks to put upon an officer, agent, or representative of a labor organization having a trust in money or other property.

The PRESIDING OFFICER. How much time does the Senator from Massachusetts yield to the Senator from North Carolina?

Mr. KENNEDY. Mr. President, I yield 10 minutes to the Senator from North Carolina.

The PRESIDING OFFICER. The Senator from North Carolina is recognized for 10 minutes.

Mr. ERVIN. What obligation is there, other than the obligation to keep safely such money or property?

Mr. McCLELLAN. I do not think the amendment would impose any other obligation, but I will say that we have found officers who have gone to the executive board or the governing body of a union in an endeavor to manipulate authorization of this or that operation, far beyond the union purposes. In that way they have violated the fiduciary responsibilities which I think should rest upon them.

Mr. ERVIN. I was wondering whether the amendment would add anything to the obligation now resting upon such persons. A person holding the funds or property of another, of course, does owe the other persons the obligation of safely keeping the property and devoting it to the purposes which he may be authorized by the owners of such money or property to use it. Am I correct in my understanding that it is the position of the Senator from Arkansas that would be the fiduciary responsibility and duty?

Mr. McCLELLAN. I think that is correct. I believe, in a sense, there is such responsibility now. What we would do is declare that to be the law.

It is indicated that is the national policy or that is in the national interest, and that those in such positions should act in a fiduciary capacity. The authors of the bill felt that much, at least, was necessary, and it was set forth in the preamble. I am now simply seeking to implement the preamble by making it a matter of law.

Mr. ERVIN. When the Kennedy-Ives bill was before the Senate last year, an amendment was offered concerning the undertaking to impose a fiduciary obligation without defining what was the fiduciary obligation. As I construe the amendment, the Senator is undertaking to define what is the nature of the fiduciary obligation by saying that the custodian of the property or the money of a union occupies the post of a trustee with respect to such money, and, if I correctly construe the language, the purpose is to make that person responsible for the safekeeping of the money and for the devotion of the money to whatever purposes may have been authorized by the union.

Mr. McCLELLAN. To the legitimate union purposes. This provision is applicable notwithstanding any grant of authority purporting to exempt such persons from such responsibility. These persons may go before the board which is appointed as the executive committee or the executive governing body, which board they control, since they have appointed the members and fixed the salaries of the president and secretary, and they may get the board to approve the use of the money for a purpose which is not legitimate union business and union service.

The purpose of the amendment is to make sure that notwithstanding any purported authority, such persons would still be acting in a fiduciary capacity and would have to meet the responsibility.

Mr. ERVIN. The Senator does not construe the amendment, does he, to exempt any custodians of union funds or union property from any obligation now resting upon them?

Mr. McCLELLAN. It certainly would not. The amendment certainly intends to prohibit devices which have been used, such as having the governing body give authority to do something which is not within the purposes of the union. The amendment would retain the fiduciary responsibility irrespective of any effort to get around the law and to evade the obligation, as is now being done.

Mr. ERVIN. In other words, the objective of the Senator is to make it clear that from the standpoint of Federal law the obilgations which already rests upon such persons under State law, to safely keep and properly apply money or property in their custody, are maintained and made more clear?

Mr. McCLELLAN. I think that is exactly what we are trying to do. I am sure

I need not repeat the argument for this amendment, for my colleague and I have served on the committee and have seen the many devious ways of pilfering, robbing, misusing and misappropriating and usurping power and authority. I think it is somewhat important that we take this action. I hope the amendment will be adopted.

Mr. KENNEDY. Mr. President, I should like to ask the Senator from Arkansas a few questions.

Suppose an officer of a union expends money for an educational purpose, to advance what he and the other officers consider to be the interests of the union. Assume that there is nothing dishonest about the expenditure. It is not an expenditure for the purpose of taking money in a back-door deal. It is an honest expenditure for educational purposes, without any impropriety. Under the amendment of the Senator from Arkansas, would it be possible for a member to sue, on the argument that the educational purpose, which he does not like, is not really in keeping with the purposes of a labor organization? Could he take the case into court?

Mr. McCLELLAN. He might make such an allegation, and he might go to court. Each case must stand on its own merits. If the court found that the money was used for legitimate union purposes, for purposes which were proper under the constitution, and that it had been voted to authorize the use of money for educational purposes, I think it would come within the purview of the authority and right of the union officer. But, as my friend knows, the purpose of this amendment is to get at those who organize an executive board of their own, whose members are all in cahoots. One says to the other, "I will keep you employed at a good salary and give you a good expense allowance. You just do what I want."

That sort of thing is being done. Union treasuries are being pilfered in that way. I believe that this is a good amendment.

In the declaration of findings, purposes, and policy, at the beginning of the bill, it is said to be in the national interest to require such union officers to act in a fiduciary capacity. If that is what we mean, let us put it into law.

Mr. KENNEDY. That is somewhat different, it seems to me, from what is proposed here. Traditionally, questions of fiduciary relationships have been decided in State courts under the common law. Now it is proposed to provide a Federal remedy and a Federal rule.

I should like to know the meaning of the term "fiduciary." A labor organization has quite a different relationship with its members than does a trustee of an estate, or a director of a bank, whose sole function is to preserve the corpus. In this case we have an organization attempting to advance the economic interest of the members. Without a full realization of the purposes of the amendment, I would be reluctant to accept it, because this is an entirely new field, and I would not wish to accept the amendment unless I knew exactly what responsibilities would rest on the fiduciary. He is not a trustee in the sense I have described. We wish to make sure that he spends the money honestly. I do not wish to circumscribe what I would consider to be a legitimate function. It is proposed to add a Federal remedy, even though, as I understand the amendment of the Senator from Arkansas, he would continue the State remedy.

I know that the Senator will bear with me. I wish to attempt to decide exactly what restraint the proposed amendment would place on a union officer.

The PRESIDING OFFICER. The time of the Senator from Massachusetts has expired.

Mr. KENNEDY. Mr. President, I yield myself 10 minutes.

Mr. President, what I am attempting to do is ascertain the purpose of the amendment. Is it the purpose of the amendment to insist that union officers who expend money shall not have a conflict of interest, and that they shall not attempt, through indirect means, to pilfer a union treasury for their own benefit? If so, in my opinion it would be a proper amendment.

Mr. McCLELLAN. That is exactly what I am trying to do. I have not had the opportunity to study the question as thoroughly as the Senator has done during the course of the hearings. However, I know that there have been flagrant and repeated abuses in this area.

Inasmuch as in the declaration of findings, purposes, and policy, it is stated that it is in the national interest for union officers to act in a fiduciary capacity and faithfully observe all fiduciary responsibilities, I thought we should spell it out in the law, and say that they are bound to do so.

Mr. KENNEDY. I repeat that the reason why I raise this question is that anyone who studies State statutes, or the decisions of State courts, will realize that there is a well developed body of law in the States defining the term "fiduciary." In addition, the bill prohibits conflict of interest, and places very severe restraints on an officer who may undertake to rob a union treasury. Now, in addition to the State remedy, it is proposed to provide a Federal remedy, without any previous decisions in this area, and without any statute.

Therefore I think it is most important that the Senator make clear exactly what the amendment means. The amendment may be agreed to.

We both agree that a union officer does not have the same function as the trustee of an estate, or the director of a bank, except that both are required to deal honestly with the funds in their possession. I am concerned lest we place a restraint on the purposes for which money may be properly and honestly spent, in our attempt to safeguard union funds.

Mr. McCLELLAN. I do not believe we are proposing to do that. It is not my purpose to do that.

A union may wish to conduct an educational program. I am not opposed to such programs. I think a union should have the right to conduct educational programs. I never wish to deny to a union the right to participate in the affairs of society and of our country.

It is possible that at times the right may be abused, but I defend the right of a union, a corporation, or any other institution, to discuss any proper subject, from the standpoint of education, from the standpoint of enlightenment, or from the standpoint of conveying its views on any public issue. I believe in that right. I would never take it away. I am not striving to do anything of the kind. I am merely seeking to firm up and nail down the fiduciary responsibilities which I believe union officers should have in the financial field.

Mr. ERVIN and Mr. CARROLL rose.

Mr. KENNEDY. I yield first to the Senator from North Carolina, and then to the Senator from Colorado.

First, I remind the Senator from North Carolina that last year he objected vigorously to imposing a Federal fiduciary relationship on union officers. Upon that occasion he said:

> Mr. President, I have two fundamental objections to the amendment. The first is that it would have a tendency to complicate simplicity. The amendment undertakes to impose by Federal law a trust obligation or a fiduciary obligation upon union officers who handle money. Such obligations are now imposed upon such officers by State laws.
>
> So the first fundamental trouble with the amendment is that it undertakes to impose upon union officers who handle these funds a Federal trust relationship or a Federal fiduciary relationship to the union members; but nowhere does the amendment define what the consequences of such a relationship are under Federal law; and I know of no Federal statute which defines the obligations which rest upon a fiduciary or upon a trustee. Therefore, we would have the creation of a Federal right without a definition of the responsibilities which would go with that right; and that would introduce into the law confusion, rather than protection, in my judgment.

I ask the Senator from North Carolina what his feeling is this year, and in what way the language of the pending amendment may differ from the language of the amendment offered last year.

Mr. ERVIN. As I recall, the language of last year's amendment was entirely general. It provided a fiduciary obligation without undertaking to express in any way what the fiduciary relationship was. As the Senator from Massachusetts well says, there are many fiduciaries under State laws, such as executors, administrators, trustees, and others whose duties are defined by State law.

I think there is a distinction between this amendment and the amendment offered last year.

The Senator says, in effect, that a union officer owes a duty of trust in respect to the money or property of the union in his hands. According to my interpretation—and the Senator from Arkansas says he agrees with that interpretation—that would impose upon the union officer the obligation as a trustee to safeguard the particular money or property which is committed to him, and would also impose upon him the obligation not to dispose of the property or to expend the money for anything except legitimate union purposes.

Mr. KENNEDY. When the Senator uses the term "safeguard" he does not mean that it is comparable to safeguarding the corpus of capital, but rather he means that the money must be expended in such a way as to safeguard the interest of the union, in accordance with the way the members of the union may decide the money should be expended.

Mr. ERVIN. That is correct. In other words, I could put it this way. We are under an obligation to see that the money is safely kept, to the end that it may be applied to duly authorized and legitimate union purposes.

Mr. KENNEDY. As I understand, the Senator from Arkansas holds that view also.

Mr. McCLELLAN. That is correct. If the Senator has any thought that I am trying to interfere with COPE, that is not correct. There may be amendments directed to that point, and to deal with that direct question. However, I am not offering my amendment on the direct question of political contributions. Everyone knows my views on that subject, I assume. This is not a drive at that situation. It is a drive at the skulduggery of some leaders when they meet in executive session and pay off this one and pay off that one.

Mr. KENNEDY. I should like to ask the Senator a question. As I understand the provision in his amendment, it refers not to the membership voting to do that which is legitimate so far as union business is concerned, but, rather, to prevent the membership from voting at a meeting, with only a few of the members present, to give excessive payments to a union officer for illegitimate purposes. It is to prevent the misuse of union funds by a majority at a meeting when that majority represents only a very small minority of the membership, and to prevent action which could perhaps involve the enrichment of certain union officers by a surreptitious deal.

Mr. McCLELLAN. That is, generally, the object of the amendment. I cannot think of every purpose, and I do not know that anyone else can.

Mr. KENNEDY. We are attempting to arrive at some guide points on this subject.

Mr. ERVIN. So far as my personal experience is concerned, I believe this matter is already covered by law in all the States. I do not share the opinion of the Senator from Arkansas that it is essential to do what he suggests we do. However, I do not see that the provision will do any harm to the bill. I would suggest to the Senator that, in line 6 on page 2, he modify his amendment by striking out "grant and authority" and insert in lieu thereof "exculpatory clause or action."

Mr. McCLELLAN. What is the Senator's suggestion?

Mr. ERVIN. The suggestion is that the Senator insert, instead, the words "exculpatory clause or action."

The PRESIDING OFFICER. The time of the Senator from Massachusetts has expired.

Mr. KENNEDY. Mr. President, I yield myself 10 additional minutes.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield to the Senator from Colorado.

Mr. CARROLL. I agree with the Senator from North Carolina [Mr. ERVIN]. I am sure the Senator from Arkansas had no idea of taking away the rights of members of a union for democratic action such as the right of members to give a grant of authority. As I understand it, the whole purpose of the proposed legislation is to ensure members the right to vote and the right to dictate the policy of the union. I believe the amendment should be accepted. It is very important to establish the fiduciary relationship in this field.

Mr. McCLELLAN. Does the Senator yield?

Mr. KENNEDY. I yield.

Mr. McCLELLAN. I may say that there never was any idea of my trying to curb the authority of the members of a union to do whatever the members want to do; rather, it is my intention to protect the members from having the members of a board or a committee vote to do just about anything they want to do, as has been the case in many instances.

Mr. CARROLL. I believe this discussion clarifies that point.

Mr. McCLELLAN. I am willing to accept the suggestion of the distinguished Senator from North Carolina with repect to modifying my amendment.

Mr. President, I modify my amendment on page 2, line 6, by striking out the words "grant of authority", and inserting in lieu thereof the words "exculpatory clause or action."

Mr. HOLLAND. Mr. President, may I ask a question of either the Senator from Arkansas or the Senator from Massachusetts?

Mr. KENNEDY. I believe I should continue to yield to the Senator from Colorado. Then I shall be glad to yield to the Senator from Florida.

Mr. CARROLL. I should like to ask the Senator from Massachusetts if anywhere in the bill—not in the proposed amendment, but in the bill—we have clearly defined the fiduciary obligations of an officer or an agent of a union?

Mr. KENNEDY. No; we have not.

Mr. McCLELLAN. What was the question of the Senator from Colorado?

Mr. CARROLL. I asked the Senator from Massachusetts whether in the bill we define the fiduciary obligation of a union official. My reason for asking the question is that I have in mind what has been done in the State of New York. I have in my hand a memorandum of an act passed by the New York State Legislature, dated March 13, 1959. It deals with an attempt to meet the same problem. I will read a portion of it:

> Responsible leaders of the labor movement have recognized that union officers and agents have a fiduciary duty to serve the members of the union honestly and faithfully, and these leaders have taken courageous action against those who have violated their trust. Experience, however, has shown that labor's efforts to correct abuses from within need to be aided and supplemented by legislation.

In the New York act there are these sections among others: Section 721, covers definitions; section 722 deals with fiduciary obligations of officers and agents; section 723 is entitled "Specific Prohibited Financial Interests and Transactions"; section 724, "Obligation of Employers and Others"; section 728, "Enforcement of Financial Reporting and Accounting Duty."

That is a comprehensive treatment of the subject in the New York act.

Mr. KENNEDY. I would say that in a different form we have it also in the pending bill, in my opinion.

Mr. CARROLL. As I follow the intelligent discussion of the Senator from Massachusetts we are establishing a new Federal right. Is that correct?

Mr. KENNEDY. Yes.

Mr. CARROLL. A new right with respect to union officers.

Mr. KENNEDY. Yes.

Mr. CARROLL. So far as fiduciary relationships are concerned. Is that correct?

Mr. KENNEDY. Yes.

Mr. CARROLL. I am not speaking against the amendment of the Senator from Arkansas, because I will vote for it, and I believe it is a good amendment, but I would like us to make a good legislative record and to establish our legislative intent. Does the Senator not believe we should give a fuller treatment in the bill to this subject, so that we will be understood and so that we will set up definite standards in the bill?

Mr. McCLELLAN. My understanding is that a member of the Committee on Labor and Public Welfare proposes to work out something along that line. The Senator from New York [Mr. JAVITS] has announced that he wishes to do it. Others will consult with him, and wish to colloborate with him in that regard.

Mr. CARROLL. I have borrowed a copy of the New York act from the Senator from New York. I understand he wishes to speak on the subject. This is a fine piece of legislation which the State of New York has passed. It would not be amiss for us to follow along the same line.

Mr. McCLELLAN. I have no objection. In fact, I believe I would be enthusiastically for it, if we can word the bill properly.

Mr. KENNEDY. Mr. President, I am about ready to yield back the remainder of my time. I should like to know if I have an accurate understanding of what the Senator from Arkansas proposes. If it is to give the members of a labor union a new Federal right with respect to their officers, that is one thing. However, if the proposal is the first in a series of proposals setting up elaborate strictures with regard to fiduciary relationships, I should like to look at it further before action is taken on it.

If other language is to be proposed concerning fiduciaries, I think all the language should be considered together, so that we may see where we are going and know where we will arrive, before we set out on the journey. I am sure the Senator from Arkansas will agree with me as to that.

I would be prepared to accept the amendment offered by the Senator from Arkansas as it is worded, and that would settle the matter. But if we are to begin the consideration of a series of other

amendments—I do not think the Senator from Arkansas has any such, but I understand other Senators have—I believe we should take a look at the whole package.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. LANGER. Are there not State laws at present which cover the situation in every instance? If State legislation exists, what is the need for Federal legislation?

Mr. KENNEDY. In my opinion, the State laws, as the Senator from North Dakota said last year, are adequate.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. HOLLAND. I completely approve the position just taken by the Senator from Massachusetts on one point. If other suggestions are to be made in this field, under the unanimous-consent agreement under which we are now acting, I believe that such action should be taken during the consideration of the modification of this amendment. There may be some other amendments which relate to the trust relationship, but I have not seen any. If the Senator from Arkansas has printed and lying at the desk the only amendment which deals with this field, certainly, it seems to me, it would be wise to withhold final action on the amendment until the Senator from New York or any other Senator who wishes to propose modifications or suggestions shall have the opportunity to do so.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. KENNEDY. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Massachusetts has 4 minutes remaining.

Mr. KENNEDY. I ask unanimous consent that I may be yielded 10 minutes on the bill; then I shall yield 5 minutes of that time to the Senator from New York.

The PRESIDING OFFICER. The Senator from Arkansas has 20 minutes remaining.

Mr. McCLELLAN. Mr. President, I will yield 5 minutes of my time to the Senator from Massachusetts.

Mr. KENNEDY. I thank the Senator from Arkansas. Instead of yielding time on the bill, I yield 5 minutes on the amendment to the Senator from New York.

Mr. JAVITS. Perhaps we can resolve this problem. Three questions are involved. One is money. That matter the Senator from Arkansas has covered very well, I think.

The second is the fiduciary relationship established when an investment is made by a union organizer, let us say, in a business in which a union employs him and he makes money out of it.

The third is where he gets something surreptitiously. He may get a bribe or something else. The Senator has covered that. Those are our suggestions. It could be said, I believe, that they are all covered by existing law in one place or another.

But I am satisfied that to create a Federal statute, such as the Senator desires, with respect to money relationship, will still leave the question of the remedy open. The question is, Do we want to leave the question of the remedy open to any suit aside from a Federal court suit which might lie by reason of diversity of citizenship or any other ground outside the statute? Or do we want to have a section of the bill which concerns itself with the right to sue, and to provide in that section a right to the individual member to sue when the union itself does not act, given a decent period of time?

I am laying the matter on the table, so that we can discuss it and determine whether it needs to be included in the bill in order to make airtight the question of fiduciary responsibility and the recourse.

Mr. McCLELLAN. Mr. President, I have at the desk, and propose to offer, an amendment which is designated 4–20–59–0, dealing with the right to bring suits. As now drafted, it reads:

> The Secretary, or any member or members of a labor organization acting on their own behalf, or on behalf of themselves and others similarly situated, or on behalf of the organization, may maintain an action or proceeding in a district court of the United States * * * to obtain * * * an accounting for, and restitution to, such labor organization.

Mr. JAVITS. I have a similar amendment at the desk. We may be able to deal with the whole matter now. My amendment relates to section 109(b), page 21. It gives the right to sue to recover the proceeds of any embezzlement or the like. I had proposed to include, in a very brief way, the right of the individual to sue where a fiduciary responsibility—which is the word of art used in the preamble of the bill, and perhaps it is just as well to use the same word of art—had been violated. If we place the language at that particular point, we will have a complete practice set up which will require an ex parte application before suit can be started at any place.

I would be perfectly willing to agree to the proposal made by the Senator from Massachusetts that we accept the provision which the Senator has suggested to cover all the questions of fiduciary relationship except the question of remedy. I should like to reserve that one point, so that we may use the same plan for it, whether it be that of the Senator from Arkansas or mine or some other Senator's, so long as it deals with the question of remedy, and only that.

But as to the substantial question as to what shall be a breach of fiduciary relation, I am satisfied, as the Senator from Massachusetts suggests, to accept the proposal made with respect to the amendment offered by the Senator from Arkansas.

Mr. McCLELLAN. As I have said earlier, we can try to devise something with respect to remedy, but I feel that in this instance we are dealing with internal corruption. We cannot go too far in making the law positive that we mean that those concerned shall be responsible for the money and shall account for it.

Mr. JAVITS. I certainly agree with the Senator. I made that exception. I think the Senator is correct in saying that we should settle the question here and now; but I think we should reserve the one item with respect to remedy.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. McCLELLAN. If the 5 minutes has not been used up, I yield.

Mr. ALLOTT. I agree substantially with the Senator from New York. As to the first part, so far as I am concerned, I would be happy with the amendment offered by the Senator from Arkansas. But I remind the Senator from New York, and also other Senators, that there is one phase of funds which is not covered and which has been specifically exempted—the welfare and pension funds. In my own amendment, which I feel compelled to offer as an amendment, I have covered the field of welfare and pension funds, as well as union funds, because, as the Senator from Illinois [Mr. DOUGLAS], who is in the Chamber, well knows, we found that not merely a few dollars, but in some circumstances millions of dollars, were stolen from those funds. The provision should apply also to officers who embezzle such funds.

Mr. McCLELLAN. I believe my amendment does cover welfare funds. It covers trust funds in which a union may be interested. I define a trust in which a labor organization is interested as follows:

> (A) Which was created or established by a labor organization, or one or more of the trustees or one or more members of the governing body of which is selected or appointed by a labor organization, and (B) a primary purpose of which is to provide benefits for the members of such labor organization or their beneficiaries.

It seems to me that that covers both pension and welfare funds.

Mr. ALLOTT. I should like to study the Senator's amendment further.

Mr. McCLELLAN. Very well.

Mr. GOLDWATER. Mr. President, I wish to clear up one point as to which the distinguished Senator from North Dakota [Mr. LANGER] raised a question I do not remember hearing the situation made clear.

The Senator from North Dakota asked this, in effect: if State laws exist in this field, are they not adequate? The advice given by lawyers to me is that while they feel State laws are adequate, they are not specific. State laws are complete so far as nonprofit corporations and profit corporations are concerned, but they do not deal specifically with labor or union organizations.

So it is felt by those of us who have advocated fiduciary responsibility in such cases, that unless it is spelled out in the law, the law will not require it.

At present there is no law, either Federal or State, which covers fiduciary responsibility of this sort; I wish to stress that point.

In connection with this matter, it has repeatedly been argued by the author of the bill that such a provision would deal

with an area which already is covered by State law. I may point out that section 109(a) of the bill deals with an area which already is completely covered by State law; namely, embezzlement. Every State has on its books a law against embezzlement; that has been the case since the very beginning of the State laws. Yet this bill, in section 109(a) now contains a definite provision bearing on embezzlement and the punishment for embezzlement. So it is obvious that the bill as it now stands definitely does deal with matters which already are dealt with by State law.

In this connection with this matter, Mr. President, I ask unanimous consent to have printed at this point in the RECORD a definition of fiduciary which has been furnished to me by the Library of Congress.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

DEFINITION OF FIDUCIARY

A fiduciary is a person whose relation to another is such that he is under a duty to act for the benefit of the other, as to matters within the scope of the relation. (Restatement of law trusts.)

"The term 'fiduciary' involves the idea of trust, confidence. It refers to the integrity—the fidelity—of the party trusted rather than his credit or ability. It contemplates good faith, rather than legal obligation, as the basis of the transaction." (*Stoll* v. *King*, N.Y. 8, How. Proc. 299.)

"Partners occupy toward each other, as to the partnership business, a fiduciary relation." (Bouvier.)

"Money is received in a fiduciary capacity when it does not become the absolute property of the one receiving it, but is received for a particular purpose, in which other persons than the one receiving it are interested." (265 F. 343.)

Mr. LANGER. Mr. President, will the Senator from Arizona yield to me?

Mr. GOLDWATER. I yield.

Mr. LANGER. Sometimes an enemy of an organization will bring one lawsuit after another against it, in order to attempt to ruin it. I would not wish to be party to a provision which would enable such a situation to develop—one in which one lawsuit after another could be brought against such an organization, with resultant great expense to it.

Mr. GOLDWATER. Of course, today the situation is that virtually all groups, except labor organizations, require fiduciary responsibility on the part of their officials. The minister of the church which my friend, the Senator from North Dakota, attends is required by State law to have fiduciary responsibility—as is true in the case of all other nonprofit organizations. Yet the leaders of labor organizations are not required to have similar fiduciary responsibility.

Likewise, the president of the Red Cross, the president of the YMCA, and the president of the YWCA are required to have fiduciary responsibility, as spelled out in the State laws which relate to nonprofit organizations. On the other hand, a union leader is not required to have such fiduciary responsibility.

We propose this amendment only in order to provide some relief in that situation, because I know of no existing law which makes possible the recovery of funds which are improperly taken from a labor organization by one of its leaders. For instance, the vast sums of money which Dave Beck took from his union can never be recovered by law, according to my understanding.

Mr. ALLOTT. Mr. President, will the Senator from Arkansas yield to me?

Mr. McCLELLAN. I yield.

Mr. ALLOTT. I have examined the Senator's amendment. It covers adequately, I believe, the point I raised a moment ago in regard to pension and welfare funds. Under section 302(c) of the Taft-Hartley Act there have been many abuses; and, as a result, many of the beneficiaries have not been able to obtain pensions.

I think the language now proposed will help protect the beneficiaries of those funds.

Mr. McCLELLAN. I thank the Senator from Colorado.

Mr. President, I ask unanimous consent that at this time I may suggest the absence of a quorum, and that the time required for the quorum call shall not be charged to the time available to either side under the unanimous-consent agreement.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered; and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, will the Senator from Arkansas yield me time out of his time?

Mr. McCLELLAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Arkansas will state it.

Mr. McCLELLAN. I should like to inquire if the clerk at the desk has inserted the language that I asked unanimous consent be inserted as a modification of my amendment.

The PRESIDING OFFICER. The modification has been made.

Mr. McCLELLAN. As a further parliamentary inquiry, I should like to check on the language. Have the following words been inserted after the word "any" on line 6, page 2: "exculpatory clause or action"?

The PRESIDING OFFICER. That language has been inserted.

Mr. McCLELLAN. If it is satisfactory, I yield back the remainder of my time.

Mr. KENNEDY. Mr. President, I believe my time has expired. Is that correct?

The PRESIDING OFFICER. All time for debate on the amendment has expired.

The question is on agreeing to the amendment of the Senator from Arkansas, as modified.

Mr. CURTIS. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were not ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Arkansas, as modified. (Putting the question.)

The amendment was agreed to.

Mr. CURTIS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CURTIS. What was the ruling on the request for the yeas and nays?

The PRESIDING OFFICER. There was not a sufficient number to second the request.

Mr. CURTIS. Has the vote been taken?

The PRESIDING OFFICER. The vote has been taken, and the amendment has been agreed to.

Mr. CURTIS. Mr. President, there was a discussion a moment ago. There was a request for the yeas and nays. It was withdrawn temporarily.

The PRESIDING OFFICER. The yeas and nays were requested.

Mr. CURTIS. By the distinguished Senator from Delaware, and he withheld that request temporarily. It was my understanding we were going to have the yeas and nays on the McClellan amendment.

Mr. KENNEDY. Mr. President, a parliamentary inquiry. Would it be possible to have a reconsideration of that vote?

The PRESIDING OFFICER. The Senator from Nebraska has the floor.

Mr. CURTIS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Nebraska will state it.

Mr. CURTIS. What was the vote on the amendment? How many "yeas" were there, and how many "nays" were there?

The PRESIDING OFFICER. The yeas and nays were not ordered.

Mr. CURTIS. Were there any "nays"?

The PRESIDING OFFICER. The Chair did not hear any.

Mr. CURTIS. Then, Mr. President, does the record as it stands indicate that the amendment was agreed to unanimously? There were no "nays"?

The PRESIDING OFFICER. The record will show that the amendment was agreed to.

Mr. CURTIS. And that there were no "nay" votes. Is that correct?

The PRESIDING OFFICER. The record does not show any number voting on either side.

Mr. CURTIS. Mr. President, a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CURTIS. Does the record show that anyone voted against the amendment?

The PRESIDING OFFICER. The record simply shows that the amendment was agreed to.

Mr. CURTIS. Mr. President, what I am asking is this: The Presiding Officer called for the "noes." Did any Senator respond, voting "no"?

The PRESIDING OFFICER. The Chair heard no response.

Mr. CURTIS. Very well, Mr. President. I withdraw my request for the yeas and nays.

Mr. McCLELLAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McCLELLAN. Do I correctly understand that the amendment of the Senator from Arkansas has been agreed to by the Senate?

The PRESIDING OFFICER. The understanding of the Senator from Arkansas is correct.

Mr. ALLOTT. Mr. President, I should like to have the RECORD show that I am present and that I voted "aye."

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, for myself, the Senator from Arkansas [Mr. McCLELLAN], the Senator from Colorado [Mr. ALLOTT], and the Senator from Vermont [Mr. PROUTY], I call up the amendment which is at the clerk's desk, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 21, lines 14 through 25, and page 22, lines 1 through 16, it is proposed to strike out all of subsection (b) of section 109 and insert in lieu thereof the following:

(b) When any officer or employee of any labor organization is alleged to have embezzled, stolen, or unlawfully and willfully abstracted or converted to his own use or the use of another any money or property of the labor organization, and the labor organization or its governing board or officers refuse or fail to sue to recover such money or property or the value of the same or for other appropriate relief within four calendar months after being requested to do so by any member of the labor organization, any member of the labor organization may sue such officer, representative, or employee in any district court of the United States or in any State court of competent jurisdiction to recover such money or property or the value thereof or for other appropriate relief, for the benefit of the labor organization. No such proceeding shall be brought except upon leave of the court obtained upon verified application and for good cause shown, which application may be made ex parte. The trial judge may allot a reasonable part of the recovery in any action under this subsection to pay the fees of counsel prosecuting the suit at the instance of the member of the labor organization and to compensate such member for any expenses necessarily paid or incurred by him in connection with the litigation. Nothing in this subsection shall reduce or limit the responsibilities of any officer, or employee of a labor organization under any other law of the United States or the law of any State, and nothing in this subsection shall take away any right or bar any remedy to which members of a labor organization are entitled under any such law.

Mr. McCLELLAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McCLELLAN. What was the reference to the lines in the bill?

The LEGISLATIVE CLERK. Page 21, lines 14 through 25, and page 22, lines 1 through 16.

Mr. McCLELLAN. I thank the clerk very much.

Mr. JAVITS. Mr. President, I am very honored to be allowed by my distinguished colleagues to present this amendment on behalf of all of us who are interested in this subject. It is truly a collaborative effort.

Mr. President, the objective of the amendment is to give the individual union member a right to sue for a breach of the trust relation which was established by the McClellan amendment, and also to give the union member a right to sue for the breach of any other trust or fiduciary relation which now comes within the broad words of the amendment, the words being—

When any officer or employee of any labor organization is alleged to have embezzled, stolen, or unlawfully and willfully abstracted or converted—

These are all words of art and, we believe, very broad in their coverage as to the relationships which we discussed in connection with the McClellan amendment. They fall into three categories.

There is a trust relation for money specified in the McClellan amendment, now a part of the bill, and I think quite properly so.

There is the relationship of a breach of trust where a union officer might have an investment or some other financial activity which is against the interests he is elected and authorized to represent.

Finally there is reference to the moneys improperly received, whether bribes or otherwise.

The trust relation being set up, and the fiduciary relation being referred to in the purpose of this bill, the provision which is now submitted and which is before the Senate by way of an amendment seeks to give a remedy. What is the remedy? The remedy provides that when any member complains to the labor organization about this matter, pretty much the same as any stockholder in a corporation, and waits a reasonable time, which we fix in the bill at 4 months—I will give the reason for the time period in a minute—and the union itself does not do anything about the matter, then the member may go into court and ask for leave to sue in what we lawyers call an ex parte proceeding, which can be done within a year. If the member is given leave to sue—in other words, if he shows he has complied with the statute and shows some probable cause—he may sue, and if he recovers, the court may allocate to his lawyers and to him a part of the recovery by way of expenses. This is the traditional technique pursued in stockholder suits, and the amendment would extend the same rights and opportunities to the union members.

Mr. President, the time period is 4 months, to which I referred, and represents a reduction from the time period which is now in the bill. As the bill now reads, it relates only to money which is embezzled or stolen, where the officer has been convicted of embezzling or stealing it. This amendment would very greatly broaden that provision.

As the bill now reads, there is a provision for a 6 months' waiting period. I thought that was much too long, and I proposed 3 months. We are persuaded that the 4 months' provision is fair, because some of the union boards meet every quarter, and if we assume the major time lapse to be involved we ought to give an opportunity for the board to meet and for the member to decide whether to sue or not to sue.

Mr. President, I think this is an eminently proper and needed amendment. It is a matter about which I urged action in the committee.

As I said when I began, I am honored that my colleagues have entrusted me with the responsibility of presenting the amendment before the Senate. I hope it will be adopted as part of the package we have been discussing with the Senator from Arkansas.

Mr. McCLELLAN rose.

Mr. JAVITS. Mr. President, I yield 5 minutes to the Senator from Arkansas.

Mr. McCLELLAN. I wish to say to the distinguished Senator from New York that I am very happy to be associated with him as a cosponsor of the amendment. Considering the changes which have been made in the language of the original bill, with the fiduciary section which we have adopted as an amendment to the bill, I think the bill now actually will afford some real protection, and will give a remedy which will improve the fiduciary relations of some people who, I know, have in the past abused those relations.

Mr. JAVITS. I thank my colleague.

Mr. KENNEDY. Mr. President, since this amendment is well drawn, I accept it, because I believe it provides for an effective right to enforce the fiduciary remedies which we have made available in a previous amendment. I hope the Senate will accept the amendment.

Mr. JAVITS. Mr. President, I am prepared to yield back the remainder of my time if the Senator from Massachusetts is prepared to yield back the remainder of his time on the pending amendment.

The PRESIDING OFFICER. Does the Senator from Massachusetts yield back the remainder of his time?

Mr. KENNEDY. I yield back the remainder of my time.

Mr. JAVITS. I yield back the remainder of my time.

The PRESIDING OFFICER. All remaining time has been yielded back. The question is on agreeing to the amendment offered by the Senator from New York [Mr. JAVITS] for himself and other Senators.

The amendment was agreed to.

Mr. McCLELLAN. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 30, before the period at the end of line 23, it is proposed to insert, after the word "organization", the following:

; (E) a full and complete account of the financial condition of such subordinate organization as of the time trusteeship was

assumed over it and as of not more than 30 days prior to the making of such report, which account shall include a detailed statement of any funds transferred to such national or international labor organization or to any other labor organization from such subordinate organization.

Mr. McCLELLAN. Mr. President, this provision is taken from an amendment which I had proposed to offer, which has been printed and lies on the desk.

I have discussed this amendment with the distinguished Senator from Massachusetts, and we believe the amendment would give added protection, and require proper reporting with respect to trusteeship. It fills a gap which I am sure was an oversight at the time this provision in the bill was drafted.

I am sure there can be no objection to the amendment. It is in line with what we all have in mind, to preserve integrity in the financial affairs of unions. I trust the distinguished Senator from Massachusetts will accept it.

Mr. KENNEDY. Mr. President, I believe this amendment would serve the purpose of clarifying and strengthening the trusteeship provision. I am delighted to accept it.

I am prepared to yield back the remainder of my time.

Mr. McCLELLAN. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All remaining time has been yielded back.

The question is on agreeing to the amendment offered by the Senator from Arkansas.

The amendment was agreed to.

Mr. KENNEDY. Mr. President, on behalf of the Senator from Arkansas [Mr. McCLELLAN] and myself, I offer the amendment which I send to the desk and ask to have stated. It is designated "4-21-59-F."

The PRESIDING OFFICER. The amendment will be stated. Does the Senator wish the amendment read?

Mr. KENNEDY. Yes.

The LEGISLATIVE CLERK. On page 25, line 21, and extending to page 26, through line 3, it is proposed to delete subdivision (3).

On page 30, between lines 5 and 6, it is proposed to insert the following new section:

SEC. 113. (a) It shall be unlawful to carry on picketing on or about the premises of any employer for the purpose of, or as part of any conspiracy or in furtherance of any plan or purpose for, the personal profit or enrichment of any individual (except a bona fide increase in wages or other employee benefits) by taking or obtaining any money or other thing of value from such employer against his will or with his consent.

(b) Any person who willfully violates this section shall, upon conviction thereof, be guilty of a felony and be subject to a fine of not more than $10,000 or to imprisonment for not more than twenty years or both.

Mr. KENNEDY. Mr. President, I yield myself 4 minutes.

Under the provisions of the Kennedy-Ervin bill last year we provided that anyone who engaged in picketing for the purpose of a shakedown should be guilty of an unfair labor practice. That was an additional remedy, to be available in addition to the Hobbs Act.

There has always been some question as to whether the Hobbs Act applied to cases in which violence did not take place. In addition, this provision provided a quicker remedy. It provided for compulsory immediate injunction, while the criminal prosecution might be going on.

There was some objection to making this practice an unfair labor practice, and a felony rather than a misdemeanor. The Department of Justice raised the question 3 or 4 days ago as to whether this provision might not raise some question as to the sanctions available under the Hobbs Act. Therefore, in order to make sure that there is no choice of sanctions, as between those which might be misdemeanors and those which might be felonies, the amendment is now rewritten, so that the sanctions against using a picket line for the purposes of extorting money are now identical with those under the Hobbs Act.

This provision would not weaken or change the Hobbs Act. It would merely provide that when there is any question as to whether the Hobbs Act applies in cases in which violence does not occur—as in the case of shakedown picketing—adequate sanctions are provided. This language is in accordance with the views of the Department of Justice.

Mr. McCLELLAN. Mr. President, will the Senator yield me 3 or 4 minutes?

Mr. KENNEDY. I yield 4 minutes to the Senator from Arkansas.

Mr. McCLELLAN. Mr. President, I have an amendment dealing with this section of the bill, which would be a substitute for the pending amendment after its adoption, plus a substitute for other provisions in the bill. It goes further and deals with recognitional picketing, and also organizational picketing, which are not included in the pending amendment.

I wish to propound a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McCLELLAN. Will I still be able to offer an amendment to this section dealing with organizational and recognitional picketing, notwithstanding the adoption of the pending amendment?

The PRESIDING OFFICER. The amendment of any part untouched by the pending amendment would be in order; or a substitute for the entire section would be in order.

Mr. McCLELLAN. I fully agree with the objectives of the pending amendment, and believe it should be adopted, if this provision is to remain in the bill. I am happy to cosponsor it. But I do not wish to preclude myself from offering amendments which go further and deal with organizational picketing and recognitional picketing. If I am not precluded from doing that, I sincerely wish to have the pending amendment agreed to. I submit that as a parliamentary inquiry.

The PRESIDING OFFICER. Such an amendment would be in order.

Mr. McCLELLAN. I thank the Chair. I hope the pending amendment will be agreed to.

Mr. GOLDWATER. Mr. President, I ask the Senator from Arkansas if he would be willing to insert, in line 5 of his amendment, after the words "carry on," the words "or threaten to carry on," so as to read:

It shall be unlawful to carry on or threaten to carry on picketing on or about the premises of any employer—

And so forth. I suggest that change for the reason that many examples have been cited before the McClellan committee to show that the mere threat of picketing can often achieve what picketing is designed to accomplish.

Mr. KENNEDY. The only reason why I should like to take a very careful look at the proposal is that the penalty is exceptionally heavy. It is a fine of $10,000 or imprisonment for not more than 20 years, or both. Therefore I should like to have a little time to analyze what is meant by the word "threaten."

Mr. GOLDWATER. I agree that the penalty is severe. However, the same result we are talking about could be achieved by a threat. Of course, the full penalty would not have to be applied in each case. I would hope that the Senator would accept the amendment, because it would eliminate the threat.

Mr. KENNEDY. This is really the first time I have had an opportunity to look at the proposed language. I am not sure that I would object to it after it was analyzed. I am not prepared to say that we could accept the language and attach it to a statute which carries such jeopardy, particularly when the word "threaten" is an extremely vague one. If a man receives money, of course, he would be subject to the provisions of the act anyway, if the employer paid him off. I believe the language is too vague to apply here. Perhaps there is another place in the bill where the Senator could suggest it be added. Perhaps it could be added to another section of the bill after we have had an analysis of what the word "threaten" means.

Mr. GOLDWATER. It is not of such urgency that I would insist on the amendment being made now, or added to this part of the bill. However, I do believe that a person can be threatened with picketing, and the result could be the same as the actual illegal picketing.

Mr. KENNEDY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KENNEDY. Would it be in order for the Senator from Arizona at a later time to offer the amendment to the section we are discussing, by adding a sentence to it? It would amount to inserting language on page 1, line 5. It would involve the addition of further language, not the striking out of any language.

The PRESIDING OFFICER. It could be done provided the language were germane.

Mr. GOLDWATER. I will think it over. It may be possible to add the language to another part of the bill. It could possibly be taken care of with another picketing amendment.

Mr. KENNEDY. I am prepared to yield back the remainder of my time.

The PRESIDING OFFICER. Does the Senator from Arkansas yield back the remainder of his time?

Mr. McCLELLAN. I yield back the remainder of my time.

The PRESIDING OFFICER. All time for debate has expired. The question is on agreeing to the amendment offered by the Senator from Massachusetts, on behalf of himself and the Senator from Arkansas.

Without objection, the amendment is agreed to.

Mr. CURTIS. Mr. President, I rise for the purpose of offering an amendment, identified as 4–17–59–E.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 35, line 12, it is proposed to strike out "its constitution and bylaws" and insert in lieu thereof "this section, and with its constitution and bylaws to the extent that they are not inconsistent with this section".

On page 35, line 18, strike out "its constitution and bylaws" and insert in lieu thereof "this section, and with its constitution and bylaws to the extent that they are not inconsistent with this section".

On page 36, lines 11 and 12, strike out "the labor organization's constitution and bylaws" and insert in lieu thereof "this section, and with the labor organization's constitution and bylaws to the extent that they are not inconsistent with this section".

Beginning with line 13 on page 36, strike out over through line 16 on page 37 and insert in lieu thereof the following:

(d)(1) Candidates in any election required by this section to be held by secret ballot shall be selected as provided in this paragraph. There shall be mailed to each member of the labor organization at his last known home address a primary ballot containing a list of the offices to be filled. Each such member shall be entitled to place on such primary ballot the name of the person of his choice for each such office and to return such ballot by mail within a reasonable specified time to a counting officer designated by the labor organization as provided in paragraph (4). The counting officer shall tabulate and certify the results of the balloting to the labor organization and to the two persons receiving the highest number of votes for each office. The two persons receiving the highest number of votes for any office to be filled shall be the candidates for such office.

(2) An election required by this section to be held by secret ballot shall be conducted as provided in this paragraph. There shall be mailed to each member of the labor organization at his last known home address an election ballot containing a list of the offices to be filled and the names of the candidates selected as provided in paragraph (1) for each such office. Each such member shall be entitled to indicate on such ballot his preference for one of the two candidates for each such office and to return such ballot within a reasonable specified time by mail to a counting officer designated by the labor organization as provided in paragraph (4). The counting officer shall proceed to tabulate the votes and certify the results to the labor organization and to each candidate. The candidate receiving the highest number of votes for any office shall be deemed to have been elected to such office.

(3) The ballots required to be mailed under paragraph (1) or paragraph (2) shall be accompanied by appropriately addressed return envelopes so designed that the name of the member casting the ballot will appear on the outer envelope in order that it may be checked against the membership list of the labor organization for the purpose of verifying the eligibility of the voter. Such ballots shall be received and handled by the counting officer in such manner as will preserve the secrecy of the ballot. All ballots cast shall be preserved by the counting officer for a period of ninety days during which such counting officer shall permit their inspection, in his presence, by the two persons receiving the highest number of votes for any office in the case of an election held for the purpose of nominating candidates, or by a candidate in any other election, or by the duly authorized representative of any such person or candidate.

(4) The Secretary shall establish and publish a list of qualified individuals who are available to act as counting officers for the purpose of this paragraph. In establishing such list, the Secretary shall insofar as possible include the names of persons from each geographical area in which elections subject to this subsection may be held. No person shall be designated by a labor organization as a counting officer unless his name appears on such list, or if he is an officer, employee, or member of such organization or an employer any of whose employees are members of such organization. The Secretary shall formulate and publish a schedule of fees to be paid by labor organizations to such counting officers.

(5) Any person who, except as authorized by this subsection, opens or examines any ballot mailed by a member of a labor organization in an election to which this section applies, or who folds, tears, or places any mark on any ballot to be used in any such election for the purpose of learning or attempting to learn or making it possible for any other person to learn or attempt to learn the identity of the person casting such ballot, or who, having knowledge of the identity of a member of a labor organization casting any such ballot, discloses to any other person, without the consent of such member, any information obtained from such ballot, shall be fined not more than $10,000 or imprisoned not more than one year, or both.

Mr. CURTIS. Mr. President, after discussing the amendment, it is my intention to withdraw it and to offer it at a later time. I seek the time on this occasion to discuss it for the record and for the benefit of the Senators present.

The amendment deals with the election of union officers. It is being offered at the suggestion given to me by union members. During the many months in which I have sat on the select committee I have heard the tales of many offenses—embezzlement, racketeering, boycotting, and a long list of other unlawful acts. However, that testimony has not shaken my faith in the honesty and integrity of the working force of America. The men and women who toil are individuals of character and responsibility.

It is my firm belief that if the real power in a union is vested in the rank and file of its members, that accomplishment alone will eliminate a great portion of all the abuses and misuse of funds and misuse of power and the other offenses which all of us must frown on.

Mr. President, in legislating on the question of how a union should elect its officers, we must keep in mind that a union is not a voluntary association in the ordinary sense of the word. If a group of people in the United States wishes to form an organization, we like to grant to them all the liberty possible so that they may organize and provide for the conduct of their own affairs. However, for the majority of the workers in the country, union membership is the right to make a living. The law of the land sanctions a contract which provides that a man must stay in the union and pay his dues, or lose his job. So long as we permit that situation to prevail, the public does have an interest in how that union operates. It is the responsibility of the Government to see to it that the members who do the work and pay the dues and live under the contract are in real control of their union. My amendment, which is printed in the RECORD, provides for a secret ballot by mail. It provides for an absolute open primary conducted by mail. It also provides for an election conducted by mail.

It would make it possible for the union member to vote in the privacy of his home for the union officers of his choice. His ballot would be mailed through the U.S. mails. It would be a secret ballot. There would be no chance for the union member to be intimidated or threatened. There would be no chance of coercion or of any interference from the top. It would place in the rank and file of the union members the power to control their own unions. The mechanics of the proposal are these:

First, it does not call for Government-supervised elections. An election would be held in this manner: The Secretary of Labor would publish a list of acceptable or approved counting officers. There would be a list for each city or other geographical area. That list would be made available to all unions. The counting officer might be the Honest Ballot Association. It might be a distinguished clergyman, or an accountant, or someone else. The Secretary of Labor would publish in each area a list of acceptable counting officers.

Then, as the time approached for the election of officers in a union, the labor organization could select any one of the approved counting officers whom they chose. They would have to pay fees according to a schedule published by the Secretary. But the union itself would pick, from a list of many names submitted by the Secretary, the counting officer of their choice to conduct the election.

That counting officer would then mail out a primary ballot. On the primary ballot would be a list of all the offices to be filled. The list might include the offices of president, vice president, secretary, and so on down the list. The ballot would contain merely a list of the offices to be filled. It would be transmitted through the mails to the residence addresses of the union members. In the privacy of his own home, each union member would write on the ballot his choice for each office. He would write the name of the individual whom he wanted to be the president of the union.

There would be furnished to the union member two envelopes. He would enclose his ballot within the smaller envelope, and that envelope would be sealed. Then he would put the sealed envelope in a larger envelope, which would bear his return address, so that the counting official could check to see whether he was

a member of the union. Then the envelope would be mailed to the counting office.

The counting officer would open the ballots and count them, and the two candidates receiving the highest number of votes for each office would become the nominees. That would constitute the primary election.

Then the counting officer at the stated time would again mail out ballots to the members of the union. Those ballots would contain the names of the two nominees for each office to be filled. Again, the ballots would be transmitted through the U.S. mails. When a member received his ballot, he would vote his choices in private and return the ballot in a manner which provided sanctity, under the protection of the U.S. mails. When the neutral, approved counting officer received the ballots, he would count them. Whoever received the most votes would be declared elected.

My amendment provides that the counting officers must so conduct all of their activities as to maintain absolutely the secrecy of the ballot, both in the nominating process and in the electing process. The amendment provides a penalty for the violation of that trust. It provides a penalty for tearing or otherwise marking any ballot in such a way that it cannot be identified.

Although it is brief, I believe, my amendment contains all the safeguards which are needed. It provides that the two candidates receiving the highest number of votes, or any candidate or representative, can, in the presence of the counting officer, inspect the ballots. The counting officer must preserve the ballots for a period of 90 days.

Mr. President, what is wrong with such a procedure? Why should not the individual who is compelled to belong to a labor organization in order to earn his livelihood and support his family have not only a right to have a voice in the nomination of candidates for office in his union, but also a right to vote for them?

I can say without fear of being challenged that the unions in which corruption and wrongdoing were found by the McClellan committee were invariably unions run from the top. If that procedure can be discontinued, and if the workers of America can be given the real power to control their unions, corruption, except in rare instances, will come to an end. There will be no chance for a racketeer, an ex-convict, a Communist, an embezzler, or a taker of the fifth amendment, to perpetuate himself in office. I have too much confidence in the workers of America to believe that anything like that would happen.

Mail to the members of a union ballots on which they can nominate their candidates for the offices to be filled, and can do so in secrecy, with the assurance that the ballots will be counted honestly; and then mail to them another ballot containing the names of those who won in the primary election, and again permit them to vote in secrecy and to have their ballots counted honestly, and we will not only put an end to the malpractices and wrongdoings, but we will have given to the union members of the Nation a right which belongs to them. How long would some of the crooks who have paraded before the McClellan committee stay in office in their unions if the workers had secrecy and protection in voting their ballots, and a right to vote and have the vote counted?

It would put an end to the holding of elections at times and at places inconvenient or almost impossible for workers to attend. It would put an end to the practice of having a little clique in a union control the union and appoint to office a number of the union's employees who would make contributions to a fund to perpetuate the same officers in power. Mr. President, if we wish to put a stop to union bossism, let us vest the real power in the union members.

Mr. President, I arose to make this statement for the RECORD, so that those who read the RECORD may know the content of the amendment. In a sense, the amendment is similar to the bill of rights amendment the Senate adopted yesterday. This amendment is for the protection of the working people against bossism. The bill of rights amendment which the Senate adopted yesterday—I refer to the bill of rights amendment which was proposed by the able, fearless, and distinguished investigator, the Senator from Arkansas [Mr. MCCLELLAN]—will not do one thing for an employer. On the contrary, the entire purpose of that amendment is to protect the rights of the workers. So I am shocked and surprised and saddened at the forces that are in opposition to that amendment. The division on the question of incorporating that amendment in the bill was not on the basis of prolabor versus antilabor. Instead, the question was whether Senators are in favor of the small minority of union bosses who have proven themselves unworthy, or whether Senators are in favor of protecting the union members, the working people.

Mr. President, I do not know whether the Senate will adopt my amendment. Powerful forces, at work in every State of the Union, do not want anything done to disturb the power of the little cliques that control many of the unions. In the presidential nominating conventions, powerful forces will be at work; and some of those forces are catering to union bosses who perpetuate themselves in power year after year and year after year.

Mr. President, if we permit the union members to vote in secret, by mail, for the nomination of the officers of their unions, and if we then permit the union members to follow a similar procedure in the case of the elections, their officers will truly reflect the membership, and we shall have put the power where it belongs—namely, in the hands of the rank-and-file members of the unions; and thus we shall have put an end to the seizure of unions by unworthy persons.

I should like to point to the record which was developed by the McClellan committee in regard to the election of the officers of the San Francisco local of the Union of Operative Engineers. My recollection is that that union had 22,000 members. The record shows that an election was conducted, and that 2,000 members of the union voted. The principal union officers then proceeded to count the ballots. For that purpose, they went to a cabin in the mountains, where they counted 500 ballots, and then got tired, and decided to play cards for a while and have some drinks, and to estimate the returns. When they got through estimating the returns, the winning slate was declared to have won by 17,000 votes—even though only 2,000 members of the union had voted.

Mr. President, why did those officers resort to such dishonesty? The record is filled with evidence of the mishandling of funds on the part of the officers of that local union. They did not want the control of the union turned over to other officers.

Incidentally, Mr. President, the members of that union are scattered among the many States, including Hawaii. How could they assemble at a union hall, to vote in an election?

Mr. President, under this amendment a ballot would be mailed to each one of the members of the union, and each member would have first a part in the nomination of the officers. The ballots on the nominations would be handled by a neutral and approved counting officer. Subsequently, in the election, a ballot containing the names of those nominated would likewise be sent to each one of the members of the union; and each of the ballots would subsequently be returned to an approved counting officer; and there would be ample provision for protection of the secrecy of the ballots.

Mr. President, at a later time I shall offer this amendment again. At this time I ask unanimous consent that I may withdraw the amendment, which is identified as "4–17–59–E."

The PRESIDING OFFICER. The Senator from Nebraska has a right to withdraw his own amendment; and it is withdrawn.

Mr. CASE of South Dakota. Mr. President, when the Senator from Nebraska has concluded, I desire to call up an amendment.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CASE of South Dakota. Mr. President, I call up my amendment which is identified as "4–21–59–A," and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 58 of the bill, in lines 12 and 13, it is proposed to strike out the words "by striking out the second sentence thereof", and insert in lieu thereof the following:

By amending the second sentence thereof to read as follows: "Employees on strike may vote under such regulations as the National Labor Relations Board shall find are consistent with the purposes and provisions of this act."

Mr. CASE of South Dakota. Mr. President, I desire to modify the amendment as follows: In line 5, change the word

"may" to "shall". I make this modification after consultation with the distinguished Senator from Massachusetts [Mr. KENNEDY].

The PRESIDING OFFICER. The Senator from South Dakota has a right to modify his own amendment; and it will be modified accordingly.

Mr. CASE of South Dakota. Mr. President, I have submitted the amendment not only to the Senator from Massachusetts [Mr. KENNEDY], but also to the Senator from Arizona [Mr. GOLDWATER]. I think both those Senators have indicated that they believe adoption of the amendment to be desirable.

Mr. President, one part of the so-called Ervin amendment struck out the sentence reading as follows:

> Employees on strike, not entitled to reinstatement, shall not be entitled to vote.

This amendment would, in effect, restore that sentence, so as to place the voting under such regulations as the National Labor Relations Board shall find are consistent with the purposes and provisions of the act.

It seems desirable because it would make it possible for the National Labor Relations Board to establish a time limit, if it thought it was consistent to do so, or to determine or define the status of employees on strike who would be entitled to vote.

Mr. KENNEDY. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized for 3 minutes.

Mr. KENNEDY. I think that under the provisions of the bill we repeal the section which prohibits economic strikers from having the right to vote. As I understand the purpose of the amendment, it is to permit the National Labor Relations Board, by regulation, to prescribe a terminal date. For example, if there were a strike and the members were never rehired, and got other jobs, and month after month after month there were appeals before the National Labor Relations Board, and court judgments, at least it would be possible for the National Labor Relations Board at some date to say, "This matter is closed, and there is no longer a right to vote."

I do not think the amendment means, and I do not think the Senator from South Dakota would suggest it means, that the National Labor Relations Board will issue a flat statement that, "1 month after the beginning of a strike the employee shall be denied the right to vote." If that were so, I am sure the Senator from South Dakota would offer precise language covering such a situation.

Our purpose is to permit economic strikers to vote while there is a lawful strike in progress, a strike for a reasonable and proper purpose, and to permit the Board to adopt a rule of reason in making a judgment as to when it would be wise to terminate the right.

Have I stated the situation correctly?

Mr. CASE of South Dakota. The Senator from Massachusetts has stated it well.

In the discussion had the other day, when this matter first arose, the distinguished Senator from Ohio [Mr. LAUSCHE] brought out the uncertainty which would be created if it were merely stated that employees on strike forever after have a right to vote in a particular industry. Some confusion would result if those employees had gone on to other jobs, or if years had elapsed. It was suggested that there should be more certainty provided. That certainty can be provided by the National Labor Relations Board, under the terms of the amendment proposed. The purpose is definitely within what the Senator from Massachusetts has described.

I personally think that to flatly deny the economic striker the right to vote would be to defeat his right to strike. I think the right to strike ought to be preserved, consistent with the provisions of the National Labor Relations Act. I offer the amendment with the intention to preserve that right, but also to put in the hands of the National Labor Relations Board the power to issue regulations consistent with the act, which would define the period of time and the status of the striker who could vote.

Mr. KENNEDY. And I hope the National Labor Relations Board, in attempting to develop such regulations, would have regard to the discussion which the Senator from South Dakota and I have had, at least as indicating our view, which I think is a common one.

Mr. President, I am prepared to yield back the remainder of my time.

Mr. CASE of South Dakota. Mr. President, I am prepared to yield back the remainder of my time.

The PRESIDING OFFICER. All time for debate on the amendment has been yielded back.

The question is on agreeing to the amendment of the Senator from South Dakota, as modified.

The amendment, as modified, was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. GOLDWATER. Mr. President, I call upon my amendment identified as "4–15–59–Q."

The PRESIDING OFFICER. The amendment offered by the Senator from Arizona will be stated.

The LEGISLATIVE CLERK. It is proposed, on page 7, lines 16 and 17, to strike out the words "aggregating in excess of $250".

Mr. GOLDWATER. Mr. President, this is a very simple amendment. On page 5 of the bill, we find title I, the Reporting and Disclosure title. Let us turn to page 7, line 16, subsection (5) (b) (4). My purpose is to amend that provision by striking out the $250 amount.

This amendment requires the union to report on all loans to any officer, employee, or member, regardless of the amount of such loan. The committee bill, requiring a report on loans to officers and members only where the loan or loans totaled more than $250, would allow the union to make loans of $250 or less to favored members and officers. This exemption from the reporting requirement actually circumvents the real purpose of this section, namely, to provide the union member with an opportunity of knowing exactly what his union is doing and how the finances of his union are being handled. In contrast to the treatment of loans to officers and members, the union must report on all loans, regardless of amount, made to business enterprises. There is no reason at all why these loans should be treated differently, especially in view of the fact that loans to officers and employees are far more common than are loans to business enterprises.

If the purpose of a union financial report is to have any meaning, then this amendment must be adopted.

In the subcommittee we reduced the amount from $500 to $250. It is the feeling of the junior Senator from Arizona, and, I may say, some of the other members of the minority, that no amount should be specified, that all loans should be reported.

I should like to ask my distinguished friend from Massachusetts if he might not be willing to agree that the amount "$250" could be stricken.

Mr. KENNEDY. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized for 5 minutes.

Mr. KENNEDY. Under the provisions of the bill it is provided that it shall be against the law for a union to lend any union member or officer over $1,500. It may be that figure is a little high, but at least that was the prohibition voted for by the committee.

Originally in the committee there was a provision before it that any loan of over $500 should be publicly reported. It was felt that amount was too high, and the figure was reduced to $250.

The way the bill reads it is against the law for any union to make any loan of more than $1,500 to anyone in the union. Loans of over $250 must be reported.

The Senator from Arizona seeks to eliminate the amount completely and provide that every time a union loans $10, $15, $20 to a member who may have a medical bill or may be in some difficulty, a public report must be made. If that is not putting the hand of the Federal Government deep into the affairs of a voluntary organization, I do not know what is. This proposal does not involve the rights of union members, about which we have been hearing so much for several days.

I know the Senator from Arizona offers the amendment in good faith, but I say to him that I would perhaps drop the $1,500 prohibition, because that may be too high a figure, and I would be prepared to accept $175 as a figure instead of $250; I think the Senator from Arizona is going further than is necessary to protect the equity of the union members when he provides that loans of this size must be publicly reported. It seems to me it is not necessary.

Would the Senator from Arizona consider some changes?

Mr. GOLDWATER. I may say the principal reason why I have made the suggestion is not particularly that the figure is $250, or that it should be $2 or $20, but that the reporting of all these loans is not required, regardless of what the limit is. I can imagine that in some

unions the use of such a loan could be for political purposes within the union. In other words, it could be said, "If you want to borrow some money to help pay your medical expenses, you had better be on the right side, politically, of the union, or a loan will not be forthcoming."

I am not as concerned as the Senator from Massachusetts is about the amount of work which would be entailed. In corporations and other businesses work of this kind is done, the funds are kept in separate accounts, and they are available for reporting purposes to stockholders or to officers at any time. It does not entail any work. It does not necessarily mean there will be a great many loans. I am not against the lending of money, although it would have to be provided for in the constitution.

However, if we have an exemption point, I think we may find that exemption point will be used as a source of power against the union members.

Mr. KENNEDY. Mr. President, as I understand the proposal, if a man were to borrow $10 to pay a medical bill, under the language the Senator from Arizona has suggested, it would require a report. Is that a correct understanding?

Mr. GOLDWATER. The Senator is correct. At the end of the year, when the report was made, there would be a place in the column prescribed by the Secretary of Labor for the listing of loans to members. The books would be reflected on the report.

Mr. KENNEDY. Let us suppose the money had been repaid in the meantime.

Mr. GOLDWATER. That would be indicated on the form.

Mr. KENNEDY. As I say to the Senator, if the Senate feels it wise I would accept some change from the $250 to perhaps a lower figure, but I really do not see why we should point the finger of suspicion to such an extent as is proposed. This really does not involve, in my opinion, the rights of union members or their protection, because under the bill if anyone seeks to defraud any union by any means, direct or indirect, he is subject to sharp criminal penalties. All the amendment would do is to require that any loan of a rather small amount be reported to the Government, which I think would be extremely burdensome and unnecessary, and I think it would reflect a view of unions and union members and their ability to govern themselves not shared by the chairman of the committee.

I am opposed to the amendment, and I am prepared to yield back my time.

Mr. GOLDWATER. Mr. President, I repeat, it is not the amount of money which worries me. I would not want to have it provide $5 or $10 or any amount of money.

The PRESIDING OFFICER. The time of the Senator from Massachusetts has expired.

Mr. GOLDWATER. Mr. President, I yield myself 5 minutes.

Mr. KENNEDY. I will not yield back my time yet, Mr. President.

Mr. GOLDWATER. I am concerned about the matter. We can conceive of a situation where a man needs to borrow money and the only source might be the union. The man might say, "I would like to borrow $100 to take care of my hospital expenses," and the union treasurer might say, "We have an election coming up in the union next month. For whom are you going to vote?" That might affect whether the man got the loan or not. If he is on the right side in the election he might get the loan, and if not, he might not. This could be a source of power, rather than a simple loaning of money.

I am very hopeful that the Senator from Massachusetts will take the amendment. We have come down a long ways from the original figure. We have cut the figure in half. I think we can eliminate it entirely. I do not think it would be a burden. I do not think it would reach the hand of the Federal Government into the matter any further.

After all, we are talking about sums of money paid in for the purpose of promoting collective bargaining or any other purpose. If the constitution of the union provides that the money can be loaned to the members for certain purposes, that is perfectly all right, but we should require the reporting of the loans. I am sure the loans would be kept on the books, and there would not be a duplication of effort. Any well-run union will record any loan for $1 or 50 cents, up to the legal amount.

I get back to my thesis, which is not the amount of money but the potential threat of power which rests with the ability to make loans.

Mr. KENNEDY. Mr. President, I yield myself 2 minutes.

In the first place, in the example the Senator gave, if the money were loaned prior to an election and represented not an obligation which had to be repaid but an attempt to influence a vote, that type of loan is already prohibited by the language. Secondly, if there were a loan in lieu of a payment which was going to be paid off to a union officer, that also is prohibited.

It seems to be that if the union is engaging in a practice of making loans for purposes which are really some sort of a "payoff" it would be a crime under the law. I wonder whether this amendment really is necessary.

Mr. GOLDWATER. The point I make is that it would be very difficult to prove such a crime, if it were not necessary to report the loans. In other words, if the president of the union has the ability to make a $250 loan and another man comes in, as an example, he might say, "You and I had an argument in the past." And he might say, "I am sorry, but I cannot lend you the money."

Circumstances might affect the stand of one man against another or for another in the future. That is what I am afraid might happen. It is not that the money will not be repaid, but the money does not have to be reported. I assure the Senator that every well run union in the country keeps a record of all loans and the pay back. It is not a case of a "payoff," because these loans are bona fide loans. I am not objecting to the making of loans by the union. I am objecting to the fact that the loans are not reported.

Mr. KENNEDY. Mr. President, as I have said, we were attempting to reach a figure which was rather petty. There was not an attempt to provide for concealment or "payoffs." The Senator is unwilling to reach any figure of agreement. As I said, I was willing to take a lower figure than the $250, to make sure these were petty loans. If there is no common ground, I am prepared to yield back my time.

Mr. GOLDWATER. Would the Senator want to get really petty and say $10?

Mr. KENNEDY. I think that is really petty, and not worthy of the Senator. Why does the Senator not suggest some figure more near to what I was discussing?

Mr. GOLDWATER. I said that as a pleasantry, of course. I do not want to retreat. If the Senator is not willing to accept the amendment, I would rest upon the judgment of the Senate.

I yield back the balance of my time.

Mr. KENNEDY. Mr. President, I yield back the balance of my time.

The PRESIDING OFFICER (Mr. COTTON in the chair). All time having been yielded back, the question is on agreeing to the amendment offered by the Senator from Arizona (putting the question).

Mr. HUMPHREY. Mr. President, I ask for a division.

On a division, the amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. PROUTY. Mr. President, I have an amendment at the desk. There is no number on it, but it was sent down prior to the deadline.

The PRESIDING OFFICER. Does the Senator desire to have his amendment read in full?

Mr. PROUTY. It is very short, Mr. President.

The PRESIDING OFFICER. The Senate will be in order, so that the amendment may be heard. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 41, between lines 2 and 3, it is proposed to insert the following new subsection:

(e) Any person who willfully denies or attempts to deny to a member of a labor organization any right to which he is entitled under the provisions of section 301 or section 302 shall be fined not more than $10,000, or imprisoned for not more than one year, or both.

The PRESIDING OFFICER. How much time does the Senator from Vermont yield to himself?

Mr. PROUTY. I yield myself 10 minutes, Mr. President.

The PRESIDING OFFICER. The Senator from Vermont is recognized for 10 minutes.

Mr. PROUTY. Mr. President, criminal penalties are provided in the bill as follows:

Section 108(a) for willful violation of title I relating to reporting and disclosure or the Secretary's regulations, $10,000 or not more than 1 year, or both.

Section 108(b) for false statements, and so forth, in information required, $10,000 or not more than 1 year, or both.

Section 108(c) for false entry or concealment of books and records, $10,000 or not more than 1 year, or both.

Section 109(a) for embezzlement of union funds, $10,000 or not more than 5 years, or both.

Page 30 to 31, section 201(c), for willful violation of or failure to comply with trusteeship section or regulations, $10,000, or not more than 1 year, or both.

Section 201(d), for making false statements in or concealing, destroying, and so forth, books and records required to be kept, $10,000, or not more than 1 year, or both.

Page 32, section 203(b), for counting votes of trusteed union not chosen by secret ballot or transferring its funds, except normal per capita tax and assessments, $10,000, or not more than 1 year, or both.

Page 43, section 305(c) for violation of section 506 prohibiting fine or discipline of union members or threat of or use of force or violence or economic reprisals if members exercise or to prevent them from exercising any right to which he is entitled under the act, $10,000, or not more than 2 years, or both.

The sections to which I refer relate to elections. There is no penalty whatsoever for any officer of a union who violates these election provisions. It seems to me that is one of the most important considerations with which we are confronted, and that we certainly should make a penalty applicable in such cases.

A member may not be coerced, but he may be denied his rights. His rights may be ignored by the union officers, and there is nothing he can do about it. The only alternative, after the member has exhausted his recourse before the union officers, is an appeal to the Secretary of Labor, who, if the evidence seems to justify it, can institute court action. If the court finds, upon a preponderance of the evidence after trial on the merits, that an election has not been held within the times prescribed in this section, or that the violation of section 301 may have affected the result of an election, a new election may be held. But anyone who steals ballots, or who refuses to allow a member his rights, so long as he does not coerce him, is not subject to penalty.

It seems to me that this is one section of the bill which should carry a substantial penalty.

Mr. President, I yield back the remainder of my time.

Mr. KENNEDY. Mr. President, I yield myself 10 minutes.

I ask the Senator from Vermont how this provision compares with the language we now have on page 53 in section 506(a), which deals with the problem of reprisal.

Is the amendment of the Senator from Vermont printed?

Mr. PROUTY. No. It is at the desk.

The PRESIDING OFFICER. The amendment is typewritten.

Mr. KENNEDY. Mr. President, I wish to ask the Senator from Vermont a question as to what he is attempting to deal with, which might not be covered by the language dealing with reprisals.

Mr. PROUTY. Is the Senator referring to section 506?

Mr. KENNEDY. The Senator is correct—section 506 (a), (b), and (c).

Mr. PROUTY. Let me raise this question with the Senator: Suppose, for example, that a union officer refuses to allow a candidate to utilize the facilities of the union for the mailing of campaign literature——

Mr. KENNEDY. I am sorry, but I cannot hear the Senator.

Mr. PROUTY. Suppose a union officer refuses to allow a candidate who may be running against an incumbent officer to utilize the facilities of the union for the mailing of campaign literature, and things of that nature. I do not believe any penalty would apply if there were no coercion. The union officials may not deny certain rights, but the rights can be ignored.

Mr. KENNEDY. It is my impression that the language we now have on elections, as a result of the amendment of the Senator from Vermont, provides, first, that the Secretary shall have power to set the election aside. Second, one of the grounds for setting it aside would be denial by the union to a member of the right to mail out his literature 30 days before the election.

Mr. PROUTY. Suppose an observer at the election comes to a candidate and says, "They are stealing the ballots." What penalty would be applicable? What right would the candidate have?

Mr. KENNEDY. As the Senator knows, after the election, under the provisions suggested by the Senator from Vermont, every candidate would have the right to have a teller. If a candidate were denied the right to have a teller, then, of course, the Secretary of Labor could set the election aside.

In addition, if he were denied that right by the means we suggest on page 53 the situation would be covered. That language reads as follows:

(b) It shall be unlawful for any person through the use of force or violence, or threat of the use of force or violence, or by economic reprisal or threat thereof, to restrain, coerce, or intimidate, or attempt to restrain, coerce, or intimidate any member of a labor organization for the purpose of interfering with or preventing the exercising by such member of any right to which he is entitled under the provisions of this act.

It seems to me that we have the situation pretty well nailed down.

Mr. PROUTY. If there is violence or intimidation, of course that would be true; but suppose there is no violence or intimidation, but merely an ignoring of the right of the member or a failure to grant him his right.

I refer to subsection (c) of section 305, on page 43, line 18. Initially one might assume that this referred to the entire title. It does not. It merely refers to section 305. I believe that unless force or intimidation is used, no penalty can be applied against any individual member of the union or any officer of the union.

Mr. KENNEDY. If the breach should occur prior to the date of the election, of course, State remedies would be available. If the breach should occur after the date of the election, the Secretary would have the power to set the election aside.

The language in section 506 (a), (b), and (c) is extremely general in its application, and I think it would pretty well protect the right of any union member to enforce any of his rights granted under the bill. It seems to me that the situation is pretty well covered. I do not think there is any question about it.

Mr. PROUTY. I think there is a very grave question.

Mr. KENNEDY. Section 102, in the amendment of the Senator from Arkansas [Mr. McCLELLAN] provides as follows:

SEC. 102. Any officer or agent of any such labor organization who, through use or abuse of authority, or through failure to discharge the duties of his office, or otherwise, willfully interferes with or prevents, or attempts to interfere with or prevent, the exercise by any member of a right to which such member is entitled under the provisions of section 101 shall be fined not more than $10,000 or imprisoned for not more than two years, or both.

Section 103 provides as follows:

SEC. 103. The Secretary, whenever it shall appear that any person has violated or is about to violate any of the provisions of this title, may bring an action in a district court or other court of the United States for such relief as may be appropriate including, but without limitation, injunctions to restrain any such violations and to compel compliance with this title. Any such action against a labor organization may be brought in the United States District Court for the District of Columbia or in the district court or other court of the United States where the violation occurred or is about to occur.

I must say to the Senator that it seems to me that this question has been dealt with, in part, through the amendments of the Senator from Arkansas.

I hope the Senator will withdraw his amendment.

Mr. PROUTY. Mr. President, I believe the Senator is referring only to section 101 in title I when he makes reference to the McClellan amendment.

Mr. KENNEDY. It provides for equal rights under freedom of assembly and freedom of speech, and so forth.

Mr. PROUTY. Does the Senator from Massachusetts maintain that a criminal penalty is provided which can be imposed against anyone who violates the election section of the bill without using force or coercion? If so, will he please tell me where such provision exists in the bill?

Mr. KENNEDY. I will say to the Senator, as I said before, that section 506, particularly subsections (a), (b), and (c), were placed in the bill to protect members of unions in the exercise of their rights and to protect them against reprisals.

Mr. PROUTY. What action could be taken against one who violates that section?

Mr. KENNEDY. The bill provides:

Any person who shall willfully violate the provisions of this section, shall be fined not more than $10,000 or imprisoned for not more than 2 years, or both.

Mr. PROUTY. That is not the section. That refers to force and intimidation.

Mr. KENNEDY. The section provides penalties for the use of force or violence,

"or threat of the use of force or violence, or by economic reprisal or threat thereof, or intimidate, or attempt to restrain, coerce, or intimidate," and so forth. In the case the Senator has cited, it would seem to me the Secretary of Labor would set the election aside. I have no doubt about it, but if the Senator has any further doubt about it, I refer him to section 102, which gives the Secretary of Labor the powers granted to him under the McClellan amendment which we adopted yesterday.

Mr. PROUTY. Mr. President, will the Senator yield further?

Mr. KENNEDY. I yield.

Mr. PROUTY. I should like to point out that a court could not take any action unless it could be proven that what was perpetrated affected the outcome of an election. I am of the belief that under the bill no penalty can be imposed against anyone who fraudulently conducts an election, unless force, intimidation, or reprisal is engaged in.

Mr. KENNEDY. Perhaps the Senator can tell us what officer of a corporation is subject to a criminal penalty because he may deny a stockholder the right to vote through a ruling of the Chair.

Mr. PROUTY. If the Senator will yield again, I should like to point out that labor unions are voluntary organizations, and that they represent the savings and the interests and the livelihood of millions of workers in this country. If we refuse to penalize an officer of a union for engaging in fraud or stealing ballots, we are cooperating with the corrupt elements in the labor movement. I cannot understand why the Senator should object.

Mr. KENNEDY. Mr. President, I am prepared to yield back the remainder of my time except for 1 minute, to say that the person the Senator has described is subject to a penalty, and if he denies anyone the right to vote the Secretary of Labor can set the election aside.

Mr. PROUTY. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER (Mr. COTTON in the chair). The question is on agreeing to the amendment offered by the Senator from Vermont.

The amendment was rejected.

Mr. GOLDWATER. Mr. President, I call up my amendment identified as "4–17–59—Z."

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 51, lines 10 and 11, it is proposed to strike out all of subsection (j) and insert in lieu thereof the following:

(j) Secret ballot means the expression by ballot, voting machine, or otherwise, but in no event by proxy, of a choice with respect to any election, referendum, or vote taken upon any matter, which is cast in such a manner that the person expressing such choice cannot be identified with the choice expressed.

The PRESIDING OFFICER. How much time does the Senator from Arizona yield to himself?

Mr. GOLDWATER. Five minutes.

The PRESIDING OFFICER. The Senator from Arizona is recognized for five minutes.

Mr. GOLDWATER. Mr. President, this is a very simple amendment.

The PRESIDING OFFICER. The Senate will be in order. The Chair cannot hear the Senator.

Mr. GOLDWATER. I call the attention of the Senator from Massachusetts to the amendment. On page 51 I would strike out all of subsection (j) and I would insert in lieu thereof the following:

Secret ballot means the expression by ballot, voting machine, or otherwise, but in no event by proxy, of a choice with respect to any election, referendum, or vote taken upon any matter, which is cast in such a manner that the person expressing such choice cannot be identified with the choice expressed.

All I am trying to do is to prevent voting by proxy.

Mr. KENNEDY. As I understand the amendment, the Senator is attempting to outlaw the use of proxies. I know what he means by a secret ballot. However, I am not clear as to what he means by the rest of the language. Why does he not say: "Secret ballot means any secret written referendum or voting machine ballot, but in no event by proxy"? That seems to cover the subject. I do not know what the rest of the language means.

Mr. GOLDWATER. I took the language from the McClellan bill because I thought it very clearly defined a secret ballot. It states: "which is cast in such a manner that the person expressing such choice cannot be identified with the choice expressed." I agree that considerable verbiage is used to express secrecy.

Mr. KENNEDY. I understand what is meant by an election. I do not know about a referendum. The only question I have is with respect to the rest of the language. Is it possible for our staffs to study it and see if we can agree on some language which would outlaw the use of proxies where a secret election is held?

Mr. GOLDWATER. That is what we are after.

Mr. KENNEDY. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum, with the understanding that the time taken for the calling of the quorum will not be taken out of the time allotted to either side.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GOLDWATER. Mr. President, I modify my amendment to read as follows:

Secret ballot means the expression by ballot, voting machine, or otherwise, but in no event by proxy, of a choice with respect to any election, which is cast in such a manner that the person expressing such choice cannot be identified with the choice expressed.

Mr. KENNEDY. I accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified.

Without objection, the amendment is agreed to. The bill is open to further amendment.

Mr. GOLDWATER. I repeat what I have said, that if we go on in the cheerful way in which we are now proceeding, we will make the bill more strong, more strong, more strong, minute by minute.

The PRESIDING OFFICER. The bill is open to further amendment.

If no further amendment is to be offered, the next question will be on the third reading of the bill.

Mr. ALLOTT. Mr. President, I call up my amendment designated "4–22–59–A."

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 54, beginning with line 19, it is proposed to strike out through line 20 on page 56 and insert the following:

(b) If the Board shall, by rule or otherwise, decline to assert jurisdiction over any labor dispute where, in the opinion of the Board, the effect of such labor dispute on commerce is not sufficiently substantial to warrant the exercise of its jurisdiction, any legally constituted agency or the courts of any State or Territory (including the Commonwealth of Puerto Rico, Guam, and the Virgin Islands) shall have jurisdiction over such labor disputes over which the Board has declined jurisdiction.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Colorado. How much time does the Senator yield himself?

Mr. ALLOTT. I yield myself 5 minutes.

The purpose of the amendment is to cure what I think can result only in utter chaos in the so-called no man's land. There are many approaches to the solution of this problem. This whole subject was discussed upon the floor of the Senate at some great length during the discussion of the bill last year.

My amendment strikes out all after paragraph (a) of section 601, and simply provides in plain, easy English that where the Board has refused to accept jurisdiction of any labor dispute upon the ground that the dispute does not affect interstate commerce sufficiently to warrant the exercise of the Board's jurisdiction, then any duly constituted agency or court of any State can assume jurisdiction of the subject matter of the dispute.

The bill as now written provides:

The National Labor Relations Board shall assert, either directly or as hereinafter provided by this subsection, jurisdiction over all cases to which this act applies.

The law now provides that the Board shall accept jurisdiction, but the Board has refused to accept jurisdiction in numerous cases. It has done so upon the theory that unless the particular controversy materially affected interstate commerce, they could refuse to accept jurisdiction; this in face of the fact that the Board is required by law to accept jurisdiction of these controversies.

This action by the Board has left what has become commonly known as no man's land. The Utah case is the prime

example of such action. In that case the National Labor Relations Board refused to accept jurisdiction of a case upon the ground that the case did not sufficiently affect interstate commerce to warrant the exercise of its jurisdiction. The local people then appealed to the courts of the State.

I understand about 12 States have given to various agencies within those States the power to deal with this particular question.

I do not know whether any other amendments on this particular point have been filed. But it seems to me that the legislation proposed by the committee will unduly tangle up a state of affairs that is already bad. The bill provides that the Board can then enter into an agreement with any agency which is authorized by the law of such State to enter into and carry out such an agreement. The agency then is designated by the Board. The language contains certain provisos. Then, on page 55 of the bill, line 17, we read:

> The processes and orders issued by any such State agency in the exercise of such jurisdiction shall be enforced by the Board.

The bill is, in effect, as I see it, trying to make the State agencies, and perhaps even the States, the agencies of the National Labor Relations Board. This, in my opinion, is a very, very dangerous step. Even to accomplish the results which one would hope or want to accomplish by means of this proposal is a very dangerous step for Congress to take. In other words, the agencies which are now endowed by the States would be treated in such a way that they would be, in effect, no longer the agents of the States, but the agencies of the Federal Government.

The PRESIDING OFFICER. The time of the Senator from Colorado has expired.

Mr. ALLOTT. Mr. President, I yield myself 5 more minutes.

The bill then provides that "the party requesting the issuance of such complaint or filing such petition may, within such time and in such manner as the Board may by regulation prescribe, appeal the action of such State agency to the Board, and the State agency shall dispose of the matter in accordance with the decision of the Board upon such appeal."

So after the NLRB has taken the position that a matter is entirely too small for recognition by the Board, the Board then prescribes a huge set of regulations to take care of the situation. Not only that, it provides for an appeal back to the Board, so the matter ends where it would have been anyway.

The bill then provides:

> No State agency shall petition any district court of the United States for temporary relief or for a restraining order in any case without first having obtained the consent of the Board. In giving such consent the Board shall be guided by the same criteria as are applied in similar cases adjudicated by the Board itself.

After the Board has said that the cases are too small for the Board to handle, they are, in effect, turned back to the Board anyway.

My amendment simply provides that where the Board refuses or declines, by rule or otherwise, to assert jurisdiction, then the appropriate State agency which has been legally constituted to handle such matters, or the appropriate State courts, can take jurisdiction of the matters which have already been declined by the Board.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. McCLELLAN. Did I correctly understand the Senator from Colorado to say that he did not know whether other amendments were proposed or contemplated along this line?

Mr. ALLOTT. That is correct.

Mr. McCLELLAN. I call the Senator's attention to the fact that I have at the desk an amendment which would accomplish the same purpose. I am certain we are trying to do substantially the same thing. The amendment I had intended to offer is designated "4–17–59–B." The select committee has given study to this matter. If the Senator from Colorado wishes to study my amendment, I shall be glad to discuss it with him.

I think I agree with the Senator from Colorado that it would be better to have nothing than to have what is in the bill now. My proposal would require the Board to act to promulgate a rule, which, presumably, people could understand, as to what the Board will take jurisdiction of and what it will not.

Then the amendment provides that if there is any uncertainty, one having a grievance can petition the Board for a ruling on that particular matter to ascertain whether or not the Board proposes to take jurisdiction of it under the rule. If not, it would have to act within 30 days. If not, the State courts or other agencies would have jurisdiction.

I think this situation must be remedied. It is almost a national disgrace that people in this country who suffer injury or wrong have no remedy anywhere, when the Board says, "This matter is too trifling for us to bother with," and yet jurisdiction is taken away from the courts or from any other agency.

So I intended to propose such an amendment; and I am very glad to know that the Senator from Colorado also seeks to have this situation corrected. I invite him to examine my amendment.

Mr. ALLOTT. I shall be very happy to do so, Mr. President.

I ask unanimous consent that at this time I may suggest the absence of a quorum, without having the time required for the quorum call charged to either side.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ALLOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SPARKMAN in the chair). Without objection, it is so ordered.

Mr. ALLOTT. Mr. President, I yield 10 minutes to the Senator from Arizona [Mr. GOLDWATER].

The PRESIDING OFFICER. The Senator from Arizona is recognized for 10 minutes.

Mr. GOLDWATER. Mr. President, one of the most important problems which faced the committee was that raised by the existence of the no man's land in labor relations, resulting from a series of decisions by the Supreme Court. The problem is not a new one. A considerable portion of the 1953 hearings was devoted to the problem of preemption of State law by the Federal statute. During the Senate debate in 1954, my amendment which sought to confer upon the States authority to regulate strikes and picketing was made the first order of business. The bill was recommitted, without taking a vote on my amendment.

In 1954, we were confronted with Supreme Court decisions, in the Garner and other cases, holding that the Federal law had preempted the field, thus striking down State laws on recognition picketing, mass picketing, secondary boycotts, stranger picketing, picketing in the absence of a labor dispute, strike votes, and so forth. At that time the Supreme Court had told us, in its Garner decision:

> Congress, in enacting such legislation as we have here, can save alternative or supplemental State remedies by express terms, or by some clear implication if it sees fit.

Congress did nothing about the problem in 1954. Now the problem becomes more acute as a result of the decision of the Supreme Court in the Guss case. In order to understand the problem, it must be understood that the NLRB has for many years operated under jurisdictional standards which it has published in a series of decisions. Those standards are arrived at by establishing a dollar-volume-of-business test which differs from industry to industry. If a business falls below that dollar volume, the NLRB does not take jurisdiction. For example, a manufacturer must do an annual business of $50,000, and a retailer must have sales of one-half million annually, if the Board is to take jurisdiction. In 1954, we assumed that if a business fell below the Board's standard, the State might handle the dispute. However, in the Guss case the Supreme Court held that if interstate commerce was affected, the States might not act, even though the NLRB had declined jurisdiction. The Court recognized that the effect of its decision might be to "create a vast no man's land, subject to regulation by no agency or court." The Court stated that "Congress is free to change the situation at will," and then noted that in 1954 the Senate Labor Committee had proposed an amendment which would have empowered State courts and agencies to act when the NLRB declined jurisdiction. The committee's bill, S. 2650, was recommitted. In that connection, I refer to the CONGRESSIONAL RECORD, volume 100, part 5, page 6203.

In 1957, the American Bar Association took cognizance of the problem presented

by the Guss line of decisions, and its House of Delegates adopted a resolution supporting the enactment of legislation or the taking of appropriate administration action which would provide a remedy for the administrative inaction of the NLRB. The organized bar felt strongly that it is contrary to established principles of Anglo-American jurisprudence that persons should suffer injury under existing provisions of law and yet be without a remedy.

The committee bill requires the NLRB to assert jurisdiction over all cases, but permits that agency to make with State agencies agreements whereby such State agencies are designated as the agents of the NLRB to handle cases in which the impact upon commerce is not significant. However, the State agencies must apply and enforce the provisions of the Federal law, as interpreted by the NLRB and the Federal courts. For all practical purposes, this provision does nothing but require the NLRB to assert jurisdiction in every case where commerce is affected. The scheme so completely negates the sovereign character of the several States that it is impossible to believe that any of them would voluntarily submit one of its agencies to the subordinate status to which the proposal would reduce them. The proposal would also require every State to enact new legislation, and would also require most of them to create new agencies. Since almost all business affects interstate commerce, the committee bill would require the NLRB to take jurisdiction over almost every case.

Boyd Leedom, Chairman of the NLRB, when asked whether his agency could take jurisdiction over the estimated 23 percent of the U.S. employers now in the jurisdictional void, testified:

> I said before, and I think it is so now, that that is too gigantic a burden to throw on the Labor Board. I think it would reflect badly on the important cases to have us undertake to try all the little cases (transcript, p. 882).

The Senator from Massachusetts [Mr. KENNEDY], the sponsor of Senate bill 505, said:

> I frankly do not think any of the proposals will solve no-man's land, including the one we put forward, and the administration bill (transcript, p. 884).

The Senator from Massachusetts again indicated his reservations with respect to this provision of his bill, S. 505, when he said:

> Mr. Bernstein's questions very clearly brought out, as others have, the unsatisfactory feature of the solution which was reluctantly proposed by Senator IVES and myself (transcript, p. 935).

Under its present jurisdictional standards, the Labor Board processes over 13,000 cases a year. To require it to proceed in all cases affecting commerce creates administrative chaos. The words "affecting commerce" have been construed to embrace almost any enterprise, so long as it regularly imports goods from outside the State or exports goods to points outside the State, no matter how small the value of the goods. It can readily be seen that if the provisions of Senate bill 1555 were enacted the Federal Board would be required to take jurisdiction in a vast number of disputes where the effect on commerce is minor. The expenditure by the Federal Board of time and money in those cases would plainly detract from its ability to proceed in cases having a truly substantial effect upon interstate commerce, and where its services from the national viewpoint are most vitally needed.

The provisions of either my amendment or Senator MCCLELLAN'S bill, S. 1386, provide the most satisfactory remedy to the problem. For many years the Board has been promulgating jurisdictional standards, without serious objection to its so doing, or without serious objection to the standards which it has fixed. The very fact that it has found it necessary to change such standards from time to time demonstrates the lack of wisdom in proposing that Congress, whose processes are much slower, fix such standards. Again, it is argued that to permit the States to occupy the jurisdictional void would result in a hodgepodge of differing State laws, creating confusion and conflict with the national labor policy. But until the decision of the Supreme Court in the Guss case, the States were occupying this field, and we were not given any examples of the dire consequences predicted by this argument.

The bill of the Senator from Arkansas [Mr. MCCLELLAN] and my amendment accomplish the same purpose. The NLRB is given the discretion to decline jurisdiction over any case or classes of cases which it believes do not have a substantial effect on commerce. Thus, the NLRB's right to use jurisdictional standards is given statutory approval. The Board could decline to take jurisdiction over an entire industry, as it has in the past with respect to the hotel industry and the restaurant industry, if the Board found the effect on commerce was not sufficiently substantial to warrant the exercise of its jurisdiction.

Once the NLRB has announced its jurisdictional standards, the various States have complete freedom to take cases where the volume of the employer's business does not meet the standards. The litigant is not required to take the useless step of first having its case declined by the National Board before seeking relief at the State level.

Of necessity, the State agencies will, for the most part, handle only small business. Small business needs quick relief, and no one contends that it cannot be more quickly obtained at the State level.

I am very hopeful that the amendment of the Senator from Colorado and the amendment suggested by the distinguished Senator from Arkansas [Mr. MCCLELLAN], can be brought into oneness, so that we can proceed to act in this most important field, in which, I may say, if it has not been touched on, action was recommended in the interim report of the McClellan committee last year, and in which field we have heard testimony to the effect that the business people in this country and small unions suffer.

What we need in the labor-management field in the way of law touching this area is not slower processes, but quicker processes. We need as fast action as we can get. It is the opinion of the Senator from Arizona that the States can act much faster than can the Federal Government.

I thank the distinguished Senator from Colorado for yielding to me.

Mr. ALLOTT. I am very happy to yield.

Mr. President, may I inquire how much time remains to me?

The PRESIDING OFFICER (Mr. JORDAN in the chair). The Senator from Colorado has 14 minutes remaining to him.

Mr. ALLOTT. I should like to inquire whether there are any other Senators who wish to speak to the amendment, or if any of the time on the other side is intended to be used in opposition to the amendment.

Mr. MCCLELLAN. Mr. President, will the Senator yield some time to me?

Mr. ALLOTT. I am very happy to yield to the Senator from Arkansas such time as he wishes.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. MCCLELLAN. Mr. President, as I stated a few moments ago, I shall offer, as a substitute for the pending amendment, my amendment, which is at the desk. I may say to the clerk that I am not now offering it. I said I shall offer it.

Mr. KENNEDY. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator from Massachusetts will state his point of order.

Mr. KENNEDY. I should like to ask, for the information of the Senator from Arkansas and myself, whether an amendment offered as a substitute to an amendment to strike out language in the bill is now possible, or whether it would be an amendment in the third degree.

The PRESIDING OFFICER. An amendment to strike out language is in order.

Mr. KENNEDY. As I understand, it would be in order for a Senator to offer an amendment to that section dealing with no man's land, would it not?

Mr. GOLDWATER. An amendment can be offered, and an amendment has been offered to that section of the bill.

Mr. KENNEDY. If the Senator from Arkansas offered a substitute for the amendment of the Senator from Colorado, would not such an amendment be in the third degree?

The PRESIDING OFFICER. Such an amendment would be in the second degree only.

Mr. KENNEDY. Can the substitute for the substitute be perfected, or can that be done only with the consent of the Senator from Arkansas?

The PRESIDING OFFICER. Such an amendment can be perfected by consent.

Mr. GOLDWATER. It is not in the nature of a substitute for a substitute, but in the nature of an amendment to an amendment. I make that statement as a parliamentary inquiry.

The PRESIDING OFFICER. Will the Senator repeat his question?

Mr. GOLDWATER. Is this a substitute for an amendment, or an amendment to an amendment?

The PRESIDING OFFICER. Will the Senator from Arkansas give us the number of the amendment he proposes to offer?

Mr. McCLELLAN. 4–17–59–B.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that the time used in this colloquy not be taken from the time on either side on the amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. McCLELLAN. Mr. President, we are killing a little time here, apparently, but it would be well to have this question settled for future purposes, since the Senator agrees that possibly my amendment could be considered as a substitute. The amendment probably could be withdrawn, and the purpose could be accomplished in that way. However, it might be well to have this parliamentary question disposed of, so we may know how to proceed later.

Mr. GOLDWATER. I asked the parliamentary question because the Senator from Massachusetts had indicated the amendment might be a substitute for a substitute.

The PRESIDING OFFICER. The amendment of the Senator from Arkansas would be a substitute for language in the substitute proposed by the Senator from Colorado, and would be an amendment in the second degree.

Mr. ALLOTT. Mr. President, I have yielded time to the Senator from Arkansas——

Mr. McCLELLAN. There is a unanimous-consent agreement in effect at the moment that the time taken in this colloquy would not be taken from either side.

Mr. ALLOTT. Mr. President, I think the situation may not be understood. Perhaps the Chair did not hear. I have offered an amendment in due course. The senior Senator from Arkansas has not offered anything. There is only one amendment pending before the Senate. Therefore, I conceive the situation to be that there is an amendment pending, and that if the Senator from Arkansas desired to offer his amendment, he could do so. Is that correct?

The PRESIDING OFFICER. The Senator has stated the situation correctly.

Mr. McCLELLAN. Mr. President, I believe I had the floor on time yielded on the pending amendment. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. McCLELLAN. I shall resume my privilege under that time allotment.

Mr. President, as I pointed out a few moments ago, it will be my purpose, since the parliamentary situation has been clarified, to offer the amendment which I have identified as "4–17–59–B" as a substitute for the pending amendment.

I shall do this, Mr. President, because we have given considerable thought to this problem and we have worked out an amendment which it seems to me could be accepted by everyone as a solution to the problem.

I will state briefly what the amendment would do. We all know that the no man's land problem, as I said a few moments ago, is almost a national disgrace in America from the standpoint that people are being wronged, are suffering impositions and injuries, and have no remedy in the Federal courts, in the State courts, or before the National Labor Relations Board, when the Board wants to deny them a remedy, and it is often denying a remedy.

We have a situation in which people are suffering and there is no recourse to any tribunal, to any law, or any source from which they can get relief.

Mr. President, I do not propose, by offering the amendment, to detract one iota, or to any degree whatsoever, from the authority which the Board now has, but I simply would require the Board to, by rule or regulation, clarify and define those cases which it feels are not of sufficient importance and do not sufficiently burden or interfere with interstate commerce to warrant its time and its attention.

Under the proposed amendment the Board would have to issue a general rule to say, "This class of cases we will not handle." Then, in order that those cases not be without a remedy and without a tribunal or source where persons can go for correction or redress from the wrong, I propose they would go to the local courts, where the local courts would have jurisdiction to adjudicate.

Mr. President, I do not wish to take anything away from the Board, but the amendment would provide that in case of any doubt on the part of the litigant, on the part of the aggrieved person who is seeking a remedy, there would be authority to take the matter to the Board. If the man goes to his attorney and says, "I want relief from this situation," and if the attorney looks at the facts and thereafter says, "I cannot tell from this state of facts and from the rule which has been promulgated by the Board exactly whether the Board has jurisdiction or whether the State courts have jurisdiction under that rule or under that regulation," then it is provided, Mr. President, that the matter simply be submitted to the Board, exactly as one would file a complaint. The man would say, "Here are the facts we need to have adjudicated."

The Board within thirty days could either take jurisdiction or decline jurisdiction. If the Board declined jurisdiction, the suit could be brought or the remedy could be sought in the State court or in whatever tribunal might have jurisdiction. If the Board thought it ought to take jurisdiction and that the matter did not come within the rule excluding jurisdiction, then the Board could take jurisdiction and the issue could be settled. The man would get his relief from the Board and his adjudication from the Board.

To show that there is not an attempt to hamper the Board, we even go further and provide that, at any time, the Board may modify or change that rule which it has promulgated. If the board finds the rule is not working satisfactorily, or that it has gone too far one way or too far another way, as the case may be, the Board can revise and modify the rule.

Therefore, we provide for the setting up of a process for the permanent elimination of the no man's land, and for the setting up of a directive to compel somebody to take jurisdiction. We would make it absolutely certain that no one would suffer a wrong without having a remedy and without being able to find the source to which he can go to get relief from the wrong which is being done.

I do not know how we could handle the matter in a better way. I do not know of a fairer way to handle it. We are not trying to be partial to the States as against the Federal Government. We are not trying to detract in any sense from the prestige of the Board. We are not trying to take away any jurisdiction the Board is willing to assert.

Why should the amendment not be agreed to? It is very simple. It is very plain. I say to Senators, this is a clear-cut matter. Even a layman can understand the proposal. The language which is in the bill now is so complicated that I do not think anyone, even a lawyer, can understand it.

Mr. ALLOTT obtained the floor.

Mr. ERVIN rose.

Mr. ALLOTT. Does the Senator desire to have me yield time?

Mr. McCLELLAN. If the Senator will yield me 1 minute, I shall be glad to yield to the Senator from North Carolina.

Mr. ALLOTT. I am happy to yield to the Senator 1 minute.

Mr. ERVIN. I want to ask the Senator from Arkansas if he does not think it is a disgrace to any system of justice to have people suffering wrongs and not provide them some remedy?

Mr. McCLELLAN. I have said that. I have said it is almost a national disgrace, in our system of jurisprudence and our philosophy of government, to find that there are people who are suffering wrongs and who have no remedy. We have brought about this situation by the legislation enacted here.

Mr. ERVIN. The amendment of the Senator would provide a remedy for all controversies arising under the Taft-Hartley Act, would it not?

Mr. McCLELLAN. It would provide for a remedy somewhere—for a tribunal to adjudicate the matters. The National Labor Relations Board would have the first right. That would be a continuing right. The Board could make it exclusive, or it could yield or cede to the State courts the jurisdiction it did not want to take.

Mr. ALLOTT. Mr. President——

The PRESIDING OFFICER (Mr. HART in the chair). The Senator from Colorado has the floor.

Mr. ALLOTT. I do not know whether the Chairman of the Subcommittee on Labor desires to use the time in opposition to the amendment or not. I do not care to yield back the remainder of my time unless the time is to be yielded back by the other side.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. ALLOTT. I am happy to yield to the Senator from New York.

Mr. KEATING. I should like to inquire of the distinguished Senator about his amendment, for information. I feel that we should definitely do something about the no man's land problem.

In the second page of the amendment it is provided that if the National Labor Relations Board declines to assert jurisdiction, any legally constituted agency or the courts of any State shall have jurisdiction.

In the State of New York we have a State labor board. I assume that the State labor board would automatically have jurisdiction over such labor disputes as the National Labor Relations Board declined to take jurisdiction over.

Mr. ALLOTT. I believe the Senator's State is one of those which have such legislation and such a board.

Mr. KEATING. Are there States which do not have labor boards and in which the courts have jurisdiction directly, by statute, over all labor disputes?

Mr. ALLOTT. I will answer the Senator's question in this way: I am informed that there are only 12 States which have such enabling statutes as the Senator's State has. In my opinion, the ability to take over such disputes would be inherent in the State courts if it were not for the question of preemption, which we encounter in connection with labor disputes.

Mr. KEATING. I can see that.

Does the Senator believe that in a State such as New York, which has a legally constituted agency, the State labor board, it would be clear, under the wording of his amendment, that that State board, rather than the courts of the State of New York, would have jurisdiction? I think that should be so, because it has been decided in the State of New York that all labor disputes should be within the jurisdiction of the State board. Would it be necessary, in the Senator's opinion, to have language inserted after the words "legally constituted agency"? I suggest the insertion of the words "or if there be none, then the courts," or some similar language.

Mr. ALLOTT. I shall be glad to modify my amendment in that respect. I can see nothing in the Senator's language which would hurt the amendment at all. Will he repeat it?

Mr. KEATING. I suggest that after the words "agency or" there be inserted the words "if there be no legally constituted agency."

Mr. ALLOTT. I am glad to modify my amendment accordingly.

Mr. President, I am very much gratified at the great interest in this problem. It is a shame that the Congress has so long left this area untouched, and left so many people, both employers and employees, without recourse to any legal board, or any court to obtain redress and a determination of their disputes.

Mr. PROUTY. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. PROUTY. I should like to ask a question. I should like to direct my question also to the distinguished Senator from Arkansas [Mr. MCCLELLAN].

Under present jurisdictional standards of the National Labor Relations Board, the Board will move in in the case of a nonretail establishment if the gross volume of business is $50,000. It will not come in if the gross volume of business is $49,000. Let us assume that there are two plants in the identical business, in the same State. One comes under the jurisdiction of the National Labor Relations Board, and the other under the jurisdiction of the State courts. Most States have no laws relative to this subject. Just what happens? Is there any uniformity? Will all people be treated alike? If there are unfair labor practices in the $50,000 plant, they will be taken care of. If they exist in the smaller plant, they will not be.

Mr. ALLOTT. First of all, in the 12 States which have boards established, the disputes would be handled by the boards. In the other instances, it seems to me perfectly clear that the State courts would handle them, in accordance with State law.

Mr. PROUTY. If I am correctly informed, not more than 10 or 12 States have boards, or any laws relative to this subject at the present time.

Mr. ALLOTT. The Senator is correct.

Mr. PROUTY. I have an amendment prepared which I think would have provided a higher degree of uniformity, but in view of the time situation, it is impossible for me to offer it and explain it thoroughly. I think this is one of the most important considerations in the entire bill, and I regret very much that time is so limited, because I do not think we are solving the problem by this method. We are creating inequities in many cases.

Mr. ALLOTT. I offered this amendment with all the earnestness at my command, because I believe that the amendment would leave the situation much improved as compared with the present act. I suggest to the Senator that the Senator from Arkansas has already indicated that he intends to offer a substitute at the proper time, which he cannot do until the time has expired. He intends to offer a substitute for my amendment when the time expires. The Senator will have equal opportunity, of course.

Mr. PROUTY. Mr. President, will the Senator yield briefly?

Mr. ALLOTT. I am very happy to yield.

Mr. PROUTY. The basis for my proposal is that in cases in which the National Labor Relations Board refuses jurisdiction, the State courts deal with unfair labor practices, but there is no uniformity of treatment. We should maintain a degree of uniformity, so that all people involved would be treated alike. It seems to me that under the method proposed, that would be impossible. The provisions in the bill are meaningless. The objective is good, but from a practical standpoint the provisions will not work. The Senator's approach is more realistic. I am sorry that we cannot take more time and enact something which would meet the objective.

Mr. ALLOTT. I am sure we shall, before we are through.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. COOPER. Last year I served with the Senator on the Committee on Labor and Public Welfare, and we considered the same problem at that time. We know that the problem exists, and that in many cases neither employers nor employees have access to anyone for the determination of their disputes. Of course that is bad. But I would like to have the Senator refresh his memory on the question which has just been raised by the Senator from Vermont.

Under the Taft-Hartley Act all jurisdiction, at least theoretically, is in the National Labor Relations Board, in disputes arising out of interstate commerce. Does the Senator not think there is an inconsistency in placing a large body of cases under the jurisdiction of State courts, where there can be no uniformity of standards, and where there can be no ready opportunity to have the disputes determined and reviewed by Federal courts? Is there not the possibility that the situation could grow into an even more complex and disordered system?

Mr. ALLOTT. The Senator has asked a very complex question.

Mr. COOPER. It is a long question, but the substance of it is simple.

Mr. ALLOTT. I shall endeavor to reply to all parts of it, so far as I can recall them.

In the first place, I do not believe my amendment could possibly work any hardship which is as bad as the present situation. The present situation simply amounts to this:

A dispute arises. It is submitted to the National Labor Relations Board. The National Labor Relations Board refuses to take jurisdiction, and the parties are thereby left out on a limb, and can resort to no board, no court, no tribunal. There they sit. Nothing could be as bad as that situation.

To answer the Senator's second question, as to whether or not the fact that there might be some difference in the application of the laws of the States might lead to some abuses. I answered by saying, perhaps. Anything that is ever submitted to any court can conceivably result in something short of perfect justice to anyone. Moreover, we are speaking of a class of cases that is, by definition, local in nature—that is, the cases do not substantially affect interstate commerce.

However, I would say to the Senator that even though there may be some variation so far as the courts are concerned, the fact that a person could go to a court and get his dispute heard and determined is something so far in advance of what we have now that there can be no question at all about it. While there seems to be the belief on the part of some people that the State courts cannot handle it, I have no doubt that if these matters are thrown into State courts, instead of remaining suspended out in space, like the Explorer or the sputnik, or something else, we will be in a far better situation than we are now, because I have great respect for the integrity of the State courts. While there

may be some difference in the administration of the courts, I still believe that we will be far better off than we are at the present time.

Mr. COOPER. I certainly have respect for the State courts. In fact, I was at one time a judge of a State court. First, as everyone who is familiar with State courts knows, the dockets are crowded all the time. Secondly, these disputes are not the kind of disputes which State courts usually handle; they are of a complicated nature. For example, there is the involved question of picketing. That is extremely difficult even for the NLRB to handle.

We are not arguing against finding some method of assuring that these cases will be brought into a forum for determination. If we must find a forum, it ought to be an agency which can have continuity of experience, and one in which experienced men can deal with these complicated subjects. In that way we would have a better answer to the problem than we have now.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ALLOTT. I should like to say only one more thing. I believe the State courts can do the job and will do it. Has my time expired?

The PRESIDING OFFICER. The Senator's time has expired.

Mr. ALLOTT. That being the situation, I withdraw my amendment.

The PRESIDING OFFICER. Without objection, the amendment is withdrawn. The bill is open to further amendment.

Mr. McCLELLAN. Mr. President, I call up my amendment "4–17–59–D."

I call up the amendment on behalf of myself, the junior Senator from Nebraska [Mr. CURTIS], and the senior Senator from Colorado [Mr. ALLOTT]. I am happy to have them join with me in presenting the amendment.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Oregon will state it.

Mr. MORSE. I am sure that the Senator from Colorado is within his right in withdrawing the amendment. However, I should like to be permitted—in the form of a parliamentary inquiry—to raise a question as to whether he is within his rights, so that I may take this half minute to comment on the subject.

Mr. ALLOTT. Is the Senator directing a question to me?

Mr. MORSE. No; to the Chair. I am very much concerned about the parliamentary situation in which we find ourselves. I was not on the floor when the unanimous-consent agreement was entered into. I believe we are demonstrating once again the unwisdom of entering into a unanimous-consent agreement to limit debate in a legislative situation involving such a complicated subject as this. This is one of the most vital areas in the whole bill. I am the author of the section of the bill which is under discussion. It was written out on top of the table in the committee room when we had the entire no man's land situation under consideration.

I should like to have had some time to discuss the Allott amendment. Frankly, I wanted to use the time to discuss the whole problem of the no man's land, because it is such an important subject. Certainly we should try to work out a workable solution of the whole matter on the floor, because the proposal we have in the bill needs drastic modification, even though its basic principles are sound. Those principles are in contrast to both the McClellan amendment, which is now before us, and the Allott amendment, which has been taken away from us.

We cannot have this opportunity to discuss the subject. Therefore, I wonder whether it would be possible—and I am frank to say what my purpose is, namely, to discuss the matter—to lay before the Senate what I believe are constructive suggestions as to what we ought to do about the matter. Otherwise, if we follow this course of action, I believe we will end up by making a great mistake on a very complicated issue.

This is a problem which calls for the best exercise of our abilities. The decision will have a very great public effect. I am only raising the question as to whether the Senator from Colorado could delay withdrawing his amendment, so that I may have a little time in which to discuss the amendment from the other side. It has not been discussed from the other side.

The PRESIDING OFFICER. The amendment has been withdrawn. The amendment offered by the Senator from Arkansas is now pending.

Mr. HOLLAND. Mr. President, in the interest of having a discussion of both sides of the question—and I may say that my point of view is quite close to that of the Senator from Colorado and the Senator from Arkansas—and so that there may be equal time for discussion of both sides, I ask unanimous consent that the action of the Senator from Colorado, in recalling his amendment, if he desires to do so, be rescinded, for the sole purpose of allowing the Senator from Oregon, and anyone else who may wish to participate in the debate, to use the remaining 30 minutes.

Mr. ALLOTT. Reserving the right to object, I should like to say that I hope the Senator from Oregon is not inferring that I offered my amendment simply so that I could use a half hour in talking about it.

As a matter of fact, I should like to say to the Senator from Oregon, because he had to be absent from the floor part of the time, that the RECORD will disclose that two or three times during the course of the colloquy and debate on this matter I inquired if there were any Senators on the other side of the question who desired to speak.

With reference to the request of the Senator from Florida, I should say that I inquired whether there was any Senator on the floor who wished time, and no one responded. If I yielded to the Senator's request, I would find myself with no time, because I have exhausted my time on the amendment. However, I am inclined not to object, because I do not believe anyone should be foreclosed from talking about such an important subject as this is. I shall not object to the request of the Senator from Florida, knowing that I can later withdraw my amendment, and that the Senator from Arkansas will have an amendment, which I frankly feel, after having examined it, has some beneficial aspects in it that mine did not have, and that, further, there will be ample opportunity to discuss it.

Mr. MORSE. I wish the Senator to know that nothing I have said was intended to indicate in the slightest that I thought he was engaging in any form of parliamentary tactic. It does happen that when the Senator from Colorado asked if any Senator wished to speak on the other side of the question, I was on my feet. I tried to get him to yield. The Senator then yielded to a Senator on the other side of the Chamber and he did not see me. The Senator from Massachusetts [Mr. KENNEDY], was not on the floor, and the Senator from Michigan was trying to get me some time, when another colloquy developed. I have been trying to get the floor. This matter happens to be my "baby," and it has been ripped up a little bit in my absence in the Foreign Relations Committee, and therefore, I should like to have the opportunity of at least putting a little adhesive tape on it.

Mr. ALLOTT. May I inquire of the Senator whether his purpose would be served if, when the Senator from Arkansas offered his amendment, he were given equal time with the other side to discuss the amendment?

Mr. MORSE. I am simply trying to point out that I do not think enough time will be allowed under the rule if we simply limit ourselves to the amendment offered by the Senator from Arkansas. This matter is so complicated that we should, if we can, get ourselves into a parliamentary position so that we can use whatever time is available under the unanimous-consent agreement before the amendment is withdrawn.

The Senator from Colorado was very fair. He asked if any Senator wanted to speak about the matter. But the difficulty was that we did not get our lines of communication through to him. I am trying to get across the idea that I wanted to speak. I asked how much time was left.

Mr. McCLELLAN. Mr. President, I am certain there is no intention to cut off the time of any Senator. The truth is that we were trying to prolong the time so as to afford more opportunity for discussion. I urged that proposal upon the Senator from Colorado so that we might have a longer time in which to debate the proposal.

I announced in the beginning that I intended to offer my amendment as a substitute. Then I learned that under the unanimous-consent agreement only 1 hour is allowed for "any amendments thereto." I did not know that the phrase "amendments thereto" had been added to the unanimous-consent agreement; otherwise I would not have agreed to it.

I am not charging any Senator with bad faith. But when I agreed to the unanimous-consent proposal I thought it meant that one hour would be provided on any amendment offered to an amendment. Otherwise I would not have agreed to the limited time of 1 hour for

any amendment and amendments thereto.

So we find ourselves in this situation of limited time. I was trying to get more time, because I thought the matter was important and should be discussed at length.

In view of the situation which exists, I should like to ask the distinguished Senator from Florida to modify the unanimous-consent request by asking for time for both sides. Let us proceed from this point on the amendment of the distinguished Senator from Colorado; then I shall offer my own amendment if and when he withdraws his.

Mr. HOLLAND. There is no thought in my mind at all of doing other than what is fair to both sides. If the distinguished Senator from Colorado will recall his action, it will mean that any time he had left will be reinstated, and that any time the distinguished Senator from Oregon or any other Senator might utilize out of the time covered by the unanimous-consent agreement can be utilized in debate.

The sole subject of my request was to have the Senate proceed in such a way as to afford the full time which is provided for both of the amendments.

I understood the Senator from Arkansas to say that he has learned that he cannot offer his amendment as a substitute without that action coming within the limitation of a single amendment, which is obviously an inadequate amount of time in which to discuss this very involved matter.

My sole thought was to permit the Senator from Colorado, who had proceeded on the assumption that no other Senator wished to speak in opposition, to recall his yielding of time, his yielding of the floor, and his withdrawal of the amendment, so that the Senate could proceed just as if that action had not been taken.

The PRESIDING OFFICER. The time of the Senator from Colorado had expired.

Mr. ALLOTT. I reserved objection to the request of the Senator from Florida. I withdraw the objection, because the Senator from Massachusetts has agreed with me that I may reinstate my amendment. The Senator from Massachusetts has then agreed that he will yield half of the time remaining to the proponents of the amendment and half to those who wish to oppose it, which will leave us in an equal position.

The PRESIDING OFFICER. The Senator from Florida had objected to the reinstatement of the Allott amendment; but prior to that the Senator from Arkansas had offered an amendment.

Mr. HOLLAND. If it be necessary to amplify my request, I ask unanimous consent that the Senator from Arkansas be allowed to withdraw the offer of his amendment, and that the other action I have already stated be taken. I had no thought of shutting off debate on the matter. I think we will be hastening our action in the matter if we proceed as I have suggested.

Mr. McCLELLAN. Reserving the right to object, I am happy to follow the suggestion of the distinguished Senator from Florida, with the understanding that it will not prejudice my right to reoffer my amendment at a later time.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Florida? The Chair hears none, and it is so ordered.

Mr. KENNEDY. Mr. President, under the agreement just suggested, I yield 15 minutes to the Senator from Oregon.

Mr. MORSE. Mr. President, at this stage of the debate, all I wish to do is to talk about some of the complicated problems which confront us concerning this matter.

I say to the Senator from Arkansas and the Senator from North Carolina that I completely agree with the observation they made a few minutes ago, and which was pressed time and time again in the Committee on Labor and Public Welfare. We must pass some legislation on the so-called no-man's-land area, because the failure to have any legislation concerning that subject is working gross injustice to many employers and many workers throughout the country. There is a variety of solutions to the problem which can be adopted. I wish to pursue three or four of them, as I see the problem.

I have tried to live with this problem. I am the author of the section of the bill which is now under discussion; but, as the Senator from Kentucky [Mr. COOPER], the Senator from New York [Mr. JAVITS], and the Senator from Massachusetts [Mr. KENNEDY], and other members of our committee know, we penciled it out on the top of the table in discussions in the committee. That shows how it was done and how rapidly it was done, to carry out the principles which I think are essential, and which I shall now discuss.

The important thing to remember is that all labor and all employers are entitled, under the commerce clause of the Constitution, to uniformity of application of the rules in cases which fall within the jurisdiction of the Federal Government. It is the uniformity which I wish to stress.

I think it is grossly unfair to say to one group of employers and one group of workers in America, who come under the commerce clause, "You are going to have the Taft-Hartley policy applied to you"; but to say to another group, "The National Labor Relations Board, because of a present lack of personnel and because of a refusal"—I say this respectfully—"to modernize the operations of the NLRB, says it cannot take jurisdiction of your cases."

They are the no man's land cases, because the Supreme Court of the United States has held in effect that, after all, they fall within the jurisdiction of the Federal Government, and the parties thereto are entitled to have the Federal Government, through the National Labor Relations Board, take jurisdiction. But we know the Board is not taking jurisdiction for various reasons. So those cases are out in the cold. That is not my conception of American justice.

I think the most ideal proposal, as stated in the committee, would be to have the National Labor Relations Board departmentalized. But the Board has shown no inclination to do it on an administrative basis, although it could. Apparently, to date, there is no inclination on the part of Congress to require that by legislation.

The example I shall use is not a 100-percent parallel. It is an argument by analogy. It has some weak spots in it, as I shall be the first to admit. Those weak spots I shall try to point out.

On a much smaller scale, the problem existed during the war, when I served on the War Labor Board. The National War Labor Board was just as much bogged down as is the National Labor Relations Board. It had more cases than it could handle. We departmentalized the War Labor Board. We set up regional boards, and gave to the regional boards jurisdiction to determine with finality the cases, save and except for one ground of appeal, when the appeal was made on the ground that the regional board was not following Federal policy as laid down by the National Board in those major disputes over which the National Board retained jurisdiction. That is, the National Board reserved the right to retain national jurisdiction over certain major cases, such, for example, as shipyard cases, cases in the steel industry, in the so-called major industries of the country. That was the limitation of the appeal.

I said in committee, and I say in the Senate today, that the best solution of the no man's land problem, in my judgment, is to departmentalize the National Labor Relations Board to regional boards or district boards, which would have the power of finality. The regional boards would act under clear instructions that they were to follow the Federal standards. By Federal standards we mean rules and principles which have been developed under the Taft-Hartley law. There would be the right to appeal only in a very limited case in respect to whether the regional or district board was following the Federal standards. But I am a realist. I do not think there is any chance of the passage of that knd of legislation.

We have the so-called special committee which has been established to try to work out amendments to the Taft-Hartley Act. I know of no particular field which should be of more vital concern to the special committee, headed by the distinguished professor from Massachusetts, than this matter of the no man's land.

Mr. President, we should not attempt to deal with this matter at this time, on the floor of the Senate, when we do not have adequate time, under the unanimous-consent agreement—to which I never would have agreed if I had thought it would subject us to this kind of a time straitjacket in connection with a matter as important as this one. But of course, I could not be in the Foreign Relations Committee and at the same time be in this Chamber; that is the explanation of what happened. I believe it is a mistake for us, while acting as a Committee of the Whole, to try to settle this matter here on the floor of the Senate, when even the so-called blue ribbon committee is, as I understand, having a great deal of difficulty in try-

ing to reach a solution of this no man's land problem.

I am frank to say that I would prefer to see my proposal stricken from the bill and to see no provision at all on this subject matter included in the bill, and to have an understanding that before Congress adjourns in July or August, we will get before the Senate some proposed legislation in regard to this no man's land problem, because I do not believe we have any right to let the employers and the workers who are affected by these cases go another year without having on the statute books some legislation which will provide them with some relief or some remedy.

Mr. President, I say respectfully that either the Allott proposal or the McClellan proposal would make the existing confusion even more confounded. I agree with the Senator from Arkansas [Mr. McCLELLAN] that my proposal needs some modifications, although its basic principles are sound.

But if we do not go along with departmentalizing, I propose that the Congress say to the States, "All right; let the States cooperate on this matter, and set up their own agencies to handle these no man's land cases, for the people of the States are entitled to some remedy. So let the States set up their own agencies; and the Federal Government will pay the administrative costs of the States' agencies, when, on the State level, they handle this problem."

I understand that one of the objections to that proposal is made on the basis of the so-called master-servant label which has been attached to this portion of my proposal. But, Mr. President, if the Supreme Court is correct—and I believe it is—in holding that this matter falls within the jurisdiction of the Federal Government, under the commerce clause of the Constitution, then we should be willing to provide that the States should be compensated for this kind of service to the Federal Government.

Therefore, my proposal is that when the State agencies do take jurisdiction, they shall follow Federal standards, in the interest of the equality of justice about which I am talking, so that across the Nation there will be uniformity in connection with the labor-management relationships, so that management in the New England States or management in the Lake States will be subjected to the same principles as those to which management in Mississippi or Texas or Georgia or any other part of the country will be subjected. I think that will be only fair and right.

I also proposed that provision be made for taking an appeal to the courts, but that in the interest of uniformity, the courts shall follow the Federal standards.

Mr. President, if such a program were not followed, the next alternative would be to say that the Federal Government would wash its hands of these cases, and would throw them back to the States, there to be handled either by State agencies or by the State courts. Then what would happen to uniformity of treatment? It would go out the window. I think such an arrangement would result in discriminatory justice, not equal justice. I think it would work a hardship on the employers in what we call the high-labor-standard States, in connection with the entire field of competition. I believe it would be competitively unfair for the Congress to enact, in connection with the no man's land cases, a piece of legislation which would put the employers in some of the States in such a position that higher standards would be applied to them, as compared to others.

That is why I believe the matter of uniform Federal standards is important.

Then, too, if we were to throw these cases into the State courts, we would be subjecting them to the application of common-law doctrines, rather than administrative-law doctrines. In this case we are dealing with a legal subject matter or a field to which—if experience has taught us anything; and certainly it has taught us this—administrative law, not common law, should apply, because if administrative law is not applied to these cases and if the whole body of cases is not handled under the administrative-law principles of the Taft-Hartley Act, but if, instead the no man's land cases are handled variably by State courts, under common-law principles, again the structure of uniformity of justice will be broken down.

That is why we should take a long, hard look at this problem. That is why we should not adopt, today, either the McClellan amendment or the Allott amendment or, I am frank to say, the Morse amendment. In view of the nature of this debate, probably at this time we should not adopt any of them. Instead, we should agree to strike all such provisions from the pending bill; we should pledge, by gentlemen's agreement, that before this session of Congress ends we will come to grips with this no man's land problem, and will give instructions to our so-called blue ribbon committee to speed up its handling of this issue and to bring before us a committee report—with both a majority report and minority views, if necessary, but with a unanimous report, if possible—and then, on the basis of that recommendation, come in with a new bill, and then have the Congress seek to enact such legislation by way of an amendment to the Taft-Hartley Act, because in essence that is what is involved.

Mr. President, I think the highest statesmanship probably calls for the last course of action I have stated.

Mr. President, if we cannot reach an agreement of that sort, then I wish to serve notice now that after we hear from the Senator from Arkansas [Mr. McCLELLAN], if it is then in order, under the rules of parliamentary procedure, for me to do so at that time, I shall offer another substitute for my own proposal. I do not know what its final form will be, although I have some suggestions. In the meantime, I wish to talk to the Senator from New York [Mr. JAVITS], who, along with the Senator from Kentucky [Mr. COOPER], I believe, has been working in the last hour or so on another possible substitute, because the Senator from New York, the Senator from Kentucky, the Senator from Oregon, and other members of the committee have worked hard on this matter, in an effort to find some acceptable solution that will keep faith with the principles I have discussed this afternoon.

Mr. President, I fear that if the Senate deals with this matter at this time, here on the floor, as a Committee of the Whole, the result will be an awful mess, whereas if we were to take more time, we could agree to take no action at all on the matter today, but we could pledge to each other that we would take action on it before this session of Congress ends.

It may be that before this session of Congress ends, the special committee will come forward with a proposal which may be at variance with my present point of view, as I am expressing it.

But in this case what I fear is that as a result of the Allott proposal or the McClellan proposal, the Senate will, in effect, be turning the State courts into little Labor Boards, case by case. I say most respectfully that the State courts are not the best tribunals for handling these administrative-law problems. I much prefer a no man's land amendment which will, in the first instance, provide for adjudication before a State administrative-law tribunal. I do not care whether it is called a State industrial relations board, a State adjudication board, or whatnot; I do not care particularly about the name that is used. But I do care very much that these matters be left in the administrative-law field, and not be put into the common-law courts.

I close by saying that the matter involves even injunction proceedings. Have we not learned in 50 years in this country the danger of legislation that seeks to revive the injunctive process for handling these labor problems? My plea is to go slow and let us wait.

Mr. COOPER. Mr. President——

Mr. KENNEDY. Mr. President, as I understand, that concludes the 15 minutes which I had under the unanimous-consent agreement. The Senator from Colorado has 15 minutes. If he does not use all that time, perhaps he is willing to yield time to the Senator from Kentucky, or perhaps the Senator from Kentucky can get time on the bill yielded to him.

Mr. ALLOTT. Mr. President, I yield 5 minutes to the Senator from Kentucky.

The PRESIDING OFFICER. The Senator from Kentucky is recognized for 5 minutes.

Mr. COOPER. Mr. President, I wish to support the proposal which the Senator from Oregon has just made. I think the Senate should know this is an important subject. It is one of the most important subjects in the bill which was considered by the Committee on Labor and Public Welfare. In the committee we studied this problem for days, and tried to arrive at a solution. As the Senator from Oregon has frankly admitted, even the solution we finally agreed to is not the ultimate solution.

It is a fact that, for all practical purposes, there exists a right without a remedy. Although employees and employers, under the Taft-Hartley Act, have

a right, they do not have a forum in these cases, because the National Labor Relations Board has declared it cannot take jurisdiction.

There is a provision in the Taft-Hartley Act—section 10(a), I believe—which prescribes that in the event a State has adopted what in effect is a little Taft-Hartley Act, the State agency can take jurisdiction. Only a few States have adopted such laws.

While it may sound reasonable to suggest that the State courts should take jurisdiction, on thought and consideration I think the arguments which the Senator from Oregon has made are compelling. There is a vast body of law involved. Anyone who reads the decisions of the National Labor Relations Board knows how complex the law is. Many of the decisions are reviewed by the courts.

If the proposal of the Senator from Colorado, or that of the Senator from Arkansas were adopted, a great number of employers and employees would be bound by Federal law, the Taft-Hartley Act, and perhaps other employers and employees in the same community would be bound by State law—under entirely different standards. That is not a good thing to do. In my judgment it is not the right thing to do.

My own judgment is that it would be much better if there were State agencies bound by Federal law and having access to Federal courts. Then uniformity would exist.

Unless a solution of that kind can be found, and it is very difficult to find such a solution here on the floor of the Senate, I would approve of the proposal which has been made, namely, that if an agreement can be reached to have this matter studied further, and a solution arrived at before the end of the Congress, it ought to be done.

After a study was made of the question by the committee, I think all of the members came to the conclusion that leaving the question to the State courts and State law was not a proper solution, and that further study of the question was needed.

Mr. ALLOTT. Mr. President, so the Senate may be aware of my intentions, I intend to speak only a few minutes. I shall then be happy to yield whatever time is left to Senators who wish to speak in favor of the amendment.

In talking about this matter, I may say that I do not cast any aspersions on either the Senator from Kentucky or the Senator from Oregon, with both of whom I have pleasurably served on the Committee on Labor and Public Welfare for a considerable time prior to this year.

I should like to take up, first of all, the question about our wrestling with this problem. We certainly have. We have wrestled with it for several years, that I know of, here in Congress. It seems to me perfectly ridiculous that, after having literally hundreds of drafts of proposed legislation written by individual Members and members of the staff, we must say at this time we cannot come to grips with the question. I would not admit we cannot come to grips with the question on the floor of the Senate right here and at this time. I do not know why we should put off a solution of the question. I think perhaps in the latter part of the afternoon, when perhaps the energy of some of us fails, not enough emphasis is put on the fact that for years gross injustices have taken place, not only in the case of companies, but in the case of working people, and attempts to get their cases heard have failed.

I now wish to take up the chief argument of my friend the Senator from Oregon, namely, the point of uniformity. In fact, everything he has said boils down to the point of uniformity, with one exception, which I shall cover subsequently.

What is the situation? There is a Federal law in existence which takes jurisdiction of labor disputes. A board has been established by Congress, the National Labor Relations Board, to take jurisdiction of those disputes. What happens? A dispute arises, and the National Labor Relations Board says to the disputants, "We do not find that your particular situation is of sufficient interest, or that it affects materially the commerce of this country, so we are not going to take jurisdiction."

Why should not the State courts or the State agencies apply their own law in such instances? The National Labor Relations Board has the opportunity to take jurisdiction of such a case and decide it according to Federal law, if it is a Federal case; but it says it will not do so. When the Board states a case is not of Federal significance and does not come under Federal law, why should not the States take jurisdiction? There simply is not any answer to that question.

I say to the Senator from Oregon, with all respect, if we followed his argument to its ultimate conclusion, on that basis we would have to say there should not be any State courts, because they are not uniform. This is just one segment of the law, one subject matter, out of the great volumes embraced in our law. If we accepted the argument of the Senator from Oregon and carried it to its logical conclusion, we should do away with State courts, and should adopt Federal law and uniform standards on the ground that such cases could not be submitted to the States, whose laws are different.

There are States which have laws having to do with comparative negligence. My own State does not have such a law. Yet thousands and thousands of litigants have gone to court in State tribunals and have had their cases adjudicated. Some cases have been decided under the comparative negligence theory, and some have been decided under different doctrines. The litigants have all obtained justice in their States.

While I must admit that the results might not be exactly the same, at least those people were not left in the woods, whistling for help, looking to Congress for help they would not receive.

It seems to me lack of uniformity is not enough of an argument, because the National Labor Relations Board has said to certain litigants, "You have no Federal interest." When such cases do not involve any Federal interest, why should not the State courts or State boards decide those cases? Why should the States not handle the problems in this area which are basically State problems.

I should like to address myself, finally, to one remark the Senator from Oregon made. The Senator is listening, and I hope I do not misquote him. The Senator said in substance that he would rather see no law on this matter than to see it written in the way we are proceeding.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. ALLOTT. Since I am quoting the Senator, I am happy to yield.

Mr. MORSE. I would rather see no law passed this afternoon than any one of the proposals now before us. That is why I wanted to get an agreement among us that we would make this a legislative duty to be taken care of before we leave Washington this year. I certainly join with the Senator from Colorado in wanting some legislation passed, but I would rather have none passed this afternoon than to see enacted any one of the 3 proposals before us.

Mr. ALLOTT. I misunderstood what the Senator said. I would not have made the statement unless the Senator had been here to correct it, if misstated.

Mr. MORSE. I understand.

Mr. ALLOTT. But I do not agree with the Senator. I think it is time to deal with this matter. Of course, the Senator knows as well as I it would be impossible to get an agreement upon the floor of the Senate which would assure that this matter would come up in legislative form this year.

What I am afraid of, Mr. President, is that if we do not act now, while we have the opportunity, we will never act. I therefore, of course, support my amendment.

I will say quite frankly that the McClellan amendment, which I had not seen at the time I started speaking on my own amendment, has some very meritorious provisions in it, in which I intend to join after I have withdrawn by amendment, pursuant to the action I previously took.

If anyone else wishes to be heard on my time, on my side of the fence, I shall be happy to yield to him.

Mr. ERVIN. Mr. President, how many minutes will the Senator yield?

Mr. ALLOTT. Mr. President, how many minutes do I have remaining?

The PRESIDING OFFICER. The Senator has 4 minutes remaining.

Mr. ALLOTT. I yield to the Senator from North Carolina.

Mr. ERVIN. Mr. President, we have a condition which is a stench in the nostrils of justice. It has been a stench in the nostrils of justice for years, and the Congress has met time after time and has done nothing to remedy it.

This conditions was brought about by Congress. Congress passed the Taft-Hartley Act and took jurisdiction over labor controversies from the States. After Congress set up the National Labor Relations Board, the courts said that since Congress had given jurisdiction over labor controversies, under the Taft-Hartley Act, to the National Labor Re-

lations Board, the State courts could not exercise jurisdiction.

As a result, we have observed people who had legal rights for which they could obtain no remedy. We have observed people suffer labor wrongs for which they could obtain no redress. I say it is a disgrace to any system of law for a person to have rights which cannot be remedied and wrongs which cannot be redressed.

If we do not take action now we do not know when action will will be taken.

The proposal with which I am more familiar is the amendment of the Senator from Arkansas. That amendment would merely confer upon the National Labor Relations Board the power to refuse jurisdiction over labor controversies which do not have any substantial impact upon interstate commerce, and to permit jurisdiction over those excluded labor controversies to the courts of justice in the several States.

Mr. President, for years we have had a situation not only in which justice was delayed, but also in which justice was denied. It seems to me we ought to pass a provision similar to that proposed by the distinguished Senator from Colorado or the distinguished Senator from Arkansas; and then, if it is the desire to extend the jurisdiction of the National Labor Relations Board later on, that can be done. Let us not have these people with rights which cannot be remedied and wrongs which cannot be redressed, while we are doing something which may never happen.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORSE. I want to make a parliamentary inquiry as to procedure.

May I have the attention of the Senator from Arkansas [Mr. MCCLELLAN], for I want him to consider the procedural question I shall raise.

Would I be in order, Mr. President, to move as a substitute for the McClellan amendment a substitute amendment, or am I estopped from offering a substitute amendment to the McClellan amendment until at least the debate on the McClellan amendment is over, which would be perfectly satisfactory to me?

The PRESIDING OFFICER. The substitute could be offered on any occasion when the Senator could obtain recognition, but the 1 hour time limitation would apply to both.

Mr. MORSE. It leaves me aghast, Mr. President, when I consider how such a unanimous-consent agreement ever was agreed to on the floor of the Senate. This is the last time one like that will be agreed to. I do not intend to ever agree, when I am on the floor of the Senate, to such a unanimous-consent request, because such an agreement is well illustrating its deficiencies and what they are doing to adequate consideration of the pending legislation.

We have before us a complicated problem, Mr. President. And yet there is in the agreement, as I understand it, language which says "or amendments thereto".

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. JOHNSON of Texas. How much time does the Senator desire?

Mr. MORSE. What I am trying to find out is, of course, whether I can offer a substitute amendment to the McClellan amendment, or whether I can get recognition by way of a motion to strike.

Mr. JOHNSON of Texas. The Presiding Officer has stated that as soon as the Senator is recognized, he can offer an amendment.

Mr. MORSE. I would be limited to the total of 1-hour debate.

Mr. JOHNSON of Texas. The Senator can obtain unanimous consent to have whatever time he wants, in my opinion. If the Senator will express an idea as to how much time he wants, I will attempt to make that request, or yield the Senator some time on the bill.

Mr. MORSE. I think any unanimous-consent agreement that puts any Senator in the position where he has to come hat in hand asking for unanimous consent to get an extension of a unanimous-consent agreement was badly drafted.

Mr. JOHNSON of Texas. No one is looking for a hat or for a hand, either.

If the Senator will indicate the time he wants, we will yield time on the bill.

Mr. MORSE. I will tell the Senator what I want to do. I want to consider the procedural possibilities, first, of offering a substitute for the McClellan amendment, unless we can reach some understanding here. I prefer that we strike the whole section of the bill at the present time and wait for our special committee to bring to the Senate a bill to deal with the no man's land, to see if we can work out an agreement among ourselves that we can act on the matter before the adjournment of this session of Congress, which I think is the most sensible procedure for us to follow. However, if we cannot get any kind of an agreement, then I want to offer a substitute for the McClellan amendment which I am ready to offer.

I want from the Parliamentarian instructions as to how I should proceed to accomplish either one of those purposes.

The PRESIDING OFFICER. If additional time is yielded by the Senator in control of the time on the bill, the difficulty might be resolved; or, if unanimous consent is given, additional time may be allowed.

Mr. JOHNSON of Texas. Mr. President, I control 1½ hours and the minority leader controls 1½ hours on the bill. We are willing to increase that time with the consent of the Senate, or to yield such portion of it as the Senator feels is necessary to discuss any amendment he cares to offer to the amendment. If the Senator desires the regular 30 minutes which he would have on an ordinary amendment, I shall be glad to yield 30 minutes on the bill.

Mr. MCCLELLAN. Mr. President, I think the Senator should have some time, and I want to see the Senator have time, but I urge that the time should be granted by unanimous consent, so that the Senator may offer a substitute and that we may have 30 minutes for each side on the substitute, rather than yielding time from the time reserved to discuss the bill, because we do not know how important the discussion of the bill may be when we reach that stage.

Mr. JOHNSON of Texas. That is perfectly agreeable to me.

Mr. MCCLELLAN. I am sure it is.

Mr. JOHNSON of Texas. All we need is a statement as to how much time the Senator wants.

Mr. MCCLELLAN. I think it would be better to reserve the very limited time we have on the bill, which is 1½ hours to a side.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that it may be in order for the Senator from Oregon to offer a substitute amendment, and that the Senator may have 30 minutes on the substitute, and that the time in opposition to the substitute be controlled by the majority leader.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

Mr. ALLOTT. Mr. President, reserving the right to object, I should like to submit two parliamentary inquiries.

The PRESIDING OFFICER. The Senator will state them.

Mr. ALLOTT. The situation is that my amendment, as modified, is still pending, is it not?

The PRESIDING OFFICER. That is correct.

Mr. ALLOTT. It has not been withdrawn. I wish to be sure that I am recognized to withdraw my amendment, in accordance with our previous understanding.

The PRESIDING OFFICER. That question will be put immediately after the pending unanimous-consent request is disposed of.

Mr. ALLOTT. The second inquiry, with respect to the majority leader's request, is this: Is it not true that if my amendment is withdrawn and the Senator from Arkansas offers his amendment, the Senator from Oregon can, subsequent to the lapse of time on that amendment, offer any substitute he wishes for that amendment?

Mr. JOHNSON of Texas. Certainly.

Mr. ALLOTT. And have full time on it?

The PRESIDING OFFICER. No. As previously ruled, the time would run both on the amendment and on the substitute.

Mr. ALLOTT. I will not object.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

Mr. HOLLAND. Mr. President, reserving the right to object—and I shall certainly not object, because I want every Senator who has a good faith amendment, as I am sure the one to be offered will be, to have full time under the agreement—I think we should not follow even the learned suggestions of the Senators from Kentucky and Oregon, and defer action.

In our State we have a situation confronting several thousand hotels which, under the most recent decision of the Supreme Court, do not know where to turn, unless the trouble which affects them comes to violence, when, of course, they can turn to the local officers. But

peaceful picketing, which pretty well shuts up their business, can proceed without hindrance from the Federal court or State courts, under the present intolerable situation, which we discussed briefly on the floor the other day.

I hope no Member of the Senate will even seriously consider dropping this discussion if we are to amend the Taft-Hartley Act in connection with the passage of this particular bill. In deference to my distinguished friend from North Carolina [Mr. ERVIN], I believe that everything that has been said in recent minutes by the Senater from Oregon and the Senator from Kentucky demonstrates the wisdom of the proposal of the Senator from North Carolina yesterday to strike out title VI. We did not have a good title VI, and we are barging into provisions which are not well drawn, and which we are not ready to handle.

I am one who believes in standing by the decision of the Senate when made. We must consider the subject matters brought up under title VI. I hope the Senate will not consider leaving to their fate—which is not a good fate—hotels in my State and other States which are left in a very abject condition by the present state of the law.

Mr. MORSE. Mr. President, as of this moment, after consultation, I shall make no unanimous-consent request. I will listen to the Senator from Arkansas. I may make a request later.

The PRESIDING OFFICER. The request was made by the Senator from Texas.

Is there objection?

Mr. ALLOTT. Mr. President, I do not believe the majority leader heard the remark of the Chair.

Mr. JOHNSON of Texas. I heard it. The Senator from Oregon says he does not desire time.

Mr. ALLOTT. I did not want the Chair to rule unless the Senator from Texas intended to pursue his request, in the face of the remarks of the Senator from Oregon.

Mr. JOHNSON of Texas. In the light of the statement of the Senator from Oregon, I do not desire to ask for time. He does not desire time.

The PRESIDING OFFICER. The Senator from Texas withdraws his request.

The question is on agreeing to the amendment of the Senator from Colorado [Mr. ALLOTT], as modified.

Mr. ALLOTT. Mr. President, I withdraw my amendment.

The PRESIDING OFFICER. The amendment is withdrawn. The bill is open to further amendment.

Mr. KENNEDY. Mr. President, how much time is left on either side? Does each side have half an hour, or is all the time exhausted?

The PRESIDING OFFICER. If an amendment is offered, there will be 1 hour.

Mr. McCLELLAN. Mr. President, I offer the amendment which I send to the desk and ask to have stated. It is designated "4–17–59–B," and I offer it on behalf of the junior Senator from Nebraska [Mr. CURTIS], the senior Senator from Colorado [Mr. ALLOTT], and myself.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 54, beginning with line 19, it is proposed to strike out over through line 20 on page 56, and insert in lieu thereof the following:

(c)(1) Within thirty days after the date of enactment of this subsection, the Board shall clearly establish and publish, by rule or otherwise, such limitations on its exercise of jurisdiction as it proposes to observe for the purpose of excluding from its jurisdiction the classes of labor disputes which, in the opinion of the Board, do not have sufficient effect on commerce to warrant the exercise of its jurisdiction.

(2) The Board in the same manner may establish and publish modifications of such limitations on its exercise of jurisdiction as it has established pursuant to paragraph (1), but no such modification shall have the effect of staying or otherwise affecting any proceeding duly instituted before any appropriate court or agency of any State or Territory (including the Commonwealth of Puerto Rico, Guam, and the Virgin Islands) prior to the expiration of thirty days' publication of such modification; nor shall any such modification permit the Board to withdraw exercise of its jurisdiction over any proceeding which has been duly instituted before the Board prior to the expiration of thirty days' publication of such modification.

(3) In any case or class of cases involving a labor dispute or labor disputes which the Board, pursuant to paragraphs (1) and (2), has excluded from its exercise of jurisdiction, no court or agency of any State or Territory (including the Commonwealth of Puerto Rico, Guam, and the Virgin Islands) shall be precluded from asserting jurisdiction by virtue of the fact that such case or class of cases involves a labor dispute or labor disputes affecting commerce.

"(4) Any person may petition the Board for a determination as to whether a particular case involving a labor dispute falls within the limitations on its exercise of jurisdiction established pursuant to paragraphs (1) and (2). Notice of such petition and its contents shall be given contemporaneously by the petitioner to any known interested person or his representative, and such notice shall have the effect of staying any proceeding to which the petition refers explicitly, and to which both petitioner and any person or persons given such notice are the parties. Any person given notice may file an answer with the Board not later than ten days after receiving such notice. The Board's determination, unless arbitrary, shall be final and binding upon the petitioner and upon all parties notified by petitioner as provided in this paragraph. If the Board should make no determination within thirty days after the filing of the initial petition, it shall be presumed that the Board has determined to be outside its jurisdiction any case to which the petition explicitly refers, and to which petitioner and any person or persons given appropriate notice are the parties.

Mr. McCLELLAN. Mr. President, I yield 1 minute to the distinguished Senator from Colorado [Mr. ALLOTT].

Mr. ALLOTT. Mr. President, I have already expressed my views with respect to the necessity for action at this time, and I wish to say that those statements apply equally to the amendment which the Senator from Arkansas has just offered. I support it fully. I think it is a better amendment than the one which I originally offered. In my opinion, it would afford relief in a situation which the Senate cannot leave here tonight without taking care of.

I thank the Senator for yielding.

Mr. McCLELLAN. Mr. President, I yield myself 5 minutes.

I fully agree with what the distinguished Senator from Florida said a few moments ago. We are forced into this position. If there is something awkward about it, if we are not prepared for it, we are not in that position by reason of any action taken by those of us who sponsor this amendment or those who favor the amendment which I have offered.

I insisted from the beginning, in the consideration of this legislation, that all amendments to the Taft-Hartley Act should be kept from this bill, and that we should have a clean bill dealing with union administration and corruption in the labor movement. I insisted that we should not bring in proposed amendments to the Taft-Hartley Act which were known to be controversial.

If we are in the situation of considering something which has not received proper consideration up to this point, it is not the fault of those who are offering this amendment as a substitute for the provision contained in the bill. If there is any failure, if someone has not given to this task the effort it should receive, it is not the fault of those of us who are trying now to amend what has been reported by a duly constituted legislative committee, whose duty it was to study the subject, and not report a measure with which many Senators would be dissatisfied.

The present situation is not our fault. We have the bill on the floor of the Senate. It is a bill which the committee voted to report favorably by a vote of 13 to 2. Those of us who offer this amendment pleaded that no amendment to the Taft-Hartley Act be included in the bill, but that the committee should report a clean bill.

We are asked to delay again. We are asked to enter into some kind of gentlemen's agreement to strike out everything with respect to the no man's land situation, and let that situation continue in the hope that sometime later this session, or some other time, we shall have another bill before us to consider.

We must make up our minds to do one of two things. We can act right now, and we can do it very simply.

There seems to be opposition on the part of those who favor some kind of provision such as that now in the bill, to the State courts having anything to do with cases in which the Federal Government has an interest, and if that interest is not substantial, why not leave the dispute to the State? If there is enough involved, why not compel the National Labor Relations Board to do its duty, to take jurisdiction, and adjudicate the dispute? It is that simple. If those who do not want the State courts to have anything to do with it or exercise any responsibility in the matter, or to provide relief where the situation is practically completely local, they should offer a simple amendment to compel the National Labor Relations Board to take jurisdiction of all cases and to adjudicate them. Perhaps the Board cannot do

it. Perhaps it is physically impossible for the Board to do it. However, I will tell the Senate what can be done about it. The Board could be compelled to do it, and Congress could give it the tools with which to do the job.

I do not favor compelling a State to take jurisdiction. Who is to compel a State to do it? The Federal Government cannot set up such an agency in a State. The people involved would still be without a remedy. Who is to set up the State agency?

The whole situation does not make sense to me. If we want it done under Federal law, all we have to do is to require NLRB to take jurisdiction and to give it enough deputies, or whatever is required, to do the job.

That is one direct approach. The other direct approach, if the Federal Government does not have enough basis to justify cases being handled by the Federal Government, is to leave them to the State courts.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. McCLELLAN. I yield myself another minute.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. MORSE. I hesitate to transgress on the Senator's time. However, I should like to make an observation on what the Senator has said. I quite agree that we ought to pass legislation which requires the National Labor Relations Board to take jurisdiction. It can do so by forcing it to departmentalize, as I suggested previously. I was not able to get a corporal's guard—if I may be excused the use of that expression—in support of my suggestion. That is the way to do it, Mr. President.

This is not merely the case of a Federal matter being involved. It is a matter of justice. Justice is just as important to 10 or 15 employees of a little plant as it is to 2,000 employees of a great industrial plant across the street from the little plant. The employees in the little plant have the same right to the uniform application of the Interstate Commerce clause as do the 2,000 employees in the big plant. The Board says, "No Federal question is involved. It is only a small plant." That is not the question. If the Board is not going to take jurisdiction, I say we should make it take jurisdiction. If not, then I say we should do it in the way I have suggested.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. Mr. President, will the Senator from Massachusetts yield me half a minute?

Mr. KENNEDY. I yield 1 minute to the Senator from Oregon.

Mr. MORSE. We already have in the Taft-Hartley Act a provision to transfer jurisdiction to the States. Several States have set up labor boards which have a so-called little Taft-Hartley Act jurisdiction over certain cases, and they follow Federal standards. That is the situation in a few States, but it is not uniform. I was trying to get in between the two situations. I would say to the State, "We will give you jurisdiction if you follow certain standards, and we will pay the costs of handling the cases."

I thought that would be a pretty fair compromise under all the circumstances. That is the way we drafted the provision. That is what we had in mind. I do not believe it is fair to say to one group of employees under the interstate commerce clause, "We are going to throw you into State courts, under common law procedure, and you will be subjected to the injunctive process," when what we need in this field is administrative law procedure which should be uniform. That is my case.

Mr. McCLELLAN. I yield 2 minutes to the Senator from Ohio [Mr. LAUSCHE].

Mr. LAUSCHE. Mr. President, I urge support of the amendment offered by the Senator from Arkansas. The argument is irrefutable that when a Federal agency, authorized by Congress to administer the Taft-Hartley Act, declares that a dispute between an employer and a union involving the Taft-Hartley law has such insignificant impact upon interstate commerce that the agency is not justified in acting upon that issue, it impliedly states that it is a matter of State concern. That is the interpretation that I make of the declaration of the Federal agency when it says, "This is a controversy of inconsequential impact upon interstate commerce, and therefore we will not take jurisdiction of it." While it states it has insignificant influence upon interstate commerce, it does not negate the proposition that to the individuals involved within the State it is of great concern.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LAUSCHE. Mr. President, will the Senator yield me 1 more minute?

Mr. McCLELLAN. I yield 1 additional minute to the Senator from Ohio.

Mr. LAUSCHE. I do not know how long this no man's land situation has existed, but it has been in existence for some time. In my opinion, it would be a mistake if we did not act upon it. I wish to reiterate what the Senator from Florida [Mr. HOLLAND] has said, and what the Senator from Arkansas [Mr. McCLELLAN] has said, and what the Senator from North Carolina [Mr. ERVIN] has said, that if we had voted to strike out title VI, we would not now be in this difficulty. I predict that the weakness of title VI will be manifested with still greater clarity as we proceed in the disposition of the pending bill.

Mr. ERVIN. Mr. President, will the Senator yield me 2 minutes?

Mr. McCLELLAN. I yield 2 minutes to the Senator from North Carolina.

Mr. ERVIN. I believe we are calling this subject by the wrong name. It is called no man's land. It ought to be called no justice land. There is a group of people in this country with respect to whom the National Labor Relations Board denies its jurisdiction, and the courts hold that the Taft-Hartley Act denies jurisdiction to the State courts. It seems to me, although one may be reluctant to yield jurisdiction to the courts of a State, that it is far better to yield the administration of justice to the courts of the States than to yield the administration of justice in this area to nobody and to nothing. That is the position we are in today.

Under the proposal made by the distinguished Senator from Arkansas, the courthouse door would be opened to people against whom it has been nailed shut for many years.

Furthermore, we could expand the facilities of the National Labor Relations Board, as the Senator from Oregon has suggested. In the meantime, we would open the courthouse doors to the small union men who have no recourse in seeking relief from the wrongs they have been suffering.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. KENNEDY. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum without the time being charged to either side.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, I will try to explain briefly why I am opposed to the amendment offered by the Senator from Arkansas.

The PRESIDING OFFICER. How much time does the Senator from Massachusetts yield himself?

Mr. KENNEDY. I yield myself 6 minutes. Under the decision in the Guss case, as the Senate knows, it is impossible for a State board or agency to assume jurisdiction in any area which is under the control of the Federal Government, that is, which is in the ambit of the affecting commerce language of the Taft-Hartley Act. It is true that as of today there is a no man's land. This is the way in which the committee intends to fill it. Our bill provides that the National Labor Relations Board shall cede jurisdiction to State agencies which are created for the purpose, and that the State agencies will apply the Taft-Hartley law, with provision for an appeal to the Federal court. Thus we provide that the people shall be given justice. If the amendment offered by the Senator from Arkansas is accepted, we might have, as in the case today in New York State, a closed shop in one State and in another State—1 of the 12 States which have such laws—a provision under which employees could not picket unless two-thirds of them joined the union.

None of the 12 States have consistent laws. Illinois and many other States do not have State agencies for the purpose of handling labor relation cases. California does not have a State board comparable to the National Labor Relations Board. Neither does the State of Illinois. No provision is made in Florida for elections to be held in order to determine who shall be the proper representatives of employees. So it seems to me that a no man's land remains under this amendment.

The committee has provided that the Taft-Hartley law, which represents the

judgment of Congress as to the law which should govern industries in interstate commerce, shall apply across the board. But in order to prevent the backlog of the National Labor Relations Board from piling up too high, we provide that as to the cases which the Board is unable to handle, it can yield jurisdiction to the State agencies, with the right of appeal to the Federal courts.

Contrast that carefully thought out solution with the language proposed by the Senator from Arkansas:

> Within 30 days after the date of enactment of this subsection, the Board shall clearly establish and publish, by rule or otherwise, such limitations on its exercise of jurisdiction as it proposes to observe.

Has there ever been such a cession of authority by the U.S. Congress with respect to interstate commerce as that language proposes, leaving it up to three men, a majority of a five-man board, to determine which employers and employees will be covered by the National Labor Relations Act, and which employers and employees shall be denied the protection of the interstate commerce clause of the Constitution?

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. McCLELLAN. Is that not the way it is done now? That is exactly what the trouble is, and that is what we are complaining about. The employers and employees are being denied the benefit of jurisdiction by the Board.

Mr. KENNEDY. What we intend to do is to fill the vacuum, not to continue it. Only 12 States even have State agencies; therefore, the no man's land would be continued in the remaining 38 States. In 12 States there are completely contradictory laws.

We provide that in those cases in which the National Labor Relations Board cannot assume jurisdiction because of the heavy backlog it may yield jurisdiction to the State agencies, who shall operate under the Taft-Hartley law, but with the right of appeal by the petitioner to the Federal court.

Therefore, to Senators who believe in Taft-Hartley, and who do not agree with the practice in New York State, which permits a closed shop, I say that in 38 States there are no provisions for relief. Under this provision, the no man's land will be continued in 38 States. The only difference is that the law would be uniformly administered under the Taft-Hartley Act.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. DOUGLAS. Is it not true that the plan of the committee, namely, to make the State labor relations boards the agents of the National Labor Relations Board in the States where State boards exist, is really a system which was used in the case of one of the child labor acts? The Federal enforcement agency delegated to the State departments of labor, which had satisfactory standards, the right to enforce the Federal act. Is that not correct?

Mr. KENNEDY. The Senator is correct. The Senator from Illinois can tell us whether, if the amendment of the Senator from Arkansas is agreed to, there will be any provision in the State law of Illinois for elections to be held.

Mr. DOUGLAS. No; there will not.

Mr. KENNEDY. Will not the no man's land continue in the State of Illinois?

Mr. DOUGLAS. That is correct. It would cause us great trouble.

Mr. KENNEDY. I hope the amendment offered by the Senator from Arkansas will be rejected.

Mr. McCLELLAN. Mr. President, I yield myself 1 minute.

I say to the Senator from Massachusetts and other Senators who may be interested in the subject that we are not proposing to delegate power to the National Labor Relations Board. We are not delegating anything. We are directing the Board to use the power it now has. That is the whole issue. The Board is not doing anything except denying people their rights and their remedies. We are directing the Board to take jurisdiction and to adjudicate.

Mr. KENNEDY. Mr. President, I am prepared to yield back the remainder of my time.

Mr. GOLDWATER. Mr. President, will the Senator from Arkansas yield me 5 minutes?

Mr. McCLELLAN. I yield 5 minutes to the Senator from Arizona.

Mr. GOLDWATER. Mr. President, I wish to read from the hearings before the Subcommittee on Labor of the Committee on Labor and Public Welfare. This document is on the desk of every Senator. I shall read from page 604 a few remarks by Mr. Leedom, Chairman of the National Labor Relations Board, relating to this problem:

> Senator KENNEDY. Perhaps I could start on the question of your budget and your backlog. You could bring me up to date.
>
> Last year when we considered extending the jurisdiction of the Board's "no man's land," as I remember it, the Labor Committee passed a resolution asking the Appropriations Committee to give you $3 million extra.
>
> What happened on that?
>
> Mr. LEEDOM. That's right, sir, and the Congress allowed us that extra money.
>
> Senator KENNEDY. But they did not give you the additional task?
>
> Mr. LEEDOM. In line with the proposals we made that if we could get additional money we would extend our jurisdiction, we did that, and since we were last here we adopted new jurisdictional standards which moved the functions of the Board some way into the area we call no man's land.
>
> We estimated that the new standards which we adopted would increase our then workload by about 20 percent.
>
> We have been operating under those new standards now for a matter of several months, and while it is too soon to know exactly what we did in the way of increasing our caseload, I would say that the actual experience will pretty well come up to our estimate of the 20 percent increase.

Mr. President, I ask unanimous consent that exhibit 1, appearing on pages 604 and 605 of the hearings, be printed at this point in the RECORD.

There being no objection, the exhibit was ordered to be printed in the RECORD, as follows:

EXHIBIT I

STANDARDS ESTABLISHED BY THE NATIONAL LABOR RELATIONS BOARD FOR EXERCISE OF FEDERAL JURISDICTION UNDER THE LABOR MANAGEMENT RELATIONS ACT OF 1947, AS AMENDED

Effective October 2, 1958, the National Labor Relations Board established the following revised standards for determining in which cases it will exercise jurisdiction:

1. Nonretail: $50,000 outflow or inflow, direct or indirect.[1]

(1954: $50,000 outflow, $500,000 inflow, $100,000 indirect outflow, $1 million indirect inflow.)

(1950: $25,000 outflow, $500,000 inflow, $50,000 indirect outflow, $1 million indirect inflow.)

2. Office buildings: Gross revenue of $100,000 of which $25,000 or more is derived from organizations which meet any of the new standards.

(1954: Employer who leases or owns and who operates must be otherwise in commerce and utilize building primarily to house its own offices.)

(1950: $50,000 from tenants in commerce.)

3. Retail concerns: $500,000 gross volume of business.

(1954: Direct inflow of $1 million, or indirect inflow of $2 million or direct outflow of $100,000.)

(1950: Same as nonretail.)

4. Instrumentalities links and channels of interstate commerce: $50,000 from interstate (or linkage) part of enterprise, or from services performed for employers in commerce.

(1954: $100,000.)

(1950: No requirement other than legal jurisdiction.)

5. Public utilities: $250,000 gross volume, or meet standard 1 (nonretail).

(1954: $3 million gross volume.)

(1950: No requirement other than legal jurisdiction.)

6. Transit systems: $250,000 gross volume.

(1954: $3 million gross volume.)

(1950: No requirement other than legal jurisdiction.)

7. Newspapers and communication systems: Radio, television, telegraph, and telephone: $100,000 gross volume; newspapers: $200,000 gross volume.

(1954: $500,000 test for newspapers, $200,000 for the others.)

(1950: No requirement other than legal jurisdiction.)

8. National defense: Substantial impact on national defense.

(1954: $100,000 in goods or services directly related to national defense, and pursuant to Government contract.)

(1950: Substantially affecting the national defense.)

9. Business in the Territories and District of Columbia: District of Columbia ——— plenary; Territories ——— standards apply.

(Same as 1954.)

Same as 1954. In 1950, plenary as to both Territories and District of Columbia.

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[1] Direct outflow refers to goods shipped or services furnished by the employer outside the State. Indirect outflow includes sales within the State to users meeting any standard except solely an indirect inflow or indirect outflow standard. Direct inflow refers to goods or services furnished directly to the employer from outside the State in which the employer is located. Indirect inflow refers to the purchase of goodes or services which originated outside the employer's State but which he purchased from a seller within the State. Direct and indirect outflow may be combined and direct and indirect inflow may also be combined.

10. Associations: Regarded as single employer.

Same as 1954 and 1950.

Mr. GOLDWATER. Mr. President, I shall skip along, but I wish to read the following:

On page 607 we find the following:

Senator KENNEDY. With $3 million extra you lowered your coverage, excluding from coverage 29 to 23 percent. But you do not feel that additional appropriations permitting you additional staff would permit you to lower that figure of 23 down further?

Mr. LEEDOM. I think that is right.

On page 608 of the hearings we find that Chairman Leedom said, in answer to a question by the Senator from Massachusetts [Mr. KENNEDY]:

Mr. LEEDOM. Well, I really would prefer not to get into the policy question of whether a bill should be enacted into law that would be in effect the so-called administration bill at this time; that is, providing that where the Labor Board does not assert jurisdiction, States may.

That is a matter of policy. That bill provides one way to handle this thing, I think. The other way—or, at least one other way—would be to try and staff the Labor Board so it could handle all the cases.

I said before and I think it is so now, that this is too gigantic a burden to put on the Labor Board. I think it would reflect badly on the important cases to have us undertake to try all of the little cases.

On page 611 we find the following, in answer to a question by the Senator from Vermont [Mr. PROUTY]——

Mr. DOUGLAS. Mr. President, will the Senator from Arizona yield?

Mr. GOLDWATER. I am happy to yield.

Mr. DOUGLAS. Why does not the Senator from Arizona read the response made by the Senator from Massachusetts to that statement by Mr. Leedom? I refer to the Senator's suggestion for the setting up of regional boards.

Mr. GOLDWATER. I shall be very happy to read it; but it has already been discussed on the floor of the Senate by the Senator from Oregon [Mr. MORSE].

Mr. DOUGLAS. My good friend the Senator from Arizona is reading various excerpts from the hearings; but he is omitting to read other parts of the hearinsg which are very germane to this issue.

Mr. GOLDWATER. Of course, any Senator can read to the Senate whatever parts of the hearings he may wish to read to this body. A copy of the hearings is on the desk of each Senator. However, I do not believe the portion to which the Senator from Illinois has referred is germane to the argument I am making. The other portion is on page 609; but I do not believe it is pertinent to this presentation.

I am trying to point out that Mr. Leedom does not believe that additional funds or additional staff would accomplish what is sought in connection with this matter; and I am trying to point out the answers which Chairman Leedom gave to the Senator from Vermont [Mr. PROUTY].

I read further from the statement made by Mr. Leedom:

Mr. LEEDOM. No; I didn't give the Senator the backlog figures at this time but I will be glad to do that.

These are the latest complete figures we have. At the end of December 1958, we had a total of 6,570 cases of all types pending at the various procedural levels.

Of that total figure, 4,930 were unfair labor practices and 1,635 were election cases.

Mr. President, I have read these excerpts; but I have omitted some portions, as the Senator from Illinois has indicated. I have read these excerpts in an effort to call attention to the fact that the National Labor Relations Board does not believe that by increasing its staff it could take care of this case load.

I understand that the 6,570 cases represent about 3 years' work, and that if the Board closed its doors at the present time to any additional cases, it would take the Board 3 years to get caught up.

But, Mr. President, what shall we do in the meantime?

I was very hopeful that the committee would come forward with a satisfactory solution, and also that the blue ribbon commitee would come forward with a satisfactory solution.

I do not suggest that the present proposal of the Senator from Arkansas [Mr. MCCLELLAN] is the final solution. On the other hand, if we do not act in this field, we shall deny justice to small companies and small businessmen across the country, and then we shall see them go out of business—a development which will affect labor as badly as it will affect business.

So, Mr. President, instead of throwing up our hands and simply saying, "We have no faith in the State courts," we should recall that, after all, these cases were brought before the State courts before they were brought before the Federal courts. I have confidence in the judicial systems of the States; and I believe that if we turn these disputes over to them, as indicated by the proposal of the Senator from Arkansas, we shall provide relief in this field.

I thank the Senator for yielding to me.

Mr. KENNEDY. Mr. President, I yield 5 minutes to the distinguished Senator from New York [Mr. JAVITS].

The PRESIDING OFFICER. The Senator from New York is recognized for 5 minutes.

Mr. JAVITS. Mr. President, I shall not go over the ground which already has been covered.

Mr. President, I oppose the proposal of the Senator from Arkansas [Mr. MCCLELLAN], because I do not believe it would be sufficiently satisfactory to those concerned to warrant its adoption by the Senate. I do not believe his proposal is workable. I opposed it in the committee.

Instead, I hope we shall proceed on the road to a solution of the problem, after we turn down what is now proposed.

Mr. President, why do I oppose what is now proposed? It is perfectly true that the State courts were formerly the haven in which such practices were dealt with; but that was before there was a body of codified law on the subject, and it was before the States themselves established separate tribunals to deal with these subjects, whereas today 12 of the States have done so. Those States are Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, Utah, Wisconsin, Michigan, Colorado, Kansas, Minnesota, and Oregon, as well as Puerto Rico and Hawaii.

I believe that the danger of having the State courts deal with these matters is that they have the injunctive power; and we could not very well deal with limitations on that power of the courts. Hence, the same problem which the Taft-Hartley Act sought to meet and which the Wagner Act sought to meet would be met if we threw the entire caseload into the State courts, those courts being unrestricted in their power, and with injunctive relief, by means of the entire field of injunctions, following almost as surely as the day follows the night. In other words, the varying State court interpretations and all the State court concepts of law are here involved.

I do not believe a sufficient effort has been made—although my predecessor on the Committee on Labor and Public Welfare, Senator Ives of New York, was a leader in that field—in trying to induce as many States as possible to enter into this field, through the creation of State agencies which would proceed on the basis of the administrative management of law in the States.

The approach made by Senator Ives was to seek agreement between State agencies and the National Labor Relations Board, in order to shift to State agencies the handling of all cases which the National Labor Relations Board itself could not handle. That is essentially the approach that is made in the section of the bill we are now considering.

I believe the real difficulty in that connection is that it is extremely difficult, if not impossible, to persuade any State to adopt the servant-master relationship which that approach implies, and to accept a jurisdiction in which it would be under the general surveillance of a Federal body which, in a way, could take jurisdiction of such State agencies and generally could treat them as branch offices. That would be asking too much of the State agencies, and I do not think that would happen.

The alternative which we might take is as follows: We could give such States as would choose to set up such agencies the right to accept the jurisdiction of these cases, provided we bound them to the rule of following the Federal statutes as well as the Federal court interpretations. That could be done under the established doctrine of Erie versus Tompkins, which long antedates any of this law, and which holds that any court will seek to apply Federal law according to the interpretations made by the Federal courts.

In that event, although it is true that we would start with only 12 States, we would relieve them of the indignity of being servants of the National Labor Relations Board; but at the same time we would invite them to use their own State courts; and any State would be free to do so.

Mr. President, in that case the dignity of the States and their courts would be maintained, as it is under present circumstances; and we would not run the

risk of having these cases dealt with in accordance with State law.

The PRESIDING OFFICER. The time yielded to the Senator from New York has expired.

Mr. JAVITS. Mr. President, will the Senator from Massachusetts yield 1 more minute to me?

Mr. KENNEDY. Mr. President, I yield 1 additional minute to the Senator from New York.

The PRESIDING OFFICER. The Senator from New York is recognized for 1 additional minute.

Mr. JAVITS. I thank the Senator from Massachusetts.

Mr. President, as I understand the situation, what I have stated is about all we can do in this connection, until the so-called blue-ribbon committee brings forth a studied, carefully worked-out solution.

So, I oppose the pending amendment, because I do not think it is a solution. Likewise, I do not think a solution of this problem is contained in the bill.

I am prepared to offer an alternative for discussion. Or perhaps another alternative will be made available.

But certainly the two alternatives which now are before us do not meet the issue.

Mr. KENNEDY. Mr. President, how much time remains to our side?

The PRESIDING OFFICER. Seventeen minutes.

Mr. KENNEDY. Mr. President, I am prepared to yield back all but 5 minutes of the time remaining under my control.

How much time remains under the control of the Senator from Arkansas?

The PRESIDING OFFICER. The Senator from Arkansas has 12 minutes remaining to him.

Mr. KENNEDY. Mr. President, I am prepared to yield back all the time remaining to me but 4 minutes, if the Senator from Arkansas is prepared to yield back the time remaining to him.

Mr. BUTLER. Mr. President, may I inquire of the Senator from Arkansas whether he is going to request the yeas and nays?

Mr. McCLELLAN. Mr. President, I request the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. KENNEDY. Mr. President, I withdraw my offer to yield back the time remaining to me. I think the Senator from Florida [Mr. HOLLAND] is to speak, then I will speak, and the Senator from Arkansas will then conclude the discussion.

Mr. McCLELLAN. I yield 5 minutes to the Senator from Florida.

Mr. HOLLAND. Mr. President, I had not intended to speak on this complex subject, because I know that those who have studied it more fully than those who are not involved in the committee should have better answers to the problem than we can give; but I am impressed by the fact that has come out, as was mentioned in the debate, that the specific committee charged with arriving at a solution has not done so.

With his characteristic candor—and I have always particularly honored the Senator from Oregon because he has always been candid—he has stated to us that, although he is, in a sense, the father of the present provision in the bill dealing with this subject, he is not satisfied with it, he does not think it should be enacted into law, and he has another provision which he thinks will more adequately deal with the situation.

We are confronted with a fact, and not a theory. In every State of the Union there are hotels. Let me speak for the moment about hotels alone, although there are many, many other enterprises which are affected. Hotels happen to be peculiarly vulnerable to picketing. More particularly is that true of resort hotels. We have had to put up with picketing, not on account of employees who were already in labor unions, but generally in an effort to force the organization of unwilling employees, who did not want to belong to labor unions.

To avert the catastrophe which the hotel owners were facing, the State courts enjoined that type of picketing. Only recently the Supreme Court has held that State courts cannot any longer exercise that jurisdiction, and, to the contrary, it has not said that the National Labor Relations Board has jurisdiction or does not have jurisdiction, but it has come up with one of those enigmatic smiles, such as appears on the face of a sphinx, and has said, "We hold that the National Labor Relations Board cannot deny the exercise of jurisdiction simply on the ground stated in the cases," which was simply that it was the long-standing practice of the National Labor Relations Board not to take jurisdiction in certain cases.

Mr. President, I suspect that is a sound ruling, but the NLRB rulings and decisions before that time were made on findings that insubstantial amounts of interstate commerce were involved in the transactions, and, because the amounts of interstate commerce were inconsequential, no jurisdiction was asserted.

Mr. President, have we come to the time when every business within every State of the Union is going to be under the regimentation of another arm of the Federal Government, which has already shown how ineffectively it asserts itself in this field?

Are we going to have the kind of situation which the chairman of the National Labor Relations Board reminded the very committee hearing this matter would exist, namely, that it would require an army of employees and a vastly enlarged board to handle the cases?

If Senators wish to construct some more Pentagons, here is an opportunity, and here is a bureau which will require one, if it goes into that field. And if it does, the procedure will involve delays of the kind that destroy business.

Mr. President, when are we going to reach the time when we recognize that the enforcement of laws for the protection of individuals and property rights in State courts has been going on for a long time, and that, under the Federal Constitution and the State constitutions, we have reserved to the States a vast number of problems on which the States must pass, important matters involving questions of life and death, and complete destruction of property, and other matters of the very gravest consequence?

The PRESIDING OFFICER. The time of the Senator from Florida has expired.

Mr. HOLLAND. Mr. President, will the Senator yield 1 more minute to me?

Mr. McCLELLAN. I yield 1 additional minute to the Senator from Florida.

The PRESIDING OFFICER. The Senator from Florida is recognized for 1 additional minute.

Mr. HOLLAND. Mr. President, last year we raised the limit of jurisdiction in diverse citizenship cases in an effort to force more suits, instead of fewer, into the jurisdiction of State courts. Here we are confronted with a situation under which Senators who drafted the provisions say it is inadequate. I respect the Senator from New York for his candor, because he has sat in the committee. Title VI was retained when the committee had an opportunity to knock it out of the bill.

Mr. President, there is also involved a critical situation affecting thousands of enterprises throughout the Nation, and members of the committee are perfectly willing to leave the bill in such condition that they know there cannot be any enforcement of the law, because they know the National Labor Relations Board, be it of any size Congress might fix, simply could not keep up with as great a caseload as the combined business enterprises of our Nation would present.

I think the situation is ridiculous. I hope the Senate adopts the affirmative proposal offered by the Senator from Arkansas.

Mr. KENNEDY. Mr. President, I shall be very brief. I do not want to restate my case. I wish to quote from the testimony of Mr. Benetar, chairman of the committee on labor-management relations of the New York Chamber of Commerce:

> The proposals or the majority of proposals before your committee would automatically let the States step in wherever the National Board declines to act, but would let them step in to act on their own terms, which means that the proposals before you are proposals to reverse the policy of the national law and, instead of having a no man's land, to have an every man's land with 48 States regulating federally covered employees and employers in 48 ways, if they so desire.

The Senate, by a two-thirds vote, supported the Taft-Hartley Act in 1952. I think employers and employees engaged in interstate commerce should be under the jurisdiction of the National Labor Relations Board. In the State of New York, as Mr. Beneter has pointed out, there are no laws governing unfair labor practices for employees. There are no procedures in 38 States governing elections, which is one of the basic causes of industrial disputes. Who is to be the bargaining agent? There are no regulations relating to picketing in some States. In others, there is a requirement of a two-thirds vote before there can be picketing.

It seems to me the proposal would yield jurisdiction over an area which is interstate commerce, which would permit States to enact their own legislation,

even though only 12 have done so. There will be no general rules for procedure, and no standards for the National Labor Relations Board to determine where jurisdiction should lie. So if the amendment were accepted, the National Labor Relations Board could accept any standards it desired. Members of the three-man Board would determine which employers or employees were affected. We would not have solved the no man's land problem. We would have provided that a State agency can appeal a Federal law or appeal to a Federal court in cases that go to Federal courts.

If the amendment of the Senator from Arkansas is rejected, I am prepared to accept some language which would be somewhat closer to that suggested by the Senator from Kentucky and the Senator from New York.

I think the first step is to defeat this provision, which I think would be inimical to the general welfare.

Mr. McCLELLAN. Mr. President, I yield myself the rest of such time as I have remaining.

Mr. KENNEDY. Mr. President, I yield back whatever time I have remaining.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. McCLELLAN. Mr. President, not by choice and not by any action of mine, but by circumstances I find myself on this floor repeatedly, in the process of this debate, pleading for the oppressed and pleading for those who have rights which are not secured to them. I find myself pleading for those who seek relief from their Government, from conditions which are intolerable, for which there is no excuse in a great Republic and under a great Government like ours. Thousands upon thousands of businesses and thousands upon thousands of workers are left without a tribunal to adjudicate their grievances, yet we are asked tonight to do nothing about it. We are asked to do nothing about it, or to do worse. Thirty-eight of the States and the Territories have no provision for action and have no law which would enable them to comply with or to function under the language reported by the Committee on Labor and Public Welfare.

Let me point out again that Senators should not be misled by the statement that we are yielding jurisdiction to the States. We are not yielding anything to the States. The National Labor Relations Board now has jurisdiction, if it will take it. The Board has the jurisdiction. We have given it to the Board.

Who is causing the oppression? The National Labor Relations Board. Why? Because we put a burden on it which is impossible to fulfill. Why? Because we do not want to let the States deal with the little affairs which are primarily their business.

Since when have we lost complete confidence in the sovereignty and integrity of the States? It is said that this field is too trifling for the Federal Government to deal with. We have before us the absolute evidence that if the Federal Government undertakes to do the job, it will cost tremendous amounts of money. It will be necessary to establish new boards to do this, and to do that, because it is physically impossible for the National Labor Relations Board to do it all.

What are we asked to do? We are asked to go through a backdoor process. We are not giving any jurisdiction to the States under the proposal in the bill. What we are doing is trying to beg the States to set up an agency to turn over to the Federal Government, which would have to do things as the Federal Government might direct. I do not think a State which has available the necessary brainpower will do it. I do not think the States will want to do it.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. McCLELLAN. If the Federal Government is to have jurisdiction, if the Federal Government is to have sovereignty, and if the Federal Government is to have the final say, let the Federal Government start with the case, handle it all the way through, complete it and finish it.

I yield to the Senator from Illinois.

Mr. DIRKSEN. I think it should be emphasized that before this provision ever comes into play, there must be a finding in such cases that there is no burden on commerce.

Mr. McCLELLAN. The Senator is correct.

Mr. DIRKSEN. These are the little cases involving a small number of employees, such as the blueprint case out in Utah, which gave rise to this question in the first place. Only a handful of employees were involved.

If the State adminstrative bodies and courts cannot take care of those cases, it is a sad commentary upon the administration of equitable practices at the State level.

Mr. McCLELLAN. It is a sad commentary, indeed, and a reflection on our system of government.

Mr. DIRKSEN. That is correct.

Mr. McCLELLAN. There is no doubt about it. Either we must have a centralized Government with all power in Washington, D.C., in a little board, or only a few officials, or the States must be trusted.

Mr. KENNEDY. Mr. President will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. KENNEDY. I thought last night that we put the Federal Government squarely into the life of every union member in the United States.

Mr. McCLELLAN. Yes; we did.

Mr. KENNEDY. Now we hear that we should leave the field to the States, because it happens in this case that uniform rights to working people all over this country are denied.

Mr. McCLELLAN. We did that, because the Federal Government had taken jurisdiction all over the country. Now the Federal Government has taken jurisdiction and will not use it. I say the Federal Government should make its choice. It should either use the jurisdiction it has or should turn it back to the States. The question is that simple.

Surely, if the Federal Government is to take charge, we ought to legislate to protect those who are to be taken charge of. That is what we did last night. We acted to protect those of whom the Federal Government has taken charge. The Federal Government had placed the power in the hands of a few officers, to dictate to those subject to their jurisdiction by a rule of fear, by a rule of intimidation, by a rule of force and by a rule of violence.

Mr. President, we stepped in last night and said that the same Federal Government owes these people protection. I thank God enough Members of the Senate had the courage to vote for the amendment.

I am ready to face the world and say that in that vote I voted for the poor, downtrodden, helpless, dues-paying member who could not help himself, unless his Federal Government gave him relief.

Mr. President, I am simply asking that the Federal Government do its duty and take jurisdiction and adjudicate, or leave to the States a jurisdiction under which the people can obtain relief. We must do one of two things.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The time of the Senator from Arkansas has expired. All time has expired.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment offered by the Senator from Arkansas [Mr. McCLELLAN].

Mr. MANSFIELD. Mr. President, have the yeas and nays been ordered?

The PRESIDING OFFICER. The yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HARTKE (when his name was called). On this vote I have a pair with the senior Senator from Wisconsin [Mr. WILEY]. I am informed that if he were present and voting he would vote "yea." If I were at liberty to vote I would vote "nay." I therefore withhold my vote.

The rollcall was resumed and concluded.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. CHAVEZ] and the Senator from Arkansas [Mr. FULBRIGHT] are absent on official business.

I also announce that the Senator from Nevada [Mr. BIBLE] is absent because of a death in his family.

I further announce that the Senator from Delaware [Mr. FREAR] is absent because of illness.

On this vote, the Senator from New Mexico [Mr. CHAVEZ] is paired with the Senator from Kansas [Mr. CARLSON].

If present and voting, the Senator from New Mexico would vote "nay," and the Senator from Kansas would vote "yea."

On this vote, the Senator from Nevada [Mr. BIBLE] is paired with the Senator from Arkansas [Mr. FULBRIGHT].

If present and voting, the Senator from Nevada would vote "nay," and the Senator from Arkansas would vote "yea."

Mr. KUCHEL. I announce that the Senator from Wisconsin [Mr. WILEY] is absent on official business. As previously announced the Senator from Wisconsin is paired with the Senator from Indiana [Mr. HARTKE]. If present and voting, the Senator from Wisconsin would vote "yea," and the Senator from Indiana would vote "nay."

The Senator from Kansas [Mr. CARLSON] is detained on official business, and is paired with the Senator from New Mexico [Mr. CHAVEZ]. If present and voting, the Senator from Kansas would vote "yea," and the Senator from New Mexico would vote "nay."

The result was announced—yeas 39, nays 52, as follows:

YEAS—39

Allott	Eastland	Morton
Beall	Ervin	Mundt
Bennett	Goldwater	Robertson
Bridges	Gore	Russell
Bush	Hickenlooper	Saltonstall
Butler	Holland	Schoeppel
Byrd, Va.	Hruska	Scott
Capehart	Jordan	Smathers
Case, S. Dak.	Kefauver	Stennis
Cotton	Kerr	Talmadge
Curtis	Lausche	Thurmond
Dirksen	McClellan	Williams, Del.
Dworshak	Martin	Young, N. Dak.

NAYS—52

Aiken	Hennings	Morse
Anderson	Hill	Moss
Bartlett	Humphrey	Murray
Byrd, W. Va.	Jackson	Muskie
Cannon	Javits	Neuberger
Carroll	Johnson, Tex.	O'Mahoney
Case, N.J.	Johnston, S.C.	Pastore
Church	Keating	Prouty
Clark	Kennedy	Proxmire
Cooper	Kuchel	Randolph
Dodd	Langer	Smith
Douglas	Long	Sparkman
Ellender	McCarthy	Symington
Engle	McGee	Williams, N.J.
Green	McNamara	Yarborough
Gruening	Magnuson	Young, Ohio
Hart	Mansfield	
Hayden	Monroney	

NOT VOTING—7

Bible	Frear	Hartke
Carlson	Fulbright	Wiley
Chavez		

So Mr. MCCLELLAN'S amendment was rejected.

Mr. KENNEDY. I move that the Senate reconsider the vote by which the amendment of the Senator from Arkansas was rejected.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The motion to reconsider was laid on the table.

Mr. COOPER. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER (Mr. MCCARTHY in the chair). The amendment will be stated.

The CHIEF CLERK. On page 54, line 17, it is proposed to strike out all of section 601 and insert in lieu thereof:

SEC. 601. Section 14 of the National Labor Relations Act, as amended, is amended by adding thereto the following new subsection as follows:

"(c) (1) Nothing in this Act shall be construed as to prevent any State or Territorial agency other than a court, from exercising jurisdiction over all cases which the Board has jurisdiction, but by rule or otherwise, has declined to assert jurisdiction; *Provided*, That the State or Territorial agency shall apply and be governed solely by Federal law as set forth in section 8(a) and 8(b), and 9 in this Act, as the case may be, and Board and Federal Court rules of decision construing said Sections 8(a), 8(b), and 9. Injunctive relief under sections 10(j) and 10(l) shall be available to such agency. *Provided* that no petition under Section 10(j) shall be filed unless it has been expressly approved by the General Counsel of the National Labor Relations Board.

"(c) (2) The State or Territorial agency may petition any district court of the United States within such State or Territory for the enforcement of a final order of such agency and for appropriate temporary relief or restraining order. Such court shall make and enter an order or decree enforcing, modifying, enforcing as so modified, or setting aside in whole or in part the order of such agency.

"(c) (3) Any person aggrieved by a final order of the State or Territorial agency granting or denying in whole or in part the relief sought may obtain a review of such order in a district court of the United States in such State or Territory. Upon such filing, such district court shall proceed in the same manner, and have the same jurisdiction, as in the case of an application for enforcement under section (c) (2)."

The PRESIDING OFFICER. How much time does the Senator from Kentucky yield himself?

Mr. COOPER. I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from Kentucky is recognized for 10 minutes.

Mr. COOPER. Mr. President, I should like to have the attention, if I may, of the senior Senator from North Carolina [Mr. ERVIN], the senior Senator from Florida [Mr. HOLLAND], the senior Senator from Arkansas [Mr. MCCLELLAN], and all other Senators who are interested in the subject we have just been debating. I should like to say also that I am joined in offering the amendment by the senior Senator from Oregon [Mr. MORSE] and the senior Senator from New York [Mr. JAVITS].

Mr. MCCLELLAN. Mr. President, may we have order? I should like to listen to the distinguished Senator tell us what the difference is between what he proposes and what is now in the bill.

Mr. COOPER. I shall explain it. There is a difference.

Mr. MCCLELLAN. I am trying to get order so that I can hear the Senator.

Mr. COOPER. What I said previously on this subject was misinterpreted or misquoted. It has been stated that I said in my argument that I wanted this question postponed. That is not exactly what I said. I said that rather than adopt the amendment offered by the distinguished Senator from Arkansas, I would prefer to see the consideration of the subject postponed. I went on to say, however, that I should like to see a remedy which would provide for an agency of the State government to assume jurisdiction.

This is not a sudden thought on my part. In our deliberations in committee I offered the amendment. It should not have been defeated, but it was defeated. However, many members of the committee voted in favor of it. They will remember the amendment I offered in committee.

I do not wish to repeat in detail what I said about the amendment offered by the Senator from Arkansas. But the point of my opposition, and the opposition expressed by other Senators, was that if it had been adopted, we would have had a number of labor laws dealing with disputes which arose out of interstate commerce. We would, first of all, have had a labor law for disputes over which the NLRB takes jurisdiction. Then, in every State, according to State law, there could have been different decisions for disputes which NLRB denied jurisdiction. In some States there would be no law at all to deal with such disputes.

The amendment which I offered in committee, and which I offer now in the Senate, joined by the Senator from Oregon [Mr. MORSE] and the Senator from New York [Mr. JAVITS], provides a remedy. Let me make that clear. It provides that if the State has an agency or wishes to establish an agency to deal with its own cases, there will be a forum in which those disputes can be adjudicated.

It was said in the argument that the burden is upon Congress to do something about this problem. I agree. But, if we provide an opportunity for a forum, then the burden shall shift to the States to provide for a forum to adjudicate the disputes. So the first thing my amendment does is to provide that an agency of a State may determine these disputes.

The second provision, and one which meets the issue of uniformity, is that the State agency would follow the Federal law, the Taft-Hartley Act. Congress passed the Taft-Hartley Act and placed within its bounds all disputes arising out of interstate commerce. So this amendment would not change the law; it would follow the law.

The third provision in the amendment is that all decisions made by the State agencies would be subject to review by the Federal courts. So there would be a complete remedy for cases over which the NLRB cannot take jurisdiction.

The Senator from Arkansas asked, How does this amendment differ from section 601 in the bill? It differs in at least four particulars. Section 601 of the bill provides that the Board may delegate jurisdiction to a State agency.

Mr. HOLLAND. Does the Senator mean a State agency other than a State court?

Mr. COOPER. Yes.

Mr. HOLLAND. The State court is persona non grata in this field.

Mr. COOPER. That was just decided by the vote a few minutes ago.

The question was asked, How does this amendment differ from section 601 of the bill? I do not think section 601 would have any efficacy as it is now in the bill, because even though it provides that a State agency shall have jurisdiction, it would permit the NLRB to withdraw jurisdiction from the State agency.

The amendment I have offered would assure that once the State agency had

assumed jurisdiction, it would have complete jurisdiction for all purposes, and the jurisdiction could not be withdrawn by the NLRB. That is the first difference.

The second difference is that the first method of appeal provided in section 601 of the bill is to the Board itself. The amendment I have offered provides only one route of appeal—to the courts.

There is an even further difference.

Mr. HOLLAND. Will the Senator from Kentucky make clear what court he is talking about?

Mr. COOPER. The Federal court. So there is the distinct difference that absolute jurisdiction is given to the States if they will provide the forum; and they will not be in any way creatures of the National Labor Relations Board, which is the situation which would exist if section 601 remains in the bill and is enacted.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. JAVITS. The important thing is that the amendment is prospective in its application. It is not confined to the 12 States, Hawaii, and the Commonwealth of Puerto Rico; it can extend to every State in the Union which qualifies itself by establishing an agency.

Mr. COOPER. All a State has to do is to establish an agency. The present law is that even if there is a State agency, the agency cannot exist unless there is a State law similar to the Taft-Hartley Act.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. ALLOTT. I should like to inquire whether a copy of this amendment is available. I have searched throughout the Senate for a copy of it. I have heard all afternoon the cries of Senators who say that Congress cannot legislate upon this subject because it is too important and it has not been given sufficient consideration. Now we are asked to consider an amendment which is completely different. I have just now received a copy of the amendment.

The PRESIDING OFFICER. The time yielded to the Senator from Kentucky has expired.

Mr. COOPER. How much time have I remaining?

The PRESIDING OFFICER. The Senator from Kentucky has 20 minutes remaining.

Mr. COOPER. I yield myself 5 minutes.

Mr. ERVIN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from North Carolina will state it.

Mr. ERVIN. The Senate has been in session for 10 hours, lacking 5 minutes. I should like to know if it is in order for me to move that action on this amendment be deferred until the amendment has been printed.

The PRESIDING OFFICER. It would be in order for the Senator to make such a motion, if the Senator from Kentucky were to yield for that purpose.

Mr. COOPER. I did not understand the Senator's question.

Mr. ALLOTT. Mr. President, a point of order. The Senator from Kentucky yielded to me for a question. I assert my right to the floor.

The PRESIDING OFFICER. The Senator from Kentucky has the floor. He may yield to any Senator to whom he wishes to yield.

Mr. COOPER. I yield to the Senator from Colorado.

Mr. ALLOTT. I have just been handed a copy of the amendment which the Senator from Kentucky offered. This subject has been under discussion in the Senate since 4 o'clock this afternoon. Now I have in my hand a completely new approach to the problem. I think it is time to discuss it.

Does not the Senator from Kentucky believe this amendment should lie on the desk until tomorow morning, and be printed so that Senators may have time and opportunity to examine it, discuss it, study it, and formulate their arguments for or against it?

Mr. COOPER. If the Senate recesses, yes; but if the Senate is not to recess now, that will be impossible.

Mr. ALLOTT. I do not know that it is impossible if we vote on the question.

Mr. EASTLAND. Mr. President, will the Senator from Kentucky yield to me to allow me to offer an amendment to lie on the table and be printed?

Mr. COOPER. I yield for that purpose.

Mr. EASTLAND. Mr. President, I offer an amendment and ask that it lie on the table and be printed.

The PRESIDING OFFICER. The amendment will be printed, and will lie on the table.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. MUNDT. I respectfully suggest that this is a very complicated subject. We have been debating various versions of it. I suggest that the Senator from Kentucky withdraw his amendment at this time and let it lie on the desk and be printed, so that copies of it may be available tomorrow morning. It is obvious that action on the bill will not be concluded tonight. If we can see the amendment in printed form tomorrow, we shall know what we are talking about.

Mr. COOPER. I am perfectly willing at this time to withdraw my amendment, in which I was joined by the Senator from Oregon [Mr. MORSE] and the Senator from New York [Mr. JAVITS], so that it may be printed for the benefit of all Senators, if it can be considered tomorrow.

Mr. MORSE. Mr. President, does such action require unanimous consent?

The PRESIDING OFFICER. It does not require unanimous consent, unless the Senator desires to obtain additional time.

Mr. MORSE. Mr. President, will the Senator yield half a minute to me?

Mr. COOPER. I yield.

Mr. MORSE. I join with the Senator from Kentucky in his proposal to withdraw the amendment until it can be printed. I am a cosponsor of the amendment. The Senator from Kentucky told the Senate that when his amendment was before the committee, the committee finally decided not to adopt the amendment. I told the Senator from Kentucky that I thought there was great merit in his amendment and that perhaps we could arrive at an agreement with respect to it on the floor of the Senate if necessary.

I think this is a sound and sensible solution of this very difficult problem, until the special committee later comes forward with an amendment to the part of the Taft-Hartley Act which deals with this subject.

In the meantime, I believe the pending amendment should be withdrawn.

Mr. COOPER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. MCCARTHY in the chair). The Senator from Kentucky will state it.

Mr. COOPER. If I now withdraw the amendment, will I be allowed to discuss it for half an hour longer?

The PRESIDING OFFICER. Under the unanimous-consent agreement, the Senator will have a total of 1 hour for his discussion of the amendment.

Mr. COOPER. Mr. President, I withdraw my amendment.

The PRESIDING OFFICER. The amendment of the Senator from Kentucky is withdrawn.

The bill is open to further amendment.

Mr. PROUTY. Mr. President, will the Senator from Kentucky yield to me?

Mr. COOPER. I yield.

Mr. PROUTY. I call attention to the fact that I have prepared an amendment, which will be printed tonight, and will be available in the morning—although possibly it is available now. My amendment represents a compromise between the two extremes—namely the amendment of the Senators from Arkansas and the amendment which a few minutes ago was offered by the Senator from Kentucky. I hope the Members of the Senate will take the time to read that amendment, too.

Mr. MUNDT. Mr. President, will the Senator from Kentucky yield to me?

Mr. COOPER. I yield.

Mr. MUNDT. Let me ask the Senator from Vermont whether, under his amendment, such cases as are now before the Board would come under the jurisdiction of the State courts; or whether, as in the case of the Cooper amendment, the amendment of the Senator from Vermont would circumvent the State courts, and would send such cases directly to the Federal courts.

Mr. PROUTY. No; that would not be the case under my amendment. Under my amendment, the State courts would be in the picture.

Mr. MUNDT. I think that is important, because I do not know of any case in which the decision of such a government agency would go directly to the Federal courts, without the State courts first having an opportunity to consider it.

Mr. MCCLELLAN. Mr. President, I call up my amendment which is identified as "4–22–59—B."

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 35, between lines 2 and 3, it is proposed to insert the following new section:

SEC. 207. (a) It shall be the duty of the secretary or other corresponding officer (or if there is no such corresponding officer, the president) of each labor organization engaged in an industry affecting commerce, in the case of a local labor organization, to forward a copy of each collective bargaining agreement made by such labor organization with any employer to any employee who requests such a copy and whose rights as such employee are directly affected by such agreement, and in the case of a national or international labor organization, to forward a copy of any such agreement to each constituent unit which has members directly affected by such agreement; and such officer shall maintain at the principal place of business of the labor organization of which he is an officer copies of any such agreement made or received by such labor organization, which copies shall be available for inspection by any member or by any employee whose rights are affected by such agreement.

(b) Any person who shall willfully violate the provisions of this section shall be fined not more than $10,000 or imprisoned not more than one year, or both.

Mr. McCLELLAN. Mr. President, I yield myself 5 minutes; and then I shall yield to the Senator from Massachusetts [Mr. KENNEDY]. I should like to point out what this amendment provides. I believe it will be accepted by the distinguished Senator from Massachusetts.

I can state very simply what the amendment would do. It would provide that any union member shall, upon request, be provided with a copy of any bargaining agreement affecting him. That is all the amendment amounts to. In my opinion, the union members are entitled to that. The law provides that, upon request, they shall receive a copy of such a bargaining agreement.

In the past, some extreme proposals in this field have been made. Perhaps I, myself, submitted one; as I recall, I did submit one in connection with the previous bill. But I agree that, upon request, union members should be supplied with copies of the agreements.

I believe it sufficient to provide that they are entitled to them, and that, upon request, they shall be supplied with them, because they are entitled to know the terms of the contracts under which they are working, under which they have rights, and under which their wages, working conditions, and so forth, are defined.

So I hope the amendment will be accepted.

Mr. KENNEDY. Mr. President, I think the amendment is a useful one; and I accept it.

Mr. McCLELLAN. Mr. President, I yield back all time which remains under my control.

Mr. KENNEDY. Mr. President, I yield back all time which remains under my control.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Arkansas.

The amendment was agreed to.

Mr. McCLELLAN. Mr. President, I call up an amendment which I have sent to the desk. The amendment does not have a number; but it is the one I have just handed to the clerk. I ask that the amendment be stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 42, in line 7, it is proposed to insert "(1)" after "(a)."

On page 42, line 13, it is proposed to insert "was either convicted of, or" after "he."

On page 42, line 14, it is proposed to insert ", any of the following crimes committed prior to the date of enactment of this Act," after "of."

On page 42, line 17, it is proposed to strike out "or."

On page 42, beginning with the word "unless" in line 18, it is proposed to strike out all through "Act" in line 22.

On page 42, line 18, it is proposed to strike out the comma after "crimes" and insert in lieu thereof the following: "; and (2) no person shall serve as an officer, director, trustee, member of any executive board or similar governing body, business agent, manager, organizer, or other employee of a labor organization (other than an employee performing exclusively clerical or custodial duties) engaged in an industry affecting commerce, if within five years preceding such service he was either convicted of, or served any part of a prison term resulting from his having been convicted of, any of the following crimes committed on or after the date of enactment of this Act: robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, violation of narcotics law, murder, rape, assault with intent to kill, assault with intent to inflict grievous bodily injury, or conspiracy to commit any of such crimes."

On page 43, beginning with the word "or" in line 24, it is proposed to strike out all through line 25, and insert in lieu thereof the following: ", except that if, in the case of any person, such judgment is reversed on appeal, such person shall not, after the date of such reversal, be deemed to have been 'convicted' or under the disability of 'conviction'."

Mr. McCLELLAN. Mr. President, the pending bill contains some provisions which would be amended by this amendment. The amendment would simply strengthen the bill. I think my distinguished friend, the Senator from Massachusetts, is willing to accept the amendment, after having considered it.

Mr. President, we have found that a few unions—let us put the matter in that way—seem to prefer, for certain official positions, to appoint men who have had criminal experience, particularly those who have proven to be proficient in crimes of violence, thievery, and skullduggery.

In this amendment, we provide that such persons who have been convicted of the crimes enumerated in the amendment shall be ineligible to hold office in a union—either by election or otherwise—for 5 years from the date when they finished serving their sentence, or for 5 years from the date of conviction, if they did not serve a sentence.

Sometimes they are convicted, and are put on probation, as we know—but for 5 years from the date of their conviction, if they are put on probation, or for 5 years from the time when they finish serving their sentence or from the time when they were released from prison, if they actually were sent to prison, they would be ineligible.

I hope the distinguished Senator from Massachusetts will accept the amendment.

Mr. KENNEDY. Mr. President, I understand that the words "moral turpitude" have been eliminated from the amendment. Those words are too general.

Mr. McCLELLAN. Mr. President, let me ask whether, in the copy of the amendment I have sent to the desk, those words have been stricken out.

The PRESIDING OFFICER. The Chair understands that they have not been stricken from the amendment.

Mr. McCLELLAN. Then I ask unanimous consent that I may modify the amendment by striking out the words "moral turpitude." I strike them out of the amendment because in some instances they might apply to those who have been convicted of having committed petty crimes; and of course that is not the purpose. Instead, the purpose is to have the amendment apply to those who have shown definite criminal tendencies.

Mr. KENNEDY. Mr. President, with that modification, the amendment is acceptable; and I hope it will be adopted.

Mr. McCLELLAN. Mr. President, I yield back the remainder of the time available to me; and I hope the amendment, as modified, will be agreed to.

Mr. KENNEDY. Do I correctly understand that the amendment has now been modified in the way indicated?

Mr. McCLELLAN. Yes.

Mr. MUNDT. Mr. President, will the Senator from Arkansas yield to me?

Mr. McCLELLAN. I yield.

Mr. MUNDT. Has the Senator's amendment been printed?

Mr. McCLELLAN. No; it has not been printed; it is the only one I have submitted which has not yet been printed. I intended to file it today; but a unanimous-consent agreement was entered into. I shall hand a copy of the amendment to the Senator from South Dakota.

Mr. MUNDT. I ask the question because I have prepared an amendment to the same section of the bill. My amendment approaches the same problem, I believe, although in a somewhat different way. I am not sure as to that.

Mr. McCLELLAN. Mr. President, I shall give the Senator from South Dakota an opportunity to read my amendment, if he wishes to do so.

Mr. MUNDT. Very well.

Mr. McCLELLAN. In the meantime, I shall speak for a minute or two about the progress we are making on the bill.

Mr. President, if we continue to proceed in the way we have—although the Senate has rejected one amendment which I think should have been adopted—I believe we shall continue to make real progress. I believe we are showing the country that we can improve the bill by debating it and by proceeding in the way we have done. I believe we are establishing beyond peradventure of doubt that the bill needed some amend-

ment; and I believe that the debate and the votes which have been taken are serving the welfare of the working people of the country, and, on the other hand, are not very helpful to the crooks and scoundrels we are trying to drive out of the union movement in the country.

Mr. President, as soon as my distinguished friend the Senator from South Dakota completes his examination of my amendment, I hope he will agree that it is an improvement over the corresponding provisions of the bill; and I hope he will support the amendment.

Mr. MUNDT. Mr. President, as I understand the Senator's amendment—now that I have had an opportunity to examine it—it eliminates from the Kennedy-Ervin bill provision for the Secretary of Labor to have authority to pass upon the question of whether a man is an appropriate risk to hold a union office.

Mr. McCLELLAN. That is correct. I thought that provision should be eliminated from the bill; and we have undertaken to do so.

Mr. MUNDT. Mr. President, I have approached the matter in a somewhat different way, by means of an amendment which I propose to submit. My amendment is identified as "4–21–59—C." It would eliminate, on page 42, in line 12, the words "within 5 years," because it seemed to me that there have been before our committee cases in which some of the worst crooks with whom we have had to deal have been out of the "big house" for more than 5 years, and, with the aid of dexterous legal talent, have been able to stay out; but they are the kind of people whom neither the chairman of the committee nor I would like to see hold union office.

Does the Senator from Arkansas believe that this language would protect us against such a situation?

Mr. McCLELLAN. It would protect us for 5 years. Of course, we could not be sure that such men had reformed at the end of 5 years; but for 5 years we would have protection.

Of course, there is always the desire, at least, and the hope that criminals will reform. Some of them have gone so far and have become such habitual criminals that I think there is little or no hope for them. But at least for 5 years, even for the first offense, they would not be able to serve as union officers, under this language.

Mr. MUNDT. I was about to try to approach that problem because I share, with the Senator, hope for the salvation and reformation of those who have been convicted. We all know of some persons who have been incarcerated and have made an honest reformation. Having done so, they should be given their full rights and privileges to serve as union officers.

I rather thought if persons had had their citizenship rights restored, that would be an adequate demonstration of their character and their capacity to hold a union office. Perhaps by striking out the period of 5 years, we would be arriving at the same goal.

If the Senator feels this language will do the job, without doing an injustice to an individual who has been in a penitentiary and who makes an honest reformation and works his way back into decent society, I believe what the Senator has suggested would tighten somewhat the language of the Kennedy-Ervin bill, and I shall support it.

Mr. McCLELLAN. I hope the Senator will support the amendment. I do not know whether I was the first one who suggested it, but I remember that early in our hearings we discussed this evil practice, which prevailed in some unions. I am sure the Senator agreed with me, either privately or publicly, that the problem needed legislative treatment, so that criminals would not be placed in authority and power over working people.

Mr. MUNDT. The Senator is correct. He may recall that when the Kennedy-Ives bill was before the Senate a year ago, I offered an amendment covering this subject, which was adopted unanimously by the Senate in a yea-and-nay vote. The committee had weakened that provision somewhat, I felt, by putting in the 5-year provision and the other provision which the amendment of the Senator strikes out.

Because I believe the Senator's amendment strengthens the committee version, I see no reason why the amendment should not be adopted.

Mr. McCLELLAN. I thank the Senator.

Mr. President, I yield back the remainder of my time.

Mr. KENNEDY. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER (Mr. Moss in the chair). All time having been yielded back, the question is on agreeing to the amendment of the Senator from Arkansas [Mr. McCLELLAN], as modified.

The amendment, as modified, was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GOLDWATER. Mr. President, I call up my amendment identified as "4–17–59–AA."

The PRESIDING OFFICER. The amendment offered by the Senator from Arizona [Mr. GOLDWATER] will be stated.

The CHIEF CLERK. It is proposed, on page 51, between lines 11 and 12, to add the following new subsection:

(k) "Labor relations expert, adviser, or consultant" means any person who, for compensation, advises or represents an employer, employer organization, or labor organization concerning employee organizing, concerted activities, or collective bargaining activities, but shall not include a director, officer or regular employee of such employer, employer organization or labor organization, or an attorney engaged in the practice of law.

Mr. GOLDWATER. Mr. President, I modify my amendment by striking on page 2, line 2, all following the word "organization" as it appears the second time in that sentence.

The PRESIDING OFFICER. The Senator has the right to modify his own amendment. Does the Senator have a modified copy to send to the desk?

Mr. GOLDWATER. I believe the clerk can follow me.

The PRESIDING OFFICER. Very well.

Mr. GOLDWATER. On line 2, page 2, strike out all following the second appearance of the word "organization." That is strike out the words "or an attorney engaged in the practice of law." Then place a period after the second "organization."

The PRESIDING OFFICER. The amendment has now been modified.

Mr. GOLDWATER. Mr. President, I will say to my friend from Massachusetts, with whom I have discussed this amendment——

The PRESIDING OFFICER. How much time does the Senator yield?

Mr. GOLDWATER. Mr. President, I yield myself 2 minutes.

The bill as it now stands has many references to a labor relations consultant, and yet in the section of definitions there is no reference to a labor relations consultant. My amendment would merely supply that definition.

Mr. KENNEDY. As I understand, the Senator wishes to add a definition. Will the Senator read the language?

Mr. GOLDWATER. My amendment would read, as I have modified it: on page 51, between lines 11 and 12 add the folowing new subsection:

(k) "Labor relations expert, adviser, or consultant" means any person who, for compensation, advises or represents an employer, employer organization, or labor organization concerning employee organizing, concerted activities, or collective bargaining activities, but shall not include a director, officer or regular employee of such employer, employer organization or labor organization.

Mr. KENNEDY. I ask the Senator who would be a labor relations consultant of a labor organization? Can the Senator give an example?

Mr. GOLDWATER. He would be either a man working for a company in this capacity or a man who is in the business of a labor relations expert who might be hired by a smaller firm. It would not include an attorney engaged in the practice of law.

Mr. KENNEDY. What effect would the Senator's amendment have on the requirement that attorneys be subject to the law when they are acting as labor relations consultants?

Mr. GOLDWATER. They would be subject to the law.

Mr. KENNEDY. In other words, the language would not affect the attorney relationship, when the attorney was acting as a labor relations consultant.

Mr. GOLDWATER. The Senator is correct.

Mr. KENNEDY. Will the Senator discuss the attorney-client relationship with respect to this amendment, or the next amendment?

Mr. GOLDWATER. That will be the next amendment, I will say to my friend.

Mr. KENNEDY. I ask the Senator if he can tell me what the practical effect of the amendment is. I am anxious to accept the Senator's amendment. I merely wish to be sure we understand what we are accepting. In what way would the language of the bill as it now stands be subject to question, and therefore in what way would the Senator's amendment clarify it?

Mr. GOLDWATER. There is no definition of a labor relations consultant in the bill, even though the bill refers to it in several instances. It was thought, because we referred to a labor relations consultant, that we had better have a definiton of it. The definition I have supplied in my amendment would cover those who would be affected under the term "labor relations consultant.'

Mr. KENNEDY. On page 24, section 203(a) the bill reads, in part:

It shall be unlawful for any employer or any person who acts as a labor relations expert, adviser, or consultant to an employer—

That is the section which deals with the labor relations consultant, to whom the Senator is now referring.

Mr. GOLDWATER. The Senator is correct.

Mr. KENNEDY. I do not see any reference to a labor relations consultant for a labor organization. It seems to me this language comes from the New York statute, and there may be some reference in the New York statute to a labor relations consultant in a labor organization, but the language appears to be either redundant or meaningless. I never heard of a labor relations consultant in a labor organization, unless we are talking about an attorney who works as an adviser. What we are really talking about in this language is the middleman.

Mr. GOLDWATER. I am advised by my attorney that Mr. John Steelman would be an example in point. He is now serving as a labor relations consultant. I have numerous friends in the industry who are practicing in this particular field.

Mr. KENNEDY. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum without the time be charged to either side.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Massachusetts? The Chair hears none, and it is so ordered.

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, I will accept the amendment of the Senator from Arizona, and I yield back the remainder of my time.

The PRESIDING OFFICER. The time of the Senator from Massachusetts has been yielded back.

Mr. GOLDWATER. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the amendment of the Senator from Arizona [Mr. GOLDWATER], as modified.

The amendment, as modified, was agreed to.

Mr. GORE. Mr. President, I call up my amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. At the end of the bill it is proposed to add a new section 607, to read as follows:

SEC. 607. Section 8 of the National Labor Relations Act, as amended, is amended by adding at the end thereof a new subsection as follows:

"(e) It shall be an unfair labor practice for any labor organization and any employer who is a common carrier subject to Part II of the Interstate Commerce Act to enter into any contract or agreement, express or implied, whereby such employer ceases or refrains or agrees to cease or refrain from handling or transporting any of the products of any other employer."

The PRESIDING OFFICER. How much time does the Senator yield to himself?

Mr. GORE. I yield myself such time as I may require, Mr. President.

Mr. President, under the terms of the Interstate Commerce Act, a common carrier obtains permission from the Government to operate a common carrier service over a given route. He not only obtains permission, but he obtains a franchise, which is a valuable right, to serve the public on the general route encompassed within the franchise.

It seems to me it would be contrary to the public interest for such a common carrier to enter into a contract to refuse to deliver goods to certain employers. This would be discrimination. This would place an unfair weapon in the hands of those empowered to use it. I think it should be an unfair labor practice. It would be a restraint of trade. When practiced, the use of a privilege or right granted by the Government in such a manner would be discrimination against certain citizens and would be the practice of force and coercion. It would be use of a privilege granted by the Government for purposes which are subject to question.

Mr. KENNEDY. Mr. President, it seems to me the Senator from Tennessee is discussing an extremely important question. I believe the Senator is rendering a great public service by raising this question.

As I understand the amendment of the Senator from Tennessee, the effect of the amendment would be to outlaw the so-called hot cargo agreement, which has been one of the means by which the Teamsters' Union has expanded its power. The way the amendment of the Senator from Tennessee is drafted, I believe it would not only prevent the Teamsters from picketing to enforce a hot cargo agreement, but also would prevent them from persuading other employers to refuse to handle goods as a part of a general agreement with them.

Under the present law the Teamsters could not picket to enforce a hot cargo agreement, but under the present law they could make an agreement, if they did not picket. Under the amendment of the Senator from Tennessee, the Teamsters could not picket to enforce an agreement and entering into an agreement would be made an unfair labor practice, so that the Teamsters would not be able to persuade other employers, as a part of the general agreement with them, to refuse to handle goods from another employer who might be engaged in an economic dispute with a union.

Mr. GORE. The Senator is correct.

The able junior Senator from Massachusetts has done a commendable, able, and effective job in the handling of the bill. Unless some restraint and protection were provided, the Teamsters Union, with all its vast power, could, in concert or conspiracy with a common carrier having an exclusive franchise, seize the jugular vein not only of an employer but also of another labor union. By this method it can not only coerce an employer but also raid the employees of another union. I hope the Senator will accept the amendment.

Mr. KENNEDY. I am delighted that the Senator has offered the amendment. It is extremely important. It supplements the action of the Interstate Commerce Commission in attempting to control the effect of hot cargo agreements. I am hopeful that the Senate will see fit to adopt it. I know it has been a matter of the greatest possible interest to the Senator from Arkansas.

Mr. McCLELLAN. I should like to have a brief explanation of the Senator's amendment. I have a similar amendment on the desk, and I should like to determine whether the Senator's amendment would do the job that my amendment is intended to do. If so, I shall not offer my amendment.

Mr. GORE. At the end of the bill I would add a new section 607, to read as follows:

SEC. 607. Section 8 of the National Labor Relations Act, as amended, is amended by adding at the end of a new subsection as follows:

"(e) It shall be an unfair labor practice for any labor organization and any employer who is a common carrier subject to Part II of the Interstate Commerce Act to enter into any contract or agreement, express or implied, whereby such employer ceases or refrains or agrees to cease or refrain from handling or transporting any of the products of any other employer."

Mr. McCLELLAN. The amendment is satisfactory, and it covers many of the things I had in mind. However, I suggest this addition to it:

For the purposes of this section "labor organization engaged in activities affecting commerce" means a labor organization which has officers or members engaged in activities affecting interstate commerce, or which represents employees engaged in such activities, or which represents employees or has officers or members who are employed by an employer or in any industry engaged in activities affecting interstate commerce—

And so forth. I would provide a penalty provision for anyone who violates that section. I believe a penalty provision should be included. If we are to have a hot cargo clause, we should have some means of enforcing it.

Mr. GORE. The definition which the Senator from Arkansas has offered might be an entirely appropriate one under a broader amendment. The amendment which I have offered relates only to a contract between a labor organization and a common carrier.

I believe the amendment I am offering has particular merit in that a common carrier can become a common carrier only by franchise of the Government. As I understand, that in itself is a right granted by the Government. I do not believe it is fair or proper for a public body to permit such a beneficiary to use the franchise to discriminate against other employers or other labor organizations.

Mr. McCLELLAN. I invite the attention of the Senator to a provision which I have in my amendment:

In any contract or agreement between an employer and any labor organization engaged in activities affecting commerce, any provision whereby such employer undertakes to cease or to refrain from using, selling, handling, transporting, or otherwise dealing in any of the products of any producer, processor, or manufacturer, or to cease doing business with any other person, shall be unlawful.

The Senator limits his amendment to transportation, whereas my amendment would include a secondary boycott contract with someone not using someone else's product.

Mr. GORE. That is a much broader question and may require treatment. I deal with it specifically and limit it to a common carrier. The proposal the Senator has offered would include any interstate commerce. I am not prepared to go quite that far. The specific form I have offered relates to the operations of the Teamsters Union.

Mr. McCLELLAN. It might relate not only to the Teamsters Union but to anyone engaged in interstate commerce. It is not discriminatory.

Mr. GORE. Yes; it could involve airlines, bus lines, and railroads.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. AIKEN. I should like to inquire whether it relates solely to the handling of a product, or whether it includes the use of a product.

Mr. GORE. I shall read the language of the amendment:

Enter into any contract or agreement, express or implied, whereby such employer ceases or refrains or agrees to cease or refrain from handling or transporting any of the products of any other employer.

Mr. AIKEN. But not "using." Is that correct?

Mr. GORE. It depends on the definition of handling. I believe that some uses would not be encompassed in the definition of handling.

Mr. AIKEN. Are not secondary boycotts related to use rather than transportation? I do not know. I am asking for information.

Mr. GORE. I believe that handling and transporting would cover much of the subject.

Mr. McCLELLAN. I believe the amendment should be tightened by using the words "or to cease doing business with." Those involved could say, "We made a contract to cease doing business with them."

Mr. GORE. I will accept the amendment so far as it relates to a common carrier.

Mr. McCLELLAN. That is what my proposed language relates to. If that is all the Senator's amendment relates to, my amendment relates to it also.

Mr. GORE. Mr. President, I modify my amendment to read as follows:

Enter into any contract or agreement, express or implied, whereby such employer ceases or refrains or agrees to cease or refrain from handling, using, or transporting any of the products of any other employer.

Mr. McCLELLAN. I believe the Senator should add to that: "or to cease doing business with any other person." Then the Senator would completely cover the problem. Those involved could agree not to do busines with another person. That would stop the transportation.

Mr. GORE. Mr. President, I accept the modification.

Mr. McCLELLAN. I understand that the amendment, in addition to what the Senator from Tennessee has read, includes the phrase "or to cease doing business with any person."

Mr. GORE. I did not accept "any person." I should like to read the amendment as I understand it to be now: "Any other employer." It is not "any person."

Mr. McCLELLAN. "Person" is defined in the bill. An employer is a person as defined in the bill.

Mr. GORE. I will read the language:

To enter into any contract or agreement, express or implied, whereby such employer ceases or refrains or agrees to cease or refrain from handling, using or transporting any of the products of any other employer, or to cease or refrain from doing business with same.

Mr. McCLELLAN. That is it. I believe the Senator should use "person."

Mr. KENNEDY. I believe the Senator should use the word "employer." The word "person" is defined as "one or more individuals, labor organizations, partnerships, associations," and so forth. The term "employer" means one person.

Mr. McCLELLAN. I am satisfied with the use of "employer."

Mr. GORE. I accept the language.

Mr. KENNEDY. As I understand it, this wording does not interfere with the right of an employer who is not a common carrier within the meaning of part II of the Interstate Commerce Act to cease doing business or to agree not to carry on business with any other employer if he so desires.

We are attempting to deal with the pressure put on those employers who are covered by the Interstate Commerce Act.

Mr. GORE. And agreements covered thereby.

Mr. KENNEDY. I should like the legislative history to be clear. Will the Senator state his understanding? I do not believe there is any question about what we are attempting to get at. Perhaps the Senator could read his amendment again. In that way we would get the best legislative history that we could have.

Mr. GORE. The purpose of the amendment is to declare and make it "an unfair labor practice for any labor organization and any employer who is a common carrier subject to part II of the Interstate Commerce Act to enter into any contract or agreement, express or implied, whereby such employer ceases or refrains, or agrees to cease or refrain, from handling, using, or transporting any of the products of any other employer, or to cease doing, or refrain from doing, business with same."

Mr. KENNEDY. Tomorrow, after thinking about it over night, we might decide whether we should consider giving priority to the handling of unfair practices arriving under this provision. We should consider whether we ought to give priority to any unfair labor practice charges which might come to the attention of the Board in this particular category.

But I do not think there is any question—and I make this as a parliamentary inquiry—as I understand it, we would not be precluded from a parliamentary point of view from adding a sentence which would state that an unfair labor practice under this section would be subject to injunction and immediate action by the Board, if we should decide tomorrow to do so.

Mr. GORE. The inquiry propounded by the Senator from Massachusetts is whether it would be parliamentarily possible tomorrow to add another section or sentence to the amendment.

Mr. KENNEDY. I should like to study the question further with the Senator from Tennessee and the Senator from Arkansas, to see if they think that an unfair labor practice under this provision should be given priority, so as to prevent a 2- or 3-year delay in processing the unfair labor practice.

Mr. McCLELLAN. Why not provide a criminal penalty?

Mr. KENNEDY. Why do we not wait and discuss it further tomorrow?

Mr. McCLELLAN. I suggest that the amendment be adopted tonight as is, with a unanimous consent agreement that we shall have all day tomorrow in which to move to reconsider the vote by which the amendment was agreed to, in the event we wish to amend it.

Mr. CAPEHART. Mr. President, I shall object to that.

Mr. JOHNSON of Texas. In the first place, it is not necessary to do that.

Mr. GORE. No; it is not necessary. Any amendment which is germane may be offered tomorrow.

Mr. KENNEDY. It would not be in the third degree.

I yield back the remainder of my time.

Mr. GORE. I yield back the rest of my time.

Mr. CAPEHART. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. Both sides have yielded back the remainder of their time.

Mr. CAPEHART. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCLELLAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Arkansas will state it.

Mr. McCLELLAN. Has the amendment been agreed to? As I understand, the same amendment may be offered tomorrow, if it is deemed advisable to do so.

The PRESIDING OFFICER. A further amendment may be offered tomorrow.

Mr. DIRKSEN. Mr. President, has the question been put?

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. GOLDWATER. Mr. President, I call up my amendment designated "4–17–59–CC" and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 54, between lines 13 and 14, it is proposed to insert the following new section:

SEC. . Nothing contained in this Act shall be construed to require an attorney who is a member in good standing of the bar of any State to include in any report required to be filed pursuant to the provisions of this Act any information which was lawfully communicated to such attorney by any of his clients in the course of a legitimate attorney-client relationship.

Mr. GOLDWATER. Mr. President, I yield myself 2 minutes. The amendment specifically exempts from the reporting requirements of the bill any communication between an attorney and his client. I do not know how I can explain the amendment any more completely than that. I think every attorney and every Member of this body understands the historic relationship and sanctity of such communications. I hope the Senator from Massachusetts will accept the amendment.

Mr. KENNEDY. Mr. President, I am prepared to accept the amendment. As I understand, it is the amendment which takes care of the lawyers.

Mr. GOLDWATER. That is correct.

Mr. KENNEDY. It goes against my grain to accept the amendment, because no bar association in the United States, as of tonight, has moved against one lawyer who has come before the McClellan committee and who has participated, in one way or another, in the improper practices which have been found. Yet the bar associations, which are supposed to have the highest ethical standards in the world, have not, as of tonight, moved against one attorney who has been involved in these cases.

I know the Senator from Arizona is not an attorney; therefore, he is not a member of a bar association. I am certain he is motivated by a desire to advance the public interest.

I will accept the amendment; and I hope it will encourage the bar associations of the United States to fulfill their responsibility in a more substantial way than they have so far on this particular problem of ethical practices. I think this responsibility is tied in completely with the problem of corrupt practices, "sweetheart" deals, and all the rest of the racketeering and corruption which the committee found to exist in labor-management relations.

Mr. GOLDWATER. I am not any happier than is the Senator from Massachusetts about the activities of some of the attorneys who appeared before the committee. But as a layman I recognize that there must be lawyers to represent those people, whether we like the people or not.

As a layman, I believe there should be a perpetuation of the sanctity of relations between attorney and client. I know that if I were involved in a situation in which an attorney was representing me, and a report had to be made, I would not want all of the intimate details of communications between the attorney and me to become public property.

I agree with the Senator from Massachusetts that there have been cases in which the bar associations could have moved against certain lawyers. I hope our little exchange tonight may provide the necessary motivation for that movement.

Mr. KENNEDY. I was not referring to the lawyers who represent criminals, however obnoxious they may be. I was referring to lawyers who deal collusively with crooked unions, crooked union leaders, or crooked employers, and then, in an attempt to protect themselves, justify their actions on the basis of a confidential relationship.

However, the amendment which the Senator is offering is a part of most other laws in related fields; therefore, I will accept the amendment. But I hope—and I believe the Senator from Arizona feels the same way—that bar associations will move with some vigor against lawyers who have, I think, failed to meet the standards of their profession.

Mr. GOLDWATER. I thank the Senator from Massachusetts. There are similar provisions in the present act which, if enforced, would reach some of the activities of the lawyers to whom the Senator has objected.

We are approaching the end of the 4th day of work on the bill. I think we have made rather remarkable progress. This has been due in large part to the very broadminded, cheerful way in which the Senator from Massachusetts has approached the problem. I think he recognizes, as all of us do, that there is still the possibility of creating out of this measure a workable law which can apply to the problem.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. DIRKSEN. Unless I have been laboring under a delusion for the last 20 years as a member of the bar, it is my understanding that the safeguard of the lawyer-client relationship was designed not to safeguard or protect the lawyer, but the client. I am not so certain that the distinguished Senator from Massachusetts has been under a misapprehension about it.

Mr. KENNEDY. If the Senator from Illinois had sat on the McClellan committee, he would understand that the practice works both ways.

Mr. DIRKSEN. But that was not the reason it was designed in the first instance, when it was written into the law. The idea was that when a client came into a lawyer's office and laid out his confessional story, a confidential relationship was created, and the lawyer could not be brought into court to testify to the conversations between his client and himself. The law was not designed to defend the lawyer; it was designed to safeguard the American citizen who hired the lawyer.

Mr. KENNEDY. There is no doubt in my mind that the bill which was originally drafted by lawyers adequately protected them. Therefore, I do not feel that the amendment offered by the Senator from Arizona is wholly necessary. But in order that there may be no question about it, I will accept the amendment.

I am certain that the Senator from Illinois, who is a member of the bar and has been a distinguished Member of the Senate for a long time, must be as concerned as I am that no bar association in any State of the United States has as yet proceeded to take action against any lawyer who appeared before the McClellan committee, not because of the intimate, confidential relationship between lawyer and client, but because the lawyers themselves were engaged in collusive activities with either labor or management. Not one of those lawyers has been subjected to any kind of scrutiny by any bar association in the country.

Mr. DIRKSEN. That may very well be; but I think it is important to anchor the fundamental reason or purpose for protecting this relationship. It has existed since time immemorial. It was designed to protect the client against harassment in case somebody tried to compel him, by process or otherwise, to disclose conversations, confessions, and statements which might have been interchanged between lawyer and client.

Mr. KENNEDY. Mr. President, I am delighted to accept the amendment—I mean to say I accept the amendment. [Laughter.]

Mr. GOLDWATER. Mr. President, the Senator from Massachusetts may not be delighted to accept the amendment; but the Senator from Arizona is delighted to have the amendment accepted.

The PRESIDING OFFICER. Does the Senator from Arizona yield back the remainder of the time under his control?

Mr. GOLDWATER. I do.

The PRESIDING OFFICER. Does the Senator from Massachusetts yield back the remainder of the time under his control?

Mr. KENNEDY. I do.

The PRESIDING OFFICER. All remaining time has been yielded back.

The question is on agreeing to the amendment of the Senator from Arizona [Mr. GOLDWATER].

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. JOHNSON of Texas. Mr. President, some other amendments are at the desk. Some of them are highly controversial, and will require yea-and-nay votes.

In view of the fact that the Senate has been in session for so long a time today, I do not believe it advisable to ask that the remaining amendments be considered at this time.

Therefore, unless some Senators have amendments which they consider noncontroversial, and which the chairman of the committee is willing to have considered and voted on without having yea-and-nay votes taken on them, I shall move that the Senate stand in adjournment.

Mr. President, if no Senator desires to address the Senate at this time, I shall move that the Senate adjourn until tomorrow, at 10 o'clock a.m.

Mr. JAVITS. Mr. President, before the motion to adjourn is put, may we have some idea as to whether a Saturday session is likely, if the Senate does not complete action on the bill tomorrow?

Mr. JOHNSON of Texas. I have not the slightest idea. Both the Senator from Arizona and the Senator from Arkansas have amendments at the desk. From what they have told me, I am inclined to believe that the Senate may be able to dispose of those amendments tomorrow. If we are able to dispose of them then, by having an evening session, if necessary, we shall do so; and if we are able to take final action on the bill tomorrow evening, we shall not have a Saturday session.

If we are not able to conclude our action on the bill by tomorrow evening, we shall have a Saturday session, and shall continue the session into the evening on Saturday, if necessary.

ADDRESS OF VICE PRESIDENT RICHARD NIXON BEFORE AMERICAN SOCIETY OF NEWSPAPER EDITORS

Mr. KUCHEL. Mr. President, last Saturday Vice President RICHARD NIXON spoke to and then answered questions of the members of the American Society of Newspaper Editors. His comments were forceful and persuasive and, in my judgment, presented sound and excellent American philosophy on foreign policy which merit the conscientious study of my colleagues and of the American people.

I ask unanimous consent to have the address of the Vice President, together with the questions asked and answers given be printed in the RECORD at this point.

There being no objection, the address and questions and answers were ordered to be printed in the RECORD, as follows:

REMARKS OF HON. RICHARD M. NIXON, VICE PRESIDENT OF THE UNITED STATES (AND QUESTION-AND-ANSWER PERIOD FOLLOWING), BEFORE THE AMERICAN SOCIETY OF NEWSPAPER EDITORS, PRESIDENTIAL ROOM, STATLER HOTEL, WASHINGTON, D.C., SATURDAY, APRIL 18, 1959

The VICE PRESIDENT. President Healy, my fellow vice presidents, distinguished guests of the American Society of Newspaper Editors, it is a very great honor for me to have the opportunity to appear at this meeting tonight. There are a number of thoughts which have been running through my mind as I have been sitting here surrounded, as I have been, by the president and the newly elected first vice president of this organization.

I have often read, as you have, Mr. Truman's comments to the effect that the Republican press is always giving the Democrats a bad time. Well, I can tell you, as far as this meeting is concerned, it has been just the other way around.

For example, the prize of the evening, the Clapper Award, goes to a man that all of us respect as one of Washington's finest reporters, but it goes to him for writing a story that wasn't too complimentary to Republicans.

Second, I sit between two men, who are not Republican editors; they are Democrats and proud of it.

As a matter of fact, Turner Catledge said he never saw a Republican until he was 23 years of age. [Laughter.]

He said his father took him into town to see him, telling him he was a rather strange fellow—and "he was a strange fellow, too," so Mr. Catledge tells me.

But I must say that I have been very touched by the generous introduction by your president, who is a gentleman in the great tradition, not only of the South, but of New Orleans, one of the beautiful cities of the South.

I noted his comments about the Bloody Mary breakfast this morning, and if I may be permitted to say here what I thought there, I think it is a horrible custom to have a breakfast at 8 o'clock in the morning with Bloody Marys.

Be that as it may, it was an enjoyable affair, and I also noted his comments about the fact that the polls came out favorably as far as I was concerned with regard to 1960.

I particularly appreciated what he had to say about the success of the trips my wife and I have taken abroad—to South America, and more recently to England, and I suppose that some of you might have related the success of those trips to which he referred, to the result of the poll.

I would like to think perhaps that they might have had some beneficial effect. But I am reminded of the fact that while I have had, due primarily to Mrs. Nixon being with me, considerable popularity in England and in some other parts of the world on our trips, a very distinguished man who was mentioned by Mr. Folliard, Adlai Stevenson, has also been very popular when he has gone abroad. I would imagine it is quite possible that both of us would get more votes abroad than we would here in the United States.

In any event, the meeting tonight will primarily be one in which we will have your questions, and in which you will determine what the leads will be by the preciseness and the provocative nature of the questions which you will have the opportunity to ask.

As far as the format is concerned, I have worked it out with your president. He has in hand some written questions which some of you were farsighted enough to submit in advance. But I recognize that when written questions are used, there is not the opportunity for the followup kind of questions which result in the cross-examination which sharpens an issue.

So, as I understand it, Mr. Healy will read a written question, he will then give the audience an opportunity to ask a question. Since there are no microphones in the audience, due to the fact that we didn't have time to remove the tables, I will try to repeat the question.

Incidentally, Mr. Healy paid me a very high compliment tonight: When we came in I said, "There's a very big crowd," and he said, "You ought to be complimented, it's almost as big as the one we had yesterday for Dr. Castro." [Laughter.]

Now, before we begin, if I could just say a word about two events of today—two news events that I know will be covered by questions, and which I think you might like to have a comment upon at this point.

I mentioned Dr. Castro's visit, and I am looking forward to the opportunity of seeing him tomorrow at my office in the Capitol after he has appeared on "Meet the Press."

I also think that it might be appropriate at this time to refer to some of the comments that he made on Cuban-American relations, and in referring to those comments I would say, first of all, that I am sure that his visit will serve one very useful purpose: No one can come to the United States, no one can talk to American audiences, no one can talk to the officials of our Government, as Dr. Castro will and has, without going back convinced that the U.S. Government and people share wholeheartedly the aspirations of the people of Latin America for peace with justice, for democratic freedom, for economic progress, and for the strengthening of the institutions of representative government. [Applause.]

It was almost a year ago that I returned from Latin America. And, during the year since I returned, we have been making steady progress toward these goals. We have seen some new avenues of economic cooperation opened through the discussions of the organization, American States Committee of Twenty-One, and here I think we should give due recognition to the initiative of President Kubitschek for suggesting this Operation Pan America.

In addition, as you have noted in your papers, and if you listen to television, you heard on television that the 21 American Republics have now signed the final act of the Inter-American Development Bank which, when placed in operation, will provide another source of capital for Latin American development needs. And which, very appropriately and importantly takes Latin America out of the category of the other areas of the world, the so-called underdeveloped nations, and properly gives it a special consideration which is what Latin America should have in view of the special problems which are theirs and ours because of the proximity and the other ties that we have with the Latin American nations.

These steps, along with measures that have been taken by many of the Latin American governments in cooperation with the international monetary funds to stabilize their internal financial situations, are a positive move designed to strengthen economies of the Western Hemisphere. I would not suggest that we could underestimate the seriousness of the economic problem still faced by Latin America, but there have been major solutions to those problems proposed, and we are making definite progress in those solutions at this time.

One other comment with regard to Dr. Castro that I think is worth making. He referred to the problem of intervention, and I would say on that score that the recent flareups of tension in the Caribbean area, with reports of activities in various countries designed to overthrow the governments of other nations, emphasizes the importance of this principle of nonintervention to which we are all dedicated in the Americas.

The Organization of American States has played an outstanding role in maintaining the peace and security of the area. Each country in the Americas must be assured of the right to develop its political life, free from outside intervention. That is why the United States announced at Montevideo, 26 years ago, its willingness to adhere to the

principle of nonintervention. That is why, in the following year the Platt amendment to which Dr. Castro referred yesterday was abrogated by agreement with the government leaders of Cuba.

I am confident that nothing has contributed more to the growth of freedom and democracy in this region than the steadfast devotion of the American public to the principle of nonintervention, and the United States will certainly continue to practice and preach that principle in its relations with our friends in the Americas.

And, one final comment on another piece of news which developed today:

You noted the selection by the President of a new Secretary of State, a selection which will affect the whole course of American foreign policy in years ahead.

I would like to say a word about the man who was selected, because I know him, and know him well, having served with him in the Congress and having served under him when I was a member of the Herter committee which studied the Marshall plan in Europe in 1947. On the basis of my knowledge of him, there are these comments I would like to make to this audience tonight.

He is a man, in my opinion, who by background, experience, and temperament is eminently qualified to carry forward Secretary Dulles' policies and principles. And, those who have had the opportunity to know him, as I have, known him not only as one of America's foremost students of foreign affairs, but also as a tenacious and persuasive advocate of his views at the conference table. This means that the American people can be confident that the interests of this country will be vigorously and ably represented in any conference in which he participates.

Thank you.

Mr. HEALY. Thank you very much, Mr. Vice President.

The first question comes from Bradley Black, of the Cincinnati Enquirer: "What value to the United States do you expect to be derived from your trip to Russia?"

The VICE PRESIDENT. I think, as the President indicated in his statement when he announced that I was going to the Soviet Union, one of the major values of this kind of a trip is the opportunity it provides for better understanding between government officials and between the peoples of the countries involved.

In this connection, for example, I shall have the opportunity to open the American exposition. I shall also have the opportunity, I trust, to meet people in all walks of life in the Soviet Union, as my wife and I have in 50 countries which we have visited up to this time.

There will probably be an opportunity as well to meet various officials of the Soviet Union.

I should emphasize that the purpose of this trip is not to negotiate settlements of differences between our two countries, but there will be certainly an opportunity to have a frank discussion of those differences and, wherever there is discussion, whenever there is the chance to meet face-to-face and lay the differences on the table, I believe that the interests of better understanding are served and that the possibilities of actions being taken by one country or another because of miscalculation as to the intentions of that country, are considerably reduced.

These are the values that I would primarily see as the result of this trip.

Mr. HEALY. Mr. Vice President, we have two related questions which I believe I should ask before we ask for a related question from the audience: "Do you think there are areas of give-and-take between us and the Soviet Union in the interests of world peace?"

The VICE PRESIDENT. There are certainly areas of give-and-take wherever there are differences between nations at the conference table. But I should distinguish the area of being flexible with regard to tactics and flexibility with regard to principle.

I know that Mr. Dulles, for example, has often been criticized because it is claimed that he has been inflexible, yet he has been one of the best negotiators at the conference table that this nation has ever had, as Secretary of State, and I would emphasize that as far as his inflexibility is concerned, that it was a position that he took in firm adherence to and advocacy of the principles of freedom and justice which not only we in the United States believe in, but in which people throughout the free world also believe. And, when you are inflexible with regard to advocacy of principles and standing on principles, I submit that this kind of inflexibility is what the United States should continue to want from its foreign policy leaders. [Applause.]

Mr. HEALY. Here is a double question: Donald Breed, of the Freeport, Ill., Journal Standard writes, anticipating with full approval your visit to Moscow, I still wish to ask this naive question. "What is to be our technique of dealing with an adversary whose code of morals frankly rejects the obligation to live up to engagements entered into and whose record is full of broken pledges?"

Can you suggest some obligation which Russia will find self-interest in assuming and respecting?

Vice President NIXON. This, of course, is a very broad question and it would require analysis of each segment of the world and each conflict or each point of difference between the Soviet Union and the United States.

I would say that the question itself suggests the answer and the answer is that you must find that type of agreement in which the Soviet Union will find that self-interest requires that it live up to the obligation.

Now, this means that we have a long, hard road ahead of us because there is a record of broken treaties as we know and there are areas where we find that Soviet self-interest is such that the only kind of agreement that could be reached would be one which would weaken the position of the free world and strengthen the position of the Soviet world. But, this does not mean that we should not continue to try, because there is no alternative to trying to negotiate which is acceptable either to us or, we would also hope, to them.

That is one of the reasons, for example, that I suggested on Monday of this week an approach which I think is worth exploring. This would not be an approach in which we would, as some have suggested, submit all the differences between nations to an international court of justice for decision, because, being perfectly realistic, as someone has said, where nations are concerned you can arbitrate rights, but not interest.

On the other hand, there must be some areas where even now we could have a rule of law in place of a rule of force.

And so, if we are to move along this line, we could suggest that while a court could not decide what the agreement between parties should be—we would not want that, neither would the Soviet Union—once the parties do make an agreement, we realize that one of the major causes for disagreement after that is over the interpretation of the agreement, what the agreement means. That is why I have suggested that once the parties do agree, they might well write into the international agreement a provision to the effect that if there is any difference about interpretation, that difference would be decided by the International Court of Justice and that the parties would agree to be bound by the decision of the Court.

Now, some have suggested that the Soviet Union will not accept such a provision, and others have contended that the United States should not move this far in that direction because of the risks involved as far as our interests are concerned.

But, I say tonight that though we must always be careful in any international agreements we make to see that the interests of the United States are protected, we have to realize that we must find acceptable alternatives to the use and the paramount position of force as the means of settling international disputes.

I do not suggest that this proposal I have made is a complete answer. There is no complete answer. There is no easy answer. We are going to have, as the President suggested, tension and disagreement for years and years ahead, but we must plow forward. We must continue on our part—believing as we do in the rule of law in our own internal relations—to make positive suggestions in this line and take the leadership. Only in that way will we have the opportunity, perhaps, to get the Soviet Union at some time to go along with us, even part of the way, and only in that way, and this is also important, will we keep before the world the picture of the United States and the free world standing for, and practicing, the principles of freedom and justness under law, rather than totalitarianism and force. [Applause.]

Mr. HEALY. Thank you very much, sir.

Are there any questions from the floor related to the Vice President's trip to Russia?

Mr. MAHAFFEY. Mr. Healy, I am James Mahaffey of the Texarkana Gazette. I would like to ask the Vice President exactly what he thinks Mr. Khrushchev meant when he said, "We will bury you."

Mr. HEALY. Mr. J. Q. Mahaffey, of Texarkana, asks what Mr. Khrushchev meant when he said, "We will bury you."

Vice President NIXON. If I have the opportunity to see Mr. Khrushchev when I go to Moscow, I intend to ask him that as one question.

On second thought, though, I can put him on the stand as a witness right here tonight: Mr. Khrushchev said—after his statement received large circulation throughout the United States and the free world—that he did not mean that he intended to bury us by dropping atomic bombs on our world and risking them being dropped on his, but that he intended to bury us by winning the economic struggle for the world.

I think I can put it in another way by relating to you the attitude Mr. Mikoyan had when he was here.

I asked him how he thought communism would come to the United States. I asked him the question first before he started around the United States, and I asked it again after he had visited Detroit, Los Angeles, and other great production centers of this country—after he had had an opportunity to see the conditions of our workers and the high living standards that we have.

In presenting the question to him, I said: "In view of the standard of living of America's workers, in view of what our labor leaders told you when you were here, do you believe that communism will come to the United States in the usual Marxist pattern of the workers rising against the bourgeoisie, or the employers, and establishing a government by the proletariat?"

And, his answer was very interesting bearing on this point. He said, "No; I will have to admit that the condition of your workers in the United States is such that we cannot rely on that method of bringing about communism, but of this I am sure: Communism will eventually come to this country, and it will come in this way. It will come when the people of the United States will look at the Soviet Union and will see that our system is more productive, more efficient, and does more for people than yours. Then the people of the United States will at that

time turn to communism in order to avoid becoming a second-class power, economically."

Mr. Khrushchev, of course, would support Mr. Mikoyan in that view, and I would say the lesson for us is this: not that they said it, but that they believe it.

Whatever we may think of communism, and we have our attitudes toward it, very well justified ones, in my opinion, but whatever we may think of it we must recognize that in Mr. Mikoyan, Mr. Khrushchev, and other leaders of the Communist world, we have men who are fanatically dedicated, dedicated in two senses:

One, that their system is superior; and two, believing that eventually it will prevail.

And, what is why in this country, recognizing that we are confronted with men who, whatever we may think of them, have faith in their system; we need a similar faith, a faith in the fact that this system in our country and in other parts of the free world, with all its faults, has still produced the greatest prosperity, the greatest freedom that men have ever known.

We must have faith that this is the wave of the future. And I might say, in concluding my answer to this question, that in the great struggle going on in the world today, we must recognize that whether it is in South America, the Near East, Asia, or Africa, there are millions of people who above everything else want a better way of life. They would prefer to have that better way of life and keep their freedom, but if they cannot get it with freedom, then without freedom. You can be sure that inevitably if there is no alternative they will accept a system which promises a better way of life, even if it denies freedom.

This, therefore, is the challenge to us. You cannot expect to meet and defeat a great force which is on the move, which is confident, which is aggressive—you cannot expect to meet and defeat it with a force which is static, which is interested only in holding its own. That is why I have suggested in the past and I suggest again here tonight that we in the United States must not only see that our system works here but we must recognize that ours is the true revolution and we must convey that message more effectively than we have in the past to the peoples all over the world who want a better way of life. We must indicate to them by our example and by our interest in them, that they can have real progress economically but have it in a climate of freedom without having to turn to dictatorship to get it. [Applause.]

Mr. HEALY. We are ready to come closer to home now.

I have got to explain that this question was written before that very important meeting over at the National Press Club this morning.

The question comes from Felicia Patterson, of Newsday: "If at the 1960 Republican convention a situation were to arise where it would be in the best interest of party harmony for you to accept the Vice Presidential nomination again, would you be willing to seek an unprecedented third term as Vice President?" [Laughter.]

The VICE PRESIDENT. I really ought not to give an off-the-cuff answer to that question, but I will.

I would only suggest that, as one who voted for the two-term amendment limiting the holding of the Presidency to two terms, I think it would be inconsistent for me to seek the Vice Presidency for a third term. [Applause.]

Mr. HEALY. There is one along the same line from Bill Ulston, of the Minneapolis Star and Tribune: "Would you accept Nelson Rockefeller as a running mate in 1960?"

The VICE PRESIDENT. Well, I think that question should be better put to him rather than to me.

Seriously speaking, of course, I recognize that there is a considerable interest in who will be the candidates on both the Republican and Democratic tickets in 1960.

I anticipated, as a matter of fact, the question tonight as to whether I might be a candidate in 1960. I intended to answer that question by saying that this was not the time to make such an announcement or such a decision, and since I, of course, have not made a decision myself as to 1960, that I am prepared to announce, it would not be appropriate for me to talk about who the running mate should be at this time.

May I just add this one point though with regard to Mr. Rockefeller: I think that the Republican Party is fortunate to have as a Governor of a major State, a man who has proved that he could get elected when many other Republicans were losing, and a man who, as Governor of the State, inherited some very difficult problems and has dealt with them courageously and ably. [Applause.]

Mr. HEALY. Here is a tripleheader from Bill McMorrow of Gainesville, Ga., John O'Hallis from the Bismarck, N. Dak., Tribune, and Louis L. Harris, of the Augusta, Ga., Chronicle: "Do you feel that the administration is relaxing its demand for immediate, total integration and if such a trend exists, do you approve?"

The VICE PRESIDENT. The question, as I understand it, uses the words "immediate, total integration."

First of all, I should point out that the adminstration's position has not been, is not now, and should not be immediate total integration.

We have to deal with the facts of life as they are. As far as the administration's position is concerned, I believe that it is a sound position. It is one which avoids both extremes, the extreme on the one hand which says, "We shall do nothing," which means there will be no progress; and the extreme on the other hand which indicates we will do too much, and which might result in losing ground rather than gaining it.

What we have tried to do is to take what is a firm position in behalf of progress in this field, recognizing that you can't change in 1 year, 2 years, even 5 years, customs, practices, that have developed over a period of almost 100 years. And I think that as long as we go ahead on this line, this offers the best hope for eventual solution of what, to all Americans, is a very difficult and complicated problem.

I would just like to add one personal note with regard to the solution of this problem in which those in this room can play a part. I remember one of my professors in law school, a professor in contracts, made a statement to this effect, the very first day of school:

"Gentlemen, there is only one rule or one principle you should remember, if you forget everything else you heard in this course. A contract is only as good as the will of the parties to keep it."

We could, I think, draw an analogy there and say that a law is only as good as the will of the people to obey it. But, this does not mean that you do not pass a law until all of the people are ready to obey it.

It does mean, however, that in enacting legislation in a field like this, you must recognize that it is the responsibility of public opinion leaders throughout the country to develop within the society the support for the law, which is essential if the law is to be effective; and that support must come from the hearts of the people. And it must come from the hearts of the people not only because they believe that to obey the law is right, but eventually it must come because they also believe that the law is right.

I would not suggest this is easy, as I have already indicated, and having as I do a little southern background through attending school at Duke University for 3 years. But I do know, as I consider this problem, that from an economic standpoint the United States cannot afford to fail to deal effectively with problems which result in 17 million citizens in this country not having the opportunity to develop the skills and to make the ultimate maximum contribution that they can and should to our economic development.

I do know, too, that from a moral standpoint we recognize that there is a great cause involved in this problem, and finally from an international standpoint, I would add this last point:

My wife and I have traveled, as I have indicated, through many countries abroad. Mr. Khrushchev refers to "burying us." The war that he refers to, or claims to refer to, has already begun and it is going on in Asia, in Africa, and the Near East. A billion people live there. They hold the balance of power in the world.

The question is: Which way will they go?

Economic policies will have a great deal to determine which way they go. Our diplomatic policies will have a great deal of impact on this question, but I can assure you, that as much as anything else will be this major factor:

The people who live in these countries are different in many ways, different religions, different clothing, different housing, customs and food. But they are alike in one way—they are not white.

And, having traveled abroad and having spoken to these people in terms of the traditional beliefs of the United States of equality of opportunity, of recognizing the individual dignity of a man, regardless of his background, I can only say that it is most difficult for a representative of this country to talk one way abroad, and then to explain our practices at home.

Now, finally, I would add one other thought: I think there has been too much of a tendency to indicate that this whole problem of prejudice, call it what you will, depending on the point of view, is simply a southern problem. It is a northern problem as well. It exists in our great cities in the North. It exists in the South. And there are honest differences of opinion about it. But, I am convinced of this: Considering the interests of the United States alone, clearly apart from the interests of our Negro citizens, the best interests of the United States will be served by continuing with a program which produces steady progress in this field.

And those of you who are the opinion makers can play a great part in helping this progress to become a reality. [Applause.]

Mr. HEALY. Is there a question from the floor on this subject?

The VICE PRESIDENT. Is there a question from the head table on that, I was going to ask.

Mr. HEALY. No, sir.

Mr. Vice President, "will you give us your evaluation, sir, of the importance of the so-called missile gap in the United States over the next several years as a factor in the present Soviet bullying attitude? Has it weakened the American negotiating position?"

That is from Bob Easterbrook, of the Washington Post.

The VICE PRESIDENT. I would say that, as far as the missile gap is concerned, if the Soviet leaders actually believe there is a gap—a military gap as distinguished from missile gap—this definitely would weaken our position vis-a-vis the Soviet Union at the bargaining table.

I would say, second, however, that looking at the situation at present, there is no question in the minds of our military leaders—as Senator JOHNSON himself pointed out after recent hearings he had in this field—there is no question but that the United States and the free world today have military strength which is great enough to meet and defeat any

aggressor, if aggression is launched against the free world.

We believe we have the strength. I think the Soviet leaders probably believe we have it also. And as long as we have this strength this means that when our negotiators go to the Foreign Ministers Conference and when the President goes to a summit conference—if the Foreign Ministers Conference develops along such lines that a summit conference will be held—both the President and the Secretary of State and the other leaders of the free world can deal from a position of strength.

They will not have to submit to missile blackmail on the part of the Soviet Union.

Now, looking to the immediate future, what the missile gap refers to, of course, is the claim that 3 years from now, 4 years from now, if the intelligence estimates we have on the Soviet Union are accurate, they may have more intercontinental ballistic missiles than we have. Our answer to that is that 3 or 4 years from now while there may arise a situation where they may have more intercontinental ballistic missiles, as for example they now have more submarines than we have, the time will never arrive when our overall strength will not be sufficient that they could not risk an attack on us without bringing upon them damage that they would not voluntarily want to bring upon themselves.

And, I would say also in answer to this question then that if the determination of the American people, as reflected in the Congress of the United States and the administration continues, and if our allies continue to take the strong stand that they do with us on this matter, that I do not see a time coming in the foreseeable future in which the United States will be in a military position, along with our allies, which is such that the Soviet Union will be able to blackmail us.

And I would say finally that the responsible leaders of this country, whether they are Democrat or Republican, I am sure will never allow that situation to come about. We shall do what is necessary to maintain the strength to deter aggression. [Applause.]

Mr. HEALY. Are there any questions from the floor on this issue?

Mr. Joseph B. Farrell, of the Macon, Ga., News asks if the United States believed there was a serious threat of communism in Cuba, would we do anything about it, and if so, what?

The VICE PRESIDENT. I would say first of all with regard to the threat of communism in Cuba, and throughout the American Hemisphere, that we are all aware that all of the countries in the hemisphere have an interest in seeing that that threat does not become so great that the Communists are able to dominate any government in the hemisphere. And I should point out, too, that this is traditional in the American Republics, traditional since the time of the Monroe Doctrine. Because for communism to come to any one of the American Republics is the very foreign intervention to which the Monroe Doctrine referred. This is the reason why we, in our discussions with the leaders of other countries and with the peoples of other countries in this hemisphere, can honestly say that we are speaking in their interest when we urge that they join with us in resisting any Communist infiltration which might result in control of a government.

Now, referring to Cuba, I visited Cuba 3 years ago. I, of course, did not have the opportunity on a visit as brief as those we must take, to see as many people in all walks of life as I might have liked, but I saw a great number.

I would say first of all that the great majority of the Cuban people, based not only on my visit but also on my study of Cuba and its problems, are not susceptible to the kind of appeal which the Communists might make.

Or, putting it another way, they might be susceptible to what the Communists might say in attempting to get power, but the Cuban people, the great majority of them certainly do not want a Communist government in Cuba.

And, I would say that, looking to the future, that I do not anticipate that the hypothesis suggested in this question would come about, and the reason I do not anticipate it is that the Cuban people themselves will not tolerate a Communist government or a Communist takeover. [Applause.]

Mr. HEALY. Thank you.

Do I see anyone that wants to ask anything further on that?

Mr. H. P. Pickrell, of the Albuquerque Journal: "Assuming there is a summit conference this year, do you expect to attend it along with President Eisenhower?"

The VICE PRESIDENT. I have noticed conjecture in the papers with regard to the possible attendance of the Vice President at a summit conference, and I can only say that there has been no decision with regard to any attendance by the Vice President at a summit conference.

Mr. HEALY. Here we get back to another tough one: "How far should we go in regulating big business? How far should we go in regulating labor which has become big business?"

The VICE PRESIDENT. I could, of course, spend a great deal of time in answering that question, and I will spend a little because it is a broad question and I think since it is the first question on economics we have had tonight, you might be interested in my thinking on it.

Business is big in the United States, and labor is big, and Government is big. And it seems to me that one of the primary functions of those of us in positions of responsibility is to find ways and means to see that these great power complexes—whether they are business, labor, or government—do not work against the interests of the individual—that they do not have the effect of cutting off and discouraging the inventiveness, the individuality which has been the reason for America's greatness and its progress in the past.

We now come to how you do it.

We have, of course as you know, antitrust laws to deal with the power complexes in business. To a certain extent they can be effective and in other areas they are not.

As far as labor is concerned, the Congress is presently debating that question. A bill is before the Senate, the Kennedy-Ervin bill. The bill has been amended in committee considerably, and substantially improved. In my opinion, however, it is a bill which should be further amended by the Senate itself, amended particularly in this respect: The bill as it presently is written deals almost exclusively with the internal operation of unions—providing for union members certain principles of union democracy and providing control over the expenditures of their funds.

What is needed is legislation amending the Taft-Hartley Act, legislation amending it which will close two major loopholes, dealing not with the internal relationships and organizations of unions, but dealing with the relationship of unions with business and the general public.

And I refer to provisions which should outlaw so-called blackmail and organizational picketing and which would strengthen the secondary boycott and/or hot cargo provisions of the Taft-Hartley Act. [Applause.]

It seems to me that it is vitally important for us to recognize that the function of government is to see that a proper balance is maintained between the power of business, on the one hand, and the power of labor, on the other. And the enactment of the administration bill, I think is the least that should be done in this session of Congress in dealing with this particular problem.

Now, I could go one step further.

There has been a great deal of discussion about what the Government ought to do when these power complexes get so big that the decisions they make may affect adversely the public interest.

We hear, for example, a great deal of discussion there days with regard to the wage price negotiations that are taking place in the steel industry. You have noted the President's comments with regard to the fact that the public has a stake in how these negotiations come out, as well as the parties at the contract table.

I would only say with regard to these negotiations that certainly there is a great public interest because whatever your theory about inflation—whether you believe that the demand pull has been the primary factor in the inflation for the past 25 years, or the cost push which seems to have been the major factor in the last 2 years—whatever your theory, there isn't much question but that when we have had periods of inflation they have generally been accompanied by periods in which wage increases have exceeded productivity and so we come to the key question: What should happen in steel?

What we have said up to this time is that the public interest will suffer if there is a wage increase in steel which is inflationary—inflationary either by forcing up the price of steel or inflationary, assuming the price of steel remains stable, by its effect on other wage scales and thereby forcing up the price levels in other commodities.

Now, we come to the question which I know immediately will be on your minds. If the public does have an interest, if there should not be a wage-price settlement in steel which is inflationary, what is the Government going to do about it?

There have been some very well-intentioned and thoughtful proposals as to what the Government ought to do.

Mr. KEFAUVER is having some hearings in which he is attempting to get at the bottom of this problem.

Others have suggested that before any major industry, like steel, raises its prices, the Congress should have hearings, and others have suggested that we need a system in these great, major industries of price controls, failing to recognize in some instances, that you cannot have price controls without also having wage controls.

I will say this with regard to the administration's position at this time. We think it would be a mistake for the administration to interfere in the steel wage-price negotiations because if we do interfere, we set a precedent, and once you interfere in a wage-price negotiation like this, then in all future times one party or the other, depending upon what they think they can get out of the administration in power, instead of agreeing to settle at the bargaining table, will push the conflict upstairs. This would not be in the public interest.

Bringing this question to a close, may I just say that certainly all of those who are participating in the wage-price negotiations in steel must recognize that if a wage increase which is inflationary does come about, this will give tremendous impetus to the demand that either the Congress or the administration, or both, take stronger steps.

May I also say in that connection the reasons why we in the administration believe that we should avoid Government intervention, avoid Government controls is, one, because we realize that in peacetime it would be very doubtful if they would work; and two, because it would mean that we would be suppressing the American economy at a time that we wanted it to expand.

I think a quote from Tolstoi is very appropriate on this point. It seems to me to

point up the weakness of the position of those who say Government should control the economy in order to serve the people.

As I recall it, it goes something like this:

"I sit on a man's back choking him and making him carry me, and yet assure myself and others that I am very sorry for him and wish to ease his lot by all possible means—except by getting off his back."

That is exactly the position the Government is in when it does too much; when you have Government controls trying to help the people where people better could help themselves if the Government would only get off their back. [Applause.]

Mr. HEALY. Mr. Vice President, I think you have been most generous in answering our questions.

Would you care to close with a brief closing statement, sir?

The VICE PRESIDENT. May I say, Mr. Healy, that I do not want you to think that because I was submitted to a great deal of southern influence tonight I intended to filibuster as long as I did on the last question. But I anticipated there might be some other questions on economic issues, and I do appreciate the opportunity that has been presented to comment as I did.

The hour is late. I can assure you, as one who has made appearances in many countries around the world as a representative of the President of the American people, it is a truly great honor to appear before one of the most influential audiences in all of the free world today.

I would just like to add a word with regard to a man whom I called on day before yesterday; a man who has sometimes appeared before this organization; one who has been criticized by some, commended by others, and written about by everyone in this organization—the Secretary of State.

I had approximately an hour's chat with him day before yesterday. I can tell you that his spirit is magnificent, and his analysis and understanding of world problems is just as sharp as it ever was.

It happens, as you know from my public statements, that I am one of Mr. Dulles' supporters and one who admires him. I know too that in this audience, whether you have criticized or agreed with him, everyone respects him as a devoted, dedicated man who has, in a real sense, spent his whole life, lived for this great moment which, because of physical disability, he is unable to consummate at this time.

One little personal note I think might be of interest. I recall seeing the Secretary when he returned from his last trip to Europe. I think history will record that that trip not only was one of the most successful negotiating missions by a Secretary of State in history—because bringing together the American or allied positions as he did by his conversations with Mr. Macmillan, with Mr. Adenauer, and with President de Gaulle was indeed a superb accomplishment—but it will also be recognized that it was a truly heroic performance by a dedicated American.

I can tell you that, having seen him when he immediately returned, I asked him, because I had known he had been ill when he left, how it had been. He said, "Well, I found that during the course of the negotiations each day that I never felt a bit of pain, but at the end of the day," he said, "then it would come down on me like a great wave."

And, during the entire course of that trip, approximately a week, the Secretary of State conducting these terribly important negotiations was not able to keep down a single meal.

And finally one little note, on the human side of a great man. That day it happened that we were having luncheon in the State Department. I had the usual chicken and creamed peas that was on the State Department menu, and Mr. Dulles, as was his custom, had a little scoop of cottage cheese and some fresh fruit, in this case this particular day I happened to note that the fresh fruit that he was having was fresh figs which had been flown in from California.

Just in passing, during the course of his discussing with me the situation, not only in Europe and in Asia as well, I mentioned that my wife, Pat, was very fond of fresh figs but they were rather difficult to get in Washington.

I went back to my office, came home that night, and at 6 o'clock the doorbell rang. Mr. Dulles' chauffeur was at the door, and he brought with him a little box, a box in which originally there were 12 figs. Three had been removed, and a handwritten note to my wife saying that he had heard at noon that she liked fresh figs and he hoped she enjoyed these from California.

I repeat this story, not because it affects what will happen in Berlin, not because it will have any bearing on editorials that may be written with regard to the administration or on other great issues, but I repeat it because I wanted you to share with me the knowledge that this man, who is known primarily for his dogged determination, for his ability to work harder than almost any man in any administration could be expected to work, also has a very sensitive and a very thoughtful human side which those of us who were close to him were privileged to know.

Thank you, and good night. [Applause.]

(Whereupon, at 10:45 o'clock p.m., the press conference was concluded.)

STAFF AND SALARIES

Mr. GORE. Mr. President, several weeks ago I gave to a reporter for the Associated Press a list of the names of employees in the office I hold together with the salaries of each. This information was specifically made available to representatives of other newspapers, also, at the same time. In fact, I have regarded the payroll of a public office as public information throughout my public service.

So far as I can ascertain, the information regarding the payroll in my office has not been published by any newspaper. I do not complain about this as I am confident that more important news has been available for printing. Nevertheless, I desire to have the information to appear in public print as a matter of public interest. I ask unanimous consent, therefore, that the names of the employees in my office and their salaries appear at this point in the RECORD.

There being no objection, the names and salaries were ordered to be printed in the RECORD, as follows:

	Gross annual salary
William G. Allen, administrative assistant	$16,300.00
Andrew J. Lynch, assistant clerk	14,162.02
Jack W. Robinson, assistant clerk	10,113.73
Elizabeth F. Peoples, assistant clerk	7,551.53
Thelma W. Abbott, assistant clerk	6,760.25
Phyllis J. Hurwitz, assistant clerk	1,993.69
Garland Draper, assistant clerk	6,534.19
Emma B. Pickett, assistant clerk	6,534.19
Miriam W. Pickett, assistant clerk	6,534.19
Christine Coggins, assistant clerk	4,951.65

Mr. GORE. Mr. President, this is perhaps the smallest staff in the U.S. Senate, but it is composed of highly competent people. I am proud of each member of the staff and of the group as a whole. Their loyalty to me and their dedication to public service is a source of satisfaction and gratitude.

THE ANNIVERSARY OF THE U.S. PATENT OFFICE SYMBOLIZES RECOGNITION OF THE CREATIVE MIND IN OUR PROGRESS AS A NATION

Mr. RANDOLPH. Mr. President, April is the anniversary month of the U.S. Patent Office, during which month we give recognition to the first patent law of the United States, and thereby pay indirect tribute to the inventiveness of the individual and inquiring mind.

On April 10, 1790, President Washington signed the first law of the new Federal Government relating to the issuance of special patents for the invention of "any useful art, manufacture, engine, machine or device, or any improvement thereon not before known or used." Thus, for the first time in history there was legally established the principle of the intrinsic, though limited, right of the inventor to the fruits of his own creation.

Although the idea of the patent had first been proposed by Francis Bacon in 1601—and first granted in England in 1624, and in the Massachusetts Bay Colony in 1641—it had remained a royal prerogative, or in the New World, a special prerogative of the colonial legislatures. This practice remained in effect until the adoption of the Federal Constitution which gave the Congress the "power to promote the progress of science and the useful arts by securing for limited times to authors and inventors the exclusive right to their respective writings and inventions."

Thus did the new Republic acknowledge the Government's joint responsibility of promoting the public welfare while protecting the benefits of the individual. And in thus fostering the inventive genius of the American people, the Federal Government laid one of the essential elements in the foundation of an industrial system which has been one of the marvels of the modern age. In the words of Thomas Jefferson, who, as the first Secretary of State, was also the first administrator of the Patent Office:

> The issue of patents for new discoveries has given a spring to invention beyond my conception.

It is fitting, Mr. President, that this act—which has been copied in one form or another by most of the free industrial countries of the world—would be borne in that Nation which has most emphasized the worth and dignity of the individual. For creativity—whether in the fine arts, the practical arts, or in pure science—is a product of the free, inquiring, and creative mind of the individual man and woman. This remains so today, Mr. President, even when the inventor has now been brought from the shed and corner garage into the highly

organized laboratories of the great universities and industrial corporations.

For the group does not create—only the individual creates. The group has seldom written a poem, composed a symphony, or constructed an idea. The group may analyze—it may criticize—it may develop an idea—but it does not create it. This retains the lonely process of the individual and searching intellect of man.

For 160 years, Mr. President, the process of individual creativity has been protected and fostered under the patent legislation of the Federal Government. This statute remains symbolic of the continuing regard of a democratic society for the fruits of personal effort.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959—AMENDMENTS

Mr. GORE submitted an amendment, intended to be proposed by him, to the bill (S. 1555) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes, which was ordered to lie on the table and to be printed.

Mr. COOPER (for himself, Mr. JAVITS, and Mr. MORSE), submitted an amendment, intended to be proposed by them, jointly, to Senate bill 1555, supra, which was ordered to lie on the table and to be printed.

Mr. PROUTY submitted amendments, intended to be proposed by him, to Senate bill 1555, supra, which were ordered to lie on the table and to be printed.

Mr. MUNDT submitted amendments, intended to be proposed by him, to Senate bill 1555, supra, which were ordered to lie on the table and to be printed.

Mr. EASTLAND submitted an amendment, intended to be proposed by him, to Senate bill 1555, which was ordered to lie on the table and to be printed.

Mr. JAVITS submitted an amendment, intended to be proposed by him, to Senate bill 1555, which was ordered to lie on the table and to be printed.

Mr. GOLDWATER submitted an amendment, intended to be proposed by him, to Senate bill 1555, which was ordered to lie on the table and to be printed.

ADJOURNMENT TO 10 O'CLOCK A.M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, under the order previously entered, I move that the Senate now stand in adjournment until tomorrow at 10 o'clock a.m.

The motion was agreed to; and (at 9 o'clock and 2 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Friday, April 24, 1959, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate April 23, 1959:

U.S. ADVISORY COMMISSION ON INFORMATION

The following-named persons to be members of the U.S. Advisory Commission on Information for terms expiring January 27, 1962, and until their successors have been appointed and qualified:

Lewis W. Douglas, of Arizona. (Reappointment.)

Mark A. May, of Connecticut. (Reappointment.)

U.S. DISTRICT JUDGE

William T. Sweigert, of California, to be U.S. district judge for the northern district of California, vice Edward P. Murphy, deceased.

U.S. ATTORNEYS

Charles D. Read, Jr., of Georgia, to be U.S. attorney for the northern district of Georgia for the term of 4 years, vice James W. Dorsey, resigned.

Russell E. Ake, of Ohio, to be U.S. attorney for the northern district of Ohio for the term of 4 years, vice Sumner Canary, resigned.

HOUSE OF REPRESENTATIVES

THURSDAY, APRIL 23, 1959

The House met at 12 o'clock noon.

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

APRIL 23, 1959.

I hereby designate the Honorable JOHN W. MCCORMACK to act as Speaker pro tempore today.

SAM RAYBURN,
Speaker of the House of Representatives.

PRAYER

Rev. Charles W. Holland, Jr., B.D., Th. M., Pastor, Fountain Memorial Baptist Church, Washington, D.C., offered the following prayer:

God's word stated in I Samuel 16:7: *The Lord seeth not as man seeth for man looketh on the outward appearance but the Lord looketh on the heart.*

Holy and illimitable God we rejoice that the heart of man instead of the outward appearance is read by Thee.

As we go about our diurnal duties, may we discipline ourselves by remembering that Thou dost perceive what we are thinking. May we control our thinking in such a way that we will be glad when we remember that Thou art observing our thoughts as if they were reflected on a giant screen.

This expression of gratitude and supplication we make to Thee in the name of Jesus. Amen.

The Journal of the proceedings of Monday, April 20, 1959, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McGown, one of its clerks, announced that the Senate disagrees to the amendment of the House to the bill (S. 1) entitled "An act to amend the Federal Airport Act in order to extend the time for making grants under the provisions of such act, and for other purposes, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MAGNUSON, Mr. MONRONEY, Mr. SMATHERS, Mr. SCHOEPPEL, and Mr. COTTON to be the conferees on the part of the Senate.

RAILROAD RETIREMENT ACT

Mr. MADDEN, from the Committee on Rules, reported the following privileged resolution (H. Res. 248, Rept. No. 289), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5610) to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed four hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

DEPARTMENTS OF LABOR AND HEALTH, EDUCATION, AND WELFARE APPROPRIATION BILL FOR THE FISCAL YEAR 1960

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight on Tuesday next to file a report on the Departments of Labor and Health, Education, and Welfare appropriation bill for the fiscal year 1960; and that it be in order to consider it in the House on Thursday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

Mr. GROSS. Mr. Speaker, reserving the right to object, if the gentleman will divide the proposition, I shall not object. But I must object to taking it up next Thursday, because I do not think there is ample time from Tuesday to Thursday for Members of the House to acquaint themselves with a bill involving as much as that appropriation bill. Moreover, that procedure is not in conformance with the 3-day rule.

In other words, the bill would be reported on Tuesday, and it is proposed to call it up on Thursday. I say that is not enough time in view of the fact that no copies of bill will be available until Tuesday.

Mr. FOGARTY. The hearings have been printed.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Wisconsin.

Mr. LAIRD. The hearings on the Health, Education, and Welfare appropriation bill are all printed. The committee report will be printed Tuesday morning. The bill will be available on Tuesday morning when it is considered in the full committee. That gives 2 days after the bill has been printed for the bill to be considered by every Member of the House. The hearings are now available to any Member who wishes to look over them.

Mr. GROSS. I restate my position: I am not opposed to reporting the bill, but I am opposed to taking it up in that short space of time, on Thursday of next week. Therefore, I object. Let the gentleman come in with a request to report the bill.

The SPEAKER pro tempore. The gentleman from Iowa objects.

ADJOURNMENT UNTIL MONDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CALENDAR WEDNESDAY BUSINESS PROGRAM FOR NEXT WEEK

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the calendar Wednesday rule may be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

Mr. HALLECK. Reserving the right to object, Mr. Speaker, and I shall not object, I wonder if the gentleman from Oklahoma could inform us as to the program for next week.

Mr. ALBERT. Mr. Speaker, I shall be glad to respond to the request of the distinguished gentleman from Indiana.

Monday is District Day. There is no legislative business for that day.

On Tuesday the House will consider H.R. 5610, a bill to amend the Railroad Retirement Act. That bill is programed for general debate on Tuesday and for consideration under the 5-minute rule on Wednesday.

For Thursday and balance of the week, we will consider the Department of Health, Education, and Welfare appropriation bill for 1960.

Any further program will be announced later. Conference reports, of course, may be brought up at any time.

Mr. HALLECK. I thank the gentleman.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

AUTOMATION

Mr. DENTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. DENTON. Mr. Speaker, I introduce, for appropriate reference, a bill to create a select committee to conduct a full and complete investigation and study of the effects of automation on employment, employment opportunities, and the composition of the labor force.

For over 15 years scientists have been bringing forth hundreds of new inventions in the field of electronics. The most common term used to describe this new technology of electronic controls and electronic computers is automation.

Some people designate automation as introducing the second industrial revolution. The first industrial revolution substituted steampowered machines for animal and human musclepower; it turned the handtool worker into a machine tender. Automation tends to use electronic devices to replace human regulation and control of machines; it tends to change the machine tender into a supervisor of an automatically controlled operating system.

Unquestionably, automation can bring great improvements to our economy; if handled right, the potential benefits of automation are unlimited. Automation can and should make possible the 4-day workweek, longer vacations for workers, earlier retirement, and an increase in our standard of living. Automation can free workers from routine, repetitious tasks which the machines can be taught to do and give workers who perform those tasks the opportunity to develop higher skills.

Automation is not an unmixed blessing. Automation will increase productivity considerably, but increased manhour output without increased total production and growing consumer markets is a formula for depression. Without customers for the mounting output made possible by rising productivity, unemployment is inevitable. Machines certainly do not buy machines; without workers buying the products of industry, production is useless.

Let us study for a moment the impact of the first industrial revolution on Great Britain. In the wake of this great change, slums, child labor, ill health, ignorance, and human misery were the unfortunate results. There was lacking a responsible social policy for transforming the benefits of new machinery into economic abundance and new leisure for the workers; a few thousand people became very rich, but hundreds of thousands of people became very poor.

Since the time of James Watt our society, as well as our industry, has learned new social techniques for handling these great adjustments. We have learned to adjust to the first industrial revolution, but not to the second. It would be tragic for the Federal Government and industry to wait until conditions approximate those present during the first industrial revolution before attempting remedial measures; by then it might be too late.

I would like to quote from part of the 1955 report of the Subcommittee on Economic Stabilization of the congressional Joint Committee on the Economic Report:

> It is clearly wrong to dismiss automation as nothing more than an extension of mechanization. We are clearly on the threshold of an industrial age, the significance of which we cannot predict and with potentialities which we cannot fully appreciate.
>
> Whenever one has been in a position to have witnessed firsthand the hardships experienced by the skilled and older worker in any line of endeavor—industrial or professional—suddenly wrenched from the job by the installation of a new machine, or new technology, one can scarcely be unmindful of the inequities which can come about where management and public policy have not given recognition to needs for retraining, relocation, severance pay, and other programs which tend to soften the transition.

Let us look for a moment at specific examples of the effects of automation on employment.

Two men in a Chicago radio plant assemble 1,000 radios a day using automation; the same job once took 200 workers. A skeleton staff of technicians now runs an entire $40 million oil refinery by remote control from a panel of instruments—an operation which without machines, would require thousands of workers. In some food plants, the entire canning process, including the manufacture of cans and shipping cartons, is completely automatic, untouched by human hands.

These examples of the applications of automation are not isolated ones. They reflect only a small fraction of the uses of automation. The new technology is applicable in at least part of most industries and commercial operations. Automation is making great inroads in the railroad industry, in which the use of robot tracklaying equipment, automatic signaling and communications systems and devices for automatic handling and dispatching of freight cars is widespread.

The current recession has brought the entire problem into clearer focus. Economists say that the slump is almost over—production is spurting ahead. Then why all the unemployment? Why the lag in jobs catching up with revitalized production? Part of the answer, at least, lies in automation. The lifting of the 1957–58 recession had disclosed many vanished jobs, some of which have disappeared forever. Despite a steadily growing labor force, increasing at the rate of nearly a million a year—automation-equipped factories, farms, mines, railroads, and business offices manage to keep the economy humming with fewer and fewer workers. AFL–CIO President George Meany says that industry is now producing more goods with a million fewer workers than in 1942. U.S. production, he says, has recovered about three-fourths of what it lost in the slump, but only one-fourth of the recession-idled workers have gotten their jobs back.

The business magazine U.S. News & World Report made a survey which

shows that almost all of the present unemployed would now be at work if employment had gone up as rapidly as production. It reveals that only 1.6 million more people are at work now than at the worst of the recession, in April 1958. That is a rise of only 2.5 percent. Had employment expanded at an equal rate, there would have been an increase of almost 5.6 million jobs instead of 1.6 million. So the study found that the country suffered a net loss of nearly 4 million jobs relative to the sizable potential increase. The study shows that most of the missing jobs were accounted for by gains in productivity—in output per man-hour. Impoved machinery, automation, more skilled workers, all combined to give more production with fewer employees. The rise in productivity was responsible for the loss of 3 million of these 4 million jobs.

At this time, steel production is likely to reach 90 percent, or more of capacity; this will equal production in early 1957; but there is no prospect that employment in the industry will go to what it was 2 years ago. A recent study by the Federal Reserve Board points up that employment gains most certainly have not kept pace with output gains in the current recovery. Newer and more modern facilities for production and utilization of new techniques permitting greater output with less people were cited by the United Steelworkers of America as reasons for the employment decline.

It has become obvious to all—industry, labor, and Government, that there are some basic questions that must be answered if we are to have a healthy, growing economy.

Will automation be good for America, or harmful? Will it create jobs or kill them? Will automation promote monopoly or aid small business? Will it contribute to a rising standard of living and full employment, or have the effect of benefiting only certain segments of the population? Will the transition to the widespread use of automation be accompanied by mass unemployment and social dislocation?

Finding the answers to these and other questions will not be an easy process, and certainly will not be an automatic one. We must find these answers if we are to adjust to the new technology. We must not overlook or minimize the problems which will inevitably arise—problems for individual workers and companies, problems for entire communities and regions, problems for the economy as a whole.

Certainly these new developments in automation should limit and ease the burdens of mankind and benefit all people, but they present, I believe, a serious problem. I feel that a select committee such as is outlined in this bill will be able to find the answers to these vital questions and suggest needed legislation.

ADVERTISING ON FEDERAL HIGHWAYS

Mr. DULSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DULSKI. Mr. Speaker, I am today introducing a bill which will clarify the intent of Congress when it passed the Highway Act with respect to advertising on Federal highways.

I can readily understand the need for regulation of the outdoor advertising business. I do not concur that there is anything in the law that should or would prohibit it.

I am of the further opinion that the general public does not share the violent anti-outdoor advertising feeling shown at hearings by extremist opponents. I militantly oppose the zealous theorists who are trying to restrict them out of business through the gimmick of the one-half of 1 percent bonus deal contained in the Federal Aid Highway Act of 1958. There is serious question as to whether the bonus deal offered in this Highway Act is worth the grief. It promises not much in the way of extra roadbuilding money, only troubles galore for any State which ventures to adopt it. Many States are disillusioned with the bonus deal by its complexity and the fact that the bonus may be eaten up by the cost of compliance.

Outdoor advertising is a legitimate, standardized business. It should be sensibly regulated—not confiscated or abolished. It has recognized its responsibility to the public welfare and is continuously giving of its facilities, time, and talents to promote causes which aid others.

In my own State of New York, over $1 million were spent for electricity to light outdoor signs. Over $3.5 million were paid to taxpaying property owners. for the rental of their land. Twelve and one-quarter million dollars went into payrolls last year. In these days of serious unemployment and underemployment, we cannot afford to abolish the thousands of jobs directly or indirectly involved in this business.

Outdoor advertisers believe in sound planning and zoning consistent with existing land use and with the character of the surroundings and it expects to be treated the same as any other reponsible community business.

Many unsubstantiated charges have been leveled against this business such as traffic safety, despoilers of scenery, eyesores, and so forth, but most of them do not stand up under close scrutiny.

This business does not ask for special treatment. It does not ask to build its displays in nonbusiness areas. They do object, and rightly so, to being discriminated against as the only business to be banned from private lands adjacent to streets and highways.

The standardized outdoor advertising business has voluntarily shown reponsibility and concern for the beauty of our highways, and they are the ones to be penalized in the legislative attack on highway advertising.

The proposed regulations of the Department of Commerce, an agency created to help business, are an all-out attempt to cripple an important medium of advertising. I want to warn that all branches of advertising are in the same boat if the Federal Government decides to move further into the anti-advertising field.

Advertising is a strong, economic factor in the building of our Nation. It is the reason for our lead in mass production and distribution which have brought about our high standard of living. It helps create mass markets for the goods which make our Nation prosperous and furnishes, free of charge, millions of dollars worth of advertising space to worthwhile causes, locally and nationally. It pays real and property taxes, the same as any other business.

I do not concur with the suggestion of information sites as a practical solution for the elimination of advertising for in many States the initial cost of these information sites will be more than the bonus received.

The present ambiguities and unworkable provisions of the present law have brought about a skeptical attitude by many States toward the proposed Federal standards.

For these reasons, I urge the overturning of outdoor advertising prohibitions and regulations by the Department of Commerce as called for in this legislation, and a changed attitude on the part of the Department to foster a sensible, well considered, regulatory rather than confiscatory code of rules for the standardized outdoor advertising industry.

RESIGNATION OF SECRETARY OF STATE JOHN FOSTER DULLES

Mr. MARSHALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point and to include extraneous material.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. MARSHALL. Mr. Speaker, Americans everywhere have joined President Eisenhower in expressing regret on the resignation of Secretary of State John Foster Dulles because of illness.

Men in other parts of the world who recognize Mr. Dulles' dedication to the cause of peace and freedom share this sense of loss. While it is left to the historians of the future to take the measure of his policies, Mr. Dulles has already earned the respect of free people for the personal qualities which characterized his hard-driving and sincere service to the common welfare.

I want to call to the attention of the House the remarks made by the leaders of the House of Commons of the Canadian Parliament on April 15, 1959:

UNITED STATES—RESIGNATION OF JOHN FOSTER DULLES AS SECRETARY OF STATE

Rt. Hon. J. G. Diefenbaker (Prime Minister): "Mr. Speaker, Members of the House will have heard the announcement this morning by the President of the United States to the effect that due to the state of health of Hon. John Foster Dulles, his resignation has been necessitated as Secretary of State of the United States of America. While I realize that this is not an occasion to give an evaluation of his services to the free world, it will be generally agreed that in the 6 years or more that Mr. Dulles has been in the position of Secretary of State he

has given direction to the foreign policy of his country with dedicated purpose, with superb courage and with unchallengeable integrity, and that his views and judgments have left their imprint on the history of these postwar years and the history of all peoples of the world who believe in freedom and its maintenance.

"Canadians will honor him for the understanding and sympathy he has shown at all times in the solution of the problems which arise from time to time between our country and the United States. I believe I express the sentiments of Canadians as a whole when I say that we hope Mr. Dulles will continue to be associated in some less onerous way with the formulation of the foreign policy of the United States, particularly in view of the fact that one and probably two major conferences will take place in the months ahead, at which mankind hopes new milestones will be achieved to the peace and freedom to which Mr. Dulles gave so unstintingly of his outstanding qualities of mind and heart."

Hon. L. B. Pearson (Leader of the Opposition): "Mr. Speaker, in common I think with other Members of the House of Commons I learned with very great regret this morning that reasons of health had compelled the resignation of Mr. Dulles as Secretary of State of the United States. His work in building up the forces of collective resistance in free democracies against aggression has been of immense value. He never spared himself in that work, which he carried on with energy and determination which at times seemed almost superhuman and which undoubtedly was the main reason for the breakdown in his health which has now led to his resignation. If any man was ever a casualty in battle for the things in which he believed, Mr. Dulles is that man.

"When I worked with him, Mr. Speaker, I did not always find myself in complete agreement with all his plans or policies, but I was always in agreement with his objectives. I deeply respected his devotion to his ideals and I admired his indomitable courage, the almost religious zeal which he displayed in pursuit of he purposes in which he believed. In Mr. Dulles' resignation the United States has lost a towering and dedicated public servant, and the cause of freedom has lost a great champion."

Mr. Hazen Argue (Assiniboia): "We in the C.C.F. regret very much this further indication of the continued deterioration in the health of Mr. John Foster Dulles. Our position in regard to his policies has been made known from time to time. We think it is better at this time to make no detailed or particular comment, but merely say that history itself will judge John Foster Dulles and his policies. We recognize his strong character and the great fight he is waging against this dreadful disease. We regret very much that his health has made it impossible for him to continue the active life that has been his for so many years."

PHOHIBITING NEPOTISM IN ACTIVITIES FINANCED OR AIDED BY PUBLIC FUNDS

Mr. METCALF. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. METCALF. Mr. Speaker, since the beginning of this Nation, it has been traditional that members of a family worked together, helped each other out. Sons joined their fathers, and brother worked with brother and sister to build the family business. Thousands of firms, with names like "Smith Brothers" and "Brown & Sons," are scattered across our country.

A national women's magazine features togetherness for families. During the session of Montana's Legislative Assembly this year, there was special legislation for the small corner grocery stores, the so-called Mom and Pop stores.

Recognizing the public interest in strengthening the American family, Federal and State Governments have extended favored treatment to these small family businesses in many ways.

The tradition that a family takes care of its own also has grown with our corporations. A survey by Fortune magazine of the top executives of 175 of America's largest corporations in 1957 revealed that 55 percent had relatives in management jobs in the same company.

Of 23,000 companies surveyed by the American Institute of Management in 1955, only 28 had stated policies against the employment of relatives. Another study of 8,000 executives disclosed that two out of every five men whose fathers were key executives—and three of every five whose fathers owned large businesses—held jobs in their fathers' companies.

Like their counterparts outside Government, some Members of Congress and of the administration have employed relatives. One reporter theorized recently that about one-fifth of the lawmakers put relatives on their congressional payrolls.

This statement was followed by a mounting wave of criticism of nepotism, defined as favoritism shown relatives. It has been directed principally at Members of Congress, although some casual mention has been made of nepotism in the administration. I personally know some of these relatives who work for Members of Congress as extremely competent and devoted employees. The only justification for criticizing their appointment is the simple fact that they are related to their bosses.

So the published criticism of nepotism is aimed at that involving public funds. Nepotism involving private funds apparently is acceptable.

Montana's legislative assembly moved against nepotism more than 20 years ago. It said that, without regard to the competency of the employees of a public office, no State funds shall be used to employ close relatives of the head of any department or member of any board, bureau, or commission.

The criticism now is that Federal funds are being used to favor relatives. So I have used this Montana statute as a model for a bill. Because the activities of the Federal Government are much wider than those of my State, I have included, not only all three branches of Government, and the independent agencies, but also federally aided business. The latter would include any individual or firm with an interest in a Government contract, or which directly or indirectly receives funds from the United States, or which is directly or indirectly subsidized in its operations by the United States.

As introduced, the bill purposely leaves certain questions unsolved.

It may be that the bill is too restrictive. It may be that we should exclude the armed services—because I, for one, have no desire to deny the President the services of his son as an aide.

It may be that it is in the public interest for a newspaper, or a magazine, which receives a Federal subsidy by using second-class mailing privileges, to have five or six officers and directors who are members of the same family.

It may be that it is in the public interest for the son of a corporate farmer to be in business with his father while at the same time attending college on a federally aided fellowship. It may be that there should still be a "Mom and Pop" store after Pop starts drawing railroad retirement.

It may be that a corporation may have a Government contract, or a rapid tax writeoff and taxpayer-financed nepotism, too.

But this area should be investigated and clearly defined. For it may well be that there are times and places where public funds should go to more than one member of the same family; just as there are times and places where the public funds should not.

LIFE MAGAZINE MISINTERPRETS THE FARM PROBLEM

Mr. McGOVERN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. McGOVERN. Mr. Speaker, the April 20, 1959, issue of Life magazine contains an editorial which opens with the question:

> If a man came up to you and asked you for a lot of money so he could raise the price of your food and of the shirt on your back, would you hand it over—or sock him?

The editor then answers this heavily loaded question, with an even more heavily loaded answer, as follows:

> The answer is, you are handing it over, billions upon billions, and it is being used to raise the price of your food and clothing. We're talking about the subsidies being paid to farmers for crops that aren't needed, to raise new surpluses to pile on top of staggering existent surpluses.

The ediorial concludes with this bit of advice to the taxpayer:

> So start squawking loud and long enough to put an end, for good and all, to this incredible farm scandal that is getting worse every year.

Before commenting on the analysis of the farm program by the Life editor, I should like to point out that this attack on Federal subsidies was printed in a magazine that receives each month one of the juciest of all Federal subsidies.

Each year American taxpayers dig up nearly $10 million to pay what the Post Office Department loses in second class mailing privileges for Life magazine.

The Legislative Reference Service of the Library of Congress provides information showing that in 1956, for example, it cost the Post Office $16,979,000 to

deliver Life magazine to its readers, but the Post Office collected only $7,485,000 in postage from Life for a net loss to the taxpayers of $9,494,000.

Now it may be that magazines and other publications are of sufficient value to the well-being of the American people that a Federal subsidy of this kind could be justified. I am not dealing with that issue here.

What I would like to suggest is that this editor who is so ready to throw stones at the payments going to farmers should take an appreciative look once in a while at the good things Uncle Sam is doing for him and his fine magazine.

May I suggest the old adage: "People who live in glass houses should not throw stones."

But let me take a look at Life's contention that payments to farmers have raised the cost of food and clothing.

If the editor wishes to establish the point that Secretary Benson has administered his department in a costly manner, there is little room for argument. The Department of Agriculture, under Mr. Benson, has multiplied the costs of the farm programs to an alarming degree. During the first 5 years of his administration of the farm program Commodity Credit Corporation statistics show that Secretary Benson has lost four times as much on the price-support program as was lost in the previous 20 years of price-support operations. The Secretary has, for example, doubled the storage rate per bushel paid to those who store Government commodities.

It is no secret that profits of processors have increased substantially through the combination of lower prices to farmers and higher prices to the consumer.

But to charge, as Life magazine has, that payments to farmers are responsible for high food and clothing prices is grossly unfair and untruthful. Never before in history have the American people been able to feed themselves on so small a share of their total income. The proportion of the consumer's income used for food has steadily declined during the years that the farm program has been in operation. We are spending more for fancy packaging, pre-cooking and other services, but the food itself costs us relatively less than it did before the Federal farm program started.

While the price of everything else has been going up, farm prices have been falling for the past 7 years, falling to a point 20 percent below the 1952 level.

Back in 1947, farmers received 51 cents of the consumer's food dollar. Today, the farmer's share is 39 cents of the food dollar.

The American people consumed 11 percent more food in 1957 than they did in 1952. Yet the farmers who produced that larger supply of food for the tables of America received $600 million less than they received in 1952, the year before Secretary Benson assumed office.

In painful contrast, food processors and other middlemen got $6.1 billion more in 1957 than in 1952 for handling, transporting, and processing the farmer's produce.

When the Life editor charges that the farmer is raising the cost of the shirt on your back, he apparently does not consider that there is only about 25 cents worth of cotton in an ordinary shirt. Even if the farmer gave his cotton away entirely free, we would still pay $2.75 for that $2.98 shirt. In fact, we would in all probability see no reduction at all in the retail price of the shirt. Middlemen would absorb the difference just as they did when farm price cuts were made in recent years.

There is about 2½ cents worth of wheat in the loaf of bread that we buy at the grocery store. Thus, even if the South Dakota wheat farmer gave his wheat to the miller, we could expect at best only a drop of 2 pennies in a loaf of bread. Here, again, one wonders if there would actually be any reduction at all.

It is certainly not the farmer or the farm program that have been responsible for inflation. Farm income dropped by $4 billion during the 5-year period following 1952, while the farmer's costs went up $3.7 billion.

Consider, for example, what has happened in the steel industry. Farmers use more than 7 million tons of steel annually, which is more than the amount needed to produce all of the passenger cars manufactured in the United States for a year. Like other consumers, farm people have been paying heavily for the sharp increases in steel prices of the past few years. During the 1940's, exclusive of the war years, the average steel profit was $6.98 per ton. In 1957, United States Steel showed a net profit of $17.91 per ton.

Following the strike settlement of 1956, steel companies upped their prices $8.50 per ton in spite of the fact that the increase in wages granted in the labor settlement cost them only about $2.50 per ton. Six months later the steel companies added another $5 per ton increase in price and followed this with a third increase of $6 per ton in July 1957. Thus a wage increase costing the companies $2.50 a ton was used as an excuse to add $19.50 a ton to the price of steel.

Recently, a farmer from Britton, S. Dak., sent me a sales slip showing that he had paid $3 for a little steel screw no bigger than the end of his little finger. It was a part needed in the steering mechanism of his tractor. At current farm prices, he pointed out, it would take seven bushels of oats or three bushels of corn to pay for this tiny piece of steel.

I know that farm people would have willingly accepted a cut in farm prices during peacetime if other costs had declined proportionately. But the farmer cannot accept lower prices and higher costs at the same time.

To those who regard the farmer as a greedy, subsidized glutton, I point out that while farmers make up 12 percent of the population, they receive only 4 percent of our national income. Of that meager income, one-third now comes from off-the-farm jobs.

The average per capita income of farm people is approximately half the income of city people.

I submit that those who are really concerned about the economic welfare of the American people should be directing their efforts toward the kind of a strong farm program that would enable farmers to earn their fair share of the national income. The best way to put the 5 million unemployed city dwellers back to work is to restore the purchasing power of the American farmer. Farmers are a $14 billion-a-year customer of industry, to say nothing of the billions of dollars they spend for finished consumer items.

We all know that the present operation of the Department of Agriculture leaves much to be desired, but the problem will not be solved by those who falsely believe that farm price supports have unfairly raised the cost of food and clothing.

I believe that we can establish a farm program that will be fair to farmers, taxpayers, and consumers. The gentleman from California [Mr. ROOSEVELT] and I are the sponsors of legislation—H.R. 1301 and H.R. 424—which we believe meets this criteria. I urgently hope that in spite of Secretary Benson's opposition this or similar legislation can be enacted into law in the near future.

TAX RELIEF

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. HEMPHILL. Mr. Speaker, today I have introduced another tax deduction measure which provides for relief to that class of taxpayers who are paying the burden of the freight for the inflated expenses of our Government. I am speaking of people who work, semiskilled or skilled, and who pay most of the taxes.

As presently constituted, section 214 of the Internal Revenue Code for 1954, has a subsection providing for a deduction for the expenses of the care of certain dependents. I think of this as a baby sitter deduction and it is a most deserving deduction. For many who work, a baby sitter is a necessity, and certainly the expenses incurred are incidental to their work.

My bill seeks to do away with certain limitations. The present law only allows a deduction for a taxpayer who is a woman or a widow. My bill would include a taxpayer whose wife is either hospitalized or under a disability. This means that a man who has to leave his home to go to work while his wife is either in the hospital or temporarily or presently disabled from taking over the usual chores can get the deduction, and I think that this is only right.

Our present law limits the deduction to $600. I have in mind the inflated cost of personal service, and I propose to raise that deduction to $1,000.

Mr. Speaker, I have introduced other tax legislation, hitting at the injustice of pretending that $600 will pay the expenses of a child for 1 year. It will not do so, and instead of trying to figure some loopholes for bondholders, stock-

holders and the like, I think we should seek a realistic approach for the man or woman on the street to whom the tax burden is heavy and is a complicated force designed to over-tax the average wage earner, and let those who can afford the tax have extra loopholes.

I certainly hope the Ways and Means Committee will give me an early hearing. This will not cost the Government any appreciable amount and it would help the taxpayer greatly.

EXPLANATION OF THE BILL TO IMPROVE FINANCING OF SMALL BUSINESS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, today I am introducing a bill—H.R. 6594—to improve the financing of small business. It provides that it may be cited by its short title as the "Small Business Capital Bank Act."

OBJECTIVES OF THE BILL

The bill has three objectives:

First. The removal from the Federal Government bureaucracy in Washington to the grassroots and into the hands of small businessmen or their representatives the power of decision regarding the financing of any specific business enterprise;

Second. The establishment of a system to be privately owned ultimately for financing small business so that it will not be necessary that we appropriate money from the Treasury of the United States each year for that purpose;

Third. In the establishment of facilities and methods to provide a secondary market nationally that will permit small business interests to secure from private investors the needed funds for financing small business.

OBJECTIVES NOT OPPOSED

There is reason to believe that proposed legislation directed to those three objectives may expect almost unanimous support. Members on both sides of the aisle have contended all along that we should seek these objectives in our proposals for the financing of small business. Elsewhere in the Government strong recommendations have been made that we should provide for private ownership and operation of facilities such as these, and that we should provide to the greatest extent possible for the decisions and the operations in the financing of small business to take place at or near local levels.

This bill accepts the challenges inherent in those ideas and contentions. It is for that reason that it should receive wide support from both sides of the aisle. Of course I have no pride in authorship and fully appreciate that perhaps some would prefer changes in some of the details, but I am convinced that the Members will not differ with me on the objectives of this bill to get small business financing, first, out of Government bureaucracy in Washington; second, under private ownership; third, in such shape that small business can market nationally to private investors the securities for funds needed by small business. Therefore, those who have suggestions for improving the detailed provisions of this bill to obtain those objectives are invited to come forward with their suggestions.

HOW THE BILL ACCOMPLISHES THE OBJECTIVES

The bill would accomplish these objectives by:

First. Amendments to the Small Business Act of 1958 (Public Law 85–536) and the Small Business Investment Act of 1958 (Public Law 85–699);

Second. Establishing a small business capital banks system, which would remove from Washington and Federal Government bureaucracy to the grassroots and into the hands of businessmen, the power of decision respecting the financing of any specific business enterprise;

Third. Providing for ultimate private ownership of the small business capital banks system; and

Fourth. Establishing means for a secondary market nationally so that for their own security the small business capital banks would be enabled to secure from private investors the funds needed for financing small business.

A NATIONAL SECONDARY MARKET FOR SMALL BUSINESS SECURITIES

In chapter III of the final report of the Select Committee on Small Business, House of Representatives, 85th Congress—House Report No. 2718—commencing with page 31, there was discussed the attention given and action taken on problems relating to equity and long-term financing of small business. In that connection, attention was called to the findings made by the House Small Business Committee in its report on small business financing—House Report No. 1889, 85th Congress—and it was pointed out that the committee's findings and conclusions have enjoyed the concurrence of practically all who have studied the problems of small business financing. The Small Business Committee's recommendations regarding small business financing logically followed its findings and conclusions.

Among those was one that legislation be enacted promptly which would provide leadership in authorizing, promoting, and assisting in the establishment of new facilities to provide long-term loans and equity capital for small business. We recommended that such legislation provide for private ownership for the newly established facilities even though some of the financing by the Federal Government would be required initially. The legislation enacted in Public Law 85–699, approved August 21, 1958, provided for these things. Also, we made the further recommendations:

First. That the establishment of new facilities needed to provide long-term and equity capital for small business include facilities for marketing nationally the securities—as is now done through the Federal National Mortgage Association for Housing and the Federal land bank system for agriculture—to be exchanged for funds needed by small business; and

Second. That the legislation should provide to the greatest extent, consistent with good management, for removing from Washington and Federal Government bureaucracy to the grassroots and into the hands of small businessmen the power of decision regarding the financing of any specific business enterprise.

Provisions following those two recommendations were not included in the Small Business Investment Act of 1958, yet the more we study this problem the more we are convinced of the soundness of those two recommendations.

Under existing law, the small-business investment companies will have limited access to sources of capital. They are scattered and without connecting links. Therefore, would-be investors in their securities find it impossible to spread risks of investments to more than the securities of a single small-business investment company. This will hamper the marketing of securities to get the capital needed for small business. The alternative will be to rely more and more upon the Federal Government to finance the operations of small-business financing companies. This should not be.

How can a national secondary market be established for the securities for small business investment companies in order to secure the funds from private investors to finance small business? It is suggested that something be done somewhat along the lines provided for in marketing of securities of building and loan associations in connection with their financing of homebuilding through the Federal National Mortgage Association—FNMA. It is recognized that the small business investment companies, scattered as they will be and relatively unknown to life insurance companies and other important sources of capital, will experience great difficulty in marketing their securities with these sources of capital.

The proposed Small Business Capital Bank Act seeks to provide the facilities that will enable the small business investment companies to market nationally their securities with important sources of capital such as life insurance companies, in much the same manner as national sources of capital purchase securities based on home mortgages. In that connection, note is made also to the facilities established for securing nationally from private investors the capital needed for financing the operations of production credit associations in the field of agriculture. This bill seeks to assist in the financing of small business by securing nationally from private investors capital in much the same manner as has been done through FNMA for homebuilders and the Farm Credit Administration—Federal Land Bank and Production Credit Association System—for farmers.

REMOVING THE POWER OF DECISION IN FINANCING SMALL BUSINESS FROM WASHINGTON TO THE "GRASSROOTS"

A prime objective in providing for the financing of small business in the manner specified in this bill is to remove that financing from Wasington and Federal

Government bureaucracy to the "grassroots" and into the hands of small businessmen. Furthermore, in that connection, it would remove the necessity for such financing to be done from the Treasury of the United States and provide that the financing of small business be done instead by private investors and with private capital as is now done in the financing of homebuilders and in the financing of farmers. This aspect of the bill, as one of its prime objectives, should appeal strongly to those who subscribe with emphasis to the proposition that the Government act to turn over to private enterprise activities and responsibilities private enterprise can assume.

Question: How would the bill provide for the changes and objectives which have been mentioned?

Answer: There would be established to operate under Small Business Administration regulations and supervision, 12 small business capital banks. One to be located in each of the existing Federal Reserve districts. It would remain the duty and responsibility if the Small Business Administration in Washington to approve the chartering and operation of small business investment companies in the same manner as the Small Business Investment Act now provides for the Small Business Administration to perform those tasks. However, the actual lending functions in providing small business concerns and small business investment companies with funds through loans would be transferred to the newly established small business capital banks. Therefore, there would be placed in the hands of the officials of those banks and in the hands of the officials of small business investment companies the power, duty, and responsibility for making decisions regarding the financing of any specific business enterprise. That particular function would no longer be in the hands of Federal Government bureaucracy in Washington.

The same safeguards specified in the present Small Business Act and the Small Business Investment Act of 1958 to insure the propriety of small business financial assistance would remain. In other words, financial assistance would be provided to small business enterprises under the same terms and conditions now specified in the Small Business Act of 1958 and the Small Business Investment Act of 1958. The activity would be carried on through different hands on a nonpartisan, informed, and qualified basis.

Question: In addition to transferring the duty, power, and responsibility for making decisions regarding the financing of any specific business enterprise from Federal Government bureaucracy in Washington to the newly established small business capital banks and the small business investment companies, what benefit could come from the establishment of the small business capital banks?

Answer: An added benefit would be the establishment of a financing system somewhat similar to the systems now so successfully operating in the financing of homebuilding under the supervision of the Federal Home Loan Bank Board and the financing of agriculture through the Federal Lank Bank System and the Production Credit Associations.

Question: How would such system for small business financing operate through the use of the small business capital banks?

Answer: The small business capital banks would be organized with each having authorized capitalization of $50 million. The Small Business Administration would be authorized and directed to subscribe the amount of $1 million paid-in capital and with additional stock to be subscribed for by the small business investment companies licensed by the Small Business Administration to do business with a small business capital bank. Also, there is included a provision that additional shares of stock of the small business capital banks shall be eligible for purchase by national banks and shall be eligible for purchase by other member banks of the Federal Reserve System and nonmember insured banks to the extent permitted under applicable law; except that in no event shall any such bank hold shares in any small business capital bank in an amount aggregating more than 1 percent of the capital and surplus of the bank so holding the stock.

In addition to the provision for paid-in capital and surplus, each of the small business capital banks would have authority and power to borrow funds from the Small Business Administration and from private investors through the offices of the Small Business Administration.

WHERE WILL THE SMALL BUSINESS CAPITAL BANKS BORROW MONEY?

Question: How would the borrowing of funds by the small business capital banks from and through the Small Business Administration be effected?

Answer: Any small business capital bank desiring to secure funds from or through the Small Business Administration would be required to exchange therefor its debenture bonds backed by pledged collateral—which, in turn, would be secured by pledged collateral.

Question: How and from what sources would the Small Business Administration secure the needed funds?

Answer: First, it would draw from a revolving fund; namely, the authorized revolving fund provided for the Small Business Administration in Public Law 85–536 and Public Law 85–699. In addition, this bill authorizes and empowers the Small Business Administration to utilize the debenture bonds it secures from the small business capital banks as collateral to back debenture bonds the Small Business Administration would issue to private investors, such as, for example, insurance companies and commercial banks, in much the same manner as FNMA now issues its debenture bonds for sale to private investors. Through the use of this method for financing small business, it is hoped that we will be able to avoid appropriating money from the U.S. Treasury beyond that presently authorized under present law for the revolving fund of the Small Business Administration.

THE CAPITAL BANK INSURANCE CORPORATION

Question: In order to attract private investors to the debenture bonds issued by FNMA, the Federal Government established a system and method for insuring payment of the underlying mortgages. What, if anything, is provided for in this bill of that character to attract private investors to the debenture bonds which will be issued by the Small Business Administration?

Answer: This bill provides for the creation of a Capital Bank Insurance Corporation. It would be the duty, function, and responsibility of the Capital Bank Insurance Corporation to guarantee the payment of debenture bonds issued by the small business capital banks. This would be done somewhat along the lines of the law which created the Federal Savings and Loan Insurance Corporation. The salient features of the small business capital bank and insurance system would include the provision—

First. That the Corporation would be under the management of a board of trustees. The trustees would be named from the top officials of the Small Business Administration. They would draw no extra compensation for their services as trustees of the Corporation.

Second. The purpose of the Corporation would be to guarantee the payment of bonds issued by the newly established small business capital banks and thereby enhance the marketability, in secondary market operations, of the debenture bonds issued for sale by the Small Business Administration upon the basis of and secured by the pledged collateral of the insured debenture bonds purchased by the Small Business Administration in exchange for the funds it would have advanced to small business capital banks.

Third. The aggregate principal amount of all obligations of small business capital banks, with respect to which insurance would be granted under this title, would not exceed $600 million at any one time.

Fourth. An insurance reserve would be held by the Corporation. It would consist of a revolving fund built up with funds acquired from the sale of the Corporation's capital stock and through the collection from small business capital banks of insurance premiums. The revolving fund would be permitted to grow until it would equal the total of the aggregate of all prospective debenture bonds expected to be issued by small business capital banks. Also, it would be required that the revolving fund be invested in interest bearing U.S. Government bonds.

In order to get the revolving fund established and operations of the Corporation started, this bill would authorize and direct the Federal Reserve banks to subscribe $100 million—from their section 7 surplus accounts—of the Corporation's capital stock to establish the revolving fund initially. This would have to be retired as rapidly as the revolving fund is built up to the amount of $100 million from other sources.

It is noted that the Banking Act of June 16, 1933, and amendments thereto which created the FDIC, provided the capital necessary to establish the insur-

ance reserve needed by FDIC, including $150 million of capital stock subscribed by the Federal Government, and $139 million subscribed by the Federal Reserve banks, all of which was repaid in full between 1935 and 1950; and under the terms of the law approved August 5, 1947, the FDIC's borrowing power was substantially increased with an authorization to borrow up to $3 billion for insurance purposes from the U.S. Treasury.

It is, therefore, desired that this bill provide for not only the repayment to the Treasury of the original funds secured on loan from the Treasury to establish initially the revolving fund of the Corporation, but also that there be authorization as was in the 1947 FDIC to borrow from the Treasury for insurance purposes an amount up to $1 billion if circumstances should in the future require such borrowing for insurance purposes.

In that connection, the bill would provide that of the authorized capital stock of the corporation each small business capital bank would be required to buy an amount equal to 1 percent of the amount of its obligation insured by the corporation. In addition, the small business capital banks would be required to pay an insurance premium to the corporation in an amount equal to one-half of 1 percent of the amount of the small business capital banks' obligations insured by the corporation.

Fifth. The corporation should be authorized to invest idle funds in the revolving fund making up its insurance reserve. However, its right to invest those funds should be limited to investment in interest-bearing U.S. Government bonds.

Question: How would the small business capital banks make use of the funds they secure from or through the Small Business Administration to finance small business?

Answer: By the terms of this bill there would be transferred to the small business capital banks from the present Small Business Administration, the authority, powers, duties and responsibilities that the SBA now has under the terms of Public Law 85–536, the Small Business Act of 1958, and Public Law 85–699, the Small Business Investment Act of 1958, to make loans to small business concerns, small business investment companies, and State and local development corporations. The small business capital banks would perform those lending functions in the same manner and under the same terms and conditions that those functions are now performed by the present SBA. One feature is added in this respect by the terms of this bill.

THE BILL PROVIDES FOR PRIVATE OWNERSHIP OF SMALL BUSINESS CAPITAL BANKS

The small business investment companies would be expected to purchase capital stock in the small business capital banks from which they secure funds. The provision for that is in keeping with the requirement in the Small Business Investment Act of 1958, which provides that small business concerns in securing funds from small business investment companies are to invest in the capital stock of the small business investment companies in amounts from 2 to 5 percent of the amount of funds loaned to them by the small business investment companies.

It is the purpose of this provision to get the ownership of the small business capital bank system under private ownership, and to remove it entirely from Federal Government or public ownership. This is precisely the method that was used in establishing and providing for the private ownership of the home loan and savings system—for financing home building—and the Federal land bank system—for financing agriculture.

As we all know, the operations of these earlier systems have proven successful beyond what were our expectations. They are 100 percent under private ownership. The Federal Government has recovered all of the money it invested in capitalizing them in order to get them started. All of the capital stock today in those two systems is owned by private investors. It is provided in this bill for private investors representing small business interests to become the private owners of the small business capital bank system.

DINNER AT THE STATLER HOTEL, MONDAY, APRIL 27, 1959

Mr. BAILEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. BAILEY. Mr. Speaker, I have asked for this time for the purpose of reminding my colleagues to check their appointment lists.

You will find on your desks an invitation to a banquet at the Statler Hotel on Monday, the 27th. The invitation is extended by the Coal Operators of the United States, the railroads who are interested in hauling the coal, and the power-producing utilities that are burning coal, for the purpose of trying to do something about the sad plight of the coal and railroad industries of the countries.

This is not going to be just another banquet. The speaker will be President Simpson, of the Baltimore & Ohio Railroad. Mr. G. H. Love, of the Consolidation Coal Co., of Pittsburgh, will be presiding officer. There will be addresses by various groups who are interested.

Let me urge you to attend this banquet at the Statler Hotel and get some information on world problems.

TO AMEND THE MERCHANT MARINE ACT OF 1936

Mr. BONNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BONNER. Mr. Speaker, I have today introduced for appropriate reference a bill to amend the Merchant Marine Act of 1936, to provide further requirements to be met by applicants for operating differential subsidies.

Existing law makes it amply clear that Government aid to our merchant marine shall be granted only to those operators who are free of affiliations involving operation of any foreign-flag vessels competing with any American-flag service. These requirements of law were found necessary by the framers of the 1936 act, following intensive study and investigation of existing shipping practices which were contrary to the best interests of our national policy.

The President's budget message called for a reappraisal of the adequacy and need of existing merchant marine policies laid down 23 years ago in the Merchant Marine Act of 1936. While such reappraisal is necessary, nevertheless the effort to maintain a strong American merchant marine is a continuing one, and constant attention must be given it.

The bill I have introduced, though touching only one small area of the overall field of national maritime policy, will make an important addition to existing law to assure the continued strength of our vital American-flag merchant marine.

Existing law is not adequate in that it does not require a full airing through public hearings of the question of alien control and affiliation prior to the granting of subsidy. This is a loophole which should be plugged.

Under the law as it stands, no examination of foreign-flag connections is undertaken until after the subsidy is granted, and then there is no provision for public hearing. I believe that it would be fairer to the applicant and to existing subsidized operators to clear this matter in advance of final action on the subsidy to minimize to a degree the voluminous and necessarily expensive proceedings required by law in connection with the subsidy grant.

CONTROL OF NUCLEAR TESTING

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MONAGAN. Mr. Speaker, the continuation of nuclear testing has implications for the health of our children which cannot longer be disregarded.

The potential injurious effect of strontium 90 in the bones of American children doubled between 1955 and 1957.

Although much responsible authority considers the present level of strontium 90 in the atmosphere to be far below the permissible maximum, nevertheless, the mere fact that there has been this 100-percent increase is certainly a dangerous signal which calls for serious examination of the present situation.

The current Geneva negotiations provide another opportunity to explore the

possibility of agreement with the Russians on some form of control of this noxious experimentation. Even though the current attitude of the Russians seems inflexible, nevertheless, I strongly urge our delegation at Geneva to explore minutely every possible avenue of agreement in the hope that some meeting of the minds may be discovered.

The dismal alternative of continuing the tests and filling the atmosphere with death-dealing fallout demands that the utmost effort be made consistent with our national interest to obtain agreement in this vital area.

For the details of the report to which I have referred, I include herewith an article from the New York Times of April 22, 1959, as follows:

RISE IN STRONTIUM IS FOUND IN YOUNG—REPORT SHOWS A DOUBLING OVER 2-YEAR PERIOD—LEVEL STILL HELD SAFE

A new report on strontium 90 shows that the concentration of the radioactive substance in the bones of American children doubled between 1955 and 1957.

The increase was greater than that recorded by earlier studies. The levels involved remain far below the estimated maximum permissible concentration of strontium 90 in human bones.

There has been considerable debate among scientists, however, on whether the present permissible concentration is a valid guide to safety for the general population.

Strontium 90 is considered one of the more hazardous components of fallout from atomic explosions.

ENTERS HUMAN BONES

It is a radioactive form of the natural element strontium and, being chemically similar to calcium, tends to be taken up by human bone once the substance gets into the food or water supply.

In high enough concentrations, strontium 90 is considered capable of producing bone cancer or leukemia.

The new report is by Drs. J. Lawrence Kulp, Arthur R. Schulbert, and Elizabeth J. Hodges of Columbia University's Lamont Geological Observatory.

It was written for publication in Science, weekly scientific journal of the American Association for the Advancement of Science, but has not yet appeared there.

PUBLISHED IN THE NATION

An article by Walter Schneir in the current issue of the Nation, however, has made public some of the findings and conclusions of the report. The issue went on general sale Monday.

A draft text of the report has also been obtained by the New York Times. The data indicate an average bone concentration of somewhat more than 1.33 strontium units per gram of calcium in the latest sampling of bones of North American children up to the age of 4.

Most of the samples were obtained from children who died before the end of 1957.

Comparable figures were 0.67 for samples obtained in 1956 and 0.56 for the previous year.

EARLIER YEAR LOWER

Figures for the next previous year, published by the Lamont group in February 1957, showed an average bone concentration for the same age group of 0.37 strontium units.

One of the others of the three reports said yesterday, however, that further analysis of the technique of evaluation showed that this figure should have been slightly higher than it was.

A strontium unit is equal to one micromicrocurie of the radioactive substance. This is a millionth of a millionth of a curie, a standard unit of radiation.

The current maximum permissible bone concentration of strontium 90 for the population at large is 100 strontium units. That is, 100 micromicrocuries per gram of calcium.

CONCENTRATED IN CHILDREN

Because children take up more calcium to supply growing bones, strontium 90 levels are at their highest in the young.

The report estimates that in January 1958, the average world strontium 90 burden in adult skeletons was 0.19 micromicrocuries of strontium per gram of calcium.

New York City sampling, of adult whole skeletons, has shown a steady annual rise of about 50 percent during four consecutive yearly periods, according to the data.

The latest of these is labeled July 1956–June 1957. However, one of the authors said yesterday that there were considerable delays in getting samples. The bones tested, therefore, probably represented an earlier period.

The scientists predicted that in 1966—barring further atom tests, the world's average young child would have a bone concentration of 4 micromicrocuries of strontium +90 per gram of calcium.

Ten percent may run as high as 8 units and 1 percent as high as 20. The prediction holds that none will exceed 80.

The article in the Nation charges the Atomic Energy Commission with "sitting on" the report, which has been circulating among certain scientists for some time.

The Commission is criticized for not moving to make the report public quickly and in some form more generally distributed than an article in Science.

A spokesman for the Commission's New York operations office said the Commission was not officially involved with the report, though some of its scientists had been sent copies for comment before publication.

The Commission has not influenced publication of the report and the decision to publish in Science was made independently by Dr. Kulp, who is now in England, the spokesman said.

MILITARY ACADEMY APPOINTMENTS

Mr. SCHENCK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include a letter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SCHENCK. Mr. Speaker, the nomination of young men to the military service academies is, I feel, not only a privilege, but also a serious responsibility. I am sure that all Members of the Congress are very careful in their selections and base their decisions entirely upon merit. I am also sure, Mr. Speaker, that the methods used by Members of Congress in screening applicants for these nominations have been decided upon only after the most thorough consideration of all the factors present in each congressional district.

In the Third District of Ohio, Mr. Speaker, I use four main factors in determining my final selections. Each young man is, first, required to participate in a competitive examination conducted by the Civil Service Commission; second, is required to send me a complete transcript of his high school grades; third, is required to have submitted in his behalf a number of recommendations from persons in the community who have had an opportunity to evaluate his personal qualifications over a long period of time and from various points of view; and fourth, he must pass a preliminary physical examination conducted at a military hospital.

Recently, Mr. Speaker, I received a letter from Maj. Gen. R. V. Lee, Adjutant General of the Army, indicating a change in the procedures for examining the nominees. This, I feel, is a move in the wrong direction and I have written the Adjutant General protesting the discontinuance of the preliminary physical examination. In the hope that my protest may be of interest and help to other Members who use this means of determining an applicant's physical fitness, under unanimous consent I ask that my letter to Maj. Gen. R. V. Lee be made a part of these remarks.

The letter follows:

APRIL 22, 1959.

Maj. Gen. R. V. LEE,
The Adjutant General,
Department of the Army,
Washington, D. C.

DEAR GENERAL LEE: I have your letter of April 15 before me and have given a great deal of thought to your proposed new system for determining the medical qualifications of applicants for admission to the Military Academy.

While I do not expect to be nominating anyone for the 1960 class, nevertheless, I want to express my opinion on this subject in the hope it will induce you to postpone putting the plan in operation until you have reconsidered it carefully. The preliminary physicals have had a great influence on my selection of candidates and, without them, I would be at a loss to choose my nominees. I presume other Members of Congress will be in the same predicament if they are as careful as I am in screening my applicants. I certainly do not think you would be simplifying or improving the present nominating system any by doing away with the preliminary physicals. Rather, I think you would be doing just the opposite if you want to expedite the processing of the hundreds of nominees recommended to you each year.

Looking at this from the standpoint of its advantage to the boy himself. I want to stress the fact that the boy who comes from a low-income family would be hard pressed to pay for a thorough examination by a private doctor who may charge as much as $50, or more. While I realize that the preliminary physicals are only advisory in nature. I believe that the military physicians are more familiar with the requirements for admission to the Academy than are private doctors. Therefore, their reports are of more value in determining the applicant's chances of passing the final examination.

We have the Wright-Patterson Air Force Base Hospital in my district which is, of course, a distinct advantage to the applicants in that vicinity. If the Army Department is sincere in its plea for candidates of the highest caliber in every respect, then it should be willing to offer its examining facilities to the Members of Congress who assume the responsibility given them by law to screen the applicants for further testing by the Academy Board.

To my way of thinking, it is most unfair to take these testing facilities away from the Members of Congress and the boys themselves. We all have one aim and purpose, which is to provide the Army with the best officer potential. I, for one, consider this a very important duty and a privilege not to be taken lightly. I try to send you the very finest young men graduating from our district high schools and I have never yet recommended anyone who I thought would fail

either the mental or medical examination. I use every means at my disposal to evaluate each applicant's fitness for the career he seeks and the preliminary physical is of equal importance with the Civil Service test, the young man's high school record, and the personal recommendations which reveal so much about the qualities he has which are necessary to an officer of the armed services.

It just does not seem reasonable to me to permit a Member of Congress to nominate a boy who has had hopes for a period of 6 months or more of getting an appointment and then later, ask that same member to withdraw the name and recommend another nominee. Such a procedure would be unfair to the boys concerned and complicate the clerical work both of the Academy section and the congressional office. My applicants are all examined early in the summer so that if any minor defect shows up in the examination, it can be corrected before the end of the year. If it is a serious one that would definitely bar his admission to the Academy, he is advised and he goes ahead and makes other plans for the fall.

Unless you can give me more convincing arguments for discontinuing the preliminary physicals than mentioned in your letter, I must strenuously oppose your action. I hope my colleagues here in the Congress will concur with my opinions because they will all be as handicapped as I would be if your new system is allowed to go into effect. I respectfully request that you reconsider your proposal very carefully.

With kindest regards.

Sincerely yours,

PAUL F. SCHENCK,
Representatives to Congress,
Third District, Ohio.

WISCONSIN'S LEGISLATURE UNANIMOUSLY SUPPORTS THE ICE AGE NATIONAL PARK FOR WISCONSIN

Mr. REUSS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. REUSS. Mr. Speaker, bills now before the Congress would create an Ice Age National Park in Wisconsin. The National Park Service is presently studying the feasibility of the proposal and is expected to make its report within the next few months.

Meanwhile the Wisconsin Legislature has unanimously approved a joint resolution expressing its approval in principle of the Ice Age National Park. The resolution, which was adopted on April 9, 1959, follows:

SENATE JOINT RESOLUTION 13

Joint resolution memorializing the Congress of the United States to take steps to acquire, establish and develop a Kettle Moraine National Park in Wisconsin to properly commemorate the Glacial Age

Whereas one of the most important chapters in the geographical and geological history of our country, much more important than the features which most of our present national parks are dedicated to preserve or commemorate, is the Glacial Age—a period when glaciers repeatedly invaded the north central and northeastern parts of the United States and gorgeously carved and remodeled the entire surface of this area into a huge panorama of one of nature's rarest wonderworks; and

Whereas because the Kettle Moraine State Park in Wisconsin is the only memorial established in recognition of these historical facts of national moment that indelibly molded the geographical character of this great expanse; because categorically the Kettle Moraine area is by far the most attractive and representative in which to establish a national park to commemorate the Glacial Age and its impact on this territory and the lives and habits of its people; because at present costs and rate of progress it will take the State of Wisconsin another 50 years to complete acquisition and development of the Kettle Moraine State Park as proposed in a 1936 State survey; because this land must be purchased and developed soon—before the inevitable population explosion, which is destined to follow the opening of the St. Lawrence Waterways, strikes Wisconsin and sends costs skyrocketing to prohibitive heights; because it is important that not only Wisconsin but this entire north central and northeastern area be provided with a Kettle Moraine National Park to give outdoor recreational opportunities for its rapidly increasing population; the State of Wisconsin seeks the aid of the Federal Government in developing a Kettle Moraine National Park and promises active cooperation toward bringing to reality in the Kettle Moraine area a national park concept to properly commemorate the Glacial Age; and

Whereas the Republican Party in Wisconsin expressed the desire of thousands of people in Wisconsin and in this entire glacial area, when at its platform convention in 1958, it adopted the following resolution:

"We recognize the desirability of preserving the Kettle Moraine area of Wisconsin as a national park and pledge immediate cooperation with the Federal authorities in preserving the maximum area of this desirable region"; and

Whereas the Democratic Party State platform adopted in 1958 said in part "The Democratic Party favors: * * *

"4. Adoption of the basic plan of the proposed Moraine National Park for Wisconsin." Now, therefore, be it

Resolved by the senate (the assembly concurring), That the Legislature of the State of Wisconsin memorializes the Congress of the United States to take necessary steps to acquire, establish and develop a Kettle Moraine National Park in Wisconsin to properly commemorate the Glacial Age, and pledges cooperation toward bringing to reality, in the Kettle Moraine area in Wisconsin, such national park concept; and, be it further

Resolved, That properly attested copies of this resolution be sent to Dwight D. Eisenhower, President of the United States, to each House of the Congress of the United States and to each Wisconsin Member thereof.

Governor Gaylord Nelson of Wisconsin has also pledged the full cooperation of the State of Wisconsin to the creation of the Ice Age National Park. There follows an account of the Governor's statement from the April 21 issue of the Madison (Wis.) Capital Times:

GOVERNOR BACKS ICE AGE PARK

Governor Nelson today in a statement approved the action of the legislature in unanimously adopting a joint resolution memorializing Congress to acquire establish and develop an Ice Age National Park in Wisconsin.

Nelson pointed out that Representative HENRY S. REUSS, Democrat of Milwaukee, is sponsor of an original measure providing for such a national park and he is being joined by Senators WILEY and PROXMIRE in the effort.

"It is my opinion that the Ice Age National Park in Wisconsin will be of substantial benefit to the State and its people," Nelson said. He continued.

"Based on the experience of other States having national parks, it will be of direct and immediate monetary benefit in terms of increased tourist business.

"It will be up to the National Park Service to give us its preliminary concept of the Ice Age National Park.

"The State of Wisconsin will cooperate in every possible way, both in the preliminary phases and in subsequent steps necessary to make the Ice Age National Park a reality."

During the consideration by the Wisconsin Legislature of the joint resolution approving the Ice Age National Park, I presented a statement to the Wisconsin Legislature setting for the present status of the proposed park, its concept, methods of land acquisition, and its economic impact. The statement follows:

STATEMENT OF REPRESENTATIVE HENRY S. REUSS (MILWAUKEE), BEFORE THE CONSERVATION COMMITTEE OF THE WISCONSIN ASSEMBLY, STATE CAPITOL, MADISON, MARCH 11, 1959

I deeply appreciate the opportunity to make a statement in favor of the resolution, now before the Wisconsin Legislature, expressing support in principle for the proposed Ice Age National Park. As the author of the bill in Congress, H.R. 915, to authorize the establishment of an Ice Age National Park (a descriptive title being more comprehensive than that used earlier of the Moraine National Park, I believe that such a declaration of support by the Wisconsin Legislature would be of tremendous help in securing establishment of the park. Similar bills have been introduced in the U.S. Senate by Senator WILEY, (S. 894), by Senator PROXMIRE (85th Cong., S. 4159), and in the House by Representative JOHNSON (H.R. 3020).

Here is the relevant information concerning the proposed Ice Age National Park:

1. WHAT IS THE PRESENT STATUS OF THE PARK?

The National Park Service conducted a preliminary reconnaissance of the proposed Ice Age National Park in September 1958. The results of that study were presented to the Advisory Board on National Parks. On October 22, 1958, the Advisory Board passed a resolution noting the importance of continental glaciation during the great Ice Age, and directed the National Park Service to locate appropriate examples of such glaciation for inclusion in the National Park System. Now and in the months to come, the National Park Service is making additional detailed studies. It is hoped that the Park Service can make a favorable recommendation by later this year. If so, Congress would be able to act upon the bills to establish the Ice Age National Park a year from now, in 1960. Needless to say, support in principle from the Wisconsin Legislature would be an important factor in determining congressional action.

2. WHAT IS THE CONCEPT OF THE ICE AGE NATIONAL PARK?

The concept of the park, as originally conceived by Raymond T. Zillmer, the noted Milwaukee conservationist, and as refined by the reconnaissance trip, proposes that areas in 34 Wisconsin Counties (Kewaunee, Manitowoc, Calumet, Fond du Lac, Sheboygan, Washington, Waukesha, Jefferson, Walworth, Rock, Green, Dane, Sauk, Columbia, Adams, Marquette, Waushara, Portage, Waupaca, Marathon, Shawano, Langlade, Lincoln, Oneida, Price, Taylor, Rusk, Chippewa, Washburn, Sawyer, Barron, Polk, Dunn, and St. Croix) be considered for inclusion in the park. H.R. 915 provides for the preservation of "outstanding features of continental glaciation, including moraines, eskers, kames, kettle-holes, drumlins, swamps, lakes, and other reminders of the great Ice Age."

The concept of the park envisages a narrow strip, averaging one-quarter mile in width, extending for 500 miles along the terminal line of the Wisconsin glacial moraine. The line would extend from Glenbeulah in Sheboygan County through Fond du Lac, Washington and Waukesha Counties to Whitewater Lake in Walworth County; thence westward through Walworth and Rock Counties, north of County Highway A to the Rock River; thence northwest to Evansville north of State Highway 14; thence northeast of the C. & N.W. Railroad tracks to Brooklyn; thence northwest through Verona and Cross Plains to the Dane-Columbia County line; thence along the east bank of the Wisconsin River to Merrimac; thence northwest to Devils Lake State Park; thence north, between State Highway 12 and Sauk County Trunk Highway A, to the Wisconsin River at the confluence of Dell Creek; thence north through Columbia and Adams Counties to the conjunction of Adams, Waushara, and Marquette Counties; thence northward in Waushara County west of Coloma, through Hancock and east of Plainfield; through the Portage County line west of Almond; thence north passing west of Custer and Polonia, crossing the Plover River at the Portage-Marathon County line; thence west of the Plover River to the Langlade County line; thence northeast to Highway 64; thence northwest passing south of Kempster to 1 mile south of Parrish; thence southwest passing near Gleason to the Wisconsin River; thence west to Rib Lake; thence southwestward through Chequamegon National Forest, west of Lublin; and westward to the Chippewa River south of Cornell; then a gap to the conjunction of Chippewa County Highways E and Z; thence northwestward to a point just north of Haugen in Barron County on Highway 53; thence southwestward, south of Cumberland, Turtle Lake, Clayton, Amery, north of Deer Park, through Star Prairie; thence west to the St. Croix River.

Along the 500-mile trail would be 11 (possibly more) main units, under varying management, but pulled together by the National Park Service in order to tell the total story of the Ice Age in North America. Starting from the eastern end of the 500-mile-long line, the 11 units, and their ownership, follow:

1. Sheboygan Marsh County Park: A marsh created by the glacial moraine. This marsh, which is open to hunting and fishing, adjoins the Kettle Moraine State Forest in northwestern Sheboygan County.

2. Kettle Moraine State Forest: Stretching for 120 miles from Glenbeulah in Sheboygan County to Whitewater Lake in Walworth County, an interlobate glacial moraine formed by the interaction of the Green Bay and Michigan lobes, illustrating kettles, kames, and eskers.

3. Janesville Gateway: The terminal moraine, and some adjacent territory, in the triangle just north of Janesville bounded by Highway 14, Highway 184, and the Rock River. This area, together with areas 4, 6, 7, and 8, are suggested as national park proper. Since these areas are strung out over the 120-mile central portion of the 500-mile-long strip, within 20 or 30 miles of each other, they could readily be directly administered by the National Park Service.

4. Western Dane County: An area in the general area of Verona, Cross Plains, and Marxville, illustrating the intermixture of glacial moraines and unglaciated bedrock. Several high points give a vista of the entire area.

5. Devil's Lake State Park (Sauk County): Shows the formation of Devil's Lake, and the change in course of the Wisconsin River, together with the effect of the Baraboo Hills in stopping the expansion of the glacier into the unglaciated area. This would continue as a State park.

6. John Muir birthplace (southern Marquette County): Shows a glacial lake back of the moraine, particularly its botany. This is now a Marquette County park, but funds for further development are needed. Because it contains the boyhood home of the great naturalist, John Muir, it is suggested as a national historic monument or park.

7. Old Lake Wisconsin Shore (Adams County): An area east of Friendship in Adams County. It shows the sandy bottom of extinct glacial Lake Wisconsin, the moraines which formed its shores, and various eroded bluffs which were islands in the lake.

8. Plover River unit (at the junction of Portage and Marathon Counties): Shows how the Plover River forced its way through the moraine.

9. Chequamegon National Forest (Taylor County): Shows the effect of a glacial moraine in diking myriads of lakes. Under National Forest Service auspices, camping facilities and a trail along portions of the moraine could be constructed.

10. Blue Hills unit (in northeast Barron County, northwest Rusk County, and southwest Sawyer County): Show how the glacial moraine worked its way through and around the preexisting monadnocks. Adequate land for such a unit is presently contained in county forests in the three counties. The units could be adapted either as coordinated county forests; as a State forest; as a national forest; or as a national park or national park recreational area.

11. Interstate Park at St. Croix Falls: Illustrates water erosion in a glaciated area, at the dells of the St. Croix River. This could be continued as a Wisconsin-Minnesota State park.

It will be noted that these 11 units include, in addition to national park proper, a county park (1), a State forest (2), 2 State parks (5, 11), a national forest (9), and a possible national park recreational area (10).

Literature describing the park, and the explanations of naturalists at the various points of attraction, could be so coordinated as to present a unified whole. Similarly, road markings could be so arranged that those wishing to see the entire glacial story could make a 500-mile trip of it and visit each of the units. Suitable walking, bicycling, and riding trails could be developed along the entire area. Camping and picknicking spots could likewise be strategically placed.

H.R. 915 provides for the establishment of the Ice Age National Park at such time as enough of it is acquired in order to permit effective administration. If the Ice Age National Park becomes a reality, it is anticipated that full acquisition of all the land needed will consume at least a number of years.

3. HOW WILL LAND FOR THE ICE AGE NATIONAL PARK BE ACQUIRED?

To make it a reality will require the full cooperation of the Federal Government, the State of Wisconsin, and county and local governments. H.R. 915 provides that "lands owned by the State and local governments may be included only with the concurrence of such governments." Aside from the Kettle Moraine State Forest, the strip from Whitewater Lake to the St. Croix River, roughly 400 miles averaging one-quarter mile in width, would make a total of 100 square miles, or 64,000 acres. At an average cost of $30 an acre, this would come to $1,920,000. To be subtracted from this figure would be lands that do not have to be purchased because they are contained in a State park, county park, county forest, or national forest. It is envisaged that the great bulk of this land would be purchased and donated to the national park by private contribution, leaving little or no land acquisition to the Federal Government in the first instance. The main function of the Ice Age National Park would be to pull together the national park proper, and such constituent units as county parks, State forests, State parks, national forest, and national recreational areas, into a unified whole.

4. WHAT WOULD BE THE ECONOMIC IMPACT OF AN ICE AGE NATIONAL PARK FOR WISCONSIN?

The main purpose of the Ice Age National Park would be to provide for all the people healthful and pleasant recreation areas. But in sheer dollar terms, there is no doubt the Park could be a tremendous money-earner, both for State and local governments in Wisconsin, and for its citizens. A survey in 1949, "The Wisconsin Tourist," by the University of Wisconsin, showed that even 10 years ago, out-of-State tourists spent more than $76 million a year in Wisconsin—for food, lodging, transportation, fishing, clothing, amusements, etc. Surely, that total is closer to $100 million today. And the amount spent by residents of Wisconsin itself would increase the total greatly.

Experience in States having national parks shows that they enormously increase the number of tourists, with attendant increase in expenditures. Last year 59 million Americans visited their national parks. When you consider that the University of Wisconsin's estimate of the nonresident tourists in Wisconsin in 1949 was only 1,125,000, it can readily be seen that the existence of a national park in Wisconsin could well double or triple our present tourist influx.

If the number of out-of-State tourists to Wisconsin were doubled, it would produce an additional income for Wisconsin residents of at least $100 million annually. This additional economic activity would immediately result in great revenue gain for the State of Wisconsin and for its local governments, although the precise amount is in the nature of a guess. What is clear is that the increased tax revenue generated by an Ice Age National Park would vastly exceed the very minor tax losses that would flow from the creation of the park. As indicated above, many of the areas envisaged for possible inclusion in the Ice Age National Park complex are presently contained in State parks, National forest, county park, State forest, and are thus not on the tax rolls now. The new land to be acquired is very largely worthless for agriculture, and is hence on the tax rolls for negligible amounts.

An additional possibility for Wisconsin taxpayers presents itself if an Ice Age National Park were established. While the park concept, as set forth above, does not envisage the transfer to the Federal Government of the State and county forests and parks set forth above, the State and county governments might well wish to conclude at some later time that it would be more sensible to transfer these to the Federal Government and thus save very substantial maintenance and administration costs. Residents of Wyoming, for example, are very happy that the taxpayers all over the 49 States contribute to the upkeep of Yellowstone National Park, rather than just the citizens of Wyoming.

All told, the balance sheet of an Ice Age National Park shows a tremendous financial advantage for Wisconsin, as well as a great recreational achievement.

5. WOULD THE ESTABLISHMENT OF THE ICE AGE NATIONAL PARK INTERFERE WITH FISHING, HUNTING, OR LUMBERING NOW BEING CONDUCTED?

The answer is unequivocally no. Along the route of the proposed Ice Age National Park are some 29 public hunting areas. These would be in no way disturbed. To the extent that any lands contemplated for inclusion in the Ice Age National Park contained a hunting, fishing, or lumbering potential which would be interfered with by

constituting them a national park proper, they could be designated a national recreational area, in which uses like hunting, fishing and lumbering are permitted.

Both the Democratic and Republican Parties in Wisconsin, in their 1958 platforms, called for support in principle for what is now called the Ice Age National Park. The honoring of that pledge will go far to make the Ice Age National Park a reality.

COMMITTEE ON PUBLIC WORKS

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the Committee on Public Works may have until midnight tonight to file a report on the bill (H.R. 3610) to amend the Federal Water Pollution Control Act.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

REIMBURSEMENT TO STATES FOR CERTAIN HIGHWAY SYSTEMS

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, several Members of the House have during the last few days introduced bills to provide reimbursement to those States which have had portions of their highway system incorporated into the Interstate Highway System without receiving any payment from the Federal Government for those portions, and without any provision being made for reimbursement to the States for those portions of their highway systems.

I am today introducing a bill which not only authorizes appropriations over a 15-year period to reimburse all States so situated, but also to give to the States the option of using those funds to construct additional mileage of the primary road system or to use the funds for the purpose of converting their turnpike systems, or portions of them, to free highways. I think the Members will be interested to know that hearings have been announced by Chairman Buckley of the House Committee on Public Works to begin early in May on this subject, which I am sure is a matter of keen interest to all of the States that are finding a serious problem in the matter of financing their portions of the Interstate System.

MANAGEMENT OF THE NATIONAL FORESTS

Mr. McINTIRE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks and include therein an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. McINTIRE. Mr. Speaker, interested citizens throughout the United States are warmly commending the U.S. Department of Agriculture relative to its forward-looking program designed to advance management and increase facilities of the national forests.

Of particular interest in this regard is the editorial appearing in the April 1959 issue of American Forests, published by the American Forestry Association. This editorial is entitled "Congratulations, Mr. Benson."

President Eisenhower and Secretary Benson have repeatedly emphasized the importance of our forest resources and the need for longtime objective planning.

I wish to warmly commend Assistant Secretary of Agriculture Ervin L. Peterson and Chief of the Forest Service Richard McCardle and their associates for the fine contribution they have made in advancing the ends of this outstanding program.

The editorial follows:

CONGRATULATIONS, MR. BENSON

A blueprint to provide more timber, water, recreation, wildlife, and other renewable natural resources from the Nation's increasingly valuable national forests was proposed on March 24 by Secretary of Agriculture Ezra Taft Benson. With special letters to the President of the Senate and the Speaker of the House, Secretary Benson submitted a program to advance management and increase facilities of the national forests in coming years to meet the needs of a growing population and an expanding economy. The proposed program defines needs on the forests in concrete terms as spelled out by two consecutive programs for American Forestry adopted by the American Forestry Association in 1947 and 1953. As such, the Secretary's proposal represents a sound approach to present problems on the forests, and it will receive wide support. In short, this program gives us something to build on.

Secretary Benson said the current proposal completes the program for full resource development of the national forests as called for by President Eisenhower in his special message to Congress on July 31, 1953. As a result of that message, management of the national forests has been substantially improved in recent years, the Secretary said. Tree planting has been doubled, forest fires have been materially reduced, and the timber harvest has reached new records. At the same time, the Secretary readily admits the forests still have a long way to go before they can begin to approximate the degree of intensive management presently practiced on some of the larger industrial forests.

However, if this program goes through as proposed the national forests will one day stand second to none anywhere in the world. For example, the Secretary proposed to ultimately treble present income from the forests, 90 percent of which will represent sale of standing timber. If the blueprint develops on schedule, the year 2000 will see timber sales reaching $350 million with an annual cut of 21 billion board feet of sawtimber. The immediate short term goal will be to hike the recent record cut of seven billion board feet to 11 billion within the next decade with harvesting developed in a manner that will accelerate cutting of stagnant stands, release advanced reproduction by removing the overstory of old growth, increase the salvage of dead, dying and diseased trees, and encourage reasonable distribution of sales among all sizes of operators.

At the same time, the Forest Service proposes to develop and apply on sale areas higher standards of regeneration, hazard reduction, salvage and erosion control. It will provide up-to-date inventories of all commercial forest lands, and timber management plans will be completed for all working circles, and when completed will be maintained by periodic reinventories and revisions. Approximately three-fourths of the 4.4 million acres of nonstocked and poorly stocked plantable lands will be seeded or planted. The productive condition of over 11 million of the 30 million acres of less than sawlog-size stands will be substantially improved by plantation care, pruning, weeding, thinning, release cutting, reinforcement planting of lightly stocked areas, and planting new burns in these stands.

Hand in hand with these production quotas and production goals goes a proposal to complete construction and reconstruction of 90,000 miles of access roads and 8,000 miles of trails at the earliest possible time. This represents about 19 percent of the total number of roads and trails ultimately called for. When fully installed, there will be 70,000 miles of forest highways, 542,000 miles of access roads, and the trail network will be reduced to 80,000 miles. There are now 24,400 miles of forest highways, 149,700 miles of forest development roads and 112,200 miles of trails. No single proposal in this comprehensive plan received louder cheers from AFA officers than did this plan to get the roads built so that the Forest Service can start practicing forestry on a scale never dreamed of in the days of Pinchot, Graves and Greeley.

Neither space nor time permits us to fully describe the improvements proposed for every use of the forest including water, range, and recreation resources. These will be fully covered in the May issue of American Forests and suffice it to say here there is something here for everybody, and if present plans materialize all of these important uses will be brought up to a state of perfection seldom dreamed of by most of us in even our wildest dreams. The programs proposed, in short, would put the national forest system in A–1, apple pie order and people everywhere would regard them as another wonder of the world. Water flow will be increased through more intensive management of watersheds—welcome news to 1,800 western towns and cities served by national forests water and for most irrigated farm lands and hydroelectric developments. Fuller development and use of grazing lands will result from large-scale reseeding of grasses on depleted ranges, control of poisonous plants, and construction of fences and water facilities. In carrying out the previously announced Operation Outdoors, the new proposals will see both parts of this program in full swing. Ten thousand new campground and picnic sites containing 102,000 family units are proposed. Improvement of 7,000 miles of the 81,000 miles of fishing streams and 56,000 acres of lakes by stabilizing banks, planting trees and cover, and constructing channel improvements are shown in the plans.

These, then, are just a few of the highlights in this remarkable plan, and returning to timber management again it occurs to us that here is one constructive answer to the series of stunning advertisements currently being featured by the lumber industry which have already rocked lumber's competitors back on their heels. In addition to selling wood, this old industry is telling the world in no uncertain terms that lumbermen believe in their product. Moreover, they imply that lumber has faith in forestry to produce enough wood of sufficient quantity and quality to stave off all challenges posed by wood substitutes.

With forestry showing the vision demonstrated in Secretary Benson's plan, all challenges will indeed be met and forestry in America will rise to new plateaus of achievement. Here, in truth, is a working model for balanced multiple use on forest land.

HARRY BRIDGES

Mr. ALGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ALGER. Mr. Speaker, the brazen effrontery of Harry Bridges of the ILWU in his testimony before a House Committee this week should be carefully weighed by every Member and by every citizen in this country.

Here is a man who testifies publicly that he might do all he could to prevent American aid to Formosa should a shooting war again break out between "the Chinese Nationalists and the forces of the Chinese Peoples' Republic," or whatever the determined policy of this Nation, if contrary to his own beliefs. This man admits that his union might honor requests of Communist-dominated foreign transport unions, even those in Communist nations, not to work shipping in American ports if contrary to Communist interests; that he would thus take part in a sort of worldwide shipping boycott, if requested to by certain foreign union heads, some of them notoriously pro-Communist.

And how about Hawaii which is absolutely dependent on shipping and the ILWU? Here's the proof to support those who opposed Hawaiian statehood because of Harry Bridges and the stranglehold of the union. Just how far are we going to let union leaders flaunt the laws of this Nation? When are they to be subject to the same laws by which all other citizens are governed?

There is something we can do. The other body is now debating the labor bill. They can put teeth in the labor bill. We can do the same in the House. The people of this Nation and our friendly neighbors in the world deserve no less. Then the dictatorial power of the labor leaders and the monopolistic control of commerce by unions can be corrected. At this time a joint strike by Hoffa and the Teamsters and of Bridges and the ILWU could paralyze transportation and trade at home and abroad.

LABOR REFORM LEGISLATION

Mr. HIESTAND. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HIESTAND. Mr. Speaker, probably the most important and most controversial measure we face at this session is legislation for labor reform, which, of course, involves also revisions to the Taft-Hartley law. Many bills have been introduced, but in general they follow along the lines of the Barden bills, H.R. 4473 and H.R. 4474, the McClellan bills, S. 1348, S. 1385, S. 1386, S. 1387, the Kearns-Goldwater bill, S. 748 and H.R. 3540, and the Kennedy bill, S. 1555, which the Senate is now considering.

FIFTY-FOUR SUBJECTS

A comparative analysis chart briefly summarizing these subjects has been made which should be of great value to all Members in considering these bills.

The chart follows:

Part 1. Basic individual rights

BASIC INDIVIDUAL RIGHTS

	Labor Bill of Rights Act of 1959 (Mr. BARDEN—H.R. 4473)	Labor-Management Basic Rights, Ethical Standards, and Disclosure Act of 1959 (Mr. MCCLELLAN—S. 1137)	Labor-Management Practices Act of 1959 (Mr. GOLDWATER—S. 748)	Labor-Management Reporting and Disclosure Act of 1959 (Mr. KENNEDY—S. 1555)
	The bill provides that the certain basic human rights must be guaranteed and protected in the constitutions and bylaws of all unions. Democratic procedures must be adopted and followed by all unions.	Provides that the constitution and bylaws or other governing charter shall contain provisions to carry out certain objectives and guarantee certain basic rights of members.	Provides that rights relating to election and removal of officers be in constitutions.	There are no provisions in this bill requiring that basic human rights be guaranteed and protected under union constitutions or bylaws. Certain standards for the election of union officers are set forth. The members must look to the Secretary of Labor for protection of their rights through the Federal courts.
Protection against closed unions or discriminatory membership requirements.	Every employee in a bargaining unit shall be eligible for union membership if he meets the qualifications applied to all applicants.	Membership shall be open to all who can meet reasonable qualifications uniformly applied. The initiation fee shall not be in excess of 75 percent of the prevailing weekly wage in the locale for the same general type of work.	No provision.	No provision.
Freedom of speech and right to criticize.	Every member shall be free to speak freely and to criticize union officers, activities, and policies if he wishes.	Similar provision.	do	Do.
Freedom to meet and make plans.	Every member shall be free to meet with other members to discuss union affairs and to plan changes in the union policies, practices, officers, etc., and to campaign for or against any candidate for union office.	do	do	Do.
Equal rights and protection.	Every member shall have equal rights including all voting rights and privileges and equal protection of rules.	do	do	Do.
Freedom from excessive or arbitrary demands for money.	The rate of dues and initiation fee shall be changed only by a majority vote taken by secret ballot. Assessments may be levied only with the same approval.	do	do	Do.
Freedom to seek the full protection of the law.	No union shall take away its members' rights to sue in any Federal or State court or to institute action in any government agency or to petition any legislature or communicate with any legislator.	Similar—but with a proviso that the member must first exhaust all internal procedures if they do not require longer than 3 months.	do	Do.
Protections against unjust or too severe punishment and right to a fair and impartial trial.	No member of a union may be fired, expelled, suspended or otherwise disciplined except for a violation of a published and written rule which is not inconsistent with the protective provisions of the bill.	Similar provision	do	It shall be unlawful for any union or its officers, employees, etc., to fine, suspend, or otherwise discipline members for exercising any right provided by this bill (506(a)). It shall be unlawful for any person through the use of violence, force or economic reprisal, or threats thereof, to interfere with or coerce any union member in the exercise of the rights under this bill (506(b)).
	If disciplinary action is taken, the following procedures must be followed so that the member can have a full and fair hearing and an impartial review.	Similar. However, as is seen below, the due process protections are not spelled out in detail.	do	No provision.
Know rights	Accused member must be given copies of this law and the union's constitution and bylaws and informed of his rights thereunder.	do	do	Every union shall inform its members of the rights guaranteed them under this bill (508).
Know the charge	Member must be served with a written charge specifying the alleged offense in full detail.	do	do	No provision.

Part 1. Basic individual rights—Continued

BASIC INDIVIDUAL RIGHTS—Continued

	Labor Bill of Rights Act of 1959 (Mr. BARDEN—H.R. 4473)	Labor-Management Basic Rights, Ethical Standards, and Disclosure Act of 1959 (Mr. McCLELLAN—S. 1137)	Labor-Management Practices Act of 1959 (Mr. GOLDWATER—S. 748)	Labor-Management Reporting and Disclosure Act of 1959 (Mr. KENNEDY—S. 1555)
Time to prepare defense.	Member must be given reasonable time to prepare his defense.	Similar provision	No Provision.	No Provision.
Given a fair trial	Member must be given a fair trial at which the following due process protections are guaranteed:	States that the member shall be "afforded a full and fair hearing." No further details.	do	Do.
	Presumed innocent until proven guilty.			
	Burden of the proof on the accuser.			
	Trial held at a convenient time and place for the accused.			
	Accused has the right of counsel of his own choosing.			
	Accused may confront his accuser, call, examine and cross-examine witnesses.			
	Accused may present rebuttal testimony.			
	Accused has the right to require the trial body to require the presence of witnesses and the production of pertinent records and documents.			
	The trial will be open wherever possible. The accused may elect a closed trial.			
	The trial body shall be composed of fair and impartial persons. The accused may challenge any member of the trial body for cause and have 6 peremptory challenges.	No provision	do	Do.
	Where necessary to insure a fair trial the trial body may be selected from an outside agency or group.			
	Witnesses shall be under oath.			
	A verbatim record shall be made.			
	The decision shall be in writing; shall summarize the evidence; shall state the grounds and reasons for the decision and be supported by the preponderance of the evidence.			
	The decision shall be sent to the accused before any public release.			
The right to appeal the decision.	There shall be a prompt and orderly appeal procedure to a fair and impartial tribunal.	The member shall be "afforded final review on a written transcript of the hearing by an impartial person or persons."	No provision	No provision.
	The accused shall have challenges for cause against members of the appeals body.	No provision	do	Do.
	Where necessary the members of the appeals body shall be selected from an outside agency or group.	Similar provision	do	Do.
	Penalties imposed by trial bodies shall be stayed until the final appeal is decided.	No provision	do	Do.
The right to a just decision.	The appeals tribunal shall set aside decisions for the following reasons:			
	The decision was not supported by the preponderance of the evidence.			
	It was discriminatory, arbitrary, or capricious.			
	When the charged act was protected by union law, this bill, or other Federal or State laws.			
	When accused was prejudiced by a denial of procedural rights.	do	do	Do.
	When there was a serious and substantial denial of procedural rights even though the accused was not prejudiced.			
	When the discipline has been imposed without just cause.			
	When the discipline was imposed to further personal or political aspirations.			
	When the discipline was imposed to suppress legitimate personal or political aspirations.			
The right to control officer's salaries and expenses or the limits thereof.	Salaries and general expense allowances to officers, etc., shall be fixed by a secret vote of the majority of members.	Salaries and general expense allowances or the limits thereof shall be established by the bylaws or by a resolution adopted by a general vote.	do	Do.
The right to vote freely and secretly.	Every member shall have the right to a secret vote without fear of reprisal.	Similar provision	Similar provision	Similar provision.
The right to run for, and hold, union office.	Every member shall have the right to become a candidate for, and hold office subject to fair qualifications applied without discrimination.	do	do	Similar provision (301(d)).

Part 1. Basic individual rights—Continued

DEMOCRATIC PROCEDURES IN LOCAL UNIONS

	Labor Bill of Rights Act of 1959 (Mr. BARDEN—H.R. 4473)	Labor-Management Basic Rights, Ethical Standards, and Disclosure Act of 1959 (Mr. MCCLELLAN—S. 1137)	Labor-Management Practices Act of 1959 (Mr. GOLDWATER—S. 748)	Labor-Management Reporting and Disclosure Act of 1959 (Mr. KENNEDY—S. 1555)
	Every labor union shall maintain or incorporate in its constitution and bylaws provision to guarantee and protect the following democratic processes and procedures:	Similar provision	Some provisions relating to the election and removal of responsible officers and their qualifications and terms of office.	No provisions have been made in this bill requiring that basic protections be incorporated into the local unions' constitution or bylaws. Procedures for the election and removal of officers must be incorporated into such documents (304).
An open list of members	A roster of members open to inspection by members.	do	No provision	No provision.
Open general meetings	At least 3 general meetings each year. At least 10 days' notice and an agenda.	do	do	Do.
Elections by secret ballot	Officers, stewards, etc., shall be elected by secret ballot at general membership meeting after 30 days' notice.	Same in principle. Candidates receiving the greatest number of votes shall be elected. Adequate election safeguards shall be provided.	Members, upon due notice, shall directly elect their local officers by secret vote and without restraint or coercion.	Members shall elect the officers named in the union constitution and the members of the executive board or similar governing body by secret ballot with at least 15 days' notice (301 (d)).
The right to run for office and to vote without fear or danger	Members shall be permitted to nominate candidates and to vote without coercion or restraint.	Similar. Not more than 5 percent of the membership shall be required to nominate.	Members shall have a reasonable opportunity to nominate or be candidates for union office subject to fair and uniformly applied standards.	Reasonable opportunity to nominate candidates without being subject to penalty, discipline, or improper interference or reprisal (301(d)).
Honest elections	Every member shall be entitled to 1 vote—secret ballot—no proxy votes.	Every member shall have identical voting rights. Adequate election safeguards will be provided.	Similar provision	Each member in good standing shall have 1 vote. The election shall be conducted in accord with the constitution and bylaws insofar as they are not inconsistent with the standards set up in this bill. There is no ban on proxy votes.
Frequent elections	Officers must be elected every 2 years.	Similar provision	Officers of local unions must be elected every 3 years.	Officers named in constitution and elected every 3 years (301(b)).
Removal of officers elected or appointed by governing bodies.	Officers, elected or appointed by a governing body such as the board of directors, trustees, or executive committee may be removed by a majority vote of the governing body.	do	No provision	302 (a) and (b). If there has been any violation by either international or local unions with respect to the election of officers any member may file a complaint with the Labor Secretary. If the Secretary finds probable cause to believe that such violations have occurred and were not remedied he may bring a civil action to set aside the invalid election and to direct the conduct of an election or hearing and vote upon the removal of officers. The election will be conducted under the supervision of the Secretary.
Removal of officers elected by the membership.	Officers elected by the membership as a whole may be removed by the governing body but only for cause shown and on notice and hearing and by a majority vote of the said governing body.	do	Members must have the opportunity to remove elected officers from office by a majority vote upon a showing that a substantial number of members desire a recall vote.	If there are no provisions in the union's constitution and bylaws for the removal of elected officers guilty of serious misconduct any member may complain to the Secretary of Labor. The Secretary shall promulgate rules and regulations for removing such officers for cause shown and after notice and hearing by a secret vote of the members (301 (g) and (h)).
Election of convention delegates.	Local delegates to international union conventions shall be elected by a majority secret vote of the members.	do	Similar provision	Delegates elected by secret ballot in accord with the union's constitution and bylaws (301 (e)).
Control of delegates' votes	Members shall have the right to instruct delegates who shall be bound by the instructions and subject to discipline if they disobey.	Delegates' votes will be recorded in such a way that it will be possible to determine how they voted.	No provision	No provision.
Records kept and open to inspection.	Records shall be maintained of all actions taken at general membership meetings, meetings of directors, trustees, and members of executive committees. The records shall be open to any member who has paid dues in the last dues-paying period.	Same in principle. No dues-paying qualification for record inspection. Also allows inspection by attorneys or representatives of members.	do	Do.
Financial records kept and open to inspection.	Detailed financial records shall be maintained and shall be open to inspection by such members as above.	Similar provision	Similar provision	Financial records adequate to prepare and verify the financial reports required by this bill will be kept and maintained. There is no provision for member inspection of the records but the contents of the reports shall be made available to the membership (101 (c)).
Records must be preserved	All the records shall be kept for 5 years.	do	Records relating to financial matters and trusteeships must be kept for 5 years.	The financial and trusteeship records for such periods as the Secretary of Labor may prescribe.
Protection of members' funds by investment.	All funds in excess of the amount of dues and assessments received in 1 year, other than the sum of pension and trust funds, shall be held in savings bank by investment or invested in a way prescribed by State laws for the investment of insurance company funds.	do	No provision	No provision.
No secret agreements	Copies of agreements made by the local and employers shall be sent within 30 days to each member affected.	A copy shall be sent upon request to any employee whose rights are affected. Copy will be available at the union's office for inspection by any member or employee affected.	do	Do.

Part 1. Basic individual rights—Continued

DEMOCRATIC PROCEDURES IN INTERNATIONAL UNIONS

	Labor Bill of Rights Act of 1959 (Mr. BARDEN—H.R. 4473)	Labor-Management Basic Rights, Ethical Standards, and Disclosure Act of 1959 (Mr. MCCLELLAN—S. 1137)	Labor-Management Practices Act of 1959 (Mr. GOLDWATER—S. 748)	Labor-Management Reporting and Disclosure Act of 1959 (Mr. KENNEDY—S. 1555)
Conventions must be held and officers elected; term of office.	Conventions must be held not less than once in every 4 years. Major officers, directors, members of the executive committee, etc., must be elected at these conventions.	Similar provision	Term of office for international officers shall not exceed 5 years. No direct provision for periodic conventions.	Officers named in the international constitution and bylaws shall be elected every 5 years. No direct provision for periodic conventions (301(a)).
Delegates right to vote	All delegates shall be entitled to vote on all officers or other transactions. The voting strength of each delegate will be such that each union member shall have an equal voice. No proxy vote.	do	No direct provision regulating delegate voting. Presumably the procedures for fair and honest elections would apply. There is no provision to assure that delegates' votes have weight proportionate to the number of members they represent.	When officers are elected by delegates the convention will be conducted according to the constitution and bylaws insofar as they are not inconsistent with this bill. No provision for weighting of delegates' votes (301(c)).
Officers' election	The officers mentioned above shall be elected by a secret vote of the delegates only. The individuals receiving the greatest number of votes cast shall be elected.	Same in principle but no need for a secret vote.	International officers may be elected directly by secret vote of the members or indirectly through delegates who were elected by the members by secret vote.	International officers named in constitution and bylaws and members of its executive board shall be elected either directly by a secret vote of the members or by a convention of delegates chosen by secret ballot (301(a)).
Membership control of officers' salaries and expenses.	Salaries or the limits thereof and general expense allowances must be voted by a majority of delegates.	Salaries and the limits thereof and expense allowances of officers of "local labor organizations" shall be set in the bylaws or a resolution adopted by general vote.	No provision	No provision.
No secret membership meetings.	Notices of meetings and conventions will be sent 30 days in advance to all constituent unions setting forth the subjects to be decided. Extraordinary meetings shall not be held except upon 15 days' notice by mail or 12 days' notice by telegram.	Similar provision	Election meetings "upon due notice."	No direct provision for notice of conventions or meetings. Notice must be made 15 days prior to holding an election (301(d)).
Records must be made, kept, and open to inspection.	Records of actions, and votes taken, and detailed financial records will be kept and maintained for 5 years from the making thereof. Records of actions taken and votes may be inspected by any member. Financial records may be inspected by any member of a constituent union who has been authorized by vote of the constituent union to inspect the records.	do	Records relating only to financial matters and trusteeships of subordinate unions must be kept for 5 years and be open to inspection by the Secretary of Labor and his representatives and union members at reasonable times. Election records and ballots preserved at least 1 year.	Records pertaining to elections and (301(e)) delegates' credentials must be kept for 1 year. Financial and trusteeship records must be kept for a period (105) designated by the Secretary of Labor. No provision for inspection by the membership of the records but the information contained in the reports shall be made available to the membership (101c).
Proper voting strength of delegates to conventions.	International unions are entitled to receive from each other constituent union a roster of its members so that the voting strength of each delegate to the convention may be determined.	do	No provision	No provision.
Protection of members' funds by investment.	All funds in excess of half of the dues and assessments received in 1 year, other than pension or trust funds, shall be held in savings banks or in securities approved by the State for the investment of insurance company funds.	Same in principle. All funds in excess of the amount of all dues and assessments received in a year shall be so invested.	do	Do.
Open labor agreements	Copies of labor agreements negotiated by the international shall be sent to each member and employee affected within 30 days after the making.	Copies of agreements made by the international are sent to each constituent union whose members are affected. They may be inspected by any member or employee affected at the union's office.	do	Do.
No "paper locals"	Local charters may be issued only to bona fide labor organizations.	Similar—and in addition the Labor Secretary must be notified of each charter within 15 days of issue.	do	Do.
Bonding of trustees	Trustees appointed to administer the affairs of constituent unions shall be bonded in an amount not less than half of the total dues and assessments received by the constituent union during the preceding fiscal year.	Not spelled out specifically for trustees but "all officers, agents, representatives, and employees" who handle union funds must be bonded.	do	Do.

DEMOCRATIC PROCEDURES IN BOTH INTERNATIONAL AND LOCAL UNIONS

Ballots preserved	All ballots must be preserved for 2 years.	Similar provision	Ballots and election records shall be preserved for not less than 1 year.	Ballots and election records shall be preserved for 1 year (301(d)).
Members' funds not used to keep persons in office or elect to office.	Funds from dues, assessments or similar levies on union members may not be used to promote the candidacy of any person or cause in a union election.	do	It is unlawful to contribute or use funds of any union or employer to promote the candidacy of anyone in a union election.	No union funds from dues, assessments, or similar levy and no employer's money shall be contributed or used to promote the candidacy of anyone in a union election (301(f)).
Member control of new organizations or funds.	No organization or fund may be created or financed by union funds except by a secret majority vote of the membership of the union setting up the new organization. Financial reports must be filed.	do	No provision	No provision.

Part 1. Basic individual rights—Continued

DEMOCRATIC PROCEDURES IN BOTH INTERNATIONAL AND LOCAL UNIONS—Continued

	Labor Bill of Rights Act of 1959 (Mr. BARDEN—H.R. 4473)	Labor-Management Basic Rights, Ethical Standards, and Disclosure Act of 1959 (Mr. MCCLELLAN—S. 1137)	Labor-Management Practices Act of 1959 (Mr. GOLDWATER—S. 748)	Labor-Management Reporting and Disclosure Act of 1959 (Mr. KENNEDY—S. 1555)
Removal of criminals from union office.	If any union officer of any kind is convicted of such a crime as murder, rape, arson, burglary, embezzlement, bribery, extortion, etc., he will be suspended from office. No individual may hold union office while he is ineligible to vote because of a criminal conviction.	Same in principle. More crimes listed.	No person shall serve as an officer or other representative of a union during any period in which he is ineligible to vote in any State election because of a conviction of a crime.	No person convicted of robbery, bribery, extortion, embezzlement, arson, violations of narcotics laws, murder, rape, assault, and other crimes of violence, shall serve as a union officer, or employee unless the Secretary of Labor determines that such a person's service as a union officer or employee would not be contrary to the purpose of this bill or his citizenship rights having been revoked as a result of such convictions has been restored (305(a)).
Member control of strikes	Strikes may not be called unless 30 days prior to the start of the strike there was a secret referendum of the employees involved and a majority voted for the strike. If a majority of employees in a constituent unit do not vote for the strike they will not be required to participate in or contribute support to the strike.	No provision	No provision	No provision.
Right to appeal for justice to the membership.	Every union member and officer shall have the right to petition the membership for a redress of any grievance.	do	do	Do.
No "loaded" or "rigged" meetings. All meetings must be conducted in a free and democratic manner.	Meetings will be conducted in a fair and orderly manner so that every member at a local meeting and every delegate at an international meeting will be able to speak fully and freely upon pertinent matters. All officers will be under the duty to respond honestly and fully to questions from the floor of any union meeting.	No provision	No provision	No provision.
No blanket approvals of actions taken by executive committees.	A vote to accept the minutes of an executive meeting shall not be construed as an approval, modification or ratification of any items in the minutes unless, on proper motion to approve, each item receives a majority secret vote of the members.	do	do	Do.
All candidates have an equal opportunity to present their case.	Each candidate for union office shall have access to the list of members and the right to present his case to them in any form. Incumbent officers shall have no advantage over rival candidates.	Every member of a union or his agent may inspect the union roster.	do	Local unions or their officers shall not discriminate for or against any candidate with respect to the use of the membership lists. Reasonable requests to distribute campaign material to the members at the candidate's expense will be complied with (301(b)).
No threats or acts of violence against members, their families and their property.	No union officer may threaten, or engage in violence against, any other union officer or member, or other person or their families or property.	Similar provision protecting "any member" against intimidation or coercion.	do	No person may use, or attempt to use or threaten to use violence or economic reprisals to restrain or coerce, etc., to interfere or restrain any member in the exercise of his rights under this bill (506(b)).
Membership control of local mergers and transfers of funds.	No local union may be merged with another local nor shall there be any involuntary transfer of members or funds unless ⅔ of the membership of each local shall approve by a secret vote.	Same in principle but instead of ⅔ vote only "approval by a general vote of each local * * *"	do	No provision.
Removal of officers for crime, taking the fifth and, etc.	Officers may be removed by a secret vote if they have been convicted of a crime; have taken the fifth or refused to answer questions of a Federal or State agency. A petition signed by 10 percent of the members will result in such an election.	The provisions for removing officers relate to "local labor organizations" only.	Every union must have procedures which insure to its members the opportunity to directly remove elected officers from office by majority vote upon a showing that a substantial number of the members desire a recall vote.	If there are no provisions in the union's constitution and bylaws for the removal of elected officers guilty of serious misconduct any member may complain to the Secretary of Labor. The Secretary shall promulgate rules and regulations for removing such officers for cause shown and after notice and hearing by a secret vote of the members (301(g) and (h)).
Removal for other causes	Any officer may be removed by a majority secret vote of the membership. A petition signed by 30 percent of the members will result in such an election.	The provisions for removal of officers relate only to "local organizations."	See above	See above.

OTHER PROTECTIONS

Fiduciary responsibility for union money and property.	Every union officer or representative who has custody of union money or property will be responsible for it in a fiduciary capacity notwithstanding any union grant of authority purporting to exempt him from such responsibility.	Similar provision	Does not set up fiduciary standards but provides that every officer or representative of a union having custody of union money or property must hold it for the benefit of the members and to further the objectives of the union. It requires him to invest and use such money in accordance with the above obligation in a manner authorized by the constitution and bylaws of the union.	No provision.

Part 1. Basic individual rights—Continued

OTHER PROTECTIONS—Continued

	Labor Bill of Rights Act of 1959 (Mr. BARDEN—H.R. 4473)	Labor-Management Basic Rights, Ethical Standards, and Disclosure Act of 1959 (Mr. McCLELLAN—S. 1137)	Labor-Management Practices Act of 1959 (Mr. GOLDWATER—S. 748)	Labor-Management Reporting and Disclosure Act of 1959 (Mr. KENNEDY—S. 1555)
Suits to enjoin union officers and for the recovery of funds.	Any one or more members of a union may start an action in any court of jurisdiction for an injunction restraining any act or omission by any union officer violating any provision of this bill and for an accounting and restitution of any money contributed or spent in violation of any provision of the bill. The plaintiff in such actions shall be entitled to recover his costs and attorney's fees if the court finds that the action was instituted in good faith.	No union shall limit the right of any member or officer thereof to start an action before any court or agency whether or not the union or its officers are named as defendants. Members' rights to appear as witnesses must be protected. Members and officers must first exhaust internal procedures not requiring more than 3 months to final decision before starting action against the union or any officer thereof.	One or more of the officers or members of a union may maintain an action in any court of jurisdiction for any accounting or other appropriate relief for any act or omission with respect to the handling of the union's funds or money; or to remove from office criminals or violators of the bill or when a union or its officers permits such persons to assume or hold union office. Preserves any rights or remedies under existing Federal or State law.	Does not make any provision for members' suits to enforce proper and responsible handling of union funds and property except that a member may, if the union and its officers refuse, sue by leave of court to recover embezzled or misappropriated union funds from the person who was convicted criminally of the misappropriation. Court may allow costs and attorney's fees (109(b)).
Suits by employees	Any one or more employees of an employer subject to the bill, whether or not they are union members, may start an action in any court of jurisdiction to enjoin and restrain any act or omission of a labor union or its officers in violation of the employees' rights under the bill. Costs and fees as above.	No provision except as above.	No provision except as above.	No provision except as above.
Political contributions	It will be unlawful for any union or officer or representative thereof to use any money or property of a union which has been acquired directly or indirectly from members' payments required to maintain membership in the union to influence voters participating in, or to affect the results of, any election, or any referendum or proposed legislation or constitutional amendments, party primary, convention, etc. It shall be unlawful to coerce any member of a labor union into contributing money or services to any political organization. Nothing in this provision impairs the right of any officer or member to exercise his rights as an individual citizen.	Similar, but does not expressly include referendum or proposed legislation or constitutional amendments.	No provision	No provision. In fact, the bill permits the Labor Secretary to exempt from all reporting requirements "any labor organization or class thereof temporarily convened either for the sole purpose of negotiating a labor agreement or for carrying out educational activity" (106(b)).
Bonding of union officers and employees.	Every union officer or employee who handles the funds and property of a union must be bonded for not less than the aggregate income of the union for the prior year.	Bonds required: International officers not less than ¼ the gross income of the union for 1 year, or $250,000, whichever is the lesser. Local officers, not less than the total dues and assessments paid during a fiscal year.	do	No provision.
Use of the provisions of the bill.	The institution of any action by a union member to enforce any provision of this bill shall not become the grounds for union disciplinary action.	No express provision, but may be covered by general provision against coercion or intimidation to prevent exercise of rights under the bill.	The institution of any action by a member or members to recover funds or property or to enforce the fiduciary, officer election and removal, and trusteeship provisions of the bill shall not be grounds for disciplinary action against the member or members.	Similar to H.R. 4473 (506(a)).
Unions' responsibility for acts of its agents.	Unions shall be bound by the acts of their agents and unions may be sued as entities in U.S. courts.	Similar provision	No provision	No provision.
Embezzlement and concealment.	Embezzlement of union funds, property, assets or other things of value or the making of false entries in or the destruction or concealment of books or records is a crime. Imprisonment of 5 years, $10,000 fine, or both.	do	Criminal penalties for embezzlement, theft, or unlawful conversion of union funds or property to one's own or another's use. False entries in or the destruction of any records, books, etc., with the intent to defraud or mislead the union, the members, or others, are subject to the same penalties.	Embezzlement, theft, or conversion of funds or property of a union is a crime $10,000 fine, imprisonment up to 5 years, or both (109(a)). False entry in and destruction of union books or records, reports, or statements required by this bill is punishable by a $10,000 fine or 1 year prison or both (108(c)).
Bribery	The offering, demanding, giving or taking of bribes by either employer or union representatives is a crime. Fines of 3 times the bribe, or imprisonment for 3 years, or both.	Similar provision covering offering or giving of bribes by employers or taking of bribes by union representatives.	Similar to Barden bill	No bribery provision as such in the bill. It enlarges the Taft-Hartley ban on unlawful payments to union representatives to the extent that it would be unlawful to demand or request unlawful payments as well as to accept or agree to accept such payments (111).

Part 1. Basic individual rights—Continued

TRUSTEESHIPS

	Labor Bill of Rights Act of 1959 (Mr. BARDEN—H.R. 4473)	Labor-Management Basic Rights, Ethical Standards, and Disclosure Act of 1959 (Mr. MCCLELLAN—S. 1137)	Labor-Management Practices Act of 1959 (Mr. GOLDWATER—S. 748)	Labor-Management Reporting and Disclosure Act of 1959 (Mr. KENNEDY—S. 1555)
Must be reported	Every union which has assumed or assumes trusteeship over any subordinate organization shall report within 30 days of the imposition of the trusteeship to the Secretary of Labor and semiannually thereafter. The report signed by the president and secretary will contain the following:	Similar provision but reports to be made annually.	Similar provision. Also requires a certification that the standards set up in the bill are followed.	Similar to H.R. 4473.
	Name and address of the local.	Similar provision	Similar provision	Similar provision.
	The date of the trusteeship.	do	do	
	A detailed statement of the reason for the trusteeship.	Similar provision—requires also reason for continuance.	Similar to S. 1137	Similar to S. 1137.
	The nature and extent of local member participation in the election of delegates and international officers.	Similar provision but no report required on officers' elections.	do	Similar to H.R. 4473.
	No provision	What remains to be done to restore local autonomy and steps taken toward that objective.	do	No provision.
	do	An account of funds taken from the local and a statement of the amount of normal per capita tax and assessments that would be payable if the local was not under trusteeship.	do	No provision (201).
	do	Details of the last general vote of the local membership to continue the trusteeship.	No provision	Do.
Administration	The international union will establish and administer trusteeships only in accord with the union's constitution.	Similar provision	Similar provision and also sets forth standards to which unions must conform.	Similar to H.R. 4473.
	Trusteeships will be established only to correct corruption or financial malpractice; to assure the performance of collective bargaining agreements; to restore democratic procedures or to carry out the legitimate objects of the union.	do	Similar provision	Similar provision (202).
Restrictions	When a local union is under trusteeship it shall be unlawful:			
	To count the votes of its delegates in a convention or election of officers unless the delegates were elected by a secret vote of the membership.	do	do	Do.
	To transfer any funds out of the local except the per capita tax and assessments payable by locals not under trusteeship.	do	do	Similar provision (203).
Supervision	If there are violations of the above provisions a member or a local union may complain to the Secretary of Labor. The Secretary will investigate and if he finds probable cause to believe that violations occurred he will start action in a U.S. district court to prevent and restrain the violations and for other appropriate relief.	Similar provisions and any member or members acting for themselves or the local may act to enjoin or obtain other relief. Costs and attorney fees may be awarded the plaintiffs.	The Secretary of Labor may bring action if there is violation or there is about to be a violation. He may obtain injunctions to restrain and orders to enforce compliance.	Similar to H.R. 4473 (204).
Period of trusteeship	In any proceeding pursuant to the above, trusteeship established in accord with the union's procedural requirements and approved by the union's governing body after a fair hearing will be presumed valid for 1 year and shall not be subject to attack except where there is clear and convincing proof that the trusteeship was not established in good faith and for allowable purpose.	Trusteeships may be imposed only for lawful reasons and expire after 1 year unless there was a general vote on due notice of the local membership to continue it for 1 year. Each year there must be such a general vote on due notice for continuance.	Trusteeships shall not be for a period longer than is necessary for correction. Full autonomy will be restored promptly upon correction.	Similar to H.R. 4473 but the trusteeship will be valid for 18 months rather than a year (204(c)).
	After a year the trusteeship shall be presumed invalid in any such proceeding and its discontinuance shall be ordered unless the union can show that continuation is necessary for a lawful purpose. The continuance may be for a period the court deems appropriate but not longer than 1 year.	See above	In any action under this bill there will be no trusteeship longer than 18 months unless there is clear and convincing proof it is necessary in order to correct the situation. In such cases the extension of time shall not be in excess of 1 year.	Similar to H.R. 4473 except for 18-month period. Trusteeship may only be extended for such periods as the court deems appropriate (204(c)).

Part 2. Taft-Hartley amendments

COMPARISON OF VARIOUS LEGISLATIVE PROPOSALS TO AMEND THE TAFT-HARTLEY ACT

	A bill to amend the Labor-Management Relations Act of 1947 (Mr. BARDEN—H.R. 4474) Labor Bill of Rights Act of 1959 (Mr. BARDEN—H.R. 4473)	Various bills to amend the Labor-Management Act of 1947 and the United States Code (Mr. MCCLELLAN—S. 1348, S. 1386, S. 1387 and S. 1385.)	Labor-Management Practices Act of 1959 (Mr. GOLDWATER and others—S. 748)	Labor-Management Reporting and Disclosure Act of 1959 (Mr. KENNEDY and others—S. 1555)
Secondary boycotts	Same as S. 748, except that H.R. 4474 would not legalize boycotts at construction sites, and would specify more fully the conditions under which farmed-out struck work could legally be boycotted.	Would protect innocent parties from secondary boycott abuses. "Particularly to prevent coercion by picketing at the premises of a secondary employer in order to prevent customers from doing business with the employer primarily involved in a labor dispute" (S. 1348).	Would strengthen present Taft-Hartley provisions to forbid direct coercion of employers to cease doing business with another and inducement of individual employees to refuse to perform services; and to broaden "secondary employers" to include railroads and municipalities. Would weaken present provisions, however, by legalizing boycotts of so-called farmed-out struck work, and boycotts at the site of construction work.	No provisions.
Picketing	Bans organizational picketing and picketing to force an employer to recognize or bargain with a union unless it has been certified by the NLRB as the representative of the employees involved (H.R. 4474).	Designed to make it an unfair labor practice for a union to picket or threaten to picket the premises of an employer in order to induce the employees to join the union, or to compel the employer to recognize the union, until a majority of the employees either in a National Labor Relations Board election, or by a petition to the employer, have designated the union as their bargaining representative (S. 1387).	Would forbid picketing to force an employer to recognize a union or his employees to select it, when another union has been recognized and has an existing contract that would bar a National Labor Relations Board election, or when a valid election has been held within the past 12 months, or when sufficient support for the picketing union among employees cannot be shown; or when picketing has been engaged in for a "reasonable period" and no election has been held.	Would forbid picketing for purpose of extortion (302(b)(3)).
No man's land and States rights.	Permits State courts or agencies to exercise jurisdiction in a labor dispute irrespective of whether the Federal law applies unless there is a direct conflict between the applicable provisions of the respective laws (H.R. 4474).	Designed to permit States to exercise jurisdiction over labor disputes to which the National Labor Relations Act applies but over which the National Labor Relations Board does not exercise jurisdiction (S. 1386).	Would authorize National Labor Relations Board by rule or otherwise to decline jurisdiction over disputes having little impact on commerce, and would permit the States to handle such cases.	Would require Board to "assert jurisdiction" over all cases except where "cession agreements" may be reached with State agencies to handle cases of local character. The agencies shall apply and enforce the provision of the Labor-Management Relations Act as interpreted by the Federal courts and the National Labor Relations Board (601(a)).
Economic strikers	Would retain present provision making permanently replaced strikers ineligible to vote, but provides "That in any lawful strike in which recognition was not an issue when the strike began, no direction of election pursuant to a petition filed after the commencement of the strike shall issue prior to the termination of such strike * * * or the expiration of a 3 months' period from the commencement of such strike, whichever occurs sooner."	No provision	Would amend act to permit strikers who are not entitled to reinstatement because their jobs have been filled by permanent replacements to vote in representation elections.	Similar provision (603).
Non-Communist affidavits	No change in Taft-Hartley but contains a provision declaring that nothing in the bill should be construed to interfere with, or limit, the rights of unions to protect themselves against subversive infiltration or domination (H.R. 4473).	do	Would require employers as well as union officers to file non-Communist affidavits.	Similar provision (112 (a) and (b)).
Building and construction unions.	No provision	do	Would permit prehire contracts, and National Labor Relations Board certification of union without election.	Would permit prehire contracts providing for— the union shop after 7 days. union referral of applicants for hiring. minimum requirements of experience, training, or seniority for employment (602(a)).
Involuntary reopening of union contract.	do	do	Would forbid forced or involuntary reopening of collective bargaining agreements during life of contract.	None.
Supervisors	Would keep the present definition.	do	Would keep the present definition.	Added a proviso to the definition of "supervisor" which would make "service assistants in the communications industry" eligible for union membership (604).
Rehearing representation elections.		do	Would authorize the National Labor Relations Board to conduct representation elections without a prior hearing where no substantial objection is made to such a proceeding (508).	Would permit the National Labor Relations Board to conduct prehearing representation elections where no agreement is reached for a consent election and there are no substantial issues of fact or law which should be resolved by a preelection hearing. The Board's decisions in such matters are not subject to court review unless they become the basis of an unfair labor practice charge.)
Hot cargo clauses	No provision	Would make unlawful a hot cargo contract under which an employer agrees in advance that he will not require his employees to handle goods or provide other services for the benefit of an employer who is involved in a labor dispute. Amend the United States Code (S. 1385).	No provision	No provision.

Mr. HIESTAND. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

JUVENILE DELINQUENCY

Mrs. ST. GEORGE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. ST. GEORGE. Mr. Speaker, there is no problem before our Nation and before this Congress today that is more important than the problem of juvenile delinquency. This is greatly aggravated by the selling and mailing of obscene literature and pictures through the mail. At this particular time a subcommittee of the House Committee on Post Office and Civil Service is considering this matter under the very able chairmanship of my colleague, the gentlewoman from Pennsylvania [Mrs. GRANAHAN]. This morning we had a most informative and interesting presentation given to us by the Postmaster General of the United States, Mr. Arthur Summerfield. I am asking that this statement be placed in the CONGRESSIONAL RECORD, and I am taking this time to urge my colleageus to read it and to inform themselves of the magnitude of this program. The Postmaster General stated, "It is estimated that $500 million is realized annually in mail order pornography and obscenity." Nothing can have a worse or more pernicious influence on the youth of our country who have this filth thrown at them. They do not want this sort of thing. We must strengthen the hands of the Department and see if we cannot correct it.

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION AND WELFARE

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight Tuesday next to file a report on the bill making appropriations for the Departments of Labor, and Health, Education and Welfare for the fiscal year 1960.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. LAIRD reserved all points of order on the bill.

THE SAGA OF JOHNNY APPLESEED

Mr. LEVERING. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. LEVERING. Mr. Speaker, since tomorrow, Friday, April 24, is Arbor Day in my native State of Ohio, whose 17th District I am privileged to represent in Congress, I think it is fitting that I draw the attention of my colleagues to the saga of "Johnny Appleseed," one of the authentic folk heroes of an earlier day in America.

Arbor Day in Ohio always brings to mind the name of John Chapman—whom we know today as "Johnny Appleseed"—because, in his lifetime, he epitomized many of the qualities that, we like to believe, have become an integral part of the American dream.

Just as Kentucky had its Daniel Boone, Tennessee had its Davey Crockett, the Sangamon had its Abraham Lincoln, so did Ohio have its Johnny Appleseed, who planted his appleseeds and saw them grow into trees, while we of later generations have seen them blossom into folklore and tradition.

Not long ago, on March 15, an ancient and gnarled apple tree in Mansfield, Ohio, in my congressional district, fell before the onslaughts of a west wind. This tree, a picture of which was carried in Life magazine in February 1945, was believed to be about 140 years old, and to have been planted by John Chapman. It was the last of the authentic apple trees planted by Johnny Appleseed.

John Chapman was born on September 26, 1774, in Leominster, Mass. He died on March 18, 1845, in Fort Wayne, Ind. Although historians in both locations believe they know, we cannot be sure of his exact home at the time of his birth or of his exact burial place.

The Fort Wayne Sentinel in one of its weekly issues in March 1845, after noting the death of a local stonecutter on Tuesday last, also recorded the following:

> On the same day, to this neighborhood, at an advanced age, Mr. John Chapman (better known by the name of Johnny Appleseed). The deceased was well known through this region by his eccentricity and the strange garb he usually wore. He followed the occupation of a nurseryman, and has been a regular visitor here for upward of 20 years.

Separating the fact from the fiction of John Chapman—or Johnny Appleseed—is not easy, more than a century after his death, but I have referred to many books recently, striving to get the facts about him. I would like to pay particular tribute to E. Kenneth Dirlam, of Mansfield, Ohio, who was vice chairman of the Richland County Ohio Sesquicentennial Committee in 1953. Mr. Dirlam wrote the book, "John Chapman—By Occupation a Gatherer and Planter of Apple Seeds."

John Chapman, as I have noted, was born in Massachusetts. His father was Nathaniel Chapman, who, many years later, moved to near Mansfield, Ohio. John Chapman had an older sister. She and he were the only children born to the union of Nathaniel Chapman and Elizabeth Simons—she also spelled it Simonds and Symonds—who died in childbirth while her third child was being born. At that time, Nathaniel Chapman was away from home, fighting with the Minute Men. In fact, he served under Gen. George Washington and became a captain in the Revolutionary Army.

After the war, Nathaniel Chapman married again and fathered some 10 children. The oldest boy, by this second marriage, was named Nathaniel, too. All of the members of the second family were half-brothers and half-sisters to John Chapman, of course.

The best available records indicate that John Chapman grew up in Longmeadow, south of Springfield, Mass., and a little marker erected in 1936 in Stebbins Park, by the Springfield Garden Club, declares:

> He spent his boyhood in this pleasant valley or somewhere nearby. Here he received inspiration for his life work of spreading westward his gospel of beauty and service.

The Connecticut Valley, without doubt, was wonderful country for a boy in those days, for there were streams, and woods, and meadows. We can be sure—based on his later history—that John Chapman was an outdoorsman from his earliest days.

But John Chapman was not destined to live out his life in the peace and quiet of a New England valley. Somewhere, there was born in him a desire to move into the frontier country; somehow, he felt a call to service and adventure.

Johnny Appleseed was a man of vision. He saw that the frontier was developing and that the pioneers, moving westward, would be unable to carry apple seedlings with them. He took seeds, gathered in Pennsylvania, and planted orchards on rich bottom land. Then, he would take the seedlings and transplant them, or barter so many seedlings for the necessities of life. Yet, even though he was a man of vision, thinking of the future, Johnny Appleseed was a Yankee trader. He strove, in his lifetime, to feed and clothe and take care of himself and always to have enough of what it took to get him by. There are extant today notes that he signed, in borrowing money, and deeds that he signed in acquiring property, and promises to pay—in apple tree seedlings—that he gave to men in exchange for other property.

So we find, recorded in Hovey's Magazine of Horticulture, issue of April 1846, these words:

> About the time of the survey of the lands in the U.S. military district, northwest of the river Ohio, preparatory to their location by those holding the warrants which had been issued by the Government to the soldiers of the Revolutionary War, for services during that war, there came to the valley of the Muskingum and its tributaries, the Tuscarawas, Walhonding, Mohican, etc., a man whose real name, if ever known, is not now remembered by the oldest inhabitants here, but who was commonly known and called all over the country by the name of Johnny Appleseed.
>
> This man had imbibed so remarkable a passion for the rearing and cultivation of apple trees from the seed, and pursued it with so much zeal and perseverance, as to cause him to be regarded by the few settlers, just then beginning to make their appearance in the country, with a degree of almost superstitious admiration.
>
> Immediately upon his advent, he commenced the raising of apple trees from the seed, at a time when there were not, perhaps, 50 white men within the 40 miles

square. He would clear a few rods of ground in some open part of the forest, girdle the trees standing upon it, surround it with a brush fence, and plant his apple seeds. This done, he would go off some 20 miles or so, select another favorable spot, and again go through the same operation. In this way, without family and without connection, he rambled from place to place, and employed his time, I may say his life.

When the settlers began to flock in and open their "clearings," old Appleseed was ready for them with his young trees; and it was not his fault if every one of them had not an orchard planted out and growing without delay.

Wherever he was born and reared, John Chapman walked into the American story one day in 1797, when, according to the earlier records, he was on the Allegheny and was caught, barefooted, in an early November snowstorm. Nothing daunted, he used his uncanny knowledge of the forests to protect himself against the weather. In the spring, he selected a spot on the Big Brokenshaw River and planted his first apple seeds.

After a few years in Pennsylvania, it is recorded that John Chapman showed up in the Licking Valley. This, Mr. Speaker, happens to be in my district, and I am proud to report to you that all of my district, particularly the area around Coshocton, Ashland, and Mansfield, is noted as "Johnny Appleseed country."

From all we can learn—

A. Banning Norton wrote in 1862, after interviewing numbers of the old, original residents of the Licking Valley—

we are of the opinion that contemporaneous with Craig was the oddest character in all our history, Johnny Chapman, alias Appleseed, who was discovered in this country when the Walkers, and Butlers, and Douglasses and others landed here, and whose name is found recorded among those voting at the first election ever held in this district.

John Butler had settled near the mouth of Owl Creek in 1803, William Douglass and Capt. James Walker came in 1804, and Ben Butler arrived in 1805.

All over this part of the country, it is possible to see notes, signed by John Chapman, and deeds in which his name is recorded. For instance, in September 1809, when he was 35 years old, John Chapman bought two town lots in Mount Vernon, paying out $50 in good U.S. money. It was said to be the first real estate he ever owned, and the transaction was witnessed by the tavern keeper, justice of the peace, the local merchant and the commander of the town militia.

He spent much time around Coshocton, Newark, Mansfield, and Ashland, as well as pushing farther westward, all the time, in seeking to serve the new settlers, who also were pushing westward. By the 1820's, John Chapman had what amounted to a chain of nurseries extending from western Pennsylvania, on across Ohio, into Indiana.

John Chapman has become legendary as Johnny Appleseed. But he was not a legend in his lifetime. He was a man, who was admired among men and excited a good deal of friendly and curious comment wherever he traveled, not unmixed with a good deal of awe. The stories about his escapades were numerous, even in his own day and time, for he was a rawboned, colorful character, who carried a Testament, a packet of seeds, and generally wore buckskin. Even in the late fall and early spring, he went barefooted, and he preferred the soft land of the primeval forest to the hard paths of civilization. He lived among the Indians many times and perhaps had as many friends among the red men as he did among the white men.

The picture that emerges, from all I have studied about John Chapman, Mr. Speaker, is that he was a resourceful, energetic, shrewd, thoughtful and courageous man. On more than one occasion, it is recorded, he warned veteran frontiersmen, who knew the Indians well, about incipient trouble from hostile redskins. From the records that are left, it is obvious that these veterans of the frontier held John Chapman in great respect and they always believed him when he gave warning.

John Chapman was a religious man. Despite his simple clothing and habits, he followed the great Swedish philosopher, Emanuel Swedenborg, whose scientific and philosophical knowledge was without peer in the world of his day. He founded what is known as the New Church—the Church of the New Jerusalem. John Chapman loved children, and it was his delight to sit and read the New Testament stories to them, as well as to regale them with tales of his own adventures among the Indians and in the great forests and mountains of the frontier. Most of all, judging from the records of his church, he delighted in spreading knowledge about the teaching of Emanuel Swedenborg. It was his aim to print all the writings of Emanuel Swedenborg and to distribute them through the western settlements of the United States.

I think, Mr. Speaker, that it is fitting that I pause, on this day before Arbor Day, to pay tribute again to John Chapman, better known as Johnny Appleseed. I believe that in the rush and confusion of this modern life, it is good for us to stop, once in a while, and to take a glance backward toward the men who helped to carve our Nation out of the wilderness, and, while doing so, helped to construct the spiritual and moral foundations that have meant so much to us through all the decades.

Johnny Appleseed is a worthy hero for modern Americans. It was recorded that he could cut down as many trees in 1 day as the average man could cut in 2 days. Yet, he was known to be a lithe and slender man, even in middle age. He could run for miles, long after most men had retired to the rocking chair. The paper that recorded his death also recorded that, despite his advanced age, particularly for those days, very few people took him for even 60 years of age.

In Harper's New Monthly magazine, issue of November 1871, we find these words:

In the summer of 1847, when his labors had literally borne fruit over a hundred thousand square miles of territory, at the close of a warm day, after traveling 20 miles, he entered the house of a settler in Allen County, Ind., and was, as usual, warmly welcomed. He declined to eat with the family, but accepted some bread and milk, which he partook of sitting on the doorstep and gazing on the setting sun. Later in the evening he delivered his "news right fresh from heaven" by reading the Beatitudes. Declining other accommodation, he slept, as usual, on the floor, and in the early morning he was found with his features all aglow with a supernal light, and his body so near death that his tongue refused its office. The physician, who was hastily summoned, pronounced him dying, but added that he had never seen a man in so placid a state at the approach of death. At 72 years of age, 46 of which had been devoted to his self-imposed mission, he ripened into death as naturally and beautifully as the seeds of his own planting had grown into fiber and bud and blossom and the matured fruit.

The number of essays, poems, and articles about Johnny Appleseed is legion. Many, many books have been written about him. He has been sung about and eulogized in plays and on the silver screen. Yet, the last word has never been said about him, and it probably never will, for the legend, based on fact, has become imbedded firmly in the folklore of our country. We are the richer because of it, and because of him.

Lydia Maria Child, in Saint Nicholas, written in 1880, has this poem about "Apple-Seed John," with which I want to conclude my remarks:

So he kept on traveling far and wide.
Till his old limbs failed him, and he died.
And he said at the last: "Tis a comfort to feel
I've done good in the world, though not a great deal."
Weary travelers, journeying west,
In the shade of his trees find pleasant rest;
And they often stare, with glad surprise,
At the rosy fruit that round them lies.
And if they inquire whence came such trees,
Where not a bough once swayed in the breeze,
The answer still comes, as they travel on:
"These trees were planted by Apple-Seed John."

RAILROAD RETIREMENT AND UNEMPLOYMENT INSURANCE ACTS

Mr. PORTER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. PORTER. Mr. Speaker, within the past few days, I have read with great interest the majority and minority reports dealing with amendments to the Railroad Retirement and Unemployment Insurance Acts issued by the Committee on Interstate and Foreign Commerce. In my judgment, every Member of the House ought to take a few minutes to read these documents. In my opinion, our duty as Congressmen is made abundantly clear after reading these reports.

As Members of the House know, we have been considering and discussing amendments to the Retirement and Unemployment Insurance Acts of the railroad employees for several years. Many obstacles have prevented action in this field. The Congress last year almost passed a bill, but the last minute rush of adjournment held the bill up.

I believe that it is safe to say that every Member of this House came back

to Washington last January convinced that one of the first items of business on our schedule would be railroad retirement. After the election results of last November became apparent, one could safely assume that programs of betterment for people who work for wages might stand a better chance of passage.

May I strongly urge that every Member of the House give the most serious consideration to this matter. We must collectively assume the responsibility for not enacting the benefit increases that railroad people are entitled to. It is the duty of the House to see to it that we are not frustrated again in our desire to deal fairly with retired railroad employees.

Because I am the son of a railroad employee, I am probably more aware of the problems of those who work on the railroads than the average Member. On the other hand, however, I am certain that every Member of this House has many friends and associates in their districts who are railroaders. I am certain that you will all agree when I say that these people are good citizens. Railroad employment is often dangerous and exacting. An improved system of retirement and unemployment insurance is more than warranted for these people at this time.

From the time that the Railroad Retirement Act was first enacted, the owners of the railroads have been coming to the Congress pleading poverty. Railroad managers have never admitted that they could afford their share of the cost of a decent retirement system for their employees. The railroads are doing that again at this time. Lobbyists for the railroad owners are swarming over the Capitol saying that the enactment of improved retirement and unemployment benefits will bankrupt the carriers.

This is simply not so. The railroads have recovered from the temporary setback suffered last year. Car loadings and revenues are up in 1959. For that matter, despite all the cries of poverty that went along with the passage of the Smathers-Harris bill last year, the railroads had a pretty good year in 1958. We can expect that 1959 will be an excellent year for railroad earnings. So, I believe that the modest program of improvements in H.R. 1012 can be borne by employees and the industry. I hope that we will do what is necessary to help the thousands and thousands of loyal railroad employees, both active and retired, who are looking to us in their hour of need.

CLARE BOOTHE LUCE

The SPEAKER pro tempore. Under previous order of the House, the gentlewoman from New Jersey [Mrs. DWYER] is recognized for 15 minutes.

Mrs. DWYER. Mr. Speaker, the Committee on Foreign Relations of the other body is expected today to take action on the nomination of Mrs. Clare Boothe Luce to be the U.S. Ambassador to Brazil.

Whether the committee recommends approval or disapproval of this nomination, I think it is time to speak out in behalf of a woman who has served her country brilliantly under difficult conditions, and who—if given the opportunity—will make a contribution of the utmost importance in one of the key areas of the free world.

I cannot imagine, Mr. Speaker, a wiser or more fitting appointment than Clare Boothe Luce as U.S. Ambassador to Brazil. Her distinguished public record, both in politics and diplomacy, fully support this unqualified endorsement.

At this time, then, I believe it is appropriate to review her record briefly and to emphasize why I believe this appointment is worthy of the support of the entire Congress—even though we here in the House of Representatives have no formal part to play in advising and consenting to this appointment.

Clare Boothe Luce first entered public life, following a highly successful career as journalist, playwright, and editor, when she was elected to the House of Representatives from Connecticut in 1942. She immediately won apppointment to the wartime Committee on Military Affairs where she served with distinction and displayed a quick grasp of and critical insight into the complexities of military organization and operation during the most taxing war this Nation has ever fought.

In just 4 years in this body, Mr. Speaker, Mrs. Luce displayed in many ways the shrewd judgment and deep concern and farsighted wisdom that has been her hallmark in public life. She worked for long-range planning of American defenses—so that our country would never again be found unprepared and so militarily weak as to invite aggression. She bolstered the cause of guaranteeing the civil rights and liberties of all the people. She supported vigorously efforts to promote the health and welfare of our people. And she recognized and accepted the responsibility of the United States to help those less fortunate people in other countries.

It is particularly illustrative, Mr. Speaker, of her wisdom and sound judgment that 6 years before the Marshall plan went into effect, Clare Boothe Luce here in the House of Representatives urged that plans be made and legislation enacted providing for the economic rehabilitation of Europe and Asia after World War II.

Despite her successes in other fields, Clare Boothe Luce's greatest personal triumphs and most significant contributions were the result of her service as U.S. Ambassador to Italy—a post in which she proved over and over again her talent for diplomacy and her reliability in the most sensitive and delicate areas of public life.

It is no secret that Mrs. Luce's nomination as Ambassador to Italy was greeted both here and in Italy with many frankly stated doubts and reservations. Her appointment was made at a time of great crisis in the history of the Italian nation. Its economic life still shattered as a result of the devastation of World War II, its political life in turmoil between Communists on the left and Fascists on the right, Italy's Christian Democratic government looked to America for the friendship, the economic assistance, and the political support it urgently needed if Italy was ever to play its role as a major bastion of the free world.

Her achievements in this immensely difficult period were many. A few of the more important ones deserve special mention:

She negotiated the NATO Status of Forces Agreement with Italy, which gives the Western forces a firm military anchor in that strategic country.

She coordinated diplomatic overseas planning for the evacuation of 2,800 Americans from the Middle East by the U.S. 6th Fleet—a potentially hazardous operation but one that was carried out successfully, due in large measure to the careful and detailed planning that supported it.

And then there was the Trieste crisis. To mention Trieste in 1959, Mr. Speaker, is to conjure up a picture of an old and lovely city in the northeast corner of Italy astride the Adriatic Sea. But less than a half dozen years ago, Trieste was the center of an international crisis that could easily have led to war. Strategically located on the border between Western and Eastern Europe, Trieste was historically a bone of contention between Italy and Yugoslavia. Both countries claimed the city and appeared quite willing to fight for it.

The settlement negotiated in the Trieste crisis—to which many people in many countries contributed—still works. The fact that war was avoided and a damaging breach between two important countries was healed, however, was due—as much as to any other factor—to the negotiating skill and the round-the-clock hard work of the American Ambassador, Clare Boothe Luce.

At the time of the settlement, in fact, one of Italy's most respected newspapers said this of Mrs. Luce's work, "No one will ever know how much Italy owes to this fragile blonde."

Throughout her service in Italy, Mrs. Luce was a tower of strength on the side of free and democratic government in Italy. Her influence as American Ambassador and in the distribution of American economic aid was used wisely and well. Discreetly, yet firmly, she made the point that American aid was not intended to benefit Communist-dominated enterprises. As a partial result of her effective administration of American aid, Communist influence in Italian labor declined substantially.

I submit, Mr. Speaker, that this is an outstanding record, worthy of the highest ideals of American diplomacy.

Why, then, Mr. Speaker, has there been such outspoken criticism about the appointment of Mrs. Luce as Ambassador to Brazil? I would suggest that much of it is related, in a kind of reverse logic, to the very qualities of intellect and personality that have made her such an outstanding woman. Her brilliant mind and ready wit, her determination and her great capacity for sustained work, have made her liable to the same kind of half-envious opposition that has been directed at other well-known figures who possessed this same kind of ready brilliance.

But beyond this feeling, I suspect there is the complicating factor at work

in Mrs. Luce's case that she is all too obviously a woman—a beautiful and talented woman who has successfully invaded an area of public life once considered as a sacred preserve of men.

But I am most concerned by the criticism directed against her on grounds that she was too outspoken in defense of democracy in Italy, too much opposed to the twin evils of communism and fascism. If this be "interference in a country's internal affairs," then perhaps we should have more of it. Many of our colleagues have noted, Mr. Speaker—and I believe correctly—that American diplomacy has suffered most when American diplomats have permitted themselves directly or indirectly to be leagued with totalitarian and authoritarian regimes. This, we can say with assurance, has never been the case with Clare Booth Luce.

But let the Italian people themselves testify to their own feeling about Ambassador Luce's "interference"—the convincing testimony of their impressive economic recovery and national prosperity, and the persuasive evidence of their substantial defeat of Communist and Fascist Parties and factions in their country's politics and labor.

No one could reasonably attribute the progress of a courageous people and a great nation to the work of a single ambassador. And I do not wish to credit Mrs. Luce with achievements that in truth belong to the Italian people. But the important consideration is this: That as Ambassador of the United States to Italy, Clare Boothe Luce was a happy symbol and an effective influence in realizing the mutual goals of our two countries, the growth of freedom and prosperity for the Italian people, and the strengthening of Italy as a major force in maintaining the security of the free world.

Georgetown University, I believe, has best summed up the case for Clare Boothe Luce. In awarding her an honorary degree, the univerity's citation read as follows:

> Georgetown University rejoices today in honoring one to whom Solomon's salute, rarely merited, is given with all appropriateness, "a valiant woman." * * * Her first and enduring hatred has been for sham and pretension * * * and she has exposed evil with luminous clarity. But always her purpose has been to heal, not to wound. Always her gifted intelligence has striven to serve the heart's dearest cause, which is love.

As a woman, it is my proud privilege today to pay tribute to Clare Boothe Luce, to give vigorous support to her appointment as Ambassador to Brazil, and to wish her renewed success in her new mission.

UNITED NATIONS CHARTER REVISION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Oregon [Mr. PORTER] is recognized for 30 minutes.

Mr. PORTER. Mr. Speaker, today in Congress, in this House and in the other body, a concurrent resolution expressing the sense of Congress in regard to United Nations Charter revision and for other purposes is being introduced.

Those of us who are introducing the resolution believe a strengthening of the United Nations Charter is a positive step toward world law.

MAJOR POINTS OF THE RESOLUTION

This resolution contains two major points. We who are sponsors urge:

First. That the United States propose U.N. Charter review before the fall of 1960.

Second. That the President initiate high-level studies in the executive branch of the Government to determine what changes should be made in the U.N. Charter. The resolution also asks that the study include other international organization charters in which the United States is a party.

I want to discuss briefly some facts about United Nations Charter revision:

In order to provide for revision and amendment, the United Nations Charter provides two mechanisms. Article 108 provides for the General Assembly to recommend amendments. Article 109 specifies procedures for calling a charter review conference to draft revisions.

In 1955, charter review was placed on the agenda of the General Assembly. The General Assembly decided that a charter review conference should be held at an appropriate time and expressed the belief that review of the charter should be conducted under auspicious international circumstances.

Forty-three General Assembly member nations favored the motion. Six opposed it and nine abstained. Earlier the Security Council had voted as follows: nine in favor, one against and one abstaining.

In June 1957 the committee established by the General Assembly met. Members considered the time and place for a review conference. They concluded that the appropriate time and auspicious international circumstances referred to in the 12th General Assembly should be no later than the 14th General Assembly meeting in 1959. This recommendation was adopted by the General Assembly in resounding fashion—there were 54 voting in favor, 9 abstaining and not a single negative vote.

The Committee on Arrangements is scheduled to meet this summer.

ACHIEVING A JUST AND LASTING PEACE

The concurrent resolution we are introducing today incorporates many fundamental beliefs. It notes first that the basic purpose of the foreign policy of the United States is to achieve a just and lasting peace.

I am reminded of a statement made earlier this year by an outstanding American, Governor Adlai Stevenson, who was speaking before an intent audience of 4,000 in Constitution Hall in this city. Mr. Stevenson observed at that time:

> America's hope is to make concrete the image of brotherhood which we profess, and set to work to express our dedication in whatever effort or sacrifice the world's needs may dictate.

His remarks in the first lecture in memory of A. Powell Davies, the late pastor of All Souls' Church—Unitarian, of Washington, D.C.—were carried throughout the world by the wire services and syndicated columnists. His astute commentary was titled "The Political Relevance of Moral Principles." One of his major points was that we must never forget to reaffirm our freedoms.

DEVELOPING ENFORCEABLE WORLD LAW

Secondly, our resolution today notes there can be no just and lasting peace without the development of enforceable world law.

Thus we propose that it be the sense of the Congress that the United States position, at the forthcoming meeting of the Committee on Arrangements for a Conference for the Purpose of Reviewing the Charter should be that the Committee recommends to the 14th Session of the United Nations General Assembly that a review conference be held within 1 year—or by the fall of 1960.

One week, one month, one year is too short a time to achieve the aim of those working for brotherhood among all men. But one must start and it is a good time to get started.

The late George Bernard Shaw was not always cutting in his commentary, not always pessimistic.

He has written:

> We are all children of one Father and the sooner we stop calling each other names the better.

A man of another nation thousands of miles away from the home of George Bernard Shaw has discussed the four faces of peace. I refer to Gen. Carlos P. Romulo, Philippine Ambassador to the United States.

He has said:

> There was a time when we were told that we would have peace, but it is a peace by mutual terror. Now, it doesn't seem to be mutual any more. Modern technology seems to have made it possible for one nation to have such superiority, that it can shoot an intercontinental ballistics missile through outer space and destroy not only one nation but the whole world.
>
> It has also been said that peace has four faces, peace by power, peace by trade, peace by diplomacy, and peace by people. It would seem to me that peace by people should have been called instead peace by brotherhood because it is only when people of the world understand and believe in and carry out brotherhood that there can be real peace.

THE DELICATE BALANCE

The third section of our resolution notes that peace does not rest on law today but on the delicate balance of terror of armed forces.

None of us would ask that a person wring his hands, gnash his teeth and tear his hair, although I grant that such responses may be entirely defensible in the light of our present situation and in the light of our existing policies which are every day pushing us closer to atomic war and to the destruction of our civilization.

There is indeed a "delicate balance of terror of armed forces."

So as the mountain climber makes the initial preparation to best the obstacle he would surmount, we must make the initial preparations toward the attainment of workable world law.

A human being is a frail thing. He can easily be killed. Most of us are reluctantly reconciled to our own personal mortality, but we are appalled at the thought that our children may not have a chance to grow up because of our progress in the arts of weapon making. We would like to figure out how to save them.

TIME TO DEFINE OUR POLICY

We must accurately assess the danger. Are we too alarmist? No, we are not. Is there a balance of terror on which we can rely? No, there is not.

It is time to strengthen the United Nations through a Charter Review Conference. It is time to define our policy.

The fourth section of our resolution notes that the United Nations and other international organizations constitute an important influence for peace and need to be strengthened to achieve the rule of law in international relations.

HIGH-LEVEL STUDIES REQUESTED

Because we believe the United Nations and other international organizations are important influences for peace and need strengthening we are requesting that the President initiate high-level studies in the executive branch of the Government to determine what changes should be made in the Charter of the United Nations and other international organizations to which the United States is a party.

We are further requesting that the President report his findings within 6 months after the date of the approval of this resolution. We request that he report these findings to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

Here in the House 11 Members today are joining me in introducing this resolution. They are the gentleman from Ohio [Mr. ASHLEY], the gentleman from Iowa [Mr. CARTER], the gentleman from Pennsylvania [Mr. CLARK], the gentlewoman from Oregon [Mrs. GREEN], the gentleman from Colorado [Mr. JOHNSON], the gentleman from Vermont [Mr. MEYER], the gentleman from Pennsylvania [Mr. MOORHEAD], the gentleman from Pennsylvania [Mr. RHODES], the gentleman from Alaska [Mr. RIVERS], the gentleman from California [Mr. ROOSEVELT], and the gentleman from Iowa [Mr. WOLF].

This resolution is also being introduced today in the other body by a distinguished group of Members there.

Mr. Speaker, at this time I request permission to incorporate at the close of my remarks the full text of this concurrent resolution and I hope that as my colleagues have the opportunity to read and examine it, they will see fit to join us in this step toward world peace through world law:

HOUSE CONCURRENT RESOLUTION 147

Concurrent resolution expressing the sense of Congress in regard to United Nations Charter revision and for other purposes

Whereas the basic purpose of the foreign policy of the United States is to achieve a just and lasting peace; and

Whereas there can be no such peace without the development of enforceable world law; and

Whereas peace does not rest on law today but on the delicate balance of terror of armed force; and

Whereas the United Nations and other international organizations constitute an important influence for peace and need to be strengthened to achieve the rule of law in international relations; and

Whereas the United Nations General Assembly at its tenth session resolved that "a General Conference to review the Charter shall be held at an appropriate time"; and appointed a "committee consisting of all the members of the United Nations to consider, in consultation with the Secretary-General, the question of fixing a time and place for the Conference, and its organization and procedures"; and

Whereas the United Nations General Assembly at its twelfth session resolved "to keep in being the Committee on Arrangements for a Conference for the Purpose of Reviewing the Charter, * * * and to request the Committee to report, with recommendations, to the General Assembly not later than at its fourteenth session"; and

Whereas the said Committee is scheduled to meet in the summer of 1959 in advance of the fourteenth session of the General Assembly to be convened in New York in September of 1959: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the United States position, at the forthcoming meeting of the Committee on Arrangements for a Conference for the Purpose of Reviewing the Charter, should be that the Committee recommends to the fourteenth session of the United Nations General Assembly that a charter review conference be held within one year following the action of the Assembly on the recommendation of the Committee.

SEC. 2. The President is hereby requested to initiate high-level studies in the executive branch of the Government to determine what changes should be made in the Charter of the United Nations, and the charters of other international organizations to which the United States is a party, to promote a just and lasting peace through the development of enforceable world law. The President is further requested to report to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives, within six months after the date of approval of this resolution, the results of such studies.

Mr. WOLF. Mr. Speaker, will the gentleman yield?

Mr. PORTER. I yield to the gentleman from Iowa.

Mr. WOLF. Mr. Speaker, I congratulate the distinguished gentleman from Oregon. I think the gentleman from Oregon has demonstrated great leadership in the field of international understanding, and I know he has made a great contribution to the cause of world peace not only by this resolution but with respect to others on which he has taken the leadership. I have followed the United Nations since its formative days in San Francisco. I am vitally interested in this body and on Monday next I have a special order to discuss another approach which will make the United Nations an even more effective body for world peace. This resolution is timely for a review of the United Nations Charter. I would like to congratulate the gentleman again for thus bringing this information to this distinguished body.

Mr. PORTER. I thank the gentleman for his kind remarks.

Mr. MONAGAN. Mr. Speaker, will the gentleman yield?

Mr. PORTER. I am glad to yield to the gentleman from Connecticut.

Mr. MONAGAN. I cannot say that I am completely familiar with the resolution of the gentleman, but I am particularly interested to hear the gentleman's remarks about the increasing power of today's weapons and the increasing complexity and increasing danger to the civilian population not only from the wartime use but from the peacetime testing of these weapons.

I am wondering whether or not the gentleman feels that there is a possibility of making great progress in the direction of regulating the use of such dangerous weapons.

Mr. PORTER. I thank the gentleman for his statement.

In answer to his question, I think not only is it possible but it is absolutely necessary. It must be done through a plan of collective security based on world law, a law which does not allow one nation an advantage over another.

Mr. CARTER. Mr. Speaker, will the gentleman yield?

Mr. PORTER. I yield to the gentleman from Iowa.

Mr. CARTER. It has been a real pleasure to sit here and listen to the gentleman's discussion of this resolution. I want to compliment the gentleman from Oregon for his leadership and his efforts in connection with world understanding and world laws. Those of us who for one reason or another walk closer to God find in this endeavor a very serious and a very conscientious leader in the gentleman from Oregon.

There is one more statement I would like to make. It is interesting to note that the League of Nations is our one step toward civilizing the area outside of the 3-mile limit. We need a world police force. We need world law before we can call ourselves a civilized world. We pass laws in this country to control various crimes, and we make our own society, and adjust ourselves in our behavior toward one another. But in the world itself and between nations there is a long way to go before we are a civilized world. It is a step in the right direction. As long as we prepare for war, as long as we build these great machines for destruction, it is going to be difficult to prevent implementation of their force and their purpose, unless through world law. We seek to control them and, if possible, prevent their use and prevent their manufacture, and return to civilized use all of this tremendous capacity that is being developed in the form of implements of force.

Mr. PORTER. The gentleman's statement is very much appreciated. With his help and the help of our colleagues and with divine help, we will move forward together to a world of peace and justice.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. PORTER. I yield to the gentleman from Ohio.

Mr. BOW. I think the gentleman has brought to the attention of the House today a very important matter; that is, the question of peace through a rule of

law. I think it should be pointed out, if the gentleman will permit, that the President in his state of the Union message this year spoke on the rule of law, and that this Nation is more concerned with peace through a rule of law than through conflict.

More recently, in his Gettysburg College address, the President made this reference:

> Another fact, basic to the entire problem of peace and security, is that America and her friends do not want war. They seek to substitute the rule of law for the rule of force.

Secretary of State Dulles, in perhaps the last major speech before his serious illness, discussed the same principle with the New York State Bar Association.

Mr. Dulles had this to say:

> In the swift flow of daily events it is easy to lose track of the broad strategy of our foreign policy. We seek peace, of course. But we seek it in what seems to us the only dependable way—the substitution of justice and law for force.

The most recent statement on this subject came in an address by Vice President NIXON before the Academy of Political Affairs in New York City. His subject was the rule of law, and he said:

> I am now convinced, and in this I reflect the steadfast purpose of the President, and the wholehearted support of the Secretary of State and the Attorney General, that the time has now come to take the initiative in the direction of establishment of the rule of law in the world to replace the law of force.

In this policy, members of the present administration are the spiritual heirs of the late, great Senator Robert A. Taft, whose memory we cherish. Senator Taft once said:

> I do not see how we can hope to secure permanent peace in the world except by establishing law between nations and equal justice under law. It may be a long hard course, but I believe that the public opinion of the world can be led along that course, so that the time will come when that public opinion will support the decision of any reasonable impartial tribunal based on justice.

Many people at times have criticized the late Senator as being an isolationist, but I think perhaps he was one of the first who, on the floor of the Senate of the United States, expressed his view of the necessity of the rule of law.

I think the gentleman from Oregon has brought an important matter to the attention of the House and, of course, the American Bar Association is very much interested in this and is doing great work in this field. Mr. Rhyne, an attorney of Washington, former president of the American Bar Association, did monumental work in this field of the rule of law.

I should like to ask the gentleman one question, if I may: Does the gentleman believe that by the adoption of the rule of law or going along with this idea of world law that perhaps we are beginning to find our way into the One World Federation?

Mr. PORTER. Before answering the gentleman's question let me thank him for pointing out that I recognize and appreciate the great support that world law has on his side of the aisle and from many people. Certainly we Democrats do not claim any monopoly on it. We do not regard the quest for world peace as a partisan matter at all. The question uppermost in the minds of all of us is how we can make the United Nations work more effectively, by revising the charter to make the United Nations a more effective instrument for world peace. The question has been asked if it means that we must give up part of our sovereignty. I think we could well afford to make some concessions for world peace. I do not think there is much argument on that. I do not think we will disagree on that.

Mr. BOW. May I say to the gentleman, if he will yield further, that my purpose in asking this question and any others I may ask is simply to bring the facts out into the open. I believe in the rule of law, and I am going to support the rule of law, but these are questions which have been troubling me, and I think they are questions that we will have to face as legislators with our constituents from time to time. I feel that we should make these inquiries early in the consideration of the question and bring the facts out in the open so people may know that what we are doing is not to destroy the sovereignty of the United States but to bring about a rule of law which may preserve the sovereignty of the United States.

The next question I would ask of the gentleman is asked so that we may have an explanation that in this matter we are not heading toward world government, but toward a world of peace and the rule of law through the courts.

Mr. PORTER. On the matter of bringing out the facts, if I may interrupt the gentleman, the gentleman is absolutely right. These matters should be discussed widely. There are two objections people use against the proposal of world law: One is, how does it affect our capacity to defend ourselves with respect to our enemies. The second is, will it detract from our sovereignty? There is great interest in this on the part of the American Bar Association and others. The answer, of course, is that we are not giving up any essential part of our sovereignty and certainly we are not weakening ourselves, but we are taking steps to keep us from becoming weak and extinct.

Mr. BOW. I think the gentleman will agree that the World Court as it exists at the Hague, which is part of the United Nations, decides about two cases a year. Apparently no one has been going to the Court. Does the gentleman care to make some comment upon that?

Mr. PORTER. Yes. I agree with the Humphrey and Morse position under which we would give up the right to decide what is domestic. The Court could say what is properly within its jurisdiction. I would be very much for the adoption of that position.

Mr. BOW. What the gentleman is saying, I believe, is that he is in favor of taking the Connelly provision of the bill away so that we do not reserve the right to determine whether it is a domestic question or not, but that would be a question determined by the Court itself, which, generally, is the right of courts to determine. It is not the litigant's right. It is up to the court to decide whether the court has jurisdiction. The court itself decides that jurisdictional question.

The gentleman will agree that perhaps the right of jurisdiction and determination of jurisdiction should be given to the Court so that we would not find ourselves in the position we were in when we filed a case against Russia involving the loss of a plane. Russia's reply was:

"That is a domestic problem, therefore the Court has no jurisdiction."

Mr. PORTER. Yes. I want to point out to the gentleman that we had a committee from this House visit The Hague and the World Court for the first time in history of that Court earlier this year. The Court was very pleased that we took an interest in it. I am glad to see Vice President NIXON's recommendation with respect to treaties and I hope we will be able to carry them out.

Mr. MEYER. Mr. Speaker, will the gentleman yield?

Mr. PORTER. I yield to my friend from Vermont.

Mr. MEYER. I want to commend the gentleman for his excellent statement and I would like to ask if over and above the questions of religion, morality and brotherhood there are not many practical reasons why we should be greatly interested in developing world law?

Mr. PORTER. Yes, indeed. As Mr. Noel-Baker, the famous author of "The Arms Race" put it, the romanticists are the people today who think we can defend ourselves by force. The true realists say we can only find world peace on the basis of world law.

Mr. MEYER. I thank the gentleman.

Mr. LINDSAY. Mr. Speaker, will the gentleman yield?

Mr. PORTER. I yield to the gentleman from New York.

Mr. LINDSAY. Mr. Speaker, it serves a very useful purpose to bring to the floor for discussion from time to time means and methods for the improvement of the rule of law and for the chartering of peace and security throughout the world. I should like to commend each speaker who has spoken on this subject. I was delighted to hear the gentleman from Oregon state he knows that the subject of revision of the United Nations charter is under daily study at the State Department at the present time, and it is. I recently checked on that matter.

Tomorrow I shall be at the United Nations where I hope to be discussing this, among several other things. The United Nations is in the district which I am proud to represent. Ambassador Henry Cabot Lodge, although his home is in Massachusetts, now lives in my district, and I am proud to consider myself as his Representative. I know of the zest and zeal with which he has pursued this subject and the furthering of the rule of law in all areas where the United Nations can be a more productive and useful instrument. He and Francis Wilcox of the State Department have

been working together for a long time on this subject.

Mr. PORTER. We would not have introduced this if we were satisfied with the administration's position. The administration's position does not favor charter review at this time. The administration does not favor strengthening the United Nations to the extent that we believe necessary. This has been ascertained in correspondence with the State Department. We believe that there needs to be a changed policy and an acceleration of effort.

Mr. LINDSAY. I would like to ask the gentleman whether or not, in view of the recognition that the gentleman has given to the continuing study the State Department is making on this subject, his resolution was discussed specifically with the State Department in advance of his introducing it in the House?

Mr. PORTER. We have consulted with them. We know the studies are going on, but unless the Congress speaks up, backed up by the people of the United States, the administration will not move forward imaginatively and courageously.

Mr. LINDSAY. My question was whether or not this specific resolution had been taken up with the State Department in advance of today.

Mr. PORTER. The original language of the resolution has been submitted and they have commented on it.

Mr. LINDSAY. I thank the gentleman.

THE YOUTH OF AMERICA

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I have been tremendously impressed this week in seeing and talking with the high school boys and girls, the boys and girls of the lower school grades, the young college men and college women, the Girl Scouts and the Boy Scouts, and the newsboys of the Lowell Evening Sun of my home city of Lowell who have visited the U.S. Capitol. I was tremendously impressed with their interest in government, their loyalty to their country and our national defense, and their anxiety to be educated so that they may be helpful. I was also very much impressed with the interest they showed in what is going on in the rest of the world, and their anxiety to be helpful. They realized the importance of our international relations. I was pleased, too, with their courtesy. Mr. Speaker, truly the United States is fortunate to have such fine young people in our country. I feel supremely confident that the future of the United States is going to be very safe in their hands. I am extremely grateful to them, and I wish them all good luck.

THE LEGAL PROFESSION AND WORLD PEACE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Florida [Mr. FASCELL] is recognized for 15 minutes.

Mr. FASCELL. Mr. Speaker, Hon. Ross L. Malone, the outstanding president of the American Bar Association, spoke recently before the Bar Association of the District of Columbia.

Mr. Malone speaks pointedly of a problem which is of great concern to every American. He lays down a challenge to which an enthusiastic response from the legal profession will obviously be of tremendous influence and import to us all.

I think this address is so important and timely not only to my colleagues in the legal profession but also to all other colleagues in this House, that I take this opportunity to read it:

THE LEGAL PROFESSION AND WORLD PEACE

The history of the 20th century will record the birth of the atomic age on the plains of my native State of New Mexico on July 16, 1945, and the advent of its younger brother, the space age, on the plains of Siberia some 12 years later on October 4, 1957.

As in the case of the addition of children to any household, these two boisterous youngsters have made quite a change in the way of life of the world family and the individual countries which compose it. The impact of these two dates has been felt in every facet of American life today and the chain reactions which they triggered will continue to affect the lives of all of us for the foreseeable future.

The fact that the effects of these world-shaking events were felt sooner in some fields of endeavor than in others is no indication that these effects will be any less pronounced in those in which the impact was delayed.

Education was one of the first areas of activity in this country to be affected by these developments, and particularly by the sputnik era. A wholesome and perhaps long overdue reevaluation of our educational system has been a principal result.

The nature of the impact of these new eras upon the legal profession was not apparent immediately. Since precedent and not prognosis is our principal stock in trade perhaps it is not surprising that the full implication of these historic events was not at once clear to our profession. Today, however, the form of things to come is increasingly apparent. The new emphasis within the legal profession which must result from these great scientific achievements no longer can be ignored.

For instance, it is becoming very apparent today that the great emphasis upon scientific endeavor and the scholarship and recruitment programs undertaken to provide the scientists and engineers which society demands for the space age are siphoning off many of the best minds and most desirable young men and young women who, under normal conditions, would have selected law as a career. A lowering of the average ability of the replacements entering the legal profession is an inevitable result. More than that, there is impressive evidence indicative that this may be occurring at a time when we are no longer members of an overcrowded profession, having been converted by the past two decades to an undermanned profession, but that is another story.

I would like to discuss with you today another byproduct of the atomic and sputnik ages, one which relates not to the internal condition of our profession, as important as that is, but rather to its public obligation in the light of the developments of the nuclear space age in which we live.

The seeds of war lie dormant in every dispute between nations, awaiting the moisture of national pride and the heat of international disagreement to commence their germination. The settlement of those disputes, short of war, traditionally has been the function of diplomacy, a pursuit which, though not unknown to the legal profession, has never been considered within its realm of special competence. That is not surprising inasmuch as the arts of diplomacy are little if any more closely associated with the legal profession than with other vocations. Negotiation plays a part in the practice of every lawyer, but it is equally a part of the daily life of businessmen in almost every line of endeavor. At least as to this aspect of diplomacy it has not been considered that lawyers are any better qualified than persons of other callings.

True, many individual lawyers, responsive to their public responsibility, have entered the field of international politics in various capacities. They have made, and are making, major contributions to the effective use of diplomacy in the solution of problems between nations. However our profession, as such, has never recognized any special responsibility for leadership in this field and no one has suggested that such responsibility exists.

Today the people of the United States—indeed of the world—see the threatening cloud of nuclear warfare in a space age hanging ominously upon the world horizon. They see vexing problems arising between nations—problems which are, have been, and always will be inevitable. But today, the threat that they will burst the bonds of national restraint and trigger world war III has a new dimension—atomic annihilation for mankind.

The people of the world face that threat in the light of the certainty that there can be no winner of a war in our day. They look at the history of the use of diplomacy alone as a means of solving world problems and they are not reassured. As a result, there exists a greater demand today for an effective means of resolving disputes between nations than the world has ever seen. The urgency of that demand results primarily from the threat of atomic destruction, but secondarily from the intolerable burden of an atomic arms race in the space age—a burden felt equally on both sides of the Iron Curtain.

The forces generated by these conditions give support to every means by which it is sought to preserve the peace. They are daily increasing the effectiveness of the United Nations but as now functioning it does not—and cannot—satisfy the demand for an effective means for the solution of controversies between nations. As President Eisenhower has said, "There can be no peace without law." The corollary of that statement is that there can be no law without a court to apply it, having power to enforce its decisions.

With full recognition of those basic premises, the public increasingly is turning to law and lawyers to find the means which it seeks to effect peace through law on the international scene.

It is not surprising that in seeking an effective substitute for peace, the people of the world are turning as never before to the processes of the law as their last, desperate hope. They have seen the development of law administered by courts in their nations become an effective substitute for violence. They know that the removal of a subject of disagreement from the street corners and newspaper headlines to the relative calm and the ordered processes of the courtroom inevitably results in a cooling off period, which in itself contributes tremendously to a peaceful solution. They likewise realize that the

adjudication of controversies by an independent court in the light of established principles of law and morality is a fair means of solving them, whatever the ultimate decision may be.

There are increasing evidences of this state of mind in this country today. More and more people are asking why the issues involved in the Quemoy and Matsu crisis and in the Berlin crisis are not susceptible of determination by a court. To the obvious answer that the other side would not agree to submit them to a court or be bound by a court's decision they reply: "Well, what's to be lost by trying?" At least we would have gained the initiative and have demonstrated our own good faith.

If world peace through law is ever to be more than a heartwarming cliche and a dream born of desperation, leadership must be provided—both leadership within this country and leadership among the nations of the world.

Upon whom falls the responsibility to provide that leadership? The answer within this country is obvious. It falls upon the legal profession of the United States. I can assure you that there is no doubt in the minds of the general public of the existence of that responsibility. We have had offers of assistance from many interested groups in our country, but all—uniformly—have said that they are looking to the lawyers to lead the way. And what of the leadership at the international level which is required? Surely, it should come from the nation in which the rule of law has reached its highest state of development. As President Eisenhower has pointed out, "Our Nation is ranged with those who seek attainment of human goals through a government of law."

A brilliant French political observer, Amaury de Riencourt, recently wrote of us, "Americans may not always be law abiding, but they are, like the old Romans, more law minded than any other nation."

There is no nation in the life of which law and lawyers play so important a part as they do in the United States. There is no nation in the basic concept of which the place of courts and the law is so firmly established. There is no nation in such a favorable position to provide leadership in the elevation of the rule of law and its application to problems between nations as the United States of America. We should overlook no opportunity to demonstrate to the world our dedication to this principle and our determination that it become the means of deciding the controversies between nations, which do not yield to diplomatic handling.

May we return now, to the leadership within the country which so clearly belongs to our profession. This obligation is twofold. We must:

1. Provide leadership in exploring the means of accomplishing the effective application of law to world problems; and

2. Educate the public as to the nature of the instrumentalities required, and to the action required to effectuate them.

The nature of the requirements for an effective system of adjudicating disputes is clearly within the special competence of lawyers. The drafting of the documents required to establish these instrumentalities is likewise an activity in which we are skilled. The time has come for the organized legal profession to devote its talents to a massive assault upon these problems.

Fortunately, individual members of our profession have attacked the problem and made significant contributions to the thought and literature upon the subject. Greenville Clark, of New York, who collaborated with Professor Sohn in the monumental work, "World Peace Through World Law," published last year by the Harvard Press, has made a tremendous contribution to our thinkig on the subject. Both in terms of the plan which he has proposed and the vehicle which he has provided for discussion and analysis of the problems which must be met in devising an effective means for applying law to world problems, Mr. Clark's work is of tremendous significance.

Fortunately, also, there are in our profession men like Arthur Dean, of New York, whose unique experience in international affairs, coupled with his tremendous career at the bar, gives him unparalleled qualification to contribute to the effort of the legal profesison in this field.

The second obligation which I mentioned is of equal, if not greater importance. We must acquaint the public with the importance and potentialities of this approach to world peace, and with the means necessary for its accomplishment.

As lawyers, you and I appreciate the implications of and the necessity for compulsory jurisdiction if a court is to function effectively in this or any other area. As lawyers, we appreciate the importance of an effective means of enforcement if the judgment of a court is to be more than a pious pronouncement of principle. There is a great lack of public understanding of such proposals. Fear of the unknown is a common attribute of mankind and there exists in this country and in the world unjustified fear of the principles and instrumentalities which would be required to accomplish the application of law to the solution of world problems. The obligation of the legal profession includes education of the public in these areas of our special competence in order to dispel the fear which otherwise would stand in the way of effective progress toward this means of solving world problems. The responsibilities of leadership in this area are many. They are heavy, but they are ours.

The American Bar Association has inaugurated a program through which we hope to make a significant contribution to the discharge of the responsibility for leadership which I have mentioned. Your own Charles S. Rhyne led a magnificent crusade last year as president of the American Bar Association to awaken the consciousness of the profession to the potentialities of law for the solution of world problems. This year he is serving as chairman of a distinguished committee directing the "second step toward this objective. This month his committee is sponsoring a series of regional conferences of lawyers in the United States, to explore the means whereby law can be applied to achieve an effective solution of problems between nations. Through this means we hope to bring to bear the ability of a cross section of our profession, including the best qualified men in it in this area, to arrive at a proposal which the American Bar Association can recommend to the people of the United States as a feasible and acceptable means of applying law to the solution of world problems.

Obviously such a proposal requires not only acceptance in this country, but acceptance on both sides of the Iron Curtain before it can make any effective contribution to the end for which it is designed. The obstacles to such acceptance are both apparent and real, but they are not insuperable. The bonds which exist throughout the legal profession of the world provide a vehicle by which we can proceed, removed at least to some extent from governmental interference. It is those bonds through which we hope to initiate the world action which is required to bring about world acceptance of this concept.

During Mr. Rhyne's and my trip to Russia and Yugoslavia last summer, we found a very responsive interest on the part of the legal profession in the possibilities of such a program. The general principle which we are considering was presented by Mr. Rhyne to the International Bar Association at Cologne in July, and was approved by the lawyers of the free world attending the conference.

We envision the regional conferences in the United States to which I have referred as pilot projects for a world conference of lawyers to follow. Through it, we hope to marshal the ability and the influence of the legal profession of the world in support of a practical proposal for the achievement of world peace through the application of law. The response of the International Bar Association to the proposed world conference provides additional encouragement for the program.

We have no illusions as to the problems, both domestic and international, which must be solved before the objective which I have outlined can be accomplished, but in none of them do I find any excuse for further delay. We propose to launch an all-out attack upon these problems with the confidence that comes from knowledge that the resources and ingenuity of our profession have solved even more difficult problems in times past.

No one has any idea that the end which we seek can be accomplished overnight, but there is reason to believe that the untapped reservoirs of public opinion reacting to the threat of nuclear warfare may force progress in the undertaking exceeding our most optimistic hopes.

But difficult of accomplishment or not, and as real or as far ahead of us as our ultimate objective may be, the legal profession today has recognized its obligation to provide leadership in this field and is moving aggressively to discharge that obligation. I invite the cooperation and assistance of the members of your great organization in this undertaking which, if successful, will have constituted an accomplishment of our profession equal to, or perhaps greater than, the scientific developments of the past 15 years, which have made world peace the number one objective of all mankind.

NUCLEAR ELECTRIC POWER FACILITIES

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, it is well that occasionally a trained observer look over and report on any type of activity. Recently such an observer, Mr. Don Shannon, of the Los Angeles Times Washington Bureau, investigated and reported on the state of nuclear electric power facilities in the United States. His series of five articles appearing in the Times are accurate and informative. They present information of value both to those of us in the Congress and to others who read this RECORD. Accordingly, I have obtained permission for Mr. Shannon's excellent work to be here reprinted.

The articles follow:

[From the Los Angeles Times, Apr. 1, 1959]

NEW ENGLAND'S NUCLEAR AIM IS LOW-COST POWER—PLANT BUILDING THERE EXPECTED TO BE FORERUNNER OF COMPETITIVE FACILITIES

(By Don Shannon)

ROWE, MASS., March 31.—Power-short New England hopes to produce the first competitively priced electrical energy from nuclear

sources by 1965, when its pioneer atomic plant gives way to a second generation facility.

Faced with conventional-fuel costs 59 percent above the national average, 10 New England utilities serving 6 States have banded together as the Yankee Atomic Electric Co. to build a 134,000-kilowatt reactor in this remote mountain area of western Massachusetts.

The plant is expected to go into operation late next year, with an investment of $50 million.

Howard Cadwell, president of one of the partner companies and vice president of Yankee, told touring reporters today that his group regards this first project as partly research and partly a practical addition to New England's power supply.

NUCLEAR POWER NOW

"Nuclear power isn't something for the remote future, as far as we are concerned," he declared. "We're at the end of the line on conventional fuel power production."

The pressurized-water, enriched uranium-fueled reactor will produce electric power at a cost of 12 to 14 mills a kilowatt-hour, Cadwell said. While this might be prohibitive in most parts of the United States, the cost is not much above the New England average of 8 to 10 mills.

"We hope that Yankee's second-generation generating plan will be strongly competitive when it goes into operation by 1965." Cadwell added.

HOPE FOR INDUSTRY

Cadwell held out no hope that cheaper atomic power can bring back New England's vanished textile industry, but he contended that it will enable the area to bid for high energy consuming industries, such as chemical manufacturing.

Massachusetts is also seeking to establish an atomic industrial center, which would demand lower-cost energy.

Glenn Reed, project engineer at the powerplant, said the company chose the pressurized-water type of reactor—similar to that of the Nation's largest nuclear power producer, under construction at Indian Point, N.Y.—because it is at the most advanced developmental stage and can be built most quickly.

New England's need of results in a hurry also dictated the location of the first plant in an uninhabited area, eliminating the requirement for the extra-heavy concrete shielding installed at the suburban New York reactor.

ONE HUNDRED AND TWENTY-FIVE-FOOT STEEL SPHERE

Where the Indian Point reactor is half buried in bedrock, the Yankee plant is a 125-foot steel sphere raised above ground on concrete stilts. Instead of a 6-foot concrete shield completely enclosing the reactor, only the core of the Yankee reactor is guarded—by a lighter concrete shield inside the steel sphere.

Thus construction time has been cut to an anticipated 2½ years.

Yankee accepted a $5 million Federal grant for research and will also use without charge for its first 5 years an enriched uranium fuel package valued at $10 million.

"We would rather be free from the strings attached to Government help on our second plant," Cadwell said. "It won't be experimental—but it will be competitive—and we wouldn't expect help any more than we would ask help in building a conventional powerplant."

PRIVATELY FINANCED

The plant at Indian Point is being financed entirely by private capital.

Officials of New York Consolidated Edison Co., who showed the plant to newsmen yesterday, frankly admit the power to be produced there will cost almost twice as much as that obtainable from their newest conventional steam plant. But they are willing to pay as they learn.

"This is only a doorway," Frank Brower, the company's vice president for engineering explained. "The significant plant will be our second nuclear one."

The $2 billion power firm began blasting out the site on the rocky east bank of the Hudson, 24 miles north of Manhattan, in 1957 when management concluded that the only way to get experience in operating a nuclear plant was to build one.

It has a designed capacity of 275,000 kilowatts and is scheduled to go into operation in April 1961.

COST ESTIMATE DOUBLED

Although the present cost estimate of $100 million is twice the original, the company has refused to seek Government aid. Other privately financed projects under construction involve some degree of Federal subsidy, but Consolidated Edison plans to pay even for the fuel it will receive from the Atomic Energy Commission, the Nation's sole supply source.

"This will be the first opportunity to see what nuclear power really costs," Brower said.

Although Indian Point power is expected to cost between 13 and 14 mills, compared to 7.5 mills for the most efficient conventional steam plant, the new project includes $20 million spent in preparing a site which can accommodate additional generating capacity up to 2 million kilowatts. Plant design improvements, as well as a possible change from the pressurized-water, thorium-fueled reactor, are expected to help bring atomic power into a competitive price range.

[From the Los Angeles Times, Apr. 2, 1959]

MICHIGAN ATOMIC POWER PLANT BREEDS OWN FUEL—FIRST REACTOR OF THIS TYPE IN NATION SET UP DESPITE OPPOSITION BY UNIONS

(By Don Shannon)

MONROE, MICH., April 1.—The first commercial fast-breeder reactor powerplant in the United States is under construction near here at a depression-killed lakeside housing development named Laguna Beach in honor of the southern California resort.

The housing development was a casualty of the 1929 crash, leaving only a mission-style entrance gate and a network of canals, but the builders of the Enrico Fermi powerplant hope their project will be producing 150,000 kilowatts of electric power by 1961.

In addition to being the only large breeder reactor—the kind that produces nuclear fuel as it burns, and thus offsets power generation costs—the Enrico Fermi plant is the only nuclear power installation which has met with formal opposition.

OPPOSED BY UNIONS

Walter Reuther's United Auto Workers and two other unions opposed granting a construction permit and forced a hearing before the Atomic Energy Commission on charges that the design is not safe, and that the plant's financial backing is insufficient.

The AEC, however, granted an interim construction permit to the 25 midwestern, eastern and southern firms which combined to finance the $40 million cost of the reactor. And Arthur S. Griswold, vice president of the Detroit Edison Co., which is paying for the $17 million generating plant as well as sharing in the partnership, says he is confident an operating permit will be granted when construction is completed this summer.

Myron C. Beekman, director of Detroit Edison's nuclear power development, who is working with the partnership group—the Power Reactor Development Co.—said the reactor will undergo tests for a full year, and then will be operated at low power for another year at low capacity to doublecheck the plant's safety.

Alton P. Donnell, general manager of Atomic Power Development Associates, Inc., a broader group of private utilities and other companies performing research for the Enrico Fermi plant, explained to visiting newsmen why the fast-breeder reactor was chosen.

"When we started in 1956 the technology of the sodium-cooled, fast-breeder reactor was not nearly as well developed as that of the water-cooled, thermal reactor," Donnell said. "This is really experimental."

Donnell, a onetime member of the staff of Vice Admiral Rickover, boss of the Navy nuclear power program, worked on the pressurized, water-cooled, thermal reactors which the Navy standardized for use in nuclear submarines.

PRACTICAL EXPERIENCE

The submarines and the Atomic Energy Commission's Shippingport (Pa.) power plant provided the practical experience which led New York's Consolidated Edison and New England's Atomic Energy Corp. to adopt the water-cooled reactor for their initial ventures.

Atomic Power Associates and the Power Reactor Development Co. selected the fast-breeder for two reasons, Beekman said. First, as its name implies, the breeder creates new fissionable material in the form of plutonium, which can be sold or used as fuel. Second, a breeder operates at a much higher temperature, giving greater efficiency in the production of steam for power and consequent lower costs.

[From the Los Angeles Times, Apr. 3, 1959]

CHICAGO FIRM HELPED ON NUCLEAR POWERPLANT—SEVEN PARTNERS CONTRIBUTING $15 MILLION TO DEVELOP 180,000 KILOWATT REACTOR

(By Don Shannon)

MORRIS, ILL., April 2.—In the high stakes competition among U.S. utilities to become atomic power pioneers, Chicago's Commonwealth Edison Co. has found an angel for its first nuclear plant near here.

Like Detroit Edison and Yankee Atomic, Commonwealth has seven partners who are contributing $15 million for research and development of a 180,000-kilowatt boiling-water reactor on the Kankakee River southwest of Chicago.

Commonwealth is financing the remainder and will own the whole plant but it has a fixed contract with General Electric for only $45 million. Commonwealth officials say they do not know how much more than this it will cost General Electric to complete the job by October but industry estimates on the loss run as high as $25 million.

COST FOR KNOW-HOW

John J. Poer, project engineer for Commonwealth, told a press group which visited the Dresden reactor on a nationwide tour that he doubts if GE knows the actual cost, since much of it is assigned to the purchase of know-how. Poer explained that GE is anxious to break into the power reactor construction business where the rival Westinghouse Corp. preceded with contracts for the Atomic Energy Commission's Shippingport (Pa.) reactor and Yankee's plant at Rowe, Mass.

The situation is analogous to that of the private power companies generally who are sinking his money into admittedly experimental nuclear plants for fear that government agencies will hold a monopoly when the new power source becomes truly competitive with coal, gas, and oil. With the exception of high fuel cost areas, such as New England and Florida, there is little confidence that the first privately financed reactors will match conventional generators in cost.

NOT NEEDED

"We're really working on something that today Commonwealth doesn't need at all," Poer said, "because this is a cheap coal area."

Fred Hollenbeck, General Electric's project manager on the site, believes that power costs will run between 11 and 12 mills a kilowatt when full operation begins in mid-1960. This compares with 7½ mills at Commonwealth's best present plants.

"We are convinced that the boiling water reactor offers the greatest potential for economical nuclear power," he said.

CUT IN EFFICIENCY

Both Commonwealth and General Electric officials assert that the superiority of the boiling water reactor lies in its use of steam direct from the reactor to drive the power turbines. In the pressurized water reactor and the fast breeder reactor pressurized water and sodium respectively serve as heat transfer agents. While this separation of the heat source from the steam in the turbine prevents radioactivity in the power-generating section of a nuclear plant, it inevitably decreases efficiency.

Hollenbeck conceded that there will be radioactivity around the turbine of the Dresden station but he said experiments have shown that it will not be dangerous to workers filtering the condensed steam before its return to the nuclear core minimizes contamination. He said original plans called for a concrete shield around the turbine but this has been eliminated with AEC approval.

[From the Los Angeles Times, Apr. 4, 1959]

PACIFIC GAS & ELECTRIC CO. PLANS LARGE A-PLANT IN SAN FRANCISCO AREA

(By Don Shannon)

Times Staff Representative

SAN FRANCISCO, April 3.—Pacific Gas & Electric Co., the first U.S. utility to generate power from nuclear energy is ready to begin a major plant in the Bay area within a year, the company's president said today.

Norman R. Sutherland said at a press conference with reporters on a national tour of privately financed nuclear power facilities that Pacific Gas & Electric hopes to complete the plant by 1965. The company is already at work on a reactor at Humboldt Bay but it is of intermeditae size—50,000 to 60,000 kilowatt capacity. The next plant, Sutherland said, will be a minimum of 200,000 kilowatts and may range up to 350,000.

NOT SO LOONY

"We are looked on as a bit loony," the utility chief acknowledged, "but we think nuclear power can be competitive in 5 years, not 10 as some of the people in the East think."

Sutherland said the company chose Humboldt Bay for the location of its intermediate plant because Pacific Gas & Electric engineers determined that they could equal or better the cost of 8 mills a kilowatt-hour for power production with oil in the northern California area. The boiling water reactor—similar to the 180,000-kilowatt Dresden plant now under construction near Chicago by Commonwealth Edison—was picked because it offered the lowest capital cost. Pacific Gas & Electric has a contract guaranteeing completion at $19½ million.

GETTING NO HELP

"That's a firm price and there is no subsidy from anybody," Sutherland said. "We are getting no research and development contribution from the Federal Government and we even propose to pay for our own fuel."

Experiments at Vallecitos nuclear powerplant near Pleasanton, where the utility hooked up a 5,000-kilowatt turbine to a boiling water reactor built by General Electric Corp. in 1957, have shown that production above design capacity is possible with this type reactor. Sutherland said the original design of the Humboldt plant was for 50,000 kilowatts but the turbine has been modified to produce 70,000 and he is hopeful of eventual 75,000-kilowatt capacity.

"We would be aiming at a 6½ mill a kilowatt-hour cost in our big plant," he said.

[From the Los Angeles Times, Apr. 5, 1959]

EDISON UTILITY CAUTIOUS ABOUT NUCLEAR PLANTS—SOUTHERN CALIFORNIA POWER OFFICIAL SEES NO LARGE INVESTMENT AT PRESENT TIME

(By Don Shannon)

A Southern California Edison Co. official yesterday declared that his company is unlikely to follow other U.S. utilities in the building of a large atomic power plant, unless the price drops significantly.

Vice President W. L. Chadwick told newsmen concluding a national tour of privately financed nuclear power facilities that Southern California Edison is skeptical about cost figures claimed by other companies.

He said that, rather than risk the investment of millions of dollars in a plant which may become obsolete within a few years, the company prefers to continue experiments such as that at Santa Susana, near Chatsworth.

REACTOR DESCRIBED

Edison has been generating electricity in small quantities since July 1957, from the sodium-cooled reactor built there by Atomics International, a subsidiary of North American Aviation, Inc.

"It has afforded an opportunity to test operation of a sodium-cooled graphite-moderated reactor, but how soon it can be proved an economical power source we don't yet know," Chadwick commented.

While he described southern California as a high fuel-cost area, he said the company is presently generating power at about 6 mills per kilowatt hour—below costs of other metropolitan areas.

COSTS NEARLY UNIFORM

He said costs are nearly uniform throughout the system, so that there is no comparable situation to that of Pacific Gas and Electric in northern California. Pacific Gas and Electric Co. is proceeding with a 60,000 kilowatt boiling-water reactor at Humboldt Bay, where local production costs 8 mills.

Robert Dickinson, deputy director for sodium reactors of Atomics International, conceded that improved sodium reactor might match but "could hardly beat" Edison's present costs.

Both Dickinson and Chadwick said the biggest advantage of the sodium-cooled reactor is its high temperature steam production. Compared with the 400° to 500° temperatures produced by water-cooled reactors, the Santa Susana plant produces 850° steam and with improved fuel may go to 1,000°.

HOTTEST STEAM CLAIMED

"We've got the hottest steam in the country," Dickinson said, explaining that the higher the temperature the more efficient the transfer of heat.

He said the use of sodium as the coolant and heat transfer agency also gives the advantage of low-pressure operation. A metal which becomes liquid at 208°, sodium does not boil until it reaches 1,600°.

With almost no pressure in the reactor's cooling system, the sodium power plant needs no pressure containment sphere which has been required by the Atomic Energy Commission on pressurized reactors which might accidentally explode radioactive material into the atmosphere.

CHICAGO OPERATION

The steel and concrete containment sphere is estimated to cost $3 million for the Dresden boiling water reactor of Chicago's Commonwealth Edison Co., adding significantly to the capital cost of power generation.

Dickinson said the sodium reactor offers the greatest economy prospects in large sized plants. Asked if the 75,000-kilowatt plant which Atomics International is building at Hallam, Neb., will show such results, he replied that it will take at least a 200,000-kilowatt reactor to do so.

The cost advantage shows up at 200,000 kilowatts and above, he said, because the reactor's core does not have to be enlarged significantly to produce more power—only the heat exchange components.

LIFE SPAN COUNTS

A. C. Werden Jr., nuclear power engineer with Edison, cautioned that the 3,000 hours of operating time at Santa Susana is a short period in the necessary 30-year life span for an economical power station.

Werden said he doubts the eight-mill estimate for the Humboldt Bay reactor and predicted that costs may run nearer 10 mills. He also suggested that improvement in reactor fuels may produce great savings with research now under way.

CHARLES L. TAYLOR—"MAN OF THE YEAR" IN AGRICULTURE

Mr. NATCHER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky.

There was no objection.

Mr. NATCHER. Mr. Speaker, it has been said that soil, water, vegetation, and wildlife are important, not so much for themselves but for the effect they have on people. Conservation means not just conserving topsoil, trees, and so forth, but conserving the values which make for the best way of life. In the congressional district of Kentucky which I have the honor to represent there resides a gentleman, Mr. Charles L. Taylor, who has devoted practically his entire life to the furtherance of agriculture, and in so doing he has ever kept in mind that our farm problem is basically a problem of conservation, of conserving not only the very roots of our national economy, but also a way of life.

On April 16, 1959, Charles L. Taylor was named Kentucky's "man of the year" in agriculture. The award was made by the Farm Press and Radio Association of Kentucky. Certainly it is fitting that Mr. Taylor's services should be recognized. There is no person in the State of Kentucky more deserving of the honor which has been bestowed upon him.

Charles L. Taylor was born and reared on a farm in Ohio County, Ky. Thus, by reason of birth, environment, and education he was especially well suited to become a leader in all phases of agricultural pursuits. Mr. Taylor was the first county agricultural agent in Hopkins County, Ky., the first county agricultural agent in Nelson County, Ky., and later he served as county agricultural agent in Henderson and Boyle Counties. Subsequent to receiving a master's degree in agriculture at the University of Wisconsin, he joined the faculty at Western Kentucky State College in Bowling Green, Ky., where he remained for 35 years and until his retirement. For 30 years Mr. Taylor headed the

agricultural department at Western Kentucky State College, and, at the same time, he managed the college farm, which is one of the most up-to-date and flourishing college farms in this country. While imparting his knowledge of agriculture to his students, Mr. Taylor has also put into practice the theories he advocates. In the early 1930's he and his brother bought a rundown, badly eroded farm near Bowling Green, Ky. Through wise management, sound financing, good conservation, and soil-building practices, this farm has become an example of productivity and rehabilitation. Mr. Taylor has been cited as a master conservationist and for leadership in the Kentucky green pastures program, he is chairman of the Warren County Soil Conservation District, he has served as a director of the Kentucky Association of Soil Conservation Districts, and was chairman of that association's watershed committee when the spadework was done for passage of the Small Watershed Protection and Flood Control Act of 1956, he is president of the Green River Watershed Flood Control Association, he is president of the Barren River National Farm Loan Association, he has served as vice chairman of the four-State Federal land bank shareholders' committee, and is active in various associations which have for their purpose the improvement of farm conditions.

As I scan the crowding centuries, it seems to me that some of the greatest contributions to civilization have been made by persons of vision. Through his vision and knowledge of the great potential that lies in the soil of our land, Mr. Charles Taylor has realized that we should not forfeit this gift of our inheritance. He has exalted the farming profession to a high level of endeavor. Mr. Taylor has never used his talents or efforts toward the aggrandizement of any selfish interests. By nature he is forthright, honorable, and generous. He gives unstintingly of his time to the civic betterment of his community, his county, his State, and Nation. The city of Bowling Green, Ky., where I am privileged to reside, is fortunate in being able to number Mr. Taylor among its citizens.

As a people we are performing world-shaking and history-making things today. But A. J. Toynbee suggests that 300 years from now the 20th century will be remembered not for its splitting of the atom, but for "having been the first age since the dawn of civilization in which people dared to think it practicable to make the benefits of civilization available for the whole human race." Certainly Mr. Charles Taylor has endeavored to make his vast knowledge of agriculture available to humanity. It is to such Americans, who have lived responsibly and done their part to create a better world, that all of us owe a debt of gratitude.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BROOMFIELD (at the request of Mr. GRIFFIN) on account of serious illness of his mother.

Mr. SHEPPARD, for 10 days, on account of official business.

Mr. RAY, for the week of April 27, on account of official business.

Mr. WHITENER (at the request of Mr. EVERETT) on account of the death of A. H. Whitener.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. BARR, for 10 minutes, on Monday next, and to revise and extend his remarks and include extraneous matter.

Mr. PORTER, for 30 minutes, today.

Mr. COFFIN, for 75 minutes, on Thursday next.

Mr. STRATTON, for 30 minutes, on Monday next.

Mrs. ROGERS of Massachusetts, for 10 minutes, today.

Mr. FASCELL, for 15 minutes, today.

Mrs. ROGERS of Massachusetts, for 10 minutes, on Monday and Tuesday next.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. THOMPSON of Texas and to include extraneous matter.

Mr. DOYLE.

Mr. CARTER.

Mr. PORTER and to include extraneous matter.

Mr. DOWNING (at the request of Mr. WRIGHT) and to include extraneous matter.

Mr. WOLF (at the request of Mr. HULL) and include extraneous matter.

Mr. SANTANGELO.

Mr. STRATTON and to include extraneous matter.

Mr. KOWALSKI and to include extraneous matter.

Mr. BENTLEY.

Mr. SMITH of California.

Mr. ALGER in two instances and include extraneous matter.

Mr. JENSEN and to include the life story of Dr. Adams, of Moses Lake.

Mr. ADAIR and to include certain remarks by the minority leader.

Mr. HIESTAND and to include extraneous matter.

Mrs. ST. GEORGE.

Mr. JUDD and to include extraneous matter.

Mr. AUCHINCLOSS in two instances and to include extraneous matter.

Mr. MERROW and to include extraneous matter.

Mr. BYRNES of Wisconsin and to include an address.

(At the request of Mr. MONAGAN, and to include extraneous matter, the following:)

Mrs. KEE.

Mr. ANFUSO in two instances.

Mr. MULTER in two instances.

Mr. THOMPSON of New Jersey.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committe did on April 20, 1959, present to the President, for his approval, a bill of the House of the following title:

H.R. 5508. An act to provide for the free importation of articles for exhibition at fairs, exhibitions, or expositions, and for other purposes.

ADJOURNMENT

Mr. MONAGAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 9 minutes p.m.), under its previous order, the House adjourned until Monday, April 27, 1959, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

874. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation entitled "A bill to authorize the Secretary of Agriculture to grant easements for rights-of-way over national forest lands and other lands under the jurisdiction of the Department of Agriculture, and for other purposes"; to the Committee on Agriculture.

875. A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation entitled "A bill to amend title 10, United States Code, with respect to Reserve commissioned officers of the Armed Forces"; to the Committee on Armed Services.

876. A letter from the Director, District Unemployment Compensation Board, Government of the District of Columbia, transmitting the annual report of the District Unemployment Compensation Board for the year 1958; to the Committee on the District of Columbia.

877. A letter from the Comptroller General of the United States, transmitting a report on the examination of the administration of major subcontracts under Department of the Navy negotiated contract NOa(s) 56-719-f with Philco Corp., Philadelphia, Pa.; to the Committee on Government Operations.

878. A letter from the Comptroller General of the United States, transmitting a report on the review of the Bureau of Federal Credit Unions, Social Security Administration, Department of Health, Education, and Welfare, June 1958; to the Committee on Government Operations.

879. A letter from the Chairman, Federal Communications Commission, transmitting a draft of proposed legislation entitled "A bill proposing amendments to sections 3 and 325(a) and proposed new section 330 of the Communications Act of 1934, as amended (47 U.S.C. 153, 325(a) and 330)"; to the Committee on Interstate and Foreign Commerce.

880. A letter from the Under Secretary of the Interior, transmitting a draft of proposed legislation entitled "A bill to supplement the Federal reclamation laws"; to the Committee on Interior and Insular Affairs.

881. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation entitled "A bill to donate to the Confederated Tribes of the Warm Springs Reservation, Oreg., approximately 48.89 acres of Federal land"; to the Committee on Interior and Insular Affairs.

882. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation entitled "A bill to amend the act of June 4, 1953 (67 Stat. 41), entitled 'An act to authorize the Secretary of the Interior, or his authorized representative, to convey certain school properties to local school districts or public agencies' "; to the Committee on Interior and Insular Affairs.

883. A letter from the Attorney General, transmitting a draft of proposed legislation entitled "A bill to amend sections 1 and 3 of the Foreign Agents Registration Act of 1938, as amended"; to the Committee on the Judiciary.

884. A letter from the Acting Secretary of the Army, transmitting a draft of proposed legislation entitled "A bill for the relief of Albert E. Sherron"; to the Committee on the Judiciary.

885. A letter from the Acting Secretary of the Army, transmitting a draft of proposed legislation entitled "A bill for the relief of Robert N. Anthony"; to the Committee on the Judiciary.

886. A letter from the Director, Administrative Office, U.S. Courts, transmitting a draft of proposed legislation entitled "A bill relating to applications for writs of habeas corpus by persons in custody pursuant to the judgment of a State court"; to the Committee on the Judiciary.

887. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a copy of the order granting the application for permanent residence filed by Jerzy Kudrawcew, alias Piotr Wedrogowski, A-9757090, pursuant to the Refugee Relief Act of 1953; to the Committtee on the Judiciary.

888. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, relative to the cases of Oi Nin Au, also known as Gim Hing Au, and Lee Hung Ock and Loy or Lew Him, involving suspension of deportation, and requesting that they be withdrawn from those before the Congress and returned to the jurisdiction of this Service; to the Committee on the Judiciary.

889. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to the Immigration and Nationality Act of 1952; to the Committee on the Judiciary.

890. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated March 3, 1959, submitting a report, together with accompanying papers and an illustration on a review of report on Soddy and Little Soddy Creeks, Tenn., requested by a resolution of the Committee on Public Works, House of Representatives, adopted August 17, 1949; to the Committee on Public Works.

891. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated March 3, 1959, submitting a report, together with accompanying papers and an illustration, on a survey of Coos Bay, Oreg., authorized by the Flood Control Act approved September 3, 1954; to the Committee on Public Works.

892. A letter from the Assistant Secretary of Agriculture, transmitting a report for the month of March relating to the cooperative program of the United States with Mexico for the control and eradication of foot-and-mouth disease, pursuant to Public Law 8, 80th Congress; to the Committee on Agriculture.

893. A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation entitled "A bill to extend the authority for the enlistment of aliens in the Regular Army"; to the Committee on Armed Services.

894. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Panama Canal Company and Canal Zone Government for fiscal year 1958 (H. Doc. No. 117); to the Committee on Government Operations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MADDEN: Committee on Rules. House Resolution 248. Resolution for consideration H.R. 5610, a bill to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes; without amendment (Rept. No. 289). Referred to the House Calendar.

Mr. DAWSON: Committee on Government Operations. S. 902. An act to provide for the receipt and disbursement of funds, and for continuation of accounts when there is a vacancy in the office of the disbursing officer for the Government Printing Office, and for other purposes; without amendment (Rept. No. 290). Referred to the Committee of the Whole House on the State of the Union.

Mr. FEIGHAN: Committee on the Judiciary. H.R. 6118. A bill to amend section 6 of the act of September 11, 1957; with amendment (Rept. No. 291). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. Third report of the Committee on Government Operations (Rept. No. 292). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. Fourth report of the Committee on Government Operations (Rept. No. 293). Referred to the Committee of the Whole House on the State of the Union.

Mr. BLATNIK: Committee on Public Works. H.R. 3610. A bill to amend the Federal Water Pollution Control Act to increase grants for construction of sewage treatment works; to establish the Office of Water Pollution Control; and for other purposes; with amendment (Rept. No. 294). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR:

H.R. 6550. A bill to provide that newspapermen shall not be required to reveal the source of their information in Federal courts or before committees of Congress, except where disclosure is found to be necessary in the interests of national security; to the Committee on the Judiciary.

By Mr. ANDERSON of Montana:

H.R. 6551. A bill to amend section 1(14)(a) of the Interstate Commerce Act to insure the adequacy of the national railroad freight car supply, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ANFUSO:

H.R. 6552. A bill to amend the Agricultural Trade Development and Assistance Act of 1954 with respect to the bartering and exchange of agricultural commodities for needed strategic and other materials, and for other purposes; to the Committee on Agriculture.

By Mr. BARR:

H.R. 6553. A bill to amend section 209 of the Highway Revenue Act of 1956 to provide that 100 percent of the excise tax on automobiles, trucks, buses, trailers, and parts and accessories shall be deposited in the highway trust fund; to the Committee on Ways and Means.

By Mr. BENTLEY:

H.R. 6554. A bill to amend title VI of the Housing Act of 1954 to make it clear that the facilitation of mortgage financing for minority groups is a primary objective of the voluntary home mortgage credit program; to the Committee on Banking and Currency.

By Mr. BYRNES of Wisconsin:

H.R. 6555. A bill authorizing the improvement of the Menominee Harbor, Mich. and Wis., in the interest of navigation and other purposes; to the Committee on Public Works.

By Mr. CELLER:

H.R. 6556. A bill to amend subdivision c of section 39 of the Bankruptcy Act (11 U.S.C. 67c) so as to clarify time for review of orders of referees; to the Committee on the Judiciary.

H.R. 6557. A bill to amend subdivision c of section 48 of the Bankruptcy Act (11 U.S.C. 76c) to increase the closing fee of the trustee from $5 to $10 and section 132 of the Bankruptcy Act (11 U.S.C. 532); to the Committee on the Judiciary.

By Mr. DADDARIO:

H.R. 6558. A bill to amend the Federal Deposit Insurance Act to provide that trust funds held by an insured bank shall not be eligible for deposit insurance or subject to assessment when they are deposited in an uninsured bank; to the Committee on Banking and Currency.

By Mr. DAVIS of Georgia:

H.R. 6559. A bill to amend the Federal Trade Commission Act to require that certain articles containing synthetic rubber shall be so labeled; to the Committee on Interstate and Foreign Commerce.

By Mr. DEROUNIAN:

H.R. 6560. A bill to preclude further acquisition of any price support commodity until current price support stocks of such commodity are exhausted; to the Committee on Agriculture.

By Mr. DINGELL:

H.R. 6561. A bill to amend the Internal Revenue Code of 1954 to establish corporate tax rates of 22 percent normal tax and 32 percent surtax, and to increase the amount of the exemption from such surtax; to the Committee on Ways and Means.

By Mr. DOOLEY:

H.R. 6562. A bill to authorize appropriations for the Federal-aid primary system of highways for the purpose of equitably reimbursing the States for certain free and toll roads on the National System of Interstate and Defense Highways, and for other purposes; to the Committee on Public Works.

H.R. 6563. A bill to provide that the United States shall reimburse the States and their political subdivisions for real property taxes not collected on real property owned by a foreign government and therefore exempt from taxation; to the Committee on Foreign Affairs.

Mr. DORN of New York:

H.R. 6564. A bill to amend the Fair Labor Standards Act of 1938, as amended, to provide coverage for employees of large enterprises engaged in retail trade or service and of other employers engaged in activities affecting commerce, to increase the minimum wage under the act to $1.25 an hour, and for other purposes; to the Committee on Education and Labor.

By Mr. DULSKI:

H.R. 6565. A bill to amend section 131(a) of title 23 of the United States Code to provide that increased payments to a State shall be only for regulation of outdoor advertising and not for its prohibition; to the Committee on Public Works.

By Mr. FLYNT:

H.R. 6566. A bill to amend title II of the Social Security Act to provide that a child

shall be deemed dependent upon his natural or adopting father at the time required for entitlement to benefits if the father (pursuant to court order) was then legally obligated to contribute to his support; to the Committee on Ways and Means.

By Mr. FOGARTY:

H.R. 6567. A bill relating to the classification of certain articles as braids under paragraph 1529(a) of the Tariff Act of 1930; to the Committee on Ways and Means..

By Mr. FOLEY:

H.R. 6568. A bill to permit unmarried annuitants under the Civil Service Retirement Act of May 29, 1930, as amended, to elect survivorship annuities upon subsequent marriage; to the Committee on Post Office and Civil Service.

H.R. 6569. A bill to make permanent certain temporary increases in rates of compensation of employees of the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FORAND:

H.R. 6570. A bill to amend paragraph 1529(a) of the Tariff Act of 1930 to clarify the meaning of the term "braid"; to the Committee on Ways and Means.

By Mr. HARRIS:

H.R. 6571. A bill to amend section 202(b) of the Communications Act of 1934; to the Committee on Interstate and Foreign Commerce.

H.R. 6572. A bill to amend subsection (b) of section 309 of the Communications Act of 1934; to the Committee on Interstate and Foreign Commerce.

H.R. 6573. A bill to amend section 5(c) of the Communications Act of 1934, as amended, to redefine the duties and functions of the review staff; to the Committee on Interstate and Foreign Commerce.

H.R. 6574. A bill to authorize the imposition of forfeitures for certain violations of the rules and regulations of the Federal Communications Commission in the common carrier and safety and special fields; to the Committee on Interstate and Foreign Commerce.

By Mr. HEMPHILL:

H.R. 6575. A bill to amend section 214 of the Internal Revenue Code of 1954 to permit a taxpayer to deduct expenses for the care of certain dependents where his wife is hospitalized or disabled, and to increase the maximum amount of the deduction allowable to a taxpayer under such section; to the Committee on Ways and Means.

By Mr. HIESTAND:

H.R. 6576. A bill to amend Public Law 874, 81st Congress, relating to Federal assistance in the operation of schools in areas affected by Federal activities, so that the amount of such assistance will reflect taxes paid on personal property in which the United States has an interest; to the Committee on Education and Labor.

By Mr. HOLTZMAN:

H.R. 6577. A bill to amend the Federal Employees' Compensation Act so as to facilitate the collection of fees by attorneys representing claimants under such act; to the Committee on Education and Labor.

By Mr. IKARD:

H.R. 6578. A bill to amend title II of the Social Security Act to provide that a widow under retirement age or a former wife divorced may continue to receive mother's insurance benefits even though none of the children of her deceased husband are any longer entitled to child's insurance benefits; to the Committee on Ways and Means.

By Mr. KEOGH:

H.R. 6579. A bill to amend the Tariff Act of 1930 to provide for the temporary free importation of extracts, decoctions, and preparations of hemlock suitable for use for tanning; to the Committee on Ways and Means.

By Mr. KING of Utah:

H.R. 6580. A bill to authorize construction of the Little Dell Dam and Reservoir project at Salt Lake City, Utah; to the Committee on Public Works.

By Mr. MOORE:

H.R. 6581. A bill to provide for the entry of certain relatives of U.S. citizens and lawfully resident aliens; to the Committee on the Judiciary.

By Mr. MOORHEAD:

H.R. 6582. A bill to amend title II of the Social Security Act to provide that a widow who is under a disability may become entitled to a widow's insurance benefits without having attained retirement age; to the Committee on Ways and Means.

By Mr. MOSS:

H.R. 6583. A bill to amend title II of the Social Security Act to include California among the States which may obtain social security coverage, under State agreement, for State and local policemen and firemen; to the Committee on Ways and Means.

By Mr. MACDONALD:

H.R. 6584. A bill to amend the Interstate Commerce Act, as amended, so as to strengthen and improve the national transportation system, insure the protection of the public interest, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MATTHEWS (by request):

H.R. 6585. A bill to amend the District of Columbia Teachers' Salary Act of 1955, as amended; to the Committee on the District of Columbia.

By Mr. METCALF:

H.R. 6586. A bill to repeal the tax on transportation of persons; to the Committee on Ways and Means.

By Mr. MORGAN:

H.R. 6587. A bill to authorize certain generals of the Army to accept and wear decorations, orders, medals, presents, and other things tendered them by foreign governments; to the Committee on Foreign Affairs.

By Mr. O'HARA of Illinois:

H.R. 6588. A bill to declare nonnavigable a part of the west arm of the South Fork of the South Branch of the Chicago River situated in the city of Chicago in the State of Illinois, as hereinafter described; to the Committee on Interstate and Foreign Commerce.

By Mr. POWELL:

H.R. 6589. A bill to grant natives of British Guiana, British Honduras, the British Virgin Islands, and the West Indies Federation unlimited access to the immigration quota for Great Britain; to the Committee on the Judiciary.

By Mr. SLACK:

H.R. 6590. A bill to repeal the excise tax on amounts paid for communication services or facilities to the Committee on Ways and Means.

By Mr. SMITH of Mississippi:

H.R. 6591. A bill to provide for the conveyance of certain real property of the United States to the Leland Consolidated School District, Mississippi; to the Committee on Agriculture.

By Mr. THOMPSON of Louisiana:

H.R. 6592. A bill to repeal the excise tax on amounts paid for communication services or facilities; to the Committee on Ways and Means.

By Mr. WALLHAUSER:

H.R. 6593. A bill to amend section 313 of the Veterans' Benefits Act of 1957 to extend the presumptive period with respect to service connection of multiple sclerosis for an additional 5 years; to the Committee on Veterans' Affairs.

By Mr. PATMAN:

H.R. 6594. A bill to create a Small Business Capital Bank System, under the supervision of the Small Business Administration, to increase the availability to small business of equity and long-term capital where such capital is not available on reasonable terms from existing sources, and for other purposes; to the Committee on Banking and Currency.

By Mr. ABBITT:

H.R. 6595. A bill to amend title III of the Packers and Stockyards Act, 1921, with respect to the regulation of small stockyards under that title; to the Committee on Agriculture.

By Mr. ASPINALL:

H.R. 6596. A bill to encourage and stimulate the production and conservation of coal in the United States through research and development by creating a Coal Research and Development Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 6597. A bill to revise the boundaries of Dinosaur National Monument and provide an entrance road or roads thereto, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 6598. A bill to authorize the conveyance of certain property administered as a part of the San Juan National Historic Site to the municipality of San Juan, P.R., in exchange for its development by the municipality in a manner that will enhance the historic site, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ASPINALL (by request):

H.R. 6599. A bill to amend the Mineral Leasing Act of February 25, 1920 (41 Stat. 437), as amended; to the Committee on Interior and Insular Affairs.

By Mr. BASS of New Hampshire:

H.R. 6600. A bill to liberalize the tariff laws for works of art and other exhibition material, and for other purposes; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 6601. A bill to amend section 605 of the Merchant Marine Act, 1936, to provide further requirements for applicants for operating-differential subsidies; to the Committee on Merchant Marine and Fisheries.

By Mr. CARTER:

H.R. 6602. A bill to promote the foreign policy of the United States and help to build essential world conditions of peace, by the more effective use of U.S. agricultural commodities for the relief of human hunger, and for promoting economic and social development in less developed countries; to the Committee on Agriculture.

By Mr. CRAMER:

H.R. 6603. A bill to amend the Agricultural Adjustment Act of 1938 to make permanent the definition of "peanuts" which is now in effect on a temporary basis; to the Committee on Agriculture.

By Mr. EDMONDSON:

H.R. 6604. A bill to authorize appropriations for the purpose of equitably reimbursing the States for certain free and toll roads on the National System of Interstate and Defense Highways, and for other purposes; to the Committee on Public Works.

By Mr. HARDY:

H.R. 6605. A bill to amend Reorganization Plan No. 7 of 1953; to the Committee on Government Operations.

By Mr. JOHNSON of Maryland:

H.R. 6606. A bill to provide for the removal of the hazard to health and navigation caused by the wreckage of the *African Queen;* to the Committee on Public Works.

By Mr. METCALF:

H.R. 6607. A bill to prohibit nepotism in activities financed or aided by public funds; to the Committee on Post Office and Civil Service.

By Mr. MILLER of New York:

H.R. 6608. A bill to provide for equal treatment of all State-owned hydroelectric power projects with respect to the taking over of such projects by the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. POWELL:

H.R. 6609. A bill to amend section 101(a)(27)(C) of the Immigration and Nationality Act to provide that individuals born in British Guiana, British Honduras, the British Virgin Islands, or the West Indies Federation shall be nonquota immigrants under that act; to the Committee on the Judiciary.

H.R. 6610. A bill to authorize appropriations for the Federal-aid primary system of highways for the purpose of equitably reimbursing the States for certain free and toll roads on the National System of Interstate and Defense Highways, and for other purposes; to the Committee on Public Works.

By Mr. ROOSEVELT:

H.R. 6611. A bill to promote the foreign policy of the United States and help build essential world conditions of peace by the more effective use of U.S. agricultural commodities for the relief of human hunger and for promoting economic and social development in less developed countries; to the Committee on Agriculture.

By Mr. STRATTON:

H.R. 6612. A bill to amend title III of the act of March 3, 1933, commonly referred to as the Buy American Act with respect to determining when the cost of certain articles, materials, or supplies is unreasonable, and for other purposes; to the Committee on Public Works.

By Mr. WESTLAND:

H.R. 6613. A bill to provide that in determining income of World War I veterans and their widows for the purpose of ascertaining eligibility for pensions, payments under title II of the Social Security Act shall not be taken into account; to the Committee on Veterans' Affairs.

By Mr. ADDONIZIO:

H.J. Res. 349. Joint resolution providing for the establishment of the New Jersey Tercentenary Celebration Commission to formulate and implement plans to commemorate the 300th anniversary of the State of New Jersey, and for other purposes; to the Committee on the Judiciary.

By Mr. SHELLEY:

H.J. Res. 350. Joint resolution to authorize the Secretary of Commerce to sell certain war-built vessels; to the Committee on Merchant Marine and Fisheries.

By Mr. TOLLEFSON:

H.J. Res. 351. Joint resolution to authorize the Secretary of Commerce to sell certain war-built vessels; to the Committee on Merchant Marine and Fisheries.

By Mr. PORTER:

H. Con. Res. 147. Concurrent resolution expressing the sense of Congress in regard to United Nations Charter revision, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ASHLEY:

H. Con. Res. 148. Concurrent resolution expressing the sense of Congress in regard to United Nations Charter revision, and for other purposes; to the Committee on Foreign Affairs.

By Mr. CARTER:

H. Con. Res. 149. Concurrent resolution expressing the sense of Congress in regard to United Nations Charter revision, and for other purposes; to the Committee on Foreign Affairs.

By Mr. CLARK:

H. Con. Res. 150. Concurrent resolution expressing the sense of Congress in regard to United Nations Charter revision, and for other purposes; to the Committee on Foreign Affairs.

By Mrs. GREEN of Oregon:

H. Con. Res. 151. Concurrent resolution expressing the sense of Congress in regard to United Nations Charter revision, and for other purposes; to the Committee on Foreign Affairs.

By Mr. JOHNSON of Colorado:

H. Con. Res. 152. Concurrent resolution expressing the sense of Congress in regard to United Nations Charter revision, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MEYER:

H. Con. Res. 153. Concurrent resolution expressing the sense of Congress in regard to United Nations Charter revision, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MOORHEAD:

H. Con. Res. 154. Concurrent resolution expressing the sense of Congress in regard to United Nations Charter revision, and for other purposes; to the Committee on Foreign Affairs.

By Mr. RHODES of Pennsylvania:

H. Con. Res. 155. Concurrent resolution expressing the sense of Congress in regard to United Nations Charter revision, and for other purposes; to the Committee on Foreign Affairs.

By Mr. RIVERS of Alaska:

H. Con. Res. 156. Concurrent resolution expressing the sense of Congress in regard to United Nations Charter revision, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ROOSEVELT:

H. Con. Res. 157. Concurrent resolution expressing the sense of Congress in regard to United Nations Charter revision, and for other purposes; to the Committee on Foreign Affairs.

By Mr. WOLF:

H. Con. Res. 158. Concurrent resolution expressing the sense of Congress in regard to United Nations Charter revision, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BARR:

H. Con. Res. 159. Concurrent resolution relating to priority in temporary employment of persons in taking the 1960 census; to the Committee on Post Office and Civil Service.

By Mrs. PFOST:

H. Con. Res. 160. Concurrent resolution declaring the sense of Congress on the closing of Indian hospitals; to the Committee on Interior and Insular Affairs.

By Mr. PRICE:

H. Con. Res. 161. Concurrent resolution providing for the development through the United Nations of international educational programs; to the Committee on Foreign Affairs.

By Mr. ZELENKO:

H. Con. Res. 162. Concurrent resolution providing for the development through the United Nations of international educational programs; to the Committee on Foreign Affairs.

By Mr. BUCKLEY:

H. Res. 249. Resolution amending House Resolution 91, 86th Congress; to the Committee on Rules.

By Mr. BOWLES:

H. Res. 250. Resolution favoring an international agreement for a suspension of nuclear weapons tests; to the Committee on Foreign Affairs.

By Mr. DENTON:

H. Res. 251. Resolution creating a select committee to conduct an investigation and study of the effects of automation on employment; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By Mr. FORAND: Memorial of the Rhode Island General Assembly memorializing the Congress of the United States to enact legislation to provide for a regional national cemetery in the State of Rhode Island; to the Committee on Interior and Insular Affairs.

By the SPEAKER: Memorial of the Legislature of the State of Texas, memorializing the President and the Congress of the United States relative to the Senate of the State of Texas opposing the invasion of its rights, and that the Congress of the United States substitute the principles expressed in the McClellan recommendations relating to the protection of the workingman from the influence of corrupt unions in lieu of the Kennedy bill; to the Committee on Education and Labor.

Also, memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States relative to preserving for posterity the definition of "Aloha"; to the Committee on Interior and Insular Affairs.

Also, memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States, urging that immediate action be taken, either by Federal legislation or other appropriate means, to effectively limit the importation of foreign pulp products at prices below the North American competitive level; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDONIZIO:

H.R. 6614. A bill for the relief of Nikolay Czaliy; to the Committee on the Judiciary.

By Mr. ASHLEY:

H.R. 6615. A bill for the relief of the estate of Esther Otersen; to the Committee on the Judiciary.

By Mr. BOYLE:

H.R. 6616. A bill for the relief of Mary Jabra; to the Committee on the Judiciary.

By Mr. BURNS of Hawaii:

H.R. 6617. A bill for the relief of Mrs. Tatsuko Matsuoka; to the Committee on the Judiciary.

By Mr. DERWINSKI:

H.R. 6618. A bill for the relief of Mrs. Agavni Yazicioglu; to the Committee on the Judiciary.

By Mr. DINGELL:

H.R. 6619. A bill for the relief of Khurshid Ahmad Mian; to the Committee on the Judiciary.

By Mr. DORN of New York:

H.R. 6620. A bill for the relief of Emelia Kielczewska; to the Committee on the Judiciary.

H.R. 6621. A bill for the relief of Arshalouis Simeonian; to the Committee on the Judiciary.

H.R. 6622. A bill for the relief of Vincenzo Noto; to the Committee on the Judiciary.

By Mr. DULSKI (by request):

H.R. 6623. A bill for the relief of Dr. Frank A. Beltran; to the Committee on the Judiciary.

H.R. 6624. A bill for the relief of Ernestina Milgrom; to the Committee on the Judiciary.

By Mr. GREEN of Pennsylvania:

H.R. 6625. A bill for the relief of Wanda Ferrara Spera; to the Committee on the Judiciary.

By Mr. HEALEY:
H.R. 6626. A bill for the relief of Fu Muh Po; to the Committee on the Judiciary.
H.R. 6627. A bill for the relief of Fu Li Tsing Ing; to the Committee on the Judiciary.

By Mr. HOLTZMAN:
H.R. 6628. A bill for the relief of Mrs. Eugenia Kwasniak; to the Committee on the Judiciary.

By Mrs. KELLY:
H.R. 6629. A bill for the relief of John Josephine Smith; to the Committee on the Judiciary.

By Mr. KEARNS:
H.R. 6630. A bill for the relief of American Boiler Works, Inc.; to the Committee on the Judiciary.

By Mr. KILDAY:
H.R. 6631. A bill for the relief of Robert Cermin; to the Committee on the Judiciary.

By Mr. LINDSAY:
H.R. 6632. A bill for the relief of Maria Esther Avello-Fernandez; to the Committee on the Judiciary.

By Mr. MERROW:
H.R. 6633. A bill for the relief of Dolly Daulette Roshan Pestonji; to the Committee on the Judiciary.

By Mr. THORNBERRY:
H.R. 6634. A bill for the relief of Ernst F. Hubert; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

William A. Brockwell

EXTENSION OF REMARKS
OF
HON. JAMES C. AUCHINCLOSS
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 23, 1959

Mr. AUCHINCLOSS. Mr. Speaker, after some 18 years of faithful service as manager of the restaurant in the House of Representatives, William A. Brockwell is retiring, and his courteous manner and efficient management will be missed by everyone. His term of service has been noted by a rapid growth in the restaurant services in the House side of the Capitol, and this business expansion was met under Mr. Brockwell's leadership with conspicuous ability. His qualities of leadership are emphasized when it is remembered that the expansion was carried on under the devastating handicap of very limited space available for restaurant facilities.

When Mr. Brockwell started, in 1941, there was only 1 restaurant unit on the House side of the Capitol, which served about 500 meals daily, with gross yearly receipts of $110,000, while today about 5,000 meals are served each day, with gross yearly receipts of over $500,000—truly a remarkable growth, not only in operations but also in responsibilities of management. During this period of operation, Mr. Brockwell established in 1942 a new cafeteria, seating 125 people, in the New House Office Building, which was subsequently enlarged in 1944 to a seating capacity of 180. Later, in 1947, the coffee shop in the basement of the Capitol was put into operation, as well as the Members' private dining room in the Capitol. These two new developments provided an additional combined seating capacity of 108. Snackbars were installed in each of the two House Office Buildings in 1953; and when the cafeteria in the New House Office Building was closed in 1959, the new modern restaurant in the courtyard of the New House Office Building, with a seating capacity of 525, was put into operation.

To manage such an ever-expanding project and to contend with the many problems attendant thereto required great patience, farsighted planning, courage, and real ability of an unusual sort. Mr. Brockwell combined all these attributes, and he added to the job his quiet, sincere, and honest personality, which insured success.

The best wishes of his many friends go with him during the days to come; and if he retires to his farm to enjoy its bucolic serenity and to indulge in a bit of hunting and fishing, we feel sure he will find contentment in the knowledge that he did a good job and has earned a rest from the strenuous life he has led in satisfying the gastronomical demands of Congressmen.

Address by Hon. Stuart Symington, of Missouri, Before Democratic City Committee of Philadelphia, Pa.

EXTENSION OF REMARKS
OF
HON. JOSEPH S. CLARK
OF PENNSYLVANIA
IN THE SENATE OF THE UNITED STATES
Thursday, April 23, 1959

Mr. CLARK. Mr. President, on Tuesday of this week the distinguished junior Senator from Missouri [Mr. SYMINGTON] was the principal speaker at the annual Jefferson-Jackson Day dinner of the Democratic City Committee of Philadelphia, Pa.

Before an enthusiastic audience of 4,000 loyal Democrats, the Senator from Missouri delivered a splendid address dealing with many national problems, but in particular with the critical problems of urban affairs.

I ask unanimous consent that the text of the address may appear in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR STUART SYMINGTON AT DEMOCRATIC CITY COMMITTEE DINNER, PHILADELPHIA, PA., APRIL 21, 1959

Thank you for asking me to Philadelphia tonight. It is always a pleasure to be among Democrats; and I know there are no better Democrats in the world than those of Philadelphia and Pennsylvania.

It is good to see your able Representatives in the House from Philadelphia—BILL BARRETT; JIM BYRNE; BOB NIX; HERMAN TOLL; that very gracious lady KATHRYN GRANAHAN; and your very able city chairman, my old and good friend, BILL GREEN.

Over 14 years ago I used to appear before BILL'S committee in the Congress, and learned to respect his understanding and judgment.

It is a pleasure to be here with your outstanding mayor, and my old schoolmate, Dick Dilworth. I know Philadelphians will show good judgment this year by reelecting him. He has dedicated his energies to a better Philadelphia, and deserves to be reelected by a landslide.

It is a privilege to work in the Senate with another capable and courageous Pennsylvanian, JOE CLARK, who is making a fine record as a Senator. He and I are together on what is needed for the future of this country, and I am mighty proud to be his colleague.

And now, may I congratulate the people of Pennsylvania for their wisdom in electing as their Governor another old and good friend, Dave Lawrence.

Governor Lawrence has already begun building a record as Governor which bids to match his magnificent record as Mayor of Pittsburgh. He is uniformly acknowledged to be one of the outstanding Democrats of our time—and I am equally proud to be with him here tonight.

The people of Philadelphia and Pennsylvania are responsive to their Democratic government because that government has been responsive to the people.

That is not true of our national administration—and this, my friends, is the reason why, in 1960, the people will vote out the apostles of indifference, delay and retrenchment—and vote in a Democratic President.

We have been hearing over-much in the last few months about what the United States can and cannot afford. Judging by some of the pronouncements issuing from Washington, we are teetering on the edge of economic collapse.

As one who passed the better part of his lifetime in industry and business, I believe I know as well as the next man how to read a balance sheet and understand the dangers of living beyond one's means.

Let me, therefore, assert my firm belief that the issue, as it has been presented to the country by the Republican myth-makers, is as phony as can be.

The so-called split between "spenders" and "savers" is another Madison Avenue confection, served up to grab the headlines.

The issue is not solvency or waste, spending or saving. The issue is how our vast national energies will be divided and what priorities will be assigned to which tasks.

No one can look realistically at the state of the American economy and come away with any impression that we are bankrupt, or nearly so.

Never in the long history of mankind has one nation been so bountifully endowed with wealth and the means of producing further wealth. Never in history has a nation had so little cause to misdoubt its basic economic strength.

And yet within this picture of great good health, there are disturbing symptoms, not of overall weakness, but of selective sickness here and there in vital sectors of the economy.

Despite the great fuss and beating of drums in Washington 2 weeks ago, the fact is that more than four and a quarter million Americans are still out of work. And while I share the President's pleasure at the improvement in employment figures, I'm afraid it is a little early to recite a funeral oration over the dead body of the late recession.

We Democrats hope that the worst is over. But this recession has been a strange

beast from first to last, and it seems to me that there are still some soft spots which need watching.

For one thing, this was not a uniform recession. Its effects were principally concentrated in a few key labor markets—Detroit, West Virginia, Pittsburgh, Scranton, Wilkes-Barre—to name some of them.

In several areas at one period unemployment topped 14 percent of the labor force. In these places, I regret to say, the recession is not yet over—whatever this Administration chooses to believe.

Furthermore, there are some worrisome clouds on the horizon. Our great steel industry is still below full capacity. But steel inventories are piling up as buyers seek to protect themselves against a possible strike.

Nobody in his right mind wants a steel strike this summer. Yet, if there is no strike, will demand hold up or will there be another production slowdown and more layoffs? These are questions which trouble leading economists—everywhere, apparently, but at the Department of Commerce and the White House.

Meanwhile, the stock market continues its steady climb, oblivious to warnings that a stock certificate ought not to be confused with a parimutuel ticket.

Meanwhile, in the midst of partial recession, great riches, and wild speculation—we are short 140,000 classrooms and our great cities are in danger of being strangled to death by slums, traffic, rising costs, and declining incomes.

Unfortunately, the tendency in Washington has been to look at the wrong symptoms and to draw the wrong conclusions about the nature of the disease.

In the past year and a half, we have had prescribed for us a sirupy mixture of tight money and tidy slogans, and the one was as useless as the other was damaging.

I am persuaded that we have been approaching this situation from almost entirely the wrong direction.

We have been trying to contract the economy. We ought to be expanding it.

During the past 6 years our national economy has been growing at an average annual rate of about one and three-tenths percent. The Soviet economy during the same period has been growing at a rate two or three times as great.

In any case, the key question isn't how much growth but what kind.

A 50 percent increase in the production of chrome doodads can't be equated with national progress.

If we are to meet the Sino-Soviet challenge, what we need, among other things, is increased investment in our human resources through improvements in our educational system. We need more schools and more teachers. We need better colleges and better technical schools. We need more attention to training and retraining workers to the latest and most usable skills.

These needs are only illustrative. I am not making a talk this evening on what the United States needs to keep pace with Russia. The topic, I'm afraid, can't be exhausted in a sentence or two.

I do want to point out, however, that investment of this sort—in schools and colleges and in other public facilities—is not, as the Republicans contend, money taken from the pockets of private enterprise.

Quite the reverse.

Who builds our schools? Private enterprise. Who supplies the raw materials? Private enterprise. Who does the work? American labor.

If you put up a half million dollar school building on the outskirts of Philadelphia, you don't take that much cash, put it in a weighted sack and throw it in the Delaware River. You pay it to builders who pay it to employees and suppliers who pay it to still more employees and suppliers and so forth.

Economists who study these things say money invested in public works turns over about four times. They call this the multiplier effect. Which means, simply, that a billion dollars invested in schools adds about $4 billion to the gross national product.

So I don't accept the Republican dogma that all public spending is evil. Employed with careful attention to sound fiscal and tax policy, public investment could do a great deal to end this leftover recession with its terrible after-effects.

With this foundation, may I turn now, in the few minutes remaining, to the subject of metropolitan area needs.

It has been the custom during this administration to treat our great cities as if they were beggars with their hands eternally outstretched.

In face of the fact that about 15 million Americans still live in substandard housing—most of it in large cities—the administration has up to now successfully obstructed all efforts to provide an adequate slum clearance and urban renewal program. The current housing bill is menaced by the threat of Presidential veto.

So is the airport construction bill. So is the depressed areas bill.

If these bills do pass finally, it will probably be because they have been scaled down in advance to meet White House objections.

The Republicans claim—and I have no doubt that most do so sincerely—that they do not oppose these programs as such.

They oppose them, first, they say, because the programs are too costly and, second, because the cities ought to do the job themselves.

These are seductive arguments and they convince a lot of people. But they are just not true.

The cost argument I have already refuted. We can afford these programs a lot better than we can afford run-down cities and wasted human lives. Any business which allowed its plant facilities to deteriorate would soon be outstripped by its competitors. And the same applies to a government.

City problems do not stop conveniently at city lines. Since the end of World War II, the motor car has created a new metropolitan America. City and suburb are one and their problems are one. But their governments are many.

We have 180 metropolitan areas in the United States. These areas contain 60 percent of all our people. More than a third of them comprise two or more counties. Twenty-four cross State lines. Twenty-nine others are flat up against the borders of States.

These 180 areas contain nearly 16,000 individual governments, including about 3,500 municipalities and 2,500 townships.

Where does local responsibility fit into this picture?

It's there all right. I'm not suggesting that the Federal Government should be the source from which all things flow. But let's be careful how we toss around this concept of local responsibility.

We can't reasonably expect our cities to be responsible for things over which they do not have sufficient control.

Yet our Federal Government seems scarcely to recognize the existence of a metropolitan problem. In fact, of all the thousands and thousands of Federal programs now on the books, there is only one which specifically concedes the existence of such a problem. That one is a relatively modest planning assistance program in the Housing and Home Finance Agency.

The administration's almost total indifference to metropolitan problems has led some to suggest creation of a cabinet level Department of Urban Affairs. This suggestion deserves careful consideration.

Certainly some action is required in this field, and soon. Already a 600-mile long super-metropolis is growing together between Boston and Washington. Others are beginning to form between Los Angeles and San Diego, Seattle and Tacoma, Pittsburgh and Cleveland, Chicago and Milwaukee.

These problems, in other words, are in their infancy. Traffic will get worse before it gets better. Congestion is increasing. Urban renewal will demand more energy and more money instead of less.

The Federal Government cannot shirk its responsibility in this field.

The proposal your outstanding senior Senator JOE CLARK has made for a Hoover Commission-type study of urban and metropolitan needs deserves the support of every thinking American. Such a study is long overdue.

This ought not to be a partisan question. But there is no mistaking the fact that it is.

The Republican National Committee itself noted on April 7 that its election disaster in 1958 was administered largely by urban voters, who are bone tired of evasions and mealy-mouthed moralism.

The time has come for action.

I have long felt that there is no such thing in history as standing still. Either a nation moves forward resolutely and unafraid, or it fails. You cannot fight a successful delaying action against the future. You either master decay or decay masters you.

I'm convinced that our cities can be rescued from blight—given the proper mixture of ingenuity and resolution. The entire country knows what has been done here in the city of Philadelphia, in Pittsburgh, and in my own cities of St. Louis and Kansas City.

Given the support of the Federal Government in those needs where Federal support is indispensable, we can and will solve the problems of our cities.

And if there is no immediate victory in gaining this support, do not despair. It is of such defeats that future victories are born.

National Coal Policy Conference

EXTENSION OF REMARKS
OF
HON. ELIZABETH KEE
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 23, 1959

Mrs. KEE. Mr. Speaker, on this coming Monday evening, April 27, the newly formed and extremely important National Coal Policy Conference will have a dinner at the Statler-Hilton Hotel and all Members of the House of Representatives have been invited to attend. The theme of the meeting will be "Coal Powers America's Future" and one of its aims will be the adoption by the Federal Government of a national fuels policy based on a realistic approach to the use of basic fuels in America.

The National Coal Policy Conference represents coal operators, coal miners, coal carrying railroads, coal burning electric utilities and manufacturers of coal mining equipment. Thus, it is clear that the conference is well qualified to speak for a united coal industry.

Mr. Speaker, the reason I have requested permission to insert this plea in the CONGRESSIONAL RECORD has been to respectfully urge every Member of the House to make a special effort to attend

this informative dinner. The speeches will be short and directly to the point. The Members who do not represent coal mining congressional districts and their constituents have a stake in the coal industry. It has been truly said, "The coal industry contributes—in an important way—to the daily living of every American ever day."

Coal is a basic American industry. It provides employment for hundreds of thousands of people. Coal is our basic fuel. Without coal, our Nation could not long remain free.

There exists a need for the Federal Government to take a look at the various basic fuels and establish a policy that will relate them to each other and to the national security. Our Nation has a gas policy, an oil policy and an atomic policy. Only coal of the basic fuels operates without a national policy as a guide.

It is my heartfelt hope that every Member of the House who can possibly do so will avail themselves of this opportunity to meet the men who head this great and vital industry. I can assure you with full confidence that you will enjoy an informative and rewarding experience.

John Foster Dulles

EXTENSION OF REMARKS
OF
HON. JAMES C. AUCHINCLOSS
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 23, 1959

Mr. AUCHINCLOSS. Mr. Speaker, there is not much more that can be said about the great loss our Nation has suffered and, indeed, the entire civilized world by the resignation of John Foster Dulles as Secretary of State, but I cannot resist the temptation to express my feelings concerning this great man, and his service to our country. I have known Foster Dulles for a number of years, and was not at all surprised that a man of his great attainments and consecration to duty should finally be recognized as the outstanding statesman that he is. He came to the service of the Government with an extraordinary mind, keen perception and knowledge of human nature, trained in the law and experienced in human relationships. He gave of these talents unstintingly and without reserve and with it all showed a determination and a spirit of courage which will always be an inspiration to everyone. The record shows clearly that he was highly respected by those who were in disagreement with him because of the incisiveness of his arguments, backed by a determination and conviction of the righteousness of his cause, he became unconquerable in the field of diplomacy. It would be hard to find any former Secretary of State with such a positive and strong personality and there is no man in the history of our country who ever even approached the same wholesome, determined and brave spirit which he has shown so conspicuously.

At the same time during this period of change, men and women everywhere who believe in the cause of freedom and justice may take heart in the knowledge that Christian Herter is a worthy successor to Foster Dulles. Practically all his life Christian Herter has been engaged in the operations of international diplomacy and political activity and because of this training he brings to the Office of Secretary of State a contribution which is unique and of great significance.

It is not often that a Secretary of State is endowed with the qualities that Mr. Herter has and his lifetime experience brings much confidence to the future handling of our international affairs. Cordell Hull was a great Secretary of State because he was a keen politician though he was not noted for his knowledge of diplomacy. Dean Acheson was blessed with an agile mind trained as a lawyer and was proficient in international law but as a politician he did not qualify at all. Even Foster Dulles, great Secretary of State that he was, never had the politician's training others have had and certainly he is not to be compared with Christian Herter in that category. The new Secretary of State was at one time a member of the State Legislature of Massachusetts and speaker of the house; a Member of the U.S. House of Representatives for 10 years; Governor for two terms of the Commonwealth of Massachusetts; an active member of former President Hoover's Food Administration in the distribution of relief after World War I. A constant student of international problems all over the world and endowed with a brilliant mind and a sterling character, he will protect the best interest of our country and will promote the cause of peace with honor throughout the world.

Schools Second to None

EXTENSION OF REMARKS
OF
HON. ROBERT C. BYRD
OF WEST VIRGINIA
IN THE SENATE OF THE UNITED STATES
Thursday, April 23, 1959

Mr. BYRD of West Virginia. Mr. President, last Saturday evening our distinguished colleague, the Senator from Texas [Mr. YARBOROUGH] delivered an address on education which I feel contains an urgent message for all Americans.

The Senator was speaking before the Texas Classroom Teachers Association at Dallas, and he addressed his remarks primarily to Texas school problems and Texas school attitudes. But I believe that his words conveyed truths which apply, not only to Texas, but to our Nation as a whole.

The Senator from Texas [Mr. YARBOROUGH], who is himself a former teacher and a present member of the Senate Education Subcommittee, spoke of the educational challenge which is facing America today, and he indicated what he believes must be our approach if we are to meet that challenge.

Mr. President, in order that all of us in Congress, and all others, may be apprised of the insight and understanding of the Senator from Texas in this matter I ask unanimous consent that his address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD as follows:

SCHOOLS SECOND TO NONE

(Speech delivered by U.S. Senator RALPH YARBOROUGH at the Texas Classroom Teachers Association's annual convention banquet, Dallas, April 18, 1959)

Madam President, fellow teachers, fellow Texans, fellow Americans, you have paid me a great honor by inviting me to speak at the annual convention of your 23,000-member Texas Classroom Teachers Organization. On a broader plane, you really represent the highest ideals of all Texas classroom teachers, including those without your organization as well as those who are dues-paying members.

Vast as your influence over the next generation is, by your molding of the minds of that generation, you have not been content to leave your good works for fruition in the next generation alone. I came here in part to pay tribute to you for the privilege of working with you for the advancement of the aims and ideals of public education.

As a former classroom teacher in Henderson County public schools for 3 years and as a member of the Senate Education Subcommittee, I am deeply concerned about the progress and future of public education. I'm particularly concerned about it in Texas.

This does not mean that I am critical of you. On the contrary, the dedicated work you have done, despite inadequate pay and limited facilities, is magnificent. Thanks mainly to your devotion to duty, Texas has now, and over the past decade has generally had, better public schools than it paid for. It is a great credit to you and to our schools, that 96 percent of you—our active teachers—have earned a degree and 39 percent of you have your master's degree. Only two States, Arizona and Oklahoma, have a higher percentage of teachers who have earned degrees. Six percent of all Texans have 4 or more years of college—which ranks us 20th among the States in that category.

As a Texan I am proud that we have many outstanding schools and well qualified teachers in Texas—and that you graduate thousands of exceptionally well-educated students. But I believe we would fail in our public duty, if we did not take into account the rating of Texas public schools when compared with other States.

Our goal for Texas school children is "schools second to none." But we rank 33d, not first, in the percentage of our school-age children who are enrolled in school. Statistics show that approximately one out of every five of our school-age children is not attending school. We rank 39th, not first, in the average number of days attended per pupil enrolled in school per year. We Texans rank a poor 37th in the percent of selective service registrants disqualified by mental tests, and we rank 36th in the percent of population 25 years or older with at least 4 years of high school.

Texans—teachers, parents, and the majority of all our people—believe Texas schoolchildren should have schools "second to none."

What's more, I believe Texans can be counted on to support, financially and otherwise, efforts to strengthen our entire public school program. It is a matter of giving Texans the facts—of informing the man on the street of how, when, where, and why we need schools second to none. If we give the people the facts, Texans don't have to be sold such schools—they will demand them. But I don't believe the people of Texas will support a sales tax system to achieve these results.

A century and a quarter ago, our Texas forefathers revolted because of the failure

of the General Government to establish a system of public education in Texas. Our proud State was ravaged by fire and by sword, her cities besieged, her towns burned, her heroes killed. But the right to a system of public education was won. Are we, the inheritors of those rights, to settle for anything less than the very best public education system for our children? Texans will not.

It is obvious that we have a long way to go to secure adequate funds for schools second to none. Your pay as teachers is completely inconsistent with the great responsibility that our democratic society places upon you. Within a few years schoolteachers' pay at elementary, high school and college levels should be doubled.

Proud, wealthy Texas is paying its classroom teachers an average of only $4,410 yearly, considerably below the national average. This is criminal neglect because the student is the casualty in the long run. As your representative in the Senate, I am working for substantial pay increases for you and for all teachers; raises in keeping with the dignity and responsibility of your task in and to society. Texas ranks 26th among the States in teacher pay. On the average, your pay is estimated to be $1,550 a year less than California teachers' salaries. We have a shortage in Texas alone of more than 2,000 teachers this year.

Many Texans, from widowed mothers to nationally known college professors, have written or phoned me of their shock and indignation at the action of the board of regents of our Texas State teachers colleges in refusing to permit students in five Texas State colleges to borrow funds from the Federal Government under the generous loan provisions of the National Defense Education Act of 1958.

The National Defense Education Act of 1958 was designed to start us on the road to higher educational achievement. The five colleges whose students were denied opportunities to seek that higher training were all established by the State of Texas to train teachers. The governing board of those colleges voted against the students, against the people of Texas, against the purpose for which it was created, and against its duty.

The regents of these five schools—Sam Houston State Teachers College, Southwest Texas State Teachers College, Stephen F. Austin, East Texas State, and Sul Ross College, have officially certified that they need $195,333 this year for student loans, these loans which bear no interest so long as the students are in college. The regents have turned their backs on the colleges they were appointed to serve. One of the great functions of higher education is to train teachers, who in turn, do so much to mold the character of the Nation.

The board has thrown up a roadblock against that training. Its order may jeopardize the opportunity of many Texas youths to continue college. Its order reminds me of a game warden caught shooting fawns, and out of season at that.

In denying these students their loans, on the specious grounds that it is Federal money, the board has shown a distrust of our Government unworthy of an official who has taken an oath to uphold that Government.

You cannot make democracy work by shooting holes in the American flag.

The board of regents of these colleges has made a decision which I would not want on my conscience. If a single student drops out of a single one of these schools for lack of funds, the regents should be held accountable. Ironically, one of the colleges which the regents prohibited from participating in the loan program, has this statement of purpose printed on its letterhead:

"Founded to promote the advancement of the profession of teaching. Dedicated to the cause of better schools. Devoted to the welfare of children and youth."

It is my sincere hope that the board of regents of Texas State teachers colleges, for the good of the students, will reconsider its position on this matter. A total of $21,758 has been reserved out of the first moneys for the five colleges involved and more will be appropriated. If the regents finally deny this aid to their students, I shall make every effort to see that these funds are apportioned to other Texas students in other Texas colleges so that they will not be diverted to other States.

The Hale-Aikin committee study shows that in addition to higher teachers salaries, we need in Texas 3,373 new classrooms now for our rapidly increasing school-age population, and we will need 17,284 more classrooms by 1963. And in the Nation as a whole, we need 140,000 new classrooms and need 135,000 more teachers now and the need is critical. Recent disasters have revealed that many classrooms are virtually firetraps that could easily turn into deathtraps for teachers and pupils.

To me the question is when, not where, we are going to get the money to meet these needs. The time is now. Educational opportunities missed by a child this year, may never return. Most Texans agree that we must and will maintain local control of our schools. We feel that wherever possible, schools should be supported by local funds. Where local funds are not available, the State should meet the need. Where the State either cannot or will not meet the responsibility of giving Texas children superior schools, we should avail ourselves of Federal funds. We should be for all aid to education because the need for more funds in the field of education is so critical that revenues from local districts, cities, States and the Federal Government, all are required.

From all tax and private sources combined we spend only 4 percent of our gross national product on the education of our youth—not enough in today's competitive world.

We should also consider that Federal assistance to education might prove to be a far more preferable and fairer solution to our school fund problems than raising revenues through a State general sales tax.

It is time too that we dispel the myth that Federal assistance to schools has meant in the past, or will mean in the future, Federal control of schools. Despite the often-voiced fears from some quarters, Federal control of schools has never resulted from acts passed by Congress. And the acts pending in Congress expressly prohibit any Federal control.

In colonial days, schools were generally supported by the townships in New England, privately in the South, while the Middle Atlantic States had a combination system of church-supported schools, town schools, and private schools. There were no State colleges as such, though Massachusetts had established Harvard with public money in the 1630's.

Federal aid is no new-fangled, New Deal, socialistic innovation. Such claims are based on ignorance of our history.

In 1790, the Father of the Country, George Washington, in his message to the First Congress of the United States said:

"Nor am I less persuaded that you will agree with me in the opinion that there is nothing which can better deserve your patronage than the promotion of science and literature. Knowledge is in every country the surest basis of public happiness. * * *

"Whether this desirable object will be best promoted by affording aids to seminaries of learning already established, by the institution of a national university, or by any other expedients will be well worthy of a place in the deliberations of the Legislature."

I have received some letters saying Federal aid to education would be unconstitutional. Well, George Washington was President of the Constitutional Convention which drafted the Constitution, and less than 1 year after it became effective he asked for Federal aid to education under it. I believe that George Washington knew as much about what the Constitution embraced as any modern opponent to a better educational system.

In 1862, the Congress passed the Morrill Land Grant College Act, setting aside Federal lands for the support of agricultural and engineering colleges—such as Texas A. & M. This is one example of Federal aid. And Texas A. & M. was the first public tax-supported institution of higher learning to open its doors in Texas.

Other examples of Federal aid without Federal control of education are schools built by the WPA in the thirties; educational benefits under the GI bill of rights, which I am working now to extend; grants-in-aid and research and fellowship programs such as those under the National Defense Education Act of 1958, which I cosponsored; public school milk and lunch programs which I am working to protect; funds for vocational education teachers, and others. Surely no reasonable person could say that these worthy programs have led to Federal domination of our schools.

The people should be informed of the history of American education. The principle of local financial support of schools grew out of the economic, political, and social ferment of the Jacksonian period during the struggle for universal public education. The truth is that local financial support of schools is not based upon any hallowed principle of democratic freedom, but is based to a great extent upon the reluctance of citizens of one community to pay taxes to help educate the children of another. This reluctance is understandable, but hardly worth considering in the light of our efforts to provide Texas youngsters with schools that are second to none.

I am old enough to remember when State aid to schools in Texas was begun on a large scale—many said it was socialistic and would destroy local control. Well, we are still electing trustees, and they are still hiring the teachers.

The demand of our democratic society for a higher degree of educational excellence grows with each passing day.

Some people seem to think that we can't afford to offer maximum educational opportunities in accordance with the inherent capabilities to all our youth. I say we can't afford to offer less. We cannot afford either having only half of our Texans educated, or having all Texans half-educated.

We hear a lot of talk these days about having to make a choice between quantity and quality in educational programs. It seems doubtful to me that any choice exists, for we must have both quantity and quality to survive. In this complex age of scientific advancement, we must have excellently trained specialists. But there certainly is no less demand for a generally informed people grounded in the humanities, who are prepared to make intelligent democratic decisions.

Like Ulysses in Tennyson's beautiful poem, our spirits must yearn—

"To follow knowledge like a sinking star
Beyond the utmost bound of human thought."

Basically, the cold war now raging between democracy and communism around the world is a struggle for the minds of men. Enlightenment has always been free men's bulwark against tyranny. Education is the foundation stone of democracy, and it is an ever-increasing factor in the standard of living each man and his family can enjoy. Aristotle, when asked how much educated men

were superior to those uneducated, answered, "As much as the living are to the dead." We cannot, we must not, and we will not continue to deny all our students an education of the first class.

Mass education of all the people, once an American monopoly, is fast coming to the whole world. We can maintain our leadership only by moving faster and working harder for educational progress than other countries now turning their efforts to mass education.

The parent, the teacher, the politician must all make up their minds that easy courses, little discipline, and stinted funds for education will never add up to high educational standards. They are more likely to produce mediocrity at a time when we must strive for educational excellence.

Never before in the history of man have the talents and the specially developed abilities of educated men been in more urgent demand. Never have the opportunities for education, thinking, free men been so great. The next 10, 20, or 30 years will tell whether this Nation produces the large numbers of high-caliber citizens it so badly needs.

In the words of Abraham Lincoln, "We cannot escape history. * * * We will be remembered in spite of ourselves. No personal significance or insignificance can spare one or the other of us. The fiery trial through which we pass will light us down, in honor or dishonor, to the latest generation."

Here in Texas, where our State is making vast industrial and population growths, the need for more and better educated men and women is particularly great. We must meet this demand wherever we can by preparing our boys and girls for key roles in Texas destiny.

No other person has so important a role as you in meeting this challenge. The kind of greatness that Texas and this Nation produces in future years depends to a very large extent upon the learning and the values you will instill in our youth through our educational system. There is no more important job in the democratic way of life.

Education is the golden key that unlocks the barriers of poverty and prejudice, inequality and injustice. You are the keeper of the key which will give our boys and girls their greatest impetus in the pursuit of happiness.

You have done a remarkable job in the past, and I look forward to continue working with you toward our goal of Texas schools "second to none."

God bless you for your devotion to the cause to which you have dedicated your lives.

Passover

EXTENSION OF REMARKS
OF
HON. LEONARD G. WOLF
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 23, 1959

Mr. WOLF. Mr. Speaker, today is the first day of Passover. It is celebrated by the Jews for it marks their deliverance from Egypt by Moses. Through the generations the Passover has taken on even greater significance. It has become a solemn reminder of the struggle of a people for intellectual and religious freedom against oppressors whether their names be Pharaoh, Torquemada, Hitler, or Stalin. Passover should be a solemn reminder to all of us whether we are Christian or Jew to fight against oppression and bigotry while championing the cause of freedom, equality, and justice for all men regardless of race, creed, or color.

Of Men and Marble

EXTENSION OF REMARKS
OF
HON. FRANK THOMPSON, JR.
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 23, 1959

Mr. THOMPSON of New Jersey. Mr. Speaker, our colleague the gentleman from Arizona [Mr. UDALL] reports regularly to his constituents on the activities of Congress as well as on other matters, and these thought-provoking reports are widely quoted.

His most recent report cited the tasteful and impressive memorials to Presidents Thomas Jefferson and Abraham Lincoln, and the new bell tower memorial to Senator Robert A. Taft as examples of what can be achieved in the way of honoring our statesmen and leaders.

He made the excellent point that the fashion in memorials is changing. It is, indeed, and perhaps we can look forward to memorials having utility as well as beauty. Let them speak to the living about persons and events which are a living part of our Nation's heritage.

I include this challenging report for the information of my colleagues:

OF MEN AND MARBLE

(By Representative STEWART L. UDALL)

Spring is here, and for a change thoughts turn to other than legislative things.

As with most national capitals, Washington is a city of statues and memorials. They look down on the passerby from the parks and public places, and even Washington's famous L'Enfant traffic circles are dominated by generals astride horses, or half-forgotten statesmen.

According to the Library of Congress the last official inventory (in 1937) disclosed that 192 statues, monuments and memorials dot the Washington landscape. It is a safe guess then that there are now well over two hundred, as patriotic societies and zealous friends are constantly hatching new plans which keep the sculptors busy.

In fact, next week will mark the dedication of a memorial to the late Senator Robert A. Taft of Ohio who died in 1953. This newest tribute in marble is not a statue but a bell tower, and is located a stone's throw from the Senate.

If the Taft bell tower is testimony that statues have gone out of fashion, one can be thankful. There are few Washington statues I have seen which do credit to art. Daniel Chester French's noble figure which dominates the Lincoln Memorial is one of the exceptions, but most Washington statuary is poorly conceived both as a work of art and a personal tribute to its subject.

I suppose the practice of erecting monuments to distinguished citizens came to its full flower during the Roman Empire. Earlier of course, the Greeks executed great works of public art but for the most part these were devoted to abstract conceptions of beauty or truth and were uncorrupted by personal taints. But the desire of men for personal glory burst forth under the Romans when every Emperor and his lieutenants sought immortality in marble, and their practices continue to dominate us today.

Thus, America is following ancient tradition by cluttering its capital with statues of the great, near-great, and forgotten who have helped make its history. Nevertheless, I have wondered lately whether we shouldn't pause to reconsider the means we choose of perpetuating our esteem for distinguished citizens.

I may be wrong, but it seems to me that if we would adopt a simple rule of thumb the whole problem would solve itself. This week I introduced a resolution which provides that no statue or memorial shall be erected in the system of Capital Parks to commemorate an individual or event until at least 50 years have elapsed.

A man's contemporaries are notoriously bad judges of his place in history. Proportion comes only with the passage of time, and it is an act of foolish presumption for any generation to pass judgment on its leaders.

It is highly significant, I think, that the Lincoln Memorial was finally dedicated nearly 60 years after his death. We have all gained by the fact that his contemporaries did not have the impulse to rush out and erect a lesser tribute. Nor was it an accident that the other superb Washington memorial—Jefferson's, nestled beside the Tidal Basin amid an arc of Japanese cherry trees—assumed form nearly 125 years after his death.

My point is that those memorials which have the most meaning—and artistic integrity—were conceived and carried out by posterity, and not personal friends. I mean no dishonor to the generals and political figures whose busts dominate the landscape here, when I suggest that their memories would be better served if a later generation selected the means and place of honor.

After all, we cannot escape history and no marble edifice will add 1 cubit to the stature of the good and great of our country.

Perhaps the wisest words ever spoken on this subject were uttered by the Roman Senator Cato (apparently in protest against the fad of his day) when he said: "I had rather men should ask why my statue is not set up, than why it is."

High Taxes Cramp Business Growth

EXTENSION OF REMARKS
OF
HON. ALVIN M. BENTLEY
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 23, 1959

Mr. BENTLEY. Mr. Speaker, under leave to extend my remarks in the CONGRESSIONAL RECORD, I wish to include the following article by our colleague, THOMAS B. CURTIS, of Missouri, which appeared in the April issue of Nation's Business. Mr. CURTIS is a distinguished Member of the House Ways and Means Committee and I believe his article will be most interesting and helpful to all Members of the House.

HIGH TAXES CRAMP BUSINESS GROWTH—LAWMAKER SAYS TAX SYSTEM, IF NOT SOON REFORMED, COULD CAUSE NEW RECESSION

(A Nation's Business interview with Representative THOMAS B. CURTIS)

High taxes are stunting America's economic growth.

That's the opinion of U.S. Representative THOMAS B. CURTIS, Republican of Missouri

and an influential member of the tax-writing House Ways and Means Committee.

Mr. CURTIS, interviewed this month by Nation's Business, says that unless we move soon to reform our Federal tax system we face increasing unemployment and the prospect of a fourth postwar recession in the early 1960's. He is optimistic that such reform can be achieved despite strong opposition in Congress. His views are shared by a growing number of Members of the 86th Congress.

A Representative since 1950 from Missouri's Second Congressional District (St. Louis), Mr. CURTIS also serves on the Joint Economic Committee.

Following are the questions asked of Mr. CURTIS, and his answers:

"Congressman CURTIS, do you believe the present tax structure is damaging economic growth and progress?"

"I certainly do. I feel that the last recession to a large degree came as a result of our tax structure.

"To illustrate: The cutback in economic growth seemed to lie in two areas: business inventory and plans for business expansion.

"Much of the cutback seemed to be in small and growing businesses which rely heavily on retained earnings. Small businesses have faced—in fact, all American business has faced—a situation where our Federal tax structure, corporate income tax, plus inflation, has resulted in a capital levy.

"To illustrate, depreciation allowances in the corporate income tax permit a business to take only the original cost of a piece of machinery, not the replacement cost.

"Say a machine cost $100,000 in 1940. You are only allowed $100,000 depreciation, and yet, because of inflation, to replace that machine you need $200,000. So American industry has to have additional capital for replacement, let alone for growth.

"This is one area where I see the Federal tax structure impeding economic growth.

"The second area involves the impact of inflation.

"The point is that our local communities, school districts, sewer districts, and so on, depend essentially upon real estate taxes for their revenues. The real estate tax in turn is based upon real estate assessments. Most real estate assessments in any county were put on the books before the inflated dollar.

"The cost of wages and materials that the sewer districts, school districts, and municipalities have to pay for has gone up. Their revenue has not gone up the same way. They can't adjust it by increasing the rate of the real estate tax, because all of the new real estate that has gone on the books since 1950 is measured in the inflated dollar, and you would unfairly tax them.

"One way out—although politically difficult to do—is to reassess all real estate.

"The second way, unfortunately the easier of the two, is to ask the Federal Government to help finance community facilities. Communities have come to Washington because the tax structure impedes their growth."

"Do you believe that the Federal tax rate can be so high that increased rates mean less revenue?"

"Yes. I think this exists in many instances in our present tax structure. For instance, the $10.50 a gallon tax on liquor, in my judgment, is largely responsible for the increase in bootlegging. If we would reduce the rate, I suspect we would get more revenue, because we would be cutting into the bootlegging industry, which pays no taxes.

"Such examples are easy to understand. I feel that the rates in our personal income tax and our corporate tax also are beyond the point of diminishing return.

"Rates are so high that they destroy incentive. A great many business decisions are made, not on the basis of good economic judgment, but upon what the tax effect will be.

"To the extent that this is done we are interfering with normal growth and normal operation of the private sector of our economy.

"I might also say this: A 52-percent corporate tax means that the Government is the major partner and business the minor partner.

"If we just reduced the corporate rate to, say, 49 percent, where business would be the major partner, we would have more business decisions made on the basis of sound business judgment."

"Broadening the tax base has been suggested in connection with tax reform. What would this involve?"

"There are many ways of broadening the tax base. The basic way is to have private enterprise performing the services and manufacturing the goods for our people. That is an important point. We have seen Government going into business in a great fashion in recent years.

"When the Federal Government goes into business, it withdraws an operation from the tax base. In 1929, to illustrate, there was $9 in private investment for each dollar of Federal investment. That ratio has declined to a little less than 5½ to 1.

"But that private capital investment is essentially the tax base. If we could broaden the base back to 9, let's say, we could have a tax rate of 3 and a tax take of 27, but if you have a base of only 5½, you have to have a tax rate of more than 5 to produce the same take.

"That's one way of broadening the tax base.

"Another way is by plugging the tax loopholes. Whether a tax exemption is a loophole or a legitimate exemption is a question. The word loophole actually begs the question, but I think there are areas of tax favoritism. If we equalize the tax burden, and eliminate favoritism, we will broaden the base.

"Furthermore—and I am happy that the administration has made a recommendation—some methods of doing business seem to be escaping full tax burden. For instance, the cooperative method. I am not talking about the small farm cooperatives; I am talking about these big co-ops that have gone way beyond any concept of the little farm co-op. The co-op method of doing business certainly should not receive the tax preference it does over the corporate method of doing business.

"That would be another way of broadening the base."

"Would broadening the base raise revenue?"

"Yes, because we immediately apply the going rate to the base. I think we can compute tax revenue in a simple formula: It's tax base times tax rate times what I call a collectibility factor, and it's an important concept that has to be put into the formula.

"Our tax collection system is essentially a voluntary one. Our people cooperate in paying taxes. But when the tax rates become burdensome, we find this factor of collectibility becoming less and less.

"So we gain from increasing the base and reducing the rate, and collectibility is increased."

"Will more business incentive be created if the base is broadened?"

"Yes, because there is more equity. People are willing to put up with burdens if they think everyone else is carrying the same burdens. That bears on incentive."

"If rates are not reduced, do you believe economic growth will be stunted?"

"I think economic growth is being stunted.

"In Western Europe since 1952 the rate of economic growth has been almost twice that of the United States. I believe our tax structure is the primary villain.

"I would predict that we are going to have more of this slowing down unless we revise our tax structure."

"Do you see recession as possible in the near future?"

"Not in the near future. It is likely that 1959 and 1960 will be the most prosperous years we have had. But I see in all of this the seeds of future recessions because of the burden being placed upon incentive and capital formation.

"Furthermore, I see the seeds of more inflation. As we have more inflation, the impact I have previously described upon business investment—replacement of capital assets—and upon municipalities in areas important to economic growth will be felt.

"I might mention a third area that is causing stagnation. That is this so-called locked-in investment. It's a result of inflation. A holding of common stocks worth, say, $100,000 in 1940 is now worth $200,000 in the deflated dollar. If a person sells, he is subject to a 25-percent capital gain, although it's a fictitious gain. As a result, people do not sell. This investment should be turned over constantly as individuals decide what is a better investment.

"If we are going to have more inflation, locked-in investment will be further accentuated."

"Does the high tax rate contribute to the unemployment rate?"

"There is no question that it does.

"Jobs come from economic growth. When there is economic stagnation, you don't have new jobs. Furthermore, as we advance technologically, and can do more with fewer people, we must find new jobs for those who are displaced.

"To do that, we need capital investment. The only place we get new products, really, is from money invested in research and development. That means more jobs all along the line."

"Are taxes being used for purposes other than raising revenues?"

"Yes, and to me it's one of the most dangerous things in our tax structure. The higher the tax rate, the more economic effect it has.

"Through high tax rates you can actually control the economy. It's a great temptation for lawmakers to use the tax structure for producing supposedly desired social objectives.

"I see more of that every day in the Ways and Means Committee, where we should be thinking primarily in terms of revenue."

"Would you predict whether taxes will be used more and more as regulatory devices?"

"If I predicted that, I would be saying that my own work will not be successful, because I am fighting it. But let me put it this way: The forces I see in motion to bring about the use of the tax structure for regulatory reasons are strong. Unless more people take the view I do, it's going to be used more and more to regulate."

"Would many men in Government like to keep tax rates high to hold on to the tax power to regulate?"

"I feel that some would. I don't think they are a large group, but they are an astute group.

"By increasing the tax rate, you can stunt growth and the private sector of the economy is unable to administer to the people's social needs. That in turn creates pressure for the Government to perform these services. As Government does more for the people, more taxes are needed. This is a vicious circle."

"These people would like to see the tax base narrowed?"

"I think they demonstrate they would prefer to see it narrowed. Any time they can get the Federal Government to do something that private enterprise was doing before, they will do so.

"The tendency of this group is to go to the Government first to solve problems, instead of trying to see if we can solve them through the private sector.

"If we can do the job through the private sector, we keep it in the tax base. If we do it through Government we remove it from the tax base and at the same time have to raise revenue to meet the cost of those social needs."

"Can you expand this idea of using taxes to control the economy?"

"Let me give you a good example.

"During and after the Korean war certain defense industries were granted certificates of necessity to let them write off the cost of new facilities at a faster-than-usual rate. What would a certificate of necessity mean if the tax rates were low? With the tax rates high, to be able to amortize some new equipment rapidly is of tremendous value. So just by using certificates of necessity you can funnel tremendous sums into a given area or take them away.

"Maybe the certificates of necessity are examples of things where the immediate economic results are good. On the other hand, clearly they illustrate the use of the tax structure to obtain what the Government thinks is needed."

"If, in the judgment of these people, the GNP is expanding at a rate which they consider too fast, all they have to do is to raise the taxes and slow it down?"

"That's right.

"If it is going too slow, they can lower rates and speed it up. In fact, they are before our Joint Economic Committee all the time urging exactly that. Last year they urged that we give tax reductions across the board.

"I didn't think that tax reduction was a good idea at the time, because they were thinking of tax reduction in terms of the consumer dollar. I said the way you get jobs for people is tax reduction in the investment dollar area, putting money into economic growth.

"If we wanted to help the people who were hurt in the recession, we would have been thinking in terms of tax relief that would create jobs. I sponsored a small business tax bill that would have done exactly that. My bill said that the only basis upon which small business could get a tax credit was to put that money into economic expansion, which meant more jobs."

"Will increased taxes on insurance companies retard their growth?"

"That is the key issue, in my judgment, particularly as we have the Federal Government going into the same field of providing for the retirement and disability of our people, through social security.

"If we stunt the insurance industry through taxes heavier than the industry can bear, it cannot go ahead in providing for the retirement and disability of our people, the premiums charged the people will have to be too high. That will create pressures on Congress to provide protection through the Treasury."

"Will revenue raised in this manner be significant?

"Yes. We are talking about possibly increasing the tax on life insurance companies from about $300 million to more than $500 million.

"This would have a far-reaching impact on the insurance companies, but no particularly significant impact on total Federal revenue.

"But this $200 million could ultimately cost the Treasury more than we would take in.

"Pressures already are great on the Federal Government to expand and increase social security benefits. If the insurance companies don't continue to expand, the pressures will be such that the Federal Government will extend social security benefits.

"Another thing—and this is a collateral issue but nonetheless important—the States have been permitted to use this industry as a method of raising revenue. States have been getting almost $300 million out of insurance companies through premium payment taxes. I have urged the Treasury Department and the staff of the Ways and Means Committee to bear that in mind, because we have to figure the total tax burden that we place upon any industry, not just that at the Federal level."

"Do you consider social security in competition with the insurance companies?"

"Yes, and the more we raise the wage ceiling on which the social security tax is levied, the more it gets into the field that our private insurance companies are in."

"Do you expect this kind of competition to increase?"

"I hope that it will decrease, but the pressures are such that it will probably increase.

"Not enough people recognize these dangers.

"The challenge is certainly there. In my judgment it does no good to talk about belief in private enterprise unless a person is willing to get down to details, analyze what private enterprise is, and then fight for it."

"Do you expect social security benefits to be broadened further?"

"Yes. I think there is sufficient pressure in this Congress to do it. I hope if we increase benefits we can increase social security taxes. This is the only way we can keep the social security fund solvent. I regret to say the history of the Congress, though, isn't so good. You will find only two or three instances where Congressmen had the courage to increase the social security tax as they increased the benefits. As the tax gets higher and citizens begin to feel the bite of it, Congress is going to be even more reluctant to vote increases.

"I question whether we really can be complacent about the solvency of the social security fund.

"Inflation also robs the social security fund. Therefore, all people who are counting on social security in their old age need to resist inflationary pressures."

"For the years ahead, do you expect the user tax concept to be broadened?"

"Yes, it is being broadened. Increasing user taxes I see as a good method of handling some of the cost of Government. After all wherever it is feasible we should have the people who use a particular Government service pay for the use. If we can increase user charges we will then be able to reduce the general tax rates."

"How do you think Government corporations and institutions such as TVA ought to be financed?"

"I question whether many of them should be in existence. TVA started out as a flood-control project involving dam construction. Some hydroelectric power would be available from the dams, and it would be economic waste not to use it.

"Then it was found that hydroelectric power fluctuates seasonally. Because power users have to have a constant source of power, TVA requested permission to build steam plants to supplement hydroelectric power. Now we find that 70 percent of the power generated in the TVA is from steam.

"Here is a good example of the Federal Government being in a business that is not in the tax base.

"I am suspicious of any Government corporation and feel that the existence of each one should be openly and fully justified.

"But you asked me how they should be financed. I suspect that few of them should be financed other than in the private sector of the economy."

"Do you see any danger in the use of earmarked taxes?"

"I see a grave danger. We think highways are important, so we earmark taxes for them. We think retirement of our people is important, so we earmark social security taxes for them. We think unemployment compensation is an important social function, so we earmark taxes for that.

"You can go down the list of things that are important in our society, and start earmarking taxes, and you will end up without sufficient taxes for the one thing we know our Federal Government must provide—adequate defense. If we keep on with the earmarked tax formula, we can easily get to the point where we will have inadequate funds for defense.

"Although I said that I thought user taxes were good, let's not forget that it's easy to convert a user tax into an earmarked tax—I shouldn't say user tax; user charge is a better expression."

"What principal danger do you see in the growing Federal debt?"

"The principal danger is its inflationary effect. The Federal debt is additional credit imposed upon our economy. It simply means more money, and if you have excess money in a given economy, you are going to have inflation."

"Is inflation inevitable?"

"No. I think that proper fiscal policies can keep inflation from coming about. I think we can have stability, but I think the only way to achieve it is through proper Federal budget and debt management. We are going to have to pay off some of the Federal debt. It is too large now, and it is the primary inflationary force in our economy today."

"Can we pay off some of it in the foreseeable future?"

"The budget we are considering now is based upon the prospect that 1959 or 1960 will be the most prosperous years in history. Yet we are not reducing the debt.

"Surely if we can't do better than that in our most prosperous years, we will have deficit financing again when we get a less prosperous year. The only way to reduce the debt is to put a certain amount in the budget each year to be paid off."

"Would reduction of the corporate tax rate bring in more revenue?"

"I am convinced that if we reduced it, say, to 49 percent, it would increase the revenue. It would increase incentive. More business expenditures would be based on economics than tax consideration."

"Would anything be gained by granting tax exemptions for retained earnings plowed back into capital investment?"

"Very much, particularly in the area of our smaller and medium-sized businesses.

"We get our basic economic growth from small and medium businesses. Traditionally they finance growth through retained earnings.

"If we will permit our businesses to retain a certain portion—not all of it, just a tax credit for what they put back into economic growth—we are going to create more jobs. That is what economic growth is.

"I suggest a third area which is almost as important. Stop uneconomic mergers and acquisitions, where big companies buy up small companies—to a large degree because of the tax structure, and because these smaller concerns, through their inability to finance growth, are helpless.

"I am satisfied that this would do more to stimulate healthy economic growth and bring in more Federal revenue than eliminating the tax loopholes, important as that is, too."

"Do you expect Congress to grant tax deductions for the cost of higher education?"

"I hope so. The budget already includes an expense item for Federal aid to education for loans, scholarships, and so forth. We are already spending the money. I suggest: Instead of the Federal Government spending it and setting up a bureaucracy to figure out how to spend it, let's grant a tax deduction

to families willing to send their children to college. It doesn't matter from the standpoint of a balanced budget whether we decrease income by $200 million, or whether we increase expenditures by $200 million.

"I suggest you get more education from allowing individuals to spend the $200 million than from letting the Government spend it."

"Will the depreciation laws be liberalized?"

"I am afraid they won't. They should be, in my judgment. We need liberalization for two reasons. First, the impact of inflation is still heavy. Actually we have a capital levy assessed against American business. Second, in today's rapid technological advancement, a machine is replaced not because it's worn out but because a better machine is developed."

"Will laws involving expenditures for research and development be liberalized?"

"No. I wish they would be. The Federal Government is spending increasing sums directly for research and development. I suggest a more efficient way of spending money is to grant tax deductions for research and development."

"Do you expect the principle of tax averaging to be extended to individuals?"

"No, but it should be. That would again help economic growth."

"Will the tax-exemption features of retirement programs be extended to self-employed individuals?"

"I'm afraid not. I regard this as a short-sighted attitude toward all of these proposals for letting the people rather than the Federal Government spend the money.

"There is tax exemption for corporations providing for the retirement of people, but this same privilege is not extended to individuals who work for themselves. If this unequal process is continued, we will badly damage the professions."

"What is the prospect for tax reform in the foreseeable future?"

"It won't be good until, in my judgment, more people realize that taxes have economic effects, and that we must evaluate our tax laws in terms of economics. We cannot keep the short-range view of looking at specific taxes and saying our revenue depends on the tax rate.

"The tax formula, I repeat, is revenue as the result of the tax rate, times the tax base, times the factor of collectibility. If more people will only agree that this is the formula for revenue, we might get somewhere toward a real fundamental tax revision.

"I am optimistic that as time goes on more people will understand the basic reasons for economic growth. Then we can move toward real progress."

Oil-Import Restrictions Should Be Removed

EXTENSION OF REMARKS
OF
HON. VICTOR L. ANFUSO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1959

Mr. ANFUSO. Mr. Speaker, under leave to extend my remarks in the RECORD, I am inserting the text of a letter which I am this day addressing to the President concerning the restrictions recently imposed on the importation of oil products, its possible effects on our business community, and a request that the restrictions be withdrawn.

In the same connection, I am also inserting the text of a resolution adopted by the Chamber of Commerce of Greenpoint, which is a part of my congressional district in Brooklyn. The letter and the resolution read as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., April 23, 1959.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I am writing you in connection with the recent mandatory quota placed by the U.S. Government on the importation of oil and oil products into this country.

The district which I have the honor to represent in the U.S. Congress is located in Brooklyn, N.Y., and is largely an industrial and commercial area. Many of the industries in the district are dependent on reasonable prices of oil products, which makes it possible for them to compete in the commercial markets and to stay in business.

The action taken in setting a quota on imports of oil products from foreign countries, while it is aimed to aid our domestic oil suppliers, actually means higher prices for oil and oil products for our refineries, for our industrial and commercial firms, and ultimately for the great masses of American consumers.

That is not all, however. It further means that many of the smaller firms, such as those located in my district, will no longer be able to compete in the open markets and will be forced to shut down operations. Needless to say that such a situation would be most calamitous, since it would throw out of work thousands of people and seriously impair our economy, at a time when we can least afford it.

Business people in my district are very much disturbed over the matter. Their employees are uneasy regarding their future economic security. This type of fear and uneasiness may result in irreparable damage to our economy if steps are not taken in time to improve it or to remove the causes of it.

In the light of the situation and the ensuing difficulties, Mr. President, I urge you to reconsider the acton taken by the Government and to withdraw the mandatory restrictions on oil imports in the interests of the Nation's economy and security.

Respectfully yours,

VICTOR L. ANFUSO,
Member of Congress.

RESOLUTION BY THE GREENPOINT CHAMBER OF COMMERCE

Whereas the Government of the United States has placed a mandatory quota on the importation of crude and various oil products into the United States, we would submit the following for consideration:

Greenpoint is part of a large industrial and commercial area and contains many industries dependent on favorable fuel costs, one of the largest being a refinery operated by the Mobil Oil Co. which employs more than 500 individuals, and which is dependent on imported crude if it is to compete with other refineries which enjoy the advantage of lower processing fuel costs.

Many of these industrial enterprises are engaged in trade with many friendly nations of the world.

The difficulty and the cost of discovering and developing the oil resources of this country have been steadily increasing.

Trade with friendly nations and the industrial development which it stimulates abroad stands as our main bulwark against the Soviet trade offenses and must be regarded as one of the main pillars of this country's long term national security.

Many retail petroleum products consumers in eastern States will be subjected to a spiral of increasing costs as eastern U.S. refineries are forced to seek crude supplies from domestic areas.

It is ridiculous to consider that oil from Canada is less essential to the national security than oil from U.S. fields across the border.

Federal regulation of a free enterprise industry destroys the main strength of the United States by adopting measures of compulsion paralleling those used by the very countries which are threatening our national security.

The provision in the mandatory imports control requiring surveillance of prices by Office of Civil and Defense Mobilization will lead to substitution of compulsion for the free market choice at competitive prices by consumers.

Be it resolved, That the Greenpoint Chamber of Commerce is opposed to the principle of mandatory quotas reducing to low levels the importation of oil and oil products, and requests immediate reconsideration and withdrawal of the mandatory provisions so that refiners may conform to the ideals of optimum economics and of the true national security in their use of domestic and foreign crudes.

Statement of Postmaster General Arthur E. Summerfield Before the House Post Office and Civil Service Subcommittee Investigating the Mailing of Obscene and Pornographic Material, April 23, 1959

EXTENSION OF REMARKS
OF
HON. KATHARINE ST. GEORGE
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1959

Mrs. ST. GEORGE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following statement by Postmaster General Arthur E. Summerfield:

I deeply appreciate the opportunity and the courtesy of this committee for its invitation to appear at this opening session of the first public hearings and inquiry into the very serious matter of the use of the U.S. mails in the wholesale promotion and conduct of mail order business in obscene and pornographic materials.

Certainly this is not only a matter of joint concern and responsibility, but it is one of vital importance to all decent Americans—particularly the parents of teenage children.

The Post Office Department is gratified that Chairman MURRAY of the House Post Office and Civil Service Committee has appointed this subcommittee composed of such able members and headed by a Congressman possessing the sensitivity and good judgment of Representative KATHRYN E. GRANAHAN, to inquire into this important subject.

It is my deep conviction—frequently expressed to individual members of this committee, religious and educational leaders, newspaper editors, and citizen groups that one of the most serious moral and social problems in the United States today is the multi-million-dollar mail order traffic in obscenity.

The records show quite clearly that the Post Office Department, over the years, has diligently tried to keep the mails clear of indecent matter, even though it has been subjected frequently to attack and ridiculed by those who hope to profit personally from

unrestricted mailings, or by those who, confusing liberty with license, unwitingly give them assistance.

Ruthless mail order merchants in filth are violating the homes of the Nation in defiance of the National Government. They are callously dumping into the hands of our children, through our mail boxes at home, unordered lewd material, as well as samples soliciting the sale of even more objectionable pictures, slides, films and related filth. Unquestionably, these large, defiant barons of obscenity are contributing to the alarming increase in juvenile delinquency, as many noted authorities have publicly observed on repeated occasions.

Complaints which are flooding the Post Office Department at the rate of at least 50,000 annually come from leading clergymen, parent-teachers' associations, high school principals, college presidents, newspaper editors, and alarmed parents by the thousands. All are appalled by the social blight which every American citizen wants stamped out, and which the Post Office Department is determined will be stamped out.

As I am sure this committee knows, Congress first saw fit to enact legislation March 3, 1865, making it a Federal offense to mail matter of obscene nature. An expanded version of this basic law was embodied in the great Postal Reorganization and Codification Act of June 8, 1872. These were criminal laws. In each of these legislative actions the Post Office Department has lent its fullest support.

Since World War II, commercialized pornography has reached an alarming intensity within the confines of certain geographical areas of this country. It is estimated that $500 million is realized annually in mail order pornography and obscenity.

There appear to be two basic reasons for the increasing volume of filth in the mails. First, the tremendous profits realized from a relatively small capital investment; and second, the very broad definition of obscenity handed down by certain courts, including those in certain metropolitan areas—notably Los Angeles and New York, where most of the mail-order business in obscenity and pornography originates.

These liberal rulings have established, over a period of time, virtual sanctuaries in which dealers in obscenity have operated with impunity and in defiance of the Post Office Department's best efforts to bar their use of the mails or bring them to justice.

As this committee well knows, prior to last year, controlling decisions of the courts held that prosecutions under the pertinent statutes could be effected only in the district where the office of mailing is located. As this committee further knows, and as the legislative record will show, the Post Office Department strongly urged for the past several years the enactment of legislation which would grant prosecutive venue at intermediate offices and offices of address, where the actual damage undoubtedly occurs. Such legislation in the form of an amendment to section 1461, title 18, U.S.C., was passed by the 85th Congress and signed into law by President Eisenhower.

We are convinced that this new legislation provides an effective weapon for dealing with those dealers in filth who have heretofore operated with little interruption and with comparative security from certain large cities.

The Post Office Department is pressing the use of this new legislation to the fullest possible extent. The first case presented following passage of the amended legislation was at Boise, Idaho, and related to mailings made in California and Oregon, addressed for delivery at Grace, Idaho. The offenders, a man and his wife, each received a 10-year prison sentence and fine. Other cases of similar nature are now pending before U.S. attorneys from whom positive responses have been received.

In order that this committee and the public as well may be fully informed of the fact that the Department has been alert to its responsibilities, and has been bending every effort to meet the challenge of those who use the mails to corrupt, I should like to call your attention to the fact that during fiscal year 1958, postal inspectors conducted 4,000 separate investigations relating to the mailing of obscene and pornographic matter and caused the arrest of 293 persons. This is an increase of 45 percent over the previous year and is the highest of record. Investigations and prosecutions during the current year to date are substantially higher than those of last year. During the same period of time, fiscal year 1958, the General Counsel issued 92 unlawful orders under section 259(a), title 39, United States Code, barring use of the mails.

Within the past 10 days, three simultaneous raids made by U.S. marshals and postal inspectors upon the New York headquarters of three of the reputed largest eastern dealers in obscenity and pornography resulted in the seizure of approximately 15 tons of films, slides, photographs, and trashy literature, and the arrest of the operators. One mailing list alone contained 100,000 names. These dealers have been identified in numerous previous cases. Unlawful orders have been issued against two of them in particular on various occasions. They have been involved in local arrests resulting in negligible fines or other sentences, and they have promptly and defiantly renewed their activities under changed names.

On Friday of last week, the premises of a Santa Monica, Calif., dealer in especially objectionable films and photos were raided. A large number of films and considerable volume of other material were seized, and the operator was arrested. He had been identified only a few days previously through mailings reaching the east coast.

In our determined efforts to clean up the mails, we are receiving increasingly valuable assistance from the public: However, it is clear that there must be a greater, expanded public awareness of the seriousness and the demoralizing results of the wholesale distribution of filth to the children of this country, if we are to deal with this matter in a completely effective manner. It is my opinion that the greatest single need today is widespread and concerted public support of this program, which relates to such a remarkable degree to the welfare of each home in the country, and I feel, too, that an awareness on the part of the courts of the real dimensions of this situation is absolutely essential.

The principal problem facing the Post Office Department today in its efforts to clean up the mails is ruling upon the acceptance of material which is widely regarded as objectionable without violating leading court decisions, which obviously are more liberal in their definition of obscenity than are the views of many thousands of patrons of the postal service.

For example, certain nudist and other magazines are today granted second-class mailing privileges by the Post Office Department, consistent with Supreme Court rulings. Some of these second-class mailing permits are granted only after extensive litigation. in one such instance, the Department's refusal to grant a publisher of a magazine a second-class mailing permit resulted in a court decision holding that the law does not authorize the refusal of mailing privileges upon future, unpublished issues of a magazine, despite the fact that past issues contained allegedly obscene matter. Along with these decisions comes the inevitable, cleverly designed propoganda by dealers in filth, who will cite one or more of the less aggravated cases to argue that the Post Office Department is attempting to set up a censorship, to restrict freedom of expression, or to suppress the distribution of art.

While these allegations are so ridiculous as to require no denial, they point to the problem involved in attempting to meet our responsibilities as we see them, to an American public who, through their urgent and sometimes pitiful protests by the thousands, indicate quite clearly that they have no difficulty in distinguishing between filth and art.

Section 1461 of Title 18, USC, the obscenity statute, provides penalties for the mailing of "every obscene, lewd, lascivious, indecent, filthy, or vile article." Courts in interpreting the intent of Congress have stated in effect that (1) nudity in itself is not obscenity; (2) that a publication is not obscene unless the general content is devoted to what may be termed obscenity; and (3) that obscenity must be evaluated in relation to contemporary community standards. Thus, it appears clear that among such other legislative steps as may appear necessary, the intent of Congress as to what constitutes obscenity is essential, along with a public assertion as to the standards of morality for which it stands.

In spite of the frustrations and the legal complications, and even the court decisions, I feel a responsibility to the public to attempt to prevent the use of the mails for indecent material, and to seek indictments and prosecutions for such offenses, even though it may be argued that it falls in the category of material concerning which there have been previous rulings favorable to the promoters. It seems to me that only by this method can the dimensions of this problem become clearly established before the courts and the Congress and the American public.

The type of material to which I refer can be exhibited to this committee in great volume, and I invite the committee to visit the department for this purpose.

It is our intent to continue to pursue this program to the fullest extent of our investigative and other resources, and the genuine interest of the Congress and the House Post Office and Civil Service Committee, and this subcommittee in particular, has been, and I am sure will continue to be of tremendous assistance.

Challenge to America

EXTENSION OF REMARKS

OF

HON. JOHN W. BYRNES

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1959

Mr. BYRNES of Wisconsin. Mr. Speaker, Postmaster General Arthur E. Summerfield made a significant address before an overflow audience at the Rotary Club luncheon in Seattle on April 15. I believe his comments deserve careful reading by every thoughtful American.

He discussed four great problems and called for firm public opinion and action on them in the best interests of all Americans. They are the need to resist the Communist threat to our national safety; the need to intensify our battle against inflation and extravagant Government spending; the necessity of curbing the destructive monopoly power now lodged in the hands of a few union leaders, and finally, the desirability of progressive tax reform to encourage in-

centive and provide capital expansion to assure more jobs for more people.

Mr. Summerfield urged businessmen and community leaders to devote more of their time and effort to unselfish politics, directed to the greatest common good, to assure government for the people and not government by pressure groups.

Mr. Speaker, under unanimous consent, I ask that this courageous speech be printed in the RECORD as part of my remarks:

It is a great pleasure to come to Seattle, and to have the opportunity to meet with this distinguished group of business and civil leaders.

I am always fascinated by the scenic beauty of the State of Washington. And more, I am deeply impressed by the development and growth that have taken place.

All my life, I have thrilled to the story of the pioneers who opened this great Pacific Northwest. Nothing could stop them from gaining the better life they saw for themselves and their children. They left a magnificent heritage for you—for all Americans—to ponder and to uphold.

Today, you are a dynamic region. You have assumed great responsibility in this Nation's economic and political leadership. You face opportunities that are virtually unlimited in scope.

But this you also know—that the very essence of real opportunity is challenge. And meeting today's challenge is so fundamental to the progress you would make, so basic to the ends we must achieve as a nation, I am deeply anxious to talk with you about it. I want to bring to you, today, a clear picture of the urgent nature of the challenge we face, and how we can meet it.

Earlier this morning, I spoke as your Postmaster General. I had the privilege of announcing major improvements, providing next-day first-class letter service for almost 2 million people throughout the Seattle metropolitan area, embracing the cities of Seattle and Tacoma, and 14 nearby counties. This improved mail service is now being given in 25 major metropolitan areas throughout the country. It serves nearly half of the people in the United States. Ultimately, every major metropolitan area will have this service, and we shall mark a long step forward in our goal of next-day delivery of a letter anywhere in the United States.

This noon, however, I want to speak to you, not just as your Postmaster General, but as a member of President Eisenhower's Cabinet and a member of the President's Cabinet Committee on Price Stability for Economic Growth.

I come with firsthand knowledge of the problems facing our Nation, and the steps your Government is taking to solve them. But I come with more than a report. My purpose, above all, is to talk with you about action. For, my friends, we are at an extremely crucial stage in the progress of America. We have a choice of paths to follow. We have momentous decisions to make.

The ultimate responsibility for these decisions is with the American people. And I am confident that, if the people apply their real genius, and determination, and devotion, the final decisions will be the right ones.

There are four specific problems I should like to discuss today, and then, if I may, I should like to suggest the vital part you can play in meeting each of them. They are:

1. The Communist threat to our national safety.

2. Our battle against inflation.

3. The destructive monopoly power of a group of union leaders.

4. The urgent necessity for tax reform.

All of these, of course, are interrelated.

Our national defense depends upon a strong economy, and our economy is acutely responsive to what we do about inflation, about production costs and prices, and about taxation.

The Communist challenge is many-sided. It is military, political, spiritual and economic. We and our allies have steadily rebuffed the military and political threats. Wherever the Communists have probed, they have found us standing firm—at Lebanon, in the China Sea, in the unity of our NATO alliance, and now in the Berlin issue, we have met the challenge with unmistakable evidence of the strength of our purpose.

We shall continue to keep our military power equal to any test. Our overall might in planes, missiles, ships, and other equipment must always be capable of deterring—and if ever necessary, defeating completely—any attack upon us.

We shall continue to meet the Soviet political challenge. We shall lead the way in exploring every avenue of reasonable hope for justly solving the issues that divide the world.

In the battle of spiritual values, we cannot lose so long as we preserve the freedom and moral strength on which our way of life is built. The Soviets know all this very well. Why, then, are they as confident of ultimate victory as ever? Because they are concentrating on all-out economic war, and they believe they can defeat us in such a war without risking their own total destruction. They intend to become the world's one first-class economic power, forcing us into second-class status. And for us, such an outcome would be just as tragic as nuclear devastation.

We are well in front now. But they believe we have not the system or the will to maintain and expand our economic strength. They expect our economy to explode, while theirs continues to grow.

And, my friends, let me say that we dare not look lightly on their great expectations. For here we do indeed stand at the crossroads of decision. The soundness of our economy is threatened by deadly forces that have wrecked other nations in the past. They are the forces of inflation and onerous taxation, and we have not united as a people to overcome them. I suggest to you that there is urgent reason for us to do so.

Let us look at some basic facts about inflation. I am sure we all agree on what inflation is and what it does. Certainly we have had ample opportunity, over 20 years, to see it in action.

To most Americans, inflation means higher costs of living. It means more and more struggle to try to make ends meet. We have inflation when the cost of what we buy keeps rising while the value of the dollars we have to buy it with keeps dropping.

Since 1939, our cost of living has more than doubled. The value of our dollar has dropped until the 100-cent dollar of 1939 is now worth just 48 cents. How much lower would you say we dare to let it go?

Inflation feeds on the income and the savings of every individual, every enterprise in America. It eats away the savings we cherish for family's security. It robs us of the real value of the dollars we earn. It destroys the will to work and the desire to save.

I suspect almost everyone in this room knows of someone whose savings, or insurance, or social security—carefully nurtured through half a lifetime—now is tragically inadequate to meet his needs. As businessmen, you are only too well aware of what inflation brings in rising costs and stifling taxes.

And finally, I would point out that the problem affects, in equal measure, the cost of maintaining the operations of the Government.

In short, inflation puts every part of our society in deepening jeopardy—the individual, our business enterprise, and our Government.

Now, what are we doing to meet this deadly force? We are waging a battle, led by the President of the United States, which in the past year has succeeded in bringing the rise in the cost of living under control.

We are fighting to accomplish the stability of the dollar we must have to go forward soundly. We are striving to continue our economic growth at the rate of which we are capable, with its expanding opportunity for every citizen.

But we are also facing tremendous pressures for a resumption of the inflationary process. There are vast pressures for extravagant government spending, and for a sharp new uptrend in the spiral of wages and prices. Amazingly, these spending drives are actually being led by some Members of the Congress—and by some leaders of State administrations.

They are practicing government by pressure group rather than for the people. And they will only be dissuaded by public opinion strong enough to impress its will upon them. For this reason, it is vitally important for our people to understand some plain, straight facts.

Government, in our system, is constituted to serve the people. It must meet all the legitimate needs of all its citizens. It must do all it can for the good of the people, within the means the people are willing and able to provide.

But there are those in and out of government who stoutly observe that we are a big Nation of great wealth, and therefore, we should put no limit to what we do in public projects, whether or not the people are able to pay the bills.

Nothing could be more crassly misleading—for the fact is, the people have no choice. Who else will pay?

The Government has no wealth of its own. It is the agency of the people. And when it spends more than it collects in taxes, every citizen has to pay the excess, in one way or another. If it is not in higher taxes, then it is in suffering the inflation that deficit financing by any government inevitably brings.

More than 7,000 bills have been introduced in this session of the 86th Congress by the people's representatives, including your own. Only a small handful of these are major measures of broad national interest. The vast majority would provide benefits of one kind or another to individuals or groups. And in no instance are new taxes proposed to offset these new costs.

Their backers are encouraged by the fact that the spending majority of the present Congress is committed to Federal spending—and to deficit financing—as an economic policy.

Chairman BYRD of the Senate Finance Committee, has noted, with alarm, that the effects of that policy already are plain. The Senate, he reports, has voted to increase President Eisenhower's budget proposals by 24 percent, and the House has voted increases averaging 12 percent. These increases represent billions of dollars.

The third problem we face—the effect of the huge economic power exercised by union monopoly leaders—must also be solved if we are to have sound economic progress. This is a power that ranks among the highest accumulations of vested interest to be found in history. It is a monopoly that draws upon huge financial resources, that permits a few perennial labor leaders to spend millions of dollars of dues money for political purposes, exactly as the leaders see fit, with no choice given the men and women who pay the dues. It is a power

capable of imposing at will an ever-rising cost of living upon our people.

There is no question but what the legitimate function of every labor leader is to ask for, to negotiate for, higher wages. This is a rightful purpose of union leadership.

But union members—with all other Americans—have every reason to insist that their leaders, as well as the leaders in management, exercise a high order of responsibilities and statesmanship. It is up to union leaders to recognize that if they use their monopoly power to force wage increases and employee benefits too high, they bring about fewer jobs and greater unemployment, and thereby miserably fail in their duty to their members.

Why do excessive wage costs have such powerful impact upon inflationary forces? Because, after exclusion of all taxes, up to 83 percent of all income generated in the national economy goes to the payment of labor.

For a $3,000 automobile, for example, the required steel costs about $290. Even this price at the steel mill, in turn, includes labor cost as its main component.

What this means is that an unearned rise in employment costs has four times as much inflationary effect as a corresponding rise in all the remaining costs of production put together.

With this in mind, let us note that 154 major wage contracts come up for negotiation this year, including the steel industry, with its nearly 1 million workers. The cumulative effect of excessive wage-cost increases on this scale I leave to your imagination. There would be no way to describe it other than to call it a national calamity. Everyone would suffer. The blow, as we have noted, would fall hardest on the millions whose incomes have not gone up, the people on salaries, fixed incomes, and pensions.

But let none assume that he would escape—least of all the wage earner himself. He would soon find that the newly won increase had evaporated in higher living costs. Worse, he could find that even his job is gone because the product he makes has been priced out of the market, no longer able to compete effectively at home or abroad.

We should—and do—look to the increasing of job opportunities here at home through the expansion of our production capacity. We should take every step to encourage, not sap, the growth power of industry and business.

But we can hardly say we are giving full encouragement if we permit wage-push inflation that deprives our industry of adequate earnings to plow back into new products, equipment, and plants.

Every thinking American, I believe, will agree that the decline has gone far enough when the ratio of profits to sales, for all industry, drops from 7 percent in 1948 to 4.8 percent in 1958.

Especially is this true when we recognize the burden our taxation is placing on the accumulation of capital for investment, and on the personal incentive and earning power of every citizen.

The tax foundation tells us the average earner of $4,500 a year works 22 days each month. Seven days of this total—nearly one-third of his working time—is taken from his income in taxes. And as he may succeed in building his income, he can look forward to the tax chunk becoming larger. We need to relieve this stifling tax load being carried by the individual citizen and by our business system.

Our population is growing rapidly. Business can create new jobs to meet this growth only as billions of dollars are invested in new tools and capacity. Now, where is this money to come from?

Today, Federal taxes alone can take more than half of many companies' net income. Then follow State and local taxes. There are over 100,000 taxing authorities in our country. Their weight can literally crush the ability of business to meet its job-creating capital needs.

Our present tax structure is seriously outdated. It is a set of laws reflecting largely the conditions of the past, especially World War II, when the goal was the confiscation of war profits, not the building of a sound peacetime economy. A sensible, equitable, dynamic tax program is needed in its place. Such a program will keep revenues up, not by taxing away incentive and means of growth, but by steadily increasing the tax base.

These problems I have discussed this noon can be clearly stated. But how clearly do we see the answers that can be given to them? This is our task.

And I believe we cannot emphasize too heavily the answers that are being provided by our national leadership, and by leaders in many States. These answers add up to a program of full employment with stable prices and tax reform, a program offering greater opportunity for every American.

It is because we have pursued such a program that our economy has bounded back from the recession to a dynamic new level. The signposts are clearly visible and our program is well under way.

First of all, we have established a sound and sensible philosophy of government. The set of principles we are following deserve enumeration. They are:

First. Agree on sound and productive fiscal policies. Set realistic budgets and stick with them.

Second. Meet the full needs of our defense program.

Third. Meet all the legitimate needs of our people.

Fourth. Refuse to give away taxpayer money to nonessential projects, lavish spending schemes, and welfare state activities intended to curry favor with special groups rather than to meet the needs of all the people.

Fifth. Operate government on a pay-as-you-go basis. Avoiding the fatalistic deficit philosophy so easy to get in but so desperately hard to shed.

Sixth. Encourage a higher order of statesmanship in union-management wage negotiations—create public opinion so that union leaders work for the real welfare of their members and the Nation, rather than trying to outdo each other in wringing inflationary wage packages from industry.

Seventh. Establish adequate laws to control abuses of union leader monopoly power. Such laws were established for business, correctly and firmly, when some businessmen abused the public trust in years past. Give union members their rights to pass on the action of their leaders and the use of their dues.

And, finally, move forward as rapidly as possible to achieve progressive tax reform.

I believe that heartening progress is being made in all these eight areas.

The sound fiscal program of the President, with his insistence upon balancing the budget, is rapidly gaining wide support.

In the wage-price area, we can only hope that the statesmanship we so urgently desire will be forthcoming. It is not immediately apparent in the announced intentions of demands we have seen. It is clear that union members themselves want responsible union leadership—responsible to their welfare and to the national welfare. With the great majority of the public at large, they want laws that will help to assure responsible leadership.

In regard to taxation, we are working to carry forward a program of tax reform and reduction. The President's stress on a balanced budget is related directly to this goal. Steps in the right direction already have been taken with the Revenue Act of 1954.

The time is approaching for another bold and imaginative breakthrough on tax policy that will benefit and encourage all taxpayers, large and small. Obviously, this program cannot call for immediate and sharp reduction in all income tax rates. It calls for gradual reform. And it calls for equitable reduction for all taxpayers.

The public, more and more, is rallying behind the President in his fight to maintain a balanced budget, to achieve tax reform, and to bring the extravagances and excesses that feed inflation under control.

But let me not overstate this premise. The battle is far from won. The special interests bent on spending, taxing, and deficit financing still are riding high—still have the ears of the majority of our Federal legislators and State administrations. Washington is swarming with representatives of the special interest groups, each concerned with favoring legislation for his pet project.

The fight for fiscal sanity is being waged by the President, members of his administration, and some Members of the Congress. It is this group—almost alone—that is bearing the brunt of the battle.

My appeal to you today, and to the American people, is to join this battle, to meet this challenge.

Remember that, in the struggle with Russia, we are strong militarily, we are strong politically, we are strong spiritually. We must continue to strengthen ourselves economically. We can no more appease inflation than we can appease Soviet aggression. I believe we shall continue to build the strongest, freest way of life the world will know.

But I also believe that, to do so, America must maintain a sound economic philosophy, and sound policies firmly based on that philosophy. We must never accept the premise that our fiscal problems cannot be solved.

Inflation, deficits, high costs of living, and oppressive taxation all are man made. There is nothing sacred about them or the destructive monopoly power of a group of union leaders.

By attacking these problems with intelligence, determination, and perseverance, we shall overcome them. May there be a reassertion, by all of us, of the courage and strength and faith of the Americans who opened the great Northwest.

I am confident that the business leadership of the State of Washington, which is so well represented here today, will play a vital part in keeping our free-enterprise system strong.

As civic leaders in a key city and State, your views and actions are vitally important to your own progress, to your State, to the Nation, and to the world.

I would dare to suggest that you assess what you are doing individually. If you believe that we must attack the causes of inflation and onerous taxation and union monopoly firmly and intelligently, ask yourself if you are doing all you can to support that belief. Your belief in America can be effective only as you let it be known.

I urge you to take your place among those who will speak, work, and fight for sound policies and a stronger America in the years before us.

There is nothing more important to you, your family, your future, and your Nation than that you take your stand now. Speak up; let your representatives in Congress know what you think. Let them know you understand that a Government big enough to do everything for its citizens from cradle to grave is also big enough to take everything from them in taxes during the same time.

Every businessman must understand that the political party of his choice is what he makes it, either by his participation or lack of participation in its affairs and in its choice of candidates.

Unless responsible businessmen and citizens devote more of their time and effort and organizing ability—as well as their money—

to unselfish politics, directed to the greatest common good, government by pressure groups will continue to grow.

Only by universal participation can we be sure that the Government will serve all the people—not some special interest—and assure the greatest opportunities for all our citizens.

My friends, this is the banner of true liberalism. Advancing under it, we shall meet the Communist economic challenge as surely as we shall meet the military and political challenge.

We shall assure that the golden era of unlimited opportunity lies ahead.

We shall preserve the great free and growing economy which is the foundation of all our freedoms, our security, our prosperity, and our future, in a strong, free, and better world.

Firm Bipartisan Berlin Policy Already Paying Off

EXTENSION OF REMARKS
OF
HON. SAMUEL S. STRATTON
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 23, 1959

Mr. STRATTON. Mr. Speaker, the other day, together with other members of the House Armed Services Committee, I returned from an inspection trip of our military defenses in Western Europe, Western Germany, and specifically Berlin, with a view toward surveying our readiness to meet any developments that may occur as a result of the May 27 ultimatum which the Soviet Union has directed against us.

Because the Berlin situation is such an important matter in our overall foreign policy, it may be that some members of this House would be interested in the observations of one member of this group. For that reason, I request unanimous consent to insert an article which I published recently on this Berlin trip and on my views as to the effectiveness of American policy toward Berlin in the CONGRESSIONAL RECORD.

FIRM BERLIN POLICY PAYING OFF, RETURNING REPRESENTATIVE SAYS

(NOTE.—Representative STRATTON, former mayor of Schenectady, has just returned from a flying trip to Berlin. With nine other members of the Armed Services Committee, he went to get a first-hand look at the crisis area. The Congressman is unusually qualified to write this exclusive report for NANA. He is a military intelligence expert. A combat intelligence officer on the staff of Gen. Douglas MacArthur during World War II, he was recalled to teach at the naval intelligence school during the Korean emergency.)

(By Hon. SAMUEL S. STRATTON, Representative from New York)

Berlin is a fantastic city. Four days there and I came away convinced that the status quo can be beautiful. I returned not only impressed by the high degree of training of our troops in Germany, but also by the obvious fact that the American policy of standing firm is the soundest possible policy and is in fact already paying dividends.

There's far less agitation about the Berlin crisis in Berlin than in Washington. But this calmness is no accident. It is based first on a conviction that America means what it says about standing firm. Already Berliners are convinced the May 27 deadline set by Soviet Premier Nikita Khrushchev will pass without any thing unusual happening.

That doesn't mean that the Berlin crisis will be over. But it does mean that the firm U.S. position has already forced an adjustment in Soviet policy and has at the very least postponed any actual showdown. As far as Berliners are concerned every extra week of living successfully under Soviet pressure without cracking is another step in the right direction.

Also behind this unexpected calmness in Berlin, as we found, are some of the finest fighting troops that America has stationed anywhere in the world.

ESSENTIAL SHIELD

We saw these troops, talked with them, and watched them carry out their combat maneuvers, not only the two battle groups located inside West Berlin, but also the five American divisions poised along the Iron Curtain line in West Germany and ready to go, if, as they say in Europe, "the balloon goes up."

These ground troops are performing a highly essential function in West Germany as important elements of our so-called NATO shield. Their job is to keep the Soviets from overrunning Germany in the event of war until we can bring our superior nuclear power to bear against an aggressor.

I came back from Berlin just a bit concerned about what the current efforts to economize in the field of national defense might do to those NATO shield forces. Certainly we can't possibly permit any reduction in American forces in Western Germany now, whatever happens to overall Army strengths. Many of us were frankly disturbed to learn that budget cutting at home already has forced some reduction in the regular training alerts and maneuvers of these forces, which is, in my judgment, considering the circumstances, a very dangerous brand of economy. Even our normal rotation policy has created some problems; for example, when a large number of trained soldiers wind up their 2-year hitch together and move back home to civilian life. New men are moved in quickly to take their places, of course, but there is still an uncomfortable delay before the unit as a whole can be brought back up to the same combat-ready pitch.

For myself, I'd feel a lot better, and I think some of our field commanders would too, if we had at least one and maybe two more American divisions in West Germany as strategic reserve. If our ground forces are going to play any role in our defense picture, Europe is the place they are most likely to play it. Five American divisions, even highly trained, still have their hands full facing 20 or 25 Soviet divisions. We need at least another reserve division to back up the forces already committed along the border.

OUR DEPENDENTS OVERSEAS

One question that bothered some of us when we left Washington for Berlin was the status of American dependents in that exposed outpost. Shouldn't we perhaps evacuate them all well before the May 27 deadline? After talking with Army officers, men, and with many of the dependents themselves, I came away convinced it would be a mistake for us to undertake any evacuation of American dependents, except as a last-minute and extreme measure. In fact, I was amazed to find that there's almost no desire on the part of any of these people to return home.

These folks are firmly convinced that the future of our country is closely bound up with holding onto this great free city. They wouldn't want to be the first to betray any nervousness at carrying out American overseas commitments. If we were to begin to move back our dependents, this would be an immediate signal that Americans had decided the future of Berlin was hopeless, and that is one thing we certainly don't intend to do.

Atcually, Berlin is more a war of nerves rather than a war of guns. That's why I am so convinced we can win just by standing firm on the status quo. And yet what about the future? Can we live with this kind of situation indefinitely? Even assuming that the West weathers the May 27 deadline, isn't there always the chance of another crisis any time the Russians feel like crying "wolf"?

You can get one clear-cut answer to that question from the youthful, able, and highly impressive mayor of Berlin, Willy Brandt. We had an hour's talk with him. Mayor Brandt says Berlin's position is anomalous, tied in economically, emotionally, and (eventually, he hopes) politically, with West Germany 110 miles to the west. Yet he points out that there have been anomalous political situations like this before which have continued indefinitely. He points to Pakistan, divided into two sections on the continent of India. If Pakistan can survive, he says, why not Berlin? Indeed, one thing that keeps Berlin alive today is the hope that some day she will again be the capital of Germany.

PATIENCE IS NEEDED

But perhaps the best answer of all to this question of the future of West Berlin came from an American officer stationed there. He put it to me this way: "Let's not get impatient and feel that we've got to find overnight some neat and simple and easy solution to this Berlin problem. These apparently neat solutions, arrived at around the conference table with the Soviets, can often spell disaster. Maybe we've spent too much time reading those fairy stories where people get into trouble, then somehow resolve the troubles, and everybody lives happily ever afterward.

"That isn't the way life goes these days," my officer friend went on. "We can't expect to live happily ever after in today's world. We're going to be facing Communist tensions and pressures for a long time to come. Our job is not to try to find some easy, fairyland solution that will let us 'live happily ever after,' but rather to prepare to live with the tensions and pressures of this real world of ours without letting them get us down."

I think my officer friend was right as we talked that last night in Berlin. The Russians are betting we can't stand the heat. But when you've seen Berlin, as we saw it, you know in your heart that we can't possibly abandon this fantastically attractive outpost of freedom 110 miles inside the Iron Curtain and continue to hold up our heads. If Berlin ever goes, then Western Europe goes with it. I'm convinced of that.

The San Jacinto Anniversary

EXTENSION OF REMARKS
OF
HON. BRUCE ALGER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 23, 1959

Mr. ALGER. Mr. Speaker, 123 years ago—on April 21, 1836—a handful of Texans, under the leadership of Sam Houston, fought and won the Battle of San Jacinto.

As a direct result of this victory, the Republic of Texas was brought into being.

These men had courage. They fought a larger number of better trained, better equipped foes.

These men had vision. They literally "bet their lives" on the chance that their loved ones might have a future under freedom.

These men had strength of character. The hardships, the discouragement, they conquered were more forbidding than their human enemies.

Yet, they made their decision and went on to win.

Mr. Speaker, I have one question in my mind. This is the question: "How much Federal help did Sam Houston and his Texans have in winning and preserving their independence?"

Abolishing Postal Savings: Fiscal Insanity

EXTENSION OF REMARKS
OF
HON. CHARLES O. PORTER
OF OREGON
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 23, 1959

Mr. PORTER. Mr. Speaker, the administration professes to be much concerned about balancing the budget but here it comes again pushing for the liquidation of the postal savings system.

This is fiscal insanity.

It means doing away with a profitable Government activity, used by 2 million citizens, at the cost of at least $4 million.

Fiscal insanity, nothing else!

The Post Office representatives testified before the Post Office and Civil Service Committee, of which I am a member, on Tuesday. They told us that about 2 million depositors had $1.2 billion in postal savings. This money is invested in Government securities which yield on the average 2.6 percent.

The Postal Savings System, according to the testimony, makes a profit for the Government. It reduces the deficit and will continue to do so for at least 6 years.

Now here comes the administration to abolish the system, increase the postal deficit, and deprive 2 million depositors of this service. This move would cost at least $4 million.

At present the depositors are paid 2 percent interest. The profit is made on the 0.6 percent difference between the interest and the Government securities in which the Government invests. However, if you pay off the depositors, that means refinancing the $1.2 billion in low interest—no more money is available for the Government at 2.6 percent—Government securities. The new bonds which the Government will have to purchase will be at 3.25 percent interest.

Do you know the difference in interest charged on $1.2 billion for 1 year at 2.6 percent and at 3.25 percent? I will tell you: $3.8 million. Add to that the financing charges of floating the new issue and you are well over $4 million, even if you subtract the half million dollar operating costs of the Postal Savings System. Of course this would extend over for 1 year.

Economy, in my opinion, is carried too far and too insanely when profitable, useful Government programs like postal savings are sought to be abolished at the cost of more than $4 million to the taxpayers. Or perhaps I should say this is too brazen an attempt to make the bankers happy.

Results of Opinion Poll—21st District of of California

EXTENSION OF REMARKS
OF
HON. EDGAR W. HIESTAND
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 23, 1959

Mr. HIESTAND. Mr. Speaker, early this year I sent out my seventh annual questionnaire to the voters of the district I represent. Response this year was greater than ever before, indicating a healthy interest in national affairs. Along with the replies, I received several thousand letters from thoughtful citizens, expressing opinion or asking questions regarding legislation.

My colleagues will recognize the specific questions relating to specific bills or issues facing us at this session of Congress. Perhaps they will be interested in knowing how a representative cross-section of the 800,000 citizens of the 21st District of California feel about these issues:

	Percent yes	Percent no	Percent not sure
1. Shall we spend Federal money for municipal projects such as slum clearance, water supply, sewage disposal, etc.?	23	69	8
2. Should Congress spend Federal tax money to assist specific areas of the country suffering chronic unemployment?	36	50	14
3. Generally, do you favor Federal aid to education?	40	55	5
4. Should Congress continue farm price supports?	10	83	7
5. Shall we continue foreign economic aid?	47	38	15
6. Should foreign military aid be continued?	58	26	16
7. Is balancing the Federal budget important to you?	81	12	7
8. Should cooperatives be taxed the same as other businesses?	82	8	10
9. Should small business have more tax relief?	71	17	12
10. Should Red China be admitted to the U.N.?	14	76	10
11. Should we make an all-out effort to surpass the U.S.S.R. in the exploration of outer space, regardless of cost?	33	50	10
12. Do you favor stiff legislation requiring the secret ballot and control by the membership, in the internal affairs of unions?	95	3	2
13. Should labor unions have to comply with our antimonopoly laws?	90	6	4
14. Do you want Congress to revise the Taft-Hartley law so as to outlaw State right-to-work laws?	20	70	10

The Hidden Dangers of Increased Trade With Soviet Russia

EXTENSION OF REMARKS
OF
HON. H. ALLEN SMITH
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 23, 1959

Mr. SMITH of California. Mr. Speaker, it has now been several months since Soviet Deputy Premier Mikoyan visited the United States. I think there are some facets of his visit which have been overlooked. For this reason, I want to direct the attention of my colleagues to what I consider a most important danger arising from his grandiose plea for increased trade between the United States and Russia.

We remember Mikoyan. There he was—a smiling, dashing, mustached man from Moscow, speaking sweet words and displaying broad smiles. Everywhere he went he exuded friendship, telling of the glories of Soviet communism and urging Americans to accept him as an apostle of peace and good will.

His words were so enticing—to those who did not know the truth. The Soviet Union, he said, is gradually being "democratized." "Now there are no arrests for political reasons." The Iron Curtain is a "fable." We stand for "peace," "freedom" and "brotherhood."

Mikoyan did achieve a considerable propaganda success in this country. He was accepted by important business leaders and select social circles. He gained audiences with high political leaders. One reporter, commenting on his visit to the west coast, stated:

> The 63-year-old Russian official has been winning friends and influencing people all over the place.

Hundreds of students, for example, at a university warmly greeted him. One coed ran up to shake his hand. Other students followed. His interest in education was praised by the university president. After lunch at a fashionable restaurant, Mikoyan went to a movie studio, there to inspect the plant and meet some of the actors and actresses. Later, as featured speaker at a dinner arranged by business officials, this faithful disciple of Stalin waxed eloquently on how America was botching up international relations.

From all the publicity and showering applause, you would think that a conquering hero from a friendly country had come to our shores—a hero whose ideals of government and personal living were similar to ours, a hero whom we could admire and incorporate into our national consciousness.

Rather this individual is one of the world's highest-ranking Communists, the No. 2 man in the notorious and iniquitous tyranny of Soviet Russia. He is the sworn opponent of everything we cherish and hold dear. His so-called hand of friendship is a hand stained with the innocent blood of literally millions of men and women. The smile—which captivated so many in the United States—is

actually a satanic smirk which smugly watched entire families liquidated by the Communist secret police. The Soviet democracy he so blithely hails is the democracy which has made all Russia a prison house—where freedom of speech, thought, and the press are muzzled. Let us make no mistake: Mikoyan, despite his genial smiles and gracious outward demeanor, is a deadly enemy of America and our democratic way of life. Not to recognize him as such is to jeopardize our security.

I should like to call to the attention of my colleagues an important but generally overlooked aspect of Mikoyan's visit—namely, the dangers to the internal security of the Nation inherent in the Soviet Deputy Premier's call, among other things, for closer trade relations between the United States and Communist countries. Increased trade may have some beneficial aspects for America, but we would be foolish not to recognize that it will also pose severe problems for agencies of our Government, such as the FBI, charged with protecting the internal security of the Nation.

One of these problems, most frankly, would be the increased danger of Soviet espionage. Over the years the Soviets have systematically used trade contacts, business relationships and other commercial transactions as covers for illegal espionage activities. This remains true today. Any Soviet trade organization established in the United States automatically becomes a workshop for espionage. We must recognize that to allow more Russian technicians, business experts and trade consultants into our country will greatly multiply the FBI's problems.

Let us look at a few facts and see how the Soviets—ever since the Bolshevik Revolution—have manipulated trade contacts for spy purposes.

In March 1919, for example, an individual by the name of Ludwig C. A. K. Martens arrived in New York City. As told in Don Whitehead's most excellent book, "The FBI Story," Martens was ballyhooed as the official trade representative of the Soviet Union. He set up an office in New York City, even though the United States did not diplomatically recognize Moscow. Under this trade "cover," the very first Soviet espionage was conducted—very crude and inept, of course, as compared with later Soviet efficiency, but already the first prick of the knife blade of treason into our national life. Very interestingly, an individual by the name of Arthur Alexandrovich Adams was a member of Martens' staff. This same Arthur Adams was later to be identified as an espionage agent in atomic matters during World War II.

In 1921, Martens and his staff were deported from the United States. The Soviets, however, already were working to perfect the technique of using commercial activity as a cover to steal valuable information from this country. In 1924, a Soviet Government trade agency by the name of Amtorg was set up in the United States. Ostensibly this organization existed for commercial purposes, such as purchasing American products for delivery to the Soviet Union. Under this cover, Russians were able to travel, make contacts with Americans, gain access to industrial facilities and gather intelligence data from business firms, trade journals, and so forth.

Most important, however, Soviet espionage for the first time had a legal base in the United States—legal in that the Soviets now had a legal cover—Amtorg was officially recognized by the American Government—for their nefarious activities. Amtorg, which still exists, served for many years as the backbone, so to speak, for Soviet espionage in the United States. After diplomatic recognition of Russia in 1933, Soviet spies started operating from diplomatic establishments, supplementing the work of Amtorg undercover agents.

The importance of Amtorg is reflected by a comment made in 1926 by G. Bessedovsky, defected Russian official in Paris, to the effect that Gen. I. Berzin, a key leader in Moscow's espionage apparatus, had stated that the Russians were operating two illegal organizations in the United States and that Amtorg's offices served as a means of contact with them.

The activities of Gaik Badalovich Ovakimian, one of Moscow's master spies, reflect the extent of Amtorg's involvement in Soviet espionage. Ovakimian was associated with Amtorg. His chief activity, however, until his arrest by the FBI in 1941, was the operation of an extensive group of espionage agents. These spies gathered industrial information of all types, as well as military, economic, and political data.

Amtorg also helped recruit Soviet espionage agents. Take the case of Simon A. Rosenberg. Born in Poland, Rosenberg came to the United States in 1925. He accepted employment with Amtorg in 1930 and the next year went to Soviet Russia as an engineer. These were the days when Russia was trying desperately to increase industrial production. While in the Soviet Union, Rosenberg was contacted by the secret police who threatened to kill his sister, who was living in Russia, unless he agreed to become a Russian agent on his return to America. Rosenberg agreed and for the next 6 years he served as a spy collecting information for the Soviets. The master spy of his operation was none other than Ovakimian.

The story of Amtorg and Ovakimian has tragic overtones for America—leading, for example, to some of the Russians' most active espionage rings. Ovakimian was in contact with Jacob Golos, another Russian master spy. Golos operated World Tourists, Inc., like Amtorg, a commercial front for the Russians. World Tourists, like the U.S. Service and Shipping, Inc., another firm headed by Golos, was ostensibly a legitimate business—namely, a travel agency. Actually it served as a legal cover for Russian espionage. Among its notorious activities, for example, was the recruitment in late 1930's of Americans for military service in Spain for the Abraham Lincoln Brigade. Associated with Golos was Elizabeth Bentley, self-admitted courier for an entire ring of Communist agents in Washington, D.C., such as Nathan Gregory Silvermaster.

The influence of Amtorg can be directly traced in the theft of our atomic bomb secrets, culminating in the Harry Gold-Klaus Fuchs-Julius Rosenberg cases. Ovakimian, while employed at Amtorg, recruited Thomas Lessing Black who in turn brought Harry Gold into contact with the Russians. During World War II Gold was to serve as the intermediary between Fuchs, German-born atomic scientist, and the Russians. Most revealing is the fact that Semen M. Semenov, one of Gold's Russian superiors, had himself been an employee of Amtorg. This trade organization indeed sowed seeds of treason which brought bitter fruits against the United States.

Examples of how the Russians have exploited trade relations for espionage are many. I want to mention, however, just one more—the name of Andrei V. Schevchenko, a Russian aviation expert who arrived in the United States in 1942 assigned to the Soviet Government Purchasing Commission. This commission, established during World War II, ostensibly was a Soviet agency designed to promote Russian purchases for the war effort. However, like Amtorg, it was a cover for Russian espionage.

Schevchenko was assigned as a contact between the Soviet Purchasing Commission and Bell Aircraft Corp., Buffalo, N.Y. At this time Bell Aircraft was carrying out top-secret experiments in jet propulsion for air travel.

In pursuing his legitimate duties, Schevchenko was also alert for any possibilities of gathering information to which he was not entitled. He frequently used the company library and gradually made the acquaintance of the librarian. Step by step he indoctrinated her in the glories of Russia—and, then came the request for classified information. The librarian and her husband, fortunately, contacted the FBI—and that efficient investigative agency carefully supervised contacts between Schevchenko and the librarian. The Russian was even paying for information he could have secured free of charge.

The point, however, is that the Russians—though they were guests of this country and receiving vital lend-lease help—did not hesitate to steal information from our factories. In this instance, as so often happened, their cover was a Soviet trade mission.

In Mikoyan's plea for increased trade lurks the hidden danger of Soviet espionage. This danger is not something theoretical, but a concrete fact, substantiated by 40 years of Soviet exploitation of trade relations for illegal espionage purposes. So-called Soviet trade experts arrive in the United States. Among them, you can be sure, will be trained espionage agents, instructed to carry out prearranged contacts. They will endeavor to develop new subagents, new sources of information, new techniques of communication. Experience, moreover, has taught that trade fronts, such as Amtorg, provide the Russians with mail drops, a channel for financing and opportunities of infiltrating legitimate American firms.

Victor A. Kravchenko, former employee of the Soviet Purchasing Commis-

sion in Washington, D.C., who later defected from communism, in testimony before the House Committee on Un-American Activities in 1947, identified Mikoyan, then Russian Foreign Trade Minister, as engaging in economic espionage against the United States. He told how Mikoyan sent a secret order, by Soviet diplomats, to Russian officials in this country on this subject. Kravchenko adds:

This document was delivered to special secret agents in Washington and, it goes without saying, was delivered thanks to diplomatic immunity.

Kravchenko continues:

In the same way, secret party orders were delivered to Washington from the central committee of the party.

Hence, when calls are heard from Americans for expanding our trade with Russia and other Communist countries, we must face up frankly to the security problems which automatically will arise. Not to do so is to live in a fairyland of dreams and fable.

Pesach, 5719

EXTENSION OF REMARKS
OF
HON. ABRAHAM J. MULTER
OF NEW YORK

Thursday, April 23, 1959

IN THE HOUSE OF REPRESENTATIVES

Mr. MULTER. Mr. Speaker, why is this night different from all other nights? Why is this time of Pesach, or Passover, different from all other seasons of the year?

We of the Jewish religion, inheritors of the rich and glorious tradition of Judaism, know well the story of the exodus from the land of Egypt, and our children learn of the sufferings, the courage, and the deliverance, of their ancestors of thousands of years ago. It is as important today as it ever was, and it will be important as long as the world lasts, that we pass on to our children, unimpaired, the virtues inculcated by that story—the fortitude, the stubborn determination to resist oppression, the resolve to live by the spirtual truths and moral laws that are our precious inheritance, the humility to submit to the divine will in any misfortune, and the hope and energy to rise bravely to new life and new circumstances.

As we commemorate in our Seder, not only the sufferings and the deliverance of our Hebrew ancestors, but the sufferings endured by the Egyptian people before the Pharaoh would release the Hebrews from bondage, let our thoughts turn to the oppressed and enslaved peoples, the world over, in this day of peril and tyranny. A darkness of the spirit, black as the Egyptian night, lies over the Communist-dominated lands today. In other lands, differences of race or of religion give rise to mob violence or repression under the forms of law.

Let us keep ever before the eyes of the spirit, for our own guidance and the guidance of the world, as a pillar of fire by night and a pillar of cloud by day, the ideals of freedom, of justice, of equality, of goodwill toward all men.

Thus we may be able, in the fullness of time, to fulfill our high destiny, and lead all mankind, freed from violence and from wrong, and united in an eternal confidence of brotherhood, to celebrate the universal Passover in the name of our God of freedom.

Address by Representative Emanuel Celler

EXTENSION OF REMARKS
OF
HON. VICTOR L. ANFUSO
OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1959

Mr. ANFUSO. Mr. Speaker, our distinguished colleague from New York, the Honorable EMANUEL CELLER, surely needs no introduction to the Members of this House nor to the people of America. He enjoys a national reputation because of his wise leadership, his ability as a parliamentarian, and most of all because of his sagacious views and opinions on matters of national interest.

To us, his colleagues from New York, he is the beloved dean of our delegation in Congress to whom we all look for guidance and counsel. His service in Congress—and that means service in the best interests of the American people—extends over a period of 37 years. This is exceeded only by our distinguished Speaker, the Honorable SAM RAYBURN, and the distinguished chairman of the Armed Services Committee the Honorable CARL VINSON.

MANNIE CELLER, as he is affectionately known to myriads of people, is a warmhearted person and a great humanitarian. Even as chairman of the House Judiciary Committee he is not the stern individual that many would expect of a person in that position, but friendly and cooperative in every way.

Recently, Congressman CELLER was the recipient of a Gold Medal Award presented to him at a dinner in his honor by the Jewish War Veterans. This took place last Saturday evening, April 18, at the Statler-Hilton Hotel in New York. On that occasion he delivered an address which, I am sure, all of our colleagues would enjoy reading because of the views expressed and the philosophy of life of this present-day sage. I deem it a privilege to have his address inserted into the RECORD so that the American people may have the opportunity to read it and enjoy it for its wisdom and ripe thoughts.

Mr. Speaker, under leave to extend my remarks, I wish to insert into the RECORD the text of Congressman CELLER'S address:

STATEMENT BY REPRESENTATIVE EMANUEL CELLER BEFORE THE JEWISH WAR VETERANS, APRIL 18, 1959, STATLER-HILTON HOTEL

How can I thank you? Yet, in a measure, this award, which I both proudly and humbly acknowledge, belongs to all the gallant and fighting men of the Jewish War Veterans. For that which the Jewish War Veterans have accomplished in the years of its existence and which I, in response to the inspiration of the Jewish War Veterans, have in my own small way done, derive from the same source, and that source is the Bible. The Jewish War Veterans have fought for the preservation of civil liberties; for the preservation of liberty itself; for equality of opportunities for all peoples; for civil rights; for liberal immigration policies. The Jewish War Veterans have done this, not only by way of pamphlets and resolutions, but in the very frontlines of war—in the trenches, in the air, and on the seas. And in so doing, they echoed and re-echoed the living words of the Testament.

I am not a student of the Bible; only a reader. And yet as I read I find with considerable excitement—always—that those questions that agitate us in this age—in this very day—have been explored in the Book. All around me, particularly in the work I do as a Member of Congress, I find the influence of Jewish law—not recognized as such, but unquestionably so—bears with great impact upon the way of the free world.

Lest I become too abstract, let me illustrate. Take the question of civil liberties and civil rights, with which we are wrestling today. It is a commonplace to trace the beginnings of the battle for individual rights—that is, protection against the tyranny of the state—to the Bill of Rights, then through many centuries to Anglo-Saxon law, woven into the first 10 amendments to our Constitution. Yet this concept appears again and again in the Bible. It is not amazing that the concept of the dignity of the individual should be grounded in Western civilization, but it is truly amazing that in the culture of Biblical days, such concept should have been formulated and carried forward throughout the centuries. For example, listen:

Leviticus, chapter 25, verse 10: "And ye shall hallow the fiftieth year, and proclaim liberty throughout all the land unto all the inhabitants thereof: it shall be a jubilee unto you; and ye shall return every man unto his possession, and ye shall return every man unto his family."

Hearken also to Leviticus, chapter 19, verse 18: "Thou shalt love thy neighbor as thyself."

Interesting is the fact that this voice of Leviticus is engraved on our Liberty Bell in Independence Hall, Philadelphia.

How well the members of the Jewish War Veterans must understand this holy injunction. Thus, began a line reaching into the present, a line which marks today the struggle between democracy and totalitarianism.

I want to quote one more passage which goes to the very heart of freedom, equality of opportunity, the American traditions of asylum and charity. These traditions have roots and the roots reach far down. We find them in Deuteronomy, chapter 24, verses 17 through 22:

"Thou shalt not pervert the judgment of the stranger, nor of the fatherless; nor take a widow's raiment to pledge. But thou shalt remember that thou wast a bondman in Egypt, and the Lord thy God redeemed thee thence; therefore I command thee to do this thing. When thou cuttest down thine harvest in thy field, and hast forgot a sheaf in the field, thou shalt not go again to fetch it; it shall be for the stranger, for the fatherless, and for the widow; that the Lord thy God may bless thee in all the work of thine hands. When thou beatest thine olive tree, thou shalt not go over the boughs again; it shall be for the stranger, for the fatherless, and for the widow. When thou gatherest the grapes of thy vineyard, thou shalt not glean it afterward; it shall be for the stranger, for the fatherless, and for the widow. And thou shalt remember that thou wast a bondman in the land of Egypt; therefore I command thee to do this thing."

The Jewish War Veterans forget neither the dead nor the living. When my bill to incorporate the Jewish War Veterans National Memorial became Public Law 903 of the 85th Congress, it was for me a proud moment. It was not an earth-shaking piece of legislation; it could not, of course, have the national impact as did the passage of the Celler Civil Rights Act of 1957, but it was a little bill, big in meaning, but a little bill, nonetheless, which I had nursed through to enactment. There was no widespread interest, but you and I know it honored the dead and how it inspired the living to dedicate themselves anew to the freedoms for which these brave souls had died.

You will forgive, I know, the reminiscing of a man of threescore and ten who, during his 37 years in Congress, bears the scars of many a lost battle and the healing memory of the few that were won. When I first came to Congress, prohibition was the burning national issue. How young, how naive, how uncomplicated that era seems now, despite our having fought only 6 years ago a World War. And the 6 years that followed were years of abandon, too many running riot to catch up with the easy money, the real estate booms in the swamps. Six years they were of flagpole sitters, marathon dances, the flapper, and the Charleston. But the tests of our maturity, unforeseen by most, were marching forward—the crushing depression, the rise of Hitler, World War II, the Korean war, and now the cold war with its day to day crises. We have known few moments of ease since 1929. But what we lost in ease we gained in conscience. And this is the central point. And through organizations like the Jewish War Veterans, we gave voice to that conscience both collectively and individually. The spur of conscience is not easy to live with, but having once come alive, we cannot put it to rest. For all is not well in this best of all possible worlds, and the severest tests are yet to come, tests of patience, understanding, and even sacrifice. I talk this openly to you because I know from our years of association together, the Jewish War Veterans will meet these tests with the same courage they have met them before. The roots of this courage, as I said a few moments ago, lie deeply embedded in racial memory and whether consciously or subconsciously—I do not know which—the poetry, the strength, and the depth of the Great Book are with you.

I have had a life full of content. It has been an existence of much happiness, not however, unmixed with some sorrow and suffering. But when trouble came I drew upon the Great Book once more and repeated the words of Job, "Thou shalt forget thy misery and remember it as waters that pass away."

Long ago, an Eastern monarch plagued with misfortune and harassments called his wise men together. He asked them to invent a motto containing a few magic words that could help him in his time of trial. He wanted a motto small enough to be engraved on a ring. He wanted it to be endlessly enduring. The wise men thought and thought, and finally came to him with the magic words, "This too shall pass." The motto has survived century after century. I have sought refuge on occasion in these words of rare wisdom, "This too shall pass," and they have proven precious to me and to countless others.

I do not wish to become maudlin or cheaply sentimental but with the years have come considerable wisdom and sound sense. I have learned the value of persistence. Consider the postage stamp. It secures success through its ability to stick to one thing till it gets there. I have shunned the ways of the cynic—the one who knows the cost of everything, but the value of nothing.

I remember what Disraeli once said to a Jewish lad, "You and I belong to a race that can do anything but fail."

I have learned from sad experience that anger rarely pays since it warps the judgment and that one must ever be armed with the breastplate of a good temper and that life is short but there must ever be time for courtesy.

I grow a bit weary too, of those stiff-necked ones who prate of their superior or nobler blood. I say to them, "Take your superior blood to the marketplace and see what it will buy you." Years ago, I read Mark Twain, that truly indigenous author. He says in "Puddinhead Wilson": "Training is everything; the peach was once a bitter almond; cauliflower is nothing but cabbage with a college education." How true is the importance of training. There is little of importance without it.

I recall the words of the Talmud on gratitude—"Into the well which supplies thee with water cast no stones."

Life, too, is not merely having and getting, it is rather being and becoming. And good character is what you are when no one is looking.

And life would be barren and dreary without good, genuine friends. I do not mean synthetic friends, so-called friends that are like sundials, useless after the sun sets. I have been blessed with many real friends. They are all about me tonight.

Forgive my moralizing. I do not want to appear like David and Solomon, who were in their youth rather wild and unbridled but who, in old age, were given to much philosophizing. I remember the doggerel:

"King Solomon and King David led very merry lives
With their very merry concubines and very many wives;
Till old age came upon them with its very many qualms,
Then Solomon wrote the proverbs and David wrote the psalms."

Finally, my greatest joy has been my wife and family—my wife, Stella, daughters Jane and Judith, my son-in-law, Sydney, and my grandchildren, Sue and Jill. All have brought me a harvest of happiness.

Stella has been over the years my earnest love and inspiration—inseparable from me as the tree from its roots or tongue from mouth or ship from rudder. She has brought balm to wounds, smoothed off the rough edges of adversity, darned up the raveled sleeve of care, and brought into our home loving kindness. She has been my shield, my sword. "Her price is far above rubies—strength and honor are her clothing."

There is no need for me to say more here and now; it is rather for all of us—you and me—to continue to do battle against the forces of evil; against oppression in man's inhumanity to man in whatever way each of us best can do.

Thank you. God bless you. God keep you.

A Salute to the New Federation in the Sun

EXTENSION OF REMARKS

OF

HON. ABRAHAM J. MULTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1959

Mr. MULTER. Mr. Speaker, the brazen sun beat down through the sweltering humidity of Port-of-Spain. It was an historic day, April 22, 1958. The multiracial people of Trinidad—Africans, East Indians, whites, Chinese, and every possible combination—were packed tight around the Red House, seat of the Government. Finally the moment all had been waiting for arrived. Princess Margaret, cool and dainty, unruffled by the heat, entered the hall, greeted the officials, then read in her small, girlish voice, "I now declare the Federal Legislature of the West Indies to be inaugurated." With these eventful words, an important step was taken in the development of democratic institutions in the Western Hemisphere—the Federation of the West Indies was created.

This new nation is a crescent-shaped constellation of islands stretching over the Caribbean Sea from Jamaica in the northwest to Trinidad in the southeast. Though divided by Caribbean waters, these antilles share a common beauty—a kaleidoscopic purple and green and blue brilliance of sea around them, mountains climbing steeply from the water, and lush green valleys lying between stony peaks.

The total land area of these islands is only some 8,000 square miles, about the size of New Jersey, but they are scattered over 550,000 miles of water. The people of the West Indies are mostly descendants of slaves brought over from Africa hundreds of years ago to work on sugar plantations. After the abolition of slavery, contract workers were imported from the East Indies, and today the East Indians compose a substantial portion of the population, together with a number of Chinese merchants, some British plantation-owning families, and some descendents of early French planters.

The West Indies are as poor as they are beautiful, with too many people, too few jobs, and a very high birth rate. The islanders, outside of Trinidad and Jamaica, subsist chiefly from farming, particularly sugar and fruit. Some employment is provided in the oilfields and at the asphalt lake in Trinidad and in the bauxite mines in Jamaica. But poverty grinds the ever-increasing population, manifesting itself in wretched living conditions, malnutrition, and tuberculosis.

It was these conditions that engendered the movement for federation. The individual islands by themselves were too small and weak to maintain viable economies. The old form of government, with each island or small group of islands forming a separate colony ruled directly from Great Britain, was a barrier to economic progress.

Farsighted thinkers proposed to unite all of these colonies into one federation, with the unified group of islands to enjoy greater powers of self-government. After 10 years of patient study, negotiation, conference, debate, and action, a federal constitution was adopted.

Under it, the federation is headed by a governor-general appointed by the British Crown, who is vested with exclusive powers over defense and foreign affairs. The governor-general can veto the acts of the Federal Parliament, although he is normally expected to act on the advice of the Prime Minister and his Cabinet. Each colony is represented by two members of the Senate, which has

the power to delay the passage of laws for as much as a year but not to defeat legislation. The power to legislate for the federation resides in the house of representatives, which is popularly elected. Its jurisdiction on most matters of policy is shared with the legislatures of the individual states.

Since the governor-general has the power to veto acts of the federal parliament, as well as to conduct foreign affairs, the new constitution does not grant full self-government to the West Indies. Rather, it establishes a more moderate form of colonial government under which the islands can progress toward autonomy. If political developments are satisfactory, in 5 years the West Indies will become completely self-governing and gain dominion status within the British Commonwealth.

From its very beginning, the United States has maintained trade relations with the West Indies. In recent times, many Americans have visited these islands, both as tourists and as traders. Since the early stages of World War II, there have been a number of important defense arrangements with the United States which reflect the interdependent nature of security among the countries of the Western Hemisphere.

The United States, which also emerged from a federation of separate British colonies, congratulates the Federation of the West Indies on the first anniversary of its federal union and its initial step toward self-government and dominion status within the British Commonwealth of Nations. The economic and political problems confronting the new federation are strongly challenging.

The United States looks forward to being a good neighbor to the Federation of the West Indies.

Boleslaw F. Karpinski Honored

EXTENSION OF REMARKS
OF
HON. FRANK KOWALSKI
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 23, 1959

Mr. KOWALSKI. Mr. Speaker, a few nights ago in the city of New Britain, Conn., several hundred friends and admirers from all parts of my State gathered at a testimonial dinner honoring Boleslaw F. Karpinski—a man whose story is one of real Americanism.

"Professor" Karpinski, as he is saluted with affectionate respect in Connecticut, was born in Poland in 1881. He came to America as a youth and has lived in New Britain for the past 60 years.

Imbued with a deep love for his adopted country, "Professor" Karpinski spent most of his free time, after long days as a factory worker, in studying the history of the United States. It was a proud moment for him when, in 1911, he was granted American citizenship.

Once he became a citizen himself, this great American began devoting himself to the cause of helping other immigrants secure their citizenship. For the past 48 years, he has been conducting Americanization classes in New Britain and in that time he has helped prepare more than 5,000 men and women for the duties and responsibilities of American citizenship. Since 1930, his citizenship classes have been conducted under the auspices of the Pulaski Democratic Club.

Of the thousands of men and women trained for citizenship by "Professor" Karpinski, many have gone on to distinguish themselves in the business world, in the arts and sciences and in the profession. All who studied citizenship under his guidance are the better for having known him.

It was only appropriate at this testimonial dinner that "Professor" Karpinski should receive a gift from his former students and a gold medal from the Polish National Alliance, an organization which he has served devotedly for many years.

Mr. Speaker, when any of us hears doubts expressed about the future of this great country, let him remember that we have men like "Professor" Karpinski—a man whose whole life has been dedicated to our country.

It gives me great personal pleasure to add my salute to "Professor" Karpinski for his accomplishments. He truly represents the stuff of which the best of America is made.

We, in Connecticut, are proud to have "Professor" Karpinski as one of us. His life has been an example of what love of country can really mean.

REA in Puerto Rico

EXTENSION OF REMARKS
OF
HON. ALFRED E. SANTANGELO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 23, 1959

Mr. SANTANGELO. Mr. Speaker, I have just returned from a 1-week trip to Puerto Rico with my colleague, H. CARL ANDERSEN, of Minnesota, in connection with the operation of the rural electrification program. As members of the House Appropriations Subcommittee of Agriculture, we are deeply concerned about the operation of the rural electrification program and the efficacy of its administration. We are pleased to report that the rural electrification program in Puerto Rico is making tremendous strides, is being completely administered, and is opening up a new world to the hill people and farm residents. While the electrification work has reached 50,000 rural homes in Puerto Rico, the Puerto Rico Water Resources Authority expects to accomplish the electrification of approximately 100,000 farms and mountain homes within the next 4 years.

Having visited the island 5 years ago, I can compare the present-day conditions and construction with those of 5 years ago. My colleague and I visited the hills of Narranhito and mountains of Barranquitos, the farms of Corozal and agricultural stations of Lojas. We have examined generating plants of Guayanilla and many transmission lines throughout the islands. We have observed the startling effects of electrification, not only on the physical aspects of the countryside, but also on the attitudes of the people and the appearances of the children.

Puerto Rico is undergoing a peaceful revolution, an economic and social revolution. Just as Christopher Columbus opened up a new world when he discovered Puerto Rico in 1493 so has the Puerto Rico water resources authority, assisted and aided by our loans from our Rural Electrification Administration, opened up a new world for the people and children in the hills and on the farms. No longer does nightfall bring darkness and boredom to the inhabitants of the farms and denizens of the hills. Rural electrification has brought light, activity, and opportunity for study. With electricity has come the use of various electrical appliances and expanding interests and activities. Television antennas sprout from mountain shacks and farm homes, and radios and musical boxes interrupt the stillness of the night. Freezers and refrigerators abound in homes and stores, thereby, preserving meats and food supplies which formerly spoiled and perished because of lack of refrigeration facilities. Clean-faced and sunburned schoolchildren, immaculately dressed despite sultry weather, display an alertness not formerly seen.

Several residents of New York, who formerly lived in my district, have returned to the mountains and resorts because electrification has brought a less burdensome way of life. Comforts and services which we take for granted on the mainland are slowly but surely coming to the Puerto Ricans in the hills and on the farms. The light which illuminates the home is also electrifying the spirits of the people, who do their chores willingly. When day is done, the farmer, the worker, and the schoolchild, with electricity in their homes, have an evening to look forward to. We observed purveyors of electric light bulbs and equipment demonstrating in the evenings the workings of simple electrical gadgets to an open-mouthed and interested gathering of weather-beaten men and inquisitive-looking youths. Even jukeboxes, with their raucous songs, put springs into the legs of a tired people after they have worked hard all day. Cares have disappeared with the banishment of darkness. These essential services are new to these people on the farms and in the hills. In the cities, and we drove through many, sprout many appliance stores, which sell these instruments and gadgets.

We also observed an expansion and improvement in the cattle industry, especially in the southwestern part of Puerto Rico. Herds of cattle, mostly Holsteins, lazily and leisurely scatter about the farmlands. The sugar production is still the most important industry in Puerto Rico, and we inspected various sugar plantations where young men and old in the blazing sun cut down with their machetes the sugar stalks to extract the juicy and succulent sugar.

In addition to the foregoing, my colleague, Congressman ANDERSEN, and I participated in a seminar on rural electrification. Representatives from Costa Rica, Panama, Brazil, Puerto Rico, and the United States delivered talks on various phases of rural electrification. This seminar provided not only a valuable interchange of ideas and information, but provided an opportunity for promotion of better pan-American feeling. Each country was ably represented and made a fine contribution. This seminar took place at La Parguera on the southern coast of Puerto Rico, which is an enchanting island, 40 by 100 miles.

Among those present and delivering prepared talks were Mr. David A. Hamil, Administrator of the Rural Electrification Administration, who demonstrated that he is an informed and able administrator, dedicated to his work; Sol L. Descartes, executive director of the Puerto Rico Water Resources Authority, who showed vision, grasp, and administrative ability; Clyde T. Ellis, general manager, National Rural Electric Cooperative Association; Brig. Gen. Herbert Davis Vogel, Chairman of the Board of Directors, Tennessee Valley Authority; Rafael R. Ramirez, head of the power division of the Puerto Rico Water Resources Authority; Victor M. Cataldo, head of the power utilization division of the Puerto Rico Water Resources Authority; Jorge Manuel Dengo, general manager of the Institute of Electricity of Costa Rica; Ricardo Arosemena, from Panama, chief engineer of the Inter-American Cooperative Service of Economic Development; Luiz Claudio de Almaida Magalhães of Brazil; Milton A. Chase, Assistant Chief of the Electric Engineering Division of the Rural Electrification Administration; Herman D. Plavnick, Assistant to Assistant General Counsel, Agricultural Credit and Conservation, U.S. Department of Agriculture; Dr. Jose Mariano Rios, sociologist and William H. Eastman, Director, Southeast Area, Rural Electrification Administration.

On April 16, Congressman ANDERSEN and I traveled to Ponce and Guayanilla to participate in the inauguration of the second unit in the South Coast Steam Electric Station. We represented the Congress and spoke to the large gathering attending the opening of this unit, which has a capacity of 50,000 kilowatts. Already in the outlying areas can be seen the spires of industrial plants ready to use this power.

Because of prior commitments, Governor Muñoz-Marín could not attend and was represented ably by Robert Sanchez Velilla, secretary of public works; Mr. Sol. L. Descartes, executive director of the Puerto Rico Water Resources Authority; and Mr. David Hamil, Administrator of the Rural Electrification Administration. The chairman for this function was Harold Toro, head of the Water Service Division, a man with a capacity of attending to many details.

Shortly after, we returned by plane to San Juan and visited the school lunch warehouses. Inasmuch as the school lunch appropriation program is within the jurisdiction of our subcommittee, we examined into the types of food which are being served to the 240,000 schoolchildren of Puerto Rico. Our contribution of $3 million for school lunch is matched by the Commonwealth of Puerto Rico. Dried eggs are a great source of satisfaction to the schoolchildren and to those in charge. Wheat, flour, cornmeal, powdered skim milk, dried milk and egg solids are served in abundance. The fact that these dried eggs were being produced in Minnesota, the State of my colleague, H. CARL ANDERSEN, and were preferred to products from other States, was of great satisfaction to Congressman ANDERSEN. It was with regret that we observed that corned beef was being obtained from Paraguay and not from the United States.

In both the electrification program and school lunch program, we asked for and were shown evidence that the United States contribution was recognized and publicized.

Despite a busy schedule, Governor Luis Muñoz-Marín found time to spend 3½ hours with us at his summer cottage. We discussed the past, present, and future of Puerto Rico and its relations to the United States. Inasmuch as Puerto Rico is excited today about its present and future status, we shall not set forth the Governor's thoughts and predilections. We did observe that many Puerto Ricans, proud of their United States citizenship, are encouraged by the admission of Alaska and Hawaii to the United States Union. They feel that the economy of Puerto Rico is adequate for them to take their place with us as a sister State. There are some who believe that the status of Commonwealth is at present the only realistic attitude. Others, and these seem to be a small minority, clamor for independence. Public officials feel that a plebiscite should be held to determine the desires of the people. Others feel that a plebiscite raises false hopes and is unrealistic.

I, for one, feel that we do not seek colonies, but wish our Territories and possessions to have common interests with us. However, what the people want should be our standard and their desires should be indicated through a plebiscite and then through their representative bodies.

This trip proved informative, interesting and helpful. We trust that lights shall continue to eliminate the darkness and that the light of understanding shall brighten the lives of Americans all, on the mainland and on the isle of Puerto Rico.

Dr. Adams, of Moses Lake—It's Surprising the Amount of Setbacks a Good American Can Endure and Still Love His Country

EXTENSION OF REMARKS

OF

HON. BEN F. JENSEN

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1959

Mr. JENSEN. Mr. Speaker, I here recite an interesting life story of a great American, Dr. Lytle S. Adams, of Moses Lake, Wash., as he told it to me, documented. I have had the rare privilege and great pleasure of knowing Dr. Adams for many, many years, and can vouch for his patriotism, honesty, and integrity.

His life is an outstanding example of the kind of mettle in man which has made America great. To date, his contributions to American progress have brought him small recognition and little compensation, except the personal satisfaction in knowing he has fought a good fight. Regardless of his many setbacks at the hands of individuals, as well as by his Uncle Sam, he still carries on at the age of 77 years young.

Mr. Speaker, I sincerely hope and pray the day will soon come when Dr. Lytle S. Adams will receive just recognition and compensation for all his good works. Surely he is rightfully and justly entitled to no less, even at this late date, for there has scarcely been a time in Dr. Lytle S. Adams' 77 years when he was not thinking of ways to serve others. Though an ambitious young man, he was thinking of the service he could render when he left his home in Kentucky to work his way through dental school at the St. Louis University.

Trained for service and filled with idealistic ambition he took his first bride to Parsons, Kans., and opened his first dental practice in 1906. On a visit to Los Angeles in 1911 he envisioned a thriving metropolis as it is today, instead of the orange groves and wheat fields before him. He stayed on to enter real estate. He saw on the rolling Palo Verde Hills, beautiful home sites as they now exist, when as an agent he sold that great estate.

It was the commission of that sale that enabled him to purchased the beautiful Pauma Valley Ranch of 13,500 acres in San Diego County; and he set about immediately to clear, subdivide, and develop it. During a dry season on the ranch he observed how small cactus plants sprang up in areas where they were not native from seeds contained in rabbit droppings. A germ of an idea thus conceived was to keep coming back to his inventive mind for nourishment and growth for years to come. Good fortune smiled but briefly. A flash flood in 1915 swept all evidence of his efforts away to sea, and his investment as well.

Dr. Adams was undaunted. He had designed a plow for bringing the rich subsoil to the surface for plant use. It was a good plow and adaptable to many uses. Dr. Adams went back to St. Louis, organized a company on limited capital to manufacture plows but was never able to produce and market them in sufficient quantities to make a go of it.

About 1922 Dr. Long, of the Long Bell Lumber Co., said to Dr. Adams in St. Louis, "I'm going out West to the State of Washington and start a new town. How about coming along to help?"

The call of the wild was too much for Dr. Adams. He moved his family bag and baggage to the new lumber town site of Longview, Wash., on the Columbia River. There was no means of transportation except by boat from the neighboring coast town of Long Beach. Dr. Adams thought they should have a

road. He went to his friend, Mr. Long, who supplied dynamite, tractors, and other equipment, and with all volunteer labor, they built 65 miles of road through the wilderness from Longview to the sea, along the north bank of the Columbia River. This road though greatly improved is known today as the Ocean Beach Highway.

Watching the hook and grapple mechanism of a tractor during logging operations in the building of this road, another idea was born. Dr. Adams brushed it aside for a time as he sought to replenish a completely dwindled bank account. He took the examination before the State dental board to practice oral surgery and dentistry in the State of Washington and opened an office in Seattle.

That ball and grapple continued to haunt him. He was sure it could be used to pick up and deliver packages from an airplane without landing the plane. For several years he spent all his spare time and spare cash perfecting this device. Air Transport magazine records the first successful pickup tests in 1928:

PICKUP DEVICE PASSES SEATTLE TESTS SUCCESSFULLY—WILL ELIMINATE NECESSITY OF LANDING TO TAKE ON AND DISCHARGE MAIL

SEATTLE, WASH.—Successful tests of an airmail and general cargo pickup device for planes have been completed at Gorst Field here by Dr. Lytle S. Adams, the inventor, under the observation of William P. McCracken, of the U.S. Department of Commerce Division of Aeronautics, and C. M. Perkins, Seattle postmaster.

Trailing a steel cable catchline into the pickup chute, a Travelair OX5 biplane piloted by Clayton Scott, of Seattle Flying Service, snagged a 35-pound pouch of airmail without lowering the speed of the plane or causing it to settle. Tests with heavier loads will be conducted later.

With a little more than a handful of letters of introductions, Dr. Adams took the crude-looking device to New York and Washington, D.C. He had many setbacks, but if God ever gave the man anything more than a good supply of ideas, it was ample determination to carry out those ideas.

The Newark Star-Eagle in its Friday edition, December 14, 1928, carried a picture of three pilots, Don Brown, Capt. John O. Donaldson, and L. V. Rawlings, with the plane called the *Postmaster*, which they proposed to fly in an endurance test at Roosevelt Field, N.Y., refueling in the air and using the Adams pickup device which had been installed there to refuel their Travelair cabin monoplane while it was in flight. These trials are believed to be the very first refueling to be done while in flight.

Mrs. Harry S. New, wife of the Postmaster General, christened the Travelair cabin monoplane the *Postmaster*. At the christening ceremony Postmaster General New paid tribute in these words:

This is the last word in the land of invention for the benefit of the airmail. The realm of prophecy is always a dangerous one upon which to enter. No man can foretell the exact result of an experiment, and yet all progress is the result of invention and experiments. This plane, which has been adapted through the genius of Dr. L. S. Adams, of Seattle, to pick up fuel and useful loads from the ground while the plane is in motion, is an entirely new note. If successful, as we all hope it may be, and as it bids fair to be, Dr. Adams will have made a most substantial contribution to the transportation of useful loads through the air. We wish him all success.

Interested observers of these tests took Dr. Adams to the United States Lines. The pickup device was installed on the deck of the U.S.S. *Leviathan* and on June 7, 1929, the New York Journal issued a special aviation edition inaugurating the first ship-to-shore and shore-to-ship service by air. This special edition quoted men of prominence as saying on the occasion:

Ship-to-shore and shore-to-ship services by air offer many possibilities for expediting commerce and travel. The inauguration of this service in conjunction with the arrival of the *Leviathan* is an event worth commemorating. (Wm. P. MacCracken, Jr., Assistant Secretary of Commerce for Aeronautics.)

Inauguration of shore-to-ship mail service is but another example on the long step forward in fast mail service made possible by the utilization of the airplane as an agency of rapid transportation and American initiative in taking advantage of its possibilities. I wish this undertaking every possible success. (F. Trubee Davison, Assistant Secretary of War.)

The Wall Street financial crash of 1929 wiped out all the plans for the new Adams Air Express Co. that had just gotten under way and Dr. Adams had to start over again.

Many people believed in the pickup and helped Dr. Adams. Before an airmail contract could be obtained a company had to prove its ability to perform. Clifford Ball Airlines was interested and put in an installation on the Cleveland-Pittsburgh route No. 11 at Youngstown, Ohio, in 1929. Other installations were put into use at New Castle and Beaver Falls, Pa., along the same route in 1930.

At the World Fair in Chicago, Ill., 1932 to 1933, the airmail pickup made daily flights carrying souvenir mail cachets from the fair. This was done to raise funds to augment the necessary finances to carry on the demonstrations. Dr. Adams carried on his demonstration work for the postal service trying to obtain an airmail contract for more than 10 years. Dr. Adams' records show that on May 5, 1937, two companies were formed—Tri-State Aviation, an operating company, and All American Aviation, a patent holding company. Arthur P. Davis, Lytle S. Adams, and W. Edgar Leedy, Jr., were the incorporators. They also show that at the first meeting of the board of directors, May 1, 1937, "Dr. Adams was elected president and Mr. Davis, vice president and chairman of the board."

The service was taken to the remote areas in West Virginia, Pennsylvania, Kentucky, and Ohio, and an impressive experience record had been built up by 1938. During the 75th Congress a bill, H.R. 7448, was introduced; and in the hearings on this bill, March 1938, Dr. Adams' statement is of public record and show his untiring efforts to obtain an airmail contract.

Dr. Adams was forever in debt as was the operating company Tri-State Aviation. He was put in touch with Richard C. du Pont and after Mr. du Pont flew the route with Dr. Adams, he was most enthusiastic about the pickup and immediately put up the necessary money to keep Tri-State Aviation operating. Dr. Adams offered a 40 percent interest in both the companies. Although, Mr. du Pont had made a substantial loan—$45,000—to keep Tri-State operating, when it came to making a deal, Dr. Adams says Mr. du Pont was interested only in buying into the debt free patent holding company All American. This was a source of grave concern to Dr. Adams, for All American had no experience record with which to legally qualify as an airmail contractor.

At the time the contracts were finally awarded by the Post Office Department, the Du Pont company, according to Dr. Adams, used their influence to have the contract awarded to the patent holding company of All American Aviation. Over Dr. Adams' strenuous objections, the contract was awarded to the more financially stable company—but a company without the necessary performance record to qualify under the law.

Dr. Adams tried to keep alive the debt ridden Tri-State Aviation but it could not compete. All American had the airmail contract, which Dr. Adams felt had been earned by Tri-State and was financially secured by the Du Pont wealth.

Many differences arose from these two companies trying to operate over the same route—differences, legal and otherwise with which Dr. Adams' inventive mind had not been trained to cope. He claims he was finally forced to sell his complete interest in the All American Aviation, Inc. to Mr. du Pont, September 26, 1940. The terms of the contract were not simple, and by the time Dr. Adams gathered all the stock in the company to satisfy their requirements, considerable expense was involved and his receipts show that what he actually received from his interest was exaggerated by Mr. du Pont's following statement to the press:

The company in obtaining additional financing sold its treasury stock at $3 a share. Dr. Adams has obtained the same price for stock he has disposed of. On this basis he was paid $360,000 for his contribution to All American Aviation, Inc., which I believe is fair and adequate.

Dr. Adams says his net from the transaction amounted to only $37,000.

Dr. Adams again showed his ability to turn his back on disappointment by starting to work on a new service to mankind and another use for the airplane. That little germ of an idea of the little rabbit carrying cactus seeds around and distributing them on the land in pellet form could be made to serve mankind. He devised a machine for making the pellets of seed, soil, and fertilizer and a machine for distributing them from an airplane. He again approached the Government with the idea of revegetating the western rangeland.

World War II interrupted these plans, but Dr. Adams was sure he could help out in the war effort. He came up with the idea of using live bats as carriers for incendiary bombs. He communicated the the idea to President Roosevelt, who gave the "go ahead." Dr. Adams went right to work, ever confident that he was

serving his country and that he would be paid for his services. All the money he could borrow from every source available he put into this project. He even mortgaged his home in Irwin, Pa. He recalls that he was assigned military men, equipment, and top priorities to carry out the project. He was certain his Government meant to pay him. He was sworn to secrecy and assured over and over that something was "being worked out for him financially." The war ended. He presented a claim for payment but the claim was turned down. Dr. Adams has not received payment of salary and expenses for work on this project.

The Internal Revenue Service had been busy while Dr. Adams was on his secret war project. He had not explained to the Bureau's satisfaction the money Mr. du Pont had told the press Dr. Adams had received from the sale of the All-American Aviation, Inc., stock. When he was available to answer their questions, they arrived at their own figure of $165,113.02 as an assessment. This figure seemed so fantastic, Dr. Adams was sure there would be no problem in explaining his situation. Explain? Yes. But proof was another thing. His wife was a good bookkeeper and kept all the records, but shortly thereafter she died. He hired a lawyer and an accountant and after going over the records they wrote Dr. Adams that they were "sure that you do not owe the Government anything." I will return to this later.

The pellet seeding was no longer an idea. The Interior Department was interested. Congress believed in it and appropriated $100,000 for an experimental contract in 1945. Seeds in such large quantities as required for the job were not available, a draught made seeding impractical, abrasives wore out the pellet wheels at a rapid pace, but a simple and flexible contract allowed for these setbacks and by 1947 over 50,000 acres had been seeded. The project received wide acclaim and publicity. Although, still in the experimental stage, the International Seed Pellet Co., formed to do the work, looked forward to a bright future.

The 1947 appropriation was for $200,000 to carry on this important work. Some 80,000 acres were seeded under this appropriation with a total expenditure of $112,844 of the $200,000 appropriated.

Congress further indicated their confidence in the aerial reseeding program by appropriating another $200,000 for 1948. Competition developed and two other companies with coated seed entered the field and private fliers wanted to bid. Dr. Adams says that restrictive specifications written to make possible these other companies to enter the field, ran up the International Seed Pellet Co.'s operating costs until it was impossible to carry out their contracts with any sign of profit. A letter from the bank financing Dr. Adams and the International Seed Pellet Co. protests this situation:

> Because of certain restrictions imposed by the Interior Department under these contracts as to time limit, delay in selection of areas, and final award of the contracts, the great distance of the seeding areas, the almost impossible weather conditions, and the necessity for unforeseen expenses in building roads, airstrips, etc., the contractor has operated at a loss.
>
> We are writing this letter in the hopes and because of your interest in the outcome of this enterprise, you will use your influence to have these contracts so drawn that it will enable the contractor to carry them through with a minimum of expense and with a sufficient time to do the work, taking into consideration all the factors as above stated.

Over 70,000 acres were seeded with earthen pellets and an expenditure of $98,225.25 was made. Due to the competitive bidding, contracts were let to coated seed companies and private flying organizations for aerial seeding. There was $65,000 left as a carryover of the appropriation. Near the completion of the final contract the equipment was snowed in and had to be left on the job until spring through the 1949 blizzard. The stranded men were dropped food supplies from the air. This contract was canceled and with it was dealt the crippling blow to the International Seed Pellet Co.

However, the Congress still had faith in this practical means to make the desert bloom and appropriated another $200,000 plus the balance of the 1948 carryover of $65,000 for the specific purpose of earthen pellets. The bids for this appropriation were never let. Dr. Adams carried on for nearly 2 years trying to salvage something from the operation. Finally, the bank foreclosed on the International Seed Pellet Co.'s equipment and all was lost. In addition, a deficiency judgment was obtained against Dr. Adams by the bank in the amount of $72,000.

Of the $700,000 appropriated for earthen pellets, only $297,366.25 was actually received by Dr. Adams, according to him hardly enough to pay for the equipment loss.

In August 1951 Dr. Adams again entered the practice of dentistry in the city of Seattle, after being away from it for nearly 25 years. He worked with other dentists, took refresher courses at night and opened his own office in Moses Lake, Wash., in the fall of 1953.

The tax account had not been resolved, liens were placed on the doctor's deceased wife's estate and it was sold at forced sale. Although the attorney and accountant were "sure the tax department does not have a case," they had to have payment to process the case.

Without funds to execute properly the tax case, he finally had to throw himself upon the mercy of the court. The case was sent to Seattle but the judge in Washington, D.C., refused to have his papers returned from the accountant. Dr. Adams did not have the $10,000 fee that the accountant was demanding. So without papers of proof the court in a stipulation reduced the claim from $165,113.02 to $17,240. In signing the stipulation, Dr. Adams states he was led to believe that in so doing the tax department would undoubtedly be persuaded to accept the money, held in the court in Pennsylvania from the sale of his deceased wife's estate, in the amount of $12,911.94 as a compromise settlement for the whole thing. Dr. Adams wrote the Internal Revenue Service to this effect. They have not answered his letter.

They did write Dr. Adams' creditor and dental supply houses indicating they had first priority on all of Dr. Adams' earnings. This though perfectly legal, falsely represents the facts, according to Dr. Adams. Dr. Adams had remarried in 1949 and the new community, under the laws of a community property State, is not subject to this old debt.

Ill health befell Dr. Adams in Moses Lake. He had two surgical operations within a 3-year period. Other taxes accumulated. Since his illness, however, he has paid off more than half of the new accumulation, leaving a balance of about $3,200. A heart attack in November last year has made it impossible for him to carry on his dental practice. It appeared that he would not be able to work again and a compromise offer was made to settle the old tax account which has now grown with interest from $17,240 to $42,000. He felt that if he could remove the stigma and worry of this old account that he would in some way find it easier to pay off the balance against this community. The following from a letter received from the Internal Revenue Department last week indicates the strain he is now laboring under as he tries to regain his health:

> Failure to reply promptly to this Office regarding the above-mentioned matters may result in our placing a lien and levy against your social security benefits. You are, therefore, respectfully advised to give this matter your immediate attention.

Dr. Adams has three small children, ages 5, 7, and 9, and he feels his social security is something he has earned for them. This could be a final blow from the Government, but, no, there is more.

Dr. Adams' one consolation has been that he has accomplished much and that these accomplishments would be recorded by history and live after him.

This hope was shaken last week by a visit Dr. Adams made to the Smithsonian Institution, to take a picture of a plane given in 1949 by his former pilot, Norman Rintoul. The plane was used in the airmail pickup system and was given as a memorial to Dr. Lytle S. Adams, inventor. The plane is still in storage, awaiting the construction of the new Aviation Building he was told, "but, a model of it is on display in the Aviation Building." The model, given by "All American Airways, in memory of Halsey R. Bazley, former president" has a plaque with data depicting the airmail pickup as dating 1939 to 1949.

The question was brought up in the office of the Smithsonian Institution, as to information they might have on the airmail pickup prior to its purchase by Mr. du Pont. He was told, "Oh, there wasn't any airmail pickup before All American, as far as we know."

Now Dr. Adams has no desire to detract anything from anyone who has contributed to the success of the air mail pickup service and there were many who gave unselfishly of their time and money to help develop the pickup system. He concedes that Godfrey Cabot, Richard C. duPont and Halsey R. Bazley have

earned a place of honor for their many, many contributions to society.

Still it is a matter of public record that the patents on which the All American Pickup System was originally based were those of Dr. Lytle S. Adams and he spent more than 12 years perfecting and proving them—1927–40. These 12 years surely have their rightful place in the air mail history, not only as a necessary supplement but as a complement as well to the 10 years of All American.

As shown by his fully documented papers, Dr. Adams organized the first All American Aviation Co., and was the first acting president of it, long before Mr. duPont was approached for financing.

If we cannot count on history being more accurately recorded, what can our future generations hope for?

Though greatly incapacitated by physical illness, Dr. Adams' mind is still keen and he still has much to offer the world through the field of invention. He has again brought to Washington from the Northwest an ingenious plan to make the new State of Alaska accessible to year around surface transportation. The plan invisions: a double-deck all-weather highway, with a monorail freight and passenger service inclosed with the lower deck, and an automatic water hauling train for resupplying our rapidly falling water table. Transportation and conservation of our national resources are of vital interest to him and with little hope of remuneration, he has brought his new ideas to Congress in the hope that they may be used in the future development of our country.

Dr. Adams has retained his sweetness of soul, his loyalty to God and country through the seemingly impossible odds. In terms of service—he has given 77 years and is willing to continue to give—but for what?

Conference on India and the United States—1959

EXTENSION OF REMARKS
OF
HON. CHESTER E. MERROW
OF NEW HAMPSHIRE
IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1959

Mr. MERROW. Mr. Speaker, under leave to extend my remarks in the CONGRESSIONAL RECORD, I call attention to the conference to be held on May 4 and 5 in Washington on India and the United States—1959. The conference is sponsored by the Committee for International Economic Growth.

No one can observe the march of recent events in Asia without realizing the pivotal importance of India to the future of freedom in that most populous region of the world.

Red China's massive economic push, achieved through the brutal regimentation of the Chinese people—and now Red China's ruthless subjugation of Tibet—have made it clear that Communist imperialism is on the move in Asia.

It seems to me vital for all of us to understand this, and to understand also the crucial role which the great parliamentary democracy of India can play in counteracting Communist influence throughout the whole subcontinent of southeast Asia.

In this connection I wish to call the attention of my colleagues to the letter of invitation recently received by all Members of the Congress from Mr. Eric Johnston, chairman of the Committee for International Economic Growth, inviting our attendance at a national conference on Indo-American cooperation in Washington on the 4th and 5th of May.

This Conference is sponsored not only by the private organization of which Mr. Johnston is chairman, but by such eminent institutions as the National Planning Association, the Stanford Research Institute, the Asia Foundation, and the Center for International Studies of the Massachusetts Institute of Technology.

The Conference will bring together some of the most eminent and distinguished authorities on India and Indo-American relations available in industry, the universities, labor, education, and other walks of life, both here and in India.

Their discussions will offer a unique opportunity to obtain authoritative information about the urgent problems of economic development confronting India today and may suggest new avenues of cooperation between that country and our own.

Certainly at this particular time, when events leave no doubt as to the importance of India in the community of free world nations, the calling of this conference is most fortunate. I can think of no more effective way of producing the facts on which sound judgment about Indo-American relations can be based.

Since we may all be called upon to make such a judgment in the months ahead, I hope as many Members of this body as possible will take advantage of the opportunity offered by the initiative of the distinguished citizens associated with Mr. Johnston in the Committee for International Economic Growth.

Washington Report

EXTENSION OF REMARKS
OF
HON. BRUCE ALGER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1959

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following newsletter of April 25, 1959:

WASHINGTON REPORT
(By Congressman BRUCE ALGER, Fifth District, Texas)

Legislative activity now is mostly in the committees' study of spending bills. Many big spending proposals are marking time as Members of both Houses of Congress weigh the temper of the citizens. The Johnson resolution proposed by the Senate majority leader is indicative of this new stop, look, and listen attitude. This resolution is intended to set up a joint legislative-executive commission composed of leaders of business and labor "charged with the responsibility of visiting * * * centers of abnormal unemployment" to "taste, smell, feel, and hear the despair of those parts of the country where men and women cannot find work * * * required to report back to Congress within 60 days." Tied to these findings are listed a depressed areas Federal aid bill, a housing bill, acceleration of public works, and other Federal expenditures. There are, as usual, the two fallacious underlying assumptions: (1) That Government is responsible for providing jobs for everyone, and (2) that throwing Federal money at a problem will solve it. Forgotten apparently are the two current studies, one by the joint House-Senate Economic Committee on maximum employment and a second by the Cabinet Committee on Price Stability for Economic Growth. These two studies are already underway. The Johnson resolution thus has the earmarks of political expediency.

My suggestions are: (1) Get the findings of the two committees already authorized; (2) study areas of full employment to learn techniques, new products, and "lessons of success" that can be transplanted to underemployment areas; (3) study unemployment figures to learn actually the correct extent of unemployment, recognizing that at least 2½ to 3 million unemployed is normal in a 68 million work force; take into account the fact that anyone over 14 not working and seeking a job is listed as unemployed, that many others are secondary or part-time workers, such as housewives, seasonal workers, and other workers by choice; (4) reduce, not increase, Federal spending, so that we live within our means, cut the debt and cut taxes, thus restoring State and local government strength and preserving the value of the dollar; (5) remember that Congress, not the President, controls spending, taxes, and the national debt. (Item.—Since 1900, the 32 Democrat years of Congress control have seen a debt increase of $284 billion and in 26 Republican years a debt decrease of $6 billion—significant or not?)

The need for a labor bill to control dictatorial labor leaders and monopolistic unions was never better demonstrated than as a result of Harry Bridges' (head of the ILWU) testimony before a House committee this week. He showed a ready willingness to take action directly contrary to U.S. Government policy, if he personally saw fit. Of course, it is not unusual for union leaders to act as though above the law, but it is not right. Such arrogant dictatorial flouting of the national interest must be curtailed, even as union lawbreaking and violence must not go unprosecuted here at home. It's up to the Congressmen now to write a law providing this protection.

In testimony against a civil rights bill before the House Judiciary Subcommittee, I pointed out that (1) the timing is wrong; ((a) we just passed a bill; (b) we haven't weighed the Civil Rights Commisison findings); (2) the pending bills give the Attorney General unlimited discretionary power to sue citizens ((a) defendant would be pitting his own resources against the U.S. Treasury; (b) there is no limit to staff and expense the Attorney General can use); (3) both political parties are trying to garner the Negro vote and political expediency in this field can jeopardize all the civil rights we enjoy; (4) what civil rights are we talking about, other than voting—freedom of speech, assembly, press, worship—what? (5) Federal laws, nonconforming to local custom and usage, like prohibition, are unenforceable: You can't safely or successfully legislate social customs.

(6) The 10-point code of ethics for Government employees should be taken to heart

by all public servants. These include: Put loyalty to the highest moral principles and to country above loyalty to persons, party, or Government department; give a full day's labor for a full day's pay, giving to the performance of his duties his earnest effort and best thought; make no private promises of any kind binding upon the duties of office, since a government has no private word which can be binding on public duty; seek to find and employ more efficient and economical ways of getting tasks accomplished; and uphold these principles, ever conscious that public office is a public trust.

We should not lose our capacity to become angry over malfeasance in office, nor should we tolerate cynicism. In our country, actually everyone has a part in government.

Food for Peace

EXTENSION OF REMARKS
OF
HON. STEVEN V. CARTER
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 23, 1959

Mr. CARTER. Mr. Speaker, today I introduced in the House a companion bill to the proposed Food for Peace Act which has been introduced in the Senate by the Honorable HUBERT H. HUMPHREY. I might say in the outset that Senator HUMPHREY has put a tremendous amount of effort and study into this bill and deserves the wholehearted appreciation and support of everyone interested not only in a solution to the problems of the world's starving people, but also the problems of American farm surpluses.

The purpose of the Food for Peace Act is to so amend and revise Public Law 480 as to make it a more effective instrument for using the U.S. surplus of food and fiber to help build essential world conditions of peace and freedom and thereby strengthen and promote foreign policies of the United States. It is intended to enable the United States to promote more effectively the economic and social development of friendly nations and to lead the way in cooperation with other nations toward the abolition of human hunger.

Under this proposed legislation, a Peace Food Administration would be established in the Executive Office of the President, headed by a Peace Food Administrator to aid the President in carrying out the purposes of the act and also the purposes of section 402 of the Mutual Security Act of 1954, as amended. There would also be created an interdepartmental Peace Food Policy Committee to advise and consult with the Peace Food Administrator and also a Peace Food Advisory Committee consisting of representatives of private U.S. groups and organizations.

Mr. Speaker, all of us fully realize the burdens that our terrific surpluses of food and fiber place upon us. We must consider the burden to the producer of agricultural commodities, the burden to the taxpayer who has to share the cost of storage and maintenance of surplus stock piles, our burden as a leader of nations in trying to promote the cause of freedom and democracy in areas where people are starving to death at the same time that we are sitting on top of $9 billion worth of edible or usable surpluses.

Before coming to Congress, I knew of the provisions of Public Law 480 and thought that they were adequate to properly distribute our surplus food to needy peoples all over the world. I thought that our failure to more adequately dispose of our surpluses was because of political considerations which made it inadvisable to distribute these things to needy people. Now I find that this is not true, that the failure to more effectively distribute our surplus agricultural commodities has apparently been due to the fact that there was no single authority charged with this responsibility. It is my opinion that the proposed Food for Peace Act will be a great stride in the direction of meeting our moral obligations as a leader of nations, as well as helping us to solve what has become a tremendous domestic economic problem. Surely, anyone from the most erudite academician to the most uninformed member of our populace must ask why it is that people are starving throughout the world while we, the United States, are blessed—or cursed, as the case may be—with our tremendous surpluses, and why these foods are not being made available for those starving people. It is a very simple, and yet, extremely valid question. This piece of legislation will go far in providing a solution to the problem.

The Medical Education Situation

EXTENSION OF REMARKS
OF
HON. CLARK W. THOMPSON
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, April 23, 1959

Mr. THOMPSON of Texas. Mr. Speaker, I am interested in the medical education situation in the United States, particularly because the University of Texas Medical School is in Galveston, my hometown. With no little concern I have noted in recent months that the medical profession has been under attack in several areas of the press. As a result, I conferred with Dr. John Truslow, director of the Texas University Medical School, and then prepared seven questions dealing with medical education throughout the country, with a view to ascertaining whether sufficient qualified doctors are being produced to meet the needs of our rapidly growing population. I submitted these questions to Dr. F. J. L. Blasingame, of Wharton, Tex., an old friend and constituent of mine who went to Chicago a year ago to assume the responsibilities as executive vice president of the American Medical Association. I have complete confidence in Dr. Blasingame and his answers to the questions I submitted are very gratifying to me.

I was pleased to learn that since World War II there has been an increase in approved medical schools; that there is a substantial increase in medical students; and that, contrary to certain reports, the American Medical Association exercises no control over the number of students admitted to medical schools. There is much other valuable information in Dr. Blasingame's reply and I believe it will do much to eliminate certain misconceptions about the medical profession. Under leave previously granted, I insert my letter to Dr. Blasingame and his reply:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., March 9, 1959.

F. J. L. BLASINGAME, M.D.,
Executive Vice President,
American Medical Association,
Chicago, Ill.

DEAR DR. BLASINGAME: My attention has been called to a number of bills introduced in the 86th Congress affecting directly, or indirectly, the medical profession.

As a result, I wish to obtain certain information on the present supply of doctors in the United States and to ascertain as far as possible the prospects for an adequate supply of physicians to meet the needs of our growing population.

So I am calling on you, not only as executive vice president of the American Medical Association, but as my old friend and my loyal constituent to supply me with the information. On a separate sheet, I am submitting questions that occur to me in this connection. I know you can provide the facts; facts that should be made known to Congress before action is taken to consider legislation affecting the medical profession.

I am writing this after a conference with our mutual friend, Dr. John Truslow, head of the University of Texas medical branch in Galveston, who called on me today.

I will appreciate your answering these questions and will further appreciate any other information you might give me that is relevant.

I want to say that I think you did a courageous thing in sacrificing your substantial private practice in Wharton to take over the direction of the AMA. I wish you great success.

Dr. Truslow joins me in sending you our best wishes,

Sincerely yours,

CLARK W. THOMPSON.

AMERICAN MEDICAL ASSOCIATION,
Chicago, Ill., April 16, 1959.

Hon. CLARK W. THOMPSON,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN THOMPSON: Thank you for your recent letter and your interest in medical education.

It is indeed a pleasure to bring you an up-to-date report on the status of medical education in the United States. As you know, I am proud of the accomplishments of our medical schools and have great faith in their ability to train enough physicians to meet the needs of our growing population.

You asked seven important questions about the medical education picture. Let me answer them one by one.

First, has the number of physicians graduated from approved medical schools kept pace with the growth of the Nation's population? Over the long haul, the increase in medical graduates is much greater proportionately than is the increase in the population. From 1920 to 1958, the percentage of increase in medical graduates from approved schools was 125 percent, compared with a 64-percent increase in population. In the past 20 years, the percentage figures are fairly comparable: 32.1-percent increase for medical graduates; 33.4-percent increase for population.

The future, I believe, looks bright. Each year, for the past 11 years, the number of students enrolled in approved medical schools

has increased. This boost in enrollment amounts to 29.6 percent (from 22,739 to 29,473).

Your second question was whether medical schools seek to restrict the number of medical students. Two factors make it necessary for a school to establish an arbitrary top enrollment figure: facilities and budgetary funds available to operate the school. Each school faculty determines the number of students who can have a sound education with the faculty personnel and the facilities available to the school.

Medical education is a graduate educational experience following the completion of the regular college course, and because of the subject matter covered requires individual and small group instruction. To turn out well-trained, highly-qualified physicians the school requires a large faculty of skilled educators, plus sufficient teaching and research laboratories, hospital beds and clinical patients. The number of students that can be taught must be necessarily restricted to fit the facilities so that the emphasis can be on quality of the graduate rather than on the quantity of students.

Third, you asked: What is the ratio between applicants to medical schools and those accepted? The answer is 1.97 (15,791 applicants for first year medical school to 8,030 places available). This ratio has remained about the same for the past 5 years.

Incidentally, a common confusion that arises in discussing applicants to student ratio is mistaking applications for people (applicants). Each person applies, on the average, to four medical schools. Thus, for the 1957–58 academic year, the 15,791 applicants filed a total of 60,946 applications.

Next, you asked if it is true that only students with an A college academic record are accepted into medical school. That has never been true. About one-sixth of the entering medical students for the whole country have A college records; about two-thirds have B records and about one-sixth have C records.

Your fifth question was: Is the number of medical schools increasing in the United States? In 1944, there were 77 approved medical schools, including eight 2-year schools from which students had to complete their final 2 years of medical education in any of the 69 4-year schools. In 1958, there were 85 approved medical schools. Eighty-one are 4-year schools; only four 2-year schools.

Two other schools are under development. As a step toward still further expansion of medical school facilities, the American Medical Association last year urged "institutions of higher education where medical education has not been undertaken in the past to give serious consideration to the development of opportunities in the field."

Sixth. Has the American Medical Association anything to do with the number of enrollments in medical schools? Enrollments are strictly determined by each individual medical school. Neither the universities nor their medical schools would permit an intrusion into their academic freedom by a national professional association.

Your final question asked whether I think it is necessary for Federal funds to be provided for medical schools. The medical profession welcomes one-time Federal grants for medical school construction and renovation as well as Federal grants for basic research. The profession has been opposed to continuing Federal aid for operating expenses because of the potentialities therein for Federal control.

I should like to point out that the National Fund for Medical Education, which raises funds from industrial sources, and the American Medical Education Foundation, which raises funds from the medical profession, have made grants in excess of $10 million to medical education over the past 8 years.

I hope this information will aid you in analyzing bills introduced in the 86th Congress which pertain to the training of physicians. As further background, I am sending along a copy of the most recent annual report prepared by our council on medical education and hospitals, which was published in the Journal of the American Medical Association, November 15, 1958. It provides additional data that you might find useful.

I am happy that you wrote me after conferring with our mutual friend, Dr. John Truslow. If I can provide any additional information, please make your wishes known.

Sincerely yours,

F. J. L. BLASINGAME, M.D.

Excerpts From Remarks of Hon. Charles A. Halleck, of Indiana, House Republican Leader, Before the Indiana Republican Editorial Association Dinner, Saturday Evening, April 18, 1959, at Indianapolis, Ind.

EXTENSION OF REMARKS

OF

HON. E. ROSS ADAIR

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1959

Mr. ADAIR. Mr. Speaker, under leave granted to extend my remarks, I am submitting a statement of excerpts from an excellent and timely speech made by the Honorable CHARLES A. HALLECK, minority leader of the House of Representatives, before the Indiana Republican Editorial Association dinner meeting at Indianapolis, Saturday evening April 18.

In addition to Mr. HALLECK's speech, I also wish to include in the RECORD the formal resolutions adopted by the Indiana Republican Editorial Association at this meeting. I believe they will be of interest not only to my Republican colleagues but to those Members of the House on the other side of the aisle.

Mr. HALLECK delivered an important address to the editors of this association which is the oldest political editorial association in the United States. The occasion was the annual spring meeting of the association. In addition to the Hoosier editors present, the Governor of the State, the Honorable Harold Handley, and my Republican colleague in the House of Representatives, the Honorable WILLIAM BRAY, were among those outstanding dignitaries who attended the banquet.

The excerpts from our minority leader's address are as follows:

EXCERPTS FROM REMARKS OF HON. CHARLES A. HALLECK, OF INDIANA, HOUSE REPUBLICAN LEADER, BEFORE THE INDIANA REPUBLICAN EDITORIAL ASSOCIATION DINNER, SATURDAY EVENING, APRIL 18, 1959, AT INDIANAPOLIS, IND.

The Republican press of Indiana receives my heartfelt thanks for fighting the good flight, year after year, to build the progress of our State and Nation on a sound and sensible basis. You carry on our Hoosier tradition of effective personal journalism, bringing further honor to Indiana which is known nationwide as the State where good newsmen are born.

The Republican press has a vital role in the campaign for the Republican victory we will win in 1960, in presenting the facts on State and national affairs to the public, giving them the fullest possible coverage day after day, week after week in their news columns, and in properly interpreting these facts through pertinent editorial comment.

We Republicans deal in truth, while too many Democrats peddle distorted propaganda. We must redouble our efforts to combat fiction with fact.

As you battle for Republican principles in your home towns, Republican Congressmen and Senators are fighting the same battle, shoulder to shoulder, in the Nation's Capitol.

In spite of the unpleasantness last November, morale and party unity among Republicans in the Congress are at a high pitch and are constantly increasing. We are not hyphenated Republicans. We are Republicans, period.

We are fighting the efforts of the Democrat spenders to wreck the Nation by their extravagance.

We stand united behind President Eisenhower in his efforts to balance the budget, to provide a sound and well-balanced national defense, and to stand firm against the Communist menace.

Rollcall votes show how Republicans, representing different sections of the Nation, often with diverse interests, are standing together and voting together.

This display of unity should be an example to party leaders. A party which has just lost an election cannot afford faction and fratricide. All over the Nation, the hatchets should be buried deep underground, and party harmony must be the watchword. But in this process, every effort should be made to evaluate properly and correct any mistakes of the past, if any there have been. The views of all responsible people in our party should be solicited and considered as we prepare for the future.

As we Republicans move forward together, the Democrats and their party move farther and farther apart. The differences between the Democrat conservatives from the South, and the labor-boss-dominated radical wing of their party are now in the irreconcilable stage. They have nothing in common but their party label.

The Democrats are both the party of the repudiator and the budget buster.

Democrat leaders are repudiating each other right and left. Paul Butler has repudiated the southern Democrats, and they have washed their hands of him with a very strong detergent.

Senator LYNDON JOHNSON and Speaker SAM RAYBURN have just about repudiated the programs of the Democrat advisory council.

LYNDON JOHNSON has been repudiated by Senator PROXMIRE and other Democrat Senators. Mrs. Roosevelt has repudiated Senator KENNEDY, and so on indefinitely. Democrat Senators are playing politics as they jockey for position in the presidential race.

In contrast, Republicans are working together.

The Republican minority in Congress is building a record, a Republican record, to present to the voters in 1960—the year in which another Republican President will assume his duties at the White House, and after which Democrat ex-Congressmen will no longer be able to collect Government rent for their front porches.

The first part of the Republican record for 1960 is our valiant fight against reckless, wasteful spending—the Republican fight to keep the cost of living down for the low-income family, for the American farmer who has so long been the victim of Democrat inflation and Democrat farm policies.

Balancing the budget is a right thing in itself. Every Government unit, just like every family and every business, should live within its income.

You can get by with overspending for a short period, sometimes, but the time soon comes when it catches up with you. After more than two decades of Democrat extravagance, it has caught up with our Nation.

Democrats have controlled the Congress which controls the Nation's spending for the past 4 years plus, and for 22 years of the past 26. Only the Republican Congresses have cut Government spending and reduced taxes.

A balanced budget now offers the only hope for tax reduction in the future. Unbalanced budgets will lead inevitably to a furthur crushing burden of taxation.

I have received thousands of letters, from those the Democrats would call "little people," but whom I prefer to designate as thinking, articulate American citizens. I have been heartened by the overwhelming support of these people for President Eisenhower's program of a balanced budget, to hold down the high cost of living. People are appalled by Democrat extravagance. They place the blame where it should rest and call the Democrats the spenders.

We stand firm for a strong foreign policy, the Republican policy of John Foster Dulles. We clearly recognize that the world's best hope for continued peace is a policy of strength toward Russia and Red China. We realize that weakness and appeasement will lead inevitably to war.

The Republican Party believes in a strong national defense and trusts the judgment of President Eisenhower, the Nation's greatest military expert, in regard to the kind and amount of defense that is needed, over that of such armchair strategists as Paul Butler, Jake Arvey, and Adlai Stevenson.

We recognize the need for effective labor-management reform legislation to protect the rank-and-file union worker, the small businessman and the general public from the abuses which have been so vividly uncovered at the McClellan committee hearings. But we know that it is going to be an uphill fight to get such legislation this year when so many of the Democrat majority in Congress are so deeply indebted to COPE and other like organizations.

As Republicans, we are firm believers in the individual enterprise system.

We know that it is the system that has made our Nation great and has resulted in the highest standard of living ever known in the history of the world.

We have built a record of resistance to the wild-eyed schemes of leftwingers who would lead us further down the pink path toward socialism. We are sincere optimists with confidence in the future of America. We will never sell our Nation short. The United States is at peace. And it is a Republican peace with honor. We are enjoying good times, with a strong economy and a secure defense.

Democrat runaway inflation has been slowed to a turtle crawl.

The vast majority of American citizens is sharing the benefits of prosperity and security. Our Republican record is one to which we can point with pride. Let's brag about it.

With the cooperation of the Republican press we will put our message across to the people. The public will judge correctly, and the result will be a Republican victory in 1960 from the courthouse to the White House.

RESOLUTIONS ADOPTED BY THE INDIANA REPUBLICAN EDITORIAL ASSOCIATION

The Indiana Republican Editorial Association, in convention assembled in the city of Indianapolis, on Saturday, April 18, 1959—

Resolves, That unity and harmony in the party are essential to the success that its principles deserve and for which all loyal Republicans stand, above self and selfish interests; and that therefore we urge our members to support a unified party, and insist that all elements lay aside differences if any in support of the traditional unity and party principles.

We take pride in the resolute course throughout the recent session of the General Assembly of Indiana by Gov. Harold Handley, Lt. Gov. Crawford Parker, the Republican majority and leadership in the State senate, and the house minority, which working together preserved a degree of economy, a record of accomplishment, and solvency for Indiana's State government. To Republican leadership and organization our State owes today the fact that ours is one of the few States where no new taxes were created, and that we will continue to have an enviable record of low taxes per capita.

Republican State administration and assembly are congratulated on their successful effort to continue making Indiana attractive to industrial expansion and more employment, and in continuing the freedoms and rights of organized workers traditional to America. We submit that the guaranties to workers of unfettered organization and to employers of favorable tax rates and a minimum of dictatorial government create a favorable climate for industry and industrial employment, and therefore a growing population in direct contrast to other States which are being abandoned by industry.

The Republican leadership of State and assembly has been able to support and improve the educational system without damaging the State solvency, and to provide for the constructive improvement of flood control on a permanent and workable basis for the first time.

We note the bankruptcy that threatens at least one neighboring State under principles and controls of a type repugnant to Americans, and propose that no effort shall be spared to resist encroachment of vast political slush funds and alien idealogies across State lines to prostitute and enslave Hoosier voters, and our government.

We applaud the wise and experienced counsel of President Eisenhower and Secretary of State John Foster Dulles, that has charted our successful course through troubled international waters by a foreign policy that has avoided with dignity threatening conflicts throughout the world.

We declare our confidence in the Republican delegation in Congress, and congratulate its dean and able leader, the Honorable CHARLES A. HALLECK, on his well-merited election as Republican leader, the responsibility that he has shared with distinction for many years.

We approve the efforts to assist the individual farmer on the family-sized farm in working out his economic ills, and we particularly urge that the farmer's freedom and independence be protected. We recognize that the farmer is an important segment of Indiana economy and that the general prosperity is greatly affected by the farmer's receiving fair prices for his large investment and hard work. Sound, workable solutions to the changing farm problems should be sought and would be found feasible by a Republican Congress, to protect and encourage an agriculture that has provided the most abundant supply of food and clothing in the world's history. We cite and approve the search for new markets and new uses for farm products as proposed by our own U.S. Senator HOMER E. CAPEHART.

We resolve that our national strength must be preserved by balanced budgets and tax economy achieved by wise and careful reduction of irresponsible cash gifts at home and abroad that have continued for years, except under a Republican Congress, to place unbearable burdens on the shoulders of our unborn descendants; thus to free private earnings for reinvestment, to provide jobs and build production.

We urge that all Americans testify to their pride in American leadership in the world, and in our way of living that means a better life for everyone, rather than dictatorship that excels in a few token but often meaningless feats and easy life for a chosen few, but deceit and hunger for the people.

We recall that 100 years ago when the infant Republican Party sustained severe losses at the polls, and Abraham Lincoln lost election to the U.S. Senate, there followed the opening of a new era of usefulness for the principles for which they both stood. This year of Lincoln's sesquicentennial illuminates this example, and the events of neither year are accidental. Victory rode, and will ride on the affirmation of principles. The country needs the firm foundation of the Republican Party, which saved the Nation with Lincoln and still stands ready to serve an ideal immeasurably higher than the gratification of personal wants and personal ambitions. Elections are lost because of failures to stand for something. What a Republican Party offers and must stand for are constitutional responsibility, fiscal stability, exaltation of freedom as a way of life, all of which have been guaranteed through the Republican Party in history, and by its record of administration today: So finally we

Resolve, That this organization call upon Republicans of all shades of opinion to place party above self, to shun expediency, embrace principle and stand immovable against influences that would dislodge them from the unrepealable political truths that are the beacons of our party's service to the Nation. Likewise we would call upon all citizens of all shades of political beliefs to applaud with their support the party of the people's rights and of world peace, and American freedom from the tyranny of the petty as well as the strong, the party of achievement today, rather than of weak dependence on a better tomorrow.

Resolutions committee: William Murray, the Bicknell Daily News, the Lawrenceburg Press, the Aurora Journal-Bulletin; Howard Houghton, the Huntington Herald-Press; Howard Grossman, the Salem Republican Leader; R. Thomas Mayhill, the Knightstown Banner, the Eastern Indiana Farmer.

The Universal Message of Mohammed Iqbal, Poet-Philosopher of Pakistan

EXTENSION OF REMARKS

OF

HON. WALTER H. JUDD

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1959

Mr. JUDD. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following address given at the Islamic Center in Washington on the 21st anniversary of the death of Mohammed Iqbal, who combined in an inspiring way the mysticism of the East and the realism of the West. His roots were in the Muslim faith and culture but his message was to all mankind:

THE UNIVERSAL MESSAGE OF MOHAMMED IQBAL POET-PHILOSOPHER OF PAKISTAN

(Address of WALTER H. JUDD, Member of Congress, at the Islamic Center, Washington, D.C., April 21, 1959)

Your Excellencies, ladies and gentlemen, we are living today in a world of unprecedented ferment and change. A large part of

mankind has just begun to breathe the intoxicating air of human freedom. At the same moment another large section of human beings is being forced to don prison garb, regimented and driven like beasts of burden. Important segments of the world's population are being forced by events to decide whether they can best attain their hoped-for political and economic development by democratic or by authoritarian means.

In such times as these, it is a good thing for us to pause to contrast the eternal truths preached by the great spiritual leaders of mankind with the crass ideologies of those who would crush the human spirit and make man an instrument for the creation of a soulless state.

After all, what is man? That is the question asked by man himself, universally.

Some years ago I heard the eminent Lebanese philosopher, Dr. Charles Malik, now President of the United Nations General Assembly, say that when the Conference on Human Rights convened in Paris after World War II, the delegates spent several months trying, in vain, to agree on an answer to that ultimate question. For how could they declare what the rights are to which a human being is entitled until they decided what a human being is?

One of the great spirits of modern times to whom free men can go for renewal of their faith in God and in man, was the Muslim poet whose memory we revere tonight. Mohammed Iqbal, the man who dreamed a dream for the Muslims of the south Asian subcontinent and whose dream became reality in the creation of the nation of Pakistan, held no brief for those who would attain even the precious goals of political and economic independence by destroying the identity of the human being. Rather did he sing of the sanctity of human life, of the grandeur of the human self, and of the inviolability of the human personality.

Like all who profess the Jewish, the Christian, or the Muslim faith, Mohammed Iqbal conceived of man as being created in the image of God. In the core of his philosophy he held that the human personality, being created in the image of God, should be developed in a way to prove itself worthy of being in that image. Those things which fortified the human personality, said Iqbal, were good; those which weakened it were bad. Is there a better test?

His concept of the nature of man reminds those who have American heritage of the words of those who founded our Nation. "We hold these truths to be self-evident," they said, "that all men are created * * *." They based their whole venture on that great act of faith: that there is a Creator, that man is His child and therefore partakes of His nature. Man has from his Creator the capacity to make moral judgments and decisions. Man can become more and more like his Creator, if he will. To do so is the deepest joy and the richest fulfillment of life. And the more man becomes one with God, the more he becomes one with all mankind.

The faith regarding the nature of man, and of God, and of the universe that filled Iqbal in Asia and inspired the founders of the United States in the Western Hemisphere, is being everywhere coldly and cruelly challenged today. The conflict tearing the world apart is not an old-fashioned struggle for control of land; it is for control of man—the mind of man, the soul of man, the whole of man.

Another great son of Pakistan, Gen. Ayub Khan, now its president, said to a group of us in Lahore one night in 1953, "The time has come in this world struggle when all those who believe in one God, the God of justice and of righteousness—whether Muslims, Christians, or Jews—must stand together against those who believe in no God."

We need to sit at the feet of men like Iqbal whose profound insights and inspiring words help us see afresh not the minor things that separate us—whether race, nationality, language, or culture—but the deep things that unite us—our common faith in God and our common humanity.

Mohammed Iqbal was an extraordinary man in the breadth of his interests and the scope of his accomplishments. He was at once a great poet, a great philosopher, a great lawyer, and a great political thinker. But most of all, he was a great human being, a man who saw as the most significant of human rights the opportunity to serve humanity.

Born in Sialkot, West Pakistan, in 1873, Iqbal received his intermediate education in a Scottish mission school. Here he came under the influence of the prominent Muslim scholar, Mir Hasan—an inspiring personality who perceived the genius of the poet and molded it.

Finishing his distinguished career at school he joined the Government College, Lahore, where he came in contact with another magnetic personality, Professor Sir Thomas Arnold, who was said to be an embodiment of all that was "the noblest and the best" in Western civilization.

Iqbal's love and appreciation of Eastern values and of Western disciplines, his desire to break down the barriers between East and West, his desire to see his country play its full part in the establishment of world peace, may be related largely to these early influences of his two great teachers.

Equipped with the idea of one humanity and one God as the basis of Muslim culture, which he learned at the feet of Mir Hasan, and the scientific approach of the West to the problems of life, which he gained from Professor Arnold, Iqbal went to Cambridge in 1905. For his further researches he went to Munich where he submitted his thesis, "The Development of Metaphysics in Persia," and obtained his doctorate in philosophy. That same year he was called to the bar, and the mind that had shown its grasp of philosophical ideas and its sensitivity to the things that are not seen, now revealed its ability to master practical legal issues.

Dr. Iqbal returned to India and started his practice at Lahore. He also was professor of oriental learning at the University of the Punjab. He entered political life in 1927 when he was elected to the Punjab Legislative Council, and remained a member for three years. He was elected president of the annual session of the Muslim League held at Allahabad in the year 1930. In his presidential address, he demanded "the formation of a consolidated Muslim State in the best interest of India."

Unfortunately, Iqbal did not live long enough to see the results of his efforts. From 1934 onwards his health deteriorated; he could not accept an invitation to Oxford as Rhodes lecturer in 1935. On the morning of April 21, 1938, his body breathed its last. But his words, like his spirit, will be immortal.

Iqbal's philosophy of life accepted the principles of freedom, equality, and love as the basis of world brotherhood. His concept for the new country of Pakistan, whose formation he did so much to inspire, was the establishment of a society deeply interested in the service of humanity, in the promotion of peace and in providing equal opportunities for all, irrespective of color, caste or creed. There was no conflict in him, as there need be none in you or me, between love of country and love of mankind. To work for the proper interests of one was to promote the well-being of the other.

Iqbal devoted the greater part of his life to giving people a faith in such an ideology of love and peace. His poems continue to speak that message to all men of all continents and cultures today.

Iqbal's faith in humanity was not misplaced. Along with the great cleavages that exist in the world today and occupy most of our attention, there is, nevertheless, a vast movement among the free peoples of the world to understand each other, to respect each other, and to inspire in each other mutual confidence and trust. It goes beyond mere tolerance of other cultures than one's own; there is increasing appreciation of other cultures—and the values in them. Understanding, appreciation, confidence, and trust are the spiritual foundations for any world order that is to withstand the ideological onslaughts of those who worship the material state and are determined to impose it on all mankind.

We Americans, as we take part in this tribute to the great poet-philosopher of Pakistan, are grateful that our own national leadership is alive to the need for the peoples of the world to know each other better. The President of the United States has advocated that people of all nations seek each other out and learn more of each other not by just one method, but by thousands of methods. This people-to-people diplomacy, which is certainly in the spirit of Iqbal's concept of the universality of mankind, can become a powerful force in determining the course of world events. Even tyrannies eventually have to pay some attention to changing attitudes and wishes among the peoples under them.

Our gathering tonight exemplifies the sort of relationship between persons of all sorts of backgrounds, races, and cultures which creates a genuine feeling of brotherhood. Americans and Europeans as well as Middle Easterners and South Asians; Muslims, Jews, and Christians we are gathered here to pay homage to a great Muslin spirit in a Muslin House of God. The memorial service in which we are taking part is sponsored by an American organization, the Council on Islamic Affairs, which is composed of Christians, Jews, and Muslims. We are gathered together because our desire to pay tribute to a great man is a bond which transcends differences of cultures, creeds and nationalities.

More and more people-to-people partnerships are being created as the human race gropes its way toward the spiritual perfection which Iqbal called "being worthy of having been created in the image of God."

Who can measure the constructive influence of an institution like the American University at Beirut, not only on the peoples of the Middle East from whom most of its students have come, but on the whole world, including the impact its many graduates have had at the United Nations and other international gatherings to which, because of their superior training and broadened outlook, they have been sent as delegates?

It was a desire to help relieve the suffering of people in need that sent me to China long ago, there to work for 10 years as a physician to men, women, and children of all walks of life as they came into my clinic. But I received more than I gave, and I learned more than I taught. That is what generally happens when men join hands to try to meet human needs.

Wherever some human beings have escaped the control of tyrants to become refugees on the face of the earth—from China, from Hungary, now from Tibet—other human beings from many countries have promptly volunteered to bring them relief, food, medical care, and, if possible, a new home somewhere and a new life of dignity and usefulness. Mohammed Iqbal would have been in the heart of all such efforts.

For he knew that some men are cruel and evil; but he believed that most men want to be kindly and good. In the universally understood language and symbolism of beautiful poetry, he called on all to stand

together in common service to humanity—in realism opposing the evil of today in order that men may have opportunity freely to pursue, in idealism, their aspirations for tomorrow.

We gratefully honor here tonight the memory of this gifted man and noble spirit. He spoke to his own people, and he speaks also to us. May we refresh our spirits and renew our dedication by joining in his prayer.

"That my life, O God, should be like that of a candle
So that through my efforts
I may try to dispel the darkness of evil
And illumine the whole world."

Less-Than-Honorable Discharges

EXTENSION OF REMARKS
OF

HON. CLYDE DOYLE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1959

Mr. DOYLE. Mr. Speaker, by reason of unanimous consent heretofore granted me so to do, I am pleased to present to the attention of your own busy self and all the other Members of this great legislative body, the text of three letters of approval and endorsement which I have recently received from three of the nationally known veterans groups in the United States of America. I am sure that you and all of us interested in this ever-present and vital subject of less-than-honorable discharges to thousands of our military personnel each year will be pleased to see these three letters.

They are as follows:

VETERANS OF FOREIGN WARS
OF THE UNITED STATES,
OFFICE OF DIRECTOR, NATIONAL
LEGISLATIVE SERVICE,
Washington, D.C., March 17, 1959.

Hon. CLYDE DOYLE,
Member of Congress, U.S. House of Representatives, Washington, D.C.

DEAR MR. DOYLE: This is in response to your letter of February 16, 1959, with attached copy of H.R. 88 which proposes to amend present law to provide that the Board for the Correction of Military or Naval Records and the Boards of Review, Discharges, and Dismissals which give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge and dismissal in determining whether or not to correct certain discharges and dismissals and to authorize the award of an exemplary rehabilitation certificate. The Veterans of Foreign Wars is on record as having endorsed in principle H.R. 8772 of the 85th Congress and we gave this bill our full support. We shared your keen disappointment when the bill failed to move forward in the Senate and died with the adjournment of the 85th Congress. It is noted that H.R. 88 is almost identical to H.R. 8772, with one major exception: For those meeting the requirements of this legislation an exemplary conduct certificate will be issued rather than a general discharge limited as was proposed in H.R. 8772.

The VFW wholeheartedly agrees with the principle of issuing an exemplary certificate based solely on the record of rehabilitation after service with no change in discharge—solely because of such rehabilitation. We endorse the proposal that an exemplary certificate is much more preferable and appropriate than general discharge limited. As has been pointed out this bill is not designed to grant or change discharge certificates but rather is intended to remove the stigma that attaches, sometimes for life, to a veteran with a less than honorable discharge certificate.

We certainly will lend our full support to the principles and objectives of H.R. 88. If further hearings should be scheduled with respect to this legislation, the Veterans of Foreign Wars will be deeply appreciative of being advised so that a representative from this office may be present and testify in behalf of our organization.

Thanking you for inviting the views of the VFW concerning this most meritorious legislation, I am,

Respectfully yours,
OMAR B. KETCHUM,
Director.

DISABLED AMERICAN VETERANS,
NATIONAL SERVICE HEADQUARTERS,
Washington, D.C., April 1, 1959.

Subject: H.R. 88 and about 30 companion bills on the same subject.

Hon. CLYDE DOYLE,
House of Representatives,
Washington, D.C.

DEAR MR. DOYLE: Your interesting letter of March 24, 1959, on the above subject, with enclosures, has been received and very carefully considered.

The then DAV national director of legislation, Maj. Omer W. Clark, in his letter of June 26, 1957, addressed to you as chairman of the Special Subcommittee on Military Discharges, House Committee on Armed Services, commented upon the provisions of H.R. 1108, 85th Congress, and the numerous identical bills before that Congress. Major Clark stated in effect that the Disabled American Veterans did not have an official mandate either to support or oppose such proposed legislation but he indicated that the DAV viewed with considerable misgivings the possible effect of the bill in question should it be enacted into law and placed into operation. As the above mentioned statement is a part of the printed record of the hearings conducted by your subcommittee it is not believed necessary at this time to reiterate the reasons given for our doubts and apprehensions.

In my opinion, H.R. 88 of this Congress, in eliminating the reference to "General Discharge (Limited)," is more acceptable than was H.R. 1108 and its companion bills. However, there is considerable doubt in my mind as to just how much good the possession of on exemplary rehabilitation certificate will do the holder of a less than honorable discharge from the Armed Forces, when he goes to seek civilian employment. It seems to me that if such veteran shows such certificate to a prospective employer the latter will immediately note the word "rehabilitation" on it with the distinct possibility, if he if he is interested enough to follow it up at all, that he will delve into the adverse facts and circumstances resulting in separation from the service with an other than honorable discharge. In the VFW letter of March 17, 1959, a copy of which you enclosed, the term "exemplary conduct certificate" is used in one place and I believe this is an improvement due to omission of "rehabilitation." It might even be advisable to add the word in parentheses "(civilian)" after "exemplary conduct certificate" to emphasize that the good conduct was post-service and had no reference to the actions in service, as previously determined by the Armed Forces.

In providing a certificate such as that contemplated by H.R. 88, designed for a special purpose (employment), the question arises as to whether or not such a certificate would militate against some veterans obtaining favorable reconsideration of their service discharges by the Department of Defense. Human nature being what it is we cannot help but feel that it would react unfavorably in an appreciable number of cases. The existence of the certificate and the procedure incident to its issuance would offer an easy way out for interested officials of the Defense Department by enabling them to take some action in the interest of the veteran-applicant without going to the extent of changing the character of his service discharge. There are still other considerations that come to mind bearing upon the advisability of adopting such legislation, and these relate to morale in the Armed Forces, the very considerable burden that would be placed upon the Department of Defense during these highly critical and dangerous times—both as to investigating and adjudicating these cases, and the possible threat that such a system might impose on our nationl defense through permitting dangerous elements who had been separated from the service because of communistic affiliations or actions to infiltrate our great industrial network and to wreak havoc when the time came for them to carry out the orders of their foreign masters.

Some might say that there would only be a comparatively few such instances in the last mentioned category. That could be true but it would only take one agent who gave no thought to his own safety, and one nuclear bomb, to completely wreck a vast industrial complex, and the entire area for many miles around.

In conclusion, permit me to thank you for communicating with me about this proposal of yours. I know how sincere and earnest you are in pressing for the enactment of the legislation. I am also certain that you appreciate the position of the Disabled American Veterans, in the absence of a mandate binding upon this legislative department. In this letter I have tried to touch upon some of the points that require much soul searching upon the part of the Congress before taking the long step embodied in H.R. 88 and its companion measures.

Sincerely yours,
ELMER M. FREUDENBERGER,
Acting National Director of Legislation.

AMVETS NATIONAL HEADQUARTERS,
Washington, D.C., April 9, 1959.

The Honorable CLYDE DOYLE,
U.S. House of Representatives,
House Office Building,
Washington, D.C.

DEAR MR. DOYLE: This will acknowledge your letter dated March 25, 1959, with enclosures, relative to H.R. 88, a bill introduced by you which would make certain changes in the Servicemen's Readjustment Act of 1944 regarding the type of evidence that should be considered by the Boards for the Correction of Military and Naval Records and Boards of Review, Discharges and Dismissals. Additionally, your bill would authorize an award of an exemplary rehabilitation certificate to certain veterans who have demonstrated exemplary conduct subsequent to service. AMVETS has long been interested in this general subject of discharge reviews and has always made our views known not only in supporting bills that you have introduced but also in discussions on this subject with various Defense Department officials. We are of the firm opinion that this entire area is in need of further study including not only the laws, regulations, and procedures under which the Correction Boards and Boards of Review, Discharge and Dismissals operate, but also procedures under which various branches of the services discharge personnel administratively and otherwise.

AMVETS is in full agreement and strongly endorse the first section of your bill which would mandate the Correction Boards and

Discharge Review Boards to take into consideration, when reviewing an other-than-honorable discharge, conditions and circumstances prevailing at discharge of the individual, his age, what the punishment in civil life would be for the same offense, and the moral turpitude involved. Making the consideration of these features mandatory may tend to make the members of these Boards more liberal and equitable by permitting them to consider a wider range of factors in their determination as to whether or not a discharge should be changed. It will also enable the veteran or his counsel to build a stronger case. In our judgment, therefore, your proposal, if enacted, would greatly benefit the veteran in his application for a change or correction of discharge.

We also support the concept underlying the other major feature of your bill calling for an award of an exemplary rehabilitation certificate. This would be issued, according to your bill, to a veteran with an other-than-honorable discharge who can establish by affidavits and other evidence that for 3 years following service he demonstrated exemplary conduct in every respect in civilian life. While this award would have no bearing on the veteran's discharge, it would certainly tend to mollify to some degree the stigma attached to his undesirable discharge or other discharge not under honorable conditions. While we can envision difficulties in the administration of this law, as it relates to this award, this fact would not alter our support of such legislation. As we have indicated earlier in this letter, this entire area, including inservice discharge procedures and procedures governing postservice reviews are in need of continuing study and review in order to develop the most equitable and fair method of handling these matters. We commend you for your interest in these problems and your efforts to institute changes for improvement in the entire system. AMVETS appreciate very much this opportunity to express our views on H.R. 88.

Very sincerely yours,

JAMES W. HAFEY,
Assistant National Service Director.

In addition to H.R. 88, 30 Members of this House have also filed companion bills and I am pleased to state that just a couple of days ago, after waiting about 3 months for report from the Pentagon Building, Hon. CARL VINSON received an adverse report to H.R. 88 and all of the companion bills. In due time, Mr. Speaker, I hope and expect that this whole subject matter of less-than-honorable discharges in the initial form of H.R. 88 and companion bills will again come to the attention of the House of Representatives. In fact, I hope it will be before long. As you will no doubt remember, during the 85th Congress, owing to your gracious and understanding courtesy and cooperation, the Doyle bill, H.R. 8772, which was the predecessor to H R. 88, passed the House by an overwhelming vote of 226 to 8, but largely because of delays in transit in getting the report out from the Pentagon Building at an earlier date, said bill did not get to the Senate committee's attention as early as it should and, therefore, the Senate did not consider the bill last session. But I am pleased to state that Senator STENNIS from Mississippi is ready to file the text of H.R. 88 and companion bills in the Senate.

These bills, Mr. Speaker, are very moderate bills; they do not ask nor intend to ask the Military Establishment to change any military record nor to grant any boy who uses the provisions of any of these bills any upgrading of any discharge. The proposed Certificate of Exemplary Rehabilitation does not compete with any honorable discharge or discharge under honorable conditions. In fact, is it not a discharge. It is a proposed certificate by the Military Establishment that if a boy, after living an exemplary life in civilian pursuits for not less than 3 years, and if he can prove that to the satisfaction of the Military Establishment; in their sole discretion, then they can at their sole discretion issue to such boy an exemplary rehabilitation certificate. It is hoped that this certificate will at least help a deserving lad who has made minor offenses or errors while in the military to remove at least a little of the stigma and help him at least a little bit to get employment. It grants him no Government benefits. It will not interfere with military discipline.

Mr. Speaker, it seems significant, does it not, that these three great nationally known veterans groups so cordially and emphatcally support H.R. 88 and companion bills? I have received word from the American Legion that they cannot act upon the proposed legislation until their national convention later on this summer.

Whither the Constitution?

EXTENSION OF REMARKS
OF

HON. THOMAS N. DOWNING

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 23, 1959

Mr. DOWNING. Mr. Speaker, on April 15, 1959, our colleague, the Honorable JIM WRIGHT, of Texas, was the main speaker at the annual meeting of the Virginia State Chamber of Commerce at the Hotel Chamberlin, Fort Monroe, Va.

The impact of this great speech on this distinguished audience was so readily apparent that I ask that his address be made a part of this RECORD and strongly recommend that it be read by my colleagues.

The address follows:

WHITHER THE CONSTITUTION?

(Speech by Congressman JIM WRIGHT, annual meeting, Virginia State Chamber of Commerce, Old Point Comfort, Va., April 15, 1959)

Last month, we celebrated the 170th anniversary of the Constitution of the United States.

Throughout the long, hot summer of 1788, while in the sweltering heat of Philadelphia's Independence Hall our Founding Fathers struggled to draft a Constitution, rumors spread throughout the Colonies like autumn leaves whisked about by the wind.

Speculation was rife. The 12-year-old Articles of Confederation, too loosely drawn in the beginning, had blundered and broken apart upon the rocky shoals of reality. A firmer and more adhesive foundation was clearly needed upon which to erect an enduring nation. The topic of the day in the taverns and general stores and stage coach inns concerned itself with what form the Government would take. Sophisticated couriers in the capitols of Europe speculated as to who would emerge as King.

Finally the work was ended. The document, hammered out upon the anvils of mutual compromise, was ready for public presentation. The delegates filed slowly out onto the broad portico to read it to a motley crowd which for days had been gathering outside the building. A curious little charwoman, unwilling to await its formal reading, plucked at the sleeve of Ben Franklin and insisted upon knowing what type of government they were to have.

Franklin replied: "A Republic * * * if you can keep it."

We have kept it for 170 years. I was startled some months ago when the Prime Minister of Ireland, addressing our Congress, brought greetings from an old nation and a new Republic to a young nation and the oldest Republic on earth. In point of continuous institution, ours is the world's oldest Republic.

That we continue to keep it seems to me one of the most important resolutions on earth. As valid today as when it was penned is Emerson's rhetorical question:

"For what avail the plough or sail,
Or land or life, if freedom fail?

With most of the world looking hopefully to us, not only for bread but for inspiration, the essential character of our Government is, more than ever before, "the last, best hope of earth."

Let me make clear at the outset that I am not seeking to alarm you. I do not think we shall lose it. With all my heart, I believe the fundamental faith of our Nation to be as strong today as ever it has been in our history. Yet there are certain developments which have taken us rather far afield from the points of our origin and which, unless corrected, could alter the direction of our destiny. Specifically, I should like for us to think very seriously above five particular trends * * * to consider how they have come about * * * and to resolve what must be done to correct them.

1. EROSION OF STATES RIGHTS

The first and in some ways the most obvious of these trends is a gradual and steady erosion of the rights of our States. Everyone talks about this tendency and most people lament it. Yet, as with the weather, hardly anybody ever seems to do anything about it.

In some respects, the tendency is a natural one. As the Nation has grown more compact and distance has been eradicated, attention has shifted from the States to the National Government. People more and more have looked to the Federal authority for a solution to their problems, particularly when frustrated in seeking solutions at the State level.

And the attitude of the States themselves has often hastened the trend. The impotence and corruption of State legislatures, their unwillingness to assume responsibility, have on more than one occasion driven the public to look to the Federal Congress for its remedies.

A House Committee on Intergovernmental Operations last year highlighted this truth with case history illustrations. Since 1925, the committee noted, Federal grants for nondefense programs have risen from $124 million to $5 billion for the current fiscal year. Tracing the birth and growth of activities ranging all the way from aid to State soldiers' homes to stream pollution control, the committee established that, in almost every instance, the Federal entry into the field had been preceded by negligence and unwillingness to solve their own problems on the part of the States.

To wail against growing Federal influence in State and local affairs without being willing to support more dynamic and responsible State governments is to engage in a hollow and hypocritical gesture. If Federal

Government is ever to limit its authority, then this will be tied up in one package with stronger Government close to home.

Yet, I realize fully that the converse also is true. It is like the question of the chicken and the egg. The Federal Government will not release responsibility until the States prove a willingness to assume it. But the States cannot develop their own initiative if stifled under a blanket of growing Federal encroachment. This is the reason why many of us in the Congress believe in the importance of legislative reform such as embodied in the bill, H.R. 3. This bill, intended to restate the historic doctrine of concurrent jurisdiction, passed the House in the last session after many hard months of struggle. It is unfortunate that it became enmeshed in a parliamentary situation which prevented it from also receiving the approval of the Senate.

Let us be clear about what we mean. H.R. 3 did not presume in any way, shape, or fashion to confer upon any State a right to enact legislation which would be violative of or inconsistent with the Federal law. That question was settled when we abandoned the Articles of Confederation and adopted the Constitution of the United States. It was ratified forever in the indelible blood of the Civil War. We are not a confederation in which any State may set itself aside as an island wherein Federal law may be ignored. Ours is a Federal Union, "one Nation, under God indivisible." There is no attempt here to maintain that a State possesses any right to countermand or nullify Federal law.

What is involved in H.R. 3 is simply a protection of the historic rights of the States to exercise concurrent jurisdiction with the Federal Government and to enact statutes of their own so long as those statutes do not violate the Federal law.

This is an original and historic right. At the beginning of our history as a nation, it never occurred to anyone to question it.

Of recent years, however, the courts have held with increasing consistency that where Congress has enacted legislation on a subject, the States are deprived of all power to enact or enforce similar laws on the same subject, even though they present no direct conflict with the Federal act.

The judicial ruling in the case of *Commonwealth* v. *Nelson* which has a bearing on antisedition statutes now on the books in some 47 States is a notable case in point. It comes instantly to mind because of the publicity accorded this decision and because, ironically, it was the distinguished Congressman from Virginia, Mr. SMITH, the author of H.R. 3, who had written the Federal act cited by the Court to nullify enforcement of the State laws in Pennsylvania.

That case, however, is no more than a symptom of what has been happening to the rights of States in the initiation of legislation and the handling of local problems. Similar decisions, involving somewhat less spectacular issues, are legion.

A fairly typical example is the recent case of *Cloverleaf Co.* v. *Patterson*. The State of Alabama, in an effort to protect the health of its citizens, had sought to inspect the product of a company, which was engaged in the renovation of butter. Some of the butter was shipped in interstate commerce, and thus subject to Federal pure food laws.

The Supreme Court ruled that Congress had therefore assumed entire jurisdiction over the subject, leaving the States powerless to enforce their own health laws. Dissenting, Justice Frankfurter argued that, if Congress had intended to preempt State enforcement entirely, it would have said so in its act.

This is the philosophy of H.R. 3, that in the absence of a clear congressional declaration depriving States of initiative in a given field of law, and in the absence of any conflict between State and Federal provisions, the States will be presumed to retain the right to enact and enforce similar laws.

The States have traditionally been valuable proving grounds for legislative policy. Many of our most far-reaching national reforms were first tested and proven in the laboratories of State government. Women's suffrage in Wyoming, antitrust in Texas, conservation laws in Pennsylvania, and lobby reform in Wisconsin, to name but a few.

Although the cry of States rights has often been abused, often used as a cloak to cover States wrongs, it is most assuredly not a reactionary doctrine to hold out for the rights of States to solve local problems when the solution presents no conflict with Federal policy.

Unless H.R. 3 or something substantially similar is enacted, it will be only a matter of time before the State governments will be deprived of practically all legislative initiative through this doctrine of preemption.

Congress is now required to legislate on an ever-widening variety of subjects. If, each time it does so, the States are to have another avenue of legislation completely closed to them, they will be inevitably deprived of the power to attack the problems of their people on any but a meager handful of subjects. These will be those not regarded as sufficiently important to warrant congressional action.

This legislative reform is needed unless we want consciously to abet the further erosion of the rights and prerogatives of the States. And I, for one, do not wish to do so.

2. EXECUTIVE USURPATION OF LEGISLATIVE POWERS

The second of these trends is a growing usurpation of legislative powers by the executive branch of Government. The great British statesman, Gladstone, spoke of our Constitution as "the most perfect instrument ever set down by the hand of man at a given time." He was speaking of its delicately contrived balance of powers between the separate branches of Government. It was born out of personal experience with a sovereign who had arrogated to himself authority which in its unrestrained exercise he had abused. If the Articles of Confederation had proven themselves too weak, there certainly was no wish among the authors of the Constitution to supplant them with a Government whose essential strength would be embodied in an all-powerful executive.

The greatest danger in all political systems is that of executive power. Benjamin Franklin was haunted by a dread that the executive branch would increase at the expense of the other branches until it would end in a form of authoritarianism. Commenting upon this fear, Jefferson said, "It is better to keep the wolf out of the fold than to trust to drawing his teeth and claws after he shall have entered."

Of the three branches, Congress should be the most responsive to the public wish because, by its very nature, it is closest to the public. While the population of the average constituency has grown enormously since the Constitution was drafted, it still is true that in our scheme of things, the average Member of Congress comes in closer and more continuous contact with the people whom the Government serves and represents than does any other Federal official.

During the congressional adjournment last fall, as an example, I publicly discussed our congressional activities in 114 different group meetings in my particular district. During the 4 months, I estimated that I had talked personally with some 11,000 people. This in greater or lesser degree is what most Members of Congress were doing. I believe that because of this we are better able to gage their thinking, better able to be what the term implies * * * their representatives.

Yet due to the growing variety and the burgeoning volume of legislation, Congress has come to rely more and more upon administrative interpretation to make assumptions of legislative intent. Executive agencies superimpose the details of administration upon what sometimes amount to skeleton statements of policy. In the last session of Congress, for instance, there were 6,591 bills introduced in addition to more than 11,000 which had carried over from the previous session. Of this number, 1,348 were enacted into law. With a workload of this magnitude, Congress simply cannot in each instance spell out in minute detail the manner in which each of these separate laws is to be carried out. To this extent, the growth of an executive bureaucracy has been a natural and unavoidable development.

But it is neither natural nor unavoidable for the administrative arm to replace what Congress intended with what its appointees think Congress should have intended. It is not natural, nor do I believe it has been unavoidable, for the device known as the Executive Order to have come into such widespread usage. Like the States, Congress must continually reassert its rights if it does not want them to diminish. Like the muscles of the body, rights if not exercised will wither and atrophy.

One of the vehicles by which the fundamental lawmaking prerogative has been sloughed away has been the Executive Reorganization Act which permits appointive agencies and commissions to revamp the administrative structure of Government.

Much good work has been performed under this act. Some savings have accrued to the taxpayer as a result of streamlining and elimination of overlapping functions.

One feature of the Reorganization Act, however, has come under sharp—and in my opinion, justified—criticism. This is the automatic nature of reorganization plans by which they summarily become law unless the Congress passes a resolution of disapproval within 60 days * * * and by a constitutional majority (a majority of all Members, not simply a majority of those voting).

Simple reflection will demonstrate how the lawmaking function can thus pass from the legislative to the executive branch. A Presidential commission can radically alter a vital function of the Government, leaving the Congress almost powerless to demur. Here's why: It takes 218 votes in the House under this provision to defeat any reorganization plan. During a recent Congress there were 181 rollcall votes. The greatest number of Members ever present for one of these votes was 426, the smallest number 233. On only 20 of those rollcalls were as many as 400 Members on the floor.

Supposing such a plan were up for consideration with only 233 Members present. Sixteen Members could defeat the will of 217 Members. If that's farfetched, assume the average rollcall attendance of 357, when 140 could thwart the will of 217.

Not only must 218 be against it, they must take the initiative, they must all be on the floor at once, and they must do it within 60 days * * * or the Executive sponsored reorganization plan will automatically become the law of the land.

Under this machinery, a number of the basic activities of the Government have been rather radically altered. It is my own conviction that we have here a departure from the traditional concept of separation of powers. For here the Executive legislates and the Congress has only a negative right of veto which seems more theoretical than actual. I believe that a portion of the integrity of the lawmaking branch could be restored by amending this sweeping Reorganization Act so as to permit legislative review by a simple majority of those present and voting, rather than by the required constitutional majority.

The one essentially indispensable power of Congress, of course, has been most clearly maintained in its control of the purse strings. Even this congressional prerogative has been the victim of an insidious encroachment. Led by a coalition of younger Members, the lawmaking body rebelled last year against this particular tendency when it enacted the bill known as H.R. 8002 to put the Government's budgeting practices on an accrued annual expenditure basis.

The fundamental issue before us in this legislation was the extent to which the people's elected representatives in the Congress can maintain actual control over the Federal purse strings.

There can be no doubt that the Constitution of the United States vested in Congress the clear responsibility to manage and control Federal expenditures. It obviously was believed by the Founding Fathers that administrative government should be directly responsible in its expenditure of public funds to the Congress, since in this way it would be responsible to the taxpaying public which elects the Congress and is responsive to its wishes.

In recent years, the practice of large sums, carried over unspent from previous appropriations, has impaired the ideal of congressional control of the purse.

We came into fiscal 1956, for example, with almost $54 billion in unexpended balances from previous appropriations. At the beginning of fiscal 1957, the figure has grown to some $70 billion.

Large balances of unexpended appropriations have thus been available annually to the agencies without any further action of the Congress. For all practical purposes, Congress had lost control of these sizable amounts of money. It was to restore congressional control that this bill was passed.

It may not result in the saving of billions, as some of its most enthusiastic advocates have estimated, but I think the requirement that agencies return to the Congress and prove up the value of programs underway will very definitely result in some saving and in greater efficiency, and any such result that accrues will certainly be to the good. Most important of all, it restores to the Congress its historic role as the keeper of the pocketbook.

But Congress, having done this much, cannot rest upon its laurels. The price of legislative rights which are the very enshrinement of representative government is eternal and unremitting vigilance.

3. WANING RESPECT FOR THE SUPREME COURT

The third alarming development, unlike the other two, has come about rather recently. It is the rapid decay of respect for the U.S. Supreme Court, brought about by the general feeling that the Court has tended to abandon legal precedent as its guiding principle.

A very great deal, of course, has been said about this. Every newspaper pundit has commented upon it. It is easy to criticize, and perhaps the mark of statesmanship in this instance is that of restrained expression. No appraisal of the current scene, however, would be an altogether honest one without frankly acknowledging this development and examining it. When so august a body as the Conference of Chief Justices of all the States votes by a three-fourths majority to adopt a report calling on the Supreme Court for more judicial restraint, then something unique in our history has happened.

During the last Congress, there were no less than 50 bills introduced either to alter rulings of the Nation's highest tribunal or to curb the Court in one way or another. Seven of these bills passed at least one House of Congress.

But the Conference of Chief Justices in its pronouncement last August called attention also the fact that ultimate judicial power in our country must rest with the U.S. Supreme Court. "Any other allocation of such power would seem to lead to complete chaos," the report stated, adding that it is our common obligation to seek to uphold respect for law.

The Supreme Court is necessary in our system of government. If we are to have a government of law rather than a government of men, it is indispensable. If law is to have any ultimate meaning, if there is to be an anchor to keep our ship of state from being tossed about by every wave of popular fancy and taking a new direction with every expedient wind that blows, then we must have a Supreme Court, and that Court as the final arbiter of law must have respect.

Thomas Jefferson was among the first of our forefathers to see that judicial review was the only effective means of preserving the fundamental law. While our earliest advocate of popular government, he feared what he called the unrestrained "tyranny of legislatures." He knew that the legislative branch, simply because it was closest to the people, could be carried away by a tide of expediency in its desire to please the people, and he knew that it needed a checkrein.

Jefferson's law teacher, George Wythe, had expressed this philosophy as forcefully as it has ever been stated. Sitting as a judge in the case of *Caton* v. *Commonwealth of Virginia,* in 1782, he had stated his position in these words:

"If the whole legislature, an event to be deprecated, should attempt to overleap the bounds prescribed to them by the people, I, in administering the public justice of this country, will meet the united powers at my seat in this tribunal; and, pointing to the Constitution, will say to them, 'here is the limit of your authority; and hither shall you go, but no further.' "

Obviously, something needs to be done to restore the Court to the pinnacle of prestige which it must grace if the essential character of our Government is to retain its stability. I do not believe the answer lies in radically altering the jurisdiction or the responsibilities of the Court as has been impatiently suggested by some. As an institution it has served us well for 170 years. It has been under attack before. Twenty-one year ago a frustrated President was criticizing the Court as "too reactionary" and was asking authority to add to its membership. Calmer heads prevailed and the President's request was denied.

At that time, the distinguished and venerable New York Republican, the late Daniel A. Reed, posed this choice:

"I ask every American this question," he said, "Do you want to put your personal liberties in the hands of Congress and your State legislature? To those who think this is a wise thing to do, I call attention to the fact that 10 times since the year 1867 Congress, or one of its branches, has violated the provisions of the Bill of Rights. * * * The only power that stood between the citizens and these tyrannical acts of Congress was the Supreme Court * * * I cannot believe that in this period of worldwide dizziness the citizens of this Nation wish to destroy the only department of Government which can protect them from mob violence and encroachment."

What, then, can be done? If it is a duty of citizenship to respect and support the rulings of the Court, it also is true that the pronouncements of the Court, in and of themselves, should be such as to command public respect.

The Supreme Court of the United States should be composed of the nine ablest jurists in the Nation. On this Bench should sit the nine wisest and most learned legal authorities in the United States. They should be men of such judicial attainment and intellectual stature as to evoke from the public, the bar, and the bench the universal respect which is their due. Never should it be possible for anyone to say that their appointments had been essentially political in character.

The most constructive reform, in my judgment, would be the requirement that, as a minimum prerequisite to appointment, a member of this highest Court should be a person of previous judicial experience. Such a requirement could be made by a simple act of Congress, since on the matter of qualifications of Justices the Constitution is silent.

Adopt such a requirement as this, let all future appointments be confined to men who have performed previous service either on a Supreme Court of one of the States or on a Federal appellate court, and time will lay its soothing hand upon the turmoil that today surrounds the Court and heal the unhealthy ruptures that disturb our legal tranquility.

4. THE GROWING EMPHASIS OF BLOCS AND SEGMENTS

The fourth trend to which attention must be called is the ever increasing tendency to divide the United States into blocs and segments, economic factions, ethnic units, regional groupings.

Back in the 1940's, Stuart Chase wrote a book which he entitled "Democracy Under Pressure." If we were under pressure then, we are in a pressure cooker now. Schoolchildren pledge their allegiance to a flag which we hail as the symbol of "one nation, under God indivisible." If my observation of the past 4 years has given me any one great anxiety for the domestic future of our Nation, it is the dread that someday this essential indivisibility may disintegrate before the splitting onslaughts of selfish pressures.

Too many of us have come to think of ourselves not first as Americans, but first as members of the business community or indeed some segment of the business community, or as members of labor, and only secondly as Americans—as southerners or northerners first and Americans second—as belonging first to a particular racial heritage and only then, if at all, as belonging to America.

I am not certain that I know what can be done about this growing tendency. But I do know that it's growing and I do know that it is selfish at its core and insidiously un-American.

Marx and Lenin prophesied that capital and labor would be unable in the long run to coexist amicably. That class war here would inevitably come because of what they called the fundamental contradiction of a society such as ours—what they believed to be a natural hostility between the capitalist and his employee. When we allow ourselves to be divided into hostile camps, acting as though our differences were irreconcilable, each anxious to believe the worst about the other and each constantly poised to press an immediate advantage at the expense of the other, we tend to prove their satanic prophecy correct.

It is natural, I know, for Members of Congress to champion the causes of their own districts, their own States, their own regions. In this I am perhaps as guilty as any. But a Member of Congress and every public official—indeed, everyone who would set himself up as a leader of public thought—has the solemn duty to carry forever in the forefront of his mind the realization that he serves first the United States. Except as its future flourishes, his State and his town have no future. Except as the entire economy prospers, his economic segment of that economy will enjoy no lasting prosperity.

Except as business makes a reasonable return so as to permit expansion, there will not be jobs enough to go around for our growing labor force; and labor, in the long run, will suffer. Except as the working men and women of our Nation earn a decent and

remunerative wage, there will be no market for the things business turns out, and business will suffer. If we forget this, we play a fool's game. He who enters the arena of politics pledged to champion exclusively any bloc or any segment, he who in public life uses his talents to divide class against class, or race against race, or region against region, prostitutes his talents; and in the end he plays the game of those who would divide us and in dividing would conquer us.

I think of one legislative reform which could minimize this growing tendency. It alone would not cure the basic malady, but it would help. The electoral college method of selecting our President and Vice President has surely outlived its original purpose. It is a relic of the powdered wig and snuff box era when nobody ever knew anything about presidential candidates and it was believed the public needed someone to do their actual choosing for them. If its only drawback were that it is archaic, there could be no harm in preserving it. The outmoded system, unfortunately, has given rise to numerous abuses, among them the glorification of voting blocs.

By lumping all of a State's electoral votes for the side which ekes out the barest margin of victory in that particular State, it has encouraged both parties to concentrate on those traditionally close areas of the country where a little extra effort can pay off most handsomely on the electoral scorecard. Undue and unintended influence thus has gravitated to the political bosses and ward politicians who can turn out the vote in those particular areas. We have come in this way to think of millions of Americans not as individual people but as members of one or another voting bloc. And in this it seems to me that we subtly degrade them as human beings and tarnish the image of a Nation of free and equal men.

We can correct this one particular cause by adopting any one of several electoral reform amendments which have been pending in every Congress for the past 20 years. I believe we need to reaffirm our faith in the average American as a person by enacting one of these proposals, to the end that one vote anywhere in the country shall be exactly equal to one vote anywhere else in the country.

Yet this alone will not cure the disease that increasingly separates and divides us. This is a task which calls for the most superb statesmanship and the most mature citizenship. Perhaps the danger has been no more clearly put than in the words of that distinguished jurist, Judge Learned Hand, who warned:

"That community is already in the process of dissolution where each man begins to eye his neighbor as a possible enemy, where nonconformity with the accepted creed is a mark of disaffection; where denunciation takes the place of evidence and orthodoxy chokes off freedom of dissent."

5. A STALE CONFORMITY AND THE BILL OF RIGHTS

Finally, to combat the stale conformity of the group-thinking which has huddled so many of us into separate camps, I think we need an urgent reemphasis of the Bill of Rights.

The most alarming revelation I have read in the past 2 years was made by Dr. H. H. Remmers, of Purdue University. His recently published book, "The American Teenager," is the result of 15 years of painstaking questioning of some 25,000 high-school students by the university's research staff.

Unless you're shockproof, you'll be shocked, not so much by teenage manners and morals, surprisingly enough, but by teenage opinions.

If the Purdue polls are accurate, the following eye-openers should be sufficient to start us thinking, and mighty seriously:

A solid 60 percent of the youngsters polled think that books, magazines, and newspapers should be censored.

A substantial 58 percent can see nothing wrong with employment of third-degree methods by police.

A third of them believe it would be okay for the Government to prohibit some people from making speeches.

Better than one-fourth think there are times when it's all right to search homes and private persons without a warrant.

Fifteen percent would refuse certain criminals the right to have a lawyer, and 13 percent even profess the opinion that religious belief and worship should be subject to legal restrictions.

The average one of these youngsters would probably fight you if so much as suggested that he wasn't a good American. Yet, if these figures are correct, an appalling number simply haven't been shown what America is all about in the first place.

If you asked if they believe in the Bill of Rights, they'd no doubt give you an emphatic "Yes." But the poll tends clearly to show that a lot of them actually do not.

Nobody, apparently, has explained to them that the Bill of Rights, the sanctity of the individual, is the one great peculiarly American contribution to the art of government.

Other nations have adopted, at least nominally, the republican form of government. Even Russia calls itself the Union of Socialist Soviet Republics. Other nations (Hitler's Germany included) have developed capitalistic economies.

Only America charted its bark by the course of a scrupulous observance of individual rights. Is a new generation losing the course?

Whose fault it is might be debatable. The schools, the churches, the families, perhaps we all share in the blame. Perhaps the younger set is merely reflecting an attitude they see in their elders. Can it be that in our frantic insistence upon "belongingness" we have made a god of conformity to our groups and have actually begun to mistrust ourselves to think for ourselves? Or to give the other fellow the right to think for himself as an individual?

When we wish to silence those who disagree with us we betray a shocking lack of confidence in our own convictions. When we confer social ostracism upon the fellow with a nonconforming opinion, we place a smothering stultification upon the very act of thinking.

There has never been a time in our history when we have needed more to encourage the processes of independent thought. Jefferson dedicated the University of Virginia to the "illimitable freedom of the human mind." The frontiers of the future are the frontiers of the mind. The future belongs to that nation, and to that society, which is not afraid of thoughts.

Ours is a nation which was founded upon the conviction that error of opinion may be tolerated so long as truth is free to combat it. Jefferson said that truth is the sufficient adversary of falsehood.

I do not despair of the future. The faith of our fathers was not misplaced. Their ennoblement of the individual is the very hope for which the world gropes in its awakening. Let us not hide that light under a bushel, for it is a light unto the gentiles and a lamp unto the world.

SENATE

FRIDAY, APRIL 24, 1959

The Senate met at 10 o'clock a.m.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

God our Father, amid all life's changing scenes make us conscious of Thy overshadowing presence.

We thank Thee for the unquenchable impulse toward Thee Thou hast planted within us.

Open our eyes to see Thee, not just out on the rim of the universe on some distant star, but in the human love which hallows our own lives and sanctifies our homes—love which at its best bears witness to Thee and which alone is the balm able to cure the hurt of the world.

May our lives, freed of pettiness and prejudice, and radiant with good will which leaps all barriers, be open channels through which Thy saving grace may flow for the healing of the nations.

We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, April 23, 1959, was dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Ratchford, one of his secretaries.

REPORT OF ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Public Works:

To the Congress of the United States:

Pursuant to the provisions of section 10 of Public Law 358, 83d Congress, I transmit herewith for the information of the Congress the report of the St. Lawrence Seaway Development Corporation, covering its activities for the year ended December 31, 1958.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *April 24, 1959.*

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the following committee and subcommittees were authorized to meet during the session of the Senate today:

The Committee on Finance;

The Antitrust and Monopoly Legislation Subcommittee of the Committee on the Judiciary;

The Subcommittee on Governmental Organization for Space Activities of the Committee on Aeronautical and Space Sciences; and

The Civil Subcommittee of the Committee on Post Office and Civil Service.

CIVIL WAR CENTENNIAL COMMISSION

The PRESIDENT pro tempore. The Chair has been requested by the Vice President to announce the appointment by him, pursuant to 71 Stat. 626, of the Senator from Pennsylvania [Mr. SCOTT] as a member on the part of the Senate of the Civil War Centennial Commission, vice the Senator from Kentucky [Mr. MORTON] resigned.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule, there will be the usual morning hour for the transaction of routine business; and I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

STATUS OF PERMANENT RESIDENCE FOR A CERTAIN ALIEN

The PRESIDENT pro tempore laid before the Senate a letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, a copy of the order granting the application for permanent residence filed by Jerzy Kudrawcew alias Piotr Wedrogowski, together with a statement of the facts and pertinent provisions of law as to the subject, and the reason for granting such application, which, with the accompanying papers, was referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ENGLE, from the Committee on Interstate and Foreign Commerce, with amendments:

S. 1368. A bill to amend sections 503(a)(2) and 504 of the Federal Aviation Act of 1958 to facilitate financing of new jet and turboprop aircraft (Rept. No. 221).

AMENDMENT OF RAILROAD RETIREMENT, RAILROAD RETIREMENT TAX, AND RAILROAD UNEMPLOYMENT INSURANCE ACTS—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS

Mr. MORSE. Mr. President, from the Committee on Labor and Public Welfare, I report favorably, with amendments, the bill (S. 226) to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes, and I submit a report (No. 222) thereon. I ask unanimous consent that the report may be printed, together with the individual views of the Senator from Illinois [Mr. DIRKSEN].

The PRESIDENT pro tempore. The report will be received and printed, as requested by the Senator from Oregon, and the bill will be placed on the calendar.

REPORT ENTITLED "NATIONAL PENITENTIARIES" (S. REPT. NO. 220)

Mr. ERVIN. Mr. President, on behalf of the Senator from Missouri [Mr. HENNINGS], pursuant to Senate Resolution 230, 85th Congress, 2d session, as extended, from the Committee on the Judiciary, I submit a report entitled "National Penitentiaries." I ask that the report be printed.

The PRESIDENT pro tempore. The report will be received and printed, as requested by the Senator from North Carolina.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LAUSCHE:

S. 1788. A bill for the relief of Calliope Kastelloriou; to the Committee on the Judiciary.

By Mr. MAGNUSON (for himself, Mr. ALLOTT, Mr. BARTLETT, Mr. CARROLL, Mr. CURTIS, Mr. CHURCH, Mr. HRUSKA, Mr. HUMPHREY, Mr. JACKSON, Mr. KERR, Mr. MANSFIELD, Mr. MCCARTHY, Mr. MCGEE, Mr. MONRONEY, Mr. MORSE, Mr. MOSS, Mr. MURRAY, Mr. NEUBERGER, and Mr. SCHOEPPEL):

S. 1789. A bill to amend section 1(14)(a) of the Interstate Commerce Act to insure the adequacy of the national railroad freight car supply, and for other purposes; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appear under a separate heading.)

By Mr. MCNAMARA:

S. 1790. A bill for the relief of Luca Nikolich; and

S. 1791. A bill for the relief of Helen Haroian; to the Committee on the Judiciary.

By Mr. HAYDEN.

S. 1792. A bill for the relief of Lilia Alvarez Szabo; to the Committee on the Judiciary.

By Mr. RANDOLPH (for himself and Mr. BYRD of West Virginia):

S. 1793. A bill granting the consent and approval of Congress to the States of West Virginia and Virginia to enter into a compact with respect to the boundary between such States; to the Committee on the Judiciary.

By Mr. BRIDGES:

S. 1794. A bill for the relief of the survivor of Charles E. Alden; to the Committee on Post Office and Civil Service.

AMENDMENT OF INTERSTATE COMMERCE ACT, RELATING TO ADEQUACY OF NATIONAL RAILROAD FREIGHT CAR SUPPLY

Mr. MAGNUSON. Mr. President, on behalf of myself, and Senators ALLOTT, BARTLETT, CARROLL, CURTIS, CHURCH, HRUSKA, HUMPHREY, JACKSON, KERR, MANSFIELD, MCCARTHY, MCGEE, MONRONEY, MORSE, MOSS, MURRAY, NEUBERGER, and SCHOEPPEL, I introduce, for appropriate reference, a bill to amend section 1(14)(a) of the Interstate Commerce Act to insure the adequacy of the national railroad freight car supply, and for other purposes.

Mr. President, over the years, the freight car supply of the railroads has decreased substantially. Although the freight car shortage has not assumed its usual proportions in recent years because of the lack of traffic, there are now definite prospects for improvement in business. If the increased economic activity continues, there will be a freight car shortage in the summer and fall of 1959.

The railroads need to build additional freight cars to serve the shippers of the country. A per diem charge is the amount the owning railroad receives for a car when on the tracks of another railroad. Under the present law, the Interstate Commerce Commission, in establishing this per diem rate, can only cover the bare cost of ownership. No element of profit can be included. Thus the ICC cannot increase the per diem rates to encourage the building of additional cars or the speedy return of cars to owning railroads. Because of this provision in the law, it is often cheaper to use the freight cars of another railroad and pay the per diem for cars than to build freight cars.

The bill which I am introducing would allow the Interstate Commerce Commission to fix compensation for the use of freight cars that would encourage an adequate freight car supply and sound car service practices by including a fair return on the value of the equipment. Enactment of this bill would go a long way toward insuring the building of more freight cars and the returning of freight cars to owning railroads, thereby lessening the car shortage which plagues the shippers of the country.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1789) to amend section 1(14)(a) of the Interstate Commerce Act to insure the adequacy of the national railroad freight car supply, and for other purposes, introduced by Mr. MAGNUSON (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

MUTUAL SECURITY ACT OF 1959—AMENDMENTS

Mr. FULBRIGHT. Mr. President, on behalf of myself, the Senator from Minnesota [Mr. HUMPHREY], and the Senator from Massachusetts [Mr. KENNEDY], I submit, for appropriate reference, several amendments to Senate bill 1451, the proposed Mutual Security Act of 1959. I ask unanimous consent that these amendments be printed and lie on the table for 1 week in order that other Senators may join me in their introduction.

The PRESIDENT pro tempore. The amendments will be received, appropriately referred, printed, and will lie on the desk, as requested by the Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, I also ask unanimous consent that the amendments be printed in the RECORD at the conclusion of my remarks.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. FULBRIGHT. Mr. President, many of us who have long been supporters of the mutual security program also have been critical of some of the policies governing that program. Some of us wrote to the President of the

United States after the conclusion of the last session of the Congress and asked that a reappraisal of the program be made, along certain lines which we suggested, prior to the submission to the Congress of the fiscal year 1960 mutual security program. My colleagues and I have been concerned that military considerations have played too great a part in the formulation of the program. This is not of course necessarily to say that the amounts requested for military assistance are too large, because modern weapons are very expensive. It is rather that the philosophy of the program is founded too much, we think, on the idea that the danger to the United States today is largely a military one, and that the threat from communism is largely a military threat. Many of us feel that in many parts of the world the most serious danger from communism cannot be met through military means. We are also of the opinion that there are serious problems for the United States arising from the economic and social revolutions in Asia and Africa which arise irrespective of communism and that there is a need today for a more adequate response on the part of the United States.

The President appointed a Committee headed by Mr. Draper to look into the questions raised by my colleagues on the Committee on Foreign Relations. The President, however, delayed doing so and he has approved the fiscal year 1960 program which was formulated without the benefit of the advice of the Draper Committee. I do not find in the fiscal year 1960 mutual security program, or in the changes in the legislation which the President suggested any substantial indication that the direction of the program is to be altered.

In the absence of leadership on the part of the President, those of us in the Congress must do the best we can to fashion the mutual security program to meet today's needs. This is the purpose of the amendments which I have introduced. These amendments deal with only part of the need for changes. I do not pretend that I have dealt with all the problems. I am sure that other Senators will suggest other amendments to cure other ills.

The first amendment is an attempt to clarify the purpose of the mutual security program. The tone of the existing policy language in the Mutual Security Act of 1954 is entirely too military in nature. Other important U.S. objectives have thereby suffered. My amendment retains the existing statement of purpose in the act but would add additional policy guidance which would place our economic and technical assistance in a more appropriate context.

Mr. President, the second amendment which I submitted deals with the important subject of the military force goals which the United States helps other nations to work toward. As those of us who are familiar with the program know, once these military force goals are fixed, a great many political and economic consequences follow. Pakistan, is an example of a country which, in the opinion of many, has been burdened with a military effort so great that its economic development has been retarded and its relations with its neighbors poisoned. My amendment is designed to inject political and economic analysis more adequately into the process of fixing the military force goals.

My third amendment would provide a more adequate basis for financing the Development Loan Fund. This amendment is not really new. The language is the same except for different figures as that which the administration submitted and which the Senate adopted 2 years ago. It proposes that the Development Loan Fund be financed on a banking basis like the Export-Import Bank and the International Bank for Reconstruction and Development. My amendment would add capital to the Fund over a period of 5 years at the rate of $1.5 billion each year. These are large sums, Mr. President, but the need is very great. India alone can absorb $1 billion a year in outside capital.

The need for capital for economic development in Asia and Africa and Latin America can be measured in various ways, but the need cannot be measured accurately. I should point out that capital investment is already proceeding to these areas. I ask unanimous consent that I may insert in the RECORD at this point in my remarks a table showing the flow of investment capital from foreign sources to less-developed countries in the year 1957. These sources, including U.S. private and public investment, totaled $3.8 billion for the year 1957.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Estimated investment capital from foreign sources provided to less developed countries in 1957 [1]

[In billions of dollars]

	Total	Latin America	South Asia	Near East	Far East	Africa
U.S. private capital [2]	1.7	1.5	----	0.1	----	0.1
Export-Import Bank [3]	.3	.2	----	----	0.1	----
ICA investment grants and loans [4]	.4	----	0.1	.1	.2	----
IBRD [5]	.3	.1	.1	.1	----	----
United Kingdom private capital [6]	.2	----	.1	----	.1	----
French private capital [6]	.1	----	----	----	----	.1
Other governments and international organizations [7]	.8	----	.1	----	.1	.6
Total	3.8	1.8	.4	.3	.5	.8

[1] On an actual expenditure basis.
[2] "Survey of Current Business," Department of Commerce.
[3] "Foreign Grants and Credits," Department of Commerce.
[4] Derived from fiscal year 1958 data in June 30, 1958, ICA operations report.
[5] From "International Financial Statistics," International Monetary Fund.
[6] Derived from "Financing Economic Development. The International Flow of Private Capital, 1956," report by the Secretary-General, ECOSOC.
[7] From various tables in "Economic Development of Underdeveloped Countries, International Economic Assistance to the Underdeveloped Countries, 1956–57," report by the Secretary-General, ECOSOC.

Mr. FULBRIGHT. Mr. President, the process of estimating the need for development capital must take into account, of course, the ability of underdeveloped countries to effectively absorb such capital investment, and one must decide what kind of rate of growth of per capita income it is feasible or necessary to try to achieve. I have here a summary of an attempt by economists at the Massachusetts Institute of Technology to estimate the additional—that is, beyond what is now being invested—amounts of foreign capital which could be productively absorbed annually by underdeveloped countries. This analysis concludes that the maximum annual additional foreign capital which could be productively absorbed would be $3.5 billion. Mr. President, I ask unanimous consent to insert in the RECORD a summary of this analysis at this point in my remarks.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

SUMMARY OF ESTIMATE BY MILLIKAN & ROSTOW OF ADDITIVE CAPITAL REQUIREMENTS OF LESS DEVELOPED AREAS AND POSSIBLE SOURCES [1]

1. "An examination of existing national programs" leads the authors to the conclusion that "the average maximum expansion in the [annual] level of capital formation that can be achieved by countries in the early stages of development is 30 to 50 percent in the first 3 or 4 years after planning for such expansion is initiated" (p. 96).

2. On this basis, and considering that some countries can now absorb more capital than others, "the amounts of foreign capital that could productively be absorbed by the underdeveloped countries," are estimated as follows (pp. 98–99):

[Billions of dollars per year]

India, Pakistan, Ceylon	0.8–1.0
Balance of non-Communist Asia (excluding Japan)	.4– .6
Middle East (excluding Pakistan but including Egypt)	.3– .5
Latin America	.8–1.0
Africa (excluding Egypt and Union of South Africa)	.2– .4
Total	2.5–3.5

3. "These levels of capital formation should produce rates of growth of per capita incomes of at least 1 or 2 percent per year" (p. 100).

4. "The maximum figure of $3.5 billion refers to the total annual additional foreign capital inflow into the underdeveloped area from all sources" (p. 103).

5. "The supply of the maximum annual figure of $3.5 billion might break down by source as follows (p. 106):

[In millions of dollars]

"Grants:	
U.S. contribution	360
Other country	240
Direct private investment	500
Additional IBRD loans	400
Public loans:	
U.S. contribution	1,700
Other country	300
Total	3,500"

Mr. FULBRIGHT. Mr. President, a number of estimates of foreign capital needs of the underdeveloped countries

[1] From "A Proposal," Harpers, New York, 1957.

have been prepared and made public recently. I refer to reports by the Committee for Economic Development, CED—"Economic Development Assistance"; MIT study for the Senate Special Committee To Study the Foreign Aid Program, January 1957; the International Development Advisory Board—Johnston report—"A New Emphasis on Economic Development Abroad," March 1957; the University of Chicago Study for the Senate Special Committee To Study the Foreign Aid Program, March 1957; "A Proposal: Key to an Effective Foreign Policy," by Max F. Millikan and Water W. Rostow; and National Planning Association, NPA—"A New Approach to Foreign Economic Assistance," April 1957.

These reports seem to agree that the need for capital flow into underdeveloped areas from all sources over and above present rates of investment fall in the range from $2 billion to $5 billion annually. Of this total, the amount that would be needed from United States public sources is variously estimated at from $1 billion to $2 billion. Mr. President, I aks unanimous consent that I may at this point in my remarks insert in the RECORD the summary of these reports which have estimated future assistance requirements from the U.S. Government to underdeveloped areas.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

THE AMOUNT OF U.S. ASSISTANCE REQUIRED BY UNDERDEVELOPED AREAS

A number of estimates of the foreign capital needs of the underdeveloped areas have been offered in public reports over the past 2 years. These approximations have been based not only on the desirability of assisting in needed economic growth but also on a judgment as to the capacity of the less developed areas to absorb new capital.

Drawing upon the findings of the various reports which are cited below, the need for additional foreign capital inflow into the underdeveloped areas from all sources appears to fall in the range of from $2 billion to $5 billion annually. Of this total, the amount that would be needed from U.S. public sources is variously estimated at from $1 billion to $2 billion. In those reports which make no quantitative calculation, such as the report by the special studies project of the Rockefeller Brothers Fund, the conclusions called for substantial increases above the present level of appropriations.

A summary of the reports which estimated future assistance requirements follows:

1. The Committee for Economic Development (CED—"Economic Development Assistance"): In a policy report of April 1957, this business group suggested that an outlay of $1 billion a year for the next 5 years in addition to current U.S. economic assistance programs would be a "desirable and necessary investment."

"A program for additional economic aid expenditures averaging $1 billion a year," the CED continued, "would bring our total economic assistance to underdeveloped countries to some $2¼ billion a year." The CED envisaged that the outlay would be considerably less in the first years of the enlarged program. They concluded with the statement that "such an additional outlay for development assistance would deserve priority over many items now contained in or proposed for the budget."

2. MIT Study for the Senate Special Committee to Study the Foreign Aid Program, January 1957: The MIT study estimated that the underdeveloped countries require and could absorb between $2.5 and $3.5 billion of additional funds from all sources. (Page 2) They made no estimate of the amount which would be required from U.S. sources but it can be inferred that this would be of the order of $1 billion to $2 billion per year above the level of the present U.S. aid program.

3. The International Development Advisory Board (Johnston report)—"A New Emphasis on Economic Development Abroad," March 1957: In its report to the President, the Johnston Board said: "We believe that the size of the present development program * * * should be substantially increased" (p. 9). The Board placed the current rate of development aid (excluding technical assistance) at between $400 million and a billion dollars per year.

4. The University of Chicago Study for the Senate Special Committee To Study the Foreign Aid Program, March 1957: The University of Chicago study estimated that economic aid to Asia, the Near East, and Africa from all public sources should be a minimum of $2 billion per year at the outset and might eventually rise to a minimum of $5 billion per year before beginning to decline. (The Chicago study did not estimate the share to be supplied by the United States, although it is certainly at least half of the total.)

5. "A Proposal-Key to an Effective Foreign Policy," by Max F. Millikan and Water W. Rostow: The Millikan-Rostow book estimates that over the next 5 years a maximum annual figure of $3.5 billion, from all foreign sources, is required by the underdeveloped areas for successful economic growth. Out of this total, it is estimated that the United States share would come to a maximum of $2 billion per year.

Because of the problem involved in using so large a volume of foreign capital, Millikan and Rostow go on to estimate that actual demands for U.S. aid will more probably run at about $1.2 billion a year, if sound criteria for efficient use were applied.

6. National Planning Association (NPA)—"A New Approach to Foreign Economic Assistance," April 1957: The NPA statement concluded that the optimum level of aid which could be extended to underdeveloped countries now substantially exceeds that currently available amount of U.S. aid funds. Hence to insure their maximum effectiveness, the size of our economic aid program should be increased. The NPA Committee went on to suggest that a foreign aid corporation should be established with an original capital fund of not less than $1 billion and additional capital obtained as required.

Mr. FULBRIGHT. Mr. President, the administration is asking $700 million for the fiscal year 1960 for the Development Loan Fund. There are, however, on record the opinions by certain top administration officials which put the need for funds higher than that. I am not telling any secrets when I say that the Department of State lost out in this discussion for budgetary reasons. I have here statements by the then Acting Secretary of State Herter and by Undersecretary of State Dillon which indicate that the Department of State thought that the President should ask for $1 billion for the Development Loan Fund for next year. Mr. President, I ask unanimous consent that I may insert two brief statements by Mr. Herter and Mr. Dillon in the RECORD at this point.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

On November 13, 1958, Acting Secretary of State Christian A. Herter told the International Cooperation Workshop in Washington, D.C.:

"Among the five specific measures proposed by the President at Seattle, I should like to place some special emphasis on the Development Loan Fund.

"This Fund is a major instrument in our effort to assist the less developed nations to carry forward their own plans for progress. It is important to realize that the Development Loan Fund will be substantially out of funds available for new commitments by January 1, 1959. Yet it will have a backlog of over $1.5 billion of applications for loans to help on important projects in many countries. If the Development Loan Fund is to be an effective instrument for peaceful development, it must have resources for substantial increased activity on the order of $1 billion a year. It must also have continuity over a period of years.

"Only under such circumstances can the wastefulness of inadequate planning be avoided."

On November 7, 1958, Under Secretary Dillon, addressing the World Affairs Council of Northern California at San Francisco, said:

"In my view a most serious threat of all is the Soviet economic offensive. * * * I believe that we must place our chief reliance in meeting the Soviet challenge on the mobilization of our economic and technical resources, both public and private, to help raise the living standards of the less privileged nations of the world. * * *

"During the past 12 months, our country's responses to their needs has taken many forms. Perhaps the most striking is the Development Loan Fund, which has added a whole new dimension to foreign loan program. The fund, which began operation early this year, represents a new hope for the underdeveloped countries. * * *

"At the present rate of operations the fund will have committed all of its available resources within a few months which means an annual rate of operations of about $700 million. I believe that we should contemplate a still higher level of lending from the Development Loan Fund, something on the order of $1 billion a year."

Mr. FULBRIGHT. Mr. President, I offer these brief supporting data to show that the figure of $1.5 billion each for 5 years for the Development Loan Fund, contained in my amendment, has a firm basis in economic analysis.

My fourth amendment is designed to provide the President with greater power to counteract the economic offensive of the Communist countries by increasing his authority to transfer military assistance funds to economic purposes. My amendment would give the President the ability to transfer 30 percent rather than 10 percent of military aid funds to nonmilitary uses. The amendment would be permissive; the President could take advantage of it or not as he sees fit. Another reason for this amendment is the possibility that the full report of the Draper committee to the President may reflect a somewhat deeper penetration into the policy issues of the mutual security program. If that happens the President may need increased authority to transfer funds.

Mr. President, the fifth amendment which I am submitting today would

clarify the authority of the chief of U.S. diplomatic missions to provide a political and economic judgment of military recommendations sent to Washington by the senior military representatives of the United States in the country. The amendment is designed to give the Ambassador greater control over the recommendations for military aid originating from his so-called country team.

Mr. President, I do not believe that these amendments are the last word. As I said before, other problems remain untouched and I expect that other Senators will have worthwhile ideas on what to do about them. I offer these amendments early, well before the Committee on Foreign Relations begins its hearings on the mutual security program, in order that the committee may have the benefit of comments on them by my colleagues, by the executive branch, and by members of the public. If any other Senators desire to sponsor these amendments with me I shall welcome such support.

The amendments submitted by Mr. FULBRIGHT were referred to the Committee on Foreign Relations, as follows:

Amendments intended to be proposed by Mr. FULBRIGHT (for himself, Mr. HUMPHREY, and Mr. KENNEDY) to the bill (S. 1451) to amend further the Mutual Security Act of 1954, as amended, and for other purposes.

1. In order to clarify the purposes today of the mutual security program; on page 1, after line 4 insert:

"SEC. 2. Section 2 of the Mutual Security Act of 1954, as amended, which is a statement of policy, is amended to read as follows:

" 'SEC. 2. STATEMENT OF POLICY.—(a) Through programs of assistance authorized by this Act and its predecessors, the United States has helped thwart Communist intimidation of Greece and Turkey, helped Europe recover from the wounds of World War II, supported defensive military preparations by nations alerted by Communist aggression in Korea, and has soundly begun to help peoples of economically underdeveloped areas to develop their resources and improve their living standards.

" '(b) Programs authorized by this Act continue to serve the following principal purposes:

" '(1) the Congress of the United States perceives the identity of interest which exists between the people of the United States and the peoples of other lands who are striving to free themselves from foreign interference, to obtain or strengthen their national independence, to produce more goods and services and improve ways of living by methods which reflect popular will, and to establish responsible governments which cooperate with like-minded governments. The Congress declares it to be a primary objective and need of the United States to share these strivings by giving generously of our knowledge and substance to peoples willing to work energetically toward these ends. Programs authorized by titles II, III, and IV of chapter II and chapter III shall be primarily directed toward the purpose of this paragraph.

" '(2) The Congress of the United States recognizing that the peace of the world and the security of the United States are endangered as long as international communism and the nations it controls continue by threat of military action, use of economic pressure, internal subversion, or other means to attempt to bring under their domination peoples now free and independent and continue to deny the rights of freedom and self-government of peoples and nations once free but now subject to such domination, declares it to be the policy of the United States to continue as long as such danger to the peace of the world and to the security of the United States persists to make available to free nations and peoples upon request assistance of such nature and in such amounts as the United States deems advisable compatible with its own stability, strength, and other obligations, and as may be needed and effectively used by such free nations and peoples to help them maintain their freedom. Programs authorized by chapter I and title I of chapter II shall be primarily directed toward the purpose of this paragraph.

" '(b) It is the sense of the Congress that inasmuch as—

" '(1) the United States, through mutual security programs, has made substantial contributions to the economic recovery and rehabilitation of the nations of Western Europe;

" '(2) due in part to those programs, it has been possible for such nations to achieve complete economic recovery and to regain their military strength; and

" '(3) certain other friendly nations of the world remain in need of assistance in order that they may defend themselves against aggression and contribute to the security of the free world,

those nations that have been assisted in their recovery should, in the future, share with the United States to a greater extent the financial burden of providing aid to those countries which are still in need of assistance of the type provided under this Act.

" '(c) It is the sense of the Congress that assistance under this Act shall be administered so as to assist other peoples in their efforts to achieve self-government or independence under circumstances which will enable them to assume an equal station among the free nations of the world and to fulfill their responsibilities for self-government or independence.' "

2. In order to prevent the burdens of military effort from interfering unduly with economic progress by underdeveloped countries, on page 1, after line 10, insert:

"SEC. 102. Section 105(b) of the Mutual Security Act of 1954, as amended, which relates to conditions applicable to military assistance, is amended by adding the following new paragraph:

" '(5) Military assistance to countries found by the Secretary of State to be underdeveloped shall, unless the Secretary authorizes an exception, be programed, and force goals shall be recommended, according to the principle that economic development needs shall have first call on the resources of such countries.' "

3. To provide for financing the Development Loan Fund in the same manner as other public banking institutions, such as the Export-Import Bank, and in order to emphasize the long-term nature of the United States effort to help less-developed countries; on page 2, strike out lines 11 through 17 and insert the following:

"(a) In section 203, which relates to capitalization, insert before the period at the end of the second sentence of subsection (a) ', and for advances to the Fund beginning in the fiscal year 1960, not to exceed $700 million. In addition, the Secretary of the Treasury is authorized and directed to make, beginning in the fiscal year 1960, loans to the Fund in amounts needed to cover obligations incurred against the Fund. Except as provided in section 204(b) of this Act, the maximum amount of obligations incurred against the Fund during each of the fiscal years 1960 through 1964 shall be $1,500,000,000; and any unused portion of the maximum applicable to any period shall be added to the maximum applicable to the succeeding period.' and insert a new subsection:

" '(b) For purposes of the loans provided for in this section, the Secretary of the Treasury is authorized to use the proceeds of the sale of any securities issued under the Second Liberty Bond Act as now in force or as hereafter amended, and the purposes for which securities may be issued under the Second Liberty Bond Act are hereby extended to include this purpose. The President shall determine the terms and conditions of any advances or loans made to the Fund pursuant to this section.'

"(b) In section 204(b), which relates to fiscal provisions, after the first sentence insert:

" 'The amount of such obligations also may not exceed the limitations specified in section 203(a) of this Act except that, to the extent that assets of the Fund other than capitalization provided pursuant to section 203(a) are available, obligations may be incurred beyond such limitations.' "

4. In order to provide the President with greater power to counteract the economic offensive of the Communist bloc by increasing his authority to shift military aid funds to economic purposes, on page 7 after line 13 insert:

"(a) In section 501, which relates to transferability of funds, designate the present tax as '(a)' and add the following new subsection:

" '(b) In view of the rapidly increasing danger to the independence of friendly countries which is presented by the trade and assistance programs of international communism, and not withstanding subsection (a) of this section and the fourth sentence of section 202(b), the President is authorized to transfer to and consolidate with funds made available for nonmilitary use under titles II, III, and IV of chapter II up to 30 per centum of the funds made available for military use under Chapter I' ".

5. To better insure that economic and political considerations shall be weighed with military considerations in fixing force goals to be supported by military assistance and in determining end-item requirements; on page 8, after line 18 insert:

"(c) In section 523(b), which relates to coordination with foreign policy, add the following new sentence:

" 'The Chief of the Diplomatic Mission shall make sure that recommendations of such representatives pertaining to military assistance are coordinated with political and economic considerations, and his comments shall accompany such recommendations if he so desires' ".

EQUITABLE REIMBURSEMENT TO STATES FOR CERTAIN FREE AND TOLL ROADS—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of April 17, 1959, the names of Senators LAUSCHE, KERR, and KEATING were added as additional cosponsors of the bill (S. 1714) to authorize appropriations for the Federal-aid primary system of highways for the purpose of equitably reimbursing the States for certain free and toll roads on the National System of Interstate and Defense Highways, and for other purposes, introduced by Mr. BUSH on April 17, 1959.

THE DEVELOPMENT OF INTERNATIONAL EDUCATIONAL PROGRAMS OUTSIDE CONTINENTAL UNITED STATES—ADDITIONAL COSPONSORS OF CONCURRENT RESOLUTION

Under authority of the order of the Senate of April 20, 1959, the names of

Senators SYMINGTON, ENGLE, and BIBLE were added as additional cosponsors of the concurrent resolution (S. Con. Res. 24) encouraging the development outside the continental United States of international educational programs, submitted by Mr. MCGEE (for himself and other Senators) on April 20, 1959.

APPOINTMENT OF MEMBERS OF SELECT COMMITTEE ON NATIONAL WATER RESOURCES

Mr. MURRAY. Mr. President, under the authority of Senate Resolution 48, I announce the following appointments to the Select Committee on National Water Resources from the Committee on Interior and Insular Affairs: The Senator from New Mexico [Mr. ANDERSON], the Senator from Washington [Mr. JACKSON], and the Senator from California [Mr. KUCHEL].

Mr. MAGNUSON. Mr. President, I announce the following appointments to the Select Committee on National Water Resources, from the Committee on Interstate and Foreign Commerce, under authority of Senate Resolution 48: The Senator from Washington [Mr. MAGNUSON], the Senator from California [Mr. ENGLE], and the Senator from Kansas [Mr. SCHOEPPEL].

Mr. HOLLAND. Mr. President, I have been requested by the Senator from Louisiana [Mr. ELLENDER], chairman of the Committee on Agriculture and Forestry, to announce that the following Senators of that committee have been appointed as members of the Select Committee on National Water Resources, pursuant to Senate Resolution 48: The Senator from Louisiana [Mr. ELLENDER], the Senator from Michigan [Mr. HART], and the Senator from North Dakota [Mr. YOUNG].

Mr. CHAVEZ. Mr. President, on April 20, 1959, the Senate approved Senate Resolution 48, which authorized the formation of a committee designated as "The Senate Select Committee on National Water Resources." The resolution, among other provisions, authorizes the chairman of each of the committees on Interior and Insular Affairs, Public Works, Interstate and Foreign Commerce, and Agriculture and Forestry to designate three members from the respective committees to serve on the select committee. In accordance with this provision I wish to announce that I have selected the Senator from Oklahoma [Mr. KERR], the Senator from South Dakota [Mr. CASE], and myself to serve on the select committee as representatives from the Committee on Public Works.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. ROBERTSON:

Address to be delivered by him at Tullidge Clinic dedication, Ararat, Va., April 25, 1959.

By Mr. DODD:

Letters written by him to the Director of the United States Information Agency and editorial comment, including at the Moscow Fair a U.S. exhibit on the role of religion in American life.

By Mr. BYRD of Virginia:

A speech delivered by Senator ROBERTSON at the annual meeting of the Tidewater Group of Building, Savings and Loan Associations at Norfolk, Va., on April 22, 1959.

TIBET IS A VAST PRISON

Mr. BRIDGES. Mr. President, I hold in my hand an article entitled "Report From Refugees—Tibet Is a Vast Prison." The article bears a dateline of April 22. It was published in the Washington Daily News on that date, and comes from their United Press correspondent who wrote from the scene.

I now read the article:

REPORT FROM REFUGEES—TIBET IS A VAST PRISON

(By M. M. Gupta)

KATMANDU, NEPAL, April 22.—Communist Chinese troops have turned Tibet into a vast prison with thousands of Tibetans being whipped each day in the streets and Buddhist nuns sent to army camps for the pleasure of the troops, refugees fleeing to Nepal reported today.

They said nearly 2,500 Tibetan monasteries were damaged or destroyed by Communist artillery in the past month and nearly 8,000 monks killed, 12,000 arrested and about 800,000 lamas forced to flee homeless and hungry into the mountains.

This correspondent traveled through the snow-covered 17,000-foot mountain passes to reach the border of Tibet and interview the refugees. At the Nepal-Tibet border a few miles north of the village of Tarke, I met some refugees who said some of 30 well-armed Chinese divisions in Tibet were led by the Russians.

One English-speaking Tibetan named Thote, a 27-year-old graduate of Peiping University, said the Chinese killed 165 members of his clan in the village of Ghetumba in Kham Province. He said he saw his father machinegunned for refusing to betray other Tibetan patriots.

Thote said that during his flight to Nepal he has passed through 65 villages that had been known as good trading centers and that every one was destroyed by the Communists with not a sign of life visible anywhere.

"Every Tibetan was a prisoner," he said. "The whole country was turned into a vast prison. Dusk-to-dawn curfews were imposed all over Tibet and did not allow normal living.

TORTURE

"Thousands of peaceful, innocent Tibetans were being whipped daily in open places in the course of questioning and inhumane methods were being applied for confession. Mostly the people preferred to confess as desired by the Chinese than stand tortures any longer.

"Markets are closed; essential consumer goods have disappeared; trade is finished, resulting in numberless deaths inside houses from artificial starvation caused by the Chinese. Any mention of devotion to the Dalai Lama was a serious crime and people were being forced to show their entire devotion to the Panchen Lama.

"Large numbers of nuns, who locally are called 'ennis,' have been forced to live in army camps at the pleasure of the Chinese. Several nuns reportedly committed suicide to escape Chinese brutalities," he said.

HUNGER

Lithon, another refugee, said 20,000 Chinese troops were searching each house and every person in search of offenders along the southwestern border of Tibet and that most of the people had fled to the barren plateaus and now were dying of hunger and cold.

"The Chinese have confiscated every ounce of corn available in the area and have scorched-earthed all the standing crops in the field, turning the entire vegetation into ashes," he said.

Despite this campaign of terror, the refugees said the Tibetans still were continuing their fight against the Communists, and showing open defiance of their Red rulers.

Mr. President, this situation is most shocking. It is one more glaring piece of evidence of what the Chinese Communists really are. I should think that, after this, those who have been advocating recognition of Red China would hang their heads in shame.

Mr. President——

The PRESIDENT pro tempore. The Senator from New Hampshire.

PRESERVATION OF BATTLE ACT

Mr. BRIDGES. Mr. President, there has been introduced by my colleagues, the Senator from Vermont [Mr. AIKEN] and the Senator from Massachusetts [Mr. KENNEDY], Senate bill 1697, to amend the Mutual Defense Assistance Control Act of 1951, and which would undercut seriously the provisions of that act. I believe strongly that the so-called Battle Act has proved the test of time, and has admirably served in the preservation of our national integrity.

One short year ago I fought shoulder to shoulder with our former colleague, Bill Knowland, to preserve the integrity of the Battle Act by defeating the so-called Kennedy amendment to the Mutual Security Authorization Act, which attempted to accomplish what S. 1697 now seeks to accomplish.

It is not my purpose at this time to debate the merits of the bill; but, in view of the fact that it has been introduced, I should like to ask unanimous consent to have printed in the body of the RECORD an editorial from the Oakland Tribune, written by our former colleague, in regard to this matter.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Oakland (Calif.) Tribune, Apr. 16, 1959]

FINANCING COMMUNISTS

For some years a sturdy piece of legislation known as the Battle Act has stood against those who would scatter the U.S. taxpayers' dollars around the world with indiscriminate judgment in promotion of their role of global do-gooders.

Now a new attack has been made upon that barrier which was designed to prevent the funneling of any large share of the American economy into any country that classes our economic system as an enemy to be overcome.

Under a bill offered by Senator JOHN KENNEDY and Senator GEORGE D. AIKEN, American economic aid could be sent into Communist satellite countries as a wedge to pry loose Moscow control.

The Battle Act, which specifically forbids aid to any nation controlled or dominated by Communists unless there is a Presidential decision that such aid is merited and can be beneficial to the United States, would

be practically destroyed by the Kennedy-Aiken measure.

A similar attempt was defeated in the Senate last year by the slim margin of 43 to 42.

The best argument Senator KENNEDY could bring up in introducing the second attempt Tuesday was that "there is a real opportunity for giving our foreign policy a flexibility which might exploit cracks in the Iron Curtain."

That is as flimsy as it is unrealistic. Hungary stands as an outstanding example of what comes when the people of any satellite state shows opposition to Moscow. Poland is an example of a satellite state that has received U.S. assistance, showing in return only a still closer subjugation to Moscow.

And what have we received in return for the hundreds of millions of dollars sent to Yugoslavia? There has been no evidence of a desire to aline foreign policy with that of the West. There has been no departure from communism. There has been nothing at all from Marshal Tito that serves the interests of the United States.

It is particularly unwise at this time to earmark our dollars for any Communist country. Rather than contribute to the economy of any Red state, now is the time to draw tighter, not loosen, the Treasury purse strings.

HARMFUL FALLOUT FROM NUCLEAR EXPERIMENTATION

Mr. BRIDGES. Mr. President, on March 29, 1959, I called to the attention of the American people a program which I advocated for the minimization of harmful fallout from nuclear experimentation. At that time I think I stood practically alone in advocating my views. I realize full well, as ranking minority member of the Armed Services Committee, the Aeronautical and Space Sciences Committee, and the Appropriations Committee, that nuclear experimentation must continue, but with my abiding regard for human life, I feel it should be conducted in a way to minimize harmful effects. It was in that regard that I made my statement of March 29. I am happy that that view has now become the administrative official position, and I hope that my proposals can be worked out at the coming Geneva conference.

Mr. President——

The PRESIDENT pro tempore. The Senator from New Hampshire.

POLISH CONSTITUTION DAY

Mr. BRIDGES. Mr. President, on May 3, 168 years ago, one of the most remarkable documents known to Western civilization was enacted—the first Polish constitution.

Our own U.S. Constitution was only 2 years old at that time. Like our charter of freedom, the Polish constitution proclaimed the principles of religious toleration, the secret ballot, and freedom of thought, and in other respects it is somewhat comparable to the Constitution of the United States.

Polish people everywhere, people of Polish descent, friends of Poland, will mark this day as a never-to-be-forgotten milestone in the quest for freedom.

There is nothing Communist tyrants can do to destroy that milestone.

Like the spirit of freedom itself, the Polish constitution endures.

From time to time, we can even see the spirit of Polish freedom through the Iron Curtain.

We can see how heavy is the Communist yoke.

In February of this year, for instance, the U.S. Embassy in Warsaw was packed for a week by Poles on the strength of a false rumor that the United States was seeking Polish workers to go to Alaska and other States. The rumor started and took hold in a farming district in eastern Poland near the Soviet border. More than 1,000 people answered the false rumor that freedom in America was available.

A few months previously, another rumor started. This one was that parts of eastern Poland would be taken by the Soviet Union. That rumor started such a wave of despondency that the Polish radio had to devote special broadcasts to fight it.

The contrast in reactions to these two rumors needs no underlining. It is a tragic condemnation of international communism that a nation with Poland's heritage must endure Soviet domination.

Poland's cause is our cause, and we can never sacrifice her noble people to permanent slavery behind the Iron Curtain.

Let us remember that great Polish patriots such as General Pulaski joined our own patriots in fighting for American liberty.

Let us remember that Poland gave to the world men of arts such as Chopin and Paderewski, who later became Premier of his native country.

Let us remember that Poland gave to the world the great astronomer, Copernicus.

There is no field of human endeavor that does not find Poland in the forefront, despite her tragic history of division and redivision.

Let us pray that the day will soon come when we can celebrate this Constitution Day with a free people in a free Poland.

OREGON CENTENNIAL CALLS ATTENTION TO STATE'S LEADERSHIP IN GOVERNMENTAL REFORM

Mr. NEUBERGER. Mr. President, this year my native State of Oregon celebrates 100 years of statehood. Oregon's centennial has appropriately stimulated an abundance of backward glances—personal reminiscence of a pioneer era, historical vignettes of explorers and missionaries, analysis of economic growth from a fur trader's outpost to a major food and lumber producing center. The heroic conquest of plain, river, and mountain marked Oregon's progress from frontier wilderness to centennial State. The efforts of the people of Oregon to settle and develop the Oregon country have provided an addition to American history which is rich in names and events.

Yet the story of Oregon's first 100 years as a State is not just a story of man's victory over nature in the harnessing of mighty rivers, the utilization of verdant forests, and the breaking of fertile soil. Oregon has contributed more than fine pine and fir lumber, fruit and grain, and "wild West" stories, in return for full membership in the Union.

ANOTHER GREAT "OREGON TRAIL"

The Oregon Trail which led across plains and peaks to the Pacific Ocean symbolizes the westward migration. It will always be recalled as part of an epic chapter in the historical heritage of the United States. But there is another "Oregon Trail," a path blazed by the people of my State with equal courage and initiative. It was charted, not by scouts and wagonmasters, but by politicians and voters. The route is today marked, not by stone cairns and wooden signboards, but by statutes and constitutional amendments. And while the wagon tracks which marked the passage of a restless people who were seeking new land and a new life have faded, the marks of this Oregon Trail remain, and continue to be cut deeper by constant use.

Today, this trail is called the "Oregon System." Because of its lasting significance—not merely for Oregonians, but for all Americans—this reform may well be noted as the most notable landmark in the rich and full history of my State. I wish to speak briefly on its meaning today.

FRAIL MIGRANT LEADS FIGHT

The story of the "Oregon system"—consisting of the governmental procedures known as the initiative, referendum, and recall, and including direct election of U.S. Senators—is largely the story of one man and his dramatic fight to translate into actual practice the words "government of and by the people." The man's name was William Simon U'Ren. He was a frail, determined migrant from Colorado with fervent ideals and a propensity for inducing other people to share his burning faith.

Between the years 1900 and 1910, U'Ren sponsored and promoted many sweeping governmental reforms which were destined to make Oregon a laboratory for testing the wisdom and sovereignty of the electorate. The name of U'Ren is listed in history books and civics texts more often than that of any other Oregon political figure. Lincoln Steffens long ago described U'Ren as "the law-giver," and the description has stuck.

Two publications played an important part in the formation of what was to become the "Oregon system." U'Ren came to Oregon in 1889, full of a reformer's zeal. In a Rocky Mountain mining camp, he had read Henry George's epic "Progress and Poverty." The book convinced him that the single-tax could solve most of the economic ills of mankind. While changing from a boat to a train at Oakland pier, U'Ren picked up a frayed pamphlet about the initiative and referendum as they had been adapted from the ancient landesgemeinden in the cantons of Switzerland, where all the men in an alpine district made the local laws.

U'REN WORKED FOR SECRET BALLOT

As a newcomer in Oregon, U'Ren worked fanatically in the crusade of the Australian Ballot League, helping Oregon to pioneer among the States in guaranteeing the secret ballot. U'Ren's real

goal, however, was the single tax. Because he knew the conservative Oregon Legislature would never enact such legislation, he decided to turn to the people at the polls.

The reformer began promoting the initiative and the referendum. Under the proposal known as the initiative, the signatures of 8 percent of the registered voters could place any suggested law on the ballot, for the people to decide with their ballots. The referendum was slightly different; it provided that 5 percent of the voters could force a plebiscite at the polls, on any proposition enacted by the legislature. Both ideas were based on the widespread circulation of petitions through city marketplaces and along rural roads.

In seeking to secure adoption of these methods, U'Ren enlisted the aid of such groups as the Farmer's Alliance, the Oregon Knights of Labor, and the State grange. He recruited support from men as far apart on issues as a conservative newspaper editor and a liberal labor leader. The task was made easier by the fact that the Oregon Legislature was suspected of subservience to special interests.

LEGISLATURE SUBMITTED AMENDMENT

When public opinion gradually but steadily mobilized behind U'Ren, the legislature could no longer resist his importuning and lobbying. In 1901, it submitted to the voters a proposed constitutional amendment embodying the initiative and referendum. At the elections of 1902, the amendment was adopted overwhelmingly.

U'Ren, however, was still primarily interested in the single tax. Yet, despite several attempts with the new initiative petition tool, U'Ren's economy panacea was rejected by the voters. But there were other woes for which the reformer had cures, one of which directly concerns this body, the U.S. Senate.

In the Oregon Legislature, U'Ren had been horrified at the deals and trades which determined who would represent Oregon in the U.S. Senate. The situation seemed hopeless, for the Federal Constitution plainly stipulated that Senators in each State should be chosen by the legislature thereof.

CANDIDATE'S PLEDGE CREATED

U'Ren's imaginative mind created an idea known as proposition No. 1. This proposition was a pledge asked of each candidate for the Oregon Legislature, as follows:

> I further state to the people of Oregon, as well as to the people of my legislative district, that during my term of office I shall always vote for that candidate for U.S. Senator in Congress who has received the highest number of the people's votes for that position.

U'Ren turned next to his initiative method; and at the election of 1908 there was placed on the ballot a measure instructing the legislature to support the people's choice for U.S. Senator. Decisive approval followed—69,668 votes in favor, and only 21,162 in opposition.

With one State electing its Senators at the polls, the old appointment form had no chance of surviving elsewhere; the contrast was too great. In 1913, the 17th amendment to the Federal Constitution was ratified, thus spreading from sea to shining sea William S. U'Ren's conviction that the U.S. Senate should represent the sovereign will of the people, as expressed at the ballot box.

SENATOR BORAH CREDITS U'REN

The famed Senator William E. Borah, of Idaho, was later to say of the 17th amendment:

> The original work for this amendment was done in the State of Oregon by the same man who drafted proposition No. 1.

Many eminent American political observers believe, Mr. President, that the reform originated by U'Ren in Oregon was a vital factor in rehabilitating the prestige of the body in which we sit. Until U.S. Senators were chosen directly by popular vote, many men regarded the House of Representatives as more worthy of attainment than the Senate. The direct election of Senators reversed this estimate.

In the early days, as the New York Times has noted, the Senate often adjourned in order to permit its Members to hear key debates in the House. James Madison, the author of our Federal Constitution, said he "could not afford" to accept a Senate seat, because the debates were of scant influence on public opinion. So Madison went to the House of Representatives, and thence to the White House. Indeed, during the first century of our national history, 12 out of 25 of our Presidents could look back upon earlier service in the House.

But, after the change began in Oregon, the Senate came to be considered as definitely the place of greater influence. The popular election of its Members, as proposed by William S. U'Ren, had wrought the change.

MANY STATES HAVE FOLLOWED OREGON

The recall of public officials also was added to the Oregon constitution, in 1908, as part of U'Ren's arsenal of reforms. All of these varying devices for putting the Government more directly in the hands of the people are known as the "Oregon system", because they had their American origins in Oregon, and because they have been used more often in Oregon than in any other State. Following Oregon's leadership, at least 39 other States of the Union have, in varying degree, adopted the initiative and referendum. The recall is part of the constitution of 28 States.

Naturally there have been criticisms of these methods of direct government. Yet, U'Ren scoffed at suggestions that the initiative and referendum should be jettisoned because the voters had passed some unwise laws. "Some mighty weak men have been put into high public office," he once said to me, "and yet no one talks of curtailing the right of every man and woman to vote."

For U'Ren, the Oregon system was the Bible and the Koran; and he was dedicated fiercely to it, as an illustration will indicate. Norman Hapgood, the editor of Collier's once wrote that U'Ren, alone among men, had once changed the brilliant and stubborn mind of Woodrow Wilson. The 27th President had been adamantly opposed to the initiative and referendum until he heard U'Ren talk fervently, in his study, in defense of the Oregon system. Wilson not only revised his views, but also apologized publicly for his earlier hostility to the initiative and referendum.

COURAGE, PERSEVERANCE BEHIND REFORMS

Today we tend to take for granted many of these governmental and social reforms; but, as the story of William S. U'Ren illustrates, they were won for us with courage and perseverance not unlike that exhibited by our hardest and most brilliant generals.

Mr. President, adoption of the initiative and referendum, provision for the recall of public officials, and leadership in pioneering the direct election of Senators are major contributions by my State to Government in the United States. But another event sparked by Oregon action looms large in the history of political and social progress in this country. I refer to the "Brandeis Brief."

The Brandeis Brief was the memorable defense prepared by the eminent Louis D. Brandeis in the case of Muller against Oregon, decided by the U.S. Supreme Court in 1908. That decision affirmed the progressive legislation, passed 5 years earlier by the Oregon State Legislature, limiting to 10 hours in 1 day the working hours of women in factories and laundries. I have had the Library of Congress prepare a brief summary of the case of Muller against Oregon; and because the summary presents so well the Supreme Court's action. I ask unanimous consent that it be printed at this point in the RECORD, in connection with my remarks.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

BRIEF OF MULLER *v.* OREGON, 208 U.S. 412 (1908)

In error to the Supreme Court of the State of Oregon to review a judgment which affirmed a conviction in the circuit court for the county of Multnomah in that State requiring a woman employed in a laundry to work more than 10 hours daily.

Facts:

On February 19, 1903, the Legislature of the State of Oregon passed an act (Session Laws, 1903, p. 148), the first section of which is in these words:

"SECTION 1. That no female (shall) be employed in any mechanical establishment or factory, or laundry in this State more than 10 hours during any one day. The hours of work may be so arranged as to permit the employment of females at any time so that they shall not work more than 10 hours during 24 hours of any one day."

Section 3 deals with criminal penalties.

On September 18, 1905, an information was filed in the circuit court of the State for the county of Multnomah, charging that the defendant "on the 4th day of September, A.D. 1905, in the county of Multnomah and State of Oregon, then and there being the owner of a laundry known as the Grand Laundry, in the city of Portland, and the employer of females therein, did then and there unlawfully permit and suffer one Joe

Haselbock, he the said Joe Haselbock, then and there being an overseer, superintendent, and agent of said Curt Muller, in the said Grand Laundry, to require a female, to wit, one Mrs. E. Gotcher, to work more than 10 hours in said laundry on said 4th day of September, A.D. 1905, contrary to the statutes in such cases, made and provided, and against the peace and dignity of the State."

A trial resulted in a verdict against the defendant who was sentenced to pay a fine of $10. The supreme court of the State affirmed the conviction (48 Or. 252, 85 Pac. 855) whereupon the case was brought to the Supreme Court of the United States on writ of error.

Question: Is the statute under which the defendant was convicted constitutional, so far as it affects the work of a female in a laundry?

Decision: Yes, affirmed.

Reasoning: Mr. Justice Brewer delivered the opinion of the Court.

By the decisions of the State supreme court, the State statute does not conflict with any provisions of the Oregon constitution. The Court takes judicial cognizance of all matters of general knowledge, such as the fact that women's physical structure and the performance of maternal functions place her at a disadvantage which justifies a difference in legislation in regard to some of the burdens which rest upon her. As healthy mothers are essential to vigorous offspring the physical well being of women is an object of public interest. The regulation of her hours of labor falls within the police power of the State, and a statute directed exclusively to such regulation does not conflict with the due process or equal protection clauses of the 14th amendment.

The right of a State to regulate the working hours of women rests on the police power and the right to preserve the health of the women of the State, and is not affected by other laws of the State granting or denying to women the same rights as to contract and the elective franchise as are enjoyed by men. While the general liberty to contract in regard to one's business and the sale of one's labor is protected by the 14th amendment that liberty is subject to proper restrictions under the police power of the State.

The limitations which this statute places upon her contractual powers, upon her right to agree with her employer as to the time she shall labor, are not imposed solely for her benefit, but for the benefit of all. The two sexes differ in structure of body, in the functions to be performed by each, in the amount of physical strength, in the capacity for long-continued labor particularly when done standing, the influence of vigorous health upon the future well-being of the race, the self reliance which enables one to assert full rights and the capacity to maintain the struggle for subsistence.

The Oregon statute of 1903 providing that no female shall work in certain establishments more than 10 hours a day is constitutional so far as it affects the work of females in laundries, although like legislation affecting male employees may be invalid.

Mr. NEUBERGER. Mr. President, the reasoning of the Court, as expressed in the opinion delivered by Justice David Brewer, seems elementary to us today. Yet, as the distinguished newspaper, the St. Louis Post-Dispatch has pointed out editorially, it is necessary to see the issue in the terms of 1908, in order to recognize what a landmark that decision is in the legal history of social progress. I ask unanimous consent that the editorial entitled "Landmark in the Law," from the St. Louis Post-Dispatch of December 26, 1958, be printed at this point in the RECORD, in connection with my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the St. Louis Post-Dispatch, Dec. 26, 1958]

LANDMARK IN THE LAW

Social progress in perspective becomes a mighty, steady flow of countless events that merge into one another. Yet now and then a landmark stands out and one of these is a decision by the Supreme Court handed down 50 years ago. We refer to the case of the historic "Brandeis brief," *Muller* v. *Oregon*, decided in 1908.

Its issue seems quite elementary now, after the passage of a half century. All the Oregon Legislature had done was to pass, in 1903, a law forbidding the employment of women in factories and laundries for longer than 10 hours in 1 day. Everyone now agrees that it was a regulation for the public welfare.

But we need to see Oregon's 10-hour factory law for women, not in terms of 1958, but in the framework of its own day. For in 1908 the Supreme Court was only 3 years beyond its 5-to-4 decision in the bakeshop case of *Lochner* v. *New York* which rejected a State law designed to limit employment in bakeries to 60 hours in a week. That was the decision which brought Justice Holmes's memorable protest: "The 14th amendment does not enact Mr. Herbert Spencer's 'social statics.' "

Oregon officials knew that a victory for their 10-hour law for women in factories and laundries would amount in part at least to a Supreme Court reversal. And so they engaged the foremost legal advocate of social causes of the times—Louis D. Brandeis, first of Louisville and St. Louis, then of Boston, and later to sit on the Supreme Court himself by appointment of Woodrow Wilson.

The brief that Mr. Brandeis prepared in behalf of the Oregon law is what makes *Muller* v. *Oregon* a social progress landmark in the law. For it was something new in Supreme Court pleading. There was very little on the precedent law and for a simple reason: there was little law. Indeed the American law took up only 2 pages out of the total of 113 pages in the brief. The references to foreign law took up five pages more. The rest of Mr. Brandeis' brief presented the social and economic experience around the world which justified the enactment of the Oregon statute.

To support his case, Mr. Brandeis quoted a message of Theodore Roosevelt to Congress, a debate in the British Parliament, proceedings in the French Senate, reports of German factory inspectors, the New York Bureau of Labor Statistics and the U.S. Industrial Commission. He cited findings in a book by Mrs. Sidney Webb, medical authorities, and other qualified groups and persons.

A good description of the brief appeared in the opinion which Justice Brewer wrote for a unanimous Supreme Court:

(After citations to laws): "Then follows extracts from over 90 reports of committees, bureaus of statistics, commissioners of hygiene, inspectors of factories, both in this country and Europe, to the effect that long hours of labor are dangerous to women, primarily because of their special physical organization. The matter is discussed in these reports in different aspects, but all agree as to the danger. Following them are extracts from similar reports discussing the general benefits of shorter hours from an economic aspect.

"Individual instances are given tending to support the general conclusion. These reports may be summed up in what an inspector for Hanover, Germany, says: 'The reasons for the reduction of the working day to 10 hours—(a) the physical organization of women, (b) her maternal functions, (c) the rearing and education of the children, (d) the maintenance of the home—are all so important and so far reaching that the need for such reduction need hardly be discussed.'

This marshaling of social fact so impressed the Supreme Court that the entire Bench said with Justice Brewer: "We take judicial cognizance of all matters of general knowledge." The Justices said expressly that Oregon had a full right to limit the hours of work a woman might do in a factory or laundry.

Now, after a half century, it is eminently in order to salute the Oregon legislators who passed the law, Louis D. Brandeis who blazed a legal trail with his pioneering brief, and Justice David J. Brewer and his eight colleagues on the Supreme Court whose forward-looking decision riveted a sound principle into the American way of life.

Mr. NEUBERGER. Mr. President, in pointing out this legal landmark in the field of labor legislation, I think it also pertinent to note that Oregon was one of the first States in our Nation to initiate workmen's accident compensation; and that my State early recognized the rights of labor unions; and that in 1935 the Oregon Legislature passed the "Little Norris-La Guardia" Act, which was modeled after the Federal law of that name.

These illustrations, Mr. President, indicate clearly that the first 100 years of my State of Oregon have not—as too many people believe—been filled only with Indian fighting and lumbering. We Oregonians are truly proud of the rich pioneer heritage of our State. But we are also proud of the heritage of governmental and social reform which we have been able to share with all of the United States. I hope my brief remarks today on these contributions will serve to point out these important landmarks, as we in centennial Oregon review our first 100 years.

NOMINATION OF CLARE BOOTHE LUCE TO BE AMBASSADOR TO BRAZIL

Mr. FULBRIGHT. Mr. President, in the recent hearing before the Committee on Foreign Relations concerning the nomination of Mrs. Clare Boothe Luce to be Ambassador to Brazil, certain statements were made by Mrs. Luce about the writer of an article about her.

I have received a letter from Mr. Max Ascoli, one of the authors of the article and one of the persons to whom Mrs. Luce referred. In order that the matter be clarified, I ask unanimous consent that Mr. Ascoli's letter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE REPORTER,
New York City, April 22, 1959.

The Honorable J. W. FULBRIGHT,
Senate Office Building, Washington, D.C.

DEAR SENATOR FULBRIGHT: I have just gone through the printed text of the hearing on April 15 of your committee on the nomination of Mrs. Clare Boothe Luce. As you well know, during that hearing Senator WAYNE MORSE asked Mrs. Luce a number of questions about her policies and behavior while she was Ambassador to Italy—questions all suggested by an article, written by

Claire Sterling and myself, that appeared in the Reporter magazine and that you have been kind enough to insert in the CONGRESSIONAL RECORD of April 17, 1959.

Although I would be strongly tempted to discuss the answers Mrs. Luce gave to Senator MORSE'S questions, I think that no good purpose would be served in doing so in a letter to you now. But I cannot help reacting to two statements that, in an exceedingly confused way, Mrs. Luce made and that involved directly myself and my Rome correspondent, Claire Sterling. Mrs. Luce said, "The author of that article, as you well know is very sympathetic, and has been for a long time, to the Socialist position in Italy." I assume she means me. In that case, I can only answer that there is much truth in the statement about my sympathy for the Socialist position in Italy as there is in the assumption that the members of your committee are aware of it. I can easily quote editorial after editorial in the Reporter in which I denounced Nenni as "the man who, all over the world, has become the symbol for fellow travelling socialism," (editorial of June 9, 1953).

Later, again in answering Senator MORSE, Mrs. Luce says that "the reporter of the magazine very much hoped" that the left of center anti-Communist Italian parties would join "with the Socialist pro-Communist left." Here, she cannot mean anyone but Claire Sterling. This, again, is a plain misstatement of facts. In her articles on Italian politics, Claire Sterling repeatedly stated that should the Nenni Socialists ever free themselves from their Communist bonds, and should they join forces with the Saragat Social Democrats, then, as she put it in an article in the November 29, 1956 issue, they "would be able both to check the Christian Democrats and work with them." In other words, whatever political bias Claire Sterling might have had has always been in the direction of wishing that the Christian Democratic Party could be strengthened by a coalition with the anti-Communist left.

Finally, may I point out the fact that Claire Sterling is a reporter, that her stories are edited by me, and that the editorial politics of my magazine as far as Italian affairs are concerned have been undeviatingly against the Nenni fellow travelers and their Communist masters. So have been my actions.

As Mrs. Luce's references to Mrs. Sterling and myself, although cloudy and sly, are fairly obvious, I am compelled to write to you.

Sincerely,

MAX ASCOLI.

TAXATION OF LIFE INSURANCE COMPANIES

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement of the action of the Committee on Finance on the life insurance income tax bill, H.R. 4245.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

SENATE FINANCE COMMITTEE ACTION ON H.R. 4245, TAXATION OF LIFE INSURANCE COMPANIES

1. The committee revised the method employed in phase one of the bill in computing the deduction rate. Instead of this being the average of each company's earned rate and an assumed rate (the company's own assumed rate for the current year or the industry average assumed rate for the prior year, whichever is higher) it is to be the company's own average earned rate for the last 5 years (current year and 4 prior years).

2. The committee decided that amounts deducted under phase two under the two special deductions, the deduction equal to 10 percent of additions to nonparticipating reserves and the deduction equal to 2 percent of current year's premiums on group insurance, should be taxed under phase three if these amounts are ultimately paid out to stockholders. This is accomplished by requiring the amount of these two special deductions to be added to the policyholders' surplus account.

3. The committee increased the small business deduction under both phase one and two from 5 to 10 percent of net investment income (as otherwise computed). The ceiling deduction of $25,000, however, remains the same. Thus, the maximum benefit will be reached with an income of $250,000 instead of $500,000.

4. The committee adopted an alternative to the deduction equal to 10 percent of additions to nonparticipating reserves. In lieu of this deduction taxpayers may elect to take a deduction equal to 3 percent of the current year's premiums on nonparticipating policies for contracts for periods of 5 years or more.

5. The committee provided that net operations losses from the years 1955, 1956, and 1957 may be carried forward to 1958 and subsequent years.

6. The committee provided that in lieu of the regular 5-year carryforward of net operations losses, new companies for their first 5 years of existence are to have a 10-year carryforward from each of these 5 years.

7. The bill presently provides that if a company in any year does not qualify as a life insurance company any income on which the tax was deferred under phase three becomes due as of the end of the last year it qualified as a life insurance company. The committee amended this to provide a 2-year interval of nonqualification as an insurance company, before this phase three tax becomes due in such cases. However, if any of this income on which the tax was deferred is paid out in this 2-year period the tax becomes due on this amount.

8. The committee changed the bill to provide in phase one for a division all items of income, including tax-exempt income, partially tax-exempt interest and dividends received from other corporations, between the policyholders and the life insurance company. The portion of all items attributed to the policyholder are set aside and not taken into account in computing the life insurance company's tax. The portion of the income items attributed to the policyholders is to be determined by expressing the policyholders' requirements as a percent of investment yield (net investment income plus tax-exempt income, etc.). The policyholder requirements (except for the use of the 5-year average) are determined in the same manner as the policy and other contract liability deduction under the House bill except that there is no downward adjustment in the requirements for tax-exempt interest, etc.

The life insurance company's tax base is then computed by subtracting from its share of investment yield, its share of tax-exempt interest, its share of thirty fifty-seconds of partially tax-exempt interest, and its share of the 85 percent intercorporate dividends received deduction. An added statutory proviso makes it clear that in no event is any tax to be imposed on tax-exempt interest or on the 85 percent of intercorporate dividends which are deductible under general code provisions. A somewhat similar revision was made in the phase two tax base.

9. The committee decided to allow policyholder dividends, the 10-percent deduction for additions to reserves for nonparticipating policies (or 3-percent deduction for premiums) and the 2-percent deduction for group insurance to add to, or create, an underwriting loss which may be offset against phase one taxable investment income to the extent of $250,000 of such items.

10. The committee adopted a provision preventing a double tax with respect to reinsurance where the reinsuring company pays the ceding company's tax with respect to the reinsurance.

11. The committee agreed to provide in the case of organizations taxed as insurance companies, which would be exempt from tax as local beneficiary associations under section 501(c)(9) except for the fact that their investment income exceeded 15 percent of their total receipts that: (A) under the phase one tax their actuarial reserves are to be treated as life insurance reserves even though not required by State law, and (B) under the phase two tax only a small proportion of decreases in reserves built up before 1958 arising from voluntary lapses of policies are to be taken into account in determining receipts.

12. The committee agreed that distributions to shareholders in redemption of life insurance stock are not to be treated as resulting in a phase three tax if the stock was issued before 1958, if the stock is limited as to dividends, and if the stock can be called at the option of the company at a premium of not more than 5 percent.

13. Although the phase three tax is not to apply to 1958 income, the committee agreed to set up the shareholders surplus account for income of 1958. Therefore amounts taxed in 1958 can be paid out in subsequent years without first paying a tax on distributed income of the subsequent year.

14. The committee agreed in phase three to lower the ceiling for the policyholders surplus account. The 60-percent ceiling was lowered to 50 percent in the case of premiums. In the case of reserves the committee provided a ceiling of 25 percent of additions to reserves since 1958 or 15 percent of total reserves, whichever is higher, instead of the present single limit of 25 percent of reserves.

15. The committee agreed to provide assessment companies with a 3 percent assumed rate of interest on their reserves for phase one. Although they set aside a portion of assessments as reserves, since they have no assumed rate they technically would have no policy reserve requirements without this change.

16. Where a company has reinsured policies of assessment companies and reserves of these companies are used by the reinsuring company to cover deficiency reserves and loading expenses with respect to the reinsured policies, the committee agreed that the reserves are to qualify as deficiency reserves to the extent they do not represent loading expenses. Therefore decreases in these deficiency reserves (except for the loading element) will not be treated as taxable income.

17. Where a company sold its entire industrial insurance business in 1958, the committee agreed the sale is to be considered a capital transaction. Since capital gains and losses are not to be taxed in 1958 such transactions would have no tax effect in 1958. No implications are to be drawn from this, however, as to the tax treatment of such transactions in the future.

18. The committee agreed to permit companies to make an election for 1958 only between the approximate and exact methods of revaluing preliminary term reserves to a net level premium basis. Then under the committee decision, the company would have a new election between these methods binding for 1959 and subsequent years.

19. The committee agreed to make it clear in the committee report that life insurance departments of mutual savings banks are to be treated as life insurance companies for all purposes of the bill. It also agreed to provide in the statute that these departments of mutual savings banks are to have

until April 16, instead of until March 16, each year to determine the amount of their policyholder dividends.

20. The committee agreed to provide that foreign insurers may for phase three allocate the portion of a distribution that is allocable to U.S. business on the basis of either U.S. surplus to total surplus (as in the bill) or on the basis of U.S. insurance liabilities to total insurance liabilities. It also provided apportionment rules where a Canadian company mutualizes, along the lines of those provided elsewhere in the bill.

21. Since under the bill capital gains occurring prior to 1959 are not taxed, the committee agreed to provide that proceeds from installment payments received after 1958 on pre-1959 sales are not subject to tax.

22. Where an insurance company is required to shift to an accrual method of accounting an adjustment in income is taxed by a measurement which includes one-tenth of the adjustment in 1957 income (then after this additional tax is determined, the final tax on the adjustment is 10 times this amount). The committee agreed to provide that in measuring the additional tax on this adjustment under 1957 law that the "two for one limit" (designed to tax investment income of over-capitalized companies at 52 percent) is not to be taken into account solely by reason of this adjustment. It also agreed to provide that for the additional tax on the adjustment any effect of this additional income in reducing the special interest deduction (where investment income was less, or only slightly exceeded, interest requirements) is to be ignored.

23. The committee agreed to make it clear under the bill that the interest paid deduction is to be available where a life insurance company is required to make payments or credits on special contingency reserves of a nonforfeitable character which it must hold as a liability under some group insurance policy such as that authorized under the Federal Employees Group Life Insurance Act of 1954.

24. The committee agreed to make the phase three tax gradually effective over a 3-year period, with the result that one-third of the phase three tax otherwise payable in 1959 will be due; two-thirds of the 1960 tax will be due; and the full tax will be due in 1961.

25. The committee agreed to treat variable annuity companies as life insurance companies for tax purposes and their reserves as life insurance reserves. This treatment is provided for a 5-year period to give Congress an opportunity to review the treatment at that time to determine whether they should come under the life insurance provisions or some special provisions should be adopted for them.

26. The committee agreed to impose certain limitations on the application of phase two for the 1958 tax liability. If the phase two tax base for 1958 (after deduction of the phase one base from gain from operations and reduction of the remainder by 50 percent) exceeds the phase one tax base, the phase two tax base is to be reducd by 10 percent of this excess.

SENATE BILL 1686 PROPOSES A PRACTICABLE FOOD-STAMP PLAN FOR A NECESSARY NUTRITIONAL DIET FOR NEEDY CITIZENS

Mr. RANDOLPH. Mr. President, it is with a sense of satisfaction that I associate myself as cosponsor of Senate bill 1686 the food-stamp plan presented by the distinguished junior Senator from Missouri [Mr. SYMINGTON] and the able senior Senator from Minnesota [Mr. HUMPHREY].

This bill (S. 1686) is a realistic and practicable measure to provide for the public welfare by securing a minimal dietary level among our very low income and unemployed persons.

In spite of the growing recovery from the recession of 1957–58, for which we are all duly grateful—in spite of the more hopeful appearance of statistics of employment and production—there are millions of American families, Mr. President, to whom these figures are still mere shadows and abstractions. These are the people who have not, and are not now sharing in the return to national prosperity. These are the 4,300 still currently unemployed, the unnumbered hundreds of thousands working only a part-time week, and the several million Americans—the aged, the blind, the disabled, and the dependent children—whose only means of support is that of public assistance.

These people for the most part live on the bare level of subsistence, with the nagging knowledge of want constantly at their elbow. Life can endure on these terms, but it cannot prosper, it cannot thrive.

The purpose of S. 1686 is to offer these people the means of supplementing their present grossly inadequate diets in order to achieve a necessary level of vitamin, mineral and protein nourishment. The able junior Senator from Missouri has already offered a lucid explanation of the detailed mechanics by which this bill will achieve its purposes. I would therefore direct my remarks to more general considerations.

Somewhat more than 30 years ago, Mr. President, the noted economist, Alfred Marshall, stated that "The study of the causes of poverty is the study of the causes of the degradation of a large part of mankind." Though poverty is no longer the common lot of people that it once was, one need not be assailed as a "prophet of doom and gloom" for admitting that we still have in the United States much of what John Kenneth Galbraith has termed "case" poverty and "insular" poverty—the first applying to individual persons and families who have been unable, for a variety of reasons, to cope with their environment, the second applying to entire communities or regions which have failed to share in the national well-being.

The pending measure, my colleagues, is not designed as a panacea for either of these conditions. But this legislative body would be doing less than its duty if we failed to employ every means at our disposal to remedy these conditions. The first and most apparent means at hand is that of our vast agricultural surpluses which can provide the necessary nutritional level for these marginal people.

One hundred years ago the American farmer provided sufficient food for himself and three others; today he produces enough to feed himself and 20 others. In the past 20 years, the American farmer has through his own industry and initiative, and by applying scientific methods to farming, increased his efficiency as much as in the 100 years preceding. This is the root fact behind our farm surplus.

In 1958 the farm surpluses were 7.5 percent above demand at a satisfactory price. Given the present rate of increase in farm output of 2 percent annually and the current population growth rate, experts estimate that this surplus will be, by the year 2000, 12 percent above demand—or approximately 24 percent of the 1958 total farm output.

Yet, with all this, Mr. President, and with storage costs of our surplus commodities running at the figure of almost $1 billion a year, it is estimated that the diet of one-fourth of our population is deficient in such vital components as calcium, protein, riboflavin, ascorbic acid and other essential nutrients. The implications are obvious: in spite of our wealth of mechanical and technical inventions—in spite of our application of scientific methods to agriculture—we have lagged in some of the vital areas of social invention.

We are still inclined too often and too regularly to think in terms established during the early stages of the Industrial Revolution in England by Malthus and Adam Smith. These were the terms of a society still governed by the economics of scarcity, by a population that grew more rapidly than did the increase in food supply, and by the belief in a Darwinism that applied the law of the jungle to human affairs—the so-called law of the survival of the fittest.

These conditions no longer prevail in our society, though the thinking borne of them often does. This is the kind of thinking which—still governed by the fears and anxieties of an age long gone—declares that the richest nation in the world cannot afford each of its citizens a decent diet. While in all truth, Mr. President, if we are rightfully to maintain our position as a leader among the civilized nations of the world, we cannot afford not to maintain for each of our citizens at least the nutritional level necessary to maintain his physical and intellectual energies. We have the means to do so; the question presented by the pending bill is whether we have the imagination and will. And this is a question which strikes at the heart of the meaning of a civilized society.

We have read of the practice in ancient Sparta—which has existed also in contemporary primitive societies—of placing the young infants in the open, exposed to the rigors of the elements—thus to test their capacity for survival. Through such a practice the Spartans produced a strong and hardy race which bequeathed its very name as synonym for the sterner virtues.

But it has been to Athens—not Sparta—that the Western World has looked for guidance in civilized ideals for over 2,000 years. While Spartans excelled in the martial qualities and the capacity for survival, culminating in the military defeat of their sister city, it is the civilized and humane virtues of Athens which have inspired mankind since.

Mr. President, I suggest that there may be an analog in our own society in our tendency to make as the cardinal test of a person's role in our Nation his

capacity to survive in the arena of economic competition. The measure of our civilization is, at least in part, our ability to achieve a broader base of value than this, and to assure the claims of human dignity to those who, through no fault of their own, have failed in this particular respect.

I believe that S. 1686 offers a positive step in this direction—in the direction of a civilized society using its resources to provide more humane and enlightened conditions of living for all its members. For this reason, Mr. President, I urge the early passage of S. 1686.

THREE HUNDREDTH ANNIVERSARY OF THE SETTLEMENT OF NANTUCKET ISLAND

Mr. SALTONSTALL. Mr. President, during this year Nantucket Island is celebrating the 300th anniversary of its settlement. Massachusetts is proud to celebrate with this island county its long and distinguished record of growth and accomplishments.

Nantucket has contributed to the exploration of the world through the efforts of its whaling masters to find new grounds where they might hunt the largest mammals on earth. The courage of its captains and crews is legendary, and the courage of the folks at home who waited for them, sometimes for 3 and 4 years, to return from dangerous voyages, is well known.

Whaling skippers formed our first close contact with what is now our 50th State, often engaging Hawaiians in their crews. Whaling skippers discovered and identified the Antarctic continent, and searched the ice north of the Bering Strait.

Heavily decimated in the War of 1812, the whaling fleet recovered only to be later supplanted by the oil wells of the interior.

Now Nantucket, recognizing the value of its past and the enterprise of the people who built it, looks forward to the future in providing service to the United States. A restful resort without equal, its people seek to provide the tired and the tense with an opportunity to revitalize themselves to face the world with renewed vigor.

May I suggest to my fellow Senators and to the people of the United States with justifiable—and understandable—pride that I feel that they would do well, in seeking a summer haven, to try this 300-year-old community, in which they will find the best qualities of the past combined with the best qualities of the present.

The VICE PRESIDENT. Is there further morning business? If not, morning business is closed.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). If there is no objection, the Chair lays before the Senate the pending business.

The Senate resumed the consideration of the bill (S. 1555) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. CASE of New Jersey. Mr. President, I call up the amendment which I have at the desk; it is identified as "4–20–59—A."

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 8, in lines 6 through 16, it is proposed to strike out all of subsection (d) and renumber subsections (e) and (f) as (d) and (e).

Mr. CASE of New Jersey. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from New Jersey is recognized for 5 minutes.

Mr. CASE of New Jersey. Mr. President, this amendment to title I of the pending bill will eliminate section 101(d), under which the Secretary of Labor is given authority to exempt from the financial reporting requirements certain unions or classes of unions which have fewer than 200 members and have gross annual receipts of less than $20,000.

The bill already gives to the Secretary adequate authority to prescribe simplified forms of reporting when detailed reporting by small unions, as well as small employers, constitutes an undue burden on them.

So I see no reason why large unions should have an unqualified obligation to report financial data, but small unions should have no unqualified obligation. Size is no gage of the honesty or the efficiency of a union operation.

The Secretary of Labor testified, in the hearings before the House committee a few weeks ago, that he does not favor the authority which would be given to him by the pending bill to grant an exemption from the reporting requirements. He favors a provision which would be applicable to all unions, large or small, giving recognition to the fact that the requirement to report in great detail may be a burden to small unions and their officers, many of whom, of course, are underpaid, by providing for those unions and their officers simplified forms for reporting. I think that is the wise way to handle this matter.

Last year, this language was adopted on the floor of the Senate as an amendment to the Kennedy-Ives bill, and then it was eliminated by a subsequent change.

Mr. President, I believe I have said everything it is necessary to say on this question at this time. Therefore, I reserve the remainder of my time, and shall be glad to hear if it is possible for the sponsors of the bill to accept the amendment.

Mr. KENNEDY. Mr. President, I would be reluctant to accept the amendment, though I know what the Senator from New Jersey has said has merit.

The amendment of the Senator from New Jersey relates to lines 6 through 16, subsection (d), which appears on page 8 of the bill. Let me state the problem involved.

The way the language originally appeared in the Kennedy-Ives bill last year, when the matter came before the committee it provided that unions having fewer than 200 members and less than $20,000 in assets were automatically exempted, unless the Secretary made a finding that they should be included.

Now, in a compromise, that provision is rephrased so that such unions are included unless the Secretary exempts them. The unions are not exempted from the reporting requirements contained in the first parts of the title, but they are exempted from the rather detailed reporting requirements relating to financial transactions.

The reason is that if less than $20,000 annually is involved no one has very much of an opportunity for substantial stealing; and, if there are fewer than 200 members in a union, of course, very likely the officers are underpaid or unpaid, and it is a small operation. Such unions are subject to penalties with regard to shakedowns, conflict of interests, and so forth.

For that reason, we thought it was not unreasonable to give the Secretary the power granted. So many reports will be submitted to the Secretary that nothing will be done about these matters unless the Secretary receives a complaint against a paper local, or something of that kind. At that time the Secretary can ask for a full report.

I appreciate the position of the Senator from New Jersey, but I feel the provision of the bill is the best solution of the problem. I hope, therefore, the amendment will be rejected.

Mr. President, I am prepared to yield back the remainder of my time.

Mr. CASE of New Jersey. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time on the amendment has been yielded back. The question is on agreeing to the amendment of the Senator from New Jersey [Mr. CASE].

The amendment was rejected.

Mr. KENNEDY. Mr. President, I believe the Senator from Kentucky [Mr. COOPER] has an amendment to offer. I wonder if he would care to call it up now?

Mr. COOPER. Mr. President, on behalf of the Senator from New York [Mr. JAVITS], the Senator from Oregon [Mr. MORSE], and myself, I call up my amendment identified as "4–23–59—A."

The PRESIDING OFFICER. The amendment offered by the Senator from Kentucky for himself and other Senators will be stated.

The LEGISLATIVE CLERK. It is proposed, on page 54, line 17, to strike out all of section 601, and insert in lieu thereof the following:

SEC. 601. Section 14 of the National Labor Relations Act, as amended, is amended by adding thereto the following new subsection as follows:

"(c) (1) Nothing in this act shall be construed as to prevent any State or Territorial agency other than a court, from exercising jurisdiction over all cases over which the

Board has jurisdiction, but by rule or otherwise, has declined to assert jurisdiction: *Provided,* That the State or Territorial agency shall apply and be governed solely by Federal law as set forth in section 8(a) and 8(b), and 9 in this act, as the case may be, and Board and Federal court rules of decision construing said sections 8(a), 8(b), and 9. Injunctive relief under section 10(j) and 10(l) shall be available to such agency: *Provided further,* That no petition under section 10(j) shall be filed unless it has been expressly approved by the General Counsel of the National Labor Relations Board.

"(c) (2) The State or Territorial agency may petition any district court of the United States within such State or Territory for the enforcement of a final order of such agency and for appropriate temporary relief or restraining order. Such court shall make and enter an order or decree enforcing, modifying, enforcing as so modified, or setting aside in whole or in part the order of such agency.

"(c) (3) Any person aggrieved by a final order of the State or Territorial agency granting or denying in whole or in part the relief sought may obtain a review of such order in a district court of the United States in such State or Territory. Upon such filing, such district court shall proceed in the same manner, and have the same jurisdiction, as in the case of an application for enforcement under section (c) (2)."

Mr. CASE of New Jersey. Mr. President, will the Senator yield?

Mr. COOPER. Yes; I yield.

Mr. CASE of New Jersey. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. COOPER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MANSFIELD in the chair). Without objection, it is so ordered.

Mr. COOPER. Mr. President, I ask unanimous consent that the time used for the call of the roll not be charged to either side.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kentucky? The Chair hears none, and it is so ordered.

Mr. COOPER. Mr. President, the amendment I have called up is the one I offered last evening, and which I explained at that time. As Senators will remember, I withdrew the amendment in order that it might be printed and be at the desks of the Members of the Senate.

The amendment would be a substitute for section 601 in S. 1555. It deals with the important subject of the no man's land.

Yesterday the Senate rejected the amendment offered by the senior Senator from Arkansas [Mr. MCCLELLAN], which would have permitted either courts or State agencies to assume jurisdiction of disputes arising under the Taft-Hartley Act over which the National Labor Relations Board failed or refused to assume jurisdiction. Section 601 of the committee bill, which is the provision proposed by the Senator from Oregon [Mr. MORSE] in the committee, provides that State agencies under certain circumstances may assume jurisdiction over such cases.

Yesterday the senior Senator from Arkansas asked me to distinguish the amendment which I have offered from section 601 presently in the bill. I did that briefly, but for the RECORD I should like to explain the differences again.

First, section 601 in the bill now provides that the National Labor Relations Board may delegate—rather contract—to State agencies the right to assume jurisdiction over cases which the Board decides it does not wish to consider or cannot consider. I think even the author of that language would agree that as presently written into the bill, this provision would limit the authority and power of a State agency even though jurisdiction had been delegated to it.

Second, the present section in the bill provides that even though jurisdiction is delegated, the National Labor Relations Board upon its own determination may later withdraw that delegation and itself assert jurisdiction.

Third, under the provision now in the bill, the right of an appeal from a decision by the State agency could only be to the National Labor Relations Board. Therefore, the language is very restrictive.

A great many Senators believe, and I believe, that because the provision is so limited, very few States, if any, would be likely to follow the provisions of section 601. My judgment is that section 601 as presently written would not solve the problem. I make that statement with due respect to the senior Senator from Oregon. As the Senator has said, we have all wrestled with this problem.

The problem is that under the Taft-Hartley Act, employers, employees, and unions have certain rights accorded to them. However, there is no forum in which those rights can be secured in cases over which the NLRB is unable to assume jurisdiction. Yesterday I opposed an amendment which would permit State courts to take jurisdiction. I will not recite again the reasons for my opposition. The Senate rejected the proposal of the Senator from Arkansas to permit State courts to take jurisdiction.

Mr. MCCLELLAN. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. MCCLELLAN. I am beginning to be convinced by the argument which has been made regarding this matter that the whole purpose is to keep any jurisdiction away from the courts of the several States. Am I correct?

Mr. COOPER. They have no jurisdiction now.

Mr. MCCLELLAN. No; and the whole purpose is to keep it away from them.

Mr. COOPER. The State courts have no jurisdiction now.

Mr. MCCLELLAN. I did not say they had any jurisdiction. However, we gave it to the NLRB, but if it will not take jurisdiction we have determined not to give the State courts jurisdiction. Is that correct?

Mr. COOPER. The Senate determined that yesterday.

Mr. MCCLELLAN. And it is argued that the Senate should do it again today. Is that correct?

Mr. COOPER. I have offered an amendment which will provide a remedy. It has been argued that there is need for a remedy, and that justice will be denied unless a remedy is afforded. My amendment offers a remedy, and it offers a forum. There are other problems involved in this matter, too. There are reasons underlying a desire for a particular kind of remedy only in the State courts, for that would give large opportunities for the issuance of injunctions. My amendment would guard against abuse.

I shall state the remedy which the amendment I offer proposes. The States have an interest in this matter. No forum is available for the settlement of these disputes. Under my amendment States can create administrative agencies or use administrative agencies which now exists to serve their citizens. The argument and the fact that there is no forum for these disputes is met by this amendment.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. GOLDWATER. The Senator said, if I understood him correctly, that the State could use any administrative agency. Could an industrial commission, for example, be used to handle labor disputes?

Mr. COOPER. I cannot foretell what a State might do. I assume that a State would make its decision through its State legislature. It could decide that a State agency was equipped to handle the assignment. If one so equipped did not already exist, the legislature could create an agency to handle such disputes.

Mr. GOLDWATER. If it is the Senator's contention that an existing State agency could be designated by the State legislature to handle these cases, he has a point. In that case, he would go far to satisfy some objections to the amendment, because the amendment specifically bars courts. In my own State of Arizona, the industrial commission handles a great many labor matters. It does not get into the labor-management field.

The State Legislature of Arizona could designate the industrial commission to handle cases which the NLRB feels are small, or have only a slight impact on commerce. If the legislature were to do that, is it the Senator's understanding that the amendment would permit such action?

Mr. COOPER. It would be within the discretion and power of the State legislature, of course.

Mr. GOLDWATER. If there are no laws applicable at the State level, and the State designated an agency such as I have mentioned, would the Senator still feel that that agency could handle a dispute which the NLRB would not handle?

Mr. COOPER. Yes; absolutely.

Mr. GOLDWATER. If the Senator will make that point clear to the Senate, I believe he will find less objection to his amendment. What concerns those of us who have sought relief through the courts is that we want a faster way of obtaining relief.

I can assure the Senate there is no desire on our part to hamstring unions or to hamstring management. We want to bar cases like the Coffey case, by allowing some recourse for relief. If the Senator will bring out that point when more Senators are on the floor, it will help a great deal. If he will bring out the fact that a State agency such as I have referred to could act, I believe he will gain more support for his amendment.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. COOPER. First I wish to comment on the statement of the Senator from Arizona. I believe it is correct to say that under my amendment an existing agency could assume jurisdiction. That would be a matter for the State legislatures to decide. However, I wish to invite the attention of the Senator and the Senate to the fact that once a State agency has been enabled to take jurisdiction over these cases, and has in fact assumed jurisdiction, then it is bound by Federal law. In its decision it must follow Federal law, the applicable rules of the NLRB, and of the Federal courts. Furthermore, a review or an appeal would go to the Federal courts, rather than to the NLRB.

My reason for incorporating this provision in the amendment is to secure uniformity, and to give strength to the principle which was adopted when the Taft-Hartley Act was passed. We gave jurisdiction over these cases affecting interstate commerce to the NLRB at that time. We placed such cases under the Taft-Hartley Act. That is my reason for incorporating this provision that Federal law and applicable NLRB rules shall be followed. I believe it is a logical reason.

Mr. GOLDWATER. I should like to ask one more question.

Mr. JAVITS. I should like to answer the question of the Senator from Arizona.

Mr. COOPER. I yield to the Senator from New York.

Mr. JAVITS. As co-author of the amendment I should like to state to the Senator from Arizona my understanding of how it will work. A State will pass a law, if it does not have one now, vesting authority in a State agency, either existing or newly created, to handle cases with respect to labor-management relations, elections, and unfair labor practices.

When the agency has been so empowered, if it is not already so empowered by existing law—and there is existing law in 11 States, with Oregon having just come in, and in the Commonwealth of Puerto Rico and in Hawaii—it can specifically assume jurisdiction and handle this kind of cases. When it does, the pending amendment, if it is incorporated into law, becomes operative with respect to relations between that agency and the Taft-Hartley law as amended by Congress.

Mr. GOLDWATER. No matter what agency was designated by the State legislature, that agency would have to follow Federal law. Is that correct?

Mr. JAVITS. Exactly.

Mr. GOLDWATER. Even though the NLRB's reason for not hearing the case was that the case did not bear sufficiently on commerce, which is a reason, in my meager understanding of the situation, which would remove it from the responsibility of Federal law?

Mr. JAVITS. I do not believe that is quite accurate. The amendment states: "Jurisdiction over all cases over which the Board has jurisdiction." If it has jurisdiction, then the Federal law applies. The Board may have its reasons for deciding it will not assume jurisdiction; but the amendment refers to "all cases over which the Board has jurisdiction."

Mr. GOLDWATER. I should like to ask the Senator a question on that point. We say that the NLRB has jurisdiction over labor-management disputes affecting commerce. Let us assume that the NLRB says, "This particular dispute does not have an effect on commerce." Does the Federal law then apply?

Mr. JAVITS. I should say no, because in that case the Board has said it has no jurisdiction.

Mr. GOLDWATER. Let me pursue that question one more step. If the NLRB says it cannot take the case because it has no effect on interstate commerce, then the State agency, under the Senator's amendment, would have the authority to act. Would the State then have to use Federal statutes?

Mr. COOPER. I will say categorically, in my opinion, no. It would not. The only kinds of cases over which the NLRB can now assume jurisdiction are those which have an effect upon interstate commerce. Authority to deal with such cases is the only kind of power which could be delegated or which the State agency could assume under my amendment. So if the NLRB decides that a case does not affect interstate commerce, the State agency, in my judgment, would not be bound by this amendment.

Mr. GOLDWATER. I should like to bring out one point. It may not be in the form of a question. I think the discussion of this point is where all of us become a little bit lost.

The cases about which we are talking, the ones with which I am concerned—and I am sure other Senators who have discussed this matter are concerned with them—are obviously cases which are so small that the NLRB will not assume jurisdiction. We who are interested in the "no man's land" situation have no idea in the world that the "no man's land" action would enter into industry-wide bargaining or into plants of 200, 300, 500, 1,000, or more employees, where interstate commerce is clearly affected.

Our only concern is for the little man who is operating a garage and who has 5 or 10 employees; or for a man like Coffey, who had 10 or 12 truckdrivers; or a small merchant on Main Street, who might have 20 employees. From the very nature and size of the business, I feel certain the NLRB would immediately say it was not interested in such a case. I think we lose sight of that situation.

I hope Senators do not believe for 1 minute I think that by providing this kind of relief at the State level I am trying to get the States into matters which are purely interstate commerce, because I am not.

Mr. COOPER. The Senator from Arizona has touched on the critical point at issue and toward which this amendment and the similar amendments we have been discussing are directed. First, it has been established that in cases which affect interstate commerce in a material way the NLRB has jurisdiction under the Taft-Hartley Act. If my amendment is adopted, a State agency could assume the same jurisdiction where the NLRB determines it will not take jurisdiction. But in cases which do not affect interstate commerce—cases in which the NLRB determines that interstate commerce is not affected—then, of course, a State agency would not be bound by this amendment. That is my judgment.

Now, I think there may develop, in the further consideration of this problem and through the work of the committee which has been appointed to review the problem, standards, so that the NLRB will be able to say that certain classes of cases are not within the contemplation of the Taft-Hartley Act, and are, therefore, subject to State jurisdiction. This amendment is a beginning toward that goal. It offers a forum, and it offers a procedure.

Mr. GOLDWATER. I should like to ask the three lawyers who are the sponsors of the amendment—because I am not a lawyer—Is there a difference between not having jurisdiction and refusing to assert it?

Mr. MORSE. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I yield.

Mr. MORSE. I think it is very important that we make the legislative history perfectly clear. As one of the cosponsors of the amendment, and as the chief sponsor of the provision in the bill, I want the record to show my position with respect to its legislative meaning.

Suppose a case comes before the NLRB, and objection is raised to the jurisdiction of the Board on the ground that the case does not involve interstate commerce, the Board rules that the case does not involve interstate commerce, an appeal is taken, and the courts finally rule that the case does not involve interstate commerce. In such an instances there is no question about the fact that the State has jurisdiction and that there is no Federal problem at all.

The second type of case is one which comes before the National Labor Relations Board, the Board admits it has jurisdiction, it admits that the case comes under the commerce clause, but the Board says:

> The case is so small from the standpoint of the number of employees involved and the size of the plant, and the effect on interstate commerce is so insubstantial, that we will not take jurisdiction.

As to those cases, the Supreme Court of the United States has held very clearly that the Board has jurisdiction, that the Board cannot waive jurisdiction, and that the Board should take jurisdiction.

I wish to make it very clear that it is not my intention, so far as my participation in this amendment is concerned, to give jurisdiction over those cases to the States for the application of common law principles in State courts. What we say to the States in those cases is that so long as interstate commerce is involved, and the Federal Government, therefore, has jurisdiction, although the National Labor Relations Board says it is so burdened with a caseload that it cannot handle such cases because it has many more major cases to take up its time, we are taking the position of the Supreme Court of the United States, namely, that the workers and employers involved are entitled to the same protection of the commerce clause under Federal jurisdiction as are the workers in a plant which employs 2,000 instead of 8.

As to those cases, the State, can use any agency it desires. Arizona can use its industrial commission, if it wants to do so. The State can give to the industrial commission jurisdiction over those cases. But the State agency will be bound, under the Cooper-Javits-Morse amendment, to the application of Federal law, the appeal will be to the Federal courts, and Federal law will apply. I think we would perform a great disservice to all concerned if we did not make that perfectly clear. That is the way it would have to be until legislation was enacted by the Federal Government to create the kind of standards about which the Senator from New York and the Senator from Kentucky just spoke: cases which would take away from the Federal Government jurisdiction over matters arising under the commerce clause.

I hope that time will never come, because if ever it does we will have destroyed the principle of uniform rights under the Constitution of the United States for all employees, whether they work in large or small plants. It is my intention to prevent such a happening, so far as my participation in the amendment is concerned. I want to make it very clear that I am supporting an amendment which, in effect, carries out the Supreme Court decisions, and says, in effect, to the National Labor Relations Board: You cannot waive the Federal rights of persons who may be concerned in cases which involve interstate commerce.

Mr. GOLDWATER. Let me see if I understand the Senator correctly. The Senator said, if I correctly understood him, that as to a case which clearly has no effect on interstate commerce, and as to which the NLRB has no jurisdiction, a State agency could assume jurisdiction. Do I correctly understand that, even though the case does not affect interstate commerce and there is no argument on that point, the Senator from Oregon would have Federal law apply?

Mr. MORSE. Oh, no. It could not now. Those are intrastate cases, not interstate cases. The Federal Government has no jurisdiction in intrastate cases now.

Let me cite a hypothetical case. Suppose an intrastate case comes before the National Labor Relations Board, and the Board makes a mistake in its decision. It wrongly decides that it has jurisdiction. The case is appealed, and the court looks at it and says to the Board: "You are wrong. You do not have jurisdiction in the first place, because there is not one iota of interstate commerce involved. This is an intrastate case, pure and simple." Under the existing situation the Federal Government has no jurisdiction in such cases.

Mr. GOLDWATER. Would the Senator clear up one more point? Do I correctly understand that the Cooper-Javits-Morse amendment would allow the State courts to handle cases which are clearly intrastate, or are not interstate?

Mr. MORSE. They do now. The Cooper-Javits-Morse amendment has absolutely nothing to do with an intrastate commerce case.

Mr. JAVITS. Mr. President, at this point will the Senator from Kentucky yield to me?

The PRESIDING OFFICER (Mr. JORDAN in the chair). Does the Senator from Kentucky yield to the Senator from New York?

Mr. COOPER. I yield.

Mr. JAVITS. Mr. President, neither does the amendment have anything to do with a case which the Board finds it has no jurisdiction.

Mr. GOLDWATER. If the Board found it had no jurisdiction, because of a lack of impact on interstate commerce, and if an appeal of that decision were to fail, then the local courts or the local agency could handle the case, under the local law.

Mr. JAVITS. That is exactly correct; in that case, the case would be strictly intrastate, under this amendment.

Mr. GOLDWATER. But if, on appeal, that decision were to be reversed, the case would have to be dropped by the State agency, and it would revert to being handled under the Federal law.

Mr. JAVITS. That is correct.

Mr. GOLDWATER. Of course, my concern about this matter—and I compliment my colleagues for trying to reach a decision in regard to this question, because I recognize that it is a difficult one on which to legislate—is that under the decisions of the Supreme Court, beginning with the Jones and Laughlin case of the middle 1930's, it is rather difficult for me, as a layman, to find a business in the country which could properly be called purely intrastate. For instance, I have a feeling that a bootblack might be said to be in interstate commerce, because the paste he buys is produced in a factory outside his State. The Court's decisions have so broadened the interpretation of interstate commerce that I believe we must be concerned with that situation, because in this instance we are concerned with the really small businessmen—not those with businesses employing 50 employees or more; instead, I am talking about a small garage in Idaho which went broke or about Mr. Coffey's establishment in Nebraska which went broke—businesses involving 12 or 15 persons—because the decisions of the Supreme Court have held them to be interstate.

Mr. MORSE. But does not the Senator from Arizona think they should be given a remedy?

Mr. GOLDWATER. Of course.

Mr. MORSE. The Cooper amendment will give them a remedy.

Mr. GOLDWATER. But I do not think it would sufficiently speed up the proceedings.

Mr. COOPER. Mr. President, will the Senator from Arizona yield to me?

Mr. GOLDWATER. I yield.

Mr. COOPER. The point which the Senator from Arizona has raised would be just as applicable to the amendment which the Senate voted on yesterday, and defeated. In other words, if we give the jurisdiction to a State court, it would still have to decide whether it would take jurisdiction of such cases.

Mr. MORSE. Certainly none of us would want to take away from the courts the judicial power to determine jurisdiction. That power is quite basic to our system of jurisprudence.

Mr. COOPER. Of course.

Mr. ERVIN. Mr. President, will the majority leader yield to me 5 minutes of the time in opposition to the amendment, so that I will not have to use any of the time available to the Senator from Kentucky?

Mr. JOHNSON of Texas. Yes. Mr. President, I yield 5 minutes to the Senator from North Carolina.

The PRESIDING OFFICER. The Senator from North Carolina is recognized for 5 minutes.

Mr. ERVIN. Mr. President, first, I wish to thank the Senator from Kentucky for laying aside his amendment last night, so that we would have an opportunity to study it.

Let me say that I believe this amendment is an improvement over the present provision of the bill, in that the State agencies would get their authority from the Congress rather than from a contract with the National Labor Relations Board.

I wish to ask this question: Does the Senator from Kentucky think as a practical matter that any State will enact laws which will allow the ruling of an agency established and maintained by the State to be reviewed by Federal courts, rather than by State courts?

Mr. COOPER. I do not see any reason why that should not be done. We admit there is a need for a forum for these cases; and this amendment places on the States the burden of providing such cases with a forum.

The question arises as to why we should provide for an an appeal to the Federal courts, rather than to the State courts. But there is nothing wrong with such an arrangement. Congress has the power to confer jurisdiction upon the Federal courts, as the Senator from North Carolina realizes.

This amendment deals with a Federal question—in other words, with the Taft-Hartley Act, which applies to all labor disputes arising in interstate commerce. So it seems to me perfectly logical for the Senate to adopt this amendment.

Mr. ERVIN. I agree with the Senator from Kentucky that Congress has the power to confer upon State courts or

agencies the authority to enforce a right which arises under the Federal Constitution or under the laws of the Federal Government. But I seriously question whether the Congress has the power to deny State courts the right to review the rulings of a State agency or to prescribe procedure for a State agency.

I agree with the Senator from Oregon that no substantive right has value unless there is some procedure by which that right can be enforced. But I do not believe it is necessary to create an unprecedented situation in this instance, by having Congress undertake to prescribe the procedure by which State agencies shall act, or to require that the rulings of the State agencies shall be enforced in the Federal courts, as distinguished from State courts.

The able and distinguished Senator from Kentucky [Mr. COOPER]—who, in my opinion, is one of the great lawyers of the country—knows that the Constitution provides, in substance, that wherever Federal law controls a subject, the State court judges are sworn that they will enforce the Federal law, any State law to the contrary notwithstanding. That is done in order to promote uniformity. Our constitutional and legal history shows that this provision has been sufficient to secure uniformity of rulings in cases where concurrent jurisdiction has been conferred by Congress on Federal and State courts to enforce a federally created substantive right.

As a matter of fact, in a great majority of instances in which the Congress has created a new right, it has permitted that right to be enforced by the State courts—which, as I have just now pointed out, have to follow the Federal law.

Although I believe the proposed amendment is much better—by reason of clarity and by reason of having the Congress confer jurisdiction on a State agency—than the present provision of the bill, I think that the part of the proposed amendment which gives the Federal courts the right to review the rulings of the State agencies, to the exclusion of the State courts, will result in this remedy never being made available to anyone. This is true because I cannot imagine any State legislature in the country giving approval to a law which would deny its own courts power to review the rulings of its own agencies and vest that power solely in the Federal courts.

If it were not for that fact, and if we were willing to try to secure uniformity by means of the method which historically has been pursued in every generation in our country, in cases in which the States undertake to enforce Federal rights; that is, by letting the State agencies in such situations have their rulings reviewed in the normal way by the State courts, which are obligated to follow the Federal law, I believe this amendment would provide a proper remedy.

Mr. COOPER. Let me comment briefly, and then I shall yield to my fellow lawyer.

First of all, I do not think there is any question that Congress has a right to do this. We can confer jurisdiction on the Federal courts.

We recall the various measures, which have been introduced in the past several years, to remove jurisdiction from the Federal courts. So certainly we can confer jurisdiction. The Senator's question is only one of policy—namely, whether the States will wish to act in this way.

The argument made in support of the amendment which was defeated was based on the glaring lack of uniformity, and the need for uniformity. If there is a lack of uniformity, I think the States should act in accordance with a uniform policy.

I recognize the rule that in certain instances the State courts must follow Federal law. So there is nothing wrong with requiring the State courts to follow the Federal law in these cases. Otherwise, there would be 40 or more labor laws all over the country.

The PRESIDING OFFICER. The time yielded to the Senator from North Carolina has expired.

Mr. ERVIN. Mr. President, may I have a little more time?

Mr. JOHNSON of Texas. Mr. President, I yield 3 additional minutes to the Senator from North Carolina.

The PRESIDING OFFICER. The Senator from North Carolina is recognized for 3 additional minutes.

Mr. ERVIN. I thank the Senator from Texas.

Mr. President, I believe this amendment contains a very good idea. But what I regard as an unprecedented provision of the amendment is the one to the effect that the rulings of the State agency must be reviewed in the Federal courts, to the exclusion of the State courts. I honestly do not believe that a single State in the Union would ever pass a measure which would subordinate its agencies to the Federal courts to the exclusion of its own courts.

Mr. COOPER. I see no reason why the forum the amendment contemplates should not be provided.

Mr. ERVIN. Can the Senator think of any instance in our history in which that has been done? I cannot.

Mr. COOPER. I have inquired of the Department of Justice whether there are any instances. I have not received a reply. Whether there are instances or not does not mean we cannot provide the proper remedy and procedure.

Here is a situation applying to interstate commerce, and uniformity is provided by my amendment. I think there is good reason for it. It is a matter of judgment for Congress and would be a matter of judgment for the State legislatures if they wish to provide the forum.

Mr. PROUTY. Mr. President, will the Senator from Kentucky yield to me?

Mr. COOPER. I yield.

Mr. PROUTY. Even if this amendment should be adopted, is it not true that until 38 State legislatures passed or enacted legislation establishing the boards or authorities, nothing could be done in those States for at least 2 years, because the legislatures of most of them will not be in session during that interim?

Mr. COOPER. The situation differs in the various States.

Mr. PROUTY. I think there are at least 32 States of which that is true.

Mr. COOPER. As the situation now exists, there is no remedy. This proposal provides an opportunity to the States to afford a remedy.

Mr. PROUTY. I have a compromise, which I shall offer at the appropriate time, if I have the opportunity to do so, which would enable State courts to assume jurisdiction of such matters, and provide that an appeal could be taken to a State court, or a higher State court, but the State courts would be bound by Federal law. The States would also be authorized to establish their own agencies, which would be guided by Federal law, and would assume jurisdiction over these cases when the NLRB rejects them. But I point out that the provision would go into effect immediately. It would provide an immediate remedy. The proposal is not perfect, but it would give the small businessmen and the small unions something to stand on now. They would know where they stand.

The proposal of the Senator from Kentucky, however idealistic it may be—and it is that—is not practical, in my judgment, because most of the States will not want the agencies they have established subject to control by the Federal courts.

Mr. COOPER. My proposal is not idealistic; it is a practical proposal. It says to the States and the people who live in the States, "You have been complaining about the lack of a remedy. You now have the power to establish the remedy and provide a forum." It is up to the States. If they do not do it, perhaps the Congress ought to look for another remedy; but this is a remedy which would be available within a reasonable time.

Mr. PROUTY. Will the Senator not agree that in most States the remedy will not be available for at least 2 years?

Mr. COOPER. I do not know; but the proposal goes to the basic argument which was made yesterday, namely, whether we desire to have different labor laws in every State or whether we want to have the mandate of the National Labor Relations Act followed.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ALLOTT. Mr. President, will the Senator from Texas yield 5 minutes to me?

Mr. JOHNSON of Texas. I yield 5 minutes to the Senator from Colorado.

The PRESIDING OFFICER. The Senator from Colorado is recognized for 5 minutes.

Mr. ALLOTT. I wonder if I may have the attention of the Senators who have been discussing this matter, because I wish to refer to some of its phases. It seems to me there are some discrepancies in the amendment which we ought to consider, and I invite the attention of my colleagues to them.

We are all agreed that where an intrastate situation exists, the State agencies or the State courts and the State laws should apply. I am sure there is no disagreement with that statement on the part of any Senator.

Now we come to the next stage, where the NLRB has refused to accept jurisdiction because there is not involved a significant interest which affects interstate commerce. Personally, I cannot help believing that if a business is that insignificant as it affects interstate commerce, there is no reason why State law should not apply. I realize it is at this point that my thoughts and those of some of my colleagues separate widely. But I do not know that it is of necessity a matter of great governing principle here, because Federal law could be applied by the State agencies or the State courts in the same manner that State substantive law is now applied in the Federal courts.

Cases involving negligence, property rights, and breach of contract are now tried in Federal courts, with the law of the States concerned being applied. That is a point on which we are all agreed, I believe. It would be very easy simply to reverse the process, and apply Federal rules and Federal law to cases heard in State courts and State agencies.

Still speaking of the same situation, so that we may not become confused, in a case where the NLRB has refused jurisdiction because of the insignificance of the impact of the business upon interstate commerce, very frankly the question which concerns me more than anything else about the pending amendment is that the mention of State courts has been omitted from the amendment. As I understand, there are only 12 States which have agencies constituted to deal with such cases.

A few moments ago the Senator from North Carolina [Mr. ERVIN] discussed this point. I am very much concerned with this problem, and I wonder if there is not a way whereby the situation can be changed.

The condition does not apply only to the Southern States, I may say. Many States would be genuinely concerned with respect to establishing a State agency. In Colorado, for example, the power could be given to the State Industrial Commission. When that were done, it would in effect establish a new State agency, or an agency with new power. I am sure we all would look askance at a suggestion that such an agency would, in effect, be put under the jurisdiction of a Federal agency. I know I would. It might be said that it would not work. That is not true. All the State agencies would have to do would be to decide the cases on the basis of Federal law.

I have already discussed this matter, Mr. President. I do not think there is too much discrepancy involved. I think such cases could be tried just as well under State law. But conceding that there would be no harm in applying Federal law to such a situation, and that in any proceeding before a State agency or a State court Federal law would be applied, pretty soon the Federal courts would be exerting great control over the State agencies, and would be telling those agencies, in substance, "Your procedure was wrong. Therefore, you should perfect your procedure this way. You will have to proceed this way. You will have to proceed this way on appeal." In effect, the State agencies would be controlled not only by State law, but in all the cases under discussion they would be controlled by the Federal courts.

I understand that the Senator from Kentucky was once a State judge. I cannot conceive that a man of his caliber could, as a State judge, fail to give complete recognition to Federal law, if such a mandate were given by the Congress. I see no reason why the Congress could not simply include in the proposal a directive so that the States which did not need to set up completely new agencies, or to cloak existing agencies with such powers, and increase their staffs, expenses, and so forth, could act.

The PRESIDING OFFICER. The time of the Senator from Colorado has expired.

Mr. ALLOTT. Mr. President, will the Senator yield me 2 more minutes?

Mr. JOHNSON of Texas. I yield 2 minutes to the Senator from Colorado.

Mr. ALLOTT. I do not see why we could not, in such instances, have the State courts act. While I would prefer it the other way and while I have no particular objection to having Federal laws apply in the particular situation, I have great concern about having to appeal to the Federal courts when the National Labor Relations Board has said the matter is not an interstate matter. In effect, such a procedure would subject State organizations in appeal matters to the jurisdiction of Federal courts.

I think this is an important question for all Senators to determine. I should like to see the amendment amended to meet the objection.

Mr. PROUTY. Mr. President, will the Senator yield?

Mr. ALLOTT. I am happy to yield.

The PRESIDING OFFICER. The time of the Senator from Colorado has expired.

Mr. ALLOTT. I have been informed that my time has expired. Will the Senator request time for himself?

Mr. JOHNSON of Texas. Mr. President, I have agreed to yield time to the Senator from Oregon [Mr. MORSE] and the Senator from New York [Mr. JAVITS]. Does the Senator from Vermont desire some time?

Mr. PROUTY. Yes, I should like to have some time.

Mr. JOHNSON of Texas. How much time would the Senator like to have?

Mr. PROUTY. I would appreciate it if the Senator could yield me 10 minutes. If I could have that much time it would help.

Mr. JOHNSON of Texas. Mr. President, I yield 9 minutes to the Senator from Vermont.

Mr. PROUTY. I thank the Senator from Texas.

Mr. President, as I suggested yesterday, this is one of the most important problems with which we have to deal in regard to the pending bill. I have prepared an amendment, designated "4–23–59–G," which is printed and can be read if any Senator is interested.

I agree that uniformity in labor legislation is highly important and desirable. The amendment which I propose will maintain uniformity, but it will also grant jurisdiction to State courts.

I should like to read a summary of the main provisions of my amendment. I think the amendment represents a compromise between the proposal made by the distinguished Senator from Arkansas [Mr. MCCLELLAN] and that offered today by the distingiushed Senator from Kentucky [Mr. COOPER]. The main provisions of my amendment are as follows:

First. The NLRB must publish within 30 days after the enactment of this act the limitations on its exercise of jurisdiction which it proposes to observe and such limitations shall be substantially in accord with those now in effect.

Second. Any person not certain whether his case comes under the jurisdiction of the Board may petition the Board for a ruling if the Board does not act in 30 days on the petition it will be presumed the Board has declined jurisdiction.

Third. Whenever the Board by rule or otherwise declines jurisdiction over an unfair labor practice case, the State courts will have jurisdiction over such case. But the State courts shall apply and be governed solely by Federal law as set forth in section 8(a) and 8(b) of the National Labor Relations Act and National Labor Relations Board and Federal court rules of decision construing these sections.

Fourth. If a State sets up an agency to take jurisdiction over cases which the NLRB has declined by rule or otherwise such an agency may take jurisdiction over not only unfair labor practice cases but also representation proceedings and all other labor disputes. Here again the State agency shall apply and be governed solely by Federal law and Board and Federal court rules of decision construing such Federal law.

Fifth. Decisions of an agency or court of a State shall be reviewed in State courts according to State practice and procedure. And then shall be subject to review only by the Supreme Court of the United States upon writ of certiorari.

Mr. President, I should like to invite attention to what seem to me to be some basic weaknesses of the amendment proposed by the distinguished Senator from Kentucky.

In the first place, if the amendment should be agreed to, at least 33 States would be unable to take advantage of it for another 2 years. I have a list of the States, but I shall not take the time to read it.

I should like to mention briefly some of the other disadvantages which seem to me to apply to the Cooper amendment.

First, the amendment would not require the Board to establish standards determining whether it will take jurisdiction. Under my amendment this question would be taken care of, and the limitations on the Board's exercise of jurisdiction would be substantially in accordance with those now in effect.

Under the Cooper amendment a person might not know for months whether the Board has or has not jurisdiction over his case. Under my amendment

any person could petition the Board for a ruling whether his case came under the Board's jurisdiction, and if the Board did not act within 30 days it would be assumed that the Board had declined jurisdiction.

Under the Cooper amendment the no man's land could exist indefinitely, if the sovereign States refused to establish agencies which would be, in effect, an arm of the National Labor Relations Board. Under my amendment this matter would be taken care of immediately, and the State courts could act on unfair labor practice cases as to which the Board had declined jurisdiction. My amendment provides that if States do create appropriate agencies they may handle all labor cases declined by the Board.

The Cooper amendment purports to give a State agency power to solve the no man's land problem, but it requires the State agency to go to a Federal court for enforcement of its orders. The same Federal court is the appeal agency for a person aggrieved by a final order of the State agency.

The effect of the amendment is to encourage States to establish State agencies which will be without power to solve cases brought before them unless they obtain enforcement orders from a Federal court. The amendment also would require a person to appeal not to the State courts but to the Federal courts.

My amendment would provide a definite and certain means of solving the problem, by allowing the State courts to act under the Federal law in unfair labor practice cases, which are the most serious problems now in the no man's land area, and it would encourage States to set up agents to take over other cases.

I gave an example yesterday of the situation which confronts us at the present time. Under the National Labor Relations Board jurisdictional standards the Board will accept cases in a nonretail operation involving gross business of $50,000 a year or more.

Let us consider what might happen at the present time. If we consider two manufacturers in the same State and in the same town, one with a gross volume of business of $50,000 and the other with a gross volume of $49,000, the National Labor Relations Board will exercise jurisdiction over one but it will decline jurisdiction over the second. In the second instance the management has no agency to which it can take its case of real or fancied grievance. That is the no man's land problem. The other company is governed solely by Federal standards.

I recognize that the amendment which I am proposing is not perfect, but it would maintain a certain degree of uniformity, and the uniformity would come into existence immediately. There would be recourse for grievances as soon as the bill were enacted into law, if my amendment should be agreed to.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. PROUTY. I am glad to yield.

Mr. COOPER. In this debate one problem has been entirely overlooked. I hope the senior Senator from Oregon [Mr. MORSE] will discuss it. It is the problem of injunctions.

Mr. MORSE. The Senator is correct.

Mr. COOPER. I hope I can demonstrate to the Senator from Vermont the fallacy of the amendment he is proposing and how it would be ineffective and, in my view, would not be operated uniformly with respect to injunctions.

The amendment which we have offered with respect to injunctions follows the exact procedure outlined in the Taft-Hartley Act. The amendment the Senator from Vermont is proposing would give State courts the power to issue injunctions. The Senator has said the courts would have to follow Federal law, but I believe we should consider the practical situation.

Today in eastern Kentucky there is mass picketing, and it is said that there is violence. Petitions have been presented to the State courts to issue injunctions in cases in which the courts now have authority to issue injunctions. The courts do not issue injunctions. I shall not discuss the reasons why, but they do not. Even though we give to a State court the power to issue an injunction, the court can refuse to do so if it wants to. That is a discretionary matter.

The amendment which we offer would give to Federal courts the power to issue injunctions under proper procedures.

The PRESIDING OFFICER. The time of the Senator from Vermont has expired.

Mr. COOPER. I think that is one of the real values of my amendment, and, at the same time, one of the real safeguards.

Mr. JAVITS. Mr. President, may I have the attention of the majority leader?

The PRESIDING OFFICER. Does the Senator from Texas yield time to the Senator from New York?

Mr. JOHNSON of Texas. Yes. How much time is left?

The PRESIDING OFFICER. Six minutes.

Mr. JOHNSON of Texas. I yield 2 minutes to the Senator from New York.

Mr. JAVITS. Mr. President, in the brief time I have, I should like to pursue one point which I shall make, and which we have just been discussing. The question is asked, Why do we not give the courts in the 38 States which have no State agencies the jurisdiction given to State agencies?

The reason we do not is that we cannot, because of the general judicial power of courts. We cannot limit their jurisdiction in the way we can limit the jurisdiction of an agency; and in view of the fact that we cannot repeal the Constitution and take away the interstate commerce clause which is in it now, every State agency designated under this amendment would become an arm of the National Labor Relations Board, subject to the same restrictions as the Board is subject to.

We cannot do that with a court. A court can issue injunctions against doing certain things in the presence of the court which it deems to be against its dignity. That power we cannot restrict. It is inherent in the power of the court. Hence, if we give jurisdiction to the courts in the other 38 States, which do not now have agencies, we shall be opening the door to exactly what the Taft-Hartley law was designed to prevent, namely, the unrestricted injunctive power of the courts.

That is the essence of the problem. There is no way of getting around it. The way we have handled the problem is by giving an open invitation, on reasonable terms, to every one of the other 38 States, saying to them "Designate an agency, and it will become an arm of the National Labor Relations Board, fully able to occupy the no man's land which is now vacant."

It seems to me that is reasonable. It opens up the entire question, and makes it susceptible to solution.

In reply to those who say that such a procedure cannot be made effective in less than 2 years, I say, first, that a special session of any legislature can be called. Second, we have been living with this condition for 12 years, and have not been able to do anything about it. I believe we are now in a position to make a measurable beginning.

Mr. JOHNSON of Texas. Mr. President, I yield 4 minutes to the Senator from Oregon.

Mr. MORSE. Mr. President, the Senator from New York has made a brilliant legal argument as to why it would be a mistake to turn jurisdiction over to the State courts in the 38 States which do not now have agencies. Turning jurisdiction over to State courts would produce further delay, because if we were to turn it over to the State courts, there would still be available to a dissatisfied litigant an appeal to the district Federal court anyway.

In most cases there would be an appeal to the Federal court. Why? Because the Supreme Court has held that this is a Federal question.

We cannot repeal the Supreme Court. We cannot repeal the interstate commerce clause of the Constitution. I want the legislative history of the bill to show that we cannot get away from the controlling fact that interstate commerce problems are involved in these cases, and the Supreme Court has made it perfectly clear that the National Labor Relations Board cannot waive its jurisdiction. That being the law, what do we propose to do?

We propose to provide a remedy. We propose to say to the State, "Name a State agency—industrial commission, welfare board, or any other State agency you wish to name—and you can have jurisdiction over these cases; but you must follow the Federal law."

As the Senator from New York has pointed out, we can do that with an administrative body. We cannot do it with a State court. Therefore, all we would be doing would be to buy further delay in these cases, if we go to the State court first, and provide an appeal to the Federal court, in order to bring the case under Federal jurisdiction.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. Mr. President, may I have 2 or 3 minutes on the bill?

Mr. JOHNSON of Texas. I yield 5 minutes on the bill to the Senator from Oregon.

Mr. MORSE. I also wish to suggest that we must not overlook the point which the Senator from Kentucky has just made. I am at a loss to understand why Senators who are so eager to provide for State handling of these cases overlook the fact that we have written into our proposal the injunctive processes of the Taft-Hartley law. Does any Senator believe that labor likes that? Let him go into the reception room and find out. We are proposing in the amendment to grant injunctive protection, which ought to be eagerly seized. We propose to give to employers in the States the injunctive protection of the Cooper-Javits-Morse amendment because we believe there must be some teeth in the procedure for the handling of the no man's land cases.

However, we believe that there should be uniform injunctive processes. We do not think there should be available the injunctive processes of 49 States or 50 States as soon as Hawaii enters the Union. We believe that the injunctive procedure should be uniform across the country, and that the injunctive principles of the Taft-Hartley law should be applied uniformly. What a remedy we have given.

My last point deals with the question so often asked, What about the States doing something about it? In the first place, I say most respectfully that the States, as well as the Federal Government, have an obligation. They owe it to the employers and workers in the various States to provide a remedy. Eleven of them have done so. There are some State labor boards or agencies. I happen to believe that once the people of the States understand the remedy we have offered, they will say to their Governors and legislatures, "Get busy and give us an agency which can provide sorely needed relief."

Let me cite a homely example. A plumber from Salem, Oreg., sat in my office a little while back, while I was working on the procedures in the bill. He said, "What we want is a remedy. I am going broke because I cannot get anyone to take jurisdiction over my case." He said, "I used to belong to the plumbers union, and I know the workers' problems, too. What we need is a forum in order to apply the Taft-Hartley law to my case."

We are offering such a forum. There are thousands of such cases as that across America.

For these reasons, because I am opposed to a step of delay, which is all we would get, in my judgment, under the Prouty amendment, and because I think it is important to have injunctive processes with teeth and a uniform application of the injunctive processes of the Taft-Hartley law, I am proud to join the Senator from Kentucky and the Senator from New York in sponsoring this amendment.

Mr. ALLOTT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. ALLOTT. In the event the pending amendment should be agreed to, would it be subject thereafter to an amendment which would strike it from the bill?

The PRESIDING OFFICER. If the amendment were agreed to, no further amendment of the amendment would be in order.

Mr. ALLOTT. Does that include an amendment to strike?

The PRESIDING OFFICER. It would not be in order to strike it from the bill if it were agreed to.

Mr. PROUTY. Mr. President, I call up my amendment designated "4-23-59—G," and offer it as a substitute for the pending amendment.

The PRESIDING OFFICER. All the time has been exhausted. The Senate must vote on the pending amendment before the amendment of the Senator from Vermont can be considered.

Mr. DIRKSEN. Mr. President, as I understand, the Senator from Vermont is offering his amendment as a substitute for the pending amendment.

Mr. PROUTY. That is correct.

Mr. DIRKSEN. That is what I understood the distinguished Senator from Vermont to say.

The PRESIDING OFFICER. There can be no debate.

Mr. DIRKSEN. I realize that, unless it is by unanimous consent.

Mr. MORSE. Mr. President, I am opposed to the amendment, but I think it would be only fair to allow the Senator from Vermont some time. Can he not be allowed 5 or 10 minutes on the bill?

Mr. JOHNSON of Texas. We will give him all the time he desires.

Mr. MORSE. I do not think it was clear to him that he could have time on the bill.

Mr. DIRKSEN. Mr. President, I yield the distinguished Senator from Vermont 5 minutes on the bill.

The PRESIDING OFFICER. The amendment offered by the Senator from Vermont will be stated.

Mr. PROUTY. Mr. President, I ask unanimous consent that the amendment, instead of being read, be printed in the RECORD at this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment offered by Mr. PROUTY, ordered to be printed in the RECORD, is as follows:

On page 54, strike out all of section 601 and insert the following new section:

"SEC. 601. (a) Section 6 of the National Labor Relations Act, as amended, is hereby designated as section 6(a) and said section 6 is amended by adding thereto the following new subsection (b):

"'(b) (1) The Board in its discretion may, by rule or otherwise, decline to take jurisdiction over any labor dispute, unfair labor practice, or representation proceeding if, in the Board's judgment, the effect thereof on commerce is insufficient to warrant the exercise of jurisdiction.

"'Within thirty days after the date of enactment of this subsection, the Board shall clearly establish and publish by rule or otherwise such limitations on its exercise of jurisdiction as it proposes to observe for the purpose of excluding from its jurisdiction any labor dispute, unfair labor practice or representation proceeding: *Provided*, That such limitation shall be substantially in accord with those now in effect.

"'(2) The Board in the same manner may establish and publish modifications of such limitations on its exercise of jurisdiction as it has established pursuant to paragraph (1), but no such modification shall have the effect of staying or otherwise affecting any proceeding duly instituted before any appropriate court or agency of any State or Territory (including the Commonwealth of Puerto Rico, Guam and the Virgin Islands) prior to the expiration of thirty days' publication of such modification; nor shall any such modification permit the Board to withdraw exercise of its jurisdiction over any proceeding which has been duly instituted before the Board prior to the expiration of thirty days' publication of such modification.

"'(3) Any person may petition the Board for a determination as to whether a particular case involving a labor dispute falls within the limitations on its exercise of jurisdiction established pursuant to paragraphs (1) and (2). Notice of such petition and its contents shall be given contemporaneously by the petitioner to any known interested persons or his representative, and such notice shall have the effect of staying any proceeding to which the petition refers explicitly and to which both petitioner and any person or persons given such notice are the parties. Any person given notice may file an answer with the Board not later than ten days after receiving such notice. The Board's determination, unless arbitrary, shall be final and binding upon the petitioner and upon all parties notified by petitioner as provided in this paragraph. If the Board should make no determination within thirty days after the filing of the initial petition, it shall be presumed that the Board has determined to be outside its jurisdiction any case to which the petition explicitly refers, and to which petitioner and any person or persons given appropriate notice are the parties.'

"(c) Section 14 of the National Labor Relations Act as amended, is amended by adding thereto the following new subsection (c) as follows:

"'(c) (1) Whenever the Board has declined jurisdiction over an unfair labor practice, the courts of any State or Territory (including the Commonwealth of Puerto Rico, Guam and the Virgin Islands) shall have jurisdiction over such unfair labor practices: *Provided*, That any State or Territory may, by legislation or otherwise, provide that an agency rather than the courts thereof shall assume and assert such jurisdiction.

"'(2) Whenever the Board has declined jurisdiction over any labor dispute, unfair labor practice, or representation proceeding any State or Territory (including the Commonwealth of Puerto Rico, Guam, and the Virgin Islands) may, by legislation or otherwise, establish an agency to assert jurisdiction over such labor dispute, unfair labor practice, or representation proceeding and such agency shall not be precluded from asserting jurisdiction by virtue of the fact that such labor dispute, unfair labor practice or representation proceeding affects interstate commerce.

"'(3) In determining unfair labor practice proceedings being prosecuted in accordance with paragraph (1) of this subsection, or in determining labor disputes, unfair labor practices, or representation proceedings pursuant to paragraph (2) of such subsection, the State or Territorial court or agency shall apply and be governed solely by Federal law as set forth in section 8(a) and (b).

"'(4) Whenever any State or Territory establishes pursuant to this section an agency to assume and assert jurisdiction over any labor dispute, unfair labor practice or representation proceeding which the Board has excluded from its exercise of jurisdiction pursuant to section 6(b) of this Act, the courts of such States or Territories shall no longer assume or assert jurisdiction over unfair labor practice cases pursuant to paragraph (1) of this subsection except for cases then pending in such courts which may be concluded and determined by them.

"'(5) Proceedings brought in a State or Territorial court pursuant to paragraph (1) of this subsection shall be advanced on the

docket and expedited for disposition. Such proceedings shall not be subject to removal to the Federal courts under the provisions of the Judicial Code (Act of June 25, 1948; 28 U.S.C.) as amended.

"'(6) Judgments or decrees of the State or Territorial courts shall be subject to review by the Supreme Court of the United States upon writ of certiorari as provided in the Judicial Code, as amended (Act of June 25, 1948; 28 U.S.C.).'

"(d) Section 10(a) of the National Labor Relations Act, as amended, is amended by repealing the proviso thereto."

Mr. PROUTY. Mr. President, I have already outlined my proposal. At the outset, I might say that I have no objection at all to the proposal offered by the distinguished Senator from Kentucky [Mr. COOPER], except that in my judgment it is not a practical approach. It relies upon the assumption that State governments will establish the various agencies. We should not overlook the fact that at least 33 States cannot do that for another 2 years, even if they should so desire, because their legislatures will not be in session.

Furthermore, I am sure very few States will establish agencies which will be subject to Federal jurisdiction. In that regard, we must be practical and realistic.

It is not that I object to the proposal made by the distinguished Senator from Kentucky or to the provision in the bill proposed by the distinguished senior Senator from Oregon. I am opposed to it primarily because I believe it is not a practical and realistic approach. I believe that instead of allowing the no man's land problem to continue, we should take action now. I agree that the amendment I propose is not perfect. However, it will at least give some relief to small business and small unions, where such relief is not now available to them through any agency or from any source.

I believe it is high time that we face reality. We should take some action now to enable State courts or State agencies to provide some relief, even though that action may be changed at a later date, if necessary and desirable—and probably it will be. Nevertheless, we should take action at this time.

I should like to go through once more the arguments which seem to me to be rather pertinent, and which suggest to me, at least, that the amendment I am proposing is satisfactory or, at least, workable.

The Cooper amendment does not require the Board to establish standards determining whether or not it will take jurisdiction. The amendment I offer specifically states that the limitations on the Board's exercise of jurisdiction must be substantially in accord with those now in effect. In other words, the Board cannot change its jurisdictional standards casually, day in and day out. Some standards will remain in operation.

Under the amendment proposed by the Senator from Kentucky [Mr. COOPER], a person might not know for months whether or not the Board has or has not jurisdiction over his case. In that time, I might suggest to the Senate, a small business could be put out of business, or a small union might be disregarded by an unfair employer, and neither unions nor employers could have their rights settled or their grievances heard.

My amendment specifically states that any person may petition the Board for a ruling as to whether his case comes under the Board's jurisdiction. If the Board does not act within 30 days, it will be assumed that the Board has declined jurisdiction.

Under the amendment of my distinguished friend from Kentucky the no man's land could exist indefinitely if sovereign States refused to establish agencies which would be in effect an arm of the National Labor Relations Board.

If we are to be realistic, we must know that few if any States will be anxious to take this action, since at this time only 12 States have established labor relations agencies, and none of the States have laws which enable the NLRB to cede jurisdiction to the State boards.

Therefore, as a practical matter it seems to me we must take action which will afford some relief, however imperfect it may be.

The proposal I am offering represents a compromise between the proposal of the distinguished Senator from Arkansas [Mr. MCCLELLAN] and that offered by my distinguished friend from Kentucky [Mr. COOPER]. It is not perfect, and I am not suggesting that it is. If we could have complete uniformity, and if every State could establish an agency which would act in accordance with Federal law, of course that would be the desirable approach. However, we cannot expect that. It is asking too much. Such an approach is visionary, at the present time, at least.

I do not wish to take too much time and prolong the debate. I desired to get into the RECORD my statement on an amendment which I believe is sound, logical, and workable. I hope it will be given serious consideration.

The PRESIDING OFFICER (Mr. BUSH in the chair). The time of the Senator has expired.

Mr. DIRKSEN. I yield 2 minutes more to the Senator from Vermont, on the bill.

Mr. PROUTY. I conclude by stating that under my amendment State courts could act immediately on unfair labor practice cases on which the Board has declined jurisdiction, and that my amendment provides that if States do provide agencies, they may handle all the cases declined by the Board. That is something that should be taken into consideration. My amendment offers immediate relief. In the event that my amendment is defeated, in 38 States no relief can possibly be available for a period of at least 2 years.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DIRKSEN. Mr. President, I yield 3 minutes on the bill to the distinguished Senator from Kentucky.

Mr. COOPER. The amendment offered by the Senator from Vermont provides that jurisdiction shall be assumed by the courts or by such agencies as may be established by the States.

Some persons believe that the courts should take jurisdiction. Others—I am one of them—believe that the application of administrative law is better. I do not believe that there is much force to the argument that there would ensue a little delay if our amendment were adopted. There has been delay now for 12 years. I do not believe it is an argument to say that the States may not act. If the problem is important enough for the States to act, the States will act.

Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Kentucky yields back the remainder of his time.

The question is on agreeing to the amendment offered by the Senator from Vermont [Mr. PROUTY] to the amendment offered by the Senator from Kentucky [Mr. COOPER] for himself and other Senators.

Mr. MORSE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Goldwater	Martin
Allott	Gore	Monroney
Anderson	Green	Morse
Bartlett	Gruening	Morton
Beall	Hart	Moss
Bennett	Hartke	Mundt
Bridges	Hayden	Murray
Bush	Hennings	Muskie
Butler	Hickenlooper	Neuberger
Byrd, Va.	Hill	O'Mahoney
Byrd, W. Va.	Holland	Pastore
Cannon	Hruska	Prouty
Capehart	Jackson	Proxmire
Carroll	Javits	Randolph
Case, N.J.	Johnson, Tex.	Robertson
Case, S. Dak.	Johnston, S.C.	Russell
Chavez	Jordan	Saltonstall
Church	Keating	Schoeppel
Clark	Kefauver	Scott
Cooper	Kennedy	Smathers
Cotton	Kerr	Smith
Curtis	Kuchel	Sparkman
Dirksen	Langer	Stennis
Dodd	Lausche	Symington
Douglas	Long	Talmadge
Dworshak	McCarthy	Thurmond
Eastland	McClellan	Williams, N.J.
Ellender	McGee	Williams, Del.
Engle	McNamara	Yarborough
Ervin	Magnuson	Young, N. Dak.
Fulbright	Mansfield	Young, Ohio

Mr. MANSFIELD. I announce that the Senator from Minnesota [Mr. HUMPHREY] is absent on official business.

The Senator from Nevada [Mr. BIBLE] is absent because of a death in his family.

The Senator from Delaware [Mr. FREAR] is absent because of illness.

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON] is absent on official business.

The Senator from Wisconsin [Mr. WILEY] is necessarily absent.

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the amendment of the Senator from Vermont [Mr. PROUTY], offered as a substitute for the amendment of the Senator from Kentucky [Mr. COOPER], for himself and other Senators.

Mr. JOHNSON of Texas. Mr. President, I yield to the Senator from Vermont [Mr. PROUTY], such time as may be necessary for him to ask for the yeas and nays.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. PROUTY. Mr. President, I ask for the yeas and nays on the pending amendment, which is the Prouty substitute.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Vermont, which is offered as a substitute for the amendment of the Senator from Kentucky.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Minnesota [Mr. HUMPHREY] is absent on official business.

I also announce that the Senator from Nevada [Mr. BIBLE] is absent because of a death in his family.

I further announce that the Senator from Delaware [Mr. FREAR] is absent because of illness.

On this vote, the Senator from Minnesota [Mr. HUMPHREY] is paired with the Senator from Kansas [Mr. CARLSON]. If present and voting, the Senator from Minnesota would vote "nay" and the Senator from Kansas would vote "yea."

I further announce that, if present and voting, the Senator from Nevada [Mr. BIBLE] would vote "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON] is absent on official business, and is paired with the Senator from Minnesota [Mr. HUMPHREY]. If present and voting, the Senator from Kansas would vote "yea" and the Senator from Minnesota would vote "nay."

The Senator from Wisconsin [Mr. WILEY] is necessarily absent, and if present and voting, would vote "nay."

The result was announced—yeas 40, nays 53, as follows:

YEAS—40

Allott	Eastland	Prouty
Bartlett	Ervin	Robertson
Beall	Fulbright	Russell
Bennett	Goldwater	Saltonstall
Bridges	Hickenlooper	Schoeppel
Bush	Holland	Scott
Butler	Hruska	Smathers
Byrd, Va.	Jordan	Stennis
Capehart	Kerr	Talmadge
Case, S. Dak.	Lausche	Thurmond
Cotton	Martin	Williams, Del.
Curtis	McClellan	Young, N. Dak.
Dirksen	Morton	
Dworshak	Mundt	

NAYS—53

Aiken	Hartke	McNamara
Anderson	Hayden	Monroney
Byrd, W. Va.	Hennings	Morse
Cannon	Hill	Moss
Carroll	Jackson	Murray
Case, N.J.	Javits	Muskie
Chavez	Johnson, Tex.	Neuberger
Church	Johnston, S.C.	O'Mahoney
Clark	Keating	Pastore
Cooper	Kefauver	Proxmire
Dodd	Kennedy	Randolph
Douglas	Kuchel	Smith
Ellender	Langer	Sparkman
Engle	Long	Symington
Gore	Magnuson	Williams, N.J.
Green	Mansfield	Yarborough
Gruening	McCarthy	Young, Ohio
Hart	McGee	

NOT VOTING—5

Bible	Frear	Wiley
Carlson	Humphrey	

So Mr. PROUTY's amendment to the amendment offered by Mr. COOPER for himself and other Senators was rejected.

The PRESIDING OFFICER. The question recurs on the amendment offered by the Senator from Kentucky [Mr. COOPER] for himself and other Senators.

Mr. COOPER. Mr. President, I ask for the yeas and nays on the pending amendment.

The yeas and nays were ordered.

The PRESIDING OFFICER. All time has been exhausted on the pending question, which is on agreeing to the amendment offered by the Senator from Kentucky [Mr. COOPER], for himself and other Senators.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Minnesota [Mr. HUMPHREY] is absent on official business.

I also announce that the Senator from Nevada [Mr. BIBLE] is absent because of a death in his family.

I further announce that the Senator from Delaware [Mr. FREAR] is absent because of illness.

I further announce that, if present and voting, the Senator from Nevada [Mr. BIBLE] and the Senator from Minnesota [Mr. HUMPHREY] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON] is absent on official business, and, if present and voting, would vote "yea."

The Senator from Wisconsin [Mr. WILEY] is necessarily absent, and if present and voting, would vote "yea."

The result was announced—yeas, 78, nays 15, as follows:

YEAS—78

Aiken	Gruening	McNamara
Anderson	Hart	Monroney
Bartlett	Hartke	Morse
Beall	Hayden	Morton
Bennett	Hennings	Moss
Bridges	Hickenlooper	Mundt
Bush	Hill	Murray
Butler	Hruska	Muskie
Byrd, W. Va.	Jackson	Neuberger
Cannon	Javits	O'Mahoney
Capehart	Johnson, Tex.	Pastore
Carroll	Johnston, S.C.	Prouty
Case, N.J.	Jordan	Proxmire
Case, S. Dak.	Keating	Randolph
Chavez	Kefauver	Saltonstall
Church	Kennedy	Schoeppel
Clark	Kerr	Scott
Cooper	Kuchel	Smith
Cotton	Langer	Sparkman
Dodd	Lausche	Symington
Douglas	Long	Talmadge
Dworshak	Magnuson	Williams, N.J.
Engle	Mansfield	Williams, Del.
Goldwater	Martin	Yarborough
Gore	McCarthy	Young, N. Dak.
Green	McGee	Young, Ohio

NAYS—15

Allott	Ellender	Robertson
Byrd, Va.	Ervin	Russell
Curtis	Fulbright	Smathers
Dirksen	Holland	Stennis
Eastland	McClellan	Thurmond

NOT VOTING—5

Bible	Frear	Wiley
Carlson	Humphrey	

So the amendment offered by Mr. COOPER (for himself, Mr. JAVITS, and Mr. MORSE) was agreed to.

Mr. JAVITS. Mr. President, I move that the Senate reconsider the vote by which the amendment was agreed to.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The motion to table was agreed to.

Mr. JOHNSON of Texas. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. McCLELLAN. Mr. President, I call up my amendment identified as "4–17–59—A."

The PRESIDING OFFICER. The Clerk will state the amendment.

Mr. McCLELLAN. Before the amendment is stated, I should like to say that following the disposition of the amendment it is my intention to call up my amendment identified as "4–17–59—C," providing for the prohibition of secondary boycotts. The amendment I am calling up now deals with organizational picketing. After the amendment is disposed of I will call up the other one immediately. I make that statement now so that Senators who are interested, pro or con, may be present to participate in the discussion of the amendments. I consider them to be very vital both to those who favor them and to those who are opposed to them.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Arkansas.

The LEGISLATIVE CLERK. On page 25, beginning with line 21 it is proposed to strike all through line 3 on page 26.

At the end of the bill it is proposed to add a new section as follows:

SEC. 607. (a) Section 8(b) of the National Labor Relations Act is amended by striking out the word "and" at the end of paragraph (5), by striking out the period at the end of paragraph (6) and inserting in lieu thereof a semicolon, and by adding the following new paragraphs:

"(7) to carry on or threaten to carry on picketing on or about the premises of any employer for organizational purposes or for the purpose of forcing or requiring such employer to recognize or bargain with a particular labor organization as the representative of his employees—

"(A) within twelve months following the holding of a valid election under section 9(c) unless pursuant to such election such labor organization has been certified as the representative of the employees of such employer; or

"(B) during any other period unless there shall have been filed with such employer at least five days before the commencement of any such picketing a petition signed by a majority of the employees of such employer requesting that such employer recognize as the representative of his employees a particular labor union designated in such petition; and

"(8) to carry on or threaten to carry on picketing on or about the premises of any employer for the purpose of, or as part of any conspiracy or in furtherance of any plan or purpose for, the personal profit or enrichment of any person or persons (except a bona fide increase in wages or other employee benefits) by taking or obtaining any money or other thing of value from such employer against his will or with his consent."

(b) Section 8 of such Act is further amended by adding at the end thereof a new subsection as follows:

"(e) (1) Any labor organization which has officers or members engaged in activities affecting commerce, or which represents employees engaged in such activities, or which represents employees or has officers or members who are employed by any employer or in any industry engaged in activities affecting commerce, including any labor organization certified under section 9, acting, or recognized as the representative of employees

of any such employer or in any such industry, or actively seeking to represent any such employees, or which charters or is chartered by another labor organization which is representing or actively seeking to represent any such employees, which engages in any activity defined as an unfair labor practice under paragraph (8) of subsection (b) shall be fined not more than $10,000 for each day during which it is so engaged.

"(2) Any person who orders, authorizes, encourages, or participates in any activity so defined shall be fined not more than $10,000 or imprisoned not more than five years, or both."

Mr. BUTLER. Mr. President, on the pending amendment I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. McCLELLAN. Mr. President, I ask unanimous consent that I may modify my amendment as reported by striking out lines 1 and 2 on page 1 and by striking out lines 22 through 25 on page 3.

The PRESIDING OFFICER. (Mr. MORTON in the chair). Without objection, the Senator so modifies his amendment.

Mr. McCLELLAN. I yield myself 5 minutes, to start with.

The PRESIDING OFFICER. The Senator is recognized for 5 minutes.

Mr. McCLELLAN. Mr. President, in the course of its investigations the Select Committee found that people are in many instances compelled to join unions, not of their own free will, not by their own knowledge, not with their consent, but simply by a labor boss walking into management's office, slapping a contract on the desk and saying to management, "You sign it and put your men into this union, or else we are going to picket you." It is as simple as that, but it is also said and done with emphasis. Sometimes they will settle for a payoff. Sometimes it is done simply to extort and get money out of management. It is a form of blackjacking or highway robbery, so to speak. That form of shakedown picketing is already taken care of in the bill, and the penalty for that kind of crime has been revised in the bill to conform to the penalty in the Hobbs Act, which is up to 20 years in prison.

There are other instances where the labor boss or bosses walk into the office of the management and, in the same manner, slap a contract on the desk and say, "Unless you have your employees join this union and unless you sign this contract, we are going to put up picket lines around your place of business." The management says, "Well, I don't know that my men want it."

The labor racketeer or boss says, "I don't care whether your men want it or not. You are going to do this or else we will put a picket line around you and put you out of business."

"But," management says, "let us have an election. Let the employees speak on the question.

The answer is, "We haven't got time for an election. That is too bothersome. This is the easy way for us. We demand that you do it this way."

What is the alternative? It is organizational picketing. That is where union leaders come to management and say, "We will organize your men, and put them in the union, irrespective of their wishes. We will make union members of them, or else we will picket your plant and apply that economic pressure on you."

That kind of pressure in many instances has put small businessmen completely out of business.

There is another practice, under which they approach the employer and say, "We have a majority of your men signed up."

There are three kinds: First, the complete shakedown; next, the shakedown to force the employer to make the employees join the union; the third is laying a contract before the employer and saying, "We have a majority of your men signed up."

The manager says, "Let me see the cards."

"Oh, no," they say, "we will not do that. But you will have to sign, recognize us, and bargain with us, or else you will have to suffer a picket line and the consequences of it."

The select committee has exposed many instances of union leaders having gone to the employer and having said, "Put your men in the union; otherwise we will settle for a sweetheart contract." So the employer signs up. In many instances, management itself has to pay the union dues of the employees—pay them for men who do not even know they are in the union. They never received a notice of a meeting and never heard of a meeting, until the committee exposed these practices.

But management pays the dues. For what? For a sweetheart contract. The employees are not helped; they get nothing out of it. Sometimes they have to pay dues. Sometimes the contract works in such a way that they pay dues and know they are in a union. But how much of an increase in salary do they get? Just barely enough so that management can hold it out to pay the dues.

Shakedown picketing has gone pretty far. It is a shakedown for the purpose of enriching the individual.

The PRESIDING OFFICER. The time of the Senator from Arkansas has expired.

Mr. McCLELLAN. I yield myself 2 more minutes.

Of course, I do not think there is a Member of the Senate who can challenge the justice of penalizing those who exploit and extort under those conditions, under the guise or under the cloak of unionism. It is traditional that we are all proud of the members of unions in this country. But the shakedown practice is defiling unionism. Who can be proud of extortion? Who can be proud of compelling management and workers, irrespective of their will and their free choice, to become subservient in cases such as I have described? Those are the practices which are indulged in now; they are what the amendment seeks to prevent. It makes such practices unfair labor practices.

If a union engages in such practices, the amendment will penalize the union. The union will be penalized if it permits shakedown picketing. The amendment does not penalize the union for organizational picketing; it does not penalize the union for recognitional picketing. When I speak of penalizing, I mean penalizing for criminal action. But for a union which engages in shakedown picketing, the penalty is the same as for an individual who engages in it, except that the penalty for an individual is lighter. If a union engages in it, the penalty is a fine up to $10,000 a day for such time as it carries on the picketing.

The PRESIDING OFFICER. The time of the Senator from Arkansas has again expired.

Mr. McCLELLAN. I yield myself 1 more minute.

Mr. President, shakedown picketing is one of the vilest practices taking place in this country today. Unionizing and collective bargaining are premised on the free choice of individuals who work together to join a union of their choice, and to bargain collectively; it is not based upon compulsion to join a union.

"Compulsion" is an ugly word. Decent unionism does not require it; decent unionism does not need it. Honest unionism does not need to apply that kind of tactics.

If unionism is good, if it is sound, if it is right, if it is just, we can trust in the good faith and the quality of integrity of American workers voluntarily to accept it, to desire it honestly, and to be enthusiastic to secure the benefits which flow from worthy unionism. The workers will seek to unionize. But they ought not to be compelled and hijacked to join unions whether they want to or not, when they are not given a free choice. Compulsion and hijacking are nothing in the world but top-down organization; and top-down organization has no place in American law or American institutions, because it is a type of economic force to compel and subject people against their will.

The PRESIDING OFFICER. The time of the Senator from Arkansas has expired.

Mr. KENNEDY. Mr. President, I should like to ask the Senator from Arkansas a few questions about the amendment. I yield myself 10 minutes.

Let us assume, for example, that all the meat dealers in a city are organized except one. The one unorganized meat dealer is underselling all his competitors in the city because the wages he pays are lower. What would be the effect of this amendment if a union placed a picket line outside the establishment of that meat dealer, saying: "This employer pays lower wages than the other meat dealers in the city"?

Mr. McCLELLAN. It would be prohibited under this amendment. There has never been any justification for saying that because three merchants want to run their business in one way they ought to be allowed to compel the fourth one to run his in the same way. The fourth one has as much freedom and right, under the principles of our Government, to employ his workers as he wishes, as the others have to employ theirs, and the employees have freedom to work for their employers as they please. If the arrangements of the fourth employer are satisfactory to his employees, and he is

complying with the minimum wage laws of the country, who has a right to say to him: "We are going to compel you to run your business in our way"?

Mr. KENNEDY. The Senator from Arkansas says that the one dealer has a right to do business as he wants to.

Why should the union be limited in its right to place a picket line on the sidewalk and to say, as a fact, "This man pays wages lower than are paid by other meat dealers in the city"?

Mr. McCLELLAN. Because that would be the use of economic force to restrain people from crossing a picket line to deliver to that man the supplies which he may need in order to operate his business. There is an economic force associated with the picketing that keeps the transportation and flow of commerce from the dealer whose plant is being picketed.

Mr. KENNEDY. This amendment goes much beyond preventing abuses commonly practiced by the Teamsters. If the Senator's amendment were directed solely to the trucking industry, and if it were directed at the Teamsters Union, I would support it. I would have no objection to an amendment which dealt with the unfair practices of the Teamsters Union. But this amendment applies to all labor. It would apply to the garment industry in New York City, whose sweatshops in earlier days were a disgrace to the Nation. This amendment would forbid the agreements which cleaned up these sweatshops.

Let us take the case of a racketeer employer in the garment industry who leaves New York City and goes to Pennsylvania. He hires Puerto Rican labor. He pays a wage which is 60 percent of the wage which employers in New York City are paying.

Does the Senator mean to say that his amendment would prevent the garment workers union from placing a picket in front of that employer's establishment, and saying, "This man pays wages which are only 60 percent of the union wages paid in New York City"? Would not the Senator's amendment permit that racketeer employer to undersell the other employers, and restrain their right to protect their economic interests?

Mr. McCLELLAN. Yes; and would the Senator from Massachusetts restrain union racketeers who have invaded that area? The testimony before the committee shows that they have taken over many industries. The same racketeers are responsible for the very conditions the Senator has described, and they have the responsibility for them. They secured that advantage because they used such tactics.

Mr. KENNEDY. The difference between the Senator from Arkansas and me is that every time he sees a union, he sees racketeering. Every time I see a union—except in a few cases, relatively speaking—I do not see racketeers; I see men and women who are attempting to advance their economic interests.

The Senator from Arkansas proposes to apply a universal standard because some racketeers have been exposed. This, in my opinion, would prevent any further union organization in this country.

Let us take another example: Suppose an employer who is antilabor says that he will move his company to another State if the union is successful in organizing his employees. Then the union attempts to organize his employees; and he dismisses the first three employees who express an interest in union organization. It will be 3 years before those unfair labor practices are finally adjudicated under the present procedures of the Board; but during that period of time, of course, the other employees will be reluctant to sign up, in the case of the pending amendment.

Mr. McCLELLAN. Does the Senator from Massachusetts wish to have a further answer to his question?

Mr. KENNEDY. Yes; I should like to have one.

Mr. McCLELLAN. I shall give it. I take the illustration the Senator from Massachusetts used—the one about the Puerto Ricans employed in the textile industry in New York City. That is where sweatshop conditions are inflicted upon them by the so-called union leaders, under the very tactics this amendment seeks to prevent. So I take the Senator's own example.

Mr. KENNEDY. Is the Senator from Arkansas suggesting that the great work which has been done by the Garment Workers Union in New York should be cast aside merely because there happen to be racketeers in that industry?

Mr. McCLELLAN. Not at all. I want to prevent racketeering in unionism.

Mr. KENNEDY. But two evenings ago, the Senate, in taking action on an amendment submitted by the Senator from Arkansas, whose work in exposing improper conditions I have supported—adopted the amendment, and did so on the basis of taking action to stop racketeering. But surely the Senate must realize the effect of that amendment, not only on racketeers, but also on all unions.

Let me refer to page 2 of the amendment of the Senator from Arkansas, beginning in line 14, where we find the words "unless there shall have been filed with such employer at least 5 days before the commencement of any such picketing a petition signed by a majority of the employees of such employer requesting that such employer recognize as the representative of his employees a particular labor union designated in such petition."

In other words, before the union would be allowed to use this economic weapon, it would have to present to the employer such a petition. Under the Senator's amendment, a majority of the employees would have to present such a petition to the employer, not to the National Labor Relations Board; and the employer then could say, "If you persist in forming a union, I will move my business to another State."

Therefore, Mr. President, I say that the amendment will be of very little benefit in respect to driving racketeers out of the union movement.

Mr. ERVIN. Mr. President, to the amendment of the Senator from Arkansas, I submit the following amendment: On page 2, in lines 4 and 5, strike out the words "for organizational purposes or."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from North Carolina to the amendment of the Senator from Arkansas.

Mr. ERVIN. Mr. President, I should like to speak on my amendment to the amendment.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The LEGISLATIVE CLERK. On page 2 of Mr. McCLELLAN'S amendment, in lines 4 and 5, it is proposed to strike out "for organizational purposes or."

Mr. KENNEDY. Mr. President, let me inquire how much time I have left.

The PRESIDING OFFICER. The Senator from Massachusetts has used 8 minutes of the time available to him on the McClellan amendment.

Mr. KENNEDY. Let me ask how much time the distinguished Senator from North Carolina wishes to use.

Mr. ERVIN. Five minutes.

Mr. KENNEDY. Of course, the Senator from North Carolina is supporting the position of the Senator from Arkansas. However, I yield 5 minutes on the bill to the Senator from North Carolina.

The PRESIDING OFFICER. The Senator from North Carolina is recognized for 5 minutes on the bill; that time has been yielded to him by the Senator from Massachusetts.

Mr. McCLELLAN. Mr. President, I shall be glad to yield time to the Senator from North Carolina.

Mr. ERVIN. Mr. President, the amendment of the Senator from Arkansas would make it an unfair labor practice under certain conditions to engage in organizational picketing or picketing to enforce the recognition of a union for bargaining purposes.

I go along with the amendment of the Senator from Arkansas insofar as it provides that it shall be an unfair labor practice to carry on, or threaten to carry on, picketing about the premises of any employer, for the purpose of forcing such employer to recognize or to bargain with a particular labor organization as the representative of his employees, under the circumstances set forth in the Senator's amendment. I would also go along with any proposal to make coercive picketing of any character an unfair labor practice.

But I think there is a right to engage in peaceful picketing for the purpose of persuading others to join a union; and I think there is a right to exercise that right in a peaceful manner near the premises of the employer.

So if my amendment to the amendment is adopted, it will make it clear that we are not interfering with any constitutional right of freedom of speech in connection with picketing for the purpose of persuading others to join a union.

I hope my amendment to the amendment of the Senator from Arkansas will be adopted.

Mr. McCLELLAN. Mr. President, will the Senator from North Carolina yield to me?

Mr. ERVIN. I yield.

Mr. McCLELLAN. Do I correctly understand that the Senator from North

Carolina is proposing to my amendment an amendment which, in his opinion, would completely eliminate the objection which thus far has been expressed to my amendment?

Mr. ERVIN. I think so. I think my amendment to the amendment of the Senator from Arkansas would do away with the objection of the Senator from Massachusetts [Mr. KENNEDY]. I agree with him that we should not interfere with the right of freedom of speech to persuade others to join a union, so long as that right is exercised peacefully, by means of a picket line or by means of newspaper or radio or television advertisements.

I do not think a union has a right to picket for the purpose of forcing the recognition of the union as the bargaining agent, if it does not actually represent a majority of the employees.

So I go along with that part of the amendment of the Senator from Arkansas; but I cannot go along with the part of his amendment which prohibits peaceful organizational picketing, which is merely a peaceful way of trying to urge others to join the union.

Of course, any picketing carried on by force is illegal. But if picketing is carried on peaceably for the purpose of persuading others to join a union, I think it is proper and protected by the constitutional right of freedom of speech.

So I hope my amendment to the amendment of the Senator from Arkansas will be agreed to.

Mr. LAUSCHE. Mr. President, will the Senator from North Carolina yield to me?

Mr. ERVIN. Yes, if I have time.

Mr. LAUSCHE. What would be the situation under the Senator's amendment to the amendment of the Senator from Arkansas in a situation in which a businessman had 50 employees, all of whom were satisfied with their hours of work, their working conditions, and their pay, and when there was a complete understanding between the employer and the employees; but then a business agent of a union said to the employer, "I will throw a picket line in front of your place of business unless you have your workers join my union or unless you discharge your workers and hire union members"?

Mr. ERVIN. The situation on which the able Senator from Ohio bases his question is already outlawed under the Taft-Hartley Act, because in such a situation the agent would be undertaking to coerce the employer into coercing his employees to join the union; and such a situation is already taken care of by the Taft-Hartley Act.

Mr. LAUSCHE. Under what situation would the provisions of the Senator's amendment apply? Let us assume that the agent put pickets in front of the place of business; and let us also assume that the employees were satisfied with the hours, wages, and working conditions, and that the employer understood that they were satisfied. Yet the employer would be confronted with a line of pickets. Would that be permissible under the Senator's amendment?

Mr. ERVIN. Under my amendment, so long as the pickets merely resorted to peaceful persuasion to induce the employees in the plant to join the union, but not for the purpose of bringing coercion on the employer for recognition purposes, the picketing would be perfectly legitimate and permissible; and I honestly think it should be made permissible.

The PRESIDING OFFICER. The time yielded to the Senator from North Carolina has expired.

Mr. KENNEDY. Mr. President, does the Senator from North Carolina desire to have further time?

Mr. ERVIN. I should like to have 2 more minutes.

Mr. KENNEDY. I yield 2 additional minutes to the Senator from North Carolina.

Mr. ERVIN. I thank the Senator from Massachusetts.

Mr. President, let me say that I think the Senator from Massachusetts and I are in agreement that when the object of the picketing is to induce the employees to join the union, if the picketing is conducted in a peaceful manner, it falls within the area which should be covered by the guarantee of freedom of speech which all Americans have.

Mr. LAUSCHE. Mr. President, will the Senator from Arkansas yield 5 minutes to me?

Mr. McCLELLAN. Mr. President, I yield 5 minutes to the distinguished Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 5 minutes, to be charged to the time under the control of the Senator from Arkansas.

Mr. LAUSCHE. Mr. President, I desire to offer my support to the amendment offered by the distinguished Senator from Arkansas.

In Ohio, the law, in the absence of Federal interference, declares that picketing is illegal except when there is in existence, between an existing employer and his employees, a legitimate dispute relating to hours of work, working conditions, or wages.

That law came into effect in about 1935. It grew out of a set of circumstances in which a business agent threw a picket line around a restaurant known as the Crosby Restaurant. A Mrs. Crosby ran that institution. She had 60 employees. All of them were satisfied with their hours, working conditions, and pay. The business agent descended upon her and said, "Discharge your employees and hire our union members, or compel your employees to join our union. Unless you do so, we will picket your place of business."

Mrs. Crosby spoke to her workers. Uniformly they said, "We are satisfied with all the conditions surrounding our employment. We do not want to join the union."

She reported that fact to the business agent. The business agent said, "Well, then, we will picket your place," and the union did. It picketed the place. In effect, the union finally destroyed her business.

I submit to my colleagues that the right to engage in business without interference by interlopers and outsiders is, in my understanding of the meaning of liberty and the Constitution of the United States, just as sacred as is the right of free speech.

Mr. McCLELLAN. Mr. President, will the Senator yield for a moment?

Mr. LAUSCHE. Yes.

Mr. McCLELLAN. In many instances the unions will hire persons from the outside to picket. The pickets are not employees of the plant. The unions bring persons from the outside to picket the place.

Mr. LAUSCHE. All of the employees of Mrs. Crosby were satisfied. I do not know whether the union hired outsiders to do the picketing, but the result on Mrs. Crosby was identical, whether the union tried to persuade the workers to join the union or attempted to blackmail Mrs. Crosby into yielding to the union's demands.

In reply to the Senator from North Carolina, I wish to repeat my philosophy of what is involved—the right to engage in business without interference by interlopers, when that business is run on such a basis that the employees are satisfied, is just as sacred as is the right of free speech sought to be exercised by the men who picket.

I wish to say further for the consideration of my colleagues that the first five titles of the bill, improved as they are, will do much in the way of remedying the abuses which have been in existence. But those remedies do not go to the causes and the reasons for the evils which have come into existence. The evils practiced by the racketeering labor leaders result from the fact that they have been vested with a power which they do not exercise properly.

Mr. McCLELLAN. Mr. President, will the Senator yield further?

Mr. LAUSCHE. Yes.

Mr. McCLELLAN. The vesting of such power is one of the things that has been attractive to the racketeers and gangsters. They know that by the force or the power which has been given to the labor leaders by Congress they can humiliate or destroy a small business, or make it bow to their demands. Honest unionism does not need that power. If we remove the power, it will be taken away from the crooks and scoundrels who want to exploit humanity and seize upon the power Congress has given to unions so they can use it for exploitation.

Mr. HOLLAND. Mr. President, will the Senator yield for a question?

Mr. LAUSCHE. Yes.

The PRESIDING OFFICER. The time of the Senator from Ohio has expired.

Mr. McCLELLAN. Mr. President, I yield 2 more minutes to the Senator from Ohio.

Mr. HOLLAND. The Senator knows that I am particularly concerned with the situation that applies to hotels. There have been repeated instances of the picketing of hotels in our State where the employees were satisfied. They were not members of the unions, but, nevertheless, the places were picketed. The damage done, of course, is very considerable, as was true in the case of the restaurant which the Senator has mentioned.

My question is this: Would it be possible to differentiate between a picket line to appeal to the employees to join the union and a picket line set up to force the employer into line by compelling him to bargain with the union?

Mr. LAUSCHE. There could be no differentiation between the two as to the results which would obtain. When a picket line is placed in front of a businessman's plant, it can be readily asserted that "we are merely trying to persuade the workers," but the net result is the destruction and ruination of that business.

Mr. HOLLAND. If the Senator will yield for one more quetion, he believes, then, does he not, as I do, that the adoption of the amendment offered by the Senator from North Carolina would mean that picket lines could be thrown up ostensibly to persuade employees to join a union, but it would be really to ruin the employer? Is that correct?

Mr. LAUSCHE. I think the very situation I have described demonstrates that fact.

The PRESIDING OFFICER. The time of the Senator from Ohio has expired.

Mr. McCLELLAN. I yield 1 more minute to the Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 1 additional minute.

Mr. LAUSCHE. Mr. President, the argument has been made that there may be many business houses having union contracts, but only one or two which do not have. My answer to that argument is, Why should the workers of one nonunion house be obliged, by intimidation and by the threat of destroying the employer's business, to join the union? If the employees can be persuaded to do so, well and good. But it is not right for the employees to be told, "You will be better off," when the worker says, "I am satisfied with my employment. I am satisfied with my wages, hours, and working conditions. I do not want to join the union." But the business agent says, "It does not make any difference whether you are satisfied or not. You are going to join."

It is at that point that I part with the philosophy that is being advocated against the proposal offered by the Senator from Arkansas.

The PRESIDING OFFICER. The time of the Senator from Ohio has expired.

Mr. McCLELLAN. Mr. President, I yield 5 minutes to the able Senator from Nebraska [Mr. CURTIS].

The PRESIDING OFFICER. The Senator from Nebraska is recognized for 5 minutes.

Mr. CURTIS. Mr. President, I rise in support of the pending amendment. Blackmail picketing is a weapon of the racketeers. We cannot wipe out racketeering without bringing to an end blackmail picketing, and that is what the amendment deals with.

I call the attention of Senators to lines 14 to 21 on page 2 of the amendment. There it is provided that there may be picketing if the persons engaged in the picketing represent the workers inside the plant.

The McClellan committee has taken evidence of case after case in which racketeers have brought in pickets representing no workers inside the building. These pickets would come for the purpose of either destroying the man's business or of compelling him to place his workers in a union to which the workers did not wish to belong.

The distinguished chairman of the select committee, the Senator from Arkansas, I am sure remembers the case of the Terminal Barber Shops in the Waldorf-Astoria Hotel. Perhaps the Senator from Florida will be interested in what happened at the Waldorf-Astoria Hotel.

The Waldorf-Astoria Hotel had three barbershops, which were operated by Terminal Barber Shops, Inc. This organization had its own union, which was not a company union but was an independent union. Nevertheless, an organizer for the A.F. of L. Barbers Union went to the owner of the barbershops in the Waldorf-Astoria Hotel and demanded that he put his barbers, not in the union of their choice, but in his union. The owner did not know what to do. He wanted to be a neutral and he wanted his men to decide, but the men did not want to have anything to do with another union, since they were satisfied with their own union. Pickets were stationed at the Wadorf-Astoria, not near the barbershops on the various floors, but at all the entrances to the Waldorf-Astoria Hotel. The evidence shows that for a few days business went on as usual, and then the Teamsters Union recognized the picket line and refused to deliver supplies to the Waldorf-Astoria. There were no linens brought in. There was no milk. There was no food. Supplies could not go out. The greatest hotel in the country was about to come to a standstill because some pickets, who represented not a single worker inside the barbershops, marched up and down.

As a result, the management of the Waldorf-Astoria Hotel had to say to the concern which had leased the barbershop space, "You will have to yield. If you do not, we cannot renew your lease." The owner of the barbershop had to say to the barbers, "You will have to give up."

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. CURTIS. Mr. President, may I have 2 additional minutes?

Mr. McCLELLAN. I yield the Senator 2 additional minutes.

Mr. CURTIS. The owner of the barbershop had to say to the barbers, "You will have to give up the union of your choice and join the other union, or we will all be out of business."

Mr. President, the intent of the law is to give to the workers the right to organize and bargain collectively. That is the right we should defend today. We should not defend the right of an outsider, particularly a racketeer, to destroy someone's business when he does not represent any workers inside the business. As soon as we take away the unlawful and wrongful weapons of blackmail picketing and boycotting, which go hand in hand, we can expect honesty in unions, because evil men will not seek to get control of unions.

Mr. President, if it is wrong for high-school boys to picket someone's place of business and drive him out of business it is wrong for a union. If it is wrong for a competitor to surround a business and destroy it, it is wrong for any other organization, including a labor organization.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). The time of the Senator from Nebraska has expired.

Mr. CURTIS. I urge that the amendment be agreed to.

Mr. KENNEDY. Mr. President, how much time is there remaining, pro and con?

The PRESIDING OFFICER. The Senator from Massachusetts has 22 minutes remaining and the Senator from Arkansas has 7 minutes remaining.

The question is on agreeing to the amendment offered by the Senator from North Carolina [Mr. ERVIN] to the amendment of the Senator from Arkansas [Mr. McCLELLAN].

Mr. KENNEDY. Mr. President, the Senator from Illinois desires to speak, and after he speaks I will be prepared to yield back my time, except for 6 or 7 minutes.

The PRESIDING OFFICER. Does any Senator yield time to the Senator from Illinois?

Mr. McCLELLAN. I have only 7 minutes remaining.

Mr. KENNEDY. Mr. President, I yield 10 minutes to the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 10 minutes, from the time under control of the Senator from Massachusetts.

Mr. DIRKSEN. Mr. President, I shall address myself very particularly to my esteemed friend from Massachusetts. I think this can be most effectively done in the form of two memorandums or two letters. I trust every Member of the Senate will pay close attention, because here in simple compass is the core of the problem.

I first desire to read a letter addressed to the President of the United States, which reads as follows:

DEAR MR. PRESIDENT: At the time this is written, our company has been threatened with a picket line because our employees have not joined local 714 of the Teamsters Union despite over 2 months of campaigning by this union.

Enclosed are copies of a letter received from the union containing the threat of picketing and a copy of a statement read to our employees by the company.

The PRESIDING OFFICER. Will the Senator desist for a moment? There is too much talking in the galleries and there is too much talking on the floor. The Senate will be in order, or the debate will be suspended.

The Senator from Illinois may proceed.

Mr. DIRKSEN. Mr. President, I continue to read from the letter:

As you are no doubt aware, we are faced with a dilemma. If we refuse to force our employees into the union against their wishes, we face possible loss of our business

due to the picket line. If we force our employees into the union we are guilty of an unfair labor practice.

The letter is from a small company in Illinois which manufactures decorative molding and that sort of thing.

I now wish to read what I think is one of the most interesting documents I have seen in a long time. It is reasonably current, being dated the 4th day of March 1959. It is addressed to the president of the company and is signed by the secretary-treasurer of local 714. This is what the secretary says:

Local 714 is engaged in a campaign to organize your production and maintenance employees.

Every word has significance. He says:

To induce your employees to join this union, we shall shortly begin peacefully to picket your establishment.

There is no question what they have in mind, because they have said so.

We assure you that the picketing will be entirely peaceful. We have instructed our pickets not to threaten, intimidate, or coerce anyone.

The operation is peaceful, to induce the employees to join this particular union.

We wish to make it clear to you that local 714 does not at this time represent, and of course we do not claim to represent, a majority of your production and maintenance employees.

Local 714 does not ask you to recognize it as exclusive bargaining representatives for your employees or, indeed, ask you to recognize it for any purpose at this time.

They had been campaigning for 2 months to organize this little plant.

The purpose of our picketing is solely to call to the attention of union members and supporters of organized labor that your production and maintenance employees are not members of local 714.

We hope that the demonstration of support of local 714 in its efforts to organize, which this picketing will produce—

There is no question of what they are going to get—

will persuade your employees to become members of our local union. When they do, they will join the thousands of other employees who are members of Local 714 and who are affiliated with the great International Brotherhood of Teamsters. In engaging in this picketing campaign, we are speaking for the members of our organization who are employed like your people and who feel the brunt of the unfair competition of your unorganized employees.

This point we must emphasize. We are not making any demand upon your company at this time to agree to or execute any contract with our union covering any of your employees. Under the law your company is permitted to recognize and bargain with our local union only after a majority of your production and maintenance employees have authorized the union to represent them. Therefore, even if your company should now or hereafter offer to recognize our union or enter into collective bargaining with us our union would refuse such an offer and we would continue to refuse until your employees lawfully authorize us to represent them.

Talk about the fine Italian hand of an insidious force. There it is. "We will destroy your business unless you tell your employees that we ought to represent them."

Should your employees desire to join our union, they may apply for membership at the office of Local 714, 4620 West Madison Street, Chicago 44, Ill., or ask one of the pickets for a membership application card which they can fill out and return to him. When we have received applications from a majority of your employees, we will contact you further.

This is not some fancied case. This is not the minority leader speaking. This is a letter from the secretary-treasurer of the union to the head of the company, telling him what is going to happen to him. He cannot tell him to join, because that would place him in the toils of the National Labor Relations Board. But if he does not join, his business will be destroyed.

Mr. President, I am not so much concerned about large enterprises. They have the resources to take care of themselves. This is a small company, which cannot stand the pressure. It will be out of business under this kind of treatment when the cards go up.

Yes; it is a demonstration effort. It is an educational effort; but that will be very poor comfort to the employer when he is out of business or in bankruptcy, or if he violates the law by forcing his employees to join the union.

One of the most skillful lawyers in the country must have written this letter. It is really a document for the books.

I continue to read from the letter:

You should also understand that it is your right under the Constitution of the United States and under the National Labor Relations Act to advise your employees of the economic detriment which you and they will sustain as a result of the withholding of patronage from your concern by union members and sympathizers as long as they remain nonmembers of our union.

Nothing is left to chance. The secretary of the union tells the president of the company that he has a constitutional right to advise his employees of the economic detriment which will happen.

There is the picket line. "So, Mr. Plepel"—that is the name of the head of the firm—"take your choice."

The PRESIDING OFFICER. The time of the Senator from Illinois has expired.

Mr. DIRKSEN. I yield myself 5 minutes under the bill.

"Take your choice, Mr. Plepel. Tell them to get into our union or we will put you out of business."

There is no intimidation, he says.

We shall shortly begin peacefully to picket your establishment. We assure you that the picketing will be entirely peaceful. We have instructed our pickets not to threaten, intimidate, or coerce anyone.

This will be milk and honey. It will be like balm in Gilead. No one will be able to take exception, but Mr. Plepel, your business is going down the drain.

That is what is involved in this amendment of the distinguished Senator from Arkansas. If it had no other appeal, it ought to appeal to every sense of justice and every throb of justice and equity that is in us.

You may, in the exercise of your lawful rights explain these detriments to your employees and urge your employees to apply for membership in the union and thereby acquire for themselves and for your company the good will of our union and its friends. You may not, and we are sure that you will not, threaten to take economic reprisal against your employees or grant them benefits, to coerce their choice in this matter. However, we feel sure that if your employees, who have been carefully taught to look to you for leadership on matters affecting their employment, are convinced that it is your sincere desire that they join the union, they will quickly realize that acquisition of union membership at the earliest opportunity is in their best interest.

Yours truly,

W. T. HOGAN,
Secretary-Treasurer, Local 714.

Aside from partisanship, aside from the question of whether a person is a conservative or liberal, aside from the question of whether or not he has a tag on him, this amendment appeals to fairness as nothing else can. I am speaking for the small companies. When representatives of the retailers came before the committee they recited instance after instance of what had happened. It is all in the testimony. Rather than resort to the testimony, I used the letter from the secretary-treasurer of the union to the president of a small company, telling him what is going to happen to him—and it is going to be so peaceful that not even a peace magistrate could take exception to the quiet atmosphere in which it will be done.

I think the Senate is on trial on the question of peaceful picketing. This amendment is for the protection of little people. In my judgment the more substantial concerns can take care of themselves.

That is the whole story. There is no amplification which I can give to that letter, and I rest the case on it.

Mr. KENNEDY. Mr. President, how much time have we?

The PRESIDING OFFICER. The Senator from Illinois has been proceeding on 5 minutes yielded to himself on the bill, which he has not entirely consumed. He has 2 minutes remaining.

Mr. DIRKSEN. Mr. President, I yield back the remainder of my time.

Mr. KENNEDY. Mr. President, I had agreed to yield some time to the Senator from South Dakota [Mr. MUNDT]. However, the Senator from Oregon [Mr. MORSE] probably wishes to comment.

Mr. MORSE. Mr. President, I shall take only 2 minutes.

Mr. KENNEDY. I yield 2 minutes to the Senator from Oregon.

Mr. MORSE. Mr. President, with regard to the question which the Senator from Illinois has raised, there is nothing in the free speech section of the Taft-Hartley law which would prevent an employer from calling his employees together, if he so desired, and saying, "I have no objection to any employee in my plant joining a union if he wishes to join a union."

Second, I call attention to the kind of literature and the information which chambers of commerce and other employer groups issue, notifying union members that they are on an employers' blacklist, and that if they continue their membership in the union they will be denied credit, for example.

I intend to speak at some length later, if I can get the time, on the great issue which faces the Senate this afternoon. In my judgment one of the fundamental principles and fundamental purposes of the free trade union movement is now at stake on the floor of the Senate.

I would have the Senate take at least enough time—and that is why I wish we had more time—to review some of the great doctrines enunciated by the courts of this country, which have been handed down in picketing cases, which, in my judgment, are the great landmarks for the preservation of some basic freedoms, including freedom of speech, freedom to pace the streets of America with signs notifying the public, for example, that here is a plant which is undermining high labor standards in the community because of the fact that it is not organized.

The courts have very clearly defined peaceful picketing, and what peaceful picketing includes. I wish to say to my friend from Illinois that it will be a sad day in Congress if this afternoon we strike a body blow against the cardinal principle of freedom of speech under the Constitution of the United States, which the Supreme Court in landmark case after landmark case has time and time again sustained under the practice of peaceful picketing.

I shall not vote, in effect, to undermine these great Supreme Court decisions about which I shall speak this afternoon at some length if I can get the time to do so on the bill.

Mr. DIRKSEN. I yield myself 30 seconds on the bill to say to my distinguished friend from Oregon that this is not a hypothetical case.

Mr. MORSE. I corrected myself in that regard.

Mr. DIRKSEN. This is a real case. That letter went to the president of a company. For aught I know, pickets are marching this afternoon in the State of Illinois. This is not a matter merely of words on my part. This is an actual instance which, in my judgment, appeals to fairness.

Mr. KENNEDY. I believe I have 11 minutes remaining.

The PRESIDING OFFICER. The Senator from Massachusetts has 9 minutes remaining.

Mr. KENNEDY. I shall yield 3 minutes to the Senator from South Dakota.

Mr. MUNDT. I thank the Senator from Massachusetts, but I understand that the Senator from Arkansas [Mr. McCLELLAN] has yielded me 2 minutes. Therefore I have a total of 5 minutes. Is that correct?

Mr. McCLELLAN. Yes; I yield 2 minutes to the Senator from South Dakota.

Mr. DIRKSEN. I am sure the distinguished Senator wants to have the yeas and nays ordered on the amendment.

Mr. MUNDT. I am glad to yield for the purpose of having the yeas and nays ordered.

The PRESIDING OFFICER. The yeas and nays have been ordered on the amendment offered by the Senator from Arkansas. They have not been ordered on the amendment to that amendment, offered by the Senator from North Carolina.

Mr. MUNDT. Mr. President, I was greatly fascinated by the recent colloquy between the Senator from Illinois and the Senator from Oregon. I was disturbed and concerned by the evidence brought into the RECORD by the Senator from Illinois, because it so clearly parallels a case in point in my own State of South Dakota. I should like to mention the case, which arose in Sioux Falls, S. Dak. It involved a dispute between a young electrical subcontractor and the powerful International Brotherhood of Electrical Workers.

The PRESIDING OFFICER. The Senator will suspend. There is too much confusion on the floor of the Senate. Senators who wish to converse will please leave the Chamber.

Mr. MUNDT. The case involved a dispute between a young electrical subcontractor and the powerful International Brotherhood of Electrical Workers. This is not a hypothetical case. This is the kind of thing which can happen in any Senator's home town or State. It is happening.

The PRESIDING OFFICER. Will the Senator suspend? There seems to be a continuing insistence on conversations on the floor of the Senate. Senators will please leave the Chamber if they wish to converse. The Senator from South Dakota may proceed.

Mr. MUNDT. I thank the Chair. This is the type of case that can happen anywhere in the country, in small communities and in large ones, unless Congress takes action to illegalize illegitimate and blackmail picketing.

The subcontractor to whom I have referred employed at various times both union and nonunion electricians. He is a working electrician himself. He was advised by the business agent of the International Brotherhood of Electrical Workers that he should employ union electricians. The contractor said, "I am perfectly willing to allow my men to join the union. You can go and talk with them and try to get them to join. I have no opposition to that." However, he refused to compel them to join the union, believing that his workers had the same American right to join or not to join as other Americans have to exercise their independence.

The union representative advised the contractor that he did not want the contractor to induce his employees to join the union. I ask Senators to note this particularly. He did not want the contractor to induce his workers to join the union. He said, instead, that the contractor should dismiss his employees and hire union electricians who were available in the community.

Having a sense of loyalty to the men who were working for him and who had worked for him for a considerable period of time, the employer refused to do so. Following his refusal to dismiss his employees, and to hire people whom he did not know but who happened to belong to the union, the contractor was picketed, his business was ruined, and his employees were put out of work. He was blacklisted by the union.

He brought an action under the South Dakota labor laws and succeeded in obtaining a judgment in excess of $25,000, $20,000 being punitive damages awarded by the trial court jury.

The judgment was unanimously affirmed by the Supreme Court of South Dakota. It is now on appeal to the Supreme Court of the United States.

Following Monday's decision in the Garmon case, it may well be that the contractor's case will be reversed by the Supreme Court, because in that decision the Supreme Court held that State courts had no right to award damages to a contractor who had been ruined and forced out of business if the picketing was peaceful, and that the only time the State has jurisdiction is when there is a criminal violation.

I submit to my colleagues in the Senate: Is this the kind of thing we are going to approve by voting against the McClellan amendment? This is the kind of thing we must eliminate by voting for the McClellan amendment.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. KENNEDY. I yield 1 additional minute to the Senator from South Dakota.

Mr. MUNDT. I wish to make a special appeal on this point to my friends from the South, who have fought so long and so courageously for the concept known as States rights. If they really believe in the rights of States and in the rights of the working people in the States, and in the rights of State courts to rule from the standpoint of a man who has been put out of business in this kind of activity, I solicit their support for the amendment offered by a great son of the South, Senator McCLELLAN, of Arkansas.

If they have any lingering doubts as to what they can do for the people in this fight, I suggest they read the sickening dispatches which are coming from Henderson, N.C., involving the textile situation there.

Mr. KENNEDY. Mr. President, I yield 3 minutes on the bill to the Senator from North Carolina.

Mr. ERVIN. Mr. President, the situation in which we find ourselves at this time proves the soundness of the proposition I made to the Senate, that we should restrict the bill to malpractices in the internal affairs of the unions, and not extend it to matters in the field of the Taft-Hartley Act.

We have before us an amendment offered by the Senator from Arkansas. I favor much of it. There are some provisions in it which I oppose. If, instead of legislating on the floor of the Senate in this manner, we had had this proposal ironed out in committee the committee could have drawn a bill which would have cured the evils the amendment is intended to cure, without the infliction of injury on others. It is impossible in the time available to us on the floor of the Senate to find phraseology which will accomplish this. Therefore one is compelled to vote on the basis of whether the amendment is 50 percent good or 50 percent bad. That shows the unwisdom of writing legislation on the floor of the Senate.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. ERVIN. I shall be glad to yield in a moment. I undertook to have all non-germane Taft-Hartley amendments stricken from the bill and proposed an amendment to this effect. It was my purpose to urge that all other Taft-Hartley amendments be rejected, and that the bill be restricted to its primary purpose, that is, the prevention or punishment of demonstrated malpractices in the internal affairs of unions. But the Senate rejected my amendment and thus decreed that this bill should be used as a vehicle for amending the Taft-Hartley Act.

Like other Members of the Senate, I now have to vote my views on amendments proposed to the Taft-Hartley law.

Since we do not have adequate time to adopt or change the phraseology of the bill in order to make it certain that good and not ill will be accomplished by such amendments, we must necessarily vote for or against the amendments to the bill based on our somewhat hastily formed opinion as to whether they will do more harm than good.

Mr. MUNDT. The Senator from North Carolina is not contending, is he, that this issue was not brought up before the Committee on Labor and Public Welfare?

Mr. ERVIN. I am not a member of that committee, but I understand it was brought up, and that the committee did not take action.

Mr. MUNDT. I know it was brought up, because I was one of the Senators who testified in support of legislation of this type. I think I read in the newspapers that the Senator from Arkansas [Mr. McCLELLAN] also presented the problem to the committee.

Mr. ERVIN. The Senator from South Dakota was one of those who favored my endeavor to restrict the bill to the internal affairs of unions. Of course, when we lost, and the majority decreed otherwise, it became necessary for us to do the very best we could, under very unfavorable circumstances, to write amendments to the Taft-Hartley Act on the floor of the Senate amid the heat of debate—a course of action which is certainly not desirable.

Mr. KENNEDY. Mr. President, I oppose this amendment. The Senator from Illinois has given us an example, although there may be other factors present about which we know nothing. We have no idea what the conditions are in the company he cited—the kind of wages paid, the number of hours the employees work; what the previous employee-employer relationship has been. But let us take his example at face value. Let us say there is unfair pressure on an employer to coerce and force his employees to join a union. I would be against that kind of pressure. I think it should be prohibited.

But the amendment of the Senator from Arkansas goes far beyond that. Let us look at the language of the Senator's amendment. He says it is directed to racketeers and unreasonable pressure on employers.

Can the Senator from Arkansas tell me why the words beginning on line 14, page 2, have been written in exactly this form:

> During any other period unless there shall have been filed with such employer at least 5 days before the commencement of any such picketing a petition signed by a majority of the employees of such employer requesting that such employer recognize as the representative of his employees a particular labor union designated in such petition.

Let me demonstrate what an employer could do with that petition. He could discharge the first 5 employees whose names appeared on it. It would take, under present procedures of the Board, 3 years for an unfair labor practice complaint against him to be acted on if an appeal were taken.

During that time, other employees would immediately revoke their signatures on the petition, and the union would be unable to protect its economic interest against the economic interest of the low-wage employer.

Second, the employer could write a letter to the chamber of commerce, asking that it send letters to merchants requesting that the employees be denied credit in that town. Under the law today such activity would be permissible.

Third, the employer could say to the employee, "If you vote to have a union come into the plant, I will move my shop to another State. Then all the employees would be out of work." As Judge Hand said, the speeches of employers on such occasions have more than the force of persuasion.

So when the Senator from Arkansas and the Senator from Illinois seek to deal with wrongdoing, in the name of the small businessmen, giving us reprehensible examples, I accept their statements and examples. But on the strength of such examples I do not propose to shackle honest trade unions with broad language which is as ill advised as that in the amendment of the Senator from Arkansas.

I have been a member of the McClellan committee since its inception. I have supported proposals which I think will apply to the racketeers. But I do not think proposals such as the one now presented should be accepted by the U.S. Senate.

In my opinion, the effect of this amendment would be extremely serious. It would end any chance for this bill to pass, and it should end it. I myself would be forced to vote against the bill and ask that my name be stricken from it, if this amendment were adopted. The amendment has nothing to do with labor racketeers. It goes to the whole question of the economic relationship of employers and employees. Unless we are ready to limit in some degree the rights of employers, I do not think we should adopt an amendment which seeks to deal with racketeers but which circumscribes completely the economic rights of employees.

Of course there is an economic struggle. Fifty or sixty thousand enterprises went broke in a recent period. The whole free-enterprise system is an economic struggle. There is an economic struggle between employees and employers; between organized labor and unorganized labor. I do not propose, under the pretense of antiracketeering, to take away the economic rights of one group as against all other groups.

That is why we have created a blue ribbon committee. We are attempting to write a bill which will regulate picketing of the kind which the Senator from Illinois described, but it will not prohibit all picketing.

I hope the amendment of the Senator from Arkansas will be defeated.

Mr. DIRKSEN. Mr. President, I yield myself 1 minute on the bill.

The Senator from Massachusetts would sound very persuasive indeed this afternoon except for one thing. At least three efforts were made to include a picketing amendment in the bill, but the Senator's committee resisted those efforts.

Mr. KENNEDY. Did the Senator from Illinois at any time propose restricting in any way any employer rights under the free speech section of the Taft-Hartley Act?

Mr. DIRKSEN. Then why was not an effort made to put an antipicketing amendment in the bill? The attempt to include such language was resisted. So the Senator from Arkansas had virtually no other choice than to offer that kind of amendment.

If the Senator wants to say that the Senate is on trial, it is on trial, because on a straight vote down the line every effort was made by the committe to resist an antipicketing amendment.

The language can be revised later. It can be revised in the House. But this is the only opportunity which the Senate will have to include such a provision. I trust the amendment of the Senator from Arkansas will be agreed to.

Mr. McCLELLAN. Mr. President, the Senator from Massachusetts asked me why the language in subtitle (B), on page 2, line 14, was included. I do not want to deny to a majority of the employees their rights—their economic rights—to bind together in collective bargaining. I do not want to deny them the right to picket or the right to demand the use of economic force, when a majority of the employees want a union. That is why I included that language.

If there is an election, they cannot have another election for a year. I do not want to deny them the right during that year, if a majority of the employees decide they want an election, to let them petition their employer and give him 5 days' notice. Then if the employer does not bargain or recognize the union, I want to give them the right to strike.

We talk about freedom of speech. I do not know when freedom of speech has ever extended without bounds. I can walk down the street, swinging my fist. That is a type of freedom. That is freedom of action. But when my fist comes in contact with someone else's nose, that is where my freedom ends. [Laughter.]

We may have freedom of action and freedom of speech; but when a picket line is thrown up and legitimate processes of our economy are stifled through the power which has been given to unions

to organize picket lines and say, "We will cut off supplies," that is where freedom ends.

If the Senator from Massachusetts had wanted to do something to correct these practices, he had the opportunity. Now we have to do our best to legislate on the floor of the Senate. We will have no other chance.

The conditions which exist need remedying. I do not want to deny the workers their rights when a majority of them want a union. I do not want to deny them freedom of speech. I want them to have freedom of speech. I do not want them to wait a year to hold another election. I want them to have the opportunity to hold an election in the intervening period.

But I am opposed to blackmail picketing. I am opposed to shakedown picketing. I am opposed to top-down organization. The only way such conditions will be corrected is by law. As I said a while ago, if these practices are not corrected, there will only be a continuation of the activities by the Dioguardis. That crowd has been exploiting employees in all sections of the country. They are racketeers and gangsters.

The Senator from Massachusetts said I saw a gangster every time I looked at a labor union. I have repeatedly said throughout the country that the great majority of labor unions and their leaders are honest. I repeat that statement. The great majority of the citizens of America are honest and law abiding. But there are a few with whom we have to deal. If we did not have laws for the protection of those who are honest as against those who are scoundrels, there would be bedlam in the United States; there would be barbarism. There would be the same thing in unionism. As I said in my opening remarks, the criminal element, the syndicated crime that is moving in and is using unionism as a vehicle, would gobble up the Meanys and those like him. The ethics codes would not stop that. Some talk about ethics to halt that crowd. Mr. President, they would laugh in our faces, and would think we were silly to mention such a thing.

I yield back the remainder of the time available to me.

Mr. ERVIN. Mr. President, on the question of agreeing to my amendment to the amendment of the Senator from Arkansas, I ask for the yeas and nays.

Mr. MUNDT. Mr. President, before that question is put, I ask that the amendment to the amendment be stated.

The PRESIDING OFFICER. The Ervin amendment to the McClellan amendment, as modified, will be stated.

The LEGISLATIVE CLERK. To the modified amendment of Mr. MCCLELLAN, Mr. ERVIN proposes the following amendment:

On page 2, in lines 4 and 5, strike out "for organizational purposes or".

Mr. ERVIN. In other words, my amendment will restrict the amendment of the Senator from Arkansas; but if his amendment is amended by my amendment, the amendment as amended will still allow peaceful picketing for the purpose of persuading others to join the union.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from North Carolina [Mr. ERVIN] to the modified amendment of the Senator from Arkansas [Mr. MCCLELLAN]. On this question, the yeas and nays have been requested.

Is there a sufficient second?

The yeas and nays were ordered.

Mr. MUNDT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from South Dakota will state it.

Mr. MUNDT. Has all available time on the Ervin amendment to the McClellan amendment been used; or does some time remain on the question of agreeing to the McClellan amendment?

The PRESIDING OFFICER. All time on the amendment has expired.

Mr. GOLDWATER. Mr. President, notwithstanding the unanimous-consent agreement under which we are operating, I ask unanimous consent that each side may have 10 minutes in which to explain the pending amendment to the amendment of the Senator from Arkansas.

The PRESIDING OFFICER. Is there objection?

Mr. JOHNSON of Texas. Mr. President, I shall be glad to yield 10 minutes on the bill to any Senator who wishes to discuss further the pending question.

Mr. LONG. Mr. President, may we have an explanation of the significance of the proposal to strike out the stated words of the McClellan amendment? I have not heard an explanation of the amendment to the amendment.

Mr. ERVIN. I shall be glad to explain it, Mr. President.

Mr. JOHNSON of Texas. Mr. President, I yield 3 minutes on the bill to the Senator from North Carolina.

The PRESIDING OFFICER. The Senator from North Carolina is recognized for 3 minutes.

Mr. ERVIN. Mr. President, the McClellan amendment, as now drawn, would make it an unfair labor practice to engage in organizational picketing, which is picketing designed to persuade others to join unions; and the amendment would also make it an unfair labor practice to engage in picketing to coerce or force an employer to grant recognition to a union which does not represent a majority of his employees. In my opinion, the latter should be outlawed.

But I believe that to prohibit organizational picketing, which is conducted peaceably, would be to interfere with the right of freedom of speech under the first amendment.

Violence in connection with picketing is now unlawful.

My amendment to the McClellan amendment provides, in effect, that Congress is not attempting to take away the right to picket peaceably for the purpose of persuading others to join a union.

Unless my amendment to the amendment is adopted, I believe the McClellan amendment, if adopted, would be in violation of the right of freedom of speech, because the McClellan amendment would then prohibit peaceful action to persuade others to join a union. I am sure that the distinguished Senator from Arkansas [Mr. MCCLELLAN] does not intend that. But I am convinced that the words of his amendment do exactly that.

Mr. SMATHERS. Mr. President, would the Senator's amendment to the McClellan amendment allow those who wished to have a union organization to march up and down the street in front of the place of employment, and to carry placards reading "Join the Union"?

Mr. ERVIN. Yes.

Mr. SMATHERS. But the Senator's amendment to the McClellan amendment would prohibit so-called blackmail picketing, would it?

Mr. ERVIN. My amendment would not impair the provisions of the McClellan bill outlawing picketing to force an employer to recognize a union which does not represent a majority of the employees.

Mr. KENNEDY. Mr. President, I yield myself 2 minutes on the bill.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized for 2 minutes on the bill.

Mr. KENNEDY. Mr. President, I do not agree at all with what has just been stated. All this matter comes down to is the question of how the National Labor Relations Board will define recognition picketing, as opposed to organizational picketing.

Will the Senator from North Carolina explain what he believes the difference is?

Mr. ERVIN. Yes. I think organizational picketing is picketing which is done for the purpose of pursuading others to join a union. If such picketing is done in a peaceful and proper manner, I think the right of freedom of speech protects it.

Under the McClellan amendment, recognition picketing is picketing which is done for the purpose of forcing an employer to recognize as the bargaining agent of the employees a union which does not represent a majority of the employees.

Mr. KENNEDY. Mr. President, I yield myself 2 minutes on the bill.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized for 2 minutes on the bill.

Mr. KENNEDY. Mr. President, the problem is to determine whether the union represents a majority of the employees. In view of the fact that the bill provides for prehearing elections, I think it would be much better to determine this question by that means.

But I must say in frankness that I do not think the Senator's amendment to strike from the McClellan amendment the words "for organizational purposes or" amounts to anything of importance, unless it is possible to show whether the union represents a majority of the employees.

So the problem comes down to the question of how to determine whether the union becomes the legitimate spokesman for the employees.

I do not believe the mere acceptance of the amendment of the Senator from North Carolina to the amendment of the Senator from Arkansas would accomplish what the Senator from Florida thinks it would.

I suggest that perhaps a much better procedure would be to provide that for a certain period of time following a legitimate election, there could not be picketing. Such a provision would accomplish what the Senator seeks to accomplish. But I do not think the amendment he proposes, in its present form, would do that.

Mr. ERVIN. If my amendment to the McClellan amendment is adopted, organizational picketing, when carried on in a peaceful and proper manner, for the purpose of persuading others to join the union would be allowed; but recognition picketing, for the purpose of forcing or requiring the employer to recognize or bargain with a particular labor organization as the representative of his employees, if the labor organization did not represent a majority of the employees, would be prohibited.

Mr. KENNEDY. How would the latter be done?

Mr. ERVIN. I have just defined it.

Mr. KENNEDY. But the Senator from North Carolina has said that the prohibition he proposes would apply only to a union which did not represent a majority of the employees. How would that be determined?

Mr. ERVIN. The purpose of my amendment to the amendment is to permit peaceable organizational picketing, but to prevent recognition picketing. Organizational picketing is picketing, conducted in a peaceful, proper manner, to persuade others to join the union. Recognition picketing is picketing which is designed to compel the employer to accept the union as the bargaining agent for the employees, regardless of whether the union represents a majority of the employees.

Mr. KENNEDY. The Senator from North Carolina has accurately stated the difference. But how does he propose that the difference be determined?

Mr. ERVIN. One way—as the Taft-Hartley Act originally contemplated—would be to hold an election. But the provisions of the McClellan amendment take care of the situation in which there had not been an election, and in which recognition of the union as the bargaining agent of the employees is demanded, in violation of the spirit of the Taft-Hartley Act and its particular terms.

Mr. KENNEDY. But how would the Senator from North Carolina determine whether the union represented a majority of the employees, or whether it was merely attempting to coerce the employer?

I think the amendment of the Senator from North Carolina to the McClellan amendment needs considerable more consideration and debate.

I hope the Senate will vote on the McClellan amendment separately, and will deal with recognition picketing by means of a separate amendment.

The PRESIDING OFFICER. The time available to the Senator from Massachusetts has expired.

Mr. KENNEDY. I ask for 2 minutes on the bill.

Mr. MANSFIELD. Mr. President, I yield to the Senator from Massachusetts 2 minutes on the bill.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized for 2 minutes on the bill.

Mr. KENNEDY. Mr. President, I suggest that the Senate vote on the McClellan amendment as it is.

If, thereafter, the Senator from North Carolina wishes to offer his amendment separately, as a means of establishing the difference between organizational picketing and representation picketing, he will then have an opportunity to submit such an amendment, and to debate it, and then to prescribe the ground rules for the determination of the existence of those two types of picketing.

Mr. ERVIN. Mr. President, inasmuch as the yeas and nays have already been ordered on the question of agreeing to my amendment to the McClellan amendment, I should like to have the vote taken on my amendment to the amendment; because if the McClellan amendment were to be rejected, I would not have a chance to offer my amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from North Carolina [Mr. ERVIN] to the amendment, as modified, of the Senator from Arkansas [Mr. MCCLELLAN].

On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCLELLAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MCCLELLAN. What is the pending question?

The PRESIDING OFFICER. The question is on agreeing to the amendmend of the Senator from North Carolina [Mr. ERVIN] to the amendment of the Senator from Arkansas [Mr. MCCLELLAN] as modified.

Mr. MCCLELLAN. A "yea" vote would be a vote for the amendment to the amendment, and a "nay" vote would be a vote to reject it. Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. LAUSCHE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. LAUSCHE. That is, a vote for the amendment which is now pending would be a partial rejection of the McClellan amendment. Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. LAUSCHE. And a "nay" vote would be at least some indication of support for the McClellan amendment. Is that correct? [Laughter.]

The legislative clerk resumed and concluded the call of the roll.

Mr. MANSFIELD. I announce that the Senator from Arkansas [Mr. FULBRIGHT] and the Senator from Minnesota [Mr. HUMPHREY] are absent on official business.

I also announce that the Senator from Nevada [Mr. BIBLE] is absent because of a death in his family.

I also announce that the Senator from Delaware [Mr. FREAR] is absent because of illness.

On this vote, the Senator from Arkansas [Mr. FULBRIGHT] is paired with the Senator from Minnesota [Mr. HUMPHREY].

If present and voting, the Senator from Arkansas would vote "yea" and the Senator from Minnesota would vote "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON] is absent on official business and if present and voting, would vote "nay."

The Senator from Wisconsin [Mr. WILEY] is necessarily absent, and, if present and voting would vote "nay."

The result was announced—yeas 25, nays 67, as follows:

YEAS—25

Aiken	Javits	Mundt
Bartlett	Johnson, Tex.	Neuberger
Cannon	Jordan	Saltonstall
Case, N.J.	Keating	Scott
Cooper	Kefauver	Smathers
Ervin	Kerr	Talmadge
Gore	Kuchel	Young, N. Dak.
Hart	Monroney	
Hayden	Morton	

NAYS—67

Allott	Engle	Morse
Anderson	Goldwater	Moss
Beall	Green	Murray
Bennett	Gruening	Muskie
Bridges	Hartke	O'Mahoney
Bush	Hennings	Pastore
Butler	Hickenlooper	Prouty
Byrd, Va.	Hill	Proxmire
Byrd, W Va.	Holland	Randolph
Capehart	Hruska	Robertson
Carroll	Jackson	Russell
Case, S. Dak.	Johnston, S. C.	Schoeppel
Chavez	Kennedy	Smith
Church	Langer	Sparkman
Clark	Lausche	Stennis
Cotton	Long	Symington
Curtis	Magnuson	Thurmond
Dirksen	Mansfield	Williams, Del.
Dodd	Martin	Williams, N.J.
Douglas	McCarthy	Yarborough
Dworshak	McClellan	Young, Ohio
Eastland	McGee	
Ellender	McNamara	

NOT VOTING—6

Bible	Frear	Humphrey
Carlson	Fulbright	Wiley

So Mr. ERVIN's amendment to Mr. MCCLELLAN's amendment, as modified, was rejected.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Arkansas [Mr. MCCLELLAN], as modified. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. SMATHERS (when his name was called). On this vote I have a pair with the senior Senator from Minnesota [Mr. HUMPHREY]. If he were present and voting, he would vote "nay." If I were at liberty to vote I would vote "yea." I therefore withhold my vote.

The rollcall was resumed and concluded.

Mr. MANSFIELD. I announce that the Senator from Louisiana [Mr. ELLENDER], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Minnesota [Mr. HUMPHREY], and the Senator from Georgia [Mr. RUSSELL] are absent on official business.

I also announce that the Senator from Nevada [Mr. BIBLE] is absent because of a death in his family.

I also announce that the Senator from Delaware [Mr. FREAR] is absent because of illness.

On this vote, the Senator from Nevada [Mr. BIBLE] is paired with the Senator from Kansas [Mr. CARLSON].

If present and voting, the Senator from Nevada would vote "nay" and the Senator from Kansas would vote "yea."

On this vote, the Senator from Louisiana [Mr. ELLENDER] is paired with the Senator from Wisconsin [Mr. WILEY].

If present and voting, the Senator from Louisiana would vote "nay" and the Senator from Wisconsin would vote "yea."

I further announce that, if present and voting, the Senator from Arkansas [Mr. FULBRIGHT] would vote "yea."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON] is absent on official business, and is paired with the Senator from Nevada [Mr. BIBLE]. If present and voting, the Senator from Kansas would vote "yea" and the Senator from Nevada would vote "nay."

The Senator from Wisconsin [Mr. WILEY] is necessarily absent, and is paired with the Senator from Louisiana [Mr. ELLENDER]. If present and voting, the Senator from Wisconsin would vote "yea" and the Senator from Louisiana would vote "nay."

The result was announced—yeas 30, nays 59, as follows:

YEAS—30

Allott	Curtis	Martin
Beall	Dirksen	McClellan
Bennett	Dworshak	Morton
Bridges	Eastland	Mundt
Bush	Goldwater	Robertson
Butler	Hickenlooper	Schoeppel
Byrd, Va.	Holland	Stennis
Capehart	Hruska	Thurmond
Case, S. Dak.	Jordan	Williams, Del.
Cotton	Lausche	Young, N. Dak.

NAYS—59

Aiken	Hayden	Morse
Anderson	Hennings	Moss
Bartlett	Hill	Murray
Byrd, W. Va.	Jackson	Muskie
Cannon	Javits	Neuberger
Carroll	Johnson, Tex.	O'Mahoney
Case, N.J.	Johnston, S.C.	Pastore
Chavez	Keating	Prouty
Church	Kefauver	Proxmire
Clark	Kennedy	Randolph
Cooper	Kerr	Saltonstall
Dodd	Kuchel	Scott
Douglas	Langer	Smith
Engle	Long	Sparkman
Ervin	Magnuson	Symington
Gore	Mansfield	Talmadge
Green	McCarthy	Williams, N.J.
Gruening	McGee	Yarborough
Hart	McNamara	Young, Ohio
Hartke	Monroney	

NOT VOTING—9

Bible	Frear	Russell
Carlson	Fulbright	Smathers
Ellender	Humphrey	Wiley

So Mr. MCCLELLAN'S amendment, as modified, was rejected.

Mr. PROUTY. Mr. President, I send an amendment to the desk and ask that it be stated. I might explain that it is similar to another amendment at the desk which will not be offered.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 59, after line 25, it is proposed to add the following new section:

SEC. 607. (a) Subsection (b) of section 8 of the National Labor Relations Act, as amended, is amended by striking out the word "and" at the end of paragraph (5), by striking out the period at the end of paragraph (6) and inserting in lieu thereof a semicolon and the word "and", and by adding a new paragraph as follows:

"(7) to picket or cause to be picketed, or threaten to picket or cause to be picketed, any employer with the object of forcing or requiring an employer to recognize or bargain with a labor organization as the representative of his employees, or forcing or requiring the employees of an employer to accept or select such labor organization as their collective bargaining representative—

"(A) where the employer has recognized in accordance with this Act any other labor organization and a question concerning representation may not appropriately be raised under section 9(c) of this Act; or

"(B) where within the preceding twelve months a valid election under section 9(c) of this Act has been conducted unless such labor organization has been certified as the representative of employees of such employer pursuant to such election; or

"(C) where a petition has been filed under section 9(c)(1)(A) by another labor organization or under section 9(c)(1)(B) by such employer, and such petition is pending before the Board."

(b) Subsection (1) of section 10 of the National Labor Relations Act, as amended, is amended by striking out the first sentence and substituting in lieu thereof the following: "Whenever it is charged that any person has engaged in an unfair labor practice within the meaning of paragraph (4)(A), (B), or (C) or paragraph 7 of section 8(b) or paragraph 2 of section 8(a), or has refused to bargain within the meaning of paragraph (5) of section 8(a) with a representative of his employees which has been certified by the Board within the preceding twelve months as such representative under the provisions of section 9, the preliminary investigation of such charge shall be made forthwith and given priority over all other cases except cases of like character in the office where it is filed or to which it is referred."

Mr. PROUTY. Mr. President, I ask unanimous consent that the time used for the reading of my amendment not be charged to me.

Mr. KENNEDY. Mr. President, will the Senator from Vermont state the number of his amendment?

Mr. PROUTY. It has no number.

Mr. KENNEDY. May I have a copy of it?

Mr. GOLDWATER. The language of the amendment of the Senator from Vermont is identical with the language contained in my amendment designated "4-23-59—C."

Mr. KENNEDY. What was the unanimous-consent request?

Mr. PROUTY. That the time used in reading the amendment not be charged to me.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROUTY. On this amendment, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. PROUTY. Mr. President, I think anyone who is familiar with my background will realize that I have always tried to be friendly to organized labor and to the workingman. I have likewise tried to be fair to the employer. Today I think we are faced with a situation which requires rectification, both in the interests of the workingman and the interests of the employer.

I have had distributed a statement. I suggest that Senators who are interested in it read it, as I read it, in order that they may have a full understanding of the purpose of my amendment.

Mr. President, I yield myself 30 minutes on the amendment.

This amendment imposes certain modest limitations on organizational and recognition picketing. It does not ban or in any manner diminish the right of a union to picket for any other objective.

Under my amendment a union would be prohibited from picketing or threatening to picket an employer only where the object of such conduct was to force the employer to bargain or deal with the union or to force the employees either to join the union or to select or accept it as their collective bargaining representative. Every other kind of picketing would be absolutely unaffected by this amendment.

But even where the union picketed for either of these two objectives—recognition or organization—it would not be in violation of the law under my amendment unless the picketing occurred in at least one of the three following situations:

First. The picketed employer had recognized and signed a contract with some other perfectly legitimate union which actually represented a majority of his employees, and hence, under the Taft-Hartley Act, no election would be held by the Board until such contract had expired; or

Second. The Board had held an election during the preceding 12 months and the picketing union had either failed to win the election or even to participate in it, and had thereby also failed to demonstrate that it represented a majority of the employees of the picketed employer; or

Third. The employer or the union other than the picketing union had filed a petition for an election with the Board, and the petition was still pending before the Board. In such a situation a picket line constitutes an attempt not only to force recognition from an employer or membership or support from his employees by means of economic pressure, but it also constitutes an attempt to undercut or circumvent the machinery which the law has established through the NLRB for determining the very question which the picketing union is attempting to resolve in its own favor by economic force during the

very time when the machinery of the law is already in motion.

Whenever picketing occurs under one of these three circumstances, my amendment provides that the NLRB, as it does in cases of unlawful secondary boycotts, must, simultaneously with proceeding against the picketing union through its own administrative processes, seek a temporary restraining order against such union in the Federal district court. This is to provide immediate relief to the picketed employer and his employees, who might otherwise lose both their business and jobs if they had to wait for relief until the Board issued its cease and desist order many months, sometimes even years, later.

In order to safeguard unions against any possible injustices under these provisions my amendment also provides that the NLRB must seek such immediate relief through injunctions on behalf of unions and against employers in the following two types of situations:

First. Where the picketing union charges that the picketed employer has recognized another union which he has assisted or is dominating, or has collusively contracted with the Board decides to proceed on the basis of that charge; or

Second. Where a union has won an NLRB election, been certified by the NLRB, yet, nevertheless, the employer refuses or fails to bargain in good faith with it during the 12-month period following such certification by the Board.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. PROUTY. I yield.

Mr. CURTIS. Suppose a small businessman has six employees who belong to no union. His employees are not organized. For the purpose of this hypothetical case, let us assume that none of the six employees wants to join a union. Would the Senator's amendment prohibit picketing in such a situation?

Mr. PROUTY. No; absolutely.

Mr. CURTIS. The amendment would offer no remedy to the small businessman having a few employees who are not organized?

Mr. PROUTY. It would certainly offer relief if an election had been held; it would not if an election had not been held.

Mr. CURTIS. But suppose there are only a few employees and no election has been held, and it is conceded that the men do not want a union.

Mr. PROUTY. That is where the question of no man's land comes into the picture. Unfortunately, a solution has not been found for that situation.

Mr. CURTIS. I wonder if the Senator from Vermont would amend the language of his amendment so that blackmail picketing could not be conducted against a small businessman, whose employees are represented by no union, and whose workers insist they do not want anything to do with a union.

Mr. KEATING. Mr. President, will the Senator from Vermont yield so that I may answer the Senator from Nebraska?

Mr. PROUTY. I yield.

Mr. KEATING. In partial answer to the Senator from Nebraska, the employer, in a case such as he has cited, could ask for an election; and if the employees voted for no union, or if they voted for some other union, then, as I understand the Senator's amendment, picketing would not be allowed.

Mr. CURTIS. Could picketing be started immediately when the employer asked for an election?

Mr. PROUTY. As soon as the petition was filed.

Mr. CURTIS. As soon as the petition was filed?

Mr. PROUTY. Yes.

Mr. CURTIS. So, in the situation I have cited, if the employer asked for an election, picketing immediately would become lawful.

Mr. PROUTY. Yes.

Mr. CURTIS. That answers my question.

Mr. DOUGLAS. Mr. President, will the Senator yield for a question?

Mr. PROUTY. First, I should like to summarize my statement; then I shall be glad to yield to the Senator from Illinois.

Let me summarize briefly and in short form what the amendment actually does.

First, it prohibits organizational and recognitional picketing by one union if another union has already signed a contract with the employer.

I think this is very important. Under existing law, a union not a party to a contract would not be entitled to an election for the life of the contract, but not more than 2 years; and the employer could not recognize such a union even if he wished to, under present law. Therefore, picketing by a union not a party to the contract is an attempt to coerce an employer to do something which the law forbids him to do.

In order to protect against that situation, if the union signing the petition were company dominated, there is a provision which states, in effect, that if an employee files with the Board a charge that the union is company influenced or company dominated, the Board must handle the matter on the highest priority basis, and the activities of the union wil be subject to injunction. Second, the amendment prohibits organizational or recognition picketing for one year after a union loses an election; third, the amendment prohibits organizational or recognition picketing by another union if the union or the employer has filed with the Board a petition for an election.

At this point I should like to quote from a statement by one of the outstanding experts in this field, a professor at Harvard Law School. He attended many of the committee meetings at which the bill was discussed, and also many of the committee meetings, last year, on the Kennedy-Ives bill. He is presently on the floor, and he has assisted the committee materially in drafting this bill.

Therefore, at this time I should like to quote from a statement made by Professor Cox in the course of an address which he delivered at the Conference of Labor on December 9, 1954, I believe, in connection with the 1954 convention of the CIO. I should like to have my colleagues pay close attention to this quotation from the address by Professor Cox; and I assure them that the part I shall read has not been lifted out of context in order to create a false impression.

In the course of his address, Professor Cox said:

> I submit to you, however, that neither picketing for recognition nor organizational picketing should be permitted after the employees have signified whether in truth the union is their organization. Public resentment runs strong against unions which carry on picketing for 10 months, a year, or even 3 years, when it is plain that most of the employees do not desire to have it represent them. In such cases the union may fairly be characterized as an outsider seeking to force itself on the employees, either by compelling the employer to coerce them into the union or else by destroying the business which provides their livelihood. * * * I wonder if section 8(b)(4)(C) should not be amended, therefore, to cover "no union" votes as well as certifications.

It seems to me that the suggestion of Professor Cox is a very reasonable one, and I can only assume that if he had had his way this provision would have been in the committee bill, as it is in my amendment.

Now I yield to the distinguished Senator from Illinois.

Mr. DOUGLAS. Mr. President, first, I hope the Senator from Vermont will permit me to state that I am sure his amendment is offered in good faith, and that the Senator from Vermont seeks to deal in a very genuine way with real difficulties.

Mr. PROUTY. Mr. President, I appreciate the Senator's statement, and I assure him that that is the motivation.

Mr. DOUGLAS. I mean that very sincerely.

I find myself in great sympathy with many of the features of the amendment, particularly point No. 2, which the Senator from Vermont has mentioned—namely, that there should not be picketing if an election had been held during the preceding 12 months and if the picketing union had failed to win a majority. Under those circumstances, I think there should not be picketing in an attempt to change the minds of the workers who already had voted; and I do not think any employer or group of workers should be subjected to the strain of continuous picketing, regardless of whether the election was won or was lost.

So I wish to make clear that I am heartily in sympathy with the amendment of the Senator from Vermont, so far as his point No. 2 is concerned.

Mr. PROUTY. I am glad to hear that.

Mr. DOUGLAS. I think I am in sympathy with at least the purpose of the Senator from Vermont in connection with his point No. 1, although I am not certain that his amendment meets certain of the dangers which inevitably would develop. I grant that when the employer has signed a contract with a perfectly legitimate union which actually represents a majority of his employees, under those conditions, picketing would be undesirable. But how could one tell whether the union in question was a perfectly legitimate union

which represented a majority of the employees?

Would not it be possible for the employer to sign a "sweetheart" agreement with a union which purported to represent a majority of the employees? But if no election were pending or were being held, would there be adequate protection, under point No. 1, at the bottom of the page the Senator from Vermont has read?

Mr. PROUTY. I believe there would be. Certainly that was the intention.

Mr. DOUGLAS. As I read the safeguards which are set forth in the concluding portion of the Senator's statement, picketing would be permitted not when the union charged that there was a collusive agreement, but in those cases in which the Board itself initiated the proceedings.

In view of the fact that the Board is swamped with cases, what assurance would we have that the Board would proceed, even though there was a "sweetheart" agreement?

Mr. PROUTY. This amendment requires top priority on the part of the Board. So there would not be the delay which frequently occurs in connection with cases of this nature.

Mr. DOUGLAS. Would it have precedence over the top priority given to attempts made by employers to obtain injunctions?

Mr. PROUTY. I understand it would have the same priority.

Mr. DOUGLAS. The same priority?

Mr. PROUTY. Let me read from the amendment:

> The preliminary investigation of such charge shall be made forthwith, and given priority over all other cases, except cases of like character, in the office in which it is filed or to which it is referred.

Mr. DOUGLAS. Let me ask a question about point No. 3. I understand that it outlaws organizational picketing in cases in which an election is pending.

Mr. PROUTY. That is correct.

Mr. DOUGLAS. I wonder whether the Senator from Vermont really means to provide that. Is not picketing, when properly conducted, an attempt at peaceful persuasion? But during that period the employer could hold meetings inside the plant with captive audiences and could disseminate propaganda, and thus he would have a great advantage in carrying on an election campaign.

On the other hand, the union would have to operate outside the shop; and if it were prevented from picketing, where could it plead its case?

Mr. PROUTY. I believe that a union which files a petition may picket. But another union would not be allowed to picket. However, a union which filed a petition could picket, if it so desired.

Mr. DOUGLAS. But under No. 1, on page 2 of the amendment, if the petition had been filed by the employer, and was pending before the Board, organizational picketing would also be outlawed, apparently.

I am sure the motives of the Senator from Vermont in connection with this matter are of the best; and I wonder whether he will consider changing his amendment in such a way as to meet these difficulties.

Mr. PROUTY. Let me say to the distinguished Senator from Illinois that a second union would be barred from picketing, but not the petitioning union.

Mr. DOUGLAS. But if the employer petitioned for an election, he then could carry on his propaganda inside the shop, on company time, and with a captive audience, so to speak. But under the provisions of this amendment, the union would be prevented from making an appeal to the workers as they left the plant or as they entered the plant. So it seems to me that the amendment would restrict the workers in respect to the carrying on of their case, whereas the employer would be left free.

I do not think the Senator from Vermont means to have that done. So I wonder whether he will consider changing his amendment accordingly. As I have said, I feel very strongly in favor of portions of the amendment.

Mr. PROUTY. I believe a union can picket only if it makes a demand for recognition. Obviously it never makes such a demand unless it has a majority.

Mr. DOUGLAS. Yes; but in cases where the employer asks for the election, even though the union may think it has a majority in the election campaign prior to the election, the employer would be left free inside the factory, but the workers would be prevented from persuading near the place of work outside the factory.

Mr. PROUTY. Let me call attention to the fact that there already exists a prehearing section in the bill as it exists at the present time.

Mr. DOUGLAS. Yes; but while the provisions of that section speed up the processes, they still do not make them instantaneous.

Mr. PROUTY. It seems to me in the overwhelming majority of cases it would prove very effective in bringing some of these matters to a head.

Mr. DOUGLAS. I know the Senator from Vermont wants to have a fair amendment, and I know it is sometimes difficult to make these points on the floor of the Senate, but I ask him to consider these points very carefully.

Mr. COOPER. Mr. President, I was interested in the questions which the Senator from Illinois has asked, and I join with him in the assurance that the Senator from Vermont wishes to direct his amendment to the evil which is asserted respecting organizational picketing. I have read some of the cases on this subject. I do not wish to give the impression of discussing these questions from a legal viewpoint alone, but I wish to direct my remarks to the rights involved.

I call the Senator's attention to these situations, first in regard to subparagraph (A) of the Senator's amendment: Let us assume labor organization A is picketing an employer. Under the provisions of subparagraph (A), labor organization B could not picket the employer if labor organization A has been validly accredited or recognized as the bargaining representative, either by having secured a majority or by a valid election.

Mr. PROUTY. That is correct.

Mr. COOPER. That seems to me to be a reasonable proposition.

Now let us consider subparagraph (B). It goes to the right of a union to picket peacefully. Let us assume we are dealing with a case, under subparagraph (B), in which the employees have exercised their right, under the Taft-Hartley Act, to refrain from joining or selecting a union as their representative. That is a right the employees have. The amendment says that for 12 months there can be no peaceful picketing of the employer.

Let us assume that after 3 or 4 months the union, by means other than picketing, as a result of talks with the workers, peaceful persuasion, meetings with them, has secured a majority. Whereas ordinarily under the present law the workers would then have a right to picket because they have a majority, subparagraph (B) would prevent them from picketing the employer to secure the recognition which they have a right to have. Is that clear?

Mr. DOUGLAS. Yes.

Mr. PROUTY. Let me explain to my distinguished friend the Senator from Kentucky that once a union wins an election, the Board operates on the presumption that for a period of a year the majority of the employees want the union to be their representative. The Board will permit no rival union to picket in an effort to organize the plant or conduct an election. If a union is rejected, the Board cannot conduct another election for a year.

That is only logical, because once the employees reject a union, there should be a corresponding presumption that for 1 year they do not desire to be represented by a union. However, and I think this is most important, under the present law, even after a union loses an election and is not entitled to another election within a year, it still may continue to harass an employer and its workers with picketing tactics.

I could cite a case of this nature, but I do not wish to take the time now to do so. There are many such cases.

Mr. COOPER. I do not think that is a parallel case. In the case cited by the Senator there had been an election and a union had been recognized and had obtained a contract. So the Board has ruled that for 12 months that contract cannot be disturbed.

I am referring to a situation in which, by means other than picketing, a majority of the employees have decided they want the union to represent them. The amendment provides that even if that is the fact, the employees cannot themselves exercise their right, which they now enjoy, or which employees have enjoyed in other cases to picket peacefully.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. PROUTY. I yield to the Senator from New York.

Mr. KEATING. The Senator from Kentucky is probably better informed than I am on this subject, but I believe under the present labor law once an election has been held and the employees have selected, for example, union A to represent them in a plant, there is nothing which union B, or the members

which belong to union B, the heretofore minority, can do, anyway, for 12 months.

It does not seem to me that to bar union B from picketing a plant for a 12-month period deprives it of any rights which would otherwise be effective, because even if the employees changed their minds, during the 3 or 4 months' period, in the peaceful manner the Senator from Kentucky has outlined, there would be nothing union B could do to organize the plant or have an election before the 12-month period ended. Is that correct.

Mr. COOPER. That is correct. That situation is taken care of in subparagraph (A). I am now talking about subparagraph (B), concerning cases where the employees have exercised their right, under the Taft-Hartley law, to refrain from selecting a union as their representative. Subparagraph (B) applies to cases in which employees have said, in effect, in an election, "We do not want a union, or this union, to represent us."

The Senator has stated that if the employees have made a decision, the union cannot picket for a period of 12 months. Three or four months later the union may be able to demonstrate to the NLRB—and the union must demonstrate that fact to the NLRB—that a majority of the employees want the union to be their representative. The Senator has said that even though a majority of the employees then desire union recognition, and are entitled to it, they cannot picket to secure such recognition. Such a restriction would go beyond the present law.

Mr. KEATING. As I understand, that is the law today. If an election is held, and the employees vote to have no union represent them, another election cannot be held in that plant for another 12 months.

Mr. COOPER. The law today, as I understand it, is unsettled. The National Labor Relations Board has recently issued an opinion on this point but its opinion has been reversed by the Court of Appeals. The case is now on its way to the Supreme Court. Regardless of what is before the courts today, I am talking about a matter of substance, which is that the purpose of the act is to permit employees to have the right to join or not to join a union.

If the employees, by a majority vote, have selected a union, then under the law they have the right to act peacefully to secure recognition. The point I am making is that subsection (b) would go beyond the present law and in that way would take away the right. I should like to find a method to reach the exact point with which I think everyone wants to deal, namely, to prevent picketing to compel an employer to recognize a union when his employees, exercising their right to refrain from joining a union, have said, "We do not want to join a union."

However, under subsection (b), even though there is a case in which the employees have selected a union, they could not picket. I do not think that would be a proper prohibition. I am arguing on the basis of principle and substance. Unless that provision is changed, I could not vote for the amendment. I could offer an amendment to the amendment which I think would reach the point.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. PROUTY. I yield to the Senator from New York.

Mr. KEATING. I was going to inquire of the distinguished Senator from Kentucky whether he thinks a change could be made which would cure that defect. I find myself in considerable sympathy with what the Senator says, in a case where the employees have voted for no union, and in a perfectly proper manner, without picketing or anything else, they are persuaded within a 12-month period to join a union. In that case a year is probably to long, and under those circumstances they should not be barred from picketing if they think it proper and desirable.

My support of the second section was based upon an understanding to the effect that after an election is held and the employees have voted for no union they could not have a vote for a 12-month period. I understand that is the decision of the court of appeals. Is that correct?

Mr. COOPER. That refers to a case in which the employees have selected a union. Subsection (b) deals with the situation where the employees have said, "We do not want a union." The argument is not analogous or parallel.

Mr. KEATING. Does the Senator from Kentucky have any language to suggest?

Mr. COOPER. Yes; I can offer some language.

The PRESIDING OFFICER. The time of the Senator from Vermont has expired.

Mr. GOLDWATER. Mr. President, does the Senator from Vermont desire more time?

Mr. PROUTY. I would appreciate it if the distinguished Senator from Arizona would yield me 10 minutes. There seems to be considerable interest in and cooperation for the amendment.

Mr. GOLDWATER. Mr. President, I yield 10 minutes on the bill.

Mr. SMATHERS. Mr. President, will the Senator from Vermont yield for a question?

Mr. PROUTY. I yield to the Senator from Florida.

Mr. SMATHERS. As I understand the amendment of the Senator from Vermont, it provides that once an election has been held, and after the result of the election has been determined, in case the result is that no union will be joined, there can be no further picketing on the particular employer's premises until 12 months have expired.

Mr. PROUTY. The Senator is correct.

Mr. SMATHERS. That is all the amendment provides?

Mr. PROUTY. That is all it would do.

Mr. MORSE. Mr. President, will the Senator yield for a question?

Mr. SMATHERS. I should like to observe that it seems to me it would be only fair so to provide. In my particular section of the country the unions have often endeavored to organize the hotels. When elections have been held and the unions have not won the elections, a short time later they go into the street and actually picket in such force and numbers that the people who come to spend the winter, or a few months to enjoy themselves, have to walk through the picket lines. The situation becomes so intense that finally the employer says, "I will do anything to get you fellows out of the way." That is a process of using economic power to stop somebody in the proper operation of his business.

To me, this seems to be a very reasonable and sensible provision. If there is an election and if the union loses the election, as anybody who loses an election must do, the union should wait a certain time for another election. There should be some reasonable time provided.

Mr. MORSE. Mr. President, will the Senator yield for a question?

Mr. PROUTY. I will say for the benefit of the distinguished Senator from Florida that Professor Cox also agrees with the Senator's attitude and with my position in this matter. He says:

> I submit to you that neither picketing for recognition nor organizational picketing should be permitted after the employees have signified whether in truth the union is their organization. Public resentment runs strong against unions which carry on picketing—

In such a situation. That is a quotation from his remarks.

Mr. MORSE. Mr. President, will the Senator yield for a question?

Mr. PROUTY. I yield to the Senator from Oregon.

Mr. MORSE. I should like to have the attention of the Senator from Florida, because my question relates to his comment.

What the Senator from Florida had to say takes on an entirely different light if we ask the question, "Was it a fair election? Did the union lose the election because of unfair practices on the part of the employer?"

It is possible the employer made very clear, by way of intimidation, that if the employees voted for the union they would be out of their jobs. The employer may have used other unfair labor practices in order to prevent the employees from voting for the union.

My question is this: Does the amendment of the Senator from Vermont authorize the General Counsel of the Board to ask for a mandatory injunction whenever in his opinion there is a prima facie case which causes him to believe that in all probability an unfair labor practice charge will stand against the employer? Or does the amendment simply select certain possible unfair labor practice charges? If so, why not strengthen the amendment, as I think it would be strengthened, by providing that the General Counsel may proceed to get a mandatory injunction whenever he is satisfied that a prima facie case exists against the employer in respect to any unfair labor practice which may have affected the election?

Mr. PROUTY. I will say to the distinguished Senator, I think the two instances we have selected are those which occur most frequently. As the Senator knows, I am not an expert in the labor

field, and I am not a lawyer, but I have tried to learn as much about this problem as I could during the few weeks I have had the pleasure and privilege of serving on the committee.

It seems to me, from what I can learn from the experts, that perhaps these cases are not so important as one might think at first.

I wish to point out also that these elections have to be valid elections.

Mr. MORSE. Of course, we would not know whether they were valid until there was a conclusion of a case on an unfair labor practice charge.

I want the Senator to know that I should like to work something out with him on this subject, but I do not think the Senator has selected for his mandatory injunction procedures the most common unfair labor practices on the part of employers. Those are the dismissals ahead of the election in order to intimidate the workers, and the type of intimidation by which the employer, by various indirections, makes clear to his workers, "If you want a job you had better see to it that you do not vote for the union."

What I would suggest is that the Senator agree to some language in the amendment which would provide for the mandatory injunction power on the part of the General Counsel whenever he thinks the record of the case shows that the employer might have been guilty of an unfair labor practice.

Mr. PROUTY. I appreciate the Senator's comments very much.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. PROUTY. I am glad to yield to the Senator from Ohio.

Mr. LAUSCHE. I should like to ask the Senator from Oregon [Mr. MORSE] a question.

In connection with the last recommendation of the Senator from Oregon, would he also include an authorization to the Attorney General to bring injunction proceedings against picketing when he concludes that there has been a fair election?

Mr. MORSE. Does the Senator mean the General Counsel of the Board?

Mr. LAUSCHE. The General Counsel, yes. If he is required to bring injunctive proceedings against the employer when there have been unfair labor practices, should he not also be authorized to bring action against the union for picketing when he concludes that there has been a fair election?

Mr. MORSE. I am a great believer in mutuality.

Mr. COOPER. Mr. President, I offer an amendment to the amendment of the Senator from Vermont. I send it to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The CHIEF CLERK. On page 2, line 20, after the word "election" it is proposed to insert "or has been designated or selected for the purposes of collective bargaining by the majority of the employees in a unit appropriate for such purposes, pursuant to section 9(a)."

Mr. COOPER. This amendment would deal with the situation which I discussed a few moments ago. I have already explained its purpose. Suppose in an election the employees exercise their right and say, "We do not want to select this union as our bargaining representative. We do not want a union." But in 3 or 4 months, by means other than picketing, the union is able to persuade the majority of the employees that it should be their representative. In other words, that is what the employees wish, and a majority have selected the particular union. Then I think it would be reasonable, in the light of the intent of the act, to say that they have the right peacefully to picket the employer in an effort to secure recognition of the union.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. PROUTY. I yield.

Mr. MORSE. Does not the point which the Senator makes illustrate one of the hypotheticals to which I alluded, namely, an employer using unfair labor practices? The members voted against the union, and within the next 30 or 60 days, in talking among themselves, they say, "He did a job on us. He took advantage of us. The time has come to make it clear to him that we are going to have a union."

Then the picket line is stretched. Under the Prouty amendment, they would have to wait 12 months. What I am suggesting is that the Senator from Vermont include a mandatory injunction provision with respect to the General Counsel, in regard to all the unfair labor practices of the union. The Senator from Ohio [Mr. LAUSCHE] has suggested that there be mutuality. Under the provision suggested, the General Counsel would have power to act against the union; but we should protect the union in the type of case which has been described.

Mr. PROUTY. Let me say to the Senator from Kentucky and the Senator from Oregon that I am prepared to accept the language of the Senator from Kentucky.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. PROUTY. I yield.

Mr. SMATHERS. Would the Senator also agree to accept the language proposed by the Senator from Ohio, so as to result in the mutuality which the Senator from Oregon himself admitted was needed?

The PRESIDING OFFICER. The time of the Senator from Vermont has expired.

Mr. GOLDWATER. Mr. President, I suggest that the distinguished Senator from Massachusetts yield some of his time. He has 30 minutes. Much of this colloquy has been in opposition to the amendment. I suggest that he show his usual generosity and yield a little time.

Mr. KENNEDY. Mr. President, I yield 10 minutes to the Senator from Vermont.

Mr. PROUTY. I thank the distinguished Senator.

Mr. SMATHERS. Mr. President, I wonder if I may finish what I was saying.

Mr. PROUTY. I yield to the Senator from Florida.

Mr. SMATHERS. Obviously, if there has been an honest election, there is no unfair labor practice. I believe what the Senator started to do in the first place was to protect the employer as well as the employee, in a case in which there had been an honest election, and in which the union had lost the election. It is not fair or proper that the union, after losing an election, should begin to establish a picket line in front of the hotel or other establishment, and, in effect, try to browbeat the employer into making some concessions to the union to which it would not be entitled as a result of the election.

Mr. PROUTY. It is my understanding that they would not be allowed to picket under those circumstances.

Mr. SMATHERS. That is correct. The Senator from Kentucky has offered an amendment to the amendment of the Senator from Vermont which would permit them to picket within less than 12 months if they could establish the fact that some unfair labor practice had been indulged in.

Mr. KEATING. Only if it were established that in the interim a majority of the employees had joined the union which desired to picket. Only under such circumstances could a picket line be established.

Mr. SMATHERS. I think the amendment is a good one.

Mr. PROUTY. Mr. President, I accept the language proposed by the distinguished Senator from Kentucky [Mr. COOPER].

The PRESIDING OFFICER. Is there objection?

Mr. KENNEDY. What is the question?

Mr. PROUTY. I ask unanimous consent to accept the amendment proposed by the distinguished Senator from Kentucky [Mr. COOPER].

The PRESIDING OFFICER. Is there objection to the request of the Senator from Vermont?

Mr. CLARK. Mr. President, reserving the right to object—and I shall not object—I believe the Senator from Massachusetts [Mr. KENNEDY] should have a moment to decide what questions he wishes to ask.

Mr. KENNEDY. I should like to ask the Senator from Vermont a couple of questions.

Mr. President, I ask unanimous consent that I may suggest the absence of a quorum without the time occupied by the rollcall being taken from the time of either side.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I yield 7 minutes to the senior Senator from Oregon on the bill.

Mr. MORSE. Mr. President, I should like to have the attention of the Senator from Massachusetts for a moment. I am about to make a legal argument on the various organizational picketing amendments while Senators try to reach an understanding on the priority amendment. The majority leader has yielded me 7 minutes on the bill in which to make my statement.

I support the language of the Kennedy bill on all forms of picketing without change.

I should like to address myself to what I consider to be the single most important labor relations issue before this body, and before the country, a challenge to the labor movement of major dimensions.

The challenge arises in many forms in the various amendments even now on the table—the challenge of curbs on peaceful organizational picketing.

This is an issue which should not be considered in a context of stamping out crime, of preventing a ruthless and powerful labor organization from exacting a tribute from small employers and their employees. It is, instead, an issue involving a basic right of labor to protest with a historic and legally approved economic practice.

We are asked to enact amendments which will make it an unfair labor practice for a union to picket or threaten to picket with the object of forcing an employer to bargain under varying circumstances. The true thrust of these amendments is to prohibit traditional and proper union activity in organizing employees and securing recognition. But it prohibits without regard to what the employer has done before the picketing started, and without regard to the threat of nonunion employees to undermine the working conditions obtained through organization.

That is the type of fact situation that is before the Senate at this very moment under the Prouty amendment. It is necessary for us to provide protection for the union against an employer who has used unfair labor practices in an attempt to beat an election. And once the election has been beaten, it is then proposed that the union cannot proceed for another year to picket, even though the employer used all sorts of intimidation. He may have fired some of his employees before the election so as to make clear to the others that if they vote for the union they also will be fired. To call picketing resulting from the intimidating practices of an employer extortion or blackmail picketing exposes either unenlightened thinking or intentional mischief designed to curb one of labor's basic rights.

Certainly, the employees in such an intimidation case can bring an action before the National Labor Relations Board on the ground of unfair labor practices; but it will take a long time—at least several months—to have it decided. In the meantime, the employer is allowed to get by with his tactics of intimidation.

I am making a plea for the protection of the right of free men and women in this country to organize themselves into unions so as to stop that kind of unfair labor practices.

To call the picketing which has been talked about in the Senate this afternoon extortion or blackmail picketing, I think, misses the point entirely. I think it simply recognizes the failure to understand the kind of problems which face unions which are trying to organize in the face of the opposition of antilabor employers.

We are here talking about peaceful picketing—violent picketing or mass picketing is banned by the Taft-Hartley Act and subject to restraint by State courts in the exercise of their police power.

We are talking about a basic constitutional right to communicate; and while peaceful picketing is no longer considered to be an absolute expression of free speech, it is the single means of communication available to workers and their representatives.

In very much the same way that picketing has more effects than ordinary verbal expression, so the employer's speech to his employees, his heart-to-heart talk to employees before an election, his prophecies and predictions which the Labor Board recognizes as free speech—these also have a force independent of persuasion. We do not prohibit the employer's utterances because of their independent force; nor should we prohibit peaceful picketing. Both are a form of free speech in a context of uneasy balance—where perhaps there is abuse by some strong unions and most employers, but where the dangers to upsetting the delicate balance dictates extreme care.

We are asked then to curb the exercise by workers of their constitutional right of free speech expressed through peaceful picketing. And we are asked to curb it in an area where there can be no question that it serves a horoughly legitimate purpose. Organizational picketing is as old as the labor movement. The valid reason for its being is elementary economics and hornbook law.

I do not intend to discuss all the cases, but I shall place enough in the record to cover the point I want to stress, as I see it. We are dealing with a whole body of American law handed down by the courts in protecting the precious constitutional rights of labor which I rise to defend this afternoon.

The nonunion status of any firm is always a threat to the welfare of organized labor and its unionization is therefore always a proper end of trade union activity.

> Unions obviously are concerned not to have union standards undermined by nonunion shops (*International Brotherhood of Teamsters* v. *Hanke*, 339 U.S. 470, 475). The interdependence of economic interest of all engaged in the same industry has become a commonplace (*American Federation of Labor* v. *Swing*, 12 U.S. 321, 326).

For union organization to be "at all effective, employees must make their combination extend beyond one shop. It is helpful to have as many as may be in the same trade in the same community united, because, in the competition between employers, they are bound to be affected by the standard of wages of their trade in the neighborhood. Therefore, they may use all lawful propaganda to enlarge their membership, and especially among those whose labor at lower wages will injure their whole guild."

Who said that? Not the senior Senator from Oregon. That is from the decision of the Supreme Court of the United States in the case of *American Steel Foundries* v. *Tri-City Central Trades Council*, 257 U.S. 184, 209.

Now listen further to these words from landmark Supreme Court decisions:

> In order to render a labor combination effective it must eliminate the competition from nonunion goods, an elimination of price competition based on differences in labor standards is the objective of any national labor organization (*Apex Hosiery Co.* v. *Leader*, 310 U.S. 469, 503).

Indeed, the policy of the Taft-Hartley Act is based on explicit recognition that an evil against which the statute is directed is "preventing the stabilization of competitive wage rates and working conditions within and between industries"—section 1, paragraph 2. In the long run, to deprive organized workers of the means of competing with unorganized workers, dooms their objective to defeat.

Now let us return to the details of some of the amendments and what is wrong with them.

The PRESIDING OFFICER. The time of the Senator from Oregon has expired.

Mr. MORSE. May I have 2 more minutes?

Mr. JOHNSON of Texas. I yield 2 more minutes to the Senator from Oregon.

Mr. MORSE. These amendments seek to curb picketing after a union loses an election. That is the aim of the Prouty amendment now before the Senate.

This has considerable superficial appeal to those of us who are accustomed to abide by the decision of the ballot box. It may also appeal to others who, assuming a state of affairs which exists only rarely, conceive an employee's rejection of unionism as the result of his reasoned weighing of the arguments underlying realities for and against. But let us examine more.

Second. Such amendments would apply to prevent picketing irrespective of the employer's countermeasures. They would, for instance, ban picketing where the purpose was to advertise that, while the union lost a Board election, it did so because the employer exercised his rights of free speech and thus filled the air with such dire prophecies that the employees voted against the union.

Third. In the event the union chanced to consent to an election despite the employer's illegal conduct—because it takes several years to remedy violations of the statute—the union would be foreclosed from raising these violations as objections to the election. Under these circumstances, the election might be thought of as valid and any picketing for organization would be banned.

Fourth. It would appear, based upon the National Labor Relations Board's own decisions, that in most circum-

stances the ban against organizational and recognition picketing would, as a practical matter of fact, be construed to constitute a ban against all kinds of protest picketing after an election—see the various cases set forth in the hearings at pages 371–400. Certainly if the intent of these amendments is otherwise, it should be made very clear.

For instance, would these amendments permit the union after it lost an election to picket for these substantial reasons: (a) To persuade customers to patronize establishments paying better wages; (b) to protest antiunion propaganda issued by the employer; (c) to protest the discharge of union leaders; and (d) to protest various kinds of working conditions such as excessive workloads, lack of sick leave benefits, and so forth.

Fifth. By providing for a mandatory injunction—as nearly all these amendments do—the Board's General Counsel would have no discretion to decline the use of this extraordinary remedy even if he is reluctant to do so. He is therefore forced to use an artillery shell to kill a mouse. He is forced to use the remedy without regard to the equities involved. He must, for instance, give top priority to an employer's charge against a union and obtain an injunction even though the employer had embarked upon a large-scale campaign of unfair labor practices. In the meantime, the union's charge against the employer would be doomed to proceed in due course for several years. I know that this would be the procedure because this is the way it has worked under the Taft-Hartley Act. The Secretary of Labor's vagueness on this point when he appeared before the committee—see the hearings at page 343—makes apparent his unfamiliarity with NLRB procedures. A violation of a part of the act requiring mandatory injunctions compels an injunction against the union despite violations of the nonmandatory sections of the act committed by the employer. If the Board's General Counsel is to use his discretion and seek an injunction against such an employer and thus consolidate the cases, then we should be told so. A memorandum appears in the hearings at pages 400–407 discussing this problem. If indeed this is the intent, such amendment might properly contain an additional appropriation to cover the cost of an expansion program in the injunction branch of the NLRB. To say again what I said before, the thrust of these amendments ignores what the employer has done before the picketing started.

Labor law in America reflects increasing awareness that no sound economic theory permits free market thinking to be applied to wages and working conditions, as it is to prices. In the absence of collective bargaining the wage market is a fiction for wages and working conditions are established unilaterally by the employer. Competition among workers against each other for jobs produces not fair wages, but sweatshops; not increased productivity, but depressions. Society should not, under the guise of preserving freedom to compete, force them to bear the competitive burden which an entrepreneur, in hope of profit, voluntarily assumes. In modern industrial society, meaningful economic freedom for the vast majority of employees can be attained not through individual, but from collective action.

This was the reasoning behind Congress' declaration in 1914 in the Clayton Act that "the labor of a human being is not a commodity or article of commerce" and that labor unions shall not "be held or construed to be illegal combinations in restraint of trade under the antitrust laws." That declaration reflected recognition that "to render a labor combination effective it must eliminate the competition from non-union-made goods," and that elimination of price competition based on differences in labor standards is the objective of any national labor organization. Once the purpose of employee combination was thus recognized, sanction of the conventional tactics of organized labor in its effort to improve its material conditions followed inevitably. These tactics, peaceful primary picketing are the only civilized means through which organized workers can safeguard their own wages and working conditions against the competition of unorganized workers; the only way—short of governmental wage fixing—through which price competition based on differences in labor costs can be eliminated To deprive organized workers of these means of competing with unorganized workers dooms their objective to defeat.

Once we recognize that establishment of uniform wages and hours through collective bargaining as desirable, common sense should accept peaceful tactics by which unions traditionally seek in their own self-interest, to enlist nonmembers. Those who choose to work as nonunionists, by that very choice, tend to defeat and undermine the economic interests of union members in maintaining good wages and working conditions for themselves. In defense of their own economic position and in the face of varying shades of employer hostility, union members should accordingly be free to utilize such economic power as they possess to persuade employees of the value of their cause.

Freedom of choice of workers in the area of unionization, which some would transform into the central fact of labor policy, is unquestionably an attractive and serviceable principle. Few will disagree that freedom of employees to join unions should be protected from economic coercion by the employer. But prohibition of employer coercion is justified by considerations which are wholly inapplicable to the organizational tactics of unions. When the employer utilizes his power to persuade or control over jobs to defeat unionization, he takes advantage of his superior position to prevent his employees from obtaining even relative equality of bargaining power with him. But union members and nonunion members who are engaged in the same industry, trade, craft, or occupation are in competition with each other. Therefore, where the majority of a unit refuses despite lower wage standards to join a union for reasons unfathomable, the unit as a whole remains in competition with organized units in the industry. To forbid union members to attach economic consequences to such refusals—by peaceful picketing—would change the law in favor of nonunionism and create a sanctuary behind which incessant undermining of union standards would proceed with immunity.

More importantly, we all know that individuals or groups who reject unionization do not do so out of rational conviction that their economic interests will be better served by individual than by collective bargaining. Employees strongly suspect that their employer is antiunion and that by joining or voting for a union they will incur his hostility and invite reprisal. Moreover, under the law, employers are left free to exploit that fear by making their opposition to unionization explicit. Employees do not reach an objective basis for decision. When to the more subtle pressures the employer adds threats, discriminatory discharges, and so forth, even those few employees who are most convinced of the advantages of unionization are often unable to resist. Such overt employer pressure is illegal, but the legal remedy, at best, comes far too late, and it is far too risky to offer real assurance to an employee whose livelihood is at stake. Only economic counterpressure from the union can begin to even the scales. To outlaw such union pressure in organizational campaigns would thus tend to destroy, rather than to create, actual freedom of choice by employees.

I have endeavored to cover this subject with more than usual thoroughness—the legal background, the economic foundations, and the practical everyday procedures involving the dangers to curbing organizational picketing.

Mr. President, what I am pleading for is the protection of that great body of labor rights already handed down by the Supreme Court of the United States. I am pleading for the adoption by the Senate of only those amendments which provide for the principle of mutuality, about which I spoke 10 minutes ago on the floor of the Senate.

So far as the Prouty amendment is concerned, for example, it does not bring all unfair labor practices on the part of an employer under the mandatory injunctive power of the General Counsel of the National Labor Relations Board. It does not meet the test of mutuality. What the Prouty amendment does, let me warn the Senate, is to select only certain employer practices which come under the mandatory injunctive processes and powers of the General Counsel. It plays into the hands of the antiunion employer. Under the Prouty amendment the employer may proceed to break a union by way of using unfair labor practices before the election is held. We are making a great mistake in the way we are proceeding here on the floor of the Senate in drafting the Prouty amendment. That is how we can make horrendous mistakes in legislating.

I hope that in the conference which is taking place on the other side of the Chamber an agreement for mutuality will be reached. I hope an agreement in

which just certain unfair employer labor practices will not be selected but that all unfair employer practices will be covered. Likewise I am for covering unfair practices by the unions too.

The intimidation devices which employers use, and to which I have referred earlier this afternoon, include employer labor blacklists, by means of which it is made perfectly clear that if the employee votes for a union, he will find himself without credit in the community. Mr. President, in a really antilabor community, the intimidation devices which are used to prevent men and women from organizing themselves for collective-bargaining purposes are really shocking.

So I say we should go slowly and carefully in dealing with the compromise. Let us make sure that we do not seek to override the great body of U.S. Supreme Court decisions in connection with the rights of free labor in America.

Mr. JOHNSON of Texas. Mr. President, let me ask the Senator from Massachusetts whether he is ready to proceed.

Mr. KENNEDY. I hope that in a few minutes we shall be able to obtain an agreement on the amendment of the Senator from Vermont.

Mr. JOHNSON of Texas. Mr. President, at this time I yield 2 minutes to the Senator from Arizona.

Mr. GOLDWATER. Mr. President, I appreciate the remarks which have been made by the distinguished Senator from Oregon [Mr. MORSE]. I think he is perfectly correct when he says we must proceed cautiously in this field, because of the possible effect on the basic rights of free speech.

However, I do not think any Member of the Senate will disagree with the thesis that we must take some action to stop coercive picketing when the whole purpose is to organize from the top down, without the consent of the employees.

Mr. President, I have recognized the difficulties which we encounter in drafting an amendment to cover this particular point. I hope some such provision will be worked out, because I honestly do not believe that we can call this measure a labor reform bill unless it contains some provisions in regard to abolition of the malpractices which have been disclosed before the McClellan committee.

I do not know what form the amendment should take. But certainly reasonable men can proceed in a reasonable way to reach a conclusion which will enable the employees to have their rights.

I recognize the validity of what the Senator from Oregon has said about abuses pacticed by employers on employees. I realize that such things happen in this country. Certainly we do not condone them, any more than we condone the action of a union official in abusing an employer to such an extent that the employer, in turn, will permit the union official to bring the employees into his union.

But it seems to me that we must also think of the employees who do not wish to belong to a union—for instance, a group of employees who feel that they are being treated as well by their employer as they would be under any other circumstances, including the circumstances of union membership, and who, after having met together, decide that they do not wish to belong to a union. They may have reasons other than the fact that they are perfectly happy with the conditions provided by the employer; for instance, they may not like the affiliation of the union, because today unions are affiliated with politics; or they may not like the economic philosophy of the leader of their particular local. In connection with such situations, we get into the area of the right of association which, along with the right of free speech, is guaranteed in the first amendment of the Constitution.

So I believe we have a responsibility to provide protection in the specific fields which the committee has shown need protection.

I wish to make perfectly clear that I, together with my distinguished friend, the Senator from Oregon [Mr. MORSE], recognize the extremely delicate and touchy nature of the field in which we are operating. But I repeat that if we do not take any action in this field, I do not see how we can call this measure a labor-reform bill.

I also hope we will make some provision in the field of secondary boycotts.

BLACKMAIL PICKETING

Mr. President, the so-called "friends of labor" in the Senate, when forced by the findings of the McClellan committee to be somewhat critical of union practices, always couple employers as being equally guilty. We hear, for example, of "sweetheart" contracts between employers and unions, whereby employees are forced to pay dues, but receive no better wages or working conditions. We hear of many labor-management contracts where the employees do not want a union, and have, in fact, rejected the union in a secret-ballot election. In almost all of these cases the contract is one wherein membership in the union is compulsory.

But even if we agree to every provision of the various union reform bills, including the committee bill, we shall have done absolutely nothing to prevent contracts of such kinds. No law will make union members vote against the union bosses, so long as the bosses have the power to compel membership and to threaten, coerce, and inflict economic and physical injury upon a worker and his family.

No law against racketeering and embezzlement will prevent an employer from entering into "sweetheart" contracts or other contracts with unions which have no members among his employees, so long as unions have the complete power to prevent the owner from using his own property, as well as the power to drive the employer out of business.

If this Congress refuses to do anything about recognition and organizational picketing, the hearings and the executive sessions of the Senate Labor Committee will have been a complete waste. If we close our eyes to the evils of recognition picketing, the hundreds of thousands of dollars and the years spent by the McClellan committee on its hearings will also prove to have been a complete waste.

Employees are free to join unions; since 1935, the Government has been protecting that right. The law says the employees also have a legal right not to join unions; but the Government has done absolutely nothing to protect and enforce that right.

The fate of personal freedoms in labor relations is at stake. Individual liberty is threatened, if not already destroyed, by the formidable and unbridled power of unions to intimidate employees and to coerce business.

This amendment is in the interest of small business and its employees. Big business is almost entirely unionized. Unions have found it more difficult to organize in small business, in the retail and service trades, on the main streets of America. There, the relationship between employer and employee is of a more personal nature. The employees often believe they have more to gain by speaking for themselves than by calling in a union to speak for them. They are closer to the business, and have an understanding of the ability of their employer to pay or not to pay increased benefits. Many of them are white-collar workers, and are traditionally reluctant to join unions .

Yet, it is this group which is more susceptible to recognition picketing than any other. This is true because recognition picketing always causes great losses in business, if not a complete shutdown. Many small businesses cannot operate if deliveries to their place of business are stopped. Thus, the Teamsters Union can bring any small business to a halt, if it is the union that is seeking recognition, or if it is cooperating with the union that is seeking recognition, by placing a picket line around the place of business. Small business is also especially vulnerable because it does not have the means of standing firm for long periods of time. Even if the small businessman is able to obtain deliveries because the Teamsters cross the picket line or because he is able to obtain delivery in some other manner than by means of unionized trucking companies, he may still see his business ruined. If he is in the retail or service business, he is almost sure to lose customers. Some people will not cross picket lines, regardless of the purpose of the picket line, as a matter of principle. Others will not cross picket lines as a matter of convenience. If the potential customer can satisfy his wants elsewhere, he will do so, in preference to enduring the jeers and catcalls which so often accompany the picket line. The businessman knows that business lost to a competitor is seldom regained. His alternatives are to force his employees to join the union or to face bankruptcy.

The employees of a business which is being picketed may be coerced into joining the union either by their employer or directly. If the business is retail or service, the loss to them is reflected in the amount of their sales. The effect of a picket line on the employee is much more than peaceful persuasion. If he goes

through the picketline, the union labels him a "scab," which in union circles is the lowest form of life. Consequently, he may be coerced into staying at home, in the interests of his future job status, and to protect his own health and that of his family. Thus, there is no freedom of choice for the employees who are faced by recognition or organizational picketing.

The law provides an orderly way for a union to organize any business. By the use of handbills, meetings, home visits, and so forth, the union can obtain a majority of the employees as members. It then petitions the National Labor Relations Board for an election. The election is by secret ballot, and the employer is forbidden to interfere, restrain, or coerce his employees in their exercise of their choice. If the union wins the election, the employer is required by law to bargain with it. Having provided a lawful, orderly means of securing union recognition, the Government should insist that that process, and no other, be followed.

Our liberal friends argue that the union needs the picket line, or order to organize the sweatshop or the shop of the substandard employer. The answer is obvious: The employees of an employer of that type can be organized quickly and easily by the traditional method of handbills, meetings, and home visits.

Our friends refer to the possibility that the employer will destroy the union majority, by discharging the union adherents. Here, the law provides many remedies. Such employees are entitled to reinstatement and back pay for the time they have lost; and the Labor Board will secure it for them. The Labor Board will also set aside the election in such cases, and will order another election. If the union can prove it had a majority before the discharges occurred, the Labor Board may order the employer to bargain with the union without having another election.

With these arguments answered, our union-minded colleagues fall back on the old chestnut—that the matter needs further study. The evils of recognition and organizational picketing have been presented for many years in the hearings of committees of both Houses of Congress. We suspect that the matter will, in the opinion of some, need further studying until every reluctant employee in America has been coerced into joining a union. Perhaps that is what our liberal friends really want. If so, it would be more honest to pass a law requiring everyone to join a union.

Union leaders claim that this type of picketing is to inform the employees and the public that the employer is not operating according to union standards; that it is to advertise to the employees that their employer is not treating them in a right and proper way. They call it a method of peacefully persuading employees to join the union. For many years our courts listened to this contention, but now the courts and the public know that any picket line in front of a place of business exerts pressure and is coercive on both the employer and the employees.

Some try to mislead us by attempting to differentiate between "organizational" picketing and "recognition" picketing. It does not make any difference what it is called; the purpose is to compel the employer to sign a contract with the union.

Since the law requires, and will compel, the employer to bargain with a union which represents a majority of his employees, a strong argument may even be made for outlawing picketing by a union which has demonstrated its majority status. The amendment does not do this. Recognition picketing is banned in only a limited number of situations in the case of a union which has not proved its majority status.

The committee bill completely ignores the problem, and could easily mislead by banning a type of blackmail picketing which rarely occurs. It makes it unlawful to picket for personal profit. In such cases the union does not want recognition or a contract. If Congress accepts this provision, it may be construed as tacitly approving the kind of recognition picketing which our amendment seeks to prevent.

Recognition picketing is discussed on pages 74 to 78 of the report. The discussion is equally applicable to this amendment. I urge all Members of the Senate to read that section of the report before they vote on the pending amendment.

My amendment would make section 10(l) of present law applicable to the types of recognition picketing it seeks to prevent. Section 10(l) is sometimes referred to as the mandatory-injunction provision. This is a misnomer, in that the provision does not require the NLRB to seek an injunction every time a party claims a violation of the secondary-boycott provisions. Under present law, section 10(l) applies only to secondary-boycott cases and, to a lesser degree, to jurisdictional strikes. The provision does require the Board to seek injunctive relief in secondary-boycott cases in which the Board's regional office "has reasonable cause to believe such charge is true and that a complaint should issue." As a matter of practice, the Board has required a number of additional safeguards against indiscriminate use of the injunctive process. All petitions for injunctions must be approved by the Washington office of the Board, rather than just the regional office. The case is ordinarily handled by an attorney sent out by the Washington office of the Board's General Counsel. Injunctions are never sought without adequate notice and time for the opposing party to be heard. Several weeks' time elapses between the filing of the charge by the injured party and the petition for injunctive relief. This time lag is required by the regional office investigation, the Board's consideration of the regional office recommendation, and preparation of the necessary papers.

We gave some consideration to use of the discretionary injunction provided in section 10(j) of present law, as a sanction for violation of the restrictions on recognition picketing. We rejected that route, because a study of Board cases demonstrates that section 10(j) is almost never used, and is used in only the most extreme cases. In other words, the Board will not seek injunctions unless there is a congressional mandate that it do so.

Recognition picketing requires the same sanctions as secondary boycotts, if its use is to be curtailed. Like secondary boycotts, its prolonged use forces the employer to go out of business or to force his employees to join the union. Recognition picketing is at least a first cousin to the secondary boycott, in that pressure is applied to one party, to force him to apply pressure upon a third party, the employees.

The need for expedited action is illustrated by the Curtis case to which I have previously referred. The NLRB decision holding recognition picketing to be a violation of present law came down on October 30, 1957, after 2 years of such picketing. The picketing continued. Just this week the Supreme Court granted certiorari in this case. This means that a final decision on the matter may be expected in approximately 4 years from the time when the picketing began. The Curtis Co. is located in Anacostia, just a few miles from the Capitol. If any Senator wishes to take the time to do so, I believe he can still go over there and see the pickets. The Curtis Co. has been able to continue in business because it has been able to secure furniture in some other manner than through deliveries by trucks driven by members of the Teamsters Union. Few small employers have been so fortunate when faced by a recognition picket line.

It should be noted that my amendment also provides the sanction of an injunction under section 10(l) of the law against an employer who has refused to bargain with a union which has been certified as the representative of the majority of his employees, as well as against an employer who dominates or assists a union by means of "sweetheart" contracts, collusive deals, or other improper, shady, or unlawful transactions between corrupt unions and employers who are either dishonest or have been coerced into violating the rights of their employees.

Mr. JOHNSON of Texas. Mr. President, I understand that the Senator from Vermont is prepared to yield back the remainder of the time under his control, and to withdraw his amendment.

Mr. PROUTY. Mr. President, I did not hear what the majority leader stated.

Mr. JOHNSON of Texas. I understand the Senator from Vermont is going to continue to try to work out an agreement with the chairman of the subcommittee [Mr. KENNEDY], and that at the present time the Senator from Vermont is willing to withdraw his amendment.

Mr. PROUTY. No, Mr. President; I am not willing to withdraw my amendment.

Mr. JOHNSON of Texas. Very well. Does the Senator from Vermont wish to have the vote on his amendment taken now?

The PRESIDING OFFICER. The question is on agreeing to the request of

the Senator from Vermont for unanimous consent that he may modify his amendment.

Mr. GOLDWATER. Mr. President, at this time I suggest the absence of a quorum; and I ask unanimous consent that the time required for the quorum call not be charged to the time available to either side under the unanimous-consent agreement.

Mr. JOHNSON of Texas. Mr. President, I shall have to start objecting to such requests. I do not think we should have conferences on the floor all afternoon.

The Senator from Arkansas [Mr. McCLELLAN] is prepared, ready, willing, and eager to offer an amendment. The Senators who have been conferring in regard to the amendment which now is pending can continue to negotiate while we are discussing the McClellan amendment.

However, as matters now stand, we are using a great deal of time on private conversations, and we are not making much progress by that course; in fact, by proceeding in that way we vitiate the terms of the unanimous-consent agreement which has been entered.

Mr. MUNDT. Mr. President, if the Senator will modify his unanimous-consent request——

Mr. JOHNSON of Texas. Mr. President, I do not have pending a request for unanimous consent. But I shall be glad to join in arriving at any agreement the Senator from Vermont may propose in regard to the further consideration of his amendment.

I understood that he was unable to reach an agreement with the chairman of the subcommittee.

Mr. MUNDT. Mr. President, the yeas and nays have already been ordered on the question of agreeing to the amendment of the Senator from Vermont. Can we not agree to lay his amendment aside temporarily, and at this time to proceed with the consideration of another amendment, and then later to reinstate the amendment of the Senator from Vermont? If so, that will be satisfactory.

Mr. PROUTY. Mr. President, I shall be glad to have that done.

Mr. JOHNSON of Texas. Then, Mr. President, I ask unanimous consent that it be in order for the Senator from Arkansas [Mr. McCLELLAN] to call up his boycott amendment; and that at the conclusion of the consideration of that amendment, the Senate resume its consideration of the amendment of the Senator from Vermont, and that at that time his amendment revert to the status it now enjoys.

Mr. KEATING. Mr. President, reserving the right to object, let me ask whether it is understood that the order for the yeas and nays—they have already been ordered on the question of agreeing to the amendment of the Senator from Vermont—will at that time continue to apply to his amendment.

Mr. JOHNSON of Texas. Certainly.

The PRESIDING OFFICER (Mr. MUSKIE in the chair). Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

Mr. McCLELLAN. Mr. President, I call up my amendment identified as "4–17–59—C."

Mr. President, I think we have worked out an agreement with respect to another amendment I have pending, and we might dispose of it first.

I ask unanimous consent that, preceding action on the amendment I have just referred to, I may call up my amendment identified as "4–22–59—F."

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The amendment offered by the Senator from Arkansas will be stated.

The CHIEF CLERK. It is proposed, on page 33, line 4, to strike out "or 203" and insert in lieu thereof ", 203, or 207".

On page 35, between lines 2 and 3, to insert the following new section:

SEC. 208. All officers, agents, representatives, and employees of any labor organization engaged in an industry affecting commerce who handle funds of such organization or of a trust in which such organization is interested shall be bonded for the faithful discharge of their duties in the handling of such funds, and the bond of each such person in effect during any fiscal year of such organization shall be in an amount, (A) in the case of a labor organization, not less than one-tenth of the gross income of such organization for the fiscal year of such organization immediately preceding such fiscal year, or $250,000, whichever is the lesser; or, (B) in the case of a trust in which a labor organization is interested, not less than 25 percent of the amount of such trust, or $250,000, whichever is the lesser.

Mr. McCLELLAN. Mr. President, this is the amendment on bonding I had submitted. It has been worked out so that I believe it is satisfactory to the distinguished Senator from Massachusetts [Mr. KENNEDY]. It relates to the bonding of officers.

Mr. KENNEDY. Mr. President, the amendment is acceptable.

The PRESIDING OFFICER. Does the Senator from Arkansas yield back the time remaining to him?

Mr. McCLELLAN. I do.

Mr. KENNEDY. Mr. President, I yield back the time remaining to me on the amendment.

The PRESIDING OFFICER. All time on the amendment has been yielded back.

The question is on agreeing to the amendment of the Senator from Arkansas [Mr. McCLELLAN].

The amendment was agreed to.

Mr. McCLELLAN. Mr. President, now I call up my amendment identified as "4–17–59—C."

The PRESIDING OFFICER. The amendment offered by the Senator from Arkansas will be stated.

The LEGISLATIVE CLERK. It is proposed to add a new section at the end of the bill, as follows:

SEC. 607. (a) Section 8(b)(4) of the National Labor Relations Act, as amended, is amended to read as follows:

"(4) to exert or attempt to exert any economic or other coercion against, or offer any inducement to, any person engaged in commerce or in an industry affecting commerce, or to engage in, or induce or encourage any individual employed by any person engaged in commerce or in an industry affecting commerce to engage in, a strike or a refusal in the course of his employment to use, manufacture, process, transport, or otherwise handle or work on any goods, articles, materials, or commodities or to perform any services, where an object thereof is (A) forcing or requiring any employer or self-employed person to join any labor or employer organization; (B) forcing or requiring any person to cease, or to agree to cease, using, selling, handling, transporting, or otherwise dealing in the products of any other producer, processor, or manufacturer, or to cease, or to agree to cease, doing business with any other person, or forcing or requiring any other employer to recognize or bargain with a labor organization as the representative of his employees; (C) forcing or requiring such person to recognize or bargain with a particular labor organization as the representative of his employees if another labor organization has been certified as the representative of such employees under the provisions of section 9; (D) forcing or requiring any employer to assign particular work to employees in a particular labor organization or in a particular trade, craft, or class rather than to employees in another labor organization or in another trade, craft, or class, unless such employer is failing to conform to an order or certification of the Board determining the bargaining representative for employees performing such work: *Provided*, That nothing contained in this subsection (b) shall be construed to make unlawful a refusal by any person to enter upon the premises of any employer (other than his own employer), if the employees of such employer are engaged in a strike ratified or approved by a representative of such employees whom such employer is required to recognize under this Act: *Provided further*, That nothing contained in clause (B) of this paragraph (4) shall be construed to make unlawful where not otherwise unlawful any strike against, or refusal to perform services for, any person who has contracted or agreed with an employer to perform for such employer work which he is unable to perform because his employees are engaged in a strike not unlawful under this Act."

(b) Section 303(a) of the Labor Management Relations Act, 1947, as amended, is amended to read as follows:

"(a) It shall be unlawful, for the purpose of this section only, in an industry or activity affecting commerce, for any labor organization to engage in any activity or conduct defined as an unfair labor practice in section 8(b)(7) of the National Labor Relations Act, as amended."

Mr. McCLELLAN. Mr. President, I shall try to be brief. I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Arkansas is recognized for 5 minutes.

Mr. McCLELLAN. Mr. President, we are all familiar with the problem known as secondary boycott. There have been some abuses in this field, and the amendment seeks to correct them.

Mr. President, I shall state what the amendment would prohibit which is not now prohibited, and how it would fill in the gaps in the Taft-Hartley law as it now operates. The amendment covers the direct coercion of secondary employers to cause them to cease dealing with or doing business with the primary employer. In other words, if there were a strike in a certain plant, and I, as a merchant, handled the products of that plant, under the amendment the union could not use picketing to try to compel me to cease handling the products of the plant where the labor dispute is under way.

Second, the amendment covers the withdrawal of services by one key employee, not merely concerted action. Under the Taft-Hartley law, it is now an unfair labor practice to cause concerted action to be applied against an employer. The amendment would relieve the requirement of concerted action if the individual coerced were a key employee, and the effect would be to shut down the plant or seriously hamper or hinder the operations of the primary employer.

Third, as we know, the Taft-Hartley law excludes railway, agricultural, and other employees. They are not now covered by the law. The amendment would include those employees.

Fourth, the amendment covers the withholding of prospective employees from a secondary employer. I refer to a case in which I may be handling the products of a given company or manufacturer, and I have an arrangement with a union whereby it furnishes employees to me when I call upon the union to furnish them. I refer to a case where I may be under a contract and under an obligation to use the facilities of a hiring hall to get my employees from the hiring hall. The union would say to me, "We will not furnish you any more men, so long as you handle the products of that company." That is another form of secondary boycott which would be prohibited.

The amendment, Mr. President, covers pressure in the form of dissuading customers from dealing with secondary employers. That refers to establishing a picket line around a merchant's store, when the merchant handles the product of a company or of a manufacturing plant in which there is a strike. In other words, that is a form of coercion against an innocent employer, in an effort to compel the employer who has a strike on his hands to come to terms with the union. It is an effort to influence the original employer.

Mr. President, these cases come up repeatedly. There are those who believe that almost any power should be placed in and retained by unions to force their will, by the use of economic power and economic coercion, in almost any situation which may arise.

Mr. President, I have been pleading for this cause ever since the debate on the bill started. I have been trying to have adopted a measure to protect those who are innocent and helpless.

I point out that we have cases of merchants who for 20 years, 10 years, or for a long period of time, may have been handling a particular brand of product. A merchant may have built his business around the product, such as the John Deere plows or some kind of machinery from some other company. The merchant may have built up his trade entirely on that product. The merchant may have a competitor who is handling a competitive product made by another manufacturer, which serves the same function, but which is a different brand and is manufactured by someone else. In one of these plants there may be a strike, and the union may picket the merchant who is handling the product of the struck plant. The union may say to the merchant, "You cannot sell this product. If you do we will picket your place of business. Thus you will not be able to get your supplies, because the Teamsters will not cross the picketline."

In addition, the merchant's customers would be embarrassed. They would be harassed. They would see the picket sign. What would the sign say? It would say "Unfair to labor." How is the merchant unfair to labor? It is simply a case of the merchant not being willing to stop handling a product which he has been handling for 20 years and on which he has built his business. That is a secondary boycott which, it seems to me, ought to be prohibited.

Mr. President, that is the field and the area in which the amendment is designed to operate. Those are the things it is designed to prevent. If Senators believe labor should have the power to impose secondary boycotts; if they believe the innocent ought not have protection but that they should submit, whatever the dispute may be and regardless of who is right or wrong; and if they believe we should permit the power and the force to be applied; then they should vote against the amendment, because I believe the amendment, if agreed to and enforced, would stop some of those practices.

Mr. MUNDT and Mr. CASE of South Dakota addressed the Chair.

Mr. McCLELLAN. I yield first to my colleague on the committee.

Mr. MUNDT. Mr. President, I point out, and I am sure the Senator from Arkansas will agree, that the evidence before our committee, which has gone into secondary boycotts to some extent, indicates that a protective measure of the kind presented is fully as important to the employees as it is to the employers.

Mr. McCLELLAN. Yes. I meant to mention that fact.

The merchant may employ a dozen people, or perhaps more. He may have to close down his business. It might be necessary to put other employees out of work, simply because there is some foreign dispute over which the merchant and his employees have no control on earth. They cannot do anything about the dispute.

Mr. MUNDT. The Senator is exactly correct.

The PRESIDING OFFICER. The time of the Senator from Arkansas has expired.

Mr. McCLELLAN. Mr. President, how much time have I used?

The PRESIDING OFFICER. The Senator has used 5 minutes.

Mr. McCLELLAN. I yield myself 2 more minutes.

The PRESIDING OFFICER. The Senator is recognized for 2 minutes.

Mr. MUNDT. Mr. President, I remind the Senator of the long investigation we had with regard to the Kohler situation, in which there was a secondary boycott. In that instance laboring men, plumbers, installers, and those engaged as artisans and salesmen of the particular product of the plant, though thousands of miles removed and entirely innocent of taking any stand on either side, were forced out of work because of the secondary boycott imposed to meet a situation in Sheyboygan County, Wis. I think it is manifestly unfair to force working men and women out in the street when they have no interest of their own in a situation.

As I understand the amendment offered by the Senator from Arkansas, it would correct such a situation, which results in a miscarriage of justice both to employers and to employees, who usually are less able to withstand that kind of economic oppression than is management.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. McCLELLAN. I am glad to yield.

Mr. CASE of South Dakota. I merely wish to observe that I think the secondary boycott is of great concern to the rank and file of people in small towns and communities, sometimes far removed from the ordinary scene of industrial problems, in connection with transportation of goods. The application of the secondary boycott affects farmers, small townspeople, and people in cities of small size, where there is no direct industrial conflict. Because of that fact I think the amendment is extremely important for areas of our country which ordinarily do not think of themselves as being concerned with labor problems. The amendment is important. I hope it will be agreed to.

Mr. McCLELLAN. Mr. President, I thank the Senator.

Mr. President, I ask unanimous consent that I may make a technical amendment to my amendment, as a modification.

On line 23, page 3, I wish to strike out the figure "(7)" and to insert in lieu thereof the figure "(4)".

The PRESIDING OFFICER. The Senator has a right to modify his amendment. The amendment is modified as requested.

Mr. KENNEDY. Mr. President, I rise in opposition to the amendment.

I am not sure the Members of the Senate are aware of how strongly the secondary boycott provisions of the Taft-Hartley Act regulate secondary boycotts, combined with the language which the Senate agreed to last night, prohibiting hot cargo.

Thirty percent of all secondary boycott cases carried to the National Labor Relations Board involve the Teamsters Union. It is my judgment, and I think it is the judgment of the Senator from Tennessee and of the Senator from Arkansas, that last night, in the amendment dealing with the hot cargo, we effectively restrained the Teamsters from engaging in secondary activity which is inimical to the general welfare.

The problem we are faced with now is somewhat different. Under the pending bill if there is a strike in the plant of employer A, and if employer B is doing business with employer A, the union is prohibited from attempting to call employer B's employees out on strike as a means of putting economic pressure on employer B in order to put economic pressure on employer A.

In other words, the Taft-Hartley Act was quite stringent in this field. I will

restate the proposition, to make it somewhat more clear, if I may.

What happened in the example which the Senator from Arkansas gave in his speech is now prohibited by the secondary boycott provisions of the Taft-Hartley Act. The Senator gave an example of the Teamsters' Union refusing, because of a picket line, to make deliveries to a secondary employer doing business with a primary employer, against whom there was a strike. That is prohibited today. If the Teamsters refuse to make deliveries, that is prohibited by the Taft-Hartley Act.

The point I make is that in the way the Senator's amendment is drafted, it would prevent, in the garment industry—which has been an extremely competitive industry and in which the union has worked for the past 50 years to try to raise standards of those working in the industry—a union representative from going to an employer and asking the employer, as a part of the good will between the union and the employer, to subcontract his work to those employers who were paying a reasonable wage and not to give his work to employers who were paying substandard wages.

That is the way the garment industry has been able to raise the economic standard of the workers engaged in it. That was the original sweatshop industry in this country.

We are not now talking about the Teamsters. That problem has been dealt with. We are talking about economic relations between employers and employees. The Taft-Hartley secondary-boycott provision prohibits unions from putting economic pressure on employer B, for example, who is doing business with employer A, in order to bring the employees of employer B out on strike.

The amendment of the Senator from Arkansas goes far beyond that, and would prevent any agreement of any kind between the union and employer B that employer B will cease doing business with employer A during the period of the strike.

If the strike is against a sweatshop industry, I think the Senator from Arkansas can see how far reaching his amendment would be. I believe it is in the public interest for employers and unions to agree not to do business with employers who pay substandard wages and maintain substandard working conditions. I believe it is proper for a union to say to employer B, "Please do not subcontract any work to subcontractors who maintain sweatshop conditions." I would not say that the union should have the right to say to the contractor, "If you do not do as we ask, we are going to strike against you." But at least the union should have the right to say to the employer, "Our relations will be far better if you do not deal with employer A," so long as the union does not say, "We will strike if you continue to do business with him."

The Taft-Hartley Act was not regarded as very favorable to labor. It seems to me that act dealt with the problem of unreasonable secondary boycotts. Remember that employer B is doing business with employer A and assisting him in an economic struggle with the union. In most cases employer B is not a real neutral. He is doing business with employer A, who is involved in an economic struggle with the union.

Now it is proposed to prevent the union from using any kind of influence to protect itself during the struggle. We hear a great deal about protecting employer B, but there is no talk about protecting the union from the action of employer B, who is participating with employer A in waging the fight against the union.

The amendment of the Senator from Arkansas would take away some of the present protections in the law against employer B making an arrangement with employer A to do struck work. This would lessen the protection which the union should have.

The amendment would vary the effect of the decision in the Ebasco case and other decisions in which the Supreme Court and other courts have interpreted the Taft-Hartley law. I quote from the most recent decision by the U.S. Court of Appeals, Second Circuit, 1955, 228 Federal (2d) 553, in the case involving the Independent Repair Co.:

> We therefore hold that an employer is not within the protection of paragraph 8(b)(4)(A) when he knowingly does work which would otherwise be done by the striking employees of the primary employer and where this work is paid for by the primary employer pursuant to an arrangement devised and originated by him to enable him to meet his contractual obligations. The result must be the same whether or not the primary employer makes any direct arrangement with the employers providing the services.

In this case we are not talking about a customer who might buy a mattress when there is a strike against employer A. We are talking now about employer B, who makes a mattress for the employer against whom the strike is being conducted.

The effect of the Senator's amendment would be to lessen the protection which the Taft-Hartley Act gives a union against an employer who attempts to make an arrangement with a secondary employer to farm out his work.

This amendment is extremely complicated. I am not sure that Members of the Senate are aware of the impact of the present Taft-Hartley Act. I believe that the most malicious secondary boycotts are those involved in the trucking industry, because of the extraordinary economic power of the Teamsters Union. By the so-called "hot cargo" amendment agreed to last night, we have dealt with the Teamsters. That field involves 30 percent of all secondary boycotts.

The effect of the amendment of the Senator from Arkansas would be to make it impossible for decent employers and employees to protect their standards in vital industries. This is an economic issue. It is a question of the right of unions, so long as they do not strike or seek to put pressure on the employer, to attempt to protect their standards. This question involves wages and hours of workers.

This is not a question of racketeering. It is a question of legitimate activity to protect reasonable wages. Therefore I hope the Senate will reject the amendment.

Mr. SMATHERS. Mr. President, will the Senator yield for a question?

Mr. KENNEDY. I am glad to yield for a question.

Mr. SMATHERS. If the amendment which was agreed to last night, offered by the Senator from Tennessee [Mr. GORE] which had to do with 30 percent of the boycotts, was right and sound and needed, why do we not need some additional legislation with respect to the other 70 percent?

Mr. KENNEDY. I am glad to state the reason. The reason is the extraordinary economic power of the Teamsters Union. When we get away from the extraordinary power of the Teamsters Union to tie up a business by refusing to deliver, we get into another field. I do not believe we can solve the problem of the Teamsters in this bill, or in any amendment suggested on the floor. That problem will be with us for some time. I definitely believe that power should be lessened to the extent we can lessen it, and I hope we can do so. Therefore, when power is invoked in connection with a secondary boycott, that is excessive power. But when we talk about the economic relations between employees and employers, I am not ready to say, as a general thesis, that the economic power of the union is greater than that of the employer, or that the economic power of the employer is greater than that of the union. In the case of the Teamsters there is no doubt that the economic power of the Teamsters is greater. In connection with other industries, such as the garment industry, in some cases the economic power of the union is greater, and in other cases the economic power of the employer is greater.

It is not a question of not prohibiting the secondary boycott. Under the Taft-Hartley Act we attempted to prohibit bringing the employees of a secondary employer out on strike, regardless of what relations he may have with the primary employer.

Mr. GORE. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. GORE. The amendment adopted last night is characterized by two additional differences.

First, when we deal with the transportation industry we are dealing with a segment of our economy which goes directly to the security and the economic strength of the entire national economy.

Second, an employer who is a common carrier is the beneficiary of a franchise, or a permit from the Government. As a result of that benefit, his competition is limited. In some cases he is given an exclusive right to be the common carrier over a given highway or a given route. Therefore, the secondary boycott in the transportation field has different aspects, both from the standpoint of the labor union involved and the common carrier involved.

Mr. KENNEDY. The Senator has stated the situation exactly.

I have referred to the garment industry as an example. I know the Senator

from Florida is interested in this problem. Take the case of the garment industry in New York. A manufacturer subcontracts his work to various cutters. If he subcontracts work to a cutter who pays 60 percent of the union standard wage, that cutter enjoys an economic advantage over other cutters. Therefore, there is pressure on other cutters to reduce their wages.

A union is prohibited from enforcing any agreement with a manufacturer by an economic strike, but I do not believe it should be prevented from saying, "Our economic relations will be better if you subcontract your work to contractors who are paying decent wages."

That is the general problem involved in secondary boycotts. I hope Senators will not allow any strong feeling against the Teamsters Union because of its power, which should be checked, to influence their judgment concerning the pending amendment, because I think it would call for a definite change in the economic relations and balance of the national economy.

Mr. McCLELLAN. Mr. President, I yield myself 5 minutes.

I should like now to call something to the attention of the Senate. I hope Senators will listen to me. I listened very carefully to the speech of my friend from Massachusetts. He has talked about farming out work. There is a provision in my amendment which specifically provides as follows:

> *Provided further,* That nothing contained in clause (B) of this paragraph (4) shall be construed to make unlawful where not otherwise unlawful any strike against, or refusal to perform services for, any person who has contracted or agreed with an employer to perform for such employer work which he is unable to perform because his employees are engaged in a strike not unlawful under this act.

There is a complete exemption from anything my distinguished friend from Massachusetts has argued. That is contained in my amendment.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. KENNEDY. In the case which is the guiding case in this regard, it is stated:

> The result must be the same whether or not the primary employer makes any direct arrangement with the employer providing the service.

The point I make is that the word "arrangement" is used. Therefore, the language of the Senator's amendment is more circumscribed than the language of the Taft-Hartley Act with regard to struck work, as interpreted by the courts.

Mr. McCLELLAN. I do not know what struck work is, if it is not the stopping of work. I do not know how courts can squirm to reach any other kind of interpretation.

Mr. KENNEDY. We are talking about the economic relationship between employer A and employer B.

Mr. McCLELLAN. Yes. Employer A has a strike and finds he cannot get his orders manufactured because he does not have the employees with which to do the work, because they are on strike. Therefore, he contracts with employer B to do the work. The strikers can apply economic pressure against employer B. That is permitted under the amendment. We have taken care of that, because we did not want to provide that escape.

Last night we did not do anything to keep the Teamsters from refusing to deliver. They can put a picket line around a man's store. There is nothing in the amendment the Senate adopted last night which will keep them from doing that. All we have done by the amendment is to prohibit them from entering into a contract. We have not done anything to keep them from withholding services.

Mr. KENNEDY. Under the present rulings of the court, if the Teamsters refuse to make deliveries as the result of the effort of the union, they are subject to the Taft-Hartley law.

Mr. McCLELLAN. Let me say to my friend that there was a strike at the Waldorf-Astoria Hotel in New York involving the employees of a barber shop. They belonged to an independent union. The AFL-CIO decided to take them over. They picketed the barber shop. However, instead of putting pickets around the barber shop, they put them around the outside of the hotel. The Teamsters cut off the supplies of the hotel. The management said, "We cannot stand for that."

Mr. KENNEDY. Was not that problem related also to the fact that the National Labor Relations Board did not assume jurisdiction over the hotel industry?

Mr. McCLELLAN. That may be true. That can happen now. What is to prevent it?

Mr. KENNEDY. They would not be able to do it even if the amendment were adopted, unless New York State was able to assume jurisdiction under the no-man's land provision.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. McCLELLAN. How much time do I have remaining.

The PRESIDING OFFICER. The Senator has 12 minutes remaining.

Mr. McCLELLAN. I yield 5 minutes to my distinguished friend from Nebraska, the cosponsor of the amendment.

Mr. CURTIS. I thank the distinguished Senator. I rise in support of the amendment to amend the secondary boycott provisions of the Taft-Hartley Act, in order to outlaw effectively secondary boycotts under penalty of fine, imprisonment, or both.

As the Taft-Hartley Act stands today unions have succeeded in finding many holes in the act's secondary boycott provisions. Union racketeering, as the revelations of the McClellan committee have shown, is fostered by the use of secondary boycotts. Employers, who are innocent bystanders, are drawn into struggles between unions and other employers. The secondary boycott is a particularly popular technique with the Teamsters, who have not hesitated to use it in order to force unwilling employers to compel their employees to join the union, which in many instances the employees have rejected.

For almost 2 years now the vicious practice of the secondary boycott has been defended on the floor of the Senate by talking about a small segment which involves the farming out of struck work. In the meantime, many individuals are suffering from secondary boycotts. In the meantime small businesses are being driven out of business. In the meantime, workers are forced into unions by their employers because the employers are compelled to unionize them against their wishes. There can be no defense of such procedures.

I should like to call the Senate's attention to the hearings of the McClellan committee on the secondary boycott. Earlier today I mentioned the secondary boycott involving the Waldorf-Astoria Hotel in New York, where the Teamsters Union refused to let anything come into the hotel or to go out, and picketed the hotel because another concern which had a lease in a part of the hotel had a dispute with the barbers' union. It was a valid dispute. One of the largest hotels in the country, as a result, was forced to its knees by a secondary boycott. If it were lawful for competitors to boycott another business and destroy it, then, of course, it would be lawful for a union to do it. However, the reverse is true.

We do not seek any special or punitive action in this matter. What we ask for is equality before the law.

Senators who refer to the hearings will find the case of the Burt Manufacturing Co. of Akron, Ohio. They have a certified union, the Steelworkers Union. Because the Sheetmetal Workers Union thought they ought to have that shop, the company's products are being boycotted all over the United States. That has been going on for 10 years.

Today we are right back where we were before the smokescreen was thrown up about farming out struck work. That is not the issue here. The question is whether we are for or against the vicious secondary boycott.

I should also like to call to the attention of the Senate the case of the Southwest Motor Freightways in Galveston, Tex., which operates entirely within the State of Texas. Their employees, on a ballot, rejected Dave Beck's and Jimmy Hoffa's Teamsters Union. Yet the hot cargo clause was invoked, and they were given no freight to haul. The people invoking the secondary boycotts do not stop at that.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. CURTIS. Mr. President, will the distinguished minority leader yield time to me on the bill?

Mr. McCLELLAN. I shall be glad to yield the Senator more time, provided I can get time on the bill when I need it. How much time does the Senator want?

Mr. CURTIS. Ten minutes.

Mr. McCLELLAN. I will yield 5 minutes to the Senator.

Mr. CURTIS. There are a number of pages in the hearings which discuss the violations which occurred in connection with Mr. Gilbert, the owner of Southwest Motor Freightways, in Texas. It is rather interesting to note that one of the Texas victims of the secondary boycott said he was grateful for the help which the Texas Rangers gave to him, because they were the only source of help he

could get in Texas against this vicious practice.

This is an intolerable situation, as all right thinking people have realized, whatever their personal orientations. We thought that we had put an end to secondary boycotts when we passed the Taft-Hartley Act and wrote into it section 8(b)(4). But the ingenuity of the racketeering labor leaders has made a shambles of section 8(b)(4). Through a variety of clever devices, virtually the total effect of section 8(b)(4) has been avoided, to the detriment of employees and employers, whether or not directly involved in a labor dispute. The only beneficiaries have been racketeering labor union leaders. Accordingly, there is a crying need for amendment of the law in order to stop these devices.

Amendment 4–17–59—C accomplishes the following:

First. It makes it unlawful to coerce or induce a third party employer to cease doing business with another person. Suppose, for example, that a union wants an employer to sign a contract with it under which his employees must belong to the union. Suppose further that the employees do not want the union and have so indicated their desire. If the union, to bring pressure upon the reluctant employer, calls out on strike the employees of a different employer in order to force that employer to stop doing business with the first one, that is presently unlawful under the secondary boycott provisions of existing law. But suppose the union plays it smart. Instead of calling the strike just described, it simply goes to the second employer and says, "Look here; you do not want any trouble with us; stop doing business with the first employer. He is giving us trouble by not signing up with us." There is nothing in present law to bar such direct pressure upon the second employer. Yet that pressure can be very effective. The second employer, who will usually be a small employer—the union will pick on small employers, not big ones who can well stand up to it—does not desire to get involved in difficulties with the union. He may have a contract with it and wants to maintain friendly relations. He can do business with someone else who is not embroiled in union troubles. So he simply looks elsewhere for customers or for his supplies. Meanwhile, the first employer will frequently give in to the union and force his employees to join it or he will just go out of business.

The amendment cures the above defect in existing law by making it just as unlawful to coerce second employers directly as indirectly through their employees. It does this by adding to 8(b)(4) a prohibition against coercion of or inducement to any person engaged in commerce. It continues in effect the prohibition against strikes or the calling of strikes by unions against the second employers. At the same time the amendment specifically provides that it does not render unlawful a strike against the second employer, who has contracted to perform work for the first employer, which the first employer is unable to perform because his employees are lawfully striking against him.

In other words, the contention of the distinguished Senator from Massachusetts that the amendment is defective because of the struck-work provision is not well taken.

Second. The amendment closes another major loophole in existing law. Today if secondary boycotts are directed against railroads, farmers, governments, and other classes of employers and employees excluded from the law's coverage, they are not illegal. Take for example the case of an effort by a union to organize a company, whose employees do not want the union. The union, unable to get anywhere with the company, proceeds to picket a railroad which delivers supplies to the company or an agricultural enterprise which buys from or sells to the company, in order to force the railroad or farmer to stop doing business with the company.

The PRESIDING OFFICER. The time of the Senator from Nebraska has again expired.

Mr. DIRKSEN. I yield the Senator 5 minutes on the bill.

Mr. CURTIS. I thank the minority leader.

Since railroad employees and farm employees are not "employees" as that term is defined in the law, the secondary-boycott provisions of the law are not violated. Yet innocent parties are hurt in this situation as much as where the picketing is directed at persons who are technically employees within the meaning of the law. The amendment eliminates this inequity by substituting for the words in section 8(b)(4) "employees of any employer" the words "individual employed by any person." Thus, inducing or encouraging strikes by employees of secondary employers, who are railroads, farmers, governments, and so forth, will be illegal the same as the inducement of strikes by employees of any other secondary employer.

Third. Another loophole in existing law is found in the rule laid down by the U.S. Supreme Court in the Rice Milling case that if the secondary boycott merely induces individual action rather than concerted action, it is lawful. This loophole is taken care of also. Suppose, then, that the union's inducement to strike does not encourage united activity by the employees of the secondary employer, but simply individual action by them. That is, each employee is induced separately and at different times to refuse to work. This technique can be just as effective in forcing his employer to cease doing business with the first employer as the technique where all employees act concertedly in refusing to work.

The amendment closes this loophole by dropping the word "concerted" from section 8(b)(4).

Turning now to amendment 4–17–59—D, the amendment which makes it a crime to enter into a hot cargo agreement, I would not think that at this late date, much would have to be said in support of this subject. There is probably no more vicious and harmful provision in collective bargaining agreements than the hot cargo clause. What it does is require an employer to agree that his employees do not have to handle goods which the union labels as "hot." And the union will label as hot the goods of any other employer so long as he will not agree to do what the union wants. If the employer, for example, will not force his employees to join the union which his employees do not want, then the union will declare his goods hot and that means that other employers having hot cargo agreements are precluded from handling such goods.

The Teamsters in particular have hot cargo clauses in their agreements. If they are unable to organize a particular retailer, let us say, they can virtually put him out of business by stopping all deliveries to and from his place of business by invoking the hot cargo clauses they have in their carrier contracts.

The subject of hot cargo contracts has been widely litigated in the courts and before the NLRB and the ICC. Present law is in a state of complete confusion. The Labor Board has ruled that if a union induces employees to strike to force an employer to comply with a hot cargo agreement, that is unlawful. On the other hand, it is not unlawful for the union to force the employer to enter into a hot cargo contract or to force him directly to comply with it once he enters into it. In my opinion, all these union actions are reprehensible and should be outlawed. While I believe that amendment 4–17–59—C includes all these actions within the secondary boycott prohibitions contained in that amendment, although not in so many words, I also believe that the cleaner way to strike at the problem and put a roadblock in front of the racketeering which it engenders is to declare hot cargo agreements criminally illegal. That is precisely what amendment 4–17–59—D does.

On several occasions I have spoken in detail about secondary boycotts. It was the intention of Congress in passing the Taft-Hartley law to outlaw all secondary boycotts. They are carried on today because of loopholes in the law. The amendment of the distinguished Senator from Arkansas closes those loopholes. It gives an opportunity to do what Congress intended to do in the passage of the Taft-Hartley law.

I agree with the late Senator Taft, who said, "There is no such thing as a good secondary boycott." A secondary boycott is the carrying of economic warfare to neutral third persons. It is a practice being carried on by the most vicious of the racketeers. It is indefensible, and Congress ought to close these loopholes.

I urge the adoption of the amendment.

Mr. DIRKSEN. I suggest the absence of a quorum.

Mr. KENNEDY. Mr. President, on this amendment I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. JOHNSON of Texas. Mr. President, let me inquire whether both sides have either yielded back their remaining time or have consumed all the time available to them.

The PRESIDING OFFICER. Do both sides yield back their remaining time?

Mr. KENNEDY. I do.

Mr. McCLELLAN. I do.

The PRESIDING OFFICER. All remaining time has been yielded back.

The question is on agreeing to the amendment of the Senator from Arkansas [Mr. McCLELLAN], as modified. On this question, the yeas and nays have been ordered; and the clerk will call the roll.

Mr. DIRKSEN. Mr. President, I suggested the absence of a quorum.

The PRESIDING OFFICER. Very well; the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the modified amendment of the Senator from Arkansas [Mr. McCLELLAN]. On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Louisiana [Mr. ELLENDER], the Senator from Arkansas [Mr. FULBRIGHT], and the Senator from Minnesota [Mr. HUMPHREY] are absent on official business.

I also announce that the Senator from Nevada [Mr. BIBLE] is absent because of a death in his family.

I further announce that the Senator from Delaware [Mr. FREAR] is absent because of illness.

On this vote, the Senator from Kansas [Mr. CARLSON] is paired with the Senator from Minnesota [Mr. HUMPHREY].

If present and voting, the Senator from Kansas would vote "yea," and the Senator from Minnesota would vote "nay."

On this vote, the Senator from Arkansas [Mr. FULBRIGHT] is paired with the Senator from Nevada [Mr. BIBLE].

If present and voting, the Senator from Arkansas would vote "yea," and the Senator from Nevada would vote "nay."

On this vote, the Senator from Wisconsin [Mr. WILEY] is paired with the Senator from Louisiana [Mr. ELLENDER].

If present and voting, the Senator from Wisconsin would vote "yea," and the Senator from Louisiana would vote "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON] is absent on official business, and is paired with the Senator from Minnesota [Mr. HUMPHREY]. If present and voting, the Senator from Kansas would vote "yea," and the Senator from Minnesota would vote "nay."

The Senator from Wisconsin [Mr. WILEY] is necessarily absent, and is paired with the Senator from Louisiana [Mr. ELLENDER]. If present and voting, the Senator from Wisconsin would vote "yea," and the Senator from Louisiana would vote "nay."

The result was announced—yeas 41, nays 50, as follows:

YEAS—41

Aiott	Bush	Cotton
Bartlett	Butler	Curtis
Beall	Byrd, Va.	Dirksen
Bennett	Capehart	Dworshak
Bridges	Case, S. Dak.	Eastland
Ervin	Martin	Schoeppel
Goldwater	McClellan	Scott
Hickenlooper	Monrcney	Smathers
Holland	Morton	Stennis
Hruska	Mundt	Talmadge
Jordan	Prouty	Thurmond
Keating	Robertson	Williams, Del.
Kerr	Russell	Young, N. Dak.
Lausche	Saltonstall	

NAYS—50

Aiken	Hartke	Mansfield
Anderson	Hayden	Morse
Byrd, W. Va.	Hennings	Moss
Cannon	Hill	Murray
Carroll	Jackson	Muskie
Case, N.J.	Javits	Neuberger
Chavez	Johnson, Tex.	O'Mahoney
Church	Johnston, S.C.	Pastore
Clark	Kefauver	Proxmire
Cooper	Kennedy	Randolph
Dodd	Kuchel	Smith
Douglas	Langer	Sparkman
Engle	Long	Symington
Gore	McCarthy	Williams, N.J.
Green	McGee	Yarborough
Gruening	McNamara	Young, Ohio
Hart	Magnuson	

NOT VOTING—7

Bible	Frear	Humphrey
Carlson	Fulbright	Wiley
Ellender		

So Mr. McCLELLAN's amendment, as modified, was rejected.

Mr. KENNEDY. Mr. President, I move that the vote by which the amendment of the Senator from Arkansas was rejected be reconsidered.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senate will now return to the consideration of the Prouty amendment.

Mr. PROUTY. Mr. President, a parliamentary inquiry.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield for a moment to me, out of my time?

Mr. PROUTY. I yield.

Mr. JOHNSON of Texas. If I may have the attention of the Senator from Vermont, it is my understanding that the Senator desires to vitiate the order by which the yeas and nays were ordered. Is that a correct understanding?

Mr. MUNDT. Mr. President, I object. We had a unanimous understanding there would be a yea-and-nay vote, and I think we should stand by it.

Mr. PROUTY. A parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator will state it.

Mr. PROUTY. I have an amendment to the amendment which I proposed this morning, which I am offering on behalf of myself, the Senator from New York [Mr. KEATING], the Senator from Kentucky [Mr. COOPER], the Senator from New Jersey [Mr. CASE], the Senator from California [Mr. KUCHEL], the Senator from New York [Mr. JAVITS], and the Senator from Pennsylvania [Mr. SCOTT]. The Senator from Vermont is a little confused as to the proper procedure. I would appreciate it if the Chair would advise me the course of action to pursue.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. PROUTY. I am glad to yield.

Mr. JAVITS. As I understand, the situation can be straightened out by another sponsor of the amendment offering the amendment as a substitute amendment. Therefore, I hope the Senator will yield, for that purpose, to one of the cosponsors, so that the amendment may be offered as a substitute. I understand my colleague from New York is agreeable.

Mr. PROUTY. I am very happy to yield for that purpose.

Mr. KEATING. Mr. President, on behalf of the Senator from Vermont [Mr. PROUTY], the Senator from New Jersey [Mr. CASE], the Senator from Kentucky [Mr. COOPER], the Senator from California [Mr. KUCHEL], the Senator from New York [Mr. JAVITS], the Senator from Pennsylvania [Mr. SCOTT], and myself, I offer a substitute for the amendment.

Mr. MUNDT. A parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Chair will state that the pending question is on agreeing to the request of the Senator from Vermont to accept the Cooper amendment as a modification of his amendment. The Chair cannot entertain the substitute amendment until the Cooper amendment has been withdrawn.

Mr. DIRKSEN. Mr. President, we did not hear the ruling.

The PRESIDING OFFICER. The pending question is on agreeing to the request to modify the Prouty amendment by the Cooper amendment.

Mr. DIRKSEN. A parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. I thought a unanimous-consent request had been proffered, to do exactly that.

The PRESIDING OFFICER. The unanimous-consent request has not been agreed to by the Senate.

Mr. COOPER. Mr. President——

Mr. PROUTY. Mr. President, I ask unanimous consent to modify the amendment which I offered.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Vermont?

Mr. ALLOTT. Mr. President, reserving the right to object, I should like to inquire what effect the granting of the request would have upon the time for discussion, if any?

The PRESIDING OFFICER. The time for discussion would remain as it is. The time of the Senator from Vermont has expired.

Mr. ALLOTT. I make a further inquiry, Mr. President. What is the time remaining?

The PRESIDING OFFICER. The time remaining is the time of the Senator from Massachusetts, who has 18 minutes remaining.

Mr. ALLOTT. On which side?

The PRESIDING OFFICER. On the opposition side.

Mr. ALLOTT. There is no time remaining on behalf of the amendment?

The PRESIDING OFFICER. That is correct.

Mr. JOHNSON of Texas. Mr. President, reserving the right to object——

Mr. ALLOTT. Mr. President, I will reserve my objection for the time being until we can see if this matter cannot be handled in another way, so that the Senate may be informed as to what the

amendment means. I do not believe an amendment of this importance should be voted on by the Senate without having proper time for discusison. I should like to inquire if there is a way by which the amendment may be offered so that the Senators may have time for adequate discussion.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. It is my understanding that those who are particularly interested in the amendment have agreed upon the language. This is the picketing amendment. It is my understanding the language is agreeable to the chairman of the subcommittee, the Senator from Massachusetts. I think that is the understanding, and on that basis I believe the amendment will be accepted.

Mr. KENNEDY. Mr. President, that is slightly different from my understanding. I would say this matter could be disposed of by a voice vote.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. CHAVEZ. I am against the amendment, Mr. President. I am against the amendment, but I want it to be discussed.

The PRESIDING OFFICER. The Chair recognizes the Senator from New York.

Mr. CHAVEZ. I must object.

Mr. DIRKSEN. Mr. President, I believe I have the floor for the moment, on a parliamentary inquiry. I will yield to the Senator from New York.

Mr. KEATING. In order to satisfy the distinguished Senator from Colorado and other Senators, perhaps the Senator from Illinois could yield 5 minutes under the time for general debate on the bill, for the purpose of explaining the amendment.

Mr. DIRKSEN. I was going to suggest that since the Senator from Massachusetts has 18 minutes remaining he could divide that time, which would allow for an explanation.

Mr. KENNEDY. Mr. President, I am happy to yield 9 minutes to the Senator from Vermont.

Mr. ALLOTT. Mr. President, I shall not object.

The PRESIDING OFFICER. The Senator from Vermont is recognized for 9 minutes. The pending question is on agreeing to the request of the Senator to modify his amendment.

Mr. McNAMARA. Mr. President——

Mr. MUNDT. Mr. President, will the Presiding Officer put the unanimous consent request, so that it can be agreed to?

Mr. McNAMARA. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The question before the Senate is on agreeing to the unanimous consent request of the Senator from Vermont to modify his amendment in accordance with the Cooper substitute.

Mr. COOPER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. COOPER. I understand that the amendment which I offered is incorporated in the new amendment, which will be offered by the Senator from Vermont for himself, for me, for the Senator from New York, and other Senators. I ask if I may withdraw my amendment, and if it would then be possible for the Senator from New York to offer a new amendment as a substitute?

The PRESIDING OFFICER. The amendment may be withdrawn by unanimous consent.

Mr. COOPER. I ask unanimous consent that my amendment modifying the amendment of the Senator from Vermont [Mr. PROUTY] be withdrawn.

Mr. JOHNSON of Texas. Mr. President, the Senator from Kentucky [Mr. COOPER] is asking unanimous consent that he be permitted to withdraw his amendment. Then the Keating amendment would be a substitute for the Prouty amendment.

Mr. MUNDT. Mr. President, I am somewhat curious as to whether all this parliamentary maneuvering is devoted to the purpose that there will not be a yea-and-nay vote on this matter, after we have spent all afternoon discussing it. There are many interested in the subject, and I think we should decide it on a yea-and-nay vote when we make up our minds. We had an understanding with the distinguished majority leader that we would place this amendment in exactly the same status it previously occupied, to accommodate action by the Senate on the McClellan amendment. I do not want us to find ourselves getting all squeegeed out of a yea-and-nay vote, which could happen under the maneuvering which is taking place.

The PRESIDING OFFICER. The order for the yeas and nays cannot be rescinded without unanimous consent.

Mr. MUNDT. And that order will hold, even on the substitute amendment?

The PRESIDING OFFICER. The Senator is correct.

Mr. MUNDT. I have no objection.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Kentucky?

Mr. JOHNSON of Texas. Mr. President, I object, for the moment.

Mr. DIRKSEN. A parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. To what has the objection been made? Is there objection to the unanimous-consent request of the Senator from Kentucky that he withdraw his amendment?

The PRESIDING OFFICER. The Chair understands objection has been made to the request of the Senator from Kentucky to withdraw his amendment.

Mr. DIRKSEN. Mr. President, if the amendment of the Senator from Kentucky were withdrawn there would be actually nothing before the Senate, unless a new amendment were proposed.

The PRESIDING OFFICER. The question now before the Senate is on agreeing to the amendment of the Senator from Vermont, with the amendment offered by the Senator from Kentucky.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senator from Kentucky may withdraw his amendment.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Massachusetts? The Chair hears none, and it is so ordered.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senator from Vermont may amend his amendment as he chooses to.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Massachusetts?

Mr. KENNEDY. Mr. President, has that been agreed to?

Mr. PROUTY. No.

Mr. KEATING. I will say to the Senator from Massachusetts, I understood it would be desirable that I offer my amendment as a substitute amendment.

Mr. KENNEDY. I thank the Senator.

The PRESIDING OFFICER. Does the Senator from Massachusetts withdraw his unanimous-consent request?

Mr. KENNEDY. I do.

Mr. KEATING. Seeking to be cooperative, Mr. President, what is the situation?

Mr. JOHNSON of Texas. Is the Senator going to offer his amendment as a substitute?

The PRESIDING OFFICER. The Chair recognizes the Senator from New York.

Mr. KEATING. Mr. President, I offer this original amendment as a substitute.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

Mr. KEATING. I offer the amendment on behalf of the Senators listed in my previous statement, and myself.

The LEGISLATIVE CLERK. In lieu of the amendment proposed by the Senator from Vermont [Mr. PROUTY], the Senator from New York [Mr. KEATING], for himself and other Senators, proposes, on page 59, after line 25, to insert the following:

SEC. . (a) Subsection (b) of section 8 of the National Labor Relations Act, as amended, is amended by striking out the word "and" at the end of paragraph (5), by striking out the period at the end of paragraph (6) and inserting in lieu thereof a semicolon and the word "and", and by adding a new paragraph as follows:

"(7) to picket or cause to be picketed, or threaten to picket or cause to be picketed, any employer with the object of forcing or requiring an employer to recognize or bargain with a labor organization as the representative of his employees, or forcing or requiring the employees of an employer to accept or select such labor organization as their collective bargaining representative—

"(A) where the employer has recognized in accordance with this Act any other labor organization (not established, maintained, or assisted by any action defined in section 8(a) as an unfair labor practice) and a question concerning representation may not appropriately be raised under section 9(c) of this Act; or

"(B) where within the preceding nine months a valid election under section 9(c) of this Act has been conducted unless such labor organization has been certified as the representative of employees of such employer pursuant to such election or unless such labor organization has been designated

or selected as a representative for the purposes of collective bargaining by the majority of the employees in a unit appropriate for such purposes."

(b) Section 10(l) of the National Labor Relations Act, as amended, is amended by striking out the period at the end thereof and inserting the following: "and section 8(b)(7): *Provided further,* That where a charge is filed under section 8(b)(7) it shall be a defense to show that an unfair labor practice within the meaning of section 8(a) has been committed: *Provided further,* That where there is a failure to seek such appropriate relief the Board shall promptly make public the reasons for such failure."

Mr. KEATING. Mr. President——

The PRESIDING OFFICER. How much time does the Senator from Vermont yield?

Mr. PROUTY. Mr. President, I yield 5 minutes to the distinguished Senator from New York.

Mr. KEATING. Mr. President, under this amendment a union would be prohibited from picketing or threatening to picket an employer only where the object of such procedure was to force the employer to bargain or deal with the union, or to force the employees either to join the union or to select or accept it as their collective bargaining representative. Every other kind of picketing would be absolutely unaffected by this amendment.

But even where the union picketed for either of these two objectives, recognition or organization, it would not be in violation of the law, under this amendment, unless the picketing occurred in one of the two following situations:

First. Where the picketed employer had recognized and signed a contract with some other perfectly legitimate union which actually represented a majority of his employees, and, hence, under the Taft-Hartley Act, no election would be held by the Board until such contract had expired.

Second. Where the Board had held an election during the preceding 9 months—in that respect it differs from the provision of the previous amendment, which was 12 months—and the picketing union had lost the election, unless during the 9-month period the picketing union could demonstrate that it actually did represent a majority of the employees.

Whenever picketing occurs under one of these circumstances, this amendment provides that the National Labor Relations Board, as it does in cases of unlawful jurisdictional strikes, may simultaneously, while proceeding against the picketing union through its own administrative processes, seek a temporary restraining order against such union in the Federal district court. However, such order would not be granted if the union could show to the court that the employer had committed an unfair labor practice. That is provided in the very last paragraph.

I thank the Senator for yielding for this explanation.

Mr. PROUTY. Mr. President, obviously if this amendment is adopted it will represent a compromise, but I think a compromise which is fair in all respects to both labor and business. I think it would contribute a great deal more to bringing about labor harmony than has been possible in the past. I think it is in the best American tradition for Members of the Senate to give and take, and finally wind up with an approach which is eminently fair and reasonable, as this seems to me to be.

For that reason I hope very much that none of my colleagues will seek a yea-and-nay vote on this proposal. I think it is in the interest of harmony and in the interest of what is good for the welfare of the country, that we should approach the problem on a more or less friendly basis.

Mr. COTTON. Mr. President, will the Senator yield for a question?

Mr. PROUTY. I am glad to yield.

Mr. COTTON. I should like to ask the question of either the Senator from Vermont or the Senator from New York.

The statement was made that if there had been an election, picketing on the part of the union losing the election would be unlawful for a period of 9 months, unless in the meantime it demonstrated that it had become the bargaining agent, or represented the majority of the employees.

How would a union demonstrate that to be so without another election? It might claim it, but how could it demonstrate it, and thus make the picketing legal, without another election?

Mr. KEATING. I think one way would be by a signed showing, in writing, that a majority of the employees actually favored the union.

Mr. COTTON. To whom would they present the evidence before they started what would otherwise be illegal picketing? To whom would the demonstration or presentation of the signed document be made?

Mr. KEATING. I suppose it would be presented to the NLRB or a court ultimately.

Mr. COTTON. Unless the amendment indicates to what authority, as a condition precedent to the otherwise illegal picketing, the union would demonstrate that the situation had changed since the election, within a 9-month period, it strikes me that the way would be left open for a union to start picketing, and then claim that the situation had changed. The facts would be fuzzy, and there would be no clean-cut situation during the 9-month period.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. PROUTY. I yield.

Mr. CASE of South Dakota. By way of observation, it seems to me that the demonstration would be before the National Labor Relations Board, which would have authority to proceed with the injunctive process in case the facts were not as alleged.

Mr. PROUTY. That would be true in the case of an unfair labor practice.

Mr. CASE of South Dakota. I do not see how any union could demonstrate that it was the bargaining agent without an election. Certainly if the union obtained a majority of the employees as members, then a certification of the majority could be used to say that it represented a majority of the employees. There is a difference between a union having a majority of the employees as members and being the duly qualified agent. The latter could be demonstrated only by an election.

Mr. COTTON. I am not raising this question in any unfriendly attitude toward the amendment. Let me state what I want to know. Let us suppose an election is held, and the union loses the election. Nine months have not elapsed. Under the proposed amendment would the union go ahead and start picketing, and then must it be dragged before the National Labor Relations Board and satisfy the Board, or must it first satisfy the National Labor Relations Board? The object is fine, but the procedure ought to be more clearly defined.

Mr. COOPER. Mr. President, this is the same point which I discussed earlier during the debate, and which was the subject of my amendment modifying the amendment offered by the Senator from Vermont. I withdrew my modifying amendment because it is incorporated in the substitute amendment now before the Senate. I believe I can answer the Senator's question.

If the employees have voted in an election not to accept the union as their bargaining agent, and later the union claims that it has a majority, it is in the discretion of the NLRB, upon a complaint by the employer, to determine whether or not the union has a majority. If the union does not have a majority it could be prohibited from picketing. If it does have a majority, then the picketing could go on until the employer had recognized the union. The justification for that is that an actual majority has adhered to the union. Under the Taft-Hartley Act they have a right to be recognized.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. PROUTY. I yield.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. JOHNSON of Texas. Mr. President, I yield 3 minutes to the Senator from Arizona.

Mr. GOLDWATER. I wish to address myself to the request that we forego a yea-and-nay vote on the amendment, as has been previously ordered. I realize that legislation is a compromise. Frankly, I am becoming a little tired of compromising away my principles. I am perfectly willing to go along with the amendment, and I will vote for it. I see no reason why the Senate should not give some power to the expression contained in the amendment, which I see as a recognition of the point we have been trying to make today, namely, that blackmail picketing is wrong and bad and is against the working people as well as against the public interest. I believe it will make the expression stronger if Senators will stand up and express themselves for it.

We have established one thing by the amendment. We have established recognition by the Senate that it is wrong, as has been disclosed by the McClellan committee, to engage in blackmail picketing. I am not agreed that we have provided any real relief against it. However, it is up to future Congresses to take remedial action, as the public

realizes that what we need is a stronger approach. I say let us vote for what is proposed and let us give strength to it by unanimous approval of the amendment.

Mr. McNAMARA. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Michigan will state it.

Mr. McNAMARA. Do I understand correctly that the yeas and nays on the amendment are not to be taken, or are they still ordered?

The PRESIDING OFFICER. The yeas and nays are still ordered on the amendment offered by the Senator from Vermont. The yeas and nays have not been ordered on the substitute offered by the Senator from New York.

Mr. McNAMARA. Mr. President, I ask for the yeas and nays on the substitute.

The PRESIDING OFFICER. Is the request sufficiently seconded?

Mr. McNAMARA. Mr. President, I withdraw the request.

SEVERAL SENATORS. Vote! Vote!

Mr. MORSE. Mr. President, I ask for the yeas and nays. I see no reason why we should not stand up and be counted on the question.

The PRESIDING OFFICER. Is the request sufficiently seconded?

The yeas and nays were ordered.

The PRESIDING OFFICER. Do the Senators yield back the remainder of their time?

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOUGLAS. Will the Chair inform the Senate what is the question now before the Senate?

The PRESIDING OFFICER. The question is on agreeing to the substitute amendment offered by the Senator from New York [Mr. KEATING].

Mr. KENNEDY. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back.

Mr. KENNEDY. Mr. President, will the first vote be on the Keating amendment?

The PRESIDING OFFICER. The first vote will be on the Keating amendment, in the nature of a substitute.

Mr. KENNEDY. Is there objection to the Keating amendment?

Mr. DIRKSEN. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. KENNEDY. Is it possible to have a yea-and-nay vote on the Prouty amendment as amended by the Keating amendment?

The PRESIDING OFFICER. The question before the Senate is on agreeing to the substitute offered by the Senator from New York [Mr. KEATING]. The yeas and nays have been ordered.

Mr. KENNEDY. I ask unanimous consent that the order for yeas and nays on the Keating amendment be rescinded, with the understanding that they will be ordered on the Prouty amendment.

The PRESIDING OFFICER. Is there objection?

Mr. CASE of South Dakota. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CASE of South Dakota. Is it not correct to say that as the situation now stands we would have two yea-and-nay votes on identically the same question?

The PRESIDING OFFICER. The Senator is correct.

Mr. CASE of South Dakota. If one amendment is withdrawn we will still have a yea-and-nay vote on the other amendment.

The PRESIDING OFFICER. The Senator is correct.

Mr. HOLLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Florida will state it.

Mr. HOLLAND. Is it not correct to say that if the Senator from Vermont [Mr. PROUTY] accepts the substitute offered by the Senator from New York [Mr. KEATING], we would have the one question to vote on, on which a yea-and-nay vote has been ordered?

The PRESIDING OFFICER. The substitute cannot be accepted without unanimous consent, because the yeas and nays have been ordered on the Prouty amendment.

Mr. KENNEDY. I ask unanimous consent that the Senator from Vermont may be permitted to accept the amendment of the Senator from New York, and that then the yeas and nays be ordered on the Prouty amendment.

Mr. PROUTY. I am very happy to accept the amendment.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Massachusetts? The Chair hears none, and it is so ordered.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Texas will state it.

Mr. JOHNSON of Texas. The question on which we are about to vote is on the Prouty amendment as modified by the Keating amendment. Is that correct?

The PRESIDING OFFICER. The Senator is correct. Does the Senator from Massachusetts yield back the remainder of his time?

Mr. KENNEDY. Yes.

Mr. MUNDT. I should like to have 1 minute on the bill.

The PRESIDING OFFICER. All time on the amendment has expired.

Mr. DIRKSEN. Mr. President, I yield 1 minute on the bill to the Senator from South Dakota.

Mr. MUNDT. Inasmuch as I have been referred to obliquely by the statement that no one would ask for a yea-and-nay vote on the amendment, I wish to say that I am proud to be responsible for insisting that an amendment of this kind be voted on by a yea-and-nay vote.

The amendment has been described as a good amendment. If it is a good amendment, I do not believe the Senate should do something by stealth. The amendment is an improvement over nothing. As I have seen what has been started by the Senator from Arkansas [Mr. MCCLELLAN] dwindle away until it has become a mere trickle, I wish to have a trickle with a yea-and-nay vote. Therefore I think it is only proper that we have a yea-and-nay vote on the amendment.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Vermont [Mr. PROUTY], as modified. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Minnesota [Mr. HUMPHREY], and the Senator from Wyoming [Mr. O'MAHONEY] are absent on official business.

I also announce that the Senator from Nevada [Mr. BIBLE] is absent because of a death in his family.

I further announce that the Senator from Delaware [Mr. FREAR] is absent because of illness.

I further announce that, if present and voting, the Senator from Virginia [Mr. BYRD], the Senator from Nevada [Mr. BIBLE], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Minnesota [Mr. HUMPHREY], and the Senator from Wyoming [Mr. O'MAHONEY] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON] is absent on official business, and if present and voting, would vote "yea."

The Senator from Wisconsin [Mr. WILEY] is necessarily absent, and if present and voting, would vote "yea."

The result was announced—yeas 86, nays 4, as follows:

YEAS—86

Aiken	Goldwater	McGee
Allott	Gore	Monroney
Anderson	Green	Morton
Bartlett	Gruening	Moss
Beall	Hart	Mundt
Bennett	Hartke	Murray
Bridges	Hayden	Muskie
Bush	Hennings	Neuberger
Butler	Hickenlooper	Pastore
Byrd, W. Va	Hill	Prouty
Cannon	Holland	Proxmire
Capehart	Hruska	Randolph
Carroll	Jackson	Robertson
Case, N.J.	Javits	Russell
Case, S. Dak.	Johnson, Tex.	Saltonstall
Chavez	Johnston, S.C.	Schoeppel
Church	Jordan	Scott
Clark	Keating	Smathers
Cooper	Kefauver	Sparkman
Cotton	Kennedy	Stennis
Curtis	Kerr	Symington
Dirksen	Kuchel	Talmadge
Dodd	Langer	Thurmond
Douglas	Lausche	Williams, N.J.
Dworshak	Long	Williams, Del.
Eastland	Magnuson	Yarborough
Ellender	Mansfield	Young, N. Dak.
Engle	Martin	Young, Ohio
Ervin	McClellan	

NAYS—4

McCarthy	Morse	Smith
McNamara		

NOT VOTING—8

Bible	Frear	O'Mahoney
Byrd, Va.	Fulbright	Wiley
Carlson	Humphrey	

So Mr. PROUTY's amendment, as modified, was agreed to.

Mr. DIRKSEN. Mr. President, I move that the vote by which the amendment was agreed to be reconsidered.

Mr. JOHNSON of Texas. I move that the motion to reconsider be laid on the table.

The PRESIDING OFFICER (Mr. McCARTHY in the chair). The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

Mr. DODD. Mr. President, I call up my amendment which is identified as "4–21–59—H," and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 31, in line 24, after "SEC. 202", it is proposed to insert "(a)"

On page 32, between lines 8 and 9, it is proposed to insert the following:

"(b) No subordinate labor organization shall be placed under trusteeship by a national or international labor organization except for a purpose specified in subsection (a) and on order of the Secretary of Labor, or his designate, as provided hereinafter.

"(c) Any national or international labor organization seeking to place a subordinate labor body under trusteeship shall apply to the Secretary for an order in accordance with the provisions of this section. Such national or international labor organization may apply to the Secretary for a temporary order granting such relief, and the Secretary shall issue same after a hearing ex parte, on proof establishing probable cause for the belief of the existence of conditions within a subordinate labor organization sufficient to place such subordinate body under trusteeship for a purpose allowable under section 202. Such temporary order if issued shall remain in effect no longer than thirty days.

"(d) Upon the granting of a temporary order under subsection (c) the Secretary, within thirty days, shall cause a hearing to be held, upon notice to the officers of the subordinate labor organization, and issue a final order and finding on the application of the national or international labor organization.

(e) At the hearing before the Secretary under subsection (d), the national or international labor organization shall present clear and convincing proof establishing the existence of a condition or conditions which would allow the placing of the subordinate body under trusteeship for a purpose specified in subsection (a).

"(f) Any trusteeship so established under this section shall be valid for a period of one year from the date of the order of the Secretary. Upon the expiration of this period, the trusteeship shall be presumed invalid and its discontinuance decreed by the Secretary unless the national or international labor organization shall show that the continuation of the trusteeship is necessary for a purpose allowable under subsection (a). In such event, the Secretary may issue a further order for the continuation of the trusteeship for a period he deems appropriate, not to exceed one year.

"(g) The Secretary shall designate such rules and regulations as he deems proper, including the power to subpena books and records of any labor organization and to compel the attendance of witnesses at a hearing in order to effectuate the purposes of this section."

On page 33, line 4, strike out "202 or".

On page 33, beginning with line 22, strike out all of subsection (c) down to page 34, line 16.

Mr. MAGNUSON. Mr. President, will the Senator from Connecticut yield briefly to me, so that I may ask a question of the Senator from Massachusetts, in order to save time?

Mr. DODD. I am glad to yield.

Mr. MAGNUSON. I now find that the Senator from Massachustts has temporarily left the Chamber. In his absence I cannot very well ask my question.

Mr. DODD. I assure the Senator from Washington that I shall be glad to yield to him later on, when the Senator from Massachusetts has returned.

Mr. MAGNUSON. I thank the Senator from Connecticut.

Mr. DODD. Mr. President, I hope I may have the attention of my colleagues—not because I think my amendment is more important than any other; but I believe the amendment is important, and I have not offered it lightly. It has to do with one of the great abuses in the labor movement; it relates to what are known as trusteeships.

I have developed the habit of calling such trusteeships labor receiverships; I think that is a more accurate term to use in describing such a procedure, which is common to labor organizations. As I suppose all Senators know, such a trusteeship is so much like a receivership that it also seems to me that the rules with respect to obtaining receiverships ought to apply in the case of labor trusteeships.

Mr. President, what is the situation under the bill as it now is before us? The Kennedy-Ervin bill does improve the situation, I am frank to say; and I am pleased that it does. It provides that the imposition of a trusteeship by a national union on a local union shall be governed by the constitution of the national union. However, that provision really will not accomplish what is necessary if we are to protect local unions from arbitrary abuse.

The provision in regard to the causes for which a trusteeship may be imposed is rendered ambiguous by the inclusion of so unclear a provision as the one which now is set forth in the bill in the following language:

or otherwise carrying out the legitimate objects of such labor organization.

The bill now provides a procedure under which an individual union member may appeal. The point is that the full burden of proof is placed upon such union member, who thus would have to fight the international or the national union; and in that fight the limited, sparse, or—most often—nonexistent power of the individual union member would be pitted against the tremendous prestige and power of the national or the international union.

Mr. President, the philosophy behind my amendment is an old Anglo-American philosophy; it is a part of the deep-seated fundamentals of our law. It has been with us for a long time; and it has been protected and preserved for a good reason. In this case the philosophy is that the burden of proof for so serious a matter as destroying a local union, or local union autonomy—and that is what a trusteeship usually does—should rest upon the national union seeking to impose the trusteeship.

This is what we have done right along. If I, as a lawyer, seek to impose a receivership on a corporation, it is required of me that I go before a judge. Then I make out what we call a prima facie case—a good enough case—to warrant that judge's holding who can thus say: "Yes, I think there is good reason for believing that the assets of this corporation may be dissipated, or that the property may be damaged, and that urgent action is required. I will give you a temporary receivership." Usually the court will say, "You come back in 30 days. The corporation involved will have an opportunity to show why the receivership should not be made permanent."

With respect to a union receivership, or trusteeship, as it is called, no such opportunity is given the local. As things stand now, the international clamps on a trusteeship, a stranger moves in, takes over the assets and control of the local, and for 18 months the trusteeship may go unchallenged.

In the past, as we know from the revelations of the McClellan committee, and as we know from litigation, the imposition of trusteeships was one of the greatest abuses of the Teamsters Union. My recollection is that more than 120 trusteeships were imposed by that union, some of them for more than 20 years. Think of it. For more than 20 years, the local members, the wage earners, were without any say at all with respect to their local unions.

I said earlier, and I now repeat, great credit is due to the Senator from Massachusetts and the Senator from North Carolina. Their bill provides improvements. Under it there is a requirement that there be an accounting. It is required that the local cannot send delegations to national conventions. There have been other changes. They are improvements. But the basic fault I find with the situation is that which I emphasized a moment or so ago—that it is not within our philosophy of the law to allow a local union, any more than we would any other such body, to have inflicted on it control by an outside body, without the local union or corporate body having an opportunity to say, "Nay, and here is why we say nay."

All I seek by the amendment is to give the members of a local union an opportunity to say to someone, a judge, or other competent authority, "This trusteeship should not be imposed on us. We run our affairs decently. Our affairs are properly handled. There is no hazard to our organization." As conditions now exist, no such opportunity is given. That is the heart and soul of my amendment. I find it difficult to understand the reason for opposing it.

Let me say one or two more things about the amendment. I have asked that there be distributed and placed on the desks of Senators an explanation of the amendment.

To refer to trusteeship proceedings, under the amendment, before imposing a trusteeship a national union must apply to the Secretary of Labor for a temporary 30-day order granting it. The Secretary shall issue such a temporary order if proof establishing probable cause is submitted by the national union at an ex parte hearing.

I say that is all right. Let the national unions proceed ex parte, because there are possible dangers in having a public hearing. The head of an international union might very well feel that

the affairs of a local union located in Connecticut, for example, were being badly handled. He could go the the Secretary of Labor ex parte, make his prima facie case and get a 30-day order. That would be all right. That is the first remedy the amendment provides.

Second, within those 30 days, if the Secretary of Labor grants the order, he shall conduct a hearing in which the claims of both the national and the local union will be heard. If the national union can establish clear and convincing proof that the trusteeship is justified, the Secretary may issue an order continuing it for a period of 1 year.

Under the bill before the Senate, the period provided is 18 months, but I think a year is long enough.

We go a little further in this amendment. Upon the expiration of the 1 year, the trusteeship shall be presumed to be invalid unless the Secretary sees fit to extend it for an additional period not longer than 1 year.

That is fair, is it not? I want to give the organizations time enough, if they really need a trusteeship; but I say let us make it a year first, and then let them come back and establish, to the satisfaction of the Secretary of Labor, that they need more time. That is not asking too much of a national or an international union that wants to lay its hands on a local.

I have stated the salient and important points of the amendment.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. DODD. Yes, of course; I am happy to yield.

Mr. LAUSCHE. Will the Senator from Connecticut point out what is necessary to be done, under the provisions of the bill, for national organizations to impose a trusteeship?

Mr. DODD. Not a thing; they simply impose it. There is no condition or qualification at all provided in the bill. They would be able to do what they have been doing—merely impose the trusteeship, that is all.

Mr. LAUSCHE. After they have decided to impose a trusteeship and have "taken over," what, if anything, does the national organization have to do that provides safeguards and assures the restoration of control to the members of the local union?

Mr. DODD. I am tempted to say "Nothing."

Mr. LAUSCHE. I think if the Senator said so he would be correct.

Mr. DODD. It is true except in the bill it is required that a financial report must be filed, and that no delegates can be selected or elected to attend a national convention. That is an improvement. However, the overall answer to the question of the Senator from Ohio is "Nothing."

On the other side of the question, if I am a member of a local union, and I am aggrieved, and I know my local never should have had a trusteeship imposed on it, what can I do? Under the bill, it is pretty difficult for me to do anything. If I am a carpenter, for example, I must find a way to reach the Secretary of Labor. I must pay my expenses to come to Washington. I must hire a lawyer. After I get through all that, if I am able to do that much, the Secretary of Labor must go into a United States district court and must fulfill the highest evidentiary standard established in this land. He must establish, by clear and convincing proof—which we as lawyers know is the highest evidentiary standard, that a trusteeship should not have been imposed. I say that is wrong.

Mr. LAUSCHE. Do I correctly understand the position of the Senator from Connecticut to be that when the national organization alleges the local organization is unfit to handle its own affairs, it should be required to prove the allegation before it is permitted to take over?

Mr. DODD. Exactly, with the one condition which my amendment sets forth.

I know, and I am sure the Senator from Ohio knows, that there may be an urgency about imposing a trusteeship, or a receivership as I prefer to refer to these situations. It is provided in the amendment that on application to the Secretary of Labor, the Secretary may grant a temporary order.

The answer to the question is that within 30 days the temporary order either must be dissolved, or it must be made permanent for 1 year.

Mr. LAUSCHE. And within the 30 days proof has to be offered that the grounds upon which the trusteeship has been asked have been established?

Mr. DODD. That is correct. That is the purpose.

I will say to my colleagues, I share, I am sure, the view of all Senators. What are we trying to do? We are trying to make labor actually stronger. I am, at least, and I think other Senators are, also.

We have a great labor movement in this country. We are told it composes 16 million members. I think it is fair to multiply, to get the effect, by at least 3 and perhaps more. If we multiplied by 3, we would be considering in excess of 45 million people, and probably 50 million.

The field of labor affects the lives of all of us. The way the affairs of labor are conducted is important to every one of us. If the labor leaders want to have a strong, healthy, and growing organization, they will not resist these attempts to make labor free and democratic. They ought to be urging us to do these things, rather than opposing them.

Yesterday I offered an amendment to require a labor organization to give written notice 15 days before the annual election of officers. What a simple thing to ask. What a simple thing to ask, yet some union leaders, mad with power, resist it.

I do not refer, of course, to the distinguished Senator from Massachusetts, who has his intellectual reasons for opposition. I am careful to say I do not refer to the Senator from Massachusetts, but I heard this from outside. And I want the Senator from Massachusetts to know that I have the highest respect and admiration for him and his work.

Mr. LAUSCHE. Mr. President, will the Senator yield for another question?

Mr. DODD. I yield.

Mr. LAUSCHE. What answer is given by those who say that the national organization should be permitted, in its own judgment, to impose a trusteeship, and should not be required to prove that the charges which it makes are true?

Mr. DODD. I asked my friends in the labor movement, who came to me after I had the amendment placed on the desk and who said, "This is a terrible thing you are doing to us. It will destroy us and make it impossible to operate our unions." I said, "Tell me why, where, and how it will do that." I never heard a good answer. I am trying to think of what their excuses were. I believe they said, in effect, they simply could not operate properly. That is all it amounted to, to my ears. I said to some of them, as I say to my colleagues in this distinguished body, "You had better change your philosophy about your organization. Yours is not a private empire or a private club. It is an organization charged with the greatest public interest, particularly in the kind of society and economy in which we are living."

I said, "I am on your side. I want you to do well. By instinct, by background and by experience I am on your side. But when you talk about retaining power in unreasonable terms I am not on your side."

I have heard it said, "Oh, you are letting the Federal Government intervene between the local and the international, and what a dreadful thing that is." That has not been dreadful in any other phase of our life, of our society, or of our economy. We have found it necessary and essential many times. I think it is necessary and essential in this instance.

I hope that the Members of this body will agree to this amendment, because it is the right thing to do. I shall be glad to hear from those who may say it is wrong. Let us hammer this problem out. If I am mistaken, I will be the first to say so. I have no ax to grind. I want to see this matter handled properly.

It will be argued, probably, "What harm can be done? The union has to account for the money. It cannot elect any delegates to a national convention."

As I have said two or three times tonight, that is good, but it is not good enough. We know what happens when a great international union places its trustee or receiver over a local. We know enough about human nature to know what happens.

When such a man goes into one of the small communities in my State, a town of 20,000 or 30,000 people, we know what happens. I do not want to name one of those towns, because I would hear from home afterward if I did, but they are all good, and alike. The trustee moves in and says to the president of the local "Move out; all you local officers get out. I am taking over. I am taking over your bank account and taking over all your affairs." Everybody in that small town is affected in greater or less degree according to the importance of the local.

After 18 months, I will say to the Senate, whatever shadow of local authority

or local autonomy existed at the imposition of the trusteeship will have withered and vanished. The local members are men with families, who work for wages. Those men become frightened. They say, "Well, there has been a change. We like John, but he is out." They begin to bend under the terrible forces. There are social and economic forces, in this case the forces of labor, and they begin to bend their wills. We shall do a terrible thing to people if we allow this to happen.

The whole procedure is wrong. What the amendment suggests is right. No one will suffer from it, but good will come from it.

Mr. President, I am not too familiar with the procedures, since I am a new Senator, but I want to have a yea-and-nay vote on the amendment, so I ask for the yeas and nays. I think this is an important matter.

The yeas and nays were ordered.

Mr. CLARK. Mr. President, I yield to the Senator from Washington.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mr. MAGNUSON. I thank the Senator from Pennsylvania.

Mr. President, I have a matter of interest, and if I ask the Senator from Massachusetts a question I think we can clear it up, to save some time, rather than making it necessary for me to offer an amendment.

In 1950 there was established a Labor-Management Maritime Committee. The establishment of this committee was urged by the Chairman of the United States Maritime Commission, the Office of the President, and by myself. The chairman of the House Committee on Merchant Marine and Fisheries also participated. The membership of the committee consists of labor unions and steamship companies. Simply stated, the objective of the committee is to take every appropriate action to protect and promote an adequate American merchant marine. The committee does not participate in collective bargaining on wages, hours, and conditions of employment. As a practical matter, the committee acts only on issues where there is unanimity among all members, both labor and management. Committee policy, intent, and operation make it crystal clear that it cannot thwart the collective bargaining procedures of labor unions or commit unfair labor practices against employers or unions.

I am not clear as to whether this type of an organization is exempt from the provisions of S. 1555, and more particularly section 102, pages 8 and 9, and section 302, page 26. I do not believe that it is the intent of this bill to cover the officers and staff of a labor-management organization where payments are made by labor unions and companies by joint agreement to establish and maintain such an organization which functions openly and whose objectives are to jointly assist in the solution of problems jointly affecting management and labor in the maritime industry. Unless the junior Senator from Massachusetts can assure me that such a labor-management organization is exempt from the provisions of sections 102 and 302 I will offer at this time such an amendment.

Mr. KENNEDY. Mr. President, if the purpose of the organization and its function and operation being carried out under those purposes are as the Senator from Washington has stated them, it is not intended that there should be any prohibition or limitation on the kind of operation which the Senator has described, so long as the objective is jointly and openly to assist in the solution of problems affecting management and industry in the same industry, and there is no attempt, directly or indirectly, to influence any employees to be represented other than through representatives of their own choosing. If that is the method of operation, it is not intended by the bill that they should be prohibited from functioning.

Mr. MAGNUSON. I thank the Senator from Massachusetts.

Mr. CLARK. Mr. President, I yield 5 minutes to the Senator from North Carolina.

The PRESIDING OFFICER. Is the Senator from Pennsylvania yielding time for the Senator from Massachusetts [Mr. KENNEDY]?

Mr. CLARK. I am.

Mr. ERVIN. Mr. President, I am satisfied that the Senator from Massachusetts and I have been just as much concerned about the plight of local unions placed in trusteeship as is the able junior Senator from Connecticut. I believe that the bill as now drawn furnishes adequate protection for the rank and file of members of unions which are placed in trusteeship.

The Senator from Massachusetts and other members of the McClellan rackets committee were, I think, greatly outraged by the arbitrary action of certain unions in placing in trusteeship their local unions, and, by so doing, depriving them not only of the management of their own fiscal affairs, but the right to select their own delegates and representatives to conventions of the international.

The bill is well designed to put an end to such malpractices in the internal affairs of unions. It now provides that no union officer or executive board may place any local union in trusteeship except for one or more of four specific reasons. Those specific reasons are enumerated on page 32 of the bill. They are as follows: "For the purpose of correcting corruption or financial malpractice, assuring the performance of collective bargaining agreements or other duties of a bargaining representative, restoring democratic procedures, or otherwise carrying out the legitimate objects of such labor organization."

By those specific declarations as to when a trusteeship should be permitted, the bill eliminates all arbitrary trusteeships and the grounds for such trusteeships.

In addition to specifying the particular situations under which a local union may be placed in trusteeship, the bill provides that whenever a local union is placed in trusteeship the officers exercising that power must make a written report to the Secretary of Labor within 30 days, in which they must state in detail the reasons which prompted their action in placing the local in trusteeship.

It necessarily follows that if they do not specify sufficient grounds within one of the four categories in which a trusteeship is permissible, the trusteeship can be dissolved by the Secretary without delay.

In addition to making a report in writing with 30 days setting forth in detail that the officers have placed the local in trusteeship for one of the four specified reasons, they must make an additional report every 6 months to the Secretary of Labor, showing why the organization is kept in receivership. Then it is provided that at any time within the first 18 months period, if anyone can show by clear and convincing evidence that the trusteeship was not imposed in good faith for one of the specific reasons permitted, it must be set aside.

We felt that we should preserve, so far as possible in this aspect of the internal affairs of unions, as much union control as possible, so long as the substantial rights of the local unions and the local union members were not impaired.

So all we do, in practical effect, is to create a presumption of regularity, which presumption, I believe, would arise in any case, because everyone is presumed to act according to the regulations which govern him.

By restricting the number of reasons for trusteeships, and by requiring a report within 30 days to the Secretary of Labor as to the specific reasons why each trusteeship was imposed, and requiring additional reports every 6 months as to why it is continued, we think we have provided sufficient protection for the rank-and-file members of the union.

In addition, there is a provision in the bill which takes care of the main reason why trusteeships are sometimes arbitrarily imposed, namely, to enable international officers to control the selection of delegates to international conventions. The bill contains a specific provision to the effect that the local union in trusteeship may be represented at an international convention only by delegates elected by a secret ballot of the members of the local.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DODD. Mr. President——

Mr. CLARK. Mr. President, may I inquire whether the Senator from Connecticut wishes to use some of his own time?

Mr. DODD. Yes. I wish to take a few minutes.

Mr. CLARK. How much time remains on both sides?

The PRESIDING OFFICER. The Senator from Massachusetts has 4 minutes, and the Senator from Connecticut has 10 minutes.

Mr. DODD. Mr. President, I shall dispense with formalities. I have only a few minutes.

The point of the answer of the Senator from North Carolina to my argument—and I think he will agree—is that the international can bring about this result without any check from outside.

There is no one to ask for an accounting. There is no one to check on the reasons. The slick lawyers of the international can write some pretty good reports. The point about a receivership, in the case of corporations, is that it acts under the supervision of some competent authority. That is what I am seeking by this amendment. I have specified the Secretary of Labor. If Senators desire to substitute a Federal judge, I shall be glad to accept such an amendment.

Mr. MORSE. Mr. President, will the Senator from Pennsylvania yield to me?

Mr. CLARK. Mr. President, I yield 2 minutes to the Senator from Oregon.

Mr. MORSE. Mr. President, I rise to oppose the pending amendment and support the position very ably taken by the Senator from North Carolina in support of the committee's action.

I think it is well known within the committee that I was never wedded to the period of 18 months in the committee version. I was perfectly willing—and still am—to accept a shorter period, perhaps 12 months.

What I wish to point out is that we should look at the trustee section of the bill as it comes to us in the light of the other sections of the bill, and note what the committee has done by way of setting up democratic procedures to protect the rank and file of the local unions. As we provide democratic guarantees in the bill, I believe we should keep at a minimum any interference with the operation of the internal affairs of the union. I do not believe we ought to accept and adopt an amendment which seeks to turn Congress, so to speak, into a sort of a constitutional convention for determining what the bylaws and constitutional provisions of a union shall be.

Let us not forget that under our bill, as we have submitted it to the Senate, there is a guarantee for secrecy in voting, and for democratic rights on the part of the rank and file members of the local union. They are guaranteed the right to elect their delegates to district and national and international conventions. Their delegates will have the authority to determine what amendments, if any, they want to adopt to existing constitutions, including trusteeship provisions. We either mean to say that we give these democratic rights to the unions or we mean to say, "After all, we are going to run your unions for you. We will tell you how to run your trusteeships. You will not be able to do it under your own democratic procedures."

Let us not forget that in the language of the bill the Secretary of Labor is given remarkable surveillance authority over trusteeships. I suggest that what we ought to do is to take the language the committee has offered to the Senate, let it operate and see if it will not bear out what we have in mind, along the line suggested by the able Senator from North Carolina. Let us not set ourselves up as a constitutional convention for the unions of the country in respect to trusteeships.

Mr. CLARK. Mr. President, I yield myself 5 minutes. I rise in opposition to the pending amendment and in support of the position of the committee, particularly of the position taken by the chairman of the subcommittee, the Senator from Massachusetts.

The committee has labored long and hard, not only last year, when I was not a member of the committee, but this year also, when I have been a member, to deal with these intensely complicated problems, of which the proper handling of trusteeships is only one.

The Senator from Connecticut will correct me if I am wrong, but it is my understanding that his amendment was never submitted to the committee for consideration, and no suggestions were made as to the proper handling of this very complicated matter. On the other hand, the committee devoted many hours to the provisions of title II of the pending bill. The Senator from North Carolina and the Senator from Oregon—the latter being a most distinguished member of the committee—have spoken of the procedure which has been set up to handle the trusteeship subject in the bill after very careful and hard work and thought on the subject.

It occurs to me that it is not the proper way to legislate to change on the floor of the Senate, with the cursory consideration which can be given to the pending amendment, the provision which the committee has carefully worked out.

Turning from that principle to the specifics of the particular matter under consideration, I suggest that the pending amendment is unsound, because it will permit a corrupt, inept, incapable local union to defend itself against the imposition of a trusteeship by its parent body, which, in the interest of the integrity of the whole union, needs to move in and remove corruption and inefficiency from the local ranks.

That is particularly true with respect to the Teamsters.

The matter is of particular importance to me because such a situation exists in the city of Philadelphia today. I should dislike very much to see the amendment of the Senator from Connecticut adopted, because it would represent a roadblock in the way of cleaning up corrupt Teamster units in the city of Philadelphia and also throughout the country. I hope that the pending amendment will be defeated and that the committee will be supported.

SEVERAL SENATORS. Vote! Vote!

Mr. DODD. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Connecticut has 8 minutes remaining.

Mr. DODD. How much time does the opposition have?

The PRESIDING OFFICER. Fourteen minutes.

Mr. DODD. Mr. President, I suggest the absence of a quorum.

Mr. LAUSCHE. Mr. President, will the Senator withhold that suggestion?

Mr. DODD. I withhold it.

Mr. LAUSCHE. Mr. President, will the Senator yield me some time.

Mr. DODD. I yield 4 minutes to the Senator from Ohio.

Mr. KENNEDY. I am prepared to have a quorum call if the Senator will yield all time but 4 or 5 minutes. I am prepared to limit myself to the same time.

Mr. DODD. I should like to have some time for the final argument on the proposition to answer the arguments which have been made against the amendment. I do not know how it is done, but I have heard other Senators ask how much time has expired. I am trying to get the last voice on the subject. I do not know who is actually entitled to it.

Mr. KENNEDY. Together, there is how much time remaining?

The PRESIDING OFFICER. Eight minutes and fourteen minutes, respectively.

Mr. KENNEDY. I will yield back all of my time except 8 minutes, if the Senator is prepared to do likewise.

Mr. DODD. Why does not the Senator from Massachusetts yield some time to the Senator from Ohio?

Mr. KENNEDY. I shall be glad to yield 4 minutes to the Senator from Ohio out of my time.

Mr. DODD. It is very gracious of the Senator from Massachusetts to do such a fair and generous thing. I appreciate it very much. It is typical and characteristic of him.

Mr. LAUSCHE. Mr. President, there is great strength in the argument which has been made by the Senator from Connecticut in support of his amendment. As I read the provision on trusteeships, a national union, by filing a report with the Secretary of Labor alleging one of the four provisions enumerated as a cause for the creation of a trusteeship, would immediately have the power to step in and run the local union.

In the running of the local union there may be two important aspects. First, the choice of delegates to the convention. That has been eliminated. The second is the emoluments which can come in the hiring of the workers in the local union and the payment which is given to them.

Let us take the instance of Hoffa. He can, by filing, through his lawyer, a declaration with the Secretary of Labor, setting forth one of the four reasons stated, obtain a receivership. With it he obtains complete control. Thereafter he must file a report giving the name of the local, the address of the local, and the reason for the imposition of the trusteeship. Then he continues in control. There is contained in the bill language to the effect that the receivership shall continue unless a complaint, by clear and convincing proof, shows that the trusteeship has not been established in good faith.

Mr. DODD. That is what is called the highest evidentiary standard we have in our law. Does not the Senator agree with me?

Mr. LAUSCHE. I know of no other standard in law which is higher.

Mr. DODD. A very heavy burden would be put on the local union member under the clear and convincing proof doctrine. A craftsman trying to fight the unfair imposition of a trusteeship on

a local would be burdened with the hardest evidentiary doctrine in law.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. LAUSCHE. I do not have much time.

Mr. KENNEDY. I yield 2 additional minutes to the Senator from Ohio.

Mr. ERVIN. I am sure the Senator would not want it to be unclear or unconvincing proof.

Mr. DODD. No, but it ought to be reasonable proof. That is ordinarily the doctrine.

Mr. LAUSCHE. The Senator from North Carolina was a distinguished and able judge. In criminal cases the proof must be beyond a reasonable doubt; in fraud cases, the proof must be clear and convincing; and in the ordinary cases the proof must be by the preponderance of the evidence.

Here we would say to the local union and to the local members: "This receivership shall not be lifted unless you, by clear and convincing proof, show that it was imposed in bad faith."

I am led to the conclusion that if a Hoffa can get a receivership on the simple filing of a declaration with the Secretary of Labor, and the receivership cannot be lifted except by clear and convincing proof, there is something wrong.

Mr. KENNEDY. I am prepared to yield back all but 3 minutes of my time, if the Senator from Connecticut will do likewise.

Mr. DODD. Mr. President, do I still have 7 minutes remaining?

The PRESIDING OFFICER. The Senator from Connecticut has 8 minutes remaining.

Mr. DODD. I do not know what the practice is in the Senate; but I want to have enough time on the amendment.

Mr. KENNEDY. The Senator from Connecticut will have it.

Mr. MORSE. Will the Senator yield 1 minute to me, so that I may suggest the possible substitution of one word, which might help the Senator from Ohio and the Senator from Connecticut?

Mr. KENNEDY. I yield 1 minute to the Senator from Oregon.

Mr. MORSE. On page 34, line 5, the language reads: "except upon clear and convincing proof." I think there is some merit in the position taken by the Senator from Connecticut in this matter. I suggest to the chairman of the committee that there be substituted for "clear and convincing proof" the phrase "prima facie evidence that the trusteeship was not established in good faith" or "except by the greater weight of evidence."

Mr. KENNEDY. Is that a term of art?

Mr. MORSE. "By the greater weight of the evidence" is a term of art.

Mr. DODD. Mr. President, I should like to know whose time is being used for this discussion?

Mr. MORSE. The time of the Senator from Massachusetts.

Mr. DODD. In a similar instance, I remember being swindled out of time in the House. [Laughter.]

Mr. KENNEDY. I ask that the Senator from Oregon have the remaining time to work out a solution of the problem with the Senator from Connecticut.

Mr. DODD. Provided I will still have my 5 minutes.

Mr. MORSE. I think we can meet this problem.

Mr. DODD. I will take a minute. I am gratified and encouraged by the suggestion of the distinguished Senator from Oregon. But his proposal will not cure my difficulty. It goes deeper. I do not think I should take the time of the Senate to have a conference. I will be glad to say: Certainly; change the word to "reasonable" or whatever improvement was suggested. That will be better. But it does not go deep enough. It would not solve the difficulty which I am trying to resolve.

SEVERAL SENATORS. Vote! Vote!

Mr. DODD. I am not prepared to vote, Mr. President. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator will have to yield back his time.

Mr. KENNEDY. I will yield back my time.

Mr. DODD. No; I do not want to do that in order to have a quorum call. I will use up my time. I am not trying to delay the Senate. I do not enjoy arguments about these matters. Certain statements have been made to which I think I should retort or make answer. What were those statements? It has been alleged by the distinguished Senator from Pennsylvania——

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum, without the time for the quorum call being charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, will the Senator withhold the suggestion of the absence of a quorum while I make one other procedural suggestion, namely, that the Senator from Connecticut be allowed an additional 4 minutes on the bill, if he needs it?

Mr. JOHNSON of Texas. I will be glad to yield that much time without such a suggestion.

Mr. DODD. I do not want it to appear that I am asking for time unneccessarily or for reasons of delay. But this is an important issue.

The PRESIDING OFFICER. The Senator from Texas has asked unanimous consent that there be a quorum call without the time for the quorum call being charged to either side. Is there objection? The Chair hears none, and it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, I ask the Senator from Massachusetts to yield me 1 minute on the bill.

Mr. KENNEDY. Mr. President, I yield 1 minute on the bill to the Senator from Oregon.

Mr. MORSE. I desire to ask the Senator from Massachusetts whether, if after action is taken on the Dodd amendment, I should offer the following perfecting amendment to the bill itself, would he accept it? I suggest the following changes:

On page 34 of the bill, line 5, strike out the words "clear and convincing", which would leave the requirement of proof we have been discussing read as follows: "Except upon proof that the trusteeship".

From the standpoint of the weight of the evidence, that, of course, is the lowest evidentiary requirement, instead of what the Senator from Ohio and the Senator from Connecticut have been pointing out was the highest evidentiary requirement. All we seek is proof.

Second, on line 3 and line 8 of page 4, reduce "eighteen" to "twelve," so it will read 12 months instead of 18 months.

Mr. KENNEDY. Mr. President, I think the Senate should understand what we have before us. When a trusteeship is imposed, it is presumed valid for 12 months, with the understanding that if anyone can present proof that the trusteeship was not imposed for good reason, it can be set aside.

Second, during the period the trusteeship is in effect, no money can be transferred, no votes can be taken on behalf of the trusee local at an election.

Third, at the end of a year it is presumed invalid.

I think this is a long step forward. If the Senator from Connecticut will accept the proposal, I think we shall have improved the bill substantially. I hope this substantial improvement will be accepted.

Mr. DODD. Mr. President, I am in favor of that change, but I do not think it goes far enough. I would like to have it go further.

Mr. KENNEDY. Mr. President, I am willing to yield back the time remaining to me on the amendment, and have a vote taken on it.

Mr. DODD. Mr. President——

The PRESIDING OFFICER. The Senator from Connecticut has 7 minutes remaining to him.

Mr. KENNEDY. Mr. President, does the Senator from Connecticut want to speak last?

Mr. DODD. Yes.

Mr. KENNEDY. Mr. President, I yield back all my remaining time.

Mr. DODD. It is very generous of the Senator from Massachusetts to do that.

Mr. President, perhaps I am a little too interested in this matter. I appreciate that the Senator from Massachusetts has worked diligently and faithfully on this task. I do not overlook that. The other members of the committee have worked hard, also.

I do not want to leave the impression that I am offering an amendment at the last minute. Some question was raised about that by the Senator from Pennsylvania [Mr. CLARK]. This amendment did not occur to me, actually, until 5 or

6 days ago. I tried to see the bill. It became available a little late, as we all know. I would have suggested the amendment to the committee had it occurred to me. I would have preferred to handle it that way.

Let me see what the arguments are against the amendment as offered. It is said that delegates cannot be elected any more. When I said delegates cannot be elected any more, I meant that in the situation now existing, under the trusteeship, the trustee selects the delegates. It is true that cannot be done under the Kennedy-Ervin bill. But think of this: The mere presence of a receiver or trustee is of great weight and influence on the membership who are selecting the delegates. I do not think I have to labor that oar very much. Merely having that kind of fellow around the place is not conducive to an expression of free will. The union members know he is there. They know he is going to be there for 18 months. They are thinking of what can be done on job assignments and job referrals. Senators know what I mean. I do not have to spell it out. His influence is there if he does not say a word about the selection of delegates.

It is also said that the Secretary of Labor has surveillance over the trusteeships. That is not so. I do not mean to say it is untruthful to have suggested it, but I mean it is factually not so. The Secretary of Labor does not have anything to do with the imposition of trusteeships. Mr. Hoffa simply imposes them; that is all. I am taking the worst possible example. It may be said that "DODD is picking out Hoffa again." Our country has been alerted to the danger that exists because of Hoffa. There may be a Hoffa tomorrow as there was yesterday and still is today. I do not want to see any more of them. I do not think our country can survive that. Are we going to allow the likes of him to impose a trusteeship on a local and not be answerable to anybody except perhaps some poor individual member of a local union who does not have the resources to challenge him, through the Secretary of Labor, or the Department of Labor, in a U.S. district court? That is what is wrong with the bill, and I am trying to correct it by this amendment.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. LAUSCHE. Is it not a fact that if a union member should complain to the Secretary of Labor that the trusteeship had been improperly imposed by Hoffa, Hoffa could appear before the Secretary of Labor, if he wanted to, sit down, and watch the complainant try to prove that Hoffa had done the wrong thing?

Mr. DODD. Of course. We know what Mr. Hoffa can do and what he has done. He can hire the finest legal talent in the country, and he can afford to pay for it. He uses the dues of the local union to defeat the members of the same local in the effort to overcome injustice.

Let us be honest about this matter. There will be more motions and more pleadings and more difficulties than all of us who are lawyers in this body can think of tonight. That is the reality of the situation. Let us not talk about it in technical or foolish terms. That is what will happen.

It has also been said, since the international can be brought before the Secretary of Labor, that would be a cure-all. Really it would not be. This relates to the argument I just made. I have tried to reason this matter out. I have tried to think, "Why am I in favor of this, and why should I try to persuade my colleagues or the American people to be in favor of it?" I think the best reason I can offer for it, putting aside the revelations before the McClellan committee, is that such a process is, in my judgment, at least, actually taking property without due process of law. When a czar like Hoffa can impose a receivership on a local union and decide what will happen for 1 month, 1 day, or any length of time, it is too long, to say nothing of the 18 months.

I want to have the Senate say, "You cannot do that. You have to conduct yourself the way the rest of us conduct ourselves. You have to be subject to some authority, either that of the Secretary of Labor or of a Federal court."

I have said to the Senator from Massachusetts that I would be glad to change the language and put it in such form that a Federal judge or anyone else who is felt to be competent could make the decision. For heaven's sake, let us not let Hoffa make the decision for 1½ million Teamsters for 18 months, 18 days, 18 minutes, or 18 seconds. He should not have that power or authority.

The PRESIDING OFFICER. The time of the Senator from Connecticut has expired.

Mr. KENNEDY. Mr. President, I yield 1 minute to the Senator from Oregon from the time on the bill.

Mr. MORSE. Mr. President, I cannot understand why the Senator from Connecticut says the Secretary of Labor has no voice in this matter of a trusteeship. I read to Senators from page 33 of the bill, section 204:

> Upon the written complaint of any member or subordinate body of a labor organization alleging that such organization has violated the provisions of section 202 or 203, the Secretary shall investigate the complaint and if the Secretary finds probable cause to believe that such violation has occurred and has not been remedied he shall, without disclosing the identity of the complainant, bring a civil action in any district court of the United States having jurisdiction of the labor organization—

I do not know what more power one would want to give the Secretary.

Mr. DODD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DODD. I tried to protect myself in order to have the last word, and I was assured I would have it. Now I have been done out of it. How did that happen?

Mr. JOHNSON of Texas. Mr. President, I yield 3 minutes to the Senator from Connecticut.

The PRESIDING OFFICER. The Senator from Massachusetts yielded time to the Senator from Oregon from the time on the bill.

Mr. DODD. I merely wish to say that my able colleague from Oregon is a great lawyer, and I have great respect for him. I respect him in a debate. He is an amazingly competent and extraordinarily articulate man. He has a great mind. I do not relish challenge of his views, but the section to which the Senator has referred does not, in my judgment, cure the difficulties about which I have spoken.

I will not labor the subject any longer, Mr. President.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Connecticut [Mr. DODD]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Arkansas [Mr. FULBRIGHT], and the Senator from Minnesota [Mr. HUMPHREY] are absent on official business.

I also announce that the Senator from Nevada [Mr. BIBLE] is absent because of a death in his family.

I further announce that the Senator from Delaware [Mr. FREAR] is absent because of illness.

On this vote, the Senator from Arkansas [Mr. FULBRIGHT] is paired with the Senator from Nevada [Mr. BIBLE]. If present and voting, the Senator from Arkansas would vote "yea" and the Senator from Nevada would vote "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON] is absent on official business, and is paired with the Senator from Minnesota [Mr. HUMPHREY]. If present and voting, the Senator from Kansas would vote "yea" and the Senator from Minnesota would vote "nay."

The Senator from Wisconsin [Mr. WILEY] is necessarily absent, and if present and voting would vote "nay."

The result was announced—yeas 41, nays 51, as follows:

YEAS—41

Allott	Dodd	Mundt
Bartlett	Dworshak	Pastore
Beall	Eastland	Robertson
Bennett	Goldwater	Russell
Bridges	Hayden	Schoeppel
Bush	Hickenlooper	Scott
Butler	Holland	Smathers
Byrd, Va.	Hruska	Smith
Capehart	Johnson, Tex.	Stennis
Case, S. Dak.	Kerr	Thurmond
Chavez	Lausche	Williams, Del.
Cotton	McClellan	Young, N. Dak.
Curtis	Martin	Young, Ohio
Dirksen	Morton	

NAYS—51

Aiken	Hartke	Mansfield
Anderson	Hennings	Monroney
Byrd, W. Va.	Hill	Morse
Cannon	Jackson	Moss
Carroll	Javits	Murray
Case, N.J.	Johnston, S.C.	Muskie
Church	Jordan	Neuberger
Clark	Keating	O'Mahoney
Cooper	Kefauver	Prouty
Douglas	Kennedy	Proxmire
Ellender	Kuchel	Randolph
Engle	Langer	Saltonstall
Ervin	Long	Sparkman
Gore	McCarthy	Symington
Green	McGee	Talmadge
Gruening	McNamara	Williams, N.J.
Hart	Magnuson	Yarborough

NOT VOTING—6

Bible	Frear	Humphrey
Carlson	Fulbright	Wiley

So Mr. DODD's amendment was rejected.

Mr. MORSE. Mr. President, I move that the Senate reconsider the vote by which the amendment was rejected.

Mr. KENNEDY. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MORSE. Mr. President, I should like to have the attention of the Senator from Massachusetts for a moment. Although we have voted on the Dodd amendment, and our proposed modification was not accepted, nevertheless I believe good faith requires that we still offer a perfecting amendment. I should like to suggest to my chairman that, on page 34 of the bill, in line 3, "eighteen months" be changed to "twelve months"; that on line 5 we strike out the words "clear and convincing"; and that on line 8 we change "eighteen months" to "twelve months."

We have previously offered to do that, and I believe we should stand by our offer. If it was good then, it is good now. I suggest that the Senator from Massachusetts ask to amend the bill accordingly.

Mr. KENNEDY. Mr. President, I accept the amendments suggested by the Senator from Oregon. I hope the Senate will accept them.

The PRESIDING OFFICER. The question is on agreeing to the amendments offered by the Senator from Oregon [Mr. MORSE].

The amendments were agreed to.

Mr. MORSE. Mr. President, I have a series of 6 or 7 amendments, and I shall offer them, to the surprise of everyone in the Senate, I believe, with remarkable rapidity. I wish to say something about the amendments and also something about their origin. They are very important as perfecting amendments.

I send to the desk my first amendment, and I yield myself 5 minutes on it.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 38, line 9, after the word "finds" it is proposed to insert the following: "after hearing in accordance with the Administrative Procedure Act."

On page 38, line 12, after the word "removed" insert a comma.

On page 38, line 13, after the word "hearing" insert a comma.

Mr. MORSE. I start out with this amendment because I want to see if I can have an amendment adopted by the Senate which suggests merely the adding of a few commas to a bill. That is all that is involved. The purpose is to provide literary clarity. That is the substance of the first amendment. I will speak to the first amendment and tell the Senate about the origin of the amendments I intend to offer. I have never yet, in my service in the Senate, failed to put all my cards on the table, to use a colloquialism, and I will never fail to do so.

For 15 years the RECORD is replete with the number of times I have stood on the floor and urged to proposed legislation amendments seeking to provide procedural checks on the exercise of discretionary power by the administrators of the laws of Congress.

It happens to be a very deep conviction of mine that essential to a government of law is the necessity at all times to maintain adequate checks upon the discretion of administrative officials.

My chairman knows that in committee on several occasions I said I felt the bill did not provide all the checks it ought to provide on the discretion granted the Secretary of Labor by the bill. I said I thought that whenever he had to render a decision, and whenever he had to make a judgment, which in effect took away a right or a privilege, or which denied an exemption or imposed it on one group and not on other groups, or uniformly on all groups, his decision or judgment ought to be reviewed. I believe there ought to be a check on such discretion.

The Administrative Procedure Act provides adequate checks, and we ought to write them into the bill, as my amendments do, wherever they are not already provided.

That was my position on the bill long before any representatives of labor came to see me. I am sorry that some representatives of employers did not come to me too, because employers have as much interest, and as much at stake, in checking the arbitrary discretionary power of Government officials as do labor leaders or unions, or any other group.

That was my position in committee before any representatives of labor came to me on this matter. I wish the record to show that after I took that position in committee the first representative of labor who came to me was a representative of the Teamsters. I thought the Senate should know that. That does not make these amendments Teamsters amendments. It makes them Morse amendments. I have a long record, as I have said, in favor of checking arbitrary discretion proposed in legislative measures, but I also want the record to show that there is no doubt about the fact that a lawyer representing the Teamsters has made a good many suggestions proceduralwise in regard to amendments to the bill. I wish the RECORD to show also that, in my judgment, I did not agree with the representations of the representatives of labor on an overwhelming majority of the amendments which they suggested to me. It makes no difference to me what the source of an idea is. If the idea or the recommendation proves to be a sound one, it should be adopted on its merits.

Last night, until midnight, some of us met with a lawyer from the Teamsters Union for a final consideration of some of these proposals. We had previously met with lawyers from other unions, not at all connected with the Teamsters Union. I wish to make that statement because the RECORD should show the facts.

I am proud to present these amendments, not because they are sponsored by anyone in the legal profession within the labor movement, but because they are sponsored by me on their merits. After we have completed consideration of the first "comma" amendment, I shall offer a second amendment, which is the first one that deals with the application of the Administrative Procedure Act.

I hope my chairman will follow me very closely, because I believe if he listens to the very brief arguments I will make, he will find himself in a position to accept most of the amendments which I am offering. At least, I hope so.

I yield back the remainder of my time on the first amendment.

Mr. KENNEDY. I yield myself 5 minutes. First, I wish to say that the statement of the able Senator from Oregon is in keeping with the way he approaches every public question. The amendments should be viewed as being of importance, and therefore the Senate should consider them carefully. I do not believe that I shall be able to accept all of them, but I shall be glad to give my reasons, whether the Teamsters Union likes them or not.

The effect of the first one is to make the Administrative Procedure Act apply if the Secretary of Labor should deny to a union which has less than 200 members and an income of less than $20,000 the union's application for an exemption. Is that correct?

Mr. MORSE. Yes. Let me take the Senator through the amendment. Let us turn to page 38. I ask that commas be inserted. I overlooked the first part of the amendment. On page 38, line 9, after the word "finds," I would insert "after hearing in accordance with the Administrative Procedure Act."

The language would then read:

(g) If the Secretary, upon application of any member of a local labor organization engaged in an industry affecting commerce, finds, after hearing in accordance with the Administrative Procedure Act, that the constitution and bylaws of such labor organization do not provide an adequate procedure—

Then it provides for the rendering of a decision by the Secretary of Labor.

He will have to make a finding whether the constitution and bylaws of such organization do not provide an adequate procedure. Why should not there be a check on that judgment. It will not be very difficult to provide it. It will require a simple hearing, which will take only a few minutes. But it will remove the fear on the part of any labor organization that it may be subjected to an arbitrary exercise of power on the part of the Secretary of Labor. All I say is: Give the labor organization a hearing. It will not take long. I do not think any Secretary of Labor would hesitate at all to give such a hearing.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. CARROLL. Who will make the decision?

Mr. MORSE. The Secretary of Labor will hold the hearing. He will have to take the testimony and make the record. I suppose the organization will want to give testimony. It will want to say that its constitution and bylaws afford all the protection that is needed.

Mr. CARROLL. Would the decision of the Secretary be reviewable by the courts?

Mr. MORSE. It would be, if the organization wanted to appeal the case under the Administrative Procedure Act.

Mr. CARROLL. So they would have another check and balance.

Mr. MORSE. Certainly; and I am all for it.

Mr. KENNEDY. Mr. President, this is not the amendment I thought it was. This amendment merely provides that the Secretary of Labor is to make a finding that if there is no proper procedure in regard to the removal of an officer the Administrative Procedure Act will be in effect, and that act merely provides that due notice shall be given. It does not in any way weaken the bill; it merely provides equitable treatment.

Mr. MORSE. Every time provision is made for the use of the Administrative Procedure Act, the bill is strengthened.

Mr. KENNEDY. I accept the amendment.

Mr. DOUGLAS. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. DOUGLAS. Is it not true that the parent of the Administrative Procedure Act in the House was the Honorable FRANCIS E. WALTER, and that the parent in the Senate was the late Honorable Patrick McCarran?

Mr. MORSE. I believe that is true.

Mr. CARROLL. Mr. President, will the Senator further yield?

Mr. MORSE. I yield.

Mr. CARROLL. In other words, the amendment simply affords the due process by checks and balances which were created by Congress in 1946 under the Administrative Procedure Act.

Mr. MORSE. I simply want to be consistent with that act. I thank the Senator from Massachusetts.

The PRESIDING OFFICER. Without objection, the amendment of the Senator from Oregon [Mr. MORSE] is agreed to.

Mr. MORSE. Mr. President, I call up my second amendment which is at the desk and is marked "Amendment No. 2."

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 43, line 17, at the end of the sentence, it is proposed to insert the following new sentence:

In making determinations under this subsection, the Secretary shall comply with sections 5 and 6 of the Administrative Procedure Act.

Mr. MORSE. Mr. President, I ask Senators to turn to page 43, line 17, of the bill. At the end of that sentence, I simply add, again, a specific reference to the Administrative Procedure Act as a check upon the decisions which will be rendered by the Secretary of Labor in administering this particular section.

I ask the chairman of the committee if he is willing to accept this amendment.

Mr. KENNEDY. Once again, if we may have copies of the amendments, I think we can make our decisions promptly.

Mr. MORSE. I am very sorry. I asked to have copies made available. The explanation of the amendment is that after section (b) page 43, line 17, it simply provides that in making the determinations under this subsection the Secretary shall comply with sections 5 and 6 of the Administrative Procedure Act.

Mr. KENNEDY. I will accept the amendment. Once again, it provides for the application of the Administrative Procedure Act.

I yield back the remainder of my time on the amendment.

Mr. MORSE. I yield back the remainder of my time.

The PRESIDING OFFICER. Without objection, the amendment of the Senator from Oregon [Mr. MORSE] is agreed to.

Mr. MORSE. Mr. President, I call up my amendment numbered 3.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On Page 43, line 7, after "file" it is proposed to insert: "information required by said titles."

Mr. MORSE. Mr. President, I think this is a clarifying amendment. It makes clear the type of information which is sought to be filed.

Mr. KENNEDY. Mr. President, I yield myself 2 minutes. It seems to me that on page 43, line 7, instead of saying "information required by title I or title II," the Senator should say: "such information."

Mr. MORSE. I accept the modification.

The PRESIDING OFFICER. Without objection the amendment of the Senator from Oregon [Mr. MORSE], as modified, is agreed to.

Mr. MORSE. Mr. President, I call up my amendment numbered 4.

The PRESIDING OFFICER. The amendment will be read for the information of the Senate.

The LEGISLATIVE CLERK. On page 18, line 21, after the word "Secretary," it is proposed to insert the following: "upon application by a labor organization or employer".

On page 18, line 22, after the word "for" to insert the word "such".

On page 19, line 3, after the word "thereby" to insert a comma and add: *"Provided further,* That the Administrative Procedure Act shall be applicable to such revocations."

Mr. MORSE. Mr. President, if the chairman of the subcommittee will bear with me, we might go through the amendment together. On page 18, line 21, after "Secretary," it is proposed to insert "upon application by a labor organization or employer."

Then, because it is related to the following language, I will proceed to the next line on page 18, line 22: After "for", it is proposed to insert "such."

On page 19, line 3, which is really the heart of the amendment, after "thereby" it is proposed to insert a comma and add *"Provided further,* That the Administrative Procedure Act shall be applicable to such revocation."

I call the attention of the Senate to what is provided in subsection (b):

The Secretary shall have authority to issue, amend, and rescind rules and regulations prescribing the form, time of filing, and publication of reports required to be filed under this Act and such other reasonable rules and regulations (including rules prescribing reports concerning building funds, trusts, or enterprises financed by a labor organization) as he may find necessary to prevent the circumvention or evasion of such reporting requirements.

Again, it is the Secretary's judgment which is called for.

In exercising his power under this section the Secretary shall prescribe by general rule simplified reports for labor organizations or employers for whom he finds that by virtue of their size a detailed report would be unduly burdensome: *Provided,* That the Secretary may revoke such provision for simplified forms of any labor organization or employer if he determines, after such investigation as he deems proper, that the purposes of this section would be served thereby. The Secretary may exempt from the requirements of section 101, for such definite or indefinite periods as he may determine, any labor organization or class thereof temporarily convened either for the sole purpose of negotiating a labor agreement or for carrying out educational activity.

I suggest, on page 19, line 3, after "thereby," the insertion of a comma and the words: *"Provided further,* That the Administrative Procedure Act shall be applicable to such revocations."

Suppose a simplified form has been granted. All at once the Secretary says: "I revoke it."

The union replies: "That is unfair to us. There is no good reason to revoke it. We ought to have the benefit of the simplified form."

To use a hypothetical example to illustrate the procedural point, the union may contend, rightly or wrongly, that a particular Secretary of Labor, for some reason, has a bias against the union. They think he is unfair. They think he is prejudiced. They think he is trying to harass the union. I am talking about the fears which sometimes people, with human frailties, develop in this field.

I simply say that the Secretary ought to be perfectly willing to let the Administrative Procedure Act run its course and say why he thinks there should be a revocation. I think that with this provision in the bill, we will not find any unions coming forward and asking to have the Administrative Procedure Act apply so as to make a record against them, which that procedure will permit, unless they have a case. But they are entitled to a check, it seems to me. They are entitled to the opportunity to have a review. They are entitled to the right, even though they may be dead wrong, in thinking that the Secretary of Labor is discriminating against them in his revocation. That is all I am asking.

Mr. KENNEDY. Mr. President, I should like to accept this amendment, but I do not think I can. The language in the bill was carefully worked out after thorough consultation. I think the Administrative Procedure Act, if applied to page 19, would offer some difficulties for the Secretary. I wonder if it would be possible to have the Senator from Oregon withdraw his amendment.

Mr. MORSE. No; I could not withdraw the amendment, because I really think it will strengthen the bill.

The Senator knows how much I would like to accommodate him. But I could

not very well withdraw the amendment, inasmuch as the bill includes a provision which provides for the exercise of judgment or discretion by the Secretary of Labor. That provision would have a very definite effect, inasmuch as the Secretary of Labor could exercise his discretion—although we pray he never would—to the detriment of a group of workers; he could, if he wished to, exercise his discretion unfairly or in a discriminatory manner. Let us not forget that then they would have to remain in a status quo position until that action by the Secretary of Labor was reversed.

Under my proposal, the worker who was affected would be put in such a position that all he would have to do would be to come forward and, under the Administrative Procedure Act, ask the Secretary of Labor to show his reason for the revocation.

What is wrong with such a provision?

Mr. CARROLL. Mr. President, will the Senator from Oregon yield to me?

Mr. MORSE. I yield.

Mr. CARROLL. I, too, seek information.

Under such circumstances, how could one say that action would be unfair or discriminatory? Can the Senator from Oregon give us an example?

I am generally in agreement with the Senator from Oregon in regard to what we call trusts involving rights.

Under the circumstances, if the Senator from Oregon will give us an illustration of the situation he has in mind, it may help us form our opinion of his amendment.

Mr. MORSE. I think the language of this part of the bill best illustrates the point; so I shall read the language, and then I shall refer to a hypothetical case.

I refer now to page 18, beginning in line 20, and reading as follows:

> In exercising his power under this section the Secretary shall prescribe by general rule simplified reports for labor organizations or employers for whom he finds that by virtue of their size a detailed report would be unduly burdensome.

Mr. CARROLL. What is the purpose of the report? What is the reason for it?

Mr. MORSE. This part of the bill provides either for the much longer reports, which call for much more detailed information; or, in the case of a small union, the bill calls for a much simplified report, which calls for less information.

The Secretary of Labor is to be given that discretion. Let us assume that the Secretary exercised it to the point of saying to unions X, Y, and Z, "File the short report"; and let us assume that they then filed the short report.

Mr. CARROLL. Is the simplified report provided for the purpose of informing the members? What is the purpose of the report?

Mr. MORSE. The purpose is, first, to keep the Secretary informed as to whether the union is operating in a manner inconsistent with the purposes of the act; and also, in the instances in which the reports are available to the members, to have the reports on file, so the union members can obtain them.

So let us assume that unions X, Y, and Z were granted permission, under this discretionary power on the part of the Secretary of Labor, to file the simplified report.

Then the bill provides:

> *Provided,* That the Secretary may revoke such provision for simplified forms of any labor organization or employer if he determines, after such investigation as he deems proper, that the purposes of this section would be served thereby.

Let us assume that the Secretary of Labor granted those unions authority to file the simplified report, on the ground that the longer report would be burdensome. Let us assume that the Secretary of Labor decided, under this discretionary power, to give them that privilege and that advantage. And then let us assume that at a later time he said to them, "I revoke it."

Let us assume that then the affected unions asked the Secretary, "Why? We would like to show that it is still burdensome to us to file the long report, and that you have no reasonable ground for revoking the privilege you have given us to file the simplified report. We do not think you should have the discretion first to blow hot, and then to blow cold—to change your mind from month to month. If you had a good ground for revoking the privilege, that would be different. But presumably the Congress provided for the filing of the simplified report because it was the intention of Congress that if unions found the longer report burdensome, you would grant them the privilege of filing the simplified report. So we do not think you have a good ground for revoking that privilege. We think you are penalizing us unfairly, improperly"—for any of the reasons they might conjure up.

Of course, one of the reasons for the Administrative Procedure Act is really to provide a forum in which emotional attitudes will not prevail, but in which evidence presented under the proper procedure will prevail.

Mr. CARROLL. Let us assume that the Secretary of Labor did do that very thing. Who would review his action?

Mr. MORSE. That would be done in accordance with whatever is provided for under the Administrative Procedure Act.

Mr. CARROLL. Let us assume that the matter went to the Circuit Court of Appeals. What would be the issue? The issue would be whether the Secretary of Labor had properly exercised his discretion in connection with that matter—which is one which, if I may say so to the Senator from Oregon, does not suggest due process, because such discretion would have been conferred on the Secretary of Labor by the Congress. So the issue or the question would be as to the manner in which he had exercised the discretion.

Let me say that I offer this suggestion in all sincerity. I support the Senator from Oregon 100 percent on the matter of due process. But in such a case the act would be a ministerial act.

Mr. MORSE. But it must be exercised reasonably, not arbitrarily. I think the union would have a hard time proving their case; but if they really had a case, they should have an opportunity to prove that the discretion was not exercised reasonably, but, instead, was exercised prejudicially or punitively or in a biased manner.

What would be wrong with allowing them an opportunity to present their case, if they had one?

Mr. CARROLL. But certainly the problem here has to do with the essence of the question of whether they should make a long report or a short report—a complicated report or a simplified report. In my opinion, this matter is not one for judicial review.

Mr. MORSE. But let us not forget that we in the Congress would say, according to this provision of the bill, "You are entitled to file a simplified report, if the filing of a longer report would be burdensome to you."

Mr. CARROLL. But this matter does not involve a question of due process; it relates to a question of administration.

Mr. MORSE. I am sure the Senator from Colorado does not mean that he does not favor providing for a procedural check in any case unless due process is involved.

Mr. CARROLL. But due process is not involved in the exercise of discretionary authority by an administrative officer, unless constitutional rights are involved.

I support the distinguished Senator from Oregon 100 percent on matters of proper review. But I submit to him that in this instance, this proposal would carry that point a little too far.

Mr. President, I submit this point to him, for his consideration.

Mr. MORSE. Mr. President, I shall conclude my remarks by saying that when in this bill the Congress grants a union the right to file a short or simplified report in cases in which the longer report would be unduly burdensome, we mean to grant that privilege as a matter of right that should be granted in practice, and we mean that that privilege can be revoked only when cause is shown, only when it can be shown that there was justification for revoking it. Certainly such cause could not be simply the whim of the Secretary of Labor. Instead, there would have to be some good, demonstrable reason. When the unions affected charged that he did not have such a reason, they should have an opportunity to have his decision reviewed.

Mr. President, I submit my amendment.

Mr. KENNEDY. Mr. President, I yield back all time on the amendment remaining under my control.

Mr. MORSE. Mr. President, I yield back all time remaining under my control.

The PRESIDING OFFICER. All remaining time on the amendment has been yielded back.

The question is on agreeing to the amendment of the Senator from Oregon [Mr. MORSE].

The amendment was rejected.

Mr. MORSE. Mr. President, I call up my next amendment, which is No. 5.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 23, in line 21, it is proposed to strike out

line 21, line 22, and line 23, and in lieu thereof insert "in the district court or other court of the United States where the violation occurred or at the option of the parties in the United States District Court for the District of Columbia."

Mr. MORSE. Mr. President, I ask the Senate to turn to page 23 of the bill. It will be noted that my amendment proposes that on page 23, lines 21, 22, and 23 be stricken out and the following words be substituted: "in the district court or other court of the United States where the violation occurred or, in the event of inconvenience to the parties, then in the United States District Court for the District of Columbia."

The amendment covers this type of problem: Unions in my State are 3,200 miles or more from the District of Columbia. When violations occur there, I think it is only reasonable that the first requirement ought to be that the case be tried there, and that the U.S. District Court for the District of Columbia should not be selected unless there is some doubt as to where the violation occurred. I can imagine how that could happen in a good many cases. When there is doubt about it, the Secretary ought to be able to bring the case in the District of Columbia; or, when it is perfectly obvious that the Secretary knows it is for the convenience of the parties, the case should be brought in the U.S. District Court for the District of Columbia.

I think it is pretty important in this democracy of ours, the cost of litigation being what it is and the cost of travel being what it is, that it be provided in the bill that a case should be tried in the district where the violation took place, rather than say, "We will bring it to the United States District Court for the District of Columbia."

I submit my amendment.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. DOUGLAS. I should like to see if I understand the point which the very able Senator from Oregon is making. Is the Senator from Oregon saying that under the present wording of this clause, the Department of Justice would have the decision as to whether the case would be tried in the district where the violation occurred or in the District of Columbia itself?

Mr. MORSE. That is what I am saying. Let us look at the syntax of the sentence:

> Any such action against a labor organization may be brought in the United States District Court for the District of Columbia—

That is where it can be brought—

> or in the district court or other court of the United States where the violation occurred.

In other words, what I am proposing to do is to rephrase the sentence and say, "In the first instance, you bring it in the district where the violation occurred. If, in the convenience of the parties, the District of Columbia court is the most desirable, bring it there." But if a violation took place in Portland, Oreg., where there is a U.S. court sitting in the Federal courthouse, the litigants should be permitted to say, "That is where we want to have justice rendered to us."

I think that is reasonable, and there should be language in the bill to indicate that is the procedure to be followed.

Mr. KENNEDY. Mr. President, I think this is an acceptable amendment. I am prepared to accept it, and yield back my time.

Mr. CARROLL. Mr. President——

The PRESIDING OFFICER. The Senator from Colorado.

Mr. CARROLL. I think the Senator from Oregon in this case is perfectly correct. I make one qualification for the RECORD. In the event of a conspiracy, I think we should show the intent of the National Legislature that when a crime is committed in a State the case should be heard, insofar as possible, in that State. If the conspiracy extends to other districts, then we ought to lodge discretion in the Attorney General.

Did the Senator from Oregon hear my comment on that subject?

Mr. KENNEDY. Mr. President, I yield myself 2 minutes. I am not sure that the debate may not have distorted the actual meaning of the amendment proposal. The Senator from Colorado stated that his understanding of the amendment was that——

Mr. CARROLL. Mr. President, if I may interrupt the Senator from Massachusetts, the Senator from Oregon was busy conferring and did not hear what was stated.

Mr. MORSE. I beg the Senator's pardon. He knows what was happening.

Mr. CARROLL. If I may repeat what I said, I agree completely with the Senator from Oregon that if a violation occurs within the area of a Federal judicial district, the case ought to be tried there, rather than in the District of Columbia. I make one reservation. Let us assume the crime constitutes a conspiracy and is spread over several districts. I should like to hear the comment of the Senator from Oregon on that point.

Mr. MORSE. I think it is clear, under the amendment, that the case could be tried in the U.S. district court in the District of Columbia.

Mr. CARROLL. Or wherever it is believed the conspiracy can best be proved.

Mr. MORSE. Yes. I think the language "convenience of the parties" in my amendment covers that.

Mr. KENNEDY. Mr. President, I am prepared to accept the amendment and yield back my time.

Mr. MORSE. Mr. President, I yield back my time.

The PRESIDING OFFICER. All time on the amendment has been yielded back.

The question is on agreeing to the amendment of the Senator from Oregon [Mr. MORSE] on page 23, beginning on line 21.

The amendment was agreed to.

Mr. MORSE. Mr. President, I call up my amendment No. 6.

The PRESIDING OFFICER. The amendment of the Senator from Oregon will be stated.

The CHIEF CLERK. It is proposed, on page 8, line 16, to strike out the period and insert the following:

> *Provided*, That in the event of a denial of an exemption of this section the provisions of the Administrative Procedure Act shall become applicable.

Mr. MORSE. Mr. President, I desire to invite the attention of the Senate for a moment to page 8 of the bill, in regard to the matter of exemptions of unions in accordance with size and receipts. Starting on page 8, line 6, the bill reads:

> The Secretary may exempt from the requirements of subsection (b) for such definite or indefinite periods as he may determine any labor organization or class thereof having fewer than two hundred members and having gross annual receipts of less than $20,000, including all sums paid over as dues or per capita tax to a parent or affiliated labor organization (excluding payments received by trustees under section 302(c) (5) or (6) of the Labor-Management Relations Act, 1947, as amended), if he finds that the exemption of such labor organization or class thereof would not interfere with the attainment of the objectives of this Act.

I propose, at the end of the sentence on line 16, to strike out the period and add the following language:

> *Provided*, That in the event of a denial of an exemption of this section, the provisions of the Administrative Procedure Act shall become applicable.

Let me advise Senators of the problem which, as I understand, is of concern to some labor groups. I suppose it is of particular concern to the Teamsters, but I am satisfied they are not alone. They feel that unless they have a right, under the Administrative Procedure Act, to show that they ought to be entitled to an exemption, they might be confronted at some time with an administrative officer who might be prejudiced against them and deny them exemptions.

What we are saying, as a Congress, I respectfully submit, is that Congress is instructing the Secretary of Labor that, as a matter of policy, we believe any labor organization or class thereof having fewer than 200 members and having gross annual receipts of less than $20,000 should be exempt.

That is the policy Congress is laying down. But we are not making a blanket exemption, because there may be some unions with less than 200 members or with less than $20,000 of receipts to which we ought to apply the full force of the act. Therefore, the Secretary of Labor ought to have the right to say, "I do not grant the exemption." But if he does not grant the exemption, the labor organization, upon application, ought to be heard on the exercise of that judgment under the procedures of the Administrative Procedure Act, because such a judgment would have a tremendous effect upon the union involved, whether it was X, Y, or Z.

All I am seeking to have inserted is a safeguard, so that a group will not have the right to say, "We are not going to get a square deal. We are getting a raw deal. We are not getting equal treatment. We are being discriminated against."

I also want to say to those who have any question about this amendment, keep in mind the position in which we are putting the Secretary of Labor.

I desire to stress the desirability of this type of an amendment from the standpoint of protecting the Secretary of Labor. I think the Secretary of Labor is entitled to the procedural safeguard which I have provided in the amendment. The Secretary can say, "Very well; come in under the processes of the Administrative Procedure Act. I will be glad to spread on the record the reason why I think you should not be exempt, since it would interfere with the objectives Congress set forth in the act."

I think if we put such a safeguard in the bill, no union would be resorting to the procedures of the Administrative Procedure Act, unless it had an extremely good case; because, until the union obtained a reversal of the decision of the Secretary of Labor, it would have to be considered as nonexempt.

We would be in no way giving any advantage by agreeing to my amendment, unless and until under the operation of the Administrative Procedure Act there were a decision to reverse the Secretary of Labor.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. CARROLL. I say to the Senator from Massachusetts that in my judgment the Senator from Oregon is perfectly correct. I believe this involves due process. It involves a notice of hearing and a notice of a trial. It could involve arbitrary and capricious action against 200 people and therefore those people have a right to a hearing. They are entitled to come under the Administrative Procedure Act.

I differentiate between this amendment and the earlier one offered by the Senator from Oregon which involved a mere ministerial question. This is a basic thing. This has a constitutional base in due process. Therefore, it should be reviewable upon arbitrary and capricious action of the Secretary.

Mr. MORSE. I understand the Senator's distinction. I think the Senator is clearly right in this instance. I would go a little further, even, in connection with a so-called ministerial act, when the exercise of the ministerial act has an effect upon and can have detrimental effect upon the people subject to the act.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. DOUGLAS. I wonder if the Senator from Oregon would consider a modification of the wording of his amendment.

Mr. MORSE. I always try to be reasonable.

Mr. DOUGLAS. I think the modification would make the language more applicable. As I understand, the wording of the pending amendment, in part, is, "in the event of a denial of an exemption" the provisions of the Administrative Procedure Act shall be applicable.

Mr. MORSE. The Senator is correct.

Mr. DOUGLAS. Would the Senator consider adding, after the word "denial," a few words, to make it read: "In the event of a denial of an application for an exemption"?

In its present form the language would seem to require the carrying out of the Administrative Procedure Act whenever the Secretary of Labor denies an exemption. Should not the words "an application for" be included?

Mr. MORSE. I do not want to involve anyone else, but I should like to say there is an individual on the floor, upon whose advice the Senator from Illinois relies as a beneficiary a good many times, as it is true I do upon some of my assistants. That is the language we had in the amendment when we drafted it last night, but in the process of having the amendment copied the words which the Senator from Illinois has just used were by mistake omitted.

I accept the language, and also wish to state that language was used in the original form of the amendment.

When my staff copied the amendment, they did not write that particular language in the amendment. I hope the Senator from Massachusetts will take note of the fact that by oversight or inadvertence those words were left out of my amendment. The amendment should read "denial of an application for exemption."

The PRESIDING OFFICER. The Senator has a right to modify his own amendment.

Mr. DOUGLAS. I thank the Senator from Oregon for the compliment paid to my administrative assistant, and I wish to say I heartily join him in the commendation.

Mr. KENNEDY. Mr. President, it pains me to separate myself from three distinguished colleagues for whom I have a high regard. But, once again, although the agreement reached in the committee was not one in which I concurred completely, but, nevertheless, it was finally agreed to. In my opinion, it would be a mistake to undo this part of the bill, because there are a good many other Senators on the committee who committed themselves to other provisions as a part of a general agreement to support the Kennedy-Ervin bill.

I am willing to go quite far, even in spite of that, with respect to matters of great importance.

Let us consider a situation involving a paper local. The Secretary has made a general rule about exempting unions with fewer than 200 members or $20,000 in income. Let us assume the paper local makes a complaint. The Secretary's information perhaps is sparse. The Secretary may simply decide he wants these financial reports. And I believe he would trammel no one's rights by demanding one without going through a complicated procedure.

I thought the point the Senator from Colorado made 2 or 3 minutes ago was good, and it seems to me this case is parallel. It seems to me that no one's basic, personal rights would be denied by the Secretary, if the Secretary said he wanted financial information from the union.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. CARROLL. The Senator from Massachusetts is a great author and a great statesman.

Mr. KENNEDY. I thank the Senator.

Mr. CARROLL. But I cannot support the Senator on his agreement with the committee where constitutional rights are involved. That is what we are talking about. This is a question of due process.

Mr. KENNEDY. May I ask the Senator a question?

Mr. CARROLL. In a moment. This is a question of due process. We are talking about taking away the rights of people. We cannot do that in the committee, and we cannot do it in the Congress.

Let us talk about the paper locals. I will say, and I am very serious. If the Secretary of Labor wants a report of a paper union he will get a report, because the only thing which is reviewable under the Administrative Procedure Act is an arbitrary and capricious abuse of discretion. Questions of fact are never reviewable.

I hope Senators will believe me when I say that the Secretary of Labor will have full power to meet this objective. It would only be with regard to an abuse of power that there could ever be an appeal to the court of appeals.

I have tried to be very cautious about this matter. This is a question of due process under the Administrative Procedure Act, which can be used to protect the constitutional rights of people who are being discriminated against.

We do not need to worry about paper unions. The Secretary of Labor can take care of such unions and their reports under the amendment offered by the Senator from Oregon.

Mr. MORSE. If the Senator will permit, I should like to mention two things.

First, in complete defense of my chairman, I want to say that the Senator from Massachusetts labored long and hard on this particular section, and this was the solution the chairman worked out.

However, in fairness also to the Senator from Oregon, I think the Senator from Massachusetts will testify that time and time again I raised questions about whether too much power was being given the Secretary of Labor, and stated that each reserved the right, when the bill reached the floor of the Senate, to offer amendments to carry out some of the proposals made in the committee but which did not prevail in the committee.

As to the substantive matter which the Senator from Massachusetts has raised, I want to refer to the paper local union case. I should like to have the Secretary of Labor armed with the Administrative Procedure Act in that instance, so that if any paper local had such bad judgment as to appeal to the Administrative Procedure Act from the Secretary's exercise of judgment in denying the exemption, the Secretary would have

the processes of the Administrative Procedure Act to make clear on the record the type of a labor organization with which he was dealing. That was what I meant a few moments ago when I said amendments like this would strengthen the Secretary of Labor under the bill; they would not weaken him. It is on that basis that I press my amendment.

Mr. KENNEDY. Mr. President, let me say to the Senator from Oregon and the Senator from Colorado that originally I favored a blanket exception for unions with a membership fewer than 200. We finally arrived at this language.

I must say to my distinguished colleague from Colorado that I do not believe this provision involves any question of constitutional rights. The fact of the matter is that all unions are covered by the reporting provisions of the bill. Nevertheless, in order to protect some small unions from being overburdened with paper work, the Secretary is given the right to accord to them the privilege of being exempt.

When the Secretary, after having given them that privilege, decides to revoke it, he takes away no right, he merely suspends a privilege which he has granted.

I believe the language of the Administrative Procedure Act requires substantial evidence in the record as a whole. I do not believe that a Secretary of Labor who has made a judgment in the case of granting an exemption should be required, when he removes the exemption to provide at that time substantial reasons for removing it.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. CARROLL. Let me say to the Senator from Massachusetts that I have no conviction upon this subject, except that which I have acquired from listening to the argument of the Senator from Oregon. It is my impression that the Senator from Oregon said that, in a sense, the Secretary of Labor could proscribe certain unions. Will the Senator from Oregon repeat his statement?

Mr. MORSE. The point which the Senator makes bears on the very argument I wish to make to my friend from Massachusetts. Under the bill as it is now worded, it is proposed to give to the Secretary of Labor, discretion to exempt or not to exempt. I think it is clearly implied that his discretion must be reasonably exercised. It cannot be discriminatory. It must be based on substantial evidence.

Why in the world should he object to having his decision reviewed under the Administrative Procedure Act? Such a provision would strengthen his hand. After we get a few decisions under the application of the Administrative Procedure Act, unions will be rather wary about asking for a review unless they have a good case to show that the Secretary did not have adequate evidence upon which to base his decision.

Let me make one further point. Once we place this section in the bill, we modify the policy that all unions shall be required to file full reports. That no longer would be the case. All unions, unless the membership was less than 200, and their income less than $20,000, would be required to report. With respect to the smaller unions, the Secretary of Labor would be given the right to exempt them if he thought such reporting would be burdensome upon them or if he thought it would be too expensive for them to file full reports.

It is proposed to give the Secretary the power of decision, the power of choice. There would be a very definite effect on a union, based upon whether it received the benefit of the Secretary's judgment, or did not receive the benefit of his favor. What we are saying is that we want some procedure to protect the union in the situation where a Secretary of Labor can be shown, under the Administrative Procedure Act, to be exercising a capricious discretion, and not a reasonable one.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. CARROLL. Let me say to the Senator from Oregon that my position is quite clear now with regard to ministerial acts. Will the Senator from Oregon distinguished this amendment from the amendment which I opposed a short time ago? Why is it different? Explain how this amendment deals with arbitrary and capricious actions on the part of the Secretary of Labor; and the harm that could come to the people of the Nation?

Mr. MORSE. I think the language on page 8 shows the distinction.

Mr. CARROLL. I should like to have the Senator from Massachusetts listen very carefully.

Mr. MORSE. On page 8 of the bill we find the following language:

> (d) The Secretary may exempt from the requirements of subsection (b) for such definite or indefinite periods as he may determine any labor organization or class thereof having fewer than 200 members and having gross annual receipts of less than $20,000—

And so forth. If he finds that the exemption of such labor organization or class thereof would not interfere with the attainment of the objectives of the act, he may grant it.

That is a statement of policy. It is a statement that we favor the exemption of unions with fewer than 200 members, and receipts of $20,000 or less, if the Secretary finds that such exemption would not interfere with the attainment of the objectives of the act.

Mr. CARROLL. Exemption from what?

Mr. MORSE. Exemptions from filing all the reports required elsewhere in the bill. That is costly. It would cost thousands of dollars to file all the reports required under the terms of the bill. I am in favor of such filing. I am also in favor of doing justice to the small union which cannot afford the expense of such filing. We might require the small unions to file much less in the way of reports, and still have a pretty good idea of how they are operating.

It is proposed to give the Secretary the right to decide whether they shall file or not. Then they may or may not receive an exemption. We are asking for an Administrative Procedure Act process if the Secretary proceeds to revoke an exemption without good cause for revoking it. That is all we are asking for.

Mr. CARROLL. Mr. President, I wish to be perfectly frank with the Senator from Massachusetts and the Senator from Oregon. I misconceived the original argument of the Senator from Oregon. After listening very carefully, I now conclude that this action is placed in the category of a ministerial act, with respect to which the Secretary of Labor can say, "I will exempt this union." However, he is left a certain amount of discretion. I was thinking in terms of some individual in the labor union movement, who might be seriously injured.

Mr. MORSE. He would be if the Secretary were to use abusive discretion.

Mr. CARROLL. I do not see the point about the abusive discretion.

Mr. MORSE. He might use abusive discretion.

Mr. CARROLL. This amendment is almost like the one we previously rejected.

Mr. MORSE. I do not believe we should have rejected it, but I think there is a difference between the two.

What I am trying to protect the unions from is a Secretary of Labor who might abuse his discretion. That is one of the reasons for the Administrative Procedure Act, to provide a review of discretionary decisions.

Mr. CARROLL. The only way he could abuse his discretion would be by requesting them to file a report. When he grants an exemption, that is a ministerial act. When he asks unions to file reports, that is a ministerial act. I do not believe that such an act is reviewable under the Administrative Procedure Act.

I wish to qualify what I previously said, because I was under the impression that we were dealing with a denial of due process.

Mr. MORSE. Let us look at the consequences. The revocation may cost thousands of dollars. Suppose a competitive union receives an exemption, and is not required to pay out the thousands of dollars. Suppose the unions are involved in a jurisdictional dispute. I am speaking hypothetically. Let us assume that in a jurisdictional war between two unions the Secretary of Labor is trying to help X union against Y union. Why should not Y union have the right to show that there was no justification, on the basis of an exercise of reasonable discretion, for levying a fine, in effect, of several thousand dollars upon one union, by making it comply with the filing requirement.

Mr. CARROLL. I think such a situation would be limited to a very small group. Therefore I think the financial problem is not so serious. I can understand that there might be some arbitrary and capricious act, but I do not believe it would be reviewable in a court.

As I now reexamine the whole situation, I conclude that the Senator from Massachusetts [Mr. KENNEDY] is not only a great statesman and an author, but a great lawyer.

Mr. MORSE. I will say to my friend from Colorado that I always assume that under our system of justice the least among us is entitled to the same protection as the greatest. The fact that this provision deals with a very small number of men does not change the fact that we should protect them from the kind of arbitrary discretion from which the Administrative Procedure Act was designed to protect all Americans.

Mr. KENNEDY. Mr. President, I yield 1 minute to the Senator from Arizona.

Mr. GOLDWATER. I wish to stand with my chairman on this matter. I am sure the distinguished Senator from Oregon will remember that in the subcommittee we argued this particular amendment at great length. We finally voted to strike it from the bill as reported to the full committee. During the full committee hearings the paragraph was put back into the bill. I hold to the idea that we should not exempt any unions, because most of the trouble we found has been in the smaller unions, as the Senator is well aware. This morning an effort was made to remove this provision from the bill. I was not on the floor, and therefore did not get a chance to vote on it. If the Senator is interested, we could make a motion to reconsider the vote on that proposal and have a vote on it. However, it is in the bill. I believe we talked about it more than about any other paragraph in the bill. I should dislike very much to see it disturbed at this late hour.

Mr. KENNEDY. Mr. President, I am prepared to yield back the remainder of my time.

Mr. MORSE. I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oregon [Mr. MORSE].

The amendment was rejected.

Mr. MORSE. Mr. President, I call up my last amendment marked "A."

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 54 it is proposed to strike out all after the comma in line 1 and the word "laws" in line 2 and insert in lieu thereof the following: "to enact and enforce general criminal laws with respect to robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, violation of narcotics laws, murder, rape, assault with intent to kill, or assault with intent to inflict grievous bodily injury, or conspiracy to commit any of such crimes."

Mr. KENNEDY. Mr. President, I am prepared to accept the amendment, and I yield back my time.

Mr. MORSE. This problem was first raised with me by lawyers for the AFL–CIO. I then went into the merits of it, and I thought it was meritorious. I therefore offer the amendment. I am willing to yield back the remainder of my time, and I ask unanimous consent that a statement explaining the amendment be printed in the RECORD at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MORSE

The purpose of this amendment is simply to conform section 507 of the bill, relating to the authority of the States to continue to enact and enforce their general criminal laws to the intention of the committee as expressed in the report. As stated in the report, the intention of the committee in including section 507 of the bill was to make clear that the bill's provisions making embezzlement of union funds a Federal crime and referring to numerous other offenses which are crimes under the laws of the various States should not affect the authority of the States to continue to enact and enforce general criminal laws dealing with the crimes referred to in these provisions. The committee pointed out in its report:

"This section is designed to make clear that section 109(a), making embezzlement of union funds a Federal crime, and the references to certain crimes in section 305 of the bill are not intended to bar the States from continuing to enact and enforce, in the exercise of their general police powers, criminal statutes dealing with the particular crimes mentioned in the bill. The bill is not intended in any way to impair or diminish State authority to enact and enforce such general criminal statutes.

"Other sections of this bill refer specifically to the respective responsibilities of State and Federal Governments with regard to the subject matter covered by the bill. Nothing in this section is to be construed as altering these divisions of governmental responsibility as therein defined."

The amendment is designed, as I said, simply to make the effect of section 507 clear beyond peradventure of any doubt by listing in this section the specific crimes referred to in sections 109 and 305, so that the States may continue to enact and enforce general criminal statutes dealing with these crimes. Without the amendment it might be possible to argue that any State statute dealing with matters specifically covered in the bill—such as the provisions limiting the tours of office of union officers—would be valid if enacted as a criminal statute.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oregon [Mr. MORSE].

The amendment was agreed to.

Mr. EASTLAND. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

Mr. EASTLAND. I ask unanimous consent that the amendment be not read, but be printed in the RECORD at this point. I will explain it.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment, offered by Mr. EASTLAND, and ordered to be printed in the RECORD, is as follows:

On page 30, after line 5, insert a new section as follows:

"SEC. 113. (a) That section 9 of the National Labor Relations Act, as amended, is amended by adding at the end thereof new subsections as follows:

"'(i) No investigation shall be made by the Board of any question affecting commerce concerning the representation of employees, raised by a labor organization under subsection (c) of this section, and no complaint shall be issued pursuant to a charge made by a labor organization under subsection (b) of section 10, unless there is on file with the Board an affidavit executed contemporaneously or within the preceding twelve-month period by such labor organization and any national or international labor organization of which it is an affiliate or constituent unit declaring that the constitution or bylaws of such labor organization and of any national or international labor organization of which it is an affiliate or constituent unit—

"'(1) provide, that no authorized strike shall be called except upon approval of a majority of the employees in the affected unit voting by a secret ballot in accordance with the following:

"'(A) No strike ballot shall be taken until there shall have elapsed (i) a period of twenty days during which the labor organization shall have made all reasonable efforts to settle the dispute by means of collective bargaining, and (ii) an additional period of twenty days to enable the parties to the dispute to explain fully their respective positions to the employees involved in the dispute and to the public;

"'(B) Any such strike ballots shall be conducted by an election committee consisting of one member selected by the labor organization, one member selected by the employer, and a third member selected by such members. If the employer fails to select a member within five days after having been requested by the labor organization in writing to do so, such member shall be selected by the National Labor Relations Board. If the member selected by the employer or the Board and the member selected by the labor organization are unable to agree within five days upon the selection of the third member, such third member shall be selected by the National Labor Relations Board;

"'(C) The election committee shall promptly prepare and distribute to all employees in the bargaining unit involved in the labor dispute suitable ballots with appropriate instructions and envelopes to enable such employees to execute the ballots, without identification of the voter; such completed ballots to be deposited in ballot boxes accessible only to the election committee as a body; so that in case the eligibility of a voter is in dispute, the signature of such voter will appear on the outer envelope solely for the purpose of identifying his ballot until his eligibility shall be determined;

"'(D) The election committee shall process and count the ballots in such manner that the identity of the individual casting a particular ballot will be unknown to the committee or to any other person, and after the votes have been tabulated shall certify the results of the elections to the parties of the dispute; and

"'(E) If a majority of the employees voting in such election vote to authorize a strike, such strike may be ordered or authorized by the labor organization, but only after the expiration of a period of twenty days during which such labor organization shall have again made all reasonable efforts to settle the dispute by collective bargaining and not later than eighty days following the date upon which such strike was authorized, without further compliance with the requirements of this paragraph (1).

"'(j) Upon the filing of a petition in writing signed by not less than 10 per centum of all of the employees of a bargaining unit or a petition signed by not less than two of the members of the election committee described in subsection (i)(1)(B) of this section, alleging that a strike has been called in contravention of the provisions of subsection (i)(1) of this section, the Board shall then proceed under the investigatory powers granted in this Act to consider this matter, and if the Board determines the allegations to be true, the Board will issue an order declaring that such strike was called without

proper authority and instructing the bargaining unit involved to immediately comply with the provisions contained in subsection (i)(1) of this section. Any labor organization which, within five days, fails to comply with any order issued by the Board in accordance with the provisions of this subsection shall, during the period of noncompliance, be ineligible for certification by the Board as an exclusive representative of any group of employees for collective bargaining purposes, and no investigation shall be made by the Board of any question affecting commerce concerning the representation of employees, raised by such labor organization under subsection (c) of this section during the period of noncompliance, nor shall any complaint be issued pursuant to a charge made by such labor organization under subsection (b) of section 10 during the period of noncompliance.

"'(k) This section shall not be construed to repeal, modify, or affect section 8(d) of the National Labor Relations Act, as amended, or to require that the sixty-day and thirty-day periods specified in said section 8(d) shall be in addition to the periods set forth in this section, except that such strike may not commence until the expiration of the period described in section 8(d)(4) or in subsection (i)(1)(E) herein, whichever is the later: *Provided,* That nothing contained in this section shall be construed to make lawful a strike conducted in violation of a no-strike clause in a collective-bargaining contract: *Provided further,* That nothing herein contained shall be construed to authorize a lockout during the period during which a labor organization may not strike pursuant to the provisions of this section.'

"(b) No labor organization which, during any taxable year which begins after the date of enactment hereof, fails to comply with any order of the National Labor Relations Board issued under subsection (j) of section 9 of the National Labor Relations Act, within the time limits prescribed by such subsection (j), as the case may be, shall be entitled to exemption from Federal income tax under section 501(a) of the Internal Revenue Code of 1954 for such taxable year.

"(c) The tax payable under the Federal income tax laws for any taxable year by a labor organization which has lost its Federal income tax exemption under paragraph (a) for such year shall be reduced by an amount which bears the same ratio to the amount otherwise payable as the number of days in such taxable year for which there was not any failure by such labor organization to comply with any order issued by the National Labor Relations Board under subsection (j) of section 9 of the National Labor Relations Act bears to the total number of days in such taxable year."

Mr. EASTLAND. Mr. President, this is a very simple amendment. The union bosses have boasted all over the United States that they believe in democracy. They believe in democracy for everyone except those in their own domain of influence. Before they could call a strike, the amendment would give the workers, the men who are primarily involved, the right to a secret ballot in order to determine whether there should be a strike. I shall speak briefly on the amendment.

Before a secret strike ballot is taken, the amendment sets forth certain procedures which must be followed. There would have to be a waiting period of 20 days, during which the labor organization must make all reasonable efforts to settle the dispute by means of collective bargaining.

If agreement cannot be reached, an additional period of 20 days is provided to enable the parties to the dispute to explain fully their respective positions to the employees involved and to the public. In the event a strike election becomes necessary, the amendment sets up the machinery for an election committee, to be composed of one member selected by the labor organization, one member selected by the employer, and a third member mutually agreeable to the two selected members.

If the employer fails to select such a member, provision is made for the National Labor Relations Board so to do. If the two selected members cannot agree upon a third, the National Labor Relations Board is empowered to do so.

The election committee is charged with the duty of preparing and distributing to all the employees in the bargaining unit involved suitable ballots with appropriate instructions, and such completed ballots, without identification of the voter, will be deposited in ballot boxes under the charge of the election committee. Where the eligibility of a voter is in dispute, the signature of such voter will appear on the outer envelope solely for the purpose of identifying his ballot until his eligibility shall have been determined. All ballots shall be processed in such a manner that the identity of an individual casting a particular ballot will be unknown to the committee or any other person.

When the votes have been tabulated and certified, if a majority of the employees vote to authorize a strike, the strike may be ordered or authorized by the labor organization, but only after the expiration of a period of 20 days. During the 20-day period the labor organization shall have again made all reasonable efforts to settle the dispute by collective bargaining. If a strike is authorized, it must follow within 80 days from the date upon which it was authorized.

Mr. President, the amendment is a charter of liberty and freedom for union members everywhere from coercion, dictation, and intimidation in making a free and independent choice on the gravest issue that confronts this country. The man who is primarily interested in a strike is the worker whose livelihood and whose welfare are involved.

Why should not the worker have a chance to make the decision as to whether there shall be a strike. The leader who orders the strike and who has made the strike decision and goes to the collective bargaining meeting with the strike decision already made, holding a pistol at the head of management and at the head of the workers, does not lose any of his salary. He does not lose any of the benefits he enjoys. It is the man who labors whose welfare and rights are put in jeopardy, who is concerned. We say we believe in democracy in this country. The unions say they believe in the workers controlling the affairs of the union. Yet when it comes to a strike, which is a right labor has to enforce its demands, why should not that decision be made by the man who is primarily involved?

Mr. President, I will tell the Senate another reason why it is very essential that the amendment be adopted. There is an arrogant Communist named Harry Bridges, who stated on television that in case we aided Chiang Kai-shek in the Far East, he would shut off supplies to the Armed Forces of the United States.

In other words, an arrogant Communist could veto the foreign policy of our country by calling a strike. I say that the rank and file of the members of his union are patriotic American citizens and that they should have the right to say whether a strike should be called and whether their boys should be denied the guns and planes and tanks to defend their country.

Mr. Bridges has just made a trip abroad on which he met Communist agents in Europe and behind the Iron Curtain, and when there was outlined the Communist policy to destroy the United States by Communists within the country in case of trouble with the Soviet Union.

Another organization concerning which committees of Congress have taken considerable testimony is the American Communications Association. That organization has been under investigation. It has been expelled by the CIO because of its Communist domination.

The president of Local 146 of the Commercial Telegraphers Union, a technician for the Western Union Telegraph Co., testified to the ease with which saboteurs could incapacitate the company's Atlantic cables. In case of a strike, they could shut off communications in the Pentagon Building in Washington, D.C.

Will any Senator contend that the members of that union should not have the right to say whether they will strike against their country and cut off communications in the Pentagon Building?

The United Electrical, Radio, and Machine Workers of America is a Communist-controlled union. That union has established bargaining rights with the largest electrical corporations in the industry, companies manufacturing the most sensitive apparatus required for our most strategic defense weapons. It represents 200,000 workers in this key industry. Will any Senator say that a union which represents employees who manufacture the most sensitive weapons used by our country, and whose boys may have to fight for their country, should not have the right to say if they will go out on strike?

What is the reason for this? We talk about democracy, but the bill does not give democracy to the workingman. I say let him vote; let him make the decision.

The amendment provides that, first, there must be 20 days of collective bargaining, and that after that period of time, if the members want to call a strike, the management shall explain its position to the workers, and the union shall explain its position to the workers. The cases of both sides can be laid before them; then it will be up to the workers to decide whether they want to strike. What can be fairer than that? There must be a 20-day cooling-off period.

The International Union of Mine, Mill, and Smelter Workers attempted by a strike during the Korean war to cut off copper supplies which were essential to

the Armed Forces of the United States. Should not the workers who are members of that union have the right to say whether, by their secret ballot, free from intimidation and free from coercion, there should be a strike? I think that is a fundamental charter of the rights of labor. If a union member does not have the right to determine the policies of the union with respect to strikes, he is a slave, and we have slavery, then, within the ranks of organized labor.

The leaders of the unions have entirely too much power. All we say is: Let the man who works for the union, the man who is primarily involved, the man whose salary and welfare are involved, make the decision, and not the leaders. The leaders do not miss their pay checks, they do not miss their benefits. Not at all. It is the man who works in the ranks who loses the benefits. Why should he not be the one to make the decision whether there shall be a strike? Why do we not consider the best interests of the workingman?

Mr. President, I yield back the remainder of my time and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, I understand the Senator from Mississippi wishes to ask for the yeas and nays on the amendment.

Mr. EASTLAND. Mr. President, on my amendment I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. KENNEDY. Mr. President, I oppose the amendment of the Senator from Mississippi. As I understand, it provides, first, that before a strike can be ordered, a committee composed of representatives of labor and representatives of the employer shall conduct the strike vote.

This matter came before the Senate last year on an amendment offered by the then Senator from Connecticut, Mr. Purtell. There was so little support for the amendment that it was defeated on a voice vote. The reason for its defeat on a voice vote is the very reason why this amendment was not included in the Taft-Hartley Act.

From 1944 to the end of 1946, under the Smith-Connally Act, strike ballots, comparable to the kind suggested by the Senator from Mississippi, were in effect. The experience showed that it cost more than $2 million to conduct a strike ballot in 1946—1 year—and that more than 90 percent of all the votes cast did not support the strike. This was in a time of war, I point out. The ballot was worded: "I am in favor of stopping all war production by voting in favor of a strike." In other words, the amendment was worded in such a way that the burden would be very heavy upon the striker before he would ever agree to call a strike. Nevertheless, under those conditions, even under the pressure of wartime, which certainly should have mitigated against careless consideration, 90 percent of all the ballots voted were against a strike.

Senator Taft felt that such a provision made it more difficult to reach an accommodation. Unions, in order to win strikes, have always held back the very last vote until they could be certain of the outcome. Then they go to the employer and say, "We are not able to make any new concessions. Our members are ready to strike."

So instead of making for a happier relationship between labor and management, it made the relationship worse. That is the reason why the Secretary of Labor, Mr. Mitchell, has opposed this provision. I read from his testimony of last year before the committee:

> Secretary MITCHELL. From the point of view of management, I would think that management would not like to see a strike vote legislated, because a management negotiator will be confronted by a union negotiator saying to him, "Look, I have no discretion in this matter. I cannot make any compromise in our demands, because the Federal Government has taken a strike vote, and my membership by a majority vote says I have to get what I could by asking for it right now."

Therefore Secretary Mitchell opposed the provision.

Figures were presented to show that such a provision would cost $7 million, based on the situation in 1946.

Mr. EASTLAND. Mr. President, what is wrong with this proposal? The employee's interests are primarily involved in a strike. Why should not he be permitted to make the decision? What is wrong with allowing that to be done?

Mr. KENNEDY. Because, based on my experience of 13 years on the Labor Committees, I find that very rarely do unions begin strikes contrary to the wishes of the employees.

After a strike has proceeded for some time, it may be there will be some differences of opinion about when the employees should return to work. But they are free to return to work whenever they want to.

But from 1944 on, according to our experience, very few strikes were called without the support of the employees. Otherwise, the union officers would not long remain in office.

Mr. EASTLAND. But this amendment is exactly what we had in the Smith-Connally Act during the war.

Mr. KENNEDY. That is correct.

Mr. EASTLAND. It worked very well then. It prevented strikes; and it would be a strong weapon now against inflation in this country.

Mr. KENNEDY. My reading of the experience under the Smith-Connally Act is entirely different. Ninety percent of the times when the question of whether to strike was put to the employees, they voted to strike—even during the war. If this provision was so effective in controlling strikes, in 1947, when the Taft-Hartley Act was written—and it was written largely as a result of the strikes which occurred in 1946—why was not this provision included in the Taft-Hartley Act? It was not included because Senator Taft was not convinced of the usefulness of such a provision.

In other words, I believe it would be a mistake to include this provision in a bill dealing with labor reform.

Mr. President, I am prepared to yield back the remainder of the time under my control on the amendment.

Mr. ERVIN. Mr. President——

Mr. KENNEDY. I yield to the Senator from North Carolina.

Mr. ERVIN. Mr. President, as a matter of fact, when a strike is lawfully conducted, it is a collective arrangement by means of which those who are on strike exercise their most potent economic weapon—namely, their collective refusal to work, except under terms which are satisfactory to them. Is not that correct?

Mr. KENNEDY. Yes; the Senator from North Carolina is correct.

Mr. ERVIN. Under this amendment, as I construe it, there would be at least 60 days, or perhaps more, before they could exercise what is undoubtedly their right to act in concert, to act together, in exercising this economic weapon—namely, collectively to refuse to work, except under conditions satisfactory to them. This amendment would substantially impair that undoubted right.

Mr. KENNEDY. The Senator from North Carolina is correct.

Mr. President, in view of the facts which have been brought out by the Senator from North Carolina, I hope the amendment will be rejected.

I yield back the remainder of the time under my control on the amendment.

Mr. EASTLAND. Mr. President, I yield back the remainder of the time under my control on the amendment.

The PRESIDING OFFICER. All remaining time on the amendment has been yielded back.

Mr. MUNDT. Mr. President, I should like to say a few words.

Mr. MANSFIELD. Mr. President, I yield to the Senator from South Dakota 3 minutes on the bill.

The PRESIDING OFFICER. The Senator from South Dakota is recognized for 3 minutes on the bill.

Mr. MUNDT. I thank the Senator from Montana.

Mr. President, much has been said about the Smith-Connally Act experience during the war.

I wish to point out, as I did on the floor of the Senate on April 20, that we cannot compare the wartime experience with a peacetime situation, because section 7 of the Smith-Connally Act provided, under its statutory provisions, power for the National War Labor Board to conduct a hearing on the merits of the dispute; and, further, it gave the Board the power to decide the dispute and to provide by order for the wages and hours involved.

So during the war a union could "get a free ride," because it knew that under section 4 the Board had that power, and could exercise it, so that the strike would not take place. So the union could get the benefit of the pressure and the enthusiasm of a strike vote, but without having the strike take place.

So, Mr. President, the statistics as to the number of strikes which occurred at that time are not a proper indication of what would happen in peacetime.

Therefore, I believe that, under the provisions of this amendment, democracy in unionism would be more directly practiced than under any other labor proposal now before us.

Let me point out the significance and the importance of that. A study made by the Department of Labor in 1954 disclosed that of 112 international union constitutions to that date, only 63 contained provisions requiring a strike vote in the locals. That means that 49 international unions, representing nearly 6 million members, can now call strikes without giving the members of the unions the right to make their democratic decision on the question of whether to go on strike.

If we are interested in democratic unionism—and I trust that we are—what is wrong with permitting the union members to vote, under an orderly procedure, on the question of whether they desire to strike or do not desire to strike.

The Eastland amendment provides for a cooling off period, and gives a constructive answer to the millions of American working families who, when a strike issue is before them, desire to make their decision and assert their preference and to vote either for or against going on strike. So I think adoption of this amendment would be a constructive step under democratic unionism; and I trust that the Eastland amendment will be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Mississippi [Mr. EASTLAND]. All remaining time on this amendment has been yielded back.

On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Texas [Mr. JOHNSON], the Senator from Tennessee [Mr. KEFAUVER] are absent on official business.

I also announce that the Senator from Nevada [Mr. BIBLE] is absent because of a death in his family.

I further announce that the Senator from Delaware [Mr. FREAR] is absent because of illness.

On this vote, the Senator from Texas [Mr. JOHNSON] is paired with the Senator from Iowa [Mr. HICKENLOOPER]. If present and voting, the Senator from Texas would vote "nay" and the Senator from Iowa would vote "yea."

On this vote, the Senator from Nevada [Mr. BIBLE] is paired with the Senator from Arkansas [Mr. FULBRIGHT]. If present and voting, the Senator from Nevada would vote "nay" and the Senator from Arkansas would vote "yea."

On this vote, the Senator from Minnesota [Mr. HUMPHREY] is paired with the Senator from Kansas [Mr. CARLSON]. If present and voting, the Senator from Minnesota would vote "nay" and the Senator from Kansas would vote "yea."

I further announce that, if present and voting, the Senator from Tennessee [Mr. KEFAUVER] would vote "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON] is absent on official business, and is paired with the Senator from Minnesota [Mr. HUMPHREY]. If present and voting, the Senator from Kansas would vote "yea," and the Senator from Minnesota would vote "nay."

The Senator from Wisconsin [Mr. WILEY] is necessarily absent, and if present and voting would vote "nay."

The Senator from South Dakota [Mr. CASE] and the Senator from Iowa [Mr. HICKENLOOPER] are detained on official business.

On this vote, the Senator from Iowa [Mr. HICKENLOOPER] is paired with the Senator from Texas [Mr. JOHNSON]. If present and voting, the Senator from Iowa would vote "yea," and the Senator from Texas would vote "nay."

The result was announced—yeas 28, nays 60, as follows:

YEAS—28

Allott	Dworshak	Martin
Beall	Eastland	Mundt
Bennett	Ellender	Robertson
Bridges	Goldwater	Russell
Butler	Holland	Schoeppel
Byrd, Va.	Hruska	Stennis
Capehart	Jordan	Thurmond
Cotton	Lausche	Williams, Del.
Curtis	Long	
Dirksen	McClellan	

NAYS—60

Aiken	Hartke	Moss
Anderson	Hayden	Murray
Bartlett	Hennings	Muskie
Bush	Hill	Neuberger
Byrd, W. Va.	Jackson	O'Mahoney
Cannon	Javits	Pastore
Carroll	Johnston, S.C.	Prouty
Case, N.J.	Keating	Proxmire
Chavez	Kennedy	Randolph
Church	Kerr	Saltonstall
Clark	Kuchel	Scott
Cooper	Langer	Smathers
Dodd	McCarthy	Smith
Douglas	McGee	Sparkman
Engle	McNamara	Symington
Ervin	Magnuson	Talmadge
Gore	Mansfield	Williams, N.J.
Green	Monroney	Yarborough
Gruening	Morse	Young, N. Dak.
Hart	Morton	Young, Ohio

NOT VOTING—10

Bible	Fulbright	Kefauver
Carlson	Hickenlooper	Wiley
Case, S. Dak.	Humphrey	
Frear	Johnson, Tex.	

So Mr. EASTLAND's amendment was rejected.

Mr. McCARTHY and Mr. MUNDT addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Minnesota.

Mr. McCARTHY. Mr. President, I offer an amendment which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 20, in line 18, after the word "Act", it is proposed to strike out the following:

Provided, That upon acquittal such person may be reimbursed by his principal for expenditures necessarily incurred in his defense.

And in lieu thereof to insert "unless such payments or advances for defense have been duly authorized by the governing body of the labor union or by the employer, as the case may be."

Mr. McCARTHY. Mr. President, I offer this amendment on my own behalf and also on behalf of the Senator from Oregon [Mr. MORSE].

The issue is very clear, and the amendment will take only a few minutes to explain.

The bill provides:

No labor organization or employer shall directly or indirectly pay the fine, or pay or advance the costs of defense, of any officer, agent, employee, or representative indicted for or convicted of any violation of any provision of this Act.

Mr. DOUGLAS. Mr. President, may we have order?

The PRESIDING OFFICER (Mr. BARTLETT in the chair). The Senate will be in order.

The Senator from Minnesota may proceed.

Mr. McCARTHY. Mr. President, the bill further provides:

Provided, That upon acquittal such person may be reimbursed by his principal for expenditures necessarily incurred in his defense.

The amendment which I have offered provides that if the union, through its proper authority, decides it will pay the cost of the defense, it may do so. This would not apply, however, to any fine which might be imposed by the court.

It seems to me this is a reasonable amendment. The bill, even before it was amended, was an extremely complicated measure. I think there is no question that some union officers will get in trouble under the bill, even though they have the best of intentions. Most likely, these will be the heads of unions which do not have highly skilled legal counsel. In addition, there may be some unions which will decide to test the act in court.

It seems to me the officers of the union should be permitted, through the action of the union, to have the cost of defense reimbursed by the union.

There is a further consideration, of course. This does involve a kind of backhanded acceptance that a man is guilty until he is proved innocent, since the bill provides that if the man is convicted, he must pay the cost himself, but if he is acquitted, then the union can pay the cost. Insofar as I can discover, with the help of the Legislation Reference Service, there is no precedent for such law in any Federal statute today.

If we wish to establish the precedent in this act, I suppose we may do so. If we hesitate to do it, and if we think the act should be tested in the courts, and that the men who are indicted should be given reasonable financial support, then I think my amendment should be agreed to.

I hesitate to support a measure which makes it difficult for a man to raise the money which may be necessary for his defense in a court of the United States.

Mr. President, I ask for the yeas and nays on the amendment.

Mr. KENNEDY. Mr. President, will the Senator withhold his request?

Mr. McCARTHY. I withhold the request.

Mr. KENNEDY. As I understand the amendment proposed by the Senator, it provides that if an officer of a union comes into conflict with the act and is brought to trial, if the union, by proper action constitutionally, desires to do so it may appropriate money for his attorney's fee.

Mr. McCARTHY. The Senator is correct.

Mr. KENNEDY. However, under the pending bill, the man would have to pay for his own attorney's fee, but if he were acquitted the union could pay for the cost.

There are two problems involved in this matter. In one case there is no doubt that a good many of the racketeers are able to dominate the unions in such a way that they can get money under almost any guise in order to defend themselves. On the other hand, it is possible that an honest union officer could get into some difficulty, with a complicated act. It is probably true that most corporations pay the costs, if an officer of the corporation gets in some difficulty with the law. Under the Senator's amendment, the payment would be possible only if the man came into conflict with the act?

Mr. McCARTHY. Yes.

Mr. KENNEDY. Would the Senator accept a modification? In other words, I would accept the Senator's amendment if it were modified to state that a man who is convicted shall repay, to the extent possible, the cost of his defense.

Mr. McCARTHY. My amendment is limited to the cost of the defense, and does not apply to the fine. The man would have to pay his own fine.

Mr. KENNEDY. I understand.

Mr. McCARTHY. It seems to me what the Senator proposes is not particularly helpful. The Senator favors giving the man a loan for his defense, but I think in most cases the union should pay the cost of the defense. With the passage of this bill it will be much more difficult for the heads of unions to get the necessary funds. It seems to me the amendment is trimmed about as closely as it should be trimmed, since we have eliminated any right or opportunity for the union to pay the fine and restricted it only to the cost of defense. I think this is an extremely limited proposal.

Mr. KENNEDY. Mr. President, there seems to be some question about the language of the amendment, as to whether or not the cost of the fine would also be included.

Mr. McCARTHY. No. The words "for defense" have been added to the amendment in line 5.

Mr. YOUNG of Ohio. Mr. President, will the Senator from Minnesota yield?

Mr. McCARTHY. I yield to the Senator from Ohio.

Mr. YOUNG of Ohio. It seems to me that the Senator from Minnesota is to be complimented upon offering a very thoughtful and meritorious amendment, which would improve and add some additional degree of justice to this meritorious measure.

Let me say to the Senator from Minnesota that I once served as president of the Cuyahoga County Bar Association in my home city of Cleveland, Ohio. That bar association, composed of lawyers of Cleveland and suburbs, is the second largest county bar association in the United States. I know something about matters of this sort. I believe this amendment should be adopted. I hope it will be accepted by the distinguished Senator from Massachusetts. I think it would perform an act of simple justice.

Mr. KENNEDY. Mr. President, there seems to be some ambiguity about the language of the amendment. As it now reads, in line 5, it is as follows: "unless such payments or advances for defense have been duly authorized," and so forth. Would the Senator be agreeable to substituting the words "for the costs of defense" for the words "for defense"?

Mr. McCARTHY. The language "for defense" was in the amendment as it was read.

Mr. KENNEDY. Evidently there is a little ambiguity, but in order to eliminate any uncertainty, I suggest that modification.

Mr. McCARTHY. I am glad to accept it.

Mr. KENNEDY. In that case I will accept the amendment.

Mr. ALLOTT. Mr. President, will the Senator from Massachusetts yield me 3 minutes? I wish to speak in opposition to the amendment.

Mr. KENNEDY. Mr. President, I yield 3 minutes to the Senator from Colorado.

Mr. ALLOTT. I invite the attention of the Senator from Minnesota to the fact that his amendment would open wide the door to abuses which have been all too prevalent for years.

To be specific about this situation, one Eugene C. James, of Chicago, treasurer of the International Laundry Workers Union, embezzled more than $165,000 from his own union, of which he was treasurer. He stole more than $165,000 in the course of 2 years.

Mr. McCARTHY. Mr. President, will the Senator yield to me?

Mr. ALLOTT. I yield.

Mr. McCARTHY. Is it the Senator's opinion that if the bill is passed, it will be much more difficult to embezzle?

Mr. ALLOTT. Let me finish the story. Then the Senator will understand why I oppose the amendment.

This case came before the Senator from Illinois [Mr. DOUGLAS], who is present in the Chamber, and I am sure he will verify the facts. After James was brought before the special committee for the investigation of welfare and pension funds, he went home to Chicago. Even after he had taken the fifth amendment for 2 days, we proved that he had stolen $165,000.

He went home, and somehow or other got his union workers to raise a slush fund of $40,000 for his defense. During the past 6 months, by making some compromise payment to the union upon a supposed debt, he has been reinstated as treasurer of the union.

So I must oppose the Senator's amendment. I think this is a classic example of what would happen if the amendment were adopted.

Mr. DODD. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. DODD. Does the Senator from Minnesota believe that an unfaithful officer of a corporation should be able to call upon the treasury of the corporation to defend him against charges of embezzlement?

Mr. McCARTHY. He may call upon it, but if he is to get the money the directors of the corporation must approve.

Mr. DODD. Does the Senator think it is morally right for an embezzler from a corporation to have corporate funds used to defend him against a charge of embezzlement?

Mr. McCARTHY. My friend is convicting the man before he has been tried.

Mr. DODD. No, I am not.

Mr. McCARTHY. In each case, an alleged embezzler is brought to trial. He is not an embezzler until he has been proved guilty.

Mr. DODD. No; but the point is that he has been accused.

Mr. McCARTHY. That is correct.

Mr. DODD. But should the stockholders be called upon to pay the expenses of his defense?

Mr. McCARTHY. I think under certain circumstances the officers of a corporation might approve of paying the cost of his defense.

Mr. DODD. What circumstances?

Mr. McCARTHY. The officers will be held accountable.

Mr. DODD. What circumstances?

Mr. McCARTHY. Each case is decided on its own merits. What we are concerned with is a general principle of law and procedure.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. MONRONEY. Section 109 of the bill reads as follows:

SEC. 109. (a) Any person who embezzles, steals, or unlawfully and willfully abstracts or converts to his own use or the use of another any of the moneys, funds, securities, property, or other assets of a labor organization of which he is an officer or by whom he is employed directly or indirectly shall be fined not more than $10,000 or imprisoned for not more than five years, or both.

Do I correctly understand my distinguished colleague and friend to say that the man who embezzles union funds, and who is convicted, should be enabled to put the tab on the poor union members whose funds he has embezzled, in case he can receive a majority vote at a special meeting to provide defense funds? This is a new theory of defending embezzlers in positions of trust.

Mr. McCARTHY. This involves a question of defense. He has not yet been convicted.

Mr. MONRONEY. As I read my distinguished colleagues' amendment, if he were convicted, the costs of his defense could be charged to the dues-paying members, if the union bosses could get a few officers together at a special meeting; and an additional cost of $50,000 might be incurred, besides the loss because of the defalcation or embezzlement of the union funds.

Mr. McCARTHY. The Senator has little confidence in the operation of the proposed law. There will probably be hundreds of cases in which people are likely, by accident, to violate this law, if

enacted. So we should give some thought to clarifying the situation. We say, "You can go into court and take your chances, with no defense from the union. If you are convicted you are out. If you are acquitted we will pay the bill."

Mr. MONRONEY. If the president were to embezzle the funds of a bank and were convicted, the Senator would not expect the stockholders to pay for the defense of the embezzling president, would he?

Mr. McCARTHY. Is there anything in the law which would prevent them from doing it?

Mr. MOSS. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. MOSS. Is it not true that we are talking about an individual who has been accused of a crime, whereas the distinguished Senator from Oklahoma is talking about an individual who has already been convicted of crime? An individual who is accused of crime is presumed to be innocent, under our law, until he is proved guilty. That is the point. When he is accused he is entitled to legal counsel, to determine whether or not there is proof that can convict him of the crime. That is fundamental in our whole legal system. An individual who is accused is entitled to counsel. At that point he may turn to the organization he represents to have legal counsel provided for him.

Mr. McCARTHY. I agree with the Senator. We are making it difficult for a man to obtain the funds he may need for his own defense.

Mr. BUTLER. Mr. President, will the Senator yield to me for the purpose of asking for the yeas and nays on his amendment?

Mr. McCARTHY. Yes; I yield for that purpose.

Mr. BUTLER. I ask for the yeas and nays upon the McCarthy amendment.

The yeas and nays were ordered.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. CURTIS. About a year ago, when Jimmy Hoffa was on trial here in the District of Columbia, he brought to Washington teamster goons from all over the country. They assembled in a hotel in Washington, and the hotel bill of those who assembled here as witnesses in his defense ran into thousands of dollars, according to the records of the McClellan committee. The Senator's amendment would legalize the payment of that expense out of the funds of the workers, in the case of the Teamsters' Union.

Mr. McCARTHY. I would hope that the amendment would not be argued on the basis of what Jimmy Hoffa might do with it. There are some very fundamental considerations involved. I am sure Jimmy Hoffa would get enough money to defend himself under any circumstances.

Mr. CURTIS. Would the Senator's amendment legalize such a payment?

Mr. McCARTHY. I would assume that it would not eliminate the possibility of his taking advantage of it. I do not believe, however, that Jimmy Hoffa would not find it necessary to take advantage of the amendment in order to get the money he needs. I am concerned about the officers of small unions who get into trouble by accident. They should get some money for their defense. The issue is clear. If the Senator from Nebraska believes the danger is so great that Hoffa will take advantage of the amendment, he should vote against it. If he thinks that Jimmy Hoffa will run wild with the amendment, he should vote against it.

Mr. CURTIS. Jimmy Hoffa is already running wild. The amendment apparently would legalize it.

Mr. McCARTHY. Not any more than now. If the Senator believes that the weaker, smaller unions do not need this protection, he should vote against the amendment.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. KEATING. Before we vote on the issue, it is desirable to clear up the colloquy with the Senator from Utah. An erroneous impression has been created in one respect. The amendment, as I read it, provides that whether a person wins, loses, or draws, so to speak, the union pays the counsel fees. In other words, if there is a crook in the union, he gets his counsel fees paid out of the pockets of the very union members whom he has defrauded.

Mr. McCARTHY. Not unless the union agrees to it.

Mr. KEATING. Of course. If he gets the governing board to agree to it, he gets his counsel fees paid.

Mr. McCARTHY. In the same manner that an officer of a corporation, if he gets the approval of the board, has his fees paid.

Mr. KEATING. The bill as originally drawn provided, in accordance with the normal practices of Anglo-Saxon jurisprudence, that if the person were acquitted he would get a refund. Under the Senator's amendment, as I understand it, whether or not he is acquitted, if he can get the governing board of the union to approve it, he would get his fees paid by the union, out of the very pockets of the people he had defrauded.

Mr. McCARTHY. The Senator talks about a refund. What refund does he refer to? A refund from whom?

Mr. KEATING. He would be paid the legal expenses by the union, if he could get the governing board to pass a resolution.

Mr. McCARTHY. Yes, if he could get the board to pass a resolution authorizing the payment.

Mr. KEATING. The Senator must assume that that would be the case. Under the bill, if he were acquitted, he would have his legal fees paid to him.

Mr. McCARTHY. Yes.

Mr. KEATING. But here we are dealing with a case of conviction.

Mr. McCARTHY. I understand that.

Mr. KEATING. I am not sure that the Senator from Utah understood it.

Mr. MOSS. How can a man who has been accused of a crime wait until the trial is over to employ an attorney to properly represent him at the trial? He cannot wait until the trial is over and then say, "I will go back and get the money to pay the counsel fees." He must retain an attorney at the time he is accused.

Mr. KEATING. That is the problem of anyone who is accused of crime, whether he is a union officer or anyone else. Either he must pay a lawyer to defend him, or he is provided with defense counsel by the court without cost, if he cannot afford to pay counsel fees.

Mr. MOSS. That is true with respect to a corporation official who is accused of a crime. If he can get the board of directors to approve it, he gets his legal fee paid, so that he may hire someone to represent him.

Mr. KEATING. If a corporation official got the board of directors to approve his defense in a crooked deal, the corporation officials would have a stockholders' suit on their hands for personal liability.

Mr. DODD. Mr. President, do I understand correctly that the McClellan bill of rights amendment provides the right to bring suit on the payment of a fee to defend a union official?

Mr. McCARTHY. My amendment would put it on the same basis which now prevails with respect to corporation officials.

Mr. DODD. I thought the McClellan bill of rights was a pretty good thing, but I am wondering now. Let me ask the Senator a question. I believe it is expected in our society that an unfaithful officer, whether he be a private citizen or an officer of a corporation or of a labor union, or a member of a partnership, or any other man who is charged with crime must defend himself. Why should we make an exception in this case?

Mr. McCARTHY. An exception has been made with respect to corporations.

Mr. DODD. No. I do not believe so. I believe that most corporations insist that the individual must defend himself. My point is that an officer charged with infidelity in business is required to defend himself. It may be a hardship on individuals, but that has been our rule. Why should we change it now? I do not know of any other situation where, as a matter of law, when a person is accused of infidelity to his responsibilities, the financial resources of the corporation or association are provided to defend such person.

Mr. McCARTHY. A corporation can do it.

Mr. DODD. I do not believe that is correct. I think that most corporate officers defend themselves. Most stockholders require that they do it. I believe there is a philosophical basis for so doing. I do not know why we should make an exception in the case of a labor organization.

Mr. McCARTHY. In the first place, the Senator is in error on that point. The situation with respect to union resources is different from that of a corporation.

Mr. KENNEDY. I shall be glad to yield back all but 2 minutes of my time, which I promised to yield to the Senator from South Dakota.

Mr. MUNDT. I thank the Senator. I should like to call to the attention of the

Senate, by way of documentary evidence, what would be legalized and legitimatized by the adoption of the McCarthy amendment. There is the case of Joey Glimco, of Teamsters Local 777, who embezzled $124,000 of union funds. Under the McCarthy amendment it would be legitimate to get his legal fees from the very union from which he embezzled the money.

If the Senate wishes a classic case as to what would happen if the McCarthy amendment were adopted, I call attention to the case of Jimmy James, of the Laundry Workers Union in Chicago, who embezzled $990,000 from the union and then employed a lawyer for $15,000 to defend him on the charge of not paying his income tax. His defense was that, since he had embezzled the money, it was nontaxable income. [Laughter.] The union paid the cost of the lawyer.

If we start enacting legislation of this kind, it seems to me we will have to stop having night sessions, or we will be accused of having moon madness.

Then there was Gerald Conley, of the Teamsters Union, from whom he embezzled $61,000. Shall we authorize the payment of his legal fees from the Teamsters from whom he embezzled the money? We should on a yea-and-nay vote unanimously reject this kind of amendment.

Mr. KENNEDY. Mr. President, I yield 1 minute to the Senator from Nebraska.

Mr. CURTIS. Mr. President, it is entirely possible that, if the amendment is adopted, it will be used as a defense for an unlawful expenditure already made.

Mr. MUNDT. If the amendment is adopted, Jimmy Hoffa will throw his hat so high in the air, it will outsputnik sputnik.

Mr. KENNEDY. Mr. President, I yield myself 20 seconds. I had informed the Senator from Minnesota that this amendment would be acceptable. However, the members of the committee who participated in drafting the language of the bill are concerned about maintaining the amendment in the bill. Therefore, I must reluctantly withdraw my offer to accept the amendment. I understand there will be a yea-and-nay vote anyway.

Mr. MANSFIELD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

All time on the amendment has expired. The question is on agreeing to the amendment, as modified, offered by the Senator from Minnesota [Mr. McCARTHY]. On this question, the yeas and nays have been ordered, and the Clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Arkansas [Mr. FULBRIGHT] and the Senator from Minnesota [Mr. HUMPHREY] are absent on official business.

I also announce that the Senator from Nevada [Mr. BIBLE] is absent because of a death in his family.

I further announce that the Senator from Delaware [Mr. FREAR] is absent because of illness.

I further announce that, if present and voting, the Senator from Arkansas [Mr. FULBRIGHT] and the Senator from Nevada [Mr. BIBLE] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON] is absent on official business, and if present and voting would vote "nay."

The Senator from Wisconsin [Mr. WILEY] is necessarily absent, and if present and voting, would vote "nay."

The result was announced—yeas 7, nays 85, as follows:

YEAS—7

Chavez	McCarthy	Moss
Hartke	Morse	Young, Ohio
Hennings		

NAYS—85

Aiken	Goldwater	Monroney
Allott	Gore	Morton
Anderson	Green	Mundt
Bartlett	Gruening	Murray
Beall	Hart	Muskie
Bennett	Hayden	Neuberger
Bridges	Hickenlooper	O'Mahoney
Bush	Hill	Pastore
Butler	Holland	Prouty
Byrd, Va.	Hruska	Proxmire
Byrd, W. Va.	Jackson	Randolph
Cannon	Javits	Robertson
Capehart	Johnson, Tex.	Russell
Carroll	Johnston, S.C.	Saltonstall
Case, N.J.	Jordan	Schoeppel
Case, S. Dak.	Keating	Scott
Church	Kefauver	Smathers
Clark	Kennedy	Smith
Cooper	Kerr	Sparkman
Cotton	Kuchel	Stennis
Curtis	Langer	Symington
Dirksen	Lausche	Talmadge
Dodd	Long	Thurmond
Douglas	McClellan	Williams, N.J.
Dworshak	McGee	Williams, Del.
Eastland	McNamara	Yarborough
Ellender	Magnuson	Young, N. Dak.
Engle	Mansfield	
Ervin	Martin	

NOT VOTING—6

Bible	Frear	Humphrey
Carlson	Fulbright	Wiley

So Mr. McCARTHY's amendment, as modified, was rejected.

Mr. MUNDT. Mr. President, I move that the vote by which the amendment was rejected be reconsidered.

Mr. WILLIAMS of Delaware. Mr. President, I move to lay on the table the motion to reconsider.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

Mr. KUCHEL. Mr. President, on behalf of myself and a number of my colleagues, the Senator from New Mexico [Mr. ANDERSON], the Senator from Pennsylvania [Mr. CLARK], the Senator from Idaho [Mr. CHURCH], the Senator from Oregon [Mr. NEUBERGER], the Senator from Tennessee [Mr. GORE] the Senator from Kentucky [Mr. COOPER], the Senator from New York [Mr. JAVITS], and the Senator from Vermont [Mr. AIKEN] I submit the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 3, after line 17, it is proposed to strike out all down to and including line 24 on page 6, as amended, and to insert in lieu thereof the following:

TITLE I—BILL OF RIGHTS OF MEMBERS OF LABOR ORGANIZATIONS

SEC. 101. (a) (1) EQUAL RIGHTS.—Every member of a labor organization engaged in an industry affecting commerce shall have equal rights and privileges within such organization to nominate candidates, to vote in union elections or referendums, to attend membership meetings and to participate in the deliberations and voting upon the business of such meetings, subject to reasonable rules and regulations in such organization's constitution and bylaws.

(2) FREEDOM OF SPEECH AND ASSEMBLY.—Every member of any such labor organization shall have the right to meet and assemble freely with other members and to express any views, arguments, or opinions, and to express at union meetings his views, upon candidates in a union election or upon any business properly before the union meeting, subject to the organization's established and reasonable rules pertaining to the conduct of meetings: *Provided*, That the foregoing is limited so that nothing herein shall be construed to impair the right of a labor organization to adopt and enforce reasonable rules as to the responsibility of every member toward the organization as an institution and to refrain from conduct that would interfere with its performance of its legal or contractual obligations.

(3) FREEDOM FROM ARBITRARY FINANCIAL EXACTIONS.—(A) The rates of dues and initiation fees payable by members of any such labor organization in effect on the effective date of this subsection shall not be changed, and no new or additional dues or initiation fees shall be imposed and no special or general assessment shall be levied upon such members, except (i) by a majority vote by secret ballot of the members in good standing present at a general or special meeting, after reasonable notice of the intention to vote upon such question, or (ii) by majority vote of the members in good standing voting in a referendum conducted by secret ballot through the mails, or (iii) in the case of a national or international labor organization, other than a federation of national and international organizations, by majority vote at a regular convention or a special convention held after not less than 30 days' written notice to the principal office of each local or constituent labor organization entitled to such notice.

(4) PROTECTION OF THE RIGHT TO SUE.—No such labor organization shall limit the right of any member or officer thereof to institute an action in any court, or in a proceeding before any administrative agency, irrespective of whether or not the labor organization or its officers are named as defendents or respondents in such action or proceeding, or the right of any member or officer of such labor organization to appear as a witness in any judicial, administrative, or legislative proceeding, or to petition any legislature or to communicate with any legislator: *Provided*, That any such member or officer may be required to exhaust reasonable hearing procedures (but not to exceed a six-month lapse of time) within such organization, before instituting legal or administrative proceedings against such organizations or any officer thereof: *And provided further*, That no employer or employer association shall directly or indirectly finance, encourage, or participate in, except as a party, any such action, proceeding, appearance or petition.

(5) SAFEGUARDS AGAINST IMPROPER DISCIPLINARY ACTION.—No member of any such labor organization may be fined, suspended, expelled, or otherwise disciplined except for nonpayment of dues by such organization or by any officer thereof unless such member has been (A) served with written specific charges; (B) given a reasonable time to prepare his defense; (C) afforded a full and fair hearing.

(6) Any provision of the constitution and bylaws or other governing charter of any labor organization engaged in an industry affecting commerce which is inconsistent with the provisions of this section shall be of no force or effect.

SEC. 102. Any person whose rights secured by the provisions of this title have been infringed may bring an action in a district court of the United States for such relief as may be appropriate. Any such action against a labor organization shall be brought in the United States district court for the district where the alleged violation occurred, or where the headquarters of such labor organization is located.

"SEC. 103. Nothing contained in this title shall limit the rights and remedies of any member of a labor organization under any State or Federal law or before any court or other tribunal.

TITLE II—REPORTING BY LABOR ORGANIZATIONS

SEC. 201. (a) Every labor organization shall file with the Secretary copies of its constitution, bylaws, and any other basic documents having similar effect, together with a report, signed by its president or other chief executive officer and by its secretary or other chief records officer, containing the following information:

(1) The name of the labor organization its mailing address, and any other address at which it maintains headquarters or a principal place of business or at which it keeps the records referred to in this title;

(2) The names and titles of its officers;

(3) The initiation fee or fees required from new or transferred members by the reporting labor organization;

(4) The regular dues or fees required to remain members of the reporting labor organization; and

(5) Detailed statements, or references to specific provisions of documents filed under this subsection which contain such statements, showing the provision made and procedures followed with respect to each of the following: (i) qualifications for or restrictions on membership, (ii) levying of assessments, (iii) participation in insurance or other benefit plans, (iv) authorization for disbursement of union funds, (v) audit of union financial transactions, (vi) the calling of regular and special meetings, (vii) the selection of officers and stewards and of any representatives to other bodies composed of labor organizations' representatives, with a specific statement of the manner in which each officer referred to in clause (2) was elected, appointed, or otherwise selected, (viii) discipline or removal of officers or agents for breaches of their trust, and (ix) imposition of fines, suspensions, and expulsions of members, including the grounds for such action and any provision made for notice, hearing, judgment on the evidence, and appeal procedures.

Any change in the information required by this subsection shall be reported to the Secretary at the time the reporting labor organization files with the Secretary the annual financial report required by subsection (b).

Mr. KUCHEL. Mr. President——

Mr. BRIDGES. Mr. President, a point of order.

The PRESIDING OFFICER (Mr. MONRONEY in the chair). The Senator will state his point of order.

Mr. BRIDGES. Mr. President, this question has been voted on.

The PRESIDING OFFICER. Has the Senator from California yielded time to the Senator from New Hampshire?

Mr. BRIDGES. Mr. President, on a point of order no time needs to be yielded.

Mr. KUCHEL. Mr. President, if there is any question involved, I yield such time as my colleague needs to make his point of order.

Mr. BRIDGES. I do not think time need to be yielded for a point of order.

Mr. BUTLER. Mr. President, I object to the yielding of time. I may want some.

Mr. GOLDWATER. Mr. President, as acting minority leader, I will yield the Senator such time as he may need.

Mr. MUNDT. Mr. President, a parliamentary inquiry.

Mr. GOLDWATER. I will yield time on the bill.

The PRESIDING OFFICER. The Senator from Arizona has yielded time on the bill. It is not subject to the unanimous-consent agreement. The Senator from New Hampshire is recognized for such time as he may need to make his point of order.

Mr. MUNDT. Mr. President, a parliamentary inquiry, so that we may be governed in the future on unanimous-consent concessions.

The PRESIDING OFFICER. The Senator will state his parliamentary inquiry.

Mr. MUNDT. Are we to understand that if a unanimous-consent agreement is entered into, the Chair can arbitrarily cut off a Member of the Senate from making a parliamentary inquiry or making a point of order unless the sponsor of an amendment is generous enough to yield some time to him for that purpose? If so, we had better revise the way unanimous-consent agreements are made.

The PRESIDING OFFICER. Under the unanimous-consent agreement, the time reserved on the bill was put under the control of the majority and minority leaders. If Members of the Senate on one side or the other desire to be yielded any of the controlled time, it can be yielded by those in control of the time.

Mr. MUNDT. Do I correctly understand it is the ruling of the Chair that on a parliamentary inquiry or a point of order a Senator is precluded from raising it unless one or the other of the Senators in control of the time makes time available to the Senator making the point or raising the parliamentary inquiry?

The PRESIDING OFFICER. When the time has been fixed under a unanimous-consent agreement, the Chair is bound to hold that the time comes under the unanimous-consent agreement.

Mr. MUNDT. I am not quarreling with the ruling of the Chair, but I put myself on notice to the majority leader that I am not going to grant unanimous consent to limit debate when the Chair can deny freedom of speech to a Senator, and I suggest that hereafter we revise unanimous-consent requests to meet this contingency, or I now file permanent objection to any other unanimous-consent agreements.

The PRESIDING OFFICER. The Senator is within his rights to reserve his objection to unanimous-consent requests.

Mr. McCLELLAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McCLELLAN. I ask the Chair to cite the rule which requires that time must be taken out of time scheduled for debate when a Senator raises a point of order or makes a parliamentary inquiry.

The PRESIDING OFFICER. At the request of the Senator from Arkansas, the clerk will read the unanimous-consent agreement which contains the Parliamentarian's reference to an allocation of time being required to discuss a point of order.

The Chief Clerk read as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That effective on the adoption of this order, during the further consideration of the bill S. 1555, the Labor-Management Reporting and Disclosure Act of 1959, debate on any amendment, and any amendment thereto, or motion, or appeal, except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided,* That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further,* That no amendment that is not germane to the provisions of the said bill shall be received except those amendments now pending at the desk.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 3 hours, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided,* That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

Mr. BUTLER. Mr. President——

The PRESIDING OFFICER. The parliamentary situation is that the distinguished Senator from California was recognized for 30 minutes for the presentation of the amendment he submitted. The Senator sought to yield time to the distinguished Senator from New Hampshire [Mr. BRIDGES] to discuss the point of order the Senator wishes to raise. Objection was made to that, and then time was yielded from the time on the bill by the acting minority leader, the Senator from Arizona [Mr. GOLDWATER], who yielded time to the distinguished Senator from New Hampshire.

The Parliamentarian advises the present occupant of the chair that had the Senator who was recognized, the Senator from California, yielded back his time, or had he time remaining after presentation of his amendment, then the point of order could properly be raised and could properly be discussed. The Senator from California cannot be taken off the floor in order that another Senator may make a point of order.

Mr. ALLOTT. Mr. President, I raise a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. ALLOTT. The point of order is that under rule XX, paragraph 1 of the Rules of the Senate, it is stated:

A question of order may be raised at any stage of the proceedings, except when the Senate is dividing, and, unless submitted to the Senate, shall be decided by the Presiding Officer without debate, subject to an appeal to the Senate.

Then the rule goes on to provide what shall happen when an appeal is taken.

I raise the point of order that two Members of the Senate, the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Arkansas [Mr. MCCLELLAN], have been deprived of the floor without the right to make a point of order under rule XX of the Rules of the Senate.

Mr. President, I will add that a point of order is in order even when a Member is speaking; otherwise, it would not be possible to stop improper procedure.

The PRESIDING OFFICER. A point of order can be made when a Senator concludes his speech.

Mr. ALLOTT. Mr. President——

The PRESIDING OFFICER. The Senator who was recognized did endeavor to yield time, for the point of order to be made.

Mr. BUTLER. I appeal to the Presiding Officer——

The PRESIDING OFFICER. Objection was heard, and then time was yielded by the Senator in control of the time for the minority side. The Senator from New Hampshire has the floor to discuss his point of order, and the Chair thinks he should proceed with that discussion.

Mr. ALLOTT. Mr. President, I raise another point of order. Both points of order, by the Senator from Arkansas——

Mr. JOHNSTON of South Carolina. Mr. President, who has the floor?

The PRESIDING OFFICER. The Senator from New Hampshire has the floor under the time yielded to him by the acting minority leader. The Senator is prepared to discuss his point of order.

The Chair will say again, in connection with the rule cited, that no Senator can be taken off the floor after having received recognition until he has concluded, unless he is proceeding out of order. There was no point of order made that the Senator was proceeding out of order. The point was that the amendment was not in order.

The Senator from New Hampshire has the floor. The business of the Senate will be expedited if the Senate will permit the distinguished Senator to proceed with his presentation of the point of order.

Mr. KUCHEL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KUCHEL. Am I correct in my understanding that the Senator from New Hampshire has the floor for the single and sole purpose of raising a point of order?

The PRESIDING OFFICER. The Senator is correct.

The Senator from New Hampshire has the floor under time yielded to him by the Senator from California.

Mr. KUCHEL. I thank the Chair.

The PRESIDING OFFICER. And then under time on the bill yielded by the acting minority leader.

Mr. GOLDWATER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. GOLDWATER. Which time is the Senator using? [Laughter.]

The PRESIDING OFFICER. The Senate will be in order.

The Senator from New Hampshire may proceed.

Mr. BRIDGES. Mr. President, the evening before last an amendment offered by the distinguished Senator from Arkansas [Mr. MCCLELLAN] was adopted. The amendment was agreed to by a one-vote margin. Then there was a tie vote when a motion to reconsider was made and a motion made to lay the motion on the table. The tie was broken by the vote cast by the Vice President, and the motion to table was agreed to.

Under the rules of the Senate, when a vote is taken on an amendment and a motion is made to reconsider, which motion is tabled, the same amendment cannot be offered again.

The point of order which I am raising is that the amendment which is offered by the Senator from California [Mr. KUCHEL], for himself and other Senators—which I am rather shocked to see offered—in effect calls for action again on the so-called McClellan amendment, and is therefore a violation of the rules. If it is not, then I should like to have stated specifically how the amendment offered by the Senator from California, for himself and other Senators, differs, point by point, from the amendment offered and agreed to, on which there was a motion to reconsider, which was tabled, which was the amendment of the Senator from Arkansas.

The PRESIDING OFFICER. The Chair will advise the distinguished Senator from New Hampshire that an examination of the amendment of the Senator from California shows there is a vast difference and a vast change from the amendment which was adopted by the Senate the night before last, which was presented by the Senator from Arkansas.

Under Senate practice, when an amendment inserting matter in a bill has been agreed to, a motion is in order to strike out contiguous matter preceding such amendment, the language of the amendment itself, and the language of the bill immediately following such amendment, and in lieu thereof to insert certain other language. If such motion were agreed to, it would eliminate from the bill the language of the amendment previously agreed to. Therefore, the Chair holds that the amendment of the Senator from California and his colleagues would insert new matter, would strike out other matter, and is properly before the Senate.

Mr. BRIDGES. Mr. President, because in my opinion it is in spirit a violation of the intent of the Senate rules, I appeal from the ruling of the Chair.

The PRESIDING OFFICER. The ruling of the Chair has been appealed from.

Mr. BUTLER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. No second is necessary. The question is, Shall the decision of the Chair stand as the judgment of the Senate?

The Senator from New Hampshire is now recognized for 30 minutes for a discussion of the ruling of the Chair, and his position in opposition to it.

Mr. CASE of South Dakota. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized for 30 minutes, and may yield such time as he desires.

Mr. BRIDGES. I yield to the Senator from South Dakota.

Mr. CLARK. Mr. President, a point of order. An appeal from the ruling of the Chair is not subject to debate.

The PRESIDING OFFICER. The Senator from New Hampshire has the floor.

The Senator has yielded time to the Senator from South Dakota.

Mr. BRIDGES. I yield 2 minutes to the Senator from South Dakota.

Mr. CASE of South Dakota. Mr. President——

The PRESIDING OFFICER. The Senator from South Dakota is recognized.

Mr. CASE of South Dakota. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CASE of South Dakota. The inquiry is this: Is the amendment offered by the Senator from California available in printed form for the Members of the Senate?

The PRESIDING OFFICER. It is available in printed form for the Members of the Senate.

Mr. MUNDT. No.

Mr. CAPEHART. Where is it?

Mr. BUTLER. No. Where is it?

The PRESIDING OFFICER. It is not available in print, but it is available in written form.

Mr. BUTLER. Sanskrit?

Mr. CASE of South Dakota. Mr. President, I wish to make an observation.

The PRESIDING OFFICER. The Senate will be in order. The Chair cannot hear the Senator from South Dakota.

The business of the Senate will be expedited if Members will kindly take their seats and preserve order.

Mr. CASE of South Dakota. Mr. President, I wish to make an observation.

We are called upon to pass upon an appeal from a decision which involves a comparison of the language of a new amendment, which is a long amendment and which has just been read, and which, if available, is available in very limited numbers, with the language of an amendment previously adopted. Each Member of the Senate, on the yea-and-nay vote, will have to register whether in his opinion the amendment really offers new matter, so that it avoids the rule of double consideration of amendment which has been adopted and as to which

a motion to reconsider was laid upon the table. It is practically an impossible situation, because obviously there are not enough copies available for every Member to make a comparison and determine whether or not the matter has been previously acted upon and decided.

Mr. SCOTT and Mr. KUCHEL addressed the Chair.

The PRESIDING OFFICER. The Senator from New Hampshire has the floor. To whom does he yield?

Mr. BRIDGES. I yield to the Senator from Pennsylvania.

Mr. SCOTT. Mr. President, I have just asked for a copy of the amendment and have not received it. I should like to have a copy of the amendment in order to act intelligently upon this question. I have asked one of the pages for a copy, and I was advised that it was not available.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. MUNDT. After the Senator from Pennsylvania has concluded reading his copy, I should like to see it also.

Mr. HOLLAND. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Will Senators seeking permission from the distinguished Senator from New Hampshire to yield please address the Chair so that the Senator from New Hampshire may yield in proper order?

Mr. BUTLER. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Florida?

Mr. BRIDGES. I yield to the Senator from Florida.

Mr. HOLLAND. Mr. President, looking at the clock I see that it is now 10:30 p.m. We started this morning at 10 o'clock a.m. We have been in session for 12½ hours. Among the membership of the Senate are two Senators upon whom it is a terrible imposition to have to remain this late.

I have an amendment to offer, with respect to which I think every Senator has notice. I hope it will be interesting enough to be debated. That will require another hour. I feel that to be called upon first to pass upon an appeal from a ruling of the Chair on a matter about which we know nothing, respecting an amendment which has not been printed, about which most Senators have no knowledge, so that Senators do not know what the Chair has ruled upon, is intolerable. How could we possibly pass intelligently on such a ruling at this late hour without having had the opportunity to see what we are passing upon?

Even if the ruling of the Chair should be upheld, and we should proceed with the discussion of the amendment of the Senator from California, it is debatable. In addition, it is subject to amendment. We have had no opportunity to read it, no opportunity to see whether it should be amended. I think it is an outrageous procedure.

I say to the majority leader that I think he is imposing on the membership of the Senate, both on this side and on the other side, by insisting on the Senate remaining in session under these conditions. [Applause.]

I have supported the majority leader, and I expect to continue to support him when he is reasonable; but when he asks the Senate to remain in session for 12½ hours, and then undertake the solution of questions of this type without warning, without notice, without opportunity to be heard, or to see what we are passing upon, I say that that is not reasonable. [Applause.]

Mr. President, I am not foreclosing what I shall do when voting upon the ruling of the Chair. It may well be that the ruling is correct. If so, and if I think it is at the time I vote, I shall vote to uphold it. If I do not think it is, I shall vote not to uphold it.

But that is not the question at all. We are asked to vote here unintelligently, unknowingly, without any information, without any opportunity to obtain information, and in a situation in which the very lives of some Senators are being endangered. I say that is the most unreasonable procedure we could possibly have, and I, for one, will not sit here and remain silent, in a situation which I think calls out to high heaven for its irresponsibility and unreasonableness.

Mr. JOHNSTON of South Carolina and Mr. KUCHEL addressed the Chair.

The PRESIDING OFFICER. Does the Senator from New Hampshire yield; and, if so, to whom?

Mr. BRIDGES. I yield 1 minute to the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. Mr. President every Member of the Senate knows that we are in this situation today because the Senate did not study the amendment properly. If the Senate had, probably the Senators would have caught what was in the amendment referred to.

We are called upon at this late hour to consider an amendment consisting of three typewritten pages. I do not know what is in it, and I doubt whether any other Senator knows what is in it, except possibly the few who drafted the amendment.

That being so, I think it would be advisable for the Senate to adjourn tonight, in order to give us time to study this question and enable us to vote intelligently on it at the next meeting of the Senate.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement which I have prepared in connection with the pending bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR JOHNSTON OF SOUTH CAROLINA

Earlier this week I voted against the McClellan amendment to the labor reform bill. I based my opposition to this amendment primarily on the issue of States rights. I, likewise, felt that legislation going too far in penalizing labor would have no chance to pass the Congress and I sincerely want to see labor reform legislation enacted this year. Gangsterism in labor unions and corrupt operation of unions must be halted but we cannot achieve this objective by enacting legislation that will destroy the right of trial by jury and give dictatorial powers to the Secretary of Labor that we do not even give to the Attorney General.

In my opinion, the McClellan amendment contains injunctive procedures which if approved in the labor field will open the door for such procedures in the field of civil rights. The McClellan amendment grants the Secretary of Labor power to obtain through the Federal courts injunctions to restrain anyone violating or threatening to violate the provisions of the bill. It is my opinion that the McClellan amendment contains powers far beyond any civil rights legislation yet proposed and it similarly does not contain a jury trial requirement in cases brought under the act. This amendment effectively enforces integration in social activities of unions and, in my opinion, is the first step to a broad Federal FEPC program which will become a menace to management and industry as a whole as well as to labor.

This entire amendment contains every evil which I have fought against in the Judiciary Committee in the field of civil rights legislation. If the McClellan amendment passes, in my opinion, it will open the door for civil rights legislation more severe than has ever been proposed in the U.S. Senate. The McClellan amendment to this labor bill is much stronger than the so-called Douglas civil rights bill. This bill gives the Secretary of Labor power to force integration of thousands of union locals and certainly would set an example or a pattern for the Attorney General to follow in school cases throughout the Nation.

No one in the U.S. Senate is more anxious to see the enactment of fair legislation to restrain corrupt labor leaders from taking advantage of honest working people and to eliminate racketeering of all kinds from labor unions.

But I will never vote for legislation to do this if this same legislation will set the stage to destroy our school systems in the South and place a direct threat against our local and State school officials and, in my opinion, that is what the McClellan amendment does.

I cannot fight in the Judiciary Committee to kill such legislation in civil rights matters and vote for such matters in the field of labor on the floor of the Senate. This is inconsistency. We fought to kill similar harsh civil rights legislation 2 years ago and won most of that fight partly because of support from labor which feared that such powers would spread into the field of labor.

Now the threat is against labor and we had better not grant such dictatorial power to the Federal Government because it will spread into the civil rights field and threaten every single person, labor or otherwise, in this country.

One must be consistent in the battle for States rights. I cannot be for States rights in civil rights matters alone and be against States rights in labor matters. One must be consistent, for once the dam is broken there is no end to the problem.

Mr. BUTLER. Mr. President, I move——

The PRESIDING OFFICER. The Senator from Maryland will take his seat.

Mr. JOHNSON of Texas. Mr. President, will the Senator from New Hampshire yield?

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the majority leader?

Mr. BRIDGES. I yield for 2 minutes to the majority leader.

Mr. JOHNSON of Texas. Mr. President, first I wish to answer the charges which have been made about no notice having been given to Members of the Senate. Some Members may not have observed the notice, but if they will read

the RECORD, if they were present when the notice was given, they will know that it was the agreement of the leadership that the Senate would remain in session until late in the evening, perhaps as late as 11 o'clock this evening.

That agreement was reached because many Members had speaking engagements on Saturday, and desired to be out of the city. It was hoped that the Senate could complete consideration of the bill this evening; and, until the latest demonstration, I believe most Senators intimately connected with the measure felt that that was possible.

I have no disposition to insist that a vote be taken on final passage of the bill this evening, or that the Senate remain in session any longer than a majority of the Senate desires to have it remain in session.

I spent a few hours during the past week attempting to accommodate the senior Senator from Florida [Mr. HOLLAND] who had a speaking engagement in his State, and who insisted that we attempt to complete action on a certain measure so that he could keep his speaking engagement. I do not think I have ever dealt with a person more impatient or one more insistent than he was upon that occasion.

The Senator from Florida was very much interested in the passage of the Hawaii statehood bill. He had been very active in connection with that bill, and I desired that he have an opportunity to vote on it before he returned to his State. So at his insistence, and with the understanding and tolerance of the distinguished minority leader, we pressed for a vote, and obtained a vote, so that the Senator from Florida could be accommodated.

One Senator told me that it was necessary for him to be in his State tomorrow, and that he would like to remain here as late as 1 o'clock, if necessary, to try to vote on the bill this evening.

I am perfectly willing, if it is the wish of the majority of the Senate, to adjourn tonight, and return here tomorrow. I expect to be here. That would inconvenience several Members who have speaking engagements, but if that is the wish of the majority, I have no desire to impose on any Senator.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. BUTLER. Why must we come back tomorrow? What is the urgency of this particular bill? We should have a day or two to study the proposal which has been placed before the Senate. This is the most important part of the bill. This is the heart of the bill; and yet the majority leader wants us to consider it from 11 o'clock tonight until—what time tomorrow? When does the majority leader wish to have the Senate convene tomorrow?

Mr. JOHNSON of Texas. I would be glad to have the Senate convene at noon tomorrow.

Mr. BUTLER. Will the amendment be printed? Will Senators have it?

Mr. JOHNSON of Texas. Yes; it will be printed.

Mr. BUTLER. What is the hurry about it?

Mr. JOHNSON of Texas. There is no hurry about it. The Senator is in a hurry. I am not in a hurry.

Mr. BUTLER. Let us do this thing right.

Mr. JOHNSON of Texas. I will do it right. Much more time will be consumed in consideration of the Kuchel proposal than was consumed in connection with the original bill-of-rights amendment.

Mr. BUTLER. That is why the time for consideration should be longer.

Mr. JOHNSON of Texas. Action on the original bill-of-rights amendment was somewhat expedited.

Mr. BUTLER. That is perfectly correct. But we should have time to consider this proposal.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. Mr. President, if the Senator from New Hampshire will yield to me, I shall appreciate it.

Mr. BRIDGES. I yield.

Mr. JOHNSON of Texas. In view of the demonstrations, in view of the lateness of the hour, and in view of the apparent desire of many Members not to vote on the appeal from the decision, and in order to show any Members who may desire to suspend now, that I am perfectly willing to suspend, I should like to move that the Senate adjourn until 12 o'clock noon tomorrow.

Mr. HOLLAND, Mr. KUCHEL, Mr. BUSH, Mr. BUTLER, and other Senators addressed the Chair.

The PRESIDING OFFICER. Does the Senator from New Hampshire yield? If so, to whom does he yield?

Mr. BRIDGES. I yield to the Senator from Florida.

Mr. HOLLAND. Mr. President, I appreciate the courtesy and graciousness of the Senator from New Hampshire in yielding to me, and I certainly appreciate the graciousness and courtesy of the Senator from Texas for his willingness to adjourn the Senate until tomorrow, instead of keeping us here after this late hour, under these conditions.

I am certainly glad to express again my gratitude for the kindness of the distinguished majority leader on the occasion which he has mentioned. I am sure I could recite to the Senate a good many occasions on which the Senator from Florida showed kindness to the Senator from Texas. However, I thought that was proper, and I am glad I was able to show those kindnesses. I do not regret any of them or apologize for any of them. I am delighted that the Senator has come back to reason and is now proposing to make a motion to adjourn until tomorrow. I hope he will promptly make such a motion.

Mr. JOHNSON of Texas. The Senator from Texas has never been away from reason. I call attention to the announcement I made on Thursday, April 23, immediately after the Senate met. I said:

> I anticipate that unless action on the pending labor bill is concluded soon, we shall have evening sessions for the remainder of the week, lasting until late in the evening, possibly as late as 11 or 11:30 o'clock.

I said that because several Senators had told me that they needed to be away on Saturday. I was attempting to accommodate them just as I had accommodated the Senator from Florida a few weeks prior thereto, by asking several of our colleagues to stay, so that the Senator could get away the next day.

I should now like to make a motion to adjourn, unless the Senator from New Hampshire wishes us to stay in session a little longer.

The PRESIDING OFFICER. Does the Senator from New Hampshire yield for that purpose?

Mr. BRIDGES. I do not yield for that purpose at this time. I yield 1 minute to the Senator from California [Mr. KUCHEL].

Mr. KUCHEL. I shall have to talk very rapidly. First of all I hope that those who have joined with me in offering the amendment to the bill need not apologize to our colleagues. We were under the assumption that tonight would see a vote on the passage of the bill. What are Senators to do if they cannot find access to a machine which will grind out amendments? This is not the first time this procedure has been resorted to. In complete good faith—if I need to say it—we have submitted a proposal which we thought would clean up what we adopted the other night.

If my colleague will let me do so, I should like to have the amendment printed, as well as the one which has just been read, so that they may be on the desks of our colleagues. In that way we could, in good form, proceed to dispose of the amendments tomorrow.

Mr. BRIDGES. I will yield to the Senator for that purpose.

Mr. BUSH. Mr. President, I should like to have the attention of the majority leader, to ask the majority leader if he would not modify his motion so that the Senate will meet at noon on Monday next.

Mr. JOHNSON of Texas. I hope the Senator will not press his request because we have a supplemental appropriation bill to consider. It is of an emergency nature. We have held it behind the pending bill for more than 3 days now. I have announced that we would have a Saturday session. Senators have made their plans accordingly. I said we would have a Saturday session unless we completed action on the bill today. I have obtained the consent of those in charge of the bill and of the minority leadership to a Saturday session. I obtained that consent earlier in the week.

Mr. BUSH. I believe the Senator will agree with me that the impression has gotten around among Senators that we would continue in session today until we finished consideration of the bill. Consequently, commitments have been made for the weekend. They are commitments of an important nature, not frivolous ones, at least those that I know of. I believe that under the circumstances it would be proper and fair to adjourn until Monday. I therefore ask the majority leader to modify his motion accordingly.

The PRESIDING OFFICER. The parliamentary situation is that the Senator from New Hampshire has refused to yield for the purpose of making a motion

to adjourn. The Senator from New Hampshire has the floor.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield 1 minute to the Senator from Oregon.

Mr. MORSE. I should like the attention of the Senator from Texas for a moment. I should like to say to my majority leader that it is perfectly obvious what the pleasure of the majority of the Senate is at this moment. I may read it wrong, but I believe the majority of the Senate feels that, in view of the work which has been done this week and the hours which have been kept this week, and the fact that many of us need a weekend to get some work done, the reasonable program for us to follow now is to recess until Monday at 10 or 11 o'clock, and to proceed on Monday morning.

I believe it would be a good idea to have that amount of time also for a little relaxation on the part of Senators. We know what is happening here. Tensions have become high. I should like to plead with my majority leader that he modify his motion to recess until Monday at 10 o'clock. I would be willing to predict, if the majority leader did that, it would be to his parliamentary advantage for the rest of the session.

Mr. BRIDGES. As I see it, the amendment which has been offered is nothing but a subterfuge to get away from the McClellan amendment which was adopted and on which a motion to reconsider was tabled.

I am amazed that it should be offered. I thought we had acted in good faith. So far as I am concerned, I have stated the reasons for my position, and certainly the reasons of many of the Senators who feel the same way. I stand on the appeal from the ruling of the Chair. I am willing to yield now for the purpose of making a motion to adjourn.

Mr. BUTLER. Mr. President, will the Senator *yield*?

Mr. BRIDGES. I yield.

Mr. BUTLER. I move that the Senate recess until Monday at noon.

Mr. HOLLAND. I hope the distinguished Senator——

The PRESIDING OFFICER. The Chair wishes to know whether the Senator from New Hampshire yielded to the Senator from Maryland for the purpose of making a motion to recess.

Mr. BUTLER. Mr. President, I withdraw the motion.

The PRESIDING OFFICER. The Chair would like, in the interest of orderly procedure, to read from Senate Procedure at page 267, because so many questions have arisen and so many points of order have been made. The Chair will read as follows:

INTERRUPTION OF SENATOR WHO HAS THE FLOOR IS NOT ALLOWED, EXCEPT BY HIS CONSENT

Permission to interrupt a Senator who is in possession of the floor must be acquired through the Chair, by addressing him and inquiring if the Senator will yield.[185]

A Senator in debate should address the Presiding Officer first, and not the individual Member of the Senate.[186]

A Senator in possession of the floor, or who has been recognized does not have to yield or may not be interrupted against his will in the middle of a speech or without his consent,[187] unless he is called to order under rule XIX; [188] no other Senator has a right to question him or to make remarks against his will during the course of his speech; [189] and it is the duty of the Chair to enforce the rule on his own initiative.[190]

Under rule XXXV, relative to a session with closed doors, a Senator may move to close the doors of the Senate for a discussion of business which may, in his opinion, require secrecy, over the objection of the Senator in possession of the floor.[191]

A Senator who has the floor may not be interrupted or taken off the floor without his consent for the purpose of (1) taking an appeal from a ruling by the Chair; [192] (2) suggesting the absence of a quorum; [193] (3) introducing a bill; [194] (4) presenting a conference report; [195] (5) transacting business; [196] (6) submitting a committee report; [197] (7) making a motion for an executive session; [198] (8) acting on a message from the President or the House of Representatives; [199] (9) introducing a matter of morning business; [200] (10) making a parliamentary inquiry; [201] (11) raising a question of personal privilege; [202] (12) presenting a petition to the Senate; [203] (13) considering a privileged matter; [204] (14) making a point of order; [205] (15) introducing a resolution or other matter; [206] (16) making a motion to lay a pending motion on the table; [207] (17) or laying a veto message before the Senate.[208]

The Senator from New Hampshire has the floor.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. MUNDT. I think that was a very informative and useful presentation the Presiding Officer has made.

Mr. COTTON. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. MUNDT. I might suggest that a sequel could be added in the RECORD, because on Monday, or whenever it is the intention of the majority leader that we meet, we will have to vote on this important point of order. As one Member of the Senate, I have watched the so-called clincher motion year after year. A motion to reconsider a vote is made and then a motion is made to lay that motion on the table. That usually spells finis to the matter. Now we find it was all an idle gesture.

If I understand the tentative ruling of the Chair, it now means that all that is accomplished after a motion is made to reconsider and a motion is made to lay that motion on the table is that, instead of substituting language for that particular amendment, it is necessary to knock out a sentence or two before the amendment and a sentence or two after the amendment, and then it is possible to continue ad infinitum, ad nauseam. If that is correct, it is correct; I do not know.

But I think it would be useful to the Senate if, by unanimous consent, the Presiding Officer of the Senate followed the announcement he made about Members addressing the Senate directly without addressing the Chair, by including at this point in the RECORD, so that we can study it between now and Monday, back-

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[185] June 9, 1914, 63–2, RECORD, pp. 10044–45; July 26, 1947, 80–1, RECORD, p. 10371; July 21, 1941, 77–1, RECORD, p. 6170; Mar. 3, 1949, 81–1, RECORD, pp. 1795–96.

[186] July 21, 1941, 77–1, RECORD, p. 6170; Mar. 3, 1949, 81–1, RECORD, pp. 1795–96.

[187] July 26, 1947, 80–1, RECORD, p. 10371; Mar. 28, 1949, 81–1, RECORD, p. 3274; Apr. 4, 1949, 81–1, RECORD, pp. 3781–82; June 9, 1914, 63–2, RECORD, pp. 10044–45; Feb. 22, 1913, 62–3, RECORD, p. 3662.

[188] Jan. 25, 1938, 75–3, RECORD, pp. 1056–57; July 26, 1947, 80–1, RECORD, pp. 10405–06.

[189] May 19, 1950, 81–2, RECORD, p. 7301.

[190] Aug. 6, 1937, 75–1, RECORD, p. 8358.

[191] Feb. 6, 1903, 57–2, RECORD, p. 1780; Jan. 15, 1912, 62–2, Journal, p. 79, RECORD, pp. 942, 943; Feb. 6, 1917, 64–2, RECORD, p. 2667.

[192] Feb. 22, 1923, 67–4, RECORD, p. 4254.

[193] *See* "Yield for Suggestions of Absence of Quorum," pp. 459–460; Jan. 26, 1921, 66–3, RECORD, p. 2070; July 24, 1947, 80–1, RECORD, pp. 9994, 9996–97, 10000; Mar 3, 1931, 71–3, RECORD, p. 7133; Aug. 14, 1914, 63–2, RECORD, pp. 13727–28; Mar. 22, 1922, 67–2, RECORD, p. 4226; June 5, 1920, 66–2, RECORD, p. 8637; June 6, 1913, 63–1, RECORD, p. 1907; July 16, 1897, 55–1, RECORD, p. 2632.

[194] Aug. 18, 1914, 63–2, RECORD, p. 13902.

[195] Mar. 21, 1950, 81–2, RECORD, p. 3705.

[196] Feb. 28, 1949, 81–1, RECORD, pp. 1585–86; July 6, 1917, 65–1, RECORD, p. 4718.

[197] May 4, 1917, 65–1, RECORD, p. 1782; July 6, 1917, 65–1, RECORD, p. 4718; Aug. 18, 1914, 63–2, RECORD, p. 13902.

[198] July 15, 1921, 67–1, Journal, p. 197, RECORD, pp. 3875–80.

[199] July 13, 1937, 75–1, Journal, p. 411, RECORD, pp. 7109–12.

[200] Dec. 15, 1908, 60–2, RECORD, p. 271.

[201] Mar. 29, 1950, 81–2, RECORD, p. 4300; Mar. 30, 1950, 81–2, RECORD, pp. 4364–65; Dec. 19, 1910, 61–3, RECORD, p. 485; July 27, 1914, 63–2, RECORD, p. 12793; Feb. 22, 1923, 67–4, RECORD, p. 4254; July 24, 1947, 80–1, RECORD, pp. 1007, 10128–29; July 24, 1947, 80–1, RECORD, pp. 9994, 9996–97, 10000; June 18, 1948, 80–2, RECORD, p. 8822; June 19, 1948, 80–2, RECORD, pp. 8966–67; Feb. 28, 1949, 81–1, RECORD, pp. 1585–86; Mar. 28, 1949, 81–1, RECORD, p. 3274; Apr. 4, 1949, 81–1 RECORD, pp. 3781–82; Oct. 13, 1949, 81–1, RECORD, pp. 14403–04; *see also* Dec. 16, 1937, 75–2, RECORD, p. 1612; Mar. 13, 1945, 79–1, RECORD, p. 2107.

[202] Mar. 13, 1933, 73–1, RECORD, p. 267; Sept. 21, 1922, 67–2, RECORD, p. 13079; Feb. 17, 1915, 63–3, RECORD, pp. 3941, 3942; Apr. 16, 1940, 76–3, RECORD, pp. 4575, 4577; Mar. 14, 1940, 76–3, RECORD, p. 6061; Mar. 27, 1947, 80–1, RECORD, p. 2702; June 19, 1948, 80–2, RECORD, pp. 8966, 8968; Oct. 13, 1949, 81–1, RECORD, pp. 14412–13; July 5, 1952, 82–2, RECORD, p. 9540; June 12, 1952, 82–2, RECORD, p. 7090; June 3, 1953, 83–1, RECORD, p. 5957.

[203] July 13, 1921, 67–1, RECORD, p. 3654; Aug. 24, 1921, 67–1, RECORD, p. 5603; Aug. 6, 1937, 75–1, RECORD, p. 8358.

[204] Dec. 8, 1942, 77–2, RECORD, pp. 9387–88.

[205] June 5, 1934, 73–2, RECORD, p. 10479; Apr. 27, 1935, 74–1, RECORD, p. 6500; Feb. 22, 1913, 62–3, RECORD, p. 3662; May 19, 1914, 63–2, RECORD, p. 8828; Apr. 2, 1926, 69–1, Journal, p. 277; Apr. 2, 1937, 75–1, RECORD, p. 3065; Jan. 23, 1946, 79–2, RECORD, p. 234; July 24, 1947, 80–1, RECORD, pp. 9994, 9996–7, 10000; July 24, 1947, 80–1, RECORD, pp. 10007, 10128–29; July 26, 1947, 80–1, RECORD, pp. 10405–06; June 19, 1948, 80–2, RECORD, pp. 8966–67; Feb. 28, 1949, 81–1, RECORD, pp. 1585–86; Mar. 12, 1949, 81–1, RECORD, pp. 2350–51; Apr. 4, 1949, 81–1, RECORD, p. 3782; Apr. 5, 1949, 81–1, RECORD, p. 3875; Apr. 21, 1949, 81–1, RECORD, p. 4889; Oct. 13, 1949, 81–1, RECORD, pp. 14403; *see also* Dec. 16, 1937, 75–2, RECORD, p. 1612; Mar. 13, 1945, 79–1, RECORD, p. 2107; July 27, 1914, 63–2, RECORD, p. 12793.

[206] Dec. 27, 1920, 66–3, RECORD, p. 742.

[207] Sept. 18, 1914, 63–2, RECORD, p. 15258; June 12, 1935, 74–1, Journal, p. 435, RECORD, p. 9186.

[208] May 22, 1935, 74–1, RECORD, p. 7979.

ground documents and precedents which tend to substantiate and buttress the ruling of the Chair. Then we can vote intelligently on this question when it comes before us on Monday. Certainly, as one Senator, I must find that this is a device for getting around what I thought was a clincher motion.

I wonder if the Chair, with the assistance of the Parliamentarians, will undertake to place in the RECORD at this point something which will dilate further upon the reasons for the Chair's ruling.

The PRESIDING OFFICER. The footnotes which the Chair has cited will take care of the justification and the precedents on the order of business. The ruling of the Chair, made with the advice of the Parliamentarian, is subject to the will of the Senate, as the Senator from South Dakota well knows.

The Senator from New Hampshire [Mr. BRIDGES] has held the floor for several minutes for the purpose of discussing why the Senate should overturn the ruling of the Chair. That can be done in an expeditious way, if the Senate wishes to work its will.

Mr. MUNDT. That is very true; but, speaking for myself before voting on whether to overturn the ruling of the Chair, I should like to have in the RECORD some of the precedents and previous decisions dealing with this point. This is certainly not the first time this question has arisen in the Senate. If, indeed, this is an escape hatch from the clincher motion, it is something of which we should all be made aware. If it can be done with respect to this item, it can be followed next week on another motion, and the week after that on another motion. It seems to me we run the risk of following a dilatory tactic which I had assumed the clincher motion was designed to eliminate.

Mr. JOHNSON of Texas. If the Senate wishes to remain in session, I am willing to have it proceed to consider the appeal from the ruling of the Chair and the amendment offered by the Senator from California. But if Senators are tired and want to go home, I am prepared to carry out the plan which the minority leader and majority leader agreed upon early in the week, which was to have the Senate stay in session as late as 11 or 11:30 tonight and then to have a Saturday session, unless action on the bill was completed.

If the Senator from New Hampshire will yield for this purpose, I am prepared to move that the Senate adjourn.

Mr. MUNDT. Mr. President, I believe the Senator from New Hampshire had yielded to me.

Mr. JOHNSON of Texas. Then I am not responsible for keeping the Senate in session. I have been prepared to move that the Senate adjourn. If the Senator from New Hampshire will yield for that purpose, I am prepared to move that the Senate adjourn.

I anticipate this action for what it is. I think some Senators do not want to vote on the motion which has been made. I am prepared to have the Senate vote on it tomorrow after an hour's debate. But I do not want it said that the leadership is keeping the Senate in session if the Senator from New Hampshire will not yield for a motion to adjourn.

Mr. MUNDT. Mr. President, would it be possible for me to get a response from the Chair as to whether we can be provided with a documentation of the Chair's ruling before we vote on the question at the next session?

The PRESIDING OFFICER. The Chair advises the Senator from South Dakota that the decision of the Chair that the amendment included new matter and, in its consideration, would strike out contiguous matter previously passed on is the ruling of the Chair. The Senate has the right to overturn that ruling by a majority vote. Whether to attempt to collect the precedents which would apply to the question whether the changes proposed by the amendment affect an amendment previously adopted, or embrace a considerable amount of new matter, is a matter of discretion and determination on the part of the Chair or by individual Members of the Senate. To plow through years of precedents and to make a study of the yellowed pages of past amendments would require far more time than the majority leader is willing to provide for any adjournment or recess of the Senate.

For these reasons, the Chair advises the Senator from South Dakota that he may make any challenge he wishes to the ruling of the Chair; but the ruling of the Chair, unless it is disagreed to by the Senate, will stand.

Mr. BRIDGES. I myself would like to vote on the appeal from the ruling of the Chair tonight; but I am perfectly willing to yield to the majority leader, if we can have the Senate adjourn until Monday—at any time on Monday—for I think we would be in no better position to vote tomorrow than we are tonight.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. LAUSCHE. In order to vote intelligently upon the appeal to the membership, it is necessary to compare the amendment offered by the Senator from California with the language of the amendment which was voted upon and adopted, and reconsideration denied. I think it is a confession on the part of each one of us that we would be voting without intelligence, if we tried to vote without having both documents before us for comparison.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. MANSFIELD. I do not agree with the statement of the distinguished Senator from Ohio. This is a procedural matter. The Chair, representing the entire Senate, has rendered a decision. We do not have to know what the amendment before us is or how it differs from the original McClellan amendment. What we are testing is the honesty and character of the occupant of the Chair, no matter who he may be.

SEVERAL SENATORS. No, no.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. CHAVEZ. I voted for the McClellan amendment in good faith. I am proud of the vote I cast. I do not feel now that simply because three or four Senators have got together and all of a sudden want to modify the amendment, I should change my opinion. I do not want to change my opinion. I know that I voted correctly because of the telegrams I have received which have been complaining about my vote. [Laughter.] I for one have not changed my mind.

The PRESIDING OFFICER. The time of the Senator from New Hampshire has expired.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

PETITIONS

Petitions, etc., were presented, and referred, as indicated:

THE WITHHOLDING TAX AND INFLATION—PETITION

Mr. LANGER. Mr. President, I present, for appropriate reference, a paper in the nature of a petition, signed by O. J. Lokken, of Walcott, N. Dak., relating to the withholding tax and inflation. I ask unanimous consent that the petition be printed in the RECORD.

There being no objection, the petition was referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

A NON-PROFESSIONAL DIAGNOSIS

I sat in a barbershop waiting my turn. Pearl Harbor was history and Congress was wrestling with the problem of obtaining increased revenues to finance the ensuing fracas. Up spoke another man who was also waiting his turn in the shop: "Let them levy all the taxes they please. They can not collect from me. I spend as fast as I make it." But Congress was wise to him and levied a withholding tax. The man who boasted that he spent the money as fast as he made it, found that he did not get it to spend. The tax was deducted from his pay check before he got the check.

But the spender merely bided his time. VJ day came and with it a lessening of the importance of sacrifice which is the essence of patriotism. And now came a clamor for take-home-pay which, when granted, nullified the withholding provision. To get the same take-home-pay as he had before the enactment of the withholding provision he would have to be granted an increase in pay to offset the amount withheld. As the amount withheld was to pay a tax, the effect would be either to cancel the tax or pass it on to some other taxpayer. The latter was the result. But the one on to whom the tax was passed in the form of higher wages paid or higher prices paid for goods, was in no mood or position to absorb the taxes passed on to him. He passed them on to somebody else and he, in turn, to somebody else. And the flood of inflation which had been growing since the cheapening of the dollar by the New Deal became an avalanche no man can stop. What destruction will follow in its wake no one knows. The outlook is, indeed, a dreary one.

RESOLUTIONS OF ORGANIZATIONS OF NORTH DAKOTA

Mr. LANGER. Mr. President, I present, for appropriate reference, resolutions adopted by organizations in the

State of North Dakota. I ask unanimous consent that the resolutions be printed in the RECORD.

There being no objection, the resolutions were received, appropriately referred, and ordered to be printed in the RECORD, as follows:

To the Committee on Agriculture and Forestry:

"RESOLUTION OF SHEYENNE VALLEY ELECTRIC COOPERATIVE, INC., FINLEY, N. DAK.

"Whereas our rural electrification cooperative has conformed to the area coverage mandate of the Rural Electrification Act; and

"Whereas our area is sparsely settled, having a density of 1.1 member per mile of line; and

"Whereas the Federal Government, through the Rural Electrification Administration, made available funds at 2 percent interest, recognizing the necessity for ample finances at a reasonable rate; and

"Whereas without such consideration from the Rural Electrification Administration as set forth in the original act, our cooperative cannot continue serving its members at the present energy rates; and

"Whereas any change in the interest rates as it applies to future funds for rural electrification expansion would, in our opinion, become extremely injurious to our rural electrification cooperative; and

"Whereas the present controversial interest subject is being engendered by those who are not concerned with balancing the Nation's budget, but by those who are determined one way or another to eliminate the rural electrification cooperatives as a competitor in the electric energy market: Now, therefore, be it

"Resolved, That the board of directors of the Sheyenne Valley Electric Cooperative at this meeting dated March 30, 1959, respectfully urge all 98 U.S. Senators to vigorously oppose any proposition or plan designed to increase the interest rates to the rural electrification cooperatives and/or any plan designed to subject the cooperatives to private finance, which would mean increased money costs.

"SHEYENNE VALLEY ELECTRIC CO-OP.,
"JULIUS ANDERSON, *President.*"

To the Committee on Armed Services:

"RESOLUTION ON ATOMIC TESTING

"Whereas after years of censorship the Government has recently admitted the evils of nuclear weapons testing; and

"Whereas the radioactive particles are falling to earth much faster than anticipated, thus polluting the Nation's milk supply and feed crops; and

"Whereas 9,000 scientists have testified as to the dangerous effects of atomic radiation on human beings and animals in the form of strontium 90 and carbon 14; and

"Whereas there is as yet no protection against all the perils, known and unknown, of atomic fallout; and

"Whereas no government has the moral right to expose its citizens to the cancer potential in strontium 90 or the mutations, defective offspring and birth monsters resulting from carbon 14 in radioactive fallout:

"Therefore we, the members of the Golden Grain Local of the Farmers Union of Bergen, N. Dak., in meeting Saturday evening, April 4, 1959, do hereby strongly urge our Congressmen to do all in their power to put an immediate ban on further A- and H-bomb explosions.

"FRANCIS HOLTE,
"President.
"MRS. WALDEMAR ZABACK,
"Secretary-Treasurer.
"WILLIAM MOXNESS,
"Legislative Director."

To the Joint Committee on Atomic Energy:

"RESOLUTION OF SHEYENNE VALLEY ELECTRIC COOPERATIVE, INC., FINLEY, N. DAK.

"Whereas the expansion of our economy to meet our growing population is dependent upon an abundance of low cost electric energy, and

"Whereas the early maximum development and production of small atomic energy reactor plants, together with large atomic energy reactor plants, will bring about an additional source of cheap energy, and

"Whereas America as a Nation, must compete for that No. 1 position in world leadership through an ever growing economy, and

"Whereas other countries are seeking to reach that No. 1 position through the development and mass production of these reactor plants, and

"Whereas several nations are now already even with and, in some instances, ahead of our country even though America was first to develop the use of the atom: Now, therefore, be it

"Resolved, That the board of directors of the Sheyenne Valley Electric Cooperative at this meeting dated March 30, 1959, respectfully urge all 98 United States Senators to support Senate bill 683; and be it further

"Resolved, That all 98 U.S. Senators use their influence and prestige to encourage mass development of atomic energy for peaceful purposes.

"SHEYENNE VALLEY ELECTRIC CO-OP.,
"JULIUS ANDERSON, *President."*

GTA DAILY RADIO ROUNDUP

Mr. LANGER. Mr. President, I present, for appropriate reference, the GTA Daily Radio Roundup, prepared by the GTA Public Relations Department, St. Paul, Minn., of Tuesday, April 21, 1959. I ask unanimous consent that the Roundup be printed in the RECORD.

There being no objection, the Roundup was referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

There is an investigation afoot in Washington that may reveal some rather sordid dealings in surplus farm commodities. It comes on the heels of Representative JAMIE WHITTEN's demand for a raking over of Secretary of Agriculture Benson's administration of the farm agency.

A Government Operations Subcommittee of the House of Representatives has launched a long-range probe because stories have been leaking out from various sources that big windfall profits are being made by food processors on such things as sales of surplus dried milk.

The way one newspaper describes it—the Springfield (Mo.) Leader and Press—"Some sharp dealers are cashing in at the expense of both farmers and taxpayers."

House investigators, the newspaper reveals, "have turned up the fact that private traders have been reaping a lucrative harvest in purchasing surplus farm products from the Commodity Credit Corporation and immediately disposing of them to the International Cooperative Administration."

The ICA, incidentally, was established after World War II to help handle aid and foodstuffs overseas.

In one case cited by James R. Naughton, counsel for the House Governmental Operations Subcommittee, "Private traders bought 5 billion pounds of dried milk from the CCC for 9.9 cents a pound and immediately sold that same dried milk to the ICA for 11.9 cents a pound."

That was a neat $100,000 profit on a single deal that involved little more than signing the checks and the contracts.

The milk case was cited by Naughton as just one example. But are there more like it? And how many?

The recent dried milk deal reminds many farmers of a similar fantastic episode several years ago. At that time Agriculture Secretary Benson had been hinting at reducing dairy supports. Several days before the price support cut, a number of big cheese and dairy processors unloaded millions of pounds on Uncle Sam at the prevailing price. A few days later, after the price support was cut, they bought back the same cheese at the new and lower price. The cheese never left the warehouses.

Later, when the deal came out in the open, the Federal Government sued and made partial recovery. National Dairy Products Co. alone was compelled to repay more than $400 million.

"The saddest part of this sad situation," comments the Missouri newspaper, is that in all cases, "the costs are charged to the farm program."

So now Congress is probing Secretary Benson's administration of the surplus program to find out what's been happening since the big cheese deal came off several years ago.

And certainly, the public, including farmers, is entitled to know if it is not getting the best possible return on dollars invested in food and fiber stocks. We'll keep you posted on results of this new investigation through this radio program, sponsored by the farmers who own and operate GTA the co-op way.

RESOLUTION OF THE ORDER SONS OF ITALY IN AMERICA

Mr. WILLIAMS of Delaware. Mr. President, recently the Order Sons of Italy in America adopted a resolution expressing their views on immigration. I ask unanimous consent that the resolution may be printed in the RECORD and appropriately referred.

There being no objection, the resolution was referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Whereas thousands of Americans, in accordance with the terms and provisions of existing laws on immigration dealing with fourth preference cases, have filed appropriate petitions for their brothers, sisters, sons, or daughters residing in foreign nations, and

Whereas fourth preference visas can be issued only when deficiencies occur in the first, second or third preference which are allotted 100 percent of the quota, a rare and unlikely occurrence in counties with low quota numbers such as Italy (5645), and

Whereas the accumulated backlog over a 10-year period now numbers approximately 80,000 petitions, causing an uneasy international situation with national repercussions in many countries, including the United States, and

Whereas Public Law 85–316 permits the reuniting of certain relatives under the conditions as therein stated: Therefore, be it

Resolved by the executive committee of the Supreme Council, Order Sons of Italy in America, at Toronto, Canada, this 4th day of April, A.D. 1959, That we respectfully request the Senate and the House of Representatives of the United States to amend the provisions of existing law or adopt new legislation, which shall include fourth preference quota cases in the same classification as first, second, and third preference quota cases, thus permitting these applicants to enter the United States at an early date and reestablish family units which have been separated for long periods of time through no fault of their own; be it further

Resolved, That copies of this resolution be forwarded to: The President of the United States; the President of the U.S. Senate; the Speaker of the House of Representatives of the United States; the Secretary of State of the United States; the chairmen of the Immigration Committees in the Congress of the United States; the majority and minority leaders in both Houses of Congress; the Director of the Immigration Bureau; each of the grand venerables throughout the United States with instructions that the Senate legislatures of the several States be contacted and urged to adopt similar resolutions to be forwarded as herein stated.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959—AMENDMENTS

Mr. KUCHEL (for himself, Mr. ANDERSON, Mr. CLARK, Mr. CHURCH, Mr. NEUBERGER, Mr. GORE, Mr. COOPER, Mr. JAVITS, and Mr. AIKEN) submitted an amendment, intended to be proposed by them, jointly, to the bill (S. 1555) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes, which was ordered to lie on the table and to be printed.

Mr. THURMOND submitted an amendment, intended to be proposed by him, to Senate bill 1555, supra, which was ordered to lie on the table and to be printed.

Mr. MOSS submitted an amendment, intended to be proposed by him, to Senate bill 1555, supra, which was ordered to lie on the table and to be printed.

Mr. SMATHERS submitted an amendment, intended to be proposed by him, to Senate bill 1555, supra, which was ordered to lie on the table and to be printed.

COST OF PAYING UNGRADED CIVILIAN EMPLOYEES IN NAVY DEPARTMENT

Mr. BYRD of Virginia. Mr. President, the Comptroller General of the United States on April 15, 1959, filed with the Congress a report showing that it costs the Navy Department $2 million a year to pay its ungraded civilian employees by the week instead of conforming with the standard Federal biweekly pay period.

I hope the Appropriations Committees and the Armed Services Committees of the House and Senate will take cognizance of this report by the Comptroller General and act to eliminate this nonessential $2 million annual expenditure.

I ask unanimous consent that the attached statement by me on this subject be included in the body of the RECORD as part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BYRD OF VIRGINIA

I am advised that it costs the Navy Department $2 million a year to pay its ungraded civilian employees by the week instead of conforming with the standard Federal biweekly pay period.

This nonessential Federal expenditure for payroll paper-pushing was reported to the Joint Committee on Reduction of Nonessential Federal Expenditures by the Comptroller General of the United States.

The report was in response to a standing request for notification of unnecessary expenses incident to Federal payrolls developed in the course of the Comptroller General's audits.

In his letter covering the report Comptroller General Joseph Campbell said:

"Contrary to the practice followed by most other departments of the Government, the Navy is incurring unnecessary annual costs estimated to be $2 million to pay on a weekly basis their civilian employees occupying ungraded positions."

The report said "preparing weekly payrolls for more than 200,000 civilian employees * * * considerably increases the cost of payroll preparation and creates an unnecessary burden on payroll departments."

The Comptroller General cited a 1955 report initiated by the Navy itself to show that shifting to a biweekly pay period "would result in considerable savings in manpower, materials, and electronic data processing machine time."

The Navy attempted to justify its practice with the contentions that it is the prevailing practice of private industry in certain areas to pay blue-collar workers by the week; and that to "change to a biweekly pay system would have a profound effect upon our employees' morale."

The Navy's contentions did not impress the Comptroller General. He said other departments and agencies of the Government pay on a biweekly basis; and that the Army and Air Force Departments, employing workers on similar work in the same areas, made the change with no significant difficulty.

The Navy challenged the Comptroller General's estimates of savings, but the Comptroller General cited again the Navy's own study, along with recommendations by "several large naval installations" as the basis for his $2 million figure.

There are some people in the Federal Government who would regard $2 million as less than "chicken feed." I leave the importance of such savings to the judgment of most of the American taxpayers who checked in with their internal revenue collectors April 15.

I congratulate the Comptroller General on his vigilance, and I hope the Navy and all other elements of the Federal Government may find increasing reason to consider the morale of taxpayers who are called upon to meet Federal payrolls and all the rest of $80 billion annual expenditure budgets.

ADJOURNMENT TO 11 A.M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, I move that the Senate adjourn until 11 o'clock tomorrow morning.

The motion was agreed to; and (at 10 o'clock and 59 minutes p.m.) the Senate adjourned until tomorrow, Saturday, April 25, 1959, at 11 o'clock a.m.

EXTENSIONS OF REMARKS

The Moscow Fair—U.S. Exhibit on the Role of Religion in American Life

EXTENSION OF REMARKS
OF
HON. THOMAS J. DODD
OF CONNECTICUT
IN THE SENATE OF THE UNITED STATES
Friday, April 24, 1959

Mr. DODD. Mr. President, on April 10, I wrote to George V. Allen, Director of the U.S. Information Agency, and urged that an exhibit depicting the role of religion in American life be included in the forthcoming American exhibit at the Moscow Fair.

I have since received from Mr. Allen assurances that such an exhibit will be included.

I wrote further to Mr. Allen and suggested that the National Conference of Christians and Jews be assigned the task of planning the exhibit, in order that we may be assured that this religious exhibit will be truly representative of America's great religious groups.

Mr. President, I ask unanimous consent that there be printed in the CONGRESSIONAL RECORD my correspondence with Mr. Allen; an editorial from the New Haven Register of April 19, 1959; and an editorial from the Bridgeport Post of April 20, 1959.

There being no objection, the correspondence and the editorials were ordered to be printed in the RECORD, as follows:

Mr. GEORGE V. ALLEN,
Director, U.S. Information Agency,
Washington, D.C.

DEAR MR. ALLEN: It has been brought to my attention by visitors to the Brussels Fair that there was not a single display of a religious nature in the American exhibit.

It is incomprehensible to me that an American exhibit designed to portray the various aspects of American life should neglect one of its principal elements, the role of religion.

Millions of visitors from all over the world went through the American exhibit. We missed a wonderful opportunity to demonstrate to these people the importance of religion in the development of our history, and its great influence on contemporary American affairs.

Many of the early colonists of our continent came here in quest of religious freedom. Many of our first settlements were essentially religious settlements.

Throughout our history our great state documents, such as the Declaration of Independence, Washington's Farewell Address, and Lincoln's Second Inaugural, have been expressions of basic moral principles.

Therefore, I consider it inexcusable that any exhibit purporting to be representative of American life should fail to depict its most important aspect.

The next exposition of this kind will be at the Moscow Fair. Our mistakes at the Brussels Fair must not be repeated. The State Department should see to it that the

American display at the Moscow Fair contains a religious exhibit indicative of the fundamental place of religion in American society.

With best wishes.

Sincerely yours,

THOMAS J. DODD.

APRIL 20, 1959.

The Honorable GEORGE V. ALLEN,
Director, U.S. Information Agency,
Washington, D.C.

DEAR MR. ALLEN: On April 10, 1959, I wrote to you urging that an exhibit of a religious nature be included in the forthcoming American exposition in Moscow.

I suggested this because our religions have played such an important role in American history, and their influence on contemporary affairs is so great, that no exhibition which purports to be representative of American life would be complete without a religious demonstration.

I realize that many difficulties will be encountered in preparing an exhibit that seeks to do justice to America's many religious denominations, and their historical contribution to our Nation.

Therefore, I recommend that the National Conference of Christians and Jews be given jurisdiction over planning the contents of this proposed exhibit.

I think this would assure a devout tone, an historical accuracy, and a proper balance that would be agreeable to our Nation's various religious groups.

Sincerely yours,

THOMAS J. DODD.

[From the New Haven Register, Apr. 19, 1959]

A RELIGIOUS NOTE IN OUR MOSCOW SHOW?

Connecticut's Senator DODD has urged the State Department to make plans for a religious exhibit at the Moscow Fair this year. Such a display, stressing the fundamental place of religion in American society, would—he feels—have an important role in defining the origins and the roots of the sort of freedom for which the United States stands.

This is a stimulating proposal.

Certainly one of the fundamental differences between our views and those of the Communist leaders springs from the Kremlin's denial of God, its denial of religion, and its attempted substitution of a totalitarian party ethic for the established beliefs of so many people in so many parts of the world that are now under its control.

"It is incomprehensible to me that an American exhibit designed to portray the various aspects of American life should neglect one of its principal elements, the role of religion," says Senator DODD. And he points out that such an element was neglected in the U.S. show at last year's Brussels World Fair.

"Many of the early colonists of our continent came here in quest of religious freedom. Many of our first settlements were essentially religious settlements. Throughout our history our great State documents, such as the Declaration of Independence, Washington's Farewell Address, and Lincoln's Second Inaugural, have been expressions of basic moral principles.

"Therefore I consider it inexcusable that any exhibit purporting to be representative of American life should fail to depict its most important aspect."

The Dodd proposal is one that the State Department and the American people should weigh most seriously. The religious freedoms which we enjoy and the individual rights which we uphold often promote a sort of bland avoidance of all religious statement in this country. Among peoples abroad, though, the religious diversity which we take for granted and the religious faith which we rarely trouble to defend may be far more impressive than any demonstration of technological progress or political objective. They are a priceless part of our heritage, a fundamental base for our liberty—and a part of our daily living which should not be ignored as we attempt to tell Russia's people of the values we cherish.

[From the Bridgeport Post, April 20, 1959]

AN IDEA, SHARP AND TIMELY

The State Department has received a suggestion from Senator THOMAS J. DODD which should obtain warm and immediate approval. When we take part in the big Moscow fair this summer, in an effort to show Soviet citizens how Americans really live, the Senator says we should include a religious exhibit, to indicate religion's fundamental place in U.S. society.

A picture of an American community would hardly be complete without showing its schools and its churches. Senator DODD in a letter to George V. Allen, U.S. Information Agency Director, recalled that there was not a single display of a religious nature in the U.S. exhibit at Brussels. Our mistakes there, he advised, should not be repeated.

Millions from all over the world went through the U.S. exhibit. Mr. DODD holds that "we missed a wonderful opportunity to demonstrate to these people the importance of religion in the development of our history, and its great influence on contemporary American affairs."

Many of the colonists of our continent came here to seek religious freedom and many of the early settlements were essentially religious. Throughout our history our great State documents have been expressions of basic moral principles.

How better to impress the Soviet citizens with the story of life as it really is in this country? Let us show them that among our freedoms, which they are denied, is the freedom of conscience, of the right to worship God as one pleases or believes is right.

An excellent suggestion and one that will give the Red propagandists something else to attack. And the Soviet people, knowing well that the Kremlin line is phony, will see and believe, and be encouraged.

Tullidge Clinic Dedication

EXTENSION OF REMARKS
OF
HON. A. WILLIS ROBERTSON
OF VIRGINIA
IN THE SENATE OF THE UNITED STATES
Friday, April 24, 1959

Mr. ROBERTSON. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an address to be delivered by me at the Tullidge Clinic Dedication, at Ararat, Va., on April 25, 1959.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

TULLIDGE CLINIC DEDICATION

(Address by Senator A. WILLIS ROBERTSON at Tullidge Clinic dedication at Ararat, Patrick County, Va., Apr. 25, 1959)

The happy privilege of joining with Patrick County friends in the dedication of a new clinic reminds me of the fact that my first visit to Patrick was with a young doctor from Franklin County who later located at Stuart for the practice of his profession—Dr. George T. Divers. The time was June 1912; the occasion was the marriage of Dr. Divers to Miss Evelyn Martin, the charming and talented daughter of Dr. R. S. Martin, one of the most beloved men who ever lived in this county.

The remarkable development during the intervening years of Franklin County, where I lived as a boy, and the adjoining mountain counties of Henry and Patrick, has been a source of pride and great satisfaction to me. As a State senator I was fully aware of how our mountain counties were handicapped by the lack of good roads and hence, in the State senate the establishment of a State highway system was my major goal. Four of those who served on the commission to lay out a highway system and who sponsored the legislation to adopt it, are still living—Col. Sinclair Brown, of Salem, Hon. C. O'Conor Goolrick, of Fredericksburg, the senior United States Senator from Virginia, Mr. BYRD, and myself.

During my service in the Congress I have supported the programs to bring electricity and telephones to our farmers, the promotion of scientific farming through Federal and State research and the preservation of fertile topsoil through modern conservation practices. The end result has been to greatly increase the production of the average farmer in Patrick, as well as elsewhere in the State, while good roads have not only facilitated the marketing of farm crops but also have contributed to the improvement of local schools and churches.

In giving credit to technological developments that have improved the economic status of the people of Patrick County let us not lose sight of the fact that today, as in the days of the birth of our Nation the most important product of any community is the quality of its men and women. It takes more than material prosperity to produce character and good citizenship, and Patrick County has met that test. I welcome this opportunity to pay tribute to the example of the ideal family physician set Virginia doctors by the late Dr. R. S. Martin of Stuart and to the political and civic leadership furnished by families like the Hookers, Georges, Joyces, Clarks, and Thompsons (to mention just a few of those I have been privileged to know) and to say nothing of the county's gift to North Carolina of the wizard of tobacco manufacturers, R. J. Reynolds, and his brother who was the grandfather of Richard S. Reynolds, who now heads the greater aluminum empire which has its headquarters in Richmond.

In both the State legislature and in the United States Congress I have appreciated and enjoyed my friendship with the fine and able men who have represented Patrick, including your present Representative in the House, the Honorable WILLIAM M. TUCK.

The high quality of citizenship which has characterized the people of Patrick is due in no small degree to the fact that many of the early settlers were Scotch-Irish who came to Virginia in search of religious and political freedom and who have handed down to succeeding generations a belief in the virtues of representative democracy and self-government so eloquently expressed by Patrick Henry.

You will, of course, recall that Patrick County was formed from a part of Henry County in 1791, only a year after the States had ratified the first 10 amendments to our Constitution which we know as the Bill of Rights.

Those amendments, which Virginia and several other States had insisted upon as a condition to their acceptance of the Federal Constitution, were designed to protect for all time such basic rights as freedom of religion, freedom of speech and freedom of the press, the 10th amendment clearly stating the theory which too many persons have ignored or forgotten today—that basic human rights can best be protected when the power of the central Government is limited.

In the Virginia convention, called to ratify the Federal Constitution, Patrick Henry was a leader of the faction which demanded as-

surance of protection from the possibility of despotic power. He said that Congress, having the power of taxation and the authority to raise an army and a navy, would have "the sword in one hand, and the purse in the other," and he asked: "Shall we be safe without either? * * * Where and when did freedom exist, when the sword and purse were given up from the people? Unless a miracle in human affairs shall interpose, no Nation ever did or ever can retain its liberty after the loss of the sword and the purse."

In the same convention Patrick Henry spoke with prophetic vision when he pointed out that Congress would have the power of involving the Southern States in all the horrors which would result from a total emancipation of their slaves, and predicted that the Northern States, uninterested in the consequences of such an act, and with a controlling majority of votes, probably would be inclined to do this.

Our fathers knew those horrors in the War of 1861–65 and the bitter reconstruction period which followed.

In the Virginia convention George Mason, the author of the Bill of Rights, also pointed out that the power to levy direct taxes given to the central Government was calculated to annihilate totally the State governments.

That has not yet happened but the administration of State governments has been made increasingly difficult by financial pressures resulting from an ever-increasing Federal tax burden required to service a mounting national debt and to carry on programs undertaken by the Federal Government in areas never dreamed of by the Founding Fathers. New spending schemes are introduced with a pious reference to promoting the general welfare but nothing would better promote the general welfare than an economy program, accompanied by a reduction of Federal taxes.

Destruction of State governments may indeed be threatened in the future if the Congress continues to approve legislation authorizing Federal activities which displace those traditionally carried on by the States and localities and if the courts continue to assert, in effect, that there is no practical limit to the bounds of Federal authority.

Believing that the political wisdom of the Founding Fathers has never since been equaled I have been proud, throughout my political life, to call myself a Jeffersonian Democrat, interpreting as best I could, in terms of 20th century conditions, the political philosophy of men like Patrick Henry, James Madison and Thomas Jefferson.

The splendid and much appreciated support I have always received in Patrick indicates your approval of the firm stand I always have taken in behalf of States rights and efficiency and economy in Government. It should be needless, therefore, for me to assure you that as long as I have the privilege and honor of representing you in the U.S. Senate I shall stoutly resist the current trend to override the rights of the sovereign States and to engage in national projects of a socialistic character.

I am happy to say that the construction of a clinic with private funds at a time when many are advocating socialized medicine is in full keeping with Jeffersonian Democracy. I warmly commend the fine spirit of unselfish cooperation of the people of this community whose personal contributions have enabled Dr. Archer Tullidge to make a success of this undertaking.

The decision of Dr. Tullidge to dedicate this clinic to the memory of his deceased brother, George, is in keeping with his own decision to locate in a rural area where there was need for the services of a family physician rather than in a city where the financial rewards for his fine medical training would have been greater.

It has been my privilege to know the family of Dr. Tullidge for many years. It is a fine Christian family, of Scotch-Irish origin, long prominent in the church, civic, and business affairs of Staunton and Augusta County. Mr. and Mrs. George Tullidge, Jr., raised three fine sons, the oldest of whom was George Bowler Tullidge III. He was a sergeant of the 507th Parachute Infantry, 82d Airborne Division, who at the age of 20 years gave his life in the invasion of France, June 8, 1944. Scarcely more than a month before his death Sgt. George Tullidge wrote Tommy, the brother next in age to him, a letter from which I quote the following:

"Mother writes and tells me how big a boy you are getting to be. It seems like a mighty long time since I have seen you boys, and I guess it will be a while longer; probably I will have a hard time even recognizing you. I just know and pray that you will turn out to be the kind of boys that Mother and Dad are teaching you to be. Just take a word of advice from somebody who has had a small look around anyway. Maybe I am not so old, but these 2 years in the Army have shown and taught me lots of things about life that I never dreamed of before. I won't go into a long discussion but just remember when you are out with boys and girls what is wrong and what is right. Please don't let them get you and Arch off on the wrong foot because they will if you are not careful. There are lots of things in life bigger and finer than some immediate pleasures; and some few seeming small things at present can break up the finer ones for you later. * * *

"Another thing that has helped me a lot is my firm belief in the Lord. Oftentimes when I feel depressed and blue it does me an awful lot of good to read my Bible and a little book that Mother sent me. A good belief in Christianity (very broad term) gives a fellow something to grasp when the going gets tough, and it does at times. * * * Best wishes and may God bless you always. Your best pal, George."

It should be a source of inspiration to the people of this community to have a local health center dedicated to the memory of a patriotic boy who gave his life for the perpetuity of our freedom and democratic institutions and to know that the new clinic will be operated by a physician who shares the faith of an older brother who, because of his implicit faith in God and the justness of his cause, could smile when he heard the rustle of angels' wings and say to the Grim Reaper, "O death, where is thy sting? O grave, where is thy victory?"

In the eighth chapter of Genesis it is recorded that after being tossed 40 days and 40 nights by the great flood, the ark of Noah came to rest upon the mountains of Ararat. By the same token may those buffeted by illness and disease find this a new Ararat of rest and solace; a tangible evidence of the fact that God still rules the world in a spirit of love.

Speech of Hon. A. Willis Robertson at Meeting of Tidewater Group of Building, Savings, and Loan Associations, Norfolk, Va.

EXTENSION OF REMARKS

OF

HON. HARRY FLOOD BYRD

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Friday, April 24, 1959

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a very able speech made by my distinguished colleague, Senator A. WILLIS ROBERTSON, chairman of the Senate Banking and Currency Committee, at the annual meeting of the Tidewater Group of Building, Savings, and Loan Associations at Norfolk, Va., on April 22, 1959.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

REMARKS OF SENATOR A. WILLIS ROBERTSON AT THE ANNUAL MEETING OF THE TIDEWATER GROUP OF BUILDING, SAVINGS, AND LOAN ASSOCIATIONS, NORFOLK, VA., APRIL 22, 1959

Former President Herbert Hoover, telling in his memoirs of the reasons for the establishment in 1932 of the Home Loan Bank System, said: "The poignant American drama revolving around the loss of the old homestead had a million repetitions straight from life, not because of the designing villain but because of a fault in our financial system."

A happy ending to that old melodrama has been written in the history of the savings and loan industry which was founded for the dual purpose of promoting home ownership and encouraging individual thrift.

Some of us can recall the time when the average first mortgage on a home ran for a period of 5 years or less with no assurance of renewal and when it had to be supplemented by second mortgages at exorbitant interest rates. This meant that too often the borrower, who was prepared to pay carrying charges, could not meet an unexpected demand for principal payments and his home ownership was forfeited. And these individual tragedies became national calamities in times of financial stress when foreclosures pyramided until demand was generated for Federal controls that threatened to wipe out our private enterprise system.

The early savings and loan associations attempted to deal with the problem by larger first mortgages, running for longer periods, which were self-amortizing. But the associations themselves were subject to failure in a period of recession. It was to meet this need that there was created the Federal Home Loan Bank System, to give the savings and loan associations the kind of backing which the Federal Reserve System had given to commercial banks.

The success of the home loan system is indicated by the fact that the 11 banks, now owned completely by members with the original Government investment retired, had in 1958 a capital of more than $800 million and assets well over $2 billion.

Public acceptance of this method of saving and financing home building is indicated also by the steady growth of the member associations. In 1951, when I had the pleasure of addressing the annual convention of the U.S. Savings and Loan League, meeting at Miami Beach, I referred to savings and loan association assets of $17 billion, but the 1958 total for those assets was close to $54 billion and represented a gain of almost $7 billion from 1957 to 1958. In 1951 I spoke also of an annual total loan rate of around $5 billion, but the 1958 rate was just under $12 billion. Meanwhile, savings accounts in these associations had grown by 1958 to a total of nearly $48 billion and exceeded by a small amount the total holdings of individuals in Government savings bonds.

Because I believe in thrift and because I believe that one of the bulwarks of our democracy is individual home ownership, I would have been happy to come here on this occasion just to commend the members of this group on their past success and to wish them well for the future.

It is a double pleasure, however, to be privileged to congratulate a great Virginia newspaper, the Virginian-Pilot, on the public service it has performed in promoting the cause of thrift.

Everyone in this room is aware of the fact that our capitalistic society is founded on the principle of thrift. It is through savings

that capital can be provided for business expansion on the basis of a stable dollar and, of course, the incentive to save would be greatly reduced if citizens did not have the privilege of accumulating assets which they can pass on to their heirs.

Largely because the right is guaranteed under our Constitution to acquire, use and to dispose of property we have become the richest and most powerful nation in the world. Some lose sight of the fact that property rights and human rights are root and branch of the same personal freedom tree.

Another factor in the success of our private enterprise system is the privilege of freely communicating ideas through the press and the newer media of radio and television. As Thomas Jefferson wisely said: "The liberty of speaking and writing guards our other liberties."

So I am happy to join with you in commending the Virginian-Pilot on the exercise of that right in the public interest.

While my ability to lift the veil of the future is no better than yours, I welcome this opportunity to bring to you the best information I have been able to obtain from financial agencies of the Government concerning current economic trends and to make some comment on the significance of those trends.

We are recovering from what has generally been called a recession, marked by a declining volume of business and a level of unemployment which has caused considerable alarm, but facts which I obtained from Government agencies just before coming here present a rather encouraging picture of current business recovery.

In the fourth quarter of 1958 our gross national product surpassed its prerecession level in terms of dollar volume and during the first quarter of this year it rose above the previous high in terms of adjusted value. Industrial production in February was 144 percent of the 1947–49 average and only 2 points under its 1957 high. By this measure, recovery from the recession could be considered completed.

Also, while the pace of recovery has slowed somewhat in the last few months, there are numerous signs of a strong and broadly based expansionary movement. Personal income is rising steadily, furnishing a basis for continued strength in consumer expenditures, which dropped only slightly during the recession. Automobile sales, which showed a weakness in 1958, are up this year. Housing construction, which expanded sharply throughout the last three quarters of 1958, continues at a high level. The decline in business inventories which occurred last year has been reversed and business spending for plant and equipment has again started to rise.

On the whole, recovery in output compares favorably with experience in comparable phases of the two preceding postwar recoveries. There has been some lag in recovery of employment compared with previous experiences, but unemployment in March was 800,000 less than a year earlier, with much of the remaining unemployment concentrated in large cities producing hard goods, such as Detroit, or in spots like the coalmining areas which have special industry problems.

The existence of unemployed manpower and excess plant capacity may be a cause for concern, but it also can be taken as an indication of our potential for further growth, rising prosperity, and an improved standard of living.

One of the most debated issues today is whether an adequate and sustainable rate of economic growth and price stability can be achieved simultaneously. Some argue that creeping inflation provides the environment most conducive to substainable growth, while others argue that such growth is possible only under conditions of price stability within the framework of a free market system.

I am frankly on the side of those who feel that a little inflation is a dangerous thing and that more inflation can be disastrous.

With general demand expanding, including the demand for investment, it is essential for stability that the volume of saving in the economy be sufficient to finance investment demands. If the supply of saving falls short, there will be pressure to meet these demands through expansion of bank credit, but too much expansion of bank credit would result in excessive expansion of the money supply and lead to inflation.

There has been debate in and out of Congress about controls which are used to avert this type of imbalance. The monetary authorities, by raising reserve requirements, can create a tightness in credit markets with a resultant rise in interest rates and those higher interest rates serve as a brake on credit demands and also as an added incentive to savers to increase their savings, thus helping to bring back into balance the flow of savings and the demand for funds.

Critics of the way these controls have been used complain that higher interest rates increase the cost of Government for servicing our national debt—which is true. They also say that the Government could keep interest rates down by open market purchasing of Government bonds and that this would be helpful to all borrowers, including local government units engaged in public works and businessmen planning expansion. They ignore the fact, however, that such a process of artificially supporting a low interest bond market increases bank funds which become the basis for credit expansion several times the volume of the original transaction and that this is highly inflationary.

Those who say there has been too much emphasis on tight money and rising interest rates should not ignore the fact that steps taken by monetary authorities in 1957–1958 to ease credit conditions resulted in the sharpest rise in the money supply of any of the postwar recessions. The active money supply, consisting of demand deposits and currency, increased at an annual rate of 5½ percent on a seasonably adjusted basis in the first part of 1958 and for 1958 as a whole the money supply expanded by $4.5 billion or about 3½ percent.

But, in addition to the volume of money, we have to consider the velocity of its turnover in order to see the proper relation to possible inflation. The turnover of demand deposits has been rising ever since World War II and during the first 2 months of 1959 it was estimated at the six financial centers outside of New York at a peak of 31.3 times a year while the New York City rate of turnover was 54 times a year.

Balances that people hold idle in their pockets or in banks can be increased with no immediate effect on demand and supply conditions or prices, but when people use their balances more actively, this can add to the aggregate demand without any change in the dollar volume of deposits and currency.

Illustrating the changes in use of funds, in 1955 consumers provided the main impetus to economic expansion through increased purchases of durable goods and homes by a sharp reduction of their financial savings and an increase in the volume of their debt. In 1956 and early 1957, on the other hand, increases in consumers' financial savings made an important contribution toward moderating the rate of economic expansion which was becoming inflationary. In 1958, with a slackening of general economic activity, but with little reduction in the level of personal income, consumers continued to save at a relatively high rate. The savings pattern for 1959 is not yet clear but growth in time deposits at commercial banks is down sharply from the unusually high rates of the previous 2 years. Deposits in mutual savings banks seem to be rising less rapidly than a year ago, but shares in savings and loan associations appear to be rising at close to last year's rate. Consumer decisions later this year as to what they will do with their potential savings can be an important factor in accelerating business demands or slowing down the present expansionary movement.

The problem of monetary authorities in the months ahead will be to govern the rate of monetary growth so as to avoid inadequate expansion, on the one hand, which might choke off further growth, and on the other hand to avoid excessive expansion which might lead to inflation.

But all of the wisdom of the Federal Reserve Board in regulating monetary growth through the manipulation of reserve requirements and rediscount rates and all the fine work being done by building, savings, and loan associations and our commercial banks to encourage thrift, and the investment of savings in business expansion, can be set at naught by a reckless spending program on the part of your Congress.

For instance, during the past 6 years, with personal incomes running at an alltime high, the Federal Government will have added to the national debt by the end of next June the sum of $16 billion. The $8 billion required to service that debt is twice the total expenditures of the Government when I was first elected to the House of Representatives in 1932. The proportion of deficit financing which has been handled by commercial banks has been inflationary since it created bank check money faster than the production of goods and services and lacked the saving grace of the Ricardo theory that a managed currency can be sound provided money is issued solely with relation to the money work to be done.

Marriner S. Eccles, a former Chairman of the Board of Governors of the Federal Reserve System, recently said in Washington that our present economic situation was characterized by "a dangerous inflation psychology." This, he said, was reflected in the strength of real estate prices, the soaring prices of stocks, and the skidding market for bonds and mortgages, particularly securities of the Federal Government. Undoubtedly, the Government spending to which I referred has contributed to this psychology of inflation and the big quection mark of the financial future revolves around the question: When will we have a balanced budget again?

The greatest contribution which the Federal Government could make toward a climate where thrift and savings could flourish is to restrain the urge to spend and to balance the budget.

I am chairman of a Senate committee that has authority to report spending bills, including what is known as the "backdoor approach to Treasury funds." I serve on five subcommittees of the Senate Appropriations Committee that handles 96 percent of the budget. I am confident that my efforts in behalf of economy, a sound fiscal policy and a stable dollar in both the Banking and Currency and Appropriations Committees of the Senate will have the active support not only of this savings and loan group, but also of the bankers I am pleased to see in attendance. While savings and loan associations are more interested in the current home building program than are commercial banks, both organizations have a common goal of preventing inflation, of preserving the stability of the dollar, and of encouraging the American people to save and to put those savings to productive use.

During the last Congress I had the pleasure of working with an advisory committee appointed to assist the Senate Banking and Currency Committee in the study of Federal laws governing our financial institutions.

This advisory committee was composed of representatives of every segment of the financial life of our country and it offered a fine example of harmony and cooperation for the national welfare.

Each member of this group took a broad view of the problem of reviewing all the Federal financial statutes and recommending amendments to bring them up to date. They decided issues on the basis of what was the best way for these institutions to serve the public and compromised their differences in an equitable manner.

A majority of the committee's proposals were incorporated in my bill known as the Financial Institutions Act and, as you know, that bill was passed by the Senate but was killed in the House by the delaying maneuvers of one or two Members. There is no doubt that if the bill had been permitted to come up for a vote in the House it would have passed overwhelmingly.

This, of course, is history now, but I remind you of it to point up one of the most important issues facing the financial world today—that is, you must stick together, because if you don't the political power of those who oppose you will destroy you.

As chairman of the Senate Banking and Currency Committee, I am subject to constant pressures from groups that demand more Government grants and loans for housing, depressed areas, community facilities, small business, and many other areas of direct concern to you. These groups wield a tremendous amount of power, both economic and political, and if they have their way we shall have more and more financial business handled by the Federal Government and less and less under the private enterprise system to which both banks and savings and loan associations belong.

If you do not want the Government to usurp your functions through grants and lending programs; if you do not want the dollar inflated by spendthrift programs to the point where we can have only printing press money, you must use all of your influence, in a united way, on behalf of a sound and independent economy.

You know where I stand in this fight and so long as you keep me in Washington as your representative, I shall continue to battle for economy in government, a reduction in the heavy burden of taxation, and the preservation of our system of free, competitive enterprise.

SENATE

SATURDAY, APRIL 25, 1959

The Senate met at 11 o'clock a.m.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father God, once more a new day opulent with the golden gift of spring lies before us.

In the midst of crushing cares, relentless demands and haunting fears which the Nation's problems bring, may the quieting peace of Thy presence restore our jaded souls. May the Mighty One whose boundless love is in the darkness and behind the darkness, be to us as a covert from the wind, a shelter from the storm, and as the shadow of a great rock in a weary land. Harken to the prayers of our hearts as in our highest moments we forget ourselves and think of Thee.

In the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Friday, April 24, 1959, was dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting a nomination was communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate a message from the President of the United States submitting the nomination of Lt. Gen. Clovis Ethelbert Byers, Army of the United States (major general, U.S. Army), to be placed on the retired list in the grade of lieutenant general, which was referred to the Committee on Armed Services.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule, there will be the usual morning hour for the transaction of routine business; and I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Texas will state it.

Mr. JOHNSON of Texas. When the morning hour is concluded and when the pending business, S. 1555, is laid before the Senate, what will be the pending question?

The VICE PRESIDENT. The pending question then will be on the appeal of the Senator from New Hampshire [Mr. BRIDGES] from the ruling of the Chair.

Mr. JOHNSON of Texas. Have the proponents of the appeal utilized all time available to them?

The VICE PRESIDENT. They have.

Mr. JOHNSON of Texas. Have those on the other side utilized all the time available to them?

The VICE PRESIDENT. Those in opposition have 30 minutes remaining.

Mr. JOHNSON of Texas. Could time on the bill be allocated or used on the appeal?

The VICE PRESIDENT. Yes; if yielded by the two leaders.

Mr. JOHNSON of Texas. Would it be necessary for the leadership to have an agreement to do so; or could the leaders allot such time under the existing agreement?

The VICE PRESIDENT. Under the existing unanimous-consent agreement, the leaders could allocate time on the bill to Senators who wished to speak on the appeal.

Mr. JOHNSON of Texas. No additional agreement would be required in order to do so?

The VICE PRESIDENT. That is correct.

Mr. JOHNSON of Texas. In other words, either the minority leader or the majority leader could allot such time?

The VICE PRESIDENT. Yes; at his own discretion.

PERSONAL STATEMENT

Mr. MANSFIELD. Mr. President, at the close of business last evening, when the point of order which had been raised by the distinguished senior Senator from New Hampshire [Mr. BRIDGES] was being discussed, I made what I consider to have been some intemperate remarks.

I did not then, and do not now, question the right of the senior Senator from New Hampshire to raise the point of order he did in regard to the amendment submitted by the Senator from California [Mr. KUCHEL], on behalf of himself and certain other Senators on both sides of the aisle. In view of the fact that the McClellan amendment, which the Kuchel amendment sought to supersede, had previously been adopted by a one-vote margin, and thereafter, the motion to reconsider had been laid on the table by a one-vote margin, I believe that the point of order raised by the senior Senator from New Hampshire is, on that basis, valid. Therefore, it was then, and is now, my belief that because of the parliamentary situation, it was not necessary for the Senate to compare the provisions of the amendment submitted by the Senator from California, on behalf of himself and other Senators, with the provisions of the McClellan amendment, which had been voted on, adopted, and as to which the motion for reconsideration of the vote had been laid on the table.

My point is that a ruling had been made by the occupant of the Chair, the distinguished junior Senator from Oklahoma [Mr. MONRONEY], and that the ruling he made was based on the advice given him by our very able Parliamentarian, Mr. Charles L. Watkins. It was in that context that I stated last evening, that "what we are testing is the honesty and character of the occupant of the Chair, no matter who he may be."

In order to set the record straight, I have made this statement this morning; and because of the possible misunderstanding of my language, I am stating my point of view in some detail. Because of the implication I may have conveyed, I wish to take this means to put the record straight, and to express to the Senate my regrets for not thinking through in more detail the thoughts I had intended to convey.

Let me say again, Mr. President, that the distinguished senior Senator from New Hampshire [Mr. BRIDGES] had, on the basis of Senate rules and procedure, every right to raise the point of order

he submitted; and, in view of the possible similarities between the McClellan amendment, previously adopted, and the Kuchel amendment, now before us, it was logical and valid to raise the point of order.

Mr. MORSE. Mr. President, will the Senator from Montana yield to me?

Mr. MANSFIELD. I yield.

Mr. MORSE. I wish to raise my voice in high commendation of the statement the Senator from Montana [Mr. MANSFIELD] has just made and of the course of action he has just taken.

I think he knows that all of us understand that in the heat of debate and in the particular type of situation which unfortunately developed last evening in the Senate, it is easy for any one of us at times to make statements which later we wish we had not made. Certainly the test of the bigness of a man is whether he is willing to admit that he may have made a mistake.

The Senator from Montana has shown his bigness in this regard; and I am particularly happy that he made the statement he did on the merits of this matter, because if his statement of last evening had remained in the RECORD without this explanation by him this morning, when some of us came to vote on the question of whether the ruling of the Chair should be sustained, we would seemingly have been put in the position of voting against the character or the integrity of the Presiding Officer.

I knew the Senator from Montana simply could not have meant to use in their literal meaning the words he did employ last evening, because when we come to vote on the appeal from a decision of the Chair, so far as I am concerned any Senator could have been in the Chair, and we shall vote on the basis of our view as to the correct interpretation of the rules of the Senate—a matter which has nothing to do with the Senator who made the ruling.

I wish to state that I am very proud of the majority whip for the statement he has made this morning.

Mr. MANSFIELD. I thank the Senator from Oregon.

Mr. LAUSCHE. Mr. President, will the Senator from Montana yield to me?

Mr. MANSFIELD. I am delighted to yield.

Mr. LAUSCHE. The statements made last evening by the Senator from Montana came immediately following a statement I made, namely, that I thought I should be allowed sufficient time to study the rule and the contents of the pending amendment. In making that declaration, and probably in implying that I might disagree with the ruling of the Chair, I did not contemplate casting any reflection upon the integrity of the Chair.

It is not my understanding that when a Senator takes an appeal to the Senate from a ruling of the Chair, such Senator, by the appeal, implies a lack of integrity or honesty on the part of the Chair. No occupant of the Chair should be subjected to even the implication that he had not acted with integrity.

I take it that what the Senator from Montana has said about the Senator from New Hampshire has equal application to the Senator from Ohio.

Mr. MANSFIELD. Yes, indeed; and I am delighted that the Senator from Ohio has brought up the question, because, as he indicated, it was after he had made a statement that I made my statement.

My purpose this morning is to make the record clear and certainly to indicate that, so far as I was concerned, I may have used intemperate language; and I wish to use this means as a form of apology to both the Senator from New Hampshire and the Senator from Ohio.

Mr. LAUSCHE. Mr. President, I should like to express gratitude for the soothing and comforting words which were contained in the invocation given this morning by Chaplain Harris. Last night nerves were frayed. Emotions were dominating judgment. Things happened on the Senate floor which do not happen when we are thinking with moderation. Today a new hour has arrived—a new concept. Frayed nerves have been restored.

I knew last night that the Senator from Montana did not mean what he said, and I desire to say to him that I have the deepest confidence in him. No one has been more temperate and reasonable than he has been on the Senate floor during my 2 years and 4 months of service in the Senate.

Mr. MANSFIELD. I thank the Senator from Ohio.

MORNING BUSINESS

The VICE PRESIDENT. Morning business is now in order.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. RUSSELL (for himself and Mr. SALTONSTALL) (by request):

S. 1795. A bill to amend title 10, United States Code, to revise certain provisions relating to the promotion and involuntary retirement of officers of the regular components of the Armed Forces; to the Committee on Armed Services.

(See the remarks of Mr. RUSSELL when he introduced the above bill, which appear under a separate heading.)

By Mr. KEFAUVER:

S. 1796. A bill to amend the Internal Revenue Code of 1954 so as to provide accounting procedures whereby dealers in personal property may exclude from gross income amounts withheld by banks and finance companies on notes purchased from such dealers employing the accrual method of accounting; to the Committee on Finance.

(See the remarks of Mr. KEFAUVER when he introduced the above bill, which appear under a separate heading.)

HENRY B. LANDERS—REFERENCE OF BILL TO COURT OF CLAIMS

Mr. CARROLL submitted the following resolution (S. Res. 108); which was referred to the Committee on the Judiciary:

Resolved, That the bill (S. 1608) entitled "A bill for the relief of Henry B. Landers," now pending in the Senate, together with all accompanying papers, is hereby referred to the Court of Claims; and the Court shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28 of the United States Code and report to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of demand as a claim, legal or equitable, against the United States and the amount, if any, legally or equitably due from the United States to the claimant.

AMENDMENT OF TITLE 10, UNITED STATES CODE, RELATING TO PROMOTION AND INVOLUNTARY RETIREMENT OF CERTAIN OFFICERS

Mr. RUSSELL. Mr. President, on behalf of myself, and the senior Senator from Massachusetts [Mr. SALTONSTALL], I introduce, for appropriate reference, a bill requested by the Department of Defense which would amend title 10, United States Code, to revise certain provisions relating to the promotion and involuntary retirement of officers of the regular components of the Armed Forces.

I ask unanimous consent that the letter of transmittal explaining the purpose of the bill, written by the Deputy Secretary of Defense, be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 1795) to amend title 10, United States Code, to revise certain provisions relating to the promotion and involuntary retirement of officers of the regular components of the Armed Forces, introduced by Mr. RUSSELL (for himself and Mr. SALTONSTALL), by request, was received, read twice by its title, and referred to the Committee on Armed Services.

The letter presented by Mr. RUSSELL is as follows:

THE SECRETARY OF DEFENSE,
Washington, April 20, 1959.

Hon. RICHARD M. NIXON,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is enclosed a draft of proposed legislation to amend title 10, United States Code, to revise certain provisions relating to the promotion and involuntary retirement of officers of the regular components of the Armed Forces, together with a sectional analysis thereof.

This proposal is a part of the Department of Defense legislative program for 1959 and it has been approved by the Bureau of the Budget. It is recommeded that this proposal be enacted by the Congress.

PURPOSE OF THE LEGISLATION

The purpose of the proposed legislation is to enable the Armed Forces to meet more effectively the objective of a Regular officer corps of the highest quality in all ranks by: (1) more closely relating the retention of officers after 20 years of service who are serving in the permanent grades of lieutenant colonel and colonel, commander, and captain to the requirements of the services, including the degree of contribution or productivity of the officer and the needs of the service rather than solely to a guaranteed number of years of service; (2) according increased recognition and incentive for out-

standing ability and competence; (3) extending the application of the foregoing provisions to women officers on an equitable basis; and (4) expediting the separation from the service of officers who have been twice deferred from permanent promotion.

The proposed legislation is an important part of an integrated program of the Department of Defense to achieve and maintain a Regular officer force of the highest quality. As a part of this program, the Congress, on May 20, 1958, enacted Public Law 85-422, which modernized and improved the system of compensation for the uniformed services. The Department of Defense recognizes, however, that neither increase of pay alone nor a change in the pay system can accomplish the above-mentioned objective unless our officer personnel laws and regulations are equally responsive to the changing needs of the military services.

It is emphasized that the proposed legislation is not intended to cause, and will not be used for, the involuntary removal of Regular officers from the active list solely because of a reduction in the actual or authorized personnel strength of the service concerned. Rather it is intended that the removal of Regular officers from the active list will continue to be authorized only for the reasons and under the procedures and limitations now provided by law for such removal and as further provided by the proposed legislation.

Within the framework of existing law, the military services have been and are now vigorously carrying out sound, progressive, personnel programs and administrative measures designed to make career service more attractive and to improve further the quality of the career officer structure. Measurable progress has resulted from these programs and every effort will be continued to consolidate and improve the gains already made.

There remains, however, a need for added flexibility in some of the statutory provisions presently controlling the promotion, retention, and involuntary retirement of Regular officers.

Accordingly, the proposed legislation would amend title 10, United States Code, and would, in general, effect the following major changes in existing law:

ALL SERVICES

A. Majors, lieutenant colonels, and colonels: lieutenant commanders, commanders, and captains; discretionary retirement after being twice considered but not recommended for promotion to next higher grade: This bill provides that the Secretary of the department concerned may convene a board of at least five general or flag officers to consider and recommend for continuation on the active list, all Regular officers serving in the permanent grade of lieutenant colonel or colonel, commander or captain, as the case may be, and major, in the case of officers of the Army Nurse Corps, Army Medical Specialist Corps, or Women's Army Corps, or female officers of the Air Force, or lieutenant commander, in case of officers of the Navy Nurse Corps, who (a) have completed more than 20 years' total commissioned service; and (b) have been considered two or more times, but not selected, for promotion to the next higher permanent grade.

The Secretary of the department concerned will determine the number of officers serving in the particular grade under review that the board may recommend for continuation. The board will recommend majors, lieutenant colonels, and colonels, and lieutenant commanders, commanders, and captains, for continuation in the number specified by the Secretary; however, with respect to officers in the grade of colonel or captain (USN), the number specified by the Secretary may not be less than 80 percent of the number of colonels and captains to be considered for continuation on active duty by such board.

Each officer recommended for noncontinuation will, if the recommendation is approved by the Secretary, be retired on the first day of any month set by the Secretary, but not later than the first day of the seventh month after the date of the approval by the Secretary concerned.

The above provisions as to special boards for continuance or retirement will be permissive and in the discretion of the Service concerned. Should the Secretary concerned desire to continue all such officers on the active list to meet the needs of the Service, no board need be convened. In that case, such officers would be retained until they have reached the periods of service otherwise specified in law for their retirement.

B. Criteria for selection for promotion in all ranks: This bill provides with respect to permanent and temporary promotions in all Services that the primary criteria for selection for promotion shall be ability and efficiency.

C. Amendment relating to separation of certain twice deferred officers: This bill provides for the separation from the service of twice deferred officers at: (1) in the case of officers of the Army or Air Force, any mutually agreeable time after the Secretary approves the board report which places the officers concerned in a twice-deferred status, but not later than the first day of the seventh month after they are so identified; or (2) in the case of officers of the Navy or Marine Corps, at any time during the fiscal year in which that board report is made. No change is made in the case of twice-deferred officers who are within 2 years of qualifying for retirement.

ARMY AND AIR FORCE

A. Permanent promotion through the grade of lieutenant colonel—permissive selection of 5 percent below primary promotion zone: This bill provides authority to select for promotion through the permanent grade of lieutenant colonel "best qualified" officers from below a primary promotion zone; such selection to operate as a passover only for those officers who are in the primary promotion zone and who are not selected for promotion. The proposed legislation also provides that the number of officers so selected from below the primary promotion zone may not exceed 5 percent of the total number the regular selection boards are authorized to recommend for promotion to the grade concerned.

Navy and Marine Corps are not affected by this provision, since such authority to promote from below the primary zone already exists by law for those services.

B. Best qualified system for promotion to grades above captain, Army and Air Force: This bill provides that promotions of male officers to permanent grades above captain, Army and Air Force, would be made only on a best qualified basis; and that the number prescribed by the Secretary for recommendation for promotion must be at least 80 percent of those listed for consideration for the first time.

Navy and Marine Corps are not affected by this provision, since existing law already requires use of the best fitted system by the Navy and Marine Corps.

COST AND BUDGET DATA

No cost estimates are submitted as the costs of this proposal are dependent upon future determinations by the Secretaries of the military departments regarding the extent to which the discretionary authority contained in this proposal should be exercised.

Sincerely yours,

DONALD A. QUARLES,
Deputy.

SECTIONAL ANALYSIS OF A BILL TO AMEND TITLE 10, UNITED STATES CODE, TO REVISE CERTAIN PROVISIONS RELATING TO THE PROMOTION AND INVOLUNTARY RETIREMENT OF OFFICERS OF THE REGULAR COMPONENTS OF THE ARMED FORCES

Section 1 adds section 1294 to title 10. Section 1294 provides that the Secretary of a military department may convene one or more boards, each consisting of at least five officers in grades above colonel or captain, as the case may be, to review the records of, and recommend for continuation on the active list, those officers on active duty serving in the permanent regular grade of colonel or captain, lieutenant colonel or commander, or, in the case of certain female officers, major or lieutenant commander, as the case may be, who have completed at least 20 years' total commissioned service and who are considered as having failed of selection at least twice for promotion to the next higher grade. The board shall recommend officers for continuation in the number specified by the Secretary. The number specified by the Secretary for colonels or captains who have twice failed of selection for promotion may not be less than 80 percent of those officers. If the Secretary approves the report of a board, he shall retire each officer not recommended for continuation. Such retirement shall be not later than the first day of the seventh month after the date of the approval by the Secretary. The section will also provide that boards may be convened not more often than once each fiscal year.

Sections 2 and 3 amend sections 1401 and 1405 of title 10, to provide a retired pay formula for officers retired under section 1294.

Section 4(1) amends section 3297 of title 10 to provide that recommendations for promotion in the Regular Army shall be based upon ability and efficiency and that selection boards to recommend officers for promotion whom it considers to be the best qualified may recommend only those officers whom it also considers to be fully qualified.

Section 4(2)(-6) amends section 3300 of title 10 to limit the application of that section to Regular Army first lieutenants and Regular Army captains in the Army Nurse Corps, Army Medical Specialist Corps, and Women's Army Corps. Section 3300 is also amended to provide that when, in the case of those Regular Army captains, the Secretary of the Army directs a selection board to recommend officers for promotion whom it considers to be best qualified, the board may recommend not more than 5 percent of that number from captains, whom it considers best qualified, not in the promotion zone furnished by the Secretary to the board. However, captains not in the promotion zone who are on a promotion list above an officer so recommended may not be considered as having failed of selection for promotion.

Section 4(7) adds new section 3300a to title 10 to provide that (1) when Regular Army captains or majors are considered by a selection board for promotion, the board shall recommend officers, whom it considers best qualified, in the number specified by the Secretary of the Army for promotion; (2) the board may recommend not more than 5 percent of that number from captains or majors, whom it considers best qualified, not in the promotion zone furnished by the Secretary to the board; and (3) captains or majors not in the promotion zone who are on a promotion list above an officer recommended for promotion may not be considered as having failed of selection for promotion.

Sections 4(8), 6, 9, 10(9), and 12 amend sections 3303, 3913, 6382, 6383, 6384, 6401, 6402, 8303, and 8913 of title 10, relating to separation of "deferred" officers, to provide for their separation at (1) in the case of officers of the Army or the Air Force, any mutually agreeable time after the Secretary

concerned approves the board report that places them in a "deferred" status, but not later than the first day of the seventh month after such approval; or (2) in the case of officers of the Navy or the Marine Corps, any time during the fiscal year in which the board report is made.

Section 4(9) adds new subsections (b) and (c) to section 3304 of title 10 to provide that a selection board may recommend for promotion to lieutenant colonel, from Regular Army majors in the Army Nurse Corps or the Army Medical Specialist Corps whom it considers best qualified who are not in the promotion zone furnished by the Secretary of the Army to the board, not more than 5 percent of the number specified by the Secretary under section 3304(a) for promotion from officers in the zone.

Section 4(10) adds new subsections (b) and (c) to section 3305 of title 10 to provide that a selection board may recommend for promotion to colonel, from Regular Army lieutenant colonels whom it considers best qualified who are not in the promotion zone furnished by the Secretary of the Army to the board, not more than 5 percent of the number specified by the Secretary under section 3305(a) for promotion from officers in the zone.

Section 5 amends section 3442(c) of title 10 to provide that selections for temporary promotions to commissioned officer grades in the Army shall be based upon ability and efficiency.

Section 6 (see explanation under section 4(8), above).

Section 7 amends section 5707(i) of title 10 to provide that recommendations for promotion or continuation on the active list of the Navy shall be based upon ability and efficiency.

Section 8 (see explanation under section 4(8), above).

Section 9(1) amends section 8297 of title 10 to provide that recommendations for promotion in the Regular Air Force shall be based upon ability and efficiency and that selection boards to recommend officers for promotion whom it considers to be the best qualified may recommend only those officers whom it also considers to be fully qualified.

Section 9(2) amends section 8299 of title 10 to provide that a selection board may recommend for promotion to lieutenant colonel, from Regular Air Force nurses or medical specialists whom it considers best qualified who are not in the promotion zone furnished by the Secretary of the Air Force to the board, not more than 5 percent of the number specified by the Secretary under section 8299(g) for promotion from officers in the zone.

Section 9(3)-(6) amends section 8300 of title 10 to limit the application of that section to Regular Air Force first lieutenants and Regular Air Force female captains (other than those designated under section 8067(a)-(d) or (g)-(i) of title 10). Section 8300 is also amended to provide that when, in the case of those Regular Air Force female captains, the Secretary of the Air Force directs a selection board to recommend officers for promotion whom it considers to be best qualified, the board may recommend not more than 5 percent of that number from captains, whom it considers best qualified, not in the promotion zone furnished by the Secretary to the board. However, captains not in the promotion zone who are on a promotion list above an officer so recommended may not be considered as having failed of selection for promotion.

Section 9(7) adds new section 8300a to title 10 to provide that (1) when Regular Air Force captains or majors are considered by a selection board for promotion, the board shall recommend officers, whom it considers best qualified, in the number specified by the Secretary of the Air Force for promotion; (2) the board may recommend not more than 5 percent of that number from captains or majors, whom it considers best qualified, not in the promotion zone furnished by the Secretary to the board; and (3) captains or majors not in the promotion zone who are on a promotion list above an officer recommended for promotion may not be considered as having failed of selection for promotion.

Section 9(8) (see explanation under section 4(8), above).

Section 9(9) adds new subsections (b) and (c) to section 8305 of title 10 to provide that a selection board may recommend for promotion to colonel, from Regular Air Force lieutenant colonels whom it considers best qualified who are not in the promotion zone furnished by the Secretary of the Air Force to the board, not more than 5 percent of the number specified by the Secretary under section 8305(a) for promotion from officers in the zone.

Section 10 amends section 8442(c) of title 10 to provide that selections for temporary promotions to commissioned officer grades in the Air Force shall be based upon ability and efficiency.

Section 11 (see explanation under section 4(8), above).

Section 12 is a savings provision to provide that a change or revocation of an election of an annuity under section 1431(b) of title 10, made within 5 years of retirement under section 1294 of that title, is effective notwithstanding section 1431(c) of that title, if it is made within 5 years before the officer would normally have been retired.

AMENDMENT OF INTERNAL REVENUE CODE OF 1954, RELATING TO CERTAIN ACCOUNTING PROCEDURES

Mr. KEFAUVER. Mr. President, I introduce, for appropriate reference, a bill to amend the Internal Revenue Code of 1954 so as to provide accounting procedures whereby dealers in personal property may exclude from gross income amounts withheld by banks and finance companies on notes purchased from such dealers employing the accrual method of accounting. It is my purpose to offer this bill as an amendment to tax bill when one comes to the Senate from the House of Representatives.

Mr. President, the bill provides that where a dealer in personal property employing the accrual method of accounting sells an article and receives a note for the unpaid purchase price, including a finance charge, and then sells the note to a bank or finance company which pays the dealer for the note less any part of the finance charge, the dealer may exclude from his gross income for that taxable year such part of the finance charge as is not paid or made immediately available to him by the bank or finance company.

However, such a dealer must include in his gross income all amounts of such withheld finance charge paid to him or made withdrawable by him in the taxable year in which such payment or withdrawable credit is made.

I understand that presently the Internal Revenue Service considers such finance charge reserves held by the bank or finance company as current income of the dealer and taxable in the tax year in which the note is sold by the dealer.

For example, banks and finance companies buying automobile finance paper frequently withhold a part of the finance charge as a reserve against losses such as in repossessing cars. These funds are eventually returned to the dealer. It seems inequitable to me to require the dealer to pay taxes upon such funds as current income to the dealer. It is a great burden on a dealer to be required to pay income taxes on funds which he has not received during the taxable year and which he may not receive for several years and may never receive a part of the funds due to losses.

I am advised by one of my constituents that he is now being called on to pay approximately $30,000 for 1 year due to the addition of approximately $61,000 of taxable income to his gross income which are funds held in reserve by three finance companies and which are not available to him. He must borrow from the bank $30,000 for taxes on funds which he did not receive in that taxable year and are still unavailable to him.

Mr. President, I am speaking about small business since most retailers are small businesses. Many automobile dealers have been unable to survive in the past few years. Such businesses cannot afford to borrow money for taxes on funds which they will not receive for some time after the taxes are paid.

I believe my bill will do equity to dealers selling to consumers on credit financed through the banks and finance companies. At the same time it does not deny to the Government the taxes to which it is entitled under the present law. The taxes are paid in the taxable year in which the funds are received instead of the year in which the finance paper is sold, if the finance reserve is withheld until a subsequent year. On the average, it would appear to me that the income tax received by the Government should not be materially affected, if at all.

Mr. President, I hope this bill can receive early consideration.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1796) to amend the Internal Revenue Code of 1954 so as to provide accounting procedures whereby dealers in personal property may exclude from gross income amounts withheld by banks and finance companies on notes purchased from such dealers employing the accrual method of accounting, introduced by Mr. KEFAUVER, was received, read twice by its title, and referred to the Committee on Finance.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. CARROLL:

Statement by him relating to Senate Concurrent Resolution 24, providing for an expanded program of education on an international level.

By Mr. JAVITS:

Article entitled "Day Care for Children When Mothers Must Work," written by him, and published in the May issue of Parents magazine.

TRIBUTE TO OLDER MEMBERS OF THE U.S. SENATE

Mr. NEUBERGER. Mr. President, once again, on the night of April 24, we heard the plea that the Senate should not sit in a prolonged night session out of deference to its older Members.

I am not an authority on the chronology of Senate sessions, and do not pose as one. However, I want the RECORD to show that, in the 4¼ years I have been a Member of the Senate, I have never heard one elderly Senator voice a plea that the Senate adjourn. Such pleas are always made by others. It reminds me, Mr. President, of the famous E. B. White couplet about the society pages:

Why is it I always see the lady herself, in deadly clarity,
And never, never, never the object of her charity?

Mr. President, I never have heard Theodore Francis Green, Carl Hayden, Walter F. George, Jim Murray, Bill Langer, Harry F. Byrd, Dennis Chavez, Herbert H. Lehman, Ed Martin, Alex Wiley, or Joe O'Mahoney cry out that the Senate should quit and go home, only those who presume to speak for them.

My hand goes up in salute to our older Members. They can take it, and they have my unstinted respect and admiration—no matter on which side of the aisle they may sit.

ARBOR DAY

Mr. HRUSKA. Mr. President, this week, in many of our States, one holiday will be observed which looks to the future rather than to the past.

April 22 is Arbor Day, traditionally an occasion on which the youth of our country participate in programs which emphasize the importance of tree planting.

The benefits of such programs are not limited to the children alone. The ideas which are instilled through the observation of Arbor Day will extend to all our endeavors. The advantages which are derived by the occasion will affect our homes, our communities, and our Nation.

By the planting of trees we prepare for the future. The trees which are planted today will provide products for the comfort, convenience, and welfare of people in generations to come. They beautify and enrichen the heritage given us.

Moreover, by the planting of trees we practice ideal programs of conservation. The forests which we now have play a significant role in the continued development of our country. Preserving these trees means more than providing a ready source of timber. It means protecting the watersheds of city reservoirs and the topsoil from erosion, to mention just two effects.

But lastly, by the planting of trees we pay honor to one man whose foresight and industry first awoke our Nation to the scope and importance of the problem. These efforts were recognized officially 87 years ago. I speak of J. Sterling Morton, of Nebraska, who was a one-time Secretary of Agriculture under President Cleveland and who waged a continuous battle to plant and preserve trees in America.

When Morton first arrived in Nebraska, that Plains State was rich in soil but, in many areas, practically treeless. Thanks to him and those who followed his lead, Nebraska now enjoys a wealth of woodlands, along with its fertile prairies.

The original Arbor Day was April 10, but in his honor the Nebraska State Legislature changed it to his birthday, April 22. The spirit of that first Arbor Day is with us now as the several States observe their conservation ceremonies.

Morton wrote to the Omaha World-Herald on the occasion of the first Arbor Day that "trees are the monuments I would have." What more enduring and satisfying memorial to him can we have than a nationwide celebration of a tree planting holiday?

Mr. President——

The VICE PRESIDENT. The Senator from Nebraska.

GOV. RALPH BROOKS, OF NEBRASKA

Mr. HRUSKA. Mr. President, yesterday news arrived in Washington that Gov. Ralph Brooks, of Nebraska, who had been in the hospital for several days, had suffered a slight stroke.

Business of the Senate prevented my doing so yesterday, but at this time the senior Senator from Nebraska expresses regret at the news, and wishes to extend his earnest and sincere wishes and hopes that Governor Brooks' recovery will be speedy and complete, so that he may resume his duties and normal activities at an early date. No doubt the vigorous schedule he has been observing in connection with his leadership, with the State legislature in session, has contributed to his condition.

The senior Senator from Nebraska knows that in speaking these thoughts and hopes he expresses the sentiments of the entire delegation from the State of Nebraska both in the Senate and on the other side of the Capitol.

Mr. CURTIS. Mr. President, within the past few days word has reached us here in Washington that Gov. Ralph G. Brooks, of Nebraska, has suffered an illness described as a slight stroke. I want Governor Brooks and all his friends, and all Nebraskans, to know that I join them in hoping for his speedy recovery.

Governor Brooks is an energetic, active individual who has been carrying a very heavy workload. It is regrettable that this illness should overtake him.

I join my senior colleague in extending to him my greetings and every wish for his recovery.

AN EFFECTIVE APPROACH TO SOLUTION OF BOXCAR SHORTAGE

Mr. NEUBERGER. Mr. President, I have joined with the able senior Senator from Washington [Mr. MAGNUSON] in sponsorship of a bill designed to help relieve the shortage of railroad boxcars by giving the Interstate Commerce Commission authority to establish charges between railroads for use of freight cars. Availability of boxcars is an important factor in the economy of my home State because of its dependence on a lumber industry with far-flung markets. The industry is rebounding from doldrums suffered a year ago when tight-money policies dried up housing construction. Revival of home building has stimulated the market for Oregon lumber products, and unemployment has declined from the critical levels of the winter of 1958. But this return to prosperity may be cut short unless an ample supply of boxcars is available during the height of the lumber shipping season in the next few months.

I wish to point out that the bill which has been introduced carries out legislative recommendations of the Interstate Commerce Commission. In February, when first prospects of a boxcar shortage began to appear, I asked the Chairman of the Commission for a report on corrective steps being taken. Chairman Kenneth H. Tuggle responded to the inquiry in some detail, and in conclusion he pointed out that the first recommendation in the Commission's annual report for 1958 was for revision of authority to fix per diem charges.

Mr. Tuggle said:

If enacted, this proposed legislation will provide an incentive for individual carriers to own and maintain a freight car fleet sufficient to protect their requirements rather than suffer the penalty of high per diem charges, during car shortages, through the use and holding of foreign cars on their line due to the inadequacy of their car ownerships.

I trust that early consideration can be given to this proposal. I recognize that some people in the railroad industry hold the view that other adjustments, rather than increased per diem charges, would lead to improvement of the boxcar situation. Perhaps hearings on the proposed legislation will provide this segment of the industry with an opportunity to explain in detail how they intend to meet the shortage. I am sure that many of my colleagues share my interest in learning of any proposals for assuring an adequate supply of freight cars to serve the Nation's entire rail transportation network.

Mr. President, I ask unanimous consent to include with my remarks the letter which I have received from Chairman K. H. Tuggle, dated February 20, 1959. I also ask consent to include with my remarks an excellent editorial from the Medford Mail-Tribune, entitled "Coming Car Shortage," and a story by Mr. Dan Sellard, of the Eugene Register-Guard of March 15, in which he tells of the widespread concern in Oregon's lumber industry over the car shortage.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

INTERSTATE COMMERCE COMMISSION,
Washington, D.C., February 20, 1959.

Hon. RICHARD L. NEUBERGER,
U.S. Senate, Washington, D.C.

DEAR SENATOR NEUBERGER: I am in receipt of your letter of February 13, 1959, concerning fears expressed by some of your constituents with respect to an anticipated freight-car shortage and requesting advice as to current developments and steps being taken to

work out a solution if such a car shortage is imminent.

Since the early part of January some slight boxcar shortages have been reported in the Northwest area. These shortages, however, have included only the so-called special types, such as insulated, damage-free cars, and wide-door 50-foot boxcars, and, with the exception of these types of cars, no serious supply problem has been encountered since late in 1957.

The increasing desirability of the above-mentioned special-type cars and the consequent heavy demand for them by shippers have brought about a car-supply problem with which the American railroads are steadily coping, and which, through new-car purchases and the rehabilitation of the existing car fleet, they hope to alleviate the shortage.

In April the Southern Pacific Co. will start taking delivery of 500 new wide-door boxcars suitable for mechanical loading of long lumber and plywood. Other carriers serving the Northwest also have a substantial number of new boxcars on order.

For some time the Commission has been greatly concerned with the deteriorating freight-car supply, and the matter has been handled by correspondence and conference with the Association of American Railroads. On September 22, 1958, Commissioner Freas, who was chairman at that time, addressed a letter to Mr. Daniel P. Loomis, president of the Association of American Railroads, calling his attention to the reduction in serviceable freight cars and to the heavy increases in bad-order equipment, and requesting that he impress upon the members of his board the gravity of the situation. A reply was received from President Loomis on October 1, 1958, stating that a copy of Chairman Freas' letter had been sent to the chief executives of all member lines, and that a copy would be included in the minutes of the board of directors' meeting. In his letter he indicated that as soon as the loading justified it the railroads would recall additional forces to put the car fleet in order.

On October 3, 1958, Chairman Freas replied to Mr. Loomis that he considered the freight-car situation more serious than was portrayed in Mr. Loomis' letter, and advised him that reports from our field force indicated that a large number of boxcars carried as serviceable were not suitable for even rough freight loading, and that with the mild increase in loading in October there were shortages of cars of several types for loading. He was further advised that while minor repairs can, of course, be made quickly, it is too late to start major repairs or build new cars when the shortage is upon us, and that in the broad interest of the country, as well as in the special interest of the railroads, positive and vigorous action seemed clearly called for.

Instead of making an improvement in the bad-order situation, it had steadily deteriorated up to the present time; and while reports have been issued by the association to the effect that practically all of the major carriers in the country have reactivated their car-repair programs and have as their objective the reduction of their bad-order cars within a reasonable figure, results are not in evidence so far.

Division 3 of the Commission, which has direction over car service matters, held an informal conference with Vice President May, of the Association of American Railroads on February 17, at which time the freight car supply was further discussed; and this matter will be handled further with the Association of American Railroads stressing the importance of railroads' giving immediate attention to the bad-order situation.

Of the approximately 152,000 bad-order cars, over 50 percent are owned by six eastern and Allegheny carriers. As of January 1, 1959, there were 151,612 bad-order cars or 8.4 percent of total ownership of class I railroads in the United States. The railroads in the eastern district had 27,865 or 9.5 percent of total ownership bad order; Allegheny district railroads had 69,095 or 20.6 percent bad order; Pocahontas district 8,664 or 4.9 percent bad order; and the southern district 12,384 bad order or 4.6 percent. All western railroads had 30,007 or 4.6 percent bad orders. The railroads in the eastern and Pocahontas districts having the majority of the bad order cars were: New York Central, 12,448, or 11 percent; New York, Chicago & St. Louis, 3,432, or 12.1 percent; Baltimore & Ohio, 15,224, or 16 percent; Central of New Jersey, 1,943, or 25.2 percent; Pennsylvania, 43,388, or 25.3 percent; Reading, 7,521, or 25.2 percent, which totals, 83,956.

Outside of the Eastern and Pocahontas districts, the other railroads have a percentage of bad-order cars of approximately 4.6 percent, which is not considered out of line. The eastern carriers, which have the largest percentage of the bad order cars, have been in financial difficulty for the past year due to the decrease in carloadings, and they have reduced all maintenance forces to a bare minimum and very little repair work has been done to equipment located on their rails. If the bad-order situation on these roads could be brought in line with southern and western roads, the car situation would not present such a gloomy picture, even though orders for new equipment during the year 1958 were mostly for specialized equipment. During the months of November, December, and January, approximately 14,000 new cars were ordered by all carriers, which is a considerable improvement over the previous 12 months.

The Commission does not have authority to require railroads to purchase freight equipment, and neither does it have authority to prescribe rules and regulations for maintenance of freight equipment. However, we will continue to bring the matter forcefully to the attention of the railroads in an effort to improve the present situation.

The Bureau of Safety and Service of the Commission gives constant surveillance to the car supply situation. The field representatives of that Bureau stationed in the Northwest are fully aware of the daily freight-car requirements and are keeping a watchful eye on the car supply and distribution to meet current needs. Reports received from these field agents indicate that the general car supply is favorable at the present time and that, except for the types of cars previously mentioned, no serious problem has presented itself in recent months.

I might add that our Bureau of Safety and Service also works very closely with the Association of American Railroads toward an equitable distribution of the available freight cars, and at the present time empty cars are being directed to lines in the Northwest to assist them in their supply problems. This plan is being effectuated through the cooperative efforts of the various railroads.

With respect to legislative efforts necessary to carry out the program of improving the car supply, I respectfully refer you to the 72d Annual Report of the Interstate Commerce Commission for the fiscal year ended June 30, 1958 (pp. 135–136). Legislative recommendation No. 1 reads as follows:

"We recommend (a) that section 1(15) be amended so as to authorize the Commission to direct the assessment of penalty per diem charges as an aid in alleviating shortages of railroad freight cars during periods of emergency or threatened emergency, or (b) that section 1(14) be amended so as to authorize the Commission to include as a factor in determining the amount of per diem charge, the earning power or value of the use of the vehicle lost to the owner when used or appropriated by others."

A discussion of the recommendation and reasons for its submission are also contained in the report. If enacted, this proposed legislation will provide an incentive for individual carriers to own and maintain a freight car fleet sufficient to protect their requirements rather than suffer the penalty of high per diem charges, during car shortages, through the use and holding of foreign cars on their line due to the inadequacy of their car ownerships.

Sincerely yours,

KENNETH H. TUGGLE,
Chairman.

[From the Medford Mail-Tribune, Mar. 22, 1959]

COMING CAR SHORTAGE

Blame for an impending freight-car shortage in Oregon—described as the "granddaddy" of them all—should not fall upon the shoulders of western railroads alone.

An article in the Wall Street Journal last week points out that the problem and its causes are nationwide.

The Journal article cites as one cause a squabble between eastern and western railroads over possession of badly needed cars.

During the recent recession, article points out, railroads in this part of the country fared better than those in the East and were able to carry out for the most part their car buying and repairing programs.

The shrewd, perhaps envious eastern lines reportedly have taken advantage of this by the legal if not entirely ethical practice of pirating western cars.

When these cars enter eastern systems in the normal course of commerce they can be kept there for indefinite periods—so long as the line using them pays a $2.75 daily rental charge.

The article quotes an irate Midwest rail executive as saying the eastern roads figure it's cheaper to use one of our new cars for $2.75 a day than it is for them to build or repair their own.

"So," he adds, "they've just let their car programs go to pot."

The eastern railroads, according to the Journal have found it necessary to cut down on maintaining their own rolling stock because of shrinking capital. The Pennsylvania Road, for one, reportedly favors establishing a Federal agency to purchase new equipment and lease it to the hard-pressed private lines.

Many western railroads apparently view the $2.75 rental fee a major culprit. They point out that it provides insufficient reimbursement for a car that cost them anywhere from $8,500 to $20,000 to acquire.

"So long as it is cheaper to rent a car than it is to own one—and that is the situation today—underbuilding will be the policy of strategically situated railroads." The president of a midwest road who made this statement believes, according to the Journal, that raising the rental charges would increase the national car supply automatically by the operation of natural economic laws.

George Ehlen, traffic manager for the Spokane, Portland & Seattle Railway, is quoted as saying recently that more teeth in the Association of American Railroads' rules would discourage the eastern roads from hanging on to western cars for long periods.

Raising the rent would probably help the western lines. On the other hand, it could well put that much more pressure on the profit squeeze, of which most railroads, particularly in the East, complain so bitterly.

Another investigation, as demanded by Oregon officials, might came up with a partial solution, or at least some valuable insights. But from all reports the problem can only be licked on a nationwide basis.

The need for action is urgent. The Nation's railroads have gotten on a wrong track that could lead to economic calamity, both for them and for their patrons.

[From the Eugene Register-Guard, Mar. 15, 1959]

GRAVE FREIGHT CAR SHORTAGE FORESEEN

(By Dan Sellard)

PORTLAND.—Oregon's lumber industry may be faced with one of the most severe freight car shortages in history this summer, unless anticipation of the problem heads it off.

Already, in the past several weeks, this anticipation of the car shortage has caused a number of meetings to be held; several committees and investigating boards have been set up and the strategy has been outlined for the battle.

The shortage is almost an annual event, as lumber shipments bump into harvests of grain and other crops, but the 1959 crisis may be greater than ever, since the lumber market is currently strong and indications are that it will remain so throughout the good weather season.

At a meeting held here Friday of the Pacific Northwest Shippers Advisory Board, an organization made up of both shippers and railroad officials, M. A. Kasen, official of a mill operation in Portland, said that while the supply of cars is tight in all areas the worst hit will be the lumber industry.

Kasen said that a forecast for the second quarter of 1959 indicates that shipments of fir lumber will be up 6.3 percent over the same quarter in 1958; and that plywood will be up 18.3 over the 1958 second quarter.

This means, he translated, a demand for 4,128 freight cars in the coming second quarter than were needed during the same period last year.

NEED WILL INCREASE

Plywood, he reported, will need 4,634 more cars in the second quarter, 1959, than were needed in the 1958 period.

The overall economic picture for the coming second quarter in the Pacific Northwest, he said, indicates that demand for cars will increase 4.2 percent or a total of 9,560 cars.

No one said during the meeting that the area would be short that many cars, but based on past supply and demand situations, the consensus was that this increased call for freight cars would undoubtedly precipitate a crisis.

Although the forecasts were only for the second quarter of 1959 (April, May, and June) the situation could be worse in July and August, for then the grain harvest makes a large demand on freight cars.

Kasen and others at the shipper's meeting were critical of railroads of the Nation for not speeding up the repair of bad-order cars, those which are taken off the lines for repair work. Later in the meeting, R. E. Clark of the Association of American Railroads, said that of the Nation's freight cars, 153,000 are in need of repairs.

FEWER CARS NOW

Clark said that today there are 137,000 fewer boxcars (which are a must in the lumber industry) in the Nation now than there were during 1958. But, he pointed out, there are 5,900 more in service than there were during 1957.

Clark denied shippers' allegations that eastern lines are holding cars which go from the West. This is not so, he said, for in January, 71.6 percent of the West's boxcars were in the western region. There are more eastern cars in the West than there are western cars in the East, he said.

During a luncheon meeting of the shippers' association, Ben W. Heineman, chairman of the Chicago & North Western Railway Co., Chicago, Ill., said that railroads should be permitted to operate like other businesses, and should be able to reduce rates to meet the other modes of transportation.

"Railroading today is a highly competitive business," Heineman said, "and we can perform only if we are considered as such."

Overpricing on the part of railroads, he said, has sent business to trucks, and this is not necessary. "The truck is faster and more flexible than the railroads and as such should command a higher price for a specialized service," he said.

The railroad leader blamed Government regulation for the situation, and summed up his talk with a plea for the shippers to help the railroads to compete by reducing rates. This, he said, can be done, only if the railways are released from the binding of Federal and local government regulations.

As the car shortage neared, several combative moves were being made at the State level in Oregon.

Speaker of the House Robert Duncan asked that a study be made of what legislation is needed to prevent the car shortage; and Gov. Mark Hatfield announced he would name an emergency transportation committee to study the problem.

EFFECTIVE WORK OF THE SMALL BUSINESS ADMINISTRATION

Mr. JAVITS. Mr. President, a constituent small business concern, the McLean Development Laboratories, Inc., of Copiague, Long Island, N. Y., has written me regarding the excellent assistance it has received from the Small Business Administration regarding a problem with which it was faced. I ask that a letter from Mr. H. P. Dolan, president of that company describing this help, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MCLEAN DEVELOPMENT
LABORATORIES, INC,
New York, March 10, 1959.

The Honorable JACOB JAVITS,
U.S. Senate, Washington, D.C.

MY DEAR SENATOR JAVITS: This letter is being voluntarily written in order that you, as a Member of the U.S. Senate and, perhaps, through you, other Members of the U.S. Senate, may learn of the excellent cooperation and help which our company, McLean Development Laboratories, Inc., received from the Small Business Administration.

McLean Development Laboratories, Inc., located in Copiague, Long Island, N.Y., qualifies as a small business corporation and, for the past 10 years, has been engaged in the design and development of bomb release and suspension mechanisms for military aircraft. During that time, practically all of our business has been with the U.S. Navy Department, Bureau of Aeronautics, and the U.S. Air Force.

In June 1957, we were awarded an engineering design contract by the Air Force Special Weapons Center, Kirtland Air Force Base, N. Mex. The contract requirements called for the design, development, and prototype model of a universal suspension system for carrying and releasing special weapons. The contract was successfully completed, and the McLean designed system is now being manufactured by Boeing Airplane Co. at Wichita, Kans., and installed in the current production of B–52 aircraft. It is expected that the system will be retroactively installed in all operational B–52 and B–47 aircraft. This program, needless to say, involves many millions of dollars of Government expenditures.

The contract under which McLean Development Laboratories, Inc., performed was of the cost-plus-fixed-fee type. Under its provisions, Mr. McLean assigned to the Government a royalty-free license to produce the suspension system. Because of the very large potential manufacturing volume involved, and the possible short-term delivery schedule which probably would be required, our company did not feel it was in a position to perform a large share of the production contract to be awarded. However, McLean Development Laboratories, Inc., did believe it could, and should, participate on a competitive basis in the production order, either as a prime subcontratcor, because of its contribution to the program through the design and development work which had been successfully performed. For a time, nevertheless, we were deeply concerned that our company might be completely eliminated from the program.

At this point, McLean Development Laboratories, Inc., sought the advice and assistance of the Small Business Administration. The results were very satisfactory. Personnel of the Small Business Administration in Washington obtained from us detailed information about the suspension program and the work performed by McLean. After satisfying themselves as to the merits of our position, the Agency representatives arranged for us to meet with representatives of the Air Force in Washington and Wright Field and, also, with members of Boeing Airplane Co. in Wichita. At all of these meetings, we were given every opportunity to present our case, and were treated with every courtesy and respect. Personnel of the Small Business Administration accompanied us to several of the meetings, and it was obvious that they were held in high regard and esteem.

Our respect and thanks go to Mr. Wendell B. Barnes, Small Business Administrator, and his staff. During our conversation with them, the personnel of the Agency proved to be men of knowledge, ability, and experience. They acted promptly, efficiently, and with confidence. We now feel that because of the efforts of the Small Business Administration, we have an excellent opportunity to participate in the suspension system program of the Air Force.

Sincerely yours,

MCLEAN DEVELOPMENT
LABORATORIES, INC.
H. P. DOLAN, *President.*

OCEAN SHIPPING TO SUPPORT THE DEFENSE OF THE UNITED STATES

Mr. BUTLER. Mr. President, I ask unanimous consent to have printed in the RECORD at this point the full text of my recent correspondence with Vice Adm. Ralph E. Wilson, Deputy Chief of Naval Operations—Logistics—concerning the posture of the American merchant marine.

Against the background of last month's report dealing with the U.S. Navy, these comments indicate that our merchant marine as well as our naval fleet are not in an acceptable state of readiness to meet any emergency of the future.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

JANUARY 26, 1959.

Vice Adm. RALPH E. WILSON,
Deputy Chief of Naval Operations (Logistics), Department of the Navy, Washington, D.C.

DEAR ADMIRAL WILSON: On April 24, 1953, in testimony before the Subcommittee To Study Maritime Subsidy Programs of the Senate Committee on Interstate and Foreign Commerce, you, as a representative of the Department of Defense, made these statements:

"The Department of Defense is concerned about the lack of a comprehensive merchant-ship-construction program which would provide for the orderly replacement of the vast

proportion of our merchant fleet which is fast approaching obsolescence."

* * * * *

"It is considered appropriate to * * * recommend that the Congress place the maximum reliance on U.S.-flag merchant shipping to support the defense of the United States."

* * * * *

"It is important to note that while the national defense fleet—active and reserve—is deficient only to a minor degree to meet initial defense requirements from a quantitative point of view, there is a serious deficiency from a qualitative point of view."

The posture of our merchant navy continues to be a matter about which I am gravely concerned, and I am therefore wondering if you would care to provide me with a similar appraisal, reflecting your present views, of the status of the American merchant marine.

Many thanks in advance for any comments you might care to share with me.

Sincerely,

JOHN MARSHALL BUTLER,
U.S. Senator.

DEPARTMENT OF THE NAVY,
OFFICE OF THE CHIEF
OF NAVAL OPERATIONS,
Washington, D.C., February 21, 1959.

Hon. JOHN MARSHALL BUTLER,
U. S. Senate, Washington, D.C.

MY DEAR SENATOR BUTLER: In your letter of January 26, you refer to testimony presented by me in 1953 and express interest in a current appraisal of the status of the American merchant marine. The substance of the testimony presented in 1953 is still valid. There have been some improvements in certain areas, but they have been more than offset by continued depreciation of the vast proportion of our sea transportation resources. Other complicating factors, which I will discuss later, have also entered into the picture. Consequently, the seriousness of the overall problem has increased with the passage of time.

My original statement on "Ocean Shipping to Support the Defense of the United States" has been revised in order to bring it up to date and reflect the present views of the Department of Defense on this subject. A copy is enclosed for your information.

Most of the subsidized shipping companies have entered into long-range contracts for the orderly replacement of their aging ships. In the cargo ship category, accomplished and projected construction falls in the speed range of 17½ to 20 knots. In the passenger ship category, four new ships have been built and three converted from mariners that meet the minimum speed requirement of 20 knots. Further, the last session of Congress authorized the construction of two large high-speed passenger ships which will significantly improve our trooplift capability.

The rate of progress of the above programs will depend on actions taken in the future with respect to construction differential subsidies. It is hoped that it will be practicable for governmental subsidy funding to keep pace with the contractual schedules for replacement.

It is important to note that the subsidized segment of the U.S. flag merchant fleet amounts to a little over 300 berth line ships. They operate over essential trade routes under mandatory voyage scheduling procedures dictated by the Maritime Administration. Several unsubsidized shipping companies have applied for governmental subsidy. Should their applications be approved, the total number of authorized subsidized voyages would need to be increased and additional funds would be required.

Our unsubsidized shipping companies operate approximately 700 ships under U.S. flag. Further, they own and operate about 500 additional ships under the so-called "flags of convenience" (Panama, Liberia, and Honduras).

Unsubsidized operators have built a goodly number of modern tankers in the past few years. Most of them range in speed from 16 to 18 knots. They have built comparatively few ore carriers, other bulk carriers, or general cargo ships. In general, unsubsidized operators have neither a comprehensive nor a long-range plan for the replacement of aging ships on an orderly time schedule.

In 1953 the large number of ships that comprised our national defense reserve fleet were considered an invaluable source of augmentation of our active shipping capabilities in the event of an emergency requiring their use. These ships have aged another 6 years in the meantime and depreciated in proportion.

The vast majority of ships in the national defense reserve fleet are slow-speed Liberty types of limited usefulness. Over the past 2 years it has been found necessary to select and approve the scrapping of 300 of these ships. Their marginal value did not warrant the cost of further preservation efforts. In this regard, the President's budget message of January 19 stated that some savings in maintenance costs will be realized by the Maritime Administration through reducing preservation work on over 1,000 Liberty ships no longer suitable for mobilization. Consequently, there is an obvious need that the reserve fleet be purified on a cyclic basis by the trade-in of aging ships under orderly replacement programs. Otherwise, our national defense reserve fleet will gradually deteriorate into insignificance.

The Department of Defense fully shares your grave concern with regard to the posture of our U.S. controlled merchant fleet. We are especially worried over recent developments in the international controversy regarding the registry of American-owned ships under foreign "flags of convenience."

American-owned merchant ships that are registered under flags of convenience are under effective U.S. control by virtue of agreements effected by the Maritime Administration. They are readily available and will be required in the event of mobilization or other serious emergency to augment our limited U.S.-flag merchant fleet. More than half of the U.S. controlled tanker tonnage is registered under foreign flags.

Over the past few months, increasing pressure has been exerted against "flags of convenience" by foreign shipping interests and maritime labor organizations. Combined opposition from these sources threaten to make it economically impracticable for American owners to operate their ships under "flags of convenience." This raises the immediate question as to what steps should be taken to insure the continued availability of these ships for purposes of national defense.

European shipping interests have long criticized those aspects of American shipping policies which enable our operators to compete in ocean trade. They have enlisted the support of their governments in strongly opposing American practices with respect to shipping subsidies, cargo preference, and registries under "flags of convenience." International maritime labor organizations have furthered the objectives of European shipping interests by exerting forceful pressures against the owners of "flags of convenience" shipping.

In December 1958, the Netherlands Government presented a note to the Secretary of State on behalf of a number of Western European countries. The note suggested that informal talks be arranged between representatives of the United States and the Western European countries, the object of which would be to explore whether the shipping policies of the Western European countries and the United States could be brought into closer harmony without impairing either the legitimate needs of the United States in shipping matters or the common economic strength of the West. The Department of State, by letter dated January 28, 1959, has advised Senator MAGNUSON, your committee chairman, of steps being taken in preparation for the forthcoming talks.

The latest development in the "flags of convenience" problem occurred during the recent London conference of the International Transport Workers Federation. At this conference, a decision was made to require shipowners to hire crews under contracts with unions of the shipowners' nationality. American owners of "flags of convenience" ships contend that they cannot operate under American wage scales without governmental subsidy.

To bring the American-owned "flags of convenience" fleet (about 350 ships) under U.S. flag and subsidize its operation would entail extremely high ultimate costs, as numerous unsubsidized ships that are presently under U.S. flag would also become eligible for subsidy.

It would not be appropriate for either the Navy or the Defense Department to become involved in a dispute between labor and management. Department of Defense interest and anxiety in this matter pertain to the impact on our national defense posture that this unresolved problem poses.

In view of your position and your interest in the welfare of our maritime industry, it is important that you be fully informed on the foregoing trend of event.

Sincerely yours,

Vice Adm. RALPH E. WILSON,
United States Navy, Deputy Chief of Naval Operations (Logistics).

OCEAN SHIPPING TO SUPPORT THE DEFENSE OF THE UNITED STATES

INTRODUCTION

The United States must be prepared today—and throughout the foreseeable future—to deal immediately and effectively with any emergency that may be forced upon us. We must be ready at all times to fight a limited war, or a general war, or to support our foreign policies under tense conditions short of actual conflict.

The prosecution of war utilizes all the resources of our Nation. Our entire industrial potential is intermeshed into our overall national defense posture. To project our military power overseas and support sustained combat operations, our Armed Forces must rely heavily upon American industry—and our maritime industry, as in the past, must play a key role.

The strategic importance of ocean transportation in wartime dictates that the United States must have effective control over sufficient active merchant-type shipping to promptly meet our initial emergency requirements—for the redeployment of military forces and the rapid transportation of noncombatant evacuees from danger areas.

Six years ago we possessed a marginal, but gradually deteriorating capability to carry out the transportation task outlined above. Since then the Department of Defense has observed with concern the slow rate of progress made in the replacement of aging vessels. Greater emphasis must be placed on the need for orderly shipbuilding programs.

We cannot rely on NATO pooling to solve our merchant shipping problems, as it appears most probable that the combined requirements of all NATO nations will exceed the total capabilities of the pool. Moreover, considerable delay in the implementation of NATO pooling procedures is anticipated. Our global interests require that the United States be prepared for emergencies other than a NATO war.

BACKGROUND

At the outbreak of World War I, shipping available for charter to American interests

suddenly became extremely scarce. Charter rates skyrocketed. We were forced to hastily improvise a shipbuilding program which was both costly and inefficient. Peak production was reached after the war ended. We learned in World War I that the law of supply and demand is real. We were taught the same lesson again in World War II.

The primary mission of the American merchant marine is the normal task of transporting our domestic waterborne commerce and a substantial portion of our foreign export and import ocean trade. The health of our industrial economy is dependent on sea transportation for the import and export of numerous raw materials and finished products. It is imperative that the world's foremost trader control sufficient merchant shipping to transport what we need when we need it.

A collateral and extremely important mission of the American merchant marine is the maintenance of a posture of strength and readiness that will contribute the maximum to our national security. In the event of war we will require the services of a large number of merchant type ships to meet our military, industrial, and civilian demands.

It is important that our anticipated wartime needs be insured to the maximum practicable degree in peacetime by the ready availability of privately owned merchant ships employed in gainful ocean commerce. The magnitude and quality of active commercial tonnage under U.S. control in peacetime will determine, in the event of a future war, whether or not we will be required to initiate a crash building program.

REQUIREMENTS AND AVAILABILITIES

Periodic evaluations of merchant shipping requirements and availabilities are made jointly by the Department of Defense, the Department of Commerce, and the Office of Civil and Defense Mobilization. A similar joint appraisal is made annually by the Maritime Administration and the Navy Department.

The determinations of merchant shipping requirements are based on approved mobilization plans for general war. Civilian and military requirements are combined to represent our total minimum shipping needs for the early phases of a general war.

Our joint evaluations of shipping availabilities consistently show that the United States does not have sufficient active U.S. owned and controlled shipping to meet our initial wartime needs. Consequently, our estimated total capabilities must include planned early activations from the National Defense Reserve Fleet—under optimum assumed conditions which make no allowances for possible damage to shore facilities. Allowances are made for cumulative losses of shipping from enemy action. However, such estimated deductions are probably conservative.

A recent joint review of merchant shipping requirements and availabilities made by the Maritime Administration and the Navy Department indicates that during the initial phases of a general war:

(a) There would be a numerical deficit of between 100 and 200 dry-cargo ships equivalent to the C–3 class, approximately 30 reefer cargo ships equivalent to the Rs–S–BV1 class, and 4 heavy-lift ships (150-ton booms) equivalent to the converted C–4 class.

(b) There would be small but manageable deficits in tanker availabilities.

(c) We could meet our minimum needs for troop transport. This determination is valid, however, only on a quantitative basis. There are serious qualitative deficiencies.

Our sea-transportation resources for limited war are presently considered to be adequate. However, the degree of promptness with which sealift responds in an emergency will have an important impact on the eventual outcome. A limited war crisis could well become a race against time to evacuate nationals, to redeploy troops and equipment, or to augment and resupply existing forces overseas. To be prepared for such situations, we must rely on the ready availability of modern merchant ships of all types.

PRESENT CAPABILITIES

Existing inventories of sealift resources under U.S. control, as of January 1, 1959, are summarized below:

	Number	Dead-weight tonnage
(a) Dry cargo ships:		
Operational	921	10,222,400
Reserve fleet	1,580	16,241,600
Total	2,501	26,464,000
(b) Tankers:		
Operational	693	13,702,900
Reserve fleet	66	890,800
Total	759	14,593,700
		Passengers (emergency capacity)
(c) Passenger ships/transports:		
Operational active total	70	115,892
Reserve fleet	89	223,884
Total	159	339,776

The active U.S. controlled sealift capability is comprised of merchant ships under U.S. flag, certain foreign registered merchant ships under "Effective U.S. Control," and merchant-type ships operated by the Military Sea Transportation Service (MSTS).

The term "Effective U.S. Control" applies to selected American-owned ships which have been registered under the so-called "flags of convenience" (Panama, Liberia, and Honduras), in order to reduce operating costs. In such cases, the Maritime Administration has effected agreements with the parent shipping companies in the United States to make these ships available to the U.S. Government in the event of a national emergency. These agreements can be fulfilled without restraint, because the laws of Panama, Liberia, and Honduras do not impose restrictions on the control of merchant ships that fly their flags. These countries have no shipping requirements of their own and they are likely to remain neutral in the event of war. In view of these circumstances, the Department of Defense considers such ships to be under "Effective U.S. Control."

The vast proportion of our U.S. controlled merchant-type ships were constructed during the years 1942 to 1945. They were mass produced for specific wartime purposes. Many of their design features were matters of expediency rather than choice. Ships built during World War II are now 14 to 17 years old and have long been outmoded from the standpoint of modern design.

The capabilities shown as comprising the National Defense Reserve Fleet may be misleading. It should be pointed out that over 1,300 of the dry cargo ships are slow-speed Liberty types of limited usefulness. Approximately 180 of them are awaiting scrapping under previous approvals to select and scrap 300 of the poorest quality ships. Their marginal value did not warrant the cost of further preservation efforts. Of the 89 transport/passenger ships, 51 are 17 knot C–4 austerity transports and 23 are 15.5 knot Victory troopships.

We can look forward to further depreciation of the overall potential of the Reserve Fleet—from the standpoints of both quantity and quality. Consequently, there is an obvious need that the Reserve Fleet be purified on a cyclic basis by the trade-in of aging ships under orderly replacement programs. This requirement goes hand-in-hand with the need to modernize our active merchant fleet.

DRY CARGO SHIPS

The only fully modern dry cargo ships in commercial operation today are the Mariner Class ships that were built by the U.S. Government. The 20 knot C–4 Mariners, which can do 23 knots if required, represent an impressive step forward in cargo ship design. Their performances have been highly praised by several private operators to whom 29 of the ships were sold. Three of these ships have been converted into passenger ships.

With regard to future construction of dry cargo ships, the Department of Defense recommends that the design characteristics listed below be incorporated to the maximum degree that is commercially practicable.

(a) Speed: When built under construction-differential subsidy contracts and certified as being suitable for economical and speedy conversion into naval auxiliaries, dry cargo ships should have a sustained sea speed of 20 knots or better. Dry cargo ships certified as otherwise suitable for the use of the U.S. Government in time of war or national emergency, should have a sustained sea speed of not less than 18 knots. Where construction subsidies and/or national defense allowances are not involved, the highest commercially economical speeds are acceptable.

(b) Other characteristics: The most practical and useful types of general-cargo vessels, from a military point of view, appear to be those having the capacity and the characteristics of the C–3's and C–4's (particularly Mariners), of Maritime Administration design. However, much is to be desired in the matter of modernization with respect to cargo handling equipment and methods. Cargo vessels should be designed and equipped to load and discharge, using their own gear, in one-half the time now required by the existing C–3's and C–4's. At least one hatch of each vessel should be served by a "jumbo" boom of 60 tons capacity and all hatches should be equipped with 10-ton booms. There is a definite need for a limited number of heavy lift ships equipped with oversized hatches and cargo booms capable of lifting up to 150 tons.

(c) Special type cargo ships: Roll-on/roll-off ships on the order of the USNS *Comet* as well as ships with partial roll-on/roll-off capability offer advantages in meeting requirements for the overseas movement of mobile military equipment such as wheeled and tracked vehicles. Additionally, we encourage the continued development of container cargo ships, which are designed to carry containerized and prepalletized cargoes. Further construction of such ships in peacetime would increase active capability and afford operating experience. U.S. shipyards would also gain construction experience which would enable them to commence early production under an emergency situation.

TANKERS

American shipowners have built a good number of modern tankers in the past few years—some for registry under U.S. flag and some for registry under foreign flag. These new ships range in speed from 16 to 18 knots. Consequently, the overall quality of our total tanker capability is much better than the dry cargo category. This improvement has been due to various incentives directly related to the law of supply and demand.

The tanker building program should continue in order to provide orderly replacement of aging ships. It is recommended that future tanker construction incorporate design features as indicated below:

(a) Speed: Where national defense allowances are made, and the ships are certified as suitable for speedy and economical conversion into naval auxiliaries, tankers should be capable of a sustained speed of 20 knots or more. Where certified as otherwise suitable for use by the U.S. Government,

tankers should be capable of a sustained speed of not less than 18 knots. Where no certification by the Secretary of the Navy is sought, then the maximum commercially economical speed is acceptable.

(b) Other characteristics: Although tankers of larger deadweight-tons capacity can be utilized to a limited extent, the recommended general characteristics of commercial tankers most suitable for military purposes are 25,000/38,000 deadweight-tons, capable of carrying several types of petroleum products. At the same time, there is still a requirement for smaller tankers of about 17,000 deadweight-tons to handle products to and from limited facilities.

PASSENGER SHIPS/TRANSPORTS

Seven new passenger ships have been built since World War II and three have been converted from Mariner class cargo ships. The seven new ships are the 25-knot *Constitution* and *Independence*, the 33-knot *United States*, the 20-knot *Santa Paula* and *Santa Rosa*, and the 21-knot *Brasil* and *Argentina*. The Mariner conversions are the 20-knot *Mariposa, Monterey,* and *Atlantic*. These ships have contributed significantly to our maritime prestige and to our defense readiness.

Additionally, the 19-knot *President Cleveland* and *President Wilson* were converted from troopships. These ships, however, are basically World War II types. They form a part of the older, and major segment of our total trooplift capability, which is not fully suitable for possible future emergencies. The majority of our ships are old, deficient in speed, and lacking in other features that are important in minimizing the hazards of moving troops by sea.

There is an urgent need to improve the quality of our trooplift potential. For ships that will be employed in wartime to transport personnel through areas in which hostile modern submarines may be operating, it is necessary to set much higher standards of performance and safety than would be required for ships carrying dry cargo and fuel.

(a) Speed: Speed is the best defense that merchant ships can employ against an enemy. The faster the target, the more difficult it is to hit with submarine torpedoes—or to pinpoint with missiles. Fast ships can be operated independently over more devious routes than is possible in convoy operations. This complicates the search and attack problems of enemy aircraft and submarines. Recent studies confirm that vulnerability to submarine attack is significantly and progressively reduced as speeds in excess of 25 knots are attained.

Troopships constructed in the future, and passenger ships suitable for conversion into troopships, should be capable of a sustained speed of 25 knots or greater. In no case should their maximum sustained speed be less than 20 knots.

The Department of Defense has consistently urged that all new merchant-type shipbuilding incorporate the maximum speed that is economically practicable. In this regard, it is important that our merchant ships be commercially successful. To be of immediate use to the Department of Defense in an emergency, they must be operating commercially at the time they are first needed.

(b) Other features: Emphasis on added speed should not obscure the significance of other national defense features which can be built into a merchant ship. High standards of compartmentation reduce vulnerability to enemy hazards by localizing damage. Various preventative measures increase a ship's resistance to the spread of fire. Special mountings minimize breakdowns of essential machinery under shock.

Endurance adequate for round-trip voyages at maximum sustained speed is a vital factor in wartime. Additional fuel capacity, the size of distilling plants, the storage space for provisions, and many other design aspects have an important bearing on endurance. Many of the foregoing factors, aside from improving the wartime utility of a ship, also assure safer, more versatile and reliable performance in peacetime commercial operations.

FUTURE OUTLOOK

The subsidized segment of the U.S.-flag merchant fleet amounts to 309 berth line ships. They operate over essential trade routes under mandatory voyage scheduling procedures dictated by the Maritime Administration. Several unsubsidized shipping companies have applied for governmental subsidy. Their applications are still pending.

Most of the subsidized shipping companies have entered into long-range contracts for the orderly replacement of their aging ships. In the dry cargo ship category, projected construction falls in the speed range of 17½ to 20 knots—an appreciable improvement over standard performances heretofore. Further, the last session of Congress authorized but did not appropriate funds for the construction of two large high-speed passenger sidies. It is hoped that it will be practicable for governmental subsidy funding to significantly improve our trooplift potential. They will almost double our capability in the important speed range of 25 knots and above.

The rate of progress of the above programs will depend on actions taken in the future with respect to construction-differential subsidies. It is hoped that it will be practicable for governmental subsidy funding to keep pace with the contractual schedules for replacement.

Our unsubsidized shipping companies operate approximately 700 ships under U.S. flag. Further, they own and operate about 500 additional ships under "flags of convenience" (Effective U.S. Control). While they have built considerable tonnage in recent years, few unsubsidized operators, if any, have either a comprehensive or a long-range plan for the replacement of aging ships on an orderly time schedule. Their planning is influenced from day to day by various incentives or discouragements. Their enthusiasm for shipbuilding has been dampened recently by renewed attacks against "flags of convenience."

Over the past few months, increasing pressure has been exerted against "flags of convenience" by foreign shipping interests, maritime labor organizations and Western European governments. Combined opposition from these sources threaten to make it economically impracticable for American owners to operate their ships under "flags of convenience." This raises the immediate question as to what steps should be taken to insure the continued availability of these ships for purposes of national defense. It is important to note that over half of the U.S. controlled tanker tonnage is registered under the flags of Panama, Liberia and Honduras.

EMERGENCY EXPANSION

One basic factor to be considered in the development of specific construction programs is the necessity for the maintenance of a sufficient number of private shipyards in operation to form the base for expansion in time of war to meet mass-ship construction programs. The Department of Defense desires to emphasize that the existence of these active privately owned shipyards, together with the skills of the shipyard workers and the capabilities of the tools, equipment and facilities, is essential to the National Defense.

In 1956 a large increase in orders for commercial ships to be built in U.S. shipyards pointed up the limited capability of the active shipbuilding industry to accommodate itself to rapidly expanding shipbuilding requirements. Prompt and effective action should be taken to institute measures which will improve the operational readiness of the U.S. shipbuilding establishment, including in the area of ship components manufacture.

SUMMARY

Under the most optimistic assumptions, and on a quantitative basis only, the United States still possesses a marginal capability to carry out the sea transportation tasks of a general war.

There are serious qualitative deficiencies in our overall sealift capability, particularly in the dry cargo ship and the transport-passenger ship categories. The further aging of outmoded ships will aggravate this situation.

The present rate of new shipbuilding will not offset the rapidly approaching block obsolescence of the vast proportion of U.S. controlled merchant-type tonnage—both active and reserve. There is an urgent need for increased emphasis on orderly ship construction.

The continued depreciation of ships in the National Defense Reserve Fleet without cyclic purification will soon generate serious quantitative deficiencies in our total sealift capability.

Crash building programs in wartime can only be avoided by maintaining a modern and adequate maritime posture in peacetime.

CONCLUSION

In order for the United States to maintain adequate merchant shipping to meet our initial wartime needs, it is important that the ships of both subsidized and nonsubsidized operators be periodically replaced under orderly and progressive programs. In so doing, every advantage should be taken of recent and future technological developments. Cargo handling equipment and propulsion plants should be further improved, with a view to reducing the transit and turn around times of commercial shipping.

Our shipbuilding programs should be farsighted in order that ships contracted for in coming years will be actually competitive throughout their economic life span. Further, ships built with foresight will be more readily adaptable to speedy and economical conversion into naval auxiliaries, or otherwise suitable for naval use in the event of war.

APRIL 6, 1959.

Vice Adm. RALPH E. WILSON,
U.S. Navy, Deputy Chief of Naval Operations (Logistics), Department of the Navy, Washington, D.C.

DEAR ADMIRAL WILSON: Your recent letter concerning the posture of the American merchant navy is deeply appreciated. I find your supporting memorandum entitled "Ocean Shipping to Support the Defense of the United States" to be both enlightening and alarming.

To those of us in the Congress who strive to ensure that our merchant and naval fleets are maintained in a constant state of adequate readiness to meet any future eventuality, your analyses and conclusions are most helpful. But if the deficiencies you cite are to be rectified, I am sure you will agree, more vigorous leadership and effort must be put forth by the Congress, the executive branch and industry alike. You may be sure that your recommendations will receive the measure of congressional attention they properly deserve. Similarly, I hope that the soundness and wisdom of your advice will be impressed upon administration officials to the extent that a change in our present dangerous policies affecting the merchant marine will be adopted without further delay.

With sincere thanks for your cooperation and kind personal regards, I am

Cordially,

JOHN MARSHALL BUTLER,
U.S. Senator.

The VICE PRESIDENT. Is there further morning business? If not, morning business is closed.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959—CALL OF THE ROLL

Mr. JOHNSON of Texas. Mr. President——

The VICE PRESIDENT. The Senator from Texas.

Mr. JOHNSON of Texas. Does the Senator from Massachusetts [Mr. KENNEDY] care to discuss the appeal from the ruling of the Chair?

Mr. KENNEDY. I do not care to discuss it.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum. Can the time for the quorum call be taken out of the 30 minutes reserved on the appeal, or the bill, or both?

The VICE PRESIDENT. That can be done.

Mr. JOHNSON of Texas. Very well, Mr. President. I suggest the absence of a quorum, and asked that the time be charged to both sides equally.

The VICE PRESIDENT. Will the Senator request that the Chair lay before the Senate the pending business?

Mr. JOHNSON of Texas. I make that request, Mr. President.

The VICE PRESIDENT. The Chair lays before the Senate the pending business.

The Senate resumed the consideration of the bill (S. 1555) to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes.

The VICE PRESIDENT. The appeal of the Senator from New Hampshire from the ruling of the Chair is before the Senate, and the question is, shall the ruling of the Chair stand as the judgment of the Senate?

Mr. JOHNSON of Texas. I suggest the absence of a quorum, and ask that the time be charged to the bill and to both sides equally.

The VICE PRESIDENT. Without objection, it is so ordered. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Douglas	Johnston, S.C.
Allott	Dworshak	Jordan
Anderson	Eastland	Keating
Bartlett	Ellender	Kefauver
Beall	Engle	Kennedy
Bennett	Ervin	Kerr
Bush	Fulbright	Kuchel
Butler	Goldwater	Langer
Byrd, Va.	Gore	Lausche
Byrd, W. Va.	Green	Long
Cannon	Gruening	McCarthy
Capehart	Hart	McClellan
Carroll	Hartke	McGee
Case, N.J.	Hayden	McNamara
Case, S. Dak.	Hennings	Magnuson
Church	Hickenlooper	Mansfield
Clark	Hill	Martin
Cooper	Holland	Monroney
Cotton	Hruska	Morse
Curtis	Jackson	Morton
Dirksen	Javits	Moss
Dodd	Johnson, Tex.	Mundt
Murray	Russell	Talmadge
Muskie	Saltonstall	Thurmond
Neuberger	Schoeppel	Williams, N.J.
O'Mahoney	Scott	Williams, Del.
Pastore	Smathers	Yarborough
Prouty	Smith	Young, N. Dak.
Proxmire	Sparkman	Young, Ohio
Randolph	Stennis	
Robertson	Symington	

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. CHAVEZ] and the Senator from Minnesota [Mr. HUMPHREY] are absent on official business.

I also announce that the Senator from Nevada [Mr. BIBLE] is absent because of a death in his family and the Senator from Delaware [Mr. FREAR] is absent because of illness.

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. BRIDGES] is necessarily absent.

The Senator from Kansas [Mr. CARLSON] is absent on official business.

The Senator from Wisconsin [Mr. WILEY] is necessarily absent.

The VICE PRESIDENT. A quorum is present. The Chair would like to make a statement.

Mr. JOHNSON of Texas. Mr. President, may we have order?

The VICE PRESIDENT. The Senate will be in order.

With respect to the point of order made by the Senator from New Hampshire [Mr. BRIDGES] against the so-called Kuchel amendment striking out certain language in the bill and inserting other matter, the Chair would like to call to the attention of the Senate some precedents supporting the proposition that the amendment is in order. They are short, and without objection they will be included in the RECORD at this point.

There being no objection, the precedents were ordered to be printed in the RECORD, as follows:

A MOTION TO STRIKE OUT A PORTION OF THE TEXT OF A BILL, WHICH HAD BEEN AMENDED BY THE SENATE, IS IN ORDER

On May 16, 1932 (CONGRESSIONAL RECORD, vol. 75, pt. 9, p. 10276), during the consideration of H.R. 10236, a revenue bill, Mr. Tom Connally, of Texas, indicated his purpose subsequently to move to strike out a portion of the bill which had been amended by the Senate. Mr. George H. Moses, of New Hampshire, took the position that after a committee amendment had been agreed to, Mr. Connally would not be in a position to offer the amendment which affected the committee amendment as agreed to by the Senate. The Vice President (Mr. Charles Curtis, of Kansas) said:

"The Chair is of the opinion that if the amendment covers more than the committee amendment, if it covers an additional part of the House text, it is in order * * * regardless of the time when it is offered."

IF AN AMENDMENT TO A PART OF A SECTION OF A BILL IS AGREED TO, A MOTION TO STRIKE OUT THE ENTIRE SECTION AS AMENDED IS IN ORDER

On July 27, 1939, during the discussion of S. 2864, to finance recoverable expenditures (spending-lending), Mr. Barkley, of Kentucky, proposed an amendment as a substitute for three subdivisions of section 5.

Mr. King, of Utah, submitted the following parliamentary inquiry: "Would the adoption of this amendment preclude later on, if perhaps it should be amended in some respects, a motion to strike out the entire provision dealing with public roads?"

The Presiding Officer (Mr. CHAVEZ, of New Mexico) held it would not.

Subsequently, the Presiding Officer (Mr. Truman, of Missouri) made a similar ruling. (CONGRESSIONAL RECORD, vol. 84, pt. 10, pp. 10160, 10178.)

On May 23, 1944, during the consideration of H.R. 4679, the Interior Department appropriation bill, a committee amendment in the paragraph relating to the Federal Power Commission, striking out $375,000 and inserting $3,950,000, was reached. Mr. Clark (Mo.) inquired: "Would the adoption of this amendment preclude the entry of a point of order to the paragraph at the proper time"?

The Presiding Officer (Mr. Burton, of Ohio) said: "The Chair understands the Senate is dealing with the House language in this paragraph, and that being already in the bill by the action of the House a point of order does not lie against it. If the Senator from Missouri wishes to strike out the paragraph as amended he may do so.

Mr. Clark said: "I will move to strike out at the proper time. My inquiry was whether the adoption of the amendment would preclude the motion to strike."

The Presiding Officer said: "The adoption of the amendment would not preclude the later motion to strike out the paragraph." (CONGRESSIONAL RECORD, vol. 90, pt. 4, p. 4862.)

A MOTION IS IN ORDER TO STRIKE OUT A SECTION OF A BILL WHICH HAS BEEN AMENDED

On June 12, 1958, during the consideration of S. 3974, the Labor-Management Reporting and Disclosure Act of 1958, Mr. COOPER, of Kentucky, proposed an amendment inserting an additional paragraph to a section of the bill. Mr. Knowland, of California, submitted the following parliamentary inquiry:

"I should like to inquire of the Chair, assuming the amendment of the Senator from Kentucky is accepted, and subsequently it was the will of the Senate to strike that whole section (c) from the bill, whether that motion would be in order."

The Presiding Officer (Mr. PROXMIRE, of Wisconsin) stated that such an amendment would be in order. (CONGRESSIONAL RECORD, vol. 104, pt. 8, p. 10951.)

Subsequently, during the further consideration of the foregoing amendment, a request was made for unanimous consent to modify the amendment, whereupon Mr. GOLDWATER, of Arizona, submitted a parliamentary inquiry, whether, if the amendment was modified, that action would preclude a motion to strike all of subsection (c) on page 7.

The Presiding Office (Mr. MARTIN, of Iowa) stated that the motion to strike all of the subsection, as amended, would be in order. (CONGRESSIONAL RECORD, vol. 104, pt. 8, p. 10958.)

On April 23, 1928, in the House of Representatives, the Committee of the Whole had under consideration the bill (S. 3740) for the control of floods of the Mississippi River and its tributaries.

A committee amendment to section 3 of the bill was agreed to, when Mr. Martin B. Madden, of Illinois, offered an amendment to strike out section 3, including the amendment just adopted.

Mr. Frank B. Reid, of Illinois, made the point of order that an amendment having been inserted in the bill, it was not in order to propose further disposition by amendment.

The Chairman (Mr. Frederick B. Lehlback, of New Jersey) ruled:

"The Chair is ready to dispose of any point of order. It is quite in order to strike out a section that has been amended and insert new language." (CONGRESSIONAL RECORD, vol. 69, pt. 7, p. 7022.)

The VICE PRESIDENT. From these precedents it is clear that where a part

of a bill has been amended—whether or not a motion to reconsider was made and tabled—it is in order subsequently to move to strike out contiguous language in the bill broader than and including such amendment, and likewise to insert other matter in lieu of the language as amended proposed to be stricken out.

The right to offer perfecting amendments to a section, sections, or parts of a bill under consideration, prior to action on any motion to strike out or to strike out and insert is granted under the rule. Where such amendments are agreed to, and the motion to strike out such language containing the amendments agreed to and insert other matter is adopted, the amended language is displaced by the matter inserted.

Thirty minutes remain for debate on the question.

Mr. RUSSELL. Mr. President, I assume no time is now available.

Mr. JOHNSON of Texas. I yield such time to the Senator from Georgia as he may require.

The VICE PRESIDENT. The Senator from Georgia is recognized.

Mr. RUSSELL. Mr. President, there have been a number of occasions on which I have disagreed rather vigorously with some of the parliamentary positions taken by the distinguished Vice President. I must say, however, that on this occasion I thoroughly concur in the decision the Vice President has just stated. It so happens that I was a Member of the Senate when the procedure of making a motion to reconsider and to lay that motion on the table was first used in the Senate. That procedure had never been followed in the Senate prior to 1933. That and some other procedures which have crept into the Senate procedure were imported from the House of Representatives. They are in derogation of the deliberative nature of the Senate.

The then Senator from Missouri, Bennett Champ Clark, had been the Parliamentarian of the House of Representatives at the time his father served as Speaker. The Vice President, a citizen of the State of Texas, the Honorable John N. Garner, had been the Speaker of the House of Representatives and had served in that body for a number of years.

On one occasion, Senator Clark moved to reconsider and to lay on the table. A number of Senators were very much disappointed when the Vice President sustained that procedure in the Senate. That procedure had been a matter of controversry for some 2 or 3 years prior to the time when the Senate had rewritten its rules so as to eliminate the practice of proceeding as in Committee of the Whole, which had obtained in the Senate. It was undoubtedly a restriction upon the very liberal rules and parliamentary practices which had theretofore prevailed in the Senate.

The rule on liberality in offering amendments in the Senate is as essential to preserving the characteristic of the Senate as a deliberative body as is the right of free and unlimited debate. The rule on amendments is as broad in the Senate as is the doctrine of universal salvation which some religious sects hold.

There is no rule of relevancy in the Senate as to amendments. In the Senate, an amendment can be offered which embraces entirely different subject matter from that contained in the bill to which the amendment is proposed. That does not hold true in the other body, and I do not think it holds true in any other parliamentary body on earth. So, in my opinion, there is no doubt that a complete substitute could be offered to this bill at any stage of the proceedings prior to the third reading of the bill.

If an amendment in the nature of a substitute can be offered for the entire bill, it necessarily follows that a substitute can be offered for a portion of the bill, even though the substitute might embrace some provision, or provisions, which had theretofore been agreed to and a motion to reconsider which had been subsequently laid on the table.

I think the ruling by the Chair is wholly in accord with the liberal parliamentary doctrine that we like to claim for the Senate, and which sets the Senate apart from any other legislative body which is known to governments anywhere on the face of the earth.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. MONRONEY. I deeply appreciate the statement made by the distinguished Senator from Georgia. I feel that he is exactly correct in saying that the procedure to move to lay on the table a motion to reconsider cannot and must not estop a legislative body such as the Senate from working its will prior to the third reading of the bill. To do that would be to deny to the Senate the right to perfect, correct, or eliminate material which, on second thought, was contrary to the majority will of the Senate.

There is no doubt in my mind that various procedures are available to achieve this objective. There could have been absolutely no question had the motion been to move to recommit the bill to the committee, and to have the committee report a bill forthwith with instructions to adopt all amendments previously adopted by the Senate, with the exception of the rewriting of the McClellan amendment as follows; and there could have been no question of the Senate's right to correct it. This is another parliamentary means by which new matter is added and old matter deleted, so as to represent the more mature and considered thought of the Senate, if the Senate, by a majority vote, adopts the new amendment.

I concur completely in the statement by the distinguished Senator from Georgia that a legislative body such as the Senate must have within its power the right to work its will, after mature consideration, on all amendments which have been adopted prior to the third reading of the bill.

Mr. RUSSELL. The motion to reconsider and the motion to lay on the table, which were first recognized here by Vice President Garner, undoubtedly have a very profound effect upon the Senate in its deliberations, because they do estop any further motion to reconsider. That had been a motion which Senators had valued very highly in all instances prior to the ruling by Vice President Garner.

But certainly the denial of the right of a Senator to move to reconsider cannot be construed as the denial of the right to offer an amendment or an amendment in the nature of a substitute or a motion to recommit, or any other parliamentary motion which may be in order. It relates solely and exclusively to the motion to reconsider.

I concede that under a strict construction of the rule an amendment which affected only the matter which had been agreed to and a motion to reconsider which had been laid on the table, would not be in order. But when other matter is sought to be added to the bill, which makes the amendment an amendment in the nature of a substitute, it is certainly in order; otherwise the majority of the Senate would be denied the right to write such legislation as the majority might support.

The VICE PRESIDENT. The Chair will state to the Senator from Georgia that according to the precedents which are advanced the only requirement is that the other matter must be contiguous to the amendment which has been previously considered. Does the Senator agree with the Chair?

Mr. RUSSELL. Certainly it would be necessary for it to reach contiguous matter. Any Senator has the right to offer a complete substitute, beginning with the caption of the bill and continuing through to the last section. I do not think anyone would deny that such an amendment would be in order. And if it is in order, the offering of a substitute provision affecting matter which precedes or follows the amendment desired to be affected certainly is proper.

The VICE PRESIDENT. That was true in the precedents cited.

Mr. DIRKSEN. Mr. President, it is my understanding of the parliamentary situation that when the Senate concluded its labors last night, the pending question was on a point of order raised by the distinguished Senator from New Hampshire [Mr. BRIDGES] and an appeal from the ruling of the Chair. That is the question, as I understand, which is now pending. Before the Senate can proceed to the discussion of any other amendment or amendment in the nature of a substitute, the appeal must first be disposed of. Is my understanding correct?

The VICE PRESIDENT. The Senator from Illinois is correct.

Mr. DIRKSEN. The distinguished Senator from New Hampshire is unavoidably away from the Chamber for a few hours, but I have communicated with him by telephone. There are two ways of disposing of the question. It could be tabled, or it could be withdrawn. I have been advised, and I have the consent of the distinguished Senator from New Hampshire, to withdraw the point of order and the appeal. I ask unanimous consent that that be done.

The VICE PRESIDENT. Without objection, the point of order is withdrawn.

Mr. JOHNSON of Texas. Mr. President, what is the question before the Senate?

The VICE PRESIDENT. The question before the Senate is on agreeing to the Kuchel amendment.

Mr. JOHNSON of Texas. As I understand, on that amendment each side has 30 minutes.

The VICE PRESIDENT. The Senator from Texas is correct. Thirty minutes are allowed to each side.

Mr. KUCHEL. Mr. President, I yield myself 10 minutes.

Mr. JOHNSON of Texas. Mr. President, may we have order in the Chamber?

The VICE PRESIDENT. The Senate will be in order. The Senator from California will not continue until the Senate is in order. The time on the amendment will not run during that period.

The Senator from California may now proceed.

Mr. KUCHEL. Mr. President, a few evenings ago the distinguished Senator from Arkansas [Mr. McCLELLAN] offered an amendment to the bill which he entitled "Bill of Rights of Members of Labor Organizations." As did all other Senators, I listened intently to his presentation. Thereafter, I listened to the argument advanced by the able Senator from Massachusetts [Mr. KENNEDY], in opposition to the amendment.

I thought the first point the able Senator from Massachusetts made was a valid one. He raised the question whether, if a Federal bill of rights for labor were adopted, it would put at naught all State laws in the country protecting the workingmen.

I arose, and interrupted my friend, the Senator from Massachusetts. I asked him whether he would yield. He did yield.

I then asked my friend, the Senator from Arkansas, whether he would be willing to meet the valid argument of preemption, by offering to the amendment an appropriate nonpreemption amendment. After some discussion, the able Senator from Arkansas said he would; he did so, and the Senate approved it.

On the basis of the debate, I concluded—as did many other Senators—to support the bill of rights amendment offered by the Senator from Arkansas. It was a long amendment; and we had been debating long and hard, for many, many hours, in trying to arrive at a labor reform bill which would have bipartisan support, which would represent progress by the Congress in the field of labor reform, and which would become the law of the land.

The next day, I, like many of my colleagues, read the text of the amendment offered by the Senator from Arkansas for which I had voted. It was several pages long. Certainly, with more than 100 printed amendments on our desks, it was physically impossible for any of us to read, let alone to study, the amendments as, one by one, they were offered with rapidity and we were required to vote each one either up or down.

Others of my colleagues on both sides of the aisle did what I did—read and studied the amendments. It became apparent that there were some obvious questions as to parts of the language used. I concluded that in this proposed legislation there were provisions which were imperfectly drawn, which should be improved, and changed.

Thus, with some of my colleagues on this side of the aisle and with some of my colleagues on the other side of the aisle, I began to explore the possibility of keeping that which the Senator from Arkansas advocated, namely, a bill of rights for labor, but of writing those rights in clear, unmistakable, reasonable, and just terms. That is what we tried to do.

Some Senators were proceeding on this same subject independently with their thinking; and others proceeded on a different basis, but all with the same objective.

Finally, late yesterday, we came into general agreement as to an area which we believed represented forward progress and represented a sound, understandable, just, and reasonable bill of rights for labor. That is what is before the Senate now.

Mr. CURTIS. Mr. President, will the Senator from California yield?

Mr. KUCHEL. I do not yield yet.

Mr. President, I must say that I regret with all my heart that our amendment which now is before the Senate was not on the desk of each Senator last night. I apologize to the Senate for that situation. Regardless of how long I may remain in the Senate, in the future I hope never to be either the author or the coauthor of any amendment which, when offered, is not placed on the desk of each Senator.

But, Mr. President, what was the alternative yesterday evening? It had been asserted that the majority leader of the Senate hoped to have the vote on final passage of the bill taken last night. Under those circumstances, should we have forgotten, and should we simply have torn up and discarded, the draft of the amendment which we thought it necessary to include in the bill? I say "No." We had a duty, viewing the problem as we did, to offer our amendment to the Senate.

I state again my regret that a copy of the amendment was not on the desk of each Senator last evening. If I am forgiven, I am thankful for it.

Mr. President, at this time I ask my colleagues to examine the text of the amendment which the Senate adopted the other evening. It appears on pages 6475–6476 of the CONGRESSIONAL RECORD for April 22. I ask them also to examine the text of the amendment which our bipartisan group now offers in good faith. It is set forth at pages 6693 and 6694 of the CONGRESSIONAL RECORD for yesterday.

Perhaps first of all, Mr. President, I should say that in several major points the McClellan amendment would be changed by our amendment. In one case our amendment provides for deleting from the McClellan amendment the provision for the right of the Secretary of Labor to seek an injunction when any of the rights enumerated are alleged to have been violated. In such circumstances, our amendment gives to a union member who alleges such a grievance the right to go into the Federal court for appropriate relief. Incidentally, under the language of the bill, it is made a crime to deny any of the rights enumerated. That is one of the major changes which we have attempted to make by means of the amendment which now is before the Senate.

Mr. CURTIS. Mr. President, will the distinguished Senator from California yield?

Mr. KUCHEL. Not yet.

In addition, Mr. President, the bill now before us provides that a candidate for union office, other than an incumbent, shall have the right to require the union to send his political pamphleteering to the members of the union, although he, himself, let me add, will be required to pay for it. The bill further provides that the officers of the union shall not discriminate—the word "discriminate" is used—against any of the other candidates. As Senators will observe, the amendment of the Senator from Arkansas clearly included a provision by means of which any of the candidates might obtain, under certain circumstances, a copy of the union membership lists.

It seemed to me, as I read that provision for the first time, after I had voted on it—as I am sure most other Senators did—that a policy question was involved, namely, what rule of reason we should follow. Are business corporations under law required to turn over a list of all their stockholders to one stockholder who is interested in running for an office in the corporation? Not so. Should there be a double standard, one for business corporations and one for labor unions? Should we provide in a Federal statute for a double standard in such cases? Not so. Should we treat a business in one fashion, and should we treat a labor organization in another? Not so.

Thus it was that the able Senator from New York fashioned an amendment in which the rest of us concurred which provides that a candidate for union office, other than the incumbent, may go into the Federal court and may have his rights under the language of the bill adjudicated with respect to nondiscrimination in the use of membership lists in union elections. If the Federal court finds the existence of a discrimination on the part of the union officers with respect to the mailing list, the court, under the provisions of the amendment of the Senator from New York, in which as I say we concur, will be entitled to give such relief as it deems equitable under all the circumstances.

Mr. PROUTY. Mr. President, will the Senator from California yield?

Mr. KUCHEL. I should like to continue this statement; and then I shall yield, because I know the Senator from Vermont has a most important point to discuss.

Mr. President, we asked the able Parliamentarian whether we could present to the Senate the proposed legislation

which now is before the Senate as an amendment. The Parliamentarian indicated that, in his judgment, that would be in accordance with the rule. So that amendment is now before the Senate.

Let me read the amendment slowly to the Senate; it is not long. Then I shall be glad to attempt to answer questions.

Our amendment reads as follows:

SEC. 101. (a)(1) EQUAL RIGHTS.—Every member of a labor organization engaged in an industry affecting commerce shall have equal rights and privileges within such organization to nominate candidates, to vote in union elections or referendums, to attend membership meetings, and to participate in the deliberations and voting upon the business of such meetings, subject to reasonable rules and regulations in such organization's constitution and bylaws.

(2) FREEDOM OF SPEECH AND ASSEMBLY.—Every member of any such labor organization shall have the right to meet and assemble freely with other members and to express any views, arguments, or opinions, and to express at union meetings his views, upon candidates in a union election or upon any business properly before the union meeting, subject to the organization's established and reasonable rules pertaining to the conduct of meetings—

That language, we believe, lays down with clarity the rights which I believe all of us believe should be written into this legislation.

Mr. McCLELLAN. Mr. President, will the Senator yield at that point?

Mr. CLARK. Mr. President, may we have order? We cannot hear the Senator on this side of the room.

The PRESIDING OFFICER. The Senate is not in order. Senators wishing to converse will retire to the cloakroom. Members of the staff who are enjoying the privilege of the floor must maintain silence and decorum, so that the debate of the Senate can be understood by the Members of the Senate.

Does the Senator from California desire to yield to the Senator from Arkansas?

Mr. KUCHEL. I do, Mr. President.

Mr. McCLELLAN. Mr. President, I suggest an amendment, in this part of the amendment, by inserting a semicolon after the word "members" on line 9 of page 2 of the amendment. That is simply a clerical change. There ought to be no objection to that modification.

Mr. KUCHEL. There will not be any objection, and I accept the amendment.

The PRESIDING OFFICER. The Senator from California accepts the suggestion of the Senator from Arkansas.

Mr. COOPER. Mr. President, will the Senator yield for a question?

Mr. KUCHEL. I yield to the able Senator from Kentucky, a distinguished coauthor of the amendment.

Mr. COOPER. I wish to call my question to the attention of the Senator from Arkansas. I think it is wise to make some legislative history on the point. I assume the purpose of placing a semicolon at that point is to assure, if there is any question about it, that the constitutional safeguards of free speech shall be preserved outside the union hall.

Mr. McCLELLAN. The purpose is to make certain that union members shall have freedom of speech not only in a union hall, but outside.

Mr. KUCHEL. I agree.

Mr. McCLELLAN. Mr. President, I understand the amendment has been accepted. Is that correct?

The PRESIDING OFFICER. The Senator from California has accepted the modification proposed by the Senator from Arkansas and has made it a part of his amendment. The modification will be agreed to or disagreed to when the vote on the amendment of the Senator from California is acted upon.

Mr. McCLELLAN. Then, I understand my amendment is accepted.

The PRESIDING OFFICER. It has been incorporated in the amendment of the Senator from California at this time, by his request.

Mr. KUCHEL. Mr. President, what is the situation as to the time? Who is in charge of the time for the opposition?

The PRESIDING OFFICER. The Senator from California [Mr. KUCHEL] is in charge of the 30 minutes for the proponents of the amendment, and the Chair would presume the Senator from Arizona [Mr. GOLDWATER] or the majority leader would be in charge of the opponents' time.

Mr. KUCHEL. Who is in charge of the opponents' time, Mr. President?

The PRESIDING OFFICER. If the majority leader is opposed to the amendment, he would be in charge of the time.

Mr. KUCHEL. Mr. President, the reason why I am asking these questions——

The PRESIDING OFFICER. If the majority leader is in favor of the amendment, then control of the time goes to the minority, first to the minority leader, or to a member of the committee who is opposed to the amendment, and subsequently to a member of the minority who is opposed to the amendment.

Mr. JOHNSON of Texas. Mr. President, does the Senator from California desire me to state my position at this time?

Mr. KUCHEL. Yes, because I would like to have some of the time used on the other side.

Mr. JOHNSON of Texas. We have plenty of time on the bill, and I will yield the Senator from California such time as he wishes. Does the Senator want time now?

Mr. GOLDWATER. Mr. President, is the majority leader in control of the time in opposition?

Mr. JOHNSON of Texas. Both the majority and the minority leaders are in favor of the amendment. The control of the time would be in charge of those who are in opposition.

Mr. GOLDWATER. The majority leader would not object if I controlled the time, would he?

Mr. JOHNSON of Texas. It would be all right with me.

The PRESIDING OFFICER. Since both the majority and the minority leaders are in favor of the amendment, a member of the committee who is opposed to the amendment——

Mr. JOHNSON of Texas. Mr. President, I was under the impression that the Senator from Arizona was in favor of the amendment, but if he is against it, I shall be delighted to have him control the time in opposition. We have to designate a Senator, and we would have to designate a Senator who is qualified. First I should like to know if the Senator from Arizona qualifies as being opposed to the amendment.

The PRESIDING OFFICER. If the Chair may read the portion of the unanimous consent which is germane, it reads:

Provided, That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him.

Mr. GOLDWATER. Mr. President, the majority leader has asked if I am against the amendment. I am not against all of it; I am against parts of it. If the Senator is opposed to all of it, he should control the time.

Mr. JOHNSON of Texas. The unanimous-consent agreement provides that if the majority leader is in favor of the amendment, as I am, then the time should be in control of the minority leader; and if the minority leader is in favor of the amendment, as he is, we should designate some Senator who is opposed to the amendment.

If the Senator from Arizona is opposed to it, and he wants to have the privilege of yielding time in opposition, I shall be glad to have him do so.

Mr. CASE of South Dakota. Mr. President, I ask for the regular order. The Chair should observe the part of the unanimous-consent agreement he has read.

Mr. GOLDWATER. I am opposed to the amendment in its present form.

Mr. CASE of South Dakota. No such qualification is specified in the unanimous-consent agreement.

The PRESIDING OFFICER. Under the existing situation, the control of the time goes to the minority leader, who may designate another Senator if he so desires.

Mr. DIRKSEN. Mr. President, simply to keep the record straight, the minority leader has not committed himself on this question, but, under the unanimous-consent agreement, he is entitled to control the time in opposition, and I will be more than delighted to yield to the Senator from Arizona.

Mr. CURTIS. Mr. President, will the Senator from California yield?

Mr. CLARK. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. Does the Senator from California yield for a parliamentary inquiry?

Mr. KUCHEL. Not at the moment. I ask how much time I have utilized.

The PRESIDING OFFICER. The Senator from California has consumed 18 minutes of the 30 minutes allotted to him.

Mr. KUCHEL. Did the Chair include the last few minutes of the colloquy and the parliamentary inquiries?

The PRESIDING OFFICER. The 18 minutes includes all of the colloquy.

Mr. KUCHEL. I ask unanimous consent that my side be given another 10 minutes.

Mr. JOHNSON of Texas. Mr. President, I shall be glad to yield 5 minutes on the bill to the Senator.

The PRESIDING OFFICER. The Senator from Texas yields to the Senator from California 5 minutes of the time allocated on the bill.

Mr. CLARK. Mr. President, my parliamentary inquiry was to ascertain who is in charge of the time in opposition to the amendment. We on this side of the Chamber could not hear what was said. The minority leader did not say whom he had designated.

The PRESIDING OFFICER. The minority leader had the choice of designating a Senator to be in charge of the time, but did not do so.

Mr. KUCHEL. Mr. President, I yield to the Senator from Nebraska.

Mr. GOLDWATER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. Does the Senator from California yield for a parliamentary inquiry?

Mr. KUCHEL. I yield first to the Senator from Arizona for a parliamentary inquiry, and ask unanimous consent that it may come out of his time rather than mine.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. GOLDWATER. Mr. President, how much time is left on the bill?

The PRESIDING OFFICER. Considering the 5 minutes just yielded by the majority leader on the bill, there are 35 minutes remaining on the bill to the proponents and 46 minutes remaining to those in opposition.

Mr. GOLDWATER. If the Senator will yield for one more question to the majority leader, last night the majority leader, I believe, said we would be taken care of if the time ran out, and if we wanted time on the passage of the bill. We are getting down rather low on the time remaining on the bill. Did I hear the majority leader correctly?

Mr. JOHNSON of Texas. Yes. I am always anxious that every Senator have whatever time he may need. Does the Senator want to add some time to the time for consideration of the bill at this moment, or shall we dispose of the amendment?

Mr. GOLDWATER. I merely wanted to have the Senator's assurance.

Mr. JOHNSON of Texas. I can give the Senator only my assurance that I will never cut off any Senator's request for a reasonable extension of time on a unanimous-consent request.

Mr. GOLDWATER. The Senator's assurance is all I need.

Mr. KUCHEL. Mr. President, I now yield to the able Senator from Nebraska for a question.

Mr. CURTIS. I thank the Senator.

In the McClellan amendment, as it was agreed to, lines 3 to 6 on page 2 read:

> Every member of a labor organization engaged in an industry affecting commerce shall have equal rights and privileges within such organization, including

In other words, the language is all-inclusive, and provides equal rights and privileges.

In the amendment offered by the distinguished Senator from California and his colleagues, it is provided that union members shall have equal rights and privileges within such organization to do certain specified things. In other words, the amendment provides equal rights limited to a few functions.

Mr. KUCHEL. I will answer by saying "No."

Mr. CURTIS. Why is it that the Senator has taken away from the workers as members of the same organization equal rights in everything?

Mr. KUCHEL. I would deny that that is what the authors have done or have intended to do.

To the contrary, Mr. President, it seemed to us that the language in the amendment of the able Senator from Arkansas, as printed on page 6475 of the RECORD, regarding any matter, was too broad, and that there are in this land of ours, for example, reasonable laws governing libel and slander. The rule of reason is what we sought to apply. By the language of our amendment, which is printed beginning on page 6693 of the RECORD, which I read just a few moments ago, we attempt to provide for the rule of reason with reasonable restraints on the right of free speech. To that extent we have changed the language.

Mr. CURTIS. Is it true that under the Senator's amendment there are some rights which are not granted equally to all members of the union?

Mr. KUCHEL. That would be true only if one of the courts of the United States, which was called upon to sit in judgment as to whether the rights were violated, determined that it was reasonable on the part of a specific labor organization to make such an excision.

Mr. AIKEN. Mr. President——

Mr. KUCHEL. I now yield to my friend from Vermont.

Mr. AIKEN. It was necessary to change the language so as to enable the unions to expel the known Communists and criminals, who would otherwise have been frozen in a position of equality with all other union members.

Mr. CURTIS. As I understand the language, then, it is a limitation of rights——

The PRESIDING OFFICER. The Senator from Nebraska will obtain permission from the Senator from California by asking him to yield before he addresses a question.

Mr. KUCHEL. Mr. President, I should like to answer the question of my friend. I should like, with the indulgence of my colleagues, to read quickly the remainder of the proposed amendment, making some comments as to what changes have been made in the language, and then I shall yield, if I have time remaining.

I want Senators to understand the wording, and to hear some comments from those of us who believe it would be in the public interest to have the Senate agree to this amendment.

The PRESIDING OFFICER. The Senator from California declines to yield at this time, until he completes his statement. Members will please take their seats until the Senator completes his statement.

Mr. KUCHEL. I continue to read the amendment, from section (2):

> *Provided*, That the foregoing is limited so that nothing herein shall be construed to impair the right of a labor organization to adopt and enforce reasonable rules as to the responsibility of every member toward the organization as an institution and to refrain from conduct that would interfere with its performance of its legal or contractual obligations.

I think my answer to the able Senator from Nebraska at this point, at least, adequately shows why we inserted the language.

The next section is "(3) Freedom from arbitrary financial exactions."

I will say to the Senate that this language was taken almost verbatim from that part of the McClellan amendment which was applicable, except that we eliminated the so-called 75 percent maximum initiation fee, as is set forth in the latter part of that section of the McClellan amendment.

I can read the language very rapidly.

My friend from Arizona has suggested to me—he is sitting just across the aisle—that in the interest of time we can skip the reading of this section because apparently there will be no problem in connection with that language, at least from his standpoint.

Mr. President, I ask unanimous consent that the text of section (3) be printed in the RECORD at this point.

There being no objection, section (3) was ordered to be printed in the RECORD, as follows:

> (3) FREEDOM FROM ARBITRARY FINANCIAL EXACTIONS.—(A) The rates of dues and initiation fees payable by members of any such labor organization in effect on the effective date of this subsection shall not be changed, and no new or additional dues or initiation fees shall be imposed and no special or general assessment shall be levied upon such members, except (i) by a majority vote by secret ballot of the members in good standing present at a general or special meeting, after reasonable notice of the intention to vote upon such question, or (ii) by majority vote of the members in good standing voting in a referendum conducted by secret ballot through the mails, or (iii) in the case of a national or international labor orzanization, other than a federation of national and international organizations, by majority vote at a regular convention or a special convention held after not less than thirty days' written notice to the principal office of each local or constituent labor organization entitled to such notice.

Mr. KUCHEL. The next section is:

> (4) PROTECTION OF THE RIGHT TO SUE.—No such labor organization shall limit the right of any member or officer thereof to institute an action in any court, or in a proceeding before any administrative agency, irrespective of whether or not the labor organization or its officers are named as defendants or respondents in such action or proceeding, or the right of any member or officer of such

labor organization to appear as a witness in any judicial, administrative, or legislative proceeding, or to petition any legislature or to communicate with any legislator: *Provided*, That any such member or officer may be required to exhaust reasonable hearing procedures (but not to exceed a six-month lapse of time) within such organization, before instituting legal or administrative proceedings against such organizations or any officer thereof: *And provided further*, That no employer or employer association shall directly or indirectly finance, encourage, or participate in, except as a party, any such action, proceeding, appearance, or petition.

Mr. President, in this section we have changed the 3-month provision of the amendment of the able Senator from Arkansas, to 6 months.

The next section is:

(5) SAFEGUARDS AGAINST IMPROPER DISCIPLINARY ACTION.—No member of any such labor organization may be fined, suspended, expelled, or otherwise disciplined except for nonpayment of dues by such organization or by any officer thereof unless such member has been (A) served with written specific charges; (B) given a reasonable time to prepare his defense; (C) afforded a full and fair hearing.

We believe, Mr. President, that language is clear and explicit, and provides the usual reasonable constitutional basis upon which charges might be brought. We believe further that the language in subdivision (6) of the amendment of the able Senator from Arkansas, upon which we voted the other night, did raise some rather vexing questions. For example, the McClellan amendment provided in part that there should be a final review on a written transcript of a hearing, by an impartial person or persons (i) agreed to by such organization and the accused, or (ii) designated by an independent arbitration or mediation association or board.

We believe that is cumbersome and unnecessary language. Since we have provided not merely for a criminal penalty but, in addition, for a civil right on the part of the aggrieved member to go to court, we believe that the U.S. district court will be able to determine whether the rights of the union member have been protected and whether he has had constitutionally reasonable notice and a reasonable hearing, and whether the matter has been reasonably disposed of.

Paragraph 6 reads as follows:

6. Any provision of the constitution and bylaws or other governing charter of any labor organization engaged in an industry affecting commerce which is inconsistent with the provisions of this section shall be of no force or effect.

Section 102 reads as follows:

SEC. 102. Any person whose rights secured by the provisions of this title have been infringed may bring an action in a district court of the United States for such relief as may be appropriate. Any such action against a labor organization shall be brought in the U.S. district court for the district where the alleged violation occurred, or where the headquarters of such labor organization is located.

As will be recalled from my earlier comments, here is one of the major changes in the proposal. The amendment of the Senator from Arkansas provided that the Secretary of Labor might, on behalf of the injured or aggrieved member, have the right to litigate the alleged grievance and to seek an injunction or other relief. We believe that giving this type of right to the aggrieved employee member himself is in the interest of justice, and therefore we propose to eliminate from the bill the right of the Secretary of Labor to sue in his behalf.

Mr. JAVITS. Mr. President, will the Senator yield to me?

Mr. KUCHEL I yield to my distinguished colleague from New York, who is a coauthor of the amendment.

Mr. JAVITS. I think it is very important to point out that the criminal penalties remain attached to the bill of rights as prepared. Any other conclusion is erroneous, for this reason:

The language on page 53, lines 14 to 23 of the bill, provides a criminal penalty for violation of any part of the law which will be enacted if this amendment is incorporated in the bill. I wish to make that very clear, because there is some misconception on the question whether the criminal penalties have been excised. They have been neither excised nor reduced. The penalty is $10,000 fine or 2 years imprisonment

Mr. BUTLER. Mr. President, will the Senator yield for a question?

Mr. KUCHEL. I yield to the Senator from Maryland.

Mr. BUTLER. I invite the attention of the distinguished Senator to section 101(a)(1), under the title "Equal Rights."

The amendment enumerates certain specific rights. Ordinarily the enumeration of specific rights excludes other rights. Is it the opinion of the distinguished Senator from California that, there being nothing in the section referring to the right to run for office, every member of a labor organization who might be nominated from the floor would have such a right?

Mr. KUCHEL. I do not believe that in any fashion the equal rights section touches what the provisions of the consitution or bylaws might be with respect to the right to run for office.

In that connection, I should like to ask the author of the bill, the distinguished Senator from Massachusetts [Mr. KENNEDY], if he can shed any light on what may be in the bill with respect to that problem.

Mr. KENNEDY. As I understood the Senator's question, it was whether by limiting these rights we would exclude other rights.

Mr. BUTLER. Yes.

Mr. KENNEDY. Not at all.

Mr. BUTLER. If there is a provision in the charter of the labor organization providing that certain persons shall not have the right to hold office in the union, they would not have such right under the terms of the bill.

Mr. KENNEDY. That is an entirely different question. I wondered whether the Senator's question was directed to the proposition that, because certain rights may be enumerated in the bill, other rights were abridged.

Mr. BUTLER. I think ordinarily that would be true. Why is the situation any different in this case?

Mr. KENNEDY. I do not believe there is anything in the bill which would abridge other rights which would ordinarily be granted to a member of a labor organization or to a citizen of the United States.

Mr. JOHNSON of Texas. Mr. President, will the Senator from California yield to me in order that I may request the yeas and nays on his amendment, so that Senators may be on notice?

Mr. KUCHEL. I yield for that purpose.

Mr. JOHNSON of Texas. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. COOPER. Mr. President, will the Senator yield to me?

Mr. KUCHEL. I yield to my friend the able Senator from Kentucky to respond to the question of the senior Senator from Maryland.

Mr. COOPER. The bill itself, in section 301, subsection (d), page 36, guarantees to every member of a union the right to be a candidate. I think that answers the question.

I think it important to state for the legislative history that the enumeration of the rights mentioned does not exclude other rights. It is so provided in another section of the amendment.

Mr. KENNEDY. Mr. President, will the Senator from California yield on that point?

Mr. KUCHEL. I am grateful for the comment of the able Senator from Kentucky, who is a coauthor of the proposed amendment.

I now yield to the Senator from Massachusetts.

Mr. KENNEDY. As the Senator from New York [Mr. JAVITS] previously pointed out, the bill of rights must be read in conjunction with the remainder of the bill. It is true that on page 36, beginning in line 13, we find the following language:

(d) In any election required by this section to be held by secret ballot a reasonable opportunity shall be given for the nomination of candidates and every member in good standing shall be eligible to be a candidate and to hold office (subject to reasonable qualifications uniformly imposed) and shall have the right to vote for or otherwise support, the candidate or candidates of his choice, without being subject to penalty, discipline, or improper interference or reprisal of any kind by such organization or any member thereof.

So other rights are guaranteed, in addition to the rights guaranteed in the bill of rights, and the general constitutional rights.

Mr. HOLLAND. Mr. President, will the Senator yield on the point which has been raised?

Mr. KUCHEL. I yield.

Mr. HOLLAND. I invite the attention of the Senator from California to the fact that section 103 of his amendment contains a partial correction of any harm which might be done by the simple relation of certain rights under the section which deals with equal rights, or any catalog of details under any other section. Section 103 reads as follows:

Nothing contained in this title shall limit the rights and remedies of any member of a labor organization under any State or Federal law or before any court or other tribunal.

Mr. KUCHEL. I am grateful to the Senator for underlining and emphasizing that point, because I think it is an irrefutable answer.

Mr. HOLLAND. Mr. President, will the Senator yield for one further observation?

Mr. KUCHEL. I yield.

Mr. HOLLAND. I think the Senator's conclusion may be a little more than section 103 would provide, because I notice that among the rights and remedies which are carefully preserved are only those which arise under State or Federal law, without any reference to those which arise under the charter and bylaws or regulations of the union. It seems to me that such reference should be added, to make complete the showing that nothing is excluded by the inclusion of the rights which are included, or the details which are included in any of these sections. I do not like to jump to conclusions, but it seems to me that such reference should properly be added, and I hope the Senator from Massachusetts and the Senator from California will at least consider the suggestion.

Mr. KUCHEL. I thank my friend.

I wish to yield to one of my good friends on the other side of the aisle. I ask the Senator from Massachusetts to bear in mind the point mentioned by the Senator from Florida, with respect to possibly finding in the bill language which would answer the Senator's question, or of proposing an amendment on the point.

The PRESIDING OFFICER. The Chair advises the Senator from California that he has only 2 minutes remaining, including the 5 minutes yielded by the majority leader.

Mr. CHURCH. Mr. President, will the Senator yield to me?

Mr. KUCHEL. I yield 1 minute to the able junior Senator from Idaho.

Mr. CHURCH. I thank the Senator from California.

I have only one minute to express some views with respect to the pending amendment. I must say that, as a member of the select committee, I was strongly in favor of a bill of rights for the working people in organized labor unions, and I voted against the amendment offered by the distinguished Senator from Arkansas with great reluctance only because it contained provisions which would unduly harass and obstruct legitimate unionism, without contributing to the rights to which I felt the working people were entitled.

I have participated in this redraft, not for the purpose of weakening or limiting such rights, but only for the purpose of eliminating the unnecessary provisions which would only harass and obstruct the achievement of that end. I wish to commend the Senator from California and other Senators on the other side of the aisle who have participated in good faith in this undertaking. The redrafting of the bill has improved the guarantees of the fundamental rights which we were seeking to have included in the bill. We have not altered the objective sought by the distinguished Senator from Arkansas. I believe that the bill has not been weakened but, instead, improved for the benefit of working people and for the benefit of the public at large.

Mr. KENNEDY. I yield 3 minutes to the Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 3 minutes of the time previously yielded by the acting majority leader from the time on the bill.

Mr. CLARK. Mr. President, on behalf of the Members of the Senate on this side of the aisle who have participated in the drafting of the amendment, I should like to express our pride in the leadership furnished by the disitnguished Senator from California [Mr. KUCHEL]. He has advanced his stature with all reasonable, clear-thinking people in the United States, regardless of party, by the courageous stand he has taken in assuming leadership on the pending amendment.

The amendment does five things, and the most important is that it protects the legitimate rights of the rank-and-file members of unions. It does that without, first, inadequate draftsmanship. The amendment is carefully drawn. Its predecessor was full of loopholes. Second, it does not contain union-busting provisions, as its predecessor did. Third, it does not permit any Communist infiltration into unions. Its predecessor did. Fourth, it takes the Federal bureaucracy out of this bill of rights and leaves its enforcement to union members, aided by the courts.

It is a good, sound amendment, which properly protects the rights of union members. The bill will be a better measure as a result. I am confident that if the amendment is adopted it will be a provision of which all of us can be proud.

Mr. McCLELLAN. Mr. President, I must disagree wholeheartedly with what the Senator has said—that my provision would accommodate any Communists in unions. I cannot remain silent when that kind of statement is made.

Mr. CLARK. I say to my friend that I am sure from the bottom of my heart he would not wittingly do anything which would have that effect, just as I am sure the original provision would have had certain other effects which, my friend from Arkansas will agree, were not foreseen. The amendment as originally drawn, in my opinion, would have made it easier, even though it was certainly not intended to have the effect now disclaimed. There is no Member of the Senate for whom I have higher regard than my friend from Arkansas. I believe the amendment now proposed is more effective in keeping Communists out of unions than was its predecessor. I repeat, there is no Member of the Senate for whom I have higher regard than the Senator from Arkansas.

Mr. KENNEDY. Mr. President, I yield myself 2 minutes on the bill.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized for 2 minutes.

Mr. KENNEDY. I must disagree with my friend from Pennsylvania on this subject. I wish to make two points clear. In the first place, the Kennedy-Ervin bill would not be before the Senate today, and would not have been before the Senate last year, were it not for the Senator from Arkansas. Secondly, the amendment in its final language, if we are able to agree on it, would not be before us if it were not for the Senator from Arkansas.

It is possible that in the space of 24 hours or 48 hours, with the help of the Senator from Arkansas, some of the language may be rewritten and strengthened and improved, to make it better.

During the debate I had some question about the language of the original amendment, just as many Senators had some doubt about the language which I had offered. I should like to say to my friend from Pennsylvania that I do not believe the language of the original amendment would have permitted Communists to come into a union. It is possible that the language would not have been so effective as the redrafted language in that regard. The Senator from Arkansas has helped to strengthen and improve the language. It is in the public interest.

Mr. McCLELLAN. I do not believe I am an expert in the field of drafting legislative language. However, I yield to no man with respect to my convictions as to what is right and what is wrong. Even after 2 or 4 or 5 years one finds that it is always possible to improve on language in a measure. It is always possible to redraft it and to improve it according to new ideas. However, I cannot sit idly by and hear the insinuation made that I am trying to accommodate Communists.

Mr. CLARK. There is nothing further from my mind than any such insinuation on the character and ability and integrity of my friend from Arkansas. Subsection (k) dealt with members in good standing. As it was originally drafted, anyone was permitted to come into the union so long as he paid his dues. I am glad that provision was stricken.

Mr. KENNEDY. It was stricken in the sense that it was rewritten by the Senator from Arkansas, as well as other Senators.

Mr. LAUSCHE. Will a Senator yield me some time?

The PRESIDING OFFICER (Mr. SMATHERS in the chair). The Chair announces that the opponents have 28 minutes remaining and that the Senator from California has 1 minute remaining on the amendment. What is the pleasure of the Senate?

Mr. McCLELLAN. Will a Senator yield me 1 minute?

Mr. JOHNSON of Texas. Mr. President, I yield 2 minutes from the bill to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, I should like to discuss the equal rights provision and the free speech provision, and to point out to the Senate that the McClellan amendment guaranteed absolute equality of rights under the rules and regulations of the union. The provision in the substitute does not guarantee absolute equality of rights. No explanation has been given why the substitute provides that the rights shall be limited if the union so desires.

Second, on the subject of free speech, the McClellan amendment guaranteed

the absolute right of free speech. The substitute limits the right of free speech. There can be no denial of the fact that, for some reason, the McClellan amendment was diluted to the point that equality of rights have been abbreviated and freedom of speech has been limited. My query of the proponents is why the equality of rights has been limited and why the right of free speech has been abridged. I wish someone would answer that query.

Mr. HOLLAND. Mr. President, may I be yielded some time?

The PRESIDING OFFICER. The time is under regulation. Does the Senator from California yield time?

Mr. KUCHEL. I shall be glad to yield 1 minute to the Senator from Kentucky [Mr. COOPER].

The PRESIDING OFFICER. The Senator from Kentucky is recognized for 1 minute.

Mr. McCLELLAN. A few minutes ago, by unanimous consent, the distinguished Senator from California modified his amendment by inserting a semicolon after the word "members" on page 2, line 9. We find that the semicolon was erroneously inserted at that point. The semicolon should be inserted after the word "opinions" on page 2, line 10. I ask unanimous consent that the first modification be stricken and that the distinguished Senator from California accept the second modification of his amendment.

Mr. KUCHEL. I join in that request.

The PRESIDING OFFICER. Without objection, the modification is made. The Senator from Kentucky has been yielded 1 minute.

Mr. COOPER. Will someone yield me 2 minutes?

The PRESIDING OFFICER. The Senator from Kentucky is utilizing his 1 minute to get 2 minutes. [Laughter.]

Mr. COOPER. I hope I will be successful. I address myself to the question asked by the senior Senator from Ohio [Mr. LAUSCHE]. He suggested that section 101 limits the right of union members, in comparison with the McClellan amendment. One provision reads "subject to reasonable rules and regulations in such organization's constitution and bylaws."

That is a procedural provision. It deals with the right of a private or a semiprivate organization to control its meetings by reasonable rules. But in the view of all of us who propose the amendment, it is not believed that this language on the proviso limits any substantive rights, contemplated and defined in the entire title or otherwise in the bill.

Mr. President, may I have one more minute?

Mr. DIRKSEN. Mr. President, I yield the Senator 2 minutes on the bill.

Mr. COOPER. This will be perhaps my only statement on the amendment. I am one of its cosponsors. When I voted "aye" on the amendment offered by the Senator from Arkansas [Senator McCLELLAN], I was perfectly aware that the amendment contained some provisions which I believed extreme. Yet, because I believe strongly in the rights involved—the constitutional principles which the McClellan amendment expressed, the rights guaranteed under the Bill of Rights—I considered that these principles overrode any objection I might have to certain provisions, which, in any event, could be corrected.

We have presented an amendment which I believe corrects the errors in the first amendment offered by the Senator from Arkansas. Some Senators may believe that the amendment which we offer limits rights or derogates rights afforded by the McClellan amendment. I do not think so. It removes the extremes raised by the amendment of the Senator from Arkansas. It assures clearly the rights of members of a union.

As the distinguished Senator from California has said, there are two substantial changes to the McClellan amendment proposed by his amendment. First, it removes the power of the Secretary of Labor, and I may say his duty, to deal with the government of a union; second, is a change with respect to the availability of membership lists, which the Senator from New York at a later time will explain. I believe this is a good amendment.

The PRESIDING OFFICER. The time of the Senator from Kentucky has expired.

Mr. HOLLAND. Mr. President, will the Senator from Illinois yield time to me?

Mr. DIRKSEN. I must first yield to the Senator from Arizona. I have no choice in the matter.

The PRESIDING OFFICER. The Senator from Arizona is recognized. The Senate is operating under a unanimous-consent agreement. The Senator from Illinois has control of the remaining time. Twenty-eight minutes are left.

Mr. HOLLAND. Mr. President, will the Senator from Arizona yield me 3 minutes, so that I may address some questions to the Senator from California?

Mr. GOLDWATER. I am happy to do so.

Mr. HOLLAND. First, the Senator from California admitted a moment ago that he felt that the provisions of section 103 of the amendment should be amplified by adding certain words. I have asked counsel for the committee to prepare those words. I understand it is agreeable to the committee that the words be added. As drafted by the committee counsel, they would be added at the end of section 103, if that be agreeable to the Senator from California. The words are "or any union constitution or bylaws."

Mr. KUCHEL. Mr. President, I ask unanimous consent that the amendment to the amendment may be approved, so that it will be quite clear that not only will State or Federal law be followed, but also, quite obviously and understandably, the constitution and bylaws of the organization.

The PRESIDING OFFICER. Without objection, the amendment to the amendment is agreed to.

Mr. HOLLAND. Mr. President, I notice, from a careful checking of the bill with the committee counsel, that three of the provisions covered by the reporting requirement of the committee bill, found on page 6, designated as items (vii), (viii), and (ix), in lines 11, 12, and 13, are omitted from the so-called Kuchel amendment. I have been told by the drafting counsel that that omission was inadvertent, and that those items contained in the committee bill should be restored.

Mr. KUCHEL. The Senator is correct.

Mr. HOLLAND. May I ask the distinguished Senator from California if he will modify his amendment so as to restore those items?

Mr. KUCHEL. Mr. President, I ask that that be done.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GOLDWATER. Mr. President, I ask the indulgence of the Senator from Massachusetts and the Senator from California.

I voted for the McClellan amendment. I believe, in all honesty and sincerity, it is the only thing which has been added to the bill which really does anything good for the working people and the public. I would have liked to see it remain in the bill; but evidently it will not.

I shall discuss portions of the amendment now proposed.

I refer to page 2, paragraph 2: "Freedom of Speech and Assembly." I say to the Senator from California that I have grave misgivings as to the proviso clause. I think if it were eliminated, the "Freedom of Speech and Assembly" paragraph would be perfectly acceptable. It would be in accordance with the McClellan amendment language. The language now reads:

> *Provided*, That the foregoing is limited so that nothing herein shall be construed to impair the right of a labor organization to adopt and enforce reasonable rules as to the responsibility of every member toward the organization as an institution and to refrain from conduct that would interfere with its performance of its legal or contractual obligations.

I feel that the use of that language will leave the situation just as it is today. The language of the union constitutions sounds like democratic language, but it is not. We find, for instance, that 74 unions limit member criticism of officers and fellow members, and 15 unions prohibit the issuance of any literature emanating from members unless the consent of the national officers is received.

If that proviso is retained in the amendment, I say the unions could continue to write into their constitutions language to limit the actions of the membership; they could prevent the members from standing up in a meeting, for example, and saying they object to the union's backing a certain candidate in a political campaign.

I have two approaches to this matter.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. KUCHEL. For the sake of the legislative history, I may say there is no intention on the part of the proponents of the amendment to be done that of which the Senator from Arizona is apprehensive.

Mr. GOLDWATER. I may say, simply to make the matter completely clear,

that I know, certainly, that they do not have that intention. I have an amendment to suggest. I will read it, to save time, if the Senators will pay attention.

On page 2, line 7 through line 20, I propose to strike out all of paragraph "(2)" and insert in lieu thereof:

(2) FREEDOM OF SPEECH.—Every member of any such labor organization shall have the right to express any views, arguments, or opinions regarding any matter respecting such organization or its officers, agents, or representatives, and to disseminate such views, arguments, or opinions either orally or in printed, graphic, or visual form without being subject to penalty, discipline, or interference of any kind by such organization—

This, I think, takes care of the fear of going too far—

unless there has been a final determination by the courts, in a civil or criminal proceeding, that such utterance constituted an actionable or criminal defamation of such organization, or any of its officers, agents, representatives, or members.

Is the Senator from California willing to accept that amendment?

Mr. CLARK. Mr. President, will the Senator yield for a question?

Mr. GOLDWATER. I yield for a question.

Mr. CLARK. Would not the result of the amendment of the Senator from Arizona be the granting of an ex post facto right which could never be enforced until final judicial determination had been made? What concerns me about the form of the Senator's proposed amendment is that it may turn into a chaotic condition the normal operations of the union; whereas the amendment drafted by those of us who support the Senator from California does, in the proviso, as I am certain the Senator from Arizona knows, fix a limitation on enforcing reasonable rules as to the responsibility of every member toward the organization as an institution, to refrain from conduct which would interfere with the performance of its legal, contractual obligations.

In other words, our amendment requires that they go to court and prove that the restriction is unreasonable. But the amendment of the Senator from Arizona would say it was ipso facto unreasonable unless the court determined to the contrary.

Have I given a fair summary of the amendments?

Mr. GOLDWATER. I think so. But I think the same proviso could be included in the Senator's amendment.

Mr. CLARK. Does the Senator mean the same one, in reverse?

Mr. GOLDWATER. Yes; in reverse. However, the language is limited. The Senator includes the limiting qualification. We do not argue about the reasonableness. I know the Senator's source for that, and I think any reasonable man will recognize that. But the Senator proposes that they be given the right to do what they are doing today; I do not think that is reasonable.

Mr. CLARK. Again, I believe this matter involves a question of judgment on the part of what I hope are reasonable men.

On balance, I hope the Senator from California will not accept the amendment, although I agree that the Senator from Arizona can make a plausible case for it.

Mr. GOLDWATER. The other evening the Senate adopted—although not in a very decisive way—the McClellan amendment which I would say contains no provisos at all. Frankly, that is the way I should like to see the amendment remain.

Mr. CURTIS. Mr. President, if the Senator from Arizona will yield to me, let me say that I am reluctant to accept such an amendment.

Once again, I would say that every rule laid down in all these sections of the amendment is enforceable both through criminal action and through civil action. Therefore, if there is an unwarranted or unreasonable inhibition against the right of a union member, by his organization, he will have an opportunity to obtain redress in court. It seems to me—and I think all my colleagues will share this opinion—that that represents the finest means by which his rights may be protected.

Mr. GOLDWATER. Mr. President, I should like to continue.

If we were dealing with an organization in which membership was not compulsory——

The PRESIDING OFFICER (Mr. GORE in the chair). The Senator from Arizona will suspend until the Senate is in order. The Senate is not now in order, and it must be in order before the Senator from Arizona may proceed. Half a dozen conversations are under way on the floor, and the galleries are not quiet.

Conversations on the floor will cease; Senators, other than the Senator who has the floor, will take their seats. The occupants of the galleries must be silent.

Now the Senator from Arizona may resume.

Mr. GOLDWATER. I thank the Chair.

Mr. President, if we were dealing with organizations in which membership was purely voluntary—for instance, business organizations, fraternal organizations, and so forth—I would hold with the Senator's argument. But we are dealing with organizations to which—in most cases—a man must belong if he is to work.

The argument that to interfere with the operations of such organizations would be wrong does not hold with me, because before the McClellan committee we have, for 2 years, found unions who abuse the rights of the American people.

Let me make perfectly clear that I believe that the great majority of unions can be absolved of all such charges. I know unions, and I know union people; and I have great respect for them. But I have no respect for those who abuse the rights of the American people.

As was stated on yesterday by the Senator from Ohio, there are 170 million people in our country, and probably 99.9 percent of them are perfectly law-abiding citizens. But there are laws by which we have to live.

Today in this country there is a denial of American rights in unions, only because some union constitutions contain provisions which make it possible for the democratic rights of the union members to be denied.

I am undertaking to point out that if the proviso remains in the amendment, the effect of the amendment will be that we shall not change anything that has allowed the disturbances which have been disclosed in the course of the investigations by the McClellan committee.

Mr. KUCHEL. Mr. President, will the Senator yield to me?

Mr. GOLDWATER. I am happy to yield.

Mr. KUCHEL. A specific apprehension comes to my mind, after having read and reread the language of the amendment of the Senator from Arizona, along with the language of the amendment of the junior Senator from New York [Mr. JAVITS]. Suppose a union member committed an infraction of the reasonable rules of his union organization. For instance, suppose his conduct were unbecoming. It would be perfectly reasonable to prevent that member from continuing his unwarranted conduct, whatever it might be. I very greatly fear that the language proposed by the Senator would permit that union member to say, "You cannot touch me for what I do or say"—even if every court in the land would say he was conducting himself in an unbecoming manner.

Mr. GOLDWATER. I may say that we are not talking about conduct.

Mr. ALLOTT. Mr. President, will the Senator from Arizona yield to me for 1 minute?

Mr. GOLDWATER. I yield.

Mr. ALLOTT. I should like to have the attention of the Senator from California [Mr. KUCHEL].

I do not think any Senator will disagree with me when I say that a union has a right to make reasonable rules for the conduct of its members, and so forth—for instance, rules against improper or undesirable conduct; for example, if a union member comes in drunk, or if he raises cain all the time, and so forth.

The one thing about which I am concerned, and about which my friend, the Senator from Arizona is concerned, is that the term "reasonable" would include the proposition that a member could not criticize his union or the officers of his union or could not oppose the officers in an election—in short, that he could not openly criticize the officers or the conduct of the union's business; that he could not engage in such criticism either in or out of the union hall.

I realize that the Senator proposes to include a provision which would make such criticism in the union hall permissible.

But if the union's rules prohibit such criticism—and the Senator from Arizona says that the rules of 74 unions do—I would be opposed to this proposal. That is where the real rub comes in connection with this matter.

Mr. CHURCH. Mr. President, will the Senator from Arizona yield to me?

Mr. GOLDWATER. Mr. President, I am sorry that I do not have time to yield further. I regret that our time for the discussion of so important a subject is so greatly limited. I think it a great crime that the Senate has to rush

through its consideration of this measure, with only half an hour allowed to a side for debate on these amendments, when we are determining the fate of millions of American working people.

I should like to refer to the language of the amendment, as follows:

> Every member of any such labor organization shall have the right to express any views, arguments, or opinions.

That provision does not guarantee the right of a union member to attend an evening meeting at his church, when no other members of his union are present, and there say, "I do not like to have my union back Tom Smith for this particular union office." In my opinion, the language proposed would not guarantee that right to a union member. In other words, the proposed language guarantees the union member freedom of speech in the union hall, at meetings of union members, but does not give him such a guarantee in connection with meetings outside the union hall.

My friend has indicated that he will not accept my amendment.

Again—because we are operating under what I call an almost severe time limit—I wish to proceed.

I have an amendment on page 2, in line 14, as follows: Strike out the colon, and insert a period in lieu thereof; and strike out the words beginning with *"Provided,"* down through the period in line 20. That would remove the proviso.

I should like to ask the Senator from California to state his thoughts on that proposal.

Mr. CLARK. Mr. President, first, will the Senator from Arizona yield to me?

Mr. GOLDWATER. I am glad to yield.

Mr. CLARK. While the sponsors of the Kuchel amendment are considering the suggestion which has just been made by the Senator from Arizona—and which, frankly, I think goes too far—I wonder whether we could achieve the same result, to the extent that it is desirable, by rewriting the proviso as follows:

> *Provided,* That nothing herein contained shall be construed to impair the right of a labor organization to adopt and enforce reasonable rules.

And then insert: "Not inconsistent with the provisions of this title as to the responsibility of every member toward the organization."

And then include the language following as it now stands.

It seems to me that would meet the fear the Senator from Arizona has, and really would cover the matter fairly well.

Mr. KEATING. Mr. President, will the Senator from Arizona yield to me?

The PRESIDING OFFICER. The 15 minutes allotted to the Senator from Arizona have expired.

Mr. DIRKSEN. Mr. President, I yield the distinguished Senator 10 additional minutes.

The PRESIDING OFFICER. The Senator from Arizona is yielded 10 additional minutes.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that the time required to bring about order in the Chamber be not charged to either side. That is a unanimous-consent request.

The PRESIDING OFFICER. The request is not necessary. The preservation of order is supposed to be automatic in the Senate Chamber.

The Chair advises the occupants of the galleries that they are guests of the Senate. This is not a place where they are expected to conduct casual conversations. They are here to observe and witness the conduct of the U.S. Senate. The Chair requests the observance of decorum by the guests.

The Senator from Arizona.

Mr. GOLDWATER. Mr. President, I wish to refer to another part of the amendment. I ask my friend the Senator from California or any one of the sponsors——

Mr. CLARK. Mr. President, will the Senator yield so we may know whether our minds have met on the proviso?

Mr. GOLDWATER. I do not know what it means, frankly.

Mr. CLARK. It is an amplification of what is already on page 4, line 14. It merely buttons it up in connection with the proviso under discussion.

Mr. GOLDWATER. I do not agree that it does anything. It is the type of language which somebody once described as gobbledygook. I think that is pretty much what it is. If the sponsors of the amendment do not want to accept my amendment, very well. I think the insertion of the semicolon has done some good, but my objection to the amendment will remain and, frankly, will constitute my reason for voting against the substitute.

Mr. President, as time is running out, I wish to turn to page 4 of the amendment, and invite the attention of the Senator from California to line 4, page 4:

> That no employer or employer association shall directly or indirectly finance, encourage, or participate in, except as a party, any such action, proceeding, appearance, or petition.

I think that is a good provision. I agree with the Senator from California, which may surprise him.

Mr. KUCHEL. No; it does not surprise me. I think the Senator from Arizona is one Member of the Senate who deserves the salute of all of us for the constant attention he has given in this field.

Mr. GOLDWATER. I thank the Senator.

I ask the Senator from California if he would accept an amendment in the form of an addition; on page 4, at the end of line 6, before the period, to add the following words: "unless such employer has no dispute, controversy, contract, connection, or relationship of any kind in any area of activity, with the labor organization against which such action or proceeding has been or is being brought by such member."

Let us say a businessman is a neighbor of a union member, and he is trying to finance him. The businessman has no dispute with his neighbor. He may be in business in another community. If the language proposed were to apply, it would prevent such a laboring man from being financed by his friend, the employer.

I do not think my request is an unreasonable one. I think it would add strength to the provision which has been proposed.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. GOLDWATER. I am happy to yield.

Mr. CLARK. It occurs to me that, while I certainly recognize the good motives of the Senator from Arizona, the addition to the proviso might well open up an undesirable loophole. The instance cited by the Senator from Arizona is a legitimate one to raise; but, on the other hand, would it not be possible for an employer or association of employers who just did not like unions generally to finance the activities which they are forbidden to finance or encourage merely because, as a matter of philosophy——

Mr. GOLDWATER. I am not talking about an association in my amendment. I say "employer." I refer to a case in which a man who lives next door, or is a friend of the workingman, offers to finance him.

Mr. CLARK. I understand. As the Senator from Tennessee knows, I had the privilege of listening to the president of the United States Steel Corp. testify before the Antitrust and Monopoly Subcommittee. He is a fine American and a great businessman, but he just does not believe in unions. From where he sits, perhaps he is right. I would not want him to finance his neighbor in order to break up a union to which he belonged.

Mr. GOLDWATER. Contrary to what my friend may think, I not only believe in unions; I want them to get bigger and better. I object to the way some of them are run. I would not, for that reason, and for the fear that somebody might dislike a union, want to preclude a friend from using funds which would come under the purview of this section. I want to give him the freedom to use the funds.

Mr. CLARK. I am speaking as only one of the sponsors. I dare say it is no secret that this colloquy will enable my colleagues to determine what they want to do. I think I am right, but if my colleagues desire to accept the amendment of the Senator from Arizona, I would have no serious objection to accepting his amendment.

Mr. GOLDWATER. While the Senators in this part of the Chamber are deciding on the language, I wish to state that the Senator from California did not finish reading his amendment to title II, Reporting by Labor Organizations. It contains the language which is contained in the committee bill, I certainly have no objection to it. I make that statement so the Senator from California will not need to read it.

May I now ask to what conclusion my friend has come about my suggested change?

Mr. KUCHEL. I say this, Mr. President, that language is not sufficiently clear to the coauthors of the amendment who are in this part of the Chamber at present for me to stand up and say, "We accept it."

The sentence we are discussing, which my friend from Arizona would like to amend by adding more words to it, reads:

No employer or employer association shall directly or indirectly finance, encourage, or participate in, except as a party, any such action, proceeding, appearance, or petition.

That is all that clause states. In other words, it would be an unfair practice, it would be against the law, for an employer or an employer association, directly or indirectly, to spend any money or otherwise to get into that type of situation, unless it were a party. Is that not good public policy?

I do believe we ought not to clutter up that language. It is clear. The provision is an attempt to protect a union member who may be engaged in a dispute with the organization. My colleagues would not want me to accept the amendment.

Mr. GOLDWATER. Let me ask another question. Let us suppose the man to whom we are giving these rights has no money to enable him to go to court, has no money with which to finance a suit, but has a friend, who is an employer, who says, "John, I will lend you the money to go into court—but wait a minute; I cannot do it, because no employer can do it." Are we not tampering with the basic right of a man to borrow a dollar or two from a friend?

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. MUNDT. It seems to me he could not go to any bank, either, if the bank is an employer.

Mr. GOLDWATER. The Senator from South Dakota has made a good point. He could not go to a bank to borrow the money, because the bank would be an employer. In fact, the union member could not borrow it from his own union, because his union is an employer.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. CLARK. It occurs to me that we ought to make very clear at this point, by the legislative history, if my friend will indulge me, that the somewhat strained construction of the word "employer" which has been given in the last colloquy is not intended by anybody to apply, and that certainly an employee could go to a bank to borrow money for his defense, and there should not be a shadow of doubt about it.

Mr. MUNDT. Could the Senator from Pennsylvania tell us of a bank which is not an employer?

Mr. GOLDWATER. Under this language the union member could not do it.

Mr. KUCHEL. Mr. President, if the Senator from Arizona will yield, it has been suggested by the senior Senator from New York that the word "interested" could be added in line 4, after the word "no", so as to make the language read, "no interested employer or employer association." If the Senator would accept that amendment, with the legislative history which has been developed, I think it would solve his problem.

Mr. GOLDWATER. Will the Senator explain what that means?

Mr. CLARK. If the Senator will yield, I think it would clearly mean the language would not include a bank.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. GOLDWATER. I understand what it means, but we want to make a legislative history. I want the proponents of this interesting word "interested" to explain it.

I yield to the Senator from New York.

Mr. JAVITS. I have in mind the fact that an employer who has an interest in the litigation ought not to bring pressure upon a union. In the eventuation of a relationship of the litigant to the union, an interested employer should not be a party to finance the suit.

We ourselves are so against antibarratry statutes that I do not want to be a party to a law which would prevent a union member from finding a friend, who happens to be an employer of people in a totally unrelated business, a bank or anything else, to loan him the money. We should not have a law to make it impossible to borrow from a friend to start a suit.

Mr. ALLOTT. May I ask a question, for the legislative history?

Mr. GOLDWATER. I yield.

Mr. ALLOTT. Including the word as the Senator has used it, in the opinion of the Senator would the language include "any" employer? Let us assume that the employer is in the general grocery business. Would the word "interested" include any other employer?

Mr. JAVITS. I think it probably would if the litigation involved the union in the whole line of business, because the words of art are "employer or employer association."

Again we have a balance of convenience. Neither side ought to trim this, and that is why I have given the legislative history.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DIRKSEN. Mr. President, there are 3 minutes remaining on the amendment. I yield to the distinguished Senator from Arizona 5 minutes, of which 2 minutes will be from the time on the bill and 3 minutes from the time on the amendment.

Mr. GOLDWATER. I do not need 5 minutes. Two minutes will be sufficient.

Mr. DIRKSEN. I yield the Senator 3 minutes, then.

The PRESIDING OFFICER. The Senator from Arizona has been yielded 3 minutes.

Mr. GOLDWATER. Mr. President, I am very sorry the sponsors of the amendment cannot agree with my amendments which relate to freedom of speech and assembly. I think the language they propose will continue to allow certain unions to abuse their membership. I fear that retaining the proviso clause in the freedom of speech and assembly provision will furnish an open door to the continuation of the abuses which we have seen, other language in the bill notwithstanding.

I believe, indeed I know, honestly, that the Senators who have sponsored the amendment have done so with the idea that they are being of extreme help. I was perfectly willing to see stricken from the McClellan amendment those provisions of which our southern friends were fearful but I did not know that such a hatchet job was going to be done. I thought we would apply a fine scalpel, in order to get along with our friends from the South on a reasonable objection. I am sorry this has gone as far as it has.

I am sorry also, Mr. President, that such a precedent is being established for getting around a motion to lay on the table a motion to reconsider. I think we are going to regret it. I can see for the future no validity in a Senate vote to lay a motion to reconsider on the table. We are doing something today which we will regret, not only with regard to the substance of the proposed legislation, but with regard to the substance of what we are doing. We are developing a new "gimmick" to get around a legislative act which has been decided. I, as a Senator, want no part of it.

The PRESIDING OFFICER. All time on the amendment has expired.

Mr. McCLELLAN. Mr. President, will the Senator yield me a half minute?

Mr. DIRKSEN. Mr. President, I yield a half minute, from the time on the bill.

The PRESIDING OFFICER. The Senator from Arkansas is recognized for a half minute.

Mr. McCLELLAN. I will say to the distinguished author of the amendment, he should delete the provision about the employer and the limitation on a man borrowing money. Every one of us knows that such a provision is unconstitutional. We should take the language out. It makes no sense to say to a man, by law, "You cannot borrow money."

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the distinguished Senator from New York [Mr. JAVITS].

The PRESIDING OFFICER. The Senator from New York is recognized for 2 minutes.

Mr. JAVITS. Mr. President, I think it has been clear in this debate that all the Senate is trying to do is to be mature. Everybody knows the Senate could reach the same result by many methods, including a motion to recommit the bill. All of us, those who voted against the McClellan amendment, as well as those who voted for it, recognize that the McClellan amendment has to be cleaned up properly. I think we are adult enough not to wait until the bill gets to a conference, or to make that a reason why the other body will not act on the proposed legislation at all.

Let those who are so vehement about the bill of rights ask themselves, What do we want, an issue or a law? I want a law. That is why I have done what I have done. I thought that the balance of convenience in civil liberties was greater than the balance of convenience in the bill of rights, because the whole

Kennedy bill is a bill of rights. We can add something or subtract something if we wish.

Mr. President, we are trying to perfect this language, so that it will do everything the Senator from Arkansas wanted to do, but also will make sure it does not do more, because if it did more, it could destroy the bill, and could make the Secretary of Labor run every union.

Mr. President, I point out that if we let the amendment of the Senator from Arkansas stand as it is, the provision with respect to initiation fees, which are fixed by the union, would require an amendment by the U.S. Congress to enable any union to change its initiation fee from 75 percent or less of a week's wages to more, even if it were a highly desirable thing to do. We assumed no such result. We did not want to have such a result, yet that is what we are facing.

Mr. President, it seems to me a reasonable approach is being taken, within the confines of law, to accomplish what we are trying to accomplish.

Mr. President, I say to those who talk about free speech that under the Constitution of the United States free speech is not license. Supreme Court Justice Holmes laid down the proposition long ago that it might be free speech to get up in a movie theater and to yell "Fire," but that we could prevent it by law. What would our colleagues do? Would our colleagues have us allow a union member to get up at a union meeting and yell "Fire"? Would our colleague say that is free speech?—because that is what we are asked to write into the bill. That is nonsense, and we know it. Of course, all freedom has to be subject to proper and reasonable rules of procedure.

The PRESIDING OFFICER. The time of the Senator from New York has expired.

Mr. DIRKSEN. Mr. President, I yield 1 more minute to the distinguished Senator from New York.

Mr. JAVITS. Who determines what is reasonable? That is determined by the same body which always determines such questions in American public life—the court. The courts determine whether a driver is reasonable when he hits a pedestrian. The courts determine whether somebody acted reasonably in the commission of a crime. The court determines what is reasonable every day. The court will do so in this instance. We have lodged the power where it belongs.

Finally, Mr. President, the amendment offered by the distinguished Senator from California, for himself and his colleagues, does not deal with union lists. I assure Senators that, if recognition may be obtained we have a way whereby the union lists will be made fully and freely available to anyone who ought to have them, without fear of action against him, for proper uses. I shall have the honor to propose such an amendment as soon as the Senate has taken action on the bill of rights amendment, but I wish to emphasize that this is all a part of the same package. It has been through the screening of the distinguished Senator from Arkansas and of many colleagues on this side, many distinguished lawyers, I humbly submit it will satisfy my colleagues.

The PRESIDING OFFICER. The time of the Senator from New York has expired.

Mr. JOHNSON of Texas. Mr. President, I yield 2 minutes to the Senator from Tennessee [Mr. KEFAUVER].

Mr. KEFAUVER. Mr. President, I should like to ask the sponsors of the amendment a few question.

First, I wish to congratulate the sponsors of the amendment on the amendment they have presented, leaving out section 103, which, as has been stated, would put the Secretary of Labor in the middle of the actions of every labor union in the United States and give him the right to institute suits at his will. It would be very difficult to carry on management-labor relations in the public interest if an unthoughtful Secretary of Labor wished to interfere. This section, plus the absence of a requirement for jury trials, were the principal reasons I voted against the McClellan amendment.

The particular question I wish to ask is this: Whereas the McClellan amendment contained a provision for penalties, with respect to which I thought some of the language was a little harsh, I do not find any direct provision in this amendment for penalties, except that section 102 gives the members rights to certain actions. I suppose section 506 of the original McClellan amendment contains provisions for penalties, and that it is intended that the penalty provisions shall apply to this section.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. KEFAUVER. I yield.

Mr. CLARK. That is correct. That is why no specific penalty section was inserted in the amendment. If the Senator will refer to section 506, he will see that it refers to violations of the act, and, of course, the bill of rights title will be a part of the act. The penalty provision is intended to apply.

Mr. KEFAUVER. Subsection (c) of section 506 provides as follows:

> Any person who shall willfully violate the provisions of this section shall be fined not more than $10,000 or imprisoned for not more than 2 years, or both.

Is it intended that the words "this section" include also the new amendment which has been presented?

Mr. CLARK. If the Senator will indulge me, I will obtain a copy of the amendment.

Mr. KEFAUVER. If not, I suggest that the Senator from Massachusetts consider enlarging the expression "this section" to "this act."

I hope the sponsors of the bill will consider the language, to be sure that the words "this section" apply to the new amendment which has been presented.

The PRESIDING OFFICER. The time of the Senator from Tennessee has expired.

All time on the amendment has expired.

Mr. DIRKSEN. Mr. President, for the purpose of some clarification of language which was agreed upon, I yield 2 minutes to the Senator from Florida on the bill.

The PRESIDING OFFICER. The Senator from Florida is recognized for 2 minutes.

Mr. CLARK. Mr. President, I should like to ask the Senator from Florida a question as a matter of legislative history.

Mr. HOLLAND. I have only 2 minutes.

The PRESIDING OFFICER. The Senator from Florida declines to yield.

Mr. HOLLAND. Mr. President, I should like to address two inquiries to the distinguished Senator from California.

I share the concern of the Senator from Arizona [Mr. GOLDWATER] with respect to the proviso in subsection (2) of section 101, but since nothing has been worked out along the lines suggested, it seems to me that something would be accomplished if the words beginning at the end of line 14, "the foregoing is limited so," were stricken.

Mr. KUCHEL. And one of the "thats."

Mr. HOLLAND. That is correct. If those words are not stricken it would appear that a limitation had been set up on the freedom of speech and assembly provided for earlier.

Mr. KUCHEL. I join my colleague, the Senator from Florida, in asking unanimous consent that on page 2, at the end of line 14, the words "the foregoing is limited so that" be stricken.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. HOLLAND. My second inquiry relates to a matter of draftsmanship pure and simple. I understand that the draftsmen who have handled the preparation and presentation of the amendment are agreed that on page 2, at the beginning of line 19, the word "refrain" should be stricken and the words "his refraining" be inserted.

The PRESIDING OFFICER. What is the request?

Mr. KUCHEL. Mr. President, I ask unanimous consent that the amendment recommended be accepted.

The PRESIDING OFFICER. Without objection, the amendment to the amendment is agreed to.

The question is on agreeing to the amendment of the Senator from California, as amended.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

Mr. McCLELLAN. Mr. President, will the Senator withhold his suggestion for a moment?

Mr. DIRKSEN. Certainly.

Mr. McCLELLAN. I wish to submit a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McCLELLAN. I wish to make certain that the modification requested by the distinguished Senator from California a moment ago was agreed to.

The PRESIDING OFFICER. It was agreed to.

Mr. DIRKSEN. I renew my suggestion of the absence of a quorum.

Mr. ALLOTT. Mr. President, will the Senator withhold that suggestion in or-

der that I may submit a parliamentary inquiry?

Mr. DIRKSEN. Certainly.

The PRESIDING OFFICER. Does the Senator from Illinois yield for the purpose of a parliamentary inquiry?

Mr. DIRKSEN. I do.

The PRESIDING OFFICER. The Senator must first withhold his suggestion of the absence of a quorum.

Mr. DIRKSEN. I am glad to do so.

Mr. ALLOTT. Mr. President, my parliamentary inquiry is whether or not the amendment suggested on page 4, to insert the word "interested" after the word "no," was agreed to, or whether the Senator from California accepted it.

Mr. KUCHEL. Indeed I did, and do.

Mr. DIRKSEN. Mr. President, I renew my suggestion of the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Green	Morse
Allott	Gruening	Morton
Anderson	Hart	Moss
Bartlett	Hartke	Mundt
Beall	Hayden	Murray
Bennett	Hennings	Muskie
Bush	Hickenlooper	Neuberger
Butler	Hill	O'Mahoney
Byrd, Va.	Holland	Pastore
Byrd, W. Va.	Hruska	Prouty
Cannon	Jackson	Proxmire
Capehart	Javits	Randolph
Carroll	Johnson, Tex.	Robertson
Case, N.J.	Johnston, S.C.	Russell
Case, S. Dak.	Jordan	Saltonstall
Church	Keating	Schoeppel
Clark	Kefauver	Scott
Cooper	Kennedy	Smathers
Cotton	Kerr	Smith
Curtis	Kuchel	Sparkman
Dirksen	Langer	Stennis
Dodd	Lausche	Symington
Douglas	Long	Talmadge
Dworshak	McCarthy	Thurmond
Eastland	McClellan	Williams, N.J.
Ellender	McGee	Williams, Del.
Engle	McNamara	Yarborough
Ervin	Magnuson	Young, N. Dak.
Fulbright	Mansfield	Young, Ohio
Goldwater	Martin	
Gore	Monroney	

The PRESIDING OFFICER. A quorum is present. The question is on agreeing to the amendment, as modified, offered by the Senator from California [Mr. KUCHEL], on behalf of himself and other Senators. The yeas and nays have been ordered.

Mr. McCLELLAN. Mr. President, I hope the Chair will undertake to maintain order throughout the yea and nay vote, so we can hear Senators as they respond to their names.

The PRESIDING OFFICER. The Chair appreciates the suggestion. Members of the Senate will take their seats. The Chair is not advised that the persons standing in the rear of the Chamber have been requested to aid the Senate. The clerk will not proceed with the call of the roll until the Senate is in order. The Senate will be in order. The clerk will proceed to call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. CHAVEZ] and the Senator from Minnesota [Mr. HUMPHREY] are absent on official business.

I also announce that the Senator from Nevada [Mr. BIBLE] is absent because of a death in his family.

The Senator from Delaware [Mr. FREAR] is absent because of illness.

On this vote, the Senator from New Mexico [Mr. CHAVEZ] is paired with the Senator from Minnesota [Mr. HUMPHREY]. If present and voting, the Senator from New Mexico would vote "nay," and the Senator from Minnesota would vote "yea."

I further announce that, if present and voting, the Senator from Nevada [Mr. BIBLE] would vote "yea."

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. BRIDGES] is necessarily absent, and is paired with the Senator from Wisconsin [Mr. WILEY] who is also necessarily absent. If present and voting, the Senator from New Hampshire would vote "nay," and the Senator from Wisconsin would vote "yea."

The Senator from Kansas [Mr. CARLSON] is absent on official business.

The result was announced—yeas 77, nays 14, as follows:

YEAS—77

Aiken	Hart	Morton
Allott	Hartke	Moss
Anderson	Hayden	Murray
Bartlett	Hennings	Muskie
Beall	Hill	Neuberger
Bush	Holland	O'Mahoney
Byrd, Va.	Jackson	Pastore
Byrd, W. Va.	Javits	Prouty
Cannon	Johnson, Tex.	Proxmire
Carroll	Johnston, S.C.	Randolph
Case, N.J.	Jordan	Robertson
Case, S. Dak.	Keating	Russell
Church	Kefauver	Saltonstall
Clark	Kennedy	Scott
Cooper	Kerr	Smathers
Dirksen	Kuchel	Smith
Dodd	Langer	Sparkman
Douglas	Long	Stennis
Eastland	McCarthy	Symington
Ellender	McClellan	Talmadge
Engle	McGee	Thurmond
Ervin	McNamara	Williams, N.J.
Fulbright	Magnuson	Yarborough
Gore	Mansfield	Young, N. Dak.
Green	Monroney	Young, Ohio
Gruening	Morse	

NAYS—14

Bennett	Dworshak	Martin
Butler	Goldwater	Mundt
Capehart	Hickenlooper	Schoeppel
Cotton	Hruska	Williams, Del.
Curtis	Lausche	

NOT VOTING—7

Bible	Chavez	Humphrey
Bridges	Frear	Wiley
Carlson		

So the amendment, as modified, offered by Mr. KUCHEL on behalf of himself and other Senators was agreed to.

Mr. KUCHEL. Mr. President, I move that the vote by which the amendment was agreed to be reconsidered.

Mr. JOHNSON of Texas. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. JOHNSON of Texas. Mr. President, I yield myself half a minute. I think we owe the Senator from Arkansas [Mr. McCLELLAN] a great debt of gratitude for having pointed up this very important section which has just been added to the bill and for having contributed much of the language which is in the bill.

At the same time, I express my appreciation to the distinguished Senator from California [Mr. KUCHEL] and the Senators associated with him, who have helped the Senate to bring about this action today. I think this is a proud moment for the Senate.

Mr. ERVIN. Mr. President, I should like to have the attention of the Senator from Massachusetts [Mr. KENNEDY] to discuss a matter relating to the amendment just agreed to.

Mr. DIRKSEN. Mr. President, will the Senator from North Carolina yield to me for a moment?

Mr. ERVIN. I yield.

Mr. DIRKSEN. I yield myself 1 minute on the bill.

Mr. President, this very body which functions this afternoon is a product of a compromise made more than 170 years ago. I think it points up the fact that the country has gone forward and that results have been achieved by considering legislation as the art of the possible. It is a case of beating out hard truths on the anvil of discussion and controversy.

I would be derelict in my duty if, among other things, I did not direct attention to the fact that the distinguished Senator from Arizona [Mr. GOLDWATER] has been most diligent in his duties in the Senate and has taken one great burden here, together with other members of the committee.

I happen to serve on the committee also. I know that he was in his place always when the committee was meeting. I could not say quite as much for myself, because I had other duties. I pay the junior Senator from Arizona and all other members of the Committee on Labor and Public Welfare on our side and on the other side a high compliment. But I must single out for special mention the Senator from Arizona because of his fidelity to the cause represented by the bill and the diligence with which he has pursued it. I think his efforts in behalf of a good bill have been productive of many improvements before the bill should leave the Senate and go to another body for further refinement.

Mr. ERVIN. Mr. President, I have been advised that the distinguished senior Senator from New York wishes to offer an amendment germane to the matters just considered. For that reason I withdraw the request I made a moment ago.

Mr. JAVITS. Mr. President, I am very grateful to my colleague.

I call up my amendment which is at the desk, and which is part of the package that is before us.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 35, in line 18, it is proposed to strike out the word "Such"; and on the same page it is proposed to strike out all of lines 19 through 24; and, on page 36, in line 1, it is proposed to strike out the words "labor organization", and in lieu thereof to insert the following:

Such labor organization and its officers shall be under a duty, enforcible at the suit of any bona fide candidate for union office in the district court of the United States in which such labor organization maintains its principal office, to comply with all reasonable requests of any candidate to distribute by

mail or otherwise at the candidate's expense campaign literature in aid of such person's candidacy to all members in good standing of such labor organization and to refrain from discrimination in favor of or against any candidate with respect to the use of lists of members: *Provided, also,* That whenever such labor organization or its officers authorize the distribution by mail or otherwise to members of campaign literature on behalf of any candidate or of the labor organization itself with reference to such election, similar distribution at the request of any other bona fide candidate shall be made by such labor organization and its officers, with equal treatment as to the expense of such distribution.

Mr. JAVITS. Mr. President——

The PRESIDING OFFICER (Mr. SMATHERS in the chair). How much time does the Senator from New York yield to himself?

Mr. JAVITS. I yield to myself 10 minutes.

The PRESIDING OFFICER. The Senator from New York is recognized for 10 minutes.

Mr. JAVITS. Mr. President, the amendment I have proposed is, in substance, printed and before all Members of the Senate; it is substantially the amendment which has been printed, and was intended to be proposed by the Senator from California [Mr. KUCHEL] and is identified as "4–24–59–B." The Senator from California has very graciously allowed me to propose the amendment, inasmuch as I suppose it is fair to say that I am the author of the idea; and, also, I suppose he is a little tired, as a result of the recent debate.

Mr. KUCHEL. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. KUCHEL. I wish to say to my colleagues that JACK JAVITS deserves a special vote of thanks for the brain functioning which has produced the amendment which now is before us, and which completes the solution of a very knotty problem.

JACK, congratulations.

Mr. JAVITS. I thank my colleague.

Mr. President, to explain the amendment, let me say that it requires that if anyone in a union has the use of lists or the use of mailings or circulars, then, on similar terms and conditions, anyone else who is a bona fide candidate shall have the same use. Such a provision will take care of insurgents, and at the same time it will take care of those who are not candidates, but who simply are trying to obtain a union list.

The amendment will apply equally to an incumbent president of a union who, without regard to what the union's regulations may be, will have the list, as we know, and to anyone else who is a serious candidate for the same office.

The amendment which was printed, as I have described, includes, for all practical purposes, everything set forth in the pending amendment, which has just been read, except at the end of my amendment, which is pending, we have added the reverse of the negative proposal that there shall be no discrimination. We provide that everyone shall have an equal opportunity, upon the payment of the costs of mailing. At the request of the Senator from Pennsylvania [Mr. SCOTT], we have added the reverse of that provision—namely, provision for the affirmative duty of a union organization, if it offers a mailing, to accommodate everyone who is a serious candidate.

I have done my utmost to talk about the amendment to all Senators who sponsored the so-called package amendment, but it has been impossible to get a literal approval from all of them. I am offering the amendment in my own name; but I believe that substantially it represents our common point of view.

Mr. McCLELLAN. Mr. President, will the Senator from New York yield to me?

Mr. JAVITS. I yield.

Mr. McCLELLAN. In the pending amendment, as contrasted to the language which this amendment would supplant, will the right of a candidate to obtain a list be preserved?

Mr. JAVITS. I preserve——

Mr. McCLELLAN. I should like to have a "yes" or a "no" answer, please.

Mr. JAVITS. In the amendment, I preserve the right that he shall not be discriminated against—in other words, if anyone gets the list, he will get the list.

Mr. McCLELLAN. Does the Senator consider the situation in the case of an officer already in office? He would have the list; he would have custody of it. Would someone who was not in office, and who undertook to run for office, get the list, too?

Mr. JAVITS. My amendment would have a court make a practical solution of the problem of, on the one hand, seeing to it that union lists are not abused and, on the other hand, seeing that every legitimate candidate, regardless of whether he is an incumbent, has the same right. That is the solution I have devised.

Mr. McCLELLAN. I understand. I think I understand what caused a problem about this matter; there was apprehension that a person might become a candidate and then might use the list for improper purposes.

Mr. JAVITS. Exactly.

Mr. McCLELLAN. I am concerned about that, too. Certainly I do not want that situation to be abused, if that can be avoided.

But I am also concerned with situations in which incumbent officers are, as a result of some practices which we have found to prevail in certain unions, able to perpetuate themselves in office, by doing the very thing that, under these circumstances, could be done. The one who was in office would know how to line up his forces, and so forth; but a candidate who was not in office would not have a list and would not have all that information. This amendment would simply permit him to send his campaign material to the union and have the union mail it out.

I understand that the candidate could go to a court and, unless he received the list, could show that he was being discriminated against; and then the court would require that he be given a list, if he was a legitimate candidate.

Mr. JAVITS. Yes. In other words, if he were a legitimate candidate, the court would order—in order to avoid discrimination—that a copy of the list be given to him.

Mr. SCOTT. Mr. President, will the Senator from New York yield to me?

The PRESIDING OFFICER (Mr. GORE in the chair). Does the Senator from New York yield to the Senator from Pennsylvania?

Mr. JAVITS. I yield.

Mr. SCOTT. The Senator from New York has been so gracious as to state that I have suggested some of the wording of the amendment, in the interest of protecting equality of rights for everyone. In other words, if a candidate has actually distributed campaign literature to the union membership, this amendment will establish the right of any other candidate to that union office to have the union make available to him the distribution of his campaign literature, so that all the candidates will have their literature presented equally to the union members; and if the distribution of the literature of one candidate is made without charge, then the distribution of the literature of the other candidates will likewise be made without charge; they will be entitled to equal treatment. On the other hand, if one candidate is charged for the distribution of his campaign literature, the other candidates will have to pay the same cost or charge for the distribution of their campaign literature.

Mr. JAVITS. That is correct; and I thank the Senator from Pennsylvania for his participation in the preparation of the amendment.

Mr. MUNDT. Mr. President, will the Senator from New York yield to me?

Mr. JAVITS. I yield.

Mr. MUNDT. I should like to ascertain whether the amendment provides some protection for a dissident group which would go into court, and then would find that while it was before the court, the election was held—in other words, that the election was held before the members of the group obtained the list.

The Senator from New York is a very careful draftsman; and I believe he should include a provision to take care of such a contingency, inasmuch as the processes of the courts are slow, and such a development would not be very satisfactory.

Mr. JAVITS. In this respect, I must rely upon the tradition of our jurisprudence, namely, that when there is danger of the loss of a remedy as a result of the passage of time, the court—whether Federal, State, or local—is generally found to act. I know of very few instances in which it can properly be charged that that has not been done.

I wrestled with the idea; but I came to the conclusion that any provision on this point which we might include would not improve on what we have already provided to preserve that right. I know that in political elections, courts often act within 5 hours, because such prompt action is necessary.

So, although there might be exceptions—I cannot state that there would not be—I believe that we have a right to assume that courts will follow the rule of reason—namely, that once the right to go into court is provided, the judicial

proceedings will be conducted with reasonable speed.

Mr. MUNDT. What the Senator from New York says is very plausible. Of course, if it were not for the fact that there are utterly corrupt unions, we would not now be dealing with this matter at all. What we have to assume here is that we are setting up a protective mechanism against corrupt officials being installed in office. Since they have that power in a hypothetical case, I want to deny it to them. I am afraid they can rig elections, shorten campaign times, and make it practically impossible for an honest, diligent court to hear both sides of the question and arrive at an appropriate verdict.

A notorious situation now exists wherein the president of the International Teamsters' Union is seeking to hold an election quickly, which the monitors and the court are stopping him from holding. I think that we should stop a situation in which a corrupt group of union leaders can have a quick election held, and that we should provide the kind of remedy which I know the Senator is seeking to provide.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. Mr. President, I yield myself another 5 minutes.

The PRESIDING OFFICER. The Senator from New York is recognized for 5 minutes.

Mr. JAVITS. In my amendment, I make it the responsibility and duty of the labor organization and its officials. At the very least, I believe it would be a duty which would be actionable for remedies even in the event of the impossibility of a court being able to catch up with the organization. I make that statement not because I do not believe a court will act, and act in time, but here is an effort to place this affirmative duty on the union officer.

Mr. President, my proposal is the best one I have been able to devise on this subject. I have used all the ingenuity I possess, and this is the best I have been able to come up with.

Mr. PROUTY. Mr. President, will the Senator yield?

Mr. JAVITS. I yield to the Senator from Vermont.

Mr. PROUTY. May I ask the Senator if the amendment changes in any way the existing right, under the provisions of the bill, for an incumbent officer to send through the mails, at union expense, so called factual statements of issues?

Mr. JAVITS. What the Senator has reference to goes to a totally different section of the bill, which the Senator from Vermont or any other Senator is perfectly free to try to amend. That provision is not affected by my amendment. The Senator from Vermont has reference to page 38, line 5, of the bill. My amendment deals only with the provisions on pages 35 and 36.

Mr. PROUTY. Is there at the present time any criminal sanction imposed for violations of any of the provisions in the election sections of the bill? Several days ago I maintained that was true. I still think it is true. I cannot find a single penalty provided for violations, unless the violation involves coercion, reprisals, and so forth.

Mr. JAVITS. I may say to the Senator that the generic provision with respect to criminal penalties is found on page 53 of the bill. That provision deals with force, violence, economic reprisals, and so forth. If the Senator feels that provision should be buttressed, he is at liberty to attempt to do so. Nothing I am proposing in my amendment would prejudice such a proposal.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. JAVITS. Yes, of course.

Mr. CURTIS. The amendment of the Senator from New York raises a problem in my mind. It presumes that an insurgent candidate is more apt to give a membership list to a commercial firm or individual than an incumbent officer.

A while ago I received a communication from a man who had been expelled from a union and had lost his job because he had been a party to a lawsuit growing out of an election. I have obtained a copy of the petition and writs in the court in Kansas City. I find that one man has held the office of business manager, treasurer, and corresponding secretary for 20 years. Why is it the membership list is entrusted to an incumbent officer, while a possible opponent cannot have free access to inspect and copy the list? Why is the incumbent a better guardian of the privacy of the list than any other individual?

Mr. JAVITS. Mr. President, the Senator has asked a number of questions. I will start by taking the last one first.

The PRESIDING OFFICER. The time of the Senator from New York has expired.

Mr. JAVITS. Mr. President, I yield myself 1 additional minute, in order to answer the question.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. JAVITS. I yield 1 minute to myself in order to answer the question.

Mr. CLARK. I hope the Senator will save some time.

Mr. JAVITS. I will.

Mr. President, I think I have 9 minutes remaining, after yielding 1 minute.

The PRESIDING OFFICER. The Senator is correct.

Mr. JAVITS. When a union has elected an officer, it has vested in him many responsibilities—funds, reputation, direction, and so forth, including the list. My amendment seeks to equalize the situation when it comes to election time.

I point out that the bill of rights which the Senate adopted related to rights and duties, and one of the provisions provided for periodic elections. So if the bill is passed, the type of situation to which the Senator has made reference could not exist.

Mr. President, I conclude by saying that, without pride of authorship, and without much collaboration, we have endeavored to deal with a very difficult situation, which everybody, including my friend from Arkansas, agrees was difficult.

I hope the Senate will see fit to make the amendment a part of the proposed law. I think it provides a desirable reform.

Mr. President, I now yield 3 minutes to the Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 3 minutes.

Mr. CLARK. Mr. President, I commend the Senator from New York for bringing before the Senate his amendment, which I think is a helpful one. I would like to have the Members of the Senate, and others who read the CONGRESSIONAL RECORD, know that this amendment is similar in intention, and I think similar in effect, to the amendment which was identified as 4–24–59–B, which was offered last night by the same bipartisan group which offered the amendment to the McClellan amendment, and which I am confident has the same bipartisanship and the same bipartisan support.

I have compared carefully the working of the amendment identified as 4–24–59–B, of which five Senators on this side of the aisle are cosponsors, with the wording of the amendment of the Senator from New York. I find no substantial difference either in intent or in effect. Therefore, not only am I glad to support the amendment of the Senator from New York, but I am sure the four other cosponsors on this side of the aisle would feel the same way. While they are not present on the floor and are unable to speak for themselves, I should like the RECORD to show this is a nonpartisan, bipartisan amendment, and not something that comes from only one side of the aisle.

I want to congratulate the Senator from New York for the offering amendment, which I think is well drawn, and which is the same, but in greater detail, as the amendment we offered yesterday.

Mr. JAVITS. Mr. President, in reply, I wish I could have presented it for all of us, but that kind of clearance was not possible. It was proposed in an effort to clarify some of the questions on this side of the aisle. I hope we will understand this is in effect exactly the same provision respecting this matter which is contained in the printed amendment which is on everyone's desk.

Mr. President, I yield back the time I have remaining to me, if the opposition to the amendment is prepared to yield back their time.

Mr. JOHNSON of Texas. Mr. President, I yield back our time.

The PRESIDING OFFICER. All time on the amendment has been yielded back.

The question is on agreeing to the amendment of the Senator from New York [Mr. JAVITS].

The amendment was agreed to.

Mr. ERVIN. Mr. President, on behalf of myself and the distinguished Senator from South Carolina [Mr. THURMOND], I offer an amendment, which I ask the clerk to state.

The PRESIDING OFFICER. The amendment offered by the Senator from North Carolina for himself and the junior Senator from South Carolina will be stated.

The LEGISLATIVE CLERK. It is proposed, at the end of title II, on page 35, to add a new section, as follows:

SEC. 207. No person as defined in section 501 of this Act shall be punished for any criminal contempt allegedly committed outside the immediate presence of the court in connection with any civil action prosecuted by the Secretary of Labor or any other person in any court of the United States under the provisions of this Act unless the facts constituting such criminal contempt are established by the verdict of the jury in a proceeding in the district court of the United States, which jury shall be chosen and empaneled in the manner prescribed by the law governing trial juries in criminal prosecutions in the district court of the United States.

Mr. ERVIN. Mr. President, this amendment, which I offer on behalf of myself and the distinguished junior Senator from South Carolina [Mr. THURMOND] merely provides for jury trials in criminal contempt cases. In that way it would harmonize with the pattern of law which has prevailed in labor controversies since 1914, when the Clayton Act was adopted.

The purpose of the amendment is to make it plain that it is not the object of Congress in enacting the present bill into law to change the pattern of legislation which has been in effect since 1914.

The amendment would not in any way affect the power of the court to enforce its judgment by civil contempt proceedings where no jury is employed.

The able and distinguished junior Senator from Massachusetts informed me that he would accept the amendment, and I have made a diligent effort to discuss the amendment with Senators on both sides of the aisle. So far I have been able to find no one in opposition to it.

Mr. JOHNSON of Texas. Mr. President, I am informed that the amendment is acceptable to the chairman of the subcommittee. I yield back the time.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from North Carolina [Mr. ERVIN], for himself and the Senator from South Carolina [Mr. THURMOND].

The amendment was agreed to.

Mr. SMATHERS. Mr. President, on behalf of the junior Senator from Louisiana [Mr. LONG] and myself, I call up my amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. It is proposed, at the end of section 607 to add the following:

For the purposes of sections 8(a)(5) and 8(b)(3), to bargain collectively shall include the mutual obligation of the employer and the representative of the employees to refrain from proposing, insisting upon, or conditioning any contractual provision upon any clause violating the provisions of section 8(e).

SEC. 608. Any contract between an employer and a labor organization or its agents heretofore or hereafter executed which is, or which calls upon anyone to engage in, an unfair labor practice under section 8(e) of the National Labor Relations Act, as amended, shall to such extent be unenforceable and void.

SEC. 609. Section 10(1) of the National Labor Relations Act is amended by adding after the words "section 8(b)," the words "or section 8(e),".

Mr. SMATHERS. Mr. President, the purpose of the amendment is to strengthen and extend the prohibition in an amendment offered by the able Senator from Tennessee [Mr. GORE] and approved by the Senate, in the area of hot cargo clauses and in the area of secondary boycotts as they apply to the Teamsters Union and the employers with whom the Teamsters Union makes contracts.

This amendment, as is true of the amendment of the able Senator from Tennessee, would not cover anyone except those common carriers operating in interstate commerce under part II of the Interstate Commerce Commission Act.

In the original amendment offered by the able junior Senator from Tennessee, it was made an unfair labor practice for there to be put into a contract to be entered into a hot-cargo clause. The amendment which has been proposed by me and the junior Senator from Louisiana would provide that the same prohibition should apply to contracts now in existence. A second step would be to say that the hot-cargo provision and secondary boycott threats cannot be used in matters of negotiations. The third step would make such unfair labor practices subject to the mandatory injunction provisions of section 10(l) of the National Labor Relations Act, as amended. The objective of the amendment is to effectively curb hot-cargo practices being indulged in in interstate commerce.

As a result of the McClellan hearings, all of us are acquainted with the abuses and threatened abuses of the Teamsters Union and the conduct of its president, Jimmy Hoffa. We know only too well of his effort to obtain an economic stranglehold on our economy. His attempts to achieve this goal must be thwarted. Effective safeguards to enforce the prohibition of hot-cargo activity on the part of his union and any others engaged in such wrongful practices, is a great step forward in preventing any one individual or group of individuals from obtaining through the abusive exercise of power an economic stranglehold on our economy which would disastrously affect the public.

The amendment proposed by me and the distinguished and able Senator from Louisiana [Mr. LONG] provides enforcible safeguards and unmeasurably strengthens the unfair labor practices declared in the amendment of the able and distinguished Senator from Tennessee [Mr. GORE].

Mr. President, I have discussed the amendment with the able junior Senator from Massachusetts, the chairman of the Labor Subcommittee. I have discussed it with Members on the other side of the aisle. So far as I know, there is no objection to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Florida [Mr. SMATHERS], for himself and the Senator from Louisiana [Mr. LONG].

The amendment was agreed to.

Mr. CURTIS. Mr. President, I call up my amendment 4–17–59–E and ask that it be stated.

The PRESIDING OFFICER. Does the Senator wish to have his amendment read in its entirety, or simply printed in the RECORD?

Mr. CURTIS. Mr. President, I think it would be well to have the amendment read.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 35, line 12, it is proposed to strike out "its constitution and bylaws" and insert in lieu thereof "this section, and with its constitution and bylaws to the extent that they are not inconsistent with this section".

On page 35, line 18, it is proposed to strike out "its constitution and bylaws" and insert in lieu thereof "this section, and with its constitution and bylaws to the extent that they are not inconsistent with this section".

On page 36, lines 11 and 12, it is proposed to strike out "the labor organization's constitution and bylaws" and insert in lieu thereof "this section, and with the labor organization's constitution and bylaws to the extent that they are not inconsistent with this section".

Beginning with line 13 on page 36, it is proposed to strike out over through line 16 on page 37 and insert in lieu thereof the following:

(d)(1) Candidates in any election required by this section to be held by secret ballot shall be selected as provided in this paragraph. There shall be mailed to each member of the labor organization at his last known home address a primary ballot containing a list of the offices to be filled. Each such member shall be entitled to place on such primary ballot the name of the person of his choice for each such office and to return such ballot by mail within a reasonable specified time to a counting officer designated by the labor organization as provided in paragraph (4). The counting officer shall tabulate and certify the results of the balloting to the labor organization and to the two persons receiving the highest number of votes for each office. The two persons receiving the highest number of votes for any office to be filled shall be the candidates for such office.

Mr. CURTIS. Mr. President, I ask unanimous consent that the further reading of the amendment be dispensed with and that the remaining part of the amendment be printed in the RECORD as if read.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nebraska that the further reading of the amendment be dispensed with and that the remainder of the amendment be printed in the RECORD?

Mr. MCNAMARA. Mr. President, is this a unanimous-consent request?

The PRESIDING OFFICER. There is a unanimous-consent request that further reading of the amendment be dispensed with and that the remainder of the amendment be printed in the RECORD. Is there objection?

Mr. MCNAMARA. I object, Mr. President.

The PRESIDING OFFICER. Did the Senator object?

Mr. McNAMARA. Yes. I should like to hear what is in the amendment, and I should like to have some explanation.

The PRESIDING OFFICER. Objection is heard. The clerk will continue to read the amendment.

Mr. CURTIS. The amendment is printed. Does the Senator have a copy?

Mr. McNAMARA. No, I do not have a copy.

The PRESIDING OFFICER. The clerk will continue to read the amendment.

The Legislative Clerk resumed and concluded reading the amendment, as follows:

(2) An election required by this section to be held by secret ballot shall be conducted as provided in this paragraph. There shall be mailed to each member of the labor organization at his last known home address an election ballot containing a list of the offices to be filled and the names of the candidates selected as provided in paragraph (1) for each such office. Each such member shall be entitled to indicate on such ballot his preference for one of the two candidates for each such office and to return such ballot within a reasonable specified time by mail to a counting officer designated by the labor organiaztion as provided in paragraph (4). The counting officer shall proceed to tabulate the votes and certify the results to the labor organization and to each candidate. The candidate receiving the highest number of votes for any office shall be deemed to have been elected to such office.

(3) The ballots required to be mailed under paragraph (1) or paragraph (2) shall be accompanied by appropriately addressed return envelopes so designed that the name of the member casting the ballot will appear on the outer envelope in order that it may be checked against the membership list of the labor organization for the purpose of verifying the eligibility of the voter. Such ballots shall be received and handled by the counting officer in such manner as will preserve the secrecy of the ballot. All ballots cast shall be preserved by the counting officer for a period of ninety days during which such counting officer shall permit their inspection, in his presence, by the two persons receiving the highest number of votes for any office in the case of an election held for the purpose of nominating candidates, or by a candidate in any other election, or by the duly authorized representative of any such person or candidate.

(4) The Secretary shall establish and publish a list of qualified individuals who are available to act as counting officers for the purpose of this paragraph. In establishing such list, the Secretary shall insofar as possible include the names of persons from each geographical area in which elections subject to this subsection may be held. No person shall be designated by a labor organization as a counting officer unless his name appears on such list, or if he is an officer, employee, or member of such organization or an employer any of whose employees are members of such organization. The Secretary shall formulate and publish a schedule of fees to be paid by labor organizations to such counting officers.

(5) Any person who, except as authorized by this subsection, opens or examines any ballot mailed by a member of a labor organization in an election to which this section applies, or who folds, tears, or places any mark on any ballot to be used in any such election for the purpose of learning or attempting to learn or making it possible for any other person to learn or attempt to learn the identity of the person casting such ballot, or who, having knowledge of the identity of a member of a labor organization casting any such ballot, discloses to any other person, without the consent of such member, any information obtained from such ballot, shall be fined not more than $10,000 or imprisoned not more than one year, or both.

Mr. CURTIS. Mr. President, I yield myself 10 minutes on the amendment.

The PRESIDING OFFICER. The Senator is recognized for 10 minutes.

Mr. CURTIS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CURTIS. May the junior Senator from Nebraska suggest the absence of a quorum without losing the floor?

The PRESIDING OFFICER. It may be done by unanimous consent.

Mr. CURTIS. I ask unanimous consent that I may suggest the absence of a quorum and retain the floor, without the time being charged to either side.

The PRESIDING OFFICER. Is there objection?

Mr. JOHNSON of Texas. Mr. President, reserving the right to object—and I do not wish to object—we might have some difficulty in obtaining a quorum at this time of day. Would the Senator be willing to ask that the order for the quorum call be rescinded after Senators had had sufficient notice?

Mr. CURTIS. I have an amendment which I should like to present when a greater number of Senators are present than are now present. I do not propose to take the full time. I should like to discuss my amendment for 5 or 10 minutes. I am presenting it at the request of a group of unionists.

Mr. JOHNSON of Texas. I have no objection.

The PRESIDING OFFICER. Without objection, the unanimous-consent request is agreed to, and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. CURTIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CURTIS. Mr. President, I wish to state very briefly what is involved in this amendment.

It involves an election procedure for nominating and electing the officers of a union. It is predicated on the thesis that if the real power to operate a union is vested in the union members themselves, most of these problems will disappear. I thoroughly believe that. I have confidence in the rank and file of our union members. I know them to be citizens of honesty and integrity.

My amendment provides that whenever union officers are to be elected, there shall be mailed to each member of the union a primary ballot. The primary ballot will contain only a list of the offices to be filled. It will be mailed to every member of the union; and the member will vote in his home, in absolute secrecy. He can write down the name of any persons he chooses for the various offices to be filled.

He will return the ballot to a counting officer. The counting officer will tabulate the result; and the two candidates with the highest number of votes will be nominated.

Then, for the election of officers, a ballot containing the names of the two nominees will be sent through the mails. Once more the union member will vote in the privacy of his home. He will return the ballot by mail, and it will be counted. Whoever obtains the greater number of votes will be deemed elected.

This is not a Government supervised election. A very simple procedure is provided for. The Secretary of Labor will publish a list of approved counting officers in every geographical area of the country. It may be the honest ballot association. It may be various citizens of high standing. At any rate, he publishes the list of approved counting officers. The union can select anyone they choose. The counting officer conducts the election by mail. Any chance of a group on the inside controlling the nominating processes is eliminated. Any chance of coercion or intimidation is eliminated.

Mr. President, I also call attention to the fact that sometimes a local union serves a wide geographical area. Ballots would be mailed to every member. It would be an open primary and an election in which the voter would vote in absolute secrecy in his home, and that vote would be transmitted through the U.S. mail. Such details as two envelopes—one in which to put the secret ballot and the other, the outside envelope, containing the name of the member, so that it can be checked against the membership list—are provided for.

I am aware that we have been considering the bill for about 8 days. I do not wish to discuss the amendment any longer. I am thoroughly convinced that the procedure proposed is workable. I am also convinced that if union members had absolute control of their own unions, we would not need a McClellan committee. We would not have a parade of union officers taking the fifth amendment, if we adopted the amendment; neither would we have any Dave Becks in charge of unions or conferences of unions if the members could nominate their own officers and elect their own officers with absolute secrecy, and if the ballots were honestly counted.

Mr. President, I reserve the remainder of my time. I urge the adoption of the amendment.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. CURTIS. I yield.

Mr. RANDOLPH. Perhaps what I am about to say is extraneous to the subject under discussion. It has, however, a direct bearing on the democratic process. The Senator has mentioned the responsibility of the individual member of a labor union.

It is a time, my colleagues, when we should appropriately call to the attention of the Senate during this debate of the responsibility of the individual citizen for participation in the processes of his own government at all levels. For illustration, I cite two recent municipal elections in West Virginia. These were important events. Approximately 60 to 65 percent of the registered voters who were eligible to cast ballots, failed to do so. In other words, 65 out of every 100

eligible voters were absent from citizenship duty, for one reason or another, and did not participate. This is the recurring pattern throughout the United States.

The Senator, who is a devoted member of this body, knows full well that the time has come when we could discuss the failure, not only within a labor union, but within the larger Union of States in our elective system when American citizens fail to participate. The individual responsibility of a citizen is needed today. We must all work to the end that a forfeiture of our freedoms shall not weaken the Republic. Mr. President, it is evident as debate nears its conclusion on this vital measure, that compromise has been effective on some matters under consideration.

As a member of the Labor and Public Welfare Committee, I express especial thanks for the firm and fair manner in which Senator KENNEDY has handled this bill.

Mr. CURTIS. I thank the Senator. I should point out that I do not believe that dishonest men become heads of unions because union members neglect their duties. I believe it is because dishonest men seize the positions and run the offices from the top. Every union which has been exposed by the McClellan committee as being corrupt has been a union which was run from the top.

The great majority of Americans are honest, and that goes for the great, great majority of union members, also. I say that if we were to adopt this amendment, we could forget about many of the attempts to control and regulate, if we had an arrangement whereby the real power in a union could be exercised only by the rank and file. What is wrong with a method for nominating officers in an absolute primary conducted with a secret ballot through the mail from the homes of the members, and for elections?

Mr. MORSE. Mr. President, will the chairman yield me 2 minutes?

Mr. KENNEDY. I yield 2 minutes to the Senator from Oregon.

Mr. MORSE. Mr. President, I rise to oppose the amendment. All one need do in opposing the amendment is to ask Members of the Senate to read the bill starting at page 35, the title on elections, and then to read the report of the committee on "elections," with particular reference to the material beginning at page 20.

I say most respectfully that what the amendment of the Senator from Nebraska would do would be to have the Congress of the United States dictate to the unions what their constitution and bylaws procedure shall be in conducting their elections.

The purpose of the bill is to provide to the membership of the unions a guarantee of democratic procedures, and not to have Congress to legislate for the unions. Under the Kennedy-Ervin bill, it is for Congress to provide the procedures under which democratic elections can be held by the determination of the membership of the unions themselves.

I do not propose to vote for an amendment which undertakes to turn the Congress of the United States into a constitutional convention and bylaws legislative body for all the unions of America.

Let us take a look at what the committee bill proposes. I wish to say in behalf of the two sides of the table of the committee on which I have the honor to serve, headed by the distinguished Senator from Alabama [Mr. HILL], who is now on the floor, and with the Senator from West Virginia [Mr. RANDOLPH], and the Senator from Massachusetts [Mr. KENNEDY], that it has been a matter of great pride to me to work with these men on the pending bill. The Senator from Nebraska will discover, if he will talk to the Republican members of the committee, that the overwhelming majority of the Republicans on the Committee on Labor and Public Welfare believe that we have done an excellent job in the election provision of the bill, and that we have gone as far as we reasonably can go in making decisions for unions in regard to their election procedures.

On page 20 of the committee report the committee states:

> The committee bill requires the election of the officers of international unions not less frequently than every 5 years.

We know that the evidence which was adduced before the McClellan committee showed that in some segments of the American labor movement an evil exists in that the membership is denied——

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. Mr. President, will the Senator yield me 3 more minutes?

Mr. KENNEDY. I yield 3 additional minutes to the Senator from Oregon.

Mr. MORSE. There are denied to the membership of some unions elections at reasonable periods of time so that democratic processes can work. We go so far as to say that they shall have their elections not less frequently than every 5 years.

We provide that local union officials must be elected by secret ballot not less often than every 3 years. We provided that democratic safeguard. Then in the case of international unions we say:

> In the case of both international and local unions, members of executive boards or other governing bodies are also required to be elected by secret ballot. The bill recognizes that in some unions intermediate bodies exercise responsible governing power and specifies that the members of such bodies as systems boards in the railroad industry be elected by secret ballot of the members of the union or union officers elected by the members by a secret ballot.

The bill guarantees every member notice of a secret election. It guarantees him a reasonable opportunity to nominate candidates. It guarantees to every candidate for local union office, through the use of union mailing lists and distribution machinery, the right to distribute at his own expense material in support of his candidacy to every member of the union. The bill guarantees to every candidate for office the right to have an observer present during the balloting and at the counting of the ballots. It guarantees that all members in good standing shall be permitted to vote without coercion or restraint.

The bill guarantees that all records pertaining to the election are to be preserved. Union officials are forbidden to expend union dues, assessments, and similar compulsory levies upon the members to pay campaign workers or meet the other campaign expenses of candidates. It guarantees court proceedings for noncompliance with the provisions of the union constitution and bylaws governing elections.

Furthermore, Mr. President, the bill guarantees procedures which will make it possible for the union members to control democratically their own election system. But the bill does not propose to write the union constitution and bylaws provisions for the union in every minute detail concerning the conduct of the elections. As the Senator from West Virginia [Mr. RANDOLPH] has just whispered to me, if the Curtis amendment were adopted, we would really be imposing upon the unions our notions of what an election straitjacket should be.

If responsibilities are to be developed in unions, then it is necessary to give them a framework in which they can exercise their democratic rights with respect to the overall democratic procedures which are guaranteed by the bill.

The PRESIDING OFFICER. The time of the Senator from Oregon has expired.

Mr. KENNEDY. I yield 2 more minutes to the Senator from Oregon.

Mr. MORSE. The members of the committee, from both sides of the aisle, worked hard to write the election procedures section of the bill. I do not say we are in complete agreement on all phases of it, but I would be perfectly willing to let the Republican members of the committee cast their votes on the Curtis amendment, and in that event I am satisfied, though I have not talked to a single one of them about this matter, that a majority of them would vote to sustain the committee. I am sure that on the Democratic side the same thing would be true.

I rest my case by saying that the Committee on Labor and Public Welfare is entitled to have the support of the Senate on the election section of the bill which has been reported after long, hard study, and the working out of the various points of view expressed in the committee. The bill is a good bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Nebraska [Mr. CURTIS].

The amendment was rejected.

Mr. MUNDT. Mr. President, I call up my amendment designated "4–23–59—H."

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. On page 36, beginning after the period in line 1, it is proposed to strike out down through line 4, and insert in lieu thereof the following:

> Not less than forty-five days prior to an election the secretary of every labor organization shall proceed to establish an election committee to be composed as follows: One member for each of the individuals duly nominated for office in the forthcoming election, such member to be designated by such individual in a statement signed by such

individual and filed with such secretary. No individual shall be eligible to serve as a member of an election committee who is not, at the time he is appointed or designated to serve on such committee, a member in good standing of the labor organization, who at such time is an officer or employee of the labor organization or any other labor organization of which such labor organiaztion is an affiliate or constituent unit, or who is a nominee for an office to be filled in the forthcoming election. If the number of eligible individuals designated to serve as members of the election committee is less than six, then the individuals who are members of the election committee shall select such additional eligible individuals to serve as members of the committee as may be necessary in order that such committee shall consist of not less than six members. The election committee shall select one of its members as chairman. It shall be the duty of the election committee to supervise the conduct of the election, to advise the members of the labor organization of the time and place the election is to be held, to count the ballots and to certify to the membership of the labor organization the results thereof, and to preserve for not less than one year the ballots cast in, and other records maintained in connection with, the election: *Provided, however,* That nominees for office in a labor organization may by unanimous agreement designate a person or persons other than members of such organization to perform the counting of the ballots.

Mr. MUNDT. Mr. President, this is the so-called honest count amendment which I offered last year when the Senate was considering the Kennedy-Ives bill. The amendment was defeated at that time by a vote of 44 to 45. The vote is recorded at page 10361 of the RECORD of June 17.

I congratulate the committee, first, upon what I think is substantial progress in the direction of providing better voting mechanism in labor unions than that which prevails at present. I have studied this section very carefully, and appeared before the Committee on Labor and Public Welfare in connection with it.

As the Senator from Oregon [Mr. MORSE] has just pointed out, the committee placed some additional safeguards in the bill. New rules and regulations have been provided for the casting of ballots, and for the manner in which candidates shall be nominated. Also, various approaches have been provided from the standpoint of the frequency of elections.

However, as I called to the attention of the committee when I appeared before it, one very significant and pernicious loophole has not been covered by the committee's action. At the time I appeared before the committee, I called attention to that loophole. In a subsequent television program on which I appeared with the chairman of the committee, the distinguished Senator from Massachusetts [Mr. KENNEDY], the Senator from Massachusetts expressed appreciation for the fact that I had highlighted this matter, and said that the committee would move in that direction, which indeed it has, as is indicated on page 36 of the bill, where the following language was added, subsequent to my committee testimony:

Adequate election safeguards to insure a fair count of the ballots shall be provided, including the right of any candidate to have an observer at the polls and at the counting of the ballots.

Since that language has been added, it seems to me that the amendment I have offered, and which has been read, can achieve its purpose in simpler form. I have discussed the question with the chairman of the committee, and I believe he is prepared to accept a simpler version of my amendment, which is as follows, and which I hope he will accept. On page 36, I propose to strike out "observer" and insert in lieu thereof "teller." If that amendment is acceptable, I am willing to substitute it for the amendment I have offered.

Mr. KENNEDY. I suggest that we modify the amendment at page 36, line 3: "any candidate to have an observer at the polls and a teller at the counting of the ballots."

Mr. MUNDT. That is perfectly satisfactory.

Mr. KENNEDY. Much of the impetus for the whole amendment and the language in the bill was the result of the amendment offered on the floor of the Senate last year by the Senator from South Dakota.

Mr. MUNDT. I appreciate the Senator's statement. It seems to me that this is a perfectly satisfactory manner in which to achieve what we all want—an honest count.

The PRESIDING OFFICER. Does the Senator from South Dakota modify his amendment?

Mr. MUNDT. I so modify my amendment.

Mr. KENNEDY. I yield back the remainder of my time.

Mr. MUNDT. I yield back the time remaining to me.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified, offered by the Senator from South Dakota [Mr. MUNDT].

The amendment, as modified was agreed to.

Mr. HOLLAND. Mr. President, I regret the necessity for calling up this amendment, but under existing conditions I must do so. I call up my amendment designated "4-20-59-B," and ask that it be stated.

The PRESIDING OFFICER. Does the Senator from Florida desire to have his amendment read in its entirety?

Mr. HOLLAND. It is a short amendment. I should like to have it read in its entirety.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 56, line 20, it is proposed to strike out the quotation marks.

On page 56 between lines 20 and 21, insert the following:

(d)(1) Nothing in this Act or the Labor-Management Relations Act, 1947, shall be construed to nullify the provisions of any State or Territorial law which regulate or qualify the right of employees of a public utility to strike, or which prohibit strikes by such employees.

(2) As used in this subsection the term "public utility" means an employer engaged in the business of furnishing water, light, heat, gas, electric power, or passenger transportation services to the public.

Mr. HOLLAND. Mr. President, the reason why I regret to call up this amendment is that I would much prefer to have the proposal contained therein heard in committee. For 8 years, I have been trying to have it heard in committee—I know that statement sounds ridiculous, but it is the truth—and to have it reported by the committee, whether favorably or unfavorably. In fact, it would not make too much difference which way it was reported. If a bill on this subject were to be reported by the committee to the Senate, I believe it would be passed by the Senate, without question. But apparently there is an unwillingness on the part of our good friends who have had control of the committee up to this time to have such a bill reported to the Senate, and have it considered on the floor of the Senate and here voted either up or down.

Mr. President, this question relates to the serious matter of preemption, of preventing States from enforcing their own laws and responsibilities—a situation which has developed since enactment of the Taft-Hartley Act. This matter has to do with the decision of the Supreme Court in the so-called Wisconsin case and the Court's decision in other cases—but principally its decision in that case, in which the Court held that although Wisconsin had a compulsory arbitration law affecting public utilities in the State and serving the public of the State, Wisconsin was without power to resort to that law to keep the public utilities in operation—because, so said the Court, by a majority, the enactment of the Taft-Hartley Act had pre-empted that field in such a way that the States were powerless to act.

Mr. President, it is rather terrible to consider that under our Government—in which both the Federal Government and the State governments are sovereign—there is a situation, under that decision of the Court, in which the people of a State or in a great area served by a power company or a gas company or a water company or a bus company are without any authority whatever to keep the public utilities operative, either under Federal law or under State law.

The Taft-Hartley Act contains an emergency provision which, as every Senator knows, is applicable only to national emergencies. That provision has been invoked helpfully so as to reopen coal mines which had been shut down, to get ships in operation, following a maritime union strike; to get our atomic energy activities under way again, in the interests of the Nation, following a strike by the employees at Oak Ridge; and in similar situations. But that emergency provision applies only to matters of national importance and affecting the national health, welfare, and the like.

Under the Court's decision in the Wisconsin case, the States—many of whom have tried to deal with these matters, and many of whom had statutes which dealt with them before the time of the enactment of the Taft-Hartley Act—are left without any power at all to serve their own people and to keep their public utilities running.

Mr. President, in my opinion that is the most destructive result of any preemption decision. I do not know why my learned friends on the committees are unwilling to have this amendment come to the floor by itself; but I believe I have a good idea why they are not willing to have it do so. It is because they think that the pressure of public opinion and the troubles which the people in numerous areas of the Nation have had because of public-utility strikes which they are powerless to handle would force the adoption of this amendment, if it ever were considered by itself.

Mr. President, let me briefly state the facts involved. But before doing so, and in order to save the time of the Senate, I ask unanimous consent that there be printed in the RECORD at the conclusion of my remarks the entire statement I have prepared. Instead of reading the entire statement at this time, I shall try to make my remarks much more brief.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

(See exhibit 1.)

Mr. HOLLAND. First of all, Mr. President, that decision of the Supreme Court runs squarely in the face of a fact that is shown by the CONGRESSIONAL RECORD at the time of the passage of the Taft-Hartley Act, for that RECORD shows very clearly that Congress did not intend any such result.

At this time I shall quote very briefly from a question which was asked by Representative Kersten, of Wisconsin, who knew about the existence of the Wisconsin Act. I shall also quote from the remarks of Mr. Hartley, the coauthor of the Taft-Hartley Act. These remarks were made on the floor of the House of Representatives at the time when the conference report which became the Taft-Hartley Act was pending before the House:

Mr. KERSTEN. I should like to ask the gentleman about that portion which pertains to the validity of State laws. Wisconsin and other States have their own labor-relations laws. We are very anxious that disputes be settled at the State level insofar as it is possible. Can the gentleman give us assurance on that proposition, so that it is a matter of record, that that is the sense of the language and of the report?

Mr. Hartley replied as follows:

That is the sense of the language of the bill and of the report. That is my interpretation of the bill, that this will not interfere with the State of Wisconsin in the administration of its own laws. In other words, this will not interfere with the validity of the laws within that State.

Mr. President, how wrong was that statement by the coauthor of that act; for since then a majority of the Supreme Court, in ruling on the Wisconsin case, has interpreted the act, notwithstanding that statement and notwithstanding that record, as preventing that very State—Wisconsin—from enforcing its laws to keep its public utilities operative, in the interest of the protection of the people of the State and in the interest of giving them service.

When the case came before the Supreme Court, the Court did not reach a unanimous decision. On the contrary, there was considerable division. The minority opinion, written by Mr. Justice Frankfurter, and joined in by Justices Burton and Minton, very strenuously supported the position of the States, and supported the position that the people of the States should not be left without remedy, and that if they had State laws, they should have authority to use those laws to keep their public utilities in operation and to serve the people of the State.

Mr. President, not only does this matter relate directly to the preservation or the recreation of States rights, but it also has to do with the services of the general public in great areas of the Nation or in any area of the Nation.

Mr. President, I read the following from the opinion of Mr. Justice Frankfurter; it was the minority opinion, but to my mind it states the sound logic of the case:

But the careful consideration given to the problem of meeting nationwide emergencies—

That is to say, the consideration given to it in connection with the Taft-Hartley Act—

and the failure to provide for emergencies other than those affecting the Nation as a whole do not imply paralysis of State police power. Rather, they imply that the States retain the power to protect the public interest in emergencies economically and practically confined within a State. It is not reasonable to impute to Congress the desire to leave the States helpless in meeting local situations when the Congress restricted national intervention to national emergencies.

Mr. President, I shall not read further from the opinion; but I wish to say that my State, along with 17 others, in all, and along with a larger number which have other types of legislation, has dealt with this matter. Some of these States have dealt with it very fully, by means of compulsory arbitration statutes or seizure statutes. Some of these States have dealt with it by other means—for instance, by making provision for cooling-off periods, plus conciliation, plus the use of injunctions, plus the use of other provisions which they have written into their laws. A total of 17 States, plus the new State of Hawaii, and making 18, in all—have such provisions in their State laws.

I should like to have the RECORD show what was done in Florida. The Florida Legislature met. It recognized this problem as being one of compelling public concern. It created an impartial committee to deal with this subject. The committee drafted the law which our State senate passed by unanimous vote, and which our State house of representatives passed by an overwhelming majority.

I believe it particularly noteworthy, Mr. President, that the chief counsel for the State Federation of Labor and the State president of the American Federation of Labor served on the committee which formulated that law. That fact shows a much more wholesome willingness to work together with the legislators and with the representatives of the general public and with employers, than anything we have seen at the Federal level—at least in recent times.

I should like to dwell upon the various kinds of laws that are available, but I think that point will be shown with complete clarity in my longer, prepared remarks, which I have placed in the RECORD. I do want the RECORD to show again that for 8 years, ever since the decision was handed down in 1951, the Senator from Florida, the distinguished junior Senator from Virginia [Mr. ROBERTSON], and various other Senators, as shown in my full speech, have endeavored to bring this matter to a head, and there has been no Congress in which a bill has not been introduced and in which an effort has not been made to have hearings and have the matter come to the people.

Mr. President, not merely on the question of States rights and State responsibilities, but on the matter of ignoring the rights of great segments of our population to be served in the matter of heat, electricity, light, gas, local transportation, and even water—there are a great many local water companies which would be covered by this act—it is a sad commentary that we have had this complete inaction and unwillingness to have the matter come to a head, where the people can see the issue by itself, where it does not have to be attached to a matter such as this, where it might or might not be confused with other issues, but where it could be passed upon on its merits, so the needed protection could be given to the people of the several States and the State governments could be given back needed power to protect their own people.

Mr. President, I do not complain of any unkindness done to me by the members of the committee. I simply complain of the lack of action, the lack of ever doing anything. For instance, I find that I engaged in a colloquy with my good friend the Senator from Massachusetts [Mr. KENNEDY] on this subject as long ago as 1954. I hope the Senator from Massachusetts will listen, because I hope he will remember that even in those far off days he agreed with the Senator from Florida that legislation was needed in this field; that the local public utilities were entitled to be protected; and he even said he would try to help work something out.

I quote the colloquy from the CONGRESSIONAL RECORD, as shown in my remarks as they have been printed in the RECORD. They appear in the CONGRESSIONAL RECORD, volume 100, part 5, page 6113. I quote first the distinguished Senator from Massachusetts:

I know the Senator from Florida is entirely sincere in his desire to permit the States to protect themselves in cases of emergency. I believe the Federal Government has such authority under the Taft-Hartley Act, and that, therefore, the States should have it.

The Senator's philosophy and mine are completely at one in that matter.

I continue to quote from the statement of my distinguished friend, the Senator from Massachusetts, and I do not believe he has changed his mind:

I would not object if the amendment of the Senator from New Jersey [Mr. SMITH]——

That was the amendment pending at the time—

were drawn in language sufficiently specific to provide for State action in a case involving a public utility employer whose work involved the lives of the people, but not in a field as broad as that defined in the Florida statute.

I quote once more from the statement of my distinguished friend from Massachusetts, at that same place and in the same RECORD:

I should like to join the Senator from Florida in attempting to ascertain whether we can agree upon amendatory language which would really give the States the right to deal with genuine emergencies, under language drawn with sufficient care so that it will not permit the States to stray over into a wide area which hitherto has been under the protection of the Federal act.

Last year, when we were having hearings before the subcommittee headed by the Senator from Massachusetts—and it is the first committee that has given me the courtesy of a hearing, and I am appreciative of it—the Senator raised the same point. Because he raised the point, I cut off several of the fields included in the original amendment, and I cut the amendment down to its present coverage, which certainly cannot be said to cover anything more than those activities which have to do with the vital activities and lives of people. I read the amendment again:

Nothing in this Act or the Labor-Management Relations Act, 1947, shall be construed to nullify the provisions of any State or Territorial law which regulate or qualify the right of employees of a public utility to strike, or which prohibit strikes by such employees.

(2) As used in this subsection the term "public utility" means an employer engaged in the business of furnishing water, light, heat, gas, electric power, or passenger transportation services to the public.

I do not see how that list could be cut down further in a field relating to the daily livelihood, the actual lives, of the people, the men, women, and children who are served by public utilities that operate in these fields.

I remind the Senate that the public utilities which serve in these fields are given licenses or franchises by the States in which they serve; that they are regulated by the States in which they serve; that they are given their licenses and franchises in order to serve the public; that they are required to serve the public; that no lockout or shutdown should be permitted.

The question is whether the purpose of the State in granting a franchise to a water or a power company to serve a particular area of a State shall be nullified by the employees walking out and refusing to render service.

Mr. President, I do not want to labor this question at any great length, but I do want the Senate to understand that we are not talking about some academic question. We have had in recent years—at least last year and this year—two very serious public utility strikes in our State, the State of Florida, in which the State has found itself completely helpless in moving to have those necessary services rendered to our people. They followed a bus strike in the city of Miami, when the Governor tried to use compulsory arbitration. The case was carried to the Supreme Court of our State, and the court held, as I suspect it had to hold, that it must follow the Supreme Court in the Wisconsin decision, and that, therefore, it must hold our State law to be inoperative.

So in the two recent strikes, the bus strike in Jacksonville last year, which lasted 83 days, and the Gulf Power Co. strike in northern Florida, which ended only this week after lasting 30 days, the people were left helpless to be protected by their State law or any power of the State, because there is not any power given to the State, under the Taft-Hartley Act, to provide protection, because the protection therein provided is limited to national emergencies.

I want to refer briefly to the distressing situation in the Jacksonville bus strike last year. It lasted 83 days. It drove out of business a number of small businesses which had existed for the purpose of serving the sailors from Mayport, the great carrier base, when they would leave and come into the city of Jacksonville. Since there were no buses running, the carriers decided to berth at either Norfolk or Newport News. Senators can realize what would happen under these circumstances to a whole community and to the places of business which had existed and thrived on the rendering of good and needed services to the servicemen of our Nation.

It was a sad commentary, I repeat, on the inadequacy of our laws for Federal and State operation that the strike had to drag itself out over 83 days, until everyone was simply worn out by it, and many good people were broke, and the community as a whole suffered severely.

Mr. President, in my principal speech I have included an editorial from the Tampa Tribune, which I will not go through at this time. I hope Senators will read the editorial, which will give some understanding of the distress which followed from the strike and the feeling of frustration which our people felt because they were completely unable, due to inaction of the Congress of the United States, to do anything at all about it.

Mr. President, since then, another strike, the Gulf Power strike, has taken place, within the last few days, and I want to make some reference to that strike. First, I should like to read from a news article from the Pensacola Journal, written 3 days after the strike commenced, about a month ago:

Violence and threats of violence, sabotage and attempts at sabotage, have marked the short period since members of the International Brotherhood of Electrical Workers struck the Gulf Power Co. in an effort to gain union control of foremen and supervisors.

I shall return to that point later.

A bomb scare; threat of personal injury to an unaffected woman employee; attempts to short circuit powerlines, some of which have been successful, causing blackouts; the beating of a telephone company repairman who crossed a picket line to do his job; threats against store operators who receive power bill payments as a public service. These are some of the incidents which occurred in the first 3 days of the strike.

I go back to the statement that the strike affected only foremen and supervisors. The sole question was whether under its contract the union had the power to affect the activities of the foremen and supervisors, of whom there were 65. Seven of the 65 sided with the union. Fifty-eight of the 65 refused to have anything to do with the strike or with the union, and helped to keep the powerplants running for all that large section of my State which lies west of Tallahassee.

Mr. President, there was no question about wages, there was no question about hours, there was no question about fringe benefits, and there was no question about working conditions. The sole question was whether the supervisors, who really represent the employer, could be controlled by the union under its contract. Mr. President, that is a shabby excuse for a strike which caused this great damage to my State. Mr. President, I am happy to observe my distinguished junior colleague on the floor, because he knows of the distress which has been caused by this strike, which terminated only a few days ago.

Mr. President, just prior to the end of the strike there was an editorial published in the Pensacola News-Journal, written by a friend of labor, a very liberal man named Marion T. Gaines. Everyone who knows Mr. Gaines knows of his liberality and humanity and his great service not only in a number of civic and State fields, but in other fields. I shall not read the entire editorial, because it is too long, but I shall read a few of the paragraphs from it, so that Senators may observe how this man, friendly as he is to labor, felt about the unconscionable thing which was done to him and to the hundreds and thousands of people who reside in that section of the State.

The title of the editorial, which was published in the Sunday, April 5, issue of the Pensacola News-Journal, is "Loss of Power Endangers Life, Health, Property."

Mr. President, that is what we are talking about when we refer to public utility strikes. I read from the editorial:

Dynamiting and sawing of powerline poles, endangering electric service to widespread areas including military installations, has caused concern to industries, institutions and individuals whose very lives may be imperiled and whose property losses could mount enormously if the sabotage proves as effective as apparently intended.

The cutting of a conveyor belt to stop the big steam powerplant near Chattahoochee, the blasting of a heavy voltage pole and an attempt to dynamite another are no little misdemeanors. They threatened the complete shutdown of the power pool which supplies this whole northwest Florida area, including Eglin Air Force Proving Ground—

Which is the greatest such installation we have for defense—

the Naval Air installations—

At Pensacola, the Annapolis of the Air—

and the numerous industries that depend on power.

That is how careless, that is how thoughtless, and that is how blind are the actions of these people who dare to ignore their obligation to the public.

Mr. President, anyone can read the whole editorial if he wishes to. I simply do not care to take time to read it all.

I read another excerpt:

Loss of power at a dairy meant that 170 milk cows had to suffer until service was restored, to say nothing of the potential damage to the dairyman's business.

There were numerous freezers, in which meat is stored, which became inoperative, and I read a short paragraph in regard to that:

Homes with freezers would lose much food, babies would be denied milk, newspapers and radio stations would be unable to function, persons undergoing operations in hospitals would be endangered, city and private water supplies would be imperiled if pumps stopped, fire hazards would be increased, loss of sewerage service might affect public health—all of these and more could come to pass if a large area were without electric power for any length of time.

Fortunately—and I want to make this clear—the strike failed to knock out any great area at any one time, though it did knock out limited areas for various periods of time, because of sabotage and property destruction and the general unwillingness to show any responsibility to the public which was exhibited by the strikers.

Mr. President, I close by reading one short closing paragraph:

Such lack of regard for fellow citizens' lives and property is criminal irresponsibility meriting drastic punishment and should be met with every possible safeguard even if vigilance committees have to go into action to prevent such awful contingencies.

Mr. President, the author of this editorial is not in favor of vigilantes, and the speaker at this moment is not in favor of vigilantes. I have opposed mob action or anything like that all of my life, and I shall continue to do so. However, the author of the editorial is bringing to our attention the fact that such irresponsibility, such waste, and such an abominable attitude toward responsibilities to the public will, just as surely as we are standing in this Chamber, bring mass action by outraged citizens unless something is done about it.

Who can do anything about it, Mr. President? No one other than the Congress of the United States can do anything. The Governor of the State and the mayor of a city may meet violence when it occurs by punishment, or by safeguarding any place which seems to be threatened, but they are without authority to keep things running. As a result of the passage of the act which we passed and by the interpretation of the Supreme Court construing the act, the States are now completely helpless to take care of themselves in this very vital field.

Mr. President, in closing let me say that this is not merely a question of the passage of a labor law. It is not a mere question of whether we shall restore States rights to the place where they ought to exist, so that they can be exercised. It is not a question of mere service to great segments of our people. This is a question relating to the philosophy of our Nation. Will this Nation sit still and watch a group of people who are without regard for the health and safety of the general public overlook entirely their heavy responsibility in cases of this kind? Will the Nation leave the States helpless, as the Nation is already helpless, to do anything in this field?

Mr. President, much as I have disliked to take the time of the Senate for this presentation, I felt it was necessary. If this proposal should be defeated—and I hope it will not be defeated—I hope the committee will decide to give us a hearing, and I further hope it will bring to the floor a substantive proposal, where the matter can be considered on its merits. The committee has not been willing to do this in 8 years. I do not know of any way available to me, or to any other Senator, to bring attention to this deplorable and un-American situation other than by presenting this amendment to the bill.

Mr. President, I hope the amendment will be agreed to.

EXHIBIT 1

STATEMENT BY SENATOR HOLLAND

I offer these amendments in the earnest hope that finally Congress will act to fill this particular legal void—or labor-management no man's land—which fails to supply any method, Federal or State, to assure the continued operation of local public utilities. This dangerous and unexpected situation was created on February 26, 1951, by a strained interpretation, by the U.S. Supreme Court, in its divided decision in the so-called Wisconsin case, construing the legislative intent in the passage of the Taft-Hartley Act.

In less than 3 months after that divided Supreme Court decision was handed down, a bipartisan effort was begun in the Senate to correct the unfortunate situation created thereby. Republican Senators Wiley, of Wisconsin, and Hendrickson, of New Jersey, together with Democratic Senators Robertson, of Virginia, and I, introduced, on May 23, 1951, Senate bill 1535 of the 82d Congress. Unfortunately that bill never saw the light of day, but died in the Senate Labor and Public Welfare Committee without being accorded a hearing.

In the following Congress, the 83d, a corrective proposal was again before the Senate Committe on Labor and Public Welfare in an omnibus labor bill, S. 2650, which was considered by the committee, and was favorably reported. However, it will be recalled that, due in large part to the fact that three FEPC amendments were pending, under a unanimous-consent agreement limiting debate, the Senate, by a vote of 50 to 42, recommitted that bill. Although I found much to approve in Senate bill 2650—particularly in the section dealing with strikes in public utilities—I voted with the majority to recommit the bill, because of the unfavorable parliamentary situation which required the consideration of FEPC legislation under a gag rule.

Senate bill 2650, as reported from the Senate committee, contained the following language:

"(c) Nothing in this act shall be construed to interfere with the enactment and enforcement by the States of laws to deal in emergencies with labor disputes which, if permitted to occur or continue, will constitute a clear and present danger to the health or safety of the people of the States."

During the debate on that measure, I questioned at length the senior Senator from New Jersey, Mr. Smith, then chairman of the Senate Committee on Labor and Public Welfare, concerning the purpose of that proposed language. I specifically asked the distinguished Senator from New Jersey if it were his understanding that that provision was designed effectively to return to the States the power, authority, and jurisdiction to deal under State laws, and under machinery provided under State laws, with work stoppages, strikes, threatened strikes, lockouts, or anything which would tend to bring about a stoppage of the rendition of services by public utilities to the people of States or communities within States. The Senator from New Jersey replied:

"In preparing this particular paragraph the committee felt that utilities certainly would be included, because utilities usually could affect the health or safety of the people."

In his January 11, 1954, message to the Congress on labor-management relations, President Eisenhower called attention to the problem at hand and recommended correction in the following manner:

"The act should make clear that the several States and Territories, when confronted with emergencies endangering the health or safety of their citizens, are not, through any conflict with the Federal law, actual or implied, deprived of the right to deal with such emergencies. The need for clarification of jurisdiction between the Federal and State and Territorial governments in the labor-management field has lately been emphasized by the broad implications of the most recent decision of the Supreme Court dealing with this subject."

Of course, the President was referring to the decision of the Supreme Court in the Wisconsin case.

On June 18, 1955, in the 1st session of the 84th Congress, Senator ROBERTSON and I again introduced a bill, S. 527, designed to correct this situation. Again our proposal received no attention.

Last year Senator ROBERTSON and I again introduced a bill, S. 3692, but no action was taken on it. During the debate on labor legislation last year we offered an amendment to correct this situation. It was defeated, not, I think, on its merits, but because many Senators, though recognizing the need for the amendment, felt that the bill then pending should not contain controversial Taft-Hartley amendments.

This year I introduced Senate bill 632 on this subject, thus making this the fifth Congress in a row that such a proposal has been before the Congress, though the problem is still with us.

As I stated earlier, this amendment was made necessary by the interpretation of the National Labor Relations Act, as amended by the Labor-Management Relations Act of 1947, by the Supreme Court of the United States in the so-called Wisconsin case (*Amalgamated Association of Street Electric Railway and Motor Coach Employees of America, Division 998, et al.* v. *Wisconsin Employment Relations Board*, 340 U.S. 383, 71 S. Ct. 359, 95 L. ed. 354), dated February 26, 1951. The net result of the majority opinion in that case was that a Wisconsin statute which prohibited strikes against public utilities, and provided for compulsory arbitration of labor disputes after an impasse in collective bargaining has been reached, was invalid, because it was held to be in conflict with the National Labor Relations Act, as amended.

I have studied the case rather carefully; and I find myself in complete agreement with the strong dissenting opinion written by Mr. Justice Frankfurter, and joined in by Mr. Justice Burton and Mr. Justice Minton. In other words, the Court was not unanimous in its decision; and the three Justices I have mentioned strongly dissented from the majority opinion, and held that the States had not been precluded by the Taft-Hartley Act from their right, under their police powers and their statutes, to deal with threatened stoppages of public utility services.

I feel—as did the principal Senate author of the act in question, the late Senator Robert A. Taft—that the majority of the Court came forward with a highly strained interpretation of the intent of Congress in

the passage of the Taft-Hartley Act of 1947, and one which was never anticipated by its sponsors. Senator Taft made no secret of his complete disagreement with the majority opinion, and personally expressed himself strongly to me on the subject on several occasions. His comments in this regard were of particular interest to me in view of the fact that both the majority and the dissenting opinions refer to some of the same comments made by Senator Taft during the 1947 debate, in support of their interpretation of the legislative history of the Taft-Hartley Act.

Also, it is clear from the record that another coauthor of the bill, former Representative Hartley, had a completely different interpretation of the intent of the bill from that ascribed to it by the Supreme Court. I quote the following from page 6383 of the CONGRESSIONAL RECORD of June 4, 1947, from the debate which occurred at that time in the House of Representatives:

"Mr. KERSTEN of Wisconsin. Mr. Speaker, will the gentleman yield?

"Mr. HARTLEY. I yield.

"Mr. KERSTEN of Wisconsin. I wish to compliment the gentleman on the very fine exposition he is making of the conference report. I would like to ask the gentleman about that portion which pertains to the validity of State laws. Wisconsin and other States have their own labor-relation laws. We are very anxious that disputes be settled at the State level insofar as it is possible. Can the gentleman give us assurance on that proposition, so that it is a matter of record, that that is the sense of the language and of the report?"

He is speaking of the conference report which became the final act after the President's veto had been overridden.

"Mr. HARTLEY. That is the sense of the language of the bill and of the report. That is my interpretation of the bill, that this will not interfere with the State of Wisconsin in the administration of its own laws. In other words, this will not interfere with the validity of the laws within that State.

"Mr. KERSTEN of Wisconsin. And it will permit as many of these disputes to be settled at the State level as possible?

"Mr. HARTLEY. Exactly."

It is difficult for me to understand how anyone could conceive of Congress intending to preempt for the Federal Government a field of such vital importance to the general public—which had been entered by many local and State governments—without providing a substitute for local procedure, under an act which contained in its declaration of policy the statement—and I now quote from the declaration of policy in the Taft-Hartley Act—"and above all recognize under law that neither party has any right in its relations with any other to engage in acts or practices which would jeopardize the public health, safety, or interest"; and also the words—and I quote again from the policy statement of the Taft-Hartley Act—"and to protect the rights of the public in connection with labor disputes affecting commerce." In my opinion, the majority opinion of the Supreme Court went completely contrary to the expressed declaration of policy in the act, without specific language in the body of the act to justify such a departure; and by this interpretation the Supreme Court accomplished in part what the act was trying to prevent, by declaring void all protective State laws dealing with strikes in public utilities and thereby permitting the public health and safety to be placed in jeopardy during public-utility strikes.

Congress made provision for threatened and actual strikes which would "if permitted to occur or continue, imperil the national health or safety," and provided authority for the President of the United States to set in motion investigatory and judicial processes which would at least prevent a work stoppage for a period of 80 days, during which conciliation, mediation, arbitration, and continued collective bargaining could operate to effect a settlement of the dispute. However, in the opinion of the majority of the Supreme Court, it left under the law a situation where the health, safety, and general welfare of the same people can be jeopardized without restriction when they are affected in small groups—that is, on a State or local level rather than a national level.

The dissenting opinion by Mr. Justice Frankfurter, concurred in by the other two justices already mentioned, states clearly what I believe to be not only the proper interpretation of the intent of Congress in this regard, but the only reasonable and logical interpretation. Speaking for the minority of the Court Mr. Justice Frankfurter stated:

"But the careful consideration given to the problem of meeting nationwide emergencies and the failure to provide for emergencies other than those affecting the Nation as a whole do not imply paralysis of State police power. Rather, they imply that the States retain the power to protect the public interest in emergencies economically and practically confined within a State. It is not reasonable to impute to Congress the desire to leave States helpless in meeting local situations when Congress restricted national intervention to national emergencies."

Florida is one of the States which has had its laws dealing with this subject declared invalid as a result of this decision of the Supreme Court.

In 1947, by a vote of 33 to 0 in the State senate, and 74 to 12 in the house, the Florida Legislature passed a law requiring compulsory conciliation and arbitration when a stalemate has been reached in the collective bargaining process between employer and employee of a public utility, as defined in the act.

Briefly, the Florida law defines the term "public utility employer" as an employer engaged "in the business of rendering electric power, light, heat, gas, water, communication, or transportation services to the public of this State," and then sets up a procedure to be followed when the collective bargaining processes reach an impasse and stalemate, which includes:

First. The appointment by the Governor of a conciliator who must effect a settlement within 30 days after appointment—an additional 15 days may be allowed by the Governor.

Second. If the conciliation effort is unsuccessful the Governor may appoint an arbitration board which must hand down its decision within 60 days after appointment—the Governor may for good cause extend that period 30 days.

Third. Within 15 days after the date of an order of the arbitration board, either party may petition the circuit court for a review of such order.

Fourth. Thereafter, any interested party may appeal to the Supreme Court of Florida.

Those were reasonable conditions, and they were designed to be fair and reasonable to all concerned, and particularly to the general public, who have such a vital stake in having a continuance of such services as light, power, heat, gas, and the like.

The Governor may proceed with the action stated only after concluding that the dispute, if not settled, "will cause or is likely to cause the interruption of the supply of a service on which the community affected is so dependent that the hardship would be inflicted on a substantial number of persons by a cessation of such service."

From and after the filing of a petition for the appointment of a conciliator, and until and unless the Governor shall determine that the failure to settle the dispute with respect to which such petition relates would not cause severe hardship to be inflicted on a substantial number of persons, no interruptions of work and no strikes or slowdowns by the employees, and no lockout or other work stoppage by the employer, are permitted, until the statutory procedure has been exhausted or during the effective period of any order issued by the board of arbitration pursuant to the law.

I think Senators will be interested in the origin of the language contained in the Florida law, because it shows a willingness to work together on the part of the representatives of the public, unions, and employers—a willingness which I wish existed at this level of Government.

After a hearing had been held before a senate committee of the State Legislature of Florida on this subject, the committee requested labor and public utility officials to get together and come up with language for a bill, which was mutually satisfactory, and the bill which was unanimously passed by the senate, and passed by an overwhelming majority in the house, as I have indicated, was drafted at a conference participated in by the chief counsel of the State federation of labor and the State president of the American Federation of Labor.

It is comforting to know that reasonable men from labor and management can still sit down and come up with effective and mutually satisfactory programs for the protection of the public health and safety when properly encouraged to do so, and that is exactly what happened with reference to this Florida law. With such cooperation from public-spirited representatives of labor and management being exhibited concerning this subject in my State, it was indeed discouraging to have a U.S. Supreme Court decision result in our law being declared invalid by our State supreme court.

The supreme court of Florida, which rendered its decision on May 5, 1953, declaring invalid the Florida public utilities arbitration law, based its conclusion entirely on the decision of the U.S. Supreme Court in the so-called Wisconsin case.

Mr. President, I call attention to two tables which were printed in the labor hearings last year and also in the CONGRESSIONAL RECORD of June 13, 1958. I have been advised by the Library of Congress that these tables are still accurate, based on the latest information available to the Library.

I shall not read these tables, but they show that 17 States—plus Hawaii—have somewhat similar laws on this subject. Table 6 is entitled "Regulation of Disputes in Public Utilities, etc." Table 7 is entitled "Compulsory Mediation and Arbitration."

I include two tables to be printed in the RECORD in connection with this statement.

Of interest in table 6 is disclosure of the fact that even since the Wisconsin case two States, realizing the need for some kind of machinery to protect the public in such matters—Virginia in 1952 and Maryland in 1956—have enacted State laws regulating disputes in public utilities cases.

The treatment of this subject in these laws varies greatly. Some of them ban strikes and lockouts under a statutory procedure for compulsory arbitration, as in Florida; some provide for seizure and operation by the State; one permits no strikes until 60 days after written notice of intention to strike to a board of mediation and the other party; others do not ban strikes but provide penalties for picketing and sabotage, or provide for mediation of disputes; and various other methods are employed to handle the problem—the methods which are acceptable to the people of the particular State, as enacted in laws passed by the State legislature.

Different States have different methods for handling such matters, but certainly they should be permitted to take jurisdiction over labor-management problems in a local field of such vital concern to the local people.

TABLE 6.—*Regulation of disputes in public utilities, etc.*

State and date of law	Provision against strikes in—			Provisions for seizure
	Public utilities	Government service	Other essential industries	
Florida: 1947 (S.L.L. 19: 231)	[1] X			
Hawaii:				
1949 (S.L.L. 21: 256)	X			
1949 (S.L.L. 21: 265)			Docks	X
Indiana: 1947 (S.L.L. 24: 158)	[1] X			
Kansas: 1920 (Gen. Laws Annot., sec. 44-601 to 608, S.L.L. 26: 245).	X		Industries affected with the public interest.[2]	X
Maryland: 1956 (S.L.L. 30: 255)	X			X
Massachusetts: 1947 (S.L.L. 31: 257)	[4] X		Distribution of food, fuel, hospital, and medical services.[3]	X
Michigan: 1949 (S.L.L. 32: 245)	[1] [4] X		Hospitals [1]	
Minnesota:				
1947 (S.L.L. 33: 274)			Charitable hospitals	
1951 (S.L.L. 33: 272)		X	do	
Missouri: 1947 (S.L.L. 35: 211)	[5] [6] X	X		X
Nebraska: 1947 (S.L.L. 37: 235)	X	X		
New Jersey: 1946, 1947, 1949, 1950 (S.L.L. 40: 221)	[3] [7] X			X
New York: 1947 (S.L.L. 42: 267)		X		
North Dakota: 1943 (S.L.L. 44: 258)				X
Ohio: 1947 (S.L.L. 45: 234)		X		
Pennsylvania:				
1947 (S.L.L. 48: 251)	[1] X			
1947 (S.L.L. 48: 270)		X		
Texas:				
1947 (S.L.L. 54: 238)		X		
1947 (S.L.L. 54: 234)	[8] X			
Virginia:				
1946 (S.L.L. 57: 245)		X		
1950 (S.L.L. 57: 236)			Coal mines	X
1952 (S.L.L. 57: 215)	[9] X			
1952 (S.L.L. 57: 232)	[10] X			
Wisconsin: 1947 (S.L.L. 60: 248)	X			

[1] No strike until such time as all of the procedure provided for by law has been exhausted.
[2] The ban on strikes has not been exercised, since other features of the Kansas Industrial Relations Act were declared unconstitutional.
[3] No strike after the public utility has been taken over by the State.
[4] Act held unconstitutional by U.S. Supreme Court (26 L.R.R.M. 2082) as applied to an employer engaged in interstate commerce.
[5] No strike for 5 weeks after mediation fails and the Governor has been notified.
[6] Act unconstitutional, in opinion of State attorney general (27 L.R.R.M. 69).
[7] No strike for 60 days after written notice of intention to strike to the board of mediation and the other party.
[8] No ban on strikes. Act provides penalties for picketing and sabotage.
[9] No ban on strikes. Provides for mediation of public utility disputes.
[10] No ban on strikes. Provides for temporary replacement of all employees who do not want to work for the Government during seizure.

TABLE 7.—*Compulsory mediation and arbitration*

State and date of law	Industries included	Provision for—	
		Compulsory mediation	Compulsory arbitration
Florida 1947 (S.L.L. 19:231)	Public utilities	X	X
Indiana: 1947 (S.L.L. 24:158)	do	X	X
Kansas: 1920 (Gen. Laws, Annot., sec. 44-601 to 623, S.L.L. 26:245).	Industries affected with the public interest.	X	X [1]
Massachusetts: 1954 (sec. 3, S.L.L. 33:258)	Public utilities	X	
Minnesota:			
1955 (sec. 6, S.L.L. 33:223)	Any dispute, on petition of either party.	X	
1939 (sec. 7, S.L.L. 33:224)	Industry, affecting public interest	X	
1947 (S.L.L. 33:274)	Charitable hospitals	X	X
Missouri: 1947 (S.L.L. 35:211) [2]	Public utilities	X	X [3]
Nebraska: 1947 (S.L.L. 37:235)	do		X
New Jersey: 1946, 1947, 1949, 1950 (S.L.L. 49:221).	do	X	X
North Dakota: 1953 (S.L.L. 44:225)	Any dispute	X	
Pennsylvania: 1947 (S.L.L. 48:251)	Public utilities	X	X
Virginia: 1952 (sec. 40-95.3, (S.L.L. 57:746)	do	X	
Wisconsin: 1947 (S.L.L. 60:248)	do		X

[1] The U.S. Supreme Court in decisions in 1923 and 1925 declared that it is unconstitutional to fix wages by compulsory arbitration in the meatpacking industry. However, the act may still apply to the railroad and public utilities industries.
[2] Act unconstitutional, in opinion of State attorney general.
[3] If no agreement reached, a public hearing panel is established which must make recommendations for settling the dispute.

I have presented the basic facts as I understand them concerning the no man's land in connection with preventing stoppage of service by public utilities, and without reargueing the Wisconsin case, it is perfectly clear to me that the major proponents of the Taft-Hartley Act never intended any such result when that act was passed. Regardless of that fact, however, the basic problem is with us—it is serious—and it demands early attention.

The problem has been demanding early attention for 8 years. The Senator from Florida, along with other Senators, has been endeavoring to correct this problem for 8 years. We finally brought it to the floor last year under circumstances which made favorable action impossible.

I think it should be said in complete justice to the distinguished chairman of the subcommittee, the junior Senator from Massachusetts [Mr. KENNEDY], that in a former debate on this subject on the floor he expressed sympathy with our problem and a willingness to help solve it. We hope that sympathy and willingness will show themselves in the attitude of the distinguished Senator as a leader today.

I desire to read from the CONGRESSIONAL RECORD, volume 100, part 5, page 6113, from the debate upon a measure amending the Taft-Hartley law in that year. I shall quote two paragraphs from the remarks of the distinguished Senator from Massachusetts, with the full understanding that any Senator has the right to quote the entire statement. I am not seeking in any way to embarrass anybody. I simply want to show there is sympathy, but when it comes to favorable action we have not been able to get any.

I read this paragraph, as a quotation from the distinguished Senator from Massachusetts:

"I know the Senator from Florida is entirely sincere in his desire to permit the States to protect themselves in cases of emergency. I believe the Federal Government has such authority under the Taft-Hartley Act, and that, therefore, the States should have it."

The Senator's philosophy and mine are completely on all fours as to that. I, too, think the States should have the power. I agree completely with the statement then made by the distinguished Senator from Massachusetts. I continue to quote:

"I would not object if the amendment of the Senator from New Jersey [Mr. Smith] were drawn in language sufficiently specific to provide for State action in a case involving a public utility employer whose work involved the lives of the people, but not in a field as broad as that defined in the Florida statute."

A little later in the same debate in another paragraph there is a statement which shows the considered judgment of the distinguished Senator from Massachusetts at that time, and I believe his judgment is the same at this time:

"I should like to join the Senator from Florida in attempting to ascertain whether we can agree upon amendatory language which would really give the States the right to deal with genuine emergencies, under language drawn with sufficient care so that it will not permit the States to stray over into a wide area which hitherto has been under the protection of the Federal act."

The subcommittee headed by the distinguished Senator from Massachusetts was the first committee in 7 years gracious enough to allow the Senator from Florida the opportunity to be heard upon this measure. I express my grateful thanks to the Senator for that consideration. Unfortunately, however, nothing came of it.

During the course of the hearings, the Senator from Massachusetts expressed again his feeling that the Florida law might be a little broad. Senators will find that statement in the colloquy which took place.

In the effort to meet the views of the distinguished Senator from Massachusetts, the Senator from Florida redrafted the amendment proposed by him and the Senator from Virginia [Mr. ROBERTSON] to the labor bill last year, so as to leave out some matters which perhaps are not as vital, such as the operation of a bridge, the operation of a tunnel, sanitation and communication services. Nevertheless, the amendment was defeated, not on its merits, but as I stated earlier, because of tactical reasons.

The amendments proposed today have again been prepared to meet the major objections of the Senator from Massachusetts. The amendments as now proposed cover what seems to the Senator from Florida to be the mere skeleton or the mere essence of what is required in any civilized community in order that the public interest may be safeguarded. That essence is stated in the amendments now pending in the following words:

"Nothing in this Act or the Labor-Management Relations Act, shall be construed to nullify the provisions of any State or Territorial law which regulate or qualify the right

of employees of a public utility to strike, or which prohibit strikes by such employees.

"As used in this subsection the term 'public utility' means an employer engaged in the business of furnishing water, light, heat, gas, electric power, or passenger transportation services to the public."

To me that is the mere essence of services which are taken for granted and are completely vital to the functioning of a civilized community.

In my State we have had some experience with this situation. I regret to have to so report to the Senate. I have already mentioned that in a case passed upon by the Florida Supreme Court, the United States Supreme Court decision in the Wisconsin case was followed in such a way as to knock out the Florida statute. I think our court was correct in its action. After all, the decision of the Supreme Court of the United States was binding. When we reach the time when we do not so regard it, we shall be drifting toward a dangerous situation.

I again remind Senators that the Supreme Court decision was not a unanimous one on the part of the Court, but that there were able Justices on each side. If anything, the opinion of the dissenting or minority Justices is even stronger and more completely acerbic in wording than the opinion of the majority of the Court in that case.

That particular case arose in the city of Miami, and grew out of the local transit system strike, a strike which resulted in the very great hurt of the city and its people, but particularly to the hurt of people who work with their hands and who have to patronize the public-utility transportation system, not having cars of their own in which to go to their places of work.

I have had repeatedly made to me by humble citizens of my own State both within unions and outside of unions—and I certainly agree with them—the point that the people of humble background economically and the people who work with their hands, many of whom do not have cars of their own and could not move out of the city, if there should be a stoppage of power, light, electricity, or gas, but would have to continue to live in their humble surroundings, would be the ones worse hurt if there were a stoppage or a shutdown of any of these public utilities.

During the debate on this question last year, I called attention to the fact that the city of Jacksonville, Fla.—the second largest in the State—was then in its 81st day of a strike in its bus system. The strike finally ended after being in effect for 83 days. I called attention at that time to an editorial in the Tampa Tribune indicating how seriously our people were affected by this situation and also showing, I think, the feeling of the majority of our people, that the State should be allowed to deal effectively with such interruptions of these vital services.

I attach to this statement excerpts from an editorial, published in the Tampa Tribune, entitled "Make 'Em Give It Back, Senator."

The Senator from Florida did not so plan it, but again this year when the Senate debate on labor legislation began, we had in progress in Florida a major strike against a public utility which illustrated clearly the need for action in this field. I am glad to say that strikers went back to work day before yesterday, April 22, after the strike had been in progress for 30 days. This was a strike of the International Brotherhood of Electrical Workers against the Gulf Power Co., which has its headquarters in Pensacola, Fla.

There was no issue regarding wages or working conditions. The sole issue was whether the union could compel the company to recognize the union as the representative for foremen. Incidentally, of 65 first line supervisors (including forman) 58, or about 90 percent, stayed on the job. It was a bitter strike. After the first 3 days of the strike the Pensacola Journal made the following comment in an editorial on the subject:

"Violence and threats of violence, sabotage and attempts at sabotage have marked the short period since members of the International Brotherhood of Electrical Workers struck the Gulf Power Co. in an effort to gain union control of foremen and supervisors.

"A bomb scare; threat of personal injury to an unaffected woman employee; attempts to short circuit power lines, some of which have been successful, causing blackouts; the beating of a telephone company repairman who crossed a picket line to do his job; threats against store operators who receive power bill payments as a public service. These are some of the incidents which occurred in the first 3 days of the strike."

Subsequent to that time we saw headlines such as "Two More Gulf Poles Wrecked by Blasts—Saboteurs Use Dynamate, Fail To Sever Lines." (Pensacola News-Journal, April 5, 1959.)

Those poles were on a 110,000-volt power line. A complete blackout in the county would have resulted had the lines been severed by the explosion, and the fallen wires would have endangered the very lives of people in the area. A package of dynamite was discovered wrapped around a third pole in the area but fortunately it failed to explode.

I also attach to this statement an editorial from the Pensacola News-Journal of April 5, 1959, which I think sums up this situation briefly, tersely, and fairly.

Had not the U.S. Supreme Court in the 1951 ruling held that the Congress had preempted this entire field, this strike—and the bus strike last year in Jacksonville—could have been prevented and the matter handled under the Florida public utilities arbitration law which I described earlier in my remarks. Certainly the Congress has a duty to the general public to correct this abominable situation, which, in my opinion, in the opinion of a minority of the Supreme Court, and in the opinion of the major sponsors of the Taft-Hartley Act was never intended. I hope the pending amendments will be adopted.

"[From the Tampa Morning Tribune, May 3, 1958]

"MAKE 'EM GIVE IT BACK, SENATOR

"A strike which has shut down Jacksonville's transit line for 38 days points up a neglected congressional duty which Florida Senator SPESSARD HOLLAND is trying to persuade Congress to perform.

"Florida and nine other States formerly had laws requiring arbitration of labor disputes affecting public utilities and transportation systems. But in 1951, in a case arising in Wisconsin, the U.S. Supreme Court held that Congress, in passing the Taft-Hartley law and the National Labor Relations Act, had 'closed to State regulation the field of peaceful strikes in industries affecting commerce.'

"Whether this was the intent of Congress, we don't know. But the fact remains that in the ensuing 7 years Congress has done nothing to restore to the State the power to deal with strikes affecting public utilities.

"Senator HOLLAND has vainly introduced the necessary bill in three pervious sessions of Congress. Undismayed, he again submitted one the other day in cooperation with Senator A. WILLIS ROBERTSON, of Virginia.

"If Florida had its old law in effect, the shutdown of the Jacksonville bus system presumably could have been avoided. The Governor could have invoked procedures requiring labor and management to submit their differences to arbitration and keep the buses running in the meantime.

"As matters stand, the State can do nothing. Neither, apparently, can the city of Jacksonville.

"A bus shutdown, as Tampa knows from past experience, can cause great public inconvenience and economic loss. But it's nothing compared to the public dangers of a strike in electric, gas, telephone, or water systems.

"There's no excuse for strikes of this kind, where the innocent public is the chief sufferer. Labor and management both ought to have enough sense of responsibility to arbitrate their differences, if they can't agree. Since they sometimes fail their responsibility, the State should have power to compel arbitration.

"Congress ought never to have taken this power from the States. But since, in the Supreme Court's view, it did, it should put an end to 7 years of procrastination and give back to the States what is rightfully theirs."

"[From the Pensacola New-Journal, Apr. 5, 1959]

"LOSS OF POWER ENDANGERS LIFE, HEALTH, PROPERTY

"Dynamiting and sawing of powerline poles, endangering electric service to widespread areas including military installations, has caused concern to industries, institutions, and individuals whose very lives may be imperiled and whose property losses could mount enormously if the sabotage proves as effective as apparently intended.

"The cutting of a conveyor belt to stop the big steam powerplant near Chattahoochee, the blasting of a heavy voltage pole and an attempt to dynamite another are no little misdemeanors. They threatened the complete shutdown of the power pool which supplies this whole northwest Florida area, including Eglin Air Force Proving Ground, the naval air installations and the numerous industries that depend on power.

"Stoppage of the continuous operation at Chemstrand would cost that nylon manufacturing plant hundreds of thousands of dollars.

"Loss of power at a dairy meant that 170 milk cows had to suffer until service was restored, to say nothing of the potential damage to the dairyman's business.

"One individual called the News-Journal to say he had arisen late because his electric alarm was cut off, he had no hot water to shave or bathe as his water was pumped and heated by electricity, his refrigeration was out and his food and milk might spoil, and he had no lights.

"Homes with freezers would lose much food, babies would be denied milk, newspapers and radio stations would be unable to function, persons undergoing operations in hospitals would be endangered, city and private water supplies would be imperiled if pumps stopped, fire hazards would be increased, loss of sewerage service might affect public health—all of these and more could come to pass if a large area were without electric power for any length of time.

"The hardships and perils are too great to contemplate fully, yet they are incurred every time someone breaks a powerline, or saws a pole or cuts an important belt in a system geared to serve northwest Florida.

"Such lack of regard for fellow citizens' lives and property is criminal irresponsibility meriting drastic punishment and should be met with every possible safeguard even if vigilance committees have to go into action to prevent such awful contingencies."

Mr. KENNEDY. Mr. President, I am prepared to yield back all but 2 minutes of my time, if the Senator from Florida is prepared to yield back his time.

Mr. HOLLAND. I reserve 2 minutes only.

The PRESIDING OFFICER. The time of the Senator from Florida has expired.

Mr. HOLLAND. Then I yield back my remaining time. [Laughter.]

Mr. KENNEDY. Mr. President, I must reluctantly oppose the amendment offered by my friend from Florida. This is an extremely complicated subject.

Many of the examples cited by the Senator caused great inconvenience to the people of the areas involved, but in my opinion they are not comparable to the difficulties which the Nation would face by reason of a major disruption of service in an industry essential to the economy of the country. Yet the Taft-Hartley Act did not provide that there should be any qualification of the right of employees of public utilities to strike, or that there should be compulsory arbitration of disputes in these industries.

If the carriers do not operate in Jacksonville, that is an inconvenience; but every strike involves inconvenience. I would not be willing to see such an amendment adopted on the floor of the Senate on the basis of the case of the 170 cows whose milk went out by reason of a stoppage of electric power.

They could have been milked by hand. I do not believe that that case warrants acceptance on the floor of the Senate of what is in effect a measure for compulsory arbitration, particularly when the courts have the power to act in cases in which the health, safety, and basic welfare of the citizens of the State are at stake. The courts have been given by the States the power to seize industries to protect the public health and safety.

I have agreed, as chairman of the subcommittee, that there will be 1 or 2 days—or perhaps more—of hearings within the next 40 days. Whatever the opinion of the subcommittee may be, the measure will be reported to the full committee for a vote upon it and other related amendments in this field.

On that basis I hope the Senator from Florida will be satisfied.

Mr. HOLLAND. What is the attitude of the chairman of the full committee on this question?

Mr. KENNEDY. The Senator from Alabama [Mr. HILL] has agreed to that procedure.

Mr. HOLLAND. For 8 years we have been trying to get such a measure out of committee, but even during the incumbency of my distinguished friend from Alabama and my equally distinguished friend from Massachusetts, we have never been able to succeed. I hope this means that we shall have action. I hope, however, that the Senate will take the matter out of the hands of the committee now by taking favorable action on this very simple amendment, to restore to the States the power to handle, under their own laws, these relatively few vital industries.

Mr. KENNEDY. Mr. President, I yield 30 seconds to the Senator from Arizona [Mr. GOLDWATER].

Mr. GOLDWATER. Mr. President, as the ranking minority member of the subcommittee I will lend my assistance toward expediting action upon this proposal. I realize, as does the distinguished chairman of the subcommittee, that bringing such a measure to the floor of the Senate could open up the Taft-Hartley Pandora's box.

I will lend every effort to see that the activity is confined to this single piece of legislation, and I am sure that my Republican colleagues will go along with me in that statement.

Mr. HOLLAND. May I ask the distinguished Senator whether or not the Pandora's box would be opened if the Senate were to adopt the amendment today?

Mr. GOLDWATER. Let me say to the Senator from Florida that I am in sympathy with his situation. My State has a law to control this activity. I believe that the proposed legislation should be a little more carefully drafted.

The PRESIDING OFFICER. The time of the Senator from Arizona has expired.

All time on the amendment has expired or been yielded back.

Mr. JOHNSON of Texas. Mr. President, have the yeas and nays been ordered?

The PRESIDING OFFICER. They have not.

Mr. HOLLAND. Mr. President, I suggest the absence of a quorum.

Mr. JOHNSON of Texas. May we see if enough Senators are present to order the yeas and nays.

Mr. HOLLAND. I think that would be preferable.

The PRESIDING OFFICER. Does the Senator from Florida withdraw his suggestion of the absence of a quorum?

Mr. HOLLAND. I will, if there are enough Senators present to order the yeas and nays.

Mr. JOHNSON of Texas. Will the Senator from Florida agree to withdraw his suggestion of the absence of a quorum?

Mr. HOLLAND. I withdraw the request for a quorum call, with the understanding that an effort will be made to have the yeas and nays ordered.

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays on the Holland amendment.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Florida [Mr. HOLLAND]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Minnesota [Mr. HUMPHREY] is absent on official business.

I also announce that the Senator from Nevada [Mr. BIBLE] is absent because of a death in his family.

I further announce that the Senator from Delaware [Mr. FREAR] is absent because of illness.

I further announce that, if present and voting, the Senator from Minnesota [Mr. HUMPHREY], and the Senator from Nevada [Mr. BIBLE] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. BRIDGES] is necessarily absent.

The Senator from Kansas [Mr. CARLSON] is absent on official business.

The Senator from Wisconsin [Mr. WILEY] is necessarily absent, and if present and voting would vote "nay."

The Senator from Kansas [Mr. SCHOEPPEL] is detained on official business.

The result was announced—yeas 27, nays 64, as follows:

YEAS—27

Bennett	Fulbright	Martin
Butler	Goldwater	Mundt
Byrd, Va.	Hickenlooper	Robertson
Capehart	Holland	Russell
Case, S. Dak.	Hruska	Smathers
Curtis	Jordan	Stennis
Dworshak	Lausche	Talmadge
Eastland	Long	Thurmond
Ervin	McClellan	Williams, Del.

NAYS—64

Aiken	Gruening	Morse
Allott	Hart	Morton
Anderson	Hartke	Moss
Bartlett	Hayden	Murray
Beall	Hennings	Muskie
Bush	Hill	Neuberger
Byrd, W. Va.	Jackson	O'Mahoney
Cannon	Javits	Pastore
Carroll	Johnson, Tex.	Prouty
Case, N.J.	Johnston, S.C.	Proxmire
Chavez	Keating	Randolph
Church	Kefauver	Saltonstall
Clark	Kennedy	Scott
Cooper	Kerr	Smith
Cotton	Kuchel	Sparkman
Dirksen	Langer	Symington
Dodd	McCarthy	Williams, N.J.
Douglas	McGee	Yarborough
Ellender	McNamara	Young, N. Dak.
Engle	Magnuson	Young, Ohio
Gore	Mansfield	
Green	Monroney	

NOT VOTING—7

Bible	Frear	Schoeppel
Bridges	Humphrey	Wiley
Carlson		

So Mr. HOLLAND's amendment was rejected.

Mr. KENNEDY. Mr. President, I move that the Senate reconsider the vote by which the amendment was rejected.

Mr. JOHNSON of Texas. I move that the motion be laid on the table.

The motion to lay on the table was agreed to.

Mr. JOHNSON of Texas. I ask Senators to remain on the floor of the Senate. The chairman of the subcommittee tells me he expects that three or four amendments will be offered, and that he does not anticipate any controversial amendments will be offered from now on. I should like to have the yeas and nays ordered on the passage of the bill. I hope we may have a rollcall within a matter of minutes.

The yeas and nays were ordered.

Mr. ERVIN. Mr. President, I ask that an amendment I have at the desk be read.

The PRESIDING OFFICER. The amendment of the Senator from North Carolina will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 59, line 7, it is proposed to strike out "thirty" and insert in lieu thereof "forty-five."

At the end of line 7, it is proposed to insert "receipt of notice of the filing of the."

Mr. ERVIN. Mr. President, the amendment merely makes a change in the minimum time for the holding of an election after the receipt of notice of the filing of a petition for an election from 30 days to 45 days, being an extension of 15 days. The amendment makes it definite that the time is to be counted from the date of the notice of the filing of the petition.

Mr. KENNEDY. Mr. President, I accept the amendment of the Senator from North Carolina and yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from North Carolina.

The amendment was agreed to.

Mr. MUNDT. Mr. President, I call up my amendment which is at the desk, and I ask that it be read.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to add a new section, as follows:

SEC. . Section 10 of the National Labor Relations Act, as amended, is amended by adding at the end thereof a new subsection as follows:

"(m) Whenever it is charged that any person has engaged in an unfair labor practice within the meaning of subsection (a) (3) or (b) (2) of section 8, such charge shall be given priority over all other cases except cases of like character in the office where it is filed or to which it is referred and cases given priority under subsection (l)."

Mr. MUNDT. Mr. President, the amendment is short. It would accord to cases of individual discrimination, either union inspired or employer inspired, and defined as unfair labor practices under subsections (a) (3) or (b) (2) of section 8 of the Taft-Hartley Act, the same priority of treatment with reference to time as is accorded at present to cases of secondary boycott under section 10 (l) of the act. Incidentally, the Senate yesterday accorded such priority of time treatment to the recognitional picketing cases, which would arise under the Prouty amendment.

The amendment would give priority treatment by the Board offices in cases where an individual, either by employer discrimination or union discrimination, has been deprived of a job and a paycheck. At present, a vast majority of these cases are left hanging on the vine for a period, sometimes amounting to years. These cases deal with individuals out of work, and not with companies who are the subject of economic coercion, as in the secondary boycott or recognitional picketing situation. These cases deal with an individual who has been deprived of a paycheck as a result of an unfair labor practice, not with a case of a group of individuals, currently employed, who are seeking better employment conditions, as in a representation case, which is also by Board policy accorded some type of priority treatment.

If we are to accord priority treatment by the Board in cases involving companies, which are better able to withstand economic coercion than is an individual; if we are to accord priority treatment in cases where employees are being currently paid, but desire improved employment conditions through representation, then why not accord to the cases of individuals who are without job or paycheck the same priority treatment in terms of time.

Mr. KENNEdy. Mr. President, I accept the amendment. I am prepared to yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from South Dakota [Mr. MUNDT].

The amendment was agreed to.

Mr. MUNDT. I call up my amendment designated "4–21–59—E" and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 38, line 5, it is proposed to strike out "factual statements of issues."

Mr. MUNDT. Mr. President, before speaking on the amendment, I should like to say, in response to several inquiries I have had from Senators as to the significance of the word "teller" in my amendment to the elections section of the bill amendment which was adopted earlier, providing for the appointment of tellers. So as to make the legislative history complete, Black's Law Dictionary gives the following definition:

Teller: One who numbers or counts. An officer of a bank who receives or pays out money. Also one appointed to count the votes cast in a deliberative or legislative assembly or other meeting.

It was in that latter connection that the word "teller" was used.

With respect to the amendment now under consideration, I have discussed the matter with the Senator from Massachusetts. On page 38, line 5, there is an exemption of the prohibitions against the use of labor union money for campaign purposes. Such a factual statement of issues would be manifestly unfair if such money were employed in political campaigns, where one side could utilize union funds to campaign for itself, while the other side could not. It would be like legalizing the franking privilege of Senators for political purposes.

I think, from a conference I have had with the chairman of the subcommittee, we can develop that that was not the original intention of the committee, and the language can be clarified by modification.

Mr. KENNEDY. The purpose of the language is to provide, not information of one kind or another involving candidates, but rather information regarding the dates of elections, whether the dues may be changed, and amendments to the constitution by by-laws.

In order that there may be no doubt about it, I wonder if the Senator would be willing to change the amendment which strikes out "factual statements at issue" and to insert after "issues" on line 5 the words, "not involving candidates."

Mr. MUNDT. That is perfectly satisfactory to me. What I am trying to prevent is the absence of fair play in union elections. Since the language was used in the section and the title of the bill dealing with elections, I assumed it dealt with that subject. If we have the legislative history that the use of labor union money is to be solely for the purpose of factual issues dealing with internal union affairs and with union matters not involving candidacies, I will accept the suggestion of the chairman of the committee and modify my amendment accordingly.

The PRESIDING OFFICER. The amendment of the Senator from South Dakota is modified accordingly.

Mr. KENNEDY. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified, offered by the Senator from South Dakota [Mr. MUNDT].

The amendment, as modified, was agreed to.

Mr. KENNEDY. Mr. President, I ask that an amendment which I have at the desk be read.

The PRESIDING OFFICER. The amendment will be read for the information of the Senate.

The LEGISLATIVE CLERK. On page 23, line 14, after "Act" it is proposed to insert "pertaining to the filing of reports or disclosures."

On line 15, after "hereunder," it is proposed to insert "pertaining thereto."

Mr. KENNEDY. Mr. President, the amendment merely clarifies that the injunctive powers of the Secretary of Labor in this bill are confined to compelling the filing of reports. The amendment was prepared with the help of the Senator from Mississippi [Mr. STENNIS]. I think it is satisfactory. I ask the Senate to accept it. If there is no opposition, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Massachusetts.

The amendment was agreed to.

Mr. COOPER. Mr. President, subsection (d) of section 108 on page 21 of the bill provides that the individual who is required to sign reports under the reporting provisions of title I "shall be personally responsible for the filing of such reports and for any statement contained therein."

I can understand how the fixing of this responsibility upon an identifiable individual will promote the timely filing of truthful reports as required by the act.

I can also understand the necessity and propriety of imposing criminal penalties upon such an individual who, with evil motive and guilty knowledge, fails to file such reports, or files reports containing false statements. Subsections (a), (b), and (c) of section 108 on page 20, impose criminal penalties for such misconduct.

In my view, the words "willfully" and "knowingly" in these penalty provisions would preclude criminal conviction for the honest or unintentional errors or omissions of that individual, although guilty knowledge or willfulness is not included in the language of subsection 108(d) itself.

Is that also the understanding of the Senator from Massachusetts?

Mr. KENNEDY. The Senator from Kentucky is correct. The sole purpose of section 108(d) is to make clear that the individuals required to sign reports are subject to prosecution when they willfully violate sections 108 (a), (b), or (c). This also applies to similar provisions in the trusteeship title.

The PRESIDING OFFICER. The bill is open to further amendment. If there

be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

The PRESIDING OFFICER. The question is, Shall the bill pass? Four minutes remain to the proponents of the bill; 36 minutes remain to the opponents.

Mr. GOLDWATER. Mr. President, will the Senator from Illinois yield me 5 minutes?

Mr. DIRKSEN. I yield 5 minutes to the Senator from Arizona.

Mr. GOLDWATER. Mr. President, now that we are approaching the final vote, I wish to express my appreciation to the Senator from Massachusetts [Mr. KENNEDY] for the very gentlemanly and kind way in which he treated me and my staff throughout this procedure.

I also wish, inasmuch as they are in the Chamber, to thank Dr. Cox and his staff for the help which they have given us during these days.

I would be remiss in my duty to my conscience if I did not pay my particular respects to Mr. Michael Bernstein, the chief of staff of the Republican side of the committee, and also to Jim Constantine, who has been here on behalf of the National Labor Relations Board. They have provided invaluable help.

I have enjoyed working with the Senator from Massachusetts and his staff. We have not always agreed, but we still, nevertheless, remain friends and know each other better. I hope he feels that that is as advantageous to him as I certainly feel it is to myself.

Mr. President, for more than 2 years the McClellan committee has revealed, almost daily, to the horrified gaze of the public, a shocking picture of corruption, racketeering, and dictatorship in some segments of the labor-management field, and a high potential for such misconduct in many of those areas which are still uncorrupted. The American public demanded effective measures to halt these dangerous conditions and trends, and the U.S. Senate proceeded to develop legislation. It labored long and mightly; and, like the proverbial mountain, it brought forth the proverbial mouse, although, Mr. President, I will say that this mouse has, today, a great deal more muscle than it had when it was born. The bill, as now developed by this body, in terms of its effect on the evil conditions it professes to cure, is like a fleabite to a bull elephant. It not only omits provisions for even the slightest additional control of the flagrant evils of the secondary boycott, but in many of its provisions it does not accomplish what it gives the appearance of seeking to do. Even if unintended, the end result of this bill in its present form will be to mislead the American public into the false belief that adequate measures have been adopted to cope with the evils they abhor.

Mr. President, I do not choose to be a party to this deception. I shall vote against the bill; and I shall regard it as my duty, not only as a Senator, but also as an American citizen, to utilize every possible opportunity to enlighten the public about how they have been deceived.

Mr. President, the American public may have been deceived momentarily; but I do not believe they can be fooled for long.

In closing, again I wish to pay tribute to the chairman of our committee, the distinguished senior Senator from Arkansas [Mr. MCCLELLAN]. I am sorry the bill, as it now stands, does not deal effectively with the evils which the Senator from Arkansas has so courageously shown—during his 2 years of labor as chairman of the McClellan committee which has been investigating these rackets, and during which time the committee has spent nearly $1 million in its work—to exist.

If the bill reflected even the minimum of what we suggested last year, in our interim report, I could vote for this bill.

Mr. President, it is difficult for me to say this; I want the chairman of my committee to understand why I say it, and I want all other Members of the Senate to understand why I say it: But I believe that now, after 2 years of labor, that we have not produced a more effective bill than this one, we should give serious consideration to whether it is wise to proceed further with the investigation—by means of what we know as the McClellan committee—of such activities.

I have hoped that we would develop a bill which would amount to much more than this one does.

Let me say that I very greatly appreciate the conscientious work which has been done on the bill by all Members of the Senate. But I believe the bill falls far short of what was expected by the American people, except in respect of certain provisions of the bill which deal with certain small areas of the labor field.

Mr. CURTIS. Mr. President, will the Senator from Arizona yield to me?

The PRESIDING OFFICER (Mr. MONRONEY in the chair). Does the Senator from Arizona yield to the Senator from Nebraska?

Mr. GOLDWATER. I yield.

Mr. CURTIS. Mr. President, I do not want this debate to close without paying tribute to two distinguished Senators; I refer to the Senator from Arizona [Mr. GOLDWATER] and the Senator from Arkansas [Mr. MCCLELLAN]. There are many others whom I should mention; but these two Senators, in particular, have fought hard in the interest not only of the public, but also of the rank-and-file union members. The program of these Senators has not been adopted; but I hope their efforts have not been in vain.

Mr. JOHNSON of Texas. Mr. President, we are coming to the end of a long-hard road. We are almost at the end of it because Members of the Senate have been helpful and cooperative.

I rise to express my great admiration for the industry and the intelligence of the able chairman of the subcommittee, Mr. KENNEDY, who held long hearings, brought the bill to the floor, and explained it and defended it to each Member of the Senate. Our thanks are due also to the able and distinguished chairman of the committee [Mr. HILL], who is always prudent and always working for his country.

I also wish to express my great admiration for the magnificent contribution made on this entire subject by the distinguished senior Senator from Arkansas [Mr. MCCLELLAN]. I seriously doubt that there would have been any bill, except for the revelations made by the committee headed by Senator MCCLELLAN. I know this bill is stronger because of him.

I also wish to express my appreciation to the other members of his committee, both the majority members and the minority members, the Senator from North Carolina [Mr. ERVIN], the Senator from Idaho [Mr. CHURCH], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Arizona [Mr. GOLDWATER], the Senator from South Dakota [Mr. MUNDT], the Senator from Nebraska [Mr. CURTIS], and the Senator from Indiana [Mr. CAPEHART]. They have rendered a great service to the American people, and I know they will continue to do so.

Congratulations are due to the assistant minority leader [Mr. KUCHEL] and his associates for the careful work they did in drafting an amendment which made a major contribution to the effectiveness of this legislation.

Mr. President, this bill is not the first labor bill that a Congress has considered, nor, I predict, will it be the last.

Finally, Mr. President, all this work has been made possible because of the dedicated efforts of a group of staff members who have done an outstanding job in this field. I refer to Professor Cox, to Mr. Dungan, to the minority staff member who was associated with Senator Goldwater, and to Mr. Merrick. I wish to commend all of them for their outstanding work.

Mr. President, during our discussions and deliberations we have not always agreed; but we have been able to disagree without being disagreeable.

I believe the Senate is to be commended for its action; and I hope that shortly the bill will go to the other body.

Mr. President, I promised to yield for a moment to the Senator from Tennessee [Mr. GORE]; and I now yield to him.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. GORE. Mr. President, I have watched, listened, and to a reasonable extent, participated in this debate, which I think will be an historic debate, for the reason that this bill, in my view, has a good prospect of becoming the law of the land.

I have been impressed with the breadth of the talent which has been demonstrated by the junior Senator from Massachusetts [Mr. KENNEDY]. I have also been impressed with his knowledge of this vexatious problem and with his knowledge of the legislative history of the previous efforts to deal with it. I have also been impressed with his grasp of the proper methods, as well as the improper ones—with his ability to differentiate between proper and effective methods, on the one hand, and improper and ineffective methods, on the other.

I saw Mr. KENNEDY win his spurs as a Member of the House of Representatives. I believe he had already won his spurs in this Chamber long before this. But certainly he has done so now; he has won his spurs as an effective, productive leader of the U.S. Senate.

Likewise, Mr. President, I wish to pay tribute to the distinguished senior Senator from Arkansas [Mr. MCCLELLAN]; to the distinguished senior Senator from North Carolina [Mr. ERVIN], the coauthor, with the Senator from Massachusetts [Mr. KENNEDY], of the bill; to the Senator from Arizona [Mr. GOLDWATER]; to the Senator from California [Mr. KUCHEL]; to the Senator from Idaho [Mr. CHURCH]; and to other Senators whom I could name.

Mr. President, this debate and our deliberations have been fruitful. We have now brought to the point of passage a bill which, in my opinion, is better than many of us expected we could achieve.

Mr. DIRKSEN. Mr. President, I yield 3 minutes to the senior Senator from Iowa [Mr. HICKENLOOPER].

The PRESIDING OFFICER. The Senator from Iowa is recognized for 3 minutes.

Mr. HICKENLOOPER. Mr. President, because I expect to vote for the passage of this bill, and because my vote may be misunderstood, I think I should state in a very few words why I shall vote for the bill.

I shall vote for the bill, although it contains a very small amount of good—which has been placed in it on the floor of the Senate. The small amount of good which the bill contains is on the plus side of the ledger.

Mr. President, I am not a member of the Committee on Labor and Public Welfare or of the McClellan committee. I was not associated with the studies which preceded the bill. But, so far as I am concerned, when the bill came to the floor of the Senate, it was, in my opinion, mistakenly labeled a labor-reform bill. In my judgment, then it was not at all a labor-reform bill. Instead, it was merely a glossing over of ulcers which exist in certain sections of labor; and it would have accomplished nothing. It did not inhibit in any material way, so far as I could see, the glaring abuses disclosed by the arduous efforts of the Senator from Arkansas [Mr. MCCLELLAN], in the course of the long hearings his committee held. That bill was a subterfuge, according to my interpretation of its terms; and it did nothing to reach the evils which exist today.

In my judgment the bill now before us does very little more; and if, today, it is to be denominated a labor-reform bill, that is just as much a mistaken denomination as it was on the day when the bill came from the committee.

But the bill now contains one or two provisions—and they were put into it on the floor of the Senate—which I believe provide just a little bit of an approach to the beginning of an attempt to solve some of the outstanding and glaring evils that exist.

In my judgment, it is too bad that the Senate of the United States has not faced up to this issue squarely and has not taken the responsibility to enact legislation to deal with the corruption and the autocracy which today exist in unions that control the destiny of the workingmen.

In the interest of the laboring man himself, this bill fails to meet adequately those requirements. I think it is too bad, I think it is tragic; but because there is a little "plus" in this bill, I expect to vote for it—not because I am deluded for one moment into thinking it is a labor-reform bill, or even begins to approach the requirements of a labor-reform bill, as disclosed in the hearings which have been held by the McClellan committee for the past couple of years.

I had hoped we would seize this opportunity to write a bill which would be in the interest of the laboring people and in the interest of the public in general. I feel that not only have we fallen far short of that objective, but have not even approached it.

The PRESIDING OFFICER. The time of the Senator from Iowa has expired.

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the Senator from South Dakota [Mr. MUNDT].

The PRESIDING OFFICER. The Senator from South Dakota is recognized for 2 minutes.

Mr. MUNDT. Mr. President, I said in my part of the debate on April 20, before we got to the amendment stage of this bill, that there were two ways in which the Senate could approach this very grievous labor-reform problem. One was for the Senate to take legislative action which would empower the Government with new authority to restrict and restrain some of the improper practices which have been disclosed by the McClellan committee. The other was to give the trade-union members themselves the democratic tools empowering them to get good and law-abiding and honest officers, and to get rid of dishonest officers and get rid of improper union practices. I said that at this juncture of history I preferred to employ this second tactic.

The Senate has moved a long way, by adopting amendments on the floor, toward strengthening the hand of honest officials of unionism and the rank-and-file members of unions, who, in the main, want good unions and desire that they operate appropriately.

The Senate has moved, at a snail's pace, and only a very short distance, toward enacting a new law which would give the Government power to remedy improper practices. However, I do feel that in the more than 30 amendments which have been added to the bill from the floor of the Senate we have moved in the direction of giving important new democratic tools to rank-and-file union members, with which I hope they may be able to do a good job of cleaning up the improper practices which we as legislators have not undertaken to do by way of legislative mandate.

Some very significant amendments have been adopted from the Senate floor. The one relating to the bonding of union officials has made a great contribution to the elimination of some of the improper practices. The amendment establishing a fiduciary relationship as between fiscal officers of unions and the other union members was a Trojan step forward. In this connection, may I commend the Senator from Massachusetts, the chairman of the subcommittee, the majority leader, and other Senators, who have given us an entirely different atmosphere this year in which to legislate, as against a year ago.

Senators will remember that a year ago there was a stubborn adamancy against accepting amendments from the floor of the Senate. There was a determination to force through the Kennedy-Ives bill as it was reported from committee, and it passed in that form. It lacked merit and appeal to such an extent that it never got out of the House committee on the other side of the Capitol.

We approached the bill as legislative carpenters this time. I welcome the cooperative attitude of the majority leader and the chairman of the committee in recognizing that there were some suggestions from outside the committee room which should be offered and adopted. Over 30 times in this debate the Senate expressed itself affirmatively in relation to amendments offered on the floor, and I think, in the main, constructively and mostly in the direction of strengthening the rights of individual union members in this country. As a consequence of this floor action, the bill we are now about to approve is very substantially a better and more effective measure than the Kennedy-Ives bill of a year ago. In the main, it is the individual union member who has been abused. In the main, it is he who has been hurt by improper practices and by union labor leaders who are in certain instances corrupt or arrogant.

Mr. President, since we have moved in the direction of strengthening the hands of rank and file union members, I shall vote for this bill on the final rollcall.

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the Senator from Kentucky [Mr. COOPER].

The PRESIDING OFFICER. The Senator from Kentucky is recognized for 2 minutes.

Mr. COOPER. Mr. President, I know Senators wish to vote, and I shall not speak at length. I take the floor only because it has been said here, and I suppose it will continue to be said, that this bill represents nothing. As one member of the labor committee, I feel I would be unfair to myself, and to my colleagues on the committee on this side of the aisle who worked faithfully on the bill, and believe the bill represents something, if I did not say that I disagree categorically with such statement.

Mr. President, of course, fault will be found with the bill. It does not include everything that either labor or management wants, and undoubtedly it contains provisions that they do not like; but we are dealing with a difficult subject—and the public interest as well. After weeks of discussion and effort, we brought out the best bill we could.

I may say that it is not by speeches which simply assert that the bill is bad, that we have been able to accomplish any

results. It is by tireless work, and efforts to negotiate, that it has been possible to improve and develop a fair bill. I make this statement in view of the charge which has been made.

I point out that it was chiefly through the efforts of those of us on this side of the aisle who are not so extreme that we were able to get into the bill provisions relating to picketing, fiduciary relationship, no man's land, and even the bill of rights which was finally agreed upon. Those are some of the provisions that many Senators wanted in the bill, but I point out that they were included in the bill as a result of the effort of some of us who were a little more moderate. And they were accepted generally by both Republicans and Democrats.

Having made that statement, Mr. President, I wish to pay my respects and express my appreciation to the members of the staff on both sides of the aisle who worked with us. I wish to pay my respects also to our colleague, the ranking member of our committee, the Senator from Arizona [Mr. GOLDWATER] for his conscientious work and his knowledge in this field. And also to our minority leader, for his helpfulness and reasonableness during the debate.

Finally, I pay my respects to the Senator from Massachusetts [Mr. KENNEDY] for his leadership. He did his best to bring to passage an effective and fair bill. He made concessions when he believed them reasonable and just. I believe, after listening to the debate and the discussions in committee, that he knows more than any of us about the law, and the reasons for it.

The bill before the Senate does advance the cause of union democracy. It does provide most effective remedies against corruption, whether by unions or management. We have even made some advances in respect to the Taft-Hartley Act. Out of self-respect and in the name of honesty, these things must be said.

The PRESIDING OFFICER. The time of the Senator from Kentucky has expired.

Mr. DIRKSEN. Mr. President, I yield one-half minute to the Senator from New York.

The PRESIDING OFFICER. The Senator from New York is recognized for one-half minute.

Mr. JAVITS. Mr. President, I merely desire to join my colleague in the sentiments he has expressed. I think he has bespoken for those of us on this side of the aisle who adopted a moderate, working attitude which produced this bill.

I may say to those who wanted a bill which would have required a policeman for every union member, if they think it thorough, they will realize that we now have a bill which can be enforced and invoked, and which will not be a Volstead Act.

Mr. CAPEHART. Mr. President, will the Senator yield me a half minute?

Mr. DIRKSEN. I yield a half minute to the Senator from Indiana.

Mr. CAPEHART. Mr. President, I hope the millions and millions and millions of housewives and other Americans who listened to and viewed on their television sets during the past 2 years the McClellan committee investigations will be happy with the bill in its present form. I think they are the ones we ought to take into consideration. I think they are the ones who are interested.

We have spent a couple of million dollars on that investigation. The able Senator from Arkansas worked as hard as any human being could possibly work in respect thereto. I simply want to invite the attention of the Senate to the fact that the people listened to and viewed for 2 years that investigation, and I hope, after the action of the Senate today, they are going to be happy.

SEVERAL SENATORS. Vote! Vote!

Mr. DIRKSEN. Mr. President, if Senators will bear with me for a moment, I have a few remarks to make.

Mr. President, in 1917 when thousands, yes, hundreds of thousands, were urging the President of the United States to permit Theodore Roosevelt to take a division of troops to Europe, Woodrow Wilson finally turned down the request. The then President turned down the request with a very short, eloquent statement, when he said on that occasion, "The business in hand is undramatic."

The business of fashioning a labor bill is undramatic. I echo the sentiment of my distinguished friend from Kentucky. This brings to mind an expression used by a celebrated Boston lawyer in the course of the McCarthy hearings. I refer of course to Joe Welch of Boston. Seldom a day went by that he did not say, "Well, I suppose we will have to continue to plow the long, hard furrow."

In no labor bill is there anything particularly dramatic. But the long, hard furrow has to be plowed, and somebody has to do the work.

I join in testimony to the value of the efforts of the distinguished Senator from Massachusetts [Mr. KENNEDY]. He has the most disarming way of saying "No" of any human being I have ever met. He has been a very effective chairman of the subcommittee. He has been gracious, but he has been firm. We who serve on that subcommittee know of his firmness, because there is very little we got into the bill in committee. Therefore, it became our responsibility on the floor of the Senate to make the case, as boldly and as vigorously as we could.

I hope Senators will not mind if we take a little of the credit today. That is in the best spirit of forbearance which marks the two-party effort in this Senate.

In saying these things, I pay tribute to the majority leader. I presume untutored eyes and untutored ears, looking down on this body last night, might have had some misgivings about what took place, but there was a great restraint on the part of the majority leader, and I must compliment him for it. I can only say to those who look down upon us, in those moments when we so vigorously assert the inner spirit, it brings to mind that old poetic couplet:

> All discord, harmony not understood:
> All partial evil, universal good.

So if the proceedings seem discordant at the moment, they are harmonious nevertheless; it is only that untutored minds do not quite understand that kind of harmony.

I salute the majority leader. I thank the majority leader for his restraint, under rather difficult conditions, which made it possible for us to come back and in great felicity of spirit complete our labors.

We are at the end of the road. We take a little credit. Of some 32 amendments, 15 or 16 have been offered from this side. Some good has been done by preserving the right to sue in the hands of a member, not an officer, of a labor union; by establishing the principle with respect to recognitional picketing; by softening the amendment offered by my distinguished friend from Arkansas [Mr. MCCLELLAN] and by mitigating a few of the severities to make it palatable to the Senate by a rather overwhelming majority. That all constitutes a step forward.

I utter the hope that as the bill goes to the House it will not repose in limbo somewhere for 40 days, but will be referred quickly to the appropriate committee of that body. I express the hope that there may be further refinement and further improvement, to meet the hopes and the needs of the country, and that there will yet be enacted into law in this Congress an adequate labor bill.

We speak very often of what labor wants and of what management wants. The great challenge before this body is not what labor wants or what management wants, but it is what the country wants and needs.

Mr. RUSSELL. The public interest.

Mr. DIRKSEN. Yes, sir. It is the community interest which is involved.

I am glad to say that in all the discussion I think that one thought has been constantly in the minds of all Senators.

We are now prepared to dispose of this bill in the Senate, in the hope that before the present session runs out we shall have made a distinct contribution in this field to the common cause by having the bill enacted into law.

The PRESIDING OFFICER. Do the Senators yield back the balance of their time?

Mr. DIRKSEN. Mr. President, I yield back the remainder of my time.

Mr. JOHNSON of Texas. Mr. President, I yield back the time remaining to me.

The PRESIDING OFFICER. All time has been yielded back.

The bill having been read the third time, the question is, Shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Virginia [Mr. BYRD] and the Senator from Minnesota [Mr. HUMPHREY] are absent on official business.

I also announce that the Senator from Nevada [Mr. BIBLE] is absent because of a death in his family.

I further announce that the Senator from Delaware [Mr. FREAR] is absent because of illness.

I further announce that, if present and voting, the Senator from Nevada [Mr. BIBLE] and the Senator from Min-

nesota [Mr. HUMPHREY] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON] is absent on official business.

The Senator from New Hampshire [Mr. BRIDGES] and the Senator from Wisconsin [Mr. WILEY] are necessarily absent.

If present and voting, the Senator from New Hampshire [Mr. BRIDGES], the Senator from Kansas [Mr. CARLSON], and the Senator from Wisconsin [Mr. WILEY] would each vote "yea."

The result was announced—yeas 90, nays 1, as follows:

YEAS—90

Aiken	Green	Monroney
Allott	Gruening	Morse
Anderson	Hart	Morton
Bartlett	Hartke	Moss
Beall	Hayden	Mundt
Bennett	Hennings	Murray
Bush	Hickenlooper	Muskie
Butler	Hill	Neuberger
Byrd, W. Va.	Holland	O'Mahoney
Cannon	Hruska	Pastore
Capehart	Jackson	Prouty
Carroll	Javits	Proxmire
Case, N.J.	Johnson, Tex.	Randolph
Case, S. Dak	Johnston, S.C.	Robertson
Chavez	Jordan	Russell
Church	Keating	Saltonstall
Clark	Kefauver	Schoeppel
Cooper	Kennedy	Scott
Cotton	Kerr	Smathers
Curtis	Kuchel	Smith
Dirksen	Langer	Sparkman
Dodd	Lausche	Stennis
Douglas	Long	Symington
Dworshak	McCarthy	Talmadge
Eastland	McClellan	Thurmond
Ellender	McGee	Williams, N.J.
Engle	McNamara	Williams, Del.
Ervin	Magnuson	Yarborough
Fulbright	Mansfield	Young, N. Dak.
Gore	Martin	Young, Ohio

NAYS—1

Goldwater

NOT VOTING—7

Bible	Carlson	Humphrey
Bridges	Frear	Wiley
Byrd, Va.		

So the bill (S. 1555) was passed.

Mr. MORSE. Mr. President, I ask unanimous consent that in the engrossment of the bill the Secretary of the Senate be authorized to make clerical and technical corrections in the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. I also ask that the bill be printed as it passed the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONSTRUCTION OF MODERN NAVAL VESSELS

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business which will be stated.

The LEGISLATIVE CLERK. A bill (H.R. 3293) to authorize the construction of modern naval vessels.

WITHDRAWAL OF FOREIGN TROOPS FROM GERMANY AND EAST EUROPE

Mr. CAPEHART. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an Associated Press dispatch from the Washington Evening Star of April 25, 1959, outlining a statement which I made to the Associated Press and other press associations, as well as to representatives of radio broadcasting companies. My statement dealt with a plan which the Western Powers might well offer to Russia in respect to the Berlin situation.

I ask unanimous consent that the Associated Press dispatch, entitled "Plan Offered by CAPEHART on Troop Issue," be printed in the RECORD at this point as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PLAN OFFERED BY CAPEHART ON TROOP ISSUE

Senator CAPEHART, Republican of Indiana, yesterday offered a Western program for negotiations on Berlin calling for withdrawal of all foreign troops from Germany and East Europe.

He proposed that the North Atlantic Treaty Organization countries offer to defend both Germany and Russia if either is attacked by the other.

Senator CAPEHART, a member of the Foreign Relations Committee, told a reporter he has not offered his proposals for possible consideration at the foreign ministers and summit conferences but he likely will do so.

He suggested:

1. Western powers remove their troops from West Germany in exchange for the withdrawal of Soviet troops from East Germany, Poland, Czechoslovakia and other satellites.

2. Both East and West Germany agree to forego nuclear weapons arming.

3. The NATO countries agree that if Germany is attacked by Russia, they will go to Germany's aid and that if Russia is attacked by a rearmed Germany, the Western allies will defend Russia.

"On the basis of such an agreement," Senator CAPEHART said, in an interview, "we might then well consider a trade program with Russia."

He said that if his suggestions could be agreed upon at the coming negotiations the way would be opened not only for the reunification of Germany, but greater freedom throughout Eastern Europe.

"We could end up with every one of those countries having their own kind of government," Senator CAPEHART said.

NATIONAL RAILROAD FREIGHT CAR SUPPLY

Mr. MORSE. Mr. President, yesterday the Senator from Washington [Mr. MAGNUSON] introduced the bill (S. 1789) which is designed to insure the adequacy of the national railroad freight car supply by allowing the Interstate Commerce Commission to fix compensation to be paid by one railroad to another for the use of freight cars.

Under the terms of the bill, the Commission must give consideration to the level of freight car ownership and to other factors affecting the adequacy of the national freight car supply. Compensation for the use of such cars under the present law, and its interpretation by the courts, can include only the bare costs of ownership. This bill would either allow compensation to include a fair return on value, or be computed on the basis of value of use of freight cars, or upon any other reasonable basis of compensation as in the judgment of the Interstate Commerce Commission will provide just and reasonable compensation to freight car owners, contribute to sound freight car service practices and encourage the acquisition and maintenance of a freight car supply adequate to meet the needs of commerce and the national defense.

It is, in my opinion, unfortunate that a bill of this sort is necessary. The railroads are constantly complaining that they are not in a position to compete ratewise with other forms of transportation but periodically they find themselves unable to take promptly the business offered them. To the credit of the western railroads, it may be said that they are much more provident about their freight car supply than are the railroads in the East.

This bill will put into play the inexorable force of economics to encourage eastern railroads to return the cars to their owners in the West rather than pay per diem charges reflecting the value of the use of the equipment. Return of such equipment promptly to the West will help alleviate the shortages of cars with which lumber shippers of Oregon periodically are confronted.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of executive business for the consideration of nominations beginning with the Chairman of the Joint Chiefs of Staff.

The motion was agreed to, and the Senate proceeded to the consideration of executive business.

CHAIRMAN, JOINT CHIEFS OF STAFF

The legislative clerk read the nomination of Gen. Nathan F. Twining to be Chairman of the Joint Chiefs of Staff.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

IN THE ARMY

The legislative clerk read the nomination of Gen. Lyman L. Lemnitzer to be Chief of Staff of the Army for a period of 2 years.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Maj. Gen. Leonard Dudley Heaton to be Surgeon General, U.S. Army.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Maj. Gen. Ralph Thomas Nelson to be Chief Signal Officer, U.S. Army, and as major general in the Regular Army of the United States.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

THE RETIRED LIST

The legislative clerk read the nomination of Gen. Maxwell Davenport Taylor to be a general.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Lt. Gen. James Dunne O'Connell to be a lieutenant general.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

REGULAR AIR FORCE

The legislative clerk read the nomination of Maj. Gen. Bernard A. Schriever to be assigned to positions of importance and responsibility designated by the President in the rank of lieutenant general.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Gen. Thomas D. White to be reappointed as Chief of Staff of the Air Force.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

IN THE NAVY

The legislative clerk read the nomination of Rear Adm. John T. Hayward to be appointed to the grade of vice admiral while serving commands and other duties.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Vice Adm. John M. Will to be placed on the retired list in the grade of vice admiral.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Rear Adm. Roy A. Gano to be a vice admiral while serving in certain positions.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Adm. Arleigh A. Burke, to be reappointed as Chief of Naval Operations, for a period of 2 years.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the President be notified of the nominations confirmed today.

The PRESIDING OFFICER. Without objection, the President will be so notified.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. I move that the Senate proceed to the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

SECOND SUPPLEMENTAL APPROPRIATION BILL, 1959

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 197, H.R. 5916, the second supplemental appropriation bill of 1959.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 5916) making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

PROGRAM FOR NEXT WEEK

Mr. JOHNSON of Texas. Mr. President, I announce that there will be no debate on the appropriation bill today.

On Monday we expect to have a yea-and-nay vote on the treaty on the Executive Calendar. We also expect, if it is agreeable to the chairman of the Committee on Foreign Relations, and to the senior Senator from Oregon, to discuss the Luce nomination. The chairman of the Committee on Foreign Relations has indicated that he would be prepared to discuss that nomination on Monday. Therefore I should like to have Members of the Senate to be on notice that there will be yea-and-nay votes on both matters.

Mr. MORSE. Mr. President, I shall be ready to discuss the nomination on Monday. I should like to request the majority leader to give consideration to assisting me, if he is inclined to do so, to have a yea-and-nay vote on the Luce nomination.

Mr. JOHNSON of Texas. In addition, Mr. President, there will be a meeting of the policy committee on Monday, and probably other proposed legislation, such as the railroad retirement bill, will be called up for action next week.

Mr. President, before I conclude I wish to express my deep appreciation to the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN], for his generous and genuine statement about me earlier today. I appreciate working with him, and I am grateful that we have in the minority leadership such an able and understanding person.

NUCLEAR TEST BANS

Mr. CHURCH. Mr. President, there has just appeared on the news ticker of the United Press the following news story:

Moscow.—Soviet Premier Khrushchev has written a personal letter to President Eisenhower calling for a halt of "all tests of nuclear weapons," Tass News Agency said tonight. It reported that the message was handed to the U.S. State Department in Washington yesterday by Soviet Ambassador Mikhail Menshikov.

The message was an answer to a note Eisenhower sent to the Soviet Premier April 13 appealing personally to Khrushchev to help get the deadlocked nuclear talks in Geneva back on a working basis.

Eisenhower wrote that if Moscow was unwilling to go along with "on-site inspection" of possible violations of a test ban treaty, it might accept as a first step toward a complete ban the cessation of nuclear weapons tests in the atmosphere to the height of 30 miles.

"We should not flinch before the difficulties attached to agreement on a test ban," Khrushchev wrote.

"We should muster strength of will and show an appreciation of the need to conclude an agreement providing for the stopping of all tests of nuclear weapons—in the atmosphere, underground, under water and at great altitudes," the letter said.

Mr. President, at this point I interject the comment that the position of the United States has been made quite plain at Geneva. We are in favor of a test ban on nuclear explosions in the atmosphere, underground, under water, and at great altitudes. We have asked only that such a ban be policed by a reasonable detection and control system, to give protection against covert violations. If the Soviet Premier is really sincere in wishing to obtain this ban, he can obtain it readily enough. All he need do is instruct his negotiator, whose intransigence is responsible for the stalemate at Geneva, to stop demanding a veto power over the activities of the proposed international control commission. All he need do is to instruct his negotiator to cease objecting to a reasonable kind of on-site inspection which the technicians agree is necessary in order to determine whether a given subterranean disturbance is a nuclear explosion or an earthquake. All he need do is simply to make it plain that he does not continue to insist upon obstructing the work of this commission with impossible redtape.

If he does so, he can have an all-out ban on all types of nuclear explosions.

The position of the United States and Great Britain has altered in no particular in this regard, and I believe that in his heart the Soviet Premier knows it.

I continue to read from the dispatch:

The Soviet Premier said his Government considers that the stopping only of nuclear explosions made at heights of up to 50 kilometers as suggested by the President of the United States of America will not solve the problem. The objective of preventing the manufacture of new and more destructive types of atomic weapons would not be achieved in that case.

Mr. President, I should like to interject another comment. If ever a strawman excuse was given, this is it. In the first place, the all-out ban which the Russians say we must attempt to achieve, and which we are willing to achieve, if possible, has nothing at all directly to do with the manufacture of atomic weapons. It is a non sequitur. If the Soviet Premier is worried that continued underground tests and spatial tests might contribute to the development of weapons of greater power, then let me ask: What greater power is needed than the power we have already achieved in 10-, 15-, and 20-megaton bombs?

The fact of the matter is that we are at Geneva not for the purpose of trying to reach an agreement upon the manufacture of nuclear weapons; we are there for the purpose of putting an end to nuclear tests. This, as I have indicated, is not relevant as an excuse for refusing to accept the proposal of the President.

I continue to read from the dispatch:

Khrushchev's note said atomic explosions at heights of more than 30 miles "would poison the air and the soil by contaminating with radioactive fallout the vegetation which forms part of the food of animals and finds its way into man's organisms * * *."

He said, therefore, the people of the world would be justified in condemning an agreement to end tests only under the 30-mile limit as "an unfair deal."

That is the end of the dispatch. Everybody in this field knows that the kind of nuclear tests which contribute in a substantial way to the pollution of the air are those which occur within the limits of the President's proposal.

I am not discouraged or dejected by the reply of the Soviet Premier. I think it is noteworthy that he did not reject out of hand the President's proposal. I think it is significant that he has left the door open for further negotiations upon this proposal or possible acceptable alternatives.

Moreover, I think we should expect the Soviet Premier to get all the propaganda value he can from any proposal offered by the United States and Great Britain. We must be mindful of the fact that a conference of foreign ministers is ahead, and also a summit conference.

I hope the President of the United States will persist in attempting to achieve this limited test ban, if no other is available, and that he will utilize the opportunities presented in the coming Foreign Ministers Conference and summit conference to this end. I feel that there is reason to believe that we may yet achieve the kind of agreement with the Soviet Union, backed with a trustworthy inspection and control system, which will stop the poisoning of the air.

It was this proposal which I made to the State Department 6 weeks ago. It is this proposal which has now been adopted. We have made our position clear at Geneva, and I hope that before the year is out we will have made that first great step forward to end pollution of the air and toward the establishment of controls throughout the world upon which we can base more extended agreements toward peace in future years.

DECLINE OF QUALITY RADIO AND TELEVISION PROGRAMS

Mr. MONRONEY. Mr. President, I call the attention of the Senate to the approaching death, on June 1, of an entertainment program which has delighted American radio and television audiences for 30 years, the Voice of Firestone. This quality program has again become the victim of the munbo-jumbo cult of TV ratings.

Five years ago, the Voice of Firestone was unceremoniously kicked off NBC as a result of the microscopic samplings of the rating services, but found a home in prime time on the ABC network, which at that time was trying to build a quality audience for its advertisers.

Mr. Harvey Firestone, its manager, insisted that if an advertiser was willing to pay his own money for a quality program to advertise a quality product, censorship through TV ratings and subservient network officials would not deter him.

But despite this determination of an experienced advertiser to advertise his product with a program he thought worthy and apparently profitable to his company, the desires of the advertiser and of the public get short shrift, because the TV rating services rate close to the Sermon on the Mount on Madison Avenue in importance.

Now ABC, apparently prosperous with its two-gun westerns, its "Maverick," and whodunits, seems to have gone trigger-happy along with NBC and CBS for the blood and thunder which fatten the batting average in the daily TV rating services.

It will be remembered that in the last Congress I raised the question whether the television programs which were being made available to the public were not the slaves of the so-called rating services.

During the hearings conducted by the Senate Committee on Interstate and Foreign Commerce on the general subject of television ratings, I referred to the importance of this "numbers game" and the baleful influence it had on the programing which was being made available to the general public.

As we all know, the holders of the television licenses are mandated, when given their licenses, to operate in the public interest, convenience, and necessity. I know it is extremely difficult for anyone to define with any specificity the full scope of the words "public interest." I shall not attempt to define that phrase at this point, nor am I overlooking the fact that in this country we have a system of radio and television which is superior to that of any other nation in the entire world. However, I cannot help referring to a recent talk made by one of America's most competent radio and television commentators, Edward R. Murrow, who said he could "find nothing in the Bill of Rights or the Communications Act which says that they—licensees—must increase their net profits each year, lest the Republic collapse." The most recent announcement from the networks indicates the financial success which they have enjoyed during the past year. Therefore, it was with a great sadness that I read last week of the arbitrary action of ABC, and the two other networks, CBS and NBC, in refusing to make a half hour of prime evening time available so that the Voice of Firestone could be televised during the next season.

The feeling of the people, I think, is best reflected in the heading of an article by the highly respected Jack Gould of the New York Times, who referred to the Voice of Firestone program and called it the "Victim of Ratings."

Mr. Lawrence Laurent, the competent radio-television reporter for the Washington Post, and who certainly cannot be classified as antibroadcasting, referred to the cancellation of Voice of Firestone as "the news which will sadden every music lover who possesses a television receiver."

Newsweek magazine this week heads its comment with reference to the Voice of Firestone program and the networks as, "No time for quality."

In looking at the television schedule, I noted that ABC, desirous of building its ratings on Monday nights, has decided to substitute a Dixieland detective show called "Bourbon Street Beat" for Voice of Firestone.

I find it difficult to believe that the three networks cannot find time in the prime evening hours for a program of the type symbolized by the Voice of Firestone.

In 1957, after extensive hearings with regard to television network practices, a staff report was prepared for the Committee on Interstate and Foreign Commerce. In discussing the problem of regularly scheduled public affairs programs appearing on the various networks, it was stated:

It can be seen at a glance how little of these (public service) programs fall into the peak viewing hours and what a high percentage are presented in the off-peak hours on Sunday. Here again it would seem that the networks have an obligation to present some of these very fine programs in periods when most people will be available to watch them.

It is recognized that the field of programing is a difficult and sensitive one, but it is the ultimate measure of whether a station operates in the public interest. Certainly it is not very constructive merely to cry "censorship" whenever it is suggested that the level of programing can be improved. The essence of censorship is either prior restraint to prevent the publication or broadcasting of disfavored opinion or entertainment, or the enforced publication or broadcast of favored opinion or entertainment. Are Voice of Firestone and various other types of public service programs to remain the victims of the fallacy of chasing audience ratings at the expense of program quality?

When the television networks and the other licensees accepted their licenses from the FCC, they assumed the responsibility of operating in the public interest. It appears to me that the present level of operation is geared to a mumbo-jumbo of ratings.

For 75 million viewers this is censorship by the small, infinitesimal, and doubtful sampling of a Madison Avenue created czar.

Thus the laws of the Nation and the rules of the FCC for public service responsibilities are reversed and negated because the network presidents supinely bow to this fictitious god which tells America what it may hear and see.

In the April 22, 1959, issue of Variety, George Rosen, a leading radio and TV writer, refers to the programs to be made available by the networks next season as follows:

Most depressing aspect of the new schedules (a lot of it, of course, will be subject to change between now and September preem time) is the Johnny-one-note programing content. There may (and then again may not) be a sleeper or two among the lot, but overall there's little to quicken the pulse or excite the imagination. Here and there a potentially promising situation comedy or the Ford-sponsored "Fabulous 30" on NBC and the reserving of Friday, 8:30 to 9:30, for "every week at the same time," specials, but drama series crops up on NBC or CBS; there's in the main, it looks like the fading 1958–59

season all over again, but in spades, with a superabundance of westerns and action shows.

The titles of the new ones pretty much speak for themselves—NBC's "Laramie," "River Boat," "Five Fingers," "Black Cat," "Whispering Smith," "Wichita Town," "Bonanza," "Johnny Staccato," "Jeopardy."

At ABC it's "Alaskan," "Bourbon Street Beat," "Adventures in Paradise," "Hawaiian Paradise," "Cry Fraud," "Bronco."

At CBS the diet is slightly more variegated, with such entries as "Peck's Bad Girl," "June Allyson Show," the new Sunday at 10 team up of Jack Benny and George Gobel, "Dobie Gillis," "Hennesey," "Dennis the Menace," "Twilight Zone," and an hour version of "Lineup."

But allowing for a few promising exceptions, 7:30 to 11, 7 nights a week, is hardly calculated to give television that image which, even now, the industry is trying so desperately to achieve.

It speaks for itself.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the following editorials and articles:

An article entitled "ABC Turns a Deaf Ear to Voice of Firestone," from the Washington Post of April 16, 1929; an editorial entitled "Networks' Blunder," from the Akron Beacon Journal, April 16, 1959; an article entitled "Victims of Ratings," written by Jack Gould and published in the New York Times of April 19; an article entitled "No Time for Quality," published in Newsweek magazine; and the article entitled "Hot Race for That TV Loot," which was written by George Rosen and was published in the April 22 issue of Variety.

There being no objection, the editorial and the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post and Times Herald, Apr. 16, 1959]

ABC TURNS A DEAF EAR TO "VOICE OF FIRESTONE"

(By Lawrence Laurent)

The bluest and saddest musical notes of this sad and blue television season were sounded this week in Akron, Ohio. The news, which will sadden every music lover who possesses a television receiver is that the "Voice of Firestone"—age 30 years—will disappear after its June 1 broadcast.

A spokesman for Firestone said: "We deeply regret that we have been forced to discontinue the "Voice of Firestone" because we sincerely believe TV viewers have appreciated quality programing and have looked forward to our half hour of music with great pleasure."

He added: "Apparently, the American Broadcasting Co., which has carried the 'Voice of Firestone' for the past 5 years, does not agree with our opinion."

The sponsor said the program is being withdrawn because no suitable network time is available. An announcement from the Firestone Tire & Rubber Co. adds: "Presentation by TV networks were heard by Firestone this week but no suitable evening time period was offered."

"The Voice of Firestone" was a Monday evening fixture on NBC radio for 25 years. It was the first commercially sponsored musical program to be televised on a regular basis.

Five years ago, NBC wanted to shift the program out of its 9 p.m., Mondays, time slot. Firestone shifted the program, instead, to ABC–TV, and there the program has remained. It has been television's only regularly offered program of the finest music of our heritage.

ABC–TV wanted the program moved to a different time period. The network, caught up in the industry's frenzy for higher and higher audience ratings, hopes to substitute an adventure program in the time period. Reports in the trade indicate that the Firestone Co. was offered only one time period: A place in the intellectual ghetto of Sunday afternoon, the time when the smallest possible audience is able to watch a television program.

This sad story illustrates once more the fallacy of chasing audience ratings at the expense of program quality. Usually, the networks blame advertising agencies and sponsors. In this case, however, ABC–TV can blame only itself. The sponsor is quite happy with his audience: Small, intelligent, loyal and of high quality.

Just last month in Chicago, Robert Sarnoff appeared before the National Association of Broadcasters and proposed an industry-wide campaign to win greater prestige for the television industry. As a result, a committee has been formed, a budget is being prepared and a lot of money will be spent to change the public's opinion of TV.

Since the industry is a rich one, it can be assumed that the campaign will have some effect. Maybe we'll all come to love the television box as we once loved the entire motion picture industry.

Maybe if our eyes and ears are assailed often enough, we'll even learn to respect an industry that has no time for a sponsored program such as the "Voice of Firestone."

[From the Akron Beacon Journal, April 16, 1959]

NETWORKS' BLUNDER

For almost as long as there has been entertainment on the air there has been a program sponsored by Firestone.

It won't seem quite the same after June 1 when the Firestone musical half hour on Monday nights will end. The founder of the firm started Firestone on radio way back in 1928 and for the entire 30-year period the company has held to a high standard of musical excellence, in radio and later in television.

The action of the networks in denying the Firestone program prime evening time can't help but place the top brass of TV in a peculiar light with many viewers. The rubber company was using the program to present the Firestone name and products to the Nation. The program must have been doing what the company executives regarded as an adequate job from the sales standpoint, for they were perfectly willing to continue to pay for one of the preferred, and expensive, time segments on the TV evening schedule.

But the fact that the sponsor and the viewers were in agreement on the program's value and quality apparently carried no weight with the network currently airing the "Voice of Firestone" or with the two competing networks. Ratings are all that count.

We regret the passing of the "Voice of Firestone." But we shall watch with interest to see what kind of shoot-'em-up horse opera or who-dunnit the TV people come up with to replace a program dedicated to good music.

[From the New York Times, Apr. 19, 1959]

VICTIM OF RATINGS—"VOICE OF FIRESTONE" SUCCUMBS TO HARSH ECONOMICS OF TELEVISION INDUSTRY

(By Jack Gould)

It is one of the more prevalent assumptions in television that sponsorship holds the solution to almost all problems. The theory goes that if only enlightened advertisers would see the wisdom of catering to specialized audiences and do their part in appealing to the minority as well as majority groups the whole shape of TV could be changed and evening schedules would blossom with more diversified fare.

Last week this happy theory was knocked into a cocked hat when the three major networks turned a deaf ear to the appeal of "The Voice of Firestone" for a half-hour of prime evening time in which to offer its concert program next season.

WILLING

It was not enough that the Firestone Tire & Rubber Co. was willing to pay the going rate for the time on the air and was satisfied with the smaller audiences its type of presentation attracts. Rather the company in effect was told that it must conform to the inevitable pursuit of ratings in the principal evening hours or settle for less important periods, such as late afternoon or early evening on Sunday, as proposed by the National Broadcasting Co. and Columbia Broadcasting System, or 10:30 p.m. Mondays as suggested by the American Broadcasting Co.

The Firestone concern wanted a half hour in prime time, which is generally considered by advertisers to run from 7:30 to 10:30 p.m. When it became obvious last week that such a period would not be forthcoming the company decided to withdraw "The Voice of Firestone" after a run of 31 years on radio and TV.

This is not the first instance of scheduling difficulty for "The Voice of Firestone." In 1954 the program was dropped unceremoniously by NBC. Then the presentation found a haven with ABC, where it has been seen this season at 9 p.m. on Mondays. A few weeks ago ABC decided that "The Voice of Firestone" had to get out of the way again.

GOAL

Admittedly, "The Voice of Firestone" always has been the subject of considerable discussion. Its programing approach has been formal and stiff, though much less so this year than in the past. But the program also has been the only weekly half-hour on TV that regularly offered top concert artists; often it has been pleasant and effortless listening. The Firestone concern at least asked only one privilege: to serve a chosen segment of the total audience at the best possible hour. As an ideal goal for corporate behavior in TV that seems hard to beat.

But that such a standard is not sufficient to survive contemporary television is also abundantly clear. The trials of "The Voice of Firestone" vividly illustrate the practical workings of TV, particularly at a time when competition among the three networks is becoming more intense.

The real reason for the sustained cold shoulder toward "The Voice of Firestone" is the abiding fear of networks that even one program with a comparatively low rating may do harm to an entire evening's schedule.

If part of the potential audience is lost by one program, they argue, it means a smaller carryover to the succeeding program and, by extension, to the one following thereafter. Also, if the viewer strays to another channel he may be very hard to win back; once tuned to a rival station, he may find several shows, not merely one, that he likes.

VIEWERSHIP

In other words, there may be cases where a single advertiser is willing to settle for a smaller audience in the evening, but he cannot do so without possibly affecting the size of the audiences for other advertisers not so inclined. And from the standpoint of the networks, they are concerned with the

circulation, or total viewership, for many programs, not just one.

It is such concern for contiguous circulation that explains more than any other single fact why the ways of TV often seem baffling to the layman. So long as it is necessary to avoid the prospect of even a single soft link in a chain of programs, there is a built-in, automatic limitation on what type of programing can be done in an evening schedule.

The consequences of this approach to programing—not weighing the individual show as an entity but as part of a complex mosaic—is readily apparent. No single presentation can break very far out of the established pattern of popularity without theoretically dragging other shows down with it. The overall pressures for a sustained audience of great size at all times, accordingly, dictate adherence to sameness.

These pressures, far from lessening, are increasing. The ABC network, which has less diversity and programing and does less public service than either CBS or NBC, has enjoyed this season a literally fantastic increase in its total audience. Next year it intends to step up its quota of adventure and mystery programs and there are some within the industry who would not be surprised if it moved into the No. 1 position in terms of the size of its week-long following.

SITUATION

Were such a development to occur, both NBC and CBS would be hard put not to respond more vigorously with similar programing. At a time when television is under substantial fire for the general level of its programing, the industry actually is in the middle of a competitive three-network situation that might allow less leeway, not more, in programing diversity.

In many ways "The Voice of Firestone" stands as something of a symbol of perhaps the foremost problem confronting TV: how to find even just a little time within the prime evening viewing hours for the minority programing common to Sunday afternoon. If it's ever to be done with predictability and regularity it's a fair guess that 90 percent of the criticism of the medium would evaporate overnight.

[From Newsweek, Apr. 1959]

NO TIME FOR QUALITY

In its brief 10 years, television has become strewn with more toppled monuments than 20 centuries brought to Rome's forum. One of the most venerated of all came tumbling down last week when the "Voice of Firestone" ended 30 years on radio, 11 on television. This particular monument-wrecking job was crueler than most since Firestone was happy with its program, and eager to carry on.

But ABC–TV, anxious to build jumbo ratings on Monday nights, had decided to substitute a Dixieland detective show called "Bourbon Street Beat" for Firestone's Bach and Beethoven. They skipped the courtesy of informing Firestone of their plans before they were announced in the press. Understandably indignant, the rubber company, which had changed networks five years ago after a similar snub from NBC, asked the two other networks what they could do for them. The best CBS and NBC could offer was time on Sunday afternoon, long known as "TV's Intellectual Ghetto."

The Firestone program's exit speech (their last show will be on June 1) was a blend of honey and bitters: "We deeply regret that we have been forced to discontinue the 'Voice of Firestone' because we sincerely believe television viewers have appreciated quality programing and have looked forward to our half hour of music with great pleasure. Apparently the American Broadcasting Co., which has carried the 'Voice of Firestone' for the past five years, does not agree with our opinion."

It all lent a certain poignance to the brave words of the program's director, A. J. McGinness, a few months ago: "Quality will be around long after the last rating decimal point has vanished."

[From Variety, Apr. 22, 1959]

HOT RACE FOR THAT TV LOOT

(By George Rosen)

As the three major television networks go into the home stretch on sale of program availabilities for next season there is something like $100 million in time-program revenue still to be realized. That represents 20 hours of sponsorless segments in the 7:30 to 11 nighttime area. ABC still has 5½ hours unsold; CBS has 2¾ hours unsold; NBC has 11¼ hours remaining to be sold.

The networks are way ahead of last year and it's a pretty safe bet that they'll all be dangling the SRO banner long before the new semester opens. But from here on in it'll be a highly competitive battle for the still uncommitted sponsor dollar. One thing's for sure—to grab off that remaining $100 million the networks will become less particular about what show goes in where, so long as that cash register is ringing.

NBC's major problems are Saturday and Sunday nights, which combined account for nearly 5 hours of still open time. Widest open night on ABC is Monday, with 1¼ hours still to be sold. CBS, best off among the webs, is the only one sold clean two nights of the week—Monday and Saturday.

Most depressing aspect of the new schedules (a lot of it, of course, will be subject to change between now and September preem time) is the johnny-one-note programing content. There may (and then again may not) be a sleeper or two among the lot, but overall there's little to quicken the pulse or excite the imagination. Here and there a potentially promising situation comedy or drama series crops up on NBC or CBS; there's the Ford-sponsored "Fabulous 30" on NBC and the reserving of Friday, 8:30 to 9:30, for every week at the same time specials, but in the main it looks like the fading 1958–59 season all over again—but in spades, with a superabundance of westerns and action shows.

The titles of the new ones pretty much speak for themselves—NBC's "Laramie," "River Boat," "Five Fingers," "Black Cat," "Whispering Smith," "Wichita Town," "Bonanza," "Johnny Staccato," "Jeopardy."

At ABC it's "Alaskan," "Bourbon St. Beat," "Adventures in Paradise," "Hawaiian Paradise," "Cry Fraud," "Bronco."

At CBS the diet is slightly more variegated with such entries as "Peck's Bad Girl," "June Allyson Show," the new Sunday at 10 teamup of Jack Benny and George Gobel, "Dobie Gillis," "Hennessey," "Dennis the Menace," "Twilight Zone," and an hour version of "Lineup."

But allowing for a few promising exceptions, 7:30 to 11, 7 nights a week is hardly calculated to give television that image which, even now, the industry is trying so desperately to achieve.

ADJOURNMENT TO MONDAY

Mr. MONRONEY. Mr. President, I move that the Senate now adjourn until Monday, at 12 o'clock noon.

The motion was agreed to; and (at 5 o'clock and 1 minute p. m.) the Senate adjourned until Monday, April 27, 1959, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate April 25, 1959:

IN THE ARMY

The following-named officer to be placed on the retired list in the grade indicated under the provisions of title 10, United States Code, section 3962:

To be lieutenant general

Lt. Gen. Clovis Ethelbert Byers, O12769, Army of the United States (major general, U.S. Army).

CONFIRMATIONS

Executive nominations confirmed by the Senate April 25, 1959:

CHAIRMAN OF THE JOINT CHIEFS OF STAFF

Gen. Nathan F. Twining, U.S. Air Force, to be reappointed as Chairman of the Joint Chiefs of Staff.

IN THE ARMY

Gen. Lyman L. Lemnitzer, U.S. Army, to be appointed as Chief of Staff of the Army for 2 years, vice Gen. Maxwell D. Taylor, U.S. Army.

Maj. Gen. Leonard Dudley Heaton, O16960, Medical Corps, U.S. Army, for appointment as the Surgeon General, U.S. Army.

Maj. Gen. Ralph Thomas Nelson, O17308, Army of the United States (brigadier general, U.S. Army), for appointment as Chief Signal Officer, U.S. Army, and as major general in the Regular Army of the United States.

The following-named officers to be placed on the retired list in the grade indicated under the provisions of title 10, United States Code, section 3962:

To be general

Gen. Maxwell Davenport Taylor, O14898, Army of the United States (major general, U.S. Army).

To be lieutenant general

Lt. Gen. James Dunne O'Connell, O14965, Army of the United States (major general, U.S. Army).

IN THE AIR FORCE

To be Chief of Staff

Gen. Thomas D. White, U.S. Air Force, to be reappointed as Chief of Staff of the Air Force for a period of 2 years.

To be lieutenant general

Maj. Gen. Bernard A. Schriever, 1519A, Regular Air Force, to be assigned to positions of importance and responsibility designated by the President in the rank of lieutenant general, under the provisions of section 8066, title 10, of the United States Code.

IN THE NAVY

Having designated, under the provisions of title 10, United States Code, section 5231, the following-named officer for commands and other duties determined by the President to be within the contemplation of said section, he was nominated for appointment to the grade of vice admiral while so serving:

Rear. Adm. John T. Hayward, U.S. Navy.

Vice Adm. John M. Will, U.S. Navy, to be placed on the retired list in the grade of vice admiral under the provisions of title 10, United States Code, section 5233.

Having designated, under the provisions of title 10 United States Code, section 5231, Rear Adm. Roy A. Gano, U.S. Navy, for commands and other duties determined by the President to be within the contemplation of said section, he was nominated for appointment to the grade of vice admiral while so serving.

CHIEF OF NAVAL OPERATIONS

Adm. Arleigh A. Burke, U.S. Navy, to be reappointed as Chief of Naval Operations for a period of 2 years.

EXTENSIONS OF REMARKS

Expanded Program of Education

EXTENSION OF REMARKS
OF
HON. JOHN A. CARROLL
OF COLORADO
IN THE SENATE OF THE UNITED STATES
Saturday, April 25, 1959

Mr. CARROLL. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement prepared by me relating to Senate Concurrent Resolution 24, submitted by the Senator from Wyoming [Mr. MCGEE], providing for an expanded program of education on an international level.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CARROLL

This week the junior Senator from Wyoming [Mr. MCGEE] submitted a concurrent resolution calling for an expanded program of education on an international level. I was most happy to be one of the sponsors of the resolution as I feel that it is one of the surest and most economical methods of insuring peace in this troubled world. The same resolution has been introduced in the House by Congressman BYRON JOHNSON, of my home State.

The Fulbright program has been immensely effective in bringing about a greater understanding between people in various countries, but the success of the plan only indicates it should be expanded and we should encourage the development of colleges and technical institutions of higher learning outside the continental United States.

In this regard I want to point out the sixth annual dinner meeting of the Institute of International Education will be held in Denver, Colo., April 27.

This institute administers the exchange student program between the United States and foreign countries and at the meeting students from 20 different foreign countries who are attending Colorado schools will be in attendance.

The speakers will be two members of the institute's board of trustees, the Honorable CHESTER BOWLES, of Connecticut, and Miss Blanche Thebom, widely known prima donna.

Representative BOWLES, who has had a distinguished career in foreign service, knows at first hand of the great amount of good that can be accomplished by the student exchange program. He served this country well when Ambassador to India and did much to smooth the relations between countries. Miss Thebom also has been active in the program and I am happy that they will be able to attend the meeting in Colorado.

Thousands of Americans have participated in the educational exchange program and nationals from over 70 countries have come here to study and broaden their knowledge of how the free world operates.

We have made most commendable progress, but I, along with many others, feel that this country should encourage the United Nations Organization to go even further in the educational program. No appropriation will be necessary as the plan can be financed out of unconvertible foreign currency. I can think of no way these funds could be used to better advantage.

It will afford this country an opportunity of taking a constructive leadership in bringing about better understanding between nations.

Since the international educational exchange program was started in 1938 thousands have participated. From experience in my own State, I know the thousands who have participated in the educational program have done much to improve our foreign relations. But an expanded program would multiply these benefits many fold.

Representative BOWLES will take this message back to Colorado; and I am certain that the Institute of International Education will accept with enthusiasm a move to expand the educational program that is so effective in bringing about understanding, faith, and peace between nations.

Day Care for Children When Mothers Must Work

EXTENSION OF REMARKS
OF
HON. JACOB K. JAVITS
OF NEW YORK
IN THE SENATE OF THE UNITED STATES
Saturday, April 25, 1959

Mr. JAVITS. Mr. President, on March 5 I introduced the Day Care Assistance Act of 1959, S. 1286, to authorize a program of Federal aid for the day care of children outside the home. Hundreds of thousands of children throughout the Nation will continue to be the chief losers so long as we fail to recognize that providing suitable day care for the children of working mothers is a national problem which urgently requires Federal aid to activate State and local efforts in this field and to back up the outstanding voluntary programs now in effect. Until a Federal program such as the one contemplated in my bill is enacted, we are not looking after the needs of these children in households where economic necessity forces the mother to work outside the home. In cases where adequate adult supervision is not available, children are often exposed to influences which may lead to juvenile delinquency and the serious rise in youth crime.

An article appeared in the May issue of Parents Magazine dealing with the question of working mothers and the need for day care for children, and I ask unanimous consent that it be printed in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DAY CARE FOR CHILDREN WHEN MOTHERS MUST WORK—A CALL FOR FEDERAL AID TO HELP SOLVE A NATIONAL PROBLEM

(By JACOB K. JAVITS, U.S. Senator from New York)

Seventy years or so ago, half the women in this country never held a job in their lives. Today, 9 out of every 10 women in the United States will have worked at some time or another during their lifetimes. What's more, over half of today's workingwomen are married. This last statistics means that about 3 million children under the age of 6 have mothers who work; 3,500,000 more children between the ages of 6 and 11 also have mothers who work outside their homes.

Despite our current 7 million working mothers; despite the fact that our national economic trend points to a more likely increase than decrease in their numbers, our social trend is to disapprove of working mothers, to view them with alarm. Opinion surveys among both women and men show an overwhelming majority in favor of the concept that a mother's place is in the home. Psychologists—and the whole battery of social scientists who work in the field of child development—agree. Children under 3, they say, need their mothers' personal care. All children, they add, need the care, the guidance, the warmth, the feeling of being wanted that mothers have immemorially provided. As a parent myself, I believe in the importance of a mother's care for a young, growing child. On the other hand, and again drawing from personal experience, I know that in many homes, due to modest circumstances or the death or physical inability of a husband, it is necessary for the mother to work. I came from such a home myself. No amount of moralizing about the mother's place can override the harsh necessity that faces great numbers of families in the United States where the mother is obliged to be away from home and to work.

The concern of the Federal Government with the welfare of our children has been long established. It dates from the establishment of the Office of Education a little less than a century ago, the establishment of the Children's Bureau in 1910 and of the Women's Bureau in 1920.

This concern matured into a more material expression with the enactment of the aid to dependent children program in the Social Security Act of 1935. To keep needy children in their own homes as much as possible, the program provides aid for those who are living with relatives but are deprived of normal support and care. It was hoped thereby that a widow would not find it necessary to leave her children behind in order to earn money for their support, but could remain home to care for them. The Federal dependent children program has since been supplemented by other programs, such as railroad retirement, old age and survivors insurance, and veterans' benefits designed to provide benefits for the orphaned child. But these programs are insufficient—particularly in the face of the rising cost of living. The average monthly payment per family in the aid to dependent children program is $105; the widow of a veteran with two children receives as little as $122 monthly. No wonder so many women seek employment to supplement these subsistence payments.

But what of the millions of children of working mothers? Their care and supervision varies from that given by other members of the family to almost none at all.

To meet the needs of the very young child of the working mother, there was established in Philadelphia in 1927 the first program of family day care. Under this program the child is placed in the home of a foster mother (who often has children of her own of like age) and returned to his own mother at the end of the working day. The program operates under a system of supervision and controls, all carefully checked. Family day care was slow to catch on at first, but during World War II, when defense requirements drew so many women into the labor force, some 90 communities had family day-care programs. However, for the most part these programs were makeshift and died out after the war.

The most firmly established and widespread programs are those instituted for the care of preschool children at the age when they develop a group consciousness and can be cared for within a group—the years from

3 to 6. In this category are the nursery schools and day-care centers. Nursery schools usually provide care for only half a day or, when a full day is provided, cover normal school hours. Their pupils are not necessarily all children whose parents absolutely require supplemental care for them. Nursery schools can serve working mothers in a part-time job, but the woman with full-time employment must go elsewhere.

The day-care center or day nursery, however, has as its primary function, according to the Department of Labor, provision of good group care and supervision of children in need of supplemental parental care during the day because their own parents are unable to care for them due to employment, sickness, or for some other reason. Today there are day-care centers throughout the United States. All but six States—Maine, Nevada, Oklahoma, South Dakota, Vermont, and Wyoming—have laws providing for their licensing. Many of the States with licensing laws, though, do not provide adequately for their enforcement or else have statutes which do not meet what is regarded as minimum standards today. In some half-dozen States, State financial assistance is given. My community, New York City, helps to support 115 day-care centers operated by 74 private agencies at a cost of $4.5 million annually.

The Federal Government at the present time has no program of support for child-care centers, although the concept of such support is not by any means new. It was accomplished with some success during the depression and the war years when young mothers in the greatest numbers were in the labor force.

In 1945 a program which received part of its operating costs from Federal funds was operating in 395 communities in 46 States. Hawaii, and the District of Columbia. The program expired at the end of hostilities and was not revived until the Korean war crisis. In 1951 the Defense Housing and Community Facilities and Services Act included day-care centers in its definition of community facilities and services. But no funds were appropriated and the effort did not get off the ground.

While these programs indicate congressional recognition of the important and helpful role of day-care centers, they are not the only programs with Federal support that have been undertaken. Others include those day-care centers at the Atomic Energy Commission facilities at Oak Ridge and Los Alamos and in local housing projects financed by the Public Housing Administration. In addition, the Congress in 1954 permitted working mothers to deduct expenses for the care of their children up to $600 annually in computing their income tax. Furthermore, the Federal Government has for years made grants not only for aid to dependent children but also for maternal and child health, child welfare, crippled children's services and a National School Lunch Program.

In recognition of the need for day-care centers in our present social order, I sponsored last year the Day Care Assistance Act to make annual grants to assist in providing facilities and services for children needing day care outside their homes. I have reintroduced this measure, somewhat revised after study by experts in day care, in the current 86th Congress. It would make such care available not only to children of working mothers but also to children requiring special attention because they are mentally or physically handicapped or lacking adequate home care.

Legislation of this type is long overdue. In sponsoring it, I am not, of course, advocating that mothers of young children be encouraged to work, but many of these mothers have no other choice. To turn our backs on this fact is to do a disservice to our national future. To wait until a national emergency arises before we give recognition to the need would be folly. The Federal Government has an obligation to work cooperatively with the States and municipalities to provide day care for the overwhelming majority of children for whom such care is not available. The time to discharge this obligation is now.

SENATE

MONDAY, APRIL 27, 1959

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Almighty God, Thou art the true home of our souls, whence we sprang, to whom we belong, where alone we are altogether understood, and in whose love and fellowship we may renew our strength.

At the beginning of another week, comfort us, we beseech Thee, with a vivid awareness of the spiritual verities by which we are surrounded, that we may be stripped of pride and made humble and penitent.

May we walk with Thy light on our ways, making our darkness visible, that in Thy light we may see light, and by Thy grace face our tasks as public servants forgiven, cleansed, and empowered.

In a world full of the clamor of the violent, the boasting of the arrogant, and the agony of tortured peoples, make us valiant in a day when the hearts of many turn to water.

As undefeated souls, may we sustain the shocks of these volcanic days, master their handicaps, and at last make even the wrath of men to serve Thee.

In the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Saturday, April 25, 1959, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

FINAL REPORT OF NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS—MESSAGE FROM THE PRESIDENT (S. DOC. NO. 6)

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Aeronautical and Space Sciences:

To the Congress of the United States:

In compliance with the provisions of the act of March 3, 1915, as amended, which established the National Advisory Committee for Aeronautics, I transmit herewith the Forty-fourth and Final Annual Report of the Committee for the fiscal year 1958. This report covers the activities of the Committee through the close of business September 30, 1958, when it was superseded by the National Aeronautics and Space Administration.

The National Advisory Committee for Aeronautics is to be commended for its many contributions to the progress of aeronautical science in the United States and for the spirit of teamwork in aeronautics it has inspired among leaders in science, the military and industry. I wish also to acknowledge at this time the excellent work and dedication of the Committee's research staff who, over the years, have given unstintingly of their talents in a manner which reflects credit upon them and all other civil service personnel of the United States.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *April 27, 1959.*

MESSAGE FROM THE HOUSE—ENROLLED BILL AND JOINT RESOLUTION SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bill and joint resolution, and they were signed by the President pro tempore:

H.R. 2589. An act for the relief of Elizabeth Lucie Leon (also known as Lucie Noel); and

S.J. Res. 19. Joint resolution authorizing the Architect of the Capitol to present to the Senators and Representative in Congress from the State of Alaska the official flag of the United States bearing 49 stars which is first flown over the west front of the United States Capitol.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Permanent Subcommittee on Investigations of the Committee on Government Operations was authorized to meet during the sessions of the Senate today and tomorrow, April 28, 1959; and the Subcommittee on Juvenile Delinquency of the Committee on Labor and Public Welfare was authorized to meet during the session of the Senate today.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule, there will be the usual morning hour; and I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

H.R. 1535. An act for the relief of Sister Mary Damion (Maria Saveria D'Amelio), Sister Maria Tarcisia (Maria Giovanna

Fenuta), and Sister Mary Regina (Maria Lizzi) (Rept. No. 226); and

H.R. 1727. An act for the relief of Dimitrios Kondoleon (also known as James Kondolous (Rept. No. 227).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 178. A bill for the relief of Wong Bick Quon (Maria Wong) (Rept. No. 223);

S. 199. A bill for the relief of Stanislawa Siedlecka (Rejman) (Rept. No. 224); and

S. 593. A bill for the relief of Angelinas Cuacos Steinberg (Rept. No. 225).

By Mr. HART, from the Committee on the Judiciary, without amendment:

S. 548. A bill granting the consent of Congress to a Great Lakes Basin Compact, and for other purposes (Rept. No. 231).

By Mr. ANDERSON, from the Joint Committee on Atomic Energy, without amendment:

S. 1197. A bill to amend the Atomic Energy Act of 1954, as amended (Rept. No. 230); and

S. 1228. A bill to amend Public Law 85-590 to increase the authorization for appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes (Rept. No. 229).

REPORT ENTITLED "TRADING WITH THE ENEMY ACT" (S. REPT. NO. 228)

Mr. JOHNSTON of South Carolina. Mr. President, from the Committee on the Judiciary, pursuant to Senate Resolution 232, 85th Congress, 2d session, as extended, I submit a report entitled "Trading With the Enemy Act," prepared by the Subcommittee to Examine and Review the Administration of the Trading With the Enemy Act. I ask that the report may be printed.

The PRESIDENT pro tempore. The report will be received and printed, as requested by the Senator from South Carolina.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ELLENDER (by request):

S. 1797. A bill to authorize the Secretary of Agriculture to grant easements for rights-of-way over national forest lands and other lands under the jurisdiction of the Department of Agriculture, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. BUSH:

S. 1798. A bill to amend the Federal Deposit Insurance Act to eliminate the payment of premiums on deposits of trust funds by fiduciary banks in uninsured banks; to the Committee on Banking and Currency.

(See the remarks of Mr. BUSH when he introduced the above bill, which appear under a separate heading.)

By Mr. McCARTHY:

S. 1799. A bill to amend section 218 of the Social Security Act with respect to the provision of social security coverage for certain employees of the State of Minnesota; to the Committee on Finance.

By Mr. BEALL:

S. 1800. A bill to authorize the transfer of certain property owned by Garfield Memorial Hospital to the Convalescent Hospital of Washington, D.C., Inc.; to the Committee on the District of Columbia.

By Mr. MAGNUSON (by request):

S. 1801. A bill to amend the Communications Act of 1934 in order to impose certain requirements on community antenna television systems;

S. 1802. A bill to amend section 208(c) of the Interstate Commerce Act, as amended;

S. 1803. A bill to amend section 212(a) of the Interstate Commerce Act, as amended;

S. 1804. A bill to amend part III of the Interstate Commerce Act to authorize the Interstate Commerce Commission to revoke, amend, or suspend water carrier certificates or permits under certain conditions;

S. 1805. A bill to amend the Clayton Antitrust Act and the Federal Trade Commission Act with respect to the applicability thereof to contract carriers subject to the Interstate Commerce Act, and for other purposes;

S. 1806. A bill to revise title 18, chapter 39 of the United States Code, entitled "Explosives and Combustibles";

S. 1807. A bill to amend section 5(10) of the Interstate Commerce Act, as amended, to change the basis for determining whether a proposed unification or acquisition of control comes within the exemption;

S. 1808. A bill to amend section 222(b) of the Interstate Commerce Act with respect to the service of process in enforcement proceedings, and for other purposes;

S. 1809. A bill to repeal section 303(b) of the Interstate Commerce Act, as amended, relating to the water-carrier bulk commodity exemption, and for other purposes; and

S. 1810. A bill to repeal the provisions of section 5 of the act of July 28, 1916, as amended, relating to the furnishing of information to the Postmaster General by the Interstate Commerce Commission with respect to revenue received by railroads from express companies for the transportation of express matter; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bills, which appear under separate headings.)

By Mr. MAGNUSON (for himself and Mr. SCHOEPPEL) (by request):

S. 1811. A bill to amend section 1(14)(a) of the Interstate Commerce Act, to provide an incentive for construction and maintenance of an adequate national supply of freight cars; and

S. 1812. A bill to amend section 1(15) of the Interstate Commerce Act, so as to aid in alleviating shortages of railroad freight cars during periods of emergency or threatened emergency, and for other purposes; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bills, which appear under a separate heading.)

By Mr. MAGNUSON (by request):

S. 1813. A bill to amend sections 2322 and 2323 of title 28, United States Code; to the Committee on the Judiciary.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appear under a separate heading.)

By Mr. BYRD of West Virginia:

S. 1814. A bill for the relief of S. A. Romine; to the Committee on the Judiciary.

By Mr. WILLIAMS of New Jersey:

S. 1815. A bill for the relief of Muhammad Yusuf Chaudry; to the Committee on the Judiciary.

By Mr. CLARK:

S. 1816. A bill to amend section 3568 of title 18, United States Code, to provide for reducing sentences of imprisonment imposed upon persons held in custody for want of bail while awaiting trial by the time so spent in custody; to the Committee on the Judiciary.

(See the remarks of Mr. CLARK when he introduced the above bill, which appear under a separate heading.)

FURTHER OPPOSITION TO MEMBERSHIP OF COMMUNIST CHINA IN UNITED NATIONS

Mr. BYRD of West Virginia submitted the following concurrent resolution (S. Con. Res. 26), which was referred to the Committee on Foreign Relations:

Whereas the Congress, from time to time, has previously, by the adoption of resolutions and by other means, expressed its opposition to the admission of Communist China as a member of the United Nations or as a member of any of its specialized agencies; and

Whereas a failure to reiterate currently its expression of such opposition might be erroneously interpreted by some as a relaxation on the part of the Congress of its opposition to such admission of Communist China: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it continues to be the sense of the Congress that the Communist regime in China should not be admitted to membership in the United Nations or any of its specialized agencies as the representative of China, because the Congress is convinced that such admission would impair the effective functioning of the United Nations and would be contrary to the aims, principles, and provisions of the Charter of the United Nations.

RESOLUTION

Mr. JAVITS (for himself and Senators ALLOTT, BEALL, CASE of New Jersey, COOPER, KEATING, PROUTY, and SCOTT) submitted a resolution (S. Res. 109) establishing a Select Committee on Consumers, which was referred to the Committee on Banking and Currency.

(See the above resolution printed in full when submitted by Mr. JAVITS, which appears under a separate heading.)

AMENDMENT OF FEDERAL DEPOSIT INSURANCE ACT, RELATING TO ELIMINATION OF PAYMENT OF CERTAIN PREMIUMS

Mr. BUSH. Mr. President, I introduce a bill to amend the Federal Deposit Insurance Act to eliminate the payment of premiums on deposits of trust funds by fiduciary banks in uninsured banks, and ask that it be appropriately referred.

Mr. President, I have introduced this bill at the suggestion of the Connecticut Bankers Association to correct an inequitable provision contained in the Federal Deposit Insurance Act.

Under the present law, fiduciary banks which deposit trust funds in uninsured banks must include such funds in their deposits and must pay premiums to the FDIC on them. This makes no sense, because the FDIC in practically all cases will not pay the losses if the uninsured bank closes.

In Connecticut, deposits in Connecticut mutual savings banks are a legal investment for trust funds. Some wills specifically require that trust funds be held in mutual savings banks. Since many Connecticut mutual savings banks are not insured by FDIC, this means that the fiduciary banks must pay premiums on deposits in these uninsured banks, without getting any benefit from the premiums.

Connecticut banks have been protesting for many years. The FDIC has recognized the inequity, and the financial institutions bill of 1957—S. 1451, 85th Congress—revised the provisions of the

law to eliminate this injustice. The Senate approved this provision when it passed that bill, but the bill died in the House.

The bill I have introduced would make the same changes which were adopted by the Senate in the financial institutions bill.

I ask that this bill be considered promptly by the Banking and Currency Committee and by the Senate.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1789) to amend the Federal Deposit Insurance Act to eliminate the payment of premiums on deposits of trust funds by fiduciary banks in uninsured banks, introduced by Mr. BUSH, was received, read twice by its title, and referred to the Committee on Banking and Currency.

AMENDMENT OF COMMUNICATIONS ACT OF 1934, RELATING TO COMMUNITY ANTENNA TELEVISION SYSTEMS

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the Communications Act of 1934 in order to impose certain requirements on community antenna television systems. I ask unanimous consent that the letter from the Chairman of the Federal Communications Commission, requesting the proposed legislation, together with an explanation of the proposed amendments, may be printed in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the letter and explanation will be printed in the RECORD.

The bill (S. 1801) to amend the Communications Act of 1934 in order to impose certain requirements on community antenna television systems, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The letter and explanation presented by Mr. MAGNUSON are as follows:

FEDERAL COMMUNICATIONS COMMISSION,
Washington, D.C., April 22, 1959.

HON. WARREN G. MAGNUSON,
Chairman, Interstate and Foreign Commerce Committee, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: The Commission has brought to a conclusion the formal inquiry inaugurated last year to review the problems associated with the use of community antenna television systems (CATV's) and television repeater services operating in the UHF and VHF frequency bands.

Our study of these problems has been based on the comments filed in the docketed inquiry, testimony by interested parties in hearings conducted during 1958 by the U.S. Senate Committee on Interstate and Foreign Commerce and the report on those hearings prepared by counsel to the committee. After carefully weighing all the conflicting proposals urged on the Commission, it has been decided to recommend the adoption of legislation which would require CATV systems to obtain the consent of the originating station for the redistribution to CATV subscribers of programs broadcast by such originating stations; and in addition requiring CATV stations to carry the programs of television stations assigned to communities in which the CATV serves subscribers. Formal recommendations to this effect are being submitted separately in accordance with established procedure. For your convenience there are enclosed copies of these legislative recommendations, together with an explanatory statement and copies of the report and order with which the formal inquiry (Docket No. 12443) has been terminated.

Would you kindly inform the Commission if any additional comments or information are desired.

By direction of the Commission.

JOHN C. DOERFER,
Chairman.

EXPLANATION OF PROPOSED AMENDMENTS TO SECTIONS 3 AND 325(A), AND PROPOSED NEW SECTION 330 OF THE COMMUNICATIONS ACT OF 1934, AS AMENDED (47 U.S.C. 153, 325(A) AND 330)

The residents of numbers of smaller cities and communities in relatively remote or mountainous areas are unable to receive full network and non-network television program services directly from existing regular television broadcast stations. Our means employed for bringing television program services to such places is the community antenna television system (CATV).

Typically, a CATV system picks up incoming television signals on a receiving antenna located at a favorable reception point, amplifies them and distributes them by wire or cable to the homes or places of business of paying subscribers. Not counting additional CATV systems serving very small groups of subscribers, there are over 550 known systems delivering the programs of one or more distant television systems to an estimated one and a half to 2 million subscribers.

Insofar as CATV systems distribute to subscribers programs broadcast by television broadcast stations located elsewhere, they perform a function basically similar to that performed by television repeater stations, which rebroadcast, for the benefit of a local community, television programs on which local residents are unable to get satisfactory direct reception. The repeater stations, which transmit signals by radio, come directly within the provision of section 325(a) of the Communication Act of 1934, as amended, which imposes the statutory requirement that a station rebroadcasting programs of another broadcast station first obtain the consent of the originating station. The Commission believes that, consistent with the basic purposes of the foregoing legislation, it would appropriate and desirable that Congress impose the same requirement on CATV systems, which perform an essentially similar service. This could be accomplished by the adoption of suggested Amendment No. 2 attached hereto, which closely follows the language of the present section 325(a) of the Communications Act relating to rebroadcasts by broadcast stations.

Amendment No. 1, attached, would add a statutory definition of community antenna television systems to section 3 of the act, and would exclude from the scope of such definition facilities which serve fewer than 50 subscribers or which consist essentially of master antenna systems for apartment houses or groups of apartment houses. The definition would also expressly exclude facilities used for the distribution by wire of subscription television programs or other closed circuit programs which are not in the first instance broadcast for free reception by all members of the public within the range of the originating station.

The Commission also recommends the adoption of Amendment No. 3 attached hereto, which would require that, upon request by the licensee of a regular broadcast television station assigned to a city or community in which a CATV system serves local subscribers, the CATV system carry the programs broadcast by such local television station. The attached draft of suggested language provides also that the Commission may prescribe the time within which CATV systems shall comply with such requests by locally assigned regular television broadcast stations, and standards ensuring that the reception of such programs by subscribers to the CATV system be reasonably comparable in technical quality to the programs provided by the CATV systems from other sources.

Amendment No. 3 is intended to afford local television stations an improved opportunity to maintain their services despite the competition for local audiences offered by local CATV systems. The adoption of such a requirement has been strongly urged by broadcasters whose ability to provide a local television broadcast service both to patrons of local CATV systems and to viewers outside the areas served by CATV systems (and therefore dependent on the local TV broadcast station) is said to be adversely affected by the CATV operations. Apart from the fact that CATV systems are typically able to bring in multiple network program services which cannot be furnished on the same basis by the local television station, it appears that direct reception of local television broadcast stations by subscribers to CATV systems is made more difficult in the usual case by the necessity of an additional switching operation to receive local broadcast signals. This switching operation is in addition to the normal operation of switching channels on television receivers.

It has, moreover, been noted in the case of some CATV systems which carry the signals of local stations that the picture of the station so carried is degraded and therefore compares unfavorably with the technical quality of the programs transmitted by the CATV systems from distant stations. The proposed draft of amendment No. 3 (new sec. 330(b) of the act) would empower the Commission to promulgate standards which would as nearly as possible equalize the technical quality of reception of programs of local and distant stations distributed by CATV systems.

A detailed statement of the problems and circumstances underlying the legislative recommendations transmitted herewith may be found in the attached copy of the Commission's Report and Order of April 13, 1959, in Docket No. 12443, which was a formal "Inquiry Into the Impact of Community Antenna Systems, TV Translators, TV Satellite Stations, and TV Repeaters on the Orderly Development of Television Broadcasting."

PROPOSED LEGISLATION RELATING TO INTERSTATE COMMERCE

Mr. MAGNUSON. Mr. President, by request of the Interstate Commerce Commission, I introduce, for appropriate reference, a series of bills relating to interstate commerce. I ask unanimous consent that the recommendation and justification accompanying each bill be printed in the RECORD.

The PRESIDENT pro tempore. The bills will be received and appropriately referred; and, without objection, the recommendations and justifications will be printed in the RECORD.

The bills, introduced by Mr. MAGNUSON, by request, were received, read twice by their titles, and referred to the Committe on Interstate and Foreign Commerce, as follows:

S. 1802. A bill to amend section 208(c) of the Interstate Commerce Act, as amended.

(The recommendation and justification accompanying Senate bill 1802 are as follows:)

RECOMMENDATION No. 2

This proposed bill would give effect to legislative recommendation No. 2 of the Interstate Commerce Commission as set forth on page 136 of its 72d annual report as follows:

"We recommend that section 208(c), which automatically gives special or charter service rights to common carriers by motor vehicle, be amended to make it inapplicable to carriers issued certificates in the future."

JUSTIFICATION

The attached draft bill would require future applicants for authority to operate as a common carrier of passengers by motor vehicle to show a need for charter service instead of acquiring the right to perform such service as an incident to obtaining a certificate to transport passengers over a specified route.

Under the present provisions of section 208(c) of the Interstate Commerce Act, any regular route motor common carrier of passengers may transport, under a certificate issued pursuant to part II of the act, special or chartered parties "to any place" under such rules and regulations as may be prescribed by the Interstate Commerce Commission. The Commission has interpreted the phrase "to any place" to mean "to any place or point in the United States," the Commisison being of the view that the language of the statute precludes it from specifying with particularity the destination of such special or charter parties. *Ex parte No. MC–29, Regulations Governing Special or Chartered Party Service* (29 M.C.C. 25).

Section 208(c) is, moreover, silent with respect to origin territory. However, in interpreting the section in this respect and in prescribing rules and regulations thereunder, the Commission sought to clarify the term origin territory by stating in Ex parte MC–29, supra, that a common carrier of passengers by motor vehicle subject to the rules promulgated under section 208(c) may transport special or charter parties (1) which originate at any point or points on the regular route or routes or at any off-route point or points, authorized to be served by such carrier, or (2) which originate at any point or points within the territory served by its regular route or routes. At present, section 208(c) is applicable to regular route operations between fixed termini which have been authorized under the first proviso in section 206(a) or under section 207(a) of the act.

During the early years of motor carrier regulation there appeared to be no necessity to limit the expansion of special or charter operators enjoying "incidental" charter rights. In recent years, however, abuses have been observed. Because of this provision in the law, carriers have frequently sought authority to perform passenger service over short regular routes for the sole purpose of securing the incidental charter rights from points on their routes to all points in the United States. Some carriers, in fact, conduct only token operations over their authorized routes in order to retain the right to perform such nationwide charter service. As a result of these and other abuses there now exists a surplus of charter operators, all to the detriment of sound conditions in this branch of the motor carrier industry.

The amount of regularly scheduled intercity bus business has been declining steadily for a number of years. It has therefore become increasingly necessary for the carriers performing such services to supplement their income by expanding their charter operations. In many instances the maintenance of their financial stability depends on their ability to do so.

Enactment of this proposed amendment should serve to strengthen the regular route motor carrier passenger business by requiring future applicants to show a need for the service of transporting special or charter parties instead of acquiring such right automatically upon obtaining authority to transport passengers over a specified route. Further dilution of available business could thereby be controlled by the Commission. It should be emphasized, however, that the proposed change would in no way affect the operation of presently authorized carriers.

S. 1803. A bill to amend section 212(a) of the Interstate Commerce Act, as amended.

(The recommendation and justification accompanying Senate bill 1803 are as follows:)

RECOMMENDATION No. 3

This proposed bill would give effect to legislative recommendation No. 3 of the Interstate Commerce Commission as set forth on page 136 of its 72d annual report to Congress as follows:

"We recommend that section 212(a) be amended in the following respects: (1) to make motor carrier operating authorities subject to suspension, change, or revocation for willful failure to comply with any rule or regulation lawfully promulgated by the Commission; (2) to make the revocation procedure therein prescribed conform to the procedure provided in section 410(f) of the act by eliminating the term "willfully" in the first proviso; and (3) to provide that the Commission may, upon reasonable notice, suspend motor carrier operating authorities for failure to comply with insurance regulations issued by it pursuant to section 215 thereof."

JUSTIFICATION

The purpose of the attached draft bill is to subject motor carrier operating authorities to suspension, change, or revocation for willful failure to comply with any rule or regulation lawfully prescribed by the Commission and to provide uniformity between parts II and IV of the Interstate Commerce Act with respect to revocation procedure. It is also designed to permit suspension of motor carrier operating rights, upon notice, for failure to comply with the Commission's insurance regulations.

The present language of section 212(a) of the act precludes the Commission from suspending or revoking a certificate except for failure to comply with the provisions of part II "or with any * * * regulation of the Commission promulgated thereunder * * *." This language has been found to be unduly restrictive upon the Commission's enforcement powers. For example, regulations prescribed under the Transportation of Explosives Act are not regulations promulgated under any provision of part II of the Interstate Commerce Act. The Commission is therefore powerless to suspend or revoke the certificate of any carrier for violating the Explosives Act or any regulations prescribed thereunder, regardless of how willful the violations may have been. However, by changing the words "promulgated thereunder" to "lawfully promulgated by the Commission," as proposed, the Commission would be able to revoke or suspend certificates for willful or continued noncompliance with any of its lawful rules and regulations. Enactment of this recommended amendment would thus enable the Commission to cope more effectively, in the public interest, with serious violations of any of its applicable rules or regulations and not only those promulgated under part II of the Interstate Commerce Act.

Under the first proviso of section 410(f) of the act, the permit of a freight forwarder may be revoked if the holder thereof fails to comply with an order of the Commission commanding compliance with the provisions of part IV, a rule or regulation issued by the Commission thereunder, or the terms, conditions, or limitations of its permit. Under the corresponding provision in section 212(a), however, the failure of a motor carrier to obey such compliance order must be shown to have been willful before its certificate or permit may be revoked. In such revocation proceedings, two hearings are necessary, one to establish that a willful violation has occurred, after which a compliance order is entered, and a second to establish willful disobedience of the compliance order. Once disobedience of a compliance order is established, a further showing of willfulness should not be required. Proof of disobedience should be sufficient. This proposed change would not eliminate a second hearing, but would merely change the quantum of proof required.

Under the second proviso in section 212(a) motor carriers' and brokers' operating authorities may be suspended, upon notice, but without hearing, for failure to comply with brokerage bond regulations and tariff publishing rules. It does not, however, provide for suspension on short notice for failure to maintain proof of cargo, public liability, and property-damage insurance under section 215. As indicated, section 410(f) is a counterpart of section 212(a) and contains a provision similar to the second proviso of section 212(a). The second proviso in section 410(f), however, provides for suspension on short notice of freight forwarder permits for failure to comply with the cargo insurance provisions under section 403(c) and the public-liability and property-damage insurance provisions under section 403(d).

There is even more reason from the standpoint of the traveling and shipping public to require motor carriers to keep their cargo and public-liability and property-damage insurance in force than there is to require freight forwarders to keep their insurance alive. It is therefore desirable in the public interest that the Commission have the authority to suspend motor carrier rights, on short notice, when insurance lapses, or is canceled without replacement, until compliance is effected. The prospect of such action by the Commission should act as a deterrent to violations of this nature. An investigation under section 204(c) is not a satisfactory answer to the problem since such a proceeding may be somewhat lengthy and the public may be adversely affected should losses occur while it is pending.

The amendments proposed in this draft bill would enable the Commission to administer the enforcement provisions of part II of the act more effectively.

S. 1804. A bill to amend part III of the Interstate Commerce Act to authorize the Interstate Commerce Commission to revoke, amend, or suspend water carrier certificates or permits under certain conditions.

(The recommendation and justification accompanying Senate bill 1804 are as follows:)

RECOMMENDATION No. 4

This proposed bill would give effect to Legislative Recommendation No. 4 of the Interstate Commerce Commission as set forth on page 137 of its 72d annual report as follows:

"We recommend that part III of the act be amended by adding after section 312 a new section (312a) containing provisions for revocation of water-carrier certificates or permits for nonuse."

JUSTIFICATION

The purpose of the attached draft bill is to grant the Interstate Commerce Commission specific authority to revoke water carrier certificates and permits for nonuse. It would also specifically authorize the Com-

mission, in its discretion, to amend or revoke, in whole or part, a certificate or permit upon the application of the holder thereof.

At present, a number of water carrier operating authorities are not being used. The existence of such dormant certificates and permits is a deterrent to the institution of new operations and makes it difficult for the Commission to determine to what extent duplicating new authorities should be granted. While water carriers should have reasonable protection against the loss of their operating rights where abnormal or special conditions have hindered the continuance of operations or the resumption thereof following the war, it is not in the public interest that unused operating authorities remain in effect indefinitely.

Part III of the Interstate Commerce Act, however, does not specifically provide revocation authority and procedure such as are found in parts II and IV thereof. In this connection, the Supreme Court, in *United States* v. *Seatrain Lines, Inc.*, 329 U.S. 424, indicated that the Commission does not have the authority to revoke water carrier certificates or permits, in whole or in part, once they have become effective and the time for requesting rehearing or reconsideration has expired.

Accordingly, this proposed measure would give the Commission specific authority to determine upon the facts in each case whether the public interest would be served by the revocation of a certificate or permit for nonuse. It would also make certain the Commission's power to revoke a water carrier's operating authority if tendered by the holder for cancellation.

The authority sought is limited to the revocation of certificates and permits only in those cases of willful failure to operate or upon application of the holder. It is not contemplated that authorities would be revoked without allowing a reasonable period of time for the institution or resumption of service.

S. 1805. A bill to amend the Clayton Antitrust Act and the Federal Trade Commission Act with respect to the applicability thereof to contract carriers subject to the Interstate Commerce Act, and for other purposes.

(The recommendation and justification accompanying Senate bill 1805 are as follows:)

RECOMMENDATION No. 5

This proposed bill would give effect to Legislative Recommendation No. 5 of the Interstate Commerce Commission as set forth on page 138 of its 72d annual report as follows:

"(a) We recommend that section 10 of the Clayton Antitrust Act (15 U.S.C., sec. 20) be amended so as to increase the limitation on exemption from competitive bidding to a more realistic amount in the light of present-day conditions.

"(b) We also recommend that section 11 of the Clayton Act (15 U.S.C., sec. 21) be amended to provide that the Commission's jurisdiction shall include contract carriers as well as common carriers subject to the Interstate Commerce Act, and that section 8 thereof (15 U.S.C., sec. 19), relating to interlocking directorates, be amended to make the exemption therein apply to all common and contract carriers subject to the Interstate Commerce Act to the same extent that it now applies to common carriers subject to parts I and II thereof.

"(c) In addition, we recommend that sections 5(a)(6), 6(a), and 6(b) of the Federal Trade Commission Act (15 U.S.C., secs. 45(a)(6), 46(a), and 46(b)), relating to unfair trade practices, investigations and reports, respectively, be amended so as to make the common carrier exemptions therein provided applicable also to contract carriers subject to the Interstate Commerce Act."

JUSTIFICATION

The attached draft bill would amend the Clayton Antitrust Act to make the exemption in section 8, which relates to interlocking directorates, apply to all common and contract carriers subject to the Interstate Commerce Act to the same extent that it now applies to common carriers subject to parts I and II thereof. The limitation on exemption from competitive bidding in section 10 would be increased from $50,000 to $200,000, and the jurisdiction of the Interstate Commerce Commission under section 11 would be extended to include contract as well as common carriers subject to the Interstate Commerce Act. The proposed measure would also amend the Federal Trade Commission Act so as to make the common carrier exemption in sections 5(a)(6), 6(a), and 6(b), which pertain to unfair trade practices, investigations, and reports, respectively, applicable also to contract carriers subject to the Interstate Commerce Act.

Except where transactions involve $50,000, or less, in the aggregate in any 1 year, section 10 of the Clayton Act requires that dealings in securities and supplies, and contracts for maintenance and construction, between common carriers and other corporations having directors or certain officers or agents in common, shall be subject to competitive bidding, and that detailed statements of such transactions shall be filed with the Interstate Commerce Commission. The Commission, in turn, is required, after investigation or hearing, to report suspected violations to the Attorney General.

The $50,000 limitation on the exemption from competitive bidding has remained unchanged since this section was first enacted in 1914. In view of the increase in the cost of materials, labor, and supplies which has occurred since that time, the Commission is of the opinion that the amount of the exemption should be increased to a figure more in keeping with present-day conditions. The Congress itself recognized the desirability of updating statutes in this respect when it enacted Public Law 85-135 (85th Cong., 1st sess.) providing increased penalties for violations of certain safety and other laws administered by the Commission. The Commission also took cognizance of this situation when, effective January 1, 1956, it changed the basis of classification for class I railroads for statistical purposes from carriers having $1 million or more in average annual operating revenues to those having $3 million or more in such revenues. Similarly, the bases of classification for class I, II, and III motor carriers of property were increased by the Commission, effective January 1, 1957.

Under section 11 of the Clayton Act, the Commission's jurisdiction extends only to common carriers subject to the Interstate Commerce Act. Therefore, under the present provisions of this section, jurisdiction over the acquisition by one corporation of stock in another corporation, when the effect would be to substantially lessen competition, would be in the Federal Trade Commission where contract carriers are involved. At the same time, the Interstate Commerce Commission would have jurisdiction under section 5 of the Interstate Commerce Act over the establishment of control of two or more carriers.

The standards prescribed and used under section 5 of the Interstate Commerce Act in determining whether or not a proposed transaction should be approved by the Interstate Commerce Commission are different from those used by the Department of Justice and other agencies in determining whether or not any violations of the Clayton Act or other antitrust laws have been committed. This is necessarily so because a regulated industry is involved, such regulation itself having been provided for the purpose of protecting the public interest. Inasmuch as the Interstate Commerce Commission has jurisdiction over various activities and practices of contract carriers, including the issuance and transfer of operating rights, it seems logical and appropriate that it should also administer the Clayton Act with respect to such carriers.

Section 8 of the Clayton Act, which prohibits interlocking directorates under the conditions set forth therein, exempts rail and motor common carriers from the application of its provisions, but it does not exempt water common carriers, freight forwarders, or motor and water contract carriers from the application thereof. A similar situation arises under section 5(a)(6), 6(a), and 6(b) of the Federal Trade Commission Act which exempts common but not contract carriers from the provisions thereof respecting unfair trade practices, investigations, and reports. In order to afford all carriers subject to the Interstate Commerce Act similarity of treatment under the aforementioned provisions of the Clayton Act and the Federal Trade Commission Act, it is urged that the two latter-named acts be amended as proposed in the draft bill.

S. 1806. A bill to revise title 18, chapter 39, of the United States Code, entitled "Explosives and Combustibles."

(The recommendation and justification accompanying Senate bill 1806 are as follows:)

RECOMMENDATION No. 6

This proposed bill would give effect to legislative recommendation No. 6 of the Interstate Commerce Commission as set forth on page 139 of its 72d annual report as follows:

"We recommend that the Federal statutes commonly known as the Transportation of Explosives Act (18 U.S.C., secs. 831–835) be completely rewritten in the light of important developments relating to this subject which have occurred in the 36 years since the last revision of these statutes, and in this connection recommend that they be amended so as to include specifically radioactive materials and etiologic agents and be made to apply to contract and private carriers as well as common carriers."

JUSTIFICATION

The attached draft bill would amend the Federal statutes, commonly known as the Transportation of Explosives Act, so as to include specifically radioactive materials and etiologic agents; would make the act applicable to contract and private carriers as well as to common carriers; and would delete the word "knowingly" from present section 835 and substitute therefor a more effective standard of proof.

During the past several years there has been a continuous trend toward greater use of motor carriers in the transportation of explosives. Along with this trend there has been a tremendous increase in the production and transportation of radioactive materials and etiologic agents. While the Transportation of Explosives Act does not specifically mention radioactive materials, the Commission has prescribed regulations covering materials of this nature by classifying them as "poisons."

The Commission has not prescribed any regulations governing the transportation of etiologic agents. Technically, etiologic agents, such as live viruses, bacteria, and other such substances which can cause disease, are not poisons, since toxic material (poison) per se is not a living organism. Parke, Davis & Co., in its comments to the American Drug Manufacturers Association in 1957 suggested that appropriate regulations respecting the packaging and labeling of shipments of etiologic agents be drafted and adopted by either the Civil Aeronautics Board or Interstate Commerce Commission. It is understood that the Civil

Aeronautics Board and the U.S. Coast Guard are of the view that shipments of etiologic agents should be regulated, but that this Commission should establish the rules therefor, since both of these agencies adopt the rules and regulations formulated by the Commission respecting shipments of explosives and other dangerous articles.

The Department of Health, Education, and Welfare, Public Health Service, caused to be published in the Federal Register, volume 22, No. 32, page 954, February 15, 1957, an amendment to the interstate quarantine regulations relating to the interstate transportation of etiologic agents. While this amendment relates to the jurisdiction of the Department of Health, Education, and Welfare, the attached draft bill would make clear the jurisdiction of the Interstate Commerce Commission in the transportation of such commodities by amending the act so as to include specifically radioactive materials and etiologic agents in the list of dangerous commodities.

The proposed bill would also make the act applicable to contract and private motor carriers in addition to its present application to common carriers, and would thereby eliminate the anomalous situation of having motor common carriers subject to maximum penalties of $10,000 or 10 years' imprisonment, or both, for violations, while subjecting private and contract carriers to a maximum possible penalty of only $500, under section 222(a) of the Interstate Commerce Act, for the same violations.

Under the proposed amendment, the provisions of the statute relating to packing, marking, etc., of explosives, and other dangerous articles would be made applicable to shippers tendering goods to interstate carriers regardless of whether the shipments are destined for movement in interstate, intrastate, or foreign commerce. In addition, the proposed amendments are intended to make the provisions which are applicable to carriers apply also to all shipments of dangerous articles, including intrastate shipments handled on interstate vehicles or commingled with interstate traffic. This is to protect interstate passengers, employees of interstate carriers, and the facilities of interstate carriers from the hazards of misdescribed or improperly packed, marked, or prepared dangerous articles so moving in intrastate commerce as well as in interstate commerce.

The present provisions of the act respecting the transportation of explosives on vehicles of common carriers of passengers would be extended by the proposed bill to include all for-hire carriers of passengers by land, and the provisions exempting specified quantities of various articles would be changed so as to authorize the Commission to prescribe the kind, amount, and the conditions under which such articles may be carried on such vehicles. The proposed bill would also eliminate the privilege of carrying unlimited quantities of small arms ammunition in or on passenger vehicles, the Commission being of the view that the presence of such items in substantial quantities in buses is undesirable because of the danger of fire in the event of an accident.

Section 833 of the act now contains an absolute prohibition against the transportation of liquid nitroglycerin and other similarly dangerous commodities by common carriers, but contains no such prohibition against the transportation thereof by contract or private motor carriers. The proposed revision is not intended to restrict the transportation of such commodities, or of radioactive materials, or etiologic agents, to any particular class of carrier or persons, but would strictly limit and regulate the transportation thereof (except as to certain shipments of radioactive materials by or under the direction or supervision of the Atomic Energy Commission or the Department of Defense) by providing that such commodities shall not be transported except under such rules and regulations as the Commission shall prescribe. And, in this connection, the Commission would be granted authority to determine what explosives constitute "other similarly dangerous explosives."

Under the proposed revision, the existing provisions of section 834, relating to the marking of packages containing explosives and other dangerous articles, would be extended to the tendering of such articles to all carriers by land and water, and to all persons, carrying such articles upon any interstate carrier by land, including private, as well as common and contract carriers. The present reference in this section to section 832 would be changed to proposed new section 834 in order to correct an error apparently made in recodifying the act. (Compare 18 U.S.C. 1946 ed., sec. 385, with 18 U.S.C. 1952 ed., sec. 834.)

The provisions of present section 835 (section 834 in the draft bill) would be revised so as to include specifically radioactive materials and etiologic agents, and so as to provide that the Commission may avail itself of the services, advice, and assistance of carrier and shipper associations and the departments and agencies of State and local governments.

Regulations for protection against hazards created by explosives or other dangerous articles with respect to water carriers are provided for in 46 U.S.C. 170.

In addition to the foregoing, the proposed bill also would eliminate the word "knowingly" from present section 835 (section 834 in the draft bill), and would substitute therefor the words "being aware that the Interstate Commerce Commission has formulated regulations for the safe transportation of explosives and other dangerous articles." The standard of proof presently required to support a conviction for a violation of the Commission's regulations makes it extremely difficult to prosecute what have been termed "public welfare offenses." Such offenses are not necessarily the result of an affirmative intent but fall more within the category of those relating to neglect where the law requires care, or inaction where it imposes a duty to act.

In *Boyce Motor Line, Inc.* v. *United States*, 342 U.S. 337, the Supreme Court reviewed the sufficiency of an indictment for a felony violation brought under section 835 of the act. The Court stated at page 342:

"The statute punishes only those who knowingly violate the regulation. This requirement of the presence of culpable intent as a necessary element of the offense does much to destroy any force in the argument that application of the regulation would be so unfair that it must be held invalid. That is evident from a consideration of the effect of the requirement in this case. To sustain a conviction, the Government not only must prove that petitioner could have taken another route which was both commercially practicable and appreciably safer (in its avoidance of crowded thoroughfares, etc.) than the one it did follow. It must also be shown that petitioner knew that there was such a practicable safer route and yet deliberately took the more dangerous route through the tunnel, or that petitioner willfully neglected to exercise its duty under the regulation to inquire into the availability of such an alternative route."

In many prosecutions under this statute misdemeanor violations arise out of the failure to properly placard vehicles carrying dangerous cargo. The use of the words "culpable intent" in the above quotation has been relied upon by defense attorneys and to some extent by the courts as requiring the establishment of some mental element or affirmative intention to evade the law in addition to knowledge of the facts.

In *St. Johnsbury Trucking Co.* v. *United States*, 220 F. 2d 393, a conviction resulted after trial in the district court wherein it was shown that there was no affirmative intention to violate the regulation but that the failure to placard the motor vehicle arose because of the failure of a rating clerk to attach a warning label to the shipping document which he, in turn, passed on to the billing clerk for preparation of a freight bill and delivery receipt. Clearly there was knowledge of the fact that (1) the vehicle was carrying 3,350 pounds of wet electric storage batteries and (2) it was not placarded. The following statement appeared in the opinion rendered by the district court:

"Thus, considering the purposes of section 835, the particular offense requires no element of criminal intent. *United States* v. *Behrman*, 258 U.S. 280; *United States* v. *Baliant*, 258 U.S. 250."

The circuit court set aside the verdict and remanded the case, holding that the above-mentioned quotation was in conflict with the decision of the Supreme Court as quoted from the Boyce case. The circuit court said:

"This statement [of the Supreme Court] conflicts with the statement of the trial court in the instant case that '* * * the particular offense requires no element of criminal intent.' It may be true that 'culpable' and 'criminal' are not identical in meaning, but it is clear that the trial court erroneously interpreted 18 U.S.C. 835 as requiring no element of culpable or blamable intent and thus committed reversible error."

The concurring opinion of Chief Judge Magruder contains the following statements:

"If it be thought that the indicated requirement of proof will seriously hamper effective enforcement of the Interstate Commerce Commission regulations, the answer is that Congress is at liberty to fix that up by striking out from 18 U.S.C. 835 the prescribed element of mens rea—'knowingly'—as applied to violation of regulations of the sort here involved. That is to say, Congress could convert the offense into what sometimes has been called a 'public welfare offense,' requiring no element of guilty knowledge or other specific mens rea, by providing that whoever, by himself or by agent, transports explosives, poison gas, flammable solids, or other dangerous commodities without the safeguards which may be prescribed by a lawful regulation of the Interstate Commerce Commission shall be guilty of a public offense and subject to penalty. See the discussion in *Morissette* v. *United States* (342 U.S. 246, 252–260 (1952)).

"If a statute provides that it shall be an offense 'knowingly' to sell adulterated milk, the offense is complete if the defendant sells what he knows to be adulterated milk, even though he does not know of the existence of the criminal statute, on the time-honored principle of the criminal law that ignorance of the law is no excuse. But where a statute provides, as does 18 U.S.C. 835, that whoever knowingly violates a regulation of the Interstate Commerce Commission shall be guilty of an offense, it would seem that a person could not knowingly violate a regulation unless he knows of the terms of the regulation and knows that what he is doing is contrary to the regulation. Here again the definition of the offense is within the control and discreation of the legislature."

The deletion of the word "knowingly" in section 835, in the interest of the greater good, places the burden of acting at hazard upon a person otherwise innocent but standing in responsible relation to a public danger. Whatever the intent of the violator, the potential danger to society remains the same, whether the violation is brought about by haphazard, careless conduct, or whether it is prompted by an evil purpose. Mere removal of the word "knowingly" from the present wording of the statute would impose an absolute liability upon the carrier. Be-

cause of the added peril inherent in the transportation of the commodities concerned, statutory creation of an absolute liability does not seem unreasonable. However, the language recommended by the Senate Interstate and Foreign Commerce Committee in its Report No. 281, dated May 2, 1957, and substituted by the Senate in passing S. 1491 during the 1st session of the 85th Congress, has been incorporated in the attached draft bill. While the Commission is still of the view that simply deleting the word "knowingly" from this section of the statute is more desirable, it believes the substitution therefor of the words "being aware that the Interstate Commerce Commission has formulated regulations for the safe transportation of explosives and other dangerous articles" is a substantial improvement over the present provisions.

The definition of the word "person" in section 831 includes copartnerships. This would reaffirm the 5-to-4 decision of the Supreme Court in *United States* v. *A. & P. Trucking Co.* (358 U.S. 121 (decided Dec. 8, 1958)), and thus settle once and for all the question of whether a partnership entity may be criminally liable under the Transportation of Explosives Act.

The proposed bill would also add new provisions to the act which would clarify the duties and powers of the Commission with respect to the administration and enforcement thereof.

S. 1807. A bill to amend section 5(10) of the Interstate Commerce Act, as amended, to change the basis for determining whether a proposed unification or acquisition of control comes within the exemption.

(The recommendation and justification accompanying Senate bill 1807 are as follows:)

RECOMMENDATION NO. 8

This proposed bill would give effect to legislative recommendation No. 8 of the Interstate Commerce Commission as set forth on page 141 of its 72d annual report as follows:

"We recommend that section 5(10) be amended so as to make gross operating revenue, instead of the number of vehicles owned or operated, the basis for determining whether a proposed unification or acquisition of control is exempt from the provisions of section 5."

JUSTIFICATION

The attached draft bill is designed to provide a more reliable criterion for determining whether a proposed unification or acquisition of control comes within the exemption of subsection (10) of section 5 of the Interstate Commerce Act.

One of the tests for determining whether a proposed transaction is exempt from the requirements of section 5 is whether or not the aggregate number of motor vehicles owned, leased, controlled, or operated by the parties, for purposes of transportation subject to part II of the act exceeds 20. In applying this test, numerous questions have arisen concerning, for example, (a) vehicles that are used in intrastate commerce, exempt transportation, or private carriage, but which are available or suitable for regulated interstate service, (b) equipment of noncarrier affiliates, (c) vehicles leased for short periods, (d) disabled vehicles, and (e) combinations of vehicles. The time and effort expended in establishing the number on which jurisdiction depends, where the question is close, has proved disproportionate to the benefit intended to be allowed by the exemption. It has proved virtually impossible in many instances to check whether the exemption was applicable to transactions purportedly consummated under the exemption, and subsequently questioned as improperly exempted.

Gross operating revenues of carriers would be a definite and practical basis for the exemption. The figures would in most cases be readily ascertainable from the annual reports which all for-hire carriers, with certain exceptions, are required to file, and from the quarterly reports which such carriers with average gross revenues of $200,000 or more are required to file. As of June 30, 1958, there were 3,538 of the latter and 15,062 with average gross revenues of less than $200,000 per annum. On the basis of a limited study, the Commission is of the opinion that the use of $250,000 as the measure for the exemption will correspond roughly with the present measure in paragraph (10).

S. 1808. A bill to amend section 222(b) of the Interstate Commerce Act with respect to the service of process in enforcement proceedings, and for other purposes.

(The recommendation and justification accompanying Senate bill 1808 are as follows:)

RECOMMENDATION NO. 9

This proposed bill would give effect to Legislative Recommendation No. 9 of the Interstate Commerce Commission as set forth on page 141 of its 72d annual report, as follows:

"We recommend that section 222(b) be amended to enable the Commission in enforcement proceedings to obtain service of process upon motor carriers and to permit the joining of any other necessary party without regard to where the carrier or other party may be served."

JUSTIFICATION

The purpose of the attached draft bill is to provide the Interstate Commerce Commission with a more effective means of enforcing the motor carrier provisions of the Interstate Commerce Act.

Section 222(b) of the Interstate Commerce Act authorizes the Commission to institute proceedings to enjoin unlawful motor carrier or broker operations or practices in the U.S. district court of any district in which the carrier or broker operates. Rule 4(f) of the Federal Rules of Civil Procedure, however, limits the service of process in such proceedings to the territorial limits of the State in which the court sits.

Many of the carriers against whom it is necessary to seek injunctions do not hold operating authority from the Commission and have not, of course, designated an agent for the service of process as required by section 221(c) of the act. The operations of such carriers are frequently widespread and it is often desirable to institute the court action in the State where the greatest part of their services are performed. This is usually the most convenient place for the majority of persons involved, including necessary witnesses. The illegal operator, himself, however, may avoid service of process by remaining outside of the State and by not stationing within its borders anyone qualified to receive service on his behalf.

In many cases the Commission has found that a large shipper is the person primarily responsible for the conduct of unauthorized operations over wide areas by a large number of independent owner-operators or small carriers. It is therefore frequently desirable, and often of critical importance, that such other persons, in addition to the carrier, be enjoined from participating in further violations of the law or the Commission's regulations thereunder. In some instances, however, the Commission has been unable to obtain service of process upon both the carrier and the shipper because they were not located within the territorial limits of the same State.

Under the ruling of the court in *I.C.C.* v. *Blue Diamond Products Co.* (192 F. 2d 43) the Commission is precluded from proceeding against a shipper without proceeding against the carrier. The Commission does not disagree with the principle of that case, but it is of the view that it should be able to institute a civil action against a carrier in any district in which it operates and to join in such action any shipper, or other persons participating in the violation, without regard to where the carrier or such other person may be served. An injunction against one or several relatively small carriers without the shipper or such other person being named permits the shipper or other person to continue his unlawful activities by using individual truckowners or small carriers against whom no action has been instituted. The Commission is of the view in this connection that it would be desirable to provide directly in section 222(b) sufficient authority to include in such actions, in addition to the carrier, any shippers or other persons participating in the commission of the violation, without having to resort to other statutes or theories as authority to do so.

The problem presented has been particularly troublesome in the efforts of the Commission to control so-called pseudoprivate carriage, i.e., for-hire carriers claiming, without basis, to be engaged in private transportation for the purpose of evading the economic regulation to which common and contract carriers are subject. The operations involved are often extremely widespread, e.g., from Louisiana to Nebraska, from New York to Missouri, and the unlicensed operator may be domiciled at any place between the origin and destination areas, or even beyond those areas. The headquarters of the responsible shipper, on the other hand, may be located in New York City or New Orleans and it may be possible to serve him only at those points or at a place other than where the physical operations of the carrier are conducted. Thus, because of the inability of the Commission, under present law, to get both the responsible shipper and the small carrier before the court, its effort at effective enforcement is, in many cases, thwarted.

The proposed amendment would make more effective the original intent of Congress in enacting section 222(b), and would be of substantial aid to the Commission in coping with the pseudoprivate carriage problem, the seriousness of which was recognized by the Congress when as part of the Transportation Act of 1958 it amended section 203(c) of the Interstate Commerce Act so as to spell out more clearly what constitutes bona fide private carriage.

S. 1809. A bill to repeal section 303(b) of the Interstate Commerce Act, as amended, relating to the water-carrier bulk commodity exemption, and for other purposes.

(The recommendation and justification accompanying Senate bill 1809 are as follows:)

RECOMMENDATION NO. 10

This proposed bill would give effect to Legislative Recommendation No. 10 of the Interstate Commerce Commission as set forth on page 142 of its 72d annual report to Congress as follows:

"We recommend that section 303(b) relating to the water-carrier bulk commodity exemption be repealed, but with provisions preserving the rights of those carriers presently engaged in such operations under the exemption."

JUSTIFICATION

The attached draft bill would enable the Interstate Commerce Commission to regulate domestic water transportation more effectively in the public interest by repealing the so-called bulk commodity exemption in section 303(b) of the Interstate Commerce Act. It would also provide "grandfather" rights for those carriers presently engaged in operations under the exemption.

Improved navigation facilities on the Nation's rivers have made them important water highways for low cost transportation

of goods in commerce when speed in transit is not a controlling factor. New and improved methods of providing service are being introduced continuously, with a growing trend toward the utilization of vessels having higher cargo capacities and greater power. The size of barge-tows on inland waterways has increased steadily. For example, on the Columbia River, where tows formerly consisted of one or two barges, tows comprised of 6 to 12 barges are not now uncommon. Not only are barges being built larger, they are also being designed and constructed to accommodate commodities requiring specialized handling, such as those requiring unusually high or low temperatures, and those having caustic or other characteristics requiring specially lined tanks.

It is probably not generally realized, but, despite the substantial operations involved, domestic water transportation is for the most part exempt from economic regulation by the Interstate Commerce Commission. It has been estimated that only about 10 percent of the tonnage shipped by water in the domestic trade is subject to regulation. Private carriers are not subject to regulation by the Commission and should not become so unless shippers are to be deprived of the opportunity to transport for themselves. However, the many exemptions in the act leave the greater part of all domestic water transportation free from regulation. The most important of these is the bulk commodity exemption in section 303(b), under which the transportation of commodities in bulk by water carriers is exempt when the cargo space of the vessel in which such commodities are transported is being used for the carrying of not more than three such commodities. This exemption does not apply when nonexempt commodities are transported in the same vessel or tow as bulk commodities.

Bulk commodities transported in the domestic trade under this exemption consist mainly of grain and grain products, coal and coke, ore, sand, gravel and stone, phosphate rock, salt, and sulfur. A substantial portion of the tonnage handled by the regulated barge carriers is comprised of these commodities. Often such traffic is moved in tows containing nonbulk commodities because the carriers seldom find it economically feasible to segregate tows to exclude nonexempt commodities. For that reason the bulk-exemption is not applicable and the regulated carrier must, among other things, adhere to its published tariff rates.

The unregulated carriers need only examine the published tariffs of the regulated carriers in order to determine how low they must place their quotations to the shipper in order to obtain the traffic. The regulated carriers, on the other hand, have no ready means of ascertaining the rates charged by the exempt carriers, since those carriers need not publish their rates. This, of course, places the regulated carriers at a distinct competitive disadvantage. A natural result of these conditions is instability of rates.

Further, it should be pointed out that rail and water rates, particularly in the case of inland waterways, are not separate but are intermingled in very complex, competitive relationships. This means that shippers and carriers lack a firm basis for resolving the differences which develop among them when one group of carriers is able to change its rates at will and vary them from shipper to shipper.

The public interest in stable, reasonable, and properly regulated rates cannot find expression in the complete absence of control of a large part of the bulk-carrying trade. Enactment of the proposed legislation would provide a means of correcting these undesirable conditions, and would also constitute an important step toward achieving broad equality of treatment of carriers of the various modes.

S. 1810. A bill to repeal the provisions of section 5 of the act of July 28, 1916, as amended, relating to the furnishing of information to the Postmaster General by the Interstate Commerce Commission with respect to revenue received by railroad from express companies for the transportation of express matter.

(The recommendation and justification accompanying Senate bill 1810 are as follows:)

RECOMMENDATION NO. 11

This proposed bill would give effect to Legislative Recommendation No. 11 of the Interstate Commerce Commission as set forth on page 143 of its 72d annual report as follows:

"We recommend that section 557, title 39 of the United States Code, under which the Commission, from time to time, is requested to furnish the Postmaster General with information as to the revenue received by railroad companies from express companies for services rendered in the transportation of express matter, be repealed."

JUSTIFICATION

The attached draft bill would repeal certain provisions of section 5 of the Railway Mail Service Pay Act which have become obsolete. Under these provisions, codified as 39 U.S.C., sec. 557, the Postmaster General is required to request, from time to time, from the Interstate Commerce Commission, information with respect to revenue received by railroad companies from express companies for services rendered in the transportation of express matter. He is also authorized, in his discretion, to arrange for the transportation of other than first-class mail at rates not exceeding those so ascertained and reported to him.

These provisions were enacted by the Congress in 1916 for the purpose of preventing rate discrimination by the railroads against the Government in the transportation of the mails. At that time there existed several competing railway express companies, each of which maintained separate contractual relations with the railroads. Reimbursement to the railroads was based upon a specific rate structure. Today, however, railway express operations are conducted on an entirely different basis.

The end of Federal control of the railroads and express companies in 1920 was followed by a series of changes in the status of railway express, resulting finally in the establishment of a single express agency, Railway Express Agency, Inc., under the ownership and control of a large number of railroads. The express company acts as the railroads' agent, and the transportation of express matter over their lines is not now and has not for many years been performed under a system of rates, the rate structures formerly utilized in determining the amounts to be paid by railway express to the railroads having been discontinued. What the railroads now receive from the express agency is not a rate, but a share of the returns from a business, the amount varying with business conditions and the effectiveness of competition. These changes in the organization and operation of the Express Agency and in the relationship between the agency and the railroads made the statutory provisions in question obsolete.

The Postmaster General has nevertheless, on several occasions, requested from the Commission information as to the revenue received by the railroads from the Railway Express Agency and the rates, as ascertained, for services rendered in the transportation of express matter. The request is not merely for the gross revenue received from express service, or even the gross revenue plus car-miles, car-foot-miles, or ton-miles of service performed, but is, in effect, a request for the Commission to construct something in the nature of an abstract "rate" by translating revenue received into rates based on units of service. In declining to grant such a request in 1949 the Commission took the position that, in view of the present organization and operation of the express agency, section 557 of title 39 does not place upon it the duty or mandate to make an investigation and study of the present operation of the railroads and the express agency in connection with the transportation of express matter, and the revenues derived therefrom, for the purpose of formulating rates, and that the section does not contain any direction to the Commission from the Congress that it should do so. The same request was considered in 1954 and the Commission arrived at the same conclusion. The Commission has, however, furnished, or expressed willingness to furnish, all the information it has concerning the revenue receipts of the railroads from railway express.

Even if an investigation were undertaken by the Commission to determine the amount of express matter carried by the railroads in any given period of time upon a space, weight, or other basis, and its relation, by units of service or otherwise, to the revenue received therefor from Railway Express, the information derived would only reflect, or be reportable as, the result of operations during a selected prior period, and would have no prospective application or effect. The data obtained, though it be related to amounts of service performed in selected units of service, would not result in an ascertainment of rates charged by the railroads for service on behalf of Railway Express. Such an investigation would, moreover, be a major undertaking requiring considerable time, and the information derived would be based on figures and facts of record in respect of which significant changes may have occurred in the interim.

Repeal of these provisions of section 5 would remove from the books an obsolete law under which the Commission is requested to make available information which it does not have and which it cannot feasibly obtain.

Mr. MAGNUSON. Mr. President, by request of the Interstate Commerce Commission, on behalf of myself and the Senator from Kansas [Mr. SCHOEPPEL], I introduce, for appropriate reference, two bills relating to interstate and foreign commerce. I ask unanimous consent that the justification and recommendation relating to each bill may be printed in the RECORD.

The PRESIDENT pro tempore. The bills will be received and appropriately referred; and, without objection, the justification and recommendation will be printed in the RECORD.

The bills, introduced by Mr. MAGNUSON (for himself and Mr. SCHOEPPEL), by request, were received, read twice by their titles, and referred to the Committee on Interstate and Foreign Commerce, as follows:

S. 1811. A bill to amend section 1(14)(a) of the Interstate Commerce Act, to provide an incentive for construction and maintenance of an adequate national supply of freight cars.

(The justification accompanying Senate bill 1811 is as follows:)

JUSTIFICATION

The attached draft bills, submitted in the alternative, would enable the Commission to deal more effectively with problems arising from freight-car shortages.

The freight-car supply situation has been a serious problem in this country for a num-

ber of years. While the shortages have not been as severe in the last 2 years as in some others, the Commission nevertheless believes it imperative that the ownership of such equipment be increased and maintained at a level which will meet the needs of the shipping public during normal times and provide a reasonably adequate supply during periods of emergency.

Besides inadequate car ownership, one of the greatest contributing factors to this unhealthy situation has been the failure of some carriers to utilize the existing fleet of equipment efficiently. During periods of critical shortages the Commission has resorted to every means at its command to cope with the problem. Insofar as shippers and receivers are concerned greatly stepped-up demurrage charges have helped to insure prompt loading and unloading. Such action, however, offers no solution to the problem as it arises during that phase of car movement and handling when the equipment is in the hands of the carrier.

Since the earning value of the average freight car greatly exceeds the current per diem charge of $2.75, some of the carriers have found it cheaper to rent cars than to own them. These carriers, therefore, have no economic incentive to provide their fair share of an adequate car supply. If the advantages of renting equipment could be made less attractive during times of car shortage, there would be a greater willingness on the part of every railroad to make its just and equitable contribution to the national car fleet.

Some time ago the Commission attempted to take the profit out of "renting" equipment by imposing a penalty per diem charge which it believed would furnish a pecuniary spur to deficit railroads to acquire a sufficient number of cars to at least take care of their own loading obligations. However, a three-judge district court in *Palmer* v. *United States* (73 F. Supp. 63, (1947)) held that the use of the word "compensation" in section 1(14)(a) of the act, which authorizes the Commission to fix reasonable compensation for the use of cars, precluded it from establishing a per diem charge in excess of any purported reasonable recompense to the owner.

The first alternative draft bill would overcome the effect of this decision by amending section 1(15) of the Interstate Commerce Act so as to authorize the Commission, during periods of car shortage, or threatened car shortage, to direct the assessment of special charges on one or more deficient carriers. These charges, payable to the owning carrier, would be in addition to its per diem or other regular charges then in effect, and would be in such amount as in the Commission's opinion are reasonably calculated to relieve the shortage or threatened shortage by promoting the expeditious movement, distribution, interchange or return of such equipment, and by encouraging adequate ownership of freight cars by each carrier.

If this bill is enacted the Commission, after a study, could adopt a car ownership formula. Once this formula was adopted, the Commission would be in a position to prescribe a level of ownership for deficit carriers. If their ownership was not raised to the prescribed level within a reasonable time they would become subject to the penalty per diem charges in the event of another car shortage.

The second alternative proposal would amend section 1(14)(a) of the act so as to require the Commission in establishing the compensation to be paid for the use of any vehicle subject to per diem charges, based on time or detention as distinguished from mileage, to prescribe maximum reasonable compensation for the use thereof as an incentive for construction and maintenance of an adequate supply of such vehicles. The Commission would also be required to include as a factor in making such a determination, the earning power or value of the use of such vehicles which is lost by the owner thereof when used or appropriated by others. This proposed amendment would thus authorize the Commission to fix per diem rates which give due regard to the necessity of providing an incentive to every railroad to procure and maintain a sufficient car supply at all times, a power which the court in *Palmer* v. *United States, supra,* held that it did not have under the present provisions of section 1(14). Such a provision would be of substantial assistance to the Commisison in alleviating freight car shortages by providing it with a means of eliminating the owner's loss, the user's gain, and providing an incentive for increased car ownership. The ultimate objective under either of the alternative proposals is an overall increase in the total inventory of freight cars.

S. 1812. A bill to amend section 1(15) of the Interstate Commerce Act, so as to aid in alleviating shortages of railroad freight cars during periods of emergency of threatened emergency, and for other purposes.

(The recommendation accompanying Senate bill 1812 is as follows:)

RECOMMENDATION NO. 1

This proposed bill would make effective Legislative Recommendation No. 1 of the Interstate Commerce Commisison as set forth on page 135 of its 72d annual report as follows:

"We recommend (a) that section 1(15) be amended so as to authorize the Commission to direct the assessment of penalty per diem charges as an aid in alleviating shortages of railroad freight cars during periods of emergency or threatened emergency, or (b) that section 1(14) be amended so as to authorize the Commission to include as a factor in determining the amount of per diem charges, the earning power or value of the use of the vehicle lost to the owner when used or appropriated by others."

AMENDMENT OF SECTIONS 2322 AND 2323 OF TITLE 28, UNITED STATES CODE

Mr. MAGNUSON. Mr. President, by request of the Interstate Commerce Commission, I introduce, for appropriate reference, a bill to amend sections 2322 and 2323 of title 28, United States Code. I ask unanimous consent that the recommendation and justification of the bill, prepared by the Interstate Commerce Commission, be printed in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the recommendation and justification will be printed in the RECORD.

The bill (S. 1813) to amend sections 2322 and 2323 of title 28, United States Code, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on the Judiciary.

The recommendation and justification presented by Mr. MAGNUSON are as follows:

RECOMMENDATION NO. 7

This proposed bill would give effect to legislative recommendation No. 7 of the Interstate Commerce Commission as set forth on page 140 of its 72d annual report, as follows:

"We recommend that chapter 157, title 28, of the United States Code entitled 'Judiciary and Judicial Procedure,' be amended so as to provide that suits to set aside Commission orders shall be brought against the Commission instead of the United States, with the right of the Government, through the Attorney General, to intervene in any case."

JUSTIFICATION

The attached draft bill would amend title 28 of the United States Code so as to provide for more effective defense of Interstate Commerce Commission orders in the Federal courts.

Under existing statutes providing for judicial review of the Commission's orders by three-judge district courts, the United States, represented by the Department of Justice, is the statutory defendant. The Commission has a statutory right ot intervene in such actions, and it does so regularly through its own attorneys.

In most cases, attorneys for the Department and for the Commission file a joint brief and share the oral argument in court. In recent years, however, the Department of Justice has refused to defend some of the Commission's orders, and in others, has attempted to confess error against the Commission. It has been computed that since 1932 the Department has actively opposed the Commission's position in 13 cases and has confessed error in 13 others.

During the last 3 years, the Department has opposed the Commission in the district court in two cases, one of which involved unusual circumstances. However, there have been recent cases in which attorneys of the Department and of the Commission have successfully defended the Commission's orders and then afterward, upon appeal to the Supreme Court, the Department has reversed its position and attacked the order. Such a reversal of position occurred, for example, in *Alleghany Corp. et al.* v. *Breswick & Co.* (353 U.S. 151 (1957)), which involved ar important order of the Commission.

At the beginning of a judicial review proceeding the Commission carefully considers the views expressed by the Department of Justice, and in a number of cases the Commission has, upon the joint recommendation of its attorneys and the attorneys for the Department, reopened a proceeding. However, the orderly defense of the Commission's orders is seriously embarrassed when the Department of Justice joins in attacking such orders for the first time in the Supreme Court.

The Commission is of the view that the Congress expected the Department of Justice to defend the Commission's orders instead of performing the judicial function of deciding whether they are right or wrong. It is recognized, of course, that the Department has a primary responsibility for administration of the antitrust laws, the application of which differs in some respects from the regulatory concepts of the Interstate Commerce Act. In addition, the Department is often required to represent before the Commission and the courts the interests of the United States as the largest shipper in the country. In other crucial cases, the Department apparently finds it embarrassing to defend the Commission's orders against the opposition of the Department of Agriculture, which, under the Agricultural Adjustment Act of 1938 (7 United States Code 1291), is charged with representing the interest of farmers with respect to "rates, charges, tariffs, and practices relating to the transportation of farm products."

At the same time, however, the Commission, as an independent agency responsible to the Congress, is bound to apply in its decisions the National Transportation Policy, which the Congress has made overriding in the administration of the Interstate Commerce Act. It is the Commission's view that its decisions based upon that policy should not be reviewed by an executive department which is charged by the law with the administration of other and sometimes conflicting policies.

Accordingly, under the proposed amendment, the Commission would be entrusted with the defense of its own orders in the courts. At the same time the Department of Justice would be permitted to intervene in any case involving the review of a Commission order.

AMENDMENT OF TITLE 18, UNITED STATES CODE, RELATING TO REDUCTION OF SENTENCES OF IMPRISONMENT IMPOSED UPON CERTAIN PERSONS

Mr. CLARK. Mr. President, I introduce for appropriate reference, a bill to amend section 3568 of title 18 of the United States Code to give credit to persons who have been unable to afford bail for time served prior to sentencing in criminal cases in which the law imposes a mandatory minimum jail penalty.

Most persons would not believe that there is a law in this country today under which a poor person who is found guilty of certain crimes is required to serve more time than a wealthy person who is arrested at the same time for the same crime and who is found guilty and equally culpable. But that is the case.

Section 3568 of the Federal Criminal Code states that "the sentence of imprisonment of any person convicted of an offense in a court of the United States shall commence to run from the date on which such person is received at the penitentiary, reformatory, or jail for service of said sentence." In effect, this means that the sentence must run from date of imposition of sentence.

In most cases when an indigent defendant, who has been unable to post bail, pleads guilty or is found guilty at trial, the district judge takes account of the time which the defendant has spent in prison prior to trial in the sentence he imposes, and no inequity results.

In other cases, however, under laws of *relatively* recent origin, the judge is required to impose a jail sentence of mandatory minimum length running from date of sentence. It is in these cases, such as violations of narcotics laws, that district judges are prevented from giving consideration for time served prior to sentence, and defendants without means are penalized by having to serve additional time, frequently amounting to several months, because of inability to raise bail.

It is not an infrequent occurrence when two men are arrested for, say, possession of marihuana, that one posts bail and the other lacks funds to do so. Criminal trials in Federal district courts occur only four times a year at 12-week intervals. When the case comes up for trial, the defendant who is out on bail may ask for and receive a continuance for one reason or another, and the trial is postponed for another 3-month period. When the trial does occur, the indigent defendant may have spent as long as 5 or 6 months in jail, but if he and his co-defendant, who has been free on bail, are found guilty and the judge decides that they are equally culpable and imposes the mandatory minimum of 2 years on both men, the indigent defendant will serve several months more than his co-defendant. Such a case occurred recently in Philadelphia, and the voluntary defender of Philadelphia, who brought this matter to my attention, informs me that similar cases are not uncommon. The understandable bitterness engendered in the minds of those prejudiced by this law undoubtedly adds to their maladjustments.

The Federal judges with whom I have spoken about this matter have recommended that the change in the Criminal Code proposed in this bill be adopted, and the Judicial Conference will consider the matter at its next meeting session.

I am pleased to note that the Subcommittee on Improvements in the Federal Criminal Code in its report—No. 1478—dated April 28, 1958, recommended, on page 33, the enactment of legislation providing credit, when sentence is imposed, for time spent in confinement between commitment and final disposition.

Mr. President, it has been said that the degree of civilization a society has attained can be tested by the treatment it accords to its criminals. If this be true, our society would register a higher score by the passage of this bill.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1816) to amend section 3568 of title 18, United States Code, to provide for reducing sentences of imprisonment imposed upon persons held in custody for want of bail while awaiting trial by the time so spent in custody, introduced by Mr. CLARK, was received, read twice by its title, and referred to the Committee on the Judiciary.

PROPOSED SELECT COMMITTEE ON CONSUMERS

Mr. JAVITS. Mr. President, for myself and on behalf of the Senator from Colorado [Mr. ALLOTT], the Senator from Maryland [Mr. BEALL], the Senator from New Jersey [Mr. CASE], the Senator from Kentucky [Mr. COOPER], my colleague, the junior Senator from New York [Mr. KEATING], the Senator from Vermont [Mr. PROUTY], and the Senator from Pennsylvania [Mr. SCOTT], I submit for appropriate reference a resolution to establish a Select Committee on Consumers.

The 17-member bipartisan committee proposed by the resolution would study and investigate economic problems of direct concern to U.S. consumers, determine the effectiveness of existing Federal agencies in dealing with consumer problems and recommend what if any additional legislation might be needed to safeguard, protect, and advance consumer interests generally.

For years, the key symbol in our private enterprise society has been the consumer. One of our most highly regarded economic barometers, the Consumer Price Index, points up the contradictory and often inflationary influences which have largely been unexplained. In July and November of 1958, 2 months when the recession was most acute, the Consumer Price Index, instead of declining, registered a high of 123.9—using 1947–49 price levels as the base year.

Today, as we approach the highest economic activity since the postwar high of 1956, the index registered 123.7 with a slight seasonal decline in food prices offset by increases in other goods and services.

The significance of the U.S. consumer in his capacity to influence the economy was evidenced by the fact that two-thirds of our gross national production in 1958 was accounted for by the goods and services required to meet consumer needs. Consumer needs are of the most vital concern to our national economic health and growth. The continuity of consumer spending during 1957–58 was largely credited with sustaining our level of economic activity and braking the rate of decline during the recession.

However, the underlying reasons which formulated consumers' attitudes toward their personal finances and what triggered their rate of spending are vitally important questions, and it is essential that Congress consciously recognize and give special attention to factors which have a major impact on the buying habits of 176 million people.

The Federal Government through such agencies as the Department of Labor, the Department of Agriculture, the Department of Commerce and the Department of Health, Education, and Welfare, which includes the Food and Drug Administration, gives systematic consideration to about 30 million Americans—20 million union members, 3 million farmowners, 2 million wholesale and retail proprietors and over 4 million more private proprietors of businesses and industries—in their capacity as producers. However, there is no systematic representation of consumers' interest in overall economic policy as formulated by the Federal Government.

Although the President's Council of Economic Advisers dealing with national economic policy does meet with consumer groups, no regular advisory board representing consumer interests is regularly consulted by it. Nor is there consumer presence within such agencies as the Interstate Commerce Commission, which rules on fares and railroad services of immediate pocketbook concern to millions of consumers who commute by rail to work, or the Federal Power Commission on power rates which determine the cost of utilities to every American family, or the Civil Aeronautics Board in adjusting passenger rates and granting new airline routes, or the Tariff Commission which makes recommendations on import quotas affecting consumer goods.

The Select Senate Committee on Consumers would be specifically charged with studying the "extent to which authority heretofore conferred by law upon the executive, administrative, and regulatory agencies of the United States provides effective means for the solution of consumers' problems." Two key points to be considered by such a committee include, first the extent to which U.S. agencies through their administrative and quasi-judicial actions take into spe-

cific account the interest of the average consumer, and second, ways and means by which the consumers' interest can be specifically considered before Federal agencies of a regulatory nature which render decisions affecting prices, quality, and availability of goods and services.

In a broader sense, the areas for study and investigation of economic problems concerning the consumer by this select committee might well encompass the following:

First. Methods the consumer may employ to minimize the impact of inflation on consumer purchasing power and the value of savings and fixed incomes;

Second. The consumer's problems with consumer credit including installment buying credit;

Third. The effect on consumers of our agricultural program of farm-price supports which influences the cost of food and fibers purchased by consumers;

Fourth. The effectiveness of antitrust regulations to protect consumers against overcharging and restricted selection of goods caused by restraint of trade and monopolistic practices;

Fifth. The impact of sales, excise and other taxes on the consumer's ability to buy and his selection of goods;

Sixth. U.S. trade and traffic policies as they affect the price and availability of imported and domestic goods to the consumer;

Seventh. Research in consumer problems; and

Eighth. The influence of branded and nonbranded products on the price and quality and availability of consumer goods.

The consumer, as such, is the average man whose voice is not adequately heard in the Government councils responsible for setting national economic policy which is felt in his pocketbook. The needs and problems of the small businessman were recognized by the establishment of the Senate's Select Committee on Small Business, and a similar approach is inherent in this proposal for a Select Senate Committee on Consumers. In our role as a consumer, each one of us deserves the status and the same attention from Government already given the farmer, business and organized labor.

Mr. President, I ask unanimous consent that the text of the resolution be printed at this point in the RECORD and that the resolution may lie at the desk until the close of business today, so that other Senators, who may wish to do so, may have the opportunity to join as cosponsors.

The PRESIDENT pro tempore. The resolution will be received and appropriately referred; and without objection, the resolution will lie at the desk, as requested by the Senator from New York.

The resolution (S. Res. 109) was referred to the Committee on Banking and Currency, as follows:

Resolved, That (a) there is hereby established a select committee of the Senate to be known as the Select Committee on Consumers (referred to hereinafter as the "committee") consisting of seventeen members of the Senate, of whom eleven shall be members of the majority party and six shall be members of the minority party. Members and the chairman thereof shall be selected as soon as may be practicable after the date of adoption of this resolution, and at the beginning of each Congress commencing thereafter, in the same manner as members and chairmen of standing committees of the Senate are selected. Vacancies in the membership of the committee shall not affect the authority of the remaining members to execute the functions of the committee, and shall be filled in the same manner as original appointments thereto are made.

(b) The committee shall adopt rules of procedure not inconsistent with the rules of the Senate governing standing committees of the Senate, and from time to time may establish such subcommittees thereof as it may determine to be required for the performance of its duties. A majority of the members of the committee, or any subcommittee thereof, shall constitute a quorum thereof for the transaction of business, except that such committee or subcommittee may fix a lesser number thereof as a quorum for the purpose of taking sworn testimony.

(c) No legislative measure shall be referred to the committee, and it shall have no authority to report any such measure to the Senate.

SEC. 2. (a) It shall be the duty of the committee to conduct a continuing comprehensive study and investigation with respect to—

(1) the nature and extent of economic problems of consumers within the United States;

(2) the extent to which authority heretofore conferred by law upon executive, administrative, and regulatory agencies of the United States provides effective means for the solution of consumers' problems; and

(3) the nature of any additional legislative or other measures necessary or desirable for the solution of such problems.

(b) The committee shall report to the Senate from time to time the results of its studies and investigations together with its recommendations for any additional legislative or other measures which it may determine to be necessary or desirable for the solution of economic problems of consumers.

SEC. 3. (a) The committee or any duly authorized subcommittee thereof, is authorized to (1) hold such hearings; (2) sit and act at such times and places during the sessions, recesses, and adjournment periods of the Senate; (3) require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents; (4) administer such oaths; (5) take such testimony either orally or by deposition; and (6) employ and fix the compensation of such technical, clerical, and other assistants and consultants as it deems advisable, except that the compensation so fixed shall not exceed the compensation prescribed under the Classification Act of 1949, as amended, for comparable duties.

(b) With the prior consent of the executive department or agency concerned and the Committee on Rules and Administration, the committee, or any duly authorized subcommittee thereof, may utilize the services, information, and facilities of any such department or agency, and may employ on a reimbursable basis the services of such personnel of any such department or agency, as it deems advisable. With the consent of any other committee of the Senate, or any subcommittee thereof, the committee may utilize the facilities and the services of the staff of such other committee or subcommittee whenever the chairman of the committee determines that such action is necessary and appropriate.

SEC. 4. Until an appropriation is made for the payment of the expenses of the committee, such expenses, in an amount not to exceed $_____, may be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

REIMBURSEMENT OF STATES FOR CERTAIN FREE AND TOLL ROADS IN NATIONAL SYSTEM OF INTERSTATE AND DEFENSE HIGHWAYS—ADDITIONAL COSPONSORS OF BILL

Mr. BUSH. Mr. President, the distinguished Senators from West Virginia [Mr. RANDOLPH and Mr. BYRD] have advised me that they desire to be cosponsors of Senate bill 1714, a bill to provide equitable reimbursement to States for mileage taken into the national system of defense and interstate highways.

I ask unanimous consent that their names may appear on the bill when it is next printed.

The PRESIDENT pro tempore. Without objection, it is so ordered.

REBATE OF PORTION OF INCOME TAXES COLLECTED FROM EACH STATE—ADDITIONAL COSPONORS OF BILL

Mr. NEUBERGER. Mr. President, I ask unanimous consent that the names of the distinguished Senator from West Virginia [Mr. RANDOLPH], and the distinguished Senator from Alaska [Mr. GRUENING], may be added as cosponsors of the bill (S. 1776) to authorize an appropriation to each State of an amount equal to 5 percent of the individual income taxes collected in such State during each fiscal year, introduced by me on April 23, 1959.

The PRESIDENT pro tempore. Without objection, it is so ordered.

WORLD DEVELOPMENT CORPORATION—ADDITIONAL COSPONSOR OF BILL

Mr. JAVITS. Mr. President, I ask unanimous consent that the name of my distinguished colleague, the Senator from Minnesota [Mr. HUMPHREY] may be added as a cosponsor of the bill (S. 1743) to promote an increasing flow of private capital from the United States into economically sound enterprises in other areas of the world, to enlist an ever-increasing number of individual private investors in this undertaking, to promote world peace through the expansion of mutual economic interests, to reduce gradually the need for U.S. foreign public investments and grants, to establish a World Development Corporation, and for other related purposes, introduced by me (for myself, Mr. COOPER, and Mr. MURRAY), on April 20, 1959.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. MORSE:

Article entitled "The Big Dilemma: Conscience or Votes," written by William Benton, and published in the New York Times magazine section of April 26, 1959.

NOTICE OF HEARING ON CERTAIN NOMINATIONS BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for 2 p.m., Monday, May 4, 1959, in room 2228, New Senate Office Building, upon the following nominations:

Bailey Aldrich, of Massachusetts, to be U.S. circuit judge, for the first circuit, vice Calvert Magruder, retired.

Anthony Julian, of Massachusetts, to be U.S. district judge, for the district of Massachusetts, vice Bailey Aldrich, elevated.

At the indicated time and place all persons interested in the above nominations may make such representations as may be pertinent. The subcommittee consists of the Senator from South Carolina [Mr. JOHNSTON], the Senator from Nebraska [Mr. HRUSKA], and myself, as chairman.

CAN SECRETARY BENSON'S SOLUTION OF THE FARM PROBLEM BRING ANYTHING BUT DISASTER TO THE FARMERS?

Mr. PROXMIRE. Mr. President, on February 17, when Secretary of Agriculture Benson appeared before our Committee on Agriculture and Forestry, I challenged him, in a series of detailed questions, to show that his solution of the farm problem, namely, to knock out controls and to shove down price supports, could bring anything but disaster to our farmers.

Mr. President, I challenge anyone who feels that the present policies of Secretary Benson are right to read the colloquy between the Secretary and myself, and then attempt to show how the policies he advocates can lead to anything but further depression for the American farmer and higher taxes for the American taxpayer.

I call the attention of the Senate to my challenge to the Secretary to produce studies and statistics to support his position.

First, I asked for studies to support his contention that the farmer's problem can be solved by driving down prices far enough to bring supply and demand in balance.

Second, I asked the Secretary to report the probable price level and production figures for the next 3 years for corn, other feed grains, wheat, cotton, peanuts, and manufacturing milk under the proposals he has made.

Mr. President, with these facts—if we can get them—the Senate can take a clear-eyed look at the farm proposals of the President and his Secretary; and that will go a long way toward avoiding the serious blunders that have cost the farmer and the taxpayer so dearly in the past.

Mr. President, I ask unanimous consent that the colloquy between Secretary Benson and myself, which took place when he appeared before our Committee on Agriculture and Forestry, be printed in the RECORD, following these remarks.

There being no objection, the excerpts from the hearings was ordered to be printed in the RECORD, as follows:

Senator PROXMIRE. I want to discuss, Mr. Secretary, the heart of your message yesterday. I think you put it very well when you said: "To me, the answer to the farm surplus problem"—this was quoted in the New York Times today as the quotation of the day—"suggests itself in letters of fire a mile high: 'Eliminate as rapidly as practicable ineffective controls and use price supports at levels that will preserve and build markets.'"

Of course I do not argue or try to discredit that. I simply want to bring out the fact. My positon is quite contrary to that. I want to see where I am wrong, where you are right, and make as much progress on that as I can in that spirit.

It seems to me that the purpose of your proposal is first to limit or reduce the surplus and do this by discouraging production. No. 2, to increase consumption, and No. 3, to save this terrific burden the taxpayer now has to pay.

Is that correct?

Secretary BENSON. Senator PROXMIRE, that is essentially correct. I certainly feel that any program which has the effect of destroying markets and building up surpluses and which imposes ineffective controls on farmers at great cost to the taxpayers is a bad program.

Senator PROXMIRE. I would certainly agree with you on that.

Secretary BENSON. That is what we have had on certain of our so-called basic crops.

Again I say that four-fifths of our agriculture is free today of controls, and that part is getting along pretty well. It is the part that the Government has been the most solicitous, apparently, where we are in some difficulty.

Senator PROXMIRE. Let us take the area that is free from controls, the No. 1 cash crop in America, dairy products, an area

Secretary BENSON. Yes, we have.

in which you have had price supports, however.

Senator PROXMIRE. Here is the consequence of fluctuations in price. First on production. Since that time, 1947 to 1952, the year before you took office, the price of manufacturing milk and the price of all milk rose some 7 percent, roughly. The price went up. Yet production dropped 2 billion pounds or about a little less than 2 percent.

Since you took office, however, beginning in 1953, the price has dropped about 10 percent. These figures are taken from your Department.

I would like to ask you if these figures are roughly accurate and in the second place how you explain what appears to be a contradiction of your fundamental position on production?

Secretary BENSON. First of all, Senator PROXMIRE, there has been a tremendous change, as you know, in the dairy industry. The tendency has been for the herds to get a little larger, for the farmers to introduce efficiencies which they haven't had before. The period before I took office was a period when we were in the Korean war which you will agree was an abnormal situation.

Senator PROXMIRE. What you are saying is that other factors were far more important than price in determining production of milk.

Secretary BENSON. Certainly there were other factors.

Senator PROXMIRE. It seems on the basis of these statistics that price was so minimal that it was far outweighed by other factors, technological factors, weather factors.

Secretary BENSON. I would have to appraise that very carefully to determine even in my own mind to what extent price was a factor and to what extent other factors entered into it.

Senator PROXMIRE. You can see why the dairy farmers are apprehensive. The farmer has been told that the way to solve production problems is to lower prices. It has not helped solve the production end of it at all. The production has increased at a much more rapid pace than before.

Let me get into this second area, markets. You have pleaded repeatedly and you have said that the way to open up markets is to get a competitive price. We have lowered the price the farmer receives for dairy products. We have done our very best to promote dairy products through the American Dairy Association. We have spent a lot of money through ADA at the cost of the Wisconsin farmer. We have found that the only index of the success or failure of such a program is the per capita retail sales, which have been going down since 1953. In 1953 and 1954 it was about the same, 678 pounds per capita; in 1953, 679; and again in 1954. Then it began to drop. So it seems that while this was a most modest drop it did not start until 2 or 3 years after the sharp price drop. Nevertheless, it is a drop that has coincided precisely one for one with the fall in the price that the farmer is receiving for his milk. So lower prices are giving the farmer no help on the production side. They are not cutting supply. And they are no help on the demand side. They are not expanding his market. So lower prices are a road to disaster for Wisconsin dairy farmers. Yet this is all you offer. Isn't that correct?

Secretary BENSON. The big item in the reduction in consumption was probably in the case of butter. That has been trending downward in competition with other spreads, as you know.

Senator PROXMIRE. How far down does butter have to go?

Secretary BENSON. It lost a good part of its market when prices were fixed at 90 percent parity. We just priced butter completely out of the market. So consumers turned to other spreads, and when they did and found them very satisfactory it was hard to get them to come back.

That is the biggest single problem we have had in the dairy industry in recent years. But it is an illustration of how you can price the commodity out of the market and destroy a market.

I think the greatest single need is the promotion of these high-quality dairy products that the farmers have produced. I do not think we have saturated the market. Our technicians say if our people had a minimum amount of calcium in their diet they would have to consume 9 percent more milk in this country.

I know the dairy association is doing good work, but I think we have only scratched the surface of our possibility.

As a matter of fact, I have been accused of being somewhat of a crank on this, and that is this question of making milk easily available to our people. I am not going to be satisfied until you have a milk dispenser alongside of every soft-drink dispenser in this country. If we had that today we would have a shortage of milk, of dairy products. We are confident of that.

We have found that wherever they are put in, the consumption of milk goes up. I think it is largely a question of promoting these products, making them easily available, and price will pretty well take care of itself, and the Government will not be in the dairy industry.

Senator PROXMIRE. I would like to ask you if you could provide the committee with statistics, if possible, showing the degree to which the drop in the sale of butter has contributed to this per capita consumption drop. It seems to me, from what I have heard, that this is not a complete explanation for the failure of dairy products, at lower prices to farmers, to reach out to get further markets.

I would also like to ask this: In Wisconsin we have promoted milk in all kinds of ways by placing dispensers around. Isn't it true that generally you have to have a margin for the processors so that there is enough incentive to sell milk in competition with soft drinks? You can produce Coco-Cola or Pepsi-Cola or other soft drinks at a very small cost. The cost of milk, we feel, is very low to the farmer, but it does not compare to the low cost of pop and Coca-Cola and so forth to the producer. So isn't this really a pie in the sky notion? We have already widened this processor margin enormously, widened it in the sense that the price to farmers is going down and the price to the housewife is going up. We are nowhere near getting to the position where the retail seller of milk can buy the commodity at a low enough price so that he has the incentive to provide the enormous advertising, the enormous promotional activity that goes with the sale of soft drinks.

Secretary BENSON. I have two points. In the first place, of course, I think no one would question but what the nutritional value of milk is far and away beyond——

Senator PROXMIRE. Least of all the junior Senator from Wisconsin.

Secretary BENSON. Beyond the value of any of the soft drinks.

Second, I would agree with you, I think, that the spread between the farm price and the retail price is too wide. I think there are inefficiencies in the handling of milk. Of course we are studying it all the time in the Department. Of course the big item is labor costs. But there are certain inefficiencies in the distribution of milk that I would hope could be reduced at least substantially which would tend to narrow that margin between retail and farm prices for dairy products.

Senator PROXMIRE. As far as production and as far as consumption is concerned, you can see why there is an element of discouragement for the dairy farmer.

Let us go to the other element. Since you have been in office, the cash to the taxpayer for supporting the dairy program has quintupled. It is five times as great as before you came in. The program of dropping price support for milk has not only failed to sell more milk, it has not only failed to discourage the production of more milk, but has been enormously expensive to the taxpayer. The handling of surpluses in various ways has increased very, very rapidly, from $57 million to over $275 million on the average. That is in comparing the 5 pre-Benson years with the 5 Benson years.

Secretary BENSON. There has been quite a liquidation, quite a culling program in the dairies, as you know, which has been encouraged by the high price of beef. That has caused a reduction in their dairy population. I think we ought to keep that in mind.

Senator PROXMIRE. May I interrupt to say that that is an explanation perhaps for the reason that the production of milk in this last 6 months has been somewhat lower. In other words, it is because of the favorable price for beef, not because of anything that has happened to the price of milk in the dairy industry to discourage production. In other words, farmers are selling their cows for beef.

Secretary BENSON. They are culling them because of the good price for beef. I think the record will show that in 1957 the dairy income was at an alltime high in this country and dairy farmers had declined somewhat. So the income per capita to dairy farmers in 1957 was at an alltime high.

In 1958 it would probably prove to be the second highest in history and the per capita income the highest.

I agree with you that it is not high enough. As one who milked cows for many years and would like to see the price higher.

Senator PROXMIRE. Since the income of Wisconsin dairy farmers averages around 52 cents per hour, it is a pretty hopeless outlook. These are businessmen who have investments of $40,000 to $50,000 apiece. They work, as your Department pointed out, 12 hours a day on the average. This is longer than farmers in any other State in America. What are they getting? Fifty-two cents an hour for this initiative, this hard work. It is a pretty hopeless outlook for them. You say it is the highest for any period on record, but after all we have had inflation; we have much higher income for wage earners, doctors, lawyers, merchants, manufacturers, everybody. The farmer, while he might have had a small increase in 1957, on a per capita basis, with all the effort and work he has put in it does not mean much because so much of their increase is an average increase that has resulted from elimination of some of the so-called marginal farmers rather than of actual benefit to the typical farm family.

Secretary BENSON. I realize farm costs have gone up. They went up 100 percent from 1939 to 1952, and they have gone up 4 percent since then. They have been in a cost-price squeeze which is very real.

Senator PROXMIRE. Let me try to relate this to the total problem. Is it not true that farm prices, farm income according to the parity index—the old one at 79 percent—is the lowest since 1940? So farmers are getting relatively far less and yet they are producing much more than ever before and we are loaded with the biggest surplus in history, as Senator SYMINGTON has so well brought out. In other words, on the overall basis this attempt of solving a problem by lower prices and fewer, ineffective controls just is not working now.

Secretary BENSON. You are comparing a war period with a peace period. No one would propose another war to settle this thing.

Senator PROXMIRE. Of course not.

Secretary BENSON. You would not want that; neither would I.

Senator PROXMIRE. All I am thinking, Mr. Secretary, is that we tried this program, pretty much tried the kind of thing that you are advocating. It is true that we have some control on some commodities. As you pointed out, it is only about 20 percent of our production. It has not really limited the overall production because the farmer simply shifts from corn or wheat or cotton to some other kind of production. We have had the dropping of farm price supports and we are not solving the problem.

If we tried these controls for so many years and they are not effective why don't we recognize that price supports without controls won't work?

Secretary BENSON. But it has been a great inconvenience to farmers and has not permitted them to balance their farm operations and work out their rotations the way they would like to had they not had the controls.

Senator PROXMIRE. I think that is right. My position is that you should not have controls unless the farmers want them, are given an opportunity to vote for them and do in fact vote for them. Our farmers are convinced, and they have said this through their organizations, that they want a self-help program. I think they will vote for this kind of self-regulation.

You said yourself that in principle you would support that kind of program. It would get Government out of the dairy business to a very great extent. It would therefore help the taxpayers and it would certainly help the farmer by limiting the production to what they could sell at a fair price.

Secretary BENSON. Senator PROXMIRE, we have not seen such a bill that we think is feasible and workable. I would be perfectly willing to support a program of self-regulation in the dairy industry if we could get a program that I thought was feasible. You would not ask me to report favorably on a bill that I did not think was workable and that would do more harm than good. That is the kind of bill that we have studied.

Senator PROXMIRE. But the bill I introduced last time was overwhelmingly supported by the principal dairy associations. They worked on it very carefully and at great length. It gave them an opportunity to vote. It would only result in a loan of some $200 million or $300 million. This enormous cost that has averaged $200 million to $400 million a year would be eliminated. Why isn't that in the national interest and in the interest of the dairy farmers?

Secretary BENSON. I think it did call for some $300 million of Federal funds.

Senator PROXMIRE. A loan.

Secretary BENSON. A loan, with no provision for repayment I think and it would have resulted as we studied it in the regulation of the dairy industry and eventual control. I do not believe the dairy farmers want controls.

Senator PROXMIRE. We were giving them an opportunity to say so. The bill provided a loan with the strongest kind of security.

Secretary BENSON. There are several objections to the bill. You may have a revised version. I do not know. Our technicians studied it objectively and recommended against it, thought it was not a desirable thing. Our advisory committee, which is bipartisan in character, made up of non-Republicans and non-Democrats, had it before them and studied it carefully and voted against it. As a matter of fact, in meetings with the proponents they agreed on the need for several changes which were never introduced.

Senator PROXMIRE. I am sure the advisory committee appointed by the President of the United States under your recommendation would support your position on this.

Secretary BENSON. Not always, Senator. They look at it objectively and do, I think, an honest, objective job.

Senator PROXMIRE. Let me get into another area.

I think I can cover these rather quickly. I want to ask you whether there are any Department studies of farm price elasticity that would support the implication that lower prices to farmers can yield higher farm income from increased production. I think this goes to the very heart of the farm program.

Professor Cochran of the University of Minnesota has argued that for every 1 percent increase in production there is from 10 to 12½ percent drop in price. Under these circumstances, of course, it is just hopeless for the farmer in our great technological explosion that we have in agriculture to look forward to anything but an impossible situation of economic disaster after disaster unless he is able to limit his production to what he can sell at a fair price.

Secretary BENSON. Senator PROXMIRE, I would have to challenge that as an economist myself, not an expert by any means. I would have to challenge the results of that study. I would like to look at the whole study. We have had a number of studies made in this field by many reputable economists. I would doubt very much the accuracy of those figures, although I would like to see the study, frankly.

Senator PROXMIRE. Could I ask you to provide us with the study that you have?

Secretary BENSON. Yes; we will be glad to.

Senator PROXMIRE. I think this is so important. Do you have any studies?

Secretary BENSON. A number of the land grant colleges have made them for various farm commodities.

Senator PROXMIRE. Do you have any studies to show that the farmers can solve the problems if you permit them to produce

more? Does not every study show that as production increases you are going to get a drop in gross income because your price decreases so much more?

Secretary BENSON. Senator PROXMIRE, in the first place, I do not think you can prevent them if you tried because your controls will be ineffective. They will produce more. Second, farmers do not spend price, they spend income, and that is price times volume. It is just as important to a farmer to have something to sell as it is to have a price.

Senator PROXMIRE. It is just as important to have a price as to have something to sell.

Secretary BENSON. You must have both.

Senator PROXMIRE. Exactly.

Secretary BENSON. But we have a tendency to put all of our emphasis in years past on price, price, price, until we price some of our commodities out of the market. We cut our farmers out of the market. They have had less to sell and a lower income.

Senator PROXMIRE. Mr. Secretary, we live in a bargaining power economy. We live in an economy of strong labor unions that push up their price over and over again. We live in an economy where we have a minimum wage. We have a tariff. Industry fixes their price and they limit their production. The farmer is in that kind of an economy. If you tell him that he should operate in a free economy, he is just about the only person who does.

You have read and are familiar with that excellent study by Dr. Chamberlain of Harvard which shows that the farmer alone has a homogeneous commodity. He has no control over his price. Everybody else has some measure of control. Under those circumstances it seems to me you should recognize that you have to give the farmer at least an opportunity to vote for controls.

Secretary BENSON. He voted in the case of corn, and, of course, voted out controls.

Senator PROXMIRE. The proposition was put to him so he had no real choice.

Secretary BENSON. I think he had a pretty good choice.

Senator PROXMIRE. On tobacco he voted 12 to 1 to keep them.

Secretary BENSON. What was his choice, 50 percent or nothing?

Senator PROXMIRE. Of course, it depends——

Secretary BENSON. Ninety percent or nothing.

Senator PROXMIRE. Of course, it depends on how the question is put. No question about that.

Secretary BENSON. I think we ought to keep in mind, Senator PROXMIRE, that four-fifths of all of our agriculture today is free. There are no attempts at controls and they are doing better than those for which we have tried to control and fix prices. Our problem is really where the Government has tinkered mostly with commodities. Excuse me for using that term.

Senator PROXMIRE. I do not want to get political, but the election returns certainly contradict that. The farmers of America are not satisfied with that. I ran against Governor Kohler in 1952. The issue was Republican against Democrat. He got 70 percent of the farm vote. I ran against him in 1957. The issues with the Wisconsin farmer were overwhelmingly Benson policies. I got 70 percent of the vote. That is the most fantastic switch by an important economic group I've ever heard of. The farmers are not satisfied.

Secretary BENSON. May I comment on that?

Senator PROXMIRE. Yes.

Secretary BENSON. First of all, I understand you are a very effective campaigner.

Senator PROXMIRE. You came out to Wisconsin and campaigned.

Secretary BENSON. I was not effective enough.

The CHAIRMAN. That was not peculiar to Wisconsin.

Secretary BENSON. It would be pretty hard to prove very much agriculturally out of the election. I think the sentiment was more accurately reflected in that referendum vote on corn than it was on the election.

Senator YOUNG of North Dakota. Will the Senator yield?

Senator PROXMIRE. I yield to the Senator from North Dakota.

Senator YOUNG of North Dakota. They voted the same way; 88 percent of the corn farmers actually got a higher price. All of the farmers in the noncommercial areas get a higher price support. In my State there was one commercial corn county that didn't abide by the quotas. Throughout the Nation the corn farmers will actually get a higher price than they had before.

Secretary BENSON. Senator YOUNG, they had voted for years that they didn't want controls.

Senator YOUNG of North Dakota. Actually they got a higher price support. If you gave the wheat farmers that choice they would vote that way.

Secretary BENSON. They voted the same in 1956 when they didn't have that choice.

The CHAIRMAN. Senator PROXMIRE.

Senator PROXMIRE. I would like to call attention to the Associated Press report about President Eisenhower's speech in Peoria, Ill., in 1956.

"President Eisenhower called Tuesday for a 'full share' for the farmer in prosperity.

"'In a free agriculture,' Mr. Eisenhower declared, 'farmers attain that kind of parity in the marketplace.'"

Did the President's assurance of full income parity have any basis in fact? Were there any studies by your technicians to indicate that farmers could in the foreseeable future get income parity in the marketplace?

Secretary BENSON. I do not recall that there were any special studies.

Senator PROXMIRE. Any studies of that kind?

Secretary BENSON. Of course, there are a number of commodities that have been at full parity on the free market. Cattle prices are there now at about full parity, I think.

Senator PROXMIRE. Certainly. Grapefruit, tomatoes, too. We are talking about the American farmer as a whole who has a lower parity now than at any time in 17 years.

Secretary BENSON. There is more income from cattle and calves than any other commodity.

Senator PROXMIRE. There is nothing in the record since 1952, nothing in this whole experience, that indicates that the American farmer is going to get 85 or 90 or 100 percent of parity in the marketplace. And no study by your Department backs up that assurance. In the absence of that I ask you, and I ask you in good humor, but I ask you, if this is not a demagogic statement, if there is nothing to back it up?

The farmer is not going to get full income parity in the marketplace in the foreseeable future; isn't that correct?

Secretary BENSON. I think that is the only place he is ever going to get it unless you are going to go Socialist and get very rigid controls and force the farmer to cut down. I think the only place he can get it is the marketplace. We have never been able to provide it for him except during wartime. We tried it just before World War II. The parity ratio at that time was down to 77. Prices were down to 77 percent of parity. We had a war, and prices went up.

The war ended, and prices came down again. We were accumulating again and then we had the Korean war. Prices went up again and after the war we had the same adjustment downward.

Parity really, Senator PROXMIRE, is a pretty weak measuring rod. I would like to see the farmer get just as much as he can.

Senator PROXMIRE. It does not nearly measure the deficiency on the farm and off the farm per capita income of farm people of about $1,000, compared to $2,000 for people not working in farming. That is grossly unfair. Certainly it is a weak measuring stick.

Let me go on to ask what are the probable price levels and production figures for the next 3 years for corn, for other feed grains, for wheat, cotton, peanuts, and manufacturing milk under the proposals that you made? I will not expect you to give those to me now, but I think it is extremely important for the committee to have that information and that the Congress have that information before we act on legislation this year.

Secretary BENSON. We can furnish it for the record, Senator PROXMIRE.

Senator PROXMIRE. It seems to me that kind of assurance from technicians in your Department has not been given before. Is it not true that it is possible that the absence of that kind of thoughtful analysis and study of the impact of the proposals you make is one of the reasons for the failure of our farm program in the past?

In other words, the Congress has not really been informed exactly what would be the consequences of what they are voting for.

Secretary BENSON. If there is any information that we have the committee would find useful we will certainly make it available.

(The document referred to is as follows:)

"STATEMENT FILED BY SECRETARY BENSON

"I should like to point out that the Department now has underway a study in answer to a similar request received by mail from Senator PROXMIRE, and it will take some time to complete that. We shall be glad to make the results available to the committee as soon as they are available. In this connection, I should like to point out that the Department has prepared a series of studies for the Congress since 1955 on such commodities as milk, rice, tobacco, cotton, and feed grains, so that a very substantial volume of materials bearing on the effects of alternative programs have already been provided."

Senator PROXMIRE. I am almost through.

The CHAIRMAN. Take your time.

Senator PROXMIRE. Did not the President precisely promise a guarantee of price supports of 90 percent in 1952?

Secretary BENSON. I do not think he promised a guarantee. I would have to check the records to see.

Senator PROXMIRE. Let me remind you of something. He said in Minnesota, "Here and now, without any ifs and buts, I say to you I stand behind, and the Republican Party stands behind, the price support laws on the books. This includes the amendment to the basic farm act passed by both parties in Congress to continue through 1954 the price support of basic commodities."

Secretary BENSON. That was carried out. It was continued through 1954. There were no changes.

Senator PROXMIRE. You are telling this committee that Congress did not act rapidly enough to change that law, to reduce it?

Secretary BENSON. We recommended in 1954 that the act be changed when the 2-year period expired. That was when the first change came. It was not as much as we recommended but there was some change in the fall of 1955.

Senator PROXMIRE. Then you wanted to drop price supports in 1955, and it was the failure of Congress to drop the price supports to 75 percent, as you requested, that caused the trouble. In fact, it dropped supports to only 82 or 83 percent. Was that one of the problems that resulted in overproduction?

Secretary BENSON. Yes.

Senator PROXMIRE. Then how do you justify the 1956 increases that the President of the United States put into effect?

Secretary BENSON. I have answered that already. It is in the record.

Senator PROXMIRE. The answer was they were administrative problems.

Secretary BENSON. No. The answer was that the President had recommended legislation which he and the rest of us in the Department thought was sound and good for farmers but that the legislation was not acted upon. An omnibus bill was passed which we felt was a piece of bad legislation. The President vetoed it and it was near the end of the session of Congress.

The President thought something should be done to give some help to the farmers on a temporary basis so administratively there were some changes made.

Senator PROXMIRE. That does not make any sense at all. If your position is that high artificial prices are bad for the farmer and bad for farming, in spite of all the explanation about how you did not get exactly the bill you wanted, why did the President increase above the discretionary low that he had? Why did he push prices up just before the election?

Secretary BENSON. He tried to provide some constructive changes in the program and was unsuccessful.

Senator PROXMIRE. In the absence of that, why did he push prices up if it was wrong? If it was wrong in 1955? If it was wrong in 1955 and in 1957, why was it right just before the election?

Secretary BENSON. We were unsuccessful in getting constructive legislation from the Congress.

Senator PROXMIRE. There were changes in wheat from $1.81 to $2; corn, from $1.40 to $1.50. Corn not produced in compliance with allotments, from 0 to $1.25. Rice, $4.04 to $4.50. Milk for manufacturing, $3.15 to $3.25. Butterfat, from $0.562 to $0.586. Maybe these are small but we would certainly love to get them now.

In U.S. News & World Report on page 48 you say this: "Our technicians made a study." This refers to Senator TALMADGE'S proposal. You said it would cost $10.5 billion a year to finance it. You also made a statement about an omnibus bill that I had last year that I brought before the people of Wisconsin. I got estimates from the Library of Congress, estimates from the former Secretary of Agriculture, Clinton Anderson, showing that my bill would cost less than the present program, yet you came into my State and said it would cost several billion dollars more than the present farm program.

I ask you, if you can give us the exact statement as to the cost of Senator TALMADGE'S program, why can't you give us the same kind of estimates on your own program?

Secretary BENSON. We can.

Senator PROXMIRE. Will you do that?

Secretary BENSON. If these recommendations were carried out what the cost would be?

Senator PROXMIRE. As I understand it, the committee has asked you and you have agreed to provide an omnibus farm bill in this session.

Secretary BENSON. We have agreed to do some drafting that would incorporate the alternatives in legal language.

Senator PROXMIRE. All the recommendations that you want?

Secretary BENSON. Which we have set forth here.

Senator PROXMIRE. I am asking if you will give us the cost of this program and how it will affect the budget.

Secretary BENSON. We will give you the best estimate we can.

Senator PROXMIRE. Will you make available to the committee your analysis of the Talmadge bill?

Secretary BENSON. Yes, indeed.

Senator PROXMIRE. Or make available to me your analysis of my bill?

Secretary BENSON. Yes, of course.

We will make it available to the membership of the committee.

The CHAIRMAN. Is your bill before the committee, Senator PROXMIRE?

Senator PROXMIRE. My bill was before the committee and the Secretary of Agriculture has already analyzed it. He has already made a statement which was used by my opponents very effectively in Wisconsin as to its cost. I am simply asking him to give the basis for that statement.

The CHAIRMAN. Did you say "effectively"?

Senator PROXMIRE. Too effectively.

Secretary BENSON. We have the request from the chairman of the committee to make an analysis of Senator TALMADGE'S bill and that is in process, Mr. Chairman.

Senator PROXMIRE. I would simply like to conclude.

Mr. SORKIN. In the U.S. News & World Report we did not say the Talmadge bill would cost $10 billion. We said the analysis we made of a deficiency payment program at 90 percent of parity would run in excess of $10 billion. I am not sure that you would think of the Talmadge bill as excellent once you had completely analyzed it, sir.

Senator PROXMIRE. I have other ideas myself.

Mr. SORKIN. Apparently there is a difference of opinion between you and Senator TALMADGE. From what you have been saying the Talmadge proposal provides for no controls and your proposal last year was for very rigid controls.

Senator PROXMIRE. We both are trying to achieve the same thing. He proposes a compensatory payment system that gives farmers something like parity. It does it in a way that I think is less desirable than the proposal I have. But I think the principle of his proposal is better than the one we have now.

Mr. SORKIN. I think it would wreck the farm economy of the State of Wisconsin, if we analyzed it. You get your money in Wisconsin, 90 percent of it, from sales of livestock and livestock products.

Senator PROXMIRE. From dairy products and livestock.

Mr. SORKIN. Yes, sir. There would be very little in payment to Wisconsin since only 3 percent of the income comes from the basics.

Senator PROXMIRE. I see what you mean.

Mr. SORKIN. I think if you analyzed that bill you would not be very happy about it. It would cut livestock prices sharply.

Senator PROXMIRE. No; not its present form.

Mr. SORKIN. Yes, sir.

Senator PROXMIRE. I would like to ask the Secretary if he would furnish production figures and farm price estimates under your bill. How much production and what level of farm prices would you anticipate from the proposals you would make?

Secretary BENSON. We could make estimates.

Senator PROXMIRE. That would be useful in the line of questioning that Senator SYMINGTON is pursuing.

I would like to say that I am delighted by this study by Foote & Weingarten. This seems to be exactly the kind of thing that would be enormously helpful to Congress. I think this kind of study applied to your proposal and Senator TALMADGE'S proposal would be very helpful to us in coming to the most intelligent possible conclusion as to cost, et cetera.

Secretary BENSON. Thank you.

Senator PROXMIRE. I want to thank the Secretary for being so courteous and helpful in his response. I regret that we do disagree so completely, but that is one of the prices that you have to pay for being Secretary of Agriculture and being a Senator from Wisconsin.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

JOHN FOSTER DULLES

Mr. MANSFIELD. Mr. President, in the New York Herald Tribune of April 27, 1959, there appears a news story by Robert J. Donovan, entitled, "Dulles Vows to Herter: He'll Keep Hands Off." And in the Christian Science Monitor of April 25, 1959, there appears an editorial entitled, "Dulles: No 'Interlopers'."

Both of these press items point up, once again, the caliber of the former Secretary of State, who has invariably placed the interests of the Nation, as he sees those interests, in the forefront. He has made it clear that, so far as he is concerned, there is only one Secretary of State, one source of authority under the President in the conduct of foreign relations—Mr. Christian Herter.

To be sure, Mr. Dulles will be available for consultation and advice. The responsibility for decision, however, must rest with the constituted authorities, under our system of Government. Mr. Dulles has made clear that he will be no interloper in the development of U.S. policies for dealing with the life-and-death problems of our foreign relations. I renew my expressions of admiration and respect for the former Secretary of State for his proper, appropriate, and patriotic response to a delicate situation. It is an example which might well be followed by others inside or outside the Government. The line of authority and responsibility for foreign policy under our system is from the President to the Secretary of State. It must be kept that way.

Mr. President, I ask unanimous consent to have included at this point in the RECORD the two articles to which reference was previously made.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Herald Tribune, Apr. 27, 1959]

DULLES VOW TO HERTER: HE'LL KEEP HANDS OFF—ADVICE GIVEN IN PERSON IS: BROOK NO MEDDLERS, STAND ON OWN FEET

(By Robert J. Donovan)

WASHINGTON, April 26.—When Christian A. Herter flies to Paris tomorrow on his first big assignment in his new job, he will be taking with him ringing advice from John Foster Dulles to stand on his own feet as Secretary of State, to tolerate no "interlopers" between President Eisenhower and himself, and to feel no obligation whatever to consult Mr. Dulles.

As Mr. Herter heads for the Western Foreign Ministers' meeting, which opens in Paris

on Wednesday, he also will be carrying a verbal pledge by Mr. Dulles that the retired Secretary of State will not, in his new role as special consultant to the President, try to force his own views on Mr. Eisenhower, Secretary Herter or anyone else in the Government.

Former Secretary Dulles' advice and his promise were given Mr. Herter at an unusual gathering in Mr. Dulles' suite in the Walter Reed Army Medical Center here Thursday. The occasion was the swearing in of Mr. Dulles as the President's special consultant and the full story of what occurred is told here for the first time.

The highest officials of the Government had come to see Mr. Dulles take the oath. The President was there. So was Vice President Nixon, Secretary Herter, C. Douglas Dillon, Under Secretary of State for Economic Affairs, and the retired Secretary's brother, Allen W. Dulles, Director of the Central Intelligence Agency. Mrs. John Foster Dulles was on hand, and there was a scattering of others from the White House, the State Department, and the hospital staff.

Mr. Dulles, who is suffering from cancer, was dressed in a navy-blue suit and stood straight as a ramrod as Frank K. Sanderson, chief administrative officer of the White House, administered the oath while the President stood at Mr. Dulles' left hand.

After the brief ceremony Mr. Eisenhower remained for only a short time and then left to address the National Association of Manufacturers. After he had gone, Mr. Dulles asked some of the other high officials to remain awhile, and together they sat in a circle under a portrait of Sir Winston Churchill, painted by the President.

WHAT DULLES SAID

Mr. Dulles turned to Secretary Herter, and as his words have been recalled by one who heard them, said:

"As you know, Chris, I have always considered that the Secretary of State, next to the President, has the primary responsibility for the making of foreign policy. I have always opposed any attempts from any quarter—whether from the legislative branch of the Government or from the executive branch—to infringe upon the prerogatives and responsibilities of the Secretary of State in the foreign policy field.

"Where foreign policy is concerned, I have always felt that there could not and should not be any interlopers between the Secretary of State and the President."

FREE HAND FOR HERTER

Mr. Dulles paused a moment and then added with a smile:

"And I want to emphasize to you, now that I have taken this new position as a foreign policy consultant to the President, that I never want to do anything which might put me in the position of being an interloper between you and the President."

The former Secretary went on to stress that under no circumstances need Mr. Herter or any one else in the State Department feel obliged to consult him on the unfolding events in Paris and Geneva or indeed on any other phase of foreign policy.

WILL ADVISE WHEN ASKED

He would be happy, Mr. Dulles said, to give advice when advice was asked, but he would never, he said, put himself in a position of forcing advice on the President, the Secretary of State or any one else in the Government.

The man who was Secretary of State from January 21, 1953 until 11 days ago when illness forced him to resign made it very plain to all present that he felt that Mr. Herter must quickly establish an individual and distinctive identity as Secretary of State. Unless this is done Mr. Herter's hand will be weakened in the critical negotiations impending in Europe. Furthermore, as Mr. Dulles believes, leadership in the area of foreign policy might well pass from the State Department to powerful Democrats in the Senate unless Mr. Herter can establish for all to see that he is in fact as well as in name the Secretary of State and that there is no appeal over his head to Walter Reed Hospital.

FAMILIAR WITH PROBLEM

Mr. Dulles is well versed in the difficulties that Secretaries of State have encountered in permitting "interlopers," to use his word, to come between them and the President. His own uncle, Robert Lansing, who was Secretary of State to President Woodrow Wilson, was sidetracked by Col. Edward M. House. Later, in the administration of President Franklin D. Roosevelt, Under Secretary of State Sumner Welles was often closer to the President in the conduct of foreign relations than was Secretary of State Cordell Hull.

Throughout his years in the State Department Mr. Dulles and the men close to him fought moves that might bring anyone outside the Department into the picture as an adviser to the President on foreign policy. Thus Mr. Dulles opposed a suggestion that Gen. Walter Bedell Smith be placed on the White House staff in this capacity.

HAD OPPOSED ADVISERS

He was also unhappy about many of the activities of C. D. Jackson, Governor Rockefeller, and William H. Jackson who, in the early years of the administration, followed each other onto the White House staff as advisers to the President on psychological strategy. Many of their proposals cut across what Mr. Dulles deemed his own field. Thus, he opposed, at one point, the open-skies plan which Mr. Rockefeller persuaded the President to propound at the 1955 summit conference in Geneva.

The purpose of the meeting which Mr. Herter will attend in Paris will be to agree upon a common Western position for the East-West Foreign Ministers' conference to be held in Geneva starting May 11.

NO CONGRESSIONAL ADVISERS

The Secretary is departing in full agreement with Senator J. WILLIAM FULBRIGHT, chairman of the Senate Foreign Relations Committee, that no congressional leaders should accompany him to the Geneva Conference.

Secretary Herter's position on this is that there should be congressional representation only in the unlikely event that some agreement should be reached with the Russians and that even then members of the Senate Foreign Relations Committee should be present only for the formal signing—not throughout the conference itself. This attitude apparently applies also to congressional representation at a possible summit conference later in the summer.

[From the Christian Science Monitor, April 25, 1959]

DULLES: No "INTERLOPERS"

One of the more reassuring aspects of the Dulles-to-Herter changeover at the State Department has been the performance of Mr. Dulles at the meeting confirming him as foreign policy adviser to President Eisenhower. Mr. Dulles is reported to have warned his successor, Secretary of State Herter, against "interlopers" between him and the President—and then to have added that he, Mr. Dulles, would take care himself not to be an interloper.

Mr. Herter may have needed no such assurance from his predecessor. But many Americans will welcome it because (1) of the manner in which the transfer of the secretaryship took place and (2) the confusion which resulted in earlier administrations when influence was divided between the Secretary of State and a presidential adviser.

Mr. Dulles' remarks recalled the experience of his uncle, Secretary Robert Lansing, with President Wilson and the presidential alter ego, Col. Edward M. House. Many Americans will remember the unfortunate situation which developed when President Franklin D. Roosevelt and Undersecretary of State Sumner Welles appeared to be bypassing Secretary Hull.

How easy or difficult it will be for Mr. Dulles to avoid "interloping" must depend not only on himself but on the President. The temptation for Mr. Eisenhower to rely too heavily on his adviser may be considerable in view of his losses of trusted lieutenants over the last few years.

It would have been better perhaps to have appointed Mr. Dulles as adviser to Mr. Herter than to the President. And it will be well if the President now seeks to obtain Mr. Dulles' advice to him through the Secretary of State rather than seeking it outside that channel. Mr. Dulles has shown how well he would understand that procedure and has already given implicit signs that he would approve of it.

THE CAPEHART PLAN

Mr. MANSFIELD. Mr. President, on Friday, April 24, the distinguished Senator from Indiana [Mr. CAPEHART] offered a number of suggestions for dealing with the situation in Germany. The able Senator is always to be listened to when he offers his views. In matters of foreign policy and the cold war, however, he speaks with a special authority. He has the continuing acquaintance with international problems which goes with his diligent memberships on the Foreign Relations and Banking and Currency Committees. Moreover, he is a widely traveled man and one of the few Senators who has visited Russia in the postwar years. His first-hand knowledge of that country and his insight into the thinking of the Russian people are especially pertinent in dealing with the problems which are posed in our relations with them as regards Germany.

I read the three-point Capehart plan for a settlement of the German question with much interest. It is imaginative. It is bold. It reveals an exceptional flexibility of mind in dealing with a problem which requires new thought and new perceptions.

As I understand the Capehart plan on Germany, he would have withdrawals of Communist and free forces from Germany and East Europe. He would foreclose the nuclear armament of the two Germanies. He would have NATO—this country and its allies—guarantee Russia against a German attack and Germany against an attack by the Soviet Union. This plan, if acceptable, he believes, would lead to the reunification of Germany, and ultimately, perhaps, to greater freedom throughout Eastern Europe. After that, would come vastly increased trade between the Communist world and the West.

I cannot at this point accept quite the degree of flexibility from present policies which is contained in the Capehart plan. Nevertheless, I must commend the Senator from Indiana for the boldness and depth of thought and understanding which he has manifested in putting it forth. I am sure that the administration will appreciate having

this plan before its eyes as it goes about the difficult task of molding a new Western policy on Germany.

I ask unanimous consent that there be inserted in the RECORD at this point, a news story on the Capehart plan which appeared in the Washington Evening Star, April 25, 1959.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PLAN OFFERED BY CAPEHART ON TROOP ISSUE

Senator CAPEHART, Republican, of Indiana, yesterday offered a Western program for negotiations on Berlin calling for withdrawal of all foreign troops from Germany and East Europe.

He proposed that the North Atlantic Treaty Organization countries offer to defend both Germany and Russia if either is attacked by the other.

Senator CAPEHART, a member of the Foreign Relations Committee, told a reporter he has not offered his proposals for possible consideration at the foreign ministers and summit conferences but he likely will do so.

He suggested:

1. Western Powers remove their troops from West Germany in exchange for the withdrawal of Soviet troops from East Germany, Poland, Czechoslovakia, and other satellites.

2. Both East and West Germany agree to forgo nuclear weapons arming.

3. The NATO countries agree that if Germany is attacked by Russia, they will go to Germany's aid and that if Russia is attacked by a rearmed Germany, the Western allies will defend Russia.

"On the basis of such an agreement," Senator CAPEHART said, in an interview, "we might then well consider a trade program with Russia."

He said that if his suggestions could be agreed upon at the coming negotiations the way would be opened "not only for the reunification of Germany, but greater freedom throughout Eastern Europe."

"We could end up with every one of those countries having their own kind of government," Senator CAPEHART said.

ECONOMY HOLDS KEYS TO BALANCED BUDGET

Mr. BUSH. Mr. President, I have in my hand a news item from the New York Times of Sunday, April 26, 1959, written by Edwin L. Dale, Jr. The headline of the article is "Economy Holds Keys to Balanced Budget" and the subheadline is "Strong Trend in Income and Profits May Bring a Rise in Tax Revenue."

Mr. Dale points out in the article that the chances of a balance between spending and receipts are still considered quite good, even on the assumption that Congress is more "spending minded" and less "receipts minded" than the President has asked it to be.

Mr. Dale also points out that if the flow of receipts is large enough to balance the budget, even though spending on farming and highways and anything else is higher than the original estimates, the Treasury will have to do no further borrowing in the money market, and that could have an important effect on interest rates, the structure of the national debt, the availability of funds for other borrowers, and other things. Any of these effects would be almost universally regarded as desirable.

I emphasize that particular paragraph, because much has been said about money rates and high interest rates. I point out, as Mr. Edwin L. Dale suggests very strongly, that high interest rates are the result of competition for money. If we could take the Federal Government out of competition for billions of dollars worth of money in the money market by balancing the Federal budget, it would have a very desirable effect upon interest rates. One of the strongest influences for the imposition of so-called high interest rates has been the unbalanced budget, and therefore, the necessity for the Federal Government to go into the money markets year after year for billions of dollars, in competition with States, with localities, and with corporate borrowers.

The point I make is that the balancing of the budget would have a very profound and a very desirable effect upon the whole question of interest rates.

The PRESIDENT pro tempore. Is it the desire of the Senator to have the article printed in the RECORD?

Mr. BUSH. I thank the Presiding Officer for reminding me of that. I ask unanimous consent that the entire article by Mr. Edwin L. Dale, Jr., be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ECONOMY HOLDS KEYS TO BALANCED BUDGET—STRONG TRENDS IN INCOME AND PROFITS MAY BRING A RISE IN TAX REVENUE

(By Edwin L. Dale, Jr.)

WASHINGTON, April 25.—When a Federal budget balances or is in the red, the main reason is not decisions of the President or actions of Congress. It is events in the national economy in general and on the Nation's farms in particular.

The virtually unanimous belief here over the last 3 months since the President submitted his precariously balanced budget for the fiscal year 1960, beginning July 1, has been that the budget would wind up in the red. Heavy stress has been laid on the probable—but not necessarily relevant—failure of Congress to go along with many of the President's recommendations.

The predictions of a deficit may very well prove true. But among the budget experts, this is by no means considered a foregone conclusion. The chances of a balance between spending and receipts are still considered quite good—even on the assumption that Congress is more spending minded and less receipts minded than the President has asked it to be.

Congressional spending actions, on appropriations and other direct spending bills, almost always have their main impact on future budgets, not the immediately forthcoming budget. Thus this Congress could pass a big housing bill, a rise in defense appropriations, airports and depressed areas bills going beyond the President's recommendations—and the impact on the $77 billion estimate of expenditures in fiscal 1960 would be very small. One form of aid-to-education bill being considered and a few veterans proposals could have a large immediate impact but these are exceptions and are not likely to become law anyway.

OFFSETTING FACTORS

There do happen to be this year two matters on which congressional inaction can, ironically, increase the total of the budget. Both involve receipts that, under budget accounting, count as an offset to spending instead of entering the receipts side.

One is the requested increase in postal rates. The other is the requested increase in gasoline taxes, without which there would probably have to be budget expenses to make up a deficit in the highway trust fund.

These two items together amount to an immediate $600 million budget impact in the forthcoming fiscal year. Those who have forecast a deficit have laid heavy stress on them. Congress has given no sign of willingness to pass either. All other things being equal, failure to pass them would result in a deficit of more than $500 million.

But the main point is that all other things are never equal. No important item of expenditure or receipts ever turns out exactly as estimated. And the two things that are most unequal of all are receipts from income taxes—both corporate and personal—and farm spending.

Corporate and personal income tax receipts, obviously, depend upon the state of the economy. When the President made his estimate for those two items, he assumed a good year in 1959, but not a sensational year.

EARLY REACTION

The first reaction to his receipts estimates was that they were too optimistic.

But since those early reactions, the economic statistics have begun to look very good. In particular, the estimate for corporation profits—based in part on early corporate reports for the first quarter—is now being revised upward in some quarters from the $47 billion forecast by the President to $50 billion or even more.

As for personal incomes, the big jump in March lends support to those who feel that the President's estimate of $374 billion for the year as a whole still looks reasonably safe. This is more doubtful than profits, but could easily work out as the President forecast.

Thus there has emerged a very real prospect that receipts will be $1 billion to $2 billion higher than the President's estimate. If corporate profits are $50 billion, receipts from this source alone will be $1.5 billion higher than the estimate in the budget.

Such an outcome would scarcely be unprecedent. President Eisenhower's first estimate of receipts for fiscal 1956 was $60 billion. By the time the books were closed 18 months later, the Treasury had collected $68.2 billion—which was the single reason why that budget was balanced.

What of the spending side of the budget, outside of the aforementioned congressional action (or inaction)? All the major spending items in the budget invariably come out differently from the original estimate, for various reasons. But in recent years a single item has done more than all the others to throw the estimates out of whack.

FARM SPENDING

This is farm spending. It is totally uncontrollable because it depends on how many farmers choose to avail themselves of price support loans or purchases. And that in turn depends mainly on the size of crops. In some recent years this item has turned out as much as $2 billion higher than the original estimate.

As one budget expert put it this week, "Leaving out the receipts side, the state of the moisture in the soil of Kansas could have more to do with whether this budget balances than all of the congressional actions put together."

When President Eisenhower submitted his budget in January no one really knew what the size of farm crops this year would be. No one still knows with any certainty. But the first crop reports are in, and they look encouraging from a budget viewpoint. President Eisenhower estimated farm spending at $6 billion, and current reestimates on the basis of crop information has left this total essentially unchanged.

One other spending item should be mentioned. Congress could make a deficit almost

inevitable if, following the wish of the Senate, it should decide to charge to fiscal 1960, instead of fiscal 1959, the $1,375 million item for increased U.S. contribution to the International Monetary Fund. The House version of the bill left the money in 1959. The issue has yet to be resolved in a House-Senate conference.

It is clear from the foregoing that, in the crucial receipts item, the economy makes the budget rather than the budget making the economy. A balance achieved by higher receipts is simply a signal that the economy is strong. The balance does not make it strong.

EXCEPTED ITEM

But there is one exception to this generalization. This is in the complicated field of management of the national debt. If the flow of receipts is big enough to balance the budget, even though spending on farming (or highways or anything else) is higher than the original estimates, the Treasury will have to do no further borrowing in the money market. And that could have an important effect on interest rates, the structure of the national debt, availability of funds for other borrowers and other things. All of these effects would be almost universally regarded as desirable.

As for the impact of the budget on inflationary pressure, it is probably the spending side that counts above all.

This—together with the impact of congressional actions this year on future budgets—accounts for the persistence of the administration's economy drive, even though many of its officials think the prospects for a balance in the budget are pretty good.

THE OPENING OF THE ST. LAWRENCE SEAWAY

Mr. KEATING. Mr. President, I am proud to invite the attention of this body to the opening Saturday of the St. Lawrence Seaway. As that day's Washington Post and Times Herald correctly noted, this event marked the realization of a dream of well over a century.

In the past 5 years, the United States and Canada have deepened channels and made other changes to open up the heartland of America to world trade.

I take this opportunity to congratulate and commend the officials—private and governmental—in both countries who have contributed so much to making possible completion of the Seaway. They have marked their names indelibly on the history pages of both the United States and Canada.

Completion of the Seaway can launch a real "golden age" for all in the region of direct benefit from this significant event. As I have noted, the mere fact that this important project could be finished at all demonstrates a kind of cooperation among international, Federal, State, and local governments and industry which is all too rare in today's troubled world.

As the ships made their way Saturday through the new facilities, the eyes of the world were fittingly focused on the St. Lawrence Seaway. But these acts and the official ceremonies in June formally inaugurating the Seaway, are only the first steps. We must now bend with a will to the task of insuring that the vast future potential signaled by this event is fully realized.

The opening is no magic wand. We must now go to work to let the world know our products, our market potential, and our readiness to expand the existing two-way trade with other nations. We have a sales job to do, because we are competing with well-established industries and ports.

But we are well armed for the fray. Upon the shores of the Great Lakes and the St. Lawrence Valley nearly two-thirds of the foreign trade of the United States originates. It is the outlet for the richest concentration of industry in the world. Nearly one-half of the U.S. economy is included in this great economic region. Now this area suddenly finds itself closer to Liverpool than Baltimore, closer to France than Philadelphia. The resultant opportunities stagger the imagination.

I see for the future of this area a greater potential than the Erie Canal had for my State of New York. All over the State, benefits from the opening will be reaped. In particular, the north country of New York State will boom.

Mr. President, only inertia and fear can prevent a spectacular growth and great prosperity as a result of the Seaway's completion. The future is not for little men with little minds, nor for men without vision. The future is for men of daring, who have great expectations, who with guidance, perseverence, and leadership will strive to transform these great expectations into reality.

I am confident all who are concerned with Saturday's events, all who are concerned with the future of the Seaway, are alert and equal to the challenge of its ramifications. I am confident this event can and will mark the beginning of a golden age of prosperity and progress, based on utilization of the Seaway.

Mr. President, Saturday's New York Herald Tribune comments significantly on the Seaway's opening. I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE SEAWAY IS OPENED

When the first cargoes start toward the heart of the North American Continent today through the locks of the St. Lawrence Seaway, it will mark the opening of one of man's greatest triumphs over geography. And it will be a reaffirmation of the value of water transport in a day when the air has seemed to be the great new avenue of world communications.

For all the Seaway's modernity, there will be much history sailing through its new locks and deepened channels. For the Great Lakes and the St. Lawrence formed one of the great routes into North America from the days of the first explorers—a route that vied with the Mississippi-Missouri-Ohio complex and the Hudson-Mohawk link when canoes and other small craft were the principal means of speedy travel in inland America. The bateaux of the French voyagers and their big bark canoes took adventurers and missionaries, fur-traders and soldiers, on the great looping circuit that once threatened to pin the English colonies to their strip of seacoast behind the Appalachians.

But wars, and a climate that favored more southerly settlements, ended that. The long winter freeze that closed the St. Lawrence made it unprofitable, at first, to develop all the potentialities of the route; New York State's Erie Canal tapped the traffic of the Great Lakes and the Mississippi and its tributaries were soon alive with steamboats as New York City and New Orleans became the great entry ports of a continent, rather than Montreal. And by the middle of the last century, the railroads were altering the historic transportation patterns which had been constructed in a time when waterways ruled.

Since that time, automobiles and planes have been added to the train and the ship and new variations in trade routes and shipping methods have ensued. Many canals have fallen into disuse; railways have felt the pinch of diverted traffic and revenues. Communities which flourished by the banks of once busy waterways wasted away, as neighbors on the railway lines boomed—then some of the railway towns were themselves eclipsed. Yet through it all, the United States and Canada grew great and prosperous, by exploiting to its fullest each new way of shipping men and goods across the great reaches of their rich lands.

Now the St. Lawrence Seaway, built to carry vessels nearly double the draft that could navigate the older locks and channels, will interchange ships, passengers, and cargoes between the lake ports and the whole wide world. It will mean many changes—although there is still fierce dispute over just what those changes will be.

New York City, for example, profited enormously by the Erie Canal, the railroads, the highways, and the planes, for its magnificent port was the natural exchange point between inland and ocean trade. Unquestionably, some of the traffic that poured through New York will be diverted to the North. But the great port is still there, the facilities that have been built to meet its uses and service the ships are functioning, the skills of management and the capital accumulations of centuries of growth are available. The port is never choked by ice; communications with the interior are always open.

New York, therefore, need not fear the Seaway or the future. It has its own strengths; it stands to share in the increased prosperity that is promised for the lakes region, along with all the rest of the Nation. For it was only the smallest cities that really languished in the past because of changes in transportation methods. Those that had the innate qualities of greatness, that were not simply accidents of some transient transportation factor, may have relinquished some part of their business when new avenues of national wealth were opened. But they grew with a growing country—as New York will continue to grow.

Without rancor or petty jealousy, then, New York City hails the Seaway and wishes success to the cities on its path. North America, territory of the friendly neighbors north and south of the lakes, is big enough and fruitful enough for every one. What serves one, serves all.

Mr. WILEY. Mr. President, the opening of the St. Lawrence Seaway on Saturday heralds a notable mark of progress for trade and commerce on the North American Continent. The accessibility of the rich, industrial-agricultural complex of midland America to deep-sea shipping of the world will, I believe, pave the way to a brighter economic future for the United States and Canada.

Although the formal ceremonies are scheduled for June 26 in celebration of the opening of the Seaway, the traversing of deep-draft, oceangoing ships through the waterway now really marks, first, the completion of one of the most magnificent inland waterway engineering and construction feats in history; and, sec-

ond, the opening of new commercial, industrial, recreational, agricultural, and tourist opportunities for ourselves and our good neighbor to the north. Included in these opportunities are:

First. Less expensive transportation to the markets of the world for the products of our farms and factories;

Second. Great interchange of United States and Canadian products;

Third. Stimulation of tourist travel between the United States, Canada, and other lands of the world;

Fourth. The outpouring of dynamic volumes of electric power from the powerplants on the waterway;

Fifth. An increased demand for services and facilities to handle the increased trade—thus creating more jobs and great economic health;

Sixth. An initial increase in trade; estimated at 10 percent, with larger volumes in the future.

NEEDED: EARLY COMPLETION OF GREAT LAKES CONSTRUCTION CHANNELS

We recognize, of course, that the event reemphasizes the need for early approval of the appropriation of adequate funds for the completion of channels for the western end of Lake Erie. Until this is accomplished, the agricultural and industrial areas west of Lake Erie will still be denied benefit of the great waterway.

Consequently, I again respectfully call the attention of my colleagues on the Appropriations Committee to the need for approval of adequate funds in the 1961 budget.

As we know, the budgetary recommendations were, unfortunately, limited to $23 million for work on the connecting channels. Recognizing that this amount was inadequate if we are to meet the target date of 1962 for completion of work on the channels, my colleagues will recall that I contacted the Corps of Engineers to inquire what amount could be effectively utilized in the next fiscal year that would enable us to meet this deadline.

In response, the engineers indicated that

First. About $29 million could be effectively utilized; and

Second. That if work were carried forward at a $29 million level for the next fiscal year, it would be possible to meet the 1962 deadline.

We recognize, of course, that the Federal Government is facing serious budgetary problems.

However, I believe this is one instance where, if we failed to provide additional funds, it would be a glaring case of being "penny-wise and pound-foolish."

Jointly, the United States and Canada have invested about $450 million in this development project. To fail to provide the additional funds to give access to the greater industrial areas of the western Great Lakes to the Seaway would be shortsighted indeed.

Consequently, I again respectfully urge approval of the $29 million amount for work of the connecting channels for fiscal year 1961.

The April 25 edition of the Milwaukee Journal carried an editorial entitled "A Long Awaited Day." Hailing the Seaway as the realization of a 60-year-old dream, the editorial also pays tribute to those who, over the years, have played a role in the completion of this great project.

I request unanimous consent to have the editorial printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A LONG AWAITED DAY

As the first ships paraded through the St. Lawrence Seaway Saturday they brought realization of a 60-year-old dream for Milwaukee, Wis., other Great Lakes States, and Canada. Many men and organizations and institutions share credit for this magnificent accomplishment. And Wisconsin deserves a large share in the glory.

In recent years, Wisconsin's Senator ALEXANDER WILEY has been one of the most consistent and determined leaders in the fight for the Seaway. But it should not be forgotten that another Wisconsin Senator, William F. Vilas, first laid the proposal before Congress in 1895. The Milwaukee Journal was the first newspaper to launch an editorial campaign for the Seaway in 1897.

Wisconsin and Milwaukee leaders have always been in the forefront of efforts to bring the Seaway into being. Milwaukee and other Wisconsin cities stepped out ahead and showed their confidence in ultimate success by developing harbor facilities in advance of final Seaway approval.

In this moment of regional and national pride, however, we must not overlook the role of our progressive Canadian neighbors. When it appeared that American foes of the Seaway—the railroads, especially—had succeeded in blocking our national participation, Canada said it would go ahead alone. That broke the final political barriers. So we are indebted today not only for the very large Canadian investment in the Seaway, and the neighborly cooperation without which it could never have been built, but for the prod that got our Congress off dead center.

The Seaway is a great memorial to all, Americans and Canadians, who had the vision of what it could mean to open the heartland of the continent to the oceans and their traffic, and who never lost faith that this day would come.

IMPORTATION OF TURF GRASS SEEDS

Mr. MORSE. Mr. President, I ask unanimous consent that Senate Joint Memorial 7 of the 50th Oregon Legislative Assembly be printed in the body of the RECORD at this point in my remarks.

There being no objection, the memorial was ordered to be printed in the RECORD, as follows:

SENATE JOINT MEMORIAL 7

TO HIS EXCELLENCY, THE HONORABLE PRESIDENT OF THE UNITED STATES:

We, your memorialists, the 50th Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

Whereas the production of Chewings fescue and Creeping Red fescue (known as Fine fescues) turf grass seeds is a major agricultural enterprise in the Willamette Valley of western Oregon and in the Grande Ronde Valley of eastern Oregon, with over 90 percent of the production, in the United States which has averaged 9,707,000 pounds annually during the past 5 years; and

Whereas heavy imports, averaging 7,469,750 pounds during the 1954 to 1957 crop years, have contributed to a buildup in U.S. carryover stocks and have demoralized the domestic market in some recent years, and now threaten to do so again, with 8,229,300 pounds imported during the first 8 months of the 1958 crop year, and

Whereas instability in foreign production and in imports into this country discourage domestic producers' efforts to satisfy U.S. needs; and

Whereas, given reasonable protection from such variable imports and their periodic disastrous effects on U.S. markets, Oregon growers and other growers in the United States are willing, able, and anxious to produce high quality Chewings fescue and Creeping Fine fescue seeds in amounts sufficient to assure adequate supplies to meet domestic needs at reasonable prices; and

Whereas the current low import duty of 1 cent per pound on Fine fescue seeds does not limit nor regulate imports of this important Oregon farm commodity, and

Whereas an import quota of around 5 million pounds annually of Fine fescue seed, as recommended by the Northwest Chewings and Creeping Red Fescue Association, should lead to equitable sharing of the domestic markets with producers in friendly and free countries: Now, therefore, be it

Resolved by the Senate of the State of Oregon (the House of Representatives jointly concurring therein), That we respectfully urge the President of the United States to cause the U.S. Tariff Commission to promptly investigate this matter and recommend to the President, for his executive action, the establishment of an annual quota on Fine Fescue seed imports into this country; and be it further

Resolved, That copies of this memorial be sent to the President of the United States, to the U.S. Tariff Commission and to all Members of the Oregon congressional delegation.

Mr. MORSE. Mr. President, the Oregon Legislative Assembly, through this memorial, is seeking one thing and one thing only; that is a fair hearing before the Tariff Commission in order that the Oregon seed industry may present the facts as it sees them in support of the contention that tariff protection is needed for the Chewings fescue and Creeping Fine fescue seed industry of the State.

Mr. President, I do not anticipate the findings of the Tariff Commission, nor do I suggest to them the action they ought to follow, but I do feel that the record indicates a fair hearing is needed and ought to be given the proponents. In this connection, I ask unanimous consent that a letter addressed to me, under date of March 10, by Mr. Ted Sidor, secretary of the Union County Seed Growers Association, be printed in the RECORD at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

LA GRANDE, OREG., *March 10, 1959.*

Senator WAYNE MORSE,
U.S. Senate Building,
Washington, D.C.

DEAR SENATOR MORSE: The Union County Seed Growers Association, the Oregon Seed League and the North West Chewings and Creeping Red Fescue Association are interested in applying to the Tariff Commission of an import quota on Fine fescue seed.

This will be the third time that these groups have applied. The last one was sent in 1957, and was turned down by the secretary, Donn Brent, of the Tariff Commission, without a hearing. He indicated that we had no cause for alarm; however, the very situation has developed as we predicted.

Increased plantings in other areas is forcing the market down to a price below the

cost of production in the Northwest States. At the present time, stocks on hand by dealers will have to be sold at a loss because of the price caused by the huge influx of these fescue seed into the United States.

We would like to enlist your cooperation and aid in preparing the information needed for such a tariff. We would like to do this as soon as possible because of the influx of seed and the lowering of price that is endangering an industry vital to the economic stability of Oregon and other Northwest States.

Very truly yours,

TED SIDOR,
Secretary, Union County Seed Growers Association.

Mr. MORSE. Mr. President, Mr. Sidor, in my judgment, has indicated that the situation which was predicted has come to pass, and that this matter is deserving of careful and conscientious scrutiny by the Tariff Commission.

Mr. President, this again illustrates a point of view for which I have fought for 15 years in the Senate, which is that the American people are always entitled to procedural protections in connection with the exercise of discretion by Government officials.

It is the same principle for which I fought on the floor of the Senate last Friday night, when I urged that there be added to the Kennedy-Ervin labor bill a series of amendments which would give greater protection against the exercise of discretionary power by the Secretary of Labor.

Mr. President, in connection with the seed problem, we have an industry which wants to be heard before the administrative body which has the power to render a discretionary judgment which may do irreparable injury to the industry.

This is the same position I took not so long ago in connection with the cherry industry of my State, which wanted a hearing before the Tariff Commission in order to show the irreparable damage which was being done by the importation of maraschino cherries, particularly from France and Italy.

I wish to stress, Mr. President, that in my judgment Congress can never justify denying to individuals and groups in our country the opportunity to be heard. The right to petition the Government is a precious right, and whenever we pass legislation, as we have in this field, Mr. President, which has the effect of denying the right to be heard and to present the facts to the Tariff Commission, we commit, in my opinion, a legislative wrong.

Again I ask the simple question, as I have so many times during 15 years: What is wrong with providing a forum for people who think they have been wronged by the Government, so as to give them an opportunity to present the facts in support of their contentions?

Mr. President——

The PRESIDING OFFICER (Mr. MCNAMARA in the chair). The Senator from Oregon.

RAILROAD FREIGHT CAR SHORTAGE

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a telegram which I have received from Mr. W. C. Cole, vice chairman of the Governor's emergency transportation committee of 1959, in my State, dealing with a very serious boxcar problem which has developed again in the Pacific Northwest.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

SALEM, OREG., *April 25, 1959.*

The Honorable WAYNE MORSE,
U.S. Senate, Washington, D.C.:

House joint memorial 8 of the Oregon Legislature, the complete text of which follows, was proposed by the Governor's emergency transportation committee of 1959, and introduced in the house by the house standing committee on planning and development. The memorial has now passed both houses of the Oregon Legislature and will be forwarded to you as soon as it can be formally processed.

All votes on this memorial were unanimous.

It is our sincere hope that you can give your best efforts to implementing its aims as they affect national legislation.

"To His Excellency, the Honorable Dwight D. Eisenhower, President of the United States; to the Honorable Senate and House of Representatives of the United States of America, in Congress assembled, and to the Interstate Commerce Commission:

"We, your memorialists, the 50th Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

"Whereas the Oregon economy is directly dependent upon a relatively small number of basic industries; and

"Whereas the agricultural and lumber products of our State are vital to the health, welfare, and defense of our country; and

"Whereas due to circumstances beyond our control the aforementioned industries have for years suffered from periodic railroad car shortage; and

"Whereas the western railroads which serve this State have been and are building cars in larger numbers than are the eastern railroads; and

"Whereas the failure of eastern railroads to produce sufficient cars for their own needs stems from obvious financial difficulties; and

"Whereas this lack of cars leads the eastern railroads to delay return of western cars for extended periods of time; and

"Whereas the solution to this problem cannot be obtained locally but lies in the hands of the Federal Government, the Interstate Commerce Commission, and the eastern railroads; Now, therefore, be it

"Resolved by the House of Representatives of the State of Oregon (the Senate jointly concurring therein), That the President of the United States, the Congress of the United States, and the Interstate Commerce Commission are hereby requested to take appropriate action to improve our national defense capabilities and the economic condition of our State by:

"(1) Assuring the return of rail cars to the railroad holding title thereto with the least practicable delay;

"(2) Deferring action on any national legislation which would increase railroad cost of operation; and

"(3) Making every reasonable effort to aid the railroads to develop a car construction program of sufficient size to increase materially the national car supply; and be it further

"Resolved, That copies of this memorial be transmitted to the President of the United States, the Secretary of the U.S. Senate, the Clerk of the U.S. House of Representatives, to each Member of the Oregon congressional delegation, and to the Interstate Commerce Commission."

Sincerely,

W. C. COLE,
Vice Chairman, Governor's Emergency Transportation Committee of 1959.

Mr. MORSE. This is an old, bewhiskered problem. We have had it time and time again, and in my judgment, we shall have it time and time again in the future, until the Congress adopts some procedural reforms in connection with the Interstate Commerce Commission.

I have great confidence in the chairman of the Senate Committee on Interstate and Foreign Commerce, the Senator from Washington [Mr. MAGNUSON]. I know that he is as much concerned about this problem as are the other Members of the delegation from the State of Washington, and all the Members of the Oregon delegation, including my colleague in the Senate [Mr. NEUBERGER]. We may disagree as to just what procedure should be adopted, but we know that there is a boxcar shortage, and that there is a problem facing the Congress of taking the steps necessary to alleviate it.

I have indicated in the past that I am willing to go so far as to provide for the building, by the Government, of the number of boxcars which can be demonstrated, on the facts, to be necessary in order to meet a war emergency.

We do the same thing for a great many European railroads. We have sunk millions of dollars in equipment and facilities for European railroads. This aid represents a total out-of-pocket grant c millions of dollars of the American taxpayers' money.

For example, we paid the entire cost of the railroad terminal in Rome, Italy. I favored it. I am willing to spend the money necessary to strengthen us against the threat of aggression by Russian communism, but I think we are overlooking the fact that if we should get into a war with Russia tomorrow, America's transportation system would collapse. It could not begin to meet the war emergency needs which would be brought about by such a war.

If that be true—and I believe opportunity should be provided to supply the facts—the American taxpayer owes it to the American railroad industry to build the number of boxcars necessary to meet such an emergency, over and above what the industry needs for peacetime transportation, and place them in a pool, making them available to the railroads of the country on the basis of a reasonable rental rate, in order to meet the kind of boxcar shortage which is bringing about such great economic losses to the lumber industry and the grain industry in the Pacific Northwest and in other sections of the United States.

I hope the Senator from Washington will call for early hearings in Washington on the boxcar shortage. I understand that my good friend from Kansas [Mr. SCHOEPPEL], who is a member of the Committee on Interstate and Foreign Commerce, has already held some hearings in Kansas City, for which I commend him. However, as a Senator from the Northwest, I now raise my voice in a plea for some hearings in Washington,

D.C., and possibly in the Pacific Northwest, on the boxcar shortage, because it is a problem which we have an obligation to solve. It is a problem which we can solve if we have the will to do it.

MOB RULE

Mr. JAVITS. Mr. President, I rise with great sadness. The conscience of the entire Nation—and I am certain the conscience of the people of the South, and specifically of Mississippi—must be shocked and affronted by what, from all indications, is a lynching of M. C. Parker, reportedly taken from a Poplarville, Miss., jail, by a masked band. That there may have been a lynching at all in 1959 is even more shocking, as all Americans of good conscience had every reason to hope that such brutal crimes had become a thing of the sad past.

The fact that the Poplarville jail was unguarded—even though this is apparently a local practice—indicates that a new kind of vigilance is needed. Damaging as such an event is, and tending to nullify much that is constructive which has occurred with respect to civil rights, it could also nullify in one bloody moment many efforts at progress which thousands of Americans of good will in a State like Mississippi are endeavoring to make on their own.

Furthermore, it is a damaging blow to American prestige all over the world, and is sure to be exploited, as was the Emmett Till case and similar incidents of the past, by the Communists where it can do us the most harm, especially among the uncommitted nations of the free world—not the countries behind the curtain, but the free world where there are 1 billion people whose skins are yellow or black. Where they will go could well determine the course of freedom for centuries to come.

We must again convince those who may have doubts that the fruits of our constitutional democracy are individual liberty and freedom, and the rule of law; and that the strange fruit concerning which we have read in the press is an aberation of the sort loathed by the overwhelming majority of all Americans, no matter where they live.

The crime probably committed in Poplarville, Miss., is an offense not only against that community and State, but against all the people of the United States, and must be considered as such. It consequently behooves us to do everything necessary to see that such offenses do not recur. This is within our power if we choose to act—and choose to act we must.

It would be demeaning the sadness and tragedy of the event if I were to speak about civil rights legislation, antilynching laws, or anything else. The stark tragedy of this event, standing by itself, is enough.

We are being judged in the world by what we do to come abreast of these events, to find those who are responsible, and punish them, and to demonstrate the outrage of the community itself.

I am very glad to note in the morning press that there is local outrage in the State, as shown by the diligence of the State's own officials and local police officials, as well as by agents of the FBI. I am sure that the great conscience of America will leave no stone unturned to see that the culprits are found and the right thing is done about such events, and, if humanly possible, to see that they do not occur again.

It requires the organized conscience of the American people, on a national scale, to impress some people with the fact that our country simply cannot and will not tolerate, circa 1959, any such lawlessness, anarchy, or brutality of man to man. I think I bespeak the mind of every American who has faith and hope in his heart for the right, when I express these sentiments.

Mr. MORSE. Mr. President, I rise to commend the distinguished Senator from New York for his very fine statement. I am sure that I do not violate rule XIX of the Senate when I say that it is with a heavy heart tody that I view the tragic episode in Mississippi.

I am sure that the overwhelming number of fine citizens of Mississippi are likewise of heavy heart today. Of course, the incident adds great propaganda fuel to the Communist pump, because we all know the kind of misrepresentation which the lying Rusian propaganda machine will spew on the world now for some time to come in regard to this unfortunate happening.

I am not sufficiently familiar with the facts to know what protections were or were not taken in order to prevent this incident. I am a little bit at a loss, from newspaper accounts, to understand why there was no guard, why apparently, there was no law officer within the near vicinity of the jail in order at least to be in a position to help with identification. It is always remarkable, when these tragedies occur, that they should occur under such circumstances that a human error of judgment makes it possible for mobs to take the law into their own hands and commit this kind of horrendous crime. It must be apparent to all groups in America that now is the time, not for criticism, but for an understanding of the nature of the problem and the steps which ought to be taken in order to prevent such occurrences.

I would take the Senate back to 1957 when I urged on the floor of the Senate that title III should not be stricken from the civil rights bill, because title III had teeth in it. I believe that once mobsters understand that procedures exist, as we had them in title III of the civil rights bill, for giving the courts the judicial power they must have in order to enforce their decisions, that fact will have a deterring effect on mobsters. It will also strengthen law-abiding groups in any State, North or South, where occasionally there are people whose emotions run away with them, and they commit this kind of a crime which constitutes a blot on the history of our country.

I would suggest that the Mississippi incident shows the importance of our proceeding calmly and with circumspection, but with determination to pass at this session of Congress a true civil rights bill.

RECENT CRITICISM OF THE SUPREME COURT

Mr. McCARTHY. Mr. President, the recent criticism of the U.S. Supreme Court is a matter of concern for members of all three branches of our Federal Government. It is the responsibility of the Congress, the executive, and the judiciary to maintain the balance of powers provided in the Constitution. Each branch must defend itself. On the other hand, if one branch is unfairly attacked, I believe there is a responsibility of the other two to defend it.

Much of the criticism of the Court has been intemperate and based on personal reaction to decisions rather than on an understanding of the role of the Supreme Court. However, the indictment of the Supreme Court last summer by the Conference of State Chief Justices is of another order. The authority of their office and the size of the vote to reprimand the Supreme Court for failure to exercise proper judicial restraint deserves attention.

The judgment of the State justices was not a court decision. It was a convention resolution, and it is subject to evaluation in a more restrained atmosphere. This has been provided by Dean William B. Lockhart, of the University of Minnesota Law School, in an address, "A Response to the Conference of State Chief Justices." The address was given at the Association of American Law Schools, meeting in Chicago last December, and is reprinted in the April 1959 issue of the University of Pennsylvania Law Review. I believe that Dean Lockhart has brought the issue into balance, and that his remarks on the Court's adherence to the decisions of Congress are especially pertinent.

I ask unanimous consent that the article be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

COMMENT—A RESPONSE TO THE CONFERENCE OF STATE CHIEF JUSTICES

(Address by William B. Lockhart, dean and professor of law, University of Minnesota Law School, made as a panel member at the Association of American Law Schools meeting in Chicago, Dec. 28, 1958)

My assignment is to appraise the Supreme Court's role in recent times in the area of Federal-State relations. I have decided to center my attention on the criticism leveled at the Court by the Conference of State Chief Justices last summer.

We can ignore today's emotional and colorful attacks on the Court. Their irrationality destroys their effectiveness. But when the chief justices of the State courts by a vote of 36 to 8 indict the Supreme Court for failure to exercise proper judicial restraint that indictment requires careful examination.

The danger is that an indictment of this kind, coming from a responsible source like the Conference of Chief Justices, tends among the uninformed and irresponsible to be taken as proof of guilt.

What, then, is the indictment?

In the conclusion of their report the chief justices deplore what they call an accelerating trend toward increasing power of the National Government and corresponding contracted power of the State governments.

They recognize that with a developing country and changing conditions there will always be problems of allocating power between National and State Governments, as matters once mainly of local concern become matters of national concern, and they recognize that the Supreme Court is given power to determine such questions. They point out that the degree of friction that develops in effecting changes depends upon the wisdom of those empowered to alter the boundaries and upon the speed with which changes are made. The chief justices then build up to their indictment by saying: "The overall tendency of decisions of the Supreme Court has been to press the extension of Federal power and to press it rapidly." Then comes the indictment:

"We believe the Supreme Court too often has tended to adopt the role of policymaker without proper judicial restraint. We feel this is particularly the case in both of the great fields we have discussed—namely, the extent and extension of the Federal power, and the supervision of State action by virtue of the 14th amendment."

My concern is with the indictment that the Supreme Court has "too often" acted "without proper judicial restraint" in the Federal-State relations area. In my opinion, this indictment is not justified as applied to the "modern" Supreme Court toward which this criticism was directed. This criticism might properly have been directed to the pre-1937 Court, but not to the Court after 1937.

Let us consider briefly the first area mentioned by the chief justices—extent and extension of Federal powers. In this area has the Court of the past 20 years adopted the role of policymaker without proper judicial restraint?

There are two divisions in this area: The first relates to the expanding scope of the national powers themselves under congressional legislation; the second, to the restrictions or limitations upon State power arising out of the existence or exercise of national powers.

In the first division the Court has exercised extreme self-restraint. There is no need to spell this out. We all know that for the past 20 years the Court has permitted Congress to make its own policy in expanding the national power, whether under the commerce clause or under the power to tax and spend for the "general welfare" or other clauses. The Court has refrained from interfering as Congress has moved the National Government into areas formerly the exclusive domain of the States.

The chief justices deplore the rapid expansion of national powers, but they are either criticizing the wrong agency or seeking the wrong remedy. Congress is the agency that has expanded the national powers, and the Court has practiced judicial restraint in leaving these policy determinations to Congress. If the chief justices want the Court to check this legislative expansion of Federal powers, the Court must exercise less judicial restraint, not more.

In only one respect can it fairly be said that the Court has on its own authority expanded national powers. This is in its interpretation of vague statutory phrases, such as "affecting commerce" in the National Labor Relations Act, where Congress sought to go as far as the Court would find constitutional power. Here the Court could possibly have adopted a more restricted view of national power without thwarting clearly expressed congressional intent. Yet Congress wanted the regulations to extend as far as was constitutionally proper, and there is no basis for concluding that the Court has carried national power in these areas beyond that contemplated or desired by Congress. Congress is still the basic policymaker in determining the scope of national power, and has shown no inclination to draw back its regulations in these areas where it used vague phrases for the very purpose of going as far as possible. I think of only one exception, the Southeastern Underwriters case, where the Court's 1943 application of the antitrust laws to insurance was later, in effect, reversed by Congress. Here greater self-restraint, with a more thoughtful appraisal of the possible implications of the decision on State regulatory power, might have avoided an unhappy episode.

But these illustrations of expansion by the Court's interpretation of vague statutory phrases are peripheral to the main thrust of expanding national power. That thrust came from Congress, with strong public support; and even Mr. Justice Roberts, after retirement, said that the Court could not have resisted it.

In the second division relating to restrictions or limitations on State power arising out of national power, dormant or exercised, the overall movement of the modern Court has been toward increasing, not decreasing, State power. Let us glance briefly at the major areas involved.

In intergovernmental immunities the Court has moved toward greater and greater freedom of taxation, both by the States and by the Federal Government. It has removed this major obstacle to State taxation at least when the immediate taxpayer is a private person, not the Federal Government itself. Here is an expanding area of judicial restraint, leaving the determination of the tax burden to the political processes. The Court is faced with tougher problems when State regulation has an impact on Federal agencies, but in recent years the Court has interfered with State regulation of this nature only when it was found inconsistent with actual Federal legislation. On some of these cases there is room for a reasonable difference of opinion, but in my opinion these cases cannot be criticized as demonstrating a lack of judicial self-restraint. Indeed, they are not so criticized by the chief justices.

In State taxation of interstate commerce the modern Court has shown more and more liberality toward State taxing power. The Court has given increasing recognition to the State need for tax revenue from interstate business, and has sustained many taxes that would have been held invalid prior to 1937. In some cases the Court has stricken down State taxes on what seem to me purely formal grounds, where I would have sustained the taxes as involving no real threat to interstate commerce. Yet this is a difficult field in which the arbiter of our Federal system has to weigh many considerations, and I do not believe that the Court can be accused of any lack of appropriate self-restraint in this difficult area. Today there is substantially greater freedom to impose taxes on interstate business than 20 years ago, and the report of the chief justices recognized this increasing liberality toward State taxation of interstate commerce.

Similarly, there is less interference in recent times with State regulation of interstate commerce, absent any Federal legislation. Increasingly, the Court gives careful consideration and appropriate weight to the State interest sought to be protected by the regulation, though it has not hesitated within the past 20 years to hold invalid State regulation that it considered unreasonably harmful to the national interest in a free commerce. This is its function and duty as the arbiter of the Federal system. I think it significant that the chief justices aimed no criticism at the Court in connection with cases of this kind.

Similarly, in other areas, the Court has given greater effect, not less effect, to State power during the past 20 years. The chief justices recognize this by referring to *Erie* v. *Tompkins*, establishing the reign of the State common law in Federal courts in diversity cases, and by noting the Supreme Court's relaxation of its due process rules with respect to in personam jurisdiction in State courts.

Actually, when you reduce the chief justice's report to specifics rather than generalities, in only one area is the report critical of actual Supreme Court decisions dealing with restrictions on State power arising out of national powers, as distinct from 14th amendment restrictions. This is in the preemption doctrine decisions.

The report refers to two lines of preemption cases: (1) the Nelson case, in which the Court held that Federal legislation dealing with subversive activity preempted the field and excluded State statutes forbidding subversive conduct against the U.S. Government, and (2) the cases dealing with the effect of the National Labor Relations Act on State jurisdiction to deal with labor relations in industries subject to the national act. The Court cannot justly be accused of lack of proper judicial restraint in either of these areas.

Personally, I think the Supreme Court was right when it affirmed the four to one decision of the Pennsylvania Supreme Court in the Nelson case. I do not propose to discuss the decision, though I suggest a reading of the defense of the decision at the Conference of Chief Justices by Chief Justice Jones, of Pennsylvania. It is enough to say that this was a difficult and close problem in an emotionally charged area, where the Court was bound to be criticized if it agreed with the State court that the State was without power to deal with subversion against the United States. Six of the nine Justices were firmly persuaded that State meddling in this delicate and difficult area was inconsistent with nationally established programs for dealing with this national problem, which only the National Government could adequately handle. Appropriate self-restraint does not require the Court to abdicate its responsibility in such a case, particularly when Congress can remedy the decision quickly if it disagrees.

The labor relations decisions in which the Court has sought to steer a workable line between National and State jurisdiction reveal a careful and studied effort to leave to the States as much jurisdiction as possible without interfering with the congressional plan of regulation. There is nothing lighthearted about the way the Court has struggled with the various aspects of this difficult problem. Had the Court been inclined to cut out for itself an easier task it could have taken the extreme position that Congress has preempted the entire field of labor relations affecting interstate commerce. This would have been easy for the Court to administer, but it would have disregarded important State interests. Instead, in my opinion, the Court has acted very responsibly to protect State interests in this area and has brought upon itself many headaches in the process. Of course, I do not agree with all of its decisions in this area, for they are difficult ones on which the most conscientious persons can reasonably differ. For example, I thought the Guss decision unnecessarily created a "no-man's land," an unfortunate result not compelled by the act. But good lawyers disagree with me on that case. Viewing this whole line of cases, I am satisfied that the Court cannot justly be accused of lack of proper judicial restraint or a tendency to overextend Federal power in disregard of State interests. Indeed, the report of the chief justices appears to recognize that the principal cause of difficulty in this area has been the failure of Congress to provide guidance, rather than a lighthearted exercise of policymaking by the Court.

Summarizing my views on the first count of the indictment, I suggest that the report of the Commission on Intergovernmental Relations in 1955 presents a far more ac-

curate picture of the impact of Supreme Court decisions on the powers of local self-government than does the Chief Justices' report. The conclusions in chapter 1 of the Commission's report remain accurate in 1958: I mention two:

(1) Limitations on State power arising out of national powers have "only a minimal effect on the capacity of States to discharge their functions." The "trend of judicial opinion outside the civil liberties field has on the whole been tolerant and accommodating to State policy." The "range of activities that lie primarily within the power of the States by reason of lack of any coercive authority in Congress to deal with them is substantial."

(2) The basic problems of maintaining our Federal system today lie in those areas of National and State power where both Congress and the States have real choices to make, and where many alternative courses are open. It is in these areas that practical issues arise, and the legislatures and administrative agencies with their assigned jurisdictions provide the appropriate forums for settling these issues. The current judicial doctrine leaves these issues to be resolved by legislative judgment. They are no longer issues resolved by the Court applying legal criteria but by the legislative bodies, operating within their respective jurisdictions, applying political, economic, and administrative criteria.

This has been the consequence of Supreme Court decisions over the past 20 years. To me this is judicial self-restraint. It may be excessive self-restraint in the eyes of some, but it cannot properly be called lack of proper judicial restraint.

The second count of the indictment is that the Supreme Court has tended to adopt the role of policymaker without proper judicial restraint in its supervision of State action by virtue of the 14th amendment.

Most of us would, I think, agree that the verdict would have to be "guilty" here were we judging the period from 1900 to 1937. During that period the Supreme Court repeatedly substituted its policy judgment for that of the State legislatures on the wisdom and desirability of economic and social legislation. But that is all ancient history. At least with respect to social and economic legislation the Supreme Court of the past 20 years must be acquitted of this charge. The modern Supreme Court has been extremely careful not to substitute its judgment of what is wise or sound for State legislative judgment in social and economic legislation. The same cannot be said of a number of the State courts represented by the chief justices who voted to indict the Supreme Court for lack of proper judicial restraint.

Only in two areas has the Supreme Court used the 14th amendment to supervise State action to any extent in the past 20 years. In these two areas there has been a considerable degree of interference with State policies—in civil liberties and criminal procedure.

In both areas the Supreme Court has exercised a considerable measure of affirmative leadership. There has been less self-restraint here than in other areas and for that the Court is to be commended, not condemned. Here is where fundamental rights of the individual to equality under the law, to freedom of expression, and to fair procedures come into conflict with governmental power. Since judicial restraint on most matters of legislative policy has allowed a very broad sweep to governmental power, it is appropriate and necessary that the Court give increasing attention to insuring that these broad governmental powers are exercised in such a way as to respect the basic constitutional rights of individuals. It is safe to give broad sweep to legislative powers only if an independent judiciary will assert itself to protect the rights of individuals and minorities. A high degree of self-restraint here would be an abdication of the Court's major responsibility.[1]

Turning now to State criminal procedure the Court has been unusually careful to exercise a reasonable measure of self-restraint. It has deliberately left to each State a great deal of freedom to work out its own criminal procedure, so long as the most basic rights are not denied. Repeatedly, the Court has refused to impose upon the States procedural standards that the Court has found essential to fair administration of justice in the Federal courts.

This does not mean that the Court has not interfered with State criminal procedure. It has on a good many occasions and in some closely divided cases, like the recent Griffith decisions criticized by the Chief Justices. But the division in Griffith did not relate to the desirability of a procedure requiring the State to pay for a transcript when needed to perfect an indigent's appeal. All agreed this was desirable; their division related to whether this procedure was sufficiently fundamental to justify imposing the procedure on the State. In other words, the Griffith case itself demonstrates the Justices' constant concern with maintaining a proper balance between insuring fair procedures and leaving with the States independent responsibility for developing their own procedures. The many decisions in which the Court has resolved a difficult question in favor of the State demonstrate to me an unusual forbearance and judicial restraint in this area. Indeed, on a number of occasions the Court has allowed State procedure to stand that I personally would have held to violate due process—for example, its refusal to require counsel for indigents in noncapital cases.

I, for one, believe there is a real need and place for the discreet exercise of power in the Supreme Court to enforce fair standards of criminal procedure in State courts. I recommend the lecture by Justice Schaefer, of the Illinois Supreme Court on "Federalism and State Criminal Procedure," published in the November 1956 issue of Harvard Law Review. He makes a very strong case for control over State criminal procedure by the U.S. Supreme Court. In addition to certain practical considerations that give to the Supreme Court a better perspective than the State courts, Justice Schaefer emphasizes that:

"Considerations of federalism * * * must be measured against the competing demands arising out of the relations of the United States to the rest of the world. The quality of a nation's civilization can be largely measured by the methods it uses in enforcement of its criminal law. That measurement is not taken merely in retrospect by social historians of the future. It is taken from day to day by the peoples of the world, and to them the criminal procedure sanctioned by any of our States is the procedure sanctioned by the United States."

Apart from the real need for some Federal control over minimum procedural protections, it should not be overlooked that these procedural standards do not curtail the substantive legislative power of the State. The State still has the power to deal with its problems, but is simply required to do so by procedures that insure adequate safeguards to protect the rights of individuals.

My conclusion then is that in this broad field of Federal-State relations the Supreme Court has acted in a very responsible manner in the past 20 years. Its record simply does not support the accusation by the Chief Justices that it has too often acted without proper judicial restraint in this area. In view of the pressures under which the Court operates, with a heavy caseload and far less time to study the cases than we on the sidelines have to examine them critically, there are bound to be occasional cases where we may believe the Court has not given careful enough consideration to the problem and should, perhaps, have exercised greater judicial restraint before taking action. But its record as a whole does not support the broadside type of attack made by the chief justices.

This does not mean that the chief justices' comments can be lightly brushed aside. Even though their conclusions are not well supported by a fair examination of the Court's actual performance, there is significance in the fact that the vast majority of the State chief justices gave their support to this report. This indicates a rather widespread opinion in judicial circles, both north and south, that there is need to urge the Supreme Court to exercise greater discretion and self-restraint in its policymaking roles in our Federal system. So widespread an opinion cannot be wholly ignored by the Supreme Court Justices. While I think the report went too far when it accused the Court of too often adopting the role of policymaker without proper judicial restraint, we cannot quarrel with emphasis in the report on the need for careful moderation and restraint in the exercise of the Court's policymaking role. I think all of the Justices appreciate this need for moderation and restraint, but there may be some value in a forceful reminder from such a representative group of the judiciary in this country.

Still, I would not like to see this report cause any major change in the course of decisions by the Court. In my opinion we are now going through one of the great periods in the history of the Supreme Court. Today the rights of the individual are in the ascendancy. Today the Court is giving greater protection than ever before to basic individual liberties, and to procedures that protect the individual's rights. At the same time, the Court is throwing no roadblocks in the way of governmental action designed to benefit the individual. When history writes its record of this period, my opinion is that the storm now raging around the Supreme Court will be only one little skirmish in an era in which the Supreme Court will emerge as one of the key factors in the creation of a better American democracy.

[1] Here Dean Lockhart commented that the civil liberties aspect of the problem would be discussed by another panel member.

FARM PRICE SUPPORTS

Mr. RUSSELL. Mr. President, the April issue of the Farm Journal magazine carries an article reporting the results of a poll that the magazine made of its readers on the popularity of farm price supports.

The magazine reported that 55 percent of its readers are opposed to Government price supports and are in favor of removing Government entirely from the farm price field.

Secretary of Agriculture Benson and other enemies of Government farm price supports have gleefully seized upon the Farm Journal poll to justify their position.

In a recent speech, Secretary Benson cited this poll as proof that the Nation's farmers are in favor of his program of lowering support prices or eliminating them altogether.

In a speech earlier this month at Dallas, Tex., the Secretary referred to the Farm Journal poll and declared:

Yes; the voices of the American farmer calls in louder and louder tones for more freedom to act and less Government interference. If this is what farmers want—what

are we waiting for—what is Congress waiting for? I repeat, we've made our recommendations. Why don't they act?

In short, Mr. President, Secretary Benson is using the Farm Journal survey in order to claim that farmers are behind the ruinous agricultural policies of the present administration. In the past 6 years the farm program of the present administration has driven many family-type farmers from the land and has forced many of the survivors of the Benson program to the brink of bankruptcy.

Ever since I saw the purported outcome of the Farm Journal poll, I have wondered just who the readers were who voted in it. I was especially curious about the results in my own State, where the magazine reported 62 percent against price supports.

As a Senator from an agricultural State and as one who has been vitally interested in farm matters during my 40 years of public service, I could hardly believe that this survey truly represented the sentiments of the dirt farmers of this Nation. I certainly found it impossible to believe that 62 percent of the farmers of my own State were opposed to all price supports, as the Farm Journal sought to suggest and as Mr. Benson would imply.

Mr. President, the very able commissioner of agriculture of my State, the Honorable Phil Campbell, was one of those who found it hard to believe that 62 percent of the farmers of Georgia were opposed to price supports. He decided to conduct a survey of his own.

In the April 8 edition of the Market Bulletin, a weekly publication of the Georgia Department of Agriculture, which goes to the farmers of my State, Mr. Campbell asked farmers to write him their feelings about Government price supports.

Mr. President, I ask unanimous consent that I might insert in the RECORD at this point in my remarks the statement by the commissioner of agriculture appearing in the April 8 edition of the Market Bulletin.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

HOW DO YOU FEEL ABOUT PRICE SUPPORTS

The current issue of one of the Nation's largest farm publications claims that 62 percent of Georgia's farmers want the Government to do away with all forms of price supports and leave the farmer on his own.

In order to set the record straight I want every farmer who reads this to sit down and write me a card or letter saying whether or not he thinks the Government should support farm prices.

If Georgia farmers want to do away with price supports I want to know it.

PHIL CAMPBELL,
Commissioner of Agriculture.

Mr. RUSSELL. Mr. President, in the current edition of the Georgia Market Bulletin, Commissioner Campbell reports the first returns from his survey. The Campbell poll shows that 62 percent of the farmers of our State are in favor of continued Government supports on the prices of farm commodities.

It is noteworthy that the result of Mr. Campbell's poll is exactly opposite that of the Farm Journal poll.

Mr. Campbell does not contend that his survey proves that 62 percent of all Georgia farmers are in favor of price supports. He wisely points out that straw polls at best are risky indicators of public opinions.

However, Mr. Campbell also points out that producers of most major farm commodities have for many years expressed their overwhelming approval of Government price supports in the various crop referendums. This, he maintains, is far more indicative of the true feelings of the bona fide farmers on price supports than his own poll or that of a farm magazine.

Mr. President, I ask unanimous consent to include as a part of my remarks Commissioner Campbell's article in the latest edition of the Georgia Market Bulletin, reporting the results of his survey.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

PRICE SUPPORT SURVEY RESULTS

Letters favoring price supports	628
Letters against price supports	374
Total	1,002

Listed above are the results of the letters sent in by readers of the Market Bulletin concerning Federal price supports for farm products.

This survey was conducted as a result of a national magazine's statement that 62 percent of Georgia's farmers were against a national support program for farm products.

In my opinion the survey conducted by the Market Bulletin on a voluntary basis of its readers is of little more significance than the survey conducted by the national farm magazine.

Surveys, at best, are poor indications as witnessed in the presidential election between President Truman and Governor Dewey and as witnessed also when a national magazine made a survey during one of President Roosevelt's earlier elections. The results were so much the reverse of the survey that the national magazine ceased publication immediately after the election.

Actually there is no need for a survey as to how farmers feel. Since a Federal price support law was passed and came into being, farmers have had to vote each year as to whether or not they favored continuance of the price support programs. Each year, for many years, farmers have voted for the price support program.

With this absolute evidence of farmers voting, why be so ridiculous as to attempt a survey which at best is of very little value.

PHIL CAMPBELL,
Commissioner of Agriculture.

THE FARM PROBLEM AND POSTAL RATES

Mr. RUSSELL. Mr. President, a new high—or perhaps it was a new low—in unfair and slanted attacks on the Nation's farmers was reached in an editorial appearing in the April 20 issue of the Life magazine.

The implications in the editorial are that the farmers of this country are a worthless and shiftless group of people who are living on Government subsidies and handouts. Life wound up with the astounding conclusion that marginal farmers should be driven off their farms and relocated at Government expense. It does not state where these farmers are to be relocated, or what effect such relocation would have on the competition for jobs, which now has brought about the unemployment of 5 million.

In its assault on what it termed "farm subsidies," Life magazine conveniently overlooked the fact that virtually every other segment of the American economy enjoys some form of Government subsidy, assistance, or protection—either directly or indirectly. One such subsidy is the special low postal rates that most of the magazines and periodicals—including Life magazine—now enjoy.

As a matter of fact, the Post Office Department has estimated that Life magazine is being subsidized to the tune of $9,310,000 a year in postal rates.

This was the figure the Post Office gave to a committee of the House in 1957 in arguing for higher postal rates. The figure of $9,310,000 was the difference between the estimated cost of handling Life in the mails and the postal rate charged it.

Since that time, the postal rate for magazines has increased somewhat. So have salaries and operational costs of the Post Office Department. I am informed that the figure given as the mail subsidy for Life magazine in 1957 would not be substantially changed today.

Mr. President, the rank hypocrisy behind this unwarranted slur of American farmers has been exposed in an editorial appearing in the Carroll County Georgian, a newspaper published in one of the leading agricultural counties of my State. I ask unanimous consent to insert this editorial, entitled "Life Does It Again," at this point in the body of the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

LIFE DOES IT AGAIN

Life magazine, the self-appointed voice of the discordant minorities which includes the Republican Party, has done it again. In its usual blast of contrived excitement, the magazine has sat in judgment of American farmers.

In a lengthy editorial in the April 20 issue of that magazine there is an all-out attack on the farmers for accepting Federal aid in the form of subsidies. The magazine comes up with the conclusion that marginal farmers should be forced off the farm and relocated at Government expense. They implied that all small farmers would fall into this group to be picked up at Government expense and put somewhere else. But that somewhere else is not located in the Life article.

The magazine wants the voters to get up in arms about Government help to farmers, broadly hinting that no one else benefits from Government funds. There is no mention of airlines, railroads, the special depletion allowance for oil companies, utilities, labor, many businesses, maritime services, and many, many others—most of whom just happen to advertise in Life magazine.

In fact, while no name has been given, a U.S. post office subsidy saves one national magazine $8,604,000 in postage during a single year. Which is considerably more than any one farmer gets in a long, long lifetime of toil.

It seems Life magazine will never learn which side their bread is buttered on. And, incidentally, there are two good farm products. If Life magazine finds that subsidies are such a terrible blow they could accomplish a neat savings for their country and salve their outraged conscience by actually paying what it really cost to mail their weekly publication.

If subsidies are going to be knocked off, let's get the foolish ones first. Since Life magazine does not make a contribution to the American way of life anywhere approaching the contributions of any farmer it seems that the logical subsidy to cut out first would be the favorable mailing privileges of Life magazine. It would be nice to see the Post Office Department breaking even.

It would also be nice for Life magazine to attempt to be what it tells its subscribers it already is, an impartial pictorial news magazine.

EDITORIAL SUPPORT FOR SENATE CLASSIFICATION AND PAY SYSTEM

Mr. NEUBERGER. Mr. President, on April 15, 1959, I submitted Senate Resolution 102, which would direct the Committee on Rules and Administration to formulate and submit to the Senate a classification and pay system for the empoyees of Senators. My proposal is designed to provide the public and the press with information as to salaries and duties of staff members of Senators while preserving desirable administrative flexibility.

I was happy to be joined in sponsoring this measure by the junior Senator from Colorado [Mr. CARROLL], the senior Senator from Illinois [Mr. DOUGLAS], the senior Senator from Minnesota [Mr. HUMPHREY], and the senior Senator from Connecticut [Mr. BUSH].

Recently the Oregon Journal, a daily newspaper in my home city of Portland, discussed Senate Resolution 102 in an editorial entitled "A Way To Allay Voter Suspicion." The Journal pointed out that there is nothing inherently wrong in Congressmen hiring relatives. The editors noted that the procedure provided for, under the terms of my resolution, would permit a determination of whether or not the employee of a Senator is doing work and carrying out responsibility commensurate with his salary. "If such is the case," the editorial states, "then it doesn't make any difference whether the employee is a relative or not."

Mr. President, I ask unanimous consent that this excellent editorial published in the April 22, 1959, issue of the Oregon Journal be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A WAY TO ALLAY VOTER SUSPICION

Out of the flurry over congressional nepotism has come a proposal which would allay much of the criticism of the present system and still leave the Congressmen with plenty of leeway in hiring and salary setting of assistants and office help.

As we have said before, there is nothing inherently wrong in the hiring of relatives by Congressmen. The twin evils which have given nepotism a bad name are the hiring of relatives at high salaries for minor or nonexistent duties and the cloak of secrecy with which the whole process has been shrouded.

A bill introduced by Senator RICHARD NEUBERGER would seem to give the public a reasonable amount of information and at the same time allow flexibility. His proposal calls for classification of positions in a Senator's office with several grades within each classification. It would also make accessible to the press and public a list of those persons on a Senator's payroll with their grade, position, and salary range but not necessarily the exact pay level. Such a plan would discourage loading the payroll with relatives who do little or no work but at the same time, by not listing exact salaries, would prevent the interoffice bickering which sometimes accompanies general knowledge of these details.

Since a Congressman's office staff is paid with tax dollars, the public is entitled to know in general how the payroll allowance is being spent.

With a plan such as NEUBERGER'S, it would be possible to determine whether an employee was doing work and carrying responsibility commensurate with the salary. If such is the case, then it doesn't make any difference whether the employee is a relative or not.

A little candor of the type suggested in the Neuberger bill would do much to allay voter suspicion and abolish the idea that a public office holder's primary aim is to get his and all his family's muzzles in the public trough.

NEEDED: EARLY APPROVAL OF GREAT LAKES BASIN COMPACT

Mr. WILEY. Mr. President, I am happy to report that the Senate Judiciary Committee today approved Senate bill 548, to grant congressional consent to a compact among the States of the Great Lakes Basin.

The early enactment of this bill by the Congress will, I believe, better enable the States around the lakes to cooperate in preserving, developing, and better utilizing the commercial, industrial, water, recreational, residential, and other resources of the Great Lakes Basin.

Under the Constitution, of course, compacts of this nature require Federal approval.

Last year a similar bill passed the Senate; unfortunately, final approval was not attained in the House of Representatives.

Generally, the compact represents a constructive effort by the Lakes States, through better coordination and cooperation, to more effectively utilize their resources to work out problems that may develop among the States relating to their mutual interests and to plan more constructively for developmental programs for the future.

In view of the merits of this proposed legislation, I respectfully urge that Senate bill 548 be brought up as early as possible in the Senate so as to achieve favorable approval during this session of Congress.

THE SENATE'S FIGHTING TAXPAYER—SENATOR WILLIAMS OF DELAWARE

Mr. DWORSHAK. Mr. President, in the Chicago Sunday Tribune of April 26, 1959, there appeared an article, written by Willard Edwards, entitled "The Senate's Fighting Taxpayer"—referring to Senator JOHN WILLIAMS, of Delaware. This is a deserved tribute to the Delaware Senator for his courageous efforts to expose waste and inefficiency in the operations of the Federal Government.

I ask unanimous consent that the article be published in the body of the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE SENATE'S FIGHTING TAXPAYER

(By Willard Edwards)

WASHINGTON.—They call him "the Whispering Terror." He's the shyest Member of the U.S. Senate but his soft voice on the Senate floor almost invariably creates fear and consternation in the Government bureaucracy.

Senator JOHN J. WILLIAMS, Republican from Delaware, a mild mannered, slender man with a hesitant smile, is an enigma to his colleagues. His almost inaudible speeches command an eager audience in a Chamber where the loud and bombastic too often prevail. He shuns publicity but gets headlines. He is a master of the understatement, delivered deadpan.

After exposing a particularly odious tax scandal involving a notorious racketeer, he remarked, almost apologetically:

"I do think the Government should prosecute gangsters for big income tax evasions just as vigorously as it prosecutes law abiding citizens for little ones."

For 12 years, WILLIAMS, representing one of the smallest constituencies in the Nation, has been unearthing venality, stupidity, inefficiency, and waste in the Federal structure. He works alone, patiently accumulating evidence, checking and doublechecking his facts. Finally, he appears on the Senate floor, waits his turn quietly, and then reads, in a low, soft voice, his carefully prepared statement.

In the huge Government buildings along Pennsylvania and Constitution Avenues, bureaucrats turn pale as the word is passed: "WILLIAMS has dug up another one."

They have reason for trepidation. During the Truman administration, WILLIAMS' one-man investigations of the Justice Department and the Internal Revenue Service started a series of grand-jury inquiries, trials, and convictions. Approximately 380 Government officials and employees were fired, resigned, or retired in a 3-year period. Sixty went to jail.

He has remained on the warpath during the Eisenhower administration. His more recent revelations have disclosed bureaucratic injustices and inequities rather than felonies but he remains an object of fear to Government officials. He was the first GOP Senator to take the floor to attack Presidential Assistant Sherman Adams.

"I can see no difference between mink coats and freezers under a Democratic administration and vicuna coats and oriental rugs under a Republican one," he murmured.

Nor does WILLIAMS withhold his fire when the activities of his own colleagues come under his scrutiny. Last year, a congressional pension plan was about to slip quietly and without debate through the Senate when it fell under the searching gaze of the Senator from Delaware.

Noting that this measure contained a remarkable proviso which would permit veteran legislators to retire with pensions higher than their salaries, WILLIAMS told his fellow Senators:

"This is a congressional gravy train which you don't have the guts to defend in public."

Senators are not accustomed to hear such caustic reprimands, delivered mildly as if in reproof of an erring child. In this instance, the main target was Senate Majority Leader LYNDON JOHNSON, Democrat, of Texas, a thinskinned autocrat who has been known to pour sarcasm and ridicule upon those who raised the slightest question concerning his legislative program.

JOHNSON flushed but made haste to pigeonhole the pension plan—permanently.

WILLIAMS has a gift for gentle irony which has gone largely unnoticed. After uncovering the fact that the wealthy owner of a famous money-winning race horse had collected a Government hay and feed subsidy, he remarked, innocently:

"I am sure that, as racing fans watched this horse win hundreds of thousands of dollars, they did not realize he was on Government relief."

Again, after relating his futile efforts to turn back to the U.S. Treasury $1,500 which had been allotted him for office stationery which he did not need, WILLIAMS observed:

"I was advised to buy the stationery, call a truck, and send it to the city dump. In that way, the Government would be rid of the money and I wouldn't have to pay an income tax on it."

Gazing reflectively at the ceiling, he summed up the incident:

"Everybody but the taxpayers would be happy."

Once he was accused of violating the law by making public a document stamped "secret," which exposed a Government employee's crookedness.

"I don't know if I've violated the law," he told the Senate, "but I always heard it was a crime to conceal a crime."

Frank Costello, the New York racketeer, was one of WILLIAMS' early targets. Costello evaded jail for years and at one point obtained a last-minute stay from Supreme Court Justice William O. Douglas. WILLIAMS was so indignant that he could almost be heard in the galleries.

"If this were an ordinary citizen, he would have been in the Federal penitentiary years ago," he remarked. "It is long past the time when the courts should stop pussyfooting around with this racketeer and remember that 170 million law-abiding Americans have some rights as well as these gangsters."

When WILLIAMS was introduced at the Republican convention in Chicago in 1952 as the Senator who had singlehandedly uncovered tax scandals of the Truman administration, he received an ovation. He bowed his head in embarrassed acknowledgment but did not seize the opportunity to make a speech.

At one point in his investigations, there were highly authentic reports that he had received threats from gangster sources.

"I can't understand what started such rumors," was his only comment. Shortly thereafter, he revealed settlement of big delinquent tax claims for small amounts by several members of the Capone gang.

WILLIAMS was born on a farm near Bayard, Del., 54 years ago, one of 11 children. After finishing high school, he went to work for a chicken feed firm. By the time he was 40, he and his brother were among the State's big chicken farmers.

If a crooked Government employee in 1946 had not pocketed certain income-tax payments, among them one by Chicken Farmer WILLIAMS, the Senate would have lost an outstanding figure and the taxpayers many millions of dollars.

Farmer WILLIAMS had little interest in politics but he was outraged when he found himself listed as a delinquent taxpayer. Since he had canceled checks to prove his payment, he began an investigation, discovering that an Internal Revenue Bureau worker had embezzled his money and that of other taxpayers. Although this embezzlement was known to Bureau officials, the thief was still on the payroll.

"Something ought to be done about this," WILLIAMS confided to his neighbors. He promptly ran for the Senate against a veteran Democratic New Dealer, beat him handily, and came to Washington in 1947, determined to obtain more information on the Tax Bureau.

Doggedly, he, his wife, and his secretary waded through Government reports, corporation records, bank records, official documents, and other source material. With meticulous care, he built up his case. It wasn't until May 1951, that he made his first Senate speech on the Revenue Bureau's operations but it rocked the administration. His exposure snowballed as tipsters in Federal bureaus fed him more information.

WILLIAMS has not been concerned solely with taxes and scandals. He has fought subsidies for farmers, miners, and other groups, steadfastly refusing to take Government money for his own farms from soil conservation, soil bank, or other programs. His disclosures have led to the tightening up of many laws.

WILLIAM'S strength is that he retains the viewpoint of the man whom cartoonists like to picture as the harassed and befuddled little individual labeled "U.S. Taxpayer." He hates waste or misuse of taxpayer money, whether it be one dollar or a million, whether it is because of corruption, immorality, or stupidity in high or low places.

He was one of the few Republican Senators to breast the Democratic landslide last November, winning reelection to a third 6-year term. One voter, questioned by a reporter, summed up the majority sentiment in his State simply:

"A vote against WILLIAMS would be like a vote for dishonesty."

The PRESIDING OFFICER. Is there further morning business?

Mr. DIRKSEN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER TO DISPENSE WITH CALL OF CALENDAR

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the call of the calendar may be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President, the policy committee will meet today at lunch to consider all the bills on the calendar and will receive a report of the legislative review committee. At a later time I hope to be able to submit to the Senate a list of the bills which have been cleared for action.

It is expected that the supplemental appropriation bill will be called up for discussion at an early time after the Senate has disposed of the nomination of Mrs. Luce.

I also anticipate that the railroad retirement bill will be called up while the senior Senator from Oregon is on the floor, I should like to ask him if the hearings and report on the railroad retirement bill are available.

Mr. MORSE. The hearings, I am certain, are available. I filed the report on Friday. It should be available, although I myself have not seen it.

Mr. JOHNSON of Texas. Are there minority views?

Mr. MORSE. They also were filed on Friday.

Mr. JOHNSON of Texas. What was the vote in the committee?

Mr. MORSE. Fourteen Senators voted for the bill, and one Senator voted "present." The Senator who voted present, however, asked permission to file minority views if he cared to, and he has filed minority views.

Mr. JOHNSON of Texas. Would the Senator from Oregon wish to speculate on how long that bill will occupy the attention of the Senate?

Mr. MORSE. I feel sure that I will not take more than 30 minutes.

Mr. JOHNSON of Texas. I have found the Senator from Oregon to be a very flexible and versatile man. He may take as long or as little time as he feels the circumstances justify. I wish all Senators to be on notice that if the hearings and report are available, we will try to have the railroad retirement bill called up promptly.

I understand that the discussion on the nomination of Mrs. Luce to be Ambassador to Brazil will take 2 hours or more. The nomination will be followed by the supplemental appropriation bill. It is hoped that we may complete action on that bill today and perhaps take up the railroad retirement bill tomorrow. After we see what progress we make today, I shall make a detailed announcement.

The PRESIDING OFFICER. If there is no further morning business, morning business is closed.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to consider executive business.

EXECUTIVE REPORTS OF COMMITTEE ON ARMED SERVICES

Mrs. SMITH. Mr. President, from the Committee on Armed Services, I report favorably 3,596 nominations in the Army, Navy, and Air Force in the grade of major and below. Included in this group are approximately 1,000 graduates of the Military, Naval, and Air Force Academies.

Since these names have already appeared in the CONGRESSIONAL RECORD, to save the expense of printing on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Vice President's desk for the information of any Senator.

The PRESIDING OFFICER. Without objection, the nominations will lie on

the desk, as requested by the Senator from Maine.

The nominations are as follows:

LeRoy Henry, and sundry other persons, for appointment in the Regular Air Force;

Peter G. Abdalla, and sundry other midshipmen (Naval Academy), for appointment as ensigns in the Navy; and

Jerry M. Abbott, and sundry other officers, for promotion in the Regular Army of the United States.

The PRESIDING OFFICER. If there be no further reports of committees, the nomination on the Executive Calendar will be stated.

DIPLOMATIC AND FOREIGN SERVICE

The legislative clerk read the nomination of Mrs. Clare Boothe Luce, of Connecticut, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Brazil.

Mr. DIRKSEN. Mr. President, will the majority leader yield to me?

The PRESIDING OFFICER (Mr. TALMADGE in the chair). Does the Senator from Texas yield to the Senator from Illinois?

Mr. JOHNSON of Texas. I am glad to yield to the distinguished minority leader.

Mr. DIRKSEN. Mr. President, let me say that I understand that the distinguished Senator from Oregon [Mr. MORSE] wishes to have a yea-and-nay vote taken on the question of confirmation of the nomination. I think that is entirely proper. Speaking for myself, we on this side of the aisle will make every effort to see to it that a yea-and-nay vote is taken on the question of confirmation of the nomination.

Mr. MORSE. Mr. President, I wish both the majority leader and the minority leader to know that I appreciate this courtesy.

In my 15 years in the Senate, whenever any Senator has asked me to help obtain a yea-and-nay vote, I never have failed to do so, and I never will. Sometimes it is of great importance to those concerned to have a yea-and-nay vote taken; and I have always been glad to cooperate in that connection.

In regard to this matter, I appreciate very much the cooperation in regard to having a yea-and-nay vote taken.

Mr. JOHNSON of Texas. Mr. President, the Senator from Oregon may be sure that a yea-and-nay vote will be taken.

Mr. MORSE. I thank the Senator from Texas.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Mrs. Clare Boothe Luce to be Ambassador to Brazil?

Mr. MORSE. Mr. President, we proceed now to consider the nomination by the President of Mrs. Clare Boothe Luce to represent our Nation as Ambassador to Brazil.

I rise to speak in opposition to the confirmation of the nomination.

Mr. President, my speech will be of some length. In the interest of continuity, I shall not yield until I have finished my formal remarks. Thereafter, I shall be happy to answer questions in regard to any of my formal remarks or any comment I may make.

Mr. President, my opposition to confirmation of the nomination of Mrs. Luce involves some very serious charges as to her competency or lack of competency. I intend to make that formal record first—as I would as a lawyer who was pleading a case before the bar of justice.

After I have made my argument in chief, I shall be happy to answer questions.

Mr. President, I speak as a member of the Senate Foreign Relations Committee, and as chairman of its Subcommittee on Latin American Affairs. In my capacity as chairman of the Subcommittee on Latin American Affairs, I assure the Senate that my inclination is, and always will be, to resolve all doubt, whenever possible, in support of a Presidential nomination for an ambassadorship to a Latin American country.

It is only because I think this nomination is so completely unjustified and is so much against the best interests of my country in respect to our relations with Latin America that I consider it my duty to make this record against confirmation of the nomination of Mrs. Luce.

Mr. President, the record will show that one of the first major questions which I had to consider as a new Senator, back in 1945, involved the question of the confirmation of the nomination of Henry Wallace to be Secretary of Commerce. Because of the feelings which then existed within the Senate, there were delays of considerable length in connection with the consideration of the Wallace nomination. Those delays gave me an opportunity to engage in research and study in regard to all nomination confirmation controversies in the history of the Senate of which there is any written record. I directed that study; and I, myself, did a great deal of the research. I was greatly assisted by the Library of Congress and by my own legislative assistant at the time.

That research was very helpful to me, and when a later nomination, that of Robert Hannegan to be Postmaster General, also proved to be controversial, I spoke at great length on the historic criteria which I think the records show Congress has historically followed in exercising its constitutional duties, under the advice-and-consent clause of the Constitution, in regard to Presidential nominations, ambassadorial and others.

In order to refresh the recollection of my colleagues—because, in my judgment, so much of that study is likewise applicable to the question of confirmation of the nomination of Mrs. Luce—I wish to point out that the study shows that the following are the criteria which, over the decades, the Senate has followed:

First, character and mental soundness. Does the nominee to a position which calls for the exercise of the advice-and-consent power of the Senate have the character and mentality which would justify confirmation of the nomination by the Senate?

As I said during the debate in 1945, and during nomination confirmation debates in the Senate since then, this does not mean that the President must nominate to each position for which he has the Executive right to nominate a candidate, someone who meets the individual views of individual Members of the Senate in regard to character qualification. Instead, the history of such matters shows quite clearly that the Senate has considered the character criterion from the standpoint of whether the nominee has a public record, a known record, of conduct and behavior so bad that an individual Senator would have to admit to himself that the appointment of a person of that type would be a reflection upon the Government of the United States.

I believe it was in 1945, or in one of the subsequent debates during which I discussed the character criterion, that, in order to illustrate its importance and its application, I stated that I believed all of us could take for granted that if a President nominated to a high post a convicted felon or a person notoriously known as a libertine or a person who was publicly known to be so devoid of the character qualifications of social morality and good conduct that we could say that that person really was not fit to be nominated to the position, then, under the advice-and-consent clause of the Constitution, that person should be found wanting under the first criterion I have mentioned.

The second criterion, Mr. President, is that the Senate, by its action over the decades, has demonstrated that it looks to the question of whether the nominee is patriotic, in the sense that there is no room for doubt or question as to the nominee's loyalty to our constitutional form of government. In other words, if one were nominated who favored any form of totalitarianism—Communist or Fascist or Monarchist—if a President should ever make the mistake of nominating one who could not satisfy the Senate that he or she was a loyal American, believing in our system of constitutional, representative government, then such a person should certainly not receive the favorable advice and consent of the Senate in support of the nomination.

Mr. President, no one would dispute the desirability of the requirement of the criterion of loyalty to our form of government. The difficulty, as history shows, is in its application, because honest men can disagree as to the facts which support or fail to support any challenge to one's qualifications under this criterion.

The third criterion which I think history clearly shows the Senate has followed over the decades, in exercising its advice and consent power under the Constitution, has been the criterion of freedom from a conflict of interests. A nominee must have a record that shows he has no special economic interest in the position; that his appointment to the position will not serve his personal, selfish economic interests, and that he is a person who could not possibly seek, to

the detriment of the public interest, to do damage to the United States by letting his economic connections influence his representation of the people of the country in the particular post to which he is appointed, be it in connection with the administration of domestic government or in connection with an ambassadorial office.

The fourth criterion the Senate has followed in the history of our country, under the advice-and-consent clause, is the criterion of competence. This criterion does not mean, Mr. President, that we must be satisfied as Senators that the person nominated by the President is the most able person who could be selected, and the most competent person who could be selected; but it means that we as Senators must be satisfied that the person has what we all know is the essentiality of the ability and competency to perform the work of the particular office, to the credit of the public interest of the American people.

Mr. President, speaking of the criterion of competency, I think it should be pointed out for the record, as it has been heretofore in our discussions of confirmations, that the Senate is not an appointing body. The power of appointment, under the Constitution of the United States, is given to the President, and the Senate is endowed with the power of advice and consent. As we lawyers say, the advice and consent clause of the Constitution comprises language of limitation. It is language which limits or checks the power of appointment, but it does not grant the power of appointment to the Senate.

This is a very important point, Mr. President, with regard to the application of the advice and consent clause, because if the constitutional fathers had intended a coequal power with the Executive, it would have been very easy to have said so. They could have provided that appointment should be made by the President and the Senate. But they made it very clear that the appointment in the first instance shall be made by the President, subject to this precious power of check known as the advice and consent clause.

Now, Mr. President, when words of limitation are used, as the constitutional fathers used them in the Constitution with respect to the advice and consent clause, we lawyers point out that words of limitation raise a presumption—it is a rebuttable presumption, not a conclusive one—in favor of the President's nomination, unless it can be shown that the nomination runs afoul of one of these historic criteria.

It has always been my position in every confirmation debate in which I have engaged during my 15 years in the Senate—it is my position today—that the presumption is in favor of the President. But, as I have said, it is a rebuttable presumption, and not a conclusive one. I respectfully submit that some of the statements some of my colleagues have made in regard to the Luce nomination would seem to imply that it is a conclusive presumption; that really the consideration of a nomination before the Senate should be looked upon as a mere formality; that the President should be allowed to appoint whomever he wants, and that the presumption should not only be in favor of the President, but that it should be conclusive.

Of course, Mr. President, that position implies there is not an advice and consent clause in the Constitution. But the clause is in the Constitution. We cannot wish it away. We have to act under it. We have to consider each nomination on the basis of questions which may be raised concerning the nomination when any Senator, carrying out what he considers to be his conscientious duty of representing the people of the State from which he comes, raises serious questions with regard to a nomination, as I do today in connection with the nomination of Mrs. Luce.

I have made these preliminary introductory remarks, Mr. President, because I want the RECORD to show once again the very consistent position I have taken over the years in regard to these criteria.

NOMINEE MISJUDGES REASONS FOR INQUIRY

Mr. President, last weekend there was filed with the Senate Foreign Relations Committee by Mrs. Clare Boothe Luce a supplementary statement concerning her nomination to be Ambassador to Brazil.

It purports to be a response to me for the questions I asked of her in the Foreign Relations Committee, and a documentation of a 1944 campaign statement Mrs. Luce made that—and I quote her—President Roosevelt was "the only American President who ever lied us into a war because he did not have the political courage to lead us into it."

Mrs. Luce's supplementary statement is neither a documentation of that 1944 statement of hers, nor is it a remotely accurate statement of the reason why I pursued the line of questioning I did at the hearing.

I ask unanimous consent to have Mrs. Luce's written statement printed at this point in the CONGRESSIONAL RECORD.

Mr. President, Senators will find the statement as a supplement to Mrs. Luce's testimony, starting on page 27 of the committee hearings of April 15, 1959.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

I am grateful for this opportunity, generously afforded me, to answer in greater detail some of the questions propounded yesterday (April 15, 1959) and to bring to the public attention my position on certain vital issues.

First of all, I do believe that if the principle, acted upon yesterday, was to become a permanent policy of the Senate Foreign Relations Committee, it would ultimately result in severe injury to our national interests abroad and a diminution in the quality of the appointees that the committee passes upon. That principle, the principle of political conformity, was clearly enunciated by Senator WAYNE MORSE who raised serious objections to statements made by me during the heat of political campaigns. He described these statements as being "subversive," "entirely uncalled for comment," and said that on the basis of these statements "I just do not think she is qualified to be in a diplomatic position."

One of the statements to which Senator MORSE referred, and the one which occupied a large part of my testimony, was a statement I made on October 11, 1944, less than a month before the election, in which I accused President Roosevelt of being less than honest and truthful in his dealings with the American people between September 3, 1939, and December 7, 1941. I admitted yesterday that the language used in 1944 was "in my view very intemperate, and would not have been used by me if I had the experience which I now have." I offered an apology for using such language, even during the excitement of a political campaign. However, the Senator from Oregon was not willing merely to accept my apology for intemperate language, but insisted that I, there and then, immediately document the substance of the truth in the statement. Since I had supposed that the questions to be asked would deal largely with Brazilian affairs and my qualifications for the position to which I have been nominated by President Eisenhower, I was not prepared to immediately document statements of my political beliefs made 15 years ago. Not being a trained historian and a specialist in 20th century American political history, I was not able quickly to cite volume, author, and page references. However, since yesterday I have found my thesis adumbrated in great detail in a volume entitled, "President Roosevelt and the Coming of World War II," by one of the foremost American historians, Charles A. Beard. Further documentation of my statement can be found in chapter VIII of Robert Sherwood's excellent dual biography "Roosevelt and Hopkins." This chapter deals with the third-term campaign. Henry L. Stimson, Secretary of War, 1940–45, wrote in his memoir, "On Active Service in Peace and War":

"To Stimson it always seemed that the President directed his arguments altogether too much toward his vocal but small isolationist opposition, and not toward the people as a whole. By his continuous assertion that war was not a likely result of his policy, he permitted the American people to think themselves into a self-contradictory frame of mind. As Stimson constantly pointed at the time, only the President could take the lead, in a warlike policy. Only he had the right and duty to lead his people in this issue" (page 375).

Further evidence to support the core of my statement can be found in Cordell Hull's, "The Memoirs of Cordell Hull" (vols. 1 and 2), Edgar Robinson's "The Roosevelt Leadership, 1933–45," and Basil Rauch's "Roosevelt: From Munich to Pearl Harbor."

I do hope that the Senator from Oregon finds these authorities satisfactory and no longer considers my statement subversive.

The other political statement I made was again made in the midst of a political campaign when I, holding no public office and speaking only as a private citizen, said, former President Truman had been the handpicked candidate of certain municipal political leaders. Partly on the basis of this statement, Senator MORSE declared, "I just do not think she is qualified to be in a diplomatic position."

Strict conformity to the political tenets of the majority party is hardly a sound basis on which to judge the qualifications of any person for a diplomatic position. Once admit the validity of this principle in practice and the national interest of the United States would be severely imperiled. Once concede that political vengeance is a worthy motive to formulate questions, and we will be that much closer to the Orwellian state. Once allow such actions to go unnoticed and unanswered and we will be shirking our duty as Americans by an act of omission. For these reasons I have prepared this statement.

CLARE BOOTHE LUCE.

APRIL 16, 1959.

Mr. MORSE. Mr. President, first, Mrs. Luce is absolutely and completely wrong when she states that the senior Senator from Oregon applied what she calls a

"principle of political conformity" in raising objections to her nomination. "Strict conformity," says Mrs. Luce, "to the political tenets of the majority party is hardly a sound basis on which to judge the qualifications of any person for a diplomatic position. Once admit the validity of this principle in practice and the national interest of the United States would be severely imperiled. Once concede that political vengeance is a worthy motive to formulate questions, and we will be that much closer to the Orwellian state."

So says Mrs. Luce. I can only say of her statement, if she thinks that was the reason for my questions she is even less perceptive and less qualified for the job than I thought.

Her responses to the committee and this written statement she has subsequently filed indicate conclusively to me that Mrs. Luce is one more example of the Eisenhower administration's practice of paying off political "hacks" with ambassadorial appointments. That is the one principle that emerges time after time as the Senate considers the appointments to ambassadorships which come to us from the White House. The issue this nomination presents to the Senate is whether we shall permit the Eisenhower administration to continue its practice of using ambassadorial posts to reward politicians. It is my conviction that the Senate has an obligation to impose a higher standard than that when we are asked to confirm nominations.

DUTIES OF THE SENATE IN CONSIDERING NOMINATIONS

The questions asked of Mrs. Luce in committee by myself, the committee chairman, Mr. FULBRIGHT, and other Senators, were intended to help us find out her qualifications for the job for which she was nominated. Section 2 of article II of the Constitution provides that the President "shall nominate, and by and with the advice and consent of the Senate shall appoint ambassadors, other public ministers, and consuls."

Note that this advice and consent power of the Senate occurs in the Constitution in article II, the article which outlines and describes the executive powers of our National Government. It was not placed in article I, which confers and describes the legislative powers.

In considering the nomination of Mrs. Luce, and of every other person whose nomination requires confirmation by the Senate, we are acting under our executive powers conferred upon the Senate by the Constitution. In confirming ambassadors, we are sharing with the President the responsibility for America's representation abroad.

Of this arrangement in the Constitution, Hamilton had this to say in The Federalist, No. 76:

> It is not easy to conceive a plan better calculated than this to promote a judicious choice of men for filling the offices of the Union; and it will not need proof, that on this point must essentially depend the character of its administration.

And a few sentences later:

> To what purpose then require the cooperation of the Senate? I answer, that the necessity of their concurrence would have a powerful, though in general, a silent operation. It would be an excellent check upon a spirit of favoritism in the President, and would tend greatly to prevent the appointment of unfit characters from state prejudice, from family connection, from personal attachment, or from a view to popularity * * *.
>
> He would be both ashamed and afraid to bring forward, for the most distinguished or lucrative stations, candidates who had no other merit than that of coming from the same State to which he particularly belonged, or of being in some way or other personally allied to him, or of possessing the necessary insignificance and pliancy to render them the obsequious instruments of his pleasure.

Hamilton did not specifically mention persons with no other merit than their political affiliation, but that undoubtedly is included in his list by implication.

There is nothing here about the Senate rubber stamping Executive appointments. On the contrary, ascribing to the Senate executive duties along with the President for filling these positions, also makes the Senate, along with the President, responsible for the adequacy of the persons chosen.

If a poor nomination is made, and is confirmed by the Senate, we are as much disgraced for approving it as the President is for making the nomination in the first place.

This power was clearly conferred upon the Senate to improve the selection of men and women for official posts. It is my contention that over the years, the Senate has not been fulfilling that constitutional purpose. We were not meant to approve anything sent to us by way of nomination for ambassador or any other office; we were meant to exercise a check upon the President so that capable and responsible people would be chosen.

WHAT SHOULD BE EXPECTED OF AN AMBASSADOR?

That brings me to the question of what we should expect of the people who represent the United States overseas. Of course, historically, an ambassador was the personal representative of one head of state to another head of state.

In an article entitled "Instant Diplomacy and the New Diplomats" which appeared in the Columbia University Forum, volume II, No. 1, fall 1958, Dana Adams Schmidt writes about the change over the centuries in the role of the ambassador. Mr. Schmidt is well known as the Washington diplomatic correspondent for the New York Times.

Mr. Schmidt points out that in ancient times princes of one country communicated with princes of other countries by use of messengers. By the 13th and 14th centuries, these messengers were expected to bring back observations and judgments of events in the countries they had visited.

The rules and customs of this growing diplomatic corps became increasingly complex.

Ambassadors—

Says Mr. Schmidt—

> theoretically the personal representatives of their sovereigns, were expected to put on a show of pomp and generosity, to live well and to entertain lavishly.

But with the advent of modern communication, the role of the ambassador began to change. We moved into an era of what Schmidt calls popular diplomacy, in which transmitting views and information directly to large populations became a major object of the great powers.

Mr. Schmidt concludes that today we need a new kind of diplomat; the traditional diplomat will no longer do.

> In the old days American diplomats were drawn from a particular social stratum and educated in a restricted number of institutions. When they went abroad, they naturally sought out persons like themselves. They talked with government officials and moved among the ruling classes. But their contacts usually went no further. * * *
>
> The ambassador of today must of course still have the broadest possible knowledge and exquisite tact—

I stress that a modern diplomat must still have exquisite tact as a qualification, according to this well recognized authority—

> but he must work with a team of specialists of a kind quite unknown to the old diplomacy. These specialists must be able to examine with professional skill the most varied facets of a foreign country's life and must of course understand the equivalent facts of American life. * * *
>
> The ambassador and his secretaries must also keep in touch with the opposition as well as the ruling party. They must, in other words, immerse themselves in the country's life.

As I have pointed out, Mrs. Luce's extreme partisanship in Italy extended not only to attempting to influence the outcome of an election but to an expression of great displeasure when a man she opposed was elected President of Italy.

Mr. Schmidt describes the new diplomat as one who must be a specialist in several areas of social adeptness. But also he "must be articulate, quick in his responses, sensitive not only to the atmosphere at the Foreign Office but also in the street. He must convey to his government not mere information but intelligence in the highest sense, synthesizing the work of other specialists in a form communicable to the Members of Congress and to the public by the extraordinary devices of communication which loom at his disposal. More than ever, he will have to be something like a complete public man."

The age of communications is such that an ambassador can no longer be viewed as the representative only of a head of state. All over the world, we Americans are judged by our Ambassadors. We are even judged by the lesser diplomatic officials, the foreign aid and military officers, and even our tourists in other lands. The currently popular book, The Ugly American may be a somewhat overdrawn picture of the American image abroad, but we know there is enough truth in it to make us uneasy.

An international expert on the history of diplomacy, Harold Nicolson, has stated that the most important qualification for a diplomat is honesty and reliability.

I am satisfied to use that standard in judging the nomination before us. I suggest it is the standard that should be used by the Senate—Is she honest? Is she reliable? I am satisfied that Mrs. Luce does not meet either criterion.

When I speak of honesty here I am not speaking of monetary honesty, but of honesty of intellect. After all, the test of an individual's honesty is to be found in the answer to the question: Is he intellectually honest? Does he have that intellectual integrity which justifies us in saying, "Here is a moral man—on the basis of morality, integrity, and intellectual honesty."

In my judgment Mrs. Luce is simply not competent for this assignment, on her record, when weighed against these standards.

A good ambassador—such as our colleague, Senator COOPER—makes friends for America, not just for the President. A poor ambassador arouses animosities against America, not just against Mr. Eisenhower.

We Senators, as I have shown, share the executive responsibility for selection and appointment of ambassadors. A poor ambassador reflects upon our judgment, just as a poor ambassador reflects upon the American people.

We cannot slough off the advice-and-consent duty that is ours by saying, "Oh, we should let the President have whomever he wants. This is really his function." I say to my colleagues, read the Constitution. It is our function, too.

SENATE ACTION WILL BE WIDELY NOTED

Mr. President, the vote on the confirmation of this nomination will be noted throughout the world. It is not merely a vote on an ordinary diplomatic appointment. It will be followed around the world for the following reasons:

First. It will be watched in the entire diplomatic service to see whether blatant politics is put ahead of career service.

Second. It will be watched around the world to see whether the memory of a great President of the United States who led this country in peace as well as war is to be smudged by confirming his most vitriolic critic who falsely accused him of lying us into war.

Third. It will be watched in Latin America to see whether the U.S. Government officially confirms the report published in Time magazine quoting a State Department official that Bolivia should be carved up among its neighbors. This was the report which caused grave riots in Bolivia and special precautions to guard some 700 American citizens there.

Fourth. And it will be watched in this country as well as abroad to see whether the Senate of the United States bows to the intertwining of Henry Luce policies and Dwight D. Eisenhower policies which have so influenced history in Asia, Latin America, and Europe during the past 6 years.

I should like to speak on these four points. I speak as a member of the Foreign Relations Committee and as the chairman of the Subcommittee on Latin American Affairs, as I indicated in my introductory remarks. It is to one of the most important Latin America countries—Brazil—that great and traditional friend of the United States, to which Mrs. Luce has been appointed as Ambassador.

I recognize the unpopularity of being critical of a lady.

I yield to no other Member of the Senate in my devotion to that pattern of behavior known as chivalry; but this issue has nothing to do with chivalry. When we come to the question of the selection of an ambassador sex has nothing to do with it. My job is that of impersonal evaluation of a nominee, irrespective of the nominee's sex. Naturally I do not find it pleasant to be critical of a lady. I am the sponsor, and have been for a good many years, of proposed legislation in the Senate—and I seem to have great difficulty in even getting hearings on it—to give equal rights to women in the field of economic opportunity by assuring them equal pay for equal work. That has nothing to do with any matter of chivalry. It has to do with plain justice. It has to do with what I consider to be the trust which I owe to the position I have the honor to occupy.

That should dispel any notion lurking in the mind of anyone that I find it at all pleasant to oppose this nomination. It is my duty to follow where the facts lead. Therefore, Mr. President, I intend to express my views as to the incompetency of this nominee as a nominee, irrespective of her sex.

I realize that I am speaking against the nomination of a lady who is not only charming but who has also behind her the power of the Time, Life, Fortune empire.

In the course of my remarks I shall take the position that I do not believe we can separate the nominee from her consort, who accompanies her much of the time. Neither do I believe that we can separate the nominee from her relationship to Time, Life, and Fortune. I do not believe we can separate the nominee from the record of the Time, Life, Fortune journalistic-television empire in exercising great influence on American foreign policy during the past 6 years, to the detriment, in my judgment, of the foreign policy of the United States. It is an empire which has molded public opinion and frequently slanted the news for many years.

I have in mind an incident reported in Time magazine about which I know from my being involved in the operative facts of the incident, and I have been at a loss to find any connection between the story as it appeared in Time magazine and the facts. That is why on a previous occasion in debate on the floor of the Senate I have referred—and I am perfectly willing to repeat the statement today—to the Luce publications as "loose" publications. I have never been one to be the slightest degree weak in the knees in opposing journalistic practices in this country which I believe are not in the public interest.

At another time in debate I said—and I will repeat it today—that I thought the Luce publications—and we can spell the name any way we wish—have done a better coverup job for Dwight D. Eisenhower than Pravda has done for Khrushchev. That is the kind of journalistic empire with which we are dealing, in my opinion. We cannot separate this nominee from it no matter how hard we try. We cannot separate this nominee from her consort. We cannot separate this nominee from the policies of Time, Life, and Fortune.

Mr. Luce, as was brought out in the committee hearings, spent about half the time with her in Italy. That I believe was to the detriment of the foreign policy of the United States. She testified that he would spend about 6 months of the year with her in Brazil. I would not have it otherwise. That is fundamental to the marital relation. However, I will not refuse to take account of the fact that that marital relation, in my judgment, must be considered as we ponder the effects of the nomination upon the policies of the United States in Brazil. Thus, I say that this Luce empire has molded public opinion and frequently has slanted the news for many years. That is undeniable.

It is beyond question the No. 1 spokesman of the Eisenhower administration, as I shall develop later. It has great power to distort the truth and it has shamelessly done so.

Not only do these magazines enjoy postal privileges from this administration which permit Life to be the largest circulating magazine in the world, but they have also received great largesse from this administration in the form of television stations. The Time-Life empire owns stations in Salt Lake City, Utah; Denver, Colo.; Minneapolis, Minn.; and Grand Rapids, Mich. This bloc of TV stations in themselves can tell a network what national programs to throw off the air. They are key stations which the networks must have in key cities.

EFFECT OF THIS APPOINTMENT ON LATIN AMERICA

Next, let me discuss the effect upon Latin America if the Senate of the United States confirms Mrs. Luce as Ambassador to Brazil. I am sure that all Senators recall the riots in La Paz, Bolivia, following publication by Time magazine of the statement attributed to a State Department official to the effect that the only hope for Bolivia was to carve it up among its neighbors. Though the effect of that statement was disastrous, it could not at that time be linked with the official policy of the United States. The statement was, of course, denied. But it remains a fact that Bolivia geographically is divided into two parts. One is the alto plain about 12,000 feet high. The other is the lowlands which are drained by rivers flowing into Brazil and which geographically are almost a part of Brazil. The city of Santa Cruz, the most prosperous city in these lowlands, is just a stone's throw from the Brazilian border.

The plateau of Bolivia is so high, so rocky, and so cold that it is largely unproductive agriculturally. It is from the lowlands that Bolivia derives its sugar and most of its other agricultural production. Yet history has shown that this area contiguous to Brazil has been eyed somewhat covetously in the past by Brazil, which is one reason for the sensitiveness of the Bolivian people when Time magazine carried a purported quotation suggesting that its country be partitioned. This suggestion has been made before in the past. The alto plain of Bolivia is quite similar to that of Peru and in the past Bolivia's neighbors have not hesitated to cast inquisitive glances toward her territory.

I submit that confirmation of the nomination of Mrs. Luce, who so inti-

mately is connected with Time magazine, and which carried exclusively the story of her having been poisoned by the ceiling in the American Embassy at Rome, would confirm in the minds of many Latin Americans—certainly Bolivians—the already present deep suspicion that Time magazine was speaking for more than itself when it suggested once again that Bolivia be partitioned.

With regard to the alleged poisoning from plaster flakes which fell off her bedroom ceiling in Rome, I ask unanimous consent to insert in the RECORD at this point an article published in the Washington Post of Friday, July 20, 1956, entitled "Doctor Doubts Paint Poisoning Is Cause of Mrs. Luce's Illness."

Mr. BUSH. Mr. President, reserving the right to object, will the Senator explain what the article says?

Mr. MORSE. I shall be very glad to read it. I was seeking to save time. I will be very glad to explain it as I read it.

Mr. President, this is an article which was published in the Washington Post of Friday, July 20, 1956. It bears on the remarkable explanation which was given by Time magazine for Mrs. Luce's resignation from her post in Rome—an explanation which a large body of opinion considers to be fantastic. I share that point of view. It is an exceedingly fantastic explanation. However, I am glad to read the article. It says:

Ambassador Clare Booth Luce's physician yesterday said her latest illness may have had no connection whatever with poison paint specks that allegedly dropped from her bedroom ceiling.

Dr. Milton Rosenbluth said the ailments for which he treated Mrs. Luce in New York 2 months ago were enteritis and iron-deficiency anemia.

Their relation—if any—to traces of arsenate of lead detected in a specimen is "very unclear," he said, because the suspected ceiling of her Rome Embassy bedroom had been covered and repainted 13 months earlier.

I understand the record is perfectly clear that arsenate of lead was not used in the paint. I continue to read from the article:

Dr. Rosenbluth was interviewed by telephone in New York.

(In Rome, the architect who prepared the villa for Mrs. Luce when she arrived 3 years ago said today the painted ceiling that reportedly poisoned her had not been touched in 40 or 50 years, Reuters reported.

Paolo d'Anna, an American of Italian origin who has lived in Rome for many years, said he decorated the villa for Mrs. Luce just before she arrived in Rome. He added: "But the ceiling was not touched. As far as I know, the ceiling has not been touched for the past 40 or 50 years.")

Time magazine reported "a deadly fallout" of the poison caused the long series of illnesses that have beset Mrs. Luce since she became Ambassador to Italy more than 3 years ago. The Ambassador's husband, Henry R. Luce, is editor-in-chief of the publication.

The magazine said a second investigation uncovered "a high content" of arsenate of lead from painted roses in the ceiling of her 17th century embassy residence in Rome.

"For 20 months it said, Ambassador Luce had been breathing arsenated fumes, had been eating food and drinking coffee powdered day after day with the deadly white dust."

Dr. Rosenbluth said it was far from certain her latest illnesses were "arsenic-induced infection," as the magazine reported.

"Whatever she had in 1954 I would regard as cured," he said. "Her latest illness seemed to be related to some liver infection she had in Italy.

"Specifically, what she had now was not poisoning."

He said it is possible the earlier illness could have so debilitated her to the point where she was more susceptible to the later ailment, but that even this is uncertain.

Time magazine had no immediate comment on Dr. Rosenbluth's remarks.

Mr. BUSH. Mr. President——

Mr. MORSE. I have not yielded to the Senator from Connecticut. I withdraw my request that the article be printed because I have now read it in its entirety.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. MORSE. No. I explained at the beginning of my speech that I would continue until my formal remarks were concluded, but that then I would remain on the floor of the Senate so long as any Senator wished to question me about my remarks.

Assuming that the next request of the Senator from Connecticut will be the same as his first, I shall read an article concerning the matter of alleged arsenate of lead poisoning, which was published in the New York Times of July 18, 1956.

Mr. BUSH. Mr. President, if the Senator will yield, I shall not object to his asking unanimous consent to have the article printed in the RECORD, now that I know what it is. But if the Senator wishes to read it, of course I have no objection.

Mr. MORSE. I always try to save time, as the Senator knows. He and I may disagree on many issues, but he has never found me unwilling to try to accommodate the Senate by saving time, when I can feel that I do not damage my record thereby.

So, Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article entitled "Story of Mrs. Luce's Poisoning in Rome Villa Amazes Italians," published in the New York Times of July 16, 1956.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

STORY OF MRS. LUCE'S POISONING IN ROME VILLA AMAZES ITALIANS—HEALTH OFFICIALS SAY THEY KNOW OF NO RECENT CASES OF ILLNESS FROM USE OF ARSENIC IN ROOM PAINTING

ROME, July 17.—The report that Mrs. Clare Boothe Luce, U.S. Ambassador to Italy, has suffered arsenic poisoning in Rome caused general amazement here today. When she departed for New York last May it was said here that the Ambassador was in a "run-down condition" from overwork and needed rest and a "general physical check up."

Local health authorities pointed out that they had no jurisdiction over the Villa Taverna, Mrs. Luce's residence, where she reportedly had been exposed to small doses of arsenic over a long period. This 16th century mansion adjoining the Villa Borghese Gardens was purchased by the U.S. Government several years ago to be used as a private residence of American Ambassadors in Rome. As such, it is extraterritorial, which means that no Italian policemen or other officials may enter the premises unless requested by the embassy.

Health authorities indicated that they would investigate whether any other Roman homes had been decorated with paints or varnishes containing arsenic. These authorities said they had no record of any recent case of arsenic poisoning from causes such as were blamed for Mrs. Luce's illness.

VILLA'S FURNISHINGS MASSIVE

The Villa Taverna has the name of the aristocratic family that inhabited it in the Renaissance. It rises in the middle of a vast park with tall pine trees. Its furnishings are massive and somewhat gloomy. Mrs. Luce added her own art collection, which contains mostly modern masters but includes a beautiful Italian Renaissance madonna.

Mrs. Luce's bedroom, where the arsenic poisoning is said to have occurred, is large and has four high windows. The housekeeping staff said today the ambassador used to start her long day at 6 a.m., when she would ring for the local morning newspapers and peruse them in bed for more than an hour before having breakfast.

In this period, it is presumed, tiny particles of arsenic dropped into Mrs. Luce's coffee and other breakfast food. Toward 8 a.m. Mrs. Luce would dress and drive across the Borghese Gardens to the embassy building on the Via Veneto in the center of the city.

Reports of Mrs. Luce's poisoning were splashed across the front pages of the evening papers here tonight.

"NO POISON PLOT FOUND

"WASHINGTON, July 18.—A paint chemist said today that if there was lead arsenate in the paint on Mrs. Clare Boothe Luce's bedroom ceiling in Rome 'it was added deliberately either to kill someone or to kill flies.'

At the same time State Department officials said there was "absolutely no evidence" of any attempt on Mrs. Luce's life.

"The scientist, Francis Scofield, chief of the technical division of the National Paint, Varnish and Lacquer Association, conceded only one possibility—other than intent to kill insects or a human—that paint might have been the source of arsenic poisoning.

"He said there was a chance that paint applied in this century might have flaked off and loosened particles of some coat applied before 1900 that might have contained an arsenic poison.

" 'No arsenate derivative that I know of is either technically or economically suitable for use in decorative paint,' he added."

Mr. MORSE. Mr. President, I say, therefore, in closing my comment on this incident, that I am one of those who have always felt that there is grave doubt as to the reason why Mrs. Luce left Rome, and that the explanation that her departure was caused by paint flakes dropping from a ceiling is too incredulous and fantastic.

I submit that the confirmation of the nomination of Mrs. Luce, who so intimately is connected with Time magazine, the magazine which carried exclusively the story of her having been poisoned by flakes falling from the ceiling in the American Embassy at Rome, would confirm in the minds of many Latin Americans—certainly Bolivians—the already present deep suspicion that Time magazine was speaking for more than itself when it suggested once again that Bolivia be partitioned.

I submit also that this is no time to take any such risk. We have seen that

a part of Latin America is already restless. We have seen the growth of a certain amount of communism in the Caribbean. We have seen a serious revolution break out in Bolivia only within the last few days, and we have seen troops called out in Bolivia to protect Americans. During the war, Bolivia was our only source of tin. With tin curtailed from Indonesia and the Malay states, we relied almost exclusively on our neighbor in Latin America. Today the countries of southeast Asia are much closer to Red China than they are to us. What will happen in the future remains to be seen. We hope it will be the best. But there is no reason for jeopardizing our friendship and ties with a nation in the Western Hemisphere which is already uneasy, which already has a strong left-wing labor movement in the tin mines, but which is our only source of tin in the Western Hemisphere.

LUCE QUALIFICATIONS ARE POLITICAL

I turn now to my next point, namely, the very clear evidence that Luce policy is woven through the fabric of the Eisenhower foreign policy.

First of all, two of the most intimate advisers of President Eisenhower, in addition to Mrs. Luce and her husband, are Charles Murphy, his number one speech writer during the 1952 election and again in the 1956 campaign; and, secondly, C. D. Jackson, assistant publisher of the Time, Life, Fortune magazines. He has held several positions, and I am not sure what his position officially is at the moment, but he has been able to serve in the White House, then go back to New York as an executive of the magazines, then come back to the White House to serve again. He came to Washington immediately after President Eisenhower was inaugurated in 1953, to become adviser on psychological warfare. He moves back and forth between Washington and New York like a shuttlecock. His hand is felt in Eisenhower policy at any and all times.

Let me cite the effects of this close relationship between Mr. and Mrs. Luce and their executives.

In the spring of 1956, President Eisenhower called the Prime Minister of Canada, Mr. St. Laurent, to White Sulphur Springs, W. Va., to get together with the President of Mexico. His invitation was based upon the idea of consulting upon mutual problems affecting these three vital neighbors. The meeting received tremendous publicity in the United States and also in Canada and Mexico. Great things were expected of it.

What I am interested in is the matter which President Eisenhower took up with the President of Mexico and the Prime Minister of Canada, namely, the tax which the Canadian government had imposed on Time magazine.

The Canadian edition of Time is printed in Chicago at a cost which enables it to sell advertising at about one-half the rate of Canadian magazines. Therefore, the Canadian government had imposed a tax on American magazines. It hit only two—Time and Reader's Digest. This was not a matter which vitally affected the taxpayers of the United States. It probably affected only three or four taxpayers—namely, Henry Luce and Mrs. Luce, the lady whom we are now asked to confirm, plus some other executives of the Time and Life magazine empire. This matter did not affect the defense of the United States, the borders of Canada and the United States, nor the trade between the United States and Canada.

Yet the President of the United States, after summoning Prime Minister St. Laurent to come all the way to West Virginia, took up as the number one item on the agenda for discussion of the tax on Time magazine.

That is one illustration as to how President Eisenhower's foreign policy is inextricably interwoven with the fortunes of the Luce magazine empire.

But even more important is the manner in which the Luce family has dominated the foreign policy of the Eisenhower administration in regard to China. Henry Luce was born in China. Understandably and commendably he takes a great interest in China. Mr. and Mrs. Luce are great friends of Madame Chiang Kai-shek. For many years the Luce publications have berated and bulldozed former Secretary of State Dean Acheson and our former President, Mr. Truman, because, as they termed it, the Truman administration did not unleash Generalissimo Chiang Kai-shek. It was the privilege and right of Mr. Luce to take this position. I do not argue with that.

But I do call attention to and take exception to the manner in which Mr. Luce has changed the foreign policy of the Eisenhower administration, and now it is proposed that his wife be appointed officially as a member of that administration.

It will be recalled that the most effective speech delivered by President Eisenhower, then General Eisenhower, in the autumn of 1952, was his pledge to go to Korea. News stories at the time credited Charles Murphy, a member of the Luce staff then active as an editor of Fortune magazine, as the ghost writer of that speech. This speech was conceived by the Luce empire, and after President Eisenhower was elected, he had to go to Korea to carry out his pledge. Thereafter, he unleashed Generalissimo Chiang Kai-shek. In Korea, he also made a peace which President Truman has correctly described as a virtual surrender to the Communists. The Luce publications take great stock, as we all do, in opposing communism in China. But it was the Luce policy, in part, which led to this abject surrender.

Although the President announced with great fanfare that he had unleashed Chiang Kai-shek, nevertheless, after all that fanfare, Chiang Kai-shek is right back on the leash. He is back where he was under the much criticized Acheson-Truman policy, because there is no place for him to go. There was no fanfare by Time and Life magazines when Chiang Kai-shek was put back on the leash. But he was put back.

Far more important, however, is the fact that the policies we have followed on Quemoy and the Matsus, in part influenced, and certainly praised and applauded by, the Luce family, have very nearly brought us into war. They have brought us up to the brink. And I am glad to say that last fall our former Secretary of State, John Foster Dulles, retreated from that brink. It was not an easy thing for him to do. It was a matter which entailed the swallowing of pride, both personal and national; but Mr. Dulles did announce, at a press conference last September, that it was unthinkable that the Chinese Nationalist Army would ever be able to retake the Chinese mainland.

That was a direct reversal of the Luce foreign policy, and it was one of the few times that the Eisenhower administration has failed to follow that policy. The reversal, of course, was due in part to the overwhelming demand on the part of the American people, as reported in the New York Times, that we not go to war over those islands. It was also in the face of the fact that the Eisenhower administration was heading into a very important election. So Mr. Dulles retreated.

It is rather significant to note at this point that the policy of brinkmanship was first enunciated, however, in an exclusive interview in Life magazine, written by John Foster Dulles, and given to his friend, Mr. Luce, the spokesman for the administration. That article got Mr. Dulles into more political hot water than perhaps any other statement he has ever made. It caused grave repercussions among our allies abroad who did not like the idea of being deliberately led up to the brink of war. And it caused unfortunate repercussions in the United States. At that time, Henry Luce made a public statement that he personally accepted responsibility for the article written by John Foster Dulles. We may never know who was actually responsible for that article; but, on the face of it, the article illustrated and proved the intertwining of Luce policy and Eisenhower policy in conducting the vital affairs of the United States.

LUCE CAMPAIGN CONTRIBUTIONS

There is nothing in her record to indicate to me that Mrs. Luce is qualified to be a diplomat.

That was, and is, the principal objection I have to her appointment now to be our Ambassador to Brazil. The role for which I believe she is well qualified is that of political hatchetman; she does very well at making inflammatory and demagogic political speeches; she and her husband contribute heavily to the Republican coffers. And for this she is being rewarded with an ambassadorship.

The senior Senator from Oregon is the last Member of this body who would ask or demand political conformity from anyone in public life. But I do believe that a person seeking a diplomatic post should have some talent for diplomacy. That person should demonstrate sound judgment and a capacity for self-restraint. Mrs. Luce's record throughout her public life shows little evidence of these qualifications.

I say that Mrs. Luce's qualifications are political only; her conformity is with Eisenhower and the GOP; insofar as the

administration is concerned, that is the main consideration, apparently, in handing out ambassadorships; and that is how Mrs. Luce qualifies.

Let us look for a moment at the record of Mrs. Luce.

After serving two terms as a highly partisan Member of Congress from Connecticut, from 1943 to 1947, Mrs. Luce returned to public life in 1952, to work for Eisenhower's nomination for the Presidency.

Mrs. Luce and her husband were heavy financial contributors to the 1952 GOP campaign.

In 1952, Henry Luce contributed at least $10,000 to various Republican campaign groups that I am able to locate; $3,000 was to the Republican National Committee, $1,000 to the National Professional Committee for Eisenhower and NIXON, $1,000 to the Citizens Committee for Eisenhower and NIXON, $2,000 to the National Republican Campaign Committee, and $3,000 to the United Republican Finance Committee of New York.

Mrs. Luce herself made 47 radio and television appearances on behalf of candidate Eisenhower. As the publication Current Biography, 1951–53 puts it: "when he was elected her name was mentioned for an important Government appointment." And she got it. Three months after the GOP took office, Mrs. Luce was sent to Italy as our American Ambassador.

In the 1956 campaign, the Luces contributed $29,375 to various Republican campaign groups, according to the report of the Senate Privileges and Elections Subcommittee.

In 1957, the Senator from Minnesota [Mr. HUMPHREY] placed in the CONGRESSIONAL RECORD figures showing the nominations to ambassadorial posts of financial contributors by the Eisenhower administration. They showed that between the end of the 1956 campaign and August 1957, 19 men who had been, or were to be, appointed as ambassadors had contributed to the 1956 GOP coffers $218,740.

In 1953, I was not a member of the Foreign Relations Committee of the Senate. At that time, with the Republicans in control of the Congress, there was no public hearing at all for most of these appointments. There was no public hearing on Mrs. Luce's nomination for the Italian post, nor was there any rollcall vote on it in the Senate. A few days ago, Mrs. Luce made the point that none of the questions being asked her this time were asked her in 1953; and I replied that I was not on the committee in 1953.

Since 1953, a motion I made 2 years ago has been adopted as the general practice of the Foreign Relations Committee of the Senate. It is that when a member requests it, there shall be a public hearing on the appointments which come before us for confirmation.

EFFECT OF APPOINTMENT ON CAREER SERVICE

I turn now to my next point—namely, the effect of Mrs. Luce's appointment on the foreign service of the United States. My distinguished friend from Arkansas, the chairman of the Foreign Relations Committee [Mr. FULBRIGHT], has quite rightly emphasized the need of strengthening our career diplomatic service. With this I fully concur. However, I am a little surprised that some in the Senate who believe in strengthening our career diplomatic service do not make a stand in regard to this particular appointment of so controversial and unqualified a political figure to such an important Latin American post.

I call attention to the fact that Mrs. Luce is replacing a career diplomat. He is Ellis Briggs, now Ambassador to Brazil.

Mr. Briggs began as vice consul at Lima, Peru. He has worked his way up, and has vast experience in many Latin American countries. He was counselor of the Embassy in Havana, Cuba; was Ambassador to the Dominican Republic; was Director of the Office of American Affairs, in the State Department, and served as Ambassador to Uruguay, Ambassador to Peru, and to some of the most sensitive posts in the world. He served as Ambassador to Czechoslovakia when William Otis, of the Associated Press, was imprisoned. And perhaps the most difficult of all, he served as Ambassador to Korea shortly after the Korean war. For this he received the Medal of Freedom from no less than President Eisenhower.

Ambassador Briggs speaks Spanish and Portuguese, and is popular in Brazil.

However, despite this long and distinguished career, I understand that the Eisenhower administration did not even notify Mr. Briggs that he was being relieved of his duties in Rio de Janeiro. The first he knew that he was to be relieved was when he received a biographical sketch of his successor, Mrs. Clare Boothe Luce, and was asked by Washington to distribute copies of a press release to the Brazilian newspapers.

I submit, Mr. President, that that is no way to treat a distinguished career diplomat. Ambassador Briggs was not even told that he was to be assigned to a new post, and had no idea what was to become of him until he later read in the newspapers that he was to be made Ambassador to Greece. He has had no experience in Greece or the Near East.

The distinguished chairman of our committee has so often emphasized, and quite rightly so, the importance of respecting our career service. I completely agree with him, and that is one reason why I am voting against the Luce nomination.

Mr. President, yesterday, in the New York Times of Sunday, April 26, in an article I previously inserted in the RECORD, Mr. Herbert L. Matthews, writing on the subject "Why Latin America Is Vital to Us," had this to say about our policy in connection with diplomats:

> The choice of ambassadorships rests largely in the White House, not the Department of State.
>
> The Department knew perfectly well in the spring of 1957 that the Cuban situation desperately required an experienced career diplomat, and the first choice was such a man—H. Freeman Matthews. Unfortunately for the United States and for Cuba, he felt obliged to turn down the transfer and, also unfortunately, the Republican National Committee wanted to reward a good Republican with an ambassadorship.
>
> So the post went to a man with no diplomatic experience and no knowledge of Cuba—Earl E. T. Smith. There is no doubt that the present distressing degree of resentment toward the United States on the part of Premier Fidel Castro and the Cuban people could have been avoided or greatly lessened by expert diplomacy in Havana.
>
> This points to one of the obvious things that can be done to improve U.S. relations with Latin America. It is to choose Ambassadors with more care and a greater sense of responsibility.

Mr. President, in my judgment, the post of Ambassador to Brazil calls for a career diplomat, not a political appointee. It calls for an Ambassador thoroughly trained after long years in diplomatic service in Latin America. I am very much of the opinion, Mr. President, that we have some difficult times ahead in the years to come in regard to Latin American relations. It is very important that we put in our ambassadorial posts, and in our other top diplomatic posts throughout Latin America, career diplomats, and not persons with such a controversial background as Mrs. Luce's. I am satisfied that in the due course of time her appointment will result in a deterioration of our relations with Latin America.

MRS. LUCE AS AMBASSADOR TO ITALY

After examining Mrs. Luce's record as Ambassador to Italy, I do not feel that she made a good record.

Some remarkable propaganda has been spread by large segments of the American press, including the Luce empire, in seeking to give the American public the impression that she did do a good job; but I do not think that allegation will stand up under analysis.

As Ambassador to Italy, Mrs. Luce was a notorious absentee, even allowing for her long illness just before she resigned. In 1955 she was absent from her post 87 days, plus being on vacation for 69 days. None of that was sick leave, or due to illness. In 1956 she was absent from her post 84 days, plus 23 days of vacation, and 95 days of sick leave.

I do not know of very many Government positions where the individual can work at such a casual pace and stay in that job very long, and that includes being a Member of Congress. Her total record for the 2 years showed her absent on 171 days of duty and 187 days of nonduty; that is, vacation and sick leave. These figures were inserted in the CONGRESSIONAL RECORD by the Senator from Montana [Mr. MANSFIELD], and appear in the CONGRESSIONAL RECORD, volume 103, part 12, pages 15882–15883.

The Senator from Montana has been another member of the Foreign Relations Committee who has shared the point of view of our chairman, if I understand correctly, that greater stress should be placed on the selection of career diplomats rather than politically appointed diplomats.

Mr. President, in regard to the matter of career diplomats versus politically appointed diplomats, it is interesting to note, as one looks at the absentee compilation which the Senator from Montana placed in the RECORD in 1957, that the career diplomats render much better service to the American people, as a

group, by staying on their posts. The matter of being a diplomat in a foreign office calls for one to stay on the job except when called back by his Government for further consultation in regard to problems of the position.

Irrespective of this nomination, I feel that the Foreign Relations Committee must take some steps to make clear to the State Department that we are going to discharge more of a watch-dog function in respect to the performance of our foreign diplomats, and that when we find such a record of absenteeism, we have a right to ask the questions, "How come? Why isn't this person removed? Why don't you send someone to that post who can be relied upon to stay on the job and represent the interests of the United States through that Embassy?"

I not only raise this point about Mrs. Luce's absentee delinquencies, but, in addition, I believe that her activities as Ambassador went beyond the proper official duties of an Ambassador.

INTERFERENCE IN DOMESTIC POLITICS

Is is true that Mrs. Luce had some moments of success during her last 2 years in Rome, but an examination of her entire record, will disclose that the mistakes of her 4 years far outweigh the popularity of her departing months.

Mrs. Luce took office in the crucial year 1953. Elections in Italy are held every 5 years, and they are just as important as the elections held every 4 years in this country. To some extent they are more important, because the balance between the Communist Party, the second largest party in Italy, and the forces of anti-communism is a very delicate one. Any false move, any unwise statement could change that balance.

In the spring of 1953, a very good friend of the United States, Premier De Gasperi, led the forces of the Christian Democratic Party and the middle-of-the-road groups. He then had a clear-cut majority. So advisers in the State Department tendered Mrs. Luce friendly advice that she remain in New York until after the Italian elections were over. She insisted on returning to her post immediately. She objected to speculation in the newspapers that she was being asked to remain in the United States.

Once she had assumed her post in the spring of 1953, Mr. Luce, being an active lady, apparently chafed at sitting on the side-lines. Just as she was so active in the campaigns against Roosevelt and Mr. Truman, so she wanted to get into the campaign in Italy. Understandably, she wanted to try to help defeat Communism. However, it is an old and well-accepted rule of diplomacy and politics that a foreign ambassador does not engage in the slightest political activity in a foreign state. The United States has expelled certain envoys from its shores when they engaged in political activity, even in the slightest degree.

However, Mrs. Luce, scorning this well-accepted principle of diplomacy, made a speech in Milan on May 28 hinting that if the Italian people did not vote for the middle-of-the-road parties supporting Premier De Gasperi, "Grave consequences" might follow. This speech was delicately phrased. But the words "grave consequences" carry a connotation in diplomacy in foreign countries which did not escape the people of Italy. To them it meant that American Marshall plan aid would be cut off. It was a threat to a proud people and it was resented.

The Italian newspapers friendly to this country were silent. They could not defend such a threat. Premier De Gasperi was embarrassed. It was the most devastating blow he had received during that entire hotly contested election. But the Communist papers were vocal. They had been given the one argument they needed most; namely, that the United States of America was trying to dominate the politics of Italy.

The next day, speaking in Genoa on May 29, at the Propeller Club, Mrs. Luce repeated the same indirect warning to Italy.

This is what sometimes can happen when a political ambassador is sent abroad. In my judgment, a career diplomat would have known better. The results which followed in Italy are too well known to all to be repeated in detail. But Premier De Gasperi lost the narrow margin of the strength he had in Parliament. After that the Christian Democratic Party had to govern Italy by coalition. Many observers believe that Mrs. Luce's speeches gave the Communists their greatest victory in the entire post-war Italian period. Whether or not she was effective, she did try hard to influence the outcome.

Following this, Mrs. Luce also became indirectly embroiled in the Italian election for President. She was opposed to Mr. Gronchi, just as she had opposed Roosevelt and Truman, and apparently for the same reason.

Mr. Gronchi is a Democrat, and somewhat left of center. He believed in a strong, peaceful reform program for Italy. He favored land reform, breaking up the large estates, a higher tax on business and on the upper brackets. Mrs. Luce, of course, did not make speeches in Italy against Gronchi, as she did against Roosevelt and the New Deal in the United States. But her performances were felt through the European editions of Time magazine and in other ways through the political and social leaders who came to the American Embassy in Rome.

Mr. Gronchi, however, was elected. His election took place in the Italian Parliament, and at the time it took place, Mrs. Luce was in the diplomatic gallery. Crushed, she yielded to a natural feminine emotion. It is reported that she was so emotionally upset as to cause her to weep, whereupon she left the diplomatic gallery. It created an incident which stirred the diplomatic corps of Rome, was much discussed in the press, but naturally was not published in Time, Life, or Fortune.

It was widely said in diplomatic circles in Rome that had Mrs. Luce been of the opposite sex she would have been recalled. Certainly, an ambassador in Washington who even secretly opposed the President of the United States would have been declared persona non grata. Mrs. Luce remained in Rome. And to her credit, I must say that she made a fast recovery. She cultivated President Gronchi, whom she had opposed, and had him invited to Washington.

But the fact is that her two speeches in Rome and Milan in 1953 during the height of the Italian elections probably did greater disservice to the United States in fighting communism than any other faux pas made by any other ambassador in the entire postwar period anywhere in the world.

Yet Mrs. Luce, who, with her husband, made heavy contributions to Eisenhower's reelection in 1956, has now been appointed Ambassador to Brazil and we are asked to confirm her nomination. To send her to Brazil, where she has to learn all over again, where she would only have approximately a year and a half to serve, and where she would replace a very fine career diplomat, would be, in my opinion, utter folly.

The answer should be, for the year and a half, Mr. President, to appoint a career diplomat to fill this very important Brazilian post.

INTERFERENCE IN DOMESTIC OIL POLICY

A second activity of Mrs. Luce in Italy, which I consider undue and which is an equally sensitive point in Brazil, was her attempt to influence the oil policy of the Italian Government.

Natural gas had been a state monopoly in Italy when it became evident that substantial oil deposits were also present. The chief of that state monopoly was Enrico Mattei. Mattei became the object of severely critical articles in Fortune magazine, and later, in Time magazine, which described him as the biggest single obstacle to large-scale American investment in Italy.

When the publisher of these widely read magazines is also the consort of the American Ambassador, it is not surprising that many Italians were apprehensive about where a privately held opinion ended and American policy began.

In fact, during this period of time Henry Luce spent some time with his wife at the American Embassy in Rome. Later, I shall insert in the RECORD quotations from a magazine charging, as did some of the press at the time, that Mr. Luce was very much interested in American Oil Co. opportunities in Italy to invest in Italian oil.

Mrs. Luce made it much clearer when a statement of hers appeared in the New York Times in January 1955, and later in an Italian industrial newspaper, declaring that—

> Capital comes where the profit is greatest. Political security is associated with economic convenience.

She continued:

> Much depends upon the oil policy of the Italian Government. It is known that oil investments are a good index of the security and profitable nature of the market. Many private companies can be led to invest their capital here if they see the oil companies doing it.

In an article in the Reporter magazine of February 23, 1956, it was stated that the rumor was being leaked from the State Department that further financial assistance to Italy would be withheld "until this oil business is settled."

Italian Premier Scelba was scheduled to make a trip to the United States, and the American interest in the oil situation had become such a pressing political issue that the Socialists tried to limit by an act of Parliament Scelba's discussions while he was here. The motion did not pass the Parliament, but a moral commitment was elicited from Scelba that he would not in fact talk about Italian oil while in the United States.

According to this article in the Reporter, "what Scelba talked about in Washington is still, and probably will remain forever, a deep secret, but certainly he kept mum about oil."

Mr. President, I think there can be no disputing the fact that at the time of the oil crisis in Italy, when Mrs. Luce and Henry Luce were making very clear their preferences for having American oil companies granted the privilege of investing in oil in Italy, and interfering with the governmental oil monopoly policy of Italy, a majority of the Members of Parliament of Italy very clearly indicated they wanted the Italian oil monopoly to proceed without foreign intervention. Of course, Senators will remember that was the time, also, as I shall point out in a few moments, when the Italian Government was making it rather difficult for some of our oil interests in the Middle East.

What I wish to stress is that the incident which arose over the visit of Scelba to the United States left no room for doubt as to where the parliamentary lawmakers of Italy stood in regard to their desire, as a matter of national policy, to be allowed to operate their own oil interests without intervention, either from the Ambassador of the United States or her consort, or the powerful oil interests of the United States.

Next only to the Middle East, South America is a great exporter of oil. Oil is her lifeblood; there is probably no industry that is more sensitive in South America vis-a-vis the United States than that of oil.

A great deal of the development of the oil resources of South America is in the hands of American capital. In other countries, American development is being restricted.

Brazil is, like Italy, a nation with a government monopoly on oil. Mrs. Luce demonstrated in her previous assignment that the policies stated in Mr. Luce's publications on this subject are likely to show up as the policies of the American Ambassador.

As chairman of the Latin American Affairs Subcommittee, I cannot help but feel that sending Mrs. Luce to a South American country would tend on this score alone to arouse old fears about American imperialism and economic designs upon our neighbors to the south.

Let me say for the record that if this were the only reason I had for voting against confirmation of the nomination, I would vote against it. However, there are many other reasons, which I am bringing out in this speech.

I believe that the record of this nominee in connection with the oil controversy in Italy is such that she should not be sent to a Latin American country which also, as does Italy, has a government oil monopoly, and operates its oil interests under the rules, regulations, and laws of that governmental policy.

Enough is known about the delicacy of the oil problems of Latin America to know that few issues can so quickly stir up animosity against the United States as can the expression of any evidence on our part, or any possible reason to believe that evidence exists, that we will follow a policy which seeks to interfere in their oil policy.

We ought to have a career diplomat in Brazil. I can well understand that in connection with any proposal for a loan or any proposal for participation in a foreign aid program on the part of any country, we might very well, in negotiations in connection therewith, raise some question as to what the position of potential American investors would be in the particular country, whether the subject involved dealt with oil, mines, or the establishment of a manufacturing plant, steel mill, or whatnot.

That kind of problem ought to be negotiated specifically in carrying out the economic aid program and the loan program of our country. It should be a part and parcel of the policy of an embassy of the United States anywhere in the world to give the Communists no basis for the charge that our embassy becomes pretty much a propaganda center for undermining the oil policy or any other economic policy of the particular country, which has been established by the government. That is why I say we cannot treat lightly this unfortunate record of Mrs. Luce and her husband in connection with the oil policies of Italy and their attempted intervention therein.

I turn now to another objection.

MRS. LUCE'S EXTREME PARTISANSHIP ON FOREIGN POLICY ISSUES

During the recent hearings on this nomination by the Foreign Relations Committee, it was also brought out that Mrs. Luce has been among the most vitriolic opponents of the Democratic administrations, and particularly their foreign policies, in the entire Nation.

I raise this point not to refight old battles, but to indicate the extremes to which Mrs. Luce has gone, extremes that demonstrate her lack of the stability needed for a diplomatic job and that tend to undermine the position of the United States abroad. In my opinion, it is the uttermost hypocrisy to send her to Brazil, or even to Italy, in view of her statements about American foreign policies and the men who made them.

She said, in September 1952:

> Twenty years the mortal enemies of ours have been growing and thriving in the organism of the Democratic Party. There is only one way to dislodge them. We must shake them all out. Yes, the tree of government must be shaken hard. Then these rotten apples, these mortal enemies, will fall out before all from the top branches.

Mrs. Luce remarked that she thought this was "awfully good oratory," when she was questioned about it in the hearing.

And again, she said of President Truman in June 1948, that he had been hand-picked by the big city bosses "who are ready to stuff a ballot box or steal an election before you can say Missouri."

In the early days of the 1952 presidential campaign, in April 1952, Mrs. Luce said of Secretary of State Dean Acheson that he and what she called his "cabal of fellow travelers" had been the "prideful desire" of these "arrested adolescents" to ride "the Bolshevist wave of the future."

We all know the connotation of the phrase "fellow traveler." We can take judicial notice that Mrs. Luce knew the connotation when she used the term. She seems to object to my use of the word "subversive" to describe her public utterances. I repeat that charge on the floor of the Senate today. I believe the speech to which I refer was highly subversive.

We have before us at all times the rattlesnake danger of Communist subversion. We must be on guard at all times against the cells of Communist subversion. The FBI has done a pretty good job in spotting them. They are pretty well known. We stand united, I am sure, in the Congress and in the country, against subversion.

But there are other types of subversion which also threaten the fabric of this Republic, and this is an example of the type of subversion which seeks to give the American people the impression that Dean Acheson was a Communist fellow traveler, a subversive. I care not how anyone tries to dodge or avoid the issue, or to edge about it.

Mr. BARTLETT. Mr. President, will the Senator yield for a question?

Mr. MORSE. The Senator from Alaska was engaged in other official business when I began my speech. I announced at that time that I would not yield until the conclusion of my speech, and then I would be glad to yield for questions so long as any Senator desired to question me. I wish to place the formal part of my speech in the RECORD in continuity, and then I shall be glad to discuss it with my colleague.

In her speech of April 1952, Mrs. Luce continued:

> Dean Acheson and his unhappy supporters have been proved wrong in a prolonged misjudgment, a misjudgment carried across 10 terrific years, which has brought about the death of our sons and could have as its result, in our time, the death of freedom.
>
> If a general loses a division, he is shot. When Acheson as Under Secretary of State lost 100 million people a year to communism, including the friendly 500 million Chinese—he was promoted to Secretary of State.

I call that subversion—blatant subversion—on the face of the language. There is a subtle, sinister implication in that language to call it an unpatriotic course of action on the part of the Secretary of State and then, in a little forensic stab, to say that when a general loses a division he is shot but that Acheson was promoted to Secretary of State.

Oh, it has been said—and probably will be said again—that the senior Senator from Oregon is pretty rough in his speech sometimes. However, I have never applied for a diplomatic post. We must base our judgment today on the diplomatic ability of this nominee. Rough as

I may be in political debate at times, I always document my charges.

Thus in campaign speech after campaign speech, when I have talked about the political immorality of the Eisenhower administration, for example, I have defined my terms by example after example of what I am willing to have history judge to be its political immorality.

As I would have no hesitation in supporting the nomination of a great patriot, Dean Acheson, one of the great Democrats of our party of all times, let history be the judge that I do not intend to sit in the Senate today and vote to confirm the nomination to a diplomatic post of a nominee who has besmirched and has tried to smudge the memory of one of the greatest Presidents in the history of the Nation, Franklin Roosevelt.

I do not intend, as a Democrat, I may say to my Democratic colleagues, to vote to confirm such a nomination. I say these attacks on Acheson, Truman, and Roosevelt on the part of this nominee constitute sinister subversion. I shall stand by it and shall be proud to have my descendants read that I stood by it.

Again, in September 1952, she said of the administration in a nationwide radio and TV broadcast billed by the Republican National Committee as an exposé of Communists in Government that American troops in Korea were being hit with weapons "stolen by the Communists who have infiltrated into our Government."

I call that subversion.

She went on to say that the Government from 1932 to 1952 had not guarded against the danger of Communist infiltration because some of the guards appointed by the administration were themselves the thieves of our security.

I call that subversion.

Mrs. Luce was quite explicit in telling the world just where the Communists were in the Government. She said they worked in Army Air Force Intelligence, the Bureau of Naval Ordnance, the Justice Department, the Federal Reserve, the School of Military Government, the Aberdeen Proving Ground, the wartime Office of Strategic Services, the Office of War Information, the code rooms of the London and Paris Embassies, and every branch of the State Department.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD, as a part of my remarks, the article entitled "Truman Is Challenged To Act on Red Problem." The article was published in the Washington Times Herald of October 1, 1952, and quotes Mrs. Luce.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TRUMAN IS CHALLENGED TO ACT ON RED PROBLEM—INFILTRATION WIDE, MRS LUCE SAYS

NEW YORK, September 30.—Former Representative Clare Boothe Luce charged tonight that the Red underground operated in at least 23 vital U.S. Government agencies during the last 20 years and stole "just about" every American secret.

The former Congresswoman from Connecticut, in a nationwide radio and TV broadcast billed by the Republican National Committee as an exposé of Communists in Government, said Communists worked in such sensitive spots as Army Air Force Intelligence, the Aberdeen Proving Grounds, the wartime Office of Strategic Services, the Office of War Information, the code rooms of the London and Paris Embassies, and every branch of the State Department. Also the Bureau of Naval Ordnance, the Justice Department, the School of Military Government, the Federal Reserve, and the American-British-Chinese Stabilization Fund.

QUOTES FBI CHIEF

Mrs. Luce quoted FBI Director Hoover as telling a Senate group in 1951 that 394 persons were dismissed as a result of investigations into Communist agents in Government, and that 2,991 resigned during the probe.

The speech was scheduled as a followup of a statement yesterday by Gen. Walter Bedell Smith, head of the supersecret Central Intelligence Agency, that he was "morally certain" that Communists have infiltrated every Government agency.

Recordings and newsreels of hearings of the House Un-American Activities Committee were interspersed through Mrs. Luce's speech to illustrate the points she made.

Mrs. Luce asserted the Government during the last 20 years has not guarded against the danger of Communist infiltration because "some of the guards appointed by the administration were themselves the thieves of our security."

SEES EFFECT IN KOREA

She charged that American troops in Korea today are being hit with weapons developed in the United States and "stolen by the Communists who have infiltrated into our Government."

Mrs. Luce charged that Governor Stevenson in an Albuquerque speech a few weeks ago said there aren't many American Communists and "they aren't on the whole, very important."

Mrs. Luce charged that while the infamous Ware cell—which she called the "general staff of the original Communist underground in the United States"—was operating in the Agricultural Adjustment Administration Governor Stevenson joined the legal staff of the AAA.

I thought we had answered the threat of McCarthyism in America. I thought we were on record against McCarthyism. I do not intend to retreat today, in my opposition to the tactics and techniques of McCarthyism, even though it may now be bespoken by Clare Booth Luce. I do not intend to vote to confirm her nomination to an ambassadorship, for that among many other reasons.

One is moved to wonder why Mrs. Luce so cheerfully became a part of a State Department in 1953 which she had said 6 months earlier had Communists in "every branch."

American boys were dying at the hands of Communists in the Korean war when these subversive statements were made. I do not propose to condone or to forgive them by granting a reward for that type of subversion by way of an Ambassador's post in Brazil. The war in Korea was fought by the United Nations against Communist invaders from North Korea and China. The United States and the Republic of Korea furnished the great majority of the United Nations forces, and we supported, of course, the great bulk of the expenses to defray the cost of that war.

But it was the U.N. that authorized the action by which Americans were sent. In April 1951, 25 nations besides the United States and Korea had offered military aid to the United Nations for use in Korea. In December 1951, 15 nations besides the United States and Korea had combat units there.

Mrs. Luce apparently would have had the world believe that this effort to halt aggression, undertaken by the United Nations, was the result of evil machinations on the part of the American President and Secretary of State.

But no partisan statement of Mrs. Luce's matches in unreasonableness and damage to her capability as an Ambassador her declaration in the 1944 Presidential race that the late Franklin Roosevelt "is the only American President who ever lied us into a war because he did not have the political courage to lead us into it."

I would have every Democrat in the Senate—yes, every Republican in the Senate—pause, ponder, and reflect on that malicious, sinister, subversive charge of the nominee against the memory of one of the great leaders, not only of America, but also of a historic period in the world, Franklin Roosevelt.

To my Democratic colleagues I say, "You can vote to confirm her nomination if you want to, but the senior Senator from Oregon will not. He will never have his descendants read that when the name of Clare Boothe Luce came before the Senate he gave any approval, direct or indirect, to a person who demonstrated such a lack of judgment and diplomatic capacity as to make the statement that Franklin Roosevelt lied us into a war."

Her statement which Senators will now read in the hearings on her nomination, namely, that her language was intemperate, and that she apologizes now, years later, for it, does not change the fact that she has yet to retract her charge. I want every Democratic Senator to note that fact when he comes to vote on this issue, because that is a subversive statement; it is an unsupported statement; it is a statement, in my judgment, which proves beyond the shadow of a doubt that a person having such instability, a person having such poor judgment, a person so lacking in diplomatic tact, has no place in the U.S. Embassy in Brazil as our Ambassador.

CHARGE AGAINST ROOSEVELT REMAINS UNDOCUMENTED

I am sorry to say that the vote which we take here will be followed around the world as a vote for or against a very great President of the United States, so far as his reputation is concerned.

It is true that politics can become heated in any campaign. But those who make unfair, unreasonable heated charges in a political campaign, particularly about our foreign policy leaders, are seldom selected to represent the United States in an important country, one that came to our defense when the United States was attacked at Pearl Harbor.

Let us look at the alleged documentation of her 1944 campaign statement which she submitted to the Committee on Foreign Relations.

Mrs. Luce's first citation is of the American historian Charles A. Beard. Of him she says:

> Since yesterday I have found my thesis adumbrated in great detail in a volume entitled "President Roosevelt and the Coming of World War II" by one of the foremost American historians, Charles A. Beard.

Apparently, committee and Senate Members are expected to read this entire volume to get out of it what Mrs. Luce wants us to get, namely, that Roosevelt lied us into World War II.

I had read Beard's work long before I listened to Mrs. Luce; I have rechecked it since. In her documentation there is no indication of what Beard said, nor any specific case of falsification documented by Beard, to substantiate Mrs. Luce's charge, and she cannot produce one.

In a letter to the Washington Post, published on April 23, 1959, Professor Bernadotte E. Schmitt, an emeritus professor of modern history at the University of Chicago, describes Mrs. Luce's use of Beard as an authority in this way:

> Beard's book is now recognized as the work of a bitter old man who allowed his prejudices to get the better of his historical training.

I do not happen to share that evaluation of Beard's work; it is a substantial piece of writing, in my opinion. But I point out that Beard does not support a claim that "Roosevelt lied us into war."

Mr. President, I ask unanimous consent to have printed at this point in my remarks the entire letter of Professor Schmitt.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Apr. 23, 1959]

Mrs. Luce is pleased to quote the late Charles A. Beard in support of her theory that FDR lied us into war. She does not refer to Herbert Feis' "The Road to Pearl Harbor" or the two volumes by Professors Langer and Gleason; these authors tell quite a different story.

Beard's book is now recognized as the work of a bitter old man who allowed his prejudices to get the better of his historical training. Adm. Samuel Eliot Morison, whose qualifications as a historian are admirably displayed in his multivolume history of the U.S. Navy in World War II, disposed of the Beard volume in an article in the Atlantic Monthly shortly after its appearance; he showed how Beard had lifted evidence out of its context and written a thoroughly tendentious book.

BERNADOTTE E. SCHMITT.

Mr. MORSE. Mr. President, secondly, Mrs. Luce cites Robert Sherwood's "Roosevelt and Hopkins," and refers the committee to chapter 8, dealing with the third-term campaign.

I have the Sherwood book, and I have read chapter 8, as Mrs. Luce directed. I ask unanimous consent to have the pages dealing with foreign policy issues in the 1940 election campaign printed at this point in my remarks. The excerpt deals with Roosevelt's use of the phrase that American boys would never be sent into a foreign war.

There being no objection, the portion of the book was ordered to be printed in the RECORD, as follows:

This was the signal that was needed to proclaim that "The Champ" had gone into action. This Philadelphia speech, reread after 7 years, does not appear to qualify as one of Roosevelt's better efforts. But it was effective at the time, and the gleeful roars of the partisan crowd in Convention Hall that greeted each precision punch were as important when broadcast as anything specific that he said. Roosevelt did not once mention Willkie's name in this speech, nor at any other time during the campaign, nor did he ever mention Dewey 4 years later. Shortly after this speech, Willkie broadcast from the New York Herald Tribune Forum and listeners noted that he sounded shaken. Willkie's confidence in the triumph of his cause had been almost fanatical, but by now the politicians, supported by newspaper publishers for whose opinions he had more respect, were beginning to bring home to him the possibility that defeat stared him in the face. Aside from his own personal ambition which had led him to seek the nomination and to drive himself unsparingly in the campaign, he would have been less than human if he had not come to believe his own words and those of other Republican orators to the effect that the reelection of Roosevelt would be an unutterable calamity, to be prevented by any and all means, fair or foul. His principal advisers in the first part of the campaign were the same amateurs who had backed him for the nomination and helped him to win it—honorable, intelligent men like Russell Davenport who despised the Old Guard reactionaries and isolationists as they despised the cynical men (like Hopkins of the free-spending New Deal). The Republican national chairman, Congressman JOSEPH W. MARTIN, and other hard-boiled veterans of innumerable "smoke-filled rooms," scorned these amateurs and told Willkie vehemently that his high-minded advisers were making him an easy mark for Roosevelt. The Republican professionals begged Willkie to abandon this nonsense about a bipartisan foreign policy—to attack Roosevelt as a warmonger—to scare the American people with warnings that votes for Roosevelt meant wooden crosses for their sons and brothers and sweethearts. Willkie succumbed to these heated urgings from men who loved him no more than the professional Democrats loved Roosevelt but who knew they must win with him or suffer another 4 years in the political wastelands where no flowers of patronage could bloom. When Willkie started to shout charges that American boys were already on the transports—that we should be involved in a foreign war within 5 months if Roosevelt won—the campaign really descended to the lower depths and became, for 2 impassioned weeks, pretty much of a national disgrace. Willkie knew that these charges were contemptible, and when some of them were repeated to him by the isolationist Senator Bennett Champ Clark, during Willkie's testimony in favor of lend-lease a few months later, he dismissed them with disarming candor by saying, "In moments of oratory in campaigns we all expand a little bit."

However, there was no doubt about the immediate efficacy of Willkie's discreditable attacks on the war issue. The advice of the Republican professionals that the only way to get votes was to terrify people proved unhappily sound. The effects of this were felt powerfully in the White House during the last week of October. I had to read the letters and telegrams and reports that flooded in and, being a neophyte in such matters, I was amazed and horrified at the evidences of hysteria. Of all the communications, the most disturbing were those from newspapermen who, even though most of them worked for Republican papers, were personally devoted to Roosevelt and were doing all they could privately to help him. They reported mounting waves of fear throughout the country which might easily merge into tidal proportions by election day and sweep Willkie into office. There were all sorts of other reports from all over: notices from insurance companies to policyholders that Roosevelt's election would make their policies relatively worthless; telegrams to doctors warning that Roosevelt's election would mean the socialization of medicine; an extremely solvent bank advertised in the Chicago Tribune: "In a last stand for democracy, every director and officer of this bank will vote for Wendell Willkie"—a warning to depositors that they had better do likewise if they wanted to protect their money. There were various other scarecrows designed to frighten workers, farmers, housewives. Some of these, however, had been set up by the Republicans in 1936 and had fooled practically no one. The fear of war was another matter; it was something new and unreasoning and tending toward a sense of panic. Or, at any rate, so the reports indicated. Reading them, it was difficult to avoid the dismaying thought that perhaps the American people were ready to stampede along the road which led to Bordeaux and so to Vichy even before the panzers arrived on our home soil; it seemed possible that the strategy of terror had won its greatest victory here, that the Nazis had made good their boast that the conquest of the Western Hemisphere would be an "inside job." Even more alarming reports were coming into Democratic National Headquarters in New York and were relayed, perhaps in somewhat magnified form, from there to the White House. All the messages said much the same thing: "Please, for God's sake, Mr. President, give solemn promise to the mothers of America that you will not send their sons into any foreign wars. If you fail to do this, we lose the election."

Strangely enough, the previous Willkie arguments which had most effectively bruised Roosevelt had tended to charge him with a kind of isolationism. Willkie likened Roosevelt to Léon Blum, who had attempted to steer France toward social progress rather than preparedness; he identified himself with Winston Churchill, whom he quoted often, Churchill having made some remarks a few years before in disparagement of the American New Deal. Willkie tried to assign to Roosevelt a share of the guilt for the Munich surrender and the fall of France, and for guilt for the torpedoing of the London Economic Conference 7 years earlier. Most of all, Willkie blamed Roosevelt and his socialistic administration for the present military weakness of the United States—and those accusations stung Roosevelt worse than any others because he knew all too well just how frighteningly weak we were. Roosevelt spent a great deal of time answering these earlier accusations even though they hardly tallied with the later charges that American troops were already on the transports headed for Europe or Asia or both. The diversity of Willkie's attack and its fine disregard for consistency were bewildering even to Roosevelt and he was forced for a time to take a defensive position, where he was at his worst.

On October 28, Roosevelt went to New York City and made a regular campaign tour of four boroughs, speaking at two ceremonies, the ground-breaking for one tunnel and the dedication of another, both timed conveniently for this occasion by La Guardia. There were short speeches also at Hunter College and Fordham University, at the Queensbridge housing project and Roosevelt Park, and the grand windup with a rally at Madison Square Garden that evening. The night before, Mussolini had contributed to

the drama of the moment and, although this was certainly not his intention, had thereby helped Roosevelt, by launching his shameful and ultimately (for Italy) disastrous invasion of Greece. But Roosevelt did not denounce this; he made no further reference to a "stab in the back," for by now the Italian-American vote was of substantial importance, particularly in New York and other large cities. He said, I am quite sure that all of you will feel the same sorrow in your hearts that I feel—sorrow for the Italian people and the Grecian people, that they should have been involved together in conflict—" an unassailably safe statement. Ironically enough, two paragraphs later in the same speech, he quoted Theodore Roosevelt's famous term, "weasel words."

That Madison Garden speech was one of the most equivocal of Roosevelt's career. The first two-thirds of it was a reply to Willkie's charge that the administration had neglected our national defense, Roosevelt reading the record of Republican opposition to all attempts to increase the Armed Forces and to give aid to embattled Britain. The last third of the speech was a reply to the charge of warmongering. Here, Roosevelt went to the length or depth of taking credit for the neutrality law and other measures which he had thoroughly disapproved and had fought to repel and had contrived by all possible means to circumvent. While boasting of the neutrality law as part of the administration record, he deliberately neglected to make any mention of his own quarantine speech; in a campaign as irrational as this one, he felt it necessary to soft-pedal the fact that he had been ahead of other world statesmen in telling the world the truth.

This speech was brightened by one fortuitous catch phrase. In citing the voting records of such prominent Republicans as Congressmen Joe Martin, Hamilton Fish, and Bruce Barton, the three names fell into such an euphonious pattern—Martin, Barton, and Fish—that Roosevelt repeated the phrase later in the speech, and when he did so, the crowd roared the names with him. Two days later, in his Boston speech, Roosevelt mentioned Martin, and immediately someone in the gallery shouted "What about Barton and Fish?" and the crowd thereupon took up the chant. American crowds love to indulge in organized exercises of derision. Willkie said later, "When I heard the President hang the isolationist votes of Martin, Barton, and Fish on me, and get away with it, I knew I was licked." (I must say that I doubt that statement; it was a virtue of Wendell Willkie's that he never knew when he was licked.)

The day after the New York appearance, Roosevelt was back in Washington for a momentous ceremony; the drawing of the first numbers under the Selective Service Act. This lottery would determine the names of the first 800,000 men—roughly 5 percent of the total registrants—to be drafted into the Army. This would have been a tense, nervous occasion at any time; with the current state of the world, and with the word "warmonger" being thrown about so recklessly it was all the more harrowing. Roosevelt had to choose his words with extraordinary care. This was no moment for trick phrases. The Nation was listening breathlessly for the broadcast announcement of the fateful numbers as they were drawn. With his marvelous gift for finding homely, old-fashioned words to fit new circumstances, Roosevelt did not refer to selective service as a "draft"—certainly not "conscription"—he called it a "muster," thereby evoking race memories of the rugged farmers of Lexington and Concord taking their flintlock muskets down from above the fireplace. Roosevelt had prepared himself with letters from leaders of the Protestant, Catholic, and Jewish faiths, supporting selective service as a democratic procedure, and he quoted from these in his broadcast. The best of these—and, in view of the uncertainty of the Catholic attitude, the most important—was from Archbishop (later Cardinal) Francis J. Spellman, who wrote:

"It is better to have protection and not need it than to need protection and not have it. * * * We really cannot longer afford to be moles who cannot see, or ostriches who will not see. * * * We Americans want peace and we shall prepare for a peace, but not for a peace whose definition is slavery or death."

Those were stronger words of justification of Roosevelt's position than any he himself uttered in this campaign.

It seemed as though the fear-of-war hysteria, as expressed in the messages to Washington, reached its peak on this day. The Gallup poll indicated that Willkie was steadily gaining in strength. Roosevelt himself was inclined to shrug this off on the theory that Gallup's conclusions could be colored by wishful thinking as well as those of anyone else. But the Democratic leaders were becoming more and more jittery and attributing everything to the peace mania. It seemed that Roosevelt had gone about as far in the New York speech as one could go in the provision of reassurance, but the frightened politicians protested that he had not gone far enough; they demanded that he provide absolute guarantee to the mothers of America that their sons would not fight.

On October 30, we were on the Presidential train going up into New England, with stops for short speeches at New Haven, Meriden, Hartford, and Worcester, and the final speech at the Boston Arena. That Boston speech was a terrible one to prepare and also to remember. Every time the train stopped more and more telegrams were delivered stating almost tearfully that, if the President did not give that solemn promise to the mothers, he might as well start packing his belongings at the White House.

Roosevelt as always worked hard on the speech between stops. He sat in a low-backed armchair in his private car, the latest draft of the speech on his lap, with Missy LeHand, Grace Tully, Hopkins, Rosenman and me, all working with carbon copies. We came to a passage which gave assurance to the mothers and fathers that their "boys" would be well fed and well housed in the Army and their health well guarded. Hopkins handed the President a telegram from Ed Flynn containing the usual urgent request.

"But how often do they expect me to say that?" Roosevelt asked. "It's in the Democratic platform and I've repeated it a hundred times."

Whereupon I remarked, "I know it, Mr. President, but they don't seem to have heard you the first time. Evidently you've got to say it again—and again—and again."

So it was put in, as follows:

"And while I am talking to you mothers and fathers, I give you one more assurance.

"I have said this before, but I shall say it again, and again, and again:

"Your boys are not going to be sent into any foreign wars."

That passage has been given almost as much quotation (in the isolationist press) as Roosevelt's somewhat complementary observation that "The only thing we have to fear is fear itself."

Rosenman, whose duty it was to remember everything, mentioned the fact that the Democratic platform had added the words, "except in case of attack." Roosevelt said he could see no need to tack that on now. "Of course we'll fight if we're attacked. If somebody attacks us, then it isn't a foreign war, is it? Or do they want me to guarantee that our troops will be sent into battle only in the event of another civil war?" He was plainly sick and tired of these jugglings of euphemisms, as well he might be.

The Boston speech provoked a political issue over the use of a personal pronoun. As a gesture to the Boston Irish, Roosevelt paid tribute to one of them, Joseph P. Kennedy, who had just returned from his post at the Court of St. James. Roosevelt described him as "my Ambassador." Both Hopkins and Rosenman protested this, asking if it would not be better to say "our Ambassador." But Roosevelt insisted that "my" was correct and he was technically right, for an Ambassador is the personal representative of the head of one state to the head of another. That explanation did no good whatever once the fatal pronoun was out. Every Republican orator from then on pointed to the word "my" as proof of Roosevelt's colossal egotism and dictatorial ambitions.

Before the Boston speech, Roosevelt went for a rest and quiet dinner at the apartment of his son John on the Charles River. An adjoining building was some sort of club for undergraduates of the Massachusetts Institute of Technology. They had displayed a huge banner inscribed with the words "We want Willkie"— and when the President was pushed out in his wheelchair, the students chanted, "Poppa—I wanna be a captain," which was the popular, taunting reference to the commission given to John Roosevelt's brother, Elliott. While waiting for the President to come out at that time I was collared by Boston police because I could not give a satisfactory explanation of my presence there. While being led away, I was fortunately spotted by General Watson and Captain Callaghan, the naval aide, and rescued. They turned me over to Colonel Starling, of the Secret Service, and I rode to the arena in the open Secret Service car which, bristling with submachine guns, followed the President's car through the Boston streets. Passing through Back Bay, the crowds seemed none too friendly and there were occasional catcalls and boos for Roosevelt. But, after the turn from Boylston into Tremont Street, and thence through Scollay Square, the crowds increased tremendously in numbers and enthusiasm.

After this Boston speech—which, I think, ranks below even the one at Madison Square Garden—the President seemed to return to form. On October 31, he was able to give some attention to the war, having only one nonpolitical speech to make, at the dedication of the National Health Center in Bethesda, Md. The following morning the Presidential train left for Brooklyn. We all felt cheerful on that trip—it was an undefined feeling that the worst was over—and the speech that night was a vast improvement over its unworthy predecessors in this strange campaign. Roosevelt had abandoned the defensive, he had stopped listening to the party prophets of calamity, he was going into the attack with the confident buoyancy and vitality that were his.

Mr. MORSE. Mr. President, I also ask to have printed at this point in the RECORD Sherwood's reference to that incident as it came up again in 1944.

There being no objection, the reference was ordered to be printed in the RECORD, as follows:

At Soldier Field in Chicago, the President's open car, with the tray of microphones laid across it, was placed in the middle of the football field, with something over a hundred thousand people in the enormous stadium surrounding it. The distances were so great that he would be in the middle of a sentence before the reverberations of the cheers or laughs provoked by the preceding sentence had come back to him. Standing by his car, I had the impression that some remote sections of the gigantic crowd present could not have a very precise idea of just what it was that he was saying; however, that did not bother him as long as his words were

getting through clearly over the radio. On the train going back to Washington that night, Roosevelt was strongly urged by advisers, principally Frank Walker, to schedule another speech, preferably in Cleveland, Ohio, during the forthcoming, final week of the campaign. Roosevelt refused to do so. He was in high good humor and it was plainly evident that he had no worries whatsoever as to the outcome of the election. But he was later inclined to regret this decision, for he figured that had he gone to Cleveland he might well have carried Ohio and thereby brought about the defeat of Senator Robert A. Taft who, as it turned out, was reelected by a very narrow margin.

During the next week Rosenman and I had some talks with various Democratic political leaders, who seemed to be greatly alarmed that Dewey was making dangerous progress in his campaign to hang the Communist label on the Roosevelt administration. It was said that the hatred and fear of communism were much greater than any of the emotions inspired by nazism or fascism. There were charges that Roosevelt had secretly begun to sell out to Uncle Joe Stalin at Teheran and that after the war he would complete the process of delivering the American free enterprise system over to Communist control. We asked if anybody were taking any part of this seriously—aside from the Polish-Americans who were naturally concerned for the future independence of their homeland—and we were told that the Red scare was having an ominously positive effect in the Middle West, especially in the rural districts. Then we asked what were the farmers' principal causes for complaint at present. The reply was, "Today the farmer for the first time in his life goes down to Main Street on Saturday night with his pockets full of money and he cannot find anything to spend it on." We did not know how to cope with that problem, but when we reported these conversations to the President he did not seem greatly disturbed. He said in his Boston speech: "When any political candidate stands up and says, solemnly, that there is danger that the Government of the United States—your Government—could be sold out to the Communists—then I say that candidate reveals shocking lack of trust in America. He reveals a shocking lack of faith in Democracy—in the spiritual strength of our people."

Roosevelt himself was at his most unsolemn in this speech. He poured his own brand of ridicule on his opponent. He said, "Everybody knows that I was reluctant to run for the Presidency again this year. But since the campaign has developed I tell you frankly that I have become most anxious to win." Merriman Smith, the United Press White House correspondent, has written that Roosevelt's attitude toward Dewey was one of unvarnished contempt—and I can only add that Smith is a notoriously accurate reporter.

Hopkins later wrote: "The President told me he meant it when he said that this was the meanest campaign of his life. He said he thought they hit him below the belt several times and that it was done quite deliberately and very viciously. He was particularly resentful about the whispering campaign which he believes was a highly organized affair."

Traveling to Boston on this occasion evoked some painful memories for me of the trip 4 years previously when Roosevelt was being urged and even tearfully begged to give assurance to the mothers of America that their boys would never be sent into any foreign war. I asked the President if he would, please, as a special favor, make reference to that earlier Boston campaign speech, and he did so, in these words: "We got into this war because we were attacked by the Japanese—and because they and their Axis partners, Hitler's Germany and Mussolini's Italy, declared war on us. I am sure that any real American would have chosen, as this Government did, to fight when our own soil was made the object of a sneak attack. As for myself, under the same circumstances, I would choose to do the same thing—again and again and again."

The crowd instantly recognized this allusion, for that phrase had been dinned in their ears for 4 years, and they roared their approval.

During the final week before election, five of us in the White House put $5 each in a pool on the President's electoral vote. The guesses were as follows: Watson, 400; Rosenman, 431; Hopkins, 440; Early, 449; Sherwood, 484. (I had clear possession of the high field.) The correct figure was 432, so Rosenman, who was holding the stakes, kept them.

Hopkins cabled bulletins to Churchill and Beaverbrook before and during election day. Although describing himself as "the world's worst political forecaster," he did not hesitate to predict that "this will not be merely an election; it will be a census" for Roosevelt. He informed Beaverbrook that if this prediction proved wrong "I will underwrite the British national debt and subscribe to the Chicago Tribune."

On the afternoon of November 7, he cabled Churchill, saying, "I have no reason for changing my opinion that it will be a Roosevelt landslide. The voting is very heavy in industrial centers. We are not likely to know definitely before 10 our time, which will make it pretty late even for you." Apparently Churchill remained up most of the night to get the news. Hopkins' final bulletin consisted solely of the words "It's in the bag."

There were no evidences of tension at Hyde Park on election night that I could discern, for the first reports of the turnout of voters in New York City had given clear enough indication of the outcome. All that the President appeared to worry about was the size of his majority, which, naturally, he hoped would be overwhelming. It was not quite that; it was not a landslide when judged by previous Roosevelt standards. But it was big enough and it produced a considerable increase in Democratic strength in Congress—which, however, proved of little value to Roosevelt in the few months that remained to him, for the conservative coalition still held the balance of power on Capitol Hill.

During this election campaign, on October 8, there had come the sudden shocking news of the death of Wendell Willkie. He had served a great purpose in times of direst peril, but that purpose was lamentably far from being completed. It was my belief in 1943 and early in 1944 that if Willkie were to win the Republican nomination Roosevelt would not run for a fourth term. I had no tangible basis for this belief, and it was a doubly hypothetical surmise because it was evident for a long time to Roosevelt that Willkie had no chance whatever of being nominated. Greatly as the Old Guard lords of the Republican machine hated Roosevelt, they had come to hate Willkie even more, and, be it said to his eternal credit, Willkie went out of his way to court their hatred by scorning their support.

After returning to Washington, the President, Mrs. Roosevelt and Hopkins had a talk about the future, of which Hopkins wrote:

"Mrs. Roosevelt urged the President very strongly to keep in the forefront of his mind the domestic situation because she felt there was a real danger of his losing American public opinion in his foreign policy if he failed to follow through on the domestic implications of his campaign promises. She particularly hoped the President would not go to Great Britain and France and receive great demonstrations abroad for the present, believing that that would not set too well with the American people.

"She impressed on both of us that we must not be satisfied with merely making campaign pledges; the President being under moral obligation to see his domestic reforms through, particularly the organizing of our economic life in such a way as to give everybody a job. She emphasized that this was an overwhelming task and she hoped neither the President nor I thought it was settled in any way by making speeches."

It has often been said that Mrs. Roosevelt acted as the President's "eyes and ears," and so she did—but there were many others, particularly Hopkins, who helped in performing that function. There was no question of doubt, however, concerning the uniqueness of Mrs. Roosevelt's position as the keeper of and constant spokesman for her husband's conscience, and she continued to perform these duties after his death.

Mr. MORSE. Sherwood presents an unvarnished account of that episode. But it can in no reasonable way be interpreted to read that President Roosevelt "lied us into a war."

Or does Mrs. Luce believe that what happened at Pearl Harbor was a foreign war, one that we should have ignored? Does she think that the bombs which rained down upon American ships in a peaceful harbor, and upon the men and women and children of an American Territory were a foreign involvement to which we should have closed our eyes? That is the only interpretation I can put upon Mrs. Luce's words that Roosevelt "lied us into a war." There is simply no evidence that Roosevelt lied to anyone, or that the attack on Pearl Harbor was a part of a foreign war the United States should have ignored.

The same goes for Mrs. Luce's other references: Basil Rauch's "Roosevelt: From Munich to Pearl Harbor," and "The Roosevelt Leadership, 1933–45," by Edgar Robinson.

Last week, following the hearings, I received a telegram from Basil Rauch, who is a professor of history at Barnard College. The original is here, if any Senator wishes to inspect it. The telegram reads as follows:

APRIL 23, 1959.

Senator WAYNE MORSE,
United States Senate, Washington, D.C.:

The statement by Mrs. Luce misrepresented my book "Roosevelt from Munich to Pearl Harbor." My book proves on the basis of the documents that those who make charges against President Roosevelt such as Mrs. Luce have abused the facts of history.

BASIL RAUCH,
Professor of History, Barnard College, Columbia University, New York, N.Y.

That is how flimsy her documentation is. She made a subversive statement. She has been grasping at straws, trying to find some authentic support, responsible support, for the inexcusable, subversive untruths which she bespoke at the time she was a Member of Congress; at the time she sat in the other body; at the time she had a solemn obligation, in the midst of the war, when American boys were dying by the thousands. Even under those circumstances she made the false statement that Franklin Roosevelt "lied us into a war."

I say: God have mercy on her soul, so sinister and evil was that unpatriotic, subversive conduct on the part of this nominee.

I shall await with great interest the votes of Democrats as well as Republicans on this nomination, because a time comes when we, too, have the duty to render moral judgments in the Senate, and to hold aloft for the inspiration of the generations to follow us the idealism for which I plead today. We should give real meaning to the advice and consent clause of the Constitution of the United States and make clear to this President that if he has the audacity and the bad judgment to send such a nomination to the Senate without, apparently, reflecting upon the nominee's record, if he ever knew it, we will not confirm her nomination.

Then I thought of her catch-all attempt to escape from my question at the hearings, when I asked her to come forward with documentation of her subversive falsehood about Franklin Roosevelt. It was very typical of one who seeks to "weasel out" from an indefensible position, when she was unable to present one specific documentation to support her claim that President Roosevelt "lied us into World War II."

Mr. President, what did she say in an attempt to get out of her indefensible position—due to the fact that apparently she does not care to say to the committee, "Not only did I use intemperate language, but I made a mistake of judgment." No, Mr. President; she would stand by her mistake of judgment. She said: "further evidence to support the core of my statement" could be found in these volumes.

Mr. President, she might just as well have said, "Senators, go over to the Congressional Library and see if you can find something to support what I said. I haven't found it; I haven't presented it to you; I haven't documented it. But there are some volumes, over there, critical of Franklin Roosevelt. So go over there and see if you find in them something that might support what I said."

Mr. President, with that statement, she read herself out of court, so far as I am concerned. She did not meet the test. She did not document her charge. But she said to us, in effect, "Go over to the Library and see what you can find in those volumes." Nowhere in her presentation did she say what it was.

But, Mr. President, in order that the Senate and the public may judge for themselves, I ask unanimous consent to have printed at this point in the RECORD, in connection with my remarks, excerpts from both volumes which deal with the period to which she referred.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

The President placed national interest above campaign politics in his statement that he would keep at his task and would not campaign. For the Nation, under the President's leadership, despite the peaceful declarations of the Democrats, was mobilizing for possible war. This situation fitted the President's temper of mind. He was appealing to the people in a national cause. Previous alinements upon domestic issues seemed of less and less significance. It was now all-important to go forward in efforts to preserve the Nation—in the world of nations; to do so by preparing for defense while avoiding war. But at all costs, the Nation was to be strong in face of possible enemies abroad.

Just before the meeting of the Republican National Convention, the President had called into his Cabinet two outstanding Republicans, Harry L. Stimson and Frank Knox. Stimson had been Secretary of State in the Cabinet of Herbert Hoover. Knox had been Vice Presidential candidate of the Republicans in 1936.

The President toured the industrial plants engaged in production of war materials, and he spoke to audiences of the national needs in face of danger.

The President was pleading for peace and freedom through national unity. His aides in planning and writing his speeches—Sherwood, Hopkins, Rosenman, and others—presented the central theme effectively. The President's speeches were masterpieces for a public man playing—as none before so daringly—a leading role on the world stage. At Boston on October 30, he said:

"I have said this before, but I shall say it again and again and again.

"Your boys are not going to be sent into any foreign wars.

"They are going into training to form a force so strong that, by its very existence, it will keep the threat of war far away from our shores.

"The purpose of our defense is defense."[10]

Yet three matters continued to seem of transcendent importance to routine partisans: the President's candidacy violated the "no-third-term" tradition; experienced leaders within his own party still opposed his candidacy; continued violent disagreement and uncertainty within the administration lamed efficient American Government action in a world at war.

According to a number of the most experienced commentators, the election of 1940 was the bitterest in half a century. This was not surprising. Three objectives were stated and restated by the Democrats: defensive measures against aggression, measures to insure greater economic well-being, and measures for the social welfare of the people.

The Republican candidate, Wendell Willkie, presented a program different in detail rather than in principle. This was historically sound, for the Republican Party, notwithstanding its recent record in the Congress and the pronouncements of many of its leaders, could rightly claim all three of the Democratic objectives in its own past history.

Too little attention has been given the changing moods of thousands of private citizens as the war engulfed one after the other of the countries of western Europe. A commentator said of June 21, 1940, "This is the longest day and the darkest day" in the history of our own people. Why could this be said? The aggressive advance of Hitler, the catastrophic fall of France, the mounting siege of Britain—brought many in America to fear that the United States was now in grave danger. An important change in the attitude of businessmen was noted after May of 1940. Hating war and loath to be dragged into it, nevertheless many of them chose to support the President in the election of 1940.[11]

General use of the radio by 1940 was thought to change the entire problem of campaigning. A huge electorate spread over a continental area could be reached as never before. By voice on the air, presidential candidates of the major parties could reach millions who might never see them. Yet it was obvious that personal presence was still important, particularly in the case of an individual appearing for the first time as a candidate for the Presidency. Wendell Willkie and his managers took this view.

After his nomination and prior to the formal opening of his campaign in mid-August, Willkie made numerous appearances in the Mountain West and Middle West. In September he began a tour that continued until the eve of the election, including 18,500 miles by train, 8,800 by plane, and 2,000 by automobile. With the exception of northern New England and the South, he appeared in every section of the country, speaking in 32 States. In New York, California, Wisconsin, Indiana, and Illinois, he appeared many times. He made more than 500 addresses.

Much of the time Willkie seemed to stand by himself, except for self-appointed aides. His was therefore a weak position. Facing the test of meeting innumerable audiences, he needed the support of organization that dealt in masses, that is, experienced party workers who knew how to reach the voters. He impressed all by his frankness, but the audience was too vast to be won by personal approach.

Although, as has been said, in September and the first half of October the President's addresses were incidental to trips of official character, he nevertheless appeared to the crowds who heard him as the candidate of the Democratic party.

On October 23 Mr. Roosevelt began an intensive campaign confined to nearby points in Massachusetts, Connecticut, New York, New Jersey, Pennsylvania, and Ohio—all States with heavy industrial population. He made nine major addresses. His voice was harsh and strident in his fighting mood on foreign policy. He said he was placing the truthful record before the people. No one but the President could do this. He was the record.

Hard-hitting and defiant, his appeals, composed by a battery of experts in public relations, were addressed by a master political salesman to small businessmen, to small investors, to farmers and laboring men, and to racial and religious minorities. Always the consummate actor in a great drama—and none was so packed with unbearable emotion as this one in 1940—Franklin Roosevelt was superbly successful in reaching those members of his huge audience who felt that here indeed was the most moving performance of all time.

Yet Sherwood wrote of this: "Of all the political battles in which he had been involved, his campaign of 1940 is, I believe, the one that Roosevelt liked least to remember."

Traditionalists, with a small sense of the world that had developed so rapidly since 1937, quite honestly continued to say that the election of Roosevelt was improbable because the sober sense of the American people would lead them to reject the third term. They would vote to clean up the mess in Washington, and, most of all, they would defend America—but without war.

The decision of the voters in November returned Mr. Roosevelt to office. The outcome as recorded in the county vote in States where he had campaigned intensively, particularly in the city areas, revealed the probable effect of the two campaigns as planned by the contestants. The sharpness of the issue was reflected in the small vote for minor party candidates, which reached the lowest point—except for 1928—since the opening of the century.

Yet to what extent the outcome of the election was a judgment upon the President's policies, it is impossible to say. His program of accomplishment had been challenged in detail, in method, and in cost; yet not—as Mr. Willkie saw it—in basic objective either in domestic policy or in foreign relations. To the majority of traditional Republicans, it seemed that Willkie lost because he did not appear to differ sufficiently from the President.

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[10] *Ibid.*, p. 517.

[11] Roland N. Stromberg, "American Business and the Approach of War, 1935–41," in Journal of Economic History, XIII (winter, 1953), pp. 58–78.

It may be said with considerable truth that as the "conservatives" had no candidate in this election, so too, the "radicals" had no candidate. On the whole, both candidates were near the middle-of-the-road on domestic matters: Roosevelt left of center and Willkie right of center. On foreign policy, as has been seen, there was by late autumn no clash between them.

In the election, Mr. Roosevelt polled more votes than in 1932 (even with the American Labor vote in New York, he had fewer than in 1936). He had 53.9 percent of the votes cast, by comparison with percentages of 60.2 in 1936 and 57.4 in 1932. It was, however, a national endorsement, for the President carried every section of the Nation except one, and captured the electoral votes in 38 States. He won heavy supporting majorities in both Houses of Congress.

A close student of his campaigns concluded: "The setbacks of his second administration, the third-term issue, and the war scare had reduced his vote, but he kept together most of the divergent elements that had supported him in previous campaigns." [12]

Another commentator observed: "Emergencies by their very nature present abnormal political conditions. By way of illustration, most observers believe that the emergency of 1940 was a more deciding factor in the reelection of Franklin D. Roosevelt for a third term than was any popular departure from the anti-third-term conviction.[13]

History records the fact that 44.7 percent of the voters supported the Republican nominee. They comprised a motley array of interests, but their opposition to Franklin Roosevelt was the principal bond of union. They include pacifists and isolationists.

As in the two previous campaigns, a majority of the newspapers of large circulation were opposed to Mr. Roosevelt's candidacy. Unquestionably the largest proportion of the educated classes opposed his continuance in office. The upper-income groups were opposed. In the judgment of those opposing the President, his record in office was not such as to warrant their approval.

Many factors entered into this disapproval. Foremost among them were Mr. Roosevelt's socialistic objectives, his slap-dash methods of administration, increasing manifestations of personal rule, and seeming disregard of the costs of Government expansion. One judgment stands above all others. His opponents did not trust him.[14] But that the masses did trust him was overwhelmingly demonstrated.

Such a division of response requires more than passing mention. The arguments urged by responsible opponents of the President were based upon factual surveys of huge indebtedness, widespread unemployment, and appalling inefficiency in administration. However much these revelations aided in preparing a case, they were of little avail in reaching the majority of the electorate, who considered them of secondary importance.

Perhaps the outstanding result of Franklin Roosevelt's influence on American life had been in giving first place to what was termed the "human aspects" of politics. The President and his supporters had insisted that the call for American self-government simply meant "Let the people decide." This was accompanied by continuous attack upon those who would make Government an efficient instrument in paying its way, in limiting its objectives, and in requiring definite results.

Commentators on the outcome of the election could not foretell the results of the people's decision, however much time and thought they gave to envisaging the future. Not only was the atmosphere of the campaign of 1940 unlike that of 1932 and of 1936, but the general attitude toward the President—both for and against—was of a different order. He has been President for 8 years, and most of the charges against him were so familiar as to have little influence except upon those who made them.

The new factor—not present in either previous campaign—was that created by the President's foreign policy. He was, most of all, the representative of the United States in the world. No one in reality could rival him in that capacity. His was a new role for an American President.

This much, however, was certain. Emphasis upon the New Deal was gone, despite the attempts of Mr. Roosevelt—at this time and later—to merge it in the larger issue at stake in the world. The leader chosen for the Presidential term 1941–45 would be the leader in the role that the United States would play in the international affairs of that period. It was in his hands to determine the direction of events, insofar as they could be determined by action of the United States, because he had the endorsement of the American people and a fixed term of office. Mr. Roosevelt had already indicated that world affairs were America's business, and he intended to have a leading part in their settlement.

This conviction was expressed repeatedly in the weeks following the election. In his press conference of December 17, the President said:

"In the present world situation, of course, there is absolutely no doubt in the mind of a very overwhelming number of Americans that the best immediate defense of the United States is the success of Great Britain in defending itself; and that, therefore, quite aside from our historic and current interest in the survival of democracy in the world as a whole, it is equally important from a selfish point of view of American defense, that we should do everything to help the British Empire to defend itself." [15]

In the meantime, the peril to England was increasing. In his Fireside Chat of December 29, 1940, the President said:

"Never before since Jamestown and Plymouth Rock has our American civilization been in such danger as now. * * *

"I want to make it clear that it is the purpose of the Nation to build now with all possible speed every machine, every arsenal, every factory that we need to manufacture our defense material. We have the men—the skill—the wealth—and above all, the will. * * *

"We must be the great arsenal of democracy. For us this is an emergency as serious as war itself. We must apply ourselves to our task with the same resolution, the same sense of urgency, the same spirit of patriotism and sacrifice as we would show were we at war." [16]

Securing nomination and election for a third term in 1940 was one of the most significant achievements of Franklin Roosevelt's career. He was Commander in Chief of a Nation not yet in a war, but in fact at home and abroad using great power to force its will upon the world in defeat of the dictators. Thus the American people came to the end of the most fateful, most tragic, and most terrible year thus far in the history of modern man.

As the President said in his Christmas message, mature people could not be merry. But millions did echo his thought that they could be happy in that they were done with doubts; they were now without fear. But to thoughtful men and women who read of London in flames, the future seemed dark indeed.

* * * * *

At the same time that the President won liberal support for his policy of aid to Russia, it became evident that numbers of Americans were willing to underwrite British and French imperialism, but not Russian communism. However, in the autumn of 1941 the forces opposing fascism in general were suddenly united.

It was not, as some said, adroit politics on the part of the President that made American defense his first call. Any President would have stood first of all for American defense. All of the vitality of an aroused patriotism was available for defense of America. As the danger increased, nevertheless, it was the prestige of Presidential office that attracted supporters to the President's program, for it was an unaccustomed program for Americans.

So, too, the arguments of the isolationists and of the America First group appealed less and less as the people saw that dictators lived in a world of continuous and spreading war. Abhorring war, fearing and detesting dictators, the majority of Americans wanted the free nations to win because they were—despite all that could be said of differences—going in the same direction.

But to some, known as isolationists and critics of the President, the realinement in Europe seemed to renew the opportunity of the United States to remain aloof from the war. Americans did not want to save communism, and then save Europe for communism—these persons asserted.

Yet, however much this point of view appealed to conservatives, it did not appeal to liberals who believed that out of this war might come the crushing not only of the Fascist dictators but also that of imperialism. This would lead to the ultimate triumph of the two great "democracies," the United States and the U.S.S.R. On his trip to Russia in 1942, and after his talk with Stalin, Wendell Willkie was reported as saying that the future belonged to America and the Soviet Union. He outlined a plan for not "stirring up Russia" by opposing her.[24]

Of the President's Navy and Total Defense Day address on October 27, 1941, stating that "we Americans have cleared our decks and taken our battle stations," Admiral Leahy wrote later: "To me, this was as nearly an open declaration of undeclared war as it would be possible to formulate. The various legislative and executive actions that had followed in rapid succession during the preceding 6 months caused me to wonder if the President really thought he was fooling anyone about our not being at war." [25]

The President was eventually to win over his adversaries at home because he was attacked by his adversaries abroad. But American entrance into the war actively on the side of the Allies—through attack by the Axis on the United States—had not yet come about as the autumn of 1941 deepened.

Throughout the period just discussed, the eyes of the American people had been upon events in Europe. The signing by Japan of a treaty of alliance with Germany and Italy on September 27, 1940, had, however, made them aware that it was not only in Europe but in the Far East that American interests were endangered.

It was recalled now that early in the second year of Mr. Roosevelt's first term in office, the Japanese had warned that American interest in the free development of China was unwelcome. Three years later, when the conflict between Japan and China burst forth in midsummer of 1937, much evidence

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[12] Gosnell, op. cit., p. 188.

[13] Ewing, op. cit., p. 24.

[14] Late in the campaign, Herbert Hoover, believing "that the whole future of the American people hangs upon the decision of this election," wrote Chief Justice Hughes, urging him to resign "with a declaration to the country of the complete necessity for a change in the administration." (Pusey, Hughes, II, 785–786. Mr. Hughes made an oral reply—in the negative, according to a confidential source.)

[15] Public Papers, 1940, p. 604.

[16] Ibid., pp. 634–643.

[24] New York Times, January 2, 1944.

[25] Leahy, op cit., p. 52.

of American public opinion in favor of China was revealed. The administration had maintained a neutral position.

However, in December 1937 had come an unprovoked attack by the Japanese upon Americans operating the gunboat *Panay* on the Yangtze River. Although the American Government had asked apology and received it with damages, there remained a residue of deep suspicion of Japanese intentions.

This was justified, for in the next year other incidents occurred involving maltreatment, by the Japanese, of Americans in China. The American Government charged the Japanese with violation of the "Open Door." The Japanese Government stated bluntly on November 3, 1938, that it was interested in the development of reconstruction in East Asia along Japanese lines. This new order for Asia, linking China and Manchuria to the Japanese system,[26] was formally rejected by the American State Department. Japan now knew full well that the United States stood across its path in the Far East.

Had the American people known—as their leaders did—of the real character of the militaristic Japanese Cabinet that came to power in September of 1941, they would have realized that Japan was as actively their enemy in the Pacific as Germany with its striking submarines was in the Atlantic. The real conflict had now become global and the basic issue was the same everywhere.

For the time being, it was to the interest of the Axis to keep the United States out of active participation in the war. When either Germany or Japan felt that the interests of the United States should be challenged, Americans might well expect a direct attack.

Meanwhile, uncertainty prevailed as to the role of Russia in the Far East. It was well known that Russia feared Japan. President Roosevelt, in a message to Premier Konoye on July 6, attempted to induce Japan to refrain from attacking Russia from the east, now that Hitler had attacked from the west.[27]

Japan's opportunity in the Far East was not like that of Germany in Europe. Nor was it like that of Britain in the world. An American policy to save Russia could not be matched by one to save China. China's status as a world power was such as to make for an unusual partnership in diplomacy and in war as measured against partnerships with European powers. China was in this global war, but not of it.

Furthermore, the President discounted the Japanese fear of communism in China. He told Ambassador Nomura that "the people of China were constituted very differently from those of Russia and had a philosophy that stabilized and guided them along much broader lines. China," he said, "was not really communistic in the same sense as Russia, and Japan had an undue fear of communism in China." [28]

Although the President referred to his "patience" in dealing with Japan, it would seem that by mid-summer of 1941 he had despaired of a peaceful settlement in the Pacific. He had, however, opposed a statement of British-American accord for the Far East when it was proposed by the British at the Atlantic Conference in August. As the President related to the Congress on December 15, "In July of this year the Japanese Government connived with Hitler to force from the Vichy Government of France permission to place Japanese armed forces in southern Indo-China, and began sending her troops and equipment into the area." [29] The President had thought of this, which he said "caused us very great concern," as "parallel with the Hitler methods in Europe." [30]

Mr. Roosevelt on July 26 had frozen Japanese assets in the United States, at the same time placing an embargo on the shipment of aviation fuel, gasoline, and oil to Japan. Explaining to a press conference at the time that oil had gone hitherto to Japan "with the hope—and it has worked for 2 years—of keeping war out of the South Pacific," [31] the President made it clear that he was stiffening the position of the United States against Japan.

The rapid development of tension in relations with Japan during the autumn brought a virtual ultimatum on November 20, when the Japanese Government "presented a new and narrow proposal, which called for supplying by the United States to Japan of as much oil as Japan might require; for suspension of 'freezing' measures; and for discontinuance by the United States of aid to China." [32] Thus, it was American support of China—based on a long tradition in American diplomacy—that finally forced a breakdown of negotiations with the Japanese:[33]

The administration favored increasing aid to the Allies. Yet there was certainty that the people of the United States would not voluntarily enter the war. The administration had adopted a policy in the Far East that stood across the path of Japanese advance. If the administration maintained that policy, Japan might choose to attack the United States. If the Japanese did so—in such a way as to arouse the American people—the purpose of the President would be served.

The question remains: Did President Roosevelt expect an attack on Pearl Harbor? Did Washington anticipate such an attack? The evidence now available suggests that, although both Washington and Hawaii should have anticipated the possibility of a surprise attack, there was no definite expectation of the precise attack that came suddenly on December 7, 1941.

The arguments of those who hold the President responsible for the disaster are that: The administration did have evidence of the imminence of such an attack; they purposely refrained from transmitting this to the military and naval commanders on Hawaii in order to insure a Japanese attack; and that if Hawaii had been informed it is possible the Japanese would have refrained from attack there. The matter has had much discussion.[34]

"On the night before Pearl Harbor when Harry Hopkins suggested that the United States might strike first, Roosevelt * * * almost repeated Wilson's words when he said: 'No, we can't do that. We are a democracy of peaceful people. We have a good record. We must stand on it.'" [35]

The America First Committee on December 6 succinctly stated that "The administration, and the administration alone, will be completely responsible for any breakdown in relations with Japan. The administration has taken it upon itself to demand actions from Japan that in no way concern the national interests of the United States. None of our territorial possessions are in any way involved." [36]

Nevertheless, it is clear that the President's policy by no means seemed to the American people to justify the attack on Pearl Harbor which came on December 7, less than 24 hours after Mr. Roosevelt had dispatched a personal appeal to Emperor Hirohito to avoid war in the Pacific. The United States Senate Committee investigating in 1945 the Pearl Harbor attack concluded that "The President, the Secretary of State, and high Government officials made every possible effort, without sacrificing our national honor and endangering our security to avert war with Japan." [37]

At the same time that the Nation as a whole rallied to defense, there continued under cover of this new apparent unanimity,[38] deep divisions on the war aims and the peace to follow.

Whereas the basic policies of Mr. Roosevelt had not justified the direct Japanese attack, the United States had stood across the path of Japan in the Far East, just as the United States had stood between the Axis and victory in Europe. Thus, the President had led the Nation into a position which would inevitably be challenged. The opponents of such action by the United States had at the center of their protest a simple program of nonparticipation in international affairs. They were logical in representing accurately a basic historic and enduring nationalism of deep influence upon the American people. It must be remembered that the President had not taken this position of opposition to the Japanese advance in the Pacific as rapidly and completely as many of his advisers, notably Secretary Stimson, would have done.

A profound and far-reaching result of American entrance into the war—however involuntary—was the alliance with the forces of communism. A war measure, in order to defeat the Axis, it was called in Britain and in America. A "win the war" atmosphere was conducive to startling results. It obliterated for the time being, for

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[26] Hull, op. cit., I, 569.

[27] Ibid., II, 977.

[28] Ibid., II, 990.

[29] Public Papers, 1941, p. 548.

[30] Ibid., p 501.

[31] Ibid., p. 280.

[32] Ibid., pp. 548–549. In a press conference on December 2, 1941 (Press Conferences, vol. 18, p. 336, Roosevelt Library), replying to a question as to negotiations with Japan, the President said: "We are at peace with Japan. We are asking a perfectly polite question." This followed the President's discussion of the Japanese advances in Indo-China.

[33] Current, op. cit., p. 148, claims "The Stimson doctrine was at last in full effect."

[34] See Adm. Robert A. Theobald, U.S.N. (retired), The Final Secret of Pearl Harbor, and Capt. T. B. Kittredge, U.S.N.R. (retired), "The Muddle Before Pearl Harbor," in U.S. News & World Report, Dec. 3, 1954.

[35] Jonathan Daniels in "The End of Innocence," p. 209, Hanson W. Baldwin asked General Marshall and Admiral Stark two questions raised by Theobald's book on The Final Secret of Pearl Harbor: Did President Roosevelt use the fleet at Hawaii as a decoy to incite attack? Did the President ask you to withhold information from commanders in Hawaii? Both answered "No" to both questions. (New York Times, Apr. 18, 1954.) Samuel Flagg Bemis, in reviewing Richard N. Current, "Secretary Stimson: A Study in Statecraft," in the New York Times Book Review, Apr. 18, 1954, answers the question: Did the Stimson doctrine cause the attack of Japan upon Pearl Harbor? "She went to war because, as captured Japanese archives show, the European conflict seemed to her warlords to present the opportunity of a nation's lifetime to conquer an opulent empire in Greater Eastern Asia * * *."

[36] Bulletin of the America First Committee, Dec. 6, 1941, quoted by Wayne Cole, op. cit., p. 193.

[37] Report of the Joint Committee on the Investigation of the Pearl Harbor Attack, 79th Cong., 2d sess., Senate Document No. 244, p. 251.

[38] William Allen White wrote, on the eve of Pearl Harbor: "I am one of those in the 75 percent of Americans who, for a year, have been ringing up in the Gallup poll as favoring the President's foreign policy. I am also of the 95 percent who have been ringing up in the Gallup poll for this same period as wishing to avoid war" ("The Autobiography of William Allen White," p. 642).

millions of people, their active antagonism to communism, as it strengthened the forces in the United States favorable to communism. This seemed to prove to those who fought the President and all his policies that they had been right in distrusting him and his purposes. So even during the war, the basic struggle of opinion in the United States was deepened.

The President's foreign policy had carried the American people into a world from which they now could not retreat. Yet he looked upon the important decisions of the year, viewing them in perspective, as constituting a program for the defense of the United States. He said each move had been forced upon him by events outside the Nation and beyond his control.

Now that he was directing a nation at war, he hoped the United States might give direction to a world willing ultimately to live at peace. So the stage was set in Washington for the drama that was to enter a new phase with the end of the year. The financial-industrial might of America would supply American armies and the people would supply the personnel of those armies. But the great instrument of the people's power in Washington—the administration—came to be manned by experts and advisers who were prepared, as they said many times, to build a new world. And for this they were to pay dearly.

CHAPTER XV—DESIGN FOR VICTORY

The President was fully aware of the changed situation now that the United States was in the war of nations but not yet prepared for global war. "His terrible moral problem," as Frances Perkins said, "had been solved by the event" of Pearl Harbor.[1] Mr. Roosevelt laid the groundwork for every subsequent explanation of his conduct in his address to the American people, by radio, on December 9, 1941. "The sudden criminal attacks perpetrated by the Japanese in the Pacific provide the climax of a decade of international immorality," he said. "Powerful and resourceful gangsters have banded together to make war upon the whole human race. Their challenge has now been flung at the United States of America."[2]

By the Japanese attack upon its possessions in the Pacific and the declaration of hostilities by its enemies in western Europe, the United States was plunged into war. No longer was President Roosevelt preparing for defense, and giving aid to participants in the war already raging. He was now in truth Commander in Chief of a Nation at war.

Throughout the foregoing discussion of Mr. Roosevelt's foreign policy from 1937 to 1941, emphasis has been placed upon his public utterances. When it has been possible to discover exactly what he said in private conversations, this has been included. But on the whole, there is doubt—and presumably always will be—as to the President's innermost thoughts. Thus one may only surmise what must have taken place in many a conversation of which there is no record. The President, with all his interest in history, did not keep such records and at times advised others against so doing. The policy was intensified as the Nation engaged in war.

American participation in World War II imposed upon the President a role of personal leadership for which his utterances had long prepared both his constituents and the leaders of nations with whom he had to deal. This leadership was expressed primarily in conferences, as will be seen. In these conferences and in preparation for them, the President depended upon his experts.

Prior to American participation in the war, the President had repeatedly called attention to violation of agreements, violation of boundaries, and wholesale disregard of long-accepted international practice. He had previously been able only to protest. Now he could do more. He could throw the influence of the United States in the balance on behalf of better order. He could furthermore use power to meet power. He must fight fire with fire. Being the man he was, he could do this with great moral indignation.

The President who, without asking the Congress for a declaration of war, had prepared the way to war by his vigorous attacks upon the dictators, who had provided aid to the Allies through the lend-lease arrangement; who had, further, encouraged practices that brought about attacks upon American ships and citizens—had also done more. In August of 1941, he had held an all-important conference with Prime Minister Churchill. He had authorized policies in the Far East in support of China. In all these ways he had expressed the view of convinced internationalists and had been applauded by them. He had finally appealed, as well, to extreme nationalists. But he had been opposed by all isolationists.

Deeper than this political alinement, which was in fact a very unstable one, was a fundamental disagreement as to the President's purpose. How far could a President carry the Nation into war by preparing for war, by the use of diplomatic pressures, by the supply of arms to favored belligerents, and by the practice of threatening language? President Roosevelt must bear all of the responsibility for the decisions that provided these measures. To defenders of the President, they were measures to avoid war. To opponents of the President, they were measures that led inevitably to war.

In the view of the masses of the President's fellow citizens, war had finally come by action of enemies that he had long warned were planning the destruction of the United States. Americans were now not disposed to question any longer the steps by which they were forced into a position of defending themselves. Overwhelming was the evidence in popular polls that the people thought the President had done everything possible to avoid the war.

The record seemed to be a confused one, however, and time was to show, by the gradual unfolding of factual evidence, that many mistakes had been made by the administration. Yet, in the months that followed Pearl Harbor, it was difficult to show that war could have been avoided except by the surrender of positions that few Americans were willing to surrender.

Had the United States been permitted to continue to wage the war by proxy Americans might have been left relatively unharmed and free to prepare for the inevitable conflict, if not in war, certainly in diplomacy, that would find them in basic opposition to the victorious Axis powers, or the victorious power of communism.

But the conflict had come to the United States. Americans had allies as well as enemies. The American people must win the war. On January 1, 1942, the United States, with China, Britain, and the Soviet Union, as well as 22 other nations, signed the Declaration of the United Nations.

* * * * *

So matters stood during the American presidential election. Toward Japan, as in other spheres, the administration had strengthened its policy in the midst of the campaign. Isolationists hit upon the possibility of American naval cooperation with Britain at Singapore as their chief target in the administration's Far Eastern policy, but this possibility had been fended off by the administration.

DOWN TO THE HUSTINGS

During the presidential campaign, the administration's actions in the foreign sphere spoke louder than Roosevelt's campaign speeches, with one glaring exception. In spite of this exception, which will presently be discussed, no one doubted that Roosevelt stood for maximum measures against the Axis short of war, and that the Republican Party, if not Willkie himself, favored a less advanced position. The degeneration of the campaign into a competition for the anti-war vote did not lead Republican isolationists to vote for Roosevelt. But Willkie's vigorous championship of aid to Britain, repudiation of appeasement, and charge that Roosevelt took dangerous chances and uselessly antagonized the Axis did seem to bring some internationalist-minded voters to his side without loss of the isolationist vote.

Fear of this was one thing that led Roosevelt to suspend his elevated role of Commander in Chief touring defense projects and, during the last 2 weeks before election day, go down to the hustings. Another was that he feared Willkie more than any of his earlier rivals for office and found it difficult to cope with Willkie's fervent and confused attacks. Willkie, for example, accused him of planning to send troops abroad immediately and also of having neglected the country's defenses so shamelessly that it had no means to fight if attacked. Willkie's earnestness and colorful personality captured the public imagination. He later told a Senate committee that his most hysterical charge against Roosevelt, that he was plotting to send American boys to the shambles of the European trenches by April 1941, was a bit of campaign oratory. Roosevelt could not similarly laugh off his statements once the campaign was past, and he did not attempt to match Willkie's tactics of terrorizing voters; but Willkie did lead him to oversimplify his foreign policy in order to throw off the charge of warmongering and to retain the support of the isolationist minority of the Democratic Party.

Still his first oversimplification was not so "equivocal" as Robert Sherwood in his book "Roosevelt and Hopkins" declares. Sherwood writes that in the Madison Square Garden speech on October 28 "Roosevelt went to the length or depth of taking credit for the neutrality law and other measures which he had thoroughly disapproved and fought to repel and had contrived by all possible means to circumvent."

Actually Roosevelt only took credit for certain clauses of the Neutrality Act, but not for the arms embargo. The "other measures" Sherwood refers to were evidently the specified clauses of the Neutrality Act itself. Roosevelt said:

"We made it possible [by the Neutrality Act] to prohibit American citizens from traveling on vessels belonging to countries at war. * * *

"We made it clear that American investors, who put their money into enterprises in foreign nations, could not call on American warships or American soldiers to bail out their investments. * * *

"We made it clear that ships flying the American flag could not carry munitions to a belligerent; and that they must stay out of war zones. * * *

"In all these ways we made it clear to every American, and to every foreign nation that we would avoid becoming entangled through some episode beyond our borders."

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[1] The Roosevelt I Knew, p. 380.

[2] Public Papers, 1941, p. 522. The President, in his address to the Congress "Asking That a State of War Be Declared Between the United States and Japan," had referred to Japanese attacks against Malaya, Hong Kong, Guam, Wake Island, and Midway Island, as well as the attacks on Hawaii and the Philippines. (Ibid., pp. 514–515.)

It was a fact, as has been shown in this book, that Roosevelt and Hull had consistently proposed and supported these measures. What they had opposed was that other clause of the Neutrality Act which provided for an arms embargo on aggressors and victims alike. Neither in the Garden speech nor at any other time did Roosevelt "take credit" for the arms embargo. On the contrary, he took credit in the Garden speech for repeal of the embargo and belabored the Republicans for opposing repeal in Congress:

"The Republican campaign orators and leaders are all now yelling 'me too' on help to Britain. But this fall they had their chance to vote to give aid to Britain and other democracies—and they turned it down.

"This chance came when I recommended that the Congress repeal the embargo on the shipment of armaments and munitions to nations at war, and permit such shipment on a cash-and-carry basis. It is only because of the repeal of the embargo law that we have been able to sell planes and ships and guns and munitions to victims of aggression.

"But how did the Republicans vote on the repeal of that embargo?

"In the Senate the Republicans voted 14 to 6 against it. In the House the Republicans voted 140 to 19 against it. * * *

"Great Britain and a lot of other nations would never have received one ounce of help from us—if the decision had been left to Martin, Barton, and Fish."

The President did not stress that he had signed the 1935 and 1937 Neutrality Acts even though they included the arms embargo. But he had already publicly expressed regret for ever approving the arms embargo, and perhaps it was forgivable that he did not repeat that confession in a campaign speech.

In the Garden speech he was interested in contrasting examples of Republican "mistakes" with the administration record, a normal partisan procedure. The facts of Republican majority opposition to rearmament and support of the arms embargo contrasted fairly with the administration record, and Republican complaints after the fall of France that the administration had not gone even further in pursuit of the policies Republicans had tried to obstruct made the records of Congressmen Martin, Barton, and Fish fair game for Roosevelt. He simplified, but did not equivocate on his own record. Willkie said later: "When I heard the President hang the isolationist votes of Martin, Barton, and Fish on me, and get away with it, I knew I was licked." The President got away with it for the same reason Republican orators got away with blaming Roosevelt for the acts of other members of his party and administration. If Wilkie felt it was unfair to hang isolationist votes on him, voters were bound to be concerned over the certainty that if the Republicans won the election in 1940, Hamilton Fish, of New York, would, as the President warned in his Garden speech, become chairman of the House Committee on Foreign Affairs.

Roosevelt enjoyed a legitimate debater's triumph when he read to roaring crowds the Republican record of votes in Congress on policies they now claimed to support. The discrepancies he most stressed involved rearmament and aid to Britain. Although Willkie and the party platform proclaimed a Republican change of heart on these issues, isolationist Republican Congressmen did not do so. Roosevelt illustrated in his Boston speech the ability of Republican Congressmen to ignore the party platform:

"For listen to this: Last summer, only a few weeks after the Republican national platform had been adopted endorsing commodity loans for the farmers, the Republican Members of the House marched right back into the Halls of Congress and voted against commodity loans for the farmers, 106 to 37."

To counterbalance such evidence of Republican equivocation, Willkie found the President guilty of violating his campaign promises of 1932 to balance the Federal budget and provide sound money. This was the main Republican indictment of the administration's record. Willkie linked it with his accusation that the President in 1940 plotted war:

"I ask you whether his pledge for peace is going to last any longer than his pledge for sound money.

"On the basis of his past performances with pledges to the people, you may expect we will be at war by April 1941, if he is elected."

Roosevelt in 1932 had been challenged to explain how he could balance the Federal budget and provide the Federal relief to the unemployed which he also promised. He had answered that he was "utterly unwilling that economy should be practiced at the expense of starving people." Nor was the managed currency system he had installed synonymous with "unsound money." The Roosevelt record was not as vulnerable to this kind of attack as the record of the majority of Republican Congressmen and Senators.

Roosevelt's most famous "oversimplification" came on October 30 in Boston when he said to "the mothers and fathers":

"I have said this before, but I shall say it again and again and again: Your boys are not going to be sent into any foreign wars. * * * The purpose of our defense is defense."

It could hardly be thought he lied regarding his intentions. But the whole truth required more complex formulations than those plain words. Defense of the United States as Roosevelt conceived it required a strategy of cooperation with one group of belligerents to prevent the other from winning the war. Such cooperation made the question of attack on the United States pertinent to discussion. The President often reaffirmed his determination to aid the Allies and China, but he did not always qualify his promises to the "fathers and mothers" with the platform clause "except in case of attack." On this occasion he had been urged to include the clause once more, but he had refused, saying: "Of course we'll fight if we're attacked. If somebody attacks us, then it isn't a foreign war, is it? Or do they want me to guarantee that our troops will be sent into battle only in the event of another Civil War?"

It was a fair assumption that the "unneutral" acts of the United States would not be the determining factor in an Axis decision to attack the United States, but such acts would be likely to determine an earlier date for an attack. Neither Willkie nor Roosevelt took up such delicate calculations.

Willkie promised to outdo Roosevelt in aid to Britain and equally ignored possible effects on Axis policy. Both Willkie and Roosevelt reflected the determination of the great majority of Americans to help defeat the Axis, short of participation in the war, while thinking as little as possible of the likelihod that the Axis would not acquiesce in defeat on America's terms.

Robert Sherwood has written from firsthand experience of the hysterical letters and telegrams that flooded the White House and Democratic headquarters in response to Willkie's turn, late in October, from support of the bipartisan foreign policy to charges that Roosevelt plotted war. It seemed to the President's advisers that, after the failure of the Axis alliance to frighten Americans, Willkie was attempting to terrorize them into a stampede along the road which led to Bordeaux and so to Vichy even before the Panzers arrived on our home soil. * * * Sherwood confesses that it was he who, on the presidential train to Boston on October 30, the day Willkie in Baltimore made his prophecy of war by April if Roosevelt was elected, and to satisfy urgent pleas from the mothers and Democratic leaders, told Roosevelt to say "again and again and again" that the boys were not going to be sent into foreign wars.

This is the most that can be said for the unfortunate passage: it did not originate with Roosevelt as a vote catcher but was imposed on him by others who demanded that he allay the public panic Willkie created. Still it was ridiculed and thrown up to him by the isolationist press and speakers so often in following months that it nullified to a great extent in the public mind all the more reasoned formulations of policy that preceded and followed it, and Roosevelt felt constrained in 1941 to regard it as his most binding commitment to the American people.

* * * * *

A SET OF CONTRADICTIONS

Hull's worst suspicions of Japan were correct. In his communication to Nomura on October 2, he reiterated the four principles to which Japan claimed to subscribe. He specifically stated that the U.S. Government had no purpose of discussing details. Rather it was the set of contradictions between principles avowed and applications proposed by the Japanese Government that caused the difficulty. They were, he said, "a source of disappointment." He pointed them out one by one. He asked for further clarifications of the Japanese proposals:

"From what the Japanese Government has so far indicated in regard to its purposes this Government derives the impression that the Japanese Government has in mind a program which would be circumscribed by the imposition of qualifications and exceptions to the actual application of those principles.

If this impression is correct, can the Japanese Government feel that a meeting between the responsible heads of government under such circumstances would be likely to contribute to the advancement of the high purposes which we have mutually had in mind?" Hull ended with strong assurances that the President hoped a meeting with Konoye could be held.

WAKASUGI'S "MISTAKE"

Convincing evidence presently came from the Japanese themselves that it was they who made impossible Grew's "constructive conciliation," that they insisted upon appeasement as the only purpose of a Roosevelt-Konoye meeting. Japanese officials in Tokyo and Washington consumed many hours in explaining to Americans that the October 2 statement mystified them because Hull had not made known precisely what the United States would consider proper bases for a Roosevelt-Konoye meeting. But Ambassador Nomura on October 9 admitted in a conference with officials of the State Department that he himself had noted "some contradictions" of the agreed-upon principles in the Japanese proposals for implementing them. He thereupon made a frank justification of those contradictions.

Mentioning that the Japanese public had suffered the sacrifices of 4 years of war, the Ambassador said that his Government would necessarily have to present to the Japanese people some reward for that sacrifice or some attractive alternative gain.

The Americans replied that Japan stood to gain more by following a "progressive and constructive program of peace in the entire Pacific than by any other course," but the Japanese showed no comprehension of that alternative.

Nomura was no diplomat, and his inadvertencies of the sort quoted above probably explain his virtual supersedure in November by Kurusu. But he had only put into words what was apparent to Hull if not to Grew: that Japan allowed the United States no alternative to appeasement.

Attempts of other Japanese officials, quite skilled in diplomacy, to plead ignorance of American desires and mystification by the

statement of October 2, also broke down. The Minister-Counselor of the Japanese Embassy, Wakasugi, had recently returned from Japan, and, on October 13, in conversation with Under Secretary Welles, he at first repeated the refrain that the Japanese Government found it impossible to learn what "in reality" were the desires of the United States. Then Wakasugi not only specified those desires with the greatest clarity, but seemed to promise that the Japanese Government would satisfy them. He said the Japanese promise in the draft proposal not to undertake further aggressive action could be made without the qualification "save for justifiable reasons," because that phrase "was entirely unnecessary and could readily be withdrawn." He said the Japanese Government would be "entirely willing" to meet the American objection to omitting China from the commitment in favor of commercial equality in the Pacific region. Wakasugi asked whether the United States could not agree to leave to Japan "discretion" in interpreting its obligations under the Axis alliance. He realized a new Cabinet might interpret its obligations differently, but the present one was the only Cabinet which could be set up that would desire to remain at peace with the United States if the United States entered the European war. He said that the Japanese Government was "willing to evacuate all of its troops from China." Welles thought he had misunderstood this last statement, but Wakasugi repeated it twice. Welles was furthermore assured that all the "controlling" Japanese generals and admirals fully supported the Japanese Government in desiring to make a "comprehensive and satisfactory" agreement with the United States.

Wakasugi emphasized to Welles that he spoke unofficially. But his statements on aggression, trade, and evacuation of China hit the precise points of the chief objections of Hull and Roosevelt to the Japanese proposals of September 6 and 22, and, since he had just returned from Japan, where he had presumably learned the views of his government, his statements to Welles on October 13 demolished the pretense that the Japanese did not understand what the United States in reality wanted.

Wakasugi said he believed his government must reach a final decision within 24 or 48 hours. Grew was informed of Wakasugi's remarkable statements to Welles. On October 15 he talked with the Japanese Vice Minister for Foreign Affairs off the record, but, as Grew reported to Washington, along lines largely parallel to the Wakasugi-Welles conversation on October 13. A day later, October 16, the Konoye cabinet fell and the Pearl Harbor government took power with Gen. Hideki Tojo as Premier and Shigenori Togo as Foreign Minister.

Wakasugi promptly changed front. He had appointments with Welles on October 16 and 17, and the Under Secretary took him to Hull for conversations on both days. According to Secretary Hull's memorandum, Wakasugi sought to keep in harmony with his talks with Under Secretary Welles, but he actually hedged on the main points of evacuating China, nondiscrimination in the whole Pacific, and interpretation of the Axis alliance. The net result was to return the situation to the impasse preceding Wakasugi's strange statements to Welles on October 13. The tone of Hull's memorandum makes obvious the Secretary's impatience with Wakasugi's zigzag. If the October 13 unofficial statements meant anything, the new government of Tojo repudiated them. Hull wrote: "The upshot * * * left us with the view that the new Japanese Government would have to speak next and before we had further serious conversations with their representatives here."

The October 13 statement of Wakasugi might have been taken more seriously but for several circumstances. Toyoda had already told Grew on October 10 that because Ambassador Nomura seemed "very fatigued" a diplomat of wide experience would be sent to Washington to "assist" him. This was as much as to say that the existing Japanese delegation in Washington was repudiated. The fall of the Konoye Cabinet was already in sight. Japan was sending large new contingents of troops into Indochina, building new airbases there, and displacing the Vichy French administrators with Japanese officials. This, as the Japaness Government was told, constituted "a complete negation of the spirit and letter of the undertakings which the Japanese Government expresses willingness to assume." Magic intercepts showed that Germany, after Roosevelt's September 11 "shoot on sight" order, applied extreme pressure on the Japanese Government. One of Foreign Minister Toyoda's last acts was to send Nomura instructions, amounting to a weak version of German demands, that the United States be warned of trouble with Japan if the United States continued to "attack" the Axis Powers.

In the light of these ominous events, Wakasugi's statements to Welles take on the appearance of a mistake arising from the confusion attendant upon the impending fall of Konoye. Far from working for agreement with the United States, the Konoye government in the main was attempting to stave off its overthrow by conceding to the demands of the militarists. The "mistake" is nevertheless an extremely valuable part of the record. First, it proves that the Japanese knew precisely what was necessary to bring about a Roosevelt-Konoye meeting and settlement with the United States. Second, the "mistake" and Japan's draft proposals prove that the Japanese consciously designed the escape clauses in the draft proposals to leave no room for Grew's policy of "constructive conciliation" short of American cooperation to help Japan win the fruits of aggression.

THE LAST CHANCE?

The coming to power of Tojo ended talk of a meeting between Roosevelt and the Japanese Premier. The administration in its efforts to maintain the secrecy of the negotiations, efforts insisted upon by the Japanese who feared the effects of publicity in rousing the militarists, had publicly denied that Prince Konoye had "invited" Roosevelt to a Pacific conference. It was true that the stage of issuing an invitation was never reached. Beard treats the administration's uncommunicativeness as part of its plot to deceive the public by maintaining false "appearances." In his exposition of the "realities" of the affair, Beard declares that Roosevelt and Hull not only pursued the "usual policy" of secrecy, but employed "dilatory" methods. Ambassador Grew's arguments in favor of "constructive conciliation" are Beard's chief evidence in support of his implication that Roosevelt and Hull wanted no reasonable settlement with Japan. But it is noteworthy that after carefully implanting in his reader's mind suspicion that Roosevelt and Hull deliberately rejected a reasonable opportunity for a settlement with Japan, Beard disclaims responsibility for arousing such suspicion by remarking that sufficient documents are not available for judgment. He admits that it is possible to find bases for argument for as well as against Roosevelt's refusal to meet Konoye. Beard excuses his own failure to use the documents that are available because the "'solution' of this insoluble 'problem'" lay outside the "purposes and limitations" of his book. After calling the Roosevelt-Konoye affair "momentous in the history of American relations with Japan," Beard's evasion of the problem, which would seem to be no more insoluble and is far more adequately documented than most of the problems he claims to solve, is disappointing.

Perhaps Beard had been discouraged by the statement in the minority report of the Pearl Harbor Joint Committee, that to go into the issue of the wisdom of the Roosevelt administration in its conduct of relations with Japan, "would involve the committee in the complexities of history extending back more than 50 years and in matters of opinion which cannot be settled by reference to anything as positive and definite as the Constitution, laws, and established administrative practices of the U.S. Government."

Besides, the question was excluded by the terms of the committee's instructions. But the committee did not fail to develop information on the subject in order to "understand the questions involved."

Morgenstern, more bold than Beard, examined evidence found by the committee and other documents, and came to very clear conclusions. "Diplomacy," he writes, "failed because diplomacy was not employed to avert war but to make certain its coming." His chief "evidence" is that administration officials were aware that imposition of economic sanctions against Japan involved a risk that Japan would use force to obtain the raw materials it needed. This is certainly true, but it is a long distance from this to the statement that the administration imposed sanctions because the policy contained a risk of war. Morgenstern set out to prove more: that the Roosevelt administration made certain that war would result.

Perhaps one example of Morgenstern's interpretations will suffice to illustrate his extreme version of the isolationist thesis regarding the Roosevelt-Konoye meeting. He writes that Hull's statement to Nomura that preliminary terms would be discussed with China, Britain, and the Netherlands "demonstrated unmistakably that this country already had an alliance, admitted or not, with China and the western imperialisms and was conducting its diplomacy much more with the view to protecting their interests than its own." Hull's actual purpose was to assure China, Britain, and the Netherlands that the United States would not betray to Japan their rights or territories. The American policy involved was antiappeasement, which had been proclaimed time and again by Roosevelt and Hull as a policy designed primarily to serve the self-interest of the United States. Incidentally Beard, although he approved Morgenstern's book, found in the documents reason to "put a stop to the vulgar saying: 'The United States was raking British chestnuts out of the fire.'"

It cannot be admitted that with Konoye's fall the last chance of avoiding war with Japan disappeared. If the Roosevelt administration had been willing to support Japan's past and future program of aggression, the Tojo government would very likely have been happy to drop the plan to attack the United States, at least temporarily. The actions of Roosevelt and Hull lead one to assume that they believed the risk of new Japanese aggressions was preferable to a profoundly immoral Far Eastern Munich. History had proved that appeasement was not only immoral but also that aggressors could not be permanently appeased. The most that could have been accomplished by a Far Eastern Munich was to postpone a little longer new Japanese aggressions. This was no temptation for Roosevelt and Hull because it would be more than balanced by the degradation of the American and all free peoples, because it would violate the American commitment in the Lend Lease Act to aid peaceful nations against aggression, and because it was in any case politically impossible: the great majority of the American people long since had given up indifference to immorality in international relations.

* * * * *

The chief item used by Morgenstern to support the isolationist thesis that Washington officials knew beforehand Pearl Harbor would be attacked is a series of intercepts beginning September 24, 1941, of messages between Tokyo and the Japanese Consul General in Honolulu. These messages conveyed the anxiety of Tokyo for data regarding the exact locations of warships in Pearl Harbor, and the reports of the Consul General containing full information. Morgenstern neglects to mention that such information was well within the requirements of a Japanese plan of sabotage by Japanese agents. The authorities at Pearl Harbor were prepared against that danger. But Morgenstern himself does not claim to find in any message prior to one dated 7:22 p.m., December 6, and another of a few hours later, 12:42 a.m., December 7, material that "gave away" the secret of a bombing raid. In these messages the Consul General for the first time spoke of air defenses at Hawaii and observed: "I imagine that in all probability there is considerable opportunity left to take advantage for a surprise attack." Morgenstern then comments that after a December 4 intercept of an "east wind rain" execute message, and the long series of Japanese messages from Honolulu to Tokyo, "there could be no question where the attack would come."

This slurs over his own admission that, not the "long series of messages," but only those sent within the last 12 hours before the Japanese planes appeared over Pearl Harbor at dawn on December 7 actually pointed to raiding planes rather than sabotage. The fact that the two messages which did expose the secret were not decoded until December 8, Morgenstern calls "Washington's excuse. * * *." But Morgenstern himself makes this excuse seem extremely plausible. He describes how the give-away messages were intercepted in San Francisco and copies mailed to Washington. Hearing of this Army Signal Intelligence Service ordered the messages to be sent to Washington on a new teletype machine which had been installed that day. When the messages arrived in Washington, translators were called to night duty. But the final and very lengthy Japanese diplomatic mesage was then being intercepted, and the translators worked on it instead. Other messages less indicative of Japanese attack were processed even more slowly.

Such is the best evidence Morgenstern can find that for Washington officials "there could be no question where the attack would come," with its implication that commanders at Pearl Harbor were not ordered to shift from preparations against sabotage to preparations against air attack because Roosevelt, Hull, Stimson, Knox, Marshall, and Stark preferred the more serious loss of life and damage to the fleet that would result from mistaken preparations. For such a terrible implication, Morgenstern at the crucial point can do no better than verify the plain reason why Washington officials did not receive the give-away messages in time, and call the reason an excuse.

THE WRONG FOOT

Another grave accusation of the isolationists is that Roosevelt and Hull so conducted negotiations with Kurusu as to coerce the Japanese into attacking the United States. The assumption is made that if the United States refused to make an agreement with Japan, this amounted to coercion of the Japanese and created a situation in which not the Japanese but Roosevelt and Hull were responsible for the Japanese attack that followed. A necessary corollary of the argument is that Kurusu and the Tojo government did in fact urgently desire not merely an agreement with the United States but one that should have been accepted by Hull and Roosevelt. Charles A. Beard proves at great length that the Japanese did urgently desire an agreement, which was doubtless true. If the Tojo government could gain the objectives of its aggressive program with the cooperation of the United States, it is difficult to believe that sheer quixoticism would have led it to reject such an arrangement and risk defeat in war instead. Even this, however, it may be noted in passing, was the choice of Mussolini when France and Britain offered him his price if he would take it without war.

Beard finds in a Japanese proposal on November 20 for a "truce" or "modus vivendi" an opportunity for Hull, knowing that it was Japan's "last effort," that the American Army and Navy needed time for preparations, and that a two-front war should "if humanly possible" be avoided, to use "supreme diplomatic ingenuity," and "supreme statesmanship" to "keep conversations going. * * *" Hull on November 26 rejected the Japanese proposal. In Beard's view, Hull "for reasons which are nowhere explicit" failed the supreme test of his career and answered the Japanese with what Beard calls "an ultimative notice."

It is now possible to state certain facts of the situation which were not available to Beard. They suggest that he was too hasty in condemning Hull's statesmanship without sufficient data regarding the possibility that it was Japanese statesmanship, or lack of it, that was responsible for the failure of diplomacy and outbreak of war. After the war, the International Military Tribunal for the Far East found in the Japanese archives the story of Japanese purposes and plans. On November 5, an Imperial Conference decided that if the United States did not accep Japan's terms by November 25 (later extended to November 29), Japan would attack the United States. On November 10, the task force which had been organized and trained to bomb Pearl Harbor was ordered to the Kurile Islands and the date of December 7 was fixed for the attack. On November 22, the task force was ordered to proceed from the Kuriles to Hawaii. These actions were taken before Hull answered Japan's "last offer" of November 20. Foreign Minister Togo described the Japanese terms of November 20 as an "ultimatum."

In short, Beard's mistake is that he puts the shoe on the wrong foot. Hull was incapable of issuing an "ultimative notice" to the Japanese after November 20 for the reason that Japan had already issued an ultimatum to the United States on that date, and proceeded to carry out its military threat within two days, before Hull answered its diplomatic threat. Beard would make the Roosevelt administration appear guilty of an aggression in diplomacy which he believes "explains," if it does not excuse, the subsequent Japanese aggression at Pearl Harbor. Actually it was Japan that was guilty of diplomatic as well as military aggression against the United States. Hull knew from Magic intercepts that the Japanese proposals of November 20 constituted an ultimatum involving demands, a deadline, and threat of attack. The only thing he did not know was that the attack was directed at Pearl Harbor or any American territory.

THE MODUS VIVENDI

The Japanese on November 20 offered a draft proposal for a temporary agreement. In the light of the rejection by the Japanese Government, on November 19, of Nomura's suggestion in favor of such an agreement, this proposal must be regarded as the sheerest of hypocrisies designed to occupy the time while the Japanese task force proceeded to Hawaii. Two of the chief issues on which the United States desired settlement, namely, Japan's obligation under the Axis alliance, and economic policy in China and the Pacific regions, were left for later consideration. On remaining issues, Japan offered to make one concession, withdrawal of Japanese troops from southern to northern Indochina, in return for U.S. cooperation with Japan in securing the fruits of aggression in China. Japan asked the United States to stop giving aid to China and to restore economic relations with Japan, including delivery to Japan of a required quantity of oil, while Japan made peace with China. Kurusu had admitted to Hull that peace with China would involve the stationing of Japanese troops there for an indefinite period. Besides providing Japan with American oil to help it impose its will on China, the United States was asked to cooperate with Japan in obtaining for it oil and other materials in the NEI. Japan would promise to make no armed movement southward, but offered no guarantee against aggression northward.

Hull considered that the proposals called for virtually a surrender by the United States. He asked Kurusu and Nomura, as he later wrote, "what they thought would be the public reaction in the United States if we were to announce tomorrow that we had decided to discontinue aid to Great Britain. There was no reply. 'In the minds of the American people,' I continued, 'the purposes underlying our aid to China are the same as the purposes underlying aid to Great Britain.'"

Hull regarded the situation as virtually hopeless. But the military leaders pleaded with him for more time, and therefore Hull and State Department officials sought desperately to work out some counterproposal to keep the conversations going. For a few days a 3-month vivendi was considered. It is noteworthy that it was while Hull worked on this scheme, that the Japanese task force was ordered on November 22 to proceed eastward through the North Pacific to reach Hawaii by December 7. No inkling of this reached American observers or officials in Washington, but ominous movements of Japanese forces into positions where they were poised for attacks against Thailand, Malaya, the Netherlands East Indies, and possibly the Philippines or Guam, were known in detail. On November 24, Army and Navy commanders in the Pacific were warned that a "Japanese surprise aggressive movement in any direction including an attack on the Philippines or Guam is a possibility." This was interpreted in Hawaii to require no change in preparations against sabotage as the chief danger.

President Roosevelt, Secretary of the Treasury Morgenthau, and other officials helped Hull explore the possibility of a modus vivendi, and he consulted the representatives of Great Britain, China, the Netherlands, and Australia. A Magic intercept from Tokyo to Kurusu and Nomura on November 22 extended the deadline from November 25 to 29. One phrase in it provides the first reason why Hull in the end decided not to make a counterproposal for a modus vivendi. The Japanese Ambassadors were instructed: "Stick to our fixed policy * * *." This could only mean that nothing but complete American surrender to the Japanese proposals would satisfy Tojo. It confirmed Hull's belief that no arrangement that the United States could accept would be acceptable to Japan. The intercepted message ended: "This time we mean it, that the deadline absolutely cannot be changed. After that things are automatically going to happen."

The second reason why Hull decided against the modus vivendi is that the Government of China objected to it and obtained wide support for its objection, including that of Churchill. The final American draft of the modus vivendi called for mutual pledges that the United States and Japan would not advance in the Pacific area by force or threat of force; Japan would withdraw its troops from southern Indochina, and also reduce its forces in northern Indochina to 25,000—a number thought to preclude a campaign

to close the Burma Road; the United States would allow limited quantities of American oil, cotton, and other commodities to go to Japan and it would buy Japanese goods; the United States would urge Britain, Australia, and the Netherlands to resume trade similarly with Japan; and the United States affirmed its fundamental position that any settlement between Japan and China must be based upon the principles of "peace, law, order, and justice." Attached to this 3-months' modus vivendi was a 10-point proposal for a permanent agreement.

The modus vivendi drawn up by Hull meant temporary appeasement of Japan insofar as it would give temporary United States approval to Japanese conquests and relax the economic sanctions which the United States, Britain, Australia, and the Netherlands had imposed against Japan during preceding months. The plan must be regarded as a product of the desperation of the Roosevelt administration in its fight for time. Had it been offered to Japan, it would have been a violation of the administration's principle of no compromise with aggression.

Only agreement by China, the Government which would be the chief victim of this appeasement, that the time which might be gained would be worth the sacrifice, would have justified such an offer to Japan. China refused to agree. Churchill supported the Chinese view. After hectic discussions, the decision was reached on the night of November 25 to make no counterproposal of a modus vivendi but to answer the Japanese only with the 10-point proposal for a permanent settlement.

ON THE ROCK OF PRINCIPLE

In this decision the Roosevelt administration met the supreme test of its statesmanship in service of the policy of collective security against aggression. Beard's statement that the decision was made "for reasons which are nowhere explicit" is nonsense; Beard himself recites the evidence that the Chinese Government violently opposed the modus vivendi. He ignores another contributing factor, that is, the futility of offering to Japan, in the face of the intercepted instructions to the Ambassadors to "stick to our fixed policy," an American modus vivendi which would have required Japan to retreat from its "fixed policy," especially in the matter of the number of troops to be left in northern Indochina. Beard does not wish to admit that the one thing which might have justified temporary appeasement of Japan was the consent of China. The Roosevelt administration refused to make a deal with Japan affecting China's fate without its consent. It refused to ignore the rights of China as Chamberlain had ignored those of Czechoslovakia at Munich.

On the rock of this principle, the last possibility of Roosevelt and Hull attempting to postpone the deadline in Japan's ultimatum collapsed. Actually, no such possibility existed. But the administration believed that a possibility still existed that Japan would only attack non-American territory, leaving room for a choice by the United States whether it should enter the war.

No one but an absolute pacifist would argue that the danger of war is a greater evil than violation of principle. It must be concluded that the isolationist thesis involves denunciation of the Roosevelt-Hull decision against the modus vivendi because of the nature of the principle involved. The isolationist believes that appeasement of Japan without China's consent violated no principle worth a risk of war. The internationalist must believe that the principle did justify a risk of war. In short, subjective and a priori attitudes ultimately determine judgment of the Roosevelt-Hull policy. If an observer can be imagined to exist who is "neutral" as between the attitudes of isolationists and internationalists, he might conclude that it did not matter whether or not the Roosevelt administration offered the modus vivendi because the Japanese Government was certain to reject it.

A THIRD CHOICE?

By means of innuendoes rather than overt statement, Beard implies that the Roosevelt administration had a third choice besides appeasement or refusal to appease, and took it: war. He combs the record to find "warlike" statements of the leaders in Washington, and presents them in sinister array entirely out of context. The President and his Cabinet on November 25, Beard writes, "discussed war, not prospects of peace * * *." In Beard's vocabulary, discussion of war is synonymous with a desire for war. Secretary Stimson wrote in his diary regarding a meeting of the "War Council" with Roosevelt on November 25, which was attended by him and Hull, Knox, Marshall, and Stark, that Roosevelt brought up the likelihood that the Japanese, notorious for surprise attacks, would attack the United States within 2 days: "and the question was what we should do. The question was how we should maneuver them into the position of firing the first shot without allowing too much danger to ourselves. It was a difficult proposition."

Beard quotes this and Stimson's later amplification to the joint congressional committee:

"In spite of the risk involved, however, in letting the Japanese fire the first shot, we realized that in order to have the full support of the American people it was desirable to make sure that the Japanese be the ones to do this so that there should remain no doubt in anyone's mind as to who were the aggressors."

These, and many variations of the theme in discussions in Washington, Beard assembles to suggest that the administration wanted war with Japan. He entitles his final chapter, dealing with the outbreak of war: "Maneuvering the Japanese into Firing the First Shot."

The part of the Japanese Government in maneuvering itself into firing the first shot is not discussed by Beard. The situation as he describes it leads a reader to believe that it was the United States that took the initiative for war during the weeks preceding December 7, while Japan was coerced into beginning a war it had sought to avoid. Stimson's word "maneuver" is magnified out of all relation to the actual position of the two governments in which Japan, of course, exercised the initiative and the United States was forced into a war it had sought to avoid. After creating suspicion in the reader's mind that Stimson and the other leaders knew that the Japanese intended to attack Pearl Harbor, and that they wanted the attack to occur, Beard makes Stimson's use of the word "maneuver" appear to have been an affirmation of the administration's knowledge and desire. But, as has been shown, the administration thought exclusively in terms of a Japanese movement southward. The question was whether the President should ask Congress for a declaration of war prior to a Japanese attack on the Philippines or Guam, in order to avoid giving Japan the advantage of a surprise attack, or wait until Japan attacked U.S. territory, that is, "maneuver" Japan into firing the first shot. Despite much discussion, no final decision to ask Congress for a declaration of war was made. The other course, waiting while Japan might attack the United States, was a "maneuver" only in the sense that it involved avoidance of any action that would make the United States even seem to provoke or justify an attack by Japan. Whereas Beard makes the word appear to mean that the administration took positive actions to coerce the Japanese into attacking, it actually meant that the United States should do nothing that would give Japan an excuse for war.

THE SOUTHWARD EXPEDITION

Beard calls the United States reply on November 26 to the Japanese proposal of November 20 an "ultimative notice." Morgenstern calls it more simply an "ultimatum." The Minority Report of the Joint Congressional Committee declares that Japan "treated" the answer "as an ultimatum," and that Hull on November 28, if not on November 26, knew that it would so treat it. Dramatic proof came on November 25 that it was Japan that had not only issued an ultimatum on November 20 but proceeded to carry out its new program of aggression without waiting for an answer from the United States. On the afternoon of the 25th, intelligence reports to Secretary Stimson stated that five Japanese divisions were moving southwards from Shantung and Shansi toward Indochina or points beyond. If more evidence were needed by the administration that the Japanese Government had no intention of accepting any modus vivendi or any arrangement that would inhibit its program of conquest, this provided it. The President and Hull were sent copies of the report. Morgenstern avoids assessing this intelligence report at its face value by noting that on the next day, when Hull discussed with Stimson his decision to reject the modus vivendi, he "did not refer to the Japanese troop movement." Morgenstern notes that when the President on the 26th heard of the troop movement from Stimson, he said it "changed the whole situation, because it was an evidence of bad faith on the part of the Japanese." But, writes Morgenstern, the Hull answer to Japan that day had already "changed the whole situation."

The United States was actually incapable of "changing the whole situation," no matter what it did short of an attack against Japan, and even this in the circumstances would have been an offensive action only on the level of tactics: Japan had already seized the initiative of the offensive on the higher level of strategy. The Japanese aggressive movement southward was obviously launched well before the Japanese Government expected any reply to its proposal of a modus vivendi. News of it in Washington merely confirmed one of the premises upon which the decision was made to reject the modus vivendi: that Japan acted in bad faith. Beyond this, it is clear now that Japan was willing to expose its bad faith by moving an expedition southward in plain view because it served as a screen for its more stunning act of bad faith in sending the expedition to Pearl Harbor.

Considering the scope of Japanese bad faith, what was hidden from Washington as well as what was exposed, one may call suspicion of Japan, which was the fundamental source of Chinese and all other opposition of the modus vivendi, the highest statesmanship. Had the modus vivendi been accepted, the lowering of guard and injury to morale among all anti-Axis peoples and governments would have invited disaster much more severe than actually occurred. Japan in its diplomacy and its military actions had already launched new aggressions against every Pacific power before the United States had an opportunity to accept or reject the modus vivendi. To search in such a situation for ignorance among Washington officials of the full scope of Japanese aggression in order to fix war guilt on them is ludicrous, especially in view of the charge by the same critics that Washington officials should have been more suspicious than they were of Japanese intentions at Pearl Harbor.

Even if Hull's November 26 answer to Japan had been an ultimatum, it would have been a nullity because Japan had issued one earlier and was acting on it. While it is conceivable that the orders to the Pearl Harbor expedition, and even the southward expedition, could have been rescinded during the days that remained prior to December 7, it is still true that the very act of sending those expeditions in the directions of their respective targets while negotiations proceeded in Washington constituted a threat of war signifying not merely bad faith but that those negotiations took place under the sanction of a Japanese ultimatum.

* * * * *

The purpose of the Senators was to find evidence which would prove the existence of a Roosevelt commitment to Churchill to go to war in case Japan attacked non-American territory. In their minority report they make no reference to the episode. The evidence actually proved that no such commitment existed. But this did not deter Charles A. Beard. He is unable to link the documents in the case with the many commitments he charged Roosevelt with making earlier in the year. That charge in Beard's text is now forgotten. But he makes up a new brief that Roosevelt, on December 6, for reasons unstated, found it necessary to make a new commitment to the British, or at least to Australia, on that Saturday afternoon.

Churchill's proposed warning to Japan, Beard calls "in effect" an "ultimatum," in spite of the fact that it contained no time limit and made Japanese use of force the condition upon which Britain would, not declare war, but take "all appropriate measures." Then, if war resulted, the responsibility would rest with Japan.

Having asserted that the proposed British warning was an ultimatum, with accompanying implications of war guilt, Beard sets out to prove that Roosevelt made a commitment to Minister Casey regarding procedure to be followed in carrying out the British proposal. He makes no reference to the well-established fact that an American warning to Japan had been planned as early as November 28. Beard goes further: he asserts that in his conference with Casey on the afternoon of December 6, Roosevelt "agreed" to send a message to the Japanese Emperor. Then he asks the portentous question: Was the President's message to the Emperor framed to meet his "commitment" to Casey, or was it an "independent action"? The answer, Beard decides, must be "conjectural" because a letter to Hirohito had been "discussed" for many days prior to December 6 by Roosevelt, Hull, Stimson, and Knox.

Thus Beard does his best to rescue for his thesis an image of Roosevelt making a commitment to a foreign government to issue an ultimatum. The "ultimatum" was never sent because Japan violently intervened in the procedure, but this in Beard's book is insignificant compared with the revelation of Roosevelt's guilty intention. The facts in the case are, once more, imbedded in Beard's own text, and, sifted out from his distortions, they plainly show that when Roosevelt was told of the proposed British warning, he merely informed Casey that the American Government had already planned to issue a warning to Japan as part of a program that included a message to the Emperor as an antecedent step. If the plan had been carried out, it would have amounted to no more than "parallel action" of the sort which was traditional in Anglo-American dealings with Japan.

The most revealing aspect of Beard's charge is that in the crucial events of December 6 he can find no evidence of a Roosevelt commitment to Churchill. Beard does not attempt to call Australia's move to obtain parallel action by the United States in issuing a warning to Japan, even when distorted by the words "commitment" and "ultimatum," evidence that Roosevelt had promised Churchill to enter the war if Japan attacked non-American territory. Thus Beard himself abandons one of the main charges in his indictment of the President.

NO FOREKNOWLEDGE

Another main charge in the isolationist thesis collapses in the face of the Roosevelt-Casey evidence. This is Morgenstern's chief preoccupation: that Roosevelt and other officials in Washington knew beforehand that the Japanese were about to attack Pearl Harbor. Why Roosevelt, if he knew what impended at Pearl Harbor, should have been concerned to find a casus belli at Thailand an indefinite number of days after a warning which was planned for delivery to Japan 2 days after the attack on Pearl Harbor, presents a conundrum for Morgenstern which he dismisses as follows:

It is only curious that as late in the day as this Roosevelt should still have been worrying lest the Japanese fail to provide the necessary incident.

Then Morgenstern proceeds casually to ignore this curiosity of Roosevelt's behavior and reassert his thesis. But Morgenstern's failure to offer any explanation of the curiosity is actually an abandonment by him of his thesis that the Roosevelt administration provoked, expected, and maximized the Pearl Harbor attack because it wanted a casus belli. The same thing may be said of the failure of Senators Brewster and Ferguson to mention the Roosevelt-Casey episode in their minority report after they worked so vigorously to obtain the evidence regarding it. The terms of their indictment of the President are more guarded than those of Beard and Morgenstern, confined as they are to charges that the President and his subordinates did not convey proper orders and information to the Hawaiian commanders, and therefore they are not under the embarrassment of reporting that their investigation into the episode revealed the falsity of a more serious indictment.

The minority report, however, exploits its failure to mention the Roosevelt-Casey episode in order to strengthen its basic charge of Presidential failure to order proper defensive dispositions at Hawaii in time for the impending attack. After December 2, the report states, the President fully abandoned the plans to send a warning to Japan and a message to Congress. He only turned to carry out the plan to make an appeal to Hirohito, and this was done after it was too late. The President then adhered to the plan of waiting for Japanese action. This comes very close to the charge that the President consciously allowed the Pearl Harbor attack to provide him with a disastrous casus belli. The fact, which Senators Brewster and Ferguson themselves unearthed, is, of course, that the President did plan on December 6 to issue the warning to Japan, and this was linked from the beginning with the plan to address Congress.

A FINAL QUESTION

For the student of Roosevelt's policy, one question remains. In the expected event that the Japanese expedition moving westward toward Thailand would not immediately attack the Philippines, would the President have followed up unsatisfactory Japanese replies to his letter to the Emperor of Japan and his warning to the Japanese Government with a request to Congress for a declaration of war? The issue would involve a climactic test of Roosevelt's adherence to his policy of collective security, on the one hand, and his antiwar pledge, on the other. No evidence is available for an answer except Stimson's diary record that the group present at the meeting on November 28 agreed that if the British fought, the United States would have to fight. The three-step plan that was then adopted was designed both to fend off the necessity to fight and to present the American Congress and public with an opportunity to judge the issue.

It may be stated with considerable confidence that if public and Congress with something approaching unanimity had asked for war, Roosevelt would have broken his antiwar pledge. But in the more likely case, that isolationism still commended a strong minority in and out of Congress, who denied that a Japanese attack on non-American territory and British entry into the Pacific war justified American entry, it must remain purely conjectural whether the President nevertheless would have asked Congress for a declaration of war. The disappearance from the record of all discussion by him of what might follow a failure of his warning to deter Japan suggests that he left the decision for the event.

Mr. MORSE. Mr. President, of course, there is no way to know whether these pages are the ones that Mrs. Luce believed would "support the core" of her charges.

Cordell Hull's two volumes of memoirs run to 1,700 pages. Mrs. Luce should know better than to pretend that a reference to 1,700 pages of reading matter constitutes evidence to document her charge that Roosevelt lied.

With Mrs. Luce's own statement of her reliance upon these references, and the opinion of Professor Rauch himself, that the documentation of history shows that it is Mrs. Luce who has abused the facts of history, I believe she has convicted herself, with her own evidence, of gross and inexcusable misrepresentation.

DOCUMENTATION SHOWS EXACTLY THE OPPOSITE

On the contrary, the history of the late 1930's and 1940–41 shows very clearly that President Roosevelt was hopeful and, indeed, anxious that the aggressive dictators could be contained without war, and particularly without war involving the United States.

Mr. President, in that speech President Roosevelt warned of the danger to the entire world from hostile fascism.

Mr. President, I shall read the main excerpts from that great "quarantine" speech in 1937. I shall also quote from some of the other great speeches made by Franklin Roosevelt, because the hour has been reached, here in the Senate, when Democratic Senators need to refresh their knowledge of our country's history under the Roosevelt administration; and I think the Republicans should do so, too.

Mr. President, with that charge by Clare Boothe Luce on the record, against that great humanitarian, against that believer in human rights, against that great apostle of peace, against that man who did everything within honor to try to keep our country out of a war, I believe it important that we document his record; and I intend to do so at some little length, because—and I speak respectfully—I am shocked. I respect the rights of Senators to disagree; and of course that right includes my right to disagree with them. But I would be less than honest to this record if I did not say I am shocked at what appears to be an attitude on the part of some of my colleagues that we should let the nomination "go through."

I do not intend to let it go through without making this record. I do not intend to let it go through with my vote. I do not intend to let it go through without raising my voice, today, to call attention, once again, to the great, patriotic service which Franklin Roosevelt performed for our country in those years when it was so nip and tuck as between peace and war. Let this record speak of some of the highlights of his service, when with great statesmanship he sought to lead our country and the rest of the world down the paths of peace. Time and time again he forewarned us that the dangers were great. Time and time again he pleaded for more support for purposes of defense for the sake of defense. He said, as will be seen by referring to some of his great speeches from which I shall read, that the controlling policy of his administration was defense for defense. But he warned our potential enemies that he did not intend to surrender to the totalitarianism which, in so many parts of the world, was trying to trample freedum under its iron heel.

So, Mr. President, I ask my colleagues to listen to me while I read several excerpts from his great "quarantine" speech in Chicago, October 5, 1937, in which President Roosevelt warned of the danger to the entire world from hostile fascism.

On that occasion he said:

The political situation in the world, which of late has been growing progressively worse, is such as to cause grave concern and anxiety to all the peoples and nations who wish to live in peace and amity with their neighbors.

Some 15 years ago the hopes of mankind for a continuing era of international peace were raised to great heights when more than 60 nations solemnly pledged themselves not to resort to arms in furtherance of their national aims and policies. The high aspirations expressed in the Briand-Kellogg Peace Pact and the hopes for peace thus raised have of large given way to haunting fear of calamity. The present reign of terror and international lawlessness began a few years ago.

It began through unjustified interference in the internal affairs of other nations or the invasion of alien territory in violation of treaties; and has now reached a state where the very foundations of civilizations are seriously threatened * * *.

It is, therefore, a matter of vital interest and concern to the people of the United States that the sanctity of international treaties and the maintenance of international morality be restored.

The overwhelming majority of the peoples and nations of the world today want to live in peace. They seek the removal of barriers against trade. They want to exert themselves in industry, in agriculture and in business, that they may increase their wealth through the production of wealth-producing goods rather than striving to produce military planes and bombs and machineguns and cannons for the destruction of human lives and useful property.

President Roosevelt continued, in that great "quarantine" speech:

I am compelled and you are compelled, nevertheless, to look ahead. The peace, the freedom, and the security of 90 percent of the population of the world is being jeopardized by the remaining 10 percent who are threatening a breakdown of all international order and law. Surely the 90 percent who want to live in peace under law and in accordance with moral standards that have received almost universal acceptance through the centuries, can and must find some way to make their will prevail.

I digress a moment because I want to pin to this record the fact that statements carrying the same meaning contained in that particular portion of the speech of Roosevelt which I have just read permeate the great speeches he made from 1937 to Pearl Harbor.

Reflect on what he said, Roosevelt recognized his great obligations to this country—yes, and to the world— to try to find some basis, with honor, on which men would lay down their weapons and proceed to settle their differences without the use of arms. And so he said:

Surely the 90 percent who want to live in peace under law and in accordance with moral standards that have received almost universal acceptance through the centuries, can and must find some way to make their will prevail.

Then he went on and said:

It seems to be unfortunately true that the epidemic of world lawlessness is spreading. When an epidemic of physical disease starts to spread, the community approves and joins in a quarantine of the patients in order to protect the health of the community against the spread of the disease.

It is my determination to pursue a policy of peace. It is my determination to adopt every practicable measure to avoid involvement in war. It ought to be inconceivable that in this modern era, and in the face of experience, any nation could be so foolish and ruthless as to run the risk of plunging the whole world into war by invading and violating, in contravention of solemn treaties, the territory of other nations that have done them no real harm and are too weak to protect themselves adequately.

We are determined to keep out of war—

Let me repeat it. This is the "quarantine" speech. This is the 1937 speech. This is the beginning of a whole series of speeches and, in my judgment, should give the lie to Clare Boothe Luce's assertion. He said:

We are determined to keep out of war, yet we cannot insure ourselves against the disastrous effects of war and the dangers of involvement. We are adopting such measures as will minimize our risk of involvement, but we cannot have complete protection in a world of disorder in which confidence and security have broken down.

America hates war. America hopes for peace. Therefore, America actively engages in the search for peace.

The Chicago Tribune did not like it. Many other reactionary papers in this country, Mr. President, attacked the "quarantine" speech. But I have always felt, and say today, that I think the famous "quarantine" speech of 1937 laid out the framework, set out the broad outlines, clearly indicated the future course of action which the President of the United States intended to follow if Fascist aggression continued to trample upon freedom.

That is why it saddens me to even have to answer the charge that this great man lied America into a war.

These principal excerpts from that speech, in which Roosevelt so clearly pointed out that no nation, however peaceful it might be, could be confident that peace would continue if it blinded itself to aggressions that were swallowing up other peaceful nations, make a glorious record.

As we know, Roosevelt's "quarantine" speech was largely ignored. The nations of the world showed little interest in keeping the peace through concerted efforts to contain Nazi Germany, Italy, and Japan.

That Roosevelt's policy continued to be one of trying to maintain peace is borne out by his messages to Adolf Hitler on April 14, 1939, and to the Italian Government on August 24, 1939. In the first, Roosevelt called for mutual assurances that the territory and possessions of independent nations would not be attacked, and suggested an international conference at which the problems of disarmament and international trade should be discussed. The appeal was renewed in the August message to the King of Italy.

I ask unanimous consent to have these two messages appear at this point in my remarks.

There being no objection, the messages were ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
April 14, 1939.

His Excellency ADOLF HITLER, CHANCELLOR OF THE GERMAN REICH:

You realize, I am sure, that throughout the world hundreds of millions of human beings are living today in constant fear of a new war or even a series of wars.

The existence of this fear—and the possibility of such a conflict—is of definite concern to the people of the United States for whom I speak, as it must also be to the peoples of the other nations of the entire Western Hemisphere. All of them know that any major war, even if it were to be confined to other continents, must bear heavily on them during its continuance and also for generations to come.

Because of the fact that after the acute tension in which the world has been living during the past few weeks there would seem to be at least a momentary relaxation—because no troops are at this moment on the march—this may be an opportune moment for me to send you this message.

On a previous occasion I have addressed you in behalf of the settlement of political, economic, and social problems by peaceful methods and without resort to arms.

But the tide of events seems to have reverted to the threat of arms. If such threats continue, it seems inevitable that much of the world must become involved in common ruin. All the world, victor nations, vanquished nations, and neutral nations will suffer. I refuse to believe that the world is, of necessity, such a prisoner of destiny. On the contrary, it is clear that the leaders of great nations have it in their power to liberate their peoples from the disaster that impends. It is equally clear that in their own minds and in their hearts the peoples themselves desire that their fears be ended.

It is, however, unfortunately necessary to take cognizance of recent facts.

Three nations in Europe and one in Africa have seen their independent existence terminated. A vast territory in another independent nation of the Far East has been occupied by a neighboring state. Reports, which we trust are not true, insist that further acts of aggression are contemplated against still other independent nations. Plainly the world is moving toward the moment when this situation must end in catastrophe unless a more rational way of guiding events is found.

You have repeatedly asserted that you and the German people have no desire for war. It this is true there need be no war.

Nothing can persuade the peoples of the earth that any governing power has any right or need to inflict the consequences of war on its own or any other people save in the cause of self-evident home defense.

In making this statement we as Americans speak not through selfishness or fear or weakness. If we speak now it is with the voice of strength and with friendship for mankind. It is still clear to me that international problems can be solved at the council table.

It is therefore no answer to the plea for peaceful discussion for one side to plead that unless they receive assurances beforehand that the verdict will be theirs, they will not lay aside their arms. In conference rooms, as in courts, it is necessary that both sides enter upon the discussion in good faith, assuming that substantial justice will accrue to both; and it is customary that they leave their arms outside the room where they confer.

I am convinced that the cause of world peace would be greatly advanced if the nations of the world were to obtain a frank statement relating to the present and future policy of governments.

Because the United States, as one of the nations of the Western Hemisphere, is not involved in the immediate controversies which have arisen in Europe, I trust that you may be willing to make such a statement of policy to me as the head of a nation far removed from Europe in order that I, acting only with the responsibility and obligation of a friendly intermediary, may communicate such declaration to other nations now apprehensive as to the course which the policy of your Government may take.

Are you willing to give assurance that your armed forces will not attack or invade the territory or possessions of the following independent nations: Finland, Estonia, Latvia, Lithuania, Sweden, Norway, Denmark, the Netherlands, Belgium, Great Britain and Ireland, France, Portugal, Spain, Switzerland, Liechtenstein, Luxembourg, Poland, Hungary, Rumania, Yugoslavia, Russia, Bulgaria Greece, Turkey, Iraq, the Arabias, Syria, Palestine, Egypt and Iran.

Such an assurance clearly must apply not only to the present day but also to a future sufficiently long to give every opportunity to work by peaceful methods for a more permanent peace. I therefore suggest that you construe the word "future" to apply to a minimum period of assured nonaggression—10 years at the least—25 years, if we dare look that far ahead.

If such assurance is given by your Government, I will immediately transmit it to the governments of the nations I have named and I will simultaneously inquire whether, as I am reasonably sure, each of the nations enumerated above will in turn give like assurance for transmission to you.

Reciprocal assurances such as I have outlined will bring to the world an immediate measure of relief.

I propose that if it is given, two essential problems shall promptly be discussed in the resulting peaceful surroundings, and in those discussions the Government of the United States will gladly take part.

The discussions which I have in mind relate to the most effective and immediate manner through which the peoples of the world can obtain progressive relief from the crushing burden of armament which is each day bringing them more closely to the brink of economic disaster. Simultaneously the Government of the United States would be prepared to take part in discussions looking toward the most practical manner of opening up avenues of international trade to the end that every nation of the earth may be enabled to buy and sell on equal terms in the world market as well as to possess assurance of obtaining the materials and products of peaceful economic life.

At the same time, those governments other than the United States which are directly interested could undertake such political discussions as they may consider necessary or desirable.

We recognize complex world problems which affect all humanity but we know that study and discussion of them must be held in an atmosphere of peace. Such an atmosphere of peace cannot exist if negotiations are overshadowed by the threat of force or by the fear of war.

I think you will not misunderstand the spirit of frankness in which I send you this message. Heads of great governments in this hour are literally responsible for the fate of humanity in the coming years. They cannot fail to hear the prayers of their peoples to be protected from the foreseeable chaos of war. History will hold them accountable for the lives and the happiness of all—even unto the least.

I hope that your answer will make it possible for humanity to lose fear and regain security for many years to come.

A similar message is being addressed to the Chief of the Italian Government.

FRANKLIN D. ROOSEVELT.

AUGUST 24, 1939.

(The following is the text of a communication, dispatched yesterday by the President and delivered today to the King of Italy by Ambassador Phillips.)

Again a crisis in world affairs makes clear the responsibility of heads of nations for the fate of their own people and indeed of humanity itself. It is because of traditional accord between Italy and the United States and the ties of consanguinity between millions of our citizens that I feel that I can address Your Majesty in behalf of the maintenance of world peace.

It is my belief and that of the American people that Your Majesty and Your Majesty's Government can greatly influence the averting of an outbreak of war. Any general war would cause to suffer all nations whether belligerent or neutral, whether victors or vanquished, and would clearly bring devastation to the peoples and perhaps to the governments of some nations most directly concerned.

The friends of the Italian people and among them the American people could only regard with grief the destruction of great achievements which European nations and the Italian nation in particular have attained during the past generation.

We in America having welded a homogeneous nation out of many nationalities, often find it difficult to visualize the animosities which so often have created crises among nations of Europe which are smaller than ours in population and in territory, but we accept the fact that these nations have an absolute right to maintain their national independence if they so desire. If that be sound doctrine then it must apply to the weaker nations as well as to the stronger.

Acceptance of this means peace, because fear of aggression ends. The alternative, which means of necessity efforts by the strong to dominate the weak, will lead not only to war, but to long future years of oppression on the part of victors and to rebellion on the part of the vanquished. So history teaches us.

On April 14 last, I suggested in essence an understanding that no armed forces should attack or invade the territory of any other independent nation, and that this being assured, discussions be undertaken to seek progressive relief from the burden of armaments and to open avenues of international trade including sources of raw materials necessary to the peaceful economic life of each nation.

I said that in these discussions the United States would gladly take part. And such peaceful conversations would make it wholly possible for governments other than the United States to enter into peaceful discussions of political or territorial problems in which they were directly concerned.

Were it possible for Your Majesty's Government to formulate proposals for a pacific solution of the present crisis along these lines you are assured of the earnest sympathy of the United States.

The Government of Italy and the United States can today advance those ideals of Christianity which of late seem so often to have been obscured.

The unheard voices of countless millions of human beings ask that they shall not be vainly sacrificed again.

Mr. MORSE. Mr. President, those two messages are part of the chronology, it seems to me, of the fine record this great President made in trying, with honor, not only to avoid war, but to lead those who were engaged in war and threats of war to a peaceful solution of their difficulties. Throughout that era of the Roosevelt period his own speeches and his own official papers are replete with attempt after attempt to obtain a peace; but at no time did he ever fail to make clear that there was a point beyond which the United States would not go. Time and time again he made clear, in official document and in speech, that we could be pressed too far. But the record of his restraint, his statesmanship, his great adeptness, his diplomacy in his relations with the heads of other states during those very difficult times, Mr. President, is one of his great records.

I shall refer next to the campaign speech in New York City on October 28, 1940, in which Roosevelt dwelt mainly on foreign policy, warning the American people of the dangers they faced, despite our national desire to remain at peace. He said:

In July 1937, Japan invaded China.

On January 3, 1938, I called the attention of the Nation to the danger of the whole world situation.

It was clear that rearmament was now, unfortunately, a necessary implement of peace. I asked for large additions to American defenses. Yes, I was called an alarmist—and worse names than that. I have learned by now to take it on the chin.

In March 1938 German troops marched into Vienna.

In September 1938 came the Munich crisis. German, French, and Czech armies were mobilized. The result was only an abortive armistice.

I said then: "It is becoming increasingly clear that peace by fear has no higher or more enduring quality than peace by the sword."

Three months later, at Lima, Peru, the 21 American Republics, including our own, solemnly agreed to stand together to defend the independence of each one of us.

That declaration at Lima was a great step toward peace. For unless the hemisphere is safe, we are not safe.

Matters in Europe grew steadily worse. Czechoslovakia was overrun by the Nazis. General war seemed inevitable.

Yet even then, in the summer of 1939, the Republican leaders kept chanting, "There will be no war."

A few months later—on the first of September 1939—war came.

The steps which we had carefully planned were put into effect.

American ships were kept from danger zones.

American citizens were helped to come home.

Unlike 1914, there was no financial upheaval.

Very soon, in a few weeks, the American Republics set up at Panama a system of patrolling the waters of the whole Western Hemisphere, with success.

I am asking the American people to support a continuance of this type of affirmative, realistic fight for peace. The alternative is to risk the future of the country in the hands of those with this record of timidity, weakness and shortsightedness or to risk it in the inexperienced hands of those who in these perilous days are willing recklessly to imply that our boys are already on their way to the transports.

I shall now insert the excerpts from the Boston speech discussed by Robert Sherwood, in which Roosevelt promised that American boys would never be sent to fight in a foreign war. The date was October 30, 1940:

I cannot help but feel that the most inexcusable, most unpatriotic misstatement of fact about our Army—a misstatement calculated to worry the mothers of the Nation—is the brazen charge that the men called to training will not be properly housed.

The plain fact is that construction on Army housing is far ahead of schedule to meet all needs, and that by January 5, next, there will be complete and adequate housing in this Nation for 930,000 soldiers.

And so I feel that, very simply and very honestly, I can give assurance to the mothers and fathers of America that each and every one of their boys in training will be well housed and well fed.

Throughout that year of training, there will be constant promotion of their health and their well-being.

And while I am talking to you mothers and fathers, I give you one more assurance.

I have said this before, but I shall say it again and again and again:

Your boys are not going to be sent into any foreign wars.

They are going into training to form a force so strong that, by its very existence, it will keep the threat of war far away from our shores.

The purpose of our defense is defense.

It is that part of the speech, Mr. President, in which President Roosevelt said, "I have said this before, but I shall say it again and again and again: Your boys are not going to be sent into any foreign wars" which apparently was used by Mrs. Luce for her subversive, sinister charge that Franklin Roosevelt lied us into the war.

Why am I taking time this afternoon to discuss these great speeches of Franklin Roosevelt at such great length, starting with the "quarantine" speech of 1937 and going right through to Pearl Harbor? I do so because time and time again Franklin Roosevelt made clear to the American people that he was seeking, with honor, to avoid involvement of this country in war, but time and time again he warned the American people that we might become involved in war, as we finally were. Franklin Roosevelt made clear that his objective was defense for defense, but that he wanted those who were threatening the peace of the world to know we intended to maintain a defensive position so strong that we would maintain our honor and fight if fight we must.

I say the sentence is taken out of context. The entire speech was a speech in which Franklin Roosevelt tried to warn the American people of the great dangers which confronted us. The sentence is taken out of context to seek to give the impression that the one sentence demonstrated there was a sinister, Machiavellian motivation in the recesses of Franklin Roosevelt's mind, through which he was trying to deceive the American people, to mislead the American people, to lie to the American people—and I say that kind of forensic conduct on the part of Clare Boothe Luce is not only subversive, is not only untruthful, is not only sinister, but it places at issue in regard to this nomination—I care not what any Democrat says to the contrary—the issue as to whether the Democrats in the Senate of the United States are going to confirm that type of person to represent this Nation in the Embassy at Brazil.

I care not what rationalization or alibi is used. I care not what language is used to hide the issue. The issue before the Democrats—and the same issue is before the Republicans; but what a greater responsibility we have on this side of the aisle—is whether to stand today and make clear that we will not vote to confirm the nomination of a person guilty of such subversion, of such untruthfulness, and of such unpatriotic service to a diplomatic post, particularly when, I say to my Democratic colleagues, all we have been able to get from her is an apology for intemperate language, but she stands by the charge.

She will not be confirmed with my vote.

I would have the Democratic Senators do a little refreshing of their memories as to the great record of Franklin Roosevelt, starting with the quarantine speech in 1937 and going through his utterances in the 1940 campaign, including the speech in Boston of October 30, 1940.

I say to my Democratic and Republican colleagues in the Senate today that there is nothing inconsistent in that speech, nor even in that single sentence, with Roosevelt's foreign and defense policies, which he had reiterated time and time again in the speeches previously referred to in my remarks this afternoon.

But of particular significance was Roosevelt's concept of hemispheric defense and his concentration upon uniting the American Republics in a common defense policy.

UNSUPPORTED "LIAR" CHARGE MOCKS HEMISPHERIC UNITY OF WHICH ROOSEVELT WAS ARCHITECT

This is one of the factors that makes Mrs. Luce's nomination as Ambassador to Brazil so inappropriate, in my opinion.

As the Senator from Arkansas [Mr. FULBRIGHT] pointed out in the Senate on April 17, Brazil was probably the principle contributor to the Allied war effort of all the nations south of us.

President Roosevelt was the architect of the good neighbor policy which made that wartime cooperation and assistance possible. It runs through the excerpts from his speeches which I have placed in the RECORD. It began with his very first inaugural speech of 1933, when he said:

In the field of world policy I would dedicate this Nation to the policy of the good neighbor—the neighbor who resolutely respects himself and, because he does so, respects the rights of others—the neighbor who respects his obligations and respects the sanctity of his agreements in and with a world of neighbors.

This policy, applied in South America, culminated in 1938 in the Lima Declaration of American Principles, a declaration designed to express pan-American solidarity in the face of the aggressive threats abroad. I ask consent to have the Lima Declaration appear at this point in my remarks.

There being no objection, the declaration was ordered to be printed in the RECORD, as follows:

THE LIMA DECLARATION OF AMERICAN PRINCIPLES, DECEMBER 24, 1938

(This declaration, the somewhat innocuous conclusion of the Eighth Pan American Conference, was designed as an expression of Pan American solidarity in the face of the imperialistic threats from abroad. More important, however, was the refusal of the conference to agree to the American proposal for periodic meetings to discuss common measures of defense. (See G. H. Stuart, "Latin America and the United States, 3d ed.; T. R. Ybarra, "America Faces South"; J. T. Whitaker, "Americas to the South"; E. M. Patterson, editorial, "Democracy and the Americas.")

Whereas the need for keeping alive the fundamental principles of relations among nations was never greater than today; and

Each state is interested in the preservation of world order under law, in peace with justice, and in the social and economic welfare of mankind.

The Governments of the American Republics resolve

To proclaim, support, and recommend, once again, the following principles as essential to the achievements of the aforesaid objectives:

1. The intervention of any state in the internal or external affairs of another is inadmissible;

2. All differences of international character should be settled by peaceful means;

3. The use of force as an instrument of national or international policy is proscribed;

4. Relations between states should be governed by the precepts of international law;

5. Respect for and the faithful observance of treaties constitute the indispensable rule for the development of peaceful relations between states, and treaties can only be revised by agreement of the contracting parties;

6. Peaceful collaboration between representatives of the various states and the development of intellectual interchange among their peoples is conducive to an understanding by each of the problems of the other as well as of problems common to all, and makes more readily possible the peaceful adjustment of international controversies;

7. Economic reconstruction contributes to national and international well-being as well as to peace among nations; and

8. International cooperation is a necessary condition to the maintenance of the aforesaid principles.

Mr. MORSE. Mr. President, I wish to read at this point excerpts from Roosevelt's Pan American Day address of April 14, 1939, in which he warned the European aggressors to keep hands off the Western Hemisphere. I call attention to his words:

The American peace which we celebrate today has no quality of weakness in it. We are prepared to maintain it, and to defend it to the fullest extent of our strength, matching force to force if any attempt is made to

subvert our institutions, or to impair the independence of any one of our group.

That resolve was implemented at the Pan American Conference in Havana in July 1940, and I ask to have printed at this point the act of Havana. This agreement was aimed at forestalling Nazi control of Latin America through barter agreements and political and military pressure.

There being no objection, the act of Havana was ordered to be printed in the RECORD, as follows:

534. THE ACT OF HAVANA—AGREEMENTS REACHED AT THE HAVANA PAN AMERICAN CONFERENCE JULY 29, 1940

(New York Times, July 30, 1940)

The imminent threat of German or Italian occupation or control of French, English or Dutch possessions in the New World and the even more menacing threat of Nazi control of Latin American trade through barter agreements and political and military pressure, led to a notable conference of the American States in July, 1940. Secretary Hull quickly assumed leadership of this conference, and despite the opposition of the delegation from the Argentine succeeded in achieving substantially his objectives.

The text of the convention covering the legal phase of the plan to be acted upon regarding foreign possessions in the New World follows:

"The governments represented in the second consultative meeting of American Foreign Ministers considering:

"That, as a consequence of the acts which are developing on the European Continent, there might be produced in territories or possessions which some belligerent nations hold in America situations wherein that sovereignty may be extinguished or essentially affected, or the government suffers acephalism (becomes headless), generating peril for the peace of the Continent and creating a situation wherein the dominion of law and order and respect of life, liberty and property of the inhabitants disappears;

"That the American republics would consider any transfer or attempt to transfer sovereignty, jurisdiction, possession or any interest or control in any of these regions to another non-American State as contrary to American sentiments, principles and rights of American States to maintain their security and political independence;

"That the American republics would not recognize nor accept such transfer or intent to transfer or acquire interests or rights, direct or indirect, in any of these regions, whatever might be the form employed to realize it;

"That the American Republics reserve the right to judge through their respective organs of government if some transfer or intent to transfer sovereignty, jurisdiction, cession, or incorporation of geographical regions in America owned by European countries until September 1, 1939, may impair their political independence even though there has been no formal transfer or change in the status of the regions.

"That for this reason it is necessary to establish for unforeseen cases as for any other which may produce acephalism of the Government in the said regions a regime of provisional administration, while arriving at the objective for free determination of the peoples.

"That the American Republics, as an international community which acts integrally and forcefully, supporting itself on political and juridical principles which have been applied for more than a century, have the incontestable right, in order to preserve their unity and security, to take under their administration said regions and to deliberate over their destinies in accordance with their respective degrees of political and economic development;

"That the provisional and transitory character of the measures agreed upon does not mean forgetfulness or abrogation of the principle of nonintervention, the regulator of inter-American life, a principle proclaimed by the American Institute, recognized by the celebrated committee of experts on international law which met at Rio de Janeiro and consecrated in all its amplitude in the seventh Pan American Conference held at Montevideo;

"That the community, therefore, has the international juridical capacity to act in such matters;

"That in such a case the most adequate regime is that of provisional administration.

"Desiring to protect their peace and security and to promote the interests of any of the regions to which this (document) refers and which are understood to be within the foregoing consideration;

"Have resolved to conclude the following convention:

"First. If a non-American state attempts directly or indirectly to substitute for another non-American state in the sovereignty or control which that (other state) exerted over any territory situated in America, thereby threatening the peace of the continent, said territory automatically will be considered to be within the stipulations of this convention, and will be submitted to a regime of provisional administration.

"Second. That administration shall be executed—as it is considered advisable in each case—by one or more American States by virtue of previous consent.

"Third. When administration is established over a region it shall be executed in the interest of the security of America and to the benefit of the administered region looking toward its well-being and development, until the region is found to be in condition to administer itself or to return to its former status, so long as this is compatible with the security of the American Republics.

"Fourth. Administration of the territory shall operate under conditions which guarantee freedom of conscience and faith with the restrictions demanded by the maintenance of public order and good habits.

"Fifth. The administration shall apply local laws, coordinating them with the objectives of this convention, but it may adopt in addition those decisions necessary to solve situations concerning which no such local laws exist.

"Sixth. In all that concerns commerce and industry the American Nations shall enjoy equal conditions and the same benefits, and the administrator never shall create a situation of privilege for himself or his compatriots or for any particular nations. Liberty of economic relations with all countries on a basis of reciprocity shall be maintained.

"Seventh. The natives of the region shall participate as citizens in the public administration and tribunals of justice, with no other consideration than that of competence.

"Eighth. Insofar as possible rights of any kind shall be governed by local laws and customs, acquired to be protected in conformity with such laws.

"Ninth. Forced labor shall be abolished in regions where it exists.

"Tenth. The administration will provide means to diffuse public education in all grades, with the double aim of promoting the wealth of the region and better living conditions of the people, especially in regard to public and individual hygiene, and preparation of the exercise of political autonomy in the shortest time.

"Eleventh. The natives of the region under administration shall have their own organic charter, which the administration shall establish, consulting the people in whatever way possible.

"Twelfth. The administration shall submit an annual report to the inter-American organization charged with control of the administered regions, on the manner in which it carried out its mission, attaching accounts and measures adopted during the year in said region.

"Thirteenth. The organization to which the preceding article refers shall be authorized to take cognizance of petitions which inhabitants of the region transmit through the intermediary of the administration with reference to the operation of the provisional administration. The administration shall remit, along with these petitions, such observations as it considers convenient.

"Fourteenth. First the administration shall be authorized for a period of 3 years, at the termination of which, and in case of necessity, it shall be renewed for successive periods of not longer than a decade.

"Fifteenth. Expenses incurred in the exercise of the administration shall be covered by revenues from the administered region, but in case these are insufficient the deficit shall be covered by the administering nation or nations.

"Sixteenth. There shall be established a commission which shall be called the 'Inter-American Commission of Territorial Administration' and shall be composed of one representative for each of the states which ratify this convention, and it shall be the international organization to which the convention refers.

"Any country which ratifies it (the convention) may call the first meeting, indicating the most convenient city. The Commission shall elect a president, complete its organization and fix a definite headquarters. Two-thirds of its members shall constitute a quorum and two-thirds of the members present may adopt agreements.

"Seventeenth. The Commission is authorized to establish a provisional administration over regions to which the present convention applies; it also is authorized to install the said administration so that it will be operated by the number of states which will be determined according to the case, and to legalize its execution in terms of the preceding articles.

"Eighteenth. The present convention will be opened for signatures of the American Republics in Havana and shall be ratified by the high contracting parties in accordance with their constitutional procedures. The Secretary of State of the Republic of Cuba shall transmit, as soon as possible, authentic copies certified to the various governments to obtain ratifications. Instruments of ratification shall be deposited in the archives of the Pan American Union in Washington which shall notify the signatory governments of said deposit; such notification shall be considered as exchange for ratifications.

"Nineteenth. The present convention shall be effective when two-thirds of the American States shall have deposited their respective instruments of ratification."

Mr. MORSE. Mr. President, I have made these references because time and time again Roosevelt referred to the hemispheric defense program. I have already quoted what he had to say about it in the "quarantine" speech of 1937. We find that in the fabric of all his discussions of foreign policy, from the "quarantine" speech of 1937, to Pearl Harbor, there was reference after reference to the importance of maintaining the hemispheric defense and maintaining the good-neighbor policy.

Take a look at the good-neighbor policy today, and see what has happened. What a great repair job is needed to the south of us in Latin American relations. There is anti-American feeling every-

where. There is a comment in Time magazine, and an American Embassy is stoned. There is a comment in Time magazine and American personnel of the American Embassy in LaPaz, in Bolivia, have to be removed to the outskirts of the city, where they can be near the Bolivian army barracks for protection.

We are all familiar with the demonstrations against the United States in Venezuela. A similar feeling exists in Cuba. It is almost like calling the roll of the Organization of American States. Some friends we have, but so few, as compared with the strong support which the great Franklin Roosevelt developed for the good-neighbor policy which he discussed as far back as the "quarantine" speech of 1937. In fact, he discussed it in his first inaugural address in 1933, from which I have quoted this afternoon.

No, Mr. President, I cannot vote for an ambassador who has made the statements this nominee has made about the architect of the good-neighbor policy. As I said the other day on the floor of the Senate, the memory of Franklin D. Roosevelt is revered in Brazil. If anyone mention's Roosevelt's name in Brazil, he can understand the reverence that Brazilians have for that great American. I have been informed by Americans who have come back from various Latin American countries, including Brazil, that when one enters the most lowly hovel, with a dirt floor, no household facilities whatever, as we know them, practically no furniture, and surroundings of abject poverty, there on the wall of the hut, even though it may be a mud hut, or over the mat which is used for a bed, will often be a magazine clipping of a picture of Franklin Roosevelt—even today.

What reservoir of good will the record of this great humanitarian built up for us in Latin America. I could not possibly bring myself to vote for a nominee who attempted to smear that man. I cannot bring myself to vote to send to Brazil a nominee who made the statements that she made about Franklin Roosevelt, including her statement that he lied us into a war, because Brazil was in that war too, as I shall show in a moment, and if he lied American boys into a war, he lied Brazilian boys into a war.

The fact is that he lied no one into a war, because he did not lie. We cannot pass the statement off as an intemperate campaign speech, because we cannot pass off the fact that, although she apologizes for her language, she still stands by the charge.

I take my Democratic colleagues—and Republicans too, but particularly my Democratic colleagues—to the famous Columbus Day address by Franklin Roosevelt at Dayton, Ohio, on October 12, 1940.

I shall quote a lengthy excerpt from that speech. This was 18 days before the Boston speech to which Robert Sherwood referred. Roosevelt said of hemispheric defense at Dayton:

> We of the Americas still consider that this defense of these oceans of the Western Hemisphere against acts of aggression is the first factor in the defense and protection of our own territorial integrity. We reaffirm that policy, lest there be any doubt of our intention to maintain it.
>
> There are some in every single one of the 21 American Republics who suggest that the course the Americas are following is slowly drawing one or all of us into war with some nation, or nations, beyond the seas.
>
> From the day on which that policy was announced, the American Republics have consulted with each other; they have peacefully settled their old problems and disputes; they have grown closer and closer to each other; until at last in 1938 at Lima, their unity and friendship were sealed.
>
> The core of our defense is the faith we have in the institutions we defend. The Americas will not be scared or threatened into the ways the dictators want us to follow.
>
> No combination of dictator countries of Europe and Asia will halt us in the path we see ahead for ourselves and for democracy.
>
> No combination of dictator countries of Europe and Asia will stop the help we are giving to almost the last free people now fighting to hold them at bay.
>
> Our course is clear. Our decision is made. We will continue to pile up our defense and our armaments. We will continue to help those who resist aggression, and who now hold the aggressors far from our shores. Let no American in any part of the Americas question the possibility of danger from overseas. Why should we accept assurances that we are immune? History records that not long ago those same assurances were given to the people of Holland and Belgium and Norway.
>
> That is why we arm. Because, I repeat, this Nation wants to keep war away from these two continents. Because we, all of us, are determined to do everything possible to maintain peace in this hemisphere. Because great strength of arms is the practical way of fulfilling our hopes for peace and for staying out of this war or any other war. Because we are determined to muster all our strength so that we may remain free.
>
> The clear facts have been stated over and over again. This country wants no war with any nation. This hemisphere wants no war with any nation. The American Republics are determined to work in unity for peace just as we work in unity to defend ourselves from attack.
>
> For many long years every ounce of energy I have had has been devoted to keeping this Nation and the other Republics at peace with the rest of the world. That is what continues uppermost in my mind today—the objective for which I hope and work and pray.
>
> We arm to defend ourselves. The strongest reason for that is that it is the strongest guarantee for peace.
>
> The United States of America is mustering its men and resources, arming not only to defend itself, but, in cooperation with the other American Republics, to help defend the whole hemisphere.
>
> We are building a total defense on land and sea and in the air sufficient to repeal total attack from any part of the world. Forewarned by the deliberate attacks of the dictators upon free peoples, the United States, for the first time in its history, has undertaken the mustering of its men in peacetime. Unprecedented dangers have caused the United States to undertake the building of a Navy and an Air Force sufficient to defend all the coasts of the Americas from any combination of hostile powers.
>
> We have asked for, and we have received, the fullest cooperation and assistance from industry and labor. All of us are speeding the preparation of adequate defense.
>
> And we are keeping the nations of this hemisphere fully advised of our defense preparations. We have welcomed the military missions from neighboring republics; and in turn our own military and naval experts have been welcomed by them. We intend to encourage this frank interchange of information and plans.
>
> We shall be all for one and one for all.
>
> This idea of a defense strong enough and wide enough to cover this half of the world had its beginnings when the Government of the United States announced its policy with respect to South and Central America. It was the policy of the good neighbor, the neighbor who knew how to mind his own business, but was always willing to lend a friendly hand to a friendly nation which sought it, the neighbor who was willing to discuss in all friendship the problems which will always arise between neighbors.

I would have Democratic Senators reflect on that. It is another important argument in my case that there is not a scintilla of evidence which supports Mrs. Luce's slandering of this great Democratic President. To Democratic Senators I say: "Take your time before you vote, and if you are in doubt study and read every public pronouncement of Franklin Roosevelt, starting with the inaugural speech of 1933, when he announced the good neighbor policy, and add to it the "quarantine" speech and then come back and tell me you can let this nomination slip through; come back and tell me that in good conscience you can vote for this besmircher."

That thread in the fabric of the record of Franklin Roosevelt is a gleaming thread which intertwines in the fabric of a great pattern of foreign policy. It bespeaks his determination to build a defense. It bespeaks his dedication to build up a hemispheric defense, so that no nation would dare attack. It outlines in documents, in speech after speech, that although our intentions are peaceful, we will fight if fight we must in case of attack.

In spite of that documentation, crystal clear to anyone who will read, this nominee falsely charged, while she was a Member of Congress, that Roosevelt had lied us into war. We are asked to confirm her. I say it is an insult, in my judgment, to every Member of the Senate who reveres the memory of the great Roosevelt.

Here is one Senator, only incidentally a Democratic Senator, who will not turn his back upon Franklin Delano Roosevelt, no, nor upon Harry Truman nor Dean Acheson, by voting to confirm this nomination. I have not intention to vote for a slanderer.

As the Senator from Arkansas [Mr. FULBRIGHT] pointed out, when the attack came at Pearl Harbor and the entire Western Hemisphere was engulfed, Brazil was among the most active of our allies. A division of Brazilian troops was sent to Italy; bases in Brazil made possible the control by allied fleets of the south Atlantic; her air bases provided the shortest air route to North Africa.

Brazil went into that war as a result of the hemispheric solidarity preached and practiced by Franklin Roosevelt and his Secretary of State, Cordell Hull. There is no denying the statement made by our committee chairman that if the United States was "lied into war" by Roosevelt, so was Brazil.

I think I have shown that no one was lied into that war, except by the Fascists of Germany, Japan, and Italy. It was the leaders of those countries who, in their diplomatic exchanges over the years, lied, time and time again, to the heads of the free nations. That is where the prevarications are to be found. They sought by their falsehoods in diplomatic exchanges with Franklin Roosevelt and Cordell Hull to build up a false sense of security in the United States.

To use a colloquialism, I think Roosevelt's speeches show very clearly how rapidly he became "wise" to them. To take only one of the many excerpts I have used this afternoon, where he related in one of the 1940 campaign speeches, the steps of German aggression upon the peoples of nation after nation of Europe, he made very clear that he recognized the differences between the professings of Hitler and Mussolini and their ruthless, tyrannical practices.

OBJECTIONS TO MRS. LUCE: HER SELECTION WAS SOLELY POLITICAL; AS DIPLOMAT SHE IS UNQUALIFIED

Let me now sum up the reasons for my opposition to this nomination. They fall into two groups: first, that her nomination was on the basis of the close political relationship of the Luce empire, with its publications, its financial contributions to Republican campaigns, and Mrs. Luce's services to the Republican party; and second, because on her public record I do not believe Mrs. Luce is properly equipped emotionally and intellectually to represent the United States abroad. She is being sent to a country where, in my judgment, a career diplomat, not a political appointee, should be sent.

I have no illusion about the power with public opinion that lies with the Luce publications. The wide circulation of its magazines, Time and Life, the influence in the business world of Fortune, the television stations it owns in the Middle West, including KLZ in Denver, KTVT in Salt Lake City, WTCN in Minneapolis, WFBM in Indianapolis, and its Grand Rapids station in Michigan afford Time, Inc., a tremendous force for good or ill with American public opinion and the news on which it is based.

The amalgamation of Eisenhower administration policies and the editorial policies of Time and Life is well known even to the casual reader of them.

I could refer, for example, to the farm editorials in Life, which condemn subsidies to American farmers, much along the lines of the Benson farm policy. Of course, it is characteristic of Life that it does not mention the $9½ million annual postal subsidy which it enjoys itself, according to figures compiled by the Library of Congress, and which aids immeasurably in distributing these antisubsidy editorials more widely.

The heavy financial support to GOP candidates, including President Eisenhower, from the Luces has been documented.

The close working relationship of Time, Inc., and its staff with the Eisenhower administration and its policies has also been covered in this speech. That the Luce publications are taken many times to represent or indicate official administration views is clear from the oil incident in Italy and the episode in Bolivia when a quotation of an American official in Time caused a riot against American property.

Mrs. Luce has said that it is she and not her husband who is to be ambassador. But the record shows that the Luces go together and that they are taken together by the country to which Mrs. Luce is accredited.

Before our committee, Mrs. Luce was asked whether her husband would accompany here to Brazil. She replied:

> He expects to do as he did when I was Ambassador to Italy, to accompany me, of course, and to remain a half of the year.

An oil policy Mr. Luce's publications favored came to the fore in Italy a short time later as the policy of the American Ambassador, as well. In Latin America, oil and the United States are a sensitive and potentially dangerous combination. I point out that the South American edition of Time is not only circulated but is published in Brazil. In the case of the Canadian edition, there occurred an international conference, a veritable summit meeting, of President Eisenhower, Prime Minister St. Laurent, of Canada, and the President of Mexico, to take up as its chief item the tax which Canada had imposed upon American magazines and which affected only two—Time and Reader's Digest.

The close interrelation of the Luce editorial line and administration foreign policy in Asia has also been itemized in this speech.

It is no wonder that Bolivian agitators found it so easy to alarm the people of that country when Time quoted a State Department official as suggesting, even facetiously, that Bolivia should be divided up among its neighbors.

We are not voting here merely on whether or not Mrs. Luce should be Ambassador to Brazil; unfortunately, we are voting on whether to export the Luce political and economic philosophies, which are disseminated through many machines of public opinion, as official American policies.

This result is what comes of the downgrading of diplomatic missions into political plums.

In addition, I have also gone at length into the personal qualifications of Mrs. Luce herself, and I am satisfied that she does not pass the minimum test of competence which the Senate—and the administration—should impose.

Mr. CANNON. Mr. President, will the Senator yield for a question?

Mr. MORSE. No. I have announced that I will not yield until I have finished my speech; then I will yield for a question.

Mrs. Luce's record of interference in domestic political and economic activities in Italy is the worst possible precedent for a similar post in South America, where we are only gradually recovering from the disasters of our diplomacy down there of the last five years.

Most shameful of all is the endorsement by the Senate of a person who charged that an American Secretary of State has cost us not only much money, but the blood of American boys in Korea; who claimed that Communists infested "every branch" of the State Department, just before she became a part of it; and who attributed our involvement in World War II, and that of Brazil, to the lies of Franklin D. Roosevelt.

Today the United States is signatory to 9 mutual defense treaties; 41 nations are also signatory to them. This means that we are bound to spring to the defense of any of them if they are attacked, and vice versa. These mutual defense treaties are the foundation of American foreign policy; the United States was very anxious, in many cases, to get these nations to join in such mutual arrangements.

Brazil lived up to a mutual defense obligation in 1941 and came to the aid of the United States at that time. Yet Mrs. Luce says, in her charge that Roosevelt lied us into war, that Brazil was taken in, in effect, and was "lied into war."

Mrs. Luce has offered nothing to document what I regard as a subversive statement. The documentation is all on the other side.

Her charge stands as nothing more than a hysterical potshot, taken at a wartime leader in the hope of gaining a few votes in the midst of a campaign. It is a monument to her qualifications in the field of political hatchetry, but it is also documentation that she is incompetent to serve as American Ambassador to Brazil. It is a clear documentation that she lacks the diplomacy and tact which one should have who represents the United States as Ambassador to Brazil.

Mr. President, during the course of my speech today, one of my colleagues sent to me a facetious note. However, I shall read it into the RECORD, in view of the fact that it does have some serious import:

> According to the current Congressional Directory, our legation in Bolivia is vacant. Possibly it would be fitting for the President to nominate Henry Luce, the editor of Life magazine, to be our Ambassador to Bolivia.

Mr. President, although that note was sent to me in humor, I wish to state that Mr. Luce's presence in our Embassy in Brazil for 6 months does not augur well for a strengthening of United States-Latin American relations.

Mr. President, before yielding to Senators who wish to ask questions, I shall close by saying that in the last 15 years I have made in the Senate many speeches which have been difficult to make; but I have never made one with a heavier heart or with a firmer conviction that it was my public duty to make it. This speech has not been a pleasant one to give. But, my sense of duty as a member of the Foreign Relations Committee and as a Senator has compelled me to make it.

As chairman of the Subcommittee on Latin American Affairs, I think I would have been derelict in the performance of my duty if I had not forewarned my country that this nomination is a horrendous mistake.

It is my sincere hope that the Senate will not act hastily, but that Senators will reflect on this nomination. and will

give further consideration to the record made today in this Chamber on both sides of the pending question, and at a later date will vote.

At this time I yield to the Senator from Nevada [Mr. CANNON].

Mr. CANNON. Mr. President, I thank the distinguished senior Senator from Oregon.

I have been particularly interested to hear his remarks about the qualifications of Mrs. Luce for the position to which she has been nominated, especially in view of a letter which I have received from an eighth-grade geography class. In the letter, the members of the class indicate the increasing awareness of the problem which now confronts our country. I wish to read the letter to the Senator from Oregon, and then ask him to comment on it.

The letter reads as follows:

DEAR SENATOR CANNON: In our study of foreign countries, it has come to our attention that some of our foreign representatives are inadequately trained and prepared for their jobs. Since we, as a country, are judged by our foreign representatives, it is imperative that they should be fine and dedicated examples of the American people. In order to be well prepared, we think that they should have a clearer understanding of the language and the customs of the country to which they are assigned.

Due to careful training, the Communists are gaining more and more influence in the underdeveloped countries of the world.

We know that this is not a new problem. We would deeply appreciate your advice on what we can do, as future voters and leaders of the United States, to improve the training of our foreign representatives. We feel that this is a matter of the utmost importance, and deserves your attention.

Thank you. Sincerely,

THE EIGHTH GRADE GEOGRAPHY CLASS.

The letter is signed by the secretary.

I should like to ask the Senator from Oregon to state whether he believes the nominee has sufficient understanding and background in regard to the language and customs of the country to which she has been nominated to serve as our Ambassador.

Mr. MORSE. First, Mr. President, that letter certainly deserves comment. I think it is a great assurance regarding the generation that is coming up, through America's free school system. Sometimes I say that at times I think even the youngsters are ahead of the politicians, on some issues. Such a letter is inspiring, and gives us greater confidence for the future.

In answer to the direct question my colleague has asked, let me say that in the speech I have made today I have pointed out why I believe that Mrs. Luce does not have the qualifications which those youngsters have outlined in their letter, and why I believe it is so important that this post be filled by a career diplomat, one with years of service in Latin America, one who knows the language and the mores, and who is familiar with all the customs, traditions, and practices of the people—not only of the people of Brazil, but also of the people of the surrounding countries, because we must not forget that our Ambasador to Brazil must work closely with our ambassadors to other Latin American countries.

I do not think Mrs. Luce has the competency that is required for this position.

Mr. CANNON. I thank the distinguished Senator from Oregon.

Mr. CLARK. Mr. President, will the Senator from Oregon yield to me?

Mr. MORSE. I yield to the Senator from Pennsylvania.

Mr. CLARK. I thank the Senator from Oregon for yielding to me.

A few minutes ago he placed in the RECORD a photostatic copy of the October 1, 1952, issue of the Washington Times Herald; that was before the time when the Washington Post and the Washington Times Herald were merged.

I should like to call my colleague's attention to the article, which is entitled "Truman Is Challenged To Act on Red Problem—Infiltration Wide, Mrs. Luce Says."

Beneath the headline is a little box in which appears the following:

Senator McCarthy promises to continue attack on "Commiecrats."

Beneath that is the following:

NEW YORK, September 30.—Former Representative Clare Boothe Luce charged tonight that the Red underground operated in at least 23 vital U.S. Government agencies during the last 20 years and stole "just about" every American secret.

Later on in the article we find this:

Mrs. Luce asserted the Government during the last 20 years has not guarded against the danger of Communist infiltration because "some of the guards appointed by the administration were themselves the thieves of our security."

Finally, I quote again from the article:

Mrs. Luce charged that while the infamous "Ware cell"— which she called the "general staff of the original Communist underground in the United States"—was operating in the Agricultural Adjustment Administration, Governor Stevenson joined the legal staff of the AAA.

I am glad that my friend, the Senator from Oregon, has had the article printed in the RECORD. I believe it buttresses the splendid speech he has made.

I have asked him to yield in order to emphasize the pertinent data contained in the article.

Mr. President, later this afternoon I shall explain briefly why I find myself unable to support this nomination. But the Senator from Oregon has spoken long and very ably, and I do not wish to detain him any longer.

Mr. MORSE. I thank the Senator from Pennsylvania very much for emphasizing the article, which I previously placed in the RECORD. As he has pointed out, the article deals with the nominee's "McCarthy tactics."

Mr. BARTLETT rose.

Mr. MORSE. I yield to the Senator from Alaska.

Mr. BARTLETT. Mr. President, earlier today the senior Senator from Oregon read testimony given by the nominee during the hearings; and on page 6 of those hearings appear two passages to which I now refer.

One is in these words:

For 20 years mortal enemies of ours have been growing and thriving in the organism of the Democratic Party. There is only one way to dislodge them. We must shake them all out. Yes, the tree of government must be shaken hard. Then these rotten apples, these mortal enemies, will fall out before all from the top branches.

And again referring to President Roosevelt:

The only American President who ever lied us into a war, because he did not have the political courage to lead us into it.

Last week I read two columns relating to the nomination of Mrs. Luce, and the columnists stated, if I recall correctly, that whatever the nominee might have said in the above connection, she was not then an Ambassador, a member of the diplomatic service of our country, so those remarks are without pertinence in evaluating the present nomination. It may be that the Senator from Oregon has already commented on that question. I was not able to be in the Chamber continually to hear all of his speech. But I wonder if he would care to give his opinion on what these columnists had to say on that score.

Mr. MORSE. I have discussed that issue at length. I have read the two newspaper articles by those columnists. I am accustomed to their writing as apologists for the Eisenhower administration and for reactionary policies, so I dismissed them as not deserving of any special comment; but a very long section of my speech is devoted to the remarks the Senator from Alaska has quoted from. I presented my case in support of the contention that there is not a scintilla of evidence in what Mrs. Luce has given us that documents her slanderous charges. Let me assure the Senator I have covered her statements at great length in my speech. In my opinion, she does not have that diplomatic judgment which we should insist a person should have whose nomination to an ambassadorial post the President has sent to the Senate for confirmation.

Mr. BARTLETT. Will the Senator yield further for a comment from me?

Mr. MORSE. Yes.

Mr. BARTLETT. I should like to state now, Mr. President, that I intend to vote against the nomination, and I intend to do so essentially because I would vote against any nominee who had designated one of the great political parties as a party of treason; and, by implication at least, that has occurred in this case, in my opinion.

I want to say further, if my party were in control of the administration and had sent to the Senate a nomination requiring the advice and consent of the Senate, and I were a Member of this body, and that nominee had declared the Republican Party to be a party of treason, I would vote against the confirmation of that nomination also.

Mr. MORSE. I want to thank the Senator very much for the position he has taken.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. MORSE. Yes.

Mr. RANDOLPH. I was not privileged to be on the floor earlier this afternoon. I shall read carefully what the Senator

has himself very carefully considered before speaking on this nomination.

This may have been covered but I wonder if I might direct attention again to page 6 of the hearing, where apparently the chairman is quoting Mrs. Luce:

> The only American President who ever lied us into a war, because he did not have the political courage to lead us into it.

Are we to understand, I ask the distinguished Senator from Oregon, that the language I have just read are the words of Mrs. Luce or which she is supposed to have used in speaking of the former President of the United States?

Mr. MORSE. Not language that she is supposed to have used; it is language she did use in describing President Roosevelt. There is no question about that. I have discussed the matter, I suppose, for 30 or 40 minutes as a part of my speech this afternoon, as a basis, in part, for my contention that she lacks the diplomatic ability we have the right to expect in anyone whose nomination as an Ambassador we are expected to confirm.

I wish to say to the Senator from West Virginia that I started with the inaugural speech of Roosevelt in 1933, when he laid down the "good neighbor" policy. Then I moved into the famous "quarantine" speech of 1937. Then I referred to extracts from his foreign policy pronouncements from 1937 to Pearl Harbor. I presented the point of view, which I think cannot be contradicted, that in speech after speech Roosevelt showed that his pattern of foreign policy was to build America's defenses for defense; that it was a defense policy for the entire Western Hemisphere; that he made clear time and time again in his speeches that fight we would if fight we must, but our aim was peace, our aim was to find some way, somehow, to put out the prairie fire that was threatening the free nations of the world, and which might result in a world war with the free nations against the totalitarian nations of Germany, Italy, and Japan.

He said he would not send American boys into a foreign war, and he did not, unless one interprets the attack at Pearl Harbor as a "foreign war."

I said, on the basis of that documentation, that I considered it to be subversive for anyone to have charged in the first place, and who still refused to retract the charge that Roosevelt lied us into a war. Mrs. Luce apologized for intemperate language, but she did not retract her charge against the President.

I cannot vote for such a person; I will not vote for such a person; and I am willing to let the record speak for itself.

Mr. RANDOLPH. Mr. President, will the Senator yield further?

Mr. MORSE. I yield.

Mr. RANDOLPH. I shall not labor the point, except that I should like to elicit again from the Senator from Oregon comment which he has already indicated to the effect that, in his opinion, Mrs. Luce apparently meant what she said in the first instance, and had no desire to alter the expression which I have read.

Mr. MORSE. She regarded the language as intemperate, but she did not retract her position that she thinks Roosevelt lied us into a war. She does not use the word "lie" again. I think the testimony makes that very clear.

Mr. RANDOLPH. Mr. President, I think it is wholesome that we in the Senate have a Member of this body [Mr. MORSE] who dissents, not merely for the purpose of dissenting, but for reasons which he believes are well founded. In this instance I have the feeling many Senators will desire to study this matter very carefully, even in the minutes that apparently remain to us before the vote on the nomination.

I thank the Senator from Oregon.

Mr. MORSE. I thank the Senator from West Virginia.

I may say to the Senator from Connecticut [Mr. BUSH] I have been asked to suggest the absence of a quorum before his speech begins. The leadership asked me to do it. I feel I should do it, unless the Senator knows of some reason why I should not.

Mr. BUSH. Mr. President, will the Senator let me get recognized first?

Mr. MORSE. Yes.

Mr. BUSH. Mr. President——

The PRESIDING OFFICER (Mr. GRUENING in the chair). The Senator from Connecticut.

Mr. BUSH. Mr. President, I ask unanimous consent that there may a quorum call without my losing my right to the floor.

Mr. MORSE. Mr. President, I suggest the absence of a quorum, with that understanding.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MORSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BUSH. Mr. President, first I wish to say that I doubt there has ever been a more severe and bitter attack upon an individual who has been nominated by a President of the United States for a high post in the service of this Government, ambassadorial or otherwise, than we have heard on the Senate floor this afternoon; and I, for one, think it is wholly unjustified and unjustifiable. I say that especially in view of the fact that the Senate Committee on Foreign Relations by a vote of 16 to 1 favorably recommended to the Senate of the United States the confirmation of the nomination.

Mr. President, so much is known about this nominee that I do not intend to address the Senate at length, but I wish to make a few observations concerning some things the Senator from Oregon has said.

I am particularly offended by his statement on page 3 of his prepared text, near the bottom of the page:

> Is she honest? Is she reliable? I am satisfied that Mrs. Luce does not meet either criteria.

Mr. President, I have known Mrs. Luce for a long time. She is a citizen of my State. She has a reputation for both honesty and reliability.

Mr. President, John Foster Dulles, the former Secretary of State, is now unhappily in the hospital and is a very sick man, but he was not sick at the time he recommended Mrs. Luce to the President of the United States. I do not believe Foster Dulles would recommend someone to the President for an ambassadorial assignment if he were not satisfied that the nominee was both reliable and honest. I also do not believe that the President of the United States, no matter what the pressures were, would assign anyone to any important post in his Government, particularly a high ambassadorial post such as the one in Brazil, unless he were satisfied in his mind and in his heart that the nominee was both honest and reliable.

Mr. President, on page 4 of the text of the remarks of the Senator from Oregon, which I have been following, there is reference to "the intertwining of Henry Luce policies and Dwight D. Eisenhower policies which have so influenced history in Asia, Latin America, and Europe," and so forth. Perhaps it is true that the editors of Time magazine have had the good sense to approve the Eisenhower foreign policies in connection with these areas, but I believe it is unfair to this administration and to the President to indicate, as the Senator from Oregon has indicated, I believe, that the administration has been largely influenced by Mr. Luce, or by the editors of Time, Life, and Fortune magazines.

The Senator from Oregon speaks of the "empire which has molded public opinion and frequently slanted the news for many years."

He says:

> It has great power to distort the truth, and it has shamelessly done so.

That is a frightfully severe attack, and, I believe, without justification.

I happen to be one who has known Henry Luce since 1919 or 1920. I knew him before there ever was a Time magazine. I watched him and Britton Hadden start the magazine, from nothing. They did not buy out anything. They started from nothing, and they built one of the finest publication houses this country has ever seen. This has had a profound effect on this country in many ways, not only in the political field but also in education, in the arts, in the theater, and many other ways.

It is hard to think of another man who holds the authority and power Mr. Luce holds in the publication field who, in my judgment, has exercised the power with such great discretion and with, I believe, full integrity, and responsibility, conscious of the fact that he is a molder of public opinion. I think our country has been fortunate to have had these magazines, with such a wide circulation and such influence, in such very able and capable hands.

On page 7 the Senator from Oregon says:

> But even more important is the manner in which the Luce family has dominated the foreign policy of the Eisenhower administration in regard to China.

I believe that this is a severe reflection upon a great Secretary of State, John Foster Dulles, who has been consistent in connection with his China policy since long before he became Secretary of State, and certainly all the time he has been Secretary of State. I do not believe any man can prove to the Senate that John Foster Dulles has been taking his color from anyone in the publication field during the years he has been Secretary of State. I think this is a reflection upon him which is most unfortunate, to put it in the very mildest terms.

On the same page of the Senator's text appears the following:

But I do call attention to and take exception to the manner in which Mr. Luce has changed the foreign policy of the Eisenhower administration, and now it is proposed that his wife be appointed officially as a member of that administration.

I have already challenged the view that Mr. Luce has "changed" the administration's policy. As to Mrs. Luce's nomination, there is nothing new about that. Mrs. Luce was appointed in 1953 to be Ambassador to Italy, and her nomination was confirmed by the Senate. Certainly Mr. Luce was not responsible for Mrs. Luce's being appointed an Ambassador of the United States. She was appointed because of her own excellent qualifications for the job, and she has been appointed to the ambassadorial post in Brazil because she has already demonstrated that she has the necessary qualifications and is able to serve with distinction and ability in one of the most important ambassadorial posts we have, namely, that in Italy.

The Senator from Oregon says on page 8:

Far more important, however, is the fact that the policies we have followed on Quemoy and the Matsus, in part influenced and certainly praised and applauded by the Luce family, have very nearly brought us into war.

I believe a better case can be made for the proposition that the policies we have followed with respect to Quemoy and the Matsus have kept us out of war; and I do not give the Luce family any particular credit for those policies, nor do I believe that they claim any.

The Senator from Oregon says on page 8:

This was a direct reversal of the Luce foreign policy and it was one of the few times that the Eisenhower administration has failed to follow that policy.

Thus he disproves what he said earlier in his statement, to the effect that the Luce family had very nearly brought us into war.

The Senator from Oregon further says:

There is nothing in her record to indicate to me that Mrs. Luce is qualified to be a diplomat.

There is so much in the record that qualifies this lady for this post that I do not wish to burden the RECORD with all the material which is available, but at this point I think it may be interesting to read into the RECORD an excerpt from the magazine Newsweek for January 24, 1955. On page 28 we find the following:

An American madonna: Mrs. Luce has now been 21 months at her post. Seldom has anyone done such a facelifting job on a hostile public opinion. Her energy and hard work have got the grudging respect of Italian officialdom. Inside the Embassy, "the Boss'" executive ability has captured the loyalty and respect of her staff. Her charm has won the affection of a large section of Italy's people. "The poor classes," as a snobbish Italian conceded, "regard her as a sort of American madonna." She has been a puissant influence for bettering Italo-American relations.

I think that is a rather significant comment from a competitive source, the magazine Newsweek.

I hold in my hand the issue of Harper's magazine for July 1955, in which there is an article by Luigi Barzini, Jr., entitled "Ambassador Luce, as Italians See Her."

Barzini is described by Harper's magazine as one of the most respected Roman journalists. Mr. Barzini was trained at Columbia University, and worked for several years on American newspapers. I ask unanimous consent to have the entire article printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the article may be printed in the RECORD as requested.

(See exhibit 1.)

Mr. BUSH. Mr. President, I wish to quote briefly from the article, because it bears on one of the points the senior Senator from Oregon attempted to make. One of the chapters in the article is headed "Will She Fall on Her Face?"

Everybody waited for mistakes. When in May, 1953, she spoke to the American Chamber of Commerce in Milan, saying what was obvious to all—that should the general elections of the following month go the wrong way, Italy would no longer receive the same amount of American aid—everybody happily accused her of having greatly helped the Communists. As a matter of fact, similar words had been quietly spoken before the 1948 elections by James Dunn, the former U.S. Ambassador to Rome, and by George Marshall, then Secretary of State—and had been plastered on all Italian walls, at the time, with excellent results.

I read that particularly because Mrs. Luce has been accused of meddling or interfering in Italian politics. It is interesting to find that this careful observer, Mr. Barzini, likens her to James Dunn and George Marshall, James Dunn having been one of the most distinguished career officers in the Foreign Service and Mrs. Luce's immediate predecessor at Rome.

I have one further request for an insertion in the RECORD. I find in the CONGRESSIONAL RECORD for January 6, 1955, an Associated Press article entitled "Mrs. Luce's Policy Hurts Reds in Italian Factories." This article was inserted in the RECORD at that time by Representative Albert P. Morano, of Connecticut. I ask unanimous consent that the article be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. BUSH. Mr. President, the Senator from Oregon said in his address:

It is true that Mrs. Luce had some moments of success during her last 2 years in Rome but if you examine her entire record, you will find that the mistakes of her 4 years far outweigh the popularity of her departing months.

I again assert that I doubt if anyone was in a better position to examine her entire record than John Foster Dulles. I have no doubt that he did so, and that others in the State Department did so. I have taken the trouble to speak with some of the career officers in the State Department about this nomination, and I find them entirely friendly to it.

Mr. President, I believe it is quite evident that Mrs. Luce's entire record justifies the appointment, and will justify the Senate in giving her nomination overwhelming approval.

I notice that when Mrs. Luce was first nominated to go to Italy, the Women's National Press Club held a luncheon in her honor.

It was a sellout. It was one of the biggest luncheons ever held in Washington. The people giving the luncheon had to turn away hundreds of people who wanted to attend in order to see Mrs. Luce on her way to that important post. For many years she has led in polls of public opinion as one of the women most to be admired in the whole United States. She was picked as one of the 10 most admired women in the United States, and she was frequently well up in the top 2 or 3 on that list of most distinguished American women.

Therefore, Mr. President, I hope that the Senate will follow the example and recommendation of the Committee on Foreign Relations, which reported the nomination favorably by a vote of 16 to 1. It would be most unfortunate for our relations with Brazil if the Senate were not to approve the nomination with an overwhelming vote. I therefore urgently request my colleagues in the Senate to give the appointment their overwhelming vote of approval.

EXHIBIT 1

AMBASSADOR LUCE, AS ITALIANS SEE HER

(By Luigi Barzini, Jr.)

(She has defied the best professional advice, made plenty of enemies, but she also has disappointed a lot of people who hoped she would make a mess of her job in Rome.)

The setting is so right it is almost theatrical. The Palazzo Boncompagni, which houses the U.S. Embassy in Rome, is a handsome Renaissance-style building, built in the late 1870's for a wealthy Roman prince—and is as genuine an imitation of the real thing as a Newport villa. In the eighties, an American Ambassador who had been a Civil War general lived there; later it was the residence of the Queen Mother—a clever and handsome blonde—who reigned over fashionable, literary, political, and official Rome until her death in 1926. There is also something ironically suitable about the location at the turn of Via Veneto, one block from the American tourists' hangout, the Excelsior Hotel, and from the sidewalk cafes where refugees from Hollywood endlessly plan movies which are sometimes made.

There, one day in April 1953, Clare Boothe Luce sat for the first time at the desk of the U.S. Ambassador to Italy, in the splendidly decorated Louis XV room which

had once been the Queen Mother's private drawing room. Behind her desk, on a pedestal to the right, was the American flag, and, to her left, her own ambassadorial flag with the 48 white stars on the blue background, which she is entitled to fly from the mast of any warship she sails on. On her desk she could read her favorite prayer, written in ye olde tea shoppe's script and suitably framed: "Lord, Thou knowest I shall be verie busie this day. I may forget Thee. Do not forget me" (Lord Astley before the battle of Edgehill). (On a side table she later placed a motto, "And above all, not too much zeal." (Talleyrand), perhaps not so much to remind herself of its advice as to prevent other people from offering it to her.) At the end of the room there was the conference table for staff meetings, with a large map hanging over it, a projection of the hemispheres seen from the North Pole, indispensable for global thinking.

The Embassy staff of more than a thousand employees, American and Italian, were breathlessly alert for new orders. Official Rome was curious, amused, and skeptical—waiting for the new U.S. Ambassador to make a fool of herself and go home, so that serious business could be resumed. Jokes and gossip had preceded her arrival. Nobody believed the Luce experiment would last long. It was said that she had accepted the job as one does a decoration, something to add to her official biography.

NOT TOO MUCH ZEAL

All this she knew. And she knew also that she was facing one of the most difficult countries to understand and advise. (Italy is nobody's oyster. Curzio Malaparte said that Mussolini told him in despair: "To govern Italy is not only impossible. It is useless.")

If this had been 1903, or even 1913, the job would have been a sinecure. In those days, the United States, aside from some set views about a few particular problems, had no foreign policy just as it had no cognac. It bought the best, whenever it needed it, old French brandy and matured Downing Street views. The American Ambassador in Rome had little to worry about. He was usually a distinguished but elderly businessman, who sat at his desk a couple of hours a day, and spent the rest of his time visiting churches and museums, exploring late archeological finds, or riding to hounds with his French, British, and Imperial German colleagues. He frequented the Royal Court with an eagerness and cordiality which only stanch Republicans could afford to show and was great friends with the Roman aristocracy, who owned the most stupendous palazzi and the best cooks. There were few problems to deal with, mostly related to postal rates, immigration, commerce, navigation, and sanitary precautions.

Even in April 1953, had Clare Booth Luce been another person—a career diplomat or the woman many people who did not know her thought she was—the job might still have been a fairly easy one. There is no longer a Royal Court, of course, where she could play the part of the American grande dame; there are no brilliant military parades of the King's Guards, the Piemonte Reale Dragoons, or other historic units. (What is left of the Army is now dressed in NATO khaki and rides in Italian jeeps.)

Still, Rome is one of the last great capitals. There is the oldest and closest society in Europe, with names reverberating down the corridor of centuries, with immense palazzi in town and ruined family seats in the country, where dinners are still served by bewigged and powdered flunkies in 18th-century liveries, one for each guest, and where an empty throne, covered with red damask, always waits for the Pope's visit. There is, of course, the pomp of the Vatican court and the pageantry of church functions. There are scheming dowagers, subtle Monsignori, shrewd politicians, clever writers, and some of the most handsome and best dressed men of this drab era, who still know how to court a woman of rank in an unobtrusive but dangerous way. Rome teems with gossip and intrigues, fascinating to follow or to try one's hand in. Everybody sooner or later comes through Rome. It is beautiful, decayed, skeptical, carnal, energetic, and immortal.

Sir Victor Mallet, who was the British Ambassador at the time, told Mrs. Luce, when she arrived not to worry, to go to the office only in the morning, see as few people as possible, leave everything to her staff, read no official reports or memoranda, take long siestas, and enjoy herself in the afternoon. Rosie von Waldeck, a good friend who stayed with her a while, sharply reminded her of the working habits of the German Ambassador to the Kremlin in 1917 and 1918: he slept all day, gave parties every night, and moved in the inner circles of the Revolution by entertaining Bolshevik leaders till dawn, having discovered something which has since become well known, that Communists are almost always snobs. Talleyrand's advice about zeal also was quoted, during those first months, till she and her husband winced.

THE STAGE, THE WORLD, THE CHURCH

Of course Mrs. Luce could do none of these things. Her appearance is deceptive to Europeans. She looks like an idle, soignée lady, simply but smartly dressed, bearing herself with almost queenly dignity. The hair is silky blond, the eyes are water blue and worried, the pale face has something medieval and Flemish in its stiffness, which, of course, could also be New England and Puritan. Her manner is "society": she is almost always extremely kind and often listens to the answers to her questions. For a well known satirical playwright, her repartee is remarkably subdued: she rarely allows herself the satisfaction of a good biting line.

The real woman is something quite different. Italians know little or nothing about her meager and severe childhood and the contrasting home environment of culture which bred in her a fiery polemic quality. The daughter of a violinist, William Boothe, who made a modest living, and the granddaughter of a Baptist minister, she grew up in Old Greenwich, Conn., attended Saint Mary's school in Garden City, N.Y., and later Miss Mason's in Tarrytown.

Theoretically, she might have become a pro-Roosevelt leftist, but her personal fight against vested interests took a conservative turn. During a European tour in the 1920's with her mother and stepfather, Albert E. Austin, an ex-Congressman, she was stirred by the battlefields, the hospitals, and the devastating inflation. She decided to become a journalist so that she could "really do something about it." She later went to work for Mrs. O. H. P. Belmont in the cause of equal rights for women and flew in rickety planes distributing handbills from the air "to help make women's influence felt more strongly in American politics."

Her marriage to wealthy George Tuttle Brokaw went on the rocks in 1929, and she started her career in journalism. She got a job at Vogue and then moved on to Vanity Fair, becoming managing editor in 1932. A year later she published a book, "Stuffed Shirts," a satire on tycoons and socialites, written not (as a leftwing liberal would have done it) from the sidewalk looking into the lighted windows but scornfully from the inside. "The Women," her most successful play, which was presented on Broadway in 1936, attacked the vulgar new rich, and "Kiss the Boys Goodby," struck at the illusions of the intellectuals of the appeasement era. When, in 1939, her third play, "Margin for Error," started a longish run, it was the only successful anti-Nazi play on Broadway. Her attacks against contemporary society all tended to be fundamentally in defense of traditional values.

In 1935 she was married to Henry R. Luce, head of the Time-Life empire, but, restlessly active, she continued to write new plays, articles, books. After war broke out she became a correspondent for Life. She made tours of the Philippines and of India, Burma, and China, and in 1942 was elected Representative from Connecticut. The first woman member of the House Military Affairs Committee, she had seen more of the war than any of her male colleagues. During her 4 years in Congress, she was energetically in favor of military preparedness, foreign aid, admission of refugees, equal rights for Negroes, fair employment practices, and a healthier relationship between labor and capital. Assuming the role of Cassandra, she attacked appeasement of Soviet Russia, battled against the Yalta and Teheran agreements, and warned her countrymen against Russia's aggressive aims long before this campaign became fashionable.

To the vast surprise of the public, she became a Catholic convert in February 1946, shortly after the death of her daughter in an automobile accident. She explained her spiritual vicissitudes in "The Real Reason," published the next year. At the end of her political career she resumed her writing and lecturing, this time with a new point of view, the Catholic conception of life—in which she had found a coherent framework for many of her past convictions, and to which she added a stern and uncompromising tendency to battle against all sins, errors, and misconceptions, which is more Puritan than Roman. (In Italy she discovered that most people were unconscious Catholics, thought little about the religion which is part of their lives, and sometimes made jokes about the cardinals and the Pope. "I go to mass every morning," she said. "I seem to be the only one.")

Her literary activities came to an end, for the time being, when she started campaigning for Gen. Dwight D. Eisenhower's election. She did all she could to secure his nomination, getting herself sent as a Connecticut delegate to the Republican convention in Chicago in 1952. At the end of the year Eisenhower appointed her Ambassador to Italy.

THE AMBASSADOR WHO WORKS

No, when you know how she got there you cannot imagine Mrs. Luce in Rome taking afternoons off and, like a seasoned diplomat, letting things flow their fatal way. To begin with, the American Embassy is unlike any other in Rome. It is the only organization in the whole city where nobody takes a nap in the afternoon: after lunch, on hot summer days, it hums with life, when the streets are empty and the shops closed. American office routine keeps mountains of mimeographed paper circulating from room to room, most of it arriving sooner or later on the Ambassador's desk.

Complicated problems arise daily. The U.S. Ambassador in Rome is responsible, among many things, for the operation in Italy of the Foreign Operations Administration, the mutual defense assistance program, the military assistance advisory group, the U.S. escapee program, the U.S. Battle Monuments Commisison, the U.S. Information Service with branches in the principal Italian cities, the U.S. narcotics attachés office, the treaty claims office, the Navy Purchasing Office, the veterans office, the American Commission for Cultural Exchange with Italy, the U.S. foreign building operations, the Army, Navy, and Air Force attachés, the Foreign Agricultural Service, the U.S. representative in Trieste, and consular offices in the principal Italian cities. The Ambassador is the only person who can give American policy in Italy a uniform direction. From

any one of these offices can come, any day, unexpectedly, the big blunder which might wreck U.S. policy in Italy and embarrass the President. They must be watched.

Her typical day is easily the most strenuous in Rome. Between 8:30 and 9:30 she handles personal matters with her private secretary at Villa Taverna, the handsome Renaissance villa owned by the Department of State for the residence of the Ambassador. Between 9:30 and 1 o'clock she is at her desk at the Embassy, each quarter of an hour filled with calls, staff meetings, briefings, perusal of decoded telegrams, and dictation. Lunch at her residence is always official; she invites Italian politicians, Ministers, other Ambassadors, and members of her staff, in turn, to discuss current events and problems; any visiting American who has a valid introduction to her; former colleagues in the House of Representatives; friends from Washington (a term which includes most Members of both Houses, the administration, the Pentagon, and National Press Club) who happen to be traveling through. Clare Boothe Luce is now considered one of the sights of Rome like the Colosseum and St. Peter's. She carefully receives everybody. The number of Italians she manages to see is enormous: industrialists, bankers, princes, Socialists, labor leaders, journalists, astronomers, actors, and musicians.

Business is resumed at her office at 3:30 and goes on till 7:30 or 8 o'clock. Almost every evening, between 7:30 and 9, she must appear at a diplomatic cocktail party or two. At 9, she presides over a large formal dinner at Villa Taverna, unless she is somebody's guest at a similarly formal dinner party elsewhere. Bedtime comes at indefinite hours, before midnight if she manages to disappear inconspicuously, much later sometimes if she is interested in the information she can get from her guests.

Very seldom she manages to run away and have an early small dinner in a trattoria with a few people she really wants to talk to, an old friend, a writer, a clever and well-informed diplomat. The only sure way to get her to accept a dinner invitation is to ask her alone with a handpicked group of men who know all the answers, the kind she would want to talk to if she were still an active journalist. Her knowledge of Italian is sufficient for her to follow the conversation and to answer with slow, faltering, but exact words. She studies the language in her spare time, on Sunday morning or before going to sleep at night, often by listening to recent Italian books or articles, recorded for her on magnetic tape. Her knowledge of French is better than average.

Most of her days vary from the typical. Last autumn, in 2 weeks picked at random, she went to Salerno to view flood devastation, spoke to every patient in every hospital, and arranged to have 14 American military trucks full of emergency supplies sent from Leghorn. The following day, in Naples, she stamped the 10,000th visa under the refugee relief program, on an Italian immigrant's passport. Back in Rome, she awarded the Legion of Merit on behalf of the President to Gen. Aldo Urbani, on his last day as Chief of Staff for the Air Force; gave a friendship dinner for top Italian, British, Yugoslav, and American officials; then, on the same evening, attended the Marine Corps birthday celebration ball, where she cut the cake and played the trap drums.

During the same period she also reviewed American troops in Leghorn, flew to Sardinia for a 2-day program of ceremonies, and attended the regular number of national holiday receptions at other embassies, exchanged half-a-dozen protocol calls with newly arrived diplomats, appeared on TV, and spoke on the radio for welfare appeals, had several meeting with Admiral Fechteler, commander in chief, southern Europe NATO, attended official dinners and luncheons, and carried on routine Embassy work during her stays in Rome.

If Mrs. Luce possessed the strength of a horse, all this extra work would be understandable. But she is frail and always looks as if she needed a long vacation in some mountain village, among cows and waterfalls, to regain her strength. She drives herself relentlessly. She smokes too much. Trained in journalism, she is constantly on a deadline, trying to define indefinable situations, to suggest plans of immediate action, to resolve impossible dilemmas. In a city where days, months, years do not matter, where decisions are postponed in the hope that the lapse of time will make them unnecessary, she seems to be the only person who hears the ticking of history's meter. At the most frivolous moment, during a cocktail party, at a ball, she will take somebody aside and fervently ask:

"Now, this is a vital question. I would like you to answer only after you have thought about it. What do you think of Don Sturzo's latest pronouncement?" or, "What do you think of the latest vote in Parliament?"

HENRY LUCE BY HENRY JAMES

The best of the bargain is Henry Luce's. In Rome he lives the life he had wanted to live for years. He had often said, "Someday I will go to Europe, to Asia, anywhere, and study one country, not just move from place to place. Learn the language, get to know the people, their philosophy of life, their hopes, past and present." The Italy he has come to is a fascinating and irritating place, rich with experience, crackling with the challenge of communism.

Luce unconsciously fell into the role of a Henry James character, the honest, straightforward American, defending and promoting the simple ideas Americans abroad believe to be theirs above all: courage, private initiative, responsibility, honesty, independence from government aid and interference. He is often asked to speak, mostly at businessmen's gatherings, and always takes great pains to explain his message, warning Italians about government encroachments, encouraging them to rely on their own strength. His speeches and his private conversations carry great weight. He was given the honorary rank of Minister, for correct placing at dinner tables. Though he follows political developments closely, he says: "I only help Mrs. Luce at social gatherings. I pour tea."

In reality he carries out a leisurely and unofficial flanking action, often doing things and making contacts which would be awkward for her. (He is very proud of her. He heartily concluded a speech with the words: "Thank God for the American Ambassador.")

He has organized his life in order to be in Italy half of the time, having discovered that his publishing business can be run efficiently from a distance. In Rome his telephone does not ring as often as in New York, his editors can communicate with him only by cable or by letter, appointments are fewer. In Rome there is more time to talk to American "personalities" than in New York or Washington; in Italy they have nothing much else to do. He can study long-range plans, examine editorial policy, and do some writing. Copies of his magazines reach his desk by airmail 1 or 2 days ahead of publication date in America.

He has hired an office in Corso d'Italia, a couple of doors from the Communist Confederation of Labor, with large windows overlooking the ancient trees of Villa Borghese. (He could not work in the Embassy, of course, and he did not want to embarrass the Rome office of Time and Life with his presence.) He has a small staff, one assistant, three secretaries, one chauffeur, and errand boy. He takes Italian lessons, reads the Bible in Italian (the fact that he knows it in English almost by heart helps) and reads Italian versions of well known nursery tales. He loves a long lunch with a well-informed Italian who tries to answer his many questions, ranging from ethics to theology, from politics to the culinary art, which come down to one: the fundamental difference between Protestant, industrial, modern America as represented by Henry Luce and Italy as represented by his guest. When he travels, he takes on one city at a time, planning with care and seeing everybody worth knowing.

Mr. Luce really has the beautiful time U.S. Ambassadors enjoyed half a century ago. He studies only the problems that really interest him, can see anybody in Italy by merely expressing a desire, or call on the Time-Life staffs all over the world to dig up background material and follow developments in a particular field.

In the privacy of their apartment, the Luces debate all details of U.S. policy in Italy. They do not always see eye to eye. Clare Boothe Luce is a self-confessed pessimist who does not allow her doubts about the final outcome to interfere with her activity. Henry Luce is an optimist, impatient with the warnings of old Italian hands and professional diplomats. He likes to say: "There is really no problem in this country which a little courage and some effort cannot solve." When a course of action is suggested, he always asks: "What good will come of it?" She wants to know: "What's the worst that can happen?"

Final decisions, of course, are Mrs. Luce's, because hers is the responsibility. The expenses, which are extremely heavy—to run an Ambassadors' residence with 19 servants, 6 gardeners, and a dining room seating 42; to dress the Ambassador appropriately; and to add to the Luce collection of Impressionists and Chinese art—are his, because his is the money.

HOW WELL DOES IT WORK?

The impact of the Luce household on recent Italian political developments is difficult to estimate. How successful is the Luce experiment—not merely of placing a woman in a responsible diplomatic post (something which the Russians really invented long ago) but of placing this particular woman, backed by her husband's power and advice?

There is, of course, something mechanical in the operation of international affairs which should not be underestimated. State Department decisions, plus the U.S. Defense budget, have their inevitable influence on Communist power. To be sure, the Luces are very popular—everywhere they go they are followed like movie stars; composers dedicate songs to her; poor people write hundreds of letters a day to her asking for help; all kinds of gifts pour into the Embassy. This prestige is partly their own, because of their obvious interest in the welfare of the country. But it is also the United States in general. To most Italians Mrs. Luce is "America," a female personification of a great friendly country, the symbol of hope in a world of dispair. Nevertheless, it is fair to admit that, perhaps not propter hoc, the situation has radically changed in Italy since the Luces arrived.

Claire Boothe Luce came to Rome intimidated by the size of the task she had set for herself. Moreover, she was naturally embarrassed by the dangerous vicinity of the Vatican. Many Americans were afraid their predominately Protestant country would become involved in popish intrigues; many Italians were afraid the Christian democratic hegemony would be reinforced with American help; and Vatican circles were afraid that American Catholic political trends might predominate in Italy, through the offices of the American Ambassador. (The Vatican is slightly to the left of Cardinal Spellman.)

But Mrs. Luce never visited the Pope and saw him only from afar at great pontifical

ceremonies, when all the diplomatic corps is invited. Once she came within a few feet of him, during the inauguration of the North American College. Pius XII, walking through the crowd waving his hand in blessing, suddenly saw her and moved as if to come nearer. She looked nervously at the news photographers and hid behind some fat prelates. The Pope, probably understanding her gesture, walked on.

However, she does see the Pope's two nephews, Carlo and Marcantonio Pacelli, who are personal friends. She sees almost all the American bishops and archbishops, when they come to Rome for their ad limina visits and ask to be received. She cannot refuse them. A U.S. Senator, who had opposed her appointment on the ground that she was a Catholic convert, recently wrote her a letter asking her to see that a nephew of his, traveling through Italy be received by Pius XII. Mrs. Luce enjoyed answering that she could not grant the request, as she had no contacts whatsoever with the Holy See. For all other American visitors, however, audiences are arranged informally by an Embassy official, as a matter of routine.

The tasks she had set herself to do in Italy were primarily three: Communism had to be defeated, the Trieste problem settled, and the country solidly embedded in the Western military alliance. The Trieste question was the key, for it prevented a vigorous, independent, and clearly understood foreign policy of collaboration with Yugoslavia and smaller Eastern Mediterranean nations. At the same time, Italy's participation in Western defense was flabby and halfhearted because of the large Communist opposition and because of the presence on Italian soil of British and American occupation troops. In applying her energies to finding an acceptable solution to the Italian-Yugoslav dispute, Mrs. Luce prodded the Embassy, the State Department, and the Foreign Office for months. When, after more than a year of negotiations between the two countries, the Trieste albatross was cut from the Italian Government's neck, the settlement was widely conceded to be a victory for the Ambassador.

Her efforts to force the Italian Government to adopt a more vigorous anti-Communist policy have been less successful. She pleaded first with the late Prime Minister de Gasperi and with Pella later; lately she has been after Mario Scelba. Their answers have always been evasive. Yes, Madame was right. The problem was an urgent one; not a day should be lost. Still nothing was ever done. She was baffled by the apparent lack of determination she found in most everybody.

"What can be done?" she would dramatically ask her friends. "What can I, what can the Government of the United States do?"

The reasons why nothing could be done right away were many. Communists in Italy control one-third of the electorate and are not merely a foreign-dominated conspiracy but also the largest and most powerful labor party, the only one which actively defends the workers' interests. Any violent anti-Communist policy would remind people of fascism, repugnant to the new, postwar political leaders, whose authority comes from their long stand against Mussolini. What the Government fears most is the Communists' charge of being subservient to American orders.

Finally, the Christian Democrats have resented the publicity she has given to their weakness and to the Communists' gains, naturally preferring to play up their modest achievements. The American Ambassador could not bear to waste time on subtle diplomatic maneuvers, but dramatically advertised the danger of communism in every possible way—in her speeches, in off-the-record talks to Rome correspondents, in conversation, and, when in Washington, in leaks to a few favorite columnists. She has been ably helped in all this by her husband. Between them they certainly have helped to create a new atmosphere in Italy, a widespread feeling that something must be done quickly.

In a few cases the Embassy has intervened more directly. For example, the United States is paying for a considerable amount of military equipment, manufactured in Europe, for the use of the NATO forces, under the so-called offshore procurement program. Until recently all such contracts were awarded, almost automatically, to the lowest bidders. But in Italy several contracts have been withheld from firms where the workers were under the domination of Communist leadership—with the result that the Communists have lost ground in a number of recent trade union elections.

The real obstacles in her path must not be underestimated. A beautiful and ambitious woman, with the backing of a powerful government publicity organization, she soon won the crowd. But leading Italians, jealous of male prerogatives, resented her dominant position. At first she provoked hostility from every quarter. Palazzo Chigi officials treated her gingerly, as one more American oddity, a strange joke. Women, of course, hated her. Foreign diplomats derided her informal, enthusiastic, and revolutionary methods of doing business. Roman high society, Papal aristocracy, and the newly rich found her not sufficiently flattered by their invitations, which she seldom accepted. Ordinary people were irritated by the royal splendor of her life, the many servants, the jewels, and the beautiful clothes.

Communists made her the butt of all their jokes: for them she was enemy No. 1. Togliatti called her "a poor old lady" and accused her of bringing bad luck. (She complained: "The government defended me from all his false charges but nobody remembered to deny that I am an 'old lady'.") Anti-Communists resented her open and tireless nagging. Fascists called her a "decadent democrat," democrats and progressives accused her of trying to revive Fascism. The British too were alarmed. They thought that, by her efforts to bring about an Italo-Yugoslav rapprochement, she was endangering the subtly engineered equilibrium of forces in the Mediterranean. The British press kept alive the story of her imminent resignation.

WILL SHE FALL ON HER FACE?

Everybody waited for mistakes. When in May 1953 she spoke to the American Chamber of Commerce in Milan, saying what was obvious to all—that should the general elections of the following month go the wrong way, Italy would no longer receive the same amount of American aid—everybody happily accused her of having greatly helped the Communists. As a matter of fact, similar words had been quietly spoken before the 1948 elections by James Dunn, the former U.S. Ambassador to Rome, and by George Marshall, then Secretary of State—and had been plastered on all Italian walls, at the time, with excellent results.

She passed another difficult moment when L'Europeo (a pro-Government, anti-Communist weekly) printed what was purported to be an off-the-record speech she had made to American journalists at a Mayflower Hotel luncheon in Washington in the summer of 1953. Some of the things attributed to her sounded authentic, a few were obvious examples of distorted reporting, others were plainly absurd. The opposition press attacked her violently. Professional diplomats deplored her outspoken language. Her remarks to Mr. James Reston of the New York Times, on the predominance of Communist trade unions in the Italian plants working for U.S. defense projects, provoked further objections.

As the months passed, Mrs. Luce learned to hide her hand more and to abide by some of the traditional rules of the diplomatic craft. Veterans grudgingly admired her fast flying trip to Rome, in the summer of 1954, to be present at the funeral of Alcide De Gasperi, when she forced all other Ambassadors to leave beaches and golf links to follow suit. It was a good political gesture, especially since she and De Gasperi had not got on well together. At the funeral she found a clever way to express her regrets. She said: "Maybe De Gasperi's death is a gain for Italy. All countries must have a past, a present, and a future. Democratic Italy had no past. Now the memory of her late Prime Minister is her past."

In the United States, the deadline for the administration may be 1956. In Rome, as everybody knows, it is the Italian general elections of 1958. Three years are not enough to solve Italy's fundamental problems, but they might be enough to put the Communists on the defensive. There was substantial evidence early this year that the Scelba Administration was waking up. In December 1954, about 20 months after Mrs. Luce arrived in Rome, the Cabinet finally determined to fight Communists wherever they endanger the free institutions of the Republic: (1) to eliminate them from important posts in the ministries, the police, and the armed forces; (2) to curtail their monopoly of exports and imports across the Iron Curtain and their stranglehold on tax collections in municipalities under Communist Party control; and (3) to threaten diplomatic breaks with Communist satellites which continue anti-Italian broadcasts written by Italian Communists in Rome.

This sudden brave stand on the Scelba government was due to several factors. The new Soviet foreign policy based on "coexistence" shackled the Italian Communist Party for the time being, forbidding attempts to seize power legally or illegally. Then, too, the party has been weakened by internal squabbles, the illness of Palmiro Togliatti, the Communist boss, and apparently by a first small infection of disillusionment among the rank-and-file workers. Hence it is safer to oppose the Communists. At the same time, the Scelba leadership—criticized on all sides for its feebleness and confronted by a new challenge by the election in May of a leftist President of the Republic—was prodded into a little more vigorous action.

Nothing, to be sure, is constant in postwar Italy—but since 1953 the will to resist communism undoubtedly has steadied. It is equally indisputable that one reason for this change has been the persistent pressure of Clare Boothe Luce and her formidable husband. Moreover, so long as they remain in Rome, it is a safe guess that the exertions of the blonde lady of the Palazzo Boncompagni will be unflagging—and by far the most dramatic American performance Rome has ever seen.

EXHIBIT 2

MRS. LUCE'S POLICY HURTS REDS IN ITALIAN FACTORIES

ROME, December 26.—A U.S. policy of no aid contracts for factories dominated by Red workers is hitting Italian communism where it hurts.

More and more the men at the benches are voting for non-Communist representatives in shop elections. They want work—and Uncle Sam is handing out no offshore procurement contracts where the Communist-controlled Italian Federation of Labor is in the saddle.

U.S. Ambassador Clare Boothe Luce pioneered this get-tough policy 4 months ago. She ordered an $18-million ammunition contract canceled after Communists gained strength among workers of the Officina Vittorio Meccanica, near Milan.

Two months later, to prove that the United States meant business, a second contract was withdrawn at Palermo, Sicily. For $7,528,000, this order would have provided Italy with a new 1,500-ton destroyer escort at American expense. Cancellation came after factory workers increased the Communist majority on the factory committee even after the U.S. order.

LEADER WORRIED

Prime Minister Mario Scelba is a Sicilian, and his Christian Democratic government is worried about Communist gains on the island. Neither wanted unemployment. As a result, Italy blunted the moral impact of the American cancellation by letting a big contract to the Palermo shipyard.

Nevertheless, word got around among Italian workers fast.

Ever since World War II the Communists have controlled the Italian Federation of Labor (CGIL), which claims 3½ million members. This is nearly double the membership in anti-Communist labor groups.

The Communists have been able to wield their strength by electing Communist-controlled workers' commissions in the factories. Shop stewards and union officials chosen for office were handpicked from the Italian Communist Party, which has 2 million members and is the largest outside the Iron Curtain.

Now the workers know there will be no offshore procurement orders for factories whose workers vote these Communist commissions and union officials into office.

U.S. officials report that since Mrs. Luce's crackdown factory elections have been running strongly anti-Communist. Anti-Communists have won even in many former Communist strongholds, they say.

Only last week there was a dramatic example. Fiat's big "Avio" aviation parts plant near Turin had a Communist-controlled workers' commission in the past. Last week the workers voted again—1,920 against the Communists and only 77 for them. The Reds failed to win a single seat on the 20-member commission.

TO PROTECT CONTRACTS

Experts concede that a man might vote for a non-Communist factory council in self-interest, to protect the contracts which keep him employed, while still voting Communist in national elections.

But they say once Communist discipline is broken, the tendency is for workers to swing away from the Communists in more and more ways. Many voted for the Communists because they believed Red-led unions were the most militant defenders of their economic interests. Now that the workers see their economic self-interest lies elsewhere, according to this line of reasoning, there should be a growing trend away from communism among them.

Behind the scenes, the United States is quietly trying to assist this shift by persuading Italian employers that improved treatment of workers, as well as more workers' benefits, will bring increased production and cut Communist strength.

Italian industry is notorious in Europe for backward labor practices, although there are such bright spots as the Olivetti company. In the last 2 years, under quiet American pressure, such firms as Fiat have stepped up workers' benefits and improved labor relations.

Mrs. Luce also authored this affirmative policy. Firms with good labor relations and practices are more likely to get U.S. aid contracts than others. Knowing this, the smart industrialists are getting their labor practices into line.

The results in employee good will is beginning to show gradually—and that, too, means fewer Communist workers in Italy.

Mr. CLARK. Mr. President, with some regret I rise in opposition to the confirmation of the nomination of Mrs. Clare Boothe Luce. She is a charming and attractive woman, intelligent and well informed on almost all public affairs.

Nevertheless I believe her confirmation as Ambassador to Brazil should be rejected by the Senate. In my judgment the standard of ability and of qualifications of our Ambassadors to foreign posts in recent years has fallen too low. This is particularly true of the so-called political appointees of the Eisenhower administration. I am not one who believes that all appointees to ambassadorships should necessarily come from the Foreign Service. I believe it to be appropriate from time to time to appoint to such posts eminent citizens from outside the Foreign Service.

I regret very much that in the past it has been impossible to appoint individuals of great ability, both within and outside the Foreign Service, to posts of diplomatic importance because the cost of living in the country where those posts are located has been higher than such individuals could afford, and Congress has been too niggardly to provide adequate representational allowances.

Nevertheless, when we come to confirm the appointment as Ambassador to an important diplomatic post—and Brazil is a most important diplomatic post—of someone who is not in the regular Foreign Service, I believe we should look very carefully at the qualifications of the individual for that particular post.

I say with some regret that in my judgment Mrs. Luce at the moment knows no more about Brazil than the ordinary reasonably well informed American citizen knows about it; and I say that that is not enough. We should not send to Brazil someone who is not in the Foreign Service, who is just beginning to learn Portuguese, who makes it clear that in all likelihood she will be fortunate, able woman though she is, to carry on a very meager conversation in the language of the country, and who was the first to admit with all candor at the hearing in the Foreign Relations Committee that she had no special competence with respect to Latin-American affairs in general, and Brazil in particular.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. CLARK. I am very happy to yield to the distinguished Senator from West Virginia.

Mr. RANDOLPH. The Senator speaks about the hearing before the Committee on Foreign Relations on the nomination of Clare Boothe Luce. I call the attention of the Senate to the fact that the hearing was held on April 15.

Mr. CLARK. That is correct.

Mr. RANDOLPH. We were 8 days in session, almost day and night, in considering the labor-management reform bill. I inquire of the Senator when the transcript of the hearing was available to Members of the Senate.

Mr. CLARK. I wish I could answer my friend from West Virginia, but I cannot do so. I can only say that we were engaged actively all last week on the labor bill, right down to the time of the final vote late on Saturday afternoon. I had no opportunity to give any attention to this matter until today.

I attended a hearing today at which of necessity I had to preside. It was a hearing before the Committee on Labor and Public Welfare. I was in the hearing from 10 this morning until about 2:30 this afternoon. I was then advised that the Senator from Oregon was making a speech in opposition to the confirmation of the Luce nomination. I came to the Senate and found on my desk a copy of the hearing. That was the first time I saw it. I have been able to read through it rather hurriedly. Of course, I did follow the matter in the public press to some extent.

I regard the nomination we are called upon to vote on as a very important one indeed. I am confident that at this time not one-tenth of the Members of the Senate have had an opportunity to read the transcript of the hearing if they see fit to do so, at a time when the long and able and well documented speech of the Senator from Oregon is not available to any Senator who was not on the floor at the time it was delivered. I came to the Chamber during the course of his remarks, and I heard only a part of them. I regret that his request that action on the nomination be held over until tomorrow so that other Senators might read his speech and read the RECORD and come to their own mature, personal judgment on the nomination, has not been granted.

I do not wish to attempt to criticize the leadership. Nothing is farther from my mind. The leaders have their problems, and I know what they are. I merely express on the record my regret that we do not have an opportunity to give this important nomination the careful attention to which I believe it is entitled.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. CLARK. I yield to the distinguished Senator from Oregon.

Mr. MORSE. In line with the comment of the Senator from West Virginia, I am in a rather embarrassing position, because during the course of my remarks I did say I hoped that action on the nomination might go over until tomorrow. I would be willing to enter into an agreement to vote on the confirmation at a time certain tomorrow. What I have said should show my good faith that I want to vote on the question and not delay a vote on it. However, I believe that in view of the terrific workload we had to carry last week, and because Senators have not had an opportunity to study the issue, we should try to reach an agreement to vote on the nomination at an hour certain tomorrow, perhaps 2 or 2:30, or 3 o'clock. I care not what time is set.

Mr. CLARK. I share that view of the Senator from Oregon. I know that the majority leader is in the Chamber and has heard our comment. I am sure he will make up his own mind as to what should be done about it. Does the Senator from West Virginia desire that I yield further to him?

Mr. RANDOLPH. Yes. I appreciate the Senator's yielding to me. I do not

wish to be picayune about the approach to the problem. In my opinion it is a problem. The Members of the Senate were engaged practically throughout every day and into the night all of last week on the labor bill, and we have received only today the printed hearing on the nomination which is now before us.

All of us have not been privileged to listen to the documented speech which I understand was made by the distinguished senior Senator from Oregon. I heard only portions of it late this afternoon. I feel that the matter is of importance not only to the Senate as a whole, but also is of vital importance to the individual Senators, because each of us has a responsibility in a matter of this kind. I hope we may have the opportunity to read the hearings and also to digest the speech made by the Senator from Oregon.

Mr. JOHNSON of Texas. Mr. President, I have no objection to anyone reading the hearings and the RECORD who wishes to do so. The hearings have been available for some time. The committee considered the matter in great detail.

Mr. CLARK. Mr. President, I take it that the Senator from Texas wishes me to yield to him. I am happy to yield.

Mr. JOHNSON of Texas. I thank the Senator from Pennsylvania.

Mr. CLARK. Would the Senator from Texas mind telling us when the hearings were made available?

Mr. JOHNSON of Texas. I do not know.

Mr. CLARK. I do not think they have been available for some time.

Mr. JOHNSON of Texas. If the Senator from Pennsylvania does not want to yield to me, I will wait and use my own time.

Mr. CLARK. I am happy to let the Senator make his statement.

Mr. JOHNSON of Texas. Since the Senator is happy to do so, I can say that I have been informed by the distinguished Senator from Montana that the hearings have been available for some days. That is number one.

Number two: I was informed that the report by the committee was unanimous, with one exception.

The distinguished Senator from Arkansas [Mr. FULBRIGHT], the chairman of the committee, voted for the confirmation of the nomination.

The distinguished Senator from Montana [Mr. MANSFIELD] voted for the confirmation of the nomination.

The distinguished Senator from Alabama [Mr. SPARKMAN] voted for the confirmation of the nomination.

The distinguished Senator from Minnesota [Mr. HUMPHREY] voted for the confirmation of the nomination.

The distinguished Senator from Louisiana [Mr. LONG] voted for the confirmation of the nomination.

The distinguished Senator from Tennessee [Mr. GORE] voted for the confirmation of the nomination.

The distinguished Senator from Massachusetts [Mr. KENNEDY] voted for the confirmation of the nomination.

The distinguished Senator from Ohio [Mr. LAUSCHE] voted for the confirmation of the nomination.

Senators from all sections of the country, and representing all viewpoints, voted for the confirmation of the nomination.

So far as I am concerned, I do not care whether the nomination is voted on today or tomorrow or the next day. Each Senator has his own idea as to when will be the best time to vote on the nomination.

I asked the Senator from Oregon whether he preferred to have the Senate proceed with the nomination before or after the appropriation bill was taken up. He said he did not have any preference. I finally concluded, since the matter had been put off from last week until today, in order that Senators might have adequate notice, that perhaps we should move on and try to dispose of the nomination today.

I am not disposed to ask the Senate to remain in session past 6 o'clock this evening, although the majority has the responsibility to act on nominations and to take up bills which the Policy Committee cleared today, and although there is a good amount of proposed legislation waiting for action, I see nothing which would really suffer by having the nomination go over until an hour certain, such as 2 o'clock tomorrow afternoon, as suggested by the Senator from Oregon. Therefore, I ask unanimous consent that the Senate proceed to vote on the nomination of Mrs. Luce at 2 o'clock tomorrow afternoon.

Mr. CLARK. Mr. President, I am happy to yield to the Senator from Texas so that he may propound the unanimous-consent agreement, with the understanding that I do not lose the floor.

Mr. DIRKSEN. Mr. President——

Mr. CLARK. Mr. President, does the Senator from Illinois desire to have me yield to him?

Mr. DIRKSEN. Yes.

Mr. CLARK. I am happy to yield.

Mr. DIRKSEN. I thought my recollection was correct, and I find, upon checking, that a copy of the hearings was delivered to the office of every Senator on April 18, which was 10 days ago. So the hearings have been available for any Senator to peruse and examine, had he desired to do so.

Mr. CLARK. I do not wish to challenge the statement of the Senator from Illinois. I know that he tells only the truth, both on and off the floor. All I can say is that I saw the hearings only a short time ago, and I think that is the case with many of our colleagues.

Mr. DIRKSEN. I simply made the suggestion so that it would be a part of the discussion. If the matter needs any checking, Dr. Marcy, the very efficient chief of staff of the Committee on Foreign Relations, is on the floor. He knows when the hearings were concluded. So it is not a question of the veracity of the minority leader; it is a question of fact.

Mr. CLARK. The minority leader knows that I was not challenging his veracity at all Perhaps I could have gotten a copy of the hearings earlier, if I had wanted them.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Pennsylvania yield, so that the Chair may put my proposal before the Senate?

Mr. CLARK. I am happy to yield.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Texas? The Chair hears none, and it is so ordered.

Mr. JOHNSON of Texas. Mr. President, the Senate will remain in session for some time, until 6 o'clock or 7 o'clock this evening, or for as long as Senators may desire to discuss the nomination. The Senate will convene tomorrow at 12 o'clock. I ask the attachés on both sides of the aisle to notify Senators of the agreement which has been entered to vote on the nomination of Mrs. Luce at 2 o'clock tomorrow afternoon.

Mr. President, so that we will be certain to have a yea-and-nay vote on the nomination, I ask for the yeas and nays.

The yeas and nays were ordered.

ORDER FOR RECESS UNTIL 12 O'CLOCK NOON TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its deliberations today it stand in recess until noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF MRS. CLARE BOOTHE LUCE TO BE AMBASSADOR TO BRAZIL

The Senate resumed the consideration of the nomination of Mrs. Clare Boothe Luce to be Ambassador to Brazil.

Mr. CLARK. Mr. President, does the Senator from Texas desire that I yield further to him?

Mr. JOHNSON of Texas. No.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. CLARK. I yield to the Senator from Oregon.

Mr. MORSE. May I have the attention of the majority leader and of the Senator from Montana [Mr. MANSFIELD], the whip? I think the record should be made perfectly clear as to how the nomination was handled in committee. I should like to have the attention also of the Senator from Minnesota [Mr. HUMPHREY], who is another member of the committee.

I do not want the Senate to believe that in the committee proceedings the nomination was considered at any great length. It was not, because of extraordinary circumstances which developed the day the vote was taken in the committee. A very important admiral was before the committee for a long time that morning. I think the record will show that it was well after 11 o'clock when we turned, in the Committee on Foreign Relations, to the Luce nomination. Dr. Marcy, the director of the staff, is in the Chamber, and he can verify my statement as to the time.

A motion was made to report the nomination favorably. I made it clear that I thought a record ought to be made in the committee. A considerable number of my colleagues on the committee had

other engagements, but they thought we should dispose of the nomination.

I have always tried to be very accommodating in the Senate, but I said, "Mr. Chairman, I think this record ought to be made. I should like to make it today, if you feel that the committee must vote on this matter today."

This is, I believe, a fair interpretation of the feeling of the committee. The Senator from Montana [Mr. MANSFIELD], the Senator from Minnesota [Mr. HUMPHREY], and the Senator from Louisiana [Mr. LONG] are in the Chamber, and they can correct me if they think I am wrong in my statement about it.

I said, "I think a record ought to be made and consideration given to the nomination, but I do not want to hold you men here if you have other engagements, if you want to dispose of the nomination today."

The point was made that they felt a commitment had been made that the nomination would be voted on on Thursday.

I said, "I am willing to stay here and talk to the record, if necessary, but I have a record to make on the nomination and I am going to make it. If you who cannot stay want to come back at 2 o'clock, and vote at 2 o'clock, that will be agreeable to me."

The agreement was made. The Senators whom I have mentioned as being in the Chamber will, I think, agree with me. The rest of the committee came back and voted at 2 o'clock. The Senator from Montana [Mr. MANSFIELD] honored me by his presence every minute of the time. Perhaps at one time or another two or three other members of the Committee on Foreign Relations may also have been present. They wanted to know how long I thought it would take me to make my record. I said I thought I could do it in 30 minutes.

After 40 minutes, my attention was called to the fact that I had already spoken 40 minutes. The suggestion was made that perhaps I would be willing to insert the rest of my remarks in the record. It was a documented record.

I do not have to be hit on the head with a baseball bat to know that, under the circumstances, good, common sense dictated that I had better insert the remainder of my remarks in the record. I inserted it in the record.

It was then well after 12 o'clock. The Committee on Foreign Relations returned at 2 o'clock, not for the purpose of discussion, but for the purpose of voting. The roll was called, and the committee voted.

That is the record of the deliberations of the Committee on Foreign Relations on this nomination.

Mr. JAVITS. Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. I have promised to yield to the Senator from Alaska.

Mr. JAVITS. I simply wanted to know whether the Senator from Pennsylvania intended to speak to the Luce nomination.

Mr. CLARK. Yes.

I yield to the Senator from Alaska.

Mr. GRUENING. Mr. President, I congratulate the Senator from Oregon in his very complete and effective presentation of the case against the confirmation of the nomination of Clare Boothe Luce. His speech, as are all of the Senator's speeches, was thoroughly well documented, full of facts, and a presentation which I regret most of the other 97 Senators did not have a chance to hear.

I greatly appreciate the action of the majority leader in deferring until tomorrow our action on the nomination of Mrs. Clare Boothe Luce, so that Members of the Senate will have an opportunity to read the speech of the Senator from Oregon, to study the facts he has presented, and also to read the hearings, which in my case and in the case of my able colleague, the Senator from West Virginia, appeared today on our desks for the first time.

Mr. President, our relationships with Latin America are extremely important. I am somewhat familiar with the problems involved, because I was the adviser—and there was only one—to the U.S. delegation to the Seventh Inter-American Conference at Montevideo in the fall of 1933, when the good-neighbor policy for Latin America was initiated and implemented. It is notable that scarcely 6 months after the Roosevelt administration had taken office, that delegation—designed to improve our relationships with the Latin American countries—was sent on its mission, under the late and great Secretary of State Cordell Hull. At that conference was laid the foundation for the good-neighbor policy—the multilateralizing of the Monroe Doctrine, by which it was declared to be the policy and sentiment of the United States that that would no longer be a unilateral policy, enforced by the fiat of the United States, but, in President Roosevelt's own words, that it would be "a joint concern" of all the American Republics.

It was at the same conference that the new policy of nonintervention in the affairs of our neighboring states to the south of us was initiated; and thus we departed from the hitherto existing gunboat policy, which had existed for perhaps a quarter of a century or more, by which we, in effect, had ruled as to what would happen in connection with the recognition of the governments of our neighboring countries. In those days our State Department could practically impose a death sentence on an administration which had come into power in one of our smaller neighbors, by refusing it recognition.

Mr. President, it seems to me that at this critical juncture nothing could be more serious or more undesirable than to send as our Ambassador to one of our neighboring American Republics one who had interfered in the internal affairs of the country to which she had been sent as Ambassador, as the record shows Mrs. Luce did in Italy. Such action would be disastrous in Brazil.

All of us know that President Roosevelt was known throughout Latin America as its friend and as the author and originator of the good neighbor policy. So I believe it would be the height of unwisdom to send to the great state of Brazil a person who has uttered so flagrant a calumny as that President Roosevelt "lied us into war," and who at this late date will merely admit that her statement was intemperate, but will not retract or apologize for the distortion of facts which her statement represents. In other words, Mrs. Luce still believes that President Roosevelt "lied us into war." Under those circumstances, I cannot in good conscience vote for confirmation of her nomination.

Mr. President, that is only one of the many reasons the senior Senator from Oregon [Mr. MORSE] has cited in the speech he has made today in the Senate Chamber. He also referred to many others—for instance, the fact that she said 20-odd agencies of our administration were "riddled with Communists." When she made that statement and when she said that "This rotten fruit should be shaken from the top branches of the tree," she was engaging in smear tactics which I though the public conscience had long since repudiated.

Mrs. Luce is an educated and a cultured person. She has rendered real service in the field of drama. She has great personal charm. But those qualities have little bearing on the question which is before us here.

I think it no exaggeration when I say that of the many unfortunate situations which have developed in our foreign affairs in the last few years, none is more tragic than the deterioration of our relationships with our Latin America neighbors. Following the unfortunate and disgraceful attacks on Vice President NIXON when he was visiting our southern neighbors, we have only to refer to what happened to our Embassy staff in Bolivia, because of the publication of an article by Time magazine, in order to show how our relationships have deteriorated, and to demonstrate clearly that we cannot afford to send as our Ambassador to Brazil one who is not fully trained and qualified in the field of Latin American affairs.

Mr. President, I think the time has come to send as our Ambassador to Brazil, that great neighbor of ours, one who speaks the Portuguese language, who is familiar with Latin American psychology, and has been trained as a diplomat in that field. We should not continue to resort to the policy of the Eisenhower administration of paying off political debts with diplomatic appointments.

Mr. CHAVEZ. Mr. President, will the Senator from Pennsylvania yield to me?

The PRESIDING OFFICER (Mr. CANNON in the chair). Does the Senator from Pennsylvania yield to the Senator from New Mexico?

Mr. CLARK. I yield.

Mr. CHAVEZ. I wish to agree with the Senator from Alaska. I think I know something about Latin America.

Mr. CLARK. Mr. President, the Senator from New Mexico is correct; in my judgment, he knows more about Latin America than does any other Member of the Senate.

Mr. CHAVEZ. And I think I know something about human reactions.

Regardless of whether the nominee is a qualified person, the fact that a member of her family, in commenting on the situation in Bolivia, stated that the

country should be divided, has an important bearing on this case, for we should bear in mind that Brazil is on the border of Bolivia. What will be the reaction among both the Bolivians and the Brazilians? Instead of developing good will, the appointment of such a person will only agitate the past.

I know that if the suggestions which have been made by the Senator from Alaska [Mr. GRUENING] were followed, much good would be done to our relationships with Latin America.

In the first place, Mr. President, language barriers are, as a general rule, most unfortunate. Imagine sending to Norway, as our Ambassador to that country, a person who could not speak the Norwegian language, and who thus could not converse with the average citizen of that country. Just consider the folly of sending as our Ambassador to some other important country, a person who could not speak the language of that country.

Mr. President, in our country there are sincere persons, of both political parties, who are talented and who could actually contribute greatly to the good will between our country and the other countries of the world.

However, I wish to point out that I have known a case in which an American girl who could not speak a word of Swedish was sent to serve in our Embassy in Sweden. I have known of other cases of that sort. However, we do not find the British or the Germans or the Italians making such mistakes. When our country makes a mistake of that sort, it is obvious that we are not using our own resources. Our population is a conglomeration of the descendants of Europeans and of peoples in the other countries of the world; and among the people in the United States are fine, sincere, qualified persons whom we could well use in our diplomatic service in the various countries of the world.

I thank the Senator from Pennsylvania for yielding to me.

Mr. CLARK. I thank the Senator from New Mexico.

Mr. President, I now return to the subject of the confirmation of the nomination of Mrs. Luce to be Ambassador to Brazil.

Before the extended colloquy which has just been concluded, I had pointed out my view that it was important that Ambassadors sent by the United States of America from outside the Foreign Service to posts of diplomatic importance should have some knowledge and background and experience in the country to which they were accredited. I think it is clear from the record of the testimony before the Foreign Relations Committee that Mrs. Luce does not have that experience as to Brazil. She was candid enough to admit it herself. This I think in and of itself is a reason for opposing her nomination.

In this regard, I would call to the attention of my colleagues the question of what should be the standards governing the advice and consent of the Senate which the Constitution requires be given to the appointment of Ambassadors. The appointment of Ambassadors, until recently, was a very important matter in connection with our foreign policy. I regret to state that during the last 6 years the position of ambassadorship has been denigrated, has been depressed, until in many cases an Ambassador has become a mere messenger boy for the Secretary of State and the Department of State.

I hope that trend will be reversed. I am confident it will be reversed so long as Christian Herter is our Secretary of State, and that is one of the reasons why I voted with enthusiasm, with all of my other colleagues present and voting, to confirm his nomination, because I think he will bring our Ambassadors around the world back to the position of responsibility and authority which they should have. I, for one, am happy to see that is his policy, and I am sure it will also be his procedure.

Mr. President, if we are going to rely upon our Ambassadors, they ought to know something about the country to which they are accredited. I suggest that the post in Brazil is one of the most difficult posts in the world to which to be sent, because of the huge physical extent of the country, because of the sensitivity of its proud people, because of the fact that it is the only nation in South America where Portuguese, instead of Spanish, is the official language, because of the fact that it is a nation which is only now coming out of a status of poverty and lack of economic development. An ambitious and proud people are coming into the modern age with all the zeal and desire to acquire the status of a great country which that subcontinent entitles them to hope for.

Because the post of Ambassador to Brazil is such a sensitive one, we should have an expert on Latin America, a person from our Foreign Service or from the outside world, someone who knows Brazil, in that post of importance.

So, with some regret, I reiterate that Mrs. Luce is a charming and an attractive woman, an intelligent and informed woman on most matters of public affairs, but not on Brazil, not on Latin America. So the first count in opposing the confirmation is that she does not have the experience for the job.

Mr. NEUBERGER. Mr. President, will the Senator yield at that point?

Mr. CLARK. I am happy to yield to my friend from Oregon.

Mr. NEUBERGER. I have been listening attentively this afternoon to much of the discussion about the proposed appointment of Mrs. Clare Boothe Luce to be Ambassador. I have listened with particular attention to the able remarks of the distinguished Senator from Pennsylvania, whom I respect so much, and I think he knows it.

Mr. CLARK. I reciprocate the affection and respect of the Senator.

Mr. NEUBERGER. I would agree completely with the Senator from Pennsylvania that an Ambassador appointed to one of our neighbors in the world, be it a great neighbor or a small neighbor, ought to have an understanding and appreciation of that country. I think it would be very helpful if he or she spoke the language of that country. In fact, I would be perfectly willing to introduce a resolution in the Senate, and I have thought of so doing, to provide that all our Ambassadors Extraordinary and Plenipotentiary should speak the language of the country to which they are accredited.

I remember reading an article some months ago which the Senator from Massachusetts [Mr. SALTONSTALL] inserted in the CONGRESSIONAL RECORD, written by Katherine Pringle, and her late illustrious husband, Henry F. Pringle, pointing out how few of our Ambassadors spoke the language of the country to which they were sent. I have also read the book "The Ugly American" with a good deal of dismay, because if the conditions described in that popular book are true about the lack of familiarity with foreign nations on the part of our oversea representatives, then our foreign policy is in a distressing condition indeed.

But what disturbs me about some of the speeches on the nomination, including the one of the very able Senator from Pennsylvania, is this: Are we going to start with the nomination of Mrs. Luce to impose these requirements? Would that be fair? We have been sitting in the Senate week after week, month after month, some of us year after year, some others much longer, confirming nominations of persons to be Ambassadors who were just as unfamiliar with the countries to which they were accredited as is Mrs. Luce, and who were equally lacking in language familiarity as is Mrs. Luce. I think it is part of a Senator's duty to be fair, that even the predecessors of Mr. Eisenhower made appointments of some of their political associates to be Ambassadors, and many of those associates did not speak the language of the country to which they were accredited.

This is the question to which I was coming: Might it not be better and fairer if we in the Senate proceeded to adopt a general policy that no person shall be appointed to represent this country overseas unless he or she speaks the language of the country to which he or she shall be accredited? It seems to me it would necessarily follow that a nominee with such qualifications should certainly understand the country in which he or she would be representing the United States of America. But is it fair or just to start with Mrs. Luce to impose such requirements, when the Senate and the Members of the Senate have been confirming nominees who did not have such qualifications for weeks, months, years, decades, generations, and, for all I know, nearly 2 centuries?

Mr. CLARK. In direct response to the question of the Senator from Oregon, I think it would be a mistake for the Senate to pass a resolution requiring every Ambassador to speak the language of the country to which he is accredited. That is perhaps a sad commentary on the state of education, not only of those in the Foreign Service, but among the American people generally. I am sure we would have the greatest difficulty in finding competent Ambassadors who understand our Foreign Service, our policies and our problems, who spoke the languages of many of the countries of the world, which

I will not name, but with which the Senator from Oregon is familiar. One of the languages might be Portuguese, and another might be Finnish. There might be many nations in the Near East and in the Far East whose languages our Ambassadors might not know. There are very few persons, in and out of the Foreign Service, who speak fluently the language of some countries in the world. The learning of many more languages by the people of this country is one of the objectives we should aim for. That is why I was so enthusiastically in favor of the Defense Education Act last year, which called for far greater study of foreign languages in our public schools. However, that should be one of our objectives for the future.

When a person outside the Foreign Service is nominated to be sent to a country with which he is not familiar, and when, in addition to that disability, that person does not speak the language of the country, it is an additional reason for suggesting that the nomination is not wise.

With respect to the Senator's question, "Where do we start?" he has been in the Senate longer than I have——

Mr. NEUBERGER. But a relatively short period of tenure.

Mr. CLARK. The Senator from Oregon, nevertheless, is my senior. Minor virtue though consistency may be, I have stood on the floor and have done what I could to prevent other nominations from being confirmed when I thought they should not be. I do not regret that action. I intend to do it again, because I think our standards are far too low in performing the duties laid down for the Senate by the Constitution of the United States.

We have to start somewhere. I am not starting now. I started a year ago or 2 years ago. I am simply trying to carry out what I tried to do earlier. Then, as no doubt will be true now, the majority of my colleagues felt my position was not well taken. In all probability my friend from Oregon feels that way.

Mr. NEUBERGER. I simply want to ask one more question, and then I shall desist from imposing upon the Senator's time.

Mr. CLARK. The Senator is not imposing in any way.

Mr. NEUBERGER. I thank the Senator from Pennsylvania.

Is it not true that all of us, including the able Senator from Pennsylvania, during the past several years and perhaps longer, have voted almost perfunctorily to confirm nominations of persons to be Ambassadors and ministers, when those persons certainly were not familiar in any way with the country to which they were going in order to represent the United States?

Mr. CLARK. That has been the experience in the Senate, and I regret it. One does not like to constantly be a carping critic. It may be that I have been derelict in my duty by not opposing a number of other nominations of persons to be Ambassadors.

I do not remember at this moment exactly how I voted with regard to the nomination of Mr. Gluck to be Ambassador to Ceylon. I thought that was an unfortunate nomination, and I spoke against it on the floor. I still think it was unwise. It may be that other nominations have slipped through.

I do not think one should take advantage of one's immunity on the floor of the Senate to make uncomplimentary remarks about American citizens, who no doubt are very patriotic and possibly more able than the Senator from Pennsylvania, but I will say that if people of the same caliber have had their nominations confirmed it is not because I did not try to fight them.

Mr. NEUBERGER. I thank the Senator from Pennsylvania for his characteristic courtesy and candor in answering my questions.

Mr. CLARK. I thank my friend for his interjection in the colloquy.

Mr. President, I now return to stating the reasons, in addition to Mrs. Luce's lack of specific experience, why I believe her nomination should not be confirmed.

My first reason was lack of experience. My second reason is Mrs. Luce's lack of objectivity.

Mr. President, this may seem a curious kind of criticism for a politician to make, and I would be the first to admit that on the hustings I have engaged from time to time in exaggeration, I have said some things which in cooler moments I regret, and I have been a partisan—and I shall be again. But this is not the same, it seems to me, as the situation with respect to a nomination of a person to be an Ambassador to an important, friendly country, considered in the light of the fact that statements—to be charitable—of high inaccuracy were called to the attention of the individual who made them and, many years after that event, her testimony still is that she stands by her statement that Franklin Roosevelt lied us into war.

Mr. President, I think almost all good Americans would now, after the heat of events, agree that was an unfortunate statement. It would seem to me to be the kind of statement which an individual possessing real objectivity would apologize for and would retract, and as to which the individual would say, "The statement was made in the heat of a campaign. It was made in hotblood. It was the kind of thing which you gentlemen, as Members of the Senate, perhaps have done at times."

But to stand on that statement and to say she still believes it, I think, Mr. President, is a sad commentary on the objectivity of the lady in question, as indeed I fear have been a number of her other activities in public life, both as a Member of the other body, as a leading Republican politician, and as a playwright. I use the word "politician" in a good sense, and not in an evil sense.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. CLARK. I am happy to yield to the Senator from West Virginia.

Mr. RANDOLPH. The Senator from Pennsylvania has invited our attention to the apparent unwillingness of Mrs. Luce to retract the statement which she previously made in reference to a former great President of the United States. I point to page 7 of the hearings, in which the distinguished chairman of the Committee on Foreign Relations of the U.S. Senate made the comment:

> You think he lied us into a war?
> Mrs. LUCE. I stand by my statement.

I think at this point the RECORD should be made clear as to the colloquy between the chairman and the person nominated.

Mr. CLARK. I thank the Senator for his helpful interjection.

Mr. President, my third reason for reluctantly opposing the confirmation of this nomination is that I believe the hearings before the Committee on Foreign Relations disclose a lack of mature judgment on the part of the nominee, which disqualifies her for this important diplomatic post. I hope that before the vote is taken tomorrow, every Member of the Senate will read carefully this not-too-long document of 38 pages I hold in my hand, including the appendix, which represents the hearings before the Committee on Foreign Relations, and I hope each Member will judge for himself whether, as he can reconstruct it from the printed word, the demeanor and behavior of the witness before the committee evidenced that caliber of dignity and that sense of judgment which one would expect from an Ambassador of the United States of America.

I have said before, and I say again, that Mrs. Luce is a charming and attractive woman, but I suggest that in her previous career as a playwright, as a political speaker, and, indeed, according to many—the record carries the evidence—as an Ambassador to Italy, she has not displayed those qualities of sound and mature judgment which are the essential part of the armament of an Ambassador of the United States of America.

Finally, Mr. President, my fourth reason for opposing the confirmation of this nomination are the affiliations of Mrs. Luce. We must be careful when we speak of things like affiliations. A sad, black chapter in the history of our country was built in this decade on the basis of guilt by association. I wish to distinguish these comments very clearly indeed from the type of smear which has occurred in the saying: "A once met B; and B knew C; and C is a fellow traveler or a Communist."

We must distinguish between that kind of guilt by association and the necessary and admitted and much-to-be-commended affiliations which arise from the institution of matrimony.

Mrs. Luce is Mr. Luce's wife. Mr. Luce, Mrs. Luce testifies, will spend 6 months out of every year with her in Brazil if her nomination is confirmed. I do not intend to attack the personal integrity or the ability of Henry Luce. They are both great.

I agree with the Senator from Connecticut [Mr. BUSH], who said Mr. Luce came up the hard way. He was the son of a missionary. He went into the magazine business shortly after World War I, and he has built up an empire and a powerful financial structure. He has amassed great wealth. That is the

American way of life. This is what we hold out as a goal before many Americans. I think he is to be commended for it.

But I say that experience has shown that Mr. Henry Luce, the husband of the nominee, has evidenced consistently, and almost from month to month, the same lack of objectivity and the same lack of judgment which I fear are characteristic of the nominee.

I will not gild the lily. We know that Time magazine started as a weekly news magazine. Many years ago it was converted into a journal of plutocratic opinion, and as such it distorts the facts of American life week by week and month by month, in support of policies—no doubt honestly held by its publisher—which, in my judgment are detrimental to the best interests of the United States, policies which came very close, no more than a month ago, to getting us into what might well have turned into a revolution in Bolivia, or perhaps a war. Our diplomacy was held up to scorn over a large area of Latin America. Why? Because of the desire to make a "slick chick" wisecrack in a widely read magazine published in Spanish throughout Latin America, and repeated in the English edition.

We know what happened to the China policy which Mr. Luce advocated. At the time there were those who thought that was an indication of lack of objectivity and lack of judgment. I hope we are not to have a repetition in Brazil of the situation which occurred in Bolivia, under a Latin American policy which would carry with it equally disastrous results.

On the 19th of March of this year I had occasion, as shown on page 4588 of the CONGRESSIONAL RECORD, to insert in the RECORD an article by a very able reporter on the Providence Journal-Bulletin. This article was an effort to analyze Time magazine in an article which was subsequently printed in the New Republic. I invite the attention of my colleagues to the excerpts from that article which appear upon that page in the RECORD. I read the concluding paragraph, which is a quotation from the late William Allen White:

> I think on the whole, sooner or later, the American people do get the truth. But they often get it when it is cold potatoes and does them no good.

I say it with deep regret, but I do not believe that the affiliations of Mrs. Luce and the attitude of mind of her husband—again, no doubt honestly held, because he thinks that is the way to do things—are very helpful to the foreign policy of the United States. Therefore I am reluctantly compelled to vote against confirmation of the nomination of Mrs. Clare Boothe Luce to be our Ambassador to Brazil, on the ground that the record shows that she does not have the necessary experience, objectivity, or judgment, and that her relationship with the Luce newspaper empire is, in my judgment, likely, if not certain, to hurt the status of the United States in the country to which she seeks accreditation.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, so long as there will be no more speeches on the nomination of Mrs. Luce today, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

SECOND SUPPLEMENTAL APPROPRIATIONS, 1959

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 5916) making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes.

MODIFICATION OF REORGANIZATION PLANS NO. II OF 1939, AND NO. 2 OF 1953—VETO MESSAGE (S. DOC. NO. 25)

The PRESIDING OFFICER (Mr. CANNON in the chair) laid before the Senate the following message from the President of the the United States, which was read, and, with the accompanying bill, was ordered to lie on the table and to be printed:

To the Senate of the United States:

I return herewith, without my approval, S. 144, "An act to modify Reorganization Plan No. II of 1939 and Reorganization Plan No. 2 of 1953."

The bill provides that, in the approval and disapproval of loans, the Administrator of the Rural Electrification Administration (REA) shall not be subject to the supervision, direction or other control of the Secretary of Agriculture. In all other respects the functions and activities of the REA would be exercised within the Department of Agriculture under the general direction and supervision of the Secretary.

Were S. 144 to become law it would mark a major retreat from sound administrative policy and practice. Twenty years ago the REA, then an independent agency, was by reorganization plan placed within the Department of Agriculture and under the general direction and supervision of the Secretary. The President, in his message transmitting Reorganization Plan No. II of 1939, said that the proposed reorganization was for the "sole purpose of improving the administrative management of the executive branch."

That action of 20 years ago accords entirely with the later finding of the first Commission on Organization of the Executive Branch that:

> There must be a clear line of authority reaching down through every step of the organization and no subordinate should have authority independent of that of his superior.

Because S. 144 violates this sound injunction I am compelled to disapprove it.

Moreover, there is nothing in the recent history of the REA which affords any basis for concluding that the best interest of the agency or the public would be served by removing the Administrator's loan-making authority from the general direction and supervision of the Secretary of Agriculture.

The REA since its inception has moved steadily in the accomplishment of its mission. When the agency was established, only a small percentage of the Nation's farms had central station electric service. Today 96 percent of our farmers have such service and about one-half the increase has been provided by REA financed facilities.

In the past 6 years the REA-financed systems have made their greatest progress. Loans of more than a billion dollars have been made in this period, nearly half as much as was loaned by the agency in the previous 17½ years of its existence. Power sales have more than doubled since 1952, loan delinquencies have been reduced to the vanishing point and the net worth of electric borrowers has more than tripled. Plant investment for these systems has more than doubled in the past decade. The REA telephone loan program, authorized in 1949, has resulted in loan approvals which now total approximately $500 million and modern dial telephone service is rapidly being extended to the Nation's rural areas.

The REA has been working well and progressing efficiently under the existing administrative arrangements. The change in those arrangements proposed by S. 144 would be contrary to the public interest.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *April 27, 1959.*

Mr. HUMPHREY. Mr. President, a copy of the message of the President was made available earlier today to Members of the Senate. Now we have heard read to the Senate the veto message relating to Senate bill 144.

I say most respectfully that the message does not get to the heart of the proposed legislation. The proposed legislation did not deal with the number of loans that had been made or the amount of the loans, or the purposes for which the loans had been made. The bill was directed toward one thing, and only one thing, namely, the possibility of political interference in the granting of loans by the Rural Electrification Administration through the Secretary of Agriculture. The legislation was directed toward the commitment, which had been given by the Secretary of Agriculture to the Senate Committee on Government Operations, at the time the Reorganization Plan of 1953 went into effect, that if any changes were to be made in the administrative structure of REA and its relationship to the Department of Agriculture, the appropriate committees of Congress would be notified prior to those changes being made.

Those changes were made. The committees were not notified. The promise and the assurance of the Secretary of Agriculture were not fulfilled, and the fears of many Members of the Senate, expressed at the time of the adoption

of the reorganization plan, relating to the Department of Agriculture, actually became a fact. The Secretary of Agriculture appointed an officer in the Department of Agriculture with jurisdiction over the Rural Electrification Administrator, who is a presidential appointee.

Mr. President, I recommend that Senators study the message very carefully, and I hope that, after having studied it, my colleagues will come to the same conclusion to which I have come this afternoon, namely, that the message does not come to the point at all of what we are attempting to do, and that the President, in vetoing S. 144, insists on continuing a situation which is frowned upon and looked up with concern and worry by the REA's of the Nation. I hope, therefore, that the policy committee of the majority will take the stand to override the veto. It is about time that Congress made up its mind that government by veto shall come to an end.

From time to time, as we pass effective legislation in the Senate, which expresses the will of those of us who have gone out and talked to our people as to what a Democratic Congress would do, we are confronted with a veto. I am of the opinion that the time is at hand to challenge the veto. I for one am prepared to enter that battle. Win or lose—and it is important to win—it is essential that we stand up now and see whether or not we shall constantly have the efforts of the Congress stopped dead by the use of the veto by the President of the United States.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. MANSFIELD. I wish to associate myself with the remarks made by the distinguished Senator from Minnesota. It is about time that we face our responsibility in connection with this legislation. I recall, for example, on two previous occasions when the Senator from Minnesota engineered a good farm bill through the Senate, and when eventually both bills passed Congress, only to be vetoed by the President of the United States. No effort was made on the part of Congress to override the presidential veto of the only two good farm bills passed in the 6 years of this administration.

So, speaking as an individual Senator, I wish to assure the Senator from Minnesota that I am 100 percent with him. I hope that the veto by the President of the United States will be met by Congress and that, win or lose, we face our responsibility on this issue.

Mr. HUMPHREY. I thank the Senator.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. DOUGLAS. I wish to say that I wholeheartedly concur in the remarks made by the Senator from Minnesota and the Senator from Montana. It is the duty of Congress to pass legislation which in its opinion is best for the Nation. Both the Senate and the House, by very large majorities, showed that they did not believe that the present Secretary of Agriculture should have veto power in connection with REA projects.

I was very happy to vote for the Humphrey-Price bill. The RECORD shows that the Secretary of Agriculture is not friendly to REA, that he is particularly opposed to the generating and transmission activities of REA co-ops; that he wants to raise the interest rate to unconscionable heights and, if possible, drive REA co-ops into the private money market, where they would probably have to pay 4½ percent, or 5½ percent interest; and that at the very least he would like to see a 4 percent interest rate if the loans were continued to be made by the Federal Government.

Of course it is true that interest rates have risen in the last few years both on shorttime and on longtime borrowings by the Federal Government. I do not believe, however, that the interest rate exceeds the average interest rate on shorttime and longtime loans. The last time I looked at it, it was slightly less than 3 percent.

I also believe that there should be some scaling down even of that average, because Congress, in the Pace Act of 1944, required the REA co-ops to provide full area coverage and to take in virtually every farmer who applies, no matter how isolated he may be or how far away he may be from the distribution line. In my State of Illinois, which is one of the most prosperous farm States in the country, we have about three REA customers to the mile of distribution line. This is a very small figure. In other words, Congress compels REA co-ops to serve large groups of people whom the private utilities never would have served. Under those conditions it is proper that there should be a subsidy granted to the REA co-ops. I furthermore believe that in the case of some co-ops, where the farm population has been diminishing, which is true in the southern portion of my State, there should be a second scaling down of the interest rate.

So, I believe that the present policy of the Secretary of Agriculture is unwise and not in the national interest, and therefore the veto power should be taken away from him. I hope very much that the Democratic majority will decide to try to override the veto of the President. I wish to say that, as one humble Member of the Senate, I shall vote, if this question comes before us, to override the veto.

Mr. GRUENING. I share the hope that not only the Democratic majority but also Republican Senators will participate in that action. I say that because I see on the floor my very good friend, GEORGE AIKEN, of Vermont, who has played a very active part in making available low cost electricity to sections of the country which would never have had it but for the enlightened policy of the Roosevelt administration.

Mr. DOUGLAS. I wish to pay tribute to the distinguished Senator from Vermont, and I have been paying tribute to him in this regard for the past 11 years.

He has been one of the stalwarts in the fight to see that farmers of the country receive low-cost electricity. While I do not wish to embarrass him in any way, I hope that he also will vote to override the President's veto.

Mr. GRUENING. I am happy that the Senator from Vermont is on the floor, so that I pay tribute to his long-time record in this field, as well as to his independence in breaking with the administration when it was following an unwise and untenable farm policy. I am sure we can count on him again on this particular issue.

Mr. AIKEN. The question is, What is an unwise and untenable farm policy? I wish I knew. With regard to the REA matter, I agree wholeheartedly with what the Senator from Illinois was expounding, I believe, when I came on the floor, with reference to the interest rate charged REA co-ops. We know that if the interest rate were raised to 4½ percent or 5 percent or 6 percent, at least a third of the REA co-ops in the country would have to go to the wall. Possibly a few could stand it, but certainly about a third could not.

However, I shall have to part company with my good friend from Illinois and my good friend from Alaska, and points between, when they advocate overriding the veto. In my opinion the bill which takes the so-called veto power from the Secretary of Agriculture and places full responsibility for loans in the hands of the REA Administrator is pretty nearly meaningless as far as the REA program is concerned.

The REA Administrator will have to get through the Secretary of Agriculture the money he needs to make loans. There is one thing I regret, and I hope it may not turn out as I think possibly it will. I am afraid we are not unanimous in our feeling that the REA's interest rate should be kept low. I am simply afraid that in considering a bill like the one just vetoed, which actually does not do anything for the REA, we shall simply be affording an excuse to vote to raise interest rates and to do other things which would really be bad, and to enable Senators to point to this bill and say: "I supported the REA. My vote on this issue proves it."

I may be wrong. Perhaps every Senator who votes to override the veto of this bill will also vote against raising interest rates and doing other things to the REA which would not be so good.

Mr. DOUGLAS. Simply because people take one step in virtue should not cause the Senator from Vermont to believe that they will not take other steps in virtue. I should think the Senator from Vermont would welcome the overriding of the veto, because it would register in a very clear way that Congress did not want the Secretary of Agriculture to stifle the REA. I do not believe the Senator from Vermont wants that to happen either.

Mr. AIKEN. If I thought that every Senator who is likely to vote to override the veto would vote against raising the interest rates of REA and to vote against hamstringing REA in every way, I might be tempted to vote to override the veto

myself. But I still have some doubt in my mind that such may be the case.

Mr. DOUGLAS. I understand the Senator from Vermont has pending a resolution to override the opinion of the Comptroller General. I will support the Aiken resolution when it comes from the committee and is brought before the Senate for action. I hope this will be an evidence of good faith from our side of the aisle, and that the friends of REA on the other side of the aisle will forget partisan advantage and join with us to override the veto.

Mr. AIKEN. The one thing which bothers me is what the Senator from Illinois just said: "When the resolution comes from the committee." I wish we could have it reported by the committee, because it has been there since January 14.

I see the Senator from Minnesota in the Chamber. I know he will help me. I am not certain that the committee must have a quorum to vote on the question, but I think the committee should consider the veto of the bill now before us. I think that would be an excellent time also to vote to report the resolution which has been lingering in the committee since January 14. It should be reported by the committee and agreed to by the Senate in order to remove any shadow of doubt about the legality of all REA loans which have been made up to now and which may be made in the future.

Mr. HUMPHREY. Mr. President, will the Senator from Alaska yield?

Mr. GRUENING. I yield.

Mr. AIKEN. I would be much more reconciled to overriding the veto if I were assured that the resolution to which I have referred will be reported.

Mr. HUMPHREY. I will join with the Senator from Vermont to have that done. I think the Senator is correct.

Mr. YOUNG of Ohio. Mr. President, will the Senator from Alaska yield?

Mr. GRUENING. I yield.

Mr. YOUNG of Ohio. If the distinguished Senator from Illinois is, as he has said he is, and I know he is, a humble Member of this body, then, indeed, I, as the junior Senator from Ohio, a new Member of the Senate, am an extremely humble Member indeed.

I hold in the highest admiration the statement made a few moments ago by the senior Senator from Minnesota [Mr. HUMPHREY]. I hope the leadership of the Senate will bring before this body, and soon, the question of overriding the veto by the President of a meritorious bill. I say this as one who years ago, as a Representative at Large from Ohio in the other body, helped to draft the Rural Electrification Administration law. I am proud to say that as a Member of the other body, and on every yea and nay vote, I supported the REA legislation.

In this instance, both Houses of Congress passed a meritorious bill. Whether we have the votes or do not have the votes to override the veto of the President is not material. What is material is that we should not fold in this moment. We should have a vote on the question of overriding the veto. I hope that will be soon.

Mr. BARTLETT. Mr. President, will my colleague yield?

Mr. GRUENING. I am happy to yield to my colleague from Alaska.

Mr. BARTLETT. I wish to give to the Senator from Vermont one ninety-eighth of the assurance required.

Mr. AIKEN. I thank the Senator from Alaska. I am sure that when and if the resolution to which I have referred is reported to the Senate, it will be approved overwhelmingly, because it means so much, not only to the future of the REA program, but to the past, as well, which has been put under shadows by the decision of the Comptroller General.

Mr. DOUGLAS. The best way to have the Aiken resolution reported is to override the President's veto by a big vote. That will be a clear mandate that just as we do not want the Secretary of Agriculture to hamstring the REA progress, neither do we want the Comptroller General to hamstring the program.

If we override the veto by a big vote, it will then be possible to have the Aiken resolution reported, and I shall be very glad to vote for it.

Mr. GRUENING. Mr. President, before passing to another topic, I should like to associate myself with the remarks of the Senator from Minnesota [Mr. HUMPHREY] and other Senators who have protested against the President's veto of the Humphrey-Price bill.

REA is one of those constructive, inventive actions taken by the Roosevelt administration more than 20 years ago. It has revolutionized the agricultural sections of the country by bringing low-priced electricity to the farms. It is a striking fact that the Eisenhower administration, while accepting, because of their overwhelming and popular support, the drastic, far-reaching, and beneficial reforms of the Roosevelt administration, and being unable to repeal them, has nevertheless, somehow, managed consistently, and perhaps not too consistently, to weaken them by administrative procedure.

The Humphrey-Price bill is not a very drastic measure; it is simply an attempt to diminish and forestall the administration's efforts gradually to wreck REA. It is obvious that that is what the administration is trying to do by curtailing the power of the Administrator to make needed loans, and by preparing to raise interest rates, as it has done throughout its tenure, for the benefit of vested-interest groups. Therefore, I sincerely hope Congress will seriously consider the President's veto message and will vote to override the veto.

MILITARY DEFENSE OF ALASKA

Mr. GRUENING. Mr. President, the New York Times yesterday printed a letter signed by the two Senators from Alaska and the Alaska Representative in the House taking issue with statements in an article published by the New York Times' military expert, Hanson W. Baldwin. I ask unanimous consent to have the letter printed at the conclusion of my remarks.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. GRUENING. Mr. President, Mr. Baldwin had stated that only the important military areas in Alaska around Fairbanks and Anchorage would be defended in the event of a shooting war. Apparently the rest of Alaska and its people would be left undefended. The Alaska delegation felt that it could not allow so mischievous and unwarranted a statement to go unchallenged, and therefore communicated its views to the Secretary of Defense Neil McElroy, asking him for confirmation or correction of this statement for the record.

Secretary McElroy's reply was gratifyingly categorical, to the effect that "there is no military plan in existence, and none has been considered, which contemplates or accepts the concept that the United States would fail to defend any and all of our sovereign territory—and that includes, of course, Alaska as an integral part." This correspondence was printed in the magazine section of the New York Times on yesterday, April 26, 1959, together with a reply by Mr. Baldwin, to whom the New York Times quite properly accorded the privilege of replying to Secretary McElroy.

Unfortunately, Mr. Baldwin compounded his error by a concluding statement in which he alluded to the "potential danger" that—

> A small-scale enemy attack somewhere on the periphery of Alaska might well create such a political and psychological uproar that it would create a costly and wasteful military diversion as did the Japanese on the Aleutians during World War II.

Mr. President, the fact is that what Mr. Baldwin calls a "costly and wasteful military diversion"—namely, the expulsion of the Japanese, after their occupation of Attu and Kiska Islands—would never have occurred if the Federal Government, including successive Congresses, had sensed the military and strategic importance of Alaska, and had provided the necessary defenses.

At the outbreak of World War II, not a single military establishment—Army, Air Force, or Navy, was ready for its defensive role. Alaska's voteless Delegate, then the able and devoted Anthony J. Dimond, had pleaded repeatedly, but vainly, for the establishment of suitable defenses in Alaska. As early as 1904, the Navy Department had set aside Kiska Island, near the western end of the Aleutian chain, as a naval reservation. The Navy planned to make it an important coaling station and to give it the necessary defenses that its adjacency to Asia connoted. It might have become a Gibraltar of the North Pacific. The Navy repeatedly requested funds for this potentially important base; but Congress after Congress declined to appropriate them, year after year, with the result that the first Navy to occupy Kiska, nearly 40 years later, was the Navy of the Mikado—not the Navy of Uncle Sam. I do not wish at this moment to take the time of the Senate to go into the long and pathetic story of the Federal Government's failure to make adequate de-

fense preparations for Alaska. I am concerned only with present and future needs.

Throughout the 1930's our voteless Delegate in the House of Representatives, Anthony J. Dimond, who served there for 12 years, and was the predecessor of Delegate E. L. BARTLETT, now my able and distinguished colleague in the Senate, both in committee and on the floor of the other body pleaded fervently for defenses for Alaska. He repeatedly urged the construction of at least one Army Air Force base and one Naval base. I have in my possession a copy of a letter written to Delegate Dimond as late as November 12, 1937, by the late General Malin Craig, Chief of Staff of the United States Army. General Craig, speaking for the Army, rejected Delegate Dimond's written plea for an endorsement of an Army air base in Alaska. General Craig gave as his reason that "the mainland of Alaska is so remote from the strategic areas of the Pacific that it is difficult to conceive of circumstances in which air operations therefrom would contribute materially to the national defense."

How little vision and forethought concerning impending events.

As late as the late winter of 1940, the War Department had finally come around to the view that some defenses should be established in Alaska, and budgeted the modest sum of $12 million for an Army Air Force base near Anchorage. This item was excised by the House Subcommittee on the War Department, of the House Appropriations Committee. The subcommitte rejected the pleas of General Marshall, of General "Hap" Arnold, of Delegate Dimond, and of myself to restore this modest item. The bill was reported without it on April 4, 1940. Five days later, however, Adolf Hitler invaded Norway and Denmark, and a sense of urgency was transmitted to our shores. When, 2 months later, the military appropriation bill reached the Senate, Hitler's hordes had swept through the Netherlands and Belgium, and were pouring into France. The Senate restored the Alaska base, and the House concurred.

Likewise, the War Department, as it was then called, rejected, as having no military value, the building of a highway to Alaska, and maintained its opposition until after the attack on Pearl Harbor. However, I was able to persuade President Roosevelt of the necessity of constructing this highway immediately. Work was begun in the late winter of 1941–42, after we were well into the war. The highway was not built over the route which either the United States or Canadian Commissions which had studied the problem had recommended. Instead, it was built over a route previously unsurveyed, which added greatly to the costs which our Nation was obliged to pay. The U.S. Commission was headed by our able and distinguished colleague, WARREN G. MAGNUSON, at that time a Member of the House of Representatives, and I was one of its five members.

The story of the military neglect of Alaska is long; and, although I am familiar with it, it need not be told here. However, I think it necessary to take issue with Mr. Baldwin when he stigmatizes as a costly and wasteful military diversion the very proper action on the part of the U.S. Navy and Air Force and Army in driving the Japanese enemy out of the Aleutians, and to point out that that campaign would not have been needed and would not have taken place if Alaskan defenses had had the proper appreciation and attention from the Federal authorities, executive and legislative, that Alaska deserved.

My point in bringing up this matter today in connection with the correspondence which was published in yesterday's New York Times is that I continue to feel very strongly that the defenses of Alaska are as yet by no means what they should be. In the course of the last few years, the United States has built a tremendous number of bases all over the world. They have been built at great cost. Many of them are of extremely dubious value. No doubt they were calculated risks when they were planned, and represented the best thinking of our military authorities at the time when they were established. But there is no question that today our tenure of a great many of these foreign-based establishments is highly uncertain. There is uncertainty about whether we shall be able to maintain them, even during the cold war, in the face of opposition from the governments of the countries where the U.S. bases are located; and this uncertainty applies even in the case of countries which are manifestly friendly, and whose people we count as belonging to the free world. In other cases, in the case of countries less free, there is little question that Uncle Sam is being blackmailed, if that may not be too harsh a word, for the right to keep those bases there. If that is too harsh a word, let me say that Uncle Sam is obliged to pay through the nose. There is the further question of whether, with the changing technology of war, these bases have the value that was ascribed to them when they were established.

With the rapid change in the methods of warfare, the validity of these bases, I think, deserves careful reexamination by the Congresses and by the military authorities.

But I wish to point out that whatever defenses we build in Alaska, we build on the firm rock of U.S. terrain and within the security of a 100 percent loyal American people. What is built in Alaska is not liable to sabotage, subversion, or other adverse factors which exist in the case of many oversea bases. Alaska's defense should be fully reconsidered, so as to make the 49th State what is an important part of its destiny—namely, to be a bulwark of defense for the North American Continent, and thereby for the whole free world.

I repudiate the notion that defending a square foot of American soil is costly and wasteful. But it is much better to have the defenses—and potential offenses—in such shape that no enemy will be tempted, as were the Japanese, to invade any part of our Nation.

EXHIBIT 1

[From the New York Times magazine section, Apr. 26, 1959]

DEFENSE OF ALASKA

To the EDITOR:

In the article "Communiqué From Our Alaskan Outpost" (March 15), Hanson W. Baldwin wrote that Alaska has "only two important target complexes or basic military objectives"—the Fairbanks and Anchorage areas. "These areas, and these only, will be defended," he stated.

This statement implies that whether American soil will be defended is a question susceptible of doubt, rather than a matter of national principle. It suggests that the Department of Defense will undertake to repel an invader threatening the security of American homes where the area involved is militarily significant and will abandon the axiom that American soil is and must remain inviolate.

Such a statement can only tempt a potential aggressor into a miscalculation tragic for the world if, in undisclosed fact, the statement is false.

Accordingly, we, as Alaska's congressional delegation, have asked Secretary of Defense Neil McElroy to correct the record. His reply, dated April 3, 1959, says in full:

"In reply to your letter of March 20 concerning the article, 'Communiqué From Our Alaskan Outpost,' by Mr. Hanson Baldwin, you may be assured that there is no military plan in existence, and none has been considered, which contemplates or accepts the concept that the United States would fail to defend any and all of our sovereign territory—and that includes, of course, Alaska as an integral part."

We are relieved to have reaffirmed the determination of the United States to defend every American community, great and small, in every State.

E. L. BARTLETT,
U.S. Senator.
ERNEST GRUENING,
U.S. Senator.
RALPH J. RIVERS,
Member of Congress.

WASHINGTON, D.C.

(Mr. Baldwin replies: "The statistics cited in my article speak for themselves. They make it plain—as indeed Senators BARTLETT and GRUENING and Representative RIVERS know—that the strategic concept of Alaskan defense is based upon the insular theory. The 'islands' of Anchorage and Fairbanks are the most important military targets in Alaska and virtually all of our available defense forces are concentrated around them. Mr. McElroy has rightly reaffirmed the political principle of the defense of American soil anywhere. But the fact remains that much of Alaska—given the present strength, composition and location of our Armed Forces there—is virtually indefensible militarily, and that the Anchorage-Fairbanks areas are the only areas which have strong defenses. There is a potential danger in this situation which my article attempted to clarify. A small-scale enemy attack somewhere on the periphery of Alaska might well create such a political and psychological uproar that it would create as costly and wasteful a military diversion as did the Japanese attack on the Aleutians during World War II.")

Mr. BARTLETT. Mr. President, will my good friend, the able and distinguished junior Senator from Alaska, yield to me?

Mr. GRUENING. Mr. President, it gives me great pleasure to yield to my colleague, who many years ago, as secretary to his predecessor, Delegate Dimond, later as Secretary of the Territory of Alaska, and for 14 years the able

Delegate in the other Body, saw and lived through our tremendous efforts to obtain an adequate appreciation of the defense value of our 49th State, when it was only a Territory.

Mr. BARTLETT. I thank my colleague.

I should like to ask him whether he will agree with me in my contention that something vital will have been lost to our country if a time ever comes when the American public does not demand that an invader be driven from American soil.

Mr. GRUENING. It would be a betrayal of our entire past; it would be a renunciation of one of the most basic things for which America has stood, namely, the right to defend our freedoms and to extend that defense to every man, woman and child under our Flag.

Mr. BARTLETT. In his article in the New York Times of yesterday, Mr. Baldwin stated that the danger in connection with defending certain parts of Alaska, which he terms as being indefensible, is that a small-scale enemy attack there might create such a political and psychological uproar that it would create as costly and wasteful a military diversion as did the Japanese attack on the Aleutians during World War II.

I should like to ask my friend a question, inasmuch as he is in a position to know, because he was then the Governor of Alaska, and had intimate knowledge of that campaign; and, indeed, he was in the forefront of those who previously had urged that Alaska be properly defended.

Was it not a military decision, rather than a decision brought into being by public emotion, which led to the dislodgement of the Japanese from the Aleutian Islands?

Mr. GRUENING. It was wholly a military decision. I was Governor of Alaska at the time, I was close to the administration, and I can assure the Senator there was not a vestige of psychological or political uproar. The Armed Forces merely did their duty as they saw it, and I highly commend them, in retrospect, for what they did.

Mr. BARTLETT. Is it not true also that the mere fact that the Alaska defense forces are concentrated at Anchorage and at Fairbanks is not evidence of any kind at all that the Department of Defense does not have an intention to defend all of Alaska? I am sure my colleague will recall the very pointed testimony on this very facet of the defense of Alaska made by Lt. Gen. William Kepner when he was commander in chief of the Alaskan Command and when he said that the defense of Alaska would be more easily achieved by concentrating his forces, rather than spreading them out all over the then vast Territory of Alaska.

Mr. GRUENING. My colleague is quite correct. The disposition of the forces is, after all, a tactical matter, which must be left to the military.

Mr. BARTLETT. I recall having had a conversation one day with the then Chief of Staff of the Army, who made, in an eloquent statement and in decisive terms, the point later stated by General Kepner, and the Chief of Staff at that time was none other than General Eisenhower.

I commend my colleague for calling this situation to the attention of the Senate and to the attention of the country.

Mr. GRUENING. Will my colleague not agree with me that the defenses, which, after all, are a national problem, and should have had nothing to do with our inferior Territorial status, were nevertheless grossly neglected, and that the pressure to strengthen those defenses originated with and was carried through by Alaskan representatives in their legislature, through their memorials, by our Delegates in Congress, by people who were on the ground and had a far better appreciation of the needs of Alaska than did people in the distant Capital of the United States

Mr. BARTLETT. The junior Senator from Alaska has made a statement of exact fact.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. GRUENING. I yield with pleasure to my distinguished colleague from Oregon, who has done so much to help Alaska, both in the construction of the highway, and in all other ways, which have made it possible for Alaska now to achieve a position of equality with the other 48 States.

Mr. NEUBERGER. I have been listening with great interest to the discussion of our defenses generally, and those of Alaska particularly, by the two able Senators from Alaska. Of course, I was especially interested because during much of World War II I was stationed in the Alaska theater of war, as the eminent junior Senator from Alaska knows, because at that time he was the Governor of Alaska. I believe he served as Governor of the Territory of Alaska longer than anyone in Alaska's territorial history.

But the point which I wish to make and which I think is important is this. Reference was made to the New York Times. This morning there commenced, on the front pages of the New York Times, a most informative series of articles of what the writer has seen in his travels through Siberia. He describes therein vast developments occurring in Siberia in terms of hydroelectric power, railroad construction, highway construction, industrial plants, and an entire, impressive, vast program, which he discusses.

Siberia is opposite Alaska at Bering Strait. If any conflict ever occurs at the roof of the globe, and we pray it will not, it will occur, so far as geography is concerned, between the State of Alaska and Siberia, because at Bering Strait they nearly touch. On a clear day one can see the low headlands of Siberia looming out of the bay, as the Senators from Alaska so well know.

It seems to me the articles which are starting in the New York Times emphasize that what has been done in Siberia by the Soviet Union, through vast expenditures of money and resources, should stimulate us in the Senate and the other body of Congress and the President of the United States to bring about a similar program of development in Alaska. Alaska needs roads, highways, a railway connection with the United States, and great hydroelectric power projects to tap such rivers as the Yukon and other great streams which could provide industrial development.

I think the series of articles on Siberia should encourage the Government of the United States to follow Russia's lead, and proceed to develop Alaska, which has not yet been done.

Mr. GRUENING. The able Senator from Oregon has outlined succinctly exactly what needs to be done in Alaska. I, too, read the first of the series of articles on Siberia which appeared in the New York Times of this morning. I hope, when we are hearing so much from this administration about what needs to be done to compete successfully with Russia and about not being outdone by Russia in the economic, military, and every other field, the administration will come to the view which the Senator has expressed about the necessity of helping to bring about Alaska's development. Alaska has the greatest hydroelectric development potential in the Western World. Less than one-fourth of 1 percent of its hydroelectric power potential is developed. The great Yukon and Kuskokwim flow wastefully to the sea. I am hopeful the administration will wake up to the need of trying to catch up in the fields of development which were so well started by the Roosevelt and Truman administrations.

Mr. NEUBERGER. I think it is excellent and very auspicious that the new 49th State of the Union has two Senators who are so thoroughly acquainted with Alaska's needs in the field of industrial and resource development.

Mr. GRUENING. Mr. President, I yield the floor.

SEA TRANSPORT AND WORLD TRADE

Mr. BUTLER. Mr. President, the far-reaching significance of drastic changes in maritime policies of our Nation so vitally affect the interest of all segments of our citizenry that the widest discussion of such proposals should be encouraged. Especially is such a practice timely because discussions by our State Department representatives and those of foreign nations are imminent. These conferences are scheduled for early June, and already publication of the plans of foreign representatives has been observed, which indicate that there is a determined effort to advance the views and recommendations of other countries in opposition to the prevailing U.S. position.

Ralph E. Casey, president of the American Merchant Marine Institute, has just made a well-considered presentation of the American viewpoint on vital issues before the 17th Congress of the International Chamber of Commerce here in Washington. The topic of his splendid address was "Sea Transport and World Trade." Because of his mastery

of the subject matter and his forthright discussion of the issues I think that Members of the Congress and the American public should have opportunity to read his statements in this connection. Thoroughly experienced in all facets of maritime matters, Mr. Casey's views are of more than ordinary interest, both because of his firsthand contacts with American shipping leaders and his sound judgment in weighing the respective views of opposing interests, gained from his recent conferences in London.

In order to afford the fullest opportunity to the readers of the CONGRESSIONAL RECORD, I ask unanimous consent to insert a copy of Mr. Casey's address in the body of the RECORD at this point.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

SEA TRANSPORT AND WORLD TRADE

(Statement of Ralph E. Casey, president, American Merchant Marine Institute, Inc., before the 17th Congress of the International Chamber of Commerce in Washington, D.C., April 21, 1959)

Sea transport and world trade are synonymous. Like love and marriage or the horse and carriage, as the song goes, you can't have one without the other. World trade is the cornerstone of global peace and prosperity. And sea transport is, and always has been, the vehicle which makes world trade possible. As the spokesman for the American maritime industry, I wish to make it abundantly clear that we favor freedom of sea transport. Our country has gone to war for this principle, and throughout the 20th century we have been in the front ranks of those advocating freedom of the seas.

Our friends abroad have taken issue with us claiming that certain phases of United States maritime policy are discriminatory. They point to the subsidy provisions of the 1936 act and to the cargo preference requirements of our law.

It is not my purpose here today to engage in any extended or detailed analysis of these two facets of our martime policy. However in a forum such as this, I would be out of character if I did not submit at least a brief summary of our position.

Without subsidies we would have neither a merchant marine nor a shipbuilding industry. To think that any American operator could compete successfully in world trade with our labor costs three to four times that of foreign competitors is, of course, completely untenable. So, if we were to adhere completely to the principles of free shipping, this country would, of necessity, have to rely entirely upon the merchant marines of our foreign friends both for commerce and defense. This, we will not do.

But even with subsidies our ships must have cargoes. Nothing in our subsidy law provides the business for our ships or guarantees profits. Consequently, our Government has found it not only expedient but eminently fair to provide that at least 50 percent of, not commercial, but purely governmental cargoes be transported in American-flag vessels. This has become part of the permanent statutory law of this country and as such, mandatory upon the executive branch of our Government. The only function left for administrative agencies is to carry out the law according to its intent and purpose. In that connection, I question the propriety of the talks which have been set for June here in Washington between our State Department and certain foreign governments.

However, let us not exaggerate the significance of this phase of our maritime policy. Recent figures disclose that of all the foreign commerce of the United States, only 6 percent is subject to the cargo preference law. And since foreign ships carry approximately 3 percent of even this cargo, all we are talking about is 3 percent of our foreign commerce.

Another interesting statistic of recent compilation shows that of all the cargoes which are promoted by Government aid only 52 percent are purchased in the United States. The other 48 percent is carried in foreign ships almost exclusively and, of course, approximately 26 percent of these cargoes purchased here likewise are carried in foreign ships.

Some of our friends abroad are inclined to think that this great country of ours can afford almost anything. They seem to believe that if money can solve the problem, we have the answer. But we of the American shipping industry realize there is a limit with respect to the extent to which this country will go to maintain a strong American Merchant Marine. I say this reluctantly because I wish it were otherwise, but it has been difficult enough for us to acquire even the inadequate fleet we presently have under the American flag. Certainly, this country will never build merchant ships that cannot be operated commercially in time of peace. And yet sometimes I think our foreign critics would like to have us build merchant ships for defense and lay them up in time of peace.

Thus, we freely admit that with respect to 3 percent of our foreign trade, complete freedom of competition does not exist. However, that is not the kind of flag discrimination that was practiced by many Western European countries for centuries back even to the first navigation acts enacted in 1381; nor is it the kind of flag discrimination that is in vogue with some countries today. The cargoes which are subject to our 50/50 law are sponsored by American taxpayer funds and certainly they are entitled to the benefits to American shipping inherent in the requirement that one-half go in our ships. Remember, 97 percent of our trade is free and open to all foreign competition, so for our foreign friends to say our law sets a precedent for flag discrimination elsewhere is nothing short of ridiculous.

But the U.S. Government has impeded freedom of shipping in yet another area. Our merchant marine is constrained from carrying goods to Red China. Now I do not propose to take issue with our policy in that regard. It may be entirely sound, but whether it is or not, at least it is thought to be by those in our Government who are qualified to speak and act in that field. I merely point out the decided contrast between the clamor that has been raised over cargo preference and the thunderous silence that attends our shipping policy toward Red China.

To conclude, the United States of America has contributed more of its financial resources to the development of world trade than any country in the history of the world. We strongly support free and expanded trade among nations. But, at the same time, please permit us the existence of a merchant marine of at least a size and strength necessary for some fair share of that commerce and one which will serve a nucleus for national defense.

DECLINE OF EMPLOYMENT IN TEXTILE INDUSTRY

Mr. CLARK. Mr. President, I have recently received from the Textile Workers Union of America a fact sheet dealing with the decline of employment in the textile industry, a major element in the economy of Pennsylvania, as it is in most other Eastern Seaboard States. The figures provided in this fact sheet revealed a situation far worse than I or others who have followed the decline of employment in this industry had expected. The press has carried detailed reports of unemployment conditions in the steel and auto industries, but for some reason little publicity has been given to the at least comparable hardships being suffered by textile workers and the communities in which they make their homes.

I ask unanimous consent that these figures documenting the plight of textile workers in the United States, particularly the Eastern United States, be printed in the CONGRESSIONAL RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TEXTILE WORKERS UNION OF AMERICA FACT SHEET ON TEXTILE UNEMPLOYMENT, APRIL 1959

Unemployment in the textile industry is about the highest for all manufacturing industries except apparel. In January 1959, the U.S. Census Bureau reported 10.3 percent of the textile labor force as unemployed as compared with 7.3 percent for the entire non-farm wage and salary worker population.

While the unemployment rate for all manufacturing industries declined from January, 1958 to January, 1959 by 1 percentage point, from 8.9 percent to 7.9 percent, the unemployment rate for the textile industry dropped only one-half of one percentage point, from 10.8 to 10.3 percent. Most of this drop was caused by people leaving the industry as the number of production workers employed in the industry actually declined from 861,000 to 855,000 during this period.

There has been a net decline of 403,000 production jobs from February, 1951 to February, 1959 as employment fell from 1,263,000 to 860,000.

Increases in production are not translated into higher employment as productivity is increasing at a phenomenally high rate. Yards produced per man-hour in 1947 were 7.8; in 1951, 9.0; in 1956, 10.6; in 1957, 11.6, and in the first 9 months of 1958, 12.2. As output has not kept pace with the annual rate of increase in productivity of 4 to 5 percent, employment has continued to shrink.

The decline in jobs has been felt in all sections of the country in which substantial numbers of textile workers are employed. While New England and the Middle Atlantic States have suffered the greatest declines, the South has also had a considerable drop in employment (table I).

Large groups of unemployed textile workers have been stranded in communities all along the eastern seaboard. These communities have made abortive efforts to improve their lot by attracting new industry. But in no case has the new employment significantly improved conditions within these areas. Textile workers have been scrapped by the thousands. Men and women with years of service have remained unemployed, with many of them involuntarily being retired or supported by families.

The chronic state of unemployment has meant economic distress for many areas (table II).

TABLE I.—*Employment in the textile mill products industry, by State, February 1951 and January 1959*

[In thousands]

Region and State	Employment (wage and salary workers)		Change, February 1951–January 1959	
	February 1951	January 1959	Number	Percent
United States [1]	1,365	946	−419.0	−30.7
New England	286.1	122.0	−164.1	−57.4
Maine	27.5	14.2	−13.3	−48.4
New Hampshire	21.1	12.7	−8.4	−39.8
Vermont	5.2	1.2	−4.0	−76.9
Massachusetts	125.0	49.8	−75.2	−60.2
Connecticut	41.6	14.8	−26.8	−64.4
Rhode Island	65.7	29.3	−36.4	−55.4
Middle Atlantic	307.2	167.9	−139.3	−45.4
New York	96.1	[2] 56.8	−39.3	−40.9
New Jersey	65.8	3.17	−34.1	−51.8
Pennsylvania	141.7	76.9	−64.8	−45.7
Delaware	3.6	2.5	−1.1	−30.6
South	669.9	573.8	−96.1	−14.4
West Virginia	2.9	1.9	−1.0	−34.5
Maryland	11.6	5.8	−5.8	−50.0
Virginia	42.7	35.2	−7.5	−17.6
North Carolina	244.2	217.0	−27.2	−11.1
South Carolina	139.8	127.6	−12.2	−8.7
Georgia	114.8	98.2	−16.6	−14.5
Alabama	55.5	42.2	−13.3	−24.0
Mississippi	6.0	4.5	−1.5	−25.0
Tennessee	39.9	30.9	−9.0	−22.6
Arkansas	2.3	1.9	−.4	−17.4
Texas	10.2	7.0	−3.2	−31.4
Midwest	32.2	20.8	−11.4	−35.4
Illinois	13.5	[2] 9.9	−3.6	−26.7
Minnesota	4.9	2.3	−2.6	−53.1
Wisconsin	[3] 10.1	[2 3] 5.2	−4.9	−48.5
Missouri	3.7	[2] 3.4	−.3	−8.1
Far West	8.2	5.6	−2.6	−31.7
California	8.2	5.6	−2.6	−31.7

[1] Data include States not shown separately.
[2] December 1958.
[3] Production worker employment.

TABLE II.—*Textile areas of substantial labor surplus,[1] January 1959*

NEW ENGLAND

	Percent
Maine:	
Biddeford-Sanford [2] (January 19–59)	21.2
Lewiston-Auburn (February 1959)	11.3
Portland [3] (January 1959)	9.8
Vermont:	
Burlington (June 1958)	6.8
Connecticut:	
Danielson [2] (January 1959)	12.3
Norwich (January 1959)	11.9
Thompsonville (January 1959)	11.4
Rhode Island:	
Providence [2, 3] (November 1958)	10.0
Newport [2] (September 1958)	6.2
Massachusetts:	
Brockton [3] (January 1959)	8.5
Fall River [2 3] (January 1959)	11.3
Fitchburg (January 1959)	8.3
Lawrence [2, 3] (January 1959)	9.5
Lowell [2, 3] (January 1959)	11.5
New Bedford [3] (January 1959)	12.9
North Adams [2] (January 1959)	14.9
Plymouth (January 1959)	13.9
Southbridge-Webster January 1959	11.3
Springfield-Holyoke [3] (January 1959	8.6
Taunton (January 1959)	8.7
Ware (January 1959)	9.2
Worcester (January 1959)	9.6

MIDDLE ATLANTIC

	Percent
New York:	
Amsterdam (July 1958)	18.0
Auburn (September 1958)	15.0
Gloversville (August 1958)	13.7
Utica-Rome [3] (November 1958)	9.0

See footnotes at end of table.

TABLE II.—*Textile areas of substantial labor surplus, January 1959*—Continued

MIDDLE ATLANTIC

	Percent
New Jersey:	
Paterson [3] (January 1959)	9.1
Phillipsburg (November 1958)	6.9
Pennsylvania:	
Allentown-Bethlehem-Easton [2] (January 1958)	10.1
Berwick-Bloomsburg [2] (November 1958)	12.5
Lewistown [2] (November 1958)	11.4
Reading [2] (January 1959)	7.8
Scranton [2 3] (January 1959)	16.8
Sunbury-Shamokin-Mt. Carmel [2] (September 1958)	10.3
Wilkes-Barre-Hazleton [2] (January 1959)	18.0
Williamsport (July 1958)	12.9
York (January 1959)	8.7

SOUTH

Maryland:	
Cumberland [2] (August 1958)	13.2
Virginia:	
Radford-Pulaski [2] (December 1958)	7.7
Roanoke [3] (January 1959)	10.2
West Virginia:	
Martinsburg (October 1958)	6.3
Parkersburg (December 1958)	8.4
North Carolina:	
Asheville [2 3] (January 1959)	8.3
Durham [2 3] (January 1959)	7.4
Fayetteville [2] (January 1959)	14.0
Hendersonville (January 1959)	11.9
Kinston (January 1959)	8.7
Lumberton (January 1959)	12.1
Mt. Airy [2] (January 1959)	10.9
Raleigh (January 1959)	6.9
Rockingham-Hamlet (January 1959)	21.4
Rocky Mount [2] (January 1959)	10.0
Rutherfordton-Forest City [2] (January 1959)	11.0
Shelby-Kings Mountain [2] (January 1959)	9.0
Waynesville [2] (January 1959)	6.2
Tennessee:	
Bristol-Johnson City-Kinsgsport (September 1958)	6.7
Chattanooga [3] (January 1959)	7.3
Knoxville [2 3] (January 1959	8.1
Memphis (January 1959)	6.7
Murfreesboro (April 1958)	11.2
Shelbyville (October 1958)	8.7
Georgia:	
Toccoa (September 1958)	6.9
Mississippi:	
Greenville (August 1958)	8.1
Alabama:	
Alexander City (August 1958)	11.5
Anniston (December 1958)	8.6
Florence-Sheffield (December 1958)	10.5
Gadsden (December 1958)	7.2
Jasper (December 1958)	10.8
Talladega (December 1958)	9.9

WEST

Oregon:	
Pendleton (November 1958)	8.2

[1] 6 percent or more of labor force unemployed; figures in parentheses are latest available unemployment rates.
[2] Would be eligible for assistance under Douglas Bill as of January 1959.
[3] Major area.
Source: U.S. Bureau of Employment Security.

NATIONAL DEFENSE

Mr. CLARK. Mr. President, in the March 30, 1959, issue of Missiles and Rockets magazine, the distinguished junior Senator from Missouri [Mr. SYMINGTON] had published a short and a most pertinent article on the subject of our status in the missile race against Russia.

I ask unanimous consent that the article may appear in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

There are many experts on past wars, but none on future wars. As Gen. Maxwell D. Taylor, Chief of Staff of the U.S. Army, testified: "In my judgment, any dogmatic prediction of what will take place after an initial nuclear exchange is beyond the human capability."

Let us hope there will never be any real experts on nuclear wars, not on the grounds that no one would survive to become an expert, but on the premise that we may have the courage and the wisdom to prevent such destruction from ever getting started.

It is not enough, however, for us to be comforted by such hope. We must also be prepared for the dreadful alternative. In fact, such preparedness may well be the only sound basis upon which the hope for peace may grow.

Many sincere and informed people have varying judgments as to what constitutes adequate preparedness or adequate defense. Such differences are understandable. But there are certain propositions upon which, in my judgment, there should be substantial agreement. They are:

If a nuclear war does happen, it will come with such suddenness and destruction that there will be no time to defend or retaliate with any strength except that already in existence. Neither weapons on the drawing boards nor those whose production was postponed will have any effect upon the outcome of the conflict.

Since the time factor for response to an attack may be but a matter of minutes, the state of readiness of our weapons is of crucial importance. Those forces not so alert may be no asset; in fact, they may turn out to have been an actual handicap as a pre-attack source of unwarranted complacency.

It is wrong to measure our retaliatory strength in terms of what we have available before an attack has occurred. Our strength should be judged on what we believe we would have left, and could use, after attack.

With the premise that we would not be the aggressor, this Nation must have substantially more retaliatory strength, or substantially better dispersed and protected retaliatory strength, than the pre-attack strength of the attacker.

The Communists are building up their strategic strike capability at a faster rate than we are. Therefore, obviously our relative position is deteriorating. Under such circumstances, some day in the near future we may well find ourselves without a post-attack capability sufficient to meet the requirements either of deterrence or of adequate retalation.

The capability for swift retaliatory delivery of nuclear weapons has great significance in international negotiations and also in the imposition of control over others without the use of the weapons as such. This power is often referred to in terms of "nuclear blackmail."

It is a matter of U.S. policy, not lack of U.S. economic strength, which has allowed the Russians to develop and produce strategic striking power at a greater rate than this country. Economically, the United States is much stronger today than the U.S.S.R. With millions less people, we produce more than twice as much as the Soviet does. It is true that their rate of progress, as well as that of the Chinese, is greater than ours, but it is also true that we can far outproduce the Soviets in weaponry with less drain and less strain.

Knowledge of our production potential, however, is not enough. We must use it. There is no time left for complacency. Rather, we should look with clear vision at realities.

Already, the Soviets are ahead of us in important aspects of space exploration. They are also ahead of us in ballistic missiles.

The Sino-Soviet empire already is employing these leads in their dealings with other nations. If we are not to default in our position of leadership in the free world, therefore, we must step up our economic, moral, and defense pace.

This does not necessarily mean large increases in our defense spending. We can, and should, cut down the current waste of tax money by discontinuing the production of obsolete and useless weapons systems and also by eliminating existing duplication between the services.

This is no time to lose confidence in our democratic free enterprise system. Now, more than ever before, is the time to reassert that confidence.

Mr. CLARK. Mr. President, the junior Senator from Missouri points out what I think we need to have reiterated over and over again, namely, that as he states:

If a nuclear war does happen, it will come with such suddenness and destruction that there will be no time to defend or retaliate with any strength except that already in existence. * * *

Since the time factor for response to an attack may be but a matter of minutes, the state of readiness of our weapons is of crucial importance. * * *

It is wrong to measure our retaliatory strength in terms of what we have available before an attack has occurred. Our strength should be judged on what we believe we would have left, and could use, after attack.

The Senator further says:

This does not necessarily mean large increases in our defense spending. We can, and should, cut down the current waste of tax money by discontinuing the production of obsolete and useless weapons systems and also by eliminating existing duplication between the services.

Mr. President, I hope this article will receive from my colleagues the careful attention it deserves. The article is closely related to a letter which was published on the editorial page of the New York Times yesterday morning, entitled "Making Federal Policy," for which the subhead is, "Executive Branch Believed Hampered by Multitudes of Committees."

The letter was written by the distinguished commentator on national defense matters, Mr. Hans J. Morgenthau. I ask unanimous consent that the letter may be printed at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MAKING FEDERAL POLICY—EXECUTIVE BRANCH BELIEVED HAMPERED BY MULTITUDES OF COMMITTEES

(The writer of the following letter, a former consultant to the State Department, is the author of "In Defense of the National Interest" and other books.)

To the EDITOR OF THE NEW YORK TIMES:

The initiative of Senator HENRY M. JACKSON, as reported in The New York Times of April 17, in planning to investigate the policy-making processes of the National Security Council, deserves wide popular support. Upon its success or failure may well depend the fate of this country.

For the defects which Senator JACKSON has found in the procedures of the National Security Council can be duplicated in all agencies of the executive branch concerned with the military and foreign policies of the United States. The executive branch of the American Government has become a cumbersome, slow-moving instrument of government which, short of being faced with disaster actual or impending, is incapable of swift, decisive action and radical innovation. It has become government by committee.

VETO ON DECISION

As I pointed out in testimony before the Senate Foreign Relations Committee on April 15, the State Department is a member of about 700 interdepartmental committees, and to this figure must be added the multitude of committees into which the policy-making process is dissolved within the Department itself. These committees tend to become miniature replicas of the United Nations Security Council in that determined minority of one has a virtual veto over any positive decision.

This system of government puts a premium on inaction and on the mechanical continuation of safe routines. This being so, to refrain from new initiative must appear to many members of the executive branch by far the safer and more convenient course; hence, the propensity of our Government to continue policies long after they have outlived their usefulness or even when they have become self-defeating.

This government by committee destroys not only individual initiative but also individual responsibility. Since whatever formula a committee is able to agree upon is a labored product of a faceless collectivity rather than the result of the decision of one man, nobody in particular can be held to account for its effects. Applying the misunderstood principles of democracy to the process of policy formation, this system confounds consultation and information, which are essential for sound decision, with the participation on an equal footing of the purveyors of information and advice in the decisionmaking process itself.

MEASURES SUGGESTED

The restoration of personal initiative and responsibility to the decisionmaking process of the executive branch requires essentially three measures: the separation of the making of decisions from information and advice, the location of the making of decisions in individuals rather than agencies or subagencies, and the elimination of the duplication of functions and their overlap in a multitude of agencies, all of which have an equal part in the decisionmaking process but none of which is ultimately responsible for any particular decision.

If the 86th Congress, following Senator JACKSON'S initiative, frees the executive branch of this handicap of committee government, which in turn hamstrings any new departure in foreign and military policy, it will have at least enabled the American Government to embark upon those novel and bold foreign and military policies which the times demand.

HANS J. MORGENTHAU.

PRINCETON, N.J., *April 17, 1959.*

Mr. CLARK. Mr. President, the burden of the letter is that under the Eisenhower administration committee discussions, committee investigations, and committee procedures have replaced the rule of authoritative decision by an individual executive who is appointed by the President and who has his confidence.

The junior Senator from Washington is about to undertake a most important investigation of the organization of the National Security Council in connection with this matter, which is the subject of Mr. Morgenthau's letter.

I commend the letter to all my colleagues.

Mr. President——

The PRESIDING OFFICER. The Senator from Pennsylvania has the floor.

USE AND MANAGEMENT OF FOREST LANDS

Mr. CLARK. Mr. President, I have recently received a communication from the Honorable Maurice K. Goddard, secretary of the Department of Forests and Waters for the Commonwealth of Pennsylvania, in which informative remarks are made with regard to proposed Federal legislation which would affect the extensive forest areas of Pennsylvania. Since many of our States have similar forest treasures they wish to protect, I ask unanimous consent that Secretary Goddard's observations be published in the CONGRESSIONAL RECORD.

There being no objection, the communication was ordered to be printed in the RECORD, as follows:

DEAR SENATOR CLARK: As you know, legislation frequently comes before Congress affecting the use and management of forest lands. Because Pennsylvania is one of the leading urban and manufacturing states, I think there is a tendency to neglect the importance of so elemental a resource as our forests. Yet there are dozens of communities in the Commonwealth with lumbering and wood manufacturing as their leading and sometimes only industry.

These plants are not by any means restricted to our small communities. In the Philadelphia metropolitan area alone there are 388 such industries and in Pittsburgh there are 114. In addition, of course, the State's woodland provides Pennsylvania with some of the finest recreation in America. At the present time Pennsylvania has more forest recreation areas than any other state except Oregon.

Since our State park system is the second most heavily used in the nation, however, we must continually be searching for new park sites in and around our large population centers. In my opinion recreation is a necessity in modern life and any measures which will help us provide recreational facilities for our own and future generations of Pennsylvanians benefits the economy of the entire Commonwealth. As you know, the problems of employee leisure are of great interest to modern business.

Because of this, I have taken the liberty of enclosing with this letter a list of Federal legislation in which we, in the Department of Forests and Waters, are vitally interested, together with some background material that may serve as useful reference for you.

Sincerely yours,

MAURICE K. GODDARD.

GOOD FOREST MANAGEMENT IS IMPORTANT TO PENNSYLVANIA

Over 52 percent of the Commonwealth is forest—a renewable resource.

At last count there were 1,179 factories engaged in wood manufacture in Pennsylvania. This makes the industry sixth in the State in the number of plants. These industries are not restricted to our small communities—there are 388 such industries in the Greater Philadelphia area and 114 in Pittsburgh. Last year's income from these industries was more than $1 billion.

Six million acres of Pennsylvania forest are under ownerships of 100 acres or less. This is an important source of income for many of these landowners.

Forests serve as Pennsylvania's playgrounds. The State has the second most

heavily used State park system in the nation—second only to New York. Pennsylvania has 148 State Forest Recreation areas—a number second only to Oregon.

Pennsylvania's park expansion program has attracted nation-wide attention. There are 66 State parks now in operation. Five more are under construction and several more are on the drawing boards. Of particular note is our attempt to construct new parks near the State's population centers.

FEDERAL LEGISLATION HELPS

Public Law 566: A long-term project for the development of the water resources in the Brandywine Creek Basin, Chester County, will provide reservoirs for recreation as well as water supply and flood control. These man made lakes will be the hearts of three new State parks. Inasmuch as the U.S. Soil Conservation Service will participate in this project, authorizing legislation will be requested from Congress.

Cooperative Forest Management Act of 1950 (Public Law 729, 81st Congress): Under this act the Department of Forests and Waters employs 18 service foresters on a cost-sharing basis who render technical forestry assistance to private landowners in establishing, managing, and harvesting timber crops from small woodlands. You will be interested to know that in 1958, 1,900 landowners were given this service and realized $178,000 in gross income as a result. I am convinced that this program must be stepped up. Under the existing program, it would take 120 years for us to visit each landowner.

Clarke-McNary Act: Assistance to our programs through this act has been extremely helpful. In forest fire prevention and control, for instance, it helps us support an organization of 3,800 wardens and 150 fire towers protecting over 15 million acres of forest. As you know, reforestation in Pennsylvania has been extremely important. Seedlings to reforest the thousands of idle, unused, and nonproductive acres in Pennsylvania are grown in four large tree nurseries for which the department receives a small cost-sharing benefit from the Federal Government. In two areas, however, the Clarke-McNary Act is inadequate—in facilitating the reforestation of strip-mined areas and in provisions for the disposal of surplus Federal equipment for use by the States in developing State recreational areas. This department, therefore, believes the following bills would help correct these deficiencies.

S. 1087 and similar House bill introduced by Representative SAYLOR: This legislation authorizes a study of the need for Federal aid in the reforesting of strip-mined areas. Any measure, in my opinion, which furthers the improvement of such areas is helpful.

H.R. 702 (introduced in this session by Mr. BALDWIN, of California): This bill would amend the General Services Administration Act of 1949 to permit the donation of surplus Federal equipment to public supported recreational activities. While we have been able to procure such equipment for fire-fighting activities, we have not had the authority to procure it for construction and maintenance of vitally needed public recreation areas.

INTERNAL REVENUE SERVICE PERSONNEL

Mr. CLARK. Mr. President, there will shortly come before us, in connection with the Treasury Department appropriation bill, a question as to whether we should authorize the Commissioner of the Internal Revenue Service of the Treasury Department to retain his personnel and to hire a large number of additional revenue agents to bring the strength of the force up to the strength it had at the end of the Truman administration.

I have received a telegram from Paul W. Smith, honorary president and founder of the Tax Executives Institute, on this subject, and I ask unanimous consent that it may be printed in the RECORD at this point.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

NEW YORK, N.Y.

Senator JOSEPH S. CLARK,
Senate Office Building,
Washington, D.C.:

It is very important in the interest of almost complete breakdown of manpower problems in the Internal Revenue Service that the $2½ million trimmed from the Revenue Service appropriation be restored. As a matter of fact it should be double that amount. Industry is severely suffering from the lack of performance by the Internal Revenue Service due to the lack of manpower. Industry must have decisions in keeping with its pace of operaion and bureau does not have manpower to perform. This is very expensive economy.

PAUL W. SMITH,
Honorary President and Founder,
Tax Executives Institute.

THE NATIONAL ECONOMY

Mr. CLARK. Mr. President, a most interesting letter was published on the editorial page of the Washington Post and Times Herald this morning, entitled "How Much Can We Spend?" The letter was signed by a large number of economists of the faculty of the University of California.

I ask unanimous consent that the letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

HOW MUCH CAN WE SPEND?

We wish to express our deep concern over the unmistakable and continuing deterioration of the world position of the United States.

When we look for the causes of this decline, one stands out in special relief. It is the widely held opinion that the resources of our economy are insufficient to support the economic and defense effort required to sustain a position of world leadership. The idea, vague but powerful, has taken hold that raising defense or other public expenditures significantly above the present level would somehow cause a complete breakdown of the economy.

It is our considered opinion, as professional economists, that this economic defeatism is wholly unwarranted. While our specific counterarguments are restricted to the economics of the defense effort, they really apply equally to the economics of all those other activities, such as foreign economic aid and Federal aid to education, which affect our country's position in a highly competitive world.

It is true that an increase in defense spending would probably necessitate either a budget deficit or higher taxes, and that higher taxes would probably be required to combat inflation. We realize that no one likes higher taxes. They are, however, society's way of cutting back the purchase and production of consumer goods so as to release labor and plant capacity for providing more public goods. This cut in consumption is the true measure of the cost of expanding defense programs. So long as the citizen elects to pay this cost, because he feels that he needs more security, the economy remains perfectly sound.

It must be obvious to everyone that a country like the United States, with the highest standard of living in the world, could reduce its consumption standards substantially if considerations of national security demanded it. What is perhaps less obvious is that a very great increase in defense production would be made possible by quiet minor sacrifices of consumption.

For example, in 1959 planned spending on defense is to be $46 billion. By taking up the slack of unemployed labor and unutilized plant capacity, we could raise defense spending from $46 to between $50 and $55 billion—an increase of between 10 and 20 percent—without any reduction at all of total consumer purchases below the 1958 level. A tax increase would still be necessary, but only to prevent consumers from expanding their spending as their total earnings rise with rising employment.

The $46 billion of defense spending planned for 1959 is 10 percent of the anticipated gross national product. In 1953, not a year of economic hardship, the figure was 14 percent. A willingness to allocate to defense 14 percent of gross national product in the coming year would result in defense spending of over $60 billion. This would still leave our per capita consumption above the 1953 level because productivity has been increasing, and yet we would have expanded our defense effort by nearly one-third.

We feel that the issue has not been made clear to the American public, and that it has been assumed too readily that the public is unwilling to make even minor sacrifices.

In the past, democracies have demonstrated a capacity to turn their economies upside down to win wars and a chronic incapacity to make the much smaller adjustments required to prevent them. Surely this habit courts disaster in the era of the intercontinental missile.

Roy G. D. Allen, Philip W. Bell, Alice E. Bourneuf, George F. Break, Earl F. Cheit, Edward Coen, Malcolm M. Davisson, R. A. Gordon, Gregory Grossman, Austin C. Hoggatt, Richard Holton, Emily H. Huntington, Dale W. Jorgenson, Frank L. Kidney, M. M. Knight, Carl Landauer, Harvey Leibenstein, Abba P. Lerner, John M. Letiche, Hyman P. Minsky, Andreas G. Papandreou, Roy Radner, Earl R. Roph, Henry Rosovsky, Tibor Scitovsky, Lloyd Ulman.

BERKELEY, CALIF.

(The signators are all economists on the faculty of the University of California.)

Mr. CLARK. Mr. President, the burden of the letter is stated clearly, as follows:

It must be obvious to everyone that a country like the United States, with the highest standard of living in the world, could reduce its consumption standards substantially if considerations of national security demanded it. What is perhaps less obvious is that a very great increase in defense production would be made possible by quite minor sacrifices of consumption.

The letter calls to my mind again the desirability of closing the tax loopholes which exist to such a wide extent in our present Internal Revenue Code. I hope that when these matters come before the Senate, as they will, my colleagues will give careful thought to the fact that we must obtain more revenue if we are to have an adequate national defense and also take care of the legitimate needs of our domestic economy. The best way to accomplish this end is to close the tax loopholes. We shall shortly have an opportunity to do so in connection with the Treasury Department appropriation bill.

ENROLLED JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, April 27, 1959, he presented to the President of the United States the enrolled joint resolution (S.J. Res. 19) authorizing the Architect of the Capitol to present to the Senators and Representative in the Congress from the State of Alaska the official flag of the United States bearing 49 stars which is first flown over the west front of the U.S. Capitol.

RECESS

Mr. AIKEN. Mr. President, if there is no further business to come before the Senate, under the order previously entered I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 25 minutes p.m.) the Senate, under the order previously entered, took a recess until tomorrow, Tuesday, April 28, 1959, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

MONDAY, APRIL 27, 1959

The House met at 12 o'clock noon.

The Reverend James Pickett Wesberry, D.D., LL.D., pastor, the Morningside Baptist Church, Atlanta, Ga., offered the following prayer:

"Blessed is the nation whose God is the Lord."—Psalm 33: 12.

Gracious God, Thou hast richly and abundantly favored the United States of America for which we are most humbly and sincerely grateful. Hear us now, as once again we invoke Thy blessings upon our great President and ask divine wisdom for him, his cabinet, and for each of these faithful and honored Representatives of the people in our National Congress.

Give special grace, we humbly pray, to Speaker RAYBURN as he wisely and graciously wields a gavel the influence of which affects the nations of the world. Comfort Thou the highly esteemed and grately beloved Chaplain of the House, and if it be within the circle of Thy divine will, may he be speedily and completely restored to good health and strength.

Be Thou the God and Father of each of us this day—a day which we have never seen before and will never see again. Help us to use it for Thy glory, to walk humbly before Thee, to do justly, to love righteousness, and to follow Thy counsel, remembering always that the Nation is truly great whose God is the Lord. In the all-prevailing name of Jesus Christ. Amen.

The Journal of the proceedings of Thursday, April 23, 1959, was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Ratchford, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and a joint resolution of the House of the following titles:

On April 17, 1959:

H.J. Res. 336. Joint resolution making a supplemental appropriation for the Department of Labor for the fiscal year 1959, and for other purposes.

On April 22, 1959:

H.R. 2493. An act declaring certain property in the State of New Mexico to be held in trust for the Pueblo of Santo Domingo; and

H.R. 5508. An act to provide for the free importation of articles for exhibition at fairs, exhibitions, or expositions, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McGown, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1555. An act to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes.

UNITED STATES v. BERNARD GOLDFINE

The SPEAKER laid before the House the following communication:

APRIL 23, 1959.

The Honorable the SPEAKER,
House of Representatives,
Washington, D.C.

SIR: Mr. Oliver Eastland, an employee of the House, while serving at my direction as an attorney of the Special Subcommittee on Legislative Oversight of the Committee on Interstate and Foreign Commerce, received a subpena directing him to appear as a witness before the U.S. Court for the District of Columbia in the case of *U.S.* v. *Bernard Goldfine* (No. 1158–58). The return date of the subpena has been extended by the court to April 28, 1959.

The subpena in question is transmitted herewith, and the matter is presented for such action as the House, in its wisdom, may see fit to take.

Respectifully yours,

OREN HARRIS,
Member of Congress, Chairman.

The SPEAKER. The Clerk will read the subpena.

The Clerk read as follows:

U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA—UNITED STATES OF AMERICA *v.* BERNARD GOLFINE, DEFENDANT, NO. 1158–58

To Mr. OLIVER EASTLAND, *House Subcommittee on Legislative Oversight, George Washington Inn:*

You are hereby commanded to appear in the U.S. District Court for the District of Columbia at Third and Constitution Avenue NW., fourth floor, courtroom 8, in the city of Washington on the 20th day of March 1959, at 10 o'clock a.m., to testify in the above-entitled case.

This subpena is issued on application of the defendant.

HARRY M. HULL,
Clerk.
HUGH E. KLINE,
Deputy Clerk.

EDWARD BENNETT WILLIAMS,
Attorney for Defendant.

Mr. McCORMACK. Mr. Speaker, I offer a resolution (H. Res. 252) and ask for its immediate consideration.

The Clerk read as follows:

Whereas Oliver Eastland, an employee of the Subcommittee on Legislative Oversight of the Committee on Interstate and Foreign Commerce, House of Representatives, has been served with a subpena to appear as a witness before the United States District Court for the District of Columbia, to testify at Washington, D.C., on the 28th day of April 1959, in the case of the United States of America against Bernard Goldfine, criminal case numbered 1158–58.

Resolved, That Oliver Eastland, an employee of the House, is hereby authorized to appear pursuant to said subpena as a witness before the said court; and be it further

Resolved, That a copy of this resolution be transmitted to the said court as a respectful answer to the subpena aforementioned.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. McCORMACK. Mr. Speaker, on April 16, 1959, the gentleman from Arkansas [Mr. HARRIS] presented to the House a subpena which had been served on him. Under the precedents of the House he could not respond without the permission of the House, the privileges of the House being involved. Therefore, at this time I submit privileged resolution (H. Res. 253) for the consideration of the House.

The Clerk read the resolution, as follows:

Whereas Representative OREN HARRIS, a Member of this House, has been served with a subpena to appear as a witness before the United States District Court for the District of Columbia, to testify at Washington, D.C., on the 15th day of April 1959, in the case of the United States of America against Bernard Goldfine, criminal case numbered 1158–58; and

Whereas by the privilege of the House no Member is authorized to appear and testify, but by order of the House: Therefore be it

Resolved, That Representative OREN HARRIS is authorized to appear in response to the subpena of the United States District Court for the District of Columbia in the case of the United States of America against Bernard Goldfine at such time as when the House is not sitting in session; and be it further

Resolved, That as a respectful answer to the subpena a copy of this resolution be submitted to the said court.

The resolution was agreed to.

A motion to reconsider was laid on the table.

LABOR, AND HEALTH, EDUCATION, AND WELFARE DEPARTMENTS APPROPRIATION BILL, 1960

Mr. McCORMACK. Mr. Speaker, during one of the sessions of last week the gentleman from Rhode Island [Mr. FOGARTY] obtained permission to file a report in connection with the Departments of Labor, Health, Education, and Welfare appropriation bill for 1960 by midnight Tuesday, tomorrow night. I ask unanimous consent that it be in order for that bill to be brought up on Thursday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 120)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Public Works and ordered to be printed with illustrations:

To the Congress of the United States:

Pursuant to the provisions of section 10 of Public Law 358, 83d Congress, I transmit herewith for the information of the Congress the report of the Saint Lawrence Seaway Development Corporation, covering its activities for the year ended December 31, 1958.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *April 24, 1959.*

NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (S. DOC. NO. 6)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Science and Astronautics, and ordered to be printed with illustrations:

To the Congress of the United States:

In compliance with the provisions of the act of March 3, 1915, as amended, which established the National Advisory Committee for Aeronautics, I transmit herewith the 44th and final annual report of the Committee for the fiscal year 1958. This report covers the activities of the Committee through the close of business September 30, 1958, when it was superseded by the National Aeronautics and Space Administration.

The National Advisory Committee for Aeronautics is to be commended for its many contributions to the progress of aeronautical science in the United States and for the spirit of teamwork in aeronautics it has inspired among leaders in science, the military, and industry. I wish also to acknowledge at this time the excellent work and dedication of the Committee's research staff who, over the years, have given unstintingly of their talents in a manner which reflects credit upon them and all other civil service personnel of the United States.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *April 27, 1959.*

HON. CHRISTIAN A. HERTER

Mr. LANE. Mr. Speaker, I ask unanimouse consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, the chief of American foreign policy is now Christian A. Herter.

When the Nation heard that able and conscientious John Foster Dulles was incapacitated by an illness that prevented him from continuing the excellent services he had given to our country and the free world during the past 6 years, there was sincere sympathy for Dulles, and concern about the future direction of our foreign policy.

It would be difficult to find a replacement who would measure up to the ability and the character of Dulles.

Fortunately, there was a man in the State Department who was prepared for such an eventuality. As the right-hand man of Dulles, he had earned the confidence of his superior, and had shared in his vast knowledge of international affairs.

That man was Christian A. Herter, who began his career as a junior Foreign Service officer. He was born with a talent for diplomacy, that was broadened and strengthened by a thorough education and by extensive experience in Government at various levels.

I first met Chris Herter when we were colleagues in the Massachusetts House of Representatives during the 1930's. I was impressed by his patient determination to explore every issue before making a decision. In the heat of debate, he never lost his temper. When he rose to speak, we knew that he was ready. His integrity and his courtesy won for him the increasing regard of his fellow Republicans, and the respect of his Democratic opponents. He was promoted to Congress, where, for 10 years he developed the stature that singled him out for further honors.

Returning to Massachusetts, he was elected and reelected as Governor of the Commonwealth.

The recognition of genuine ability may be delayed but never denied. Washington had noted his faculty for gathering the facts and resolving the conflicting opinions that would result in a true consensus, and his polite but firm leadership once the die was cast. As a Member of Congress, his grasp of international relations had shown growth and seasoned judgment. Here was a man destined for greater responsibilities. In 1957, he was summoned to Washington to become Under Secretary of State.

Although I have criticized some elements of our foreign policy, I believe that the President should be commended for his wisdom in choosing John Foster Dulles as his first Secretary of State. History will be grateful to Dulles for his unyielding opposition to Communism, and for the time he won that will enable the free world to prevail.

As illness forces him to relinquish the burdens of his office, we in the United States are thankful to Dulles for recommending Herter as the man best able to fill his shoes. The fact that the President followed his advice, is a tribute to the accomplishments of Dulles, and to the potentialities of Herter.

We in Massachusetts who know Chris Herter predict that he will be a pleasant surprise to the Nation and to the Western World.

Quietly but effectively he will integrate all the resources of our State Department, and in concert with our allies, present a united front against those who threaten the peace of the world.

In our new Secretary of State, Christian A. Herter, the Communists will meet a leader in diplomacy who will prove to be an unpleasant surprise for them.

FOOD FOR PEACE

Mr. BASS of Tennessee. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. BASS of Tennessee. Mr. Speaker, several weeks ago the President of the United States recommended that this country adopt a food for peace plan. The Committee on Agriculture, of which I am a member, has had hearings on this subject. Several bills have been introduced in the interest of a food for peace plan. However, I do not believe we have adequate information to pass legislation inaugurating such a program. I, therefore, today have introduced a bill which will establish a commission to make a study of the food for peace plan that has been recommended by the President. I hope this body will give early and favorable consideration to the bill creating such a commission, so that during the next session of the Congress we will have the necessary information to initiate this vital program.

SUBCOMMITTEE ON IRRIGATION AND RECLAMATION OF THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. ROGERS of Texas. Mr. Speaker, I ask unanimous consent that the Subcommittee on Irrigation and Reclamation of the Committee on Interior and Insular Affairs may be permitted to sit this afternoon during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

UNDER PRESENT PLAN HIGHWAYS CAN BE BUILT WITHOUT PAYING DOUBLE—CONSIDERATION SHOULD BE GIVEN TO GASOLINE TAX INCREASE OR PROVIDING THE MONEY IN SOME WAY TO CARRY OUT PRESENT PROGRAM

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, the Federal Highway Act of 1956 reaffirmed our interest in primary and secondary roads and highways. The act called for constructing a National System of Interstate and Defense Highways to include a 41,000-mile network of four- to eight-lane expressways designed to link together all of our principal cities. From an estimated cost of $27 billion, the amount has been revised and raised to $40 billion.

Since it is possible to have a pay-as-you-go or pay-as-you-build program for this purpose, Congress used rare and wise foresight in adopting such a program for this huge highway construction job. The Government cannot easily have such big programs for internal development on a pay-as-you-go basis, but in this case such a program is not only feasible, it is desirable.

Now, this pay-as-you-go program is in jeopardy. We have discovered that the Highway Trust Fund, instead of having a real substantial surplus, will soon be exhausted. If we are to have contracts beyond June 30 of this year, more money must be provided between now and then.

In his budget message to this Congress President Eisenhower called for an increase of 1½ cents per gallon on the Federal tax on gasoline, which would yield three-quarters of a billion dollars in the next fiscal year and put the program back in good condition. Possibly a better way can be found for providing the money.

If we continue the pay-as-we-build highway program, the cost will be at least 50 percent less than if we were to issue and sell long-term bonds for that purpose. If bonds are sold, the people will have to pay $2 for every $1 spent on highways, since by the time long-term bonds are paid there will be $1 of interest paid on every $1 of principal. Under the present plan this 41,000 miles of highways can be built for $40 billion instead of paying double that amount or $80 billion if bonds are substituted.

Under our fractional reserve system in commercial banking, the people who are promoting their own interest in banking, as they are expected to do under our private enterprise system, are taking advantage of every opportunity to encourage the issuance of more and more debt paper. They not only want more and more debt paper, but they want debt paper that will entail little or no risk like U.S. Government-guaranteed securities or securities issued by the States counties, cities, and political subdivisions. These latter securities are tax exempt and the commercial banks are the principal purchasers. If the banks had to pay actual money for these securities, their profits would not be as attractive as under the present system of creating the money on the books of the bank with which to buy them.

GOLDSMITH COMMENCED OUR PRESENT BANKING SYSTEM

Three hundred years ago, the local goldsmith occupied a prominent and useful part in the local economy in Europe. The goldsmith accepted a deposit of gold and gave the depositor a receipt or receipts for it. These receipts were used as money because the holder could carry the receipt to the goldsmith and get the actual gold. The goldsmiths discovered that the depositors of gold seldom returned for the actual gold as the receipts were more convenient in trade and served the same purpose that the gold would serve. It was then the fractional reserve system was commenced by the goldsmiths, which is now in use right here in the United States. The goldsmiths commenced the policy of lending gold receipts, for an interest charge, which amounted to several dollars in gold receipts as they had gold. The reputable goldsmith discovered that he could safely issue several dollars in gold receipts for every $1 of gold he had in his vault. This enabled him to collect interest on several dollars for every $1 in gold he held on deposit.

The commercial banks in the United States today are using the fractional reserve system patterned after the old goldsmith. Today, the commercial banks have outstanding loans and investments amounting to almost exactly 10 times the amount of their dollar reserves. On $18 billion in reserves with the Federal Reserve banks, the commercial banks are collecting interest on $180 billion on loans and investments which they have made on these reserves—or 10 to 1.

During the past two or three decades when the commercial banks were clamoring for more and more debt paper we have witnessed a change in the type and character of debt paper held by commercial banks. Now, much of this debt paper is guaranteed by the Federal Government; this is true whether it was created for the purpose of building houses or for foreign loans.

PAYING DOUBLE FOR CERTAIN POSTOFFICE BUILDINGS

Congress accepted the lease-purchase plan for building post office buildings sponsored by the present administration before realizing that such plan would give the manufacturers of money a dollar in interest for every dollar of principal used for this purpose. In other words, every $100,000 building constructed under this plan will cost the taxpayers $200,000.

We have a chance to avoid that mistake in our highway program.

QUALIFICATIONS FOR APPOINTMENT TO SUPREME COURT

Mr. CASEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CASEY. Mr. Speaker, I have this day introduced a bill to establish professional as well as geographic qualifications for future appointments to the United States Supreme Court.

I urge my colleagues to study the measure, and if they agree with me that it is meritorious, I earnestly solicit their support and invite them to join with me in any way they see fit, including becoming a coauthor if they so desire. I am not seeking so much the pride of authorship as I am the restoration of confidence in our Supreme Court.

If this bill becomes law, I sincerely believe it will lead to a restoration of public confidence in our Nation's court of last resort.

This bill will require that future appointees to the Supreme Court must have had not less than 8 years' judicial service as a justice, a judge of a court of appeals, or a district court of the United States, or as a judge of a State court of last resort having jurisdiction to interpret the State's constitution.

In addition, the bill would prohibit the appointment of more than one Associate Justice of the Supreme Court from any of the 10 judicial circuits of the U.S. Court of Appeals which geographically divide up the Nation.

I sincerely believe that one important effect of this bill will be to lift the appointments to the U.S. Supreme Court from the realm of politics.

Since the President can serve only 8 years, this bill would prevent him from naming and advancing a political appointee through the Federal courts to the U.S. Supreme Court within the President's tenure of office.

Three of the present members of the Supreme Court were named to judgeships of lower Federal courts by President Eisenhower—then advanced to the Supreme Court by the President from 1 to 4 years later.

Mr. Speaker, I want to emphatically point out that this bill is not an attempt to hamstring or curtail the power of the Supreme Court.

I will bitterly oppose any attempt to tamper with or destroy the delicate balance of power written into our Constitution by our Founding Fathers.

On the other hand, there are absolutely no qualifications for appointment to the Supreme Court set out under the law.

It is not even specified under present law that a member of the Supreme Court must have a legal background—much less judicial experience.

To me, it is inconceivable that a person without substantial prior judicial experience and proven judicial temperament can be expected to ably dispense justice in interpreting the laws of our land in our Court of Last Resort.

Justice is not merely the application of textbook interpretation of the body of the law by legal theorists. It is that reaching of a tempered decision of Solomon-like beauty that comes from equally weighing the law and the evidence and knowing the full import of such decision on the parties involved.

Mr. Speaker, this ability is acquired only through years of experience.

I think the American people have the right to demand that the finest legal minds in the Nation be chosen to sit on our highest court—minds of men who have proven judicial backgrounds, and who geographically represent the broad flowing stream of customs and culture that coarses through out Nation.

Mr. Speaker, our Founding Fathers—of whom slightly more than half signing the Constitution were students of the law—could not have envisioned the tremendous growth of our Nation into 50 States spreading into the far reaches of the Pacific. Nor could they have foreseen the massive growth of our laws and judicial system which now requires many years of study and actual practice to understand. If they had, I am sure that in their God-given brilliance they would have made such provisions requiring both judicial experience and geographic representation.

Many legal authorities and associations, as well as laymen, have openly criticized and quarreled with decisions reached by the Supreme Court.

I firmly believe that such questionable decisions are handed down by the Court primarily because of a lack of judicial experience on the part of the present members of the Supreme Court.

Mr. Speaker, of the nine members of the Court, five had no prior judicial experience before appointment to the Supreme Court.

I, like many Americans, believe that the Supreme Court of our Nation is decidedly not the place for "on the job training" for men who have never served as a judge or justice.

Mr. Speaker, our Nation is divided into 10 judicial circuits. Of the 8 associate justices now serving on the Supreme Court, 4 were appointed from the 1st, 2d, and 3d circuits composed of 10 New England and Middle Atlantic States; 2 from the 5th circuit, and 1 each from the 6th and 8th circuits. There is no associate justice on the court appointed from the 23 States comprising the 4th, 7th, 9th, and 10th circuits.

REQUEST FOR AUTHORIZATION OF ADDITIONAL FUNDS FOR MUTUAL SECURITY FUND

Mr. MORGAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MORGAN. Mr. Speaker, in connection with its request for authorization of additional funds for the mutual security program, the Executive has made available to the Committee on Foreign Affairs six volumes of background information which have been classified "secret." A set of these volumes is on deposit in the Foreign Affairs Committee room on the gallery floor of the Capitol and is available for examination by any Member of the House who desires to see them and is willing to be bound by this security classification.

The Foreign Affairs Committee has nothing to do with the classification of this material. The Departments of State and Defense decide which items of information should be classified, and we have to respect their judgment. There is no desire on the part of the State Department or of the Defense Department, and certainly not on the part of the Committee on Foreign Affairs, to keep any information from Members of the House.

I hope that as many Members as possible will come to the committee room and study these books. I firmly believe that the better informed Members are concerning the mutual security program, the greater will be their support for it.

Let me say just a word about the reason why a certain amount of information is classified and is not made available for publication. Although I differ with the Pentagon and the State Department as to the desirability of classifying certain specific items of information, I understand their overall purpose and I am in general agreement with the necessity for such classification.

The volumes to which I have referred include detailed descriptions of the forces of nations which receive military aid from us as well as comments from our military authorities as to the effectiveness of such forces. It is important that this information be kept from our enemies, and it is clear that publication of some of the appraisals of the forces of allied countries might make serious trouble for us with our friends.

It is the general policy of the Executive not to make public the amounts of military and economic aid which have been programed for individual countries in the authorization currently under consideration. Figures for technical assistance for individual countries are available for publication this year as they have been in previous years.

An important reason for not making dollar amounts of aid planned for individual countries public while legislation is under consideration by the Congress is that all such figures are tentative until appropriations have actually been voted. In all previous years the funds provided by the Congress for the mutual security program have been less than the amount requested by the Executive. As a result, after the appropriations have been voted, it is necessary for the Executive to make a redistribution of funds, in general reducing the amounts programed for the various countries. Ordinarily this cannot be done on a straight percentage basis; that is, if the appropriation is 10 percent below the total originally requested, it is not possible to just go through and cut every country by 10 percent. In the first place, we do not, except in very unusual circumstances, give money to foreign governments which receive assistance from us. We pay for things which are supplied to them. In our military program we provide arms and equipment for a division or an air squadron or provide a country with a minesweeper. Ordinarily it is not desirable to provide equipment for part of a division or half an air squadron or a fraction of a minesweeping vessel. After a cut has been made by the Congress, it is necessary to adjust the program in terms of the various items which go to make it up. It makes matters more difficult if each country is keeping careful watch to see that its own program is reduced no more in dollar value than any other. If there has been publication of dollar amounts for individual countries, it complicates the job of curtailing and adjusting the program for the individual countries.

A major purpose of the foreign aid program is to influence foreign nations to behave in a manner favorable to our interests. It is important that the money we provide be used as effectively as possible. Our expenditures will be less effective if controversy and national rivalry concerning overall dollar figures for specific countries diverts the attention of the recipients of our aid from the underlying objectives of the program.

Let me emphasize again that it is the desire of the Foreign Affairs Committee that every Member of the House be fully informed as to the mutual security program now under consideration. The books are available in the committee room, and I hope that you will make use of them.

DR. JAMES P. WESBERRY

Mr. DAVIS of Georgia. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. DAVIS of Georgia. Mr. Speaker, Dr. James P. Wesberry who is serving as Chaplain this week is no stranger to the House of Representatives. He is well remembered here as one who acted as our Chaplain for some 6 weeks in the summer of 1949. Many Members of Congress have long had the privilege of counting this man of God among their treasured friends. It is good to have Dr. Wesberry with all of us here in Washington again.

Dr. Wesberry is the distinguished and beloved pastor of the Morningside Baptist Church in Atlanta. He is known not only in his church but throughout the Southern Baptist Convention as a great influence for Christianity and one of the strong, outstanding inspirations for good to this generation.

Born in Bishopville, S.C., James Pickett Wesberry was destined to walk in the paths of service as a devoted minister of the Gospel, preacher, pastor, teacher, counselor, writer, statesman, and friend. Dr. Wesberry received his bachelor of arts degree at Mercer University, the bachelor of divinity and master of sacred theology degrees from Andover Newton Theological School, and took some special studies at Harvard University.

At the age of 20, Dr. Wesberry was ordained to the ministry by his home church, Park Street Baptist Church, in Columbia, S.C., and while still a student served as pastor of several churches, among which was the Soperton Baptist Church in Soperton, Ga. At the Morningside Baptist Church in Atlanta, where he has been pastor for the last 15 years, he has realized what I know to have been his dream of building one of the most beautiful churches in America.

In 1957 he served as president of the Southern Baptist Pastor's Conference, and as president of the Georgia Baptist Convention for 1956 and 1957. He was chairman of the Committee on Committees for the Southern Baptist Convention in 1958. Currently, he is a member of the Public Relations Committee of the Georgia Baptist Convention; a member of the Atlanta Baptist School Committee; and chairman of the Missions Committee of the Atlanta Association. He has served for many years as president of the Board of Directors of the White Operating Board of Battle Hill Haven, Inc., a home for the aged and chronic ill for Fulton and DeKalb counties. He is also at present a member of the Atlanta Fund Review Board; a member of the board of trustees for the Doorway of Hope, a Christian home for alcoholic women. He served as first State director

of the National Youth Courtesy Foundation, and he has also served as national president of Alpha Chi Omega Divinity Fraternity.

Currently, as chairman of the Georgia Commission on Literature, his voice is no uncertain sound regarding the evils of obscene literature, arousing and stimulating similar action throughout the Nation.

Dr. Wesberry is the author of several books and numerous articles and editorials. An inspiring book of prayers of Dr. Wesberry was published some years ago. In addition to his book of prayers, he is the author of the "Life and Work of William Screven," and the books: "Every Citizen Has A Right to Know," a report of the Georgia Literature Commission for 1954, and "The Georgia Literature Commission," 1957 report. He served for a number of years as staff correspondent of "The Christian Century," and as program writer for the "Young People's Training Union Quarterly" of the Southern Baptist Convention.

SPECIAL ORDER VACATED

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent that the special order granted me for tomorrow for 60 minutes be vacated.

The SPEAKER. Is there objection?

There was no objection.

THE TOKYO RAIDERS: A SYMBOL FOR AMERICA

Mr. GEORGE P. MILLER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GEORGE P. MILLER. Mr. Speaker, it is fitting that we pause for a moment to take note of a memorable occasion of the past weekend, and to pay tribute to the men who were there.

This was the 17th annual reunion of the Tokyo raiders.

In the month of April 1942, the United States was locked in a mortal struggle with the Axis Powers. The surprise attack on Pearl Harbor was then nearly 5 months into history, and an angered America was still arming. The greatest of haste still seemed not to give us action—and the Nation, wounded and enraged—wanted to come to grips with the enemy.

Then came the news.

American airmen had bombed the Japanese homeland.

Tokyo, Yokohama, Osaka, Kobe, and Nagoya had been hit by American bombs. Our aircraft, said President Roosevelt, had taken off from Shangri-La.

It was a year later that the War Department released the facts. The full story of the brilliant and daring operation, jointly planned and jointly executed by the Navy and the Army Air Force, took its place in the annals of our history.

In 1942, however, America hailed this raid with a burst of enthusiasm. To them, it was our promise of victory; to them, it foretold the surrender ceremony 3 years later in Tokyo Bay.

We who live in Alameda, Calif., have two sources of pride in the raid.

First, General Doolittle was raised in our city. Secondly, NAS Alameda was the then home port of the U.S.S. *Hornet*, and it was from there that the raid was staged.

It was my friend and fellow Californian, James H. Doolittle, who organized and commanded this operation. It stands as one of the achievements of a man whose life has been filled with achievements. By nature, and by professional training, James H. Doolittle filled to perfection the role he chose for his life.

It was a broad role, and it remains so today. The daring aviator, the doctor of science, the Air Force lieutenant general, and now forging ahead into space technology, James H. Doolittle is among our most distinguished Americans.

The men he commanded, and who flew the raid against Japan with him, are now men in the prime of life. Their original numbers have thinned somewhat, from an original 80 to 57—attrition began on the raid itself. To all of them, for what they did and for what they are today, the Nation owes a debt of gratitude. Their contributions will be long remembered.

Thinking back upon the B–25 bombers these young men flew from the decks of the U.S.S. *Hornet*, it occurs to me to wonder what the course of history might have been if by some magic, the number designation of their aircraft could have been reversed.

Suppose, instead of B–25's, they had had B–52's.

Our counterattack could have been launched while the Pearl Harbor strike was still underway. The Imperial fleet, by nightfall, would have had no homeland worth returning to. And the fleet itself steaming, in the compact formation of that day, could have been found and picked off by a B–52 enroute to its assigned target. The Rising Sun would have set that very day.

More to the point is the apparent truth that, if we had had B–52's as we have today, there would have been no war in the first place. This is the lesson we have learned at last. Peace can be waged only if our Nation has the weapons of war in readiness to use if need be.

If we should ever fail to heed this truth, we will have broken faith with ourselves, with our dead of all wars, with our living veterans, and with the Tokyo raiders in particular.

Let us salute the gallant raiders on this 17th anniversary of their raid, and wish them many more yet to come.

To preserve the identity of these brave men I include a list of the names of plane crews in order of takeoff. There are 57 members out of the original 80 alive today. Those who have died are indicated by asterisks:

Takeoff No. 1: Lt. Col. James H. Doolittle, Lt. Richard E. Cole, Lt. Henry A. Potter, Sgt. Fred A. Breamer, Sgt. Paul J. Leonard*.

Takeoff No. 2: Lt. Travis Hoover, Lt. William N. Fitzhugh, Lt. Carl R. Wildner, Lt. Richard E. Miller*, Sgt. Douglas V. Radney.

Takeoff No. 3: Lt. Robert N. Gray*, Lt. Jack E. Manch*, Lt. Charles J. Ozuk, Sgt. Aden E. Jones, Cpl. Leland D. Faktor*.

Takeoff No. 4: Lt. Everett W. Holstrom, Lt. Lucien N. Youngblood,* Lt. Harry C. McCool, Sgt. Robert J. Stephens,* Cpl. Bert M. Jordan.

Takeoff No. 5: Capt. David M. Jones, Lt. Rodney R. Wilder, Lt. Eugene F. McGurl,* Lt. Denver V. Truelove,* Sgt. Joseph W. Manske.

Takeoff No. 6: Lt. Dean E. Hallmark,* Lt. Robert J. Meder,* Lt. Chase J. Nielsen, Sgt. Donald E. Fitzmaurice,* Sgt. William J. Dieter.*

Takeoff No. 7: Lt. Ted W. Lawson, Lt. Dean Davenport, Lt. Charles L. McClure, Lt. Robert S. Clever,* Sgt. David J. Thatcher.

Takeoff No. 8: Capt. Edwin J. York, Lt. Robert G. Emmens, Lt. Nolan A. Herndon, S/Sgt. Theodore H. Laban, Sgt. David W. Pohl.

Takeoff No. 9: Lt. Richard O. Joyce, Lt. J. Royden Stork, Lt. Horace E. Crouch, Sgt. George E. Larkin, Jr.,* S. Sgt. Edwin W. Horton, Jr.

Takeoff No. 10: Lt. Harold F. Watson, Lt. James N. Parker, Lt. Thomas C. Griffin, Sgt. Wayne N. Bissell, S. Sgt. Eldred V. Scott.

Takeoff No. 11: Capt. C. Ross Greening,* Lt. Kenneth E. Reddy,* Lt. Frank A. Kappeler, S. Sgt. William L. Birch, Sgt. Melvin J. Gardner.*

Takeoff No. 12: Lt. William M. Bower, Lt. Thad H. Blanton, Lt. William R. Pound, Sgt. Waldo J. Bither, Sgt. Omar A. Duquette.*

Takeoff No. 13: Lt. Edgar E. McElroy, Lt. Richard A. Knoblock, Lt. Clayton J. Campbell, Sgt. Robert C. Bourgeois, Sgt. Adam R. Williams.

Takeoff No. 14: Maj. John A. Hilger, Lt. Jack A. Sims, Lt. James H. Macia, Jr., S. Sgt. Jacob Eierman, Sgt. Edwin V. Bain.*

Takeoff 15: Lt. William G. Farrow,* Lt. Robert L. Hite, Lt. George Barr, Cpl. Jacob D. Deshazer, Sgt. Harold A. Spatz.*

Takeoff No. 16: Lt. Donald G. Smith,* Lt. Griffith R. Williams, Lt. Howard A. Sessler, Sgt. Edwin J. Saylor, Lt. Thomas R. White.

CONGRESSIONAL FELLOWSHIP PROGRAM

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, I am happy to announce to the House the names of the 11 young journalists and political scientists who have been selected for the 1959–60 congressional fellowship program sponsored by the American Political Science Association.

Six more were selected as alternates who may be added to the winning group before they come to Washington next November to spend 9 months in offices on Capitol Hill.

Each winner will receive a $4,500 stipend, plus traveling expenses to and from Washington. Approximately 150 journalists and political scientists throughout the country applied for the program this year. Applicants had to be between the ages of 23 and 35 with advanced training combined with experience.

An advisory committee composed of Members of both parties in both congressional Houses and Washington journalists and political scientists make the

final selection which is based on reports made by screening committees and regional interviewing boards.

The American Political Science Association has sponsored the Congressional Fellowship program since 1953, giving promising young journalists and political scientists the opportunity to learn about the legislative process first-hand by enabling them to work on the staffs of Senators, Representatives and congressional committees. Services of the fellows are made available free of charge to the congressional office in which they work.

Winners are:

POLITICAL SCIENTISTS

Robert G. Gilpin, 28, graduate student and research assistant, department of political science, University of California, Berkeley.

James R. Klonoski, 34, assistant professor of political science, St. Olaf College, Northfield, Minn.

Richard H. Kosaki, 34, assistant professor of government, University of Hawaii.

Gerald Rigby, 30, Charles Fletcher Scott fellow in political science, University of California, Los Angeles.

Alan Rosenthal, 27, research assistant, department of politics, Princeton University.

Raymond E. Wolfinger, 28, graduate student and half-time instructor, department of political science, Yale University.

JOURNALISTS

Forest W. Amsden, 33, executive editor and associate publisher, the Coos Bay (Oreg.) World.

Ron M. Linton, 30, labor editor of the Louisville (Ky.) Courier-Journal.

Daniel D. McCrary, 28, staff reporter, the Wall Street Journal, Philadelphia Bureau.

Wesley Dale Nelson, 32, newsman, Associated Press, Boise, Idaho.

Joseph Roy Parker, Jr., 29, legislative-government-political reporter, Raleigh (N.C.) News and Observer.

The following were named as alternates:

Daniel M. Berman, 30, assistant professor of political science, Washington College, Chestertown, Md.

Charles Ulick de Burgh Daly, 32, student, graduate school of journalism, Columbia University, and reporter for the White Plains (N.Y.) Dispatch.

Harry W. Ernst, 27, education editor and general assignment reporter, the Charleston (W. Va.) Gazette.

Gordon L. Shull, 34, assistant professor of political science, College of Wooster, Wooster, Ohio.

Charles Dale Story, 31, assistant professor of government, Southern Methodist University, Dallas, Tex.

David M. Welborn, 24, graduate student and research assistant, department of government, University of Texas—presently doing research in Washington, D.C.

Mr. Speaker, I am sure I speak the sentiment of the House in commending the American Political Science Association in sponsoring and supporting this most rewarding program. It was an honor and a privilege to serve on the advisory committee for the 1959–60 Congressional Fellowship program. The membership of that committee follows:

David Brinkley, National Broadcasting Co. television news analyst.

JOSEPH S. CLARK, Democrat, Pennsylvania, U.S. Senate.

Hugh L. Elsbree, Director, Legislative Reference Service, Library of Congress.

Claude E. Hawley, chairman, Deputy Director, Information Center Service, U.S. Information Agency.

THOMAS H. KUCHEL, Republican, California, U.S. Senate.

BARRATT O'HARA, Democrat, Illinois, U.S. House of Representatives.

FRANK C. OSMERS, JR., Republican, New Jersey, U.S. House of Representatives.

Joseph R. Slevin, national economics editor, Washington bureau, New York Herald Tribune.

William S. White, newspaper columnist, United Features Syndicate, and contributor to Harper's magazine.

COMMUNICATIONS ACT OF 1934

Mr. SHIPLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SHIPLEY. Mr. Speaker, today I introduced a bill to amend the Communications Act of 1934 with respect to the hours of operation of certain broadcasting stations. At the present time our daytime stations are operated from sunrise to sundown, which under the present act would be from approximately 7:15 a.m. central standard time to 4:43 p.m. central standard time on December 22, the shortest day each year.

This is a problem which all of us who live in rural districts are very much aware. For example, at my home in the 23d District of Illinois, there are no full-time stations. We only have the privilege of using our local stations from sunrise to sundown. There are many reasons why this act should be changed to read from "6 a.m. to 6 p.m." instead of from sunrise to sunset.

For the rural communities to receive this service would be definitely a life and property-saving. For example, in the case of local disasters which occur after our stations have signed off the air, the local residents do not get any coverage of local tornadoes or other similar disasters.

In the winter, sunrise is around 7 a.m. and our schools have no opportunity to advise the children whether buses will run or not because of weather conditions, and so forth. The stations cannot give the weather report, which is very important to people who leave for work before 7 a.m., in regard to local road conditions. If they were made aware of such, they could prepare for these conditions or maybe not even go to work at all, and, therefore, possibly save many lives and many dollars.

Following are eight facts about radio broadcasting stations licensed by the FCC to operate daytime only:

First. There are now 3,400 standard A radio broadcast stations in the United States. Half of these—1,700—are permitted to operate only during daytime. Over 1,000 of these daytime only stations are in cities and communities which are not served by a local full-time station.

Second. Several millions of our citizens live in these 1,000 communities which have a blackout of local radio broadcast service after sundown. Through Federal Government regulation, we are making them second-class radio citizens, actually discriminating against them by not letting them have a local radio broadcast outlet except from sunrise to sunset. These good people vote, pay taxes, and live a full life, except they cannot have a local radio broadcast service like their metropolitan fellow citizens.

Third. Entrenched interests—those who got in early in the larger metropolitan centers—applied and got good frequencies on which they could broadcast full time. As the economics of our Nation developed after World War II, many smaller communities wanted their own local radio station. Perhaps, because of lack of foresight, the FCC set up only 6 local full-time channels out of the 107 channels in the AM broadcast spectrum so these stations had to take, in most instances, frequencies and channels on which the FCC permitted operation only from sunrise to sunset. Radio waves skip and bounce to greater distance late at night.

Fourth. From 540 kilocycles to 1600 kilocycles there are 107 AM broadcast channels. How are these 107 channels used?

Clear channel stations (U.S.)	45
Regional channels	41
Local channels	6
Foreign clear channels	15
(Canada, Mexico, and Bahamas)	
Total	107

Daytime stations are assigned as secondary stations on all channels except the six local channels.

Fifth. The small local community radio broadcast station is more vital today than ever before. The basic fundamental policy of the regulation of broadcasting by the FCC is the same today as it was 25 years ago. Revisions are long overdue to keep in step with the listening habits of our people. We now have some 600 TV stations and over 500 FM stations with standard AM radio filling a different role in service to the people—that role is basically local today.

Sixth. Let us not be guilty of furthering monopolies through Federal regulation at the expense of public necessity—12-year clear channel freeze.

Seventh. Today, man lives by the clock not by the sun. Engineers may try to confuse the issue with technical details, but this goes much deeper; it is a moral and social issue that will grow in magnitude unless something constructive is done immediately by the U.S. Congress.

Eighth. Hours of operation from 6 a.m. to 6 p.m. as a minimum for our U.S. day-

time radio stations will greatly improve the situation and cause the least harm or inconvenience to the remaining half of the radio broadcast industry.

DENTAL CARE FOR DEPENDENTS OF MEMBERS OF THE ARMED FORCES

Mr. PRICE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE. Mr. Speaker, for consideration and action by this body, I have introduced a bill to provide dental care for the dependents of the members of our Armed Forces.

This bill H.R. 6321 is an amendment to chapter 55, title 10, of the United States Code, which at present authorizes medical care for these dependents, under certain conditions. In essence, the amendment simply liberalizes the present provisions for dental care, which are too limited to be of value to the persons concerned.

This amendment is by no means designed to pamper the serviceman or his family. It is, rather, one step intended to complete the health program by applying the same philosophy of family care to dental health as we apply to their physical beings otherwise. To the extent that dental health is now neglected in this law, our moral obligation is also neglected. I mean that moral obligation we as a nation have to the families of men whose very lives we may demand in our national defense.

In recent years we have given much attention to the conditions of life in our armed services, in order to attract and retain the increasingly high order of knowledge and skills our security demands. The amendment I propose is just another small item contributing to this purpose. I say it is small, and from the standpoint of national investment it is small indeed. But it is an investment, and one which will yield a direct return to the Nation, in an enhanced posture of defense.

RULES OF PROCEDURE, HOUSE OF REPRESENTATIVES

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. JONES of Missouri. Mr. Speaker, for some time I have been giving considerable study to the advisability of making changes in some of the rules governing procedures in the House of Representatives which I feel would bring about not only greater economies and effect savings running into the hundreds of thousands of dollars annually, but which at the same time would eliminate some confusion and relieve Members of embarrassment in declining requests which at times border on the ridiculous.

With a full recognition and appreciation of the fact that the conduct of the business of the House of Representatives is based upon precedents and customs, I nevertheless have observed that while precedents change, it has also been my observation that all of the changes have not been in a direction that is conducive to efficiency and economy.

I hope, Mr. Speaker, that I am not so naive as to believe that I can bring about all of the changes that would result in the most sensible application of the rules under which this House operates, and for that reason I am not at this time introducing or even proposing resolutions which I believe would accomplish this end.

Rather, I am only calling attention to the membership of this House, and most respectfully requesting the indulgence of the leadership, to two suggestions which I believe would be in order at this time.

First, I would suggest that the House consider the advisability of permitting joint or multiple sponsorship and introduction of bills, in order to eliminate as far as possible the needless expenditure in the printing and processing of identical bills, which are introduced simultaneously by many Members. While the rules of the House do not specifically bar this procedure, precedents which are presently followed do have this effect.

Secondly, due to the current disregard of the rules governing the practices of extensions, both in the body of the RECORD and the Appendix, I am suggesting that some consideration be given to a revision of the rules, which would have the practical effect of exercising more control over the nature of material which finds itself included in the RECORD by unanimous consent. And, inasmuch as we do have limitations and controls over the allowances to Members for postage, telephone, telegraph, stationery, and office equipment, might we not even consider a limitation on the space which any Member might use in the printed RECORD for extensions of remarks which include articles, speeches, and extraneous material which has no relation whatsoever to the legislative processes of this Congress?

Mr. Speaker, I think it is time that this Congress do something of a positive constructive nature, indicating that we as Members of this body who are charged with the responsibility of exercising some discretion in the appropriating of billions of dollars, are interested in practicing the economy which we should demand of every other department of Government. Something needs to be done to restore the confidence of the American people, which we have permitted to deteriorate because we have failed to exercise fiscal responsibility and accountability in the conduct of our own offices.

Yes, Mr. Speaker, these are only two suggestions. I have many others which I expect to make from time to time. I hope that I may have the support of a sufficient number of my colleagues to the extent that we will be able to see the adoption of at least some measures which will promote greater efficiency and more economy in the operation of our own House.

CHEATING DAYLIGHT AND DARKNESS

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, it is fitting that something be said today as Washington embarks upon its annual fling of trying to cheat daylight and darkness.

In this wonderful state of confusion and make-believe, nothing could be more appropriate than to push the hands of the clock ahead for an hour.

It is entirely in keeping with the idea of some that we live on borrowed time as well as borrowed money.

I hope you like the golfer's special. I do not.

PROGRAM FOR THE NATIONAL FORESTS

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, I want to compliment Secretary of Agriculture Benson and the Forest Service of his Department for the excellent report on the national forests sent to the Congress on March 24, 1959.

This "Program for the National Forests" is in accordance with President Eisenhower's statement to the Congress in 1953 that the national forests should be managed wisely. The President made it clear that the Federal Government has a responsibility to see that such management is achieved.

It is evident that much study has gone into the resource management and development measures included in both the long-range phases of the program and the short-term objectives.

Many in the Congress are familiar with the report on "Timber Resources for America's Future," the exhaustive study of the Nation's timber situation which the Forest Service completed in 1958. The 5-year national forest recreation program called "Operation Outdoors" is well known on Capitol Hill. The Agriculture Department's Committee on Research Evaluation provides valuable information on research needs in forestry. And long-established national forest project work inventories are excellent sources of jobs to be done.

I cite this background material upon which this recent report on a "Program for the National Forests" is based for

two reasons: First, it is sound material already accepted by the Congress and the public; and secondly, it provides a solid basis and good reasons for the activities needed to provide greater resource yields and services from the national forests.

The American people are fortunate in having such a tremendous store of renewable natural resources in their national forests. The national forests in the Central States, and in my State of Indiana, are rather insignificant when compared to the vast acres in such forests in the West. My colleagues in Oregon, Washington, California, and elsewhere can point with pride to national forests comprising many millions of acres.

The Hoosier National Forest in Indiana, while only about 120 thousand acres in size, is growing in importance each year for its recreation, wildlife, water and timber values. In 1958, over 90 thousand people camped, picnicked, hunted, and fished on the area. Again the number is small, but to our people in Indiana this use is important.

We have an allowable annual cut of 5 million board feet of timber on this small Hoosier National Forest. Only about 1.5 million board feet are harvested, which means that the development and use of the timber resource base should be stepped up in accordance with recommendations set forth in this report to the Congress for the improvement of timber sales and research activities on all the national forests.

The report shows that the sawtimber needs of the Nation by the year 2000 will require an annual harvest of 21.1 billion board feet of sawtimber on a sustained-yield basis. An estimated annual growth of some 105.4 billion board feet will be needed to meet this national demand for sawtimber.

Under the interim or short-term action proposals for the next 10 to 15 years the annual harvest of sawtimber should be increased from 7 to 11 billion board feet on all the national forests. It is recommended that this increase be achieved by intensified management of present forests, growing more and better quality trees, better fire and insect protection, and improved utilization. Some 3.3 million acres will need to be planted to seedlings or reseeded during this period to make the areas produce merchantable yields of timber.

The report gives a much better picture of the goals of this "Program for the National Forests" than can be summarized in a brief statement from the floor. More wood, more recreation, better hunting and fishing, better range and grazing, intensified protection, expanded road systems for timber access and recreation, and accelerated forest research are some of the major program proposals. All are aimed at a more intensive development and management of our national forests.

The benefits of this comprehensive plan for full use of the multiple resources of the forests are well stated in the report. They show significant results both as to short-term and the long-range returns. A dollar value cannot be placed on the soil, water and recreational benefits. But such intangible benefits are often priceless in the well-being of a nation and its people.

The attention of the Congress to this splendid report by Secretary Benson and his staff is of importance at a time when high demands are being made on the renewable national resources of all nations.

DEFICIT FINANCING

Mr. SCHENCK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SCHENCK. Mr. Speaker, Government spending and its effect on the entire national economy is of tremendous concern to each and every American today. In my files are many, many letters voicing this individual anxiety. Occasionally a constituent has a particularly clever and indelible way of expressing his feelings. Following is such a letter, a copy of which I received recently and which I feel admirably portrays the dangers of extravagant Government spending:

MIDDLETOWN, OHIO, *April 13, 1959.*

The Honorable CLARENCE CANNON,
Chairman, Appropriations Committee, House of Representatives, House Office Building, Washington, D.C.

DEAR CONGRESSMAN CANNON: From a close perusal of the newspapers, I believe I have finally grasped a true picture of deficit financing. All it means is that it is good for the country to spend more than you make. This is such a good idea that I think I shall do it with my own financing.

As I want this to be entirely legal, I plan to follow the exact method used by the United States Government. My wife and oldest daughter will be designated as my Senate and my two youngest children will be my House of Representatives. The House and Senate have met and have given me a program of essentials and desirable expenditures. However, the total amount of the program is in excess of my income. This would not be the case if I could defer some of my outgo and deficit financing is the only possible outcome.

I therefore propose that I should pay no income tax for the year 1959, and I will then have enough money to carry out both the necessary and desirable programs. I know it is against the law to not pay taxes, but here is where my deficit financing occurs. With a personal debt limit about four times my income, I propose to issue 3-percent promissory notes, due 1995, in lieu of cash for my personal liability to the U.S. Government. I will faithfully pay the interest semiannually (or issue a 2-year bill in its place) and plan to carry out the following programs:

Farm aid: I have a house on a large lot that needs landscaping, gardening, and caretaking. Not essential, you know, but very desirable to me and my family. We voted for this.

Foreign aid: My family have unanimously voted for this program in the form of a foreign tour.

Highway program: I need a new driveway and paving on my property, and this is a mandate from my constituents.

Housing program: My house needs a new roof and air conditioning.

Labor and welfare: My wife needs a maid to help keep up our house so she will have more time to spend the additional money that will be available now.

Veterans' services: These are hospitalization expenses, medical insurance, annuities and life insurance premiums, all of which can be increased under the new program.

These are the desirable programs (not the essentials, like my defense program, essential services, etc.), and I estimate I can complete them all in a period of several years and then expand. And it cannot be wrong, since the Government has been doing this most of the last 27 years.

One of the best benefits of my program is that my heirs won't have to repay, either, since they can reissue my obligation along with their own. If the dollar loses value through the possible inflationary aspect of this plan, we might get out for less than one cent on the dollar, and those 100 to 1 odds are just the kind I like.

Another good feature is that I will really be helping the economy by spending (just like the U.S. Government) and keeping the money in circulation. And the more people who follow my lead will really be able to make industry hum.

I feel this is such a good idea that I am submitting it to my company in the suggestion plan. They would have millions to pour into the spending pot. Since it is only following governmental policies, it must, therefore, be an acceptable plan. It was such a good plan that I was unanimously reelected and nominated for Father of the Year.

Yours very truly,

J. G. TERRY,
Three Alameda Circle, Middletown, Ohio.

P.S.—When my company accepts this in the suggestion plan, think how much larger my note for taxes will be and that should make you happy too.

(Copies to: The Honorable WILBUR D. MILLS, chairman, Ways and Means Committee, House of Representatives, House Office Building, Washington, D.C.; the Honorable PAUL F. SCHENCK, House of Representatives, House Office Building, Washington, D.C.)

PROTECTION AGAINST VIOLENCE

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Speaker, all good Americans deplore the incident that happened down South where the colored man was taken out of jail and disappeared, and presumably killed.

I am wondering about that situation in connection with this civil rights legislation. It is only a week or two since, in a Southern State where there was a strike, a coal mine operator and a truck-driver were killed. Nothing much was said or printed about it. It just seems to be a matter of course, a normal procedure, in connection with some labor dispute.

The McClellan committee placed on the record a long list of crimes of violence but very little came of its exposures. The Senators must be somewhat discouraged.

I cannot figure why so many become so excited over one incident and apparently give no thought to others of like nature. I cannot explain it.

Listening to the debate in the other body, knowing of the failure to pass legislation to protect the average worker and citizen, why so much trouble and

condemnation because a man of color is lynched, and so little is said when whites meet a violent death at the hands of a mob? Is it a crime to kill a man when he is colored but just a customary union procedure to beat him to death during a strike? When will folks be given a little protection during strikes?

PERMISSION TO SIT DURING GENERAL DEBATE

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may sit during general debate for the balance of the week.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

SPECIAL ORDER GRANTED

Mr. McCORMACK. Mr. Speaker, on May 8 of this year we celebrate the 75th birthday anniversary of a man who will go down in history as one of our greatest Presidents, former President Harry S. Truman. I ask unanimous consent that on that day at the beginning of business I may be recognized for 1 hour to make appropriate remarks in relation to former President Truman and that I may be permitted to yield to others to do likewise on that occasion.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

UNITED NATIONS FOOD ACT FOR ECONOMIC DEVELOPMENT

The SPEAKER. Under previous order of the House, the gentleman from Iowa [Mr. WOLF] is recognized for 90 minutes.

Mr. WOLF. Mr. Speaker, I ask unanimous consent that other Members who may desire to do so may have permission to extend their remarks in the RECORD following my statement on the subject I am about to discuss.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. WOLF. Mr. Speaker, America's agricultural abundance is the greatest single asset we have with which to fight the cold war but it is quite evidently the last resource considered, if at all.

The first law of nature states "The first need of all mankind is food." It is not clothing, not shelter, not money, not guns, it is food. Yet this fact is constantly overlooked in planning for true world peace.

I would like to suggest that the millions of dollars tied up today in wheat and corn is the most valuable weapon we have and we are wasting it shamefully.

Mr. Speaker, last month, on March 26, I took the floor to discuss the problem of the use of food for economic, educational, and industrial development in underdeveloped nations. At that time I suggested that I would introduce a United Nations food bill that would increase, first, industrialization; second, educational programs; and third, national food and fiber reserves in underdeveloped areas. Today 24 of my colleagues have joined me in cosponsoring the United Nations Food Act which we are introducing today.

Mr. Speaker, I suggest that it shocks our sense of justice and morality to know that we have literally billions of dollars worth of food and fiber resources rotting in our storage bins when over two-thirds of the world, half naked and starving, is striving for a new kind of life based on dignity and economic well-being. We can ill afford to misjudge the awakening of the peoples of Africa and Asia to the feeling that they do not have to live on the edge of starvation. The latter fact is a result of proof that has been shown to these people by Western countries and particularly the United States. We have shown these people that there is no reason to accept the tragic fate of their forebears. We have shown them that life can be more than a perpetual search for the absolute necessities. But now that we have pointed the way toward the possibility of national well-being, we cannot let the peoples of Asia and Africa down. We must be willing to aid these nations in long-term programs of economic development.

Mr. Speaker, I firmly believe that this bill goes a long way in working out a rational program for economic and agricultural development through the United Nations. Almost all other bills and acts on this subject are limited in their purpose. They do not tie agricultural aid to economic development. For example, section 402 of the Mutual Security Act gives recipient countries a choice of accepting a certain share of our aid in the form of farm products. I do not believe that our food resources should be used to supplant the cash amounts that are presently received by the underdeveloped countries. Or take Public Law 480. The avowed purpose of Public Law 480 is to increase the export of farm commodities. The use of the proceeds from sales under this law for the goal of economic development is incidental and subordinate to our purpose of increasing our exportation of farm resources.

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. WOLF. I yield to the gentleman from West Virginia.

Mr. BAILEY. Does the gentleman's new legislation contemplate doing away with the present Surplus Disposal Act, the public law the gentleman just quoted?

Mr. WOLF. No.

Mr. BAILEY. Or is it in addition to that?

Mr. WOLF. It is in addition to that.

Mr. BAILEY. Is the gentleman aware of the fact that under the present Surplus Disposal Act the President has the free use of $300 million worth of surplus products? And I understand they have given away the full amount the last year. Does the gentleman propose to make that $500 million worth?

Mr. WOLF. No. The proposal here is to work through the United Nations.

Mr. BAILEY. Nevertheless, they would get that much of the surplus foods because the President has authority and does distribute $300 million worth. Is the gentleman going to ask for another $200 million worth to put in the hands of the United Nations?

Mr. WOLF. In the hands of the United Nations, yes.

Mr. BAILEY. Maybe we should hold on to our surplus considering the unemployment rolls in this country. Are you aware of the fact that the Department of Agriculture has already served notice that they are taking butter off the list? They are marketing it for about half price abroad, and they are taking it off the surplus food list here in this country.

Mr. WOLF. I am happy to have the gentleman bring this to my attention.

Mr. BAILEY. You better make some other investigation before you go ahead with this type of legislation.

Mr. WOLF. I would like to suggest to the gentleman from West Virginia—and I was going to discuss this later—that I have a bill that will make some of our food abundance available to the hungry people of this country.

Mr. BAILEY. I think that is far more important than providing for a few hungry ones abroad.

Mr. WOLF. I agree with the gentleman. We should take care of our own people at home first, but we cannot neglect our friends overseas.

Mr. BAILEY. Maybe you better proceed along that line instead of with your giveaway program abroad.

Mr. WOLF. I welcome the gentleman's comments, and I am grateful he has made them even though I do not fully agree.

The United Nations food bill puts the emphasis on economic development. In this way the program does not become primarily a method of increasing our own exportation of food resources. We know that it is now possible for food to be used directly in economic development. Various studies have shown that food and clothing could be used on community development projects in lieu of money payment to previously unemployed workers. By using our food and fiber resources in this way the importing nation would be able to take care of the increased demand on food without causing inflation. Furthermore, by using food in this manner the industrializing government would be able to utilize capital for increased industrialization rather than diverting this capital for the procurement of food. Other purposes that food would be used for under this program are education programs such as school lunches and school clothing programs. Agreements would also include the use of our food and fiber for the purpose of building national food and fiber reserves in nations that are susceptible to droughts, floods, or famines. Nations that are susceptible to such conditions are more likely to be in danger of political, economic, and social instability. Furthermore, nations are forced to cut back on industrialization. Clearly these problems can be averted with adequate national food reserves.

Under the terms of the bill agreements may be made for food and fiber resources between the Secretary-General and the President during a 10-year period

beginning at the date of enactment of the act. The food and fiber resources made available for this program are those commodities held by the Commodity Credit Corporation. Under this program, the President is authorized to use up to $250 million a year of food and fiber stocks held by the Commodity Credit Corporation.

It should be understood that as contemplated presently, there will be no costs to the United States beyond that amount already authorized to the Commodity Credit Corporation.

I would like to close my statement with reasons for putting this plan through the United Nations rather than on a strict bilateral basis.

Today the underdeveloped nations of the world look to the United Nations as their protector, as their hope for peace and security. They look to the United Nations because they owe a large degree of their sovereignty and independence to the United Nations.

These people feel that the kind of aid that is given to them by sovereign nations has too many political strings attached. And we know that this is so. We in Congress know that we have lost sight of the fact that people should be aided because they are people, that there is dignity in life, that people should not be aided because we think that this is the best way to bribe them into supporting our military and political position as against the Soviet Union. We do not seem to realize that our goals of peace and our national security will be better secured and our political systems will be better secured if we do not constantly tie aid to nations in a way which forces their hand ideologically. By proposing the possibility of an expanded economic industrial development program for the United Nations which will have as one of its basic features part of our agricultural resources we will have done much to prove our hope that people all over this world, in Asia, in Africa, in Europe, may live in dignity and freedom from want. Furthermore, we will be showing the world that we hold the United Nations as our greatest instrument for peace and security in this world.

Mr. Speaker, I would like to give the names of the Members who have cosponsored this bill with me: The gentleman from Iowa, [Mr. CARTER], the gentleman from New York [Mr. POWELL], the gentleman from Ohio [Mr. LEVERING], the gentleman from Kansas [Mr. HARGIS], the gentleman from Illinois [Mr. LIBONATI], the gentleman from Colorado, [Mr. JOHNSON], the gentleman from Nebraska [Mr. BROCK], the gentleman from North Dakota [Mr. BURDICK], the gentleman from Utah [Mr. KING], the gentleman from Vermont [Mr. MEYER], the gentleman from Pennsylvania [Mr. CLARK], the gentleman from Nebraska [Mr. MCGINLEY], the gentleman from Connecticut [Mr. KOWALSKI], the gentleman from Wisconsin [Mr. KASTENMEIER], the gentleman from Montana [Mr. ANDERSON], the gentleman from New Jersey [Mr. THOMPSON], the gentleman from California [Mr. KASEM], the gentleman from Pennsylvania [Mr. NIX], the gentleman from Alaska [Mr. RIVERS], the gentleman from Illinois [Mr. PUCINSKI], the gentleman from Kansas [Mr. BREEDING], the gentleman from Oregon [Mr. PORTER], and the gentleman from Maryland [Mr. FOLEY].

There may be some questions regarding various sections of the bill, and I thought I might briefly analyze the bill, section by section, and include a copy of the bill.

The purpose of the bill is to utilize food and fiber resources for industrial and educational development in underdeveloped areas through the United Nations.

Section 1: (a) Food and fiber may be used effectively in promoting strong economic conditions, thus tending to foster hope, confidence and human dignity in areas that are changing from industrially underdeveloped economies to industrially oriented ones.

First. Inadequate supplies of food and clothing undermine the health, welfare, and morale of people. When adequate supplies of food do not exist, it is impossible for the people to divert any of their productive efforts for any purpose other than the obtaining of sufficient food and fiber. Hence, certain basic capital improvements such as harbors, roads, canals, and the like cannot take place.

Second. Many nations lack food and fiber reserves. Consequently, when there is a local crop failure, famine, or drought, there is a great fluctuation in price of food and fiber commodities. This necessarily causes instability and cutback in programs of industrialization and education.

(b) The United States has provided leadership and support in projects and proposals to enable better distribution and use of food and fiber. Furthermore, this is the world food year. The President has suggested that ways should be found to use our food and fiber resources in a more rational and meaningful manner in all areas of the world. The purpose of the United Nations food bill is to point the way for better uses industrially and economically of our food and fiber resources through the United Nations or any of its appropriate agencies.

AGREEMENTS

Section 2: Agreements may be made for food and fiber resources between the Secretary-General and the President during a 10-year period beginning at the date of enactment of this act. The food and fiber resources made available for this program are those commodities held by the Commodity Credit Corporation. These food and fiber resources will be furnished without charge. Any agreements entered into by the President with the Secretary-General shall have the following stipulations:

First. The commodities will be used in underdeveloped areas to further industrialization and basic capital improvements. Food and clothing would be used on community development projects in lieu of money payment to previously unemployed workers. This would have two effects: First, there would not be increased demand on the regular market thus circumventing inflation; second, the industrializing government would be able to utilize capital for increased industrialization rather than diverting said capital for the procurement of food.

(b) Food and fiber would also be used for education programs such as school lunch and school clothing programs.

(c) Agreements would also include the use of our food and fiber for the purpose of building national food and fiber reserves. Nations that are susceptible to droughts, floods, or famines are more likely to be in danger of political, economic, and social instability. Furthermore, nations are forced to cut back on industrialization. These problems can be averted with adequate national food reserves.

Second. The United States will pay the costs of ocean transportation and transportation within the United States. Presently we pay these costs under Public Law 480 and under our military aid program. It is difficult to ascertain the shipping costs of $250 million worth of food and fiber because such commodities will be shipped to places that vary in distance from the United States. However, accepting the unlikely premise that the entire allotment would be sent to a point at the greatest distance from the United States, the transportation costs would be $40 million. Storage costs on $250 million worth of foodstuffs are $28 milllion a year. Economically, therefore, it is more rational to aid needy people than to let the food and fiber rot in storage tanks. It should be noted that the $40 million transportation cost represents final cost whereas the $28 million a year cost of storing $250 million worth of food and fiber, like Old Man River, keeps rolling along from year to year.

Third. Food and fiber reserves would not be used to affect the domestic production of the importing country, nor to affect the usual imports of the same or similar commodities.

Fourth. The commodities under this program are to be used solely for domestic consumption. They are not to be reexported. More specifically, these commodities should not replace commercial exports from the United States.

Fifth. The President will be kept informed of the uses of the food and fiber resources given by the United States by the Secretary General.

LIMITATIONS

Section 3: No agreements shall be entered into for any one year which amount to more than $250 million a year.

COOPERATION WITH OTHER NATIONS

Section 4: This is the "honest broker" section. The Secretary General of the United Nations will act as a broker in bringing together those nations that want to participate in bilateral and multilateral operations which will better distribute and utilize food and fiber resources. The President is authorized to participate in any of these operations.

PROGRAM NOT EXCLUSIVE

Section 5: The contributions or expenditures under this act will not count as contributions under section 306(a) of the Mutual Security Act. Hence, the

food and fiber given in this act will not be included as part of our money contribution to the United Nations technical assistance program.

A bill to promote the foreign policy of the United States and help to build essential world conditions of peace by the more effective use of U.S. agricultural commodities for the relief of human hunger, and for promoting economic and social development in less developed countries through the United Nations or its appropriate agencies

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress Assembled,

FINDINGS AND PURPOSE

SECTION 1. (a) The Congress finds that—

(1) the assurance of an adequate supply of food and clothing for the people of the world is an important step toward strengthening democracy throughout the world and aiding the cause of lasting peace through providing more stable economic conditions, thereby generating an atmosphere of hope, confidence, and human dignity;

(2) inadequate supplies of food and clothing undermine health, efficiency, and morale; and in some areas of the world, the inability of the people to divert any of their productive efforts to any purposes other than obtaining sufficient food and clothing has resulted in a lack of general and technical education of individuals, and a lack of basic capital improvements such as harbors, roads, canals, bridges, schools, factories, dams, and the like; and

(3) the lack of an adequate national food and fiber reserve leads, in cases of local crop failures, drought, or floods, to famine, violent fluctuations in price of food and fiber commodities, hoarding, and a destruction of public confidence; and places nations without such a reserve forever in peril of national catastrophe and often causes cutbacks in programs of industrialization and education.

(b) in continuation of the leadership and support which the United States has provided to meet the problems referred to in subsection (a), including support for the proposed World Food year, it is therefore the purpose of this act to demonstrate the willingness of the United States to aid the cause of peace with a positive program aimed at abolishing the causes of war, including (but not limited to) efforts to ease and ultimately eliminate starvation, human exploitation, discrimination, and other injustices and threats to permanent peace. It is also the purpose of this Act to carry out the responsibilities imposed upon the United States by its position as the world's most fortunate independent democracy, by providing for the use of our food and fiber resources to aid other nations in the improvement of their living standards, through assisting such other nations by means of the United Nations and its appropriate agencies by provisions of adequate food and fiber reserves for such other nations.

AGREEMENTS

SEC. 2. The President is authorized during the ten-year period which begins on the date of enactment of this Act upon the request by the Secretary-General of the United Nations to furnish, without charge, over a period not to exceed ten years in any case to the United Nations or to such agency, from stocks of the Commodity Credit Corporation, wheat, dairy products, corn, barley, oats, rye, feed grains, sorghum, soybeans, cottonseed, flaxseed, dry edible beans, cotton, rice, and tobacco. In making such stocks of food available to the United Nations or any of its appropriate agencies, the United States shall enter into agreements with the United Nations or any of its appropriate agencies providing that:

(1) such commodities shall be used in underdeveloped areas to further (a) industrialization and basic capital improvements including (but not limited to) community development projects, harbors, roads, canals, bridges, schools, factories, dams, and the like; (b) education and educational programs including (but not limited to) school lunch and school clothing programs; (c) national food and fiber reserves;

(2) the United States will pay the costs of transportation of such commodities within the United States to ports of embarkation, and will pay ocean freight charges;

(3) such commodities shall not replace in the countries of use the usual domestic production or imports of the same or similar commodities;

(4) such commodities shall be used solely for domestic consumption in the country to which exported, and shall not be reexported nor shall such commodities be used to replace commercial exports from the United States;

(5) the President will be kept continually informed with respect to the activities made possible by, and uses made of, commodities furnished by the United States under such agreements, and with respect to whether or not the objectives of the United Nations are being carried out through the programs undertaken pursuant to this Act.

LIMITATIONS

SEC. 3. Agreement shall not be entered into under this Act which will call for the furnishing in any calendar year of agricultural commodities representing an investment by the Commodity Credit Corporation in excess of $250,000,000.

COOPERATION WITH OTHER NATIONS

SEC. 4. The President is authorized to cooperate with the Secretary General of the United Nations in bilateral and multilateral operations with other member nations of the United Nations that wish to further their own economic well-being and the objectives of the United Nations through the contribution or use of surplus foods and fibers.

PROGRAM NOT EXCLUSIVE

SEC. 5. Any contributions or other expenditures made under this Act shall not be considered as contributions to which the limitations contained in the proviso in section 306 (a) of the Mutual Security Act of 1954 apply.

Mr. BREEDING. Mr. Speaker, will the gentleman yield?

Mr. WOLF. I yield to the gentleman from Kansas.

Mr. BREEDING. Mr. Speaker, I want to congratulate the distinguished gentleman from Iowa for the introduction of this legislation today. I want to join him in the introduction of this same bill. I certainly think he is on the right track, and I congratulate him, indeed.

Mr. Speaker, I have today joined several of my colleagues in introducing food for peace legislation. As the gentleman from Iowa [Mr. WOLF] has told you, this legislation would authorize the United States to make surplus agricultural commodities available to the United Nations for distribution to nations throughout the world.

To me, this legislation makes good sense. I want to put our surplus agricultural commodities to work. And I can think of no better way to do this than by putting them to work in behalf of a lasting world peace.

It is difficult for us in the United States, where overproduction by farmers is a constant problem, to realize that in many areas of the world people are constantly faced with a shortage of food. Many nations are hard pressed to meet the day-to-day food requirements of their people. They do not have large reserve stocks to pick up the slack in the event of droughts, floods, or other natural disasters which curtail production.

There should be an internationally created food reserve upon which nations which suffer temporary shortages could call for help.

I am sure, Mr. Speaker, that other nations of the world would join the United States in making food and fiber available to this food reserve.

Communism thrives on the difficulties of other people. Communists are quick to exploit temporary food shortages and other natural disasters. Russia could be expected to oppose, in the United Nations, the creation of any international food reserve, for they know if food is available for nations to use, if and when disaster strikes, that one area for exploitation will be closed to them.

Passage of legislation such as we have proposed today will demonstrate once more to the world the dedication of the United States to the ideal of peace. Once more, we will say to the world, "When you are in trouble, share in our abundance."

Millions of people throughout the world look to the United States for leadership today. Whether we like it or not, we cannot escape our role as leaders in the free world. Enlightened self-interest demands that we do all we can to help other nations become economically strong. People who are convinced that their economic self-interest will best be served under a democratic form of government will have little, if any, sympathy for Communist propaganda.

Just recently, it was revealed that in Haiti hundreds of people are literally starving to death. For about 3 years, drought reduced production to a point where there is not enough food to go around.

Many Members of Congress have urged the President to send some of our surplus food to Haiti immediately. When people are starving, there can be no delay while national policy is examined to see if we can properly extend the needed help.

The great nation of India is always precariously balanced on the edge of a food shortage. Any disaster which reduces the food supply, even slightly, creates serious trouble for the government. The Indians are proud people. At times, they seem to us to be exasperatingly indifferent to the obvious dangers in communism. But India is a democratic government which is struggling to provide a decent standard of living for its millions of people.

Economic and political unrest, caused by a widespread and persistent shortage of food, greatly complicates the difficulties of the government and could conceivably tip the scales against freedom there.

Whether we like it or not, there is a struggle now under way between India and Communist China. India is trying

through democratic procedures to create jobs and give her people greater economic independence—the same thing China is trying to achieve through the harsh, repressive procedures of communism.

If India fails, and China succeeds, there will be nothing to stem the spread of Communism in Asia. Our surplus foods can be a significant weapon in this life or death struggle.

Mr. Speaker, I hope that the House will give careful and sympathetic consideration to this legislation. By agreeing to make surplus commodities valued at $250 million available annually to the United Nations over a 10-year period, we will not only be taking a step that will greatly strengthen our foreign policy, but will also be acting to solve the surplus commodity problem for this country.

There can be no doubt that until the present large surpluses are worked off, we cannot really get down to the task of writing a farm program that will be fair to the farmers and will operate at a minimum cost to the taxpayers.

But bear in mind that this is not primarily surplus disposal legislation. First of all, it would be a deliberate attempt on our part to use our surpluses to the greatest advantage, to bring help and relief to people anywhere who are in trouble. It would reinforce our present efforts to help peoples and nations help themselves.

This is sound legislation, Mr. Speaker, and I am proud to be among those sponsoring it on the floor today.

Mr. WOLF. I thank the gentleman; I am grateful for his comments.

Mr. LEVERING. Mr. Speaker, will the gentleman yield?

Mr. WOLF. I yield to the gentleman from Ohio.

Mr. LEVERING. Mr. Speaker, I rise to compliment my distinguished colleague from Iowa for the legislation which he has today introduced. I am happy to offer a companion bill to this legislation.

I think we have for many years missed a wonderful opportunity to make available our great abundance to the hungry people of the world. I am sure this would have a tremendous impact in bettering our international relations.

I suppose our country is the first country in the history of the world that has complained about an overabundance. This is certainly a remarkable paradox in these times when we know that two-thirds of the world goes to bed hungry every night. Those of us who have traveled in China and in the Far East know that hunger is a real problem. As I have stated previously I am not referring here to mere nutritional deficiency, but hunger of the belly kind that makes kids cry. In this bill I think we are taking a step in the right direction, using this food for peace, knowing that food does have a universal language. The smallest child knows the meaning of food, whereas he may have no understanding of some of the other things we are attempting to do to retain and to win new friends in this time of peril. In my opinion it would be more effective than our military assistance program.

Mr. WOLF. Mr. Speaker, I thank the gentleman from Ohio and say that I am happy to have his leadership on this and other projects.

Mr. PORTER. Mr. Speaker, will the gentleman yield?

Mr. WOLF. I yield to the gentleman from Oregon.

Mr. PORTER. Mr. Speaker, I should like to associate myself with the gentleman from Iowa in the remarks just made and add my commendation of him for the leadership and initiative he has taken in this matter.

Mr. WOLF. I thank the gentleman from Oregon for his splendid contribution. I might say that he has been one of the great leaders in the recognition of the need for a more active United Nations. I am happy to have him with me in this matter.

Mr. CARTER. Mr. Speaker, will the gentleman yield?

Mr. WOLF. I yield to the gentleman from Iowa.

Mr. CARTER. Mr. Speaker, it is a real pleasure to join with the gentleman from Iowa, representing the Second District, in the purpose of this bill, endeavoring to use the device of the United Nations in a food-for-peace program.

There is one question I should like to put to the gentleman from Iowa. That is, what is the difference, if there is one—and I am sure there is, having thoroughly studied both sides of it—between this bill the gentleman is introducing at this time and the bill that was referred to as the Humphrey food-for-peace bill?

Mr. WOLF. I am happy this question has been asked because I know there have been questions by other Members who have called our office in regard to this matter.

The Humphrey bill is a broad bill. In a sense, it intends to expand the Public Law 480 program. I think the gentleman will find that if there is an area of similar consideration it is under title V of the Humphrey bill, which I have here, which does not specifically state or completely authorized or suggest in what manner we work in a multilateral way. My bill attempts to suggest and define the method whereby we can work through the United Nations. I think we are in pretty good agreement on this. As a matter of fact, we have discussed this with their office and have no area of conflict. We have attempted to define in considerable more detail in our bill than it is in the Humphrey bill, the role of agricultural resources in economic development of underdeveloped areas. For example, my bill aims at the use of food and fiber for actual economic development of the underdeveloped area on projects such as community development projects. Mr. HUMPHREY'S bill, on the other hand, does not change in emphasis from that of Public Law 480, which places economic development of an underdeveloped area as one of many considerations. In this bill, however, it is the primary consideration.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. WOLF. I yield to the gentleman from Illinois.

Mr. PUCINSKI. Mr. Speaker, I am very happy to join the gentleman from Iowa in introducing this legislation. I think it is a very important measure because it is going to help the United States carry on the great struggle for the minds of men.

I have many people in my district who have asked me repeatedly why we do not give some of our surplus foods to the hungry people of the world, particularly in these underdeveloped areas. I think this is a way of demonstrating to those people that the United States is a humanitarian nation, rather than acting as the Soviet Union has been doing, engaging in a number of false promises which the free world is now coming to understand are nothing but false promises. This bill, I think, affords us an opportunity to use food that would otherwise be rotting away to help the starving people of these nations, to help the economies of these nations. I think it is a very important bill.

Mr. WOLF. I thank the gentleman from Illinois for his contribution.

Mr. COAD. Mr. Speaker, will the gentleman yield?

Mr. WOLF. I yield to the gentleman from Iowa.

Mr. COAD. I congratulate the gentleman on leading this discussion today and promoting further the idea of food for peace. As the gentleman probably knows, back in the 85th Congress I proposed legislation along similar lines.

Mr. WOLF. May I interrupt the gentleman to say I am well aware of his contribution in this field. I am happy to have Iowa so well represented on the Committee on Agriculture by the gentleman from Iowa [Mr. COAD].

Mr. COAD. I thank the gentleman very kindly. I am very glad to see that this issue has come forth. I think that all of us who have been acquainted with this general subject were particularly elated to see the President in January favoring this kind of a proposal, because essentially the people of the world in the countries that are threatened with the domination of communism are obviously, so many of them, so weak that they do not have the internal resources by which they are able to go into the mines to extract the minerals from the soil, and to build industrial plants so that they can get themselves on their own feet. This is the kind of plan and the type of program that gives these countries the opportunity to build internal strength so that they can make industrial progress, so that they can make their own factories, their own trucks, their own automobiles, so that they can have a finer, higher type of living, coming closer to our standards. This is the kind of program that, instead of America's cutting down on world prices, will help to lift the standard of living of the rest of the world so that they can come up to our standard of living.

Not only this, but an incidental byproduct, and I do call this an incidental byproduct, is that it does lend assistance to us economically at the same time. But by and large it is a program to help the welfare, the standard of living of all people all over the world. I congratulate the gentleman.

Mr. WOLF. I thank the gentleman from Iowa for his splendid contribution

to the discussion. I should like at this time to suggest in furthering his thought that I think he will find that in India the daily per capita consumption calorie-wise is 800 calories. It is well known by nutritionists that it takes 2,700 to 3,000 calories per day to promote actions increasing their own welfare. The thing I think that is inherent in these programs is that these countries do not get any provisions under this bill unless they are willing to help themselves. People who cannot get beyond a diet of 800 calories have too little energy left to build schools, to build railroads, and to construct communications facilities. If we can show them how to feed their families and remove from them the worry of finding food enough for each day alone, we will be helping considerably. This food is only to be available to individuals, under these provisions, who help with these projects.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. WOLF. I yield.

Mr. HOFFMAN of Michigan. What the gentleman suggests is all very well, but before we go overboard on a program of that kind, does not the gentleman think there should be more study of the conditions in our own country, an effort made to determine just how far we can go in alleviating the conditions I have found in some of our localities where people, especially older people, do not have enough to get along on and maintain their health?

Mr. WOLF. I am well aware of what the gentleman says. I believe he might like to know that I have visited several depressed areas in this country. I am very much concerned with the problems in this country and the unhappy conditions that exist for many of our senior citizens and that exist in many depressed areas where there is serious unemployment. However, I do not feel that $250 million per year is going overboard in this field when we are spending better than $40 billions a year on national defense. I think the gentleman will agree with me that we cannot neglect the people at home, but we can introduce a bill suggesting some of the uses we can make of food at home to help our own people under unhappy circumstances.

Mr. HOFFMAN of Michigan. If you travel to Michigan, in my own district, of course, where people are generally prosperous and well-to-do and comfortably situated, you will find plenty who are dependent on either State or Federal funds because of their age or their helplessness and they are getting along on less than is sufficient to maintain healthful conditions. Should we not take care of them first?

Mr. WOLF. I agree with the gentleman. I think he has an excellent suggestion. I hope he will join with me when I introduce subsequent legislation dealing with agricultural aid to our depressed areas, and I hope he will be in favor of it.

Mr. COAD. Mr. Speaker, will the gentleman yield?

Mr. WOLF. I yield.

Mr. COAD. I would like to refer the gentleman from Michigan to his own Secretary of Agriculture who has at the present time in what is called Section 32 funds $300 million to be used for this very purpose, which he has not used this year and which he did not use last year and refuses to use. He can buy food and food products to help people who are indigent in his district and in every district in the United States for any kind of food for people in any kind of destitute circumstances and, yet, he does not do it. This is an administration problem. You have the money. The Congress has provided for it. So here is the gentleman's answer, and if you could get something done we will all appreciate it.

Mr. WOLF. I thank the gentleman from Iowa.

Mr. HOFFMAN of Michigan. Mr. Speaker, if the gentleman will yield further. I have no complaint—of course, I am delighted to have you criticize the Secretary of Agriculture for purely political purposes, but how much of a better job have we done in the past? My point is this. We are sending all of this stuff abroad, and all the money or whatever it may be while in our own country, our honest, decent, hard working people who have reached an age where they cannot take care of themselves, and you folks seem to be thinking of these people thousands of miles away while you do not look at your people right here under your own noses at home.

Mr. COAD. That is exactly it—we are looking down the hill, right down here. We are looking down at the administration and on the point that the gentleman brought up, it is not political at all—you brought it up and I am trying to give the gentleman an answer to his question and say that the fault lies with his own administration.

Mr. HOFFMAN of Michigan. Of course, there is no doubt but that Mr. Benson is to blame for these people being without food in other parts of the world. Possibly, he is to blame for them being born and to blame because they have not died before. But, I would like to take care of my own folks before I go wandering all over the world. Some of you folks seem more concerned with people who are out of sight than you are concerned about your people right at home here. You can go out here any time you want to in Washington and find hungry people and ill-clothed people, but it seems you would rather send money some thousands of miles away.

Mr. COAD. Will the gentleman cosponsor legislation of this type along with the rest of us?

Mr. HOFFMAN of Michigan. To take care of our own folks here?

Mr. COAD. Yes.

Mr. HOFFMAN of Michigan. Certainly, but I want them to go to work. I cannot go along at all with putting a lot of people in the Michigan unemployment compensation, and putting additional people on unemployment compensation when 58,000 people are on strike in one industry. I think they ought to go to work. I would like to ask the gentleman if he saw that notice the other day where the union right here in Washington is going on strike for higher wages, and I would like to ask the gentleman if he read the schedule of wages. How can anyone afford to pay those wages when costs are going up all the time? They want $3 and $4 an hour.

Mr. COAD. I would dare to suggest, Mr. Speaker, that perhaps the entire public might go on strike against the high interest rates in this country.

Mr. HOFFMAN of Michigan. I beg the gentleman's pardon.

Mr. COAD. I was referring to the high interest rates.

Mr. HOFFMAN of Michigan. To go on strike against that?

Mr. COAD. Why, certainly.

Mr. HOFFMAN of Michigan. That is all right with me.

Mr. COAD. I thank the gentleman.

Mr. HOFFMAN of Michigan. My remedy when prices are too high is not to buy. When I go down to the supermarket here, as I have time and again, and I see liver at $3.50 per pound—I meant to say $1.50 a pound, I was just enthusiastic there, you see—I do not buy it, do you not see. But I see the woman ahead of me buying it. Down here at the Fifth Street Market, it was $1.68 and they are buying it down there. Next week when they are out of a job, they want to go on public relief.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. WOLF. I yield.

Mr. PUCINSKI. Is the gentleman from Michigan suggesting a buyers' strike in this country?

Mr. HOFFMAN of Michigan. So I thought. When my old automobile went bad and it would not work and I had to buy a new one, I did and I paid an exorbitant price. Now, it will not work—it is a rattle wagon.

Mr. LEVERING. Mr. Speaker, will the gentleman yield.

Mr. WOLF. I yield.

Mr. LEVERING. I want to second what has been said by our colleagues about this type of legislation showing the true humanitarian side of our great Nation.

There is another point also, the survival of our way of life over international communism. I am thinking of our own security program. We know certainly that communism does travel on empty stomachs. This is an important legislation in the right direction to help us all with the problems we are facing in the free world.

I would like to ask the gentleman if he agrees that this type of legislation, in helping other countries, ultimately improving their economics, we will be improving a long-range program of extended markets for our own farm products?

Mr. WOLF. That is an excellent point. I thank the gentleman for bringing that into the discussion. There is no question in my mind that the man who spends every waking hour trying to get enough food for his family has little time to develop the resources of the nation in which he lives. If he can have food for his family, he will have time to aid in his nation's economic development. First, there must be communication and then transportation, and ultimately they tap the resources.

When you tap the resources, then comes the ability to buy the resources which we produce.

Obviously through the use of our foods on programs outlined in the United Nations Food Act we are cultivating the tastes of others in two ways. People of other lands will become accustomed to the kinds of food produced in the United States, and second, people will begin to eat more than they presently do in such nations as India and Haiti.

Mr. JOHNSON of Colorado. Mr. Speaker, will the gentleman yield?

Mr. WOLF. I yield to the gentleman from Colorado.

Mr. JOHNSON of Colorado. A few days ago one of my former constituents made the observation that it seemed sinful not to produce food on his own farm when he knows there are people who are hungry around the world who could use that food. As I see the problem, America is capable of producing more food than we need. There are people in the world who need the food which they do not have. Our choice is either to make that food available through whatever means we can, and this resolution that you are introducing is one of those means; or else to insist that our farmers not grow food because we are producing too much. That would be contributing to starvation. That is an absurd situation.

The gentleman is to be commended for his proposal. I am hopeful that the Administration will recognize that we ought to raise the standard of living throughout the world. It may be that they can produce enough food for themselves, or that they can produce enough other things with which they can buy the food they need. But that is not the situation facing us today. Therefore, the food-for-peace plan, which the gentleman is recommending, certainly seems to be very definitely in order for the years ahead.

Mr. WOLF. I thank the gentleman.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. WOLF. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. Talking about this wheat production, you are all familiar with the Yankus case. Who originated that program? Was it not 1938 that your party put it in? I know it to be the fact that a former Member of this body received $97,000 for cotton subsidy in one year, and in another year $130,000. A foreign corporation had gone up $200,000 for growing crops. Most of the money has gone for cotton, rice, tobacco and peanuts, has it not? You are the boys who did it? You are yelling about taxing now.

Mr. JOHNSON of Colorado. If the gentleman will read the wheat bill which I introduced, he will find in that bill there is a $20,000 limit on payments. The Department of Agriculture apparently takes a dim view of this feature of the bill, but it seems to me that the problem is on both sides of the aisle. There was, as I recall, a very loud outcry from that side of the aisle when the Secretary of Agriculture back in 1949 suggested that there be a limit upon these payments. I do not think either side is without fault in their concern about the amount that should go to any individual.

Mr. HOFFMAN of Michigan. Will the gentleman let me in there? We protected you on peanuts, cotton, rice, and you gave us subsidies on corn and wheat. It was a dirty deal in my opinion.

Mr. WOLF. I would like to suggest to the gentleman from Michigan that the amount of food and fiber resources we have on hand today is approaching $10 billion. While I do not want to get into a detailed discussion with the gentleman on how this distribution should be made, I do want to point out that we have the surplus and I am one of those who thinks we have done a very unfortunate and unhappy job of dealing with something God has given us to use to help the hungry and less favored people of the world. This was the point I took the floor to discuss, not the question of the rightness or wrongness of the program.

Mr. KING of Utah. Mr. Speaker, will the gentleman yield?

Mr. WOLF. I yield to my distinguished colleague from Utah.

Mr. KING of Utah. I should like to associate myself with the remarks of the distinguished gentleman from Iowa. I had the privilege of being one of those who dropped in a bill comparable to the one sponsored by the gentleman from Iowa.

It seems to me that this bill is one of those rare bills in which both the conservative element and the liberal element in our country may very fully unite. It has been the traditional role of the liberals to show a sensitivity to the needs of others, to starving people; that has been their time-honored role. It has been a traditional role of the conservatives to be alarmed over expenses. In this particular bill you have a joining of those two consideration. Here at one master stroke we can take care of the needs of countless individuals who are in desperate need of help and at the same time we can effectuate some very substantial economies in the process by saving the cost of the storage of these wheat surpluses. For that reason I join very willingly and enthusiastically in sponsoring this particular legislation. I am going to back up the gentleman from Iowa in this effort.

Mr. WOLF. I would like to say at this point that I am honored to have the distinguished gentleman from Utah with me in this legislation and appreciate his support.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. WOLF. I yield to the gentleman from Missouri.

Mr. CURTIS of Missouri. Unfortunately, I did not hear all of the gentleman's remarks but I understand this is a bill which has been introduced to dispose of these surpluses.

Mr. WOLF. I would like to interrupt the gentleman if I may and correct him. I would like to use a different expression than "dispose," I would like to say, "utilize for the help of mankind something that we have in abundance."

Mr. CURTIS of Missouri. I appreciate the gentleman's attitude. My question is whether the gentleman has estimated the cost of transportation distribution of this wheat when sent abroad and who will bear it?

Mr. WOLF. I am very happy to have this question brought up. I would like to say it would be very difficult to ascertain the total cost. In our proposal we suggest $250 million. I say it would be very difficult to equate these costs. The Department can give us the cost of similar programs in the past and we can ascertain the cost of military assistance. The ocean freight cost of sending military supplies to various parts of the world each year comes to about $168 million whereas the shipping costs on food would run no more than $40 million a year.

Mr. CURTIS of Missouri. I would be happy to have these figures. The point of the matter is the gentleman has no cost estimate for, let us say, what it would cost to transport and distribute say 100 million bushels of wheat like we did to India or some specific project. The gentleman has not got the details of those estimates. Is that correct?

Mr. WOLF. I would like to say that we have some agencies of the United Nations working on these cost figures and when these figures are available I would like to put them in the RECORD and I will see that the gentleman gets them.

Mr. CURTIS of Missouri. I would be glad to have them.

Secondly, whatever the estimates may be, would the cost be borne by the Government?

Mr. WOLF. That is right.

Mr. CURTIS of Missouri. To these countries where the food will be distributed. How can we know that the surplus food would actually be distributed to the hungry people over there in those countries where we are going to send it? As you may recall, we had a program several years ago about sending surplus wheat to India. There is a question in the minds of many people after the fact as to whether the grain or what proportion of the grain finally got to the hungry people of India and how much of it got maldistributed into other areas where the hungry people of the world the gentleman is interested in, and I am, too, did not actually get it. Distribution will become a very key question.

Mr. WOLF. The gentleman's position is well taken. It is sound; it is true. Under this program we have the ability to review from year to year, the President of the United States has the authority to enter into agreements with the United Nations or the appropriate agency thereof. It does not say he has to. Further, at any time we feel the covenants are not carried out, he can take appropriate action.

Mr. CURTIS of Missouri. I gather from the gentleman's remarks that the idea is to utilize the United Nations rather than to do as we did with India, have a bilateral agreement with the countries involved. The proposal is that the United Nations be utilized for distribution.

Mr. WOLF. We are suggesting in addition that the United Nations be used as one of the methods by which we dispose of our food resources. I am not

suggesting that we do this instead. We have to continue the program the gentleman has suggested, but I am suggesting further that we use the United Nations, too.

Mr. CURTIS of Missouri. The gentleman has been very fair in yielding and I appreciate it. Presently one of our big problems in distributing this surplus food to our own people comes from the question of the complexities involved in distribution, and the cost involved. At the present time we utilize the 48 States. We have tried to work out a Federal-State program in that instance, yet I think the gentleman will agree that experience has shown in spite of what we all desire, myself and others who are interested in the humanitarian aspect of this thing, we have run into some real tough distributing problems, so much so that some States prefer not even to avail themselves of the surplus to set up the machinery which is necessary to be used so that these foods can get into the hands of the people who need it.

Mr. WOLF. That was a very well-taken point.

I would like at this time to go back and state that our storage costs on about $250 million of surplus commodities would run about $28 million per year to keep it on hand. Using some estimates and some markets around the world, we figure that the cost of transporting is about $40 million. It is very difficult to tie it down to actual pennies because we do not know which countries will avail themselves.

Mr. CURTIS of Missouri. Is that on the assumption that we would be completely out of the storage business?

Mr. WOLF. This portion when it leaves our storage bins would no longer be stored and the cost of storage would not be needed.

Mr. CURTIS of Missouri. The $40 million transportation cost is the equivalent of the $100 million I think the gentleman said of storage for the same quantity.

Mr. WOLF. I want to correct the gentleman. It was $28 million to store it a year, and $40 million to transport it.

Mr. CURTIS of Missouri. Storing the same quantity. The gentleman is talking about a certain quantity in storage. Saving the storage costs and the cost of transportation relate to the same quantity.

Mr. WOLF. A relatively small amount more. Economically, therefore, it is more rational to aid needy people than to let the food and fiber rot in storage tanks. The $40-million transportation cost represents final cost whereas the $28 million a year cost of storage continues from year to year.

Referring to the other point the gentleman raises, that is the question of keeping food and fiber resources out of the normal channels of trade, may I say that this is another reason for working through the United Nations. By doing this we have other countries who may be affected by the trade question arbitrate this thing and keep this program workable, if you please, so that it will not interfere with regular channels of trade. We should remember that the people who will be aided by this program affect only so slightly the regular channels of trade. We hope eventually that through this program people will assume their places in the regular channels of trade after sufficient industrial and economic development.

Mr. MEYER. Mr. Speaker, will the gentleman yield?

Mr. WOLF. I yield to the gentleman from Vermont.

Mr. MEYER. I am very happy to join with my colleague in introducing this legislation, and I want to commend him highly for his thinking in this matter. In that connection, I would like to raise one question and mention one item. The gentleman has considered the increasing population of the world and that our surplus of food cannot prolong the significance of meeting this problem. The gentleman proposes this food-for-peace bill will be a temporary type of thing to help those countries until they can more or less get on top of the situation and get their own population and production problems under control themselves.

Mr. WOLF. Yes. And, this again is a very significant contribution. The program I suggest is a 10-year program beginning on the date of the enactment of this bill. Naturally we would have to review it at the conclusion of this 10-year period on what the situation was here. I would like to say further that this is one of the reasons why the $27 million was made available to the United Nations special fund, to study the methods by which we can utilize some of the things we have; methods by which these countries can utilize their own manpower, recognizing that not only we in America have an exploding population but many countries around the world are experiencing a greater population explosion. We must help these people in their problems which, I believe, are only temporary if we help them. Hence, I believe, this is a temporary measure, yes.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield further?

Mr. WOLF. I yield.

Mr. HOFFMAN of Michigan. I would like to go along with the gentleman. I have no support for this policy of being able to raise a certain crop and then the Government getting the surplus, holding it awhile, and then selling it to someone and then buying it back at a profit. At least two committees, the Fountain committee and the Hardy committee, laid bare the facts of what is happening. We should get away from that, but I do not know how to do it. It does seem to me that after we get rid of the present surplus—and we should get rid of it—that then, instead of granting a subsidy for the growing of crops, we should let the people go along on their own, and then, if there is a surplus, distribute it abroad. I recall when the drive for India was on and the complaint came from India that the people were not getting the wheat. It was the crooked politicians who were getting it. And, one of the higher-ups over there told me further that they had just as large a group of crooked politicians as we have.

Mr. LEVERING. Mr. Speaker, will the gentleman yield further?

Mr. WOLF. I yield.

Mr. LEVERING. Several weeks ago I appeared before the House Committee on Agriculture and suggested, as perhaps some means of alleviating our farm problem, that we extend Public Law 480; to implement it further. I found, from our discussions in the committee, that apparently there was some objection to Public Law 480 because it involved competition, we will say, with our friendly neighbors and other countries throughout the world that produce the same type of thing we do in the way of food and fiber, such as Canada and other nations, perhaps Australia, possibly New Zealand and possibly others. Does the gentleman have any comment to make upon those objections which have been used against Public Law 480 that might be applicable and used against the legislation the gentleman proposes today?

Mr. WOLF. I think I partially answered this question in the previous discussion today. Let me say that we have under the provisions of this act, the ability to review, through the President, the method and purposes to which our food and fiber resource is being used. We also have the United Nations group, the men who will sit and the various committees of the United Nations who recognize, in a very real and personal way, what interference with normal trade activities does to the economies of their own nations. And, these men will be constantly watching to see that this program will be kept honest. We also have to recognize definitely, again, that the people who get the provisions under this program must ask for it through the United Nations. This is the suggestion of the group that I visited at the United Nations, that the United Nations will not go into a country and suggest to them "We are going to do this in your country whether you like it or not." The government must ask for it in order to get these provisions, and that will keep it from becoming a problem.

Mr. CARTER. Mr. Speaker, will the gentleman yield?

Mr. WOLF. I yield to my colleague.

Mr. CARTER. The gentleman has expressed almost exactly the point I wanted to make in connection with the answer to the question asked, that the legislation that the gentleman from Iowa [Mr. WOLF] is introducing cannot be subject to the criticisms that the gentleman just suggested were made to Public Law 480, because the areas served under this bill are not in the market at the present time. There is no competition in this market, because they have neither the money nor the ability to compete in the market. This whole program is planned on the basis, as the gentleman has expressed quite thoroughly, that this will not be a new market in the sense that they have the ability to buy or to go into the market and purchase. But these are people who need help, who do not have the ability to buy. That is why it becomes so important and so valuable as a device for a service to humanity.

Mr. WOLF. I thank the gentleman from Iowa. I would like to suggest that

one of the conversations I had with the Chairman of the UNICEF program concerned the dramtic use of the dried milk program, which had such a wonderful impact on the young people in many countries of the world. We were actually creating a market. That is, we were creating a market if we could put into the hands of the U.N. people the wherewithal to purchase the dried milk. Then they would buy much more of it. They had seen dramatically how the children in the schools had a new color in their eyes, a new brightness, that their bodies had filled out, that they had taken on the ability to think and to create, which had not been existent before. Their parents were seeing this. But again, they had no money with which to buy to further the condition that had already been manifested.

We are hoping to get behind this problem and to try to help them cultivate their own resources.

Mr. JOHNSON of Colorado. Mr. Speaker, will the gentleman yield?

Mr. WOLF. I yield to the gentleman from Colorado.

Mr. JOHNSON of Colorado. Mr. Speaker, I was on a program the other night with Clarence Pickett, who was for many years the secretary of the American Friends Service Committee. He told how a year or so ago he met with a group of Russian scientists. One of these scientists gave him a present for the American Friends Service Committee and explained his reason very simply. He said that as a young boy, living in Siberia after World War I, he had been kept alive by food which had been provided in part by the American Friends Service Committee, with the Nansen Mission. This had planted a seed of concern, a seed of humanity, in his heart.

Certainly we who are so fond on Sunday morning of paying tribute to such propositions as "if thine enemy hunger, feed him," ought not to shy away from converting that fine proposition into reality when we have the visible demonstration that upon those occasions where we have had the decency and common humanity to express our concern it has borne rich fruit.

I thank the gentleman.

Mr. WOLF. I thank the gentleman, and I should like to say that last Saturday night I appeared before the Council of World Questions in Cedar Rapids. This is a group made up of business, industrial, professional people, and educators, who gather together frequently to discuss world questions. I was happy to discuss the United Nations food bill with them. I received unanimous consent and support to go ahead with the proposal this morning. One of the gentlemen talked in the same vein as has my distinguished colleague from Colorado.

Mr. Speaker, I want to thank all the gentlemen who have joined me in this discussion here today on this bill. I can only urge in closing that the appropriate committee will take speedy action and that we will soon have hearings on this bill.

INFLATION AND SOME OF ITS RESULTS

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Speaker, from hundreds of citizens in the Fourth Congressional District of Michigan come copies of a statement carried in a recent issue of the Chicago Tribune which read as follows:

DEAR CLARE HOFFMAN: People in many countries have been ruined or impoverished by inflation caused by excessive government spending. I am worried about inflation in the United States and depreciation in the value of the dollar. If our Government keeps spending more than it takes in, we certainly will have more inflation and prices will keep going higher.

If this happens—

My savings will be worth less.
My insurance will be worth less.
My pension will be worth less.
My bonds will be worth less.
My income will buy less.
My social security will buy less.

I hope that you will vote only for essential expenditures, and against waste and appropriation bills favoring special interests. If we are to survive as a strong Nation, we must avoid further inflation.

Let's keep the dollar sound.

Sincerely,

Signature _____
Street and No _____
City _____

On the front page of a recent issue of the Tribune was a cartoon in color which gives the answer to the question as to why we have excessive appropriations—the reason for inflation and the high cost of living. It depicts Uncle Sam besieged by taxpayers, each and every one demanding a reduction in taxes except for the purpose in which he is interested.

Unfortunately, the clipping from the Chicago Tribune reminding me that, due to waste and excessive appropriation, the savings, the insurance, the pension, the bonds, the income and social security of every individual will buy less, is true—as every thinking individual has for some time known.

That situation is due to the fact that Congressmen have lacked either the desire or the courage to resist the heat put on by pressure groups demanding additional aid or handouts for the members of first one group and then another.

The clipping then expresses the hope that I will vote for only the essential expenditures.

That course I have tried to follow ever since I came here with just one exception—defense. I have voted for appropriations for national defense even though on occasion I thought at least a portion of the money was unneeded, because I had, and I have no way of knowing just what sums were or are essential for an adequate defense, and, like many others, have been forced to accept the judgment of our military men.

I have voted so often for economy, against what I considered excessive or unneeded appropriations, that in every primary and general election my opponent has branded me a tightwad, as an "agin" candidate.

In truth and in fact, many a "no" vote has been a vote against waste and extravagance, but for those "no" votes I have been bitterly criticized. Due in part to the inflation caused by waste and excessive appropriations, the value of my own savings—accumulated as they were by hard work and thrift—has been grievously diminished, and am just as worried about my future, the future of my children, my grandchildren, and my great-grandchildren as is any one of those who sent in the Tribune statement.

Many people thoughtlessly condemn Congressmen who vote for what they consider economy as being reactionary, horse-and-buggy Congressmen. Comgressmen who vote against Federal aid to education, housing programs, subsidies of one kind or another, all perhaps desirable activities but calling for tax dollars which we do not have, are bitterly condemned as reactionaries. Congressmen who vote against programs which, however desirable, we just cannot afford, are described as thinking in the past, even though those uttering the condemnation know very well that we cannot, without disaster, continue to borrow and spend.

More and more we are becoming a dependent people—dependent upon other nations for our own protection, dependent upon State and Federal Government for the things which we might, had we the will and energy, do for ourselves.

The cost of living has gone ever higher and the demand for higher wages and higher prices which must follow higher wages continues incessantly. Just last week in the local papers we find 42,000 construction workers here in Washington threatening a strike for higher wages which they say are necessary to meet the ever-rising cost of living, but which, if granted, will shove that cost still higher.

Carpenters here now get $3.50 per hour; they are asking for an additional 35 cents per hour. Operating engineers get $2.60-$3.70 per hour; they want an additional 25 cents per hour. Teamsters receive from $2-$2.40 an hour; they ask for a 50-cents per hour raise. Cement masons get $3.42½ cents per hour; they want an additional 50 cents per hour. Laborers who get $2.30 per hour are asking for an additional 35 cents per hour. And all seek fringe benefits. We all want more—forget Uncle Sam has nothing except as he gets it out of us.

Undoubtedly some increases will be granted and the cost of homes will go higher for the purchaser, the consumer, must always pay, for the very sound reason that no one willingly will work for nothing or without some profit.

Unemployment benefits are being sought. There is a substantial demand for 39 weeks of unemployment compensation. If I figure right, that would leave, if granted, but 13 weeks where the worker was on his own.

A question which comes to my mind is just how few gainfully employed peo-

ple can support those who are out of a job or who choose not to work.

Just how much can we spend for desirable, enjoyable items which we cannot afford? That is, for which we do not have the money to pay?

Likewise, just how long can the Federal Government, which is dependent upon tax dollars, continue to create new agencies, extend additional assistance to first one group and then another? It has to borrow the money, pay interest on its borrowing to finance its plans.

At present, drives are on for higher wages, for a shortening of the workweek, for Federal housing, Federal aid to education, for an increase in farm subsidies, for new agencies to promote new Federal activities—in fact seldom a mail reaches my desk that does not contain the citizens' demand for additional Federal funds, many of the writers at the same time demanding a lessening of taxation.

A Congressman who votes for Federal aid to the various groups is praised and lauded as a liberal. A man who votes for economy, for efficiency, is characterized as a tightwad and sometimes as a cruel, thoughtless individual who has no regard for those described as being unable to live in the manner the writer would desire.

One thing is absolutely certain. Spending the dollar you do not have leads to bankruptcy, and borrowing to spend without limit not only leads, first, to inflation, but later to bankruptcy and disaster.

Consistently since I came here I have voted for economy and efficiency and more than one colleague has described me as not only being against progress but heartless in considering the needs of others.

For once at least I subscribe to a statement of Franklin Delano Roosevelt who, on October 19, 1932, said:

> If in some crisis, it [the Nation] lives beyond its income for a year or two, it can usually borrow temporarily on reasonable terms.
>
> But if, like a spendthrift, it throws discretion to the winds, is willing to make no sacrifice at all in spending, extends its taxing to the limit of the people's power to pay and continues to pile up deficits, it is on the road to bankruptcy. For over 2 years our Federal Government has experienced unprecedented deficits, in spite of increased taxes. [Since that date our national debt has increased from $19,487,002,444 to $276,343 million in 1958, with an annual interest charge of $8½ billion.]

Congressmen vote for measures which in the long run are harmful because they lack either the inclination or the courage to vote against measures which they know or might well have known would ultimately bring disaster but which their bosses, the voters, demand.

Many insist that, this being the people's government, Congressmen should vote as the people wish even though the result is disastrous. Unfortunately, as depicted in the Chicago Tribune, those who want something for themselves for which the other fellow must pay, are extremely vocal and insistent.

It is my purpose to vote as in the past and suggestions from a colleague or a constituent as to anything I can say or do to bring about greater efficiency and economy in the Federal Government will be welcome.

Do you wish me to vote for lesser appropriations or for none at all, for (a) the armed services, (b) foreign aid, (c) Federal housing, (d) Federal aid to education, (e) old-age benefits, (f) social security payments, (g) veterans' benefits, (h) payments to those in the armed services, to Federal employees, to Congressmen, and their assistants. To cut it short, on just what should I economize where the adviser is personally interested?

FARM PROGRAM

The SPEAKER pro tempore (Mr. THORNBERRY). Under previous order of the House, the gentleman from Iowa [Mr. COAD] is recognized for 60 minutes.

Mr. COAD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and I further ask that all Members who desire to do so be permitted to extend their remarks on this subject following my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. COAD. Mr. Speaker, today, along with several of my colleagues, I am introducing a farm bill which I have discussed on this floor previously. It is not entirely a new bill but perhaps by the combination of the provisions and propositions that are placed within the confines of this bill at least it will present a new approach.

It is obvious today that America must have a farm bill which adheres to the fairness of the economic situation for both our farmers and our consumers. We have worked long and tediously to attempt to get this kind of fairness written into and cinched down in this farm bill. It is my hope that this is the kind of approach that all farm legislation will take. I am sure it is the approach that all of us who represent districts scattered across the length and breadth of America desire and the kind which we will promote.

In rural America today we find that there is a demoralized situation. It is demoralized because there is an obvious lack of leadership. Any time there are units by the millions in this country or any country, whether it be an economic situation or whether it be in the farming industry, or whatever the situation may be, if there are so many who are involved and if there is no leader in a problem it then becomes a demoralized situation. This is the kind of fear we are confronted with in America, especially regarding our farm situation.

In America we have efficient farming because America by and large through the decades and even though the centuries has been made up in our rural economy of family farmers. A family farmer by nature is an efficient farmer. I believe that it comes with ill grace that anyone can say that our farmers must become more efficient, for when you really get out into the family-farm operation you find there a family pride, you find a family desire for existence. It is out of this kind of setting that the farmers scrupulously attempt to be the most efficient. So I commend the American farmers for having done a good job. I commend the American farmers for doing an efficient job today.

I am confident that through peace and through war our American farmers will continue the heritage of doing a most proficient job. They have done the kind of job that is commended and cited. Our farmers have not only been feeding America, but here for the last hour in debate on this floor we have been talking about feeding the entire world in those countries where they do not have sufficient food supplies. Our farmers have proven and are proving themselves. They do not need to be berated about their inefficiency. They are to be commended for doing a terrific job. If they come into ill repute by anyone, it is because they have done too good a job of what they set out to do.

In America every day we have 7,000 new mouths to feed. Every day our population is increasing by leaps and bounds. At the same time, and I was particularly glad that the gentleman from Michigan a few moments ago pointed out, we have right here in this country people who do not have a sufficient diet. We know that there are thousands that are living on less than a $1,000 annual income. Yet today we are not debating the point of whether we should be in the relief program or out of the relief program, what we are talking about is setting up a sensibile farm program that will set up production on an equalized, stabilized basis at a fair price.

Our farmers are able to produce beyond consumption. I know that we need new markets, but we are not debating today new markets. I know we need new areas for exports, but we are not debating an export program today. I know we have need for new industrial uses for our farm commodities, but today we are not debating the need for new industrial uses. We admit all of this. What we are doing today is looking realistically at the farm problem and what should be done in order to correct it. The farm problem stems from two main facts. No. 1 is that we have too much production and No. 2 is that we have too little price. These are the scoundrels of the farm problem. Now it is fallacious to continue in the same kind of situation which creates our problem and which is our problem. It is fallacious to continue producing too much and to continue having too little price.

If low prices and high production are the way by which we find prosperity, then our farmers should have been exceedingly wealthy in 1932. But, the farmers want only a sensible, organized production program. The farmers want only a fair price. They want to produce for consumption, and yet they also want to make a decent living. The Department of Agriculture has predicted in the last few days that this Nation is going to see an 8-percent drop this year in farm income. According to press reports we see also that the Secretary of Agriculture is goading Congress to pass a farm bill. I believe by and large the Congress wants to pass a farm bill, however, we do not want more production and lower

prices, for these are our problems. So I have attempted to gear this farm bill that is being introduced today to have an organized, regulated, free production, but to establish and maintain a fair price. This is a bill, I am sure, upon which all interests can agree. It is a farm bill that is geared to the family farm operation. It is a farm bill that is not set up to destroy the consumer pricewise.

Last Monday the gentleman from California [Mr. ROOSEVELT] asked if I might further elaborate on two points in this regard which I would like to do at this time. I am very happy that the gentleman from California asked these questions, for I am sure that there are others from urban areas who are very concerned and interested in these two points.

Now, the first question requests an analysis of the effect of my farm bill on food prices to the consumer. I would say this to the gentleman from California on this very important point: My bill is not designed or intended to raise the retail price of farm products, and the point I wish to make crystal clear is that as a result of my studies of this problem, I must conclude that the modern merchandising complex and processing technology of the food industry has become the largest single determining factor in consumer food prices since 1951.

Let us compare the following figures to get an indication of the effect prices received by farmers have upon food prices: The index of prices received by farmers for all farm products were:

1951	302
1952	288
1959 (February)	243

Now these indexes clearly show a decline in prices received by farmers since 1951. Has this decline had any effect on the retail prices paid by consumers for food? According to the consumers' index of retail prices paid by consumers for food, we see that in 1951 the consumer food index was 111.6, 1952 the consumer food index was 114.6, February 1959 the consumer food index was 118.2. Showing a steady increase in food costs.

During this same period farmers' parity ratio has dropped from 107 percent in 1951 to 82 percent in February, 1959. There is no question, according to these figures from the Department of Agriculture and the Department of Commerce but that the American farmer is being short changed. My bill would raise the feed grain prices from 65 percent of parity to 90 percent of parity. Let us consider, for example what effect this would have on retail consumer prices of pork, since this bill would increase the price of corn which is the principal feed of hogs. At 90 percent of parity corn would sell for $1.52 a bushel. The latest corn-hog ratio is 13. By multiplying $1.52 by this ratio, we can determine that the price of hogs would be $19.76 per hundredweight, which is a fair price and represents 90 percent of parity for pork. Now in 1958, hogs were selling at 93 percent of parity, so by this example indications are that my bill would not increase consumer retail food prices. The same application can be made to corn-fed beef cattle, which were selling at 109 percent of parity in 1958. The provisions of my bill would tend to stabilize the meat prices. In answer to the gentleman from California's second question concerning the advisability of this Congress to initiate a searching inquiry into the spread between prices received by farmers and the prices paid by consumers, I would say that I most assuredly believe that further investigation should be made in this field and that the results of the investigation be widely published because I do not believe that the general public realizes that there is a very long road between the farmers gate and the dining room table. For example, in 1958 the American farmer received an overall average of 40 percent of the consumers' food dollar, and in January of this year 39 percent of each consumer food dollar returned to the farmers. To spell this out in terms of hourly wages received by a typical hog-beef raising farm operator in the corn belt, it has been determined that his return per hour in current dollars is a paltry 66 cents. A typical farm operator receives 66 cents and hour for raising life-sustaining food for the American people. Yes, I say to the gentleman from California that we should take a good, hard look at the distribution of the consumers' food dollar.

Certain items of savings afforded by this bill should be taken into consideration because of the reduced storage program and because of the feature of paying out of the surplus commodities for acres that are placed in the conservation base of that farm, it is anticipated that enactment of this bill would reduce tax dollar expenditures. So, permit me, if you will, to go into the details of this bill and I will not labor these points. No. 1 in the provisions of this bill provides that farmers will place 10 percent of their tillable acreage in the conservation base of the farm without receiving any compensation whatsoever from the Government for doing so. After this 10 percent of the tillable acres has been placed into this conservation base, an additional 25 percent of the remaining tillable acres will be placed also in the conservation base. These are called Government responsibility acres because the Government will pay in kind—that is in surplus commodities—at the rate of two-thirds of the average annual yield of that farm for that commodity. The third proposition under this bill is that the remaining tillable acres, which actually represent 67½ percent of the total tillable acreage of the farm, can be planted as the farmer chooses to plant them so long as he does not plant one single crop on more than one-half of the remaining acres.

In addition to this there is a price support of 90 percent of parity in support loans, with a limit of $20,000. This is geared to the family farms on the commodities under which this bill is written. The crops are corn, barley, rye, flax, sorghum grain, soybeans, and dry edible beans. Wheat and rice are dealt with separately in the specific provisions. The acreage for wheat and rice is set aside in a little different language, making sure that there is no overproduction of wheat and rice. Tobacco, peanuts, wool and sugar are not included in this bill, and the acreage that is planted to tobacco, peanuts, and sugar is not included in the tillable acreage of this plan.

This program will go into effect if it passes a national producers referendum with a simple majority. That means that if the producers of all these commodities which I have enumerated, by a simple majority vote, are for this program, then this will become the law and the program. But if it would fail on a national referendum, then the programs that were in effect at the time of the referendum will continue.

Mr. Speaker, America definitely and desperately needs for her world population a sane, sensible and workable farm program. The farmer wants no more than a fair share, but the farmer is entitled to at least a fair share. The farmer has a rightful position in our country. America has been made great by the strength of her farm population and by the products that have come from our farms. Our farmers are certainly first-class citizens. They are entitled to eat at the first table along with all segments of our economy.

If and when our farmers are able to organize their production and their prices so that they will have a reasonable amount of production for consumption, and a fair price, then I will be one of the first to agree that the Government ought to get out of the farming operation entirely. But the American farmers are in the despair of confusion, and they are scattered the length and breadth of this land. They are disorganized, and they are put upon by conflicting group thoughts.

So, Mr. Speaker, this is the kind of approach that we need, the kind of an approach that we must have. I believe it is one which certainly must meet the merits of a workable and sound program.

Mr. NELSEN. Mr. Speaker, will the gentleman yield?

Mr. COAD. I yield.

Mr. NELSEN. This is a very interesting discussion. Being a farmer I am interested in any kind of a bill that will improve our agricultural economy.

The gentleman mentioned two points—too much production and too little price. I want to add a third problem facing the farmers, and that is the cost of things we must buy to operate a farm. I recently bought three plow colters for a John Deere 3-beam plow. They cost $20, and we used to get them for a dollar or two. A plow share, a farm tractor and equipment, they all cost proportionately more. And taxes are another big item. These are all things that are adding to the problems of the farmer and cutting down his profits. I was wondering what the gentleman's answer would be to this problem of the cost of the equipment we buy? How do you propose to get that in balance with our economy?

Mr. COAD. I appreciate the gentleman's contribution and his question. It

is obvious that we must have an economy that is not out of balance. You know the problem as well as I know it. The gentleman is conversant with the farm problem, because he is a farmer. We have a very great difference, but I doubt that we can establish any kind of position that our farm economy should be less than the rest of them. The gentleman from Minnesota does not wish that, nor do I.

The fact is the index of living cost stands now at 123 percent. The farmer is receiving, roughly, 80 percent of parity. So there is great disparity there between two segments of the economy with the farmer bringing up the rear. The purpose of my bill is to bring up the farm economy to the rest of the economy of the Nation. I am sure no one would want to bring down the rest of the economy to the level of the farmer. If we did that we would utterly destroy America, because America today must pay its way, which in interest alone on the indebtedness demands a strong economy. We must have a gross national product in terms of dollars such that taxes can be collected to keep this country as sound as possible.

Mr. NELSEN. I will agree with the gentleman's point of view.

I would like also to call attention in the RECORD to the fact that Congress was asked—I believe in 1953—to put a limit on the Federal payments to any one producer. At that time I was with the REA, and I well remember the discussion. I think they started with a limit of $25,000; then it was increased to $100,000; and then it got up to $250,000. But all of these amendments were defeated. They were defeated, not on this side of the aisle, but on the other side, by the Congress.

I say that I do not agree with some of the payments that have been made, the staggering amounts to individual producers. It is ridiculous that a million dollars should be paid to any single producer.

Let us take the case of the 80-acre farmer. Take out your 10 percent and you have taken out 8 acres. Take out your 25 percent and you have taken out 20 acres from his 80-acre farm, leaving him with about 60 acres on which to produce such an income. This farmer would have to have 1,000 percent of parity to support the operation of a $4,000 tractor, and still have an income which would put him on a par with the rest of the economy. Things are getting out of balance so far that you are not going to cach up without very definite steps being taken to correct the situation.

While I am very concerned about farm legislation I think that we must, as the gentleman proposes to do, get our production somewhere nearly geared to demand in order that we may produce at a fair price and be assured of a return that is in keeping with our cost of operation.

I wish to compliment the gentleman from Iowa for his efforts, and I hope we will finally find a bill that will solve the problem.

I thank the gentleman.

Mr. COAD. I thank the gentleman from Minnesota very much.

Mr. BROCK. Mr. Speaker, will the gentleman yield?

Mr. COAD. I yield to the gentleman from Nebraska.

Mr. BROCK. Mr. Speaker, I am today introducing a companion bill to the bill just introduced by the gentleman from Iowa, Mr. COAD. It will lead to a fair income for farmers and effect some material reduction in surplus commodities. Our proposal provides for a voluntary and involuntary conservation base, repayment in kind for certain acreage in the conservation base, and price support of 90 percent of parity for approximately two-thirds of the total tillable farm acreage.

Recent surveys of planting intentions do not bear out the Department of Agriculture theory that lower supports and no production controls will solve the farm problem and clean out the surplus storage bins.

This legislative proposal is designed to cut crop production without oppressive and unrealistic acreage controls. It is based on a farm unit, rather than a specific crop acreage basis.

It seems to me that our biggest problem lies in restoring farm income to a point where it will come into balance with the rest of our economy, while at the same time taking acreage out of production.

Too many unworkable agriculture programs have been advanced by the present administration over the past 7 years. As a result, the farmers' income and economic status has consistently dropped in relation to the other segments of our economy. This bill may not be the answer to all our farm ills but it certainly does represent a new approach.

Mr. LEVERING. Mr. Speaker, will the gentleman yield?

Mr. COAD. I yield to the gentleman from Ohio.

Mr. LEVERING. I want to thank the gentleman from Iowa for discussing this very vital subject, particularly as it pertains to the preservation of the family farm in America. There is a very dangerous trend in this Nation, which is a constant and real threat to our free enterprise system. It is important in America that we maintain Wall Street, but it is important, too, that we maintain Main Street, and I include the family farms alongside the small businessmen on the main streets of this country. The gentleman has indicated the importance of having prosperity for the farmers of this Nation because it is basic to the economy of our Nation. Will the gentleman admit that every depression in this country has started on the farm?

Mr. COAD. Not only has it begun on the farm but the whole history and cycle of the economy has been that it starts on the farm, it grows on the farm, it develops on the farm and then it pulls everyone in. I appreciate the valuable contribution of the gentleman.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. COAD. I yield to the gentleman from Missouri.

Mr. CURTIS of Missouri. I want to thank the gentleman from Iowa for bringing this matter out on the floor at this time for discussion. Certainly in this area of farm economics we need a great deal more discussion. A few years ago I served on the Joint Economic Committee which went into the question of agricultural economics. I still think that the study and report of that subcommittee are a landmark and a guide to what might be done in the farm area. Many of the gentleman's and the suggestions of others certainly jibe with what I understand the economics to be.

The question gets down to a very practical one and I think it is important, particularly in line with what the gentleman from Nebraska has said when the gentleman yielded to him, that too many programs in the past 7 years have been in effect and as a result the farmers' income has declined. The trouble has been, in my judgment, that the Congress has never seen fit to give the Secretary of Agriculture, Mr. Benson, the programs he has requested. That is my judgment. The Secretary of Agriculture's program has never been in effect. The Congress has not given him what he has requested. May I ask the gentleman, inasmuch as this is the sixth Congress in a row that his party has been in control of, whether or not there is any chance that the chairman of the Committee on Agriculture of the House will grant hearings on this bill so that we may do something about not only your bill but make other beneficial suggestions?

Mr. COAD. I cannot speak for my chairman. As the gentleman knows, I am a member of the Committee on Agriculture.

Mr. CURTIS of Missouri. That is why I asked the question.

Mr. COAD. I assure the gentleman that I am requesting not only of the chairman but also of the Livestock and Feed Grain Subcommittee that this bill be expedited, not only because I have a personal interest in it but more for the sake of the American farmer. One of the things we witnessed the other day in committee was the fact that hearings were announced for all Members to come in and make their views known before the Committee on Agriculture. The meeting was called for that purpose, but no one showed up, and that was for the purpose of hearing Members of the House.

Mr. CURTIS of Missouri. How were those notices directed? May I ask the gentleman, did I as an individual Member get one?

Mr. COAD. I cannot speak for the gentleman.

Mr. CURTIS of Missouri. I know, but was it sent to all Members in mimeographed form? How was the notice issued?

Mr. COAD. I am sorry, I am not aware of that. I do know there was a notice in the paper to that effect. I believe it was in the Daily Digest of the CONGRESSIONAL RECORD.

Mr. CURTIS of Missouri. I just want to say one thing, I want to emphasize it—and if the gentleman wants to answer I would like to hear him—and that is, it comes with very ill grace when now going into the fifth or sixth year the gentleman himself and other members of his party have directed great criticism against the Secretary of Agriculture when you have not given to him the

programs he has requested and when you have not put into effect any program that you all think might be the way to go about it.

Mr. COAD. Let me remind the gentleman that the 84th Congress, of which I was not a member, but it is a matter of established fact, did pass a bill and it was vetoed by the President. It was not the first one; it was not the only one. And, I am wondering if the gentleman would care to indicate if he can speak on behalf of the President or even give an indication that he will sign this one.

Mr. CURTIS of Missouri. No, I cannot. I might state this, though, that the bill that the President vetoed in the 84th Congress, in my judgment, should have been vetoed. It did not follow through with what were the basic economic problems in this situation. I suspect that the gentleman himself, in light of his speech here today on this program, would not advocate that program, either. So, of course, it is a matter of balance between the executive and the legislative branches of the Government. But, the point I am making still stands, that whatever program has been in effect has not been that of Secretary Benson. Perhaps it can rightfully be stated that it was not the program of the Democratic leadership, and I think that is a fair statement, too, but the criticism has all been directed against the Secretary of Agriculture as if the Congress had no part to play in this thing. And, here we are again, as I pointed out, in the third Congress in a row controlled by the Democratic Party, composed of critics of Secretary Benson—here we are now in the middle of April, and apparently no farm program coming forward. Now, the Joint Economic Committee to which I referred—and this subcommittee was chaired by Senator SPARKMAN, one of the leaders in your party—I still believe that the findings of that Committee on Agricultural Economics could well form the basis of a good agricultural program. And, I can tell the gentleman this, that the Secretary of Agriculture is in conformity with the economic analyses of these programs. But, the House Agriculture Committee and the Senate Agriculture Committee apparently will not take up and deal with this program from the standpoint of the economics involved.

Mr. COAD. I am in agreement with the gentleman that there is need for activity and passage of legislation of this kind, and I am glad we agree on that point.

Mr. CURTIS of Missouri. Again I want to say I compliment the gentleman for bringing this matter up. Although I am a member of the party on this side of the aisle, as is the gentleman a member of his party, neither one of us controls our own parties and all we can do is hope for us to get these ideas across.

Mr. CARTER. Mr. Speaker, will the gentleman yield.

Mr. COAD. I yield to the gentleman from Iowa.

Mr. CARTER. I want to commend the gentleman from Iowa, from Iowa's great sixth district, for the tremendous amount of effort and study that has gone into the preparation of this bill that has been introduced today. I am privileged to join with you in the introduction of the pending bill. The gentleman from Missouri has brought up a number of questions here, but first of all I should like to make this inquiry. The gentleman mentioned the Secretary of Agriculture and his programs several times. He said that never has the Secretary gotten what he wanted. Now, the question that has always occurred to me is just what is it that the Secretary wants? Now, he has 200 lawyers over there working for him, and I have positive knowledge of the fact that the gentleman from Mississippi, chairman of one of the subcommittees, has asked the Secretary to submit the kind of legislation he wants, the kind of a program he would propose for the farmers of our Nation, and as yet this is not forthcoming. I have noticed in the testimony given by the Secretary that there is a shift in his position after each Congress. After the second session of the 85th Congress there was considerable indication that he had received most of the things he wanted; that he was reasonably satisfied with the legislation. It was not vetoed. However, now we find the Secretary of Agriculture denying that this program had anything to do with his suggestions; that it was not satisfactory to the administration, and so on. Now, the Democratic program in the 84th Congress has vetoed. What is it that the Secretary proposes to do for the farmers of America to solve these agricultural problems that confront this phase of our economy, the production of food and fiber?

Mr. COAD. Let me make this one remark before I yield further, and that is this: I appreciate the gentleman cosponsoring this bill with me. I would like to state that, of course, the Secretary has come before the Committee on Agriculture and has made some nominal requests. But, it has not been of such nature that it is a vital and a new program. There have been only slight modifications of increasing production and lowering price supports that seem to be the main gist of the Secretary's request. I do not wish to get into any kind of a partisan struggle on this question. As far as I am concerned, we are forced by the necessity of history to let bygones be bygones, if that is what they are. What we must do is to look for an approach to correct the situation that exists.

Our corn farmers have wide open production, and their price supports have been set almost at the minimum allowable by law, at least within a fraction of a percent. I have not talked to one corn farmer in my district who is satisfied that this is the solution to the farm problem. And it is not, because we are going to have corn running out of our ears this year and the farmers can see that this is the way by which they are going to produce themselves into bankruptcy in the end.

Mr. TEAGUE of California. Mr. Speaker, will the gentleman yield?

Mr. COAD. I yield to the gentleman.

Mr. TEAGUE of California. Mr. Speaker, I believe with the gentleman that there is no purpose in getting into a partisan argument here. I should like to attempt to answer the question propounded by the gentleman a moment ago when he asked, "Well, what is it that Secretary Benson proposes?" In a word, as I believe the case to be, the Secretary is convinced that we have too much Government interference with the farmer. He proposes a gradual lowering of price supports, and a relaxation of controls over the farmer. He is convinced that the segment of American agriculture which has not been operating under the price support control theory or program during the past 20 or 25 years is much better off, and has been much better off, than that portion of our agricultural economy which has been hampered and hamstrung by controls, and encouraged by high price supports. That, in a word, I understand Secretary Benson's philosophy to be and I personally agree with it.

Mr. COAD. Of course, what his philosophy is and how it works out is certainly a matter for debate. What we have attempted to do in this bill is to give a great amount of freedom to plant and yet on an orderly basis, so that there is not overproduction, but still to stabilize at a higher price level than is presently found. We have attempted in every way here to meet all the objections on both sides of the aisle and yet to get the job done of stabilizing price and production.

Mr. TEAGUE of California. I did not mean anything that I have said to indicate that I find myself in disagreement with the gentleman's bill, because I have not had time to study it. The purpose of my remarks was to answer the question, "What is Secretary Benson proposing?"

Mr. FLYNN. Mr. Speaker, will the gentleman yield?

Mr. COAD. I yield to the gentleman.

Mr. FLYNN. I thank the gentleman for yielding.

I certainly want to add my word of thanks and congratulations to the gentleman who has the floor on the introduction of his bill which is a new approach, I believe, to the farm problem. I have not had the opportunity to read it carefully, but I have gone over it and in substance know most of the essential parts of it.

Naturally, in approaching the farm problem, it is going to take the best that both sides of the aisle have to offer to solve it. Otherwise we will ever have it with us to the detriment not only of the American farmer but of the entire American economy.

However, in discussing it, we cannot help but review events of the past and remember that in 1952, in the presidential campaign, the promise was made that we would have one type of farm program. After the election, a Secretary was put into office who gave the people something directly opposite to what had been promised them.

Naturally, this Congress that was elected on the same platform, would not go along with that Secretary, would not give him the right to carry out a program contrary to the planks in the platforms of both parties.

That policy of the Secretary has led American agriculture down the road to

disaster at the present time. So it is up to this Congress and the Members on both sides of the aisle to pick up the pieces and to do something about it. American agriculture cannot afford to wait and have this become a campaign issue in the campaign of 1960.

The President of the United States in his opening message to this Congress said that an entirely new approach must be arrived at. In so saying he has in effect repudiated the program of his present Secretary as well as the program of those who preceded him. He is calling for just the type of thing the gentleman from Iowa [Mr. COAD] has suggested in introducing this bill.

I note the gentleman said that when an invitation was given no Member of Congress appeared to speak before the gentleman's committee. I do not think that is entirely accurate, because I am looking at a number of Members here who did appear and testify, and I also testified.

Mr. COAD. I am speaking of a specific day. I recall very well the most complete presentation the gentleman made when he was there, but I remember other days when the invitation was made available and no Member showed up.

Mr. FLYNN. I spoke for an hour and 15 minutes, and I saw many Congressmen there speaking the same way, attempting to draft, if we could, an approach to the farm problem that would meet with the approval of Members on both sides of the aisle. I note that many of the plans the gentleman has in his bill are in complete accord with the testimony I gave. I think the gentleman's plan is essentially the type of approach we would like to have. There are a number of things I should like to discuss that I think could be changed, but with the basic structure of the plan and the bill I am in agreement. I think it is essential that that be done.

What does the bill do? It gets away from subsidies, it gets away from programs, it gets away from 70 percent of parity or 60 percent or no parity at all. It recognizes that fundamentally the problem of agriculture today is overproduction, that is, we have too many acres being planted to agricultural crops. This excess planting makes more than the American public can consume domestically. The law of supply and demand brings down the price of farm commodities that the farmer has to sell, whereas the things he is buying are going up with our steady inflationary rise, and he is caught in a cost-price squeeze.

The farmer does not want control, he does not want acreage allotments, he does not want a representative of the Commodity Credit Corporation coming to his farm and measuring 15 acres of wheat, and then if he happens to have 16, requiring that he cut down to 15 and destroy it. He does not want individual bureaucratic controls that are in existence today. He wants to be a free entrepreneur, to operate his farm as his father and his grandfather did, with him, himself, deciding how many acres to plant and what to plant.

It is our job to get this economy to the point where we can take off the farm controls and let the farmer be a free operator. To do that you are going to have to bring supply into balance with consumption domestically. The only way to do it is what the gentleman has suggested, to take land out of production. We can do it with the rental-purchase program or a combination of that. I do not favor a large Government purchasing program, but if it is necssary, I say, go into it. If we can rent enough acres to drop production, as the gentleman's bill provides, we will be better off.

However, I do not believe we can pay $25 an acre because there is much land not worth $25 an acre. I think it should be based more on the value of the land. I think an amendment to that effect would be accepted if offered.

I compliment the gentleman on his answer to what the President asked for, a new approach, an approach which I think must be accepted and which I think will be accepted by both sides of the aisle, and which will be of tremendous effect and good to the farmer.

Mr. COAD. May I ask the gentleman a question? Does not the gentleman agree that this bill, paying two-thirds in kind of the commodity, the annual average yield on the particular history based on that farm, would give a very careful approximation to the real value of the acreage?

Mr. FLYNN. I like that feature very much. The rental provision needs adjusting, but that part I like very much.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. COAD. I yield.

Mr. JENSEN. I appreciate the gentleman's efforts and I appreciate the efforts of anyone who seeks to get this farm price squeeze solved. The gentleman who just preceded me said that we want a new approach. I came to this Congress 21 years ago and for a great part of that time we have had this farm problem with us. About 3 years ago, I finally came to the conclusion that we could patch and we could amend and we could just work on this present system of farm legislation that we have until doom's day and when we got all through, we would be just about where we started because all of these bills and all of these amendments to the original farm bill have not done the job. I certainly hope the gentleman has a bill that will do the job. I have read the bill, but the truth of the matter is the gentleman's bill does not differ to a great degree from the law that is now in effect or that has been in effect, the soil bank bill and the acreage reserve legislation. Now, you are attempting to put in another acreage reserve bill, which I just do not believe will work. I hope I am wrong. Let us look at the new approach and, as the gentleman knows, I explained the Jensen-Mundt bill to him earlier this year. It is a bill which would provide for the consumption of the surplus grain that we have which is depressing the market, and it would consume that grain in a very short time. Our horses and mules, before the advent of the iron horse, used the production of 43 million acres of our land. Then, we went into the tractors and the trucks and the automobiles, but we did not feed that grain back to the iron horse in liquid form. It is no wonder that we have a great surplus of grains. The Jensen-Mundt bill provides that all motor fuels shall contain 5 percent grain alcohol made from surplus grain. It provides that it should provide for a 5 percent mix of grain alcohol in all our motor fuel, which would consume over 700 million bushels of grain annually. You can readily see that this great price depressing surplus would soon be used up. I testified before the subcommittee of the Committee on Agriculture of which the gentleman is now a member, I think two different times last year and the year before. When I got through, a member from a southern oil-producing State, and a very powerful member of your committee, said, "Jensen, I cannot be for your bill." I said, "Why?" "Well," he said, "We produce oil in our State." I am wondering how long the oil producers of America are going to keep their heads in the sand. With the new approach, that will solve your farm problem, and it will solve it for a very small amount of money as compared to the expenditures called for today in handling this farm problem.

Mr. COAD. As the gentleman knows, he and I discussed that and we agree on certain essential aspects of this problem, but after going into this in every detail, there is admittedly on the part of everybody a great residue of feed. There is a residue from this kind of operation. I think the No. 1 question that has to be resolved before alcohol from grains can be implemented into an actual functioning program is what to do with the feed residue. There is a great residue that has a high amount of feed value.

Mr. JENSEN. Oh, yes; the value of the residue is 40 percent of the original grain.

Mr. COAD. Forty percent of 700 million bushels will be an exceedingly high amount to dump on an overly inflated feed-grain market.

Mr. JENSEN. But we are using 770 million bushels of that grain and 40 percent would go back into feed. So you would have 300 million going back into feed, but you would have 470 million bushels taken out of the reserve. I hope the gentleman understands that.

Mr. FLYNN. Mr. Speaker, will the gentleman yield?

Mr. COAD. I yield.

Mr. FLYNN. The gentleman from Iowa [Mr. JENSEN], has said that he did not see the value of continuing the soil bank reserve. It has been tried——

Mr. JENSEN. Just a moment. I did not say just that. Please do not put words in my mouth. I said that his bill followed pretty closely the acreage reserve section of the soil bank bill which we have eliminated for this year and next year.

Mr. COAD. Of course, I might inject this, it does not follow to the extent of the soil bank being in that bill was not mandatory. But when you enter this program this is mandatory. You present 10 percent of your acres as a contribution, and then 25 percent of the remaining acres on which two-thirds payment in kind is made.

Mr. JENSEN. We have been on 90 percent of parity.

Mr. COAD. And that aspect is in this bill. I appreciate the gentleman's support along that line.

Mr. JENSEN. I have not thoroughly studied the gentleman's bill. I am just a little fearful that you are taking so many acres out of production that the farmer, even though he gets 90 percent, will not have enough cash to carry on his expensive operation.

Mr. COAD. Having taken into consideration specific farm operations, we know it will pay out more than what the farmer will receive this year and next year. There is no question about that.

Mr. JENSEN. Let me say this: I never played politics with the farm program or any other program. After I have studied the gentleman's bill thoroughly, if I am convinced it is the best bill we can devise, then I shall be for it 100 percent.

Mr. COAD. I thank the gentleman.

Mr. FLYNN. Mr. Speaker, will the gentleman yield?

Mr. COAD. I yield.

Mr. FLYNN. I campaigned last year on the basis of testimony I gave before your committee. All during that campaign I said, without having all the resources of the Department of Agriculture before me, it would be essential that we withdraw from American agriculture 6 million acres of productive land in order to bring production into balance with consumption. Some of the papers in my area agreed with me and some disagreed. One paper made a thorough study of it and went into it much deeper than I did, and they came up with the answer that the plan would work if it went all the way and took a hundred million acres out of production. One of the first things I did when I came to Washington was to call the office of the Secretary of Agriculture for an appointment. I discussed that exact matter with one of the economists of the Department to whom I was referred. I asked the gentleman how many acres it would take out of production to bring it into balance. They had the figures available. They said in the first 50 million acres taken out of production there will be little effect, but every acre over that amount will make a decided difference. He said it would take 80 million acres out of production to bring production into balance with consumption. I then said, "Why do you give the American people a conservation program of 22½ million acres when you know it will take at least 80 million acres to do the job?" The money we are spending on the 22 million is wasted because it would not go far enough. I notice here that you are asking for 40 million acres.

Mr. COAD. No, no, no; I have no figure.

Mr. FLYNN. It amounts to 40 million acres at $25 an acre. That will equal the amount carried in your bill.

Mr. COAD. I am sure the gentleman has confused two bills that have been recently introduced, one providing for 40 million acres at $25 an acre. That bill is not only on the other side of the aisle but it is on the other side of the Capitol.

Mr. FLYNN. I feel that the number of acres will have to exceed 40 million, and as the Department itself told me in the conference, it will have to be 50 million or 80 million acres. The amount provided for in either of the bills would come far below the Department of Agriculture estimate and far below the present $7 billion to get us back to the same place we were in 1952.

Mr. COAD. I agree that the percentages in this bill would have to be reviewed in a couple of years. You have the 10 percent and then the additional 25 percent. After about 2 years the entire subject would have to be reviewed by the Congress.

Mr. WOLF. Mr. Speaker, will the gentleman yield?

Mr. COAD. I yield to the gentleman from Iowa.

Mr. WOLF. I would like to say that during the past weekend when I was in Iowa I took occasion to discuss the gentleman's bill with some of the farm leaders who have been very helpful to me in formulating my action regarding agriculture. They told me to return to Washington and urge the adoption of the gentleman's bill, to get behind the gentleman's bill and tell him to press it. I congratulate the gentleman for bringing the matter to the floor today.

Mr. RANDALL. Mr. Speaker, will the gentleman yield?

Mr. COAD. I yield to the gentleman from Missouri.

Mr. RANDALL. I have been here less than 2 months, but I want to commend the gentleman from Iowa on the presentation he has made. I campaigned on the proposition that I knew nothing about farm problems, but that I would attempt to learn something about them. I have read these bills very thoroughly and I want to note what is in this bill. I am sorry the gentleman from Missouri [Mr. CURTIS] is not here. I wish to answer some of the criticisms he made on the floor. Certainly this is a step in the right direction and I am sure that any defects in the bill would be corrected by amendment when it is called up for consideration and debate in the regular way. It cannot help but have good results.

There is one feature of the bill I note with great satisfaction and that is that the last section provides for a referendum. No one wants to force a program on any group to its injury, and I observe that the bill provides for a referendum. If it does not work out then it calls for a referendum. This does not become effective until the people have exercised the right to vote on it.

I am very appreciative of the gentleman's effort. I believe it will be a step in the right direction.

Mr. CARTER. Mr. Speaker, will the gentleman yield?

Mr. COAD. I yield to the gentleman from Iowa.

Mr. CARTER. This is more than a step in the right direction. I made a very careful study of what it would do to my farm and some 22 farms in the southern Iowa area.

It is a sound, workable program. In the first place, in the application to these farms in this area it increased the income to the farm in each case. In the case of my own farm, 60 acres, based on the past 5 years' experience, it would increase our income by $1,000. I like that, but the other feature that I am sure will be satisfactory to those people in the city who are not interested paricularly in seeing the income of the farmers increased greatly is the fact that this program increases the number of acres under conservation on a sound workable basis. It will take out in excess of 50 million acres the first year; and as the gentleman from Iowa has indicated in his review of the program it provides a sound, workable conservation program for withdrawing tillable acres in the farming area, and this is mighty important to the cities and the people of this country.

The other features which I think are very sound and worthwhile are these: The cost to the taxpayers is at an absolute minimum because this is on a payment in kind basis from surplus and will take out of the surplus problem the cost of storing these surpluses.

FEDERAL HIGHWAY PROGRAM

The SPEAKER pro tempore (Mr. THORNBERRY). Under previous order of the House, the gentleman from Indiana [Mr. BARR] is recognized for 10 minutes.

Mr. BARR. Mr. Speaker, in 1956, this Congress passed legislation starting the United States of America on the greatest project in the history of this country and probably in the history of mankind. In 1956, the Federal Aid Highway Act was passed and this Nation started work on a $26 billion program of interstate highways. The sheer size and magnitude of this program is difficult for the average citizen to grasp. But by comparison when this program is really rolling, the effort involved in the total project could build the great pyramids of Egypt in an hour or so. It would suffice to dig the Panama Canal in 2 weeks. The St. Lawrence Seaway might perhaps be a job of only 1 week. It is very doubtful if this Nation has ever embarked on a project more significant to its future growth and development. When this great system is completed in approximately 1973, the whole face of the United States will be changed. Population patterns will have been radically altered. Industrial growth will have tended to move out along and close to those great systems of interstate communication.

In my opinion, this Interstate Highway System marks a real attempt by the United States to face up squarely to its problems. I often think that perhaps a visitor from Mars examining the legislation and debate in this Congress might think that we were legislating for an agricultural nation, a mining nation, an oil extraction nation, or a nation that lived by force of arms. In actual fact, the United States today is none of these. Every set of statistics, every reasonable view, will highlight the fact that the United States today is the greatest industrial nation the world has ever known. Agriculture, mining, oil extraction, all have their place in this Nation but they are minor and relatively unim-

portant compared with the industrial might of this country. So in this legislation, the Congress of the United States faced up to the fact that we do have an industrial, nation, and that industry is weak, ineffective, and cannot grow unless it is buttressed by efficient, cheap, and rapid transportation. The Congress looked this fact squarely in the face in 1956 and devised a program that would enable the United States to develop its industrial muscles and its real potentials for growth.

The 1956 act, wisely it seems to me, provided for a sound and reasonable plan of financing this great program. It created a Highway Trust Fund under the direction of the Secretary of the Treasury and dedicated to that trust fund the revenues from the gasoline and diesel fuel tax, 50 percent of the tax on trucks, buses, and trailers, the excise tax on tires and tubes, tread rubber, and motor vehicle use. In fiscal year 1958 these revenues dedicated to the trust fund amounted to approximately $2,026,116,000. The act also provided, and I think that this is a wise provision, that these roads should be built on a pay-as-you-go system. It stipulated that no apportionments to the States could be made unless estimated revenues to be placed in the fund would equal the estimated expenditures.

In 1958, the expenditures under the program were stepped up, and yet no additional revenues were diverted into the trust fund to cover this increased expenditure. The provisions of the Byrd amendment, or the pay-as-you-go principle, were merely suspended for that year. Secondly, the whole program was never in phase, to use the technical management term. The program was in balance over the approximate 13-year period of its completion program, but revenues are designed to come in more rapidly during the latter half of the program than in the beginning. Expenditures, on the other hand, maintain a fairly constant level during the 13-year period. And lastly, the original cost of the program has jumped enormously. As a result of all these three factors, the Highway Trust Fund today is, to all intents and purposes, broke. It has sufficient funds at hand to maintain its program temporarily, but if the situation stays as it is, there can be no apportionment of funds to States for this program during fiscal year 1961, and only $500 million for the fiscal year 1962. The $500 million for fiscal 1962 represents about one-fifth of the amount authorized in the 1956 and 1958 acts. It is plain to everyone that this great program—the greatest program the United States has ever undertaken—is in grave jeopardy.

There are three possible solutions to this financial dilemma. The President has recommended that we increase the gas tax from 3 cents to 4½ cents and also estimates that this will bring into the fund about an additional $1 billion a year. The main trouble with this program is that I doubt if this Congress is in any mood to levy additional taxes. Secondly, by moving again into the excise tax on gasoline, the administration is encroaching heavily on the rights of the States. The States have financed their portions of their share of the interstate program, their State roads and, in my State at least, their city and county roads are built largely by the revenues from the State gas tax. It seems to me that this is their field, and the United States of America has moved far enough in that direction. The States, the cities, the counties, have fantastic road building problems of their own, and I firmly believe that the United States has left them little enough room to maneuver in the solution of their financial problems. I frankly cannot see how any man or any administration could advocate States' rights and yet make it increasingly difficult for the States to solve their own financial problems.

The second alternative is to suspend again the provisions of the pay-as-you-go plan. This would involve more bookkeeping sleight of hand but would certainly not solve the ultimate financial problem of the highway program. In my opinion it would simply mean that this Nation has refused to face up to the facts that we have an expensive, but vitally important program on our hands, and we might as well get down to the task of financing it properly.

There is a third alternative, and I have attempted to set it forth in the bill I introduced on Thursday, H.R. 6553. I mentioned above that the excise taxes on gasoline, tires and tubes, tread rubber, motor vehicle use, and 50 percent of the excise tax on trucks, buses, and trailers, is dedicated to the trust fund. In 1956 this amounted to roughly $2 billion. But there are other excise taxes directly connected with highway use which were not dedicated to the trust fund, but are used in the general fund to defray the ordinary expenses of government. These include the excise tax on passenger automobiles which in 1958 amounted to $1,170 million; the other 50 percent tax on trucks, buses, and trailers, which in 1958 amounted to $110 million, and the excise tax on parts and accessories, which amounted to $166 million. The total revenues from these three taxes, amounting to $1,447,229,000 in fiscal year 1958, went into the general fund, not into this highway program. My bill, H.R. 6553, dedicates these funds to the Highway Trust Fund. These excise taxes on automobiles, trucks, buses, and trailers, parts and accessories, are a wartime holdover. They are not very popular at all in my congressional district, which comprises metropolitan Indianapolis, Indiana. In that district, the manufacture of various components for automobiles is by far the largest employer and the largest income producer. These excise taxes have been a source of irritation for many years, and they are certainly not gaining in popularity. It is my honest opinion that these taxes should be dropped or should be dedicated to a program that will at least increase their selling market.

In 1961 the Bureau of Public Roads is due to come back before this Congress with a report on costs and benefits of this whole program. At that time the Congress of the United States can make an accurate appraisal of what the program will cost, how it should be financed, and what the benefits will be. In the interim, I strongly recommend that the proposal I have outlined in H.R. 6553 be used to keep the trust fund solvent. There is no reason to make it harder on the States by increasing the gas tax; there is no reason to abandon the pay-as-you-go principle; and if this bill constitutes budget busting, I would suggest that the Congress take a close look at the programs on which we are currently embarked, which, in my opinion, are of far less importance to the growth and the development of this Nation. In closing I might add that if we do neglect the transportation facilities of this Nation, a lot of the arguments I hear in this Congress about defense expenditures, the farm program, and mutual security will be purely academic. If we hamstring our industrial might by neglecting our transportation sinews, the money simply will not be there for some of these auxiliary programs.

REPORT ON BERLIN

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. STRATTON] is recognized for 30 minutes.

Mr. STRATTON. Mr. Speaker, some weeks ago I had occasion to stand in this well and to address the Members of this House for a few moments on the subject of the Berlin crisis and our need to back up the policy of firmness enunciated by the President of the United States and already subscribed to by the leaders of this House and of the other body. Since that time, as a member of the House Armed Services Committee, I have had a chance to travel to Berlin and also to our positions in Western Germany and in Western Europe. And I may say that as a result of that visit, I have come back not only still firmly behind the policy enunciated by the President, but even more solidly convinced that we must adhere to that policy in spite of any wavering or hesitation on the part of any of our allies as we now move into the foreign ministers' conference and the summit conference that lie ahead.

Mr. Speaker, the group that went to Berlin representing the House Armed Services Committee during the Easter recess was comprised of Members on both sides of the aisle, and I certainly would hesitate to speak for anyone except myself in drawing conclusions from that visit. But I do feel, Mr. Speaker, that perhaps my own conclusions as an individual member of the committee may be of some interest to the other Members of this body, and for that reason I am taking the liberty of passing them on at this time.

Very briefly, Mr. Speaker, our committee visited not only West Berlin and spent some time in East Berlin, but also had the opportunity to visit SHAPE Headquarters in Paris and to confer at some length with General Norstad, certainly one of our outstanding officers in Europe. We also visited U.S. Army Headquarters in West Germany as well as visiting positions in the field and watching American, as well as German, troops run through infantry and armored maneuvers.

On the basis of this experience, I came back with these conclusions.

First. First of all, our ground troops are doing an effective and important job in Europe. Some question was raised in the minds of some people some weeks ago when the President at a news conference responded to a casual question by saying that he saw no point in sending more troops to Europe since we did not intend to fight a ground war in Europe. I felt at the time that that remark was unfortunate, because, while I was sure that it did not reflect the true feelings of the President of the United States, it did raise a question as to whether the whole NATO structure was serving any legitimate and useful military purpose. I came back from Europe convinced that our ground forces are indeed performing a highly useful function there. As the so-called shield of the NATO structure it is their job to prevent Soviet ground forces from overrunning our friends in Western Europe long enough to make it posible for us to bring our superior atomic power, the so-called sword of the NATO structure, into play.

Second. I also came away convinced too that our troops are highly trained, well led, and combat ready for anything that the Soviets might throw against them in Europe. I think all of us were impressed with the quality of the training program and with the high degree of morale and efficiency that we saw demonstrated. Certainly these troops are not likely to be taken by surprise.

Third. At the same time, I was disturbed, as I think other members of the committee were disturbed, to learn that as a result of some of the cuts in the defense budget already under way and contemplated that it has been necessary for our ground forces in Western Germany to reduce to some extent both the training maneuvers which these troops go through and also their essential practice alerts. There is certainly no justification for having any ground troops in Europe unless these troops are combat ready, are trained with every type of maneuver which our military leaders believe is necessary, and unless they are fully practiced in the alerts that may be needed to move into action at any moment. It is false economy of the worst sort for us to sacrifice and skimp in terms of training maneuvers and alerts, because in so doing we run the risk of throwing away our whole investment in troops on the European Continent. I would seriously recommend to this House that action be taken at once that will insure that the full schedule of maneuvers and alerts be carried out in fiscal 1960 by the five American divisions now stationed in Western Germany.

Fourth. Our five divisions are all committed along the line on the Iron Curtain in the southern portion of Western Germany, which is the portion protected by the United States. While these divisions, as I say, are well trained and are ready to hold their positions in the event of an attempted Communist breakthrough, I feel strongly that we need at least one more American division in reserve, and possibly two, in order to make it possible for these five divisions to execute their mission in the event that they are called upon to do so. No sensible ground commander would ever go into operation with every one of his troops committed on the line. It is important, in my judgment, if our military power in Europe is to continue to serve as a deterrent to Soviet aggression, as I believe it should be used, that we make it clear to the Soviets that we are in fact fully ready and prepared to carry out our mission. We can't expect to do this, if the Russians know clearly that we lack some of the reserve forces which we ought to have. Even at this the American troops in Western Germany would be far outnumbered by the 20 to 25 Soviet divisions already located just on the other side of the Iron Curtain, and even the 21 divisions now available to NATO would continue to be greatly outnumbered by the more than 150 Soviet divisions located on the European continent. Nevertheless, I feel that the addition of this one reserve division is necessary, and I recommend it to this House and to the Department of Defense.

Fifth. While our troops are well trained and I believe combat ready, I also came back convinced, and I am sure that other members of the committee came away convinced, that our troops could use more equipment and to some extent better equipment, particularly with respect to tanks and the equipment required for an armored division. Once again, it is false economy to skimp in the one area in the world where Army troops are most likely to be employed in the event of any all-out conflict with the Soviet Union.

Sixth. The two battle groups located within West Berlin represent some of the finest and best trained troops that I have seen in the U.S. Army. They, too, are well led and their spirit is the highest. In fact, in terms of morale and in terms of training they represent some of the finest ambassadors that this country has abroad.

Seventh. I was extremely impressed with the American commander in Berlin, who functions both as a military and diplomatic representative, Maj. Gen. Barksdale Hamlett. I have already recommended to the Department of Defense that General Hamlett, who has been a most able and outspoken exponent of the American position of firmness, be retained in Berlin until the present crisis has been resolved. General Hamlett, we discovered in Berlin, was originally slated for normal rotation from this command in June or July of this year, a period that may well represent the height of the Berlin crisis. I am happy indeed to be able to report to this House that, as a result of my recommendation, I have now been advised by the Department of the Army that General Hamlett, with the approval of the State Department, will be retained in Berlin in his present position until the crisis has passed. I am happy indeed that the Department of State and the Department of the Army agree with me that his removal, even on a routine rotational basis, at that particular time could be misinterpreted by our allies as well as by the Soviets as a fundamental change in our policy of firmness.

Eighth. Many of us went to Berlin particularly concerned about the position of the American dependent personnel in Berlin and also in West Germany. We wondered whether in the interest of safety these women and children ought not to be evacuated from Berlin at this time so as not to jeopardize their safety in the event that a serious crisis developed on May 27 or sometime thereafter. Frankly, I came back convinced that these people should not be evacuated from Berlin except as a last-ditch emergency measure. The fact is that the women and children of our military personnel in Berlin are enthusiastic about their position on this frontier outpost of democracy and have no desire to be returned to positions of greater safety. Indeed, the fact that American dependent personnel are remaining calmly in Berlin is one of the great sources of morale for the German people. Any indication that we were removing our dependent personnel, on the other hand, would be the tipoff to the Germans that we had decided that Berlin could not be defended. Such action could, of course, have a very destructive effect on the people of Berlin and might completely jeopardize our own position. There is a good deal of the frontier spirit not only in the troops, but in the dependent personnel themselves in Berlin, and I believe that, unless and until there is the indication of some serious immediate emergency, we ought to continue to maintain the status quo over there, including our dependent personnel, confident that our policy of firmness will weather any crisis that lies ahead.

Ninth. Finally, with respect to the crisis of Berlin itself and the policy that we are following there. There is much less anxiety in Berlin about the Berlin crisis than there is here in Washington. This is largely due to the fact that the German people have been living directly under the Russian gun for so long they have gotten used to the tension. They are carrying on in the present crisis not only because of that experience, but also because they are convinced that the Americans are behind them and that we mean business in facing up to the Soviet ultimatum. I learned that there was some earlier agitation in Berlin immediately after the announcement of the Soviet deadline, especially when for a time there was some general discussion in this country of recognizing the East German Government as the agents of the Soviet Union. But once the President announced in his television address of March 15 that we intended to stand firm the Berlin people took him at his word; and it would be hard for anyone today in Berlin to realize that the city was really living under any time deadline or indeed was located as it is 110 miles inside the Iron Curtain.

This fact alone is clear indication of the validity and indeed the effectiveness

of the American policy of firmness in Berlin, a policy that has already begun to get results. The May 27 deadline has already been postponed indefinitely. Frankly, I don't believe the Russians expected that there would be any such outpouring of sentiment as came from this country in response to their deadline, and I think they have been frankly surprised at the recognition on the part of this country of the importance of Berlin to our overall position in Europe. The same policy of firmness already seems to have accomplished results in connection with flights into the Berlin air fields through the air corridors. The first Soviet reaction to the first flight over 10,000 feet was typical. They said that they could not be held accountable for any consequences that might take place as a result of these flights. When we protested this action, when we failed to be alarmed, and when we continued to fly in at greater heights the Soviet action changed and became more moderate and temperate.

I came back convinced that our position in Berlin is the key to our whole allied position in Western Europe. If we were ever to let Berlin go, we would lose, in my judgment, Western Germany, and in losing Western Germany would lose our whole position on the Continent of Europe. This is not because Berlin is vital from a strategic or military standpoint. Quite the opposite. But our position in Berlin and our insistence on our rights there hold the key to the respect in which we are held by the people of Europe. And if we can be talked out of that position, or can be frightened out of it, then I am afraid we would soon find that there was little support for any U.S. position on the Continent after that event took place.

There have been in recent weeks growing demands for some sort of negotiation in the Berlin situation. We are told, for example, that it is necessary that we make some concessions to the Soviets in order to insure our access to Berlin, that it is not proper, for example, for us to continue to rely on our position as one of the conquerors of the Germans for our continued position in that capital city. In my judgment, it would be a mistake for us to make any concessions to the Soviet Union merely to be allowed to retain the same access to Berlin that we already have. What possible assurance could we have from the Soviets, even if we made concessions, that they would pay and more attention to that agreement when the time suited them than they appear to be paying to the agreement and the understandings under which we are in Berlin at the present time? In my judgment it would be a mistake to enter into any negotiations specifically over Berlin at the forthcoming meeting of the foreign ministers or the summit conference, as some of our allies and local columnists have suggested. The Berlin situation can be solved only as a part of some broader settlement of the future of Germany itself. If we can ever reach some final solution on unifying the country—and I am none too optimistic about it—then there might suitably be some reason to review the status of the capital of that country. But any negotiation with regard to Berlin itself would be not only a mistake but a disaster.

Some people seem to be disturbed by the fact that the present situation in Berlin is a rather anomalous one, not neat and simple and all wrapped up. The area of West Berlin is tied in economically and emotionally with the area of West Germany some 110 miles to the west. And yet as Mayor Willy Brandt pointed out to our group during a productive and fruitful 1 hour session, there have been anomalous political situations before. Pakistan, for example, has long been divided into two sections, and yet the country continues to live. While the Berlin situation is not perfect, it is something that could well be lived with on an indefinite and a continuing basis. In fact, Mayor Brandt himself typifies the confidence of the Berlin people in their ability to live with it. He told us something of the amazing economic growth of the city. He pointed out that even the threat of the Soviet blockade has not to any great extent impeded this growth. He told us that the Berlin people were prepared to withstand a Soviet blockade for something up to 6 months, and he also recognized that if the Soviets ever attempted to starve out the people of West Berlin this would prove to be a major propaganda defeat for them in many countries of both Europe and Asia.

What we are undergoing in Berlin now is, in my judgment, just another phase of the long-range pressure which the Soviet Union intends to keep placing on us in various parts of the world in an attempt to break down our own position. What we are facing is another aspect of the long-term struggle between the free world and the Soviet world. It is our job to learn to live with these pressures and tensions without cracking and without seeking some sort of easy, simple, and apparently satisfactory solution. As one high American officer told me, "We Americans are too inclined these days to believe in fairy tales. We are too inclined to look for the easy, simple solution which will resolve all our difficulties and allow us to live happily ever after. But in the real world, especially in the face of Communist threats, people just don't live happily ever after. The pressures and the tensions continue, and it is a mistake for us even to try to find some easy, simple solution that will presumably allow us to live happily ever after in Berlin. We're following a will of the wisp. We must learn to live under Soviet pressures and Soviet tensions without cracking. Only in that way can we continue to stand up against the long-range pressures directed against us. Berlin is an important testing ground."

Mr. Speaker, I came back from Berlin proud that our American policy of firmness has won us such support and confidence from the people of Berlin. Indeed, one is almost overwhelmed by the confidence that has been placed in us by the people of Berlin. I hope we are as good as they expect us to be. I was proud, too, to be a Member of a Congress whose leadership has gone along with the President of the United States in backing up this policy of firmness and in recognizing that in carrying out our responsibilities overseas there can be no narrow partisan considerations. I sincerely hope, Mr. Speaker, that in the forthcoming foreign ministers' talks, for which our new Secretary of State is leaving Washington just this afternoon, and in the forthcoming summit meeting too, that our diplomatic representatives will continue to hold strongly to this policy of firmness and will continue to live up to the position of strength which has won us such recognition abroad.

Mr. Speaker, I have mentioned this afternoon my view that our position in Europe ought to be reinforced by at least one, perhaps two infantry divisions in strategic reserve in order to be fully prepared for anything that might develop. I made a similar statement shortly after returning from Berlin earlier this month. I was surprised and also a little proud, Mr. Speaker, to discover the other day that as a result of this statement of mine that I have been singled out for personal attack by the Soviet propaganda machinery. I consider such an attack a badge of honor. On April 12, the Soviet propaganda radio had this to say, and I quote:

> Not a single day passes without one of the political or military leaders of the United States coming out with a warmongering and bellicose speech. A striking example can be found in the speech of Democratic Congressman SAMUEL D. STRATTON—

They even got my middle initial mixed up, Mr. Speaker.

> He demanded that the Berlin issue be settled by force of arms and suggested that several infantry divisions should be sent to Berlin.

That is the end of the Soviet propaganda broadcast attacking me. This, of course, is a complete distortion, like all Soviet propaganda. I did indeed call for one or two divisions, but I made it clear that these divisions were intended to hold our position on the line in Western Germany so that the Soviets wouldn't be tempted to attack us. But the fact that the Soviets are making such attacks on those who stand by the policy of firmness is, in my judgment, the clearest indication that this policy is getting under their skin and has indeed already disrupted the plans that they had for making political capital out of Berlin.

Mr. Speaker, I would like to make one more suggestion. We must not only stand firm. We must make a few moves of our own. Berlin is an important symbol, in my judgment, of the free way of life. The contrast between West Berlin and East Berlin is so enormous as to be, in my judgment, one of the real reasons behind the Russian action. Our position in Berlin is not only a military position but a psychological position. I have already indicated that the existence of our dependent personnel in this outpost has

also important psychological implications. I think that we need at this important time to do something even more dramatic to demonstrate our interest in Berlin and the importance which we place on this great city as a favored bastion of freedom on the continent of Europe.

On May 15 we celebrate Armed Forces Day, in Berlin as in this country, and we pay tribute to the job which our Armed Forces are doing in maintaining the peace around the world against the Communist menace. Not long ago the Soviet dictator, Mr. Khrushchev, made a speech in East Berlin, and during our stay in Berlin our group visited the spot where he made that speech. Mr. Speaker, I would like to suggest here and now, to underline the importance which we in America place on the role of Berlin, that we urge the President of the United States to fly to Berlin on Armed Forces Day, May 15, and by his presence in Berlin make it clear not only to the people of Berlin but to the world that we intend to stand by our commitments in Europe no matter what may come. I think such action by the President would electrify the free world.

Mr. Speaker, I am grateful that as a member of this great body that I had the opportunity to see something of the progress of our Armed Forces and our national position in one critical part of the globe. I hope that these few observations may be of some service to the members of this Congress in carrying out their responsibility for the security and the future of this Nation of ours.

THE J. P. MORGAN-GUARANTY TRUST MERGER COMBINES TWO FINANCIAL EMPIRES WITH VAST INFLUENCE IN AMERICAN BUSINESS

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 30 minutes.

Mr. PATMAN. Mr. Speaker, the news that the Federal Reserve Board has approved the proposed merger of two of the biggest Wall Street banks comes as an unbelievable shock. What could the Federal Reserve Board be thinking of? Has it lost all sense of proportion and all sense of duty to try to preserve independent banking?

The Department of Justice can still bring the antitrust laws under its jurisdiction into action against this merger, so let us hope that the Attorney General of the United States will not have his judgment warped by this incomprehensible action of the Federal Reserve Board.

The combination of these two giant banks will not, we are told, make the biggest bank in the country. Three banks will still have more resources than the astronomical $4 billion which the merged banks will have. So what? Are all bank mergers to be approved which fall short of creating a new record for mass in assets?

The fact is that the smaller of these two banks—the J. P. Morgan Co.—already bigger than any of 13,464 other commercial banks in this country. It is bigger than any of 99.8 percent of all the commercial banks in the country. The combined deposits of these two banks will equal the combined deposits of at least 3,000 smaller insured commercial banks.

So what is the reason for this merger? Are these two banks too small to stand on their own feet? Are they too small to be efficient? Is there now going to be more competition in the banking business, and will the smaller business firms of the country needing bank financing have greater access to bank credit?

The point is that in centering our attention merely on the amount of money which is to be combined by this merger, we overlook the real significance of the merger What is happening here is not merely that a great percentage of the banking resources of the country are going to be combined and brought under a single control, but that two financial empires are going to be combined. The influence of both of these banks—the Guaranty Trust Co. and the J. P. Morgan Co.—over the business affairs of this country has its hold not in the amount of deposits on financial resources which these banks have, but in their vast interlocking connections and their intimate influence in the affairs of other financial institutions and in the affairs of the giant industrial, commercial, transportation and public utilities empires.

BOARDS OF DIRECTORS INTERLOCKED IN VAST NETWORK WITH TOP INDUSTRIAL AND FINANCIAL COMPANIES

During the 84th Congress the House Small Business Committee, of which I am chairman, made an extensive investigation into the inability of small-business firms in this country to obtain necessary financing. The committee had occasion to make a report which sets out the very extensive interlocking connections between the directors and officials of the top financial insitutions of this country and all of the lesser financial institutions, as well as the interlocking relationships between these top financial centers and the larger manufacturing, distribution, transportation and utility companies. The committee report is titled "Interlocking Directors and Officials of 135 Large Financial Companies of the United States."

In order that the members may have a better idea of what is involved in the merging of these two financial giants, I would like to call attention to some of the information set out in the committee's report. This information was developed as of late 1956. There may have been a few changes in individual directors and officers since that time, but I think we will find that there have been no substantial changes in the ties between these banks and the other financial and nonfinancial corporations. In the following table the directors and officers of each of these banks are listed, along with their official positions in other large financial and nonfinancial corporations. The information is grouped according to the types of businesses with which these banks are interlocked. For example, there comes, first, interlocks with other major commercial banks and bank holding companies. Such Guaranty Trust interlocks with such companies are listed, and immediately thereafter similar interlocks for J. P. Morgan & Co. are listed.

SMALLER FIRMS EXPECTED TO HAVE LESS CHANCE OF OBTAINING FINANCING

Let me illustrate. Under interlocks with major insurance companies, we find that various directors and officials of Guaranty Trust Co. are also directors of Metropolitan Life Insurance Co., Prudential Insurance Company of America, Mutual Life Insurance Company of New York, Northern Insurance Company of New York, not to mention several other large insurance companies.

On the other hand, directors and officials of the J. P. Morgan & Co. are also directors of the New York Life Insurance Co., the Provident Mutual Life Insurance Co., Indemnity Insurance Company of North America, not to mention quite a few other large insurance companies.

Thus far we find directors of commercial banks in positions of making the loan policies of insurance companies and vice versa. Can we assume that when applicants for commercial bank credit come to Guaranty Trust Co., the insurance officials will recommend approval of credit to a competitor of a corporation in which the insurance company has a large investment? Obviously not.

Can we reasonably imagine that when an applicant for a long-term loan comes to one of these insurance companies, the bank directors on these insurance boards will vote to approve a loan to finance some company that will compete with any important customer of the bank? I think not.

So what will happen now, when a combined bank will be pursuing a combined policy and its directors will help to make loan policies of not just the Metropolitan Life Insurance Co., but the New York Life Insurance Co. as well? The answer is that the smaller industrial and utility companies will stand even less chance of obtaining either insurance loans or bank credit than they now have.

To illustrate another aspect of this problem which will arise, we might consider the interlocking connections under the heading "Major Mining, Prime Metal and Metal Fabricating Companies." Here we may find that the president of Guaranty Trust Co. was a director of American Smelting & Refining Co. Another director of Guaranty Trust, in fact the chairman of its board, was the director of the Anaconda Co. Still another director of Guaranty Trust was a director of American Brass Co.

Then look at J. P. Morgan Co.'s connections in the copper and brass field. One of its directors was already a director of American Smelting & Refining Co., as was a director of Guaranty Trust. But now there comes into the picture two other top copper companies, Kennecott Copper Co., and Phelps Dodge Corp.

The interlocking connection between these banks and all of the major financial industrial and utility companies are shown in the following table.

Officers and directors interlocking with other big financial and nonfinancial corporations

1. Guaranty Trust Co.: Interlocks with major commercial banks and bank holding companies

Symes, James M	Director	First Pennsylvania Banking & Trust Co.	Director.
Franklin, Walter S	do	Girard Trust Corn Exchange Bank.	Do.
Shanks, Carrol M	do	Fidelity Union Trust Co., Newark.	Do.
Woodruff, Robert W	do	Trust Co. of Georgia	Do.

First Pennsylvania Banking & Trust Co., 19th largest commercial bank in the United States, has total deposits of $1,026,006,788. Girard Trust Corn Exchange Bank, 39th largest, has deposits of $587,042,734; Fidelity Union Trust Co., Newark, 51st largest, has deposits of $452,435,976; and Trust Co. of Georgia, a bank holding company, has deposits of $169,981,201.

1a. J. P. Morgan & Co.: Interlocks with major commercial banks and bank holding companies

Cheston, Charles S	Director	Philadelphia National Bank.	Director.

Philadelphia National Bank, 20th largest commercial bank in the United States, has total deposits of $957,064,851.

2. Guaranty Trust Co.: Interlocks with major savings banks

White, William Rafford.	Vice president	Bowery Savings Bank	Trustee.
Symes, James M	Director	Philadelphia Saving Fund Society.	Director.
Roosevelt, George E	do	Bank for Savings in the City of New York.	Vice president and trustee.
Dunlap, Charles E	do	Seamen's Bank for Savings.	Trustee.
Franklin, Walter S	do	Western Savings Fund Society of Philadelphia.	Director.

Bowery Savings Bank, largest mutual savings bank in the United States, has total deposits of $1,362,143,283. Philadelphia Saving Fund Society, 2d largest savings bank, has deposits of $862,541,044; Bank for Savings in the City of New York, 12th largest, has deposits of $434,213,142; Seamen's Bank for Savings, 14th largest, has deposits of $387,904,466: and Western Savings Fund Society, 21st largest, has deposits of $303,242,537.

2a. J. P. Morgan & Co.: Interlocks with major savings banks

Metzman, Gustav	Director	Emigrant Industrial Savings Bank.	Director.
Cheston, Charles S	do	Western Savings Fund Society of Philadelphia.	Do.
Dickey, Charles D	Chairman (executive committee).	Western Savings Fund Society of Philadelphia.	Do.
Cochran, Homer P	Vice president.	Franklin Savings Bank in the City of New York.	Trustee.

Emigrant Industrial Savings Bank, 3d largest mutual savings bank in the United States, has total deposits of $858,180,102. Western Savings Fund Society, 21st largest, has deposits of $303,242,537; and Franklin Savings Bank in the City of New York, 32d largest, has deposits of $232,758,197.

3. Guaranty Trust Co.: Interlocks with major insurance companies

Woodruff, Robert W	Director	Metropolitan Life Insurance Co.	Director.
Shanks, Carrol M	do	Prudential Insurance Co. of America.	President and director.
Spofford, Charles M	do	Mutual Life Insurance Co. of New York.	Trustee.
Dunlap, Charles E	do	do	Do.
Do	do	Northern Insurance Co. of New York.	Director.
Crane, Winthrop M., Jr.	do	Berkshire Life Insurance Co.	Do.
Symes James M	do	Insurance Co. of North America.	Do.
Do	do	Indemnity Insurance Co. of North America.	Do.
Do	do	Federal Insurance Co	Do.
Sharp, Dale E	Vice president.	Standard Accident Insurance Co.	Do.
Kleitz, William L	President and director.	Royal Indemnity Co	Do.
Do	do	Queen Insurance Co. of America.	Do.
Do	do	Globe Indemnity Co	Do.

Metropolitan Life Insurance Co., largest life insurance company in the United States, has total admitted assets of $14,785,074,561. Prudential Insurance Co., 2d largest, has assets of $13,261,696,622; Mutual Life Insurance Co., 9th largest, has assets of $2,520,909,307; and Berkshire Life Insurance Co., 53d largest, has assets of $171,990,670.

Insurance Co. of North America, the largest fire and casualty insurance company in the United States, has total admitted assets of $675,714,658; Indemnity Insurance Co. of North America, 15th largest, has assets of $269,417,772; Federal Insurance Co., 26th largest, has assets of $161,164,451; Standard Accident Insurance Co., 36th largest, has assets of $111,177,595; Royal Indemnity Co., 40th largest, has assets of $90,044,731; Queen Insurance Co., 45th largest, has assets of $83,552,312; Globe Indemnity Co., 46th largest, has assets of $79,552,718; and Northern Insurance Co. of New York, 74th largest, has assets of $59,865,736.

3a. J. P. Morgan & Co.: Interlocks with major insurance companies

Josephs, Devereux C	Director	New York Life Insurance Co.	Chairman.
Dickey, Charles D	Chairman (executive committee).	do	Director.
Cheston, Charles S	Director	Provident Mutual Life Insurance Co.	Do.
Do	do	Indemnity Insurance Co. of North America.	Do.
Do	do	Philadelphia Fire & Marine Insurance Co.	Do.
Do	do	Insurance Co. of North America.	Do.
Thomson, James L	Director	Hartford Fire Insurance Co.	Director.
Do	do	New York Underwriters Insurance Co. (subsidiary of Hartford Fire Insurance Co.).	Vice president and director.
Do	do	Citizens Insurance Co. of New Jersey (subsidiary of Hartford Fire Insurance Co.).	Do.
Do	do	Twin City Fire Insurance Co. (subsidiary of Hartford Fire Insurance Co.).	Director.
Do	do	Hartford Live Stock Insurance Co. of New York (subsidiary of Hartford Fire Insurance Co.).	Do.
Do	do	Hartford Accident & Indemnity Co.	Do.
Do	do	Hartford Steam Boiler Inspection & Insurance Co.	Do.
Bechtel, Stephen D	do	Industrial Indemnity Co.	Do.
Anderson, A. M	do	Federal Insurance Co	Do.
Morgan, Junius S	do	Atlantic Mutual Insurance Co.	Trustee.

New York Life Insurance Co., 4th largest life insurance company in the United States, has total admitted assets of $6,239,443,282. Provident Mutual Life Insurance Co., 18th largest, has assets of $796,688,432.

Insurance Co. of North America, largest fire and casualty insurance company in the United States, has total admitted assets of $675,714,658. Hartford Fire Insurance Co., 4th largest, has assets of $481,633,849. In addition, Hartford Fire Insurance Co. has the following subsidiaries: New York Underwriters Insurance Co., with assets of $20,984,469; Citizens Insurance Co. of New Jersey, with assets of $7,649,674; Twin City Fire Insurance Co., with assets of $5,310,560; and Hartford Live Stock Insurance Co. of New York, with assets of $6,162,734. Hartford Accident & Indemnity Co., 8th largest, has assets of $399,384,527; Indemnity Insurance Co. of North America, 15th largest, has assets of $269,417,772; Federal Insurance Co., 26th largest, has assets of $161,164,451; Philadelphia Fire & Marine Insurance Co., 44th largest, has assets of $85,488,631; Atlantic Mutual Insurance Co., 65th largest, has assets of $65,899,644; Hartford Steam Boiler Inspection & Insurance Co., 73d largest, has assets of $61,048,265; and Industrial Indemnity Co., 90th largest, has assets of $42,864,280.

4. Guaranty Trust Co.: Interlocks with major finance and investment companies

Stetson, Eugene W	Director	Tri-Continental Corp	Director.
Munson, Charles S	do	National Shares Corp	Do.
Brickhouse, Ephraim L.	Vice president.	American European Securities Co.	Do.
Woodruff, Robert W	Director	American Express Co	Do.

Tri-Continental Corp., 10th largest investment trust in the United States, has total assets of $300,405,688. National Shares Corp. has assets of $25,285,000; and American European Securities Co. has assets of $18,629,000.

American Express Co., a finance company, has total assets of $629,326,496.

4a. J. P. Morgan & Co.: Interlocks with major finance and investment companies

Cabot, Paul C	Director	State Street Investment Corp.	President and director.

State Street Investment Corp., 20th largest investment trust in the United States, has total assets of $166,657,440.

5. Guaranty Trust Co.: Interlocks with major oil, pipeline, petrochemical, and rubber companies

Kelley, Cornelius F	Director	Arizona Oil Co. (subsidiary of Inspiration Consolidated Copper Co.)	Director.
Jones, W. Alton	do	Cities Service Co	Do.
Do	do	Adriatic Petroleum Corp. (subsidiary of Cities Service Co.)	Chairman.
Do	do	Colombia Cities Service Petroleum (subsidiary of Cities Service Co.)	Do.
Do	do	Sixty Wall Tower, Inc. (subsidiary of Cities Service Co.).	President and director.
Do	do	Empire Gas & Fuel Co. (subsidiary of Cities Service Co.).	Do.
Do	do	Cities Service Oil Co. Pennsylvania (subsidiary of Cities Service Co.).	Chairman.
Do	do	Cities Petroleum Corp., Canada (subsidiary of Cities Service Co.).	Do.
Do	do	Cities Service Refining Corp. (subsidiary of Cities Service Co.).	Do.
Do	do	Cities Service Mid-East Oil Corp. (subsidiary of Cities Service Co.).	Do.
Do	do	Dhofar-Cities Service Petroleum Corp. (subsidiary of Cities Service Co.).	Do.
Do	do	Dominion Natural Gas Co., Ltd. (subsidiary of Cities Service Co.).	Director.
Do	do	Arkansas Pipeline Corp. (subsidiary of Cities Service Co.).	Do.
Do	do	Orange State Oil Co. (subsidiary of Cities Service Co.).	Do.
Do	do	Cit-Con Oil Corp. (subsidiary of Cities Service Co.).	Chairman.

Officers and directors interlocking with other big financial and nonfinancial corporations—Continued

5. Guaranty Trust Co.: Interlocks with major oil, pipeline, petrochemical, and rubber companies—Continued

Jones, W. Alton	Chairman	Cities Service Research & Development Co. (subsidiary of Cities Service Co.).	Chairman.
Do	do	Mexico Cities Service Petroleum (subsidiary of Cities Service Co.).	Do.
Do	do	Cities Service Petroleum Corp. (subsidiary of Cities Service Co.).	Do.
Do	do	Cities Diverse Assets, Inc. (subsidiary of Cities Service Co.).	President and director.
Do	do	American Petrochemical Corp. (subsidiary of Cities Service Co.).	Director.
Do	do	Petroleum Chemicals, Inc. (jointly owned by Cities Service Co. and Continental Oil Co.).	Chairman.
Do	do	American Petrochemical Corp. (subsidiary of Firestone Tire & Rubber Co.).	Director.
Do	do	Richfield Oil Corp	Do.
Cleveland, J. Luther	Chairman	Sunray Mid-Continent Oil Co.	Do.
Towe, Kenneth C	Director	Southern Pipe Line Corp. (jointly-owned subsidiary of American Cyanamid Co. and Pittsburgh Plate Glass Co.).	Do.
Do	do	Southern Minerals Corp. (subsidiary of Pittsburgh Plate Glass Co.).	Do.
Do	do	Southern Petroleum Corp. (jointly-owned subsidiary of American Cyanamid Co. and Pittsburgh Plate Glass Co.).	Do.

5a. J. P. Morgan & Co.: Interlocks with major oil, pipeline, petrochemical, and rubber companies

Cabot, Paul C	Director	Eastern Gas & Fuel Associates.	Trustee.
Do	do	B. F. Goodrich Co	Director.
McCollum, L. F	do	Cit-Con Oil Corp (subsidiary of Cities Service Co.).	Do.
Do	do	Petroleum Chemicals, Inc. (subsidiary of Cities Service Co.).	Do.
Do	do	Continental Oil Co	President and director.
Do	do	Hudson's Bay Oil & Gas Co., Ltd. (subsidiary of Continental Oil Co.).	Chairman.
Do	do	Sahara Petroleum Co. (subsidiary of Continental Oil Co.).	Director.
Do	do	Conorada Petroleum Co. (subsidiary of Continental Oil Co.).	Do.
Do	do	Petroleum Chemicals, Inc. (subsidiary of Continental Oil Co.).	Do.
Do	do	Conoco Somal, Ltd. (subsidiary of Continental Oil Co.).	Do.
Do	do	Conorada Petroleum Co. (subsidiary of Amerada Petroleum Co.).	Do.
Do	do	Conoco Somal, Ltd. (subsidiary of Amerada Petroleum Co.).	Do.
Do	do	Big Lake Oil Co. (subsidiary of Plymouth Oil Co.).	Do.
Do	do	Great Lakes Pipe Line Co.	Do.
Collyer, John L	do	B. F. Goodrich Co	Do.
Do	do	Akron Rubber Co. (subsidiary of B. F. Goodrich Co.).	Chairman.
Dickey, Charles D	Chairman	Panhandle Eastern Pipe Line Co.	Director.
Lanier, Sidney	Vice president	Trunkline Gas Co. (subsidiary of Panhandle Eastern Pipeline Co.).	Do.
Whitney, George	Director	Continental Oil Co	Do.

6. Guaranty Trust Co.: Interlocks with major mining, primary metal and metal fabricating companies

Kleitz, William L	President and director.	American Smelting & Refining Co.	Director.
Cleveland, J. Luther	Chairman	Anaconda Co	Do.
Kelley, Cornelius F	Director	do	Do.
Do	do	Butte Anaconda & Pacific Railway (subsidiary of Anaconda Co.).	President and director.
Do	do	Mines Investment Co. (subsidiary of Anaconda Co.).	Do.
Do	do	Chile Copper Co. (subsidiary of Anaconda Co.).	Chairman.
Do	do	Chile Exploration Co. (subsidiary of Anaconda Co.).	Do.

6. Guaranty Trust Co.: Interlocks with major mining, primary metal and metal fabricating companies—Continued

Kelley, Cornelius F	President	Silesian Holding Co. (subsidiary of Anaconda Co.).	President.
Do	do	Andes Exploration Co. of Maine (subsidiary of Anaconda Co.).	Director.
Do	do	Butte Water Co. (subsidiary of Anaconda Co.).	Do.
Do	do	American Brass Co. (subsidiary of Anaconda Co.).	Do.
Do	do	International Smelting & Refining Co. (subsidiary of Anaconda Co.).	President and director.
Do	do	Basic Magnesium, Inc. (subsidiary of Anaconda Co.).	Director.
Do	do	Arizona Oil Co. (subsidiary of Anaconda Co.).	Do.
Kunhardt, Kingsley	Vice president	Carpenter Steel Co	Do.
Buckley, Jere D	do	Yale & Towne Manufacturing Co.	Do.

6a. J. P. Morgan & Co.: Interlocks with major mining, primary metal and metal fabricating companies

Davison, H. P	President and director.	American Brake Shoe Co	Director.
Do	do	United States Steel Corp	Do.
Josephs, Devereux C	do	American Brake Shoe Co	Do.
Do	do	American Smelting & Refining Co.	Do.
Atkin, I. C. R	Vice president and director.	International Nickel Co. of Canada.	Do.
Sloan, Alfred P., Jr	do	Kennecott Copper Corp	Do.
Do	Director	Braden Copper Co. (subsidiary of Kennecott Copper Co.).	Do.
Whitney, George	do	do	Do.
Do	Vice president and director.	Kennecott Copper Corp	Do.
Dickey, Charles D	Chairman (executive committee).	Braden Copper Co. (subsidiary of Kennecott Copper Co.).	Do.
Do	do	Kennecott Copper Co	Do.
Lamont, Thomas S	Vice chairman	Phelps Dodge Corp	Do.
Anderson, A. M	Director	St. Joseph Lead Co	Trustee.
Do	do	United States Steel Corp	Director.
Bechtel, Stephen D	do	Continental Can Co	Do.
Morgan, Junius S	do	do	Do.
Cabot, Paul C	do	do	Do.
Gilbert, Carl J	do	Gillette Co	President and director.
Thomson, James L	do	Standard Screw Co	Director.

7. Guaranty Trust Co.: Interlocks with major machinery and transportation equipment manufacturing companies

Barrett, R. T. Tupper	Vice president	Compagnie IBM, France (subsidiary of IBM Corp.)	Director.
Crane, Winthrop M., Jr.	Director	Otis Elevator Co	Do.
Kunhardt, Kingsley	Vice president	Royal McBee Co	Do.
Woodruff, Robert W	Director	General Electric Co	Do.
Dunlap, Charles E	do	International Telephone & Telegraph Corp.	Do.
Jones, W. Alton	do	Chrysler Corp	Do.

7a. J. P. Morgan & Co.: Interlocks with major machinery and transportation equipment manufacturing companies

Dickey, Charles D	Chairman (executive committee).	General Electric Co	Director.
Cheston, Charles S	Director	Philco Corp	Do.
Gilbert, Carl J	do	Raytheon Manufacturing Co.	Do.
Foote, Alfred S	Vice president	Rome Cable Corp	Do.
McCollum, L. F	Director	Chance Vought Aircraft, Inc.	Do.
Alexander, Henry C	Chairman	General Motors Corp	Do.
Sloan, Alfred P., Jr	Director	do	Chairman.
Whitney, George	do	do	Director.

8. Guaranty Trust Co.: Interlocks with major chemical, sulfur, soap, and synthetic fiber companies

Crane, Winthrop M., Jr.	Director	Air Reduction Co., Inc	Director.
Stetson, Eugene W	do	do	Do.
Munson, Charles S	do	do	Chairman.
Do	do	Ohio Chemical Canada, Ltd (subsidiary of Air Reduction Co., Inc.).	Director.
Do	do	Cuban Air Products, Inc. (subsidiary of Air Reduction Co., Inc.).	Do.
Allen, George G	do	American Cyanamid Co	Do.
Towe, Kenneth C	do	do	President and director.
Do	do	Southern Minerals Corp. (subsidiary of American Cyanamid Co.).	Director.
Buckley, Jere D	Vice president	Columbian Carbon Co	Do.
Shanks, Carrol M	Director	Union Carbide & Carbon Corp.	Do.

Officers and directors interlocking with other big financial and nonfinancial corporations—Continued

8a. J. P. Morgan & Co.: Interlocks with major chemical, sulfur, soap, and synthetic fiber companies

Alexander, Henry C	Chairman	American Viscose Corp	Director.
Cheston, Charles S	Director	Chemstrand Corp. (subsidiary of American Viscose Corp.)	Do.
Do	do	Monsanto Chemical Co	Do.
Do	do	Monsanto Canada, Ltd. (subsidiary of Monsanto Chemical Co.)	Do.
Do	do	Chemstrand Corp. (subsidiary of Monsanto Chemical Co.)	Do.
Sloan, Alfred P., Jr	do	E. I. Dupont de Nemours & Co.	Do.
Lamont, Thomas S	Vice chairman	International Minerals & Chemical Corp.	Do.
Do	do	Texas Gulf Sulphur Co	Do.
Zinsser, John S	Director	Merck & Co	Do.
Dickey, Charles D	Chairman (executive committee).	do	Do.
Deupree, Richard R	Director	Procter & Gamble Co	Do.
Atkin, I. C. R	Vice president and director.	Monsanto Canada, Ltd. (subsidiary of Monsanto Chemical Co.).	Do.

9. Guaranty Trust Co.: Interlocks with major food and beverage companies

Munson, Charles S	Director	National Distillers & Chemical Corp.	Director.
Do	do	Penick & Ford, Ltd	Do.
Dorrance, John T., Jr	do	Campbell Soup Co	Do.
Stetson, Eugene W	do	Coca-Cola Co	Do.
Woodruff, Robert W	do	do	Do.
Shanks, Carrol M	do	National Biscuit Co	Do.
Kleitz, William L	President and director.	Wilson & Co	Do.

9a. J. P. Morgan & Co.: Interlocks with major food and beverage companies

Deupree, Richard R	Director	Coca-Cola Co	Director.
Davison, H. P	President and Director.	Corn Products Refining Co.	Do.
Cabot, Paul C	Director	National Dairy Products Corp.	Do.
Alexander, Henry C	Chairman	Standard Brands, Inc	Do.

10. Guaranty Trust Co.: Interlocks with major textile and apparel companies

Shanks, Carrol M	Director	Bigelow-Sanford Carpet Co.	Director.

10a. J. P. Morgan Co.: Interlocks with major textile and apparel companies

Gilbert, Carl J	Director	Pepperell Manufacturing Co.	Director.

11. Guaranty Trust Co.: Interlocks with major building materials and paper companies

Shanks, Carrol M	Director	Georgia Pacific Corp	Director.

11a. J. P. Morgan & Co.: Interlocks with major building materials and paper companies

Alexander, Henry C	Chairman	Johns-Manville Corp	Director.
Atkin, I. C. R	Vice president and director.	do	Do.
Cheston, Charles S	Director	Mead Corp	Do.

12. Guaranty Trust Co.: Interlocks with major merchandising companies

Stetson, Eugene W	Director	Gulf Atlantic Warehouse Co. (subsidiary of Anderson Clayton & Co.).	Director.
Do	do	McCrory Stores Corp	Do.
Kleitz, William L	President and director.	W. T. Grant Co	Do.
Baker, Walter Cummings.	Vice president	J. J. Newberry Co	Do.

12a. J. P. Morgan & Co.: Interlocks with major merchandising companies

Davison, H. P	President and director.	Montgomery Ward & Co.	Director.

13. Guaranty Trust Co.: Interlocks with major transportation companies

Franklin, Walter S	Director	Pennsylvania RR. Co	Director.
Do	do	Detroit, Toledo & Ironton RR. Co. (subsidiary of Pennsylvania RR. Co.).	Do.
Do	do	Norfolk & Western Ry. Co.	Do.
Do	do	Wabash RR. Co	Do.
Do	do	Long Island RR. Co	Do.
Symes, James M	do	Pennsylvania RR. Co	President and director.
Do	do	Norfolk & Western Ry. Co.	Director.
Do	do	Wabash RR. Co	Do.
Do	do	Long Island RR. Co	Do.
Do	do	Detroit, Toledo & Ironton RR. Co. (subsidiary of Pennsylvania RR. Co.).	Do.
Do	do	Richmond, Fredericksburg & Potomac RR. Co. (subsidiary of Richmond-Washington Co.).	Do.

13. Guaranty Trust Co.: Interlocks with major transportation companies—Continued

Dorrance, John T., Jr.	Director	Pennsylvania & Atlantic RR. Co. (subsidiary of Pennsylvania RR. Co.).	Director.
Do	do	Pittsburgh, Fort Wayne & Chicago Ry. (subsidiary of Pennsylvania RR. Co.).	Do.
Cleveland, J. Luther	Chairman	Atchison, Topeka & Santa Fe Ry. Co.	Do.
Jerman, Thomas Palmer.	Vice president	Union Pacific RR. Co	Do.
Roosevelt, George E	Director	Union Pacific RR. Co	Do.
Do	do	Oregon Short Line RR. (subsidiary of Union Pacific RR. Co.).	Do.
Do	do	Oregon, Washington Railroad & Navigation Co. (subsidiary of Union Pacific RR. Co.).	Do.
Do	do	Los Angeles & Salt Lake RR. (subsidiary of Union Pacific RR. Co.).	Do.
Do	do	Long Island RR. Co	Do.
Stetson, Eugene W	do	Illinois Central RR	Do.
Woodruff, Robert W	do	Southern Ry. Co	Do.
Munson, Charles S	do	Greyhound Corp	Do.

13a. J. P. Morgan & Co.: Interlocks with major transportation companies

Lamont, Thomas S	Vice chairman	Atchison, Topeka & Santa Fe Ry.	Director.
Bechtel, Stephen D	Director	Southern Pacific Co	Do.
Do	do	United States Lines Co	Do.
Deupree, Richard R	do	Baltimore & Ohio RR	Do.
Anderson, A. M	do	Northern Pacific Ry	Do.
Cheston, Charles S	do	Muskogee Co	Do.
Do	do	Kansas, Oklahoma & Gulf RR (subsidiary of Muskogee Co.).	Do.
Do	do	American Airlines, Inc	Do.

14. Guaranty Trust Co.: Interlocks with major gas, electric, and telephone companies

Bolenius, William C	Director	American Telephone & Telegraph Co.	Vice president.
Do	do	Bell Telephone Co. of Pennsylvania (subsidiary of A.T. & T. Co.).	Director.
Do	do	Indiana Bell Telephone Co. (subsidiary of A.T. & T. Co.).	Do.
Franklin, Walter S	do	Bell Telephone Co. of Pennsylvania (subsidiary of A.T. & T. Co.).	Do.
Munson, Charles S	do	Consolidated Edison Co., New York.	Trustee.
Shanks, Carrol M	do	Public Service Electric & Gas Co.	Director.
Young, George S	do	Columbia Gas System, Inc.	President and director.
Do	do	Atlantic Seaboard Corp. (subsidiary of Columbia Gas System, Inc.).	Director.
Do	do	Virginia Gas Transmission Corp. (subsidiary of Columbia Gas System, Inc.).	Do.
Do	do	Amere Gas Utilities Co. (subsidiary of Columbia Gas System, Inc.).	Do.
Do	do	Eastern Pipe Line Co. (subsidiary of Columbia Gas System, Inc.).	Do.
Do	do	Home Gas Co. (subsidiary of Columbia Gas System, Inc.).	Do.
Do	do	Keystone Gas Co. (subsidiary of Columbia Gas System, Inc.).	Do.
Do	do	Central Kentucky Natural Gas Co. (subsidiary of Columbia Gas System, Inc.).	Do.
Do	do	Binghamton Gas Works (subsidiary of Columbia Gas System, Inc.).	Do.
Do	do	Manufacturers Light & Heat Co. (subsidiary of Columbia Gas System, Inc.).	Do.
Do	do	Natural Gas Co. of West Virginia (subsidiary of Columbia Gas System, Inc.).	Do.
Do	do	United Fuel Gas Co. (subsidiary of Columbia Gas System, Inc.).	Do.
Do	do	Ohio Fuel Gas Co. (subsidiary of Columbia Gas System, Inc.).	Do.
Do	do	Preston Oil Co. (subsidiary of Columbia Gas System, Inc.).	Do.
Do	do	Virginia Gas Distribution Corp. (subsidiary of Columbia Gas System, Inc.).	Do.
Allen, George G	do	Duke Power Co	Chairman.

Officers and directors interlocking with other big financial and nonfinancial corporations—Continued

14a. J. P. Morgan & Co.: Interlocks with major gas, electric and telephone companies

Deupree, Richard R..	Director	Cincinnati & Suburban Bell Telephone Co. (subsidiary of A.T. & T. Co.).	Director.
Whitney, George	do	Consolidated Edison Co. of New York.	Do.
Josephs, Devereux C..	do	do	Trustee.
Do	do	do	Do.
Bechtel, Stephen D...	do	Nuclear Power Group, Inc. (subsidiary of Commonwealth Edison Co.).	Director.

15. Guaranty Trust Co.: Interlocks with major publishing companies

Franklin, Walter S...	Director	Curtis Publishing Co	Director.

15a. J. P. Morgan & Co.: Interlocks with major publishing companies

Gilbert, Carl J	Director	Boston Herald-Traveler Corp.	Director.

JAPANESE TEXTILE IMPORTS

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from South Carolina [Mr. HEMPHILL] is recognized for 30 minutes.

Mr. HEMPHILL. Mr. Speaker, America has just been the recipient of another announcement from the Japanese Government, as to the Japanese quota of textile exports into the United States for 1959 and 1960. Like a God upon a mountain they have thundered down at a sickly State Department, which controls an even weaker Commerce Department, that their quota for the next 2 years will only slightly exceed the voluntary quota of last year, which they have imposed upon themselves as a result of negotiations by our impotent State Department. There will be the usual beating of the chest of those in the State Department, or other high places, who will claim to have engineered a very favorable agreement. They will give lip service to the terrible hypocrisy which proclaims that the State Department of these United States is trying to protect the textile industry, while surrendering the might and power and ability of these United States to a foreign government, which, of itself, declares what shall come into the United States.

Remember my friends who are being sold down the river, and I am speaking of the American people, and particularly the taxpayers of the textile industry, that this is not a quota set by your Government of the United States. This is a quota set by a government of a foreign country, a country dictating to our country as to the quota it will put into the channels of trade, or export to the United States, in order to soften the market of these United States, threaten the textile industry, and cut down on the value of our textile goods, made with good, honest American labor.

When are we going to wake up? When are we going to wake up to the fact that anytime we encourage the manufacture of goods outside of these United States for import into these United States, we are selling the American labor, as well as American capital, short? When are we going to wake up to the fact that we cannot expect any respect from any foreign government to whom we yield in any manner or means whatsoever? I do not mean negotiate. I mean yield and surrender. For that is what has happened insofar as our textile situation is concerned.

True it is that the amount of the quota for the next 2 years does not substantially increase over the adjusted quota for 1958, but true it is also, that we are being dictated to by a foreign government.

Let us look at the textile situation realistically. Japan is able to set its own quota. Our Government, because of the policies set by the State Department which gives more allegiance to foreign governments than it does to the people of these United States—we are paying the salaries of those overpaid bureaucrats—has failed to do anything for the textile people. They say we have to have trade; do they consider the textiles expendable? The administration is impotent, and its treatment and handling of the textile situation not only reveals its helplessness, but shows a lack of loyalty to the American people who have been paying the taxes. The administration forgets that American lives are at stake, that American livelihoods are the responsibility of the administration in power.

What have they done to protect this segment of American industry? The quota from Japan is not, of itself, going to upset the market, although it will make those who invest in the textiles worry about whether or not their production will find ready consumption. The textile manufacturing plants today probably have as many orders as they have ever had, perhaps more: they may have orders they cannot fill. What is going to happen if they have orders which are delayed, are filled by textiles from Red China, from India, from Indonesia, or other parts of the world? What is going to happen if those people take our American market?

What will our people work at, these fine Americans who have given their best in honest toil in the textile industry? This is the only skill they know. They have labored, and, yes, they have paid taxes, taxes and more taxes, expecting and deserving some guidance, some leadership, some protection, and some security from their Government.

The rayon and silk people might well awaken to the facts of life. Japanese exports to the United States of certain rayon acetate and silk fabrics, increased substantially in 1957 and 1958, according to reports published by the Japanese Institute of Textile Trade Research and Statistics. The total rayon, acetate and silk fabrics exported from Japan to the United States rose from 30.2 million square yards in 1956 to 47.2 million in 1957, and 64.9 million in 1958. An overall gain 1956 to 1958 of 115 percent.

Twenty-seven million six hundred thousand square yards of silk fabrics were exported to the United States from Japan in 1956, 41.7 million in 1957 and 47.9 million in 1958, an increase over the 3-year span of 74 percent.

We were speaking of ginghams a moment ago. Ginghams export from Japan to the United States jumped 15-fold between 1956 and 1959. Less than 1 million yards were exported in 1956, but in 1958 over 13 million yards were exported to the United States.

Now remember, I am talking about the Japanese. I am not talking about the exports from other countries, not only those which we have experienced, but those which we may expect in the future.

Now, somebody is going to tell you that the textile manufacturers are happy about this situation. That is not true. They are in a terrible situation. They are trusting an administration which has sold them short. But, unfortunately, they are in the position of having to play along for fear of getting something worse. Is that not a terrible way to think about your Government? Is that not a horrifying picture of the American scene today, that a great industry, whose people have not only contributed their lives and their dollars to make America great, their skill and their work, but whose sons and daughters have gone forth on the battlefields to preserve freedom? A great industry, wondering and shaking their heads at what may happen next month or next year, and scared that a Government which has indicated, so far as they are concerned, the characteristics of Judas Iscariot, and, including the kiss on the cheek, may sell them down the river worse next year.

My purpose is not to talk about the Japanese situation alone. My purpose is to seek to awaken the administration into looking at this textile industry and shouldering its responsibility to the people employed in that industry, for, ultimately, they are going to be the sufferers. We must consider China now. Let me quote to you from the March issue of the International Cotton Advisory Committee at Washington:

> As indicated in table 6, exports of cotton fabrics from Communist China increased from 2,000 metric tons in 1954 to 40,000 metric tons in 1957, but there was no further increase in 1958. Most of the exports were to Hong Kong, Indonesia, Malaya, and Singapore and to other Southeast Asian countries.

We have pointed out before in this House that anything going through the port of Hong Kong can come to this country without quota.

Let me quote further from the International Cotton and Advisory Committee:

A regional analysis of the balance of trade in cotton fabrics indicates that the center of the cotton textile industry has been shifting away from Western Europe and the United States toward Asia. Figure I shows that exports and imports are nearly in balance for the continents of North and South America, whereas net exports from Western Europe are rapidly declining. In contrast, Asia and the Communist bloc (China) are becoming increasingly important as net exporters of cotton fabrics whereas Africa continues to be the largest importer. Also, if we examine the situation with respect to individual countries, we find that many of the less developed countries are moving rapidly in the direction of self-sufficiency in cotton fabrics.

What is your Government doing about it? We hasten to the aid of everybody else. We waste billions on foreign governments. We support dictators. We know that there is plenty of fat in the military. What about our textiles? If the center of cotton textile industry is shifting toward Asia, what are we going to do about it? What is our Government going to do about it? What are the textile people going to demand? I am not fooled a bit by the propaganda of the bureaucracy here. I know that in the cold war the American people have not been told the truth about the economic possibility. Textile people know that the goods that are produced in Red China have good quality. They are made with good machines. They are made with slave labor, and, as a result, can be sold in what were our former foreign markets at 2 to 5 cents per unit cheaper than we can sell. Red Chinese are successful in marketing their goods. Let us examine the techniques used by China in achieving this success:

(a) Offering textiles of a comparable quality at a cut price.

(b) Flexible and favorable terms of supply including a falling clause in their contracts.

(c) Offer of both short-term and long-term credits to finance exports.

(d) Use of the influential business community of Chinese origin residing in Southeast Asia.

The Governments of Thailand and Malaya impost restrictions. Can some of our people not go to those people and ask them what the impact is and what the effect is. In the United Kingdom they have restrictions. Our only restriction, so far as I can determine, is a voluntary Japanese quota.

It does not make sense. It is not sensible. It is not American.

There is not going to be any use to run and close the barn door after the horses escaped. That is the State Department's plan now, if they have any plan.

I call upon the American people to demand some action now.

Where are these people who work in the textile mills going to find employment if our textile situation softens?

We already have more unemployment than we should have. We already have an economic policy, if it is a policy, by this administration, which is a stagnant, nonprogressive, economic policy. We have too much unemployment, and I feel we are going to have more.

I am talking today for the people I represent. Thousands of them work in the textile plants, and giving honorable labor every day. Thousands of them have the taxes taken out of their wages each week. Thousands of them expect something from their Government, and they have a right to. What are we going to do about it, Mr. President? They are not rich enough to play golf and clip coupons; they are dependent upon their jobs for a living. What are we going to do about them? I am asking the questions now.

What markets do American textiles have now?

Through the sinister manipulations of our State Department, and our Commerce Department, we have gradually lost our markets on the European continent—we have no appreciable markets in Central and South America. We have no market of any consequence in the British Isles. The Japanese and the Red Chinese have taken our markets in Southeast Asia. Where are our markets? If we face up to the truth of this situation, Canada is our only remaining substantial market outside of these United States. And, if you examine the record, find out just how much Japan is exporting to Canada. Talk with some of the gingham people if you want to know the facts of life. Ask them what happened to the ginghams in New England. I know what happened to one of the ginghams in my district. It was sold down the river and when the officers of the corporation came up to the Capitol of the United States, and we tried to tell the bureaucratic authorities whose allegiance is greater to foreign governments than to these people, that we had 250 people who would be put out of work, and investments of thousands of dollars that would lay idle, that an entire community would be effected, what could they do for us? They could not do one solitary thing. They did not do one solitary thing, they were not even sympathetic.

We found our authorities hopelessly helpless. That mill is closed now—yes, closed. It could not pay American labor its deserved salary and compete with low-wage Japanese goods.

What are our goals? What does this Government plan for textiles, a year from now, 2 years? What long range ideas or programs may we expect? Are textiles really expendable?

Let me quote from a recent editorial entitled "Why Import Unemployment?—Mythical High Tariffs Fail To Stem Flood of Foreign Imports":

Over the years, free trade propagandists have skillfully built up and maintained the myth of high U.S. tariff walls.

In actual fact, U.S. tariffs are among the lowest in the world.

Since 1934, American tariffs have been reduced some 75 percent.

More than half of our imports are admitted duty free.

In 1958, our average tariff on all imports was about 5 percent. By way of contrast, it was about 30 percent in the United Kingdom; in France, about 25 percent; Switzerland, 10 percent; Canada, 9 percent; and West Germany, about 7 percent.

Among the 36 leading trading nations of the free world, 28 have higher average tariff rates than the United States.

Certainly, our mythical high tariff walls have not prevented a flood of foreign-made chemicals from entering the United States. More than 250 different intermediates and 100 types of naphthols, fast color bases, and salts are being imported into the country.

More and more frequently, items on the chambers' works-production forecasts are appearing in ship cargoes at U.S. ports of entry and include such well-known intermediates as H acid, Chicago acid, J acid, gamma acid, anthranilic acid, benzidine, the chlor anilines, 1–2–4 acid, BON, metanilic acid, para-nitro-toluene, MPD, ortho and para toluidines.

In addition, about 1,200 types of dyes are being imported into our market with a domestic market value of 12 to 14 million.

The high U.S. tariff walls, if ever they existed have long since crumbled and, under our misguided tariff policy, are fast on their way to complete extinction.

I am not just worried, Mr. Speaker, I am alarmed. Tomorrow will be too late. We need productive policies, productive programs, and plans now. To have such are the duty—the obligation—of the Government.

We cannot afford to sleep. I am reminded of the saying of a banker, that banks usually go broke in good times, because banks become enthused at the possibilities of making great moneys. I think our textile situation is similar. We become enthused in these times when we have good orders, but yet there is going to come a time, if we are not careful, when we not only will not have orders for our goods, but we will not have work for our laborers, and we will not have any consumption for the product of our capital. We need to start a program now to preserve our textile industry, help it with markets, and insure its productivity in the future.

Mr. DORN of South Carolina. Mr. Speaker, will the gentleman yield?

Mr. HEMPHILL. I am glad to yield to my colleague from South Carolina.

Mr. DORN of South Carolina. Mr. Speaker, I should like to compliment my distinguished colleague on bringing to the attention of our colleagues here this pressing problem. It is going to affect every industry in this country unless this Congress wakes up and gives some measure of protection to the basic, fundamental, essential industries of this country.

Again I thank the gentleman for his timely and forthright statement.

Mr. HEMPHILL. I thank the gentleman for his remarks.

REHABILITATION SERVICES OF THE DAV

Mr. CURTIN. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. CONTE] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CONTE. Mr. Speaker, as a DAV member, an unusual record of unselfish service for handicapped war veterans,

and their dependents, has recently come to my attention. It concerns the personalized rehabilitation service activities of the Disabled American Veterans.

Formed in 1920, the DAV was granted a congressional charter in 1932, which, as amended in 1942, extends membership eligibility to any American citizen, who has been either wounded, gassed, injured, or disabled by reason of active service in the Armed Forces of the United States, or of some country allied with it, during time of war. Composed exclusively of America's disabled defenders, the DAV specializes in service to, for, and by disabled war veterans.

Although all of the some 2 million war veterans who are receiving disability compensation from the U.S. Veterans' Administration have substantially benefited by reason of DAV legislative and rehabilitation activities, less than 10 percent of them are dues-paying DAV members—all of whom receive the Disabled American Veterans Monthly, which keeps them informed as to all developments which may affect their future. Detailed annual reports, by the DAV to the U.S. Congress, are printed as House documents by the U.S. Government Printing Office.

At its national convention in Louisville, Ky., in June 1941, the DAV formally decided that its contribution to the Nation's national emergency defense effort would be to see to it that all ex-service men and women should have the benefit of expert advice and assistance of trained national service officers in the proper preparation, presentation, and prosecution of their respective claims, with the Veterans' Administration, and other governmental agencies, for service connection of their disabilities, disability compensation, hospitalization, medical treatment, prosthetic appliances, vocational training, and finally selective placement into self-sustaining suitable jobs, utilizing their remaining abilities.

Far too many World War I disabled veterans, who failed in time to get the benefit of such expert advice, had suffered the disillusionment of being unable, technically, to prove their legal entitlement to the benefits to which they considered themselves equitably entitled—because of their inability to procure detailed, specific, fact-giving affidavit evidence positively to prove their claims.

SERVICE ACCOMPLISHMENTS

That the DAV has been faithful to its self-assumed policy of extending such much needed services to disabled veterans following World War II and the Korean conflict is indicated by a résumé of some of the many individualized rehabilitation services extended by its nationwide staff of full-time national service officers during a recent 10-year period, as follows:

Claim folders reviewed	3,453,604
Rating Board appearances	1,382,863
Favorable awards obtained	537,367
Service connections obtained	99,054
Increased compensation obtained	$225,493

Monetary benefits thereby obtained totaled $179,083,769.66. Infinitely more could have been accomplished by the DAV if it had been enabled financially to maintain a larger staff of trained national service officers—gradually reduced in number from more than 300 in 1947 to about 140 at the present time. Nevertheless, during the same 10-year period, the DAV expended $12,197,600 in the maintenance of such special advocates. This sum does not include administrative expenses at its national headquarters, nor the cost of its national publication.

DAV COSTS IN EXTENDING SERVICE

Measured by such overall costs, the DAV has expended about $3.50 for each claim folder reviewed on behalf of a claimant, or, measured another way, about $8.80 for each appearance before a rating agency, or, again, about $22.70 for each favorable award obtained, or about $123 for each service connection obtained, or about $54 for each compensation increase obtained. For each rehabilitation service dollar expended by the DAV, about $14.10 of direct moneclaimants, not counting the fact that such benefits will generally continue for many years.

To estimate the DAV's cost of extending needed service to distressed disabled veterans involves differing circumstances—proving entitlement to service connection, an increased disability rating, medical treatment, prosthetic appliances, vocational training, and other benefits. Advising and assisting individual claimants requires time, ranging from a few minutes up to many hours. Most claimants have no conception of the time that their attorneys-in-fact must expend in carefully studying the evidence in official claims folders, in preparing briefs, in making presentation to claims and rating boards, and so forth.

Thousands of claimants have been given pertinent, helpful advice, not measurable or recorded in the monthly reports required to be submitted by each national service officer to the National Director of Claims, Cicero F. Hogan, and his able Assistant Director, Chester A. Cash, located at the DAV National Service Headquarters, 1701 18th Street NW., Washington 9, D.C.

These statistics fail to reveal the humanitarian dividends thereby obtained for the scores of thousands of distressed disabled veterans, and their dependents, who have been thereby directly benefited—for the rest of their lives.

Most of these service-disabled veterans have probably assumed that the DAV has been getting some kind of financial help from the Federal Government, although no Federal money has ever been appropriated to the DAV.

It is true, however, that, because the Veterans' Administration has long realized the value of such personalized services, it has, throughout the years, been furnishing office space for all DAV national service officers, in its 63 regional and district offices, and its central office in Washington, D.C. As the Deputy Administrator of Veterans' Affairs, Bradford Morse, recently stated, "We of the VA—and you of the DAV—speak, in essence, the same language."

The experience as to World War I veterans, for whom service connections were procured as much as 35 years after active service, indicates that such expert service officers will be needed for many decades into the future.

FINANCING METHODS

DAV income has been procured first from membership dues, but, more importantly, since 1942, from its Idento Tag project, by which most automobile owners throughout the country receive miniature automobile license tags. Incidentally, attachment of such Idento Tags to key rings has enabled the DAV to return more than 1,400,000 sets of lost keys to their owners—without regard to whether they had previously mailed in any donation. Fortunately, Idento Tag recipients who do respond with donations have long enabled the DAV to maintain a larger staff of fulltime national service officers than maintained by any veteran organization.

If, however, twice as many Idento Tag recipients were each to donate only $1, after receiving their miniature automobile license tags each year, then the DAV would be enabled to expand its rehabilitation service setup into all of the some 176 VA hospitals. They could then extend much needed rehabilitation service to many additional scores of thousands of disheartened disabled veterans.

The Idento Tag project is owned and operated by the DAV itself, at its national headquarters at 5555 Ridge Avenue, Cincinnati 13, Ohio. Most employees consist of disabled veterans, their wives, their widows, and other handicapped persons—a rehabilitation project in itself—under the direction of the DAV National Adjutant, John E. Feighner, and the National Commander, Judge David B. Williams—a personal friend of mine. I hold Judge Williams in high esteem.

DAV SERVICE FOUNDATION

Because the income from the Idento Tag project has not been sufficient adequately to provide for its staff of full-time national service officers, resignations have reduced their number from about 300 in 1947 to about 140, notwithstanding appropriations aggregating $3,300,000, during the last 10 years, from its incorporated trustee, the DAV Service Foundation, 631 Pennsylvania Avenue, NW., Washington 4, D.C.

The Foundation's reserve funds therefore again need to be built up, by greatly increased volume of donations by disabled veterans—all of whom have so much benefited by reason of the DAV service program—and by other social-minded Americans. Much needed are many more bequests in wills, designations as beneficiary in insurance policies, assignments of stocks and bonds, and benefactors of Perpetual Rehabilitation Funds.

PERPETUAL REHABILITATION FUNDS

Spontaneously started by concerned disabled veterans in Montana, this special memorial trust idea has gradually spread into 29 States, with special donations ranging from $100 to $1,300. Many more are hoped for—and much needed—

during succeeding months. Installment payments are acceptable and are being received from an increasing number.

After the end of each fiscal year on June 30, an updated Memorial Honor Roll of the benefactors, who have established such perpetual rehabilitation funds with the DAV Service Foundation, will appear in each DAV annual report to the U.S. Congress.

Only the interest earnings—4 percent—will be available for appropriation to the DAV for its use in maintaining service officers in the respective States, from which each Perpetual Rehabilitation Fund originated. If supported by a sufficient number of social-minded Americans—as well as individual disabled veterans and their DAV departments and chapters—this unique idea holds hope for eventually building up sufficient reserve funds, so that the earnings therefrom can enable the DAV to maintain much needed rehabilitation service for disabled veterans in each State throughout future years.

Security for America's war disabled, and their dependents, is, in the final analysis, linked up with America's future security. Americans who help the DAV Service Foundation will therefore be helping the DAV to help many more distressed disabled war veterans, their dependents, and their communities. America's future security will thus be fortified by the DAV's personalized rehabilitation service activities.

Incidentally, I am personally proud of being a life member of the DAV—as should be every eligible.

THE LAST OUTCAST OF DEMOCRACY

Mr. BROCK. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. BOLAND] may extend his remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. BOLAND. Mr. Speaker, the Washington Post today published an excellent editorial entitled "The Last Outcast of Democracy" concerning home rule for the District of Columbia.

Here in the Capital City of the greatest nation on earth we witness more than three-quarters of a million people who are absolutely disfranchised. As the editorial points out, no other major capital in the free world is in a similar state.

Mr. Speaker, the House of Representatives has already voted statehood to Alaska and Hawaii, and I certainly hope that this body will have an opportunity to vote on a home-rule bill for the District of Columbia in this session.

Under leave to extend my remarks, I ask that the Washington Post's very powerful editorial be printed with my remarks in the RECORD. In my opinion, Mr. Speaker, this editorial makes correct common sense.

THE LAST OUTCAST OF DEMOCRACY

New hope for home rule in the District of Columbia is rising out of the tide that swept Alaska and Hawaii into the Union. For many years the District has been knocking on the doors of Congress with petitions for self-government much short of statehood. The three areas have been regarded as the underprivileged children in the U.S. family. Now two of those children have been welcomed into the fold as full-fledged States. With the third child still crying on the steps of the Capitol, the argument for taking it into the family as a self-governing unit ought to be irresistible.

In some respects Washington is presenting the most cogent appeal for political reform ever laid before Congress. Both Alaska and Hawaii had elected Territorial Governments of their own and voteless Delegates in Congress even while the full privileges of statehood were denied them. The people of the District have no suffrage whatever, no local government worthy of the name, no voice in Congress, no sense of participation in the political life of the Nation.

One reason for the long delay in bringing Alaska and Hawaii into the family was their separation from the other States. No such objection can be raised against the District, which is the Capital of the Nation and the center of its political life. Another point used against Alaska was its relatively small population. But the District, with its 850,000 people, has almost four times the population of Alaska and more inhabitants than any one of 12 States.

The District is thus a far more conspicuous political freak and a greater embarrassment to the United States throughout the free world than Alaska or Hawaii ever was. Congress came to have twinges of conscience in the case of the neglected Territories. How can it possibly avoid more acute twinges of conscience so long as home rule is denied within the Capital itself? No other major capital in the free world is kept in a state of absolute disfranchisement comparable to that of Washington.

The issue before Congress is not, therefore, simply one of granting the reasonable demands of a local community. Rather, it is a question—to borrow the words of Sturgis Warner of the District Home Rule Committee—"of eliminating the last legal and constitutional anomaly in the United States." Congress has done remarkably well in the first two steps it has taken. Now it should complete its task by welcoming the last outcast into the family not as a State but as a self-governing city with a special function.

There is nothing drastic, revolutionary, frightening or even strange about what the District is asking. Its request is simply for a restoration of self-governing rights that were swept away in a time of indignation over Governor Shepherd's excessive zeal in trying to keep Washington abreast of our national growth in the post-Civil War period. Home rule existed here when the District was established in 1800. Congress fostered and extended it until 1874. Since then there has been an appalling departure from American political principles in the continuation of what was essentially a receivership for the Shepherd regime.

It is important to remember also that, in extending the appointed local regime in 1878, Congress did not intend to continue the abolition of suffrage. The House voted for a District council to be elected by the people. The Senate approved a District Delegate to Congress. These provisions for elected officials were stricken from both bills only because the conference committee could not agree on a compromise.

When the Senate Judiciary Committee looked into this problem some years ago, it concluded that the right of suffrage still exists in the District. It cannot be exercised, because Congress has abolished the offices which the people used to fill at the polls. In other words, a basic right that was clearly recognized by Madison and others among the Founding Fathers has been suspended, because Congress has failed in its duty to provide the framework of a local government.

The Senate is now keenly alert to its obligation to restore this right of local self-government. It is expected soon to pass a home-rule bill for the fifth time in recent years. All the pressure that can be applied to reverse the blunder of 1878 will then be focused on the House.

The home-rule bill on which the community's hopes are now built is a product of long evolution. It is not a perfect bill. Some of its provisions are the subject of sharp controversy. Yet on the whole it is a good bill, and apparently the only home-rule measure that has a chance of enactment at present. It has wide support among the members of both parties in Congress as well as the endorsement of the administration and local home-rule groups.

The positive virtues of the bill are numerous. First, it would delegate authority to govern the District for all practical purposes to a local body. At present Congress is the real city council for Washington, a chore that it does not like and has no time to perform properly. Under the new system, local policies and programs, local appropriations and taxes would be voted by a legislative assembly responsible to the people. Like every other American city, Washington would then have control over its local affairs.

Second, the ballot box would be restored to the disfranchised District. Local residents would elect the 15 members of the general assembly at large voting for 3 candidates from each of 5 wards. By this means District residents could exercise control over their schools, their public improvements, and their social welfare institutions as well as their taxes.

A third important provision would give the District a speaking but nonvoting Delegate in the House of Representatives. This would be admittedly only a stopgap arrangement. By all the rules of fairness and logic the people of this city should have full-fledged representatives in Congress and should participate in the election of the President. But only a constitutional amendment could extend these rights to the District, and home rule should not wait for such an amendment. Meanwhile an elected Delegate could be a most useful emissary of the newly enfranchised community on Capitol Hill.

A fourth basic fact about the bill is that it would leave in Congress the ultimate legislative authority over the District. Any act of the legislative assembly could be repealed or modified by Congress and, of course, the home-rule system itself could be changed whenever Congress might see fit. This bill would not in any sense be a first step toward statehood for the District of Columbia. Instead, it would restore Congress to its proper role of general supervision over the seat of government while freeing it from detailed involvement in municipal operations. This is a point of enormous significance to those Members of Congress who find service as District Councilmen to be especially burdensome.

Criticism of the bill arises largely from its provision for a District Governor to be appointed by the President and the so-called double veto. Most local residents and many legislators would prefer an elected Governor. But there is historical precedent for this arrangement. The first mayors of Washington were appointed, and after a few years Congress permitted the people to elect their own mayors. Those who favor an appointed Governor see a special need for pulling together the national and local interests in the city in the initial stages of home rule. With the new system firmly established, it would be a simple matter to permit election of the Governor, if experience should demonstrate that to be desirable.

The double veto can also be defended as a steadying hand on a new government. If the Governor should veto an act of the general assembly on the ground that it would adversely affect a Federal interest and the assembly should override that veto, the President could step in with a second irreversible veto. This might be very irritating to the local community on some occasions, but it would certainly afford every safeguard that might conceivably be necessary to curb possibly unwise local measures.

The only other argument against the bill that seems to influence some Members of Congress is the large percentage of Negroes in the District's population. Actual experience has shown that there is little disposition on the part of Negroes to vote as a bloc unless that is necessary for protection of their rights. But in any event a general denial of suffrage in order to prevent Negroes from voting is the very negation of democracy—the counsel of despair.

In some measure the flight of high-income families to the Maryland and Virginia suburbs is a result of their disfranchisement in the District. The imbalance produced by this migration cannot be corrected by continuing to encourage it. Those who are worried by the District's changing population should be the first to work for the creation of a responsible local government which could address itself to the community's basic problems.

As a neglected orphan that depends on action of Congress for authorization to spend its own revenue, the District has a very dismal future. As a self-governing and self-respecting community, it could emerge into a new era of social, cultural and economic progress. Beyond this, a decent respect for the principles we profess as a nation and for the solemn pledges made by both political parties demands that the rights of home rule be restored.

The question is whether a little group of willful men in the House of Representatives shall be allowed to mock the principles of democracy in the Capital of the world's foremost democracy. The people of the District have demonstrated many times that they want home rule. The Senate wants it. The President wants it. There are many indications that the country also wants it and that a majority of the House would readily vote for it if given a chance. The use of minority obstruction to thwart self-government is doubly offensive.

Years of effort have failed to dislodge the House District Committee from its indifference to this scab on the face of democracy. So it is to Speaker RAYBURN and other top men of the House that the District and the country must look. In the past these leaders have been inclined to turn the other way while home-rule bills have been asphyxiated and buried. Now they must be asked to bring home rule to a vote on the floor or face full responsibility for flouting their party's pledge and for continuing to make the U.S. Capital a byword for cynics everywhere.

If these leaders are inclined to take command of the situation, they will have support from many sources. As Shakespeare has said:

"There is a tide in the affairs of men,
"Which, taken at the flood, leads on to fortune."

And that tide appears to be running today in favor of the neglected children of democracy. Now, the only conspicuous political unit in this category under American control is the District of Columbia. For its sake, for the Nation's sake and for the sake of the free world, the country ought to rise up and insist that this breach of faith with the Founding Fathers and 850,000 loyal citizens be wiped out.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. DOWNING (at the request of Mr. ALBERT), April 27 through April 30, 1959, on account of official business.

To Mr. MULTER (at the request of Mr. O'BRIEN of New York), for the balance of the week, on account of illness.

To Mr. MAILLIARD, for Tuesday, April 28, and Friday, May 1, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PATMAN, for 30 minutes, today, and to revise and extend his remarks and include extraneous matter.

Mr. HEMPHILL, for 30 minutes, today, and to revise and extend his remarks.

Mr. HOFFMAN of Michigan, for 10 minutes, today.

Mr. COAD, for 15 minutes, on Wednesday next.

Mr. CONTE (at the request of Mr. CURTIN), for 20 minutes, on April 28.

Mr. PUCINSKI (at the request of Mr. BROCK), for 2 hours, on May 4.

Mr. FRIEDEL (at the request of Mr. BROCK), for 10 minutes, on Thursday next.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. HULL and to include extraneous matter.

Mr. METCALF in two instances and to include extraneous matter.

Mr. FOLEY and include extraneous matter.

Mr. DORN of South Carolina.

Mr. JENSEN and include two letters.

Mrs. MAY.

Mr. CANNON (at the request of Mr. MCCORMACK) and include an editorial.

Mr. O'HARA of Michigan and to include extraneous matter.

(At the request of Mr. CURTIN, and to include extraneous matter, the following:)

Mr. VAN ZANDT in two instances.

Mr. KEITH in two instances.

Mr. CONTE.

(At the request of Mr. BROCK, and to include extraneous matter, the following:)

Mr. MULTER.

Mr. CELLER in four instances.

Mr. MACDONALD.

Mr. BOLAND in three instances.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2589. An act for the relief of Elizabeth Lucie Leon (also known as Lucie Noel).

SENATE ENROLLED JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled joint resolution of the Senate of the following title:

S.J. Res. 19. Joint resolution authorizing the Architect of the Capitol to present to the Senators and Representative in Congress from the State of Alaska the official flag of the United States bearing 49 stars which is first flown over the west front of the United States Capitol.

ADJOURNMENT

Mr. BROCK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 1 minute p.m.) the House adjourned until Tuesday, April 28, 1959, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

895. A letter from the Comptroller General of the United States, transmitting a report on the review of supply activities of the U.S. Army in Europe; to the Committee on Government Operations.

896. A letter from the Chairman, Federal Communications Commission, transmitting a copy of a report on the backlog of pending applications and hearing cases in the Federal Communications Commission as of February 28, 1959, pursuant to section 5(e) of the Communications Act as amended by Public Law 554, 82d Congress; to the Committee on Interstate and Foreign Commerce.

897. A letter from the Administrator, General Services Administration, transmitting a report of the Archivist of the United States on records proposed for disposal in accordance with provisions of the act approved July 7, 1943 (57 Stat. 380) as amended by the act approved July 6, 1945 (59 Stat. 434) and the act approved June 30, 1949 (63 Stat. 377); to the Committee on House Administration.

898. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting correspondence relative to the case of Yuen Hong aka Wong Kee Leung or Wong Joe, A-11405498, involving suspension of deportation under provisions of section 244(a) (1) of the Immigration and Nationality Act of 1952, requesting that the case be withdrawn from those now before the Congress and returned to the jurisdiction of this Service; to the Committee on the Judiciary.

899. A letter from the Director, Administrative Office of the U.S. Courts, transmitting a draft of proposed legislation entitled, "A bill to amend section 57a of the Bankruptcy Act (11 U.S.C. 93(a)) and section 152, title 18, United States Code"; to the Committee on the Judiciary.

900. A letter from the Chairman, Commission on International Rules of Judicial Procedure, transmitting a draft of proposed legislation entitled, "A bill to amend the act to establish a Commission and Advisory Committee on International Rules of Judicial Procedures to extend the termination date, and for other purposes", pursuant to act of September 2, 1958 (72 Stat. 1745); to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LANE: Committee on the Judiciary. H.R. 4821. A bill to amend the act of August 12, 1955, Public Law 378, 84th Congress (69 Stat. 707), so as to provide additional relief for losses sustained in the Texas City disaster; with amendment (Rept. No. 295). Referred to the Committee of the Whole House on the State of the Union.

Mr. PORTER: Committee on Post Office and Civil Service. H.R. 4644. A bill to credit to postal revenues certain amounts in connection with postal activities, and for other purposes; without amendment (Rept. No. 296). Referred to the Committee of the Whole House on the State of the Union.

Mrs. PFOST: Committee on Interior and Insular Affairs. H.R. 3454. A bill to disclaim any interest on the part of the United States in certain lands in the State of Colorado, and for other purposes; with amendment (Rept. No. 297). Referred to the Committee of the Whole House on the State of the Union.

Mrs. PFOST: Committee on Interior and Insular Affairs. H.R. 5262. A bill to revise the boundaries of the Montezuma Castle National Monument, Ariz., and for other purposes; without amendment (Rept. No. 298). Referred to the Committee of the Whole House on the State of the Union.

Mrs. PFOST: Committee on Interior and Insular Affairs. H.R. 5728. A bill to set aside and reserve Memaloose Island, Columbia River, Oreg., for the use of The Dalles Dam project and transfer certain property to the Yakima Tribe of Indians in exchange therefore; with amendment (Rept. No. 299). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. Fifth report of the Committee on Government Operations pertaining to Civil Defense in Western Europe and the Soviet Union (Rept. No. 300). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROGERS of Texas: Committee on Interior and Insular Affairs. H.R. 1778. A bill to amend section 17(b) of the Reclamation Project Act of 1939; without amendment (Rept. No. 301). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROGERS of Texas: Committee on Interior and Insular Affairs. H.R. 3335. A bill to provide for the apportionment by the Secretary of the Interior of certain costs of the Yakima Federal reclamation project, and for other purposes; without amendment (Rept. No. 302). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BASS of Tennessee:

H.R. 6635. A bill to provide for the establishment of a commission to conduct a study with respect to a food for peace program; to the Committee on Agriculture.

By Mr. BATES:

H.R. 6636. A bill to amend section 302 of the Soldiers and Sailors Civil Relief Act of 1940 with respect to the method of foreclosure of mortgages, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BURDICK:

H.R. 6637. A bill to promote the foreign policy of the United States and help to build essential world conditions of peace, by the more effective use of U.S. agricultural commodities for the relief of human hunger, and for promoting economic and social development in less developed countries; to the Committee on Agriculture.

By Mr. CARTER:

H.R. 6638. A bill to amend the Internal Revenue Code of 1954 to provide that gain from the sale or exchange of a taxpayer's residence will not be taxed where the taxpayer is 60 years of age or over if he has lived in such residence for at least 5 years and his income is within specific limits; to the Committee on Ways and Means.

By Mr. CASEY:

H.R. 6639. A bill to amend title 28 of the United States Code to establish certain qualifications for persons to be appointed to the Supreme Court of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. COAD:

H.R. 6640. A bill to provide an agricultural program for the United States which is designed to assure a fair income for farmers without subjecting the Nation to the threat of unwanted surpluses; to the Committee on Agriculture.

By Mr. BROCK:

H.R. 6641. A bill to provide an agricultural program for the United States which is designed to assure a fair income for farmers without subjecting the Nation to the threat of unwanted surpluses; to the Committee on Agriculture.

By Mr. CARTER:

H.R. 6642. A bill to provide an agricultural program for the United States which is designed to assure a fair income for farmers without subjecting the Nation to the threat of unwanted surpluses; to the Committee on Agriculture.

By Mr. RANDALL:

H.R. 6643. A bill to provide an agricultural program for the United States which is designed to assure a fair income for farmers without subjecting the Nation to the threat of unwanted surpluses; to the Committee on Agriculture.

By Mr. DENTON:

H.R. 6644. A bill to provide for the construction of a 500 bed general medical and surgical Veterans' Administration hospital at or near Evansville, Ind.; to the Committee on Veterans' Affairs.

H.R. 6645. A bill to provide for the establishment of a national cemetery in Vanderburgh County, Ind.; to the Committee on Interior and Insular Affairs.

By Mr. DINGELL:

H.R. 6646. A bill to make permanent certain temporary increases in rates of basic salary for postal field service employees; to the Committee on Post Office and Civil Service.

By Mr. FLOOD:

H.R. 6647. A bill to amend the Interstate Commerce Act, as amended, so as to strengthen and improve the national transportation system, insure the protection of the public interest, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 6648. A bill to amend title II of the Social Security Act to provide a more liberal definition of the term "disability" for purposes of entitlement to disability insurance benefits and the disability freeze; to the Committee on Ways and Means.

H.R. 6649. A bill to liberalize the tariff laws for works of art and other exhibition material, and for other purposes; to the Committee on Ways and Means.

H.R. 6650. A bill to grant a pension of $100 per month to all honorably discharged veterans of World War I who are over 62 years of age; to the Committee on Veterans' Affairs.

H.R. 6651. A bill to amend title II of the Social Security Act to permit retirement by all persons in the United States at age of 60 years with benefits that will assure full participation by elderly persons generally in prevailing national standards of living, to provide like benefits for disabled persons, and to provide benefits for certain female heads of families and for certain children; to provide for the establishment and operation of this system of social security by an equitable gross income tax; and for other purposes; to the Committee on Ways and Means.

H.R. 6652. A bill to amend title II of the Social Security Act to eliminate certain restrictions on the crediting of self-employment income for old-age, survivors, and disability insurance purposes, so as to permit such income to be retroactively credited (upon payment of tax) to the same extent as wages; to the Committee on Ways and Means.

By Mr. FULTON:

H.R. 6653. A bill to amend the Internal Revenue Code of 1954 so as to provide for nonrecognition of gain or loss upon certain distributions of stock made pursuant to orders enforcing the antitrust laws; to the Committee on Ways and Means.

H.R. 6654. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for tuition and other expenses paid by him for his education or the education of his spouse or any of his dependents; to the Committee on Ways and Means.

H.R. 6655. A bill to promote the foreign policy of the United States and help to build essential world conditions of peace, by the more effective use of U.S. agricultural commodities for the relief of human hunger, and for promoting economic and social development in less developed countries; to the Committee on Agriculture.

By Mr. GEORGE:

H.R. 6656. A bill to provide for the establishment of the Fort Scott National Historic Site, in the State of Kansas, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HERLONG:

H.R. 6657. A bill to amend section 1371 of the Internal Revenue Code of 1954 to allow a trust with only 1 individual as a current income beneficiary to be one of the 10 shareholders specified in said section; to the Committee on Ways and Means.

By Mr. KEITH:

H.R. 6658. A bill to provide for a preliminary examination and survey of Pleasant Bay in the vicinity of Orleans and Chatham, Mass., for navigation and other purposes; to the Committee on Public Works.

H.R. 6659. A bill to provide for a preliminary examination and survey of Nauset Harbor in the vicinity of Eastham and Orleans, Mass., for navigation and other purposes; to the Committee on Public Works.

By Mr. KING of Utah:

H.R. 6660. A bill to amend section 21 of the Second Liberty Bond Act to provide for the retirement of the public debt; to the Committee on Ways and Means.

By Mr. KOWALSKI:

H.R. 6661. A bill to amend section 3911 and 8911 of title 10, United States Code, to permit retirement after 20 years' service of members of the Armed Forces who served as commissioned officers during World War I and either World War II or the Korean conflict, or during World War II and the Korean conflict; to the Committee on Armed Services.

By Mr. LANKFORD:

H.R. 6662. A bill to amend the District of Columbia Hospital Center Act in order to extend the time during which appropriations may be made for the purposes of such act;

to the Committee on the District of Columbia.

By Mr. McGOVERN:

H.R. 6663. A bill to establish a national food-allotment program to augment the diets of low-income and needy persons and families, to encourage the constructive utilization of abundant food supplies, to improve the economic condition of agriculture and the food processing and marketing industries, and for other purposes; to the Committee on Agriculture.

H.R. 6664. A bill to amend the Internal Revenue Code of 1954 to exempt nonprofit hospitals from certain excise taxes; to the Committee on Ways and Means.

By Mrs. MAY:

H.R. 6665. A bill to increase efforts on hops research; to the Committee on Agriculture.

By Mr. MORRISON:

H.R. 6666. A bill to provide that a levee shall be constructed and maintained by the United States along the east bank of the Mississippi River in the vicinity of Devil's Swamp, La.; to the Committee on Public Works.

H.R. 6667. A bill to provide for the construction of a new Federal post office building in Slidell, La.; to the Committee on Public Works.

H.R. 6668. A bill to amend the District of Columbia Business Corporation Act to permit corporations to act as trustees under deeds of trust; to the Committee on the District of Columbia.

H.R. 6669. A bill to amend the act of July 14, 1945, to provide that the Louisiana State University and Agricultural and Mechanical College may use certain real property heretofore conveyed to it by the United States for general educational purposes; to the Committee on Agriculture.

By Mr. MULTER:

H.R. 6670. A bill to amend the Renegotiation Act of 1951 to assist small business, and for other purposes; to the Committee on Ways and Means.

By Mr. ROBERTS:

H.R. 6671. A bill to amend title II of the Social Security Act to provide that the child of an insured individual, after attaining age 18, may receive child's insurance benefits until he attains age 22 if he is a student attending school; to the Committee on Ways and Means.

By Mr. SAUND:

H.R. 6672. A bill to authorize longer term leases of Indian lands on the Agua Caliente (Palm Springs) Reservation; to the Committee on Interior and Insular Affairs.

By Mr. SCHERER:

H.R. 6673. A bill to amend the Social Security Act to provide that the Secretary of Health, Education, and Welfare shall, under certain circumstances, disclose the current addresses of husbands and parents who have deserted their families; to the Committee on Ways and Means.

By Mr. SCHWENGEL:

H.R. 6674. A bill to modify the project for the Coralville Reservoir on Iowa River in Iowa in order to provide for a highway bridge across Coralville Reservoir; to the Committee on Public Works.

H.R. 6675. A bill to provide for the adjustment of the legislative jurisdiction exercised by the United States over land in the several States used for Federal purposes, and for other purposes; to the Committee on Government Operations.

By Mr. SHIPLEY:

H.R. 6676. A bill to amend the Communications Act of 1934, with respect to the hours of operation of certain broadcasting stations; to the Committee on Interstate and Foreign Commerce.

By Mr. SIKES:

H.R. 6677. A bill to provide for the modification of the St. Marks River, Fla., project in accordance with recommendations of the division engineer, South Atlantic Division, U.S. Engineers; to the Committee on Public Works.

By Mr. SPENCE:

H.R. 6678. A bill to authorize adjustments in accounts of outstanding old series currency, and for other purposes; to the Committee on Banking and Currency.

By Mr. THOMAS:

H.R. 6679. A bill to amend title II of the Social Security Act to provide in certain cases for the payment of benefits to an individual as the wife, husband, widow, or widower of an insured individual, notwithstanding the existence of a legal impediment invalidating their marriage, where such marriage was entered into in good faith and they lived together for a specified period; to the Committee on Ways and Means.

By Mr. THOMPSON of New Jersey:

H.R. 6680. A bill to amend the Historic Sites Act of August 21, 1935, to provide a method for preserving sites, areas, buildings, and objects of national, regional, or local historical significance which are threatened with destruction by federally financed programs, and for other purposes; to the Committee on Insular Affairs.

By Mr. WOLF:

H.R. 6681. A bill to promote the foreign policy of the United States and help to build essential world conditions for peace by the more effective use of U.S. agricultural commodities for the relief of human hunger, and for promoting economic and social development in less developed countries through the United Nations or its appropriate agencies; to the Committee on Agriculture.

By Mr. CARTER:

H.R. 6682. A bill to promote the foreign policy of the United States and help to build essential world conditions for peace by the more effective use of U.S. agricultural commodities for the relief of human hunger, and for promoting economic and social development in less developed countries through the United Nations or its appropriate agencies; to the Committee on Agriculture.

By Mr. KING of Utah:

H.R. 6683. A bill to promote the foreign policy of the United States and help to build essential world conditions for peace by the more effective use of U.S. agricultural commodities for the relief of human hunger, and for promoting economic and social development in less developed countries through the United Nations or its appropriate agencies; to the Committee on Agriculture.

By Mr. JOHNSON of Colorado:

H.R. 6684. A bill to promote the foreign policy of the United States and help to build essential world conditions of peace by the more effective use of U.S. agricultural commodities for the relief of human hunger, and for promoting economic and social development in less developed countries through the United Nations or its appropriate agencies; to the Committee on Agriculture.

By Mr. BURDICK:

H.R. 6685. A bill to promote the foreign policy of the United States and help to build essential world conditions of peace by the more effective use of U.S. agricultural commodities for the relief of human hunger, and for promoting economic and social development in less developed countries through the United Nations or its appropriate agencies; to the Committee on Agriculture.

By Mr. PUCINSKI:

H.R. 6686. A bill to promote the foreign policy of the United States and help to build essential world conditions of peace by the more effective use of U.S. agricultural commodities for the relief of human hunger, and for promoting economic and social development in less developed countries through the United Nations or its appropriate agencies; to the Committee on Agriculture.

By Mr. BROCK:

H.R. 6687. A bill to promote the foreign policy of the United States and help to build essential world conditions of peace by the more effective use of U.S. agricultural commodities for the relief of human hunger, and for promoting economic and social development in less developed countries through the United Nations or its appropriate agencies; to the Committee on Agriculture.

By Mr. KASEM:

H.R. 6688. A bill to promote the foreign policy of the United States and help to build essential world conditions of peace by the more effective use of U.S. agricultural commodities for the relief of human hunger, and for promoting economic and social development in less developed countries through the United Nations or its appropriate agencies; to the Committee on Agriculture.

By Mr. O'HARA of Illinois:

H.R. 6689. A bill to promote the foreign policy of the United States and help to build essential world conditions of peace by the more effective use of U.S. agricultural commodities for the relief of human hunger, and for promoting economic and social development in less developed countries through the United Nations or its appropriate agencies; to the Committee on Agriculture.

By Mr. KOWALSKI:

H.R. 6690. A bill to promote the foreign policy of the United States and help to build essential world conditions of peace by the more effective use of U.S. agricultural commodities for the relief of human hunger, and for promoting economic and social development in less developed countries through the United Nations or its appropriate agencies; to the Committee on Agriculture.

By Mr. THOMPSON of New Jersey:

H.R. 6691. A bill to promote the foreign policy of the United States and help to build essential world conditions of peace by the more effective use of U.S. agricultural commodities for the relief of human hunger, and for promoting economic and social development in less developed countries through the United Nations or its appropriate agencies; to the Committee on Agriculture.

By Mr. PORTER:

H.R. 6692. A bill to promote the foreign policy of the United States and help to build essential world conditions of peace by the more effective use of U.S. agricultural commodities for the relief of human hunger, and for promoting economic and social development in less developed countries through the United Nations or its appropriate agencies; to the Committee on Agriculture.

By Mr. POWELL:

H.R. 6693. A bill to promote the foreign policy of the United States and help to build essential world conditions of peace by the more effective use of U.S. agricultural commodities for the relief of human hunger, and for promoting economic and social development in less developed countries through the United Nations or its appropriate agencies; to the Committee on Agriculture.

By Mr. NIX:

H.R. 6694. A bill to promote the foreign policy of the United States and help to build essential world conditions of peace by the more effective use of U.S. agricultural commodities for the relief of human hunger, and for promoting economic and social development in less developed countries through the United Nations or its appropriate agencies; to the Committee on Agriculture.

By Mr. ANDERSON of Montana:

H.R. 6695. A bill to promote the foreign policy of the United States and help to build essential world conditions of peace by the more effective use of U.S. agricultural commodities for the relief of human hunger, and for promoting economic and social de-

velopment in less developed countries through the United Nations or its appropriate agencies; to the Committee on Agriculture.

By Mr. McGINLEY:

H.R. 6696. A bill to promote the foreign policy of the United States and help to build essential world conditions of peace by the more effective use of U.S. agricultural commodities for the relief of human hunger, and for promoting economic and social development in less developed countries through the United Nations or its appropriate agencies; to the Committee on Agriculture.

By Mr. KASTENMEIER:

H.R. 6697. A bill to promote the foreign policy of the United States and help to build essential world conditions of peace by the more effective use of U.S. agricultural commodities for the relief of human hunger, and for promoting economic and social development in less developed countries through the United Nations or its appropriate agencies; to the Committee on Agriculture.

By Mr. CLARK:

H.R. 6698. A bill to promote the foreign policy of the United States and help to build essential world conditions of peace by the more effective use of U.S. agricultural commodities for the relief of human hunger, and for promoting economic and social development in less developed countries through the United Nations or its appropriate agencies; to the Committee on Agriculture.

By Mr. MEYER:

H.R. 6699. A bill to promote the foreign policy of the United States and help to build essential world conditions of peace by the more effective use of U.S. agricultural commodities for the relief of human hunger, and for promoting economic and social development in less developed countries through the United Nations or its appropriate agencies; to the Committee on Agriculture.

By Mr. RIVERS of Alaska:

H.R. 6700. A bill to promote the foreign policy of the United States and help to build essential world conditions of peace by the more effective use of U.S. agricultural commodities for the relief of human hunger, and for promoting economic and social development in less developed countries through the United Nations or its appropriate agencies; to the Committee on Agriculture.

By Mr. LIBONATI:

H.R. 6701. A bill to promote the foreign policy of the United States and help to build essential world conditions of peace by the more effective use of U.S. agricultural commodities for the relief of human hunger, and for promoting economic and social development in less developed countries through the United Nations or its appropriate agencies; to the Committee on Agriculture.

By Mr. HARGIS:

H.R. 6702. A bill to promote the foreign policy of the United States and help to build essential world conditions of peace by the more effective use of U.S. agricultural commodities for the relief of human hunger, and for promoting economic and social development in less developed countries through the United Nations or its appropriate agencies; to the Committee on Agriculture.

By Mr. LEVERING:

H.R. 6703. A bill to promote the foreign policy of the United States and help to build essential world conditions of peace by the more effective use of U.S. agricultural commodities for the relief of human hunger, and for promoting economic and social development in less developed countries through the United Nations or its appropriate agencies; to the Committee on Agriculture.

By Mr. FOLEY:

H.R. 6704. A bill to promote the foreign policy of the United States and help to build essential world conditions of peace by the more effective use of U.S. agricultural commodities for the relief of human hunger, and for promoting economic and social development in less developed countries through the United Nations or its appropriate agencies; to the Committee on Agriculture.

By Mr. BLATNIK:

H.R. 6705. A bill to promote the foreign policy of the United States and help to build essential world conditions of peace by the more effective use of U.S. agricultural commodities for the relief of human hunger, and for promoting economic and social development in less developed countries through the United Nations or its appropriate agencies; to the Committee on Agriculture.

By Mr. BREEDING:

H.R. 6706. A bill to promote the foreign policy of the United States and help to build essential world conditions of peace by the more effective use of U.S. agricultural commodities for the relief of human hunger, and for promoting economic and social development in less developed countries through the United Nations or its appropriate agencies; to the Committee on Agriculture.

By Mr. BURLESON:

H.J. Res. 352. Joint resolution to authorize preliminary study and review in connection with proposed additional building for the Library of Congress; to the Committee on House Administration.

By Mr. BLATNIK:

H. Con. Res. 163. Concurrent resolution providing for the development through the United Nations of international educational programs; to the Committee on Foreign Affairs.

By Mr. McFALL:

H. Con. Res. 164. Concurrent resolution providing for the development through the United Nations of international educational programs; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to the selection of the city of Antioch as a site for an experimental saline water-conversion plant; to the Committee on Interior and Insular Affairs.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to civil defense; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of Colorado, memorializing the President and the Congress of the United States relative to urging amendment of Federal law governing old age assistance, to the end that recipients of awards may accept employment and retain the remuneration received therefrom up to $600 annually without penalty or reduction of old-age-assistance awards; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Tennessee, memorializing the President and the Congress of the United States to grant permission to the city of Nashville to fly the American flag over the grave of Capt. William Driver, in the city cemetery, 24 hours each day; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of Texas, memorializing the President and the Congress of the United States, that the Secretary of Agriculture of the United States be requested to take such action as necessary and authorized by law to prohibit the further importation of sheep into the United States from any other country in which the disease of scrapie is known to exist; to the Committee on Agriculture.

Also, memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States to appropriate the sum of $400,000 and make it available to the U.S. Corps of Engineers for the purpose of completing the engineering studies aimed at determining the best and most economical locations of harbors of refuge and small boat harbors in the island chain; to the Committtee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AYRES:

H.R. 6707. A bill for the relief of Stavros Kyriakides; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 6708. A bill for the relief of Heide Sigrid Chatfield; to the Committee on the Judiciary.

By Mr. CURTIS of Missouri:

H.R. 6709. A bill for the relief of Mike H. Kostelac; to the Committee on the Judiciary.

By Mr. DORN of South Carolina:

H.R. 6710. A bill for the relief of the widow of Col. Claud C. Smith; to the Committee on the Judiciary.

By Mr. GEORGE:

H.R. 6711. A bill for the relief of Petar Trbojevic; to the Committee on the Judiciary.

By Mr. HUDDLESTON:

H.R. 6712. A bill for the relief of Sam J. Buzzanca; to the Committee on the Judiciary.

By Mr. KEITH:

H.R. 6713. A bill to authorize and direct the Secretary of the Treasury to cause the brigantine *Yankee* while used for educational purposes to be specially documented as a yacht of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. KELLY:

H.R. 6714. A bill for the relief of Abraham Fye; to the Committee on the Judiciary.

H.R. 6715. A bill for the relief of Dahlia Giscombe; to the Committee on the Judiciary.

By Mr. KILDAY:

H.R. 6716. A bill for the relief of Charles H. Denny; to the Committee on the Judiciary.

By Mr. LANE:

H.R. 6717. A bill for the relief of Robert N. Anthony; to the Committee on the Judiciary.

H.R. 6718. A bill for the relief of Lt. Col. Albert E. Sherron (U.S. Army, retired); to the Committee on the Judiciary.

By Mr. LANKFORD:

H.R. 6719. A bill for the relief of Uwe-Thorsten Scobel; to the Committee on the Judiciary.

By Mr. LINDSAY:

H.R. 6720. A bill for the relief of Andrew Choa; to the Committee on the Judiciary.

By Mr. McFALL:

H.R. 6721. A bill to validate the conveyance of certain land in the State of California by the Central Pacific Railway Co. and the Southern Pacific Co.; to the Committee on Interior and Insular Affairs.

By Mr. MAILLIARD:

H.R. 6722. A bill for the relief of Natalia I. Chetvernia; to the Committee on the Judiciary.

By Mr. METCALF:

H.R. 6723. A bill for the relief of Pak Jae Seun; to the Committee on the Judiciary.

By Mr. MORGAN:

H.R. 6724. A bill for the relief of Edward P. Chesnutis; to the Committee on the Judiciary.

By Mr. MORRISON:

H.R. 6725. A bill to provide for the conveyance of all right, title, and interest of the United States in and to certain real property situated in the State of Louisiana to W. McWillie Chambers and Alex C. McKowen,

and their heirs, successors, and assigns; to the Committee on Interior and Insular Affairs.

H.R. 6726. A bill to provide for the conveyance of all right, title, and interest of the United States in and to certain real property situated in the State of Louisiana to Samuel Clark and his heirs, successors, and assigns; to the Committee on Interior and Insular Affairs.

H.R. 6727. A bill to provide for the conveyance of all right, title, and interest of the United States in and to certain real property situated in the State of Louisiana to Bartolo Hernandez, Lorenzo Hernandez, and Juan Allemand, and their heirs, successors, and assigns; to the Committee on Interior and Insular Affairs.

H.R. 6728. A bill to provide for the conveyance of all right, title, and interest of the United States in and to certain real property situated in the State of Louisiana, to Vallery Landry and his heirs, successors, and assigns; to the Committee on Interior and Insular Affairs.

H.R. 6729. A bill to provide for the conveyance of all right, title, and interest of the United States in and to certain real property situated in the State of Louisiana to Warren Giles, Derkmann Lumber Co.; H. L. Mack; Walter A. Ottinger; estate of Mary K. Tate; Lora M. Tumey; Joyce M. Watts; Florence M. Graham; and John D. Hornsby, and their heirs, successors, and assigns; to the Committee on Interior and Insular Affairs.

By Mr. O'BRIEN of Illinois:

H.R. 6730. A bill for the relief of Flora T. Lomboy; to the Committee on the Judiciary.

By Mr. ROBERTS:

H.R. 6731. A bill for the relief of Alexandros Anzoulatos; to the Committee on the Judiicary.

By Mr. SHELLEY:

H.R. 6732. A bill for the relief of Romana Lera; to the Committee on the Judiciary.

By Mr. THOMPSON of Louisiana:

H.R. 6733. A bill for the relief of Paul & Beekman, Inc., and the Columbia Southern Chemical Corp.; to the Committee on the Judiciary.

By Mr. WAINWRIGHT:

H.R. 6734. A bill for the relief of Eleni P. Anastasakos; to the Committee on the Judiciary.

By Mr. WALTER (by request):

H.R. 6735. A bill for the relief of Josef Jan Loukotka; to the Committee on the Judiciary.

By Mr. WIDNALL:

H.R. 6736. A bill authorizing the presentation of the Order of the Purple Heart to Andrew T. Derrom; to the Committee on Armed Services.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

161. By Mr. DOOLEY: Resolution of the Civic and Business Federation, White Plains (N.Y.) Chamber of Commerce, favoring reduction and eventual termination of agricultural controls and the granting of subsidies in the form of price supports, in order to bring about adjustment between production and consumption; to the Committee on Agriculture.

162. Also, resolution of the Civic and Business Federation, White Plains (N.Y.) Chamber of Commerce, opposing the enactment of education bills S. 2 and H.R. 22, as an unnecessary and improper intervention in local and State affairs; to the Committee on Education and Labor.

163. Also, resolution of Emil Hubsch Post No. 596 (Mount Vernon, N.Y.), Veterans of Foreign Wars of the United States, opposing any budgetary move to curtail the existing appropriations for the betterment of the veteran, and urging passage of H.R. 1181 which would provide a pension to World War I veterans; to the Committee on Veterans' Affairs.

164. Also, resolution of the Civic and Business Federation, White Plains (N.Y.) Chamber of Commerce, favoring the balancing of the Federal budget for the next fiscal year, beginning July 1, 1959, at the $77 billion level as proposed by President Eisenhower to the Congress, as an essential requirement in the effort to control inflation and stop deficit Government financing; to the Committee on Ways and Means.

165. Also, resolution of the Civic and Business Federation, White Plains (N.Y.) Chamber of Commerce, opposing enactment of the unemployment compensation bills S. 791 and H.R. 3547 for the reason that should new standards be imposed at the Federal level the experienced rating systems now used by the States might be lost and costs to employers rise to 2.7 percent or more; to the Committee on Ways and Means.

166. By the SPEAKER: Petition of Irving Brant, Washington, D.C., requesting consideration of legislation that would restore local self-government to the District of Columbia; to the Committee on the District of Columbia.

167. Also, petition of the editor, Szabad Magyarsag, New York, N.Y., requesting Congress to establish, by joint resolution, the agendic item of truly free elections for the captive people of Hungary, East Germany, and other slave states of the Soviet Empire, as a condition prerequisite to any ratification by the United States of any "summit" meeting, or "agreements" resulting therefrom, and also requesting a joint public hearing thereon; to the Committee on Foreign Affairs.

168. Also, petition of Mrs. Henry A. Burke, Beverly Hills, Calif., with reference to redress of grievance for alleged injury emanating from a decision by the Minnesota State Supreme Court in the case involving the Henry A. Burke estate; to the Committee on the Judiciary.

169. Also, petition of the commander, T. C. Carter Post No. 21, American Legion, Meridian, Miss., petitioning consideration of their resolution with reference to proposed legislation that would extend education and training benefits to all veterans who enter military service from February 1, 1955, and as long as the draft shall continue; to the Committee on Veterans' Affairs.

EXTENSIONS OF REMARKS

Hon. Christian A. Herter

EXTENSION OF REMARKS
OF
HON. HASTINGS KEITH
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Monday, April 27, 1959

Mr. KEITH. Mr. Speaker, may I join with my colleagues in the Congress in commenting on the appointment of Christian A. Herter as Secretary of State of the United States.

I served in the Massachusetts Senate for 4 years while our new Secretary of State was Governor of the Commonwealth of Massachusetts. And whereas many of my colleagues have commented favorably and enthusiastically on his competence in the field of foreign affairs, which I endorse, it is of his many accomplishments as chief executive of Massachusetts that I wish to speak at this time.

Mr. Herter reorganized several of our State's departments of government. He expanded its educational system and built hospitals and highways. He balanced the State budget and gave Massachusetts its first and only substantial reduction in taxes.

We have every reason to be confident that under Mr. Herter's leadership, the Department of State will have a positive approach to the problems of foreign policy.

Furthermore, we have every reason to believe—on the basis of past performance—that his program will be effective.

I consider it a distinct honor to have been associated with Mr. Herter at the State level, and to have this privilege of speaking in his honor today in the Congress of the United States.

Victor Herbert Centennial

EXTENSION OF REMARKS
OF
HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, April 27, 1959

Mr. CELLER. Mr. Speaker, it is ironic, is it not, for me, a legislator, to rise in praise of a maker of songs? For, has it not been said, "Let me make the songs of a nation, and I care not who makes its laws?" Moreover, if I had any spirit I should be up before you singing the songs of Victor Herbert rather than using the flatness of prose to talk about him. But I do remember how many hours I spent playing his songs on the piano and the violin. The gay and sentimental songs, the marching songs, the heart lifting to the melodies and the rhythms. For, surely, he was, and is, a beloved composer. When I think of all the Victor Herbert melodies we played and sang at home, I grow nostalgic. I tell my grandchildren that they are missing a good bet in not knowing the songs of Mr. Herbert, cellist, conductor, composer. For, it seems to me, and I hope I am sadly mistaken, that the younger generations, not knowing him, are a bit prone to condescend toward his music; are more apt to dismiss the songs we loved as sentimental effusions. But I maintain that they are the losers.

The younger generation has been so busy educating us that it is time we turned the tables and educated them. I propose that the theater, television, and

radio combine in one huge conspiracy to bring them the music of Victor Herbert. Once again, we would hear a lot of "Toys," from "Babes in Toyland"; "Kiss Me Again," from "Mademoiselle Modiste"; "Ah, Sweet Mystery of Life," "I'm Falling in Love With Someone," from "Naughty Marietta"; "Gypsy Love Song," from "The Fortune Teller"; "Moonbeams," from "The Red Mill"; "Sweethearts," from "Sweethearts." And that is at least one small contribution we could make to bring a spot of joy to this world of atom bombs and everyday crises. There are few enough as is.

Herbert's music is universal. It needs no interpreter. Herbert illustrates what Confucius said so many years ago:

Music produces a kind of pleasure which human nature cannot do without.

It is music like Herbert's that washes away the dust of everyday life. He recalls a compelling statement of Disraeli:

Music is miraculous. A blast from a trumpet and millions of soldiers rush forward to die. A peal of the organ and uncounted nations sink down to pray.

Let us remind these know-it-all youngsters that Mr. Herbert was an accomplished musician, a cellist of the highest rank, who played with the Metropolitan Opera; that he was the most famed conductor of his day of the Pittsburgh Symphony. That, born in Dublin, he had the joyous flair of the Irish; educated in Germany, he had the meticulous workmanship of the Germans; and living in America, he had the largeness of heart, the generosity, and the friendliness of the Americans. With these traits he made good music, fresh music, music to be loved, and music to be sung. That we here tonight pay tribute to Victor Herbert is no small wonder. There is no mind too sophisticated nor heart too simple that cannot embrace him. Perhaps this evening can initiate a national revival of Victor Herbert's music. For my grandchildren's sake, I hope so.

Sixth District of Missouri Results of Opinion Poll

EXTENSION OF REMARKS
OF

HON. W. R. HULL, JR.

OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Monday, April 27, 1959

Mr. HULL. Mr. Speaker, I am pleased to make available for the information of other Members of Congress the results of a legislative poll I recently conducted among residents of the Sixth District of Missouri.

The opinions expressed in the poll assume national significance, I believe, in view of the fact that the district, comprising 17 counties in northwest Missouri, strikes a near-balance between farms and industrial and business communities, with responses coming from persons in a wide range of occupations.

Of special interest is the fact that a majority of the large number responding to the poll did not confine themselves to voting on the questions contained in the 28,000 questionnaires I mailed out, but demonstrated their great interest in the conduct of our national affairs by adding affirmative comments of their own on the pressing issues of today.

Residents of the district are most concerned about the high level of government spending, the continued failure of the Federal Government to live within its means, and the threat of inflation.

Also, a large majority voiced their approval of legislation designed to protect the rights of union members and the public against the machinations of the few unscrupulous labor union officials whose misdeeds have been exposed in recent congressional hearings. A typical remark was that of one man who stated:

I am a union member and I favor a tough labor bill.

The results, stated in percentages, follow:

	Percent yes	Percent no	Percent undecided
1. Would you favor increased taxes if necessary to maintain national security, as opposed to continued deficit spending?	70	23	7
2. Do you favor a cut in foreign aid spending?	70	22	8
3. Do you favor Federal aid for school construction?	43	51	6
4. Would you support legislation to regulate labor organizations?			
(a) By requiring secret ballots for union elections?	85	5	10
(b) By publication of financial records?	87	4	9
(c) By restricting secondary boycotts?	70	11	19
(d) By restricting jurisdictional strikes?	69	13	18
5. The President has requested an increase in postal rates and the Federal gasoline tax. Do you favor these proposals?	[1] 30	61	4
6. Do you believe the earning limitation for social security should be increased?	58	36	6
7. Are you in favor of the administration's farm program?	22	64	14
8. Do you favor an increase in the Federal minimum wage from $1 to $1.25 an hour?	38	58	4
9. Would you favor price and wage controls if necessary to halt inflation?	71	23	6

[1] An additional 2.5 percent favored increasing postal rates only, if necessary, and 2.5 percent favored increasing the Federal gasoline tax only.

The Montgomery County Sentinel, of Rockville, Md., an Honored Weekly Newspaper

EXTENSION OF REMARKS
OF

HON. JOHN R. FOLEY

OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Monday, April 27, 1959

Mr. FOLEY. Mr. Speaker, 30 years ago a small town weekly newspaper publisher gave me my first job as a printer's devil. Since then, as I have traveled from place to place in our country, it has been my custom to read the local weekly hometown newspapers. The vigor of their editorials, their dedication to the basic principles to which all Americans adhere, have been a constant source of inspiration.

For these reasons, I am proud to note that close by the Capitol in my own county we have one of the truly outstanding weekly hometown newspapers, the Montgomery County Sentinel, of Rockville, Md. Last week the Maryland Press Association awarded five certificates of honor to Mr. Cy Campbell, publisher, and Mr. Rogers B. Farquhar, editor, of this weekly newspaper that has a paid circulation of over 11,000. First place for best news picture in 1958 went to Hugh Gillespie, staff photographer. Other certificates for 1958 were second places for best editorial, for excellence in typography, and for community service, and third place for general excellence.

The Sentinel and its contemporaries are a hardy lot. They breathe genuine meaning and purpose into the words, "freedom of the press."

Development Loan Fund

EXTENSION OF REMARKS
OF

HON. EDWARD P. BOLAND

OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Monday, April 27, 1959

Mr. BOLAND. Mr. Speaker, I was one of the Members of this House who pleaded in the Deficiency Appropriations Subcommittee, the full Appropriations Committee, and on the floor of the House before Easter for at least $100 million appropriation for Development Loan Fund commitments during fiscal 1959. President Eisenhower had requested a $225 million deficiency appropriation and I am pleased to note that the Senate Appropriations Committee has increased the Development Loan Fund item to $200 million for the remainder of this fiscal year.

MILITARY ASSISTANCE SHOULD BE DEEMPHASIZED

However, I am more than pleased to know that the distinguished chairman of the Senate Foreign Relations Committee, Senator FULBRIGHT, of Arkansas, has offered an amendment that would establish a capital fund for the Development Loan Fund totaling $7.5 billion, or $1.5 billion annually for 5 years. The President has asked for only $700 million for the Development Loan Fund for fiscal 1960. Senator FULBRIGHT pointed out that the emphasis should be on economic foreign aid, rather than military assistance and I agree with him wholeheartedly. The U.S. Government cannot eliminate military assistance and it should not, but it should be deemphasized.

BOLAND COMMENDS SENATOR FULBRIGHT AND CONGRESSMAN BOWLES

My colleague from Connecticut, Congressman CHESTER BOWLES, the former Ambassador to India who served with distinction, made similar observations with respect to our foreign aid program on the floor of this House last week.

Both Senator FULBRIGHT and Congressman BOWLES are to be commended for their profound thinking in this very vital field.

The distinguished newspaper columnist, Walter Lippmann, devoted his article of today to the foreign aid program which he so truthfully calls the annual headache of Congress. He then tells why it has become such a headache. Mr. Speaker, I had submitted the Lippmann column with my above remarks yesterday for the RECORD, but the entire text was returned to my office this morning because Senator WAYNE MORSE of Oregon has asked that the Lippmann article be printed with his remarks in the Senate. It was printed on page 6903 of yesterday's RECORD. I now ask that my commentary be included, without Mr. Lippmann's column, of course.

National Parks Facilities

EXTENSION OF REMARKS
OF
HON. LEE METCALF
OF MONTANA
IN THE HOUSE OF REPRESENTATIVES
Monday, April 27, 1959

Mr. METCALF. Mr. Speaker, a recent news release by the gentleman from Washington [Mr. MAGNUSON] follows:

NEWS RELEASE BY CONGRESSMAN DON MAGNUSON, SEVENTH DISTRICT, WASHINGTON

WASHINGTON, April 8.—Recent hearings held by the House Interior Appropriations Subcommittee brought out the alarming fact that we are falling behind on our Mission 66 plan for developing our national parks while use of these facilities continues to increase by leaps and bounds.

The Mission 66 program, initiated in 1956, was designed to develop adequate facilities for an estimated 65 million people who are expected to visit our national parks in 1966.

As a member of the subcommittee which approved the initial money to get this program under way, I am concerned over the way the administration has permitted Mission 66 to fall so far behind schedule.

Part of this slowdown must be blamed on inflation. When Mission 66 first was approved in 1955 it was estimated that the 10-year program would cost $459 million. Since then, rises in construction costs have increased this by $61 million. Additional projects have upped the anticipated cost another $125 million.

The National Park Service, adhering faithfully to the administration's balanced-budget-at-all-costs policy, has asked for only $47 million for fiscal 1960 while we originally planned to spend nearly twice that amount.

Conrad L. Wirth, Director of the National Park Service, shed little light on how the Service expects to get back on schedule. He admitted that the program was lagging badly and suggested that $80 million a year should be spent during the next 2 or 3 years to get back on schedule. But he did not ask for that amount or say where he expected it to come from.

These neglected resources mean a great deal to a large segment of our population. Last year 59 million people visited national parks and an adidtional 68 million went to national forests for their recreation.

With park development falling behind our burgeoning population, we face the grim prospect of having to reserve cabins that we used to be able to drive to on the spur of the moment; pulling into crowded, smoky camp sites that used to be quiet and out of the way; fishing in streams with more fishermen than fish and even being turned away from full campsites.

In this morning's mail was the following press release on the same subject from the National Park Service:

FIRST-QUARTER TRAVEL TO NATIONAL PARK: BREAKS ALL RECORDS

The number of visitors to national parks and other areas in the National Park System for the first 3 months of 1959 has set a new record for first-quarter travel, Director Conrad L. Wirth of the National Park Service, Department of the Interior, announced today.

Total for the first 3 months of 1959 was 7,119,000, Wirth announced. This represents an increase of 24.5 percent over the total of 5,717,300 for the same period in 1958. The previous high for the period was 6,345,000, set in 1957.

Travel in March of 1959 totaled 3,152,200, a gain of 36.9 percent over the 2,302,000 visits recorded in March 1958.

Among nearby areas, the Blue Ridge Parkway recorded a 39 percent increase in visitors in the 3-month period. Other increases in individual park areas ranged as high as 204 percent. The National Historical Areas of the System were highest among category increases with a gain of 48 percent, followed by the 29 national parks with an increase of 42 percent.

"These heavy increases in visitation," Wirth said, "clearly justify the Mission 66 program to provide adequate facilities and services for the many millions of Americans who visit and use the approximately 180 areas administered by the National Park Service.

"Our original Mission 66 planning took into consideration a probable total of 80 million visitors a year by 1966, the year the Mission 66 program is scheduled for completion. These travel figures for the first quarter of 1959 cause no dampening of our previous estimates that the total by 1966 may be well above 80 million."

Mr. Speaker, I note that Mr. Wirth says Mission 66 "is scheduled" for completion in 1966. But, as the gentleman from Washington points out, Mr. Wirth admitted that the program is way off schedule and does not know how it is going to get back on.

Editor Mel Ruder of the weekly Hungry Horse News, published at Columbia Falls, Mont., near Glacier National Park, has suggested that the program be renamed Mission 76. That apparently is the only way this program is going to get back on schedule.

The Brigantine "Yankee"

EXTENSION OF REMARKS
OF
HON. HASTINGS KEITH
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Monday, April 27, 1959

Mr. KEITH. Mr. Speaker, I am today introducing a bill on behalf of the brigantine *Yankee* which will, I believe, do much to keep alive for American boys and girls the seafaring tradition of New England—and especially of the salt-of-the-earth section I am proud to represent—an area that includes Cape Cod, the islands of Nantucket and Martha's Vineyard, and the famous onetime whaling town of New Bedford.

In recent years, training youthful mariners in sailing and seamanship has been carried on aboard the famous brigantine *Yankee*. Voyages in coastal waters as well as around the world have helped to develop in these youths self-reliance, and the ability to assume leadership.

The *Yankee* has changed hands, but her new owners wish to carry forward the same program of training our youth.

The bill I wish to introduce will, I am advised, permit this training to be resumed, as it grants the *Yankee* registration as a yacht under specific restrictions.

A Program for the National Forests

EXTENSION OF REMARKS
OF
HON. CATHERINE MAY
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Monday, April 27, 1959

Mrs. MAY. Mr. Speaker, from time to time the Congress receives a message which in following years comes to be looked upon as a milestone in the progress of our country. Such a message was received during the Easter recess. It is from the Secretary of Agriculture. It submits for our consideration a program for the national forests.

The national forests are one of our great public heritages. They belong to all Americans. Their resources and services are available for use by everyone. Demands on the forests are now such that a program for the development of their resources and services for sustained production at practicable capacity is of the greatest urgency.

The program which Secretary Benson has recommended to us is designed to accomplish this development. It recommends both long-range objectives and a short-range program necessary to get the job done.

The short-range program is of great immediate importance. It is important for two reasons. First, the need is here, right now, to catch up with current use of these public properties. Hardly a day passes that I do not receive an appeal from mill owners large and small to do what I can to help put more timber on the market. We could do so if roads and other necessary facilities could be provided. Recreation use of these areas by people from my State—and from your States, too—has long since passed the capacity of existing facilities to handle these people—to handle this use in a way that will safeguard the purity of water supplies and provide safe places for campfires. I could cite other examples of increased use of these public forests.

This increased use is fine. The national forests belong to all the people, and we want them used. There is

plenty of opportunity for even more use than present use. But the immediate problem is to catch up with the use we already have.

Moreover, what is done in the next 10 or 15 years will determine whether this great public estate contributes its fair share of the needs and necessities of our people by the end of the century and that is not many years distant.

This fair share is more important than many people realize. Large segments of agriculture and industry, many cities and urban areas, are dependent on water flowing from national-forest watersheds. Hundreds of thousands of people earn their livelihood processing timber grown in national forests. The national forests are grazed by millions of livestock. Millions of people depend on the national forests for all kinds of outdoor recreation.

I think it is especially important to note that this program is not all outgo and no income. Last year the national forests of my State had cash receipts of nearly $16 million. It will be larger this year. Returns to the Treasury could be very much larger if we build the necessary timber access roads and do the other things outlined in Secretary Benson's proposed program.

Mr. Speaker, this program is a practical approach to a practical problem. It should have our vigorous nonpartisan support.

Armenian Martyrs' Day, April 24

EXTENSION OF REMARKS
OF
HON. ABRAHAM J. MULTER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, April 27, 1959

Mr. MULTER. Mr. Speaker, on April 24, 1915, all the leaders of Armenian communities in Turkey were arrested by Turkish authorities, kept incommunicado and then, in small groups, taken to various parts of Asia Minor and put to death there. This sudden and shocking move by the Turks was the unfolding of the hideous plan of exterminating 2 million Armenians in the Ottoman Empire.

The coldblooded execution of the plan sounded the death knell of the Armenian race in the Empire, for within a year, while Europe was in the death throes of the First World War, the Turks had successfully and with impunity carried out their mission through wholesale massacres. At the end of that war, when the sky had cleared, and the dust had settled over the areas formerly populated and cultivated by Armenians, there was hardly any trace of life. In this unprecedented human holocaust in modern times more than 1 million Armenians lost their lives; most of the survivors were scattered as refugees in neighboring lands, and only a small number of Armenians were spared.

From that day on, every year Armenian communities everywhere observe April 24 as the day of their martyrs, paying homage not only to the memory of a few thousands of their leaders, but also in commemoration of 1 million innocent and helpless Armenians who lost their lives in that human carnage.

I gladly join Americans of Armenian descent in the commemoration of that event, the Armenian Martyr's Day.

Happy Anniversary for General de Gaulle and France

EXTENSION OF REMARKS
OF
HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, April 27, 1959

Mr. CELLER. Mr. Speaker, our felicitations go forth to France and her great president and leader, Gen. Charles de Gaulle.

A year ago, France was in a desperate plight. Chaos impended and all looked to De Gaulle. He responded bravely. France, having been rescued from bloody uncertainty, breathed freely. The world was relieved, especially the Western World. France became her historic self again, proud and glorious.

The general, with heroic effort, rebuilt the government, strengthened the central authority, and freed the nation of the splintering political factions that had plagued France for decades. Communists were given cold comfort; they were no longer able to foment strife and trouble.

In his 1 year of tenure, the general has revalued and made firm the franc, increased taxes, and inaugurated a system of austerity for his fellow Frenchmen, and they did not rebel. He has cut many unwarranted and unfair subsidies, even reduced veteran pensions. He has strengthened the presidency, the office he holds.

Recently, as a result of all these measures, French exports topped imports. The franc is presently so stable that tourists are no longer looking for bargains on the black market, but are getting their francs from the banks. The threat of further inflation has so lessened that the Bank of France, in a confident mood, has lowered the discount rate from 4½ percent to 4 percent. This lowered rate should encourage borrowings for plant expansion and extended activities.

The unresolved problem is Algeria. This unruly area has caused the French much concern and casts a shadow over the good works of De Gaulle. The relentless war is like an open wound that is draining France of much blood and treasure. Four hundred thousand of her men are pinned down in this long drawn-out struggle. If there is a way out, it is hoped General de Gaulle will find it. We wish him success. The solution of the Algerian problem would add even greater luster to his name. Let us hope, for the sake of Algeria and France that this tragedy will end soon and peace shall descend upon a land torn asunder with flame and bullet.

Then De Gaulle can tackle other difficulties besetting France and especially, give further impetus to her economy. If anyone can make France bloom and boom, it is General de Gaulle.

In an article in the current issue of Fortune, entitled, "De Gaulle's Audacious Economics," there aptly appears the following:

> "The road is hard, but it is beautiful," De Gaulle told the French a year ago. "The end is difficult, but it is great. Allons." And France has indeed gone forward, into the Fifth Republic, now into a grand design of economic reforms almost as radical as the political. * * * The astonishing news out of France is that the grand design is taking hold.

Mr. Speaker, we all hail France and her great leader on this eventful anniversary.

Loyalty Day, May 1, 1959

EXTENSION OF REMARKS
OF
HON. EDWARD P. BOLAND
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Monday, April 27, 1959

Mr. BOLAND. Mr. Speaker, May 1 has been set aside for the national observance of Loyalty Day in our Nation. Inspired by the Veterans of Foreign Wars, enacted into law by the Congress, given Presidential approval, it is an appropriate time to ask ourselves: What constitutes loyalty to America? Who is the truly loyal American citizen?

I believe loyalty is found in the American citizen who loves and reveres the Constitution and, because he loves it, obeys it—not just in precept but in practice.

Loyalty is found in the citizen who despises the demagog and any base attempts to place one class of people against another class. He is unwilling that any shall profit at the expense, or suffer at the hands, of any other class.

Loyalty is found in the citizen who prizes individual liberty. He remembers that there was such a man as Patrick Henry. He knows that all the powers of government have been conferred and exist to protect the liberties of all citizens. He refuses to exalt the powers of government at the expense of any citizen's freedom.

Loyalty is found in the citizen who recognies that ours is a government of laws—that the law must be independent and fearless. But in the words of our 26th President, Theodore Roosevelt, the loyal citizen knows that "No man is above the law and no man is below it; nor do we ask any man's permission when we require him to obey it."

Loyalty is found in the citizen who loves his fellow man—who wrongs no man—who believes in the nobility of hard work—who is frugal, honest, industrious and sincere. He believes that human dignity and worth are of supreme importance to the American way of life.

Loyalty is found in the citizen who desires to take an active part in the

workings of our democracy. He recognizes that citizenship and responsibility are as one.

Loyalty is found in the citizen who knows that the future can be bright and secure only if we continue to apply the knowledge of the past to the opportunities of the future.

The observance of Loyalty Day is a serious obligation. It is a time to evaluate our citizenship. It is a time to remind ourselves that "Loyalty is the holiest good in the human heart."

Now or Never

EXTENSION OF REMARKS
OF

HON. CLARENCE CANNON

OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES

Monday, April 27, 1959

Mr. CANNON. Mr. Speaker, the Nation may not be in serious danger, but it is in greater danger than ever before.

Russia has more submarines, more planes, and more divisions than we have—and is adding to them faster.

Every year we have more enemies and fewer friends. The last to go is oil-rich Iraq.

Every year Khrushchev is more aggressive and more insulting.

Every year we have a larger national debt. Interest alone is $7½ billion dollars. Next fiscal year it will be over $8.1 billion.

Every year Congress spends more than our income, the larger part for nondefense spending, things we have been doing without and can continue to get along without.

Every year we vote to increase the number of civil employees. They now number more than 2,300,000 at an annual payroll in excess of $13 billion.

Every year it is harder for the U.S. Treasury to sell Government bonds; harder to borrow the money Congress spends above the budget—and interest rates go up.

Mr. Speaker, when Congress votes to spend more than the budget the Government must gobble up more money to finance the big spending:

First. When Congress votes to spend more than we take in the dollar depreciates. Your money buys less.

Second. When Congress votes more money than the budget, the cost of living goes up for every family in America. Prices increase in every store.

Third. When Congress votes more money it is harder to get a loan. And interest is higher. For the first time in years Washington pawnbrokers are petitioning for increased rates.

Fourth. When Congress votes to spend above the budget your savings are worth less. Your old age will be harder than you expected.

Fifth. When Congress votes to spend for things we have been doing without and can continue to do without, your life insurance will do less for your family and your fire insurance will not build your house back.

Sixth. When Congress keeps on voting to spend past the budget your pension will not support you as well, and your social security will not provide as much security.

Seventh. When Congress votes to issue more bonds and borrow more money, gambling on Wall Street grows more frenzied and the crash is that much nearer.

Eighth. When Congress keeps on spending after we have used up all our income, inflation burns higher and you have less confidence in Congress and the Government.

Ninth. When Congress keeps on spending, taxes must go up instead of down.

Tenth. When Congress spends and spends our allies lose faith and want to compromise with the enemy. Our enemies gain confidence and refuse to disarm.

Eleventh. When Congress spends for nondefense pressure groups, war is nearer. Khrushchev is just waiting until Congress spends us into bankruptcy.

Every time Congress votes to spend a dollar we do not have for things we can get along without, they are voting you and your family and your Nation into greater danger and shorter rations.

Here is what the Reader's Digest says about it:

THE OMINOUS DISTRUST OF THE DOLLAR

The flight from Government bonds is more ominous than most Washington officials care to admit publicly. Several recent Treasury financing operations have failed badly. As a result, the Treasury is being forced to run faster and faster merely to keep up with its maturities. The fact is that the richest nation in the world is now operating on a hand-to-mouth basis.

The effect of all this seems utterly lost on advocates of dynamic new spending programs to speed business expansion, eliminate unemployment.

The Treasury cannot spend more money than it gets through taxes and Government security issues. Yet professional and naive investors both now distrust the latter. This means recourse to financing through the banks, which increases the money supply and is directly inflationary.

The classic sources of savings upon which the Treasury must draw if it is to manage the public debt in orderly fashion are being diverted. Institutions and individuals alike are investing their funds elsewhere. This clearly reflects basic distrust of the Government's fiscal responsibility. As Federal Reserve Chairman William McC. Martin puts it, "Investors cannot be induced to purchase fixed-income securities if they fear a steady erosion in the purchasing power of the dollar." Yet this is precisely what they do fear.

Official Treasury figures tell the story. During the past 6 years the assets of insurance companies, mutual savings banks, savings and loan associations and pension funds rose by about $100 billion—but not a penny of this additional money went into Government issues.

During this same period, private citizens had new savings on the order of $137 billion available for investment either through savings institutions or directly in securities and mortgages. None of this flow of capital went into Government obligations, on balance.

Refusal of the investing public to put new funds into Federal issues forces the Treasury to finance by devious means. For example, it sells tax anticipation notes to corporations at whatever price the market offers. This is, in effect, a method of collecting taxes before they are due. And it sells other short-term issues to banks, which treat them as cash, since they can be turned into dollars by rediscounting—thus creating more money.

Unless hopes for balancing the budget can be revived, the Treasury will have no alternative but to continue this course. That creates still further problems: (1) It will push up its interest cost even higher; (2) it will necessitate new offerings at more frequent intervals.

Restoration of faith in the dollar requires facing up to the Treasury's dilemma. But that is something Congress still seems unprepared to do. The testimony of Treasury officials has brought out clearly the need for fiscal sanity. But such pleas for a balanced budget mean comparatively little to a Congress which is being pressured from all sides to approve vital new Federal spending programs.

These pressures are direct, and every Member of Congress is subject to them. The sad truth is that they do not come solely, or even primarily, from labor-liberal groups. Conservatives are just as active in sponsoring spending programs when their own interests are involved.

Congress lacks any real machinery, moreover, with which to keep the budget under control. Its dual system of appropriating directly for some programs and authorizing agencies to borrow from the Treasury, with no time limit on either type of spending, skirts the whole problem. There is no close tie between the voting of expenditures and the voting of revenues to provide the necessary funds. This makes a hold-the-line policy difficult under any conditions.

Spot checks of congressional mail fail to reveal any strong national demand for a balanced budget. Many people are writing, but most also want local needs considered.

Federal debt-management problems not only arouse concern on the part of Treasury officials but also affect the taxpayer's pocketbook. Interest cost on the money the Government has hired now runs to $8.1 billion yearly. This is second only to defense in the fiscal 1960 budget of $77 billion, and represents almost a 30-percent increase within the past 5 years alone.

The continuing shift in Treasury debt to shorter and shorter issues is creating other worries. With buyers backing away from issues having a longer term than a year, refunding operations become larger and more frequent. Financing exclusively in the 1-year area means that within 4 years 75 percent of the total debt would have to be refunded each year.

The upward trend of interest rates has, moreover, still some way to go. Not only does the Treasury face further maturities this half-year which must be refunded; it will also have to raise some $6 billion to $7 billion of new money in the second half. If business recovery continues as expected, the Treasury will be competing with heavy business loan requirements.

Eisenhower's impossible position on spending versus economy is illustrated in his effort to boost rural electrical cooperative interest rates. He wants co-ops to pay the same rate (about 4 percent) that the Treasury must bear when it borrows in the open market—just enough to cover basic costs. Yet the President is stymied by the congressional farm bloc. Democratic leaders assured the cooperatives that the 2-percent rate will go untouched.

At the heart of the Treasury's problem is a simple fact, easily grasped by anyone. This is that governments, like individuals, cannot spend more than they take in without being hurt. In the case of governments, continuing deficit spending debases the currency. This is the essence of today's distrust of the dollar.

It may be added, Mr. Speaker, that the next world war will be different in many respects from any previous world war in

history. We will not be fighting for victory; we will be fighting for survival.

The decisive phase of the war will be fought in America. And if America loses it will be a war of extermination. The Russian firing squads will leave only the uneducated and the unskilled, and our form of government, our way of life, and our people as we know them today will cease to exist. It is a familiar program followed in every satellite government Russia has liberated.

With that in prospect, however remote, can we not for the present tighten our belts a little and deny ourselves some of the nondefense "knicknacks" the pressure groups are urging?

Misrule for the District of Columbia

EXTENSION OF REMARKS
OF
HON. W. J. BRYAN DORN
OF SOUTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Monday, April 27, 1959

Mr. DORN of South Carolina. Mr. Speaker, the Federation of Women's Clubs of the District of Columbia very wisely adopted a resolution against so-called home rule. These ladies are tremendously interested in a beautiful, cultural and charming National Capital with an American, patriotic atmosphere. These ladies are taking a stand alongside of George Washington, Thomas Jefferson, Benjamin Franklin, Alexander Hamilton, James Madison, James Monroe and the other great Founding Fathers of our country.

The Federation's resolution opposing home rule is in absolute keeping with their resolution favoring Washington's Cultural Center. I hope they are successful in both projects. This great and wonderful organization is presently headed by Mrs. T. David Gates in the District of Columbia who is doing an outstanding job as president.

Mr. Speaker, the proposed home rule program would be anything but home rule. It would be misrule with the government of Washington being run by political bosses in the smoke-filled headquarters of some dues-paying society of agitation in other areas of the country.

The following are excerpts from my talk before the Federation of Women's Clubs of the District of Columbia on last Saturday:

You are to be congratulated on your patriotism and foresight in opposing home rule for the District of Columbia. Millions of Americans in every section of the United States share your thinking that representative government and freedom might suffer by home rule in the District of Columbia.

Under home rule in a very short time the Congress, the courts, departments of the Federal Government, and even the President would be subjected to harassment, demonstrations, picketing, undue pressure, and propaganda coined and conceived in a socialistic mill hundreds of miles from Washington, if not in foreign lands.

Under home rule the local political machine would soon become the pawn of more powerful and sinister pressure groups with headquarters elsewhere. There would be no real democracy in Washington under home rule. Local politics would be controlled by pressure groups, propaganda, and stupendous slush funds from other areas. The local machine would become a stepping stone to be used by every Capitol Hill presidential aspirant on his way to the national convention. Both national political parties would use the local political machine to lobby for their pet projects on Capitol Hill at the expense of the taxpayers at the grassroots of our country. If Washington were granted home rule, conditions would become so intolerable that the people of the United States would demand that the Capital be moved.

In considering this home rule question, we all should remind ourselves that the overthrow of every French Republic was bred and nurtured by the Parisian mob of France's capital city. Only last year the Communist coup d'etat in Iraq was made possible by the capital city mobs of Baghdad who, overnight, lynched the government officials, mobbed Americans, and took over the government.

The Founding Fathers moved the Capital to the District of Columbia to escape local political pressure in Philadelphia. The Founding Fathers saw the immediate necessity of the Government operating in an atmosphere free from undue local pressure and mob psychology.

Due Credit to "American Forum of the Air" and "Youth Wants To Know"

EXTENSION OF REMARKS
OF
HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, April 27, 1959

Mr. CELLER. Mr. Speaker, the "American Forum of the Air," America's oldest discussion program, and "Youth Wants To Know" are time honored programs. The radio and television industry has presented these programs to the American public for many years. It has long been recognized that there is a need for programs of this nature. Unfortunately, they have been the victims of poor scheduling, that is to say, they have been presented usually early Sunday afternoon, along with other educational and informative programs.

This year, the Westinghouse Broadcasting Co., in cooperation with my friend, Theodore Granik, has pioneered in making these two fine programs available to the American public during regularly scheduled evening hours on weekday nights, when the largest potential viewing and listening audience is available. This move is to be highly commended. This innovation provides the opportunity to present the important issues by leading authorities in their fields. Never before has such a large potential audience been made available by the network for this type of programming.

Both the "American Forum of the Air" and "Youth Wants To Know" are telecast once each month. The programs are recorded by video tape facilities and are distributed by the Westinghouse Broadcasting Co. to television stations throughout the Nation. Many of my distinguished colleagues in the House have had the opportunity of appearing on either one or both of these fine programs and it is most gratifying to know that they will have the opportunity to continue to bring to the attention of the American people the crucial issues facing Congress.

Several of the Members of the U.S. Senate have already appeared in this new series. Senator WAYNE MORSE and Senator BARRY GOLDWATER opened the new series, discussing the need for labor legislation and recently Senator JAVITS and Senator TALMADGE discussed the controversial civil rights proposals pending before the U.S. Senate. On "Youth Wants To Know" the guest was Senator HUMPHREY, who was questioned by high school students regarding his recent trip to the Soviet Union.

Great tribute should be paid to Mr. Donald McGannon, president of the Westinghouse Broadcasting Co., and Theodore Granik, founder and producer of the "American Forum of the Air" and "Youth Wants To Know" for pioneering this new concept in programing. This opportunity for leaders in the field of government, education, science, business, labor and others to debate openly the issues affecting all the citizens of this great Nation, attests to the public service performed by the radio and television industry. The continued success of the "American Forum of the Air" and "Youth Wants To Know," the first to be presented during prime evening time, demonstrates that at last the broadcasting industry has recognized the need for informative educational programing in the most advantageous time periods.

I would like to add a personal note here. Theodore Granik, who produces both of these shows with the Westinghouse Broadcasting Co., is, I repeat, an old dear friend of mine. I was the first guest on the "American Forum" 31 years ago, the progenitor of this program and "Youth Wants To Know." On many a night Ted and I struggled to bring these programs into being and my colleagues in the House and Senate have joined me in recognizing the proud record created by both these programs. From my vantage point of 37 years in Congress, I say to Ted and the Westinghouse Broadcasting Co., "Well done."

Rural Mail Carrier Retires

EXTENSION OF REMARKS
OF
HON. JAMES G. O'HARA
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Monday, April 27, 1959

Mr. O'HARA of Michigan. Mr. Speaker, Mr. Frank Pawlowski, a citizen of Ruth, Mich., has recently retired after over 40 years of service as a rural mail carrier. On the occasion of his retirement it is fitting that we should give recognition to his long years of dedicated service to the people of his community.

Following the example set by his father, who was also a rural letter carrier, Mr. Pawlowski served as a substitute rural carrier at Ruth from 1915 to 1918. On May 23, 1921, he was appointed a regular carrier on route No. 1. Over the years he traveled one of the longest rural routes of its kind in the Nation. With perseverance typical of his fellow carriers, he covered his 66-mile route in fair weather and foul. Each winter he battled snowstorms hostile to all movement in the service of his patrons. He can take pride in a lifetime of work well done.

Along with his wife, Gertrude, he can be proud, too, of the fine family they have raised. Their son was educated in law, and is now a colonel in the Air Force. Among their four daughters, they have two nurses and a schoolteacher.

I am sure the Members of the Congress join me in wishing him long years of healthy and happy retirement.

Tribute to Tom Rivers: Ambassador of Recreation

EXTENSION OF REMARKS
OF
HON. SILVIO O. CONTE
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Monday, April 27, 1959

Mr. CONTE. Mr. Speaker, Howard Henderson, vice president of J. Walter Thompson Co., the world's largest advertising agency, has sent around a memorandum to his friends about a graduate of Mount Hermon School. Since the days of Dwight L. Moody, this Massachusetts institution has enkindled within its students a world vision and world mission. One of these graduates, Mr. Speaker, is Thomas E. Rivers, director general, International Recreation Association, with offices on the United Nations Plaza, New York. In Mount Hermon, Rivers caught a vision which has matured through more than 4 decades of service to recreation. As a young man he learned from John R. Mott that life should be an earnest effort to make every decision in the light of the whole world from the perspective of the dedicated heart.

For nearly 40 years "Tom" Rivers, as he is known around the world, served as an executive of the National Recreation Association. In 1956 a great international recreation congress was held in the city of Philadelphia with the effective cooperation of the Nation's foremost recreation executive, Commissioner Robert W. Crawford. With the active leadership and financial support of the National Recreation Association, the International Recreation Association was incorporated under the laws of the State of New York on October 3, 1956. Among the important projects developed by IRA has been the annual cooperative community recreation exchange project, administered under grants from the State Department. Lord Luke, chairman of the International Recreation Association Board, said at a reception at Buckingham Palace recently that "Mr. Rivers has taken a technical subject and lifted it to the level of statesmanship."

Now, Mr. Speaker, the reason for my mentioning Mr. Rivers in connection with the memorandum circulated by Mr. Henderson is that Paul Douglass, a member of the bar of the U.S. Supreme Court and one of America's leading educators, in an address on "Types of Creative Leaders" at the 13th annual Great Lakes Training Institute of Indiana University at Pokagon Park, selected Rivers as one of our representative creative leaders, "the kind of human beings who dream, pioneer, invent, act, and lead."

Quoting Paul Hoffman's favorite phrase from Kipling, Mr. Douglass said that today there is a search for a principle that will "walk up and down in the hearts of men." He went on to say that the world struggle of ideologies does not seek merely more bread, but rather to increase income as surplus over minimum needs to provide for man the most prized of all desires—leisure in freedom—and the wherewithal to enjoy it. What all the people of the world want, Mr. Speaker, is to share a common dividend of creative leisure from the operation of our heavily industrialized society.

You will remember, sir, that Emerson, one of our Massachusetts immortals, advised us that "every great and commanding moment in the annals of the world is the triumph of some great enthusiasm" and that Thomas Paine observed that "an army of principles will penetrate where an army of soldiers cannot; it will succeed where diplomatic management would fail." Mankind everywhere is yearning for the enjoyment of the creative life in the experience of leisure. As the international ambassador of recreation, Tom Rivers deserves the support of every American. Massachusetts is proud of him.

Bill To Amend Transportation Act of 1958

EXTENSION OF REMARKS
OF
HON. TORBERT H. MACDONALD
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Monday, April 27, 1959

Mr. MACDONALD. Mr. Speaker, I have today introduced a bill which provides for thorough consideration and review by the Interstate Commerce Commission before commuter and passenger trains are permitted to be discontinued.

My bill would amend the Transportation Act of 1958, which now permits railroads to automatically discontinue passenger trains 5 months after the application for discontinuance if no formal action has been taken by the Interstate Commerce Commission.

I would like to point out that 27 notices to discontinue approximately 100 trains are presently pending before the Commission. And railroads are threatening to discontinue additional service affecting many more thousands of passengers. The records show that a time range of 5 months has been proven inadequate for the Interstate Commerce Commission to properly investigate and make findings upon this flood of discontinuance requests. Thus, it seems to me, the net result would be discontinuance of passenger trains which will be accomplished by default, without public hearings and without a careful determination by proper authorities. This inevitably would be followed by an ignoring of the public interest.

Mr. Speaker, my bill is designed to correct this situation. For example, after the filing of an application for discontinuance of passenger service, the Interstate Commerce Commission must hold a public hearing prior to acting upon the application. Likewise, all interested parties would be permitted to be heard at the hearing. It would seem that the restrictive 5-month time limitation now placed on the Commission should be eliminated. The Commission must be empowered to protect the public interest. Under the present law the Commission has no such power. By following this procedure the interests of both the railroads and the commuting public, as well as the public at large, would be properly recognized, and any decisions regarding railroad passenger service must be made only after all relevant factors have received full consideration in the appropriate body.

I understand very well the financial troubles of the railroads, especially those on the eastern seaboard, and I am willing to assist them in their present difficulties. As a matter of fact, the Transportation Act of 1958, for which I voted both in committee and on the floor of the House, provided $500 million for their relief. On the other hand, I insist that we must give every consideration to the interests of the public.

Mr. Speaker, as you know, this problem is certainly not a brand new one. In fact, 2 years ago I strongly protested the curtailment of passenger service in my Eighth Congressional District by the Boston & Maine Railroad. At that time I stated that I thought such large curtailments were in disregard of the public interest. Many of my constituents cannot reach Boston by public conveyance, inasmuch as the only bus line serving the district has been on a very prolonged strike. The fact of the matter is that for all practical intents and purposes there is no bus service. This, coupled with the continuing abandonment of train service, forces most to reach their place of employment by private automobile. On arriving at Boston, the motorist finds no place to park; he also finds that both he and his car are unwelcome, that parking for pay facilities are nonexistent, and his personal transportation problems almost unsolvable.

Dr. Paul Dudley White recommends bicycling as a way to strengthen our heart and preserve our health. However, the inclement winters and springs of Massachusetts make this alternative to the transportation problem a difficult one, even if at times it seems as the only possible solution to the present attitude

of the railroads against carrying passengers.

Many hundreds of my constituents have either purchased or built homes with reliance on train service which was then in existence but presently is merely a memory. Their problem is personal, but their interest is public. To that extent I feel legislation to return the concept of public interest to the running of railroads is imperative.

I realize that my proposal today is not a cure-all for solving the present commuter crisis in cities along the eastern seaboard. But I do believe that maintenance of adequate railroad commuter service is of critical importance to these areas. It is, therefore, my hope that hearings by the House Interstate and Foreign Commerce Committee, of which I am privileged to be a member, will soon be scheduled on this important legislation.

Passover, 5719

EXTENSION OF REMARKS
OF
HON. EDWARD P. BOLAND
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Monday, April 27, 1959

Mr. BOLAND. Mr. Speaker, now, as the solemn and joyous season of the Passover is observed by the Jewish people, it is appropriate for Americans to think over the relationship between our Nation and the nation of Israel, and the history of the Jewish minority group within our multifarious civilization. This is a time for making sure that our national policy toward Israel keeps to the generous and helpful direction set during the Truman Administration, so that the courageous new country, with its ancient traditions and its strong moral purpose, may form a center of both spiritual growth and material prosperity for the discouraged and impoverished region of the Middle East. As, with the Jewish people, we recall the Biblical tale of oppression in the land of Egypt, let us work with the Jewish people to make sure that no such authoritarian rule, no Communist or other dictatorship, shall prevail in that region, and that no nation or race shall oppress another. We must do all that we can to open the channels of trade, of travel, of immigration and emigration. Political freedom is freedom in name only so long as it does not include freedom of trade and freedom of movement. Our American immigration laws should be liberalized and equalized so as to admit more refugees from eastern European nations, and particularly from Rumania, where the need is particularly pressing.

WE JOIN WITH THE CHILDREN OF ISRAEL IN PRAYER FOR PEACE

Within our own borders, and throughout the world, we should be ready to speak and act with firmness and vigor to eliminate discrimination, and to prevent violence against the Jews or any other minority groups. Surely all Christians, and men of good will of all faiths, can join wholeheartedly with the children of Israel in the prayer that forms the final benediction of the Passover Seder:

With songs of praise we have lifted up the cup, symbolizing the divine promises of salvation, and we have called upon the name of God. Let us again lift our soul to God in faith and hope. May He who broke Pharoah's yoke, forever shatter all fetters of oppression and hasten the day when swords shall at last be broken and wars ended. Soon may He cause the glad tidings of redemption to be heard in all lands, so that mankind—freed from violence and from wrong and united in an eternal confidence of brotherhood—may celebrate the universal Passover in the name of our God of freedom.

An Inroad to Federal Control of Education

EXTENSION OF REMARKS
OF
HON. BEN F. JENSEN
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Monday, April 27, 1959

Mr. JENSEN. Mr. Speaker, I am encouraged when I receive a letter such as the one I herewith insert in the CONGRESSIONAL RECORD.

I have received hundreds of letters from the people whom I have the honor to represent in Congress opposing Federal aid to education. This letter from my esteemed friend, Mr. R. E. Wollenhaupt, of Fontanelle, Iowa, sets out well and concise the general feeling about Federal aid to education which prevails in the Seventh Iowa District.

Of course, I also receive a few letters in favor of it, but such letters are becoming fewer and fewer as time goes on, because more and more people are becoming thoroughly convinced they do not want the education of their children controlled from Washington, D.C.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., April 26, 1959.

Mr. R. E. WOLLENHAUPT,
Fontanelle, Iowa.

DEAR MR. WOLLENHAUPT: Thank you so much for your wonderful letter of April 13. It is so reassuring to have a thoughtful and well-considered message. One letter like yours, pleading for fiscal sanity, overcomes a dozen of the opposite variety, which insist that the Federal Treasury pay for everything from cradle to grave.

So that you will know your letter came to a sympathetic correspondent, please let me refer you to the attached speech I made in the House last summer on the subject of Federal aid to education.

Sincerely yours,

BEN F. JENSEN.

Mr. Wollenhaupt's letter and my remarks above referred to, follows:

FONTANELLE, IOWA, *April 13, 1959.*

Hon. BEN F. JENSEN,
U.S. Representative,
House Office Building,
Washington, D.C.

DEAR MR. JENSEN: At a parents and teachers meeting held recently at our public school, a film was shown entitled "Breakthrough to Better Schools." This particular film has been developed by the National Education Association and emphasizes the passage of the Murray-Metcalf bill which provides a measure of Federal aid to education for school buildings and teacher salaries.

I personally felt that the film was quite "slanted" to create a favorable attitude toward Federal aid. I also feel that the film does not in itself reveal the total picture as to what may be involved in the implementation of such Federal aid. It would seem to me that there are many ramifications relative to the administration of a Federal-aid-to-education program which might have numerous bad results. Further, that measures of this type are not consistently American in nature but instead reflect a measure of discredit on our forefathers, who, instead of pleading to the Federal Government for assistance, would by the sweat of their brow and hard work, manage to get the job done for themselves.

There is no question that we all want good, adequate schools for the children of our State and Nation and I am sure we are desirous of paying our teachers adequate and proper salaries. I feel, however, that this is not the function or the immediate problem of the Federal Government. Surely this should be, and can be handled at the local levels of Government if people will but put their minds to the task at hand. While costs of building, maintaining, and operating schools are high indeed, I cannot believe that there is any community in this State of Iowa which is unable to meet its financial obligations for adequate school purposes.

It seems to me that for too many years, now, we have been conditioned to follow the course of least resistance and instead of facing our local problems and taking necessary action, we turn to the already overburdened Federal Government to pour out money for measures which we should be providing ourselves. Unfortunately, the Federal Government is itself to blame for this situation due to its removal of the gold standard and inaugurating an irredeemable monetary system.

I firmly support the stand of President Eisenhower to hold the line on Federal expenditures to balance the budget. I hope that all good Republicans give him their unwavering support toward eliminating the reckless and irresponsible spending ventures which have been prevalent for so long.

If additional funds are necessary to care for our schools, additional taxes must be raised at the local levels involved. We all dislike taxes, but it is better to pay as we go than to have the Federal Government make handouts derived from no other source than deficit financing. Presumably such a measure as this bill would be financed in that manner. This method may seem more painless temporarily but in the long run will surely lead to our economic destruction and provide an inroad to socialism or worse.

Perhaps you would be good enough to express your views on Federal aid to education generally and on the Murray-Metcalf bill in particular.

Sincerely yours,

R. E. WOLLENHAUPT.

[From the CONGRESSIONAL RECORD, vol. 104, pt. 13, page 16737]

Mr. JENSEN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. JENSEN. Mr. Chairman, the basic purpose of education is to develop the minds of a people so they can govern themselves and thus be the masters of their own destiny instead of being a mere servant of an all-powerful government, controlled from the seat of a powerful paternal government.

That was one of the compelling reasons why our Founding Fathers placed great emphasis on the individual and established our free private enterprise system. It was never their purpose that the Congress should establish such laws as would finally bring about a system here where any freeborn American would be beholden to a paternal government for their education.

Mr. Speaker, it will be a bad day for America if the day should ever come when our boys and girls can say to their mothers and fathers, "We owe you little for our higher education," and I fear that day will come if this bill is made the law of the land. For then we will be educating our children to depend too much on a paternal government, and to expect and accept all sorts of Federal controls as is the case in every nation on earth where liberty is gone and where the individual is only a pawn in the hands of a Socialist all-powerful government, because such an act as is here proposed by H.R. 13247, had been ruled the law of the land. We have already gone too far in that direction. Remember that age-old adage:

"Just as you bend the twig so will the tree be when it's big."

That admonition holds just as true today as when those words were first uttered.

Also, let us not forget that, at this very minute, we have a staggering Federal debt of over $275 billion—but not with my vote. Yet, here we are considering a bill which will, over a period of a few years, add billions more which our children and their children will have to pay. Yes, most of the very same Americans that this bill seeks to help will have to pay the bill in burdensome taxes, if they can, or suffer the consequences. The true facts are, there is not a school district, or a county or a State in this Union which is not more able financially than the Federal Government to provide proper and adequate facilities for their children, and I am sure if most of the parents and their good thoughtful children knew that Federal control is written into every title of this bill they would say, "kill it," as would their sons and daughters.

The first responsibility for the education of our children rests on the shoulders of the parents, next on the school district, next on the State, and only in impacted areas where Federal establishments have created a school expense too great for the taxpayers of a school district to support, there and only there should the Federal Government aid, interfere, or dictate.

The Big Dilemma: Conscience or Votes

EXTENSION OF REMARKS

OF

HON. WAYNE MORSE

OF OREGON

IN THE SENATE OF THE UNITED STATES

Monday, April 27, 1959

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a most interesting and thought-provoking article entitled "The Big Dilemma: Conscience or Votes." The article was written by former Senator William Benton, who, in my opinion, is one of the most able and courageous men to sit in the Senate during the last 25 years. His article, which was published in the New York Times magazine section of yesterday, deals with the whole philosophical problem which faces every politician—namely, whether he ever has a right to compromise his conscience by compromising what he knows is a matter of principle.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE BIG DILEMMA: CONSCIENCE OR VOTES

(By William Benton)

Should a legislator compromise his principles in order to be a successful politician? How far should he go in order to be elected? Is it enough to be right most of the time, but to yield, on occasion, to the predilections or even the prejudices of his constituents?

Many people have asked me about the dilemma implicit in these questions which has puzzled students of politics since representative government began. But, paradoxically, I have found that legislators themselves are much less puzzled—and not because they are morally insensitive. The problems they actually confront, either as candidates or as lawmakers, are rarely black-and-white issues of conscience. Almost always they are questions of prudence and judgment—the height of a tariff or a subsidy, the size of a budget item, or, more particularly, the best tactics for advancing a particular cause in the face of opposition from colleagues or from constituents at home.

Nevertheless, the classic dilemma has a new relevance. Issues of civil and human rights—for example, segregation—tend to fall in the category of conscience, and these are critically important today. We had a dramatic example last November in the write-in, paste-in blitz that unseated Representative Brooks Hayes in the Little Rock district because his record, his campaign and his conscience had classified him as a moderate on race issues.

It has been said that I was myself defeated in 1952 on an issue of conscience because I had insisted on denouncing Senator McCarthy and on demanding his expulsion from the Senate. The parallel is valid only in that I was willing, on principle, to take publicly a position that seemed politically dangerous at the time. As it turned out, I lost because 1952 was an Eisenhower year, not on the McCarthy issue, and I ran well ahead of the national ticket.

In the corridors of the Capitol in Washington one hears it said occasionally that if a Congressman votes right 95 percent of the time—that is, in accordance with his own best judgment—he can afford to be "wrong" on 5 percent of his votes—that is, against his own judgment or conscience—in seeking to serve some particular end, including his reelection. (He is supposed to console himself that his defeated opponent would doubtless have done worse.) The same formula has been said to apply to a campaign in which the candidate is forced to take controversial stands.

Is this attitude justifiable? Can such wrong votes be defended?

I invited some of my former colleagues to share in this discussion. They tend to focus on the question, Should a legislator, once elected, compromise as a matter of practical politics in order to push necessary legislation through? They see this as closely intertwined with the question, Should a legislator compromise his principles in order to be elected?

None of these colleagues will openly admit that a principle should ever be abandoned, under any circumstances. Almost all would agree with the formulation of Prof. T. V. Smith, the philosopher-politician, who wrote: "A politician is a man who can compromise an issue without compromising himself, and who can in a pinch give an issue away without himself away."

Two thoughtful Republicans who have just retired—voluntarily—after distinguished careers in Congress come to different conclusions about the issue of conscience and compromise as applied to segregation. I have worked intimately with both. They are men of high principle. Senator Ralph Flanders of Vermont, who seemingly does not want to see Governor Faubus in the Senate, writes me:

"There is a saying to the effect that 'a Senator's first duty is to get reelected.' This sounds a bit cynical, but there is a real vein of truth in it.

"If I were a southern Senator and were facing the Little Rock situation, I would be strongly moved to avoid the extreme segregationist position, but would also avoid crusading for antisegregation. I would join the moderates so far as seemed safe and hope for reelection, knowing that if I were defeated in the primaries my place would be taken by a rabid segregationist."

Representative John Vorys, of Ohio, who was the intellectual leader of the Republican minority interested in foreign policy in the House, says:

"I am extremely cautious about calling political decisions moral issues. On the other hand, I think that Congressmen and Senators are expendable rather than indispensable, and no Congressman or Senator should cast a vote he knows is wrong in order to be reelected. It makes no difference whether the wrongness is on a moral, legal, economic, or other issue.

"As Edmund Burke said: 'Your representative owes you, not his industry only, but his judgment; and he betrays instead of serving you, if he sacrifices it to your opinion.'

"Taking the example you mention, I think that if a southern Senator is opposed morally to segregation he should vote his convictions and take his medicine. For one thing, he might be surprised to find how many people admire that kind of courage."

Two of my correspondents cited the vote on the 1957 civil rights bill and reached opposite conclusions. Senator WAYNE MORSE, of Oregon, never one to shirk an unpopular cause and one of the most courageous men in the history of the Senate, argues that the politician's dilemma can usually be resolved if he works hard enough at informing his constituents. He writes:

"Too often and too readily politicians—when they vote against something they know is in the public interest—fall back upon the excuse that 'I know it is right, but people don't understand it.'

"What these politicians don't understand themselves is that it is part of their function in representative government to get the facts across to the people so they will understand. Instead, they become panhandlers for votes. We have many in public life whe are afraid or unwilling to be defeated. Winning is their only goal, not true public service."

Senator MORSE is certain he could not have been reelected to the Senate in 1956, in the face of the Eisenhower landslide, if public opinion, which had opposed some of his votes when he cast them, had not later swung over to his view.

Having battled for civil rights throughout his career, he was nevertheless the only Senator outside the South who voted against the 1957 civil rights bill. Here is an example of his individuality and his spirit. He says:

"Of course, I recognize the need for compromise in legislation. But the civil rights bill of 1957 was passed because Members of Congress wanted to be on record as having voted for something with that title; their bill actually compromised the civil rights guarantee of the 14th amendment. I do not accept the view that such a compromise of principle is ever justified. When a principle is compromised it is destroyed and all that is left is a statement of expediency.

"'But,' says the doubter, 'when does the legislator know when he is dealing with a matter of principle?' The answer is that his brains and conscience always tell him so, and he always knows when he has compromised a principle."

Senator CLINTON P. ANDERSON, of New Mexico, one of the most able, experienced and humble men in public life, reached a different conclusion about the same measure:

"The House had passed a civil rights bill. It came to the Senate. The Judiciary Committee was bypassed and the bill came at once to the Senate floor. Some Senators were determined to try to pass a civil rights bill with the strongest possible language and the most drastic provisions. They could have adopted all their amendments, perhaps, but could never have passed the bill * * *.

"I became disturbed at the situation because I wanted a civil rights bill passed. * * * I talked it over with Senator LYNDON JOHNSON and out of our conference came my approach to Senator GEORGE AIKEN, of Vermont, whom I greatly admire. We developed an amendment and were subsequently joined in it by a third cosponsor, Senator FRANCIS CASE, of South Dakota. That amendment to section III was not pleasing to those who preferred defeat of the bill to any compromise, but it was adopted by the Senate and paved the way for adoption of another amendment previously offered by Senator O'MAHONEY and others. When the amending process was finished the southerners realized they could not successfully filibuster against the revised bill * * *.

"Maybe the civil rights bill was not everything it ought to be; maybe it will need to be amended in view of Little Rock and other spots. That will, however, come easier because of abuses which followed the passage of civil rights legislation by the 85th Congress and will be much easier than would have been the case had the no-compromise faction had its way and no bill resulted."

Senator JOHNSON of Texas, widely admired as majority leader of the Senate, writes me:

"The real issue is not whether a man should compromise—because I do not believe in compromising a principle—but whether he should insist on asserting his position aggressively on every single issue that comes along.

"Everybody is fond of quoting Clausewitz' dictum, 'War is politics carried on by other means'. The reverse is also true that politics is war carried on by other means. When it is viewed in that perspective the answer becomes somewhat more readily apparent. It would be ridiculous to say that a captain of infantry out on a scouting expedition should charge into a regiment that he meets unexpectedly.

"Nobody would expect him to do so. In fact, he would be court-martialed if he did anything other than the sensible thing, which is to fall back to the main body of troops and gather his forces so he can be ready for action when action is feasible.

"The captain of infantry has not compromised his position because he refused to sacrifice his men or his followers by fighting under impossible circumstances. Similarly, I do not think that the political leader should be accused of compromising his position because he too refused to fight on impossible terrain. It is essential for a political leader to be able to pick the terrain and the time upon which he will give battle."

Representative JOHN W. MCCORMACK, of Massachusetts, majority leader of the House of Representatives, whose job requires him to steer legislation through the House, seems to agree with Senator JOHNSON. He writes:

"As between partial progress and no progress, it seems to me that the constructive mind takes the road of progress.

"I never place myself mentally in the position of compromising principle and conscience. But there are times when I might harmonize differences in order to make progress, or maintain unity, and then start the journey from there.

"The extent of 'compromise' or 'harmonization' depends upon the circumstances of each case, the atmosphere, the strength of the opposition, as well as the support for a measure, and other factors. But sometimes there can be no 'compromise' or 'harmonization,' such as the extension of the Selective Service Act in 1941, 3 months before Pearl Harbor."

Senator JOHN F. KENNEDY's book, "Profiles in Courage," written in 1955, consists of case studies of political courage in the Senate going back to 1803. He finds that it sometimes takes courage to compromise. He writes in his book:

"We shall need compromises in the days ahead, to be sure. But these will, or should be, compromises of issues, not of principles. We can resolve the clash of interests without conceding our ideals * * *. Compromise need not mean cowardice. Indeed, it is frequently the compromisers and conciliators who are faced with the severest tests of political courage as they oppose the extremist views of their constituents. It was because Daniel Webster conscientiously favored compromise in 1850 that he earned a condemnation unsurpassed in the annals of political history."

Senator KENNEDY now writes me:

"I think even more now than I did in 1955 that the politician faces this dilemma more than the member of any other professional or occupational group. Others face different moral choices perhaps, wondering when a compromise is one of accommodation or one of principle—but no one else has to do it in such a glare of publicity, or in such an irretrievable manner, on a permanent record, and with only the answer of an 'aye' or 'nay' to choose between."

This last point is of high importance. There are no footnotes in the voting record; each vote is the monosyllable "aye" or "nay." The business executive seldom faces such dilemmas. His mistakes tend to be buried in the overall record of profit and loss—or at least they can be explained in his annual report.

In my opinion, these statements by Senators and Congressmen (and others like them I have not quoted) deserve the highest respect, even from those who may disagree.

Further, my own experience as a legislator persuades me that Congressmen are fully justified in intermingling the question of campaign policies and tactics with the question of legislative policies and tactics. These two are inseparable. The great majority of legislators who are elected in a given year in the United States—Federal, State, and local—have been reelected. From the moment they were first sworn in as legislators they were running for reelection and this is seldom out of their thoughts. Each must run on his legislative record; he knows his next opponent will scrutinize that record with a magnifying glass.

Finally, the issues that actually confront a legislator are rarely simple. When a major bill reaches the floor it is a long, complex document. If a Congressman or Senator disagrees with some aspect of it, he may seek to amend that aspect from the floor—but it is usually an exercise in futility. Generally he must cast his "aye" or "nay" on its net value.

In my judgment it is often impossible for a legislator clearly to separate considerations of prudence from moral principles. Indeed, he must frequently fall back on prudence if he is to advance his moral principles.

One of America's greatest social thinkers, the late Prof. Robert Redfield, discussing progress toward race equality, pointed out that a right and moral action may in some circumstances defeat or postpone the social end it is intended to serve.

Abraham Lincoln never doubted that slavery was wrong. Yet in December 1860, a month after his election as President, he offered to guarantee to the Southern States, in perpetuity, their right to a slave system, providing they agreed there should be no extension of slavery in the territories. Lincoln hoped that this offer might avert civil war; and undoubtedly he hoped also that the slave system would in time dissolve and disappear.

The danger in the argument for prudence is that, for those of us who are less than Lincolns, it can be an excuse for weakness. Like most other men, politicians too often underestimate the long-range values of boldness and stubbornness in defense of an ideal. Gandhi can be an example as well as Lincoln. Gandhi won because he was bold and stubborn and preferred jail to compromise.

I am so impressed with this danger that I cannot personally agree with any argument to the effect that a legislator need be morally right only 95 percent of the time—and can thus give away the other 5 percent even if it involves an affront to his conscience.

Ultimately, each Member of Congress must make his own decision each time a matter of principle arises—to compromise or not to compromise, to stand fast or to yield ground in the belief that his action will help achieve the desired final goal. His burden is that he must make the decision again and again and again—and not just once in a moment of emotional intensity—for there may be some 200 "aye" or "no" rollcall votes each year plus hundreds of votes in committee or elsewhere, any one of which may involve a moral choice.

A whole nation will be watching. But for each Member of Congress the decisions, whatever they may be, must be taken in the solitude of heart and mind and conscience.

Ground-Breaking Ceremonies, Sunday, April 26, 1959, for the New Reserve Training Center, Bellefonte, Pa.

EXTENSION OF REMARKS
OF
HON. JAMES E. VAN ZANDT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Monday, April 27, 1959

Mr. VAN ZANDT. Mr. Speaker, before a large crowd of interested citizens ground was broken Sunday, April 26, 1959, for the Army's new Reserve Training Center at Bellefonte, Pa. It was my privilege to deliver the principal address, which follows:

ADDRESS BY REPRESENTATIVE JAMES E. VAN ZANDT, MEMBER OF CONGRESS, 20TH DISTRICT OF PENNSYLVANIA, AT THE GROUND-BREAKING CEREMONY FOR THE NEW ARMY RESERVE TRAINING CENTER, BELLEFONTE, PA., APRIL 26, 1959

It is an honor to have been invited to participate in these ceremonies.

The Reserve training facility which will be constructed at this location is one of thousands of similar installations throughout the country authorized by the Congress of the United States to provide our Reserve forces with the necessary physical facilities.

The Army Reserve training facility which will be constructed here will house the 430th Quartermaster Company, and the 1st platoon, A Company, 491st Engineer Battalion.

This armory, when completed, will cost nearly $300,000 and both of these combat support units will then be able to maintain their proficiency in the complicated art of modern warfare.

Speaking of our Reserve forces as a whole, they have not always been in the favorable position of having available adequate training facilities that the Bellefonte units will have available in the near future.

Frankly, prior to World War II and also for a period of 4 or 5 years after World War II, our Reserve forces were sadly neglected.

However, at that time the Congress recognizing the deplorable state of our Reserve forces enacted into law the National Defense Facilities Act of 1950.

The National Defense Facilities Act of 1950 enacted as Public Law 683, 81st Congress, initially authorized the appropriation of Federal funds in the amount of $250 million over a period of 5 consecutive fiscal years for the acquisition, construction, and expansion of facilities for the several Reserve components.

In 1955, Public Law 302 of the 84th Congress increased this basic authorization to $500 million and extended the time period during which this authorization remained in effect until 1958.

Subsequently, by succeeding legislation this general authorization was increased to $668 million.

Under the provisions of this basic law—which is the keystone upon which our Reserve facilities programs operate—Congress has indicated it would underwrite the construction of permanent training facilities throughout the country so as to insure the maintenance of an adequate Reserve program.

Under the provisions of this legislation armories are constructed which are 100 percent federally owned and authority is also given to contribute to the individual States for the construction of new National Guard facilities.

In the latter case, the Federal Government contributes 75 percent of the money required for the development of the Reserve facilities in conformance with Federal requirements.

At this point I would like to briefly review the actual status of this program.

ARMY NATIONAL GUARD

Upon enactment of the National Defense Facilities Act of 1950 the several States and Territories had in existance only 916 armories adequate to properly house federally recognized units, and these facilities were constructed without Federal assistance provided therein.

Subsequent to the enactment of the aforementioned legislation the Army National Guard has completed or placed under construction contract more than 1,000 armories with appropriate Federal contributions as I previously indicated.

U.S. ARMY RESERVE

There are, in the case of the U.S. Army Reserve over 1,810 U.S. Army Reserve centers in use including those constructed, leased, or donated.

However, only 458 of these leased and donated facilities are reported by Army commanders concerned to be adequate for continued longrange use.

Therefore, in the cast of the U.S. Army Reserve the Department of Defense with the permission of Congress has initiated a vigorous and accelerated program of construction designed to replace existing inadequate facilities.

Thus, during 1958 there were 112 new centers under construction and 80 additional centers were programed for fiscal year 1959 and 1960 thereby resulting in a total of more than 465 newly constructed facilities for the U.S. Army Reserve by the end of fiscal year 1961.

NAVAL RESERVE

At present, there are 300 Naval Reserve training centers, 19 Naval Reserve training facilities, 155 electronics facilities, and 9 electronic stations.

Of the 319 training centers and facilities, 74 percent are used jointly with one or more other Reserve components of the Armed Forces.

MARINE CORPS RESERVE

The Marine Corps Reserve occupies a total of 230 facilities.

Of the 230 training centers 156 are jointly occupied with the Naval Reserve, 2 jointly with the Army and Naval Reserve, and one with the Army Reserve.

The remaining 71 facilities consist of 48 federally owned training centers and 25 commercially leased.

AIR NATIONAL GUARD

The Air National Guard program is of comparatively recent origin.

However, during fiscal year 1958 funds in the amount of $22 million were utilized in the construction of facilities for the Air National Guard.

Under the National Defense Facilities Act of 1950, these projects are completely supported by Federal funds and require no State contribution.

At the present time there are 573 Air National Guard units in operation occupying a total of 134 Air Force National Guard bases.

Ninety-three of these bases are flying bases and the balance of 41 are nonflying bases.

AIR FORCE RESERVE

In the case of the Air Force Reserve 37 flying bases are now operational.

Twenty of these bases are jointly used with the Regular Air Force, nine bases are jointly used with the Air National Guard, three bases are jointly used in connection with the Navy, and only five bases are confined solely to Air Force Reserve operations.

In addition to the foregoing, there are 93 Air Reserves centers (nonflying) where tactical nonflying training is conducted.

COAST GUARD RESERVE

Due to its relatively small size, the Coast Guard utilizes training facilities of the other Armed Forces, primarily those of the Navy or existing facilities of Coast Guard operating units.

In a few instances, space is leased for drill sites from other Government agencies or commercial interest.

READINESS OF THE RESERVE

The assignment to the National Guard of concurrent responsibility with Regular Army forces for the manning of Nike batteries located throughout the United States is indicative of not only the state of readiness of various Reserve components but reveals the new mission of the Reserves in modern warfare.

Assignment of 24 more Army National Guard Nike batteries to the air defense of key U.S. cities will take place between June 30 and September 1, 1959.

These batteries, now in their final stages of training, represent elements of 14 National Guard air defense missile battalions in 7 States.

They will take over Nike-Ajax sites from the Active Army and will have full operational responsibility for manning these sites 24 hours a day.

In each battalion, one or more batteries will become active.

The designation of these National Guard units to man Nike batteries will bring to 28 the total number of Army National Guard batteries in the on-site missile program.

The overall program calls for the deployment of 33 battalions at 116 sites by June 30, 1962.

All 24 of the batteries scheduled to go on-site this summer have key personnel currently training at the Army air defense center at Fort Bliss, Tex.

The remaining members are actually training at Nike sites under the supervision of the Active Army.

Final transfer of the sites from the Active Army and deployment of the National Guard units will take place following 2 weeks of field training this summer.

National Guard missile sites are operated in much of the same way as a volunteer fire department.

A nucleus of full-time technicians man the equipment around the clock, keeping it in constant readiness and capable of initiating effective fire on the enemy without additional help.

The remaining members of the unit are citizen soldiers in their communities and keep up on their military skills by attending weekly drills with their units.

In the event of an air attack, they would report immediately to their Nike sites, ready to perform their assigned mission.

Similar to the utilization of the Army National Guard units in connection with the manning of Nike installations is the proposed plan of the Department of the Air Force which envisages utilization of Air National Guard units for the manning of Bomarc defense installations throughout the country.

Inasmuch as these Bomarc installations are still in the process of construction actual assignments of individual Air National Guard units have not occurred.

However, it is fully intended by the Department of the Air Force to utilize these Reserve forces in connection with the future development of this program.

In conclusion, as a member of the House Committee on Armed Services, which has legislative jurisdiction over the Reserves of our country, I wish to take this opportunity to commend the officers and men of Bellefonte's Army Reserve units and at the same time congratulate and thank the citizens of this area for the support they have always given our civilian soldiers, sailors, and airmen who in the final analysis are the bulwark of our Nation's defense.

Program for National Forests

EXTENSION OF REMARKS

OF

HON. LEE METCALF

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 27, 1959

Mr. METCALF. Mr. Speaker, many of our colleagues know of my interest in natural resources. In recent years, I have become gravely concerned as to what can happen to these resources under the accelerated impact of intensified use. I refer specifically to the 181 million acres of national forests in 39 States and Puerto Rico.

In any vast enterprise of this kind, long-range planning to meet both current and future resource needs is vital. Such plans are of little use if a strong action program fails to materialize. First, however, we must have the basic plans before the Congress can intelligently move into an effective action program.

Notwithstanding the efficient manner in which the Forest Service has managed the national forests over the past 50

years, the next 50 years will be characterized by multiple problems in meeting the needs and demands of millions of people for the resources the forests provide.

It is gratifying, therefore, that the Department of Agriculture has moved to make the next 50 years of Forest Service management of the national forests more complete and comprehensive. They have recently submitted to the Congress a report which provides the needed measures to meet both current demands on the forests and the resource development needs to the year 2000. This report is now in the hands of the House Agiculture Committee. The gentleman from Alabama [Mr. GRANT], chairman of the subcommittee on forestry, has announced hearings on this forest program for May 14 and 15. It is a program that should have the full support of the Members from every State.

The second largest area of national forest land in the Nation is in my congressional district. These 13 million acres are exceeded only by the 15½ million acres of my colleague from the first district of Idaho, Mrs. PFOST. This vast storehouse of natural resources, water, timber, game, fish, forage, and recreation, is dedicated to the use of not only Montana's citizens but also to citizens everywhere in America.

The tourist industry is booming everywhere, people naturally go to the forests for recreation and respite from the tensions arising in crowded urban areas. Our forests in Montana attract thousands of these outdoor enthusiasts. We have beautiful scenery, fine streams, and good places to camp. However, we need additional sanitation and other campground facilities to relieve overcrowding in the presently developed areas in western Montana.

This "program for the national forests" now before the Congress includes the projects necessary to meet the recreational needs of an expected 130 million annual visitors by 1969. For example, it is estimated that 10,000 new camp and picnic areas should be constructed and maintained during the next 10 years. It will be necessary to maintain and expand 5,000 existing improved recreation areas. Also many of the existing areas need improved sanitation, cleanup, and public safety facilities to make them adequate to handle the some 70 million visitors now coming to the national forests.

The annual harvest of timber is expected to increase from 7 to 11 billion board feet of timber within the next 10 to 15 years under this program. Salvage and sale of stagnant timber stands will be increased, up-to-date timber inventories will be made, and timber management plans will be completed for all the national forests. Last year the billion dollar mark in forest receipts was reached. Under this program for full development of the national forests, the second billion dollars in forest income should be realized within the next 10 years. Not only the Federal Treasury, but also every county with national forest land benefits from the increased sale of timber and other forest resources. Twenty-five percent of the gross receipts is refunded to the counties within the forest for schools and roads. Local employment is benefitted in cutting and harvesting the timber crop. Local industries are kept active and the general economy of an area within or adjacent to the forests is enhanced.

Under this program the building or rebuilding of about 90,000 miles of forest development roads and 8,000 miles of trails is planned. Also 149,700 miles of existing roads will be maintained to full standards. In Montana's national forests such roads are necessary if the full cut of timber is to be harvested and if the forests are to be protected and managed in an effective and businesslike manner.

There are many other facets in this complete program for the national forests. It is an essential program which can return benefits many times over the projected costs. An important secondary benefit would be a 60 percent increase in the number of workers harvesting, processing and marketing the nation-forest timber crop and other forest products.

This will mean jobs for some 620,000 more people. Local trade channels alone could be enriched by nearly a billion dollars which the public would spend for hunting and fishing equipment, licenses, lodging, transportation, and other items furnished by communities in or near our forests.

Mr. Speaker, this is a program which will not only improve forest land and its resources but also provide substantial direct financial returns both locally and nationally. The intangible benefits also will be great.

This report would have been complete had it included tentative estimates of costs, schedules, and priorities for placing various phases of the plan into operation and estimates of total benefits as related to the cost of developing these benefits.

We, in the Montana congressional delegation, have had some experience with attempting to secure just such information. Last July, we asked our regional forester to lay out a program to fully develop Montana's forest resources. Regional Forester Charles Tebbe did an excellent job, which has been printed as Senate Document No. 9, "Full Use and Development of Montana's Timber Resources." However, the regional forester did not furnish the cost estimates and priorities we requested, presumably because he was ordered not to.

On January 14, the senior Senator from Montana, Senator MURRAY, the junior Senator from Montana, Senator MANSFIELD, my colleague [Mr. ANDERSON] and I wrote the Secretary of Agriculture. We asked his cooperation in having Mr. Tebbe provide by April 1 the balance of the information we had requested. To date, we have heard nothing further from that request. If we can't get the costs and priorities for a long-range forest resource development program for a single State in 5 months' time, I wonder how long it will take the Congress to get some figures on a program for the whole Nation.

We must remember, too, that even long-range development programs, such as Mission 66 and Operation Outdoors, which were submitted with costs and priorities, are now way behind schedule because requested funds were insufficient to carry them forward at the well-publicized rate.

I hope that, during the hearings, the committee will be able to get some cost figures on this proposal, so the Congress can relate them to the benefits.

Nuclear Super Aircraft Carrier

EXTENSION OF REMARKS
OF
HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, April 27, 1959

Mr. CELLER. Mr. Speaker, I shall ask the House Appropriations Committee to reinstate the Navy Department's No. 1 priority—a super aircraft carrier—in the Defense Department's budget for the coming fiscal year.

Fifteen times since World War II, the United States and its allies have been faced with threats to our mutual security on foreign soil, and fifteen times our aircraft carriers were there, prepared to cope with the crisis. Aircraft carriers are, and will be, needed to meet not only world crises, but so-called local conflicts, for a long time to come. Their mightful presence had meaningful deterrent effect in such crises as Lebanon, Quemoy, Matsu, Korea, Jordan, Iraq, Suez, and so forth.

Larger superclass carriers are needed because the latest jet aircraft require minimum 750-foot runways. The only way they can be accommodated is by the building of larger carriers. In addition, American boys are entitled to as much operational safety as is humanly possible to provide. Smaller *Essex* class carriers have a higher aircraft operational accident rate.

Leadtime on the construction of new carriers is of the essence. It takes at least 4 years from the time money is appropriated to the time a carrier becomes an operational unit in the fleet. If the decision to appropriate funds for a needed carrier is put off 1 year, then a year's precious time is lost in our defense effort.

We are pouring millions upon millions of dollars into outer space research and development. Aircraft carriers concern a defense matter which is a lot closer and of more immediate need to us today.

Because of the increased fuel requirement for jet aircraft, larger carriers with greater fuel storage space are needed. Under today's naval tactics the carrier also carries fuel for its escort vessels. Increased size of our carriers will therefore increase the operational range of carrier task forces. Construction of a nuclear carrier is to be preferred to that of a conventional carrier. While a nuclear carrier will cost approximately $100 million more to construct, its cost

can be amortized by lesser costs in other ships over a period of 5 to 6 years. In addition, a nuclear plant will permit less fuel space for the carrier's own operational needs, allowing for more aircraft and personnel.

An aircraft carrier can readily be converted into a mobile propulsion pad for missiles. They have a decided advantage over stationary missile sites. They are constantly on the move and thus better able to elude the enemy's lethal missiles.

As Adm. John T. Hayward stated in a recent telecast, not only are jet bombers here to stay, but in time they will be equipped with the latest missiles. Our mobile aircraft fleet will be needed to bring them within range of the vital targets within the enemy's home borders.

I believe that we must not only plan ahead but must make firm all facets of our lines of defense. Aircraft carriers today are in the forefront of that main line of defense. A delay of a year or two means a delay of 5 or 6 years in obtaining a carrier prepared to defend us.

SENATE

TUESDAY, APRIL 28, 1959

(Legislative day of Monday, April 27, 1959)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father God, the baffling pressures and problems of the times in which our lives are set bring to our lips a cry of our inadequacy.

Who is sufficient for these things?

As the immediate claims all we have and are, we would not dream of days that seem heroic in the cause of freedom, either in the past, when great leaders led crusades for the rights of men, or in some mystical future, when men may find conditions once again calling for fearless daring.

Show us the high adventure that awaits us in these days of destiny.

Reveal to us how vast are the issues and how great the enterprise committed now to our hands in the tangled affairs of our agitated world.

In a time that calls for heroism, make heroes of us all, rising with courage to the challenge of evil, putting on Thy armor to withstand the forces that war against the virtue and happiness of our race, Thy children.

We ask it in the name of Christ, our Lord. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Monday, April 27, 1959, was dispensed with.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. DIRKSEN, and by unanimous consent, the Insurance Subcommittee of the Committee on Post Office and Civil Service was authorized to meet during the session of the Senate today.

TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that there be the usual morning hour, with statements in connection therewith limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT ON REVIEW OF SUPPLY ACTIVITIES OF U.S. ARMY IN EUROPE

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a classified report on the review of supply activities, U.S. Army in Europe (with an accompanying report); to the Committee on Armed Services.

AMENDMENT OF U.S. INFORMATION AND EDUCATIONAL EXCHANGE ACT OF 1948

A letter from the Secretary of State, transmitting a draft of proposed legislation to promote the foreign policy of the United States by amending the U.S. Information and Educational Exchange Act of 1948 (Public Law 402, 80th Congress) (with accompanying papers); to the Committee on Foreign Relations.

A letter from the Director, U.S. Information Agency, Washington, D.C., relating to the above-mentioned proposed legislation; to the Committee on Foreign Relations.

REPORTS PRIOR TO RESTORATION OF BALANCES

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, three reports prior to restoration of balances, as of March 31, 1959 (with accompanying reports); to the Committee on Government Operations.

CONSERVATION OF FISH AND WILDLIFE RESOURCES OF ALASKA

A letter from the Secretary of the Interior, certifying, pursuant to law, that the Alaska State Legislature has made adequate provision for the administration, management, and conservation of the fish and wildlife resources of Alaska, in the broad national interest (with accompanying papers); to the Committee on Interstate and Foreign Commerce.

REPORT ON BACKLOG OF PENDING APPLICATIONS AND HEARING CASES IN FEDERAL COMMUNICATIONS COMMISSION

A letter from the Chairman, Federal Communications Commission, Washington, D.C., transmitting, pursuant to law, a report on the backlog of pending applications and hearing cases in that Commission, as of February 28, 1959 (with an accompanying report); to the Committee on Interstate and Foreign Commerce.

EXTENSION OF TERMINATION DATE OF COMMISSION AND ADVISORY COMMITTEE ON INTERNATIONAL RULES OF JUDICIAL PROCEDURE

A letter from the Chairman, Commission on International Rules of Judicial Procedure, Washington, D.C., transmitting a draft of proposed legislation to amend the act to establish a Commission and Advisory Committee on International Rules of Judicial Procedure to extend the termination date, and for other purposes (with accompanying papers); to the Committee on the Judiciary.

AMENDMENT OF BANKRUPTCY ACT, AND SECTION 152, TITLE 18, UNITED STATES CODE

A letter from the Director, Administrative Office of the U.S. Courts, Washington, D.C., transmitting a draft of proposed legislation to amend section 57a of the Bankruptcy Act (11 U.S.C. 93(a)) and section 152, title 18, United States Code (with accompanying papers); to the Committee on the Judiciary.

SUSPENSION OF DEPORTATION OF ALIENS—WITHDRAWAL OF NAMES

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, withdrawing the names of Yuen Hong, also known as Wong Kee Leung or Wong Joe, and George Wong from reports relating to aliens whose deportation has been suspended, transmitted to the Senate on February 15, 1958, and February 16, 1959, respectively; to the Committee on the Judiciary.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a report of the Archivist of the United States on records proposed for disposal under the law (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. JOHNSTON of South Carolina and Mr. CARLSON members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A joint resolution of the Legislature of the State of California; to the Committee on Appropriations:

"ASSEMBLY JOINT RESOLUTION 14

"Resolution relative to civil defense

"Whereas the development of new methods of warfare has subjected the civilian population of the United States to increasing risks in the event of an attack on this country; and

"Whereas with weapons now available an enemy nation could launch an attack on virtually any sector of the United States; and

"Whereas the protection and orderly relief of the civilian population in event of attack has thus become a problem that cannot be met solely by the States and local governments; and

"Whereas the 85th Congress, recognizing this broadened concept, adopted Public Law 606, which provides for civil defense responsibilities to be assumed jointly by the Federal Government and the States and their political subdivisions; and

"Whereas Public Law 606 declares as a matter of policy that matching funds will be provided by the Federal Government up to 50 percent to States and local subdivisions for personnel and administrative expenses; and

"Whereas a supplemental appropriations bill to implement the provisions of Public Law 606 was introduced in the 85th Congress but did not pass, due primarily to the limitations of time; and

"Whereas an appropriations bill for the Office of Civil and Defense Mobilization will be introduced during the 86th Congress, which, if enacted, will provide funds to carry out the provisions of Public Law 606; and

"Whereas this bill will have the full support of the governors, mayors, government officials on all levels, and civil defense citizens' advisory committees concerned with the protection of life and property in this Country during times of national emergency or disaster; Now therefore be it

"Resolved by the Assembly and Senate of the State of California, jointly, That the members of this legislature respectfully memorialize the Congress of the United States to adopt such an appropriations measure for the benefits it will provide to the entire Nation; and be it further

"Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to Congressman CLARENCE CANNON of Missouri, Chairman of the House Appropriations Committee, to Senator CARL HAYDEN of Arizona, Chairman of the Senate Appropriations Committee, and to each Senator and Representative from California in the Congress of the United States."

A joint resolution of the Legislature of the State of California; to the Committee on Interior and Insular Affairs:

"ASSEMBLY JOINT RESOLUTION 8

"Resolution relative to the selection of the city of Antioch as a site for an experimental saline water conversion plant

"Whereas Contra Costa County has experienced a 265 percent growth of population in the last 18 years, with an attendant increase of industrial development, which industrial development has greatly manifested itself in the general vicinity of the city of Antioch; and

"Whereas the northerly shore of Contra Costa County, upon which the city of Antioch and its extensive industrial developments are situated, has historically enjoyed an available supply of fresh water throughout most of the year; and

"Whereas that supply has steadily deteriorated, due to salt water intrusion, caused by upstream water diversions and storage on the Sacramento and San Joaquin Rivers and their tributaries, with the attendant threat to growth of municipal communities and industrial developments in Contra Costa County; and

"Whereas the U.S. Bureau of Reclamation has taken the position that salinity control is not a proper function of the Central Valley project, has only tacitly agreed that releases from Shasta Dam, the only present means of controlling salinity encroachment and brackish conditions, will not be diminished until Contra Costa County finds another solution to its problem; and

"Whereas economical conversion of brackish to fresh water could solve this county's problem by supplying an adequate amount of water for domestic, agricultural and industrial uses as replacement for water lost through upstream diversions; and

"Whereas the Antioch site is an ideal one for a conversion plant since the seasonal variations in salinity of offshore water and the many varied uses in and near Antioch for fresh water, will provide ideal conditions for making economic analysis of the conversion process: Now, therefore, be it

"Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States, and the United States Department of the Interior, to take such action as may be necessary for the selection of the city of Antioch as a site for an experimental saline brackish water conversion plant and that the program be augmented to provide for an additional saline brackish water conversion plant to be located in California; and be it further

"Resolved, That the chief clerk of the assembly be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the Secretary of the Interior."

A concurrent resolution of the Legislature of the Territory of Hawaii; to the Committee on Appropriations:

"SENATE CONCURRENT RESOLUTION 87

"Whereas there is an urgent need for small boat harbors to serve the economic, recreational, and safety needs in the Territory of Hawaii; and

"Whereas it becomes necessary to make comprehensive engineering studies to determine the sites best suited to meet the forementioned needs; and

"Whereas the Territory of Hawaii has already appropriated funds for the construction of many small boat harbors and feels that many more are necessary for the safety and to meet the economic needs of our people; and

"Whereas the United States Corps of Engineers has already started studies on needs and costs of small boat harbors with a previous appropriations of $20,000; and

"Whereas it is estimated that to make complete studies of this problem will cost between $300,000 and $400,000: Now, therefore, be it

"Resolved by the Senate of the 30th Legislature of the Territory of Hawaii (the House of Representatives concurring), That the Congress of the United States be respectfully requested to appropriate the sum of $400,000 and make it available to the United States Corps of Engineers for the purpose of completing the engineering studies aimed at determining the best and most economical locations of harbors of refuge and small boat harbors in the island chain; and be it further

"Resolved, That certified copies of this concurrent resolution be sent to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, to the Secretary of Interior, and to the Delegate to Congress from Hawaii.

"THE SENATE OF THE
TERRITORY OF HAWAII,
"Honolulu, Hawaii, April 20, 1959.

"We hereby certify that the foregoing concurrent resolution was adopted by the Senate of the 30th Legislature of the Territory of Hawaii on April 18, 1959.

"_____ _____,
"President of the Senate.
"JAMES H. KAMO,
"Clerk of the Senate.

"THE HOUSE OF REPRESENTATIVES
OF THE TERRITORY OF HAWAII,
"Honolulu, Hawaii, April 20, 1959.

"We hereby certify that the foregoing concurrent resolution was adopted by the House of Representatives of the 30th Legislature of the Territory of Hawaii on April 18, 1959.

"_____ _____,
"Speaker, House of Representatives.
"_____ _____,
"Clerk, House of Representatives."

A resolution adopted at the 12th annual convention of the International Council of Sugar Workers and Allied Industries Unions, at Salt Lake City, favoring the enactment of legislation to extend the Sugar Act of the United States; to the Committee on Finance.

The petition of Ignatius Page, Jr., of St. Louis, Mo., praying for a redress of grievances; to the Committee on the Judiciary.

The petitions of Vincent D'Emidio, the Bronx, Hyman Hershkowitz, of Brooklyn, and Leo Falconier, of Long Island, all of the State of New York, relating to job classifications in the Federal Government; to the Committee on Post Office and Civil Service.

A resolution adopted by the Valley-Wide Committee on Streets and Highways, San Fernando, Calif., favoring the enactment of legislation to provide funds for the continuance of the construction of the National System of Interstate and Defense Highways; to the Committee on Public Works.

By Mr. KERR:

A concurrent resolution of the Legislature of the State of Oklahoma; to the Committee on Public Works:

"HOUSE CONCURRENT RESOLUTION 531

"Resolution memorializing Congress to provide the ways and means of constructing the Kaw Dam and Reservoir project upon the Central Arkansas River Basin

"Whereas that geographical area of north central Oklahoma lying within the boundaries of Kay and Osage Counties possesses a natural drainage basin caused by the confluence of the Arkansas River, the Walnut River, and the Little Beaver and Beaver Creeks; and

"Whereas the construction of the Kaw Dam and Reservoir on the main stem of the Arkansas River in Kay and Osage Counties, Okla., would provide the multifold benefits of flood control, development of hydroelectric power, and other allied purposes; and

"Whereas this area, designated as the Central Arkansas River Basin, has in recent years developed a great need for additional water resources in order to supply increasing demands of its industrial, agricultural, and household users; and

"Whereas studies of this great basin area reveal that construction of the Kaw Dam, impounding the waters of the above streams and providing a reservoir with a 1,400,000 acre-feet storage capacity, would be capable of adequately supplying the needs of this area; and

"Whereas this reservoir when constructed will bring an additional $3 million annually in business for north central Oklahoma and south central Kansas due to a growth of industrial and recreational activities; and

"Whereas the construction of the Kaw Dam and Reservoir would provide a sound long-range investment in the general welfare of the area, the State and the Nation: Now, therefore, be it

"Resolved by the House of the 27th Oklahoma Legislature (the honorable senate concurring therein):

"SECTION 1. That we respectfully request the 86th Congress of the United States, now assembled in its 1st session, to provide the ways and means to initiate construction of the Kaw Dam and Reservoir on the main stem of the Arkansas River in Kay and Osage Counties of the State of Oklahoma in the direct interest of flood control, hydroelectric power, navigation, water storage, and conservation and other allied purposes.

"SEC. 2. That the Corps of Engineers, U.S. Army Engineer District, Tulsa, is urged to expedite all engineering and planning necessary for the construction of the Kaw Dam and Reservoir for the benefit of the entire State of Oklahoma and the United States of America.

"SEC. 3. That duly authenticated copies of this resolution be transmitted to each member of the Oklahoma congressional delegation.

"SEC. 4. That six copies of this resolution be delivered to representatives of the Corps of Engineers, U.S. Army Engineer District, Tulsa, at the public hearing to be held in Ponca City, Okla., in the Ponca City Junior High School auditorium, located at Sixth and Grand, beginning at 1 p.m. on April 24, 1959.

"Adopted by the house of representatives the 15th day of April 1959.

"CLINT G. LIVINGSTON,
"Speaker of the House of Representatives.

"Adopted by the senate the 20th day of April 1959.

"FRED R. HARRIS,
"Acting President of the Senate."

RESOLUTION OF FARMERS UNION, ELLSWORTH COUNTY, KANS.

Mr. CARLSON. Mr. President, the Farmers Union of Ellsworth County, Kans., adopted a resolution at its regular meeting on April 9 urging an increase in farm prices.

The Department of Agriculture recently stated that the farmer's share of the consumer's food dollar in 1958 amounted to 40 cents, compared with the 53 cents received in 1946.

The Department also stated that present indications are the farmer will receive less of the food dollar in 1959 than in 1958.

The resolution is most timely, based on the increased reduction in the percentage of the dollar received by the farmer.

I ask unanimous consent that the resolution be printed in the RECORD, and referred to the Committee on Agriculture and Forestry.

There being no objection, the resolution was referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Whereas the present farm program has failed to increase farmers' income; and

Whereas the Congress needs to take action to improve farm income: Therefore

Resolved, That the Ellsworth Farmers Union in session this 9th day of April request the Congress pass legislation to encourage an upward trend in farm prices; and further

Resolved, That copies of this resolution be sent to Senators ANDREW SCHOEPPEL, FRANK CARLSON, and Congressman WINT SMITH and to the press.

ELLSWORTH COUNTY FARMERS UNION,
W. C. KRUEGER, *President,*
ROBERT HULSE,
Secretary and Treasurer.

RESOLUTION OF MISSOURI RIVER STATES COMMITTEE

Mr. CARLSON. Mr. President, the Missouri River States Committee met on April 15 at Council Bluffs, Iowa, and adopted a resolution urging increased appropriations and authorization for additional reclamation and flood control projects in the Missouri River Basin.

This committee is composed of the Governors of the States of Iowa, Colorado, Kansas, Montana, North Dakota, South Dakota, Minnesota, Missouri, Nebraska, and Wyoming and was created in 1941.

As Governor of the State of Kansas from 1947 to 1951, I was a member of the committee and served one term as chairman of the committee.

The control of water runoff and the conservation of water for beneficial uses is one of the most important problems confronting the entire basin, and I sincerely hope that we can continue the development of a program that will mean much to the Nation and particularly to the Missouri River Basin.

I ask unanimous consent that this resolution be printed in the RECORD, and referred to the Appropriations Committee.

There being no objection, the resolution was referred to the Committee on Appropriations, and ordered to be printed in the RECORD, as follows:

We, the Missouri River States Committee, consisting of the Governors of the States of Iowa, Colorado, Kansas, Montana, North Dakota, South Dakota, Minnesota, Missouri, Nebraska, and Wyoming, comprising one-sixth of the area of the United States of America, in meeting assembled, do hereby adopt the following resolution:

Whereas the Missouri River States Committee, created in December of 1941, was organized for the express purpose of securing flood control, irrigation, navigation, power development, and related improvements of the entire Missouri River Basin; and

Whereas through the efforts of the Missouri River States Committee and other groups, the Missouri Basin Project was authorized by Congress in the year 1944; and

Whereas during the 15 years since that time substantial progress has been made in meeting the objectives of flood control, navigation, water supply, and power development and, to a lesser degree, irrigation and other improvements; and

Whereas the orderly development of natural and human resources of the Missouri River Basin is impeded and severely handicapped by the "no new starts" policy; and

Whereas said "no new starts" policy impairs the economic strength of the entire country by preventing the development of natural resources in the basin as an investment in the future welfare and security of the United States as a whole; and

Whereas the construction of planned projects would strengthen the economic base of this region and of our whole country at a time when full development and use of our national resources are urgently needed in the struggle between the free world and the areas of the earth dominated by Communists: Now, therefore, be it

Resolved, That this committee urge the Congress of the United States to implement its authorizations of reclamation and flood control and other projects by appropriating the necessary money for the initiation of said projects; and be it further

Resolved, That this resolution be forwarded by the Chairman of the Missouri River States Committee to the Honorable Clarence Cannon, chairman of the Appropriations Committee of the House of Representatives of the United States and the Honorable Carl Hayden, chairman of Appropriations Committee of the Senate of the United States.

RESOLUTION OF LODGE 434, SLOVENE NATIONAL BENEFIT SOCIETY, ARMA, KANS.

Mr. CARLSON. Mr. President, Lodge No. 434 of the Slovene National Benefit Society met at Arma, Kans., and adopted a resolution urging an increase in social-security payments.

I ask unanimous consent that this resolution be printed in the RECORD, and referred to the Committee on Finance.

There being no objection, the resolution was referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

Whereas the Social Security System now in existence does not provide adequate funds to enable retired persons to carry adequate to its present position; and

Whereas the retired people have given their productive years to building up our country to its present position; and

Whereas the cost of private health insurance is rapidly rising to a point where millions of retired people cannot afford such insurance, while the Government expends billions of dollars for domestic subsidies and foreign aid; Therefore, be it

Resolved, That the 86th Congress of the United States now in session give serious consideration and support to the health insurance bill introduced by Representative FORAND or similar legislation; and be it further

Resolved, That copies of this resolution be sent to Senators and Representatives, and that they be urged to vote for the proposal mentioned above.

STATEMENT AND RESOLUTIONS ADOPTED AT THE ANNUAL MEETING OF THE CONFERENCE OF AMERICANS OF CENTRAL AND EASTERN EUROPEAN DESCENT

Mr. KEATING. Mr. President, the annual meeting of the Conference of Americans of Central and Eastern European Descent, held recently in New York City, adopted a number of important resolutions. This group, representing more than 15 million American citizens from 10 nations, has strongly advocated over the years a policy of peaceful liberation of the enslaved nations and has vigorously opposed the international Communist conspiracy by all means at its command.

Because these people know from first-hand experience the tactics and objectives of the Communists, they recognize the necessity for an American foreign policy based on firmness and strength. This is the only language the Communists understand, and the sooner all Americans recognize that fact, the stronger we will be in our united resolve to curb this atheistic menace and to free the noble peoples now trapped behind the Iron Curtain. As a strong advocate of that position, I am pleased to learn that this fine organization has not wavered in its stand.

The resolutions adopted by the Conference of Americans of Central and Eastern European Descent deserve wide study. I ask unanimous consent that a political statement and resolutions be printed in the RECORD, following my remarks.

There being no objection, the statement and resolutions were ordered to be printed in the RECORD, as follows:

POLITICAL STATEMENT AND RESOLUTIONS

(The following statement and resolutions were adopted at the annual meeting of the Conference of Americans of Central and Eastern European Descent (CACEED), held in New York City on Saturday, February 28, 1959.)

POLITICAL STATEMENT

The Conference of Americans of Central and Eastern European Descent, representing over 15 million U.S. citizens, pledges itself to support and subscribe to a firm and determined policy of the United States of America capable of challenging and resisting Soviet Russian imperialistic expansion and domination. It is our firm belief that the time has come for the United States Government to reject the dangerous policy of expediency and to stand upon principle. The West col-

lectively will only adequately meet the threat and challenge of Soviet Russian Communist aggression by adopting a definite and dynamic policy and program of action, thus recapturing the initiative in foreign affairs.

It is our wholehearted conviction that the Berlin crisis, thrust upon us by the aggressive policy of the Soviet Union, offers the West an opportunity to proceed vigorously toward the elimination of two major causes of tension in Europe: the division of Germany and the subjugation of Albania, Bulgaria, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland, Rumania, and the Ukraine. These causes are at the root of the present international tension and the armament race, and are, by their very nature, interconnected and indivisible. The issue of Berlin cannot be isolated from that of the reunification of Germany, and the problem of Germany cannot be divorced from that of Central and Eastern Europe. Any overall European settlement which would deal exclusively with Germany would soon prove itself unrealistic and would be doomed to failure.

The practical result of any Western plan which, in return for some form of German reunification, would abandon the rest of Central and Eastern Europe, and would at the same time cripple the Western defenses, would be to destroy confidence in U.S. leadership and to weaken, both in the free and captive parts of Europe, the will to challenge Soviet Russian Communist aggression and domination.

In the Russian Communist empire there are millions of human beings who are there against their will and who live under constant terror and oppression. The free world has not established outpost parties behind the Iron Curtain. Yet it has natural outposts there: Conquered peoples, minds that resist totalitarianism. We should bolster the resistance of the captive peoples, who through the past years have constituted one of the most effective deterrents to further Soviet Russian aggression in Europe and Asia, and we should motivate political pressures toward the creation of conditions in which Soviet Russia would have to yield.

The shocking revelation of the murderous Russian assault on 17 American airmen aboard an unarmed transport plane last September reemphasizes the futility of expecting the U.S.S.R. to live up to any accepted standards of conduct among nations. Consequently, every sign of hesitancy, every proposal which would weaken our resistance, only strengthens the conviction of the Soviet Russian rulers that an unyielding and provocative stand on their part will compel us to pass from one concession to another, until the acceptance of any Soviet Russian terms, in a face-saving formula, would appear a tempting course of action.

RESOLUTIONS

Taking into consideration the grave international situation as created by Moscow in connection with the Berlin issue, and firmly calling on the U.S. Government not to yield to Soviet Russian threats and blandishments, the annual meeting of CACEED adopted unanimously the following resolutions:

1. To send a letter of sympathy and encouragement to Secretary of State John Foster Dulles, for a rapid recovery from his present illness. Secretary of State Dulles has proved to be a stalwart and intrepid statesman and leader of the free world; therefore, his statesmanship and leadership is much needed in this hour of aggravated international tension.

2. To support fully and unhesitatingly the endeavors of the U.S. Government in its policy of maintaining world peace and in its growing determination to oppose and challenge the aggressive policies of the Kremlin. In particular, we pledge our full support for a firm U.S. policy regarding Berlin, which we believe, must be defended no matter what the consequences might be.

3. To oppose a "summit" meeting with the Soviet leaders, under the existing circumstances, as we believe that such a meeting would not solve the present international crisis, but would only serve to enhance the prestige and power of the Communist world, and would further weaken the position of the free world, including the United States of America.

4. To prevail upon the U.S. Government to formulate its policy with respect to the captive nations, both inside and outside the U.S.S.R., with the goal of the liberation of those nations. This course would be in line with the liberation policy so strongly affirmed several years ago, which has yet to be implemented.

5. We oppose most vigorously the present Moscow-inspired trends toward disengagement which would create a political and military vacuum, leaving Europe at the mercy of Soviet Russian expansionism. We also warn against the dangers of flexibility which is but another facet of the old coexistence policy and which in the final analysis would eventually terminate in capitulation and surrender to Moscow.

6. We appeal to the U.S. Government to prevail upon the U.S. mission to the United Nations to continue its efforts toward nonrecognition of the Hungarian puppet representation in the United Nations, inasmuch as the present Janos Kadar regime has been installed by the Soviet armed forces and as such does not represent the Hungarian people.

7. We oppose most emphatically the membership of Red China in the United Nations, because Red China has been guilty of many crimes against both the U.N. Charter and human rights, particularly her unprovoked aggression against South Korea in 1950, as a result of which many thousands in the American and other U.N. forces perished.

8. In view of the confessions of genocide made by Nikita S. Khrushchev during the XXth congress of the Communist Party of the U.S.S.R. in February 1956, we again appeal to the U.S. Senate to swiftly ratify the Genocide Convention, and to the U.S. Government to institute, through the United Nations, an investigation into the crimes of genocide committed in the U.S.S.R. and its satellites in the past three decades.

9. We deplore the recent elimination of the Uzbek-language broadcast from the Voice of America system, as well as the curtailment of the Estonian, Latvian, Lithuanian, and Ukrainian broadcasts of the VOA. In our considered opinion these steps constitute an irreparable blow to U.S. prestige and leadership, and indirectly help Moscow to strengthen and solidify its grip over the enslaved non-Russian nations in Europe and Asia. We appeal to the U.S. Government to remedy this deplorable situation by speedy restoration of the curtailed broadcasts.

10. In view of the fact that all refugee and escapee visas under Public Law 85–316 have been exhausted, we earnestly appeal to the U.S. Congress as well as to the U.S. Government for a prompt enactment of new legislation providing for the continuous admission of victims of Communist persecution and tyranny to our shores.

At the same time we deplore most emphatically any endeavors on the part of some U.S. authorities to deport anti-Communist refugees to any Communist-dominated country. Such a policy would constitute a flagrant violation of our principles and would also betray the hopes of our allies behind the Iron Curtain—the captive nations. Our traditional right of asylum should in no circumstances be weakened by political expediency.

11. We fully support and endorse the Herlong-Judd bill (H. Res. 3880, introduced in the U.S. Congress by Representatives A. S. HERLONG of Florida and WALTER H. JUDD of Minnesota), calling for the establishment by the United States of a Freedom Commission, for the purpose of training selected young Americans in the strategy and tactics of psychological warfare.

12. We appeal to the U.S. Government to revise its cultural exchange program with the Soviet bloc, so that it does not degenerate into a one-sided Soviet Russian propaganda vehicle. Thus far, these exchanges have indeed proved to be one-way propaganda for Moscow and its subservient Communist puppets, which has brought about no visible cultural enrichment of the American people.

13. We deeply deplore the recent propaganda exhibition of Soviet First Deputy Premier Anastas I. Mikoyan in the United States. We warned against his visit to the United States, keeping in mind its possible effect upon the morale of the captive nations of the Soviet Russian slave empire. Our fears and apprehensions were fully substantiated, if only because we knew how his tour in the United States would be exploited by the Soviet propaganda machinery. Speaking at the XXIst congress of the Communist Party of the U.S.S.R. at the end of January 1959 in Moscow immediately upon his return from the United States, Mikoyan declared:

"I want to note that in my conversations during my trip to America I no longer heard the United States talking of a policy of containing, repelling, or liberating. On the contrary, both the President and the Secretary of State said that they do not consider it their aim, right, or duty to pronounce an anathema against communism, and that the United States does not wish to interfere in the internal affairs of the socialist countries. We may conclude from these statements of the President and Secretary of State that now they are 'inclined to recognize the principle of peaceful coexistence of countries with different political and social systems.' If that is the case, it is very significant for peace. But these statements must be followed by action to carry them out, and we have every right to expect such action."

We cannot believe that either President Eisenhower or Secretary of State Dulles have made such statements, which in effect would be contradictory to traditional U.S. foreign policy and in contrast with the many official pronouncements of the U.S. position with respect to the captive nations of central and eastern Europe.

We believe that Mikoyan's statement calls for an official denial by the U.S. Government.

14. Finally, we appeal to the U.S. Government to reaffirm its position on the cause of the liberation of all enslaved nations behind the Iron Curtain through proper assessment of their aspirations to freedom and independence, and through official measures and declarations. Such official statements would expressly state that there is no finality in the subjugation of central and eastern Europe, and that neither the acceptance of national communism nor any other expedient policy, can provide a proper course for U.S. foreign policy, inasmuch as it would only strengthen the status quo and endorse the enslavement of so many countries and nations by totalitarian communism.

The world is witnessing today the birth of new independent nations in the former colonies. At the same time, countries in central and eastern Europe, which are rich in ancient culture and which have enjoyed freedom and independence for centuries, are enslaved by the Kremlin. We believe that the U.S. Government, which has always stood for the liberation of colonial peoples, should apply the same principles and policies to the aspirations to freedom of those formerly independent nations of Europe which are now subjugated by Communist imperialism.

We call on our Government for a dynamic policy leading to the establishment of true

peace, with justice and freedom, for all nations in Europe as the best guarantee of our own security.

RESOLUTION OF MISSOURI RIVER STATES COMMITTEE

Mr. MURRAY. Mr. President, electric power users in the eastern division of the Missouri River basin are confronted with a shortage of energy. The shortage results from unwise planning for Missouri basin development, the current administration's policy of no new starts on water projects, and its further policy of firming only a minimum amount of the hydroelectric energy it has available for marketing.

Within the past 2 or 3 weeks Missouri basin leaders of both political parties have taken a series of actions to correct the situation. The Missouri Basin Interagency Committee, including representatives of the State governments, refused to accept a new adequacy of flow study presented by Army engineers. The study proposed to allow less water for irrigation, reduce firm power generation, but increase the release of water for the flowing navigation channel in the lower river. The interagency committee then adopted a resolution calling for a study of slack water navigation, instead of flowing navigation, in the lower basin. I ask unanimous consent to include in the RECORD a letter I have received from Gov. Ralph G. Brooks, of Nebraska, assuring unequivocal support of the resolution for a study of slack water navigation.

On April 15—just 2 weeks ago—the Missouri River States Committee, composed of representatives of all of the States lying wholly or partly in the basin, held a meeting at Council Bluffs, Iowa. That committee adopted a resolution which declares that the administration's "no new starts" policy is impeding and severely handicapping the development of the Missouri basin and impairing the economic strength of the entire country. It calls upon Congress to implement its authorizations of Missouri basin projects by appropriating the necessary funds to get them under construction. A copy of the Missouri basin States resolution has been forwarded me by Gov. J. Hugo Aronson, of Montana, and I ask unanimous consent to have the resolution printed in the RECORD at this point.

There being no objection, the resolution was referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

We, the Missouri River States Committee, consisting of the Governors of the States of Iowa, Colorado, Kansas, Montana, North Dakota, South Dakota, Minnesota, Missouri, Nebraska, and Wyoming, comprising one-sixth of the area of the United States of America, in meeting assembled, do hereby adopt the following resolution:

Whereas the Missouri River States Committee, created in December of 1941, was organized for the express purpose of securing flood control, irrigation, navigation, power development, and related improvements of the entire Missouri River basin; and

Whereas through the efforts of the Missouri River States Committee and other groups, the Missouri basin project was authorized by Congress in the year 1944; and

Whereas during the 15 years since that time substantial progress has been made in meeting the objectives of flood control, navigation, water supply, and power development and, to a lesser degree, irrigation and other improvements; and

Whereas the orderly development of natural and human resources of the Missouri River basin is impeded and severely handicapped by the "no new starts" policy; and

Whereas said "no new starts" policy impairs the economic strength of the entire country by preventing the development of natural resources in the basin as an investment in the future welfare and security of the United States as a whole; and

Whereas the construction of planned projects would strengthen the economic base of this region and of our whole country at a time when full development and use of our national resources are urgently needed in the struggle between the free world and the areas of the earth dominated by Communists: Now, therefore, be it

Resolved, That this committee urge the Congress of the United States to implement its authorizations of reclamation and flood control and other projects by appropriating the necessary money for the initiation of said projects; and be it further

Resolved, That this resolution be forwarded by the chairman of the Missouri River States Committee to the Honorable CLARENCE CANNON, chairman of the Appropriations Committee of the House of Representatives of the United States and the Honorable CARL HAYDEN, chairman of Appropriations Committee of the Senate of the United States.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. KEFAUVER, from the Committee on the Judiciary, without amendment:

S. 895. A bill to provide for the representation of indigent defendants in criminal cases in the district courts of the United States (Rept. No. 232).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MURRAY (by request):

S. 1817. A bill to supplement the Federal reclamation laws;

S. 1818. A bill to donate to the Confederated Tribes of the Warm Springs Reservation, Oreg., approximately 48.89 acres of Federal land; and

S. 1819. A bill to amend the act of June 4, 1953 (67 Stat. 41), entitled "An act to authorize the Secretary of the Interior, or his authorized representative, to convey certain school properties to local school districts or public agencies"; to the Committee on Interior and Insular Affairs.

By Mr. FULBRIGHT (by request):

S. 1820. A bill to authorize certain generals of the Army to accept and wear decorations, orders, medals, presents, and other things tendered them by foreign governments; to the Committee on Foreign Relations.

(See the remarks of Mr. FULBRIGHT when he introduced the above bill, which appear under a separate heading.)

By Mr. HUMPHREY (for himself, Mr. PROXMIRE, and Mr. MCCARTHY):

S. 1821. A bill to provide for mandatory price support through the marketing year ending in 1964, for milk used in manufactured dairy products and for butterfat; to maintain the productive capacity of our dairy farming industry; to promote the orderly marketing of an adequate national supply of milk and dairy products; to encourage increased domestic consumption of dairy products in the interests of the national health and security; and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. HUMPHREY when he introduced the above bill, which appear under a separate heading.)

By Mr. YOUNG of Ohio:

S. 1822. A bill for the relief of Hirsh Marinski; to the Committee on the Judiciary.

By Mr. DODD:

S. 1823. A bill to amend Public Law 85–255, and to further authorize settlement for inequitable losses in pay suffered by commissioned officers; to the Committee on the Judiciary.

By Mr. MURRAY:

S. 1824. A bill for the relief of the heirs of Harmon Wallace Jones; to the Committee on the Judiciary.

By Mr. RANDOLPH (for himself and Mr. BYRD of West Virginia):

S. 1825. A bill to provide for the establishment of a national cemetery at or near Oak Hill, W. Va.; to the Committee on Interior and Insular Affairs.

CONCURRENT RESOLUTIONS

PROPOSED COMMISSION ON THE GOLD MINING INDUSTRY

Mr. MURRAY submitted the following concurrent resolution (S. Con. Res. 27), which was referred to the Committee on Interior and Insular Affairs:

Whereas during World War II, mining operations in many gold mines throughout the United States were discontinued pursuant to Government order; and

Whereas during World War II and subsequent thereto, the cost of mining operations has greatly increased; and

Whereas the price of gold in the United States was fixed during the period of low operation cost at the rate of $35 per ounce by the Federal Government and that price has continued until the present time; and

Whereas as a result of the foregoing conditions more than 90 per centum of the gold mines scattered throughout the United States have been forced to close: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That there is hereby established a commission, to be known as the Commission on the Gold Mining Industry (hereafter referred to as the "Commission") which shall be composed of sixteen members as follows: (1) Five members who are Members of the Senate; (2) five members who are Members of the House of Representatives; and (3) six members from persons in private life who are familiar with the gold mining industry. The members who are Members of the Senate and three of the members from private life shall be appointed by the President of the Senate, and the members who are Members of the House of Representatives and three of the members from private life shall be appointed by the Speaker of the House of Representatives, but not more than three of the Members appointed from either House of Congress shall belong to the same political party. The members of the Commission shall serve without compensation other than compensation received as Members of the Senate and House of Representatives, but they shall be reimbursed, in accordance with Senate regulations, for travel, subsistence, and other necessary expenses incurred by them in connection with the performance of the duties vested in the Commission.

SEC. 2. Vacancies in the membership of the Commission shall not affect the power of the remaining members to execute the functions of the Commission, and shall be filled in the same manner as in the case of the original selection. The Commission shall select a Chairman and a vice chairman from among its members at the organization of the Com-

mission and at the beginning of the Eighty-sixth Congress. The Vice Chairman shall act instead of the Chairman in the absence of the Chairman.

SEC. 3. The Commission may hold such hearings, sit and act at such places and times, require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, administer such oaths, take such testimony, procure such printing and binding, and make such expenditures as it deems advisable.

SEC. 4. The Commission may appoint such experts, consultants, technicians, and clerical and stenographic assistants as it deems necessary and advisable. The Commission may utilize the services, information, facilities, and personnel of the departments and establishments of the Government.

SEC. 5. It shall be the duty of the Commission to make a full and complete study and investigation of the gold-mining industry in the United States and to report to the Senate and House of Representatives not later than December 31, 1959, the results of its study and investigation together with its recommendations as to legislation necessary to reestablish as an integral part of the American economy the production of gold in the United States, and the Commission shall cease to exist and all authority conferred by this concurrent resolution shall terminate upon the submission by the Commission of its report provided for by this section.

SEC. 6. The expenses of the Commission, which shall not exceed $200,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

FEDERAL POLICY IN THE FIELD OF AMERICAN INDIAN AFFAIRS

Mr. ANDERSON (for himself, Mr. HAYDEN, Mr. GOLDWATER, Mr. ALLOTT, Mr. KUCHEL, Mr. BIBLE, Mr. O'MAHONEY, Mr. BENNETT, and Mr. CASE of South Dakota) submitted a concurrent resolution (S. Con. Res. 28) relating to the subject of Federal policy in the field of American Indian Affairs, which was referred to the Committee on Interior and Insular Affairs and ordered to be printed in the RECORD, as follows:

Whereas H. Con. Res. 108, Eighty-third Congress, agreed to August 1, 1953, expressed it to be the policy of Congress, as rapidly as possible, to make Indians within the territorial limits of the United States subject to the same laws and entitled to the same privileges and responsibilities as are applicable to other citizens of the United States and that Indians within the territorial limits of the United States should assume their full responsibilities as American citizens; and

Whereas the Eighty-third, Eighty-fourth, and Eighty-fifth Congresses, pursuant to such resolution, enacted several statutes providing for the termination of Federal supervision and control over various tribal groups; and

Whereas H. Con. Res. 108 has been misinterpreted as proposing hasty termination by the Federal Government of trusteeship over Indians prior to the time the tribes and the individual members concerned may be prepared to manage their own affairs without further Federal assistance; and

Whereas it is in the interest of the several Indian tribes and of the Federal Government that a clear understanding of the objectives of Federal Indian policy be set forth as a basis for the adequate preparation of Indians to assume their responsibilities: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is declared to be the sense of Congress (1) that H. Con. Res. 108, agreed to August 1, 1953, Eighty-third Congress, should be interpreted as stating a foreseeable objective; (2) that, in carrying out the policy objective of H. Con. Res. 108, as clarified by this resolution, the various Indian tribes should be categorized into three groups by the Secretary of the Interior: (a) those tribes that have relatively uncomplicated problems, that have required few services from the Bureau of Indian Affairs in recent years, and whose members are generally recognized as having reached a state of development that would permit termination within a period of five years; (b) those tribes that have more complicated problems that require additional planning, or whose members need further Federal assistance that will better prepare them to manage their own affairs without Federal assistance within a period of five to fifteen years; (c) those tribes that require longer range planning and greater preparation for future responsibilities, or whose members, because of cultural differences, economic status, lack of educational development or substandard health conditions, require maximum Federal assistance to prepare for termination; (3) that Indian tribes and groups should continue to receive appropriate Federal aid as required in order to attain a position of parity with other citizens of their respective States socially, economically, and in terms of education and health; (4) that as a condition precedent to the submission of proposed legislation to carry out the objectives of this resolution, the Secretary of the Interior or his representatives should confer to the fullest possible extent with members of the tribes in order that the Indians concerned may understand any proposed plan under which a program terminating Federal supervision and control would go forward, but with the ultimate responsibility resting with Congress to determine the timing for any legislation; (5) that State, county, and local officials in the States in which the reservations are located should be fully consulted by representatives of the Department of the Interior prior to the submission of any legislative proposal to Congress, and their recommendations and suggestions made a part of any report submitted to Congress in connection with an Indian termination program; (6) that the responsibility for the administration of all termination programs should be assigned to the Commissioner of Indian Affairs who shall, at the beginning of each year, submit to Congress a specific program for each Indian tribe showing, by years, the legislative and administrative measures he proposes to institute in order to carry out the objectives of this resolution.

RESOLUTIONS

Mr. MANSFIELD (for himself and Mr. HICKENLOOPER) submitted a resolution (S. Res. 110) to print, with additional copies, a report of Senators MANSFIELD and HICKENLOOPER on their observations of the United Nations, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. MANSFIELD, which appears under a separate heading.)

Mr. MURRAY (for himself, Mr. MORSE, Mr. KERR, and Mr. HUMPHREY) submitted a resolution (S. Res. 111) amending S. Res. 48, 86th Congress, concerning the development and coordination of water resources, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. MURRAY, which appears under a separate heading.)

Mr. LAUSCHE submitted a resolution (S. Res. 112) relating to the death of Hon. James G. Polk, late a Representative from the State of Ohio, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. LAUSCHE, which appears under a separate heading.)

AUTHORIZATION FOR CERTAIN GENERALS OF THE ARMY TO ACCEPT AND WEAR DECORATIONS, AND SO FORTH, TENDERED BY FOREIGN GOVERNMENTS

Mr. FULBRIGHT. Mr. President, by request, I introduce, for appropriate reference, a bill to authorize certain Generals of the Army to accept and wear decorations, orders, medals, presents, and other things tendered them by foreign governments. This bill was submitted to the Vice President by letter on April 20, 1959.

The proposed legislation has been requested by the Secretary of Defense, and I am introducing it in order that there may be a specific bill to which Members of the Senate and the public may direct their attention and comments.

I reserve my right to support or oppose this bill, as well as any suggested amendments to it, when the matter is considered by the Committee on Foreign Relations.

I ask unanimous consent that the bill may be printed at this point in the RECORD, together with the letter from the Secretary of Defense to the Vice President.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the RECORD.

The bill (S. 1820) to authorize certain Generals of the Army to accept and wear decorations, orders, medals, presents, and other things tendered them by foreign governments, introduced by Mr. FULBRIGHT, by request, was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, the following named Generals of the Army are hereby authorized to accept and wear such decorations, orders, medals, presents, and other things as have been tendered them as of the date of approval of this Act by the foreign government or foreign governments listed immediately following their names, and that the consent of Congress is hereby expressly granted for this purpose as required under article I, section 9, clause 8 of the United States Constitution: Name, George Catlett Marshall: Donor Government, Liberia, Centennial Medal. Donor Government, Yemen, belt and dagger; silver filigree, cigarette box, and two filigree bon bon dishes.

Douglas MacArthur: Donor Government, Cuba, Grand Cross of the National Order of Merit Carlos Manuel de Cespedes.

Omar Nelson Bradley: Donor Government, Argentina, Order of General San Martin, degree of Gran Oficial. Donor Government, Brazil, Order of Military Merit, degree of Grand Officer. Donor Government, Italy, Grand Cross of the Military Order of Italy.

The letter presented by Mr. FULBRIGHT is as follows:

THE SECRETARY OF DEFENSE,
Washington, April 20, 1959.

DEAR MR. PRESIDENT: There is forwarded herewith a draft of legislation "to authorize certain generals of the Army to accept and wear decorations, orders, medals, presents, and other things tendered them by foreign governments."

This proposal is a part of the Department of Defense legislative program for 1959, and the Bureau of the Budget has advised that there is no objection to its transmittal to the Congress for consideration. The Department of the Army has been designated as the representative of the Department of Defense for this legislation. It is recommended that this proposal be enacted by the Congress.

PURPOSE OF THE LEGISLATION

The purpose of this proposed legislation is to provide necessary authority for Generals of the Army George Catlett Marshall, Douglas MacArthur, and Omar Nelson Bradley to accept and wear the awards tendered them by foreign governments and held in escrow by the Department of State pursuant to the Act of January 31, 1881 (21 Stat. 604; 5 U.S.C. 115). The Secretary of State is required to furnish each odd numbered Congress "a list of those retired officers or employees of the United States for whom the Department of State under the provisions of 115 of this title (5 U.S.C. 115), is holding decorations, orders, medals, or presents tendered them by foreign governments." (Act of June 27, 1934; 48 Stat. 1267; 5 U.S.C. 115a.)

It is not mandatory that an officer who attains the grade of General of the Army retire from the service because of age. A General of the Army who elects not to retire continues to be carried on the active list and remains available to the Government for consultation. Each general named above chose not to retire. Thus their status, not dissimilar in many respects to that of retired officers, is such that their names will not be included in the list of retired officers forwarded periodically by the Secretary of State to the Congress. It would appear, therefore, that remedial legislation is required if Generals of the Army Marshall, MacArthur, and Bradley are to receive during their lifetimes, the awards tendered them by foreign governments and which are currecently held in escrow by the Department of State. (The awards held in escrow are listed in the enclosure.) The attached legislative proposal is designed to accomplish that equitable and desirable result.

COST AND BUDGET DATA

The enactment of the proposal would cause no increase in budgetary requirements for the Department of the Army.

Sincerely yours,

DONALD A. QUARLES, *Deputy.*

AMENDMENT OF AGRICULTURAL ACT OF 1949, RELATING TO MARKETING OF DAIRY PRODUCTS

Mr. HUMPHREY. Mr. President, I am about to introduce a bill, and I ask unanimous consent that I may speak on it in excess of the 3 minutes allowed under the order which has been entered.

The VICE PRESIDENT. Without objection, the Senator from Minnesota may proceed.

Mr. HUMPHREY. Mr. President, the dairy farmers of the Nation are on a treadmill. We are in grave danger of allowing the family farm to be wiped out in dairy production. The farm families who produce milk and butterfat for use in the manufacture of dairy products are today among the most underpaid people in America. Without the inadequate price-support program provided by existing law, dairy farmers' net income would probably be little more than half what it is now.

When the American public buys an automobile they expect and know that the price they pay for it will cover all costs of production plus quite adequate profits. The price of that car has been administered by the huge corporations in the industry by tailoring output to demand at a profitable price.

The price we pay for that car is administered to fully cover all the costs of material and parts that are needed for the manufacture of that car.

The price we pay for that car is administered to repay the manufacturing corporation for the rather handsome salaries and bonuses they pay to their president, board chairmen, dozens of vice presidents and a corps of managers, programers, designers, and expediters.

The price we pay for that car is also administered fully to cover the cost to the corporation of paying whatever wages and fringe benefits the workers in the industry are able to obtain by collective bargaining through their union.

We American citizens think this is proper and just. We think the price of a car should be enough to provide an American standard of living to those who produce the car and we know that managers and vice presidents are necessary. We honor the profit system in the automobile industry.

But we do not honor that system on America's dairy family farms. The work required to operate a dairy farm is more continuously confining and demands longer and more irregular hours than any other occupation in the world. The dairy farmer shares with doctors and Senators the unique job feature of being on call 24 hours a day.

Like a Senator, the dairy farmer cannot observe the ordinary working hours; he must work while others sleep or play or rest. Like a Senator, the dairy farmer knows not what hour or minute of day or night he will be called upon.

Long before dawn, the dairy farmer and his wife are at work. And that is not just 5 days a week, or 6. The dairy farmer and his wife must meet the time schedule of a regular milking rhythm on all 7 days. The slightest variation in the schedule of this endless toil may so unbalance the natural instincts of the dairy cows that disastrous drops in milk production may occur.

Not only is the work of the dairy farmer one of long and unusual hours each day of a 7-day week, but it also requires work of a highly skilled and technical nature. As in building an automobile, you cannot trust just any Tom, Dick, or Harry to work with highly refined dairy cows. Training and skill are essential.

Yet the family workers on the dairy farms of this Nation are among our lowest paid groups.

The report issued by the Department of Agriculture on the costs and returns of typical family-operated commercial farms shows that in 1957, the most recent year for which data have been published, the income was 90 cents per hour in the northeastern dairy States; 52 cents per hour in eastern Wisconsin; 63 cents per hour in western Wisconsin; 99 cents per hour on hog-dairy farms in the Corn Belt; and 58 cents per hour on dairy farms in the southeastern part of my own State of Minnesota.

There is something wrong here. These hard-working, skillful family-farm workers who are producing our milk are unable to earn and receive even the standard of wages that Congress has set by law as the bare minimum for unskilled manual labor.

Compare the 58 cents per hour for labor and management that a 20-cow-dairy operator receives in my State of Minnesota to a construction worker's wage of $3.18 per hour, as reported by Economic Indicators. Or the $2.37 per hour a production worker in durable manufacturing earns; that is four times as high as the hourly return earned by the dairy farmer.

Probably no dairy farmer ever expects to have an income equal to that of the president or vice president of an automobile company. Yet the management job of running a dairy farm compares fairly in complexity, difficulty, and importance to the Nation with the job of managing an automobile factory.

As a matter of fact, the management of a dairy farm probably requires a higher grade of continual attention to a more complex process than the managing of an automated factory.

Yet the total income on America's dairy farms is so small that the Department of Agriculture report does not even show return to management as a separate figure. The small return for management to dairy farmers is lumped in with the extremely low labor returns that have been cited.

We expect and know that the price we pay for a car will be administered fully to cover the cost of buying materials and machines used in the manufacture of the car. The dairy farm, like the automobile factory, is a heavy investment operation. The capital investment per worker on a dairy farm is probably $30,000 per worker, double or triple the capital investment per worker in industry as a whole. Yet the return to capital investment on our dairy farms is extremely low, as shown by official Government reports.

There is something wrong about this. The product of dairy farms is absolutely essential to life itself. Nutritionists tell us that milk is the most nearly complete food of all. It is essential to health and is a necessary part of our American standard of living. Yet we have been content to subject those who produce it to substandard income and purchasing power.

Our Federal Government has operated programs to rectify the situation to some extent. The program under existing law was never fully adequate in the first place. But in the past 6 years it has been whittled down and whittled down by administrative action to where, even with the program, our dairy farmers have been forced into the status of second-class economic citizens.

The whittling that has been done to the dairy program needs to be made clear. The value of the program to dairy farmers has been reduced in three ways:

First, the cost of the program has been too large and this has tended to discredit it in the eyes of the public;

Second, the percentage level of price support has been dropped from 90 percent of parity to 75 percent;

Third, the parity price itself for milk used for manufacture of butter, ice cream, cheese, and other products has been dropped lower and lower by administrative action.

The constant whittling down of the milk price-support program has contributed to the continuous process in these past 6 years of lowering farm income and prices nearer and nearer to the level of the so-called free market.

In an administered economy, the dairy family farm cannot survive on the free market. Either we shall force our dairy producers into the status of poverty-stricken, bankrupt peasantry or we shall force the death of the family farm and inauguration of the factory system of milk production.

The senior Senator from Minnesota does not believe that this Nation can afford to allow either of these things to occur. The senior Senator from Minnesota does not believe that the Nation wants this to happen to our dairy farms.

Because the senior Senator from Minnesota believes the Nation wants to preserve and improve its family dairy farms, he is introducing for appropriate reference a comprehensive dairy farm income improvement bill which if enacted and placed into well-administered operation would enable our family dairy farm operators to receive the decent American incomes that they so fully earn by their work, management, and capital investment.

This bill is being introduced simultaneously in the House of Representatives by Representative LESTER JOHNSON of the adjoining State of Wisconsin.

The bill is the product of long hours over many months of patient study and consultation on Congressman JOHNSON'S part. The senior Senator from Minnesota wishes to express his commendation and deep appreciation to Congressman JOHNSON for his effective work in developing this new dairy program. I am honored that he has included me among the many people and groups with whom he has worked in developing this bill. His courtesy in extending to me the honor of joining him as cosponsor of this forward looking proposal is, also, a matter of gratification to me.

Also, Mr. President, the senior Senator from Minnesota wishes to express his thanks and appreciation to all those whose labor and ideas have gone into the preparation and drafting of this proposed program.

This bill which I am introducing today is a carefully drawn proposal. It is the product of the experience and wisdom of countless dairy farmers whom we have consulted. It has had the benefit of the expert advice and assistance of outstandingly competent economists and marketing specialists in the great State universities and State departments of agriculture in our States of Minnesota and Wisconsin.

We have consulted with and taken the advice of the leaders of our great farm organizations and dairy farmers' cooperatives.

This bill has benefited from years of discussion among farmers, legislators, and public employees.

We have consulted with and benefited from the advice of the representatives of dairy product processing groups.

Many of the provisions of this bill were studied, debated, discussed, and developed in long hours of work last year by the Dairy Subcommittee of the House Agriculture Committee. An earlier draft of the bill received the bipartisan approval of the members of that sincere and conscientious group without a dissenting vote.

Through further study and consultation with interested groups, the earlier bill has been still further improved.

Mr. President, this bill seeks to provide the basis upon which dairy farmers who produce milk that is used for the manufacture of butter, cheese, and other products can be given a fair and positive opportunity to receive an adequate income.

The bill provides for doing this in ways that will maintain fair prices for consumers of dairy products with greater safeguards than in existing law to protect consumers in case of increasing unemployment.

The bill provides the mechanism by which a more adequate dairy program can be operated at lower cost to the Federal Treasury than the existing program.

As I have said, the bill as presented is the work of many sincere people whose hearts and minds are devoted to improvement of the family dairy farm. In its present form, the bill does not provide exactly what any single one of them wants. The proposal is a product of discussion, negotiation, and accommodation. Only Congressman JOHNSON and I bear the total responsibility for the final bill. We commend it to you for your further study.

Mr. President, the situation faced by the dairy farmers of our Nation is not that of crisis; it is a chronic condition. It is the situation faced by producers in an industry of atomistic competition in a generally price and production administered economy. The low income of the dairy farmer is a chronic condition resulting from unfairly low bargaining power, pushed constantly lower and lower by the relentless advance of dairy farm technology which pushes production up at a more rapid rate than the increase in population and demand. This is a chronic condition, not a crisis.

To correct this condition requires more than a short-term crash program directed at temporary maladjustments. To correct it requires the adoption of a fundamental continuing program that will maintain balance over the years ahead.

This is the kind of program proposed in the bill that Representative JOHNSON and I are introducing today.

Mr. President, neither Representative JOHNSON nor the senior Senator from Minnesota considers this bill as a perfect last word on the subject. Further discussions and suggested improvements from all interested people will be appreciated.

But this is true. The bill is a complete, comprehensive serious suggestion for the solution of a serious problem. Operated by a skillful and sympathetically motivated Secretary of Agriculture in cooperation with the Federal Dairy Board of dairy farmers, the provisions of this bill would provide a fairly adequate income protection shield behind which dairy farmers could pull their cooperatives together, expand, and build a truly nationwide dairy farmers' collective bargaining device through which they could make still further progress toward a parity of income in an expanding society.

Mr. President, I have here an analysis of how the program would operate under certain stated circumstances. I ask unanimous consent that the bill, together with the analysis, be printed at the conclusion of my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and analysis will be printed in the RECORD.

The bill (S. 1821) to provide for mandatory price support through the marketing year ending in 1964, for milk used in manufactured dairy products and for butterfat; to maintain the productive capacity of our dairy farming industry; to promote the orderly marketing of an adequate national supply of milk and dairy products; to encourage increased domestic consumption of dairy products in the interests of the national health and security; and for other purposes, introduced by Mr. HUMPHREY, was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Agricultural Act of 1949 is amended by adding at the end thereof the following new title:

"TITLE VI—MARKETING OF DAIRY PRODUCTS

"PART I—SHORT TITLE; DECLARATION OF FINDINGS AND POLICY; DEFINITIONS

"SHORT TITLE

"SEC. 611. This title may be cited as the 'Dairy Marketing Act'.

"DECLARATION OF FINDINGS AND POLICY

"SEC. 612. It is recognized that dairy products are strategic commodities essential to the health, welfare, and security of the Nation and that the desired domestic production and consumption of such dairy products are hindered by the depressing effects of low prices to the producers, by wide fluctuations in supply and price to the consumer, and by impaired purchasing power of the consumer.

"It is, therefore, declared to be the policy of the Congress as a measure of national security and in promotion of the general economic welfare, to provide mandatory price support at not less than 90 per centum of the parity price for milk used in manufactured dairy products and for butterfat for the marketing years ending in 1962, 1963, and 1964, in order to maintain the productive capacity of the dairy farming industry,

and to provide orderly marketing of an adequate national supply of milk and dairy products.

"DEFINITIONS

"SEC. 613. For the purposes of this title—

"(1) The term 'manufacturing milk' means milk used to produce butter, cheese, condensed milk (sweetened or unsweetened), evaporated milk, whole milk powder, nonfat dry milk, malted milk, ice cream, ice cream mix (liquid or powder), casein, and any other concentrated or dehydrated milk products.

"(2) The term 'butterfat' means the butterfat content of home separated cream sold by the producer thereof.

"(3) The term 'qualifying producer' means all producers of manufactured milk or butterfat other than producers who have not complied with marketing quotas during years such quotas are in effect.

"(4) In computing parity prices under section 301(a)(1) of the Agricultural Adjustment Act of 1938, the word 'prices', when used in such section, shall be deemed to include any deficiency payments made under this title.

"(5) The parity price of manufactured milk shall be 90 per centum of the parity price of all milk wholesale.

"PART II—PRICE SUPPORT

"LEVEL OF SUPPORT

"SEC. 621. During the marketing years ending in 1962, 1963, and 1964, the Secretary shall support the price of manufacturing milk and of butterfat to qualifying producers thereof at 90 per centum of the parity price thereof, except that the Secretary may reduce the price support level for either such commodity for any marketing year by 2 per centum of the parity price thereof for each 1 per centum of national marketing base by which the Secretary determines the Board has established marketing quotas larger than the smallest quota which it is authorized to establish for that marketing year under section 633, but the Secretary shall not reduce such price support level for either such commodity below 75 per centum of the parity price thereof.

"METHOD OF PROVIDING PRICE SUPPORT

"SEC. 622. (a) Price support under this title shall be provided through a combination of deficiency payments to qualifying producers as provided in subsection (b) and purchases as provided in subsection (c), or through purchases alone when authorized by subsection (c).

"(b)(1) During each marketing year to which this title applies, the Secretary shall make, from Commodity Credit Corporation funds, price support available to each qualifying producer who, during the marketing year, sold 10,000 pounds or more of milk or milk equivalent by means of a deficiency payment with respect to all manufacturing milk and butterfat sold by him during such year. The deficiency payment for any producer for a marketing year shall be an amount equal to the difference between the price support level established under section 621 for manufacturing milk or butterfat, as the case may be, and the domestic market price per unit of such commodity for that year as determined under paragraph (2), multiplied by the number of units of the commodity marketed by the producer during that marketing year.

"(2) Deficiency payments shall be made to the producers entitled thereto before July 1 of the year immediately following the marketing year in question. For the purposes of this subsection, the domestic market price per unit of manufacturing milk or butterfat, as the case may be, shall be the national average net prices received by producers on sales of such commodity, as determined by the Secretary. A qualifying producer who sells milk under the terms of a Federal milk order shall be eligible for a deficiency payment on so much of his milk as is used for manufactured dairy products or butter.

"(3) There is hereby authorized to be appropriated annually to the Secretary the compliance deposits forfeited by producers under section 643(b), and such other funds as may be required to reimburse the Commodity Credit Corporation for such of its funds as may be expended under this part.

"(c) In making price support available through purchases under this section, such purchases shall be made by the Secretary to fulfill Government distribution program requirements and as an adjunct to deficiency payments, and to correlate the relative prices of the various products of manufacturing milk and butterfat in such a manner that prices to producers for manufacturing milk and butterfat used in the different manufactured dairy products will be maintained in the average relationship they bore to each other during the immediately preceding five-year period. Such purchases shall, so far as practicable, be made in the States or areas in which prices received by producers of manufacturing milk or butterfat are most depressed. Price support may be made available through purchases alone, unaccompanied by deficiency payments, where the Board and the Secretary determine that a price support level of 90 per centum of the parity price for manufacturing milk and of butterfat can be obtained by the purchase of dairy products representing the milk equivalent of not more than 2 per centum of the total expected farm marketings of manufacturing milk and butterfat during the marketing year.

"PART III—MARKETING QUOTAS

"WHEN IMPOSED

"SEC. 631. Not later than March 1 of each calendar year, the Board shall publish its determination of the average price per unit it estimates would be received by producers throughout the United States for manufacturing milk and by such producers for butterfat, in the absence of Federal price support operations, during the next marketing year, based on the assumption that the number of unemployed will not exceed 3 per centum of the labor force. If the estimated average price, as so determined, for manufacturing milk or for butterfat is less than 90 per centum of the parity price thereof, the Board shall impose marketing quotas for the next marketing year, unless it and the Secretary determine, as provided in the last sentence of section 622(c), to provide price support through purchases alone. If, at any time during any marketing year for which marketing quotas are in effect, it appears to the satisfaction of the Board that the average price which will be received by producers throughout the United States for manufacturing milk and for butterfat during the remainder of the marketing year will be more than 90 per centum of the parity price thereof, the Board may, in its discretion, suspend marketing quotas for the remainder of such year.

"DETERMINATION OF MARKETING BASES

"SEC. 632. The national marketing base for milk and milk equivalent for a marketing year shall be the average annual marketings of milk and milk equivalent in the United States during the first three of the immediately preceding four marketing years. The national marketing base shall be distributed by the Secretary, in accordance with regulations of the Board, to States, counties, and producers. Marketing bases shall be established for each marketing year for all producers who desire to market milk or butterfat. Marketing bases shall be assigned to single producers (including partnerships, corporations, and other business entities) rather than to herds or farms. In establishing and adjusting marketing bases of producers, the Secretary shall take into consideration historical production, trends in production, abnormal production during the historical period, and such other factors as may be appropriate to establish such bases in an equitable and practical manner. In establishing and adjusting marketing bases, the Secretary shall utilize the services of local, county, and State committees established under section 8 of the Soil Conservation and Domestic Allotment Act.

"(b)(1) The Secretary shall provide, by regulations approved by the Board, (A) for the transfer, subject to the provisions of paragraph (2), of marketing bases of producers, in whole or in part during the course of a marketing year, (B) for the assignment of marketing bases to new producers, (C) for the equitable adjustment of marketing bases to avoid hardship, (D) for such other adjustments consistent with the purposes of this title as he deems appropriate, subject to the provisions of paragraph (3), including adjustments for deficit production areas, and (E) for such other matters as may be necessary or appropriate to set up and operate effectively, fairly, and efficiently the program provided for in this title.

"(2) No part of a marketing base which has been established for a producer in a county but has been released by such producer may be reassigned outside such county during a period of three months after release by the original holder, and during such period marketing bases so released shall be utilized to fill applications for additional bases within the county. After the expiration of such three-month period any released bases not assigned to producers within the county may be reassigned to other counties in the State. For a period of three additional months bases may not be reassigned outside the State, and during such period released bases may be utilized to fulfill applications for additional bases within the State. After the expiration of such six-month period, any released bases not reassigned to producers within the State may be reassigned anywhere in the United States.

"(3) An adjustment of marketing bases from year to year in an area by reason of deficit production shall be made only upon a finding by the Secretary that the area does not produce sufficient milk to meet the market requirements for fluid milk for consumers in the area and has no reasonably satisfactory alternative source of supply available to it, except that an area which limits or restricts the entry of milk of suitable quality, as determined by the Surgeon General of the Public Health Service, from other areas shall not be eligible for adjustment of bases by reason of deficit production.

"ESTABLISHMENT OF MARKETING QUOTAS

"SEC. 633. If marketing quotas under this title are in effect for a marketing year, the Board shall establish a marketing quota for each producer which shall be his marketing base, reduced by not more than 1 per centum thereof for each 5 per centum that the estimated average price per unit (as determined for that year under section 631) for manufacturing milk is less than 90 per centum of its parity price. The marketing quota of a producer, as so determined, may be reduced by the Secretary by an amount which does not exceed 1 per centum of his marketing base, for each 5 per centum that the estimated average price per unit (as determined for that year under section 631) for manufacturing milk is less than 75 per centum of the parity price.

"PUBLICATION AND REVIEW OF MARKETING QUOTAS

"SEC. 634. The provisions of part I of subtitle C of title III of the Agricultural Adjustment Act of 1938 (relating to the publication and review of quotas) shall apply in the same manner and to the same extent to marketing

quotas established under this title as it applies to marketing quotas established under that Act.

"PART IV—COMPLIANCE DEPOSITS

"IMPOSITION AND AMOUNT OF COMPLIANCE DEPOSITS

"SEC. 641. During any marketing year in which marketing quotas are in effect, compliance deposits shall be withheld and collected from each producer who sells milk, butterfat, or dairy products. The amount of the compliance deposits shall be the amount, not less than 25 cents or more than 50 cents per hundredweight of milk or milk equivalent, which the Board determines is required to encourage compliance with marketing quotas. The determination under the preceding sentence may be revised from time to time during the marketing year. If during a marketing year, marketing quotas are suspended under the last sentence of section 631, the Board shall suspend the collection of compliance deposits during the remainder of the marketing year.

"COLLECTIONS OF COMPLIANCE DEPOSITS

"SEC. 642. (a) Every person purchasing milk, butterfat, or dairy products from a producer (except purchases by consumers for other than commercial uses) shall withhold from the purchase price an amount equal to the compliance deposit and shall remit the same to the Secretary of the Treasury. In the case of milk, butterfat, or dairy products delivered to a cooperative association of producers, the compliance deposit shall be withheld at the time of delivery to the association and remitted by the association to the Secretary of the Treasury.

"(b) Compliance deposits shall be credited to a special account in the Treasury. Such special account shall be available for the purposes of making refunds as provided in subsection (c), on drafts issued by the Secretary.

"(c) The Secretary of the Treasury shall have the same authority with respect to compliance deposits required by this part as he has under subtitle F of the Internal Revenue Code of 1954 with respect to taxes imposed thereunder.

"REFUND OF COMPLIANCE DEPOSITS

"SEC. 643. (a) The Secretary of Agriculture shall annually, prior to July 1 and following the close of the immediately preceding marketing year, provide for the payment from the special account referred to in section 642(b) of a refund to each producer who during such preceding marketing year complied with his marketing quota and to each producer who sold less than ten thousand pounds of milk or milk equivalent, the entire amount of the compliance deposit withheld from him. The Secretary shall prescribe regulations providing that a producer may not meet the requirement of sales of less than ten thousand pounds of milk or milk equivalent by transferring any of his herd to another person if the entire herd continues to be managed and housed as a unit, and that the transferee in such a case shall not be considered a producer. Subject to the provisions of the preceding sentence, no person who would otherwise meet such ten-thousand-pound requirement shall be considered as not meeting such requirement by reason of the fact his cows are housed and milked jointly with those of other producers.

"(b) Funds in such special account which are not refunded shall be forfeited by the producer from whom collected, and deposited in the general fund of the Treasury. The facts constituting the basis for any refund of compliance deposits, or the amount thereof, when officially determined in conformity with regulations prescribed by the Secretary, shall be final and conclusive and shall not be reviewable by any other officer or agency of the Government. In case any person who is entitled to the refund of a compliance deposit dies, becomes incompetent, or disappears before receiving such refund, or is succeeded by another who renders or completes the required performance, the refund shall, without regard to other provisions of law, be made as the Secretary may determine to be fair and reasonable in all the circumstances and provide by regulation.

"PART V—FEDERAL DAIRY BOARD

"CREATION OF BOARD

"SEC. 651. (a) There is hereby established, as an independent agency in the Department, a Federal Dairy Board (herein referred to as the 'Board') which shall be elected by milk producers as provided in this part. Only persons who are milk producers and who obtain the major portion of their income from farming shall be eligible to serve on the Board. There is hereby authorized to be appropriated such sums as the Board may require for carrying out its functions and duties.

"(b) In order to assure appropriate regional representation on the Board, the United States shall be divided into fifteen Federal dairy districts to be designated by the Secretary. In designating such districts, the Secretary shall give consideration to (1) complete geographical representation of the United States and (2) the designation of districts so that districts will be areas having equal annual sales of milk, butterfat, or dairy products, as nearly as possible without dividing any county into more than one district.

"(c) Each Federal dairy district shall be assigned one place on the Board. The milk producers in each district shall by ballot elect one Board member and one alternate Board member for the place on the Board. The Secretary shall prescribe the procedure for nomination of candidates and for their election and shall conduct the balloting for election of Board members and alternate Board members not later than February 15, 1961. The Secretary, or an official of the Department designated by him, shall be an ex officio member of the Board. He shall meet and confer with the Board, but shall not be entitled to vote or to receive compensation for his services as a member of the Board.

"ORGANIZATION OF THE BOARD

"SEC. 652. (a) The terms of office of the members of the Board shall expire on March 31, 1964. If a vacancy occurs in the membership of the Board, the alternate member elected for such place on the Board shall serve the unexpired portion of the term.

"(b) Each member of the Board, other than the Secretary or his designee, shall receive a per diem of $80 for each day's attendance at meetings of the Board and while traveling to and from such meetings, together with actual and necessary travel, subsistence, and other expenses incurred in the discharge of his official duties without regard to other laws relating to allowances which may be made on account of travel and subsistence expenses of officers and employees of the United States.

"(c) The Board shall meet as soon as practicable following the election of the members, and thereafter, annually on the second Monday in December and at other times upon the call of the Chairman. In addition, special meetings of the Board may be called at any time by a majority of the members, or by the Secretary. The Board shall meet at least once in each calendar quarter of each year.

"(d) The Chairman of the Board shall be selected by the Board from among its own members. He shall hold office for one year, except that the term of a member elected to fill a vacancy shall be the unexpired term of the Chairman whom he succeeds.

"(e) A majority of the members of the Board shall constitute a quorum, and action may be taken by majority vote of those present at a regular or special meeting at which a quorum is present. The Board may adopt, alter, and use an official seal which shall be judicially noticed.

"(f) The Board may employ such personnel as it deems necessary to carry out its functions, subject to the civil-service laws and the Classification Act of 1949; and the Secretary shall make available to the Board the use of any of the facilities and the services of any of the personnel of the Department which it may require for the appropriate conduct of its functions.

"(g) Elected members of the Board are hereby exempted with respect to their holding of such office, from the operation of sections 281, 283, 284, and 1914 of title 18 of the United States Code, and section 190 of the Revised Statutes of the United States, except that this exception shall not extend—

"(1) to the receipt or payment of salary in connection with the member's service on the Board from any source other than a private employer of the appointee at the time of his appointment, or

"(2) during the period he is in office, and for the further period of two years after the termination thereof, to the prosecution or participation in the prosecution, by any such person, of any claim against the Government involving any matter concerning which the member had any responsibilities arising out of his holding such office during the period he held such office.

"STUDY BY BOARD

"SEC. 653. The Board, in addition to its other functions, shall cause to be made a comprehensive study of the production and marketing of manufacturing milk, butterfat, and dairy products, including producers' costs of production, prices received by farmers, areas of production, the relationship between changes in national income and changes in volume of consumption of manufactured dairy products, marketing and processing spreads, relationships between prices received by farmers for milk used for fluid consumption and that used for manufacturing, returns to milk producers on capital investment and labor relative to those of other farmers and of other segments of the national economy, and trends in these factors. The costs of production shall be determined through an audited cost accounting survey of typical dairy farms in each region covering all costs of production on the farm attributable to milk production, with hired and family labor assigned a cost computed on the basis of wage rates for comparable work in milk manufacturing and processing plants in the area and return on invested capital equal to the average annual return on net worth earned by milk handlers and manufacturers during the preceding five-year period. The Board shall submit to Congress not later than January 3, 1963, a detailed report thereon with recommendations for improvement of the dairy support program, covering the probable costs and effects of the proposals recommended and the legislation required to put the changes into effect. The Board may conduct such hearings and receive such statements and briefs in connection with such study as it deems appropriate.

"PART VI—MISCELLANEOUS

"REVIEW OF MILK ORDERS

"SEC. 661. Notwithstanding any other provision of law, milk orders established under provisions of the Agriculture Marketing Agreements Act of 1937, as amended, shall be reviewed and shall be amended for the purpose of computing fluid class prices to take into account the payments made pursuant to this title so that such payments are reflected in basic formula prices under such orders and thus effectuate the

purpose of this title to improve farm family income in relation to the criteria provided in such Act. If under any marketing order class I milk is priced on the basis of market price of manufacturing or its products, plus the additional cost of producing milk eligible for fluid markets plus cost of freight and handling from the milk price basing point, as determined by the Secretary, then the first-named item shall be calculated for such purpose by adding the equivalent of such deficiency payments as may be made under this title to market prices.

"REFERENDUM

"SEC. 662. Not later than October 1, 1960, the Secretary shall conduct a nationwide referendum of producers of milk, butterfat, or dairy products who would have a marketing base of more than 10,000 pounds if this title were in effect, to determine whether those voting approve the provisions of this title. If more than one-half of the producers voting in the referendum oppose this title, this title (other than this section thereof) shall not go into effect and the price support operations of the Secretary under section 201(c) of this Act with respect to milk and dairy products shall remain in effect. The Secretary shall conduct the referendum, prescribing such rules and regulations as may be necessary. Any milk producer shall have only one vote and shall vote as an individual, rather than as a business entity. The ballot shall be in the following form:

"UNITED STATES DEPARTMENT OF AGRICULTURE—OFFICIAL BALLOT—NATIONAL REFERENDUM OF MILK PRODUCERS

"Mark this square if you favor—

☐ Establishment of a dairy income protective program, utilizing deficiency payments, Government purchases, storage and diversion, compliance deposits, and marketing quotas based on 90 per centum of the parity price, as provided in the Dairy Marketing Act.

"Mark this square if you favor—

☐ Continuation of price support utilizing Government purchases, storage and diversion with support at 75 to 90 per centum of the parity equivalent price, as provided by section 201(c) of the Agricultural Act of 1949."

The analysis presented by Mr. HUMPHREY is as follows:

ANALYSIS OF THE PROPOSED DAIRY MARKETING ACT

The bill if enacted would amend the Agricultural Act of 1949 by adding thereto a new title VI.

Part I is the short title of the bill, the declaration of findings and policy, and definitions.

Part II provides a new program of price supports for manufacturing milk and butterfat for the marketing years ending in 1962, 1963, and 1964.

Section 621 provides that the Secretary of Agriculture shall support the price of manufacturing milk and butterfat to qualifying producers at 90 percent of the parity price if the Dairy Board has established marketing quotas at the minimum level established by later provisions of the Act. For each 1 percent of the marketing base by which the Board does not reduce marketing quotas to the extent provided, the Secretary may lower the level of price support by 2 percent of the parity price. In no event may the Secretary establish the support level for milk and butterfat at less than 75 percent of the parity price.

Section 622 provides that the price supports for manufacturing milk and butterfat shall be carried out through a combination of deficiency payments to qualifying producers and purchasers; or in certain circumstances by purchases alone.

During each marketing year to which the new program applies, the Secretary is directed to make, from Commodity Credit Corporation funds, price supports available to each qualifying producer who during the marketing year sold 10,000 pounds or more of milk or milk equivalent, by means of a deficiency payment with respect to all manufacturing milk and butterfat sold by him during the year. The deficiency payment for any producer for any marketing year is calculated as the amount equal to the difference between the price support level and the domestic market price per unit of such commodity for that year multiplied by the number of units of the commodity marketed by the producer during that marketing year.

Deficiency payments must be made to producers entitled thereto before July 1 of the year immediately following the marketing year in question. The domestic market price per unit used in calculating the amount of the deficiency payment shall be the average national average net price received by producers on sales of such commodity. A qualifying producer who sells milk under terms of a Federal milk order shall be eligible for a deficiency payment on so much of his milk as is used for manufacturing milk or butter.

The forfeited compliance deposits of producers and such other funds as may be required by the Secretary to reimburse the Commodity Credit Corporation for such of its funds as may be expended in the new program are authorized to be appropriated to the Secretary of Agriculture.

In conjunction with the deficiency payments, the Secretary shall make price support available through purchase of products of milk to the extent necessary to: (1) fulfill Government dairy product distribution program requirements; and (2) correlate the relative prices of the various products of manufacturing milk and butterfat in such a manner that prices to producers for manufacturing milk and butterfat used in the different manufactured dairy products will be maintained in the average relationship they bore to each other during the immediately preceding 5 years. Such purchases, in so far as practicable, must be made in the States or areas where prices received by producers are most depressed.

Price support may be made available through purchases alone, unaccompanied by deficiency payments, where the Dairy Board and the Secretary determine that a price support level of 90 percent of the parity price can be obtained by the purchase of dairy products representing the milk equivalent of not more than 2 percent of the total expected farm marketings of manufacturing milk and butterfat during the marketing year.

Part III provides for establishment and operation of a system of marketing quotas for milk and butterfat sold in cream.

Section 631 provides that not later than March 1 of each calendar year, the Dairy Board shall make a determination of the average price per unit it estimates would be received by producers throughout the United States for manufacturing milk and butterfat, in the absence of Federal price support operations, during the next marketing year, based on the assumption that the number of unemployed will not exceed 3 percent of the civilian labor force.

If the estimated price so determined is less than 90 percent of the parity price, the Board shall impose marketing quotas for the next marketing year, unless it and the Secretary determine to provide the support operations solely through product purchases. The Board may suspend marketing quotas at any time within a marketing year when in its judgment the market price will be above 90 percent of the parity price if no quotas are in effect.

Section 632 provides for determination of the national and farm marketing bases for milk and butterfat sold in cream. The national marketing base for milk and milk equivalent for a marketing year shall be the average annual marketings of milk and milk equivalent in the United States during the first 3 of the immediately preceding 4 marketing years.

The national marketing base shall be distributed by the Secretary, in accordance with regulations established by the Board, to States, counties, and producers. Marketing bases must be established for each marketing year for all producers who desire to market milk or butterfat. Marketing bases shall be assigned to single producers (including partnerships, corporations, and other business entities) rather than to herds or farms. In establishing and adjusting marketing bases of producers, the Secretary is required to take into consideration historical production, trends in production, abnormal production during historical period, and such other factors as may be appropriate to establish such bases in an equitable and practical manner. In establishing and adjusting marketing bases, the Secretary would be required to use the services of the State, county, and local farmer committees.

The Secretary would provide, by regulations approved by the Board, for (A) the transfer of marketing bases, in whole or in part, from one producer to another during the course of the marketing year; (B) assignment of bases to new producers; (C) adjustment of bases to avoid hardship; (D) such other adjustments including adjustments for deficit areas, as he deems appropriate; and (E) such other matters as may be necessary or appropriate to set up and operate the new program effectively, fairly, and efficiently.

When a producer releases his marketing base, it may not be reassigned outside the county during a period of 3 months after release by the original holder, and during such period marketing bases so released shall be utilized to fill applications for additional bases within the county. After expiration of such 3-month period, any released bases not assigned to producers within the same county of the original holder may be reassigned to other counties within the State. For a period of 3 additional months, bases may not be reassigned outside the State, and during such period released bases may be utilized to fulfill applications for additional bases within the State. After expiration of such 6-month period, any released bases not reassigned to producers within the State may be reassigned anywhere in the United States.

An adjustment from year to year in an area by reason of deficit production shall be made only upon a finding by the Secretary that the area does not produce sufficient milk to meet the market requirements for fluid milk for consumers in the area and has no reasonably satisfactory alternative source of supply available to it, except that an area which limits or restricts the entry of milk of suitable quality, as determined by the Surgeon General of the Public Health Service, from other areas shall not be eligible for adjustment of bases by reason of deficit production.

Section 633 provides that each year when marketing quotas are required, the marketing quota for each producer shall be his marketing base, reduced by not more than 1 percent thereof for each 5 percent of the estimated average price per unit received by producers that such price is expected to be below 90 percent of the parity price. The original marketing quota for each year would be established by the Board. However, in the event the Board has not done so, the Secretary is empowered to reduce the marketing quota of each producer by not to exceed 1 percent of his marketing base for each 5 percent of the estimated market price that such price is ex-

pected to be less than 75 percent of the parity price.

Section 634 provides for the publication and review of the marketing quotas in accordance with applicable provisions of the Agricultural Adjustment Act of 1938, as amended.

Part IV establishes a system of dairy marketing compliance deposits to encourage the maximum compliance with marketing quotas.

Section 641 provides that during each marketing year in which marketing quotas are in effect, compliance deposits shall be withheld and collected from each producer who sells milk, butterfat, or dairy products. The amount of the compliance deposits shall be the amount determined by the Board at not less than 25 cents nor more than 50 cents per hundredweight of milk or milk equivalent, which the Board determines is required to encourage maximum compliance with marketing quotas.

Section 642 provides for the collection of compliance deposits by the Secretary of Treasury from every person who buys milk, butterfat or dairy products from a producer (except consumers for other than commercial use) who shall in turn withhold the amount of the compliance deposit from the purchase price. In the case of milk, butterfat, or dairy products delivered to a cooperative association of producers, the compliance deposit shall be withheld at the time of delivery and remitted to the Secretary of Treasury.

The compliance deposits shall be credited to a special account in the Treasury, from which refunds may be made on drafts issued by the Secretary of Agriculture.

Section 643 provides for the refund of the entire compliance deposit to each producer who during the marketing year complied with his marketing quota, and to each producer who sold less than 10,000 pounds of milk or milk equivalent during the marketing year. This section provides for safeguard against the division of herds in order to qualify for the 10,000 pound exemption. The 10,000-pound exemption of a producer who joins in a milking pool is protected.

The forfeited refunds will be deposited in the general fund of the Treasury.

Part V sets up a Federal Dairy Board to carry out certain functions prescribed in the new dairy program.

Section 651 provides for the establishment of the Board in the Department of Agriculture as an independent agency. Members of the Board shall be elected by producers. Only milk producers who obtain the major share of their income from farming are eligible to be elected as members of the Board. Appropriation is authorized to the Board of such sums as it may require to carry out its functions and duties.

To assure appropriate regional representation on the Board, the United States is divided into 15 Federal dairy districts to be designated by the Secretary. The Secretary is required to designate districts in such a manner that districts will be areas having equal annual sales of milk, butterfat, or dairy products, as nearly as possible without dividing any county into two or more districts.

Each Federal dairy district is assigned one place on the Board. The milk producers in each district shall elect one Board member and one alternate Board member by ballot. Such election shall be conducted in accordance with rules and regulations prescribed by the Secretary not later than February 15, 1961. The Secretary, or an official of the Department designated by him, shall be an ex officio member of the Board without compensation or vote.

Section 652 provides that the terms of the members of the Board shall expire on the termination date of the program: March 31, 1964. If a vacancy on the Board occurs, the alternate member elected for such place shall serve the unexpired term.

Provision is made for traveling expenses, subsistence, and per diem compensation of the Board members for each day's attendance at meetings of the Board. Meetings of the Board shall begin as soon as practicable following the election of the members, and thereafter annually on the second Monday in December, and at least once in each calendar quarter, and at any other time upon call of the Chairman, a majority of the members, or by the Secretary.

The Chairman of the Board shall be elected by the Board from among its own members.

The Board is empowered to employ such personnel as it deems necessary to carry out its functions, subject to the civil service laws and the 1949 Classification Act.

Section 653 provides that, in addition to its other functions, the Federal Dairy Board shall cause to be made a comprehensive study of the production and marketing of manufacturing milk, butterfat, and dairy products, including producers' costs of production, prices received by producers, areas of production, the relationship between changes in national income and changes in volume of consumption of manufacturing milk and butterfat and their products, marketing and processing spreads, relationships between prices received by farmers for milk used for fluid purposes and that used for manufacturing, returns to milk producers on capital investment and labor relative to those of other farmers and of other segments of the national economy, and trends in these factors. The costs of production shall be determined through an audited cost accounting survey of typical dairy farms in each region covering all costs of production on the farm attributable to milk production, with hired and family labor assigned a cost computed on the basis of wage rates for comparable work in milk manufacturing and processing plants in the area and return on invested capital equal to the average return on net worth earned by milk handlers and manufacturers during the preceding 5-year period. The Board is directed to submit to Congress a detailed report not later than January 3, 1963 covering the results of the study and making recommendations for improving the dairy marketing program.

Section 661 provides for a review and amendment of Federal milk orders for the purpose of computing fluid class prices to take into account the payments made under the new program in accordance with the criteria established in the Agricultural Marketing Agreements Act of 1937. The purpose of this section is to protect the pricing structure of Federal milk orders where fluid prices are based upon the market prices of manufacturing milk.

Section 662 provides that the new program shall not go into effect until approved by majority vote of milk producers in a referendum called for that purpose. The section also specifies the form of ballot to be used.

FEDERAL POLICY IN FIELD OF AMERICAN INDIAN AFFAIRS

Mr. ANDERSON. Mr. President, I submit for appropriate reference, a concurrent resolution on the subject of Federal policy in the field of American Indian affairs. I have been joined in the sponsorship of the resolution by the distinguished Senators from Arizona [Mr. HAYDEN and Mr. GOLDWATER], the senior Senator from Colorado [Mr. ALLOTT], the senior Senator from California [Mr. KUCHEL], the senior Senator from Nevada [Mr. BIBLE], the senior Senator from Wyoming [Mr. O'MAHONEY], the senior Senator from Utah [Mr. BENNETT]; and the junior Senator from South Dakota [Mr. CASE].

Mr. President, in 1953 the 83d Congress adopted House Concurrent Resolution 108. Briefly, House Concurrent Resolution 108 expressed it to be the policy of Congress, "as rapidly as possible, to make Indians within the territorial limits of the United States subject to the same laws and entitled to the same privileges and responsibilities as are applicable to other citizens of the United States, to end their status as wards of the United States, and to grant them all of the rights and prerogatives pertaining to American citizenship," and that "the Indians within the territorial limits of the United States should assume their full responsibilities as American citizens."

Resolution 108 went on to enumerate several Indian tribes for whom legislation should be prepared and submitted to Congress. It further stated that once the specified tribes had been released from Federal supervision and control, that offices of the Bureau of Indian Affairs in certain States should be abolished.

Beginning in 1954, the Secretary of the Interior, pursuant to House Concurrent Resolution 108, sent to Congress a series of bills to carry out the objectives of that resolution. Extensive and protracted hearings were conducted jointly by the Indian Subcommittees of the two Houses. Bills relating to some six or seven groups of Indians were passed and became law. Other bills were set aside for a variety of reasons.

Mr. President, most of the Members of this body are fully aware of the difficulties we have encountered with some of the so-called termination acts passed in 1954. The Klamath Tribe of Oregon has presented a particularly complex problem on which we have been working at almost every session of Congress since 1954. It is my hope that we now have the Klamath program worked out satisfactorily.

I allude to this one group because it seems to me that perhaps, in embarking on the termination program, we bit off more than we chould chew. If we had an opportunity to go back to 1953, knowing what we know now, I seriously question that the Klamath Tribe would have been selected for termination without giving considerably more thought and study to the manner in which a smooth transition from trust to nontrust status might be worked out for them.

On the other hand, in the intervening years, several termination programs for smaller Indian groups have come along. They have created little or no difficulty for the Indians affected.

Mr. President, I would be less than candid and fair if I did not say that the adoption of House Concurrent Resolution 108 has caused a great deal of consternation among Indian tribes generally throughout the United States. Virtually since the day it passed the Senate we have been urged by Indian organizations, tribal officials, church groups and others to repeal that resolution. I know from personal experience in my own State that Indian tribes are fearful of what

may be in the offing regarding termination; they are frustrated; they wonder whether some morning there may be an announcement that no further Federal assistance will be given them. Personally, I think their fears may be justified, simply because House Concurrent Resolution 108 does not say that such things will not happen.

Mr. President, it seems to me the time has arrived for the Congress to clarify the 1953 resolution by the adoption of the measure my colleagues and I are introducing today. This resolution has been drafted only after the most careful consideration. In it we have attempted to spell out in the clearest manner possible what Congress had in mind when it adopted House Concurrent Resolution 108.

I should like to make just a few brief explanatory comments about the resolution.

Let me say at the outset that this resolution would not establish a new Indian policy. It is a restatement of and an elaboration on the policy which Congress adopted in 1953. Initially, it states that the termination of Federal assistance to Indians will occur at some time in the future. It requests the Secretary of the Interior to classify all the Indian tribes on the basis of their preparation for eventual termination. In class 1 are those groups who are ready, or who will be ready, for termination within 5 years. In class 2 are those tribes with more complicated problems requiring additional planning, or whose members need additional assistance so that within 5 to 15 years they may be ready to assume their responsibilities. In the third class are those tribes requiring long-range planning, or whose members because of educational, cultural, economic or health reasons require maximum Federal assistance to prepare for termination.

Because we recognize the needs of Indians, it is stressed that continued appropriate Federal aid should be made available to them in order that their social, economic, health and educational status may reach parity with non-Indians in their States.

The resolution further expresses the sense of Congress that before a termination bill is submitted, representatives of the Interior Department will confer to the fullest possible extent with members of the tribe affected so that the Indians will understand any proposed program and have ample opportunity to express their views on it. This same procedure would be followed with State and local officials in those States having Indian reservations. Only after these steps had been taken would legislation providing for termination be sent to the Congress, and then the Congress would determine the timing for any such legislation.

Finally—and I point to this because it will be of particular significance to the Indians—the resolution calls for assigning the responsibility for the administration of all termination programs to the Indian Commissioner and would direct him to submit to Congress, at the beginning of each year, a specific program for each Indian tribe showing, by year, the legislative and administrative measures he proposes to institute in order to carry out the objectives of the resolution. Thus, on an annual basis, each tribe will know exactly what steps will be taken to prepare its membership for eventual non-trust status, and Congress will know exactly where and how the money it appropriates for the Bureau of Indian Affairs is going to be spent in assisting the Indians.

The distinguished chairman of the Committee on Interior and Insular Affairs, Mr. MURRAY, has introduced for himself and several other Senators a resolution bearing on this same subject. The chairman of the Indian Affairs Subcommittee, Senator NEUBERGER, has indicated that he intends to hold hearings in the near future on that resolution. I would hope that the resolution I have introduced today may be considered at the same time, and that from those hearings there may be reported to the Senate a fair, just, and reasonable Indian policy statement.

Mr. President, I ask unanimous consent that the text of this concurrent resolution may be printed in full following my remarks.

The VICE PRESIDENT. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 28) was referred to the Committee on Interior and Insular Affairs, and, under the rule, ordered to be printed in the RECORD, as follows:

Whereas House Concurrent Resolution 108, 83d Congress, agreed to August 1, 1953, expressed it to be the policy of Congress, as rapidly as possible, to make Indians within the territorial limits of the United States subject to the same laws and entitled to the same privileges and responsibilities as are applicable to other citizens of the United States and that Indians within the territorial limits of the United States should assume their full responsibilities as American citizens; and

Whereas the 83d, 84th, and 85th Congresses, pursuant to such resolution, enacted several statutes providing for the termination of Federal supervision and control over various tribal groups; and

Whereas House Concurrent Resolution 108 has been misinterpreted as proposing hasty termination by the Federal Government of trusteeship over Indians prior to the time the tribes and the individual members concerned may be prepared to manage their own affairs without further Federal assistance; and

Whereas it is in the interest of the several Indian tribes and of the Federal Government that a clear understanding of the objectives of Federal Indian policy be set forth as a basis for the adequate preparation of Indians to assume their responsibilities: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is declared to be the sense of Congress (1) that House Concurrent Resolution 108, agreed to August 1, 1953, 83d Congress, should be interpreted as stating a foreseeable objective; (2) that, in carrying out the policy objective of House Concurrent Resolution 108, as clarified by this resolution, the various Indian tribes should be categorized into three groups by the Secretary of the Interior: (a) those tribes that have relatively uncomplicated problems, that have required few services from the Bureau of Indian Affairs in recent years, and whose members are generally recognized as having reached a state of development that would permit termination within a period of 5 years; (b) those tribes that have more complicated problems that require additional planning, or whose members need further Federal assistance that will better prepare them to manage their own affairs without Federal assistance within a period of 5 to 15 years; (c) those tribes that require longer range planning and greater preparation for future responsibilities, or whose members, because of cultural differences, economic status, lack of educational development or substandard health conditions, require maximum Federal assistance to prepare for termination; (3) that Indian tribes and groups should continue to receive appropriate Federal aid as required in order to attain a position of parity with other citizens of their respective States socially, economically, and in terms of education and health; (4) that as a condition precedent to the submission of proposed legislation to carry out the objectives of this resolution, the Secretary of the Interior or his representatives should confer to the fullest possible extent with members of the tribes in order that the Indians concerned may understand any proposed plan under which a program terminating Federal supervision and control would go forward, but with the ultimate responsibility resting with Congress to determine the timing for any legislation; (5) that State, county, and local officials in the States in which the reservations are located should be fully consulted by representatives of the Department of the Interior prior to the submission of any legislative proposal to Congress, and their recommendations and suggestions made a part of any report submitted to Congress in connection with an Indian termination program; (6) that the responsibility for the administration of all termination programs should be assigned to the Commissioner of Indian Affairs who shall, at the beginning of each year, submit to Congress a specific program for each Indian tribe showing, by years, the legislative and administrative measures he proposes to institute in order to carry out the objectives of this resolution.

PRINTING AS A SENATE DOCUMENT, WITH ADDITIONAL COPIES, OF THE REPORT BY SENATORS MANSFIELD AND HICKENLOOPER ON THEIR OBSERVATIONS OF THE UNITED NATIONS

Mr. MANSFIELD. Mr. President, the senior Senator from Iowa [Mr. HICKENLOOPER] and I served as congressional members of the United States Delegation to the 13th General Assembly of the United Nations. As a result of our assignment as Delegates, we have prepared a report containing our observations on the United Nations. No attempt has been made to catalog in full the international issues and other matters which were considered at the 13th General Assembly. The President may be expected to provide that information for the Senate in his next regular public account of U.S. participation in that organization. We have directed our comments, rather, to the particular role which, as congressional members of the delegation, we were called upon to play. In addition, we have included general observations on the United Nations and U.S. membership therein. In the hope that our report may be helpful to the Senate, on behalf of the senior Senator from Iowa [Mr. HICKENLOOPER] and myself, I submit a resolution asking that our "Observations on the United Nations" be printed as a Senate document.

The VICE PRESIDENT. The resolution will be received and appropriately referred.

The resolution (S. Res. 110) was referred to the Committee on Rules and Administration, as follows:

Resolved, That "Observations on the United Nations" be printed as a Senate document, and that five thousand additional copies be printed for the use of the Committee on Foreign Relations.

SECOND SUPPLEMENTAL APPROPRIATION ACT, 1959—AMENDMENTS

Mr. DOUGLAS submitted amendments, intended to be proposed by him, to the bill (H.R. 5916) making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes, which were ordered to lie on the table and to be printed.

REPRESENTATION OF INDIGENT DEFENDANTS IN CRIMINAL CASES—ADDITIONAL COSPONSOR OF BILL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the name of the Senator from Tennessee [Mr. KEFAUVER] be added as a cosponsor of the bill (S. 895) to provide for the representation of indigent defendants in criminal cases in the district courts of the United States.

The PRESIDING OFFICER (Mr. HART in the chair). Without objection, it is so ordered.

BUREAU OF SUBMARINES, DEPARTMENT OF THE NAVY—ADDITIONAL COSPONSORS OF BILL

Mr. DODD. Mr. President, I ask unanimous consent that the names of the following Senators be added as cosponsors of the bill (S. 1597) to establish a Bureau of Submarines within the Department of the Navy: Mr. BEALL, Mr. BUSH, Mr. CHAVEZ, Mr. CHURCH, Mr. DOUGLAS, Mr. GRUENING, Mr. JACKSON, Mr. MANSFIELD, Mr. MURRAY, Mr. TALMADGE, Mr. WILLIAMS of New Jersey, and Mr. YOUNG of Ohio.

The PRESIDING OFFICER. Without objection, it is so ordered.

DISCLOSURE OF INCOME BY MEMBERS OF CONGRESS—ADDITIONAL COSPONSOR OF BILL

Mr. MORSE. Mr. President, I ask unanimous consent that the name of the Senator from Ohio [Mr. LAUSCHE] may be added as a cosponsor of the bill (S. 1603) to require Members of Congress, certain other officers and employees of the United States, and certain officials of political parties to file statements disclosing the amount and sources of their incomes, the value of their assets, and their dealings in securities and commodities, introduced by me (for myself and Mr. HUMPHREY), on April 7, 1959.

The PRESIDING OFFICER. Without objection, it is so ordered.

PUBLICATION OF SALARIES PAID TO SENATE STAFF AND COMMITTEE EMPLOYEES—ADDITIONAL COSPONSORS OF RESOLUTION

Mr. MORSE. Mr. President, I ask unanimous consent that the names of the Senator from Colorado [Mr. CARROLL] and the Senator from Ohio [Mr. LAUSCHE] may be added as cosponsors of the resolution (S. Res. 99) dealing with the publication of salaries paid to Senate staff and committee employees, submitted by me on April 10, 1959, the next time it is printed.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. CARROLL:

Address entitled "Growth for the Nation and the West," delivered by Senator SYMINGTON at the Jefferson-Jackson dinner in Denver, Colo., on April 18, 1959.

By Mr. GORE:

Address on conditions affecting the American economy, delivered by Senator SYMINGTON before the National Press Club on April 28, 1959.

EFFECTS OF RESTRICTION ON IMPORTATION OF FOREIGN OIL AND PRODUCTS

Mr. AIKEN. Mr. President, on March 18 I set forth on this floor seven ways in which the order of the President, issued on March 10, restricting the importation of foreign oil and its products would harm New England.

Those seven points were as follows:

First. The restriction order is discriminatory to a populous region of the United States which has no natural fuels.

Second. It is a major contribution to inflation.

Third. It is conducive to unemployment.

Fourth. It is harmful to our relations with other oil-producing nations.

Fifth. It will place U.S. industry at a further competitive disadvantage in the world markets.

Sixth. It will weaken our national security.

Seventh. It will contribute to the growing domination of Government bureaucracy over industry and people.

On April 22 the purchasing agent for the State of Vermont opened bids for the furnishing of 4,771,000 gallons of asphalt, to be used by the State in highway construction.

The average low price for furnishing this asphalt was 16 and $^{48}/_{100}$ cents a gallon.

The average price paid for the same grade of material last year was 13 and $^{52}/_{100}$ cents a gallon.

Thus, the increase in the price of asphalt over the price last year is 2 and $^{96}/_{100}$ cents a gallon.

On this one purchase, the cost of asphalt to the State of Vermont has risen 21 percent, or a total of $141,000, over the 1958 average.

This purchase order does not include asphalt required by contractors who have jobs on the State-Federal and Interstate Highway systems.

It is stated quite openly that this 21 percent increase in the cost of asphalt is due to the restrictions on the importation of foreign oil and its products.

It is also freely rumored that the price of gasoline and fuel oil may be expected to rise 2 cents a gallon between now and next fall.

Mr. President, how can we expect to control inflation in this country when Government itself takes actions which result in sharp increases in the prices of necessities?

I hope some statistician will determine the increased cost of the Interstate Highway System because of the increased price in asphalt which already has taken place.

Add to this the anticipated increase in the cost of oils and gasoline, and the penalty on the American taxpayer will prove to be simply enormous.

Why talk about increasing the Federal tax on gasoline, to pay for the cost of the Interstate Highway System, when the increased cost of petroleum products going into the construction of that system will amount to far more than the yield from the tax itself would be?

Mr. President, I will not be a party to increasing the tax on gasoline simply to turn it over to the petroleum industry in the form of increased prices.

The President should take steps to rescind the order of March 10 before further irrevocable damage is done.

CAREER MEMBERS OF THE FOREIGN SERVICE

Mr. STENNIS. Mr. President, I wish to speak briefly about our Foreign Service and the professional corps of men and women who are specially selected and trained to carry out the foreign policy of our Nation in the day-to-day relations with other countries. These fine people, about 8,000 in number, come from every State and Territory of the United States. Over 6,000 of them perform their diplomatic and consular duties at some 280 posts in 80 foreign countries; and I may say, in passing, that about 50 percent of these posts are considered hardship posts. This career-minded corps has as its main function the protection and promotion of the welfare and interests of the United States and of the American people.

In this troubled world of today, this is a most difficult task. The Foreign Service personnel must be skilled in many fields of endeavor, such as agriculture, labor, science, and other specialized activities in which the United States is vitally interested. They are our on-the-spot observers. They must spend considerable time in reporting on political and economic developments of the country in which they are located, in handling the ever-increasing consular work, which involves the issuance of passports and visas, and in affording

protection to American citizens while abroad.

Last year I visited several oversea posts located in Western Europe, Russia, Poland, Czechoslovakia, and Yugoslavia. I was impressed by the caliber of our representatives in the diplomatic corps and the consular service and the other agency personnel serving in this area. They were dedicated in their service to the United States; and, from my observation, they were well qualified to perform their long and arduous duties, which they must do regardless of the hours involved or the conditions under which they work. To me, this demonstrates the care taken in the recruitment and training of such personnel.

It is unfortunate that today there exists among our Foreign Service personnel a language deficiency. Only about 50 percent of the officers and 30 percent of the new recruits have an effective command of the language of the country in which they serve.

The Department and the Congress well know of the need for improvement of the language-speaking ability of our diplomatic corps; and in the past 2 years, steps to correct this deficiency have been taken. The Foreign Service Institute, which serves as the Department's training center, now includes expanded language training, and refresher courses for its career personnel, as well as advanced training courses for its senior officers. I have reason to believe this stepped-up program will rectify the language deficiencies and will provide advanced training for our career officers, in order that they may better cope with the current and the future problems of our Nation. Here in Washington I have noted that the foreign diplomats seem to have a good command of the English language.

I would be remiss if I failed to mention the exemplary service of the wives of our Foreign Service personnel. They perform an important part of the functions required of their spouses; and many of their posts involve severe living conditions. With their ability and experience, with their dedication and poise, they make outstanding, constructive contributions to our Nation. It has been my good fortune to have been in a position to observe and to know of their dedication and their effective work; and I wish to pay tribute to them and to express to them my profound gratitude. After observing a number of these effective husband-wife teams as they work together in many countries abroad, I have a greater appreciation of their valuable service, and I realize the real bargain America has in obtaining the services of two—husband and wife—for the salary of one.

DEATH OF REPRESENTATIVE JAMES G. POLK

Mr. YOUNG of Ohio. Mr. President, it is with a deep sense of shock and of profound sorrow that I have the sad duty of announcing to the Senate that only a few minutes ago I learned of the death of JAMES G. POLK, a Representative in Congress from the Sixth Ohio Congressional District. Representative MICHAEL KIRWAN, the dean of the Ohio delegation in Congress, telephoned me this sorrowful news; and I am reporting it at once to the Senate.

JIM POLK was serving his 21st year as a Member of Congress from my State of Ohio. He was a fine friend to me. He and I served together in the House of Representatives throughout the 73d, 74th, and 81st Congresses.

Except for a lapse of four terms, he had, over a period of years, regularly represented a district comprising nine counties in southern Ohio. He had represented his constituency with fidelity and zeal.

JAMES G. POLK was a fine man personally; he was a gentleman of the sweetest character. He was a gentleman who was always helpful to his colleagues. He resided on a farm near Highland, Ohio. In fact, Mr. President, JAMES G. POLK was one of the few real dirt farmers in either branch of the Congress of the United States.

JAMES G. POLK was a graduate of Ohio State University, department of agriculture. He was regarded by his colleagues in the House of Representatives and by those of us who knew him in the Senate as an authority on matters of agriculture.

Mr. President, the untimely passing of JAMES G. POLK is not only a loss to the State of Ohio, but it is a loss to the Nation. I wish to express my personal sympathy to his lovely wife and to the other members of his family. I know it will be very difficult to fill his place in the House of Representatives.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield to me?

Mr. YOUNG of Ohio. Yes.

Mr. JOHNSON of Texas. I desire to associate myself with the fine statement which the Senator from Ohio has made about one of the good and great men I have known. I join with the Senator in extending my profound sympathy to Mr. POLK's family.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. YOUNG of Ohio. I yield.

Mr. KEATING. It was my pleasure to serve with the late Representative JAMES G. POLK in the House of Representatives. I found him to be one of the soundest and most helpful Members in that body. He called his shots as he saw them. He wore no man's colors. He would depart from the position held by his party when he felt his party was wrong on a particular issue.

He enjoyed the universal respect of Members of the House on both sides of the aisle. I was sorry to hear of his illness, and I deeply regret his passing. I desire to join the distinguished Senator from Ohio in extending to his wife and his family my most sincere sympathy.

Mr. YOUNG of Ohio. Mr. President, the Senator from New York has stated a fact when he says that JAMES G. POLK was a man of intelligence. He was broadminded. He was an authority on agricultural problems. He was never a partisan in his approach to any matter. He was a great public servant and a fine citizen.

Mr. COTTON. Mr. President, I should like to add my word of respect in tribute to the memory of the late JAMES G. POLK, a Representative from the State of Ohio, to whom tributes have been paid by the distinguished Senator from Ohio [Mr. YOUNG], the distinguished majority leader [Mr. JOHNSON of Texas], and the distinguished Senator from New York [Mr. KEATING].

It was my privilege to serve in the House of Representatives with Representative POLK, and to serve with him for several years on the House Committee on Agriculture. No more conscientious, thorough, fearless, or better balanced Legislator ever served in this Capitol. His passing is a great loss. His memory will long be revered by those who were privileged to know him.

SOVIET DEVELOPMENT OF SIBERIA A CHALLENGE TO DEVELOP ALASKA

Mr. GRUENING. Mr. President, the New York Times yesterday began the publication of a series of five articles which were headlined: "Soviet Building a New World in Siberia."

This is a most important journalistic contribution to our knowledge. It is a factual account of what the Russians are doing to develop Siberia. This factual series is highly pertinent to our national overshadowing problem—the race for survival, the struggle of the free peoples to prevent their conquest by imperialist communism, and the imposition upon the free world of totalitarian tyranny.

I ask unanimous consent that the first of these articles in the New York Times be inserted at the conclusion of my remarks; but I should like to quote briefly now from the text of the first of these articles:

> In a legendary land beyond the Urals that the world knows vaguely as Siberia and superficially as a cruel, barren, wasteland, a new world is being built. It will be a Soviet world with which the pioneers of the old new world—in Suburbia, in the Yukon, in Washington—are going to have to reckon. * * *
>
> Soviet Communists have come to recognize Siberia as a vast treasure chest, the key to their dreams of plenty and enduring world power. * * *
>
> In the next 7 years, Moscow will devote to Siberia's development 4 out of every 10 rubles it has to invest—dams that will produce twice as much power as Grand Coulee.

Coal and steel beyond the vision of the Ruhr—these are now not dreams but projects.

Mr. President, what Russia is doing in Siberia presents a specific challenge to the United States to do no less in the area which was once Russian America—for 92 years the District, and then the Territory of Alaska, and now the 49th State.

In physical terms, Alaska is America's equivalent of Asia's Siberia. It lies in the same latitudes. It has corresponding climates. It has vast undeveloped natural resources. It has the greatest undeveloped power potential on the North American Continent. Less than one-fourth of 1 percent of its hydro potential is developed. Its great rivers run wastefully to the sea.

We must meet this Soviet challenge, and I am happy to announce that I think we see our way clear to do so.

Knowing of the great importance of Alaska power development, I have discussed our problem with the Corps of Army Engineers, who have done so much excellent work in Alaska and are familiar with its problems. Gen. Emerson C. Itschner and his associates, on the basis of a preliminary investigation, have recommended studies which should lead to the development of a great dam on the Rampart Canyon of the mighty Yukon River. General Itschner believes that this is the greatest potential power project on the North American Continent, capable of producing at least twice the power of Grand Coulee, and more power than the entire Tennessee Valley Authority system.

After discussing this matter with him, I communicated with our very able and distinguished colleague, the senior Senator from New Mexico [Mr. CHAVEZ], and urged him to present a resolution to the Senate Committee on Public Works, of which he is chairman, authorizing the Board of Engineers for Rivers and Harbors to make such a study. The Senator from New Mexico, who has been so helpful in the cause of national development both in the field of highways and dams, and has ever shown his great sympathy for outlying areas, communicated with General Itschner, Chief of Engineers, Department of the Army, urging the beginning of studies on the Yukon leading to the construction of this great hydroelectric project.

I ask unanimous consent that Senator CHAVEZ's letter to me, his letter to Major General Itschner, and the committee resolution by the Committee on Public Works of the Senate be placed in the RECORD at this point.

Mr. President, here is the answer to the Soviet plan of Siberian development. I will not burden the RECORD further at this time, except to ask unanimous consent that my press release of today on this subject be included in the RECORD at this point.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Alaska?

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, Apr. 27, 1959]

SOVIET BUILDING A NEW WORLD IN SIBERIA—VAST, RICH AREA IS A BASIS OF DREAM OF PASSING UNITED STATES

(Following is the first of a series of five dispatches on a tour through Siberia and the Soviet Far East made recently by a correspondent of the New York Times.)

(By Max Frankel)

Moscow.—In a legendary land beyond the Urals that the world knows vaguely as Siberia and superficially as a cruel, barren wasteland, a new world is being built. It will be a Soviet world with which the pioneers of the old New World—in suburbia, in the Yukon, in Washington—are going to have to reckon.

From the Urals, where Asia begins, to the Bering Sea, where Alaska ends, in an enormous land mass more than 1½ times the size of the United tSates, are riches beyond the dreams and reach of former conquerors in climates beyond the endurance of the timid.

For centuries the world, including the Russian masters of the area, looked upon Siberia as a province for glory-seeking explorers and as a cold-storage dump for riffraff, malcontents and dangerous revolutionaries.

HELD KEY TO PLENTY

Soviet Communists have come to recognize Siberia as a vast treasure chest, the key to their dreams of plenty and enduring world power.

What the world calls Siberia is technically many things: the Urals, West Siberia, East Siberia, the Soviet Far East; it includes the Buryat and Yakut autonomous republics, such anomalies as the Jewish Autonomous province (Birobidzhan) and much more.

Most important for the Communist rulers, planners, and dreamers, it is one-twelfth of the world's surface with, as yet, less than a hundredth of the world's population, slightly more than 20 million men, women, and children, turning the first stones in a grand and, many of them believe, historic enterprise.

In the next 7 years, Moscow will devote to Siberia's development 4 of every 10 rubles it has to invest. Dams that will produce twice as much power as Grand Coulee, coal, and steel beyond the vision of the Ruhr; these are now not dreams but projects. And a shawled, frail woman herds passengers aboard a plane in the middle of the Siberian nowhere, shouting:

"Let's go, comrades, you are Russians. Let's hurry, we must be first, first in everything. Save time, hurry, we must be first."

And up the wobbly ramp they hurry—a geologist in fishing boots, with two treasured crystals from the Arctic in his pockets and a blond, snub-nosed moppet on his arm, off for 8 months of paid vacation after an arduous expedition; a mustachioed, middle-aged mining engineer in cavalry boots, back in Siberia because his children are grown now and because he lost interest in "European comforts"; a slightly tipsy, brash young man, waving a pair of rugged hands in the air, declaiming, "I'm an ordinary worker, simple, ordinary, but with these hands we'll do it, we'll do it."

LANDSCAPES ARE VARIED

The plane skids along the frozen strip, then skips and finally takes flight. For a minute or two the log cabin outpost and fuel stop drift by below, then, everywhere and for hour after hour, there is a white, wrinkled plateau sprinkled with delicate fir, larch, cedar, aspen.

In 50 hours of flying in Siberia you can see 50 different Siberias; steppe, taiga or tundra; massive, lazy rivers and swift, opal rivers; mile-high young peaks and tired, old hills.

Underfoot it can be black, rich soil, thawing mud or permanently frozen crust. From the porthole of a Soviet jet airliner, it is an ocean of land, passing at 10 miles a minute with barely a twinkle of a house, the few constellations of villages and towns below indistinguishable from the clusters of stars above.

STRANGER SHEDS NOTIONS

The stranger, as he peers out or samples the life in different corners of Siberia and the Soviet Far East, can hardly judge whether the region is truly hurrying toward its mighty destiny, whether Communist planners and wide-eyed Soviet youths have found the way to tame its vastness and harness its riches.

But the stranger was forced in mid-March, when he first set foot in Siberia at Irkutsk, to shed the heavy coat that preconception and coddled Muscovites had compelled him to wear. And in the next 2 weeks he had to shed a good number of notions about Siberia and its people.

If the visitor's eyes saw winter, he felt spring. If living seemed cold and bitter, many of the men and women around him radiated warmth and pride and hope.

No doubt, daily, hundreds of Siberians, like people elsewhere in the Soviet Union, make their way to government offices to see about getting one of the new apartments and abandoning their cramped, old communal quarters, a little more cramped, rustic and quaint in Siberia than elsewhere. Dozens of them daily crowd around to feel the new bolt of wool at the department store and to pinch the few tangerines from China.

CONTACT FOUND EASY

But in Siberia, if you crash the huddles and ask questions, the answers carry a peculiar twist. The visitor was fairly free to inquire. In fact, contact with Russians in Siberia was relatively easy, perhaps because a growing number of Soviet officials are learning to conquer their traditional sense of inadequacy.

If there is confidence at the top of the hierarchy, it is a reflection of the hope below. Listen to the airplane mechanic:

"Oh, life in Moscow was better, all right. But look, there are facts and there are facts. When you do get good material, why a few years ago you could get a good suit made in Irkutsk in 2 weeks. Now it takes 3 months. Over at Chita, you can still get a refrigerator fairly quickly. Here it takes a long time. Why?

"Suddenly people have money, energy and time. Everyone wants a refrigerator. Everyone is having a suit made.

"Yes, facts are facts and we are building. Let there be peace, give us 20, 25 years, and you'll see how we live."

WORKER PROUD OF LAND

At a restaurant table, one of the 30,000 workers resettled at Bratsk to build one of the giant new dams on the swift Angara River drinks a local, insipid beer. He had brought his family from his native, warm Caucasus.

"Our second child is a true Siberian. Born here. You must come and see our beautiful, rich land out here. And be sure to come back after the seven-year plan; you won't recognize it."

At the dingy wooden hotel in Iakutsk, N. P. Temyakov, honored artist of the Russian Republic, for 37 years a Moscow actor, now on tour and for the first time so close to the Arctic Circle, confides on the chilly walk from the outdoor comfort station:

"It's really better here than I expected. And it will be something. It will be. Ah, without us—but it will be."

In the Moscow newspapers, Mikhail A. Lavrentyev, chief of the new Siberian branch of the Soviet Academy of Sciences, writes an appeal to "our venerable academicians and our talented youth": "Come to us, to Siberia, to dream, dare and work together with us."

INCENTIVES OFFERED

And in a little brochure, Konstantin A. Sadolnikov, chairman of the Put Ilyicha [Lenin's Way] Collective Farm near Irkutsk, asks farmers to "come to us," offering two or three private cows, a 6,000-ruble loan and materials to build a new house on the stubborn soil.

Some come, some go back west. Farmers are the hardest to lure, young girls, by tens of thousands, are being urged to join the menfolk, three of every four of whom tell you that they landed in Siberia simply "after the war" or "after the army."

Whatever way they got there, they say that they do not want to leave now, not when there is good work, new opportunity for the young, the "cleanest air in the world."

"No, not now, when we are getting somewhere at last," said the housebuilder.

Whatever the visitor thinks of the rate or quality of progress, he senses momentum. And most of the old and new Siberians he meets find the momentum exhilarating. They are confident their European Russian comrades will catch on and come to help.

In Moscow, the capital not only of the Soviet Union but of the Russian Republic, which encompasses all of Siberia and the Far East to the Pacific, the wealth of the region is depicted in staggering statistics, in plans and goals, in vast potential savings. So, too, in local Siberian administrative bodies.

True, there seems to be everything: cheap and immense waterpower, coal, iron ore, lumber, aluminum, gold, tungsten, nickel cobalt, salt, mica, graphite, asbestos, newly discovered diamonds and miles and miles of nothing waiting to be asked what they have to offer.

Already blueprinted for Siberia are powerful steel mills, huge dams, a chemical industry with oil refining and gas development to feed it, electric railroads and new highways.

What the area needs is people, especially skilled people, more railroads and roads, better river transport, a more expert agriculture to coax the land (which scientists insist is rich enough to support the huge industries of the future), more consumer goods, industries to encourage and lure settlers, decent housing, plumbing, sidewalks, lampposts—everything, in one degree or another.

SIBERIA NOT A GLACIER

They could use more snow in Khabarovsk near the Manchurian frontier and less summer heat in Yakutsk near the Arctic Circle. Siberia is not an anchored glacier.

But it can be extreme—extremely cold and extremely dry, extremely rich and extremely lonely.

Familiar sights help to shorten the distances and obscure the local peculiarities. The baroque green and white railroad terminals of Moscow are reproduced in miniature along the Trans-Siberian Railroad. And after the Communists seized lands and grocery stores and power in 1917, they established in Siberia the same farming system, the same impersonal Gastronoms No. 3 and the same red-draped neighborhood centers for dissemination of party propaganda that operate near the Kremlin.

The Siberian newspaper may be in a strange Asian language and it may arrive a day or 3 days late, but it offers the same standard news, demanding greater effort for the 7-Year Plan, condemning the West and perceiving world-wide acclaim for Kremlin policy.

FORESTS BUT NO PAPER

Of course, there are variations. In Irkutsk, where the visitor is told that local lumbermen had power saws before the Canadians, there is frequent talk of unemployment in Canada. In Chita, a coal-mining center, there are almost daily articles about the "misery" of U.S. miners.

Orders come from Moscow and tribute goes to Moscow. The charming little Siberian plaster dolls on sale in Red Square are not found in Siberia. The only evidence of the skill of Siberian artisans is in local museums.

There are endless forests but few paper bags. The paper napkins at the table, as in Moscow, are barely large enough to cover an average-size mouth. A schoolteacher in Yakutia wanted an explanation for the roll of toilet tissue the American carried with him. Oh, yes, of course, he had heard of it, he said.

But the same schoolteacher spoke knowledgeably of U.S. electric power output and of the drive to surpass that effort in Siberia. A fellow passenger on a plane spoke excitedly of the uses of rivers and forests, not for fishing and hunting, but for waterpower and timber.

The great industrial cities of West Siberia—Novosibirsk, which is also the home of a vast new brain center for Siberian science, Omsk Tomsk—these are closed to the Western traveler. He must head straight for the still more remote, presumably more primitive centers.

The visitor finds that Siberians care more about nature than about legislation out there, far from Moscow. They know in Siberia what it takes to raise the grain on a stingy river bank and to deliver the bread to cities, whose lemons and settlers arrive only by occasional plane. They know that to daily in fixing a tractor in a year of early thaw may leave the tractor on one river bank and its farm on the other for an entire summer.

Yet, on both banks of the river and in many corners of Siberia, heads are held high. There are tangible if modest rewards for work.

Men still struggle to break out of the small Siberian pockets of settlements, but there is no evidence to contradict Premier Nikita S. Khrushchev's contention that political prisons have been emptied and that imaginations and dreams have been liberated.

Just how high heads are held in Siberia had to be demonstrated by a drunkard. The stumbling little man in padded jacket and knee-high boots was the first Soviet citizen in 2 years to beg the stranger for a handout.

"I must get some medicine quickly, can't you help?" he asked. The foreigner wanted neither to help nor embarrass and simply said, "No, friend."

The man dug into his breeches and found two slips of paper with prescriptions.

"Surely, friend, there are authorities to help you?" the stranger asked.

"Ah ," he replied. "That would take a long time. Couldn't you give me something?"

"I can't help you. Besides, I'm a stranger here. Why don't you go home?"

"A stranger? From where?"

"The United States."

His bombshell dropped, the foreigner walked briskly away. But a moment later there was a firm hand on his shoulder and the same, now more sober voice, whispering: "You must not go away thinking things are like this with us. It is only I * * * it is only I."

Hon. ERNEST GRUENING,
U.S. Senate,
Washington, D.C.

DEAR SENATOR GRUENING: I have your letter of April 23, concerning the desirability of having a study made of the Yukon River Basin, Alaska, with particular reference to the Rampart Canyon site.

Enclosed is copy of resolution adopted by the Committee on Public Works which authorizes the Board of Engineers for Rivers and Harbors to make this study, together with copy of letter of transmittal to the Chief of Engineers.

With all good wishes,
Sincerely,

DENNIS CHAVEZ,
Chairman.

APRIL 24, 1959.

Maj. Gen. E. C. ITSCHNER,
Chief of Engineers,
Department of the Army,
Washington, D.C.

DEAR GENERAL ITSCHNER: Enclosed herewith are original and four copies of resolution adopted by the Committee on Public Works, at the request of Senator ERNEST GRUENING, of Alaska, asking the Board of Engineers for Rivers and Harbors to make a review of the Yukon River Basin, Alaska, with particular reference to the Rampart Canyon site.

It is my understanding that the analysis made of the Rampart power site thus far has been based on limited data and site reconnaissances in connection with current studies being made by the Corps of Engineers. The purpose of the resolution is to authorize a detailed consideration of the Rampart Canyon project.

Since the Rampart Canyon site offers one of the most outstanding opportunities for the development of a large block of hydroelectric power at a very reasonable cost per kilowatt, I believe that detail studies on this project should be initiated as soon as possible.

In addition to the Rampart project, I understand that there are a great number of potential hydroelectric projects in Alaska which, although of lesser magnitude than Rampart, would lend themselves to earlier development to care for the immediate power needs of the State. In this connection, I am informed that a review report is being prepared on the Cook County Inlet report and that the Bradley Lake area which is situated in the southwestern portion of the Kenai Peninsula appears to present an excellent opportunity for early development of a hydroelectric project. It would seem to me that if it is at all possible, that a potential such as Bradley Lake should be studied in detail as soon as possible with a view to submitting a hydroelectric power project for authorization at an early date.

I would appreciate any action which you can take to expedite investigation of hydroelectric potentials not only at the Rampart site and on the Kenai Peninsula, but also in the southeastern area of the State.

Sincerely yours,

DENNIS CHAVEZ,
Chairman.

COMMITTEE RESOLUTION

Resolved by the Committee on Public Works of the United States Senate, That the Board of Engineers for Rivers and Harbors, created under section 3 of the River and Harbor Act, approved June 13, 1902, be, and is hereby, requested to determine the advisability of improvements in the interest of hydroelectric power and other water uses in the Yukon River Basin, Alaska, with particular reference to the Rampart Canyon site, in connection with investigations authorized by the Flood Control Acts approved June 30, 1948, and May 17, 1950.

Adopted April 24, 1959.

DENNIS CHAVEZ,
Chairman.

(Requested by Senator ERNEST GRUENING, of Alaska.)

STATEMENT OF SENATOR ERNEST GRUENING ON CONSTRUCTION OF RAMPART CANYON DAM

The greatest hydroelectric power project in the world moved closer to accomplishment on April 24 with the adoption, at my request, of a resolution by the Senate Public Works Committee authorizing the Corps of Engineers to make an intensive study of the Rampart Canyon dam site on the Yukon River in Alaska.

The construction of a mighty dam and hydroelectric facility at Rampart Canyon, on the Yukon, will provide the United States with the largest source of hydroelectric power yet developed. It has been estimated that the installed power capacity of this site could exceed 5 million kilowatts, more than half again the entire capacity of the Tennessee Valley Authority. Such a dam would dwarf Grand Coulee, both in terms of power capacity and in terms of water storage. A reservoir at Rampart would store more than 1.5 billion acre feet of water in a lake covering more than 10,000 square miles.

The site is ideally located, in the heartland of the State of Alaska, approximately 90 miles northwest of Fairbanks and about 400 miles north of Anchorage. Thus, the construction of the facility here would provide power for established communities, but at the same time, is in a location in which

economic disruption would not be caused by the flooding incident to construction of the reservoir.

A new era of economic development in the United States would be a reality with the availability of the tremendous amounts of low cost power which would be made available at Rampart. It has long been recognized that the most valuable, but so far least utilized, natural resource of Alaska is its abundant hydroelectric power. To develop this resource on the scale which would be possible with the construction of the Rampart dam would power an industrial complex for the expansion of the domestic economy greater than any now existing in the free world.

Much has been reported concerning the development of giant hydroelectric projects by the U.S.S.R. In this field of development, as in others, it is imperative for the United States to move ahead continually to insure our security.

The value of the Rampart project to the economic development of this country is obvious. The immediate need for hydroelectric power in ever-increasing amounts during the Second World War is well-remembered. There is no question that even larger quantities of such power will be needed to meet any future threat from hostile powers.

For peacetime purposes, this source of power will mean that there is available to this country a new frontier of industrial development. Alaska is still a new country with unlimited resources for development. Now that this great land has become a State there exists not only the unexcelled supply of raw materials to supply the economy of an expanding U.S. population, but, also, the existence of a State government which will energetically encourage and facilitate industrial development.

Preliminary investigations of the development of hydroelectric power at Rampart Canyon have been undertaken by the Corps of Engineers and by the Bureau of Reclamation of the Department of Interior, both agencies having agreed on the magnificent possibilities of this project. With the adoption of the resolution of the Senate Public Works Committee, more concentrated work will now be possible to develop specific engineering plans for the construction of the Rampart Dam.

In power producing capability, the dam would be two and one-half times as big as Grand Coulee, the largest now in the United States. Its power could be produced at the low rate of about 2 mills per kilowatt-hour, preliminary studies indicate. Meteorologists say the existence of the enormous Rampart reservoir will substantially modify the climate of interior Alaska. Cost of the project is estimated by the Corps of Engineers, on the basis of preliminary studies made to date, at between $900 million and $1.5 billion.

PAYMENT OF AMERICAN WAR DAMAGE CLAIMS AND THE RETURN OF VESTED ASSETS

Mr. JOHNSTON of South Carolina. Mr. President, the problems relative to vested assets, the seizures and blocking of assets of our former enemies—the Italians, Hungarians, Rumanians, Bulgarians, Austrians, Japanese, and Germans—have been and are constantly before the Senate and our colleagues. Likewise, the payment of American war damage claims is of great concern to us and to many American citizens.

The Trading With the Enemy Act, as amended, is the result of several acts of Congress upon which have been grafted Executive orders. There have been many amendments since the act was first passed in 1917. The same situation prevails so far as the War Claims Act of 1948 is concerned. The later act is now being administered by the Foreign Claims Settlement Commission.

Because of the many inquiries from my colleagues and others interested in one phase or another of these acts of Congress, their administration, and the entire field of vested assets and war damage claims, I have prepared a statement for the RECORD which, as chairman of the Subcommittee on Trading With the Enemy, I ask unanimous consent to have printed in the RECORD following this brief statement.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR JOHNSTON, OF SOUTH CAROLINA, CONCERNING THE TRADING WITH THE ENEMY ACT AND PROPOSALS FOR THE PAYMENT OF AMERICAN WAR DAMAGE CLAIMS AND THE RETURN OF VESTED ASSETS

Because of a widespread misunderstanding of the responsibilities and functions of the Senate Judiciary Subcommittee on Trading With the Enemy Act, and pending bills affecting the payment of American war damage claims and a return of alien property, a statement should dissipate much of the confusion in the public mind. Several bills provide for the return of the privately owned properties of our former German and Japanese enemies seized under the provisions of the Trading With the Enemy Act. Others provide for a partial return with a confiscation of the balances. One bill provides for total confiscation and a diversionary use of the proceeds. A few of the bills provide for a payment of part of the American war damage claims and a partial return of vested assets or their proceeds.

The Trading With the Enemy Act was enacted on October 6, 1917. Its principal purposes were (a) to immobilize the properties of enemy nationals in World War I; (b) to prevent commercial transactions between the merchants of the United States and Germany and her allies; and (c) to hold the properties in trusteeship for the ultimate disposition of such assets by the Congress. Confiscation of such properties was never in the mind of the Congress when the original statute was enacted.

In 1923, the Congress authorized by the Winslow Act a return up to $10,000 in value of the vested properties seized during World War I. In the War Claims Settlement Act of 1928, Congress provided for a return of 80 percent in value of the seized properties; the remaining 20 percent was retained as security for the payment of American war damage claims, costs of administration, etc. In 1934, because of the worldwide depression and the defaults of the Hitler government, further returns of the balance of 20 percent were prohibited by the Harrison resolution.

Shortly after the commencement of World War II, the provisions of the Trading With the Enemy Act were reactivated and enlarged by Executive orders under the War Powers Act. Provision for the appointment of a Custodian of Alien Property was made.

WAR CLAIMS ACT STARTED CONFISCATION

In 1948 the War Claims Act was passed to provide payment of claims, limited in amount, for the detention and ill-treatment of prisoners of war. Certain religious groups were paid for property losses sustained by them as the result of the military action of the Japanese and German forces. As a ready and available source of funds necessitating no direct congressional appropriations, the Congress provided that no returns of the private properties be made and that the proceeds therefrom be applied to the payment of these categories of minor war claims. Two hundred and twenty-five million dollars of the estimated $612 million in value of the seized properties have thus far been expended in the payment of these war claims. Since 1942, Congress has appropriated from the liquid assets about $70 million to the Custodian's office for his administrative expenses. That office has had an average of over 300 persons employed annually since 1942 with an annual payroll for them in excess of $3 million. That expense does not include the costs paid in administering the going concerns operated by the Office of Alien Property.

The Office of Alien Property except for the adjustment of its claims program has virtually completed the administration of its affairs. Only a few assets are yet to be sold. It is contemplated that by July 1, 1960, the affairs of the Office of Alien Property will justify its discontinuance as a division of the Department of Justice.

The properties of Japanese nationals were seized and vested up to the time of the Japanese Treaty on April 28, 1952. The President, by informal order on April 17, 1953, directed that no further seizures be made of the privately owned German properties. Thus it is apparent that much of the property was seized long after hostilities ceased and the necessity for seizures no longer existed.

The estimated values of the properties at the time of their seizures amounted to $390,808,000. The appreciation in values of the vested properties, the net income we have received from their operation and other properties received through our agreements with foreign governments have swelled the original total to a present estimated total of $600 million. In any consideration of the value of the properties, one must take into consideration the value of the currency or its purchasing power at the time of each vesting. The totals in terms of dollars does not and cannot present a true picture, because 50 cents then would purchase what now requires $1.

The estimated percentages of the values by countries of the vested assets are German, 76.2 percent; Japanese, 16.7 percent; the balance consists of properties of our former enemies, the Italians, Hungarians, Rumanians, Bulgarians, and others.

Following the peace treaties with Italy, Hungary, and the others, provisions have been made for a return of the values of the properties of the nationals of those countries. Thus, provision by law and treaty has been made and the returns practically completed for all of our former enemies except those in Germany and Japan. In the latter case, there has been a partial settlement by the treaty of peace with Japan.

Only then do the properties of German and Japanese individuals and concerns controlled by them require the attention of Congress. A disposition of the complex problems involved in the payment of American war damage claims and a return of the proceeds of the vested assets are embraced within the framework of S. 672 and H.R. 1372. Neither Representative VAN ZANDT nor I contend that our respective bills are perfect in every detail. We do contend our approach is comprehensive and, if followed, a complete solution may result. No governmental property of the former governments of Hitler or Tojo is included in any proposal now pending before the Congress. No return of any property will be made to any war criminal of either country.

Congress, by several amendments to the Trading With the Enemy Act, provided relief for American creditors against their German and Japanese debtors. Complaints arose with respect to the conduct of the business affairs of many of the properties, involving

political favoritism, etc., inefficient procedures for the payment of and adjudication of conflicting title and debt claims, and also regarding the failure to make available to everyone the advances and discoveries in scientific and technical uses of a considerable part of the seized properties. As a result of these and other complaints, the Senate by resolution in 1952 created the Subcommittee on Trading With the Enemy Act to examine and review for it the administration of the Trading With the Enemy Act by the Office of Alien Property of the Department of Justice. Each succeeding Congress has extended the subcommittee.

The late Senator Willis Smith, of North Carolina, became the first chairman of this Judiciary Subcommittee. In the Republican controlled 83d Congress, Senator EVERETT M. DIRKSEN was designated chairman. Since March 18, 1955, after the Democrats succeeded to the control of the Senate, I have served as chairman. Serving along with me as members of the subcommittee were Senators McClellan, of Arkansas; Daniel of Texas; O'Mahoney of Wyoming; Dirksen of Illinois; and Langer of North Dakota. I have again been designated in the 86th Congress as chairman of this subcommittee and serving with me as members of the subcommittee are Senators MCCLELLAN, of Arkansas, DODD, of Connecticut, O'MAHONEY, of Wyoming, DIRKSEN, of Illinois, LANGER, of North Dakota, and KEATING, of New York.

Continuing studies, investigations and reports have been issued as required by the Senate resolution creating and continuing the subcommittee. Extensive public hearings have been held on many bills which have been introduced affecting the provisions of the Trading With the Enemy Act. Over the years, over 3,300 pages—much in fine print—of evidence was presented to the subcommittee. Briefs, arguments, and written testimony were submitted, a preponderance of which contended that the private properties of our former enemies should not be confiscated, but should be returned either in kind or in their reasonable value.

There was a considerable number who for varying reasons contended that no return should be made but that the private properties of some 40,000, more or less, German and Japanese owners should be held in lieu of reparations, due from the Governments of Germany and Japan to the United States. The subcommittee has not favored this latter view because no subcommittee has been willing to apply the doctrine of confiscation to the private properties of a few in the satisfaction of any obligation owed by the owners' government to the United States.

The subcommittee has been faced with a few objections to return on the part of some of our newly made citizens because of unsatisfied complaints they have against their former governments. Faced with the rule that our Government will not and cannot assume the burden of urging the satisfaction of claims of persons whose losses occurred when they owed allegiance to another government, the subcommittee can offer no helpful solution to those perplexing questions.

JUDICIARY TWICE APPROVED PROVISION FOR FULL RETURN

After most exhaustive and painstaking hearings and thorough consideration of the many factors involved, Senator DIRKSEN introduced S. 3423 on May 7, 1954. In brief, this bill provided for a full return, with certain exceptions, of all the privately owned properties of the former owners who were German and Japanese. The justification for such a return met with the approval of the Senate Judiciary Committee and the bill was favorably reported to the Senate. Congress adjourned in 1954 before S. 3423 could be considered.

The administration seemed not to favor Senator DIRKSEN's bill. Among other reasons it was urged that no provision was made in it for the payment of any American war damage claims.

As a result of the continued study and further public hearings, the subcommittee recommended and the full committee unanimously reported out favorably to the Senate my bill in the 84th Congress, known as S. 4205. This measure provided for a full return in kind or value of all privately owned properties which had been seized under the Trading With the Enemy Act and a full payment of all American war damage claims. These returns and payments were to be made progressively. Procedures and methods were adopted which permitted such a result without the necessity of any additional direct appropriations. Like S. 3423, S. 4205 failed of passage in 1956 by reason of the adjournment of Congress.

A modified version of S. 4205 was introduced by me on January 14, 1957, and was known as S. 600. This bill likewise directed a full return of all vested assets or their values and a full payment of all American war damage claims not otherwise provided for by law. The bill contained provisions preventing a return of properties to war criminals of Germany or Japan, governmental properties, and properties to those residing in the Soviet-dominated countries.

A number of bills have thus far been introduced in the House and Senate. Some provide for technical amendments to the Trading With the Enemy Act for specific purposes. A few relate to provisions for the commencement of a program for the payment of war damage claims. Representative VAN ZANDT has introduced H.R. 1372 which is in identical terms with the provisions of S. 600 of the 85th Congress. I have revised in some instances the provisions of S. 600 to make it conform to adjusted conditions and they appear in S. 672 now pending and on which limited hearings will be scheduled.

There has been some criticism of these return bills and of me personally for authoring two of them. Much of that criticism may be traced to a lack of understanding of the reasons which prompted my action. I have long felt that a wider knowledge of the complex problems, the traditional American concepts of the human and property rights involved, and a fuller appreciation of our own national interests would dispel most, if not all, of the objections which reasonable persons could possibly entertain.

What are the reasons back of these full return bills? Why has OLIN D. JOHNSTON supported one and been the author of three others? What are some of the problems involved and the questions presented? How can it be in the interest of the people of the United States to divest themselves of title to over $600 million worth of property?

So far as I am concerned, the answers are clear. My duty is plain. My responsibility with respect to the problems is not difficult to assume. What has been the American way of handling such problems?

JOHN ADAMS DECLARED "INVIOLABLE PRECEPTS"

Before our Constitution was adopted, John Adams said: "The moment the idea is admitted into society, that property is not as sacred as the laws of God, and that there is not a force of law and public justice to protect it, anarchy and tyranny commence. If 'thou shalt not covet' and 'thou shalt not steal' were not commandments of Heaven, they must be made inviolable precepts in every society before it can be civilized or made free." (From Works of John Adams, by Charles Francis Adams, Boston, 1951, vol. 6, p. 9.)

There would have been no U.S. Constitution had the Bill of Rights (first 10 amendments) not been forthcoming as an integral part of our Constitution. While the fifth amendment provides protection for one from testifying against himself, it also contains very salient provisions which protect property rights. Those provisions are: "No person shall be * * * deprived of life, liberty, or property without due process of law; nor shall private property be taken for public use without just compensation."

The foundation of property rights originating in Holy Writ is inscribed as part of our basic constitutional rights. Our history and tradition as a free people are built upon them. The concept of our free society is founded upon them. The free enterprise system depends upon their unsullied maintenance as principles of governments. The principle is clearly stated by a U.S. Senator in his testimony before the subcommittee recently when he said:

"The unpaid American war damage claims should be paid. Private property or its reasonable value should be returned. Now, of all times, we who set the moral standards for the peoples and governments of the world must of all things adhere to them or be willing to pay in lives and our material fortune the unthinkable price involved in the savage doctrine of confiscation.

"Confiscation is the attribute of communism. Private ownership, the integrity of property rights, and contractual obligations, on the other hand, are the distinguishing characteristics and handmaidens of the free world. The issues involved are just that simple."

SANCTITY OF PRIVATE PROPERTY IS BASIC AMERICAN LAW

It is an historic fact that the United States has never practiced confiscation of the properties of our former enemies. During the Revolutionary War, several of the Colonies confiscated the properties of the English Tories. This was compensated for in our first treaty—the Jay Treaty—with England in 1794. The formula set out in that treaty has been the uniform pattern for all of our subsequent treaties of commerce, friendship, and navigation with other governments.

The language of the present Speaker of our House of Representatives which he used in 1923 in support of a full return of German properties after World War I has vital force today. He said in one of his official reports:

"From the days of Hamilton and Jefferson and Marshall down to now every man who had a reputation that extended beyond the community in which he lived * * * has looked upon the question of confiscating private property for the satisfaction of a public obligation with obloquy. That has been our policy * * * the most savage doctrine ever announced by any people anywhere was that private property should be taken for the satisfaction of a public obligation."

Every Secretary of State of the United States without exception from Thomas Jefferson—our first Secretary—through Mr. Dulles has opposed confiscation. Each has sought to maintain the doctrine of the inviolability of contractual rights and the sanctity of private property in time or war or national emergency.

Let me quote the convincing testimony of Secretary Dulles before our subcommittee on the return of vested assets and how it is essential in our (American) interests to make return and avoid confiscation. Secretary Dulles also dispelled all doubts as to validity and permanence of the Paris reparations agreement and other unratified executive agreements, for when questioned by Senator DIRKSEN at the hearings, Secretary Dulles testified in part as follows:

"The policy adopted after World War II, of completely eliminating ownership of enemy private property was a departure from historic American policy after other wars. I, myself, have had some experience in this field. I worked on this very problem at Parish in connection with the Treaty of Versailles at the end of the First World War.

"I can say frankly that I would like to see a return to our historic position, the position of the sanctity of private property in time of war, to return to that historic position to the extent that may be practical, although I recognize that there are considerable difficulties in dealing with the matter on that basis after so long a period of time.

"As I stated in the Department's letter to the committee, to which I referred, there is no objection from any foreign policy viewpoint to the return, as a matter of grace, of vested German property and of Japanese property. In point of fact, any action of this character would be welcomed both by the governments of the Federal Republic of Germany and of Japan as an indication of return to more normal relations, and would, of course, be welcomed by the many owners of the property.

"I personally feel deep sympathy for the burdens which have been placed upon large numbers of people who had small property holdings in this country representing interests in estates and trusts and investments, pensions, life insurance policies, and the like.

"Insofar, however, as the problem involves the matters of foreign policy, I have no hesitation in recommending adoption of legislation along the general lines of this bill.

"Secretary DULLES. The agreement alluded to is, I think, an agreement which was made at Brussels, if I recall.

"Senator DIRKSEN. I am referring, Mr. Secretary, to the Paris reparations agreement. It was either in 1945 or 1946.

"Secretary DULLES. Yes. I am familiar with that agreement.

"In my opinion, the agreement, whatever its intent may have been as an executive agreement, was without authority whatever to bind the Congress of the United States in this matter. The property had been vested by action of Congress. I believe Congress has the right to decide what to do about the matter. I do not believe that the freedom of Congress in this matter has been curtailed in any way by this executive agreement. I am not a believer in the power of the President, through executive agreements, to cut across the normal legislative powers of Congress.

"I may say that, as a matter of interpretation of that agreement, it can be argued that it was not intended to operate in perpetuity but was designed as a temporary measure perhaps to assure against a revival of German militarism and the use of German important commercial assets possibly as an instrument of German militarism. I think that that danger has passed and that if the agreement be given that interpretation—which I think is a reasonable one—then the action which you contemplate is not only compatible with the powers of Congress but also is compatible with the executive agreement itself.

"Of course, the action taken at the end of the First World War is perhaps a closer example in that the Treaty of Versailles authorized the powers who had then vested German property to retain it. Most of them did. But the United States consistently, with its policy of recognizing the sanctity in time of war, did make restitution, by and large, of the seized property.

"I believe that in doing so we enhanced our own prestige in the world and that it was good business from the standpoint of the United States to do it. I believe that the foreign policy of the United States should be conducted with a view to promoting the long range interests of the United States, and I believe that it is in the interest of the United States to have a policy and stick to a policy which means that if foreigners invest their property in this country, have interest in this country, have bank accounts here, insurance policies here, annuities here, things of that sort, they can be sure that is a safe place in which to have them.

"In the long run, I believe it is in the interest of the United States to establish that kind of reputation, which we have had over many years. And I believe we get indirect benefits from such a policy which need to be weighed in the scales as against the immediate military cost to carry out such a policy.

"I would think that in an era when we expect the American interests abroad, American capital investments abroad, that it is wise for us to adhere ourselves strenuously to the highest standards of conduct in relation to those matters. That puts us in a better position to call upon others to apply the same standards"

"Senator DIRKSEN. In the statement, Mr. Secretary, that was submitted this morning, I noticed an observation to this effect: 'In the event that Congress should see fit to provide for return of German and Japanese assets, it may be appropriate to work out some of the terms and conditions with the Governments of the Federal Republic and of Japan. These negotiations would also probably be required with other governments with which the United States has concluded agreement for the resolution of intercustodial conflicts.' "

"* * * * *

"Senator DIRKSEN. On the basis of your familiarity, Mr. Secretary, with the situation in Europe particularly, and the conversations that you have had with Adenauer or other responsible persons in the West German Government, is it your notion that this kind of action by the Congress either in the form of partial restitution, or complete restitution would have a definite impact upon the good will and on our relationships with West Germany and with Japan?"

"Secretary DULLES. I believe that the impact would be extremely good from the standpoint of our relations with these countries. I believe that our relations with both of them are sufficiently good so that we do not in a sense have to buy their good will; we have done plenty. But I think that when you live up to a high principle in relation to certain countries and peoples, it makes an impression which is not won merely by grants, however generous they may be.

"Therefore, I believe that to be actuated by historic American principle in this matter in relation to German and Japanese assets would have a very beneficial effect upon our relations with the people concerned.

"But as far as the foreign relations aspect of the legislation goes, I would say that the maximum of good will would be obtained if there could be a total restitution in favor of the small people who in aggregate make up a very considerable number. I do not have before me the precise number involved.

"But there are many, many cases of small and impoverished people who had small savings in this country, who perhaps were in receipt of annuities which had been provided for them by relatives in this country, and small savings, bank certificates, or life insurance policies."

It is difficult for one to disagree with the principles enunciated by Mr. Dulles, especially so when he follows the unbroken precedents of all of our former Secretaries of State.

World conditions have changed greatly since the Jay Treaty of 1794. In fact, there exist today many more reasons than existed following World War I, why it is in our own national self-interest to return private property seized in time of war. A consideration of a few of those facts constitutes a compelling reason why privately owned properties should be returned and why as a nation we should avoid the stigma of confiscation.

The Trading With the Enemy Act Subcommittee of the Judiciary Committee was created in 1952 by a resolution of the Senate sponsored by the senior Senator from Wisconsin, who is the ranking Republican member of the Senate Judiciary Committee as well as the Senate Foreign Relations Committee. While the Senator does not favor a full return of the vested assets, he has urged an early settlement of the disputed issues. The overall objectives stated by Senator ALEXANDER WILEY in a press release a few days prior to Chancellor Adenauer's visit to the United States in May of 1957 are worthy of thoughtful consideration and early solution.

Among other things, he said:

"(1) Advancing the foreign policy position of the United States by assuring the best possible relations with friendly governments such as with our honored wartime Allies; with our former foe—but now—happily—our strong ally—the Federal Republic of Germany; with the Republic of Switzerland and others.

"(2) Protecting the investment of private capital throughout the world by maintaining the sanctity of contracts.

"(3) Protecting the interests of the taxpayers of the United States, as such.

"(4) Getting the Federal Government out of private business.

"(5) Protecting the rights of claimants against alien properties, especially American claimants.

"(6) Protecting the special interest of America's ex-servicemen and their survivors.

"(7) Evaluating our responsibilities, whatever they may be, in the interest of fairplay, to the owners of the vested properties.

"(8) Protecting the communities in which vested companies are operating, including, of course, the rights of the sizable working forces involved, together with other objectives as well."

Some of the foregoing aims stated by the Senator have been accomplished in substantial measure. Others require, as he says, most careful study and consideration. To these ends the chairman of the subcommittee is dedicated.

AMERICAN INVESTMENTS ABROAD JEOPARDIZED BY CONFISCATION

A most important fact to remember is that the United States today is the leading creditor Nation in the world. While no exact figures are available, we do know that Americans have private investments abroad in excess of $50 billion. As taxpayers, every American citizen has a direct interest and an investment at an initial cost of over $5 billion in our defense installations scattered throughout the free world. As taxpayers, every American citizen has a direct interest and an investment now exceeding $4 billion in the loans made through our Export-Import Bank to private concerns and their governments in foreign investments. These latter interests concern you and me directly because our money paid in the form of Federal taxes supports and maintains them.

Almost half of our high Federal tax burden is expended each year for the support of our national defense programs. We have spent over $35 billion annually for our national defense since 1945. Our national defense program is large because we seek by it to maintain our free way of life. The cornerstone of our free way of life is our right of ownership of private property. When property rights are destroyed, freedom and free government are lost. This truth is undeniable.

In addition to the direct interest so many Americans have in private investments abroad, and the very large defense investments all Americans have in foreign countries, we have engaged in other programs since 1947 which have resulted in our people having to continue to pay heavy taxes. I refer to our foreign-aid programs. Every justification for any foreign aid expenditure falls of its own weight when stripped of the reason that we spend this money abroad to support our free way of life and to preserve and extend American principles. Thus, it

is argued that foreign-aid expenditures, aggregating now more than $70 billion, have been in our national self-interest. That reason has been the justification. While I have not agreed with such contentions, others have agreed and they have prevailed. I do know, however, that you and I are taxed heavily each year for the support of these programs. You and I know that we are burdened with heavier taxes than are the peoples of any other nation on the globe. Their total staggers the imagination. No American escapes a share in that burden. Everything we buy has some form of tax levied against it.

Add these figures up and you can see a stupendous investment; $50 billion in private investments, $8 billion directly invested by all of us together with the $70 billion spent in foreign aid and the more than $35 billion each year for national defense. As the leader among the free nations of the world setting, as we must, the tone of morals in business and private conduct, for the world, can we afford the penalty of inflicting upon others a principle involving confiscation? Look at what happened in the Middle East. The Congress passed a $200 million special foreign-aid program (Eisenhower Doctrine) for the ostensible purpose of keeping some of the countries in the Middle East as our allies in the struggle against communism. If, as a permanent policy, we confiscate these alien properties, as Egypt threatened to confiscate the properties of the French, English, and Israelis, it requires little imagination to conclude that we stand to lose far more than all the rest of the world combined. Why? Because we have more at stake. It is a sad commentary on our laws that Egypt boasted in her press that she was following the provisions of the American Trading With the Enemy Act in what Nasser was doing. Those news articles asserted that if it is proper for the United States to confiscate the private property of its former enemies—the Germans and Japanese—then Egypt had every right to nationalize or confiscate British and other alien property in that country. Fortunately, Nasser recanted. He has refused to confiscate. The evils to befall him were too great. He has established a commission which, I am advised, is now beginning to return the properties he seized to their rightful owners.

Not all of the properties whose original value at the time of vesting amounted to $390,808,000 belonged to our former enemies. Over 20 percent of that amount, namely $87,801,000 was American property. It originated in the United States. It helped our war effort through the taxes paid on it and by its owners. It is known as estate and trust properties. Let me illustrate—an American citizen dies leaving an estate of $25,000 to his five relatives in Germany or Japan. These relatives have been denied their legacies because the Attorney General has seized and vested these estates. Another illustration will help. An American veteran of German or Japanese origin, honorably discharged from service in the American Army, dies. His social security and death benefits were seized and confiscated by the Department of Justice. His relatives are denied the right to inherit these benefits earned under American laws by American nationals. Another illustration proves how unseemly our vesting program has been construed and administered. A young German student was studying at Harvard University under the Fullbright Scholarship program. This young man testified before the subcommittee. He was a guest in this country while studying here at your and my expense. He was, however, the legatee under a will of an American relative and entitled under that will to $2,500. This legacy has been confiscated. Think of one department of the American Government educating this boy at the expense of all of us on one hand and another branch of our Government seizing and confiscating his private property earned and produced here on the other hand. Or, consider the case of a lady who testified before us. She married an American officer overseas. She is now an American citizen living here and rearing a family of three children. The Russians seized and confiscated her estate in East Germany. The United States seized and confiscated a substantial inheritance here in America which was left to her by an American relative. She is deprived of both her properties. Our existing law needs to be changed to prevent these obvious injustices. These illustrations could be multiplied by the hundreds. They all go to prove how wholly unnecessary and wrong it has been to so administer the Trading With the Enemy Act—a necessary war measure—but not needed in time of peace. They all go to show how essential it is for the Congress to pass corrective legislation as it did following World War I.

CONFISCATION AND COMMUNISM GO HAND IN HAND

There is another consideration which has influenced my views respecting the necessity for the return of these properties. It did not take us long after the close of the war to learn the bitter lesson that our present enemy is Russia and Russian communism. That country has no respect for the right of private property. We learned soon that if we could enlist the Germans in West Germany and the Japanese in the cause for free, democratic representative government, they would eventually become our stanchest and strongest allies. That effort of ours is an accomplished fact today. Thoughtful Americans realize that both Germany and Japan are our most reliable and trustworthy friends among the free nations of the world. It cost us many billions of dollars to achieve this result. We loaned and gave West Germany, consisting of about 60 million persons, over $3¾ billion. We did the same for 80 million Japanese at a cost of well over $2 billion. We made an outright gift of $2¾ billion in our settlement of postwar loans to these 60 million Germans. We are prepared to scale down the Japanese debts to its 80 million inhabitants in the same percentage of reductions. Who is there to say that it is fair to make a gift of about $4 billion to 140 million Germans and Japanese and retain and penalize from some 30 or 40 thousand of the same persons for the private property they either invested here or to which they are entitled by our laws of inheritance? Such properties amounted to less than a half-billion dollars when they were first seized. If Germany and Japan owe the United States anything by way of war reparations that obligation should rest equally upon all Germans and Japanese alike. That burden should fall on all the millions of people in these countries, not on the few thousand who may benefit from a return of the small amount of properties seized here in America.

Those Japanese and Germans who invested their properties here did so because they felt those properties were safe and secure under our constitutional protections. They felt their properties would be protected under our laws. Is it right to deny to them the equal protection of our laws? Certainly, there can be little justification in law or morals to deny our German and Japanese friends the benefits of trust, estate, and guardianship properties originating here in the United States.

Now, with respect to the payment of American war damage claims, every sense of moral justice dictates an early payment of them. Every nation, except the United States, which engaged in World War II, has already made some provision to indemnify its nationals. We have done much, sometimes too much, for others and nothing for our own citizens. Many civilian lives were lost, many suffered personal injuries, and there have been millions of dollars in losses in property damage. Except for the small prisoner of war claims and a few religious organizations operating chiefly in the Pacific area, no comprehensive war damage claims act has been passed by the American Congress. I agree with many that this is a shameful neglect of our own people. S. 672, which I introduced, makes ample provision for the payment of all proper American war damage claims.

Notwithstanding the use of over $295 million of the vested assets by our own Government, the State Department opened an avenue for the payment of American war damage claims and the return in value of all the vested assets. The payments may be financed through the remittances made to us by Germany and Japan in the settlement of our postwar loans and grants to those countries. This is advantageous to us for two reasons, namely, (a) it makes additional appropriations with a resulting increase in our tax burden unnecessary; and (b) by our payment of the American war damage claims we will fix the exact amount of our total war damages so that when a peace treaty settlement is made with Germany, our negotiators will then know precisely how much in war damages is chargeable against Germany.

Such a method of payment of war claims and return of vested assets was initiated by the State and Justice Departments in presenting draft bill S. 2227, though payments in that bill were in each instance limited to $10,000. No one has been able to answer satisfactorily why it is just to return $10,000 and confiscate the balance of any vested account. That concept employed by S. 2227 was extended in the provisions of S. 672 to provide for full return and to make full payments so that no fresh appropriation will be required.

SUMMARIZATION "THOU SHALT NOT STEAL"

To summarize a few of the important reasons why the United States should make a full return in kind or its reasonable value of all assets vested in wartime and subsequent vestings and also make full payment of American war damage claims, I believe:

1. That our foreign-aid programs since the close of World War II will have been useless should we adopt a policy of confiscation which becomes a denial of the principles of the free world.

2. That our enormous national defense spending which bids fair to continue indefinitely at such an enormous rate with its crushing tax burden upon us all will have been in vain unless the fundamental concepts of the free nations are continued unimpaired.

3. That our tremendous private and governmental investments will be imperiled by our adoption of a policy of confiscation; hence it is essential in our own national self-interest to effectuate returns of privately owned properties or their proceeds without delay;

4. That every reason in good morals and justice exists why we should finance the payments now of all legitimate American war damage claims. No reason exists why the United States should provide funds for others and other nations so they may pay their own damages, and we continue to neglect the rightful demands of our own citizens.

In conclusion the question is asked—Why have we done all these things since the close of World War II? We have done them in the interest of our free way of life. We have done them in an effort to extend the principles of freedom, representative democracy, and the blessings of liberty to other nations and peoples. Confiscation is a barbaric relic of the Dark Ages. If we would have others do right by us, we must do right by them. Should we turn back the pages of history and embark now, at such peril

to our own interests, upon a vicious program of confiscation? To me, enduring and fundamental principles are at stake. They demand positive and right action.

My actions shall be charted to the only course I know to preserve those principles which have made us the greatest nation on earth today. To do otherwise, I would betray the past, endanger the present, and imperil the future of my country. To do otherwise, I would "covet my neighbor's property," and history could convict me of violating a cherished commandment, "Thou shalt not steal."

THE AMERICAN FARM PARADOX

Mr. PROXMIRE. Mr. President, Robert G. Lewis has written a highly impressive analysis of the American farm paradox for the new May issue of the Progressive magazine.

Bob Lewis was until 2 weeks ago my administrative assistant. He did a tremendously fine job in my office in every way. He left my office, to my very great regret, to become special agricultural coordinator for the Governor of Wisconsin, Gaylord Nelson.

In my judgment no one is better qualified than is Bob Lewis to write on the subject of this analysis. He writes from an immensely well-documented understanding, and he writes with brilliant clarity and perception.

Mr. Lewis not only points out that Benson has spent more of the taxpayer's money than all other Secretaries of Agriculture combined and with just about the poorest results, but also shows exactly how the course of present agricultural policies will lead to further and further devastation of the American family farmer. Mr. Lewis points out that ever lower farm income and prices will eventually curb excessive production but only after either, first, farmers' incomes become so low that they have no money to invest in technological improvements to cut their production costs, increase their efficiency, and so boost overall farm production enough to keep up with or ahead of population growth—and this is not only a low, deprivation level; it is a terrible cost in lost efficiency for our economy; or second, American farm products move into aggressive competition in world trade, to the devastation of the economies of our allies, such as Canada.

Mr. President, Bob Lewis talks sense in urging the concern of all Americans who cherish our free political institutions to work to preserve the family farm as the kind of free economic institution on which our free political system is based.

I ask unanimous consent that the article by Mr. Lewis be printed in the body of the RECORD following these remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE POVERTY OF ABUNDANCE

(By Robert G. Lewis)

Ezra Taft Benson has spent more money in 6 years as Secretary of Agriculture than the combined outlays of all the previous Secretaries who have held the post since it was created 97 years ago.

If he stays on in the Cabinet—which seems probable—and if he continues to spend public money at the present rate—which appears inevitable—Secretary Benson's total expenditures in 8 years will be well on the way to doubling everything that has gone before. The Library of Congress recently totaled up the public expenditures of Secretary Benson's predecessors all the way back to 1862. The total came to $27.6 billion. Benson's total spending bill will reach $31 billion at the end of the fiscal year on June 30, and he's still going strong.

The current estimate of Federal expenditures for agriculture in fiscal year 1959 is $6.9 billion. In 1951, total expenditures amounted to only $650 million—less than a tenth as much.

Ezra Taft Benson as a profligate spender does not jibe at all with the image of the man that is commonly fixed in the public mind. It is one of the bewildering ironies of our time that Benson's record should be at such extreme variance from the picture of conservative, thrifty, almost parsimonious regard for the taxpayer's comfort which is projected upon the public screen by his personality, his speeches—and his public relations.

The budgetary term "expenditures" is a poor measure of the cost of the farm program to the public particularly when used in short-term comparisons. It represents gross outlays by the Department during the year, without reflecting anticipated recovery of funds, repayable loans, expenditures properly chargeable against other years' operations, large amounts expended for foreign aid, and many millions of dollars spent for services to the public and other Government agencies.

President Eisenhower himself was the first to employ this distortion in talking of farm program costs, and he has persisted in doing so. In fact, he turns the implicit misconception into explicit misinformation: repeatedly he has referred to Agriculture budget expenditures as accounting for half or so of farmers' total net income, which has been running at $13 billion and under per year recently.

The true picture of net losses to the Government on farm price support operations is startling enough. Losses last year alone amounted to almost $1.1 billion—more than the total for the entire 20 years under the administrations of Presidents Roosevelt and Truman. By June 30 the total value of farm surpluses in Government hands will amount to about $9 billion—more than six times as much as in 1953. The size of the surplus and the amount of price support losses will grow even more next year.

Compounding the ironic paradox of Benson's record is the bitterness of the farmers' resentment. In normally Republican strongholds of the Corn Belt and the Great Plains States, where Republicans enjoyed almost a total monopoly on House and Senate seats when Benson took office in 1953, the Democratic tide has now swept well beyond half way toward a complete reversal of the "solid Republican" tradition.

The dimensions of the farm income problem are equally startling. The realized net incomes of farm operators in 1958 is estimated at $13 billion; although higher than last year, this is 21 percent less than in 1951, and the Department of Agriculture predicts a further decline of 5 to 10 percent in 1959. The long decline in farmers' incomes has run counter to the rest of the economy. Total national income rose 27 percent from 1951 to 1958, and total nonfarm personal incomes climbed 43 percent.

To compare farm income with itself does not adequately answer the question of equity. The total per capita income of farm families—both from farming and nonfarm sources—averaged 56 percent of the average for nonfarm families in 1951. In 1957 there were 3,330,000 fewer persons living on farms, but their average per capita incomes dropped to only 46 percent of the nonfarm average.

Nor can the disparity in returns to farmers be explained away as a consequence of millions of unproductive, inefficient, and submarginal small farmers dragging down the overall average. There are millions of people with low incomes in the general population too—the unemployed, the nonemployable, relief cases, old age pensioners, the poorly paid household workers, and millions of low-wage unorganized workers in industry, service trades, offices, and retailing.

The fact is that substantial, competent, skilled, and efficient farm operators are receiving returns far too low to compensate them adequately for their labor, management skill, capital investment, and risk. The Agricultural Research Service of the U.S. Department of Agriculture reports that after allowing a charge for capital at the current interest rate on farm mortgages, Corn Belt grain farmers, with an average investment of $100,000 in 233 acres of land and other farm capital, received only 66 cents an hour as a return on labor of the farm operator and his family in 1957.

How can this drastic decline in the fortunes of the farmer be squared with the awoved aim of the present administration to free him and to strengthen his standing in the American economy?

The perplexing and dismaying predicament into which the Eisenhower administration's agricultural affairs have fallen is the consequence of its attempt to face two ways at once on farm policy.

One face is turned toward conservative orthodoxy. It evokes an image or stern determination to cut out this farm "subsidy" nonsense, to free the farmer from Federal regimentation, and to straighten out once and for all the "mess" that 20 years of Democratic "meddling" brought upon American agriculture.

The other face is turned toward the farmers—with an eye cocked at farm belt ballot boxes.

In his 1952 Presidential campaign, General Eisenhower declared for "not merely 90 percent of parity—but full parity." The Associated Press described at length the promised "plan which he said would guarantee present price supports for another 2 years and then would lead to higher prices for the farmers."

In 1956, the President redoubled his bid for the farmers' favor. "Ahead," he promised, lies "full income parity," which he defined as the farmers' "full share in our country's good times." The "full income parity" promised in 1956 was almost exactly double the 100 percent of price parity promised in 1952. Farm prices actually averaged 100 percent of parity in 1952, but farmers' incomes reached only 52 percent of parity with nonfarmers.

Earnest assurances were echoed in the interim by Secretary Benson. "The retreat of farm prices and incomes * * * seems to have been stopped a few short months after we took office," he told the National Grange in November 1953. A year later he told the Farm Bureau, "We are headed in the right direction at last." Another 2 years and he was assuring a feed dealers' convention that "The downward slide in prices * * * has been checked. Yes, we are on the right track, and we are going to stay on it."

Yet at the end of 1958, farm prices averaged only 80 percent of parity—a measure of constant purchasing power. This is the lowest since the years before World War II.

The administration's ambivalent farm policy posture has proved impossible to manage. The grotesque twin-headed policy has wandered sidewise into a deepening blind alley where it has become hopelessly mired in its own contradictions.

Secretary Benson readily fixes the blame for his difficulties—squarely on the heads of his predecessors. In his 6th year's summing-up on December 31, 1958, Benson acknowledged the continuing "serious problems which," he said, "have been developing from the old, unsound programs."

However, an objective review by the Library of Congress disclosed that the Eisenhower administration has received from Congress close to everything it has requested in farm legislation. Democrats and Farm Belt Republicans have complained noisily, but not a single major administration proposal has been turned down.

The truth is that the Administration has never proposed a fundamental correction of the shortcomings of the farm program that it inherited from the Democrats in 1953.

Under this program, market prices for a limited number of farm commodities were "supported." The Government offered loans at 90 percent of the parity price to producers who would agree to store their crops and hold them off the market. If market prices rose above 90 percent of parity, the farmer could pay off his loan and sell his products. If not, the Government took possession of the stored commodities in full satisfaction of the loan.

Some commodities—including cheese, butter, dried milk—were "supported" by outright purchase at the 90 percent of parity price.

The fatal inadequacies of the rigid 90 percent of parity program were sharply accented by the gigantic crop of 1948. The law permitted only six "basic" crops—corn, cotton, wheat, rice, tobacco, and peanuts—to be brought under any form of control on output. Acreage diverted from basic crops was certain to be shifted immediately to others. The big feed supply soon marched to market—on the hoof, in the milk can, in the egg case and chicken crate. There was no way to protect the tumbling markets save an out-pouring of Federal funds to buy livestock products and other nonbasics.

This does not mean that, inadequate as it was for an orderly, comprehensive job, the narrowly based rigid supports program was altogether ineffective. Calculations indicate that the farm food product price level would have fallen some 50 percent between 1951 and 1955, instead of the 20 percent that actually occurred, if the Government had not been accumulating stocks under this program.

The ambitious Brannan plan proposals were advanced by the Truman administration early in 1949 to cope with the impending collapse of the rigid 90 percent of parity program. It provided for three main reforms:

One. Full coverage for a broader range of commodities than the six "basics," to extend protection to a more realistic cross section of agriculture, and to cope with the tendency to shift acreage from basic crops to others.

Two. A wider and more flexible choice of methods of support, including direct payments to farmers.

Three. Authorization to apply effective measures for controlling production of any supported commodity in rough conformity to demand.

The Korean war temporarily masked the long-range shortcomings of the rigid 90 percent of parity support program. But as the wartime surge in demand faded, they reappeared with increased force. Farm prices plunged sharply below 100 percent of parity beginning late in 1952.

Despite the forewarnings, the Eisenhower administration's farm policy was bound by the President's campaign-time endorsement of rigid 90-percent supports. "And here and now, without any 'ifs' or 'buts,' I say to you that I stand behind—and the Republican Party stands behind—the support laws now on the books," General Eisenhower had declared at Kasson, Minn., adding: "These price supports are only fair to the farmer to underwrite the exceptional risk he is now taking."

The liabilities of the rigid support system mounted swiftly, in the form of heavy outlays for surplus stocks acquired by the Government. Marketing quota controls were imposed with maximum severity, but the land and other resources forced out of production of basic crops were simply shifted to others. Farm income slumped severely.

In 1954 the 2-year commitment to rigid supports endorsed by the campaigning General Eisenhower expired. The burden of surplus stocks was already embarrassing, and its future dimensions were foreseeable. The political revolt against Republicanism was already running strong in the farm belt.

In direct contradiction of Eisenhower's specific campaign pledge to give other crops "the same protection now available to the basics." Secretary Benson used his discretionary authority to reduce prices of nonbasic crops at every opportunity. And in 1954 the President asked Congress to activate the sliding scale system of supports originated in 1948 by the Republican 80th Congress but repeatedly withheld from operation by subsequent Congresses.

The sliding scale system was based on a theory that cutting farm prices would result in lower production and increased markets. Farmers were assured that the downward slide in basic commodity prices would allow the surpluses to be absorbed, whereupon prices would rise in a market free from Government controls.

Few farmers believed the promise of better times through lower prices, but the administration's claque of theorists and publicists happily embraced the illusion of relief from heavy Government farm program costs. The illusion persisted with remarkable durability, although Government costs continued to mount, controls on farmers were tightened more than ever, and farm prices skidded dizzily.

The only important discrepancy between what the administration has asked and Congress has given in the way of farm legislation occurred in the 1954 sliding scale law. The administration wanted authority to cut price supports all the way from 90 to 75 percent of parity the first year—in 1955. Congress demurred, allowing farmers 2 years to absorb the full shock of the one-sixth slash in gross incomes.

Benson still harks back to the halfway stopper on the sliding scale's action in 1955 as his prize example of congressional obstinacy against doing right.

But under the campaign-time guns of 1956, President Eisenhower overruled the price support rates set by Benson under the new sliding scale law, and boosted them back approximately to the midpoint set by Congress for the year before. What had been too much too soon for Congress in 1955 was too much too soon for the Republican National Committee 1 year later.

Administration farm planners approached the 1956 presidential election in near panic. Hog prices crashed to depression levels in December 1955—to only 50 percent of parity. Republican farm belt politicians prevailed at last in the White House. Something had to be done.

The soil bank was the major product of political panic in 1956. During the 1955 session congressional soil bank plans were flatly rejected by the administration. As late as 3 months before the President's annual farm message, top officials were still publicly opposing the scheme.

But in January 1956, the President recommended to Congress that farmers be paid if they would leave part of their cropland unplanted or if the crop thereon, if any, shall be plowed under or otherwise physically incorporated into the soil.

This was a drastic reversion to the emergency policies of 1933. The Republican soil bank engendered a mighty effort at reshuffling the conservative rhetoric that had been directed for a quarter century against this kind of thing. In a speech at the National Farm Institute in Des Moines, Iowa, on February 17, 1956, Secretary Benson said:

"Destroying food in a day when there are millions who suffer from malnutrition is just neither Christian nor American. You remember the public outcries against the killing of little pigs in the thirties, the pouring of kerosene over millions of bushels of potatoes in the forties. * * *

"There is one other way, the only sound way yet devised. It is the heart of the administration's new provisions for a broadened farm program * * * the soil bank. * * *"

Conceived as a forthright, massive, and expensive effort to curb farm output, the soil bank did not live up to expectations. In 3 years' time, farmers were paid more than $1½ billion to destroy or not plant their crops. Farmers were paid from half to three-quarters of market prices for not producing crops.

The gigantic tide of Government payments pumped millions of badly needed dollars into farmers' pockets. But it failed to solve the farm problem, and passed unmourned into history last year.

With the soil bank busted and all in conspicuous shambles, administration doctrine has now retreated all the way back to the comforting convention of the pre-New Deal era: the marketplace should regulate agriculture. Price supports should be reduced until they do not artificially support prices, and the parity concept itself should be discarded. This, in essence, is the heart of the President's and Secretary's recommendations to the present Congress.

The administration scored a signal advance toward its now-acknowledged goal in 1958, and it furnishes a crowning example of the breathtaking contradictions that have characterized Benson's stewardship.

Corngrowers were offered the choice of higher supports this year than were available to producers last year, combined with wide-open abandonment of all controls on planting, versus the old, weakened program of feeble controls and faint supports. Not surprisingly, farmers voted 3 to 1 for the short run advantage; they were willing to settle for 1 big year at Uncle Sam's expense, and let the Democrats clean up after the ball.

Benson designed and lobbied for the bill, and praised it as "steps in the right direction." It is marching the Nation straight to a final extravaganza of spending and surplus that will dwarf everything that has gone before.

Last year's corn crop was an alltime record; Department of Agriculture crop reporters foresee a staggering 12-percent boost above that in 1959. Farmers are pulling out their fences and planting corn from boundary to boundary.

Both the Republican administration and the Democratic opposition share the blame for the lack of realism and logic in our farm policies. There has been little effort in the political debate on the farm issue to define the real choices that confront us, and the hard facts that delimit them. Administrative action has stood infirmly upon serious misconceptions as to the nature of our agricultural economy, the range of choices open to us, and the real consequences of the alternatives. All too often the opposition has contented itself with pointing out the incongruities as they appeared.

The primary characteristic of the agricultural economy that sets it apart from all other major industries and furnishes the basic cause of the farm problem is the remarkable lack of variation from year to year in the total resources employed in farm pro-

duction. Farmers simply put every resource at their command into an annual effort for maximum production, regardless of price and income consequence. During the period 1920 to 1950 the index of total inputs in agriculture moved within the narrow range of 100 to 110 and showed no discernible trend.

It is really not surprising that farmers should put all their available resources—of labor, land, machinery, livestock, and capital—into each year's production effort. Farmers are generally hard pressed for money, and their motive is to produce as much as they can to increase their income. Individual farmers are the decisionmaking unit, and the individual farmer can have no perceptible influence upon total supply and prices by withholding his resources; he has no bargaining power. Nor can farm resources be shifted readily to nonfarm uses. If the farmer himself gets another job in town, his land and other productive resources will be sold or rented to another farmer. The farmer has little choice, if he wants to improve his income, but to buckle down and work as hard as he can on the farm. For these reasons, the full farm resources of each farm are almost certain to remain in the farm production race.

The lack of long-term variation in total agricultural inputs is a result of the relatively constant acreage of farmland and the farmers' urge to produce as much as he possibly can. Barely enough new farmland has been developed, particularly since 1920, to offset the requirements for suburban growth, highways, airports, and other nonfarm uses. As new, more efficient technology makes it possible for farmers to cut down on the amounts of some kinds of farm inputs, other types of inputs are substituted. For example, the total labor used in all farmwork held almost constant at 23 billion man-hours per year from 1910 through 1935, then declined sharply by nearly 40 percent by 1957. But the increased employment of capital by farmers just about offset the declining use of labor in agriculture to hold the total resources used almost constant.

The dynamic man-made variable in agriculture that accounts for the long-run expansion of American farm production is technological advance—increased output per unit of input. Willard W. Cochrane, professor of agricultural economics at the University of Minnesota and president-elect of the American Farm Economics Association, says: "This rate of increase (in farm production) must be ascribed to technological advance; there is nothing else to ascribe it to. * * * Farm operators generally have adopted a wide range of new and improved production methods, improved plant varieties, improved breeds of livestock, improved sanitation practices, the general-purpose tractor, and endless machine hookups; new methods of insect and pest control, supplementary irrigation, new views on fertilizer application, improved feeding practices, and so on."

Technological advance depends upon two principal factors: The availability to farmers of improved techniques, and their ability to adopt them. There is a considerable backlog of improved techniques not yet universally applied by farmers. The effective limiting factor is more generally the ability of farmers to adopt the improved technology they know about, and this limit is the available capital for investing in the new machinery, breeding stock, and production supplies. When farm prices and incomes are poor, technological advance is slow or nonexistent; when prices and incomes are good it has been rapid.

The readiness of farmers to adopt technological advances has enormously important and often overlooked implications for farm policy. Farmers are undoubtedly the most persistent savers in our society. Young farmers manage to squeeze money for farm improvements out of meager incomes amounting to 50 cents to a dollar an hour on their labor, at the cost of severe deprivation of their family living standard. As they grow older, the habit lingers. It is almost universally true that the farmer's cows will have running water in the barn before his wife gets it in the house. To suppose the farmer's wife resents this would betray a city dweller's lack of understanding; a farm wife is aware that running water for the cows is a capital investment which will increase family income, while running water in the kitchen is primarily a consumption expenditure.

Technological advance in agriculture is grossly exaggerated by extraordinary surges in demand such as those of the wartime and international famine emergencies in the 1940's. The National Government pleaded that farmers expand production to the maximum possible limits. Farm prices rose sharply in response to the increased market demand—which certainly represented genuine social needs. Just as promptly, farmers plowed back much of their added income into technological advances. When the unusual demands tapered off, the expanded U.S. farm plant could not be scaled down accordingly. And the Government inherited a share of the responsibility for adjusting the farmer to the declining market demand.

Maintained by a steady level of inputs and given a persistent upward thrust by technological advances, farm products pour out of the American fields and pastures in a steadily rising flood, in peace and war, good times and bad, high prices and low, fair weather and foul. Farmers shift their production from one commodity to others in response to changes in price and other factors, but their aggregate output, individual and total, is invariably the most they can produce. In the first half of this century, total farm output increased by an average of 2 percent per year; adjusted for abnormal weather, no year's output varied by more than 4 percent from the year before. Technological advance is a hand on the throttle of farm production, but it is a hand that can only hold still or push ahead; productive steam, once turned into the farm economy, cannot be shut off by any device yet applied.

Manufacturing production varies much more sharply. In contrast to the comparable maximum year-to-year change of 4 percent in farm production, U.S. manufacturing production decline 17, 18, and 23 percent below the preceding year in each of the depression years of 1930, 1931, and 1932. The cumulative drop in annual manufacturing output in the 3 years was 48 percent; farm output increased 3 percent in the same period. On the economic upswing, manufacturing output jumped 46 percent in just 2 years after Pearl Harbor, while farm output gained only 9 percent.

The demand side of the farm economy is approximately as stable as the supply side. For one thing, the dimensions of the human stomach do not change from day to day, year to year, or even from generation to generation. Over the past 50 years Americans have consumed close to 1,565 pounds of food per capita each year.

However, this does not mean that per capita consumption of farm resources has not increased. Consumption of more expensive, high resource-using foods has increased sharply as average family incomes have risen. Since 1919 consumption of meats rose 24 percent, and dairy products exclusive of butter by 31 percent. At the same time, consumption of such low-resource-using foods as potatoes dropped 46 percent and of flour and cereals by 26 percent.

Thus the rising American standard of living has increased the per capita market for farm resources. Less grain is consumed directly by humans; more is fed to livestock to produce more expensive foods. But there is evidence that this manner of expanding the market for farm output is approaching its limit. A study of family food consumption by income groups made by the U.S. Department of Agriculture in 1955 shows that some 60 percent of the total U.S. population has already achieved a standard of living beyond which further increases in income will have little effect upon consumption of farm food resources.

This leaves population growth as the major expander of domestic food consumption. U.S. population is currently expanding at an annual rate of about 1.8 percent. This corresponds to an average annual increase of slightly more than 2 percent in farm output since 1950. The tiny, fractional margin by which supply—generated by technological advance in agriculture—outruns and stays ahead of a rising level of domestic civilian demand fed mainly by population increase, is the basic key to the American farm problem.

Small as the true annual farm surplus may be, it is extremely significant in relation to farm prices and incomes, because the aggregate domestic demand for food is severely inelastic. Just as the study of food consumption patterns showed that additional family income results in little qualitative and quantitative change in food purchases by most families, so it is with retail food prices. Consumers shift their food buying from one product to another when specific prices change, but tend to maintain a stable standard of diet. And as more lower-income families rise above the diet-improving range of incomes, the demand for farm food products can be expected to become increasingly inelastic.

Professor Cochrane, who has made particularly enterprising studies of the supply and demand elasticities for food, calculates that the demand elasticity for food at retail under contemporary conditions is so small that an increase of 2 percent in the supply of food will drive retail food prices down by 10 percent. But this is not the worst of it from the farmer's standpoint. Farmers are now getting only 40 cents of the consumer's food dollar. The costs and profits which account for the other 60 cents are not affected; they have climbed substantially throughout the recent period of falling farm prices. The entire 10 percent drop in retail prices must come out of the farmer's 40 cents; in other words, prices farmers receive will drop 25 percent.

This, then, is the economic dilemma of American agriculture. The picture is almost unique in our present-day economy. Farm prices are fashioned by the interaction of an unmanaged, ever-burgeoning supply countered by severely inelastic demand, with technological advance characteristically outrunning population growth. As a result, farm prices and farmers' incomes are subject to chronic depression, relieved only by intermittent surges in demand arising from war or other unusual circumstances.

The administration's confused attempts to achieve an automatic rationalization of the farm problem by resorting to the antiquated law of supply and demand have been completely inadequate to cope with the powerful forces at work.

The sliding scale was ineffective in discouraging production; controls on the basics were effective in shunting the surplus problem from one group of commodities to others, but did nothing to cope with the overall farm price decline. Prices settled quickly and rested on the reduced supports; the sliding scale proved to be equally as rigid as 90 percent of parity—but at a lower price level.

Even the massive soil bank plan foundered on one of the simple verities of farm economics: It limited only one of the inputs available for farm production—land. Undiminished total quantities of labor, machinery, fertilizer, and other farm inputs

were applied to the reduced acreage, resulting in increased yields per acre.

Moreover, there was little genuine will on the part either of farmers or of the administrators to make it truly effective. Many millions of dollars were paid to destroy crops that were already dead—killed by drought and frost and flood. Much of the acreage put into the soil bank was far less productive than claimed; the poorest acres went in first. Loose administration and the lack of identification of the soil bank with a genuine will and realistic complementary programs to raise and maintain farm prices were translated into extremely poor morale among the farmers who participated.

The proposal now favored by the administration—to abandon parity and fix supports at 75 to 90 percent of the average market price of the preceding 3 years—can afford no more immediate relief than the earlier switch from rigid 90 percent of parity supports to the sliding scale. Moreover, it could not be enacted in time to apply to any crops earlier than 1960.

Under the new proposal, farm prices would drop by as much as 25 percent in the first year, tapering off to about 3 to 8 percent a year. But farm output would not be restrained nor demand importantly increased nor large governmental outlays avoided until farm prices had descended to drastic limits.

One limit would be the point at which farmers' incomes became so low that they had no money to invest in technological improvements to cut their production costs, increase their efficiency, and so boost overall farm production enough to keep up with or ahead of population growth. This is very low indeed and measures extreme deprivation.

Another limit is the point at which American farm products would move into aggressive competition in world trade. In many respects this represents a dangerous route; a sharp break in world wheat prices would gravely undermine the economies of such allies as Canada, for example. And many smaller countries whose internal stability depends heavily upon the proceeds from relatively small exports of agricultural and other raw materials might be endangered by large-scale American exports.

Long before any such drastic limits are reached, the more pragmatic limit of political toleration will assert itself on behalf of the badgered taxpayer and the bedeviled farmer, to demand rational and economic management of the American people's stake in agriculture.

INVASION OF PANAMA

Mr. SMATHERS. Mr. President, this morning's newspapers contained some very disturbing news about invasion forces which originated from Cuba having been successful in landing on the shores of Panama, and already being in control of one of the small villages of 500 people there.

Mr. President, on April 15, on the floor of the Senate, I predicted that this kind of action would take place, and I urged that the United States through its representative to quickly advocate the creation of a police force under the jurisdiction of the Organization of American States to stop this kind of aggression from one country against another country in Central and South America. Unfortunately, the idea did not get very far.

As we read the story in the newspapers this morning, we can conclude that there is a sizable force, and that the invaders mean business. People on both sides are already being shot and killed. I think we can understand the importance of trying to formulate immediately some policy whereby we can stop this unwarranted aggression against Panama.

Mr. President, this morning by telephone, I talked to the President of Panama, Ernesto de la Guardia. He is a very fine, democratic gentleman, who attended Brown University in the United States. President de la Guardia is, in fact, a great believer in democratic principles and has run a thoroughly democratic government in Panama since he became President. When we observe these invading forces coming from Cuba, it can no longer be said that they are seeking to overthrow a government which is ruled by a dictatorship, since there has been in Panama, under Ernesto de la Guardia, one of the most democratic governments ever found anywhere in Central or South America.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. SMATHERS. I am happy to yield to the distinguished chairman of the Subcommittee on American Republics Affairs of the Committee on Foreign Relations.

Mr. MORSE. As the Senator from Florida knows, I have stood shoulder to shoulder with him in every position he has taken this year, and last year also, with regard to the Latin American problems. The Senator from Florida is as well versed on those problems as any Member of the Senate, and I desire to associate myself with his remarks.

It is about time that we should take a long, hard look at the source from which this kind of agitation is coming in Latin America.

Mr. SMATHERS. I thank the able Senator from Oregon for his remarks and compliment him on his interest and approach to this vital area of this world.

Mr. President, during my conversation with the President of Panama this morning he stated, "Let us not kid ourselves into believing that this is just a group of adventurers from our own country or even from Cuba. These people are mostly Cubans but directed by and led by militant Communists. Their ambition is the long stated one of taking over the Panama Canal. The leaders of the invading forces really desire to put a squeeze on the United States of America.

Mr. President, I think the time has come when the U.S. Government can no longer afford to let this kind of situation develop, for eventually we may have to take possibly more drastic action than would be necessary if we took meaningful action today.

The Organization of American States is meeting this afternoon at 12:30. At that meeting I understand the Organization is going to invoke article VI of the Rio Treaty, which will call for the foreign ministers of all Latin American countries to meet together and to decide forthwith what should be done. I have reason to believe that the Organization of American States may call upon the United States not simply for small arms and ammunition, which we gave to Ernesto de la Guardia's government yesterday, but may call on us for possibly the use of a destroyer or two for the purpose of intercepting new invading forces—now reported en route from Cuba to Panama. These ships would not be representing the United States but the OAS. I think the time has come for us to follow such a firm program and to cooperate with the Organization of American States in organizing a Western Hemisphere police force to keep the peace. Let us give them the help which they need now, including the arms and destroyers necessary to stop unjustified invasions and aggressions. If we, the members of the OAS, do not stop this invasion now, Mr. President, I regretfully predict that in the next 2 or 3 months it will come to haunt us as nothing has haunted us since the Communists under Dictator Arbenz took over Guatemala. This is even a worse situation in Panama. We have a large stake in Panama and in the Panama Canal. Mr. President, perhaps this invasion of the Republic of Panama is not approved by Fidel Castro, Prime Minister of Cuba. I do not think they are. But, apparently Raul Castro has some interest in this. These invaders are known Communists. They are now seeking to destroy and take over democratic governments now existing in Central America. The United States had better wake up and adopt a firm and realistic policy, or we will live to regret our indecision, our soft shoe policy.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. MORSE. Let me make two points very quickly.

On the basis of such information as I have in my position in the Foreign Relation Committee, I am very fearful that these are Communist-dominated agitations and invasions.

Second, I am very much concerned about communism in Cuba. I am not interested in what people say in speeches. I have asked the State Department for a copy of a speech which the brother of Fidel Castro made not so long ago in Cuba. It was one of the most bitter denunciations of the United States that could be imagined. In my judgment, he followed the straight Communist line in his speech. I think we had better take a look at the situation before it is too late.

Mr. SMATHERS. He made that speech at the University of Havana at the same time Fidel Castro was visiting Princeton University and making a somewhat pro-American speech.

Mr. JAVITS. Mr. President, will the Senator yield to me?

Mr. SMATHERS. I yield.

Mr. JAVITS. I should like to say to the Senator from Florida that I thoroughly approve of the United States putting itself at the disposition of the Organization of American States.

As I understand the Senator, it is not his desire or intention that we should participate unilaterally, but it is his intention that if the organized conscience of the Americas asks for our aid, we will give all the aid possible to carry out the mandate.

Mr. SMATHERS. The Senator is correct. As usual, with his decisive mind and precise speech he states principles I want to state, better than I can state them. The point he has made is exactly what I was trying to say. We must not act unilaterally, but we must act with the OAS in giving immediate assistance to the democratic government of Panama.

I am informed by the President of Panama that there are two more invasion ships on the way from Cuba, and that he has no means of repulsing them. If there is an uprising in the city, led by Communists operating from the inside and the Government of Panama is compelled to draw the few troops it has from the mountains and bring them to the city, that means that the city becomes an isolated fortress, and one end of the Panama Canal is completely exposed, and from that point on no one knows exactly what will happen.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. MANSFIELD. I am delighted that the distinguished Senator from Florida is emphasizing the importance of the Organization of American States. I express the hope that in some way we can bring about a strengthening of that organization, so that in the case of Panama, as has happened over the decades in the past throughout Latin America, it could be in a position effectively to intervene. I do not mean in a physical sense, but in the way in which it intervened in Honduras not so long ago, to bring about an amelioration and settlement of the situation in that troubled Republic.

So I express the hope that we may strengthen, as much as possible, the arrangement under which the Organization of American States operates. I hope that at the earliest opportunity Canada may occupy the vacant chair, long awaiting her, so that we may have a real hemisphere organization, comprising all the countries in this part of the world.

Mr. SMATHERS. I thank the able Senator from Montana.

If we establish a police force for the Western Hemisphere, in my judgment it will mean a great benefit to all the Central and South American countries. They are fearful that they may be invaded by some unfriendly country which is now their neighbor. Therefore they have to devote a very large share of their budgets to military expenditures.

If we can once establish an Organization of American States police force, and bring about such a situation that each country will know that such police force will be available to it should it be under attack, it will mean that each of the countries, instead of spending more than half of its budget in building military defenses, will be able to divert a great deal more of its money into economic development, better roads, schools, and constructive things of that nature.

There is a great deal of virtue in the idea of a police force for American States.

Let me say to the distinguished occupant of the chair, the Vice President of the United States, that I endeavored to call the White House this morning and talk with the President about this dangerous situation, developing throughout the Caribbean area. As I understand, he was busy having a conference with Republican leaders. However, I was able to tell one of his assistants about this idea of an OAS police force for keeping the peace and to urge him to give leadership at this particular time, to see if we cannot establish the police force as a fact, not only with respect to aid to Panama and the other helpless countries of Central America but, in the long run, to bring about a quicker, more constructive development of Latin America.

Mr. JOHNSON of Texas. Mr. President, I wish to commend the able Senator from Florida for his industry and intelligence in this entire field. He has been one of the leaders in bringing to the attention of the Congress from time to time the problems in this hemisphere and the solutions to such problems.

Only a few days ago I expressed to the Senator my grave concern over the situation to which he refers today. I think he has rendered a great and constructive service by bringing this problem to the attention of the Senate and the American people. I certainly hope that careful consideration will be given immediately to the suggestions he has made.

Mr. SMATHERS. I thank the able majority leader for his generous comments. He has long been interested in this entire area and is highly regarded by the people of Latin America for his continued efforts in their behalf.

NOMINATION OF MRS. CLARE BOOTHE LUCE TO BE AMBASSADOR TO BRAZIL

Mr. DIRKSEN. Mr. President, in view of the policy luncheon which is held every week on this side, I wish to take a few moments to say something about the nomination of Clare Boothe Luce.

Mr. SPARKMAN. Mr. President, will the Senator yield? If the Senator is to make a speech, I should like very much to insert something in the RECORD.

Mr. DIRKSEN. I shall require only about 4 minutes. I will not trespass too long upon the time of the Senate.

Mr. President, I once asked Bob Taft why he ever voted for the confirmation of the nomination of Dean Acheson to be Secretary of State. I said, "Your views are diametrically opposed." His answer was that, so long as the nominee was a man of character and of reasonable competence and reasonable qualifications, the President was entitled to have whomever he wanted, so he supported that nomination.

The President has indicated that he wants Clare Boothe Luce to serve as our Ambassador to Brazil. Unless she is impeached on grounds of character, competence, or qualification, I believe every Member of the Senate ought to support the nomination.

The first question is, Is she a person of character? All I know is that 22 Members of the Senate served with Clare Boothe Luce in the 78th and 79th Congresses, including the majority leader, the minority leader, the very distinguished assistant majority leader, the Senator from Montana [Mr. MANSFIELD], the chairman of the Foreign Relations Committee [Mr. FULBRIGHT], the chairman of the Committee on Banking and Currency [Mr. ROBERTSON], the chairman of the Committee on Interstate and Foreign Commere [Mr. MAGNUSON], the chairman of the Joint Committee on Atomic Energy [Mr. ANDERSON], and many others. There are 14 Democratic Members of the Senate and 8 Republican Members in this Congress who served with Clare Boothe Luce, and who know her.

It is not a question of testimony. It is not a question of hearsay. It is a question of what we know. We know her to be a person of character, and we know her to be a person of competence.

Who will deny her competence, in the field of journalism, the field of art, the dramatic field, lecturing, publishing, and so on? I believe that her competence in those fields and her experiences in Italy conjoin to indicate what an excellent background she has in almost every field of human enterprise. I believe that such a background is fruitful, indeed, in fashioning the capacity to adjudge facts and conditions, which capacity would serve her well as a representative of this country in Brazil.

In our search for competence, I think we too often assume that in the diplomatic field one must have broad business experience. That may be so in some cases, but I would make an exception of Brazil. In Brazil the people set great store by everything in the cultural field and in the field of performance talents. I was in Brazil when the symphony orchestra stopped in the middle of its performance because a very distinguished American soprano sang off half a note. If anything indicates the high state of cultural appreciation in Brazil, that would certainly do it. Mrs. Luce's cultural background and talents would appeal particularly to this, the largest of the Latin-American countries; and it would help her immeasurably in serving as our representative there.

Why is she opposed? Because of a remark about Franklin Roosevelt or Harry Truman? Who has not said such things in past campaigns? I came to Washington with Franklin Roosevelt in 1933. I was here all through his administrations, and also through the Truman administration. I know the situation. I had a few things to say myself that on occasions almost scorched the paper. I wish to say for Mr. Truman that I received a letter from him yesterday. It is a wonderful letter. I had spoken about my visit to him when I left Washington because of an eye malady. I went to see him, and I told him what a great man he was. Later, when I ran for the Senate he just about took my ears off me in great fashion. [Laughter.] Everyone understood.

I said some nice things about the man of Independence, and he sent me a nice note for it. He said, "You never should

have left there. I hope we can visit soon."

We have been the best of friends no matter what has eventuated in some of the campaigns.

Therefore I say, Why thrash old straw or beat an old bag of political bones? [Laughter.] This is an entirely new matter which is before us. When I say a bag of political bones——

Mr. MORSE. Would the Senator wish to change that phrase? In my speech I referred to her as a charming lady. [Laughter.]

Mr. DIRKSEN. Not for a minute would I yield to an implication otherwise. When I spoke of a bag of bones I meant the bag of bones the senior Senator from Oregon brought before us.

Mr. HUMPHREY. I must rise to the defense of the lady.

Mr. DIRKSEN. I am referring to the old bag of political bones, these old canards.

Mr. HUMPHREY. I object. [Laughter.]

Mr. DIRKSEN. I merely wish to add a few other thoughts. In Brazil, where Clare Boothe Luce will serve as our Ambassador, the fine arts have been brought to a state of almost unequaled advancement. No country in Latin America has so many and long-established learned societies. The Brazilian Academy of Letters, modeled on the French Academy, has existed for 60 years. The Brazilian Historical and Geographical Society is the oldest of such societies on this continent, and goes back 121 years.

Diplomacy is something more than a knowledge of coffee prices and which cattle strains are best for Brazil. It is something more than imports or exports or the value of the cruzeiro. It is the art of developing good will with people and gaining their confidence.

Can that be adequately done without a sympathetic understanding of people through an appreciation of their strivings, their yearnings, their hopes, their aspirations? What was said in a political campaign is unimportant. What she can do through a common bond at the cultural level in furthering our interests and developing the best friendly relations is all important. Because she is accomplished in this field, her nomination should be unanimously confirmed.

I am addressing myself particularly to my friend, the senior Senator from Oregon, whose capacity for tolerance and forbearance and whose grace of spirit are nationally known. I hope that he will now feel that his soul has been unburdened, his conscience cleansed, and his fidelity to public duty properly discharged; so that he can now join with his colleagues in the Senate in confirming the nomination of this accomplished woman who will so capably and ably represent us in Brazil, and make unanimous her endorsement by the Senate.

Mr. SALTONSTALL. Mr. President, many persons have discussed Mrs. Luce's personality and her character and her ability to be a good diplomat. I should like to add a word. I spent several days in her office in Italy when she was our Ambassador there. I can truthfully say that, in my opinion, there never was an ambassador who has served with more efficiency and more fairness and a greater understanding of what her associates were doing in their various capacities, than Mrs. Luce. From my conference with her in the Embassy at Rome I became convinced that she knew her responsibilities and how to carry them out in the best interests of our country in its relations with Italy.

Mr. JAVITS. Mr. President, I should like to join in the debate with respect to Mrs. Luce. I, too, have had personal experience with reference to her serving as our Ambassador in Italy, and have had some opportunity to appraise the results of her service. I have also had the opportunity to be rather close to the mission of our new Ambassador, who succeeded Mrs. Luce as Ambassador to Italy, Ambassador Zellerbach. I speak from my own rather intimate knowledge of that situation, because Ambassador Zellerbach has been a personal friend of mine for a quarter of a century. The reputation and the record of the work left in Italy by Mrs. Luce is an outstanding record and is known to all.

Without in any way endeavoring to beg the question with respect to campaign statements, they stand, as Mrs. Luce has said, and there is no question about them.

I say the important evaluation is with respect to her record as our Ambassador while she served in Italy. Aside from my own personal knowledge and the results of her work, I think we can rely upon the appraisal of the Senator from Montana, the deputy majority leader [Mr. MANSFIELD], whose statement before the Committee on Foreign Relations I should like to read at this time. It is short, and appears at page 7, as follows :

Senator MANSFIELD. Mr. Chairman, I have no questions to ask. All I want to say, for the record, is this:

That we have to judge a nominee on the basis of their performances. Like the distinguished chairman of this committee, I came to the Congress the same time that the Congressman from Connecticut did. She served in the House for 2 years and made a very commendable record. There were many occasions when we were on opposite sides of the fence.

She served as our Ambassador to Italy for almost 4 years, and I believe is the first woman ever appointed to represent us in a Latin country. She did it under difficulties, and I think her record there was outstanding.

There are some things that some people do not get credit for, and I think perhaps not enough of the story has been told about Ambassador Luce's part in the settlement of the Trieste question, and to a lesser degree, in the settlement of the Austrian State Peace Treaty.

I think that ought to be in the record.

I have no questions, Mr. Chairman.

There are few Ambassadors whom the United States has sent abroad who have had greater successes, as our distinguished friend from Montana has pointed out, than the settlement of the very vexing Trieste question and the settlement of the Austrian Peace Treaty. In both of them Italy was very importantly involved; and with respect to the former it was the determining factor in the settlement of the Trieste issue.

Therefore, Mr. President, judging this matter upon the record of what an Ambassador has accomplished and what an Ambassador can accomplish in a country like Brazil, and considering, as the Senator from Montana has said, the attractiveness of a personality like that of Mrs. Luce on a people like the people of Brazil, I shall vote to confirm her nomination.

EXPANSION OF AMERICAN AID TO POLAND THROUGH POLISH-AMERICAN FOUNDATION

Mr. HUMPHREY. Mr. President, on April 10, 1959, I commented on the floor of the Senate upon the importance of strengthening American aid to Poland. I pointed out the continued close ties between the Polish and American peoples. Despite artificial obstacles which have been imposed between them, by the Communist government of Poland, our two peoples remain warm and cordial in their relationships and mutually devoted to the same ideals of liberty and sovereignty.

In my April 10 remarks, I arranged for the printing in the RECORD of the information which I had requested from the State Department with regard to programs of Polish aid, undertaken by the U.S. Government and by private sources during the period 1957 to 1959.

Today, I wish to add further facts to that picture.

I now bring to the attention of the Senate the text of a followup letter just received from the State Department which completes the narrative summary on American aid to Poland. This letter from Assistant Secretary of State William B. Macomber, Jr., sets forth the aid supplied by the United States to Poland from the end of World War II to 1956.

I submit these facts because I believe that:

(a) The Congress and the American people will be glad to have at hand a full account of the manner in which they have assisted, and very rightly so, the brave country which was the first to take up arms in the defense of liberty in World War II.

(b) I should like the Polish people, too, to have available these facts insofar as that is possible.

I know, of course, that there is gratitude in the hearts of the Polish people, because, in many contacts with Polish-American groups, there have been innumerable instances when they have told me of the devoted and appreciative expressions from the land of their fathers to the people of the United States.

MEETING UNFULFILLED NEEDS

(c) But most important, I submit this summary as an indication that the job is still undone. The needs of Poland today are vast. I hope they will be met through constructive American action.

Senators may recall that I have introduced a new bill to carry out the concept of "Food for Peace."

Contemplated in this measure is authority for the establishment of bina-

tional foundations which would use the counterpart proceeds of American food sales abroad for supporting health, education, and other worthy purposes in foreign lands.

NEED FOR A POLISH-AMERICAN FOUNDATION

I can think of no other country where I would like to see such a binational foundation established sooner than Poland—the country which has been among the first in the affection of free peoples all over the world.

A Polish-American foundation, with an outstanding binational board of directors, dedicated to the health of the Polish people, the improvement of educational opportunities for the Polish people, and other sound purposes, would be a new chapter in a history of cooperation which reaches back to the immortal contributions of Tadeusz Kosciusko and Casimir Pulaski.

Mr. President, I ask unanimous consent that the text of the letter from Mr. Macomber, dated April 22, 1959, be printed in the body of the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington, April 22, 1959.

The Honorable HUBERT H. HUMPHREY,
Chairman, Subcommittee on Reorganization and International Organizations, Committee on Government Operations, U.S. Senate.

DEAR SENATOR HUMPHREY: In accordance with your request of February 27, 1959, I am transmitting herewith the information desired by your Subcommittee on American medical assistance furnished to Poland during the period between the end of World War II and 1956. Information relating to programs conducted during the period between 1957 and 1959 and to other questions raised in your letter was sent to you in my letter of March 18, 1959.

1. Contributions by the American National Red Cross: In October 1944 the Director and Assistant Director of the American National Red Cross operation in the U.S.S.R. went to Poland to survey relief needs. They took with them $50,000 worth of basic medical supplies to expedite the initiation of a relief program. These supplies were released on a replacement basis by the Soviet Alliance of Red Cross and Red Crescent Societies. The American National Red Cross sent supplies to these societies to replace those which had been advanced for Polish relief. At the end of the war the American National Red Cross began an intensive program of assistance to Poland. Chapter-produced garments valued at more than $4,500,000 were sent to that country. The S.S. *Birka* was chartered to carry 1,200 tons of supplies, and motor vehicles to distribute them were also sent. Some of this tonnage was undoubtedly medical supplies, but precise figures are not available. By June 1, 1946, the American National Red Cross had also shipped more than 97 million surgical dressings, 9 million vitamin tablets, and large quantities of soap, medical kits, drugs, blankets, and shoes. The National Children's Fund of the American Junior Red Cross had sent 50,000 educational gift boxes, children's shoes, and cod liver oil. The total value of the assistance sent by the above date was approximately $8,400,000.

During the period from July 1, 1946, to June 30, 1947, the American National Red Cross made a grant for study in the United States to a nursing student from Poland; hospital equipment was supplied to Polish Red Cross hospitals; and chapter-produced garments and other relief supplies were furnished to the victims of floods in Poland. No figures are available, however, on the monetary value of the assistance here noted.

The value of the material assistance provided by the American National Red Cross to Poland between July 1, 1947, and June 30, 1950, was as follows: 1948—$73,937.80; 1949—$562.71; 1950—$1,528.30. There are no statistics available to indicate what percentage of these funds was used for medical assistance. Between July 1, 1950, and June 30, 1957, no material assistance was furnished to Poland by the American National Red Cross.

2. Contributions by American voluntary agencies: Between 1947 and the first quarter of 1950 the value of the medical aid furnished to Poland by American voluntary agencies totaled $326,298. The following agencies contributed to this total: American Friends Service Committee, American Jewish Joint Distribution Committee, American Relief for Poland, CARE, Church World Service, Foster Parents Plan, Mennonite Central Committee, Unitarian Service Committee, Catholic Relief Services, NCWC. No record has been found of medical aid furnished by the foregoing agencies to Poland between 1950 and 1956.

3. Contributions by foundations: Precise information is not available on the contributions of various American foundations toward medical assistance to Poland. It is known, for example, that one of the first research fellowships granted by the Rotary Foundation was awarded to a specialist in child psychology from Poland, but the value of this grant is not of record. Nor is it known to what extent other fellowships have been granted to Polish students by Rotary International. As of 1954–55, 606 fellowships had been granted to students from 57 countries, 32 of them for work in the field of medicine.

In 1946 the Rockefeller Foundation awarded a grant of $53,000 to the Institute and School of Hygiene in Warsaw for the purchase of equipment and supplies. Of this sum, $2,750 was paid during 1946, and the school continued to draw on this fund through 1949. In that year approximately $1,656 was paid; and at the end of 1949 approximately $1,849 remained unspent.

During 1948 the foundation made payments amounting to $6,153.82 to the University of Cracow School of Nursing. As of December 31, 1948, $1,329.67 remained unpaid of the sum designated for the use of this school.

The medical sciences division of the Rockefeller Foundation in 1946 awarded 52 grants-in-aid ranging from $300 to $7,500 and totaling $149,950 as assistance to institutions in 19 countries, including the University of Wroclaw, Poland. During 1946 the medical sciences division also awarded medical science fellowships to six Polish students. Information on the exact value of such fellowships is not available to the Department. Other grants-in-aid were made to schools and libraries abroad to purchase supplies and equipment. One such grant was made to the University of Warsaw to purchase apparatus and materials for a neurological clinic.

At the request of the Polish Minister of Education for help in meeting the needs of educational and scientific institutions, the Committee for Rehabilitation of Polish Science and Culture, Inc., was founded. The Rockefeller Foundation appropriated $50,000 to the committee for this purpose. The U.S. International Book Association acted for the committee in placing orders and assembling books, and UNRRA assured their prompt shipment abroad. Approximately a thousand volumes were distributed to each of the libraries of 10 institutions, including the Medical School at Gdansk and the Universities of Warsaw, Lodz, Cracow, Poznan, Torun, Wroclaw, and the Curie-Sklodowaka University at Lublin.

During 1949 the Rockefeller Foundation made 304 grants-in-aid ranging from $200 to $10,000, of which 71 were in the field of the medical sciences. Two grants in aid were made to Poland, but no information is available concerning the amount of the grants or whether they were for medical education.

The foundation paid only a negligible sum to the Institute and School of Hygiene in Warsaw during 1950, and no funds were advanced during the period 1951–55.

4. Other assistance:

In a report entitled "Foreign War Relief Operations" (H. Doc. 262, 79th Cong., 1st sess.), prepared by the American National Red Cross and the War Refugee Board in 1945, there is a statement on the supplies requisitioned from governmental agencies for direct shipment abroad for the period between May 1, 1944, and April 30, 1945. The value of drugs shipped to Poland during this period was $16,923.12, and the value of drugs ordered for shipment was $53,541.66, making a total of $70,464.78.

A study issued by the Department of Commerce in April 1947 entitled "U.S. Government Transactions with Poland July 1, 1940–December 31, 1946," contains the following information on the amount of free relief and rehabilitation furnished to Poland:

American National Red Cross (out of funds provided by Congress): Medical supplies and equipment, $392,426.

UNRRA: Medical supplies and equipment, $7,648,675.

The report entitled "Economic Recovery in the Countries Assisted by UNRRA" (Washington, 1946) states that supplies delivered or to be delivered by UNRRA during 1946 included $30,000 worth of medical and sanitation aid to Poland (exclusive of freight).

I trust that the foregoing information may be of use to the committee. If I can be of any further assistance, please do not hesitate to call me.

Sincerely yours,

WILLIAM B. MACOMBER, Jr.,
Assistant Secretary.

UNIFIED COMMAND IN FIELD OF STRATEGIC WEAPONS

Mr. HUMPHREY. Mr. President, one of the concepts which have been discussed more and more vigorously in recent months is a unified command in the field of strategic weapons. This is a concurrent idea with one suggesting that a unified command be developed for the planning and operation of limited war operations.

One of the most incisive and succinct discussions of the strategic forces command concept was set forth in an editorial entitled "New Service Feud," published in the Minneapolis Sunday Tribune of April 19, 1959.

Mr. President, it seems to me that the writer of this editorial has made several excellent points, among them being that there is some question about the wisdom of making one service responsible for the future fortunes of a weapons system in which it had no real interest, and indeed had expressed considerable opposition. On the other hand, there clearly appears to be a need for a command structure which would develop operational control over all strategic weapons delivery systems which have no real validity or relevance in a limited war situation.

I ask unanimous consent to have the editorial printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

NEW SERVICE FEUD

A new brawl within the Armed Forces is in the making. The potential antagonists, again, are the Air Force and the Navy. The prize will be control of the Navy's submarine-launched, intermediate-range atomic missile Polaris.

The Polaris is plainly a strategic weapon; that is, it is designed to reach behind an enemy's outer lines of defense and destroy vital targets in his homeland. The missile itself has only intermediate range (1,200-plus miles), but carried by submarines close to hostile shores—even under the polar icecap—it acquires the equivalent of intercontinental range.

That makes it competitive with the Air Force's intercontinental range missiles and manned bombers. In Air Force eyes, continued Navy control of the Polaris weapons system (meaning the submarines as well as the missile) constitutes an intolerable naval invasion of its monopoly on strategic operations.

So the Air Force is pressing to have the Polaris and its launching subs transferred from Navy command to SAC—the Strategic Air Force. Naval reaction can be imagined.

It is obviously vital to have all strategic weapons under centralized control. Presently this is attempted at the joint chiefs of staff level through a system of preselection and allocation of wartime targets. The system has its faults, the chief one being lack of flexibility.

But that doesn't mean the cure is to hand the Navy-developed Polaris weapons system over to the Strategic Air Command.

Another suggestion is the creation of a jointly staffed strategic forces command which would take control of the Air Force's strategic-range missiles and planes as well as such naval strategic weapons as Polaris-launching subs and surface vessels. Both the Air Force and Navy object to this proposal, but that doesn't disqualify it. And if the inflexibility of the present system for controlling strategic weapons cannot be cured, the creation of the proposed strategic forces may well be the best, if not necessarily perfect answer.

Many people consider the Polaris a potentially more reliable weapon than the ICBMs and preferable for its great mobility also—a moving submarine cannot be pinpointed in advance as an enemy missile target, as ICBM launching bases can. Yet it's plain that without the Navy's self-interested initiative, Polaris would never have been developed by the Air Force and our total military security would have been that much weaker.

There seems some question about the wisdom of making the Air Force responsible for the future fortunes of a weapon in which it had no real interest—and against which some Air Force partisans have campaigned—until it was on the brink of becoming operational. The Air Force downgrading of the Army-developed, land-based intermediate range Jupiter missile, once the weapon had been transferred to its control, would not seem to bode well for a SAC-controlled Polaris.

In any case, fur—or gold braid—is going to fly before this issue is settled. And it comes at an especially unfortunate time, with the administration and Congress almost at swords' points over the adequacy (or inadequacy) of the Defense Establishment and with the top civilian authority (next to the President), the Secretary of Defense, marking time for retirement.

AMENDMENT OF SENATE RESOLUTION 48, RELATING TO DEVELOPMENT AND COORDINATION OF WATER RESOURCES

Mr. MURRAY. Mr. President, by direction of the Committee on Interior and Insular Affairs, I submit on behalf of myself and the Senator from Oregon [Mr. MORSE], the Senator from Oklahoma [Mr. KERR], and the Senator from Minnesota [Mr. HUMPHREY] a resolution providing for two minor amendments to Senate Resolution No. 48 to create a Select Committee on Natural Water Resources. Senate Resolution 48 was agreed to by the Senate on April 20.

The amendments set forth in the resolution were recommended at the organization meeting of the select committee on Monday, April 27.

The distinguished senior Senator from Oklahoma [Mr. KERR] was the unanimous selection as chairman, and the distinguished senior Senator from California [Mr. KUCHEL] was made vice chairman.

The first amendment, on page 3, line 13, proposes to increase the membership of the committee by four additional members, to be named by the Vice President. Two are to be from the majority party and two from the minority party. The purpose of this amendment is to give representation on the Committee to areas of the country, particularly the Central Mountain States, the East, and Southeast, which are not represented in the designations announced last Friday, April 24, on page 6632 of the CONGRESSIONAL RECORD.

The select committee did me the honor of making me an ex-officio member.

The second amendment, page 3, line 18, provides that eight members, instead of six, shall constitute a quorum.

These amendments were referred to the Committee on Interior and Insular Affairs, as the sponsor of the Resolution No. 48, which was agreed to by the Senate on April 15, 1959. The committee reports favorably on the resolution informally with the recommendation that it do pass.

I ask for the immediate consideration of the resolution so that this important select committee may complete its organization and get to work on the job ahead of it because the national water resources are the concern of the entire country.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. CLARK. I commend the distinguished senior Senator from Montana for the very constructive suggestion he has just made. This study of the proper utilization of our water resources is, in my judgment, one of the most important studies in which the 86th Congress will engage. It is a study which will affect every State in the Union and every river valley.

The original resolution, drawn in all good faith and in good conscience, nevertheless did not provide an adequate geographical representation on the committee of all sections of the country. I was particularly concerned lest the Delaware Valley, on which four States abut, which are represented by eight Senators, should not have representation on the committee.

An all-purpose study of that valley is being conducted by the Corps of Engineers, and an aggressive, wide-awake citizens' committee, with a grant from the Ford Foundation, is studying problems of governmental organization to implement the study by the Corps of Engineers.

It seems to the eight Senators from the four States involved that one of the States, at least, should have a representative on the select committee. This is not a matter of partisanship. Frankly, it does not make any difference to us whether the representative on the committee is a Republican or a Democrat.

I am happy that the eminent senior Senator from Montana [Mr. MURRAY], and also the able junior Senator from Montana [Mr. MANSFIELD], who have been so active in support of the resolution, are so receptive to the suggestion which some of us have made in this regard. I thank them for their courtesy and consideration and indicate to them the strong support which they will have for the resolution from all the Senators in the area I have mentioned.

Mr. MURRAY. I thank the distinguished Senator from Pennsylvania. I am certain the action we are about to take will take care of the problem he has described.

The PRESIDING OFFICER. The resolution will be read for the information of the Senate.

The legislative clerk read the resolution (S. Res. 111), submitted by Mr. MURRAY, for himself, Mr. MORSE, Mr. KERR, and Mr. HUMPHREY, as follows:

Resolved, That Senate Resolution 48 of the 86th Congress is hereby amended to add at the end of section 2(a) the following language: "The Vice President is hereby authorized to appoint four additional members to the said committee, two Senators of the majority party and two of the minority party."

Page 3, line 18, strike "six" and insert "eight."

The PRESIDENT pro tempore. Is there objection to the request for the present consideration of the resolution?

There being no objection, the resolution (S. Res. 111) was considered and agreed to.

THE CHESAPEAKE AND OHIO CANAL

Mr. MORSE. Mr. President, this morning there was published in the Washington Post an editorial entitled "Along the C. & O. Canal."

I ask unanimous consent that the editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ALONG THE C. & O. CANAL

It is too bad more of the persons who seem anxious to inundate part of the Chesapeake & Ohio Canal Park with a high-level Potomac River dam could not have been along on the hike reunion with Justice Douglas last weekend. They would have found an especially lovely stretch of river valley where the emergent yellow-green leaves on mountainsides

take on an almost autumn hue, where flowering trees and birds and wildflowers and history going back to the time of Braddock provide a never failing tonic. They would have found a widespread enthusiasm among the people of nearby Maryland, demonstrated in the outpouring at Hancock as previously in other communities, for preserving the irreplacable scenic and historic values along the old towpath in a national historical park.

Most of all they would have found a determination not to be misled by the false arguments over Washington's future water supply. Obviously water for the metropolitan area is a paramount requirement. But there are alternative means to a high-level dam for meeting any such need if water alone is the objective—low-level reservoirs, for example, which would not flood the canal. The creation of a national historical park would in no way prevent any development which Congress might find necessary for Washington's water supply. In fact, the park bills which were considered last year contained a specific reservation for water.

What is not acceptable is the kind of reservation inserted this year to sneak through a section envisaging a power dam under the guise of protecting a water source. This is the real argument. Some rural co-ops which seek subsidized hydroelectric power have ganged up with certain Members of Congress who seemingly are indebted to public power groups—the same Members who last year smothered a park bill in the House after it had passed the Senate. These people need to know that such tactics are likely to bring a demand for a reexamination of the preferences accorded power co-ops and such other perquisites as tax exemption and governmental loans at 2-percent interest.

Inasmuch as the C. & O. Canal is already a part of the park system, it is not surprising that supporters of a national historical park would prefer no new bill at all to one which would withdraw 35 miles of river valley in a section not far above Washington—especially after the attack on the entire concept of the National Park Act by Chairman GRACIE PFOST of the House Public Lands Subcommittee. Maryland Congressman JOHN FOLEY, who is on both sides of the question with one bill identical to the constructive measure of last year and another bill permitting the power withdrawal, presumably learned at the Hancock reunion how at least some of his constituents feel.

There is no shortage of power in this area; what is in increasing shortage is recreation space for an expanding population. It is possible both to preserve the C. & O. Canal Park for the future and to protect Washington's water sources by passing a bill devoid of the extraneous gimmicks that now clutter the argument.

Mr. MORSE. Mr. President, I wish to make some brief comments on the editorial.

I do not know of any Member of the Senate in recent years who has taken a more definite stand on the matter of river basin development than I have. Consistent with that stand, I recommend a reading of the editorial entitled "Along the C. & O. Canal," as published today in the Washington Post, because in my judgment the C. & O. Canal problem involves great danger that some well-intentioned groups will overlook some pertinent facts which need to be remembered in connection with river development.

Mr. President, I never argue about facts. I try to find out what they are.

It seems to me that there is quite a difference between the problem of building the proposed dam on the Potomac River and the problem of building a great multiple-purpose hydroelectric dam on some of the major streams of the Nation.

So, Mr. President, the first fact we should establish is whether the proposed dam on the Potomac River is essential to guaranteeing a future water supply which will be adequate for the District of Columbia and the surrounding area; or whether it is true that, from an engineering standpoint, other sources of water would meet the water-supply needs of this area, without the construction of the proposed dam.

Of course, this matter involves one of the several criteria which we should keep in mind when we deal with river-basin development. We must consider water needs, power needs, fish problems, recreational needs, and navigation needs; and we must evaluate all of them from the standpoint of the controlling question of wherein is to be found the greater public interest. That is what I would have my friends keep in mind as we deal with the C. & O. Canal problem.

If the final answer is that there are other means of obtaining the needed water supply for the District of Columbia without the construction of this dam, that criterion does not favor construction of the dam.

What about power? Is there a power shortage in this area? Is there in this area a great need for power? That is a question of fact, and we must ascertain the answer.

However, so far as I know, on the basis of my understanding of the facts, at the present time there is no power shortage in this part of the country.

Let me say, as one who has fought here for 15 years for the protection of the public's interest in public power projects along with private utility projects, that I have never favored discriminatory legislation which would seek to put private power operations out of business. We need both private and public operations.

Therefore, Mr. President, I do not favor construction of the dam if it is true that at the present time there is in this area adequate power for both its present and its future needs.

Mr. President, what about recreation? It seems to me that we should obtain the facts in connection with this proposal, from the standpoint of the recreational needs of the area. If the other needs can be met without construction of the dam, then, Mr. President, in view of the fact that construction of the dam would make impossible the development of a great recreational park area for the benefit of the young people of the country, I will vote for the park.

Mr. President, I wish to pay my compliments to two great conservationists on this issue. One of them is Prof. Spencer Smith, of the University of Maryland. He has been in the vanguard in regard to the conservation phases of the C. & O. Canal project. I admire his forthrightness, his courage, and his foresight in regard to the position he has taken on this matter.

To those of my friends who are opposed to his position, I say quite frankly, "Come forward with the facts, if any there are, which would show that Professor Smith is wrong."

I also wish to pay my compliments to another great conservationist, who for some years has been a leader in connection with this matter. I refer to Associate Justice William O. Douglas, of the United States Supreme Court. To my friends who have taken a position on this question opposite to the one taken by him, I say that before Justice Douglas went on the Supreme Court, as a citizen of the State of Washington he was one of the great advocates of the development of needed public power projects. He is not an antipower advocate. But he is stressing the point that when all the criteria I have enumerated are evaluated, the public interest is to be found in the development of the recreational potentials of the C. & O. Canal area.

So I wish to have this editorial printed in the RECORD, because I think both sides in connection with this controversy should take a long look at the editorial, and then should come forward with the facts in answer to the question whether the greater public interest is to be found in construction of the dam or in preservation of the area as a park for the benefit of both present and the future generations.

Mr. President——

The PRESIDING OFFICER (Mr. HART in the chair). The Senator from Oregon.

THE FOREIGN AID BILL

Mr. MORSE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a very excellent article entitled "The Annual Headache." The article was written by Walter Lippmann, and was published today in the Washington Post.

I think there is so much merit in Mr. Lippmann's article that it should be printed in the RECORD, because I intend to refer to the editorial in the Foreign Relations Committee, in connection with the discussion of the foreign aid bill.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE ANNUAL HEADACHE

(By Walter Lippmann)

The foreign aid bill, which calls for money to be spent in foreign countries, is an annual spring headache for the U.S. Congress. This year it is more of a headache than ever, what with the deficit which puts the President in the position of wanting to save at home in order to be able to spend abroad.

This difficulty is compounded by the fact that the bill, as it comes from the administration, inspires no enthusiasm and little confidence. For the men who have to lead the fight for foreign aid, it is a very poor cause in which to enlist their effort. For the administration bill, which was shaped not by the Department of State but by the Bureau of the Budget, is an inefficient bill.

The way it provides for foreign aid in annual installments prevents a constructive use of the foreign aid, which requires the long-term planning of investment. The amount of aid provided is in the total inadequate, and in the allocation between military and civilian use it is in some part at least misdirected.

Thus in the debate with those who oppose all foreign aid, the supporters of the bill find themselves burdened with a bill about which it can fairly be said that it will not achieve its professed objectives, and that it is in this sense a waste. It is like a project to build half a bridge at a poor place to cross a river. Or shall we say that it is like that tunnel from the new Senate Office Building to the Capitol which, so it is said, just does not arrive at the Capitol?

It is necessary, therefore, to amend the President's bill in order to have a measure behind which the believers in foreign aid, who are a multitude, can with a good conscience rally. This is the purpose of the Fulbright amendments, which were introduced on Friday. I think it is fair to say that these amendments take account, which the administration bill does not, of the findings of the Draper committee which the President himself appointed. They reflect also the views of Secretary Herter and of Under Secretary Dillon.

The Fulbright amendments follow two main principles. One is to provide for a period of 5 years enough funds to permit development loans at the annual rate of $1.5 billion. This would make possible orderly financing of investment programs which, in countries like India, could bring about a substantial rise in the standard of life.

The other principle of the Fulbright amendments is to deemphasize without abolishing the military part of foreign aid. The amendments do not reduce the amount. One of them gives the President the authority to transfer up to 30 percent rather than, as at present, up to 10 percent of the military aid to civilian uses. Another gives the American Ambassador greater control over the recommendations for military aid made by the American Military Mission in the country to which he is accredited.

These amendments dealing with the military side of foreign aid ought to open the door to a better supervision of the aid agreements made up by our military men and the local military commanders. In the official propaganda of the administration all of these programs are lumped together under the general notion that they enable military allies to encircle and contain the military power of the Communist states.

No distinction is made between genuine allies, like Britain, Canada, and France for example, and political clients like, let us say, Pakistan. It is an unhealthy pretense to plead that we are arming Pakistan in order that Pakistan may defend itself against a Soviet attack or, more farfetched still, that Pakistan could or would do anything substantial to defend Iran and Turkey if they were attacked. The real reason why we give arms to Pakistan is to keep the Pakistani Army commanders friendly to the United States rather than to the Russians. What we do is to subsidize the ruling powers who, in so many underdeveloped countries, are the leaders of the army.

The world being what it is, I would not say that this is always a wicked or unnecessary thing to do. But Congress is not a good judge of how necessary it is to do it in each of the countries where aid is being furnished. Neither is the Pentagon a good judge. The judgment should be made by the President and the Department of State. It should be a cool political judgment, not a hot and excited judgment. Above all, there should be no self-deluding propaganda that if the United States gives jet planes to a Latin American dictator, it is helping the free world to defend itself against Russia and China. What it is doing when it gives the jet planes to the dictator is to help the dictator to defend himself against his internal enemies, and that may or may not be a good thing to do in the national interests of the United States.

ALASKA'S JURISDICTION OF ITS FISH AND WILDLIFE RESOURCES

Mr. GRUENING. Mr. President, the Secretary of the Interior late yesterday took an action which is full of meaning for the people of the State of Alaska. Acting in pursuance of the Alaska Statehood Act and of enactments of the Alaska State Legislature, which has just ended its first session at Juneau—and I may say it has been a highly successful session which reflects great credit on both the legislators and the acting Governor—Mr. Fred A. Seaton certified that Alaskans have made adequate provision for the administration, management, and conservation in the broad national interest of the fish and wildlife resources of Alaska.

The significance of this action by the Secretary of the Interior is that it will mean that these important resources, which heretofore have been administered wholly by the Federal Government, will shortly hereafter be a responsibility of the State of Alaska.

The fine print of the Statehood Act provides that jurisdiction will not actually pass to the State until January 1 following the expiration of 90 legislative days after the Secretary's certification. We are not able, of course, to say definitely whether 90 legislative days remain of this session of Congress, so that transfer of the fisheries and wildlife can occur on January 1, 1960. This matter involves rather close figuring. If the Alaska Senators can persuade our colleagues to remain here through the month of August, we can achieve that desirable result. We Alaskans shall be torn between the desire to get back to Alaska as soon as possible and the desire to have this session continue for another 90 legislative days.

What I want to emphasize here is that Fred Seaton did his duty without delay and without quibbling, in certifying, as he did last night, that Alaska is prepared to manage her priceless fish and wildlife heritage. It was only last Friday that the distinguished senior Senator from Alaska [Mr. BARTLETT] and I, as well as our colleague in the other body, delivered in person to the Secretary of the Interior a certification from the Governor of Alaska that our legislature had acted to establish laws and mechanisms to administer the fish and game.

We left with Mr. Seaton for his study a copy of the Alaska Legislature's enactments on this subject. That he should, on the first day following the weekend, take his gratifying action of last night speaks well for the Secretary's genuine concern for Alaska's welfare and for the future welfare of the fish and game resources of the last frontier.

I have not always agreed with Secretary Seaton's actions—especially during the last campaign—but I want to say today that he is entitled to all praise for the action he took yesterday in certifying Alaska's readiness to manage our fish and game resources in the broad national interest. That was an action which took courage, because we know there are powerful interests which would like very much to see the Federal Government hold on just as long as it can to the regulation of the Alaska salmon fisheries particularly. That was an action which took courage for another reason, which has to do with the nature of bureaucracy. It is not often, when the head of a Federal department has discretion in the matter, as Mr. Seaton did here, that such official will voluntarily take an action which will cut down on his own power and limit his own responsibilities. The fish and game in Alaska have been administered by an agency within Mr. Seaton's Department of the Interior—namely, by the Fish and Wildlife Service. The Secretary's action of yesterday will end the jurisdiction of that Bureau, we hope, on January 1, next, certainly no later than January 1, 1961.

A great and rich panoply of resources is affected by the Secretary's certification. The Alaska salmon is known around the Nation and indeed around the world as an outstanding food fish. The salmon industry has for many years been Alaska's greatest industry. Other commercial species of fish occur in Alaska in relative abundance—halibut, crab, clams, shrimp, cod, and many other species. I do not want to fail to mention the sport fish affected by this action—the fighting rainbow trout, which are bigger than rainbows found in other States; the Dolly Varden pike; and the several species of salmon, king and cohoe, which double as both sport and commercial fish. When we go fishing in Alaska we throw back as too small many a fish which would be considered trophy size elsewhere.

The Alaska moose are the biggest moose in the world, as the records of the Boone and Crockett Club will testify. The Alaska brown bear are the largest carniverous animals on earth. Other big game animals in the biggest State include caribou, elk, bison, deer, mountain sheep, and mountain goat, and they all come bigger and better in Alaska. Small game and fur bearers found in great abundance in our State include the wolverine, mink, wolf, fox, coyote, lynx, marten, beaver, weasel, muskrat, and otter.

Marine animals off our shores include the walrus, seal, the priceless sea otter, and the whale. Birds are present in Alaska in great abundance, and the State provides the nesting grounds for many of the ducks and geese so prized by hunters in other States when they are making their long migrations. The bald eagle, our national bird and symbol of American power and strength, exists in Alaska, and nowadays almost only in Alaska. We have thousands of eagles and would be glad to export them to States from which the eagle has vanished to enable them to restore the national bird all through the Nation.

Alaskans have a love for all these animals and fish. We think we can do a better job of protecting, preserving, and utilizing them than has been done in the past. Our fish and wildlife are an important part of our Alaska heritage. We are conservationists by instinct and necessity. If our fish are depleted, our industries decline. If our wildlife decreases, a part of our enjoyment of life ebbs away.

It is because of this important regard which we give to our fish and wildlife resources that Alaskans have deplored the tragic depletion of our salmon runs under Federal management. This has been a depletion which has been so serious that whole areas have had to be closed entirely to fishing, as Bristol Bay is this year, or drastically curtailed.

We think we Alaskans can do a better job in regulating the Alaska fisheries than has been done in the past. The work of rebuilding our resources is about to begin. Secretary of the Interior Fred Seaton's certification of yesterday sets the stage. The people of Alaska commend him and commend the Congress for placing the control of our resources in our hands. We are determined to set an example in sensible management which the Nation will applaud. This is justice. This is democracy in action. This is America at its best.

ACHIEVEMENTS OF THE UNITED NATIONS DESCRIBED BY THE AMERICAN ASSOCIATION FOR THE UNITED NATIONS

Mr. NEUBERGER. Mr. President, frequently the United Nations comes under unjustified and unfair attack. Yet the United Nations is our one best continuing hope for world peace, because while nations talk together they do not go to war.

A most informative and thorough brochure detailing the achievements of the United Nations has just been published by the American Association for the United Nations, which consists of leading citizens in our own country who are active in arousing and sustaining public support for the work of the United Nations. I am pleased that my wife, Maurine, is a member of the board of this outstanding organization.

So that Members of the Senate may be informed regarding the worldwide program of the United Nations for peace, health, brotherhood, improved economic conditions, and world understanding, I ask unanimous consent that the publication of the American Association for the United Nations be printed in the body of the CONGRESSIONAL RECORD.

There being no objection, the publication was ordered to be printed in the RECORD, as follows:

U.N. ACTION IS ACTION FOR PEACE

UNITED STATES IN THE U.N.

It was U.S. initiative which helped to bring the U.N. and many of its specialized agencies into being.

It was the United States which asked for U.N. action in Korea, first to help bring about a united Korea, and then to repel the aggression against South Korea.

It was the United States which took the initiative to bring the Middle East and Hungarian crises to the U.N.

It was the United States which introduced the Uniting for Peace Resolution which, in times of aggression or threats of aggression, makes possible U.N. action by the General Assembly if the Security Council is prevented because of a veto from fulfilling its responsibilities.

It was U.S. initiative which launched the U.N. on its atoms for peace program.

The United States recognizes that in this world of ours, which can be spanned in hours by plane, where science can bring about either undreamed of progress or complete devastation, the U.N. must continue to succeed.

But, whether the United States continues to support the U.N. and to strengthen it, the decision is ours—for we, the people, are responsible for U.S. foreign policy.

The U.N. record of action for peace is impressive. We the people owe the U.N. our active support.

U.N., 1945–59—THE RECORD SHOWS

In 1946, by airing the complaints of Iran, Syria, and Lebanon, the U.N. brought about the withdrawal of foreign troops from these three countries.

From 1947 to 1954, the U.N. kept military watch over Greece's northern borders to prevent outside aid coming to the Communist guerrillas in Greece.

The U.N. effected a cease-fire in Kashmir and stopped what might have become large-scale hostilities. The issue is not yet solved, but U.N. observers are still in the area and armed hostilities have not been resumed.

It was U.N. mediation which helped Indonesia to achieve her independence from the Dutch—through peaceful negotiations, not through bloodshed.

U.N. action brought about a cease-fire in Palestine. As a result of U.N. efforts armistice agreements were signed in 1949 between Israel and her Arab neighbors. The U.N. has supervised compliance with the agreements.

In 1956 when France, Britain and Israel took armed action against Egypt, U.N. secured a cease-fire and withdrawal of troops; created the U.N. Emergency Force to ensure peace along the Egyptian-Israeli border; and arranged for clearing the Suez Canal.

In 1958 the U.N. Observation Group in Lebanon and the special representative in Jordan safeguarded peace and security in those countries.

In Korea, the U.N. took collective military action to repel the aggression against South Korea and to safeguard its independence and restore peace.

With U.N. experts and a $148 million fund, the U.N. Korean Reconstruction Agency helped Korea to rebuild.

The U.N. has helped relieve other suffering resulting from war and hostilities.

The U.N. Refugee Fund has assisted 34,900 refugees since 1955 and has as its main target a closure of all the refugee camps in Europe.

Also the U.N. is caring for nearly 1 million Palestine refugees, while providing education for the children in 380 U.N. schools and vocational training for the adults.

In enlisting the aid and cooperation of member governments, the U.N. helped bring about resettlement of 171,000 refugees from Hungary following the hostilities of 1956.

Originally established to help children and mothers in war-torn countries, UNICEF (U.N. Children's Fund) is now benefiting more than 50 million mothers and children each year in over 100 countries and territories.

U.N. TECHNICAL ASSISTANCE—CORNERSTONE OF PEACE

The U.N. stands ready to give technical assistance to underdeveloped countries which request U.N. help in their economic and social development.

To finance the work, the U.N. raises the money through voluntary national contributions, and shares the funds with seven of its specialized agencies, those concerned with agriculture, labor, health, education, telecommunications, meteorology, and civil aviation.

The World Bank (which makes loans for economic development) and the Fund (concerned with stable currencies and monetary reforms) also participate but receive no funds. UNICEF helps to advance the aims of the program.

Since 1950, over 6,500 experts have been recruited from 80 countries and sent on U.N. assignments into some 125 countries and territories.

As a result:

Millions of acres of land are being reclaimed for food, for settlement.

The resources of Asia and Latin America are bing explored systematically for the first time.

Some farmers are seeing their first scythe, hoe, or rake. Others are being taught power farming, scientific breeding, the use of fertilizers and insecticides.

Fishermen have seen that motor power and modern gear mean catches of 2 to 3 tons a month, instead of one-half ton a year. Rice paddies stocked with fish are yielding within 6 months 300 pounds of fish per acre.

Countries like Indonesia and land-locked Ethiopia are beginning to see civil aviation a reality; others their first network of weather stations.

One-sixth of the peoples of the world have benefited from the mass campaigns against disease. In the tropics, for yaws alone, over 10 million were treated with penicillin. Countries like India, Afghanistan, Ceylon now have modern methods for the control of malaria.

In Latin America, in the Arab States, and in the Far East, over 1,000 experts are at work on national programs for fighting illiteracy and for mobilizing community effort for needed projects.

Personnel is being trained in all fields, to carry on after the U.N. experts finish. Some 14,000 persons have been sent abroad to learn advanced skills.

For this work the U.N. has been spending $28–$32 million yearly. The special fund was recently established to make possible an expansion of this program.

To supplement this work, the International Finace Corporation was created to promote private investments.

U.N. ACTION—FOR RIGHTS AND FREEDOMS

U.N.'s Universal Declaration of Human Rights (1948) although only a declaration, has had a powerful impact. It has been invoked to uphold civil rights within countries, used in drafting the constitutions of new states, such as Israel and Indonesia, and has spurred many countries to take legislative action to advance human rights in harmony with it.

There has been U.N. action to protect minorities, the refugee, and the person without a country * * * U.N. action to advance the political, economic, and social rights of women * * * U.N. action to fight forced labor, and to outlaw genocide, the mass destruction of a people because of their race or religion.

U.N. action helps dependent peoples:

The U.N. set Italy's prewar African colonies on the road to freedom. * * * Some 18 million dependent peoples in Africa and the Pacific are under direct U.N. supervision, in U.N.'s Trusteeship System. Strides are being made in their economic and political advancement. * * * The U.N. watches over another 125 million people by scrutinizing the anual reports which member nations are obliged to submit on conditions in their non-self-governing territories. The number of dependent peoples is diminishing as the territories become self-governing or independent.

U.N. ACTION—ATOMS FOR PEACE

Since December 1953 when President Eisenhower proposed to the General Assembly that an international atomic energy agency be established, the U.N. has taken great strides.

The first U.N. endeavor in the atoms-for-peace program was an international scientific conference in 1955 where over 1,400

scientists and engineers from 73 nations exchanged scientific and technical information on the peaceful uses of atomic energy. An even larger number—some 2,000 delegates—attended the second scientific conference in 1958.

For its members, the U.N. has made a worldwide survey of scientific information on the effects of radiation.

The specialized agencies are busy on research on the effects of atomic energy and its possibilities.

After months of negotiations, 81 countries met at U.N. headquarters in September 1956 to consider and approve the Statute of the International Atomic Energy Agency. An autonomous intergovernmental agency, under the aegis of the U.N. and reporting to the General Assembly, IAEA is an important instrument for the worldwide sharing of information, technical skills, radioactive materials and nuclear fuels for peaceful projects. It provides a means by which the atom can be progressively removed from military stockpiles and placed at the service of all mankind.

FAO—FOOD AND AGRICULTURE ORGANIZATION

FAO seeks better ways to produce, store, and distribute food.

It fights animal diseases: rinderpest, hoof-and-mouth, Newcastle disease of chicken, etc. As a result, millions of cattle have been saved, and the way paved for new industries to come into being.

It searches for better seeds—rice, wheat, barley, etc. Over 200,000 separate cross pollinations have been made in the search for hybrid rice. Hybrid corn raised the value of Europe's crop by $50 million.

FAO fights plant pests and diseases. It is out to destroy the locust.

FAO helps to develop fisheries and forests, and to launch new industries using these resources.

FAO assists UNICEF in its extensive feeding programs in 53 countries and in its efforts to see milk and food processing plants established; 150 out of 180 projected are already functioning.

FAO has done much to improve nutrition, from getting national nutrition services started to testing the acceptability of fish flour as a protein food.

ILO—INTERNATIONAL LABOR ORGANIZATION

ILO brings together labor, management, and government to work jointly on common problems. By setting labor standards, research and technical assistance, the ILO helps raise conditions of livelihood of millions of workers throughout the world.

ILO assists governments to organize employment services, train their manpower, improve industrial safety and health, and apply modern systems of social security and labor legislation.

ILO seeks to aid workers by safeguarding freedom of association, eliminating forced labor, and promoting better labor-management relations. Its industry committees bring closer understanding of the particular problems of individual industries.

Its studies of the social consequences of the industrial use of atomic energy and of automation are directed to application of new techniques to obtain better living standards.

ILO resolutions and recommendations to governments, together with its conventions which are binding if ratified, lay down standards with regard to a wide range of subjects such as hours of work, protection of wages, holidays with pay, work by women, child labor, labor inspection and maritime working conditions.

WHO—WORLD HEALTH ORGANIZATION

Some hundreds of millions of people have benefited from campaigns WHO has undertaken against such diseases as malaria, tuberculosis, and yaws.

WHO is out to eradicate malaria before mosquitoes develop resistance to DDT and other control insecticides.

WHO helps governments to strengthen their public health services and train their health workers.

In 1958 WHO worked on nearly 800 health projects in 132 countries and territories. UNICEF contributes equipment to many projects jointly undertaken with WHO.

WHO standardizes drugs, so that they will be of uniform strength throughout the world. Its "International Pharmacopoeia" (five languages) provides formulas for making up medicines of uniform strength anywhere.

WHO organizes research against disease, including a network of polio laboratories and work on zoonoses, animal diseases which can be transmitted to man.

WHO sends out daily broadcasts on the outbreak of pestilential and other communicable diseases, so that nations as well as ships and planes can take action.

WHO has brought into being a set of health regulations for world travel.

UNESCO-UNITED NATIONS EDUCATIONAL, SCIENTIFIC, AND CULTURAL ORGANIZATION

UNESCO, since 1951, has been carrying on a global campaign for extension of free and compulsory education, advising governments on such problems as financing the expansion of schooling and revising curricula.

It operates two regional fundamental education centers in Latin America and the Arab States and has helped establish 33 national centers on fundamental education programs for the adult.

UNESCO encourages the use of mass media in education and in promoting international understanding.

UNESCO is helping underdeveloped countries, too, to establish science and engineering faculties in their universities, organize research programs, and bring into being documentation centers to service industry and research institutions.

Its own research ranges from how to make the desert fertile to compiling lists of translations published within the year.

UNESCO has brought new organizations into being—the European Organization for Nuclear Research and many professional international organizations in education, science and culture.

UNESCO has brought treaties into force—on freer transit of educational materials, on copyright protection.

WEATHER AND COMMUNICATIONS

The International Telecommunication Union draws up regulations for the world's radio, telephone and telegraph services. It allocates the frequencies for radio communication. It promotes standardization and develops new facilities.

ICAO has worked out standards which are in force today in international civil aviation—standards for licensing personnel, airworthiness of a plane, equipment at aerodromes, etc. It has mapped out some 40,000 facilities needed to make civil aviation safe around the globe, and checks to see that they come into being.

It arranges for the joint support of facilities like the North Atlantic weather-reporting ships. ICAO drew up the word alphabet used in radiocommunication between plane and ground station.

The Universal Postal Union works out the world's laws for foreign mail.

It is thanks to the World Meteorological Organization that there is uniformity and coordination in the world's exchange of weather forecasts. A WMO plan governs recruitment of ships (some 2,500) which volunteer their services for weather observations. WMO helps to promote facilities as well as practical application of meteorology to farming, transportation, public health, etc.

The Inter-Governmental Maritime Consultative Organization provides machinery for cooperation in regulations and practices relating to shipping.

U.N. IN SUMMARY—IS THIS WORTH YOUR 62 CENTS?

The U.N. is a center for harmonizing the action of nations in the attainment of common ends.

It is spurring economic and social progress and advancement of human rights.

It organizes combined efforts wherever and whenever there are common problems before nations.

The U.N. can boast of two Nobel Peace Prizes—the 1950 award to Under Secretary Ralph Bunche for his mediation efforts in Palestine, and the 1954 award to the U.N. Office of the High Commissioner for Refugees.

The U.N. has rolled up an impressive list of "firsts." To cite a few: In Korea, for the first time in history collective armed action, under the authority of the international community, was taken to stop aggression. * * * The first Braille Library in the Near East came into being with U.N. help. * * * The U.N. helped Asia establish its first DDT factory and its first penicillin factory. * * * Saudi Arabia is exporting packaged dates for the first time because of assembly-line packaging. * * * The U.N. established the first truly international police force.

The U.N. represents the collective will of 82 member nations to save succeeding generations from the scourge of war and to build peace based on law and justice.

Toward these ends, the U.N. has brought about the peaceful settlement of disputes, has kept many an explosive situation under control, and has set up the most comprehensive program of action for peace ever to be undertaken.

Estimated U.S. contributions to the United Nations, including the specialized agencies and voluntary programs, calendar year 1959

	Estimated U.S. contributions	Per capita cost
United Nations	$19,993,650	$0.1139
United Nations Emergency Force	8,443,146	.0481
SPECIALIZED AGENCIES		
Food and Agriculture Organization	2,712,494	.0157
International Civil Aviation Organization	1,515,771	.0086
International Labor Organization	2,132,464	.0121
International Telecommunication Union	213,200	.0012
UN Educational, Scientific, and Cultural Organization	3,789,810	.0216
Universal Postal Union	22,243	.0001
World Health Organization	4,744,090	.0270
World Meteorological Organization	70,710	.0004
Intergovernmental Maritime Consultative Organization	100,000	.0006
SPECIAL VOLUNTARY PROGRAMS		
ICAO—Joint support	904,988	.0050
United Nations Children's Fund	11,000,000	.0638
UN expanded program of technical assistance and special fund	[1] 25,000,000	.1424
UN High Commissioner for refugee program	1,200,000	.0068
UN Palestine Relief and Works Agency	23,000,000	.1310
WHO malaria eradication program	3,000,000	.0171
Total	107,842,566	.6141

[1] Estimated U.S. contribution—U.S. pledge to UNTA and special fund was $38,000,000—subject to limitation that U.S. contribution would not exceed 40 percent of total contribution.

"SEARCH FOR PEACE" AWARD TO MRS. ELLEN STOUTENBERG

Mr. SCOTT. Mr. President, in a few weeks, the eyes of the world will be focused on Geneva, where the East-West

Foreign Ministers Conference will once more seek ways toward world peace. Men of good will everywhere pray for the success of this latest effort—conducted at the highest political level—for world peace.

In my home city of Philadelphia, a radio station, WIP, has been conscientiously working toward this same goal at the level of the average man, the radio listener.

"Search for Peace," a program conceived and developed in Philadelphia at radio station WIP, has just been singled out for service to the entire world. The May issue of McCall's magazine, on the newsstands today, announces that Mrs. Ellen Stoutenberg, producer of this series of public service radio programs, is one of seven women to win the coveted Golden Mike, the highest honor given exclusively to women in the radio and television field.

Since January 1958, over 100 well-known personalities of different political beliefs, varying national backgrounds, and many professions, have gone before WIP microphones and talked peace. Their message has been carried over the international "Search for Peace" network.

The unique aspect of "Search for Peace" is its worldwide distribution. Started as a public service on a local station level, Benedict Gimbel, Jr., president and general manger of WIP, conceived the almost startling idea of offering tapes of the programs, at no cost, to stations anywhere in the world. "Search for Peace" is now heard on 100 stations, coast to coast, in the United States; over the 100 stations of the Australian Broadcasting System; and on the Canadian Broadcasting Co.; and in places as far away as Aruba, Netherlands Andes.

Through the facilities of Voice of America, it is heard on stations normally beyond the reach of commercial radio. And I have been informed that KHUH of Honolulu will bring this message of peace to our 50th State.

Over 100 people, including John Foster Dulles, Mrs. Eleanor Roosevelt, singer Harry Belafonte, novelist Pearl Buck, columnist Walter Lippmann, historian Arnold Toynbee, and Israel's Ambassador Abba Eban, have taken part in "Search for Peace." I am proud to say that I participated in this worthwhile effort, as did my colleague from Pennsylvania, Senator JOSEPH CLARK, and my predecessor, Senator Edward Martin. Senator STYLES BRIDGES is another Member of this body who has given his views on peace as part of this series.

In making the award, the editors of McCall's and the judges, stated:

Mrs. Stoutenberg and the staff of WIP have taken a step which eventually may prove that peace has a dynamic quality that can excite and inspire.

I should like to congratulate my good friend Ben Gimbel, and the staff of WIP. "Search for Peace" is concrete evidence of the constructive use of one of the world's most effective means of communication—radio.

It is strong evidence, too, of a broadcast station which places the public good above gain, in the finest tradition of its industry.

Mr. President, I ask unanimous consent to have printed at this point in my remarks, the editorial comment on "Search for Peace," from the May issue of McCall's:

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

Ellen Stoutenberg, the young, dynamic assistant program director of Philadelphia's Station WIP, was handed one of the year's most challenging assignments last year by her boss, Station President and General Manager Benedict Gimbel, Jr.

He asked, "What is the best thing one radio station can do to promote world peace?" The challenge was a question out of the beginnings of man set in mid-twentieth-century language. Ellen Stoutenberg's answer was a series of radio programs called "Search for Peace," which invited world-famous personalities, and little-known people as well, to sit before WIP's microphones and talk about peace. There were no interviews, no questions. Some people talked 15 minutes, others 30.

The programs initially were broadcast in prime commercial time over WIP. Within 6 weeks after the assignment was handed to her, Mrs. Stoutenberg was ready to go on the air with a full month's programing. The program series started in January 1958. To date, more than 100 persons have broadcast their views. It has become a regular feature on more than a hundred stations in the United States, plus outlets in Canada, North Africa, and Australia.

"This series," one of our judges said, "comes to grips with the central problem faced by our world. The original concept for the Philadelphia area and its later availability to all radio stations as a free public service deserve the highest praise."

WIP President Gimbel could have had no better person on hand than Ellen Stoutenberg when he decided that his station would actively pursue peace. She is a woman who feels that "communications is our most important weapon in today's world. We have lost sight of how powerful it can be."

To illustrate this, she quotes the former consul of Israel in New York, Max Varon. "Until you go to the Middle East and see the Arabs sitting in the desert huddled around a radio, listening to it before they make up their minds on a given issue, you have no idea of the power of radio. It can control or poison minds."

Ellen Stoutenberg is well backgrounded in the field of public service. Before joining WIP she had served with the adult-education program of the Ford Foundation, was program director for Baltimore's WITH and had long experience with the American Foundation for Political Education. A native of Athens, Pa., she was educated in the public schools of Annapolis, Md., and Elmira Business College, Elmira, N.Y. She now lives in suburban Philadelphia with her 14-year-old son James.

She readily admits that the biggest difficulty of "Search for Peace" was organizing it so that it could be handled by one person. "We didn't have any great budget but we did get enthusiastic response from everyone we asked to participate. No one turned us down on the basis of the idea. Arnold Toynbee came to our studios. Bertrand Russell recorded his statement in his home in England through the British Broadcasting Co. Frank Lloyd Wright taped his statement in his settlement, 'Taliesin,' at Spring Green, Wis."

WIP took newspaper ads to alert listeners to the new series, and set up a program folder which listed all commentaries for a month in advance. Forty thousand of these folders were distributed through public libraries and welcome wagon hostesses, and were enclosed in mailings by civic organizations.

To spread the "Search for Peace" to a wider audience, the services of the Philadelphia Junior League were enlisted. Through their national organization and through an advertisement placed by WIP in Broadcasting, recordings of the series were made available to stations across the country. An avalanche of requests came in for the "Peace" material. Clerks, janitors, engineers pitched in to put kits together or give a hand where needed. "Peace had become a personal thing to us all."

Mrs. Stoutenberg and the staff of WIP have taken a step which eventually may prove that peace has a dynamic quality that can excite and inspire.

ORDER OF BUSINESS

Mr. CLARK. Mr. President, is there further morning business?

The PRESIDING OFFICER. The Chair inquires whether there is further morning business. If not, morning business is closed.

Mr. CLARK. If I may have the attention of the acting majority leader, the Senator from Connecticut [Mr. DODD] for a moment, if morning business is concluded, I suggest to the acting majority leader and the Senator from California [Mr. KUCHEL], the acting minority leader—and I have also made this suggestion to the majority whip, the Senator from Montana [Mr. MANSFIELD]—that the absence of a quorum be suggested at this point, that the quorum call last no longer than 1:30 p.m., and at that time we undertake to ascertain whether the Senate would be willing to enter into a unanimous-consent agreement with reference to the Luce nomination which would give 15 minutes' debate to each side, and that, in conformity with the agreement reached yesterday, the Senate vote at 2 o'clock.

I wonder if my colleagues who are temporarily occupying the chairs of the majority and minority leaders think that would be good procedure.

Mr. GOLDWATER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Arizona will state his parliamentary inquiry.

Mr. GOLDWATER. How does one control the length of a quorum call?

The PRESIDING OFFICER. The Parliamentarian advises the Chair it is not possible.

Mr. CLARK. It is my thought that the way to do it is the way we always do: At 1:30 p.m., unanimous consent would be asked that further proceedings under the quorum call be dispensed with.

Mr. GOLDWATER. If we wanted to agree on a really slow call, it is possible that we would not go through the call once; but if the clerk went through the call once, it would not be possible to have the call rescinded.

Mr. CLARK. We could have a nice, long, slow call, which the clerk frequently brings about, and which lasts more than 10 minutes.

Mr. DODD. Mr. President, I wonder if the Senator would permit me to move that the Senate go into executive session

to consider the nomination of Clare Boothe Luce, after which the absence of a quorum might be suggested.

Mr. CLARK. I am agreeable to that.

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. DIRKSEN, from the Committee on the Judiciary:

Edwin A. Robson, of Illinois, to be U.S. district judge for the northern district of Illinois; and

Latham Castle, of Illinois, to be U.S. circuit judge for the seventh circuit.

By Mr. HART, from the Committee on the Judiciary:

Eugene Worley, of Texas, to be chief judge of the U.S. Court of Customs and Patent Appeals; and

Arthur M. Smith, of Michigan, to be associate judge of the U.S. Court of Customs and Patent Appeals.

EXECUTIVE SESSION—NOMINATION OF CLARE BOOTHE LUCE

Mr. DODD. Mr. President, I move that the Senate proceed to the consideration of executive business to consider the nomination of Clare Boothe Luce.

The motion was agreed to; and the Senate proceeded to consider executive business.

Mr. DODD. Mr. President, I suggest the absence of a quorum, and I think we should notify the Senate attachés that the call may well be a prelude to a yea and nay vote on the nomination set for 2 o'clock.

The PRESIDING OFFICER (Mr. HART in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, after consultation with the acting minority leader, I ask unanimous consent that the remaining half hour be divided between the proponents and the opponents of the nomination of Mrs. Clare Boothe Luce, 15 minutes to a side.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nomination of Mrs. Clare Boothe Luce, of Connecticut, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Brazil?

Mr. MANSFIELD. Mr. President, I make the further request that the remaining time be allocated equally between the Senator from Oregon [Mr. MORSE] and myself.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, I yield myself 3 minutes.

Let me recapitulate what I said yesterday. I say to my Democratic colleagues that, when the memory and reputation of the great Franklin D. Roosevelt have been called into question in this debate, I shall be at a loss to understand how Democrats can fail to vote against this nomination.

Among the many objections I raised to her lack of diplomacy, there is one which there is no way of avoiding. She still stands by her statement that Franklin Roosevelt lied us into a war.

She stands by her attacks on Truman and on Acheson. I say that that raises a question of judgment. When we vote for a diplomat, we have the duty to vote for someone who, we are satisfied, has the judgment and stability essential for diplomacy.

The argument has been made that we have not always applied such standards in the past. History does not bear out that contention, but even if it were so, it is not a reason for failing to apply the standards now. If we have been lax in this respect in the past, that is no justification for perpetuating the laxity.

As chairman of the Subcommittee on Latin American Affairs of the Committee on Foreign Relations I say that Latin America needs career diplomats, career Ambassadors from the United States, and not politicians who are sent down there to pay off political debts—politicians who do not have the qualities of diplomacy which are necessary.

Remember, her speech of October 13, 1944, is not the only speech Mrs. Luce made which shows that she is not now fit to fill a diplomatic position. In the hearing the other day, in her replies she made it clear that although she had changed her mind about her intemperate language, she had not changed her mind about the meaning of her statement.

In Chicago, Ill., on October 13, 1944—and we cannot erase this indelible writing from the pages of American history—this nominee said:

> Shall we trust the making of a new peace to the tired, shaking hands of a man who could not keep the one he inherited when he was young and strong?
>
> Although a majority of the American people may forgive him, history never will, in the end. For he is the only American President who ever lied us into a war because he did not have the political courage to lead us into it.
>
> Thus in the end, the shame of Pearl Harbor was Mr. Roosevelt's shame.

Later in the same speech she said:

> Mr. Roosevelt far from being a great statesman, is, in the field of statecraft, not only untrustworthy but also incompetent.

I ask unanimous consent to have printed at this point the article from the New York Times of October 14, 1944, carrying the story of Mrs. Luce's speech in full.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ROOSEVELT "LIED US INTO WAR," MRS. LUCE DECLARES IN CHICAGO—SHE TELLS RALLY THAT HE IS "UNTRUSTWORTHY AND INCOMPETENT"—QUOTES CHARGE FOR WHICH LYTTELTON APOLOGIZED

CHICAGO, October 13.—Representative Clare Boothe Luce of Connecticut asserted tonight that President Roosevelt was "not only untrustworthy but also incompetent" in the field of statecraft.

In an address prepared for delivery at a Republican-sponsored meeting in Orchestra Hall and distributed in advance to the press by western Republican headquarters, she said:

"Shall we trust the making of a new peace to the tired and shaking hands of a man who could not keep the one he inherited when he was young and strong?

"Although a majority of the American people may forgive him, history never will, in the end. For he is the only American President who ever lied us into a war because he did not have the political courage to lead us into it. Thus, in the end, the shame of Pearl Harbor was Mr. Roosevelt's shame."

Contending that "Mr. Roosevelt, far from being a great statesman, is, in the field of statecraft, not only untrustworthy but also incompetent," Mrs. Luce added:

"In the precise words of President Roosevelt in 1937, I quote: 'To keep the peace is the fundamental policy of the United States.' Did Mr. Roosevelt prevent war? In other words, did Mr. Roosevelt's fundamental policy succeed or fail?"

QUOTES BRITISH MINISTER

She said "New Dealers" often presented "extenuating circumstances," among them that the United States was the victim of an unprovoked attack by Japan, and continued:

"In June of this year Oliver Lyttelton, British Minister of Production, declared in London, I quote: 'Japan was provoked into attacking America at Pearl Harbor. It is a travesty on history to say that America was forced into the war. It is incorrect to say that America was ever truly neutral.'

"No, the theory of the unprovoked attack will not wash. Why did he (President Roosevelt) never tell us that, if Japan conquered China, and Germany overwhelmed Great Britain, they would then completely dominate our oceans, and that this one fact alone made the war our war?

"He did not tell us. First, because he did not have the courage to admit that his 7-year policy of isolation and appeasement had been a failure, which had contributed to bringing the war about, and that the only way left to redeem this failure of his statesmanship was for the Nation to go to war. Secondly, he did not tell us the truth because he wanted a third term."

The Representative said that during 7 peacetime years the President did not seek to achieve greater collective security in the world, and "not a single hint did he give to the people of the many secret and specific warnings he was receiving, and Mr. Hull was receiving, from his Ambassadors and his military observers abroad of the growing danger to America" from Japan.

"Arms for the Nation were the President's for the asking," Mrs. Luce asserted. "He did not ask."

APOLOGY BY LYTTELTON

Capt. Oliver Lyttelton made a personal apology in the House of Commons June 21, the day after he made the remarks about America which Representative Luce quoted in her Chicago speech, the Associated Press here said yesterday.

The British Minister of Production did not deny he had remarked at an American Chamber of Commerce luncheon in London that the United States had provoked Japan to attack, but disclaimed any intention of giving this as his belief.

Asserting that he was only trying to express gratitude for lend-lease aid prior to the Japanese assault, Captain Lyttelton said:

"I ask the House to believe that the fault was one of expression and not of intention, and I hope that this apology will undo any harm which the original words may have caused here or in the United States."

Mr. MORSE. Mr. President, I shall await with interest in the future, the speeches, at Franklin Roosevelt memorial dinners, of my Democratic col-

leagues who vote for this nomination today. Her statements were malicious distortions, they were untruthful, and that goes to the question of judgment and competence required in an Ambassador.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. I yield myself 2 more minutes.

I also point out that on October 1, 1944, as a Member of Congress clothed with the trust of that office, she said in Philadelphia:

> I always believed we had to get into the war, but I would like to have had us led into it, not lied into it.

It was no foreign war that Franklin Roosevelt responded to at Pearl Harbor. It was a war thrust upon us. I think the American people know what the verdict of history will be with respect to this statement. I could not vote for such an undiplomatic person.

"Oh," it is said, "the Senator from Oregon makes rather harsh statements." I have truthfully, but jocularly, answered that argument before. I am not a candidate for a diplomatic post.

In the things I have said in criticism of President Eisenhower and his policies, I have questioned the political morality of his administration; I have questioned his judgment on many issues; but I have never questioned his loyalty or his patriotism, and I have never questioned his veracity. He has been mistaken in judgment, in my opinion, many times, but I have never questioned his veracity, nor his devotion to his country.

The next point I wish to make very quickly, while I wait for the Senator from Pennsylvania [Mr. CLARK]—I hope he has been sent for—is that her so-called documentation, as I pointed out yesterday, is no documentation at all. She might as well have said, "Go to the Congressional Library and find out if I am right." She offered no documentation. As I pointed out in the RECORD yesterday, I received a telegram from Prof. Basil Rauch, who is a professor of history at Barnard College, Columbia University. That telegram reads as follows:

APRIL 23, 1959.

Senator WAYNE MORSE,
United States Senate, Washington, D.C.:

The statement by Mrs. Luce misrepresented my book "Roosevelt from Munich to Pearl Harbor." My book proves on the basis of the documents that those who make charges against President Roosevelt such as Mrs. Luce have abused the facts of history.

BASIL RAUCH,
Professor of History, Barnard College, Columbia University, New York, N.Y.

Professor Rauch points out that Mrs. Luce misinterpreted his book "Roosevelt: From Munich to Pearl Harbor," and that there is nothing in the book which would justify her in citing him as authority for her misstatements of fact.

I pointed out that her record in Italy does not entitle her to this nomination. In Italy she intervened in domestic political and economic policies, contrary to the clear duty of an Ambassador.

What do Senators suppose we would say if the British Ambassador to the United States, during an American political campaign, tried to interfere in an American election? The demand would be, "Send him back to England, because he is persona non grata."

In fact, that has happened in our history.

The PRESIDING OFFICER. The time of the Senator from Oregon has expired.

Mr. MORSE. Mr. President, I yield myself 1 more minute.

She intervened in the domestic politics and economic policies of Italy, as I documented in my speech yesterday.

Lastly, I do not see how we can vote to send this nominee to Brazil when it is well known that Brazil has a government oil monopoly. Her views are well known; and in my judgment we have no right to send as Ambassador to Brazil someone who will be at least beclouded with the suspicion that she is representing the oil interests of America, and she and her consort did in Italy, in my judgment.

Mr. President, I now yield to the Senator from Pennsylvania [Mr. CLARK].

The PRESIDING OFFICER. How much time does the Senator yield?

Mr. MANSFIELD. Mr. President, I shall be glad to yield time to the Senator from Pennsylvania if he desires it.

Mr. CLARK. Mr. President, I do not desire to speak at this moment.

The PRESIDING OFFICER. Does either side wish to yield some time?

Mr. MANSFIELD. If no Senator wishes to speak, I suggest the absence of a quorum.

The PRESIDING OFFICER. Is the time to be charged to the opponents?

Mr. MANSFIELD. Yes. There is an agreement in effect that the vote be taken at 2 o'clock. Inasmuch as we have no speakers on the floor, the time for the quorum call will have to come out of our time.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. I yield 5 minutes to the Senator from South Dakota.

Mr. CASE of South Dakota. Mr. President, I rise to speak briefly on the confirmation of Mrs. Clare Boothe Luce as Ambassador to Brazil.

I do not speak in the belief that Mrs. Luce needs any defense in a personal sense. I speak, Mr. President, because I think that the people of Brazil are entitled to better knowledge of the person who has been named as the Ambassador from the United States than they could get from reading certain remarks reported in yesterday's CONGRESSIONAL RECORD.

I speak, moreover, Mr. President, because I think that the interests of the United States are served by having the record preceding the vote on her confirmation show that this Ambassador is not a frustrated politician with vindictiveness of venom in her spirit but is a woman of broad sympathies and of great ability and accomplishments.

Let a record of cold facts speak.

Since January 1955, in the last 4 years, and later than all the incidents mentioned in a critical speech made yesterday on this floor, Mrs. Luce has been the recipient of the following awards:

Poor Richard Club's Gold Medal of Achievement, Philadelphia, Pa., January 1955.

George Washington Honor Medal Award—Freedoms Foundation, Valley Forge, Pa., 1956.

Dame of Magistral Grace of the Sovereign Military Order of Malta, Rome, December 1956.

Knight of the Grand Cross of the Order of Merit of the Italian Republic, Rome, December 1956.

Fourth Gimbel National Award, Philadelphia, January 1957.

Laetare Medal, Notre Dame University, South Bend, Ind., March 1957.

"Great Living Americans" Award, U.S. Chamber of Commerce, Washington, D.C., April 1957.

Institute of Social Sciences, Gold Medal Award, December 1957.

Cordell Hull Award, December 1957.

Distinguished Service Award of the National Society for Crippled Children and Adults, Dallas, Tex., November 1958.

Catholic Institute of the Press Award, New York, N.Y., February 1, 1959.

Possibly the award committee for a single recognition might have been misled, but I submit that the wide range of these honors is the evidence of a character and reputation that no political critic can slander.

With respect to the attempt to paint Mrs. Luce as a bitter partisan, and particularly on the subject of Franklin D. Roosevelt, I wish to remind Senators of a tribute by Mrs. Luce to Mrs. Roosevelt, widow of the late President.

It was in 1951, May 21, that Mrs. Luce, speaking at the Williamsburg Settlement Award dinner, said:

> Mrs. Roosevelt is the best-loved woman in the world today. No woman has so comforted the distressed or so distressed the comfortable. * * * The interpretation of her actions are often as mean as they are silly. That is because this generation has forgotten the injunction—"Judge not that ye be not judged."

If other proof that Mrs. Luce, while voicing her opinions with respect to certain events was not activated by partisan or political considerations when her country's good was concerned, a letter by her to the Prime Minister Nehru of India, written some years ago but published only this month in a book by Mr. Nehru offers additional evidence.

In that letter, Mrs. Luce pointed to the problems plaguing the world in our day and pleaded for an accord between our countries, India and the United States. She expressed the hope that Nehru would sit down with President Roosevelt and together work out ways in which we might be helpful to the people of Southeast Asia.

Now one word, Mr. President, as to Clare Boothe Luce as an Ambassador.

Among all the postwar trouble spots, none was more menacing than Trieste. I

was in Europe, in Italy in the fall of 1953, and I personally observed and felt some of the tension that existed between Yugoslavia and Italy and cast its spell over the continent. Memories are short indeed, Mr. President, if Senators have forgotten the tact, the statesmanship, and the good spirit which Mrs. Luce brought into that troubled area. Trieste was the spot then considered most likely to touch off world war III; she helped to make it one of the least likely.

And finally, Mr. President, one word about the propriety of naming a woman as Ambassador to Brazil. It was not only with an intent of great friendship and genuine helpfulness that President Eisenhower named the former Ambassador to Italy to this high post in Brazil.

May I remind Senators that in Brazil, a woman is one of the great national heroes. I refer to the Regent Isabelle, daughter of the Emperor Dom Pedro II. She it was who freed the slaves of Brazil by an executive proclamation on the 13th of May 1888, while her father was in Europe.

Every visitor to Rio de Janeiro is told he should visit Petropolis, the former capital city a few miles up in the mountains. There he will visit the palace of the Pedros. There he will see the mementos and the paintings and the statuary that pay tribute to the memory of a woman, who in her way and her day was the great emancipator and is enshrined in the affection of her people as Abraham Lincoln is in the United States.

So, Mr. President, the nomination of Clare Boothe Luce is not only the appointment of a brilliant, able, experienced diplomat but is an appointment intended to be a compliment to the people of a great country, the Republic of Brazil. I express the hope that Senators in casting their vote will give to Mrs. Luce and to the people of Brazil an expression of the confidence and good will that are important in the relations between our two great countries.

Mr. MORSE. Mr. President, I yield 4 minutes to the senior Senator from Pennsylvania.

Mr. CLARK. Mr. President, yesterday afternoon I had occasion to state my reluctant conclusion that this nomination should not be confirmed on the ground that Mrs. Luce had shown throughout her public career, and in particular in her appearance before the committee, such a lack of objectivity and such a lack of judgment that she could not be expected to make a satisfactory Ambassador to Brazil.

Furthermore, I pointed out that her inevitable identification as the wife of Henry Luce, plus the fact that Mr. Luce would spend, by Mrs. Luce's own admission, 6 months of every year with her in Brazil, was another reason why her nomination should not be confirmed. The Latin-American policy of the Luce publications, as I had occasion to state then, has been habitually and customarily to distort the facts in order to bring them into accord with the policies of those publications.

Since last night I have had occasion to read more carefully the statement which was filed by Mrs. Luce after the hearings, and which appears on page 27 of the published hearings. I suggest to Senators that that document alone evidences such a lack of objectivity, such a lack of judgment, such a determination to distort the facts as to make the confirmation of her nomination inadvisable.

First of all, she mistakes a position taken by the senior Senator from Oregon [Mr. MORSE] when she says that he advocated the principle of political conformation. He did not. Then, indicating it was that sort of question, she suggests that that is an improper standard. Of course it is.

Second, she said that a month before the election in 1944 she had accused President Roosevelt of being less than honest and truthful in his dealings with the American people. That, too, is a distortion. She said he "lied us into war."

She said she had apologized for her intemperate comments. She has not apologized, as appears on pages 6 and 7 of her testimony. On page 7 she said:

> I stand by my statement.

Finally, as the ultimate distortion, she said at the end of her statement:

> Strict conformity to the political tenets of the majority party is hardly a sound basis on which to judge the qualifications of any person for a diplomatic position.

Of course it is not. Nobody has said it is. To pretend that the Senator from Oregon has categorized his position in that way is nothing short of distortion.

For these reasons, I hope the Senate will reject the nomination.

I yield back the remainder of my time to the Senator from Oregon.

Mr. MANSFIELD. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Montana has 4 minutes remaining.

Mr. MANSFIELD. I am not unmindful of the arguments which the able senior Senator from Oregon and other Senators have made against the confirmation of this nomination. To me, the personal attacks which Mrs. Luce made upon President Roosevelt and President Truman during political campaigns were not merely intemperate; they were indefensible.

Similarly, it is entirely possible that Mrs. Luce made mistakes as Ambassador to Italy, although it seems to me that the mistakes were more those of policies formulated in Washington rather than mistakes on the part of Mrs. Luce, whose responsibility it was to carry out the policies.

But granted that Mrs. Luce made mistakes; granted that along with thousands of others Mrs. Luce made intemperate statements in the heat of political campaigns 10 or 15 years ago; are these in themselves reasons for the disqualification of a Presidential appointment of this kind? Are we to assume that Mrs. Luce, or any of us, for that matter, do not learn from experience, do not, with the years, mature in judgment? After all, all of us live in glass houses.

What is it that we are seeking in an Ambassador? Are we seeking a living public servant who has the capacity and courage to make a contribution to the Nation, but who, inevitably, has human shortcomings? Or do we seek someone who needs no eraser on his pencil because he never uses a pencil for fear of error? Where should be found anyone who fits that description? Would we want him or her if we found him?

It has not been a practice of the Democratic Party to conduct political inquisitions in the Senate, and I hope it will never be. Let us keep the record clear and distinct on that point. We do not need a public confession of past errors from Mrs. Luce. What counts is not what Mrs. Luce said 15 years ago, but what she will do now and in the days ahead.

Long ago the American people made clear what they thought of attacks on Mr. Roosevelt and Mr. Truman by electing and re-electing both men. I dare say that Mrs. Luce knows even now that Brazilians cherish the memory of Franklin Delano Roosevelt no less than do the people of the United States. After years of deteriorating relations, it is one of the few assets which she will have in conducting the Nation's affairs with Brazil, and I fully expect her to preserve it and to use it with the greatest of care.

As for her record as Ambassador to Italy, I believe it compares with that of other Ambassadors during the Eisenhower administration and is distinctly superior to many, career and non-career.

Whatever significant errors she may have made, if indeed any are directly traceable to her, they are more than counterbalanced by her constructive achievements in Italy. She was hard-working, imaginative, and dedicated to the pursuit of the policies of this Government and to the furtherance of friendly relations between Italy and the United States. Her part in solving the Trieste question was a diplomatic effort of the highest order, as were also her efforts in helping to bring about a satisfactory Austrian State Peace Treaty.

I believe Mrs. Luce will make a similar constructive contribution with respect to our policies and relations with Brazil. I urge the confirmation of her nomination.

Mr. MORSE. Mr. President, I yield myself the remainder of my time.

I say most respectfully to the distinguished Senator from Montana that the issue is not what Mrs. Luce said on October 13, 1944. The issue is what she said on April 15, 1959. Let me read it to the Senator from Montana and to other Senators from the public hearings:

> The CHAIRMAN. You think he lied us into a war?
>
> Mrs. LUCE. I stand by my statement.
>
> The CHAIRMAN. I was hoping that time had mellowed your judgment a bit, but it hasn't. That is quite clear.
>
> Mrs. LUCE. Time has mellowed my language, I hope, my judgment; but the accuracy, historical accuracy, I must stand by.

Again I say to my Democratic colleagues: I will await with interest their acceptance of invitations to speak at Roosevelt memorial dinners in the future if they vote to confirm the nomination of this slanderer of the great memory of the great humanitarian, Franklin Roose-

velt, whose memory is revered all over Brazil.

This woman has beclouded her usefulness in Brazil. This woman, in my judgment, has destroyed her effectiveness in Brazil.

I say further to the Senator from Montana: I know of no member of the Committee on Foreign Relations who has stood out more emphatically for career diplomats than he has. It is said that we are asked to confirm today the nomintation of a career diplomat; but we are really being asked to confirm the nomination of a political appointee, who, in my judgment, has demonstrated that she has neither the tact nor the diplomacy nor the qualifications to serve as Ambassador to Brazil.

Last of all, I wish to say that Mrs. Luce's record in Italy was such that she does not deserve to have her nomination confirmed by the Senate.

The PRESIDING OFFICER (Mr. HART in the chair). The hour of 2 o'clock has arrived; all available time on this question has expired.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, for the information of the Senate, I should like to announce that immediately following the vote on the question of confirmation of the nomination of Mrs. Luce, we shall proceed to consider the treaty which is on the Executive Calendar. The distinguished chairman of the Foreign Relations Committee [Mr. FULBRIGHT] has informed me that his statement on the treaty will be very brief; and the senior Senator from New York [Mr. JAVITS] expects to speak for less than 5 minutes; and then we anticipate taking a yea-and-nay vote on the question of ratification of the treaty. So I should like to have all Senators be on notice not to leave the Chamber after the yea-and-nay vote on the question of confirmation of the nomination of Mrs. Luce.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Mrs. Clare Boothe Luce, of Connecticut, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Brazil.

Mr. JOHNSON of Texas. Mr. President, I hope the vote will not be taken until the Senate is in order.

The PRESIDING OFFICER. The Senate will be in order.

On this question, the yeas and nays have been ordered. Senators who are in favor of advising and consenting to the nomination will vote "yea." Senators who are opposed to advising and consenting to the nomination will vote "nay."

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CHAVEZ (when his name was called). Mr. President, on this vote I have a pair with the Senator from Kentucky [Mr. MORTON]. If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." Therefore, I withhold my vote.

The rollcall was resumed and concluded.

Mr. MANSFIELD. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Idaho [Mr. CHURCH], the Senator from Michigan [Mr. MCNAMARA], and the Senator from Wyoming [Mr. O'MAHONEY] are absent on official business.

I also announce that the Senator from Nevada [Mr. BIBLE] is absent because of a death in his family.

I further announce that the Senator from Delaware [Mr. FREAR] is absent because of illness.

Mr. KUCHEL. I announce that the Senator from Kentucky [Mr. MORTON] is necessarily absent, and his pair has been previously announced by the Senator from New Mexico [Mr. CHAVEZ].

The result was announced—yeas 79, nays 11, as follows:

YEAS—79

Aiken	Hart	Monroney
Allott	Hartke	Moss
Anderson	Hayden	Mundt
Beall	Hennings	Muskie
Bennett	Hickenlooper	Neuberger
Bridges	Hill	Pastore
Bush	Holland	Prouty
Butler	Hruska	Proxmire
Capehart	Humphrey	Robertson
Carlson	Jackson	Russell
Case, N.J.	Javits	Saltonstall
Case, S. Dak.	Johnson, Tex.	Schoeppel
Cooper	Jordan	Scott
Cotton	Keating	Smathers
Curtis	Kefauver	Smith
Dirksen	Kennedy	Sparkman
Dodd	Kerr	Stennis
Douglas	Kuchel	Symington
Dworshak	Langer	Talmadge
Eastland	Lausche	Thurmond
Ellender	Long	Wiley
Engle	McCarthy	Williams, N.J.
Ervin	McClellan	Williams, Del.
Fulbright	McGee	Yarborough
Goldwater	Magnuson	Young, N. Dak.
Gore	Mansfield	
Green	Martin	

NAYS—11

Bartlett	Clark	Murray
Byrd, W. Va.	Gruening	Randolph
Cannon	Johnston, S.C.	Young, Ohio
Carroll	Morse	

NOT VOTING—8

Bible	Church	Morton
Byrd, Va.	Frear	O'Mahoney
Chavez	McNamara	

So the nomination of Mrs. Clare Boothe Luce was confirmed.

Mr. DIRKSEN. Mr. President, I move to reconsider the vote by which the nomination was confirmed.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. JOHNSON of Texas. Mr. President, I ask that the President be notified forthwith of the confirmation of the nomination.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the President will be notified immediately.

TREATY OF AMITY, ECONOMIC RELATIONS, AND CONSULAR RIGHTS BETWEEN THE PRESIDENT OF THE UNITED STATES OF AMERICA AND THE SULTAN OF MUSCAT AND OMAN AND DEPENDENCIES

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of executive A, the treaty between the President of the United States of America and the Sultan of Muscat and Oman.

I am informed the Senate is likely to vote on the treaty within the next 10 minutes. Then we shall proceed to the consideration of the supplemental appropriation bill.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the treaty (Ex. A, 86th Cong., 1st sess.), a treaty of amity, economic relations, and consular rights between the President of the United States of America and the Sultan of Muscat and Oman and dependencies, together with a protocol relating thereto, signed at Salalah on December 20, 1958, which was read the second time, as follows:

TREATY OF AMITY, ECONOMIC RELATIONS, AND CONSULAR RIGHTS BETWEEN THE PRESIDENT OF THE UNITED STATES OF AMERICA AND THE SULTAN OF MUSCAT AND OMAN AND DEPENDENCIES

The President of the United States of America and Sultan Said bin Taimur bin Faisal, Sultan of Muscat and Oman and Dependencies, desirous of promoting friendly relations between the two countries and of encouraging mutually beneficial trade and closer economic intercourse generally have resolved to conclude a Treaty of Amity, Economic Relations, and Consular Rights, and have appointed as their plenipotentiaries:

The President of the United States of America:

Walter K. Schwinn, Consul General of the United States of America;

The Sultan of Muscat and Oman and Dependencies, Sultan Said bin Taimur bin Faisal, in person,

Who have agreed as follows:

ARTICLE I

There shall be firm and enduring peace and sincere friendship between the United States of America and the Sultanate of Muscat and Oman and Dependencies.

ARTICLE II

1. Nationals of either party shall, subject to the laws relating to the entry and sojourn of aliens, be permitted to enter the territories of the other party, to travel therein freely, and to reside at places of their choice. Nationals of either party shall in particular be permitted to enter the territories of the other party and to remain therein for the purpose of: (a) Carrying on trade between the territories of the two parties and engaging in related commercial activities; or (b) developing and directing the operations of an enterprise in which they, or companies of their nationality by which they are employed and which they represent in a responsible capacity, have invested or are actively in process of investing a substantial amount of capital. Each party reserves the right to exclude or expel aliens on grounds relating to public order, morals, health, and safety.

2. Nationals of either party shall receive all possible protection and security within

the territories of the other party. When any such national is in custody, he shall receive reasonable and humane treatment, and, on his request, the nearest consular representative of his country shall be notified as soon as possible. He shall be promptly informed of the accusations against him, allowed ample facilities to defend himself and given a prompt and impartial disposition of his case.

3. Nationals of either party within the territories of the other party shall, either individually or through associations, enjoy freedom of conscience and religious toleration and enjoy the right to engage in religious worship. They shall be accorded most-favored-nation treatment with respect to engaging in philanthropic, educational and scientific activities. They shall be enabled to communicate by legal means with other persons inside or outside such territories. The provisions of this paragraph shall be subject to the right of either party to apply measures that are necessary to maintain public order and to protect public morals and safety.

ARTICLE III

1. Companies constituted under the applicable laws and regulations of either party shall be deemed companies thereof and shall have their juridical status recognized within the territories of the other party. As used in the present treaty, "companies" means corporations, partnerships, companies, and other associations, whether or not with limited liability and whether or not for pecuniary profit.

2. Nationals and companies of either party shall have free access to the courts of justice and administrative agencies within the territories of the other party, in all degrees of jurisdiction, both in defense and in pursuit of their rights. Such access shall be allowed upon terms no less favorable than those applicable to nationals and companies of such other party or of any third country, including the terms applicable to requirements for deposit of security. It is understood that companies not engaged in activities within the country shall enjoy the right of such access without any requirement of registration or domestication.

ARTICLE IV

1. Each party shall at all times accord fair and equitable treatment to nationals and companies of the other party, and to their property and enterprises, and shall refrain from applying unreasonable or discriminatory measures that would impair their legally acquired rights and interests.

2. Property of nationals and companies of either party, including direct and indirect interests in property, shall receive all possible protection and security within the territories of the other party. Such property shall not be taken except for a public purpose, nor shall it be taken without the prompt payment of just compensation. Such compensation shall be in an effectively realizable form and shall represent the full equivalent of the property taken; and adequate provision shall have been made at or prior to the time of taking for the determination and payment thereof.

3. The dwellings, offices, warehouses, factories, and other premises of nationals and companies of either party located within the territories of the other party shall not be subject to entry or molestation without just cause. Official searches and examinations of such premises and their contents shall be made only according to law and with all possible regard for the convenience of the occupants and the conduct of business.

ARTICLE V

1. Nationals and companies of either party shall be accorded national treatment with respect to establishing, as well as with respect to acquiring interests in enterprises for engaging in commercial activities within the territories of the other party. Moreover, nationals and companies of such party shall in no case be accorded treatment less favorable than that accorded to nationals and companies of any third country with respect to establishing or acquiring interests in enterprises for engaging in industrial and other business activities within the territories of such other party. The provisions of this paragraph do not include the practice of professions.

2. Neither party shall discriminate against enterprises established within its territories that are owned or controlled by nationals and companies of the other party, as compared with any other enterprises engaged in like activities, in the application of any laws, rules, or regulations affecting the conduct of such enterprises.

3. Nationals and companies of either party shall enjoy the right to continued control and management of their enterprises within the territories of the other party; shall be permitted to engage accountants and other technical experts, executive personnel, attorneys, agents, and other specialized employees of their choice, regardless of nationality but subject to the provisions of article II regarding the entry and sojourn of aliens; and shall be permitted without discrimination to do all other things necessary or incidental to the effective conduct of their affairs.

ARTICLE VI

1. Nationals and companies of either party shall be accorded most-favored-nation treatment within the territories of the other party with respect to leasing real property needed for their residence or for the conduct of activities pursuant to the present Treaty, and national treatment with respect to: (a) purchasing or otherwise acquiring personal property of all kinds, subject to any limitations on acquisition of shares in enterprises that may be imposed consistently with Article V; and (b) disposing of property of all kinds by sale, testament, or any other legal manner.

2. Nationals and companies of either party shall be accorded within the territories of the other party effective protection in the exclusive use of inventions, trade marks and trade names, upon compliance with the applicable laws and regulations, if any, respecting registration and other formalities.

ARTICLE VII

1. Nationals and companies of either party shall not be subject to the payment of taxes, fees or charges within the territories of the other party, or to requirements with respect to the levy and collection thereof, more burdensome than those borne by nationals, residents and companies of any third country. In the case of nationals of either party residing within the territories of the other party, and of nationals and companies of either party engaged in trade or other gainful pursuit or in nonprofit activities therein, such taxes, fees, charges and requirements shall not be more burdensome than those borne by nationals and companies of such other party.

2. Each party, however, reserves the right to: (a) extend specific tax advantages only on the basis of reciprocity, or pursuant to agreements for the avoidance of double taxation or the mutual protection of revenue; and (b) apply special requirements as to the exemptions of a personal nature allowed to nonresidents in connection with income and inheritance taxes.

3. Companies of either party shall not be subject, within the territories of the other party, to taxes upon any income, transactions or capital not reasonably allocable or apportionable to such territories.

ARTICLE VIII

1. Each party shall accord to products of the other party, from whatever place and by whatever legally authorized carrier arriving, and to products destined for exportation to the territories of such other party, by whatever route and by whatever legally authorized carrier, treatment no less favorable than that accorded like products of, or destined for export to, any third country, in all matters relating to: (a) customs duties, as well as any other charges, regulations and formalities levied upon or in connection with importation and exportation; and (b) internal taxation, sale, distribution, storage and use.

2. Neither party shall impose restrictions or prohibitions on the importation of any product of the other party, or on the exportation of any product to the territories of the other party, unless the importation of the like product of, or the exportation of the like product to, all third countries is similarly restricted or prohibited.

3. Either party may impose prohibitions or restrictions on sanitary or other customary grounds of a noncommercial nature, or in the interest of preventing deceptive or unfair practices, provided such prohibitions or restrictions do not arbitrarily discriminate against the commerce of the other party.

4. Each party reserves the right to accord special advantages: (a) to adjacent countries in order to facilitate frontier traffic, or (b) by virtue of a customs union or free trade area of which either party may become a member, so long as it informs the other party of its plans and affords such other party adequate opportunity for consultation. Each party, moreover, reserves rights and obligations it may have under the General Agreement on Tariffs and Trade, and special advantages it may accord pursuant thereto.

ARTICLE IX

1. The parties recognize that the development of their economic relations will benefit from conditions of maximum freedom with respect to carrying out financial payments and transfers between their respective territories and between nationals and companies of the two parties. Accordingly, each party undertakes to refrain from applying restrictions on such payments except to the extent that shortages of foreign exchange may require. In that event, the party applying restrictions undertakes to administer them in a manner not to influence disadvantageously the competitive position of the commerce, transport, or investment of capital of the other party in comparison with the commerce, transport, or investments of any third country.

2. Nationals and companies of either party shall be accorded treatment no less favorable than that accorded nationals and companies of the other party, or of any third country, with respect to all matters relating to importation and exportation.

3. Neither party shall impose any measure of a discriminatory nature that hinders or prevents the importer or exporter of products of either country from obtaining marine insurance on such products in companies of either party.

ARTICLE X

1. Between the territories of the two parties there shall be freedom of commerce and navigation.

2. Vessels under the flag of either party, and carrying the papers required by its law in proof of nationality, shall be deemed to be vessels of that party both on the high seas and within the ports, places, and waters of the other party.

3. Vessels of either party shall have liberty, on equal terms with vessels of the other party and on equal terms with vessels of any third country, to come with their cargoes to all ports, places, and waters of the other party open to foreign commerce and navigation. Such vessels and cargoes shall in all respects be accorded national treatment and

most-favored-nation treatment within the ports, places, and waters of such other party; but each party may reserve exclusive rights and privileges to its own vessels with respect to the coasting trade and inland navigation.

4. Vessels of either party shall be accorded national treatment and most-favored-nation treatment by the other party with respect to the right to carry all products that may be carried by vessel to and from the territory of such other party; and such products shall be accorded treatment no less favorable than that accorded like products carried in vessels of such other party, with respect to (a) duties and charges of all kinds, (b) the administration of the customs, and (c) bounties, drawbacks, and other privileges of this nature.

5. Vessels of either party that are in distress shall be permitted to take refuge in the nearest port or haven of the other party, and shall receive all possible friendly treatment and assistance.

6. The term "vessels," as used herein, means all types of vessels, whether privately owned or operated, or publicly owned or operated; but this term does not, except with reference to paragraphs 2 and 5 of the present article, include fishing vessels or vessels of war.

ARTICLE XI

1. The present treaty shall not preclude the application of measures:

(a) regulating the importation or exportation of gold or silver;

(b) relating to fissionable materials, the radioactive byproducts thereof, or the sources thereof;

(c) regulating the production of or traffic in arms, ammunition, and implements of war, or traffic in other materials carried on directly or indirectly for the purpose of supplying a military establishment;

(d) necessary to fulfill the obligations of a party for the maintenance or restoration of international peace and security, or necessary to protect its essential security interests;

(e) denying to any company in the ownership or direction of which nationals of any third country or countries have directly or indirectly the controlling interest, the advantages of the present treaty, except with respect to recognition of juridical status and with respect to access to courts of justice and to administrative tribunals and agencies; and

(f) regarding its national fisheries and the landing of the products thereof.

2. The present treaty does not accord any rights to engage in political activities.

3. The most-favored-nation provisions of the present treaty relating to the treatment of goods shall not extend to advantages accorded by the United States of America or its Territories and possessions, irrespective of any future change in their political status, to one another, to the Republic of Cuba, to the Republic of the Philippines, to the Trust Territory of the Pacific Islands or to to the Panama Canal Zone.

ARTICLE XII

Each party shall have the right to send consular representatives to the other party, subject to the approval of such other party as to the persons appointed and the places at which they reside. Such consular representatives shall be permitted to perform such consular functions and shall enjoy such privileges and immunities as are in accordance with international law and practice and as provided in the protocol to this treaty.

ARTICLE XIII

Each party shall accord sympathetic consideration to, and shall afford adequate opportunity for consultation regarding, such representations as the other party may make with respect to any matter affecting the operation of the present treaty.

ARTICLE XIV

The territories to which the present treaty extends shall comprise all areas of land and water under the sovereignty or authority of the United States of America, other than the Panama Canal Zone and the Trust Territory of the Pacific Islands, and of the Sultan of Muscat and Oman and Dependencies.

ARTICLE XV

The present treaty shall replace and terminate as between the United States of America and the Sultan of Muscat and Oman and Dependencies the treaty of amity and commerce signed at Muscat September 21, 1833.

ARTICLE XVI

1. The present treaty shall be ratified, and the ratifications thereof shall be exchanged at Muscat as soon as possible.

2. The present treaty shall enter into force 1 month after the day of exchange of ratifications. It shall remain in force for 7 years and shall continue in force thereafter until terminated as provided herein.

3. Either party may, by giving 1 year's written notice to the other party, terminate the present treaty at the end of the initial 7-year period or at any time thereafter.

In witness whereof Walter K. Schwinn, Consul General of the United States of America, on behalf of the President of the United States of America, Dwight D. Eisenhower, and Sultan Said bin Taimur bin Faisal, Sultan of Muscat and Oman and Dependencies, on his own behalf, have signed the present treaty and have affixed thereto their respective seals.

Done in duplicate in the English and Arabic language, both equally authentic, at Salalah in the Kingdom of Oman, this 20th day of December, 1958, which corresponds to the 9th day of Jumada II, 1378.

WALTER K. SCHWINN.
SAID BIN TAIMUR.

PROTOCOL

With respect to the provisions for the exchange of consular representatives contained in article XII of the Treaty of Amity Economic Relations and Consular Rights between the President of the United States of America and the Sultan of Muscat and Oman and Dependencies, it is understood that consular officers of either party serving in the territories of the other party are permitted to exercise the following functions and to enjoy the following rights, privileges, and immunities:

1. In connection with the protection of nationals of the sending state, a consular officer may:

(a) Interview, communicate with, advise or assist citizens of the sending state;

(b) Visit and communicate with citizens of the sending state who are taken into custody.

2. In the event of the death of a citizen of the sending state, a consular officer may, within the discretion of the appropriate judicial authorities and if permissible under local laws.

(a) Take provisional custody of personal property left by the deceased;

(b) Represent the interests of absent heirs in estates of deceased persons;

(c) Receive for transmission to his nonresident countrymen money or movable property of all kinds due them from estates.

3. With respect to shipping:

(a) A consular officer may visit vessels of the sending state or be visited by their masters and crews;

(b) Without prejudice to the right of the administrative and judicial authorities of the receiving state to take cognizance of crimes or offenses which disturb the peace of the port or to enforce the laws of the receiving state applicable to vessels of any state in its ports and territorial waters, it is the intention of the Parties that a consular officer shall have jurisdiction over controversies, including wage and contract disputes, on board vessels of the sending state in the territorial waters of the receiving state; and

(c) A consular officer shall be informed by the local authorities in case vessels of the sending state are wrecked in the territorial waters of the receiving state, so that he may help to safeguard the interests of persons on board and of the owners of the vessels and cargoes.

4. In connection with notarials and miscellaneous services, a consular officer may:

(a) Issue notices to and receive declarations from citizens of the sending state required by the law of that state;

(b) Validate acts, documents, or other legal instruments;

(c) Take evidence in behalf of courts of the sending state;

(d) Administer oaths;

(e) Obtain copies or extracts from documents of public registry; and

(f) Inquire into matters pertaining to the interests of citizens of the sending state.

5. A consular officer may renew and issue passports and issue visas.

6. A consular officer has the right to communicate with his government and other consular and diplomatic establishments of the sending state:

(a) By public means;

(b) By courier;

(c) By sealed official pouches or other official containers; and

(d) By public telegraph either in clear or in coded language.

7. Throughout the period of his assignment in the receiving state, a consular officer who is a national of the sending state and who does not have the status in the receiving state of an alien lawfully admitted for permanent residence and who is not engaged in any other business, shall have the privilege of duty-free import of baggage, effects and other articles, including vehicles and vessels (but not larger than motor launches) for the personal use of himself and his immediate family. Such consular officer shall also be exempt from all manner of direct taxes or similar charges except with respect to:

(a) The acquisition, ownership, or occupation of immovable property situated in the receiving state;

(b) Income received from sources within the receiving state; and

(c) The passing of property at death.

8. The immunities of a consular officer or employee who is a citizen of the sending state and not a permanent resident of the receiving state and who is not engaged in any other business include:

(a) Exemption from the jurisdiction of the courts of the receiving state with respect to acts performed within the scope of his official duties;

(b) Exemption from having to produce documents from consular archies or give evidence on matter falling within the scope of official duties;

(c) Exemption from arrest or prosecution except when charged with crimes other than misdeameanors;

(d) Exemption from having him or his dependents subject to the requirements of alien registration, residence permits, and similar regulations applicable generally to aliens;

(e) Exemption from all estate, inheritance, succession, or similar taxes imposed in the receiving state with respect to movable property belonging to the estate of a deceased consular officer or employee and used by him in the performance of his official duties, and which does not exceed in value two times the amount of all salary and allowances received by such consular officer or employee in the year immediately preceding his death.

9. The rights of the sending State include:

(a) The right to own, lease, or build buildings and appurtenances necessary for consular offices and staff residences;

(b) Inviolability of archives;

(c) Inviolability of official correspondence.

(d) Immunity from entry or search except in case of a disaster, or unless there is ground for belief that a crime of violence has been or is about to be committed or that an individual suspected of a crime has taken refuge in a consular building;

(e) Exemption from taxation, other than charges levied for services or local public improvements by which the premises are benefited;

(f) Duty-free import of materials and equipment for the construction and operation of consular buildings and appurtenances, including residences; and

(g) Duty-free import of all articles, including vehicles and vessels (but not larger than motor launches) for the official use of the consular establishment.

In witness whereof Walter K. Schwinn, consul general of the United States of America, on behalf of the President of the United States of America, Dwight D. Eisenhower, and Sultan Said bin Taimur bin Faisal, Sultan of Muscat and Oman and Dependencies, on his own behalf have signed the present protocol and have affixed thereto their respective seals.

Done in duplicate in the English and Arabic languages, both equally authentic, at Salalah in the Kingdom of Oman, this twentieth day of December one thousand nine hundred fifty-eight, which corresponds to the ninth day of Jumada II one thousand three hundred seventy-eight.

WALTER K. SCHWINN.
SAID BIN TAIMUR.

Mr. JOHNSON of Texas. Mr. President, the chairman of the Committee on Foreign Relations has a brief statement to make on the treaty. I hope the Senate will come to order. It would save us time.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, the proposed treaty of amity, economic relations, and consular rights with the Sultan of Muscat and Oman would supersede a comparable treaty of friendship and commerce signed at Muscat in 1833. The State Department feels that the old treaty is no longer adequate. It was originally designed to guarantee the rights and security of American seamen and shipowners whose vessels might have foundered on the Omani Coast or dropped anchor in the harbor of Muscat. There was, of course, little economic intercourse at that time between this country and the territory of Oman, then as now a backward and feudal area.

The new treaty is similar to 17 that have been formed since the war, and comparable to about 18 other treaties made before the war. The purpose of this treaty is to provide rules and guarantees for the day-to-day conduct of business and trade in the city of Muscat and the territory of Oman. The Department of State expects that such an agreement will in turn provide conditions favorable to investment in the area. It will also provide a basis for an agreement to reopen a U.S. consulate in the area.

Mr. GORE. Mr. President, I make the point of order that the Senate is in confusion, not in order.

The PRESIDING OFFICER. The Senator is quite correct in his observation. The Senate will please come to order.

The Senator from Arkansas may proceed.

Mr. FULBRIGHT. Mr. President, Muscat and Oman is an independent state, with traditional associations with Great Britain. Yet both the boundaries and sovereignty of the territory of Oman are matters of considerable dispute. The British contend that Oman, both the coastal and inner mountain region, comes under the suzerainty of the city of Muscat and its Sultan. The Arab League has been arguing on the side of an independent status. The question was brought before the United Nations in 1957, and the United States abstained, on the ground that the legal character of Oman's boundaries was in doubt.

However, the Committee on Foreign Relations has been assured by the Department of State that this treaty is nothing more than what it purports to be, and will have no political repercussions in the Arab world. Indeed, the neighboring Arab states have been informed, and none of them has offered any objections. This is a remote, largely underdeveloped territory. But it is bordered by areas rich in oil and may itself contain rich fields. It is likely that American investment in Muscat and Oman is on the rise. The Department of State wishes to establish consular representation in the country, and the committee is confident that this will be a useful move.

Mr. JAVITS. Mr. President, I wish to speak for a few moments about the treaty, because it may present an analogy—and I want to be sure it does not—to a treaty we entered into with Saudi Arabia in June of 1951, under which that government has excluded American personnel, even American military personnel, on the ground that they were of the Jewish faith.

Mr. President, I know of nothing more antithetical to our institutions and traditions than such an attitude. Whatever may be said for our practical situation with the Saudi Arabian Government, in view of the fact that we have an air base at Dhahran, and that we may face other problems in the Arab world, I would certainly not wish to be a party to agreeing to the resolution of ratification of a treaty under which the kind of inequity and the kind of attitude which prevail in Saudi Arabia, and which are so opposed to all our traditions and institutions, could exist.

Mr. President, I also point out that under the Saudi Arabian treaty the particular section under which it is alleged the action can take place is section 14, which says that all American personnel must obtain Saudi Arabian visas. There is also a provision in subsection (d) of section 2 of the treaty that a detailed list of names and identities of personnel and employees who are to enter the country must first be submitted to the Saudi Arabian Government.

Mr. President, I understand that the particular treaty which is before the Senate now follows a classic pattern for such treaties. Indeed, it is compared with the treaty which we made with Iran. In respect to Iran there is no such situation as I have described with respect to Saudi Arabia, so far as I know, but I should like to ask the distinguished chairman of the Committee on Foreign Relations a question, if I may have his attention.

The PRESIDING OFFICER. The Senator from New York will suspend. The Senate will be in order.

The Chair understands that the Senator from New York desires to address a question to the Senator from Arkansas.

Mr. JAVITS. If I may have the attention of the chairman of the Committee on Foreign Relations, I should like to ask whether there is any provision in the treaty presently under consideration, with the Sultan of Muscat and Oman, which could lead us into the same kind of cul-de-sac we face as to the Saudi Arabian treaty. That is the first part of my question. The second part is whether the Senator feels we might get into such a situation, based upon his own inquiry and investigation with respect to the treaty before us.

Mr. FULBRIGHT. I respond to the Senator from New York that I am confident we will not. This is a very simple treaty, and it does not involve anything similar to the considerations which led to the situation in Saudi Arabia, to which the Senator has referred. I am quite sure this will not be the same.

Mr. JAVITS. Though I speak unilaterally, I am sure that the Senator from Arkansas deprecates as much as I do the situation we encountered in Saudi Arabia.

Mr. FULBRIGHT. The Senator from New York is quite correct. He knows that problem grew out of a very difficult situation related to the airbase at Dhahran. There is nothing with regard to the treaty presently under consideration, which is comparable to the other situation.

Mr. JAVITS. I thank the Senator from Arkansas.

The PRESIDING OFFICER. If there be no objection, the treaty will be considered as having passed through the various parliamentary stages up to and including the presentation of the resolution of ratification, which the clerk will read.

The Chief Clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive A, 85th Congress, 1st session, a treaty of amity, economic relations, and consular rights between the President of the United States of America and the Sultan of Muscat and Oman and dependencies, together with a protocol relating thereto, signed at Salalah on December 20, 1958.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the resolution of ratification of the treaty?

Mr. FULBRIGHT. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the resolution of ratification of the treaty? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Idaho [Mr. CHURCH], the Senator from Michigan [Mr. MCNAMARA], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Georgia [Mr. RUSSELL] are absent on official business.

I also announce that the Senator from Nevada [Mr. BIBLE] is absent because of a death in his family.

I further announce that the Senator from Delaware [Mr. FREAR] is absent because of illness.

I further announce that, if present and voting, the Senator from Nevada [Mr. BIBLE], the Senator from Virginia [Mr. BYRD], the Senator from Idaho [Mr. CHURCH], the Senator from Delaware [Mr. FREAR], the Senator from Michigan [Mr. MCNAMARA], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Georgia [Mr. RUSSELL] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Kentucky [Mr. MORTON] is necessarily absent, and, if present and voting, he would vote "yea." The Senator from Arizona [Mr. GOLDWATER] is detained on official business, and if present and voting, would vote "yea."

The yeas and nays resulted—yeas 89, nays 0, as follows:

YEAS—89

Aiken	Gore	Martin
Allott	Green	Monroney
Anderson	Gruening	Morse
Bartlett	Hart	Moss
Beall	Hartke	Mundt
Bennett	Hayden	Murray
Bridges	Hennings	Muskie
Bush	Hickenlooper	Neuberger
Butler	Hill	Pastore
Byrd, W. Va.	Holland	Prouty
Cannon	Hruska	Proxmire
Capehart	Humphrey	Randolph
Carlson	Jackson	Robertson
Carroll	Javits	Saltonstall
Case, N.J.	Johnson, Tex.	Schoeppel
Case, S. Dak.	Johnston, S.C.	Scott
Chavez	Jordan	Smathers
Clark	Keating	Smith
Cooper	Kefauver	Sparkman
Cotton	Kennedy	Stennis
Curtis	Kerr	Symington
Dirksen	Kuchel	Talmadge
Dodd	Langer	Thurmond
Douglas	Lausche	Wiley
Dworshak	Long	Williams, N.J.
Eastland	McCarthy	Williams, Del.
Ellender	McClellan	Yarborough
Engle	McGee	Young, N. Dak.
Ervin	Magnuson	Young, Ohio
Fulbright	Mansfield	

NAYS—0

NOT VOTING—9

Bible	Frear	Morton
Byrd, Va.	Goldwater	O'Mahoney
Church	McNamara	Russell

The PRESIDING OFFICER. Two-thirds of the Senators present concurring therein, the resolution of ratification of Executive A is agreed to.

Mr. JOHNSON of Texas. Mr. President, I ask that the President be immediately notified.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

ARMED FORCES NOMINATIONS REPORTED FAVORABLY AND PLACED ON THE VICE PRESIDENT'S DESK

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that sundry nominations in the armed services reported favorably and placed on the Vice President's desk be considered and confirmed en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, communicated to the Senate the intelligence of the death of Hon. JAMES G. POLK, late a Representative from the State of Ohio, and transmitted the resolutions of the House thereon.

MODIFICATION OF REORGANIZATION PLANS II OF 1939, AND NO. 2 OF 1953—VETO MESSAGE (S. DOC. 25)

Mr. JOHNSON of Texas. Mr. President, I ask that the President's veto message withholding his approval from Senate bill 144 be laid before the Senate.

The PRESIDING OFFICER (Mr. HART in the chair) laid before the Senate the message from the President of the United States withholding his approval from Senate bill 144, to modify Reorganization Plan No. II of 1939, and Reorganization Plan No. 2 of 1953, which was read.

(For veto message, see CONGRESSIONAL RECORD of April 27, 1959, p. 6816.)

The Senate proceeded to a reconsideration of the bill.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that debate be limited to 30 minutes, the time to be divided equally between the majority leader and the minority leader.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The time of 30 minutes is divided equally.

The question is, Shall the bill pass, the objections of the President of the United States to the contrary notwithstanding?

Mr. DIRKSEN. Mr. President, the time for debate has been fixed at 30 minutes with 15 minutes to each side. At the end of the debate we shall vote on the President's veto of the REA reorganization bill. The veto message is short, and it seems to me that it states the whole case very well. In returning the bill without his approval the President analyzes the whole matter when he says:

> The bill provides that, in the approval and disapproval of loans, the Administrator of the Rural Electrification Administration (REA) shall not be subject to the supervision, direction or other control of the Secretary of Agriculture. In all other respects the functions and activities of the REA would be exercised within the Department of Agriculture under the general direction and supervision of the Secretary.

Mr. ALLOTT. Mr. President, may we have order?

The PRESIDING OFFICER. The Senator from Illinois will suspend until the Senate is in order. The Senate will be in order. The Senator from Illinois may now proceed.

Mr. DIRKSEN. The President uses one phrase which I believe expresses the whole story. He states that the enactment of the bill into law would mark "a major retreat from sound administrative policy and practice."

I thoroughly concur in the sentiment expressed by the President in his message. I point out that REA was placed in the Department of Agriculture, under the Secretary of Agriculture, 20 years ago. It was done in the administration of Franklin Roosevelt. It has worked well, and it is working well today. The operation is quite in accord with the recommendation which was made by the Commission on Organization of the Executive Branch. They felt that one of the weaknesses in the executive branch of the Government was the lack of a clear line of responsibility from the top to the bottom in some of our agencies and departments.

In placing REA in the Department of Agriculture, with authority vested in the Secretary, we conformed to the recommendation of that Commission, consisting of some of the finest administrative brains in the country, and we followed out a long line of practice which goes back to the Roosevelt administration. Nothing has appeared in the record to indicate that the bill should have been enacted by Congress in the first instance.

The REA Administrator appeared before the committee, and among other things he said that the Secretary and the Director have never interfered with his position and that he, the Administrator, makes the loans. I point out that there is something more involved here than just this matter.

If we can do this in this instance, what is to prevent us from saying to Secretary Seaton, of the Department of the Interior: "You supervise and control all of the Interior Department except projects which come within the jurisdiction of the Bureau of Reclamation"? What is to permit Congress from saying to the Secretary of the Treasury: "You run your show, but when it comes to loans for defense purposes, you shall have nothing to say about them"? What is to prevent Congress from saying to Secretary Benson, "You run your show, but when it comes to loans made under the Farmers Home Administration, there, of course, you shall have nothing to say whatever"?

This, then, becomes a weapon, which, in my judgment sets a dangerous precedent which will one day haunt the National Legislature if it fails to sustain the veto today.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield to the Senator from New Mexico.

Mr. ANDERSON. The Senator from Illinois was a Member of Congress during the time I was Secretary of Agriculture. At that time the Administrator of the Rural Electrification Administration had the same authority he now has. Certain authority would be taken away from the Secretary of Agriculture by the bill. I do not like to embarrass the Senator from Illinois, but did the Administrator have any complaints from any of the Senator's constituents that the Secretary of Agriculture then was interfering with the work of the Rural Electrification Administration? I can only say to the Senator from Illinois that, so far as I recall I never interfered with a single loan made by the Rural Electrification Administrator, except one time, and then, on that loan, he subsequently told me he thought I was right. I gave him support hundreds of times when he needed help in particular situations. I believe that the Secretary of Agriculture can help more than hinder the Administrator if he has the authority which he now has and which he would lose if the Humphrey bill were enacted. Therefore, I say to the Senator from Illinois that I intend to support the veto of the President of the United States.

Mr. DIRKSEN. I remember when the distinguished Senator from New Mexico became the Secretary of Agriculture while we were both in the House of Representatives. I remember the days when we stood together on the House Appropriations Committee, and I recall many felicitous conferences we had when he was Secretary of Agriculture and I was chairman of the Subcommittee on Agricultural Appropriations of the Committee on Appropriations. We always found a common ground. We did so because the line of authority ran from the top to the bottom whenever any difficulty arose.

That is all that the President of the United States is asking for with respect to the veto. It ought to be sustained.

No case can be made that the REA has suffered as a result of the present arrangement. The power output has doubled. In the past 6 or 7 years the agency made the greatest progress it has ever made. In excess of a billion dollars have been loaned. There has been no interference. Delinquencies are almost at the vanishing point. The net worth of the cooperatives has practically tripled. There has been no quarrel whatever on that score. There has been a little difficulty with respect to a cooperative in Indiana. Suddenly there comes a proposal to shear a Cabinet member of his authority over a component agency.

I wonder what would be said if in a large corporation the board of directors said to the president, "You run the show, but you will have nothing to say about the sales department." How efficient would it be? How far would any suggestion like that get? Yet it is proposed to say to a Cabinet member, "You can supervise, you can do all these things, but you cannot touch a very important function in one of your component agencies."

I point out that under the law the REA Administrator is appointed for 10 long years. He cannot be disciplined by the Secretary. He cannot be removed. I can think of all sorts of difficulties which might arise unless, in the first instance, there is supervisory authority from top to bottom, so that difficulties will never eventuate and have to fall into the lap of the President of the United States. It is bad practice to enact his kind of legislation.

I hope that as we realize the long-range implications of the bill there will be enough votes in the Senate today to sustain the veto of the President of the United States.

Mr. HICKENLOOPER. Mr. President, I agree with what the Senator from Illinois has said, and also with what the Senator from New Mexico has said. As a Senator who favored the establishment of a separate agency for REA when the issue was before the Senate a few weeks ago, I voted against the bill as it passed, which left REA in the Department of Agriculture but took away from the Secretary any rights to loan supervision.

I believe that the bill as it passed fails to provide good administrative practice. What it proposes is not good business practice in any sense of the term.

As I said a moment ago, I favored establishing a separate agency, if that is what they wanted, but not to leave it in the Department of Agriculture and shear the head of the Department of administrative power while at the same time he had the responsibilities as head of that Department.

I believe the President's veto is utterly sound, and I certainly hope that it will be sustained. It is a matter of good business, good administrative policy, and plain commonsense.

Mr. ANDERSON. I find myself in agreement with what the Senator from Iowa has said. I did not vote for a separate agency. However, if we are to give a man authority and put him off by himself, we should provide him a separate agency. However, if he is supposed to be under the head of a department, we had better let the head of the department have some jurisdiction over him.

I am a member of the Committee on Interior and Insular Affairs, and I am very much interested in reclamation, as most Senators know. I would not for a moment favor legislation which would give Mr. Dominy, who is the new head of the Bureau of Reclamation, authority to decide what reclamation projects shall go through, with the Secretary of the Interior having no authority over that subject.

I could go through the other Departments. My friend Bob Anderson has authority over the Treasury Department. I would not think of setting up a Bureau of Internal Revenue, so that the Director of that Bureau would be under the Secretary of the Treasury but that the Secretary of the Treasury could never have a word to say to him. He might be appointed for 10 years.

That, I think, is the tragic administrative error which is contained in the bill which was passed and which the President, most properly, has vetoed.

Mr. HUMPHREY. Mr. President, the majority leader is in control of the time on this side, but he has given me the privilege of using some of it. I yield myself 5 minutes.

I have listened to the arguments which have been advanced again today in support of the President's veto message. The arguments are the same as were made at the time S. 144 was passed. Let us look at them for a moment.

I know there is serious concern in this body over the administrative practice. The truth is that there was a group of Senators who wanted a completely independent agency for REA. The argument for the independent agency was as follows: That the REA is a bank, in fact; that REA is in the business of lending money; and that, therefore, REA should be separate and distinct from and clear of any political consideration.

Congress, in establishing REA, provided that the Administrator would be appointed on a nonpartisan, 10-year basis, so that no matter what administration was in power, the REA administrator would have more years of tenure of position than the two terms of any administration. This is the only way we have of insulating an administratve agency from political control.

I repeat: There is a strong feeling in the Senate that, on the one hand, REA should be in the Department of Agriculture, with which I agree. On the other hand, there is a feeling that REA should be a completely independent agency. So what was done by S. 144 was to keep REA, for purposes of accounting, personnel, bookkeeping, budgeting, and presentation of REA policy to Congress under the jurisdiction of the Secretary of Agriculture. That fulfills the requirement of the Hoover Commission in its relationship to what is called good housekeeping—the housekeeping functions of an agency within a department.

The second feature which was recommended by certain Senators—and I believe a substantial number voted for it—was an independent agency, which made REA, so far as its loanmaking functions are concerned, and so far as the granting of funds to local rural cooperatives is concerned, independent of any kind of political control. The REA Administrator has complete authority, as he had at the inception of the REA act. Second, the REA Administrator has complete authority, as he had under the Reorganization Act of 1939.

Why was it that S. 144 was brought before us? Because at the time of the Reorganization Act of 1953, the Secretary of Agriculture said, and the record so reveals, that if any administrative changes were to be made in REA—administrative changes about which many Senators worried, and so expressed themselves—the Secretary would notify the appropriate committees of Congress

before anything was done. He also said he intended to do nothing in that respect. He intended only, as he said, under the terms of the overall Reorganization Act, to keep REA as it was under the act of 1939.

What happened? The Secretary of Agriculture did do something. He appointed a man who did not require Senate confirmation to be the supervisor of all farm credit services. One of those farm credit services was REA. That supervisor, a Mr. Scott, who, I am certain, is a very fine man, found himself in the position of having supervisory control over a presidentially appointed, Senate-confirmed REA Administrator. In other words, for the first time since the beginning of REA, an official was appointed who had supervisory power over the REA Administrator exclusive of the Secretary of Agriculture.

The Senator from Georgia [Mr. RUSSELL] testified before our committee as to the possibilities of this happening. Other Senators did the same. The Secretary assured them it would not happen. The Secretary assured me that it would not happen. But it did. Therefore, what we have attempted to do is to protect the administrative soundness of this agency, on the one hand, and the fiscal independence of the agency, on the other hand.

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired.

Mr. HUMPHREY. I yield myself 2 minutes more.

This procedure is not unusual. The best argument which can be made in this body is for an independent REA agency, in terms of the complete independence of the agency. But that would violate what are called administrative procedures of management, personnel, budgeting, and accounting.

I call the attention of the Senate to the fact that the Small Business Administration grants money and makes loans. It does not have over it a Secretary who has the right to counteract the making of such loans or grants. The Small Business Administration, which is a loanmaking agency, and has on its board the Secretary of Commerce, does not permit the Secretary of Commerce to deny the making of loans.

We are asking the same thing for REA: That the REA Administrator, who is not a political appointee, whose term overlaps those of the Secretary of Agriculture and the President, be granted complete independence in the loanmaking functions.

Let us consider another great agency in the Government. I should like to know how some Senators would feel if TVA were under the thumb of the Secretary of the Interior in some of its activities relating to its financing. No; they want independence for TVA when it comes to its financing. So do I. I think this is exactly where a sound principle of fiscal management is involved. We do not want to have political considerations advanced where loans or grants are to be made available. That is why we have selected means and methods, in this particular measure, to keep the administration of REA in the Department of Agriculture, but the loanmaking functions in the independence of the REA Administrator.

No one is trying to insult the Secretary of Agriculture. No one is trying to say there has been corruption in REA, or even mismanagement. All we are saying is: An ounce of prevention is worth a pound of cure.

We are saying that some Senators in 1953 were worried that someone would tamper with REA, and found their worries being fulfilled. There was some tampering. The agreement was not kept. What we are doing is exactly what was done in 1939, because from 1939 to 1953, while it is true that the Secretary of Agriculture had the overall, general supervision, he did not appoint somebody to be supervisor over REA, as in the present situation. He left the REA autonomous; he left it independent. What we are attempting to do is to blend the original act of 1936 with the Reorganization Act of 1939. Both of them were sound. Both of them worked well. I think we have a good objective.

I regret that the President has seen fit to veto the bill, because the bill does not violate sound principles of administration. If it does violate sound principles of administration, then so does the Small Business Administration; so does the Housing and Home Finance Administration. I think the bill contains good principles, principles which should be maintained.

The PRESIDING OFFICER. The additional time of the Senator from Minnesota has expired.

Mr. DIRKSEN. Mr. President, will the Senator from Minnesota yield? I had 3 minutes, which I have already yielded.

Mr. HUMPHREY. I yield.

Mr. DIRKSEN. There is no analogy between REA and TVA. TVA is an independent body, created by Congress. It has always been independent.

But the REA is a component agency in a Cabinet Department, and there is no analogy whatsoever between it and the TVA.

Mr. HUMPHREY. I say most respectfully that in the financing functions of the two there is an analogy. The analogy is that when it comes to the money the REA is a loaning agency, and the TVA is a financing agency. Furthermore, I point out that, under the urging of the Senator from Nebraska [Mr. CURTIS] and the Senator from Georgia [Mr. RUSSELL] we have taken the first step, namely, that of preserving the independence of the loan-making functions of the Administrator. Then we have taken the second step; we have acted on the basis of the recommendations of the Hoover Commission reports—in particular, one of the fundamental principles of those reports, to the effect that the housekeeping functions, the budgeting, the purchasing, the procurement, the minutiae—the total functions of the Administration—be kept within the Department of Agriculture.

This measure provides for good administration, and at the same time it protects the independence of the REA in its vital function of granting loans.

Mr. DIRKSEN. Mr. President, the greatest study of administration ever made disagrees with the Senator from Minnesota.

Mr. HUMPHREY. I appreciate that.

Mr. KEFAUVER. Mr. President, will the Senator from Minnesota yield to me?

Mr. HUMPHREY. I yield 1 minute to the Senator from Tennessee.

Mr. KEFAUVER. Is it not true that the Administrator of the REA is picked on the basis of his special qualifications to handle the affairs of the REA, particularly its loans; and his nomination is confirmed by the Senate?

Mr. HUMPHREY. That is correct.

Mr. KEFAUVER. Whereas the supervisor whom the Secretary of Agriculture can, and recently has, placed over the Administrator of the REA is not confirmed by the Senate and need not have any special qualifications in connection with the REA; is that not true?

Mr. HUMPHREY. The Senator from Tennessee is absolutely correct.

Mr. KEFAUVER. Is it not also true that the supervisor, over whom the Senate has no power of confirmation, and who is not particularly selected on the basis of his ability in connection with REA matters, has been using this power of supervision over the Administrator of the REA?

Mr. HUMPHREY. He has testified that he has the power.

The PRESIDING OFFICER. The time yielded to the Senator from Tennessee has expired.

Mr. SYMINGTON. Mr. President, will the Senator from Minnesota yield to me?

Mr. HUMPHREY. I yield 1 minute to the Senator from Missouri, for whatever purpose he wishes.

The PRESIDING OFFICER. The Senator from Missouri is recognized for 1 minute.

Mr. SYMINGTON. Mr. President, as a member of the Government Operations Subcommittee in the last Congress, I had the opportunity to hear the members and leaders of REA cooperatives from all over the country.

These experienced men had come to Washington to ask Congress to restore to their REA Administrator the full authority for making loans and handling other financial matters.

This bill as originally conceived, was in response to the requests—the pleas—of these REA people. It was not—as some have said recently—a slap at the Secretary of Agriculture. It is sound legislation that gives to the REA Administrator—nominated by the President and approved by Congress—the authority to handle the most important function of this program—that of loan making.

I supported this bill in committee; I voted for it and spoke in its behalf on the Senate floor, because I believe it is a sound bill and is in the best interests of the future of REA.

I regret that the President saw fit to veto this bill, and believe it important for the future of the REA that the Congress take prompt action to override this veto.

Mr. President, I now wish to ask the distinguished Senator from Minnesota whether it is true that the Secretary of Agriculture has not done what he agreed he would do in regard to the handling of the REA?

Mr. HUMPHREY. Yes. In fact, the Senator from Missouri has raised the point which precipitated this bill. The Secretary of Agriculture, in response to an inquiry by the distinguished Senator from Georgia [Mr. RUSSELL], said that if any changes relating to the REA were to be made under the Reorganization Act of 1953, he, the Secretary, would first come to the committees of Congress and would propose the changes and would obtain congressional advice and consent before such changes were made. But nothing of that sort ever occurred. Instead, the changes were made. A supervisor was placed in charge—one who is not appointed by the President or confirmed by the Senate. The supervisor has testified that he has supervisory control, even if he has not exercised it. I believe the Senator from Missouri has put his finger directly on the reason for this proposed legislation. It is not proposed because there has been maladministration. It is proposed because there has been a violation of the understanding which the Senate had as to the reorganization.

Mr. SYMINGTON. Mr. President, will the Senator from Minnesota yield further?

Mr. HUMPHREY. I yield.

Mr. SYMINGTON. Does the distinguished Senator from Minnesota recall that last February, the Secretary of Agriculture agreed to present an omnibus farm bill to the Committee on Agriculture and Forestry.

Mr. HUMPHREY. He did, indeed.

The PRESIDING OFFICER. The time yielded to the Senator from Missouri has expired.

Mr. HUMPHREY. Mr. President, how much time remains under my control?

The PRESIDING OFFICER. Five minutes.

Mr. HUMPHREY. I yield 2 additional minutes to the Senator from Missouri.

The PRESIDING OFFICER. The Senator from Missouri is recognized for 2 additional minutes.

Mr. SYMINGTON. Mr. President, the Senator from Minnesota does not know, does he, that up to this time any omnibus bill has come to us from the Department of Agriculture?

Mr. HUMPHREY. I know of none. In fact, I know to the contrary; I believe the Department has indicated that it is not going to send such a bill to us.

Mr. SYMINGTON. Mr. President, in view of past experience it is no surprise to me to find that REA members throughout the Nation and so many Members of this body want to return to the REA Administrator the loan making functions now in the hands of the Secretary of Agriculture.

I hope that in the interest of the future effectiveness of the REA the Senate will override the President's veto.

I thank the Senator from Minnesota for yielding to me.

The PRESIDING OFFICER. Does the Senator from Minnesota desire to use further of the time remaining under his control?

Mr. HUMPHREY. Mr. President, I suggest that those who favor supporting the veto now use the time available to them.

Mr. DIRKSEN. Mr. President, how much time remains to our side?

Mr. HUMPHREY. Mr. President, let me ask how much time remains to our side.

The PRESIDING OFFICER. The Chair is advised that the proponents have 3 minutes remaining and the opponents have 3 minutes remaining.

Mr. DIRKSEN. Mr. President, I yield the remaining time under my control to the distinguished Senator from Vermont [Mr. AIKEN].

The PRESIDING OFFICER. The Senator from Vermont is recognized for 3 minutes.

Mr. AIKEN. Mr. President, I cannot vote to override the President's veto of this bill. The bill itself does nothing to improve the program of the REA. The bill violates the concepts of good government, by delegating authority to a subordinate official of the Department—in this case the Administrator of REA—and by giving the head of the Department no control over the action of such official, for whose acts he is otherwise responsible.

If the veto were overridden, such action would be interpreted by the country as simply an expression of malice toward the Secretary of Agriculture. I do not like such tactics at all.

I realize that the Secretary has antagonized many persons, and that some are justly provoked with him. But I do not like the idea of getting even in this way.

Mr. President, congressional action to override this veto would not hurt Secretary Benson in the least. On the contrary, it probably would enhance his stature in the eyes of the public, who will recognize this measure for what it is.

But congressional action to override the veto of this bill would hurt the REA and the work of that great organization, and would arouse in the minds of the people a suspicion that perhaps the promoters of this bill are not particularly interested in the extension of light and power to the rural areas, but are more interested in getting even with an administration which they disapprove.

Mr. President, I hope Members who are so ardently supporting the bill and are so ardently advocating overriding the veto of the President will have equal ardor when it comes to protecting the just rights of the REA and the provisions which are necessary if it is to continue the good work it has done up to now.

So, Mr. President, I think Senators who vote to override the veto will not be proud of themselves; and I do not believe the people of the country will be proud of them, either. Instead of helping the REA, an overriding of the veto would be bound to hurt the work of that great organization.

The PRESIDING OFFICER. All time under the control of the proponents has been consumed.

The opponents have 3 minutes remaining under their control.

Mr. HUMPHREY. Mr. President, I yield to myself the time remaining under my control.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. HUMPHREY. Mr. President, I should like to have the attention of my colleagues during the 3 remaining minutes available on this question.

I deeply regret that this question has been turned into a sort of popularity contest as between the Secretary of Agriculture, on the one hand, and good administration, on the other.

Of course there are differences of opinion as between the Secretary of Agriculture and many Members of the Senate. The Secretary of Agriculture expresses his opinion with deep conviction and, at times, with a very sharp and pointed pen; and some of us express our views with equally deep conviction and with sharp words.

Mr. President, in this case we are talking about the Reorganization Act of 1953 and what has been done under it, in violation of an agreement relating to that act. In that connection, I call attention to pages 24 and 25 of the hearings, where we find that the distinguished Senator from Georgia [Mr. RUSSELL] pointed out the very possibilities we now face and where, let me add, the distinguished Senator from New Mexico [Mr. ANDERSON] likewise said:

> It requires the Secretary, to the extent practicable, to give appropriate advance public notice of delegations of functions, and to afford opportunity for interested persons or groups to place their views before the Department. In view of this very clear mandate, it would be most unrealistic to think that any Secretary of Agriculture might disregard the will of Congress by using the "to the extent practicable" provision as an excuse to avoid the notice of hearings. Actually, hearings should generally be required. This is a sound provision which will insure careful consideration of any proposed transfers or delegations.

That was the interpretation which was given to the Reorganization Act; and the position taken by those Senators was taken in good faith.

So, Mr. President, in this case we are concerned with the question of good and proper administration. The issue now confronting us is not whether we are in favor of, or are opposed to, the President and his administration. The vote is entirely upon whether the Reorganization Plan No. 2 of 1953 was good legislation. A majority of this body did not think so in 1952, because the same proposed Act was presented then. They did think so after the election of 1953. But even then a substantial number of Senators were dubious. That substantial number later on were proven to be right.

Some of the most ardent advocates of responsible administration in the Department of Agriculture raised a warning flag to us. I was one of those who voted with the Senator from Georgia [Mr. RUSSELL] and other Senators, with doubt as to the efficacy of Reorganization Plan No. 2 of 1953.

The time is at hand to correct the original wrong and to set the house in order.

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired. All time allotted for the debate has expired.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum has been suggested, and the clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Gore	Monroney
Allott	Green	Morse
Anderson	Gruening	Morton
Bartlett	Hart	Moss
Beall	Hartke	Mundt
Bennett	Hayden	Murray
Bridges	Hennings	Muskie
Bush	Hickenlooper	Neuberger
Butler	Hill	Pastore
Byrd, W. Va.	Holland	Prouty
Cannon	Hruska	Proxmire
Capehart	Humphrey	Randolph
Carlson	Jackson	Robertson
Carroll	Javits	Russell
Case, N.J.	Johnson, Tex.	Saltonstall
Case, S. Dak.	Johnston, S.C.	Schoeppel
Chavez	Jordan	Scott
Church	Keating	Smathers
Clark	Kefauver	Smith
Cooper	Kennedy	Sparkman
Cotton	Kerr	Stennis
Curtis	Kuchel	Symington
Dirksen	Langer	Talmadge
Dodd	Lausche	Thurmond
Douglas	Long	Wiley
Dworshak	McCarthy	Williams, N.J.
Eastland	McClellan	Williams, Del.
Ellender	McGee	Yarborough
Engle	McNamara	Young, N. Dak.
Ervin	Magnuson	Young, Ohio
Fulbright	Mansfield	
Goldwater	Martin	

The PRESIDING OFFICER. A quorum is present.

Mr. JOHNSON of Texas. Mr. President, will the Chair state the question?

The PRESIDING OFFICER. The question is, Shall the bill, Senate bill 144, pass, the objections of the President of the United States to the contrary notwithstanding?

All time has been exhausted. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. ANDERSON (when his name was called). I have a pair with the senior Senator from Nevada [Mr. BIBLE] and the senior Senator from Wyoming [Mr. O'MAHONEY]. I am informed that if they were present and voting they would vote "yea." If I were at liberty to vote I would vote "nay." I therefore withhold my vote.

The rollcall was resumed and concluded.

Mr. MANSFIELD. I announce that the Senator from Virginia [Mr. BYRD] and the Senator from Wyoming [Mr. O'MAHONEY] are absent on official business.

I also announce that the Senator from Nevada [Mr. BIBLE] is absent because of a death in his family.

I further announce that the Senator from Delaware [Mr. FREAR] is absent because of illness.

The yeas and nays resulted—yeas 64, nays 29, as follows:

YEAS—64

Bartlett	Clark	Engle
Byrd, W. Va.	Cooper	Ervin
Cannon	Curtis	Fulbright
Carroll	Dodd	Gore
Case, S. Dak.	Douglas	Green
Chavez	Eastland	Gruening
Church	Ellender	Hart
Hartke	McCarthy	Randolph
Hayden	McClellan	Robertson
Hennings	McGee	Russell
Hill	McNamara	Smathers
Holland	Magnuson	Sparkman
Humphrey	Mansfield	Stennis
Jackson	Monroney	Symington
Johnson, Tex.	Morse	Talmadge
Johnston, S.C.	Moss	Thurmond
Jordan	Mundt	Williams, N.J.
Kefauver	Murray	Yarborough
Kennedy	Muskie	Young, N. Dak.
Kerr	Neuberger	Young, Ohio
Langer	Pastore	
Long	Proxmire	

NAYS—29

Aiken	Cotton	Martin
Allott	Dirksen	Morton
Beall	Dworshak	Prouty
Bennett	Goldwater	Saltonstall
Bridges	Hickenlooper	Schoeppel
Bush	Hruska	Scott
Butler	Javits	Smith
Capehart	Keating	Wiley
Carlson	Kuchel	Williams, Del.
Case, N.J.	Lausche	

NOT VOTING—5

Anderson	Byrd, Va.	O'Mahoney
Bible	Frear	

The PRESIDING OFFICER. On this vote, the yeas are 64, and the nays 29. Two-thirds of the Senators present and voting having voted in the affirmative, the bill, on reconsideration, is passed, the objections of the President of the United States to the contrary notwithstanding, and the Secretary will notify the House of Representatives.

Mr. HUMPHREY. Mr. President, as author of S. 144—the Humphrey-Price REA bill—I am extremely gratified by the Senate's decision to override the President's veto of this constructive legislation designed to protect REA cooperatives throughout the country.

The vote was a reassuring demonstration of the unity of the Democratic Party and its dedication to the best interests of agriculture. I want to express my appreciation for the close cooperation of the Majority Leader Senator LYNDON JOHNSON and chairmen of both the Senate Committee on Agriculture Senator ELLENDER and the Senate Committee on Government Operations Senator MCCLELLAN for all three were helpful in obtaining this overwhelming victory. I also wish to thank every Senator, Republican or Democrat, who voted to override.

I am confident similar action will now be taken by the House of Representatives, to enact this legislation into law.

Actually, it is a victory for good government—for the purpose of the bill was to protect REA loans against political manipulation, either by the present Secretary of Agriculture or any future Secretary of either party. It serves notice on this or any future administration that the legislative branch is not willing to let politically-appointed Cabinet members arbitrarily defy the intent of Congress in administering programs enacted by the Congress.

SECOND SUPPLEMENTAL APPROPRIATIONS, 1959

Mr. JOHNSON of Texas. Mr. President, I ask that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 5916) making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes.

Mr. JOHNSON of Texas. Mr. President, I am informed that the senior Senator from Oregon desires to make a personal statement. At the conclusion of the statement to be made by the Senator from Oregon, we expect to proceed with the consideration of the supplemental appropriation bill.

PERSONAL STATEMENT BY SENATOR MORSE

Mr. MORSE. Mr. President, I rise to a point of personal privilege.

I have in my hand a very interesting news release. I happen to be one of those politicians who can take it as well as dish it out. Whenever a politician reaches the point where he cannot laugh at himself, then he ought to get out of politics. I hope my colleagues who voted against me a few minutes ago will pardon my chuckle at their expense in view of their votes. I say that because not so soon did I expect that those of us who voted against the nomination of Clare Boothe Luce would be proved so right. We had pointed out in the debate her complete lack of tact and diplomacy and we have been proven right by this very interesting bit of news on the wires. It reads:

> Mrs. Luce said in New York: "I am grateful for the overwhelming vote of confirmation in the Senate. We must now wait until the dirt settles. My difficulties, of course, go some years back and began when Senator WAYNE MORSE was kicked in the head by a horse."

[Laughter.]

Mr. President, I was confronted with that Republican smear all through my 1956 campaign. It came out by the reams. It was a whispering campaign with such a windy blow to it that it not only rustled the leaves of Oregon but, in some parts of the State, almost tore the sage brush up by its roots. The people of Oregon answered that smear by a large majority of votes for me against the hand-picked candidate of the President of the United States, who was taken right out of his Cabinet to "get me." They thought that this smear was one of the devices they could use. But, Mr. President, the people of Oregon passed upon my mental judgment.

I am not surprised that this slanderer, whose nomination the Senate confirmed only a few minutes ago, would make this kind of statement, because yesterday, for three hours and a half, I documented her record. This is an old, old pattern of emotional instability on the part of this slanderer; the same pattern which caused her to put on a scene in the Roman Parliament after her candidate for President of Italy was defeated. We read the newspaper statements about her conduct, and the widespread comment at the time that if she had been a male ambassador, she would have been recalled.

But the issue is settled. I simply happen to be one of those persons, whether before the final bar of the court when the decision is rendered, or before the

final bar of the U.S. Senate when a decision is rendered, who believe in government by law. I take the decision.

As chairman of the Subcommittee on American Republics Affairs of the Committee on Foreign Relations, I am much concerned about Mrs. Luce's relations with all the Latin American countries, including Brazil.

The nomination of Mrs. Luce has been confirmed. I wish her well. So far as my subcommittee is concerned, on a strictly impersonal, professional relationship, she will have the full cooperation of my committee.

I promise to the Nation that each night in my prayers I will pray for God's guidance to this lady, so that for the welfare of our Nation she will be more stable in her ambassadorial duties than she was when she issued this press release this afternoon. [Applause.]

Mr. DIRKSEN. Mr. President, so long as we have great Senators like my friend, the Senator from Oregon, with a durable sense of humor, and so long as we have Ambassadors and Ambassadresses with an equal sense of humor, I am confident that the whole continent will be safe for freedom. [Laughter.]

Mr. CAPEHART. Mr. President, I suspect that the able Senator from Oregon feels a little bit the way I felt when I was in Chicago in 1952. I lost, there; and, today, he has lost, here.

I remember that I was then a member of the Indiana delegation, and we were supporting Senator Taft for the Republican nomination for the Presidency. Back in those days, the able Senator from Oregon was a Republican. I remember that the Oregon delegation sat just ahead of the Indiana delegation. And I remember——

Mr. MORSE. Mr. President, will the Senator from Indiana yield for an interruption?

The PRESIDING OFFICER (Mr. McCARTHY in the chair). Does the Senator from Indiana yield to the Senator from Oregon?

Mr. CAPEHART. I ask the Senator from Oregon to wait a minute, please.

Mr. MORSE. Mr. President, let me say that that was after I was kicked by the horse. [Laughter.]

Mr. CAPEHART. Mr. President, I remember that the chairman of the Oregon delegation—the able Senator from Oregon [Mr. MORSE]—was in favor of the nomination of General Eisenhower; and I remember that the Oregon delegation wore big, high hats. In fact, I believe the one the able Senator from Oregon wore was perhaps a little higher than the others. At any rate, the Oregon delegation sat just ahead of the Indiana delegation; and we could not see anything over their high hats, particularly because the able Senator from Oregon and the other Oregon delegates kept jumping up and cheering and cheering and cheering for Eisenhower. And we lost. I think one of the reasons why we lost was that we could not see what was going on—because of those high hats.

On that day I felt the same way, I am sure, that the able Senator from Oregon feels today, after having lost on the question of confirmation of the nomination of Mrs. Luce. I am sure his memory is not so short that he does not remember the days when he was a Republican. I recall the days when he used to attack former President Roosevelt; and I remember that in those days he had the most glowing things to say about General Eisenhower, in fact, more so than anyone else in the entire world, even to the point of jumping up and down and keeping the Indiana delegation at the convention, who favored Senator Taft, from seeing what was going on there.

Mr. MORSE. Mr. President, will the Senator from Indiana yield?

Mr. CAPEHART. I yield.

Mr. MORSE. I wish to thank the Senator from Indiana for relating that little bit of history; I am very appreciative of his action. It shows that I have the kind of mind that can change when I find out what the facts are. [Laughter.]

Mr. CAPEHART. But, Mr. President, I am not too certain that I can agree with the able Senator from Oregon. [Laughter.]

Mr. LAUSCHE. Mr. President, I regret very much that I cannot look upon this incident with the lightness with which it has been generally regarded. To me, it is a matter of gravity; and I do not contemplate letting the statement go unchallenged.

I voted in favor of confirmation of the nomination of Mrs. Luce. I did so on the basis that she was cleared by the Senate in 1953; and after she had been cleared by the Senate in 1953, I did not feel that the Senate would be justified in making a search now into what happened prior to 1953.

I never doubted the sincerity of purpose of the Senator from Oregon [Mr. MORSE]; and I felt that, as a Senator—and I am certain that my colleagues feel the same way—he had a right and duty to express his honest views.

When the vote was taken, I voted in favor of confirmation of the nomination of Mrs. Luce.

But, Mr. President, I think the statement she made following the Senate's confirmation of her nomination indicates an absence of rationality so serious that if she had made such a statement before the vote was taken, I would not have voted in her favor. Certainly one who makes a statement which implies what her statement did violates every precept of propriety. Somewhere in the Bible it is written that one should beware of making statements of that character in regard to any person.

So, despite the power of this lady, I do not think the Senate can stand idly by and can consider this incident lightly.

In the Foreign Relations Committee, the Senator from Oregon stated that this matter is of grave importance. He said "I realize the power of this lady." I said to him, "WAYNE, there will not be the audacity to use that power to harm you." I regret to say that today there are evidences that that is what is contemplated.

I disagreed with the Senator from Oregon. But I would not be true to myself if I remained silent after the occurrence of this incident. If the nomination of Mrs. Luce were now before the Senate, I would vote against confirmation.

Mr. YARBOROUGH. Mr. President, I wish to commend the distinguished senior Senator from Ohio [Mr. LAUSCHE] for having stated so well what I think many of us on the floor of the Senate feel at this time.

I am among the Senators who voted in favor of confirmation of the nomination of Mrs. Luce. But I wish to commend the Senators who showed the good judgment of voting against confirmation of her nomination.

I had hoped that after her intemperate statements in 1952—which, after all, were made in the heat of a political campaign—and after her experience in Italy, where she served as the representative of our nation to that great nation, she would have obtained enough judgment not to engage in intemperate remarks. But as we have learned today that experience has not profited her. We are sending to one of the largest nations in Latin America an Ambassador who is apparently more skilled in invective than in diplomacy.

I wish to pay tribute to the Senators who have had the courage to call this matter to the attention of the Senate.

Furthermore, if I now had the opportunity to do so, I would join the Senator from Ohio in voting with the group of Senators who voted against confirmation of the nomination of Mrs. Luce, and who did so because they believed that she had demonstrated her unfitness for ambassadorial service. If at this time I had a chance to vote on the question of confirmation of her nomination, I, too, would vote "nay."

Mr. McGEE subsequently said: Mr. President, I should like to inject at this point the question which was brought up by the distinguished Senator from Oregon. It seems to me that we in this body have an obligation not only to represent our own political following, not only the people of the United States, but we have an obligation to take a stand before the eyes of the world, because when an Ambassador or an Ambassadress is appointed, he or she will speak for all the people of a united America, and that person should be chosen with great care.

Like the Senator from Texas [Mr. YARBOROUGH] I, as one who voted for the confirmation of Mrs. Luce, am somewhat reluctant to see the Senate dismiss this matter with so little thought and with such slight consideration.

This is not a matter for Democrats or for Republicans. It is a matter now for Americans. Our one hope, and that represented to us in the hearings, which I read carefully, was that, with all the mistakes of the past, the years had brought a maturity of judgment to the nominee. God knows, if ever in our history we ever needed maturity of judgment in these troubled hours of the world, it is now. And we are now being asked to send to Brazil this lady who, on her first opportunity to illustrate her judgment on the confirmation of her nomination by this body makes the intemperate declaration which we heard as reported by the press.

I not only regret my vote, as my colleagues have likewise expressed their

sentiments, but I urge that the proper authorities in this administration now give due weight to this intemperate remark and possibly reconsider the appointment of the nominee who it is now contemplated will go to Brazil.

What is to prevent this Ambassadress from making the same kind of a comment in a release south of the border, so to speak? What is to prevent her touching off another kind of intemperate series of incidents such as those I noted published in her husand's magazine not many weeks ago?

For those reasons, I think the Senate would do well to heed the significance of what has happened. I applaud the Senator from Oregon for his gracious spirit of good humor and good sportsmanship. Mr. President, this is not a matter of political give and take, or a matter of good humor or sportsmanship, but it is a matter of concern to the people of the United States.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. McGEE. I yield.

Mr. CHAVEZ. I feel in my heart if Brazil had known that Mrs. Luce would make this kind of statement, Brazil would have notified the State Department she would not be received as Ambassador.

SECOND SUPPLEMENTAL APPROPRIATIONS, 1959

The Senate resumed the consideration of the bill (H.R. 5916) making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes.

Mr. HAYDEN. Mr. President, the bill as reported to the Senate makes appropriations of $2,820 million, which is an increase of $162,600,000 over the House version of the bill, but is still $80,750,000 under the budget estimates.

The bill contains an item of $1,336 million for reimbursement to the Commodity Credit Corporation for costs of various farm programs.

It contains an item of $200 million for the Development Loan Fund—an increase of $100 million over the House version of the bill.

The bill contains, in title II, an item of $414 million for increased pay costs. The total cost of increased pay is estimated to be $1,059 million, including $176 million for increased pay costs as a result of wage-board action. Much of the cost was absorbed or transferred, so it is not necessary to recommend appropriations for the full costs.

Some other major items in the bill are: Defense education activities, $75,300,000; payments to and assistance for schools, $44,600,000; grants for public assistance, $151,560,000; Veterans' Administration costs, $120,265,000; Department of Defense costs, $188,329,500.

Mr. President, I ask unanimous consent that the committee amendments to the bill be agreed to en bloc, and that the bill as thus amended be regarded for the purpose of amendment as original text; provided that no point of order be considered to have been waived by reason of agreement to this order.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. DOUGLAS. Mr. President, will the Senator from Arizona modify his request with the understanding that, although the Senate agrees to the committee amendments en bloc, individual amendments may be taken up individually?

Mr. HAYDEN. Yes; and that points of order will not apply.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arizona? The Chair hears none, and it is so ordered.

The committee amendments agreed to en bloc are as follows:

On page 2, line 7, after the word "Research", to strike out "$3,666,700, to" and insert "including not to exceed $35,000 for the alterations to the meat laboratory at Beltsville, Maryland, $4,174,110, of which $4,074,110 shall", and in line 12, after the word "control", to strike out "$2,180,700" and insert "$2,423,000".

On page 3, at the beginning of line 4, to strike out "$146,000" and insert "$162,255".

On page 3, line 21, after the word "estimates", to strike out "$1,144,100" and insert "$1,208,100", and in line 25, after the word "services", to strike out "$1,918,600" and insert '$1,954,600".

On page 4, after line 2, to insert:

"FOREIGN AGRICULTURAL SERVICE

"Salaries and expenses

"Subject to allocation in such manner as may now or hereafter be prescribed by the President, foreign currencies which have accrued under title I of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704), may be used without fiscal year limitation for the purposes of section 104(m) of that Act, including administrative expenses directly related thereto, in an amount not to exceed the equivalent of $1,275,000."

On page 4, at the beginning of line 21, to strike out "The" and insert "For an additional amount for "Acreage allotments and marketing quotas", $2,375,000, to be derived by transfer from the appropriation for "Conservation reserve program", fiscal 1959 and the", and on page 5, line 4, after the word "to", to strike out "$6,837,000" and insert "$6,886,300".

On page 6, at the beginning of line 23, to strike out "$71,100" and insert "$77,000".

On page 7, line 5, after the word "management", to strike out "$12,282,800" and insert "$15,326,000".

On page 7, after line 10, to insert:

"Forest roads and trails

"For an additional amount for "Forest Roads and Trails", $500,000."

On page 7, line 19, after the word "amended", to strike out "$100,000,000" and insert "$200,000,000".

On page 7, line 24, after the word "exceed", to strike out "$18,650,000" and insert "$18,700,000".

On page 8, line 5, after the word "subsidies", to strike out "$5,000,000" and insert "$10,000,000".

On page 9, line 4, to strike out "$1,651,500" and insert "$1,683,000".

On page 9, after line 4, to insert:

"NATIONAL BUREAU OF STANDARDS

"Construction of laboratories

"For an additional amount for 'Construction of laboratories', $19,793, to remain available until expended."

On page 9, line 14, to strike out "$521,500" and insert "$535,000".

On page 9, line 24, after the word "maintenance", to strike out "$38,160,000" and insert "$39,900,000".

On page 10, line 5, to strike out "$10,300,000" and insert "$13,200,000".

On page 10, line 9, after the word "Navy", to strike out "$33,061,000" and insert "$36,735,000".

On page 10, line 12, to strike out "$18,000,000" and insert "$18,624,900".

On page 10, line 15, to strike out "$18,000,000" and insert "$20,000,000".

On page 10, line 18, to strike out "$3,822,000" and insert "$4,246,000".

On page 10, line 24, to strike out "$3,330,000" and insert "$3,732,000".

On page 11, line 3, after the word "finance", to strike out "$14,682,000" and insert "$16,313,000".

On page 11, line 6, to strike out "$5,153,000" and insert "$5,685,600".

On page 12, line 2, after the word "appropriated", to strike out "$5,000,000' and insert "$8,100,000".

On page 12, line 11, after the word "Professions", to strike out "$20,450" and insert "$26,200".

On page 12, line 13, after the word "schools", to strike out "$4,295,668" and insert "$4,095,668".

On page 13, line 6, after the word "Welfare", to strike out "$750,700" and insert "$1,012,200".

On page 13, line 12, after "(45 Stat. 1160; 46 Stat. 500; 65 Stat. 131)", to strike out "$20,197" and insert "$24,131".

On page 13, line 15, after the word "in", to insert "Senate Document Numbered 20 and" and in line 17, after the word "Congress", to strike out "$30,219" and insert "$118,285".

On page 14, line 21, to strike out "$1,072,000" and insert "$1,150,000".

On page 15, line 23, after the word "facilities", to strike out "$1,700,000" and insert "$1,886,000".

At the top of page 16, to insert:

"Construction of surgical facilities

"For an additional amount for 'Construction of surgical facilities', $370,000, which together with funds heretofore appropriated under this head shall remain available until expended."

On page 16, after line 5, to insert:

"Saint Elizabeths Hospital

"For an additional amount for 'Salaries and expenses', $43,000."

On page 18, line 20, after the word "Aging", to strike out "$790,000" and insert "$844,000", and in the same line, after the word "which", to strike out "$756,000" and insert "$810,000".

On page 19, after line 1, to insert:

"ALASKA INTERNATIONAL RAIL AND HIGHWAY COMMISSION

"Salaries and expenses

"For an additional amount for 'Salaries and expenses', $200,000 and said appropriation shall remain available until March 1, 1960."

On page 19, line 11, after the word "carriers", to strike out "$12,000,000" and insert "$16,189,000".

On page 19, at the beginning of line 16, to strike out "$1,491,500" and insert "$1,730,000"; in line 20, after the word "to", to strike out "$76,300" and insert "$77,000", and on page 20, line 2, after the word "to", to strike out "$486,000" and insert "$500,000".

On page 20, line 17, after the word "Procedure", to strike out "$25,000" and insert "$50,000".

On page 20, after line 18, to insert:

"FEDERAL AVIATION AGENCY

"Grants-in-aid for airports (liquidation of contract authorization)

"For an additional amount for 'Grants-in-aid for airports (liquidation of contract authorization),' $20,000,000, to remain available until expended."

On page 21, line 11, after "(5 U.S.C. 630g)", to strike out "$10,000,000" and insert "$15,000,000".

On page 21, after line 16, to insert:

"Refunds under Renegotiation Act

"For refunds under section 201(f) of the Renegotiation Act of 1951 (50 U.S.C. App. 1231(f)), $1,400,000, to remain available until expended."

On page 21, after line 20, to insert:

"HISTORICAL AND MEMORIAL COMMISSIONS

"Civil War Centennial Commission

"For an additional amount for expenses necessary to carry out the provisions of the Act of September 7, 1957 (71 Stat. 626), as amended, $23,492."

At the top of page 22, to insert:

"NATIONAL MEDIATION BOARD

"Arbitration and emergency boards

"For an additional amount for 'Arbitration and emergency boards', $100,000."

On page 22, line 21, after "(Public Law 85–850)", to strike out "$80,000" and insert "$100,000".

On page 23, line 6, after the word "care", to strike out "$47,455,000" and insert "$48,651,000".

On page 23, line 24, after the word "resources", to strike out "$3,682,600" and insert "$3,787,600 and in addition $100,000 to be derived by transfer from the appropriation 'Salaries and Expenses, Office of Minerals Mobilization': *Provided,* That not to exceed $3,500 shall be available for reimbursing the American Falls Irrigation District Numbered 2, Shoshone, Idaho, for reconstruction of a bridge damaged by the Bureau of Land Management during fire-suppression activities".

On page 24, after line 6, to insert:

"Construction

"For an additional amount for 'Construction,' $1,000,000, to remain available until expended."

On page 24, after line 10, to insert:

"Road construction and maintenance

"(Liquidation of Contract Authorization)

"For an additional amount for 'Road construction and maintenance (liquidation of contract authorization)', for liquidation of obligations incurred pursuant to the Act of August 23, 1958 (72 Stat. 834), $1,000,000, to remain available until expended."

On page 25, line 8, after the word "protection", to strike out "$1,270,000" and insert "$1,388,500".

On page 28, line 2, after "(72 Stat. 997)", to strike out "$720,600" and insert "$729,000".

On page 28, at the beginning of line 6, to strike out "$572,800" and insert "$630,500".

On page 28, after line 10, to insert:

"Temporary unemployment compensation

"The appropriation granted under this head in chapter II of the Act of June 13, 1958 (Public Law 85–457), shall remain available until September 30, 1959, for carrying into effect the provisions of the Temporary Unemployment Compensation Act of 1958, as amended."

On page 28, after the heading "Legislative Branch", to insert a new subhead "Senate", and, on the same page, after the amendment just above stated, to insert:

"Salaries of Senators, mileage of the President of the Senate and of Senators, expense allowance of the majority and minority leaders of the Senate, and salary and expense allowance of the Vice President

"Compensation of Senators

"For an additional amount for 'Compensation of Senators', $23,980."

At the top of page 29, to insert:

"SALARIES, OFFICERS AND EMPLOYEES

"Office of the Sergeant at Arms and Doorkeeper

"For an additional amount for Office of Sergeant at Arms and Doorkeeper, $1,055 for the employment from May 1, 1959, of an Assistant Superintendent, Periodical Press Gallery, at $3,000 basic per annum."

On page 29, after line 6, to insert:

"CONTINGENT EXPENSES OF THE SENATE

"Furniture

"For an additional amount for 'Furniture', $34,385."

On page 29, after line 9, to insert:

"Miscellaneous items

"For an additional amount for 'Miscellaneous items', $81,290: *Provided,* That effective May 1, 1959, the basic salaries of the research assistants to the majority and minority leaders, as authorized by S. Res. 158, agreed to December 9, 1941, may be fixed by the respective leaders at not to exceed $8,820 basic per annum each."

On page 29, after line 16, to insert:

"Postage stamps

"For an additional amount for maintenance of a supply of stamps in the Senate Post Office, $2,000."

On page 29, after line 19, to insert:

"Stationery (revolving fund)

"For an additional amount for 'Stationery (revolving fund)', $1,780, to remain available until expended."

At the top of page 31, to insert:

"ARCHITECT OF THE CAPITOL

"Extension of the Capitol

"To enable the Architect of the Capitol, under the direction of the Commission for Extension of the United States Capitol, to continue to provide for the extension, reconstruction, and replacement of the central portion of the United States Capitol and other improvements authorized under the heading "Extension of the Capitol" in the Act of August 5, 1955 (69 Stat. 515, 516), as amended, $4,000,000."

On page 31, after line 9, to insert:

"Furniture and furnishings, additional Senate Office Building

"To enable the Architect of the Capitol, under the direction of the Senate Office Building Commission, to continue to provide furniture and furnishings for the additional office building for the United States Senate, in accordance with the provisions of the Act of July 10, 1957 (Public Law 85–93, Eighty-fifth Congress), $283,550, to remain available until expended."

On page 31, after line 18, to insert:

"Additional office building for the United States Senate

"Construction and Equipment of Additional Senate Office Building

"To enable the Architect of the Capitol, under the direction of the Senate Office Building Commission, to continue to provide for the construction and equipment of a fireproof office building for the use of the United States Senate, in accordance with the provisions of the Second Deficiency Appropriation Act, 1948 (62 Stat. 1029), as amended by the Legislative Branch Appropriation Act, 1958 (71 Stat. 252, 253), $750,000: *Provided,* That no part of the funds herein appropriated shall be obligated or expended for construction of the rear center wing of said building, from the ground floor up, provided for under the building plans heretofore approved by such Commission: *Provided further,* That the amount of $23,446,000 fixed by the Second Deficiency Appropriation Act, 1948 (62 Stat. 1029), as amended by the Legislative Branch Appropriation Act, 1958 (71 Stat. 252, 253), as the limit of cost for construction and equipment of an additional office building for the United States Senate is hereby increased by $750,000.

On page 33, after line 21, to strike out:

"OTHER

"Payment to the Philippine Government

"For payment in full and final settlement to the Government of the Philippines as authorized by the Act of June 19, 1934 (48 Stat. 1115), $23,862,751, to be derived from receipts under section 7 of the Gold Reserve Act of 1934 (31 U.S.C. 408b)."

On page 34, after line 3, to insert:

"Third Pan American Games

"For necessary expenses of the Third Pan American Games, 1959, $500,000, to remain available until June 30, 1960."

On page 34, at the beginning of line 12, to strike out "$303,300" and insert "$337,000".

On page 34, line 19, to strike out "$4,481,000" and insert "$4,519,000".

On page 34, at the beginning of line 23, to strike out "$29,595,000" and insert "$30,600,000".

On page 35, line 22, after the word "in", to insert "Senate Document Numbered 20 and", and in line 23, after the word "Congress", to strike out "$2,570,198" and insert "$4,931,024".

On page 36, at the beginning of line 20, to strike out "$37,800" and insert "$42,000"; at the beginning of line 23, to strike out "$5,781,600" and insert "$6,424,000"; on page 37, line 4, after the word "expenses", to strike out "$61,200" and insert "$65,800"; in line 11, after the word "expenses", to strike out "$551,700" and insert "$613,000"; in line 14, after the word "expenses", to strike out "$1,989,450" and insert "$2,210,500", and in line 22, after the word "expenses", to strike out "$56,340" and insert "$62,600".

On page 39, after line 4 to strike out:

"General provisions: The Secretary of Commerce is authorized to transfer not to exceed $900,000 between appropriations of the Department of Commerce available for Salaries and expenses for the purpose of providing for increased pay costs in the fiscal year 1959."

And in lieu thereof, to insert the following:

"General provisions: The Secretary of Commerce is authorized to transfer not to exceed $833,075 from the appropriation 'Ship construction (liquidation of contract authorization) maritime activities', to other appropriations of the Department of Commerce for the purpose of providing for increased pay costs in the fiscal year 1959."

On page 39, line 19, after the word "general", to strike out "$1,024,200" and insert "$1,138,000"; in line 22, after the word "expenses", to strike out "$941,400" and insert "$1,096,000, of which $50,000 shall be derived by transfer from the appropriation "United States section, Saint Lawrence River Joint Board of Engineers"; on page 40, line 3, after the word "of", to strike out "$215,100" and insert "$239,000"; in line 6, after the word "expenses", to strike out "$28,800" and insert "$32,000"; in line 9, after the word "expenses", to strike out "$1,013,760" and insert "$1,126,400", and in line 11, after the word "of", to strike out "$311,760" and insert "$346,400".

On page 40, line 22, after the word "development", to strike out "$8,190,000" and insert "$9,100,000"; in line 25, after the word "maintenance", to strike out "$158,400" and insert "$176,000"; on page 41, line 2, after the word "expenses", to strike out "$2,367,000" and insert "$2,630,000"; in line 4, after the word "development", to strike out "$8,994,600" and insert "$9,994,000", and in line 9, after the word "maintenance", to strike out "$62,100,000" and insert "$69,000,000".

On page 41, line 19, after the word "Department", to strike out "$129,900" and insert "$173,200"; on page 42, line 1, after the word "Health", to strike out "$1,409,775" and insert "$1,937,000"; in line 8, after the word "Highways", to strike out "$259,500, which

shall be payable from the highway fund" and insert "$279,500, of which $259,500 shall be payable from the highway fund"; in line 11, after the word "Traffic", to strike out "$62,400" and insert "$76,400"; in line 20, after the word "parks", to strike out "$185,925" and insert "$247,900"; and in line 21, after the word "Park", to strike out "$50,775" and insert "$60,775".

On page 43, line 16, to strike out "$116,000" and insert "$136,500".

On page 45, line 20, to strike out "$464,400" and insert "$516,000"; on page 46, line 1, after the word "of", to strike out "$144,000" and insert "$160,000"; in line 4, after the word "Expenses", to strike out "$15,424,200" and insert "$17,138,000"; in line 12, after the word "expenses", to strike out "$700,200" and insert "$778,000"; on page 47, line 4, to strike out "$486,000" and insert "$540,000"; in line 6, after the word "expenses", to strike out "$49,500" and insert "$55,000"; in the same line, after the word "which", to strike out "$6,480" and insert "$7,200"; in line 12, to strike out "$3,189,960" and insert "$4,079,960"; in line 20, after the word "Service", to strike out "$575,100" and insert "$639,000"; on page 48, line 11, after the word "expenses", to strike out "$648,000" and insert "$720,000"; in line 18, after the word "of", to strike out "$32,400" and insert "$36,000"; in line 22, after the word "of", to strike out "$47,700" and insert "$53,000"; on page 49, line 5, after the word "of", to strike out "$513,000" and insert "$570,000"; in line 6, after the word "and", to strike out "$2,731,500" and insert "$3,035,000"; in line 14, after the word "expenses", to strike out "$1,371,600" and insert "$1,524,000"; in line 16, after the word "expenses", to strike out "$3,018,600" and insert "$3,354,000"; on page 50, line 4, after the word "of", to strike out "$13,500" and insert "$15,000"; in line 7, after the word "expenses", to strike out "$573,300" and insert "$637,000"; in line 9, to strike out "$1,948,500" and insert "$2,165,000"; in line 19, after the word "expenses", to strike out "$141,300" and insert "$157,000", and in line 24, after the word "expenses", to strike out "$3,057,300" and insert "$3,290,225".

On page 51, line 11, to strike out "$32,400" and insert "$36,000"; in line 13, to strike out "$228,600" and insert "$254,000"; in line 17, to strike out "$2,520" and insert "$2,800"; in line 23, after the word "management", to strike out "$832,500" and insert "$925,000"; in line 24, after the word "which", to strike out "$360,000" and insert "$400,000"; on page 52, line 3, after the word "expenses", to strike out "$238,500" and insert "$265,000"; in line 10, after the word "expenses", to strike out "$324,540" and insert "$360,600"; in line 13, after the word "research", to strike out "$2,911,500" and insert "$3,235,000"; in line 16, after the word "resources", to strike out "$1,490,400" and insert "$1,656,000"; in the same line, after the word "which", to strike out "$1,175,400" and insert "$1,306,000"; in line 20, after the word "safety", to strike out "$438,300" and insert "$487,000"; in line 21, after the word "expenses", to strike out "$91,800" and insert "$102,000"; on page 53, line 3, after the word "facilities", to strike out "$286,290" and insert "$318,100"; in line 4, after the word "expenses", to strike out "$94,050" and insert "$104,500"; in line 11, to strike out "$711,000" and insert "$790,000"; in line 12, after the word "expenses", to strike out "$54,450" and insert "$60,500"; in line 18, after the word "Islands", to strike out "$139,320" and insert "$154,800", and in line 23, to strike out "$184,940" and insert "$200,940"

On page 55, line 5, to strike out "$112,500" and insert "$125,000"; in line 6, after the word "expenses", to strike out "$190,800" and insert "$212,000"; in line 9, after the word "expenses", to strike out "$41,400" and insert "$46,000"; in line 11, after the word "expenses", to strike out "$292,500" and insert "$325,000"; in line 14, after the word "program", to strike out "$35,100" and insert "$39,000"; in line 16, after the word "program", to strike out "$117,000" and insert "$130,000"; in line 19, after the word "expenses", to strike out "$231,300" and insert "$257,000"; in line 24, to strike out "$535,500" and insert "$595,000"; on page 56, line 1, after the word "expenses", to strike out "$39,600" and insert "$44,000", and in line 4, to strike out "$825,300" and insert "$917,000."

On page 56, after line 5, to insert:

"Senate:

" 'Salaries, officers and employees', $1,488,605;

" 'Office of the Legislative Counsel of the Senate', $18,740;

"Contingent expenses of the Senate:

" 'Legislative reorganization', $10,650;

" 'Senate policy committee', $24,010;

" 'Joint Economic Committee', $13,590;

" 'Joint Committee on Atomic Energy', $16,625;

" 'Joint Committee on Printing', $7,605;

" 'Vice President's automobile', $560;

" 'Automobile for the President pro tempore', $560;

" 'Automobiles for the majority and minority leaders', $1,120;

" 'Reporting Senate proceedings', $18,825;

" 'Inquiries and investigations', $209,900;

" 'Folding documents', $2,900;"

On page 57, after line 18, to insert:

" 'Joint Committee on Reduction of Nonessential Federal Expenditures', $2,295, to remain available during the existence of the committee and to be disbursed by the Secretary of the Senate;"

On page 59, line 22, after the word "expenses", to strike out "$222,750" and insert "$247,500", and on page 60, line 5, after the word "expenses", to strike out "$271,350" and insert "$301,500."

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield to the Senator from Montana.

Mr. MANSFIELD. I compliment the chairman and members of the Senate Appropriations Committee for the action they have taken on this bill. The total amount suggested is about $81 million below the amount requested by the President, but, at the same time, the bill contains adequate funds. The saving on the President's request which the committee suggests, amounts to almost 50 cents for each man, woman, and child in our Nation.

I should like to ask a few questions about certain funds added for the Forest Service by the committee.

There are two increases, $2,500,000 for Forest Land Management and $500,000 for forest roads and trails to be used in areas especially burdened with unemployment. Is it the position of the chairman that Montana, with the unenviable record of leading the Nation in unemployment, would rank high in the allocation of these funds?

Mr. HAYDEN. I would not want to say that any particular State would receive any particular allocation.

Mr. President, in recommending that $2,500,000 be appropriated for the development of the national forest under the appropriation "Forest land management" and that $500,000 for the same purpose be provided for the construction of forest roads and trails, the committee had in mind the following situation:

There are national forests situated in many areas of the country which are especially burdened with unemployment, and to me this means that the rate of unemployment is substantially greater than the national average. There is a tremendous backlog of work existing in these forests, as is true of all the national forests.

The committee felt that an appropriation of $3 million for the remainder of fiscal year 1959—that is, until July 1—would create a sizable number of job opportunities in these areas, and at the same time provide for a better development of the resources of the forests concerned. These funds would be used, for the most part, for the thinning and pruning of timber, which would result in more and better timber to meet the increasing demand for quality timber; the elimination of excessive forest fire fuel, a very wise conservation practice; the development and rehabilitation of recreational areas; the rehabilitation of physical structures, such as fire towers and warehouses; and the construction of a limited number of roads and the replacement of bridges. I want to make it clear that all of these projects are included in the present work plans of the Forest Service and will be done at sometime.

Mr. President, this is the type of work which needs to be done in our national forests to conserve this priceless resource, and it is the type of work which will create the maximum number of job opportunities for the funds provided.

It is my hope that the Senate will adopt the committee amendment so the Congress will have an actual experience on which to base further action of this nature.

Mr. MANSFIELD. Mr. President, I thank the chairman. I think he has answered my next and last question.

There is no specific mention made of using the funds for reforestation, treestand improvement, range improvement, and similar work on the soil conservation efforts. Is such work also possible?

Mr. HAYDEN. Yes; so long as it is planned work, and in an area burdened with unemployment.

Mr. MANSFIELD. I thank the chairman, and wish only to add that both he and his counterparts in the other body have consistently demonstrated wisdom in their handling of these important money bills. They always find places to make savings which have escaped the attention of the President's staff. Moreover, they always find places where insufficient funds have been allocated, and the committee endeavors to correct the deficiency. I congratulate the committee again for an excellent job.

Mr. MURRAY. Mr. President, I call attention to the item in line 5, page 7, "Forest land management."

In his usual careful way our own "director of the budget"—the senior Senator from Arizona [Mr. HAYDEN]—has again demonstrated that he and his nonpartisan team, the Committee on Appropriations, have both superior fiscal understanding and a heart. The American people are fortunate that we have in our Appropriations Committee men of such broad interest and deep understanding.

I am particularly pleased by the committee action adding $3 million to the Forest Service budget. These funds are

to help relieve some of the critical unemployment we have in the Nation. I regret that I must stand on the floor of this body today and say that Montana again leads the Nation in unemployment. On behalf of those in my State who are unemployed, I thank the committee for the consideration they have shown. I particularly commend the new Senator from West Virginia [Mr. BYRD] for his leadership in this matter.

Every cent provided by the committee could be used on "Operation Outdoors" alone.

Is it not correct to say that when this program was announced by the Secretary of Agriculture it was planned to spend for capital investment in forest recreation $6,600,000 in 1958 and $10,300,000 in 1959?

Mr. HAYDEN. The Senator is correct.

Mr. MURRAY. Is it not also true that only $7,300,000 has been available for this part of the program?

Mr. HAYDEN. That is true.

Mr. MURRAY. Thus today we are already $9,600,000 behind the administration's schedule. Is it also true that use of the forests is well above original estimates and our campgrounds are badly overcrowded?

Mr. HAYDEN. According to the latest information, the Senator is correct.

Mr. MURRAY. Am I correct that there is no doubt this money can be effectively used for an already planned program?

Mr. HAYDEN. There is no doubt about that.

Mr. MURRAY. Montana leads the Nation in unemployment, and we have recreation areas such as the Crystal Lake forest camp near Lewiston, which badly need full development.

I know the chairman agrees with me that this supplemental appropriation should enable us to push ahead on projects such as this, which are vital from a conservation standpoint, and work on which will help alleviate unemployment.

Mr. HAYDEN. That was the intent of the committee.

Mr. President, a typographical error appears on page 24, line 1, of the bill. It now reads, "Salaries and Expenses, Office of Minerals Mobilization." It should read, "Salaries and Expenses, Office of Minerals Exploration."

I ask unanimous consent that the bill be corrected accordingly.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Arizona on page 24, line 1.

The amendment was agreed to.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. I should like to ask the chairman of the Appropriations Committee or the chairman of the Subcommittee on Defense a question on the Air Force portion of the bill. The Senator from Arizona and the Senator from New Mexico will recall that the committee denied the request of the Department of the Air Force for a restoration of $9,100,000 reduced by the House in the appropriation "Military Personnel." We did this on the assumption that in such a large appropriation, the $9,100,000 could be absorbed. But we certainly did not intend that it would be necessary for the Air Force to reduce military strength in order to absorb this amount. I should like to ask the chairman, as a point of clarification, if he does not agree with me on this matter.

Mr. HAYDEN. I do. While the Air Force has made considerable adjustments in its military personnel program to reduce costs under this appropriation, and even though it is getting toward the end of the fiscal year, it is felt that perhaps some additional action can be taken which will permit the absorption of the $9,100,000 reduced by the House and concurred in by the Senate Committee on Appropriations. It is not the intent of the committee by this action to require the Air Force to reduce military strength below that planned in fiscal year 1959 to meet minimum mission capability.

Mr. CHAVEZ. Mr. President, if the Senator will yield, that is the understanding of the subcommittee.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. ANDERSON. Mr. President, I congratulate the able Senator from Arizona and the senior Senator from New Mexico.

There is contained in this appropriation bill an item of $1 million for Navajo-Hopi roads. I desire to ask the Senator from Arizona three questions. The first is: Does the Bureau of Indian Affairs now have the money to contract for the highway job for which bids were opened this month?

Mr. HAYDEN. Mr. President, anticipating favorable action by the Congress on the 1959 supplemental, the Bureau advertised 28.7 miles of road on Route 3. Bids were opened and disclosed a low bid of $663,000. This is considered to be a very good bid, as the Bureau estimate was $905,000. There can be no award of this contract until funds are made available.

Mr. ANDERSON. Mr. President, I ask unanimous consent that at this point in the RECORD, at the conclusion of the statement just made by the able chairman of the Committee on Appropriations, there be printed in the RECORD a financial statement with reference to the sums the Senator has mentioned, and also a brief statement as to the situation with regard to these funds.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Financial statement—Indian Bureau road construction and maintenance, Apr. 21, 1959

(Fund 14x2364 (liquidation of contract authorization)—section 104(c) of the Federal-Aid Highway Act of 1956)

Total contract authority available for obligation, July 1, 1958	$10,248,686
Obligations through March 31, 1959	6,142,625
Unobligated balance April 1, 1959	4,106,061

Financial statement—Indian Bureau road construction and maintenance, Apr. 21, 1959—Continued

Programing of the unobligated balance:	
(a) Non-contract-construction items, such as engineering, supervision, and miscellaneous force account construction for April, May, and June	$850,000
(b) Road maintenance for April, May, and June	590,000
(c) Contracts scheduled for award April, May, and June, regular Federal-Aid Highway Act program	2,666,061
Obligations scheduled for regular Federal-Aid Highway Act program, April–June	4,106,061
Federal-Aid Act cash available July 1, 1958	15,882,114
Cash disbursements through March 31, 1959	11,002,502
Unexpended cash balance April 1, 1959	4,879,612
Unpaid outstanding obligations, March 31, 1959	3,377,728
Unobligated cash, April 1, 1959	1,501,884
Estimated cash requirements for April, May, and June obligations:	
(a) Non-contract construction	783,000
(b) Maintenance (mostly force account)	492,000
(c) Estimated contract earning due for payment	226,884
Total estimated cash need	1,501,884

SUMMARY OF UNFUNDED OBLIGATIONS

Scheduled obligations for April, May, and June	4,106,061
Unobligated cash, April 1, 1959	-1,501,884
Unfinanced contract authority, June 30, 1959	2,604,177

There is available to the Bureau of Indian Affairs $15,882,114 for liquidation of obligations incurred under the Federal Aid Highway Act. On March 31, 1959, there has been expended $11,002,502 which leaves a balance of $4,879,612 available for meeting contract obligations of $7,582,661, for the balance of the fiscal year.

This would allow for a balance of $2,604,177 in unfunded obligations on June 30, 1959. This is a reasonable amount and is based upon work yet to be accomplished by contractors for which payment would not be required until the following fiscal year, 1960.

It is estimated that expenditure of the unexpended balance of $4,879,612 on March 31 will be as follows:

1. $3,377,728 will be required to meet outstanding obligations in the same amount and for which earnings will accrue during the period April through June.

2. $1,501,884 will be required to meet contractor earnings and other expenses under obligations amounting to $4,106,061 which will be incurred during the period April through June.

The expenditures reflected above are those estimated and required to meet earnings under obligations incurred under the Federal-Aid Highway Act. The fund requirements are such as to leave no balance for funding Navajo-Hopi Routes 1 and 3.

Mr. ANDERSON. Why is it important that those roads be constructed without delay, I will ask the chairman?

Mr. HAYDEN. Contract authority for those road improvements was granted by an amendment to the Navajo-Hopi Act which will terminate soon. Therefore, it is important that the contract now pending be awarded as rapidly as possible. Delay also permits rising costs to reduce the overall usefulness of the authorization earmarked for these roads.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. CHAVEZ. While the general appropriation will be beneficial to the Navajos as such, it will also be beneficial to the economy of the area of the four States of New Mexico, Colorado, Arizona, and Utah. There are many operations going on in that area because of uranium. Hence, this will not only benefit the Navajos with respect to their own ideas of roads, but it will also be of help because they will be provided an opportunity to work.

Mr. ANDERSON. I thank my colleague for his comments.

My third question to the chairman of the committee is, Will the benefits extend to surrounding States—Colorado, Utah, and New Mexico—or will they be limited to the reservations and to Arizona?

Mr. HAYDEN. The benefits created by improvement of these roads will be felt throughout the region. The highways will permit commerce between Colorado, Utah, New Mexico, and Arizona and the Indian tribes to begin on a modern scale. Improvement of these roads will link newly developed oil fields, uranium holdings, and tribal activities with markets in the surrounding States. They also will provide modern access to Glen Canyon Reservoir area.

Mr. ANDERSON. I thank the able chairman of the committee, and I again express my appreciation to him and to my colleague from New Mexico.

The able Senator from Arizona [Mr. GOLDWATER] and I were both very much interested in the road project. We went to the reservation and participated in the project. We both appreciate very much what the able Senators on the Appropriations Committee have done.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. GOLDWATER. I wish to point out for the RECORD that Federal funds are the only funds available, I believe, to complete this road program. The Indian reservations have no money of their own, and the State cannot tax them. These reservations are not eligible for any regular Federal grants. As I understand the situation, it was necessary to come to the Congress for these special appropriations.

Mr. HAYDEN. That is correct, but there is an agreement that after the roads are built the roads will be maintained by the State of Arizona.

Mr. GOLDWATER. The Senator is absolutely correct.

Several Senators addressed the Chair.

Mr. HAYDEN. I yield first to a member of the committee, the Senator from Massachusetts [Mr. SALTONSTALL].

Mr. SALTONSTALL. Mr. President, I desire to make a motion, which has the approval of the chairman of the committee.

Mr. President, I move that the following provision be included in the bill on page 33, after line 21:

OTHER

Payment to the Philippine Government

For payment in full and final settlement to the Government of the Philippines as authorized by the Act of June 19, 1934 (48 Stat. 1115), $23,862,751, to be derived from receipts under section 7 of the Gold Reserve Act of 1934 (31 U.S.C. 408b).

The reason for the motion is as follows: This language was put into the bill by the House of Representatives, and it came to the Senate. We held no hearings on the question, because there was no objection to it and no requested change in it by the executive department.

On the day the committee went into executive session an article was published in the newspapers to the effect that the Vice President of the Philippines had said that if this money were put into the gold reserve it would be a waste.

Consequently, on motion of the Senator from New Hampshire, the committee unanimously deleted the language from the bill and decided it wanted to know more about the matter.

Since that time the State Department representative and General Romulo, the Philippine Ambassador, have informed the committee further about the item.

This comes about as a result of the act of June 19, 1934. When the United States went off the gold standard, the Philippine Government had in the United States a gold standard fund of $19,112,253.42, and a Treasury certificate fund of $37,163,803.50, or a total of $56,276,056.92; that is, the gold bullion value of these deposits prior to diminuation of the gold content of the dollar was $56,276,056.92.

If this were converted into currency at the new valuation of the dollar, as computed by the Treasury Department, there would be a value of $95,282,398.87.

Therefore, the gross adjustment to the Philippine Government deposits if the reserves had been in gold, as computed by the Treasury Department, would be $39,006,341.95.

The Philippine Government received, from January 1, 1923, to the close of business January 30, 1934, on the gold standard fund and the Treasury certificate fund deposited in the United States the sum of $15,143,591.17.

This leaves a net adjustment to the Philippine Government deposits, as shown in Public Law 73-419, of $23,862,750.78.

This had been asked for by the Executive before World War II; I believe in 1937, 1941, and 1942. It was not approved at those times because it was felt there was no urgency.

During World War II, and after the war, with the large rehabilitation program, the Philippine Government did not press for these funds, but it did start to press for them 2 or 3 years ago. When President Garcia visited in the United States in July of last year he discussed this matter with the President and with the Secretary of State. The President made a commitment at that time that he would try to obtain these funds. The Philippine Islands need the funds now, because of the difficulties they are having with the foreign exchange rate.

That is the reason the matter is submitted now. It could not be submitted last year, because it was considered too late, so it was submitted in the supplemental request.

That is the explanation for the motion.

Mr. HAYDEN. Mr. President, I have no objection to the amendment offered by the senior Senator from Massachusetts. The sum recommended to be paid to the Philippine Government was authorized by Public Law 419 of June 19, 1934, and is payable out of receipts already set aside in the Treasury following the devaluation of the dollar in 1934. I recall the Senate's approval of this authorization very distinctly, as I had submitted on May 28, 1934, for the Committee on Territories and Insular Affairs, its favorable report on the bill.

I will say to the Senate that I recall this matter distinctly now, upon refreshing my mind. I had completely forgotten about it, to tell the truth. The committee report which was submitted on May 23, 1934, was submitted in the 73d Congress. That was quite a long time ago, and I hope Senators will pardon an old man for forgetting a little bit. I had forgotten about the exact provisions.

I stated in the report the reason why the appropriation should be made.

In order that Members may have some of the background on this proposed payment, I ask unanimous consent, Mr. President, that the report, No. 1209, from the Committee on Territories and Insular Affairs, be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

REPORT NO. 1209—PHILIPPINE CURRENCY RESERVES ON DEPOSIT IN THE UNITED STATES

The Committee on Territories and Insular Affairs, to whom was referred the bill (S. 3530) relating to Philippine currency reserves on deposit in the United States, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

The bill is as follows:

"A bill relating to Philippine currency reserves on deposit in the United States

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed, when the funds therefor are made available, to establish on the books of the Treasury a credit in favor of the treasurer of the Philippine Islands for $23,862,750.78, being an amount equal to the increase in value (resulting from the reduction of the weight of the gold dollar) of the gold equivalent at the opening of business on January 31, 1934, of the balances maintained at that time in banks in the continental United States by the government of the Philippine Islands for its gold-standard fund and its treasury-certificate fund less the interest received by it on such balances.

"SEC. 2. There is hereby authorized to be appropriated out of the receipts covered into

the Treasury under section 7 of the Gold Reserve Act of 1934, by virtue of the reduction of the weight of the gold dollar by the proclamation of the President on January 31, 1934, the amount necessary to establish the credit provided for in section 1 of this Act."

The purpose of this bill is to readjust the currency reserves of the Philippine Islands to meet the effect of the order of the President of January 31, 1934, revaluating the American dollar. The monetary system of the Philippine Islands is interlocked with our own by an act of Congress of March 2, 1903, as follows:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the unit of value in the Philippine Islands shall be the gold peso consisting of twelve and nine-tenths grains of gold, nine-tenths fine, said gold peso to become the unit of value when the government of the Philippine Islands shall have coined and ready for, or in, circulation not less than five million of the silver pesos hereinafter provided for in this Act, and the gold coins of the United States at the rate of $1 for two pesos hereinafter authorized to be coined shall be legal tender for all debts, public and private, in the Philippine Islands."

On January 31, 1934, the insular government had on deposit in American banks $56,276,056.92, a fund constituting the major portion of the currency reserves of the Philippine Government, on which the circulation of the insular government is based. This fund, deposited in dollars, has always been considered as the equivalent of gold. Applying the same revaluation as given the U.S. gold dollar by the proclamation of the President, this fund now amounts to $95,282,393.87, or an increase, had the fund been in actual gold, of $39,006,341.95.

It is obvious that any change in the value of our dollar automatically changes in the same proportion the value of the peso, the standard unit of value in the Philippine Islands. It is also obvious that the Presidential proclamation of January 31, 1934, in effect, expanded the currency reserves of the United States, but contracted the reserves of the Philippine Government, since the Philippine reserves are in dollars.

In a conference between officials of the Treasury Department, the Bureau of Insular Affairs, acting for the Secretary of War, and the Budget Officer, it was decided that the full amount of this credit should not be given to the reserve funds of the insular government, but from this $39,006,341.95 should be deducted $15,143,591.17, the interest which was accrued to the insular government since January 1923. This leaves a balance of $23,862,750.78, which it is thought by the President and the above-named officials represents the sum which should be credited to the Philippine Government on the books of the Treasury in order to restore the gold value of the Philippine currency reserves as of January 31, 1934.

When the gold content of the U.S. dollar was diminished, we took credit on our books for approximately $2,811,013,126. Had the insular government had on deposit on the date of the above-mentioned proclamation, gold bullion, or actual gold coins, as their currency reserve, there would have been no need for this legislation, or any adjustment for the reason that their gold would have increased in value as did the U.S. gold.

During the fall of 1932 the government of the Philippine Islands made representations to this Government with a view of including specific stipulation in the depository agreements that withdrawal of its currency reserve funds should be in gold coin of the United States at the election of the Philippine Government. The Secretary of War, through the Bureau of Insular Affairs, acting for this Government, stated that he did not deem as expedient the amendment of the depository agreement as suggested by the Philippine Government.

In March 1933, 10 months prior to the President's proclamation, other representations were made on the part of the Philippine Government seeking the assurance that deposits of the Philippine Government in the United States stand on an equal basis with the deposits of the U.S. Government and recommended that all deposits of the insular government, except $10 million required for ordinary expenses, be deposited in the Treasury of the United States. Under conditions obtaining in this country in 1932 and 1933, the officials of our Government deemed it inadvisable to accede to any of these requests, although the Philippine Government had every right to make these requests and to expect them to be granted.

Again on June 29, 1933, the Governor General of the Philippine Islands officially requested that "our gold standard and Treasury certificate funds be converted into gold coin of the standard existing at the time these deposits were made with the depository banks; this coin to be deposited in the U.S. Treasury or Federal Reserve banks and authority of the President secured to earmark it for their account, by amending the Executive order of April 5, 1933 (which was the first order of the President restricting the circulation of gold). There will be, however, no necessity for withdrawing the above-mentioned deposits from the present depository banks at this time if it is possible to obtain Government assurance that conversion into gold of the standard existing, as above outlined, may be made at a later date."

From time to time between June 29, 1933, and January 17, 1934, numerous cables were sent by the Governor General of the Philippine Islands expressing concern and stressing the necessity for assuring the gold content of the Philippine reserves on deposit in the United States. Likewise a letter on January 16, 1934, from the Acting Secretary of Finance of the Philippine Islands was sent to the Secretary of War again expressing the desire of the Philippine Government that its deposits be treated by the U.S. Treasury as deposits of coined gold. This request was in turn sent to the Secretary of the Treasury by the Secretary of War on January 17, 1934.

On January 17, 1934, 2 weeks prior to the Presidential proclamation, the following cable was sent by Governor General Murphy to the Secretary of War.

"Referring to telegram from this office June 29, No. 212, in particular, as well as other previous cables pertaining to Philippine currency. Have you further information relative to earmarking in gold Treasury certificates funds and the gold-standard fund? Believe allotment of gold to these funds on the basis of present gold content is but fair to Philippines, thus granting Philippine Government same advantage as United States in reduction of content of gold dollars backing gold-standard fund and Treasury-certificate fund. Am exceedingly anxious to receive definite decision."

At any time, following these representations, prior to January 31, 1934, the Treasury Department could have lawfully sold to the Philippine Government gold in the amount of their currency reserves on deposit in the United States at the old value of $20.67 an ounce, or could have authorized the earmarking of gold to be paid for by the Philippine Government with the funds on deposit in the United States. This, however, was not done, although the insular government from time to time has been given assurance by our officials that their interests would be equitably adjusted.

Our Government, not having acceded to these suggestions and requests is certainly morally obligated to expand the base of the currency reserves of the dependent government, and to do so without further delay in order to avoid further possible domestic and international financial complications.

It should be borne in mind that we are dealing in this bill exclusively with the currency reserve funds of the Philippine Islands, and that question should not be confused with the question of individual transactions between the people of the two governments.

In the case of the Filipino people, they have been forced to take the personal loss—their gold has been turned in just as was the gold of our own citizens—but no benefits will accrue to them or their government until the value of their gold reserve is reestablished by the Government of the United States. In the case of our own citizens, while the individual may not have been credited, nevertheless, the credit goes to the Federal Government, or the whole of the American people, each State of course having the same currency system as the Federal Government. It is quite certain that if any State had a separate monetary system tied in with the national money by an act of the Federal Government the government of such a State would undoubtedly have the same rights and equities as are sought to be established by this bill.

The Philippine National Bank now owns Liberty bonds and other obligations of our Government amounting to approximately $17,000,000. Likewise, many American securities are held by individual Filipinos. Those obligations will be paid, not in gold, but in legal currency, which means that they will be paid with a devaluated dollar. It should also be stated that the insular government has outstanding bonds of the Manila Railroad payable in pounds, guilders, and Swiss francs. In amortizing these bonds in foreign currencies, due to the difference in exchange, as a result of the action of the American Government in revaluing its money, a loss of approximately $10 million will be sustained by the insular government. Surely no one can fail to see the inequity in a failure of our Government to make the insular government whole in a loss occasioned by our own action.

The currency reserves of the Philippine Government are by law held in two funds, namely: The gold-standard fund, the legal limits of which are not less than 15 percent nor more than 25 percent of all the money in circulation and available for circulation by the Philippine Government; the treasury-certificate fund, which by law must consist of peso for peso, or $1 for every 2 pesos, for every Philippine treasury certificate issued or available for issue. Of the $56,276,056.92 Philippine currency reserves on deposit in the United States as of January 31, 1934, $19,112,253.42 pertained to the gold-standard fund and $37,163,803.50 to the treasury-certificate fund. The amount held in the gold-standard fund is approximately $8 million more than was actually required by law to be held in this fund on January 31, 1934, with the amount of money in circulation on that date.

However, should increased business demand an increase of money in circulation in amount in excess of $32 million, the excess of the gold-standard fund over the legal maximum limit of 25 percent would be wiped out immediately. Thus, in order to maintain the maximum limit of 25 percent in the gold-standard fund it has been the policy to have an excess to allow for an increase in the money in circulation and to always insure the parity of the peso with the dollar.

The experts of our Government have decided that the credit of $23,862,750.78 is just, equitable, and fair, and the committee feels that no great government can do less than what is proposed in this bill for its dependent people. It is in no wise suggested that any and all funds on deposit in this country to the credit of individuals and the insular government, over and above the funds actu-

ally held as currency reserve funds, should be enhanced in value by an act of Congress.

Coincident with the Independence Act, a refusal on the part of the American Government to meet its moral obligation in readjusting the currency reserves of the insular government, the value of which is interlocked with our own monetary system, is inconceivable. Such refusal would be an omission unworthy of a great Government and of the Congress, on whom this responsibility now rests.

Following are certain letters and memoranda from the Secretary of the Treasury, the Secretary of War, and the Director of the Bureau of the Budget, explaining the purpose of the bill and recommending its enactment:

TREASURY DEPARTMENT,
Washington, May 10, 1934.

Hon. DUNCAN U. FLETCHER,
Chairman, Banking and Currency Committee, U.S. Senate.

DEAR MR. CHAIRMAN: Receipt is acknowledged of your clerk's letter of May 4, 1934, transmitting a copy of the bill (S. 3530) relating to Philippine currency reserves on deposit in the United States, and requesting a report thereon.

I understand that this bill has been recommended by the War Department. In view of the circumstances surrounding the deposits in the continental United States, of the currency reserves of the Philippine Islands, a dependency of the United States, the bill meets with the approval of the Treasury Department.

Respectfully,
H. MORGENTHAU, Jr.,
Secretary of the Treasury.

WAR DEPARTMENT,
Washington, May 4, 1934.

Hon. DUNCAN U. FLETCHER,
Chairman, Committee on Banking and Currency, U.S. Senate, Washington, D.C.

DEAR SENATOR FLETCHER: I am writing to your committee to request favorable consideration of S. 3530 which was introduced in the Senate at the request of this Department.

The purpose of this bill is to credit the Philippine Government with the profits, due to the reduction of the weight of the gold dollar, on its currency reserve deposited in the United States at the opening of business on January 31, 1934, and authorizing the appropriation of funds for this purpose.

The draft of this bill was prepared in consultation by officials of the Treasury Department and of this Department, and has received the approval of the Secretary of the Treasury and of the Governor General of the Philippine Islands.

At the suggestion of the War Department the major portion of the currency reserves of the Philippine monetary system has been maintained in the form of U.S. currency deposited in banks in the continental United States. The Philippine Government has always considered these deposits as the equivalent of a gold reserve.

The proclamation of the President issued on January 31, 1934, reduced the gold content of the dollar. The effect of this proclamation was not only to reduce in terms of gold, the value of the Philippine currency reserve funds, but indirectly to devalue, in terms of gold, the entire currency circulation of the Philippine Islands. The United States, on the other hand, enjoyed an increase in the value of the currency reserves corresponding to the decrease in the value of the dollar. As the Philippine currency is interlocked with the U.S. gold dollar under laws enacted by the U.S. Congress, it is equitable that any change in the dollar which produces a profit on the currency reserves of the General Government should produce a corresponding profit on the currency reserves of this dependency.

The reestablishment of its currency reserves as of their former gold value of January 31, 1934, would be of great advantage to the Philippine Government in their affairs at the present time. It is hoped that an appropriation providing for this purpose can also be secured at the present session of Congress.

I am enclosing copy of a letter from the Director of the Budget in which he advises me that the expenditures contemplated by the proposed bill would not be in conflict with the financial program of the President.

There is also enclosed for your information a copy of a memorandum prepared in the Bureau of Insular Affairs, which sets forth in detail the necessity for this legislation. Should you desire further information regarding this matter, it is suggested that you call upon Brig. Gen. Creed F. Cox, Chief of the Bureau of Insular Affairs of this Department.

I urgently recommend the early enactment of S. 3530.

Sincerely yours,
GEORGE H. DERN,
Secretary of War.

WAR DEPARTMENT,
BUREAU OF INSULAR AFFAIRS,
Washington, April 30, 1934.

Memorandum for the Secretary of War.

Subject: Philippine currency reserves.

The monetary system of the Philippine Islands was originally established by Public, No. 137, of the U.S. Congress approved March 2, 1903. The unit of value prescribed was the gold peso which was definitely interlocked with the U.S. gold dollar at the rate of $1 for 2 pesos.

Act No. 938 of the Philippine Commission, approved October 10, 1903, which was enacted under authority granted by Public, No. 137, of the U.S. Congress, placed the Philippine Islands upon a gold-exchange basis and provided that part of the gold-standard fund should be deposited in the United States.

A portion of the currency reserve funds of the Philippine Islands have therefore been deposited in the United States under authority granted by the U.S. Congress, for over 30 years.

It became necessary in 1922 to reconstitute the currency reserve funds of the Philippine Islands which had been dissipated due to the operations of the Philippine National Bank. This was done by the sale of bonds in the United States.

Act No. 3058 of the Philippine Legislature approved June 13, 1922, issued pursuant to authority contained in the Philippine Organic Act (Public No. 240, 64th Cong., approved Aug. 29, 1916), reconstituted the currency reserves of the Philippine monetary system into two funds, namely, the gold-standard fund and the Treasury certificate fund. The inauguration of these reconstituted funds took place on January 2, 1923, and upon the suggestion of the then Secretary of War, the major portion of these funds were placed on deposit in the United States in member banks of the Federal Reserve System, which were approved by the Secretary of War as depositories of Philippine public funds and designated by the Governor General of the Philippine Islands as branches of the treasury of the Philippine Islands in the United States.

This memorandum refers to these reconstituted monetary reserve funds.

The laws of the Philippine Islands require certain reserves to be maintained against the currency of the Philippine Islands in circulation or available for circulation. So long as the United States was redeeming its currency in gold, that portion of the currency reserves deposited in the United States was equivalent to a gold reserve. The Philippine Government has always considered dollars of the United States as in every way equivalent to gold coins and for this reason has maintained since January 2, 1923, the major portion of its currency reserve funds on deposit in the United States.

The Philippine Government since October 1932 has been interested in trying to have these accounts made payable in gold coin. When this was discouraged by this Government, the Philippines expressed a desire to transfer their funds to the U.S. Treasury. The Treasury Department expressed the view that it was not authorized to take deposits of such funds.

The proclamation of the President issued on January 31, 1934, reduced the gold content of the dollar. The effect of this proclamation, as far as the Philippines were concerned, was not only to reduce, in terms of gold, the value of accounts representing its gold-standard fund and Treasury-certificate fund, but indirectly to devalue, in terms of gold, the entire circulation of the Philippine Islands. The United States enjoyed an increase in the value of its currency reserves corresponding to the decrease in the value of the dollar. The Philippine Islands enjoyed no corresponding increase with respect to the reserves maintained in this country for its currency, the reason being that with the consent of this Government those reserves were maintained as bank balances in this country.

On January 30, 1934, the Philippine Government had on deposit in the U.S. currency reserves of a gold value of $56,276,056.92. It therefore requests this amount of its currency reserves be made available, either in the form of additional credits or in gold coin, dollar for dollar, so as to rehabilitate, in its gold value as of January 30, 1934, the currency reserves of the Philippine monetary system. This could be accomplished in either of the following ways:

(a) For the Secretary of the Treasury to establish on the books of the U.S. Treasury a credit in dollars in favor of the Philippine Government equivalent to the profits on the amount of its deposits in the United States as of the opening of business on January 31, 1934, due to the diminution of the gold content of the dollar; or

(b) The Treasury of the United States to sell to the Philippine Government gold bullion, figured at the rate of 25.8 grains of gold, nine-tenths fine, to the dollar, equivalent to the amount of its deposits in the United States as of January 30, 1934.

Either of these methods would serve the purpose of reestablishing the currency reserves of the Philippine Government at their former level, and in the same relative relation to the currency circulation in the Philippine Islands as the gold reserves of the United States have assumed to the currency in circulation in the United States.

This question has been discussed with the Treasury Department and that Department agrees that the preferable way to make this adjustment is to establish on the books of the U.S. Treasury a credit in dollars in favor of the Philippine Government equivalent to the profits on the amount of the deposits representing Philippine currency reserves, less the interest that has accrued thereon since their reestablishment in 1923 (the interest being deducted because the Philippines would not have had the benefit of this interest if its reserves had been maintained in metal). This Bureau believes this would be an equitable arrangment in view of all the circumstances connected with the maintenance of the Philippine currency reserves in the United States. The Governor General of the Philippine Islands has been consulted and has expressed his approval of this arrangement.

The following computation shows the status of the balances of the Philippine currency reserves on deposit in the United

States at the opening of business on January 31, 1934:

(a) Gold-standard fund	$19,112,253.42
(b) Treasury certificate fund	37,163,803.50
Total	56,276,056.92
The gold bullion value of these deposits prior to the diminution of the gold content of the dollar	56,276,056.92
Converted into currency at the new valuation of the dollar as computed by the Treasury Department	95,282,398.87
Profit to the Philippine Government (if the reserve had been in gold) as computed by the Treasury Department	39,006,341.95
Less the total interest received by the Philippine Government from Jan. 1, 1923, to close of business on Jan. 30, 1934, on the gold-standard fund and Treasury certificate fund deposited in the United States	15,143,591.17
Net profit to the Philippine Government as shown in the proposed bill	23,862,750.78

There is enclosed herewith the draft of a bill designed to authorize the Secretary of the Treasury to set up a credit on the books of the Treasury in favor of the treasurer of the Philippine Islands for $23,862,750.78, which is the amount equal to the increase in value, resulting from the reduction of the weight of the gold dollar, of the gold equivalent at the opening of business on January 31, 1934, of the balances maintained at that time in banks in the continental United States by the Government of the Philippine Islands for its gold-standard fund and its Treasury certificate fund less the interest received by it on such balances. The bill also provides for the necessary appropriation to establish the credit.

This draft has been prepared in consultation with representatives of the Treasury Department and the War Department has received the approval of the Secretary of the Treasury, the Secretary of War, and of the Governor General of the Philippine Islands.

To summarize, and to emphasize the salient points of this claim of the Philippine Government, the equities involved are:

(a) The Philippine currency is interlocked with the U.S. gold dollar under laws enacted by the U.S. Congress, and any changes in the dollar which effect a corresponding change in the Philippine peso that produces a profit on the reserves of the general government should produce a corresponding profit on the reserves of this dependency.

(b) The major portion of the Philippine currency reserves have been maintained in this country in the form of bank balances since 1923 at the suggestion of the War Department.

(c) The Philippine Government has always considered their currency reserves deposited in the United States as a gold reserve, and prior to the banking crisis in the United States these reserves could have been withdrawn in gold at any time.

(d) That the conversion of these currency reserves into gold coin when conditions in this country appeared to make such conversion desirable could have been legitimately done, except that the interests of this Government made it undesirable to do so at the time.

(e) That the claim involves the currency reserves only and does not take into account the other Philippine public funds deposited in the United States.

It is recommended that the bill be transmitted to the chairman of the Insular Committees of the Senate and House, requesting its immediate introduction in the Congress.

Drafts of letters for your signature herewith.

CREED F. COX,
Chief of Bureau.

BUREAU OF THE BUDGET,
Washington, May 3, 1934.

The SECRETARY OF WAR.

MY DEAR MR. SECRETARY: Reference is made to your letter of April 25, concerning the proposed bill relative to Philippine currency reserves deposited in the United States, and to the informal submission by your Bureau of Insular Affairs on April 30 of a draft of a new bill (being a redraft of sec. 2 of a bill submitted to the President on Mar. 23) reading as follows:

"A bill relating to Philippine currency reserves on deposit in the United States

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to establish on the books of the Treasury a credit in favor of the treasury of the Philippine Islands for $23,862,750.78, being an amount equal to the increase in value (resulting from the reduction of the weight of the gold dollar) of the gold equivalent at the opening of business on January 31, 1934, of the balances maintained at that time in banks in the continental United States by the government of the Philippine Islands for its gold-standard fund and its treasury certificate fund less the interest received by it on such balances. There is hereby appropriated, out of the receipts to be covered into the Treasury under section 7 of the Gold Reserve Act of 1934, by virtue of the reduction of the weight of the gold dollar by the proclamation of the President on January 31, 1934, an amount necessary to establish such credit."

In reply you are informed that the expenditures contemplated by the proposed bill would not be in conflict with the financial program of the President.

Very truly yours,

L. W. DOUGLAS,
Director.

The President has recommended the enactment of the bill in the following letter:

THE WHITE HOUSE,
Washington, May 7, 1934.

Hon. DUNCAN U. FLETCHER,
Chairman, Committee on Banking and Currency, U.S. Senate, Washington, D.C.

DEAR SENATOR FLETCHER: With the approval of the United States, the Government of the Philippine Islands has for many years maintained in banks in this country the major portion of the currency reserves of its monetary system, and has always considered these deposits the equivalent of a gold reserve.

The effect of my proclamation of January 31, 1934, was not only to reduce, in terms of gold, the value of these currency reserves, but indirectly to devalue, in terms of gold, the entire currency circulation of the Philippine Islands. The United States enjoyed an increase in the value of its currency reserves corresponding to the decrease in the value of the dollar.

As the Philippine currency is interlocked with the U.S. gold dollar under laws enacted by the U.S. Congress, it would be equitable to reestablish the Philippine currency reserves on deposit in the United States at their former gold value as of January 31, 1934.

I am advised that S. 3530, now under consideration before your committee, is designed to accomplish this purpose.

I recommend its enactment.

Very sincerely yours,

FRANKLIN D. ROOSEVELT.

Mr. BRIDGES. Mr. President, will the Senator yield to me?

Mr. HAYDEN. I yield.

The PRESIDING OFFICER. Will the Senator from Massachusetts send his motion to the desk?

Mr. SALTONSTALL. Mr. President, I move that the amendment be included in the bill. That was my motion.

The PRESIDING OFFICER. We do not have the amendment at the desk.

Mr. BRIDGES. Mr. President, I want to speak on the amendment.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 33, after line 21, it is proposed to insert:

OTHER

Payment to the Philippine Government

For payment in full and final settlement to the Government of the Philippines as authorized by the act of June 19, 1934 (48 Stat. 1115), $23,862,751, to be derived from receipts under section 7 of the Gold Reserve Act of 1934 (31 U.S.C. 408b).

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Massachusetts [Mr. SALTONSTALL].

Mr. BRIDGES. Mr. President, I was asking recognition on this item, and the Senator yielded to me.

The PRESIDING OFFICER. The amendment has not been acted upon. The Senator from New Hampshire is recognized.

Mr. BRIDGES. Mr. President, I was the member of the Appropriations Committee who asked that this item be eliminated from the bill, and almost unanimously the committee agreed to do so. Why did we take that action? Because there was not a single word of testimony to substantiate the appropriation.

When we start passing out $23 million in lump sums, such action should be supported by substantial testimony. Since that time, informally and directly, I have obtained the information which would justify me in approving this $23 million appropriation, but I still say that it was the responsibility of the agencies of Government which were involved to see that the proper testimony was presented to the Appropriations Committee, and not stick an item of $23 million in the bill, to go to the Philippines or any other country, unless it was supported by evidence. That was why the action was taken. Now I am perfectly willing to take other action.

Mr. HILL. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. HILL. The Senator from New Hampshire is absolutely correct in the position he has taken, but now we have the facts in the matter, as they have

been so clearly stated by the distinguished Senator from Massachusetts [Mr. SALTONSTALL] and the distinguished Senator from Arizona [Mr. HAYDEN]. I very much hope that the amendment of the Senator from Massachusetts will be agreed to. Payment of these funds is overdue, and they should be paid. I am sure, as the Senator from New Hampshire has indicated, that had these facts been before the committee, he and the committee would not have taken the position they did. But we now have the facts.

We know that the funds are due and that they should be paid, and therefore that the Senate should adopt the amendment of the Senator from Massachusetts.

Mr. BRIDGES. I agree with the Senator.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Massachusetts [Mr. SALTONSTALL].

The amendment was agreed to.

MILITARY PROCUREMENT INFORMATION RELATING TO SMALL BUSINESS

Mr. SPARKMAN. Mr. President, at a time when the question of how wisely the Department of Defense uses its appropriations to promote our national security has become of some concern, and at a time when the adequacy or inadequacy of the military budget holds the attention of the Congress, of Government officials and of every thoughtful citizen, I feel compelled to bring to the notice of the Senate this fact:

The Department of Defense, systematically and by force of long habit, is throwing away taxpayers' money just as effectively as though the actual dollar bills were tossed on a bonfire.

This waste is accomplished by the simple expedient of avoiding the savings which invariably accrue from competitive bidding and relying instead upon giving contracts without competition to favored companies which, as sole sources of supply, ask and receive for their products sold to the Department of Defense prices which bear no relation to reality.

I shall illustrate this procurement evil, Mr. President, with facts and figures furnished me as chairman of the Small Business Committee by the Department of the Navy. First, however, I desire to emphasize that pouring good money down the sole source drain is not a new problem, nor will the information I provide today come as a shocking surprise to purchasing officials and contracting officers of the Department of Defense and its components.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a table entitled "Sole Source Awards Compared with Competitive Awards, 1958, Ships Parts Control Center, Mechanicsburg, Pa."

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Sole source awards compared with competitive awards, 1958, ships parts control center, Mechanicsburg, Pa.

[A=Small business. B=Large business]

Stock No.	Nomenclature	Previous	Size of company	Present	Size of company	Previous quantity	Present quantity	Previous unit price	Present unit price	Savings
HS 2030-516-6462	Bearing sleeve	Welin Davit & Boat	B	Gatke Corp	A	4	6	$18.25	$4.05	$85.20
HS 2030-516-6461	do	do	B	do	A	8	10	13.00	2.81	101.90
HE 5306-274-3093	Bolt shoulders	Diamond Power	B	Control Mechanisms	A	250	250	1.80	1.15	162.50
HM 2825-152-7027	Gear assembly	Westinghouse	B	Globe Gear Co	A	15	60	277.44	27.50	14,996.40
NSI	Carbon packing	General Electric Co	B	Chas. E. Chapin Co	A	48	48	82.00	15.00	3,216.00
NSI	do	do	B	do	A	48	48	82.00	17.00	3,120.00
NSI	do	do	B	do	A	48	48	82.00	15.00	3,216.00
HM 4320-337-0738	Coupling assembly	Worthington Corp	B	Rubright Machine Co	A	15	30	134.05	81.88	1,565.10
HS 5950-647-6520	Reactor	Federal Telephone & Radio	B	Airdesign Corp	A	12	38	41.60	8.12	1,272.24
588-2997	do	do	B	do	A	12	33	74.33	13.45	2,009.04
645-3342	do	do	B	do	A	22	60	29.60	7.65	1,317.00
647-6518	do	do	B	Atlantic Transformer	A	24	65	41.60	6.83	2,260.05
647-6514	do	do	B	do	A	6	29	69.50	7.85	1,787.85
647-6590	do	do	B	do	A	6	24	75.82	7.90	1,630.08
HM 5950-647-6428	do	do	B	do	A	45	25	14.60	8.60	150.00
HF 4320-398-6260	Ring casing	Buffalo Pump Inc	B	August Spindler & Sons	A	75	275	32.00	9.20	6,270.00
HF 2010-036-3082	Thrust bearing shoe	Kingsbury	A	Merriman Bros	A	165	100	7.85	3.59	426.00
HF 2010-119-2655	do	do	A	do	A	40	520	7.50	3.74	1,955.20
HM 6105-218-4706	Bearing sleeve	Allis-Chalmers	B	Waukesha Bearings Corp	A	4	6	425.00	189.85	1,410.90
HM 2825-388-6847	Liner assembly	Westinghouse	B	do	A	5	5	317.20	144.85	861.75
HM 3120-216-9343	Bearing	do	B	do	A	7	7	156.00	74.85	568.05
HF 5310-208-3332	Nut, plain round	Dravo Corp	B	Merriman Bros	A	90	220	3.95	.72	710.60
HF 4730-582-3335	Packing, preform	Buckeye Iron & Brass	A	Minnesota Rubber Co	A	1,000	1,000	2.16	.43	1,730.00
3386	do	do	A	do	A	1,000	1,000	2.00	.47	1,530.00
HR 2010-389-7134	Bearing shell	New York Shipbuilding	B	Pioneer Motor Bearing	A	4	4	1,800.00	758.68	4,165.28
HF 5330-252-9214	Gasket	Leslie Co	A	Johns-Manville	B	250	630	3.65	(C) 121.15	1,536.26
HS 825-300-6259	Preformed packing	Worthington Corp	B	Chas. E. Chapin Co	A	20	20	15.85	10.00	117.00
HM 2815-343-2433	Bushing sleeve	Cleveland Diesel (GM)	B	Manistique Tool & Manufacturers.	A	10	94	109.31	17.20	8,658.34
HF 2815-146-7513	Shaft drive	Sherwood Brass Works	A	do	A	275	240	8.38	7.10	307.20
HF 4310-216-7711	Bearing sleeve	Ingersoll-Rand	B	True Alloys, Inc	A	60	105	30.00	2.59	2,878.05
HF 4320-148-1430	do	Buffalo Pump Inc	B	Vargo Manufacturing Co	A	20	42	40.65	18.00	951.30
HM 2825-388-1181	Liner assembly	Westinghouse	B	Waukesha Bearing Corp	A	30	26	210.60	89.85	3,139.50
HS 6115-338-7400	Bearing	General Electric Co	B	American Metal Bearing Co. of Louisiana.	A	3	3	910.45	285.41	1,875.12
HM 2010-390-3456	Bearing thrust	Dravo Corp	B	Merriman Bros	A	30	60	84.70	22.40	3,738.00
HM 5945-549-6934	Relay armature	Signal Transformer, Inc	A	Phillips Control	B	10	31	13.00	6.70	195.30
HM 5945-549-6935	Relay	do	A	do	B	10	15	12.00	6.24	86.40
HM 5945-549-6936	do	do	A	do	B	10	15	11.00	7.89	46.65
H 2825-388-6904	Guide piston	Vickers	B	Craftswell, Inc	A	30	45	96.20	18.75	3,485.25
HM 1075-383-8303	Shaft hanger	O. G. Kelly Co	A	R. M. Kerner Co	A	15	20	60.28	24.95	706.60
4820-393-4335	Bushing seat	Minnesota Mining & Manufacturing.	B	Manistique Tool & Manufacturing.	A	355	280	41.05	21.60	5,446.00
HF 5310-262-4386	Washer, flat	Dravo Corp	B	American Metal Bearing Co. of Louisiana.	A	1,070	1,070	3.37	1.09	2,439.60
H 4730-142-2691	Plug, tube repair	Babcock-Wilcox	B	Interstate Forging & Supplies	A	40	40	2.75	2.00	30.00
Total										92,153.71

Mr. SPARKMAN. At my request, the committee staff has added to this table the last column, headed "savings."

As long ago as June 26, 1957, I addressed the Senate on this subject, stating then that "the Department of Defense conducts a large portion of its purchasing activities with a reckless disregard for the very rudiments of sound purchasing methods. These practices would be intolerable in the world of business for the simple reason that no business could be conducted at a profit which consistently and as a matter of method paid outrageously inflated prices for its raw materials, its supplies, and its equipment. Yet the payment of premium prices, over and above a reasonable market price, is a common custom of the Department of Defense."

The only evidence, Mr. President, that has come to my attention between then and now that this serious flaw in the purchasing practices of the Department of Defense has received the attention it deserves reached me in a letter dated February 24, from Rear Adm. J. W. Boundy, Chief of the Bureau of Supplies and Accounts, Department of the Navy. To this letter was attached a

list of 42 products which, during the year 1958, had been bought for the first time on a competitive bid basis as opposed to noncompetitive awards to sole sources of supply the previous time these same items had been purchased at the Navy's Ships Parts Control Center at Mechanicsburg, Pa.

The summary shows that during 1958, some 19 small business concerns bid for the first time on 38 of the 42 items purchased and the dollar value of these successful bids was $38,026.25. Four large concerns bid for the first time last year on four items with a value of $1,182.90.

The total paid out by the Navy for these items was therefore $39,209.15.

This is the point: Had these selfsame items been bought in the same quantities from the previous sole source suppliers on a noncompetitive basis, the cost to the Navy would have been $131,362.25.

It may be clearly seen that simply by opening up these purchases to competitive bidding, the Navy in this one series of contract actions saved $92,153.71.

The percentage savings, Mr. President, averages 70 percent. This means, based on the Navy's experience at its Ships Parts Control Center, that for thousands of common-use items bought at military purchasing installations throughout the country, military contracting officers are paying $100,000 for supplies and equipment from unnecessary sole-source suppliers which, under competitive bidding, could probably be bought for $30,000.

For the start which the Navy has made to eradicate unnecessary and costly sole-source buying, as evidenced by these data from the Ships Parts Control Center at Mechanicsburg, it would seem that the Bureau of Supplies and Accounts, and especially Comdr. O. R. Blanton of the Ships Parts Control Center, are entitled not only to official commendation, but also to the grateful thanks of the Nation's taxpayers.

It is edifying, Mr. President, to examine a few of the specific transactions reflected in this table. We find, for instance, that as a sole source the Welin Davit and Boat Co. received $18.25 per unit for a certain type of bearing sleeve, the stock number of which is listed in the table. When competitive bids were solicited on this product for the first time last year, the Gatke Corp., of Chicago, supplied the Navy with this item for $4.05 per unit. Here the saving to the taxpayer amounted to 77 percent.

Again, as a sole-source supplier, the Westinghouse Corp. was paid $277.44 per unit for a gear assembly which, under competitive bidding for the first time in 1958, was sold to the Navy by the Glove Gear Co. of Royal Oak, Mich., for $27.50 per unit. Competition here resulted in an astonishing 90-percent saving to the Government.

As a former sole supplier, the General Electric Co. sold carbon packing to the Navy for $82 per unit. Last year, the Navy was able to buy this carbon packing from the Charles E. Chapin Co., of Hackensack, N.J., for $15 per unit, with the taxpayers again benefiting by an 82-percent saving.

The Navy bought a specific type of coupling assembly from the Worthington Corp., as an alleged only source of supply, for $134.05 per unit. When this item was opened up to competitive bidding in 1958, the Navy was able to purchase the same coupling assembly from the Rubright Machinery Co., of Baltimore, for $81.88 per unit. In this instance, the saving to the Treasury amounted to 39 percent.

Last year the Navy bought bearing sleeves from the Waukesha Bearing Corp., of Waukesha, Wis., on a competitive basis for $189.85 per unit. Previous noncompetitive awards for this item had gone to the Allis-Chalmers Manufacturing Co. at a unit price of $425. Thanks once again to a little competition, the net saving to the Government on this item amounted to 55 percent.

As a final specific example of the wanton waste which the taxpayers of this Nation have been forced to shoulder because of the predilection of military contracting officers to rely on unnecessary sole sources as a means of handing out military contracts, I refer again to a purchase action by the Ships Parts Control Center for bearing sleeves during 1958. These were bought from True Alloys, Inc., on a competitive basis for $2.50 per unit. Prior to the presence of True Alloys, Inc., as a competitive factor in this particular procurement picture, the Navy had paid the Ingersoll-Rand Co. an even $30 per bearing sleeve. This, Mr. President, would amount to a 91-percent premium.

So far, the specific examples I have cited have shown what happens to prices when the procurement doors of the military purchasing installations are opened to competition from small business concerns. An examination of the list from which these examples have been taken, however, will reveal that whereas the greater share of the savings resulted from small business competition, there are instances where a large company has underbid a small company and where one small company has offered prices lower than those of a competing small concern.

The point is, Mr. President, that it is competition and competition alone, regardless of the size of the selling companies, which is essential if our military officials want to avoid having to pay two and three times what a product is worth.

Every year the top supply and logistics personnel of the Department of Defense and its components come before the Subcommittee on Government Procurement of the Senate Small Business Committee and proclaim the loftiest of intentions to bring new sources of small business supply into the mlitary procurement system. So far, however, the only concrete evidence that any organized effort in this direction is being made has come to us from the Navy's Ships Parts Control Center.

There are, I believe, between 500 and 600 Department of Defense offices throughout the country which conduct purchasing activities. Our minds must shrink from contemplating how many millions upon millions of dollars the officials of these hundreds of installations have squandered throughout the years because of their lack of success in finding new sources of supply to compete with unnecessary single source producers. We have seen how just one such office saved 70 percent on the cost of 42 common-use items through competition. It seems proper to inquire to what extent the Department of Defense is today continuing to pay $100,000 for products which through competition could be bought for $30,000? Commonsense dictates that this sole source giveaway be brought to a halt.

Here is a situation, if I ever saw one, Mr. President, that cries out for management control at the highest level. One cannot expect a busy Secretary of Defense to be intimately aware of everything that goes on in every one of his Department's farflung purchasing offices. Yet the reputation of Secretary McElroy for business acumen is such that we know without having to be told what he would have done as president of Procter & Gamble had he found one of his company's purchasing agents consistently paying a premium to one supplier when he could have made the same purchase at a 70-percent saving from another supplier. A competitive purchasing system would have been installed immediately and negligent personnel would have been fired or replaced. Similar corrective changes should take place in the Department of Defense.

I am writing to Secretary McElroy for the purpose of calling this procurement problem to his attention. In the last analysis, the only way to lick this problem is for the Department of Defense to attack it with all possible vigor. It may be that the Secretary will want to send instructions to every purchasing official of the Department, requiring a written justification for every sole source purchase when there is any reason whatever to believe that additional sources for the product may be available.

This is a matter which should be of vital concern to every Member who wants to see the Government run on a business-like basis. Such wasteful practices as I have described today and documented should also be of particular interest to the members of the Appropriations Committee and the Armed Services Committee. Needless to say, this problem is of the greatest concern to the members of the Small Business Committee, all of whom realize that year by year the share of small firms in military procurement has dwindled from a high of 25 percent in fiscal year 1954 to 17 percent in fiscal year 1958. In the first quarter of fiscal 1959 there was a further decrease to 16.6 percent.

This downward trend of small business participation in military purchases can be reversed, provided the Department of Defense bestirs itself. One way would be to increase the share of small firms in research and development contracts which is currently running at about 3 per cent of the total spent for such purposes. A second way to make it possible for small concerns to bid on military contracts would be to provide specifications, drawings, and engineering data for a long list of products which are now sold

to the Department by sole sources because the information on which other potential suppliers might submit is lacking.

Yet a third way to broaden the base of military procurement would be for the Army, Navy, and Air Force to place greater emphasis on the Small Business Administration's set-aside program, which has a great unrealized potential.

It is my intention, Mr. President, to offer an amendment to the Department of Defense appropriation bill for fiscal year 1960 when it comes before the Senate. My amendment will propose that of the estimated $20,200 million to be made available to the Military Establishment during fiscal year 1960 for supplies and services to be procured in the United States and its Territories, not less than $4,040 million of that amount shall be expended for supplies and services with qualified small business concerns. This is a modest goal. To reach it will only require the additional expenditure of approximately $311 million more with small firms than the dollar value of the contracts such firms obtained in fiscal year 1958, which was $3,729,018,000.

In conclusion, I want to make this observation: In my years of experience as chairman of the Small Business Committee I have yet to encounter any military procurements wherein a newly introduced element of competition did not result in the Government's being able to buy the products involved at a lower price than formerly. For the Department of Defense to continue to pay noncompetitive sole source suppliers of common use items premiums ranging as high as 90 percent on items obtainable elsewhere is not only fiscal madness, it is an utter abrogation by the military of its moral duty not to squander public funds.

Mr. RANDOLPH. Mr. President, I am appreciative of the fact that I am given the opportunity to follow the distinguished chairman of the Select Committee on Small Business. The subject which he has brought to the attention of the Senate is an important one, and I emphasize what he has so well said, that at the present time small business is not receiving its proportionate share of Government contracts.

Mr. President, although the Congress has often set forth its desire with respect to awarding the small-business concerns, a fair proportion of the appropriated dollar for supplies and services in the continental United States, the Department of Defense records of awards going to small business as prime contractors has progressively decreased year after year at an alarming rate: Fiscal 1954, 25.3 percent of $11,448 million; fiscal 1955, 20.5 percent of $14,930 million; fiscal 1956, 19.6 percent of $17,750 million; fiscal 1957, 16.6 percent of $19,133 million; fiscal 1958, 17.1 percent, of $21,827 million; first half of 1959, 13.3 percent of $10,050 million.

The small business firms should at least get 20 percent of the appropriated dollars for fiscal 1959 and 1960 and we in Congress should insist that this be done. This could mean only an increase of approximately $300 million on what they receive in fiscal 1958. There are many ways to do this. For instance, in fiscal 1958 there were $508,732,000 in awards on which small concerns could not bid because of proprietary controls or standardized specifications. In fiscal 1958 there were awards made amounting to $13,971,326,000 which had no known small business sources. Efforts should be made by the Department of Defense to find more sources.

There should be more procurement made on an advertised competitive basis. During the past 5 years only 15 percent of the total dollars awarded have been advertised. Some 85 percent of the awards made were without competition and one reason why small business is not receiving a fair share of the Government business.

The net awards to the first 100 large companies amounted to 74.2 percent of the dollars spent in the continental United States; 25 of these 100 companies received 57.5 percent of the dollars spent. These awards were largely made under what is known as the "Weapons System Concept" of procurement and there is some question as to whether this system when used is in the best interest of the Government and the small business community.

In fiscal 1958 there were $635,422,000 awards made in which small business could not participate because it could not meet quantitative or delivery requirements. The requirements should be broken down into smaller quantities and delivery dates extended to allow small business to participate.

Mr. President, it was my privilege, a few days ago, to chair the Subcommittee on Government Procurement and I was surprised and worried by the documented statements by small-business men as to the unfair conditions faced in an effort to secure and process Government contracts.

SECOND SUPPLEMENTAL APPROPRIATIONS, 1959

The Senate resumed the consideration of the bill (H.R. 5916), making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes.

Mr. BRIDGES. Mr. President, I offer the amendment which I send to the desk and ask to have it stated.

The PRESIDING OFFICER. The amendment offered by the Senator from New Hampshire will be stated.

The LEGISLATIVE CLERK. On page 15, line 6, after the word "facilities", it is proposed to insert : "; no part of this appropriation shall be available for the purchase of science, mathematics, and modern language teaching facilities, which are sold, manufactured, or otherwise identified as originating in Communist or Communist-dominated countries."

Mr. BRIDGES. Mr. President, I have offered an amendment proposing limitation of expenditure of part of the appropriation provided for defense educational activities in the Department of Health, Education, and Welfare appropriation in this so-called second supplemental Appropriations bill, H.R. 5916.

Mr. President, I recently, on March 12, brought to the attention of this body the Soviet invasion of the American market with various scientific and laboratory equipment for use in American secondary schools and colleges. We have now for some time been aware of the declared Soviet economic offensive against us. We would, indeed, have to be very sound asleep not to be aware of it because the Soviets themselves have told us in no uncertain terms and they have suited their actions to their words. I pointed out on March 12 the Soviet techniques concentrating on different phases of free world economy. By selective dumping and underselling tactics, industries could be destroyed one by one.

Mr. President, important as is the aspect of piecemeal economic destruction, there is in their latest incursion into the field of scientific laboratory equipment a far greater significance. Cold war and economic war offensives are only a part of what is the overall struggle for the minds of men. The flooding of our secondary schools and colleges with Soviet scientific equipment is a direct frontal assault in that never-ending struggle.

The youth of America is daily treated to stories of Soviet scientific superiority. Hardly a day passes but what someone is hailing some new Soviet achievement. Much of this is propaganda, witting or unwitting, but nevertheless it does have its impact. What effect, Mr. President, do you think it will have on the young people entering upon careers in the field of science, after reading those stories to find that indeed in the pursuit of their studies, they are using Soviet-made scientific demonstration apparatus? To my mind, it would merely confirm to them the propaganda stories to which they have been subjected. Certainly in the expenditure of Federal public funds, expressly earmarked for the purchase of such equipment, the least we can do, as prudent legislators, is to try to safeguard the use of those funds so that we are not in any way aiding the Soviet effort for world domination.

Mr. GORE. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. GORE. Has the administration taken a position on this subject?

Mr. BRIDGES. I do not think it has. At least I am not aware of it.

Mr. GORE. Is the Senator proposing, on the one hand, that Congress appropriate money to give aid to the States in developing a program of scientific education, and, on the other hand, telling the States, "You must not spend this money in the most economical way; you must spend the money to 'buy American'; you must not buy these products from a foreign country; you must use the money to buy American equipment"? Is this not an innovation in the Federal-State relationship in the field of aid to education?

Mr. BRIDGES. In answer to my very able and distinguished colleague from Tennessee, I will say I am not attempting to stop the use of scientific equipment purchased from various countries of the world, and used in teaching in the

laboratories and schools. I am trying to stop the use of Federal funds for the purchase of such equipment from the Soviet Union or other Communist countries. These countries are attempting to dump this material into our schools. All of it is marked, "Made in Russia," and has the Communist imprint on it. The amendment provides: "which are sold, manufactured, or otherwise identified as originating in Communist or Communist-dominated countries." That to me clearly states, as was my intention, the prohibition against the purchase of identifiable items.

Mr. GORE. Mr. President, will the Senator yield?

Mr. BRIDGES. Certainly.

Mr. GORE. How is the superintendent of education in a county in Alabama, for example, to know whether a stirring rod or glass tube or a mixing pot has been made behind the Iron Curtain, or whether it has not been made behind the Iron Curtain? Is not the Senator proposing an unworkable amendment? Is not the Senator proposing an innovation in the Federal-State relationship in this field?

Mr. BRIDGES. I do not know that I am proposing an innovation in the Federal-State relationship; we certainly make drastic wage stipulations in Federal funds to States for road building. I am doing a very practical thing in trying to shut off the use in our schools, in which boys and girls at a very impressionable age attend classes, of equipment which is being dumped into this country by Russia and which is marked as Soviet-produced products. It would not be surprising if the students gathered the idea that we in this country are unable to make the equipment or that the Soviets make it better.

Mr. GORE. The Senator's amendment is not confined to artices which are marked. I wonder how a child in a chemistry class could be impressed by a glass tube, whether it was made in Czechoslovakia or Germany or Tennessee. It seems to me that it is a bit farfetched to suggest that our children will be subverted by the use of a test tube or mixing pot or stirring rod or, perchance, a microscope, manufactured in Czechoslovakia or Poland.

Mr. BRIDGES. I am sure that the boys and girls in New Hampshire schools would prefer to use a microscope made in Tennessee rather than one made in Russia.

Mr. GORE. That is not the question. Congress is appropriating money in the bill now before the Senate to aid States in the development of a science education program. Yet the Senator proposes to place an impossible task on the shoulders of the administrator of the program in a county of Tennessee or Alabama, by telling him he must not spend the money in buying equipment until he can ascertain that it positively was not manufactured in Poland or Czechoslovakia or the Soviet Union.

At one time I was the county superintendent of education in a county of Tennessee. I know what limited facilities the superintendent has. How could the superintendent of Smith County in Tennessee determine whether a glass tube was made in Czechoslovakia or anywhere else?

Mr. BRIDGES. The Senator from Tennessee, like the Senator from New Hampshire, taught school. I taught a class in science in secondary schools. Therefore, I am familiar with the problem. I say that this type of equipment is being dumped into this country with the intended result of its being used by schools. I have already spoken to the point about identifiability.

Mr. GORE. Does the Senator really believe that the children of our schools are going to be stirred into unpatriotic zeal by the use of some little piece of equipment which has not been made in America?

Mr. BRIDGES. I am not objecting to the fact that it has not been made in America. I am objecting to Soviet Union propaganda and I have already remarked on its probable effect.

Mr. GORE. The Senator's amendment is broader than that. It covers material manufactured outside the Soviet Union. How is the administrator of a county program to determine whether a piece of equipment is made in a foreign country? Would the Senator read his amendment again?

Mr. BRIDGES. After the word "facilities," on page 15, line 6, I proposed to insert a semicolon and then add: "No part of this appropriation shall be available for the purchase of science, mathematics, and modern language teaching facilities which are sold, manufactured, or otherwise identified as originating in Communist or Communist-dominated countries."

Mr. GORE. So it is not confined to the Soviet Union.

Mr. BRIDGES. The amendment states Communist or Communist dominated countries. As I have repeated the matter of identification is clear.

Mr. GORE. Oh, no. I beg the Senator's pardon. It says: "teaching facilities which are sold, manufactured, or otherwise identified." It is not necessary that they be so identified.

Mr. BRIDGES. Furthermore, the customs laws require that the articles be appropriately stamped as to country of origin.

Mr. KEATING. Mr. President, I am sure the interpretation of the language is that the articles would be identified in some manner. I know that there is quite a flood of this material coming into our country from the Soviet Union. I support the amendment offered by the distinguished Senator from New Hampshire. I believe the adoption of the amendment is vital in the context of our life-and-death cold war struggle with the Soviet Union.

It is important, in considering this problem, to differentiate between good faith commerce among the nations of the world and the blatant attempts by the Soviet bloc to use international trade as a political and propaganda tool.

While I strongly endorse our State Department's efforts to expand peaceful trade with the world, including the Soviet Union, I believe we would be derelict in our duty if we permitted the use of public funds to abet the economic cold war designs of the Russians.

We can and must draw the distinction between legitimate foreign trade and commerce planned as a weapon in economic warfare. The scheme of the Soviets to flood the American market with low-priced, high-quality scientific equipment is similar in some respects to their previous efforts to drop the world price of aluminum, and thus upset the market in that commodity. There appears to be a good deal of truth in the allegation that these Soviet moves are merely individual steps in a Soviet master plan to "discombobulate" one American market after another.

The fact that this Soviet scientific equipment can be sold in this country for anywhere from one-half to one-fifth the cost of products made in the United States indicates that the Soviets have priced their goods to be used for political and propaganda purposes. They seek by this move to make a two-pronged attack on America by the sale of these products.

First, they can undermine an important industry which cannot possibly turn out quality goods at the low prices at which the Russians are producing them. Many outstanding firms in the State of New York could be undermined, both directly and indirectly, by massive imports of microscopes, electronic equipment, projectors, and other scientific apparatus. Some of this material is already coming into the United States and is going into our schools directly from the Soviet Union.

The second objective is that the Russians hope to create indelible impressions on the minds of the young American scholars who would use this equipment in their schoolwork. It is complicated, well-designed equipment; it is not merely test tubes or something of that kind. With their aim to shake America's confidence through Russian scientific achievements, they hope to solidify their grasp on youthful American minds by impressing them with the scientific equipment used in the classrooms.

The total U.S. market for school laboratory equipment has been reliably estimated to be about $6 million a year. But the total sales potential, when the National Defense Education Act—which is what we are talking about—goes into effect, with its provision for the purchase of scientific equipment by schools and junior colleges, cannot be calculated. It may at least double the present market.

I, for one, do not propose to let this increased market be gobbled up by Communist manufacturers selling goods to be purchased by funds supplied by American taxpayers. This amendment should be adopted. It strikes me that the wording of the amendment is appropriate. The objective of the amendment offered by the Senator from New Hampshire is to combat Soviet tactics which are designed primarily to promote Russian political interests, to undermine American industries, and to influence young Americans.

The Soviet economic challenge cannot be measured—nor should we try to meet

it—on the same terms as the business competition of our friends around the world. Let us never forget the ultimate objective of the Soviets. Right now they are concentrating on economic infiltration. Although Soviet scientific equipment represents merely one aspect of this overall endeavor, it is a particularly disturbing endeavor.

I hope the amendment will be overwhelmingly adopted, even with such modification as may be needed. The fears of the distinguished junior Senator from Tennessee about the identification of such products are not well founded. The wording of the amendment means that the product must be identified in some manner.

It seems to me that we must show the world that we intend to fight, tooth and nail, this Communist economic cold war offensive. That is the objective of the amendment offered by the distinguished Senator from New Hampshire.

Mr. BRIDGES. I thank the Senator from New York.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield to the senior Senator from New York.

Mr. JAVITS. I think I understand the purpose of the amendment. I am concerned about the effect which the Russian scientific products are having upon our national security. Therefore, I make two suggestions to the Senator from New Hampshire: First, perhaps the point made by the Senator from Tennessee could be dealt with in the amendment by requiring a specific mark of identification on the product. Second, and I think equally important, it is necessary, I believe, to make an exception for products used for demonstration and comparison. I do not think anyone would want us to be blind, even in the schools, to what the Russians are doing. I do not think that is the intention of the Senator from New Hampshire, because he has had too much experience in this field.

So merely by way of suggestion, I commend these two thoughts to the Senator from New Hampshire, so that the amendment may be whipped into shape.

Also, the Senator perhaps may wish to address himself to the national security implications. If all we were dealing with was dumping, we would have to deal with residual oil, aluminum, antimony, manganese, and tin, some of which the Russians have already dumped, and others of which they have the capability of dumping.

Mr. BRIDGES. I thank the Senator from New York.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. I have received a number of complaints concerning the subject of which the Senator from New Hampshire has spoken. One was from a very large firm in Massachusetts, American Optical Co.; others were from smaller firms, Kirkland Instrument Co. and Cambosco Scientific Co., with which I am not so familiar. I have taken up these complaints with the Department of Health, Education, and Welfare.

Secretary Flemming has written that from the point of view of the Department the objection is that such action as is contemplated under the proposed amendment may be considered Federal interference with the local schools. But that can be balanced against the dumping by the Russian Government of scientific material, not only for school purposes, at such a low price that, even if the full tariff is imposed, the price is still as I understand, less than 50 percent of the price for which the American Optical Co. can produce and sell similar goods.

It seems to me that we should give consideration to that aspect of the matter balanced against the aspect of possible Federal interference with local schools.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. FULBRIGHT. First, has the Department of Commerce had an opportunity to consider the amendment?

Mr. BRIDGES. So far as I know, it has not.

Mr. FULBRIGHT. Have any hearings been held on the amendment?

Mr. BRIDGES. So far as I know, no hearings have been held.

Mr. FULBRIGHT. Does the Senator from New Hampshire know how large the imports of this material have been?

Mr. BRIDGES. I know that samples of his equipment have been exhibited and I am reliably informed that orders may now be placed in sizable quantity. I am not prepared to give a complete itemization.

Mr. FULBRIGHT. Are the imports substantial in quantity?

Mr. BRIDGES. I do not know if they have been up to the moment. I hope not. I am trying to stop them. Various articles concerning this problem published in outstanding national magazines, have been called to my attention; and there have been other instances in which I have been informed personally and directly of such occurrences.

Mr. FULBRIGHT. Does not the Senator believe that this is a subject which comes within the purview of the Battle Act and the regulations which have been promulgated thereunder, in connection with our allies, in the attempt to control East-West trade?

Mr. BRIDGES. I believe that is a part of the general theory of the act but I do not know whether the Battle Act would specifically cover this.

Mr. FULBRIGHT. Is this not a field in which not only the United States has an interest, but in which our allies also have an interest?

Mr. BRIDGES. I do not know that our allies would have a particular interest in school equipment being dumped into this country.

Mr. FULBRIGHT. The Senator may remember that last summer a question was raised about the dumping of aluminum. It was not dumped specifically into this country; I think it was dumped into the London market. Also, a large quantity of benzene was sold to the Dow Chemical Co. That matter was taken up with the Department of Commerce, which is now considering it. But it strikes me that this is not a very orderly way in which to legislate in this field. I myself think there must be adopted some new policy whereby we and our allies will coordinate our efforts to meet the type of action which was encountered in the case of aluminum, tin, and lead.

I think this approach, without hearings having been held to determine where we are going and what we are doing, is subject to the criticism of shooting in the dark at something which we think threatens us.

I do not believe this matter has been sufficiently prepared for the Senate to pass upon it very intelligently. I do not believe it is an isolated case. I think it is a part of the overall policy of the protection of the free world economy against what we call dumping. I am not sure whether it is dumping.

A few days ago I had a conversation with one of the visiting members of the International Chamber of Commerce, many of whom were in Washington last week. He had recently been in Poland. I asked him about his experiences there. He was associated with the Imperial Chemical Co., and he went to Poland to visit their chemical plant there. He threw entirely new light on the question. He said, "I do not know whether they are dumping or not. In my opinion, they do not know what their costs are. Their plant is very well equipped, but in their system of economy they have developed no method of determining their costs."

He said that actually these people were very eager to discuss ways and means of discovering what their costs are; and he said, "I don't know for sure whether they are deliberately dumping these materials, or whether they don't know, and just have some on hand at a particular time, and sell them for whatever they think they will bring."

It seems to me that in this case the Senator has raised, in connection with an appropriation bill, a matter which is very serious and should be considered by the appropriate legislative committees as a part of an effort to find a solution to the overall problem of what the free world is to do in regard to, let us say, a raid by a state trading company. I am not unsympathetic with the objectives. But I do not like to accept to an appropriation bill an amendment which deals with a matter about which we know very little, and which has not been submitted to the proper department of the Government, and has not been developed in the way we usually develop legislative provisions.

Mr. BRIDGES. Mr. President, I appreciate the comment which has been made by the distinguished chairman of the Foreign Relations Committee. I would say that this is not so much a matter of trade as it is a matter which has propaganda value. If the high schools and secondary schools of our country use in their science laboratories Soviet-made equipment, which is so identified by the pupils, it will have tremendous

propaganda value on their young minds. That is the main point I am making.

Mr. FULBRIGHT. If that is the main point, then I certainly think the State Department, which is given the responsibility of dealing with such propaganda matters—in fact, the Congress appropriates more than 100 million a year in that connection, and the distinguished Senator participates in the consideration of that item—should be given an opportunity to look into this question. However, I did not think that was the main point in this connection. Instead, I thought the main point was one of trade.

I must say that I am very dubious about the propaganda effect. On the other hand, I am not very dubious about the trade effect. I think the trade problem is a very difficult one for us to solve.

Mr. KEATING. Mr. President, will the Senator from New Hampshire yield to me?

Mr. BRIDGES. I yield.

Mr. KEATING. The Senator from Arkansas has raised the question whether this is a serious matter, or whether the case referred to is an isolated one, and so forth.

I call attention to the fact that in late January there was, in New York City, an exhibit of Russian-made scientific equipment. It was set up at the meetings of the American Physical Society and the American Association of Physics Teachers, at the Hotel New Yorker, in New York City. The purpose of the exhibit was stated to be to promote the sale to American schools of Soviet-made equipment, such as microscopes, electronics equipment, projectors, and other apparatus for use in classrooms. In other words, it was apparently a well-planned move of a semiofficial character by representatives of the Soviet Union.

Mr. FULBRIGHT. Assuming that to be so, I still believe it would be very improvident for us to legislate in the way now proposed—in other words, to attach to an appropriation bill such a rider, which relates to a decision which obviously affects our foreign policy, and to do so in the absence of any hearings at all.

I think this matter goes far beyond the proper scope of a rider to an appropriation bill. Obviously the matter involves our basic foreign policy. If such exhibits are permitted, apparently they are in accordance with our policy, or else such exhibits would not have been permitted.

I believe this matter deserves serious consideration by the appropriate committee, which should weigh the effect of the admittance or the exclusion of such items. Perhaps they should be excluded. But I do not think the way now proposed is the proper way to handle the matter.

Mr. KEATING. Mr. President, if I may give a partial answer to what the Senator from Arkansas has said, let me ask a question: Is it not wise to act on this problem before a large volume of such items is admitted? Later, it might be more difficult to act than it is now; and such action on our part at a later time might more seriously impair the interests of those who in good faith have made commitments. Under those circumstances, congressional action, at a later time, in interferring with the admission of such equipment might be even more disastrous in its effect on those who have proceeded in good faith.

Upon referring to my notes, I find that a news item in regard to such importations states that they were made by a local company which was said to have ordered 6,000 pieces of such apparatus from the Soviet Union. The president of the company said he was sure that was the first importation of such Soviet equipment for sale in this country, and that he believed there was an American market potential of about $1 million during the next two years for the Soviet equipment, which he hopes to sell to schools and colleges. He said he first had become aware of Soviet physics teaching equipment through a photograph on the cover of an American scientific journal, and that, impressed by the apparent quality of the item, he made inquiries, and later visited the Soviet Union, to see its equipment for himself. He said he had been particularly impressed by the evidence that the Russians had set up mass production of physics-teaching equipment about 8 years ago as a part of their "crash program" in science education; and he went on to describe what the equipment consists of — namely, microscopes, projectors, a device for studying wave motion, electronic apparatus, and basic items, such as blocks for demonstration of solid geometry principles, and so forth.

It seems to me that this matter has already reached such proportions that we should face the problem now, one way or the other, and either should say we are going to let such items be imported or should take action to bar them from coming into this country from Communist countries or Communist-dominated countries.

Mr. FULBRIGHT. But does not the Senator agree that, at least, hearings should be held on the matter, so there will be some record in regard to what is being done?

Although probably the Senator's State has the greatest interest in this matter, the Senator has no specific information, other than that such items are being offered for sale.

I believe that, at the very minimum, we should obtain reports on this matter from the Department of Commerce and the Department of State.

The pending amendment is clearly legislation on an appropriation bill. Furthermore, it seems to me, the amendment would change the policy. Perhaps it should be changed; but I do not believe the way now proposed is the proper way to change it.

In the case of the items I have mentioned—for instance, in connection with the aluminum industry and other large, basic industries—I am convinced in my own mind that something should be done. But I am not convinced that what is now proposed is what should be done. I do not know how this matter should be handled; but I believe hearings should be held and the matter should be taken seriously.

On the other hand, a rider to an appropriation bill does not seem to me to be the appropriate way to proceed.

Mr. HILL. Mr. President, will the Senator from New Hampshire yield to me?

Mr. BRIDGES. I yield.

Mr. HILL. Let me say to the Senator from New Hampshire that I find myself much in sympathy with what he has said; and certainly I would not wish to have the Senate take any action which would permit such dumping in our country by the Soviet Union. Of course, not only scientific equipment but many other items have been cited in this connection—for instance, the dumping of aluminum.

Let me say that these funds are to be matched by the States and local communities; in fact, they will not be available for expenditure except as they are matched dollar for dollar by the States and the local communities. So we must consider the fact that we are not simply dealing with a matter which concerns only the Federal Government. Instead, it very definitely brings into the situation the States and the local communities.

Furthermore, we have not had an opportunity to look into this matter. We have not had any hearings at all on it.

My good friend, the Senator from New Hampshire, made a very forthright statement earlier today about the amendment which deals with the Philippine Islands, a matter about which he had taken a position in the committee. Certainly he was justified in doing so, because at that time we had had no evidence or hearings or testimony or facts. But subsequently the facts were brought to his attention, and they were subsequently brought out on the floor of the Senate. So, being a wise man, he changed his position.

Therefore, I ask the Senator from New Hampshire to give us an opportunity to hold hearings and to go into this matter and to obtain the facts, particularly since this matter really involves the States and the local communities more than it involves the Federal Government, insofar as the educational programs are concerned. So let us have an opportunity to obtain the facts.

Incidentally, the distinguished Senator from New Hampshire is a member of the Subcommittee on Labor, Health, Education, and Welfare, and that subcommittee soon will hold its hearings on the question of educational funds. The distinguished Senator from New Hampshire is ex officio a member of the subcommittee. So I think the way to handle this matter is to hold a hearing on it before the subcommittee, and have the distinguished Senator from New Hampshire be there, where he, together with the rest of us, can go into these questions and can obtain the facts.

I believe at least we would then know the basis on which we were proceeding. We would have more facts. We would know the situation with respect to the States, the local communities, and the school districts.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. CHAVEZ. I also belong to the subcommittee of the Senator from Alabama. I believe I am sympathetic with everything the Senator from New Hampshire has said, but I hope such a study will take place.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. CARLSON. I appreciate the discussion on the amendment of the Senator from New Hampshire. I should like to associate myself with the Senator from Arkansas [Mr. FULBRIGHT]. This problem becomes an international one, and is far more important than merely the matter now pending before the Senate. There are three committees involved, the Foreign Relations Committee, the Finance Committee, and the committee having to do with health, education and welfare.

I plead that the Senator from New Hampshire withdraw his amendment, in order that we not get into any difficulty because of this proposal.

Mr. BRIDGES. I believe it is an amendment which might well be taken to conference. If it is necessary to perfect it in any way, it could be perfected at that time.

Mr. HILL. Mr. President, will the Senator yield at that point?

Mr. BRIDGES. I yield.

Mr. HILL. The Senator and I have sat on a good many conferences. We know that when we go into conference no witnesses appear before the members of the conference and no evidence is given. Sometimes the conferees become snarled in other questions, and an opportunity is not afforded to get to the facts of a particular matter. There are many different items in this supplemental bill, dealing with many activities and phases of the Federal Government.

Mr. BRIDGES. I have noticed that the Senator from Alabama is very effective in conference.

Mr. HILL. When the U.S. Senate sends me to conference as its agent, I do my best to uphold the position of the Senate. However, the Senator from Kansas is quite correct about this matter. There is involved not only a question of appropriations, but a question perhaps belonging to the Foreign Relations Committee and the Finance Committee, of which he is an honored and distinguished member.

I join the Senator from Kansas in his appeal to the Senator from New Hampshire that he withdraw the amendment in order that we may ascertain the facts and know what the situation is. I particularly so urge since these funds have to be matched by the States, local communities, and school districts, and they are very much affected by this situation.

Mr. GORE. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield to the Senator from Tennessee.

Mr. GORE. I hope the able Senator from New Hampshire will yield to the entreaties of his colleagues. Admittedly, there is an economic phase in the cold war, but I submit we cannot adequately cope with that challenge by attaching riders to appropriation bills as they come before Congress. If we attach the proposed rider to this bill, then must we not follow through when Congress appropriates money for Hill-Burton purposes, and provide that no item used in that program can be made in Czechoslovakia? I doubt that is a precedent which the able Senator from New Hampshire would wish to establish.

I believe the Senator from Massachusetts stated he had talked to the Commissioner of Education, and the latter had raised the question that this would be Federal interference with local administration of our educational system. The administration of schools in accordance with the laws and the Constitution has, by tradition in America, been vested in the States, counties, and municipalities.

When Congress appropriates money for the highway program, it does not attach riders providing that States may not use the funds, of which they provide a part, to buy machinery from whatever source. We have not provided such restrictions relating to Hill-Burton hospital construction funds; which is a public health program; we have not provided that the State agencies cannot use Hill-Burton funds, of which they contribute a part, for the purchase of medical and surgical instruments made in a particular country.

Mr. BRIDGES. I am sure the Senator realizes the difference here involved. We are dealing with young and impressionable minds.

Mr. GORE. I am willing to believe that this subject embraces an economic problem, and I am willing to try to meet the challenge we face in that light; but I must say I do not share the Senator's view that the children of America are going to be subverted because they use a test tube or a microscope made in a particular foreign country. I do not believe our children are that impressionable. I believe their patriotism, which stems from home, schools, and churches, is sufficiently strong not to be influenced by the use of such instruments.

Mr. BRIDGES. I believe they are impressionable, and my fear of their impressionability is one of the reasons why I offer the amendment.

Mr. KEATING. Mr. President, I suggest the absence of a quorum.

Mr. HUMPHREY. Mr. President, will the Senator from New York withhold his request?

Mr. KEATING. Yes.

Mr. HUMPHREY. I should like to add just a few words to the discussion which has taken place, which I believe has been most informative. It seems to me the discussion points up that there cannot be a piecemeal approach to the problem of the potential economic competition of the Soviet Union. As the Senator from Tennessee has noted, the discussion points up the importance of our entire Government, the executive branch and the legislative branch, settling down to the difficult task of preparing our country for the kind of competition we are going to have on the economic front. It is hoped that from the discussion of an amendment such as this, we might receive the inspiration to see that something is done at the national level, in the appropriate committee, so that there can be made an analysis and a reevaluation of the economic and political tools which we have available to meet the kind of unfair economic competition which is going to be heaped upon us.

With the Senator from New Hampshire, I, for one, as is true of every other Senator, am keenly concerned about this problem. Possibly in the next few days we can formulate a resolution or petition which will indicate our desire in this matter to have the Congress, as well as the executive branch, conduct an appropriate study.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. I should like to ask the Senator from Alabama [Mr. HILL], who is chairman of the Subcommittee on Health, Education, and Welfare, if the amendment were not pushed to a vote at this time, if he would be willing to take the amendment up in the regular hearings on the 1960 HEW appropriations and give an opportunity to those who want to be heard to testify on the matter? Such an assurance would have great influence with me. I would be influenced by what the Commissioner of Education might say. At the same time, I have been very much influenced by several responsible sources, one in Massachusetts, which states that precision instruments are being dumped into this country to such an extent that tariffs are of no help at all. It creates a pretty difficult economic problem. If the Senator will give such assurance, I know it will have great influence with me.

Mr. HILL. I will say to the distinguished Senator from Massachusetts, that I should be glad to arrange a hearing and to let anyone who is interested appear and testify. As I said earlier, the distinguished Senator from New Hampshire [Mr. BRIDGES] is a member of the subcommittee. The distinguished Senator from Maine [Mrs. SMITH] is a member of the subcommittee. The distinguished Senator from Rhode Island [Mr. PASTORE] who was with us a few moments ago, is a member of the subcommittee. I should be very happy to arrange a hearing on this matter before the subcommittee.

Mr. BRIDGES. Mr. President, I will say to the distinguished Chairman of the subcommittee that the Senator from New Hampshire, after conferring with some of his colleagues, will agree to withdraw the amendment on the condition expressed by the distinguished Senator from Alabama, that he will have hearings held on the proposal.

I simply want to serve notice now that if, after the hearings, no action is taken by the committee, I certainly reserve the right subsequently to bring the matter up on the floor by way of a similar amendment.

Mr. HILL. The Senator is a member of the subcommittee.

Mr. BRIDGES. Certainly.

Mr. HILL. The Senator will be at the hearing. The Senator will be present when we have the subcommittee meeting to mark up the bill, and the Senator will be present as a member of the full committee.

Mr. BRIDGES. Certainly. But if I cannot in my own good conscience agree with the committee action. I feel so strongly on the subject I reserve my right to independent action on the floor.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. HUMPHREY. I, for one, appreciate the willingness of the Senator from New Hampshire to withdraw his amendment on the basis of the understanding given, but there are other problems. One of the large companies on the eastern seaboard, the Dow Chemical Co., made a fantastic deal with the Soviet Union on benzene, at a price no other country can compete with, which is 6 cents under the world price. We had, not long ago, the problem of dumping of aluminum. The problems of Bolivia are no accident. I think we have to go into this thing in depth, and not merely with regard to a few educational instruments or facilities. We need to study the entire problem. This is a question I have felt for a long time we have not properly studied.

The Soviet Union has declared economic war on us. The Soviets have their troops in the field, and we have not started to mobilize yet.

Mr. BRIDGES. I think we should survey the whole problem, as has been indicated, because it is a growing economic problem. The particular aspect of the problem referred to in my limitation on expenditure is an educational aspect. That is why I sought to obtain the commitment from the distinguished Senator from Alabama, who is chairman of the Labor, Health, Education, and Welfare Subcommittee of the Appropriations Committee.

Mr. HUMPHREY. I am simply expressing the hope that the Senator will drive a harder bargain in terms of the general survey.

Mr. BRIDGES. I will now drive a harder bargain by asking the distinguished Senator from Arkansas [Mr. FULBRIGHT] who is the able chairman of the Committee on Foreign Relations, if it is his intention to go into the other aspects of the problem. I think it is.

Mr. FULBRIGHT. Exactly. From the point of view we mentioned, about propaganda and otherwise, as well as the Battle Act, we intend to conduct an investigation. I also think the Senator should use his influence—and I will join with him—to inspire the Committee on Finance to go into the whole economic impact of dumping of all the things mentioned.

It is perfectly proper, of course, to handle the matter the way the agreement has been reached, but I should like to join with the Senator in seeking to get the administration in connection with the Congress to develop a legislative program to deal with the whole problem of what we call dumping.

The Committee on Foreign Relations is interested in a part of the problem, but it is not the primary committee having jurisdiction over legislation with regard to tariffs. That would be only a part of the problem.

Mr. BRIDGES. Yes.

Mr. FULBRIGHT. The Ways and Means Committee of the House of Representatives held some hearings last fall, which were very brief. I have not heard more about them.

Mr. BRIDGES. I remember those hearings.

Mr. FULBRIGHT. I have not heard anything further about that matter.

Mr. BRIDGES. I hope that as a result of this consideration in addition to immediate action on the educational phase of the matter we shall be able to approach the over-all problem, which I think the Senator from Arkansas has ably stated.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield to the Senator from Rhode Island.

Mr. PASTORE. I will say to the distinguished Senator from New Hampshire that I wholeheartedly agree with his spirit and objective. Possibly an appropriate procedure would be to submit a resolution pointing up these broad problems with all their ramifications. This could be referred to the appropriate committee. Then we would have some tangible base from which to work.

Mr. BRIDGES. I thank the Senator for his excellent suggestion of a course of action which I had in mind in view of the illuminating discussion we have had.

LEGISLATIVE PROGRAM AND ORDER FOR ADJOURNMENT UNTIL TOMORROW AT 11 A.M.

Mr. JOHNSON of Texas. Mr. President, I am informed that a number of Senators have dinner engagements with the chambers of commerce of their various States, which are meeting in Washington, D.C., at this time.

I have made inquiry of the distinguished Senator from Illinois [Mr. DOUGLAS], and he informs me he desires to make a brief statement. I should like to inform other Senators that at the conclusion of the statement of the Senator from Illinois we do not expect to have any yea-and-nay votes this evening, and we will soon thereafter conclude the session of the Senate for today.

Mr. President, I ask unanimous consent that when the Senate concludes its business today it stand adjourned until 11 o'clock a.m. tomorrow.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

SECOND SUPPLEMENTAL APPROPRIATIONS, 1959

The Senate resumed the consideration of the bill (H.R. 5716), making supplemetal appropriations for the fiscal year ending June 30, 1959, and for other purposes.

The PRESIDING OFFICER. Does the Senator from New Hampshire withdraw his amendment?

Mr. BRIDGES. I do.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. DOUGLAS. Mr. President, I had intended to offer tonight three amendments to the second supplemental appropriation bill, but in view of the lateness of the hour I shall not do so. I shall merely make a brief general statement. I hope I will be recognized at the conclusion of morning business tomorrow to present these amendments and discuss them.

Mr. President, I now ask unanimous consent that I may be recognized at the conclusion of morning business tomorrow.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Illinois? The Chair hears none, and it is so ordered.

Mr. DOUGLAS. Mr. President, this is a very important measure, which now carries with it appropriations of $2.8 billion. I think it is deserving of consideration by this Congress, particularly in view of the charges which the President of the United States has made that this is a Congress of wild spenders.

Before I begin a general discussion of the bill I wish to pay tribute to the members of the Committee on Appropriations and particularly to the distinguished chairman of the committee and the President pro tempore of the Senate, the senior Senator from Arizona [Mr. HAYDEN]. I think there are few in the Senate who fully appreciate the tremendous amount of work which is thrown upon the shoulders of members of the Committee on Appropriations. It is work which is not observed by the public, and it is commonly not appreciated, but it is vitally essential work.

I regard the Committee on Appropriations as perhaps one of the two or three most important committees of the Congress.

In this particular case the committee sat for many days and took, 1,187 pages of testimony. I notice that the distinguished chairman of the committee [Mr. HAYDEN] was present at virtually every meeting of the committee and questioned the witnesses in detail and with great ability. I want to pay my personal tribute to the chairman of the committee. I know it is not necessary to do so, because we all hold him in high esteem. His long record of service, both in the House and Senate, is almost unparalleled in the history of the American Republic. We all admire his energy, his public spirit and his devotion to duty, and we also admire the fact that he never seems to hold any grudges. Even though one may oppose certain items in appropriation bills, the Senator does not take any vengeance upon those who wish to knock items out of the appropriation bills. The course of true love between the Senator from Illinois and these various appropriation bills has not always run smoothly in the past, but I want to testify to the fact that if the Senator from Arizona has felt irritated he has never shown the slightest

indication of that fact, and he has been most generous to and cooperative with the Senator from Illinois. I wish publicly to thank the Senator from Arizona for his personal courtesy, as well as to congratulate him upon his public service.

MONEY REPRESENTS ADMINISTRATION REQUESTS

Mr. President, this bill has various features in it which I think should be noticed. One feature is the fact that virtually every item of additional appropriations has been proposed by the administration. There were very few items which the committees of the House and Senate inserted on their own initiative. If one reads the testimony before the House committee—which, incidentally, runs to 987 pages—he will find how the bureaucrats of the present administration came down and pleaded for $2.9 billion of additional money. They did not say then that Congress consisted of "wild spenders." No. They came with their hats in their hands, begging the Congress to make additional appropriations, above and beyond those which Congress made last year. I think it should be made perfectly clear that this is an additional administration budget request which the President and the Bureau of the Budget have sent down to us; and if there is wild spending in it—and I think there is some—it comes from the administration, and not from the Congress.

ADMINISTRATION REQUESTED HOUSE CUTS BE RESTORED

I wish to thank the Committees on Appropriations of both the House and Senate for the way they tried to cure the wild spending of the administration. The House committee cut the President's budget, as submitted, by $243 million. Then the bureaucrats of this administration descended on the Senate Committee on Appropriations, and, for 1,187 pages, they demanded that the cuts made by the House should be restored, with only one or two exceptions. So here we have almost 2,200 pages of testimony from the Eisenhower administration, demanding $2.9 billion.

As is the custom of the Senate committee, the committee increased the appropriations of the House. Some wag has said that that is why the Senate is called the upper body—because it always "ups" the House appropriation. The kind hearts of the Senator from Arizona [Mr. HAYDEN] and his colleagues are such that at the request of the administration they restored about two-thirds of the cuts. About $163 million of the cuts was restored, and recently, on the floor of the Senate, we restored $23 million more, without, I may add, the affirmative vote of the Senator from Illinois.

CONGRESS CUT FUNDS

But even so, the Senate committee had recommended a total cut of a little more than $80 million, up until a few minutes ago. Now the restoration of $23 million for the Philippines on the floor of the Senate reduces the total cut to $57 million. But even so, this is a $57 million cut which Congress has made in the President's budget. We are not the wild spenders. We are trying to introduce economy in the estimates of the President. I hope before we are through we may make more cuts.

It is not the purpose of the Senator from Illinois to make war upon the Appropriations Committee. This is not a question of the Members of the Senate versus the Appropriations Committee. This is rather a case of the people of the United States versus the bureaucrats of the Eisenhower administration. I believe our good friends on the Appropriations Committee would be helped in the future if they could tell the bureaucrats that they are likely to run into opposition on the floor of the Senate if the bureaucrats make excessive demands. They can say, "We would like to do this, but there are those who will question your requests on the floor of the Senate. Therefore we think you should scale them down."

So what we are really trying to do is to bring reinforcements to the great chairman of the Senate Committee on Appropriations—to bring battalions in behind him, so that he and his colleagues will not be the sole persons standing between the taxeaters and the American public.

EXTRA MONEY IN 1959 IN ORDER FOR 1960 BUDGET TO SHOW A PAPER SURPLUS

There are certain specific features of the bill which, to my mind, are subject to very serious question. In the first place, there is in certain instances an attempt on the part of the administration to charge to the 1958–59 budget items which should be transferred to the 1959–60 budget. This, I think, is a part of the general budget policy of the Eisenhower administration—to make the deficit for 1958–59 as big as possible, and then blame this on the Democratic Congress, in order that the deficit for 1959–60 may be as little as possible, or even nonexistent, and then take credit for the Eisenhower administration for the apparent improvement in the fiscal solvency of the Government. There are traces of that tendency in this budget, upon which I shall elaborate tomorrow.

ADMINISTRATION ASKS FOR BACK-DOOR FINANCING

There is also another tendency, namely, to indulge in back-door financing, which the administration has attacked and has said is a characteristic of the Democratic Congress. And by back-door financing I mean both the authorization of direct expenditures by the Treasury without an appropriation and the authorization of spending from funds which were originally appropriated for other purposes or which the Government has received from the sale of such things as surplus property and which would otherwise be treated as receipts to the Treasury.

For example, various Department of Agriculture funds listed on page 41 of the report seem to be clearly cases of back-door financing; also of a similar nature is the increase in the limitation for ship construction subsidies; various funds for the District of Columbia; requests for civil defense; funds for social security; funds for the Railroad Retirement Board, the judiciary, the Post Office Department, and other agencies.

Is it not somewhat inconsistent for the administration to complain about backdoor financing when, at the same time, in many cases in this budget, they have themselves requested such backdoor financing?

Passing to specific items in the budget, there are three or four items with respect to which I am tempted to offer amendments. If I have success with the first one or two, we can then venture farther out on the ice.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. JOHNSON of Texas. Has the Senator sent his amendments to the desk?

Mr. DOUGLAS. I will send them to the desk and ask that they be printed.

Mr. JOHNSON of Texas. Will the Senator be prepared to pursue those amendments at the conclusion of the morning hour tomorrow?

Mr. DOUGLAS. Yes; I will finish shortly for I do not want to hold any Senator back from his dinner.

Mr. JOHNSON of Texas. Is the Senator aware that the Senate is to meet at 11 a.m. tomorrow?

Mr. DOUGLAS. Yes.

Mr. JOHNSON of Texas. Morning business should be concluded about 11:30 or a quarter of 12.

Mr. DOUGLAS. I shall be prepared.

Mr. JOHNSON of Texas. How long does the Senator expect to speak this afternoon?

Mr. DOUGLAS. The Senator from Illinois thinks he can conclude in about 5 or 6 minutes.

Mr. JOHNSON of Texas. I thank the Senator.

FUNDS FOR SURPLUS DISPOSAL

Mr. DOUGLAS. One item which I think we should scrutinize very carefully is the release of $5 million for the Department of Defense.

One of the great sources of waste is the way in which the Department of Defense handles its waste disposal. Last year it sold about $6 billion worth of property for only about $200 million. The cost of selling this property amounted to about $50 million. So the net was only $150 million, on property originally costing $6 billion. In other words, the Department of Defense realized only 2½ cents on every dollar. At the same time, in many instances, either identical articles or substantially similar articles were being purchased for the military services at 100 cents on the dollar. This is one of the big sources of waste, and one of the most fertile fields for practicing economy. It needs thorough probing.

The Department of Defense is asking that, in addition to the $49 million which it is allowed to withhold from the proceeds of these sales, it be given an additional $5 million; in other words, that additional expenses of the sales be met out of the proceeds of the scrap.

I think this is a bad policy. It is another form of backdoor financing. Furthermore, in the case of surplus property, there is always the danger that the agency will sell additional property,

property which should not be sold as surplus, merely for the purpose of enlarging their own funds and building a greater bureaucracy and for their own aggrandizement.

Finally, I believe we shoud carry out the original intent of Public Law 152 of the 81st Congress—the General Services Act—and have surplus property of the Defense Department sold, not by the Defense Department, but by the General Services Administration.

NEW SENATE OFFICE BUILDING

I should like to come closer to home on two items approved in connection with the New Senate Office Building, a project which I opposed when it was originally introduced, and which I believe needs close scrutiny. I wish to commend the Senator from Louisiana [Mr. ELLENDER] for the very thorough cross-examination he gave the Architect of the Capitol in the Committee on Appropriations. I invite every Senator to read the testimony of Mr. Stewart and the questions asked by Senator ELLENDER, beginning on page 1161 of the hearings and going through to page 1186.

INCREASE OF $10 MILLION

When the new building was authorized, the promise was made that the cost would be only $20,600,000. We have, however, now authorized for building and equipment $23,446,000. Thus we have authorized already over $2,800,000 more than the original estimate. The result has been a building which, to put it mildly, is not distinguished either for beauty or for convenience.

In addition to that, we have spent on the cost of the land for the building $1,011,000. We have also authorized an expenditure of a million dollars for furniture. We have made that appropriation. So that the building to date has cost $25,500,000.

Now the Architect of the Capitol is asking, and the Senate committee has granted, additional requests of approximately as follows:

Seven hundred and fifty thousand dollars for changes in the building itself. That would raise the total cost of the building to $24,196,000.

The Architect has asked for $293,000 for additional furniture. The committee has granted $283,000. This, if approved, would bring the total cost of furniture to almost $1,300,000.

The Architect has asked for $4 million for an additional subway terminal and to dismantle and replace the steps of the Senate wing of the Capitol. The cost of this additive subway to date has been at least $2.1 million and apparently another $246,000 on top of that, so the Architect is really asking us to pay $6,346,000 for the new subway and its fixings. If all these items are approved, the cost will be $30,500,000 for the new office building, whereas the original estimate and promise were $20,600,000.

I wish to argue these points in detail, but before I do so I wish to say that I do not believe the slightest blame is attached to the members of the Committee on Appropriations for this situation. They are burdened with many tasks and commonly are confronted with accomplished facts.

ARCHITECT APPOINTED BY PRESIDENT

The Architect of the Capitol, is appointed by the President, and is not chosen by Congress or by an agent of Congress, but rather appointed by the President without the confirmation of the House and Senate. The present occupant of that position was appointed by President Eisenhower in 1954, and he is outside the control of Congress. He is trying to get us to embark on a vast and costly building program.

We see the results of his building all about us: A third House Office Building across the way; the tasteless extension of the east front of the Capitol for $17 million; the New Senate Office Building, to cost $30½ million to date; and with great plans for the future, such as the extension of the House wing of the Capitol, and an underground garage.

The Senator from Louisiana [Mr. ELLENDER] was correct when he said to the Architect of the Capitol, "I have never seen an architect who found more things to do than Mr. Stewart. It is unending."

That is the situation we find.

The other day I was reading the poetry of Henry Wadsworth Longfellow, that celebrated Maine and national poet, and as I read some lines suggested themselves to me. They are not very great poetry. Probably I am as poor in the field of poetry as the new office building is in the field of architecture. However, I shall recite it:

Architect, spare our Capitol,
Touch not another stone.
In youth it shielded our Republic.
Oh, please, let it alone.

[Laughter.]

USE OLD FURNITURE

There is one item in particular which I wish to discuss; namely, the furniture The request is for $283,000 for new furniture; $113,000 of that is for desks, chairs, and tables, and so forth, for 40 offices. We have already appropriated a million. But now they want $283,000 more.

As we come over to the Capitol we go through corridors in the Old Senate Office Building filled with furniture which has been discarded from offices in the old building. It is piled out in the corridors. Yet it is proposed to equip with new furniture 40 offices in the new building. I had a census taken. I sent a member of my staff through all the floors, on all four sides and on all four floors, and even up into the attic, of the Old Senate Office Building, and this is the count: There are, in the Old Senate Office Building, old desks ready to be used, to the number of 375, 215 steel filing cabinets, 400 chairs, and lots of bookcases.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. MORSE. The Senator missed one chair, because I got it. I had it brought into my office. That is one of the discarded chairs the Senator has referred to. I got that for my own personal use. I have never had such a comfortable chair in the 15 years I have been in the Senate. It is a wonderful chair. Therefore, the Senator from Illinois does not have that chair included in his figures.

Mr. DOUGLAS. I wish the Architect of the Capitol would follow the example of the senior Senator from Oregon and move into those 40 offices some of the old furniture—comfortable, costless furniture—instead of spending $113,000 for new furniture.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. HUMPHREY. When I was in the Old Office Building——

Mr. MORSE. Did the Senator move?

Mr. HUMPHREY. Yes; I moved. When I was in the Old Office Building my chair was one of those rickety chairs which would not work. While I was at Bethesda with an ailing back, the doctor told me I had to get a different chair. So I bought a chair for myself. I hope I will not be charged rent for using that chair.

Mr. DOUGLAS. I hope the Senator from Minnesota will go through the corridors and pick out a good chair and take it into his office.

Mr. KEATING. Mr. President, if the Senator will yield, I should like to remark that this is the first time I heard that the distinguished senior Senator from Minnesota has ever sat down. [Laughter.]

CARPETS NOT NEEDED

Mr. DOUGLAS. There is another appropriation of $150,000 for carpets in 207 offices. At present, each Senator's own room in the New Senate Office Building is carpeted. But the Architect of the Capitol laid rubber tiling in the other offices in each Senator's suite. Now the Architect wants to place carpeting over those tiles at a cost of $750 a room.

If we read the testimony, we learn why he wants to lay carpets. The Senator from Louisiana [Mr. ELLENDER] and the Senator from Mississippi [Mr. STENNIS] put him over the hurdles. On page 1172 of the hearings, Senators will find the Architect's reasons for wanting the carpets.

First, he said the electric typewriters make so much noise it is necessary to lay carpets to deaden the sound, despite the fact that there is already good insulation in the ceilings and walls. Second, he said it was dangerous for the clerks to walk on rubber tiles; that they might slip and break their legs; therefore, we must spend $150,000 for carpeting.

Mr. President, I have walked on the equivalent of rubber tiles. It never struck me as a dangerous occupational hazard. I am ready, however, to make this offer. I do not have much money, but I am ready to buy rubber heels for every clerk in every senatorial office in the New Senate Office Building. If Senators will give me the foot measurements of their employees, I will see to it that they get rubber heels, for men and women alike. If I can buy them at wholesale price, it will not be too expensive. This, I think, will save $150,000 for carpeting.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. CHAVEZ. How many girls does the Senator from Illinois think he can

get to wear rubber heels, either in the New Senate Office Building or the Old Senate Office Building?

Mr. DOUGLAS. Well, if it is a case of preventing legs from being broken, I feel certain they would wear rubber heels at least during working hours. In any event, this is a good way to save $150,000. There is in fact no real danger to justify such an expenditure.

EXCESSIVE COSTS FOR SUBWAY TERMINAL

The final item is the subway. Already, $2,100,000 plus $246,000 has been spent on the subway—see hearings, page 1163. I walked through it this morning. Now it is proposed to spend $4 million more. This will be almost the most expensive subway in the history of the United States. The catacombs of Rome, in which the Christians sought refuge, will not compare with this subway.

I shall discuss the architecture of the subway later. I shall make this comment now, and I ask Senators to read it in the RECORD tomorrow morning. I had assumed that the new subway would run into the present subway, and that the two would have a joint terminal together. But on my walk through the subway this morning, I found that that is not the case. The new subway is to be completely separate. A new spur from the rotunda is to run into it or vice versa. I do not know what will happen to the old subway, but the rumor is that it is to be closed and possibly used as a storage space. I do not know how much that subway cost originally.

It seems to me that a tremendous architectural blunder has been made by the Architect of the Capitol in virtually confronting us with an architectural accomplished fact, in which the end of the new subway is directly opposite the Senate steps and does not connect at its terminus with the old subway. I think the basis is being laid for tearing down—in fact, this is a part of the plan—the Senate steps and stairs and building the terminal almost directly by the elevator. For what purpose? I do not know for what purpose.

One argument, though, is that it will save steps for Senators which they otherwise would have to take in coming from the terminus of the present subway to the elevator. I took note of the number of steps and counted them. They came to 50. At a cost of $4 million, that is $80,000 a step. That is too costly.

One great trouble with being a Senator is that we do not get enough exercise anyway. I think walking 50 steps, going and coming, would be excellent for us. I would value the exercise very highly. But we are to spend $80,000 to save a Senator a step.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. MORSE. I am in so complete agreement with the Senator from Illinois that I would not want to put in a dissident note about the matter of Senators not getting enough exercise. If the Senator is looking for exercise, I am looking for free labor on my farm.

Mr. DOUGLAS. I am not a very good farm laborer, although I worked on a farm years ago.

CONCLUSION

Mr. President, I will try to knock out the $283,000 appropriation for furniture. I will try to knock out the $4 million appropriation for a subway. I will try to knock out the $5 million for the sale of surplus stock. This is a chance to save the taxpayers between $9 and $10 million and to back up the Committee on Appropriations, which has done heroic work in resisting the efforts of bureaucrats.

While I have nothing against Mr. Stewart, again I wish to remind the Senate that he is not a creature of Congress; he is an appointee of the President and is not confirmed by the Congress. The present incumbent of that office was appointed by President Eisenhower and holds his position at the pleasure of the President. The responsibility is the President's.

So on this bill I think we should show our confidence in the Committee on Appropriations by giving them sufficient force and moral reinforcement so that they can resist more effectively the blandishments of the administration's bureaucracy.

I shall return to this subject tomorrow morning in greater detail, but what I have said so far is enough to lay the basis for the argument.

FEDERAL GRANTS FOR CONSTRUCTION OF SEWAGE-TREATMENT WORKS

Mr. MORSE. Mr. President, I have received from the Governor of my State a letter which I wish to read and then comment upon it. It is dated April 22, 1959:

STATE OF OREGON,
OFFICE OF THE GOVERNOR,
Salem, Oreg., April 22, 1959.

The Honorable WAYNE L. MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: I am sincerely concerned over the proposed reduction in appropriations for Federal grants for the construction of sewage-treatment works during the 1959–60 fiscal year. Funds authorized under the provisions of the Federal Water Pollution Control Act have proven most helpful to the stream-purification program in Oregon by providing an incentive for many communities to undertake the construction of remedial works needed to abate pollution of public waters. A number of these communities such as Cannon Beach, Drain, Fairview, Government Camp, Pilot Rock, Rainier, Tigard, and Weston would have found it extremely difficult, if not impossible, to finance their sewerage projects without the assistance of a Federal grant.

During the 3 fiscal years (1957–59) that funds have been available for construction grants in Oregon, 23 projects have been undertaken at a total cost of approximately $7,700,000; the Federal share of this cost was approximately $1,400,000. Awaiting to be allocated is an additional $560,000 for projects estimated to cost $4,900,000.

Our needs for the next 3 fiscal years beginning with 1960 are for 48 projects having a total cost of over $14 million with the Federal share being approximately $3 million. This matter was discussed at the last meeting of the committee on natural resources on April 16, and that committee recommended the continuation of Federal grants for the construction of sewage-treatment works with the full amount of appropriations authorized under the Federal Water Pollution Control Act.

I urge you to take such measures as you may deem appropriate to assure that appropriations are made to the full extent authorized by law so that the construction grant program can be continued and the backlog of needed sewage-treatment-work projects can be reduced.

Sincerely,

MARK O. HATFIELD,
Governor.

Mr. President, that letter was dated April 22, 1959. On April 16, 1959, I broadcast in the State of Oregon my weekly radio address. My guest on that broadcast was the Honorable JOHN BLATNIK, a distinguished Representative from Minnesota, the State of the present Presiding Officer of the Senate [Mr. MCCARTHY]. Representative BLATNIK really must be recognized, I believe, as probably the leader in the entire Congress in the great work he is doing in trying to develop a program which will save, for future generations, water resources of the country from the stream pollution caused by this generation. In that broadcast on April 16 to the State of Oregon, Representative BLATNIK and I discussed the failure of the Eisenhower administration in its budget proposals this year to recommend a reasonable amount of money—only a reasonable amount, Mr. President—to continue the great pollution control program, of which Representative BLATNIK, on the House side, has been such an outstanding leader; and on this side the Senator from Minnesota [Mr. HUMPHREY] and others of us have, over the years, tried to have an adequate pollution control program carried out.

So, Mr. President, I ask unanimous consent to have printed at this point in the RECORD our radio broadcast of April 16, which was written 6 days before the Governor of Oregon wrote to me the letter in which he urged some of the very things which Representative BLATNIK and I proposed in our radio broadcast.

There being no objection, the broadcast was ordered to be printed in the RECORD, as follows:

RADIO BROADCAST, APRIL 16, 1959—SENATOR WAYNE MORSE AND CONGRESSMAN JOHN BLATNIK

POLLUTION CONTROL

Mr. MORSE. Fellow Oregonians, today I'm going to devote this broadcast to a subject that means a great deal to our State of Oregon, the subject of controlling the pollution of our invaluable water resource. I have invited as my guest the man who is the unquestioned leader in the entire Congress in the development of a national program for control of water pollution. He's a great liberal. He is Congressman JOHN BLATNIK, a Democrat from Minnesota. Congressman BLATNIK represents the so-called arrowhead district of Minnesota. In it are located the famous Iron Range of Minnesota and the beautiful and rugged northern shoreline of Lake Superior, a coast which I think is exceeded in beauty only by Oregon's seacoast but, of course, I'm sure that JOHN will not even completely agree with me on that out of Minnesota pride. JOHN, the people in your region have a similar interest in controlling pollution of water as the people of Oregon have, I'm sure, and I want you to know that I'm delighted to have you as my guest and close personal friend to talk to

the people of Oregon on this program about our water pollution problems.

Mr. BLATNIK. Well, Senator, believe me, it's certainly a privilege to be with you on a program speaking to the citizens and your friends in your great State of Oregon but personally it's a real pleasure. Believe me, we always have quite a substantial claim on you back in Minnesota. We haven't relinquished all claim or title to you, Senator.

Mr. MORSE. Well, JOHN, my 4 years in Minnesota from 1924 to 1928 were a great pleasure when I taught at the University of Minnesota.

Mr. BLATNIK. And just as you know our State well and I appreciate the very generous, and I know, sincere comments you made about our great northeastern part of Minnesota, the arrowhead district—my district where I was born and raised—likewise I've had occasion, as have many of our folks from Minnesota, not only to visit Oregon but many of our earlier people moved there and are now your citizens. My sister, for example, has been living in Portland for about the last 18 years and I have been in your State several times.

On conservation, and, in this particular case, on water preservation and utilization, of course, we're very conscious of the importance of it coming from the land of 10,000 lakes. What startled us in Minnesota was that we, as I'm sure most of the people of America, because of the abundance we had, just took it for granted. We thought it would be here forever. It's one of the simplest, most abundant, easiest of commodities to get. And what has happened with this rapid population increase throughout the country, especially in just the last 50 years, we find that not only are there more people in this country who use the water, but more people are using more water per person. For example, in just the last few years from 1950 until now, the population increased by around 12 percent, but the water used increased by over 57 percent. In short, the use of the water is increasing five times faster than the population itself so the result is that in the entire history of America, we are dumping more dirty water back into the streams and rivers and the water is becoming more polluted and filthier and we are now headed for a crisis where it's just going to be a problem where we can't get enough adequate clear water both for our human consumption and for the nominal demand in the industrial area.

Mr. MORSE. JOHN, the bill that you have authored that is now the law has made a very great contribution, I think, to the health welfare of the American people and to the welfare of the American people in connection with other uses of water as well, and in Oregon we're very much interested in the principle of multiple use of our water. That implies, of course, reuse of water and pollution control as set forth in your bill is vital to water reuse. No State has a greater interest I think than Oregon in the proper treatment of waste. Without it, our recreation and fishing industries cannot be maintained, much less be expanded. I am an enthusiastic supporter of the work that you are doing in the Congress. I would like to give this Oregon audience some specific details about our State need for sewage treatment facilities provided for in the law that you have authored. Under your law, Public Law 660, the Water Pollution Act of 1956, the Federal Government is authorized to extend grants of money up to 30 percent of the cost of a given project for construction of sewage disposal plants by cities. Fifty million dollars is authorized in this law. The State sanitary agencies determine which localities in their respective States are in the greatest need for this Federal help. Is that a pretty fair summary of what you had in mind and what you put in your law when you authored it, JOHN?

Mr. BLATNIK. Yes, that's a very correct summary. Again, while I appreciate the very generous comments you made on my part in this act, Senator, I want your people to know, and not only in your State but all over America, as I told them back in our great midwest part of the country, that you have been not only the pillar of support, but the spearhead of the drive for an adequate water pollution control measure and few people realize that we barely got it through 3 years ago by the skin of the teeth and this is the first time in the history of the country that an all-out effort, of a joint effort—Federal, State, and local participation—in a combined effort to handle this pollution abatement program got under way. I thank you for the splendid and active support and help you have given us.

Mr. MORSE. All I did, JOHN, was follow your lead in the Senate. You laid out the facts in the House and I was glad to sponsor your point of view in the Senate. Well, unfortunately, the President has recommended in his budget the appropriation of only $20 million instead of the full $50 million for water pollution control. Now Oregon's share of the $50 million would be $650,000 if we got the full amount. Our share of Ike's $20 million is only $265,000. Yet our sanitary authority which supplied me with the figures I am using on this broadcast lists projects in 12 Oregon communities that need this Federal assistance for which the Federal share, if it were available in full, would be over $1 million. So what the President is recommending is only about a quarter of what our Oregon State Sanitary Authority finds is needed for Oregon in this next year. Only a quarter of these approved applications from such Oregon communities as Ashland, Brookings, Estacada, Eugene, Hood River, LaGrande, Lakeview, Oak Lodge, Ontario, Portland, Prineville, and The Dalles could be built. And, of course, JOHN, I'm fighting here in the Senate for the full amount. The rest would have to be postponed under the administration's proposal although the sanitary authority finds 12 more projects on its list for the following year and expects 24 applications for the year after that. Now that's what we're up against as far as the budgetary problem is concerned and I wondered if that was similar in other parts of the country.

Mr. BLATNIK. That is just exactly what is happening throughout the country, Senator. When we first proposed the Water Pollution Act in 1956, we, at that time on the basis of estimates worked up by the water resources people, the conservation offices of all the States and the health offices estimated that it would take about $100 million a year of Federal funds combined with local funds in a ratio of almost 4½ to 1 to spend on an average of $500 million and $600 million a year. That was our original estimate. That was my original bill but in the House, with almost unanimous Republican opposition to it and the relentless opposition of the administration to the program, they cut it in one-half so we got $50 million. But we settled for a half and we walked and hopped on one leg for the last 2½ years and we showed that for the first time in the history of America, we have spent more for water pollution control facilities than ever before but the job is only being half done. Your State of Oregon getting $625,000 should be getting $1,250,000 a year to do the job and to catch up on the backlog you have now on the books.

Mr. MORSE. You see, JOHN, what I tried to get across to the Senate is to get my colleagues to see that you are not saving money under this so-called balanced budget propaganda that is going on now if you save pennies at the expense of pound value because one epidemic, one great sickness hitting a community as the result of water pollution, of course, would cost much more, if it only cost us the lives of a few children, than the few hundreds of thousands of dollars that you and I are fighting for in water pollution control. May I say that in Oregon, the State sanitary authority has estimated that over 100 communities in my State will need new or improved sewage treatment facilities in the next 10 years. The total cost will run from $30 million to $50 million. Half of these communities do not now have either sewage collection or sewage disposal facilities. That's just in my State. You are working on a new bill to expand the existing program, a bill which I very much favor and I wish you would tell the Oregon audience something about your new bill and you have my assurance, JOHN, that I will fight shoulder to shoulder with you again in support of that bill.

Mr. BLATNIK. Well, we certainly appreciate that because that is not only an assurance, because knowing you as we do from past experience in working together, your assurance means real active participation which means an all-out fight which you always wage so effectively. As you said, there is no economy in saving on water. There is no way under God's thumb, in which you can avoid the pollution problem or you can delay it; hold back and it piles up and piles up and sooner or later the day of reckoning comes where not only the great expense and the cost of the polluted water, but you have to come through with a so-called crash program. It seems like so many votes in Washington wait and wait until an emergency is on them and then there is a crash program. We know precisely what we have been doing with $50 million a year and we know it will take $100 million of Federal funds joined by about approximately $400 million of local funds. The local municipalities are bearing the major share of the job.

Mr. MORSE. 70 percent of it.

Mr. BLATNIK. The Federal Government is already working with them and stimulating and aggravating them in this whole program so our bill will raise the amount, it will double all the amounts for the States. It will catch up on most of the backlog. It is the minimum to provide and build a sound foundation for an all-out water pollution control program that will finally keep us abreast of this ever-growing problem—getting an adequate source of pure and clean water.

Mr. MORSE. Well, JOHN, I want to thank you very much for appearing on this program with me. I want to say to the people of Oregon, you have heard on the program with me Congressman JOHN BLATNIK, of Minnesota, the author of the water pollution law as it is now in the books and the proposer of a new law that will double the amount for the cleaning of the streams of America and how sorely we need this program. Right here in the Capitol of the Nation, we have the Potomac River and the Potomac River running through your National Capitol is the filthiest river in the world for a river of its size—12 feet of sewage sludge in some parts of that river. The result is there can be no swimming in the river, signs all over "Wading Forbidden" in the Capital City of the United States and likewise let me say you don't even dare go out on a boat in the Potomac without running the risk to your health because even the spray from the water may result in your picking up some infection. And JOHN BLATNIK is our leader in trying to bring to an end this sorry condition of a great democracy having within it many polluted rivers and I'm proud, JOHN, to have you on the program with me.

This is WAYNE MORSE reporting from Washington, D.C. Until next week, same time, same station, I bid you goodby. Thank you very much, JOHN.

Mr. BLATNIK. Thank you, Senator MORSE.

Mr. MORSE. Mr. President, I am answering the Governor of Oregon; and in that answer I shall assure him that

on this one issue we stand shoulder to shoulder. I will do all I can, here in the Congress, to help him; and, in reciprocity, I want him to do all he can to help me with the White House. So in my letter I shall suggest to him that—appreciative as I am that he has called my attention to this matter—I have been way ahead of him and for some time have been calling it to the attention of the Congress. Now if the Governor will just help call it to the attention of the President—because, Mr. President, in our service in the Senate we develop intuitive hunches, and I have a feeling that he will have more influence with President Eisenhower than I do—and if the Governor will cooperate with me, as I shall cooperate with him, here in the Congress, by getting in touch with the White House and by pointing out to the White House as clearly as he pointed out to me, in his letter, what a shortsighted policy the White House is following in regard to pollution control, then the Governor of Oregon and I will be a team working together for the benefit of our State.

NATIONAL FUELS POLICY: COAL IS NEEDED

Mr. RANDOLPH. Mr. President, last night a most significant event was held in Washington. It was a dinner given by the National Coal Policy Conference, an organization formed to advance the interests of the bituminous coal industry. The conference includes coal producers, the United Mine Workers of America, the coal-carrying railroads, coal equipment manufacturers, and utility companies which burn coal.

This dinner, attended by many Senators and Representatives, had as its theme the need for a national fuels policy. The chairman, George H. Love, of Pittsburgh, said that such a policy should be arrived at after a congressional study. The reasons advanced for a national fuels policy which would deal with our energy resources as a whole were impressive.

Among the speakers was John L. Lewis, president of the United Mine Workers of America, a distinguished American and a dedicated labor leader. Not long ago, Mr. Lewis was reported to be seriously ill. But last night he showed all his old-time vigor. He declared there is imperative need for a comprehensive and constructive fuels policy, and he said with emphasis.

The logic with which Mr. Love, who is chairman of the board of the Consolidation Coal Co., presented his arguments was splendid. Increasing use of energy, he said, is a key to progress and, in the end, is the one way to win the world race against Communism.

Then he said:

> That being true, every country with which I am familiar feels it is almost the prime purpose of Government to have a national policy toward energy and toward the sources of such energy.
>
> This, fundamentally, is the reason for this meeting tonight. We believe that this Nation must establish a national fuels policy and do it at the earliest date. We are fortunate enough to have in varying amounts all the major sources of such energy. Therefore, we need a national policy more than any other nation does, because we must balance the use of these fuels with their varying reserves, so that each makes the greatest possible contribution to the national welfare.

Mr. Love discussed quite frankly the unfair competition which bituminous coal has had from residual oil. He pointed out how ridiculous it is to say that the ban recently promulgated on imports of residual oil injures the homeowner along the Eastern seaboard. Residual oil, he explained, is not used for home heating.

He said that when natural gas is available on an economic basis, it is a perfect household fuel. He indicated the belief that natural gas reserves are limited.

The interest of the railroads in a national fuels policy was clearly stated by Howard E. Simpson, president of the Baltimore & Ohio Railroad Co. He said:

> The failure to establish a well-reasoned, all-inclusive fuels policy will seriously affect the ability of the railroads to serve all segments of the economy. The Nation's railroads have available for coal traffic a fleet of over 500,000 hopper cars, and an investment of over $3 billion in equipment and facilities used primarily for the movement of coal. Beyond this, practically every portion of the rest of the overall plant is used in part for coal handling.
>
> As an example, the Baltimore & Ohio owns 48,000 hopper cars, and has invested more than $300 million in cars, locomotives, and fixed plant used almost exclusively for coal traffic, which contributes 30 percent of our freight revenues. On some roads the relative importance of revenues from coal is even greater—as much as 70 percent.
>
> It is clear that a progressive drying up of coal's share of the fuel market will seriously affect railroad plant. Cars, locomotives, and tracks supported primarily by coal traffic don't stand idle indefinitely until they are suddenly needed again. Lost also would be a substantial portion of more than 800,000 skilled railroaders now at your service. Business concerns like railroads are forced to scrap excess facilities. No self-supporting enterprise can afford to maintain standby service.
>
> The fuels issue is not a simple fact of open competition for a market. If it were, we wouldn't be here tonight. The issue, as I see it, is this: Is the present policy assuring this country a steady supply of fuels and transportation service susceptible of rapid growth and expansion and able to serve without interruption in a time of national emergency?
>
> Certainly, the coal industry adequately passes these tests. It is a stable domestic enterprise, and is capable of immense expansion in time of need, provided it does not have to contend with further shrinking of its market. The railroads pass the same tests with a wide margin. Like coal, they are a reliable domestic industry. Furthermore, railroad charges are regulated by public authority. Granted fair and equitable government policies for transportation, the railroads can absorb striking increases in traffic volume.
>
> Continued shrinking in the market for solid fuels will seriously affect the ability of the railroads to move coal, and it will also force a contraction of the overall plant, thereby making the rail industry less able to serve the entire traffic needs of the country.

Another thoughtful and stimulating speech was made by Philip Sporn, of New York, president of the American Electric Power Co. Mr. Sporn is one of the best informed men on energy and energy uses in this country.

He pointed out the difficulties which the bituminous coal industry has had in recent years. He stated that as recently as 1947, coal still provided about 50 percent of the country's energy supply. In 1958, however, coal supplied less than 25 percent of the Nation's energy, while oil and gas supplied over 70 percent. Coal production, he added, last year was more than 200 million tons below the record production in the year 1947.

Mr. Sporn emphasized the point that some persons were prepared to write off the bituminous coal industry; but he predicted that the rapidly rising demand for energy in the years ahead would also be marked by increases in coal consumption.

Mr. Sporn then said:

> There are those who mistakenly believe that the future increases in total energy utilization, and even more rapid increases in electric energy use will be met by nuclear power. I have studied this question very carefully, and have come to the conclusion that on the whole this is a mistaken oversimplification. Specifically, it fails to recognize coal's important position in the period of the next 20 years, and even as far ahead as the year 2000.
>
> In my judgment, nuclear power will, by the year 1975, provide no more than the equivalent of 50 million tons of coal for electric power generation. Further, this will constitute virtually the entire nuclear contribution to our energy supply. Coal, on the other hand, will have to supply 475 million tons for electric generation alone, and as much as another 425 million tons for metallurgical and other uses. This represents well over a doubling of present coal production, and 50 percent more coal than the peak production achieved by the coal industry in 1947.
>
> This optimistic picture of the potential growth and prosperity of the coal industry has led some people to look upon the coal industry's present problems with some complacency. They forget that if the coal industry is to be the strong, vital, efficient supplier of one-third of this country's growing energy requirements 40 years from now, it must first solve its present problems of growing up and living, so as to survive what currently is a near crisis in its economic condition. If coal is to successfully play its indispensable role in the future—a role without which the welfare and even the defense of this country cannot be assured—then coal must have markets, production, earnings, and employment for its skilled work force in the present—right now.
>
> But this requires a reorientation of policy vis-a-vis coal and the coal industry. This requires that everyone—not just the people in the coal industry itself, and even Government, but also the major users, including the utility industry, for example, which has such a large stake in the continued availability of adequate and economical sources of raw energy to be utilized for conversion into electrical energy, and including literally everyone else interested in the welfare and safety of the United States—must be concerned with the present state of the coal industry's health and with finding the means necessary to assure its vigorous survival.

Mr. Lewis, in speaking for the United Mine Workers of America, declared that he was in complete agreement with the statements made by the three speakers who preceded him—Mr. Love, Mr. Simpson, and Mr. Sporn.

The problems of bituminous coal and related industries, said Mr. Lewis, involve the very stability of our entire national economy and security; and he added that the growth of coal and related industries represents the development of the private enterprise system.

I agree with Mr. Lewis in his further statement that our system—the free enterprise system, capitalism, investment for profit, and reward for incentive—is on trial throughout the whole world. As Mr. Lewis pointed out, coal is a private enterprise industry which wants no Federal subsidies, but does want fair treatment. His additional remark in this connection—namely, that he was sorry to say that our Government has failed to provide coal with an opportunity equal to that provided the competing extracted minerals—is one which has considerable substance. And I know that the president of the United Mine Workers of America was speaking with authority and meaningfulness when he closed with the comment that he was happy to have been given the opportunity to direct public attention to consideration of the weighty problem of the overall coal industry and related industries.

Mr. President, I believe all will agree that at present there is no national fuels policy which takes into account all energy sources and attempts to deal with them on a fair and equitable basis.

It seems to me that we should agree there is need for such a policy. Many hearings and studies in the past have arrived at this conclusion. The distinguished senior Senator from Wyoming [Mr. O'MAHONEY], conducted one such inquiry in the early 1950's. Yet, today we are far from an adequate and equitable fuels policy; and I believe the able Senator from Wyoming and other Senators will agree with this observation.

The bituminous coal industry, upon which the Nation must depend so much for energy, has languished as a result.

There is too much unemployment in the coal areas of the State I am privileged to represent, as well as in other States.

It is time we end the discrimination which has been harmful to the coal industry. It is necessary to treat this vital industry more fairly. It is imperative that the Congress turn its attention to the need to arrive at a national fuels policy which will be in the interest of the country as a whole.

INFLATION SHOULD NOT BE ATTRIBUTED TO ADMINISTERED PRICES

Mr. BUTLER. Mr. President, the repeated efforts by some economists to identify monopoly prices with so-called administered prices are a disservice to those who seek to determine the true causes of inflation in our economy.

Administered prices, as defined by Dr. Gardiner C. Means, the originator of this term, are merely prices which are announced by someone and maintained for a period of time.

They are described in the "Dictionary of Economics," by Sloan and Zurcher, as a predetermined price.

While Dr. Means has taken great pains to state that administered prices should not be confused with monopoly prices, there is a continued tendency on the part of some economists to make these terms synonymous.

The April 13 issue of Barron's contained an excellent discussion of this problem in a letter to the editor by Dr. Reuben E. Slesinger, professor of economics at the University of Pittsburgh. I ask unanimous consent that Dr. Slesinger's letter, supporting a statement I made on this subject on March 23, may be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

ADMINISTERED PRICES

To the EDITOR:

Considerable attention has been given recently to the distinction between market and administered prices. The term, administered price, has been misused and frequently misinterpreted. To begin with, an unfortunate connotation arises that administered prices are not the result of a market determination. This is an impossibility. No price can exist unless various market forces of demand and supply interact. Hence, all prices are market prices.

But it is well known that in the price-determining processes the forces of demand and supply are not always of equal import. Whenever either buyer or seller can exert an influence out of proportion to the other, an administered price results. Thus, all prices are market prices, but some represent more administered influence than others.

Just what is an "administered price"? The "Dictionary of Economics" by Sloan & Zurcher, refers to it as a "predetermined price," arrived at from a calculation of costs and desired profits, from a fairly accurate knowledge of the total quantity of goods likely to be offered, and from an estimate of the probable sales volume at the predetermined price. The process of establishing a price does not fall within the realm of either pure competition or monopoly, but combines elements derived from both. The administered price lies between the automatic price, which is arrived at by the free interplay of supply and demand, and the authoritarian price, which is set by a central authority with no regard to market forces.

The automatic price is found in purely competitive markets. It is found in the U.S. economy only rarely and only approximately. The authoritarian price exists in a planned society, such as strict state socialism or communism. It also exists in the American economy to a certain extent and generally is incompatible with the free enterprise system, except in a few special cases, such as regulated industries. The area between these two extremes, the area of administered prices, is a very broad one. Professor Backman's study of the wholesale price index compiled by the Bureau of Labor Statistics has disclosed that over 89 percent of the prices represented therein fall into the administered category.

Administered prices may be set in numerout ways—by management as an announced price for a ton of steel, by government as the price for carrying a letter, by public utilities, or by direct control of government over private industry prices.

Administered pricing is not characteristic of industrial markets only. Most retail prices move little; many are administered. Wages, interest, and rents are typical examples of administered prices, and they show a minimum of change for long periods of time.

It now becomes obvious that almost all of American enterprises have some sort of administered prices. The crux of the matter lies in the degree to which the market forces are considered and the degree of power that can be exerted by the administrator. Of particular importance is demand, which will determine the volume of goods sold at the administered price. If the demand for the particular goods is relatively elastic, or sensitive to price, then the administrator's power to determine total revenue will be smaller. If demand is relatively inelastic, then his power becomes significantly greater and may conflict with numerous regulations, such as the antitrust statutes. Thus, it is not the administered price, per se, that is in violation, but only that area of administered prices that tends toward the authoritarian.

The question of the flexibility of administered prices arises. This is measured by the degree to which they respond to market forces that are responsible for price changes. Certainly we have both flexible and inflexible administered prices, but only the inflexible tend to exert restrictive repercussions. An inflexible price generally indicates a high degree of power on the part of the price administrator and a relatively inelastic demand for the product.

A recent study of the Bureau of Labor Statistics throws further light on the degree of inflexibility of prices, especially the components of the wholesale price index. Of 1,789 commodities studied, 95 remained unchanged in price during a 36-month period. About two-thirds of the items showed price changes in less than one-fourth of the monthly comparisons. Only 50 items changed in price each month.

At this point, it becomes clear that the term "administered price" is not so much a description as it is an explanation of the principal method of pricing in the American economy.

It is fair now to ask the question: "Does administrative pricing lessen competition?" Overall, it does not do so significantly, if at all. To be sure, administered prices signify the absence of pure competition; but the latter is not common, being only a framework within which existing competition can be studied. The pursuit of pure competition is very unrealistic. The goal of American society is effective competition, in which a single buyer or seller cannot significantly affect the market and in which market forces impinge on managerial pricing decisions.

Who creates these administered prices? Contrary to popular belief, it is not just the big corporations. Smaller businesses, doctors, lawyers, government, union leaders, and countless others also administer prices.

Next, we may ask just what socially acceptable ends do administered prices serve? In a complex commercial and industrial society like ours, sound, tactical considerations must be given weight in determining prices. The administered price is necessary for many concerns, to enable them to carry out long-range price and production policies. However, this must be accompanied by "social or executive responsibility," which considers the welfare of the economy as well as the interests of the individual companies.

In summary, it is well to point out that administrative pricing is an integral part of our society. It is a well-established practice and generates undesirable repercussions only when it is abused. The question is not whether a price is administered or not. There are more important questions: how was it decided? Is it flexible? To whose benefit does it work? In considering the repercussions of a particular administered price, the following question should be asked: Is the degree of inelasticity of demand and the degree of control by the price administrator such that the two when combined exert an unfair monopoly power, resulting in an impeding of market forces

which contributes significantly to the instability of the economy?

REUBEN E. SLESINGER,
Professor of Economics,
University of Pittsburgh.

IMAGINATIVE MANAGEMENT AND NEW CAPITAL INVESTMENT WILL LOWER PRICES

Mr. BUTLER. Mr. President, as a member of the Joint Economic Committee, I am greatly concerned in determining the true causes of inflation. This is admittedly our most serious domestic economic problem.

On March 23 I included in my remarks a statement issued by the American Can Co. last November announcing price reductions on its products. Mr. William C. Stolk, the president of that company, estimated that the savings to consumers by that reduction would exceed more than $9 million.

On April 3 the American Can Co. announced a further reduction in its prices. These apply to the major group of cans used for packing the fruits and vegetables constituting a major portion of the average family's food budget. Price reductions such as these are stimulated by competition. The Wall Street Journal on April 8 commented on this latest reduction as follows:

Food firms are estimated to have increased their output of cans last year at almost double the rate recorded by can manufacturers. Far from content, they've made plans for a further sizable boost in can making in the next few years.

Libby, McNeill & Libby, which now buys all the vegetable, fruit and meat cans it uses, will break ground Friday on a big can plant; San Francisco-based Calpak is completing its fifth. Stokely-Van Camp, Inc., Indianapolis; Green Giant Co., Le Sueur, Minn.; and the Borden Co., New York-headquartered milk products maker, are all considering plans for expansion of their can manufacturing facilities.

Such activity is spurring can makers to cut prices in efforts to retain the food companies' business. Can prices have been cut twice in the past 3 months, with the latest reduction coming only last week. When New York's big American Can Co. announced its cut just before the weekend, President William C. Stolk said the step would make "our can prices competitive for those customers who want to buy containers from expert can makers rather than hazard the manufacture of their own cans." He said the latest cuts ranged from $1.40 to $2.58 per 1,000 cans, depending on the type of can. * * *

The cost of cans is important to consumers because the container often adds more than 15 percent to the retail price of canned food; included in the price of a 20-cent can of peas, for instance, is 3.3 cents for the can. Last year the average family used 940 cans, adding around $30 to its shopping bills.

Price reductions must be accompanied by cost reductions if solvency is to be maintained. They are achieved by a forward-looking, aggressive, and imaginative management, who are willing to pioneer, and most importantly, by the investment of additional capital in facilities which make improved processing possible.

In view of the Senate's continued concern with the problem of prices, I ask unanimous consent that a letter I received from Mr. William C. Stolk, president of the American Can Co., referring to this additional reduction, and the text of an advertisement announcing it, which was published in the Nation's leading newspapers on April 3, may be printed in the RECORD at this point.

There being no objection, the letter and advertisement were ordered to be printed in the RECORD, as follows:

AMERICAN CAN CO.,
New York, N.Y., April 2, 1959.

DEAR SIR: I know you have followed with interest the comments by President Eisenhower and other Government leaders on the necessity of a voluntary price rollback by business leadership if runaway inflation and its attendant evils are to be avoided. The alternative quite apparently is the likelihood of a system of selective price controls instituted by government—an eventuality that will produce even greater hardships for both management and labor.

We at the American Can Co. have tried to give tangible support to these convictions through two important reductions in our can prices in the past 3 months. We have been able to do this by taking the utmost advantage of the fruits of technological development and by bringing all practical efficiencies to all our operations. These, we believe, are time-honored practices available to all in the business and industrial world.

I am enclosing with this letter for your information and possible interest a preprint of an advertisement that we are running April 3 to announce our latest price reductions. This preprint describes our program in some detail. I am sending you this material because I know you are deeply interested in the broad problem of how the crushing effects of all-out inflation can be avoided in this country.

We in American Can Co. regard this as one of the fundamental problems of our times. We believe that immediate action is needed. We also feel that an exchange of views is a helpful prelude to action. We hope, therefore, you will be interested in knowing of our program. Needless to say, we would be most interested in your opinions on this fundamental problem.

Sincerely yours,

WILLIAM C. STOLK,
President.

OK, AMERICA—HERE'S ACTION ON PRICES

The American Can Co., has announced to customers another important reduction in can prices. These new prices apply to the major group of cans used for packing the fruits and vegetables which constitute a major part of your family food budget.

This dramatic action follows by less than 3 months the can price reductions we put into effect in January for most of our customers. The January cuts alone will save our customers more than $9 million in 1959. The new action will mean additional millions in savings.

These reductions have been made in the face of constantly rising costs of goods and services. They have been made in spite of the threat of more inflation to come.

HOW HAVE WE BEEN ABLE TO DO IT?

The lower prices have come as the result of hardheaded action to cut costs in every area of the company's operations. They represent action by a company on the move, one that is conditioned to ride with the problems of doing business in this day and age, one that faces up to present and future conditions with realism and with imagination.

They have come because the American Can Co., is alert to every opportunity to improve its products and services to customers, to protect the long range positions of its employees and its stockholders, and to serve the public interest.

They are the direct result of many years of study and millions of dollars spent for technological advancement and other improvements in our canmaking operations.

We have taken these steps:

1. Completion of the tinplate processing program, pioneered by the American Can Co. at a cost of $32 million, in which we convert plate purchased in coil form from the steel mills into canmaking size sheets.

2. Establishment of the individual pricing of each can to more closely reflect the varying costs and processes that go into its manufacture.

3. Establishment of f.o.b. pricing of each type and style of can at each of our factories. This eliminated the traditional averaging of tinplate transportation costs, a practice which was no longer in the best interests of all customers.

4. Protecting our customers and ourselves by making our can prices competitive for those customers who want to buy containers from expert canmakers rather than hazard the manufacture of their own cans.

WHY ARE WE TAKING THIS ACTION?

Why are we again cutting can prices at this time? Why not wait a while to see what Congress does about inflation? Or until we see what kind of demands the unions are going to make in the major contract negotiations (including our own) that will soon begin?

First, we are a company of people in business to succeed, profit, and grow. We believe it is the soundest kind of business practice to produce as efficiently and as economically as possible—and then price our products so that our customers and the public share the benefits. Our price reductions will not impair our earnings ability. Instead, we believe that they will measurably contribute to a future of sustained sound and profitable growth for our company.

Second, we are deeply concerned about the clear and present danger of inflation. We have decided that we shouldn't sit back and wait for somebody else to act. We endorse 100 percent President Eisenhower's conviction that inflation must be curbed and that it is everyone's responsibility to help curb it—business and the unions, as well as government.

In our view, the voluntary reductions we have made in our can prices stand as a further example of the American Can Co.'s traditional policy of service—to our customers and to the general public. We intend to continue this policy.

AMERICAN CAN CO.

DEATH OF REPRESENTATIVE JAMES G. POLK, OF OHIO

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Chair lay before the Senate a message which has been received from the House of Representatives.

The PRESIDING OFFICER (Mr. MCCARTHY in the chair) laid before the Senate a message from the House of Representatives, which was read, as follows:

IN THE HOUSE OF REPRESENTATIVES, U.S.,
April 28, 1959.

Resolved, That the House has heard with profound sorrow of the death of Hon. JAMES G. POLK, a Representative from the State of Ohio.

Resolved, That a committee of 22 Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions, and that the necessary expenses in connection

therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate, and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect the House do now adjourn.

Mr. JOHNSON of Texas. Mr. President, at this time I yield to the distinguished Senator from Ohio [Mr. LAUSCHE].

Mr. LAUSCHE. Mr. President, this morning I was grieved to learn of the death of Representative JAMES G. POLK, who, for a period of 21 years, served the Sixth Congressional District of Ohio.

My contact with Representative POLK began in 1944. He represented what is known as the Scioto River Valley section. The Scioto River empties into the Ohio River.

Representative POLK was a farmer. His entire life was devoted to the land. I am sure that the people of my State would want me to express condolences to the members of Representative POLK's family and to those who have ben associated with him during his long service to the State and to the Nation.

Representative POLK was a humble, unostentatious person. He was devoted to the people he represented. Though he was a farmer, as a Member of Congress he did not lose sight of the fact that his services had to be rendered to diverse segments of the economy and of society.

He was a dedicated American. He was devoted to his family.

The best tribute I can pay to him is to state the fact that he was beloved, not only by those who believed in his political philosophy, but also by those who disagreed with him.

He was a good man. In his passing, Ohio has lost a fine public servant. I am sure that all of Ohio mourns the passing of this good man.

Mr. President, out of respect to the memory of Representative JAMES G. POLK, I now submit, on behalf of myself and my colleague, the junior Senator from Ohio [Mr. YOUNG], the resolution which I send to the desk, and for which I request immediate consideration.

The PRESIDING OFFICER. The resolution will be read.

The resolution (S. Res. 112) was read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. JAMES G. POLK, late a Representative from the State of Ohio.

Resolved, That a committee of two Senators be appointed by the Presiding Officer to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

ADJOURNMENT UNTIL TOMORROW, AT 11 A.M.

Mr. LAUSCHE. Mr. President, as a further mark of respect to the memory of the late Representative POLK, and as a further indication of our mourning at his passing, I move that the Senate do now adjourn until tomorrow, at 11 a.m.

The motion was unanimously agreed to; and (at 6 o'clock and 9 minutes p.m.) the Senate adjourned, the adjournment being, in accordance with the order previously entered until tomorrow, Wednesday, April 29, 1959, at 11 o'clock a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 28 (legislative day of April 27), 1959:

DIPLOMATIC AND FOREIGN SERVICE

Mrs. Clare Boothe Luce, of Connecticut, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Brazil.

ADDITIONAL CONFIRMATIONS

Certain groups of nominations, in the Army, in the Navy, and Marine Corps, and in the Regular Air Force, which were confirmed today, were received by the Senate on April 15, 1959, appear in the Senate proceedings of the CONGRESSIONAL RECORD for that date, as follows:

IN THE ARMY

The nominations of Jerry M. Abbott, and 1,755 other officers, which appear under the caption "Nominations," beginning with the name of Jerry M. Abbott, which is shown on page 5995, of the CONGRESSIONAL RECORD, and ending with the name of Burl A. Zorn, which appears on page 6000.

IN THE NAVY AND MARINE CORPS

The nominations of Peter G. Abdalla, and 874 other officers which appear under the caption "Nominations," beginning with the name of Peter G. Abdalla, which is shown on page 6000 and ending with the name Raoul Soomre occurring on page 6002.

IN THE REGULAR AIR CORPS

The nominations of LeRoy Henry and 954 other officers, which appear under the caption "Nominations," beginning with the name of LeRoy Henry, which appears on page 5379 and ending with the name of Robert M. Young, which is shown on page 5382 of the CONGRESSIONAL RECORD.

HOUSE OF REPRESENTATIVES

TUESDAY, APRIL 28, 1959

The House met at 12 o'clock noon.

The Reverend James Pickett Wesberry, D.D., LL.D., pastor of the Morningside Baptist Church, Atlanta, Ga., offered the following prayer:

Thou wilt shew me the path of life: in thy presence is fulness of joy; at thy right hand there are pleasures for evermore. Psalm 16:11.

Almighty and Everlasting God, Supreme Ruler of the universe, by whom our Nation has been established in freedom and preserved in union, we come to Thee with thanksgiving in our hearts and praise upon our lips. Put Thou away from us anything that would hide us from Thy blessed face.

Let the knowledge of Thy presence inspire us to do Thy holy will. Quicken our hearts. Deepen our understanding. Purify our motives. Help us to distinguish between policy and principle. Show us the vast difference between expediency and conviction. Empty us of all that is selfish and ignoble. Make clear to us that goodness is greatness. May everything we do be permeated by the love of God and filled with the spirit of Him who won His crown by the Way of the Cross. May we love our country better than we love ourselves. Soothed and sustained by an unfaltering trust in Thine eternal goodness and nourished by Thine infinite love and everlasting mercy may we breast the streams of the future unafraid.

Once more, O God, the mysterious hand of death has removed from us one of the honored and beloved Members of the House. Our hearts are deeply saddened over his passing and we pause to humbly and reverently express our gratitude for his outstanding record of service in Congress and to our Nation. Wrap Thine arms of love around each member of his family and grant to them the peace which passeth all understanding.

In the name of Him who is the Resurrection and the Life. Amen.

The Journal of the proceedings of yesterday was read and approved.

GENERAL LEAVE TO EXTEND REMARKS

Mr. McCORMACK. Mr. Speaker, without this being considered a precedent, I ask unanimous consent that all Members who may desire to do so may extend their remarks in the CONGRESSIONAL RECORD in one or more instances and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

UNITED STATES v. BERNARD GOLDFINE

The SPEAKER. The Chair lays before the House the following communication.

The Clerk read the communication as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., April 27, 1959.

The Honorable the SPEAKER,
House of Representatives,
Washington, D.C.

SIR: Mr. Herman Clay Beasley, an employee of the House, while serving at my direction as Clerk, Special Subcommittee on Legislative Oversight of the Committee on Interstate and Foreign Commerce, received a subpena directing him to appear as a witness before the U.S. Court for the District of Columbia in the case of *U. S.* v. *Bernard Goldfine* (No. 1158–58), the return date of the subpena being April 28, 1959, at 10 o'clock a.m.

The subpena further directs that Mr. Beasley bring with him "all minutes and transcript of the meeting of the Subcommittee on Legislative Oversight of the House Committee on Interstate and Foreign Commerce for July 7 and 8, 1958."

The subpena in question is transmitted herewith, and the matter is presented for such action as the House, in its wisdom, may see fit to take.

Respectfully yours,

OREN HARRIS,
Member of Congress, Chairman.

The SPEAKER. The Clerk will read the subpena.

The Clerk read the subpena as follows:

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA—UNITED STATES OF AMERICA *v.* BERNARD GOLDFINE, DEFENDANT—No. 1158–58

To Mr. HERMAN CLAY BEASLEY,
Clerk, Subcommittee on Legislative Oversight of the House Committee on Interstate and Foreign Commerce, 315 George Washington Inn, New Jersey Avenue and C Streets SE., Washington, D.C.:

You are hereby commanded to appear in the United States District Court for the District of Columbia at 3d and Constitution Avenue NW., 4th floor, courtroom 8, in the city of Washington, on the 28th day of April 1959, at 10 o'clock a.m., to testify in the case of *United States* v. *Goldfine* and bring with you all minutes and transcripts of the meeting of the Subcommittee on Legislative Oversight of the House Committee on Interstate and Foreign Commerce for July 7 and 8, 1958.

This subpena is issued upon application of Edward Bennett Williams, the attorney for defendant, 1000 Hill Building.

HARRY M. HULL,
Clerk.
By LAWRENCE PROCTOR,
Deputy Clerk.

APRIL 27, 1959.

Mr. McCORMACK. Mr. Speaker, I offer a resolution (H. Res. 254) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Whereas in the case of United States v. Bernard Goldfine (Criminal Case No. 1158–58), pending in the United States District Court for the District of Columbia, a subpena duces tecum was issued by the said court and addressed to Herman Clay Beasley, Clerk, Subcommittee on Legislative Oversight, Committee on Interstate and Foreign Commerce, House of Representatives, directing him to appear as a witness before said court at 10:00 antemeridian on the 28th day of April, 1959, and to bring with him certain and sundry papers in the possession and under the control of the House of Representatives: Therefore be it

Resolved, That by the privileges of this House no evidence of a documentary character under the control and in the possession of the House of Representatives can, by the mandate of process of the ordinary courts of justice, be taken from such control or possession but by its permission; be it further

Resolved, That when it appears by the order of the court or of the judge thereof, or of any legal officer charged with the administration of the orders of such court or judge, that documentary evidence in the possession and under the control of the House is needful for use in any court of justice, or before any judge or such legal officer, for the promotion of justice, this House will take such action thereon as will promote the ends of justice consistently with the privileges and rights of this House; be it further

Resolved, That Herman Clay Beasley, Clerk, Subcommittee on Legislative Oversight, Committee on Interstate and Foreign Commerce, House of Representatives, be authorized to appear at the place and before the court named in the subpena duces tecum before-mentioned, but shall not take with him any papers or documents on file in his office or under his control or in possession of the House of Representatives; be it further

Resolved, That when said court determines upon the materiality and the relevancy of the papers and documents called for in the subpena duces tecum, then the said court, through any of its officers or agents, have full permission to attend with all proper parties to the proceeding and then always at any place under the orders and control of this House and take copies of any documents or papers and the Clerk of the House is authorized to supply certified copies of such documents and papers in possession or control of the House of Representatives that the court has found to be material and relevant (except that under no circumstances shall any minutes or transcripts of executive sessions, or any evidence of witnesses in respect thereto, be disclosed or copied) and which the court or other proper officer thereof shall desire, so as, however, the possession of said papers, documents, and records by the House of Representatives shall not be disturbed, or the same shall not be removed from their place of file or custody under any Member, officer, or employee of the House of Representatives; and be it further

Resolved, That a copy of these resolutions be transmitted to the said court as a respectful answer to the subpena aforementioned.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

HOUR OF MEETING TOMORROW

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet tomorrow at 11 o'clock a.m.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 2589. A bill for the relief of Elizabeth Lucie Leon (also known as Lucie Noel).

THE LATE HONORABLE JAMES G. POLK

The SPEAKER. The Chair recognizes the gentleman from Ohio [Mr. KIRWAN].

Mr. KIRWAN. Mr. Speaker, it is my sad duty to announce to the House the death of our beloved colleague, JAMES G. POLK, of the Sixth District of Ohio.

JIM, as he was familiarly known to all of us, was a fine man. Quiet and reserved, I do not believe he ever said an unkind word in his life about another human being. He was a man who was born for his job. He graduated from the agricultural college of Ohio State University. He taught school and was principal of the high school at New Vienna, Ohio. Then he went back to college and graduated from Whittenberg, later becoming superintendent of all the schools in Hillsboro. He became a candidate for Congress in 1930 and was seated on the 4th of March, 1931. He was elected to each succeeding Congress until 1940 when he chose not to run for office again. He went into the Department of Agriculture as a special assistant where he served 4 years. Then in 1948 he decided to come back to Congress.

The people of the Sixth Ohio District loved and trusted JIM POLK, and held him in the highest esteem. He never raised his voice in anger and distinguished himself as an able, conscientious representative of his people. They understood and respected him. It was my good fortune to know JIM POLK for more than 20 years. I do not believe that I ever met a finer person. To his gracious wife and children I extend deepest heartfelt sympathy in their great loss.

Mr. VANIK. Mr. Speaker, will the gentleman yield?

Mr. KIRWAN. I yield to the distinguished gentleman from Ohio.

Mr. VANIK. Mr. Speaker, I join with my colleague, the gentleman from Ohio [Mr. KIRWAN], in profound sorrow in the untimely passing of our good friend, JIM POLK of the Sixth District of Ohio.

I have known Congressman POLK for over 12 years. From the very first time I came to this body, he was an inspiration and of great counsel. His was the art of gentle persausion. He was a gentle man. He was a man of courage and firm convictions.

Ohio has lost a very able and devoted spokesman. His district has lost a faithful and honorable servant.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. KIRWAN. I yield to my colleague from Ohio.

Mr. BROWN of Ohio. Mr. Speaker, I join with the gentleman from Ohio [Mr. KIRWAN], and others, in paying tribute to the memory of our good friend and colleague, JIM POLK, who passed away this morning. JIM was a personal friend of mine for more than 30 years. His home was only 20 miles from my home, although in another congressional district. He started his teaching career in my district, as the gentleman from Ohio [Mr. KIRWAN] has said, and he had been a neighboring Member of Congress—our districts adjoin—for more than 20 years.

While we did not always agree politically, JIM and I were always close personal friends. He was a true gentleman, a man of great character and ability. JIM was a kindly man; a Christian gentleman, if ever there was a Christian gentleman on this earth of ours.

For a long time he suffered from a painful illness, yet he never complained. He was always cheerful. He loved this House. He has been here many times, attending to his official duties, when perhaps he should have stayed at home to preserve his strength and lengthened his life.

JIM POLK served, with outstanding ability, as the Ohio member of the Committee on Agriculture. He took great interest in the problems of all the farmers of the Nation, and especially in those of the farmers of Ohio. All of us on this side of the aisle regret his passing; and we join in extending to his wonderful wife, and to his children, our deepest and most sincere sympathy in the great loss which has been theirs.

JIM POLK left behind him a good name, and many, many friends who will miss him in the years ahead.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. KIRWAN. I yield to the gentleman from Ohio.

Mr. HAYS. Mr. Speaker, I join with the Members from Ohio and others in expressing my deep sorrow at the passing of our colleague who came back for his second decade of service in Congress when I came here first, in the election of 1948, and was sworn in in January of 1949.

JIM POLK was the kind of man who never thrust his advice upon anyone. He certainly was a kindly person. Coming here as a new Member I turned to him frequently when I wanted to know something. I was impressed with his ability. He always gave you alternatives and never told you you had to do anything; he simply pointed out the facts.

As has been said, he was a kindly man. I have never known a person more kindly than JIM POLK. The gentleman from Ohio [Mr. KIRWAN] said he never heard him say and believes he never said an unkind word about anybody. I think we can all bear evidence to that. He was the kind of man that I think all of us would like to be. We will miss him, his people will miss him, and his family will miss him. My sympathy goes out to all of them.

Mr. McCULLOCH. Mr. Speaker, will the gentleman yield?

Mr. KIRWAN. I yield to the gentleman from Ohio.

Mr. McCULLOCH. Mr. Speaker, I, too, was saddened to learn of the passing of our colleague, and my long-time friend from Ohio, JIM POLK. I completely agree with my distinguished colleague from Ohio [Mr. KIRWAN] in what he said about JIM POLK. JIM POLK was a good man, he was a kind man. Moreover, in his early days he was a great schoolmaster, and then an outstanding school administrator. His imprint upon the youth of his community in southern Ohio remains there now, and the results of his good influence on the youth of Ohio will remain long after he has gone.

I join with my colleagues from Ohio in extending my very deepest sympathy to his devoted wife and fine family.

Mr. ASHLEY. Mr. Speaker, will the gentleman yield?

Mr. KIRWAN. I yield to the gentleman from Ohio.

Mr. ASHLEY. Mr. Speaker, it was with profound regret that I learned a few hours ago of the death of one of our most beloved Members, JIM POLK. It has been said that JIM was a kind, a gentle man. And, indeed, these were his virtues. But he was endowed, too, with a rare courage, Mr. Speaker. I recall a few years ago in a contest in Ohio where the situation was practically impossible for a certain gubernatorial candidate. But he was JIM POLK'S candidate, and at a time in JIM'S own election, a very close affair, he took to the stump. He spoke on the street corners and in the far reaches of his district for a man in whom he believed, but one he knew, as many of us did, would not be elected. This was the kind of political courage that typified and distinguished JIM POLK.

As my colleague [Mr. VANIK] pointed out, JIM POLK was always ready to give freely of his advice and he did so with real humility. There are few Members who will be remembered with greater love by the younger Members of this House for his kindness and for his help. There will be few who will be remembered with greater love than JIM POLK for the wisdom and for all that he gave.

I join others who have spoken here this morning in expressing my sympathy to his wife and children. We grieve with them in this hour of their sorrow.

Mrs. BOLTON. Mr. Speaker, will the gentleman yield?

Mr. KIRWAN. I yield to the gentlewoman from Ohio.

Mrs. BOLTON. Mr. Speaker, all of us feel a certain sweetness has gone out of the House with the passing of JIM POLK. All of us have known him as a quiet, unassuming Member. Some of us have not known him as well as we would like to have known him, but we shall miss him very much.

I join with my Ohio colleagues particularly, and with all the rest of the membership of this House, in paying respect to his memory, but more than that, to express something of the feeling that we have that his spirit will continue to live on with us.

Mr. Speaker, I should like to say more, if I may. I am the only woman Member of the Congress from Ohio. I should like to send a particular word of sympathy and understanding to Mrs. Polk, not only on behalf of myself but on behalf of the wives of all the Ohio Members. Mrs. Polk has been a delightful member of our Ohio group and our hearts go out to her in very real sympathy, some of us with a great deal of understanding of what these hours are to her after the anguished weeks and months that have gone before. May heaven give her comfort and peace. It is my earnest hope, Mr. Speaker, that there may come to her the certainty that—

Never the spirit was born; the spirit shall
cease to be never;
Never was time it was not; end and beginning are dreams;
Birthless and deathless and changeless remaineth the spirit forever;
Death hath not touched it at all, dead
though the house of it seems.
Nay, but as one who layeth
His wornout robes away,
And taking new ones, sayeth
"These will I wear today."
So putteth by the spirit
Lightly its robes of flesh,
And passeth to inherit
A residence afresh.

Mr. KIRWAN. Mr. Speaker, I yield to the gentleman from Ohio [Mr. MOELLER].

Mr. MOELLER. Mr. Speaker, I, too, join my colleagues from Ohio in paying a few words of tribute to a man whom I have learned to know but a brief time, but a man whom I have learned to know to be a very great man. As a freshman Congressman, I called at his office shortly after my arrival here to have a brief chat with him. The kindly counsel and advice that he gave was the kind that a freshman will want to carry with him and which he so sorely needs. Not only the advice that he had given me caused me to have such great admiration for JIM POLK, but likewise the comments that one would hear from people within his district, which is a neighboring district to mine. People of both Democratic and Republican persuasion would speak words of highest praise of JIM POLK, and primarily because they felt in him they had a man whom they could fully trust. What a wonderful thing it is to hear such fine tributes being paid here on the floor by Members speaking about this man in the vein they do. He was an honorable man, a dedicated man, and I am sure his widow and his survivors will well understand our admiration for him, and to them go our most profound sympathies.

Mr. KIRWAN. Mr. Speaker, I yield to the gentleman from Ohio [Mr. BETTS].

Mr. BETTS. Mr. Speaker, I want to express my sorrow and sadness at the passing of JIM POLK. In every sense of the word JIM POLK was a true gentleman. I do not think there was a Member of this body that took his job, his position here in Congress more seriously than he did. He will be missed not only by our delegation but by the whole House, particularly the Committee on Agriculture, where he did such valiant work. I want to join my colleagues from Ohio as well as the other Members of the House in expressing my sympathy at his untimely passing. He had a charming personality and I was proud to consider him a close friend. My personal sympathies go to his wife and his family in this hour of sorrow.

Mr. KIRWAN. Mr. Speaker, I yield to the gentleman from Ohio [Mr. COOK].

Mr. COOK. Mr. Speaker, I take this opportunity to join with the other members of the Ohio delegation and the membership of the House in expressing my personal deep-felt sorrow at the passing of JIM POLK. I, too, am a freshman Member of this House, and as such I have not had the opportunity that many of the other Members have had to have worked with JIM POLK over the years. On the other hand, as a new Member meeting Mr. POLK for the first time, I believe that I really found one of his true qualities, and that was that it was so easy to know JIM POLK. JIM was the type of man that you could meet the first time and feel that you had made at the very beginning a true and trusted friend. Certainly, I shall personally always look back upon the past 3½ months in the sense of a true friendship with a wonderful man. I am sure that the people of his district have lost a great Representative; this House has lost a valuable Member, and each of us has lost a trusted friend. I also extend my deep sympathy to his wife and family.

Mr. KIRWAN. Mr. Speaker, I yield to my colleague from Ohio [Mr. SCHENCK].

Mr. SCHENCK. Mr. Speaker, I should like to join our colleagues here in the House in expressing my very deep regret at the untimely passing of JIM POLK. JIM POLK was an unusual type of person. He not only had a great deal of ability and represented his district and the Nation as a whole with distinction, but he had a great deal of personal courage that enabled him to meet the many situations with which he was faced, particularly in these last few months as he suffered

great pain. And even though he had been suffering great pain he remained on the job here in the House and in behalf of his constituents at a time when many lesser men would have taken a much needed rest.

So, Mr. Speaker, I should like to extend to Mrs. Polk and their children the very sincere and heartfelt sympathy that all of us feel. Mrs. Polk has endeared herself to all of the wives of the Members of the Ohio delegation, met with them frequently, and is highly respected.

Mr. Speaker, I join my colleagues in the House in this tribute to a really great man.

Mr. KIRWAN. Mr. Speaker, I yield to the gentleman from North Carolina [Mr. COOLEY].

Mr. COOLEY. Mr. Speaker, I have cherished JIM POLK'S friendship for many, many years. He was an honorable, humble, modest, and magnificent man. He was a devoted and dedicated public servant. I served with him on the Committee on Agriculture during the entire time that he has served in Congress. I, too, want to extend my very sincere and warm sympathy to his wife and to the members of his family and on behalf of the Committee on Agriculture to present a very brief resolution which was adopted by the committee this morning.

Whereas JAMES G. POLK, for 21 years representative of the Sixth District of Ohio in the Congress, devoted the full measure of his talents and his energy to the improvement of agriculture, especially for the betterment of the living standards of the farm families of America; and

Whereas the ultimate achievement of a parity position of agriculture, with the other great segments of the Nation's economy and society, will be a monument to his memory; and

Whereas serving with the House Committee on Agriculture and having progressed to a high rank and position he won respect for his ability and was held in esteem by his colleagues: Now, therefore, be it.

Resolved, That the committee has learned with profound sorrow and a sense of deep loss of the untimely death of JAMES G. POLK; and be it further

Resolved, That the committee express its very sincere sympathy to members of his family; and be it further

Resolved, That the committee clerk communicate this resolution to the family of the deceased.

Mr. KIRWAN. Mr. Speaker, I yield to my colleague from Ohio [Mr. BOW].

Mr. BOW. Mr. Speaker, I join my colleagues from Ohio and from the House in an expression of sympathy to the family of JAMES POLK at his untimely passing. Those of us who have served with him here have learned to love JIM POLK. There was no division of an aisle in the matter of the friendship and affection that we felt for him. We shall miss him. It will be hard to replace so gentle a character with anyone for whom we could have greater respect than JAMES POLK.

Mr. KIRWAN. Mr. Speaker, I yield to the gentleman from Oklahoma [Mr. ALBERT].

Mr. ALBERT. Mr. Speaker, I join the distinguished gentleman from Ohio and his colleagues in the House in this expression of personal sorrow over the loss of my good friend and colleague on the Committee on Agriculture, JIM POLK. I have served with JIM on that committee for many years. He was a very skilled member of the Committee on Agriculture as he was a very skilled Member of the House. He was a person who used quiet persuasion, but in a most telling and effective manner.

He could get things done. He was always on top of his work, always on top of his job. He served his constituency in their personal and in their broader interests with great success and great distinction. He was a forceful and able student of agriculture. He knew the problems before our committee, I believe, as well as any member of the committe. He always gave the other fellow the benefit of the doubt. He was tolerant, he was kind, he was considerate, he was courageous. As an example of his great courage, he was frequently on the job and appeared at our committee this year when he was physically unable to be there.

I shall miss him. We have lost a distinguished, capable, and effective Member of the House. I extend to his wife and children my deepest and sincere personal sympathy.

Mr. KIRWAN. Mr. Speaker, I yield to the gentleman from Ohio [Mr. AYRES].

Mr. AYRES. Mr. Speaker, JIM POLK was a kind, sympathetic, and understanding man. He was not only nice to work with, but, having known some of his employees, he was good to work for. This body will miss JIM POLK. His friendship crossed party lines. I know all of our hearts go out to Mrs. Polk, his children, their wives and husbands, and all of those who were closely associated with him. In the future many of us can take a lesson from JIM POLK'S attitude in this body. He was loyal to his friends and understanding of those who opposed him politically.

Mr. KIRWAN. Mr. Speaker, I yield to the gentleman from Kansas [Mr. BREEDING].

Mr. BREEDING. Mr. Speaker, I join the Ohio delegation and other colleagues in the House in extending my sympathy at the loss of JIM POLK. When I came here as a new Member of Congress his office was just across from mine in the Old House Office Building. I went to him many times for advice and consulted with him about the operations of the House. Certainly I feel that I have lost a true and trusted friend. I also want to extend my condolences and sympathy to the members of his family.

Mr. KIRWAN. Mr. Speaker, I yield to the gentleman from Ohio [Mr. HENDERSON].

Mr. HENDERSON. Mr. Speaker, we feel a sense of profound sorrow in the passing of JIM POLK. The membership of this House has suffered a loss. JIM POLK was an able statesman, representing the interests of his people. Service was his theme, and devotion to duty was ever uppermost in his mind. He performed his work admirably and was an example to all of us. We will miss him. The people of this Nation, his State, and his district will also miss him. To his wife and children we extend our deepest sympathy.

Mr. KIRWAN. Mr. Speaker, I yield to the gentleman from California [Mr. MILLER].

Mr. GEORGE P. MILLER. Mr. Speaker, I join with others in paying my respects to the memory of our late colleague, Mr. POLK, of Ohio. To me he was one of the most efficient and effective Congressmen in this House, a modest man who effaced himself. He never sought recognition to take the floor on superficial matters or to discuss subjects in which he was not well grounded and prepared. He was always courteous, considerate, and tolerant in his relations with other Members. He was a gentleman and the highest type of public official. I join with my colleagues in extending my deepest sympathy to his family on this sad occasion.

Mr. DIXON. Mr. Speaker, like one of our beautiful mountain sunsets in the summer, the passing of Representative JIM POLK leaves an afterglow of love and warmth in our hearts and a feeling of a rather sweet sorrow today. The years of association with this man have greatly increased my respect and affection for him. He was a dedicated teacher and a great statesman who in kindliness, and rather silently, was extremely powerful in furthering the cause of our Government and in furthering good wherever he found the opportunity to do so. Many of us feel today to call him blessed and to thank our Maker for the privilege of having allowed us to associate with him in this great legislative body.

Mr. LATTA. Mr. Speaker, I join with my colleagues on this sad occasion to pay tribute to the memory of our beloved colleague, JAMES POLK, of the Sixth District of Ohio. Being a new Member of Congress, I did not have the pleasure of knowing JIM POLK over the years. That pleasure was not to be mine until I came to the Congress in January of this year. I shall never forget the warmth of his welcome when I met him for the first time in the Committee on Agriculture. It was fitting that I, a newcomer to Congress, should meet JIM POLK in the committee room of the committee he loved so well and on which he labored so tirelessly and effectively. Mr. Speaker, I have been greeted many, many times in my life, but never have I been welcomed more warmly than by JIM POLK on that day. It was a friendly, gentle, and fatherly greeting that I am sure every new Congressman would have cherished for a lifetime. I know that I shall never forget it so long as I live. I would very much have like to have had the opportunity of serving longer with JIM POLK on this important committee, but the Supreme Creator has ruled otherwise. JIM POLK'S many years of experience in the field of agriculture would have been invaluable to me. His wise counsel in this field will surely be missed by the entire Congress. I shall miss him personally, and I am deeply sorrowed by his passing.

I extend my deepest sympathy to his beloved wife and children for they shall miss him most of all.

Mr. O'NEILL. Mr. Speaker, I join my colleagues this morning in paying tribute

to the memory of JIM POLK. I was deeply shocked, Mr. Speaker, on hearing of the death of our colleague. When I first came to the Congress 7 years ago, I was fortunate enough to be assigned an office next to the office of JIM POLK and through the years we became very, very friendly. He was quiet and unassuming, yet of a gentle nature. He was truly a lovable man and to know him made one's day a brighter day. I have never in my 7 years in Congress seen a more prodigious worker than JIM POLK. I join with the Members of the House of Representatives in condolences to his family.

Mr. DEVINE. Mr. Speaker, unlike many of my colleagues, I did not have the pleasure of knowing Congressman POLK for a long period of time. He made himself known to me at one of the banquets here of the Veterans of Foreign Wars after the beginning of this term of the Congress. He offered his assistance to me as a new Member of Congress notwithstanding the fact that I was across the political aisle from him. He was a very kind and friendly man. The fact is, just a day or so before he went to the hospital, he invited me to his office to discuss a mutual problem of flood-disaster relief. He had a group of people there and representatives from the Corps of Army Engineers. I think the State of Ohio has sustained a great loss. I join my colleagues in extending deepest sympathy to the family and to the people in Circleville, Washington Court House, Portsmouth, Chillicothe, Hillsboro, and in the rest of his district who have sustained a great loss in the passing of Congressman JAMES POLK.

Mr. LEVERING. Mr. Speaker, I join my colleagues in paying tribute to the memory of our departed colleague, JAMES G. POLK. His death is a very real shock to me and I am deeply saddened by his passing. His office was near mine in the House Office Building, and I want to say, Mr. Speaker, that he was of immeasurable assistance to me as a new Member of the House of Representatives.

As you know, he was one of the few real down-to-earth farmers in this august body. JIM loved the land. He took genuine pride in listing himself in the Congressional Directory as "one of the few Members of Congress whose sole occupation is farming. Our departed friend was a statesman, a loving husband and father, and a true American. I shall always remember JIM POLK for his gentleness of character, although at the same time I know, and the record shows, he was a man of deep conviction—a great fighter, a great source of strength for the good of his country. His district, our State of Ohio, and our Nation has sustained a great loss in the passing of this dedicated servant of the people. I shall miss him more than I can say.

I wish to extend my sympathy to Mrs. Polk and other members of the family in this hour of bereavement.

Mr. HOEVEN. Mr. Speaker, will the gentleman yield?

Mr. KIRWAN. I yield to the gentleman from Iowa.

Mr. HOEVEN. Mr. Speaker, I am grieved to learn of the sudden passing of my friend, JAMES G. POLK. It has been a real privilege for me to have served in this House with JIM POLK many years. During most of that time we served together on the Committee on Agriculture of the House of Representatives. JIM POLK was a gentle man, a kind man, a considerate and a lovable, character. I always found him with a smile in spite of the ill health he endured for the past few years. Summing it all up, JIM POLK was a fine Christian gentleman.

In the passing of this great American, the Committee on Agriculture has lost a devoted member. The House of Representatives has lost a loyal and devoted public servant and his district and his State have lost a great Representative.

My deepest sympathy goes out to Mrs. Polk and all members of the family.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. KIRWAN. I yield to the majority leader.

Mr. McCORMACK. Mr. Speaker, JIM POLK was one of the most esteemed Members of the House of Representatives. He occupied a unique position in the minds of his colleagues during the many years he served in this body. He occupied that position because of the respect that his colleagues had for him by reason of those fine qualities that he possessed and which so many Members today have stated, in one form or another.

JIM POLK was a man of unusual character. He truly possessed nobility of character in about as broad and profound a manner as anyone could be. He was a man of deep faith and he evidenced it in his human ways, in his contact with his fellow man, in showing by action as well as by words his love of God and love of neighbor. JIM POLK exercised a powerful influence in the House of Representatives as a result of the recognition of his unusual ability, his logical mind, and his sound advice. As Member after Member has properly mentioned, he was unassuming, kind and good. It is because of those qualities, coupled with his unsual ability, that he was so effective as a Member of the House of Representatives.

As the gentleman from Ohio [Mr. HAYS] said, in giving advice he would give both sides of a question so that the Member could analyze and consider both sides and make up his own mind. That is the type of gentleman JIM POLK was.

During his years of service in this body, in that quiet and unassuming way of his he has made his contributions to the legislative history of our country. You and I, who knew JIM POLK and served with him and number him among our friends, have been enriched in our own lives as a result of our association with him and the friendship that existed between us. In his passing I have sustained a personal loss, the House of Representatives has sustained a great loss. I extend to Mrs. Polk and her loved ones my deep sympathy, and to the Ohio delegation and to the people of his district likewise I extend my profound sympathy.

Mr. RAYBURN. Mr. Speaker, JAMES POLK was a fine man, of splendid ability, of the highest character. He served his district and his country well. In his passing his family and a host of devoted friends have my deepest sympathy.

Mr. EVINS. Mr. Speaker, I desire to join with my colleagues from Ohio and others in paying a brief but sincere tribute to the memory of our late friend and able colleague, the Honorable JAMES G. POLK, who passed away this morning.

I came to know JIM POLK well during our years of service. I liked him as a friend and admired his work and sincerity as the Representative of his district in the Congress. Although his primary interest was farming and agriculture, JIM POLK approached the problems of our Nation with a broad perspective without provincialism. He was a gentle and kindly man who bore the name of one of our great Presidents, James K. Polk, of Tennessee. We shall miss him. May I extend to the members of his family my sincerest sympathy in their bereavement.

Mr. JOHNSON of Wisconsin. Mr. Speaker, it was with great sorrow that I learned of the death of my colleague, JAMES G. POLK, of the Sixth District of Ohio.

I have known JIM intimately ever since I have been a member of the House Agriculture Committee. He and I served together on both the Dairy and the Poultry Subcommittees, and I found his interest was always with the farm people of the United States. He was a kindly gentleman, quiet but very firm in his beliefs, and we in the committee will miss him greatly.

I want to extend my condolences to his wife and family.

Mr. FEIGHAN. Mr. Speaker, today we were saddened to learn of the passing of our esteemed colleague, JIM POLK. JIM had a very long and distinguished career as a Member of Congress.

He was a farmer by profession and a farmer at heart. He was a true son of the soil of Ohio. JIM not only had a thorough knowledge and understanding of the problems of the tillers of the soil, but he had a thorough knowledge and a sympathetic understanding of the problems of the city dwellers and those who earned their livelihood in endeavors other than farming.

JIM was indeed a kindhearted soul whose personality ingratiated him with everyone with whom he came in contact. He was a conscientious man of unusual wisdom and deep spiritual strength. He was a humble man who had the highest concept of his responsibility to his constituents. His devotion to his official duties was stimulated by his love for his State and his Nation. He has a record that has won for him the great commendation and respect of all of his colleagues. He was a firm believer in the American way of life. His great faith in the principles and ideals of our government was evidenced in his record of service. He was a great and true American. It was his ambition to pass on to posterity and to tomorrow's generation a stronger and greater America. JIM was living the fruitful years of his life and in his passing our Nation has lost a great and courageous legislator, and I have lost a true friend.

Mr. McINTIRE. Mr. Speaker, the passing of JAMES G. POLK, Representative of the Sixth District of Ohio, takes from among us a fine gentleman and a true friend. His passing is a personal loss to me.

It has been my privilege to serve with JIM on the Committee on Agriculture of the House for 7 years. We have served on subcommittees together. He was a farmer by training and business association. With this background he was a most valued member of the committee and we valued his kind, sound device. He was indeed a gentleman, kindly in his relationship with all men, an able, devoted servant of the people.

Mrs. McIntire joins with me in extending our deepest sympathy to Mrs. Polk and family.

Our lives have been enriched by the personal acquaintanceship we have had with Congressman and Mrs. Polk.

Mr. ASPINALL. Mr. Speaker, it is with a sad and heavy heart that I pay my tribute today to our late colleague from Ohio's Sixth Congressional District. JAMES G. POLK was not only a colleague, he was a good friend and neighbor. When I first came to Congress, I was assigned office space but a few doors away from the office suite which he has occupied for so many years. Consequently, he was among the first individuals whom I had the pleasure of meeting upon arriving in Washington. From the start, he was most helpful in assisting me and my staff in getting ourselves oriented. On numerous occasions, especially in those early days of my congressional service, he gave me helpful hints on the procedures and operations of the House.

JIM POLK served on the Committee on Agriculture and I frequently sought him out to obtain the benefit of his judgment on problems and legislative proposals pending before that great committee. He was never too busy to take a moment or two to consult with his colleagues and to offer to them his views on problems of the agriculture industry.

Our so recently departed friend and fellow worker was a quiet, effective, and dedicated public servant. His loss to the people of his district, to the State of Ohio, to the Nation, and particularly to this House which he loved so dearly is immeasurable. Mrs. Aspinall joins with me in extending to his widow and to his family our heartfelt sympathy.

Mr. THOMPSON of Texas. Mr. Speaker, when men sit side by side in committee through the years they come to know each other especially well, and in a way that is peculiar to our particular phase of public service. I enjoyed that close relationship with JIM POLK for years. I came to know his thinking and his approach to the complex problems of agriculture. I know of his devotion to the people whom he represented.

The past months, when JIM'S health has been so obviously failing, pained me, as they did all of his friends, particularly those of us who were close enough to him to see the struggle that he was making against the dread disease which finally took him from us. He never gave up in his efforts to do things for people, until he finally went into a coma just a few days ago. It has been only about a week since he had his office call me to ask if I would preside over his subcommittee at some hearings which he had scheduled.

It will always be an inspiration to me to recall how JIM served right up to the last. I will never know a braver man nor one who set a finer example of devotion to duty. My profound sympathy goes to his family and to all those who were near and dear to him.

Mr. MARSHALL. Mr. Speaker, one of the first men that I was privileged to become acquainted with when elected to Congress was JIM POLK. He was always courteous, helpful and friendly. We visited on numerous occasions. While his health was bad he was uncomplaining, always lending a cheery smile and a fine philosophy of life. We will always profit by the existence of men like JIM POLK. Mrs. Marshall joins in expressing our sympathy to Mrs. Polk and Mrs. Taylor, his daughter.

His district has lost a fine Representative, our country a fine citizen, and we have lost a real true friend.

Mr. GRAY. Mr. Speaker, a true friend has gone from our midst. I was shocked and grieved to learn of the passing of JIM POLK.

When I became a Member of this great body 5 years ago one of the first to shake my hand in warm friendship was the gentleman from Ohio whom we are eulogizing here today. He was quiet turned but truly represented the old saying "still water runs deep." He was always willing to give advice to those who sought it. He was always ready to extend a glad hand of friendship, yes, Mr. Speaker we will miss him very much. His kindness, his service to his fellow man speak far more eloquently than any words I might utter here today.

Words will not really ease the grief that is placed upon the members of his family; however, I want to extend my sympathy in the deepest of sincerity.

Mr. ROONEY. Mr. Speaker, I was deeply grieved this morning to learn of the passing of my friend and distinguished colleague, the Honorable JAMES G. POLK, who represented the Sixth Congressional District of the State of Ohio.

Through the many years of my association with JIM POLK I learned to deeply admire him for his fine qualities and gentleness of spirit. He served as a member of the Agriculture Committee for which he was preeminently qualified as his life was devoted to farming.

I wish to extend to his wife and daughters my deepest sympathy in their bereavement.

Mr. MINSHALL. Mr. Speaker, I was shocked and saddened to learn this morning of the death of our colleague, JAMES G. POLK.

JIM POLK always liked to point out that running a farm was no mere sideline for him. He was no city slicker farmer. He made up his mind to enter politics on a hot fall day when riding his sulky plow behind a three-horse team. All of his life he stayed close to his own farm and to the farmers of the Sixth District of Ohio. His biography in the Congressional Directory became noted for its brevity, being limited to his tenure of service and the one proud line: "One of the few Members of Congress whose sole occupation is farming."

When a session was over, JIM POLK would head back to his beloved green fields in Ohio. Two times he left public service in Washington in the hope of spending the rest of his life on his farm. Both times he was called back to Washington.

Once he remarked: "I'm one of those who thinks a man must have a calling for the farm, just as some men are called to the ministry or medicine." JIM POLK had that calling, and he gave his life to it. He served long and ably on the House Agriculture Committee. I cannot recall JIM POLK raising his voice in anger, but he was firm and swift when he thought an injustice might be done to the farmers of this Nation.

His colleagues on both sides of the aisle admired and respected him. I would like to express my heartfelt sympathy to his family. We will all miss JIM POLK.

Mr. BOYLE. Mr. Speaker, it is with personal sadness that I take the floor today in tribute to a man who climbed down from a sulky plow to become a dedicated and respected Member of the House of Representatives. The Honorable JAMES G. POLK had served as a member of the Agricultural Committee since first coming to Congress in 1931 to represent the people of the Sixth District of Ohio.

Around Capitol Hill he was referred to as a political phenomenon, who retired after serving in Congress for 10 years to return to his farm, only to be called back 8 years later by his people to again serve them in Congress.

His untimely death is a personal loss as well as a loss to his State and to the Congress. Fate has written a finis to a fine congressional career.

To his family and loved ones I extend my heartfelt sympathy.

Mr. METCALF. Mr. Speaker, "kindliness," "tolerance," "friendliness" are words that have been used over and over again in tribute after tribute to JIM POLK. This man, conscientious, hardworking, a dedicated and determined fighter for his principles, yet found time to be helpful to all around him and to bring a spirit to his activities in committee and on the floor that left all of us feeling a little better toward each other. The United States has lost an able lawmaker, Ohio a fine advocate, and each Member of Congress has a personal loss in the death of a true friend. I join my colleagues in extending my heartfelt sympathy to Mrs. Polk and his family.

Mr. ABERNETHY. Mr. Speaker, the passing of our friend and colleague, JAMES G. POLK, leaves us in a state of profound sadness.

JIM POLK was one of the most beloved Members of this body. He was possessed of an unusually sweet disposition. He was a man of tenderness. He was kind, courteous, and good. In the many years I have been privileged to serve here with JIM POLK, I never once heard him make an unkind or uncomplimentary remark

of anyone; nor was such made of him. He was loved and respected by all on both sides of the aisle.

It was my good fortune to have been quite close to JIM. For years we served together on the same committee, the Committee on Agriculture. We also worked together on several subcommittees. To have been so closely associated with this fine man was a rewarding experience, one I shall always cherish and remember.

JIM POLK was a good Congressman. He was unbiased. He was loyal and conscientious. In his daily living he was always mindful of his duty as a public servant. He put the people first, himself second. In this connection I am reminded of something which happened about 10 days ago. Although a very sick man, something which he undoubtedly knew, he called from his hospital bed of pain and discussed with me a matter pending in our committee. He was thinking of a commitment he had made to some people about committee hearings on a pending legislation. He wanted us to know of his commitment and expressed the hope that some of us could pick up where he had been forced to leave off. Although the very sick man that he was, he was still thinking of his duties as a servant of man. As was typical of JIM, he was putting the people first, himself second.

This incident so clearly illustrates his devotion to duty and the way he lived. Yes, indeed, JIM POLK lived a good life, one that all who follow would do well to emulate.

I join with the distinguished delegation from the great State of Ohio in mourning the passing of our friend and colleague, JAMES G. POLK. And to his bereaved widow and family, I extend my profound sympathy.

Mr. DAGUE. Mr. Speaker, it is with a heavy heart that I join with my colleagues in this testimonial to the fine character of our late friend JAMES G. POLK who has been taken from us after a life that was lived to the fullest in the public service.

It was my privilege to serve with JIM POLK in the Committee on Agriculture and while he was undoubtedly among the best qualified to speak on agricultural subjects by reason of his farming experience he rarely raised his voice to criticize the proposals of his less-informed associates. In the 12 years of our association together I came to appreciate his even temperament and sunny disposition, and the highest accolade I can bestow upon him is to state that I never saw him angry nor do I recall ever meeting him when he did not greet me with a smile.

In my opinion we are too prone to judge a man by his eloquence or his involvement with public matters. The real test, as I see it, is how we handle ourselves in our relationships with those we meet along life's way, and whether we accept the divine suggestion that we are our brother's keeper. A great publice servant, a stanch party man, our late lamented colleague was also a Christian gentleman and our faith tells us that he rests from his labors in scenes serene beyond the river. To his bereaved family go our heart-felt condolences and our prayerful solicitation that the Master will have them in His care and keeping.

Mr. COAD. Mr. Speaker, it was certainly a loss to the entire Nation to lose our colleague JAMES POLK, of Ohio, in death. It was my pleasure to know JIM through our many conversations together and the mutual projects on which we worked. I not only liked JIM POLK but I respected his knowledge. He was possessed with a sense of understanding and courage.

I wish to take this opportunity to express my deep sympathy to the members of Mr. POLK's family in this time of sorrow.

Mr. KIRWAN. Mr. Speaker, friends may visit Gawler's Funeral Home in Washington, where Mr. POLK's body will lie, on Thursday from 1 to 8 p.m. and on Friday from 10 a.m. to 3 p.m. Burial will be in Highland, Ohio.

GENERAL LEAVE TO EXTEND

Mr. KIRWAN. Mr. Speaker, I ask unanimous consent that all Members may have permission to revise and extend their remarks on the life and character of our late colleague, JAMES G. POLK.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. KIRWAN. Mr. Speaker, I offer a resolution (H. Res. 255).

The Clerk read as follows:

Resolved, That the House has heard with profound sorrow of the death of the Honorable JAMES G. POLK, a Representative from the State of Ohio.

Resolved, That a committee of 22 Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolution was agreed to.

FUNERAL COMMITTEE

The SPEAKER. The Chair appoints the following Members of the House to attend the funeral:

Mr. KIRWAN, Mr. BROWN of Ohio, Mrs. BOLTON, Mr. FEIGHAN, Mr. MCCULLOCH, Mr. HAYS, Mr. HESS, Mr. AYRES, Mr. BETTS, Mr. BOW, Mr. SCHENCK, Mr. SCHERER, Mr. BAUMHART, Mr. ASHLEY, Mr. HENDERSON, Mr. MINSHALL, Mr. VANIK, Mr. COOK, Mr. DEVINE, Mr. LATTA, Mr. LEVERING, and Mr. MOELLER.

The Clerk will report the remainder of the resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect the House do now adjourn.

The resolution was agreed to.

Accordingly (at 12 o'clock and 47 minutes p.m.) the House, pursuant to its previous order, adjourned until tomorrow, Wednesday, April 29, 1959, at 11 o'clock a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

901. A letter from the Administrator, General Services Administration, transmitting three reports prior to restoration of balances, pursuant to Public Law 798, 84th Congress (31 U.S.C. 701–708); to the Committee on Government Operations.

902. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting correspondence in the case of George Wong, A–7841649, involving suspension of deportation under the provisions of section 19(c) of the Immigration Act of February 5, 1917, as amended, requesting the case be withdrawn from those now before the Congress and returned to the jurisdiction of this Service; to the Committee on the Judiciary.

903. A letter from the Secretary of the Interior, transmitting certification that the Alaska State Legislature has made adequate provision for the administration, management, and conservation of the fish and wildlife resources of Alaska in the broad national interest, pursuant to Public Law 85–508; to the Committee on Merchant Marine and Fisheries.

904. A letter from the Secretary of State, transmitting a draft of proposed legislation, entitled "A bill to promote the foreign policy of the United States by amending the U.S. Information and Educational Exchange Act of 1948 (Public Law 402, 80th Cong.)"; to the Committee on Foreign Affairs.

905. A letter from the Director, U.S. Information Agency, transmitting a draft of proposed legislation, entitled, "A bill to promote the foreign policy of the United States by amending the U.S. Information and Educational Exchange Act of 1948, as amended"; to the Committee on Foreign Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 6319. A bill to amend chapter 55 of title 38, United States Code, to establish safeguards relative to the accumulation and final disposition of certain benefits in the case of incompetent veterans; without amendment (Rept. No. 303). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROGERS of Texas: Committee on Interior and Insular Affairs. H.R. 839. A bill to approve an order of the Secretary of the Interior adjusting, deferring, and canceling certain irrigation charges against non-Indian-owned lands under the Wapato Indian irrigation project, Washington, and for other purposes; without amendment (Rept. No. 304). Referred to the Committee of the Whole House on the State of the Union.

Mr. FOGARTY: Committee on Appropriations. H.R. 6769. A bill making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1960, and for other purposes; without amend-

ment (Rept. No. 309). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WALTER: Committee on the Judiciary. H.R. 1391. A bill for the relief of Viktors Neimanis; with amendment (Rept. No. 305). Referred to the Committee of the Whole House.

Mr. MOORE: Committee on the Judiciary. H.R. 1509. A bill for the relief of Leon Oswald Dickey; with amendment (Rept. No. 306). Referred to the Committee of the Whole House.

Mr. CHELF: Committee on the Judiciary. H.R. 4242. A bill for the relief of certain aliens; with amendment (Rept. No. 307). Referred to the Committee of the Whole House.

Mr. SMITH of California: Committee on the Judiciary. H.R. 5963. A bill for the relief of Ivy May Lee; without amendment (Rept. No. 308). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ALBERT:

H.R. 6737. A bill to amend the Agricultural Act of 1949, as amended, the Agricultural Adjustment Act of 1938, as amended, and Public Law 74, 77th Congress, as amended; to the Committee on Agriculture.

By Mr. AUCHINCLOSS:

H.R. 6738. A bill to strengthen the fire prevention and fire safety laws applicable to schools in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. BECKER:

H.R. 6739. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for income tax purposes of expenses incurred by an individual for transportation to and from work; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 6740. A bill to amend title 46, United States Code, to provide for limitation of liability for vessel owners in suits by third parties based upon the warranty of seaworthiness, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. BOSCH:

H.R. 6741. A bill to amend section 1014 of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. CELLER (by request):

H.R. 6742. A bill relating to applications for writs of habeas corpus by persons in custody pursuant to the judgment of a State court; to the Committee on the Judiciary.

By Mr. DAVIS of Georgia:

H.R. 6743. A bill to provide for certain survivors' annuities in additional cases under the Civil Service Retirement Act of May 29, 1930; to the Committee on Post Office and Civil Service.

By Mr. FINO:

H.R. 6744. A bill to provide leave for periods of hospitalization of veterans in Government civilian service; to the Committee on Post Office and Civil Service.

By Mr. FINO (by request):

H.R. 6745. A bill to eliminate the maintenance by the United States of perpetual accounts for unclaimed funds, and for other purposes; to the Committee on Government Operations.

By Mr. FORAND:

H.R. 6746. A bill to amend title II of the Social Security Act to include the State of Rhode Island among the States which may obtain social security coverage for policemen and firemen in positions covered by a retirement system on the same basis as other State and local employees; to the Committee on Ways and Means.

By Mr. HALPERN:

H.R. 6747. A bill to amend the Internal Revenue Code of 1954 to permit a taxpayer to deduct tuition expenses paid by him for the education of himself or any of his dependents at an institution of higher learning; to the Committee on Ways and Means.

By Mr. HARRIS:

H.R. 6748. A bill to amend the Communications Act of 1934, with respect to community antenna television systems; to the Committee on Interstate and Foreign Commerce.

By Mr. KASTENMEIER:

H.R. 6749. A bill to promote the foreign policy of the United States and help build essential world conditions of peace by the more effective use of U.S. agricultural commodities for the relief of human hunger, and for promoting economic and social development in less developed countries; to the Committee on Agriculture.

By Mr. JOHNSON of Wisconsin:

H.R. 6750. A bill to provide for mandatory price support through the marketing year ending in 1964, for milk used in manufacturing milk products and for butterfat; to maintain the productive capacity of our dairy farming industry; to promote the orderly marketing of an adequate national supply of milk and dairy products; to encourage increased domestic consumption of dairy products in the interests of the national health and security; and for other purposes; to the Committee on Agriculture.

By Mr. KASTENMEIER:

H.R. 6751. A bill to provide for mandatory price support through the marketing year ending in 1964, for milk used in manufactured dairy products and for butterfat; to maintain the productive capacity of our dairy farming industry; to promote the orderly marketing of an adequate national supply of milk and dairy products; to encourage increased domestic consumption of dairy products in the interests of the national health and security; and for other purposes; to the Committee on Agriculture.

By Mr. McGOVERN:

H.R. 6752. A bill to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes; to the Committee on Education and Labor.

By Mr. GEORGE P. MILLER:

H.R. 6753. A bill authorizing and directing the Secretary of the Interior to undertake continuing research on the biology fluctuations, status, and statistics of the migratory marine species of game fish of the United States and contiguous waters; to the Committee on Merchant Marine and Fisheries.

H.R. 6754. A bill to amend the Internal Revenue Code of 1954 to provide that all transportation furnished to members of the Armed Forces (instead of only transportation costing 2½ cents per mile or less as under present law) shall be exempt from the tax on transportation of persons; to the Committee on Ways and Means.

By Mr. CLEMENT W. MILLER:

H.R. 6755. A bill to amend the Federal Credit Union Act; to the Committee on Banking and Currency.

By Mr. MILLIKEN:

H.R. 6756. A bill to amend title II of the Social Security Act to increase from $1,200 to $1,800 the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. O'KONSKI:

H.R. 6757. A bill to amend section 1621 of title 38, United States Code, to provide for the approval of programs of education and training of veterans who are required pursuant to State law to pursue their training for specified additional periods in order to qualify for their vocational objective, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 6758. A bill to amend title 38, United States Code, to increase the rate of special pension payable to certain persons awarded the Medal of Honor, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. ROGERS of Massachusetts:

H.R. 6759. A bill to amend the Servicemen's Readjustment Act of 1944, as amended, so as to authorize the Administrator of Veterans' Affairs to furnish space and facilities, if available, to State veteran agencies; to the Committee on Veterans' Affairs.

By Mr. SANTANGELO:

H.R. 6760. A bill to authorize appropriations for the Federal-aid primary system of highways for the purpose of equitably reimbursing the States for certain free and toll roads on the National System of Interstate and Defense Highways, and for other purposes; to the Committee on Public Works.

By Mr. VINSON:

H.R. 6761. A bill to extend the authority for the enlistment of aliens in the Regular Army; to the Committee on Armed Services.

By Mr. ZABLOCKI:

H.R. 6762. A bill to create a U.S. Academy of Foreign Service; to the Committee on Foreign Affairs.

By Mr. FOGARTY:

H.R. 6769. A bill making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1960.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By Mr. FORAND: Memorial of the Rhode Island General Assembly earnestly requesting Congress to make an appropriation to clean up the debris and to renovate the shores of Narragansett Bay, R.I.; to the Committee on Appropriations.

Also, memorial of the Rhode Island General Assembly requesting the U.S. Postmaster General and the Senators and Representatives from Rhode Island in the Congress of the United States to use every effort to have the residents of Coventry, R.I., placed in the jurisdiction of the Coventry Post Office District; to the Committee on Post Office and Civil Service.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BALDWIN:

H.R. 6763. A bill for the relief of Mrs. Vicenta A. Messer; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 6764. A bill for the relief of Lt. Comdr. George A. Bergen; to the Committee on the Judiciary.

By Mr. MOORE:

H.R. 6765. A bill for the relief of Paul & Beekman, Inc., and the Columbia Southern

Chemical Corp.; to the Committee on the Judiciary.

By Mr. SANTANGELO:

H.R. 6766. A bill for the relief of Georgina Feher; to the Committee on the Judiciary.

By Mr. WALTER:

H.R. 6767. A bill for the relief of Raymond Baurkot; to the Committee on the Judiciary.

By Mr. ZABLOCKI:

H.R. 6768. A bill for the relief of Mrs. Agnes Geidl; to the Committee on the Judiciary.

By Mr. WALTER:

H.J. Res. 353. Joint resolution to facilitate the admission into the United States of certain aliens; to the Committee on the Judiciary.

H.J. Res. 354. Joint resolution for the relief of certain aliens; to the Committee on the Judiciary.

By Mr. CELLER:

H. Res. 256. Resolution providing for sending the bill (H.R. 5163) for the relief of the Rochester Iron & Metal Co. with accompanying papers, to the Court of Claims; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

New British Air Route Threatens U.S. Taxpayer and U.S. Airlines

EXTENSION OF REMARKS
OF
HON. STEVEN B. DEROUNIAN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 28, 1959

Mr. DEROUNIAN. Mr. Speaker, I am grateful to the gentleman for his comments regarding the economic impact which the award of this new route to BOAC would have upon the competing U.S.-flag carriers.

As I have pointed out previously, the award of a Tokyo-New York route to the United Kingdom was never contemplated in the Bermuda agreement. Tokyo has been added to that agreement without negotiations, and no equivalent rights were obtained for the U.S. carriers in return.

In addition, however, the traffic on the route would be largely "fifth freedom," or third country, traffic to which a British air carrier has no claim. The examiner in the case refers to the fact that an estimated 99 percent of the passengers diverted from the U.S. carriers by BOAC would not be British subjects, or passengers traveling between points in British territory. The vast majority would be American citizens.

This fact makes the diversion to which the gentleman from Wisconsin has referred of even greater significance, since the passengers diverted would be largely passengers who properly should be carried by airlines of the United States or Japan.

This increasing diversion of American traffic to foreign-flag airlines is of growing concern, not only to the U.S. airline industry but the U.S. airline employees.

Pan American Airways pilots have pointed out, in a document circulated recently to many Members of the Congress, the extent to which foreign carriers are increasing their position in the international air transport market.

They point out that in 1948, 74 percent of the air traffic across the North Atlantic was handled by American carriers. In 1957, TWA and Pan American carried less than 43 percent of the total—this despite the fact that approximately 70 percent of the passengers were U.S. citizens.

The award of a Tokyo-New York route to BOAC will hasten the day when the same situation will prevail in the Pacific, to the great detriment of the U.S. air transport industry and its employees.

Mr. Speaker, I thank the gentleman for his support of my suggestion that a committee of the Congress undertake an investigation of this problem, and I hope that this will be done.

Congress Should Override the Veto of the REA Bill

EXTENSION OF REMARKS
OF
HON. GEORGE S. McGOVERN
OF SOUTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 28, 1959

Mr. McGOVERN. Mr. Speaker, as one of the sponsors of the legislation which Congress recently passed by a large margin restoring full loanmaking authority to the Administrator of the Rural Electrification Administration, I was keenly disappointed that the President saw fit to veto such a logical proposal.

I cannot understand why anyone would think it is sound policy to ask the Rural Electrification Administration to examine a loan application from one of our rural electric cooperatives, make a careful appraisal of that loan based on the criteria laid down by Congress, and then have the whole evaluation reversed by an arbitrary decision made by Secretary Benson or some future Secretary of Agriculture.

Why do we bother to establish an REA administrator and furnish him with a competent technical staff to examine loan applications if we are then going to permit a politically appointed Cabinet officer to use some kind of a political test or his own personal whims to decide whether or not a loan should be approved or disapproved?

Mr. Speaker, I am getting weary of government by veto. It seems that every time we are successful in passing legislation through the Congress to help farm people, Mr. Benson speaks to the President and all our hard work is lost with one stroke of the veto pen.

In 1956, after great effort and long hours of hearings and debate, the Congress passed a 90 percent of parity bill for agriculture to help give our farmers a fair return on their labor and investments. That much-needed bill was quickly vetoed by the President at Mr. Benson's insistence.

Last year, Congress passed legislation simply to hold the line against further price drops. Even this modest legislation was killed with a Presidential veto after it drew the opposition of Secretary Benson.

Now once again, after Congress has passed a measure necessary for the protection of our rural electric associations, the President has used the veto weapon.

I urge my colleagues in the Congress to reverse this ill-advised veto. It is in the best interest of rural America and sound administration that we do so.

Fire Prevention Award

EXTENSION OF REMARKS
OF
HON. EMILIO Q. DADDARIO
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 28, 1959

Mr. DADDARIO. Mr. Speaker, on Monday night, the U.S. Chamber of Commerce presented awards for its annual interchamber fire safety contest. For the 14th time, the city of Hartford, capital of Connecticut and principal community in my district, received first award in its population class. Moreover, in 1940, 1943, and 1953, Hartford achieved the distinction of being chosen as the grand award winner and is now in permanent possession of the trophy. These awards recognize the outstanding effort made by the community and the distinguished record of the Hartford Fire Department, headed by Chief Henry G. Thomas. Chief Thomas is retiring this week and I think this latest chamber of commerce award is fittingly timed to call attention to the splendid record he has achieved. In addition, I should like to mention the work done by Fire Marshal George Kennedy in organizing the activity that is the basis for the award.

Hartford has had some destructive and tragic fires in its history. In all of them, the Hartford Fire Department has battled with remarkable speed, order and effectiveness to control this tragic force. Many Hartford firemen have demonstrated exemplary bravery in action and all have shown the courage and resourcefulness that has inspired gratitude in adults and admiration in children. But the department realizes that firefighting is only part of its job. It turns to the fire prevention effort with vigorous steps because it knows that here is the most rewarding part of the problem—the public education that can stem losses.

Untold property damage and countless lives have been saved by the progressive

program of fire safety that Hartford has carried out. Three times Hartford has been singled out for the grand award of the U.S. Chamber, retiring the trophy. Among the highlights of this program has been the naming of junior fire marshal, grammar school students trained in habits of fire safety.

The Hartford Fire Department and the city of Hartford deserve acclamation for their efforts. I am proud to salute Hartford as the Fire Prevention City.

New British Air Route Threatens U.S. Taxpayer and U.S. Airlines

EXTENSION OF REMARKS
OF
HON. MELVIN R. LAIRD
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 28, 1959

Mr. LAIRD. Mr. Speaker, prior to the Easter recess, the gentleman from New York [Mr. DEROUNIAN] brought to the attention of the House a current proceeding of the Civil Aeronautics Board involving the application of British Overseas Airways Corp. for a foreign air carrier permit to begin service on a route extending from Hong Kong to Tokyo, Honolulu, San Francisco, and New York.

The gentleman's remarks interested me greatly, because the circumstances which he described appear to indicate that this is another instance in which this Government has conceded valuable air rights to another nation which will have an adverse economic effect on the U.S.-flag air carriers.

The extent of this economic damage to U.S. carriers is apparent from a report made last week to the Civil Aeronautics Board by Examiner Ferdinand Moran. This report recommended that the CAB deny BOAC's application to serve Tokyo on its trans-Pacific route in the public interest, because, among other things, BOAC would divert $13 million a year in revenue from the two U.S. trans-Pacific carriers, Pan American and Northwest.

Mr. Speaker, as a member of the Committee on Appropriations, I have been familiar with the costs involved in subsidizing the development of international air routes, and I am gravely concerned with the growing competition of foreign-flag carriers, and the potential effect of this competition on the future economic well-being of U.S. air transport enterprises.

It has been gratifying to observe that, in recent years, most of the domestic trunkline and international air carrier operations have reached a stage in which they can operate profitably without further Government assistance in the form of direct subsidy payments.

In the Pacific area, this status was achieved only after substantial assistance from the Government. During the years 1946 through 1955, the trans-Pacific operations of U.S. airlines required more than $87 million in Federal subsidy. Of this, Northwest received about $24 million and Pan American about $63 million. Additional subsidy, in amounts yet to be determined, is being claimed by Pan American for the years 1956 through 1958, but Northwest has been subsidy-free since 1954 and Pan American will be in the future.

None of the U.S. international carriers will be able to maintain a subsidy-free status, however, if this Government continues its past policies giving away valuable air rights without regard to the effect on the U.S. carriers, and without obtaining rights of equal value in return.

It is imperative that every effort be made to give the U.S. carriers the protection required to maintain their subsidy-free status. No further air rights should be relinquished to foreign flag carriers unless compensating U.S. rights are obtained.

In the case under discussion, if BOAC is handed this route between the two largest cities in the world—Tokyo and New York—the initial diversion is estimated, as I have mentioned, at $13 million. But that is not the end.

If this precedent is established, other foreign flag carriers authorized to operate between Tokyo and the west coast will have a powerful argument that they, too, should be given co-terminal status at New York, with further losses in revenue resulting for the U.S. trans-Pacific and transcontinental carriers.

The ultimate effects of this diversion, particularly during a period when the carriers are undergoing a costly transition to the jet age, could well be so serious that the sound economic status which the U.S. carriers have achieved, at great expense to the taxpayers, will be sacrificed and further subsidies may be required.

It does not seem reasonable or logical that this Government should be in the position of diverting revenue to the foreign flag carriers by the award of routes to which they have no legal entitlement under existing international agreements, particularly when the American taxpayer may be called upon to pick up the tab.

Mr. Speaker, I believe the gentleman from New York has made a sound suggestion in proposing an immediate investigation of this case, and I urge that the Transportation Subcommittee of the Interstate and Foreign Commerce Committee undertake such an investigation at once.

Action at Gettysburg

EXTENSION OF REMARKS
OF
HON. JAMES M. QUIGLEY
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 28, 1959

Mr. QUIGLEY. Mr. Speaker, 8 days ago on the floor of the House I urged the Congress to reconsider the appropriation which would enable the Park Service to acquire land at Gettysburg Battlefield. At that time I stated that the problem was one which needed local action in addition to whatever Congress might provide—that Congress could only rectify mistakes of the past and that it was up to the greater Gettysburg community to see to it that no mistakes would be made in the future, namely, that Cumberland township and other interested localities should institute modern zoning practices.

Today I am happy to report to the Members of the Congress that Cumberland township has initiated action in this direction. Within the last 2 days a planning commission of five citizens has been appointed to study the planning and zoning question and to report measures to accomplish that end. The members of that committee are Col. Thomas H. Nixon and Messrs. John D. Teeter, Charles C. Garland, Paul R. Knox, and Frederick Green.

Now that greater Gettysburg has begun its part of the job I can only trust that Congress will get on with its responsibility and restore to the budget the necessary funds to remove from this field of honor the presently existing desecrating structures.

A Program for Developing Our National Forests

EXTENSION OF REMARKS
OF
HON. CLIFFORD G. McINTIRE
OF MAINE
IN THE HOUSE OF REPRESENTATIVES
Tuesday, April 28, 1959

Mr. McINTIRE. Mr. Speaker, the "Program for the National Forests" is a document that sets forth a realistic approach for developing our national forests toward the end of future needs.

This is a splendid effort, one that deserves high praise from all who are interested in the preservation and development of this invaluable national resource.

In conjunction with this program, I submit a statement to the RECORD, and I would like to commend Assistant Secretary Erwin L. Peterson, Forest Service Chief Richard E. McArdle, and all others in the Department of Agriculture who have played a part in drawing up this constructive and forward-looking program.

Mr. Speaker, as a member of the Agriculture Committee, I have reviewed with interest and enthusiasm the report referred to the Congress just prior to the Easter recess. I refer to the document entitled, "Program for the National Forests."

I predict that this far-reaching conservation plan for the full development of the Nation's national forest system will not only stimulate action in the Congress but also move the public, who owns these forests, to demand accelerated development and more intensive management. This prediction is based on the tremendous benefits that can be expected by implementation of the program.

Forests cover 85 percent of the land area of the State of Maine. The care and wise use of the renewable resources

from these forests is essential in an expanding economy. In fact, few people realize that New England has a higher percentage of its land surface covered by commercial forests than any other region in the United States.

Wherever forests occur their resources of water, timber, recreation, forage and wildlife habitat affect the economy. Over one-third of all the people employed in Maine are engaged in activities involving the harvesting and manufacture of forest products. Many communities in America are completely dependent on the resources provided by adjacent forest areas whether in public or private ownership.

My interest, therefore, in the development of the national forest system in America to its full potential is based on a "grassroots" perspective of the true economic and esthetic value of a well managed and wisely used forest resource.

Population in the United States has increased 32 percent in the 13 years following World War II. If estimates for the future hold, there will be some 332 million people by the year 2000. This is just 40 years away, and is more than double the 1950 census. During this same period the gross national product is expected to increase over five times.

My colleagues from the West who have most of the national forests, should be interested in the estimates for population growth in their section of our country. In the 11 Western States the population is expected to triple by the end of this century.

Today an average American has 50 percent more time for leisure than he had 40 years ago. In the next 40 years there may be one-third more time for play and recreation than now.

Our expanding economy demands great amounts of nonrenewable resources not only from America but also from the free countries of the world. At the same time, the impact of our rapid population and economic growth is demanding ever-increasing quantities of renewable resources; the resources covered in this "Program for the National Forests."

The national forests are truly national in character because they affect millions of our people whether they are cutting timber for a living or pitching a tent in the forest for a few days hunting, fishing or recreation. The national forests, particularly those in the West, have only begun to feel the relentless pressures of our space-age economy. The forests are no longer generally inaccessible. Their stores of timber, wildlife, water, and recreational areas are no longer hard to reach. With more people and greater use we have the urgent need for the strong national-forest action program covered in the document now available to the Congress.

The short-term proposals for action in the next 10 to 15 years and the long-range objectives for the year 2000 involve all facets of resource development and management on the national forests. To mention them briefly, they are: More and better timber for the Nation, adequate recreational facilities for added millions of people, increased water supplies of finer quality, better hunting and fishing, improved range resources for better grazing, intensified forest protection from insects, fire and disease, an expanded road system for timber sales, protection and recreational use, accelerated research in many fields of forestry, boundary and ownership adjustments, and finally provision of the structures and equipment needed to keep this resource development program moving.

I refer you to the complete report in the CONGRESSIONAL RECORD of Tuesday, March 24, 1959, for the multiple benefits of this "Program for the National Forests." I do want to mention in closing that the report states for timber alone, "it is estimated that for every dollar of national-forest stumpage sold the end products will be worth $20 by the time they reach the ultimate consumer. This means that the annual sale of 11 billion board feet of sawtimber expected to be reached by the end of the short-term period will have a total consumer value of $3.7 billion."

A program of this magnitude and promise for our national forests merits the serious consideration of every Member of the Congress.

Growth for the Nation and the West

EXTENSION OF REMARKS
OF

HON. JOHN A. CARROLL

OF COLORADO

IN THE SENATE OF THE UNITED STATES

Tuesday, April 28, 1959

Mr. CARROLL. Mr. President, we Democrats of Colorado are greatly indebted to the able and distinguished Senator from Missouri [Mr. SYMINGTON] for the recent thoughtful and inspiring address he delivered at our annual Jefferson-Jackson dinner in Denver.

The Senator from Missouri was received with wide acclaim by the people and press of Colorado, and inspired the unanimous enthusiasm of Democrats.

It is my opinion that his fine speech should be read by all who are interested in an expanding economy in the Nation, and with particular attention by all who seek a blueprint for the full development of the American West.

I ask unanimous consent to have this address printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

GROWTH FOR THE NATION AND THE WEST

(Address by Senator STUART SYMINGTON, Jefferson-Jackson dinner, Denver, Colo., April 18, 1959)

It is a great privilege to be here in Denver tonight, and see so many old friends, including my colleague, JOHN CARROLL, one of the West's finest representatives in the Senate of the United States, and a fighting Democrat to the tips of his fingers.

Every time I come to Denver, I wonder at the continued growth of your city. You now have over a million people in your metropolitan area. With real progressive leadership, there is no limit to what you can do in this beautiful land.

When I say "progressive leadership," I mean Democratic leadership. The last election showed us that the people of Colorado and the West have pinned their hopes for progress on the Democratic Party.

With 23 Democratic Senators and 7 Democratic Governors, the West is going to have an increasingly strong voice in our national councils. And it is going to be a clear voice, calling for full development of the wealth of this great country.

This Democratic voice will drown out the feeble cries of pessimism and bankruptcy which are coming out of official Washington today.

Perhaps it cannot make itself heard properly between now and 1960 under a Republican administration. But that voice will make it even more certain that we will elect a Democratic President in 1960.

And then watch the progress.

The pattern was set clearly in the last election. The people of Colorado examined the record of their superb Governor, Steve McNichols. They saw his accomplishments as chairman of the Western Governors' conference. They were mighty proud about how he represented to the entire Nation the western views on resource development. So they reelected him by a great majority, and along with him practically the entire Democratic ticket.

The people of Colorado looked at the fine job being done by WAYNE ASPINALL and BYRON ROGERS. So they reelected them, and also BYRON JOHNSON. This gives our party a 3 to 1 margin in the Colorado congressional delegation.

Last fall the pattern of Democratic victory was the same all over the country. If ever there was a mandate, this was it. You would think the Republicans would have learned from this experience. Instead they have taken the result of the election as an invitation to commit political suicide by continuing to pursue the same backward policies they have championed for the last 6 years.

As a result, in 1960, we Democrats will have such a gigantic victory, it will make 1958 look like a draw.

Of course, we're not going to win without a fight, but it's comforting to know the Republicans like to warm up for a national election by first fighting with each other.

In fact, it appears some of them would rather do that than take on the Democrats.

Right now, it looks like the Governor of New York is trying to get a half-Nelson on the Republican nomination for President.

The Vice President noticed how effectively Mr. Rockefeller campaigned in New York when he spoke in Spanish. So this week he is taking Spanish lessons from Fidel Castro.

Seriously, though, my friends, the Democratic party will have to move forward with dynamic responsible leadership if we want to be certain we will be entrusted with the leadership of the Nation in 1960.

We lost the last presidential election by some 10 million votes. Therefore, we have a lot of converts to make.

We will never win the next election if we kick away our chance, with our heavy majority in Congress, to meet the growing needs of a growing Nation.

We will win if we pass the laws we think America needs—veto or no veto.

We will win only if the people are convinced that the Democratic Party is still the party of action and growth, the party always striving to have our country's reach exceed its grasp.

To do this, we must first destroy some misconceptions that have been spread throughout the land in recent months.

The first concerns deficits, and balanced budgets. From 1953 until last year, we did not hear very much from Republicans about deficits. They were ashamed to bring it up because they were piling up a deficit in those years of $20 billion.

At the beginning of this year, the administration realized that the recession had

cut down tax revenues, and the deficit for the fiscal year 1959 alone was going to run about $13 billion.

Imagine—$13 billion in 1 year alone—the largest deficit in peacetime history.

This problem was too big for the Republican fiscal experts, so they turned it over to the political managers, who hit on the following ingenious political trick. If the onus of deficit financing could be placed on the Democratic Congress, the administration would be relieved of the blame for the terrible fiscal mess it was developing.

So the word went down from the political to the fiscal managers: Balance the budget.

They balanced it, all right, like the Leaning Tower of Pisa. It was balanced with new revenue that is not going to come in, and new taxes which are not going to be levied. The latest objective estimate is that, even if Congress does not appropriate 1 nickel more than the President recommended, the deficit for next year will still run into many billions of dollars.

Let me tell you tonight that this Congress is not going to play into the hands of the political managers of the next Republican campaign by running away from this issue.

We know that these deficits came about, not because Democrats invested money to make the country grow, but because Republican cutbacks caused our revenues to shrink.

In 3 weeks we are going to celebrate the birthday of a great American President, Harry S. Truman. When Mr. Truman was President, our economy grew at the rate of 5 percent a year. Since he left office, it has grown at the rate of 1 3/10 percent per year.

Is this the way to provide for a population that has reached 176 million people; and by 1975 will be 235 million?

Is this the way to promote the growth of the West? Or is it the way to stunt the growth of the West?

Is this the way to arm ourselves for the protracted conflict we now know we face with the Communist world—a conflict we know is going to be political, economic, psychological, and perhaps physical?

I visited Berlin a couple of weeks ago. Even in East Berlin, which we have been told is a poor and exploited city, the rate of economic growth is 10 percent per year.

And ours is 1.3 percent per year.

What a tragedy to have this lag in the country with the greatest resources, and the greatest productive skill, in the history of the world.

The second misconception we Democrats intend to correct is that, if we invest in those public projects needed to keep up with our growing Nation, we will have inflation.

Now, obviously, no one wants inflation. But there is a difference between inflation and growth. In the first, prices rise because production lags. In the second, a rising price level is absorbed by the rising well-being of the people.

From 1922 to 1928 the price level was quite stable.

But that did not reflect any healthy economy, as was so well proven by the great depression.

And the third misconception we are laboring under is that spending and investment are somehow bad for the country; while only saving is good.

Now, thrift is a great virtue and waste in Government is inexcusable. But the man who put all his money in his mattress did not help build America.

What would there be in the West if people had not spent effort and wealth to get out here; and their Government had not helped them? What would our great industries be like if they had not, and did not, spend for expansion? Would we not be a pygmy country, instead of the giant we are today?

We need saving and what we need to save most is the American economy.

That economy needs to be saved from the terrific waste of manpower and other resources which are now lying idle.

It needs to be saved from more years of economic stagnation.

It needs to be saved from the ultimate peril of neglected national security, neglected education and scientific research, and neglected development of our great natural resources.

My friends, all this talk we hear from the Republicans about balanced budgets, inflation, and spending, is just a smokescreen to conceal their real ideas. The fact is that the Republican Party is afraid of growth. In its scheme of values, money is more important than people, and balancing the books comes before increasing the wealth of the country.

So the Republican Party tries to scare the people with threats of deficits and inflation, just as it used to warn people that if we adopted social security we would all be wearing dog tags.

Let me give you some figures to show what the economic lag under the Republicans has already cost this country.

If we had been able to keep up the Democratic growth rate between 1953 and 1958, it would have meant: $2,800 more income for each family; $31 billion more for our farmers; 10 million more man-years of employment; and $39 billion more private investment.

Every segment of our economy would have been more prosperous than it is today.

It is important that we Democrats set straight the economic record. But if we are to win in 1960, we must do more. We must come forward with a positive program for growth.

We Democrats must plan now to operate as near as possible to full production. Right now, between 15 and 20 percent of the productive capacity of the United States is idle—and unless we recognize this condition, it will only grow worse. Because by 1960, our population will be up over 5 million from 1958; and our labor force up over 2 million. And by 1964, the population will be up 17 million—our labor force 7 million.

This tremendous increase can be either a blessing, or a curse. It can be the cause of more unemployment and suffering; or it can be used as a great engine of increased productivity.

With these additional people at work, we can forge ahead in our standard of living, and at the same time generate more tax revenues to meet the needs of the larger population.

The greatest field of idle resources lies right here in the West. In your mountains and your valleys, your fields and rivers, you have the riches to provide additional wealth for millions.

I believe there are three requisites to the full utilization of the resources of the West.

First, there must be more general appreciation of the vast economic opportunities which lie waiting.

I don't want to knock the television western, which one of our national magazines has called the "great American morality play." But in the minds of many people it has perpetuated the ideal of the West as still a frontier.

Today the West is far from any frontier. It is a prosperous and cosmopolitan part of our Nation. If every American could come to Denver, this illusion of Cripple Creek would soon vanish as he saw the old corner saloon replaced by your mile-high center, and six shooters with NORAD.

Secondly, there must be more willingness on the part of Government to conceive and carry out broad economic plans, instead of responding haphazardly to such crises as droughts, slum areas, and floods.

As we all know, the difference between civilized man and the savage is planning. The difference between men and animals is that men look ahead.

Long-range planning of resource development, therefore, on a multi-State basis, would enable the West to know where it was going, and how fast.

Third, and most important, there must be a new willingness to invest in projects for the development of western resources, resources which our exploding will need critically in the years to come.

The present policy of no new starts in public works is a recipe for stagnation.

No successful corporation ever got started without investing in capital expenditures. It is a fundamental of good business management that sound expenditures repay themselves many times, and with interest.

Investment in natural resource projects is the best way to bring the prosperity of full production to our Western States.

Programs of this sort are in the democratic tradition. They wear the brand of the Louisiana Purchase, the Tennessee Valley Authority, the electrification of our farms through REA, and other democratic programs characteristic of our history.

Such a program can win, because it is right.

With continuing faith in the principles of our party, and the Nation, we can establish for the people a dynamic and progressive leadership, and through that leadership bring about the peace and prosperity they so richly deserve.

Presentation of Portrait of John McRaven Holbrook to the Lowell, N.C., High School

EXTENSION OF REMARKS
OF

HON. BASIL L. WHITENER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 28, 1959

Mr. WHITENER. Mr. Speaker, on Monday, April 27, 1959, I had one of those rare experiences that come to a man only once in his lifetime. On that date it was my honor to participate in the ceremony at which a portrait of Mr. John McRaven Holbrook was presented to Lowell High School, at Lowell, N.C.

I am a graduate of Lowell High School, now John M. Holbrook High School, and Mr. Holbrook was principal of the school at the time I graduated. He is an outstanding educator and has rendered long and faithful years of service to the youth of his community. His sterling character and spirit of helpfulness meant much to me in my youth in formulating those ideals by which my life has been guided.

I am taking the liberty of including in the CONGRESSIONAL RECORD the remarks I made at Lowell on Monday when Mr. Holbrook's portrait was formally presented to the school and community for which he has labored so long.

REMARKS OF HON. BASIL L. WHITENER, MEMBER OF CONGRESS, ON THE OCCASION OF THE PRESENTATION OF THE PORTRAIT OF JOHN MCRAVEN HOLBROOK ON APRIL 27, 1959

It is great joy for me to be here today to participate in this very delightful occasion which does honor to one who has meant much to so many of us—John McRaven Holbrook.

The gentleman whom we honor has made his mark in every phase of worthwhile community life. Since early boyhood in Huntersville and Mecklenburg County, he has evidenced the qualities of leadership which have contributed so much to the wellbeing of the people of his community, county, and State.

His record as a student in the schools of Huntersville and at the University of North Carolina is a brilliant one indeed. His service as a soldier in the U.S. Army during the World War I period was equally lustrous.

While a very young man, he dedicated himself to the field of public-school education and has held positions in the schools of both Mecklenburg and Gaston Counties. It was a fortunate occasion in 1924 when he became affiliated with the public-school system of Lowell. His continuous service here now approximates 35 years.

Mr. Holbrook has not confined his worthwhile efforts to his employment as head of the Lowell school system. He has held a broader view of public service as is evidenced by his participation and leadership in the civic, religious, and economic life of the area.

Always he has been active in the work of the Presbyterian Church. He has served as a deacon and elder and held many other important positions as a lay member in the church of his choice. His devotion to the broad programs of the Presbyterian Church has been a very vital factor in the advancement of the spiritual welfare of his community.

In the field of civic activity he has been an outstanding leader in our community, county, and State. He has served as president of the Lowell Lions Club, president of the Schoolmasters Club of Gaston County, official in the Alumni Association in the University of North Carolina, and as a member of the Board of Trustees of Peace College. He has been an active Mason and Shriner. In all of these, and the many other important positions of honor that have been bestowed upon him, he has always fully measured up to the highest standards in his efforts for the causes of those organizations.

During his career, John McRaven Holbrook has had the assistance and cooperation of his beloved wife, Mrs. Elizabeth McGirt Holbrook. She, too, has for several years been active as a public school teacher and an official in Gaston County. The zeal of this dedicated couple for the cause of public school education has been transmitted to their only daughter, Miss Betty Holbrook, who now occupies an important position in the public schools of the State of New York.

I believe that I can speak of the man whom we honor today with some authority. I know that I can speak of him with a deep sense of personal appreciation for what he has meant to me during my boyhood and manhood. In 1929, I became one of his students at Lowell High School and was then impressed with the personal interest which he took in my welfare.

Throughout the years that I have spent in college, in profession of the law, in military conflict during World War II, and in Government service, he has continued to show a constant interest in my welfare.

I do not mention this personal relationship which I have enjoyed with the man whom we honor today in a sense of vanity. On the contrary, I hasten to point out that he has had the same interest in the welfare of each person who has been privileged to be one of his students.

It is most fitting that the Beta Club of this high school has provided the portrait of our dear friend which will everlastingly hang in this magnificent high school building which was named "John M. Holbrook High School" in 1956 in recognition of the splendid service of our honored friend to this community.

In presenting a portrait of a true gentleman whose career has been so full of inspiration, whose accomplishments are a great credit to the education profession, who has a brilliant future still ahead, we are doing an act which will become even more significant in future years. What finer tribute could be paid to any person than to have the youth of the community who have been in his charge say that he is a gentleman; that he is one who merits their beautiful token of appreciation for his service. Yes, this is a wonderful occasion since it marks a gracious expression of gratitude which generally is done only after the completion of a man's activities.

This portrait is evidence of more than just appreciation of its donors. It is recognition of the zeal of John McRaven Holbrook, his personal sacrifices, his devotion, and his allegiance to the cause of public education and the highest devotion to public service. It is a beautiful attempt of these young people to say that he is a good leader; that he has all of the attributes of leadership including those of courage, loyalty, understanding, initiative, and vision, and a saving sense of humor.

Just as the community of Lowell unanimously approved the naming of its new high school in honor of our friend in 1956, the people of this community will today again unanimously applaud the action of the Beta Club in making this presentation of a handsome portrait. As the future years unfold this portrait will be a reminder of the unselfish service of this outstanding citizen to the school and community which he loved so much.

It is, therefore, a high privilege and a great honor for me, as an alumnus of this outstanding high school, to participate in these proceedings in which the Beta Club presents this excellent portrait of John McRaven Holbrook. In doing so, I express to him the good wishes of every person of this assembly for his future health and happiness. We express the hope that he will continue his outstanding public service for many more years as a leader in our educational, social, and civic life.

Challenge to the American Economy

EXTENSION OF REMARKS

OF

HON. ALBERT GORE

OF TENNESSEE

IN THE SENATE OF THE UNITED STATES

Tuesday, April 28, 1959

Mr. GORE. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an address delivered by the junior Senator from Missouri [Mr. SYMINGTON] before the National Press Club today.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

President Lawrence, distinguished guests, and gentlemen, thank you for the honor of being with you this afternoon.

I'd like to present briefly my opinion about our position in the world today. Every man in this room knows the nature of the basic conflict in which we are engaged.

It reaches around the world, and from outer space to the bottom of the oceans.

It involves our deepest beliefs in God and man.

It involves freedom or slavery for our people and the people of every other nation.

It extends all the way from cultural exchange to nuclear war; and from economic growth at home to economic growth in Ghana and India.

It is a protracted conflict. If we are fortunate enough to avoid nuclear war, it will last without letup through this century, and perhaps into the next. We are in for a long pull.

You have been writing about this for years—explaining the danger and sounding the warning.

You have compared the continued complacency among the American people with the dynamic dedication of the Russians and the Chinese.

You have reported how the Sino-Soviet leaders plan their foreign policies years ahead, while we only react to the crises these policies create.

The history of the last 6 years has been one of long and inglorious retreat by the United States from world influence, world power and world prestige, even from adequate capacity to defend ourselves. It has been a period in which the Communists have been persistently on the offensive, the United States constantly on the defensive.

Most statesmen, and all serious students of world affairs, agree we are losing the protracted conflict—the political, economic, technological, psychological, and physical conflict we are engaged in today. These analysts do not exaggerate and are not hysterical. After much study, they conclude that the Sino-Soviet group is gaining on us in strength—and steadily extending its influence throughout the world.

In an effort to avoid this situation, some of us have been talking for years about the growing missile gap, and other gaps. But the greatest gap of all is that between the precepts of this administration, and its performance.

It is a gap which cannot be written off to weakness, or even carelessness. There is mountainous evidence to support the belief that it is the product of intent; that it is part of a deliberate policy to conceal from the people the weakness of our position, and the ineptness of the administration in correcting that weakness.

Let me present several examples.

For a long time the administration led us to believe that the defenses of this Nation included planes on air alert. Last year, however, the Congress elicited the admission that we did not, and do not, have any such alert.

Another example: For a long time we have known of extensive ballistic missile firings by the Russians. But that fact, plus other information about their tremendous progress in this field, was concealed from the people for years, until the launching of the first sputnik made this particular Soviet progress obvious.

And another example:

When the Berlin situation once more became critical, the administration announced it did not intend to get caught in any ground war, and emphasized that it placed its main deterrent on massive nuclear retaliation.

The administration added that over 90 percent of that capacity for retaliation lies in the Strategic Air Force. Under questioning, however, the administration admitted that three-quarters of the present Strategic Air Force bombers are obsolescent; and that its 3-year plan for replacement of these old bombers will replace only about 5 percent of those now in operation.

And here is one I recently encountered. Last January the Chairman of the Joint Chiefs of Staff testified there were intermediate range ballistic missiles in England "which are just as effective or more effective than those ICBM's" and that these American IRBM's were "sitting there and ready to go."

Ten weeks after that statement was made to the Congress, I visited the IRBM base of ours in England which was nearest to completion.

There was nothing "ready to go."

There was nothing which met operational standards.

There was nothing adequately dispersed.

The entire installation was literally a sitting duck for sabotage.

And those naked IRBM's in England are by far the most advanced of anything we have on that score in any foreign country.

This situation in England is known and discussed in the British press.

The only people who don't know about it are the American people.

And this is but typical of other comparable occurrences.

Yet the administration continues to compress the military budget, and continues to allow the Russians to increase their lead in intercontinental ballistic missiles, while at the same time assuring the country that we have a balanced defense capable of deterring attack.

The present period in this country is ominously reminiscent of England under Stanley Baldwin.

The people of England were lulled into a false complacency because they were not given the facts.

Turning now to a different field, I fear that we are no better prepared to meet other forms of Soviet and Chinese attack than we are to meet military attack. Lenin's fondest dream was to overcome capitalism without war. And you will also recall that Stalin shifted the emphasis to economic performance, penetration and domination.

And Khrushchev and Mao Tse-tung likewise proclaim this to be their goal.

It is incredible to note how long it took the administration to recognize the existence of this Soviet economic offensive.

The program was recognized publicly only 2 years ago; and even since then any counteraction has been wholly inadequate.

Consider the mutual security bill before the Congress today.

Responsible officials in the Department of State let it be known last year that there was urgent annual need for a billion to a billion and a half dollars for the Development Loan Fund. They actually had urgent screened applications totaling one and a half billion dollars awaiting action. But as of today, the administration asks for only $700 million for the Development Loan Fund, and has dropped its request for any long-term program.

How can the Congress proceed with any wisdom under Executive leadership of this quality?

Only the President can lead and inspire the people to do the job and make the sacrifices needed to protect the vital interests of this Nation.

He is not doing it.

You here today know the importance of the psychological front in this protracted conflict with communism.

In our country we have, in rich measure, freedom, religious ideals, material abundance, and cultural accomplishment.

The Communists have tyranny, deprivation, and compulsion. Their only gods are state power and economic materialism.

Nevertheless, even though they offer only the hope of material progress, they are steadily gaining adherents or slaves, all over the world. It is true that science and technology have opened up great vistas of opportunity to all peoples.

But are we leading the world toward anything in particular?

Are we communicating effectively with peoples who still dream of a better life in their generation?

We are not. We do not even equip ourselves with the necessary tools.

For want of funds, our information program, our cultural relations program, our educational exchange program—are all kept on short leash.

I realize there is considerable resistance to these programs in Congress. But the administration does not ask for adequate funds, or ever really fight for them.

I have said only enough to suggest that in a wide variety of fields we are not doing what we must do to even begin to win this conflict with the Sino-Soviet Empire. There are glaring needs across the board.

Does this administration point out the needs and ask the Nation to make the necessary sacrifice?

It does not.

Instead, it calls on us to worship at the altar of the budget—and not just any budget, but its own conception of a budget which is balanced by looking backwards.

Does this administration speak the words which move men's souls to the defense of freedom?

It does not.

It uses the great publicity power of the Office of the President to divert our attention from the real needs and rivet it on the account books.

It has appealed to instincts which should be subordinated, and has created an atmosphere in which it is extremely difficult to pierce public complacency.

It labels as "reckless spenders" all those who are willing to make the necessary sacrifices for our national security and well-being.

I am as opposed as anyone to wasteful spending—in business and in government. I have always fought excessive payrolls, duplication, extra committees and commissions, useless programs.

But it is totally unsound to describe what is essential as wasteful spending.

All wise investment is sound.

I would classify, as such, investment in our people, investment in our cities, investment in scientific research; investment in the development of our resources—including the greatest resource—our children.

And investment in our allies and those uncommitted nations who some day will have a major part in determining the destiny of the world.

In business, after making a major decision for plant expansion, a president doesn't present that decision to his board with embarrassment. On the contrary, he discusses the proposed expansion as a potential asset, recommends it as such, and expresses it on the asset side of his balance sheet.

Why is there such pathetic reluctance on the part of this administration to provide, for all the people, such necessary assets as dams, and adequate highways, and adequate defense?

Why do they treat such potential assets as liabilities?

Far from "wasteful spending", these are sound investments in the future of America.

With real leadership in this country, we can meet the Communist challenge, win the conflict and stay solvent and prosperous.

To do this, however, we must have two prerequisites now clearly lacking.

One is vision.

The other is application of good business management to Government.

We have had a lot of constructive advice to this end—from the Rockefeller report, the Gaither report, the Report of the Committee for Economic Development, and many others.

But the prophets of bankruptcy in this country say we cannot afford to do what these reports all recommend that we do, because that would result in a deficit, or a rise in taxes.

So let me list just three areas in which, through the application of sound business practices, we can provide more funds for our needs, without raising taxes and without deficit spending.

First, we can save billions of dollars, and at the same time build a more adequate defense, if we stop preparing ourselves against the way the enemy would have attacked 10 years ago, and start preparing for the way they will attack now, if they attack at all.

This means that we should stop building our defenses on the basis of the traditions and the command structure of World War II, and start building them and operating them in recognition of the nuclear space age in which we now find ourselves.

As an example: This Nation, each year, is now spending over $5½ billion on a continental air defense which is completely ineffective against ICBM's and against missiles launched from submarines.

Most of this gigantic sum of money is being put into protection against long-range bombers, even though for some time our intelligence has told us that the Soviets are building an extremely small number of such bombers, and are pouring a steadily increasing percentage of their resources into long-range missiles.

Also, a large part of this $5½ billion has been spent in an attempt to defend our cities with ground-to-air missiles which, in modern warfare, would not travel far enough to reach those bombers.

Another example:

In this year's budget, we are being asked to spend some $300 million for a new aircraft carrier for limited wars—even though we already have plenty of carriers for that purpose.

And two others:

We are spending too much money on tactical airpower, when its only real role today is in close support of ground troops.

And we are spending far too much on short-range fighters whose usefulness in possible future wars will be negligible.

We are allowing waste and duplication to be compounded in a Military Establishment in which honest participants admit that service friction is increasing instead of being reduced.

We still have no true semblance of service unification.

As one example, the taxpayer is supporting six separate air forces with the enormous expense which results from such duplications.

To the next illustration.

We could raise several billion dollars in new tax revenue at existing rates, if we would enforce the present tax laws as they should be enforced.

Only this month the Commissioner of Internal Revenue testified that between $25 and $26 billion of taxable income is not now being reported for tax purposes.

The Commissioner emphasized that substantial additional revenue could be collected with more enforcement personnel. He further stated that each additional employee used for this purpose would, in 1 year, bring in 10 to 15 times his salary.

Yet again in the name of its false economy, the administration has cut enforcement personnel by thousands.

If this is economy, it is the most short-sighted economy I ever heard of.

And third, if our economy grows as it should, and operates at full production, we could raise far more revenue at current rates.

Right now, over 15 percent of our economic capacity lies idle—and of course one result of unemployment is smaller revenues.

What we need is more national wealth and production—more production every year to accommodate our growing population, our growing needs, and our growing responsibilities.

It has been estimated that if under the present administration our economy had grown as fast as it did under the preceding administration, tens of billions of dollars would have flowed into the Treasury.

Under present world conditions, our nation can no longer tolerate a stagnant and partially idle economy. We must make whatever investments are necessary to assure the high rate of economic growth in turn essential for security and prosperity.

I believe in this country.

I believe in its capacity to grow.

I believe in its ability to snap out of this complacency. I believe that, with leadership, we can mobilize our energies and resources and turn back the Communist challenge, keep the peace, build a better world.

I have faith and confidence we will do so.

Thank you again for having me here today.

SENATE

WEDNESDAY, APRIL 29, 1959

The Senate met at 11 o'clock a.m.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father God, once more in Thy great mercy the white scroll of a new day unfolds before us.

At this altar of prayer, set up so long ago by our fathers, we pause asking that Thy enabling might may undergird our weakness.

Inspire and guide with Thy spirit these servants of the people—the few among the many—lifted to high pedestals of power and responsibility, to the end that they may be found faithful stewards of the Nation's trust.

May they be led to wise decisions that shall help heal the wounds and bridge the gulfs of these embittered days.

We ask it in the Name that is above every name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, April 28, 1959, was dispensed with.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the following subcommittees were authorized to meet during the session of the Senate today:

The Permanent Subcommittee on Investigations of the Committee on Government Operations; the Subcommittee on Government Organization for Space Activities; the Antitrust and Monopoly Legislation Subcommittee of the Committee on the Judiciary.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule, there will be the usual morning hour; and I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR CALL OF THE CALENDAR

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that at the conclusion of the morning hour, the call of the calendar be in order.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to consider executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The PRESIDENT pro tempore. If there be no reports of committees, the nominations on the calendar will be stated.

U.S. CIRCUIT JUDGE

The Chief Clerk read the nomination of Latham Castle, of Illinois, to be U.S. circuit judge for the seventh circuit.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

U.S. COURT OF CUSTOMS AND PATENT APPEALS

The Chief Clerk read the nomination of Eugene Worley, of Texas, to be chief judge of the U.S. Court of Customs and Patent Appeals.

Mr. JOHNSON of Texas. Mr. President, for many years I served with Judge Worley as a Member of Congress from my State. He is a judicious man; he is an able man; he is consecrated and dedicated, and he has spent his life in the public service—as a member of the House of Representatives of the Texas Legislature and as a Member of the House of Representatives of the United States. I know of no more worthy appointment that has been made than the elevation of Judge Worley to be chief judge of the U.S. Court of Customs and Patent Appeals.

The PRESIDENT pro tempore. The question is, Will the Senate advise and consent to this nomination?

The nomination was confirmed.

The Chief Clerk read the nomination of Arthur M. Smith, of Michigan, to be associate judge of the U.S. Court of Customs and Patent Appeals.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

U.S. DISTRICT JUDGE

The Chief Clerk read the nomination of Edwin A. Robson, of Illinois, to be U.S. district judge for the northern district of Illinois.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

ANNOUNCEMENT OF CALL OF THE CALENDAR

Mr. JOHNSON of Texas. Mr. President, I ask that the aids of the Senate, on both sides, please notify the legislative review committees that we shall take 10 or 15 minutes, or whatever time is necessary, for the morning hour; and then we shall have a call of the calendar. I ask that they arrange with the clerks at the desk for the call of the calendar as soon as the morning hour is concluded and as soon as a quorum call is had thereafter.

NOMINATION OF MRS. CLARE BOOTHE LUCE

Mr. MORSE. Mr. President, under the 3-minute rule, I wish to make a statement in regard to the nomination of Mrs. Luce.

I am advised that since yesterday afternoon some of my colleagues have received telephone calls in which it has been charged that I followed some improper course of action as a member of the Foreign Relations Committee, in investigating the qualifications of Mrs. Luce.

Mr. President, I never follow any course of action that I am not always willing to have placed on the top of the table. But when a nomination in the diplomatic and Foreign Service is before this body, it is my duty as a member of the Foreign Relations Committee to follow whatever reliable information is given to me in respect to the qualifications of the nominee.

In my long speech in opposition to the nomination of Mrs. Luce, I stated for the RECORD the four criteria which historically have been followed by the Senate in respect to passing judgment, under the advice and consent clause of the Constitution, on a nomination. I made very clear that I was basing my objection to the nomination of Mrs. Luce on the question of competency. I raised no other criterion at that time.

Mr. President, a very reliable newspaperman came to my office and said he thought I should call a certain individual in respect to the issue as to whether Mrs. Luce was lacking in respect of one of the other criteria; and of course I made the call. I shall not go into the details of that call because I think it involves matters of privacy. But in the course of it I said, "I only want an answer to this question"; and I put the question, and

got the answer. The record will show that I carried the matter no farther in raising any objection.

I understand that on the radio and in the press, charges are being made that I followed some improper course of action. Let me make very clear that so long as I am a member of any Senate committee, whenever a nomination within the jurisdiction of that committee is before the Senate, and whenever a question from a reliable source is raised as to the mental competency of the nominee, I intend to make inquiry, and to find as best I can what the facts are.

I will say no more about the matter. I have refused to discuss it with the press in any detail. But I want the record to show that I followed a course of action which, so far as I am concerned, is an open book, and I was carrying out my solemn duty as a member of the Foreign Relations Committee.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

DISTRIBUTION OF CERTAIN FUNDS TO QUAPAW TRIBE OF INDIANS

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to authorize a per capita distribution of funds arising from a judgment in favor of the Quapaw Tribe, and for other purposes (with an accompanying paper); to the Committee on Interior and Insular Affairs.

USE OF CERTAIN FUNDS, RELATING TO POTAWATOMI INDIANS, OKLAHOMA AND KANSAS

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to authorize the use of funds arising from a judgment in favor of the Citizen Band of Potawatomi Indians of Oklahoma, and the Prairie Band of Potawatomi Indians of Kansas, and for other purposes (with an accompanying paper); to the Committee on Interior and Insular Affairs.

CERTIFICATION OF ADEQUATE SOIL SURVEY AND LAND CLASSIFICATION, MERCEDES DIVISION, LOWER RIO GRANDE REHABILITATION PROJECT, TEXAS

A letter from the Assistant Secretary of the Interior, reporting, pursuant to law, that an adequate soil survey and land classification has been made of the lands in the Mercedes Division, lower Rio Grande rehabilitation project, Texas, and that the lands to be irrigated are susceptible to the production of agricultural crops by means of irrigation (with an accompanying paper); to the Committee on Interior and Insular Affairs.

REPORT ON PROVISION OF WAR-RISK INSURANCE AND CERTAIN MARINE AND LIABILITY INSURANCE

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on the provision of war-risk insurance and certain marine and liability insurance for the American public, as of March 31, 1959 (with an accompanying report); to the Committee on Interstate and Foreign Commerce.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate and referred as indicated:

By the PRESIDENT pro tempore:

The petition of James M. Kurtz, of Fort Chaffee, Ark., praying for the enactment of House bill 6269, relating to the readjustment pay of certain warrant officers; to the Committee on Armed Services.

A resolution adopted by the Junior Chamber of Commerce, of Mount Carmel, Ill., favoring the repeal of the excise tax on telephone service; to the Committee on Finance.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HENNINGS, from the Committee on Rules and Administration, without amendment:

S. Con. Res. 23. Concurrent resolution authorizing participation in the Strasbourg Conference (Rept. No. 233); and

H. Con. Res. 95. Concurrent resolution authorizing reprinting of House Document No. 451 of the 84th Congress.

By Mr. HENNINGS, from the Committee on Rules and Administration, with an amendment:

S. Res. 91. Resolution authorizing a study of the Federal judicial system (Rept. No. 234); and

S. Res. 110. Resolution to print, with additional copies, a report by Senators MANSFIELD and HICKENLOOPER on their observations of the United Nations.

EMPLOYMENT OF ADDITIONAL LABORERS BY SENATE SERGEANT AT ARMS—REPORT OF A COMMITTEE

Mr. HENNINGS. Mr. President, from the Committee on Rules and Administration, I report an original resolution, authorizing the Sergeant at Arms of the Senate to employ not to exceed six additional laborers, and I submit a report (No. 235) thereon.

The PRESIDENT pro tempore. The report will be received, and the resolution will be placed on the calendar.

The resolution (S. Res. 113) was placed on the calendar, as follows:

Resolved, That during the period ending on June 30, 1959, or the date of enactment of the Legislative Appropriation Act for the fiscal year 1960, whichever is later, the Sergeant at Arms of the Senate is authorized to employ not to exceed 6 additional laborers at a rate of basic compensation of $1,740 per annum each payable from the contingent fund of the Senate.

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. JOHNSTON of South Carolina, from the Joint Select Committee on the Disposition of Papers in the Executive Departments, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States that appeared to have no permanent value or historical interest, submitted a report thereon, pursuant to law.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. RANDOLPH (for himself and Mr. BYRD of West Virginia):

S. 1826. A bill to amend the Federal-Aid Highway Acts of 1956 and 1958 by extending the approval of the estimate of cost of completing the Interstate System for an additional year, and for other purposes; to the Committee on Public Works.

(See the remarks of Mr. RANDOLPH when he introduced the above bill, which appear under a separate heading.)

By Mr. HUMPHREY:

S. 1827. A bill to amend the International Cultural Exchange and Trade Fair Participation Act of 1956 to authorize the President to provide for participation by foreign governments and citizens of other countries in artistic and cultural activities in the United States, and for other purposes; to the Committee on Foreign Relations.

By Mr. EASTLAND:

S. 1828. A bill for the relief of Kum Hung Seeto and Kum Wo Seeto; and

S. 1829. A bill for the relief of Herman Luchner; to the Committee on the Judiciary.

By Mr. GOLDWATER:

S. 1830. A bill to amend section 164(b) of the Internal Revenue Code of 1954; to the Committee on Finance.

By Mr. CAPEHART:

S. 1831. A bill for the relief of Nicholaos Stamatios Rellias; and

S. 1832. A bill for the relief of Milorad Jovanovic; to the Committee on the Judiciary.

By Mr. ALLOTT:

S. 1833. A bill authorizing the establishment of a national historic site at Bent's Old Fort near La Junta, Colo.; to the Committee on Interior and Insular Affairs.

S. 1834. A bill to amend the National Defense Education Act of 1958 to provide assistance for strengthening the teaching of English in Puerto Rico; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. ALLOTT when he introduced the above bills, which appear under separate headings.)

RESOLUTION

Mr. HENNINGS, from the Committee on Rules and Administration, reported an original resolution (S. Res. 113) authorizing the Sergeant at Arms of the Senate to employ not to exceed six additional laborers, which was placed on the calendar.

(See the above resolution printed in full when reported by Mr. HENNINGS, which appears under the heading "Reports of Committees.")

AMENDMENT OF FEDERAL-AID HIGHWAY ACTS OF 1956 AND 1958

Mr. RANDOLPH. Mr. President, on behalf of myself and my colleague, the able junior Senator from West Virginia [Mr. BYRD], I introduce, for appropriate reference, a bill to amend the Federal-Aid Highway Acts of 1956 and 1958 by extending the approval of the estimate of cost of completing the Interstate System for an additional year and for other purposes.

This bill proposes to amend the Federal-Aid Highway Acts in three respects:

First. It extends the approval of the estimate of cost of completing the Interstate System for an additional year or through fiscal year 1962.

Second. It increases the authorization for appropriations for fiscal year 1962 for the Interstate System from $2.2 billion to $2.5 billion.

Third. It suspends the operation of section 209(g) of the Highway Revenue Act of 1956 to permit apportionment of

funds to the States for fiscal years 1961 and 1962, and authorizes the use of funds advanced to the highway trust fund under the provisions of section 209(d) to cover any deficits in the trust fund through fiscal year 1962.

During the past few months, many people all over our country have become alarmed over the possible deficit that may occur in the highway trust fund at the end of fiscal year 1960. The entire future of the national highway program is imperiled. Curtailment of the highway program will have a very serious impact on many segments of our economy. This is true in the State of West Virginia, where a substantial road program will create needed employment.

Highway departments in many States will have to reduce their personnel. Contractors, suppliers of equipment and materials, and their employees will be seriously affected if this program is interrupted or delayed.

The Subcommittee on Public Roads of the Committee on Public Works, of which I am a member, has held hearings for 2 days during this session of Congress on the status of the Federal-aid highway program, the highway trust fund, and the problems encountered. Additional hearings are anticipated in the near future.

On December 31, 1958, there was a balance of $526 million in the highway trust fund. Expenditures are expected to exceed revenues during each of the fiscal years 1959 and 1960, which will use up the surplus and create a deficit of $241 million in the trust fund by the end of fiscal year 1960 unless additional revenues are provided. The deficit would reach $1,059 million at the end of fiscal year 1961, and $2,166 million by the end of 1962, assuming the authorized apportionments are made.

The Federal Highway Administrator advised the committee that because of the provisions of section 209(g) of the Highway Revenue Act of 1956, it will be necessary to forego completely any apportionment of interstate funds during calendar year 1959 for the fiscal year 1961, and the apportionment during calendar year 1960 for fiscal year 1962 would only amount to about $500 million. The authorization for 1961 is $2.5 billion, and for 1962 it is $2.2 billion. After fiscal year 1962, interstate apportionments would amount to about $1.7 billion or $1.8 billion annually. Apportionment of funds for the regular Federal-aid systems would not be affected as they get first call on the funds in the highway trust fund.

To provide additional funds for financing the highway program without waiving the provisions of section 209(g), the President recommended in his budget message for 1960, that motor fuel taxes be temporarily increased by 1.5 cents per gallon effective July 1, 1959, and remain in effect through fiscal year 1964. He also recommended that funds for the forest and public lands highways be obtained from the trust fund instead of from the general fund, a new tax on jet fuel, and that the tax on aviation gasoline now going into the trust fund, go into the general fund. The Secretary of the Treasury transmitted proposed legislation to Congress on April 3, 1959, to carry out the President's recommendations.

There has been general widespread opposition to any increase in the Federal gasoline tax at this time. The committee has been advised that 34 State Governors have gone on record as opposing any increase in the Federal gasoline tax. Resolutions opposing such an increase were offered in 16 States and have been adopted in 10, Alaska, Arkansas, Delaware, Maryland, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, and Texas.

Two States have increased gasoline taxes—New York from 4 to 6 cents per gallon, and West Virginia from 6 to 7 cents. Still pending are proposed increases in 7 States.

I have considered the various alternatives that are possible to solve the difficult problem we are now facing.

I do not believe that this is the proper time to increase the taxes, to provide for bond financing, or to allocate additional Federal excise taxes to the highway trust fund.

In January 1961, the Secretary of Commerce is to submit to Congress a report on a study of the cost of highways to various classes of users, and the benefits to be derived from the highway systems by both users and nonusers. At the same time a second detailed estimate of cost of completing the Interstate System will be available, and also some of the results of the Illinois road test now being made. When these reports are available, we will be in a much better position to reach a satisfactory solution that would permit the highway program to proceed on a more permanent basis.

The Federal-Aid Highway Act of 1958 approved the estimate of cost of completing the Interstate System in each State, published in House Document No. 300, 85th Congress, as a basis for making the apportionment of the funds authorized for the Interstate System for fiscal year 1960. Public Law 899, 85th Congress extended the approval to cover fiscal year 1961.

The bill I have introduced would extend the approval of the estimate of cost to cover fiscal year 1962. I believe this is essential as no apportionment can be made for 1962 until there is a basis for such apportionment. That apportionment would normally be made in July 1960. The next cost estimate will be submitted in January 1961, so we will not have a revised cost estimate available when the time for making the 1962 apportionment arrives.

The Federal-Aid Highway Act of 1958 increased the authorizations for appropriations for fiscal years 1960 and 1961 from $2.2 to $2.5 billion, but authorized no increases beyond 1961. I believe that the appropriations for 1962 should be at least equal to those of 1960 and 1961. This increased authorization would prevent any dropoff, or curtailment of the highway program after fiscal year 1961, and permit States to continue their planning on an even schedule.

The Federal-Aid Highway Act of 1958 authorized the apportionment of all funds authorized for fiscal years 1959 and 1960 to the States, notwithstanding the provisions of section 209(g) of the 1956 act.

A similar procedure appears to be the most desirable course to follow at this time, with an added provision that would permit the use of appropriation of repayable advances to the highway trust fund under the provisions of section 209(d) to defray expenditures made by the reason of such apportionment.

This procedure would permit the apportionment of $2.5 billion for each of fiscal years 1961 and 1962 and prevent curtailment of the program.

There are now 7 States using 1958 interstate funds which would not be in any trouble if no apportionments are made for fiscal years 1961 and 1962; 33 States including West Virginia are now using 1959 funds, most of which will be used up by the end of the fiscal year; and 9 States are now utilizing fiscal year 1960 funds. These nine States are the ones that would be seriously affected if apportionments for succeeding years are not made. Several States are in a position to use interstate funds at a faster rate than now provided. One State is now expediting improvement of the Interstate System by means of advance construction projects prior to apportionment of funds, and several other States are considering similar action.

We have embarked on a vast program of improving the highways of our Nation. We have made commitments to the States which we are under obligation to carry out. Many thousands of employees of contractors and suppliers of equipment and material are depending on this program for their livelihood. Large amounts of highway rights-of-way have been purchased and people moved from their homes to make way for new highways. To curtail the program at this time would be uneconomical and a serious setback to the ultimate completion of our highway systems in which every citizen of our country has a high stake.

I ask unanimous consent that the bill lie on the desk until the close of business May 5, 1959, for further cosponsorship.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. RANDOLPH. Mr. President, I also ask unanimous consent that the bill be printed in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred, and, without objection, the bill will be printed in the RECORD.

The bill (S. 1826) to amend the Federal Aid Highway Acts of 1956 and 1958 by extending the approval of the estimate of cost of completing the Interstate System for an additional year, and for other purposes, introduced by Mr. RANDOLPH (for himself and Mr. BYRD of West Virginia), was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8 of the Federal-Aid Highway Act of 1958 (72 Stat. 94), as amended, is hereby further amended by striking out "the fiscal year

ending June 30, 1960" and inserting in lieu thereof the following: "the fiscal years ending June 30, 1960, June 30, 1961, and June 30, 1962."

SEC. 2. That section 108(b) of the Federal-Aid Highway Act of 1956 is amended by striking out "the additional sum of $2,200,000,000 for the fiscal year ending June 30, 1962", and inserting in lieu thereof the following: "the additional sum of $2,500,000,000 for the fiscal year ending June 30, 1962."

SEC. 3. Notwithstanding the provisions of section 209(g) of the Act approved June 29, 1956 (70 Stat. 400), the Secretary of Commerce is authorized and directed to apportion among the several States in the manner provided by law, all of the funds authorized for the fiscal years ending June 30, 1961, and June 30, 1962, for the National System of Interstate and Defense Highways and the Federal-aid primary and secondary highway systems, including extensions thereof within urban areas. To the extent that amounts in the Highway Trust Fund are insufficient for such purposes, additional funds appropriated to such Trust Fund as repayable advances, pursuant to the provisions of section 209(d) of the Highway Revenue Act of 1956 (70 Stat. 399), may be used to defray expenditures resulting from apportionment to the States of the amount authorized to be appropriated for the fiscal years ending June 30, 1961, and June 30, 1962, and prior fiscal years, for the Interstate System and the Federal-aid primary and secondary highway systems, including extensions thereof within urban areas.

NATIONAL HISTORIC SITE AT BENT'S OLD FORT NEAR LA JUNTA, COLO.

Mr. ALLOTT. Mr. President, the exciting real-life saga that was the winning of the West is punctuated vividly by various sites and locations of historic importance. Indeed, the excitement of those days is being portrayed right now in a series of articles in Life magazine which I commend to my colleagues.

Unfortunately, Mr. President, the ravages of time and the shift of population has desolated many of these spots, some beyond reconstruction. It is all too infrequent that a part of the old West—so much a part of those who live in my State—can be reclaimed from the past; be refurbished and maintained for those of every age to see, study, and enjoy.

Mr. President, I introduce, for appropriate reference, a bill which provides that such a site be protected from disappearing. I refer to Bent's Old Fort site near La Junta, Colo. This old fort played a dramatic role in our American history as part of the old Santa Fe Trail. It stands today in ruins, unprotected from the pounding of time unless we act.

Recently, the Advisory Board on National Parks, Historic Sites, Buildings, and Monuments, in a report to the Secretary, recommended that this site be classified as having exceptional value in illustrating and commemorating this important part of our historical heritage.

Bent's Old Fort was the site of the first trading post established in that part of the country. Built by Charles and William Bent in 1832, it served as an important stopping point for trappers and traders between the Missouri River and Santa Fe. It served as an information center and a rallying point for the surrounding settlers in times of trouble.

The bill would establish Bent's Old Fort as a national historic site to be set aside as a public national memorial to commemorate its significant part in the opening of the West.

The bill would further authorize the Secretary of the Interior to acquire, in behalf of the United States, the site and buildings as he sees necessary for the restoration of the old fort.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1833) authorizing the establishment of a national historic site at Bent's Old Fort near La Junta, Colo., introduced by Mr. ALLOTT, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

TEACHING OF ENGLISH IN PUERTO RICO

Mr. ALLOTT. Mr. President, last year when we enacted into law the National Defense Education Act, we included two major programs to strengthen our efforts in the public educational system for the instruction of foreign languages. For exactly the same reasons that the teaching of other foreign languages is important here in this country, instruction in the English language is critically important in Puerto Rico.

The native language of Puerto Rico is Spanish. The majority of the students who enter the public schools know no English. They will have to learn English in the English classes. The language of instruction for all subjects, except English, is Spanish. English is taught as a special subject from the first grade to the twelfth. The teaching of English is done almost entirely by Puerto Ricans, who are nonnative speakers of English. The training they need is in the teaching of English as a foreign, not a native, language. The methodology employed in teaching is also that of teaching a foreign, rather than a native, language. All the foregoing justifies the inclusion of English in Puerto Rico among the "foreign languages" provided for by the act.

It is of utmost importance to national defense that Puerto Ricans be able to speak, understand, read, and write the English language. Puerto Rican young men are all subject to the draft and serve in the U.S. Armed Forces. Puerto Ricans already know natively one of the world's most important languages, Spanish. Making them competent in English would be of tremendous strategic value. Puerto Rico is in a key position with reference to Latin America, with its linguistic and cultural link to the vast majority of the nations of the Western Hemisphere, as well as to Spain on the other side of the Atlantic.

The main purpose of title III is to strengthen instruction, and three-fourths of the English teachers in the elementary and secondary schools in Puerto Rico are inadequately prepared, both in academic preparation and in the English language itself. Auditory aids for the classroom to train students' ears and to be a model for their tongues is a vital need, particularly since the teachers are not native speakers of English. The problem of supervision of such teachers is a tremendous one. Title III of the act thus offers just the kind of help that the teaching of English in Puerto Rico needs.

Title VI, part B, is also designed to help Puerto Rico's situation, as it attacks the problem at its roots, viz, the shortage of good language teachers. Through the setting up of language institutes, it seeks better teachers for the elementary and secondary student. Our basic problem is to train the teachers who are now teaching in the new teaching methods and the new instructional materials for the teaching of English as a second language, and to increase their command of the English language. This title makes it possible for institutes for such training to be set up and gives tremendous incentive for both present and prospective teachers to attend.

Mr. President, this is not the only problem which has developed in the early operation of the National Defense Education Act programs. There are a number of others which have come to my attention. For the most part I believe corrections of this law should await a complete trial so that in revising the law, we can eliminate as many problems as possible without creating new ones. However, it is clear that if Puerto Rico is to gain any advantage from titles 3 and 6 of the National Defense Education Act, we must, as soon as possible, correct this oversight.

I introduce, for appropriate reference, a bill to amend the National Defense Education Act of 1958, which, if enacted, will clear up this matter. I ask unanimous consent that the bill be printed in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1834) to amend the National Defense Education Act of 1958 to provide assistance for strengthening the teaching of English in Puerto Rico, introduced by Mr. ALLOTT, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, effective July 1, 1959, section 103 of the National Defense Education Act of 1958 (Public Law 85-864) is amended by adding at the end thereof the following new subsection:

"(2) For purposes of title III and for purposes of training, under part B of title VI, individuals engaged or preparing to engage in teaching, or supervising or training teachers, in Puerto Rico, the English language shall be regarded as a modern foreign language in Puerto Rico."

REPRESENTATION OF INDIGENT DEFENDANTS IN CRIMINAL CASES—AMENDMENTS

Mr. JAVITS submitted amendments, intended to be proposed by him, to the

bill (S. 895) to provide for the representation of indigent defendants in criminal cases in the district courts of the United States, which were ordered to lie on the table and to be printed.

CHANGE OF REFERENCE

Mr. YOUNG of North Dakota. Mr. President, on April 21, 1959, on behalf of myself and my colleague, the senior Senator from North Dakota [Mr. LANGER], I introduced the bill (S. 1760) to provide that the United States shall return to the former owners oil and gas rights in certain lands acquired for the Garrison Dam and Reservoir project, North Dakota, and it was referred to the Committee on Public Works. A similar bill, introduced last year, was referred to the Committee on Interior and Insular Affairs.

I have consulted with the chairman of the Committee on Public Works, the distinguished Senator from New Mexico [Mr. CHAVEZ], and he is agreeable to having the bill referred now to the Committee on Interior and Insular Affairs. Therefore, I ask unanimous consent that the Committee on Public Works be discharged from the further consideration of the bill, and that it be referred to the Committee on Interior and Insular Affairs.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from North Dakota? The Chair hears none, and it is so ordered.

THE FREEDOM COMMISSION AND FREEDOM ACADEMY—ADDITIONAL COSPONSOR OF BILL

Mr. CASE of New Jersey. Mr. President, I ask unanimous consent that my name may be added as a cosponsor of the bill (S. 1689) to create the Freedom Commission for the development of the science of counteraction to the world Communist conspiracy and for the training and development of leaders in a total political war, introduced by the Senator from South Dakota [Mr. MUNDT] on behalf of himself and the Senator from Illinois [Mr. DOUGLAS], on April 15, 1959, at the next printing of the bill.

The PRESIDENT pro tempore. Without objection, it is so ordered.

REIMBURSEMENT OF STATES FOR CERTAIN FREE AND TOLL ROADS IN NATIONAL SYSTEM OF INTERSTATE AND DEFENSE HIGHWAYS—ADDITIONAL COSPONSOR OF BILL

Mr. BUSH. Mr. President, on April 17, 1959, on behalf of myself and other Senators, I introduced the bill (S. 1714) to provide equitable reimbursement to States for mileage taken into the national system of defense and interstate highways. My colleague, the able junior Senator from Connecticut [Mr. DODD], has advised me he desires to be a cosponsor of that bill. I ask unanimous consent that his name may appear as a cosponsor when the bill is next printed.

The PRESIDENT pro tempore. Without objection, it is so ordered.

NOTICE OF HEARING ON EXECUTIVE PRIVILEGE BY CONSTITUTIONAL RIGHTS SUBCOMMITTEE

Mr. HENNINGS. Mr. President, I wish to announce, as chairman of the Subcommittee on Constitutional Rights of the Committee on the Judiciary, that the subcommittee has scheduled a public hearing on the subject of executive privilege on Tuesday, May 5, 1959, at 10:30 a.m., in room 318—the caucus room—of the Old Senate Office Building, Washington, D.C.

The subcommittee will hear representatives of the International Cooperation Administration, who will testify regarding the citation of the so-called executive privilege by officials of the International Cooperation Administration as authority for withholding certain types of information from the General Accounting Office. Previously the subcommittee heard testimony from Mr. Robert Keller, General Counsel of the General Accounting Office, regarding this subject, and now is affording the Director of the International Cooperation Administration the opportunity to present his views.

The PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BARTLETT in the chair). Without objection, it is so ordered.

FISH SANCTUARY PROPOSED FOR IDAHO'S SALMON RIVER

Mr. NEUBERGER. Mr. President, some of the leading conservationists in the Pacific Northwest have urged upon some of us in the Senate the introduction of legislation to create a fish sanctuary in the Salmon River watershed, where over 60 percent of the spring Chinook salmon runs of the Columbia Basin are spawned.

Mr. Rollin E. Bowles, leader in the Izaak Walton League and member of the Oregon State Game Commission, is the most recent to visit me on such a mission.

I favor wholeheartedly the protection of Columbia River migratory fish. I have opposed the Nez Perce Dam because it would blockade the Salmon to fish passage. I fear that our salmon industry and sports fishing could be destroyed if the Salmon River is lost as a spawning area.

But, Mr. President, the Salmon River watershed is wholly within the State of Idaho—100 percent of it. Therefore, I think it only proper that the establishment of a fish sanctuary on the Salmon River be sponsored by one of the distinguished Senators from Idaho, Mr. DWORSHAK or Mr. CHURCH. I would be glad to serve as a cosponsor under their able guidance.

But when a river is entirely within the boundaries of one particular State, I do not think that legislation as sweeping and as drastic as establishing a fish sanctuary on that river's watershed should be sponsored in chief by any Senator except one helping to represent that State.

Should either Senator CHURCH or Senator DWORSHAK decide to offer a resolution creating a salmon sanctuary on the Salmon River, I would consider it a privilege to act as one of the cosponsors of the measure.

FORT BOWIE, ARIZ.

Mr. GOLDWATER. Mr. President, early in this session I introduced a bill, S. 939, which would establish Fort Bowie in Arizona as a national historic site. The interest in maintaining this nearly 100-year-old fort as a monument to our western growth was evident long before this bill was introduced. However, recently much has been written about the fort and its history, and one of the best and most colorful articles was written by Mrs. Opie Rundle Burgess, of Warren, Ariz., and published in the March 10 and 11 issues of the Bisbee Daily Review. Because of the historical value of this two-part article, I ask unanimous consent to have it printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Bisbee (Ariz.) Daily Review, Mar. 10, 1959]

FORT BOWIE'S COLORFUL PAST
(By Opie Rundle Burgess)

Recently several questions have been asked pertaining to Fort Bowie. Where is the old fort? Why should it be made a national monument? I have visited Fort Bowie, read its history, knew the late Neil Erickson, who was a soldier at the fort, under the command of Gen. George Crook, also heard stories from Mrs. Wickham, who lived there during Geronimo's days and heard stories from George Dunn, whose father was a soldier at the fort, and while scouting for Indians found ore in the Bisbee Canyon.

I have tried to answer these two questions in story form.

Peace, silence, and legend hovers over old Fort Bowie, where long ago war clouds blemished the blueness of the sky, the whir of arrows shattered the gentle evening breeze, and the solitude of mountain and valley broken by smothered screams of travelers, journeying through Apacheland.

Out in southeastern Arizona, nestled in one of nature's cradles in the extreme northern range of the Chiricahua Mountains, lie the ruins of Fort Bowie in its solitary surroundings.

When the Gadsden Purchase was ratified in 1854, the U.S. Government received not only miles upon miles of worthless land, as it seemed in those days, but with the land went a band of warring Chiricahua Apaches, that the Government didn't know how to handle.

Down through the years without the protecting arm of the Government, this most historical landmark has been vandalized by man, scorched by the desert sun, and beaten by wind and storm while waiting for recognition of its colorful role of 20 years' warring against the Apaches, and the 4 tragic years of the Civil War, when our Government fought for its destiny, trying to hold the Union as one, and not as a house divided.

In July 1862, while the heat of the desert became unbearable, and the ravaging of

Apache warfare sizzled with extreme violence, the first troop from California, under the command of Capt. Thomas Roberts, on their way to the Rio Grande during the beginning of the Civil War, was viciously attacked by a large band of Indians at Apache Pass. After that fight, the fort was established, and named after the colonel of the 5th Infantry, George W. Bowie.

No more lonely location could have been chosen for the fort, but the reasons were threefold. First, it served as a key outpost to the U.S. Army's grueling campaign against the Chiricahua Apache Indians.

Second, the fort would guard the springs, that lifesaving fluid so precious to travelers, military, and their animals. The soldiers would also escort mail carriers, stagecoaches, and wagon supplies through Apache Pass. Third, the fort's geographical position during the Civil War served as a vital, shorter route from California to the Rio Grande. Without this fort, all communications and troop movement would have been jeopardized as long as the Apache Indians held undisputed possession of Apache Pass.

The fort was built in 2½ weeks by the soldiers of the 5th Infantry, California volunteers. At first, most of the men lived in tents, others sought refuge in caves, and when it rained the water poured through the ground like a sieve. The fort was isolated. The food bad, and sickness prevailed. Under such conditions, officers and men were transferred frequently, as a nerve-wracking vigilance was always necessary, for their enemy was a band of sly savages. There were rarely more than 100 men at the fort, and often as few as 50, while the Apaches, under the leadership of Cochise, and Mangas Coloradas, numbered close to 500. With such a small force at the fort they could do little more than to protect the springs and send escort with supply trains and travelers through Apache Pass.

Shortly after the first detachment of cavalry was sent to the fort, Apaches, with their master tactics and slyness, managed to divert the attention of the herd guard and made off with the entire herd of cavalry horses.

Complaints of the conditions of the fort were sent to Colonel Carleton, who authorized the construction of a new fort. This fort was laid out on the general plan of all military posts. All buildings were built forming a large square facing the parade ground where each morning reveille broke the stillness of the hills. Later, the clear call of a bugle brought all to attention around the flagpole, where the Stars and Stripes, the symbolic life of the fort and the Union, proudly waved in that far removed lonely spot, but it gave assurance to those soldiers that they, too, were fighting for a cause. It's here today that we can see the remnants of a tragic American drama.

We, who are so proud of Arizona realize that this enchanted land is crammed with the marvels of God's handiwork. There are castles built in the fastness of stone cliffs that lure historians to try and knit together the broken threads of a lost people. Sunken villages of prehistoric Indians have become a playground for archeologists. The Colorado River still gnaws at the earth's sandy sides fashioning deeper and more fantastic canyons, and on mountain tops, eerie, peculiar turrets and domes left by force of volcanism and erosion. All these attract tourists to our State. Yet, solemn and still, Fort Bowie remains an orphaned child.

After the Civil War, and years of a gruelling campaign against the warring Apaches, it was no longer necessary to maintain troops at Arizona's frontier. It was then when Fort Bowie was abandoned.

So on down through the years, the silent tenantless barracks have fallen to ruins. The face of the parade ground bearded with cactus, and tumble weed. The clear call of a bugle no longer breaks the silence of a new-dawning day, but in its place, the sweet trill of a mocking bird, and the buzz of insects accentuate the fort's loneliness. All day long the sun and shadows play among the ruins, until twilight takes over after the sun slips silently behind the hills, throwing its gay colors of farewell to the friendly clouds. Then night closes over the land and hangs its tiny lanterns, the stars, to keep watch over the old fort, while the cool mountain breeze caresses the silent, adobe walls and softly hums—your work is done; your rest well earned; slumber on.

But recently progressive Arizona is not willing that this historic landmark should be entirely reclaimed by the desert. A bill to establish Fort Bowie as a National Monument was introduced to Congress by our U.S. Senator. Citizens and the National Advisory Board have awakened to the urgent necessity of the protection for this outstanding military post, for probably no outfit in the Army of frontier days can boast of a history more valuable, or typical of the American soldier's varied career, than that of Fort Bowie.

The reasons for making this fort a National Monument are many. Fort Bowie is like a priceless history book, old, yet each faded and crumpled page tells the story of the tenacity and courage of both officers and men who were not afraid to face danger and untold hardship, to fight a cruel, crafty enemy, so others to follow, might find Arizona a land of freedom and plenty.

The most outstanding corps of military officers in the annals of American history, and their heroic deeds are found throughout the story, such men as Lt. Gen. Phil Sheridan, who came from Washington, D.C., to inspect the soldiers at Fort Bowie before starting their gruelling campaign against Geronimo and his renegades, Gen. Leonard Wood, Assistant Surgeon of the U.S. Army, Gen. George Crook, Gen. Nelson Miles, Gen. O. O. Howard, all checked in and out of the famous fort. Others under their command were Captain Crawford, who led the first campaign, trailing the Apaches far into Mexico, and who was killed by Mexican troopers while doing all in his power to help them against the Apaches. Captain Crawford's body was brought back to Fort Bowie and given full military honors for his heroic sacrifice. General Crook, with military escort, then took the body back to Crawford's home in Nebraska. Capt. H. W. Lawton was chosen as leader of the second campaign under General Miles. He and General Wood were the only 2 out of 90 picked men who finished the 1,500-mile trek. Climbing the highest peaks, then descending to the deepest canyons through the heat of a desert's sun in June and July. Going days without water or cooked food, enduring hardships that most men could not take. And after this endurance trip, and finding Geronimo's camp in the Sierra Madres in Mexico, Lieutenant Gatewood alone, and without firearms, entered Geronimo's camp to ask the Apaches to surrender, which was recorded as one of the greatest of heroic feats.

And as the pages of this great history book are turned we read such names as Cochise, Mangas Coloradas, Geronimo, Natchez, Nana, and Chato. True, they were the enemy, yet they were leaders, every one of them, and played an important role in the fort's great drama. We also read of Lieutenant Rucker and Sgt. Jack Dunn while chasing Apaches, and looking for fresh drinking water entered a canyon and by accident, Jack Dunn found what most men would desert home and country for, earth's greatest treasures, her precious metals. But for love of their flag and loyalty to their country, the two men turned away from the beckoning hand of Midas and returned to Fort Bowie. The two soldiers in time intended to return to their secret canyon, but death cheated Lieutenant Rucker from his share of riches while trying to save one of his men in a flash flood. Both men were drowned. Jack Dunn was cheated of his bonanza by the betrayal of a prospector. Years later this canyon was named Bisbee, and for 78 years has ranked as one of the richest copper camps in the world. Fort Bowie's register bears the name of a great photographer, C. S. Fly, whose Indian pictures are well guarded in the archives of our National Capital.

These men left a heritage that Arizona is proud of today, and to have future generations know their story, and see the place where the story was made, and to show our appreciation and gratitude toward these heroic men, the flag they so valiantly fought for should wave over Fort Bowie, and over the graves of the men who gave their lives, to clear the trail for the Union's last frontier, Arizona.

Ironical as it may seem, the ruins of Fort Bowie stand as a monument to the warring Apache Indians. The Chiricahua Mountains was their home. The vast expanse of valley their hunting ground. For several generations they successfully defended their beloved land from the Spaniards, the Mexicans, and the Americans, but finally succumbed, only when their own kindred joined forces against them. In less than 75 years, the descendants of those warring Apaches have become a peaceful, capable, trustworthy, and intelligent race of people, and who are recognized as among the best cattlemen, raising the finest Hereford range beef in the West. And cattlemen from Western States make a yearly trip at roundup time, to buy Apache cattle.

In thinking of Fort Bowie's colorful day we can close our eyes and visualize a great stage set alternately with high rugged mountains wooded with lofty pines, and see the valley below dotted with cactus, mesquite, and catclaw, and the silent drawn curtain reveals the old fort and the part it played in Arizona's history. On this stage was enacted a pageant of deep drama, as colorful, and as thrilling as that produced by any State, for that campaign against the vicious Apaches ranks as the most arduous of frontier military history, and for the brilliant work of her officers and the courage of her men, Fort Bowie once received the spotlight, but the Nation's applause soon faded with the shadows of the night.

[From the Bisbee (Ariz.) Daily Review, Mar. 11, 1959]

FORT BOWIE'S COLORFUL PAST

(By Opie Rundle Burgess)

The opening scene of Fort Bowie's great drama shows that darkness had settled over a tranquil wilderness of desert beauty. Brilliant stars studded the dark sky and blinked down upon a lonely Sibly tent, glowing from the light of a hanging lantern. Two great actors, leaders both of them, made their appearance upon the stage. Lieutenant Bascom from West Point, a stranger in a strange land made his appearance from the east, followed by 60 men clad in neat well-fittted uniforms of blue, representing men of a mighty nation. Cochise, the greatest of Apache chiefs made his appearance from the west, followed by a ragged group in their native garb. Their frowsy hair hung to their shoulders, and bound back from their foreheads with a soiled bandanna. They too, represented a mighty tribe. The two leaders met with no cordial or friendly handshake. Lieutenant Bascom under a white flag of truce, had summoned Cochise and his men for council. Bascom eyed Cochise with disdain and distrust. The great chief felt the chill of the white man's cold gray eyes, but being an Apache, managed to conceal the suspicion in his own eyes, as he did not want trouble with the white man. Lieutenant Bascom beckoned Cochise and his men to enter the tent.

The issue of that conference was a small one. A boy and some cattle had been stolen, and Cochise repeated their innocence, and even offered to help find the child. Lieutenant Bascom looked upon that ragged group with intolerance and impatience, and snapped out two words, "Arrest them."

Those two words spoken in that Sibly tent out on a lonely Arizona desert burst like a bomb and touched off a fiendish war that lasted 24 years. Cochise heard the words of the white man, and aflame with hatred, and outraged by the violation of the sacred custom of council slipped to the rear of the tent, whipped out his knife and slashed the canvas side of the tent while his warriors struggled against the soldiers. The great chief, and all but three of his men escaped.

The stillness of that Arizona night was shattered by blood curdling savage outcries. And the thud, thud of Apache ponies making their flight across the great stage as night's blackest curtain fell on a terrified land. In the distance, a lone coyote emitted a mournful wail, an omen of tragedy and death.

A curtain of misty rays of a new-risen sun lightened the scene of the second act, and shows a lone Apache high on a rock facing the great Chiricahua Mountains sending up a smoke signal. Mangas Coloradas and his warriors, like eagles resting on a rocky peak read the signal. It was a message that Cochise was on the warpath. A message that meant torture and death to all who crossed the Apache trail.

The time was 1861, and on the other side of the great stage a troop of California volunteers were on a march to the Rio Grande. They had traveled days without water, but as they neared the only place where water was found, Cochise, Managas Coloradas and 300 warriors awaited the unsuspecting soldiers. The Apaches held their fire until the troops were well into the perpendicular cliffs of Apache Pass before they opened fire with bullets and arrows. The soldiers fought bravely, but of no avail. They withdrew and Captain Roberts reformed his command. Again they advanced, but the Apaches on the hills above the pass, hiding behind rocks, trees, and clumps of bear grass drove the soldiers back. It was then when Captain Roberts played his trump card. He mounted two howitzers on wagons and advanced. Bursting artillery shells, soon scattered the bewildered, yelling Apaches into the hills, and the soldiers took possession of the springs. Many years later an Apache told Captain Roberts they never would have gotten through the pass, if the soldiers hadn't fired wagons at them.

The last part of the scene shows the building of Fort Bowie, which was built by the 5th Infantry California volunteers, and it was their lot to remain at the fort to guard the springs, to escort travelers, and wagon trains through the pass. The building of the fort was an essential factor during the Civil War, as all Government soldiers were withdrawn, leaving the Arizona frontier without military protection.

Twelve years had elapsed since the Apache fight. Cochise was now an old man, and had made peace with the white man, but Natchez, his son, and Geronimo fought on. For 2 years Cochise kept his peace, and as the curtain lowers, the soldiers at Fort Bowie looked toward the west as the setting sun placed a golden halo above the mountain tops, and far off in the distance they watched a tenuous ribbon of black smoke unfurl above a jutting cliff of Cochise Stronghold. A silent, strange requiem of savages. Cochise, their great chief was dead.

Only a faint light streak on the eastern sky signaled the approaching day of the last act of Arizona's deep historical drama. A time of coming events that would sprinkle golden glowing blessings over the land.

A dust cloud far down the eastern corner of the great stage announced the coming of homeseekers, farmers, cattlemen, and prospectors. All following the beckoning rays of a promised land, Arizona, but when the emigrants reached the border, they found it blocked by a band of merciless, warring Apaches.

It was then, in 1885, when the eyes of the Government, and all eyes of the Union were focused on Fort Bowie, which became the strategic focal point of this great drama. The soldiers of Fort Bowie fought strange and weird battles against savages who did not come out in the open and fight, but ambushed, and secreted themselves high on the mountains with improved guns and plenty of ammunition. The hardships and physical sufferings of both officers and men of this western campaign to free Arizona from a dreaded menace is unbelievable, yet the soldiers of Fort Bowie knew their paramount duty was to get Geronimo, leader of the hostiles, to surrender unconditionally.

General Crook took the leading role of the first campaign. Six months the soldiers under Captain Crawford trailed the Apaches. Their days were padded with hardships, tragedy, discouragement, and later the pressed resignation of their beloved leader, General Crook, brought on by disgrunted officers in Washington, D.C., when the fulfillment of their mission was successful to the point of having Geronimo surrender, but on the night before they reached Fort Bowie, Geronimo obtained "Tiswin," a fiery corn drink, and breaking his promise to General Crook, fled back to the hills, taking a small band of Apaches with him.

The scene does not change, but rage and the tempo of decision, "Get Geronimo, dead or alive," became the urgent demand of the Government. General Nelson Miles then takes the leading part of this final, and most important, campaign that brought an end to Apache warfare.

The clear call of Boots and Saddles resounded over the parade ground and echoed back from the hills. The jingling of spurs and the creaking of leather were heard as 90 picked men and their officers mounted, and waited for the command to march, while over their heads the American flag snapped a salute of Godspeed, and good luck.

The Government sent the best they had in men and supplies. An added 5,000 soldiers patrolled the desert from Arizona to Mexico. General Wood, Assistant Surgeon of the United States Army, and Captain Lawton with their men, trailed Geronimo's bloody trail. Words have failed historians in describing the torture and other hardships the men endured while marching 1,500 miles through the heat of the summer, over precipitous mountains, down deep canyons, and over a desert filled with cactus and rattlesnakes.

After 5 months of marching to the point of exhaustion, Geronimo's camp was reached in the Sierra Madre Mountains in Mexico. This time he saw that there was no escape for him, so surrendered to Lieutenant Gatewood, who was ordered by Geronimo to come to his camp alone and unarmed. Which he did. Geronimo greeted Gatewood as a long-lost friend and begged for his life, also the lives of his followers. Geronimo, who had never had mercy on anyone, now begged for mercy.

On September 8, 1886, the soul-stirring scene of Arizona's great pageant for freedom, peace, and prosperity was ushered in by the brilliant rays of sunshine, touching not only the mountains and valleys, but sending rays of hope and happiness into the hearts of loved ones left behind at Fort Bowie, when a courier arrived at the fort with a message that General Miles, officers, soldiers, and their booty of war, the hostile Apaches, would arrive later that day.

The sun had slipped far toward the western hills when the roll of drums and the sweet call of a bugle announced the arrival of the returning soldiers. That arrival was spectacular, dramatic, and breathtaking. Geronimo sat erect on his horse and rode beside General Miles, who had met them at Skeleton Canyon. A strange, pitiful, dirty group of Apaches, most of them women and children, trailed behind them. Then came General Wood and Captain Lawton, the only 2 of the original 90 picked men who trailed Geronimo and his small band from Fort Bowie back to Fort Bowie. When these two men started on that campaign they were sturdy in muscle, stalwart in body, and vibrant with the prime of life. They returned bent, thin, weary, and worn, but their haggard faces lightened with a sparkle of joy as they were cheered by the spectators, for they knew they had fulfilled their mission.

"Attention," came the command. Everything stopped. For a moment on that great stage not a sound broke the silence until the soiled blanket about Geronimo's shoulders fell to the ground as he rose in his stirrups, and gazed across the valley toward Bonita Canyon, his stronghold. All eyes were upon him. The clicking of triggers from every soldier's gun broke the deathly silence. Geronimo then dismounted and walked slowly toward General Miles, and like a blade of a sharp sword, General Miles slashed cutting words of Geronimo's deceit a treachery. "Geronimo, you have lied. You have murdered. You have stolen cattle from the Americans and the Mexicans, and you have broken every promise that Cochise made to the white man." Those words severed the hostiles from Arizona forever.

Geronimo stood before the white man, a defeated warrior. His reign was over. The minutes that followed were filled with strained tension until the wagons rolled onto the parade ground, and soon were filled with Apaches. As they left, the 4th Cavalry Band played "Auld Lang Syne, Should auld acquaintance be forgot." The loud jeering and laughing from the soldiers and spectators was not appreciated by Geronimo.

The long memorable day signed off with a gorgeous sunset, splashing the sky with blazing colors of gold, red, and orange, and against that glorious background, the Apaches rode away to their new home in Florida.

The twilight soon erased the color from the sky, and slowly night drew her curtain over a happy land as the evening breeze whispered, "We salute you, brave soldiers of Fort Bowie."

PARK SERVICE ADVISORY BOARD APPROVES EARLY ACTION ON OREGON DUNES SEASHORE AREA

Mr. NEUBERGER. Mr. President, announcement was made yesterday of action by the Advisory Board on National Parks for inclusion of eight new areas in the National Park System. One of these, happily, is the Oregon Dunes National Seashore Area. I am extremely pleased and heartened by the decision of the National Park Advisory Board, because I have introduced a bill—S. 1526—to accomplish that purpose.

The Board's decision affirms the recreation value of the unique Oregon coastal dunes. This should demonstrate to the people of my State the widespread support in the Nation for establishment of this great seacoast recreation area under our National Park Service. Their decision makes more evident than ever that those working for the proposed national seashore area are acting in the best interests of Oregon as a tourist center. It is my hope that we can enact this legislation into law during the 86th Con-

gress. Oregon's seacoast would benefit vastly in travel potential by its passage.

Also, I am pleased by the statements in support of the Oregon dunes seashore area by the distinguished Oregon editor, Mr. William M. Tugman, who publishes the Port Umpqua Courier at Reedsport. Mr. Tugman was editor of the Eugene Register-Guard for 25 years, and has received numerous awards and widespread recognition for his newspaper work. Mr. Tugman is an effective spokesman for establishment of the Oregon Dunes National Seashore Area, and I ask consent to include in the RECORD with my remarks, a news story from the Eugene Register-Guard of April 25, 1959, with his views and comments on the valuable park development proposal. I also ask consent to include an Associated Press news story about action of the Park Service's Advisory Board, and a Department of Interior press release on the same subject.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

COAST PUBLISHER BACKS DUNE PARK

(From the Eugene, (Oreg.) Register-Guard)

William M. Tugman, publisher of the Reedsport newspaper, Port Umpqua Courier, told the Eugene Chamber of Commerce Forum Friday noon here that he favors the proposed establishment of a National Seashore Recreation Area in the sand dunes between Reedsport and Florence.

Tugman was one of nine Douglas County citizens who were guests of the chamber at a regular meeting in the Eugene Hotel. The visitors told about recreation and scenic attractions of the Reedsport area, and called for mutual promotion of Lane and Douglas Counties' recreation and economic potentials by citizens of both counties.

The newspaper publisher, who was editor of the Eugene Register-Guard for 25 years prior to becoming his own publisher, was introduced by Eugene Chamber President Arthur P. Martini. Martini described Tugman as, "a man who does more on slow bell than most of us can do on full speed ahead."

Tugman said that Senator RICHARD L. NEUBERGER'S proposal to establish the recreation area is well founded. National Park Service officials from San Francisco and Washington, D.C., visited with Reedsport area citizens and "answered all of our questions satisfactorily," Tugman said.

Industry could continue to run its industrial waste disposal lines through the dunes to the ocean if the Federal Government took over the proposed area, the editor-publisher said.

Tugman is chairman of the advisory committee on the Oregon State park system. He said that Oregon had 10 million visitors last year and that State recreation facilities are rapidly becoming utilized to capacity.

The proposed national park, he said, would be "an integrated, cooperative program for development of that wonderful natural area." The Boy Scout and Girl Scout facilities and the State's Honeymoon Park south of Florence, he said, would "not be impaired in the least."

In addition, he observed, "For every tax assessment dollar that is taken away by the project, we'll have many dollars created (by tourist trade and Federal Government expenditures in the park)."

In conclusion he said, "In light of the entirely reasonable policy of park officials, we have much more to gain than to lose by having the Government in there.

"In spite of all the uproar to the north of us (from Florence area citizens who protest the plan) I've had letters from resort owners from Florence who think very much as we do in favor of the proposal," he added.

Additional speakers representing Douglas County's Salmon Harbor at Reedsport; the U.S. Coast Guard station at Winchester Bay; the Douglas County parks department; and other groups attended. A motion picture showing salmon fishing facilities at Salmon Harbor was also shown.

WASHINGTON.—The Advisory Board on National Parks today recommended including eight new areas in the National Park System.

The Board's report, submitted to Secretary of the Interior Fred A. Seaton, proposed that he seek congressional approval of bills to establish as national shoreline areas:

1. Portions of Cape Cod, Mass.
2. Padre Island, Tex., near Corpus Christi.
3. Indiana Dunes, Ind.
4. Oregon Dunes, Oreg.

It recommended for inclusion in the National Park System:

1. The Wheeler Peak-Lehman Caves region of the Snake River in Nevada.
2. The Hubbell Trading Post, Ganada, Ariz.
3. A 34,000-acre area near Manhattan, Kans., which has particular significance as a tall grass prairie to be set aside as a national park.
4. A short grass area, the site still to be selected.

NATIONAL PARKS ADVISORY BOARD SUBMITS RECOMMENDATIONS TO SECRETARY SEATON

Nine recommendations from the Advisory Board on National Parks, Historic Sites, Buildings, and Monuments were submitted today to Secretary of the Interior Fred A. Seaton.

Pointing out that it has consistently supported efforts to salvage and protect the Nation's outstanding natural shoreline areas, the Board recommended that the Secretary report favorably on bills now pending in Congress intended to establish as national shoreline areas portions of Cape Cod, Mass.; Padre Island, Tex.; Indiana Dunes, Ind.; and Oregon Dunes, Oreg. The Board recommended that steps be taken to eliminate adverse uses in any of those areas as quickly as possible.

The Board further expressed its hope that the Secretary will view with favor and lend his support to the principle of establishing, in the other relatively few remaining suitable areas, shoreline reservations as entities different in standards and administration from national parks, monuments, or historic sites.

Amplifying on recommendations for approval of congressional bills for setting aside Padre Island as a shoreline area, the Board advised that this approval be contingent upon steps being taken, immediately upon passage of the enabling legislation, to eliminate all prospecting, drilling, and production of oil, gas, or other minerals. Such hostile use, the Board stated, renders Padre Island inappropriate for preservation as a unit of the National Park System.

During its 3-day meeting, just concluded in Shenandoah National Park, Va., the Board elected Frank E. Masland, Jr., of Carlisle, Pa., as its new chairman; Dr. Edward B. Danson, director, Museum of Northern Arizona, Flagstaff, as secretary, and Harold P. Fabian, Salt Lake City, chairman of the Utah State Park and Recreation Commission, as vice chairman.

Other recommendations presented to Secretary Seaton, in the Board's capacity as his adviser on National Park Service matters, favored three additional areas for inclusion in the National Park System. They are: the Wheeler Peak-Lehman Caves region of the Snake River, Nevada; the Hubbell trading post, Ganada, Ariz., and a 34,000-acre area near Manhattan, Kans., which has particular significance as a tall-grass prairie to be set aside as a national park. The Board also recommended selection of a short-grass area for inclusion in the park system.

The Wheeler Peak-Lehman Caves region was recommended because of its recognized scientific values and because of findings that have determined it to be representative of the numerous Great Basin mountain ranges and as such of national significance, the Board indicated.

The Hubbell trading post was recommended for classification "as of exceptional value under the terms of the Historic Sites Act." The Secretary was advised that the trading post, founded in 1876, illustrates in an exceptional way a nationally important phase of the history of the United States and the part played by reservation traders in the settling of the West and bringing about an understanding by American Indians of the white man's way of life. It was pointed out that the post is now available for preservation and that "its loss would forever impoverish our understanding of a major phase of our heritage."

The Board further advised the Secretary of its conclusions that the Dodge City ruts of the Santa Fe Trail in Kansas, and the grave and monument at Sioux City, Ia., of Sergeant Floyd, who was associated with the Lewis and Clark Expedition, are not of exceptional value under terms of the Historic Sites Act. It did, however, recommend that the Floyd grave and monument be preserved and administered by the State of Iowa or other suitable agency. The Board pointed out that, by appropriating funds for the erection of the memorial, the Federal Government had already recognized the contribution of Sergeant Floyd commensurate with his accomplishments toward the success of the Lewis and Clark Expedition.

In another recommendation, the Board urged that the funds for the acquisition of park lands recommended by President Eisenhower in the 1959 budget message to Congress be restored as originally presented and emphasized the urgent importance of acquiring lands of scenic as well as historic value recommended by the President.

In urging restoration of the funds included in the budget message and which have been cut by action of the House of Representatives, the Board said that each year's delay in land acquisition sees many sites of national scenic or historic importance destroyed or so mutilated that their value is forever lost to the people of America.

It further stated that each year's delay sees developments on inholdings within park boundaries that will make future acquisition more costly or prohibitive; will result in greater difficulty in meeting the needs and demands of an exploding rate of population increase; and that, due to lack of necessary funds, would eventually cost the Government far more each year than present costs.

The Board also recommended certain new guidelines concerning the preservation of historic sites and buildings under the National Survey of Historic Sites and Buildings.

This recommendation emphasized that historical preservation in the United States should be a cooperative effort of Federal, State and local governments, patriotic organizations, and civic-minded groups, and that the Federal Government should not attempt to administer all significant historic sites throughout the Nation.

The Board said that the Federal Government should not seek ownership of exceptional historical and archeological sites already held in public or semipublic ownership, but instead should give encouragement to the State, municipality, or organization in their preservation efforts.

The Board said sites of exceptional value in nonpublic ownership, suitable for and

needed by the National Park System to round out its interpretation of American history, should be included in the long-range National Park System plan.

Prior to the 3-day meeting which opened April 20, the Board visited Manassas National Military Park, Va., site of the opening battle of the Civil War, and inspected the park.

POOR ACOUSTIC QUALITIES OF THE SENATE CHAMBER—NEED FOR FISCAL LEGISLATION

Mr. WILEY. Mr. President, there is a line in the great poem by Rudyard Kipling which refers to the time when "The tumult and the shouting dies."

Mr. President, I attended the memorial service for the late Senator Taft. It was beautifully conducted. What impressed me particularly was the fact that one could hear everything said. When the Chaplain of the Senate uttered his very remarkable prayer it was heard with distinctness all over the enclosure and out into the streets.

I did not pay so much attention to the matter at the time, but when I left the grounds one of my constituents said, "Senator, why can we not hear what is going on in the Senate like we heard out here today? What is the trouble? Many of you Senators—and I do not mean you, Senator, because your voice carries—do not speak very loud. The majority leader and the minority leader, when they address the Presiding Officer, cannot even be heard in the back seats of the Senate Chamber, to say nothing about the galleries. We represent the American public. We would like to know what is going on."

That was a challenging statement, but it confirmed the position which I had taken on a previous occasion. If the prayers of the Chaplain of the Senate could be heard in the Senate in the same way they were heard at the time of the dedication of the memorial, they would have a great effect, because they are beautiful, inspirational prayers.

What is the answer? I say the answer is that the Presiding Officer of the Senate should have the proper instrument in front of him so that his voice could be heard. There are Senators whose voices are of a low, guttural nature, and we cannot understand what they say.

I insisted once—and a few other Senators joined me—that it was important for the Senators as well as the people to know what is going on in the Senate. Much of the business transacted in this Chamber is transacted in subdued voices. I say definitely that the voice of the Vice President and the voice of the Presiding Officer, when they are engaged in answering those who represent the majority or the minority, should be heard, and many times they cannot be heard beyond my seat.

In view of this situation, I feel it is very important, in the days ahead, since we face really challenging problems, to consider this matter. While we have had matters under discussion such as those of yesterday, which are important, there are other things which are more important.

Some of the important things are: What are we doing about the budget? What are we doing about the taxes? What are we doing about Government spending? What are we doing about facing the responsibilities not only of today but of tomorrow?

I repeat, there are 40 million American bondholders who are finding their bonds being depreciated each day. Why is that true? It is true because we are not meeting the problem of looking for increased taxes, or stopping loopholes whereby certain taxes are escaping.

There are 120 million insurance policy holders, who paid for their policies in 100-cent dollars and whose 50-cent dollars are now going down further in value. What are we doing about that?

The policyholders say, "Senator, what should we do?" I will answer them. We should face up to the economic facts of life. We should see the facts as they are and have the unmitigated fortitude to face them. When we face them, we can supply the answer. I say the answer is to be found in a very simple and constructive manner.

Mr. Rockefeller, of New York, answered the challenge, in spite of his friends and in spite of those who were supposed to be his most close associates. Mr. Rockefeller said the State budget had to be balanced, and he went to work. He got the economists to say what should be done with relation to increased taxes, and taxes were increased. Of course, that is something we must face up to.

I am thinking in terms of the 40 million bondholders—the people who have saved their money, the people who put up the money with which to conduct the affairs of the country when the money was needed. I am thinking of the insurance policyholders who have paid in their money on premiums. I am also thinking of the children of tomorrow. What kind of inflationary challenge will they have to meet? I am thinking of folks living on pensions, on social security.

Yes, do nothing—knock a bigger hole in the dollar and look out for breakers up ahead.

Or face the challenge without fear and put a stop to the threat of inflation.

There are two things we must do. We must let the public hear what is going on. We must let the words spoken from the chair of the Vice President and from this floor be heard. We must let each Senator take a stand on the questions I have raised.

Mr. President——

The PRESIDING OFFICER. The Senator from Wisconsin.

UNITED STATES-INDIA CONFERENCE ON INTERNATIONAL ECONOMIC COOPERATION

Mr. WILEY. Mr. President, on May 4 and 5 more than 60 United States and Indian political figures, industrialists and scholars will meet here in Washington to participate in a 15-session, 2-day conference on opportunities for public and private cooperation by the free world in India's economic development. Representatives of more than 300 companies, organizations, and governmental agencies of the United States and India will attend the sessions.

The conference will be concerned not merely with generalizing and theorizing about economic development; rather, it will deal with the specific problems of one country—India. The aim, too, is to determine how nations that feel a responsibility for economic progress beyond their own borders can assist with the developmental problems of another country.

According to Mr. Eric Johnston, chairman of the Committee for International Economic Growth, and of the conference, leadership to a large extent is drawn from the business community of our Nation and other endeavors. Its purpose will be twofold: First, to help define and illuminate the urgent problems of economic and social development confronting the people of India today; and, second, to seek more effective methods of international economic cooperation to be applied in the economic assistance program.

Mr. Johnston has invited all of the Members of the Congress and their staffs to attend any of the 15 sessions which the Committee for International Economic Growth will hold during its 2-day meeting. For all of us, no matter what may be our opinions of the problems and processes of international economic cooperation, I believe there will be much information of value to be gained from these meetings. I commend this conference to the attention of Senators. I request unanimous consent to have printed at this point in the RECORD a supplemental statement and conference program, for the benefit of those who have not seen the full listing of subject matter and discussion leaders.

There being no objection, the statement and program were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WILEY

The United States-India Conference on Economic Cooperation is sponsored by five outstanding American organizations whose leadership is drawn to a large extent from the business community of our Nation as well as leaders in other endeavors. Further, the contributing sponsors who are helping to make this conference possible number among them some of our major business and banking concerns with broad experience in economic affairs in many parts of the world.

I am referring to the national conference on India and the United States—1959, which has been organized by the Committee for International Economic Growth and which is cosponsored by the National Planning Association, the Asia Foundation, the Stanford Research Institute, and the Center for International Studies of Massachusetts Institute of Technology.

Among the companies which are contributing sponsors are the Bank of America, N.T. & S.A., the Bunge Corp., the Carborundum Co., Central Gulf Steamship Lines, Johnson & Johnson International, Kaiser Engineers Overseas Corp., Kaiser Aluminum & Chemical Corp., K. A. Export Co., Koppers Co., Inc., Merck, Sharp & Dohme International, Pfizer International, Inc., Standard-Vacuum Oil Co., Union Carbide International Co., and Willys Overland Export Corp., and Isthmian Steamship Company.

The list of distinguished participants and speakers includes more than 60 authorities: business executives of the United States and from India who will be in Washington expressly for this meeting; India specialists from more than 12 U.S. universities and foundations with broad first-hand experience in international economic affairs and the problems of Indian economic development; representatives of international finance organizations; and officials of Governments of India and the United States, including the distinguished President of the Senate, the Honorable RICHARD M. NIXON, and two of my esteemed colleagues of the Foreign Relations Committee, Senator HUMPHREY and Senator KENNEDY.

Most gratifying is the concentration of this conference on the detailed practical scrutiny of Indian economic development in terms of industrial policy, small business, community development, the opportunities for private enterprise and other bedrock economic facts of life in India of importance to that nation and of importance to any country, such as ours, interested in economic development in a democratic framework which provides opportunities for private capital as well as government-to-government aid.

It is particularly noteworthy that among the Indians who will be in Washington for this significant meeting are the Honorable H. V. R. Iengar, Governor of the Reserve Bank of India and one of the chief architects of India's economic programs; the Honorable B. K. Nehru, India's Commissioner General for Economic Affairs, and the Honorable Asoka Mehta, member of the Indian Parliament and one of India's most outspoken anti-Communists, and a number of India's leading industrialists whose business activities are truly representative of the vigor of private enterprise in India today.

India's Ambassador to the United States, His Excellency M. C. Chagla, and a former U.S. Ambassador to India, the Honorable Chester Bowles, are also participating in the conference, as are Mr. John D. Rockefeller 3d and the Honorable Averell Harriman, both of whom have recently returned from extensive visits to the country which is the subject of the meeting; our Assistant Secretary of Labor, Mr. George Lodge; Miss Barbara Ward, the distinguished economist and author; and, in fact, a whole array of persons especially qualified to probe this subject for the benefit of all of us interested in international economic affairs.

CIEG NATIONAL CONFERENCE ON INDIA AND THE UNITED STATES, MAY 4 AND 5, 1959, MAYFLOWER HOTEL, WASHINGTON, D.C.

MONDAY, MAY 4

9–9:30 a.m.: Registration.

9:30 a.m.–12 noon: Morning session.

Opening remarks by the Chairman, the Honorable Eric Johnston; "The Importance of Indo-American Relations in Today's World," the Honorable Richard M. Nixon, Vice President of the United States; H. E., M. C. Chagla, the Ambassador of India; "The Bases of U.S. Interests in India," The Honorable John F. Kennedy, United States Senator from Massachusetts; "India's Development: Problems and Programs," The Honorable B. K. Nehru, Commissioner General for Economic Affairs of India.

12 noon–12:30 p.m.: Recess.

12:30 p.m.: Luncheon session.

Remarks and Introductions by the Chairman; "The Free World Stake in India's Future," Miss Barbara Ward (Lady Jackson).

2:30 p.m.: The afternoon session.

Remarks by the Chairman; "India, China and the West," Mr. Frank Moraes, Editor, the Express Newspapers, India; "India's 5-Year Plans: Results and Aims," H. V. R. Iengar, Governor, Reserve Bank of India. Discussion: Leon Keyserling, former Chairman, President's Council of Economic Advisers, Dr. Ansley J. Coale, Princeton University. Panel: "Role of American Industry in India's Development"; Michael Webster, Assistant to the President, Johnson and Johnson, International; Herbert Harig, President, Harig Manufacturing Co.

6–7 p.m.: Recess.

7:30 p.m.: Dinner session.

Opening Remarks by the Chairman, John D. Rockefeller, 3d, President of the Asia Society; "Introductions by the Toastmaster," The Honorable Eric Johnston; "An Indian View of the U.S.A.," The Honorable Asoka Mehta, M.P., Parliamentary Leader of the Praja Socialist Party; "An American View of India," The Honorable Averell Harriman, Former Governor of New York.

TUESDAY, MAY 5

9 a.m.-9:30 a.m.: Plenary session.

Opening Remarks by the Chairman; Address by The Honorable CHESTER BOWLES, Member of Congress from Connecticut.

10 a.m.–12 noon: Six simultaneous panel discussions:

1. "India's Role in World Affairs": Dr. Phillips Talbot, Director, American Universities Field Staff (Chairman); Prof. Ross Berkes, University of Southern California; Prof. Michael Brecher, McGill University; Prof. Norman Palmer, University of Pennsylvania; Prof. Quincy Wright, University of Virginia.

2. "The Political Scene in India": Selig Harrison, associate editor, the New Republic (chairman); Dr. Burton Marshall, the Carnegie Foundation; Asoka Mehta, M.P., parliamentary leader of the Praja Socialist Party; Prof. Richard L. Park, University of California; Frank Moraes, editor, Express Newspapers of India.

3. "Industrial Policy and Program": Bharat Ram, industrialist, New Delhi (chairman); Gardiner C. Means, economic consultant; I. G. Patel, Alternate Executive Director, International Monetary Fund; Dr. Antonie Knoppers, president, Merck Sharpe & Dohme, International.

4. "Objectives and Resources": Prof. Wilfred Malenbaum, Massachusetts Institute of Technology (chairman); Leon Keyserling, economic consultant; Prof. Max Millikan, Massachusetts Institute of Technology; H. V. R. Iengar, Governor, Reserve Bank of India; George F. Gant, the Ford Foundation; P. S. N. Prasad, International Bank for Reconstruction and Development; B. N. Adarkar, International Monetary Fund.

5. "Agricultural Development": Dr. Carl C. Taylor, consultant in rural development (chairman); B. J. Patel, president, All India Cooperative Union; Dr. Clifford Taylor, University of Maryland; Albert Mayer, architect and town planner; J. S. Raj, International Monetary Fund.

6. "Small Industry in the Indian Economy": Dr. Eugene Staley, the Stanford Research Institute (chairman); Rev. James Berna, S.J., Georgetown University; James T. McCrory, director, community relations, St. Louis, Mo.; P. Govindan Nair, Economic Minister, Embassy of India.

12–12:30 p.m.: Recess.

12:30–2 p.m.: Luncheon session.

Remarks by the Chairman, the Honorable HUBERT HUMPHREY, U.S. Senator from Minnesota; "Roundtable talk: India and American Opinion: Myth and Fact", an informal roundtable discussion by a group of leading American and Indian writers and commentators, Miss Barbara Ward (Lady Jackson); William Stringer, the Christian Science Monitor; Lawrence Spivak, producer, "Meet the Press"; Harold Isaacs, author of "Scratches on the Mind"; Frank Moraes, editor, Express Newspapers of India.

2–2:15 p.m.: Recess.

2A. "Tradition and Change": Prof. W. Norman Brown, University of Pennsylvania (chairman); Prof. Milton Singer, University of Chicago; Prof. K. S. Nilakanta Sastri, University of Chicago; Dr. B. B. Misra, University of Wisconsin; Dr. Flemmie P. Kittrell, Howard University; Dr. Richard B. Gregg, author.

3A. "Private Enterprise in India": Matthew Kust, lawyer and author (chairman); Arthur Phillips, general counsel, Godfrey Cabot, Inc.; J. Delano Hitch, president, the Dorr-Oliver Co.; C. S. Krishna Moorthi, counselor, Commission General for Economic Affairs of India; P. Chentsa Rao, secretary, Federation of Indian Chambers of Commerce and Industry.

4A. "External Assistance to India": Prof. Max Millikan, Massachusetts Institute of Technology (chairman); Prof. Arthur Smithies, Harvard University; I. G. Patel, International Monetary Fund; Frederick L. Holborn, legislative assistant to Senator KENNEDY; Hart Perry, the Development Loan Fund; Geoffrey Wilson, U.K. Treasury and Supply Mission.

5A. "The Community Development Program": Albert Mayer, architect and town planner (chairman); Dr. Carl Taylor, consultant in rural development; Prof. Richard L. Park, University of California; Dr. Asoka, Mehta, M.P., New Delhi; Jack Gray, Texas A. & M.; Dr. Arthur Mosher, Council on Economic and Cultural Affairs.

6A. "Problems of Labor and Management in India's Development": Prof. Charles A. Myers, Massachusetts Institute of Technology; Hon. George Lodge, Assistant Secretary of Labor; Prof. Van Dusen Kennedy, University of California; Dr. Subbiahn Kannappan, University of Chicago; Prof. Morris D. Morris, University of Washington; Mr. Harry Pollack, AFL–CIO.

RETIREMENT OF GEORGE E. BIGGE

Mr. GREEN. Mr. President, tomorrow, April 30, George E. Bigge will retire from his position as Special Assistant on Federal-State Problems to the Secretary of the Department of Health, Education, and Welfare. With his education, training, and experience in social security matters, he has contributed much to the administration of our social-security program, and I trust his retirement will be only from the Department and not from the fields of social security in which he is so well versed.

Mr. Bigge was born in Michigan, and taught in rural schools there before going to the University of Michigan. He received a doctor's degree in economics and taught at the university.

Moving on to Brown University as a professor of economics, he later became head of the department of economics. While at the university, he served on various public boards. As Governor of the State, I appointed him to the commission on interstate compacts affecting industry and labor, and, also, on the cotton textile industrial relations board. He also served as a consultant to the commission I selected to draft the first unemployment compensation law for Rhode Island. When that legislation was enacted I appointed him as the first chairman of the unemployment compensation board.

In 1937 I recommended George Bigge to the late President Roosevelt for appointment as a member of the Social Security Board to succeed the former and late Governor Winant of New Hampshire. He then served on the Social Security Board during its formative years to 1946 and contributed importantly to its sound development. As Director of Federal-State relations for the Federal Security Agency from 1947 to

1953, and as Special Assistant for Federal-State Relations in the Department of Health, Education, and Welfare since 1953, his sound judgment and wise counsel have been of great value. His consistent interest has strengthened Federal-State grant-in-aid programs throughout the country. He served as a departmental representative in the work of the Commission on Intergovernmental Relations and made a significant contribution to its deliberations.

During 1945 and 1946 he served as consultant on social security with American Military Government in Germany. In fact, throughout the years of his Government service he has shown his interest not only in all aspects of health, welfare, and social insurance in this country, but, also, in those of other countries of the world.

George Bigge's intellectual integrity, his breadth of knowledge, and his consideration for others, have won him the esteem of his associates. His qualities of character and his devoted public service warrant public recognition.

I know that all of us wish Mr. Bigge happiness in his retirement, and trust that his services will be available to those of us who are interested in social-security matters.

HISTORIC MILESTONE IN PACIFIC TRAVEL

Mr. MAGNUSON. Mr. President, this is a historic day for our Pacific rim nations.

The 50,000th flight of a Pan American Clipper takes off today for Honolulu, Guam, and Manila.

Hundreds of thousands who have flown this route since it was first opened in 1935 can reflect upon the part they have played in pioneering air travel across the Pacific Ocean.

So that this occasion may be appropriately marked in Congress, I ask unanimous consent that the statement I hold in my hand be printed in the body of the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

PAN AMERICAN TO MARK 50,000TH PACIFIC FLIGHT

Pan American World Airways will observe the 50,000th flight of a Clipper across the Pacific Ocean on April 29. Pan Am began commercial operations across the world's biggest ocean on November 22, 1935, when the famous *China Clipper* flying boat took off from San Francisco Bay with a load of airmail for Honolulu, Guam, and Manila.

Little fanfare will accompany the departure of Flight No. 1 on April 29. It will be simply another of the six Clipper departures that day for transpacific points.

By contrast, 25,000 people attended the 1935 ceremonies including State and Federal officials, and the then Postmaster General, James A. Farley. A crowd of 125,000 jammed observation sites to watch the *China Clipper* taxi out from its dock and roar off the water.

The late Capt. Edwin C. Musick commanded the *China Clipper*'s crew of seven. In the plane's holds were 110,865 letters weighing 1,837 pounds. No revenue passengers were carried on the Pacific service until nearly a year later.

The *China Clipper* required 21 hours to reach Honolulu, its first port of call. It continued on via Midway, Wake, and Guam, and set down in Manila Bay 6 days after leaving San Francisco. Flight time for the 8,210-mile route was 59 hours 48 minutes.

Today's Super-7 Clippers make the 2,400-mile San Francisco-Honolulu flight in 9 hours. When jet Clipper service is inaugurated, flight time will be less than 5 hours.

From 1935 until October 1936 when the first passengers were carried, the Clippers made a total of 50 crossings. By December 7, 1941, when Pan American went on a wartime status, the number of crossings had increased to 199. By way of contrast, the total number of Pacific flights during 1958 alone was 4,370.

During the prewar period, the Clippers carried a total of 2,336 passengers. By the end of 1958, the total had swelled to more than a million and a half passengers and this is increasing at a rate of 3,000 per month.

In the pioneer days, the Pacific route was confined to Honolulu, Guam, and Manila. Today the company's Pacific-Alaska division also serves Fiji, Samoa, New Zealand, Australia, Tokyo, Hong Kong, Saigon, Singapore, Bangkok, and Rangoon. Connections are made with Pan Am's Atlantic division to provide round-the-world service. In addition the division operates regular polar route service from the west coast to Europe and from Seattle to Alaska's major cities.

Equally striking are the advances made in aircraft development and attending flight speeds during the 23½ years of Pacific Clipper operations.

The *China Clipper* cruised at 135 miles per hour; the DC-7C flies at 350 miles per hour, and the jet's speed is 575 miles per hour.

Carrying capacity of the Pacific Clippers also has risen sharply. The first commercial passenger flight in 1936 carried seven passengers. Today's Super-7's and stratocruisers can carry up to 81 passengers, and the jets will be able to increase this capacity to 150 or more.

Years of preparation by Pan American preceded the inauguration of transpacific service. The pioneers faced such obstacles as the fact that no airliner had the range Pan American required, and no aircraft or passenger facilities existed at many of the way stations on the proposed Pacific route.

In 1932, however, aircraft manufacturers submitted bids on planes which met Pan American specifications, and their construction was begun.

To staff its Pacific operation, Pan American brought in 41 veterans of its Caribbean services, which had opened in 1927. By 1935, the number of employees had grown to 221.

Pan American experts planned air routes, and developed communications facilities, weather forecasting, and operating techniques.

In early 1935 Pan American chartered a ship to carry material for airbases and housing, aircraft fuel, technicians, construction crews, several months' supply of food, and countless other items to prepare the Pacific islands for the coming of the Clippers.

Meanwhile survey flights were being operated out of San Francisco over segments of the route the *China Clipper* would follow. Between April and October 1935 four survey flights went out from the west coast to prepare the way for the November inaugural.

CALL OF THE CALENDAR

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

In accordance with the order previously announced, the Senate will proceed with the call of the calendar. The clerk will state the first measure on the calendar.

HARRY H. NAKAMURA

The bill (S. 611) for the relief of Harry H. Nakamura was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time for filing claims for compensation under the Act entitled "An Act to authorize the Attorney General to adjudicate certain claims resulting from evacuation of certain persons of Japanese ancestry under military orders", approved July 2, 1948 (62 Stat. 1231), is hereby extended until the expiration of one year after the date of enactment of this Act in the case of Harry H. Nakamura.

BILLS PASSED OVER

The bill (S. 1075) to provide for the reimbursement of Meadow School District No. 29, Upham, N. Dak., for loss of revenue resulting from the acquisition of certain lands within such school district by the Department of the Interior, was announced as next in order.

Mr. ENGLE. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 91) to amend the act of September 1, 1954, in order to limit to cases involving the national security, the prohibition on payment of annuities and retired pay to officers and employees of the United States, to clarify the operations of such act, and for other purposes, was announced as next in order.

Mr. ENGLE. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 44) to authorize the Secretary of the Interior to construct the San Luis unit of the Central Valley project, California, to enter into an agreement with the State of California with respect to the construction and operation of such unit, and for other purposes, was announced as next in order.

Mr. KEATING. Let the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 72) to authorize the Secretary of the Interior to construct, operate, and maintain the Navajo Indian irrigation project and the initial stage of the San Juan-Chama project as participating projects of the Colorado River storage project, and for other purposes, was announced as next in order.

Mr. KEATING. Let the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 994) to authorize the Secretary of the Interior to construct, operate, and maintain the Spokane Valley project, Washington and Idaho under Federal reclamation laws, was announced as next in order.

Mr. KEATING. Let the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

ADVANCEMENT OF CAPT. EDWARD J. STEICHEN, U.S. NAVAL RESERVE

The bill (S. 587) to provide for the advancement of Capt. Edward J. Steichen,

U.S. Naval Reserve (retired) to the grade of rear admiral on the Naval Reserve retired list was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Captain Edward J. Steichen, United States Naval Reserve (retired), shall be advanced on the Naval Reserve retired list to the grade of rear admiral effective as of the date of enactment of this Act in recognition of his invaluable services on behalf of the United States and the United States Navy through outstanding contributions in the science of photography.

SEC. 2. Nothing contained in this Act shall be deemed to increase the retired or retirement pay received by the said Captain Edward J. Steichen and no other benefits shall accrue to him by virtue of the enactment thereof.

BILLS PASSED OVER

The bill (H.R. 3293) to authorize the construction of modern naval vessels, was announced as next in order.

Mr. KEATING. Let the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H.R. 213) to provide additional time within which certain State agreements under section 218 of the Social Security Act may be modified to secure coverage for nonprofessional school district employees, was announced as next in order.

Mr. ENGLE. I ask that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

The concurrent resolution (S. Con. Res. 21) favoring the suspension of deportation in the case of certain aliens was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Congress favors the suspension of deportation in the case of each alien hereinafter named, in which case the Attorney General has suspended deportation for more than six months:

A-4727055, Blaek, Ewald.
A-6623087, Chen, Won.
A-7073910, Chen, Rose Marcial.
A-7841721, Doxas, Ioannis Georges.
A-7469427, Duran-Gomez, Lucio.
A-5653974, Goldberg, Jennie.
A-5923851, Gonie, Abdul.
A-8227824, Hintopoulos, Anastasios.
A-8227810, Hintopoulos, Elizabeth.
A-10237829, Howell, James.
A-9509847, Kim, Tan Cheng.
A-7910271, Laskaratos, Antonis.
A-3734088, Laush, John.
A-7606569, Lorsy, Pierre Auguste.
A-5680354, Mitsis, Vasilios George.
A-3191505, Miyagi, Shintaro.
A-9702526, Nam, Wong.
T-330304, Nunez, Estrella Quesda-Padron de.
A-10828947, Okano, Toshio.
A-9783404, Pioa, Ching Tsung.
A-3313814, Poon, Gee King.
A-7123769, Prano, Francesco.
A-3026388, Sikinger, Maximilian.
A-5983271, Teh-Chee, Wong.
A-6218916, Tijerina, Elidia Gomez.
A-8082837, Yee, Chan Tim.
A-9634992, Choy, Wong.
A-5309224, Engelbert, Walter.
A-6888873, Huppert, George.
A-6798911, Huppert, Marta (nee Simon).
A-9563617, Karapanagiotis, Aristotelis Anastassios.
A-9197864, Sing, Lai.
A-10504603, De Belmares, Josefina Coronel.
A-4789022, Evans, Zena Ann.
A-4786269, Hamasaki, Hiroichi.
A-5364167, Hamasaki Tsugino.
A-9684330, Kam, Lo.
A-9799123, Kwai, Yung Ah.
A-3351370, Lum, Chong.
A-7186533, Rubin Riva.
A-4276892, Dos Santos, Alfredo Lopes.
A-7450107, Wong, Kam.
A-6657670, Cheliotis, Athanasios Elias.
A-7898703, Costa-Coloret, Candido.
A-10292017, Costa, Candida Jalda-Diaz De.
A-7137721, Galaviz, Juana.
A-7886181, Lam, Cheong King.
A-5056856, Trentin, Giuseppe.
A-2794618, Carlson, Peter.
A-6984286, Garcia-Mendez, Celia.
A-6984283, Garcia-Mendez, Maria.
A-6984285, Garcia-Mendez, Victor.
A-3974383, May, Chang Ah.
A-9625807, Mustasaar, Jaan.
A-8952421, Wing, Lew.
A-8952422, Chung, Lee Sun.
A-5830879, Arden, Robert H.
A-7264249, Kildea, Gay Yvonne.
A-8217364, Silaikis, Felix.
A-9635445, Wong, Chong.
A-10255991, Chow, Sow Tan.
A-9727518, Giraud, Boniface Victorius Leon.
A-7241518, Lynch, Timoth James.
A-9069727, Yin, Ho York.
A-7266325, Fong, Han Soon.
A-9571969, Lim, Chew Tak.
A-10255551, Toon, Tan Siang.
A-7469694, Wah, Tan Jow.
A-9537742, Tan, Yap Eng.
A-9561879, Paun, Tin Joke.
A-7978933, Nunez y Plasencia, Juan Jose.

MAGDA KUSEN CANJUGA

The bill (S. 29) for the relief of Magda Kusen Canjuga was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration Nationality Act, Magda Kusen Canjuga shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

BERTHA GLICKMANN

The bill (S. 33) for the relief of Bertha Glickmann was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration Nationality Act, Bertha Glickmann shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

MARY (MARIJA) GROM

The bill (S. 181) for the relief of Mary (Marija) Grom was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Mary (Marija) Grom shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

HILDA M. HUMPOLE GOLDSCHMIDT

The bill (S. 334) for the relief of Hilda M. Humpole Goldschmidt was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Hilda M. Humpole Goldschmidt, who lost United States citizenship under the provisions of section 352(a)(2) of the Immigration and Nationality Act, may be naturalized by taking, prior to one year after the date of the enactment of this Act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, an oath as prescribed by section 337 of such Act. From and after naturalization under this Act, the said Hilda M. Humpole Goldschmidt shall have the same citizenship status as that which existed immediately prior to its loss.

SOPHIE STANKUS

The bill (S. 625) for the relief of Sophie Stankus, also known as Sister Saint Ignace, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Sophie Stankus, also known as Sister Saint Ignace, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

MARIA WOLFRAM

The bill (S. 626) for the relief of Maria Wolfram was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That, notwithstanding the provisions of section 212(a)(4) of the Immigration and Nationality Act, Maria Wolfram may be issued a visa and admitted to the United States if she is found to be otherwise admissible under the provisions of that Act: *Provided,* That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of said Act: *Provided further,* That this exemption shall apply only to grounds for exclusion of which the Department of State or the Department of Justice has knowledge prior to enactment of this Act.

ASAE NISHIMOTO

The bill (S. 1034) for the relief of Asae Nishimoto was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Asae Nishimoto, who lost United States citizenship under the provisions of section 401(e) of the Nationality Act of 1940, may be naturalized by taking, prior to one year after the date of the enactment of this Act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, an oath as prescribed by section 337 of such Act. From and after naturalization under this Act, the said Asae Nishimoto shall have the same citizenship status as that which existed immediately prior to its loss.

YONG CHUL JURGENS

The Senate proceeded to consider the bill (S. 182) for the relief of Yong Chul Jurgens, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Yong Chul Jurgens, shall be held and considered to be the natural-born alien child of Mr. Charles J. Jurgens, a citizen of the United States: *Provided,* That no natural parent of Yong Chul Jurgens, by virtue of such parentage, shall be accorded any right, privilege, or status under the Immigration and Nationality Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

UMEKO PARKER

The Senate proceeded to consider the bill (S. 245) for the relief of Umeko Parker, which had been reported from the Committee on the Judiciary, with an amendment to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Umeko Parker, the widow of a United States citizen, shall be deemed to be within the purview of section 101(a)(27)(A) of that Act, and the provisions of section 205 of the said Act shall not be applicable in this case.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GIOVANNI MALARA

The Senate proceeded to consider the bill (S. 524) for the relief of Giovanni Malara, which had been reported from the Committee on the Judiciary, with an amendment, in line 7, after the words "United States", to insert a colon and "*Provided,* That no natural parent of Giovanni Malara, by virtue of such parentage, shall be accorded any right, privilege, or status under the Immigration and Nationality Act.", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Giovanni Malara, shall be held and considered to be the natural-born alien child of Giovanni and Margherita Malara, citizens of the United States: *Provided,* That no natural parent of Giovanni Malara, by virtue of such parentage, shall be accorded any right, privilege, or status under the Immigration and Nationality Act.

Mr. LANGER. Mr. President, may we have an explanation of the bill?

The PRESIDING OFFICER. The Senator from North Dakota desires an explanation of the bill.

Mr. ENGLE. The purpose of the bill, introduced by the Senator from New York [Mr. KEATING], as amended, is to grant to the minor child adopted by citizens of the United States the status of a nonquota immigrant which is the status normally enjoyed by alien minor children of U.S. citizens. The bill has been amended in accordance with established precedents.

I yield to the Senator from New York for any further explanation he desires to make.

Mr. KEATING. Mr. President, this child is a 12-year-old native and a citizen of Italy, who was adopted by citizens of the United States in an Italian court in Naples. He resides at present in Italy with his natural parents. He is the nephew of his adoptive father, who entered the United States in December 1954, and was naturalized in 1958. The adoptive mother is a native-born U.S. citizen who reentered the United States from Italy in July 1953. She had resided in Italy since the age of 3.

The beneficiary had been in the custody of his adoptive parents since his birth, until his adoptive mother departed from Italy for the United States in 1953.

The information before the committee is to the effect that the beneficiary's adoptive parents are fully financially able to care for this infant.

I may say to the distinguished Senator from North Dakota that the bill follows the precedents which have been established in such cases relating to infants.

Mr. LANGER. Can the distinguished Senator tell me whether this bill was previously before the Judiciary Committee?

Mr. KEATING. Yes; it was previously before the Judiciary Committee, and was unanimously reported.

Mr. LANGER. A year or 2 years ago?

Mr. KEATING. I think not, because the report from the Commissioner of Immigration is dated March 12, 1959.

Mr. LANGER. Was there a report last year?

Mr. KEATING. Not to my knowledge.

Mr. LANGER. Mr. President, I have no objection.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

URSULA GEWINNER

The Senate proceeded to consider the bill (S. 843) for the relief of Ursula Gewinner, which had been reported from the Committee on the Judiciary, with amendments on page 1, line 10, after the word "Act", to insert a colon and "*And provided further,* That her marriage to her U.S. citizen fiancé, Raymond T. Watters, shall have occurred within six months after the date of the enactment of this Act.", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of section 212(a)(12) of the Immigration and Nationality Act, Ursula Gewinner may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that Act: *Provided,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this Act: *And provided further,* That her marriage to her United States citizen fiancé, Raymond T. Watters, shall have occurred within six months after the date of the enactment of this Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HLIAS ANTHONY LOUSEDES

The Senate proceeded to consider the bill (S. 940) for the relief of Hlias Anthony Lousedes, which had been reported from the Committee on the Judicary, with an amendment in line 7, after the word "fee", to insert "Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Hlias Anthony Lousedes shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HERBERT WESTERMANN

The Senate proceeded to consider the bill (S. 1239) for the relief of Herbert Westermann, which had been reported from the Committee on the Judiciary, with an amendment in line 7, after the word "Act", to strike out the comma and "upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota control officer to deduct one number from the appropriate quota for the first year that such quota is available.", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Herbert Westermann shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PETER TRBOJEVIC AND HIS WIFE

The Senate proceeded to consider the bill (S. 848) for the relief of Peter Trbojevic and his wife Milica Trbojevic, which had been reported from the Committee on the Judiciary, with an amendment to strike out all after the enacting clause and insert "That, in the administration of the Immigration and Nationality Act, Petar Trbojevic shall be considered to have been registered on the waiting list for intending immigrants for the quota for Yugoslavia as of April 17, 1945, the date on which American consular officers abroad were authorized to resume registration of intending immigrants."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill for the relief of Petar Trbojevic."

MRS. MATHILDE RINGOL

The bill (H.R. 1453) for the relief of Mrs. Mathilde Ringol was considered, ordered to a third reading, read the third time, and passed.

LOGAN DUFF

The bill (H.R. 1462) for the relief of Logan Duff was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF BANKRUPTCY ACT

The bill (H.R. 2237) to amend chapter 13—wage earners' plans—of the Bankruptcy Act was considered, ordered to a third reading, read the third time, and passed.

SAMUEL ABRAHAM AND OTHERS

The bill (H.R. 4314) for the relief of Samuel Abraham, John A. Carroll, Forrest E. Robinson, Thomas J. Sawyers, Jack Silmon, and David N. Wilson was considered, ordered to a third reading, read the third time, and passed.

EXTENSION OF DURATION OF FEDERAL AIR POLLUTION CONTROL LAW

The Senate proceeded to consider the bill (S. 441) to extend the duration of the Federal air pollution control law, and for other purposes, which had been reported from the Committee on Public Works, with amendments on page 1, line 9, after the word "thereof", to strike out " "for each fiscal year such sum as may be necessary" " and insert " "for each of the four fiscal years during the period beginning July 1, 1960, and ending June 30, 1964, not to exceed $7,500,000",", and, on page 2, line 6, after the word "out", to strike out the comma and "and shall be allotted by the Surgeon General in accordance with regulations prescribed by the Secretary of Health, Education, and Welfare" and insert "by the Surgeon General" ", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the Act of July 14, 1955 (42 U.S.C. 1857(d)), is amended—

(1) by striking out "(a)" after "SEC 5.",

(2) by striking out "for each of the five fiscal years during the period beginning July 1, 1955, and ending June 30, 1960, not to exceed $5,000,000" in the first sentence and inserting in lieu thereof "for each of the four fiscal years during the period beginning July 1, 1960, and ending June 30, 1964, not to exceed $7,500,000",

(3) by inserting "for surveys and studies and" before "for research" in clauses (1) and (2) of such first sentence, and

(4) by striking out "by the Surgeon General" in the last sentence.

SEC. 2. Such Act is further amended by adding at the end thereof the following new section:

"SEC. 8. It is hereby declared to be the intent of the Congress that any Federal department or agency having jurisdiction over any building, installation, or other property shall, to the extent practicable and consistent with the interests of the United States and within any available appropriations, cooperate with the Department of Health, Education, and Welfare, and with any interstate agency or any State or local government air pollution control agency in preventing or controlling the pollution of the air in any area insofar as the discharge of any matter from or by such property may cause or contribute to pollution of the air in such area.

The PRESIDING OFFICER. The question is on agreeing to the first committee amendment.

Mr. KUCHEL. Mr. President, I have a technical amendment to offer to the first committee amendment.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The CHIEF CLERK. On page 1, after line 5, it is proposed to strike out through line 2, on page 2, and insert the following:

(2) after $5,000,000 in the first sentence insert a comma and the following: "and for each of the four fiscal years during the period beginning July 1, 1960, and ending June 30, 1964, not to exceed $7,500,000."

Mr. KUCHEL. Mr. President, this is entirely a technical amendment. There was an imperfection in the bill as it was introduced and considered by the committee. The head of the staff of the Committee on Public Works is present. There is no objection to this amendment.

Mr. CHAVEZ. Mr. President, the chairman accepts the amendment.

Mr. KUCHEL. I thank the chairman.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from California [Mr. KUCHEL] to the first committee amendment.

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the second committee amendment, on page 2, line 4.

The amendment was agreed to.

Mr. KUCHEL. Mr. President, the bill now before the Senate, extending the Air Pollution Research and Technical Assistance Act which will expire June 30, 1960, is a vital measure for the protection of health, property, and comfort of human beings and to prevent serious threatened losses to growing things, both animal and vegetable.

The act which S. 441 would continue for another 4 years enabled the Federal Government to join forces with State and local agencies, with industries, and with private scientific groups in battling the serious menace which is an inevitable consequence of modern day conditions and trends. The 84th Congress approved that measure, which I had the honor to introduce, when it became painfully obvious that the atmosphere was being fouled to the danger point in many instances by the increasing mechanization and motorization of our Nation and the mushrooming of thickly settled communities.

I am sure all of my colleagues agree with me, as I have pointed out on several occasions, that in our changed pattern of everyday living the phrase "free as the air" now is an anachronism. If our people are to enjoy pure, healthful air, which is indepensable to the existence of every living thing, we must pay a price.

The Air Pollution Research and Technical Assistance Act was an attempt to hold down the price of pure, healthful air. Its purpose was to mobilize the extensive and often unique resources of the Federal Government for a program of investigation, research, and training of personnel for the purpose of checking, reducing and ultimately controlling air pollution.

Because time was needed to organize for the battle against smog and other types of contamination, I regret the Federal Government has not participated to

the full extent authorized by Public Law 159. Nevertheless, by the expiration date next year, we will have expanded more than $16,500,000 of the total authorized amount of $25 million.

I wish to point out that with the appropriations to date of $12,345,000, the Federal Government has stepped up the pace of its work each year. By the end of the present fiscal year it expects to have made grants to researchers for a total of 102 separate investigation and study projects. For the coming fiscal year, its budget contemplates grants for an additional 41 projects. These are being carried on by scientists in universities, colleges, hospitals, and research institutions and represent important fact-finding, observation, and measuring work.

The Public Health Service reports that through June 30, 1960, it will have expended $3,707,000 in individual grants for research and $4,789,000 for contract research, in addition to $8,190,000 for its own direct operations in the air pollution field. Thus, it is evident, the Air Pollution Act of 1955 has brought into play an assortment of individuals and agencies in what is truly a cooperative effort.

This is a far different situation than existed when I entered this body more than 6 years ago. At that time, the Federal Government was merely dabbling in questions of air pollution as part of its work in the field of sanitary engineering. In my own State of California, the annual expenditure for antismog activities greatly exceeded the amount available to the Public Health Service for its limited work. Other Federal agencies which subsequently have contributed to the effort to track down causes of pollution then were doing very little or nothing. Although their participation still is modest, under the law I sponsored the Department of Agriculture, the Bureau of Mines, the Bureau of Standards and the Weather Bureau have been brought into the drive to devise ways of reducing and controlling objectionable discharge of contaminating elements into our Nation's air.

The fact remains that a multitude of questions still remain unanswered. Progress admittedly is slow. Yet, the research and investigation under Public Law 159 has produced much knowledge and at the same time has revealed the complexity of the problem.

The present bill is in complete accord with the overwhelming sentiment of several hundred scientists and public officials who last November attended the conference called by the Surgeon General of the Public Health Service to appraise past efforts and to recommend future action in the fight against air pollution. It was the recommendation of virtually every discussion group at that conference, at which 41 States were represented, that the present Research and Technical Assistance Act should be extended and expanded.

That also is the sentiment of the public at large. There is mounting public demand that stringent regulatory action be taken at local, State, or regional levels. Under the bill, the Federal Government still would leave such responsibilities to local and State agencies. But in order to have effective or only potential helpful police action, much technical and scientific data must yet be obtained so any steps by such agencies may be reasonable, practicable, and sound.

For instance, in many places a clamor has been heard that certain gadgets should be made mandatory on automobiles or that changes in types of motor fuel be ordered. There are grave economic questions involved in reducing and eliminating air pollution attributable to motor vehicles. The studies now in progress under Public Law 159 should be helpful in reaching decisions about standards of purity essential to human health.

The urgency of identifying every single source of pollution and of laying bare all secrets about the mystic natural forces which cause smog is undeniable. The effects of contamination can be and often are far-reaching. Countries surrounding heavily populated areas can be affected because the winds roll clouds of fumes across manmade boundaries. Food supplies can be endangered since some 40-odd separate crops are known to be susceptible to injury from polluted air.

Problems of such character cannot be solved solely by local levels. Air is a natural resource. Like all natural resources, it must be husbanded and conserved with all the ingenuity and determination our Nation possesses. Without fresh, uncontaminated air, people will not congregate nor long remain in thriving communities. The foundation for future growth and development of many sections of America may well rest on solution of the smog problem.

The obvious public interest in relieving air pollution necessitates Federal participation and S. 441 will enable the Federal Government to continue and to expand its role in this effort.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. ENGLE. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a statement regarding Senate bill 441, Calendar No. 167.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR ENGLE

In this age of scientific accomplishment our Nation is losing a battle critical to the present and future health of our burgeoning urban and metropolitan centers. Today the ravages of air pollution are eating like a cancer at the very heartland of our Nation. No area of the country is immune, no city safe from the effects of this modern dilemma.

And it is a dilemma—a problem of such magnitude that it is properly a subject for the consideration of this body as much as the issues of international tensions, the exploration of outer space, and national defense. For unless the living places of America are made safe, secure and comfortable, unless the great urban and metropolitan centers containing more than 64 percent of our population are protected from the expanding menace of air pollution, the resolution of these other problems would lose much meaning. In the large scope of history it may be that the issues making headlines today will be viewed as less important than the fundamental problem of creating and maintaining healthy, happy, and convenient living places for our exploding population.

Today, one of the compelling facts of modern existence is that we live in urban and metropolitan environments. More than this, we are now creating great conglomerations of metropolitan and urban centers, some of them stretching hundreds of miles along our seacoasts and fertile inland areas. And a problem now gnaws at the heart of these areas, a problem so large and so complex that it has defied solution in spite of the concentrated attention of local governments, private industries, and well meaning citizen groups.

The problem? The wholesale contamination of the air supplies serving urban dwellers everywhere. This is a problem which we in California have felt perhaps sooner and more acutely than other areas of the Nation. In our State population has doubled during the past 20 years, but our air supply has remained constant. The steady and unremitting outpouring of pollution from the almost infinite sources comprising a metropolitan complex has now exceeded the carrying capacity of the atmosphere. The air has become overburdened with contaminants and millions of people have fallen victim to the scourge of air pollution.

As severe as the problem has become in California, we are not its only victims. Last November the Surgen General of the United States convened the first National Conference on Air Pollution. Approximately 1,000 representatives from 41 States were told that air pollution respects no boundary lines—geographic, political, professional, or disciplinary. Reports delivered before that conference demonstrated that thousands—not hundreds—of communities throughout the United States have fallen prey to excessively polluted atmospheres. What is worse, the problem now seems to be far larger and more serious than anyone had imagined it to be.

Evidence that air pollution has killed and may even now be eating at the health of the Nation's urban dwellers is striking. Here are the facts as reported to that conference:

1. Physicians in Great Britain have demonstrated a relationship between chronic bronchitis and air pollution levels. Deaths from chronic bronchitis are significantly related to smog conditions and population density.

2. The appalling increase in the incidence of lung cancer in this Nation now seems partially traceable to the polluted atmospheres of urban areas.

3. In California the death rate from emphysema, a disease of the respiratory system, has almost quadrupled since 1950. The rate is about twice as high in cities as in rural areas, and there is a widespread belief among physicians that air pollution plays an important role in this disease.

4. Ten years ago air pollution killed 20 persons in Donora, Pa., and sickened thousands more. Later studies performed by the U.S. Public Health Service have shown that those sickened in the 1948 Donora smog attack have had poorer health and higher mortality rates than their neighbors who were unaffected by the episode.

Other evidence could be cited, but one compelling fact is apparent: Polluted atmospheres over our Nation's urban areas already constitute a leading public nuisance,

and there is good reason to believe that the nuisance now is becoming a killer.

In spite of all we have tried to do in California to stem the rising tide of air contamination, our smog conditions have worsened. In Los Angeles County alone 6 million people are affected by eye irritation, visibility-cutting haze, and abnormally high concentrations of nuisance-causing contaminants. In this single county live more people than are to be found in 43 States of the Union, and their health, their comfort, their property are threatened by a problem beyond their ability to solve. Why?

In Los Angeles County more has been done to curb the sources of air pollution than in any other spot on the face of the globe. More than $70 million has been spent to muzzle the stacks of industry, and more than $10 million is being spent annually to collect and bury the area's 14,000 tons of daily refuse. Because of antismog laws in force in that county, there probably are fewer open fires there today than there were when the huts and tepees of an Indian race dotted the great Los Angeles Basin.

But this vigorous and costly antipollution program has not yet been able to control the river of pollution thrown daily from the largest single source of air contamination—which is the 3 million automobiles registered in the county.

We cannot assert that the automobile is the only source of air pollution worthy of note, nor can we conclude that automobile exhausts are a problem in every city in the Nation. Almost all of our modern living habits result in some form of air pollution, and we must recognize the infinity of possible sources and the technical complexity of the problem. But Los Angeles has largely conquered the problems posed by other sources and auto exhaust-originated smog remains. From the smelting of metal to the painting of manufactured goods, industrial operations have been brought within the scope of the local air-pollution control program.

According to informed officials in Los Angeles, several thousand tailormade pollution controlling or destroying devices have been installed on industrial plants located there. As a result of experience in southern California, solutions to most of the urban air pollution problems in the United States now can virtually be bought off the shelf. No longer is there any excuse for excessive industrial air pollution in this Nation, assuming only that existing technical information is assembled in usable forms and made available to those areas and jurisdictions where it is required.

For the automobile, however, there is yet no practicable solution, and this is the nub of the problem. We must stimulate the finest scientific research that money can buy so that this problem may be solved speedily. Today the control of automobile exhausts is the key to the solution of the smog problem in Los Angeles and in an increasing number of other areas. In spite of this, the automobile, alone, has been immune from local air pollution control efforts.

Los Angeles is a county on wheels. Its 1,200 square miles of coastal plain has been developed on a pattern molded by the automobile. Its great freeway systems are equaled by no other area, and its streets are crowded with motor vehicles in numbers far surpassing even the wildest imagination. The entire 6 million population of the area could be placed, at any given moment, in the front seats of their family automobiles—with plenty of room left over.

The entire metropolitan area has been built around the concept of the automobile as the basic mode of transportation. They have created a market for motor vehicles that could spell the difference between profit or disaster for the automobile industry. They are as dependent on the automobile for their continued community existence as a soldier is upon his rifle. But give the soldier a weapon that backfires, that blinds him in the seering flash of its explosion, and the soldier will not realize his purpose. He will perish.

And so it is in Los Angeles County, in the heavily populated coastal plains of California, and in other vital and growing urban areas of the Nation. Their very existence as thriving communities is dependent on the use of the modern automobile. But that tail-finned monster of chrome now threatens to choke the air they breathe with the smog-forming contaminants ejected from the engine and thrown out of the tailpipe.

This is the great dilemma of our most serious form of urban air contamination.

By its very character, by its basic design, the modern automobile has become an instrument of terror and discomfort. For every gallon of gasoline placed in its tank, from 4 to 7 percent of the fuel is exhausted into the air as an unburned or partially burned smog-forming hydrocarbon. In Los Angeles County, approximately 70 percent of the demonstrated smog-forming contaminants thrown into the atmosphere are derived from the operation of motor vehicles. And the 6 million people will continue to suffer from persistently frequent and severe attacks of eye-irritating smog until the automobile is controlled. Until the exhaust systems of the motor vehicle are successfully muzzled, until the most colossal problem of "bad breath" in history is solved, these millions will continue to suffer.

Why? Is it because the automobile industry of this Nation, and to some degree the petroleum industry, have not yet fully met their responsibility for this problem? Is it because these industries have not yet kept faith with the public they serve? I was appalled by the alleged progress reports given by these industries to the National Conference on Air Pollution. I was not impressed by the meagerness of the research effort they described.

For example, I could not help but think it strange that the automobile industry whose gross annual sales total more than $20 billion should be spending less than $1 million per year to protect the public health and welfare from the growing menace of automotive exhausts. I thought it strange that less money should be spent to meet a basic and compelling responsibility to the consuming American public than is spent on a single television program.

Since that report was given to the National Air Pollution Conference, there has been reason for hope that the attitude of the automobile industry has changed, that their sense of responsibility has been sharpened, and that the tempo of their research effort has been increased. Encouraging reports of progress were presented in January by industry members to the annual meeting of the Society of Automobile Engineers. Perhaps the challenge of this problem now has been perceived, but the risks and dangers of government relying too greatly on mere words must be recognized.

I believe it is the responsibility of the automobile industry and the gasoline refiners to accept major responsibility for solving the problems created by their products. And it is the responsibility of government to see that these industries do in fact meet this challenge.

Under present laws our State and local governments bear the responsibility for the enactment and enforcement of control regulations. I have told you how, in my State, Los Angeles County has made supreme efforts to curb smog by local controls administered through a county air pollution control district. The State of California has joined the attack on smog through our State Department of Public Health and our State Department of Motor Vehicles. Gov. Pat Brown, in a special message to the legislature on February 10, 1959, recommended new State laws to impose strict standards on the discharge of motor vehicle pollutants and to establish an effective system of inspection and enforcement.

Two weeks ago—about April 15—the legislature passed and the Governor signed the first of these as an urgency measure—the Rees-Richards bill, senate bill 117, requiring the State Department of Public Health to develop and publish such standards prior to next February. The legislature also adopted Joint Resolution No. 4 memorializing Congress to extend the Federal air pollution control program. More forceful State legislation will follow.

But the State and local governments alone cannot successfully tackle this problem unsupported by their Federal Government. The automobile is a creature of interstate commerce. Its parts are drawn from here and there, assembled everywhere, and the ultimate product is used on every street and highway in the Nation. It may be that positive Federal restrictions ultimately will be required with respect to vehicles transported in interstate commerce.

In the meantime, as minimum Federal action we should extend the Federal air pollution control law by approving the legislation now before us. S. 441, which was introduced by Senator KUCHEL, Senator CLARK, and myself, as amended in committee, proposes to raise the limit on authorized Federal expenditures from $5 million to $7½ million annually, and to extend this authority through June 30, 1964, in order to finance a broader Federal program of research and assistance by the U.S. Department of Health, Education, and Welfare. Under this broadened authority the Surgeon General of the United States, for example, could promulgate national standards on exhaust emissions and recommend regulations to the States to prevent the occurrence of public health nuisances.

To extend and broaden this law is the very least we can do at the Federal level, if we are to continue to leave to the States the responsibility for corrective action in order to stop the ravages of modern-day air pollution.

Mr. KUCHEL. Mr. President, I ask unanimous consent to have printed in the RECORD a copy of Assembly Joint Resolution No. 4 adopted by the California Legislature, and a statement on community air pollution funds, issued by the Department of Health, Education, and Welfare.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ASSEMBLY JOINT RESOLUTION 4

Joint resolution relative to requesting Congress to authorize further appropriations for air pollution control.

Whereas the entire Nation has been benefited during the operation of the Federal air pollution control program since its inception in 1955; and

Whereas current authorization for Federal appropriations concerning research and investigation of the many problems relating to air pollution control extends only to June 30, 1960; and

Whereas the country will suffer a great loss in matters relating to our increasing national problems of air pollution control if this program is not extended: Now, therefore, be it

Resolved by the Assembly and Senate of the State of California (jointly), That the Congress of the United States is respectfully

memorialized to enact necessary legislation to authorize further appropriations for air pollution control; and be it further

Resolved, That the Department of Health, Education, and Welfare fully utilize all appropriations for air pollution control to achieve the goal of a full, comprehensive, and effective national program in air pollution research; and be it further

Resolved, That the chief clerk, of the assembly is directed to transmit copies of this resolution to each Senator and Representative from California in the Congress of the United States.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PUBLIC HEALTH SERVICE

Community air pollution funds

[In thousands of dollars]

	Fiscal year 1956	Fiscal year 1957	Fiscal year 1958	Fiscal year 1959	Fiscal year 1960
I. By function:					
Research	1,551	2,124	3,170	3,366	3,732
Direct PHS research	518	806	1,297	1,663	1,981
Federal contract research	423	475	672	682	708
Non-Federal contract research	130	313	501	432	453
Research grants	480	530	700	590	590
Technical assistance	131	371	525	395	295
Direct PHS operations	131	300	395	355	225
Demonstration project grants	0	71	130	40	70
Training	40	245	305	251	185
Direct PHS training	40	79	135	151	115
Training grants	0	166	170	100	70
Total	1,722	2,740	4,000	4,012	4,212
II. By program area:					
Medical activities	350	675	1,073	1,139	964
Engineering activities	892	1,298	1,927	2,083	1,781
Joint medical-engineering	480	767	1,000	790	1,467
Total	1,722	2,740	4,000	4,012	4,212
III. By method of financing:					
Grants	480	767	1,000	730	730
Contact research	553	788	1,173	1,114	1,161
Direct PHS operations	689	1,185	1,827	2,168	2,321
Total	1,722	2,740	4,000	4,012	4,212

EDWARD ARTHUR PATTERSON LAKE

The joint resolution (S. J. Res. 16) to designate the lake to be formed by the water impounded by the Dickinson Dam in the State of North Dakota as "Edward Arthur Patterson Lake" was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the lake to be formed by the waters impounded by the Dickinson Dam in the State of North Dakota shall hereafter be known as "Edward Arthur Patterson Lake", and any law, regulation, document or record of the United States in which such lake is designated or referred to shall be held to refer to such lake under and by the name of "Edward Arthur Patterson Lake".

CONSTRUCTION OF BARDWELL RESERVOIR

The bill (S. 601) to authorize and provide for the construction of the Bardwell Reservoir was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, in recent years parts of Texas have suffered both severe floods and serious drought. This embraces the area of the proposed Bardwell Reservoir.

Droughts have lowered the ground water table and reduced the supply in local wells. Meantime, domestic requirements have increased to such an extent that ground water supplies for municipal and industrial use are inadequate.

The provision of 29,500 acre-feet of conservation storage in the Bardwell Reservoir would, in addition to the benefits to be derived from flood control, assure a water supply for nearby municipalities and prevent a recurrence of the existing water shortage.

This proposal is part of a comprehensive plan for improvement of the Trinity River and its tributaries in Texas. The bill provides for construction and operation of the Bardwell Reservoir on Waxahachie Creek, in the Trinity River Basin.

The Waxahachie Creek watershed is subject to severe and intense storms. Average annual flood damage along Waxahachie and the adjacent Chambers and Richland Creeks has been estimated at $437,290.

The need for additional water supply is general throughout the area, but is urgent in the cities of Ennis, Corsicana, and Waxahachie.

According to the 1950 census, more than 2 million people live within a radius of 100 miles of the Bardwell Reservoir site, and more than 1 million live within a 50-mile radius.

Construction of the Bardwell Reservoir would provide a dependable water supply to meet the urgent municipal needs of that area.

In addition to affording recreational opportunities, the Bardwell Reservoir would perform two major functions, both of which are vitally needed:

First. Control of floods in the Waxahachie Creek watershed; and

Second. Conservation of surface runoff for beneficial use.

The PRESIDING OFFICER. The bill is before the Senate and open to amendment. If there be no amendment to be offered, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the project for modification of the comprehensive plan for improvement of the Trinity River and tributaries, Texas, to provide for construction of the Bardwell Reservoir on Waxahachie Creek, is hereby authorized in accordance with the recommendations of the Chief of Engineers as contained in House Document Numbered 424, Eighty-fifth Congress, at an estimated total cost of $6,922,000.

SEC. 2. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

CONSTRUCTION OF FIREPROOF ANNEX FOR USE OF GOVERNMENT PRINTING OFFICE

The Senate proceeded to consider the bill (S. 219) to provide for the construction of a fireproof annex building for the use of the Government Printing Office, and for other purposes, which had been reported from the Committee on Public Works, with amendments on page 1, line 7, after the word "including", to strike out "equipment" and insert "the mechanical equipment for the building"; and, in line 9, after the word "Plant", to insert "in accordance with plans to be approved by the Architect of the Capitol"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be constructed in accordance with plans to be prepared by the Administrator of General Services and approved by the Public Printer, a fireproof annex building for use of the Government Printing Office, including the mechanical equipment for the building, connections with the present Government Printing Office buildings and utilities, interconnections with the Capitol Power Plant in accordance with plans to be approved by the Architect of the Capitol, access facilities over or under public streets, other necessary appurtenances or facilities, and such mechanical and other changes in the present Government Printing Office buildings as may be necessitated thereby.

SEC. 2. (a) To carry out the purposes of section 1 of this Act, the Administrator of General Services is authorized to acquire on behalf of the United States, by purchase, condemnation, donation, transfer without reimbursement, or otherwise, such publicly or privately owned real property in the District of Columbia (including streets and alleys or parts thereof) as may be located in

the area extending west of the property line at the rear of the present Government Printing Office Building Numbered 3, along H Street west of North Capitol Street to the alley connecting G and H Streets and south to Jackson Alley, including that portion of Jackson Alley adjacent to the proposed site bordered on the south by present Government Printing Office property and to the north by lots numbered 823, 824, 47, 48, 49, 68, 67, and including the "T" shaped public alley bounded by lots 64, 65, and 66 on the north, lot 67 on the east, Jackson Alley on the south and lot 68 on the west, in square numbered 624 in the District of Columbia.

(b) Any proceeding for condemnation ordered under subsection (a) shall be conducted in accordance with the pertinent provisions of the Act entitled "An Act to provide for the acquisition of land in the District of Columbia for use of the United States," approved March 1, 1929 (16 D.C. Code, secs. 619–644).

(c) The Administrator of General Services is authorized to provide for the demolition and removal as expeditiously as possible of any buildings or other structures on, or constituting a part of, such real property as may be acquired under, or made available for the purpose of this Act.

(d) The Administrator of General Services is authorized to cause the building herein provided for to be constructed pursuant to the applicable provisions of the Act approved May 25, 1926 (44 Stat. 630), as amended, but without regard to the appropriation authorizations contained therein, and pursuant to section 401, title IV, of the Act approved June 16, 1949 (63 Stat. 198), except as otherwise provided herein.

SEC. 3. There is hereby authorized to be appropriated to the Government Printing Office such sums as may be necessary to carry out the purposes of this Act, and such sums may be available for transfer to the Administrator of General Services to remain available until expended.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

STATE-OWNED HYDROELECTRIC POWER PROJECTS

The bill (S. 114) to provide for equal treatment of all State-owned hydroelectric power projects with respect to the taking over of such projects by the United States was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to facilitate the development and construction of water conservation facilities by States and municipalities, and for other purposes", approved August 15, 1953 (Public Law 278, Eighty-third Congress, 67 Stat. 587; 16 U.S.C. 828) is hereby amended by deleting from section 3 thereof the following: ", except that the provisions of section 14 and section 4(b) shall continue to be applicable to any license issued for a hydroelectric development in the International Rapids section of the Saint Lawrence River".

Mr. ENGLE subsequently said: Mr. President, has Calendar 171, S. 114, dealing with State-owned hydroelectric power projects, been passed?

The PRESIDING OFFICER. That bill was passed.

Mr. ENGLE. Mr. President, I ask unanimous consent that the Senate reconsider its action in passing the bill.

Mr. KEATING. Reserving the right to object——

Mr. ENGLE. I had a request to ask that that bill go over so that another Senator may discuss it.

Mr. WILLIAMS of Delaware. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ENGLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BARTLETT in the chair). Without objection, it is so ordered.

Mr. ENGLE. Mr. President, I withdraw my previous request for unanimous consent for reconsideration of the vote by which Calendar 171, Senate bill 114, was passed.

BILL PASSED OVER

The bill (H.R. 4601) to amend the act of September 1, 1954, in order to limit to cases involving the national security the prohibition on payment of annuities and retired pay to officers and employees of the United States, to clarify the application and operation of such act, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. KEATING. Over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. ENGLE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MCCARTHY in the chair). The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will resume with the call of the calendar.

MEASURES PASSED OVER

The bill (S. 455) to provide for the appointment of an assistant to the Secretary of State to assure joint policy and planning and equitable budgeting of exchange of persons programs and administrative cooperation between staffs engaged in carrying out such programs, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. ENGLE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The concurrent resolution (H. Con. Res. 34) favoring the meeting of the North Atlantic Treaty Parliamentary Conference for 1959 in Washington, D.C., was announced as next in order.

Mr. ENGLE. Over.

The PRESIDING OFFICER. The resolution will be passed over.

EXTENSION OF TIME FOR FILING REPORT ON S. RES. 318, 85TH CONGRESS

The resolution (S. Res. 100) to extend the time for report on Senate Resolution 318 of the 85th Congress, relative to preservation and display of Senate documents and records was considered and agreed to, as follows:

Resolved, That S. Res. 318, Eighty-fifth Congress (as amended by S. Res. 72, Eighty-sixth Congress), establishing a special committee of the Senate to study and report with respect to preserving memorabilia of the Senate, is further amended by striking out "April 2" in section 4 and inserting in lieu thereof "June 30".

MARY CUNNINGHAM

The resolution (S. Res. 104) to pay a gratuity to Mary Cunningham was considered and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Mary Cunningham, sister of Henry Patrick Kiley, an employee of the Senate at the time of his death, a sum equal to one year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

PRINTING OF ADDITIONAL COPIES OF CERTAIN HEARINGS ON TRANSPORTATION PROBLEMS

The concurrent resolution (S. Con. Res. 22) to print additional copies of certain hearings on transportation problems in Maryland, Virginia, and the Washington metropolitan area was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Joint Committee on Washington Metropolitan Problems, one thousand additional copies of the hearings held during the Eighty-fifth Congress entitled, "Transportation Problems in Maryland, Virginia, and the Washington Metropolitan Area."

PRINTING OF COPIES OF "CANNON'S PROCEDURE IN THE HOUSE OF REPRESENTATIVES"

The joint resolution (H.J. Res. 301) providing for printing of copies of "Cannon's Procedure in the House of Representatives" was considered, ordered to a third reading, read the third time, and passed.

BARGAINING WITH PURCHASERS BY COOPERATIVE ASSOCIATIONS OF MILK PRODUCERS—BILL PLACED AT FOOT OF CALENDAR

The bill (S. 753) to authorize cooperative associations of milk producers to

bargain with purchasers singly or in groups, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. KEATING. Mr. President, may we have an explanation of the bill from the authors of it?

The PRESIDING OFFICER. An explanation of the bill is requested.

Mr. JOHNSON of Texas. Mr. President, since the authors of the bill, the Senator from Vermont [Mr. AIKEN] and the Senator from Minnesota [Mr. HUMPHREY], are not immediately available, I ask unanimous consent that the bill go to the foot of the calendar, and I request the Senate aids to notify those two Senators.

The PRESIDING OFFICER. Without objection, the bill will be placed at the foot of the calendar.

EXTENSION OF SPECIAL MILK PROGRAM FOR CHILDREN—BILL PASSED OVER

The bill (S. 690) to provide for the increased use of agricultural products for industrial purposes was announced as next in order.

Mr. KEATING. Over.

The PRESIDING OFFICER. The bill will be passed over.

MILK PROGRAM FOR CHILDREN—BILL PASSED OVER

The bill (S. 1289) to increase and extend the special milk program for children was announced as next in order.

Mr. ENGLE. Over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. JOHNSTON of South Carolina subsequently said:

Mr. President, I should like to ask what disposition was made of Calendar No. 184, S. 1289, to increase and extend the special milk program for children?

The PRESIDING OFFICER. The bill was passed over.

Mr. JOHNSTON of South Carolina. Mr. President, I urge that the bill be scheduled for early consideration. It is especially necessary that we pass a bill such as this. This year it was necessary for us to pass an emergency bill to provide $3 million to take care of the milk program. From all indications in the hearings, we will need $2 million more, because of the increased population next year in the schools throughout the United States.

We have already gone into the program for 2 more years. The bill will be an enabling act. I should like to state to the Senate that year after year the Department of Agriculture has turned back money it did not use in this particular field.

I merely wanted to bring the situation to the attention of Senators.

Mr. ENGLE. The views of the Senator will be communicated to the majority leader and to the Policy Committee. I am sure the bill will be scheduled for consideration at an early date, as the Senater has requested.

Mr. JOHNSTON of South Carolina. I understand that the bill should not be passed by unanimous consent on the call of the calendar, but I wanted to make a brief explanation of the bill in order to get action on it as soon as possible.

Mr. PROUTY. Mr. President, I should like to explain to the distingushed Senator from South Carolina that we did not object to the bill on this side of the aisle.

BILLS PASSED OVER

The bill (S. 1120) to amend section 19 of the Federal Reserve Act with respect to the reserves required to be maintained by member banks of the Federal Reserve System against deposits was announced as next in order.

Mr. KEATING. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1062) to amend the Federal Deposit Insurance Act to provide safeguards against mergers and consolidations of banks which might lessen competition unduly or tend unduly to create a monopoly in the field of banking, was announced as next in order.

Mr. KEATING. Over.

The PRESIDING OFFICER. The bill will be passed over.

OLIVER O. NEWSOME

The bill (H.R. 1691) for the relief of Oliver O. Newsome was considered, ordered to a third reading, read the third time, and passed.

OTIS PARKS AND OTHERS

The bill (H.R. 2063) for the relief of Otis Parks, W. B. Dunbar, and J. C. Dickey was considered, ordered to a third reading, read the third time, and passed.

MILO G. AND PATRICIA WINGARD

The bill (H.R. 2281) to provide for the payment of relocation expenses to Milo G. and Patricia Wingard was considered, ordered to a third reading, read the third time, and passed.

STERILON CORP.

The bill (H.R. 2295) for the relief of Sterilon Corp., was considered, ordered to a third reading, read the third time, and passed.

AMERICAN HYDROTHERM CORP.

The bill (H.R. 2603) for the relief of the American Hydrotherm Corp., was considered, ordered to a third reading, read the third time, and passed.

LOIS K. ALEXANDER

The bill (H.R. 2949) for the relief of Lois K. Alexander was considered, ordered to a third reading, read the third time, and passed.

HILARY W. JENKINS, JR.

The bill (H.R. 3095) for the relief of Hilary W. Jenkins, Jr., was considered, ordered to a third reading, read the third time, and passed.

VIRGINIA E. SPEER

The bill (H.R. 3939) for the relief of Virginia E. Speer was considered, ordered to a third reading, read the third time, and passed.

SUSPENSION OF NUCLEAR WEAPON TESTS—RESOLUTION PASSED OVER

The resolution (S. Res. 96) favoring an international agreement for a suspension of nuclear weapon tests was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. ENGLE. Mr. President, I favor the resolution, and I hope it will be agreed to; but, by request, I ask that it go over for discussion at a later time.

The PRESIDING OFFICER. The resolution will be passed over.

T. V. CASHEN

The bill (H.R. 1411) for the relief of T. V. Cashen was considered, ordered to a third reading, read the third time, and passed.

POSTHUMOUS AWARD FOR SCIENTIFIC CONTRIBUTIONS MADE BY THE LATE PAUL M. TEDDER

The bill (H.R. 2099) to provide for a posthumous cash award in recognition of the scientific contributions in the field of electronic ordnance made by the late Paul M. Tedder was considered, ordered to a third reading, read the third time, and passed.

VALIDATION OF PAYMENTS OF QUARTERS ALLOWANCES

The bill (H.R. 2975) to validate payments of certain quarters allowances made in good faith, and pursuant to agreements by authorized officials, to employees of the Department of the Navy but which were subsequently determined to be inconsistent with applicable regulations was considered, ordered to a third reading, read the third time, and passed.

RELIEF OF CERTAIN MEMBERS OF THE ARMED FORCES HELD AS PRISONERS IN KOREAN HOSTILITIES

The bill (H.R. 4121) for the relief of certain members of the Armed Forces of the United States, or their survivors who were captured and held as prisoners of war in Korean hostilities was considered, ordered to a third reading, read the third time, and passed.

RELIEF OF CERTAIN MEMBERS AND FORMER MEMBERS OF THE NAVAL SERVICE

The bill (H.R. 4615) to relieve certain members and former members of the naval service of liability to reimburse the United States for the value of transportation requests erroneously furnished to them by the United States, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF NATIONAL AERONAUTICS AND SPACE ACT OF 1958

The bill (H.R. 4913) to amend the National Aeronautics and Space Act of 1958, to authorize the National Aeronautics and Space Administration to lease buildings in the District of Columbia was considered, ordered to a third reading, read the third time, and passed.

ALASKA INTERNATIONAL RAIL AND HIGHWAY COMMISSION

The Senate proceeded to consider the bill (S. 498) to extend the life of the Alaska International Rail and Highway Commission, which had been reported from the Committee on Interstate and Foreign Commerce, with an amendment, to strike out all after the enacting clause and insert:

That the Act entitled "An Act to establish an Alaska International Rail and Highway Commission", approved August 1, 1956 (70 Stat. 888), as amended, is amended—

(1) by striking out subsection (a) of the first section and inserting in lieu thereof the following:

"(a) (1) six of the members of the Commission shall be Members of the Congress of the United States, at least one of whom shall be a member from the State of Alaska, and not more than four of whom shall be members of the same political party; and

"(2) four of the members shall be selected from the executive branch of the Government, of whom, if practicable, one shall be from the Department of the Army, to be designated by the Secretary of the Army, one from the Department of the Interior, one from the Department of State, and one from the Department of Commerce; and

"(3) three of the members shall be selected from the general public, one of whom shall be a resident of Alaska and one of whom shall be a resident of the Pacific Northwest region of the United States."; and

(2) by striking out section 7 and inserting in lieu thereof the following:

"SEC. 7. The Commission shall report the results of its studies and submit its recommendations to the Congress from time to time, and shall make a final report and submit its final recommendations to the Congress at the earliest practicable time, but in no event later than June 1, 1961. The final report shall include estimates of the cost of construction of rail and highway facilities along the routes determined most feasible and beneficial by the Commission, together with estimates of the economic benefits to the United States, Canada, and Alaska. The Commission shall cease to exist for all intents and purposes, and all authority conferred by this Act shall and does terminate thirty days after the date of the submission of the final report or on June 30, 1961, whichever date occurs first."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill to extend the life of the Alaska International Rail and Highway Commission, and to make a change in the membership of such Commission."

INCORPORATION OF BLUE STAR MOTHERS OF AMERICA, INC.

The Senate proceeded to consider the bill (S. 1315) for the incorporation of the Blue Star Mothers of America, Inc., which had been reported from the Committee on the Judiciary, with amendments, on page 5, at the beginning of line 18, to strike out "Nation, during the emergency of World War II" and insert "United States in World War II or the Korean hostilities"; on page 8, after line 19, to strike out:

AUDIT OR FINANCIAL TRANSACTIONS

SEC. 14. (a) The financial transactions of the corporation shall be audited annually by a certified public accountant in accordance with the principles and procedures applicable to commercial corporate transactions and under such rules and regulations as may be prescribed by the Comptroller General of the United States. The audit shall be conducted at the place or places where the accounts of the corporation are normally kept. The certified public accountant, or his representatives, shall have access to all books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the corporation and necessary to facilitate the audit, and they shall be afforded full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians.

(b) The corporation shall file annually with the Comptroller General, in accordance with such regulations and upon such form as he shall prescribe, a complete statement of such annual audit, verified by the certified public accountant by whom the audit is made, for the fiscal year ending on June 30.

And, in lieu thereof, to insert:

AUDIT OF FINANCIAL TRANSACTIONS

SEC. 14. (a) The financial transactions of the corporation shall be audited annually by an independent public accountant of recognized standing in accordance with generally accepted auditing standards. The audit shall be conducted at the place or places where the accounts of the corporation are normally kept. The independent public accountant, or his representatives, shall have access to all books, accounts, records, reports, files, and all other papers, things, or property belonging to or in use by the corporation and necessary to facilitate the audit, and they shall be afforded full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians.

And, on page 10, at the beginning of line 4, to strike out "(c)" and insert "(b)", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following named persons, to wit: Ann Clumfoot, Port Huron, Michigan; Audree Jonechat, Covina, California; Nettie Ludwig, Milwaukee, Wisconsin; Esther Beer, Mansfield, Ohio; Evelyn Lauritson, Cedar Falls, Iowa; Ethel Stevensen, Fresh Meadows, New York; Etta Drayton, Flint, Michigan; Evelyn Bednar, Milwaukee, Wisconsin; Edna Crorey, Grants Pass, Oregon; Erma Sweeney, Long Beach, California; Josephine Plant, Waterloo, Iowa; Dorothy Christensen, Flint, Michigan; Mary Tracey, Brooklyn, New York; La Vina Shope, Lima, Ohio; Olga Barnes, Roseburg, Oregon; Levia Jamison, Jamestown, Pennsylvania; Jean Williams, Port Orchard, Washington; Ida Alford, Little Rock, Arkansas; Edna May Standing, Orange City, Florida; Charlotte Cobb, Chatham, Massachusetts; Ann Sine Gale, Milwaukee, Wisconsin; Ann F. Fetting, Smiths Creek, Michigan; Irene Uhl, Rosemead, California; Hazel Rue Scott, Arlington, Virginia; Louise Meyerhoff, Queens Village, New York; Ivah Jones, Long Beach, California; Florence Brown, Pontiac, Michigan; Erma Hoffman, Columbus, Ohio; Nellie Leonhardt, Detroit, Michigan; and all past national presidents, and their successors, retiring or leaving their office in good standing, are hereby created and declared to be a body corporate of the District of Columbia, where its legal domicile shall be, by the name of the Blue Star Mothers of America, Inc. (hereinafter referred to as the corporation), and by such name shall be known and have perpetual succession and the powers, limitations, and restrictions herein contained.

COMPLETION OF ORGANIZATION

SEC. 2. A majority of the persons named in the first section of this Act, acting in person or by written proxy, are authorized to complete the organization of the corporation by the selection of officers and employees, the adoption of a constitution and bylaws not inconsistent with this Act, and the doing of such other acts as may be necessary for such purpose.

PURPOSES OF CORPORATION

SEC. 3. The purposes of the corporation shall be: To perpetuate the Blue Star Mothers of America, Inc., and the memory of all the men and women who have served our country as members of the Armed Forces; the further object of this organization shall be patriotic, educational, social, and for service; to maintain true allegiance to the Government of the United States; to educate our members and others not to divulge military, naval, or other Government information; to assist in veterans' ceremonies, to attend patriotic rallies and meetings; to foster true democracy; to care for the unsupported mothers who gave their sons to the service of the Nation; to aid in bringing about recognition of the need of permanent civilian defense for each community and to ever be alert against invasion of un-American activities; to uphold the American institutions of freedom, justice, and equal rights, and to defend the United States from all enemies.

CORPORATE POWERS

SEC. 4. The corporation shall have power—

(1) to have succession by its corporate name;

(2) to sue and be sued, complain and defend in any court of competent jurisdiction;

(3) to adopt, use, and alter a corporate seal;

(4) to choose such officers, managers, agents, and employees as the activities of the corporation may require;

(5) to adopt, amend, and alter a constitution and bylaws; not inconsistent with the laws of the United States or of any State in which the corporation is to operate, for the management of its property and the regulation of its affairs;

(6) to contract and be contracted with;

(7) to take by lease, gift, purchase, grant, devise, or bequest from any public body or agency or any private corporation, association, partnership, firm, or individual and to hold absolutely or in trust for any of the purposes of the corporation any property,

real, personal, or mixed, necessary or convenient for attaining the objects and carrying into effect the purposes of the corporation, subject, however, to applicable provisions of law of any State (A) governing the amount of or kind of property which may be held by, or (B) otherwise limiting or controlling the ownership of property by, a corporation operating in such State;

(8) to transfer, convey, lease, sublease, mortgage, encumber and otherwise alienate real, personal, or mixed property; and

(9) to borrow money for the purpose of the corporation, issue bonds therefor, and secure the same by mortgage, deed of trust, pledge, or otherwise, subject in every case to all applicable provisions of Federal and State laws; and

(10) to do any and all acts and things necessary and proper to carry out the objects and purposes of the corporation.

MEMBERSHIP; VOTING RIGHTS

SEC. 5. Eligibility: A mother, adopted mother, or stepmother (a stepmother eligible for membership in the Blue Star Mothers of America, Inc., can claim that eligibility only if she has given a mother's care to the stepchild from the age of thirteen or under), living in the United States, of a son or daughter serving in the Armed Forces of the United States, or having a son or daughter who has served, or has been honorably discharged from the Armed Forces of the United States in World War II or the Korean hostilities. The term "Armed Forces" shall include the United States Army; United States Navy; United States Marines; United States Air Force; United States Coast Guard; National Guard; United States Army Reserves; United States Navy Reserves; United States Marine Reserves; United States Air Force Reserves; United States Coast Guard Reserves; United States Naval Militia; merchant marines; and the armed home guards who have served on active duty.

GOVERNING BODY

SEC. 6. The supreme governing authority of the corporation shall be the national convention thereof, composed of such officers and elected representatives from the several States and other local subdivisions of the corporate organization as shall be provided by the constitution and bylaws: *Provided*, That the form of the government of the corporation shall always be representative of the membership at large and shall not permit the concentration of control thereof in the hands of a limited number of members or in a self-perpetuating group not so representative. The meetings of the national convention may be held in any State or Territory or in the District of Columbia.

OFFICERS OF CORPORATION

SEC. 7. The officers of the corporation shall be selected in such manner and for such terms and with such duties and titles as may be prescribed in the constitution and bylaws of the corporation.

PRINCIPAL OFFICE; SCOPE OF ACTIVITIES; DISTRICT OF COLUMBIA AGENT

SEC. 8. The principal office of the corporation shall be located in the District of Columbia and shall have in the District of Columbia at all times a designated agent authorized to accept service of process for the corporation, and notice to or service upon such agent, or mailed to the business address of such agent, shall be deemed notice to or service upon the corporation.

USE OF INCOME; LOANS TO OFFICERS, DIRECTORS, OR EMPLOYEES

SEC. 9. (a) No part of the income or assets of the corporation shall inure to any of its members or officers as such, or be distributable to any of them during the life of the corporation or upon its dissolution or final liquidation. Nothing in this subsection, however, shall be construed to prevent the payment of compensation to officers of the corporation or reimbursement for actual necessary expenses in amounts approved by the council of administration of the corporation.

(b) The corporation shall not make loans to its officers or employees. Any member of the council of administration who votes for or assents to the making of a loan or advance to any officer or employee of the corporation, and any officer who participates in the making of such loan or advance, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

NONPOLITICAL NATURE OF CORPORATION

SEC. 10. The corporation and its officers and agents as such shall not contribute to any political party or candidate for public office.

LIABILITIES FOR ACTS OF OFFICERS AND AGENTS

SEC. 11. The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

PROHIBITION AGAINST ISSUANCE OF STOCK OR PAYMENT OF DIVIDENDS

SEC. 12. The corporation shall have no power to issue any shares of stock or to declare or pay any dividends.

BOOKS AND RECORDS; INSPECTION

SEC. 13. The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its national conventions and council of administration. All books and records of the corporation may be inspected by any member, or his agent or attorney, for any proper purpose, at any reasonable time.

AUDIT OF FINANCIAL TRANSACTION

SEC. 14. (a) The financial transactions of the corporation shall be audited annually by an independent public accountant of recognized standing in accordance with generally accepted auditing standards. The audit shall be conducted at the place or places where the accounts of the corporation are normally kept. The independent public accountant, or his representatives, shall have access to all books, accounts, records, reports, files, and all other papers, things, or property belonging to or in use by the corporation and necessary to facilitate the audit, and they shall be afforded full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians.

(b) A report of such audit shall be made by the corporation to the Congress and not later than March 1 of each year. The report shall set forth the scope of the audit and shall include a verification by the person or persons conducting the audit of statements of (1) assets and liabilities, (2) capital and surplus or deficit, (3) surplus or deficit analysis, (4) income and expense, and (5) sources and application of funds. Such report shall not be printed as a public document.

REPORT TO CONGRESS

SEC. 15. On or before March 1 of each year the corporation shall report to the Congress on its activities during the preceding fiscal year. Such report may consist of a report on the proceedings of the national convention covering such fiscal year. Such report shall not be printed as a public document.

USE OF NAME

SEC. 16. The corporation and its subordinate divisions shall have the sole and exclusive right to use the name, "Blue Star Mothers of America, Inc.", and no other organization shall use the name "Blue Star Mothers of America, Inc.". The corporation shall have the exclusive and sole right to use, or to allow or refuse the use of, such emblems, seals, and badges as have heretofore been used by the Blue Star Mothers of America.

USE OF ASSETS ON DISSOLUTION OR LIQUIDATION

SEC. 17. Upon dissolution or final liquidation of the corporation, after discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets, if any, of the corporation shall be distributed in accordance with the determination of the national executive board and in compliance with the constitution and bylaws of the corporation and all Federal and State laws applicable thereto.

RESERVATION OF RIGHT TO AMEND OR REPEAL CHARTER

SEC. 18. The right to alter, amend, or repeal this Act is expressly reserved.

The amendments were agreed to.

Mr. WILEY. Mr. President, this proposed legislation, as amended, would confer a Federal charter on the Blue Star Mothers of America, Inc.

The Blue Star Mothers of America is an organization dedicated to the memory of the men and women who have served the United States as members of the Armed Forces. This organization was incorporated in Wisconsin in 1942.

Membership in the organization is limited to mothers, adopted mothers, or stepmothers whose sons or daughters have served or have been honorably discharged from the Armed Forces of the United States in World War II or the Korean hostilities, or who have sons or daughters presently serving in the Armed Forces of the United States.

The Blue Star Mothers have today a membership of over 19,000, with 703 chapters located in practically every State of the Union.

Members of this organization work in Veterans' Administration hospitals on a volunteer basis, visiting and helping to care for the needs of ex-servicemen who are patients in these facilities. This organization has donated more than $30,000 to veterans' hospitals for surgical equipment.

Mr. President, I am very happy the bill will be passed, because it gives recognition to a group that has sought to get recognition. I might point out charters have been given to many other groups in America. I felt this group was a very worthy organization.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL AND JOINT RESOLUTION PASSED OVER

The bill (S. 1434) to amend title XI of the Merchant Marine Act, 1936, as amended, with respect to insurance of ship mortgages, and for other purposes, was announced as next in order.

Mr. WILLIAMS of Delaware. Over.

Mr. KEATING. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The joint resolution (H.J. Res. 254) to authorize participation by the United

States in parliamentary conferences with Canada was announced as next in order.

Mr. ENGLE. Over.

The PRESIDING OFFICER. The bill will be passed over.

LENDING OF CERTAIN MILITARY EQUIPMENT AND SERVICES TO BOY SCOUTS FOR USE AT WORLD JAMBOREE

The bill (H.R. 296) to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and to provide transportation and other services to the Boy Scouts of America in connection with the world jamboree of Boy Scouts to be held in the Philippines in 1959, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

LOAN OF CERTAIN MILITARY EQUIPMENT AND SERVICES TO BOY SCOUTS FOR USE AT FIFTH NATIONAL JAMBOREE

The bill (H.R. 7) to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and provide certain services to the Boy Scouts of America for use at the Fifth National Jamboree of the Boy Scouts of America, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

FINANCING OF NEW JET AND TURBOPROP AIRCRAFT

The Senate proceeded to consider the bill (S. 1368) to amend sections 503(a)(2) and 504 of the Federal Aviation Act of 1958, to facilitate financing of new jet and turboprop aircraft, which had been reported from the Committee on Interstate and Foreign Commerce with amendments, on page 2, line 13, after the word "interstate", to strike out "as, lessor" and insert "as lessor"; after line 22, to insert a new section, as follows:

SEC. 3. The proviso clause in section 503(d) of the Federal Aviation Act of 1958 is amended to read as follows:

"*Provided*, That an instrument recorded under section 503(a)(2) shall not be affected as to the engine or engines, or propeller or propellers specifically identified therein, by any instrument theretofore or thereafter recorded pursuant to section 503(a)(3).

And, on page 3, after line 5, to insert a new section, as follows:

SEC. 4. Clause (1) of section 503(f) of the Federal Aviation Act of 1958 is amended to read as follows:

"(1) the identifying description of the aircraft, aircraft engine, or propeller, or in the case of an instrument referred to in section 503(a)(3), the location or locations specified therein; and"

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (2) of subsection 503(a) of the Federal Aviation Act of 1958 is amended to read as follows:

"(2) Any lease, and any mortgage, equipment trust, contract of conditional sale, or other instrument executed for security purposes, which lease or other instrument affects the title to, or any interest in, any specifically identified aircraft engine or engines of seven hundred and fifty or more rated takeoff horsepower for each such engine or the equivalent of such horsepower, or any specifically identified aircraft propeller capable of absorbing seven hundred and fifty or more rated takeoff shaft horsepower, and also any assignment or amendment thereof or supplement thereto;

SEC. 2. That section 504 of the Federal Aviation Act of 1958 is amended to read as follows:

SEC. 504. No person having a security interest in, or security title to, any civil aircraft, engine or propeller under a contract of conditional sale, equipment trust, chattel or corporate mortgage, or other instrument of similar nature, and no lessor of any such aircraft, engine or propeller under a bona fide lease of thirty days or more, shall be liable by reason of such interest or title or by reason of his interest as lessor or owner of the aircraft, engine or propeller so leased, for any injury to or death of persons, or damage to or loss of property, on the surface of the earth (whether on land or water) caused by such aircraft, engine or propeller, or by the ascent, descent, or flight of such aircraft, engine or propeller or by the dropping or falling of an object therefrom, unless such aircraft, engine or propeller is in the actual possession or control of such person at the time of such injury, death, damage, or loss."

SEC. 3. The proviso clause in section 503(d) of the Federal Aviation Act of 1958 is amended to read as follows:

"*Provided*, That an instrument recorded under section 503(a)(2) shall not be affected as to the engine or engines, or propeller or propellers specifically identified therein, by any instrument theretofore or thereafter recorded pursuant to section 503(a)(3).

SEC. 4. Clause (1) of section 503(f) of the Federal Aviation Act of 1958 is amended to read as follows:

"(1) the identifying description of the aircraft, aircraft engine, or propeller, or in the case of an instrument referred to in section 503(a)(3), the location or locations specified therein; and"

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill to amend sections 503 and 504 of the Federal Aviation Act of 1958 to facilitate financing of new jet and turboprop aircraft."

BILL PASSED OVER

The bill (S. 226) to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes, was announced as next in order.

Mr. ENGLE. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

WONG BICK QUON (MARIA WONG)

The Senate proceeded to consider the bill (S. 178) for the relief of Wong Bick Quon (Maria Wong), which had been reported from the Committee on the Judiciary, with an amendment in line 7, after the words "United States", to insert a colon and "*Provided*, That the natural parents of Wong Bick Quon (Maria Wong) shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, Wong Bick Quon (Maria Wong) shall be held and considered to be the natural-born alien child of Mrs. Mary Fong Chan, a citizen of the United States: *Provided*, That the natural parents of Wong Bick Quon (Maria Wong) shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

STANISLAWA SIEDLECKA (REJMAN)

The Senate proceeded to consider the bill (S. 199) for the relief of Stanislawa Siedlecka (Rejman), which had been reported from the Committee on the Judiciary, with an amendment in line 3, after "101(a)(27)", to insert "(A)", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205, of the Immigration and Nationality Act, the minor child Stanislawa Siedlecka (Rejman) shall be held and considered to be the natural-born alien child of Mrs. Katarzyna Siedlecka, a citizen of the United States: *Provided*, That no natural parent of the beneficiary, by virtue of such parentage, shall be accorded any right, privilege, or status under the Immigration and Nationality Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ANGELINAS CUACOS STEINBERG

The Senate proceeded to consider the bill (S. 593) for the relief of Angelinas Cuacos Steinberg, which had been reported from the Committee on the Judiciary, with an amendment to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Angelinas Cuacos Steinberg, the widow of a United States citizen, shall be deemed to be within the purview of section 101(a)(27)(A) of that Act, and the provisions of section 205 of that Act shall not be applicable in this case.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SISTER MARY DAMION (MARIA SAVERIA D'AMELIO) AND OTHERS

The bill (H.R. 1535) for the relief of Sister Mary Damion (Maria Saveria D'Amelio), Sister Maria Tarcisia (Maria Giovanna Fenuta), and Sister Mary Regina (Maria Lizzi) was considered, ordered to a third reading, read the third time, and passed.

DIMITRIOS KONDOLEON

The bill (H.R. 1727) for the relief of Dimitrios Kondoleon (also known as James Kondolous) was considered, ordered to a third reading, read the third time, and passed.

GREAT LAKES BASIN COMPACT

The bill (S. 548) granting the consent of Congress to a Great Lakes Basin Compact, and for other purposes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given, subject to conditions hereinafter set forth, to any and all of the States of Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin to enter into a Great Lakes Basin Compact in the form as follows:

"GREAT LAKES BASIN COMPACT

"The party states solemnly agree:

"Article I

"The purposes of this compact are, through means of joint or cooperative action:

"1. To promote the orderly, integrated, and comprehensive development, use, and conservation of the water resources of the Great Lakes Basin (hereinafter called the Basin).

"2. To plan for the welfare and development of the water resources of the Basin as a whole as well as for those portions of the Basin which may have problems of special concern.

"3. To make it possible for the states of the Basin and their people to derive the maximum benefit from utilization of public works, in the form of navigational aids or otherwise, which may exist or which may be constructed from time to time.

"4. To advise in securing and maintaining a proper balance among industrial, commercial, agricultural, water supply, residential, recreational, and other legitimate uses of the water resources of the Basin.

"5. To establish and maintain an intergovernmental agency to the end that the purposes of this compact may be accomplished more effectively.

"Article II

"A. This compact shall enter into force and become effective and binding when it has been enacted by the legislatures of any four of the States of Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin and thereafter shall enter into force and become effective and binding as to any other of said states when enacted by the legislature thereof.

"B. The Province of Ontario and the Province of Quebec, or either of them, may become states party to this compact by taking such action as their laws and the laws of the Government of Canada may prescribe for adherence thereto. For the purpose of this compact the word 'state' shall be construed to include a Province of Canada.

"Article III

"The Great Lakes Commission created by Article IV of this compact shall exercise its powers and perform its functions in respect to the Basin which, for the purposes of this compact, shall consist of so much of the following as may be within the party states:

"1. Lakes Erie, Huron, Michigan, Ontario, St. Clair, Superior, and the St. Lawrence River, together with any and all natural or man-made water interconnections between or among them.

"2. All rivers, ponds, lakes, streams, and other watercourses which, in their natural state or in their prevailing condition, are tributary to Lakes Erie, Huron, Michigan, Ontario, St. Clair, and Superior or any of them or which comprise part of any watershed draining into any of said lakes.

"Article IV

"A. There is hereby created an agency of the party states to be known as The Great Lakes Commission (hereinafter called the Commission). In that name the Commission may sue and be sued, acquire, hold and convey real and personal property and any interest therein. The Commission shall have a seal with the words 'The Great Lakes Commission' and such other design as it may prescribe engraved thereon by which it shall authenticate its proceedings. Transactions involving real or personal property shall conform to the laws of the state in which the property is located, and the Commission may by bylaws provide for the execution and acknowledgment of all instruments in its behalf.

"B. The Commission shall be composed of not less than three commissioners nor more than five commissioners from each party state designated or appointed in accordance with the law of the state which they represent and serving and subject to removal in accordance with such law.

"C. Each state delegation shall be entitled to three votes in the Commission. The presence of commissioners from a majority of the party states shall constitute a quorum for the transaction of business at any meeting of the Commission. Actions of the Commission shall be by a majority of the votes cast except that any recommendations made pursuant to Article VI of this compact shall require an affirmative vote of not less than a majority of the votes cast from each of a majority of the states present and voting.

"D. The commissioners of any two or more party states may meet separately to consider problems of particular interest to their states but no action taken at any such meeting shall be deemed an action of the Commission unless and until the Commission shall specifically approve the same.

"E. In the absence of any commissioner, his vote may be cast by another representative or commissioner of his state provided that said commissioner or other representative casting said vote shall have a written proxy in proper form as may be required by the Commission.

"F. The Commission shall elect annually from among its members a chairman and vice-chairman. The Commission shall appoint an Executive Director who shall also act as secretary-treasurer, and who shall be bonded in such amount as the Commission may require. The Executive Director shall serve at the pleasure of the Commission and at such compensation and under such terms and conditions as may be fixed by it. The Executive Director shall be custodian of the records of the Commission with authority to affix the Commission's official seal and to attest to and certify such records or copies thereof.

"G. The Executive Director, subject to the approval of the Commission in such cases as its bylaws may provide, shall appoint and remove or discharge such personnel as may be necessary for the performance of the Commission's functions. Subject to the aforesaid approval, the Executive Director may fix their compensation, define their duties, and require bonds of such of them as the Commission may designate.

"H. The Executive Director, on behalf of, as trustee for, and with the approval of the Commission, may borrow, accept, or contract for the services of personnel from any state or government or any subdivision or agency thereof, from any intergovernmental agency, or from any institution, person, firm or corporation; and may accept for any of the Commission's purposes and functions under this compact any and all donations, gifts, and grants of money, equipment, supplies, materials, and services from any state or government or any subdivision or agency thereof or intergovernmental agency or from any institution, person, firm or corporation and may receive and utilize the same.

"I. The Commission may establish and maintain one or more offices for the transacting of its business and for such purposes the Executive Director, on behalf of, as trustee for, and with the approval of the Commission, may acquire, hold and dispose of real and personal property necessary to the performance of its functions.

"J. No tax levied or imposed by any party state or any political subdivision thereof shall be deemed to apply to property, transactions, or income of the Commission.

"K. The Commission may adopt, amend and rescind bylaws, rules and regulations for the conduct of its business.

"L. The organization meeting of the Commission shall be held within six months from the effective date of this compact.

"M. The Commission and its Executive Director shall make available to the party states any information within its possession and shall always provide free access to its records by duly authorized representatives of such party states.

"N. The Commission shall keep a written record of its meetings and proceedings and shall annually make a report thereof to be submitted to the duly designated official of each party state.

"O. The Commission shall make and transmit annually to the legislature and Governor of each party state a report covering the activities of the Commission for the preceding year and embodying such recommendations as may have been adopted by the Commission. The Commission may issue such additional reports as it may deem desirable.

"Article V

"A. The members of the Commission shall serve without compensation but the expenses of each commissioner shall be met by the state which he represents in accordance with the law of that state. All other expenses incurred by the Commission in the course of exercising the powers conferred upon it by this compact, unless met in some other manner specifically provided by this compact, shall be paid by the Commission out of its own funds.

"B. The Commission shall submit to the executive head or designated officer of each party state a budget of its estimated expenditures for such period as may be required by the laws of that state for presentation to the legislature thereof.

"C. Each of the Commission's budgets of estimated expenditures shall contain specific recommendations of the amount or amounts to be appropriated by each of the party states. Detailed commission budgets shall be recommended by a majority of the votes cast, and the costs shall be allocated equitably among the party states in accordance with their respective interests.

"D. The Commission shall not pledge the credit of any party state. The Commission may meet any of its obligations in whole or in part with funds available to it under Article IV (H) of this compact, provided that the Commission takes specific action setting aside such funds prior to the incurring of any obligations to be met in whole or in part in this manner. Except where the Commission makes use of funds available to it under Article IV(H) hereof, the Commission shall not incur any obligations prior to the allotment of funds by the party states adequate to meet the same.

"E. The Commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Commission shall be subject to the audit and accounting procedures established under the bylaws. However, all receipts and disbursements of funds handled by the Commission shall be audited yearly by a qualified public accountant and the report of the audit shall be included in and become a part of the annual report of the Commission.

"F. The accounts of the Commission shall be open at any reasonable time for inspection by such agency, representative or representatives of the party states as may be duly constituted for that purpose and by others who may be authorized by the Commission.

"Article VI

"The Commission shall have power to:

"A. Collect, correlate, interpret, and report on data relating to the water resources and the use thereof in the Basin or any portion thereof.

"B. Recommend methods for the orderly, efficient, and balanced development, use, and conservation of the water resources of the Basin or any portion thereof to the party states and to any other governments or agencies having interests in or jurisdiction over the Basin or any portion thereof.

"C. Consider the need for and desirability of public works and improvements relating to the water resources in the Basin or any portion thereof.

"D. Consider means of improving navigation and port facilities in the Basin or any portion thereof.

"E. Consider means of improving and maintaining the fisheries of the Basin or any portion thereof.

"F. Recommend policies relating to water resources including the institution and alteration of flood plain and other zoning laws, ordinances, and regulations.

"G. Recommend uniform or other laws, ordinances, or regulations relating to the development, use, and conservation of the Basin's water resources to the party states or any of them and to other governments, political subdivisions, agencies, or intergovernmental bodies having interests in or jurisdiction sufficient to affect conditions in the Basin or any portion thereof.

"H. Consider and recommend amendments or agreements supplementary to this compact to the party states or any of them, and assist in the formulation and drafting of such amendments or supplementary agreements.

"I. Prepare and publish reports, bulletins, and publications appropriate to this work and fix reasonable sale prices therefor.

"J. With respect to the water resources of the Basin or any portion thereof, recommend agreements between the Governments of the United States and Canada.

"K. Recommend mutual arrangements expressed by concurrent or reciprocal legislation on the part of Congress and the Parliament of Canada including but not limited to such agreements and mutual arrangements as are provided for by Article XIII of the Treaty of 1909 Relating to Boundary Waters and Questions Arising Between the United States and Canada. (Treaty Series, No. 548.)

"L. Cooperate with the Governments of the United States and Canada, the party states and any public or private agencies or bodies having interests in or jurisdiction sufficient to affect the Basin or any portion thereof.

"M. At the request of the United States, or in the event that a Province shall be a party state, at the request of the Government of Canada, assist in the negotiation and formulation of any treaty or other mutual arrangement or agreement between the United States and Canada with reference to the Basin or any portion thereof.

"N. Make any recommendation and do all things necessary and proper to carry out the powers conferred upon the Commission by this compact, provided that no action of the Commission shall have the force of law in, or be binding upon, any party state.

"Article VII

"Each party state agrees to consider the action the Commission recommends in respect to:

"A. Stabilization of lake levels.

"B. Measures for combating pollution, beach erosion, floods, and shore inundation.

"C. Uniformity in navigation regulations within the constitutional powers of the states.

"D. Proposed navigation aids and improvements.

"E. Uniformity or effective coordinating action in fishing laws and regulations and cooperative action to eradicate destructive and parasitical forces endangering the fisheries, wildlife and other water resources.

"F. Suitable hydroelectric power developments.

"G. Cooperative programs for control of soil and bank erosion for the general improvement of the Basin.

"H. Diversion of waters from and into the Basin.

"I. Other measures the Commission may recommend to the states pursuant to Article VI of this compact.

"Article VIII

"This compact shall continue in force and remain binding upon each party state until renounced by act of the legislature of such State, in such form and manner as it may choose and as may be valid and effective to repeal a statute of said state, provided that such renunciation shall not become effective until six months after notice of such action shall have been officially communicated in writing to the executive head of the other party states.

"Article IX

"It is intended that the provisions of this compact shall be reasonably and liberally construed to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence, or provision of this compact is declared to be contrary to the Constitution of any party state or of the United States, or in the case of a Province, to the British North America Act of 1867 as amended, or the applicability thereof to any state, agency, person, or circumstance is held invalid, the constitutionality of the remainder of this compact and the applicability thereof to any state, agency, person, or circumstance shall not be affected thereby, provided further that if this compact shall be held contrary to the Constitution of the United States, or in the case of a Province, to the British North America Act of 1867 as amended, or of any party state, the compact shall remain in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matters."

SEC. 2. Nothing contained in this Act or in the compact consented to hereby shall be construed to affect the jurisdiction, powers, or prerogatives of any department, agency or officer of the United States Government or of any international commission or agency over or in the Great Lakes Basin or any portion thereof, nor shall anything contained herein be construed to establish an international agency or to limit or affect in any way the exercise of the treatymaking power or any other power or right of the United States. In carrying out its functions under this Act the Commission shall be solely a consultative and recommendatory agency which shall cooperate with the agencies of the United States and shall report annually to the Congress and to the President or to any official designated by the President, make available to the Federal Government any information within its possession and always provide free access to its records by duly authorized representatives of that Government. The consent herein granted does not extend to paragraph B of article II or to paragraphs K and M of article VI of the compact; and consent is granted with respect to paragraph L of article VI of the compact subject to the following conditions: (1) cooperation shall be extended to and carried on with the Government of Canada or any of its subdivisions only through or with the approval of the Department of State; (2) cooperation with an international commission or agency having jurisdiction in the basin shall be extended only to the United States section thereof and in such manner as the section may direct; and (3) proposals to any such international commission or agency shall be submitted only to the United States section thereof and shall be submitted to that section only through the Government of the United States. The consent herein granted is on condition that recommendations under article VI, paragraphs B and G, shall not be made to any foreign government or subdivision thereof and that recommendations to international bodies or agencies shall be made through the Department of State.

SEC. 3. (a) A Federal representative to the Commission shall be appointed by the President, and shall report, in writing to the Senate, the House of Representatives, and to the President either directly or through such agency or official of the Government as the President may specify. Such representative shall have all the rights and privileges of any other member of the Commission except that he shall have no vote. (b) The Federal representative shall receive compensation and shall be entitled to travel expenses, including per diem in lieu of subsistence, in the same manner as provided for experts and consultants under sections 5 and 15 of the Administrative Expenses Act of 1946 and the Travel Expense Act of 1949, except (1) that his term of service shall be governed by the terms of this Act and shall not be affected by the time limitations of said section 15, and (2) his per diem rate of compensation shall be in such amount, not in excess of $100, as the President shall specify, but the total amount of compensation payable in any one calendar year shall not exceed $15,000: *Provided*, That if the Federal representative be an employee of the United States he shall serve without additional compensation: *Provided further*, That a retired military officer or a retired Federal civilian officer or employee may be appointed as such representative, without prejudice to his retired status, and he shall receive compensation as authorized herein in addition to his retired pay or annuity but the sum of his retired pay or annuity and such additional compensation as may be payable hereunder shall not exceed $15,000 in any one calendar year. (c) The Federal representative shall be provided with office space, consulting, engineering, and stenographic service, and other necessary administrative services. (d) The compensation of the Federal representative shall be paid from the current appropriation for salaries in the White House Office, or for staff assistance for the President in connection with special projects. Travel and other expenses provided for in subsections (b) and (c) of this section shall be paid from any current appropriation or appropriations selected by the head of such agency or agencies as may be designated by the President to provide for such expenses.

SEC. 4. The right to alter, amend, or repeal this Act is expressly reserved.

AMENDMENT OF ATOMIC ENERGY ACT OF 1954, AS AMENDED

The bill (S. 1197) to amend the Atomic Energy Act of 1954, as amended was announced as next in order.

Mr. KEATING. Mr. President, may we have an explanation of the bill?

Mr. ENGLE. Mr. President, this bill amends section 251 of the Atomic Energy Act of 1954, as amended, by deleting the words "and July" in the first sentence thereof. The first sentence of section 251 now provides that the AEC shall submit to the Congress, in January and July of each year, a report concerning the activities of the Commission. This amendment, in subtance, provides that the Commission shall in the future submit such report only in January and not also in July, and thus on an annual, rather than a semiannual basis.

Mr. KEATING. I thank the Senator for his explanation.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 1197) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 251 of the Atomic Energy Act of 1954, as amended, is amended by deleting the words "and July" in the first sentence thereof.

AUTHORIZATION FOR APPROPRIATIONS TO THE ATOMIC ENERGY COMMISSION

The bill (S. 1228) to amend Public Law 85–590, to increase the authorization for appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes, was announced as next in order.

Mr. KEATING. Mr. President, may I ask for an explanation of this bill, also?

Mr. ENGLE. Mr. President, this bill amends Public Law 85–590, the AEC Authorization Act for the current fiscal year 1959, to increase the authorization for project 59–c–5, phermex installation, Los Alamos, N. Mex., from $2,250,000 to $3,550,090, or a net increase of $1,300,000.

This amendment is just an increase in the authorization for the single project 59–c–5, and does not increase the total amount authorized by Public Law 85–590.

Mr. KEATING. I thank the distinguished Senator for his explanation.

I understand the bill was reported unanimously from the Joint Committee on Atomic Energy. Is that a correct understanding?

Mr. ENGLE. The Senator is correct. The bill was requested by the Atomic Energy Commission. The letter of the Commission and an unclassified analysis of the project are printed in the committee report, on pages 2 and 3 thereof.

Mr. President, I ask unanimous consent that the letter and analysis be printed in the RECORD at this point.

There being no objection, the letter and analysis were ordered to be printed in the RECORD, as follows:

U.S. ATOMIC ENERGY COMMISSION,
February 24, 1959.

Hon. CLINTON P. ANDERSON,
Chairman, Joint Committee on Atomic Energy, Congress of the United States.

DEAR SENATOR ANDERSON: I have submitted today to the Speaker of the House of Representatives and the President of the Senate proposed legislation which would amend the 1959 authorization act (Public Law 85–590) to increase the amount authorized for project 59–c–5, phermex installation, Los Alamos, N. Mex., to $3,550,000 from $2,250,000.

The increase of $1,300,000 is attributable to a sharp rise in the cost of components, the need for considerably more monitoring and control equipment than had been originally anticipated and changes in machine design to insure more satisfactory performance. No change is being made in the scope of the project. Since even greater emphasis must be placed upon nonnuclear methods of development during a test moratorium, the need for the phermex installation becomes more compelling than at the time the project was originally requested.

Copies of the proposed legislation and the unclassified analysis of the project are enclosed. Copies of the classified analysis will be furnished separately to your staff.

Sincerely yours,

H. S. VANCE,
Acting Chairman.

59–c–5. Phermex installation, Los Alamos, N. Mex., $3,550,000:

This project will provide a weapons diagnostic facility consisting of laboratory and power control buildings, phermex chamber, detection chamber and X-unit pad. This facility will be located in a remote technical area at Los Alamos.

During the past year the Los Alamos Scientific Laboratory has continued development work to improve the machine design. As a result of the more definitive information developed by this continual study, the estimated cost of the project has been increased by $1,300,000 over the amount authorized by Public Law 85–590. The higher estimate is attributable to a sharp rise in the cost of components, the need for considerably more monitoring and control equipment than had been originally anticipated and changes in machine design to insure more satisfactory performance.

The AEC also furnished the Joint Committee a classified statement containing additional information justifying this project which is necessarily classified because of the defense information and restricted data which it contains.

In a hearing held in executive session before the Subcommittee on Legislation on February 27, 1959, the following representatives of the AEC testified in support of this project: Mr. A. R. Luedecke, general manager; Brig. Gen. A. D. Starbird, director of the division of military application; and Mr. Don S. Burrows, controller. The testimony indicated that the project was ready for construction, and that the Commission considered it important for its atomic weapons development program.

COMMENTS OF THE JOINT COMMITTEE

1. Public Law 85–590 contains in section 102 certain limitations on the authority of the Commission to start projects authorized by section 101. Insofar as project 59–c–5 is concerned, it was provided that the Commission was authorized to start this project only if the currently estimated cost does not exceed by more than 25 percent the estimated cost set forth in the act, $2,250,000. Inasmuch as the current estimated cost is now $3,550,000, the increase of $1,300,000 is more than the maximum allowable 25 percent. Thus the Commission is not authorized to start project 59–c–5 without amendment to Public Law 85–590. The Commission has stated that the increase is attributable to the sharp rise in the cost of components, the need for considerably more monitoring and control equipment than had been originally anticipated, and changes in machine design to insure more satisfactory performance.

2. The Joint Committee recommends that this bill be considered and enacted by the Congress as soon as possible, in order that this project, important to our atomic weapons program, may proceed as expeditiously as possible.

CHANGES IN EXISTING LAWS

In accordance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill accompanying this report are shown as follows (new matter is printed in italic, and deleted matter is shown in brackets):

"PUBLIC LAW 85–590

"SEC. 101. PLANT OR FACILITY ACQUISITION OR CONSTRUCTION.—There is hereby authorized to be appropriated to the Atomic Energy Commission, in accordance with the provisions of section 261 a. (1) of the Atomic Energy Act of 1954, as amended, the sum of $386,679,000 for acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, as follows:

"* * * * * *

"(c) ATOMIC WEAPONS.—

"* * * * * *

"5. Project 59–c–5, phermex installation, Los Alamos, N. Mex., [$2,250,000] *$3,550,000.*"

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 1228) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 101(c) of Public Law 85–590 is amended by striking therefrom the figure "$2,250,000" for project 59–c–5, phermex installation, Los Alamos, N. Mex., and by inserting in lieu thereof the figure "$3,550,000".

REPRESENTATION OF INDIGENT DEFENDANTS IN CRIMINAL CASES

The bill (S. 895) to provide for the representation of indigent defendants in criminal cases in the district courts of the United States, was announced as next in order.

Mr. KEATING. Over, Mr. President.

I will say, Mr. President, that we have not had an opportunity to study any bills which may be on the calendar, from this point on.

The PRESIDING OFFICER. The bill will be passed over.

The clerk will state the bill at the foot of the calendar.

BARGAINING WITH PURCHASERS BY COOPERATIVE ASSOCIATIONS OF MILK PRODUCERS

The bill (S. 753) to authorize cooperation associations of milk producers to

bargain with purchasers singly or in groups, and for other purposes, was announced as next in order.

Mr. ENGLE. Over, by request, Mr. President.

Mr. AIKEN. Mr. President, I understood that an explanation of the bill was desired.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. AIKEN. I can understand perhaps why the Senator from California might want to have the bill go over. As originally introduced, the bill would have applied to all cooperative asssociations. There was rather strenuous objection from some of the cooperative group associations on the Pacific Coast, because of fear that passage of the bill would not work out to their advantage. Therefore, the bill was changed to apply to milk marketing cooperatives only.

The need for the bill is that under the law, the Capper-Volstead Act, the cooperative associations which do business in a marketing agreement area may get together and sit down with a distributor to bargain in relation to the distribution of milk, and all the cooperatives may get together and bargain with the distributor, but then under the Robinson-Patman Act they have to give the same identical terms to every other distributor and have to deal with the distributors one by one. For that reason, the process becomes rather expensive and it is a rather cumbersome way of doing business in a milk marketing area where there is a Federal order.

The bill would permit these groups to bargain with more than one handler at a time, because they have to give them all the same identical terms, whatever the terms may be.

The bill has been changed. It was amended in the committee last year, I believe, so as to prohibit strictly any discussion of resale prices of the milk. That was to overcome an objection on the part of the Department of Justice.

After those things were done, the bill was passed by the Senate last summer, without any opposition; but failed of passage in the House.

Under one law the milk cooperatives have to do one thing, and under another law they are constantly in trouble if they try to do it in the most efficient manner.

Mr. ENGLE. Mr. President, I have no personal objection to the bill, but by request, I ask that the bill go over.

The PRESIDING OFFICER. Objection is heard, and the bill will be passed over.

That concludes the call of the calendar.

Mr. ENGLE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOUGLAS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOUGLAS. I ask unanimous consent that the Chair lay before the Senate the unfinished business.

SECOND SUPPLEMENTAL APPROPRIATIONS, 1959

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H.R. 5916) making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes.

Mr. DOUGLAS. Mr. President, I offer the amendment which I send to the desk and ask to have stated. It is designated "4–28–59—A."

The PRESIDING OFFICER. The amendment offered by the Senator from Illinois will be stated.

The CHIEF CLERK. On page 31, it is proposed to strike out lines 10 through 18.

Mr. DOUGLAS. Mr. President, this amendment is directed toward eliminating the additional appropriation of $283,000 for furniture, and so forth for the new Senate Office Building. It should be remembered that last year when this question was before the Senate, an appropriation of $1 million was requested. I moved at the time that this figure be cut in half, and stated that in my judgment, $1 million was an excessive figure. I urged that instead of all the offices in the new building being equipped with new furniture, a large portion of the used furniture from the Old Senate Office Building be transferred to the new building. The final result was that the appropriation for $1 million was approved although that amount represented $300,000 less than was originally requested.

This year the Architect of the Capitol, Mr. J. George Stewart, came forth with a request that $293,000 additional be appropriated for furniture. This request, if granted, would, of course, practically bring the total appropriation to the $1,300,000 which was requested last year, which request the Senate Committee rejected and reduced to $1 million.

The Senate Committee on Appropriations this year has reduced the request of the Architect of the Capitol by $10,000, but retains a request for a further appropriation of $283,000.

Upon close inspection of the testimony of Mr. Stewart, under cross-examination by the Senator from Louisiana [Mr. ELLENDER] and the Senator from Mississippi [Mr. STENNIS], it appears that $113,000 of this amount is to provide additional furniture in 40 office rooms of the new building, $150,000 is to provide carpets in 207 rooms, at an average cost of approximately $750 per room per carpet. It is these major items which I believe should be eliminated from the bill. I should like to point out for the sake of the record what every Senator knows, that the corridors of the Old Senate Office Building are jammed with the furniture which has been taken out of the offices in that building, and which apparently is not to be used in the new building.

I mentioned on the floor of the Senate yesterday the results of the census which I had taken of the furniture. We had a count made yesterday. We found in the corridors and in the attic of the Old Senate Office Building 375 desks. That ought to be enough to provide furniture for 40 offices. We found 215 steel filing cabinets. That number would provide five filing cabinets to an office. We also found 400 chairs. That would make 10 chairs to an office. I mentioned the fact that there were also bookcases in the corridors, but I did not mention the number, because I had not then taken a census. However, I have had a census taken this morning, covering the four floors of the Old Senate Office Building. We found 85 bookcases there.

Therefore we have ample furniture, more than enough, to equip the 40 offices. There is no necessity whatever to spend $113,000 for furniture.

Now $150,000 is requested for carpets. The Architect of the Capitol, Mr. J. George Stewart, and the architects whom he has engaged for the building, were supposed to exercise great ingenuity in laying out the offices. They provided that the inner office of each Senator's suite should have a carpet, and the other offices were to have very fine rubber tile on the floor. The tile has been put in at great expense. Now it is claimed that the rubber tile is so dangerous that it is necessary to have carpets put down over it, at a cost of $750 per carpet. That is $150,000 more. There are other items, too, which are not needed, because we have on hand 85 bookcases, and there is no need for additional steel bookcases.

Therefore, this whole appropriation is unnecessary. At a time when the administration is making appeals to us to balance the budget, I believe it ill behooves the Architect of the Capitol, appointed by the President, and who holds his office at the pleasure of the President, to come forward with this request for expenditures for luxurious equipment.

Mr. President, this is not an issue between the Senator from Illinois and the Appropriations Committee. Last night I paid sincere tribute to the members of the Committee on Appropriations, particularly the distinguished Senator from Arizona, the committee chairman [Mr. HAYDEN], and I also paid tribute to the very able chairman of the subcommittee, the Senator from New Mexico [Mr. CHAVEZ]. They can in no sense be held responsible for what is going on. They are busy men. The Architect of the Capitol works at this job day in and day out with his staff assistants, and I believe, to say the least, he has not been economical in the expenditure of public funds.

This is only a part of the general program the Architect of the Capitol is carrying out. He was largely the moving spirit behind the construction of another House Office Building. Its exact cost is not certain, but this morning's Washington Post states it is to be $64 million. It will be interesting to see whether this figure will increase as the work progresses.

Mr. Stewart was largely responsible for the building of the new Senate Office Building, which initially was promised to cost only $20,600,000, but which now will cost over $25 million, and which, with the request for $750,000 more for construction and equipment in the new

building, the request for $283,000 for furniture, the request for $4 million for completing the subway, and bringing it across the road, and for the construction of a terminal which will rival the Moscow subway, will cost only $5 million more or a total of over $30 million.

Therefore, if we approve the program of the Capitol Architect, we will have an expenditure of $30,500,000. And the end may not be yet. I say that because in the testimony which the Architect gave before the subcommittee it was apparent that he would like to redevelop the north or Senate wing, and that he also has designs on the House wing. We know that he is reconstructing the central portion of the Capitol at a cost of at least $17 million.

Therefore, the Architect of the Capitol has mapped out a gigantic program. What we are really trying to do is to help the members of the Committee on Appropriations, who are busy men dealing with many other things, to resist the blandishments of the Capitol Architect. I say that this is not a case of the Senator from Illinois versus the Appropriations Committee in any sense. It is a case of the people of the United States versus the bureaucracy of the Eisenhower administration.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield to the Senator from Wisconsin.

Mr. PROXMIRE. I warmly commend the Senator from Illinois for the pending amendment and for the series of amendments which I understand he intends to call up. This is not an easy or pleasant thing to do, but it is essential and important that it be done.

I also commend the Senator from Illinois for his remarks about the Committee on Appropriations. I read his speech of last night, in which he emphasized the fact that the Appropriations Committee has done an outstanding job, and a very thorough job. Service on the Committee on Appropriations is perhaps the most onerous and difficult work in the Senate. The members of the committee have done an extremely good job. I am sure that the amendments offered by the Senator from Illinois are offered in a spirit of constructiveness and in an attempt to try to improve somewhat the excellent work which the members of the committee have already done.

It is extremely important for U.S. Senators, who believe in economy, to set a good example themselves. As I understand, the furniture to which the Senator has referred is for the use of Senators and their staffs.

Mr. DOUGLAS. That is correct. And it is also for use by committees.

Mr. PROXMIRE. And committees also, on which, of course, the Senator serves.

Mr. DOUGLAS. That is correct.

Mr. PROXMIRE. In the second place, I should like to ask the Senator from Illinois whether there has been any reply to him to the effect that the furniture is obsolete or cannot be used. I refer to the furniture which he found in the corridors and in the attic of the Old Senate Office Building.

Mr. DOUGLAS. Of course, it has been used. It was used until the last few days. It was used in the present or Old Senate Office Building. I have such furniture in my own office. I believe that furniture, like wine, improves with age. The old chairs are more comfortable than the new chairs. The old couches are more comfortable than the new ones. The old desks are perfectly adequate.

Mr. PROXMIRE. Can the Senator from Illinois, with his fertile imagination, think of anything which would justify the new furniture on the ground that it will provide better service for the increased taxes which will result?

Mr. DOUGLAS. No; I think it is sheer waste.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. CHAVEZ. Before any furniture was decided upon for the new building, a questionnaire was sent to each and every Senator. The new furniture was not forced upon Senators. They were asked in the questionnaire whether they wanted to move to the new building and also whether they wanted to take with them their old furniture, or to have new furniture provided.

Seventy-two percent of the Senators who answered wanted to move to the new building and to have new furniture. That was the only reason why the buying of new furniture was recommended.

Mr. DOUGLAS. This is a new Congress. There are many new Senators. When the new Senators came here, they did not commit themselves on a questionnaire. Apparently 28 percent of the Senators who answered the questionnaire, plus some of the other Senators, did not want new furniture. Since there are some 300 offices in the new building, this furnishing of 40 offices really refers to only 13 percent of the offices.

So I think under my proposal it will be possible to provide the simple life for those who like simplicity and will not force upon them the expenditures of the unwilling and imprudent; namely, luxury and extravagance.

Mr. CHAVEZ. A number of the senior Senators are remaining in the old building. I do not know how many rooms the Senator from Illinois has at the moment.

Mr. DOUGLAS. I have six.

Mr. CHAVEZ. I know the Senator is going to have two additional rooms assigned to him.

Mr. DOUGLAS. I will have two additional rooms assigned to me, after having handled a large volume of work for 10 years with only four offices.

Mr. CHAVEZ. I think the Senator is entitled to the additional rooms.

Mr. DOUGLAS. I thank the Senator from New Mexico. I am happy with the old furniture.

Mr. CHAVEZ. I know the Senator is. Everyone of those rooms has a rug in it, and has had it.

Mr. DOUGLAS. If the Senator from New Mexico thinks there is danger of slipping, I will allow him to have the rugs taken up from my offices and transferred to the New Senate Office Building, to be laid there.

Mr. CHAVEZ. No one denies the sincerity of purpose or the honesty of the Senator from Illinois. But, after all, certain committees have certain responsibilities given to them by law. There is a reason why all these things have been done. In connection with the extension of the Capitol, it was carried in the Legislative Appropriation Act of 1956.

Public Law 242, 84th Congress, provides for the extension, reconstruction, and replacement of the central portion of the Capitol in substantial accordance with an approved architectural plan, but "with such modifications and additions, including provision for restaurant facilities, and such other facilities in the Capitol Grounds, together with utilities, equipment, approaches, and other appurtenant or necessary items, as may be approved by said Commission."

Mr. DOUGLAS. Will the Senator from New Mexico forgive me for interrupting him? I think he is reading from the authorization for the changes in the central portion of the Capitol, not the authorization for the new office building.

Mr. CHAVEZ. That is correct.

Mr. DOUGLAS. I am one of those who voted against that authorization, but I do not think what I am now discussing relates to that.

Mr. CHAVEZ. It has to do with the tunnel to which the Senator from Illinois has referred.

Mr. DOUGLAS. I shall come to the tunnel in another amendment; for the moment I am speaking about furniture, carpets, et cetera.

Mr. CHAVEZ. Referring to furniture, whether the Senators who answered the questionnaire are now Members of the Senate or not, they were then Senators of the United States. Seventy-two percent of them, after they were asked, stated that they wanted to move into the new building, and that they wanted new furniture. Many Senators discussed the question with their office personnel—typists, clerks, and administrative assistants. The personnel informed their respective Senators that they wanted new furniture. The committee was only trying to carry out the desires of the Senators.

Mr. DOUGLAS. I think another vote should be taken on this question, so that the Senate as a whole can pass upon the matter. The 86th Congress has a number of new Senators. Some of them may be of a different mind.

Mr. CHAVEZ. I am glad there are new Senators here. The project of the new Senate Office Building was started by a predecessor of the Senator from Illinois.

Mr. DOUGLAS. That is correct; the man whom I defeated for the Senate.

Mr. CHAVEZ. Probably on that idea.

Mr. DOUGLAS. No, no; that was not an issue in the campaign.

Mr. CHAVEZ. Or on that justification. Nevertheless, it was started in 1949, but the start of the project was delayed so often that it became neces-

sary to wait until 1954. At that time, costs had risen. That is why the costs for the construction and furnishing of the new building have been so high. But the furniture was not forced on Senators at all.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I am glad to yield.

Mr. PROXMIRE. I was talked into moving into the new office building by my staff when I was in Wisconsin. When I returned and found I had been moved, I was most unhappy about it and changed my mind, but too late. I think one of the prerogatives of the office of a Senator is that a Senator may change his mind once in awhile. I should like to change my mind with respect to the questionnaire which was circulated. I ask the Senator from Illinois whether he has any knowledge that such a questionnaire has been circulated with respect to carpets. My office is now in the new office building. Four of the five rooms of my suite are not carpeted. I presume the proposal before the Senate now is to carpet those rooms.

Mr. DOUGLAS. That is correct.

Mr. PROXMIRE. I, myself, think it would be bad for a number of reasons.

Mr. DOUGLAS. Carpeting would be bad.

Mr. PROXMIRE. I think carpeting would tend to destroy attractiveness of appearance. I think the additional expense of $150,000 to lay carpets, without asking Senators about it, would be an extravagance.

Mr. DOUGLAS. I think it would make the Senate look ridiculous, very frankly. We should all care sufficiently for the good reputation of the Senate not to take such action.

I had hoped that the members of the committee would withdraw their requests, because, frankly, I think they have been talked into this by the Architect of the Capitol. I do not see any reason why we should defend his bureaucracy. The Architect of the Capitol is not chosen by either Congress or those who elect the Members of Congress; he is appointed by the President. He holds office at the pleasure of the President. His appointment does not have to be confirmed by Congress.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. AIKEN. Would not the Senator agree to an appropriation large enough to paint some attractive, lively murals on the walls of the tunnel between the Old Senate Office Building and the New Senate Office Building?

Mr. DOUGLAS. I think there is much to be said for paintings around the Capitol. I think they would perhaps cover up some of the other atrocities. I have often thought the walls could be used for paintings; but the trouble is that when such a suggestion is made, everyone has a different idea of what is art. I once got into a very unhappy experience on that subject when I helped to arrange for the decoration of some Midwestern post offices. There is always a controversy between the traditionalists and the modernists, between the classicists and the neoclassicists, between the portrait painters and the landscape painters. So it is very difficult to determine the kind of paintings to be used, and also where the portraits shall come from. The Senator from Vermont comes from a State which has some very eminent painters—at least, they spend their summers in Vermont.

Mr. AIKEN. They spend winters there, too. Even a snow scene would be better than the present drab walls. When one walks through the tunnel now he gets the impression that a chair may be waiting for him at the other end.

Mr. DOUGLAS. One of the paintings I like is of Mount Equinox. I would be glad to see a painting of Mount Equinox, if we could have one of the Dunes, as well.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. PROXMIRE. Although this is a small item, it is one of great importance, because it will reduce the expense of the U.S. Senate. This is a proposal for spending made by an officer appointed by the administration.

Mr. DOUGLAS. That is correct.

Mr. PROXMIRE. Appointed by the President of the United States.

Mr. DOUGLAS. That is correct.

Mr. PROXMIRE. The position of the Democratic Senator from Illinois is that the proposal is wasteful.

Mr. DOUGLAS. That is correct.

Mr. PROXMIRE. So the Senator from Illinois feels that we should not only oppose wasteful spending, but that we should accomplish, in practice, economy on ourselves and in our own offices.

Mr. DOUGLAS. That is correct.

And I hope our good friends on the Appropriations Committee, on both the Democratic side and the Republican side, will disavow this attempt to use them to help obtain expenditures for luxurious items.

Mr. CHAVEZ. Mr. President, if the last argument made by the Senator from Illinois had not convinced me that he is wrong, I might agree with him. But he is willing to spend money to have pictures of landscapes painted on tunnel walls, although he is not willing to have carpets placed in the new building, so the girls in the offices will not break their legs.

Mr. DOUGLAS. I meant to say that the paintings should be donated; and I am willing to subscribe to a fund for decorating the walls. I will start the fund right now; I will give $20 for a good mural.

In fact, I will make another offer: I will offer to buy rubber heels for every clerk, male or female, in the 250 offices; and if the Senator from New Mexico will send me the foot measurements of his clerks, I will send the heels to him tonight.

Mr. AIKEN. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I yield.

Mr. AIKEN. I wish wholeheartedly to endorse the offer the Senator from Illinois has made for the purchase of heels for all employees who work in the Senate Office Building—because, although he may not know it, in one town in Vermont more heels are manufactured than in all the rest of the country put together. In that town, soles are made, too.

Mr. DOUGLAS. I was going to ask whether Vermont had the record for the number of heels which it produces.

Mr. AIKEN. That is correct; more heels are made in that one town than in all the rest of the country put together—and they are for sale.

Mr. DOUGLAS. That is a dubious distinction.

Mr. AIKEN. I think the offer was dubious, too. [Laughter.]

Mr. CHAVEZ. Mr. President, will the Senator from Illinois yield to me?

Mr. DOUGLAS. I yield to the Senator from New Mexico.

Mr. CHAVEZ. I thank the Senator from Illinois for yielding to me.

It is very laudable of the Senator from Illinois to try to purchase rubber heels and soles for the girls who work in the Senate Office Building.

Mr. DOUGLAS. I do not think it is at all necessary, but I am willing to do it.

Mr. CHAVEZ. Let the Senator from Illinois try to do it, and let him see how many acceptances he will get. Evidently, he does not know the girls.

Mr. DOUGLAS. A second argument which has been advanced is that the electric typewriters make so much noise that it is necessary to install carpets, in order to deaden the sound. But there is already good insulation on walls and the ceiling.

Mr. CHAVEZ. For the moment, I shall confine my remarks to the suggestion about heels.

Mr. DOUGLAS. I am not an expert on that subject.

Mr. CHAVEZ. Two girls in the Senate Office Building already have broken their legs while they were working there.

Mr. DOUGLAS. What are their names?

Mr. CHAVEZ. I do not recall their names. But they had to go to the hospital.

Mr. DOUGLAS. Did they break their legs, or did they just fall? Many women have fallen, you know—although not in the Senate Office Building.

Mr. CHAVEZ. My point is that we do not want the young women who work in the Senate Office Building to be injured in any way.

Mr. DOUGLAS. I do not think there is any danger; I think it is a safe building—safe physically and safe morally. I repudiate the suggestion of the Senator from New Mexico.

Mr. CHAVEZ. No; the suggestion which was made was that the Senator did not want anyone to fall in the Senate Office Building.

Mr. DOUGLAS. The Senator from New Mexico is very solicitous.

Mr. CHAVEZ. Yes, I am. I have a good office force. I am very proud of those who work for me. I never saw harder work done anywhere in Washington than the work that is done by the young women who work for the Members of Congress.

Mr. DOUGLAS. But I do not think they need $150,000 worth of carpets.

Mr. CHAVEZ. They do not have the benefit of 8-hour laws or NRA hours. If the Senator for whom they work wants them to work until 8 or 9 o'clock in the evening, they will be there. Some of them work until 10 or 12 o'clock at night.

Mr. DOUGLAS. This is not an attack on the office force of the Senate. It is an attempt to save money for the taxpayers, because throughout the country people are in trouble; and many of those who are in trouble are compelled to pay Federal taxes that, if we are not careful, will be wasted. So we have the obligation to be economical.

Mr. CHAVEZ. Of course. But the Appropriations Committee also has an obligation.

This supplemental appropriation bill is not the creature of any particular member of the committete. The bill comes from the whole committee. The chairman of the committee, the Senator from Arizona [Mr. HAYDEN], presided over the committee's consideration of the bill. I participated in the consideration of the items in regard to the new office building and the so-called tunnel. I also participated in the consideration of the items which affect the Department of Defense. Other Senators who are on the committee worked on the items which affect other departments.

So the bill which has been reported to the Senate by the committee is the work of the whole committee. We worked on the bill in the best faith. The bill as we have reported it calls for appropriations of $82 million less than the amounts called for by the budget; and I do not think that is a very small amount of money.

Mr. DOUGLAS. Let me say to my good friend, the Senator from New Mexico, that I was very careful, both last night and in the beginning of my remarks today, to make it clear that I was not reflecting in the slightest on the members of the Appropriations Committee. I do not want the Senator from New Mexico to try to make my amendment appear to be an attack upon their integrity, their devotion to the country, or anything of the kind.

Mr. CHAVEZ. I do not so regard it.

Mr. DOUGLAS. But all Members of the Senate who vote for the passage of the bill will, in essence, approve all the items contained in it. If my amendment is rejected, that will mean that Senators approve of this appropriation of $283,000; and then, when we return to our States, we shall have to defend our action, because this is a democracy.

Personally, I do not think an item of this kind can legitimately be defended. I would hate to be asked, when I was in Illinois, "Why did you vote for spending money for furniture which was not needed and for carpets on floors which already are expensive—because they already have rubber tiling?"

Mr. CHAVEZ. If the Senator from Illinois will permit me to speak further, let me say there are better floors in the old Senate Office Building, because those floors are marble. Nevertheless, there are carpets on them.

Mr. LANGER. Mr. President, will the Senator from Illinois yield to me?

Mr. DOUGLAS. Yes; I am very glad to yield to my very dear friend, the Senator from North Dakota, whom all of us love. If anyone is in trouble, he can be certain that the Senator from North Dakota will come to his or her aid. Moreover, there is a touch of mischief in the Senator from North Dakota. So I await with interest what he is going to say.

Mr. LANGER. I want to come to the aid of the Senator from Illinois, because I think he is in trouble. [Laughter.]

Some years ago, before I was reelected, I conceived the idea of taking back to North Dakota, with me, the desk I had in my office in the Senate Office Building. Therefore, I had it appraised; I wanted to know what I would have to pay for that old desk. To my surprise, it was appraised at $800.

As I understand from reading the newspapers, there are scores of these desks. Can the Senator tell me the number?

Mr. DOUGLAS. Yes; there are 375 good desks in the corridors and in the attic.

Mr. LANGER. I am talking about the desks that Senators use. Mine was appraised at $800. And, even then, those in charge said they would not sell it, because they could not replace it.

Mr. DOUGLAS. The Senator from North Dakota is talking on my side of the issue.

Mr. LANGER. Yes, I am talking on the Senator's side; I am helping him.

Mr. DOUGLAS. Good.

Mr. LANGER. Because I think he is absolutely right. I do not see how we can go before the taxpayers and justify the purchase of scores and scores and scores of expensive new desks, when we already have all those desks available for use. I do not know of any Member of this body who would not be able to use one of those old desks?

Mr. DOUGLAS. I thank the Senator from North Dakota.

Does not he also believe that the chairs we have are good, too?

Mr. LANGER. They certainly are.

Mr. DOUGLAS. Four hundred of them are stacked up. Could not they be moved into the new offices? And there are 85 good wooden bookcases. They do not need to be scrapped and to be replaced with steel bookcases, do they? And there are 215 steel filing cases, each with 4 drawers.

Mr. LANGER. I wish to say that both the Republican platform and the Democratic platform called for economy. Here we have a chance to show that we are really in favor of economy. So I shall support the amendment of the Senator from Illinois.

Mr. DOUGLAS. As always, the Senator from North Dakota is the friend of the underdog.

Mr. CHAVEZ. Mr. President, I recall that at one time Secretary Wilson made a reference to kennels and dogs. So there is nothing wrong there.

In reference to the desks which now are piled up in every corridor of the Old Senate Office Building, let me say to the Senator from Illinois that as soon as the two extra rooms are made available to Senators, after the reconstruction work is done, every one of those desks will be used in those rooms. They are not to be given away to anyone, or sold. They are to be put back in the rooms of the Old Senate Office Building.

Mr. DOUGLAS. I already have my old desk and chairs. I believe Senators in the new building, with the exception of some of their rooms, already have their desks and chairs. What the Senator is asking is that we equip all the offices in the new building with new furniture. I am saying now, as I said last year, that I think we should utilize a large portion of the old furniture, instead of scrapping it and throwing it away.

Mr. CHAVEZ. I do not doubt the sincerity of purpose of the Senator from Illinois——

Mr. DOUGLAS. I do not doubt the sincerity of purpose of the Senator from New Mexico, so we are even.

Mr. CHAVEZ. I do not doubt a word the Senator says. I am trying to explain why the action complained of was taken. I have absolutely no quarrel with the argument of the Senator from Illinois, because I know he believes in what he is urging——

Mr. DOUGLAS. Why does not the Senator support me, then? I will withdraw my amendment and the Senator can offer the amendment, if he cares to.

Mr. CHAVEZ. Oh, no.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. LANGER. I was not present, but I understand there was some discussion about the tunnel yesterday.

Mr. DOUGLAS. Yes. I am coming to that in a moment.

Mr. LANGER. We are trying to run the whole world, and countries all over the earth. We have American boys sticking their noses into every country of the world except Russia and the satellite countries. Yet we are not smart enough to build a tunnel from the Capitol to the Senate Office Building. Is that correct?

Mr. DOUGLAS. I think the Senator is completely correct. The tunnel is a blind alley. I shall come to that subject later. Right now I want to stick to the subject of furniture.

Mr. LANGER. I want the Senator to know I am going to aid him in the tunnel amendment also.

Mr. DOUGLAS. Good for the Senator.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. DOUGLAS. Yes.

Mr. CHAVEZ. If we want to save money, there are many ways in which we can do so. In the same bill, the committee restored $100 million for foreign aid. The Senator is not willing to provide real necessities for our offices in order that the service Senators render may be facilitated, but he possibly will vote for the restoration of the $100 million. The Senator could save $100 million on that item.

Mr. DOUGLAS. The request for the restoration of the $100 million was made

by the President. Indeed, the restoration was less than he requested. He wanted $125 million. The committee restored $100 million. I may say that although I have been a supporter of foreign aid, I am in doubt as to how I am going to vote this time. I am tired not only of waste, but I am sick and tired of supporting the administration on foreign aid measures and then finding that the Republican Party and the Republican administration, because I supported this administration on foreign aid, accuse me of being a wild spender. So do not count me necessarily as a supporter of the foreign aid appropriation. I am in doubt as to how I shall vote. But I should like to point out that it has nothing to do with the subject of furniture. The "flowers that bloom in the spring tra-la" have nothing to do with the question of furniture.

Mr. CHAVEZ. The question does have something to do with it, because the item is in the bill, and the Senate will come to it eventually. The committee was not willing to give $2 million to the State of West Virginia so that people there could be put to work. There are about 60,000 miners out of work. Yet, money is provided in this bill to build a dam in Taiwan.

Mr. DOUGLAS. If the Senator is willing to eliminate the item for furniture and furnishings and apply the $283,000 for the relief of unemployed, I would be willing to withdraw both amendments and propose to provide that the money should be used for the distribution of food in West Virginia and Kentucky.

Will the Senator agree to that?

Mr. CHAVEZ. I would be glad to provide for such relief.

Mr. DOUGLAS. Would the Senator agree to put the $4,283,000 which is involved in a fund to purchase surplus food and distribute the food to the people of West Virginia and Kentucky?

Mr. CHAVEZ. I will tell the Senator why I will not agree.

Mr. DOUGLAS. Oh. [Laughter.]

Mr. CHAVEZ. The Senator does not want waste, and I am for——

Mr. DOUGLAS. Does the Senator mean he is for waste?

Mr. CHAVEZ. I am against the waste of money we appropriate.

Mr. DOUGLAS. Oh.

Mr. CHAVEZ. We have spent probably as much as we are going to get for the new tunnel. If the new tunnel is not completed, it will come to a dead end and will be a complete waste.

Mr. DOUGLAS. I will not speak about it until later, except to say that the Architect of the Capitol has apparently tried to confront us with an accomplished fact, and has not observed due caution and architectural commonsense in the laying out of the tunnel, but, instead, has brought the tunnel to about 100 feet from the Senate wing of the Capitol. He now wants about $4 million to complete it.

Mr. LONG. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. LONG. I hope the Senator realizes there is more than one way to waste money. The tight money, high interest rate policy of the present Administration has cost this country about $8 billion in taxes. That policy has cost probably 1,000 times as much as the total savings which would have been effected had the amendments the Senator has offered to reduce expenditures of the Government been enacted. The Senator has been quoted as advocating the high interest policies. Those policies have resulted in costing the people of this Nation about $15 billion each year. It operates as hidden taxes on the masses of our people.

Mr. DOUGLAS. I may say that the quotations which have been used by Secretary Humphrey have embarrassed me, too. First I am held up as a wild spender. Then I am called a fiscal savior. I will discuss the question later of whether the Federal Reserve Board should support the bond market and keep the interest rates artificially low; but the Senator from Louisiana and the Senator from New Mexico are trying to lead us away from the issue now before the Senate. The issue is whether the Senate should spend $283,000 for furniture and carpets which are not needed. That is the issue.

I am pained to see my fellow Democrats pulling the chestnuts out of the fire for the Architect of the Capitol, Mr. J. George Stewart, a Republican, who was nominated by a Republican President, and not confirmed by the Senate, who holds office at the will of the President. I am pained to see my fellow Democrats rush to his defense.

Mr. LONG. If the Senator would restrict his amendment to providing that no Republican's office shall have carpets, I might be willing to go along, but I expect to vote to have the rugs where secretaries of Democrats are going to be walking in the offices.

Mr. DOUGLAS. I do not think we should spend $150,000 for those rugs. I do not believe in it.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. PROXMIRE. If we may get back to a pertinent matter——

Mr. DOUGLAS. It would be welcome, indeed, to get back to something pertinent.

Mr. PROXMIRE. Something has been said which, if it can be verified, would have great influence on me. The implication was made that if the $113,000 for additional furniture is not provided, then staff assistants in the offices of Senators would be without desks, chairs, or necessary files. If that is not true, if the furniture referred to by the Senator from Illinois is sufficient to cover all the needs of Senators' offices, then I would enthusiastically support his position. I do not know how any Senator could be against it.

Mr. DOUGLAS. I may say that on page 1163 of the hearings there is a statement on the construction of the additional Senate office building. Cross-examination about that matter appears on succeeding pages.

There has already been spent, for furniture and furnishings, roughly, nearly a million dollars. On page 1176 of the hearings there is a list of the items, by contractor and by method of awarding the contract. The total is almost a million dollars, so that much has been spent on furniture already.

There are 40 offices which have not been equipped with new furniture. My proposal is to take the surplus of used furniture and put it into the 40 offices and committee rooms.

Mr. PROXMIRE. The position of the Senator from Illinois, as I understand it, is that since the size of staff has not changed much, with only two Senators more than there were last year, the million dollars should be adequate to provide all the necessary furniture we need for roughly the same sized staff and two more Senators' offices. That is the two additional Senators from Alaska. Is that a correct understanding?

Mr. DOUGLAS. Yes.

Mr. PROXMIRE. That seems to be sensible.

Mr. DOUGLAS. As a matter of fact, I do not think a million dollars was needed, to begin with.

Mr. PROXMIRE. I agree with the Senator.

Mr. DOUGLAS. I proposed that we cut the million dollars to $500,000.

Mr. CHAVEZ. Mr. President, the original request was for $1,350,000.

Mr. DOUGLAS. The Senator is correct.

Mr. CHAVEZ. The committee decided that the work could be done for a million dollars. After we went forward, we found that the million dollars would not adequately furnish the building. That is the explanation.

Mr. DOUGLAS. The million dollars would not furnish new furniture for every person who works in the new office building. My point is that some of the used furniture, which has been taken out of the offices in the old building, could be transferred to the new building. That is my position.

Mr. CHAVEZ. I will say to the Senator once again, with regard to the old furniture, that every piece of furniture presently there is going to be used in the Old Senate Office Building. If we want to furnish the new offices in the new building, we will have to provide new furniture. All the furniture which can be seen in the hallways will be used.

Mr. DOUGLAS. All I can talk about is what I know concerning my corridor, which is one-sixteenth of the building. The offices along that corridor, so far as I can tell, already have furniture in them. I have an adequtae supply of furniture in my six rooms. The furniture is perfectly adequate. However, there are hundreds of pieces in the hall, and some in the attic.

Mr. CHAVEZ. The largest suites in the old building were probably four rooms. It is contemplated that every Senator in the old building shall now have six rooms.

Mr. DOUGLAS. Senators already have that much room. The point is that in some offices previously the clerks were packed very closely together, and will not be packed as closely together in the future.

Mr. CHAVEZ. That is correct.

Mr. DOUGLAS. Therefore, there are surplus desks which have been moved out into the hall.

For instance, in one of my offices previously I had five assistants and now there are three. In another office I had five assistants, and now there are two. The surplus stock would have been moved out into the hall, except that we moved it laterally along the line into the new offices. We have equipped our six offices, I think, with identically the same furniture we had before. Therefore the furniture which was formerly in the two additional rooms I have is now surplus.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. DOUGLAS. I am happy to yield.

Mr. LANGER. I understood the Senator from New Mexico to say that each Senator in the old building would have six rooms.

Mr. CHAVEZ. That is correct.

Mr. LANGER. I have been robbed. I have only five rooms.

Mr. CHAVEZ. I will tell the Senator why: he does not watch over the situation. [Laughter.] The Senator should have kept in touch with the Senator from Arizona [Mr. HAYDEN] and the Senator from New Hampshire [Mr. BRIDGES], who belong to the group which assigns the rooms.

Mr. DOUGLAS. Mr. President, I ask for the yeas and nays on the pending amendment.

The yeas and nays were ordered.

Mr. DOUGLAS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection it is so ordered.

The question is on agreeing to the amendment offered by the Senator from Illinois [Mr. DOUGLAS].

FOREIGN AID

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the body of the RECORD at this point an editorial published in today's Wall Street Journal.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A PROPOSAL ON FOREIGN AID

One thing that makes U.S. foreign aid such a difficult issue to debate is that almost anything you say about it is true.

The U.S. aid program has done sensible things, and it has done foolish things. It has spent money efficiently, and it has spent wastefully. Among its administrators are men energetic and level-headed, and men who are boondogglers and dunderheads. It has been a boon to foreign countries, and it has been a bane to them. It has made us friends abroad, and it has lost them. It has thus advanced the interests of the United States, and it has done those interests injury.

We have lately had a close look at U.S. foreign aid ourselves, in places as varied as the advanced nations of Europe and the so-called backward nations of Southeast Asia, and it would not be difficult to marshal evidence for any of these views.

This explains, we think, why it has been possible for reasonable men to argue that our present gigantic aid program must be preserved intact. Or to argue that all foreign aid is sheer nonsense better abandoned altogether.

Yet it seems to us that the truth is neither the one nor the other. And it also seems to us that the task of finding it begins with the separation of the general question of whether there is a point in any foreign aid and the question whether the U.S. foreign aid program as presently conceived and executed is a sensible one.

Foreign aid is not necessarily condemned by condemning the present program. Nor, conversely, is the present program—$5 billion a year in some 70 countries—justified simply by justifying some uses for foreign aid.

For what they may contribute to the present debate, we will set down our own views. They are:

First, that there are circumstances today in which realism suggests that the United States can use foreign aid, economic or military, to promote its own best interests.

Second, that the present foreign aid program has lost touch with those realities and should be abandoned.

And third, that to find a foreign aid program manageable in size and reasonable in concept it will first be necessary to abolish the International Cooperation Administration, in fact as well as in name.

Foreign aid is one of the oldest, and at times one of the most useful, instruments of foreign policy.

Its origins probably reach farther back into history than history records, but it was certainly used extensively by the Romans in their day, by the British, French and other European powers, by the Russians in the days of the Czars and the Chinese in the days of the Emperors. In every case, the purpose and the objective has been straightforward: One country, by giving aid to another country, hoped to create or to preserve a state of affairs favorable to itself and saw some reasonable prospect that the aid would accomplish its purpose.

Today there are places in the world where this practical principle may apply to the United States. At least it is plain that without U.S. aid, military and economic, there would now be no such country as the Republic of Korea.

The critic of all foreign aid can argue whether the price paid was worth the gain. He would be hard put to argue that the aid in these cases did not have clear objectives against a measurable danger and a reasonable prospect of accomplishment—that is, that the aid could be disciplined by practical judgments.

It was on this principle that our foreign aid program was started and that, at the time of Greece and Turkey, it was supported by this newspaper.

But today our foreign aid program is something else again. From the premise that some foreign aid can be useful, our government has jumped to the conclusion that almost all foreign aid is justifiable. Foreign aid has ceased to be a precision tool of foreign policy and has become instead a program of "uplift" in all parts of the world. It is in this change that it has become unhinged from reason.

We no longer limit ourselves to giving some help, say, to Thailand that will strengthen its government or its people in resisting the military and diplomatic threats of Red China. Even in extending self-interest to generosity, we are not content with some modest aid that might attain some modest improvement in the Thai economy. We undertake to reshape the whole country, its agriculture, its industry, its public works, its schools, and even its customs and way of living.

In short, we no longer discipline ourselves in giving aid by hard, practical judgments on the point of danger, or on what we hope to accomplish or whether there is a reasonable prospect of accomplishing it. This gives our foreign aid program unattainable objectives, limitless costs, and accounts for practically all of its troubles.

Those troubles—the foolish spending, the waste, the graft, the irritation of the recipients with their benefactors—hardly need to be chronicled here. The point is that these are symptoms, not the real malady. The fundamental difficulty is in the concept of the foreign aid program, which makes all these things inevitable and buries what good there might be in foreign aid under an avalanche of errors.

The way back, it seems to us, must begin with a new sense of proportion on foreign aid, both as to the times and places where we will give aid and the manner in which we will give it.

This means abandoning the idea that the U.S. Treasury is a cornucopia for any country just because it is undeveloped, or backward or in financial troubles or could use some U.S. dollars. There's hardly any country in the non-Communist world that wouldn't fit such a loose standard; hardly any, in fact, that doesn't fit it now, and it is patently ridiculous for the United States to undertake to support some 70 countries.

It means, even when we do decide to aid some country, that we use some precision in what kind of aid we give for what purposes. Military aid to Korea, with a Red army across the border, is one thing; military aid to a South American country is something else again.

It means an insistence that the country can profitably use such aid as we do give and that it is willing to do its part.

And this means in practically every case that we turn from grants to loans, from the sweeping general program to consideration of specific projects, from sending hordes of American planners to sending a few technical advisers to help a country carry out its own plans in its own way, if we decide the plans are worth our helping at all.

We do not suppose that these will be easy decisions to make; in fact, the decisions will be harder than under the type of program we now have where many decisions are avoided by embracing nearly every kind of foreign aid almost anyplace.

But we are convinced that a program approached in this way will cost a fraction of what it now costs the U.S. taxpayer, that it will gain us flexibility in our foreign policy, and that in this fashion we may have a foreign-aid program that works to our own best interest instead of being, as it now too often is in too many places, a monstrous liability.

We are also now convinced that this is an impractical hope unless we first abolish the ICA.

This seems to us a prerequisite for two reasons. First, what is needed here is a completely new beginning which would replace the whole concept on which ICA is based. Secondly, under the concept of foreign aid we are now discussing, an organization like ICA would be unnecessary.

Once we turn from grants to loans, from U.S. planned projects to indigenous projects, from limitless to limited objectives, there will no longer be a need for a vast bureaucracy with swarms of oversea missions to replan the economy of these foreign countries.

And once we restore foreign aid to its role as an instrument of foreign policy, rather than as a program for uplift, there is not even need for a vast administrative machinery in Washington. The direction of it, and the primary policy decisions, could be made where other foreign policy is directed, in the State Department, with such military aid as may be necessary still handled by the Defense Department.

We recognize that even with this approach there will be some multiplication of offices. But it will help to correct what we are now persuaded was the fundamental error, the creation of a special organization to dispense foreign aid.

This is, indeed, the nub of the matter. An organization whose sole function is to give foreign aid is bound to proliferate plans and programs for spending because it has no other way to justify its existence. This is what has happened. A mission is sent to country X to "see what we can do for them" and by that process of bureaucratic cellular growth there sprout divisions to help on education, on roads, on public health or whatever. These need other divisions for housekeeping and soon the whole needs an office manager, a manager to manage the car pool and the secretary pool, a manager to manage personnel living facilities and so on ad infinitum.

And it is simply not realistic to ask the education division, for example, to re-think itself out of existence. Or the mission as a whole to replan its program around a concept that will in effect liquidate its reason for being.

Ours is, perhaps, a drastic proposal. But we think too much of the debate on foreign aid has been on an all-or-nothing basis. The public is being asked to endorse all of what we are doing now, in exactly the way we are now doing it, or to abolish foreign aid altogether. Faced with that choice, it is very difficult to make any kind of reasonable case for continuing the foreign aid program at all.

Yet what we really need is a reappraisal of what foreign aid can do to serve our best interests—and what it cannot do—as an instrument of foreign policy. And we are not likely to succeed in that until we are willing to scrap the present set-up and make a fresh beginning.

SECOND SUPPLEMENTAL APPROPRIATIONS, 1959

The Senate resumed the consideration of the bill (H.R. 5916) making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HAYDEN. Mr. President, I wish to invite the attention of the Senator from Illinois to some facts which he may have overlooked. From 200 to 250 employees of the Senate, who are attached to committees and subcommittees, have been moved into the two Senate Office Buildings. Most of them had been occupying quarters in buildings known as the Securities and Exchange Commission Building and the Home Owners Loan Corporation Building at the foot of Capitol Hill. They were rented quarters. By bringing those employees up to the Senate Office Buildings, we cease paying rent to other Government agencies.

The Committee on the Judiciary had the following subcommittees located elsewhere than in the office buildings: Internal Security, Antitrust and Monopoly, Constitutional Rights, Juvenile Delinquency, Patents and Trade Marks, Refugees and Trading With the Enemy.

The Subcommittee on Preparedness of the Committee on Armed Services, of which subcommittee the distinguished senior Senator from Texas [Mr. JOHNSON] is the chairman, also was located in rented quarters, as was a subcommittee of the Committee on Interior and Insular Affairs.

In addition, we have brought back to the Senate Office Buildings the indexers, who formerly occupied space in the Government Printing Office. It is now much more convenient for Senators to maintain contact with them.

Also, the Select Committee on Small Business, which is now practically a standing committee of the Senate, and the Joint Economic Committee, of which the Senator from Illinois is chairman, were located away from the Senate Office Buildings. All of the personnel of those committees are now being brought up from outside offices and placed either in the Old or the New Senate Office Building, where they are located much more conveniently for the service of Senators.

Naturally, it was necessary to provide furniture for these employees.

Mr. DOUGLAS. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. HOLLAND in the chair). Does the Senator from Arizona yield to the Senator from Illinois?

Mr. HAYDEN. I yield.

Mr. DOUGLAS. Is it not true that the members of the staffs of those subcommittees had furniture in the places where they previously worked?

Mr. HAYDEN. Yes.

Mr. DOUGLAS. Why did they not bring their furniture with them?

Mr. HAYDEN. My understanding is that some of it was rented furniture; it did not belong to the Senate. The Senate rented quarters and used some furniture borrowed from other departments of the Government.

Mr. DOUGLAS. Both furniture and quarters were rented?

Mr. HAYDEN. That is my understanding.

Mr. DOUGLAS. I do not want to embarrass the Senator from Arizona by asking these questions, because he really is not the person involved; it is the Architect of the Capitol. What does the Architect of the Capitol plan to do with the 385 desks, 400 chairs, 215 filing cabinets, and 85 wooden bookcases, which are now in the corridors of the Old Senate Office Building and in the attic? I think they can be used to furnish the rooms of the suites of Senators and committees. That is my whole case.

Mr. HAYDEN. I think most of the articles of the nature which the Senator mentioned will be returned to the old rooms after the rooms have been painted.

Mr. DOUGLAS. I think that as every Senator has become settled, there has been a thinning out of the equipment. Equipment which had been accumulating in four rooms is now placed in five or six rooms. What has happened is that Senators who have moved out of the old building have had their old furniture placed in the halls, and when they moved into the new building they received new furniture at a cost of a million dollars.

Mr. HAYDEN. And each of the Senators who take their places will occupy five rooms in the building and will use the same furniture, after the rooms are painted.

Mr. DOUGLAS. I understand that. But are not most of the suites painted now?

Mr. HAYDEN. They are being painted. As I walk along the corridors I see many rooms which are not yet painted, and I see the furniture in the halls outside. And as I see the rooms painted, I see the furniture returned to the rooms.

Mr. PROXMIRE. Mr. President, will the Senator from Arizona yield to me?

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from Wisconsin?

Mr. HAYDEN. I yield.

Mr. PROXMIRE. The Senator said there were 275 people in the Securities and Exchange Building.

Mr. HAYDEN. I said there were about 200 or 250 employees in the Securities and Exchange Building and the Home Owners Loan Building.

Mr. PROXMIRE. Does the Senator from Arizona have the figures for the number of indexers?

Mr. HAYDEN. There are very few.

Mr. PROXMIRE. Twenty or thirty or so?

Mr. HAYDEN. No; less than half a dozen.

Mr. PROXMIRE. So, altogether, the total would be approximately 300 additional persons; is that correct?

Mr. HAYDEN. Perhaps.

Mr. PROXMIRE. One million dollars has been spent on furniture so far, after being appropriated last year; and now the request is for an additional $283,000; is that correct?

Mr. HAYDEN. That is furniture for the new building. The old furniture we have is used in the old building.

Mr. PROXMIRE. As I understand, the only ones who will need new furniture are, first, those the Senator from Arizona has just listed, who at the present time use rented furniture, and who would have permanent furniture; and, second, the staffs of the two Senators from Alaska, who were not here during the last session. Therefore, it seems to me that the $283,000 would be available for furniture for 300 or 350 persons. Is that correct?

Mr. HAYDEN. Not at all. The Senator must remember that Senators whose offices remain in the old Senate Office Building—those who could not get rooms in the new building—will have more rooms, and will need furniture for them.

Mr. PROXMIRE. I understand. But instead of having his office staff in a few rooms, with the desks and chairs jammed together, each such Senator will now have not more than three or four members of his staff in a room. But the same number of desks will be used, and

the same number of chairs will be used; and, roughly, the same number of filing cabinets will be used. There simply will be more room.

Mr. HAYDEN. Is it the Senator's suggestion that the old desks could not be used in the new office building?

Mr. PROXMIRE. I, myself, would be delighted to use some of the old desks. My point is that when we are providing equipment and furniture for the committees, it may or may not be sensible or economical to use the old furniture we now have, rather than to scrap that furniture and buy new furniture.

Mr. HAYDEN. We are equipping the committee rooms and the subcommittee rooms with furniture. Obviously they have to have furniture.

Mr. PROXMIRE. The position of the Senator from Arizona, as I understand it, is that we have spent $1 million for additional furniture, and that we need another $285,000, roughly, in order to complete the provision of furniture for approximately 300 or 350 persons who previously used rented furniture.

Mr. HAYDEN. I do not know about that, at all. The amount of money appropriated for furniture for the new building turned out to be insufficient. Is not that correct?

Mr. CHAVEZ. That is correct. The first request was for $1,350,000. The committee thought it could provide the needed furniture for $1 million, so it asked for only $1 million. But after the building was finished and after the furniture was moved in, we found that we did not have enough furniture, even with what had been bought with the $1 million.

Mr. PROXMIRE. I understand that $115,000 is the proper figure for the extra furniture, disregarding the item of carpets. Is it the position of the Senator that when that furniture is available, there will still be a deficiency of desks and chairs?

Mr. HAYDEN. I understand that a certain number of tables, chairs, and so forth, are required in order properly to equip the new offices in the New Senate Office Building, and that that amount of money is required for that purpose. However, I am not an authority on the subject.

Mr. CHAVEZ. Mr. President, will the Senator from Arizona yield to me

Mr. HAYDEN. I yield.

Mr. CHAVEZ. For several years we were considering the situation in the offices of Senators. We found, for instance, that the Senators from New York had the same number of clerks the Senators from New Mexico had—although obviously such an arrangement is unfair, because the much larger population of New York State requires the office forces of the Senators from New York to do three or four or five times as much work as that done by the office staffs of the Senators from New Mexico. Therefore, we included in the appropriation bill the amounts required on the basis of population. In other words, a Senator who represented a State with a population of 5 million would be allowed to employ a certain number of additional clerks; and a Senator who represented a State with a population of 2 million would be allowed to employ a lesser number of additional clerks. In many instances, some of the Senators from the larger States could not house all their employees in the rooms in the Senate Office Building which were assigned for their use. That is one of the reasons why many of those employees even had to use rooms downtown. I recall that we even had to go to the Library of Congress and try to obtain office space there; and I recall that when Senator Lehman was a Member of this body, he had about 12 employees in offices downtown, because there was not sufficient space for them in the Senate Office Building.

Mr. STENNIS. Mr. President, will the Senator from Arizona yield to me?

Mr. HAYDEN. I am glad to yield; or the Senator from Mississippi can have the floor.

Mr. STENNIS. Mr. President, I can throw additional light on the furniture item. Last year, I was chairman of the Legislative Subcommittee of the Appropriations Committee. When the matter came to us, the estimates had already been made for the new furniture, based on the requests which had been submitted. The figure was $1,350,000. There had been discussions in the newspapers, and perhaps mention on the floor, that some kind of special deal was going to be made about the furniture, that no competitive bids would be taken, and that the transaction would be a private one.

I remember that the Senator from Illinois was very reasonable in what he said to me about the matter. We made specific demand that competitive bids be taken in all possible cases. Then, as an experiment, we cut this figure in last year's appropriation bill to $1 million; and we asked the commission to do all it could to hold the amount within that figure.

In light of what has happened, we are already right back to almost the identical figure—actually, a little less than that. The furniture has been purchased. There is not a scintilla of evidence of any wrongdoing about the matter or of any special "deal." Ninety-nine percent of the furniture was purchased on the basis of competitive bids.

So the amount now requested is just the second increment of what the original, known request was.

The only question is whether the Senate—not the Architect of the Capitol, not the Congress, but the Senate—is going to reverse itself, and is not going to supply the building with new furniture of proven quality and kind.

Mr. BRIDGES. Mr. President, will the Senator from Mississippi yield to me?

The PRESIDING OFFICER (Mr. TALMADGE in the chair). Does the Senator from Mississippi yield to the Senator from New Hampshire?

Mr. STENNIS. I am glad to yield, if I have the floor.

Mr. BRIDGES. I wish to substantiate what the distinguished Senator from Mississippi has said. He is the chairman of the Legislative Subcommittee, and I am the ranking Republican member of the subcommittee. The statement he has made about the original request—namely, that it was $1,350,000—is correct. We felt that by reducing that amount, and by providing at that time only $1 million, which may or may not have been a mistake—that would have a tendency to cause the proceedings to be watched more carefully; and the result—if we proceeded in that way—might be a little more economy; and then we could have those in charge come back to the committee and ask for the exact amount of additional money they needed. We may have been wrong in proceeding in that way; but we proceeded from the point of view of what was best for the Senate and what was best in the interest of economy. In the way we proceeded we had a chance for a second look.

Mr. PROXMIRE. Mr. President, on this point, will the Senator from Mississippi yield to me?

Mr. STENNIS. I shall be glad to yield.

First, let me thank the Senator from New Hampshire for the statement he has made. He and I were on the committee; and I agree with what he has said.

Now I yield.

Mr. PROXMIRE. Does the item of $283,000 include the cost of installing rugs? I understand that the installation of rugs is the major item of the cost; and it seems to have developed rather recently.

Mr. STENNIS. The item to which my remarks pertain is solely the one for furniture for the new building. It was the estimate of the Architect that it would cost $1,350,000. But, for the reason which has been stated by the Senator from New Hampshire, we reduced that amount to $1 million.

Mr. PROXMIRE. And the item now under discussion is for $115,000, I believe.

Mr. STENNIS. This item is for $283,000, as I recall.

Mr. PROXMIRE. I understand; and I understand that it includes $150,000 for carpeting.

Mr. STENNIS. That is correct; the carpeting is included in the item of $283,000.

Mr. PROXMIRE. I understand that the furniture will cost $115,000-plus; in other words, there is some additional amount for filing cabinets.

Mr. STENNIS. Yes; that is approximately correct. I have not reviewed the figures in the last few months.

Mr. PROXMIRE. The Senator's point would apply to furniture; but the carpeting is something additional and extra; is it?

Mr. STENNIS. That is correct. The carpeting is a new item. I did not mean to convey anything to the contrary.

I may say I have known about the need for additional facilities that has existed for years, and I have known of the conditions which have existed in the Old Senate Office Building, where the personnel have been working all these years. I do not know of any place which has been more crowded or where the people have worked harder than at least some of those who have been attached to the staff of the Senator from

Illinois and some of the other staffs. As I walked by open doors, I observed some of the people working on perhaps one of his committees. The personnel come early in the morning. They are there all day. They work into the night. They have been working under those conditions for all these years. Young ladies at typewriters have had to work with perhaps the noise of five or six other typewriters pounding in their ears. If our medical authorities are correct in stating that a health factor is involved, then I do not think any employer in the Nation has neglected its workers more than the Senate has in some cases. The new building and adequate furniture have been long overdue.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. STENNIS. I yield to the Senator from Pennsylvania.

Mr. SCOTT. I would not want to let the impression get around that carpeting serves no purpose or that carpeting is unnecessary. I am located in the old office building and intend to remain there, but the use of carpeting serves a very important purpose so far as acoustics are concerned. Trouble is already being encountered in the attempt to reduce the amount of noise. Excessive noise results in tensions and difficulty in getting work done.

While the item now under consideration does not affect me personally, I think there is a particular purpose to be served by the use of carpeting, whether it be new or old carpeting. I do not believe rubber-tiled flooring is the answer from the standpoint of health and safety factors. I desired to bring that thought to the attention of the Senator from Mississippi.

I am heartily in sympathy with the attempts and desire of the distinguished Senator from Illinois to save money. I am fairly certain that the use of carpeting for the suites in the New Senate Office Building will not only improve the efficiency of the employees through lessening noise and providing more comfortable working conditions, but will actually save money in the long run; my concern regarding this amendment has to do with the best use to be made of surplus furniture, and on that basis I may support the amendment.

I wish to quote to the Senate the reasons given by the Architect of the Capitol for the inclusion of carpeting in the suites. He said, and I quote:

> In my report I explain that by stating that since the time when the building was originally planned and the use of the rubber tile was approved for all offices except the Senators' private offices, the use of electric typewriters and other machines have become much more prevalent, with the added noise of operations. When these machines are operated from stands or desks resting on tile, the noise factor is greatly increased, although acoustical tile and other acoustic materials are utilized on the walls throughout the suites. The use of carpets with rubber cushions underneath will greatly reduce the noise of the machine operation. Other advantages are that the carpets are safer to walk on, and the carpets will improve the appearance of the rooms, also, the daily cleaning and waxing of the rubber tile is more difficult and more costly, than daily cleaning of carpets.

Maintenance costs with carpets range from 40 percent to 50 percent less than maintenance costs for most floors. Over any period of time, this, of itself, amounts to enough to pay for most of the carpet costs and also installation costs. Furthermore, the modern carpet wears remarkably well and also protects other surfaces which are vulnerable to wear.

The controversy surrounding carpets here concerns offices, but a rapidly growing trend is the installation of carpeting not only in offices, but in corridors. The new Socony-Vacuum Building in New York, for example, has wall to wall carpeting in offices and corridors. So does the Alcoa Building in Pittsburgh; and the new Union-Carbide Building in New York, I am informed, also will have carpeting in the halls. The owners of these buildings are not operating them as a public service. It is necesary that they make a profit to stay in business. Evidently they feel that carpets, in the overall sense, are economical and an asset in their business operations.

Actually, the policy of the entire Federal Government toward the use of carpeting in its buildings is far behind the times. In the case of personnel, carpeting is restricted to officials with a GS–15 rating and above, and the minimum salary for GS–15 is $12,770. The result is, of course, that very few workers rate carpets. The entire Federal Government spends only between $2.5 and $3 million for carpeting in a year. In 1957, I am informed that the Department of Agriculture spent only $15,000. Incidentally, I am told that the standards for purchase were borrowed from the Department of Agriculture, but nobody knows who drew them for the Department, way, way back yonder.

Anyone who walks the corridors of our vast Government buildings hears the chatter of typewriters issuing from offices like the chatter of a vast drove of blackbirds or, if you please, our own starlings. The Government has made no studies and has no data about the effect of this noise on morale and efficiency. Aside from the economy factor, we do not know whether the use of carpeting would save money in other ways or not.

I would suggest that the Senator from Illinois join me at the proper time in moving for a study of the use for carpets in public buildings. Such a study, I am certain, will result in a sharp increase in Government carpet buying.

Such a study might even result in the use of carpets in the corridors and halls of our public buildings, including museums. In such a case, there will be a sharp decline in an annoying and prevalent malady in Washington, museum fatigue, which wears out even the hosts of young high school students who come here. It also might give us a little additional strength and vigor. We too do a lot of walking over hard surfaces, and anything which saves us unnecessary physical wear and tear is, I think, a contribution to good government.

Mr. STENNIS. I thank the Senator for his remarks.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. STENNIS. I am glad to yield to the Senator from New Hampshire.

Mr. BRIDGES. With regard to the question which has been raised by the Senator from Illinois, I believe the floors in all of the offices of various Senators need carpeting, from the point of view of acoustics and the possibility of slipping. There have been several instances of slipping. Of course, I think carpeting should be provided in the offices in the old office building, and that is also true of the new office building. Anybody who has had any experience at all with these offices will agree on the necessity of carpeting.

Mr. STENNIS. I thank the Senator. I understand the pending amendment has to do only with furniture or carpeting.

Mr. PROXMIRE. It is my understanding the amendment has to do with furniture and carpeting.

Mr. STENNIS. With respect to the new building, although I have not moved into it yet, I am in the process of doing so. However, I have been present in the hearing rooms in the new building. With all deference to what has appeared in the newspapers, about the defects of the new building, they are, to my mind, very small. When we study the question of Senators' being able to do their work more expeditiously, we must conclude that the new facilities are invaluable to a Senator's getting his work done. I have already worked in the new building as a member of the Appropriations Committee. Last week we had a delightful all-day session in the conference room, where we marked up this very bill. Everybody had an opportunity to be heard, to confer with staff members, to check items, and to go into the telephone booths and place necessary calls. Senators will be able to work much better with the new facilities available. I have also been in the smaller committee rooms in the new building. I think the advantage to the Senate as a whole and the committees which will work in the new building will be tremendous.

My only comment is that the facilities are long past due. The costs involved are high. One reason is that the Senate dragged the matter along, delayed a decision, and put it off, and was unwilling to face the issue of Senators and their staffs having the appropriate tools with which to work.

I support the item.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. STENNIS. I yield to the Senator from Wisconsin.

Mr. PROXMIRE. Some statements have been made about the desirability of having carpeting in the new office building. I occupy a 5-room suite in that building. I understand the item in question is to provide carpeting, not in Senators' offices, but in the parts of the offices occupied by members of their staffs. Is that correct?

Mr. STENNIS. The item is to provide carpeting in the reception room and in the rooms where the staff members actually do the work.

Mr. PROXMIRE. I have been in a number of offices in the new building. I

have noticed there is carpeting in the Senators' offices, but not in the offices occupied by the staffs.

Mr. STENNIS. Yes.

Mr. PROXMIRE. My experience has been that the rubber tiling is adequate. There has been no question of slipping. The improvement in acoustics involved is really one of the few good things that can be said in favor of the old building as it is without carpeting. Many mistakes have been made in the new building, but I do not think the installation of the rubber tiling has been one of them. I have not heard any grievances voiced by Senators on that account. I have heard of complaints on other grounds.

It seems to me that if the Senate provides carpeting merely to improve the acoustics, and so that the footing of stenographers will be made a little surer, it will be providing a frill and will be wasteful of the taxpayers' money. While the item involved represents an extremely small expenditure, it is symbolic, as an example. Economy begins at home. It seems to me we have here an opportunity to show we mean it when we say we are really trying to economize.

Mr. STENNIS. If the Senator from Wisconsin and his staff do not desire to have the carpeting, he has that choice. I personally think the carpeting would be an asset. I do not spend much time in those rooms. I wish I could spend more time there than I do.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. STENNIS. I yield to the Senator from New Hampshire.

Mr. BRIDGES. If the Senator from Wisconsin feels it is unnecessary to have carpeting in his offices, the money will not be spent for that purpose. He can individually set an example of economy if he feels this is the way to do it. But it is believed that providing carpeting will improve the acoustics, the health of our employees by relief from noise tensions, and will reduce the incidence of accidents from slipping. We who are concerned about these matters should be entitled to have the carpeting. Any U.S. Senator should have the right to exercise his judgment in these matters wherever he may have his offices, in the old building or the new.

Mr. NEUBERGER. Mr. President, will the Senator yield for a question?

Mr. STENNIS. I yield to the Senator from Oregon.

Mr. NEUBERGER. I have been listening to the debate and the discussion with great interest. I am particularly surprised by the suggestion that there should be carpets in the inner offices of Senators themselves, but not where their staffs work. I wonder if it would thus be possible to remove the roofs from over the offices where the staffs work, and save money that way? Perhaps we would not have to heat the rooms where the staffs are, but just where the Senators are. Perhaps we could economize to such an extent that we could have, in the new building and the old building, air conditioning only in the offices of Senators themselves, and not where their staffs work, but the staffs could use some of the old-fashioned Japanese fans.

It seems to me absurd to suggest that there should be one loft for the "kings" and another one for the "people." If there is going to be air conditioning and carpeting and roofs, let them be for everybody who works in the new building, whether they be Senators or staff members.

Mr. STENNIS. I thank the Senator for his suggestion.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Illinois.

Mr. DOUGLAS and Mr. MORSE addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DOUGLAS. Mr. President, before the discussion is concluded, certain things should be borne in mind.

One of the main points for us to ask ourselves is, what is going to happen to the old furniture in the Old Senate Office Building? The corridors are jammed with it. I have inspected the attic. There is a great deal of furniture in the attic.

The census which I have taken, which I have repeated many times, shows that there are in the corridors 375 desks, 400 chairs, 215 steel filing cabinets, and 85 wooden bookcases.

The people who are now in the Old Senate Office Building already have their offices equipped. Virtually all the people in the New Senate Office Building have their offices equipped with new furniture. There is a surplus of furniture in the Old Senate Office Building. It is perfectly good furniture to use, but it is proposed not to use it, and instead to buy more new furniture at a cost of $113,000.

On the question of carpets, I know the Senator from Oregon has made an argumentum ad hominem which is perhaps quite effective, but I think there is a real question as to the degree to which we can heap luxuries upon ourselves and upon our staffs at the expense of the taxpayers.

The building was presumably laid out with due attention to acoustics. I think it will be found that the walls and ceilings in the new building have been so insulated and so treated that there is far less noise, so far as that factor is concerned, than in the present office building. I do not think, therefore, that the added advantage, if there be any, of having a carpet on the floor to deaden the sound of electric typewriters, is worth paying $150,000 of the taxpayers' money.

I am extremely skeptical about the dangers to life and limb from walking on the rubber tiling. I think there is very little danger of accident at all.

Mr. President, may we have order, please?

The PRESIDING OFFICER (Mr. CANNON in the chair). The Senate will be in order.

Mr. DOUGLAS. Mr. President, I have received an added bit of information which is extremely important. It has been stated on the floor of the Senate that the furniture used by the committees which occupy the HOLC and the SEC Buildings are largely rented, and that moving the committees into the New Senate Office Building would make it necessary to buy new furniture.

The custodian's office has just informed my assistant that the furniture in these buildings is owned by the Senate wing of the Capitol, and that it is not rented furniture for the subcommittees. Therefore, if this statement is true—and the information was received from the custodian's office—the furniture of the Senate subcommittees in the HOLC and SEC Buildings could be transferred to the new Senate Office Building without the purchase of any additional furniture whatsoever.

I am sure the original statement concerning the renting of furniture was made in good faith, but the custodian's office has informed us as to what the facts are.

Mr. President, I think this is a very important moral issue, even though it may not involve very much in terms of dollars. The example which we set is extremely important. I think there is a tremendous amount of waste in the executive branches of this Government. I am sure many of us will try to reduce this waste, but we must come into court with clean hands when we do, and we must be as ready to purge ourselves of waste as we are to purge others of waste.

Mr. President, I hope very much the amendment to eliminate the appropriation of $283,000, which would be on top of an existing appropriation of $1 million, will be carried.

TRIBUTE TO SENATOR HILL

Mr. MORSE. Mr. President, I have another matter to discuss briefly. I am advised by the leadership, in view of the fact that a good many of our colleagues are in attendance at the very wonderful luncheon being given downtown in honor of the Senator from Alabama [Mr. HILL], it would be appreciated if I could take a few minutes now to make a brief speech pending arrival of our colleagues.

Mr. STENNIS. If the Senator will yield, I suggest that most of our colleagues have returned from the luncheon.

Mr. MORSE. This will take only 3 or 4 minutes. I do not observe some Senators present who were at the luncheon, to my knowledge.

I wish to say, Mr. President, it is a matter of deep regret to me that I could not be at the luncheon, because I do not know of anyone who is more deserving of the tribute which is being paid at the luncheon than the distinguished Senator from Alabama [Mr. HILL]. For years and years the Senator from Alabama has made a great record in the Senate in the whole field of health legislation. I think it is particularly fitting that this honor is bestowed upon him at the luncheon today. I am very, very sorry I could not be there.

Mr. President——

The PRESIDING OFFICER. The Senator from Oregon has the floor.

PERMISSION FOR DAVID SCHREIBER TO BE PRESENT IN THE SENATE CHAMBER DURING CONSIDERATION OF THE RAILROAD RETIREMENT BILL

Mr. MORSE. Mr. President, I understand the Senate will take up shortly the railroad retirement bill. As was true last year, this year I should like to ask unanimous consent that Mr. David Schreiber, one of the outstanding experts on railroad retirement, who is on the staff of the Railroad Retirement Board, and who is able to answer the most technical questions in the field of railroad retirement, be granted the privilege of being present in the Chamber to sit with me and other members of the committee, in case it becomes necessary for us to obtain from him some technical information which we do not carry in the backs of our heads.

Mr. President, I ask unanimous consent that such permission be granted.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon? The Chair hears none, and it is so ordered.

NOMINATION OF CLARE BOOTHE LUCE TO BE AMBASSADOR TO BRAZIL

Mr. MORSE. Mr. President, I turn very briefly to a matter of personal privilege in connection with continued criticisms of the position which I have taken in regard to the nomination of Mrs. Clare Boothe Luce to be Ambassador to Brazil.

Mr. BYRD of West Virginia. Mr. President, I make the point of order that the proceedings are not audible.

The PRESIDING OFFICER. The Senate will be in order. The Senator from Oregon will speak so that he can be heard.

Mr. MORSE. Mr. President, I ask unanimous consent that the text of the statement by Mr. Henry R. Luce, as it was published in this morning's New York Times, be printed at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

TEXT OF STATEMENT BY HENRY R. LUCE

For 25 years in the course of her public life my wife has taken not only the criticisms provoked by her own views and actions but also many punches which were really intended for me or for the publications of which I am editor in chief. The attack of Senator WAYNE MORSE is perhaps the most vitriolic example of this.

Mrs. Luce has long had a deep feeling about the importance of all South America and its vital significance to the United States. When Secretary of State John Foster Dulles conveyed to her President Eisenhower's wish to send her to Brazil she accepted without hesitation because she believed that she might be able to play a useful part in developing constructive action in the relations of our country to Brazil. The needs are urgent and the opportunities are great.

The mission has now been profoundly compromised. The 16 to 1 vote in Mrs. Luce's favor by the Foreign Relations Committee of the Senate and her overwhelming confirmation in the Senate are all the vindication required by American public opinion. But there remains the question of Brazilian opinion and whether she can now hope to accomplish the delicate mission assigned to her by the President in a climate of uneasiness which the smears and suspicions aired on the Senate floor have naturally created in Brazil. This attempt to destroy a mission was deliberately, cleverly, and irresponsibly created by a few angry men who intend at her expense and at the expense of our Latin American relations to settle their little grievances with Time.

I think one more point is valid. It is to be found in the Senate hearings. A few days after the Bolivian incident, Mrs. Luce telephoned Acting Secretary of State Christian Herter and said she would be perfectly willing to have her name withdrawn if her nomination might become the slightest cause of embarrassment either for the State Department or for the President. Mr. Herter refused her offer and I, too, advised her that the Bolivian incident had little or no connection with her becoming Ambassador to Brazil. Almost unanimously the press of Brazil asserted that, even if a few U.S. Senators were unable to do so, the Brazilian people were quite capable of distinguishing between Bolivia and Brazil and between Clare Boothe Luce and Mr. Luce.

In the 3 weeks since then, Senator WAYNE MORSE and others have devoted themselves to undermining Mrs. Luce's usefulness. Senator MORSE happens to be the chairman of the Foreign Relations Subcommittee which has cognizance of inter-American affairs and Brazil.

As an Ambassador she will not be able to defend herself from vendetta politics at home which makes common cause with anti-Americanism in South America. Therefore, I have asked my wife to offer her resignation again.

Finally, I should like to say that I am proud of the splendid and effective record which Mrs. Luce has made in public life, and I know that she herself was deeply touched by the warm support which she received from so many distinguished Senators on both sides of the aisle and from responsible editors in every part of America.

Mr. MORSE. Mr. President, in the course of his statement, Mr. Luce says, "In the 3 weeks since then, Senator WAYNE MORSE and others have devoted themselves to undermining Mrs. Luce's usefulness."

I understand also that statements are being made to the effect that this is a political vendetta against the Luces, being conducted by the senior Senator from Oregon. Nothing could be further from the fact, as the record shows.

Mr. President, in the hope that I can make the record perfectly clear, I refer the Senate to the meeting of the Foreign Relations Committee of March 3, 1959. This was before the Bolivian incident. This was before any issue had been raised with respect to Mrs. Luce.

This was before any information was made available to me in regard to her record in Italy. I, too, had labored under the impression that she was a pretty good Ambassador in Italy. This was before my attention had been called to the record she had made in regard to the objections which I subsequently raised in the Foreign Relations Committee public hearing.

I am in a position where I am privileged, as a matter of right, to refer only to my own statements in committee, and that is all I shall do. But the Luce nomination came up, and the official transcript shows as follows:

Senator MORSE. I move we recommend her name to the Senate.

My motion was seconded by another member of the committee.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. MANSFIELD. I think the Senator should read the sentence preceding his declaration and the sentence following his motion that the nomination of Mrs. Luce be reported favorably, and that names should be mentioned.

Mr. MORSE. I shall be very glad to do so if the Senator thinks that by so doing I will not in any way violate any of the rules of the Foreign Relations Committee, because this is an executive record of the committee. I think the Senator from Montana will join me in saying that if I read this material no violence will be done to the Foreign Relations Committee or to its rules or policy.

Mr. LONG. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. LONG. I am a member of the Foreign Relations Committee. Several other members of the committee are present. I have no objection to the Senator's reading the transcript.

Mr. MORSE. Mr. President, I ask unanimous consent to read this portion of the transcript.

The PRESIDING OFFICER. Without objection, the Senator may proceed.

Mr. MORSE. I am very happy to do it. The transcript reads as follows:

NOMINATION OF MRS. CLARE LUCE TO BE AMBASSADOR TO BRAZIL

The CHAIRMAN. May I raise one other question if you have time? Mrs. Luce's name has been sent up. She needs, I am told, a small operation on her foot. It is nothing serious. We have confirmed her before. We all know her well. She has been before the committee. I feel no particular need to examine her again if the committee does not. What is our thought?

Senator MORSE. I move we recommend her name to the Senate.

Senator MANSFIELD. Second.

The CHAIRMAN. The motion is made and seconded that her name be reported favorably. Any discussion?

The motion was agreed to. Let the RECORD show that on March 3 it was the senior Senator from Oregon who moved that her name be reported favorably to the Senate. Does that look like a political vendetta? Does that indicate that the Senator from Oregon has carried on an attempt at a political vendetta against her or any other member of the Luce family?

Following that meeting the Bolivian incident occurred. It involved Time magazine. There was considerable discussion among us as to whether or not we should let the dust settle, so to speak, and whether or not further consideration should be given to the Luce nomination. So I take the Senate to the record of the Foreign Relations Committee on March 10, 1959. I should like to have the attention of my colleagues on that

committee, because I want them to know that I proceed in reference to this document only with their consent.

On March 10 the chairman of the committee, under the business heading "Nomination of Clare Booth Luce to be Ambassador to Brazil" said the following:

The CHAIRMAN. If I understand correctly, the Senator from Oregon is moving that we reconsider the vote.

Senator MORSE. I move we reconsider the Luce nomination without prejudice, so we can have some executive discussion, possibly an executive hearing on the matter. I think the dust ought to settle a little bit before this appointment goes through.

The CHAIRMAN. I think that is correct.

There was further discussion, but I see nothing in it which would add to the only point I seek to make, and that is the point involving my attitude, my point of view, and my purpose when, on March 10, 1959, I moved the reconsideration of the Luce nomination.

My motion was overwhelmingly carried in the committee. There followed then a considerable amount of public discussion throughout our country and the presentation of a considerable amount of information—at least to me, as a member of the committee. I cannot speak for others. There was presented to me all the information which I have used in the debate on this subject. It became my duty to proceed, then, with a thorough consideration of the nomination. I reached the judgment that the nominee was not qualified, and I have acted accordingly. I am perfectly willing to stand on the record I have made.

Earlier in the day I referred to criticism which I understand was going around, to the effect that I had followed some improper course in my investigation into the qualifications of this nominee.

The record is an open book. I have followed a course in which I have attempted, within the proprieties, to protect the nominee in connection with any charge or allegation which, in my judgment, my investigation showed should not be brought up on the floor of the Senate.

In the first speech on the floor of the Senate last Monday, I believe, I reviewed again the four historic criteria which the Senate has followed throughout its history under the advice and consent clause, based upon the research and study which I did in 1945. In conducting that library research project I studied, over a long period of time and with considerable assistance, every confirmation controversy in the history of the U.S. Senate, in regard to which the Library of Congress could find any written documentation, or with respect to which the CONGRESSIONAL RECORD shed any light.

In a speech I made in 1945, as I said the other day, I set forth what I thought the historic record showed were the four criteria which the U.S. Senate has followed in carrying out its constitutional obligations under the advice-and-consent clause.

The other day I mentioned the first criterion, as I did in 1945, and as I have done several times since. I set forth that criterion a few years ago when there was before us the nomination of President Eisenhower's nominee for the post of Chief of the Bureau of Engine Inspection. Senators will remember the great battle which took place on that occasion. I felt that partisan lines were being drawn. I did not believe that partisan lines should be drawn. I thought the nominee should be tested by these four criteria, and I stated them, as the RECORD will show, in that debate.

What is the first? Character and mental soundness. I discussed it then.

The second is freedom from conflict of interest. I discussed it then.

The third is loyalty to our form of government. I discussed that criterion then, too.

Last there is the criterion of competency to perform the duties of the job.

Last Monday, as the RECORD will show, I told the Senate, after I had listed these four criteria, that I based my opposition to Mrs. Luce on the criterion of competency to perform the duties of the job. I have discussed the subject of competency to perform the duties of Ambassador to Brazil at some length in this debate.

As I said earlier today, and repeat now, so long as I am on the Foreign Relations Committee or any other committee which has jurisdiction over looking into the qualifications of a nominee, and there is brought to me what I consider to be good-faith information from a reliable source in respect to any one of those criteria, it is my duty to investigate.

I must satisfy myself, as I did in this case, that there was a real justification for my making a proper inquiry; which I did. But I based my objections to Mrs. Luce on what I consider to be her incompetency to perform the work of the new position.

It is not my intention to say very much about the statement the President of the United States made at his press conference this morning. He said, in effect, that he had checked with Brazilian officials and found that his survey satisfied him that Mrs. Luce would still be welcome in Brazil. I wonder whether he really expected any other answer. I wonder if the President really thought that if the President of the United States talked to Brazilian Government officials in regard to the nominee he had appointed and who was under fire in the Senate, the Brazilian officials would say to him, "Don't send her." I doubt it.

If anyone thinks this controversy makes me happy or that it is a pleasant task which I am performing in connection with what I consider to be my public duty, then he does not know me. I have carried out my duty. I said yesterday Mrs. Luce has been confirmed, and I wish her well. I said she will receive from me, as chairman of the Latin-American Subcommittee of the Committee on Foreign Relations, my cooperation on any matter which involves her work as Ambassador to Brazil. However, that does not mean that I think she should be sent. I am of the same opinion still. She should not be sent to Brazil. In my capacity as chairman of the subcommittee I have named I wish to say for the RECORD today that I think it is a great mistake to send her. I think her usefulness is over. As I suggested yesterday, the people who really count, the people who in the long run determine what kind of relationships will exist between Brazil and the United States, are the people in the homes of Brazil.

Some of the homes, Mr. President, are not very luxurious. Some are the homes of very, very poor people. In those homes there is a reverence for the memory of a great man, President Franklin Roosevelt. It has been reported to us from time to time by travelers throughout Latin America, including travelers in Brazil, that it is not uncommon to go inside one of these homes and still see, pasted sometimes on a mud wall, a newspaper or magazine picture of Franklin Roosevelt.

I repeat what I said yesterday, it is not what the nominee said in 1944 about President Franklin Roosevelt, but what the nominee said on April 15, 1959, which, in my opinion, continues to disqualify her for effective service in Brazil.

It is now in other hands. If the President, in line with this record, wants to send Mrs. Luce to Brazil, and she really wants to go there, then it is now an Executive responsibility. I have performed my duty as I see it. I am perfectly willing to stand on the record of my performance of that duty.

I hope that it will not be necessary for me to discuss this matter further, because it is always unpleasant to me inside, when I find it necessary to do so. But if it is necessary to continue to protect my record, I shall do so, because in my own heart I know I have taken a stand that I believe to be right. I know that the attack made by the nominee and her consort against the senior Senator from Oregon is without merit. I do not intend, if I may make the matter perfectly clear, to bow before even the great Time-Life-Fortune empire, or to trim in any way the position I have taken, that Mrs. Clare Boothe Luce is not, in my judgment, qualified to serve as Ambassador to Brazil.

Mr. YOUNG of Ohio. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. YOUNG of Ohio. On Tuesday evening, after a very tiring and interesting day on the floor of the Senate, I went to my apartment. For the purpose of a little relaxation, I got out a volume of poetry. It just happened that I came across a poem which interested me, and I should like to read it into the RECORD at this point. It is entitled "The Woman With the Serpent's Tongue," and was written by William Watson. It reads:

She is not old, she is not young,
The woman with the serpent's tongue,
The haggard cheek, the hungering eye,
The poisoned words that wildly fly,
The famished face, the fevered hand—
Who slights the worthiest in the land,
Sneers at the just, condemns the brave,
And blackens goodness in its grave.
In truthful numbers be she sung,
The woman with the serpent's tongue;
Ambitious from her natal hour.
And scheming all her life for power;

With little left of seemly pride;
With venomed fangs she cannot hide;
Burnt up within by that strange soul
She cannot shake or yet control:
Malignant-lipped, unkind, unsweet;
Past all example indiscreet;
Hectic, and always overstrung—
The woman with the serpent's tongue.
To think that such as she can mar
Names that among the noblest are.
That hands like hers can touch the strings
That move who knows what men and things?
That on her will their fates have hung.
The woman with the serpent's tongue.

I thank the Senator from Oregon for yielding to me.

Mr. MORSE. May I say that I think the poem read by the Senator from Ohio [Mr. YOUNG] is very apropos. Mr. President, I close my statement on the floor of the Senate by saying that I rose to make the RECORD clear as to the position I took in the Committee on Foreign Relations on the Luce nomination, which I believe to be a complete answer to the charges of Mr. Henry Luce.

Mr. DIRKSEN. Mr. President, when I have more time, I am going to go into that poetry business myself. However, for a few moments at least I wish to address myself to the RECORD.

Yesterday I was advised from two different sources, in connection with the statement Mrs. Luce made in New York involving a horse, that some telephone calls had been made which probably could be put in evidence as provocation. In fact, I was told that telephone calls were made concerning the medical records of her personal health, and whether or not she had been under the care of and receiving treatment by a psychiatrist. I say that information came from two sources. I was authorized to make public expression of it, which I did before some twenty-odd people representing the press. It came to the attention of the distinguished senior Senator from Oregon, and at about 6 o'clock last night, before we concluded our labors here, he and I discussed the matter very briefly. He said, "Believe me, on my word of honor, I never made inquiry about the personal health records of Clare Boothe Luce."

He said, "I did make other inquiry, but not about that."

I want to do him full justice, so that whatever I may have said yesterday on the basis of information derived from credible sources might be adequately corrected.

Mr. MORSE. Mr. President, will the Senator yield for a clarification?

Mr. DIRKSEN. I yield.

Mr. MORSE. We had our conversation by the door at the entrance to the middle aisle. I understood the Senator from Illinois to say he had been informed that I had asked the doctor for Mrs. Luce's personal health record. I asked no doctor for her personal health record. I consider that a matter of privilege; I would not consider asking for it.

Mr. DIRKSEN. I shall clarify that point briefly.

This morning Clare Boothe Luce called me. What I do today, I do because she has asked me to do it. I think, moreover, that I should do it in the interest of a complete and clear record.

She urged that I call her doctor in New York. I had been advised that the distinguished Senator from Oregon had called her doctor. I did not have his name yesterday, nor was I disposed to call him. But I did call him at 12:50 p.m. today. I had somebody on the line to make a careful transcript of the entire telephone conversation, which was very brief. So I read, in amplification of the Senate RECORD, the transcript of the conversation between Senator DIRKSEN and Dr. Rosenbluth at 12:50 p.m., April 29, 1959:

TRANSCRIPT OF CONVERSATION BETWEEN SENATOR DIRKSEN AND DR. ROSENBLUTH, 12:50 P.M., APRIL 29, 1959

SENATOR. Doctor, are you Clare Boothe Luce's doctor?

DOCTOR. That is right, sir.

SENATOR. She called me this morning and she wanted me to talk to you about the thing that happened yesterday. I said I would.

DOCTOR. Yes, sir.

SENATOR. I want to get a few facts nailed down. When did Senator MORSE call you?

DOCTOR. I believe, sir, Senator MORSE called me on Thursday—Wednesday or Thursday——

SENATOR. Of last week?

DOCTOR. Of last week.

SENATOR. Did he ask you for any medical records on her personal health and that sort of thing?

DOCTOR. I will tell you as best I can. He asked me whether she had been under psychiatric care and I said to him as I would say to anyone that I would be perfectly willing to give him any information he would like provided he first had written permission from Mrs. Luce. I told him basically that. He said he heard a rumor from my father, who had been Mrs. Luce's physician prior to myself, and that he read a few clippings in the paper, and said he heard this tip, that it had come from my father. I assured him that it would not have come from my father, that he would not have said such a thing, and that to the best of my knowledge she had not attended a psychiatrist, and that was all that I said to him. I said I would be glad to help if he could send me written permission.

SENATOR. Was there anything else?

DOCTOR. No, sir; I believe that was the extent of it.

SENATOR. I was advised that he made a request for her health records.

DOCTOR. No, sir; he told me—all he said was that he was going to fight this thing. He did not specifically request my records. The only information he asked was whether or not she was under psychiatric care.

SENATOR. I just wanted to verify that from you. Thank you very much, Doctor.

DOCTOR. You are quite welcome, sir.

SENATOR. Goodby.

DOCTOR. Goodby.

Mr. President, if through inadvertence I made a statement which went out to the country that the distinguished Senator from Oregon had asked for the personal health records of Mrs. Luce, I here and now voluntarily, and very freely, withdraw that statement in justice to the Senator from Oregon, and reveal the rest of the record that on Thursday last he did call Dr. William Rosenbluth in New York City and there requested an answer to the question whether Mrs. Luce was under psychiatric treatment.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MORSE. I think at this point in the RECORD should come my account of the matter. I am very happy to give it.

As the official notes will bear out, a newspaperman—a very reliable newspaperman—quite some time ago came to me and said he thought it was important that an investigation be made as to the emotional stability of the nominee.

I may say to the Senator from Illinois that I regret very much that it is now necessary to discuss this incident, because it is not of my choosing. I understand that Mrs. Luce has requested of the Senator from Illinois that he raise the matter on the floor of the Senate. I therefore intend to keep the RECORD straight, so far as my position in the matter is concerned.

The newspaperman said, "We are satisfied that she has been under psychiatric care since her ambassadorship in Rome."

I said, "That is very difficult for me to believe, and I am not inclined to pursue that matter unless I have some evidence which would cause me to say that at least there is enough to justify my looking into the matter of the mental health of the nominee."

Of course, the health of a nominee is something which we should look into. Mr. Christian Herter's appointment apparently was held up for some time by the President himself, in order to have an examination made of Mr. Herter's physical health. If any question is raised to cause us to think there is justification for an inquiry concerning the mental health of a nominee, I think it is our duty to conduct that investigation.

So I said, "I am not inclined to look into it until I have reason to believe that there would be more justification for this type of inquiry."

This was quite some time before the public hearing. Then we had the public hearing. I had an opportunity to sit there and study the reactions of the nominee.

In order to illustrate the background basis for my decision to make this inquiry, I may say that before I ever took up or before I ever decided to take up the study of law and become a lawyer, I was well on the way toward the completion of my study for a doctorate in abnormal psychology at the University of Minnesota. In fact, my study in the field of abnormal psychology includes a seminar in clinical psychiatry at Ward's Island, in New York. I have spent many an hour, I may say, in the clinic as a graduate student while psychiatrists, psychologists, and doctors have conducted examinations of mental patients.

As I observed the nominee in the public hearings during her testimony I was a little concerned, because I said to myself: I am not confident of the emotional stability of this nominee. It was after I observed her in that public hearing that I decided to follow the recommendation of the newspaper correspondent and call the doctor who, he said, he was satisfied would be glad to talk to me on a confidential basis about this matter.

I said, "If she is his patient, he should not talk to me about her on a confidential basis, because of the doctrine of privilege of the doctor-patient relationship."

"Well," he said, "let me show you this." He said, "I am satisfied that he is not her doctor now."

He then gave me the material which I put in the RECORD in my discussion in regard to the so-called plaster-flaking incident, which was given by Time magazine as the reason for her leaving Rome.

He said, "We are satisfied that that was pure fantasy."

It has always been a little tough on my imagination to stretch it so far as to accept that story; but that is a matter of personal opinion.

The doctor was quoted in the newspaper articles—and Senators will find the statements in the CONGRESSIONAL RECORD—to the effect that it was not his opinion that there was any arsenate of lead poisoning which caused Mrs. Luce's illness. But those newspaper clippings will have to speak for themselves.

So I decided to call the doctor. I called, only to discover that he had died about 2 weeks ago, but that his son had taken over his medical practice. So I expressed my very deep regret over the death of his father; and I said, "Under the circumstances, I do not think there is any assistance you can be to me, but I want you to know what I wanted to talk to your father about." I told him what my purpose would have been if his father had been alive. I said, "I have copies of your father's statements in regard to the plaster incident." And I said, "I recognize the doctrine of privilege and privacy that exists as between doctor and patient." Then he told me that he—this young doctor—was the doctor of Mrs. Luce.

"Well," I said, "all I was seeking to find out from your father was whether or not it is true, on the basis of the allegation made to me, that she has been in psychiatric care at any time since the Rome incident."

My best recollection of what he said is that first he stated, "I am sure that my father did not have her under treatment for psychiatric care when he was her doctor." He said, "I would not want to discuss her case without written authority from her."

I said, "I don't think you should." I continued, "I want you to know that I find myself in opposition to this nominee, and I am seeking to check on this question of mental stability."

That, to the best of my recollection, was the sum and substance of our conversation.

I wish to say to the Senate that whenever a question is raised, with any reliable background, as to the mental competency of any nominee, I happen to think that in carrying out our trust it is our duty to make the kind of examination I made; and I also think it is our duty to handle it as I handled it. Let Senators read the RECORD. I made no report in regard to any allegation that has been made concerning any emotional instability. It is a matter of opinion.

In conclusion, I only wish to say that I think Mrs. Luce's statement out of New York, yesterday, does raise a question of emotional instability.

Mr. DIRKSEN. Mr. President, I have ventilated the whole record, so far as the Senator from Illinois is concerned. I believe open confession is good for the soul.

I am not willing ever to say anything, publicly or privately, to the press or on the Senate floor, that I am not willing to correct at any time, and particularly so when it does the slightest injustice to anyone.

Of course, I believe the record would be rounded out if the name of the hitherto unnamed newspaper correspondent could be inserted in the RECORD.

I have mentioned Dr. Rosenbluth's name and my own name, in connection with this matter. I have had no reluctance to say to the Senate that Clare Boothe Luce called me at home this morning.

So I believe the whole story ought to be told.

But I also believe that the name of the newspaperman ought to be included, unless question is raised as to whether or not there is a privileged status there.

But I direct the attention of the Senate to what I think now is a policy question growing out of this matter.

First, Mr. President, I ask unanimous consent to have printed at this point in the RECORD, in it entirety, the Hippocratic oath that is enjoined upon all practitioners of the healing art.

There being no objection, the oath was ordered to be printed in the RECORD, as follows:

HIPPOCRATIC OATH

I will look upon him who shall have taught me this art even as one of my parents. I will share my substance with him, and I will supply his necessities, if he be in need. I will regard his offspring even as my own brethren, and I will teach them this art, if they would learn it, without fee or covenant. I will impart this art by precept, by lecture and by every mode of teaching, not only to my own sons but to the sons of him who has taught me, and to disciples bound by covenant and oath, according to the law of medicine.

The regimen I adopt shall be for the benefit of my patients according to my ability and judgment, and not for their hurt or for any wrong. I will give no deadly drug to any though it be asked of me, nor will I counsel such, and especially I will not aid a woman to procure abortion. Whatsoever house I enter, there will I go for the benefit of the sick, refraining from all wrongdoing or corruption, and especially from any act of seduction of male or female, of bond or free. Whatsoever things I see or hear concerning the life of men, in my attendance on the sick or even apart therefrom, which ought not to be noised abroad, I will keep silence thereon, counting such things to be as sacred secrets.

Mr. DIRKSEN. Mr. President, I shall read to the Senate only the last sentence of the Hippocratic oath. It is as follows:

Whatsoever things I see or hear concerning the life of men, in my attendance on the sick or even apart therefrom, which ought not to be noised abroad, I will keep silence thereon, counting such things to be as sacred secrets.

Mr. President, this question may come up from time to time. The competence of a person is a highly delicate matter. When it becomes noised abroad that telephone calls have been made to practitioners in that field—who probably think that when a Senator calls, there is something particularly solemn and compelling about it—that raises in my mind the question of whether there should be committee procedure, and whether, instead of having an individual Senator take it on himself to call a practitioner 500 miles away, and ask him whether a particular nominee for office has been receiving psychiatric care, such a matter ought to be presented to the committee behind closed doors. Should it not first be carefully considered there; and should not the will of the committee be expressed on that question, before a telephone call is sent to a doctor whom such a person does not know?

What it amounts to, in effect, is to say to a doctor, "I am a Senator; and, although others may not agree, I am asking you these questions. I know the Hippocratic oath, and what I ask you, Doctor, is actually a violation of the last paragraph of the Hippocratic oath."

How far are we to go in the case of nominees, under similar circumstances? I do not answer the question; I simply leave it right where it is, because I think now I have made the record in its entirety.

Yesterday question arose—because of a statement made out of New York by Clare Boothe Luce—as to whether perhaps it should be said that there was provocation for the statement. I do not sit as a court or jury in the matter; I do not pass on it. It will speak for itself—the fact that an individual Senator did call a doctor, and did raise the question.

I put the transcript in the RECORD; and now it is for the Senate to determine what the course of procedure will be and whether in other days individual Senators will call doctors and will ask them, "What about the mental competence of this nominee?" or whether the matter shall be carefully considered by a Senate committee, before damage can be done to the reputation of a citizen of the country.

Mr. MORSE. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I am willing to yield the floor.

Mr. MORSE. I am very happy to discuss the merits of this matter with the Senator from Illinois. But first I think there are several very important operative facts which should be made clear in the RECORD.

When I sought to call the elder doctor—who, as I have said, I found, when I placed the call, had died 2 weeks ago—I did not call him with any understanding or belief that he was the doctor of Mrs. Luce. I knew from the newspaper clippings that at one time he had treated her for some physical ailments. But I judged from the newspaper clippings that he probably was no longer her doctor. I was led to believe that he was not now her doctor by the representation of the newspaper correspondent who gave me the information, and who told me that it was his understanding that if

I would place that call the doctor would give me some information bearing on this nomination. I placed the call for that purpose—only to discover that the doctor was dead, and that I was talking to his son, who had taken over his father's practice. When his son advised me that he presently was the doctor of Mrs. Luce, it was the senior Senator from Oregon who said, in effect, "Well, that settles it, but I want you to know the nature of the call that I was going to make to your father."

In regard to the suggestion of the Senator from Illinois that, as individual Senators, we cannot proceed to investigate the qualifications of a nominee in regard to any one of the four historical criteria I have pointed out over and over again during the years, without having committee approval, I wish to say that I completely reject that suggestion. Each one of us has a trust to perform in the examination of the qualifications of any nominee. That is our job as individual Senators.

I certainly would never agree that a committee—which might be dominated at the moment by an overwhelming majority of Senators who, for one reason or another, might be interested in preventing a thorough investigation of a nominee—should be granted officially, by the Senate, the power to stop an individual Senator from carrying out the obligation of his trust as a Senator.

I think that if any such proposal officially were made here on the floor of the Senate, it should be vigorously opposed, because in my judgment it would amount to seeking to put Senators in a straitjacket and to restrict them from exercising their honest judgment as to the course of action they should follow in carrying out their duty to investigate the qualifications of a nominee.

Mr. LONG. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I shall yield in just a minute.

I think it must be left up to the judgment of the individual Senator, Mr. President. He has to do those things he thinks right and proper under the circumstances, in light of the facts that have been developed up to that time. He has to decide whether or not he thinks there is a sufficient basis to justify an inquiry into a nominee's mental or physical health, into his loyalty to the Government, into whether or not he has a conflict of interests that would make it impossible for him to reconcile the obligations of the position to which he is appointed with his occupation or profession. That is up to us. Therefore I made this investigation. I delayed my final decision to make it. As I said, quite frankly, I made it after I observed the nominee herself in the committee.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. MORSE. The Senator from Illinois has the floor.

Mr. DIRKSEN. The weakness in the case of the Senator from Oregon is this: He is a distinguished lawyer. He was the dean of a law school. He knows the Hippocratic oath. He knows the privilege that exists between a patient and doctor. There is nothing in the record to show the Senator from Oregon ever contacted the patient and asked permission to get the information from the doctor. That is the weakness in his case. The Senator can make all the inquiries he likes, but when he goes to the doctor of the nominee, then he knows, as I know, and as he knows every doctor and lawyer knows, there is a privilege, and he has to ask permission of the patient before he can ask the doctor to disclose those things that are sacred to the two people in their relation of patient and doctor.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MORSE. I say to the Senator, most respectfully, the weakness he alleges in my case is nonexistent. I certainly do not think the Senator from Illinois wants to take the position that when we are investigating a nominee on any one of the criteria of qualifications to which I have referred, we have to get the consent of the nominee as to whether or not we can conduct the investigation.

Second, as I have already pointed out, I was not calling the elder doctor, who, as I said, I discovered had died 2 weeks before, on the belief that he was her doctor at the present time. I did not believe he was her doctor; but, quite to the contrary, that he was not her doctor. Furthermore, so far as I know, he was not a psychiatrist. I was not calling him on the basis of his being a psychiatrist. I do not know, as a matter of fact, as to whether or not he was a psychiatrist, but it is my belief and understanding he was not. But I could not raise my right hand and say I know that to be a fact. I was advised that here was a doctor, however, who thought that information ought to be obtained from him to the effect that there was a question as to the mental health of the nominee.

As a Senator it was my duty, as I saw it, to talk to the doctor and ascertain what his point of view was, and discuss it with him, as I would have if he had been alive, in greater detail than I did with his son, because I dismissed the inquiry when I saw he was not available and I was talking with the son, who had not been involved. I would have talked to the elder doctor had he been alive to learn whether or not the information he might present to me should be made available and whether I should make public use of it.

I certainly do not agree with the premise of the Senator from Illinois that I should have called up Clare Boothe Luce and said, "Clare, will you give me your permission to consult your doctor to see whether or not you are mentally competent?" I think the Senator is mistaken.

Mr. DIRKSEN. The Senator from Oregon is one of the most resourceful and skilled debaters I have ever encountered. He knows every rule in the books. He knows this afternoon, as I know, that he is begging the question every step of the way.

I did not for a moment contend he did not have a right to investigate. I did not for a moment say he could not have directed his questions anywhere he liked—except one place. That is the jumping off place. That is the doctor of the nominee. All the wit and all the piety and all the argument is not going to rub out or vitiate the Hippocratic oath, or make it appear that it was not a question to the nominee's doctor asking for information which if imparted would have been in violation of the Hippocratic oath. The Senator can search where he can, and he can get all the information on competence he is able to collate, but he is begging the question, and it is the only one here involved, namely, it was a telephone call to a doctor. The Hippocratic oath is involved, and the prestige of the Senate is involved, because if we are going to arrogate to ourselves the right to call a doctor and find out whether a person is stable or emotionally sound, what kind of business will it be, and how quickly will we put the Senate in disrepute in the eyes of the country, and particularly in the eyes of the profession?

That is my case, Mr. President. I do not care to discuss it any further. I have laid it in the CONGRESSIONAL RECORD, where the whole wide world can see it.

Mr. MORSE. Mr. President, will the Senate yield?

Mr. DIRKSEN. I yield the floor.

Mr. MORSE. Mr. President——

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MORSE. I shall discuss the subject a little further, because I want my friend to know I never beg a question. I want him also to know that his brilliant oratory and emphasis are not going to change my course of action in conducting investigations, as a member of the Foreign Relations Committee, into the mental qualifications of nominees I have cause to believe are not qualified.

I proceeded to the point when I made the call to the elder doctor to ascertain whether or not I was reliably informed that he would be desirous of discussing this matter with me. I put in the call to him to find out on what basis he would be desirous of discussing it with me. I wanted to find out what his relationship to the alleged patient might be, to find out what kind of a doctor he was.

Let me say to the Senator from Illinois that he and I and all others in the Senate have a great public trust to see to it that the interests of the United States may never be jeopardized by our sending to a post a person who might not have the mental competency to perform the work required, without embarrassment to the Nation.

The Senator seems to think that under no circumstances at all do doctors ever discuss problems of their patients. Let me say to the Senator from Illinois that there are circumstances under which a doctor considers it his duty, from the standpoint of the welfare of the patient, to make clear to those in positions of responsibility that the patient should not be allowed to follow a certain course of action.

There are many examples I can cite; one out of my own experience. I once

had on my staff in law school a professor I had appointed just a few weeks before a certain incident occurred. His behavior after he was hired gave me serious doubts in regard to his mental and emotional stability. I ascertained who his doctor was. I talked to his doctor. He said, "Dean, I am glad you came in, because I was planning to call you today. I have a patient that I want you to help me with." He went on to explain that I had a member on my faculty who was in the first stage of paresis. He said, "It is very important that we find a way, without his knowledge, of getting him off your faculty immediately and into an institution, where he can receive whatever help that in a case as serious as this, can be given by medical science."

Did he violate his oath? He did not. He made clear to me that he had a trust which he owed to the patient. He had a trust he owed to the university and to the public to see to it that I knew that steps ought to be taken to remove that patient from my law faculty.

Many other examples could be cited as to instances when doctors recognize their public duty in behalf of the patients themselves to make known the problems of the patients.

I wish to say that the position taken by the Senator from Illinois, that under no circumstances whatsoever, in accordance with the great oath of the medical profession, is a doctor free, because of any doctrine of privacy, to disclose the condition of the patient in order to protect the patient as well as the public, is simply a position not borne out by medical practice.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Colorado.

Mr. CARROLL. I have listened very carefully to this debate. I want to say to the senior Senator from Oregon that the junior Senator from Colorado was not present on the floor the other day during the debate on this issue. I was home with a heavy chest cold. I wish to take this opportunity now to say that one of the reasons I voted against the confirmation of the nomination of this able lady is a bit different from what has been previously stated. I do not know her personally. I came to the House of Representatives after she had retired. I believe she left with the 79th Congress; I came to the House in the 80th Congress. I know nothing bad about her. There is nothing vindictive or vengeful with regard to my vote at all.

I voted on the basis that in the light of critical conditions which exist in Latin America today, in the light of the scandalous events which happened to the Vice President in Venezuela, in the light of what has occurred in Cuba, in Panama, and in Bolivia, Mrs. Luce was not, in my opinion, a wise selection. I did not question her competency and character. I thought politically and psychologically it was an unfortunate appointment not in keeping with our national interest. That is why I voted against the confirmation of Mrs. Luce.

I want to say to the Senator from Oregon, I think there is much logic in the position that any Senator or any person in a position of official responsibility has a duty, an obligation, and a trust to inquire into the capacity and competency of people who seek high Government office.

Hundreds of investigations are going on every day in this Government of ours, being conducted by the FBI, by the Civil Service investigators, and others, looking into the competency, the character, and the mental stability of people who work for the Federal Government. Why should any such person be exempt? Of course, we recognize that if one is elected to high public office, however desirable one does not have to go through that test, but when one is appointed under a Government procedure, he or she has to expect these investigations.

I should like to ask the Senator from Oregon one or two questions. When Mrs. Luce came before the committee, were any questions put to embarrass or harass her in any way with references to medical treatment?

Mr. MORSE. No. The record speaks for itself.

Mr. CARROLL. Did anyone impugn the mental stability of Mrs. Luce at the time she appeared before the committee?

Mr. MORSE. Not at all.

Mr. CARROLL. Was the investigation prior to or subsequent to the time Mrs. Luce came before the committee?

Mr. MORSE. It was subsequent.

Mr. CARROLL. Did the senior Senator from Oregon ever issue a public press statement which would injure or embarrass this fine lady in this respect?

Mr. MORSE. Not on this matter. I do not have any doubt that she has been embarrassed by statements I have made in the debate as to why I think she is incompetent to perform the job.

Mr. CARROLL. I am referring to mental competence.

Mr. MORSE. That is correct. I made no public statements on it.

Mr. CARROLL. The medical aspect.

Mr. MORSE. That is correct.

Mr. CARROLL. Is this the first time the matter has come up on the floor of the Senate about the conversation with her doctor?

Mr. MORSE. It was raised by the Senator from Illinois at the request of the nominee just a few minutes ago. I mentioned it in a general way earlier today because of statements the Senator from Illinois had made to the press.

Mr. CARROLL. It was never raised by the senior Senator from Oregon?

Mr. MORSE. The Senator can read the RECORD. It has not been.

Mr. CARROLL. I commend the senior Senator from Oregon for this conduct.

Mr. BUSH and Mr. CHAVEZ addressed the Chair.

Mr. CARROLL. I wish to say in conclusion that this debate would really be humorous if it were not so serious. On one hand, the senior Senator from Oregon has merely suggested an emotional instability. The nominee or the appointee by her intemperate remark of yesterday, when the Senator made a suggestion of emotional instability, responded by saying that the senior Senator from Oregon had been kicked in the head by a horse, no doubt to convey the impression of a permanent mental imbalance. I suggest that if we continue along these lines in this debate much longer, not only the whole country, but also Latin America, will think we are all "nuts." [Laughter.]

Mr. CHAVEZ and Mr. BUSH addressed the Chair.

Mr. CARROLL. I leave this matter in the hands of the President of the United States. Methinks only the President and I are capable of exercising calm sane judgment, and if he insists upon this appointment, a question of doubt may be raised against him or possibly vice versa.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Connecticut.

Mr. BUSH. I did not hear all of the discussion this afternoon, but since the question has been raised with regard to the health of Mrs. Luce, and since there has been a possible question as to mental health raised, I should like to say, for the RECORD, I have positive knowledge, from both Mrs. Luce and from her husband, that she has not ever been under the care of a psychiatrist. I make that statement for the RECORD now.

There is one other item I should like to ask the Senator a question about. When Mrs. Luce was before the committee and under questioning by the Senator from Oregon, the Senator raised a question as to her health. I read from the record of the hearings:

> Senator MORSE. Mrs. Luce, at the time of your leaving Italy, Time magazine carried a story to the effect that the primary reason for you leaving Italy was because of arsenic poisoning. Was that a correct story?
>
> Mrs. LUCE. They would have been a little more correct if I were the editor of Time, I should have seen to it that they were more correct, if they said "arsenate of lead."
>
> Senator MORSE. Arsenate?
>
> Mrs. LUCE. Arsenate.
>
> Senator MORSE. That was the primary reason of your leaving——
>
> Mrs. LUCE. The primary reason of my leaving was my health, Senator, yes.

In view of all this I should like to ask the Senator why he did not pursue the question of health at that time, to give Mrs. Luce a chance, when she was on the witness stand, to discuss the matter?

Mr. MORSE. I think that is perfectly obvious. She was not talking about mental health. Why should I, at a public hearing, on the basis of that testimony, before I had reached any decision as to whether I should make any inquiry based upon the information which has been given to me concerning her emotional stability, proceed to discuss with Mrs. Luce any question about her emotional stability? There has been some talk about chivalry. It would not have fitted into my thoughts of chivalry to raise that question at that time in a public hearing.

I will say to the Senator, if there had been, to my complete satisfaction, any

verification of a record of ill health mentally I would have taken it before the committee for a "behind the door" discussion.

Mr. BUSH. I am sorry, for the sake of the record, that the Senator did not do so, so that we could have avoided all this discussion, which is most unfortunate.

Mr. MORSE. I reached the conclusion that there was not sufficient evidence to make that a basis for objection.

Mr. BUSH. The Senator is not implying, then, that there is any question about the mental health of Clare Boothe Luce right now?

Mr. MORSE. I say for the record that I think she has demonstrated a high state of emotional instability, to such a degree that I do not believe she should be appointed to a diplomatic post.

EXECUTIVE REPORT OF A COMMITTEE—MINORITY VIEWS (EXECUTIVE REPORT NO. 2)

Mr. DIRKSEN. Mr. President, I ask unanimous consent to submit, from the Committee on the Judiciary, a favorable report on the nomination of Potter Stewart, to be an Associate Justice of the Supreme Court of the United States, together with the minority views of the Senator from South Carolina [Mr. JOHNSTON] and the Senator from Mississippi [Mr. EASTLAND]. I ask that the report, together with the minority views, be printed.

The PRESIDING OFFICER. The report will be received and printed, as requested by the Senator from Illinois; and the nomination will be placed on the Executive Calendar.

SECOND SUPPLEMENTAL APPROPRIATIONS, 1959

The Senate resumed the consideration of the bill (H.R. 5916) making supplemental appropriations for the fiscal year ending June 30, 1959, and for other purposes.

Mr. CHAVEZ. Mr. President, I hope that the Senate will now proceed to discharge its other responsibilities.

Mr. President, the pending amendment is on page 31, lines 10 to 18. The amendment would strike out all that language. It contains an item of $283,550—$150,000 for floor covering, $103,550 for furniture, and $30,000 for security files and steel shelving. The yeas and nays have been ordered, and I hope we may now have a vote.

Mr. DOUGLAS. Mr. President, senatorial discussion frequently deals with issues other than those pending before the body. We are now about to vote on the pending amendment. I should like to take a couple of minutes to sum up the situation.

We already have 375 desks and 400 chairs available for the 40 rooms which it is proposed to furnish. We also have 215 filing cases and 85 bookcases available.

The statement was made—I am sure in good faith, but it has turned out to be incorrect—that the office staff which is being moved from the HOLC building was using, in that building, rented furniture, and that furniture will have to be bought for the offices in the new Senate Office Building.

As I have previously mentioned, we have checked on this report with the custodian's office. We are informed that the furniture at the HOLC building being used by the Senate staff is owned by the Senate wing of the Capitol, and that it is under the custody and direction of the Sergeant at Arms of the Senate. We are informed that those employees did not use rented furniture, and therefore the furniture could be taken with them.

The question of the carpets has been pretty thoroughly discussed. They are not necessary for acoustics. They are not necessary for safety. The entire proposal represents a waste of $283,000, in addition to the $1 million which has already been spent for furniture and furnishings. I hope that by a decisive vote the Senate will say that it wants to save money and is willing to save money on itself, as well as on other departments.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Illinois [Mr. DOUGLAS] to the committee amendment on page 31.

Mr. CHAVEZ. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CHAVEZ. Will the Chair please state the interpretation of the Chair as to the amendment on which we are about to vote, on page 31, lines 10 to 18?

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Illinois to strike out lines 10 to 18 in the committee amendment on page 31.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Nevada [Mr. BIBLE] is absent because of death in his family.

The Senator from Delaware [Mr. FREAR] is absent because of illness.

The Senator from Indiana [Mr. HARTKE] and the Senator from Oklahoma [Mr. MONRONEY] are necessarily absent.

The Senator from Wyoming [Mr. O'MAHONEY] and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

Mr. KUCHEL. I announce that the Senator from New York [Mr. JAVITS] is necessarily absent, and, if present and voting, would vote "yea."

The Senator from Kansas [Mr. SCHOEPPEL] and the Senator from Wisconsin [Mr. WILEY] are detained on official business.

The result was announced—yeas 34, nays 55, as follows:

YEAS—34

Allott	Curtis	Magnuson
Anderson	Douglas	Morse
Bartlett	Dworshak	Mundt
Beall	Ellender	Pastore
Byrd, Va.	Goldwater	Prouty
Cannon	Green	Proxmire
Case, N.J.	Gruening	Robertson
Case, S. Dak.	Humphrey	Scott
Church	Keating	Talmadge
Clark	Langer	Williams, Del.
Cooper	Lausche	
Cotton	McNamara	

NAYS—55

Aiken	Hennings	Morton
Bennett	Hickenlooper	Moss
Bridges	Hill	Murray
Bush	Holland	Muskie
Butler	Hruska	Neuberger
Byrd, W. Va.	Jackson	Randolph
Capehart	Johnson, Tex.	Russell
Carlson	Johnston, S.C.	Saltonstall
Carroll	Jordan	Smathers
Chavez	Kefauver	Smith
Dirksen	Kennedy	Sparkman
Dodd	Kerr	Stennis
Eastland	Kuchel	Symington
Engle	Long	Thurmond
Ervin	McCarthy	Williams, N.J.
Fulbright	McClellan	Young, N. Dak.
Gore	McGee	Young, Ohio
Hart	Mansfield	
Hayden	Martin	

NOT VOTING—9

Bible	Javits	Schoeppel
Frear	Monroney	Wiley
Hartke	O'Mahoney	Yarborough

So Mr. DOUGLAS' amendment was rejected.

Mr. HAYDEN. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. JOHNSON of Texas. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOUGLAS. Mr. President, I call up my amendment designated "4–28–59—B," and ask that it be read.

The PRESIDING OFFICER. The amendment will be read for the information of the Senate.

The LEGISLATIVE CLERK. On page 31, it is proposed to strike out lines 2 to 9, inclusive.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Illinois.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I yield.

Mr. JOHNSON of Texas. Will the Senator indicate to the Senate how long he expects the proponents of the amendment will take, so that Senators who desire to have another bill considered and who have dinner engagements this evening can estimate how late the Senator will remain in session?

Mr. DOUGLAS. It is never safe to estimate in advance how long a debate will take. I think the members of the committee and I consumed a little more than 1 hour on the first amendment. Then certain other matters were taken up by the Senate which took 2 hours. So one never knows when a typhoon or a hurricane is likely to strike this body. Therefore, pledges cannot be given in advance.

I myself do not intend to take more than 20 minutes. The amendment relates to the proposed further appropriation of $4 million for a subway which ends nowhere and which carries with it very dubious possibilities about its future.

Mr. JOHNSON of Texas. Mr. President, will the Senator further yield?

Mr. DOUGLAS. I yield.

Mr. JOHNSON of Texas. Would the Senator from Illinois be agreeable to a unanimous-consent agreement which would give the proponents of the amendment 30 minutes?

Mr. DOUGLAS. Absolutely.

Mr. JOHNSON of Texas. Mr. President, I make such a request.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

Mr. DOUGLAS. Mr. President, could we carry that further and ask for a yea-and-nay vote on the amendment?

Mr. JOHNSON of Texas. Yes; as soon as the agreement has been entered.

The PRESIDING OFFICER. Without objection, the unanimous-consent agreement is entered.

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. JOHNSON of Texas. Mr. President, while the Senator from Illinois is in such a cooperative frame of mind——

Mr. DOUGLAS. I am always in a cooperative frame of mind.

Mr. JOHNSON of Texas. While other Senators who are also cooperative are present, but for whom the Senator from Illinois does not speak, I wonder if it would be agreeable to have me ask unanimous consent to proceed to the consideration of the railroad retirement bill, with the understanding that there be a time limitation of not to exceed 20 minutes on each side. I am informed that one side will not use all its time.

Mr. DOUGLAS. In other words, does the Senator propose to lay aside my amendment for 40 minutes?

Mr. JOHNSON of Texas. Yes.

Mr. DOUGLAS. That is agreeable.

AMENDMENT OF RAILROAD RETIREMENT ACT OF 1937, RAILROAD RETIREMENT TAX ACT, AND RAILROAD UNEMPLOYMENT INSURANCE ACT

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the unfinished business, H.R. 5916, the supplemental appropriation bill, be temporarily laid aside, and that the Senate proceed to the consideration of Calendar No. 211, Senate bill 226; and that the time on the bill and on all amendments be limited to not to exceed 20 minutes on each side, the time to be controlled by the Senator from Oregon [Mr. MORSE] and the minority leader.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 226) to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Texas?

Mr. WILLIAMS of Delaware. Mr. President, I did not hear the proposed unanimous-consent agreement.

Mr. JOHNSON of Texas. The proposed unanimous-consent agreement is that the Senate proceed to the consideration of the railroad retirement bill, Calendar 211, Senate bill 226, and that debate be limited to 20 minutes on each side, the time to be controlled, on behalf of the proponents of the bill, by the Senator from Oregon [Mr. MORSE], and on behalf of the opponents, by the minority leader.

Mr. WILLIAMS of Delaware. Would that allow some time on all amendments and on amendments to amendments?

Mr. JOHNSON of Texas. Yes.

Mr. LANGER. Mr. President, I ask for the yeas and nays on the retirement bill.

Mr. JOHNSON of Texas. I will ask for the yeas and nays after the bill has been laid before the Senate.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Texas?

Mr. ALLOTT. Mr. President, I do not wish to get squeezed into a corner on this proposal. I wish to propound some questions. I simply wish to have some assurance that I may have 5, 7, or 10 minutes to propound the questions.

Mr. JOHNSON of Texas. The Senator will have such an opportunity.

Mr. ALLOTT. I do not object.

Mr. WILLIAMS of Delaware. Mr. President, if I correctly understand the proposed unanimous-consent agreement, it provides for 20 minutes on each amendment.

Mr. JOHNSON of Texas. No; a total of 20 minutes on each side.

Mr. WILLIAMS of Delaware. On all amendments?

Mr. JOHNSON of Texas. I understand there is no amendment to be offered, except one which is acceptable to the Republicans, and the committee has agreed on it. The minority, I have been informed, desire to have no discussion on the amendment.

Mr. WILLIAMS of Delaware. That may well be true. I have no amendment to offer, but I would not want to agree to a limitation of time of only 20 minutes to a side regardless of the number of amendments which might be offered.

Mr. JOHNSON of Texas. I will be glad to agree to a proposal which will allow 5 minutes on each side on any amendment.

Mr. WILLIAMS of Delaware. I think it should be 20 minutes to a side.

Mr. JOHNSON of Texas. All right; 20 minutes to a side on each amendment which is offered. I am informed, however, that there are no amendments to be offered.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Texas?

Mr. CASE of South Dakota. Mr. President, can the distinguished majority leader tell the Senate what the amendment is to which he says there is no objection?

Mr. JOHNSON of Texas. The distinguished minority leader can give the Senator that information.

Mr. DIRKSEN. It is an amendment to reduce the tax on carriers from 4 percent to 3¾ percent. I was advised yesterday that that is agreeable, and that the Senator from Oregon is willing to accept the amendment and take it to conference.

The House is likely to pass, not an identical bill, but a similar bill, today. Whatever differences there may be can be adjusted in conference.

Mr. CASE of South Dakota. I had heard rumors that some other amendments might be offered. If the proposed unanimous-consent agreement will allow 20 minutes to a side on each amendment, as well, I will not object.

Mr. JOHNSON of Texas. The proposed agreement so provides.

The PRESIDING OFFICER. Is there objection to the proposed unanimous-consent agreement? The Chair hears none, and the agreement is entered.

The Senate thereupon proceeded to consider the bill (S. 226) to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes, which had been reported from the Committee on Labor and Public Welfare, with amendments on page 3, line 5, after the word "which", to strike out "became" and insert "become"; on page 4, line 7, after the word "before", to strike out "January 1, 1959" and insert "the calendar month next following the month in which this Act was amended in 1959"; in line 10, after the word "after", to strike out "December 31, 1958" and insert "the month in which this Act was so amended,"; on page 5, line 15, after the word "before", to strike out "January 1, 1959" and insert "the calendar month next following the month in which this Act was amended in 1959"; at the beginning of line 18, to strike out "December 31, 1958" and insert "the month in which this Act was so amended"; on page 6, line 10, after the word "before", to strike out "January 1, 1959" and insert "the calendar month next following the month in which this Act was amended in 1959"; in line 13, after the word "after", to strike out "December 31, 1958" and insert "the month in which this Act was so amended,"; on page 7, after line 2, to insert a new section, as follows:

SEC. 4. Section 20 of the Railroad Retirement Act of 1937 is amended (1) by inserting "(a)" immediately after "SEC. 20."; and (2) by adding at the end thereof the following new subsection:

"(b) Pensions and annuities under this Act or the Railroad Retirement Act of 1935 shall not be considered as income for the purposes of section 522 of title 38 of the United States Code."

At the beginning of line 11, to change the section number from "4" to "5"; in line 14, after the word "before", to strike out "January 1, 1959" and insert "the month next following the month of enactment of this Act"; in line 17, after the word "before", to strike out "February 1, 1959" and insert "the second calendar month next following the month of such enactment"; at the beginning of line 24, to change the section number from "5" to "6"; in line 26, after the word "by", to strike out "subsections (b) and (c)" and insert "subsection (b)"; on page 8, line 2, after the word "section", to strike out "4" and insert "5"; in line 3, after the word "months", to strike out "after December 1958" and insert "after the month of enactment of this Act"; in line 5, after "section 1", to insert "and by subsection (c) of section 3"; in line 11, after the word "after", to strike out "December 1958" and insert "the month of enactment of this Act"; in line 14, after the word "after", to strike out "December 1958" and insert "the month

of enactment of this Act"; in line 17, after the word "after", to strike out "December 1958" and insert "the month of enactment of this Act"; in line 18, after the amendment just above stated, to strike out "Section 4" and insert "Sections 4 and 5"; in line 20, after the word "after", to strike out "January 1959" and insert "the month next following the month of enactment of this Act"; at the beginning of line 22, to strike out "December 1958" and insert "the month of enactment of this Act"; on page 9, at the beginning of line 10, to strike out "December 31, 1958" and insert "the month in which this provision was amended in 1959"; on page 10, at the beginning of line 4, to strike out "December 31, 1958" and insert "the month in which this provision was amended in 1959"; at the beginning of line 8, to strike out "1958" and insert "the month in which this provision was amended in 1959"; in line 17, after the word "after", to strike out "December 31, 1958" and insert "the month in which this provision was amended in 1959"; on page 11, at the beginning of line 17, to strike out "December 31, 1958" and insert "the month in which this provision was amended in 1959"; in line 25, after the word "out"; to strike out "1954" and insert "after December 31, 1954" and "after 1954"; on page 12, line 1, after the word "wherever", to strike out "else it appears" and insert "they appear"; in line 2, after the word "thereof", to strike out "1958" and insert "after the month in which this provision was amended in 1959"; in line 18, after the word "of", to strike out "January 1, 1959" and insert "the first day of the calendar month next following the month in which this Act was enacted"; at the beginning of line 21, to strike out "December 31, 1958" and insert "the month of such enactment"; in line 22, after the word "such", to strike out "date" and insert "month of enactment"; on page 13, line 3, after "Sec. 301.", to insert "(a)"; at the beginning of line 10, to strike out "January 1, 1959" and insert "the calendar month next following the month in which this Act was amended in 1959"; in line 12, after the word "after", to strike out "December 31, 1958" and insert "the month in which this Act was so amended"; after line 13, to insert:

"(b) The first proviso of section 1(k) of the Railroad Unemployment Insurance Act is amended by striking out '$400' and inserting in lieu thereof '$500'."

On page 16, line 3, after "1957", to insert "and before April 1, 1959,"; in line 9, after the word before", to strike out "April" and insert "July"; on page 17, at the beginning of line 15, to strike out out "January 1, 1959" and insert "the calendar month next following the month in which this Act was amended in 1959"; in line 18, after the word "after", to strike out "December 31, 1958" and insert "the month in which this Act was so amended"; in line 21, after the word "before", to strike out "January 1, 1959" and insert "the calendar month next following the month in which this Act was amended in 1959"; at the beginning of line 24, to strike out "December 31, 1958" and insert "the month in which this Act was so amended"; on page 18, at the beginning of line 2, to strike out "January 1, 1959" and insert "the calendar month next following the month in which this Act was amended in 1959"; in line 4, after the word "after", to strike out "December 31, 1958" and insert "the month in which this Act was so amended"; at the beginning of line 6, to strike out "1947" and insert "December 31, 1947"; in line 7, after the word "thereof", to strike out "1958" and insert "the month in which this Act was amended in 1959"; in line 13, after the word "thereof", to strike out "3½" and insert "4"; in line 15, after the word "before", to strike out "January 1, 1959" and insert "the calendar month next following the month in which this Act was amended in 1959"; in line 19, after the word "after", to strike out "December 31, 1958" and insert "the month in which this Act was so amended"; after line 20, to insert a new section, as follows:

SEC. 308. (a) Subsection (d) of section 10 of the Railroad Unemployment Insurance Act be amended to read as follows:

"(d) Whenever the Board finds at any time that the balance in the railroad unemployment insurance account will be insufficient to pay the benefits and refunds which it estimates are due, or will become due, under this Act, it shall request the Secretary of the Treasury to transfer from the Railroad Retirement Account to the credit of the railroad unemployment insurance account such moneys as the Board estimates would be necessary for the payment of such benefits and refunds, and the Secretary shall make such transfer. Whenever the Board finds that the balance in the railroad unemployment insurance account, without regard to the amounts transferred pursuant to the next preceding sentence, is sufficient to pay such benefits and refunds, it shall request the Secretary of the Treasury to retransfer from the railroad unemployment insurance account to the credit of the Railroad Retirement Account such moneys as in its judgment are not needed for the payment of such benefits and refunds, plus interest at the rate of 3 per centum per annum, and the Secretary shall make such retransfer. In determining the balance in the railroad unemployment insurance account as of September 30 of any year pursuant to section 8(a) of this Act, any moneys transferred from the Railroad Retirement Account to the credit of the railroad unemployment insurance account which have not been retransferred as of such date from the latter account to the credit of the former, plus the interest accrued thereon to that date, shall be disregarded."

(b) The amendment made by this section shall take effect on the date of enactment of this Act.

On page 20, at the beginning of line 6, to change the section number from "308" to "309"; in the same line, after the word "by", to insert "section 301(b) shall be effective with respect to days in registration periods beginning after June 30, 1959"; in line 17, after the word "of", to strike out "January 1, 1959" and insert "the first day of the calendar month next following the month in which this Act was enacted"; and, in line 21, after the word "after", to strike out "December 31, 1958" and insert "the month in which this Act was enacted"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

PART I—AMENDMENTS TO THE RAILROAD RETIREMENT ACT OF 1937

SECTION 1. (a) Section 2(a)3 of the Railroad Retirement Act of 1937 is amended to read as follows:

"3. Individuals who will have attained the age of sixty and will have completed thirty years of service or, in the case of women, who will have attained the age of sixty-two and will have completed less than thirty years of service, but the annuity of such individual shall be reduced by one one-hundred-and-eightieth for each calendar month that he or she is under age sixty-five when the annuity begins to accrue."

(b) Section 2(d) of such Act is amended by adding at the end thereof the following new sentence: "If pursuant to the third sentence of this subsection an annuity was not paid to an individual with respect to one or more months in any calendar year, and it is subsequently established that the total amount of such individual's earnings during such year as determined in accordance with that sentence (but exclusive of earnings for services described in the first sentence of this subsection) did not exceed $1,200, the annuity with respect to such month or months, and any deduction imposed by reason of the failure to report earnings for such month or months under the fifth sentence of this subsection, shall then be payable. If the total amount of such individual's earnings during such year (exclusive of earnings for services described in the first sentence of this subsection) is in excess of $1,200, the number of months in such year with respect to which an annuity is not payable by reason of such third and fifth sentences shall not exceed one month for each $100 of such excess, treating the last $50 or more of such excess as $100; and if the amount of the annuity has changed during such year, any payments of annuity which become payable solely by reason of the limitation contained in this sentence shall be made first with respect to the month or months for which the annuity is larger."

(c) Section 2(e) of such Act is amended by striking out "than an amount" and inserting in lieu thereof "than 110 per centum of an amount".

(d) Section 2(g) of such Act is amended by inserting after "wife under age 65" the following: "(other than a wife who is receiving such annuity by reason of an election under subsection (h))".

(e) Section 2 of such Act is further amended by adding at the end thereof the following new subsection:

"(h) A spouse who would be entitled to an annuity under subsection (e) if she or he had attained the age of 65 may elect upon or after attaining the age of 62 to receive such annuity, but the annuity in any such case shall be reduced by one one-hundred-and-eightieth for each calendar month that the spouse is under age 65 when the annuity begins to accrue."

SEC. 2. (a) Section 3(a) of the Railroad Retirement Act of 1937 is amended (1) by striking out "3.04", "2.28", and "1.52" and inserting in lieu thereof "3.35", "2.51", and "1.67", respectively; and (2) by striking out "$200" and inserting in lieu thereof "$250".

(b) Section 3(c) of such Act is amended by inserting after "or in excess of $350 for any month after June 30, 1954," the following: "and before the calendar month next following the month in which this Act was amended in 1959, or in excess of $400 for any month after the month in which this Act was so amended,".

(c) Section 3(e) of such Act is amended (1) by striking out "$4.55", "$75.90", and "his monthly compensation" and inserting in lieu thereof "$5.00", "$83.50" and "110 per centum of his monthly compensation", respectively; (2) by striking out "is less than the amount, or the additional amount" and inserting in lieu thereof "is less than 110 per centum of

the amount, or 110 per centum of the additional amount"; (3) by inserting after "age sixty-five," the following: "women entitled to spouses' annuities pursuant to elections made under subsection (h) of section 2 to be entitled to wife's insurance benefits determined under section 202 (q) of the Social Security Act,"; and (4) by striking out "such amount or such additional amount" and inserting in lieu thereof "110 per centum of such amount or 110 per centum of such additional amount".

SEC. 3. (a) Section 5(f)(2) of the Railroad Retirement Act of 1937 is amended by striking out "and 7 per centum of his or her compensation after December 31, 1946 (exclusive in both cases of compensation in excess of $300 for any month before July 1, 1954, and in the latter case in excess of $350 for any month after June 30, 1954)," and by inserting in lieu thereof the following: "plus 7 per centum of his or her compensation paid after December 31, 1946, and before January 1, 1959, plus 7½ per centum of his or her compensation paid after December 31, 1958, and before January 1, 1962, plus 8 per centum of his or her compensation paid after December 31, 1961 (exclusive of compensation in excess of $300 for any month before July 1, 1954, and in excess of $350 for any month after June 30, 1954, and before the calendar month next following the month in which this Act was amended in 1959, and in excess of $400 for any month after the month in which this Act was so amended),".

(b) Section 5(h) of such Act is amended by striking out "$33", "$176", and "$15.40" wherever they appear and inserting in lieu thereof "$36.30", "$193.60", and "$16.95", respectively.

(c) Section 5(i)(1)(ii) of such Act is amended by striking out "or in which month he engaged on seven or more different calendar days in noncovered remunerative activity outside the United States (as defined in section 203(k) of the Social Security Act)" and inserting in lieu thereof the following: "or, having engaged in any activity outside the United States, would be charged under such section 203(e) with any earnings derived from such activity if it had been an activity within the United States".

(d) Clause (A)(i) of section 5(l)(9) of such Act is amended by striking out the word "and" appearing after "July 1, 1954," and by inserting after "June 30, 1954," the following: "and before the calendar month next following the month in which this Act was amended in 1959, and any excess over $400 for any calendar month after the month in which this Act was so amended,".

(e) Clause (A) (ii) of section 5(l)(9) of such Act is amended (1) by inserting "and before 1959" after "1954" where it first appears; (2) by inserting after "$4,200" where it first appears the following: ", or for any calendar year after 1958 is less than $4,800,"; (3) by striking out "$350" and inserting in lieu thereof "$400"; and (4) by striking out "and $4,200 for years after 1954, by" and inserting in lieu thereof the following: ", $4,200 for years after 1954 and before 1959, and $4,800 for years after 1958, by".

(f) Section 5(l)(10) of such Act is amended by striking out "44", "11", "$350", "$15.40", "$36.66", "$27.50", and "$14.66" wherever they appear and inserting in lieu thereof "49", "12", "$400", "$16.95", "$40.33", "$30.25", and "$16.13", respectively.

SEC. 4. Section 20 of the Railroad Retirement Act of 1937 is amended (1) by inserting "(a)" immediately after "SEC. 20."; and (2) by adding at the end thereof the following new subsection:

"(b) Pensions and annuities under this Act or the Railroad Retirement Act of 1935 shall not be considered as income for the purposes of section 522 of title 38 of the United States Code."

SEC. 5. All pensions under section 6 of the Railroad Retirement Act of 1937, all joint and survivor annuities and survivor annuities deriving from joint and survivor annuities under that Act awarded before the month next following the month of enactment of this Act all widows' and widowers' insurance annuities which began to accrue before the second calendar month next following the month of such enactment, and which, in accordance with the proviso in section 5(a) or section 5(b) of the Railroad Retirement Act of 1937, are payable in the amount of the spouse's annuity to which the widow or widower was entitled, and all annuities under the Railroad Retirement Act of 1935, are increased by 10 per centum.

SEC. 6. (a) The amendments made by section 1 (other than subsection (b) thereof), by subsections (a) and (c) of section 2, and by subsection (b) of section 3 shall be effective only with respect to annuities (not including annuities to which section 5 applies) accruing for months after the month of enactment of this Act. The amendment made by subsection (b) of section 1 and by subsection (c) of section 3 shall be effective with respect to annuities accruing during the calendar year 1959 and subsequent calendar years. The amendment made by subsection (a) of section 3 shall be effective only with repect to lump-sum payments (under section 5(f)(2) of the Railroad Retirement Act of 1937) in the case of deaths occurring after the month of enactment of this Act. The amendments made by subsection (f) of section 3 shall be effective only with respect to annuities accruing for months after the month of enactment of this Act and lump-sum payments (under section 5(f)(1) of the Railroad Retirement Act of 1937) in the case of deaths occurring after the month of enactment of this Act. Sections 4 and 5 shall be effective only with respect to pensions due in calendar months after the month next following the month of enactment of this Act and annuities accruing for months after the month of enactment of this Act.

(b) All recertifications required by reason of the amendments made by this part shall be made by the Railroad Retirement Board without application therefor.

PART II—AMENDMENTS TO THE RAILROAD RETIREMENT TAX ACT

SEC. 201. (a) Section 3201 of the Railroad Retirement Tax Act is amended to read as follows:

"SEC. 3201. Rate of tax.

"In addition to other taxes, there is hereby imposed on the income of every employee a tax equal to—

"(1) 6¾ percent of so much of the compensation paid to such employee for services rendered by him after the month in which this provision was amended in 1959, and before January 1, 1962, and

"(2) 7¼ percent of so much of the compensation paid to such employee for services rendered by him after December 31, 1961, as is not in excess of $400 for any calendar month: *Provided*, That the rate of tax imposed by this section shall be increased, with respect to compensation paid for services rendered after December 31, 1964, by a number of percentage points (including fractional points) equal at any given time to the number of percentage points (including fractional points) by which the rate of the tax imposed with respect to wages by section 3101 at such time exceeds the rate provided by paragraph (2) of such section 3101 as amended by the Social Security Amendments of 1956."

(b) Section 3202(a) of the Railroad Retirement Tax Act is amended (1) by striking out "after December 31, 1954" wherever it appears and inserting in lieu thereof "after the month in which this provision was amended in 1959"; (2) by striking out "$350" wherever it appears and inserting in lieu thereof "$400"; (3) by striking out "after 1954" and inserting in lieu thereof "after the month in which this provision was amended in 1959".

(c) Section 3211 of the Railroad Retirement Tax Act is amended to read as follows:

"SEC. 3211. Rate of tax.

"In addition to other taxes, there is hereby imposed on the income of each employee representative a tax equal to—

"(1) 13½ percent of so much of the compensation paid to such employee representative for services rendered by him after the month in which this provision was amended in 1959, and before January 1, 1962, and

"(2) 14½ percent of so much of the compensation paid to such employee representative for services rendered by him after December 31, 1961, as is not in excess of $400 for any calendar month: *Provided*, That the rate of tax imposed by this section shall be increased, with respect to compensation paid for services rendered after December 31, 1964, by a number of percentage points (including fractional points) equal at any given time to twice the number of percentage points (including fractional points) by which the rate of the tax imposed with respect to wages by section 3101 at such time exceeds the rate provided by paragraph (2) of such section 3101 as amended by the Social Security Amendments of 1956."

(d) (1) Section 3221 of the Railroad Retirement Tax Act is amended by striking out "In addition to" and all that follows down through "$350" the first time it appears, and inserting in lieu thereof the following:

"(a) In addition to other taxes, there is hereby imposed on every employer an excise tax, with respect to having individuals in his employ, equal to—

"(1) 6¾ percent of so much of the compensation paid by such employer for services rendered to him after the month in which this provision was amended in 1959, and before January 1, 1962, and

"(2) 7¼ percent of so much of the compensation paid by such employer for services rendered to him after December 31, 1961, as is, with respect to any employee for any calendar month, not in excess of $400".

(2) Such section 3221 is further amended (A) by striking out "after December 31, 1954" and "after 1954" wherever they appear in that section and inserting in lieu thereof "after the month in which this provision was amended in 1959"; (B) by striking out "$350" wherever else it appears in that section and inserting in lieu thereof "$400"; and (C) by adding at the end thereof the following new subsection:

"(b) The rate of tax imposed by subsection (a) shall be increased, with respect to compensation paid for services rendered after December 31, 1964, by a number of percentage points (including fractional points) equal at any given time to the number of percentage points (including fractional points) by which the rate of the tax imposed with respect to wages by section 3111 at such time exceeds the rate provided by paragraph (2) of such section 3111 as amended by the Social Security Amendments of 1956."

SEC. 202. The amendments made by section 201 shall, except as otherwise provided in such amendments, be effective as of the first day of the calendar month next following the month in which this Act was enacted, and shall apply only with respect to compensation paid after the month of such enactment, for services rendered after such month of enactment.

PART III—AMENDMENTS TO THE RAILROAD UNEMPLOYMENT INSURANCE ACT

SEC. 301. (a) Section 1(i) of the Railroad Unemployment Insurance Act is amended by striking out the proviso in the first sentence and inserting in lieu thereof ": *Provided, however*, That in computing the compensation paid to any employee, no part of any month's compensation in excess of $300 for any month before July 1, 1954, or in excess

of $350 for any month after June 30, 1954, and before the calendar month next following the month in which this Act was amended in 1959, or in excess of $400 for any month after the month in which this Act was so amended, shall be recognized".

"(b) The first proviso of section 1(k) of the Railroad Unemployment Insurance Act is amended by striking out '$400' and inserting in lieu thereof '$500'."

SEC. 302. (a) Section 2(a) of the Railroad Unemployment Insurance Act is amended by striking out the language between "(i)" and "(ii)" and inserting in lieu thereof the following: "for each day of unemployment in excess of four during any registration period, and".

(b) Section 2(a) of such Act is further amended by striking out columns I and II and inserting in lieu thereof the following:

"Column I Total Compensation	Column II Daily Benefit Rate
$500 to $699.99	$4.50
700 to 999.99	5.00
1,000 to 1,299.99	5.50
1,300 to 1,599.99	6.00
1,600 to 1,899.99	6.50
1,900 to 2,199.99	7.00
2,200 to 2,499.99	7.50
2,500 to 2,799.99	8.00
2,800 to 3,099.99	8.50
3,100 to 3,499.99	9.00
3,500 to 3,999.99	9.50
4,000 and over	10.20".

(c) The proviso in such section 2(a) is amended by striking out "50" and "$8.50" and inserting in lieu thereof "60" and "$10.20", respectively.

SEC. 303. (a) Section 2(c) of the Railroad Unemployment Insurance Act is amended by striking out the period at the end thereof and inserting in lieu of such period a colon and the following: *"And provided further,* That, with respect to an employee who has ten or more years of service as defined in section 1(f) of the Railroad Retirement Act of 1937, who did not voluntarily leave work without good cause or voluntarily retire, and who had current rights to normal benefits for days of unemployment in a benefit year but has exhausted such rights, the benefit year in which such rights are exhausted shall be deemed not to be ended until the last day of the extended benefit period determined under the following schedule, and the maximum number of days of, and amount of payment for, unemployment within such benefit year for which benefits may be paid to the employee shall be enlarged to include all compensable days of unemployment within such extended benefit period:

"If the employee's 'years of service' total—	The extended benefit period shall begin on the first day of unemployment following the day on which the employee exhausted his then current rights to normal benefits for days of unemployment and shall continue for successive fourteen-day periods (each of which periods shall constitute a registration period) until the number of such fourteen-day periods totals—
10 and less than 15	7 (but not more than 65 days)
15 and over	13

but no such extended benefit period shall extend beyond the beginning of the first registration period in a benefit year in which the employee is again qualified for benefits in accordance with section 3 of this Act on the basis of compensation earned after the first of such successive fourteen-day periods has begun. For an employee who has ten or more years of service, who did not voluntarily leave work without good cause or voluntarily retire, who has fourteen or more consecutive days of unemployment, and who is not a 'qualified employee' for the general benefit year current when such unemployment commences but is or becomes a 'qualified employee' for the next succeeding general benefit year, such succeeding benefit year shall, in his case, begin on the first day of the month in which such unemployment commences."

(b) An employee who has less than ten years of service as defined in section 1(f) of the Railroad Retirement Act of 1937, and who has after June 30, 1957, and before April 1, 1959, exhausted (within the meaning prescribed by the Railroad Retirement Board by regulation) his rights to unemployment benefits, shall be paid unemployment benefits for days of unemployment, not exceeding sixty-five, which occur in registration periods beginning on or after June 19, 1958, and before July 1, 1959, and which would not be days with respect to which he would be held entitled otherwise to receive unemployment benefits under the Railroad Unemployment Insurance Act, except that an employee who has filed, and established, a first claim for benefits under the Temporary Unemployment Compensation Act of 1958 may not thereafter establish a claim under this subsection, and an employee who has registered for, and established a claim for benefits under this subsection may not thereafter establish a claim under the Temporary Unemployment Compensation Act of 1958. Except to the extent inconsistent with this subsection, the provisions of the Railroad Unemployment Insurance Act shall be applicable in the administration of this subsection.

(c) The Secretary of Labor, upon request, shall furnish the Board information deemed necessary by the Board for the administration of the provisions of subsection (b) hereof, and the Board, upon request, shall furnish the Secretary of Labor information deemed necessary by the Secretary for the administration of the Temporary Unemployment Compensation Act of 1958.

SEC. 304. Section 3 of the Railroad Unemployment Insurance Act is amended by striking out "$400" and inserting in lieu thereof "$500".

SEC. 305. Section 4 (a-2) of the Railroad Unemployment Insurance Act is amended by striking out subdivision (iv), and by striking out the semicolon at the end of subdivision (iii) and inserting in lieu thereof a period.

SEC. 306. Section 8(a) of the Railroad Unemployment Insurance Act is amended (1) by inserting after "June 30, 1954" where it first appears the following: ", and before the calendar month next following the month in which this Act was amended in 1959, and is not in excess of $400 for any calendar month paid by him to any employee for services rendered to him after the month in which this Act was so amended"; (2) by inserting after "June 30, 1954" where it appears for the second time the following: ", and before the calendar month next following the month in which this Act was amended in 1959, and to not more than $400 for any month after the month in which this Act was so amended"; (3) by inserting after "June 30, 1954" where it appears for the third time the following: ", and before the calendar month next following the month in which this Act was amended in 1959, or less than $400 if such month is after the month in which this Act was so amended"; (4) by striking out "December 31, 1947" in paragraph 2 and inserting in lieu thereof "the month in which this Act was amended in 1959"; and (5) by striking out the table (except the column headings) in such paragraph 2 and inserting in lieu thereof the following:

	Percent
"$450,000,000 or more	1½
$400,000,000 or more but less than $450,000,000	2
$350,000,000 or more but less than $400,000,000	2½
$300,000,000 or more but less than $350,000,000	3
Less than $300,000,000	4".

SEC. 307. Section 8(b) of the Railroad Unemployment Insurance Act is amended (1) by striking out "3 per centum" and inserting in lieu thereof "4 per centum"; and (2) by inserting before the period at the end of the first sentence the following: ", and before the calendar month next following the month in which this Act was amended in 1959, and as is not in excess of $400 paid to him for services rendered as an employee representative in any calendar month after the month in which this Act was so amended."

SEC. 308. (a) Subsection (d) of section 10 of the Railroad Unemployment Insurance Act be amended to read as follows:

"(d) Whenever the Board finds at any time that the balance in the railroad unemployment insurance account will be insufficient to pay the benefits and refunds which it estimates are due, or will become due, under this Act, it shall request the Secretary of the Treasury to transfer from the Railroad Retirement Account to the credit of the railroad unemployment insurance account such moneys as the Board estimates would be necessary for the payment of such benefits and refunds, and the Secretary shall make such transfer. Whenever the Board finds that the balance in the railroad unemployment insurance account, without regard to the amounts transferred pursuant to the next preceding sentence, is sufficient to pay such benefits and refunds, it shall request the Secretary of the Treasury to retransfer from the railroad unemployment insurance account to the credit of the Railroad Retirement Account such moneys as in its judgment are not needed for the payment of such benefits and refunds, plus interest at the rate of 3 per centum per annum, and the Secretary shall make such retransfer. In determining the balance in the railroad unemployment insurance account as of September 30 of any year pursuant to section 8(a) of this Act, any moneys transferred from the Railroad Retirement Account to the credit of the railroad unemployment insurance account which have not been retransferred as of such date from the latter account to the credit of the former, plus the interest accrued thereon to that date, shall be disregarded."

(b) The amendment made by this section shall take effect on the date of enactment of this Act.

SEC. 309. The amendments made by section 301(b) shall be effective with respect to days in registration periods beginning after June 30, 1959. The amendments made by sections 302, 303(a), and 305 shall be effective with respect to benefits accruing in general benefit years which begin after the benefit year ending June 30, 1958, and in extended benefit periods which begin after December 31, 1957. The amendment made by section 304 shall be effective with respect to base years after the base year ending December 31, 1957. The amendments made by clauses (4) and (5) of section 306 and clause (1) of section 307 shall be effective as of the first day of the calendar month next following the month in which this Act was enacted, and shall apply only with respect to compensation paid for services rendered in calendar months after the month in which this Act was enacted.

Mr. MORSE. Mr. President, I yield myself 20 minutes or so much thereof as I may need.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 20 minutes.

Mr. MORSE. Mr. President, the bill now before us is Senate bill 226.

Senate bill 226, as originally introduced by me, is in most respects the same as Senate bill 1313 which was passed by the Senate on August 22, 1958. However, the committee has made the following six changes in that bill:

1. CHANGES IN EFFECTIVE DATES

(A) The 10-percent increase in retirement and survivor annuities is made effective prospectively, that is, with respect to annuities acccruing for months after the month of enactment of this act. The effective date for the 10-percent increase in pensions is changed accordingly.

Mr. President, that was done upon my recommendation—in fact, upon my insistence. I do not like the idea of retroactivity when we are imposing a financial burden upon a party to what, in this instance, might be termed a controversy, without that party's having knowledge that, for some reason, it can expect to be bound by such retroactivity; and I think it most unfair to the carriers to include in the bill, in connection with this matter, a retroactive clause. So my amendment for prospectivity was adopted by the committee.

(B) The increase in tax rates for Retirement Act purposes, as well as the increase in the taxable and creditable monthly compensation base, is also made effective prospectively, that is, with respect to compensation paid in months after the month of enactment of this act for services rendered after such month.

(C) The increase in lump-sum payments is also made effective prospectively, that is, with respect to deaths occurring after the month of enactment of this act.

The effective date with regard to the work restrictions on disability annuitants, and survivor beneficiaries working outside the United States, and the inclusion of social security wages for the purpose of computing survivor benefits, are not changed, effective for calendar years beginning with the calendar year 1959, because they all require computation on an annual basis.

2. CHANGES IN THE MAXIMUM CONTRIBUTION RATE FOR UNEMPLOYMENT INSURANCE

In view of the testimony in the record of the hearings that the maximum contribution rate of 3½ percent provided in the original bill would be inadequate to retain the railroad unemployment insurance account on a sound financial basis, the maximum contribution rate in the newly proposed table for unemployment insurance contributions is changed from 3½ to 4 percent; but this table, as well as the increase in the monthly taxable base from $350 to $400 a month, is made effective with respect to compensation paid in months after the month of enactment of this act for services rendered after such month.

I wish to discuss briefly the contribution rate, and I wish to stress two things which were pointed out during our hearings. First, in recent years the railroads have, in effect, saved approximately $1,100 million as a result of the experience rating provision the Senate adopted some years ago, comparable to the experience rating which exists in many State laws in connection with the matter of determining unemployment compensation. The percentage is flexible: If employment is high, the rate can go down one-half of 1 percent; and when unemployment is high, the percentage rate goes up.

The Railroad Retirement Board suggested that 4 percent should be agreed upon as the figure; but the Board's own statistics, as we see by examining page 24 of our report, show that with the proposed changes, a tax of 3.75—or 3¾—percent would be fiscally sound for this fund; and I understand that when I conclude, and when the Senator from Illinois [Mr. DIRKSEN] takes the floor, in view of the table which appears on page 24 and in view of the testimony from the Railroad Retirement Board, the Senator from Illinois will propose an amendment to reduce the tax from 4 percent to 3¾ percent.

I wish to say that when the Senator from Illinois does that, I will accept the amendment, in behalf of the committee. So I think the amendment for a tax of 3¾ percent should be accepted by the Senate.

The provisions for increasing and extending the benefits under the Unemployment Insurance Act and the effective dates of such increases and extensions are not changed.

3. CONFERRING AUTHORITY UPON THE BOARD TO BORROW MONEY FROM THE RAILROAD RETIREMENT ACCOUNT

In view of the low balance in the railroad unemployment insurance account, as shown in the record of the hearings, a new amendment is added to the Railroad Unemployment Insurance Act; and the amendment confers upon the Railroad Retirement Board the authority to borrow from the railroad retirement account, for the payment of benefits and refunds under the Railroad Unemployment Insurance Act, on a reimbursable and 3-percent interest basis.

Let me say that all parties agree—the carriers the brotherhoods, and the Railroad Retirement Board itself; and in the committee we are unanimous—on this point, namely, that this borrowing power should be granted as recommended by all the parties—the carriers, the brotherhoods, and the Board.

4. EXTENDING TO JULY 1, 1959, THE PERIOD FOR THE PAYMENT OF TEMPORARY UNEMPLOYMENT INSURANCE BENEFITS

The provision in the bill for the payment of temporary unemployment compensation to employees with less than 10 years of service, up to a maximum of 65 days, but not later than April 1, 1959, is extended to July 1, 1959, in order to conform, as nearly as possible, to the provisions in Public Law 86–7, which was approved March 31, 1959, extending the Temporary Unemployment Compensation Act of 1958 to July 1, 1959.

5. A TECHNICAL AMENDMENT WITH REGARD TO SUBSIDIARY REMUNERATION

The committee amendments include also a technical amendment to section 1(k) of the Railroad Unemployment Insurance Act, with regard to subsidiary remuneration. Under present law, if an individual's base year's earnings are insufficient to make him a qualified employee but for the inclusion of "subsidiary remuneration", no day on which he earns such subsidiary remuneration is a day of unemployment, although otherwise it may be. In view of the proposed increase in the qualifying earnings from $400 to $500 in the base year, section 1(k) of the Railroad Unemployment Insurance Act is amended by striking out "$400" and inserting in lieu thereof "$500."

This is a desirable amendment, and I think it is deserving of adoption. I believe it is a fair amendment; and the committee was unanimous in regard to it.

6. AN ATTEMPT TO PROTECT A SMALL GROUP OF VETERAN PENSIONERS

Section 20 of the Railroad Retirement Act is amended to provide the annuities and pensions under the Railroad Retirement Act should not be deemed income for purposes of determining veterans' income, in cases involving non-service-connected disability pensions now afforded veterans who are totally and permanently disabled.

All these six changes are shown in italics on the several pages of the committee bill now before us.

Mr. President, at this time I wish to say a word, because I know the Senator from South Carolina [Mr. JOHNSTON] is always interested in veterans' legislation. This amendment is a veterans' amendment; and it came to us also with the recommendation of the expert on veterans affairs who assists our Committee on Labor and Public Welfare, that simple justice entitles the veterans to this consideration.

As so amended, the committee bill would amend the Railroad Retirement Act, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act in the following respects:

A. AMENDMENTS TO THE RAILROAD RETIREMENT ACT

First. All retirement and survivor annuities, including spouses' annuities, computed under the regular railroad retirement formulas, including the minimum formulas, would be increased by 10 percent, effective with respect to annuities accruing for months after the month of enactment of the bill.

In other words, it will be prospective.

Second. All retirement and survivor annuities, including spouses' annuities, computed under the overall social security minimum would be increased by 10 percent, effective with respect to annuities accruing for months after the month of enactment of the bill.

Third. All pensions payable under section 6 of the Railroad Retirement Act would be increased by 10 percent, effective with respect to pensions due in months after the month next following the month of enactment of this bill.

Fourth. The maximum amount of monthly compensation creditable for benefit purposes would be increased from $350 to $400 effective with respect to services rendered after the month of enactment of this bill.

Fifth. The formula for computing the "residual" lump sum would be amended—in conformity with amendments proposed to the Railroad Retirement Tax Act to increase the tax rate and to increase the maximum monthly tax base to $400—by increasing the percentage factor applicable to compensation after 1958 and before 1962, to 7½ percent, and to compensation after 1961 to 8 percent, and by increasing the maximum amount of compensation to which such factors are applicable from $350 to $400 earned in months after the month of enactment of this bill.

Sixth. The privilege—now available to a male employee with 30 years of service—of electing to receive a reduced annuity at age 60 would be available to women employees with 10 years of service at age 62. Also, spouses of annuitants—age 65 or more—would have the right to elect to receive a reduced spouse's annuity at age 62. The reduction in each case would be by one one-hundred-and-eightieth for each calendar month the beneficiary is under age 65; and both provisions would be effective for annuities accruing for months after the month of enactment of the bill.

Seventh. The earnings test now applicable to disability annuitants under which such an annuitant under age 65 does not receive his annuity for any month in which he is paid more than $100 in earnings, would be modified by a proviso to the effect that if the annuitant's total earnings in any calendar year do not exceed $1,200, the annuity otherwise not payable because of his earnings in excess of $100 in any month in the year would become payable. Should the annuitant's earnings exceed $1,200 in any year, loss of annuity would not exceed 1 month's annuity for each $100 that the annuitant earned in excess of $1,200, treating any remainder of such excess of $50 or more as $100.

Earnings from employment with an "employer" as defined in the Railroad Retirement Act, and from employment with the disability annuitant's last employer before he retired—whether or not a railroad employer—will not count toward this $1,200 maximum, since no annuities are payable in any event under section 2(d) of the act for any month in which the disability annuitant had such employment, regardless of the amount of earnings in that employment.

The earnings test now applicable to survivor annuitants working outside the United States—no more than 6 days' remunerative activity in a month—would also be changed to a yearly earnings test applicable to survivor annuitants who are U.S. workers.

These changes would be effective for calendar years beginning with the calendar year 1959, although it will not be before 1960 when the question of the yearly earnings for 1959 will have to be determined.

Eighth. The amendment to section 20 of the Railroad Retirement Act would make it unnecessary for a railroad employe to waive part of his annuity or pension in order to avoid forfeiting his non-service-connected disability pension. Under this amendment, his annuity or pension under the Railroad Retirement Act would not be considered as income for purposes of the "income limitations" prescribed by section 522 of title 38 of the United States Code, under which non-service-connected disability pensions, otherwise due, are not to be paid to "any unmarried veteran whose annual income exceeds $1,400 or to any married veterans or any veteran with children whose annual income exceeds $2,700." This amendment would be effective prospectively, the same as the increases in annuities and pensions mentioned previously.

B. AMENDMENTS TO THE RAILROAD RETIREMENT TAX ACT

First. The bill would increase, effective with respect to compensation earned in months after the month of enactment of the bill, the tax rate on employees and employers from 6¼ percent to 6¾ percent on the employee's compensation earned up to $400 in any month after the month of enactment of the bill and before 1962, and to 7¼ percent of the employee's compensation up to $400 earned in any month after 1961. This tax rate would be increased, with respect to compensation paid after December 31, 1964, by the same number of percentage points—or fractions of percentage points—by which the then current social security tax rate exceeds 2¾ percent—the social security tax rate scheduled to be in effect from 1960 through 1964 under the Social Security Amendments of 1956—this increase is conditioned, of course, on the increase in social security taxes.

Second. The tax rate on employee representatives would be increased from 12½ percent to 13½ percent, with respect to compensation earned after the month of enactment of the bill up to $400 in any month after the month of enactment of the bill and before 1962, and to 14½ percent of compensation up to $400 earned in any month after 1961. This tax rate would also be increased with respect to compensation paid after December 31, 1964, just as in the case of the employer and employee tax rates, but this increase would be by twice the number of percentage points—or fractions of percentage points—by which the then current social security tax rate exceeds 2¾ percent. This latter increase, too, would be conditional.

Third. The withholdings required of employers of the taxes imposed on their employees would be increased in accordance with the increase in tax rate and tax base.

C. AMENDMENTS TO THE RAILROAD UNEMPLOYMENT INSURANCE ACT

First. The maximum number of days of unemployment in the first registration period in a benefit year for which benefits may be paid would be increased from 7 to 10 days, the same number as the law now provides with respect to all subsequent registration periods in the benefit year. This amendment would be effective with respect to benefits payable in the current benefit year and thereafter, for normal benefits, and as early as January 1, 1958, for benefits in extended periods.

Second. A new schedule of increased daily benefit rates would apply, ranging from a minimum daily benefit rate of $4.50 for compensation of $500 to $699.99 in a year to a maximum daily benefit rate of $10.20 for compensation of $4,000 or more in a year. The proposed daily benefit rates are from 50 cents to $1.70 higher than present rates. The alternative minimum daily rate payable would be increased from 50 to 60 percent of the daily rate of compensation—with a maximum of $10.20 per day—for the employee's last employment in which he was engaged for an employer during the base—calendar—year. This amendment would be effective with respect to benefits payable in the current benefit year and thereafter, for normal benefits, and as early as January 1, 1958 for benefits in extended periods.

Third. The substitution of "$500" for "$400" in section 1(k) of the Railroad Unemployment Insurance Act, with regard to subsidiary remuneration, and the change in the minimum earnings from $400 to $500 in a base—calendar—year which would qualify an employee for benefits, would be effective with respect to benefits payable in the benefit year beginning July 1, 1959.

Fourth. An employee with less than 10 years of service who has, after June 30, 1957, and before April 1, 1959, exhausted his rights to unemployment benefits under present law would receive additional unemployment benefits, payable retroactively, for days of unemployment, not exceeding 65, which occur in registration periods beginning on or after June 19, 1958, and before July 1, 1959.

Fifth. An employee who has 10 or more years of service, who did not voluntarily leave work without good cause or voluntarily retire, who has 14 or more consecutive days of unemployment, and who is not a "qualified employee" for the general benefit year current when such unemployment commences, but is or becomes a "qualified employee" for the next succeeding general benefit year, such succeeding benefit year shall, in his case, begin on the first day of the month in which such unemployment commences and continues to such time as it otherwise would.

An employee with 10 but less than 15 years of service, who did not voluntarily leave work without good cause or voluntarily retire, upon exhaustion of his rights to normal unemployment benefits under present law in a given benefit year would have such benefit year extended by an additional 7 successive 14-day periods after such exhaustion, with a maximum of 65 days of additional benefits.

An employee with 15 or more years of service, who did not voluntarily leave work without good cause or voluntarily retire, upon exhaustion of his rights to normal unemployment benefits under present law in a given benefit year would

have such benefit year extended by an additional 13 successive 14-day periods after such exhaustion, with a maximum of 130 days of additional benefits.

The extended benefit period in any case could begin as early as January 1, 1958.

Sixth. Sundays and holidays could be compensable days of unemployment, just as any other day, whether or not such Sundays and holidays are preceded and succeeeded by a day of unemployment. This amendment would be effective with respect to benefits payable in the current benefit year and thereafter, for normal benefits, and as early as January 1, 1958, for benefits in extended periods.

Seventh. To provide funds for the additional benefits recommended, the bill would increase the monthly limit on taxable compensation for services after the month of enactment, from $350 to $400 a month per employee—and would increase the credit base as well—and would change the contribution or tax rate schedule so that when the balance in the railroad unemployment insurance account should fall below $300 million by September 30 of any year—including the year 1958—the rate in the following calendar year, but not before the month next following the month of enactment of the bill, would be 4 percent—instead of the present 3 percent when the account falls below $250 million—with step changes to provide lower rates when the balance increases, with a minimum rate of 1½ percent when the balance reaches $450 million.

Eighth. The bill would also provide an increase in the maximum creditable and taxable base from $350 to $400 a month on compensation earned by employee representatives after the month of enactment; but this amendment has no practical significance—it is merely a formal amendment to conform to the pattern of the act since employee representative earnings are disregarded for unemployment and sickness insurance purposes, including contribution purposes.

Ninth. In view of the low balance in the railroad unemployment insurance account, as shown in the record of the hearings, a new amendment is added to the Railroad Unemployment Insurance Act which confers upon the Railroad Retirement Board the authority to borrow from the Railroad Retirement Account for the payment of benefits and refunds under the Railroad Unemployment Insurance Act, on a reimbursable, and 3 percent interest, basis.

In conclusion, the bill would serve the public interest by returning the railroad retirement system to an essentially sound actuarial basis and strengthening the morale of railroad workers by providing for them a better retirement and unemployment insurance system. The increase in taxes and in the compensation base to which the taxes apply would reduce the present actuarial deficit of 4.18 percent of taxable payroll, or some $213 million a year, to an estimated .61 percent, or some $34 million a year, in the retirement system. The change in the contribution schedule with provision for a maximum contribution rate of 4 percent would place the unemployment insurance system, too, on a sound financial basis. The change in the retirement tax would accord with the request of the President made in 1956 when he signed the stop-gap legislation providing a moderate increase in retirement benefits.

The railroad system which is, of course, the most vital and important element in the national transportation system and which is so important to the Nation's welfare, economic strength, and defense, cannot function without a stable and experienced work force. To maintain such a work force it must compete with other industry which generally provides generous private retirement benefits supplementary to social security benefits, which benefits were, in addition, increased substantially in the very last session of Congress. The increased retirement and unemployment benefits, as well as the financial stabilization provided by this bill, would serve to better the condition of the railroad worker and greatly help the railroads to preserve their efficient labor force on which the industry and the Nation are so dependent.

The PRESIDING OFFICER. The time of the Senator from Oregon has expired.

Mr. MORSE. Mr. President, I wish to apologize to the Senator from Illinois. I thought that I could finish my statement in not more than 15 minutes and that I would have 5 minutes remaining to answer questions. If the Senator from Illinois has some time available, I ask him to yield me 5 minutes, so that I may answer any questions the Senator from Colorado has in mind.

Mr. DIRKSEN. Mr. President, I first yield 1 minute to the distinguished Senator from Louisiana.

Mr. LONG. Mr. President, I am not certain there will be a yea and nay vote on the bill, so I wish to say for the record I shall vote for the bill.

Mr. MORSE. The Senator from Louisiana has been of great help.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. DIRKSEN. Mr. President, I yield 1 minute to the distinguished Senator from North Dakota [Mr. LANGER].

Mr. LANGER. Can the Senator from Oregon tell me what the retirement pay would amount to for a man who is 65 years old who has been receiving $500 a month and who becomes totally disabled?

Mr. MORSE. Retirement is on a monthly basis, as the Senator knows. The maximum would go up 10 percent over what it is now.

Mr. LANGER. Can the Senator give me a dollar figure?

Mr. MORSE. The average for all employee annuities under the bill will be approximately $125.

Mr. LANGER. I thank my friend.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DIRKSEN. Mr. President, I yield 1 minute to the Senator from New York [Mr. JAVITS].

Mr. JAVITS. Mr. President, as a member of the committee, I feel a sense of responsibility with respect to the bill. I should like to state, first, that I think the Senator from Oregon has us all in his debt for the skill and study he has given this whole problem.

I hope very much that we now have a bill in balance so much that it will pass. I asked for this time to express my sentiment for the bill, and to express my gratification that the bill came from the Committee on Labor and Public Welfare.

I also wish to urge the same thing which was urged upon us, and which prevailed with us, that all of us should stretch a point with respect to the details of the bill in order to get a bill enacted. If we do not do that, both here and in the other body, we will not have a bill at all, that having been the sad experience of last year.

I thank my colleague from Illinois for yielding to me.

Mr. DIRKSEN. Mr. President, I yield 5 minutes to the distinguished Senator from Colorado [Mr. ALLOTT].

The PRESIDING OFFICER. The Senator from Colorado is recognized for 5 minutes.

Mr. ALLOTT. Mr. President, I should like the RECORD to show that the Senator from Oregon is present on the floor at this time, because I desire to address some questions to him at a later point in my remarks.

Perhaps a little history with regard to this matter is not out of line as a part of the record. In 1956, as a member of the Subcommittee on Railroad Retirement of the Committee on Labor and Public Welfare, the Railway Brotherhood officials came to the members of the committee late in the session to ask us to raise the retirement benefits 10 percent. At that time they agreed to come back the next year to work out a basis for financing that increase. That was done. In the President's approval of the bill that year the President said he approved the bill with the understanding that it would be financed by the Congress at the coming session of Congress.

At the next session of Congress we got a bill which also contained quite a few changes, and was more than a bill simply to finance the raises we had given in the preceding Congress. We started to work upon the bill in 1957, and we worked all through 1957 and 1958. The Senator from Oregon was the chairman of the subcommittee. I was still a member of the subcommittee at that time.

The Senator from Oregon will recall, I am sure, that although there was at one time some criticism raised with regard to me, I rose upon the floor of the Senate to defend the part I had played in trying actively to create a bill which would be brought to the Senate. I think the record should be made clear.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. MORSE. I wish to say that the Senator was of great help. I am very sorry, although I am delighted with the cooperation I receive from my present associates in the committee, that the Senator from Colorado is no longer a

member of the committee. The Senator was of great help in getting the bill through the committee in 1958.

Mr. ALLOTT. At that time, as a result of the raises we had given upon retirement, the fund went into debt over the fiscal years 1957 and 1958 a total of some $140 million.

I should like to ask the Senator from Oregon a question. As the result of our not acting on this matter prior to this time, what will be the deficit for the 3 years as of July 1 of this year?

Mr. MORSE. The present deficit is $213 million a year, as was brought out in the hearings. I am sorry I cannot put my finger on the evidence exactly, but I assure Senators it is in the hearings. If the bill under consideration is enacted it will reduce the deficit to about $34 million a year.

Mr. ALLOTT. I thank the Senator for that information, because it justifies in my mind the position I took with respect to the former bills, which was that we should bring to the Senate a bill to put the fund on a sound actuarial basis.

Mr. MORSE. I wish to bring to the Senator's attention page 19 of the committee report, which shows the figure of a $34 million deficit if the bill is adopted.

I also wish to say that the Railroad Retirement Board tells us that figure is not of sufficient significance to make the bill not actuarially sound, because there is a great fluctuation in a fund with as many millions of dollars as this fund has. If at a given time there is a $34 million deficit, it would not make the fund actuarially unsound.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ALLOTT. Mr. President, I yield myself 5 more minutes.

Mr. MORSE. Mr. President, the Senator from Colorado is entitled to make a record and to be helpful with regard to the legislative history. Under these circumstances I think possibly we ought to try to obtain a few minutes of extended time for the Senator to ask questions. It may take a little time to dig the information out of the record.

Mr. ALLOTT. I believe we have adequate time, and if we need a few minutes more I will ask for unanimous consent.

The Senator from Oregon will recall that because of the situation which existed last year when the railroad retirement bill was before the Senate, he offered a bill which he had been forced to work out with Members of the House at the last minute, and there was no opportunity to examine that bill. I opposed the bill on the ground that it did not put the fund in a sound actuarial condition.

From an examination of the bill for this year, I understand the bill which is proposed will place the fund on a sound actuarial basis, including taking care of deficits which we have incurred during the last 3 years.

Mr. MORSE. I wish the record to show this very clearly. We pressed the Board at the hearings on that subject. They point out that there will be a deficit, according to present calculations, of $34 million; but they also point out that for all practical purposes, the bill would restore the system to a sound financial basis. When we are dealing with the sum of $34 million, it is small in comparison with the total amount of the funds. So my answer is "Yes," if we bear in mind that the testimony is that the fund will be substantially actuarily sound.

This bill is substantially the bill which we arrived at in compromise with Representative HARRIS last year in the closing days of the session.

Mr. ALLOTT. I understand that; and I understand that the figure of deficit as it now appears is not significant with relation to the whole. With the assurance of the Senator that the bill finally arrived at is on a sound actuarial basis—and that is my understanding from my own studies—I agree that it is a good bill.

I merely wish to make it clear that when I voted against the bill last year I did so on the basis that I did not believe the members of the brotherhoods in Colorado wanted me to preside over the interment of the railroad retirement fund. I am sure the Senator from Oregon will recall my insistence that the bill have a sound actuarial basis. I have insisted that the spouse survivors be taken care of. They were not taken care of in the first bill, in 1956.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. MORSE. This bill does take care of the spouses, as the Senator from Colorado and the Senator from Oregon have always insisted.

Mr. ALLOTT. I understand that. I am very happy to see it, and also to see that the amount which a beneficiary is permitted to earn in a year has been adjusted and amended so that he can earn $1,200 a year, rather than $100 a month.

I have received many letters from railroad people. In fact, I sent out a questionnaire to all those who asked to hear from me. I sent a letter to the president of one railroad brotherhood, who said that I had no right to write to members of the railroad brotherhoods direct. I consider it my right. As a matter of fact, I consider it my duty.

I plan to support the bill. I do not know whether or not there will be a yea-and-nay vote, but I wish the record to show how I would vote. I favor the bill primarily because, at long last, after 3 years, we are seeing the fund brought into a sound actuarial balance. So that when a railroader retires he can be sure that the necessary funds will be there to pay the benefits he has been promised.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. LAUSCHE. As I understand, the position of the Senator from Colorado last year was that if the expenditure was to be made mandatory, the Senator from Colorado felt that, concurrent with that order, provision should be made to supply the money needed to make the expenditure.

Mr. ALLOTT. Yes. If the retirement fund were to be paid out, the retirement fund should, at the same time, be placed upon a sound acturial basis—not on a level basis. Over a period of years, in a curve upward, it will be on a sound basis.

Mr. LAUSCHE. The Senator from Colorado took the position that it would not be good policy to grant the increase and delay the necessary change in the law to provide the money with which to finance the increase.

Mr. ALLOTT. The Senator is exactly correct.

Mr. MORSE. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DIRKSEN. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Illinois will be stated.

The LEGISLATIVE CLERK. On page 18, in the tabulation following line 10, it is proposed to strike out the numeral "4" and insert in lieu thereof "3¾."

On page 18, line 13, it is proposed to strike out the numeral "4" and insert in lieu thereof "3¾."

Mr. DIRKSEN. Mr. President, I have discussed this amendment with the distinguished Senator from Oregon, and he is willing to accept it and take it to conference.

Mr. MORSE. I am willing to accept it and take it to conference.

Mr. DIRKSEN. When the Chairman of the Railroad Retirement Board appeared before the committee, his first notion was that 3½ percent would be sufficient. Then he had some doubts about it, but he was quite sure that 3¾ percent would be enough, particularly when the base is extended. This figure appears to be agreeable to all concerned, and we can take it to conference without further discussion.

Mr. MORSE. I accept it.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Illinois [Mr. DIRKSEN].

The amendment was agreed to.

Mr. MORSE. Mr. President, will the Senator from Illinois yield half a minute to a very able Member of our committee, the Senator from Kentucky [Mr. COOPER]?

Mr. DIRKSEN. I am glad to yield to the Senator from Kentucky.

Mr. COOPER. Mr. President, for 2½ years I have had the honor of serving as a member of the Subcommittee on Railroad Retirement under the leadership of the distinguished senior Senator from Oregon [Mr. MORSE].

We have held many weeks of hearings on the bill. I believe we have a bill which is actuarially sound, and one which will correct many inequities in the Railroad Retirement Act.

I wish to pay tribute to the senior Senator from Oregon for his fairness, for his patience, and for his vast knowledge of the subject, which has enabled us, after almost 2½ years, to come before the Senate with a bill which I believe will be unanimously accepted.

Mr. MORSE. Mr. President, the Senator from Kentucky was chairman of the

subcommittee under a Republican Congress, and my predecessor. I could not have brought this bill to the Senate without his great knowledge and cooperation. That statement is true of every member of the subcommittee. No chairman of a subcommittee could possibly have had a subcommittee which would work more cooperatively than did this subcommittee.

Mr. JOHNSON of Texas. Mr. President, I am very happy that the bill has been brought before the Senate. I congratulate the Senator from Oregon for the fine work he has done in the subcommittee and in the full committee, as well as on the floor of the Senate, in expediting the consideration of the legislation.

I commend the Senator from Kentucky and the Senator from Illinois for the contribution they have made in this field. I believe that this legislation will benefit a number of worthy people who need the assistance, and I am delighted that we can pass the bill this afternoon without prolonged debate, and I trust without a yea-and-nay vote.

Mr. DIRKSEN. Mr. President, I yield 1 minute to the Senator from North Dakota.

Mr. LANGER. Mr. President, the people of my State have been active in connection with this bill. I wish to compliment the committee for the fine work it has done. I particularly wish to pay tribute to the Senator from Oregon [Mr. MORSE], as well as to the legislative representative of the brotherhoods, Walter Monroe, and men of that type, who have spent hours explaining the bill to us. I believe the president of one of the brotherhoods, J. Park Kennedy, traveled all over the United States speaking on this subject. He deserves a great deal of credit. The bill is a result of a fine job of cooperation.

Mr. MORSE. Mr. President, will the minority leader yield 1 minute to the junior Senator from Colorado [Mr. CARROLL]?

Mr. DIRKSEN. I gladly yield to the Senator from Colorado.

Mr. CARROLL. I congratulate the distinguished Senator from Oregon and his colleagues for their excellent work in connection with the bill. I am happy to join in sponsoring the bill to improve the railroad retirement compensation. An increase in railroad retirement benefits is long overdue, and will enable railroad workers to deal more effectively with the high cost of living and the extension of unemployment benefits gives recognition to the serious unemployment situation which exists in the railroad industry today.

Mr. JOHNSTON of South Carolina. Mr. President, will the minority leader yield briefly to me?

Mr. DIRKSEN. I yield 1 minute to the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. I commend the senior Senator from Oregon for bringing the bill to the floor of the Senate. The increase provided by the bill is needed in order to keep up with the cost of living.

In the Government we have already done what is being done here today, which is no more than right and just. We regret that we cannot do more, but we realize that in connection with retirement systems, we cannot go too far, for if we do, it results in harm in the other direction.

I am glad to join the Senator from Oregon today in doing what I consider to be nothing more than right and just.

Mr. MOSS. Mr. President, I rise in support of the bill before the Senate (S. 226), which will bring railroad retirement and unemployment insurance benefits in line with present living costs, and place both systems on a stable, self-supporting basis.

In my opinion, there should be little controversy about this bill. It corrects a number of inequities—and at no cost to the Federal Government.

Last session Congress voted retirement increases both for social security beneficiaries and retired civil service employees. The bill intended to give retired railroad workers a few more dollars to meet today's soaring living costs was passed by the Senate but died in the House. Enactment of the measure before us today by both Houses will give to those workers who have devoted their lives to the railroad industry the same consideration already given to other groups.

The improvements in the insurance system will be especially helpful in these times of high railroad unemployment. Technical changes and changes in methods of operation are displacing thousands of veteran railroad workers with 10, 20, and even 30 years of service, and many of them are finding it impossible to locate work in other fields.

Since the bill calls for an increase in payroll taxes on both employers and employees, the question naturally arises as to how it would affect the financial status of the railroads. I realize that additional expense to any business requires readjustments, but there is every indication that the taxes required by this measure would not put too heavy a burden on the railroad industry. The railroads have made a strong recovery from the 1957 and 1958 recession, and their financial condition is now reported to be good.

I am naturally most concerned about the condition of western railroads, so I have studied with interest the month-by-month financial statements for three of them—Southern Pacific, Western Pacific, and Union Pacific, which show gross earnings for the years 1957 and 1958. The figures were taken from reports made by the carriers to the California Public Utilities Commission. They show railroad income at a substantial level, and rising in the last half of 1958—a rise which I am told unofficially is continuing in 1959. I ask unanimous consent to have these statements placed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

SOUTHERN PACIFIC CO.

Month	Total gross operating revenue		Net operating earnings	
	1958	1957	1958	1957
January	$40,099,870	$41,015,820	$6,975,711	$6,876,424
February	36,654,988	39,226,109	6,039,928	7,233,552
March	38,717,595	42,604,871	6,553,013	8,067,102
April	38,961,765	42,719,728	6,681,496	7,631,962
May	41,796,016	45,009,137	7,699,457	7,801,745
June	46,040,986	45,286,289	10,860,905	7,997,212
July	45,854,535	47,043,673	9,385,256	8,233,739
August	45,063,995	46,834,475	9,253,942	8,976,452
September	47,168,748	44,345,394	10,754,350	8,401,061
October	47,785,073	46,131,902	9,856,418	10,430,041
November	41,186,065	41,032,644	6,592,408	6,897,686
December	44,016,533	42,286,506	5,079,744	6,749,762

Source: California Public Utilities Commission Reports of 1958.

UNION PACIFIC RAILROAD

January	$38,006,228	$40,900,223	$8,897,535	$9,378,085
February	35,016,144	38,694,794	8,180,699	8,269,372
March	38,802,708	44,350,327	10,156,066	11,652,881
April	37,034,782	40,852,295	7,176,723	8,530,021
May	39,111,274	41,362,164	7,924,521	8,120,120
June	38,840,903	40,738,871	8,729,056	9,756,541
July	43,456,044	42,545,090	10,323,847	10,826,254
August	48,682,690	49,777,373	15,679,664	17,629,473
September	47,502,936	45,087,845	14,541,081	13,993,470
October	49,928,346	48,272,829	16,848,881	15,865,145
November	44,214,205	42,280,996	13,816,202	11,956,073
December	(1)	42,197,295	(1)	8,727,950

WESTERN PACIFIC R.R.

January	$3,969,978	$4,200,585	$318,224	$437,650
February	3,715,332	4,020,020	341,227	510,697
March	4,036,417	4,471,542	452,395	551,884
April	3,953,046	4,701,732	336,037	724,434
May	4,103,254	4,855,070	369,029	729,124
June	4,288,001	5,026,391	729,587	869,565
July	4,305,604	4,630,546	618,072	565,911
August	4,606,610	5,238,804	1,115,448	699,574
September	5,101,694	4,742,448	968,334	523,860
October	5,104,924	4,672,777	902,974	538,321
November	4,420,684	4,068,483	639,220	402,473
December	(1)	3,904,699	(1)	576,175

[1] December report not available until annual 1958 to be rendered Mar. 15, 1959.

Source: California Public Utilities Commission Reports of 1958.

Mr. MOSS. Mr. President, the bill before us has the endorsement of the 23 standard railway labor organizations. It was reported by the full Labor and Public Welfare Committee by a vote of 14 to 1, with 1 member voting present. For several years delegates to railway labor conventions have voted overwhelmingly for the added protection this legislation would give to retired, unemployed, and ill railroad workers and their families.

The railway labor organizations of my State of Utah, and hundreds of their members, are strongly supporting it. I ask unanimous consent to place in the RECORD at this point a cross-section of the letters I have received from organizations and individuals in my State in support of this bill.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

NATIONAL ASSOCIATION OF RETIRED AND VETERAN RAILWAY EMPLOYEES,
UNIT NO. 77,
Salt Lake City, Utah, January 20, 1959.

Senator F. E. MOSS,
U.S. Senate, Washington, D.C.

DEAR SIR: Members of the National Association of Retired and Veteran Railway Employees are very proud of the progressive action you have taken in connection with bills H.R. 1012 and H.R. 1013 to improve the Railroad Retirement Act and Railroad Unemployment Insurance Act and your cosponsorship of S. 226.

The increase in retirement benefits will greatly assist retired workers and their families in meeting the high cost of living, the majority of pensioners and disability annuitants are in the low pension brackets and in need of these additional benefits. We also hope any increase will be made retroactive to January 1, 1959.

Best wishes to you for a happy and prosperous new year.

Very truly yours,

JAMES M. WELLS,
Secretary-Treasurer.

UTAH STATE LEGISLATIVE COMMITTEE,
BROTHERHOOD OF RAILWAY AND STEAMSHIP CLERKS, FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYEES,
Salt Lake City, Utah, February 12, 1959.

Hon. FRANK E. MOSS,
U.S. Senator,
Washington, D.C.

DEAR SENATOR: I am writing this short letter to thank you for the help that you are giving to pass Senate bill 226, and House bill 1012.

I am sure that you appreciate the necessity for the passage of this legislation and the beneficial results to be obtained therefrom.

Sincerely yours,

L. M. RUSK,
Chairman.

UTAH STATE LEGISLATIVE COMMITTEE,
ORDER OF RAILWAY CONDUCTORS AND BRAKEMEN,
Salt Lake City, Utah, February 14, 1959.

Senator FRANK E. MOSS,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MOSS: I have contacted a large number of our membership here in Utah, and I earnestly request your active interest to Senate bill 226.

I am sure your support of this measure will be greatly appreciated by your constituents here in Utah.

With very best personal regards.

Very truly yours,

E. J. KEMPTON,
Secretary and Treasurer.

BROTHERHOOD RAILWAY CARMEN OF AMERICA,
MOUNT BEN LOMOND LODGE NO. 548,
Ogden, Utah, February 10, 1959.

Hon. Frank E. Moss,
Senate Office Building, Washington, D.C.

DEAR SIR: Legislation sponsored by the standard railway labor organizations to improve the railroad retirement and railroad unemployment insurance benefits, has been introduced at this session of the Congress.

Of special importance is the program of extended unemployment insurance benefits, which are needed particularly at this time since unemployment in the railroad industry is the highest in many years and a substantial number of railroad workers have exhausted their unemployment insurance benefits.

At our last regular monthly meeting a motion was made and passed unanimously that we write to you asking for your favorable consideration and support to S. 226 now before the Congress.

Thanking you for your past support.

Sincerely yours,

BLAINE W. ROUNDS,
Recording Secretary.

SALT LAKE CITY, UTAH, *February 14, 1959.*

Senator FRANK MOSS,
U.S. Senate, Washington, D.C.

DEAR SIR: I have been instructed by Local 999 of Fireman and Oilers Union which represents some employees of the Union Pacific Railroad to write and advise you of our views on the Honorable WAYNE MORSE bill (S. 226) which is before the Senate now.

We are deeply concerned with the welfare of our members and are aware of the good this bill can do to help members who are pensioned or unemployed. We as a group feel that this bill is a great step toward a better future for the people and the railroadman.

We urge you to give careful consideration and support to this bill.

Thank you,

JAMES A. NEWBOLD,
Recording Secretary.

RAILROAD YARDMASTERS OF AMERICA,
GENERAL GRIEVANCE COMMITTEE,
UNION PACIFIC SYSTEM,
Salt Lake City, Utah, February 21, 1959.

Hon. FRANK E. MOSS,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MOSS: On behalf of the employees of the Union Pacific Railroad Co., represented by this organization, we urgently request that you vote for S. 226, a bill to amend the Railroad Retirement Act, Railroad Retirement Tax Act, and Railroad Unemployment Insurance Act.

Yours truly,

W. A. SNYDER,
General Chairman.

SHEET METAL WORKERS' INTERNATIONAL ASSOCIATION,
LOCAL UNION NO. 92,
Salt Lake City, Utah, February 23, 1959.

Senator FRANK E. MOSS,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MOSS: In behalf of the Sheet Metal Workers Local No. 92, we endorse Senate bill 226, to amend Railroad Retirement Act, Railroad Retirement Tax Act, and Railroad Unemployment Insurance Act.

We believe that, with so many of our railroad workers who have been working for many years, who now are being furloughed, and their age being a handicap to gain other employment, that the passage of this bill is necessary.

Hoping that you will take this into serious consideration, I remain

Very truly yours,

THOMAS H. WILLIAMS,
Recording Secretary.

BROTHERHOOD OF RAILWAY AND STEAMSHIP CLERKS,
FREIGHT HANDLERS, EXPRESS, AND STATION EMPLOYEES,
GOLDEN SPIKE LODGE NO. 926,
Roy, Utah, March 3, 1959.

Senator FRANK MOSS,
U.S. Senate, Washington, D.C.

DEAR SENATOR MOSS: By directive of the unanimous vote of the members present at the last regular meeting of the above lodge, your attention is called to Senate bill 226, which provides for certain amendments to the Railroad Retirement Act and the Railroad Retirement Tax Act.

We urgently request that you give this bill the benefit of your active support and favorable vote, as opportunities arise for you to do so.

Sincerely and fraternally,

UDELL F. KEARL,
Secretary-Treasurer.

BROTHERHOOD OF RAILWAY AND STEAMSHIP CLERKS,
FREIGHT HANDLERS, EXPRESS, AND STATION EMPLOYEES,
SYSTEM BOARD OF ADJUSTMENT NO. 83,
Ogden, Utah, March 18, 1959.

Hon. FRANK E. MOSS,
U.S. Senator, Senate Office Building,
Washington, D.C.

DEAR SENATOR: Before the Congress of the United States are companion bills, H.R. 1012 and S. 226, designed to amend the Railroad Retirement Act, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act in such manner as to extend the benefits and provisions of this legislation to a more equitable basis with current economic conditions and, at the same time, to wipe out the deficit occurring under the present unusually heavy demands on the system.

The members of this organization (the largest of all standard railroad labor organizations), comprising a substantial block of your constituency, are the beneficiaries of these acts, and, as such, contribute to the well being of our State and our local economy.

We urge your serious consideration of this legislation and we call upon you to assist with the passage of Senate bill S. 226 in every way possible.

Your advice of the status of this legislation and your comments will be appreciated.

Yours very truly,

LLOYD C. MURDOCK,
General Chairman.

BROTHERHOOD OF RAILWAY AND STEAMSHIP CLERKS,
FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYEES,
RAILWAY EXPRESSMEN'S LODGE 2018,
Salt Lake City, Utah, March 23, 1959.

Senator FRANK E. MOSS,
Washington, D.C.

HONORABLE SENATOR: We understand Senate bill S. 226 will be up for consideration soon. As legislative representative of Express Lodge 2018 it is desired that you give your support to the enactment of this legislation thereby giving railroad and express workers and their families fair treatment.

We also thank you for anything you do to help pass this measure.

Very truly yours,

G. K. JENSEN,
Legislative Representative.

BOUNTIFUL, UTAH, *March 24, 1959.*

Hon. FRANK E. MOSS,
U.S. Senator, Washington, D.C.

DEAR SENATOR: I am writing in regard to proposed bills H.R. 1012 and S. 226 pertaining to increased benefits of the railroad retirement and unemployment insurance.

I have before me the benefits and costs of these proposed bills. I have contacted a number of my fellow workers and they are of the same opinion as myself. The increase

of 10 percent in annuities is needed very badly. The retired people are in a terrible squeeze, as you are fully aware of, in this mounting inflationary whirl. I am not speaking for myself at the present time as I am only 48 years old and all of this setup may change before I ever reach retirement age. The increase to us working in the railroad industry, so far as the additional costs are concerned, is small. I say this from the standpoint that we are all faced with the outlook of getting old and needing some sort of help.

In closing I urge you gentlemen to adopt these bills and reject the proposals of bill S. 987 as sponsored by railroad management. Those of us working can well afford the increase in costs and according to the profits of the railroads, they can afford the increase also.

Very truly yours,

GLENN E. FOX.

MORONI, UTAH, *March 10, 1959.*

Hon. FRANK E. MOSS,
Washington, D.C.

DEAR SENATOR: I am writing to ask that you do everything possible to support Senate bill 226 and H.R. 1012 now being heard in Washington, D.C., by the Labor and Public Welfare Committee of the U.S. Senate and by the Interstate and Foreign Commerce Committee of the House of Representatives. It would require each railroad employee to pay an additional tax on $400 rather than on the present $350 per month of his earnings.

Although I am just a railroad employee I believe this to be a good measure because it will also allow an increase in the annuity payments when we retire. This small increase at the present time is worth it and can be met while we have the ability to earn. Thank you.

Sincerely yours,

F. A. CHRYST.

SALT LAKE CITY, UTAH, *March 5, 1959.*

Hon. FRANK E. MOSS,
Senate Office Building,
Washington, D.C.

MY DEAR MR. MOSS: From May, 1917, to October 1949, I was an employee of the Union Pacific Railroad in its special agents' department. In October 1949, I was elected to the office of full time president of the Railway Patrolmen's International Union, AFL–CIO, which office I held till October 1956 at which time I retired, age 68. It goes without saying that both the wife and I are particularly interested in the enactment of amendments to bring equity and fair treatment to retired railroad workers, and the purpose of this letter is to remind you, though I doubt whether reminding is needed, not to overlook giving your serious consideration and your able support to the enactment of pending Senate bill 226, for which, we assure you, we shall deem ourselves deeply indebted to you.

From the time of enactment of the Railroad Retirement Act till the time of my retirement, to assist in financing this retirement program, deductions were withheld monthly from my paychecks. It should therefore be kept in mind that this program, including amendments contained in Senate bill 226, is self-financing, operating without Federal subsidy of any kind.

Again thanking you for this as well as for past considerations.

Respectfully and sincerely yours,

CULBERT BOWEN.
JEAN A. BOWEN.

MILFORD, UTAH, *April 12, 1959.*

Hon. FRANK E. MOSS,
U.S. Senator,
Senate Office Building,
Washington, D.C.

MY DEAR MR. MOSS: I am taking this opportunity to ask your support of H.R. 1012, which provides for increased railroad retirement benefits. As a retired railroad man I find it increasingly harder to meet my actual needs on what I get.

In these times of extremely high costs of living, people working for a living get raises in wages, many on escalator clauses of their agreements with their employers, based on the cost of living increases. Nothing has been done for us that have retired.

Hoping that you will take this request into consideration, I am

Respectfully yours,

E. G. WALKER.

Mr. MOSS. Mr. President, in conclusion, I point out that the railroad industry and its workers are essential to a healthy national economy and a strong national defense. I hope this bill to strengthen the railroad retirement and unemployment insurance system will pass without any delay.

Mr. MORSE. Mr. President, I ask unanimous consent that when the bill is passed the Secretary of the Senate may be authorized to make clerical and technical corrections in the bill.

The PRESIDING OFFICER. Without objection, it is so ordered. The question is on agreeing to the amendment offered by the Senator from Illinois.

The amendment was agreed to.

Mr. DIRKSEN. Mr. President, I yield 1 minute to the Senator from South Carolina.

Mr. THURMOND. I merely wish to say that last year I was a member of the Railroad Retirement Subcommittee.

Mr. MORSE. Before the Senator says another thing I should like to say something. He was a member of the Railroad Retirement Subcommittee, and a very helpful member. Let me tell the Senate, without employing the colloquialism I was about to use, that what he kept pressing upon me as did the Senator from Colorado also, was the question, Is this bill actually sound? Do we have a sound bill? He was very helpful in getting agreement among all concerned so that we now have a bill which is actuarially sound.

Mr. THURMOND. I wish to commend the senior Senator from Oregon for his hard and intelligent work on the bill. I am pleased that it has been possible to bring out an actuarially sound bill, a bill which will be of benefit to all concerned.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be offered, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MORSE. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. JOHNSON of Texas. I move to lay that motion on the table.

The motion to table was agreed to.

RESOLUTIONS ADOPTED BY AMERICANS OF UKRAINIAN DESCENT

Mr. DIRKSEN. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement prepared by me in connection with some resolutions adopted by Americans of Ukrainian descent. I also ask unanimous consent that the resolutions, dealing with our relations with the Soviet Union, be printed in the RECORD at this point.

There being no objection, the statement and resolutions were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR DIRKSEN

Over the Washington Birthday weekend the Ukrainian Congress Committee of America held its Seventh Triennial Congress of Americans of Ukrainian Descent at the Statler Hilton Hotel in Washington, D.C. The Ukrainian Congress Committee of America is the national organization which unites all American groups and organizations of Ukrainian ancestry. It represents about 2½ million American citizens with certain well-founded thoughts and sentiments toward Eastern Europe and Russian Communist imperialism.

This national organization is led by Dr. Lev E. Dobriansky, its national chairman, and also a professor of economics at Georgetown University. It has been my pleasure for many years to know the activities of this organization in behalf of our national security interests. The work of its membership in Chicago, under the able leadership of Mr. John Duzansky, president of the League of Americans of Ukrainian Descent, has always been of particular interest to me.

The Seventh Congress of Americans of Ukrainian Descent unanimously passed a body of resolutions dealing with U.S. foreign policy. These resolutions are of particular importance to all Americans who closely follow U.S. relations with the Soviet Union. Needless to say, they are deserving of the studied interest of all Members of Congress. I request that these resolutions be printed in full.

RESOLUTIONS OF AMERICANS OF UKRAINIAN DESCENT AT SEVENTH TRIENNIAL CONGRESS, FEBRUARY 21–23, 1959, WASHINGTON, D.C.

The Seventh Congress of Americans of Ukrainian Descent, representing all the social, political, and scientific forces of the Ukrainian-American community, gathered on the birthday of George Washington and also in the month of the anniversary of one of the greatest statesmen of this country, Abraham Lincoln, unanimously decided:

1. In the years between the sixth and seventh congress (1955–59), the tension between the Russian Empire and the free world, headed by the United States of America, has not diminished;

2. The Bolshevik leaders of the U.S.S.R., having somehow alleviated their internal crisis in the empire, have directed the Bolshevik aggression against Western Europe, demanding from the governments of the free world freedom to transform Western Berlin into a Russian springboard for the conquest of Western Europe;

Simultaneously Moscow, wearing an anti-colonial mantle, is instigating among the Asian and African peoples, endeavoring to conquer them by masking its Russian colonialism with international communism;

3. By negotiating with respect to coexistence and economic competition between the United States and the Soviet Russian imperialist tyranny, which tactics Moscow interjects constantly, the free world will not succeed in averting the final onslaught on freedom by bolshevism. The smallest concession in the Berlin matter will be a repetition of the Munich of 1938, which led to the outbreak of World War II;

4. Taking this into consideration, the Congress calls to the attention of the U.S. Government the fact that all support and attempts to preserve a great and indivisible Russia is a great error which the imperialist strategists of the Kremlin are utilizing in their struggle against the free world and

for the enslavement of peoples and countries. We are convinced that Bolshevik aggression can only be stopped by the resolute stand of the United States of America in cooperation with and support of the peoples and nations enslaved by Russia. We are convinced again that only a full recognition of the natural right to national and political independence of the enslaved nations by Russia in various times—especially when in 1917 these nations, through their national revolutions, attained their national independence and sovereignty—could provide the basis for a successful policy and struggle against bolshevism.

5. Therefore, we are certain that the aggression of the U.S.S.R. should be answered by a most decisive counteraction of the United States of America and other free governments of the world, including the eventual breaking off of diplomatic relations with the U.S.S.R., and at the same time a clarifying of the policy and stand with respect to the aspirations of the nations enslaved by Moscow, aspirations to freedom and independence, which aspirations are based on the principles of the American Declaration of Independence;

6. The Congress believes that in the present cold war and with regard to the Soviet Russian aggressions which began immediately after World War II, a dynamic policy of liberation with respect to the nations enslaved by Russia will strengthen the power and prestige of the United States in the world, while planned and consequential policy of supporting the enslaved nations in their struggle for independence could solely oppose the traditional imperialist policy of Moscow in creating new nuclei of unrest and blackmail in the world;

7. In accordance with this approach we should deepen our understanding not only of the Russians, but of the non-Russian peoples, who are forced to live in Soviet Russian slavery and oppression.

In order to achieve the desired objectives, a series of measures should be undertaken by the U.S. Government:

(a) With a more imaginative and dynamic policy toward the U.S.S.R., restoration and expansion of the broadcasts of the Voice of America to all the non-Russian nations of the U.S.S.R. The recent elimination of the Uzbek language of the Voice of America system, as well as the curtailment of the Estonian, Latvian, Lithuanian and Ukrainian broadcasts of the Voice of America, constituted an irreparable blow to American prestige and leadership, and indirectly helped Moscow strengthen its grip over the enslaved non-Russian nations;

(b) Publication of the USIA magazine Amerika not only in the Russian language, but in the languages of other republics of the U.S.S.R., especially the Ukrainian language. Such initiative would remove the suspicion that the U.S. Government is sanctioning the Russification policy of Moscow with respect to the non-Russian nations within the U.S.S.R.;

(c) Furthermore, to support, both morally and materially, legislation providing for the erection of a statue of Taras Shevchenko, Ukraine's greatest national poet, in Washington, as tribute for his work in the cause of freedom on the occasion of the 100th anniversary of his death in 1961;

8. Intercession on the part of the Government of the United States of America with the Soviet Government in the matter of restoration of religious freedom in the U.S.S.R., especially, the full restoration to freedom of the Ukrainian Autocephalic Orthodox Church and the Ukrainian Catholic Church, both of which were ruthlessly destroyed, their hierarchs and clergy and faithful either imprisoned or destroyed, and as a result of which the Ukrainian churches were driven underground;

9. Opposition to any peaceful coexistence policy which serves only the present Russian Communist leadership as a means to disarm the West and thus enslave it piecemeal.

In this respect we support the recent report of the American Bar Association which stresses that only the alternative to a surrendering peaceful coexistence is not world war III, but a reasonable course of action which would check Moscow in its traditional policy of creating sore spots in various parts of the world and capitalizing upon them by threatening the neutral and noncommitted nations with atomic destruction.

10. In view of the confessions of genocide made by Nikita S. Khrushchev at the XXth Congress of the Communist Party of the Soviet Union in February 1956, ratification by the U.S. Senate of the Genocide Convention, and an investigation on the part of the United Nations into the crimes of genocide committed by the U.S.S.R. since 1917;

11. Display of sympathetic understanding on the part of the U.S. Government to the cause of liberation of the nations enslaved by Moscow, and to their aspirations to independence. This would embrace the understanding that the U.S.S.R. is not Russia, and that not all the inhabitants of the Soviet Union are Russians. On the contrary, more than 50 percent of the population of the Soviet Union consists of the enslaved and conquered non-Russian nations, which are waging an undying struggle against the Russian enslaver;

12. We note with indignation that the imperialistic policy of the U.S.S.R. has found moral support among the Russian emigres in the United States, in the form of an ultimatum of 23 Russian organizations, which, at their meeting on August 2, 1958, appealed to President Eisenhower of the United States not to support the natural liberation struggle of the peoples enslaved in the Russian empire, calling such process a "dismemberment of Russia," and threatening that unless the United States withdraws its support of the enslaved peoples, "the Russian people will defend the Soviet Government."

13. To express gratitude to Governors and State governments and to mayors of cities who, understanding the struggle of the Ukrainian people for freedom, statehood, and independence, proclaimed January 22 as Ukrainian Independence Day to commemorate the 41st anniversary of Ukrainian independence.

Likewise, the Seventh Congress of Americans of Ukrainian Descent expresses gratitude to many U.S. Senators and Congressmen for their statements and declarations made on that day in Congress.

It unanimously supports the Bush-Javits resolution, which would have the U.S. Government permanently proclaim January 22 as Ukrainian Independence Day to be observed throughout the country;

14. Because at this time the AFL–CIO, especially under its president, George Meany, conducts a brave and courageous policy with respect to Russian imperialism and against its slave system and defends the right of Ukraine and other enslaved nations to full liberation, the Seventh Congress of Americans of Ukrainian Descent unanimously decides to express its support of the stand of the AFL–CIO and its president George Meany and recommends to the new executive board of the Ukrainian Congress Committee of America to maintain constant relations with this organization and its leaders, who represent the true conscience of the labor movement of America.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I should like to inform the Senate of the possibility that when we conclude consideration of the supplemental appropriation bill, we may proceed to the consideration of the following measures, but not necessarily in the order in which I list them:

Calendar No. 143, S. 994, to authorize the Secretary of the Interior to construct, operate, and maintain the Spokane Valley project, Washington and Idaho under Federal reclamation laws.

Calendar No. 145, H.R. 3293, to authorize the construction of modern naval vessels.

Calendar No. 174, S. 455, to provide for the appointment of an assistant to the Secretary of State to assure joint policy and planning and equitable budgeting of exchange of persons programs and administrative cooperation between staffs engaged in carrying out such programs.

Calendar No. 175, H. Con. Res. 34, favoring the meeting of the North Atlantic Treaty Parliamentary Conference for 1959 in Washington, D.C.

Calendar No. 182, S. 753, to authorize cooperative associations of milk producers to bargain with purchasers singly or in groups and for other purposes.

Calendar No. 183, S. 690, to provide for the increased use of agricultural products for industrial purposes.

Calendar No. 184, S. 1289, to increase and extend the special milk program for children.

Calendar No. 185, S. 1120, to amend section 19 of the Federal Reserve Act with respect to the reserves required to be maintained by member banks of the Federal Reserve System against deposits.

Calendar No. 186, S. 1062, to amend the Federal Deposit Insurance Act to provide safeguards against mergers and consolidations of banks which might lessen competition unduly or tend unduly to create a monopoly in the field of banking.

Calendar No. 195, Senate Resolution 96, favoring an international agreement for a suspension of nuclear weapon tests.

Calendar No. 206, S. 1434, to amend title XI of the Merchant Marine Act, 1936, as amended, with respect to insurance of ship mortgages, and for other purposes. That bill will be held up for a few days at the request of the Senator from Delaware [Mr. WILLIAMS], who needs some additional information.

It is possible that any or all of these bills may be brought up on motion when we conclude the consideration of the supplemental appropriation bill.

ORDER FOR ADJOURNMENT UNTIL 10:30 O'CLOCK TOMORROW MORNING

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today it stand in adjournment until 10:30 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

SECOND SUPPLEMENTAL APPROPRIATIONS, 1959

The Senate resumed the consideration of the bill (H.R. 5916), making supplemental appropriations for the fiscal

year ending June 30, 1959, and for other purposes.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOUGLAS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOUGLAS. Mr. President, my amendment calls for the elimination of the added appropriation of $4 million which the Architect of the Capitol is insisting upon for the new subway.

I thank the distinguished Senator from Arizona [Mr. HAYDEN], the chairman of the committee, for making available in the well of the Chamber the map showing the old subway and the new subway. I may say I have inspected the new subway on foot and in great detail, so I think I know what I am talking about.

A few facts are very important, namely, that $2,103,729 has already been spent on the new subway. An additional sum of $246,000 has already been appropriated for it, so the subway, as it has been constructed to date, will cost $2,349,000, or roughly $2,350,000.

Now it is proposed to spend $4 million more, or a total of $6,250,000.

I shall indicate on the map some of the details of the subway construction. While the subway was being constructed, I had expected, and I think almost everyone else had expected, that it would join the existing subway at some point and that the two would have a joint terminus. To my amazement, when I went down into the subway yesterday morning, I found that this is not the case. The subway runs under the Capitol grounds and then stops directly facing the Senate wing of the Capitol. A spur was constructed from the rotunda in the basement of the Old Senate Office Building to run into the new subway line, so that the new subway from the old office building is made a subsidiary of the new subway. It becomes 4 tracks from that point. I do not know what will happen to the present subway but obviously it will be rendered useless.

Then the plans call for the extension of the new subway from its present dead end to underneath the steps of the Senate wing; and in the process of that construction the steps of the Senate are to be torn down, the walls reconstructed, and a new terminal built, which will rival the Moscow subway, according to the plans which I have seen. The present subway will then be left all alone. I do not know what it will be used for. It will simply be a hole in the ground, and there will be two subways, more or less, side by side.

What are the arguments for the proposed construction? One argument is that it will save steps; that Senators coming out underneath the present Senate stairs can move directly into the elevator and come up into the Capitol Building. How many steps will this save as compared with the distance from the present terminal? I paced off the distance yesterday and found it will save 50 steps.

As a general rule, I think it is good for us to walk. Exercise is one of the things we Senators normally miss. To spend $4 million in order to save 50 steps, at a cost of $80,000 a step—steps which we should take anyway—seems to me somewhat exorbitant.

It is said that the steps outside the Senate wing will fall down some day and that they had better be repaired now. I do not know whether that is the case. I should like to see a very thorough engineering report before we commit ourselves.

The point I wish to make can be stated very briefly. I think the Architect has exceeded his authority. Instead of making it possible to join the two subways at a common terminal, he has proceeded according to an entirely different plan. Now he virtually faces us with an accomplished fact and, in effect, says: "You must go through with this plan, or else all the new construction will go to waste."

Mr. LAUSCHE. Mr. President, will the Senator from Illinois yield?

The PRESIDING OFFICER (Mr. MUSKIE in the chair). Does the Senator from Illinois yield to the Senator from Ohio?

Mr. DOUGLAS. I am glad to yield.

Mr. LAUSCHE. Why was the new subway brought to such an awkward and unusable state?

Mr. DOUGLAS. I cannot speculate as to that. I think it has been a great blunder. If I may be brutal, I think the Architect may have done it by accident or design in order to confront us with the fact that, since it was obviously incomplete, and ended in a blank wall, we would have to give him more money to finish it.

Mr. LAUSCHE. Will the Senator from Illinois state the cost of the part of the subway which has been completed?

Mr. DOUGLAS. Two million three hundred and fifty thousand dollars. The Senator from Ohio has touched on a very good point.

Mr. LAUSCHE. What will be the cost of this unfinished segment?

Mr. DOUGLAS. Four million dollars. In other words, it will cost almost twice as much to finish it as it has cost to construct this whole area.

Mr. LAUSCHE. Has the Senator from Illinois ever been acquainted, until recently, with the fact that the new subway ended in this unusable, awkward manner?

Mr. DOUGLAS. No. Perhaps I assumed too much; I assumed, as the subway was being built, that it would curve in, and would join the existing subway, and that the two would have a common terminal—that we would be able to use the old subway in going to the Old Senate Office Building, and would be able to use the new subway in going to the New Senate Office Building, and that the two subways would share a common terminal. But, instead, we find that it is proposed to scrap the old subway; and we are told that the new subway must have a new approach to the Senate wing.

Mr. LAUSCHE. Am I correct in understanding that the new subway which has been constructed, and which has generally been regarded as the means of conveyance from the New Senate Office Building to the Capitol, has cost in excess of $2 million?

Mr. DOUGLAS. Yes, $2,350,000.

Mr. LAUSCHE. And now we are confronted with the proposition that in order to finish it, we must spend $4 million more?

Mr. DOUGLAS. That is correct. That is what I am trying to eliminate. Something must be done to cure this architectural bungle; that is perfectly true.

Mr. STENNIS. Mr. President, will the Senator from Illinois yield for a question?

Mr. DOUGLAS. Yes.

Mr. STENNIS. I do not intend to engage in general debate at this point. But before we leave in the RECORD a charge of willfulness on the part of the Architect—a man whom I hardly know—or of willfully putting the Senate in a hole in connection with this matter, so that we would have to give him more money——

Mr. DOUGLAS. If I said "willful," I withdraw the word, I say it was either by accident or by design.

Mr. STENNIS. Does not the Senator from Illinois know that this situation was brought about by the Senate itself, in abandoning the original plans for the east wing of the Capitol, and in leaving out of those plans the garage feature, of which the entrance at this particular point is a part? Is that not correct?

Mr. DOUGLAS. Now the Senator from Mississippi is coming to a very vital point. I think the Architect of the Capitol, who has large and expensive designs, wants an underground garage constructed; and I think he wants the terminal to be built at this point, and wants to tear down the existing Senate steps and to reconstruct the walls, as a partial step toward the construction of an underground garage. This is one of the things about his policy to which I object—namely, that he would commit us to one appropriation which can be justified only if we take a second step; and then, if we take the second step, he says we must proceed to the third step.

Mr. STENNIS. I understand that the Senator from Illinois withdraws any charge or implication of "willful."

Mr. DOUGLAS. Yes; I do.

Mr. STENNIS. I thank the Senator from Illinois.

Mr. SALTONSTALL. Mr. President, will the Senator from Illinois yield to me?

Mr. DOUGLAS. I yield.

Mr. SALTONSTALL. I am not a member of the Building Commission. I am a member of the legislative appropriations subcommittee, of which the distinguished Senator from Mississippi [Mr. STENNIS] was the chairman last year. It is my understanding—I say this in answer to the question asked by the Senator from Ohio of the Senator from Illinois—that the old subway tunnel, which is shown on the left in the plan which now is displayed in the Chamber, is to

be used for general utility purposes and storage purposes, and not for a subway; and I understand that the new subway has been built as far as it has under the direction of the Commission, under whose direction the New Senate Office Building was constructed, and that the new subway was built by using part of the funds which were appropriated for construction of the New Senate Office Building.

As will be recalled, last summer we had a long debate in regard to extending the east front of the Capitol. The completion of the subway was to be a part of the work on the east front of the Capitol, together with the proposed underground garage which the Senator from Mississippi has just now described. When we finally passed the measure, it called for the work on the east front of the Capitol; and the garage feature was given up, and no funds for it were ever included.

Mr. DOUGLAS. That is correct.

Mr. SALTONSTALL. So no funds have been appropriated for completion of the tunnel which we are now asked to complete.

I also understand that if the Senator from Ohio and the Senator from Illinois will turn to page 38 of the supplemental bill, they will see a breakdown of the $4 million. I understand that some of that money—not a great part of it—is to be used to restore the steps, which now are in bad shape. That situation has been discovered, and at some time or other it must be corrected.

So I would say to the Senator from Illinois, whom I know is very sincere in his efforts to reduce expenditures, that the east front of the Capitol is being constructed under the supervision of the Commission, and the New Senate Office Building was built under the supervision of another Commission. The New Senate Office Building has been completed, and this part of the tunnel has been completed.

The plans in connection with the east front were changed at the last moment, some time last August; and the garage part was omitted. Consequently, no funds were appropriated to finish the tunnel or to have it extended. That is why I voted, in the committee, for the $4 million item, which includes $325,000 for reconstruction of the Senate wing steps.

Mr. DOUGLAS. I understand that my good friend, the Senator from Massachusetts, states that there is no authorization for an underground garage.

Mr. SALTONSTALL. That is my understanding. It was eliminated last year.

Mr. DOUGLAS. If there is no authorization for an underground garage, then there is no moral obligation upon us—unless we approve an item for an underground garage—to vote to extend the subway, so as to facilitate construction of an underground garage in the future.

Mr. SALTONSTALL. Except that we now have a tunnel which ends in a blank wall, and all Senators who come to the Senate from the New Senate Office Building will have to walk underneath and come over to the old tunnel.

Mr. DOUGLAS. That is the point I make—namely, that—whether by accident or by design—the Architect has confronted us with a situation in which we face a blank wall, instead of making a connection—which would be very easy—with the existing subway, at a common terminal. So he has gotten us into an apparently impossible position.

I am suggesting that we not vote for this appropriation at this time, but that it be studied, and that we let public opinion play on this situation for a time, and see whether we can work out an arrangement, so that, instead of tearing everything to pieces, we can join the two tunnels at the present terminal, even though that would cause us to walk 50 extra steps.

Mr. SALTONSTALL. Mr. President, will the Senator from Illinois yield for an explanation?

Mr. DOUGLAS. Certainly.

Mr. SALTONSTALL. The map which is displayed in the Chamber shows a double line coming to the "Y." As I understand, the present subway terminal is not large enough to accommodate a turn around for both.

Mr. DOUGLAS. It could be made large enough. It has been proposed that we spend $4 million to extend this one about 200 feet. It is perfectly true that probably more money will be needed; but I doubt seriously whether $4 million is needed.

My motion is to postpone this item, and to let it be studied, and to let more detailed recommendations be brought in.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Illinois yield to me?

Mr. DOUGLAS. I yield.

Mr. WILLIAMS of Delaware. The Senator from Illinois has called our attention to a matter which I believe should be thoroughly examined by the Senate before it votes on this item. The Senator from Illinois has said that the Architect, either by accident or by design, has gotten us into this position. Do I correctly understand that the Architect devised this plan without consulting the Building Commission? There is a Building Commission. Did the Building Commission approve the change; or was the change made without approval by the Building Commission? That is an important question which should be answered. The Senate as well as the Architect has some responsibility on this fiasco and I want to hear from the Building Committee.

Mr. DOUGLAS. I am not a member of the Commission, and I cannot speak to that point.

Mr. ALLOTT. Mr. President, I am a member of the Building Commission and I have been for the last 2 months. So at least that will spare me from the wrath of my friend, the Senator from Illinois.

Mr. DOUGLAS. I have no wrath against anyone.

Mr. ALLOTT. As I understand the situation, it is as the Senator from Massachusetts has said.

The part shown in white on the map, on the farther side of the street from the Capitol steps, has been constructed or substantially constructed now for several months.

When this matter came before the Building Commission and also before the Appropriations Committee, it was discussed at great length.

There is one situation which I believe should be brought out here: In the committee we had numerous photographs of the area under the east steps of the Senate wing. The photographs show—as was observed by those who examined them—that the substructure there has cracked very badly, and is in danger of collapsing.

That is not true of the steps on the House side. Apparently, at some time there was a subterranean leakage of pipes or sewers, which, over a period of years, have completely cracked the foundations, and before long a reconstruction of that structure will be necessary.

When the Architect appeared before the Appropriations Committee, he stated that the steps, in any case, would have to be redone. These steps are marble.

Page 38 of the report states that the existing granite steps should be replaced with marble steps. That is an error and the words should be reversed. The present marble steps should be replaced with granite steps. I think the report should be corrected to that extent.

I hold in my hand some of the numerous pictures which were given to us by the Architect, which show large cracks in the understructure of the steps, and which will have to be repaired. The Architect said it would have to be done some time.

So far as concerns what was originally contemplated for the subway, I cannot add anything to the discussion except to say it was always my undersanding that the present subway would have to be abandoned because of the very high cost of operating and maintaining the present cars, and that there would be a branch off the Old Senate Office Building which would come into a common tunnel.

Mr. DOUGLAS. If my friend from Colorado will look at the breakdown of the estimate of expenses as it appears on page 1186 of the hearings, he will find that the estimate for the demolition and reconstruction of the Senate wing east steps is $325,000 out of a total estimate of $4 million. The major cost of the work is for structural work; general finish work; relocation of water, sewer, and steam lines, sprinkler and drainage systems; mechanical work, air-conditioning and heating; electrical work, lighting, power, trolley extension, signal system, and other miscellaneous work; architectural and engineering fees, administrative, and contingencies.

Mr. ALLOTT. May I call to the Senator's attention the first item in the breakdown? As I have said, I cannot throw any light on the subject. I do not know whether it was originally intended that the two tunnels would meet at a juncture with the old subway, or whether it was intended to have the

subway end under the Capitol steps. However, it will be seen that $2½ million of the total $4 million is for structural work, such as sheet piling, excavations, foundations, concrete floors, walls and roof, which I assume would be necessary for the tunnel work. Another item is for underpinning the east wall of the Senate wing of the Capitol.

Mr. DOUGLAS. Part of it is for the extension of the tunnel, but part of it also is for a very elaborate new terminal. In this connection, I think the $2,350,000 to bring the tunnel to the point I indicate is quite high, but to spend $4 million to bring it another 200 feet is, I think, excessive.

Mr. President, I have no desire to continue to hold the floor on this matter.

Mr. HENNINGS. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. HENNINGS. I am not a member of the Building Commission, and never have been, but I wanted to inquire as to whether or not the projection to which I now point, from the contemplated new tunnel to the old tunnel, is part of the plan.

Mr. DOUGLAS. The symbols indicate that we would have to walk from the point I indicate to the point where I am now pointing.

Mr. HENNINGS. I am indicating the terminus of the proposed "Y" subway construction. If this portion were to be used, Members would take cars from the point which I now indicate and proceed in this manner, and then possibly walk from this point——

Mr. DOUGLAS. No; they would not walk.

Mr. HENNINGS. How would they get there?

Mr. DOUGLAS. More dirt could be excavated from this point to get a bend in the line, as is true of the present subway, and they could join.

Mr. HENNINGS. Of course, that would involve an engineering problem.

Mr. DOUGLAS. I am not an engineer, of course, but I think it is fairly obvious it could be done.

Mr. HENNINGS. The link is not here at the present time; it is indicated on the diagram.

Mr. LAUSCHE. Is the link constructed?

Mr. DOUGLAS. No.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. SALTONSTALL. Reference was made to the fact that plans for the garage were abandoned. The word "abandoned" may be technically correct, but it is my understanding that some of the underpinning going into the terminal will be constructed in such a manner that if a garage is ever authorized, it will not be necessary to have a new excavation, and that the present excavation can be used if a garage is constructed. As the Senator knows, plans for the garage were abandoned last summer in the bill.

Since I discussed the matter previously with the Senator, I have been informed that the new tunnel was started before the Architect knew the garage was not to be built. Therefore, the tunnel was designed to save money, so that it would not go through the garage. Then it was decided to abandon plans for the garage.

Mr. DOUGLAS. You say the Architect drew the plans and started carrying out the plans before he knew the garage was not to be constructed, and has made no change in construction plans, even though he has had since last summer to change the plans, and has proceeded until he has brought us up against a blank wall. It seems to me the Architect ought to know what the Senate has decided to do, and that he should not live in complete ignorance of the facts of life.

Mr. President, I think thus far the discussion has been taken out of my time, but I think at least half the actual time has been taken by other Senators. I wonder if the Senator from Arizona is willing to have the time taken up to the present time charged equally to both sides. Then I shall be glad to yield.

May I ask the Chair how much time remains?

The PRESIDING OFFICER. The Senator from Illinois has 1 minute remaining to him.

Mr. HAYDEN. Mr. President, a half hour to each side was allocated. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. HAYDEN. Suppose we agree that the Senator from Illinois may have 10 minutes to close.

Mr. DOUGLAS. Very good.

Mr. WILLIAMS of Delaware. Mr. President, I notice that the chairman of the building committee is on the floor. I should like to have an answer to one question. Were these plans changed from the original specifications? If so, were they changed with or without the approval of the building committee?

Mr. DOUGLAS. I also have another question: Were the plans changed when the plans for a garage were abandoned, or did they continue?

Mr. WILLIAMS of Delaware. That is correct; and whether or not the Architect proceeded on his own or whether it was done with the full approval or instructions of the building committee. There is a Senate building committee. I think we have a right to know the answer to that question. I wonder if the chairman would furnish us with that information. Who is responsible?

Mr. DOUGLAS. Please do not invite the building committee to bail out the Architect.

Mr. WILLIAMS of Delaware. I am not excusing anyone; but we have a committee of the Senate which was in charge of the building. As members of that committee, they cannot shirk their responsibility. A serious question has been raised. Perhaps the Architect exceeded his authority. If so, we should know it. I think the Members of the Senate have a right to know whether this was done over the objection of or with the approval of the committee.

Certainly someone can answer this question.

I am in favor of holding up these appropriations until full responsibility has been established.

Mr. HAYDEN. I should like to point out that the authorization for the "Extension of the Capitol Project" is carried in the Legislative Appropriation Act, 1956, Public Law 242, August 5, 1955, 84th Congress, as amended by Public Law 406, 84th Congress. Public Law 242 provides for the extension, reconstruction, and replacement of the central portion of the Capitol in substantial accordance with an approved architectural plan, but "with such modifications and additions, including provisions for restaurant facilities, and such other facilities in the Capitol Grounds, together with utilities, equipment, approaches and other appurtenant or necessary items, as may be approved by said Commission.

That is the authority.

On March 25, 1959, the Commission addressed a letter to Mr. Stewart, the Architect of the Capitol, as follows:

> Pursuant to the provisions of Public Law 242, 84th Congress, as amended by Public Law 406, 84th Congress—
>
> You are hereby authorized and directed to submit to the Senate Committee on Appropriations, for consideration for inclusion in the Second Supplemental Appropriation Bill, 1959, an estimate of appropriation in the amount of $4 million, for the extension of the Capitol project, to provide for the design and construction of a subway terminal for the new Senate subway system, to be located under the steps of the Senate wing of the U.S. Capitol, and extension of the new Senate subway into the Capitol Building, to be designed in such a manner as to permit of the future construction of a garage beneath the Capitol Plaza, if hereafter approved; also, the reconstruction of the steps of the Senate wing of the Capitol and their substructure, which are presently in a deteriorated condition, replacing the present marble steps with granite steps.
>
> Upon availability of the appropriation herein requested, you are authorized to proceed with the design and construction work, herein approved, at a cost, including architectural and engineering fees, not to exceed $4 million.

The letter is signed by SAM RAYBURN, the Speaker of the House of Representatives; RICHARD NIXON, the President of the Senate; EVERETT DIRKSEN, the minority leader of the Senate; CHARLES HALLECK, the minority leader of the House; and by the Architect. That is the Commission for the Extension of the Capitol.

In other words, we proceeded under the direction of the New Senate Office Building Commission to construct the tunnel up to this point, which we have done. The remainder of the work comes under another authority of law, directed from another authority entirely.

Mr. CHAVEZ. The Senator is correct. The Senate Office Building Commission only had authority to go as far as it went. That is now finished. The additional tunnel which is now desired is under the authority outlined by the Senator from Arizona, which is the result of the extension of the Capitol of the United States, which came under a different commission headed by the Speaker of the House of Representatives.

Mr. HAYDEN. The Senator is correct.

Mr. SALTONSTALL. Will the Senator yield for an observation?

Mr. HAYDEN. I yield.

Mr. SALTONSTALL. It is my understanding, after talking with the Office of the Architect of the Capitol, that there is one contract for all excavation work. The excavation was started at both ends of the tunnel at the same time.

Mr. HAYDEN. I should like to point out where we are now. Senators who have offices in the New Senate Office Building will have the cars in operation to this point. Those can be put in use. We have to stop right here to allow space for people to get on and off. That would mean one could not take advantage of the track going through here. There would be no advantage to that. Anyone having offices in the Old Senate Office Building would continue to use the old cars.

We will have an investment in a wider tunnel and in the cars and the tracks of the tunnel which will be absolutely useless until the work is done. If we go in here, we construct it with the idea in mind that ultimately a garage could be built in the front. That will fit right in.

There is one other item of importance, and that is the removal of the steps, for which there is provided $325,000. We could possibly go under the steps without moving them, but it would be a very expensive operation, because there would have to be some way of bearing up all the weight. I think we would save money, if we are going to come in that way, to take the steps out, and, when the work is finished, put in the new steps.

Mr. McNAMARA. Mr. President, will the Senator yield for a question?

Mr. HAYDEN. Yes.

Mr. McNAMARA. As I understand the matter, from reading the request to the Appropriations Committee, this is a bipartisan Commission?

Mr. HAYDEN. Yes.

Mr. McNAMARA. It is set up to deal primarily with the extension of the east front of the Capitol?

Mr. HAYDEN. That is correct. This is a part of the extension of the east front.

Mr. McNAMARA. This bipartisan Commission has one Democrat and four Republicans? Am I correct in that, as I heard the Senator read the names?

Mr. HAYDEN. I did not inquire about politics.

Mr. McNAMARA. I am inquiring about politics, because I assumed it was a bipartisan Commission.

Should this not be charged as a part of the cost of the east front extension?

Mr. HAYDEN. It will be.

Mr. McNAMARA. It is not the building or the tunnel, but it is just a part of the extension of the east front of the Capitol?

Mr. HAYDEN. This is a charge against it.

Mr. McNAMARA. As one who has always opposed the extension of the east front of the Capitol, I think this $4 million is being unwisely spent. I thought the original sum was unwisely spent. Now the figure has gone up from $10½ million to $17 million, and does not include the furniture and refurbishing and carpets. Before, when the cost was $10½ million, we thought it was the most expensive building in the history of man so far as usable space is concerned. It is certainly exceeding that.

Mr. HAYDEN. Congress has authorized it, and this is a part of the work.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield to the Senator from Mississippi.

Mr. STENNIS. The Senator from Delaware asked a question, and the chairman of the committee read the answer so far as the Senate Office Building Commission is concerned. I should like to read a portion of the testimony of the Architect before the committee, in which he referred to the action of the Commission on the extension of the east front of the Capitol.

The Chairman of that Commission is the Speaker of the House of Representatives. The second member is the Vice President of the United States. The third member is the minority leader of the Senate. The fourth member is the minority leader of the House of Representatives. The fifth is the Architect.

Mr. Stewart said:

> The Commission on the Extension of the Capitol * * * felt that since we are not going to proceed at this time with the construction of the proposed underground garage beneath the Capitol Plaza, they wanted to go on record that they concurred in the Senate's desire to complete their terminal so they could have the use of it soon, perhaps years in advance of the actual construction of the underground garage.

Mr. HAYDEN. The Senator is correct.

Mr. STENNIS. I submit to the Senate, that is the gist of the situation now.

Both commissions knew all about this at the time and, in effect, ordered that the work be done, subject, of course, to the appropriations being provided.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. DOUGLAS. When did the Senate ever agree to carry through on an underground garage? When did the Senate ever agree to appropriate money for a terminal of this type?

Mr. HAYDEN. We are agreeing to it right now.

Mr. DOUGLAS. I see—but not until now?

Mr. HAYDEN. Not until now. [Laughter.]

Mr. DOUGLAS. If we decide we do not want to agree to it, that is perfectly proper?

Mr. HAYDEN. That is an "if" question.

Mr. DOUGLAS. In other words, we are not bound by anything which has gone before?

Mr. HAYDEN. We are taking a new and perfectly voluntary action here today.

Mr. DOUGLAS. I am glad the Senator said that.

Mr. HAYDEN. That is correct.

Mr. DOUGLAS. It is a very solemn decision.

Mr. HAYDEN. If we do not do it, what will we have? We will have an investment in the cars and tracks and the tunnel for which we will have no use. Everyone in the New Senate Office Building will have to walk 350 feet down and up through a little "rathole."

Mr. DOUGLAS. No. That could ultimately be connected with the present tunnel.

Mr. MANSFIELD. Mr. President, I should like to make a suggestion. If there are any more tunnels to be dug, I suggest that we get some hard rock miners from Butte, Bisbee, and the Coeur d'Alene.

Mr. MURRAY. Mr. President, if this job were left to the miners of Montana, the connections would have been made without any difficulty whatsoever. The next time there is a program of this kind the junior Senator from Montana should be put on the committee. Then no mistake will be made.

Mr. MANSFIELD. Whether the Senate gets the money for the tunnel or not, the steps will have to be propped up.

Mr. HAYDEN. There is no question in my mind about that.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. DOUGLAS. After seeing the lack of accuracy on the part of the Capitol Architect in the building of the tunnels, I should like to sprinkle a little salt on the idea of the Senate steps falling down. Eventually, perhaps, in 500 years, they may fall down.

Mr. CHAVEZ. They are falling down right now.

Mr. DWORSHAK. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. DWORSHAK. In view of the fact that we have destroyed the traditional charm of the front of the Capitol, and have gotten into a mess over the tunnel, and in every step of the planning for the so-called improvements, might we not consider using the large auditorium in the New Senate Office Building for a Senate Chamber? Then it would not be necessary to use the Capitol at all.

Mr. HAYDEN. I cannot answer "iffy" questions.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. CHAVEZ. Authorization for the extension of the Capitol project is carried in the Legislative Appropriation Act, 1956, Public Law 242, 84th Congress, as amended by Public Law 406, 84th Congress. Public Law 482 provides for the extension, reconstruction, and replacement of the central portion of the Capitol in substantial accordance with an appropriated architectural plan, but "with such modifications and additions, including provisions for restaurant facilities, and such other facilities in the Capitol Grounds, together with the utilities, equipment, approaches, and other appurtenant or necessary items, as may be approved by said commission."

So the recommendations of the Committee on Appropriations are in accordance with that law.

Mr. HENNINGS. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. HENNINGS. I think it is very important for us to understand, in the light of this discussion, whether or not a tunnel, as indicated, between the new project and the present passageway, can be constructed, and if so, under what circumstances, and what would be the cost. The exhibits which I have examined seem persuasive. I am not a member of either the Commission or the committee. The photographs show large gaping cracks and very serious deterioration in the building. I am not a construction engineer or an architect or technically qualified. The assistant minority leader [Mr. KUCHEL] and I were looking at these pictures together. It seems evident that great deterioration is taking place underneath the Capitol structure.

Mr. HAYDEN. If we stop at the point indicated on the chart, we can use only the tracks which go to the new building, because we must leave space to get on and off the cars. It will be observed that the proposed tunnel spreads out at a certain point. Why? To allow space for passengers to get on and off the cars.

If the narrow tunnel were carried all the way through, we would be likely to kill someone as the cars come and go. But if the tunnel is spread out at the point indicated, passengers can get in and out. That is why we have allowed a larger space. From the larger space, passengers can have access to the elevators.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. BRIDGES. I have listened to the evidence in this case. I have listened to plans, and I have listened to all the problems. While I realize that a few mistakes have been made in the new Senate Office Building, they were inevitable in an undertaking of that magnitude. There have been problems which we did not anticipate, but we are in the midst of the program, and we might as well meet the situation. The work on the east front of the Capitol is such as to have an effect upon the Senate steps. I think we might as well do the complete job, and do it right.

A few years ago I stood up in the Senate and said something to the effect that in generations to come the Capitol should become a great historical museum for the people of the United States and of the free world, and that we should build a modern Capitol.

Many of the newspapers ridiculed the idea at the time. They preferred to go ahead with maintenance and repair of the old structure. That is what we are up against today. We might as well face the problem. If we had proceeded in the direction I suggested, at a time when we were spending $65 million or $70 million for a United Nations Building in New York, we could have built a modern Capitol which could have been economically operated, and all activities could be under one roof. Then the present Capitol could have become one of the great historic spots of our Nation.

But the decision was in the other direction. Now we are faced with a definite problem. We might as well meet our responsibilities and go ahead, whether or not, as individuals, we like the idea of the tunnel.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. STENNIS. I should like to say a word in response to the "50-step" argument of the Senator from Illinois. It is not a matter of space. It is a matter of time.

A Senator handed me his schedule for today. At 10 o'clock there was a meeting of the Armed Services Subcommittee in the old building. At 10 o'clock this morning there was a meeting of the Subcommittee on Agriculture of the Committee on Appropriations, in the new building. At 10:30 he had another meeting of a subcommittee of the Committee on Appropriations, namely, the subcommittee dealing with the Department of Labor, the Department of Health, Education, and Welfare, and related agencies. That meeting was in the Capitol.

At 10:30 there was a meeting of an appropriations subcommittee in the new building. At 11 a.m. the Senate met. At 2 p.m. there was another meeting of an appropriations subcommittee in the new building.

There have been some votes this afternoon, and there were some yesterday afternoon. The Senator from Georgia [Mr. RUSSELL], who was holding hearings in the Old Senate Office Building, said that he was interrupted five times to come to the Senate Chamber, four times to vote, and once on another mission.

So it is a question of time. It is time to stand up and tell the American people that these improvements are not for our convenience or comfort. Personally, I never would use the tunnel, unless it were raining, if I had time to walk back and forth. This issue involves a question of meeting obligations in connection with senatorial work, not play.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. DOUGLAS. I have just taken 50 steps in an anteroom, and it required only 25 seconds of time. In the old days I could step off at the rate of 130 steps to the minute. At present, the best I can do is approximately 120. I do not believe that 25 seconds is very important. Also I do not think it is important to try to hide from our constituents. I am perfectly ready to meet them in the subway.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Illinois [Mr. DOUGLAS], striking out lines 2 to 9 inclusive, on page 31.

Mr. HAYDEN. Mr. President, I yield back the remainder of my time, if the Senator from Illinois will do likewise.

Mr. DOUGLAS. Mr. President, I yield back the remainder of my time.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON of Texas. Have the yeas and nays been ordered?

The PRESIDING OFFICER. The yeas and nays have been ordered.

Mr. JOHNSON of Texas. And all the time has been yielded back?

The PRESIDING OFFICER. All time has been yielded back.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LONG. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. LONG. Mr. President, do not the dilatory tactics now being used demonstrate the need for a new subway?

Mr. DIRKSEN. I make a point of order on the Senator's inquiry. I ask for the regular order.

The PRESIDING OFFICER. The point of order is sustained. Debate during a yea and nay vote is not in order.

The rollcall was resumed and concluded.

Mr. MANSFIELD. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Louisiana [Mr. ELLENDER], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Georgia [Mr. RUSSELL], and the Senator from Texas [Mr. YARBOROUGH], are absent on official business.

I also announce that the Senator from Nevada [Mr. BIBLE] is absent because of a death in his family. I further announce the Senator from Delaware [Mr. FREAR] is absent because of illness.

The Senator from Indiana [Mr. HARTKE], and the Senator from Oklahoma [Mr. MONRONEY] are necessarily absent.

On this vote, the Senator from Louisiana [Mr. ELLENDER] is paired with the Senator from Indiana [Mr. CAPEHART]. If present and voting, the Senator from Louisiana would vote "yea" and the Senator from Indiana would vote "nay."

I further announce that, if present and voting, the Senator from Virginia [Mr. BYRD] would vote "yea."

Mr. KUCHEL. I announce that the Senator from South Dakota [Mr. MUNDT] is absent on official business.

The Senator from Maryland [Mr. BUTLER], the Senator from Indiana [Mr. CAPEHART], the Senator from Kentucky [Mr. MORTON], the Senator from Kansas [Mr. SCHOEPPEL], the Senator from Wisconsin [Mr. WILEY], and the Senator from North Dakota [Mr. YOUNG] are detained on official business.

On this vote, the Senator from Indiana [Mr. CAPEHART] is paired with the Senator from Louisiana [Mr. ELLENDER]. If present and voting, the Senator from Indiana would vote "nay" and the Senator from Louisiana would vote "yea."

On this vote, the Senator from Kentucky [Mr. MORTON] is paired with the Senator from South Dakota [Mr. MUNDT]. If present and voting, the Senator from Kentucky would vote "nay" and the Senator from South Dakota would vote "yea."

The result was announced—yeas 39, nays 43, as follows:

YEAS—39

Aiken	Clark	Gruening
Bartlett	Cooper	Hart
Bush	Cotton	Humphrey
Cannon	Curtis	Javits
Case, N.J.	Douglas	Keating
Case, S. Dak.	Dworshak	Kennedy
Church	Goldwater	Langer

Lausche	Muskie	Smathers
McCarthy	Prouty	Talmadge
McNamara	Proxmire	Thurmond
Magnuson	Randolph	Williams, N.J.
Morse	Robertson	Williams, Del.
Moss	Scott	Young, Ohio

NAYS—43

Allott	Gore	Long
Anderson	Green	McClellan
Beall	Hayden	McGee
Bennett	Hennings	Mansfield
Bridges	Hickenlooper	Martin
Byrd, W. Va.	Hill	Murray
Carlson	Holland	Neuberger
Carroll	Hruska	Pastore
Chavez	Jackson	Saltonstall
Dirksen	Johnson, Tex.	Smith
Dodd	Johnston, S.C.	Sparkman
Eastland	Jordan	Stennis
Engle	Kefauver	Symington
Ervin	Kerr	
Fulbright	Kuchel	

NOT VOTING—16

Bible	Hartke	Schoeppel
Butler	Monroney	Wiley
Byrd, Va.	Morton	Yarborough
Capehart	Mundt	Young, N. Dak.
Ellender	O'Mahoney	
Frear	Russell	

So Mr. DOUGLAS' amendment was rejected.

Mr. DIRKSEN. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. JOHNSON of Texas. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LONG. Mr. President, I call up my amendment which is at the desk, which I offer on behalf of myself, my colleague [Mr. ELLENDER] and the Senator from South Carolina [Mr. THURMOND], and I ask that it be read.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 9, line 24, it is proposed to strike out the period and insert in lieu thereof a colon and the following:

Provided, That no part of the funds herein appropriated shall be used for the purpose of reducing the strength of the active Army below 900,000, nor be expended directly or indirectly for the purpose of transporting any person or persons pursuant to any plan or program for reducing the strength of the Army below 900,000.

Mr. LONG. Mr. President, the purpose of this amendment is to carry out the intention of Congress that the Army shall be maintained at a strength of 900,000. Last year, when the Defense appropriation bill for fiscal year 1959 was considered by the Senate-House conference committee, the committee included language in its report directing the Secretary of Defense to maintain Army manpower at 900,000.

I ask unanimous consent that this statement in the conference report be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

It is the belief of the committee of conference that the national defense requires the maintenance of a Regular Army of not less than 900,000 and it is the intent that the planned strength for fiscal year 1950 be maintained at that level in accordance with the funds provided. (P. 5, House Rept. 2503, 85th Cong., 2d sess., dated Aug. 6, 1958.)

Mr. LONG. I have discussed the amendment with the chairman and members of the Appropriations Committee. It is my understanding that the committee will accept the amendment.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. MANSFIELD. Would the Senator incorporate in his amendment a stipulation that the Marine Corps, in accordance with congressional intent, shall be maintained at 200,000 men?

Mr. LONG. I would have no objection to a similar amendment, but it would have to appear at a different place in the bill.

Mr. DOUGLAS. I hope the Senator from Louisiana will support such an amendment.

Mr. CHAVEZ. It was the intention of both the Committee on Armed Services and the Committee on Appropriations last year to have the number in the Marine Corps fixed at 200,000.

Mr. ELLENDER. Mr. President, I urge Senators to vote for this amendment. It does nothing more than to reemphasize the intent of the Congress as expressed in the regular fiscal 1959 Department of Defense appropriation bill which was passed in the Senate last year.

Senators will recall that when the bill was considered by the Committee on Appropriations, it contained funds—inserted by the House of Representatives when the bill was being debated there—to maintain the Army at a strength of not less than 900,000 during the current fiscal year.

The Committee on Appropriations on which I serve endorsed the House position. We provided sufficient amount for "Army personnel" and "Operation and maintenance" accounts to forestall proposed cuts in Army strength and, in addition, in our report stated as follows:

The committee has approved the action of the House in recommending an increase in the strength of the Regular Army from 870,000 to 900,000, and has agreed to the Department's request to restore to a direct appropriation, $100 million, which the House had provided by transfer.

The Senate approved of our action and passed the bill. When the bill went to conference the Senate's position prevailed.

However, the ink was hardly dry on the act before the President served notice that he would not abide by the wishes of Congress. But, as a result of the crisis in Lebanon, the President found it convenient to have an Army of 900,000 men and kept Army strength at that level until the crisis had subsided. He immediately began reducing the strength of the Army to 870,000 in direct violation of the wishes of the Congress, and the announced intent of the over-budget increase provided in the regular Department of Defense appropriation bill.

The amendment which my colleague and I have offered is, to be perfectly frank, in the nature of a stopgap. It would, in effect, state that the Congress, when acting on the regular fiscal 1959 defense appropriation measure meant what it said in funding and requiring an Army of not less than 900,000.

I remind Senators that while the President, under the Constitution, is Commander in Chief of the Army and Navy, it is the Congress which is charged, under that same Constitution, with raising and supporting armies.

It is my frank intention to raise this issue again when the Defense Subcommittee begin consideration of the fiscal 1960 budget, and I am hopeful that, again, congressional action directed toward eliminating proposed cuts in Army strength will prevail. In any event, I believe it is time that the legislative branch, particularly the Senate, put its foot down and serve notice on the executive branch that we have in the past, and will in the future, exercise our responsibilities in this area of national defense.

I remind the Senate that the May 27 deadline set by Mr. Khrushchev for turning over control of our access routes to Berlin is drawing close. There are ominous rumblings in other parts of the world. I do not believe it would be either prudent or, for that matter, economical for us to at this time permit further reductions in the strength of our Armed Forces.

I cannot help believing that when viewed in this manner the Senate will join me and my junior colleague in assisting to maintain our present defense posture, particularly insofar as the Army is concerned, until such time as we have had an opportunity to thoroughly review the issue of Army strength and balance of military forces during consideration of the regular fiscal 1960 appropriation bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Louisiana.

The amendment was agreed to.

Mr. LONG. Mr. President, I ask unanimous consent that the vote by which the amendment was agreed to be reconsidered.

Mr. DOUGLAS. Mr. President, I move to lay the motion to reconsider on the table.

The motion to lay on the table was agreed to.

Mr. JOHNSON of Texas. Mr. President, some Senators desire to address the Senate later this evening. It is not expected, anticipated, or planned to have any more yea-and-nay votes this evening. The Senate will convene at 10:30 tomorrow morning. There will be a morning hour.

An amendment will be offered to reduce the amount of the developmental loan fund from $200 million to $100 million. It is expected that there will be a yea-and-nay vote on that amendment.

Some other amendments may be offered tomorrow. It may be possible to complete action on the supplemental appropriation bill tomorrow and then take up several relatively noncontroversial general bills on the calendar, bills which I have previously announced, and which will be listed in the RECORD tomorrow morning.

If it is possible to have the Senate conclude action on those bills tomorrow, it is planned to have the Senate go over until Monday, so that we may have a

long weekend, because we have had a rather productive 2 weeks. We are waiting now for bills to be reported by the committees.

DISPOSITION OF ASSETS OF THE GENERAL ANILINE & FILM CO.

Mr. JOHNSTON of South Carolina. Mr. President, for the past few months there has been a great deal of speculation in the newspapers concerning the disposition of General Aniline & Film Co., the stock of which was seized at the beginning of World War II, on the basis that such stock was the property of enemy nationals.

At the present time, and for some years past, the question of the ownership of this stock has been the subject of litigation. There is no doubt that this litigation will continue for years unless some amicable settlement is reached between the United States and the Swiss claimant, Interhandel. At the present time this case is in the U.S. district court, to be tried on its merits. The case is also pending before the International Court of Justice at The Hague.

On July 31, 1957, the White House issued the following statement, which indicated that the administration was planning prompt action to provide "an equitable monetary return" with respect to all properties seized under the Trading With the Enemy Act:

THE WHITE HOUSE.

For some time the administration has been deeply concerned over the unresolved problems relating to the vesting, the liquidation and the disposition of enemy assets seized as a result of World War II.

The problem of German vested assets and the claims of American nationals against Germany arising out of World War II has been a long-standing source of controversy. An increase since June of 1955 in the amount of funds available, and which it is expected will be realized from the liquidation of vested assets, should facilitate an equitable and final solution of these problems.

Consequently, in order to reflect the historic American policy of maintaining the sanctity of private property even in wartime, the administration intends as a matter of priority to submit to the Congress, early in the coming session, a supplementary plan.

It is contemplated that this plan would provide for the payment in full of all legitimate war claims of Americans against Germany and would permit, as an act of grace, an equitable monetary return to former owners of vested assets. Subject to the applicable provisions of law, the present program of liquidating vested assets will be completed at the earliest possible time.

It is hoped that it will also be possible to work out a final solution of the Japanese vested assets problem for presentation to the next session of Congress.

I should like to point out that almost 2 years have passed since the issuance of that statement. To date, the administration has not submitted any plan "to reflect the historic American policy of maintaining the sanctity of private property," as promised by the White House. Why this issue has been avoided, I do not know.

I should like to make another point: On February 17, 1959, my distinguished colleague, the Senator from New York [Mr. KEATING] introduced a bill, S. 1103, to provide for the sale of properties now held by the Attorney General, even though they are now the subject of litigation to determine whether or not they were or were not in fact the properties of enemy nationals. At the present time these properties cannot be sold. They must be held pending the outcome in court. If the claimant prevails, he will get his property back. If the claimant fails to prove his case, then under existing law, the United States will be the owner and may dispose of the property as it will.

The Department of Justice has recently submitted a report to my Subcommittee on the Trading With the Enemy Act, with recommendations that the Congress enact Senate bill 1103. This would permit the sale of General Aniline & Film Co., even though title to the stock is in issue before the courts.

A number of questions are involved in this contemplated action. One of these involves the good faith of the U.S. Government; another involves the constitutionality of such legislation.

With respect to the question of good faith, I should like to point out to the Congress that on November 5, 1958, Mr. Loftus Becker, legal advisor to the Department of State, as the representative of the Government of the United States and as co-agent with Mr. Dallas Townsend, Alien Property Director, stated to the International Court as follows:

Under section 9(a) of the Trading With the Enemy Act, the Government of the United States is forbidden to sell vested property as long as a suit for its return is pending. Interhandel having been reinstated as a plaintiff, there cannot, and will not, now, be a sale of the vested stock by the U.S. Government unless and until a final determination in that suit, that suit in the United States, is made in favor of my Government.

Again, on November 6, 1958, Mr. Becker, as the representative of the United States, continued his argument to the Court, and reiterated:

Accordingly, the stock here in issue cannot now, and will not be sold by the Government, but is being retained to await the outcome of Interhandel's suit on the merits of the litigation in the United States.

And again:

Clearly, now, upon the readmission of Interhandel into the U.S. litigation, the stock—to use the language of the Supreme Court—will be "retained by the Custodian to abide the result, and, if Interhandel prevails, * * * returned to it", after a full hearing on its claim "in a court having power to enforce it if found meritorious."

After this argument, it was not necessary for the International Court to act to prevent a sale of the General Aniline & Film Co. stock. One would assume that the Court would be justified in relying upon the statements of our Government's agents who appeared before it. I do not see now how the administration can, with propriety and honor, recommend to the Congress the passage of legislation which would make meaningless the solemn representations made to the International Court.

On the same subject, on April 22, 1952, at a general stockholders meeting of the General Aniline & Film Co., held in New York, the then chairman, Mr. Jack Frye, stated—as shown by the minutes of that meeting—that the Senate Judiciary Committee took the position that there was a constitutional question about the passage of such legislation, and that he had been told, also, that the Department of Justice was inclined to agree that such legislation was questionable, at least so far as its constitutionality was concerned.

If this be so, why, again, does that Department now recommend the legislation? If such legislation was questionable then, it should be so now.

The present bill, S. 1103, is, in effect, identical with Senate bill 2171, which was considered by the Senate Judiciary Committee in 1953. At that time, after full hearings, that bill failed to receive committee approval.

Upon the basis of this background, it would be best for the administration to send to the Congress a program which can be supported and which will fulfill the promises of restitution of these vested properties. Failing in this, the administration should consider with the Swiss claimant a compromise solution which will put an end to this long-standing controversy. Such a means was suggested to the Alien Property Custodian in 1953 by the late Senator McCarran, of Nevada. Now, as then, any plan of settlement should be sent to the Senate Committee on the Judiciary, for its approval.

Mr. President, when the pending litigation over the General Aniline & Film Corp. is concluded, and when it is determined, if it is so determined, that the United States has a right to sell the assets of the company, I insist that a really public sale of the assets be had.

I wish to have inserted in the RECORD my communication of March 23, 1959, to the Attorney General, and his reply to me under date of March 31. I trust that these assurances will give every prospective bidder who is eligible under the law an opportunity to bid freely for these assets. Therefore, Mr. President, I ask unanimous consent to have printed at this point in the RECORD my letter of March 23, 1959, to the Honorable William P. Rogers, and his reply to my letter, under date of March 31, 1959.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
SUBCOMMITTEE ON TRADING
WITH THE ENEMY ACT,
March 23, 1959.

Hon. WILLIAM P. ROGERS,
The Attorney General of the United States,
Department of Justice, Washington, D.C.

MY DEAR MR. ATTORNEY GENERAL: The subcommittee and I have received several inquiries in reference to a sale of General Aniline & Film Corp. The asset being the largest of all the vested properties, I urge that great care be taken in the preparation of the prospectus and advertisements for its sale. I further urge that this asset be sold at public auction, with provision for each competitive bidder to increase his offer during the auction of this property. Such provision will eliminate future complaints or criticism that favoritism existed or that the asset was sold for less than its true value. This view seems to me to be within the letter and spirit of

section 12 of the Trading With the Enemy Act, as amended. A private or negotiated sale of this asset should be prohibited.

I am of the firm opinion that every prospective bidder should have access to all the pertinent facts concerning the administration of this vested asset, its potentials, and its current value at the time of the sale.

Please furnish me at the appropriate time with copies of all advertisements, prospectus, etc.

With kind regards, I remain

Sincerely yours,

OLIN D. JOHNSTON,
Chairman.

MARCH 31, 1959.

HON. OLIN D. JOHNSTON,
U.S. Senate, Washington, D.C.

DEAR SENATOR: This will acknowledge your letter of March 23 advising that you have received inquiries with respect to a possible sale of General Aniline & Film Co.

As you know, section 9 of the Trading with the Enemy Act prohibits the sale of vested property while a suit for return is pending and such a suit is now pending in the District Court for the District of Columbia (*I. G. Chemie* v. *Rogers*). In view of the pendency of this litigation there is no present prospect of a sale of the vested shares unless the Congress should enact into law one of the various pending bills which would amend section 9 to permit the sale of vested property despite the pendency of the suit for return or unless the litigation is dismissed or settled. The Department of Justice has supported bills to enable the United States to sell the stock it now holds and to hold sufficient proceeds to pay off any claims.

I have stated on numerous public occasions, and I am happy to repeat it again, this property, when and if sold, will be offered at public sale to the highest bidder after full and adequate public advertisement.

The procedure which will be followed is set forth in section 12 of the Trading with the Enemy Act and by section 501.25 of the Regulations of the Office of Alien Property (8 CFR 501.25). Every prospective bidder, of course, would have access to pertinent facts concerning the vested asset, business secrets excepted, and such information will be disclosed in the prospectus and registration statement which will be issued prior to sale. This procedure is the one which has been followed in the cases of other vested assets disposed of by the Office of Alien Property.

At no time has any consideration been given, and none will be given, to a negotiated sale of the stock of General Aniline & Film Corp., now owned by the United States.

Sincerely,

WILLIAM P. ROGERS,
Attorney General.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House insisted upon its amendment to the bill (S. 1) to amend the Federal Airport Act in order to extend the time for making grants under the provisions of such act, and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. HARRIS, Mr. WILLIAMS, Mr. MACK of Illinois, Mr. ROBERTS, Mr. BENNETT of Michigan, Mr. SPRINGER, and Mr. BUSH were appointed managers on the part of the House at the conference.

NATURAL RESOURCES, THEIR PROTECTION AND DEVELOPMENT

Mr. HUMPHREY. Mr. President, the Public Affairs Institute, a distinguished organization devoted to a broad program of education and enlightenment on major public policies, has just produced a stimulating and provocative new study, "Natural Resources, Their Protection and Development," which should be required reading for everyone who is concerned with the formulation of public policies in the field of natural resources conservation.

This study is the fruit of long and searching inquiry into the conservation needs of the Nation, the product of extensive conversations and discussions among the leading conservationists of the Nation. The authors have performed a unique service in pulling together into one compact package a distillation of the soundest thinking in the conservation field.

I am particularly pleased to note that among the 25 major proposals which the study sets forth, in the interest of sound conservation and development of natural resources, is proposal No. 4: "Establishment of a Youth Conservation Corps as a voluntary conservation and educational activity of the Federal Government."

Many organizations, Mr. President, have requested the opportunity to testify on S. 812, the proposal for a Youth Conservation Corps, and the distinguished senior Senator from Alabama [Mr. HILL] is making every effort to provide the opportunity for such testimony in mid-May, I am very pleased to say.

Each of the 25 proposals of the study deserve careful and respectful attention, Mr. President, and I am hopeful that each Member of the Congress will find it possible to read these challenging proposals. They can become the basis for more vigorous, more rational, and more productive national policies in the field of natural resources.

Mr. President, I would call particular attention to proposal No. 4 because it relates, as I have said, to pending legislation, S. 812. This particular bill, for the establishment of a Youth Conservation Corps, has wide appeal throughout the Nation. If there is one thing which this Congress can do which will be of help to our young people, it is the enactment of this bill.

I noticed the other day in the press that the Department of Labor predicts an increase in unemployment among our young people. That, of course, places special emphasis upon the importance of enacting constructive legislation such as the Youth Conservation Corps proposal.

I would invite my colleagues, as they look over the RECORD, to prepare testimony that can be considered by the subcommittee of the Committee on Labor and Public Welfare when it holds its hearings on S. 812.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a press statement issued by the Public Affairs Institute on April 15, 1959, describing the newly published study, "Natural Resources, Their Protection and Development."

There being no objection, the news release was ordered to be printed in the RECORD, as follows:

"During the next half century we will either form a lasting partnership with nature through a much broadened resources conservation program, or face the prospect of becoming a have-not nation," says Dewey Anderson, executive director of the Public Affairs Institute of Washington, D.C., in a newly published study, "Natural Resources, Their Protection and Development." "The turning point comes in our generation," he continues, "because the growth of population and industry will demand more metals, minerals, land, wood, water, wildlife, parks, and recreational areas than nature can continue to supply as conservation practices are now organized."

With the American standard of living at stake, the study develops the new policies and practices required to bring us to the end of the century stronger than we are now. The first 50 years of conservation policy as laid down by President Theodore Roosevelt and Gifford Pinchot have saved our resources from wholesale destruction but much more must be done now.

Conservation leaders across the Nation shared in this statement, so that it represents a composite of the best thinking of some of the best minds in this broad field. Among those quoted under a section in which "Conservation Leaders Speak" are Dr. Shirley Allen, member of the Michigan Conservation Commission, Senators Hubert H. Humphrey and Richard L. Neuberger, Alex Radin, of the American Public Power Association, and Attorney Anthony Wayne Smith, of the National Parks Association.

Three persons were largely responsible for this provocative and searching statement on conservation—Morris Llewellyn Cooke, engineer and former chairman of the President's Water Resources Policy Commission; David Cushman Coyle, author, and Dr. Spencer M. Smith, Jr., secretary of the influential Citizens Committee on Natural Resources. It breaks new ground on every topic presented. For example, in the forestry section the declaration is made that destructive practices and shortages require Federal regulation of cuttings both on private as well as public forests.

Among the changes advocated in the interest of sound conservation and development of natural resources are:

1. Organization of all resources programs at the President's own level through a coordinating policy commission, submission of a single program and budget to the Congress to eliminate overlapping, duplication and waste of Federal funds.

2. Capitalizing of resources development projects by means of a specially devised system of long-term, low-interest-bearing bonds instead of annual appropriations items in the budget. For "trees won't grow as fast as compound interest at 6 percent, but they will pay out in the long run."

3. Operation of the newly formed National Outdoor Recreation Commission in a "goldfish bowl," with widest possible public participation and support of this essential effort to provide for the recreational needs of a growing population.

4. Establishment of a Youth Conservation Corps as a voluntary conservation and educational activity of the Federal Government.

5. Planned public works, both as a contracyclical economic measure and as a major conservation program, presented in unified form to the Congress after due clearance between interested departments.

14. Protection of existing wildlife refuges, extension of such areas, and enaction of a national policy respecting the rights and limits of the Defense Establishment in creating firing and bombing ranges out of the public domain.

15. Amendment of the Federal Power Commission Act to give the Secretary of the Interior the power to review licenses under consideration whenever migratory fish or wildfowl are involved. Definition of standards respecting conservation aspects of any projects being passed on by the Commission.

16. Establishment at the State level of acts consonant with Federal law now providing

for a study of State water development projects by the agencies having oversight of fish and wildlife; and coordination of such efforts between the States and Federal Government.

17. Revision of laws and administrative practices respecting small water projects and Federal lands management to insure the conservation of natural values.

18. Reforestation programs on both public and private lands to overcome as quickly as possible our present and growing shortages of sawtimber and of certain species of trees.

19. A Federal regulatory policy respecting cutting of trees on both public and privately owned lands.

20. Acquisition of more forest lands to be included in a national system of forests.

21. More adequate protection of forests through wider application of approved practices and new technologies.

22. Extension of the public park system, both federally and within the States, to meet the growing needs of an enlarging population.

23. Strengthening of the Federal antipollution measures, enlarging their scope and resources.

24. Research and administration of measures to combat the pollution of the air, the use of insecticides, detergents, and herbicides which are proving so destructive of our plant and animal life.

25. A congressional survey of the water needs of the Nation, region by region, with a view to developing a comprehensive nationwide plan, including the storage and replenishment of our ground water, the transfer of waters from surplus to deficit areas, a reconciliation of the various claims on water supplies, and a program of development which will insure against water shortages for the future.

Fifty years from now the conservation story may again be set down, in memory of what we shall have succeeded in doing in our time. If we do well, it can be a story of gain for all the world's peoples, looking toward continuing progress in the long future. Then, as Franklin Roosevelt wrote on the day before he died, "The only limit to our realization of tomorrow will be our doubts of today."

WATER POLLUTION CONTROL

Mr. HUMPHREY. Mr. President, I wish to call attention of the Senate to another bill which has been acted upon favorably in the other body of the Congress.

Mr. President, as the sponsor in the Senate, along with my colleague from Minnesota [Mr. McCARTHY], of the bill, S. 805, to expand the program for construction of sewage treatment plants under the Federal Water Pollution Control Act, I was gratified at the approval this past week by the House Public Works Committee of a companion measure offered by Representative JOHN BLATNIK, of Minnesota, H.R. 3610.

It was my privilege to testify in support of this measure in the committee of the House of Representatives. I am most pleased that Representative BLATNIK's bill has received such favorable consideration. He is the main mover and author of this proposed legislation, and has already, as we know, been able to have passed in the Congress at least the initial legislation for the purpose of water pollution control.

The necessity for expansion of this sewage-treatment program has been well established. The demand for fresh, clean water has been constantly increasing, but sewage-treatment facilities have not kept pace.

The Federal Water Pollution Control Act of the 84th Congress, which was the Blatnik-Humphrey bill, and which authorized $50 million annually to be spent in matching funds to help communities build sewage disposal plants, has stimulated the greatest waste treatment construction program in our Nation's history. It is proposed in the companion bills as offered by Representative BLATNIK and by the Senator from Minnesota [Mr. McCARTHY] and myself, that Federal funds be increased from $50 million to $100 million a year.

Despite the widespread agreement on the need and desirability of such a program, the administration has not only opposed expansion of the program, but has advocated abolishing the program altogether. Such opposition, of course, comes as no great surprise. The administration has throughout the years shown a lack of foresight and awareness as to the needs of our country. It has resisted almost without exception proposals designed to meet the needs of America in the mid-20th century. The administration turns its back on the realities of our times and prefers to look back with nostalgia to the simple and uncomplicated days of the 19th century.

Mr. President, these water pollution control programs are as vital to the health and safety of the American people as are public health officers and public health facilities. It is almost unbelievable that the Bureau of the Budget, representing the President, would strike from the budget as proposed by the President any consideration at all in terms of Federal assistance to local communities for water pollution control and the construction of necessary sewage disposal plants.

I was most pleased to read in this morning's New York Times, however, Mr. President, that not all Republicans agree with the administration's horse and buggy policies. There are some in the GOP who are aware of the needs of America, and I am happy to say that there are many in the Democratic Party who are aware of the needs of America, including the distinguished Presiding Officer [Mr. MUSKIE] who has shown such great alertness to these problems and who has given such dedicated and devoted energy to their solution.

One such Republican is Gov. Nelson Rockefeller, of the State of New York, who has announced his support for the extension of the Federal water pollution treatment program in a letter to Representative BLATNIK.

I hope the Governor of New York will drop a little note to the President of the United States. Then if the Governor of New York should meet the Director of the Bureau of the Budget at one of these Republican conclaves, I hope he will mention the fact that he is in favor of water pollution control to the Director of the Bureau of the Budget. If perchance he should meet the Secretary of Health, Education and Welfare, I trust that the Governor of New York, who shows interest in writing to Democrats, will perhaps pass a little friendly note to the Secretary of Health, Education, and Welfare.

Furthermore, I suggest that the Governor of New York could send a letter to the U.S. Senate in support of S. 805, the bill which is pending before the committees of Congress.

We want to welcome any other Republican Governor or any other Republican anywhere, Governor or no Governor, who wishes to take issue with the penny pinching attitude of this administration when it comes to health matters.

Mr. President, I noticed in this morning's newspapers that the House of Representatives increased the health research funds substantially over the budget request. I wish to commend Representative FOGARTY, of Rhode Island, and others who were instrumental in that fine piece of legislative work in the other body.

The administration cannot seem to understand the importance of preventive medicine, the importance of public health, or the fact that this Nation is growing and the water-pollution problem is one of the major problems of the Nation. As a matter of fact, it would be a good idea if the executive branch would recess for 1 hour a day and go out to look at the Potomac River, which is one of the most polluted rivers in the United States. In that way the administration could do something for the Nation, for it might then advocate a serious program of water-pollution control on the Potomac River, which is supposed to symbolize the great strength of the United States.

The only thing which is strong about the Potomac River under current conditions of pollution is the odor on certain days. I regret to have to say this, because the Potomac is a beautiful river and has a great place in American history. However, this administration insists upon denying an opportunity to States and localities and, indeed, denying the responsibility of the Federal Government in any kind of effective control program for water pollution.

Mr. President, I ask unanimous consent that the newspaper report on the endorsement of Governor Rockefeller, of New York, of this measure be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Minnesota? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. HUMPHREY. Mr. President, we are pleased to have the support of the distinguished Governor of New York. Nothing would please me more than to be able to rise in the Senate in the near future and to announce that because of the support of this Republican Governor of New York, who is so frequently mentioned as a possible candidate for much higher office, the administration has reconsidered its position, has been moved by the eloquence and logic of the letter from the Governor of New York to Representative BLATNIK, and is now in favor of our bill. While I admit that such a prospect does not seem too probable, I still have the hope in my heart, and I

earnestly suggest to the administration that it reconsider its position on this important matter.

EXHIBIT 1

[From the New York Times, Apr. 29, 1959]

ROCKEFELLER BACKS DEMOCRAT'S PLAN—FAVORS A CONGRESSIONAL BILL ON WATER POLLUTION THAT WHITE HOUSE OPPOSES

WASHINGTON, April 28.—Governor Rockefeller took issue with the Eisenhower administration today on the subject of curbing water pollution.

He strongly endorsed a bill, sponsored by Representative JOHN A. BLATNIK, Democrat, of Minnesota, that would increase Federal aid funds for sewage-treatment plants from $50 million to $100 million a year.

Representative BLATNIK said the endorsement had come to him from the Governor's office in a totally unexpected letter.

In the letter, Governor Rockefeller said the operation of the Federal-aid program under the National Water Pollution Act has provided an incentive which has been extremely helpful in attacking the pollution problem in New York State.

He said he had had all the interested departments and agencies of New York State study the Blatnik bill. "It is their consensus that it is sound and desirable," the letter said.

The Eisenhower administration has taken the position that as a matter of strengthening State governments, the Federal water pollution control program and the Federal vocational education program should be turned back to the States.

The President's proposal was that these programs be paid for in the States through the relinquishing to the States of part of the telephone tax collected by the Federal Government.

Arthur S. Flemming, Secretary of Health, Education, and Welfare, strongly urged the administration plan in an appearance before the House Government Operations Committee. However, the committee reported out the Blatnik bill, which now is pending before the Rules Committee.

Mr. KENNEDY. Mr. President, first I should like to express congratulations to the Senator from Minnesota for his excellent address. I think the problem of water pollution in a growing country with an increasing population is extremely important. What the Senator had to say about the Potomac River is also extremely important. I commend the Senator for his remarks.

Mr. President——

The PRESIDING OFFICER. The Senator from Massachusetts has the floor.

TRIBUTE TO FORMER SENATOR IRVING IVES

Mr. KENNEDY. Mr. President, I take this opportunity to express my appreciation to a fine American no longer with us, former Senator Irving Ives of New York.

The labor reform bill which passed the Senate this year is comparable to the labor reform bill which passed the Senate last year by a vote of 88 to 1. Senator Ives was the cosponsor and codrafter of the bill at that time. I think the prestige of Senator Ives and his long and eminent association with the problems of labor-management in this country gave the bill a standing which otherwise it would have lacked, and I think this also contributed to the passage of the bill last year, which favorably affected the prospects for passage of a labor reform bill this year.

Senator Ives is no longer with us in this body. The bill which passed this year is known as the Kennedy-Ervin bill, rather than the Kennedy-Ives bill, but part of the credit for its passage is due to former Senator Ives. I take this opportunity to pay my respects to former Senator Ives again, as a distinguished member of the Republican Party, as a distinguished former Member of the Senate, and also as a distinguished American.

Mr. President——

The PRESIDING OFFICER. The Senator from Massachusetts.

THE KENNEDY-ERVIN LABOR-MANAGEMENT REFORM BILL

Mr. KENNEDY. Mr. President, the Senate last week completed a monumental task in approving by a vote of 90 to 1 the labor-management reform bill generally known as the Kennedy-Ervin bill. The Senate labored long and hard—it can be proud of the results. The American people demanded a strong, workable, effective and fair anti-racketeering measure—and the Senate has passed such a measure.

Honest union members and businessmen, responsible labor leaders, law enforcement officers and the general public—all will benefit from the increased protection this bill will provide. The battle for labor-management reform, however, is not over. I am hopeful that our press and public, as well as interested organizations, will not permit their interest to lag simply because the bill has passed the Senate. This Congress must not go home this year until it has placed on the President's desk sound labor-management reform legislation.

It has always been easy to say that everyone is for reform—that everyone is against racketeering—and that everyone is disturbed by the headlines from these investigations. But the hard, complex task of legislation is a more difficult matter. The Senate demonstrated by a vote of 90 to 1 that reform legislation should be and can be above partisanship—despite those who would rather have a political issue than a bill—those who wish to keep a whipping boy alive—and those who are more concerned about curbing labor at the bargaining table than they are about curbing racketeers.

The Kennedy-Ervin bill as it passed the Senate meets every necessary test—it is a strong bill—it is workable—it is fair—it is effective. It carries out all of the previously unfulfilled recommendations of the McClellan committee. It is aimed at ending the abuses revealed before that committee; and adds other legislative curbs on racketeering as well. It is based upon the bill drafted last year by two members of the McClellan committee, with the strong support of the distinguished chairman of that committee himself. It is broader and stronger than any alternative proposal in this area. It is a bill designed to permit responsible unionism to operate without being undermined by either racketeering tactics or bureaucratic controls. It is designed to strike a balance between the dangers of too much and too little legislation in this field.

I realize that it is always possible to find fault with any bill—to point out omissions, to read in other meanings, or to call indefinitely for further amendments. This is particularly true in the controversial field of labor, which is precisely why no major labor legislation has been passed in the last decade. The extremists on both sides are always displeased; the technical experts will always disagree. No doubt each Senator might have drafted his own bill differently. But what is important and significant about this bill is not what it fails to do but what it does accomplish, not what might have been added in the way of unrelated or punitive measures, but what is included. For this bill provides the most comprehensive and effective set of weapons against racketeering ever to pass this body. The basic provisions of the Kennedy-Ervin bill as it passed the Senate include the following:

First. It guarantees the basic rights of all union members, including their freedom of speech and assembly, freedom to set union dues, provides safeguards against improper disciplinary action and protects the rights of a member to sue in Federal courts for the enforcement of his basic rights.

Second. It sets up strong barriers against the control of unions by unreformed convicted thieves, racketeers, and thugs, or their service as union officers. It prevents union officials from using union funds to perpetuate themselves or their friends in office.

Third. It sets up safeguards in court proceedings so that members of unions can protect themselves against arbitrary control by large international unions through the device of the trusteeship.

Fourth. It guarantees America's working men and women the fundamental right of the secret ballot in selecting their union officers and permits the majority of the members of a local to remove crooked officials at any time.

Fifth. It provides workable machinery for contesting in Federal courts crooked or rigged union elections and insures fair election procedures, regular elections, due notice of all union elections, and real opportunity to nominate opposing candidates.

Sixth. It puts the spotlight of publicity on middlemen racketeers and unscrupulous antiunion employers.

Seventh. It compels comprehensive detailed reporting of union economic and administrative data so that the members and the public can really know what is happening.

Eighth. It strikes hard at the "sweetheart" contract by penalizing both the giver and the taker of a bribe in labor-management relations.

Ninth. It requires union officers to reveal personal financial transactions which might conflict with their responsibilities as union officers.

Tenth. It places strong power in the Secretary of Labor, with adequate safeguards of individual rights, to compel compliance with the provisions of the act and imposes heavy criminal penalty for violations.

Eleventh. It requires that all union officers or employees handling union funds be bonded in sufficient amount to protect their membership.

Twelfth. It prohibits picketing for 9 months where a union has had an election and lost it.

Thirteenth. It outlaws the vicious "hot cargo" clause in the trucking industry and prevents the enforcement of existing contracts containing such clauses.

Fourteenth. It imposes criminal sanctions for embezzlement of union funds, false reporting, false entries on books, failure to report, or destruction of union books.

Fifteenth. It prohibits loans by employers or unions to union officers.

Sixteenth. It authorizes suits by union members for recovery of funds embezzled or misappropriated by union officers.

Seventeenth. It prohibits picketing for extortion or to secure payoff from employer.

Eighteenth. It prohibits the solicitation or payment of fictitious fees for unloading cargo from interstate carriers.

In short, it is a strong, effective bill. It will enable all union members to know how their dues are spent, instead of having them carried around in a little black box by Anthony Doria, the friend of racketeers, or used to purchase an air-conditioned Cadillac by the secretary-treasurer of the Garbage Local in New York. It will require minimum standards of union democracy, with elections at regular intervals by secret ballot or by a convention of delegates elected by secret ballot, and prevent Johnny Dio from setting up fake paper locals and casting votes in the names of persons who did not even know they were members of the union, much less council delegates. It will bar convicted felons from serving as union officers, so that Herman Kierdorf could no longer go straight from his prison cell in the Ohio State Penitentiary to an appointment as business agent for the Teamsters in Detroit.

It will limit and supervise union trusteeships, so that the vice president of the Bakery and Confectionery Workers cannot again appoint himself trustee of two Chicago locals whose funds he misused on his personal hobbies to the tune of some $40,000 in 5 years. It will require union officials to completely disclose all possible conflict of interest transactions, so that Teamster members urged to buy lots in a so-called model Teamster community in Florida would know that Jimmy Hoffa had arranged the financing of this development through coercion on the union's banks, had placed the promoter on the Teamster payroll and stood prepared as a hidden partner to reap a large hidden profit.

It will prohibit loans by either employers or unions to union officers, so that the president of the old Bakery Workers would not again be able to borrow heavily from one of their employers to buy expensive homes in Washington and Palm Beach, and then negotiate a substandard union contract with his benefactor without consulting the local members. And it will expose and prevent the undermining of honest unionism through management collusion, middlemen, and union-busting techniques, operations of so-called consultants like Nathan Shefferman, who promised employers he could keep out the responsible unions which could not be bought, through his various techniques of antilabor committees, company unions, payoffs and teamster collusion.

I do not say that the Kennedy-Ervin bill, or any law, under our Constitution, can eliminate Jimmy Hoffa. He is entitled to the same rights as any other citizen, including the protection of the fifth amendment and trial by jury. But we can eliminate the evil practices by which he and his associates rose to power, their conflict of interest transactions, their destruction of union books, their manipulation of trusteeships, their rigged elections and conventions, their appointments of ex-convicts as union officials, their use of management middlemen, their use of union funds to build personal financial empires, their private arrangements with employers, their shakedowns and tribute for unloading interstate trucks, their falsification of union reports, their reprisals against honest members, their insistence on hot cargo clauses in trucking contracts and their strong-arm picketing of plants where the union has already lost an election.

Without doubt, there will continue to be criticisms of this bill from extremists on both sides, from those who are antilabor rather than antiracketeering, and from those who take a partisan view of this non-partisan problem. But I think it is of interest, in this connection, to compare the provisions of the bill which passed the Senate with another so-called antiracketeering bill which has been praised by those now engaging in partisan criticism of the Kennedy-Ervin bill; and I refer to the so-called Rockefeller labor reform bill which passed the New York Legislature this year. The Rockefeller bill, like the Kennedy-Ervin bill, also curbs conflict of interest transactions and employer bribes; provides for financial reports by labor organizations and employers; and requires the maintenance of accurate financial accounts. These are all desirable provisions. But this is all the Rockefeller bill does. Unlike the Kennedy-Ervin bill, it does nothing to insure honest and secret union elections, it does nothing to curb abuses of union trusteeships, it does nothing about prohibiting picketing for extortionate purposes or where a union has lost an election, it does nothing about the infiltration of convicted racketeers and felons into union office, it does nothing about guaranteeing the rights of union members, and so on down through the rest of the list.

In short, the bill that passed the Senate is second to none, and no Senator who voted for it needs to apologize for his position. This body acted once again with courage and wisdom, courage to eliminate demonstrated abuses now being practiced by powerful groups in this country, and wisdom in resisting irresponsible proposals which would have punished the innocent as well as the guilty, the victims as well as the racketeers.

Without doubt the future of this bill will again be plagued by the usual emotional arguments, political perils and powerful pressures which always surround this subject. But I am confident that the same constructive spirit which has enabled this body to pass the Kennedy-Ervin bill by a vote of 90–1, just as in 1958 it passed the Kennedy-Ives bill by a vote of 88–1, will characterize action on this bill in the other body and in the White House. The racketeers will not like it, the antilabor extremists around the country will not like it, but I am confident that the American people, and the overwhelmingly honest rank and file union members, will benefit from this measure for many years to come.

Mr. President, I ask unanimous consent that a detailed section-by-section analysis of the bill as passed by the Senate be inserted in the RECORD following these remarks.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

SECTION-BY-SECTION ANALYSIS OF S. 1555 AS PASSED BY THE SENATE APRIL 25, 1959

Section 1: Contains the short title of the bill: "Labor-Management Reporting and Disclosure Act of 1959."

Section 2: Contains the congressional findings, purposes, and policy.

TITLE I—BILL OF RIGHTS OF MEMBERS OF LABOR ORGANIZATIONS

Section 101(a)(1): Asserts the right of each member of a labor organization to be considered equally and to enjoy identical privileges within the organization to nominate candidates, vote in union elections, attend membership meetings, and participate in the deliberations of the organization. The rights protected by this subsection are circumscribed by the right of the organization to establish for itself reasonable rules in its own constitution and bylaws.

Section 101(a)(2): Guarantees the right of union members to meet and assemble freely with other members and express their own views and, further, to express their views on business before any union meeting or upon candidates in a union election, subject to the organization's established and reasonable rules pertaining to the conduct of meetings. This subsection clearly establishes the right of a labor organization to establish rules and regulations for the conduct of meetings regarding the responsibility of every member toward the organization as an institution and to restrain such member in any conduct that would interfere with the performance of its legal or contractual obligations.

Section 101(a)(3): Stipulates that the rate of dues presently in effect shall not be changed and that no new or additional dues or initiation fees shall be imposed or general or special assessments levied upon members except by (1) a majority vote by secret ballot on such question at a general or special meeting called upon due notice, or (2) by majority vote by secret mail ballot, or (3) by majority vote of a regular convention after 30 days' notice has been given to each local or constituent labor organization.

Section 101(a)(4): Asserts the obligation of a union not to limit the right of every member of a union to sue in a court, bring a matter before an administrative agency, appear as a witness in any judicial, administrative, or legislative proceeding, or petition any legislature. This subsection provides that a union member may be required to exhaust internal remedies (not to exceed 6 months) before instituting legal or administrative proceedings. The subsection also forbids an interested employer or employer-association to directly or indirectly finance, encourage, or participate in, except as a party, any suit or proceeding referred to in this subsection.

Section 101(a)(5): Insures due process for a union member, including written specification of charges, fair hearing, and time to prepare his defense before a member may be disciplined by a labor organization.

Section 101(a)(6): Voids any provision of a union constitution or bylaws or other governing charter which is inconsistent with the provisions of this section.

Section 102: Permits any person to bring a suit in a Federal court to enforce any of the rights mentioned in section 101. Suits shall be brought in the U.S. District Court for the district in which the alleged violation occurred or where the headquarters of the labor organization is located.

Section 103: Preserves rights and remedies which any member of a labor organization has under any other State or Federal law, or before any court or other tribunal, or under any union constitution or bylaws.

TITLE II—REPORTING AND DISCLOSURE

Section 201:

(a) Requires every labor organization in an industry affecting commerce to file with the Secretary of Labor a copy of its constitution and bylaws along with specific information detailing its major internal operations.

(b) Every such labor organization must also file a detailed and comprehensive report of the union's financial operations. Under this section all trade unions dealing with employers whose operations affect commerce must file reports whether or not they desire to use the facilities of the NLRB. All of the information required to be reported by present law will be reported under this section.

(c) Requires every labor organization required to report under title II to make available information in such reports to each of its members in a form prescribed by the Secretary. This section also permits union members to inspect books and records of the union under such conditions at such times as the Secretary shall prescribe.

(d) Permits the Secretary to exempt labor organizations with fewer than 200 members and annual gross receipts of less than $20,000 from the reporting requirements of 201(b) if he finds that such exemption would not interfere with the attainment of the objectives of the act.

Section 202(a): Every officer or employee of a labor organization other than clerical employees, as defined by the Secretary of Labor, paid more than $5,000 in compensation and allowances in the preceding fiscal year is required to report to the Secretary of Labor any of six specified transactions in which he may have been involved for the preceding fiscal year which might constitute a conflict of interest. Reports from a union officer or employee are required only if they have been involved in any of the transactions enumerated in the subsection. Publicly traded securities and other securities which are publicly regulated are exempt from the reporting requirements of this section.

Section 203(a): Requires every employer engaged in an industry affecting commerce to file an annual report with the Secretary of Labor listing expenditures to persuade employees not to exercise or persuade them as to the manner in which they exercise their rights to organize and bargain collectively or to obtain information about employees or labor organizations in connection with labor disputes except that reports need not be made of adjustments in wages or other employee benefits, employer newsletter and house organs, or expenditures to obtain information to be used solely in judicial, administrative, or arbitral proceedings. This subsection also requires employer reporting of any payment, loan or expenditure of which a report is required of a union officer under section 202.

Section 203 (b) and (c): Require reports of employers and persons who enter into agreements with employers to interfere with the right of employees to organize or bargain collectively or to provide information to the employer about the activities of employees. Employers are also required to report direct or indirect loans or payments to a labor organization or officer thereof except certain legitimate payments such as for services as an employee.

Section 203 (d) and (e): Provide that no person is required to make reports covering the giving of advice to an employer to be used solely in a court, administrative agency or tribunal of arbitration or in connection with collective bargaining negotiations. No person is required to make a report if he has not engaged in the activity described therein nor is an employer required to report on the activity of a regular employee.

Section 204:

(a) Specifies that the contents of reports and documents filed under sections 201, 202, and 203 should be public information and authorizes the Secretary to publish and use such information for statistical and research purposes, and to compile and publish studies and surveys based on the data contained in reports required to be filed under title II.

(b) Authorizes the Secretary to prescribe regulations permitting the inspection and examination by any person of the information contained in reports and documents filed under title II.

(c) Authorizes the Secretary to furnish copies of reports filed under title II upon a payment of a charge based on the cost of the service, provided that the Secretary may make available to a State agency copies of reports required to be filed under this title at no charge. Also provides that no person shall be required by State law to provide the information contained in a Federal report if a copy of such report is furnished to the State agency.

Section 205: Requires the maintenance and preservation of records and accounts of financial transactions necessary to verify reports required of union, employer and labor-relations consultants for such periods of time as the Secretary shall prescribe.

Section 206:

(a) Requires that initial reports required by this title be filed not later than January 1, 1960 but initial reports required by 201 (b) and 203 would only have to cover the period between enactment and January 1, 1960.

(b) Authorizes the Secretary to issue rules and regulations prescribing the form, content, and publication of reports and to prevent circumvention or evasion of reporting requirements. The Secretary is directed to provide simplified reporting forms for small unions and small business organizations but he is also given the power to require a full reporting form if he believes it desirable.

(c) Authorizes and directs the Secretary, when he believes that any person or labor organization has violated any provision of the title, to make an investigation, inspect records, and ascertain all of the facts relevant to the report in question. This subsection also authorizes the Secretary to make a full report to the members of a labor organization concerning the facts required to be reported, if any person or organization fails or refuses to file the reports as required.

Section 207: Forbids a labor organization to make loans to any officer or employee aggregating in excess of $1,500 and forbids employers to make any loan to an officer or an employee of a labor organization representing or seeking to represent his employees. This section also forbids a union or employer to pay the fine or advance the defense costs of any person indicted for or convicted of a violation of the act except that upon acquittal a person may be reimbursed for expenses incurred in his defense.

Section 208:

(a) and (b) Prescribes a fine of up to $10,000 or up to 1 year's imprisonment, or both, for willfully violating or failing to comply with any provision of title II or the rules or regulations issued thereunder, willful false statements or misrepresentations of material facts or failure to disclose information required by the title.

(c) Imposes a similar penalty upon any person who willfully destroys any books, records, reports, or statements required to be maintained under this title.

(d) Assigns personal responsibility to each person required to sign reports under sections 201 and 203 for the filing and the accuracy of statements in the reports.

Section 209:

(a) Makes the embezzlement by any person of funds or assets of a labor organization a Federal crime punishable by a fine not exceeding $10,000 or imprisonment not in excess of 5 years.

(b) Permits an individual union member to sue a union officer or employee suspected of embezzlement or other conversion of union funds to his own use to recover such property if the union itself has not instituted such a suit or refuses to sue to recover such property within 4 months of having been requested to do so. Such a suit may be brought in a U.S. district court but a proceeding under this subsection cannot be brought except upon leave of the court, obtained upon verified application or good cause shown. The section provides for a reasonable recovery of counsel fees and the compensation of the member for expenses necessarily incurred in connection with the litigation. Nothing in this subsection is to be construed to limit the responsibilities of union officers and employees under any other State or Federal law or to interfere with any remedy to which members may be entitled under any other statute.

Section 210:

(a) and (b) Establishes a Commissioner of Labor Reports in the Department of Labor to administer the Act. Authorizes the Secretary to appoint personnel and prosecute cases under the Act.

(c) Authorizes the Secretary to bring civil suits for appropriate remedies against violations of the reporting title (title II) only and failure to abide by regulations issued thereunder. Such actions are to be brought in U.S. district court where the violation is alleged to have occurred or, at the option of the parties, in the U.S. district court for the District of Columbia.

Section 211: Amends section 302(a) of the Labor Management Relations Act of 1947 so as to clarify an ambiguity which presently exists. Under present law it is illegal for an employer to pay or deliver anything of value to a representative of his employees. The purpose of these amendments to section 302 is to forbid any payment or bribe by an employer or anyone acting on his behalf, whether technically an agent or not. The demand or acceptance of such bribes is also proscribed. This section also makes

unlawful the demand or acceptance of improper unloading fees from interstate truckers. This section exempts certain bona fide payments made by an employer to his employees or to representatives of his employees. It also provides that the general ban in section 302 of the Labor-Management Relations Act upon employer payments to unions is not to apply to employer payments to trust funds, for pooled vacation benefits, or apprentice or other employee training programs.

Section 212: Requires a non-Communist oath of union officers and principal employer officers annually when the union or employer has filed a petition or complaint with the NLRB within the 12 months preceding the date when such affidavits are required to be filed. Repeals the noncommunist oath requirement in the Taft-Hartley Act.

Section 213: Bans picketing about the premises of an employer for the purpose of or as part of a conspiracy to exact a bribe. Violations of this section are punishable by a fine of $10,000 or up to 20 years' imprisonment.

TITLE III—TRUSTEESHIPS

Section 301:

(a) Requires reports by national or international unions to the Secretary within 30 days of establishment of trusteeships over subordinate unions (or within 30 days of enactment for existing trusteeships) and semiannually thereafter.

The reports are to show: (A) the union in trusteeship, (B) the date trusteeship established, (C) a detailed statement of the reason for trusteeship and its continuance, (D) the nature and extent of voting by members of the trusteed union for convention delegates and national and international officers, and (E) a detailed account of the financial condition of the trusteed union, including any funds transferred to such union's national or international union or to any other union, as of the date the trusteeship was established and as of 30 days prior to the making of the report.

(b) Provides the Secretary with the same rulemaking and publication powers he has under title II.

(c), (d), and (e) Makes failure to report, false reports or concealment or destruction of documents or records upon which report is based by responsible officers punishable by a maximum $10,000 fine or imprisonment for 1 year, or both.

(f) Provides that reports made by labor organizations under this section shall be made available to each member of the labor organization in such form and manner as the Secretary shall by regulation prescribe.

Section 302: Requires the establishment and administration of a trusteeship to be in conformity with the union constitution and for correcting corruption or financial malpractice assuring the performance of agreements, restoring democratic procedures, or the achievement of legitimate union objectives.

Section 303:

(a) Makes it unlawful during trusteeship (1) to count members' votes for convention delegates or national or international officers if not by secret ballot in which all members in good standing could participate, or (2) to transfer to parent organization any funds of the trusteed union except regular per capita and assessments payable by nontrusteed unions. It is provided that upon dissolution of the trusteeship, assets may be distributed in accordance with the charter, constitution, or bylaws.

(b) Makes violation of subsection (a) punishable by a maximum $10,000 fine or imprisonment for 1 year, or both.

Section 304:

(a) Provides that upon the written complaint of a member or subordinate union alleging violation of section 302, 303, or 307, the Secretary shall investigate and if he finds an unremedied violation, he may petition the appropriate Federal district court to enjoin and dissolve the trusteeship and for other appropriate relief.

(b) Provides for place and manner of bringing suit.

(c) This subsection provides that a trusteeship established by a labor organization (1) in conformity with the procedural requirements of its constitution and (2) authorized or ratified by the executive board of the labor organization after a hearing before the union's executive board or other body provided for in its constitution or bylaws, shall be presumed valid for a period of 12 months. This presumption may be rebutted by clear and convincing proof that the trusteeship was not established for a purpose allowable under section 302. After the expiration of 12 months there will be a presumption that the trusteeship is invalid in any proceeding brought by the Secretary to remove the subordinate union from trusteeship unless the labor organization can show by clear and convincing proof that the continuation of the trusteeship is necessary for a purpose allowable under section 302. If the labor organization can so show, the court may dismiss the complaint or retain jurisdiction on such conditions and for such period as it deems appropriate.

Section 305: Requires a report within 3 years by the Secretary on operation of title III.

Section 306: Makes clear that Federal suits under title III are possible only upon suit initiated by the Secretary. But all other rights and remedies at law or in equity are specifically preserved, with the limitation that when the Secretary does file a complaint the proceeding is to be exclusive and the result res judicata.

Section 307:

(a) Requires local labor organizations to forward to every member who requests them, copies of collective bargaining agreements negotiated by such organization that directly affects such member's rights as an employee. National and international labor organizations are required to forward copies of agreements negotiated by them to each constituent unit whose members are directly affected. All unions are required to keep copies of agreements at their principal places of business where they are to be available for inspection by any member or employee whose rights are directly affected.

(b) Makes violation of section 307 (a) punishable by a maximum fine of $10,000 or imprisonment for 1 year, or both.

Section 308: Requires bonding of officers, agents, representatives or employees of labor organizations who handle funds of such organizations or any trust in which such organization is interested. The amount of the bond in the case of unions is to be not less than 10 percent of the union's gross income during the preceding fiscal year or $250,000, whichever is the lesser; in the case of trusts in which unions are interested, it is to be not less than 25 percent of the amount of the trust, or $250,000, whichever is the lesser.

Section 309: Requires a jury trial in proceedings for criminal contempt committed outside the immediate presence of the court in connection with civil actions instituted in the Federal courts by the Secretary or any other person under the provisions of the Act.

TITLE IV—ELECTIONS

Section 401:

(a) Provides that each national and international labor organization (except a federation of such organizations) shall elect the officers named in its constitution and the members of its executive board or similar governing body at least every 5 years by secret ballot among the membership in good standing or by vote of a convention composed of delegates chosen by secret ballot and in accordance with the union's constitution and bylaws.

(b) Requires that the officers named in a local union's constitution and the members of its executive board or other similar governing body be elected at least every 3 years by a secret ballot among its members in good standing and in accordance with its constitution and bylaws. This section further provides that local labor unions are to be under a duty, enforceable in an action brought in a Federal district court by any bona fide candidate for union office, to comply with reasonable requests of any candidate to distribute his campaign literature at his expense by mail or otherwise to the local union's members and to refrain from discriminating in favor of or against any candidate with respect to the use of the union's membership list. It is specifically provided that if use of the membership list is authorized by the union or its officers on behalf of any candidate or the union itself, similar use is to be accorded to any other bona fide candidate at his request, with equal treatment as to the expense of such distribution. Adequate election safeguards are also to be provided to insure a fair count of the ballots, including the right of candidates to have observers at the polls and at the counting of the ballots.

(c) Requires that officers of intermediate bodies, such as general committees, system boards, joint boards, joint councils, or other associations of labor organizations, are to be elected at least every 4 years by secret ballot among the members in good standing or by union officers representative of such members who have been elected by secret ballot and in accordance with the union's constitution and bylaws.

(d) Requires that in elections required to be held by secret ballot members of a labor organization be given a reasonable opportunity to nominate candidates, to be a candidate for and hold union office (subject to reasonable qualifications uniformly imposed) and to vote without being subject to penalty, discipline, or improper interference or reprisal by the union or any member of the union. Fifteen days' notice of date and time of any election is to be mailed to members. Every member shall have one vote, and a member whose dues are checked off under a bargaining agreement is not to be disqualified for dues default. The votes cast by members of each local union are to be counted and the results published separately. Ballots and election records are to be preserved for 1 year by appropriate officials of the union. The union constitution and bylaws is to govern the election to extent not inconsistent with the act.

(e) Provides that when delegates in a convention are to choose officers, the union constitution and bylaws are to govern and delegate credentials, minutes, and convention records pertaining to the election of officers are to be preserved for 1 year after the election.

(f) Provides that neither union nor employer funds are to be used to promote candidates in union elections subject to this title. Union funds may be used for ordinary expenses in connection with elections—for notices to members, statements to members of issues not involving candidates to be voted on, and other expenses incident to the conduct of an election.

(g) and (h) Provides that if the Secretary upon application of a member of a local union finds after a hearing in accordance with the Administrative Procedure Act, that the union's constitution does not provide for the removal of an officer guilty of serious misconduct, the officer may be removed by the members voting in a secret ballot vote. The Secretary is granted au-

thority to promulgate rules and regulations prescribing standards for carrying out subsection (g).

Section 402:

(a) Provides procedures by which a member of a labor organization who (1) has exhausted the remedies available under the constitution and bylaws of his union and of any parent body, or (2) has invoked available remedies without obtaining a final decision within 3 calendar months, may initiate proceedings through the Secretary to have the election declared invalid and a new election conducted, or a hearing and vote held on removal of a union officer, pursuant to a Federal district court order, under the direction of the Secretary. Challenged elections would be presumed valid pending a final decision, and in the interim the affairs of the union are to be conducted by the officers elected or in such other manner as the constitution and bylaws provide.

(b) Court actions to enforce the election provisions of title IV would be brought by the Secretary if, after investigation he finds probable cause to believe title IV has been violated. The Secretary would be required to bring such action within 60 days after a complaint of violation has been filed with him. If the court voids an election after a trial it is empowered by this section to preserve the property and assets of the labor organization pending the selection of new officers.

(c) In any such action the court's decision would have to be based upon a preponderance of the evidence after a trial upon the merits.

(d) An order directing an election, dismissing a complaint, or designating the elected officers of a labor organization under this section would be appealable in the same manner as the final judgment in a civil action. However, an order directing an election could not be delayed by an appeal.

Section 403: Provides that no labor organization shall be required to hold elections more frequently or by different procedures than are required by its constitution or bylaws except as otherwise provided in title IV. Existing rights and remedies to enforce union constitutions and bylaws with respect to elections prior to the conduct thereof are not affected by title IV, but the remedy provided by title IV for challenging an election already conducted is to be exclusive.

Section 404: The election provisions are to become effective—

(1) within 90 days for unions whose constitutions and bylaws can be modified to conform by its officers or interim governing bodies such as a general executive board or council; or

(2) where appropriate modification can be made only by convention, by the next convention of the labor organization or within 2 years after enactment, whichever is sooner. If no convention is held within this 2-year period, the executive board or other governing body empowered to act for the union between conventions is empowered to make interim constitutional changes necessary to carry out the act.

Section 405:

(a) Bars persons convicted of committing certain specified crimes, e.g., robbery, bribery, extortion, from holding responsible union office, or employment for a period of 5 years after serving any part of a prison term by reason of such conviction.

(b) Bars any person from holding union office or employment who fails after notice to file reports required by titles II or III and who after a hearing on a written record the Secretary finds is in violation, or who has been convicted of a violation of such titles; such bar to be effective for 5 years from the date of such determination or conviction. No union or union officer shall knowingly and willfully permit any person to assume or hold office in violation of this subsection.

(c) Violations of section 405 are punishable by a fine of up to $10,000 or imprisonment for 1 year, or both.

(d) Specifies that for purposes of section 405 a person who has been convicted is to be deemed to have been "convicted" and under disability of "conviction" from the date of the judgment of the trial court, except that if the judgment of conviction is revised on appeal, such person shall not, after the date of such reversal, be deemed to be under any disability of "conviction."

TITLE V—CODES OF ETHICAL PRACTICES—ADVISORY COMMITTEE

Section 501:

(a) Declares that it is in the national interest that labor organizations and nationwide and industrywide associations of employers engaged in industries affecting commerce shall voluntarily adopt or subscribe to codes of ethical practices obligating such labor organizations or employers, as the case may be, to adhere to principles and procedures of conduct which will effectively eliminate and prevent improper and unethical activities in the administration of their affairs, in the use and expendture of their funds and in their relations with each other.

Declares that codes of ethical practices applicable to national and international labor organizations should contain provisions which will safeguard the democratic rights and privileges of members and which will eliminate and prevent improper and unethical activities on the part of labor organizations or their subordinate locals or any officer or agent thereof. Codes of ethical practices applicable to both labor organizations and employers should contain methods and procedures to assure the effective implementation and enforcement of the provisions of such codes.

Provides that codes of ethical practices should contain appropriate provisions for publication of the provisions of the codes so that employers and employees in the industries affected and the public will be fully apprised as to the provisions of the codes.

(b) Provides that codes of ethical practices shall not authorize or sanction any conduct on the part of any labor organization or employer or any officer, agent, or representative thereof which violates any Federal, State, or local law.

Section 502 (a), (b), and (c): Establishes an Advisory Committee on Ethical Practices to advise the Secretary on the administration of this Act, including the provisions of title I, Reporting and Disclosure; title II, Trusteeships; and title III, Union Elections; as well as title IV.

Section 503: Provides that not later than 3 years from the date of enactment of the bill the Secretary shall report to Congress on the progress achieved by labor organizations and employers engaged in industries affecting commerce in the elimination of improper activities in the administration of their affairs and the use and expenditure of their funds with particular reference to the significance of the voluntary adoption of self-policing codes of ethical practices in achieving such results.

TITLE VI—DEFINITIONS AND MISCELLANEOUS

Section 601: Contains definitions of various terms in the bill. The definition of "labor organization" contained in section 601(h) was amended on the floor of the Senate to include conferences, joint boards, joint councils, or other associations or aggregations of unions other than State federations and central labor councils and other associations formed to carry on educational activity or to represent its members before any judicial, administrative, or legislative body.

Four new definitions were added during Senate floor consideration:

Section 601(k) defines the term "trust in which a labor organization is interested" as meaning a trust or other kind of organization created or established by a union, or of which one or more of the trustees or members of the governing body are elected or appointed by a union which provides benefits for members of their union or their beneficiaries.

(l) defines "labor relations expert, advisor, or consultant" as meaning any person who advises employers or unions concerning employee organizing, concerted activities, or collective bargaining activities.

(m) defines a union "officer" as meaning any constitutional officer, and any person authorized to perform the functions of President, Vice President, Secretary, or Treasurer, or other executive or governing function.

(n) defines "member" and "member in good standing" as including any person who has fulfilled the lawful requirements of membership, and who neither has voluntarily withdrawn nor been expelled or suspended from membership after appropriate proceeding consistent with lawful provision of the union's constitution and bylaws or other governing charter.

Section 602: Provides that, except as explicitly provided to the contrary, nothing in this Act is to reduce or limit the responsibilities of any union or any of its officers, agents or representatives, or of any trust in which a labor organization is interested, or take away any right or bar any remedy to which union members are entitled under any other Federal law or any State law.

Section 603: Specifies that titles I, II, III, IV, V, and VI are not to be construed as superseding, impairing or otherwise affecting the Railway Labor Act, or any obligations, rights, benefits, privileges or immunities thereunder, or as affecting in any way rights or obligations under the National Labor Relations Act.

Section 604: Specifies that for purposes of investigations provided under the bill, the Secretary is to have subpena power, as provided in sections 9 and 10 of the Federal Trade Commission Act.

Section 605: Requires other agencies to cooperate with the Secretary in administering his functions under the act.

Section 606: Makes the Administrative Procedure Act applicable to the issuance, amendment or rescission of rules and regulations authorized by the act.

Section 607: Provides that it is unlawful for any labor organization or its officers, agents, representatives, or employees to discipline any of its members for exercising any right extended under the act. Also makes it unlawful for any person to coerce or restrain by force or violence, or threat of force or violence or by economic reprisal or threat thereof any union member for the purpose of interfering with or preventing the exercise of rights under the act. Violation of this section would be punishable by a maximum fine of $10,000, imprisonment for 2 years, or both.

Section 608: Preserves the authority of States to enact general criminal laws with respect to certain enumerated crimes, namely, robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, violation of narcotics laws, murder, rape, assault with intent to kill, assault with intent to commit grievous bodily injury, and conspiracy to commit any such crime.

Section 609: Requires unions to inform their members concerning the act and the rights guaranteed them by the act in a manner prescribed by the Secretary.

Section 610: Provides that every officer, agent, or other representative of a union or of a trust in which a union is interested shall, "with respect to any money or other property in his custody or possession by virtue of his position * * *, have a relationship of trust to any such labor organization and the members thereof, or to any such trust and the beneficiaries thereof, and shall be responsible in a fiduciary capacity for such money or other property, notwithstanding any exculpatory clauses or action purporting to exempt him from such responsibility."

Section 611: Protects confidential information obtained by attorneys in the course of legitimate attorney-client relationships.

Section 612: Contains usual separability clause.

TITLE VII—AMENDMENTS TO THE LABOR MANAGEMENT RELATIONS ACT OF 1947, AS AMENDED

Section 701: Authorizes the State and Territorial agencies, other than courts, to exercise jurisdiction in labor relations cases where the National Labor Relations Board has declined to act. The State or Territorial agency, however, is to apply the Federal law set forth in sections 8(a) and (b) and 9 of the NLRA as interpreted by the Board and the Federal courts. Injunctive relief under sections 10(j) and (l) is to be available to such agency but petitions under section 10(j) may be filed only when expressly approved by the General Counsel of the NLRB. Federal district courts are to be available to any such State or Territorial agency for enforcement of its orders and any person aggrieved by any such order may obtain review in the Federal district courts. In such cases the district court shall proceed in the same manner and have the same jurisdiction as it would have if the case had been brought by the State or Territorial agency.

Section 702:

(a) Permits an employer primarily engaged in the building and construction industry to enter into agreements with labor organizations despite the fact that the union's majority status has not been established under section 9 of the act. The section also permits the union shop provisions of such a contract to take effect within 7 days of hiring. No other change is made in union security limitations now in the law. The agreements could also provide for: Employer notification to the union of job openings and opportunity for the union to refer qualified applicants for the openings. Agreements for apprenticeship qualifications, experience, industry, or geographical seniority would be permissible to meet the peculiar needs of the industry. It is specifically provided that a contract permitted by this section would not be a bar to a representation or decertification election.

(b) This subsection specifically provides that the union security provisions of agreements permitted by (a) are subject to prohibiting the execution or application of such agreements.

Section 703: Amends the National Labor Relations Act to provide that economic strikers shall vote in representation elections even though they have been replaced in the course of a lawful strike under such regulations as the National Labor Relations Board finds are consistent with the purpose and provisions of the National Labor Relations Act, as amended.

Section 704: Amends the definition of the term "supervisor" contained in present law so as to make clear that it does not apply to service assistants in the communications industry.

Section 705: Authorizes prehearing elections in union representation cases under a procedure whereby the National Labor Relations Board, when there are no substantial issues between the parties, is authorized to hold a representation election 45 days following the receipt of notice of the filing of the petition. Aggrieved parties are assured a hearing, however, before the Board certifies the results of the election if they request such a hearing.

Section 706: Grants authority to the President to designate an Acting General Counsel when a vacancy in the office occurs pending appointment of a new General Counsel.

Section 707:

(a) Makes it an unfair labor practice for a union in a common carrier subject to part 2 of the Interstate Commerce Act to enter into so-called hot-cargo agreements.

(b) Specifies that the duty to bargain includes the mutual obligation of employers and the unions representing their employees to refrain from proposing or conditioning any contract upon a clause violating section 701(a).

(c) Provides that hot-cargo agreements violating section 701(a) are unenforceable and void.

(d) Makes the mandatory injunction provisions contained in section 10(1) of the National Labor Relations Act applicable to the prohibition of hot-cargo agreements contained in section 701(a).

Section 708:

(a) Adds to the National Labor Relations Act a new union unfair labor practice prohibiting picketing or threats to picket with the objective of forcing or requiring an employer to recognize or bargain with a union or force or requiring employees to accept or select such union as their bargaining representative under the following conditions:

(1) Where the employer has recognized another union (not established, maintained or assisted by any unfair labor practice defined in section 8(a) of the National Labor Relations Act) and a question concerning representation may not appropriately be raised under section 9(c) of the National Labor Relations Act; or

(2) Where a valid election under section 9(c) has been held within the preceding 9 months unless the union has been certified or has been designated or selected as the employee's bargaining representative by the majority of the employees in the bargaining unit.

(b) Makes the mandatory injunction provisions of section 10(1) of the National Labor Relations Act applicable to the enforcement of the new section 8(b)(7) added to the National Labor Relations Act by section 701(a). Such relief is to be subject to the limitation that it will be a defense to a charge filed under section 8(b)(7) that an unfair labor practice under section 8(a) has been committed. Where there is a failure to seek such relief the Board is to promptly make public the reasons for such failure.

Section 709: Adds to section 10 of the National Labor Relations Act a new subsection (m) providing that charges of unfair labor practices under sections 8(a)(3) or 8(b)(2) are to be given priority over all other cases except cases of like character and cases arising under section 10(1).

Mr. KENNEDY. I wish to express again my appreciation to Prof. Archibald Cox, of Harvard University, who contributed his services voluntarily last year and this year in the preparation of the bill on a completely nonpartisan basis. He now serves as chairman of the so-called Blue Ribbon Commission.

I wish also to express my appreciation to the majority members of the staff, Mr. Dungan, counsel for the Subcommittee on Labor, and Mr. Merrick, who is counsel of the Subcommittee on Railroad Retirement Problems, and is an expert in this field.

On the minority side, I wish to express my appreciation to Mr. Bertstein and various assistants of Senators who played a large role in bringing the bill to the floor of the Senate.

As I have said, the work in the Senate represents a bipartisan bill on a nonpartisan subject, and I am hopeful that in the other body it will continue to receive support from both sides of the aisle.

ADJOURNMENT TO 10:30 O'CLOCK A.M. TOMORROW

The PRESIDING OFFICER. What is the pleasure of the Senate?

Mr. KENNEDY. Mr. President, in accordance with the order previously entered, I now move that the Senate stand in adjournment until 10:30 o'clock a. m. tomorrow.

The motion was agreed to; and (at 6 o'clock and 33 minutes p.m.), the Senate adjourned, under the order previously entered, until tomorrow, Thursday, April 30, 1959, at 10:30 o'clock a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 29, 1959:

U.S. CIRCUIT JUDGE

Latham Castle, of Illinois, U.S. circuit judge, seventh circuit.

U.S. COURT OF CUSTOMS AND PATENT APPEALS

Eugene Worley, of Texas, to be chief judge, U.S. Court of Customs and Patent Appeals.

Arthur M. Smith, of Michigan, to be associate judge, U.S. Court of Customs and Patent Appeals.

U.S. DISTRICT JUDGE

Edwin A. Robson, of Illinois, to be U.S. district judge for the northern district of Illinois.

HOUSE OF REPRESENTATIVES

WEDNESDAY, APRIL 29, 1959

The House met at 11 o'clock a.m.

The Reverend Alonzo Jordan, chaplain, North Carolina House of Representatives, Raleigh, N.C., offered the following prayer:

Our Heavenly Father, in the quietness of these moments, we come to talk with Thee just now. Wilt Thou behold us with favor because we come to Thee with gratitude in our hearts, thanking Thee for Thy blessings, for Thy love, and for Thy mercy.

We come praying, our Father, for Thy blessings upon these Representatives, the servants of the people, and we pray that Thou wouldst be with them in their work. And may we all this morning be Thy servants. May we be like the prophet of old, Samuel, who, as a child when he heard Thy voice said:

"Speak, Lord, for Thy servant heareth."

Bless our work today and go with us through the day. And may we so work this day and all the days of our lives that when we come to the twilight hour and darkness has fallen upon the day of life, may we not be afraid, but may Thy voice be sweet and clear to us, and may we hear, "Thou hast been faithful over a few things; I will make thee ruler

over many things, and enter thou into the joy of thy love."

For we pray our prayer in our blessed Saviour's name and for His sake. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McGown, one of its clerks, announced that the Senate had passed a resolution, as follows:

SENATE RESOLUTION 112

Resolved, That the Senate has heard with profound sorrow the announcement of the death of the Honorable JAMES G. POLK, late a Representative from the State of Ohio.

Resolved, That a committee of two Senators be appointed by the Presiding Officer to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now adjourn until 11 antemeridian tomorrow.

The message also announced that the Senate having proceeded to reconsider the bill (S. 144) entitled "An act to modify Reorganization Plan No. II of 1939 and Reorganization Plan No. 2 of 1953", returned by the President of the United States to the Senate, in which it originated, with his objections, and passed by the Senate on a reconsideration of the same, it was

Resolved, That the said bill pass, two-thirds of the Senators present having voted in the affirmative.

The message also announced that the Vice President has appointed Mr. JOHNSTON of South Carolina and Mr. CARLSON members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the U.S. Government," for the disposition of executive papers referred to in the report of the Archivist of the United States numbered 59–9.

MODIFICATION OF REORGANIZATION PLAN NO. II OF 1939 AND REORGANIZATION PLAN NO. 2 OF 1953

The SPEAKER laid before the House the following message from the Senate:

IN THE SENATE OF THE UNITED STATES,

April 28 (legislative day April 27), 1959.

The Senate having proceeded to reconsider the bill (S. 144) entitled "An act to modify Reorganization Plan No. II of 1939 and Reorganization Plan No. 2 of 1953," returned by the President of the United States to the Senate, in which it originated, with his objections, and passed by the Senate on a reconsideration of the same, it was

"*Resolved,* That the said bill pass, two-thirds of the Senators present having voted in the affirmative."

Attest:

FELTON M. JOHNSTON,
Secretary.

MODIFICATION OF REORGANIZATION PLAN NO. II OF 1939 AND REORGANIZATION PLAN NO. 2 OF 1953—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following veto message from the President of the United States:

To the Senate of the United States:

I return herewith, without my approval, S. 144, "An act to modify Reorganization Plan No. II of 1939 and Reorganization Plan No. 2 of 1953."

The bill provides that, in the approval and disapproval of loans, the Administrator of the Rural Electrification Administration (REA) shall not be subject to the supervision, direction, or other control of the Secretary of Agriculture. In all other respects the functions and activities of the REA would be exercised within the Department of Agriculture under the general direction and supervision of the Secretary.

Were S. 144 to become law it would mark a major retreat from sound administrative policy and practice. Twenty years ago the REA, then an independent agency, was by reorganization plan placed within the Department of Agriculture and under the general direction and supervision of the Secretary. The President, in his message transmitting Reorganization Plan No. II of 1939, said that the proposed reorganization was for the "sole purpose of improving the administrative management of the executive branch."

That action of 20 years ago accords entirely with the later finding of the first Commission on Organization of the Executive Branch that: "There must be a clear line of authority reaching down through every step of the organization and no subordinate should have authority independent of that of his superior."

Because S. 144 violates this sound injunction I am compelled to disapprove it.

Moreover, there is nothing in the recent history of the REA which affords any basis for concluding that the best interests of the agency or the public would be served by removing the Administrator's loan-making authority from the general direction and supervision of the Secretary of Agriculture.

The REA since its inception has moved steadily in the accomplishment of its mission. When the agency was established, only a small percentage of the Nation's farms had central station electric service. Today 96 percent of our farmers have such service and about one-half the increase has been provided by REA financed facilities.

In the past 6 years the REA financed systems have made their greatest progress. Loans of more than a billion dollars have been made in this period, nearly half as much as was loaned by the agency in the previous 17½ years of its existence. Power sales have more than doubled since 1952, loan delinquencies have been reduced to the vanishing point and the net worth of electric borrowers has more than tripled. Plant investment for these systems has more than doubled in the past decade. The REA telephone loan program, authorized in 1949, has resulted in loan approvals which now total approximately $500 million and modern dial telephone service is rapidly being extended to the Nation's rural areas.

The REA has been working well and progressing efficiently under the existing administrative arrangements. The change in those arrangements proposed by S. 144 would be contrary to the public interest.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *April 27, 1959.*

The SPEAKER. The objections of the President will be spread at large upon the Journal.

Mr. McCORMACK. Mr. Speaker, I move that further consideration of the President's message be postponed until tomorrow.

The motion was agreed to.

HOUR OF MEETING TOMORROW

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

COMMITTEE ON BANKING AND CURRENCY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency may sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

COMMITTEE ON LABOR STANDARDS AND COMMITTEE ON LABOR-MANAGEMENT

Mr. LANDRUM. Mr. Speaker, I ask unanimous consent that the Committee on Labor Standards and the Committee on Labor-Management, sitting as a joint committee, have permission to sit this afternoon during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

WE NEED IMMEDIATE ACTION ON THE HOUSING BILL

Mr. PORTER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. PORTER. Mr. Speaker, since February 27, 1959, the housing bill has been locked up in the rules committee. On Thursday, April 16, after hearings on the bill, S. 57, a tie vote in the committee

denied a rule on this important legislation. I was glad to hear yesterday that the Speaker indicated that he expected that the tie would be broken very soon in favor of the bill.

The housing bill is important to our Nation's economy. Every day's delay on this legislation is harmful. The bill means jobs for unemployed workmen in our country. It means improved college housing. It means better homes, fewer slums and an increased gross national product.

This week I receive another letter urging that the housing bill be brought to the floor for action. I have received many such letters.

This letter came from Dr. O. Meredith Wilson, president of the University of Oregon in Eugene.

Dr. Wilson writes, in part:

We have been disturbed by discovery that the Rules Committee of the House of Representatives has refused to clear the college housing bill for consideration.

This university, with other institutions in the State system of higher education here in Oregon, has made application for housing loans under the bill. We are also aware of the fact that many of our fellow institutions throughout the country have been dependent upon the housing bill much more directly than we. In our judgment, it is one of the ways in which the Federal Government can help education without any threat to local autonomy and with considerable help for the development of schools during a period of rapid expansion.

Dr. Wilson urges the earliest possible action and so do I.

CALL OF THE HOUSE

Mr. SILER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 31]

Andersen, Minn.	Davis, Tenn.	Miller, N.Y.
Ashley	Diggs	Perkins
Barry	Downing	Randall
Bonner	Glenn	Ray
Brewster	Hoffman, Mich.	Rivers, S.C.
Buckley	Holifield	Roberts
Bush	Jensen	Tollefson
Carter	Kilburn	Westland
Casey	King, Calif.	Whitten
Cooley	McMillan	
	McSween	

The SPEAKER. On this rollcall 400 Members answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

REREFERENCE OF CERTAIN BILLS

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that the bills H.R. 3244 and H.R. 3991 for the relief of Harold N. Ward be rereferred from the Committee on Veterans' Affairs to the Committee on the Judiciary.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

AMENDING RAILROAD RETIREMENT ACT OF 1937, THE RAILROAD RETIREMENT TAX ACT, AND THE RAILROAD UNEMPLOYMENT INSURANCE ACT

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 248 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5610) to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed four hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. MADDEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 5610 is of direct and in many cases of vital importance to some 2 million of our fellow citizens and their families. These include railroad men and women of America, actively employed by railroads and also the retired and unemployed. These people have been patiently waiting for Congress to act on this legislation for several years.

The high cost of living and inflation has been devastating on the retired citizen during the last few years. The unemployed railroad workers, whether permanent or temporary, has been shut out of the market for most of life's ordinary conveniences by reason of conditions beyond his or her control.

During the 85th session of Congress, the railroad retirement legislation was postponed and inexcusably neglected. A great number of our Members constantly fought to secure favorable action on railroad retirement legislation but to no avail. The time has finally arrived for the Congress to act.

The purpose of this legislation is, generally speaking, to strengthen and place on a sound self-supporting basis the railroad retirement and the railroad unemployment insurance system.

Each Member of the House should acquaint himself with all the provisions of H.R. 5610. The bill has outstanding merits and it also contains several provisions which are highly detrimental to the railroad workers and their families.

The most important provisions of H.R. 5610, as approved by a majority of the Committee on Interstate and Foreign Commerce, are these:

First. It would generally increase railroad retirement benefits by 10 percent. It would also liberalize the railroad retirement system in several minor ways.

Second. The bill would raise the rates for railroad retirement taxes. These taxes are levied equally on railroad employes and on the railroads themselves. At present, both sides pay at the rate of 6¼ percent of each employee's compensation up to $350 a month. The bill would raise this tax rate to 6¾ percent from date of enactment to the beginning of 1962. Thereafter, the rate would go to 7¼ percent. Also, if in future years, the scheduled increases in social security taxes go into effect, similar increases would also be imposed in railroad retirement taxes. Moreover, the bill raises the taxable earnings base from $350 to $400 a month, effective with enactment.

Third. The bill would increase the maximum daily rate for railroad unemployment and sickness benefits by roughly 20 percent. It would extend to unemployed railroaders the same type of limited emergency prolongation of benefits that we voted for other unemployed workers last year. Jobless railroaders did not benefit from that emergency legislation last year.

Fourth. The bill would increase the tax ceiling for railroad unemployment insurance from 3 to 3½ percent and make other provisions needed to save this unemployment insurance fund from bankruptcy. These taxes, in contrast to the railroad retirement taxes, are paid solely by the railroads.

Fifth. H.R. 5610 would curtail or abolish certain unemployment and sickness benefits presently enjoyed by the railroad workers. The committee report estimates the value of these curtailments at $21.4 million a year. The workers would lose that amount, the railroads would gain it.

These are the main provisions in the bill. I should like to make two general comments:

First. I would emphasize that this benefit bill we are asked to discuss will not cost the U.S. Treasury one penny.

Second. This bill reminds us that the railroads and their workers are not under the general social security and unemployment insurance system. Instead, they have a special system of their own. This system is approved alike by spokesmen for the railroads and for their employees.

In some ways, the railroad system is more liberal than the general social insurance system; it is also more costly. The chief reason for this development, I believe, can be found in the fact that the Congress for many years, through the Railway Labor Act, has imposed special restrictions on collective bargaining and the right to strike in the railroad industry.

As a result, while organized workers in other industries have won supplemental pensions and unemployment and sickness benefits directly from their own in-

dustries—often by lengthy strikes—the railroad workers and their unions have turned more often to the legislative path to secure some of the same gains.

Let me now turn to a very brief interview of the legislative history behind H.R. 5610. This starts in the year 1956, when the Congress voted a 10-percent increase in most railroad retirement annuities. However, Congress then provided no increase in the tax rate to pay for those higher benefits.

At that time, spokesmen for both the railway brotherhoods and the industry assured Members that they would support the needed tax increases in the next Congress. President Eisenhower signed the 1956 act on the understanding, he said, that the needed financing would be forthcoming.

In the 85th Congress, the railway brotherhoods came to Congress with a bill which might be called the granddaddy of the present H.R. 5610. However, the grandparent was quite a bit larger and more comprehensive than the present offspring, H.R. 5610.

The 1957 bill provided a further 10 percent increase in retirement benefits, to relieve retirees from the effects of the constantly rising cost of living. It provided for tax increases on the employees and the railroads to pay for both the 1956 rise in benefits and the new rise. It also provided for a rise in the daily rate of unemployment benefits. Broadly speaking, in these various respects, the 1957 bill was not greatly different from our present H.R. 5610.

However, the 1957 bill also contained a major section designed to meet the fast growing problem of long-service railroad employees being thrown out on the streets because of increasing automation and declining passenger traffic on the railroads. This section of the 1957 bill provided extended unemployment benefits ranging up to 4½ years for railroad employees with 20 years or more of service who were laid off and unable to find new work for that long a period.

For various reasons, which I need not detail here, that 1957 bill did not emerge from the committees in either Chamber in 1957. Nor did it emerge in 1958 until near the end of the session.

When the Committee on Interstate and Foreign Commerce did report out that bill last summer, it cut down sharply on the proposal for extended unemployment benefits. Last year's committee bill provided such extended benefits for just 13 weeks for laid-off employees with 10 to 15 years of service, and 26 weeks for laid-off employees with 15 or more years of service.

In the closing days of the last session, that committee bill was not granted a rule. In the other chamber, however, a vote was taken last summer during the closing days of the session. The Senate, by a large majority then approved a bill also limiting the extended unemployment benefits to the 13- and 26-week periods.

An attempt to bring the Senate bill to the floor of this House was defeated by an objection. Thus Members of the House in the 85th Congress had no opportunity to vote on the matter.

This year, the gentleman from Arkansas, chairman of the Interstate and Foreign Commerce Committee, the gentleman from Michigan, senior minority member of that committee, and numerous other Members of the House, introduced bills substantially identical to the measure that passed the other Chamber last summer.

Members will note, however, that the bill reported from the committee this year, that is, H.R. 5610, was still further changed. The two most important changes, I should say, are:

First. H.R. 5610 has dropped completely the idea of a regular system of extended unemployment benefits for long-service railroad workers. The 4½-year proposal went out last year. Now the 13 to 26 weeks are gone too. Nothing whatever of the former bill's provisions on this problem is left in H.R. 5610.

Second. H.R. 5610 cuts back or abolishes already existing unemployment and sickness benefits in certain cases. The committee bill last year did not do that. I note also that a minority of the committee, consisting of 11 members, have announced their opposition to H.R. 5610 and their continued support of the bills, including H.R. 1012 introduced earlier in this session. This rule should be adopted and I hope that the Members after debate will substitute H.R. 1012 for the pending bill.

Thus we are dealing here with a controversial subject. It is not my purpose now to debate the merits of the controversy. What I do wish to urge on the House is that it is high time we reach some conclusion on this matter.

Extended hearings have been held by the Committee on Interstate and Foreign Commerce. All parties have been heard. Two million Americans and their families have been waiting long years for us to act. Many of these folks, whether retired or unemployed, are in real need. We owe them, at the very least, a decision on this legislation.

I reserve the balance of my time and yield 30 minutes to my colleague on the Rules Committee, the gentleman from Illinois [Mr. ALLEN].

Mr. ALLEN. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, the gentleman from Indiana has explained that this is an open rule, providing for 4 hours of general debate, for amendments under the 5-minute rule, and for one motion to recommit.

Last year this body passed the Transportation Act of 1958 by the vote of 348 to 2. We realized that the railroads were in serious financial trouble, caused mostly by conditions over which they themselves had no control. As a result of our action, the railroads were able to repair old equipment, to purchase new equipment, and to give employment that otherwise they would not have been able to do.

While the Transportation Act of 1958 dealt for the most part, perhaps, with railroad problems and came to be known by some as the railroad bill, its provisions were not by any means designed for the assistance, development, and welfare of the railroads alone. It was needed by and it benefited all forms of regulated, common-carrier transport—it was needed by and benefited shippers and consumers, and the public generally.

Interest in that bill was highlighted, it is true, by the plight of the railroad industry—especially certain parts of that industry—but an equally serious problem was posed by the weakening of our entire regulated, or common-carrier, system of transportation.

I believe all will agree that the railroads are still in serious financial trouble, especially the eastern railroads. We must be realistic as to just how much of an added tax burden the railroads can stand. I do not know whether they can withstand the impact of the provisions contained in H.R. 5610—but those provisions are much to be desired over the provisions of H.R. 1012.

Since it is apparent that it is the desire of the Congress to pass some legislation in the field of railroad retirement and unemployment insurance, I wish to congratulate the chairman and members of the great Committee on Interstate and Foreign Commerce for favorably reporting H.R. 5610 which was reported after the committee held lengthy public hearings in lieu of H.R. 1012.

The bill presently before us—which, I reiterate, is a better bill than H.R. 1012—would add an immediate payroll tax increase paid by the railroads—of about $100 million a year. It has been reliably estimated that future tax increases provided in this bill would eventually add approximately $225 million to the railroads' payroll taxes.

One must not forget that these added tax burdens of hundreds of millions of dollars affect the railroads solely—the railroads' competitors are not affected.

One would not have to be an Einstein to know that these added tax burdens of hundreds of millions of dollars a year must inevitably result in loss of railroad jobs, purchase of fewer new cars and locomotives, reduced maintenance of property and equipment, and less transportation service.

I feel that this country needs a railroad system, and I would like to preserve it.

It seems probable to me that placing additional financial burdens on them will eventually put them out of the picture entirely.

Mr. MADDEN. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. SISK].

Mr. SISK. Mr. Speaker, I ask unanimous consent to speak out of order, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SISK. Mr. Speaker, I have the honor to rise today to call the attention of the Members and the Nation to our country's pioneer and longest celebrated event honoring a great food industry—the 50th annual celebration of National Raisin Week on May 3 through 9.

This important agricultural industry is centered around Fresno, Calif., in the district I represent. The great, fertile San Joaquin Valley of California produces almost all the raisins grown in the United States and about one-half of the world's supply. Through the years, raisins have contributed greatly to California's economy. Since 1851, thousands of our farmers have depended on the stability and vigor of the raisin industry. From a 500-ton crop in 1878, the industry has grown to an average in current years of about 220,000 tons, with a first sale value of around $40 million. Some 100,000 persons, including growers, processors, employees and their families, depend upon this income, and their purchases from stores and all the people with whom they do business spreads the amount throughout the economy of the State.

Raisins are a versatile food, with a great variety of uses to provide fine flavor and quick energy, alone or in combination with other food products. Current research by the industry and by Government is ever widening and broadening uses and opening new markets.

Our raisin industry is progressive and is quick to adopt means of helping itself. It was one of the first agricultural industries to broaden and stabilize its markets by nationwide advertising, and I am sure many of you will recall the pictured and printed question: "Had your iron today?"

The raisin industry has stabilized itself and taken effective steps to reopen foreign markets under a national marketing order, and, in addition, is carrying on an effective and continuing market promotion program under the direction of the California Raisin Advisory Board, organized under a California State marketing order. It has adopted the most modern methods of culture, processing and packing. This progressive and creative attitude is helping solve surplus problems in this industry, and I think the same principles will work equally well in other agricultural fields in which there may be periodic surpluses, if the Congress will provide the proper climate by urgently needed amendments and improvements to our marketing order machinery. Incidentally, this year there is a short crop, and raisins are scarce. I advise you to provide for your needs while they are available.

It is particularly appropriate that during the coming week we look back on the first observance of National Raisin Week 50 years ago. In 1909 the event was celebrated locally in the streets of Fresno, raisin capitol of the world, with a parade and auto races. The races, held on a steeply banked board track, were record breaking events. Famous drivers of the era included Barney Oldfield, Ralph DePalma and many other pioneer drivers. Parade floats were the most magnificent and costly of the day, some of them costing more than $10,000.

The people of the San Joaquin Valley are proud of their most distinctive product, which is of worldwide reputation for its golden goodness and they invite the Nation and the world to join with them during the coming week in marking the golden anniversary of the granddaddy of all food industry "weeks."

I am sure my colleagues will want to join with me and the people of my district in our observance of National Raisin Week, honoring a great and progressive agricultural industry.

Mr. MADDEN. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

Mr. HARRIS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5610) to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 5610, with Mr. NATCHER in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. HARRIS. Mr. Chairman, I yield myself 40 minutes.

Mr. Chairman, the Committee on Interstate and Foreign Commerce is presenting to you, as you were advised a moment ago during the discussion of the rule, the bill, H.R. 5610, to amend the Railroad Retirement Act, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act.

Mr. Chairman, I plan to insert a full and detailed explanation of this bill in the RECORD and will undertake then to explain to the House the provisions of this bill and the problems in connection therewith.

First, let me say to my colleagues that no one here is more aware of the interest in this legislation than I. No one here realizes and understands more than I the controversial nature of it. No one here knows better than I or any other member of our committee, the importance of this legislation as well as some of the claims and contentions that have been made by those who have varying viewpoints. Because of that, I am going to ask the indulgence of my colleagues, to listen to me and to the other members of the committee, explain precisely the provisions of this legislation. We have had numerous people call on us and explain to us the problem that we have here from their own viewpoint, and certainly in their own interest.

Mr. Chairman. This is a highly technical and complicated bill. In such a program of social insurance benefits, it is necessarily complicated. There is a lot involved here. I trust the members of the Committee will endeavor to follow me as I explain this problem because I fear that some of us might have been influenced by certain efforts that have been exerted on the part of various people.

In the first place, let me take you back to 1951. This Congress, in an effort to provide the finest and the best Railroad Retirement and Unemployment Insurance Acts, extended benefits—both retirement benefits and unemployment insurance and sickness benefits—to the employees of the railroad industry. At that time there were approximately 1,400,000 employees in the industry. In 1951, this Congress extended and liberalized the benefits not only to the retired railroad employees themselves and those who become unemployed but also to dependents including the spouse and the widow and other surviving dependents of the railroad employee. In doing so, we integrated the railroad retirement program with the social security program. That was in 1951. Since that time there has been in effect a reinsurance of the railroad retirement program under social security. There is a transfer from the railroad retirement account to the social security trust fund an amount equivalent to the taxes which railroad employees and their employers would have had to pay if they were covered by the Social Security Act and in return there is a reverse transfer of funds which represent the benefits which social security would have had to pay these employees.

Under the retirement program there are today some 725,000 individuals who are drawing benefits from the railroad retirement fund.

Today, because of technology, because of business conditions, because of competitive conditions that exist in the transportation industry, of which we all know, the railroad industry has been losing some of its business. In fact, it has not been keeping up, percentagewise, with the total volume of freight and passenger service, and today there has been a reduction in the total rolls of employment in the railroad industry from 1,400,000 employees in 1950 to 810,000 employees a few months ago. In other words, in less than 10 years there has been a reduction in the number of employees in the railroad industry of some 600,000.

I present that to you as a very serious situation. To me that is a very bad situation for the railroad industry, which is the basic transportation system of this country. Everybody knows we have got to maintain the railroads. Service to the people of this country and our national defense requires it.

Last year, realizing the terrific condition that was presented to the Congress, we tried to do something to stabilize the railroad industry. That is a problem which the Committee on Interstate and Foreign Commerce and the Congress considered for 5 years before we passed the Transportation Act of 1958 to try to help the railroad industry.

In 1956, realizing that it was necessary to meet the increased cost of living, the Congress increased the railroad retirement benefits by 10 percent. We did not provide for the financing of this increase. When we increased the benefits by 10 percent we also increased the long-term actuarial deficit to $169 million a year on a net level basis. Today the actuarial deficiency is $213 million a year on a net level cost basis. The Congress and the railway brotherhoods

agreed at that time that we would provide increased taxes to take care of the deficiency in the retirement account, and that in 1957 we would come back and make up the deficit.

There is one thing everybody agrees to regardless of all the controversy in this program, and that is the necessity of maintaining an actuarially sound fund in the retirement program. There are too many people who are dependent upon this fund. The President, when he signed the bill in 1956, made a statement urging the Congress to make up the deficit in 1957.

In 1957 a bill, H.R. 4353, was introduced in an effort to carry out the commitment made by all of us. There were further liberalizing proposals in the bill, including both retirement benefits and unemployment benefits.

The committee was prepared to take action on the pending bill but was requested to defer such action, pending the outcome of a separate bill—H.R. 5551, 85th Congress—pending before the Committee on Ways and Means, which provided for the exclusion of employee retirement taxes from gross income for purposes of the employee's income tax and from withholding at the source. Therefore, no bill was reported by the committee during the 1st session of the 85th Congress.

In the interim the 1958 amendments to the Social Security Act gave a 7-percent increase in retirement benefits and survivor benefits. Many retired annuitants and survivors under the Railroad Retirement system received the benefit of that increase under social security in addition to the 10 percent prior to that time. This occurred because of the social security minimum guaranty provision of the Railroad Retirement Act provides that in no case will monthly benefits payable to retired employees and their wives and the survivors of such employees be less than the amounts the social security system would pay them if railroad employment were covered by that system.

At the close of the session last year when it became so apparent that H.R. 5551 would not pass, the committee at the urging of those interested, endeavored to report a bill. We reported a bill that would have provided an additional increase of 7 percent in retirement and survivor benefits, and that would have liberalized and increased benefits under the unemployment insurance program. That would have made the retirement and unemployment insurance funds sound by increasing the amounts to be paid both by the employers and the employees in the case of retirement and by employers in case of the unemployment insurance programs. That was at the close of the session. It would have granted in addition thereto a 20 percent increase in the daily benefit rates for unemployment and for sickness. It would have extended on a temporary basis to the less than 10-year employees 13 additional weeks of unemployment benefits; to those from 10 to 15 years of service 13 permanent additional weeks of extended unemployment benefits; and those who were employed longer than 15 years a total of 26 additional weeks of extended unemployment benefits which would make a total of 52 weeks of unemployment insurance benefits for this group of workers with 15 or more years of service.

As you know, there was a logjam that came up in the House of Representatives. In the meantime, the other body had reported a bill. The chairman of the subcommittee came over and talked to me and some others here on the floor of the House. This was an effort to try to overcome some of the controversies, because neither side liked it. The railway brotherhoods did not like it.

The railroads did not like it. But we were trying to work out something. So we agreed that we would undertake to work out this modification or compromise. But when the bill came over from the other body it was tacked on to a bill amending the Longshoreman's and Harbor Workers' Compensation Act which had nothing whatsoever to do with this program. It was an honest attempt to try to get something through, but it was blocked here on the floor of the House. So the whole thing died without anything being done.

At the outset of the present Congress, as chairman of the committee, I reintroduced the bill which became H.R. 1012, the one you heard so much about. We held hearings on that bill. We had executive sessions. The original bill introduced had a retroactive date for both benefit and tax payments to January 1, 1959. But we all knew this could not work, that you cannot go back to January 1 of this year and collect taxes from people who are not now working in the industry. There has been a turnover of something like 20,000 a month that have gone from the railroad industry to some other work, or for some reason are not any longer working for the industry. Therefore, you cannot go back to January 1 and collect taxes from somebody who does not work there any more. So it becomes a practical situation. Therefore, the committee changed the effective date of this bill, so that it would take effect on the first month following 46 days after the date of enactment, which gives the Railroad Retirement Board and the railroad industry a chance to take care of the paperwork in order to make these payments to the employees.

The retirement and taxing provisions of this bill, both the 10 percent increase and the amount of increased payments for both employer and employee, are identical, with the proposal in H.R. 1012 as it was originally proposed.

We have a bill here, H.R. 5610, that in the first place grants another 10 percent increase to the retired employees. That is what most of these people all over the Nation have been writing us about. They are interested in some increase to take care of the increased cost of living. So, therefore, there is no controversy over that phase of it. There is no controversy over amendments to the Railroad Retirement Tax Act because both bills are identical in this respect.

Part 3 of this bill is the part that is in controversy. That part contains the amendments to the Railroad Unemployment Insurance Act. The committee read the bill paragraph by paragraph and went over a lot of these things that had been brought to the attention of the committee over a period of years and considered to be abuses. The committee has worked its will and considered everyone of these proposals. It has turned down many of them as not being in the best interest, but it did adopt amendments that would affect the unemployment insurance benefits in five principal respects. These are:

First. The committee bill provides for extended, retroactive, temporary unemployment benefits of 13 additional weeks to all employees, regardless of length of service, who had exhausted, during last year's recession, their rights to normal unemployment benefits under present law, which could be as much as 130 compensable days, or 26 weeks in a benefit year. These temporary benefits are the same as those generally provided for all other industries by the Temporary Unemployment Compensation Act of 1958. H.R. 1012 would provide a temporary extension of benefits of 13 additional weeks to employees with less than 10 years of service, a permanent extension of 13 weeks to employees with 10 to 15 years of service, and a permanent extension of 26 weeks to employees with 15 or more years of service, provided they meet certain eligibility conditions specified in the bill.

Second. The committee bill eliminates the payment of maternity benefits, whereas H.R. 1012 does not change existing law which provides for maternity benefits.

Third. The committee bill would disqualify an employee for unemployment and sickness benefits if he leaves his railroad job voluntarily without good cause, and for unemployment benefits if he is discharged or suspended for misconduct related to his work. In the case of voluntary quits or discharges the disqualification would end when he has returned to work for a railroad and has worked at least 20 days. In the case of suspension the disqualification would end when the period of suspension ends.

H.R. 1012 makes no change in existing law which permits an employee who quits voluntarily without good cause to claim unemployment benefits after a 30-day disqualification, and sickness benefits immediately, and permits an employee discharged or suspended for misconduct to claim unemployment benefits immediately.

Fourth. The committee bill provides that an employee cannot claim sickness benefits for any period which is more than 90 days after the day on which he last worked in the railroad industry. Other slight modifications are proposed in the sickness benefit program. H.R. 1012 makes no change in existing law under which an employee who has left the railroad industry may, nevertheless, claim sickness benefits which could be as much as 130 compensable days or 26 weeks during the benefit year.

Fifth. The committee bill does not change existing law which provides that unemployment benefits may be paid for

only 7 out of 14 days in the first registration period (consisting of 14 days) in a new benefit year. H.R. 1012 would provide for 10 compensable days during the first registration period, the same as the law now provides for subsequent registration periods.

Both the committee bill and H.R. 1012 provide for an average increase of 20 percent in the daily benefit rates for unemployment and for sickness.

Both bills provide for a maximum tax rate of 3½ percent of payroll up to $400 a month for each employee paid only by the railroad industry to finance the unemployment and sickness insurance programs, which is one-half of 1 percent more than is required under present law.

Mr. WILLIAMS. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Mississippi.

Mr. WILLIAMS. I think it should be pointed out that the table of unemployment benefits that was written into H.R. 5610 is exactly the same table of benefits that was introduced originally in H.R. 1012; is that not correct?

Mr. HARRIS. Yes; the same table of daily benefit rates that we have had before us now for the last 3 years in trying to resolve this matter.

The committee considered extended benefits, and in view of the fact that all industry in the United States, by the recommendation of the President and the action of this Congress, was given 13 additional weeks of unemployment compensation on a temporary basis, it was decided that everybody in the railroad industry should have the same thing. So, the committee then adopted an amendment that would give 13 additional weeks of unemployment insurance benefits on a temporary basis to those who became unemployed from June 1, 1958, until April of this year. That is precisely the same program that was presented to the employees and for the employees of all other industries throughout the United States.

Now, someone said that is a terrible thing to do to the employees. Let me show you the difference in costs between H.R. 5610 and H.R. 1012. Thirteen additional weeks on a temporary basis, to all unemployed in the railroad industry, would cost approximately $20 million. In H.R. 1012 the extended unemployment benefit program would cost $13½ million a year for men with 10 or more years of service and from $15 million to $18 million to provide the temporary unemployment benefits for men with less than 10 years of service.

Therefore, we do not feel as some have said in a letter that you have received, that the committee has slaughtered the bill. We do not believe, as was stated in a letter from the railroad industry, the other side, that the committee has slaughtered the industry. We do not feel that at all. We feel that the committee has worked its will and, from all the evidence it heard and the facts established in the record of the committee, has worked out a bill that is fair and reasonable and one that will do some good. And yet it will get rid of certain abuses.

Now, what are those abuses? In addition to the extended benefit differences that I have explained, there are four other differences in the bill. Ever since the 1948 amendments to the Railroad Unemployment Insurance Act there has been a controversy over what is referred to as maternity benefits. That is a rather delicate subject to discuss, but yet an important one. And I hope no one accuses me or the committee of being against motherhood on this, but we have heard so much about this over a period of time that I think it important to discuss it.

Under the present program adopted in 1949 a woman who is employed in the industry and who becomes pregnant is automatically entitled to a certain number of days prior to the birth and a certain number of days following the birth. That can go up to a maximum of 130 days. There have been all kinds of reports of abuses.

What the committee did was to strike that automatic entitlement and left it in the sickness and benefit program. In other words, if a woman is sick or ill from pregnancy, she gets the benefits she is entitled to have under the sickness program. If after the birth of the child she is ill because of that condition or situation and it is shown in the regular way, then she is entitled to draw that benefit.

Mrs. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I am delighted to yield to the distinguished gentlewoman from Illinois.

Mrs. CHURCH. I wonder if the gentleman could give us any idea whether or not the particular types of occupation which the women fill would endanger them, whether they were ill or not, if they were pregnant?

Mr. HARRIS. Usually they are office employees.

Mrs. CHURCH. Can the gentleman tell me the numbers or types of office employees?

Mr. HARRIS. No, I do not believe we had information broken down to show the numbers, as to whether they were typists or bookkeepers or secretaries, and so forth. But I would say that practically all of them would be office employees. There are some 4,000 such cases a year; I believe I am correct in that figure. That is, that number have received such benefits at a cost of approximately $3.5 million a year.

That is the second of the differences, although I do not call them the major differences. I think there is only one real major difference here, and that is the extended unemployment benefits, whether we are going to give and whether we can afford to provide on a permanent basis at an additional cost of $13.5 million a year which will have to be financed probably from increased freight rates, which your people and mine are going to have to pay. It has to be made up because only the railroad industry pays it. We are increasing the tax on the railroad industry from 3 to 3½ percent of the payroll. If we give all of the benefits provided in H.R. 1012, you might as well make up your minds that you are going to have to increase the tax to 4 percent. It will be necessary because the fund is depleted. By June of this year there will not be enough money in that fund to pay the unemployed and sick what they are entitled to have unless we do something about restoring it in some way. So in order to meet that we have provided an amendment here that the Board can borrow from the retirement fund on a temporary basis such funds as are necessary to make those payments for unemployment and sickness claims. That is just how serious it is.

We talk about increased benefits. I am for liberalizing them all we can. I like to see these people get those benefits. But I also feel there is a responsibility for the money being there when they are entitled to have it. If there are no funds to pay for those benefits, you are going to get some of the most stinging rebukes from your constituents for providing an unsound program. To me that is the one big issue, and we just have to face it.

One of the most highly controversial differences in the two bills is the proposal dealing with voluntary quits. Under the present law a person working in the railroad industry can walk off his job, quit, with no intention of ever returning, and that is done on some occasions. He stays out for 30 days, makes his application, and then draws his full maximum unemployment benefits if he remains unemployed. Under the law he is entitled to it, and they do it.

The committee felt that that was a situation that was taking money out of the fund and paying it to people who were not entitled to it as a matter of right. Therefore, the committee suggested in this amendment that if a man quits on his own and walks off the job and does not intend to work any more he is not entitled to unemployment benefits until and unless he goes back to work in the railroad industry and works 20 days. When he does that, then he is restored to his full rights and benefits. If he becomes unemployed for reasons not his own, then he is entitled to those benefits. There is a lot of controversy over that, but there are not, in my opinion, so many involved.

It is not such a great controversy, which should in any way adversely affect this bill as to its adoption and approval by this Congress.

Then there is the so-called misconduct amendment. Under the present law, a man who is guilty of misconduct and is separated from his employment is entitled to unemployment benefits regardless. This amendment would prevent him from receiving such benefits until he returned to work for the railroad industry and worked for at least 20 days.

Mr. Chairman, those are the general provisions of this bill. A more detailed statement and explanation of the committee bill follow.

Mr. Chairman, the committee bill H.R. 5610 provides for certain amendments to the Railroad Retirement Act, the Rail-

road Retirement Tax Act, and the Railroad Unemployment Insurance Act, which would improve and strengthen the retirement and unemployment insurance systems for railroad workers. Before I go into a detailed explanation of these amendments, I think it is important to discuss some background information. This will help the Members better to understand what the committee recommends in the bill and why it makes such recommendations.

INTRODUCTION

Many Members of the House will recall that during the closing days of the 2d session of the 84th Congress, legislation was adopted granting generally a 10-percent increase in railroad retirement and survivor benefits, with some exceptions—Public Law 1013, 84th Congress.

No provision was made for the financing of the cost of these benefits, which amounted to $83 million a year on a net level cost basis. There already was an existing deficiency at that time in the railroad retirement account of $86,390,000 a year on a level cost basis. Hence, enactment of this law increased the deficiency to $169,390,000 a year, or 3.2 percent of taxable payroll on a level cost basis.

The Congress was told that enactment of this legislation was an emergency measure and was necessary to help thousands of retired railroad employees, their wives, and the widows of such employees to meet their day-to-day living expenses. The Congress was assured by members of the Committee on Interstate and Foreign Commerce and by others who were interested in this program that legislation would be considered promptly during the 85th Congress to finance the cost of these benefits. Representatives of railroad labor organizations gave firm assurances that they would propose, at the opening of the 85th Congress, a legislative program to assure adequate financing. The President, in a statement accompanying the signing of Public Law 1013 at that time, stated in part:

> It is imperative that satisfactory legislation for this purpose—to assure adequate financing of the railroad retirement system—be proposed and enacted.

In the 85th Congress, this committee held hearings on railroad retirement legislation early in the first session. The principal interest during these hearings centered around H.R. 4353 and other identical and related bills. These bills were sponsored by all the standard railway labor organizations and were comprehensive measures designed to grant additional benefits and to eliminate the deficit in the railroad retirement account. At these hearings the railroads agreed to a tax increase to make up the cost of the increased benefits provided by Public Law 1013 in the 84th Congress.

The committee was prepared to take action on the pending bills but was requested to defer such action, pending the outcome of a separate bill—H.R. 5551, 85th Congress—pending before the Committee on Ways and Means, which provided for the exclusion of employee retirement taxes from gross income for purposes of the employee's income tax and from withholding at the source. Therefore, no bill was reported by the committee during the 1st session of the 85th Congress.

Recognizing the condition of the railroad retirement account, and the commitments made 2 years previously, the committee reported H.R. 4353 late in the 2d session of the 85th Congress which provided for an increase in retirement and survivor benefits of generally 7 percent and an increase in taxes sufficient to pay for these increases in benefits and to eliminate the actuarial deficit. Amendments were also proposed to the Railroad Unemployment Insurance Act. A rule was not granted on this bill and so it could not be brought up for consideration in the House under the regular procedure.

The Members who were here will also recall that on the last day of the 85th Congress a bill providing for amendments to the Railroad Retirement Act, Railroad Retirement Tax Act, and Railroad Unemployment Insurance Act was referred to the House by the Senate which had passed it only the previous day. These amendments were added to H.R. 12728 of the 85th Congress, a bill providing for amendments to the Longshoremen's and Harbor Workers' Compensation Act. That was a bill not within the jurisdiction of this committee, and the parliamentary procedure was rather unusual. The only way this bill could have been brought up in the House was by unanimous consent, and, as the record shows, there was objection to the unanimous-consent request. And so the legislation died with the adjournment of the 85th Congress.

On the opening day of this session, I as chairman of this committee, introduced H.R. 1012, a bill containing all of the features which had been contained in the Senate amendment to H.R. 12728, 85th Congress. The reported bill, H.R. 5610, is a "clean" bill introduced by me, by direction of the committee and reflects all modifications in H.R. 1012 approved by the committee during its executive consideration of legislation to amend the Railroad Retirement Act, the Railroad Retirement Tax Act, and Railroad Unemployment Insurance Act.

PURPOSE OF REPORTED BILL

The purpose of the reported bill is, generally, to strengthen and place on a sound self-supporting basis the railroad retirement system and the railroad unemployment insurance system. As to the railroad retirement system, this objective is accomplished by first, practically eliminating the present long-range actuarial deficit in the railroad retirement account; second, providing a much-needed 10-percent increase in retirement and survivor benefits; third, eliminating certain inequities in the system; and fourth, providing for the adequate financing of the system. As to the railroad unemployment insurance system this objective is accomplished by first, providing for a much-needed increase in the daily benefit rate for unemployed workers; second, providing for a temporary extension of unemployment benefits, not exceeding 65 compensable days in registration periods which began on or after June 19, 1958, and before April 1, 1959, for those workers who have exhausted after June 30, 1957 their rights to normal benefits provided under the Railroad Unemployment Insurance Act; third, eliminating certain inequities in the system; and fourth, providing for adequate financing of this system.

PRINCIPAL PROVISIONS OF THE REPORTED BILL

The reported bill would amend the Railroad Retirement Act, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act in the following respects:

I. AMENDMENTS TO THE RAILROAD RETIREMENT ACT

First. Ten-percent increase in benefits: Annuities—including spouse and survivor annuities—and pensions would be increased generally by 10 percent. The increase would be slightly more than 10 percent for most employee retirement annuities and survivor annuities which are computed under the regular railroad retirement formula owing to the rounding of the percentage factors used in the computation of such annuities.

These increases would begin to accrue on the effective date of this act which is, except as specifically provided otherwise, the first day of the first calendar month beginning more than 45 days after the date of enactment of this act.

Second. Maximum creditable compensation increased to $400 per month: The maximum amount of monthly compensation creditable for benefit purposes would be increased from $350 to $400 effective with respect to services rendered on or after the first day of the first calendar month which begins more than 45 days after the date of enactment of this act.

Third. Women employees and spouses annuities at age 62: The privilege now available to any male employee with 30 years of service, of electing to receive a reduced annuity at age 60, would be available to a female employee with 10 years of service at age 62. Spouses of annuitants may also elect to receive a reduced annuity at age 62. The reduction in the annuity would be by one one-hundred-and-eightieth for each calendar month the beneficiary is under age 65.

Fourth. Earnings of disability annuitants: The earnings test now applicable to a disability annuitant provides that such annuitant, under age 65, does not receive his annuity for any month in which he is paid more than $100 in earnings. The reported bill would modify this provision so that if the annuitant's earnings in any calendar year begining with 1960 do not exceed $1,200, any monthly annuity which may have been withheld because the individual earned more than $100 in such month, would become payable. Should the annuitant's earnings exceed $1,200 in any year, his loss of benefits would not exceed 1 month's annuity for each $100 or less (providing it is more than $50) that the annuitant earned in excess of $1,200.

Earnings from employment with an "employer" as defined in the Railroad

Retirement Act, and earnings from employment with the disability annuitant's last nonrailroad employer before he retired, would not count toward this $1,200 maximum, since no annuities are payable under section 2(d) of the Railroad Retirement Act to individuals for any month in which such employment occurred.

Fifth. Residual lump sum: The formula for computing the residual lump sum would be amended in conformity with amendments proposed to the Railroad Retirement Tax Act (increasing the tax rate to 6¾ percent and later to 7¼ percent and the tax base to $400), namely, by increasing the percentage factor applicable to compensation to 7½ percent after the effective date of this act and before 1962 and to 8 percent for later compensation, and by increasing the maximum amount of compensation for any month to which such factors are applicable from $350 to $400 for any month after the effective date of this act.

Sixth. Repealing work restriction on survivors working outside United States: Under present law, a deduction is made from the annuity paid to a survivor until the total deductions equal such individual's annuity if such individual worked for 7 or more days in a calendar month in noncovered remunerative activity outside the United States.

The reported bill would make the work restrictions applicable to a survivor who worked outside of the United States the same as for those individuals who work in the United States. This change would permit the survivor to earn as much as $1,200 a year without loss of retirement benefits.

II. AMENDMENTS TO THE RAILROAD RETIREMENT TAX ACT

Benefits payable under the Railroad Retirement Act are financed by a payroll tax payable by the employee and the employer, alike, collected under the Railroad Retirement Tax Act. The tax is 6¼ percent of each employee's compensation up to $350 a month. Each employee representative pays a tax of 12½ percent on his compensation up to $350 a month.

The reported bill would increase the tax rate on employees and employers from 6¼ percent to 6¾ percent on compensation earned on or after the effective date of this act and before 1962, and to 7¼ percent on compensation earned thereafter and make the tax applicable on the employee's compensation earned up to $400 in any month beginning on or after the effective date of this act. This tax rate would be increased, on a contingent basis, with respect to compensation paid after December 31, 1964, by the same number of percentage points—or fractions of percentage points—by which the then current social security tax rate exceeds 2¾ percent.

Thus, assuming that the social security tax rate increases as scheduled under present law, the railroad retirement tax rate would increase, under the provisions of the reported bill, to 8 percent in 1965, 8½ percent in 1966–68, and 9 percent beginning with 1969 and thereafter, on employee and employer alike.

The tax rate on employee representatives would be increased from 12½ percent to 13½ percent on earnings on or after the effective date of this act and before 1962, and to 14½ percent on later earnings, and the monthly limit on taxable compensation would also be raised to $400 on or after the effective date of this act. The tax rate would also be increased contingently with respect to compensation paid after December 31, 1964, just as in the case of the employer and employee tax rates, but this increase would be by twice the number of percentage points—or fractions of points—that the then current social security tax rate exceeds 2¾ percent.

III. AMENDMENTS TO RAILROAD UNEMPLOYMENT INSURANCE ACT

First. Maximum creditable and taxable compensation: The maximum amount of compensation for a month, for which credit would be given and contributions required, would be increased from $350 to $400 a month, effective with respect to compensation paid for service rendered on or after the effective date of this act.

Second. Increased daily benefit rates: A new schedule of increased daily benefit rates for both unemployment and sickness would apply, ranging from a minimum daily benefit rate of $4.50 for annual compensation of $500 to $699.99 to a maximum daily benefit rate of $10.20 for annual compensation of $4,000 or more. The proposed daily benefit rates range up to $1.70 higher than present scheduled rates. The minimum daily rate payable would be increased from the present 50 percent to 60 percent of the daily rate of compensation—with a maximum of $10.20 per day—for the employee's last employment in which he was engaged for an employer during the base—calendar—year.

These provisions would become effective with respect to benefits accruing for registration periods which begin on or after the effective date of this act, namely, the first day of the first calendar month beginning more than 45 days after the date of enactment of this act.

A comparison of the daily benefit rates under present law and under the reported bill is shown in the following tabulation:

Comparison of benefit rates in schedule under Railroad Unemployment Insurance Act with proposed schedule

Range of base-year compensation	Daily benefit rate		Percent increase
	Present act	Proposed schedule	
$400 to $499	$3.50		
$500 to $699	4.00	$4.50	12.5
$700 to $749	4.00	5.00	25.0
$750 to $999	4.50	5.00	11.1
$1,000 to $1,299	5.00	5.50	10.0
$1,300 to $1,599	5.50	6.00	9.1
$1,600 to $1,899	6.00	6.50	8.3
$1,900 to $1,999	6.00	7.00	16.7
$2,000 to $2,199	6.50	7.00	7.7
$2,200 to $2,499	6.50	7.50	15.4
$2,500 to $2,799	7.00	8.00	14.3
$2,800 to $2,999	$7.00	$8.50	$21.4
$3,000 to $3,099	7.50	8.50	13.3
$3,100 to $3,499	7.50	9.00	20.0
$3,500 to $3,999	8.00	9.50	18.8
$4,000 and over	8.50	10.20	20.0

NOTE.—Since the compensation ranges of the 2 schedules differ, it was necessary, for this comparison, to divide some rate groups into 2 parts.

Third. Temporary extension of unemployment benefits: Extended unemployment benefit periods beyond the 130 days of normal benefits now allowed by present law would be provided to any employee who has, after June 30, 1957, exhausted his rights to unemployment benefits under present law. Such employee would receive additional temporary unemployment benefits for days of unemployment not exceeding 65 days occurring in registration periods beginning on or after June 19, 1958, and before April 1, 1959. This provision would take effect on the date of enactment of this act.

Fourth. Increasing the minimum qualifying base year compensation: The minimum earnings in a base—calendar—year which would qualify an employee for benefits in a benefit year—year beginning July 1 immediately following the base year—would be increased from $400 to $500.

Fifth. Sundays and holidays made compensable days: Under present law, an unemployed railroad worker may not claim a Sunday or a holiday as a day of unemployment unless such day is preceded by and followed by a day of unemployment or unless the Sunday or holiday is the last day of a registration period. In the latter case it need only be preceded by a day of unemployment.

Under the reported bill, Sundays and holidays would be compensable days of unemployment, just as any other day, whether or not such Sundays and holidays are preceded and succeeded by a day of unemployment.

Sixth. Disqualification for unemployment benefits in case of discharge or suspension for misconduct: Under present law an employee discharged or suspended for misconduct can claim unemployment insurance benefits on the same basis as if he were involuntarily unemployed.

Under the reported bill, an employee could not claim any days of unemployment beginning with the day with respect to which the Railroad Retirement Board finds that he was discharged or suspended for misconduct related to his work. In the case of discharge, the disqualification would end with the 20th day thereafter with respect to each of which he shall have earned compensation in the employ of a railroad or another employer covered under the Railroad Unemployment Insurance Act. In the case of suspension the disqualification would end when the period of suspension ends.

Seventh. Disqualification for unemployment benefits for voluntary leaving work and for failure to accept suitable work: Under present law, an employee first, who leaves work voluntarily without good cause; second, who fails, without good cause, to accept suitable work offered to him; or third, who fails to comply with instructions from the Railroad Retirement Board requiring him to apply for suitable work or to report to an employment office, is disqualified from claiming unemployment insurance benefits for a period of 30 days from the date on which the enumerated action occurred.

Under the reported bill, the employee would be disqualified for any of the days beginning with the day on which the above-mentioned enumerated action occurred and ending with the 20th day thereafter with respect to each of which the Railroad Retirement Board finds that he has earned compensation in the employ of a railroad or another employer covered under the Railroad Unemployment Insurance Act.

Eighth. Repealing provisions with respect to maternity benefits: Under present law, maternity benefits are payable to a qualified woman employee for each day of sickness in a maternity period except that, as for unemployment and other sickness benefits, the total amount of maternity benefits cannot exceed the employee's total creditable compensation in the base year. The maternity period begins 57 days before the expected date of the birth of the child and usually extends for 116 days. Under some conditions it can last longer but in these cases no more than 116 days of the maternity period are compensable. The daily benefit rate is the same as for other benefits payable under the Railroad Unemployment Insurance Act. However, benefits are payable at the rate of 1½ times the regular daily benefit rate for the first 14 days of the maternity period and the first 14 days after the birth of the child. Thus the maximum amount of maternity benefits payable is the same as for unemployment or other sickness.

Under the reported bill the above-mentioned provisions with respect to maternity benefits would be repealed. The effect would be that female employees would not be eligible for benefits by reason of maternity, as such, but they could, although pregnant or having given birth to a child, receive sickness benefits to the extent they meet the conditions specified in the Railroad Unemployment Insurance Act.

Ninth. Disqualification for sickness benefits for voluntarily leaving work, for failure to accept suitable work, and so forth: Under present law an employee who is sick can, nevertheless, claim sickness benefits even though, first, he may have quit his job voluntarily without good cause or; second, he may have failed, without good cause, to accept suitable work offered to him or; third, he may have failed to comply with instructions from the Railroad Retirement Board requiring him to apply for suitable work or to report to an employment office.

Under the reported bill an employee cannot claim sickness benefits for any of the days beginning with the day on which the above-enumerated action occurred and ending with the 20th day thereafter with respect to which the Railroad Retirement Board finds that he has earned compensation in the employ of a railroad or another employer covered by the Railroad Unemployment Insurance Act.

Under present law, a sick employee may claim sickness benefits even though he is unemployed because of an "illegal" strike, that is, a strike commenced in violation of the Railway Labor Act or in violation of the established rules and practices of a bona fide labor organization of which he was a member. The reported bill provides that even though the employee is sick, such day shall not be considered as a day of sickness if, except for the sickness, he would have been unemployed due to an illegal strike. This disqualification would not apply if an employee is not participating in, directly interested in, or helping to finance the strike, and he does not belong to a grade or class of workers which some members are participating in, interested in, or helping to finance the strike.

Under present law an employee can claim sickness benefits up to a maximum of 130 days during a benefit year even though he may have left the railroad industry and established himself in a nonrailroad job. The reported bill provides that an employee would be disqualified for sickness benefits for any day which occurred more than 90 days after the last day with respect to which he earned compensation in the railroad industry. There would be excluded from such 90 days any day in which the Railroad Retirement Board finds that the employee was unemployed due to a stoppage of work as a result of an illegal strike, and any day in such 90 days in a registration period which begins, or in a continuous series of registration periods the first day of which series begins, before the expiration of such 90 days. For this purpose, a "registration period" would be deemed to be continuous with the preceding registration period if established within 10 days after the last day of such preceding registration period.

Tenth. Sickness benefits waiting period: Under present law, sickness benefits are payable for each day of sickness in excess of 7 during the first registration period—consisting of 14 days—within a benefit year in which an employee will have had 7 or more such days of sickness.

The reported bill would make sickness benefits payable for each day of sickness in excess of 9 days during the first registration period. It would also prevent the payment of any sickness benefits for days in a subsequent registration period—now payable after a waiting period of 4 days—by requiring that the employee should have had in that registration period, or in the next preceding 14-day period, not less than 7 days of sickness or unemployment or both. The bill also provides that a day of sickness, to be considered as such, must be a day on which the employee would have been available for work except for the fact that he was sick.

Eleventh. Increase in tax base and tax rate: Funds to support the railroad unemployment and sickness benefit programs are obtained from taxes collected by the Railroad Retirement Board from railroad employers. Employees do not contribute to these funds.

To provide funds for financing the additional benefits recommended in the reported bill, and to take care of existing needs, the bill provides for an increase in the monthly limit on taxable compensation from $350 to $400 a month for each employee, effective with respect to compensation paid for services rendered in calendar months which begin on or after the first day of the first calendar month which begins more than 45 days after the date of enactment of this act.

A comparison of the present tax rate schedule and the tax rate schedule proposed by the reported bill is shown below.

Schedule of present contribution rates

If the balance to the credit of the railroad unemployment insurance account as of the close of business on Sept. 30 of any year, as determined by the Board is—	The rate with respect to compensation paid during the next succeeding calendar year shall be—
$450,000,000 or more	½ percent.
$400,000,000 or more but less than $450,000,000	1 percent.
$350,000,000 or more but less than $400,000,000	1½ percent.
$300,000,000 or more but less than $350,000,000	2 percent.
$250,000,000 or more but less than $300,000,000	2½ percent.
Less than $250,000,000	3 percent.

Schedule of contribution rates proposed by reported bill

If the balance to the credit of the railroad unemployment insurance account as of the close of business on Sept. 30 of any year, as determined by the Board is—	The rate with respect to compensation paid during the next succeeding calendar year shall be—
$450,000,000 or more	1½ percent.
$400, 000, 000 or more but less than $450, 000,000	2 percent.
$350, 000, 000 or more but less than $400,000,000	2½ percent.
$300,000,000 or more but less than $350,000,000	3 percent.
Less than $300,000,000	3½ percent.

The balance in the railroad unemployment insurance account as of September 30, 1958, was $135,443,000. Therefore, the current tax rate is 3 percent. Upon enactment of this legislation the tax rate would increase to 3½ percent on compensation paid for services rendered on or after the effective date of this act.

Twelfth. Borrowing authority to finance railroad unemployment and sickness insurance programs: The Railroad Retirement Board, railroad management, and railroad labor organizations are in agreement with respect to the need for authority to permit the Board to borrow money from the railroad re-

tirement account in order to pay railroad unemployment and sickness benefits. The balance in the railroad unemployment insurance account as of February 28, 1959, was $50 million, which is a dangerously low level, and the balance may be insufficient to pay the benefits due in the months ahead.

Accordingly, the committee has provided in section 310 of the reported bill authority for the Railroad Retirement Board, whenever it finds that the balance in the railroad unemployment insurance account will be insufficient to pay benefits due, to request the Secretary of the Treasury to transfer from the railroad retirement account to the credit of the railroad unemployment insurance account such moneys as the Board estimates would be necessary for the payments of such benefits, and the Secretary of the Treasury is directed to make such transfer. The moneys borrowed would pay 3 percent interest.

This provision of the bill would take effect on the date of enactment of this act.

PRINCIPAL DIFFERENCES BETWEEN H.R. 1012 AND H.R. 5610

The reported bill, H.R. 5610, differs from the bill as introduced, H.R. 1012, in the following major respects:

First. With respect to amendments to the Railroad Retirement Act the only major difference between the two bills is the effective date provision. The reported bill, H.R. 5610, provides that these amendments, with minor exceptions, shall become effective on the first day of the first calendar month which is more than 45 dayes after the date of enactment. Hence, the effective date would be no less than 46 days but could be as much as 75 days after the date of enactment. H.R. 1012 provides for an effective date of January 1, 1959.

Second. With respect to amendments to the Railroad Retirement Tax Act, the only major difference between the two bills is, again, the effective date provision. This difference is the same as for the Railroad Retirement Act shown in paragraph 1, above.

Third. With respect to amendments to the Railroad Unemployment Insurance Act, the major differences between the two bills are as follows:

(a) The reported bill, H.R. 5610 provides that these amendments, with minor exceptions, shall become effective on the first day of the first calendar month which is more than 45 days after the date of enactment. Hence, the effective date would be no less than 46 days but could be as much as 75 days after the date of enactment. H.R. 1012 provides for an effective date of January 1, 1959.

(b) H.R. 5610 makes no change in existing law with respect to the number of compensable days of unemployment for which unemployment benefits may be paid in the first registration period in a benefit year (i.e., unemployment benefits may be paid for only 7 of the 14 days in the first registration period).

H.R. 1012 provides that the number of compensable days of unemployment for which unemployment benefits may be paid in the first registration period in a benefit year shall be 10 days.

(c) H.R. 5610 provides that the number of compensable days of sickness benefits for which benefits may be paid in the first registration period—consisting of 14 consecutive days—in a benefit year shall be 5 days. With respect to subsequent registration periods, the number of compensable days for sickness for which benefits would be payable would be 10 days but this payment would be conditioned upon the claimant having no less than 7 days of sickness or unemployment, or both, either in such subsequent registration period or in the 14 days immediately preceding such subsequent registration period.

H.R. 1012 makes no change in existing law with respect to the number of compensable days of sickness for which benefits may be paid. These are 7 days in the first 14-day registration period in a benefit year and 10 days in all subsequent registration periods.

(d) H.R. 5610 provides that all railroad employees who have, after June 30, 1957, exhausted their rights to unemployment benefits under present law, would receive additional temporary unemployment benefits for days of unemployment, not exceeding 65 days, occurring in registration periods beginning on or after June 19, 1958 and before April 1, 1959.

H.R. 1012 provides that such temporary extension of unemployment benefits described above would apply with respect to employees with less than 10 years of railroad service. Employees with 10 but less than 15 years of railroad service, upon exhaustion of their rights under present law to unemployment benefits in a given benefit year would be entitled to an additional 65 days of unemployment benefits in an extended benefit period of 13 weeks. Employees with 15 or more years of service, upon exhaustion of their rights under present law to unemployment benefits in a given benefit year would be entitled to an additional 130 days of unemployment benefits in an extended benefit period of 26 weeks.

(e) H.R. 5610 provides for the repeal of a provision in the Railroad Unemployment Insurance Act having to do with the payment of maternity benefits.

H.R. 1012 makes no change in existing law with respect to the payment of maternity benefits during a maternity period.

(f) H.R. 5610 provides that an employee, in order to be eligible for sickness benefits, must have been available for work except for the fact that he was sick.

H.R. 1012 makes no change in existing law which provides that an employee need not otherwise be available for work in order to obtain sickness benefits.

(g) H.R. 5610 provides that an employee who leaves work voluntarily without good cause, who fails without good cause to accept suitable work offered to him, or who fails to comply with instructions from the Railroad Retirement Board requiring him to apply for suitable work, would be disqualified for unemployment or sickness benefits until he has returned to work for a railroad and has worked at least 20 days.

H.R. 1012 makes no change in existing law which disqualifies an employee from claiming unemployment insurance benefits for a period of 30 days from the date on which the above-mentioned action occurred. After the expiration of the 30-day period he can claim unemployment benefits if he is still unemployed. Existing law does not disqualify an employee for sickness benefits even though he leaves work voluntarily without good cause, and so forth.

(h) H.R. 5610 provides that an employee would be disqualified for unemployment, but not for sickness, benefits if he was discharged or suspended for misconduct related to his work. In the case of discharge the disqualification would end when the employee has returned to work for a railroad and has worked at least 20 days. In the case of suspension the disqualification would end when the period of suspension ends.

H.R. 1012 makes no change in existing law under which an employee discharged or suspended for misconduct can claim unemployment insurance benefits on the same basis as if he were voluntarily unemployed.

(i) H.R. 5610 provides that an employee cannot claim sickness benefits if, except for the fact that he was sick, he is unemployed because of a wildcat strike. This disqualification would not apply if he is not participating in, directly interested in, or helping to finance the strike and if he does not belong to a grade or class of workers of which some members are participating in, interested in, or helping to finance the strike.

H.R. 1012 makes no change in existing law under which an employee who is unemployed because of a wildcat strike may, nevertheless, claim sickness benefits if he is sick during this period.

(j) H.R. 5610 provides that an employee cannot claim sickness benefits for any period which is more than 90 days after the day on which he last worked in the railroad industry. There are certain exceptions to this provision.

H.R. 1012 makes no change in existing law under which an employee who has left the railroad industry may, nevertheless, claim sickness benefits during any part of the benefit year if he is otherwise qualified.

(k) H.R. 5610 provides that the Railroad Retirement Board may borrow money from the railroad retirement account for the payment of benefits under the Railroad Unemployment Insurance Act with interest at 3 percent.

H.R. 1012 makes no change in existing law under which there is no authority to borrow money from the railroad retirement account for the payment of benefits under the Railroad Unemployment Insurance Act.

NEED FOR LEGISLATION

The need for increasing retirement and survivor benefits is obvious in the light of the fact that living costs have increased significantly since the last 10-

percent increase in benefits was provided in 1956 in Public Law 1013, 84th Congress. The 10 percent increase recommended in the bill will undoubtedly help to alleviate the hardships of annuitants and pensioners who are trying to live on a fixed income. The committee feels that the increase proposed in the bill is very modest and should be granted.

There was general agreement until recently that the railroad retirement system was virtually without peer among plans of its kind. However, with the passage of the 1950 and later amendments to the Social Security Act, including those enacted in 1958 providing for a general increase in benefits of 7 percent, and the gains made in the past several years by employees in many industries through the adoption of private supplemental pension plans, the railroad retirement system has fallen behind. Recognizing this problem, many Members of Congress have introduced bills proposing to improve the benefits under the Railroad Retirement Act, and this committee has held hearings on these bills and considered them very carefully.

In the consideration of all these bills, however, the committee has placed great emphasis on the effect of the proposed amendments on the financial soundness of the railroad retirement system. The committee is unanimously of the opinion that, regardless of the desirability of certain proposals for the liberalization of benefits under the Railroad Retirement Act, no amendments to the law should be made which would jeopardize the financial soundness of the railroad retirement system. This principle is accepted by all the standard railway labor organizations and by railroad management as well.

This committee has every desire to be helpful to retired railroad workers and their dependents. We are also mindful of our grave responsibility toward the currently active railroad workers and those who will follow and who will retire in the future. We must make certain that when they retire from the railroad industry the reserves in the railroad retirement account plus the income into the system will be adequate to pay the benefits due them.

We must also be mindful of the financial condition of the railroad industry and its ability to share the burden of the increases in taxes which the reported bill would impose upon them. However, we feel that, aside from the temporary decline in business and revenues which the industry has recently experienced but from which the railroads are now recovering, the industry is able to support the modest program proposed in the bill.

The option granted to women employees with less than 30 years of service and to spouses to retire at age 62 on a reduced annuity is similar to the provisions now contained in the Social Security Act. The granting of this option to accept reduced benefits would not add significantly to the cost of the system.

The amendment changing the earnings limitation for disability annuitants to $1,200 a year instead of $100 a month is designed to eliminate discrimination between a disability annuitant who may earn a little over $100 a month in several months and, therefore lose, under present law, his annuity for all such months, and another disability annuitant who may earn the same total amount as the first annuitant but whose earnings pattern may be such that he is required to give up only 1 month's annuity.

The amendment with respect to survivors who work outside of the United States is designed to place such survivors on an equal footing with survivors working in the United States so far as the earnings limitation is concerned.

The amendments proposed to the Railroad Retirement Tax Act—namely, increasing the maximum taxable earnings base to $400 a month, and increasing the tax rate—are necessary to pay for the retirement benefits proposed by the bill and to eliminate for all practical purposes the existing actuarial deficiency in the railroad retirement account.

The amendments proposed to the Railroad Unemployment Insurance Act are necessary to meet the increase in the cost of living, to provide for a temporary extension of unemployment benefits as in the case of industry generally, to correct certain inequities in the system, and to provide for sound financing.

The increase in daily benefit rates for unemployment and for sickness proposed by the bill ranges from 7.7 percent for the base year compensation range of $2,000 to $2,199 to 25 percent for the base year compensation range of $700 to $749. The increase is 20 percent for those who have a base year compensation of $4,000 or more. The minimum daily benefit rate payable would be increased by 20 percent; that is, the eligible employee would be entitled to 60 percent, rather than 50 percent of his daily rate of compensation—with a maximum of $10.20 per day—for the employee's last employment in which he was engaged for an employer during the base year.

The present schedule of daily benefit rates was enacted in 1954. In view of the rising wages and costs that have occurred during the last 5 years, these rates are inadequate today reasonably to compensate unemployed railroad workers for the loss in wages which result from their unemployment. The committee believes that the schedule of daily benefit rates proposed in the bill is justified and should be enacted.

The temporary extension of unemployment benefits provided in the bill would extend to unemployed railroad workers protection similar to that accorded to unemployed workers outside of the railroad industry pursuant to the Temporary Unemployment Compensation Act of 1958 (Public Law 85-441). Unemployed railroad workers who have exhausted after June 30, 1957, their benefit rights under existing law would be entitled to a temporary extension of their unemployment benefits for unemployment in the general period included in the legislation for other industry, namely, unemployment occurring in registration periods beginning on or after June 19, 1958, and before April 1, 1959. The maximum number of days for which extended benefits would be paid is 65 days and the daily benefit rates to be paid would be those in effect before the effective date of this act.

Employment in the railroad industry has declined very drastically in recent years, and it has now reached about the lowest level ever recorded. Six years ago there were over 1,200,000 employees working for class I railroads. This number dropped to 986,000 in 1957 and and to 810,000 in January 1959.

Some 112,000 unemployed railroad workers received unemployment benefits as of June 30, 1958. The amount of benefits paid during this month was $16,651,000 and the total amount paid in the first 6 months of 1958 was $121,224,000. From January 1 through June 1958 approximately 63,000 claimants had exhausted their benefit rights under the Railroad Unemployment Insurance Act. The Railroad Retirement Board estimates that almost as many claimants will have exhausted their benefit rights in the benefit year beginning July 1, 1958, and ending June 30, 1959. The Board has estimated that the total amount which would be payable under the temporary extension of unemployment benefits would be approximately $20 million.

The amendment providing that Sundays and holidays could be compensable days of unemployment just as any other day, whether or not such Sundays and holidays are preceded and succeeded by a day of unemployment, is necessary to rectify a condition which discriminates against certain categories of employees who, because of the manner in which their employment is scheduled, are unable to qualify for unemployment benefits.

The amendments providing for disqualifications against the payment of unemployment and sickness benefits to employees who are discharged for misconduct related to their work, who leave work voluntarily and who refuse suitable jobs, would merely reflect the principle that an employee should not be insured against wage loss resulting from his own voluntary act. These amendments would make the railroad unemployment insurance system conform to State unemployment insurance systems generally in those respects.

The present Railroad Unemployment Insurance Act does not bar the payment of unemployment benefits to persons who are discharged and may be guilty of misconduct related to their work, such as drinking on the job, pilfering, or otherwise violating rules designed to protect passengers, crew members, the general public, and railroad property and freight.

The disqualification against the payment of unemployment benefits to employees discharged for misconduct related to their work would restore a mis-

conduct provision that was in the original Railroad Unemployment Insurance Act and which was removed by a bill enacted in 1939, at the request of both railroad management and the railway unions. The proposed amendment in the reported bill would vary from the misconduct provision of the original law only in one respect. Instead of the original 45-day period after discharge for which no benefits would have been payable, the period under the amendment provided by this bill would be extended until the discharged employee will again have had 20 days of railroad work.

The disqualification against the payment of unemployment benefits to an employee who leaves railroad work voluntarily without good cause, or fails, without good cause, to accept or to apply for suitable work, is designed to cope with the situation where many employees leave the railroad industry for one reason or another, and after a short waiting period, become eligible to receive unemployment benefits if they are still unemployed. Many of these individuals are women who leave railroad work to keep house. Many younger employees leave to return to school. Under present law all of these ex-employees could claim unemployment benefits if they earn as little as $400—$500 under the reported bill—in railroad employment in the appropriate base year. It is important for the effective functioning of the unemployment insurance system that individuals who have voluntarily left the railroad labor market for all practical purposes no longer be eligible to receive unemployment insurance benefits until they have again returned to the railroad industry.

The redefinition of sickness, which provides that a day of sickness shall include only days for which the individual can show that he would have been available for work except for his sickness, is designed to exclude persons who would not be working in the railroad industry and would suffer no loss of railroad wages because of their illness.

The disqualification against the payment of sickness benefits to an individual who has not worked in the railroad industry within the last 90 days prior to his sickness, is designed primarily to exclude an individual who became sick after he has left the railroad industry and has established himself in nonrailroad work. This amendment recognizes that individuals previously in railroad work may be out on strike or may be unemployed and registered for railroad work, and these periods are excluded in the computation of the 90 days.

The amendment providing for the discontinuance of maternity benefits would also make the railroad unemployment insurance system conform to provisions of the State unemployment systems generally. The record of our hearings indicates that only Rhode Island pays benefits in maternity periods and in this State the entire cost is paid by employees and such payments are limited to 12 weeks. California and New Jersey and New York have established sickness benefit programs but not maternity benefit programs, as such.

The Railroad Retirement Board has informed the committee that it needs authority to borrow money from the railroad unemployment insurance acaount to administer the provisions of the Railroad Unemployment Insurance Act. In support of this position the Board advised that by the end of February 1959 the balance in the railroad unemployment insurance account had fallen to $50 million. The decline may not continue at such a rapid pace in the next few months because 55,000 unemployment beneficiaries and 15,600 sickness beneficiaries had exhausted benefit rights for the current fiscal year by the end of February. However, it is impossible to predict unemployment precisely and the balance in the account is at such a low point that even a minor dislocation in the railroad industry could cause enough unemployment to use up the available funds.

It is estimated that benefit payments for the current quarter will total about $70 million. This will be the fifth consecutive quarter in which benefit payments have been substantially above $50 million, the balance in the account at the end of February. A continuation of such a rate of expenditure would exhaust the funds available for payment of benefits within the next 6 months. Provision of borrowing authority is needed to prevent collapse of the program if this should occur.

IMMEDIATE EFFECT OF PROPOSED AMENDMENTS IN H.R. 5610 TO THE RAILROAD RETIREMENT ACT

The bill proposes to increase retirement and survivor benefits by 10 percent effective on the first day of the calendar month which is more than 45 days after the enactment date. For the purpose of these estimates, the effective date is assumed to be July 1, 1959.

EMPLOYEE ANNUITIES

An estimated 364,000 employee annuities, averaging $118, in course of payment on July 1, 1959, would be increased by 10 percent to an average of almost $130.

For an employee retiring on July 1, 1959, the maximum annuity that could be paid would rise from about $186 to $205. Subsequently, after the new $400 ceiling on taxable earnings goes into effect, the maximum would rise slowly up to the end of 1966. Thereafter, the maximum will rise more rapidly since more than 30 years of service will become creditable toward annuities.

An estimated 44,500 retirement annuity awards, averaging about $140, would be made in fiscal year 1959–60. These figures include about 500 awards to women employees aged 62 to 64 who would elect to accept a reduced annuity.

SPOUSE ANNUITIES

An estimated 133,000 spouses on the rolls on July 1, 1959, would also have their annuities increased by 10 percent. The average spouse annuity in currrent-payment status on that date would be increased to about $57. The estimated 16,000 unreduced spouse annuities to be awarded in fiscal year 1959–60 would average $58. The new maximum spouse annuity would be $66.60 in July 1959 and $69.90 in February 1960.

There are an estimated 36,000 spouses aged 62 to 64 who could elect to receive reduced spouse annuities. In the absence of specific experience and for the purposes of this report, it has been arbitrarily assumed that about three-fourths of them or 27,000 would choose to accept such reduced benefits. The reduced benefits would average about $51.

PENSIONS

An estimated 1,200 pensioners on the rolls on July 1, 1959, would receive 10-percent increases, bringing their average benefit to about $90 compared with the average of $82 under the present law.

SURVIVOR ANNUITIES

The estimated 244,700 survivor benefits in current-payment status on July 1, 1959, would be increased at least 10 percent. The maximum basic amount possible on July 1, 1959, under the new formula would be $80, while the maximum family benefits would be $193.60 and $279 under the railroad retirement and social security guarantee formulas, respectively.

An estimated 18,000 insurance lump-sum benefits would be paid in fiscal year 1959–60. The average lump sum would be $560.

DISABILITY WORK CLAUSE

The immediate effect of the change in the disability work clause would be comparatively small. About 1,000 annuities are withheld each month under the present provision and the amount of annuities withheld in a year totals about $1 million. The proposed change in the disability work clause is estimated to reduce the amount withheld in the first full calendar year after the effective date by about $200,000.

TOTAL BENEFIT PAYMENTS

Total benefit payments under the provisions of the bill in fiscal year 1959–60 are estimated at about $928 million, or $98 million more than would be payable under the present law. Of the additional $98 million, $83 million is attributable to the 10 percent increase in monthly and lump-sum benefits and the remaining $15 million to the new benefits for women employees and spouses aged 60 to 64.

TABULAR SUMMARY

The two following tables illustrate the effect of the proposed amendments. Table 1 shows the effect on benefits in course of payment on July 1, 1959, and table 2 covers benefit awards in fiscal year 1959–60.

Since the bill provides, in effect, a blanket 10-percent increase for all monthly benefits, including those calculated under social security formulas, it does not affect the distribution of monthly benefits awarded or being paid according to the formula under which they are computed.

TABLE 1.—*Estimated number of monthly benefits in current-payment status on the effective date,[1] and estimated average monthly amount before and after increases under the bill, by type of benefit*

Type of benefit	Benefits in current-payment status				
	Number			Average monthly amount	
	Total	Benefit computed under—		Present law	Proposed bill
		Railroad formula	Social security formula [2]		
Total	742,900	523,200	219,700		
Retirement:					
Employee annuities	364,000	328,000	[3] 36,000	$117.70	$129.50
Pensions	1,200	1,200		81.70	89.90
Spouse annuities	133,000	123,000	10,000	51.60	56.80
Monthly survivor:					
Aged widows' annuities	187,000	66,000	121,000	57.50	63.30
Widowed mothers' annuities	11,300	300	11,000	76.60	84.30
Children's annuities	42,200	1,500	40,700	49.80	54.80
Parents' annuities	1,100	100	1,000	58.40	64.30
Survivor (option) annuities	3,100	3,100		50.50	55.60

[1] Assumed to be July 1, 1959.
[2] Bill provides minimum benefits equal to 110 percent of the amount under social security formulas.
[3] Includes 7,000 disability annuitants aged 50 to 64.

TABLE 2.—*Estimated number of awards in first full year,[1] and average benefit under present law and the bill, by type of benefit*

Type of benefit	Awards under—			
	Present law		Proposed bill	
	Number	Average amount	Number	Average amount
Retirement:				
Employee annuities	43,000	$127.20	44,000	$140.00
Reduced age annuities to women			[2] 500	85.00
Reduced spouse annuities			[2] 27,000	51.00
Unreduced spouse annuities	22,000	52.50	16,000	57.80
Monthly survivor:				
Aged widows' annuities	21,000	67.10	21,000	73.90
Widowed mothers' annuities	2,300	85.60	2,300	94.20
Children's annuities	5,800	57.90	5,800	63.70
Parents' annuities	100	74.50	100	82.00
Survivor (option) annuities	50	55.00	50	60.50
Lump-sum payments:				
Insurance benefits	18,000	510.00	18,000	560.00
Residual payments	6,500	1,700.00	6,500	1,600.00

[1] Assumed to be July 1, 1959, to June 30, 1960.
[2] There will be an estimated 36,000 spouses of retired employees, and 1,000 women employees with less than 30 years of service, aged 62 to 64, eligible to elect reduced annuities. It is assumed that ¾ of the spouses and ½ of the women employees would make such elections.

IMMEDIATE EFFECT OF AMENDMENTS TO THE RAILROAD RETIREMENT TAX ACT

The bill proposes to amend the Railroad Retirement Tax Act, effective on the first day of the calendar month which is more than 45 days after date of enactment, by raising the monthly limit on taxable earnings from $350 to $400, and by increasing the combined rate of tax from the present 12½ to 13½ percent from the effective date through calendar year 1961 and to 14½ percent in 1962–64. In addition, the combined rate of tax in 1965 and thereafter would be increased by the excess of future actual social security combined rates over 5½ percent.

Assuming that the railroad industry will be recovering from the low level of activity experienced during the 1957–58 economic recession with a consequent gradual increase in railroad employment and assuming the effective date of the amendments to be July 1, 1959, the effect of the proposed legislation on railroad retirement taxes in fiscal year 1960 would be as follows:

[Millions]

Item	Present law	Proposed law
1. Taxable payroll	$4,600	$5,100
2. Taxes at 12.5 percent	575	638
3. Taxes at 13.5 percent		689
4. Total additional taxes		114
(a) Due solely to higher tax base		63
(b) Due to higher tax on old base		46
(c) Due to higher tax rate on addition to old base		5

It should be emphasized that the above figures pertain only to the first year effect of the monthly limit and tax increases. The long-range estimates are shown elsewhere in this report.

ACTUARIAL EFFECTS ON RAILROAD RETIREMENT SYSTEM OF H.R. 5610

The Chief Actuary of the Railroad Retirement Board has estimated that the proposed amendments pertaining to the retirement and survivor programs would increase the cost of benefits by about $146 million a year on a level basis. It is further estimated that the additional immediate and deferred taxes would bring in about an extra $57 million in 1959, an average of $115 million in each of the years 1960 and 1961, and $174 million a year in 1962–64. In 1969, if the contingent increase in taxes becomes effective, as scheduled after 1964, the amount would reach about $370 million a year. A year-by-year estimate of the additional taxes on both employers and employees is shown in table 3. Of the $114 million in additional taxes—$57 million to be paid by the employers and an equal amount by the employees—in fiscal year 1959–60, $63 million would be due to taxing compensation between $350 and $400 a month at the rate of 12½ percent; and the remaining $51 million a year would be due to the additional 1 percentage point of tax on the total estimated taxable payroll of $5.1 billion for the year. The rise in 1962 would result mainly from the additional percentage point in the combined tax rate with similar situations occurring in later years.

Considering both additional outgo and additional income, the estimates indicate that the added revenues would exceed the added disbursements by about $179 million a year on a level basis, which is equivalent to 3.20 percent of a $5.6 billion taxable payroll. Since the actuarial deficiency for the present law, calculated as of December 31, 1958, is estimated at 3.81 percent of that payroll—adjusted from 4.18 of a $5.1 billion payroll—the enactment of the amendments would leave the railroad retirement system with an actuarial deficiency of 0.61 percent of payroll—3.81 minus 3.20—or about $34 million a year. The derivation of the above actuarial deficiency figure is shown in table 4 together with a breakdown of the major cost figures for the proposed program by source of cost or of savings, as the case may be.

TABLE 3.—*Estimated additional tax income under the amendment to the Railroad Retirement Tax Act contained in the bill*

[Dollar amounts in millions]

Calendar year	Rate of tax (percent)		Taxable payroll for $350 limit		Additional taxes under bill [1]	
	Employer	Employee	Level assumption	Short-range projection	Level assumption	Short-range projection
1959 [2]	6¾	6¾	$5,100	$4,600	$59	$57
1960	6¾	6¾	5,100	4,700	118	114
1961	6¾	6¾	5,100	4,900	118	116
1962	7¼	7¼	5,100	5,100	174	174
1963	7¼	7¼	5,100	5,100	174	174
1964	7¼	7¼	5,100	5,100	174	174
1965	8	8	5,100	5,200	258	262
1966	8½	8½	5,100	5,200	314	319
1967	8½	8½	5,100	5,200	314	319
1968	8½	8½	5,100	5,200	314	319
1969 and thereafter	9	9	5,100	5,200	370	376

[1] Difference between combined employer and employee taxes at proposed rates on taxable payrolls for $400 limit and 12½ percent of payroll with $350 limit. The taxable payroll for the $400 limit is estimated to be $500 million a year higher than for the $350 limit on monthly compensation.
[2] Assuming effective date of July 1 ,1959, so that additional taxes will be applicable to one-half of the year.

TABLE 4.—*Cost estimate for the railroad retirement program as it would be amended by the bill*

[Level cost figures are as of Dec. 31, 1958, and relate to a taxable payroll of $5.6 billion a year; the effective date is assumed to be July 1, 1959]

Item	Percent of payroll ($400 limit)	Amount per year (millions)
(a) Gross cost of benefits, total	20.89	$1,170
Employee annuities and pensions	[1] 14.20	795
Spouses' annuities	1.40	78
Aged widows' annuities	3.94	221
Other survivor annuities	.62	35
Insurance lump sums	.20	11
Residual payments	.39	22
Administrative expenses	.14	8
(b) Deductions from gross costs, total	3.08	173
Funds on hand	[2] 1.96	110
Gains from financial interchange	1.12	63
(c) Net cost (a—b)	17.81	997
(d) Future tax income, total	17.20	963
Independent of OASDI rates	14.39	806
Additional taxes after 1964 dependent upon OASDI rates	2.81	157
(e) Actuarial deficiency (excess of net costs over total future tax income)	.61	34

[1] Includes 0.08 percent of payroll for benefits payable with respect to dependents of disability annuitants under the social security minimum provision.

[2] Excludes an estimated $325,000,000 accrued under the financial interchange for the period July 1957, to December 1958, but not yet received. Had this amount been included, the 1.96 would have been increased to 2.13 and the next figure of 1.12 would have been correspondingly reduced to 0.95.

An analysis of the cost effects of the proposed amendments considered by themselves is presented in table 5. As previously indicated, the total level additional disbursements are estimated at $146 million a year, or 2.63 percent of payroll.

TABLE 5.—*Changes in actuarial deficiency due to the bill*

[Taxable payroll of $5.6 billion a year for $400 limit on monthly compensation; the effective date is assumed to be July 1, 1959]

Item	Percent of payroll ($400 limit)	Amount per year (millions)
Actuarial deficiency under law before amendments (as of Dec. 31, 1958)	[1] 3.81	$213
Benefits at present rates due to higher compensation base	+.71	40
Increase in benefits by 10 percent	+1.82	102
Elective reduced benefits to spouses and women employees at age 62	+.03	3
Increase in residual benefit	+.03	
Liberalization of work clause for disability annuitants	+.02	1
Taxes at rate of 12½ percent on additional taxable compensation	−1.10	−62
Increase in schedule of taxes independent of OASDI rates	−1.90	−106
Additional taxes after 1964 dependent upon OASDI rates	−2.81	−157
Actuarial deficiency under law after amendments (as of Dec. 31, 1958)	.61	−34

[1] Equivalent to 4.18 percent of payroll with a $350 limit on monthly compensation. In both instances, this is equivalent to $213 million a year.

IMMEDIATE EFFECT ON BENEFICIARIES OF AMENDMENTS IN H.R. 5610 TO THE RAILROAD UNEMPLOYMENT INSURANCE ACT

The immediate effect on beneficiaries of the proposals to amend the Railroad Unemployment Insurance Act may be illustrated by reference to the effect they would have had on payments for the 1957–58 benefit year. Each of the proposals is discussed in turn.

Comparison of benefit rates in schedule under RUIA with proposed schedule

Range of base-year compensation	Daily benefit rate		Percent increase
	Present RUIA	Proposed schedule	
$400 to $499	$3.50		
$500 to $699	4.00	$4.50	12.5
$700 to $749	4.00	5.00	25.0
$750 to $999	4.50	5.00	11.1
$1,000 to $1,299	5.00	5.50	10.0
$1,300 to $1,599	5.50	6.00	9.1
$1,600 to $1,899	6.00	6.50	8.3
$1,900 to $1,999	6.00	7.00	16.7
$2,000 to $2,199	6.50	7.00	7.7
$2,200 to $2,499	6.50	7.50	15.4
$2,500 to $2,799	7.00	8.00	14.3
$2,800 to $2,999	7.00	8.50	21.4
$3,000 to $3,099	7.50	8.50	13.3
$3,100 to $3,499	7.50	9.00	20.0
$3,500 to $3,999	8.00	9.50	18.8
$4,000 and over	8.50	10.20	20.0

NOTE.—Since the compensation ranges of the 2 schedules differ, it was necessary, for this comparison, to divide some rate groups into 2 parts.

ELIMINATING OF THE SUNDAY AND HOLIDAY DISQUALIFICATIONS

The removal of the Sunday and holiday disqualification provision in the law would increase the number of compensable claims because, for a man normally working a 5-day week, after benefits have been paid for an initial registration period, any day of unemployment in a workweek could be a compensable day. Thus, in addition to increasing the number of compensable days in some claims, it would make other claims compensable for which no payment could be made under the present law. The wage contracts for nonoperating employees now provide payment for holidays. Nevertheless, in the course of a year there will be a substantial number of employees who will not get paid for one or more holidays for one reason or another. It is estimated that this change would have increased benefits for unemployment in 1957–58 by about $3,400,000.

DISQUALIFICATIONS FROM UNEMPLOYMENT BENEFITS

The proposed modification of the disqualifications for unemployment benefits in cases of voluntary quits, and failure to accept suitable work or failure to report for work or to an employment office, would have extended the disqualification period of those who were disqualified under sections 4(a–2) (i) and 4(a–2) (ii) in 1957–58 and caused the disqualification of many other beneficiaries. The proposed section 4(a–2) (iv) disqualifying those who were discharged or suspended would have prevented payments to thousands of other beneficiaries. Altogether it is estimated that nearly 20,000 unemployment beneficiaries would have received $10,800,000 less in 1957–58 if these provisions had been in effect. In the majority of cases all of the payments they received would have been prevented.

TEMPORARY EXTENSION OF DURATION FOR EMPLOYEES

Additional benefits would have been paid to about 60,000 1957–58 beneficiaries who exhausted benefit rights for that year under the temporary provision extending their duration of benefits a maximum of 13 weeks, but the average amount per beneficiary would be small because if they were unemployed most of them have received benefits in the current year. Nearly as many 1958–59 beneficiaries would also receive additional payments from this change, and these would be more substantial. It is estimated that the total amount payable under the provision would be about $20 million.

WAITING PERIOD FOR SICKNESS

The change which would pay benefits only for days of sickness over nine in the first sickness registration period instead of all days over seven would have reduced by two the number of compensable days for all beneficiaries who did not exhaust benefit rights. The other change in the sickness benefit formula, which would require that in order to pay benefits for a subsequent registration period there must be at least 7 days of sickness or unemployment in the period or in the 14 preceding days, would have had no significant effect on the benefits paid. Only a small number of claims would have been denied. The combined effect of the two changes would have reduced benefits to 125,000 beneficiaries by about $1,800,000.

DISQUALIFICATIONS FROM SICKNESS BENEFITS

It is not possible to estimate exactly the effect of the various proposals which would change the eligibility requirements and the disqualification provisions for sickness benefits, since they cover situations with which no experience has been had, such as the requirement of being otherwise available for work in order to get sickness benefits, and the disqualification of employees who have been out of the railroad industry more than 90 days. It is estimated, however, that the combined effect of these, and the application to sickness benefits of the disqualifications that have previously affected only unemployment benefits, would have reduced payments in 1957–58 by more than $5 million.

ELIMINATION OF MATERNITY BENEFITS

Elimination of maternity benefits would not have prevented the maternity beneficiaries from receiving regular sickness benefits while pregnant if they could have met the eligibility conditions. Thus, sickness benefits would probably have been paid to most of the 3,900 maternity beneficiaries in 1957–58 even though the $3,707,000 paid for maternity would not have been payable.

It is not clear what effect the various restrictions on payment of sickness benefits would have had on payments to them. For the purpose of these estimates it is assumed that the sickness payments would have been about half of the amount that was paid for maternity. This would have reduced benefits for the year by $1,800,000.

Estimates of the effect of the different provisions of the bill are summarized in the following table.

Provision	Unemployment		Sickness (including maternity)	
	Amount	Percent	Amount	Percent
Total benefits, present law [1]	$175,723,000	100.0	$56,960,000	100.0
Decreases in benefits:				
1. Due to $500 qualifying earnings	1,632,000	.9	191,000	.3
2. Due to changes in disqualifications and eligibility conditions	10,800,000	6.1	5,200,000	9.1
3. Due to change in waiting period			1,800,000	3.2
4. Due to elimination of maternity benefits			1,800,000	3.2
Increases in benefits for eligible employees:				
1. Benefit rate schedule (including effect of $400 a month maximum creditable earnings)	14,552,000	8.3	7,948,000	14.0
2. 60 percent benefit rate proviso	19,925,000	11.3	4,326,000	7.6
3. Removal of Sunday and holiday disqualifications	3,403,000	1.9		
4. Temporary additional duration for employees who exhausted benefit rights	[2]	[2]		
Net increase	25,448,000	14.5	3,283,000	5.8

[1] Net benefits payable for year, which differ slightly from published figures of actual amounts paid in the year.
[2] $20,000,000 in 1 year only; not included in totals, because not a cost factor for later years.

EFFECT ON BALANCE IN THE ACCOUNT

Under the present law, it is expected that the balance in the railroad unemployment insurance account will be reduced to a figure between $40 million and $50 million by June 30, 1959. Retroactive payments for the temporary additional duration provided by the bill would reduce this by $20 million, and if the bill should be enacted immediately, there might be some additional increase in benefits for June claims. Thus, the account would be reduced to a very low level at the end of the benefit year, with perhaps no more than $20 million remaining.

The effective date for an increased contribution rate would coincide with the effective date for increased benefit rates, but because of the lag in collection of contributions, the higher benefits resulting from the bill would be payable for 3 to 5 months before any added revenue would be received. Moreover, the current quarter, ending March 31, 1959, will be the fifth consecutive quarter in which benefit payments under the present law have been substantially above the balance now in the account—$50 million. A continuation of such a rate of expenditure would exhaust the funds available for benefits in a few months even without the proposed increase. Thus the borrowing authority provided in the bill is necessary to insure against a possible collapse of the program.

IMMEDIATE COST TO THE RAILROADS

The bill would provide a maximum contribution rate of 3.5 percent and maximum taxable earnings of $400 a month, both of which would become effective 1½ to 2½ months after enactment. Under present law, which would not be changed, the effective rate for 1959 is based on the balance to the credit of the railroad unemployment insurance account at the close of business on September 30, 1958. Because that balance has already been determined and proclaimed by the Board to be less than $300 million, the amendment providing that the effective rate would be 3.5 percent when the balance is under $300 million would apply on the general effective date of the bill. The rate for 1959 is 3 percent under the unamended law. Thus, the increase in rate would be only one-half of 1 percent for compensation paid in the balance of calendar year 1959, starting with the effective date. The average increase in costs accruing for the railroads for the next few years, as shown by the following table, would be over $40 million a year:

[In millions]

Calendar year	Contributions at 3 percent for present law, total	Contributions at 3½ percent, with $400 limit on taxable earnings	
		Total	Increase over present law
1959	$138	[1] $158	[1] $20
1960	141	182	41
1961	147	189	42
1962	153	196	43

[1] Assuming a July 1, 1959, effective date.

NOTE.—Figures are estimates of contributions that would be payable on compensation paid in these years

Since the estimated future cost of the program, as shown below, is substantially less than the amount that would be provided by a 3.5 percent rate, there should be some future years in which the contribution rate will be 3 percent rather than the maximum of 3.5 percent. In such years, the increase in cost, above the present law, will be limited to the amount of contributions at 3 percent on the increase in taxable payroll resulting from the $400 limit on taxable earnings, or about $15 million.

FUTURE COSTS

According to the latest estimates that have been made, benefits under the present provisions of the Railroad Unemployment Insurance Act will average about $145 million over a period of years, $94 million for unemployment and $51 million for sickness, including maternity. The estimate of taxable payrolls is $5.1 billion a year. Including administrative expenses, the total cost of the present program is estimated at 2.9 percent of the taxable payroll.

For the proposals contained in the bill it appears reasonable, and in accordance with a desire for sound financing, to assume for the future an increase of about one-fifth in the average amount of unemployment benefits and an increase of one-tenth in the amount of sickness benefits. This results in an average annual benefit cost for the future, if the bill should be enacted, of $170 million, of which $114 million would be for unemployment and $56 million for sickness. At the same time, the $400 limit on creditable earnings would, it is estimated, increase the taxable payroll to $5.6 billion. Including an allowance of 0.20 percent of payroll for administration and deducting 0.10 percent for interest on the balance in the account, the total cost of the program would then be about 3.15 percent of payroll. Costs for the present law and with the bill are summarized in the following table:

Item	Present law	With proposed changes
Average benefits, total	$145,000,000	$170,000,000
For unemployment	94,000,000	114,000,000
For sickness	51,000,000	56,000,000
Taxable payroll	5,100,000,000	5,600,000,000
Benefits as percent of payroll	2.85	3.05
Administration costs as percent of payroll	.15	.20
Allowance for interest on balance in account (minus)	—.10	—.10
Net total cost as percent of payroll	2.90	3.15

These cost figures are, of course, only an approximation based on what appear to be reasonable interpretations of available data, and on forecasts of the future of the railroad industry. With somewhat different assumptions, which may be just as reasonable, a variation of as much as one-fourth of 1 percent of payroll in either direction might be obtained. The figures can thus be interpreted as indicating that the cost of the benefit program under the Railroad Unemployment Insurance Act, if the bill is enacted would be somewhere between 2.9 and 3.4 percent of payroll.

FINANCING

The bill provides the following schedule of contribution rates:

If the balance on Sept. 30 in the railroad unemployment insurance account is—	The contribution rate for the next calendar year shall be—
$450,000,000 or more	1½ percent.
$400,000,000, but less than $450,000,000	2 percent.
$350,000,000, but less than $400,000,000	2½ percent.
$300,000,000, but less than $350,000,000	3 percent.
Less than $300,000,000	3½ percent.

The balance in the account on September 30, 1958, was $135 million. Thus, the maximum rate of 3½ percent would become effective on the general effective date for the bill. It appears, in view of the cost estimates, that the maximum rate of 3½ percent provided by the bill would be adequate to finance the benefits.

I urge the House to pass the committee bill.

The CHAIRMAN. The gentleman from Arkansas has consumed 38 minutes.

Mr. BENNETT of Michigan. Mr. Chairman, I yield 15 minutes to the gentleman from California [Mr. YOUNGER].

Mr. YOUNGER. Mr. Chairman, our distinguished chairman has given a very lucid explanation of the bill. I do want to cover two or three items which I think are important. I think, first, we ought

to go back into the history of railroad retirement a bit.

First, in 1935, a railroad retirement bill was passed which was later contested and declared unconstitutional. In 1937, the President called the railroads and the brotherhoods together and asked them to agree on a program of retirement which neither of them would contest in the courts. That was done. There was little change made in that program until 1946. Since 1946 we have had nine public laws passed on railroad retirement and unemployment insurance, all of them in the form of increasing the benefits. Undoubtedly, when Railroad Retirement was passed in 1937 there were very few retirement plans in industry, and there was a need for it, and there was a need for putting this program under the Federal Government. However, since then approximately all retirement and unemployment coverage has been granted throughout all industry, and today we find the Federal Government confronted with the program of retirement and unemployment insurance for only one segment of our interstate commerce. We have nothing to do with the airlines, we have nothing to do with the retirement in regard to motor carriers or buses.

Ever since I have been a member of this committee I have felt that the program should be returned to the railroads and to the employees, and that full social security coverage should be given to every railroad employee, and they should negotiate on the fringe benefits and supplemental pensions just the same as employees of other industries.

I say so for this reason: When you look at the history of this program and all of the hearings we have had, you will find that Congress is called upon to sit at the bargaining table between the railroads and the employees. Frankly, Congress is not equipped to do that job. As you know, everything that comes to us—we must be frank about it—is political. It becomes political; it cannot be helped. That is one of the reasons why this program is in the shape that it is today. Unfortunately, my observation is—and I am sorry to repeat this, because I have many very fine friends in the Railway Labor Executives Association—but the tendency is to come to Congress repeatedly and say, "This is the program. Take it or leave it." Legislation, as we know, is not accomplished in that way. No legislation that we pass ever satisfies the extremes on either side. If it does it is not as a rule good legislation. It is always a matter of compromise. We have had this demand repeatedly. We had it last year. They came to us with a program for an increase of 10 percent. The committee had hearings and worked its will. We decided that the increase should be along the social security increase of 7 percent, and the committee passed a 7 percent increase. Immediately we were told "10 percent or nothing." They went to the other body and got a 10 percent bill, and as a result we got nothing.

The chairman has already pointed out the extent to which this retirement fund is in a precarious position. May I say in my opinion it will be in a precarious condition just so long as the condition exists where the Congress has to make the determination.

I want to correct one of the chairman's figures. I refer now to the testimony of the Chairman of the Railroad Retirement Board in answer to a question by Mr. ROGERS of Texas. He said:

> We are operating right now on an actuarial deficiency of about $213 million a year on a level cost basis.

That is the rate at which the deficit is running right now; it is what the deficit was last year. It increases, of course, every year. Every time you fail to act on this measure you increase the deficit. And may I add that in my opinion that does not tell the whole story, because this tax is based on a million employees in the railroad industry paying into this fund. There is not one piece of evidence in these hearings showing that we can reasonably expect to have 1 million employees back on the railroads. The best estimate that any witnesses gave us—employers, employees, Mr. Schoene, representing the Executives Association—all stated that 900,000 employees was about the maximum anybody could predict; and yet the estimate to bring this fund into an actuarially sound base is predicated on a tax on 1 million employees.

So, in my opinion, even though this fund is increased by raising the employee and employer contribution to 6½ percent each, unless you increase the number of employees on the railroads, you are going to have this same question before the Congress again and you will have to increase the taxes again if you want to make this fund actuarially sound. This year we are confronted again with the same policy of take it or leave it. You too must have had all these telegrams. Every one of them urges your support of the bill H.R. 1012 without amendment. In my opinion that is no way to legislate, and it is no way to approach this problem. I do not care who comes to this Congress with a bill, we as Members of this Congress are entitled to listen to the testimony, to listen to the opinions of others, to the statistics that are given to us and make up our own minds. We certainly have a right to amend these bills. There is nothing sacred about any bill. Any time we have to yield to that kind of propaganda, so far as I am concerned I do not want to be persuaded by such argument or to be a Member of this House under such conditions; and I am sure that you are not going to yield to such pressure, that you are going to support the committee in their action.

Mr. AVERY. Mr. Chairman, will the gentleman yield?

Mr. YOUNGER. I yield to the gentleman from Kansas.

Mr. AVERY. I just heard the gentleman refer to a telegram urging that H.R. 1012 be voted in as a substitute without amendment. I wonder if the gentleman would like to comment just briefly on what would be the result if such a thing were to take place?

In the first place, because of the fact that it is retroactive on some 850,000 employees, $12 per employee retroactive tax on every person and assessing an additional comparable retroactive tax against the railroads. This is assuming H.R. 1012 might be effective July 1, 1959.

Further, the unemployment insurance fund as of February 28 was down to $50 million. There is no provision in H.R. 1012 for the Railroad Retirement Board to transfer retirement funds on a loan basis into the unemployment insurance fund, and I am informed, I think on good authority, that if that fund is exhausted that we will have no more unemployment insurance benefits to any railroad employee. So I am wondering if members signing the minority report really want H.R. 1012 passed without amendment.

Mr. YOUNGER. The gentleman is correct. That was referred to time and again; in our deliberations when we were in executive session considering this legislation. We were implored to pass this bill without amendment. In other words, we were to disregard any judgment that we might exercise after hearing the testimony and the information furnished at the hearings, and the facts that were given to us.

The unemployment insurance feature has troubled me during the hearings and if you will read the questions I asked you will understand my concern from that standpoint.

Mr. Chairman, may I read from a brochure which we all received from the American Enterprise Association commenting on the bill before us:

> Railroad employees, like other employees, were initially covered by State unemployment systems. The theory of their coverage under a separate system by Congress in 1938 was to provide protection under a system better adopted to the interstate character of their employment, rather than to provide them higher benefit rates, additional types of protection and other advantages over that afforded by State systems.

That undoubtedly was the intent in 1938. I have great difficulty myself in passing benefits on to employees of railroads which are not benefits given to employees covered under the various State unemployment insurance acts. It was that reasoning which prompted my rating and I think it was somewhat the same reasoning that caused the committee again to exercise its judgment as a result of these hearings and to take out certain benefits that were on the fringe. Bear in mind, if you will go into the committee hearings you will find that on investigation by the Railroad Retirement Board of claims that were filed, 20 percent of them were found to be fraudulent claims. What we are attempting to do here in the committee bill is to take out those marginal items which creates the possibility for all of these various claims that were found to be fraudulent.

Mr. Chairman, the committee has done a good job. It is not the same bill that I would like, it is not the same that the railroads want, it is not the same bill that the railway labor executives want, it is not the same bill that the shippers want. You have heard from all of them. Frankly, I think because of that, we have brought to this floor a bill which is in the keeping of the fine traditions of this House; namely, the committee has

worked its will. We have not satisfied all those concerned, but we have presented a good sound bill that if put into effect will give adequate unemployment compensation and will keep the retirement fund on a more nearly actuarially sound basis than it is at the present time.

I certainly hope that the House will support the committee. There are only 11 of the 31 who have dissented. Twenty-two apparently have said, "OK." I listened rather intently when the vote was cast in committee on this bill—no one asked for a rollcall—and personally I did no hear a negative vote cast against the bill when the vote was taken in committee.

Mr. BAILEY. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and eight Members are present, a quorum.

Mr. BENNETT of Michigan. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia [Mr. POFF].

Mr. POFF. Mr. Chairman, by reason of the shortness of time available, I cannot at this point undertake to deliver the speech I have prepared in its entirety.

Mr. Chairman, the Members of the Committee of the Whole are confronted with a rather confusing situation. Spokesmen for the railroads have painted an alarming picture concerning their present financial status and future economic prospects and they have registered unqualified opposition to H.R. 1012 which I understand will be offered as a substitute to the committee bill, H.R. 5610.

Spokesmen for the brotherhoods, on the other hand, have registered their unqualified opposition to H.R. 5610. The conflict of conviction would, at this point, appear to be irreconcilable.

It occurs to me that, in the midst of this conflict and confusion, it might be prudent to pause and inquire how those who help finance the railroad retirement fund, namely railroad workers, individually and collectively feel about legislation concerning their fund. If the entire matter were submitted by popular referendum to railroad employees, including those active, retired, and unemployed, how would they vote? In attempting to answer my own question I base my conclusions first on the results of a poll which I conducted last year concerning H.R. 4353—which is substantially identical to the railroad retirement provisions of both H.R. 1012 and H.R. 5610—second, on the sentiments expressed in an unusually heavy volume of daily mail; and third, on personal conversations with a host of railroad workers and their families whom I am privileged to count as personal friends. It would be inaccurate to say that there is unanimous agreement, but it is entirely accurate to say that the great majority of those who have communicated their views to me would favor the following in preference to either of the bills presently under consideration.

First. Unemployed railroad workers feel that they are entitled to an extension of unemployment benefits for a period certainly no shorter than that granted other jobless workers under the temporary unemployment compensation bill recently passed by the House. As of last January there were more than 200,000 railroad workers unemployed involuntarily. Over 40,000 of them had exhausted all of their unemployment benefits. More than 35 percent of those who were unemployed during 1958 were over the age of 45 years, and at that age it is common knowledge that an unemployed worker has virtually no opportunity to obtain employment in any other industry except that in which he is experienced. Surely, this Congress, having already answered the pleas of unemployed workers in other industries, cannot now turn a deaf ear on the pleas of unemployed railroad workers. The burden they suffer is no less acute than that of their neighbors across the street who work for other employers.

Second. Both active and retired railroad workers would, I am convinced, favor a repeal of the antique test period of 1924–1931 and the establishment of the 5-best-years rule, under the application of which the retirement benefits of workers—both active and retired—and their dependents and survivors would be substantially increased. Although the actuaries seem to be in some dispute among themselves, it does not conclusively appear that this method of increasing retirement benefits would be any more expensive than an across-the-board percentage increase.

Third. Most railroad workers currently employed would further favor (a) a reduction in the voluntary retirement age, (b) a repeal of the so-called last-employer clause, under which presently a worker loses his retirement benefits if, at the time he retires, he is holding some little side job—such as secretary or treasurer of a civic or fraternal organization—to earn a little additional income; and (c) repeal of the dual-benefits restriction on wives of retired railroad workers.

Mr. Chairman, railroad workers are reasonable men and women. They realize that any additional benefits awarded by Congress this year will require additional revenue to the fund. They know that the current operating deficit has been aggravated by the steep increase in unemployment. An unemployed worker necessarily can pay nothing into the retirement fund and his employer pays nothing on his behalf so long as he remains unemployed. In summary, the more workers unemployed, the less revenue and the less revenue, the greater the deficit in the fund's operation.

If additional revenue is essential to compensate for the revenue loss resulting from unemployment and if the workers are compelled to choose between an increased tax rate and an increased tax base, I am satisfied that a majority of the workers in my district would choose the former. Although such a plan is unavailable to many railroad workers in other sections of the country, many of the workers in my district are eligible for participation in a supplemental railroad retirement program to the extent that their wages exceed the taxable base established in the Railroad Retirement Act. Obviously, every time the taxable base in that act is increased, it adversely affects both eligibility and benefits under the supplemental retirement program. I understand that the increase in the tax base provided in the pending legislation is considered justified under the so-called interchange provisions of the law. That is a debatable argument.

It begins to appear that a monumental parliamentary snarl will develop when debate is concluded and the bill is read for amendment. At this point, it is uncertain which if any of the amendments previously referred to could be favorably considered on the floor. The uncertainty is complicated by the fact that, although independent bills embodying those provisions were pending before the Committee on Interstate and Foreign Commerce that committee failed to incorporate them into the bill which was finally reported. Moreover, rumors are extant to the effect that the adoption of those amendments on the floor would ultimately kill the entire bill unless those amendments collectively became a substitute for instead of additions to the committee bill. As a practical and parliamentary proposition, such a substitution is obviously impossible, and failure to pass any legislation—thereby denying unemployed railroad workers the extention of benefits previously granted workers in other industries—would be unthinkable.

Mr. Chairman, it seems to me that the conflict and confusion surrounding this situation should serve as a valuable object lesson. I believe all will agree that all of the confusion and most of the conflict could have been avoided had retirement legislation on the one hand and railroad unemployment compensation legislation on the other hand been considered as two separate bills. In the present state of things, the only realistic hope the workers have is that somehow during the future legislative process the snarl can be unraveled and agreement can be reached upon a fair compromise acceptable to all parties concerned. Of course, a compromise means that the bill finally voted upon will not completely satisfy any individual Member of Congress. If all of the 436 Members were granted authority to do so, each would write a somewhat different bill. However, those who are disappointed in the final version can take solace in the knowledge that there will always be another day and another opportunity to consider additional and different legislation. Such is the way of our American democratic process of lawmaking.

Mr. BENNETT of Michigan. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota [Mr. NELSEN].

Mr. NELSEN. Mr. Chairman, as a member of the Interstate and Foreign Commerce Committee I must compliment our chairman, the gentleman from Arkansas [Mr. HARRIS], for the conscientious, studious, and honest job that he has done relative to this legislation. I should also like to say that in the many

years that I have served in legislative bodies I have never seen a committee that has worked so conscientiously and carefully, disregarding party lines, to find an answer to a very serious problem.

Mr. Chairman, throughout all of these hearings I have visited with many men concerned with this legislation. Many have been in my office, and I want to compliment them. All of them have been very fine and very fair. However, to each of them I said this: The bill that has resulted from the deliberations of this committee is, in my opinion, the kind of a bill that I would want if I were a railroad worker about to retire. We have what I believe to be a bill that emphasizes the retirement feature, which is of importance, and we have tried to come up with an unemployment feature that is actuarily sound. We have tried to do the best we could with a very complex subject. As has been mentioned, the railroads feel that they were not given the right kind of a bill. There are some railroad workers who feel that they did not get the kind of a bill they wanted. But, we did our best to go down the middle with a bill that has the right economic stability and is in the best interests of those whom we represent.

Mr. BENNETT of Michigan. Mr. Chairman, I yield 15 minutes to the gentleman from Pennsylvania [Mr. VAN ZANDT].

Mr. VAN ZANDT. Mr. Chairman, I arise in support of H.R. 1012 which amends the Railroad Retirement and Railroad Unemployment Insurance Acts.

Frankly, I am reluctant to support H.R. 5610 because it is a modified version of H.R. 1012 which is nearly identical to the bill passed by the Senate last year and which died on the floor of the House in the closing minutes of the 85th Congress.

As many of you know, both the Senate and House committees held extensive hearings in 1957 on H.R. 4353 and Senate bill 1313 and I committed myself to that bill from the day the 85th Congress adjourned last year. I looked forward to fulfilling my promise that I would support similar railroad retirement legislation which is now embodied in the provisions of H.R. 1012.

For the information of the committee, I have received hundreds of letters in support of H.R. 1012 and only five letters in opposition to it.

In this connection, I do not wish to convey the impression that there is not a division within the ranks of active and retired railroaders regarding approval of H.R. 1012 because there is.

However, I am convinced that the great majority of active and retired railroaders in my congressional district favor the provisions of H.R. 1012.

On February 3, 1959 I testified in favor of the enactment of H.R. 1012 before the House Committee on Interstate and Foreign Commerce and again committed myself to work for the approval of such a bill.

Therefore, speaking frankly since I am committed to work and vote for H.R. 1012 I cannot in good conscience accept a watered-down version of H.R. 1012 as represented by H.R. 5610.

Mr. Chairman, I am supporting H.R. 1012 because I think it is a step in the right direction in recognizing the urgent need for amending the Railroad Retirement and Railroad Unemployment Insurance Acts.

It is not my desire to take up the time of the committee in discussing the principal provisions of H.R. 1012 and compare them with the provisions of H.R. 5610 which has been ably done by Chairman HARRIS and other members of the House Committee on Interstate and Foreign Commerce.

It so happens that I represent one of the largest railroad populations in the country both active and retired.

The 10 percent across the board increase in railroad retirement benefits will be very helpful to my people since the increased cost of living when coupled with a 49-cent dollar is working real hardship on them.

Living among these people as I do, the hardships that result from trying to live on a fixed monthly income are well known to me.

In all seriousness, let us ask ourselves if we could live on the average monthly benefits paid to beneficiaries under the railroad retirement system which are as follows:

	Average annuity	Average age
Retirement annuitants	$117.70	71.6
Spouse annuitants	51.60	71.0
Pensioners	81.70	73.0
Survivor beneficiaries	57.50	----------

These figures that I have mentioned represent the amount of monthly benefits that these good Americans are trying to exist on in face of the inflated cost of living.

Should either H.R. 5610 or H.R. 1012 be enacted into law these benefits will be increased by 10 percent.

However, the increase under H.R. 5610 will not become effective until 45 days after the bill becomes a law. On the other hand, under H.R. 1012 the benefits will be retroactive to January 1, 1959.

At this point let me remind the committee that many of us interested in this legislation are committed to the date of January 1, 1959 simply because the 85th Congress increased social security benefits effective on that date.

Mr. Chairman, I would like to comment on the provisions of H.R. 1012 which amends the Railroad Unemployment Insurance Act.

At the present time there are some 7,000 idle railroaders in my congressional district with most of them residing in the communities of Altoona, Tyrone, Du Bois, Clearfield, and Osceola Mills.

Out of this some 7,000 unemployed, about 2,000 have exhausted their eligibility for unemployment insurance benefits and as the months go by others will suffer the same fate.

These unemployed railroaders with years and years of employment in the industry are today depending upon public assistance benefits from the State of Pennsylvania only after they have given the State a lien on any real estate they may own.

In addition, they are forced to liquidate their life savings before they are eligible for public assistance benefits.

Yes, these unemployed railroaders are also trying to exist on surplus commodities and it is a pathetic sight to see enginemen, firemen, and mechanics with many years of seniority in the railroad industry standing in line to receive surplus food.

It may be of interest to the committee to know that 22 percent of the residents of my congressional district are today receiving surplus commodities and many of them are my neighbors and unemployed railroaders.

Many of you will remember the great anxiety demonstrated by Congress last year in extending State unemployment compensation benefits 13 weeks and only a few weeks ago we extended the period of eligibility for such an extension to June 30 of this year.

Meanwhile, no action was taken on extending railroad unemployment insurance benefits although some of us pleaded for such action.

While it is true that H.R. 1012 and H.R. 5610 provide extended unemployment benefits beyond the 130 days of normal benefits now allowed by law, H.R. 5610 differs from H.R. 1012 by drastically restricting unemployment and sickness benefits which have been part of the Railroad Unemployment Insurance Act since their adoption in 1938 and 1946.

In addition H.R. 5610 ignores languages now in H.R. 1012 concerning unemployment benefit periods which would be extended for workers with 10 or more years of service by 65 to 130 days depending on length of service beyond the 130 day maximum provided in the present law.

In a few words, H.R. 5610 while granting the extension of the benefit period to those whose eligibility expired actually takes away certain unemployment and sickness benefits that are now in the law.

Mr. Chairman, in connection with the cost of H.R. 1012 and H.R. 5610 they would both require the same increase in payroll taxes and broadening of the tax base, yet H.R. 1012 is more liberal in its benefits.

Then, in addition, the increased income will place the retirement system on a sound financial basis.

As many of you know, the retirement fund's deficit has been of great concern to everyone since the system is now operating with a serious deficiency of $213 million per year on a level cost basis.

In connection with financing increased benefits under the Railroad Unemployment Insurance Act, H.R. 5610 increases the present tax now paid entirely by the railroads from 3 percent to 3½ percent, while H.R. 1012 will require an increase of the tax to 4 percent.

When you take into consideration the more liberal benefits provided for H.R. 1012 the one-half of 1 percent differential in tax between H.R. 5610 and H.R. 1012 in my opinion justifies enactment of H.R. 1012.

Mr. Chairman, as I said in the beginning of my remarks I am supporting H.R.

1012 because I committed myself to its provisions last year.

Furthermore, I think H.R. 1012 is a step in the right direction in our efforts to liberalize the Railroad Retirement and Railroad Unemployment Insurance Acts to meet the needs of active and retired railroaders of the Nation.

Mr. AVERY. Mr. Chairman, will the gentleman yield?

Mr. VAN ZANDT. I yield to the gentleman from Kansas.

Mr. AVERY. Did I correctly understand the gentleman to say that there was a half of one percent differential in the tax provisions in the two bills?

Mr. VAN ZANDT. Yes, the difference between 3.5 and 4 percent.

Mr. AVERY. I do not quite believe that is the case. To which bill did the gentleman allocate which percentage provision?

Mr. VAN ZANDT. We are talking now about the Railroad Unemployment Insurance?

Mr. AVERY. Yes.

Mr. VAN ZANDT. And we are talking about the tax.

Mr. AVERY. I believe the gentleman will find the tax requirements are the same in both bills.

Mr. VAN ZANDT. I might put it this way: It is a fact that both bills will increase the tax to 3.5 percent, but, if my memory is correct, the Chairman of the Railroad Retirement Board when appearing before the committee said the 3.5 percent would not finance the increases and it would take 4 percent. That was the basis of my statement.

Mr. AVERY. I quite agree with the gentleman, but the tax rate requirement in the bills are identical.

Mr. VAN ZANDT. The gentleman is correct.

Mr. FLYNT. Mr. Chairman, I yield 10 minutes to the gentleman from West Virginia [Mr. STAGGERS].

Mr. BENNETT of Michigan. Mr. Chairman, I yield 10 minutes to the gentleman from West Virginia.

Mr. FLYNT. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and one Members are present, a quorum.

Mr. STAGGERS. Mr. Chairman, first I would like to speak to the gentleman from Kansas [Mr. AVERY] to tell him that when the substitute is offered, the objections that he raised in relation to the tax provision will be taken care of, and that the effective date will be after the enactment of the bill, if that is one of his main objections. I assure the gentleman, it will be taken care of.

Mr. AVERY. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield.

Mr. AVERY. I appreciate the gentleman's statement. It surprises me so because we have had all of these urgencies from the various States and the various districts telling us to vote for H.R. 1012 without amendment, and now the gentleman comes on the floor and says that he is going to vote for it.

Mr. STAGGERS. Did you get all these urgencies or did you hear of them by rumor?

Mr. AVERY. No, sir; I have a lot of them in my office, and I will be glad to show them to the gentleman.

Mr. STAGGERS. Is the gentleman referring to urgencies?

Mr. AVERY. Yes; to vote for H.R. 1012 without amendment.

Mr. STAGGERS. All right; we will not argue about that. By voting for H.R. 1012 with some of these things, you will get a better bill.

Mr. AVERY. I did not say that the gentleman who is now speaking was going to vote for H.R. 1012.

Mr. STAGGERS. I did not think you would be, but I do know that that was one of the things you were interested in in the comimttee.

Mr. AVERY. That is right.

Mr. STAGGERS. I tried to help the gentleman on that, and it will be taken care of in this bill. Another objection was raised, and I would like to have any objections you gentlemen have to the bill so that we can think about them a little bit—about the ability to borrow which will be included also in H.R. 1012 out of the railroad retirement fund, in emergencies, for purposes of the unemployment and sickness insurance fund.

Mr. AVERY. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield.

Mr. AVERY. Well, it would sound to me as if the gentleman was getting around to the point where he believes the bill, H.R. 5610, is a pretty good bill.

Mr. STAGGERS. With the exception of four of the most vicious things against the working people of the country that I have seen in a long time.

Mr. AVERY. Can we conclude that if the gentleman had a little more time to study the bill, H.R. 5610, he might be in favor of it in its entirety?

Mr. STAGGERS. No; but I believe if the gentleman from Kansas will pay attention for about 10 minutes, he will change his opinion a little bit about H.R. 5610.

Mr. AVERY. I assure the gentleman that I will pay attention.

Mr. STAGGERS. I am sure you will.

Mr. Chairman, I would like to have the Members of the Congress know this, that the railroad workers are treated differently from any other worker in America since and even before the passage of the Railway Labor Act in 1926. I am sorry that more members of the committee are not here, but I do see some who are present that I wanted to hear this because I have been a member of the committee for 9 years, and many things were said in the committee during the consideration of this bill which at that time I took at their face value, and now I wish to explain to the committee that those were just not the true facts—not that anybody, of course, tried to misrepresent the facts, but people just believed a certain way.

I believe that some of the members of the committee will vote differently when we vote on this bill.

I was explaining that the railroad worker is different from other workers in American industry. The railroad industry is a vital public utility, it is essential to the economic welfare of America, and it is essential to the defense of America in time of war. That has been proved in the past. That was one of the reasons the Railway Labor Act was passed in 1926. That act affected drastically the rights of railway workers to bargain and to strike. The Congress was later asked to legislate on railroad retirement and unemployment insurance matters, and it did legislate in these fields for the railroad worker. Since then they must come to the Congress to tell their story.

The substitute, H.R. 1012, is essentially the same as H.R. 4353 that was voted out of the committee last year and that passed the Senate. Someone said on the floor that the railroad industry could not stand the cost of the increased unemployment benefits. If you will follow the figure in the Senate last year, the committee reported a bill out, S. 1313, that carried twice the unemployment benefits that the Senate actually passed. This bill was approved by a substantial majority of the committee after 4 months of hearings. But because they wanted to get a bill passed, the chairman of the subcommittee came to the House during the Senate debate and talked to the chairman of the committee on this side, and they reached an agreement on the bill that they thought could be passed. They cut the extended unemployment benefits in half, because they tried to get the bill through in the closing days. The Senator in charge of the bill over there stated that such an agreement had been reached.

As has been explained by the chairman, the parliamentary procedure prevented that bill from being brought to the floor for passage.

When the President signed the bill to give increased retirement benefits to railroad workers in 1956 without financing provisions, he requested that legislation be enacted to make up this difference. There is no difference in the benefits or cost of the retirement provisions of H.R. 5610 and H.R. 1012, with the exception of the effective date. This will be taken care of by the substitute bill so that there can be no objection in that regard.

Now we come to the parts of the bill that are in disagreement. That disagreement is on the unemployment and insurance provisions. The chairman told you that in the last 10 years approximately 600,000 railroad workers had been furloughed. I think that figure is a little excessive, but we will take that figure. Now the contention is that by expanding the benefits more men are going to be furloughed and we will drain this fund. I say the workers are furloughed down to the hard core; men who have been in the railroad industry. Before a railroad can hire a new man, according to the prevailing seniority systems, on railroads, they must first rehire their unemployed workers.

One thing that has never been explained about the bill: When a railroad worker was hired by a railroad he was led to believe that part of the pay package would be the unemployment insurance which he would receive if he was

laid off. That has been in the act since 1938. That was part of his pay that he expected to get all through the years.

Here we come now and say, "We are going to cut your pay. Not only that, but you who are employed are going to be taxed to pay for the increased retirement benefits to men who are retired."

Is that fair to the workers of today? Of course not.

Another thing which has not been explained is the way the "benefit" year and the "base" year work. The base year is the calendar year, January to December. And the benefit year in which he can draw benefits deriving from his base year earnings—and these must be at best $400 for the base year under present laws. He must wait 6 months to be eligible for benefits based on the base year and then only if he has worked for the required minimum earnings. He cannot draw his benefits immediately that first year unless he has a previous base year with qualifying earnings. It has been said in committee that a great many men went to work for 2 or 3 months during the summer, then drew unemployment benefits. That is not so, for they could not get their benefits until July in the year following unless they had an earlier qualifying base year.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield.

Mr. HARRIS. The gentleman has presented a very interesting point that the membership of the House should in my opinion understand.

Mr. STAGGERS. I think it is very important.

Mr. HARRIS. That is the question of the base year which entitles an employee to benefits; then there is your benefit year. Is it not true that if a man is entitled to unemployment insurance during the base year, which might be the year before, and if it is, then he is entitled to benefits at that time in that benefit year.

Mr. STAGGERS. If he has built that up over the past preceding years. I am going on to explain that. It has not been explained before.

Mr. HARRIS. If the gentleman will permit me to continue I will yield him additional time.

Mr. STAGGERS. I thank the gentleman. I yield.

Mr. HARRIS. As a matter of fact, talking about these seasonal employees, that is a matter that has caused a lot of concern in this industry. During certain times of the year it is necessary to have additional employees for certain purposes such as for maintenance of rights-of-way, and so forth. If unemployment occurs, for example, in the year 1957, then beginning in July of 1957 he would be entitled to his unemployment benefit based upon the base year of 1957 and for the earlier part of the year 1957 his benefits would be based on the calendar year 1956. Is that not true?

Mr. STAGGERS. That is true.

Mr. HARRIS. Then after July 1 of 1959 he would be entitled to the benefits that he would get from the previous calendar base year of 1958. Now, that is true; is it not?

Mr. STAGGERS. I was going to go ahead and explain it because it has not been brought out. The railroad workers have been led to believe over the years that unemployment benefits and sickness insurance were part of their pay. The employee certainly does not expect the company to come along later and say it is going to cut down his pay a little. These benefits are what the employees expect as part of their pay; they have worked for it the year preceding; it has built up a "benefit year." It is not right to come along now and say, "We are going to cut you out of part of your pay." I do not see how you can explain that to the railroad workers in this day and age. They have had these unemployment benefits for 20 years and sickness insurance for some 12 years as part of their pay, the benefit of partial compensation during periods of unemployment and sickness. Are we, through this act, going to take away from the railroad workers what has been rightfully theirs?

Cost has been talked about quite a little, that the costs of the amended bill will be $45 million. Let me tell you that even including the additional extended benefits we are talking about, the bill, as we would amend it, will cost no more than about $14 million more for unemployment and sickness than H.R. 5610. Certainly the Congress of the United States should act intelligently on this matter.

Then there are some questions of maternity benefits, as well as the matter of firing for cause and voluntary quits. The women railroad workers of this country were hired under certain definite understandings of what they could expect should they get married, or if they were already married and a child should come along. They were to get retirement, unemployment, sickness, and maternity benefits in accordance with existing law, and the railroads knew it. These women have coming to them for periods of maternity leave the 130 days of sickness that every other railroad worker in America has today. Most of the women who are now employed are older women.

Referring back to the extended benefit periods and these seasonal workers who are hired and have no seniority, I point out that the railroads cannot hire these workers until after they take back the people who are on furlough. We are now getting down to the hard core of workers, men and women who have reached the age of 40 and 45 years, with families. They are highly specialized people. They cannot get jobs elsewhere. We have 5 million unemployed in America today. All we are trying to do is to take care of the older ones just a little bit.

We agree it is going to cost a little bit more, but do you know that that additional cost goes into the operating expenses of the railroads and they deduct these costs for income tax purposes. They pay an income tax only on net income. The cost of the unemployment insurance program is, as I say, deducted as a business expense.

I want to be fair to the railroads. Any time any legislation has come up here to benefit the railroads I have voted for it. There is not a representative of any of the railroads can say differently. I was for the Transportation Act. I talked for it, I argued for it, and I spoke to one or two railroad presidents and asked them what I could do.

Mr. BAILEY. Mr. Chairman, I make the point of order a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred ninteen Members are present, a quorum.

Mr. STAGGERS. Mr. Chairman, in connection with maternity benefits I only want to say one additional thing and I shall close. Most of the women who are employed in the industry today are older women who were hired with the full knowledge of those who employed these women that they were under this act. Now, then, there are those who want to come back and renege upon the understanding had with these women and to say that the contract is void and that Congress should do something about it. They are not younger women who are being employed. They are the older ones, the same as the men who are in the industry.

I do not think we can afford to do what is proposed here. For the bill does not allow to those women who are pregnant the benefits they were led to expect and which should be theirs under the law. There is not any more compensation.

We come, now, to the voluntary quits. Here are men and here are women who built up, they thought, rights in an unemployment insurance fund and been led to believe through the years to expect to receive a benefit from it. It may be that some quit to take a better job someplace else, and they are told: "Well, you quit; you went over there to take another job." And, probably they did. For the time they work, of course, they are not eligible. But then they are laid off from that new work; maybe they are fired. Under the present law they have every right to believe that they can come back to obtain their share of the unemployment fund that has already been paid for them. The money is already there. And yet under H.R. 5610 they cannot come along now and collect. There are a lot of people who cannot work because of sickness, and when the time comes that they are ready to return, they say "You were not here; you just voluntarily quit, and you are not entitled to sickness compensation." Now, I only want to be honest about this thing and not say anything that is wrong. I have always said that as far as freedom of speech is concerned, any man ought to be able to make a statement that he can defend. Many men make statements that they cannot defend, but I will defend each one I make.

Now, on this proposal to disqualify a worker for unemployment benefits because of a firing for cause. Let me give you a personal example. I worked for the railroad one time. I was a brakeman on the Mountain Division of the B. & O. Railroad, a fine, high type of railroad. I have no quarrel with them. One evening, on a dark and dreary, rainy evening, I was the middle brake-

man. There was an emergency stop. The flagman had to go back a little further than usual in order to protect the train. What the emergency was I do not remember. And, there was a 17-mile grade. And, the engineer blew the whistle and started the train, and I could see the rear flagman running with his lantern in the distance, in the fog and the rain, and he ran as hard as he could to catch up. He kept falling further away. I decided I would get that flagman on. I pulled the air on the air brakes. The conductor had gone to the head of the train to talk to the engineer when it happened. Of course, my action stopped the train. The conductor then came back and told me, "For doing that, I am going to have you fired." And, do you know, I did not ride on the caboose the rest of the time; I rode on the engine. When I got back to my home base he had an investigator come to my home to talk to my mother and dad and did everything he could to show that maybe I was not of age, although the company knew when they hired me that I was not of age.

The CHAIRMAN. The time of the gentleman from West Virginia has expired.

Mr. HARRIS. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. STAGGERS. At the caprice of one conductor I could have been fired. But, I was not fired because after that summer I had enough sense to know that I should get on to school and do something else; that railroading was not for me. That is just an incident. I could, however, have been blacklisted from that time on by that railroad and most other railroads if I had been fired because they thought I had done something wrong. I was only doing what was human; here was a man left out 10 miles from civilization, almost, in between the mountains, and I got him aboard. It did not hurt the train a bit. But it hurt the conductor. He said it almost threw him into the firebox. Now, that is an example of a possible firing for cause at the caprice of anybody who does not like you. Maybe you do not walk right or you do not wear the right clothes and they fire you for cause. Of course you have the right of appeal. But that appeal will take some time, maybe 2 years or more. Meanwhile here is a family with five or six children with nothing to eat, and the unemployed worker is trying to fight his case in court. What about his family? Here is a fund that, in effect, he has paid into, although not directly, that he has a right to expect benefits from, and his family has nothing to eat. We would take that right away from him by this bill, H.R. 5610. It is not fair, and I believe you will agree with me that it is not fair.

Mr. AVERY. Mr. Chairman, will the gentleman yield at that point?

Mr. STAGGERS. Yes, I yield.

Mr. AVERY. I recognize the gentleman's sincere interest in the welfare of the railroad employees.

Mr. STAGGERS. Not only the railroad employees, but the railroads and the people of this country.

Mr. AVERY. Yes; of course, it is a public interest.

Mr. STAGGERS. Certainly, it is; it is yours and mine, too.

Mr. AVERY. Of course. Now with respect to the statement the gentleman has made on several occasions, that when a railroad worker goes to work for a railroad, they assure him that his unemployment compensation will be part of his pay——

Mr. STAGGERS. I did not say that. He knows that is part of it. That is the law of the United States. Both understand the law; they do not have to tell him that.

Mr. AVERY. If the gentleman will permit me to ask the question, the gentleman stated on two other occasions this: That the Railroad Unemployment Insurance Fund was part of his money, had been taken out of his pay.

Mr. STAGGERS. I did not say that; I beg the gentleman's pardon. The railroads pay it. They pay it into the fund. I would not have anyone think that I said that any railroad worker pays it directly. The gentleman either was not listening attentively or, if I did say it, I am sorry. If the gentleman will permit me to continue, maybe I can clear that up.

Mr. AVERY. The gentleman has the floor.

Mr. STAGGERS. And then, I shall be glad to yield to the gentleman, if he has any other question.

The only thing the railroad worker pays into directly is the retirement fund. He pays into that equally with the railroad. But the other is paid by the railroad. That is part of the law of the United States. The money is paid into that fund. The money is put into the fund for them, as part of their insurance; unemployment insurance it is called.

Does that answer the question? I want to make that clear. They do not pay it, but the railroad is assessed, when the man works. The railroad says, "We will deposit that into the fund." That is what they do, do they not? They do not wait for years afterward to pay it into the fund.

Mr. AVERY. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield.

Mr. AVERY. This gets to be rather a technical matter. We are directing our remarks to the unemployment insurance fund, is that right?

Mr. STAGGERS. Yes.

Mr. AVERY. The gentleman is aware, I am sure, that there is also a sliding scale. It depends upon what the balance is on September 30 of each year.

Mr. STAGGERS. If the gentleman will let me explain that, I would like to do so.

Mr. AVERY. I think that might clear the matter up.

Mr. STAGGERS. I can explain that. When the balance goes up the tax rate goes down. Did the gentleman know that they declared a moratorium on this fund, I think it was about 1948, and they did not pay more than at the one-half percent rate until about 1955? There was almost $1 billion in the fund and then we let it go down to a certain point before we started paying again.

Mr. YOUNGER. Mr. Chairman, will the gentleman yield for a correction?

Mr. STAGGERS. I yield.

Mr. YOUNGER. Those figures were some $950 million, in round figures, and last year it dropped to $85 million.

Mr. STAGGERS. The railroads had not been paying in at the full rate for a number of years. Now they have found that they have to pay more.

The CHAIRMAN. The time of the gentleman from West Virginia has again expired.

Mr. HARRIS. Mr. Chairman, I yield the gentleman 3 additional minutes, and I would like to ask the gentleman if he will yield for a clarification.

Mr. STAGGERS. Mr. Chairman, I am glad to yield to the Chairman.

Mr. HARRIS. I think this should be well understood.

Mr. STAGGERS. The gentleman knows that I do not want to leave any wrong impression.

Mr. HARRIS. I know the gentleman does not want to do that, and I do not, either.

Mr. STAGGERS. I know the gentleman does not.

Mr. HARRIS. The gentleman was discussing the provision of this bill which says that anyone who is discharged for his own misconduct would not be eligible. Some might get the idea from the discussion today that this bill would make anyone who was discharged for cause ineligible. The committee very meticulously, very carefully distinguished the difference between misconduct and discharge for cause. I am sure the gentleman will agree with reference to the incident that he related a few moments ago, that that discharge would have been for cause, and would not have been prohibited by this bill.

Mr. STAGGERS. I will agree with the gentleman. But who is going to tell him that it is for cause? The men who do the firing. And then it has to go to an appeal. We know what are the whims of men, of human beings. You have to have a rock bed when you are traveling, you have to know what you are doing.

I should like to explain one thing further, and that is this 90 days restriction in H.R. 5610 on sickness benefits, that after a man has been away from his railroad employment for 90 days not counting time for which he is eligible for unemployment and sickness benefits, and then gets sick, he cannot draw sickness pay. Yet I say that is part and parcel of his pay, that when he went to work for the railroad, he began to build up in his working years—the base years—eligibility for sickness pay if he got sick.

The other day, I think it was the bill H.R. 4601, you put back on the retirement rolls, the annuity rolls, hundreds of men in America who had committed acts against this Government and other wrongdoing. You put them back on the rolls and said, "We are going to give you your benefits." You did it almost unanimously, 367 to 9. Are you today going to say to the railroad worker who has been fired, ostensibly for cause, by some man who perhaps does not like him, "We

are going to take away your benefits"? I do not think you are, because the working men of the Nation are just as good as white collar workers you gave back benefits to. He should get the same just dues. Under the "Hiss Act" you took away from these other men these benefits, yet the other day you said you had made a mistake, even though they had done some of the worst things on earth. You let them come back. I am certain you do not want to discriminate just because a man is a railroad worker.

Mr. HARRIS. Mr. Chairman, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. RODINO. Mr. Chairman, I rise in support of the original Harris bill, H.R. 1012. As Members of the House know, a strong effort will be made by a group of members on the Interstate Commerce Committee to substitute this bill for H.R. 5610.

The bill as reported by the committee contains many inequities and would do great damage to the Railroad Retirement and Railroad Unemployment Insurance Systems. I believe strongly that we must not permit retrenchment in the area of retirement legislation. We must continue to improve our programs as our economy expands.

In the years that I have served in Congress I have been proud to support the legitimate efforts of the railroad brotherhoods to make their retirement and unemployment systems more effective. The original Harris bill, H.R. 1012, does exactly that. I believe that a majority of the House will agree with me when I say that we must not enact legislation here today that will take away from railroad employees benefits that they have enjoyed for many years. It is for this reason that I intend to support a move to substitute H.R. 1012 for the committee bill.

Mr. Chairman, our country has become the great Nation it is, respected throughout the world, because it was founded, and has continued to act, on the basic principle that human values come first. We believe in action for the benefit of people, individual human beings, and we believe that the good of the people is superior to that of any special interest.

The choice which now confronts the House between H.R. 5610, the bill reported out by a majority of the committee, and H.R. 1012, the original compromise measure, is, as I see it, a choice between human, social values as represented by the Harris-Bennett bill, and retrogressive, special interest legislation proposed by H.R. 5610. H.R. 1012 proposes to help our needy aged and retired and unemployed and sick railroad workers and members of their families. H.R. 5610, on the other hand, would take away from these people benefits which they have been entitled to since the beginning of the railroad retirement and railroad unemployment insurance system. H.R. 5610 would take this action, moreover, at a time when unemployed railroad workers are desperately in need of help—not repressive legislation.

Many of you may have been persuaded by the railroads that they are in a poor financial state and that the provisions in H.R. 5610 are therefore necessary. I say without hesitation that this is certainly not the case. In the first place, there is no basic difference in the rates which would be imposed by H.R. 1012 and H.R. 5610. Whatever benefits the railroads would derive from the latter would come solely through the money they would save by denial of unemployment insurance payments to workers who would be denied such benefits because of H.R. 5610's new and stringent limitations up such benefits.

But the railroads now are enjoying a period of net income near their peak earnings. Railroad workers on the other hand are confronted with the worst unemployment crisis their industry has ever seen. The railroads, on the other hand, last year were given substantial help by this Congress. The benefits from this legislation to aid the railroads will continue throughout the years ahead. Railroad employees, however, got no help from Congress last year, although 300,000 of them became unemployed and over 70,000 exhausted all railroad unemployment insurance benefits. The need, at the present time, is for help to the railroad workers.

H.R. 1012 has already been greatly compromised from the original railroad retirement and railroad unemployment insurance legislation which was introduced to meet the problem of higher living costs and record railroad unemployment. I am certain that, in shaping H.R. 1012 to its present form, the fact that the railroads were suffering from a recession last year when this legislation was being drafted resulted in severe cutbacks in the original proposals. The railroads have now recovered from the recession, but their workers are still suffering drastic unemployment. In such circumstances, I remind you of the great tradition of this country that human values must come first. I am confident that, if the Members of this body remember that principle they will be true to it. You will show that the House of Representatives is concerned about the welfare of railroad workers, as human beings, by voting to substitute H.R. 1012 for H.R. 5610. Do not, I beg you, cut the very heart out of these workers who have served the Nation so well by imposing upon them new restrictions upon unemployment insurance at a time when they need the benefits they have earned so desperately.

Mr. BENNETT of Michigan. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. COLLIER].

Mr. COLLIER. Mr. Chairman, few major bills, I daresay 1 out of 50, ever gets through committee without amendments. Regardless of how vocal or how adamant the supporters of any bill might become, and regardless of the pressures that are brought to bear either by the proponents or the opponents of any bill, the members of every legislative committee must maintain their right to exercise their best individual and collective judgment on any legislation it reports to this House. Those who feel there is no room for compromise within these legislative deliberations, those who arbitrarily say, "We are 100 percent right, and we want everything we ask, nothing less," I think are taking an approach that is inclined to be a little destructive of the best interests of the normal legislative process. I submit that this would be the case whether it would be management, labor, or any other group.

The bill before this House today represents many hours of hard work, careful study, and, I am sure, unbiased deliberation on the part of the Committee on Interstate and Foreign Commerce. Let us remember that the amendments adopted in the committee were bipartisan in their nature.

After the majority of the members of this committee, both Republican and Democratic, exercised their best judgment, the committee was accused in a press release and in congressional communications by the railroad labor organizations of callous disregard for the plight of the railroad worker.

Whether or not this charge was in poor taste is of secondary concern, but I do believe it is an affront to the majority of the members of this committee who worked diligently on this bill.

H.R. 5610, the bill we have before us today, provides for a 10 percent increase in the railroad retirement and survivors' benefits.

H.R. 5610 provides for an average increase of 20 percent in the daily benefit rates for unemployment and sickness.

H.R. 5610 provides for a maximum tax rate of 3½ percent of payroll up to $400 per month for each employee to finance the unemployment and sickness insurance benefit program, which is one-half of 1 percent more than is required under present law.

The tax is paid only by the railroad industry.

If the substitute bill, H.R. 1012, had passed in its original form, as was pointed out previously, it would have been necessary to increase the payroll tax for unemployment insurance and sickness benefits to 4 percent.

In view of these basic provisions in the bill, passed by the committee, can anyone here honestly conclude that it represents a callous disregard of the plight of the railroad workers? Granted, it may not have everything requested in the original bill, but I repeat, it certainly does not represent any callous disregard on the part of any member of the committee. I, and every other member of the committee, are vitally interested in the welfare and well-being of the railroad workers and, particularly, the pensioners across the country. The fact of the matter is that Congress has a responsibility in dealing with the future soundness of the railroad employees and retirees' fund. Congress is also charged with the responsibility of making certain that the railroad retirees of today and tomorrow are given some reasonable guarantee that funds will be

available to meet their anticipated needs. To ignore these basic responsibilities or succumb to demands for sheer expediency would not be prudent nor right, in my opinion. Certainly, we cannot be oblivious to the financial conditions of the railroad industry at the present time nor to the trend that stares the future of the industry squarely in the face. The history of the railroad industry in the past few years is certainly evidence of that. To ignore the fiscal condition of many railroads today is in the long run a reflection of disregard for the railroad workers too.

There are several railroads in the country today that we all know are operating in the red. Is there anyone here who can give me, or any other Member of this Congress, the assurance that these conditions are going to improve in the years ahead?

I would like to tell you a little story of a bus line in my district because I think it is pertinent, and I think certainly if for no other reason, regardless of whether you agree or disagree with the stand I take on this legislation, it is something that we ought to think about. In my district there has been a bus line in operation as a commuter service, for many, many years. For the past several years, it has been operating in the red. They had, and I think in good conscience, attempted to meet the demands of the workers of the bus line, the drivers and the repairmen and so on. But be that as it may, the fiscal condition did not improve. This year, additional demands were made upon the firm. I do not say that the demands may not have been in order, but the fact remains that you cannot get 3 pounds of rice out of a 2-pound bag. So—what happened to the bus line? It folded up lock, stock and barrel. It is no longer in business. There are some 200 bus drivers out of work. I simply present that because I think we may well be faced with the same situation in the railroad industry. Again, I say, no one can offer any guarantee as to whether or not this trend in the railroad industry is going to continue as it has in recent years. I again say we must be certainly conscious of this fact, and we must be aware of these things if we are to look after the best interests of the workers and particularly the pensioners in the years ahead. In conclusion, I submit that this bill is a compromise. It may not be everything we would like it to be, but I do think it is rational and I do think this is a sensible approach to the problem. Certainly, it is not a step backward. I think today we ought to pass the bill which the committee adopted and reported to the House. I think it is a sensible thing. It is certainly not a step backward but instead a step in the right direction.

Mr. Chairman, I yield back the balance of my time.

Mr. WILLIAMS. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. MACK].

Mr. MACK of Illinois. Mr. Chairman, I am somewhat confused as to why we are having this big argument this afternoon. For some 3 years the Committee on Interstate and Foreign Commerce has been working on this particular railroad retirement and unemployment insurance legislation. During the last Congress our committee reported a bill H.R. 4353 which I believe is identical with H.R. 1012, which was introduced this year, with the exception that H.R. 4353 provided for a 7-percent increase in retirement and survivor benefits instead of a 10-percent increase in such benefits which H.R. 1012 provides. This bill was approved in its entirety last year by our committee. It came out in the closing days of the session and did not have an opportunity to be passed by the House.

During the last Congress the other body reported out a bill almost identical with the bill introduced this year. It was passed by that body and sent to this House in the closing days of the last Congress. I took that to mean that the committee and the Congress last year wholeheartedly approved the provisions, certainly our committee approved of the provisions, of this legislation. So, at the beginning of this year I joined with my distinguished chairman [Mr. HARRIS] and other Members of Congress in reintroducing H.R. 1012. I think it contains all of the results of the activities of the past 3 years. It represents a compromise and a fair bill, and I think it should be considered and adopted. That is the reason I am supporting the bill today and supporting any move to substitute H.R. 1012 for H.R. 5610.

I introduced H.R. 3736 an identical bill to H.R. 1012, and I was joined by several colleagues who felt this was the right approach to this problem. I would like to take the time to read the names of the Members who introduced substantially identical bills this year: Mr. BENNETT of Michigan, Mr. VAN ZANDT of Pennsylvania, Mr. PORTER of Oregon, Mr. ZELENKO of New York, Mr. GEORGE P. MILLER of California, Mr. RHODES of Pennsylvania, Mr. LOSER of Tennessee, Mr. O'NEILL of Massachusetts, Mr. FRIEDEL of Maryland, Mr. STAGGERS of West Virginia, Mr. BAILEY of West Virginia, Mr. FOLEY of Maryland, Mr. MCDOWELL of Delaware, Mr. VAN PELT of Wisconsin, Mr. FLYNN of Wisconsin, Mr. BROYHILL of Virginia, Mr. TOLLEFSON of Washington, Mr. JOHNSON of California, Mr. BLATNIK of Minnesota, Mr. MACDONALD of Massachusetts, Mr. REES of Kansas, Mr. CLARK of Pennsylvania, Mr. PERKINS of Kentucky, Mr. MCGOVERN of South Dakota, Mr. BARING of Nevada, Mr. FLOOD of Pennsylvania, Mr. MOORE of West Virginia, and Mr. TELLER of New York.

I think that indicates that there was substantial support for this legislation when it was introduced this year. As I said before, I joined with the chairman in the introduction of this legislation, and I believe the chairman fully supported the bill at the time it was introduced. I understand his position probably has been influenced somewhat by the fact that a majority of the members of our committee amended this bill and reported out H.R. 5610.

I would like to take the time today to let the membership know what we are trying to do for the railroad workers of America. Therefore, I want to quickly review what is included in H.R. 1012, which I believe will be introduced as a substitute under the 5-minute rule this afternoon. If it is, I think it should be supported and adopted in lieu of H.R. 5610.

Mr. Chairman, H.R. 1012 would amend the Railroad Retirement Act, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act. This bill would provide for a 10-percent increase in retirement and survivor annuities. It provides that women and spouses could elect to retire at age 62 at a reduced annuity. It also provides that disabled annuitants would earn up to $1200 a year instead of $100 a month under present law. It would increase the creditable compensation from $350 to $400 a month.

The Railroad Retirement Tax Act would be amended as follows:

Effective on January 1, 1959, the maximum taxable base would be increased from $350 to $400 a month per employee. Beginning with January 1, 1959, and continuing through December 31, 1961, the employer and employee tax rate would be increased from the present 6¼ percent to 6¾ percent each. Beginning with January 1, 1962, the employer and employee tax rate would be increased again to 7¼ percent each. In addition, the employer and employee tax rate is scheduled to increase again after 1964 by a number of percentage points equal at any given time to the number of percentage points by which the rate of tax under the Federal Insurance Contributions Act—for social security purposes—at that time exceeds the rate provided by paragraph (2) of section 3101 of the Federal Insurance Contributions Act as amended by the Social Security Amendments of 1956—such rate being 2¾ percent.

The increase in the tax base and contribution rates proposed by the amendments to the Railroad Retirement Tax Act, I am happy to state, will produce sufficient revenue for the retirement system to pay for the 10-percent increase in benefits proposed by this bill, and to virtually remove the actuarial deficiency which now exists, thereby placing the railroad retirement system in a sound financial condition.

H.R. 1012 would amend the Railroad Unemployment Insurance Act to provide that unemployment benefits be paid for days of unemployment in excess of 4 days in the first registration period in a benefit year. Under the present law these benefits are not payable during the first registration period within any benefit year for days of unemployment in excess of 7. This bill provides for a new schedule of increased daily benefit rates ranging from a minimum daily rate of $4.50 to a maximum daily benefit rate of $10.20. The minimum daily rate payable would not be less than 60 percent of the daily rate of compensation for the employee's last employment in which he was engaged for an employer during the base or calendar year, providing this does not exceed the maximum amount of $10.20 per day.

Extended unemployment benefit periods beyond the 130 days allowed by present law would be provided as follows:

First. An employee with less than 10 years of service who has after June 30, 1957 exhausted his rights to unemployment benefits under present law would receive additional temporary unemployment benefits for days of unemployment not exceeding 65 days which occur in registration periods beginning on or after June 19, 1958 and before April 1, 1959.

Second. An employee with 10 but less than 15 years of service, upon exhaustion of his rights to normal unemployment benefits under present law in a given benefit year would be entitled to an additional 65 days of unemployment benefits in an extended period of 13 weeks on a permanent basis.

Third. An employee with 15 or more years of service, upon exhaustion of his rights to unemployment benefits under present law in a given year would be entitled to an additional 130 days of unemployment benefits an extended period of 26 weeks on a permanent basis.

This bill would provide that Sundays and holidays could be compensable days of unemployment whether or not Sundays and holidays are preceded and succeeded by a day of unemployment.

To finance these increases in unemployment and sickness benefits the tax base would be increased from $350 to $400 a month and the tax rate would be changed from a minimum of 1½ percent to a maximum of 3½ percent depending on the balance of the Railroad Unemployment Insurance Account.

Mr. Chairman, this bill, H.R. 1012, which, as I said, will be offered as a substitute this afternoon is being supported by all 11 Members who signed the minority report, and it is being supported by a substantial number of Members who are familiar with the problems of unemployment in the railroad industry.

The unemployment features of this bill are, in fact, identical with the bill approved by the Interstate and Foreign Commerce Committee last year, and they are identical with the features of the bill which was approved by the other body during the last Congress.

Mr. Chairman, I wanted to present the features of H.R. 1012 because I am proud of that bill and I am proud to have associated my name in the introduction of this legislation. I believe it is the right kind of bill to be passed here this afternoon. It is not a discriminatory type of bill. I believe that there are certain features in H.R. 5610 that are unworkable and that would merely sabotage the operation of the unemployment compensation features of this program.

The objectionable points that would cause this difficulty have been mentioned. I know they will all be covered. There is one point on voluntary quits that I would like to mention.

If I am working for a railroad and I have an argument with my boss and he says, "You are fired," and I say, "You can't fire me; I quit," then under H.R. 5610 I would deprive my family of any unemployment compensation. That just should not be.

There is another sleeper in this bill that you want to be concerned about and that you should look into. That is to be found on page 18 of H.R. 5610. You should read this section with considerable caution. You also want to look into the report to see how they tried to explain that section.

Mr. BENNETT of Michigan. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. MACK of Illinois. Mr. Chairman, if you will look at the report which covers this particular section, page 41, you will see that they do not quite explain the provision concerning the 90-day limitation on eligibility for claiming sickness benefits. Here is how that will affect workers in the railroad industry.

This portion of the bill would eliminate any person who tries to do a good job, who tries to comply with the requirements of the Railroad Unemployment Insurance Act by seeking a position in other industries. As you know, they are required to seek employment when they are laid off by the industry before drawing unemployment compensation. If they go ahead and take a job in some other industry, only temporarily, they are penalized. Many employees of a railroad may be laid off, even senior men may be laid off, for extended periods of time in the winter months and during the bad weather seasons. If they are laid off for 3 months and they take a job in another industry and keep that job for 90 days they deny themselves sickness benefits.

What that provision means, in practical effect, is that a railroad employee, of no matter how many years of service, who is displaced permanently from railroad employment will lose all rights to sickness benefits if he works a temporary outside job for 90 days.

The supposed justification for this provision is that the railroad industry should not continue to be responsible for wage losses due to illness of people who have left the industry. But this theory does not fit the facts. We know that today, and for several years past, employees with long years of service are being laid off. If they want to protect their seniority rights they must be available for any railroad work to which they might be recalled. At the same time, they must take any temporary suitable work in other employment that is available to them—otherwise they would be disqualified for unemployment insurance benefits. Now H.R. 5610 would say to them that if they work such a temporary job for 90 days, all rights they have earned by way of protection against loss of wages when sick or injured are gone.

Such a proposal cannot be defended. This is another example of long established benefits destroyed by H.R. 5610.

I say this is only one instance in this bill where you have a sleeper which will sabotage the operation of this whole program. Therefore, I appeal to you to vote for the bill that was considered during the past year, a bill that is supported and sponsored by the railway employees themselves. I hope you will support the move to substitute the bill H.R. 1012 this afternoon for the present bill.

Mr. BENNETT of Michigan. Mr. Chairman, I ask unanimous consent that the gentleman from Virginia [Mr. BROYHILL] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BROYHILL. Mr. Chairman, I rise in support of the need for equitable railroad retirement and unemployment legislation which would be accomplished by the enactment of H.R. 1012 and wish to speak in protest against the grievous wrong this Congress would be committing if it agrees unquestioningly to passage of H.R. 5610, as recently reported by the Committee on Interstate and Foreign Commerce.

This bill, though ostensibly generous in nature, in fact takes us back rather than forward in our attempts to solve the problems which now exist under our railroad retirement and railroad unemployment insurance laws. It represents an unreasonable violation of the rights and needs of a group of our most important citizens.

When Congress passed the Railroad Retirement Act of 1937, now an act of more than 20 years' standing, it assumed responsibility for maintaining an adequate and equitable railroad workers' benefits system. This responsibility is not one we can afford to ignore. Thousands of people—railroad workers and their families—can suffer, or prosper, according to our action.

These people have had reason to believe that we would not let them suffer, that we were alert to their problems and would act to alleviate them. There is little question that appropriate legislation would have passed the 85th Congress if it had not been lost in the scramble for adjournment.

A bill relating to railroad retirement and unemployment insurance was introduced to the 86th Congress at the beginning of the session. This was H.R. 1012 and similar bills, one of which I introduced, which included substantially the same provisions as a bill which passed the Senate last year. It was referred to the Committee on Interstate and Foreign Commerce, and extensive hearings were held on it this spring. I had the privilege of testifying at that time on my bill and H.R. 1012.

The next stage in the history of the bill is well known to all of us. It was relentlessly cut back by amendments adopted by the committee, and has emerged, virtually unrecognizable, as H.R. 5610.

I am happy to say that a large minority of the committee agrees with me that this reported bill is unacceptable, and that it is necessary for us to support instead the passage of H.R. 1012, as originally introduced to the House. Badly as we need legislation in the field of railroad retirement and unemployment insurance, we cannot be swayed by accepting the expediency of passing a badly conceived bill, which is what I consider the reported bill to be.

Both bills contain highly important provisions for 10-percent increases in railroad retirement benefits, and for increasing the tax rate and the tax base for financing these benefits. Both also include provisions for bringing the present railroad legislation into line with recent liberalizations and improvements in the social security system, such as making it possible for women employees of long standing to retire at age 62 with appropriately reduced benefits. Both bills also authorize increases in the daily unemployment and sickness benefit rates, which take into consideration the increased cost of living in recent years.

All of these provisions are desirable and fair. But aside from these similarities, there are critical differences in the bills. As the result of omissions and additions, the character of the reported bill is very different from that of H.R. 1012 as originally presented. Consider, for example, the omission of one vital provision which would extend the duration of unemployment benefits for long-term employees. Under H.R. 1012, railroad workers who had more than 15 years' service would be granted an additional 130 days of unemployment benefits. Workers with more than 10 years of service, but less than 15, would receive an additional 65 days. The bill would thus help to solve one of the major problems in the railroad unemployment insurance program. It would recognize that technological changes are constantly and permanently displacing veteran employees whose opportunities for other employment are severely limited. The existing insurance benefits of 26 weeks are totally insufficient to care for the needs of these workers or to compensate them for years of dedicated service. There can be no doubt that a person who has spent 10, 15, or more years in railroad employment does not remain unemployed through any fault of his own, but through factors peculiar to the railway industry which he cannot control. Under these circumstances, I believe the omission of these proposals in the reported bill is wholly unjustified.

I take issue, too, with the provision in H.R. 5610 which would eliminate benefits for persons who have voluntarily left employment or failed to accept what could be arbitrarily called suitable work. The present law already disqualifies these persons for a reasonable but limited period of 30 days. By this law it is recognized that an employee cannot casually stop or refuse work and expect to draw unemployment benefits instead. But it also recognizes that other pertinent factors may be operating which should not be ignored.

An employee, for example, may quit an apparently suitable job with the prospect of getting another better one. The second job may not materialize, and the employee may be unable to find other suitable employment for a considerable period of time. An employee may find himself physically unable to continue in his present job, although he may not technically be considered unfit or disabled. Under the present law, such contingencies as these are recognized and accounted for. Under the reported bill, however, there would be a continuing disqualification for all these people until they managed to find another job and worked at least 20 days for a railroad employer. The financial hardship which they and their families may suffer before this time are blissfully ignored.

I venture to say that injustice will also result from the provision in H.R. 5610 which establishes the same 20-day employment requirement for persons who have been discharged for misconduct relating to their work. On the surface, this, like several other proposals in the bill, appears to be a reasonable safeguard against unfair collection of benefits. The problems it will cause are not readily apparent. But consider for a moment what could, and undoubtedly will happen. If discharged employee applies for benefits, the Railroad Retirement Board will have to determine whether he is entitled to receive them by deciding on the propriety of the discharge. If it refuses to pay benefits on the ground that the discharge was for adequate cause—and it is conceivable that this decision could be wrong—then it has virtually condemned the worker from the standpoint of future employment. Thus the Board's opinion becomes decisive not only on the question of limited benefit rights, but emerges as a judgment on the employee's work prospects for the future. This intrusion of the retirement board into the handling of grievances is undesirable for obvious reasons, and was recognized as such when a provision very similar to the one in the reported bill was removed from the original railroad legislation in 1939, at the request not only of labor, but also of management and the Railroad Retirement Board itself.

There are other equally arbitrary provisions in H.R. 5610, particularly on the question of sickness benefits, which I strongly oppose. The bill would eliminate benefits which have existed for many years, and which are clearly necessary and desirable in terms of providing a responsible benefits system. I oppose the elimination of sickness benefits for persons who have voluntarily left their jobs, for the reasons which I have already given. I oppose the elimination of maternity benefits, an area where considerations of health and welfare should be of foremost importance. In short, I oppose all of the amendments which have been superimposed on H.R. 1012 to change it from an equitable and humane bill into one which would work hardship on our railroad workers throughout the country.

These workers are important to all of us. We cannot separate their welfare from considerations of our industrial well-being or from our national security. When we jeopardize their security, we take a fateful, backward step with endless repercussions. I believe the bill which the committee has reported is this kind of backward step. As such, I cannot support it. We do, however, have great need of progressive legislation to improve our railroad retirement and unemployment insurance systems. I believe that H.R. 1012, as presented to this Congress in its opening days, will fill this need.

Mr. BENNETT of Michigan. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I favor the bill H.R. 1012 as it has been amended and which will be offered as a substitute for the committee bill this afternoon. The reason I support it is because it presents a better all around, more equitable, and fair program than the bill which the committee reported to the House. Furthermore, the substitute which will be offered is essentially the same bill that our committee reported practically unanimously toward the end of the last session, with the exception that the bill last year provided a 7 percent increase in retirement benefits, while the bill this year provides for a 10 percent increase in those benefits. Also the substitute is essentially the same as the bill that was reported unanimously by a committee of the other body having charge of this legislation a few days ago. So I think all in all it presents a fair and equitable program and I hope when the substitute is offered at the conclusion of general debate today it will be adopted by the Committee of the Whole. The amendment which will be offered to the bill H.R. 1012 contains the following five changes:

First. Changes in effective dates: (a) The 10 percent increase in retirement and survivor annuities is made effective prospectively, that is, with respect to annuities accruing for months after the month of enactment of this act. The effective date for the 10 percent increase in pensions is changed accordingly; (b) the increase in tax rates for Retirement Act purposes, as well as the increase in the taxable and creditable monthly compensation base, is also made effective prospectively, that is, with respect to compensation paid in months after the month of enactment of this act for services rendered after such month; (c) the increase in lump sum payments is also made effective prospectively, that is, with respect to deaths occurring after the month of enactment of this act.

The effective date with regard to the work restrictions on disability annuitants, and survivor beneficiaries working outside the United States, and the inclusion of social security wages for the purpose of computing survivor benefits, are not changed—effective for calendar years beginning with the calendar year 1959—because they all require computation on an annual basis.

Second. Changes in the maximum contribution rate for unemployment insurance: In view of the testimony in the record of the hearings that the maximum contribution rate provided in H.R. 1012 of 3½ percent would be inadequate to retain the railroad unemployment insurance account on a sound financial basis, the maximum contribution rate in the newly proposed table for unemployment insurance contributions is changed from 3½ to 3¾ percent, but this table, as well as the increase in the monthly taxable base from $350 to $400 a month, is made effective with respect to compensation paid in months after the month of enactment of this act for services rendered after such month.

The provisions for increasing and extending benefits under the Unemployment Insurance Act and the effective dates of such increases and extensions are not changed.

Third. Conferring authority upon the Board to borrow money from the railroad retirement account: In view of the low balance in the railroad unemployment insurance account, as shown in the record of the hearings, my amendment includes a new amendment to the Railroad Unemployment Insurance Act which confers upon the Railroad Retirement Board the authority to borrow from the railroad retirement account for the payment of benefits and refunds under the Railroad Unemployment Insurance Act, on a reimbursable, and 3-percent interest basis.

Fourth. Extending to July 1, 1959, the period for the payment of temporary unemployment insurance benefits: The provision in the bill for the payment of temporary unemployment compensation to employees with less than 10 years of service up to a maximum of 65 days, but not later than April 1, 1959, is extended to July 1, 1959, in order to conform, as nearly as possible, to the provisions in Public Law 86–7 which was approved March 31, 1959, extending the Temporary Unemployment Compensation Act of 1958 to July 1, 1959.

Fifth. A technical amendment with regard to subsidiary remuneration: My amendment includes also a technical amendment to section 1(k) of the Railroad Unemployment Insurance Act. Under present law, if an individual's base year's earnings are insufficient to make him a qualified employee but for the inclusion of subsidiary remuneration, no day on which he earns such subsidiary remuneration is a day of unemployment although otherwise it may be. In view of the proposed increase in the qualifying earnings from $400 to $500 in the base year, section 1(k) of the Railroad Unemployment Insurance Act is amended by striking out "$400" and inserting in lieu thereof "$500".

Mr. WILLIAMS of Mississippi. Mr. Chairman, I yield 10 minutes to the gentleman from Georgia [Mr. FLYNT].

Mr. HEMPHILL. Mr. Chairman, I make the point of order a quorum is not present.

The CHAIRMAN (Mr. FORAND). The Chair will count. [After counting.] One-hundred and seventeen Members are present, a quorum.

Mr. FLYNT. Mr. Chairman, H.R. 5610, a bill to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act so as to provide increases in benefits, is a bill which is designed to increase benefits to retired railroad employees who are presently receiving retirement benefits under this act; it is a bill to establish tables, scales, and rates to be received by railroad employees presently employed who have earned their rights under the bill and will some day retire under the provisions of this act. In order to do this, of course, it is necessary to increase the provisions of the Railroad Retirement Tax Act to provide the revenues and the funds with which to pay these increased benefits. It makes certain changes in the Railroad Unemployment Insurance Act.

Mr. Chairman, it is well for us to bear in mind and it is well to repeat here that these benefits are paid out of a trust fund; a trust fund, if you please, which has been created over the period of the last 21 and a fraction years during which the railroad employees have paid into it sums amounting to literally billions of dollars in the expectation that this fund would remain solvent and that it would provide the funds and the revenues from which their benefits will be paid, benefits which many of them have earned by as much as 43 to 45 years of continuous employment by the railroads of this country. It would be an easy thing to do; it would, indeed, be the popular thing to do, to double the benefits that are paid to annuitants. It would also be an easy thing to cut the taxes that provide the trust fund from which these benefits are paid half in two. But, Mr. Chairman, if these were done, it would destroy the real benefits which railroad employees have earned over a period of 40 to 45 years.

It would be awfully easy to increase these benefits, to reduce the tax requirements, but at the same time you would break faith with every railroad employee who has ever contributed to this fund in the expectation that the benefits which he or she received upon retirement would provide at least a modicum of that which is necessary to meet increased costs of living.

Mr. Chairman, the real issue in this bill here today is not one of whether we favor the enactment of an increase in railroad retirement benefits. The real issue here is whether it is the purpose of this Committee of the Whole House to preserve inviolate and intact the trust fund which has been created by contributions paid in by railroad employees and by railroad employers alike during the entire period since the Railroad Retirement Act of 1937 was enacted.

Mr. Chairman, I would like to give some figures just to show what is happening to these two trust funds. First, I shall deal with the trust fund which provides for payment of benefits to annuitants, to retired employees, and to surviving spouses of retired railroad employees. The amount that has been paid into the Railroad Retirement Fund since the creation of the fund by the act of 1937 rose at an almost constant rate of between $250 and $400 million a year during a period of time that the number of employees of the railroad stood at a higher level than it does today. Today, Mr. Chairman, instead of being increased by that same figure of between $250 and $400 million a year, it has reached the point where about all that can be done is to try to stabilize it and to keep it from being reduced from one calendar year to the next.

The Unemployment Compensation Fund, which is the other trust fund administered by the Railroad Retirement Board in accordance with the provisions of the Railroad Retirement Laws at one time stood at a figure in excess of $958 million, or nearly $1 billion. On the 1st of February of this year that amount had been depleted from approximately $1 billion to less than $50 million. And according to a projection furnished by the Railroad Retirement Board, there is a strong probability that the entire fund will be depleted prior to June 1 in the absence of the borrowing provision which is contained in the committee bill, H.R. 5610.

Mr. STAGGERS. Mr. Chairman, will the gentleman yield?

Mr. FLYNT. I am glad to yield.

Mr. STAGGERS. I would like the committee to know in relation to that point that a reduction was made in the tax in 1949 until 1956, and only one-half of 1 percent was paid into this fund, because it had been so high. They wanted to get it down, or at least they did let it get down to where it is now, and the result is that now it is so very low. And that is because they have only been paying one-half of 1 percent for a period of 7 years.

Mr. FLYNT. That is correct. I will say to the gentleman from West Virginia that I hope it will become high again, because I do not ever want to see the time come when a person drawing benefits from this fund will receive a notice from the Railroad Retirement Fund that the money is gone instead of receiving his regular annuity.

Mr. STAGGERS. Will the gentleman agree that if the tax rate in effect prior to 1949 had been continued, the fund would not be down to where it is now?

Mr. FLYNT. I think that is true. And I want to see to it that it never goes down, and is never depleted to where it is in such a precarious position where it will be necessary for the Railroad Retirement Board to send out a notice that the money is all gone.

Mr. AVERY. Mr. Chairman, will the gentleman from Georgia yield to me?

Mr. FLYNT. I yield to the gentleman from Kansas.

Mr. AVERY. I thought it might be well to point out that we should not leave the impression with the members of the committee that this is a matter of option on the part of the employers as to how much money they pay into this fund. The formula is written into the law. The determination based upon that formula is made by the Railroad Retirement Board on the 1st of September each year as to what the percentage will be for the following employment year.

Mr. FLYNT. According to a formula laid down by an act of Congress.

Mr. AVERY. Passed by the Congress of the United States.

Mr. FLYNT. And that the amount paid into the trust fund, from which these unemployment benefits are paid, is determined by the level of the trust fund on September 1 of a given year.

Mr. Chairman, in the absence of provisions which are contained in the committee bill H.R. 5610 it is not only possible, it is very probable, that the entire trust fund, from which unemployment compensation benefits are paid, will be depleted not later than the month of June in this very calendar year.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. BENNETT of Michigan. Mr. Chairman, I yield 5 minutes to the gentleman from Georgia.

Mr. FLYNT. Mr. Chairman, it is the purpose of those of us who constituted the numerical majority of the Committee on Interstate and Foreign Commerce in the consideration of the amendments to the Railroad Retirement Act to give, and the committee bill does give, the same 10 percent increase in railroad retirement benefits which would be provided under the substitute, which originally bore the number H.R. 1012. There is a unanimity of opinion that the only difference in the railroad retirement provisions of this bill now under consideration is the effective date these increased benefits will take place. The substitute, which it is reported will be offered, would provide retroactive benefit payments and retroactive tax payments to January 1, 1959, regardless of the date of final enactment and approval of this measure. The committee bill provides that the increased benefits amounting to exactly the same percentage points and exactly the dollar and cents figure will go into effect only after the bill has been finally enacted into law. The reason for that, and I think it is well to set forth the reason for that thinking and logic and reasoning behind the majority of the committee on this point, is that it would be virtually impossible to go back and impose a retroactive tax on employees and employers alike and to collect the taxes due in many instances from people who are no longer for one reason or another employed in the railroad industry.

Mr. STAGGERS. Mr. Chairman, will the gentleman yield?

Mr. FLYNT. I yield to the gentleman from West Virginia.

Mr. STAGGERS. The gentleman from Georgia is debating a point which will not be at issue in the substitute.

Mr. FLYNT. Based on what we were told prior to today, that was the only difference in the section relating to retirement and it was the primary issue.

Mr. STAGGERS. One of the great objections I have heard from most Members of Congress, is this very thing. It will be taken care of in the substitute as now written, that will be offered a little bit later today.

Mr. FLYNT. In reply to a few statements made by the distinguished gentleman from West Virginia when he related an incident which happened to him when he was a very young employee of the Mountain Division of the Baltimore & Ohio Railroad, I want to say, and I think he will agree with me, that under the provisions which are contained in the committee bill, H.R. 5610, under no circumstance could the actions described by him have been classified by anybody as misconduct. It might have been listed as cause. The gentleman will recall very clearly the long and extended debate of the committee on the question of whether this language should read "discharged for cause" or "discharged for misconduct." I think the gentleman will bear me out that there was unanimity that the only reason for disqualification from receiving unemployment compensation under any circumstance of discharge like that was if there should be a discharge for misconduct.

I wish that the word "willful" had been added before the word "misconduct." But, I do believe the solvency and the fiscal soundness of this trust fund, in which all railroad employees have an interest and a right, should be protected against improper invasions and inroads made on it by persons who might be discharged for reasons of drunkenness on the job, or assault and battery on a member of the public or a fellow employee or a supervisor, or for willful destruction or theft of property belonging rightfully to the employer or to a fellow employee.

Mr. STAGGERS. Mr. Chairman, will the gentleman yield?

Mr. FLYNT. I yield.

Mr. STAGGERS. Who is going to determine what is willful misconduct or just cause?

Mr. FLYNT. I think the gentleman knows that there are avenues of appeal where almost invariably in cases where there is any doubt on matters of discharge for misconduct, the question is resolved in favor of the employee.

Mr. STAGGERS. Referring to the question of willful misconduct, does the gentleman know how many employees have been fired for misconduct or just cause, and how many have been reinstated after an appeal has been taken?

Mr. FLYNT. If the gentleman has the information, I would be happy if he would supply it at this time for the information of the committee.

Mr. STAGGERS. A great many of the decisions have been reversed when an appeal was taken, and meanwhile the families that were expecting the unemployment compensation, and who had a right to that unemployment compensation, would be denied that compensation.

Mr. FLYNT. Is it not true that many more employees have been reinstated than have been finally discharged?

Mr. STAGGERS. That is correct.

Mr. FLYNT. Yes; more employees have been reinstated than not reinstated.

Mr. STAGGERS. And we know, taking into consideration the human element, there is a question of who is going to determine what is willful misconduct or just cause.

Mr. FLYNT. I think the last statement made by the gentleman from West Virginia bears out my original statement on this point, that the rights of the employee are protected and held inviolate where there is any basis upon which to sustain the position taken by him.

Mr. Chairman, with reference to the question of maternity benefits, I will devote a few minutes to this question. This is a provision which I sincerely feel is very greatly needed in the readjustment of the provisions of the unemployment compensation insurance provisions of this act, and the sickness benefits under this act. Under the existing law, an employee of the railroad company who becomes pregnant can ordinarily claim 116 days of benefits whether or not there is any disability brought on by the pregnancy. There is an added provision that during the 14 days immediately prior to the birth of the child and the 14 days immediately following the birth of the child that time and one-half benefits are provided, which in effect give 130 days of maternity benefits to any person filing a claim for benefits under the provisions of this act. That might be all right for a prosperous fund but it is not proper for a rapidly depleting fund.

Mr. Chairman, I would like to close with a statement of the comparative costs of these two proposals which are before the Committee of the Whole today. On the retirement part of H.R. 5610, the added cost is estimated by figures which were available to our committee staff to be $146 million increase each year on a level basis. Under the provisions of H.R. 1012, the estimated cost is $147 million. The difference there is almost negligible. The great difference is provided for in the place where we need to reappraise and make a readjustment, if necessary. All this is on pages 18, 23, 92 and 98 of the committee report. Under H.R. 5610, the added cost of the unemployment insurance compensation benefits of the committee bill would be $25,448,000 annually. The added sickness benefit cost would be $3,283,000 annually or a total of $28,731,000 increase by the very terms of the committee bill itself. This does not include an additional $20 million, payable for 1 year, for the temporary extension of unemployment benefits.

The CHAIRMAN. The time of the gentleman from Georgia [Mr. FLYNT] has again expired.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. FLYNT. Mr. Chairman, under the provisions of H.R. 1012 the additional cost to unemployment compensation insurance provision would be $59,172,000. The increased cost for payment of sickness benefits would be $12,543,000 or a total of $71,715,000 increased cost, which represents a figure of between $43 million, the difference in the cost of the two bills. Also the cost of the temporary unemployment benefits under this bill would be an additional $15 to $18 million for 1 year. This difference must come from one place and one place only, and that is the trust fund from which every railroad employee has a right to expect that he may receive his unemployment and sickness benefits when he becomes unemployed or sick and the other trust fund from which he may expect retirement benefits when he becomes old enough to retire. It is to protect the earned benefits of annuitants who are presently drawing from this fund, as well as the right of present employees who some day expect to retire, that we, a majority of the committee, seek to maintain the financial fiscal solvency of the retirement fund and of the unemployment insurance fund rather than let them depreciate so that instead of receiving regular benefits provided under the two systems those in charge of these funds will say of one or the other fund: "We are sorry, but the money is all gone."

The CHAIRMAN. The time of the gentleman from Georgia has again expired.

Mr. WILLIAMS. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. MACDONALD].

Mr. MACDONALD. Mr. Chairman, I rise in support of the substitute measure, H.R. 1012. I do so very gladly because I join with my distinguished chairman, the gentleman from Arkansas, who urged the passage of H.R. 1012 back in January. The reason that I do so is very simple. Anyone on either side can talk about the technicalities involved and the estimated costs of the various bills, but there is one thing about which needs no estimate. That is the hard fact that unemployment among railroad workers is here and is here to stay. Two hundred thousand railroad workers were unemployed in January, when more than 160,000 of them were drawing unemployment insurance. Of this number over 40,000 had exhausted all payments available to them under the present Railroad Unemployment Insurance Act during January.

During the fiscal year 1957–1958 more than 300,000 railroad workers, representing 21.2 percent of the qualified work force, drew unemployment compensation. Of that number, 74,100 exhausted their benefit rights. My own State of Massachusetts has been very hard hit. As a matter of fact, New England leads the entire Nation in the dubious distinction of having the highest percentage decrease in railroad employment over the past 10-year period. There has been a 45-percent decrease in employment among railroad workers in New England.

These statistics, of course, cannot begin to indicate all the human suffering that went into their making. Each one of the 74,000 units in last year's total number of exhausted benefit rights represents a human being, plus in most cases at least one or two other members of the family dependent upon his earnings. Each of those human beings, jobless so long that even their inadequate unemployment insurance income was exhausted, means an unemployed railroad worker who has literally come to the end of his rope. Almost every one of those 74,000 human beings behind that statistic represents exhausted savings, foreclosures and repossessions, poverty, even hunger, although these idle workers were part of a labor force which, Labor Department figures show, last year gave its employers the benefit of the greatest rise in output per man-hour of any group of workers in the entire Nation. These are also workers whose outstanding performance enabled the railroads to earn a total net income, after taxes, of over $600 million in 1958, despite the recession which had such a severe effect throughout American industry.

Although the income of the railroads has rebounded to peak levels in the first quarter of this year, unemployment in the industry in January 1959 fell to 110,675 individuals, the lowest level of employment during the 20th century.

Clearly the soaring productivity of railroad workers since the end of World War II and the great technological progress of the industry have created a situation in which rail unemployment appears almost certainly destined to remain severe even after railroad earnings again have soared.

We are confronted in the railroad industry with a continuing unemployment crisis, not just a temporary setback that will be overcome through normal business recovery. Ironically, the great increase in efficiency of railroad workers, which has given the railroads a tremendous earning advantage over other industries, is the major cause of the unemployment and suffering now confronting one out of every five of the employees the industry had last year.

Employees with 20 and even 30 years of seniority have found that their skills are no longer needed or that they are needed only in greatly reduced numbers.

Of the more than 300,000 workers unemployed in the railroad industry in 1958, and that is 36 percent of the total working force, were over 45 years of age, and an additional 11½ percent were between 40 and 45. These displaced workers do not find that their special railroad skills can be readily transferred to other industries. Generally, they are not old enough to retire, and their present duration of unemployment benefits is completely inadequate to meet their needs.

In essence it has been voluntarily accepted by the railroads themselves under the Washington job protection agreement, which provides up to 5 years protection to employees displaced as the result of savings the railroads make through merger or consolidation of two or more carriers that these employees should be cared for.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. MACDONALD. Mr. Chairman, can the gentleman from Michigan yield me any time?

Mr. BENNETT of Michigan. Mr. Chairman, I yield the gentleman 4 additional minutes.

Mr. MACDONALD. I thank the gentleman.

Mr. Chairman, when the railroad unions first proposed the legislation we are considering today, they asked that the railroad unemployment insurance benefits for older workers be extended for up to 5 years to veteran workers to conform to this agreement which they had arrived at with the railroads through collective bargaining.

Last year, both the House and Senate committees which considered this legislation agreed that there was a valid and pressing need for extended benefit periods for the long-service employees who are being displaced by technological progress and rising productivity of their colleagues who remain on the job. Both committees, however, sharply reduced the period of protection recommended by the unions. The Senate committee recommended 26 weeks of extended benefits to railroad workers with 10 to 15 years of service and 52 weeks for employees with 15 or more years of service. Our House committee, however, recommended only half as much; and the Senate, with the clear understanding recorded in the record of the debate that the provision in the House bill would have the committee's support in the House, conformed its bill to the lower recommendations. H.R. 1012 provides only for the extended protection at this minimum.

Surely, under the circumstances, the already greatly reduced provisions of H.R. 1012 in regard to extended benefits are the very minimum protection this House should accept. The plight of veteran railroad employees who have been displaced from their jobs is totally ignored in H.R. 5610, although this measure does not hesitate to propose that workers who are still on the job should assume a much heavier burden in higher retirement taxes to pay the cost of improved benefits to workers already retired. In this connection, it must not be forgotten that railroad workers are already paying a heavy burden of taxes to finance benefits to retired workers who originally were covered by pension plans financed entirely by the railroad industry. When the railroad retirement system was set up, the railroads saved many millions of dollars when their employees agreed to assume payments to cover the converting of such plans into railroad retirement benefits. In addition, the railroads have saved over $1 billion in unemployment taxes through the railroad unions' agreement to reduce the original railroad unemployment tax when there was no need for this money in days of full employment.

It does not seem unreasonable to ask the railroads to share some of its huge savings with their unemployed employees in the form of extended benefits, now that these workers are facing poverty and need.

It is important to note that the extended protection proposed by H.R. 1012 would operate only while an individual is actually unemployed. If permanent suitable work can be found for him, either in or out of the industry, his benefits cease immediately. Even temporary work would interrupt benefits for the duration of such employment. The provision of the kind proposed would, I believe, serve a useful social purpose by creating an incentive for the railroads to stabilize their employment in order to effect savings in unemployment taxes. In this connection, one must not forget the shocking fact that during this period of chronic unemployment of railroad workers, the carriers have refused for over 2½ years even to bargain on stabilization of unemployment proposals submitted by the railroad unions.

Mr. Chairman, I urge my colleagues in the House to adopt the bill originally introduced by the very distinguished chairman of our committee, the gentleman from Arkansas [Mr. HARRIS], supported by the ranking Republican minority member the gentleman from Michigan [Mr. BENNETT], that will do justice to the many railroad workers of the country.

Mr. BENNETT of Michigan. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts [Mr. KEITH].

Mr. KEITH. Mr. Chairman, first, I would like to commend the previous speakers who have helped us in defining the issues that are before the House this afternoon. I have been particularly attentive to the remarks of my colleagues on the other side of the aisle and I must say that I agree with their leadership but that the old bill 1012 needs the changes that are contained in 5610.

As has been mentioned by the gentleman from Michigan [Mr. BENNETT], I am from Massachusetts and, prior to coming to the Congress, served in its State senate. We went through a similar and very trying session in the adoption of some improvements to our employment insurance laws.

Massachusetts had exactly the same problems on a statewide basis that we are facing here in the railroad industry. By tightening up our unemployment insurance law we in Massachusetts were able to provide the workingmen and women of Massachusetts with one of the most liberal of all unemployment insurance laws in the country. And yet the law we passed in Massachusetts provided benefits that were much more modest than those contemplated in either of those bills which are before us today.

These bills are generous. They must have adequate premiums and they must have sound underwriting. The committee bill, H.R. 5601, has provisions for sound administration of the unemployment insurance program. It will therefore cause less of a drain on the retirement fund and less of a burden on the railroad industry.

This bill is better for the people in my district where we now have a railroad, the Old Colony, which is subsidized by the towns of southeastern Massachusetts. Its deficit would be increased if H.R. 1012 were substituted. The towns would have to pay more of a subsidy or the railroads would have to abandon the service. The employees and the public would be hurt badly by the substitute bill because of excessive cost of paying for these benefits which are way out of line when compared with Massachusetts industries.

We, in the Congress, are in effect trustees for these retirement funds. We should act prudently and protect the general welfare of all of the parties involved. We should support, therefore, the committee report.

Mr. HARRIS. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. Moss].

Mr. MOSS. Mr. Chairman, this is a very complex piece of legislation. You will find very few provisions where any two reasonable men examining them will come up with the same precise definition or agreement as to the cause or perhaps the effect. The bill, H.R. 5610, however, reported by the committee, is, in my judgment, a long, long step backward.

CALL OF THE HOUSE

Mr. PORTER. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Seventy-nine Members are present, not a quorum.

The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 32]

Andersen, Minn.	Diggs	Patman
Barden	Dorn, N.Y.	Pillion
Barry	Downing	Powell
Bolling	Durham	Ray
Bonner	Garmatz	Rivers, S.C.
Brademas	Glenn	Rodino
Buckley	Hoffman, Mich.	Tollefson
Bush	Kilburn	Van Pelt
Casey	Lindsay	Weaver
Celler	Metcalf	Westland
Davis, Tenn.	Miller, N.Y.	Whitten
	Multer	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. NATCHER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5610) to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes, and finding itself without a quorum, he directed the roll to be called, when 394 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from California [Mr. Moss] has 9 minutes remaining.

Mr. MOSS. Mr. Chairman, I stated that H.R. 5610 is a long step backward. In making that statement I want to point out that in most respects H.R. 1012, the bill originally introduced by the distinguished chairman of the Interstate and Foreign Commerce Committee, the gentleman from Arkansas [Mr. HARRIS], and H.R. 5610 are almost identical; but in at least a half dozen very substantive areas they are sharply different. The fact that there are just approximately these half dozen areas of difference undoubtedly led my colleague, the gentleman from California [Mr. YOUNGER], to observe that in committee he could not recall any negative votes when the bill was reported out. While I do not think that is exactly the fact, nevertheless, whether or not we voted on that point, a number of us expressed our sharp disagreement with amendments which had been included in this bill. I am going to concern myself primarily with two amendments which change very radically the present rights of railroad workers, and in discussing them I am going to direct my discussion to railroad unemployment insurance.

I would suggest that each member of this committee acquaint himself fully with the fact that we are talking about two separate funds, and they are easy to confuse: One is the railroad retirement fund, which is contributed to by the employee and the employer on a fixed rate of contribution. The other is the unemployment insurance fund which is contributed to by the employer at a variable rate depending on a number of important factors. The fact that only the railroad employer contributes in this instance does not mean that it is its personal property; it is a trust fund to be administered for the benefit of the employees; it is part of the total package of compensation.

The difference is that for the first time we are going to impose on the railroad worker who voluntarily leaves his employment, a permanent disqualification unless he leaves it for good cause. We do not define "good cause," and we do not provide any means of appeal. The provisions of H.R. 5610 are silent as to the type of appeal provided.

The second thing is that we give to the employer almost a right to permanently disqualify any employee who is fired for cause. This was a point of considerable controversy in committee, and the committee acted without knowing what it was doing on at least one occasion.

I would point out that I have before me the original draft of the language saying:

> Any of the days beginning with the day with respect to which the Board finds that he was discharged or suspended for misconduct as defined by the uniform code of rules of the railroad industry applying to his work.

The reason we could not adopt this as the final language of the amendment was because we discovered that there is no uniform code of rules. In fact, we do not know what constitutes discharge for misconduct connected with his work. We do know there are a great many railroads in this country that have a number of crafts and a great number of working agreements and that each of these agreements on the various railroads deals with the matter of discharge for cause or misconduct connected with the work of the employee.

Then we have a very complex appeal machinery, starting down between the worker and his employer and working through his union repesentatives. Ultimately this man's case gets to some governmental board, where it takes about 2 years to get a decision. You can imagine how very different it is going to be if all of the cases involving some kind of disciplinary cause for discharge are referred to an inadequate machinery for determination. There are very few of them considered at the present time, but even those few take up to 2 years to get a decision. Now we are going to increase no one can estimate by how many hundreds or thousands the workload of this appeal machinery.

This is a step back to 1937. The original law provided for substantially the same sort of punitive treatment where a man voluntarily quit or was discharged for cause connected with his work. Before the act became operative, on petition from the railroads and the workers that provision was repealed. It was deemed to be far too cumbersome and too difficult to administer. So this is in fact a real step backward.

I would point out that the substitute which will be offered is going to be modified to overcome the objections as to retroactivity and those of us who support that would point out to the gentleman from Kansas [Mr. AVERY], that we also

supported it in committee as being sound procedurally. So we are not retreating, we are not abandoning principle. We are being consistent.

It improves the bill and we are anxious to improve it. We also improve the provision which would permit one trust fund to borrow from the other over a period of temporary fund shortage. Again this is not an inconsistency, this is not retreating. It is further evidence of the desire of those who signed the minority views to make the bill as good as possible.

But the other differences take away in every single instance. We take away rights which have been a part of this package for many years. In doing that, this committee should consider very carefully the fact that this is a different type of industry. Here most of the employees are not covered by supplemental contracts negotiated with their employer as is typical of most large industrial employee groups today. This is the principal package the railroad employee may look to. He does not have, for instance, any sick benefits, a separately negotiated package apart from the rights covered by law. These are all against. He does not have the supplemental retirement. I mention that even though retirement is not part of the issue or controversy in the discussions between H.R. 1012 and H.R. 5610.

We are dealing with a different type of employee group than characterizes American industry. We are dealing with people who must come to the Congress because of the law under which they operate. We impose by law many requirements on the railroad worker which are not imposed on other groups of employees. We recognize the national interest in whether or not he be permitted to strike and place far more onerous requirements on the employee of the railroad industry before he can finally take his issue on strike and try to bargain to bring about improvements in his working conditions. All of these things should lead you to give careful consideration, and I am sure if you do you will vote for the substitute.

Mr. HARRIS. Mr. Chairman, I yield 7 minutes to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, I would like to state that I am one of those Members of the House who joined in filing the minority report urging enactment of H.R. 1012 in lieu of the measure reported by the committee, H.R. 5610. There are many reasons for this, and I would refer my colleagues to the minority views which you will find in the back of the committe report.

Now, I would like to first limit the issue briefly. H.R. 1012 is the same measure which our committee reported out last year, with very, very minor exceptions. H.R. 1012 is the same bill, as a matter of fact, that was introduced by the distinguished chairman of our committee. Last year the identical bill was worked out very carefully after conferences involving the railroad brotherhood, Members of the other body, Members of this body, and after some consultation, indeed, with members of the railroad industry. So, it is not a new bill; it is not a measure which was not carefully thought out.

First, I would like to refer my colleagues to one very important factor. The differences over this measure do not have to do with retirement. They have to do, as my colleague, the gentleman from California [Mr. Moss] said, with the unemployment compensation features of this bill. I would like to dwell on the same points that my colleague from California mentioned to this committee. I would like to treat with the provisions requiring forfeiture of unemployment benefits for those who voluntarily quit and forfeiture of unemployment benefits for those who are fired for cause. And, the first I would like to call to the attention of my colleagues is this: There is no clear definition in either case as to what constitutes voluntary quitting or what constitutes being fired for cause. In no case is there in the bill any procedure for appeal from loss of benefits. These two sections can cost any worker up to $2,200, with no appeal.

Now, we have heard it said that this business of unemployment compensation is something which is owned or which is contributed to solely by the railroads. This is not true. The railroads in their negotiations with the brotherhoods have at all times regarded the unemployment compensation payments which they make as an additional factor in the hourly wage. It is so computed, and when they sit down and bargain with the brotherhoods they say, "We pay so much basic wage; we pay so much sickness benefits; we pay so much vacation time; and we pay you this much for unemployment compensation and retirement." And, they figure the whole thing out as an hourly wage.

I would refer you to page 18 of the document entitled "Report to the President by the Emergency Board Created December 28, 1953, Pursuant to Section 10 of the Railway Labor Act (N.M.B. Case A–4336)":

> In the financial operation of railroads and other types of business, the costs of certain fringe benefits such as paid vacations are included in wages as such. Certain other fringe benefits to the extent they are paid for by the employer normally involve costs in addition to wages as such.

I am sure if you read the transcript of this particular case before the Board you will find that the railroad specifically referred to their contributions into the unemployment compensation fund as additional compensation to the workers.

I ask anyone here to define to me or to anyone else what constitutes a voluntary quit or what constitutes firing for cause. Indeed, there will be many differences. Indeed, the two cases will overlap.

We received some estimates that say that the voluntary quit provisions and firing-for-cause features will save the fund some $6 million a year. That is not a reliable figure. In fact I was advised in the last few days that this saving to the railroads and to the fund will not necessarily equal this amount.

That figure is not based on experience. There is no experience presently available. In the past the law provided that when a cessation of employment occurred under these circumstances the worker went into a waiting period and at the conclusion of that waiting period he drew his full benefits.

If H.R. 5610 is passed, we will find this is not so, each and every one of these cases will be litigated to the fullest before the Railroad Retirement Board. Remember, the Railroad Retirement Board administers the Railroad Retirement Fund and the funds of the unemployment compensation program for railroad employees. Its administrative costs will be borne by the fund and by the railroads through their contributions. This will require a substantial increase in staff. Experience shows that the other agency which handles adjustment of grievances, the Railroad Adjustment Board, handles cases of this sort over a period usually up to 2 years, but in many cases the period for solving the procedure has taken up to 5 years. Men fired for cause, or allegedly voluntarily quitting, may well wait for 5 years for adjudication of their case.

If these two provisions alone become law, the man who works for the railroad and who either quits or is fired for cause will have to wait to have his problems and to have his interest adjudicated, for a period of up to 2 to 5 years. During this waiting period there will be no income to his family. Subsequently, if, as in many cases it works out, the man is reinstated with wages back, he will still have undergone a substantial period of hardship with no unemployment compensation whatsoever, through no fault of his own.

Let me remind the House of Representatives of one thing—and I want to stress this. These very same provisions were in the original law but were removed within 1 year. And they were removed because the railroads and the brotherhoods agreed that the removal of unemployment compensation benefits for voluntary quitting or for firing for cause was not in the interest either of the railroads, of the brotherhoods, or of the employees; and indeed was not in the interest of the integrity of the fund. They found that cost of the administrative handling of this would be too burdensome to the fund, and that it would be cheaper and better merely to pay unemployment compensation to those voluntarily quitting and being fired for cause than to litigate each case arising under such provisions.

As a result it was removed.

H.R. 1012 should be substituted for H.R. 5610.

I wholeheartedly support the proposal to substitute the original bill, H.R. 1012, in substantially the same form as this legislation passed the Senate last year, for the bill reported out by the committee. It is hard for me to believe that the majority members of the committee were fully aware of the effect and implications of what they were doing in amending H.R. 1012 as they have done. On the one hand, by keeping certain features in the original bill, the majority of the committee have indicated that they, too, recognize the basic need for,

and justice of, improvements at this time in railroad retirement and railroad unemployment insurance. Yet by adopting the amendments to H.R. 1012 which are incorporated in the bill reported to the House they have at the same time struck undeserved and harsh blows at the railroad workers who are or may become the victims of unemployment.

In effect, by adopting H.R. 5610 which retains the proposals for increased unemployment insurance benefits and certain other improvements contained in H.R. 1012, the committee majority has said, "Yes; we recognize that the unemployment situation on the railroads today is worse than at any time since the turn of the century and the workers must have relief." But, then, by adopting the amendments to H.R. 1012 which constitute the committee bill, the committee majority, to all intents and purposes, goes on to add: "Even though railroad workers today have increased their productivity faster than any other group of workers in the Nation and are suffering one of the most severe unemployment problems of any group of workers as a direct result of the greater output they have given to the railroads, nevertheless we are going to reward this outstanding group of workers by taking away from them—while they are unemployed solely because they have helped their employer benefit from their greater output—unemployment insurance protections they have had since the beginning of the railroad unemployment insurance system. More than that, we are going to reward railroad workers further by placing upon them stricter restrictions for eligibility for unemployment insurance than have been placed upon workers in other industries, even though these other workers have by no means benefited their employers as much as the railroad workers have in terms of increased output per man-hour."

That, although the committee report uses different words to express it, is precisely what the amendments in H.R. 5610 would do. Let me cite only one of the provisions in H.R. 5610 which is a case in point. I am particularly concerned about the unreasonable provisions which the committee bill would establish concerning the payment of unemployment benefits to railroad workers who voluntarily quit their jobs or fail to accept suitable work. H.R. 5610 proposes—with no justifiable reason—to apply even stricter disqualification provisions to railroad workers in these categories than are applied to workers in other industries. This fact in itself makes the committee bill sufficiently unfair and unreasonable to merit rejection and the substitution of H.R. 1012. The injustice of this proposal is compounded, and cries out for support of H.R. 1012, by being proposed at the very time when unemployment on the railroads has reached chronic proportions and the unemployed workers of this industry are in desparate need of help, a fact which even the backers of H.R. 5610 do not dispute.

The contradiction of H.R. 5610's retention of H.R. 1012's helpful provisions, while at the same time it strikes unjust blows at human beings suffering the pangs of hunger and poverty, leads me to believe that the sponsors of this legislation were not aware that the Railroad Unemployment Insurance Act, like most State unemployment compensation laws, already disqualifies an employe for benefits for a reasonable time if he voluntarily quits his job without good cause or fails without good cause to accept available suitable work. This provision, I repeat, is already in the law. Railroad workers are already disqualified for a period of 30 days from drawing unemployment benefits which they have earned from their prior service if they voluntarily leave suitable work, or if they refuse to accept such work when it is offered. This existing provision is generally comparable with similar disqualifications in the State unemployment insurance laws.

These disqualifications recognize that a worker should not have a completely free choice to stop working or to refuse work and draw unemployment insurance benefits instead. On the other hand, by putting a reasonable limit on the period of disqualification, they also recognize that it would be socially unwise and morally unjust to permanently disqualify unemployed workers from benefits they have earned over years of service. Practically all people who depend upon wages for their livelihood want to keep working and to find jobs when they are unemployed. They do not quit jobs or turn down suitable employment opportunities on a mere caprice. Workers quit jobs for many reasons. Perhaps a better job is offered but then does not materialize. Perhaps a worker may find himself physically no longer able to cope with the job he has been holding, although technically he may not be considered disabled for the job. Perhaps his boss does not like him and makes his employment so miserable that he quits. Does a worker who voluntarily quits his job in such circumstances commit so heinous a wrong that Congress now wishes to deprive him, as H.R. 5610 proposes, in many instances permanently, of protections he has earned through his previous work for the railroads? I cannot believe even a strong minority of this great 86th Congress would take so backward a step.

The present provisions, providing for 30 days of disqualification for any benefits, are certainly a reasonable balancing of the various considerations. No case of any kind has been made to support the committee's bill's harsh proposals. H.R. 5610 would establish a continuing disqualification for unemployment benefits applying to all employees who quit work or fail to accept work until they can again get a railroad job and work in it at least 20 days. Given the present high unemployment situation in the industry, this would often have the effect of being a permanent disqualification. This is an entirely unjust penalty, which would often rest upon questionable and dubious interpretations of some government official as to just what constitutes "suitable work" and "without good cause."

H.R. 5610, by proposing such a penalty in the circumstances at hand, loses sight of the basic function and social purposes of unemployment insurance. We must aid the jobless, not deprive them without valid reason of existing benefits they have worked—in the case of currently unemployed railroad workers—for as long as 20 and 30 years, to earn.

Mr. HARRIS. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. VANIK].

Mr. VANIK. Mr. Chairman, a year ago, upon the combined plea of the railroad industry and railroad labor, I supported the Transportation Act of 1958, under which the railroad industry was provided with broad authority to effect economies and more profitable operation. I supported this legislation with reluctance because I feared an extensive cutback in railroad employment, adding to the national unemployment problem.

Last year the Congress reduced the excise tax on freight transportation. I opposed this legislation because it eliminated a freight excise tax on all forms of freight transport, including truck and pipeline transport and would provide no special assistance to the railroad industry. I feared that the elimination of this tax would result in no reduction in freight rates, no savings to the consumer and a substantial loss to the defunct Federal Treasury. My fears have been well founded. Railroad, truckline, and pipeline managements gained a tax cut bonanza—the public gained an increased tax burden.

Last year we increased social security benefits and provided unemployment compensation extensions. The railroad employees were overlooked. Although it is true that railroad retirement benefits and railroad unemployment benefits are better than those under the social security system, it must be remembered that railroad labor has been in the vanguard with respect to this legislation. Railroad labor has provided the crucible for the testing of improvements and betterment in retirement and unemployment program. Benefits and contributions have been higher to provide a better system. The experiences of railroad legislation are used to establish standards and actuarial experiences for the benefit of all American labor.

We have drastically improved the plight of the American railroads. It is only fitting that we now seek to improve the plight of railroad labor.

Last year the managers of the railroad industry told us that if we enacted legislation improving pensions and unemployment insurance for railroad workers, the carriers would be forced to lay off thousands more of their employees. Although we did not enact this legislation, thousands of railroad employees were laid off anyway. More than 200,000 railroad workers were laid off in the 12-month period ending June 30, 1958. Regardless of what we do here, the railroads will employ as few workers as possible. But there are some basic facts about the financial conditions of the American railroads that we should all know, especially in view of the familiar cry of "poverty" of railroad managements.

RAILROADS MAKE FINE RECOVERY

The railroad industry has made a splendid recovery from the 1957–58 recession. No additional carriers have fallen into receivership. In the final accounting at the close of 1958 only 17 railroads failed to earn their fixed and contingent charges for the year. From September through December 1958 total net railway operating income for all railways was $368,932,000, 20 percent above the same period of 1957 and only 6 percent under the same period of the more prosperous year of 1956, when railway net operating income exceeded $1 billion.

DEBT POSITION IMPROVED

The debt position of the railways has greatly improved. In prewar years, debt constituted about half of total railroad investment. At the end of 1957 it was less than one-third. Prior to the war, interest alone sometimes claimed as much as 18 percent of total yearly railroad revenues. In 1957 interest required less than 4 percent.

Speaking of interest, when this administration instituted its tight-money policy, adding billions of dollars of costs to all of us, including the railroads, we heard no complaint from railroad managements. It is only when employees ask for improved wages or working conditions that carrier managements begin to cry.

RAIL COSTS MOST FAVORABLE

Improvements in the railroads' financial structure have been accompanied by enormous expenditure for additions and betterments. The industry has almost completely converted to economical diesel operation. The overall age of its equipment shows significant improvement over past years. Unit costs of railway operation have not increased in pace with other increases. Since the end of the war, total railway costs per gross ton-mile have increased by only 42.6 percent. In the same period consumers' prices have risen 60.6 percent and the wholesale price index by 73.3 percent. Comparisons based on earlier years reveal similar trends.

Thus, actual costs of providing railway service have risen less than the general price level, in spite of increases in wages and prices of materials and supplies. Again, by their phenomenal increase in productivity, fewer employees producing more revenue, rail employees may take great credit for this significantly favorable position of the railway industry.

IMPROVED RAIL PROFITS

These favorable conditions have paid off in rail profits. Annual operating profits of rail carriers have remained close to $1 billion throughout the postwar years. Prior to World War II the net railway operating income frequently dropped well below $500 million. Since 1949 it has not dropped below $750 million. Net income has also been extremely stable.

A most reliable manner of measuring railway earnings is the return earned in relation to common and preferred stock in the hands of the public. In 1957, the latest year for which figures are available, the railways earned 12.8 percent on their outstanding equity capital. The rate of return on capital stock in the hands of the public, not held by railway companies, in recent years is: 1950, 12.2 percent; 1951, 10.8 percent, 1952, 12.8 percent; 1953, 13.5 percent; 1954, 10.2 percent; 1955, 14.1 percent; 1956, 13.8 percent; 1957, 12.8 percent.

The fact of the matter is that today rail stocks and debentures are among the more promising areas of investment.

FAVORABLE FUTURE PROSPECTS

These vitally important facts give us a right to expect continuing improved conditions. No industry is more responsive to general conditions than the railroads. No production, no transportation. The Regional Shippers Advisory Boards, as reported by the Car Service Division of the Association of American Railroads, estimated a 5.9 percent increase in carloadings for the first quarter of 1959. The efficiency of railway employees is now at its alltime peak; the current rate of productivity progress in the American railroad industry is the highest in its history.

VITAL NATIONAL CONCERN

We must do what we can to keep it that way in this vital "backbone" industry of America. Certainly denying just pension benefits and improvements in the railroad unemployment insurance act is a most ungrateful way to reward such faithful service. Many thousands of these faithful employees have been separated from the industry. Adequate unemployment insurance in this industry is of vital national concern. Many of these employees are in most hazardous occupations. In 1957 there were 12,448 employees killed and injured on American railroads. In 1958, with approximately 144,000 fewer employees, there were 13,086 employees killed and injured on the American railroads. In 1958 American railroads paid $129,300 in fines for violating Federal safety laws.

It is an urgent necessity that this Congress enact improvements in railroad unemployment and sickness insurance and railroad pensions. We must not break faith with a group of employees who have a notable record of productivity, efficiency and faithfulness. Not only will such legislation fill vital human needs, but it is important to note that in these times when effective mass purchasing power is so desperately needed, pension payments and unemployment and sickness insurance payments immediately find their way into the flow of consumer purchasing power. While increasing the wealth of the Nation, they compensate those among us who are most in need.

Finally, we must consider that increased retirement benefits create important incentives for retirement. Every person induced to retirement from an essential job, releases that job for another. In present times, when the work force faces the massive effect of automation and mechanization along with an increment of one million additional workers each year, job creation becomes a national cause of primary importance. This legislation, as submitted in the substitute bill, is completely in the national interest. I urge its adoption.

Mr. HARRIS. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri [Mr. BROWN].

Mr. BROWN of Missouri. Mr. Chairman, listening to this debate this afternoon, I fear we have strayed far afield from what we set out to do just a year ago. If you will remember, a year ago we were talking about increasing the railroad retirement benefits and extending the period of unemployment insurance benefits to unemployment railroaders.

But the debate this afternoon seems to have become an argument over whether a mother about to have a baby deserves any sickness insurance and whether a man who has been furloughed for 89 days should get any sickness insurance while a man who is furloughed for 90 days should not.

I wonder, Mr. Chairman, if we are not trying to settle too many problems at one time here, or at least are we not trying to settle prematurely some problems that should be aired more thoroughly by the industry itself before the Congress arbitrates.

I respectfully suggest that we get back to the original point. Do we increase railroad retirement benefits and extend unemployment compensation over a longer period for some worthy unemployed railroaders or not?

Apparently, there is a rather general agreement that we should increase railroad retirement benefits. We increased retirement benefits for Federal employees and for social security retirees and everybody else who comes under Federal jurisdiction last year. We are going to vote railroad retirees a 10 percent increase this year. That seems to be agreed.

Now what about extending unemployment benefits for a longer period? Last year we tried to do that for other industries. We said to the unemployed in the textile industry and in the automobile plants and others, "Now, this is an unusual situation. We are going to lend you a helping hand. We are going to help you out by helping the States to provide you unemployment compensation for additional weeks." We did not say to them, "We are going to provide you with additional benefits for additional weeks provided you give up some of the sickness or maternity benefits that you negotiated at the bargaining table." We did not put any proviso or make any sweeping changes in the program at all. We extended it without any strings attached.

But under H.R. 5610, look what a different treatment we are trying to give the railroad industry. If this bill becomes law, we would be using a promise of an increase in retirement and unemployment compensation benefits as a carrot to entice railroad employees to give up certain benefits that they have had since 1938.

That is wrong. That would be adjudicating here, as a part of this matter, controversies that are of long duration and controversies which should be more thor-

oughly aired between management and labor before the Congress arbitrates.

Now, it is said that if we do not make these controversial changes, there will not be money to pay these additional benefits. I think one gentleman took the floor here and said that the original Harris bill will cost some $45 million more than this Harris bill No. 2, H.R. 5610, if we do not change some of these rules on sickness insurance and unemployment benefits.

Now, just a minute—think about this a second. Actually, how much money will be saved, if you tell the mothers in the railroad industry that they do not get sickness insurance for pregnancy?

How much are you really going to save in the unemployment compensation fund if you say a man who is fired for misconduct cannot have unemployment compensation? How many are there of those? Has the personnel department of the railroad companies made so many mistakes in hiring untrustworthy personnel that there are thousands being fired for misconduct? And how about people who quit voluntarily? How much money are you going to save if you deny them unemployment benefits?

The truth of the business is the Railroad Unemployment Compensation Fund is unsound today and has been for some time, not because of any so-called abuses. The real reasons are these: First, there is a tremendous technological revolution that is going on in this industry; and, second, the railroad industry for many years got real shortsighted about putting money into the fund—adding only one-half of 1 percent per year. They were looking through rose-colored glasses, thought the smaller contribution would be sufficient.

The CHAIRMAN. The time of the gentleman from Missouri [Mr. BROWN] has expired.

Mr. YOUNGER. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. BROWN of Missouri. The unemployment insurance fund in the railroad industry would be some $1 billion sounder today if somebody had not been quite so shortsighted.

The fact is that the railroad industry, in the period 1948 to 1958, paid less money in annual contributions to the unemployment insurance fund than other industries paid into such funds. In fact, for the last 20 years the railroad contributions have averaged 1.85 percent, while other firms have paid 2 percent under the State law.

So, the truth is that a technological revolution and this shortsightedness in contributions into the fund have brought us to this crisis. Let us not kid anybody that it was because some mothers are getting some maternity benefits and that there are some people who are drawing unemployment benefits who were fired for misconduct or who quit voluntarily. I think the chairman was right when he introduced H.R. 1012. I support that bill. He has had some second thoughts about it, I am sure, but I suggest that every Member of this Congress go back to the chairman's original thinking and substitute H.R. 1012 for this boobytrap bill.

Harris bill H.R. 1012 has a pretty good arrangement on extending unemployment compensation benefits, it seems to me. It would differentiate between newcomers and employees who have devoted more than 10 years of their lives to railroading.

The oldtimer who gets laid off has a much harder time making connections with some other industry. He also wants to stay available for any call that might come from the railroad, because he has his seniority at stake. Railroading is his career. He is not trained for anything else and has not enough active years left to learn a new trade or profession. Why not give them special attention in unemployment compensation?

The Interstate and Foreign Commerce Committee agreed to this arrangement last year. Why is it not just as good today as it was then?

In fact, why did not the committee stand by the compromises they hammered out last year all along the line, compromises expressed in Harris bill H.R. 1012? Surely, if it was satisfactory 9 months ago, it could not be so awfully bad now.

Now we are told that the big reason for substituting Harris bill H.R. 5610 for Harris bill H.R. 1012 is that it involves additional cost.

But now Congress should be consistent. Lots of employers and employees are paying increased costs of social security contributions and unemployment insurance today, maybe when they cannot really afford it; because it was decided that it had to be done; and it is the law.

Yet we are told that railroads should be accorded special consideration, different from other industries.

No thinking person wants to be a party to bankrupting anybody or any business.

But tough as it is to pay additional costs, the railroad companies will surely find a way to do it.

I do not mean to imply that they are rich. I know they have had their troubles.

I made a speech on the floor of this House in support of the Smathers bill last year providing loans and relief from regulatory restrictions for suffering railroads. I want a healthy railroad industry; and I feel the Government should make every reasonable effort to help keep it healthy.

Well, we passed the Smathers bill, but the last time I checked, not one railroad had requested a loan under the new law. Obviously, the health of the patient improved dramatically overnight.

In fact, if the figures supplied me are correct, the rebound from the depths of the 1957–58 recession has been startling in most of the railroad companies.

And apparently, business is good enough that many of the companies are increasing salaries for officials and increasing numbers of top-level executives.

Surely, that is a sign of prosperity. And I want to see more signs. I hope every railroad in this country makes more money every year, so their officials and their employees and stockholders can share in the fruits of a thriving industry.

I believe in the free enterprise system.

But any company which can afford sizable raises for officials would surely not plead poverty as a reason for not wanting to provide for its unemployed and retired.

In the period 1955 to 1957, executive salary increases and additional executives jumped the cost of supervision from 8 percent to 124 percent per employee in the railroad industry.

If these increases were within the budget, surely some way could have been found to pay more into the unemployment insurance fund during that period. Then, everybody would have been better off.

But it was not done. Now, we must take emergency action to correct the mistake.

Railroad retirement benefits and unemployment insurance benefits must be modernized. We all agree on that.

Harris bill H.R. 1012 will modernize them the way we modernize them for employees in other industries, with no strings attached, no debatable conditions stipulated, no taking away of rights or privileges hammered out years ago.

Harris bill H.R. 5610 would modernize unemployment insurance programs for railroaders provided certain changes were made in sickness insurance programs, maternity benefits, and so forth—a proviso that Congress asked of no one else in any other industry.

I think the people who make railroading a career deserve, at least, the same treatment Congress has already granted people in other industries. Railroaders are first-class citizens and should not be treated as second class.

I urge the House to pass the original, the genuine Harris bill, and not accept any substitute, especially this boobytrap H.R. 5610.

Mr. AVERY. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Missouri. I yield.

Mr. AVERY. I think I just heard the gentleman say that the reason the unemployment compensation fund was different was on account of the shortsightedness of the railroad employers.

Mr. BROWN of Missouri. I said of the industry.

Mr. AVERY. Does the gentleman know just exactly how that is?

Mr. BROWN of Missouri. I am sure that the industry decision involved decisions agreed to by management and employees, and even the Government was a part of it, but it still does not alter the fact that there was shortsightedness. Let us not blame it on the mothers who got some time off just to have a baby.

Mr. AVERY. The Congress of the United States set up that provision. That is in the statute. That is not a matter of negotiation. It is firmly planted there on the basis of the formula set up by the Congress as to what the tax should be. So if there was some shortsightedness it would be on the part of some of the previous sessions of the Congress.

Mr. BROWN of Missouri. It was a combination of the industry and the economy.

The CHAIRMAN. The time of the gentleman from Missouri has again expired.

Mr. YOUNGER. I yield the gentleman 1 additional minute.

Mr. AVERY. The gentleman has made some reference as to mothers receiving sickness benefits. If the gentleman will read the bill he will find that we have not taken any sickness benefits away, as such. This bill will call for the expenditure of $3½ million more for sickness benefits. We have deleted some maternity benefits, as such, but I point out that even though the maternity benefits have been eliminated, sickness due to pregnancy will be allowed in the bill.

Mr. BROWN of Missouri. Under this bill, as I read it, any single girl working for the railroad industry must take an oath that she is not pregnant before she can get sickness benefits.

Mr. AVERY. That is not the case.

We even today propose to reduce the benefit by increasing the time to 9 days instead of 7; and there are other instances. This bill goes backward instead of forward.

Mr. HARRIS. Mr. Chairman, I yield 5 minutes to the gentleman from Oregon [Mr. PORTER].

Mr. PORTER. Mr. Chairman, I have a conflict of interest with respect to this legislation: My dad, after 45 years on the railroads, retired in January. I also have a concurrence of interest because I have, as most of you have, thousands of railroad men, retired and present employees, who are deeply concerned about what we are doing here today.

We are not arguing, I am glad to say, as to whether the benefits should be increased or not. Some of us would hope they could have been increased more, but I have not heard an argument to the effect that they should not be increased. Instead we are arguing about conditions of employment, changes which have been made in the second bill, presumably to correct certain abuses which must have existed for a good while. I want to talk about those presumed abuses and in particular with respect to a letter which was sent to every Member of the House by Daniel P. Loomis, the president of the Association of American Railroads.

Under date of April 9, 1959, Mr. Daniel P. Loomis, president of the Association of American Railroads sent to every Member of the House of Representatives a four-page letter in which he set forth a comparison of H.R. 5610 with H.R. 1012, from the railroads' viewpoint. Mr. Loomis did not hesitate to emphasize and I quote his letter—that from the railroads' point of view "H.R. 5610 is obviously to be preferred over H.R. 1012."

Clearly, where there is a basic difference in viewpoint concerning legislation as marked as that confronting us here, a letter written from such a premise must almost inevitably represent a one-sided analysis which is his privilege. Mr. Loomis' letter, accordingly, cannot be taken as telling the full story, or even enough of the full story to afford a sound basis upon which to reach a decision with respect to action on the legislation before us.

Actually, analysis of the AAR letter shows that it is little more than a restatement of the arguments which the railroads presented to the House Interstate and Foreign Commerce Committee during the recent hearings on this legislation. Most of those arguments were overwhelmingly rejected by the committee, but the changes it made in reporting out H.R. 5610 show that a majority accepted some of these arguments as the basis of the amendments to H.R. 1012 which are incorporated in the Committee bill.

I do not believe that even the portions of Mr. Loomis' letter which deal with these changes offer sufficient justification for their retention and I commend the minority of the committee for seeing through their flimsy tissue and making the strong fight they are making here today for retention of the original bill.

In their minority report, which is attached to the Committee Report on H.R. 5610, these members of the committee have stated the chief ways in which H.R. 5610 is a backward step in social insurance legislation. I will not repeat those arguments here, but I again bring them to your attention—page 115–122 of the report—as offering what I regard as full and complete refutation to the statements made by the Association of American Railroads in support of the changes made by H.R. 5610.

On the last page of his letter, Mr. Loomis listed six alleged "abuses and unwarranted payments" to unemployed railroad workers which he says H.R. 5610 is intended to correct. I would like to look at each of these, and call to your attention the spurious nature of Mr. Loomis' arguments concerning them.

First, Mr. Loomis says that H.R. 5610 would eliminate the retroactive lump sum payments which H.R. 1012 proposed for past unemployment, sickness and retirement benefits.

Let me point out that no provision for such retroactivity would now be necessary except for the failure of the House to take action last year on the bill passed by the Senate. Had the bill reported out by the committee last year come to a vote, there is little doubt but that such benefits would now be in effect as the law of the land.

We must not, therefore, in justice to the unemployed railroad workers who are presently in need of such help, deprive them of these benefits which they would have received had the House not failed to act on this bill in the closing days of the last Congress.

If retroactive payments of temporary extended unemployment insurance benefits are not made, railroad employees will be deprived of such benefits although the last Congress provided them for employees in other industries. Moreover, when the period for such benefits expired on April 1, this present Congress recently extended them in other industries to July 1, 1959. Thus, if extension of unemployment benefits for rail employees of over 10 years of service are not also made retroactive, these displaced veteran workers will be discriminated against.

Insofar as retirement benefits are concerned S. 226 has been amended by the Senate Committee to eliminate retroactivity and it is likely that H.R. 1012 also will be conformed to this amendment either on the floor or in conference, so that increased retirement benefits will be paid on a prospective basis only.

Second, Mr. Loomis charges that under H.R. 1012, and I quote him:

> Women could receive maternity benefits at fantastic rates of as much as $51 per week, if unemployed or sick—and sick benefits even while in jail for their misconduct.

This statement, to my mind, is so misleading and distorted that it casts doubt on all of the other of Mr. Loomis' arguments. Actually, H.R. 1012 proposed absolutely no changes whatever in the qualification or duration of maternity benefits which have been in effect under this law for 13 years.

This argument was advanced by the railroads in opposition to the maternity provisions even prior to their enactment 13 years ago, and they are still arguing what theoretically could happen. We have, however, now had over a decade of experience under this law. This practical test shows that the maternity provision in the Railroad Unemployment Insurance Act has worked extremely well in meeting a valid social need.

The railroads have been unable in all this time to produce any evidence that the theoretical abuses Mr. Loomis cites have occurred except rarely, and then certainly not to any extent that would warrant taking this protection away from women railroad workers.

As his third and fourth objections, Mr. Loomis complains that persons who are discharged for cause or who voluntarily quit or refuse railroad jobs can immediately draw unemployment insurance benefits.

Concerning the first of these, his letter does not disclose that the present provision for payment of unemployment insurance benefits to persons discharged for cause are there as the result of a joint recommendation from railroad management and labor.

The fact is that the original act as passed in 1938 provided a disqualification for discharge for causes related to the employee's work, similar to the one which now would be imposed by H.R. 5610. When study showed that it was impractical to administer this provision, which cuts across the procedures set up by the Railway Labor Act for handling grievances, this disqualification was removed in 1939, on the joint recommendation, I repeat, of the Railroad Retirement Board, the railway labor organizations, and railroad management. After 20 years of experience under the present law, H.R. 5610 would put this disqualification back in much more drastic form.

Although Mr. Loomis' letter repeats what the railroads constantly point out, that theoretically a person discharged from work could get sick benefits while

in jail, throughout all the years of testimony on this legislation, no one has produced a single instance of anyone drawing railroad unemployment benefits while in jail.

The other provision to which Mr. Loomis objects, the present disqualification for 30 days for voluntarily quitting a job or refusing to accept suitable work, has been in the Railroad Unemployment Insurance Act since its inception. Moreover, it is substantially comparable to the disqualification in most State unemployment insurance laws. H.R. 5610 would impose a much more stringent disqualification that would, for all practical purposes, permanently disqualify such employees for any benefits. To adopt this provision would further discriminate against railroad workers unfairly and in their hour of greatest need for these protections.

As a fifth objection, Mr. Loomis says that unless H.R. 1012 is amended as proposed by H.R. 5610—

> Persons who have not been in railroad work for as long as 2 years could collect sickness benefits from the railroad fund.

Note that word "could" again. This, again, is the railroads' familiar theoretical argument of alleged abuses that possibly could arise under the present act. But the need for this amendment is not borne out by 13 years of experience while the present law has been in effect.

Furthermore, to correct this nonexistent abuse, H.R. 5610 proposes to take away from all employees protection which they have had for 13 years. Under H.R. 5610 a furloughed employee of the railroads, who must be constantly available for recall at any time upon only a moment's notice in order to protect his seniority, but who works at a temporary job in another industry for 90 days and then becomes sick, would be cut off from any benefits for unemployment due to sickness. Such a provision, with its patent injustice, could only encourage employees not to take temporary work in other industries and would be a backward step.

Finally, Mr. Loomis lists the objection that under H.R. 1012 as originally introduced, a retroactive tax would have to be collected, whereas such retroactivity on taxes is eliminated by H.R. 5610. In his letter Mr. Loomis makes much of the unjustifiable effective dates proposed in H.R. 1012. I note that roughly one-quarter of his letter is devoted to this matter. Of course, this is entirely a misleading argument, because the effective date on tax increases is not a major issue here. The Senate committee has amended S. 226 to make all tax increases become effective in the future. Moreover, we may assume that H.R. 1012 would have been conformed in this regard by a majority of the House committee had it been reported out instead of H.R. 5610. Certainly, if this had been the only change made, it would have been accepted by all supporters of H.R. 1012.

In summary, the railroads have shown no valid justification for the new restrictions which H.R. 5610 would impose.

So we have an attempt to correct theoretical abuses in this second bill; we are not arguing about the increase of benefits here, but we are arguing about whether we should change longstanding conditions of employment on the basis of theoretical entirely unproved abuses. In my opinion we should adopt the substitute bill.

Mr. HARRIS. Mr. Chairman, I yield 4 minutes to the gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Chairman, I thank the chairman of the committee for yielding this time to me and I want to say that I am in support of the Staggers substitute which will shortly be offered. The amendments which he will also offer as a part of that substitute will bring the two bills closer together.

The reason I am speaking today in the well of the House, and I speak very seldom on legislation, is because the central railroad yards in Los Angeles happen to be in my district. I have many thousands of railroad employees in my district. A number of them have written me letters and they have all been in favor of H.R. 1012. None have supported H.R. 5610.

I have studied to find out the difference between these two bills. I have studied each of them carefully and it seems to me H.R. 1012 retains many of the proven features which are in existing law, while H.R. 5610, the committee bill, takes out some of those proven benefits, fringe benefits which have been considered by the employees to be part of their compensation. In several instances H.R. 5610 cuts down the fringe benefits. That is very important to people who plan their life career on contractual benefits.

We are talking about two things, as I see it, the unemployment fund and retirement benefits. We want to keep in mind the fact that the retirement benefits comes from a fund which is mutually contributed to by the employer and employee. On the other hand, the compensation for unemployment and sickness benefits comes from a separate fund to which only the employer contributes. This is not a factor of benevolence on the part of the employer. That is mandatory under congressional legislation.

And let us keep in mind that the amount that goes into that fund is a part of the basic cost of the operation of the railroad. It is deductible for tax purposes. It is also part of the basic expenses upon which the rate structure is founded. So it is not an action of benevolence on the part of the railroad. It is part of the law, it is part of the rate structure itself.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Indiana.

Mr. HALLECK. The gentleman has touched on what I think is a very interesting point and I would like to make this observation. The fact of the matter is whatever the railroads contribute has to be made up by any rates that the railroads charge. The gentleman said that, if I understood him correctly. Now, who pays those rates?

Mr. HOLIFIELD. The public.

Mr. HALLECK. The shippers using the railroads, the farmers and others and the cost of shipping is determined by those rates. I do not care whether it is contributed by the employee or employer, ultimately it comes out of the pockets of the people who use the railroads.

Mr. HOLIFIELD. That is true.

Mr. HALLECK. That is where the benevolence is.

Mr. HOLIFIELD. We have no quarrel on that point. The gentleman realizes what I have said is a fact. It is a part of the rate structure and the rates are based upon the cost of operation which includes this fund.

Mr. BROWN of Missouri. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Missouri.

Mr. BROWN of Missouri. An interesting point about that, though, is that when the contributions on the part of the companies into the fund were going down the rates to the public were going up.

Mr. HOLIFIELD. Yes. For the approximately 10 years from 1947 to 1956 the percent of contribution to this fund was lowered by act of Congress, undoubtedly with the agreement of both employer and employee. The railroads were given that reduction privilege but it was not reflected in reduced rates. The rates of the railroads have continually gone up.

I supported, as many Members of the House did, some legislation last year which provided some $600 million of aid to the railroads. Are we going to take it out of the hides of the employees in order to make up the benefits that we extended to the railroads last year?

Mr. HARRIS. Mr. Chairman, I yield myself the remainder of my time.

Mr. YOUNGER. Mr. Chairman, we have no additional requests for time and yield the chairman 5 additional minutes.

Mr. HARRIS. Do I understand that that then concludes debate on your side?

Mr. YOUNGER. Yes. We have no other speakers on this side.

Mr. HARRIS. Mr. Chairman, I ask unanimous consent to extend the remarks I am about to make as well as those I made earlier this afternoon, and I also ask unanimous consent that all Members may be permitted to extend their remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HECHLER. Mr. Chairman, I find a number of things to approve in the committee bill, H.R. 5610, but I hope that we can substitute H.R. 1012. There are provisions for increasing railroad retirement benefits, its necessary adjustment of the tax rates, and the increase in the daily rate of unemployment benefits in H.R. 5610. These things are largely the same as in the original bill introduced by many of us at the beginning of the session.

Where H.R. 5610 goes astray, in my views, is in cutting back on certain existing unemployment and sickness benefits—and, most especially, in dropping the proposal for regular extended unemployment benefits for the many senior employees now laid off by the railroads.

That is why I urge a vote for the substitute motion. Like the original bill that went into the committee, the substitute motion would provide a 13 or 26 week extension of unemployment benefits for these unemployed long-service railroaders.

Mr. Chairman, let us not forget that this is above all a human problem. There can hardly be a Member of this House who does not know at least a few of the railroaders who work in his district. We know the railroaders are good people. They are respected and responsible people. Many are highly skilled men. They have devoted years to acquiring their skills—as locomotive engineer, conductor, brakeman, station agent, telegrapher, signalman, and a score of other occupations.

But many of these skills are not easily transferable to other occupations. And that is part of the tragedy now facing many thousands of veteran railroaders.

For a number of years the railroads have been reducing their forces. In the past 2 years alone, they have let out over 170,000 men. This has particularly hurt our railroad workers in West Virginia. Partly this was due to the general recession. And H.R. 5610 wisely—though tardily—provides temporary emergency benefits to meet that immediate recession crisis.

But, Mr. Chairman, the railroad workers' crisis antedates the recession. It will continue long after the recession is over. We see that when we note how railroad traffic has picked up strongly in recent months, but railroad employment has risen hardly at all.

This continuing crisis can be summed up in one word: automation; or more broadly, technological progress. The Department of Labor announced the other day that productivity per manhour on the railroads rose by 55 percent between 1947 and 1958. Few other major industries can boast of more.

This record of increased efficiency on the railroads is a proud one. It is good for the railroads. It is good for the country. But what does it mean for the railroaders themselves? In all too many cases it has meant economic tragedy.

Most other industries over the years have found expanding markets. By that means, they have kept their labor force employed over the long run despite the rising productivity. But not so in the coal industry or on the railroads. Their markets, the demand for their service, has lagged behind the rest of the economy. So the railroad employees' increased productivity has meant more layoffs for themselves.

Year after year the railroad layoffs have grown, mounting higher and higher up the seniority rosters. Now we find thousands upon thousands of these highly trained railroaders, men with 10, 15, 20 years of service, discharged from their work and with no hope of regaining it.

Mr. Chairman, the substitute motion, unlike the committee bill, makes some small effort to help these long-service furloughed employees. The help offered is pitifully small, considering what these men have given the railroad industry and considering the readjustments they and their families must now go through. This, surely, is the least we can do for them.

Now, it will be said this is not only a human but also a financial question. And so it is. The few million dollars charged for these extra benefits will be paid by the railroad industry these men have served. Let us look at that aspect a moment.

Last summer, when the committee first reported out a bill like this one, the railroads were hard-pressed financially. The industry certainly let us know about that. And we in Congress acted to help the railroads. But at that same time, this bill as reported out by the committee last summer contained the extended unemployment benefit provision.

Now what do we see? The railroads today are in far better shape. Their operating profits in the last 4 months of 1958 rebounded to a yearly rate of more than a million dollars. So far this year, their profits are if anything still higher.

But what has the committee majority now done to the extended benefits for these hard-hit long service railroaders? It has dropped them. It has dropped them completely.

Last year, when the railroads were pinched, the committee voted for these benefits. This year, when the railroads are flush, the committee drops the benefits.

Mr. Chairman, this does not make sense, either humanly or financially. I urge a vote for the substitute motion, and this means a vote for H.R. 1012—a bill which will do justice to the railroad workers of West Virginia and of America.

Mr. GALLAGHER. Mr. Chairman, I have no doubt that Congress will take some action in the field of railroad retirement and unemployment legislation during this session. I hope very sincerely, however, that the action that is taken will be responsible and fair, and will reflect the careful consideration which our railroad workers deserve.

The bill introduced in the 86th Congress which best reflects this kind of consideration is H.R. 1012, which was introduced in the early days of the session. It is a bill that meets the just needs and demands of our railroad workers, and one which would lead to a well-balanced retirement and unemployment system.

This, to me, is ample reason for favoring passage of H.R. 1012 over H.R. 5610, the bill that has been reported out to us by the House Interstate and Foreign Commerce Committee, against the objection of a sizable minority of the members.

This reported bill, which does take into account certain basic needs of the railroad workers, fails completely in meeting other needs which are just as essential and just as pressing. If H.R. 5610 were passed, the railroad employee could look forward to having increased retirement benefits in his later years. He could also look forward to having slightly larger benefits when he is unemployed or sick. In these respects, the committee bill does have something to offer him. Unfortunately, this is not the whole picture. The increased unemployment benefits which I have mentioned, for example, can only be drawn for a very brief time. This arrangement may afford some consolation to the person who suffers a very temporary layoff, but it offers little comfort for the longstanding employee who loses his job for a very basic reason, such as technological advancement.

It is this employee, the worker who has devoted 10, 15, or more years of dedicated labor to the railroad industry, who I feel deserves some very special consideration from us. H.R. 5610 does not recognize the problems of the displaced worker. H.R. 1012, however, does have a provision which would help to protect him. The former bill would not grant him one additional day of unemployment benefits, regardless of the fact that long-term unemployment is a recognized problem of the railroad employee, who not only has to face the frighening increases in the cost of living that we all must face, but must also struggle against the insurmountable problem of employment fluctuation which exists in the railroad industry. H.R. 1012, on the other hand, would grant unemployment benefits for an additional 13 weeks for workers with 10 to 15 years of service, and 26 weeks for employees with 15 or more years of service.

There is no question in my own mind that this minimum protection should be given our veteran railroad workers. We owe them this protection, as does the railroad industry, itself. It is only fair that they be compensated in some way for the sacrifices they have made in their years of dedicated effort.

The omission of extended unemployment benefits for employees of long service is, then, a most serious defect of the bill reported to us by the committee. But there are a number of provisions included in the bill which evoke equally indignant criticism. These provisions are unreasonable and inappropriate, and in some cases constitute a 20-year setback for the railroad employee.

I refer especiallly to the elimination of benefits for persons who voluntarily quit their jobs or fail to accept suitable work, or who are discharged for misconduct related to their work. The supporters of these provisions have found it all too easy to give them a kind of righteous aspect, without really pointing out the grave injustice they may mean for many, many persons. It is clear to me that under H.R. 5610, which requires that an employee earn at least 20 days' compensation in the railroad industry before again becoming eligible for benefits, many workers could be permanently disqualified for benefits through no fault whatsoever of their own.

There are also a number of provisions relating to sickness benefits which are equally objectionable. Under the reported bill the number of compensable days of sickness would be reduced and restricted. The establishment of an ar-

bitrary time limitation on the compensability of days of sickness is another serious injustice in the bill, as is the elimination of maternity benefits and the establishment of several irrelevant and unfair disqualifications for sickness benefits.

I think we might all agree with the great words of Voltaire, who said: "Labor is often the father of pleasure." But whatever the inherent value of work, and regardless of the spiritual satisfaction which it gives us, I believe we must recognize that honest toil deserves its own compensation. I fear that the railroad worker would not be justly compensated, nor his rights sufficiently recognized, if this Congress passes the bill given us by the Interstate and Foreign Commerce Committee. I urge, therefore, prompt and wholehearted support of H.R. 1012.

Mr. ROOSEVELT. Mr. Chairman, I join in support of enactment of the substitute proposal because, after careful consideration of its provisions and those provided in H.R. 5610, I honestly believe it more nearly answers the needs of railroad workers. This is not to imply that there are not similarities in the two approaches, but there are important points of differences.

However, I do not rise to direct my remarks to a comparison of the two proposals, because this is being ably handled by my colleagues who have been associated with the work of the committee.

My purpose in rising is to urge that in the discussion of the specific matter before this body, certain misrepresentations should not be allowed to detract our attention from the issue before us; that is, should or should not benefits to railroad workers be improved? I believe if the discussion is channeled in this direction, and all the facts pertaining thereto are laid on the table, that this body will support improvement which present economic conditions warrant.

It would be unfortunate to entrap our consideration of this legislation before us by some of the extraneous propaganda that has been circulated by those opposed to any improvement in the retirement and unemployment and sickness benefits for employees of the railroad industry.

One would indeed be naive to think it merely coincidence or happenstance that the industry's "featherbedding" charges have been made in recent weeks. Nor should we accept fiction for fact regarding the profits of the railroad industry. By bringing in the claim that its earnings do not warrant increased benefits, I think the spokesmen for the industry will find themselves hoist by their own petard. By stressing this point, they have caused many of us to check into the actual facts, including the salaries and pensions allotted to their top officials.

I shall discuss the profit situation shortly, but at this point I do want to say that, in trying to defeat the legislation we are considering, the railroad industry latched on to the charge of "featherbedding" by railroad workers.

The Lincoln Star, a Nebraska paper, in refusing to accept as gospel the propaganda about alleged "featherbedding," gets to the heart of the matter. The editor points out that the railroad industry has made much of the "mileage" basis of pay under which "operating" employees can earn a so-called "day's pay" for 100 miles of travel. I now quote the editorial reaction to this:

> Mighty unfair, you are likely to surmise. That is the way the railroads would like to make it look.

The editorial goes on to note:

> But they neglect to point out that in the course of a week's work at such short runs, a train crew will be away from their families for up to 100 hours a week. Thus, the employee has not given just 8, 10 or 12 hours a week to the railroads, but 100 hours. He does this because his run ends away from home and he remains at this place until he takes a run back home.

And the editorial concludes:

> In all, the railroads are not presenting the entire picture or a true picture. Until they do this, their motives in this field of labor relations will and should be held suspect.

Now, as for the matter of profits of the railroad industry, I think it should be emphasized that while the industry claims it cannot afford additional benefits for ts workers, management costs per employee have risen. Between 1955 and 1957, 190 new officials—for the industry as a whole—were added, although the number of other employees declined from 1,041,792 to 969,737. During this same period, the total outlay for officials' salaries increased by more than $21 million, reaching the impressive total of over $180.9 million annually. These figures are based on the earnings of the top five officials and others earning over $20,000 a year.

The real burden of the recession has fallen on the workers in the industry. While industry representatives have cited monthly deficits in early 1958, it should be pointed out that in the latter months of that year most of the carriers overcame these deficits and net profits were realized for the entire year. In the final accounting, only 17 railroads failed to earn their fixed and contingent charges for 1958.

The point that should not be overlooked, Mr. Speaker, is that almost all individual railways have shared in the industry-wide comeback since the early months of 1958. Earnings of most carriers are above the last months of 1957 and close to the high of 1956, with some carriers actually surpassing the 1956 level.

Yet, in spite of this pickup, which I certainly do not begrudge, but am pleased to see—we are still faced with heavy layoffs of workers. This makes the need for strengthening the unemployment program for railway workers a most necessary responsibility of this Congress.

Mr. Speaker, I shall not recite the profit figures for the industry because I am aware of the fact that virtually every Member of this body has been furnished, through one source or another, with the statistics. But I shall attach at the end of these remarks the record of one railroad in my part of the country which speaks for itself.

May I conclude by mentioning that a comparative study shows that the railroad industry's allegation that the Railroad Retirement and Unemployment Insurance Systems are the most generous in any industry and are the most costly to any industry, does not jell with the facts. Mr. Speaker, I believe the facts in the case are on the side of the employees of the railroad industry and I urge my colleagues to support a realistic and justified approach in this matter.

FACTS AND INCOME OF SOUTHERN PACIFIC TRANSPORTATION SYSTEM

The Southern Pacific System had outstanding, as of December 31, 1957, 9,047,122 shares of stock with 71,873 stockholders.

In 1957, the system earned $5.16 per share and paid in dividends $27,141,366.

The company had a 2 for 1 stock split, effective August 8, 1952. The dividends paid per share of stock in 1952 after the split was $1.50; in 1953 and 1954, $3; in 1955, 1956, and 1957 was $3, and $3 in 1958. The price range of the stock in 1957 was a high of $46⅞ to a low of $33.

The system had in 1957 a net income after all charges of $46,645,377.

Though 1958 was a recession year, the Southern Pacific System had a net income of $47,100,000; earned $5.20 per share and paid $3 dividend per share.

The total assets for the system operating in the United States were in 1951, $1,973,682,511 and in 1957, the assets had increased to $2,298,198,134.

The system operated 13,621 miles of track in 1957 and the net income per mile of track was $3,768, as compared to $3,102 in 1958.

The net income record for the system for the years 1949 to 1958, inclusive, is as follows:

Net income

Year:	*Million*
1949	$30.5
1950	50.8
1951	46.0
1952	61.9
1953	57.9
1954	44.4
1955	51.6
1956	46.5
1957	46.6
1958	47.1

The system earned per share of stock in 1949, $3.61 as compared to $5.20 in 1958.

The net income for the months of January and February 1959, was $7,591,880, as compared to $6,984,233, for the same period in 1958.

Carloadings for 3 months of 1959 are up 10.9 percent over 1958.

In 1957, the system had 645 executives and 53,389 employees; an increase of 32 executives and a decrease of 11,165 employees as compared to 1948.

Income accounts of the Southern Pacific system

Total operating revenue	$663,492,930
Total operating expense	532,130,718
Net railway operating revenue	131,362,212
Federal income tax	5,732,895
Payroll tax	23,148,740
Other railway taxes	25,798,452
Railway operating income	76,682,124
Net equipment and facility rents	22,847,119

Income accounts of the Southern Pacific system—Continued

Net railway operating income	$53,835,005
Other income	22,368,031
Gross income	76,203,036
Miscellaneous rents	76,177
Miscellaneous tax accruals	1,023,348
Miscellaneous charges	3,352,574
Balance for fixed charges	71,750,937
Fixed charges:	
Interest on funded and unfunded debt, etc., total fixed charges	25,105,560
Net income	46,645,377

The total operating expense of $663,492,930 includes $37,321,458 depreciation allowance which is charged against operating revenue and is available to company for any purpose.

Mr. GRAY. Mr. Chairman, in rising to urge passage of the substitute motion on H.R. 5610, I want to stress above all one thing: This substitute is a very moderate measure,

It is moderate in the sense that it gives far less than the railway brotherhoods were asking us for last year. It is moderate in comparison with other measures being requested by organized labor. It is moderate in that the railroad industry can surely afford it. It is moderate in the sense of wise statesmanship, of calming in advance what might develop into a cause of industrial strife.

The substitute measure differs chiefly from H.R. 5610, the committee bill, in two things. First, the committee bill rips out or cuts down various long-established benefits in the railroad unemployment and sickness insurance system. The substitute leaves these benefits unchanged.

Second, the committee bill provides for no regular extended unemployment benefits for long-service railroaders. The substitute does so provide. It would give unemployed railroaders with 10 to 15 years of service an extra 13 weeks of benefits, and those with 15 or more years of service an extra 26 weeks—but only, of course, if they have been unable to find work.

In contrast, the bill urged on us by the railway brotherhoods last year would have provided extended benefits for as long as 4½ years in some cases. Thus the present substitute is far more moderate.

Moreover, can anyone among us dispute the real need for such extended benefits? These veteran railroaders laid off due to the technical progress in their industry surely deserve sympathetic attention and help as they and their families strive to find new and different work.

This provision for extended benefits is moderate also, I say, if you compare it with the standards being asked of us by organized labor in the general Federal-State unemployment insurance setup. There, as Members know, the demand is for uniform Federal standards of 39 weeks of benefits for nearly all of the unemployed.

For the railroad workers, this substitute would not provide anything like that. The great bulk of the unemployed railroaders—those dropped first, the ones with less than 10 years' seniority—would get no regular extended benefits. Only those with 10 to 15 years' seniority would get the regular 39 weeks of unemployment benefits. And only those with 15 years or more of seniority—who tend to be the most desperate cases because of their age, their family responsibilities and their specialized experience—would draw any further benefits beyond that. Thus this substitute measure is tailored to need—and very moderately so.

As for the railroads' ability to pay, I find one thing rather odd. Last summer, when many of the railroads were suffering financially from the recession, the committee reported out this bill with the same extended unemployment benefits now contained in the substitute. Clearly, the committee then felt the railroad indusry could afford to pay.

But what do we see now? In recent months, with the economic recovery, the railroads' operating profits have soared to a rate of more than a billion dollars a year. The profits now are far higher than last summer. And these profits, let me remind you, are being made very largely through the same technical advances that have caused the layoff of so many veteran railroaders. Certainly, out of a billion dollars a year profits, the industry can afford to pay the $25 million or so needed for these extended benefits to their veteran employees.

Let me now turn very briefly to the question of statesmanship. The mark of statesmanship is to look ahead. In the present case, it appears quite clear that if we in this House do nothing about extended unemployment benefits for the railroaders, this issue will inflame labor-management relations in the industry. As we know, the labor contracts on the railroads will be reopened next November 1. I know all of us here hope there will be a peaceful settlement. By our action in this House today, I feel we can in some measure contribute to that.

For all these reasons, I suggest that the course of moderation, of prudence and of justice is to pass the substitute motion.

Mr. O'HARA of Illinois. Mr. Chairman, it was a great disappointment to me when an objection voiced by one Member of this body in the closing hours of the 2d session of the 85th Congress prevented the doing of simple justice to the great army of railroad workers of the United States, those in retirement after long years of service and those still at work.

With many other Members I left the Chamber of the House on the adjournment of the 85th Congress with the firm resolution that come the 86th Congress, and very early in the session, justice and decency would be done these railroad workers.

During recent weeks I have received hundreds of letters on the subject from my constituents, and to each letter I have replied that I regarded it as the decent and the right thing to do when this proposed legislation reached the floor of the House to vote for an amendment substituting H.R. 1012 for H.R. 5610 and then to vote for the bill thus amended.

I am voting for the substitute in the Committee of the Whole. I am certain that the amendment substituting H.R. 1012 will be carried because I think I know the sentiments of the great majority of my colleagues and that it is not in their hearts to turn thumbs down on the men and women who work on our railroads.

Mr. Chairman, this is legislation long overdue. I am certain the Committee will amend the bill as it should be amended and then the House will pass the measure by an overwhelming majority.

Mr. BLATNIK. Mr. Chairman, the needs of the Nation's hardworking and loyal railroad workers have been ignored and shunted off to the side long enough. Today we have the opportunity to make up to them the great disservice done them last year by the failure to enact the type of bill before us today. Failure to increase railroad retirement annuities and extend unemployment benefit payments last year was especially unfair when you take into consideration the fact that social security benefits were increased, regular unemployment compensation benefits extended, and, ironically enough, the railroad industry itself was given substantial assistance under the Transportation Act of 1958.

I recall the many letters, postcards and telegrams I received from laboring railroad men and women in support of legislation to provide assistance for their industry from the Federal Government. They pitched in when they were needed by railroad management and then watched while their own small requests for a better life were ignored and finally defeated. We have a great deal to make up to these people and we can do it today by restoring the original language of H.R. 1012 as a substitute for H.R. 5610.

The argument has been made, and I am sure will be heard again, that the differences between the two bills are slight. The first two sections of the bill are, for the most part, identical, it is true. They both increase annuity benefits by 10 percent. They both increase the wage base to $400 per month. They both increase the tax rate to finance the system. However, H.R. 1012 makes these increases retroactive back to January 1, 1959. H.R. 5610 contains no such retroactive feature. Actually, Mr. Chairman, I believe these benefit increases should be made retroactive back to the day this House failed to pass a similar bill last year because of the objection of one Member of this large body. Because of a parliamentary maneuver thousands of people were denied increased annuity benefits and extended unemployment benefits which were so badly needed during the winter recession of 1958. Why should they be penalized as they are under H.R. 5610? Three months of additional benefits is not a small thing to many people. By adopting the provisions of H.R. 1012 as a substitute for H.R. 5610 we would assure that the railroad worker would not bear the full brunt of our failure to enact this type of legislation last year.

The main differences between H.R. 5610 and H.R. 1012 occur in section 3, dealing with the unemployment and

sickness insurance programs. The provisions of H.R. 5610 are totally inadequate and callously disregard the needs of the railroad worker. The more liberal provisions of H.R. 1012, on the other hand, represent a realistic attempt to help and improve the lot of the railroad worker. The extension of temporary unemployment benefits of 13 additional weeks to all employees, as provided in H.R. 5610, is totally inadequate. It ignores the problems of automation and the older employees. I agree wholeheartedly with the minority report on H.R. 5610 which states that the provisions of H.R. 1012 with regard to extended periods of unemployment insurance protection "represent the very minimum of extended benefit protection that is required." And this is especially true of the veteran employee with many years of service who suddenly finds, as pointed out in the minority report, that his particular skills are no longer needed or needed only in greatly reduced numbers. The Congress faced the fact that peculiar problems of the railroad industry justify Federal assistance that is not made available to many other industry groups. We must also face the fact that railroad employees, too, have peculiar problems requiring specific treatment by law. H.R. 1012 meets this need by providing a temporary extension of benefits of 13 additional weeks to employees with less than 10 years of service, a permanent extension of 13 weeks to employees with 10 to 15 years of service, and a permanent extension of 26 weeks to employees with 15 or more years of service. This difference between the two bills is another reason why H.R. 1012 should be enacted rather than H.R. 5610.

There are other differences also, Mr. Chairman. The elimination of maternity benefits under H.R. 5610, the reduction in the number of compensable days of unemployment due to sickness and other backward-moving, untimely changes in the Railroad Retirement System which are not contained in H.R. 1012. These differences are substantial. They cannot be passed off as mere minor differences. To adopt H.R. 5610 would be unconscionable. I urge the House instead to substitute in its stead the provisions of H.R. 1012.

Mr. McGOVERN. Mr. Chairman, I am the sponsor of H.R. 4935, a measure identical to H.R. 1012. It was the original bill before the committee, calling for improved railroad retirement benefits. It is my earnest hope that the Congress will accept this legislation as a substitute for the subsequent committee bill now pending before us. It seems to me that H.R. 1012 and the similar measures introduced by myself and other Members of the Congress will give much-needed protection to the railroad workers of the Nation.

Last year, we moved to give substantial benefits to the railroad industry as a whole. We failed in our efforts to pass needed improvements in the railroad retirement program. I hope that we will delay no longer the passage of this legislation, which is designed to bring a greater measure of security to the working men and women and their families in our railroad industry.

Because of its more realistic and more helpful range of benefits to the men and women of railway labor, I urge the passage of H.R. 1012, the substitute measure now being offered by the gentleman from West Virginia [Mr. STAGGERS].

I am pleased to learn that the other body has acted favorably on similar legislation.

Mr. PUCINSKI. Mr. Chairman, I join with those of my colleagues who are today waging this militant effort to substitute H.R. 1012 for the bill affecting the Railroad Retirement Act recommended by the commitee to this Congress.

I have studied the committee's bill, H.R. 5610, and find that it will not bring the desperately needed help which this Nation's thousands upon thousands of railroad workers so urgently need if they are to survive in this great wave of inflation.

I am certain that enactment by this House of H.R. 1012 will go a long way in helping not only the retired railroad worker, but also the thousands of railroad employees whose jobs are being cut out from under them through ever-increasing automation of the railroads.

The arguments of those who oppose H.R. 1012 are most unconvincing when you consider the great misery which is being suffered, particularly by those Americans who are being eliminated from their work by the railroad industry. Opponents of this measure claim that it will bring undue financial hardships on the Nation's railroads, but this claim is not consistent with the profit reports of the Nation's railroads.

I think that we must all face up to the bitter truth that when a railroad employee is severed from his job because of automation, his chances of obtaining employment in other industries is virtually nonexistent. The railroad worker is trained for a specific job in the railroad industry and his chances to find similar employment in other industries are practically nil, particularly since most of those being eliminated from their jobs are older people.

It is for this reason that I strongly urge upon this Congress the extension of unemployment compensation payments provided in H.R. 1012.

Unless we help the retired railroad worker as well as those faced with elimination of their present jobs because of automation, we will be placing a large number of our American citizens into the untenable position of not being able to survive. It is for this reason that I join in supporting the substitution for the committee's recommendation, and urge adoption of H.R. 1012.

Mr. KASEM. Mr. Chairman, I rise in support of the amendment to H.R. 5610 offered by the gentleman from West Virginia [Mr. STAGGERS]. I would like to urge all of my colleagues to heed the extremely discerning remarks of my colleague and good friend, the gentleman from California [Mr. HOLIFIELD] and adopt them as my own.

Mr. RHODES of Pennsylvania. Mr. Chairman, first I want to commend the gentleman from Arkansas for his leadership as Chairman of the Interstate and Foreign Commerce Committee, which considered this legislation. As a member of that Committee I have always found the gentleman to be fair, considerate and cooperative.

He introduced the original bill on this legislation, H.R. 1012, and I intend to vote for that bill as a substitute for H.R. 5610, which seriously weakened his original proposal.

Mr. Chairman, every Member of this House, I believe, feels that improvements in the Railroad Retirement and Railroad Unemployment Insurance Act are long overdue. Our Committee has held extensive hearings on this problem in recent years.

Evidence presented in the last three Congresses clearly shows that retirement benefits have lagged behind the cost of living, forcing many thousands of retired railroad workers, their spouses, and dependents to reduce their standard of living.

Unemployment in the rail industry has likewise imposed severe economic hardships on railroad employees, many of whom have been unable to obtain even part-time work because of overall unemployment and job discrimination based on age.

Two years ago our committee considered legislation—H.R. 4353—to improve this situation. Spokesmen for the railroad industry opposed enactment of bills to liberalize the present Railroad Retirement and Railroad Unemployment Insurance Acts on the grounds that it would be too costly in view of their weak economic position. Action on H.R. 4353 was delayed by our committee because of certain amendments it would make in the Railroad Retirement Tax Act. These sections were subsequently considered separately by another committee having primary jurisdiction.

Meanwhile, Congress took up the bill to provide Government-guaranteed loans to the railroad industry for capital expenditures and maintenance operations. Amendments to the Interstate Commerce Act were also proposed to help the railroads achieve a better competitive position with other forms of transportation. With the help of railway labor, this measure was enacted as the Transportation Act of 1958. The 3 percent Federal excise tax on freight was also repealed by the 85th Congress to bring direct assistance to the rail industry.

The industry opposed the retirement bill when it was subsequently reconsidered, despite the assistance they received from railroad employee unions and retired railworkers in helping to pass the Transportation Act. The retirement and unemployment insurance bill was killed in the final hours of the last Congress after a series of complex parliamentary moves failed to bring the measure before the House for action.

Early this session new bills were introduced to provide these long needed improvements in the Railroad Retirement and Railroad Unemployment Insurance Acts. Identical bills, H.R. 1012 and S. 226 were introduced and brought to early hearings in both our committee and the Senate committee.

This bill did not cover new ground, nor did they contain provisions beyond the scope of what previous hearings showed was necessary and equitable. It would increase all monthly retirement benefits by 10 percent, retroactive to January 1, 1959. This was the date on which the bill in the last Congress would have become effective. Women employees and the wives of retired railroaders would have the privilege of electing to receive an annuity on a reduced basis at age 62, a provision already in the social security law. Two one-half percent increases in the tax rate on both employers and employees—on January 1, 1959, and January 1, 1962—would assure that the retirement system was continued on a sound actuarial basis.

It would also bring unemployment compensation provisions up to a realistic level by extending duration and benefit rates, while adjusting the tax rate to balance the railroad unemployment insurance account.

Despite their vastly improved economic position, the railroads continue to oppose this legislation. During committee consideration of H.R. 1012 certain amendments were adopted which I feel do grave damage to the present unemployment insurance system. The bill before us today, H.R. 5610, contains these drastic backward steps which eliminate many benefits in effect for many years. It also eliminates the retroactive payment of the increased retirement benefits.

Mr. Chairman, I opposed these weakening amendments in committee and when they prevailed, joined in signing the minority report. H.R. 5610 is not an adequate approach to the needs of retired railroad workers, their families, and survivors. Nor does it treat fairly the unemployed rail workers, who are bearing the brunt of employment cutbacks in the industry. Total employment on class I railroads has dropped from 1,043,477 in 1956 to less than 840,000 today—a decline of some 200,000 workers in little more than 3 years.

Much of the argument against the original bill—H.R. 1012—is based on the alleged "poverty" of rail carriers in this country. But a look at their financial structure in reports to their stockholders shows a much different picture.

An Associated Press story on April 10, 1959, quoted the Association of American Railroads estimate that net income of class I rail carriers for January and February 1959 was $40 million. The AAR said that in these first 2 months of the year, operating revenues rose 4.1 percent, while operating expenses increased only 0.3 percent.

As was pointed out in testimony before the committee, estimated net income for class I railroads for 1958 was almost $600 million, despite the lingering effects of the business recession. This is more than their income in 21 of the 38 years since 1920, which, of course, includes the World War II years.

Moreover, the "poverty" plea is more than somewhat dimmed by an analysis of the pyramiding payroll of railroad executives during the 1955–57 period. While the total railroad employment was declining by 72,000 during this period, railroads were adding more than 200 executives and total management pay increased by almost $22 million.

The president of one railroad will receive more than $63,000 a year in pension when he retires. Retired presidents of three other railroads now receive pensions of $36,851, $25,000, and $28,813. All are paid by the carriers. These carriers oppose improvements in the railroad retirement system, although they meet only half the cost of the average yearly benefit of $1,440 now being paid their employees.

We hear much these days from industry sources to the effect that higher wages or fringe benefits for workers should be accompanied by increased productivity.

Only last week the U.S. Department of Labor released its official findings concerning productivity gains in various industries which show that railroad labor's output has increased faster in recent years than that of workers in any other industry. If increased productivity were the only basis on which improved retirement benefits and unemployment insurance benefits were to be based, the Labor Department report alone is justification for enactment of the original provisions of H.R. 1012.

Mr. Chairman, only by voting to substitute the original language of H.R. 1012 for the bill as reported by our Committee can we keep faith with the retired and unemployed railroad workers of this Nation. I urge my colleagues on both sides of the aisle to support efforts that will be made to substitute H.R. 1012 for the committee bill.

Mr. DULSKI. Mr. Chairman, I rise in opposition to the proposed railroad unemployment insurance program as proposed in H.R. 5610. At this time of heavy unemployment a majority of the House Interstate and Foreign Commerce Committee has seen fit to vote a number of crippling amendments to the Harris-Bennett bill which was introduced at the beginning of the session for the purpose of providing long overdue relief to unemployed and retired railroad workers and their families. Amendments made by the committee have been declared entirely unacceptable by 23 standard railway labor organizations.

I further state that the amendments made by the committee are a radical assault upon basic principles of social insurance which, in some cases, have been accepted as national policy since the enactment of the Railroad Unemployment Insurance Act. Principles which have prevailed for as long as 20 years clearly should not be wiped out without cause and no adequate reason for this action has been advanced.

The need today, when so many railroad workers are unemployed, is for legislation which will improve not decrease aid to the unemployed and ill among railroad employees. Instead the committee proposes to take away from these unfortunate many of the social insurance provision they now have.

The committee bill, I say, will eliminate entirely provisions in H.R. 1012 for extended unemployment insurance benefits for veteran railroad workers who are being displaced permanently through technological changes and changes in operating methods.

These workers, including many with 10, 20, and even 30 years of service, cannot readily get other employment. The modest proposals made in the Harris-Bennett bill to extend the time they are entitled to unemployment insurance benefits already represents a great compromise on the part of the railway labor organizations which agreed to accept them in the hope of expediting action to relieve the growing distress of railroad workers and their families at this time when record unemployment has hit the industry.

Other provisions of H.R. 5610 would eliminate or drastically restrict existing benefits both with respect to ordinary unemployment and unemployment due to sickness that have been available under existing law for from 13 to 20 years. These retrogressive steps must be prevented so that needy railroad workers will get additional not less help at this time of higher living costs.

H.R. 1012 is the identical bill which passed the Senate last year. It must be remembered that in failing to complete action on this legislation last year, Congress has already unfairly discriminated against the needy of the railroad industry, since it did not neglect to pass special legislation to aid unemployed and retired workers in other industries while voting no aid to railroad workers facing unemployment at one of the highest levels in the history of the industry. This is all the more unjust to these workers because Congress last year did find time to enact legislation giving considerable financial and other aid to the railroads which employ them. We must not forget that people should come first.

The disqualification provision and other changes which the committee wrote into the legislation this year would cost the railroad workers an estimated 30 million annually in benefits provided in H.R. 1012.

Mr. BREEDING. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. BREEDING. Mr. Chairman, there are several sections in the bill before us, H.R. 5610, which I heartily endorse. But there are other sections in this measure which seem to me nothing more than a slap in the face to a group of highly worthy people. I refer to the railroad workers of America.

Turning to the railroad retirement sections of this bill, I think most of us in this Chamber would support them. The increase in benefits are urgently needed by these good folks. The tax aspects will provide the required financing both for the present increase and for an increase voted 3 years ago. These parts of H.R. 5610 are both socially desirable and financially sound.

So too, I believe, are the provisions for raising the ceiling in the daily rate of

unemployment benefits for our railroad men and women. With the general rise in prices and wages in recent years, the existing ceilings have fallen far behind the times.

So much for the good sides of this bill. But what else do we find in it? We find some most extraordinary provisions which would deprive various sick and unemployed railroad men and women of certain benefits they have long enjoyed.

Gentlemen, these benefits have been written into the law in some cases since 1946, in some cases since 1938. Yet the measure here before us would cast them out.

When we look over the length and breadth of our land, when we think each one of us of the fine railroaders we personally know, when we consider that fully 170,000 of these good people have been thrust into unemployment in the past 2 years alone—then can we here truly intend to cut back, to curtail, to abolish certain of their long-held benefits.

Now, it is said abuses are possible under some of these established benefits. Railroad lawyers before the committee presented lots of technical arguments. And who could deny that a few small cases of abuse are possible under any legislation that we here in Congress have passed?

That is not the crucial question here. The crucial question is, Shall we tell railroaders now walking the streets unemployed, "You counted on these benefits. They have been in the law for years. But now you shall not have them"?

No; I urge you, gentlemen, let us not do that. And further, let us do at least something positive for the tens of thousands of long-service railroaders now thrown on the technological scrap heap due to their own industry's progress.

Let us say to the railroad industry: "We salute your technical progress. It is a fine thing. But you should also meet at least a small part of the human cost of this progress by paying reasonable unemployment benefits to your laid-off, long-service employees for a short additional period."

This is a moral charge on the profits of the railroad industry, gentlemen. Should it not be, in some slight degree, a financial charge as well?

It will be said that my friends and I are arguing against these parts of the committee bill. So we are, against this year's committee majority bill. But last year, gentlemen, the committee reported out a bill that did just what we are now urging. Last year's committee bill did not cut back existing benefits. Last year's committee bill did provide for modest extended unemployment benefits, as we now ask.

Yet last year, when that committee bill came out, the railroads were showing sharply lower profits. Recently, in contrast, their operating profits have been running at many more thousands of dollars a year.

I urge upon you that the need is great. Let us here modify H.R. 5610, as I have suggested. Let us help bring joy, not sorrow, to the railroad homes of America.

Mr. KARTH. Mr. Chairman, there can hardly be a Member of this House who does not have at least several hundred railroad workers and railroad families living in his district. Most of us, I think, know personally at least some of those railroad folks back home. They are by and large fine people. They are pillars of their communities. And judging by my mail and that of other Members, I can well believe that 99 percent of these good folk are intensely interested in the legislation before us today.

Why is that? Basically, it is because the railroaders for several years have been undergoing very tough times. Several hundred thousand retired railmen and their wives find themselves ground between their modest retirement annuities and the rising cost of living.

Over the past 2 years more than 170,000 railroaders have been laid off from their jobs—and virtually none have been rehired. Meanwhile, the 860,000 railroaders still at work ask themselves, Will I be next to go? Because the crisis in railroad employment, gentlemen, is not a matter of the recession alone. It is a matter of long-term technological trends. In a word, of automation.

As for the railroad companies, a year ago the profits of many of them were down sharply. They appealed to Congress for help. Congress gave them help. By the end of 1958, however, with rising traffic, the railroads' earnings had rebounded so sharply that their operating profits were running at over a billion dollars a year.

Last year Congress gave help to the railroads. Now finally, with H.R. 5610, we turn to the question of help for the human side of the industry. And how well does H.R. 5610 provide that?

In providing for increased retirement benefits, I think most members will agree that H.R. 5610 does what it should. It also provides the needed retirement financing. Another good aspect, is the long-overdue rise in the daily benefit ceiling for railroad unemployment benefits.

But what about the other things in H.R. 5610? First, we find that it would cut back, curtail, and even abolish certain types of unemployment and sick benefits long written into the law. For example, it would abolish completely the 13-year-old system of maternity benefits for women railroad employees.

Now is that not an astonishing thing? We set out to help the human side of the railroad industry—and believe me, gentlemen, hundreds of thousands of them desperately need our help. But instead this bill proposes to hurt, not help, many of them.

The second astonishing thing I find is something left out of this bill. It was not left out of the bill reported by the committee last year. It was not left out of the bill passed by the other body last year. It is not left out of the bill now being debated, I understand, in the Senate chamber. It is left out of the measure here before us today.

I refer to the provision for a regular extension of unemployment benefits for long-service laid off railroaders, for maximum periods of 13 or 26 weeks. That provision is no longer in the bill. And it should be. It most certainly should be.

We now have tens of thousands of these veteran railroaders thrown out on the sidewalks. They have no hope of getting back in their industry. They are skilled men, but their skills are railroad skills. These are not the young footloose fellows we are proposing to help. These are not the fellows who may enjoy being jobless a while. These are veterans workers, fathers of families, men with 10, 15, 20 years seniority, trained in the railroad industry. Now they are thrown aside, due to the rising productivity of their own industry. I agree every American is not entitled to inherent economic security, but he is entitled to a job to provide his own economic security.

Do the railroads have no responsibility to help these men in their readjustment? Must the full cost of technical progress be borne solely by the employees?

The railroads do have a responsibility. And they can well afford the slight extra cost of the modest extension of benefits proposed for these discarded veteran railroaders. Only a tiny portion—perhaps $25 million a year—is involved in this proposal, out of the railroads' billion dollar a year profits.

Let us restore these parts of the bill to the way the committee reported them last year. Even then, the measure would be modest enough. But it would then be a real help, not a disappointment, to the human side of the railroad industry.

If, however, the railroad industry should need additional help—and I agree this is logical and perhaps necessary—I will be most happy to join hands with those who seek to enact reasonable legislation designed to accomplish this end, if it not be at the expense of the employees.

Mr. FLOOD. Mr. Chairman, we are called on to choose between the committee majority's bill, H.R. 5610, and the substitute motion offered by my friend, the gentleman from West Virginia. One of the chief differences between the two measures, as others have pointed out, lies in the question of extended unemployment benefits for long-service railroaders.

The committee bill omits such benefits completely. The substitute would provide them, but in sharply reduced fashion from what our friends in the railway brotherhoods were asking for last year. The railroad workers are not getting all they wanted in this substitute. I would like to bring that out.

The original bill the brotherhoods were asking for in 1957 and 1958 provided extended benefits, for long-service unemployed railroaders, of up to 4½ years. The present substitute provides just 13 weeks of extended benefits for jobless railroaders with 10 to 15 years of service, and just 26 weeks for those with 15 or more years of service. That is quite a comedown from 4½ years. This substitute proposal is a very moderate proposition.

Gentlemen, there is no doubt of the need, the crying need for these benefits. You know and I know what type of men

these long-service railroaders are. They are not the fly-by-night type of young fellow who flits from one job to another. They are fathers of families, homeowners, the solid foundation of our communities around this Nation.

And now scores of thousands of these long-service railroad workers, through no fault of their own, find themselves thrown out of their long-held jobs and with very little prospect of getting them back. Somehow they must readjust. Somehow they must retrain themselves, find other work. If they can do this within 26 weeks, the present maximum for unemployment benefits—why, fine. They then would draw no more benefits in any case.

But where the new job takes longer to find, then we, by this substitute motion, say to the railroad industry that it should pay extended benefits for a short additional period to these jobless men who have served the railroads so long.

Now, there is talk that these extended benefits are nothing more than a disguised form of severance pay. Why do not the railway brotherhoods go to the railroads and bargain for severance pay, as happens in other industries, it is asked.

Let me assure you, these extended benefits are no severance pay. And here are some of the differences: Severance pay is a matter of right, on leaving a job. The worker gets it no matter what he does afterward. It does not depend on his finding or not finding another job. But these unemployment benefits cease the moment the recipient finds new work.

Second, severance pay is usually paid out in a lump sum. Unemployment benefits are paid from week to week. Third, severance pay is tied to service with one company and is paid directly by that company. Unemployment benefits are not. There are other differences, too. But these major distinctions make it plain that the extended unemployment benefits in this motion have nothing to do with severance pay.

Now, what about this advice that the railroads apply directly to their own industry for these extended benefits? Superficially, this is a plausible idea. Unions in the auto industry, the steel industry, and others have won supplemental unemployment benefits by doing that very thing. But how did those unions win their benefits? By a strike, or the threat of a strike.

In the railroad industry, on the contrary, it has been the policy of Congress to put special blocks in the way of railroad strikes ever since we passed the Railway Labor Act back in 1926. We have imposed on the railway brotherhoods a whole series of special delays, meditations, emergency factfinding boards and so on, to avoid railroad strikes. We have imposed these restrictions on economic conflict in the railroad industry for a good reason. We know a nationwide railroad strike would soon slow our economy to a standstill.

What would it mean, then, if we now say to the railroad workers: Do not look to Congress to give you any extended unemployment benefits. Imitate your brothers in autos, in steel. Go after these benefits directly from your industry.

Gentlemen, that would be nothing less than an invitation to a railroad strike. It would be a reversal of our whole national policy for 33 years. Because it is most abundantly clear that the railroad industry would resist such a demand. They are resisting it here in this House. They would resist it over the bargaining table.

This substitute motion, I repeat, is a very modest measure. It gives no more than simple justice. Indeed, it gives less. It is a measure of the wisest policy. I urge its adoption.

Mr. WEAVER. Mr. Chairman, to some few in America inflation is still a meaningless thing talked about by economists and politicians. By some, inflation is used for personal or partisan advantage as a political football. To a great many thinking Americans, inflation presents a potential danger to their Nation's future. But, Mr. Speaker, to a small group, those who must live on a fixed income, inflation is a terrible burden which accompanies them to bed at night and causes a restless sleep, which awaits them upon awakening and which sits beside them throughout the dreary days. To these, inflation is a nightmarish reality, and one which presses them close to the point of desperation.

It is for these people, or, at least a portion of these people, that we act today. It is for these people who have lived with inflation, or, perhaps I should better say, who have existed with inflation, I plead today.

The men and women who, for most of their useful lives, have worked on our railroads, and who retired some years ago to enjoy their declining years, need our help. The money which has so long been set aside under the Railroad Retirement Act is no longer adequate to care for their needs.

These people have come to us to ask our help. The railroads which employed them have agreed unanimously that their need is desperate and should be considered. I have not heard one man, either working on the side of management or on the side of the railroad workers, say that there is no need for a pension increase. Only the vehicle by which it was to be provided has come under question. Those questions, for better or worse, are now resolved. The only question remaining before us is whether or not to provide the 10 percent increase in pensions these men and women need and so fully deserve.

I ask all Members of this House to support this legislation. I most strongly urge its passage.

Mr. HARRIS. Mr. Chairman, I think we have had a very hearty and helpful discussion on this subject. As I tried to point out earlier, it is a highly complicated problem to understand. I appreciate the way that this debate has been carried on. Only in one or two instances has there been just barely a small flareup. It has been a very healthy debate on the subject.

Mr. Chairman, I do not think that we could say that any Member of this Congress wants to take anything away from anybody. I think the effort has been made by most everybody to try to work out something that will give benefits to those railroad workers who are entitled to them. I point out again that there is no controversy over the retirement provisions. Everyone is agreed on those. I do not know just what the substitute is going to include. I did not seem to get much out of the debate thus far, but the best information I have is that the retirement benefits and the increase in the amounts to be paid by employer and employee into the retirement fund are generally in accord. So, that leaves only in controversy the unemployment features of the bill. Now, I tried to point out to you earlier the five principal differences between what the original bill, H.R. 1012, included and what this bill, H.R. 5610, includes. The committee turned down, I suppose, some 12 or 15 rather important and major amendments that were proposed at that time. So, I think it is a very healthy thing that we have this matter narrowed down to this point. Each one of us has to decide in our own mind what we think is right. It is your own conscience and mine as to what we decide on this particular problem. We have to decide whether or not we are going to increase, again, the unemployment taxes to be paid by the railroad industry and thus, ultimately, by the people of the country. To me there is a limit. If you look at the experience of the unemployment insurance fund in the last few years you will, as I, have a very uneasy feeling that something is about to happen.

As I tried to point out this morning there is less than $50 million in the fund now and I understand the fund will have between $30 and $40 million within a very short time at the rate at which it is being depleted.

In the estimates given us it is said that the situation is stabilizing now. I do not know whether that is so or not. The experience is a turnover in employment of 20,000 a month. Just as surely as I am speaking now, we will not have enough money in this unemployment fund to meet the demands on it unless something is done. That is my concern, Mr. Chairman. I do not want it said, when the unemployed find that the money is not there, that, "You were responsible for the fact I could not get my money." That is the issue. We put it up to you today, and it is your decision to make.

Mr. CARTER. Mr. Chairman, to a country boy from Iowa all this oratory could be a wee mite confusing. It seems to me mighty significant if we check the record to see who the friends of H.R. 5610 and H.R. 1012 really are. It is easily apparent from what has been said here today that the employers, the Republican policy committee, and their agents here are supporting H.R. 5610. A few moments ago, the president of the Republican policy committee admitted that a confidential report had been issued to all the Republican Members subsequent to the meeting in the White House in which the Republican policy committee reports that the administration and the Republican Party are supporting H.R. 5610.

On the other hand, it is clearly apparent that the employees of the railroads, together with their supporters here, are definitely for H.R. 1012.

This might not be so significant if the arguments that they are using were valid. However, through the whole tone of the arguments presented by the opponents to H.R. 1012 this afternoon are the same arguments that were put forth by the railroad employers 13 years ago, when the employees first sought the benefits which H.R. 5610 takes away from them. These arguments are the same kind of arguments that were advanced when the first employees sought a fairer share of the benefits from our economic power in the days of Samuel Gompers. These arguments leave me cold, and I want to announce here and now that I am going to vote for H.R. 1012.

There have been five amendments to H.R. 1012 which make it identical with the bill that has just passed in the Senate and which take all the wind out of the sails of those who are supporting H.R. 5610 and opposing H.R. 1012. The first four amendments to H.R. 1012 as now being submitted are in H.R. 5610. They are:

First. The first amendment provides that the 10-percent increase in the retirement annuity applies only to annuities that accrue after the month of enactment of this act. This is the feature of the original H.R. 1012 which increased the cost to the railroads to $45 million and created the most objectionable feature.

Second. The increases in the retirement tax will not take place until a month after the enactment of this bill.

Third. The increase in the lump-sum payments is made only with regard to deaths occurring after the month of the passage of the bill.

Fourth. The maximum rate of contributions into the fund were increased from 3.50 percent to 3.75 percent.

Fifth. The Retirement Board during this emergency period in which we had so much unemployment is given power to borrow from the retirement fund for unemployment and sickness payments, and it will be repaid to the retirement fund, together with 3 percent interest.

H.R. 1012 with these amendments retains the present benefits that have been granted to the employees and at the same time grants them the increases to which they are entitled.

In comparing the fringe benefits to be received by the 700,000 employees of the railroads of America under this law with the fringe benefits being obtained by the employees in other transportation areas not covered by the law but obtained by contract, we find that the railroad employees still are not receiving as much as they should have. In view of all these considerations, it is easy to see why I am going to support the substitute bill, H.R. 1012, and vote in behalf of the workingmen of this great country. It is between you and your conscience whether you shall support the employers or the workingman, but there isn't any particular point in your claiming that by supporting H.R. 5610 you are supporting the workingman, because that bill takes the benefits away from the working people that they now have.

Mr. MORRIS of Oklahoma. Mr. Chairman, I first wish to say that I have a very high regard and sincere respect for the great committee handling this bill, including of course its great chairman, the distinguished gentleman from Arkansas [Mr. HARRIS], but I believe that the Staggers substitute which in substance is H.R. 1012, is preferable to the committee bill, H.R. 5610, for the reason that although both bills provide for certain benefits for railroad employees and retirees, yet the committee bill would, as I view it, deprive them of certain other benefits that are protected in the Staggers amendment or substitute.

The arguments that have been made that these benefits that are retained for them in the Staggers bill will put too great a burden on the railroads, I believe, is not good reasoning to justify passage of the committee bill in preference to the Staggers bill.

I realize fully that the railroads are essential to the welfare of our Nation, and I certainly am willing and anxious to do every proper and reasonable thing I can as a Member of Congress to help pass legislation that will give the railroads a fair and reasonable opportunity to operate efficiently and enjoy just and fair profits, and I am perfectly willing to help pass further sound and reasonable legislation if necessary toward this end. But I do not believe that the railroads should be helped at the expense and burden of the employees and retirees alone as provided in the committee bill, but that such burden if justified should fall on all the public and not just on this comparatively small group. I therefore will vote for the Staggers amendment.

The CHAIRMAN. All time has expired. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Railroad Employees Benefits Act of 1959."

Mr. STAGGERS. Mr. Chairman, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Strike out all after the enacting clause and insert:

"PART I—AMENDMENTS TO THE RAILROAD RETIREMENT ACT OF 1937

"SECTION 1. (a) Section 2(a)3 of the Railroad Retirement Act of 1937 is amended to read as follows:

"'3. Individuals who will have attained the age of sixty and will have completed thirty years of service or, in the case of women, who will have attained the age of sixty-two and will have completed less than thirty years of service, but the annuity of such individual shall be reduced by one one-hundred-and-eightieth for each calendar month that he or she is under age sixty-five when the annuity begins to accrue.'

"(b) Section 2(d) of such Act is amended by adding at the end thereof the following new sentence: 'If pursuant to the third sentence of this subsection an annuity was not paid to an individual with respect to one or more months in any calendar year, and it is subsequently established that the total amount of such individual's earnings during such year as determined in accordance with that sentence (but exclusive of earnings for services described in the first sentence of this subsection) did not exceed $1,200, the annuity with respect to such month or months, and any deduction imposed by reason of the failure to report earnings for such month or months under the fifth sentence of this subsection, shall then be payable. If the total amount of such individual's earnings during such year (exclusive of earnings for services described in the first sentence of this subsection) is in excess of $1,200, the number of months in such year with respect to which an annuity is not payable by reason of such third and fifth sentences shall not exceed one month for each $100 of such excess, treating the last $50 or more of such excess as $100; and if the amount of the annuity has changed during such year, any payments of annuity which become payable solely by reason of the limitation contained in this sentence shall be made first with respect to the month or months for which the annuity is larger.'

"(c) Section 2(e) of such Act is amended by striking out 'than an amount' and inserting in lieu thereof 'than 110 per centum of an amount'.

"(d) Section 2(g) of such Act is amended by inserting after 'wife under age 65' the following: '(other than a wife who is receiving such annuity by reason of an election under subsection (h))'.

"(e) Section 2 of such Act is further amended by adding at the end thereof the following new subsection:

"'(h) A spouse who would be entitled to an annuity under subsection (e) if she or he had attained the age of 65 may elect upon or after attaining the age of 62 to receive such annuity, but the annuity in any such case shall be reduced by one one-hundred-and-eightieth for each calendar month that the spouse is under age 65 when the annuity begins to accrue'.

"SEC. 2. (a) Section 3(a) of the Railroad Retirement Act of 1937 is amended (1) by striking out '3.04', '2.28', and '1.52' and inserting in lieu thereof '3.35', '2.51', and '1.67', respectively; and (2) by striking out '$200' and inserting in lieu thereof '$250'.

"(b) Section 3(c) of such Act is amended by inserting after 'or in excess of $350 for any month after June 30, 1954,' the following: 'and before the calendar month next following the month in which this Act was amended in 1959, or in excess of $400 for any month after the month in which this Act was so amended,'.

"(c) Section 3(e) of such Act is amended (1) by striking out '$4.55', '$75.90', and 'his monthly compensation' and inserting in lieu thereof '$5.00', '$83.50' and '110 per centum of his monthly compensation', respectively; (2) by striking out 'is less than the amount, or the additional amount' and inserting in lieu thereof 'is less than 110 per centum of the amount, or 110 per centum of the additional amount'; (3) by inserting after 'age sixty-five,' the following: 'women entitled to spouses' annuities pursuant to elections made under subsection (h) of section 2 to be entitled to wife's insurance benefits determined under section 202(q) of the Social Security Act,'; and (4) by striking out 'such amount or such additional amount' and inserting in lieu thereof '110 per centum of such amount or 110 per centum of such additional amount'.

"SEC. 3. (a) Section 5(f)(2) of the Railroad Retirement Act of 1937 is amended by striking out 'and 7 per centum of his or her compensation after December 31, 1946 (exclusive in both cases of compensation in excess of $300 for any month before July 1, 1954, and in the latter case in excess of $350

for any month after June 30, 1954),' and by inserting in lieu thereof the following: 'plus 7 per centum of his or her compensation paid after December 31, 1946, and before January 1, 1959, plus 7½ per centum of his or her compensation paid after December 31, 1958, and before January 1, 1962, plus 8 per centum of his or her compensation paid after December 31, 1961 (exclusive of compensation in excess of $300 for any month before July 1, 1954, and in excess of $350 for any month after June 30, 1954, and before the calendar month next following the month in which this Act was amended in 1959, and in excess of $400 for any month after the month in which this Act was so amended),'.

"(b) Section 5(h) of such Act is amended by striking out '$33', '$176', and '$15.40' wherever they appear and inserting in lieu thereof '$36.30', '$193.60', and '$16.95', respectively.

"(c) Section 5(i)(1)(ii) of such Act is amended by striking out 'or in which month he engaged on seven or more different calendar days in noncovered remunerative activity outside the United States (as defined in section 203(k) of the Social Security Act)' and inserting in lieu thereof the following: 'or, having engaged in any activity outside the United States, would be charged under such section 203(e) with any earnings derived from such activity if it had been an activity within the United States'.

"(d) Clause (A)(i) of section 5(l)(9) of such Act is amended by striking out the word 'and' appearing after 'July 1, 1954,' and by inserting after 'June 30, 1954,' the following: 'and before the calendar month next following the month in which this Act was amended in 1959, and any excess over $400 for any calendar month after the month in which this Act was so amended,'.

"(e) Clause (A)(ii) of section 5(l)(9) of such Act is amended (1) by inserting 'and before 1959' after '1954' where it first appears; (2) by inserting after '$4,200' where it first appears the following: ', or for any calendar year after 1958 is less than $4,800,'; (3) by striking out '$350' and inserting in lieu thereof '$400'; and (4) by striking out 'and $4,200 for years after 1954, by' and inserting in lieu thereof the following: ', $4,200 for years after 1954 and before 1959, and $4,800 for years after 1958, by'.

"(f) Section 5(l)(10) of such Act is amended by striking out '44', '11', '$350', '$15.40', '$36.66', '$27.50', and '$14.66' wherever they appear and inserting in lieu thereof '49', '12', '$400', '$16.95', '$40.33', '$30.25', and '$16.13', respectively.

"SEC. 4. All pensions under section 6 of the Railroad Retirement Act of 1937, all joint and survivor annuities and survivor annuities deriving from joint and survivor annuities under that Act awarded before the month next following the month of enactment of this Act all widows' and widowers' insurance annuities which began to accrue before the second calendar month next following the month of such enactment, and which, in accordance with the proviso in section 5(a) or section 5(b) of the Railroad Retirement Act of 1937, are payable in the amount of the spouse's annuity to which the widow or widower was entitled, and all annuities under the Railroad Retirement Act of 1935, are increased by 10 per centum.

"SEC. 5. (a) The amendments made by section 1 (other than subsection (b) thereof), by subsections (a) and (c) of section 2, and by subsection (b) of section 3 shall be effective only with respect to annuities (not including annuities to which section 4 applies) accruing for months after the month of enactment of this Act. The amendment made by subsection (b) of section 1 and by subsection (c) of section 3 shall be effective with respect to annuities accruing during the calendar year 1959 and subsequent calendar years. The amendment made by subsection (a) of section 3 shall be effective only with respect to lump-sum payments (under section 5(f)(2) of the Railroad Retirement Act of 1937) in the case of deaths occurring after the month of enactment of this Act. The amendments made by subsection (f) of section 3 shall be effective only with respect to annuities accruing for months after the month of enactment of this Act and lump-sum payments (under section 5(f)(1) of the Railroad Retirement Act of 1937) in the case of deaths occurring after the month of enactment of this Act. Section 4 shall be effective only with respect to pensions due in calendar months after the month next following the month of enactment of this Act and annuities accruing for months after the month of enactment of this Act.

"(b) All recertifications required by reason of the amendments made by this part shall be made by the Railroad Retirement Board without application therefor.

"PART II—AMENDMENTS TO THE RAILROAD RETIREMENT TAX ACT

"SEC. 201. (a) Section 3201 of the Railroad Retirement Tax Act is amended to read as follows:

"'SEC. 3201. Rate of Tax.

"'In addition to other taxes, there is hereby imposed on the income of every employee a tax equal to—

"'(1) 6¾ percent of so much of the compensation paid to such employee for services rendered by him after the month in which this provision was amended in 1959, and before January 1, 1962, and

"'(2) 7¼ percent of so much of the compensation paid to such employee for services rendered by him after December 31, 1961,

as is not in excess of $400 for any calendar month: *Provided*, That the rate of tax imposed by this section shall be increased, with respect to compensation paid for services rendered after December 31, 1964, by a number of percentage points (including fractional points) equal at any given time to the number of percentage points (including fractional points) by which the rate of the tax imposed with respect to wages by section 3101 at such time exceeds the rate provided by paragraph (2) of such section 3101 as amended by the Social Security Amendments of 1956.'

"(b) Section 3202(a) of the Railroad Retirement Tax Act is amended (1) by striking out 'after December 31, 1954' wherever it appears and inserting in lieu thereof 'after the month in which this provision was amended in 1959'; (2) by striking out '$350' wherever it appears and inserting in lieu thereof '$400'; (3) by striking out 'after 1954' and inserting in lieu thereof 'after the month in which this provision was amended in 1959'.

"(c) Section 3211 of the Railroad Retirement Tax Act is amended to read as follows:

"'SEC. 3211. Rate of Tax.

"'In addition to other taxes, there is hereby imposed on the income of each employee representative a tax equal to—

"'(1) 13½ percent of so much of the compensation paid to such employee representative for services rendered by him after the month in which this provision was amended in 1959, and before January 1, 1962, and

"'(2) 14½ percent of so much of the compensation paid to such employee representative for services rendered by him after December 31, 1961,

as is not in excess of $400 for any calendar month: *Provided*, That the rate of tax imposed by this section shall be increased, with respect to compensation paid for services rendered after December 31, 1964, by a number of percentage points (including fractional points) equal at any given time to twice the number of percentage points (including fractional points) by which the rate of the tax imposed with respect to wages by section 3101 at such time exceeds the rate provided by paragraph (2) of such section 3101 as amended by Social Security Amendments of 1956.'

"(d) (1) Section 3221 of the Railroad Retirement Tax Act is amended by striking out 'In addition to' and all that follows down through '$350' the first time it appears, and inserting in lieu thereof the following:

"'(a) In addition to other taxes, there is hereby imposed on every employer an excise tax, with respect to having individuals in his employ, equal to—

"'(1) 6¾ percent of so much of the compensation paid by such employer for services rendered to him after the month in which this provision was amended in 1959, and before January 1, 1962, and

"'(2) 7¼ percent of so much of the compensation paid by such employer for services rendered to him after December 31, 1961, as is, with respect to any employee for any calendar month, not in excess of $400'.

"(2) Such section 3221 is further amended (A) by striking out 'after December 31, 1954' and 'after 1954' wherever they appear in that section and inserting in lieu thereof 'after the month in which this provision was amended in 1959'; (B) by striking out '$350' wherever else it appears in that section and inserting in lieu thereof '$400'; and (C) by adding at the end thereof the following new subsection:

"'(b) The rate of tax imposed by subsection (a) shall be increased, with respect to compensation paid for services rendered after December 31, 1964, by a number of percentage points (including fractional points) equal at any given time to the number of percentage points (including fractional points) by which the rate of the tax imposed with respect to wages by section 3111 at such time exceeds the rate provided by paragraph (2) of such section 3111 as amended by the Social Security Amendments of 1956.'

"SEC. 202. The amendments made by section 201 shall, except as otherwise provided in such amendments, be effective as of the first day of the calendar month next following the month in which this Act was enacted, and shall apply only with respect to compensation paid after the month of such enactment, for services rendered after such month of enactment.

"PART III—AMENDMENTS TO THE RAILROAD UNEMPLOYMENT INSURANCE ACT

"SEC. 301. (a) Section 1(i) of the Railroad Unemployment Insurance Act is amended by striking out the proviso in the first sentence and inserting in lieu thereof ': *Provided, however*, That in computing the compensation paid to any employee, no part of any month's compensation in excess of $300 for any month before July 1, 1954, or in excess of $350 for any month after June 30, 1954, and before the calendar month next following the month in which this Act was amended in 1959, or in excess of $400 for any month after the month in which this Act was so amended, shall be recognized'.

"'(b) The first proviso of section 1(k) of the Railroad Unemployment Insurance Act is amended by striking out "$400" and inserting in lieu thereof "$500".'

"SEC. 302. (a) Section 2(a) of the Railroad Unemployment Insurance Act is amended by striking out the language between '(i)' and '(ii)' and inserting in lieu thereof the following: 'for each day of unemployment in excess of four during any registration period, and'.

"(b) Section 2(a) of such Act is further amended by striking out columns I and II and inserting in lieu thereof the following:

" 'Column I Total Compensation	Column II Daily Benefit Rate
$500 to $699.99	$4.50
700 to 999.99	5.00
1,000 to 1,299.99	5.50
1,300 to 1,599.99	6.00
1,600 to 1,899.99	6.50
1,900 to 2,199.99	7.00
2,200 to 2,499.99	7.50
2,500 to 2,799.99	8.00
2,800 to 3,099.99	8.50
3,100 to 3,499.99	9.00
3,500 to 3,999.99	9.50
4,000 and over	10.20'.

"(c) The proviso in such section 2(a) is amended by striking out '50' and '$8.50' and inserting in lieu thereof '60' and '$10.20', respectively.

"SEC. 303. (a) Section 2(c) of the Railroad Unemployment Insurance Act is amended by striking out the period at the end thereof and inserting in lieu of such period a colon and the following: *'And provided further,* That, with respect to an employee who has ten or more years of service as defined in section 1(f) of the Railroad Retirement Act of 1937, who did not voluntarily leave work without good cause or voluntarily retire, and who had current rights to normal benefits for days of unemployment in a benefit year but has exhausted such rights, the benefit year in which such rights are exhausted shall be deemed not to be ended until the last day of the extended benefit period determined under the following schedule, and the maximum number of days of, and amount of payment for, unemployment within such benefit year for which benefits may be paid to the employee shall be enlarged to include all compensable days of unemployment within such extended benefit period:

" 'If the employee's "years of service" total—	The extended benefit period shall begin on the first day of unemployment following the day on which the employee exhausted his then current rights to normal benefits for days of unemployment and shall continue for successive fourteen-day periods (each of which period shall constitute a registration period) until the number of such fourteen-day periods totals—
10 and less than 15	7 (but not more than 65 days)
15 and over	13

but no such extended benefit period shall extend beyond the beginning of the first registration period in a benefit year in which the employee is again qualified for benefits in accordance with section 3 of this Act on the basis of compensation earned after the first of such successive fourteen-day periods has begun. For an employee who has ten or more years of service, who did not voluntarily leave work without good cause or voluntarily retire, who has fourteen or more consecutive days of unemployment, and who is not a "qualified employee" for the general benefit year current when such unemployment commences but is or becomes a "qualified employee" for the next succeeding general benefit year, such succeeding benefit year shall, in his case, begin on the first day of the month in which such unemployment commences.'

"(b) An employee who has less than ten years of service as defined in section 1(f) of the Railroad Retirement Act of 1937, and who has after June 30, 1957, and before April 1, 1959, exhausted (within the meaning prescribed by the Railroad Retirement Board by regulation) his rights to unemployment benefits, shall be paid unemployment benefits for days of unemployment, not exceeding sixty-five, which occur in registration periods beginning on or after June 19, 1958, and before July 1, 1959, and which would not be days with respect to which he would be held entitled otherwise to receive unemployment benefits under the Railroad Unemployment Insurance Act, except that an employee who has filed, and established, a first claim for benefits under the Temporary Unemployment Compensation Act of 1958 may not thereafter establish a claim under this subsection, and an employee who has registered for, and established a claim for benefits under this subsection may not thereafter establish a claim under the Temporary Unemployment Compensation Act of 1958. Except to the extent inconsistent with this subsection, the provisions of the Railroad Unemployment Insurance Act shall be applicable in the administration of this subsection.

"(c) The Secretary of Labor, upon request, shall furnish the Board information deemed necessary by the Board for the administration of the provisions of subsection (b) hereof, and the Board, upon request, shall furnish the Secretary of Labor information deemed necessary by the Secretary for the administration of the Temporary Unemployment Compensation Act of 1958.

"SEC. 304. Section 3 of the Railroad Unemployment Insurance Act is amended by striking out '$400' and inserting in lieu thereof '$500'.

"SEC. 305. Section 4(a-2) of the Railroad Unemployment Insurance Act is amended by striking out subdivision (iv), and by striking out the semicolon at the end of subdivision (iii) and inserting in lieu thereof a period.

"SEC. 306. Section 8(a) of the Railroad Unemployment Insurance Act is amended (1) by inserting after 'June 30, 1954' where it first appears the following: ', and before the calendar month next following the month in which this Act was amended in 1959, and is not in excess of $400 for any calendar month paid by him to any employee for services rendered to him after the month in which this Act was so amended'; (2) by inserting after 'June 30, 1954' where it appears for the second time the following: ', and before the calendar month next following the month in which this Act was amended in 1959, and to not more than $400 for any month after the month in which this Act was so amended'; (3) by inserting after 'June 30, 1954' where it appears for the third time the following: ', and before the calendar month next following the month in which this Act was amended in 1959, or less than $400 if such month is after the month in which this Act was so amended'; (4) by striking out 'December 31, 1947' in paragraph 2 and inserting in lieu thereof 'the month in which this Act was amended in 1959'; and (5) by striking out the table (except the column headings) in such paragraph 2 and inserting in lieu thereof the following:

	Percent
" '$450,000,000 or more	1½
$400,000,000 or more but less than $450,000,000	2
$350,000,000 or more but less than $400,000,000	2½
$300,000,000 or more but less than $350,000,000	3
Less than $300,000,000	3¾'.

"SEC. 307. Section 8(b) of the Railroad Unemployment Insurance Act is amended (1) by striking out '3 per centum' and inserting in lieu thereof '3¾ per centum'; and (2) by inserting before the period at the end of the first sentence the following: ', and before the calendar month next following the month in which this Act was amended in 1959, and as is not in excess of $400 paid to him for services rendered as an employee representative in any calendar month after the month in which this Act was so amended'.

"SEC. 308. (a) Subsection (d) of section 10 of the Railroad Unemployment Insurance Act be amended to read as follows:

" '(d) Whenever the Board finds at any time that the balance in the railroad unemployment insurance account will be insufficient to pay the benefits and refunds which it estimates are due, or will become due, under this Act, it shall request the Secretary of the Treasury to transfer from the Railroad Retirement Account to the credit of the railroad unemployment insurance account such moneys as the Board estimates would be necessary for the payment of such benefits and refunds, and the Secretary shall make such transfer. Whenever the Board finds that the balance in the railroad unemployment insurance account, without regard to the amounts transferred pursuant to the next preceding sentence, is sufficient to pay such benefits and refunds, it shall request the Secretary of the Treasury to retransfer from the railroad unemployment insurance account to the credit of the Railroad Retirement Account such moneys as in its judgment are not needed for the payment of such benefits and refunds, plus interest at the rate of 3 per centum per annum, and the Secretary shall make such retransfer. In determining the balance in the railroad unemployment insurance account as of September 30 of any year pursuant to section 8(a) of this Act, any moneys transferred from the Railroad Retirement Account to the credit of the railroad unemployment insurance account which have not been retransferred as of such date from the latter account to the credit of the former, plus the interest accrued thereon to that date, shall be disregarded.'

"(b) The amendment made by this section shall take effect on the date of enactment of this Act.

"SEC. 309. The amendments made by section 301(b) shall be effective with respect to days in registration periods beginning after June 30, 1959. The amendments made by sections 302, 303(a), and 305 shall be effective with respect to benefits accruing in general benefit years which begin after the benefit year ending June 30, 1958, and in extended benefit periods which begin after December 31, 1957. The amendment made by section 304 shall be effective with respect to base years after the base year ending December 31, 1957. The amendments made by clauses (4) and (5) of section 306 and clause (1) of section 307 shall be effective as of the first day of the calendar month next following the month in which this Act was enacted, and shall apply only with respect to compensation paid for services rendered in calendar months after the month in which this Act was enacted."

Mr. STAGGERS (interrupting the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and inserted in full in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

Mr. FLYNT. Mr. Chairman, reserving the right to object, I should like to

ask the author of the substitute if this is identical with H.R. 1012, and if copies are available.

Mr. STAGGERS. It certainly is not. There are five amendments which I shall explain, which have been talked about in the committee. I think there will be no question about them.

Mr. FLYNT. Mr. Chairman, reserving the right to object, would the gentleman consider——

Mr. STAGGERS. It is all right with me to have the amendment read.

Mr. FLYNT. I am not suggesting that the amendment be read, but I was going to ask a question so that the members of the committee will know what the amendments are.

Mr. STAGGERS. I am going to explain them; they are very short. I have already talked about them.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. MOULDER. Mr. Chairman, I ask unanimous consent that the gentleman from West Virginia [Mr. STAGGERS] be recognized for an additional 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

Mr. MASON. Mr. Chairman, I object to any extensions.

The CHAIRMAN. Objection is heard.

Mr. STAGGERS. Mr. Chairman, before I explain the amendments, I would like to say this. This bill is identical with a bill which will be considered this afternoon, I understand, in the other body, and probably will pass. It came out of the Senate committee by a vote of 14 to 0. It is the same bill which passed the Senate last year with a vote of 80 to 2, and if brought to this floor would have passed, I am sure.

Before going into an explanation of the amendments, I would like to say, as I said when I started my talk, that I have voted for every bill that was intended to be helpful to the railroads. The time now has come to help the railroad employees. I voted for the Transportation Act of 1958. It came out of my committee. I worked for it and helped to get it through. It helped the railroads of the country. Money was made available to help the railroads of the country.

Last year I was one of those who voted to repeal the excise tax on freight rates. This helped the railroads.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. No; I want to explain my amendments. I will not have enough time to yield unless the gentleman withdraws his objection to my getting extra time.

Mr. BYRNES of Wisconsin. Will the gentleman yield just for a correction?

Mr. STAGGERS. No.

The first amendment would be that the 10-percent increase in the retirement annuity is not made retroactive; that is, the increase applies only to annuities that accrue after the month of enactment of this act. The increase will not take effect until the month following the enactment of this act.

With relation to the retirement tax, the increases in tax will not take place until the month after the enactment of the act. The question of effective date of the tax has been one of the points of opposition to the substitute bill. We are eliminating that.

The increase in the lump-sum payments is made only with regard to deaths occurring after the month of passage of this bill.

The chairman, in his last appeal, said he did not want the unemployment fund to be destroyed. We are increasing the maximum rate of contributions into the fund by the amount that the actuaries suggested before our committee would make the system sound. That is to 3.75 percent. We are putting the maximum rate at 3.75 percent, one-quarter of 1 percent more than H.R. 5610.

Also, we are giving power to the Retirement Board in this emergency period in which we have had so much unemployment to borrow from the retirement fund for the unemployment and sickness payments. It will be with interest being charged; there will be no controversy on that.

Those are the five perfecting amendments which makes this substitute bill the same as the bill the Senate is considering, which passed out of the committee by a vote of 14 to 0. I am sure it will pass the Senate this afternoon or tomorrow. It passed the Senate last year.

There has been some talk about these extended unemployment benefits. I should like to read for the benefit of the House the Washington agreements which were entered into by the railroads and the unions in 1936, under which men thrown out of work because of mergers or coordination of railroad facilities would be given coordination allowance, that is, unemployment compensation. The younger men, who had been employed for a period of 1 year, would be given a special allowance, with the allowances and periods covered increased by steps, depending on the amount of service. Men with as much as 20 years' service for instance, would be given regular coordination allowances—unemployment pay—for as much as 5 years. All this was accomplished by mutual agreement between the railroad and the employees. We are asking here only to extend unemployment payments for 13 weeks for those older men that have worked between 10 and 15 years, and to extend them for 26 weeks for men with 15 years' service or more. Older men in the railroad industry have a hard time getting jobs elsewhere because of the lack of need for their special experience. The ranking Republican member of the committee last year, Mr. Wolverton, was for those amendments and worked for them, and an agreement was made at that time for extended benefit provisions such as the substitute bill contains.

I believe this bill is fair to the working people of the Nation, I believe it is fair to the railroads, and I belileve it is only keeping an agreement which the Congress made 20 years ago, keeping faith with the working railroadmen of America. If we do not pass this bill, we are taking away some benefits we gave 20 years ago. I see some of the Members are shaking their heads as if they do not believe that.

Mr. YOUNGER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, we have here a very typical example of what happens when you try to write a technical bill on the floor. I know the gentleman from West Virginia did not intend to say it but he did say that the tax which was cut from 20 to 10 percent gave a rebate to the railroads. He knows that that was no rebate to the railroads just as well as the rest of us know it. All that happens is that the railroads will not collect as much taxes for the Government as they did before.

Mr. STAGGERS. Mr. Chairman, will the gentleman yield?

Mr. YOUNGER. No; I cannot yield.

It would seem to me that the fair and the wise thing to do in the case of legislation of this kind of a technical nature is to go to conference. You have the bill from the other body which is similar to H.R. 1012. Take H.R. 5610 and let our conference committee sit down with the members of the conference committee of the other body and in a deliberate and sane way try to write a technical bill. But, if you are going to try to write this bill on the floor of the House with some new amendments, which you may or may not understand, we are going to make mistakes and you are going to conference with a bill that the majority of the committee does not want to go to conference with. I would say that if you were to do anything with the bill, the best thing to do would be to send it back to the committee and let them work it over again rather than to try to eliminate items here which the committee has, after their deliberations, agreed upon and which they can take to the conference table and work out with H.R. 1012, which is a bill, as I understand it, which the other body has and will in all probability pass. To me, that seems to be the sane and intelligent way to approach this problem. Again I appeal to you that the committee has worked over these various amendments. We have a bill here which a great majority—two to one—agreed on in the committee. They heard all of the testimony for several weeks. Now let us go to conference with that bill so that we can have a proper adjustment with the ideas that the committee has. Then, if something needs to be worked out along the line of H.R. 1012, I have confidence enough in our chairman that we will see to it that those ideas are worked out in conference and worked out intelligently with the advice of counsel, which cannot be done by adopting amendments on the floor of the House in a technical bill of this kind. You have here a tax bill. Had this bill come out of the Committee on Ways and Means, you would not have been able to amend it and, yet, you have a tax bill which is just as technical as a tax bill that comes out of the Committee on Ways and Means. I think we ought to go to conference and I do not think we ought to attempt to write a bill of this nature here on the floor of the House.

Mr. WILLIAMS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, as I understand it, the substitute which has been offered for the committee bill is essentially H.R. 1012, as it was originally introduced.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS. I yield.

Mr. HARRIS. I would like to point out that the gentleman, the author of the substitute, has just announced to the House that the substitute that he has offered is virtually the bill that has been reported by the committee of the other body which is different from H.R. 1012 in five instances.

Mr. STAGGERS. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS. I yield.

Mr. STAGGERS. There has been a great deal of talk of differences. Four of the amendments that I offered are in the bill H.R. 5610. There is no doubt about that. The gentleman from California made quite a to-do about a lot of amendments that are different. They are in H.R. 5610. The reason we have this is because there have been a lot of objections, and we put them in to make it a better bill. We think we have a far better bill.

Mr. WILLIAMS. May I ask the gentleman this question, and this is the point I am getting at—how much more would the gentleman's bill cost as compared to H.R. 5610?

Mr. STAGGERS. There have been different estimates on that. I do not believe anybody can definitely say. According to my figuring, I say it would be $13 million or $13 million and some odd for the extended benefits and $400,000 for the sickness benefits.

Mr. WILLIAMS. On what does the gentleman base that estimate?

Mr. HARRIS. Mr. Chairman, if the gentleman would yield, I think we had better understand what we are doing here. The gentleman said what it would cost and just now he has presented me with a recapitulation sheet, and according to that it would increase the amount of the payroll tax which the railroad industry would pay from 3.5 percent to 3.75 percent and, therefore, it is one-fourth of 1 percent of the payroll tax of the railroad industry.

Mr. STAGGERS. I am talking about known factors. I am trying to make it actuarially sound, one-fourth of 1 percent.

Mr. WILLIAMS. H.R. 1012 would be offered, I was told, as a substitute for the committee bill. I am certain that those who have given consideration to the possibility of supporting H.R. 1012 will be surprised to find that they will not have an opportunity to choose one of the two alternatives we have been told would be presented to us.

Mr. AVERY. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS. I yield.

Mr. AVERY. If the bill of the gentleman from West Virginia is fundamentally the same as H.R. 1012, then there would be about $50 million difference in the cost.

Mr. WILLIAMS. Going on that assumption, it would appear to me to be an unwise thing to tax the railroads an additional $45 million at a time when they are finding it necessary, because of their present economic situation, to abandon stations and services all over the United States and to lay off employees to keep themselves operating. It just seems to me that to increase this tax all out of proportion to the committee bill would certainly be detrimental to the public interest.

Now when the committee began to hold hearings on H.R. 1012 it soon became apparent that the tax provided in that bill would not be sufficient to defray the expenses of the additional outlay provided in the bill, particularly with respect to the unemployment insurance feature. The committee readily accepted the provisions of the retirement sections of the bill, and very properly so, but when we reached the unemployment compensation section we found that we were faced with several alternatives, if we were to apply any degree of fiscal responsibility, and be completely fair with the railroad employees by keeping the insurance fund solvent.

We found it would be necessary to increase the tax above that provided in H.R. 1012, if we were to grant the extra benefits, and preserve the integrity of the fund.

In lieu of increasing the tax so as to provide the necessary additional revenues, of course, the committee might have reduced the schedule of increased benefit payments to bring them into conformity with the anticipated revenues. Another alternative would have been to disregard our legislative responsibilities, follow the easy road and enact the bill as originally proposed and permit the fund to be depleted.

Instead, the majority of the committee felt that it would be much better, and fairer to the employees and the program to eliminate, instead, some of the abuses that had been written into the unemployment insurance program over the years, and to use these savings to ensure the soundness of the fund.

Now, we have heard a lot of arguments to the effect that the committee bill takes away many of the hard won rights of the employees, and that seems to be the chief issue between the two bills.

Both bills provide for the same increases in retirement benefits; both bills provide for the same increases in unemployment payment rates.

Just what are these things that H.R. 1012 confers and the committee bill denies? It has already been explained that the committee bill, rather than reducing the level of payments in the sickness and unemployment categories, actually provides the same percentage increases as are provided in H.R. 1012. However, the committee bill does amend the unemployment law by rendering ineligible for benefits those who voluntarily walk off the job, and those who are discharged because of their own personal misconduct.

If I understand the philosophy of our unemployment compensation program, its purpose is to provide a measure of assistance for those employees whose employment is terminated through no fault of their own, and under circumstances over which the individual has no control. Here, it should be remembered that the employee contributes not a dime to his unemployment benefits, and these benefits are, in this sense, at least, a gratuity paid exclusively by his employers.

As a matter of simple justice to the railroads, as well as those who become unemployed through layoffs and for other reasons over which they have no control, it appears to me to be proper that the employee be expected to exercise some responsibility over his own welfare. Have we reached the point in this country where a person's employer must be held accountable to his employee for the employee's decisions with respect to his own welfare? Surely, when an employee is caught stealing from his employer and is discharged as a result, there is no moral obligation on his employer to pay him a bonus in unemployment compensation as a reward for his own misconduct. Yet that is one of the so-called rights that supporters of the Staggers substitute bill hope to restore.

Mr. Chairman, when a person separates himself from his employment by his own choice and through his own volition, it must be assumed that he knows what he is doing. Is it unfair to expect him to do so at his own peril? Or must we hold his employer responsible for it, and penalize his employer for it? Here, again, is one of the rights that supporters of H.R. 1012 hope to restore.

The committee has considered this legislation very thoroughly and meticulously, and has worked its will on this legislation. It has not acceded to pressures from outside, but has worked diligently and with a serious sense of responsibility toward the end that a fair, equitable, sensible, and reasonable bill could be passed, which would provide very necessary increases in retirement and unemployment benefits to the railroad workers of America. It has kept in mind the fiscal soundness of both funds, and has written legislation designed to grant these necessary increases in benefits and, at the same time, to preserve the integrity of the respective funds. It has discharged its legislative responsibility, and should the House decide to act otherwise, the committee cannot be held accountable for what might ensue.

Mr. Chairman, I hope the House will act with wisdom and responsibility, and not yield to the pressures of high powered lobbying tactics, intended to obscure the true issues involved here. In the interest of nearly a million railroad employees—many of whom may become unemployed during the next few years—I hope the House and the Congress will act to keep the fund sound and solvent by adopting the committee bill and rejecting the substitute.

The CHAIRMAN. The time of the gentleman from Mississippi [Mr. WILLIAMS] has expired.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection?

Mr. MASON. Mr. Chairman, I must object.

Mr. MOSS. Mr. Chairman, I rise in support of the amendment.

I said during the general debate, Mr. Chairman, that this is one of those complex bills where few men will agree on any of the claimed facts in connection with it. I think the debate as it goes along will support that contention.

I would like to deal with the statement made by the distinguished gentleman from Mississippi [Mr. WILLIAMS] that if we adopt the substitute we are going to bring about widespread layoffs. That is not so. The people who run the railroads are good managers. They will employ every man they need to do the job, and not one more. If they do less than that they would not be discharging their duties to their stockholders. So let us not say it will result in less jobs. It will not stop the passenger trains running across the country. The Congress gave the Interstate Commerce Commission jurisdiction last year. Nevertheless, these trends will continue. There is nothing in this resolution which will accelerate it.

Now, as to what it costs: This is one of those areas of controversy. It costs whatever the immediate statistician or actuary comes up with as a figure; that is what it costs. It actually costs one quarter of 1 percent more on the total payroll of the employer under H.R. 1012 as amended.

In reference to the remarks of my colleague from California [Mr. YOUNGER] I submit that every man is subject to some responsibility. The responsibility of legislating is enjoyed by the few who may be privileged to sit as Members of the Congress. I do not think it is proper to say this is a difficult subject and therefore being too complex for my understanding I am going to delegate my responsibility to a conference. Let us face up to it, we still have to ratify the action of a conference although it is a little more difficult to isolate the discussion, but it is still our responsibility.

If the test of sound hearing is approval here I would point out that after the complete committee concluded its hearings it made substantive changes, far-reaching changes, in this legislation without granting any public hearings to those who would be most affected. It did not give any opportunity for hearing to the employees who are going to be permanently barred from rights they have long regarded as part of their legitimate entitlement in their overall contract with their employer. We did not give them hearings.

Also, I point out one instance where the committee acted without sufficient facts to make a sound judgment. I read you one example of that action where we adopted an amendment and had to come back and rescind our action because we referred to a code of rules which was nonexistent. We went on the assumption that there was a uniform code governing the question of disqualification for cause and we were amazed to discover that there were not such rules at all.

We are dealing with variables here; it is a cumbersome piece of legislation we are trying to replace with one which was the only compromise we could arrive at. The chairman of the committee introduced H.R. 1012 as a result of a compromise, a good bill.

There were two statements a few moments ago, and I would like the chairman to listen very carefully. This bill will not cause the fund to be any more insolvent than it is at the present time.

Both H.R. 5610 and the substitute authorize the unemployment fund to borrow from the retirement fund, and authorize its repayment with interest. That in all probability is just what is going to occur and is going to be necessary regardless of what we do today.

Sure, it is going to cost more. I am not here to tell you it will cost less. As the minority leader pointed out, this is something the people are going to have to pay, the users of the railroads. They pay every item of expense; they pay for the private pension funds for the officials of the railroads; they pay every benefit which the railroad has to underwrite. The only place the railroad can go for its revenues is to the public, just as the only place we can go for revenue is to the taxpayers.

Mr. AVERY. Mr. Chairman, I rise in opposition to the amendment.

Mr. STAGGERS. Mr. Chairman, will the gentleman yield for a short statement?

Mr. AVERY. Reluctantly, I will yield for a 30-second statement.

Mr. STAGGERS. I thank the gentleman from Kansas.

On the question of the matter of cost, counsel for the committee computes that to make this fund actuarily sound it will cost $14 million.

I also want to say that what we are trying to do is to keep faith with something we have done through the years.

Mr. AVERY. Mr. Chairman, I do not know that we have changed any votes during the debate here this afternoon, but I do think that many Members will know more about the Railroad Retirement Act than they have known for some time.

There are 4 particular points I want to address myself to in this debate today. The first point is that the Railroad Retirement System and Railroad Unemployment Compensation program are the most liberal of any in the industries in the United States. I might add, as an illustration of that fact, that the high pay for unemployment compensation under any of the States systems is $6.13 a day, compared with $8.15 under the present Railroad Unemployment Insurance schedule, which will go up to $9.40 under 5610 that is before the Committee this afternoon. In addition, may I say that the highest rate of any State is in the State of New York where the rate of unemployment compensation is $6.92 per day.

One of the items in this bill that I know had the sincere interest of the members of the committee signing the minority report was the section that gave preferential unemployment compensation benefits to senior employees of the railroad systems. I might add that I asked every witness who appeared before the committee if there was any precedent in any industry whereby an employee that was temporarily furloughed would receive unemployment compensation based on the length of his employment, and not one witness could respond that there was any such precedent or any pattern for such in any of the industries that had unemployment compensation programs.

With respect to voluntary quits and discharges for cause, may I say that it was discussed in the committee as to what was fair and we agreed what was right could be patterned on what the employees have done for themselves, what the brotherhoods have done for themselves in writing seniority agreements with the railroads. We used in that connection a pattern established by the Brotherhoods governing seniority rights.

With respect to rules, the gentleman from California said there were no rules in existence, no pattern of agreements on appeals on decisions of the railroads for discharge. There are many rules created by agreements. I might say that these seniority rules are primarily established by the brotherhoods themselves and are not negotiated.

Under the rules in a matter of a voluntary quit, the railroad employee immediately loses all of his seniority. So, actually, we are treating him better under this bill for unemployment compensation, because when he quits all he has to do is to return to work for 20 days and his full unemployment compensation is restored to him. About the same thing applies when it involves a discharge for cause. That is about the same as any suspension. These rules that have been drawn up, largely by the Brotherhoods, provide that if an employee is suspended for cause and if his suspension is not upheld by the Railroad Retirement Board, the railroad company, his employer, must compensate him for full pay while he was under suspension. Unless suspension is rescinded within a stated time, he loses his seniority.

Mr. MACDONALD. Mr. Chairman, will the gentleman yield?

Mr. AVERY. I yield to the gentleman from Massachusetts.

Mr. MACDONALD. Are the rules governing the employment of people prescribed by the railroads?

Mr. AVERY. It is my understanding that as far as seniority is concerned that is pretty much a matter for the Brotherhoods.

Mr. MACDONALD. Do the railroad companies have any say in that matter?

Mr. AVERY. As far as the claims of an individual employee, based on seniority, they have only a responsibility to abide by the rules to which they agree.

Mr. MACDONALD. I know that the gentleman is waiving what he says are rules or regulations. Are those agreements not collectively arrived at between the unions and the railroads?

Mr. AVERY. After they are agreements they become rules.

Mr. MACDONALD. Is it not a fact that the railroads have something to say as to what is to be done?

Mr. AVERY. They have on certain matters, but as far as seniority is concerned, that is left to the Brotherhoods

as to how they would prefer to establish relative seniority.

In almost any legislation that comes on the floor of the House there are three legislative positions. There are usually two economic groups with opposing viewpoints and then there is a much broader viewpoint that is frequently overlooked and that is the public viewpoint. It was in support of the public viewpoint that the committee wrote certain provisions into H.R. 5610 that is before the House today. Although no opposition to 5610 was recorded on final passage in the committee, we are presented today with some adamant opposition to the measure.

In my legislative experience, it has been my observation that except in extreme cases no one gets everything they want. And further, it is only natural for any economic group to ask for more than they expect to finally receive. This legislation is an example of a legislative compromise that is the normal result of a democratic procedure.

The basic objective of the committee bill is to reasonably improve the economic security for the bona fide and regular railroad employee and to eliminate fringe benefits that had been available to the casual, part-time, and itinerant railroad worker.

What about this compromise?

There are 17 changes to the basic act, the Railroad Retirement Act of 1937. The railroad industry was basically opposed to 16 of the 17 amendments. The industry did agree that the imbalance in railroad retirement fund created by the 10-percent increase in annuities granted by the 84th Congress should be corrected. The retirement fund is presently out of balance by $213 million annually. By contrast, the Railroad Brotherhoods proposed that the 17 changes contained in 1012 to improve the economic status of the railroad worker should be endorsed by the committee without amendment and almost without question. The committee went along with the recommendation of the Brotherhoods on the provisions they had placed in top priority, that of a straight 10-percent increase in annuities to retired railroad employees and an increase up to 20 percent in unemployment compensation and 10 other changes. There is disagreement on four provisions. If members of the committee will reflect on their mail they have received over the past 2 years, those are the items mentioned, particularly the item of increased annuities.

To my knowledge there is no opposition to part I of the bill which provides the needed increase in annuities that are estimated to increase the benefit cost of the retirement program by $147 million per year to the 364,000 annuitants, 133,000 spouses, 1,200 pensioners, 244,700 survivor beneficiaries. There is an immediate increase of the retirement tax of one-half of 1 percent to 6¾ percent on both employer and employee and then to 7¼ percent in 1962, and would increase by the same percentage points as social security after that date.

On part II of the bill, there are several points in controversy. Let me remind the Members that here again the item of top priority by the brotherhoods is included in the committee bill, that of raising the rate of unemployment compensation from 12½ percent in the lower brackets to 20 percent in the higher brackets. This increases cost to railroads for unemployment insurance by $25½ million. There is no opposition of record to this section although some members of the committee wonder if the low-pay bracket employee should not have received the larger percent of increase and the high-bracket employee the smaller percent if we are going to apply the rule of need in establishing entitlement rates for unemployment. In this respect, however, we accepted the formula of the Brotherhoods.

There are five principal provisions of disagreement in the bill.

Probably the strongest objection among the members signing the minority report is based on the committee's decision to eliminate a rather complex formula contained in the original bill to provide additional unemployment benefits for employees based upon years of service. In addition to the 130 days of unemployment compensation allowable under present law, 1012 had proposed an additional permanent benefit extension of 13 weeks to employees with over 10 years of service and then still an additional 13 weeks to the employee with over 15 years of service. The objective of this provision is meritorious but there was no evidence presented to the committee to support such a proposal, either by precedent in the railroad industry or by comparison with other industries. Such a provision would cost the Railroad Unemployment Compensation Fund an additional $13½ million per year in addition to the $175¾ million for unemployment benefits.

Railroad unemployment benefits are now higher than in any other industry and we are raising them in this bill, the committee bill, by 20 percent. We felt that was as far as we could go in increasing benefits to unemployed railroad workers. In September 1958, the average daily unemployment benefit under State law was $6.13 a day compared to $8.15 average daily benefit to railroad workers. Under this bill the average rate will be $9.40 for unemployment daily benefit. The highest paid by any of the States was $6.92, paid by the State of New York.

There was no evidence presented to the Committee that there was any precedent in any industry preferential treatment among employees for unemployment benefits.

To balance this program with other unemployment insurance programs, the committee did add the 13 weeks temporary benefits to treat railroad employees the same as other employees were treated by the Congress in 1958. These benefits will apply retroactively and will cost the railroad approximately $20 million paid to approximately 60,000 employees.

Another provision in controversy is the elimination of unemployment benefits for voluntary quits, discharge for cause, failure to accept suitable work, or failure to report for work. It is estimated that 20,000 beneficiaries would have received $10 million less in benefits if this provision had been in effect. Present law provides an employee would be suspended for 30 days and would then be eligible for unemployment compensation.

It was the belief of the committee that employees out of work for those reasons should not be eligible for unemployment compensation. In adopting that provision it is in keeping with provisions in labor agreements between the railroads and the various brotherhoods. These are the agreements largely written by the brotherhoods themselves, especially the provision governing seniority. These agreements generally provide that a worker voluntarily leaving the employment of the railroad forfeits his seniority rights. That is in effect what we are saying in this bill. The agreements further provide that if an employee is suspended, his seniority shall be restored if he is reinstated in 1 year's time. We are saying if he comes back to work for 20 days, his unemployment benefits shall be restored even if he was discharged for cause or voluntarily left the employ of the railroad.

The third difference is disqualification for sickness benefits. The committee felt some limitation should be placed on this provision since it is possible under present law for a casual employee of the railroad to be employed in another industry for a year and still draw sickness benefits from his previous employment by the railroad. Since the railroad bears all the cost of this program, a reasonable limitation seemed in order. The average cost of a sickness benefit under this bill is $9.74 per day. The committee bill provides that employee must have been employed within the last 90 days to be eligible. Under present law, for example, a college student may work for a railroad for summer employment and receive free medical care up to the amount of his earnings 1½ years later.

The employee would also be disqualified for sickness benefits if he leaves railroad employment voluntarily, fails without good cause to accept suitable employment, or fails to report to employment office. His sickness benefits may be reestablished after he has returned to work for the railroad for a period of 20 days, the same as unemployment insurance.

Sickness benefits are not denied an employee who is discharged for cause.

A further difference is in maternity benefits. Maternity benefits as such are eliminated from the bill, but sickness benefits are still payable to a pregnant female if she is sick and otherwise available for work. Despite elimination of maternity benefits, the cost of sickness benefits in the committee bill is increased over present law by $3¼ million.

The remaining difference in controversy in the two bills is the waiting period for sickness benefits.

H.R. 5610 provides that the number of compensable days of sickness benefits for which benefits may be paid in the first

registration period—consisting of 14 consecutive days—in a benefit year shall be 5 days. With respect to subsequent registration periods, the number of compensable days for sickness for which benefits would be payable would be 10 days but this payment would be conditioned upon the claimant having no less than 7 days of sickness or unemployment, or both, either in such subsequent registration period or in the 14 days immediately preceding such subsequent registration period.

H.R. 1012 makes no change in existing law with respect to the number of compensable days of sickness for which benefits may be paid. These are 7 days in the first 14-day registration period in a benefit year and 10 days in all subsequent registration periods.

It was the feeling of the committee that the employee should bear the cost of the first week of sickness.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. MOULDER. Mr. Chairman, I rise in support of the substitute.

Mr. BROWN of Missouri. Mr. Chairman, will the gentleman yield?

Mr. MOULDER. I yield to the gentleman from Missouri.

Mr. BROWN of Missouri. Is the substitute presented by the gentleman from West Virginia essentially the compromise bill that this committee hammered out during the closing days of the last session?

Mr. MOULDER. That is correct.

Mr. BROWN of Missouri. At the close of the last session was not the railroad industry experiencing the 1958 recession?

Mr. MOULDER. That is true, in my opinion.

Mr. BROWN of Missouri. If the railroad industry could afford this compromise measure at that time, does the gentleman feel that the financial condition of the industry today makes it more able to afford it now?

Mr. MOULDER. I think the financial reports show they are far more able today than they were at that time.

Mr. BROWN of Missouri. Is this substitute not essentially the original Harris bill, introduced at this session of the Congress?

Mr. MOULDER. It is, yes.

Mr. BROWN of Missouri. I thank the gentleman.

Mr. MOULDER. Mr. Chairman, I rise in support of H.R. 1012. As stated by my distinguished colleague the gentleman from Missouri [Mr. BROWN], this is the original Harris bill. I want to pay tribute to our distinguished chairman for his outstanding ability in the presentation of this bill during the hearings before our committee. At all times throughout the hearings before the committee he vigorously opposed all of the changes that are now included in H.R. 5610. He gave support to his own bill and loyally and effectively opposed many amendments that were proposed. I am in favor of the substitute bill for many reasons. First, because I am aware of the fact railroad unemployment is still at the most severe level in history, although railroad business and profits have rebounded from the recession even faster than most other industries and are now approaching a new all-time peak. In such a situation, it seems to me clear that justice requires that Congress act to aid the hundreds of thousands of railroad workers and their families who are now suffering untold demoralization, hunger, and poverty as the result of technological advances which have enabled the railroad industry to maintain a high level of profits even during the severe 1957–58 recession we have just weathered.

I do not believe that any Member of this Congress would deliberately put corporation profits before aid to the Nation's railroad workers. Yet last year, when the railroads came to us and said that they were on the verge of bankruptcy, Congress responded by voting immediate aid, amounting to hundreds of millions of dollars in annual benefits. At the same time, railroad workers, who came to us and asked for legislation to aid their needy retired and unemployed brothers, did not have their request passed by this body. What we have before us today, therefore, is legislation to complete a two-step program which all of us envisioned when we voted aid for the railroads themselves. We must act today to help the workers of the industry which we helped so well last year.

I say that we helped the railroads very well when we enacted the Transportation Act of 1958, as is clearly shown by their earnings records since that time. The aid which we gave the railroads last year is continuing, and it will provide them material benefits in the years to come. In the last 4 months of 1958, the railroads of this country reported earnings at the rate of more than $1 billion a year in net railway operating income, which I remind you represents the operating profits after taxes.

Meanwhile, in the first 4 months of 1959, railroad profits have continued to rise and are rising today. Now, this is not a line of argument as to the merits of the legislation, but it does clearly show that the hue and cry that the railroads are on the verge of bankruptcy and cannot continue to participate in this program of aid to their workers who created these profits is not a sound argument.

Recently the Wall Street Journal conducted a survey of how the big corporations of this Nation were recovering from the slump. It showed that railroad profits had rebounded faster than those of other industries. Profits of major firms in other industries in the last quarter of 1958 were found to run about 2 percent above those of a year earlier, but class I railroads reported their profits had increased by 23 percent.

Clearly, the railroads no longer are in need of emergency help. In saying that, I do not mean to rule out further aid to restore their competitive position with other forms of transport, should the need for such legislation be demonstrated, but I want only to stress that the railroads today are not in the relatively poor financial position they were in when H.R. 1012 was first drafted. Their condition at that time unquestionably was taken into account and H.R. 1012 represents a compromise that included severe cutbacks in the original proposals based upon the economic condition of the railroads when the bill was being prepared.

Even in those days, let me point out, neither committee of the Congress which considered this legislation in both the House and the Senate regarded any of the retrogressive amendments proposed by H.R. 5610 as either necessary or desirable. Yet today, when railroad earnings are running at a higher level than in most of the postwar years, H.R. 5610 proposes to take away from railroad workers—who, I remind you, have not benefited by the railroads' economic recovery but are still suffering from record highs in unemployment—benefits they have earned and received for as long as 20 years under the present act.

The railroads can well afford the modest increase in benefits which H.R. 1012 proposes—and proposes, incidentally, at the identical tax rate contained in H.R. 5610—without the need for chopping away piecemeal at the existing benefits through the imposition of new restrictions and limitations proposed by the committee bill.

Other speakers have already told you of the statistics of railroad unemployment and the hardships they represent for workers in an industry which today is prosperous, with favorable prospects of continued prosperity for many years to come. Fortunately, today, the earnings picture of the railroads is such that we no longer are confronted with the need to make a choice between profits and human need. The railroads clearly will have their profits, at near-record or new record levels, even after the enactment of H.R. 1012. What confronts us now, therefore, is a choice between fair, progressive aid to unemployed railroad workers, as provided by H.R. 1012, or backward-moving and retrogressive cutbacks in benefits to those workers in their time of greatest need. That is why I am opposed to most of the provisions of H.R. 5610 and urge the substitution and adoption of H.R. 1012 which was approved by the committee last year and which was approved by the Senate by an overwhelming vote and, I understand, will be approved by the Senate today.

Mr. HALLECK. Mr. Chairman, I rise in opposition to the substitute.

Mr. Chairman, I served on the Committee on Interstate and Foreign Commerce for a long time. When I became majority leader in the 80th Congress I was second on the committee and gave up my position on it at that time. I think it is one of the greatest committees in the House. I have never seen partisanship divide that committee. I am sure it is not dividing it now and by my speech here I would not want anyone to assume that I was injecting any partisanship into this discussion.

Reference has been made to some of the actions of the committee in executive session. I have sat for days and days and days in executive sessions of that committee when there have been hammered out the provisions of these

complicated measures, and I have always felt that when that great committee reached a conclusion, particularly by a vote of 2 to 1, the House of Representatives could well follow its direction.

Having said that about my service on the committee, let me go on to a few other matters. Something was said here about the recession of last year and the bill that was alleged to have been worked out at that time. I would just like to remind the Members that if the additional charges proposed by that bill had been put upon the railroads at that time, many of them here in the East would have been going into receivership, and you could have triggered one of the greatest depressions this country ever saw. That is the reason the bill was not acted on. That is the reason we moved to provide some relief for the railroads.

I happen to believe that we need the railroads. But I must say to you that when I discover that the Monon Railroad, that runs from Chicago to Indianapolis, which, when I was a boy, had passenger train after passenger train moving every day, now has abandoned them all; when I see the two other roads running from Chicago to Indianapolis petitioning for the abandonment of their trains, I say to you the railroads are in trouble.

The committee has hammered out a bill that everyone admits will add additional costs to the railroads in the sum of over $100 million a year. According to the people on the committee who ought to know say, the substitute bill will add something like $45 or $50 million additional. Why is it not fair to go along with the committee with the benefits that are provided in the committee bill? The matter is always within the bosom of the Congress. Any time anything further needs to be done, it can be done. But I must say that once you reach a fair position then that ought to be enough.

A couple of years ago a responsible transportation official predicted confidently that in 10 years there would not be a single passenger train left in the country except commuter trains. I could not believe it. But the happenings of the last 2 years have made me wonder if that might not become true.

Last summer we moved to help the railroads. May I say to you that there are great railroads right here in the East who were confronted with a very difficult situation at that time.

You talk about technological advancement in the railroad industry. The abandonment of these trains is not merely a matter of technological advancement. It is largely a matter of competition that is putting them out of business, competition from other types of transportation.

So if the Congress in its wisdom sees fit to make some provisions that will enable the railroads to improve their position, why do that with your right hand and then turn around and with your left hand take all of the benefits away?

Now, Mr. Chairman, let me say further that in my service on the Committee on Interstate and Foreign Commerce and here in the House of Representatives I have voted time after time after time for legislation of benefit to the railway employees.

I know the men and women who work on the railroads in my district. Let no one say I am not solicitous for their welfare, because I am, and I have proved that year after year by my record. But I say to you that in this matter, even as in many other matters involving the very vital economy of the country, we ought to stop, look, and listen before we go too far. In my opinion, the committee bill goes far enough at this time and ought to be adopted by this committee and by the House of Representatives.

Mr. HEMPHILL. Mr. Chairman, I rise in opposition to the amendment.

Mr. HARRIS. Mr. Chairman, if the gentleman from South Carolina will yield, I should like to get some indication about how much time may be necessary on this substitute amendment.

Mr. Chairman, I ask unanimous consent that all debate on this substitute amendment conclude at 5:15.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HEMPHILL. Mr. Chairman, the reason I rise today is that, like so many Members here, especially those of us who have not previously been on the committee, this year was my first time to have any acquaintance with the railroad retirement law. I know that is true of many of the new Members of Congress, who have been besieged in recent weeks by certain propaganda.

Mr. Chairman, I did not know anything about railroad retirement until this committee began to have hearings. After we had the hearings, this committee very carefully went into the railroad retirement law, because in 1956 there had been an obligation to fund it up, and there were certain improvements which we felt were necessary. But lo and behold, after we had come out with a railroad retirement bill with all the good features in it we were propagandized by not only railway labor but railway management saying the Retirement Act was slaughtering them.

Who has been slaughtered, and who has been kicking about it? Stand up and be counted. By refusing a retroactive feature which would cause a tax situation unfair and which could not be administered, who has been slaughtered? Then by putting on a necessary tax so that the funds can be balanced, who has been slaughtered? No, the only possibility of slaughter is for you to vote for this amendment instead of for the work of the committee.

Let me tell you why. We seek to remove, because we think it will make unsound the unemployment compensation features and cost the railroads more than they can financially stand, the 52-week permanent extended benefits. Who has been slaughtered when those who expect to get the benefits are protected by the work of this committee, realizing that the railroads cannot stand the rate unless the public expects to pay more for the freight? Are you going to sacrifice the public—are you going to stand up to your obligations here in the Congress?

Then we put a provision in that a man who says, "I won't work, I voluntarily quit," shall be like every other American worker. Every other American worker that voluntarily quits has to suffer some penalty, and well he might, because in the employment relation when a man just gets up and says, "I won't work and I don't want to," how in the world are we going to justify giving him any money? There are today millions of Americans paying taxes to support a program where men voluntarily quit, many with neither intention nor desire to go back to work. They are working—he owes them some obligation.

The Good Book says that a man must work for his bread. Heaven knows, in America today we do not need to encourage idleness. We went one step further. We said, "If you are guilty of misconduct—if you are drunk, if you violate the rules, if you do something to a passenger or to somebody else, you cannot draw your money." Do we not owe some obligation to the American people? Do we not owe some obligation to say that if a man is drunk on public transportation, he has to suffer some penalty? Heaven knows, I would hate for some of my family to be exposed to somebody who is drunk on any form of public transportation—railroads, airplanes, bus, or any other type.

If the employee is guilty of violating the rules, which have to do with the safety factor, which we expect in our transportation, is there anything wrong with saying, "If you cannot live by the rules, there must be something that you can expect?"

No, my friends, what you are being asked to do today is not even to vote for H.R. 1012 that they propagandized you about. You are being asked to vote for a substitute and you do not even know what is in it because the gentleman who proposed it a few moments ago, the distinguished and wonderful gentleman from West Virginia, himself, did not have time to explain it and it has not been explained. And, yet, you do not even know what you are voting for.

The able gentleman from West Virginia is to be complimented not only on his knowledge of this legislation, and his sincere preparation and knowledge of the substitute, but on a magnificent example of leadership. He—Mr. STAGGERS—is a skillful advocate of his cause, and his heart is in it.

I want to compliment my chairman, the great and lovable gentleman from Arkansas [Mr. HARRIS] for the great labor and effort he has put into getting a good bill. The American people are fortunate in having him head this great committee. He is the fairest man in or out of committee, for he gives head and time to the opposition at all times.

For some reason very few people contacted me on this legislation. Some retirees came and asked only that I vote the retirement. This I am doing. Some few workers asked that the cost to them be considered, and it was. Nobody has

said they were unwilling to have the inequities of the unemployment compensation adjusted. I just want to be sure the railroad employees are protected, and they are better protected by H.R. 5610.

Now remember, we are not voting on H.R. 1012, as the substitute is not H.R. 1012. Will you vote in the dark?

The railroad industry is a great industry. Already it is suffering from too much unemployment. Last year we had to bail them out of one hole. If they cannot afford the 52 weeks, who will bail them out, who will insure employees the compensation they will expect if we pass the substitute? Three hundred and eight thousand drew unemployment compensation in 1958. Multiply that by 52 weeks and then by an average of $30 per week. See page 121 of the hearings to verify that figure.

H.R. 5610 is good for everybody. It is good for employees, labor and management. It is best for the American people—that is why I am for it.

I urge the defeat of the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. COAD].

Mr. COAD. Mr. Chairman, I regret taking even the 3½ minutes that have been allotted to each Member at this time. The hour is late and I know we have a great deal to do. But, I would like to answer or at least try to reply to the gentleman from Indiana [Mr. HALLECK] who came to the well of the House a few moments ago and was pleading generously on behalf of the American railroads because of the fact that they were taking so many trains off of the railroads, and he was speaking in particular about passenger trains. I would like to relate what has happened to my entire psychology and thinking in regard to the American railway system. I have a very soft spot in my heart for the American railway system—first of all, because of the need of it for our national defense; and second, for the benefit of our welfare. But, I would like to say this. In my hometown, we have the main line of one of the strongest, or at least in former years it was one of the strongest of all the railway systems in the United States. We used to have many passenger trains coming through there every day. But, the management of this line has taken off passenger train after passenger train—not because there was an actual decrease in the number of people who were riding the trains, but because it was a deliberate policy on the part of the management to do away with the passenger-train service. I personally pleaded with the president of this railway company to leave at least one train on this line a day that had a pullman car. But my plea was to no avail. I understand now even the mail car is going to be taken off. There is now only one, single passenger train a day on the tracks of the Chicago, North Western Railroad which extends from Chicago to Omaha. This train is a night train but it has no sleeping car. So after the pullman car was taken off, one night I rode all night in a passenger car from Boone, Iowa, to Chicago, Ill., and when I arrived in Chicago I felt exactly as if I were destined for the livestock market as a result of the kind of service I received on that train.

I say it is this kind of thing that has taken away travel on American railroads. It is the determination of the management of these railways that they want to do away with passenger service.

Not long ago I was snowbound at Fort Dodge, Iowa. I knew because of the storm that the planes would not take off. The highways were blocked, and I have been so schooled in the idea that there is no passenger-train service that it was 9 o'clock that night before it dawned on me that there was still a railway that did have a pullman car on it so that I could get to Chicago. The Illinois Central Railway had a night train with a sleeper and I took it because I had to return to Washington without delay.

This kind of public attitude is detrimental to the American railway system but the railways have brought it on themselves. There are many people in this country who do not want to fly. They get sick when they fly. But what kind of service are the American railways giving to this clientele? I say the American railroads can do much if they will improve their service.

The CHAIRMAN. The time of the gentleman has expired.

The Chair recognizes the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, there has been some question as to the precise nature of the substitute offered by the gentleman from West Virginia [Mr. STAGGERS]. For the purpose of clearing up the record, I want to state categorically the provisions of the substitute offered by the gentleman from West Virginia are precisely the same as H.R. 1012. Anyone in this House who wishes to support H.R. 1012 may support the provisions of the substitute offered by the gentleman from West Virginia without any qualms whatsoever.

The two provisions are in all ways identical except for the following changes which I will mention to you. Each of the changes embodied in the proposal of Mr. STAGGERS are included in H.R. 5610, but each of those changes are in no way incompatible with the views of those who have joined in signing the minority report on this bill, urging substitution of H.R. 1012 for 5610.

The tax feature for payment into the unemployment compensation fund is raised from 3½ to 3¾ to conform with the actuarial needs of the fund, as recognized by the committee and as embodied in H.R. 5610.

Second, the Staggers substitute provides for the borrowing power for the unemployment compensation fund as included in H.R. 5610 to tide it over the anticipated rough spots which will occur during August and September of this year as a result of the railroads having taken a free ride on the unemployment compensation fund for 5 or 10 years.

Third, it will permit railroad employees to take advantage of the temporary unemployment compensation law changes which were just enacted by this House and the Senate and signed by the President since the Easter holidays.

The last change embodied in the Staggers proposals is purely a technical change which will raise the figure for computing the base year from four to five hundred a year. Those are the only changes which are made. Aside from this, H.R. 1012 is offered to you to vote on at the time the vote will be cast on the Staggers substitute. The Staggers substitute is H.R. 1012, with the exception of those simple changes.

The CHAIRMAN. The time of the gentleman has expired.

The Chair recognizes the gentleman from Michigan [Mr. BENNETT].

Mr. BENNETT of Michigan. Mr. Chairman, I yield to the gentleman from California [Mr. BALDWIN].

Mr. BALDWIN. Mr. Chairman, I rise in support of the substitute bill. In my opinion this substitute provides better protection of the rights and benefits of railroad employees and retired railroad employees. I therefore urge that the substitute bill be adopted.

I am glad that both the substitute and the committee bill provide for a 10 percent increase in railroad retirement benefits. This increase is urgently needed by the thousands of retired railroad employees throughout this country.

Mr. BENNETT of Michigan. Mr. Chairman, I yield to the gentleman from New Jersey [Mr. WIDNALL].

Mr. WIDNALL. Mr. Chairman, I rise in support of H.R. 1012 and urge rejection of the amended form of this bill which was reported to the floor by a majority of the Interstate and Foreign Commerce Committee.

I regret that I must take this stand, because I respect the action of a committee of the House on the principle that its members have given the matter before it extensive study and have, therefore, based their recommendations on detailed knowledge of the provisions of a legislative measure. Therefore they usually are in a better position to judge the merits of what is proposed than most Members of the House. In the case of H.R. 5610—the railroad retirement and unemployment insurance amendments now before us—however, I do not believe that this situation applies.

In the first place, H.R. 1012 is not new legislation, in the customary sense, but rather it is a long-studied and much-overdue measure that in itself represents major revisions and cutbacks in the proposals originally brought before the Congress. Last year, the Senate passed a bill that was almost identical to H.R. 1012, and the record of debate shows that it did so with the clear understanding that the legislation, in this compromised form, which conformed to the wishes of the House committee, would be acceptable to that committee. All of us who served in the last Congress need to remember this fact, I think, because there was little room for doubt that if the bill in this compromised form had been put to a vote, it would have passed this body by an overwhelming margin.

H.R. 1012 as introduced this year is basically the same legislation. I can

see no reason why legislation that was acceptable last year should be any less acceptable now. Remember that in shaping this legislation into the form of H.R. 1012, the last Congress held even more extensive hearings than those held this year, since the original hearings were on the original and much broader proposals. No need for the changes proposed by H.R. 5610 was shown to exist at this earlier date, and, in my judgment, no need has been shown by the hearings held this year. Rather, developments since the original proposals were introduced seem to me to all point logically in the other direction.

When the bill we now know as H.R. 1012 took shape last year, the financial condition of the railroad industry was certainly more precarious than it is today. The railroads have recovered at least as fast as any other industry from the effects of the recession which prevailed when this legislation was first proposed. In the last 4 months of 1958, net railroad operating earnings averaged over $1 billion a year—a rate better than they earned in most postwar years and close to their top earnings during this period. This pickup in business has carried over into 1959, so that today the railroads' net earnings are running well ahead of 1958. Part of their high earnings, let us not forget, have been made possible by the help which Congress gave to them by adopting the provisions of the Transportation Act of 1958 last year. I voted for that assistance to the railroads. The railroads clearly are in a much better shape financially to afford the provisions of H.R. 1012 than they were when this legislation was originally prepared.

On the other hand, although business has picked up on the railroads, unemployment among railroad workers remains excessively high and a serious national problem. Over 200,000 railroad workers were unemployed in January of this year, when total employment in the industry dropped to 810,000, the lowest point since the turn of the century. More than 40,000 of these unemployed railworkers had exhausted all railroad unemployment insurance benefits. Because of technological advances and the big increase in the productivity of railroad workers in recent months, the prospect is only for continued high unemployment of extensive duration and many exhaustions of benefits among railroad employees who become unemployed. The critical nature of this unemployment is dramatized by the fact that workers with 20 and even 30 years of service have lost their jobs. Such workers, possessing skills not readily transferred to other industries, are truly today's dispossessed, and unfortunately, they are victims of the great increase in output per man-hour which railroad workers are now contributing to their industry.

In such circumstances, it seems to me to be both inexcusable and socially unwise to kick the workers who have helped their industry the most in terms of man-hour output at the very time they are in need of help. H.R. 5610, by proposing new restrictions upon unemployment insurance which these workers have earned for as long as 13 to 20 years, does just that.

If there were no need for such restrictions last year, when the railroads were much worse off financially, there is certainly no need for them now. The railroads needed help last year, and Congress gave them that help. Railroad employees also needed help critically last year, but Congress postponed final action until now. In my judgment, this delay in acting to meet the needs of railroad workers was, in light of action to aid the industry, inexcusable and in itself an unfair penalty. To now add further to this injustice by weakening the unemployment insurance protections these workers have enjoyed since the beginning of the act, as H.R. 5610 would do, seems to me to be an unconscionable proposal. I therefore urge substitution of the original compromise measure, H.R. 1012, for the unfair and unjustifiable provisions contained in H.R. 5610.

Mr. BENNETT of Michigan. Mr. Chairman, I rise in support of the amendment. As I said earlier, it is a reasonable measure. It is one which was passed by a practically unanimous vote in the committee, after long consideration during the last session of Congress, with the exception of the present increased retirement part of the bill. Otherwse, the measure which was passed at that time without hardly a dissenting vote is before the committee at the present time in the form of this substitute.

The difference in overall cost between the substitute and the committee bill is not great. The major difference between the two bills lies in whether you wish to recognize seniority and grant additional permanent unemployment benefits to people who have worked faithfully for railroads 10 years or more.

I hope, Mr. Chairman, that the substitute will be adopted because, as I say, it is a perfectly reasonable and fair bill taken in its entirety. It does justice to the retired railroad workers of this country and their dependents.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. MACDONALD].

Mr. MACDONALD. Actually, Mr. Chairman, I asked for this time to direct a question to the gentleman from Indiana [Mr. HALLECK], who spoke of there being no politics in this matter. I see the gentleman from Illinois [Mr. ARENDS], who represents the Republican policy committee, at this moment leaving. May I direct a question to the gentleman from Illinois [Mr. ARENDS]? Does the gentleman support the position of his leader who states that there is no politics involved in Republican support of this bill?

Mr. ARENDS. Will the gentleman repeat his question?

Mr. MACDONALD. I shall be happy to. I ask if you support the gentleman from Indiana in his statement which he made here in the well of the House that there is no political implication, there are no political overtones, to either the defeat or passage of this bill?

Mr. ARENDS. I did not hear the gentleman from Indiana make the statement, but I would support him in that statement if he made it.

Mr. MACDONALD. Then may I ask you this question: Has the Republican policy committee put out any order about support or passage of this bill?

Mr. ARENDS. No; unfortunately, we cannot order our people around.

Mr. MACDONALD. May I rephrase that and ask if you put out a "quote—confidential—unquote" report which purportedly puts forward the position of the policy committee made on April 22, 1959?

Mr. ARENDS. I do not know if that was put out or not. I did not get one if it was, but if it was an official report, then that is that.

Mr. MACDONALD. Will the gentleman inquire of Mr. HALLECK——

Mr. ARENDS. As I said a moment ago, I will ask him when he comes back.

Mr. MACDONALD. This information is in what purports to be a confidential report dated April 22, 1959.

Mr. ARENDS. Where did the gentleman get it?

Mr. MACDONALD. That I will be happy to tell you. Labeled "Confidential report," dated April 23, 1959, it says:

Policy committee meeting, April 22, 1959.

(1) Report on White House leadership meeting of April 22, 1959:

(2) Railroad retirement and unemployment insurance, H.R. 5610.

Action taken by policy committee:

(1) Railroad retirement and unemployment insurance: Favors H.R. 5610 as reported by committee.

I see the gentleman from Wisconsin [Mr. BYRNES] is on his feet, and as his name appears on the heading of this document along with the gentleman from Indiana [Mr. HALLECK], he probably can furnish me the information.

Mr. ARENDS. We will let the gentleman from Wisconsin answer it, then. Will you tell me just where you got the letter?

Mr. MACDONALD. I will be happy to tell you. Obviously it came from a member of the Republican Party to whom it was sent, and incidentally not a member of the Interstate and Foreign Commerce Committee.

The CHAIRMAN. The Chair at this time recognizes the gentleman from Pennsylvania [Mr. RHODES].

Mr. STAGGERS. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Pennsylvania. I yield.

Mr. STAGGERS. I would like to announce to the House right now that the Senate has just now passed an identical bill. I think perhaps the messenger from the Senate has just brought it over, as he is standing back there. This is the bill we are considering now, the substitute that I am offering. If I am right this identical bill has been passed by the Senate and is now waiting to be announced to the House. It is the very substitute I am offering here. It was passed by a voice vote with no opposition from either side of the aisle.

Mr. RHODES of Pennsylvania. Mr. Chairman, I want to thank the gentleman from West Virginia. I ask the support of this committee for the substitute bill introduced by the gentleman from

West Virginia [Mr. STAGGERS] to the committee bill. H.R. 5610 is a revision of the bill agreed to last year.

Standing alone, this might not seem too important. However, the form of H.R. 5610 poses a completely new and difficult problem for this House. In addition to drastically revising the bill that was agreed to last year, the majority of our committee has attacked principles of social insurance that in some instances have been operable for over 20 years. The problem of persons who voluntarily leave their employment, and of persons discharged for cause by their employer, are handled, in my judgment, in a very poor manner by the committee bill. I believe that if the committee bill became law chaos would result in the railroad industry. I am convinced that our offices would be flooded with protests, and rightfully so, from railroad workers unfairly discriminated against because of the provisions of H.R. 5610 if they are permitted to stand. In many other areas the committee bill is inadequate. It does not provide the understanding treatment of unemployment that is so badly needed in this great industry. It is discriminatory and unfair.

I believe that the only fair thing that this House can do in justice to the railroad employees and to the great railroad industry, is to adopt the Staggers substitute.

I am sure, Mr. Chairman, if we just gave a little bit of consideration to the human values recognized in the substitute, it would pass unanimously.

I hope the substitute will be adopted.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Chairman, in the closing hours of this debate before we take a vote on the substitute amendment, as amended by the gentleman from West Virginia [Mr. STAGGERS], may I say that it is a timely thing that the other body has passed a bill that not only includes amendments to the original 1012 by the gentleman from West Virginia [Mr. STAGGERS], but it also includes the 3¾ contribution, raised one quarter of 1 percent, which will make the fund a good fund and not a fund that cannot pay its bills.

Of course this House has to act upon its own responsibility. Every Member of this House respects the chairman of the committee and the members of the committee who took either side of this particular question. However, you are faced today with your own responsibility to 700,000 railroad workers in the United States who have signed negotiated contracts with their employers in connection with these fringe benefits. If the committee bill is agreed to, a number of fringe benefits will be taken away.

Do you want to go ahead with the Staggers substitute, which is the same as the committee bill in regard to the increase of 10 percent in retirement benefits, which is in line with action we have taken in other retirement funds, and is in line with the need for additional money to meet the purchasing power problems of the American people? Do you want to take away from them, while you are giving them a 10 percent increase, some of their unemployment compensation benefits they have had for as long as 13 years? Do you want to take away their sickness benefits? Do you want to make the period longer by 2 days in order for them to retain fringe benefits they have enjoyed for the past 13 or more years?

Those are the questions before the House today. We have our own responsibility. The other body has acted. This body should act responsibly, too, for the benefit of the 700,000 employees of the railroads of America.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. VANIK].

Mr. STAGGERS. Mr. Chairman, will the gentleman yield?

Mr. VANIK. I yield to the gentleman from West Virginia.

Mr. STAGGERS. Mr. Chairman, I would like to say this, that one Member of the House said that I did not know what I was talking about. I would like to tell the House this, that if there is any man in this House that knows any more about this legislation than I do, I do not know who it is. I have studied night after night in my office until 9 o'clock and then took the books with me to the hotel and studied until 12. I will not say I am the best informed man to answer all questions that may be propounded about railroad legislation. I believe the chairman of our committee is one of the best informed men on the Hill on railroad legislation, and I respect him for that. I think he has been entirely fair, and I certainly do not want to disagree with him. You know, it has been intimated that according to my statement they cannot fire a man. The only thing we insist is that he must have these unemployment benefits coming to him. We do not want any men working on the job when they are drunk. If he is drinking, he ought to be fired. But, if he has paid into this fund over the years and is unemployed, he should be able to look forward to getting the benefits of it. All we are trying to do is to keep faith with the men and women who work. Here we are trying to take away those rights. And, I say, we have to keep faith with them. And, before you vote to take away some of these things, you should examine the bill a little more closely, as well as your conscience. We are only trying to go forward and not backward.

Mr. VANIK. Mr. Chairman, I certainly hope that the substitute will be adopted by this committee.

The CHAIRMAN. The Chair recognizes the gentleman from Oregon [Mr. PORTER].

Mr. PORTER. Mr. Chairman, when the very able chairman of this Committee on Interstate and Foreign Commerce wound up debate, he mentioned the possibility of a catastrophe—that is, the suggestion that either one of the funds, the unemployment insurance fund or the retirement fund, might get into very serious trouble. It was not clear to me which one it was. Certainly this substitute does provide for actuarial soundness for both funds.

The issue here on the floor today seems to be whether or not we should change well-established, long-standing conditions of employment for railroad employees. Apparently it is considered necessary by the chairman and the majority of the committee on the ground that it will make the fund more sound. Yet, we have had no evidence on this floor of any great abuses, nor have we had set out before us the amount of money it will save.

If there is a catastrophe in the offing, then the people most concerned, the railroad unions and their members, certainly should have been in touch with us by now. They are personally and vitally concerned about these benefits, both unemployment and retirement. However, the fact is that they are for this substitute. They do not believe it will mean catastrophe, nor do I.

Now, I should like to ask the gentleman from West Virginia [Mr. STAGGERS] a few questions. It seems to me that the bill, H.R. 1012, is entirely clear as amended, but I would like to have the gentleman state succinctly in the time remaining what is exactly before the House as the substitute to the committee bill.

Mr. STAGGERS. The substitute is H.R. 1012 precisely with five minor adjustments. Three of those have to do with moving up the date of the effectiveness of the retirement fund; the other is taxation, and the other is 10 percent on the lump-sum payment.

Mr. PORTER. Four of these are in the committee bill?

Mr. STAGGERS. Four of these are in the committee bill. One of them gives the Railroad Retirement Board the authority to borrow money from the retirement fund if it gets too low.

Mr. PORTER. The basic difference then is that we are not changing the long-standing conditions of employment?

Mr. STAGGERS. That is right. There is one basic fact in my amendment, and that is that we are raising the rate of interest one-fourth of 1 percent on the unemployment compensation fund.

Mr. PORTER. Which will make it actuarially sound?

Mr. STAGGERS. That is according to the actuaries that came before our committee and so testified.

The CHAIRMAN. The Committee will rise informally for the purpose of receiving a message from the Senate.

Accordingly the Committee rose and the Speaker assumed the chair.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 226 An act to amend the Railroad Retirement Act of 1937, the Railroad Retirement tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes.

The SPEAKER. The Committee will resume its sitting.

AMENDMENTS TO THE RAILROAD RETIREMENT ACT OF 1937, THE RAILROAD RETIREMENT TAX ACT, AND THE RAILROAD UNEMPLOYMENT INSURANCE ACT

The CHAIRMAN. The Chair recognizes the gentleman from Missouri [Mr. CURTIS].

Mr. CURTIS of Missouri. Mr. Chairman, as I have listened to this debate it sounds essentially as though this is a fiscal problem. I think the committee has done a very commendable job. We on the Committee on Ways and Means have a very similar problem on unemployment compensation and social security in trying to make these funds solvent. As I understand the bill that the committee has recommended, the committee essentially has tightened it up so that it will be in a little better shape.

I do want to make this comment, that in going over it I do not believe it has done violence to comparable unemployment compensation programs, various Federal and State compensation programs. There is one thing I am concerned about. Some remarks were made by those who are supporting the substitute indicating their feelings that the railroads are going to go on forever. I think the economic situation is serious. We have seen the interurbans go out of existence completely. We are now seeing the surface transits in the cities going out, and it is entirely possible because of the competitive situation that we might be looking for jobs for our 700,000 railroad employees, and any burden that is added onto the railroads is going to be passed on to the users of the railroads and that will put them in a more adverse competitive situation.

So I do believe that the committee, in my judgment at any rate, has done a very well-balanced job. I think we do have to consider the jobs of the 700,000 men, which jobs are dependent upon the health of our railroads.

The CHAIRMAN. The Chair recognizes the gentleman from Kansas [Mr. AVERY].

Mr. AVERY. Mr. Chairman, I just want to remind the committee in view of the remarks of my friend from West Virginia that H.R. 5610 takes something away from the railroad employees, that we increase the railroad retirement benefits by $147 million. To me that does not mean that we are taking something away. That is a plus item. Then, on unemployment compensation, we increase that by up to 20 percent, adding annually $25.5 million for the benefit of the unemployed persons in the railroad industry.

It has been said repeatedly that we are taking away sickness benefits. We are not taking away any sickness benefits as such. In fact, we are increasing them under this bill to the extent of $3½ million a year. If that is taking anything away from anybody, I wish someone would explain it to me.

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin [Mr. BYRNES].

Mr. BYRNES of Wisconsin. Mr. Chairman, reference has been made to the report of the Republican policy committee. As chairman of that committee, I am very pleased to respond and say that the committee did put out advice to the Republican members that the committee was in support of H.R. 5610 as reported by the Committee on Interstate and Foreign Commerce. We took action in support of the legislative committee and so advised our members.

Inquiry has been made as to whether this action by the Republican policy committee makes the issue presently before us a political issue. I would point out to the gentleman that the Committee on Interstate and Foreign Commerce is under the control of the Democrats. They have 21 members of the committee. The Republicans have 12 members of the committee. If action by the Republican policy committee expressing support of the action of a Democrat-controlled committee makes the issue a matter of partisan politics, the gentleman is welcome to make the most of it. I would think, however, that the Democrats would welcome action by the Republican policy committee and the membership on our side in support of the legislative committees which you control.

I will point out further that we on the Republican side never at any time either in conference or otherwise attempt to bind our members. We do not, however, resist the opportunity to advise our members as to what the general feelings of the members of our policy committee are on any particular issue.

Mr. Chairman, I am no expert on this subject; in fact, there is no subject that comes before us on which I would consider qualifying as an expert. But I do not think one has to be an expert to be concerned about some of the basic issues involved in this legislation that is before us today.

If we were dealing with a healthy, thriving industry I would not be so concerned about the provisions of this substitute and the extents to which we might go in adding additional costs. I do not say I would not be concerned at all because I will always be concerned that we do not take a healthy thriving industry and put it into bankruptcy and sickness and death. But let us get one thing clear in this picture: We are dealing here with an industry that is not a healthy industry. We acknowledged that fact last year when we took action and enacted, on the basis of the economic condition of that industry, a transportation act. Is there anyone here that will contend that by that action last year we cured all the ills of the railroad industry, and that from here on it is going to be a thriving industry and you can do with it what you will? I do not think there is a member here that would make that contention.

Certainly, if I understood the chairman of this committee, who certainly is in a position to know more about it than any other single member of the committee, he did not give us the hope that we did not have to worry any more about the competitive position and the ability of this industry to serve us and to serve the people. That is fact No. 1. We are dealing with an industry that is in a difficult situation.

No. 2: Let us remember that this is a basic industry in this country. Your railroads fold up and your economy folds up, make no mistake about that. So one thing I would caution you no matter what we do or how we vote, let us be careful, let us recognize the problem that may be involved in the consequences of our act.

Also, Mr. Chairman, we have heard talk that corporate profits are involved in this controversy. To me, Mr. Chairman, the issue here is the issue of jobs. Is it a proper approach just to be concerned about what you are going to do with a man when he is out of a job? Should you not be concerned with what you can do to assure that jobs will be available.

I listened to the gentleman from Iowa [Mr. COAD] speaking about the Northwestern Railroad, that they did not have Pullman cars, that they were closing up shops and stations and taking off trains. Why? Because of economic difficulty. The elimination of cars, of shops, of stations, and trains eliminates jobs and produces unemployment.

I suggest that we had better make sure that in our desire to take care of the unemployed we do not so act that we encourage greater unemployment.

That, as I see it, is the issue raised by this substitute. The bill as reported by the committee will put an additional cost of over $100 million on the railroads. The substitute will increase this to around $150 million. I am most fearful that this additional $50 million could very well produce additional unemployment. I am sure this is not what is desired by the average railroad worker. I shall therefore support the committee bill.

The CHAIRMAN. The Chair recognizes the gentleman from Arkansas [Mr. HARRIS].

Mr. HARRIS. Mr. Chairman, I think just about all the issues involved here have been very thoroughly discussed and explained. Everyone must know by this time what he or she is going to do in connection with this bill. I have already advised the Committee of the action of our committee, and how it worked its way and its will in bringing in the bill which the committee presented and which, at the direction of the committee, I introduced. We have it here today. Now we are told by the author of the substitute bill, our esteemed friend, the gentleman from West Virginia, a member of the committee, who offered this substitute, that there is a Senate bill which has passed the other body and which has been reported here. I do not know whether there is any difference or not between the bills. I do know that this substitute is not H.R. 1012. Everybody has been urged to support H.R. 1012.

You do not have H.R. 1012. You have the original bill with certain amendments, some of which are incorporated in H.R. 5610. And I believe there is a veterans' amendment in the Senate bill. It would seem to me, since we do not know what is contained in the bill which just has been presented to us, that the

better thing to do would be to vote down this substitute and let the committee and the House work its will on the bill that is here before us, which we could then take to conference. In that way we can analyze what has been done and see whether or not it is in the best interest of the employees and the employers and the general public. As far as I am concerned, I am not willing to swallow whole, without the necessary explanation and itemization of a highly complicated and technical proposal such as we have here.

So are you going to do it? As for me, I want to see what I am doing? Therefore, I say to you that I believe the better wisdom here this afternoon is to let the House work its will on the bill that is before us. Our committee knows this subject. We have studied it. We have held hearings. We have heard testimony on the whole subject not one time, but many times. The better thing to do as I see it, and the better way to legislate and to shoulder our responsibility, is to let the House work its will on the bill that we have here instead of swallowing what has been given to us without an opportunity to know all of the facts and all of the problems connected with it, with apparently an effort to make it coincide with what has been done by the other body. The Committee on Interstate and Foreign Commerce by a vote of practically two to one brings this bill, H.R. 5610, to you. Gentlemen, it is now your responsibility.

The CHAIRMAN. The question is on the amendment offered by the gentleman from West Virginia [Mr. STAGGERS].

The question was taken, and on a division (demanded by Mr. HARRIS) there were—ayes 181, noes 91.

So the substitute amendment was agreed to.

The CHAIRMAN. Under the rule the Committee rises.

Accordingly the Committee rose, and the Speaker having resumed the chair, Mr. NATCHER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5610) to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes, pursuant to House Resolution 248, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER. Under the rule the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

GENERAL LEAVE TO EXTEND

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on the railroad retirement bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. KING of Utah. Mr. Chairman, I take this opportunity to say that I am gratified that the Railroad Retirement Act, H.R. 1012, for which I voted, passed this body by a strong voice vote.

I am convinced that it would have been an injustice to the laboring men of the Nation's railroads to have enacted the alternative, H.R. 5610. While the latter embodied certain benefits for the people it was meant to help, it also threatened to erase certain gains which the same people already enjoy.

H.R. 1012 carried the benefits which H.R. 5610 contained without threatening other benefits as the latter did. For this reason, the Congress clearly took the stronger, better position in choosing H.R. 1012, and I reiterate my pleasure over its passage.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 226) to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes, strike out all after the enacting clause and insert the provisions of H.R. 5610 as amended.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Strike out all after the enacting clause and insert:

"PART I—AMENDMENTS TO THE RAILROAD RETIREMENT ACT OF 1937

"SECTION 1. (a) Section 2(a)3 of the Railroad Retirement Act of 1937 is amended to read as follows:

"'3. Individuals who will have attained the age of sixty and will have completed thirty years of service or, in the case of women, who will have attained the age of sixty-two and will have completed less than thirty years of service, but the annuity of such individual shall be reduced by one one-hundred-and-eightieth for each calendar month that he or she is under age sixty-five when the annuity begins to accrue.'

"(b) Section 2(d) of such Act is amended by adding at the end thereof the following new sentence: 'If pursuant to the third sentence of this subsection an annuity was not paid to an individual with respect to one or more months in any calendar year, and it is subsequently established that the total amount of such individual's earnings during such year as determined in accordance with that sentence (but exclusive of earnings for services described in the first sentence of this subsection) did not exceed $1,200, the annuity with respect to such month or months, and any deduction imposed by reason of the failure to report earnings for such month or months under the fifth sentence of this subsection, shall then be payable. If the total amount of such individual's earnings during such year (exclusive of earnings for services described in the first sentence of this subsection) is in excess of $1,200, the number of months in such year with respect to which an annuity is not payable by reason of such third and fifth sentences shall not exceed one month for each $100 of such excess, treating the last $50 or more of such excess as $100; and if the amount of the annuity has changed during such year, any payments of annuity which become payable solely by reason of the limitation contained in this sentence shall be made first with respect to the month or months for which the annuity is larger.'

"(c) Section 2(e) of such Act is amended by striking out 'than an amount' and inserting in lieu thereof 'than 110 per centum of an amount'.

"(d) Section 2(g) of such Act is amended by inserting after 'wife under age 65' the following: '(other than a wife who is receiving such annuity by reason of an election under subsection (h))'.

"(e) Section 2 of such Act is further amended by adding at the end thereof the following new subsection:

"'(h) A spouse who would be entitled to an annuity under subsection (e) if she or he had attained the age of 65 may elect upon or after attaining the age of 62 to receive such annuity, but the annuity in any such case shall be reduced by one one-hundred-and-eightieth for each calendar month that the spouse is under age 65 when the annuity begins to accrue'.

"SEC. 2. (a) Section 3(a) of the Railroad Retirement Act of 1937 is amended (1) by striking out '3.04', '2.28', and '1.52' and inserting in lieu thereof '3.35', '2.51', and '1.67', respectively; and (2) by striking out '$200' and inserting in lieu thereof '$250'.

"(b) Section 3(c) of such Act is amended by inserting after 'or in excess of $350 for any month after June 30, 1954,' the following: 'and before the calendar month next following the month in which this Act was amended in 1959, or in excess of $400 for any month after the month in which this Act was so amended,'.

(c) Section 3(e) of such Act is amended (1) by striking out '$4.55', '$75.90', and 'his monthly compensation' and inserting in lieu thereof '$5.00', '$83.50' and '110 per centum of his monthly compensation', respectively; (2) by striking out 'is less than the amount, or the additional amount' and inserting in lieu thereof 'is less than 110 per centum of the amount, or 110 per centum of the additional amount'; (3) by inserting after 'age sixty-five,' the following: 'women entitled to spouses' annuities pursuant to elections made under subsection (h) of section 2 to be entitled to wife's insurance benefits determined under section 202(q) of the Social Security Act,'; and (4) by striking out 'such amount or such additional amount' and inserting in lieu thereof '110 per centum of such amount or 110 per centum of such additional amount'.

"SEC. 3. (a) Section 5(f)(2) of the Railroad Retirement Act of 1937 is amended by striking out 'and 7 per centum of his or her compensation after December 31, 1946 (exclusive in both cases of compensation in excess of $300 for any month before July 1, 1954, and in the latter case in excess of $350 for any month after June 30, 1954),' and by inserting in lieu thereof the following: 'plus 7 per centum of his or her compensation paid after December 31, 1946, and before January 1, 1959, plus 7½ per centum of his or her compensation paid after December 31, 1958, and before January 1, 1962, plus 8 per centum of his or her compensation paid after December 31, 1961 (exclusive of compensation in excess of $300 for any month before July 1, 1954, and in excess of $350 for any month after June 30, 1954, and before the calendar month next following the month in which this Act was amended in 1959, and in excess of $400 for any month after the month in which this Act was so amended),'.

"(b) Section 5(h) of such Act is amended by striking out '$33', '$176', and '$15.40'

wherever they appear and inserting in lieu thereof '$36.30', '$193.60', and '$16.95', respectively.

"(c) Section 5(i)(1)(ii) of such Act is amended by striking out 'or in which month he engaged on seven or more different calendar days in noncovered remunerative activity outside the United States (as defined in section 203(k) of the Social Security Act)' and inserting in lieu thereof the following: 'or, having engaged in any activity outside the United States, would be charged under such section 203(e) with any earnings derived from such activity if it had been an activity within the United States'.

"(d) Clause (A)(i) of section 5(l)(9) of such Act is amended by striking out the word 'and' appearing after 'July 1, 1954,' and by inserting after 'June 30, 1954,' the following: 'and before the calendar month next following the month in which this Act was amended in 1959, and any excess over $400 for any calendar month after the month in which this Act was so amended,'.

"(e) Clause (A)(ii) of section 5(l)(9) of such Act is amended (1) by inserting 'and before 1959' after '1954' where it first appears; (2) by inserting after '$4,200' where it first appears the following: ', or for any calendar year after 1958 is less than $4,800,'; (3) by striking out '$350' and inserting in lieu thereof '$400'; and (4) by striking out 'and $4,200 for years after 1954, by' and inserting in lieu thereof the following: ', $4,200 for years after 1954 and before 1959, and $4,800 for years after 1958, by'.

"(f) Section 5(l)(10) of such Act is amended by striking out '44', '11', '$350', '$15.40', '$36.66', '$27.50', and '$14.66' wherever they appear and inserting in lieu thereof '49', '12', '$400', '$16.95', '$40.33', '$30.25', and '$16.13', respectively.

"SEC. 4. All pensions under section 6 of the Railroad Retirement Act of 1937, all joint and survivor annuities and survivor annuities deriving from joint and survivor annuities under that Act awarded before the month next following the month of enactment of this Act all widows' and widowers' insurance annuities which began to accrue before the second calendar month next following the month of such enactment, and which, in accordance with the proviso in section 5(a) or section 5(b) of the Railroad Retirement Act of 1937, are payable in the amount of the spouse's annuity to which the widow or widower was entitled, and all annuities under the Railroad Retirement Act of 1935, are increased by 10 per centum.

"SEC. 5. (a) The amendments made by section 1 (other than subsection (b) thereof), by subsections (a) and (c) of section 2, and by subsection (b) of section 3 shall be effective only with respect to annuities (not including annuities to which section 4 applies) accruing for months after the month of enactment of this Act. The amendment made by subsection (b) of section 1 and by subsection (c) of section 3 shall be effective with respect to annuities accruing during the calendar year 1959 and subsequent calendar years. The amendment made by subsection (a) of section 3 shall be effective only with respect to lump-sum payments (under section 5(f)(2) of the Railroad Retirement Act of 1937) in the case of deaths occurring after the month of enactment of this Act. The amendments made by subsection (f) of section 3 shall be effective only with respect to annuities accruing for months after the month of enactment of this Act and lump-sum payments (under section 5(f)(1) of the Railroad Retirement Act of 1937) in the case of deaths occurring after the month of enactment of this Act. Section 4 shall be effective only with respect to pensions due in calendar months after the month next following the month of enactment of this Act and annuities accruing for months after the month of enactment of this Act.

"(b) All recertifications required by reason of the amendments made by this part shall be made by the Railroad Retirement Board without application therefor.

"PART II—AMENDMENTS TO THE RAILROAD RETIREMENT TAX ACT

"SEC. 201. (a) Section 3201 of the Railroad Retirement Tax Act is amended to read as follows:

" 'SEC. 3201. Rate of Tax.

" 'In addition to other taxes, there is hereby imposed on the income of every employee a tax equal to—

" '(1) 6¾ percent of so much of the compensation paid to such employee for services rendered by him after the month in which this provision was amended in 1959, and before January 1, 1962, and

" '(2) 7¼ percent of so much of the compensation paid to such employee for services rendered by him after December 31, 1961,

as is not in excess of $400 for any calendar month: *Provided*, That the rate of tax imposed by this section shall be increased, with respect to compensation paid for services rendered after December 31, 1964, by a number of percentage points (including fractional points) equal at any given time to the number of percentage points (including fractional points) by which the rate of the tax imposed with respect to wages by section 3101 at such time exceeds the rate provided by paragraph (2) of such section 3101 as amended by the Social Security Amendments of 1956.'

"(b) Section 3202(a) of the Railroad Retirement Tax Act is amended (1) by striking out 'after December 31, 1954' wherever it appears and inserting in lieu thereof 'after the month in which this provision was amended in 1959'; (2) by striking out '$350' wherever it appears and inserting in lieu thereof '$400'; (3) by striking out 'after 1954' and inserting in lieu thereof 'after the month in which this provision was amended in 1959'.

"(c) Section 3211 of the Railroad Retirement Tax Act is amended to read as follows:

" 'SEC. 3211. Rate of Tax.

" 'In addition to other taxes, there is hereby imposed on the income of each employee representative a tax equal to—

" '(1) 13½ percent of so much of the compensation paid to such employee representative for services rendered by him after the month in which this provision was amended in 1959, and before January 1, 1962, and

" '(2) 14½ percent of so much of the compensation paid to such employee representative for services rendered by him after December 31, 1961,

as is not in excess of $400 for any calendar month: *Provided*, That the rate of tax imposed by this section shall be increased, with respect to compensation paid for services rendered after December 31, 1964, by a number of percentage points (including fractional points) equal at any given time to twice the number of percentage points (including fractional points) by which the rate of the tax imposed with respect to wages by section 3101 at such time exceeds the rate provided by paragraph (2) of such section 3101 as amended by Social Security Amendments of 1956.'

"(d) (1) Section 3221 of the Railroad Retirement Tax Act is amended by striking out 'In addition to' and all that follows down through '$350' the first time it appears, and inserting in lieu thereof the following:

" '(a) In addition to other taxes, there is hereby imposed on every employer an excise tax, with respect to having individuals in his employ, equal to—

" '(1) 6¾ percent of so much of the compensation paid by such employer for services rendered to him after the month in which this provision was amended in 1959, and before January 1, 1962, and

" '(2) 7¼ percent of so much of the compensation paid by such employer for services rendered to him after December 31, 1961,

as is, with respect to any employee for any calendar month, not in excess of $400'.

"(2) Such section 3221 is further amended (A) by striking out 'after December 31, 1954' and 'after 1954' wherever they appear in that section and inserting in lieu thereof 'after the month in which this provision was amended in 1959'; (B) by striking out '$350' wherever else it appears in that section and inserting in lieu thereof '$400'; and (C) by adding at the end thereof the following new subsection:

" '(b) The rate of tax imposed by subsection (a) shall be increased, with respect to compensation paid for services rendered after December 31, 1964, by a number of percentage points (including fractional points) equal at any given time to the number of percentage points (including fractional points) by which the rate of the tax imposed with respect to wages by section 3111 at such time exceeds the rate provided by paragraph (2) of such section 3111 as amended by the Social Security Amendments of 1956.'

"SEC. 202. The amendments made by section 201 shall, except as otherwise provided in such amendments, be effective as of the first day of the calendar month next following the month in which this Act was enacted, and shall apply only with respect to compensation paid after the month of such enactment, for services rendered after such month of enactment.

"PART III—AMENDMENTS TO THE RAILROAD UNEMPLOYMENT INSURANCE ACT

"SEC. 301. (a) Section 1(i) of the Railroad Unemployment Insurance Act is amended by striking out the proviso in the first sentence and inserting in lieu thereof ': *Provided, however*, That in computing the compensation paid to any employee, no part of any month's compensation in excess of $300 for any month before July 1, 1954, or in excess of $350 for any month after June 30, 1954, and before the calendar month next following the month in which this Act was amended in 1959, or in excess of $400 for any month after the month in which this Act was so amended, shall be recognized'.

" '(b) The first proviso of section 1(k) of the Railroad Unemployment Insurance Act is amended by striking out "$400" and inserting in lieu thereof "$500".'

"SEC. 302. (a) Section 2(a) of the Railroad Unemployment Insurance Act is amended by striking out the language between '(i)' and '(ii)' and inserting in lieu thereof the following: 'for each day of unemployment in excess of four during any registration period, and'.

"(b) Section 2(a) of such Act is further amended by striking out columns I and II and inserting in lieu thereof the following:

" 'Column I Total Compensation	Column II Daily Benefit Rate
$500 to $699.99	$4.50
700 to 999.99	5.00
1,000 to 1,299.99	5.50
1,300 to 1,599.99	6.00
1,600 to 1,899.99	6.50
1,900 to 2,199.99	7.00
2,200 to 2,499.99	7.50
2,500 to 2,799.99	8.00
2,800 to 3,099.99	8.50
3,100 to 3,499.99	9.00
3,500 to 3,999.99	9.50
4,000 and over	10.20'.

"(c) The proviso in such section 2(a) is amended by striking out '50' and '$8.50' and inserting in lieu thereof '60' and '$10.20', respectively.

"SEC. 303. (a) Section 2(c) of the Railroad Unemployment Insurance Act is amended by striking out the period at the end thereof and inserting in lieu of such period a colon and the following: *'And provided further*, That, with respect to an employee who has ten or more years of service as defined in section 1(f) of the Railroad Retirement Act of 1937, who did not voluntarily leave work without good cause or voluntarily retire, and who had current rights to normal benefits for days of unemployment in a benefit year but has exhausted such rights, the benefit year in which such rights are exhausted shall be deemed not to be ended until the last day of the extended benefit period determined under the following schedule, and the maximum number of days of, and amount of payment for, unemployment within such benefit year for which benefits may be paid to the employee shall be enlarged to include all compensable days of unemployment within such extended benefit period:

"'If the employee's "years of service" total—	The extended benefit period shall begin on the first day of unemployment following the day on which the employee exhausted his then current rights to normal benefits for days of unemployment and shall continue for successive fourteen-day periods (each of which period shall constitute a registration period) until the number of such fourteen-day periods totals—
10 and less than 15	7 (but not more than 65 days)
15 and over	13

but no such extended benefit period shall extend beyond the beginning of the first registration period in a benefit year in which the employee is again qualified for benefits in accordance with section 3 of this Act on the basis of compensation earned after the first of such successive fourteen-day periods has begun. For an employee who has ten or more years of service, who did not voluntarily leave work without good cause or voluntarily retire, who has fourteen or more consecutive days of unemployment, and who is not a "qualified employee" for the general benefit year current when such unemployment commences but is or becomes a "qualified employee" for the next succeeding general benefit year, such succeeding benefit year shall, in his case, begin on the first day of the month in which such unemployment commences.'

"(b) An employee who has less than ten years of service as defined in section 1(f) of the Railroad Retirement Act of 1937, and who has after June 30, 1957, and before April 1, 1959, exhausted (within the meaning prescribed by the Railroad Retirement Board by regulation) his rights to unemployment benefits, shall be paid unemployment benefits for days of unemployment, not exceeding sixty-five, which occur in registration periods beginning on or after June 19, 1958, and before July 1, 1959, and which would not be days with respect to which he would be held entitled otherwise to receive unemployment benefits under the Railroad Unemployment Insurance Act, except that an employee who has filed, and established, a first claim for benefits under the Temporary Unemployment Compensation Act of 1958 may not thereafter establish a claim under this subsection, and an employee who has registered for, and established a claim for benefits under this subsection may not thereafter establish a claim under the Temporary Unemployment Compensation Act of 1958. Except to the extent inconsistent with this subsection, the provisions of the Railroad Unemployment Insurance Act shall be applicable in the administration of this subsection.

"(c) The Secretary of Labor, upon request, shall furnish the Board information deemed necessary by the Board for the administration of the provisions of subsection (b) hereof, and the Board, upon request, shall furnish the Secretary of Labor information deemed necessary by the Secretary for the administration of the Temporary Unemployment Compensation Act of 1958.

"SEC. 304. Section 3 of the Railroad Unemployment Insurance Act is amended by striking out '$400' and inserting in lieu thereof '$500'.

"SEC. 305. Section 4(a–2) of the Railroad Unemployment Insurance Act is amended by striking out subdivision (iv), and by striking out the semicolon at the end of subdivision (iii) and inserting in lieu thereof a period.

"SEC. 306. Section 8(a) of the Railroad Unemployment Insurance Act is amended (1) by inserting after 'June 30, 1954' where it first appears the following: ', and before the calendar month next following the month in which this Act was amended in 1959, and is not in excess of $400 for any calendar month paid by him to any employee for services rendered to him after the month in which this Act was so amended'; (2) by inserting after 'June 30, 1954' where it appears for the second time the following: ', and before the calendar month next following the month in which this Act was amended in 1959, and to not more than $400 for any month after the month in which this Act was so amended'; (3) by inserting after 'June 30, 1954' where it appears for the third time the following: ', and before the calendar month next following the month in which this Act was amended in 1959, or less than $400 if such month is after the month in which this Act was so amended'; (4) by striking out 'December 31, 1947' in paragraph 2 and inserting in lieu thereof 'the month in which this Act was amended in 1959'; and (5) by striking out the table (except the column headings) in such paragraph 2 and inserting in lieu thereof the following:

	Percent
"'$450,000,000 or more	1½
$400,000,000 or more but less than $450,000,000	2
$350,000,000 or more but less than $400,000,000	2½
$300,000,000 or more but less than $350,000,000	3
Less than $300,000,000	3¾'.

"SEC. 307. Section 8(b) of the Railroad Unemployment Insurance Act is amended (1) by striking out '3 per centum' and inserting in lieu thereof '3¾ per centum'; and (2) by inserting before the period at the end of the first sentence the following: ', and before the calendar month next following the month in which this Act was amended in 1959, and as is not in excess of $400 paid to him for services rendered as an employee representative in any calendar month after the month in which this Act was so amended'.

"SEC. 308. (a) Subsection (d) of section 10 of the Railroad Unemployment Insurance Act be amended to read as follows:

"'(d) Whenever the Board finds at any time that the balance in the railroad unemployment insurance account will be insufficient to pay the benefits and refunds which it estimates are due, or will become due, under this Act, it shall request the Secretary of the Treasury to transfer from the Railroad Retirement Account to the credit of the railroad unemployment insurance account such moneys as the Board estimates would be necessary for the payment of such benefits and refunds, and the Secretary shall make such transfer. Whenever the Board finds that the balance in the railroad unemployment insurance account, without regard to the amounts transferred pursuant to the next preceding sentence, is sufficient to pay such benefits and refunds, it shall request the Secretary of the Treasury to retransfer from the railroad unemployment insurance account to the credit of the Railroad Retirement Account such moneys as in its judgment are not needed for the payment of such benefits and refunds, plus interest at the rate of 3 per centum per annum, and the Secretary shall make such retransfer. In determining the balance in the railroad unemployment insurance account as of September 30 of any year pursuant to section 8(a) of this Act, any moneys transferred from the Railroad Retirement Account to the credit of the railroad unemployment insurance account which have not been retransferred as of such date from the latter account to the credit of the former, plus the interest accrued thereon to that date, shall be disregarded.'

"(b) The amendment made by this section shall take effect on the date of enactment of this Act.

"SEC. 309. The amendments made by section 301(b) shall be effective with respect to days in registration periods beginning after June 30, 1959. The amendments made by sections 302, 303(a), and 305 shall be effective with respect to benefits accruing in general benefit years which begin after the benefit year ending June 30, 1958, and in extended benefit periods which begin after December 31, 1957. The amendment made by section 304 shall be effective with respect to base years after the base year ending December 31, 1957. The amendments made by clauses (4) and (5) of section 306 and clause (1) of section 307 shall be effective as of the first day of the calendar month next following the month in which this Act was enacted, and shall apply only with respect to compensation paid for services rendered in calendar months after the month in which this Act was enacted."

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider and a similar House bill, H.R. 5610, were laid on the table.

EXTENSION OF REMARKS

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to extend my remarks in three instances at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

MODERN ROADS AND HIGHWAYS—NEW FORMULA NEEDED

Mr. PHILBIN. Mr. Speaker, Congress has constantly recognized the fact that modernized highways are an indispensable part of our great national transportation system. Time and time again this House has enacted legislation to strengthen our highway programs throughout the Nation.

The basic legislation adopted which commits the Government to a huge, long-term highway building program will be of incalculable value to the several States and the Federal Government in setting up many modern roads that will more adequately serve growing needs for speedy highway transportation.

In recent years, there has been a tremendous increase in the number of motor vehicles traversing our highways and the number of people utilizing this mode of transportation for travel, recreational and business purposes.

The distinguished gentleman from Maryland, Mr. FALLON, one of the ablest Members of the House, and his able distinguished committee, has given painstaking attention to highway transportation problems and may well be proud of the results of their diligent, effective work.

Admittedly the problem of reaching a proper formula by which Federal funds are allocated is fraught with no little complexity and difficulty. It is very hard to write a formula that will precisely take into account all the factors incident to the construction of highways by the States and confer absolutely equitable benefits across the board. In a program of this magnitude there is bound to be some omissions and shortcomings.

I personally thought that the formula proposed in the Fallon bill would have been preferable to the one adopted. Certainly it would have given my State and region more equitable treatment. In fact, it would mean perhaps about $500 million additional in the 10 years following 1959. Since the cost of State highways will be increased by some 40 percent over the original estimates this figure might have gone over $700 million additional that New England would have received under the Fallon formula.

I do not want to burden the House with further statistics, but I do urge that the committee may continue to give attention to the revision of the formula under which Federal highway funds are granted. Since some $40 billion or more will be spent by the Government to complete our interstate highway system, it is very important in my opinion that, insofar as it can possibly be done, there should be equitable apportionments and allocations of available funds.

Toward this objective, it would be very helpful if a new formula could be worked out and adopted by the Congress that would take into account the serious problems of highly congested areas in connection with highway construction.

Any formula that does not put adequate emphasis upon this factor and carefully weigh the inevitable high and rising costs of construction in urban areas, land taking values and the like, is not operating so as to deal equitably and fairly with a large number of our populous States—States that pay huge tax revenues and are entitled to receive a much higher share from the Government.

For these reasons, I urge the committee to give consideration at an early date to the revision of the formula allocating highway funds, and I sincerely hope that, in the interests of justice, many States which are thickly populated and where highway construction is urgent, may be given consideration under the Federal program.

BETTER AIRPORTS AND FACILITIES

Mr. PHILBIN. Mr. Speaker, like many other Members of the House, I was gratified that the very able committee reported to the House for passage the bill providing needed help for airport development throughout the Nation.

American aviation has made tremendous strides in the past decade and is still moving forward at a very rapid rate. Much has been done to improve aviation facilities and air travel. Almost unbelievable improvement has been made in cutting down the time of flights between various points in the Nation and the world. Jet propulsion has brought truly revolutionary changes in air travel. It is now possible to have luncheon in Boston and dinner in Los Angeles and in the time to come flying time will be undoubtedly cut still further.

In the light of these tremendously noteworthy and vital technical developments and the rapid progress that has been made, it is extremely important that every measure possible be taken by the Congress to support new and better airports, landing facilities, safety devices, flying aids and other aids to air navigation, travel, and traffic. The Government has been very generous in making outlays for these purposes, but the progress being made and the very sizable needs that are developing make it a matter of great urgency that further support and assistance be rendered in the important work of building up and modernizing our airport network so that we may be sure it is the best in the world, entirely adequate for all our needs in this rapidly changing period of expansion.

From the beginning of my service in Congress, I have been deeply devoted to the great task of encouraging, supporting and developing civilian aviation and all its components. I have been not only interested, but actively engaged, in fostering by sound Government action navigation aids, safety devices and assistance, and the general cause of building the aviation industry in all its ramifications.

It affords me considerable satisfaction, therefore, to support the airport bill and to stand for generous, substantial Government outlays to insure the proper development of airport and related facilities. I believe that, in the name of progress as well as prosperity and national security, the Government must continue to render effective assistance in this vital area.

"PADRE OF THE AMERICAS"

Mr. PHILBIN. Mr. Speaker, I want to express my deep appreciation to the very able and distinguished spiritual leader, Father Joseph F. Thorning, for the touching and most impressive prayer which he offered before the House on Pan American Day.

Father Thorning has had a most illustrious career and is an outstanding intellectual. He stands out in many fields. Above all, he shines brilliantly for his magnificant spiritual zeal, piety and good works. Humble and self-effacing, unalterably devoted to personal liberty, he continues day by day to make tremendous contributions, not only to his faith, but to the Nation and to the development of better human relations between all peoples whatever their race, color or creed.

Father Thorning has been especially noted for his interest in the Spanish-speaking peoples, and he has won the esteem, gratitude, and affection of the many who are genuinely concerned with his lofty objectives. Father Thorning has been well and appropriately named "The Padre of the Americas," and his ceaseless encouragement and effective promotion of the good-neighbor policy and friendly, realistic relations with our South American neighbors has been of inestimable benefit to our foreign policy as well as a great inspiration to all of us who are intent upon fostering cordial, constructive relations with our neighbors to the south.

In the press of great world questions which are testing our fortitude and resolution to preserve our blessed, American heritage, we must all recognize, as Father Thorning does, the invaluable contributions to freedom and democracy of our beloved neighbors of the Americas. Our esteem and love for them is great, because they are an integral, and vital part of our Western civilization, its ideals and aspirations.

We must ever nurture, warmly welcome and deeply appreciate their loyalty, devotion to ideals of freedom, community of spirit and wholehearted cooperation in the tasks that confront us in this generation of sustaining our security and freedom against the cynical forces of monolithic communism striving to conquer the free world.

Father Thorning's brilliant leadership in this cause aptly points the way by which, in the words of his prayer, "We may grow in Thy friendship and in our love for one another," and join hands to perpetuate the ideals of the good-neighbor policy, and bring even closer to our hearts the freedom-loving and God-fearing peoples of the Western Hemisphere and the Americas.

We may well be proud and grateful for Father Thorning's work in welding into an even closer union under the fatherhood of God and the brotherhood of man all those who are so intimately related to us in protecting the world against tyranny and preserving the priceless liberties of mankind.

DAIRY MARKETING ACT OF 1959

Mr. JOHNSON of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. JOHNSON of Wisconsin. Mr. Speaker, never before has so much money been spent in the name of farm programs with so little benefit to farmers. During the first 6 fiscal years of this administration $30.3 billion has been spent by the U.S. Department of Agriculture. This compares with $5.9 billion spent during the 6 years before Secretary Benson took over.

In other words, Secretary Benson has spent $5 for every $1 spent by his predecessors during the same amount of time.

And what have we to show for this snowballing expenditure? Nearly 19,000 employees have been added to the Department of Agriculture payroll to handle a farm program that looks like nothing so much as grandma's patchwork quilt. And under this program—if it can be called a program—net farm income has fallen from $15.3 billion in 1952 to $13.2 billion in 1958.

One of the lowest men on the farm income totem pole is the dairy farmer. Since 1952 the price received by farmers for butterfat in cream has dropped from 75 cents a pound to 58 cents a pound. During the same period the price farmers got for milk for manufacturing purposes other than butter slid from $3.87 per hundredweight to only $3.12 per hundredweight for milk averaging 3.75 butterfat.

Mr. Speaker, in a time when prices farmers received for milk and butter have dropped by almost one-fourth, the prices farmers have to pay for production goods and services and family living items have gone up 6 percent. This has resulted in a devastating cost-price squeeze which has forced many hundreds of thousands of dairy farmers out of business.

Yesterday, my Wisconsin colleague, Congressman ROBERT KASTENMEIER, and I introduced in the House—and Senator HUBERT HUMPHREY of my neighboring State of Minnesota introduced in the Senate—the proposed Dairy Marketing Act of 1959 (H.R. 6750). Instead of picking at the problem piecemeal, this bill provides for a comprehensive, long-range income stabilization and improvement program for dairy producers.

This program would enable dairy farmers to assume responsibility for maintaining a sound and productive dairy industry which would, in turn, assure the consumers of the country an abundant supply of wholesome, nourishing dairy products. A self-regulating and largely self-financing program, it is designed to protect the public interest and at the same time avoid the present unfair situation under which dairy farmers are penalized for their efficiency and productivity.

Mr. Speaker, this is not a program of planned scarcity, it is a program of regulated abundance set up to benefit both consumers and producers. Regulated abundance would assure consumers an ample supply of dairy products at the fairest possible price. Consumers must remember that the alternative to regulated abundance is planned scarcity.

Regulated abundance is also the farmer's first choice. I know my farmers, and I know they do not care to guarantee their dairy prices and income by planned starvation of their city friends and neighbors. Farmers just want to make a decent living, and they do not intend to do it at the expense of somebody else.

The existing dairy support program, which provides supports at little more than $3 per hundredweight, cost the Government $404 million in 1956, $230 million in 1957, and $245 million in 1958. My bill would support dairy producers' returns at $4 per hundredweight. Even under adverse economic conditions, this program would cut the cost to the Government by better than half.

My dairy marketing bill is designed to provide for mandatory price supports through the marketing year ending in 1964 for milk used in manufacturing dairy products and for butterfat. This bill also aims at maintaining the productive capacity of our dairy farming industry, promoting the orderly marketing of an adequate national supply of milk and dairy products and encouraging the increased domestic consumption of dairy products in the interest of national health and security.

Mr. Speaker, here is a summary of the six major provisions of the bill:

First. It would establish the support level of 90 percent of parity for butterfat and manufacturing milk at less cost to the Government than the existing 75 percent of parity program;

Second. It would set up a system of marketing quotas geared to the degree to which the market price without a program would be below the support level under conditions of full employment;

Third. It would provide price-support deficiency payments directly to producers to make up for the extent to which market prices were allowed to drop below the support level, and it would set quotas to allow full-employment market supply to flow into the market even if the price was depressed by unemployment above the level of 3 percent of the labor force;

Fourth. It would require Government purchases to keep the market price of the different milk products in reasonable balance with each other;

Fifth. It would set up a system of marketing quota compliance deposits of between 25 and 50 cents per hundredweight. These deposits would be collected on all sales of milk but would be returned in full at the end of the year to producers who complied with their quotas; and,

Sixth. It would give milk producers a chance to vote on whether or not they want this program to go into effect.

Mr. Speaker, I have given the complex problem of dairy prices a considerable amount of study over a period of many years. Since I have been in Congress, I have worked in every way I could to preserve for dairy farmers the programs they have and to discover and support workable ways of bettering those programs for the benefit of dairymen, consumers, and the taxpayers of America.

The bill I am introducing today is the result of a long series of consultations with Senator HUMPHREY and with top experts in the fields of dairying and economics. Its provisions have been checked and rechecked to make sure they are practical, workable, and would not shortchange anyone along the line. I am sure that my colleagues, realizing the seriousness of the plight of the dairyman, will give my dairy marketing bill their serious consideration.

Opponents of this type of legislation have been saying that the dairy farmer does not want marketing quotas. I do not know from which crystal ball they got their information. The dairy farmers of this country have never had the chance to say "yes," "no," or "maybe" to a quota system.

I would be the last one in the world to foist off on dairymen a program they do not want. But I say let the dairy farmers decide. Under the provisions of this bill, dairymen would make the final decision, for the program could not go into effect until approved by a majority vote of all milk producers.

LAW DAY U.S.A.—PROTECTING THE RIGHTS OF THE INDIVIDUAL CITIZEN

Mr. TELLER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TELLER. Mr. Speaker, May 1, 1959, has been proclaimed as Law Day in the United States. This is a fitting recognition of the role of law as the binding force of our civilization. In the proclamation the President called upon the American people to observe this day not only with appropriate ceremonies, but also by reaffirmation of their dedication to our form of Government and to the supremacy of law in their lives. A free people can assure the blessings of liberty for themselves only if they recognize that the rule of law shall be supreme and that all men shall be equal before the law. This Nation was conceived by our forefathers as a Nation of free men enjoying ordered liberty under law. The supremacy of law is essential to the existence of the Nation. Appreciation of the importance of law in the daily lives of our citizens is a source of national strength which contributes to public understanding of the necessity for the rule of law and the protection of the rights of the individual citizen. By directing the attenion of the world to the liberty under law which we enjoy and to the accomplishments of our system of free enterprise we would emphasize the contrast between our freedom and the tyranny which enslaves the people of one-third of the world today. In paying tribute to the rule of law between men, we will contribute to the elevation of the rule of law and its application to the solution of controversies between nations.

It is particularly appropriate that May the first be chosen for this Nation's rededication to its ideals of freedom and justice secured by law. That is the day the Communists celebrate their victories and boastfully parade the armed might by which they intend to enslave the world. For years Communists have held the spotlight on this day, with impressive parades displaying the force they have marshalled to crush the rights of men and nations. On every May day the air waves are filled with impassioned harangues prophesying the eventual downfall of what the Communists scornfully term decadent nations who cherish and protect the values of individual personality. Year after year they have served notice of what is in

store for mankind if their system of government should prevail.

Law Day U.S.A. affords a fitting occasion to emphasize to all the world the fundamental difference between that system and ours—between the monolithic state in which the individual counts for nothing and has no rights whatever against the government, and a democracy in which individuals are endowed with certain unalienable rights, of which government itself may not deprive them. It is an opportunity to contrast the totalitarian doctrine that the individual is the mere pawn of the state, with our system whose prime objective is to preserve the rights of individuals and to afford each the chance to develop to the fullest the physical, mental, and spiritual attributes with which his Creator endowed him. It is an appropriate time to underscore the difference between the doctrine that might makes right and the concept that all men are equally subject to the law and that no man, however powerful, is above the law.

In paying tribute on that day to the supremacy of law and the concept of individual freedom under law, we will demonstrate that these ideals are as precious to us today as they were 170 years ago. By reaffirming our determination to preserve them, we will give renewed assurance that ours is the way of hope and not of fear; that our strength will be used only to preserve freedom, not to overthrow it. We will inspire those who have never known what it means to live under a government of law to seek the same rights for themselves. We will encourage them to join with us in a common effort to make law in the field of international relations an instrument for achieving an enduring peace.

But to attain these larger ends we must mark this day by something more than a reaffirmation of faith in lofty ideals, something more than a contrast between one philosophy of government and another. We must show as clearly as we can what our ideals mean as applied in the daily lives of ordinary men. We must make clear how our law protects every man, great or small, and guarantees that no man—not even one who despises our Constitution—may be deprived of his life, liberty, or property without due process of law. Only thus can we convince others that the rule of law in a democracy is in truth the affirmation of the God-given dignity of human personality, the recognition that government is the servant and not the master of the people, that the state exists for man, not man for the state.

We must also convince strangers to our way of life that ordered liberty under law is the handmaiden and not the foe of progress. We must make all men realize what it means for human beings—the ordinary folk by whose labors progress is achieved, to be released from the fear of the police-state methods—the spy, the informer, the knock of the secret police on the door, the mysterious disappearance in the middle of the night, the pretended trial, or the firing squad.

It is no accident that in little more than a century the United States was transformed from a small Nation of 13 impoverished colonies to that of the strongest Nation in the world. We know, and we should try to make other men understand, that the secret of this rapid progress lies in the simple fact that the energy and the imagination of our people have not been cramped by the fears and sense of insecurity which are ever present in the police state. If all people could be brought to an understanding of the great release of energies that follows the lifting of that pall of fear the day would soon dawn when the supremacy of law would be recognized throughout the world.

But it is not merely those who have never known what it is to live under a rule of law to whom the message of Law Day U.S.A. should be addressed. Our own people need to be reminded of the meaning of, and the reasons for, the supremacy of law as confirmed by the Bill of Rights of our Constitution. History has proved that there are some lessons that have to be taught over and over again to each generation. The corrupting influence of unrestrained power, even in the hands of good people, the truth that justice is indivisible, that it cannot long be enjoyed by the best and most law-abiding of our citizens if it is denied to the meanest offender, are chief among the lessons that each generation must learn anew.

It is the procedural safeguards imposed by law rather than its substantive guarantees that stand in greatest need of exposition and defense to our own citizenry. Americans are a freedom-loving, law-abiding people. They have inherited an innate sense of justice. They instinctively resent injustice when they are made aware that it is being perpetrated. There is little need to elaborate to them the importance of the guarantees of freedom of speech, and of the press, freedom of religion, and security from arbitrary deprivation of life, liberty or property. But to those who have never been arrested or tried on a criminal indictment, the wisdom of the great procedural guarantees of the constitution are not always so clearly apparent.

Many of the people who came to this continent in colonial times, like many of those who have come in our own day, were refugees from political and religious persecution in the Old World. They knew all too well the methods used by bigots and tyrants to crush the bodies and spirits of those who asked only the liberty to think and to worship as they pleased. They knew from bitter experience the dangers of arbitrary arrest, of unlawful searches and seizures, of confessions extorted by torture, of mock trials before judges who were but lackeys of the ruling power. They knew, too, the terrible cost, in blood and toil, of winning the right to live their lives under a rule of law. To them the guarantees of the right to a trial by a jury of one's peers, the right to confront one's accusers, to be represented by counsel, to have compulsory process to compel the attendance of witnesses in one's favor, the privilege against self-incrimination, security against unreasonable searches and seizures, the assurance that no man shall be twice put in jeopardy for the same offense, and that no one shall be held to answer for an infamous crime except upon presentation by a grand jury, were much more than expressions of abstract theory. These were the most practicable safeguards experience had devised to prevent repetition of specific abuses our forefathers had suffered.

Foremost among the grievances set out in the Declaration of Independence were the acts of the King in depriving the colonists of trial by jury in many cases, and in making judges subservient to his will by controlling their tenure and emoluments.

Thus it is not surprising that the men who drafted the Constitution and the Bill of Rights sought to assure, as far as words in a written compact can, that there would be no repetition of these evil practices under the new government. Not one, but three different sections of the Constitution and the Bill of Rights confirm the right of trial by jury. Article III, section 2, of the original Constitution stipulated with unmistakable clarity that "the trial of all crimes except in cases of impeachment, shall be by jury." To make assurance doubly sure, this guarantee was repeated and elaborated in the sixth amendment. "In all criminal prosecutions," it reads, "the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed." By the seventh amendment the right of trial by jury was preserved in suits at common law, where the value in controversy shall exceed $20.

Although many of our most cherished rights were first vindicated by courageous juries who defied the commands of judges, our forefathers knew that the supremacy of law could never be made a complete reality unless the courts that administered it were upright and independent. To assure this independence in the Federal judiciary, they provided in article III, section 1 of the Constitution, that Federal judges shall hold their offices during good behavior, and shall receive for their services a compensation which shall not be diminished during their continuance in office.

These and all the other guarantees of the Constitution were the result of mature consideration by men who loved liberty and feared power, who knew that no matter how strong the constitutional affirmation of substantive rights, they would avail little unless suitable institutions were provided and clothed with ample power to see that these mandates were respected.

One hundred and seventy years of testing have vindicated the wisdom of these provisions. Nevertheless, both of these venerated institutions—trial by jury and the independent Federal judiciary—have come under attack from many quarters in the last few years. The most vocal criticism has come from persons who seem to have little accurate knowledge about the functioning of either. Almost without exception their detractors have forgotten their history and apparently have no comprehension of the dangers which would attend any alternative methods of bringing the

power of the State to bear on individuals.

Reliance upon trial by jury for protection against oppressive or over-zealous prosecutors is so rooted in the traditions of our people that there is little danger that it could be overthrown by direct assault. From time immemorial, the plain people have regarded it as the bulwark of their liberties.

Out of centuries of trial and error the jury system was developed as the best possible instrument for harnessing the intuitive good sense and spirit of fair play of the ordinary men and women in the administration of justice. It is an ideal arrangement for keeping the development of the law in harmony with ideals and aspirations of the people whom law is intended to serve. Long experience confirms the conviction that there can be no greater assurance of justice than the judgment of 12 honest members of the community. To be sure, juries are not infallible, but 12 men are less likely to err in weighing evidence than one. Furthermore, when juries err, it is more likely to be on the side of mercy than of vengeance.

One of the most serious consequences of ill-advised attacks on juries and the disparagement of their role in the administration of justice is to make it seem unimportant in the eyes of those who are called upon to render this service to the community. If they are led to believe that it is of little consequence, they will be more inclined to seek excuses for evading this duty. This unfortunate trend can be observed in many parts of the United States today, especially in larger communities. There is no more important and honorable service a civilian can perform for his fellow men than by participating as a juror in the administration of justice. And there is no better school for citizen education than the jury. There men learn by applying it just what the law means in actual operation as it affects the lives and property of their neighbors. Any belittling of this service, which discourages men from undertaking it, is a grave disservice to that supremacy of law to which we are dedicated.

In recent years our courts, especially the Supreme Court of the United States, have also become the object of increasingly bitter attacks as a result of their faithful adherence both to the letter and to the spirit of the Bill of Rights. If James Madison or Thomas Jefferson could return to earth today, he would be amazed almost beyond belief to discover that the decisions which have evoked the sharpest criticism have been those which gave substance to the right of individuals to a fair trial. I cite in particular two cases which have occasioned criticism as widespread as it has been unjust: *Jencks* v. *United States*, 353 U.S. 657, and *Mallory* v. *United States*, 354 U.S. 449, both decided less than 2 years ago.

The decision in the Jencks case has been so widely misinterpreted that it behooves us to look closely at its facts and to analyze the point actually decided by the Supreme Court.

There, as you will remember, Jencks, as president of a local union of the International Union of Mine, Mill, and Smelter Workers, had filed a non-Communist affidavit with the National Labor Relations Board, pursuant to the Taft-Hartley Act. He was indicted on charges that he had sworn falsely in that affidavit that he was not a member of, or affiliated with, the Communist Party. The principal witnesses against him were one J. W. Ford and Harvey Matusow. Both Ford and Matusow were Communist Party members paid by the FBI to report on Communist Party activities in which they participated. They made such reports about activities in which Jencks allegedly took part, and testified at the trial about those activities.

Ford was a member of the Communist Party of New Mexico from 1946 to September 1950, and from 1948 was a member of the State board and a party security officer. He testified that Jencks was also a party and State board member. He related in detail the occurrences at five closed party meetings which he said Jencks attended in 1948 and 1949.

Matusow swore that in July or August 1950 he spent a 10-day vacation on a ranch in New Mexico with Jencks and others. He testified to a number of conversations with Jencks there. In one of these conversations, according to Matusow's testimony, Jencks told him of a program he was developing with leaders of the Mexican Miners Union to negotiate simultaneous expiration dates of collective bargaining agreements to further a joint action of Mexican and American workers to cut off production and slow down the Korean war effort. Matusow also testified that when he told Jencks he had joined the Mexican-American Association, Jencks told him that was proper Communist work because the association was a key organization, controlled by the party, for Communist activities in New Mexico, and that he, Jencks, was active in the association in the Silver City area.

Both Ford and Matusow testified that they had submitted oral and written reports to the FBI concerning the meetings Jencks was said to have attended, and to conversations had with him. After their testimony, Jencks moved for an order directing an inspection of the reports these witnesses had made to the FBI concerning the matters about which they had testified. The Government opposed these motions on the ground that a preliminary foundation had not been laid showing inconsistency between the contents of the reports and the testimony of Ford and Matusow. The trial court denied the motions. Jencks was convicted and his conviction was affirmed by the court of appeals.

The Supreme Court reversed this decision, thus halting a dangerous and indefensible curtailment of individual rights. It held that Jencks was entitled to inspect these reports to determine whether to use them in his own defense. The Court further held that when the Government thinks that disclosure of such reports would be contrary to the public interest it must dismiss the prosecution; that in criminal cases the Government can invoke its evidentiary privileges only at the price of letting the defendant go free.

It cannot be emphasized too strongly that this decision does not give any general right to demand access to documents in the possession of the Government. It applies only to very limited classes of documents—reports made by persons whom the Government calls as witnesses to testify against the accused. If the Government does not call such persons as witnesses, this case does not apply.

Even if these two witnesses had been men of unimpeachable integrity, this decision would have been necessary to assure a fair trial to the accused. Inaccuracy of observation and the treachery of the human memory makes for a serious danger of error in the testimony of the most honest witness. To combat this possibility the accused must be afforded the fullest opportunity to impeach this testimony by every available means. No method of impeachment is more persuasive than a comparison of statements or reports made at the time of an alleged occurrence, and those made at a trial months or years later. That the reports Jencks sought to examine were potentially of great value to his defense could not have been denied.

The fact that one of the witnesses on whose testimony Jencks was convicted was the notorious Harvey Matusow greatly aggravated the unfairness of withholding the requested reports. Matusow was the informer who recanted much of the testimony he had given in several prosecutions of alleged Communists. Indeed, he recanted as deliberately false the testimony he had given at Jencks' trial. On the basis of this recantation, Jencks had moved for a new trial while his appeal was pending but the district court had denied the motion.

This Matusow episode is one of the sorriest chapters in the history of law enforcement by the Federal Government. Nothing could demonstrate more clearly the necessity of a courageous and independent judiciary to temper the zeal of prosecuting officers. I do not know whether Jencks was innocent or guilty of the charges made against him. But who of us could feel secure if on the basis of senseless fabrications by such an unstable character, we could be indicted and tried without the fullest opportunity to probe, and to reveal, the consistency or inconsistency of everything such a witness had said or done which had any bearing on his charges. I am confident that on sober second thought, our people will overwhelmingly approve of, and be grateful for, the decision of the Supreme Court in this case. I am equally confident that when they do fully grasp its import they will demand the repeal of the statute which Congress enacted in ill-advised haste, to restrict the application of the principles which it announced.

The Mallory decision has also been much misunderstood. Mallory was a 19-year-old lad of limited intelligence

who had been convicted of rape in the District of Columbia and sentenced to death. The decisive evidence offered against him at the trial was his own confession. He had been arrested early in the afternoon. Despite the fact that there were numerous committing officers in the vicinity, he was not taken before any of them until the next morning. While detained at police headquarters, he was questioned intensively by police officers and given a lie-detector test. About 9:30 in the evening he confessed. During all the previous interrogating he was not advised of his right to a preliminary hearing nor of his right to have counsel. Neither was he informed that he had a right to refuse to answer questions or to take a lie-detector test. He was not warned that any statement which he made might be used against him. The Supreme Court set aside this conviction, holding that it violates the rule which requires arresting officers to take a person who has been arrested before the nearest available committing officer without unnecessary delay.

It should not be overlooked that this Mallory decision was handed down by a unanimous Court. From a tribunal which is sharply divided on so many issues, this high degree of agreement is itself a strong testimonial to the validity of the conclusions reached. But, in truth, the decisions in both cases are so intrinsically sound that they need no such tokens to vouch their worth. Both simply accorded to persons on trial for their life or liberty elementary protection against overreaching prosecutors. They simply assured these accused of rights you or I would want for ourselves if we should have the misfortune to be charged with crime. Surely there can be no justice in permitting the Government to withhold from a defendant information in its possession which he must have to be able effectively to cross-examine the witnesses it calls against him. Certainly it smacks of the police state to allow arresting officers to keep a suspect in custody for hours without taking him before a committing magistrate, and to question him relentlessly without advising him of his right to remain silent, or warning him that what he says may be used against him.

It is one of the glories of our legal system that it rests on the concept that it is better to let 99 guilty men go free than to subject 1 innocent man to unjust punishment. Neither the Jencks nor the Mallory decision can be expected to let any significant number of guilty men go free. At worst they may in exceptional circumstances frustrate the successful prosecution of a guilty man. But in the ordinary case they will simply require police officers and prosecutors to be more resourceful and alert in gathering and presenting evidence. The long-run consequences of these decisions will be not only greater protection for innocent persons who are accused of crime but also for the community itself. It must never be forgotten that when, by allowing police officers and prosecutors to take the easy way, an innocent man is convicted, the guilty person, the one who actually committed the offense, remains at large to continue his depredations against society. The self-interest of the community as well as the demands of justice are best served when the courts insist upon the most rigorous adherence to the requirement of fair and impartial trials. The very fact that cases like these should arise and be carried to the Supreme Court reminds us that oppression is not a foe that can be forever vanquished and laid to rest. It is a warning that we must not be lulled into complacency by any easy assumption that "it can't happen here"; that we, or some of us, are favorites of a gracious providence which will protect us from our own folly in spite of our indifference to the fate of those who are the first victims of encroaching tyranny. Wise men have warned us again and again that the greatest danger to liberty is not that it shall be wrested from us in a frontal assault by an avowed foe, but rather that it will be nibbled away by almost imperceptible degrees. The first inroads are usually made by good men who sincerely believe that they can more efficiently promote other lesser objectives they deem desirable if they are allowed to commit a few small trespasses on personal liberty. But if history teaches anything it is that powers thus acquired by well-meaning men will sooner or later fall into the hands of evildoers. These men will use these powers, not for the good of the people but to enlarge and extend their own authority, until they are so firmly entrenched that they can be dislodged only by another long and costly struggle.

The only defense against such encroachments is the unsleeping vigilance of a liberty-loving people. The men who founded our Government knew that there is no final victory in the war against oppression; that it is a struggle which must be waged anew by each generation. But by the clear and unambiguous mandates of the Bill of Rights, they prepared for us entrenched positions from which to repel assaults on our liberties. It is a far easier task for us to hold ground already won than it was for our forefathers to gain it. Far easier also than it would be to regain it if we allowed it to be captured by foes of freedom and justice. We who are the beneficiaries of this heritage of the supremacy of law are trustees of a sacred trust. We have a solemn obligation to preserve intact the legacy of freedom which our fathers bequeathed to us and to pass it on undiminished to our children.

This obligation rests with special force upon those of us who have the honor and privilege to sit as Members of the House of Representatives. The Bill of Rights, unlike the Contitution itself, was not formulated by the Constitutional Convention. It was initiated by the House of Representatives under the leadership of James Madison, then a Representative from Virginia. To be sure, this House did not originate the concepts embodied in the first 10 amendments. They were the outgrowth of the whole experience of our people. But whenever we are tempted to express impatience with the application of these principles in particular cases, let us recall that it was through the medium of amendments proposed in this House that the great guarantees which, in sum, assure the supremacy of law in this country were incorporated in our great charter.

To those of us in whom the people of the United States have confided the authority to make all laws necessary and proper to give effect to our Constitution, Law Day-U.S.A. is a reminder of our affirmative duty to play an active part in preserving the ideal of liberty under law. It is a reminder of the oath each of us took to support the Constitution of the United States, not one part or most parts, but every article and section of that venerable document. This means that each of us has an inescapable, personal responsibility to make sure that every bill we sponsor, every measure we vote for, is consistent not only with the letter but also with the spirit of the Bill of Rights. It means that our every utterance, on the floor of this House or elsewhere, should be in harmony with that spirit. We must be vigilant that no word of ours, anywhere or at any time, shall give aid and comfort to those who scoff at the rights and liberties guaranteed by the Constitution.

This responsibility to uphold the rule of law cannot be shifted or evaded. It will not do to say that if we pass a law which will deprive any person of his rights the courts will declare it unconstitutional. No doubt they will, but much mischief may ensue before the courts have an opportunity to set the matter to rights. Moreover, it is unfair to the courts to expect them to bear the whole burden of maintaining the supremacy of law. Especially is this true in times of tension, when popular feeling runs high and emotions blur the peoples' understanding of decisions which protect their rights. In times such as these we should be in the front ranks, sharing with the courts the task of repealing onslaughts against our rights and liberties. We should not only be the most vigorous defenders of decisions, however unpopular, which give reality to the ideal of equal justice under law. We should also be diligent to adopt any legislation which may be needful in promoting the same great ends the courts seek to serve by their decisions.

Only thus can we keep faith with ourselves and our posterity. Only thus can we fulfill the glorious mission we accepted when we became Members of the House of Representatives.

HON. JAMES G. POLK

Mr. RHODES of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RHODES of Pennsylvania. Mr. Speaker, it was with much sorrow that I learned of the death of our friend and colleague, James G. Polk.

Jim was a modest man and a friendly one. He had a rare courage and high

principles and was both loyal and conscientious. His kindness, his courtesy, and devotion to duty made him loved and respected by Members on both sides of the aisle. He will long be remembered for these qualities which many strive for but few possess.

I have considered him a very dear friend ever since I first became acquainted with him back in 1949 when I first came to Congress.

I join with his many friends in paying tribute to Jim Polk, and extend to his widow and family my deepest sympathy.

CORN TASSEL AS OUR NATIONAL FLOWER

Mr. PRICE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE. Mr. Speaker, under leave to extend my remarks in the RECORD, I would like to include a poetry composition of Mrs. Harry N. Rosinos, 215 Lincoln Street, Edwardsville, Ill., in my congressional district.

Mrs. Rosinos was inspired by her interest in the movement to adopt the corn tassel as the official flower of the United States, and in the following poem entitled "Golden Fingers" she expresses "a sincere appreciation for the beauty of the corn and its additional virtue of providing food for man":

GOLDEN FINGERS

Golden fingers tipped with silver,
Hand uplifted to an azure sky,
Raising its emerald tower
Is the Prairie corn,
Borne from the earth's soft bed of brown.
"Maize" by the copper-tinted
Aborigines called,
Under the sun's torrid rays
It thrives,
And from the rain's glistening fountain
Does it drink.
In farflung fields across
The Prairie State
It grows, blossoms, and
In russet, golden ears
Gives forth its nutrient
Present to mankind.
No beauty here?
Ah! Mark the slender spearlike
Green of its scion's venturous blade.
Mark the straightness of its stalk
As it reaches to the sky.
Mark the blades to many
Graceful, bending arches grown.
Then the golden-silver hand
Lets fall its speck of
Fertilizing power,
'Til the moist, chartreuse silk
Receives its gladsome guest and
Sucks it to its hidden heart.
Sun, rain, humid heat perform their tasks
Until the autumn renders up the golden grain
To give to man its bounteous treasure
Of healthful, luscious sustenance,
Fit for any royal store.
That rose, violet, columbine,
Pansy, too,
All have their beauty
None can forsay.
A beauty to delight the eye alone.
Golden maize, the Indians' gift,
Has more than this to give
A native brave for its symbolic arms.
It has not only beauty for the eye,
But strength for body, too.
Take this great gift from
The Prairie State
And let it be the floral emblem of our land
To echo to the peoples everywhere
The beauty and strength
Which is America!

AMENDING FEDERAL AIRPORT ACT

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 1) to amend the Federal Airport Act in order to extend the time for making grants under the provisions of such act, and for other purposes, with House amendments thereto, insist on the House amendments, and request a conference with the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. HARRIS, WILLIAMS, MACK of Illinois, ROBERTS, BENNETT of Michigan, SPRINGER, and BUSH.

FIDEL CASTRO'S THIRD ORDEAL

The SPEAKER. Under previous order of the House, the gentleman from Oregon [Mr. PORTER] is recognized for 30 minutes.

Mr. PORTER. Mr. Speaker, Fidel Castro has successfully undergone two ordeals. Now he faces a third. He led his scant forces to victory over Batista and his hoodlums. That was his first ordeal. Then, as his second ordeal, he came to the United States, faced the best interrogators in the land and convinced them of his good faith, and his determination on the side of democracy.

His third ordeal requires the same high degree of bravery, intelligence and patience. This is the ordeal of high public office. Like a character out of John Bunyan, Fidel Castro strides from one fearsome test to another. He has won control of Cuba. He has convinced fair-minded persons that his motives are good.

Now the question is, can he govern? Can Fidel Castro guide Cuba through a period of transition to free elections?

The task facing him is formidable.

TREMENDOUS PROBLEMS TO OVERCOME

Consider the tremendous problems:

New, predominantly untrained and inexperienced government leaders and employees; a huge debt resulting from Batista's follies and embezzlements; the strong wish for social and economic changes, particularly toward better educational and economic conditions for the people; and, in the middle, with money and know-how, to take advantage of the disorganization and ferment, the Communists and their dupes.

CUBANS DESIRE HONEST GOVERNMENT

There are positive factors, too:

The deep desire among Cubans for an honest and democratic government; the basic richness of Cuba's human and physical resources; the almost universal distaste for Communists and their teachings; and, finally, a factor now more appreciated by Castro and his colleagues, the desire and the ability of the United States to help Cuba attain not just a stable government, but democratic, honest, and solvent government.

One evening when he was in Washington I talked with Fidel Castro for more than an hour at the Cuban Embassy. He had just returned from his walk in Meridian Park. Among those present were two of his cabinet ministers, Lopez Fresquet and Regino Boti, both very able men; also his Ambassadors to the United States, to the United Nations, and to the Organization of American States, and a former Ambassador of Cuba to the United States.

I asked if it was true that Marxism was being taught under the direction of Raul Castro at Camp Libertad. This is what the State Department had told me. Teaching Marxism in college is one thing. Indoctrinating simple soldiers with class hatred is quite another.

Fidel denied the charge. He was incredulous. "Would I allow the Communists to destroy the army I have built?" he asked.

He went on to say that we in the United States would do better to attack communism at its social and economic roots. He pointed out that hysterical attacks and alarms by us only tended to strengthen it in Latin America.

ADMINISTRATORS AT WORK IN CUBA, CASTRO SAYS

"When does the speechmaking stop and the hard, detailed, and organized work of administering the country start?" I asked. He protested that he had good administrators in action right now and indicated his Minister of Finance, Lopez Fresquet, and others in the room. He admitted that he himself was disorganized but said that despite appearances he knew where everything was.

"It is like a room you live in," he said. "It may look mussed up, but you know where everything is." If he dies, he conceded, this does make a problem for his successor. He said he has to live in three or four houses because when people waited outside his house for a long time in order to have a word with him he could not pass them by.

I asked him why he criticized José Figueres, former President of Costa Rica and a democrat of great stature in this hemisphere. "Pepe thinks he is the dean of the revolutionaries," Castro said. "When he was in Havana he criticized my Government in a speech to the Cuban people. What would you think if I made a speech here criticizing your State Department?"

The Trujillo radio from the so-called Dominican Republic credits me April 22 with advising Castro not to give "imprudent replies." If so, I've done very well. He succeeded very well in reassuring 15 Senators at the Capitol in a closed meeting where, through the courtesy of Senator FULBRIGHT, I was present. The questions from the Senators were keen and to the point. The answers were the same. Not a harsh word was spoken.

HOW WOULD TRUJILLO FARE?

I wonder how well Rafael Trujillo, Dominican dictator, would have done

under these circumstances? Or before the American Society of Newspaper Editors? Or before the outstanding reporters and columnists who make up the membership of the National Press Club? I really am not in doubt. He would fall flat on his face.

If Trujillo is willing, I'll be glad to try to make the arrangements, although I'll waive my rights to advise him. He will have to make his own "imprudent replies." Perhaps his son, Rafael, Jr., once a well-known raconteur, would help. Of course, for a price, he can always buy the devoted services of Washington lawyer Charles Patrick Clark, Trujillo's ex-employee, who still serves Franco, or Washington lawyer John Frank, another Trujillo ex-employee, or Washington public relations man John Kieffer, who may, however, be something of a Jonah, considering that Dictators Perez Jimenez and Batista, of Cuba, both were shot out from under him.

Castro received, on the whole, fair and friendly treatment from the press, as indicated by articles I shall append to these remarks.

He also received criticism, some good, some bad, which is normal and proper in any democracy. Time magazine and the Washington Post and the Washington Star used a picture of him shaking hands with the Soviet Ambassador at his reception for Washington officials. Menshekov was just behind me, my wife and my friend Sam Brown, of Tacoma. Defense Secretary McElroy was also in that line. Cuba still has no diplomatic relations with the Soviet Union. Our Government, along with all responsible persons, does not believe Castro to be sympathetic with the Soviet Union but rather opposed to the Communist regime as a dictatorship.

A LACK OF OBJECTIVITY

The Washington papers did use other pictures during Castro's stay, but for Time magazine to use this as their only picture to illustrate their story of his visit in Washington demonstrates Time's lack of objectivity in this instance, to say it mildly.

Time magazine, on the whole, is a useful and positive force in our relations with Latin America. I shared and share many of their reservations and doubts with respect to Cuban affairs but not including any with respect to the good faith of Fidel Castro.

Also consider what Spruille Braden, former Assistant Secretary of State who served as U.S. Ambassador to Cuba, Colombia, and Argentina, said in the Oregonian, April 16:

> Castro and his rebel band are enemies of the United States and our democratic ideals. He is a pawn, wittingly or unwittingly, in the Kremlin's international intrigue, to bring Cuba under Communist domination.

Mr. Braden is out of touch. Fidel Castro is not an enemy of the United States. He is a friend. He is not opposed to our democratic ideals. He seeks to put them into operation and in doing so reminds many of us to cherish and, in some instances, to refurbish our own practicing of what we preach.

U.S. News & World Report, April 20, carried a piece entitled "Is Castro Linked to Communists?" They quote a "non-U.S., confidencial intelligence memorandum" stating, "There is nothing to indicate that Fidel Castro is, or has been, a Communist." Then they go ahead to make it appear he is surrounded by Communists. They use phrases which bring back McCarthyism.

For example, speaking of three highly placed Fidelistas, they say, "All three are outright Communists or ardent 'fellow travelers'." Whether a man is a Communist, especially an outright one, is a fact, but whether he is a fellow traveler, with or without quotation marks, and ardent or not, is largely a matter of opinion. The two phrases should not be linked.

In my opinion articles like this one can do a lot of harm. First, they confuse anti-Americanism with pro-Sovietism—that is, international communism—and, second, they build up the Communists in Cuba and elsewhere in Latin America by making them seem far stronger than they are, which can only help Communists there, and dismay and handicap anti-Communists both here and there.

The article in U.S. News & World Report May 4 was much better. The writers had in the meantime an opportunity to see Fidel Castro close up. Their conclusion was that it was "much more likely" that he was "incredibly naive" about communism rather than "under Communist discipline."

I would say rather he is "credibly naive" in terms of his background and the circumstances in Cuba at this time. There is some of the same confusion between the social justice Communists and the international conspiracy Communists in Cuba as exist to some extent in Venezuela and elsewhere in Latin America. Castro has to learn, as others have, that the latter invariably and inevitably overcomes the former.

HIS VISIT HERE WAS HELPFUL

Fidel Castro's visit contributed to better understanding on both sides. I think he now realizes much better than he did how much the U.S. Government and people here generally want to help him build a democratic and honest Cuba. And more North Americans realize better his good faith and determination.

Cuba needs the United States and the United States needs Cuba. More than that, we like each other and our peoples are natural friends.

I want to conclude by listing, with due respect and with no warranties as to infallability, several measures which I believe Fidel Castro should seriously consider adopting without delay. They are as follows:

SEVEN SUGGESTED STEPS TOWARD BETTER GOVERNMENT

First. Reduce speechmaking to no more than one oration a week. Sit down at his desk. Meet and work with his correspondence secretaries, including J. Ossorio, who handles letters from the United States. Get organized. Castro's own knowledge of military staff organization should be applied. In short, he should face up to this third ordeal and triumph gloriously as in the other ordeals.

Second. Bar Communists from holding executive or judicial offices in the Cuban Government or in labor unions. Of course I do not propose a witch hunt, but only that Castro recognize a Communist cannot be loyal to Cuba, and act accordingly.

Third. Castro should give his personal attention to the democratic organization of labor unions. See that Vincente Rubiera has a fair hearing with respect to his ousting as General Secretary of the Cuba Telephone workers. It is highly important that labor, both in and out of Cuba, work side by side with Castro in the economic and social changes which are in process.

Fourth. Stop the military trials of accused war criminals and turn these matters over to civil courts with instructions that prompt action be taken. Cases like Klawans and the editor of El Mundo need immediate attention.

Fifth. Call upon the U.S. Government for any necessary technical cooperation. Under our mutual security program we can and would gladly supply Cuba with experts in fields vital to the economy of Cuba.

Sixth. Ask that the American military missions be returned to Cuba. Castro has a new military force to train. Cuba is now clearly on the side of the free world against the Communists. I was emphatic in wanting us to withdraw the missions when Batista was in power. I am just as emphatic in wanting them returned now that Cuba is a democracy. I think it would be proper for Cuba to stipulate that the members of such missions be, as almost all Americans are, men who share the democratic ideals of our respective nations.

Seventh. Do not hesitate to enlist advice and aid from democratic friends here in the United States and elsewhere in the hemisphere. I refer especially to Gov. Muñoz Marín of Puerto Rico, former President José Figueres of Costa Rica, President Romulo Betancourt of Venezuela, and others like them.

Fidel Castro's courage, intelligence, and patience brought him through two ordeals—revolution and cross examination. Now he must again invoke those qualities as he settles down to face and, we earnestly hope, to survive the ordeal of high public office.

[From the Christian Science Monitor, Apr. 16, 1959]

CASTRO REFORM PACE TUGS ECONOMIC ROOTS

(By Bertram B. Johansson)

HAVANA.—"In all my 35 years in Cuba," a U.S. businessman said to me as we sat at a sidewalk cafe where the sea breezes hiss through the palm trees, "I've never quite seen anything like this Fidel Castro government.

"Apparently, they're strictly honest as far as graft or corruption is concerned.

"They're thorough. The military executions are an example.

"They've got lots of good ideas for increasing Cuba's agricultural production, and for industrializing.

SEARCHING QUESTIONS

"But it seems to me they're moving too fast for their own good. And I have some reservations about whether leftists or Communists aren't infiltrating. I don't know who is influencing whom, Castro or the Commies."

This view, echoed in many layers of the Havana community by both Cubans and foreign observers, is a quick measure of the Castro independence movement as found in Havana today.

It expresses the sympathy most people have for the 26th of July movement, but the reservations and doubts, as well.

[Meanwhile in Washington Dr. Castro met at luncheon with Christian Herter, Acting Secretary of State. On April 15 the bearded Cuban Premier was greeted on his arrival in the capital with cries of "Viva Castro" from a crowd of flag-waving Cuban supporters.

[Dr. Castro said he hoped "in some way I can bring a better understanding of our program in Cuba to the people of the United States and that they will have a better understanding of our situation."]

The primary questions, still, in Cuba are:

1. Whether the Castro government is willing to adjust to the concept of a mixed economy and the fact of the one billion dollar United States investment in Cuba, as Gov. Muñoz Marin in Puerto Rico has, and as President Betancourt of Venezuela and former President Figueres have, in their own way.

WAVE OF REFORMS

2. What the outcome will be of the muffled behind-the-scenes struggle now going on within the government between moderates and the leftists who have stealthily worked their way into some posts. It is obvious that Communists are trying to take advantage of the flux of this period of transition, as they did briefly in Venezuela after the fall of Pérez Jiménez dictatorship.

On the outcome of this test of strength will depend the issue of whether the government's overall approach becomes a synthesis of moderate and radical views, or a primarily leftist policy.

The break with the past is producing its ferment. Three and a half months after the January 1 revolution, turbulent forces of freedom set loose by Cuba's revulsion with the Batista dictatorship have taken on the nature of a giant, onrushing tidal wave of political and economic reforms.

BUSINESSMEN ANXIOUS

Premier Castro says he is out to form one big middle class, bringing the rich down into it and the lower classes up. This is frightening to some people here, naturally.

As a result, Cuba's political scene is marked today by the fluidity and headlong motion characteristic of a tidal wave as these forces of reform conflict with the status quo.

Almost daily the Urrutia-Castro government issues fiats, regulations, and laws with Cromwellian zeal to purge the excesses of the Batista regime, to lower utility rates, slash rents, adjust charges for the space a small farmer might use in the Havana marketplace to sell his produce.

The impetus of these reforms is such that they could have either a positive, cleansing effect on Batista corruption or, if mismanaged, could head Cuba for catastrophe, it is agreed here.

Currently, though the mass of Cubans supports the Castro government, the business community is not quite sure what will happen next. There have been threats made in Revolution, the newspaper of the 26th of July movement, that some American sugar company lands may be expropriated for the agrarian reform program.

Conversely, there have been assertions Cuba is interested in more private investment capital. Most businessmen are sitting tight, awaiting events, not words.

Commerce is off, though tourism has begun to make a comeback. Both the El Nacional and the Havana Hilton Hotels report a slight increase in the number of guests.

Hotel occupancy is down to about 35 percent of capacity, when it ordinarily is at 65 or 70 percent this time of year when the tourist season is drawing to a close. The hotels are attempting to attract several conventions during the off season to help commerce here.

RENTAL SLASH DRASTIC

An illustration of the uncertainty—and elation—raised by some of the lightning swift acts of the government may be seen in the rental situation. Announcement of rent slashes several weeks ago produced near hysteria among property owners, many of whom supported the independence movement financially. Even Dr. Castro is believed to feel he has acted too drastically in this matter, though it is difficult to change position now without losing face.

Rent slashes, effective April 3, are as follows: rents up to $100 were cut by 50 percent; rents from $100 to $200 have been shaved 40 percent; those above $200 were dropped 30 percent.

For persons paying rents these reductions were naturally welcome, for, it is agreed here, rentals were much too high for the value received.

But there were other factors that apparently had not been fully considered. One Cuban family I know, with two children, has been paying $65 rental a month for their house—the downstairs area of a modern, quite new home.

HOMEOWNER SQUEEZED

The owner, who lives upstairs with his wife, had saved for years and years to build the $20,000 house as a social security investment against the future. Now, instead of receiving $65 a month in rental income, he will obtain only $32.50.

"Not a very good investment for my landlord, even though his mortgage interest will be reduced," said my friend who nonetheless is elated about his reduction in rent.

The effect of the rental fiat on the construction business was immediate. Work on nearly all large apartment houses has virtually stopped, partly because of the rent changes, partly because some of the financing for apartment construction was being supplied by Batista supporters who have fled.

The effect on other construction industries—such as cement manufacture, the steel rod reinforcement industry, trucking, etc.—is beginning to be felt. Some 120,000 partially or fully unemployed construction workers are putting pressure on the government by means of labor demonstrations. Dr. Castro, wary about adding to Cuba's unemployment problem, says he will start huge public works projects for making feeder roads in the farm areas of Cuba, and for draining the Zapata marshlands in central Cuba for growing rice.

RICE STUDY PUSHED

Netherlands drainage engineers are in the swamps now studying the problem, and 50 Japanese families have been invited to Cuba to show Cubans how to increase rice production.

Meanwhile, real estate owners and builders are, in effect, on strike against the government, in not finishing construction. Property owners are refusing to invest in real estate. This was the main aim of the rent slashes, aside from reducing rentals for city dwellers. Dr. Castro wishes to discourage investment in real estate and funnel it into industry to create more jobs.

But the government is learning it cannot be as drastic as it has been. It is believed Dr. Castro is seeing this now.

[From the Washington Evening Star, Apr. 17, 1959]

OBSERVERS BELIEVE CASTRO IS SEEKING U.S. TRADE FOR CUBA, NOT AID

(By John V. Horner)

Trade, rather than aid, is the subject being stressed by Prime Minister Castro in his discussion here.

This is the report today of persons who have had opportunities to confer privately with the visiting Cuban revolutionary leader.

One high-ranking official who talked at length with Mr. Castro said no mention was made of financial assistance but the Prime Minister is obviously concerned by Cuba's economic difficulties and hopes to stimulate the sale of such products as sugar.

Before leaving Havana, Mr. Castro was quoted as saying he hoped, during the visit here, to arrange for an increase in the Cuban sugar quota. But this cannot be done because quotas are fixed by law and no changes could be made except by action of Congress.

ECONOMY DETERIORATING

The Cuban economy has been deteriorating badly for several years, due in large part to a decline in sugar prices. Another factor was the heavy expenditure of the Batista regime for arms.

Since Mr. Castro overthrew the Batista dictatorship on January 1, the downward trend has continued. Tourism has fallen off sharply and investors worried about the political and economic uncertainties have withdrawn large sums of money.

So far, Mr. Castro has made the most favorable impression while relaxed in informal person-to-person conversation. In such situations he appears shy, talks in a soft, low voice.

"There is certainly no impression of a bloodthirsty revolutionist," said one observer.

SOMETIMES IRRITABLE

But in the midst of shoving crowds and inquiring reporters he sometimes appears irritable.

In the lobby of the Cuban Embassy yesterday morning, a reporter asked him, in the most courteous way, whether the newspapers in Cuba were free to criticize his government.

Mr. Castro bristled.

"Every newspaperman in the United States is invited to come to Cuba and see for himself," he replied sharply. "What puzzles me is that in this country such a question should be asked."

With that, the Prime Minister took one last hard look at the reporter, snapped his head upward and marched out of the front door. Thus ended an impromptu press conference.

EXPRESSES THANKS

A few minutes later, Mr. Castro was exchanging pleasant remarks with Acting Secretary of State Herter and other high ranking officials at a luncheon given for him at the Statler-Hilton Hotel.

The Prime Minister expressed thanks for the welcome and said he was glad to accept the honor on behalf of the Cuban people.

He spoke of the struggle in Cuba which he said cost thousands of lives for human rights, liberty and democracy, all of which had been nonexistent.

HERTER TOASTS CASTRO

He said he hopes that some day the people of the United States will recognize the whole truth of the revolutionary fight. And he said he wants to improve relations between this country and Cuba.

He declared there is no reason relations should not improve because the Cubans have a good feeling for the people of the United States. He then toasted the President.

Earlier, Mr. Herter had toasted the Prime Minister. The Acting Secretary said Cuba and the United States had cooperated in building and maintaining in the Western hemisphere "an impregnable bulwark of independence, of order, of freedom within the law." He said the countries stand together, likewise, in defending the integrity of the free world.

Mr. Herter said an exact expression of the feeling here for Cuba was made by the

Cuban hero, Jose Marti when Marti spoke of the nations of this hemisphere as follows: "America must further everything that draws people closer together and abhor everything that separates them."

[From the Coos Bay (Oreg.) World, Apr. 17, 1959]

CASTRO AND THE COLD WAR

High hopes for fundamental reforms in Fidel Castro's Cuban revolution have been considerably dashed. Even those whose hopes were highest for establishment of a Democratic Government in the island nation which is snuggled against our Florida coast have had those hopes dampened.

We note that columnist Drew Pearson, who was high on the Castro-Government possibilities just before and immediately after Batista's fall, has since discovered things in the Cuban premier's background and recent actions to give him pause.

This also has occurred with many leading newspapers, such as the New Orleans Times Picayune.

And Congressman CHARLES O. PORTER, Democrat, of Oregon, who felt a surge of optimism for democracy in Cuba after Castro's revolt, is quoted this week by Time magazine as saying, "I don't think Castro is a dictator yet, but I do see an ominous trend." What PORTER feared early this year—that Castro was "young and naive in politics and government" and might thereby come a cropper—is the basis for the ominous trend."

Most worrying to U.S. officials is the apparently left-orientated trend to Castro's dictatorship, if it is a dictatorship. The United States tends to see every action by anybody, anywhere, as favoritism of either the United States or the Soviet Union. We have a habit of contending that everybody is either for us or againts us. We are joined in that attitude by Russia.

Thus it's difficult for us to truly see where Castro's government is headed, left or right. Either kind of dictatorship is undesirable.

If Castro is leaning toward "neutralism" as between the United States and Russia, or even leaning toward Soviet sympathies, there is a partial logical explanation in historic Cuban fears of the Big Brother to her north, and also in that Big Brother's attitude toward the Castro revolution itself.

The U.S. Government gave every appearance of backing Batista's rightist dictatorship in order to protect American investments and the U.S. foreign sugar supply right up until the State Department embargoed shipments of arms to Cuba a scant few weeks before Batista fled.

Even after the embargo, actions of the U.S. envoy in Havana could hardly be construed as anything but American support for the repressive, brutal, bloody Batista dictatorship.

All that is past history. What matters today is Castro, whose policies are still being swept along on the popular enthusiasm of a majority of Cubans.

His policies, young, and naive perhaps, are not pro-United States. The United States has a difficult job ahead of it in changing Castro's attitude. The job may be impossible. If it is, the blame is not all Castro's.—FWA.

[From the New York Times, Apr. 17, 1959]

CASTRO IS LUNCH GUEST OF HERTER ON FIRST DAY OF VISIT

WASHINGTON, April 16.—Premier Fidel Castro of Cuba was a luncheon guest today of Acting Secretary of State Christian A. Herter. Dr. Castro flew to Washington last night to begin an 11-day speaking tour of the Eastern United States and Canada. The purpose of his tour, he told reporters, is to improve Cuban-United States relations. This was the theme of the toast the young revolutionary leader made today in reply to one from Mr. Herter. There is no reason, Dr. Castro said, why relations between the two countries should not be improved. Premier Castro has charged frequently that the U.S. press has distorted the facts in reporting the revolution against the regime of President Fulgencio Batista and the subsequent military trial and execution of many Batista followers.

In his toast Dr. Castro intimated that press reports were responsible for the misunderstanding between the two countries. He expressed the hope that one day the people of the United States would recognize the whole truth of the revolutionary struggle in Cuba.

As he left the Cuban Embassy this morning for the luncheon, a reporter asked him whether newspapers in Cuba were free to criticize his regime. The question apparently angered him.

"Every newspaperman in the United States is invited to come to Cuba and see for himself," he replied. "What puzzles me is that in this country such a question should be asked."

CASTRO WEARS UNIFORM

Twenty-five United States and Cuban officials attended the luncheon, held in the Statler Hotel. Premier Castro wore his green army fatigue uniform. Before the luncheon, he and Mr. Herter sat on a sofa and conversed.

The State Department gave out no information on what subjects had been discussed.

Dr. Castro said later that in his speech tomorrow before the American Society of Newspaper Editors he would answer allegations that his government had been infiltrated by Communists.

The society reversed today its decision not to permit television and radio coverage of the Castro address and the question and answers following it. This decision, announced earlier by George W. Healy, Jr., of the New Orleans Times-Picayune, president of the society, had brought sharp protests from broadcasting representatives.

At a conference of these representatives with Mr. Healy today, it was agreed that there would be a pooled film, which would be made available to all television services for later broadcast, and a pooled recording for radio networks.

Dr. Castro brought with him to Washington three financial experts, Rufo Lopez Fresquet, Minister of the Treasury; Dr. Regino Boti Leon, Minister of the Economy, and Dr. Felipe Pazos, president of the National Bank of Cuba. These officials are expected to have exploratory discussions at the International Monetary Fund on a program to stabilize the Cuban economy.

Dr. Castro has already indicated that he would like U.S. credits. The U.S. position has been that the Cuban Government should first discuss its situation with the International Monetary Fund. This has been the procedure followed with several other Latin American countries that sought U.S. help for their balance-of-payments difficulties.

CUBAN TROUBLES CITED

There is general agreement here that the Cuban economy is heading into trouble. At the end of 1953, Cuba's dollar reserves were about $500 million. In the next 5 years, the balance of payments deficits totaled $414 million. It is estimated here that gold and dollar reserves are now about $80 million.

The accumulating deficits under the Batista regime were brought about by the decline in sugar prices, heavy purchases of arms and the flight of capital from Cuba.

In the first 5 months of the Castro regime, the reserves have continued to fall as a consequence of a further drop in sugar prices, the decline of tourism, and a removal of investment by industries worried about the political and economic course of the regime.

Furthermore, the budget is running into a deficit as the Government has started up projects to soak up unemployment.

COSTA RICAN RED HAILS CASTRO

SAN JOSE, COSTA RICA, April 16.—Manuel Moya, leader of Costa Rica's outlawed Communist Party, praised Premier Castro in a radio broadcast here last night as a "man of profound culture, brilliant talent and a true revolutionary."

The speech was in reply to one by José Figueres, a former President of Costa Rica, last Sunday, in which Señor Figueres assailed Dr. Castro.

[From the Christian Science Monitor, Apr. 17, 1959]

CASTRO FACES QUIZ ON IRON-RULE AIMS

(By William H. Stringer)

WASHINGTON.—Cuban Premier Fidel Castro, bearded, open-shirted, and a photogenic romantic in appearance, is finding he must answer two grim charges on his American tour:

1. That the large-scale executions following his triumph over Fulgencio Batista were brutally excessive and decided by rump-court justice.

2. That he is closely linked to the Communists.

Dr. Castro is telling his luncheon hosts, the American Society of Newspaper Editors, April 17, that he is not tied to the Communists, and that they have not "moved in on" his revolution.

Dr. Castro likewise is telling Washington, through repeated sidewalk interviews and hasty comments at the Cuban embassy, that the executions involved only "assassins," and that the Cuban people's faith that the Batista leaders would be punished "prevented great bloodshed in the final days of the revolt."

CONTROVERSIAL FIGURE

But this revolutionary hero remains a controversial figure, and further siftings will be necessary to unravel the whole picture.

Meanwhile, Dr. Castro is seeking United States credits to bolster a Cuba where the decline of sugar prices and the unsettlements of war have caused a sharp decline in dollar reserves. He has brought with him three economic and financial experts, who will explore prospects at the World Bank and International Monetary Fund for quick action to stabilize the Cuban economy.

There's a long road uphill ahead for the hard-fighting, idealistic-but-impractical Cuban political leader who April 16 had lunch with Acting Secretary of State Christian A. Herter, Jr., and said then that the purpose of his tour was to improve Cuban-United States relations.

What about the charges of Dr. Castro's procommunism?

The weekly magazine U.S. News and World Report, the columnist Drew Pearson, and others have charged that while Dr. Castro is not and never has been a Communist, nevertheless the Communists have made their way into his regime and some close associates are Communists or ardent fellow travelers. The Christian Science Monitor's Latin-American affairs correspondent, Bertram B. Johansson, reports from Cuba that there are apprehensions among the lawyer class that Communists and extreme leftists may have infiltrated the Castro regime.

GOOD RELATIONS SEEN

On a visit to the Capitol, Dr. Castro was quoted as telling Senators that communism does not have a chance in Cuba if he can feed his people. He also said, according to reports, that he does not contemplate confiscation of American interests in Cuba.

Dr. Castro is expected to have something further to say about charges when he addresses the American editors.

Moscow would like nothing better than to have a base and a regime on the doorstep of the United States, and close to the Panama Canal.

Meanwhile the young bearded revolutionary told Acting Secretary Herter at their luncheon he saw no reason why relations between the United States and Cuba should not be "the best."

Answering repeated street-corner questions about the executions which have been continuing at La Cabana fortress—with more than 500 Cubans estimated to have been shot by firing squads after brief military trials—Dr. Castro said:

"The executions are a lesson that never again can the people in power rob and torture and murder and hide their crimes and escape punishment."

[From the Christian Science Monitor, Apr. 17, 1959]

AIDES PACK VERBAL ARMS—CASTRO PRIMED ON U.S. VISIT

(By Bertram B. Johansson)

HAVANA.—Premier Fidel Castro, who has taken off for speeches and public appearances in the United States, has been armed by government officials not with rebel guns and Molotov cocktails but with numerous speeches, facts, and figures on sugar quotas, loans, and United States-Cuban relations.

He is to arrive in Washington late April 15 and will be accorded the treatment due the Cabinet chief of a friendly nation, officials there said.

But at this end elaborate, almost frantic preparations have been made for the Premier's trip.

It is not that Dr. Castro is incapable of speechmaking. Quite the contrary. As one observer here has said, he speaks compulsively.

His speeches to the Cuban public last sometimes for four or five hours. One recent Castro appearance on the Cuban television version of "Meet the Press" started at 10 in the evening and wound up after 2:30 in the morning. It will be quite an experience for the Cuban Premier to have to limit his remarks.

His prepared speeches will be given in English, though his press conference answers are expected to be rendered in Spanish and then translated.

Premier Castro is said even to fish compulsively. Recently, on visiting a Cuban lake, far distant from the cities, about which few people know, he hauled in more than 300 large bass in one sitting, one after another.

DIFFERENT FROM FRONDIZI

As an unofficial visitor, the Castro tour to the United States differs in several respects from that of President Frondizi of Argentina in January.

The Argentine President was invited to the United States, officially, soon after he entered office in May 1958. He did not accept immediately, however, and stipulated he would not accept until he had his government and economic situation either well in hand, or at least launched and given direction.

Thus, when President Frondizi visited President Eisenhower in January of this year, his economic policies had been enunciated. It was clear that Argentina welcomed private foreign investments, despite the cries of Peronists and nationalists to the contrary.

President Frondizi had had more than one showdown with Peronist labor unions and had established the political fact that he had the strong backing of the Argentine military forces so that he dared to leave Argentina even at the time of some labor difficulties.

The Castro government, on the other hand, only a 3½-months-old political youngster, is still in the awkward, troublesome throes of forming its economic program, of recovering from the shock of revolution, of transforming destructive acts into constructive administrative procedure, recovering stolen funds with which Batista officials had lined their pockets and safety deposit boxes.

The government is still dismissing excess or disloyal government personnel and introducing new government workers, who in their inexperience, do not always contribute to still chaotic operation. Government and business are having troubles with labor unions where Communists are endeavoring to infiltrate and take over important posts.

Thus, the frenetic, anxious atmosphere of the preparation for the United States-Canada trip has spread throughout the government. Ministers who before were difficult to reach are now even more difficult to find. Many of them are spending time with the Premier, often staying up all night long, briefing him, working out as yet unformed policies.

PRESS REACTION AWAITED

Cuban Ambassador to the United States Ernesto Dihigo who is quite pro-United States in viewpoint, recently spent some 10 days here in Havana conferring with Dr. Castro and U.S. Government officials about the coming visit.

It is not known how discreetly Premier Castro will speak in the United States on United States-Cuban relations. He has spoken often, here in Cuba, with extreme acrimony of the U.S. policy, until last April, permitting arms to be sent to the Batista government, and of the U.S. military mission in Cuba training Batista troops to fight against the Castro rebels.

The depth of Premier Castro's grudge on these points sems bottomless at this point.

It remains to be seen whether the spate of anti-American statements he has made—about U.S. foreign policy in Cuba as reflected by several recent Ambassadors, and as to the influence of U.S. business interests in Cuba—have been meant primarily for domestic consumption and for stimulating a new Cuban nationalism and pride or whether they are to be part and parcel of the new government's policy.

Premier Castro will be accompanied on his visit by several moderates, including Finance Minister Rufó Lopez Fresquet Machado, former Cuban Ambassador to the United States and an official of the International Monetary Fund.

There are some persons here who wonder whether Premier Castro will be able to handle himself well enough, in dealing with some of the hostile questions which some newspaper editors are apt to hurl at him.

The Castro government policy on military executions is not at all well understood in the United States, and Premier Castro has criticized wire services and newspapers, generally, in the United States, for their inadequate coverage, as Premier Castro terms it, of the background of tortures and atrocities perpetrated during the Batista regime.

RED INFLUENCE QUERIED

Cubans today no longer attempt to compare the military trials here with the Nuremburg trials in Germany after World War II. Rather, they make reference to the post-World War II "cellar" killings in France of those who had collaborated with Nazis.

Thousands of killings went uncondemned by world opinion at that time, Cubans aver, and for that reason the more than 500 military executions so far performed here should not be condemned, according to the Cuban line of reasoning.

Premier Castro also will no doubt be asked about his views on whether Communists are obtaining too strong an influence in his own thinking and in the Cuban independence movement. There are certainly indications that Communists are trying to move in, in considerable numbers. But there are moderates in the Castro government who are able to hold their position and point of view.

No such influence has been established at this writing, according to well-informed sources here, though there is a possibility, it is believed, of such a strong Communist influence developing that military security in the Caribbean could be endangered.

It is believed here also that even though Premier Castro is not yet accustomed to the U.S. press conference technique, where loaded questions are often asked, he has had enough experience with it in the past few months—and smarts from some of the liberties which he feels U.S. newsmen took with some of his statements—to handle himself ably with the most critical elements of the U.S. press. It will not be his first visit to the United States.

INVITATIONS MOUNT

Since his casual acceptance some weeks ago of the invitation of the American Society of Newspaper Editors to speak before their annual meeting in Washington April 17, invitations have snowballed into Havana.

They have come from university groups—not the university administrations themselves—at Harvard, Yale, Princeton, College of the City of New York, Columbia University.

Premier Castro is expected to lunch with Acting Secretary of State Christian A. Herter on April 16, even though this is an unofficial visit.

He is scheduled to appear before the National Press Club in Washington April 20, the United Nations Correspondents Association in New York April 22, the Overseas Press Club in New York April 23. At this writing, his itinerary from April 23 to 28, when he is expected to be in Montreal, has not yet been announced.

[From the Christian Science Monitor, Apr. 17, 1959]

LIBERALS DISMAYED—CASTRO-FIGUERES RIFT GROWS

(By Bertram B. Johansson)

HAVANA.—To the dismay of Caribbean liberals, the rift is widening between two noted Caribbean revolutionaries, former President Figueres of Costa Rica and Premier Fidel Castro of Cuba.

Ever since Senor Figueres visited Cuba some weeks ago and precipitated the issue of whether Cuba's allegiance lay with the East or West in the cold war—Dr. Castro said Cuba's position should be one of neutrality—the fissure between the two men has grown deeper.

In his last barrage of criticism, Dr. Castro called Senor Figueres, with whom he has had much in common in the past, "a bad friend, a bad democrat, and a bad revolutionary," for making statements "which only serve to provoke attacks on the Cuban people."

Even before the Figueres visit, the possibility of ideological separation of these two men became evident. Senor Figueres was among the first Latin Americans to comment negatively on the Cuban military executions and to express surprise about them. He said, at that time, he would not visit Cuba because of the spate of military executions.

Then, several weeks later, after the enormity of the Batista atrocities had been made clear to him, Senor Figueres consented to visit Cuba, as he did on the weekend of March 22.

It was during that visit, while Senor Figueres was addressing a large trade union

gathering, that he made the statement that Latin America's place should be with the West in the cold war.

David Salvador, head of the Confederation of Cuban Trade Unions, snatched the microphone and asserted to the union members that "Cuba cannot be with the United States" which, he held, was oppressing Cuba.

It was at this same gathering that Dr. Castro indicated he felt Cuba's position should be "neutralist" in the cold war, a position quite out of line with the rest of Latin America, and in line with the Soviet Union's effort in Latin America to "neutralize" the area.

Dr. Castro added he was surprised Senor Figueres should be trapped by the "propaganda of lies which distort Cuba's policy in the United States and other countries."

SHARP FIGUERES RETORT

Senor Figueres on his return to Costa Rica was smarting from this Cuban treatment. No tyro at the Latin American brand of politics, he is reported to have made references to Communist influences in Cuba and said that Dr. Castro apparently took pills to keep him awake.

These jibes hit Dr. Castro in such a sensitive spot that he countered with the condemnations that Senor Figueres was a "bad friend, bad Democrat, and bad revolutionary."

Senor Figueres was referred to also by the Cuban Premier as "a person who maintained created interests in his country."

This phrase has been amplified here by 26th of July movement adherents to the extent of condemning Senor Figueres for not having overturned and changed the base of the Costa Rican economy in his 2 years in office. The implication left is that the Cuban revolutionary movement intends to make changes far more radical than those developed in Costa Rica under Senor Figueres.

As an ardent revolutionary who ousted several political factions and powerful family groups from Costa Rica, Senor Figueres became noted for the maturity of his approach to foreign firms doing business in Costa Rica.

One of his first and major acts after he took office in November 1953, was to renegotiate contracts with United Fruit Co. Under these contracts UFCO was required to boost its tax contribution to the Costa Rican Government.

The agreements were hailed by the company as a pattern for negotiations in other countries, even though some of the tax provisions were drastic. Senor Figueres said that the historic agreement placed Costa Rica among the pioneers of Latin American economic development.

The fact that Dr. Castro and 26th of July movement suporters are criticizing "Pepe" Figueres for this type of negotiations is not going unnoticed here in Havana by the business community.

Aside from the sharpness of this carbine war of words between the two Caribbean revolutionaries, the incident has served to bring several other issues into the open.

OUTSPOKEN CRITIC

One is Dr. Castro's increasing sensitivity to criticism and his tendency to hit back immediately, sometimes wildly, with statements he may regret later, though he reserves the right to be extremely critical of others.

His critical anti-American statements, which have surprised some Cubans who feel he does not need to resort to anti-Americanism to keep his hold on the Cuban public, were noticeably toned down as his trip to the United States approached.

The other issue brought to the surface by the "Pepe" Figueres remarks is that of the influence of Communists in the present government.

There are a number of men and women around Dr. Castro who are charged from time to time with being Communists or definitely left of center.

The issue is not whether these and other men are or are not Communists now, but what influence they are having currently on the Premier who insists he is not worried about Communists in the government and would rather have them above ground where he can see them.

There are moderate men and influences in the Castro government, some of them well educated in economics. One of these is Rufo Lopez Fresquet, Treasury Minister, who was asked recently by a reporter whether he felt the United States would allow Cuba to develop economically. A frequent Communist insinuation is that the United States desires to stifle economic development in Cuba.

Senor Lopez Fresquet answered:

"There's no international obligation which would be an obstacle to Cuba's development. There is no force capable of opposing the moral force of a revolutionary government which represents the yearning of a people.

"Besides," he added, "right now there's no American imperialism as back in 1920. If, in 1934, Batista had not given the Americans the protective tariffs of 1927, there's no question but that Cuba would be better developed. But Batista had no moral force and he gave in because he was more interested in his personal gains. However, when we negotiate with democratic regimes we usually manage to make gains for Cuba."

Senor Lopez Fresquet is one of the group of moderates in the 26th movement who accompanied Dr. Castro on his visit to the United States, to be present in case there are loan conversations.

[From the Washington Daily News, Apr. 17, 1959]

UNITED STATES AND FIDEL COME TO GRIPS—QUESTIONS FOR CASTRO

(By Joseph U. Hinshaw)

Cuban Prime Minister Fidel Castro goes before the U.S. newspaper editors today to answer charges that Communists have infiltrated his government.

The bearded 32-year-old Castro also is expected to spell out in his lunch speech to the American Society of Newspaper Editors why he believes the U.S. press has not given a true picture of his revolutionary regime.

Dr. Castro probably will be asked during a question and answer session after his speech to justify his mass executions of followers of former dictator Fulgencio Batista. Dr. Castro's forces toppled Batista's government on New Year's Day.

A SPEAKER

The Prime Minister, here for an 11-day good will visit, promised to speak for 30 minutes. But he has been known to speak for 3 or 4 hours on other occasions.

As usual there was no prepared text for Dr. Castro's remarks. He will wear his famous jungle green, open-collared fatigue uniform.

Dr. Castro said in advance he woud deliver part of his speech in English and part in Spanish. He said he would try to answer questions in English but would keep an interpreter at his elbow in case he needed him.

A controversy over broadcast coverage of the appearance was settled when the society agreed to let radio and television services record Dr. Castro's speech on tape and film for later airing.

Dr. Castro came to the United States specifically to speak to the ASNE annual meeting. He has expanded his itinerary to include appearances before other groups and on two TV panel programs.

RECEPTION

The revolutionary leader's only other scheduled engagement today was a reception at the Cuban Embassy for Cubans living in this area. The affair was expected to be jammed with well-wishers.

Sr. Castro gave an indication of what he will say in his ASNE speech while chatting with newsmen after having lunch with Acting Secretary of State Christian A. Herter yesterday.

Without directly criticizing the American press, he complained that people in this country have not been informed "of the complete truth of what is going on in Cuba."

He said, "I hope I will now be able to reach the U.S. people and explain what we stand for." He said public opinion here would back his regime overwhelmingly if he could talk on television every week.

As for the executions, Dr. Castro said, "Almost all of the war criminals have been punished." He said, "it is hard for us to apply this justice but we are saving many future lives by punishing the guilty."

During a stroll later through Meridian Hill Park, one block from his embassy, Dr. Castro told a group of students, "in Cuba there is (cq) not communists, not capitalists but Cubanists."

The Prime Minister shook hands, signed autographs and posed for photographs during his walk through the park and nearby streets. A crowd of 300 persons swarmed around him. At one point he chucked a baby under the chin.

[From the Washington Daily News, Apr. 17, 1959]

SLEEPY FIDEL MISSES SOME REBELS

(By Gene Methvin)

The good neighbor policy, which some diplomats have complained is languishing, got a boost yesterday from a couple of Fidel Castro's burly barbudos and a bunch of high school girls.

It seems a few Castro followers wandered into the Meridian Hill Hotel after they arrived Wednesday night and struck up an acquaintance with about 40 touring St. Louis high school seniors. Mostly girls. (The hotel is for women but the lobby isn't segregated.)

"Come to see us at the Embassy," they said when they parted. "It's just across the street. We'll introduce you to Fidel."

THE VISIT

So bright and early yesterday morning all 40 students lined up and trooped to the Embassy, at 2630 16th Street NW., dragging their teacher along.

A State Department security man—still rubbing his eyes—saw them at the door.

"Stop," he shouted. "You can't go in there."

"Why not?" said the saucy girl leading the bunch. "We were invited."

"By whom?"

"By Lieutenant Ramon, that's who."

WAITING

The State man left them cooling their heels on the sidewalk, cordoned off by uniformed men, while he scurried after instructions.

"They came to see us last night," one young lady sighed.

A policeman raised an eyebrow.

"Oh, it was very intellectual. Just talked, you know," she said.

"We're rebels, too," said a girl in a Confederate hat.

"Look, I got earrings from Cuba when I was there 2 years ago," said one girl.

The policeman leaned over for a closer look. The earrings had three Cuban coins dangling, and he shook his head gravely.

"If I were you, I wouldn't go in there with them on," he said. "They've got Batista's picture on them."

The girl snatched them off.

(A closer check revealed the coins really bore a bust of San Marti, great Cuban patriot, "like George Washington," the State man said.)

HOOTS

Finally, just as the embarrassed teacher was about to drag her charges away, a Cuban captain and lieutenant sauntered out.

"Hello, Emilio," the girls squealed, and flocked around.

Lieutenant Emilio beamed. So did the captain. They talked, exchanged autographs, and the students snapped pictures.

Fidel was still in bed, fast asleep, they explained.

But the way the youngsters grinned and tossed their heads at the burly State Department man, as their teacher herded them off, it was plain they didn't care.

[From the New York Times, Apr. 18, 1959]

CASTRO MAINTAINS A HECTIC PACE; CAPITAL IN STRUGGLE TO KEEP UP—CROWDS HAIL AND PICKET CUBAN PREMIER AND HE WORRIES HIS GUARDS IN BUSY SECOND DAY OF CAPITAL VISIT

WASHINGTON, April 17.—Police sirens pierced the spring air. Pickets paraded. High school students shouted from buses, "Hi, Fidel." And Fidel Castro waved, smiled, shook hands and talked.

This was the second day of the visit of Premier Castro, who flew here Wednesday night. It was no less hectic than yesterday. Even the Cuban revolutionary leader recognized his own genius for harassing State Department security agents.

After the luncheon of the American Society of Newspaper Editors at the Statler-Hilton Hotel, the ballroom was cleared to allow more seats to be taken in for Dr. Castro's address. The Premier was walking out when he was surrounded by reporters.

He stopped. Keith O. (Kayo) Lynch of the State Department's security unit tried to nudge him along into an anteroom.

Dr. Castro grinned and said, "I am his friend, but he never had so much trouble with a prisoner."

"Aw, you are no trouble at all," said Mr. Lynch.

Perhaps, but the story was told that Mr. Lynch had said to his boss, Elmer R. Hipsley: "Go get me a tent—I got everything else for this circus."

NINETEEN GUARDS OF HIS OWN

Dr. Castro's own bodyguard—it consists of 19 guards, most of them wearing green army fatigues and with beards and long hair like their leader—insists that he does not like sirens. Yet he has dashed all over town behind the whine of sirens.

His first trip this morning was to the Senate Office Building to talk to members of the Senate Foreign Relations and House Foreign Affairs Committees. The police had a difficult time clearing a path among the secretaries and tourists who jammed the corridors.

When Dr. Castro arrived at the hotel three groups of pickets—all from New York—were walking across the street from the entrance. Each group was surrounded by policemen.

The largest group, numbering about 200, was anti-Castro and, according to members of the two other groups, also "pro-Batista and pro-Trujillo"—supporters of former President Fulgencio Batista, of Cuba, and Generalissimo Rafael L. Trujillo, of the Dominican Republic.

This group called itself the Pan American Anti-Communist Association. Its posters had gaudily painted caricatures of Dr. Castro. The words on one said:

"In his megalomania Fidel Castro has threatened to bomb Cape Canaveral (the missile-launching base in Florida)."

Another said:

"Fidel Castro is the nefarious law in Cuba. He forces trial courts to do as he says."

The two other groups together numbered only 75. One was called "the February 27" (the date that the Dominican Republic became independent in 1844) and the other the Union Patriotica Dominicana. Their signs proclaimed, "Democracy, yes; Trujillo, no," and "Batista is out, Trujillo is next."

Inside, just before George W. Healy, Jr., president of the editors' group, rose to introduce the dignitaries, a bearded Cuban security guard leaned over the table and examined the microphones.

Dr. Castro is not a man of few words. Each question today set him off on a speech of 5 to 15 minutes.

FIFTY ARRESTED IN CUBA—49 MEN AND A WOMAN SAID TO PLOT AGAINST REGIME

HAVANA, April 17.—Forty-nine men and one woman have been lodged in the jail at Cardenas on the north coast of Matanzas Province. They are accused of having conspired against the revolutionary government.

Capt. Pablo Cabrera Piloto, chief of the revolutionary police at Cardenas, said tonight that this group had been meeting in various places and plotting against the government. One place they met was at the home of a woman he could identify only by the name of Juana. She is also under arrest.

The majority of these alleged conspirators are former members of the armed forces of the Batista regime, the captain said. The others are civilians.

An attempt last night by 34 war criminals to escape from Bonito prison in Santiago de Cuba was frustrated, according to a report from there. Seven of the prisoners involved were to have been executed last night. The executions were postponed until tonight, the report said.

[From the Christian Science Monitor, Apr. 18, 1959]

FERMENT IN CUBA

(By Bertram B. Johansson)

HAVANA.—In many Latin-American homes there hangs in the entrance halls welcome plaques or decorated ceramic tiles similar to the "God Bless Our Home," framed cards hanging in North American homes. Here they usually read, "Ésta es tu casa" (This is your home), expressing the warmth and hospitality as characteristic of many Latin Americans.

Today, plaques and tiles are appearing in Cuban domiciles reading:

"Ésta es tu casa, Fidel."

It is an indication of the deep and growing affection many Cubans have for Premier Castro.

Two days after the fall of the Batista dictatorship, when the Castro troops were pouring into Havana to bring the military situation under control, a Cuban said to an American here:

"Now I am proud to be a Cuban once again."

Pride in one's country is most certainly growing here. The feeling of admiration for Premier Castro is enormous and his supporters expect his current trip to the United States to win new friends for their cause.

"Gracias, Fidel! (thank you, Fidel), Gracias, Fidel!" cry the stickers emblazoned on automobile windshields, on buses, on shop doors, on cement garden walls where the whitewash is peeling, on the gray, elephant-colored trunks of palm trees, as the expressive, often extrovert Cuban conveys his thanks and relief over the Castro victory January 1.

DOLLS WEAR FATIGUES

In shop windows, dolls are dressed in the green fatigue uniform of the 26th of July Movement. There are unmistakable beards on many of these children's play toys.

Cuban mothers, instead of buying cowboy suits or spaceman uniforms for their children (the American influence has penetrated deeply on this island, which is only an hour's flight from Miami), now buy 26th of July uniforms.

Children smear charcoal beards on their faces to imitate the barbudoes (bearded ones). They "ambush" Batista troops in their frontyard guerrilla warfare.

It is obvious that the winds of freedom are blowing into every crevice of Cuban society, sometimes to excess.

Often, when Castro political rallies are being set up, student organizers in the high schools burst into the classrooms to round up participants.

Even Haitian exiles, seeking to raise an army here to proceed against the Duvalier government in nearby Haiti, feel free at times to walk into high school classrooms to recruit volunteers while teachers stand by helpless to prevent them from haranguing the class.

In one private high school system students not only ousted some of their student colleagues from classes, they went on strike until 15 teachers whom they did not like—in some cases for political reasons—were dropped.

In another instance, some labor leaders bargaining with a businessman for higher wages in their union threatened to send him to jail if he didn't give in.

"What I've been through is something terrible," the man said to me. "I frankly don't believe Fidel knows what some of the labor people are doing. These guys are outright Commies."

Of course, without an investigation it is impossible to state whether or not this man's charges of communism against his labor group were fair or not, but they do indicate growing concern of Communist influence in labor unions here.

Within recent days, workers at the Cuban Electric Co. wrote Premier Castro charging that Communists in their union were subjecting them to "persecution and threats." The statement declared the Communists were using "most detestable proceedings" in bringing fraud charges against union leader Angel Cofino, who had been detained recently but quickly released when no grounds were found to hold him.

In another instance, Premier Castro said in a speech that sugar prices to the American consumer could be lowered if Cuba were allowed to compete freely in the U.S. market.

What significance can one find in this variety of incidents in Cuba?

Mainly that now, feeling the first effects of liberty after years of dictatorship, Cubans are trying their hand at freedom, a bit awkwardly to be sure, getting the feel of the absence of repression and persecution.

After 3½ months of a new government, and with the euphoria of victory gradually wearing off, Premier Castro finds himself in the position of struggling to harness these vast energies of freedom generated by Cuba's revulsion against the old regime.

Currently the momentum of the Castro revolution has reached the point where its inertia could conceivably throw it out of control and cause it to crash and founder on some barren beach of history.

Or if the surge and moral impetus of the independence movement are skillfully guided and governed, the excesses of the previous regime may be cleansed out and reforms realized.

There is little doubt but that Communists are at work endeavoring to insinuate either their personal presence or their influence in various sectors of the government and in the newspaper profession, including the mechanical side of the publishing and printing trade.

In fact, there is strong evidence here that leftists and Communists are following with fear-breeding accuracy the pattern laid down in Marxist texts on political tactics for taking over a country by endeavoring to move in on Cuba's communication systems, Army, radio, television, newspapers, its public utilities, labor unions, and schools—the purpose

being eventually to stifle the very freedoms which Cubans believed Fidel Castro had won for them.

RESCUE OF CASTRO URGED

To some observers the rapidity with which Communists are trying to move in is even more sudden than in Guatemala several years ago.

There are some notable Cuban intellectuals who see Premier Castro as so surrounded by Communists and fellow travelers as keeping him so busy with a multitude of dramatic but nonessential matters that he has been driven by sheer exhaustion, by adulation of the masses, to the point where he cannot thoughtfully deal with the real problems of Cuba.

These people want to see him rescued from such politically suicidal tendencies.

As Cubans discuss (in secret, to be sure) whether Communist influence may be deepening in the government, the Castro administration boasts what it terms as the following accomplishments:

An agrarian-reform program, not yet fully outlined, has started in a small way. Some government public lands have been distributed. Considerable fervor for land reforms has been fomented, but no details of a rounded program have been forthcoming yet.

Rent reforms have been instituted. Cuts amount to 50 percent of rents up to $100; 40 percent on $100 to $200 rents; 30 percent of those over $200. Tenants are amazed, landlords are drawing real estate off the market, the construction industry is slowing to a halt, 120,000 workers are partially or fully unemployed.

Prices on medicines have been cut 20 to 25 percent.

Government graft is wiped out, the government contends, and military criminals have been executed. The figure is up to 475 men executed. In justification of the executions, few Cubans now compare the trials to the Nuremburg trials. Rather, they point to the thousands of cellar killings after World War II in France, when Nazi collaborators were wiped out.

World opinion did not condemn these killings of collaborators with the Nazis, Cubans reason. Therefore, why should it condemn the Cuban executives, they ask.

The government is studying how much of an adjustment in telephone and electricity prices should be made. The Cuban Telephone Co. is to install 5,000 new telephones.

Government employees' minimum wages have been raised from $65 a month to $85 a month, while department heads (ministers) have had their salaries reduced from $900 a month to $500 a month. Several thousand government employees who received wages but did no work have been dropped.

A study for educational reforms has been launched.

For taking steps such as these, Cubans generally give Premier Castro unqualified support.

[From the New York Times, Apr. 18, 1959]

CASTRO DECLARES REGIME IS FREE OF RED INFLUENCE—CUBAN LEADER SAYS IN TALK IN WASHINGTON THAT HIS AIMS ARE HUMANISTIC—HE DEFENDS EXECUTIONS—PREMIER STRESSES EFFORTS TO DEVELOP INDUSTRY AND END UNEMPLOYMENT

(By E. W. Kenworthy)

WASHINGTON, April 17.—Premier Fidel Castro of Cuba denied today charges of Communist influence in his regime.

In a speech before the American Society of Newspaper Editors he said: "I have said very clearly that we are not Communists."

The 32-year-old revolutionary leader who overthrew the government of President Fulgencio Batista last January 1, declared that "our revolution is a humanistic one."

What he seeks, Dr. Castro said, is to create "a base for our people" to develop industry and to cure the unemployment problem.

"There is one right the people need—the right to live, the right to eat, the right to work," he said.

Dr. Castro was the guest at a luncheon of the editors' society in the Statler-Hilton Hotel. Between the luncheon and his speech, the ballroom was packed and the leader was heard by 1,500 persons.

SPEECH MADE IN ENGLISH

This morning Premier Castro met for an hour and a half with the members of the Senate Foreign Relations and the House Foreign Affairs Committees in the Capitol. Several other Senators and Representatives who are particularly interested in Latin American affairs also attended by invitation of the committee chairmen.

What he told the editors duplicated or closely approximated what he had said earlier to the congressional committees.

The speech to the editors and the question period afterward lasted 2 hours. It had been announced that Dr. Castro would deliver his speech in Spanish but would answer questions in English. However, he spoke in English throughout, occasionally asking an aide at his side to provide a word that he did not know or could not recall.

When he entered the ballroom, the applause was light and almost awkward. After he had finished, there was prolonged clapping.

Dr. Castro made these principal points:

His regime has executed only those guilty of war crimes. Those who were merely followers of Batista have not been harmed.

He has no intention of abrogating the agreement under which the United States maintains a naval base at Guantanamo Bay in Cuba.

Cuba will maintain her membership in the mutual defense treaty under which the 21 American Republics are pledged to defend the Western Hemisphere against attack.

Cuba will provide hospitality, the opportunity to work, and help to exiles from other Latin American countries who hope to overthrow dictatorships in their own lands. However, he favors the principle of nonintervention in the internal affairs of other nations.

Cuba will not confiscate foreign private industry. On the contrary, she seeks more investment by foreign business to provide employment.

Cuba is not a beggar, and is not seeking money. What Cuba wants is more trade with the United States.

ATROCITIES CITED

Dr. Castro did not bring up during his speech the question of the executions. But when he was asked whether he did not think that a time had come for an amnesty, he replied with fervor.

He said that approximately 20,000 people had been tortured and assassinated under the Batista regime. "Why didn't the United States know about that?" he asked. Because, he said, "censorship had made it impossible to report what was going on."

"You have never lived under tyranny," he asserted. "It is terrible where there is no justice."

The Cuban Premier stressed the need for a free press, telling the editors:

"The first thing dictators do is to finish the free press and establish censorship. There is no doubt that the free press is the first enemy of dictatorship."

He said that the soldiers and police were being taught now that men were not to be assassinated for political reasons. This statement brought a burst of applause.

Replying to a question whether the Communists had played a decisive role in the revolution, he said that 95 percent of the people had supported the revolution, and that the support had come from the rich and the middle class, as well as the poor.

Those who know Dr. Castro well have said that he is not well versed in economics. But he spent much of his speech on Cuba's economic problems. "The country must industrialize," he said, "and also make full use of available land." He added:

"There is only one way to make wealth and that is to establish industry. And there is only one way to establish industry; that is by obtaining factories and machinery; and the only way to buy them is by having dollars. We must have a market for our goods."

LARGER SUGAR QUOTA ASKED

The problem can be greatly eased, he said, if the United States enlarges the Cuban sugar quota.

He pointed out that a higher percentage of Cuba's work force was unemployed than in the United States during the depression of the 1930's.

Although Premier Castro said he had not come to the United States for money, economists do not believe Cuba can solve her problems without external credits since, as Dr. Castro acknowledged, her reserves of gold and dollars are extremely low and the nation is running a serious deficit in its balance of payments.

The Premier was asked about a statement he was reported to have made at a labor rally in Havana, saying Cuba would remain neutral in any conflict between the West and the Soviet Union. He avoided a direct answer. He replied that Cuba was a poor country without troops or arms.

SMATHERS CRITICAL OF TALK

Senator GEORGE A. SMATHERS, Democrat, of Florida, who has specialized in Latin American problems, was disturbed at Dr. Castro's statement to the legislators that he did not expect to hold elections until the revolution was consummated and that this might be 3 or 4 years.

Senator SMATHERS was not satisfied, either, by Premier Castro's replies on Communists in his Government, and on the harboring of revolutionaries from other countries.

"It is clear," the Senator said, "that he hasn't yet learned that you cannot play ball with the Communists, for he has them peppered throughout his Government."

Later Senator SMATHERS issued a statement saying that "serious trouble was brewing in the Caribbean area," and that the source of the danger was "centered in Cuba."

In telegrams to Dr. José Mora, Secretary General of the Organization of American States, Senator SMATHERS urged the immediate creation of a voluntary police force to keep the peace in Latin America.

However, some of the other Members of Congress were favorably impressed by Dr. Castro's statements.

Senator RUSSELL LONG, Democrat, of Louisiana, said: "I feel reassured about a number of matters I've been concerned about in Cuba."

Representative JAMES G. FULTON, Republican, of Pennsylvania, commented:

"I was neutral and suspicious before, but today I was very favorably impressed. I think we should help him."

CUBAN NARCOTICS LIST MISSING

WASHINGTON, April 17.—A list of 50 narcotics peddlers sent to the Cuban Government to help stamp out the traffic with the United States was reported today to have mysteriously disappeared. Narcotics Commissioner Harry J. Anslinger said the disappearance had been reported to him by Castro Verde, Cuban representative of the International Police Organization. The list had been sent to the Havana office of Cuban President Manuel Urrutia Lleo.

[From the Washington Post and Times Herald, Apr. 20, 1959]

CASTRO PROMISES CUBA WILL HONOR AGREEMENTS

(By Phil Casey)

Fidel Castro said last night Cuba will live up to its agreements with the West and asserted he had never made any declaration of neutrality between communism and democracy.

The 32-year-old Cuban Prime Minister, speaking on the "Meet the Press" television program, on NBC (WRC–TV), thus clarified for the first time Cuba's stand in the East-West struggle. Cuba and the United States are members of the 21-nation Western Hemisphere Defense Alliance. Member nations pledge themselves to stand together if one member nation is attacked.

The bearded revolutionary denied that his brother, Raul, or Raul's wife, is a Communist and said that if there are any Communists in his government their influence is nothing.

He promised free elections in Cuba as soon as possible, and said that, in any event, they will come within 4 years at the latest.

He denied also supporting the overthrow of dictatorships in other Latin American countries. He pointed out that Cuba's "doors are open to all political exiles."

He said that more than 1,000 people accused of war crimes by his followers "have been exonerated without proof and the trials are finishing in Cuba." Later, Castro told reporters that he would not allow Cuba to be used as a staging area for the invasion of any other American countries.

Earlier, he told a group of Philadelphia Cubans that he would fight communism in his country by building hospitals and schools and improving the lot of the people, not by using force against Communists.

Immediately after the telecast at 4001 Nebraska Avenue NW., Castro drove to the Capitol, where he went into conference with Vice President RICHARD NIXON in the Vice President's office.

After 2 hours and 20 minutes behind closed doors, NIXON emerged with Castro from his office and said to the Cuban: "We will work with you."

The young Prime Minister's long, exciting and tiring day began at 9:30 a.m., after only a few hours sleep. He had been up until after 3 a.m. riding around the city and Arlington and visiting housing developments.

After his brief sleep, he went to Mount Vernon, showing interest in practically everything, particularly Washington's 1,000-volume library.

At the Lincoln and Jefferson Memorials, where crowds of several hundred were gathered, Castro was besieged by autograph seekers. He signed their bits of paper smilingly.

Castro, who laid wreaths at the historic shrines, read both the Gettysburg Address and the Declaration of Independence at the monuments.

As he read the Declaration, Castro murmured: "It is a right of the people to uprise. * * * These words support the ideals of the Cuban revolution."

[From the New York Times, Apr. 20, 1959]

CASTRO RULES OUT ROLE AS NEUTRAL; OPPOSES THE REDS—SAYS IN TV INTERVIEW CUBA WILL HONOR AGREEMENTS—SUPPORTS THE WEST—SEES ELECTIONS BY 1963—PREMIER INSISTS HE PREFERS TO CONDUCT THEM SOONER—DENIES HE IS DICTATOR

(By Dana Adams Schmidt)

WASHINGTON, April 19.—Premier Fidel Castro of Cuba denied today that he favored neutrality and said that his country would live up to its international agreements.

The bearded soldier said that his heart lay with the democracies and that he did not agree with communism.

Dr. Castro was questioned about earlier statements that had been interpreted to mean that Cuba would be neutral in a conflict between the West and the Soviet Union. He denied this inference and implied that Cuba would support the West.

Dr. Castro denied also that either his brother, Raul, a leader in the anti-Batista revolt, or Raul's wife, Vilma, was a Communist. There have been reports to this effect.

If there happen to be any Communists in his government, he said, "their influence is nothing."

INTERVIEWED ON TV SHOW

The Cuban Premier, who led his revolutionary movement to victory against the Batista regime at the end of last year, was interviewed on the National Broadcasting Co. television program "Meet the Press."

Dr. Castro said general elections would be held in Cuba in not more than 4 years. He thought that it might take that long to solve our problems and establish conditions for free elections.

Previously he has said that elections could be held within 18 months to 2 years.

"Real democracy is not possible for hungry people," he declared. "Real democracy ought to be established over social justice and work for everybody."

Dr. Castro explained that although he favored early elections, thousands of Cubans did not want them because they remembered the politicians of the past who never did anything for the people.

He rejected dictatorship as a description of his Government and noted that it was a provisional regime.

At another point he declared: "This is a Government of public opinion."

An earlier plan to hold elections within two years had to be delayed, he explained, and "I have promised to my country that as soon as we advance we will have a free election."

First the executive branch must be restored, he said, and then the judiciary.

"The third power ought to be the Congress," he added. "But we need time."

Dr. Castro said he was against intervention by one country in the affairs of another.

"Our door is open for all the political exiles," he said in answer to a charge that revolutionaries of other Latin-American countries were plotting in Cuba to overthrow their governments.

State Department officials said they had heard rumors that Panamanian revolutionaries were gathering in Cuba for an invasion of Panama. But the officials said they had no confirmed information. Nor could they confirm that the U.S. command in the Panama Canal Zone had increased security measures.

U.S. officials said they had no doubt that opponents of the governments of Haiti, the Dominican Republic, and perhaps other regimes were present in Cuba.

Asked by what right he spoke out against the governments of other Latin-American nations, Dr. Castro replied that he did so in the same sense that others spoke about democracy, because he thought it was "not just for some countries to live under tyranny," as in the Dominican Republic.

Concerning political trials in Cuba, Dr. Castro said that more than 1,000 persons had been exonerated and that the trials were coming to an end.

Alluding to the right to freedom asserted in the Declaration of Independence, he asked: "What to do with those who abolish that right?"

Dr. Castro spoke hoarsely in English. Sometimes there were flights of eloquence, but there also were nearly incomprehensible passages. Several times he consulted an interpreter at his elbow.

While conceding the possibility of deception by Communists, he appealed to North Americans to "see what we have done" and not to believe "the first thing that can be heard."

Earlier in the day the 32-year-old bearded revolutionary leader visited Washington's home at Mount Vernon and placed wreaths at the memorials to Lincoln and Jefferson.

Still wearing the olive green fatigue uniform that has become his trademark, he drove to Mount Vernon through a light drizzle. Numerous United States and Cuban security men accompanied the motorcade. There were no pickets or signs of hostility among the Sunday tourists at the patriotic shrines.

After more than an hour's walk around Mount Vernon, Dr. Castro termed it "the most interesting place I have visited."

Comparing the American Revolution with the revolt against the regime of Gen. Fulgencio Batista, he expressed the view that such places as Mount Vernon would not have survived if the British had done the same things that Batista did in Cuba.

At the Lincoln Memorial, Dr. Castro walked up to the crowd of several hundred, shook hands and chatted. Then he went up the steps to the memorial and slowly, in a low voice, read the Gettysburg Address inscribed on one wall.

"Formidable and very interesting," he murmured.

Then, at the Jefferson Memorial, after placing a wreath of white carnations, he carefully studied the inscriptions on the walls.

Asked whether he thought Jefferson's philosophy supported overthrowing a government, he read these words: "I am not an advocate for frequent changes in laws and constitutions, but laws and constitutions must go hand in hand." He called this a "revolutionary principle" providing for "progressive change of institutions as the minds of men change."

FOREIGN PERIL IS SEEN

HAVANA, April 19.—Maj. Ernesto Guevara, a left-wing aide of Dr. Castro, is charging that foreign influences are trying to prevent the success of the Cuban revolution. He has made the accusation in speeches on two successive nights.

Though North Americans appeared to be his target, the United States was not mentioned directly in newspaper accounts of the talks.

The Argentine-born major, a field leader in the revolution, now commands La Cabaña, a Havana military fortress.

In a speech Friday night closing an industrial exposition, Major Guevara said Cuban enemies of the revolution were not dangerous because they are known. But representatives of non-Cuban capital are dangerous, he declared, and oppose Cuban industrialization and land reform.

Major Guevara professed to see parallels between Cuba and Guatemala, where the Red-influenced regime of Col. Jacobo Arbenz Guzman was overthrown by an invasion in 1954. He declared that the Arbenz government was moderate, but that a defamatory campaign was carried out, the Government was accused of being Communist and was toppled by an invasion financed from abroad.

[From the Christian Science Monitor, Apr. 21, 1959]

WARY MIDDLE CLASS HUNTS CASTRO GOALS

(By Bertram B. Johansson)

HAVANA.—Cuban reaction to Premier Fidel Castro's U.S. tour ranges the gamut of attitudes from vamos a ver (wait and see) to confident hope that Cuban-United States relations are improving because of the trip. Premier Castro's anti-American statements voiced here within recent weeks are too fresh in Cuban memory to make what seems a

sudden shift in emphasis completely credible in some circles.

Premier Castro begins his tour of the United States at a time when widening disenchantment with the pace and character of his revolution is appearing in many sectors of the Cuban community.

This may only be because the true nature of the revolution has not been successfully projected to all Cubans and foreign business interests. Also, no revolution can for long keep up its level of enthusiasm.

DISAFFECTION APPEARS

Nevertheless there is a decided disaffection appearing. Popularity polls which gave him as much as 95 percent support, but which Premier Castro has acknowledged had plummeted, are even at this writing registering a measurable rise as a result of his statements and his reception in Washington.

His public assurances that "we are not Communists in Cuba" have been interpreted as a warning to the 24,000 Communists believed holding party cards here and currently infiltrating the labor movement.

Premier Castro's indications that the Government would not be nationalizing foreign businesses or asking at this moment for transfer of the U.S. naval base at Guantanamo which is important to Panama Canal defenses, have calmed somewhat an anxious business community here.

INDEPENDENCE STIRS

Recent acts by the Castro government which many Cubans consider as increasingly arbitrary and imbued with a dictatorial potential, continue to disturb many intellectuals here, however.

The same Cuban spirit of independence which won out against Dictator Batista is beginning to question Premier Castro's methodology and procedure.

The absence of civil courts, the increasing number of executions ordered by the military courts—a marijuana peddler was given a capital sentence by a military, not a civil court recently—and the increasing contempt expressed by the Government of independent thinking, are producing seeds of intellectual revolt.

The island is in little danger of a government overthrow in Premier Castro's absence. His brother, Raul, who managed the Santiago contingent of the Castro forces with such ruthless efficiency, is in charge of the military forces.

Señor Martínez is the man Premier Castro sent to Santiago some weeks ago to conduct the second trial of the 43 Batista airmen who had been acquitted of charges of genocide by a lower court, but they were retried, at Premier Castro's insistence, in the higher court and punished—over the objections of the legal community here.

Drastic rent reductions of from 30 to 50 percent, which benefit many, but immediately dried up real estate investment, and the new Government regulations forcing sale of property at prices and under conditions which challenge the whole concept of ownership of private property, have thrown the professional and middle classes in Cuba into a state of consternation.

These still pro-Castro people, or rather, pro-independence people, who are feeling the disenchantment consist of intellectuals, businessmen, middle class white-collar workers, a few informed persons of wealth, who are now saying, in effect.

"We supported the 26th of July movement for the political revolution we expected would take place, but Fidel's social revolution, as it has begun to evolve, is too drastic. We cannot tolerate its present pace. Something has got to be done. Somehow he must be made to recognize this."

SHOCK TO MANY

That the Government and Premier Castro are evidently determined this is going to be a far-reaching social revolution has come as a shock to the professional and middle classes who were really the bedrock and inspiration for the revolution.

What is being termed Premier Castro's about-face on the middle classes and his catering in speeches to the "masses," and to the nation's 33 labor federations which failed to support his call for a general strike last year in April, have puzzled these intellectuals.

Furthermore, the accession of David Salvador, an avowed Communist, to provisional leadership of the powerful Cuban labor confederation has taken on the tone of betrayal to many of those in the professional and middle classes.

When José Figueres, former President of Costa Rica, was here recently addressing a trade union meeting, it was Señor Salvador who rose during the Figueres address to interrupt the latter's speech and say that Cuba's role did not lie with the United States or the West in the cold war.

This is the straight Communist line in Latin America today, where the effort is to neutralize countries in the area, one by one, and alienate their allegiance to cooperate with the United States.

[From the New York Times, Apr. 21, 1959]

CASTRO DESCRIBES LAND REFORM AS NEXT STAGE OF HIS REVOLUTION

(By Dana Adams Schmidt)

WASHINGTON, April 20.—Premier Fidel Castro, of Cuba, indicated today that the next big stage in the Cuban revolution would be agrarian reform.

He said his Government would expropriate legally uncultivated or badly cultivated land. Only by this means, he said, could Cuba hope to create an internal market and put to work its 700,000 unemployed.

The Cuban leader emphasized that he was not talking about nationalization or confiscation of land. His Minister of Finance, Rufo Lopez Fresquet, added the land taken by the Government would be paid for and would be organized into cooperatives.

Dr. Castro spoke at a National Press Club luncheon. Because U.S. security agents had received a warning that an attempt might be made to poison him, his food was separately cooked, and a waiter changed the dishes, butter, pastry, and water at his place just before he began to eat.

Policemen were stationed every 15 feet around the entrances, and many others were inside the building. Bearded Cuban security agents also stood guard.

Although informed of the precautions, the young Premier, wearing open-necked battle dress, seemed in good humor. In reply to a question about the revolutionaries' whiskers, he said:

"When we finish our job we will cut off our beards."

Dr. Castro made these points in an informal talk and in answer to questions:

Cuba has not received any offer of economic aid from the Soviet Union or any other nation—"and we have not asked for it.

"We didn't come here to get money. Many men come here to sell their souls. We want only understanding and sympathy.

"Where there are hungry people there is no real democracy.

"We are against all kinds of dictators, whether of a man, or a country, or a class, or an oligarchy, or by the military. That is why we are against communism.

"The last thing I am is a military man. I have this dress because it was my dress during 2 years, but I have no medals. I don't like military ornaments. Ours is the only country in the world without generals. It is also the only country without colonels."

VISIT TO CAPITAL ENDS

The speech ended Premier Castro's 5-day visit to Washington. He had been received by Vice President RICHARD M. NIXON and Acting Secretary of State Christian A. Herter. But he did not see President Eisenhower, who was on a golfing vacation in Georgia.

Members of the Castro party said he would have liked to meet President Eisenhower, but he was satisfied. Before leaving by rail for Princeton, N.J., to continue his 2-week tour, Dr. Castro said:

"I feel very happy toward the people of Washington. All the people here were very nice with me. I am going to leave Washington really with regret because in my short days in this city I have come to know many good people."

He was asked whether he had achieved what he hoped for. "Yes," he replied, nodding vigorously. "I really believe."

Earlier Dr. Castro had placed a wreath on the Tomb of the Unknown Soldier in Arlington Cemetery.

He also stopped at a school playground. The children, apparently admiring the beards and long locks of the Castro group, applauded enthusiastically.

GIVES VIEW ON ELECTIONS

Explaining his decision not to hold elections for 4 years, Dr. Castro told the luncheon that before a truly democratic vote could take place Cuba must take steps to put her unemployed to work and teach the people to read and write.

"If we had an election tomorrow we would win more easily than in 2 years," he added. "Elections now would be elections without opposition parties."

He was asked how, as a former lawyer, he justified "double jeopardy" in the case of Batista airmen who were tried a second time after having been acquitted on charges of bombing the civilian population.

With some heat he replied that if the defendants were entitled to an appeal, so were "the people."

His Minister of Finance said basis of land reform would be not size but use.

"We are not going to make the mistake the Mexicans made," Senior Lopez said, "by breaking up efficiently producing estates."

How much land owned by United States citizens would be affected could not be readily ascertained according to figures published by Cuba for 1955. United States concerns owned 39 sugar refineries with 40 percent of Cuba's sugar production.

CASTRO REACHES PRINCETON

PRINCETON, N.J., April 20.—Premier Castro came to this college town tonight to begin his crusade to reach American public opinion outside the National Capital.

He arrived without ceremony or much public attention by train from Washington at dusk.

[From the Washington Post and Times Herald, Apr. 21, 1959]

CASTRO SAYS CUBA WILL LEGALLY EXPROPRIATE LAND

(By Phil Casey)

Fidel Castro, saying Cuba wants to be an example of "real democracy," told the National Press Club yesterday he will "expropriate legally" the land needed for agrarian reform.

This land-reform, the 32-year-old Cuban Prime Minister said, is the "base" of Cuba's economic program to improve living standards and help destitute and "starving" Cubans.

The statements came in answer to a question about American-owned sugar plantations. Castro did not make clear whether the expropriations would be confined to land now idle.

"We are going to expropriate legally lands for agrarian reform," he answered, "not nationalize them, not confiscate them."

Reasserting his belief in democracy and opposition to communism, Castro told the audience he wants Cuba to "be an example for Latin America of representative, honest government, and real democracy."

Predicting Cuba and the United States "will be wonderful friends," Castro said, in answer to a question about his feelings toward Soviet Premier Nikita Khrushchev: "We are against all kinds of dictatorship * * * that is why we do not agree with communism." He said he had not been offered or received any aid from Russia or any other country.

"Many men come here selling their souls," Castro said. "I really came here only seeking for understanding * * * honest sympathies."

The young revolutionary disclaimed any interest in the military. "The last thing that I am is military," he said, adding that he wore his uniforms because they are "simple," and stand for the heroism of the Cuban revolution. "Cuba is the only country in the world without generals," he said. "The only one without colonels."

From Washington, the Cuban went to Princeton University where he spoke before what was perhaps the most unusual seminar in the university's 213 years. Washington Post reporter Karl Meyer reported that Castro brought some 300 students and faculty members to their feet, cheering, as he spoke on "Revolution" before a meeting of the American civilization study program.

Before he entered Woodrow Wilson Hall, about 1500 undergraduates nearly started a riot of the kind traditional at springtime on college campuses. State police managed to restrain the friendly students from mobbing the rebel leader.

[From the Grants Pass (Oreg.) Courier, Apr. 22, 1959]

ONLY TIME WILL GIVE ANSWER—BEARDED YOUNG MAN FROM CUBA SELLS HIMSELF TO U.S.A. WITH HIS SINCERITY

(By Ben F. Meyer)

WASHINGTON.—It was not long ago that a lot of people around Washington regarded Fidel Castro as "just another of those Latin American revolutionaries." They thought he ought to go out and get himself a shave, and stop those executions in Cuba.

Today the bearded young man has a lot of new friends here, some in surprising places, who think he is sincere and is trying his best to do a good job for Cuba. They hope he'll carry out his promise of good government in the little republic long ridden by graft and dirty politics.

There are still some skeptics here, too, but they seem in the minority now. It may be because, as Castro puts it: "I did not came (sic) for money, but for friends, and to clear things about our revolution."

As he left Washington for the remainder of his 2-week tour, he could look back on a good start.

He seemed to make friends, all right. Boys and girls screamed with delight whenever they saw him.

Grownups, in high places and elsewhere, said they got a much more hopeful viewpoint of what has happened in Cuba, and higher hopes for its future under Castro.

Even at the State Department, where there was a great deal of reserve about the bearded man who came to Washington without an official invitation, one observer said: "The guy makes a good showing. He handled himself well."

Castro did nearly all of his talking here to newsmen. He addressed two gatherings of newsmen, gave innumerable interviews between speeches, and made one appearance on a television news panel show—Meet the Press.

Sometimes, he concedes, he does not say things as well as he would like. One of those times was when he said on the TV show that it might possibly be 4 years before elections could be held in Cuba.

It was the first time he had talked of elections so far in the future.

Talking with newsmen later, Castro himself introduced the topic of elections, and said he was "not happy—because I did not explain well." He bore down to explain that "I know it is hard to believe, but the people of Cuba do not want elections now." Cuban newsmen nodded their heads in vigorous support.

Fidel Castro appears to have established among a lot of people here the confidence that he is trying to do a good job.

But the confidence is not unconditional.

As one editor put it: "O.K. Let's say we believe he's sincere. Now it's up to him, as his program moves along, to see if he carries out what he say he believes in."

[From the Northern Virginia Sun, Apr. 24, 1959]

INDIVIDUAL RIGHTS: CUBA VERSUS UNITED STATES—DR. CASTRO VIEWS THE LAW

Cuban Prime Minister Fidel Castro, on his good-will visit to the United States, is making an impression of sincerity and earnestness on those who see and hear him.

In his appearance at the National Press Club on Monday, he was charming in his speech to the newsmen, and forthright in his answers to their questions.

The two most difficult questions concerned the timing of the next Cuban elections and the war crime trials that have brought his regime so much criticism.

Asked about an earlier statement that his government planned to wait 4 years before holding popular elections, Dr. Castro assured his audience that his regime had no incentive to postpone elections, since there is an inevitable tendency for any regime's power to erode with time. Quick elections, he said, would result in an overwhelming Castro victory, whereas later elections might not.

Moreover, he said, after years of dictatorship under Batista, there is presently no party or other political organization in Cuba to furnish the basis for a fair test of public opinion. Elections, he said, should await the development of political parties and an attack on the problem of mass illiteracy.

This is sensible, provided the time until elections is put to good use in encouraging political organization—even by the opposition—and reducing illiteracy. The quickest test of his sincerity in making Cuba democratic, however, will be whether he encourages and allows a free press, free speech, and an independent judiciary.

The question about the war crime trials concerned a Batista supporter accused of bombing civilians acquitted by one court but later convicted by a higher court.

Under the American system of law, the Federal Government and most States are prohibited from appealing to a higher court the acquittal of an accused person, on the grounds that to take such an acquittal to a higher court constitutes "double jeopardy."

Dr. Castro's concept of the law, as evidenced in his answer, is different from the American concept. Since the accused, if convicted, has the right to appeal his conviction to a higher court, why shouldn't the government (i.e., the people) have the same right of appeal in case he is acquitted? Why should this be a one-sided right, Dr. Castro asks?

Actually, this view is not wholly opposed to the American philosophy, since those States which do not have "double jeopardy" clauses in their constitutions may appeal an acquittal without running afoul of the "due process" provisions of the U.S. Constitution.

Still, the prevailing concept is to regard an acquittal as final, which is in keeping with the Anglo-Saxon philosophy that it is far better to let a thousand guilty men go free than to convict one innocent man.

[From the Portland, Oreg., Oregonian]

CASTRO MADE A HIT WITH U.S. EDITORS

(By Robert C. Notson, managing editor, the Oregonian)

(Mr. Notson has just returned from sessions of the American Society of Newspaper Editors in Washington, D.C., at which he was elected a director of the society, the first Pacific coast representative in many years. His impressions of Fidel Castro follow.)

Fidel Castro has done an outstanding job of selling himself to the American people on his current visit to the United States. This was a general opinion voiced among members of the American Society of Newspaper Editors, who heard him speak Friday in Washington, D.C., and who watched him perform elsewhere over the weekend. Appearance of the Cuban Premier had been attacked by some of the editors. Others had expressed misgivings over the invitation, which had bypassed the State Department. Despite all controversy, there was great curiosity as to Castro, as a person, and what he would do and say. A throng greeted him in the presidential ballroom of the Statler Hotel.

When he entered with his whiskered entourage, applause was sparse. A few editors struggled to their feet, a gesture common in case of a distinguished guest. Then a few more got up, followed by more. Most of the crowd stood, but it was a ragged demonstration.

At the end of 2½ hours of very earnest speaking by way of questions and answers, the crowd rose spontaneously and gave Castro a real hand. Editors who had been cool to him admitted that they were convinced of his essential sincerity and good intent.

Castro labored to get over his ideas in English, and did a pretty fair job of it, with only occasional aid from his interpreter, as he searched for the right expressions. It was difficult to cast this soft-spoken, but intense, young man in the role either of a vengeful conqueror or potential dictator.

The editors applauded roundly his statement that he was not a Communist and that Communists, if any, played no significant role in his Government. They also gave approval when he made it clear that he would favor the United States in any clash with Iron Curtain countries. He said that his "neutrality statement" had been widely misunderstood. He meant, he said, only that Cuba had no present ability to assist in any military enterprise.

He made it clear that he would honor all international commitments, including those for U.S. bases in Cuba. Without American bases, Castro said, Cuba would have no defense against external aggression.

The premier strongly justified his executions of war criminals. He protested the statement that has recurred in the American press that he was "executing followers of Batista." Executing mere followers would be a crime in itself, he said. While proceedings had been summary in some cases, in every one of them there was a well-documented dossier of proof, supported by testimony, he maintained.

Castro charged that 20,000 persons had been tortured, and put to death under Batista, and that the public treasury had been stripped of $200 million.

He made two telling points with the editors:

The revolutionary army had been singular for its discipline, and there had been no substantial instance of mistreating prisoners or abusing civilians.

This was the only revolution in history where there had been an orderly take over of power without rioting, looting and lynchings.

The reason, he said was that he had promised the people expeditious justice for war criminals and, lacking this, the people would have taken matters into their own hands. Military courts handled the cases, because all other courts had been corrupted by Batista.

He promised reconstituted courts in a few weeks and free elections in 2 to 3 years. An election now would simply result in overwhelming victory for his 26th of July movement, as there is no opposition worthy of the name, Castro observed.

He told of 20 percent unemployment and serious economic dislocations and declared that the first job of his administration would be to get business and farms functioning. Castro noted that he had been prodded by the press of this country as to when he would restore all freedoms. He said most of them had been restored, and all would be but the right to eat comes first.

Despite demonstrations, picketing and challenges, as the large delegation disported itself around Washington, no untoward incident was reported. The bearded retinue behaved in exemplary fashion. Castro brought many of his intimates who had been long with him in the mountains. He said he couldn't pick and choose.

THE CARNATION AS THE NATIONAL FLOWER EMBLEM

The SPEAKER. Under previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 5 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I received this morning the following letter from the Crystal Greenhouses, of Tewksbury, Mass. Tewksbury is a part of Greater Lowell, where I live:

CRYSTAL GREENHOUSES,
Tewksbury, Mass., April 28, 1959.

Hon. EDITH NOURSE ROGERS,
New House Office Building,
Washington, D.C.

DEAR REPRESENTATIVE ROGERS: It is with great pleasure and equal pride that we send you this gift of carnations.

We hope that next week when the vote on resolution No. 56 comes up that you will consider carnations worthy to be voted the national flower emblem of the United States.

Our reason for wishing this done is perhaps a bit selfish; however, we feel the carnation to be a flower of distinctive beauty and most adaptable to all occasions.

Sincerely yours,

RUTH CAMUSO,
Secretary.

Those who enjoyed some of the carnations that were distributed today realize their beauty. These carnations have the longest stems I have ever seen in a carnation.

In my district, especially in Woburn, Mass., there are growers who produce equally beautiful carnations in many colors. In Woburn they know how to grow the orchid carnation, which is very beautiful and is used by one of the great silver companies in the United States in its advertising. I hope that sometime the House will have some of those carnations from Woburn.

I will appreciate any consideration that the Members of Congress can give toward naming the carnation our national flower.

Mr. PATMAN. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Texas, very gladly.

Mr. PATMAN. Is the carnation a national flower of any other country?

Mrs. ROGERS of Massachusetts. I do not think it is. Does the gentleman know?

Mr. PATMAN. I do not know.

Mrs. ROGERS of Massachusetts. I think it is distinctively a flower of the United States. I believe that Ohio has it as a State flower, but I do not think any other country has the carnation as its flower. You all know of the fragrance of the carnation and its clean, fresh fragrance, and when the carnation dies it does not leave an oppressive odor as some other flowers do.

The Belmont gardenias were first grown in my district, and they are wonderfully beautiful. They are gorgeous. Nick Longworth said it was the most beautiful flower in the world. Very beautiful and rare flowers are grown in my fifth congressional district.

THE HONORABLE LISTER HILL

The SPEAKER. Under previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 10 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I have in my hand the program of the testimonial luncheon today honoring the Honorable LISTER HILL from Alabama at the Mayflower Hotel in connection with the Health 1959 Award U.S.A., which was presented by the Washington Board of Trade and the Medical Society of the District of Columbia. I was privileged to be a guest.

This very distinguished gentleman was a Member of the House for several years. He was always very kind and very helpful as well as able. I remember his tremendous and helpful work for the veterans, and now that he is in the Senate, he never forgets them. In spite of all his work, he devotes much time to a general health program, and he has never forgotten, as have some others, improving the lot of the veterans, general care for the veterans, to see that they have enough money for research and hospital money and every kind of service for them. He does everything possible to be helpful to our veterans who some people seem to have forgotten.

Mr. Speaker, I ask unanimous consent that this program be placed in the RECORD as part of my remarks as an expression of appreciation to the Washington Board of Trade and the Medical Society of the District of Columbia for its splendid recognition of a great Senator and a man dedicated to the health of the Nation.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

The program is as follows:

TESTIMONIAL LUNCHEON HONORING THE HONORABLE LISTER HILL, UNITED STATES SENATOR FROM ALABAMA, MAYFLOWER HOTEL, APRIL 29, 1959—HEALTH 1959 AWARD, U.S.A.—WASHINGTON BOARD OF TRADE AND THE MEDICAL SOCIETY OF THE DISTRICT OF COLUMBIA

DAIS

Hon. GORDON ALLOTT, U.S. Senator, Senate Committee on Appripriations.

Dr. Justin M. Andrews, director, National Institute of Allergy and Infectious Diseases.

Dr. Francis A. Arnold, Jr., director, National Institute of Dental Research.

Dr. Pearce Bailey, director, National Institute of Neurological Diseases and Blindness.

Dr. Louis H. Bauer, secretary-general, the World Medical Association.

Ralph E. Becker, general counsel, Albert Schweitzer Hospital Foundation.

John E. Bryan, general manager, Birmingham Chamber of Commerce, Birmingham, Ala.

Dr. Leroy E. Burney, Surgeon General, United States Public Health Service.

Julius N. Cahn, general chairman; Director International Health Study, Senate Committee on Government Operations.

Earle D. Chesney, Assistant to the Deputy Assistant to the President.

Dr. Floyd S. Daft, director, National Institute of Arthritis and Metabolic Diseases.

Hon. WINFIELD DENTON, Member of Congress, House Appropriations Subcommittee on Health, Education, and Welfare.

Hon. Lawrence Derthick, Commissioner of Education, Health, Education, and Welfare Department.

Dr. W. Leroy Dunn, president, the Medical Society of the District of Columbia.

Hon. Arthur S. Flemming, Secretary, Health, Education, and Welfare.

Hon. JOHN FOGARTY, Member of Congress, Chairman, House Appropriations Subcommittee on Health, Education, and Welfare.

Dr. Gunnar Gundersen, president, American Medical Association.

Hon. OREN HARRIS, chairman, House Committee on Interstate and Foreign Commerce.

Hon. CARL HAYDEN, U.S. Senator, chairman, Senate Committee on Appropriations.

Dr. John R. Heller, Director, National Cancer Institute.

Ernest F. Henry, chairman, Community Affairs Council, Board of Trade.

Mrs. Lister Hill.

Hon. LISTER HILL, U.S. Senator, chairman, Senate Committee on Labor and Public Welfare.

Hon. HUBERT H. HUMPHREY, U.S. Senator, chairman, Subcommittee on Reorganization and International Organizations Committee on Government Operations.

Hon. LYNDON B. JOHNSON, U. S. Senator, chairman, Senate Democratic policy committee.

Hon. MELVIN LAIRD, Member of Congress, House Appropriations Subcommittee on Health, Education, and Welfare.

Hon. JOHN L. MCCLELLAN, U.S. Senator, chairman, Senate Committee on Government Operations.

Ross T McIntire, vice admiral, U.S. Navy (retired), executive director, International College of Surgeons.

Hon. Robert E. McLaughlin, President, Board of Commissioners, District of Columbia.

Maj. Gen. Melvin Maas, Chairman, President's Committee on Employment of the Physically Handicapped.

Dr. Charles W. Mayo, Mayo Clinic.

Hon. James P. Mitchell, Secretary of Labor.

E. K. Morris, president-elect, Washington Board of Trade.

Hon. WAYNE MORSE, U.S. Senator, Senate Committee on Foreign Relations.

Hon. JAMES E. MURRAY, U.S. Senator, chairman, Senate Committee on Interior and Insular Affairs.

Hon. RICHARD L. NEUBERGER, U.S. Senator, Senate Committee on Interior and Insular Affairs.

Mrs. Katherine B. Oettinger, Chief, U.S. Children's Bureau.

Dr. John Parks, dean, Medical School. George Washington University.

Hon. OTTO E. PASSMAN, Member of Congress, chairman, House Appropriations Subcommittee on Foreign Operations.

Hon. JOHN O. PASTORE, U.S. Senator, Joint Committee on Atomic Energy.

The Very Reverend Monsignor Russell A. Phelan, Church of the Annunciation.

Hon. SAM RAYBURN, Member of Congress, Speaker, House of Representatives.

Dr. C. P. Rhoads, director, Sloan-Kettering Institute.

Hon. EDITH NOURSE ROGERS, Member of Congress, ranking minority Member, House Veterans' Affairs Committee.

Hon. Dean Rusk, president, the Rockefeller Foundation.

Dr. Howard A. Rusk, director, New York University-Bellevue Institute of Rehabilitation.

Dr. Leonard A. Scheele, former Surgeon General, U.S. Public Health Service.

Victor O. Schinnerer, president, Washington Board of Trade.

Hon. Fred A. Seaton, Secretary of Interior.

Dr. James A. Shannon, Director, National Institutes of Health.

Maj. Gen. Howard McC. Snyder, Physician to the President.

Hon. JOHN W. SPARKMAN, U.S. Senator, chairman, Senate Committee on Small Business.

Hon. JOHN STENNIS, U.S. Senator, Senate Committee on Armed Services.

Dr. Richard T. Sullivan, chairman, public health committee, Washington Board of Trade.

Edward C. Sweeney, government relations chairman, "Health—U.S.A." Committee.

Miss Mary E. Switzer, Director, Office of Vocational Rehabilitation.

Dr. C. J. Van Slyke, Deputy Director, National Institutes of Health.

Hon. OLIN E. TEAGUE, Member of Congress, chairman, House Committee on Veterans' Affairs.

Selman A. Waksman, professor emeritus, Institute of Micro Biology, Rutgers University.

Dr. Alan T. Waterman, Director, National Science Foundation.

Dr. James Watt, director, National Heart Institute.

Dr. Paul Dudley White, past president, American Heart Association.

Hon. Sumner G. Whittier, Administrator, Veterans' Administration.

Hon. HARRISON A. WILLIAMS, U.S. Senator, Senate Committee on Labor and Public Welfare.

HONORARY LUNCHEON COMMITTEE

In addition to the Honored Guests on the Dais, the Honorary Luncheon Committee comprises the following individuals:

Hon. GEORGE W. ANDREW, Member of Congress, House Committee on Appropriations.

Dr. Karl Bambach, executive vice president, Pharmaceutical Manufacturers Association.

Dr. Stanhope Bayne-Jones, former Chairman, Secretary's Committee on Medical Research and Education, Health, Education, and Welfare.

Dr. Frank B. Berry, Assistant Secretary of Defense.

Hon. Leslie Biffle, former Secretary of the Senate.

Hon. FRANK W. BOYKIN, Member of Congress, member, House Committee on Veterans' Affairs.

Dr. Irving Brick, associate professor of medicine, Georgetown University Medical School.

Hon. STYLES BRIDGES, U.S. Senator, chairman, Senate Republican Policy Committee.

Dr. Detlev Bronk, president, National Academy of Sciences National Research Council.

Dr. Leonard Carmichael, Secretary, Smithsonian Institution.

Hon. ALLEN J. ELLENDER, U.S. Senator, chairman, Senate Committee on Agriculture.

Hon. CARL ELLIOTT, Member of Congress, member, House Committee on Education and Labor.

Dr. Sidney Farber, director of research, the Children's Cancer Research Foundation.

Dr. Robert H. Felix, director, National Institute of Mental Health.

Dr. Robert Fischelis, secretary, American Pharmaceutical Association.

Dr. Frank Fremont Smith, medical director, Josiah Macy, Jr. Foundation.

Mike Gorman, executive director, National Committee Against Mental Illness.

Hon. GEORGE M. GRANT, Member of Congress, House Committee on Agriculture.

Hon. Leo A. Hoegh, Director, Office of Civil and Defense Mobilization.

Hon. GEORGE HUDDLESTON, JR., Member of Congress, House Committee on Armed Services.

Dr. O. B. Hunter, Jr., past chairman, public health committee, Washington Board of Trade.

Dr. H. Van Zile Hyde, Assistant to the Surgeon General for International Health.

Hon. JACOB K. JAVITS, U.S. Senator, Senate Committee on Labor and Public Welfare.

Hon. ROBERT E. JONES, Member of Congress, House Committee on Government Operations.

Hon. JOHN P. KENNEDY, U.S. Senator, Committee on Foreign Relations.

Hon. ROBERT S. KERR, U.S. Senator, Senate Committee on Finance.

Mrs. Mary Lasker, chairman, National Health Education Committee.

Richard M. Loughery, administrator, Washington Hospital Center.

Dr. Pascal Lucchesi, executive vice president and medical director, Albert Einstein Medical Center of Philadelphia.

Hon. JOHN W. MCCORMACK, Member of Congress, majority leader, House of Representatives.

Dr. Aims C. McGuiness, Assistant to the Secretary, Health, Education, and Welfare.

Benjamin M. McKelway, editor, the Evening Star.

Hon. WARREN G. MAGNUSON, chairman, Senate Committee on Interstate and Foreign Commerce.

Mrs. Florence Mahoney, cochairman, National Committee Against Mental Illness.

Dr. Berwyn F. Mattison, executive director, American Public Health Association.

Hon. James M. Mitchell, Associate Director, National Science Foundation.

Hon. THOMAS MORGAN, Member of Congress, chairman, House Committee on Foreign Affairs.

Hon. Robert Murphy, Under Secretary of State.

Dr. William Murray, director, Southern Research Institute, Birmingham, Ala.

Dr. Alton Ochsner, Ochsner Clinic, New Orleans, La.

Mr. Basil O'Connor, president, the National Foundation.

Dr. Louis M. Orr, president-elect, American Medical Association.

Dr. George Papanicolaou, department of anatomy, Cornell University Medical College.

Kenneth Wells Parkinson, president, Junior Chamber of Commerce.

Dr. James E. Perkins, managing director, National Tuberculosis Association.

Hon. ALBERT RAINS, Member of Congress, House Committee on Banking and Currency.

Hon. KENNETH A. ROBERTS, chairman, Subcommittee on Health and Safety, House Commerce Committee.

Mr. Mefford Runyon, executive vice president, American Cancer Society, Inc.

Phillip E. Ryan, executive director, National Health Council.

Hon. ARMISTEAD I. SELDEN, JR., Member of Congress, House Committee on Foreign Affairs.

Hon. GEORGE A. SMATHERS, U.S. Senator, Committee on Interstate and Foreign Commerce.

Dr. Austin Smith, president, Pharmaceutical Manufacturers Association.

Hon. MARGARET CHASE SMITH, U.S. Senator, Senate Committee on Armed Services.

Dr. E. L. Stebbins, dean, Johns Hopkins School of Hygiene.

Dr. John R. Steelman, former Assistant to the President of the United States.

Dr. George S. Stevenson, national and international consultant, National Association for Mental Health.

John H. Teeter, executive director, Damon Runyon Memorial Fund for Cancer Research.

Dr. William Walsh, president, People to People Foundation.

Brig. General Alvin C. Welling, Engineer Commissioner, District of Columbia.

AN EXPRESSION OF APPRECIATION FROM VICTOR SCHINNERER, PRESIDENT, WASHINGTON BOARD OF TRADE

On these pages, you see a galaxy of distinguished names. They symbolize the high esteem in which our guest of honor is rightly held. But in their own right, they signify the wealth of talent and leadership which makes Washington, D.C.—our Nation's Capital—a great center of health.

The Washington Board of Trade is proud to be of service in focusing the spotlight of honor on an outstanding public servant—Senator LISTER HILL. In so doing, the board joins with him and his associates and friends in looking forward to new horizons of American health.

The great American system of private medicine is well represented today by our cosponsoring organization, the Medical Society of the District of Columbia. No great nation enjoys higher medical standards than we do, thanks to dedicated physicians of the type at this luncheon. The annual "Health—U.S.A." Award is, therefore, a salute both to the past and to the future.

For helping to make this association possible, the board expresses its gratitude to many civic-minded citizens and organizations—locally, to the Health and Welfare Council and the Pharmaceutical Association; nationally, to the American Medical Association, the American Pharmaceutical Association, the Pharmaceutical Manufacturers Association, the National Health Education Committee, and others.

Special credit is due to the board's own public health committee—to Chairman Richard T. Sullivan, M.D., and Vice Chairman Julius N. Cahn. Dr. Sullivan, active on many medical fronts for our community, has served in the past as delegate of the Medical Society to the Federation of Citizens Associations. Julius N. Cahn is eminently qualified to serve as this year's general chairman, in view of his very successful leadership of last year's similar occasion, his many responsible posts with the U.S. Senate and as chairman of various civic bodies.

Award chairman for "Health—U.S.A." is another highly regarded citizen, Ralph E. Becker, newly elected to the board of directors of the Washington Board of Trade and prominent in support of many notable civic projects identified with American health.

PROGRAM

Introduction: Richard T. Sullivan, M.D., chairman, public health committee Washington Board of Trade.

Invocation: The Very Reverend Monsignor Russell A. Phelan, Church of the Annunciation.

Welcome: Victor O. Schinnerer, president, Washington Board of Trade.

The U.S. Senate: Forum for Greatness: Julius N. Cahn, general chairman.

Greetings from the Congress: The Honorable LYNDON B. JOHNSON, U.S. Senator, majority leader, U.S. Senate.

Salute from private health organizations: Ralph E. Becker, award chairman.

Statement from the executive branch: The Honorable Arthur S. Flemming, Secretary, Health, Education, and Welfare.

Tribute from the Scientific Community: Selman A. Waksman, professor emeritus, Rutgers University.

Message from Alabama: John E. Bryan, general manager, Birmingham Chamber of Commerce.

Presentation: Dr. Howard A. Rusk, director, New York University-Bellevue Medical Center, Institute of Physical Medicine and Rehabilitation.

Response: The Honorable LISTER HILL, U.S. Senator, chairman, Senate Committee on Labor and Public Welfare.

"GOLDEN AGE OF MEDICINE"—EXCERPTS OF ADDRESS DELIVERED JUNE 12, 1958, BY THE HONORABLE LISTER HILL ON THE OCCASION OF RECEIVING HONORARY DOCTOR OF SCIENCE DEGREE, HAHNEMANN MEDICAL COLLEGE OF PHILADLELPHIA

"We stand at the threshold of a momentous era—a Golden Age of Medicine.

* * * * *

"May I predict that within a few short years the world will see a momentous breakthrough of medical knowledge that will enable us to overcome many of the dread diseases that have plagued and baffled man through the ages. There is reason for confidence that this breakthrough will yield many answers in the battle against heart disease, cancer, mental illness, and other crippling and degenerative diseases.

"The breakthrough of knowledge will not come from any one discovery. It will be the accumulation of many discoveries.

* * * * *

"Medical research, tremendously expanded in the past 15 years, is making possible this dramatic new thrust in medical progress.

* * * * *

"Today we see a new unity of medical research and medical practice. New research findings, new drugs, and new techniques are communicated immediately to the practicing physician, and the local doctor finds new opportunity for greater service and accomplishment in his chosen profession, for greater satisfaction and rewards in serving his fellow man.

* * * * *

"But all the wondrous new drugs and chemicals, the ever more delicate and subtle devices, the greater knowledge of nutrition and preventive medicine, all we know of human life and its mysterious workings—these are only the sinews and the tools of medicine.

"The doctor is the mind, the spirit, the genius of medicine. The doctor is ever the central figure in the drama of medical care. All else is to assist him to do his best, to help him achieve the best possible results.

"We must realize that if the doctor is to do his best, he must remain free and uncontrolled. Only as the doctor finds the inspiration and enjoys the individual action that freedom gives—to explore, to inquire, to discover, to serve in his own way—only then can he give his best, only then can we continue the marvelous progress of American medicine.

"For even in the coming Golden Age of Medicine, medical practice will not lose its central, vital fact—the human relationship between the doctor and his patient. Indeed, there will be greater need than ever before for this reassuring personal contact in our troubled world, where the individual is beset on one side with massive world problems, and on the other is subjected to deep personal tensions.

* * * * *

"I say to you, go forward, doctors, into the ever-widening, the endless frontiers of medical discovery and medical knowledge, to serve as our fathers served: healing the sick and making whole the maimed, safeguarding the mothers in childbirth and the infant so newly come to this world, bringing life and health and happiness to our fellow man, following with humility and faith in the footsteps of Him who nearly two thousand years ago was called the Great Physician."

HEALTH—U.S.A. COMMITTEE

General Chairman: Julius N. Cahn.

Chairman of the Public Health Committee: Richard T. Sullivan, M.D.

Award Chairman: Ralph E. Becker.

Government Relations Chairman: Edward C. Sweeney.

Liaisons: American Medical Association: Cecil Dickson; Medical Society of the District of Columbia: Theodore Wiprud and Lawrence Zupan; Health and Welfare Council, Isadore Seeman; Printing, Joseph E. Jones; Reception, Mrs. Julius N. Cahn, Mrs. Ralph E. Becker, and Mrs. Edward C. Sweeney.

Secretary: Henry P. Loss.

IMPORT RESTRICTIONS ON CRUDE AND RESIDUAL OIL

The SPEAKER. Under previous order of the House, the gentleman from Massachusetts [Mr. CONTE] is recognized for 20 minutes.

Mr. CONTE. Mr. Speaker, it is already apparent that the President's recent decision placing import restrictions on crude oil and residual fuel oil may have profound inflationary effects on our economy.

A few weeks ago I rose here on the floor to point out the dire results which the Presidential proclamation might have on the economy of New England. I pointed out that a national economic policy which continually inflates the cost of the raw materials we need, while it gives no support to the price of finished products we produce ourselves, can only bring disaster to the people of New England.

It is becoming increasingly clear, Mr. Speaker, that the President's ruling will have the most serious repercussions not only in New England, but in the Nation as a whole.

Because of this situation I have written to Vice President RICHARD M. NIXON, urging that the Cabinet Committee on Price Stability for Economic Growth, of which he is chairman, consider as a first order of business the inflationary effects of restrictions on oil imports.

This afternoon I wish to review recent developments in the oil industry and point out the dangers for every American consumer.

On March 10 the President announced his decision placing strict import quotas on crude oil, residual fuel oil and finished petroleum products. Imports of crude oil were cut back about 200,000 barrels a day. Residual fuel oil imports were rolled back to 1957 levels, resulting in a heavy cutback. Imports of finished petroleum products were sharply curtailed.

The reason for this decision, we were told, was to strengthen the national security—because with imports curtailed, it was thought that the domestic industry would be stimulated to produce more and carry on more exploration work, so that in the event of a national emergency we would have ample domestic fuel supplies.

I have already addressed the House regarding the speciousness of that reasoning. Of course, the cutback in oil imports really had nothing to do with national security—it was, and is, a power move of certain economic interests to forward their lot at the expense of the entire Nation.

We may not yet realize it fully, but we are now literally at the mercy of the domestic oil producers. For years they have told us that they wished to raise prices—but obviously they hesitated in taking any such step, in view of the competition of oil from abroad. But now this restraint is gone—and without fear of foreign competition, the domestic oil producers may now raise their prices at will.

Naturally there are many other complex factors regulating oil prices. The balance between supply and demand in the oil industry is very precarious. But I think one cardinal fact is clear. By next winter, when we need vastly increased amounts of oil for home and industrial heating, the prices of oil will begin to rise far more than is seasonally normal.

Mr. Speaker, I have spoken with numerous oilmen regarding the possible results of the Presidential proclamation. All agree that prices will go up. After my conversations with these authorities, I have come to the conclusion that prices of crude oil may rise as much as 50 cents a barrel by next winter, as a direct result of the Presidential proclamation.

I have been shocked to read estimates that residual fuel oil price increases alone may cost my area over $100 million a year.

It is now common knowledge that oil prices will go up. The only question is when and by how much.

Naturally the principal reason for rising prices will be restricted supply. But the Presidential proclamation will have inflationary effects for other reasons as well.

Let us examine recent developments in regard to crude oil. The new regulations divide crude oil import quotas among American refineries principally on the basis of refinery capacity. What has been the result? As the Wall Street Journal pointed out on April 6:

Inland refiners who have not previously imported oil, because they operate too far from the coast, have been given import quotas and are selling such oil, without ever seeing it, at a profit to importers whose quotas have been cut and who can use the oil. And, of course, the consumer pays.

Mr. Speaker, reducing supply is inflationary enough, but when you add an extra seller through whom oil must go before it gets to you, you are increasing the inflationary danger still more.

I wish to quote from a recent letter to its shareholders, dated March 30, 1959, sent out by American Petrofina, Inc., an impoverished oil firm which realized a net profit of $1,542,504 in 1957. Harry A. Jackson, the president of this firm, informed the shareholders, and I quote:

The mandatory import program recently approved by President Eisenhower * * * extends long-awaited benefits to American Petrofina, Inc.

I would like to ask whether the intent of the administration's order is to "extend long awaited benefits" to American Petrofina or any other oil firm?

Let me continue to quote from this letter:

Under license just received from the Department of the Interior—

Jackson wrote—

the company is authorized to import 4,050 barrels a day of foreign crude oil during the initial quota period. The effect to the company of this allocation is of real significance and * * * should result in a substantial improvement in earnings.

Let me pause at this point to say that if I were a stockholder of American Petrofina, Inc., I would be delighted to hear this news. But as a consumer, and as a representative of a part of the Nation which is not studded with oil wells, I object strenuously. It is not the proper role of our Government to subsidize any industry in this way.

Mr. Jackson concludes by saying:

The prospects of your company for the remainder of the year are brightened by the Government's action, and I thought the information would be interesting and welcome to you.

For the Nation as a whole, Mr. Speaker, this news is not welcome in the least. It bears out what I have charged before here on the floor of the House—that the President's ruling will cost the people of New England, and of the Nation as a whole, millions and millions of dollars each year.

And who stands to benefit from this situation? Will the move help the consumer in New England, or the Midwest, or Far West—the average American family or business, trying to make ends meet? Or is the move simply a bonanza for the already wealthy and powerful oil interests of the Southwest? I believe the answer is all too clear.

Mr. Speaker, while the problem of crude oil imports affects the greater part of the Nation, we should also take particular note of the residual fuel oil problem. Here the inflationary dangers are just as great, and even more alarming for New England and certain other parts of the Nation which face a disastrous rise in already-inflated production costs. At this point I wish to include the text of a special bulletin sent to members of the Empire State Petroleum Association, Inc., by the organization's secretary, Harry B. Hilts, on April 3 of this year. This report shows that the President's ruling in regard to residual fuel oil is having disturbing effects on the oil industry, and may result in dire hardships by next winter:

1. Sixty-five percent of the residual demand takes place in the fall and winter heating seasons, while only 35 percent of the demand is consumed in the off months. Therefore, unless the overage above demand in the off months is made available for use in the heavy demand period we see nothing but chaos and maldistribution facing heavy oil users. The overage in summer supply cannot be held over because:

2. There is not enough residual storage available on the east coast to store the overage that will be available during the low-demand period. Nor, under the threat of continued restriction, is there any likelihood that additional storage will be built. This factor alone certainly is not in the interest of the consumer and, more particularly is not in the interest of the national security which seems to be the great concern in Washington.

3. This situation is further aggravated when the following factors are applied to the restriction of residual:

(a) Nineteen hundred and fifty-seven was a warmer winter than 1958. Since quotas are based upon 1957 imports this is in itself bound to bring about a shortage in overall supply to meet the greater demand created in 1958 and 1959.

(b) During 1957 there was abatement in the need for imports due to the industrial recession.

(c) We know of instances of new import contracts made in 1958 which did not exist in 1957 and for which no quota has been granted to provide for this additional supply.

4. Nineteen hundred and fifty-seven was a bad year for imports due to industry acquiescing to the Government's request to divert Caribbean-made residual from east coast ports to oversea countries during the Suez crisis. While some of this diverted supply was made up by gulf coast refiners, much of this product will not now be available due to the conversion of residual to coke.

5. Even if domestic refiners were inclined to make up the shortage, economics would be against them due to the unavailability of supply of heavy crude except in California. Even in the California area the industry is taking a long and hard look at its own statistical position which has resulted in price increases for this product.

We know it is not pleasant for anyone in the east coast marketing segment to review the above factors, but they are there. They exist in fact and not in fiction and unless something is done immediately to correct this situation, the responsibility will be clearly defined. Since the inclusion of residual fuel oil imports in the restrictions seems to be the result of a purely arbitrary political decision, the time seems to have arrived when it is appropriate for east coast congressional representatives to demand public proof of the harm to national security upon which this decision was made.

Mr. Speaker, this country grew and flourished because we had a free enterprise economy which stimulated economic progress and expansion. Only in dire national emergencies have we resorted to price controls.

But the Executive order restricting oil imports raises a serious question. If such a great industry is to receive special benefits and privileges—at the expense of all American consumers, and important areas of our Nation—then may we not be forsaking our free enterprise tradition?

Are we going to control and regulate our entire economy eventually, so that every American industry may have the same special protection now granted our oil-producing friends? I do not think this is the American way, or what any of us really want.

That is why I have called on Vice President NIXON's group to consider the oil import question on a top-priority basis. I am confident that if this group makes a careful study of the serious implications of the recent Executive order, it will recommend the early revocation of that order.

We will never enjoy price stability in America when one great industry enjoys the unfair and inflationary advantages now enjoyed by our oil producers.

I wish to include at this point the text of the letter I have sent to Vice President NIXON:

APRIL 25, 1959.

Hon. RICHARD M. NIXON,
Vice President,
U.S. Senate, Washington, D.C.

DEAR MR. VICE PRESIDENT: I wish to urge that the Cabinet Committee on Price Stability for Economic Growth, of which you are Chairman, consider as a first order of business the profound inflationary effects which may result from the recent Presidential proclamation placing import quotas on crude oil, residual oil and finished petroleum products.

As you know, imports of crude oil were cut back about 200,000 barrels a day, and residual fuel oil imports were restricted to 1957 levels. The reduced crude oil import allocations are already causing widespread confusion in the oil industry, and creating unnatural patterns of distribution which will eventually lead to increased prices for the consumer.

It will not be until next winter that the serious inflationary effects of restricted imports of residual oil will become clear. But the fact that production of residual fuel oil has become increasingly less profitable for American producers, at competitive prices, means that the consumer will eventually be asked to pay far more for residual fuel oil.

When supply is limited, and sources of competition are effectively removed, prices naturally go up. This is simply economics. I wish to suggest that the time to prevent strong inflationary pressures on our economy from oil prices is now, when there is still time to modify or rescind the recent Presidential proclamation before its most serious effects are felt.

It seems to me that the Cabinet Committee on Price Stability for Economic Growth could perform no greater service for the country than undertaking a careful study of the oil price problem at the present time, and I hope that serious consideration will be given to such a study.

With my very best wishes, I am,

Respectfully yours,

SILVIO O. CONTE,
Member of Congress.

Mr. CONTE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

RECIPROCAL TRADE

Mr. LANE. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, the practice of reciprocal trade has many points in its favor as American exporters claim.

When it becomes all-inclusive, it has a backlash that threatens the very existence of some American industries that provide for our domestic needs.

When the United States lacks and needs such materials and products as coffee or economy-sized motor cars, it trades with these supplier nations in exchange for goods that we produce, and they require.

But when reciprocal trade is strained to the point where we permit low-wage foreign products to enter the United States when we have no need for them, and these goods undersell the American producers who provide for our home market we weaken the affected industries, and throw many of our own people out of work.

This is a form of economic suicide. Why our responsible officials not only permit it to happen, but encourage it, is beyond the understanding of the average American who rightly prides himself on his common sense.

The seriousness of this problem was highlighted last week, when the Governors of Massachusetts, New Hampshire and Rhode Island, made a special trip to Washington and asked the President for his help in overcoming the threat of low-wage imports. Foreign competition has the domestic textile industry on the ropes.

According to the New York Herald Tribune:

> The President said he was more inclined to set up a broader committee covering all distressed industries, but would consider a special one for the textile industry.

I submit that we have had a saturation of "committees looking into the matter," and special studies, that have gone around in circles. Their reports are immediately shelved. There is no remedial action.

Textiles have been the chief victim of this national indifference to their predicament, but other industries find themselves engaged in this losing battle. General Electric is one of our most successful industries, and one of our largest employers. This company, while providing for many civilian needs, is also one of the strong elements in the industrial base that is essential to our national defense. The quality of its products is unexcelled.

General Electric put in a bid for the construction of two generators required by a Texas rural electric cooperative. The Brown-Boveri Co. of Switzerland also put in a bid, and was awarded the contract. This foreign competitor is in a favored position to gain the contract for a third generator, and to build generators for a large western city. The loss of the Texas contract alone will eliminate 150 jobs for 1 year at the General Electric turbine and gear facility in Lynn, Mass.

There is bitter irony in the fact that an American industry is being undermined because an agency of the Federal Government does not have the authority under existing law to insist that the recipients of its loans shall "Buy American." In this instance, the Texas cooperative received an $11,480,000 loan from the Rural Electrification Administration. A portion of this money enabled the cooperative to buy steam turbines from a Swiss manufacturer, to the detriment of General Electric and its employees.

In the broad picture, covering textiles and many other enterprises, there is provision under existing law for the Tariff Commission and the administration to raise import duties for the protection of our imperiled industries.

As the administration side-steps this clear remedy, and diverts attention from the immediate problem by the delaying tactic of yet another committee to get lost in its studies, the Congress has no alternative but to pass a buy American bill in order to relieve the distress.

JAPAN

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. POWELL] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. POWELL. Mr. Speaker, April 28, 1959, marks the seventh anniversary of the signing of the peace treaties between the United States and Japan. Over 14 years have elapsed since the end of World War II. During which time friendships and confidence and the recognition of the mutual interdependence have developed between the United States and Japan never before envisioned.

The continuing progress in industry and full realization of democratic institutions in Japan have skyrocketed that country well above the traditional poverty line of Asia. Though observers tend to ignore the progress being made there in favor of more dramatic confrontation of China's 5-year plans and those of India, the achievements of Japan with its range of choices within a basically liberal order have great significance to this country for its progress may determine the prospects for freedom in other Asian countries and the ultimate U.S. relations with these countries.

Japan's economy like our own derives its industrial upsurge primarily from a free enterprise capitalism. Their system operates with a few centralized decisions and the country is bursting with entrepreneurial vitality. Few corporations or enterprises are under state operation. In fact, Japan presently has a smaller public sector than it has ever had in modern times. The Japanese, remembering wartime bureaucracy with distaste, I am informed, do not press for nationalization anywhere. Within the last 20 years a reverse trend from nationalization has been the case, for the Japanese Government has turned over most of its properties to the rising business class, with the consequent result that agriculture and commerce are both now primarily in private hands.

For our purposes here an observation of William W. Lockwood in Foreign Affairs last fall is encouraging:

> Today the most striking thing about this island nation, relative to the rest of Asia and relative to the Japan of a generation ago is the advance in mass well being, the rising social mobility, the more equalitarian, the more open political and social structure.

There is a general lessening of gross inequalities in wealth and income reported Lockwood further stated and the farming class with rice prices guaranteed by the government lives nearly on the level with city people for the first time in history. Social security programs, he reported, cover over 12 million workers. While Japan offers a "pilot" project of productive economic capacity and can serve as the needed example to other countries of the non-Communist world seeking to stabilize their economies and raise the economic and social standards of their people, we in the United States must continue to cooperate with the Japanese that a working complement of the two economies can be realized mutually rewarding to both the United States and Japan in the struggle against the Communist economic drive into Asia. There is demand for more markets to compensate for those lost to Communist China and the Soviet bloc and there is need for income that imports of foods and other materials to sustain the swelling population may be secured. What happens in Japan is extremely important to us here in the United States for our future place in the sun is inextricably tied to Japan's place in that sun.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. RODINO (at the request of Mr. GALLAGHER), for the balance of the week, on account of death in family.

Mr. LOSER, for Thursday and Friday, April 30 and May 1, on account of official business at Nashville, Tenn.

Mr. BUSH (at the request of Mr. FENTON) for the balance of the week, on account of illness.

Mr. WEAVER (at the request of Mr. HALLECK) for 1 week, through Tuesday, May 5, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. POWELL (at the request of Mr. MCCORMACK), for 1 hour, today.

Mr. PORTER, for 30 minutes, today, to revise and extend his remarks and to include extraneous matter.

Mrs. ROGERS of Massachusetts, for 5 and 10 minutes, today.

Mr. GEORGE P. MILLER of California, for 20 minutes, on Tuesday next.

Mr. KING of Utah, for 15 minutes, on Tuesday next.

Mr. CONTE, for 20 minutes, today.

Mr. DENT (at the request of Mr. HARRIS), for 90 minutes, on Tuesday, May 5.

Mrs. WEIS (at the request of Mr. CURTIN), for 10 minutes, on Monday, May 4.

Mrs. ROGERS of Massachusetts, for 5 minutes, tomorrow and Friday.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. WHITENER and to include a statement.

Mr. MAGNUSON.

Mr. FOLEY and to include extraneous matter.

Mr. HOSMER.

Mr. HOEVEN and to include extraneous matter.

Mr. HARRIS and to include extraneous matter.

Mr. HARRIS to revise and extend the remarks he made in the Committee of the Whole today and to include certain information.

Mr. ROOSEVELT to revise and extend the remarks he made in the Committee of the Whole today and to include extraneous material and certain material in tabular form.

Mr. MCDOWELL and to include extraneous matter.

Mr. WAINWRIGHT in two instances and to include extraneous matter.

(At the request of Mr. HARRIS, and to include extraneous matter, the following:)

Mr. QUIGLEY.

Mr. BOWLES.

Mr. MITCHELL.

Mr. DOLLINGER.

Mr. GALLAGHER.

(At the request of Mr. CURTIN, and to include extraneous matter, the following:)

Mr. SCHWENGEL.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1555. An act to provide for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes; to the Committee on Education and Labor.

ADJOURNMENT

Mr. BROWN of Missouri. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 36 minutes p.m.), under its previous order, the House adjourned until Thursday, April 30, 1959, at 11 o'clock a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

906. A letter from the Assistant Secretary of the Interior, transmitting a certification that an adequate soil survey and land classification has been made of the lands in the Mercedes Division, Lower Rio Grande rehabilitation project, Texas, and that the lands to be irrigated are susceptible to the production of agricultural crops by means of irrigation as required by Public Law 172, 83d Congress; to the Committee on Appropriations.

907. A letter from the Assistant Secretary of the Interior, transmitting a draft of a proposed bill entitled, "A bill to authorize the use of funds arising from a judgment in favor of the Citizen Band of Potawatomi Indians of Oklahoma, and the Prairie Band of Potawatomi Indians of Kansas, and for other purposes"; to the Committee on Interior and Insular Affairs.

908. A letter from the Assistant Secretary of the Interior, transmitting a draft of a proposed bill entitled, "A bill to authorize a per capita distribution of funds arising from a judgment in favor of the Quapaw Tribe, and for other purposes"; to the Committee on Interior and Insular Affairs.

909. A letter from the Secretary of Commerce, transmitting a report of the activities under title XII, Merchant Marine Act of 1936, as amended, as of March 31, 1959, to provide war-risk insurance and certain marine and liability insurance for the American public in accordance with section 1211 of this act; to the Committee on Merchant Marine and Fisheries.

910. A letter from the Under Secretary of the Interior, transmitting a draft of proposed legislation entitled, "A bill to authorize the classification, segregation, and disposal of public lands chiefly valuable for urban and business purposes"; to the Committee on Interior and Insular Affairs.

911. A communication from the President of the United States, transmitting preliminary conclusions of the President's Committee to Study the U.S. Military Assistance Program; to the Committee on Foreign Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LANE: Committee on the Judiciary. H.R. 6000. A bill to amend title 28 of the United States Code to increase the limit for administrative settlement of claims against the United States under the tort claims procedure to $3,000; with amendment (Rept. No. 323). Referred to the Committee of the Whole House on the State of the Union.

Mr. CAHILL: Committee on the Judiciary. H.R. 322. A bill for the relief of Monmouth County, N.J.; with amendment (Rept. No. 324). Referred to the Committee of the Whole House on the State of the Union.

Mr. LINDSAY: Committee on the Judiciary. H.R. 2740. A bill to amend section 2734 of title 10, United States Code, to extend the statute of limitations in the case of certain foreign claims; without amendment (Rept. No. 325). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMPSON of New Jersey: Joint Committee on the Disposition of Executive Papers. House Report No. 326. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. DURHAM: Joint Committee on Atomic Energy. H.R. 5104. A bill to amend the Atomic Energy Act of 1954, as amended; without amendment (Rept. No. 327). Referred to the Committee of the Whole House on the State of the Union.

Mr. DURHAM: Joint Committee on Atomic Energy. H.R. 5105. A bill to amend Public Law 85-590 to increase the authorization for appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes; without amendment (Rept. No. 328). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of Committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LANE: Committee on the Judiciary. S. 381. An act for the relief of Peter E. Dietrich; without amendment (Rept. No. 310). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. S. 607. An act for the relief of the estate of Sinclair G. Stanley; with amendment (Rept. No. 311). Referred to the Commitee of the Whole House.

Mr. LANE: Committee on the Judiciary. S. 667. An act for the relief of Pauline D. Kimbrough; with amendment (Rept. No. 312). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. S. 947. An act for the relief of the estate of Verentes Bent, deceased; with amendment (Rept. No. 313). Referred to the Committee of the Whole House.

Mr. TOLL: Committee on the Judiciary. H.R. 1547. A bill for the relief of T. Sgt. Walter Casey; with amendment (Rept. No. 314). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H.R. 1579. A bill for the relief of Basile Ignatios Mavridis; with amendment (Rept. No. 315). Referred to the Committee of the Whole House.

Mr. LINDSAY: Committee on the Judiciary. H.R. 1711. A bill for the relief of the Galveston, Houston & Henderson Railroad Co.; without amendment (Rept. No. 316). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary. H.R. 2011. A bill for the relief of Leonora Holmes Mola; without amendment (Rept. No. 317). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H.R. 2078. A bill for the relief of Gannon Boggs; with amendment (Rept. No. 318). Referred to the Committee of the Whole House.

Mr. LINDSAY: Committee on the Judiciary. H.R. 2290. A bill for the relief of Ronald Ragnar Long; without amendment (Rept. No. 319). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 3096. A bill for the relief of Peony Park, Inc., and others; with amendment (Rept. No. 320). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary. H.R. 4120. A bill for the relief of Dr. Raymond A. Vonderlehr and certain other officers of the Public Health Service; without amendment (Rept. No. 321). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H.R. 6080. A bill for the relief of Forrest E. Decker; without amendment (Rept. No. 322). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BENNETT of Michigan:

H.R. 6770. A bill to amend the Interstate Commerce Act, as amended, so as to strengthen and improve the national transportation system, insure the protection of the public interest, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CEDERBERG:

H.R. 6771. A bill to amend the Internal Revenue Code to assist small and independent business, and for other purposes; to the Committee on Ways and Means.

By Mr. FOLEY (by request):

H.R. 6772. A bill to increase annuities payable to certain annuitants from the District

of Columbia teachers' retirement and annuity fund; to the Committee on the District of Columbia.

H.R. 6773. A bill to empower the Real Estate Commission of the District of Columbia to suspend or to revoke the license issued to any person by the said Commission for certain activities by the licensee, and to empower said Commission to investigate said charges; to the Committee on the District of Columbia.

By Mr. HARRIS:

H.R. 6774. A bill to amend the Communications Act of 1934, the Federal Aviation Act of 1958 (with respect to the Civil Aeronautics Board), the Federal Power Act, the Federal Trade Commission Act, the Interstate Commerce Act, and the Securities Exchange Act of 1934, to establish standards of conduct for agency hearing proceedings of record; to the Committee on Interstate and Foreign Commerce.

By Mrs. KEE:

H.R. 6775. A bill granting the consent and approval of Congress to the States of West Virginia and Virginia to enter into a compact with respect to the boundary between such States; to the Committee on the Judiciary.

By Mr. LOSER:

H.R. 6776. A bill to amend the Internal Revenue Code of 1954 so as to provide for scheduled personal and corporate income tax reductions, and for other purposes; to the Committee on Ways and Means.

By Mr. O'BRIEN of Illinois:

H.R. 6777. A bill to amend section 421 of the Internal Revenue Code of 1954 with respect to the income tax treatment of certain stock held at death; to the Committee on Ways and Means.

By Mr. POFF:

H.R. 6778. A bill granting the consent and approval of Congress to the States of West Virginia and Virginia to enter into a compact with respect to the boundary between such States; to the Committee on the Judiciary.

By Mr. SIMPSON of Pennsylvania:

H.R. 6779. A bill to amend section 170 of the Internal Revenue Code of 1954 (relating to the unlimited deduction for charitable contributions for certain individuals); to the Committee on Ways and Means.

By Mr. WALTER:

H.R. 6780. A bill to amend the Communist Control Act of 1954 to prohibit interference by certain persons with the free movement of defense materials in foreign commerce, and for other purposes; to the Committee on Un-American Activities.

By Mr. BYRNE of Pennsylvania:

H.R. 6781. A bill to authorize the Secretary of the Interior to acquire certain additional property to be included within the Independence National Historic Park; to the Committee on Interior and Insular Affairs.

By Mr. CRAMER:

H.R. 6782. A bill to provide for the construction, alteration, and acquisition of public buildings of the Federal Government, and for other purposes; to the Committee on Public Works.

By Mr. FLYNN:

H.R. 6783. A bill to amend section 503 of title 38, United States Code, to provide that social security benefits shall not be counted as income in determining eligibility for pension; to the Committee on Veterans' Affairs.

H.R. 6784. A bill to provide for mandatory price support through the marketing year ending in 1964 for milk used in manufacturing dairy products and for butterfat; to maintain the productive capacity of our dairy farming industry; to promote the orderly marketing of an adequate national supply of milk and dairy products; to encourage increased domestic consumption of dairy products in the interests of national health and security; and for other purposes; to the Committee on Agriculture.

By Mr. FRAZIER:

H.R. 6785. A bill to amend section 4071 of the Internal Revenue Code of 1954 so as to fix a tax of 1 cent per pound of certain laminated tires produced from used tires; to the Committee on Ways and Means.

By Mr. GRAY:

H.R. 6786. A bill to authorize the modification of the flood-control project for the Saline River and tributaries, Illinois; to the Committee on Public Works.

By Mr. KNOX:

H.R. 6787. A bill authorizing the improvement of the Menominee Harbor, Mich., and Wis., in the interest of navigation and other purposes; to the Committee on Public Works.

H.R. 6788. A bill to amend section 170 of the Internal Revenue Code of 1954 (relating to the unlimited deduction for charitable contributions for certain individuals); to the Committee on Ways and Means.

By Mr. METCALF:

H.R. 6789. A bill to amend section 1(14)(a) of the Interstate Commerce Act to insure the adequacy of the national railroad freight car supply, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. NORBLAD:

H.R. 6790. A bill to authorize a per capita distribution of funds arising from a judgment in favor of the Confederated Tribe of Siletz Indians in the State of Oregon, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. O'BRIEN of New York:

H.R. 6791. A bill to provide that the people of Guam be represented by a Delegate in the House of Representatives of the United States; to the Committee on Interior and Insular Affairs.

By Mr. ROBISON:

H.R. 6792. A bill to amend section 1034 of the Internal Revenue Code of 1954 to provide that under certain circumstances gain on the sale or exchange of the taxpayer's home will not be taxed whether or not he replaces it with another residence; to the Committee on Ways and Means.

By Mr. ROGERS of Texas:

H.R. 6793. A bill to amend section 334 of the Agricultural Adjustment Act of 1938, as amended, to provide that for certain purposes of this section, farms on which the farm marketing excess of wheat is adjusted to zero because of underproduction shall be regarded as farms on which the entire amount of the farm marketing excess of wheat has been delivered to the Secretary or stored to avoid or postpone the payment of the penalty; to the Committee on Agriculture.

By Mr. SAUND:

H.R. 6794. A bill to repeal the excise tax on amounts paid for communication services or facilities; to the Committee on Ways and Means.

By Mr. TELLER:

H.R. 6795. A bill to authorize appropriations for the Federal-aid primary system of highways for the purpose of equitably reimbursing the States for certain free and toll roads on the National System of Interstate and Defense Highways, and for other purposes; to the Committee on Public Works.

H.R. 6796. A bill to repeal the excise tax on the use of safe-deposit boxes; to the Committee on Ways and Means.

By Mr. HOLT:

H.R. 6797. A bill to amend section 4(a) of the act of September 11, 1957, so as to permit the issuance of special nonquota immigrant visas to certain alien orphans adopted by citizens of the United States for an additional 2 years; to the Committee on the Judiciary.

By Mr. O'NEILL:

H.R. 6798. A bill to authorize appropriations for the Federal-aid primary system of highways for the purpose of equitably reimbursing the States for certain free and toll roads on the National System of Interstate and Defense Highways, and for other purposes; to the Committee on Public Works.

By Mr. TEAGUE of California:

H.R. 6799. A bill to amend chapter 53 of title 10, United States Code, to provide for the payment from retired pay of payments required by court orders where a member of the Armed Forces deserts or divorces his spouse; to the Committee on Armed Services.

By Mr. FARBSTEIN:

H.J. Res. 355. Joint resolution relating to U.S. diplomatic relations with Republics of Ukraine and Byelorussia; to the Committee on Foreign Affairs.

By Mr. FULTON:

H.J. Res. 356. Joint resolution authorizing the President to proclaim the week in May of each year in which falls the third Friday of that month as National Transportation Week; to the Committee on the Judiciary.

By Mr. IRWIN:

H.J. Res. 357. Joint resolution designating the mountain laurel as the national flower of the United States; to the Committee on House Administration.

By Mr. BERRY:

H. Con. Res. 165. Concurrent resolution relating to the subject of Federal policy in the field of American Indian affairs; to the Committee on Interior and Insular Affairs.

By Mr. VINSON:

H. Con. Res. 166. Concurrent resolution providing the express approval of the Congress under section 3(e) of the Strategic and Critical Materials Stock Piling Act, of the disposal of rough cuttable gem-quality diamonds, cut and polished gem-quality diamonds, osmium, rhodium, ruthenium, and zircon concentrates from the national stockpile; to the Committee on Armed Services.

By Mr. DAVIS of Georgia:

H. Con. Res. 167. Concurrent resolution to establish a Joint Congressional Committee on Salary Adjustment; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BUCKLEY:

H.R. 6800. A bill for the relief of Antonio and Nicolino Santoro; to the Committee on the Judiciary.

H.R. 6801. A bill for the relief of Harry (Zwi) Goldenberg (Sponder); to the Committee on the Judiciary.

By Mr. BURNS of Hawaii:

H.R. 6802. A bill for the relief of 16 customs inspectors employed at the port of Honolulu, T.H., from liability for certain amounts paid and demand for refund thereof; to the Committee on the Judiciary.

H.R. 6803. A bill for the relief of Dr. Hans Zimmerman; to the Committee on the Judiciary.

By Mr. FERNÓS-ISERN:

H.R. 6804. A bill for the relief of Mary Elizabeth Tighe Crespo; to the Committee on the Judiciary.

By Mr. FLYNN:

H.R. 6805. A bill for the relief of Gilberto Dario Gagliani and his wife, Albertina Schiaffina Gagliani; to the Committee on the Judiciary.

By Mrs. GRANAHAN:

H.R. 6806. A bill for the relief of Edward L. Smack; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 6807. A bill for the relief of William Falby; to the Committee on the Judiciary.

H.R. 6808. A bill for the relief of Mary O'Brien Smith; to the Committee on the Judiciary.

By Mr. KITCHIN:

H.R. 6809. A bill for the relief of Lt. (j.g.) James W. Little; to the Committee on the Judiciary.

By Mr. MONAGAN:

H.R. 6810. A bill for the relief of Anthony P. Bushman; to the Committee on the Judiciary.

By Mr. O'BRIEN of New York:

H.R. 6811. A bill for the relief of Manhattan Lighting Equipment Co., Inc.; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 6812. A bill for the relief of Moshe Uziel; to the Committee on the Judiciary.

H.R. 6813. A bill for the relief of Antonio Cascione; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H.R. 6814. A bill for the relief of Mrs. Angelina Augusta Fernandes Gorgulho; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII:

170. The SPEAKER presented a petition of Eugenio C. Nicolas, Nicolas Estates, Inc., Manila, Philippines, relative to supplemental information in connection with war damages claims made by the Nicolas Estates, Inc., which was referred to the Committee on Foreign Affairs.

EXTENSIONS OF REMARKS

Extra Long Staple Cotton

EXTENSION OF REMARKS
OF
HON. BASIL L. WHITENER
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, April 29, 1959

Mr. WHITENER. Mr. Speaker, on April 28, 1959, I appeared before the U.S. Tariff Commission in connection with the investigation now being conducted by that agency in regard to the importation of extra long staple cotton.

Several of the New England States, as well as the southern textile manufacturing States, are vitally interested in this matter. Under leave to extend my remarks, I include my statement before the Tariff Commission in the RECORD:

STATEMENT OF HON. BASIL L. WHITENER BEFORE THE U.S. TARIFF COMMISSION ON APRIL 28, 1959, REGARDING EXTRA LONG STAPLE COTTON QUOTA

Mr. Chairman and members of the Commission, my name is BASIL L. WHITENER, Member of Congress from the 11th Congressional District of North Carolina. I am appearing before you to voice my strong opposition to any action that might be taken to reduce our present import quota on extra long staple cotton.

I have the honor and privilege to represent in the Congress a district that contains more operating textile plants than any other district in the United States. Thousands of my constituents earn their living in these mills. In addition, my constituents have millions of dollars invested in textile plants and machinery

The manufacture of textiles is vital to the economy and well-being of my district and to the State of North Carolina. If the cotton mills in North Carolina were to cease operation today there would be widespread suffering and economic distress throughout the State. It would result in economic disaster for our people.

Over 227,000 North Carolinians are employed in textile mills. This represents more than half of all persons enployed in manufacturing in North Carolina.

It is generally recognized by those who are familiar with the day-to-day problems of textile manufacturing that the industry is fighting for survival, not only in North Carolina but in other parts of the South and New England. The industry is suffering from inroads being made by foreign textile imports and an unrealistic international trade policy on the part of the Federal Government.

Aside from tariffs and other foreign trade complications, the industry is confronted with numerous other handicaps which affect business substantially but over which it has little or no control. As an example, I might point out that so long as foreign mills can buy American cotton cheaper than American mills and have their machinery and plants financed, in large part, with American dollars, our domestic textile industry will remain in a depressed condition.

I have pointed these factors out in order that we might have a background against which to view the problem before us this morning.

The Presidential proclamation of July 7, 1958, established an import quota on cotton beginning August 1, 1959. From all that I have been able to learn the quota, as originally set up, was generally approved by all of those in the cotton textile trade.

Operating conditions within the textile industry make it almost mandatory that contracts for cotton purchases be made months, and in some cases even a year, in advance of the date the cotton is to be used. In an industry that uses millions of bales of cotton and whose contracts for the sale of finished products must be made well in advance of the manufacturing date, it is apparent that considerable time must be allowed between the purchase and delivery dates of raw cotton.

The information I have indicates that the textile mills in my district, and I am sure the same situation prevails in other parts of the country where mills are located, acted under the Presidential proclamation of July 7, 1958, and purchased considerable amounts of foreign extra long staple cotton. A large part of this cotton was purchased during October, November, and December of last year and during January of this year.

In anticipation of the delivery of the cotton, mills have entered into contracts for the future sale of textile products. It will be apparent, therefore, to everyone that any quota reduction at the present time will bring about a serious condition for the mills and result in economic hardship for all concerned.

One of the most prominent textile manufacturers in my district informed me recently that he has purchased 1,500 bales of foreign extra long staple cotton against which he already has sold goods. It was his opinion, and I certainly share it, that if the quota already approved by the administration can be repudiated in part it will be, in effect, a repudiation of people like himself holding contracts.

A number of other textile manufacturers advised me to the same effect. In nearly every instance they already have sold textile products against the foreign cotton bought under present quota conditions. There is a feeling that if the quota is reduced it will mean a loss of confidence in Presidential proclamations on the part of the public in general and the business world in particular.

The textile industry, caught as it is between the squeeze of dwindling profits and soaring manufacturing costs, should be permitted to purchase cotton in foreign markets under reasonable and realistic quotas. At least, the industry should not be subjected to the uncertainty involved in arbitrary quota reductions.

We hear so much in Congress these days from responsible Government sources how vital it is to the economy of the United States that we engage in foreign trade, especially with the underdeveloped and highly sensitive nations of north Africa and South America. I cannot understand how it would be in the best interests of the United States to antagonize Peru, the Sudan, and Egypt by further reducing the importation of cotton from these countries.

These nations desperately need American dollars to bolster their economies. We should be anxious to supply these dollars through the accepted avenues of commerce rather than through some of our more unrealistic programs of foreign aid.

The matter before this Commission has far-reaching implications to the people of North Carolina and the textile industry in general. It is my hope that the Tariff Commission will take into consideration and give very careful study to all the statements that will be presented by officials of the textile industry and the cotton trade.

A number of the people who will present these statements are from my congressional district. They are responsible and successful manufacturers and cottonmen and have many years of experience in the textile industry. They are familiar with the conditions confronting their industry and are dedicated American citizens.

I know the information they will give to this Commission will represent their very best judgment of the matter under consideration, and their recommendations deserve the most careful study, as I believe they are the best qualified people in the country with respect to textile problems.

In conclusion I would like to impress upon the Commission the great importance of the matter before us to the economy of my district and North Carolina. It is my hope that the Commission will make no recommendations to the President calling for a reduction in the present import quota of extra long staple cotton.

Testimony of Hon. Chester Bowles, Member of Congress, Before Subcommittee on Public Works of the House Appropriations Committee, April 28, 1959

EXTENSION OF REMARKS
OF
HON. CHESTER BOWLES
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Wednesday, April 29, 1959

Mr. BOWLES. Mr. Speaker, under leave to extend my remarks in the RECORD, I include my testimony given yesterday before the Subcommittee on Public Works of the House Appropriations Committee concerning several projects of vital significance to my district. My testimony follows:

TESTIMONY OF HON. CHESTER BOWLES, MEMBER OF CONGRESS, BEFORE SUBCOMMITTEE ON PUBLIC WORKS OF THE HOUSE APPROPRIATIONS COMMITTEE, APRIL 28, 1959

First of all, I would like to thank the committee for this opportunity to appear in connection with several navigation and flood-

control projects of special importance to eastern Connecticut.

There are three navigation study projects which have been authorized by Congress and are now awaiting appropriations in order for surveys to begin. I would like to call these to the committee's attention at this time.

1. The first navigation study, at an estimated cost of $10,000, involves the Poquonnock River at Groton. The problem here is one of shoaling. Over a period of years the mouth of the river has filled in to such an extent that it is difficult to enter the river even with a small boat. As a result, the recreational development of the shoreline in the area has been curtailed, and commercial use of the river has been prevented. The opening of the river mouth, in addition to providing a new area of recreational navigation, would also supplement the attraction of a projected State park to be located in this area.

2. The second navigation study, at an estimated cost of $9,500, involves the Thames River between Norwich and New London. This study would determine the feasibility of providing greater depths in the harbor for commercial navigation. In 1957 commercial river traffic amounted to nearly 1,000,000 tons, 96% of which was in coal, petroleum and allied products. If greater depth were provided in the harbor and channel, larger and more efficient fuel transport could be utilized.

3. The third navigation study, at an estimated cost of $7,500, involves the Connecticut River mouth at Essex. The problem here is again one of shoaling. Since the original establishment of the ship channel in the Connecticut River in the early 1930's, constant shoaling of the western shore near my home town of Essex has taken place. The problem now is of immediate concern to the people of Essex, since action on requests to the State for construction of new docks and wharves is being held up pending agreement on a specific plan to correct the deteriorating navigational conditions. In time, the shoaling condition at Essex will affect all river commerce on the Connecticut River. The study of the situation at Essex, if approved and funded, will permit the Corps of Engineers to indicate the basic needs of future navigation in this area.

Mr. Chairman, I urge this committee to include funds for these three study projects as an investment in the commercial and recreational navigation in Eastern Connecticut. According to the Corps of Engineers estimates, the total cost of the three projects is a modest $27,000. These studies are worth it, many times over, in terms of their probable impact on the continued economic growth of this area.

Let us move on, Mr. Chairman, to my second subject—flood control. No one who witnessed the terrible devastation in Connecticut wrought by the tragic floods of August and October 1955, will deny that our Connecticut citizens are entitled to swift completion of the necessary safeguards against any possible repetition of these disasters. Quite frankly, Mr. Chairman, I had hoped that action would have been taken in sufficient time by the Corps of Engineers so that the matter of actual appropriations for flood control dams at Baltic and at West Thompson would be squarely before this committee at this time. Unfortunately, this is not the case. I would like to go on record once more, this time before this committee, on the urgent necessity for these two critically needed flood-control projects. Understandably, I think, the people whose homes and businesses were swept away in 1955 cannot understand the long delay in providing adequate protection against a recurrence of this catastrophe. They feel, and I agree, that 3½ years is long enough to wait.

My distinguished colleague from Massachusetts, Mr. PHILBIN, who spoke to you yesterday on the need for the Westville Dam, has my wholehearted support for that project, as well. Here is another example of discouraging delays in a badly needed project.

The Westville Dam, a key link in an integrated system of flood control for the Quinebaug and French River Valleys in Connecticut and Massachusetts, was originally planned in 1945—14 years ago. Now funds for its construction are denied by the administration on the basis that it is new construction.

Mr. Chairman, to deny funds for the contruction of flood control dams at Baltic, West Thompson and Westville is to deny the citizens of eastern Connecticut and Massachusetts adequate flood protection from the only source capable of providing it—the Federal Government. The economy of our region has never fully recovered from the disastrous floods of 1955, with the $581 million in property damage. The loss of 107 lives is irreplaceable. Another such calamity would be catastrophic. I urge the committee to pursue, with every appropriate means at its disposal, the reasons for the redtape, the delays and the administrative technicalities holding up an integrated flood control system for this area. The people of eastern Connecticut and their neighbors clearly need and deserve prompt, constructive action on these projects.

Finally, Mr. Chairman, the last matter I would like to call to the committee's attention is one of hurricane protection.

On April 2, 1959, the Corps of Engineers published an interim report of a hurricane survey of the Pawcatuck River area. This report, now being studied by the appropriate State agencies and the Department of the Interior prior to submission to the Congress, recommends improvements for the prevention of hurricane damages in the Pawcatuck area.

Since 1770, 58 hurricanes have struck this area, 30 of them causing tidal flooding. Studies of the Corps of Engineers indicate that if a repetition of the maximum hurricane tide of 1938 were to occur under present conditions, the resulting damage to the area would amount to $2.6 million. While this project is not now before this committee, there is hope that the final report will be transmitted to the Congress before the end of the session.

The estimated cost to the Government of this project is $409,000. I would like the committee to know of my firm belief in the necessity for this project. I have asked the appropriate State and Federal agencies for speedy action in transmitting this project to the Congress for action, and I would appreciate an opportunity to appear in support of the project when hearings are held on the appropriation for it.

One Hundred and Thirty-seventh Anniversary of the Birth of Gen. Ulysses S. Grant

EXTENSION OF REMARKS

OF

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 29, 1959

Mr. SCHWENGEL. Mr. Speaker, on Monday, the 27th, at 12 it was my pleasure and honor to attend the memorial observance commemorating the 137th anniversary of the birth of Gen. Ulysses S. Grant at the Grant Memorial, First Street and the Mall, Washington, D.C.

This program was sponsored by the Ladies of the Grand Army of the Republic, the Lincoln Group of the District of Columbia, and friends. It was our honor to have on the platform the grandson of Gen. U. S. Grant, Maj. Gen. U. S. Grant III, and Madam Julia Cantacuzene, the granddaughter of Gen. U. S. Grant; and in addition, the granddaughter of Madame Julia Cantacuzene who is a visitor from England and a guest in the homes of Madam Cantacuzene and Gen. U. S. Grant III. Also present were Mrs. Eloise Whitmer, president, the Ladies of the Grand Army of the Republic, and Mrs. Anna Hausman, national registrar of the Ladies of the Grand Army of the Republic, and chairman of the program.

In addition there were leaders and representatives of several patriotic and veterans' groups present. The committee arranged to have the U.S. Army Band, under the direction of Major Curry, present and they presented an excellent program of appropriate music.

The master of ceremonies of the occasion was Col. Randle Bond Truett, Chief, National Memorials and Historic Sites, National Capital Park Service. He presented the Dr. C. Percy Powell, Research Director, the Lincoln Sesquicentennial Commission, who gave a very appropriate invocation. The pledge of allegiance was led by Mrs. Martha Purchase, Dept. Pat. Inst., Ladies of the Grand Army of the Republic.

Maj. Gen. U. S. Grant III spoke briefly and made some very suitable observations about the occasion. Then, speaking as president of the Lincoln group, he extended greetings and best wishes of that organization. A very appropriate and erudite address was given by Comdr. John E. Allen, Assistant Director of the Lincoln Sesquicentennial Commission. His subject was "The Determination and Will Power of Ulysses Simpson Grant."

Among things he stated so well he pointed out that Ulysses Simpson Grant's great opportunity came after the outbreak of the Civil War. On June 17, 1861, the War Department in Washington appointed him colonel of the 21st Illinois. His advancement to higher rank was natural in view of his military ability. His efforts, which were marked by dogged determination and strong willpower, had become evident and recognized by the summer of 1863 when Vicksburg was captured. His utilization of techniques of joint operations was successfully demonstrated. Naval forces, when required, were integrated with the usual assault forces, and certain of General Grant's plans of overall operations have become recognized as classic examples of joint planning. His will to win, by concentrating on dividing and destroying opposing forces, became a hallmark of his genius. He may be said, also, to have been a pioneer in the successful development of overall strategy in extensive military campaigns.

General Grant was accused of being taciturn or not given to extended conversations. It is noted, however, that

President Lincoln had insisted that he was looking for winning generals; that in his view too much talk and too little action had occurred in certain instances. Of General Grant, Lincoln said, "I can't spare him, he fights." Throughout a series of victories which were to occur in the eastern theater, Grant's plan and strategy—in which he was supported by President Lincoln—was often to attack, when others might not have done so. Fortunate it is that he was doggedly determined to obtain victory in the cause of preservation of the American Union.

It is worthy of emphasis that General Grant as 18th President of the United States was twice chosen to lead the Nation in the highest office in the land. It was said of him during his Presidency that he unreasonably favored his friends. The facts do show that he was intensely loyal to his friends, to those who had worked with him and supported him over the years. In July 1849 Abraham Lincoln wrote that—

The better part of one's life consists of his friendships.

Are we to deny that General Grant was faithful to his friends? I would not deny that, but I believe that you may agree with Lincoln's estimate of the value of one's friendships.

As President, Ulysses S. Grant's tenure extended from March 4, 1869, to March 4, 1877. One of his notable achievements was in the field of foreign affairs; it was in 1871 that he settled the controversy with Great Britain by the Treaty of London. He was ably assisted in that endeavor by his Secretary of State, Hon. Hamilton Fish, of New York. In June 1885 he moved to Mount McGregor, near Saratoga, N.Y. After completing the writing of his memoirs—they are recognized as a historical classic—he died July 23. He was with highest honors buried in the Grant Mausoleum, built by public donations, located on Riverside Drive in New York City.

What were the attributes that enabled this good and great man to achieve tremendous goals? It is my conviction that his dogged determination and strong willpower enabled him to achieve the very highest of aspirations.

Mr. Speaker, I recall how great was what President Lincoln once said of Grant:

When Grant once gets possession of a place he holds on to it as if he had inherited it.

Then in a telegram to General Grant, Lincoln said:

I have seen your dispatch expressing your unwillingness to break your hold where you are. Neither am I willing. Hold on with a bulldog grip and chew and choke as much as possible.

Mr. Speaker, this indicates President Lincoln's attitude about Grant. History, of course, records that he was very satisfied with Grant. He had finally found a leader who would fight and had the determination and earnest desire to win and whenever possible he has indicated in the quote above, he encouraged his dogged determination and desire to win. It could well be said just as these were excellent characteristics in that hour of crisis, they are still good for Americans today and let us learn from this example, let us hold on to those great ideals we are pleased to call American and let us do our part individually and collectively to share these ideals with other freedom-loving people and encourage them in their fight to obtain the goals of liberty, freedom, and equality that our forefathers knew so well.

Thank you for your kind and thoughtful attention.

Promoting Industrial Uses of Corn Products

EXTENSION OF REMARKS
OF
HON. CHARLES B. HOEVEN
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, April 29, 1959

Mr. HOEVEN. Mr. Speaker, as my colleagues all know, corn is grown in every State in the Union. Approximately 85 million acres or a fifth of the cropland is devoted to the production of corn. The value of the crop is almost $5 billion per year. Corn is grown on about 4 million farms or about two-thirds of all farms in the United States.

The income from corn exceeds that of the combined value of the next two most valuable crops which are cotton and wheat. More farmers raise corn than any other crop. Corn directly and indirectly constitutes a larger part of the diet of American people than any other single agricultural crop. This includes corn consumed directly, as milled-corn products, and indirectly in the form of meat, milk, and eggs. Corn is vital to the basic economy of the United States. Whatever influences corn affects all Americans.

I wish to devote my remarks to the cornstarch research of the Department of Agriculture. This research is being carried out by the Agricultural Research Service at the Northern Utilization Research and Development Division laboratories at Peoria, Ill.

From firsthand knowledge, I can tell you that northern laboratory scientists have been working for some years on several derivatives of cornstarch with important potential industrial uses. They are enthusiastic about their work—for the simple reason they considered it to be promising research important to agriculture.

The continuing research on cornstarch came in for special attention and intensification beginning July 1, 1957. In the following year scientific teams of 30 to 35 members were assigned to this research, requiring an expenditure of about $700,000. In addition, four research contracts, totaling $180,000, were let to bring in the work of industrial scientists.

The Department has advanced this research on cornstarch by a reassignment of regular funds, and with increased allotments for such research provided by the Congress in 1958 and 1959.

They have made startling progress. They have come up with at least two cornstarch derivatives that offer considerable promise for expanding the use of corn in papermaking, and in many industrial areas.

Let me tell you about these two particular products of corn. One of them is called dialdehyde starch. The other is high-amylose starch.

Dialdehyde starch from corn not only may find a substantial market in paper manufacture, but also as a tanning agent, and in the manufacture of plastics. High-amylose starch offers several industrial prospects: As an important component of transparent packaging films, water soluble films, edible films; as a permanent finish on fabrics, and as a constituent of plastics, lacquers—and of paper.

Dialdehyde starch will be available on a semicommercial scale from one industrial company this month. Another company is not far behind in its plans for this same starch.

The first commercial scale farm production of high-amylose corn occurred last year. It has been an essential part of this research program to develop corn hybrids that contain a high percentage of amylose. Two wet corn milling companies harvested 7,000 bushels of corn containing 55 percent amylose starch. From this they have produced 200,000 pounds of high-amylose starch for industrial evaluation.

This should be good news to every one. It is just one more case that supports the Department's broad research approach to agricultural problems.

All of our citizens benefit from these kinds of results. This is the kind of research that is going to help us whip our farm surpluses.

American Bar Association Proposal To Improve Agency Proceedings

EXTENSION OF REMARKS
OF
HON. OREN HARRIS
OF ARKANSAS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, April 29, 1959

Mr. HARRIS. Mr. Speaker, today I introduced a bill based upon recommendations of the American Bar Association which have for their purpose to establish standards of conduct for agency hearings proceedings of record. This proposal was submited to me by the Honorable Donald C. Beelar, chairman of the special committee on Federal Administrative Practice Act of the American Bar Association.

Earlier during this session I introduced a bill, H.R. 4800, which was prepared to carry out the recommendations contained in the final report of the Legislative Oversight Subcommitee of the Committee on Interstate and Foreign Commerce submitted to the Congress on January 3, 1959. The proposal recommended by the American Bar Association deals with some but not all of the problems with which H.R. 4800 is intended to deal, and the recommendations of the American Bar Association

differ in some respect from the recommendations made by the Legislative Oversight Subcommittee as incorporated in H.R. 4800.

I have introduced the proposal of the American Bar Association in order to afford members of Congress and the American public generally, an opportunity to study the proposals of the American Bar Association and to compare them with the proposals contained in H.R. 4800.

It is my hope that by introducing this bill witnesses interested in this subject will take occasion to study and compare the two bills so that when hearings are held by this committee on both bills they will be in a better position to testify with regard to the recommendations contained in these bills.

Tribute to Rear Admiral Mumma

EXTENSION OF REMARKS
OF
HON. CRAIG HOSMER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, April 29, 1959

Mr. HOSMER. Mr. Speaker, Adm. A. G. Mumma's 4-year tour as Chief of the Bureau of Ships has been marked by spectacular technological advances in the design and construction of new surface combatant ships and submarines, by the development of improved electronics detection and communications equipment and by the application of effective methods of reducing costs. Four *Forrestal*-type attack aircraft carriers have joined the fleet and the nuclear-powered attack carrier *Enterprise* is taking shape on the building ways. A new fleet of atomic-powered missile-armed ships has come closer to reality. Numerous guided missile frigates and destroyers have been placed under construction. The first of these have already been launched.

The Bureau of Ships, under the guidance of Admiral Mumma, quickly designed a new type of nuclear-powered submarine to carry and launch the fleet ballistic missile, Polaris. Six Polaris submarines are now under construction and three of them are expected to be launched later this year. During the past year a project which Admiral Mumma helped to initiate and foster from the very beginning, the marriage of nuclear power with the revolutionary whale-shaped hull form of the experimental submarine *Albacore*, came into being with phenomenally successful results. The latest Navy submarine to be commissioned, *Skipjack*, is faster and more maneuverable than any other submarine ever built.

With the retirement of Admiral Mumma tomorrow, the Navy will lose an extremely capable and devoted officer. Admiral Mumma has frequently testified before Congress concerning the affairs of the Bureau of Ships. I am sure that his many friends in Congress will miss him and will wish him the best of success in his chosen field of endeavor.

Deferred Maintenance and Repair in Veterans' Administration Hospitals

EXTENSION OF REMARKS
OF
HON. ERWIN MITCHELL
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, April 29, 1959

Mr. MITCHELL. Mr. Speaker, on behalf of the Committee on Veterans' Affairs, I would like to insert in the RECORD the following report made by the Subcommittee on Hospitals to the full committee. The report cites the need for additional funds for the protection of the Government's investment of some $2.8 billion in Veterans' Administration hospital facilities and also for the comfort and welfare of our hospitalized veterans:

REPORT OF SUBCOMMITTEE ON HOSPITALS, COMMITTEE ON VETERANS' AFFAIRS

Re deferred maintenance and repair in Veterans' Administration hospitals.

Report by the Honorable JAMES A. HALEY, acting chairman of the Subcommittee on Hospitals, on hearing held April 21, 1959.

The hearing was devoted exclusively to the consideration of deferred maintenance in Veterans' Administration hospitals. In the absence of the Honorable ELIZABETH KEE, chairman of the Subcommittee on Hospitals, Mr. HALEY presided as chairman. Witnesses for the Veterans' Administration were Dr. H. B. Cupp, Deputy Director for Operations; Mr. J. B. Baker, Controller, Department of Medicine and Surgery; Mr. Glen R. Stevens, Director of Engineering.

The Veterans' Administration witnesses testified that the budget for fiscal year 1960 includes $38 million for current and deferred maintenance and repair, $3 million of this is to be earmarked for deferred maintenance items accumulating from previous years, and the remaining $35 million is for current maintenance and repair of the stations during fiscal year 1960.

Summary of deferred maintenance and repair in VA hospitals

VA consolidated list of deferred maintenance and repair compiled for fiscal year 1959 budget	$15,000,000
List reduced by VA Central Office by reclassification and elimination of items to	11,500,000
Included in fiscal year 1959 budget for deferred maintenance and repair items	3,100,000
Carryover of deferred maintenance items to fiscal year 1960	8,400,000
Included in fiscal year 1960 budget for deferred maintenance and repair items	3,100,000
Deferred maintenance and repair items to be carried over to fiscal year 1961 from fiscal year 1959	5,300,000
Deferred maintenance and repair items accumulated each year over and above appropriations for current and deferred maintenance and repair	$3–4 million
Predicted deferred maintenance and repair items at end of fiscal year 1960, if appropriation for fiscal year 1960 for deferred maintenance and repair fund is not increased	$8–9 million

It was the conclusion of the Subcommittee that the Veterans' Administration budget does not contain sufficient funds to take care of the $8 million of deferred maintenance obligation which will exist on July 1, 1959. Continuing delay in making the necessary repairs to the deferred items will result in increased costs. Unless the 1960 budget is substantially increased for deferred maintenance items, the investment of the taxpayers of $2.8 billion in Veterans' Administration hospital facilities will be further depreciated.

The subcommittee voted to make this report to the full committee with the recommendation that the chairman of the full committee present this matter to the chairman of the Subcommittee on Independent Offices of the House Appropriations Committee, recommending that an additional sum be included in the Veterans Administration appropriation for fiscal year 1960 to clean up the backlog of deferred maintenance. In the event this recommendation is not favorably received by the Independent Offices Appropriations Subcommittee, it is recommended that the chairman offer an amendment to the appropriation bill on the floor to increase the Veterans' Administration appropriation for deferred maintenance and repair items.

Monorail Transportation for Seattle's Century 21 Exposition

EXTENSION OF REMARKS
OF
HON. DON MAGNUSON
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Wednesday, April 29, 1959

Mr. MAGNUSON. Mr. Speaker, the Seattle Transit Co. announced today that it has signed a contract with the Lockheed Aircraft Corp. to build a $5 million monorail system to serve the Century 21 Exposition in 1961. This is an historic step forward in the field of mass transportation. We are hopeful that this pilot model will prove to be the key to solving the growing problem of commuting to large metropolitan areas for work or shopping.

The first operational monorail line ever installed within a city to help solve mass transportation problems, the Seattle system will whisk exposition visitors from the downtown area to the exposition site a mile away in slightly more than 1 minute. Its radically designed aircars will carry 96 passengers at a time over the top of congested surface traffic.

An estimated 18 million persons are expected to visit the exposition during its 18-month run starting May 10, 1961. This revolutionary new transportation system will help handle this crowd. But of longer lasting importance and of interest to my colleagues is the fact that this system may be the answer to the Nation's commuting problems. I am sure my colleagues from metropolitan centers can visualize how similar systems could be used in their own areas to carry passengers from airports to business districts or from residential areas to shopping centers.

I hope that many of my colleagues will have an opportunity to visit Seattle during the Century 21 Exposition to see this

monorail in operation as well as the many scientific and cultural exhibits which are being planned.

Frederick, Md., and Fort Detrick an Example of Exceptional Civil-Military Cohesiveness

EXTENSION OF REMARKS
OF
HON. JOHN R. FOLEY
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Wednesday, April 29, 1959

Mr. FOLEY. Mr. Speaker, during my recent visit to the historic and progressive city of Frederick, Md., I was extremely and pleasantly impressed with the outstanding relationship that exists between the community and the U.S. Army Chemical Corps Biological Warfare Laboratories, Fort Detrick.

Normally, I would have noticed that there might be some sort of a friendly relationship between the citizens and the civilian and military personnel of this important defense installation; however, as I talked to many of the folks in town, I became immediately aware that Fort Detrick and the Federal employees, including the military, are vitally interested and participate in all facets of community life. This to me is important. It was wonderful news, news that caused me to inquire about how such relationships came about. Usually, we hear only unfavorable news.

The answer was given to me very simply. I was told by Fort Detrick people that "we live right and tell others about it." However, it goes deeper than that—and when I learned that the Fort Detrick community relations program prefaced a Department of the Army and U.S. Civil Service pamphlet for use by all Federal agencies, I thought it might be well for the executives in our Government organizations located here in Washington to visit Fort Detrick and see how the commanding officer, Col. Donald G. Grothaus, and his assistant for information and public affairs, Mr. Joseph Schwimer, plan and execute this outstanding program. I congratulate them on their achievements.

On the other side of the fence, I found that the Frederick Chamber of Commerce and the elected and appointed officials of the county and city, work hand in hand with Fort Detrick people—who by the way, do not single themselves out as "Detrick people." They are known as Frederick people. And the two-way communications system operates in top flight fashion—that can only mean one thing—that our Federal employees in the Frederick area have assumed their civic responsibilities. Mr. Joseph F. Rhoderick, executive manager of the chamber of commerce, outlined to me just how the people at Fort Detrick help out in the community. Not only are they generous contributors and workers for all charity and civic drives or campaigns, but Mr. Rhoderick pointed out that many of the scientific and professional employees from the laboratories pitch in to assist in the scientific and technical courses presented in the county high schools. The commanding officer encourages this and only recently, two scientists substituted for science teachers who were attending a teachers' convention—at no expense to the county. The substitute teachers were given administrative leave.

Mr. Rhoderick strongly emphasized the valuable assistance he receives from the commanding officer and his assistant for public affairs in the preparation of material for use in the community, that is, information material for local consumption. Every quarter, Fort Detrick tells the people, the taxpayers, how much this installation spends within the community for local purchases and services. It amounts to more than a million dollars a year, or about 6 percent of the total operating budget of the post. This is most laudible and I again congratulate the commanding officer for his foresight and resourcefulness.

I was highly pleased when I was shown the Meritorious Civil Service Award which the Frederick Chamber of Commerce was given by the U.S. Civil Service Commission in January, for outstanding cooperation with Federal employees. This award as made as the Commission was concluding its Diamond Jubilee observance, and unless my information is incorrect, the Frederick Chamber of Commerce became the first such organization to be so recognized. I congratulate Mr. Rhoderick and the chamber of commerce for developing this warmth of climate.

It is my pleasure to insert in the CONGRESSIONAL RECORD two congratulatory letters, one sent to the Frederick Chamber of Commerce by the Secretary of the Army, the Honorable Wilber M. Brucker, and the other to the Chief Chemical Officer, Department of the Army, by Maj. Gen. H. P. Storke, Chief of Public Information, Department of the Army. In each instance, the diamond anniversary award by the U.S. Civil Service Commission to the Frederick Chamber of Commerce, was cited as another example of the continuing excellent relationship existing between the chamber and the people of Fort Detrick—in fact, this was the basis of the award. I know the letters are self-explanatory and submit them herewith:

FEBRUARY 11, 1959.

Mr. JAMES H. GROVE, Jr.,
President, the Frederick Chamber of Commerce, Winchester Hall, Frederick, Md.

DEAR MR. GROVE: It is gratifying to have the word that the Frederick Chamber of Commerce has been awarded the U.S. Civil Service Commission's Diamond Anniversary Meritorious Award. I hasten to express to you and your entire membership my personal congratulations, and those of the members of the U.S. Army.

I am especially proud that the fine relationship between the citizens of Frederick and the Army people at Fort Detrick—as exemplified in the Detrick Appreciation Week of October 1956 and the Diamond Jubilee length of service ceremony of August 1958—afforded the warmth of climate prerequisite to the Civil Service Commission's bestowal of the honor.

At the same time, we particularly appreciate the modesty and thoughtfulness of Mr. Lemuel D. Keller, your retiring president, and Mr. Joseph F. Rhoderick, your executive manager, in graciously deferring to Fort Detrick civilians and military as indispensable partners without whom this distinction could not have been achieved.

I well remember my luncheon with Mr. Keller and Mr. Rhoderick and the members of your official family at the Pentagon in March 1957, and was delighted to confer on the Frederick community the Army's certificate of appreciation. Thus, I am additionally indebted to these spokesmen for their complimentary recollections of this event during the course of your recent anniversary dinner.

Sincerely,

WILBER M. BRUCKER,
Secretary of the Army.

DEPARTMENT OF THE ARMY,
OFFICE OF THE CHIEF
OF PUBLIC INFORMATION,
Washington, D.C., February 5, 1959.

Memorandum for the Chief Chemical Officer.
Subject: Diamond Anniversary Award, Frederick, Md.

1. On January 29, the U.S. Civil Service Commission conferred its Diamond Anniversary Meritorious Award on the chamber of commerce of Frederick, Md. Attended by a large assembly of notables and guests and widely publicized through press and radio media, the ceremony focused much attention on a deserving community and its business and official leadership.

2. I am very impressed by the fact that the Civil Service Commission cited the excellent relationship between the chamber and the people of Fort Detrick as a basis for the award. Further, I am told the recipients repeatedly acknowledged the civilian and military of Detrick as their coworkers and partners in achieving the distinction. Whatever the criteria, great credit was reflected on the Army for its official participation in chamber of commerce sponsored Fort Detrick Appreciation Week of October 1956, and the joint Frederick-Detrick-Civil Service Commission Diamond Jubilee ceremonies of August 1958.

3. I am mindful, in this connection, of those on the military side of the fence in Frederick whose efforts have brought about such a warmth of climate and mutual understanding, notably Col. Donald G. Grothaus, the Fort Detrick commander, and his special assistant for public affairs, Mr. Joseph Schwimer. These men are obviously working as a team in rounding out a splendid community-relations balance sheet and recent events in Frederick bespeak their many accomplishments.

4. The Secretary of the Army is expressing his congratulations on the meritorious award in a letter to officials of the Frederick Chamber of Commerce. May I, in turn, express our own compliments to Colonel Grothaus, Mr. Schwimer, and all of the personnel at Fort Detrick. They are doing a fine job in many different ways and they deserve the Army's sincere appreciation.

H. P. STORKE,
Major General, GS, Chief of Public Information.

St. Elizabeths Hospital

EXTENSION OF REMARKS
OF
HON. STUYVESANT WAINWRIGHT
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, April 29, 1959

Mr. WAINWRIGHT. Mr. Speaker, I have introduced today a bill drafted by the Department of Health, Education,

and Welfare "to amend the laws relating to St. Elizabeths Hospital so as to fix the salaries of the superintendent, assistant superintendent, and first assistant physician of the hospital, and for other purposes."

This bill is similar to H.R. 9416, which was submitted to the 85th Congress in August 1957 in order to meet a long-standing problem concerning the furnishing of quarters, subsistence, and other items of maintenance to the three top officials of St. Elizabeths, and to provide them with salaries which more realistically reflect their professional status and their responsibilities.

In his letter of transmittal accompanying the bill, the Secretary of Health, Education, and Welfare Arthur S. Flemming, describes the need for this legislation as urgent. As he points out:

> In the interval between submittal of this legislation to the 85th Congress and the present date, the incumbent of the position of Assistant Superintendent has retired and accepted a more lucrative position outside the Government. In addition, the incumbent of the first assistant physician's position has died and only recently been replaced by a promotion from within St. Elizabeths Hospital of a physician who is nearing retirement. This bill is an essential step in placing the Department in a position where it can hope to recruit qualified persons for these very important posts.

Oil Imports and Gravy Trains

EXTENSION OF REMARKS
OF

HON. HARRIS B. McDOWELL, JR.

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 29, 1959

Mr. McDOWELL. Mr. Speaker, at the time of the Executive order which restricted the importation oil by the mandatory import program, I issued a press release voicing my concern for the effect of the program upon the eastern seaboard consumers. Soon after the printing of this release, I was pleased to receive from Mr. Harry B. Hilts, secretary of the Empire State Petroleum Association, a letter with some pertinent data which vindicates my position. Mr. Hilts' letter contained an enclosure—a copy of a statement to its shareholders by American Petrofina, Inc., a Belgian controlled corporation which started operation in the U.S. market in October of 1956.

Because I feel, as does Mr. Hilts, that "the eastern seaboard consumers will be required to foot the bill involved in this gravy-train operation," I feel it necessary to bring to the attention of my colleagues, a description of my position, and the information conveyed to me supporting my stand. Consequently, I under unanimous consent, introduce the following material as an extension of remarks in the CONGRESSIONAL RECORD.

First. My press release of March 26, 1959.

Second. Mr. Hilts' letter of April 13, 1959, describing the position of the Empire State Petroleum Association which Mr. Hilts represents.

Third. A statement of March 30, 1959, issued to its stockholders by American Petrofina, Inc.

Fourth. My reply of April 17, 1959, to Mr. Hilts.

Fifth. Mr. Hilts latest communication of April 20, 1959.

McDOWELL ATTACKS PRESIDENT'S DECISION TO CUT OIL IMPORTS

Congressman HARRIS B. McDOWELL, JR. Democrat, of Delaware, in a strong indictment of President Eisenhower's move to protect large American oil corporations, made the following statement:

"We have been hearing a lot of talk lately about inflation from the administration. Prevention of inflation seems to have been the main thing on Mr. Eisenhower's mind as we have seen from his policy of a balanced budget and tight money. He has insinuated that the Democratic Congress is composed of nothing but spendthrifts and budget busters who are bent on destroying the economy by producing inflationary conditions.

"And yet, this same President has seen fit to cut the amount of oil which this country can import. This will definitely cause more inflation than any move the Congress could make if it were bent upon producing inflation, and of course, the Congress is not." McDOWELL went on, saying:

"While the President's order cuts crude oil imports about 25 percent, it slashes the import of gasoline and other refined oil products more drastically. To the ordinary consumer, this means the price of gasoline will go up since with less gasoline on the market, more money is required to buy it. It means the consumer's heating bill will become larger if he heats his home with oil or any oil product.

"To the businessman, this decision means a rise in the cost of manufacturing since he must pay a greater price for oil which he consumes in large quantities. By increasing the cost of doing business, this will increase the cost of buying every article that American business manufactures. Then too, when products of American industry must be sold at a higher price, our domestic manufacturers will be at a disadvantage on the world market since they cannot sell their products as cheaply as other nations with whom they are competing.

"We can easily see that the President's decision is totally inconsistent with his previous demand to eliminate inflationary tendencies from the economy. It is also inconsistent with the President's expressed desire to aid foreign countries and increase our prestige in the international arena. As a member of the House Foreign Affairs Committee, I am deeply concerned with the effect the oil import cut will have upon our relations with friendly producer nations. Our good trade relations with Canada essentially will be destroyed, and the damage this decision will do to our already strained relationships with South America and the Middle East will be irreparable. The economic stability of these countries, whose friendship we need so badly, depends to a great extent upon the money they receive from selling oil to the United States. The President's action can do nothing but cause a loss of friendship, and a weakening of these countries' economy, making them even more susceptible to Communist influence and infiltration. This we absolutely cannot afford.

"The President has attempted to give reasons for the decision. He stated that we must cut oil imports and develop America's ability to produce oil so that in the event of a major war, the United States would not have to depend upon foreign markets. This argument is so ill advised that it becomes ridiculous."

Congressman McDOWELL pointed to its weaknesses by stating:

"First of all by cutting off oil imports we may be increasing the American oil industry's capacity to produce more oil by increasing its employees and the size of its production plants, but along with this we are depleting the available supply of domestic oil. Secondly, the United States has sufficient oil-producing capacity right now to fight a big war. Our worry is not whether we have enough oil for war * * * we have that. The real problem is whether or not we have an adequate amount of defense to prevent a major war from starting. Thirdly, in case of a limited war, the United States would not be severed from all foreign oil sources. Oil from Canada is is piped into this country, and consequently would be free from enemy action on the high seas. Fourthly, it is true that some of our foreign sources of oil would be cut off in time of war, but, with this in mind, should we not allow at least part of America's oil to lie underground and should we not take advantage of the opportunity, which may not always be with us, to bring in oil from the Middle East and South America?"

Congressman McDOWELL went on to say: "The President's decision is harmful to every State in this Union which depends upon oil imports. This means that his decision is harmful to all but a handful of western oil-producing States. It is a devastating blow to every consumer in this country, especially those east of the Mississippi River, for both business and consumers in this area depend heavily upon imported oil.

"The only people to benefit from the President's decision are those running our large oil companies and, I might add, it is not only the Democrats who are saying that the President is looking out for the oil interests which are financially well off to start with. Senator GEORGE AIKEN, Republican, of Vermont, delivered a scorching criticism of the President's plan."

McDOWELL said, in conclusion: "Although politics is not the reason for criticism of the decision, politics can be the only reason for the President's order. It looks as if there is collusion between certain people in both political parties to protect the oil producers in exchange for their political support. I, for one, however, will voice my disgust when I see politics played to this extent. This decision, by annihilating a major source of oil, the lifeblood of our Nation, can do nothing but cause unjustified hardship to the consumer, weaken our defenses, and decrease our stature in the field of international relations."

EMPIRE STATE PETROLEUM
ASSOCIATION, INC.,
New York, N.Y., April 13, 1959.

The Honorable HARRIS B. McDOWELL, Jr.,
House of Representatives,
Washington, D.C.

MY DEAR MR. McDOWELL: We are enclosing herewith a copy of a letter sent recently to its shareholders by American Petrofina, Inc., a Belgian-controlled concern which began operating in the U.S. market on October 1, 1956.

We call your attention to the following quotation which we have underlined in the attached letter—

"* * * upon the basis of negotiations just concluded, should result in a substantial improvement in earnings."

Since the refineries owned by this company are located at inland sites, far removed from ports of entry used by oversea tankers, they cannot readily use imported oil in their operations. Thus, we assume that the substantial improvement referred to above will result from the sale of American Petrofina's oil imports under the quota system to refiners whose locations permit them to process imported oil.

So that you may more fully understand the gravy-train aspect of the situation referred to above, we estimate the windfall profit to this company as follows: Based on the going market price for foreign oil brought in under the quota system, when transferred from

the quota holder to another refiner in need of the oil, we assume the additional sums accruing to American Petrofina, Inc., will total between $1 and $1.5 million this year.

We have, of course, no bone to pick with American Petrofina per se. We submit their letter only as a typical illustration of how former nonimporting refiners stand to benefit from current import restrictions.

This type of transaction is legal under the quota restrictions, but is assuming all the aspects of a "black market" operation. To substantiate this, the McGraw-Hill Publishing Co.'s daily Oilgram on March 20 pointed out that this traffic will add approximately $30 million to the coffers of formerly nonimporting refiners this year, thereby creating an inflationary impact on consumer oil prices.

We call your attention to the fact that eastern seaboard consumers will be required to foot most of the bill involved in this gravy-train operation.

Sincerely,

HARRY B. HILTS,
Secretary.

AMERICAN PETROFINA, INC.,
New York, N.Y., March 30, 1959.

To the Shareholders:

The mandatory import program recently approved by President Eisenhower, and to which reference was made in the company's 1958 annual report, extends long-awaited benefits to American Petrofino, Inc.

Under the license just received from the Department of the Interior, dated March 11, 1959, the company is authorized to import 4,050 barrels of foreign crude oil per day during the initial quota period. The effect to the company of this allocation is of real significance and, upon the basis of negotiations just concluded, should result in a substantial improvement in earnings.

During 1958, refinery realizations on manufactured products were severely depressed as a result of the availability of low-cost foreign crudes and products to various authorized companies operating under the voluntary import program, as well as to others who elected to ignore the requirements of that plan.

The controls established under the mandatory program should now prevent many of the costly abuses of the past and contribute thereby to an improvement in market conditions.

The prospects for your company for the remainder of the year are brightened by the Government's action, and I thought the information would be interesting and welcome to you.

HARRY A. JACKSON, *President.*

APRIL 17, 1959.

Mr. HARRY B. HILTS
Secretary, Empire State
Petroleum Association, Inc.
New York, N.Y.

DEAR MR. HILTS: I appreciate your letter and enclosure of April 13 for it gives factual information backing my objections to the mandatory import program. Any further information of this nature, dealing particularly with the effects of this program on the eastern seaboard consumer would be most helpful to me.

It is my feeling that your letter is the type which would be extremely effective as an extension of my remarks in the CONGRESSIONAL RECORD, and I would like to introduce it with its enclosure as such. I will, however, be guided by your feelings on this proposal and I would appreciate your expressing them to me as quickly as possible.

I truly hope that I may be of assistance to you in finding a remedy to this situation.

Sincerely,

HARRIS B. MCDOWELL, Jr.,
Member of Congress.

EMPIRE STATE PETROLEUM ASSOCIATION,
NEW YORK, N.Y., *April 20, 1959.*

Hon. HARRIS B. MCDOWELL, Jr.
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN MCDOWELL: Thank you for your letter of April 17 in which you acknowledge my letter to you of April 13 and its enclosure concerning our objection to the mandatory restrictions on petroleum imports.

I note your suggestion concerning the extension of this letter and its enclosure to your remarks in the CONGRESSIONAL RECORD and would be very happy to have you use my letter and its enclosure in this way.

Sincerely,

HARRY B. HILTS, *Secretary.*

Statement by Hon. Cornelius E. Gallagher, of New Jersey, in the House of Representatives, Wednesday, April, 29, 1959

EXTENSION OF REMARKS
OF
HON. CORNELIUS E. GALLAGHER
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Wednesday, April 29, 1959

Mr. GALLAGHER. Mr. Speaker, under leave, I would like to insert in the RECORD the testimony which I gave today before the House Judiciary Committee on my bill H.R. 4193, which would authorize compacts between States, such as New York and New Jersey, to grant uniform tax treatment of out-of-State residents employed in a State:

STATEMENT BY HON. CORNELIUS E. GALLAGHER, OF NEW JERSEY, BEFORE JUDICIARY COMMITTEE OF HOUSE OF REPRESENTATIVES, APRIL 29, 1959

Mr. Chairman and members of the committee, the district which I am privileged to represent lies just across the Hudson River from New York City. Every working day thousands of the residents of this district and many more thousands in the northern New Jersey area cross under the river into Manhattan where they are employed. A lesser number of New York residents commute from their homes in New York to jobs in New Jersey.

The income of the New Jersey residents employed in New York is taxed by that State, and taxed, it might be noted, at rates somewhat higher than are imposed on the citizens of New York. The income of the New York residents which is derived from their employment in New Jersey is not taxed. And therein lies an inequity which works an increasing economic hardship on the New Jersey residents involved.

It is important to note that this situation exists not only in the northern New Jersey and Metropolitan New York area, but in many other areas of New Jersey and in other States, where there is interstate movement of workers.

It is true that a New Jersey resident working in New York benefits from certain community services, such as police and fire protection, in the area of his employment. It may be argued that he should, in all fairness, be taxed, just as the State's own citizens are taxed, for these services. There is grave doubt, however, of the fairness of taxation of the income of an out-of-State employee at the same, or higher rates at which the citizen of the State concerned is taxed. The latter receives the full benefit of all services of his State and community on a 24-hour, 365-days-a-year basis.

The out-of-State employees, on the other hand, receive limited services, certainly nothing so extensive as the schooling of his children, for which he must pay heavily in his own State, and receives these services for only the length of a normal working day—8 hours.

I am aware that this committee is giving most serious attention to the broad aspects of the levy by one State on income earned therein by the resident of another State, and has before it for consideration several proposals. I am, certainly, in agreement with the objectives of the various proposals, for the inequity of such practice is recognized even by those States which derive benefit from it. The Governor of New York, for example, has noted that the taxation of nonresident employees is a matter to which the legislature of that State should give attention.

It is only realistic, and I am sure you will agree, that relief can hardly be expected from the governing body of a State hard-pressed for public funds, and such is the case in most States. If there is to be relief in the foreseeable future, it will come as the result of action by the Congress.

H.R. 4193, which I have introduced and which is cosponsored by other New Jersey Members of the Congress, is designed to grant the consent of the Congress to any two or more States to enter into compacts to grant uniform tax treatment of nonresidents through agreements not to discriminate between residents and nonresidents in the levy and collection of taxes. Such compacts would be subject to ratification by the States involved and approval by the Congress.

The objective of my bill is an immediate solution to the problem in a manner less difficult than seeking a constitutional amendment such as is sought in other proposals. I am confident that the passage of H.R. 4193 will spark action between New York and New Jersey leading to a compact, and that such compact would give relief to the nonresident employees of business firms in that State. This would apply not only to New Jersey residents but to those of other States. I am hopeful that such a compact might be an example for other States concerned with the problem of unfair taxation of nonresident employees.

The complex of the commerce of this Nation is such that there is bound to be an increase in instances where the residents of one State are, of necessity, employed in an adjoining State. Interstate boundaries were never intended to be barriers to employment. Should they become barriers, certainly the development of the Nation's commerce would be impeded.

The bill for which I speak today is merely an authorization for two or more States to act in this matter, to reach agreements which would resolve a tax situation which is generally agreed to be grossly unfair. I urge the favorable consideration of the committee. Thank you.

Transfer Freedmen's Hospital to Howard University

EXTENSION OF REMARKS
OF
HON. STUYVESANT WAINWRIGHT
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, April 29, 1959

Mr. WAINWRIGHT. Mr. Speaker, today I have introduced a bill to transfer Freedmen's Hospital to Howard University, with provision for construction

of a new teaching hospital. I hope that Congress will give swift approval to this legislation, which will make possible the construction of urgently needed new facilities for Howard University's medical teaching program and for proper care of the patients at Freedmen's Hospital.

Action on this bill would not only help alleviate the national shortage of medical and allied personnel, it would end the anomaly of the Federal Government's operating a community hospital. It would make the hospital an integral part of the university, with the advantages of unified responsibility and control. Under private control and with new facilities, it could become progressively more self-supporting, without impairment of its teaching function.

This proposal has been drafted by the Department of Health, Education, and Welfare. It is similar to the bill which the Committee on Labor and Public Welfare of the other House reported favorably last year, but which was not acted upon in the final rush of adjournment. It includes provisions to assure continuation of equal pay and benefits to the employees who will be transferred, and gives them all the security it can without continuing them as Federal employees. I understand in addition that Howard University has recently expressed its willingness to accept and operate Freedmen's Hospital in accordance with the provisions of the bill, and has spelled out the undertakings it is prepared to incorporate in the terms of the agreement.

Statement by Hon. Isidore Dollinger, of New York, on H.R. 2526

EXTENSION OF REMARKS
OF
HON. ISIDORE DOLLINGER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, April 29, 1959

Mr. DOLLINGER. Mr. Speaker, I am including in the CONGRESSIONAL RECORD my statement to the Committee on the Judiciary in connection with my bill, H.R. 2526:

Mr. Chairman and members of the Committee on the Judiciary, on January 15, 1959, I introduced H.R. 2526, a bill to prohibit certain acts involving the importation, transportation, possession, or use of explosives with intent to destroy or damage any communal building, residence, or place of business.

The outbreak of anti-Semitic violence last fall shocked every right-thinking American. The bombings and attempted dynamitings of Hebrew congregations, temples, and centers, which occurred in Atlanta, Peoria, Miami, Nashville, Jacksonville, Charlotte, Gastonia, and Birmingham, as well as threats to numerous synagogs throughout the country were indisputable evidence of a new wave of terror and hatred directed against Jews; we have proof of a substantial increase in anti-Semitic defamation by publications promoting religious hatred. Anti-Semitic defamation and violence against Jews and Jewish property constitute a serious problem; it must have our intelligent and effective attention, and a solution must be found.

The lawlessness rampant in communities where the acts of violence took place is a symptom of the general breakdown of respect for law in those areas; lawlessness is the inevitable consequence of disrespect for law. Therefore, any approach to the problem which does not reach the root of the evil—disrespect for law—will prove of no avail. Also, remedies must be sought within the framework of constitutional limitations.

I would also point out that the number of houses-of-worship bombings in the South is a relatively small one as compared to the scores of bombings of residences and business places owned by Negroes. Therefore, any legislation which seeks to impose Federal penalties upon vandals and unlawful users of dynamite must, if it is to have any significance, include in its compass those who use dynamite against private dwellings and places of business. My bill would represent an effective, if modest, step in meeting the problem and would give some protection to all those who are victims or intended victims of bombings.

When leaders of State governments express their defiance of the U.S. Constitution, they set an example for the entire community and then members of the community feel free to show their disrespect in any way they choose. Dynamiting is one result; lynching another. The Nation was shocked and outraged by the abduction of Mack Charles Parker who was tortured and lynched. This horrible act proves that respect for law is more important than ever; it also proves that the Federal Government must act without delay to prevent such unspeakable barbarism. Local leaders cannot be trusted to protect the rights of all those within State boundaries; the American people through Congress demand that all persons in our country be assured of their rights granted by the Constitution.

My bill being considered today covers only one factor and would help eliminate only one evil. I trust your committee will take favorable action on it or similar legislation, and that you will also proceed with dispatch to vote out other bills which concern civil liberties and protection of those now discriminated against, terrorized, and deprived of their rights.

Democratic Victory in 1960

EXTENSION OF REMARKS
OF
HON. JAMES M. QUIGLEY
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, April 29, 1959

Mr. QUIGLEY. Mr. Speaker, last Saturday evening the Young Men's Democratic Society of York County, Pa., held its 67th annual Jefferson-Jackson Day dinner at the Valencia Ballroom in the city of York. The speaker on this occasion was our distinguished colleague from the Fourth District of Alabama, Hon. KENNETH A. ROBERTS. It is a pleasure for me to bring to your attention the speech which Mr. Roberts delivered to his York audience:

It is a great pleasure for me to be here tonight, as I always get a high sense of pleasure in gathering with Democrats anywhere.

I feel at home with Democrats wherever I am, even though I may be in Yankee territory. I'm glad that I am here on friendly terms, because I understand that when I crossed over into York County today I also crossed over what some southerners have called the Smith & Wesson line. I think you call it the Mason-Dixon line.

It is a privilege to be in the 19th Pennsylvania District, which is served so ably by my good friend and your distinguished Congressman, the Honorable JAMES M. QUIGLEY. I could not have said that if I had come before you last year, and I know you share the pride I have in being able to salute your Democratic Congressman tonight.

There may be another reason why I feel at home here tonight. In Washington, you know things can get pretty hot sometimes. I think it should be a source of pride to you to know that when things get heated in the Capitol Building, York air conditioning is helping cool things off.

We are here tonight in a common bond, the Democratic Party.

Through a century and a half of American history, there has been a Democratic Party. And all that time our party has had one guiding principle: the ideal of government for the common man.

Ours is the oldest political party in the world. The exact date of the party's founding is not clear. But it is certain that it gained lifebreath in the fight of Thomas Jefferson for the Bill of Rights. The battle then was what it has always been for the Democratic Party: to preserve individual liberty. In that great fight which put the Democratic Party into the forefront, Thomas Jefferson declared: "A bill of rights is what the people are entitled to against every government on earth, and what no just government should refuse."

Jefferson's party first sought office opposing the aristocratic Federalists of Alexander Hamilton. Jefferson fought the party which believed that the Government could not last unless the wealthy people of the country were given preferential treatment.

Government for the benefit of the privileged few, the autocrats of privilege, has ever been the spirit of the Republican Party.

When the Eisenhower Republican administration came into power in 1953, there was great rejoicing by the men of big business, big finance, and big law. One of General Eisenhower's first actions was to take care of his rich friends. And, right off, he named to his Cabinet nine millionaires and a plumber. The plumber, needless to say, is no longer with him. Under Eisenhower, the Republican Party has run true to form. It has followed the party spirit enunciated by Alexander Hamilton. Hamilton's scheme was to create a permanent class to run the Government of those who held the wealth and capital of the country. It was built for the autocrats of privilege and there was no humanity in it.

Our great Speaker of the House, SAM RAYBURN, has often said that the Democratic Party is the party with humanity in it. Ours is the party with a heart. It was our party that created the ideal of humane government.

You know, the Democratic Party's early role in protecting the immigrant settlers almost has been forgotten. Back in the 1850's, some 600,000 European immigrants were entering this country each year. The Know-Nothing Party came into being for the sole purpose of ending this immigration. Members of the bigoted Know-Nothing movement burned churches and beat up immigrants on the streets. They ran almost unchecked until the Democratic National Convention of 1856 took a strong stand which broke the back of the Know-Nothings. The Democratic belief was put forth in a resolution which showed the common people of Europe that America welcomed them to a new life. Our western lands, then being settled, would have been of little use without people to fill them. The Democratic ideal of humane government quickened the movement that built the West.

Thomas Jefferson believed in the fullest possible life for all the people. He believed in the inherent worth of the common man. He was certain that, given the facts, the people would use the right of self-government properly.

Down through 150 years, this has been the line of the Democratic Party. Of course, we have had our ups and our downs. But there have always been men, men of good faith, young men, men ready to fight for good government.

What men we have had.

Thomas Jefferson at 33 drafting the Declaration of Independence.

James Madison at 26 the father of our Constitution.

James Monroe, who formed the basis of American foreign policy which would stand for more than a century.

Andrew Jackson, who after leading the American forces brilliantly in the Battle of New Orleans, went on to become a great President.

One of the finest assertions of basic Democratic principles on record is one delivered by Andrew Jackson while he was President. I would like to quote the words which express clearly our party's beliefs: "Every man is equally entitled to protection by law; but, when the laws undertake to add to those natural and just advantages artificial distinctions, to grant titles, gratuities and exclusive privileges, to make the rich richer and the powerful more potent, the humble members of society—the farmers, mechanics and laborers—who have neither the time nor the means to secure like favors to themselves, have a right to complain of the injustice of their government."

And from here in Pennsylvania there came a man. His name was James Buchanan. As Secretary of State, he wrote the peace treaty with Mexico. As President, he lowered the tariff, and his words on government economy still live in the Democratic 86th Congress. He said, "We ought never to forget that true public economy consists not in withholding the means necessary to accomplish important national objects, but in taking care that the money appropriated for these purposes shall be faithfully and frugally expended."

The Republican Party leadership today delights in calling the Democrats the big spenders. The Republican solution is to ignore crying domestic needs and hang onto a paper budget. They could take a great lesson from James Buchanan of Pennsylvania.

You know, that balanced budget that President Eisenhower has tossed to us in the Congress is one of the big hoaxes of the century. When you try to test the budget by comparing expenditure with revenue, it does not balance. It anticipates revenue which will not be forthcoming. When you try to test the budget by measuring it against the needs of the country, against the suffering of the unemployed, against the demands for better schools, hospitals, and housing, it is far from being a balanced budget.

It is a deficit budget. Deficit in reality and humane ideals.

The Democratic Party is and always has been the party of financial responsibility. The Democratic Party believes, as Grover Cleveland so succinctly put it, "A public office is a public trust."

In the last 4 years of Democratic Congresses, for instance, we have cut $8 billion out of the Republican President's budget. We have done it wisely, responsibly, and we have carried American progress ahead with it.

The Democratic Party has always provided leadership when the country has needed it. In time of crisis, the people historically have turned to the Democratic Party.

During World War I, America looked to Woodrow Wilson. He carried us through, and did not stop there. He devoted his life to a search for peace. Peace among men and among nations.

Woodrow Wilson was a living example of the precept of the Democratic Party which he himself enunciated with these words: "The Democratic Party, and only the Democratic Party, has carried out the policies which the progressive people of this country have desired. * * * I thank God that those who believe in America, who try to serve her people, are likely to be also what America herself from the first hoped and meant to be—the servant of mankind."

In 1929, the people of America had had Republican leadership, or lack of it, for 8 years. They were on the verge of a terrible economic crisis. And it came down like a burst bubble. The great depression. The stock market was at the bottom. There were breadlines in the streets. Thirteen million people were out of work. The Republican President gave them empty words. He said he was opposed to squandering ourselves into prosperity. He said the worst was over, and recovery was assured.

Well, you know the story. In time of crisis, the people turned to the Democratic Party for salvation. They found it in a man named Franklin Delano Roosevelt. F.D.R. told the people there was nothing to fear but fear itself. The people trusted him and he led them through.

The people grew strong under the Democrats during the next two decades. Roosevelt and Harry S. Truman guided America through a great global conflict and made us sound and prosperous.

In 1952, the Hoover years were dimmed in American memories. America thought it wanted a change. I do not have to tell you here tonight that America got a change.

We have had many changes while President Eisenhower was sometimes at the Augusta, Ga., Country Club, sometimes at Camp David, sometimes at the Burning Tree golf course, and sometimes on a fancy farm over in Adams County, Pa.

Our allies have been antagonized, our alliances weakened, our strength weakened, our world prestige undermined.

On the home front, the Republican administration gave America more changes. It gave us the worst recession since World War II, with 5 million unemployed workers, the highest prices and taxes in history, a soaring cost of living.

The great change of 1952 brought to America a rededication to the precepts of Alexander Hamilton, where the rich get richer and the poor get poorer. We have felt the pinch of the high interest rates for the benefit of the bankers and the money lenders. We have seen small business squeezed out, while Republican shoulders shrugged at the big steel and auto manufacturers, food producers and chainstores putting through price increases far out of proportion to labor wage increases. Tax cuts have been reserved for corporations and rich taxpayers.

The workers, consumers, small businessmen, and farmers were neglected while the administration shadow-boxed with inflation.

You are located here in the heart of a great agricultural region. Did you know that the Republicans have driven 4 million people off the farms in 5 years?

Under the great change of 1952, there has come about a heartless and callous slashing of programs vital to the health of the people. There have been giveaways, exploitation of natural resources, minerals, water, power, forestry, and land.

The Republican administration let the Russians get the jump on us in the space race. Down in Alabama, at Redstone Arsenal, we have the world's ablest space scientists. These scientists had a rocket ready to go long before the Russian sputnik zoomed into outer space. America could have beaten sputnik and strengthened its leadership and prestige if President Eisenhower and Charlie Wilson could have made up their minds and given Redstone Arsenal the go-ahead.

Last November, the people of America realized as never before what the great change of 1952 had brought them.

They saw that once again America is facing a time of crisis. Only this time, it is not one crisis, but multiple crises. There is the farm crisis. The arms research and development crisis. The business crisis. The unemployment crisis.

In November, the people once again showed they were ready to let the Democratic Party take over. They showed it in the only way they could. Had it been a presidential election, we would have a Democrat sitting in the White House right now.

But the people will have to wait until 1960 for that.

Last fall, they could only elect Democrats to governorships, to mayorships, to Congress. And they did it overwhelmingly. In all parts of this great land, Democrats were returned to office or sent there for the first time.

Right here in Pennsylvania, in the 19th Congressional District, after he had been on the sidelines for 2 years, you sent a Democrat back to Washington and I congratulate you for it.

Well, what did that great victory in 1958 for the Democratic Party mean? One thing it most certainly meant was that the people do not want more of what they have been getting. Tired of the weak Republican administration, they are concerned over the unanswered needs on the homefront and abroad.

In short, the people are tired of the great change. They want the Democratic Party, the responsible party, the humane party, to make their laws and to give them leadership.

We Democrats feel very strongly the burden of responsibility that has been placed upon us. In the 86th Congress, where the Democratic majority is larger than at any time in the last 20 years, we know that ours is a solemn obligation to continue to fulfill the expectations of the people who have put us there.

In the 86th Congress, we are going to continue in the spirit of the 85th Congress, which the people so loudly have endorsed.

The job has already started. The Hawaiian and Alaskan statehood bills already have passed, and we have extended unemployment benefits. We are on the verge of passing a new airport aid bill, to help us meet the growing demands of safety and necessity in the jet age. We will soon pass an omnibus housing bill, to provide homes for the homeless.

We will enact health legislation and safety legislation. We will enact labor reform legislation, and we will see that adequate funds are provided for home development and defense.

The list will be long when we are through. It will be done for the ideal of government for the common man, just as it was in the days of Thomas Jefferson. It will be done at times against heavy opposition from the Republican administration.

The voters of America will be watching the 86th Congress. They want to know that their 1958 endorsement of the Democratic Party was justified. I want to tell you that they will not be disappointed. They will be sure in 1960 that the Democratic Party is the party of responsibility.

They will be able to vote in good conscience for the Democratic presidential nominee, confident that their ballot will mean a return to responsible leadership.

America today as never before has need of the Democratic Party. She has need of its spirit of dedication and devotion. She has the need of each of you here tonight, your courage, and devotion, your determination, and vision, your faith in the future.